Journal of the Assembly

DURING THE

FIFTIETH SESSION

OF THE

Legislature of the State of California

1933

FIRST PART BEGAN ON MONDAY, JANUARY SECOND, AND ENDED SATURDAY, JANUARY TWENTY-EIGHTH

SECOND PART BEGAN ON TUESDAY, FEBRUARY TWENTY-EIGHTH AND ENDED FRIDAY, MAY TWELFTH

THIRD PART BEGAN ON MONDAY, JULY SEVENTEENTH AND ENDED WEDNESDAY, JULY TWENTY-SIXTH

HON. WALTER J. LITTLE, Speaker

ARTHUR A. OHNIMUS, Chief Clerk

CALIFORNIA STATE PRINTING OFFICE
HARRY HAMMOND, STATE PRINTER
SACRAMENTO, 1933

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CALIFORNIA LEGISLATURE—ASSEMBLY.

FIFTIETH SESSION.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, January 2, 1933.

Pursuant to the requirements of the Constitution of the State of California and the law, at the hour of twelve o'clock meridian, the Assembly of the fiftieth session of the Legislature of California was called to order by Arthur A. Ohnimus, Chief Clerk of the forty-ninth session.

In conformity with the law, the following officers of the forty-ninth session were also present: Louis F. Erb, Minute Clerk, and Arthur Ferguson, Sergeant-at-Arms.

PRAYER.

By invitation of the Chief Clerk, prayer was offered by Rev. Lawrence Wilson of Sacramento, Chaplain of the Assembly for the forty-ninth session.

APPOINTMENTS.

The Chief Clerk announced the following appointments of attaches for the temporary organization of the Assembly:

Pages, George Bliss, Jr., Barton Dempster and James O'Connor, Jr.
Chief Stenographer, Madge Cross.
Stenographer, Norma McAtee.
First Assistant Clerk, Fred J. Desch.

CERTIFICATE FROM SECRETARY OF STATE.

The Chief Clerk read the following certificate of duly elected members of the Assembly of the fiftieth session of the Legislature of the State of California:

STATE OF CALIFORNIA, DEPARTMENT OF STATE.

I, Frank C. Jordan, Secretary of State of the State of California, do hereby certify that the following is a complete list of those duly elected at the general election held on the eighth day of November, A. D. 1932, to represent the people of the State of California as members of the Assembly of said State at the Fiftieth Session of the Legislature of said State, as appears from the Statement of Vote, received from the county clerks of the county or counties and the registrar of voters of the City and County of San Francisco, comprising the several Assembly Districts of the State of California, said Statement of Vote being a record of and on file in my office, viz:

MEMBERS-ELECT OF THE ASSEMBLY

Name	District	County or Counties Comprising District
Michael J. Burns	First	Del Norte, Humboldt, Mendocino.
Albert F. Ross	Second	Siskiyou, Modoc, Trinity, Shasta, Lassen, Plumas, Sierra.
John H. O'Donnell	Third	Tehama, Glenn, Colusa, Yolo.
J. E Frazier	Fourth	Butte, Yuba, Sutter.
Ernest C. Crowley	Fifth	Lake, Napa, Solano
Jesse M. Mayo	Sixth	Nevada, Placer, El Dorado, Amador, Calaveras, Alpine, Tuolumne, Mariposa, Mono, Inyo.
Hubert B. Scudder	Seventh	Sonoma, Marin.
Roy J. Nielsen	Eighth	Sacramento.
Percy G. West	Ninth	Sacramento.
Clifford C. Anglim	Tenth	Contra Costa.
F. C. Clowdsley	Eleventh	San Joaquin
James E. Thorp	Twelfth	San Joaquin.

MEMBERS-ELECT OF THE ASSEMBLY—CONTINUED.

Name	District	County or Counties Comprising District
James M. Cassidy	Thirteenth	Alameda.
William F. Knowland	Fourteenth	Alameda.
William W. Hoffman	Fifteenth	Alameda.
Eugene W. Roland	Sixteenth	Alameda.
Henry P. Meehan	Seventeenth	Alameda.
Charles W. Fisher	Eighteenth	Alameda.
Albert H. Morgan, Jr.	Nineteenth	Alameda
Thomas A. Maloney	Twentieth	San Francisco.
Joseph P. Gilmore	Twenty-first	San Francisco.
James A. Miller	Twenty-second	San Francisco.
William B Hornblower	Twenty-third	San Francisco.
Patrick J. McMurray	Twenty-fourth	San Francisco.
Melvyn I. Cronin	Twenty-fifth	San Francisco.
Ray Williamson	Twenty-sixth	San Francisco.
B. J. Feigenbaum	Twenty-seventh	San Francisco.
Edgar C. Levey	Twenty-eighth	San Francisco.
Frederick Peterson	Twenty-ninth	San Mateo.
Frank Lee Crist	Thirtieth	Santa Clara.
C. C. Cottrell	Thirty-first	Santa Clara.
E. H. Zion	Thirty-second	Stanislaus.
C. Ray Robinson	Thirty-third	Merced, Madera.
Clifford R. Kallam	Thirty-fourth	Santa Cruz, San Benito.
Ellis E. Patterson	Thirty-fifth	Monterey, San Luis Obispo.
Lucius Powers, Jr.	Thirty-sixth	Fresno.
Maurice S. Meeker	Thirty-seventh	Fresno
Ford A. Chatters	Thirty-eighth	Kings, Tulare.
George R. Bliss	Thirty-ninth	Santa Barbara.
J. J. McBride	Fortieth	Ventura.
Rodney L. Turner	Forty-first	Kern
James S. O'Connor	Forty-second	Los Angeles.
C. Don Field	Forty-third	Los Angeles.
Clare Woolwine	Forty-fourth	Los Angeles.
Charles A. Hunt	Forty-fifth	Los Angeles.
Sam M. Greene	Forty-sixth	Los Angeles.
Eleanor Miller	Forty-seventh	Los Angeles.
Frank G. Martin	Forty-eighth	Los Angeles
Herbert J. Evans	Forty-ninth	Los Angeles.
Frank W. Wright	Fiftieth	Los Angeles.
Wm. Moseley Jones	Fifty-first	Los Angeles.
Charles W. Grubbs	Fifty-second	Los Angeles.
E. V. Latham	Fifty-third	Los Angeles.
Frank J. Rogers	Fifty-fourth	Los Angeles.
Austin L. Tournoux	Fifty-fifth	Los Angeles.
Bert V. Callahan	Fifty-sixth	Los Angeles.
Kent H. Redwine	Fifty-seventh	Los Angeles.
Lawrence Cobb	Fifty-eighth	Los Angeles.
Charles W. Lyon	Fifty-ninth	Los Angeles.
Walter J. Little	Sixtieth	Los Angeles.
Charles W. Dempster	Sixty-first	Los Angeles.
Frederick M Roberts	Sixty-second	Los Angeles.
Willard E. Badham	Sixty-third	Los Angeles.
John D. McCarthy	Sixty-fourth	Los Angeles.
Herbert S. Hallner	Sixty-fifth	Los Angeles.
James J. Boyle	Sixty-sixth	Los Angeles.
Cecil R. King	Sixty-seventh	Los Angeles.
John T. Rawls	Sixty-eighth	Los Angeles.
Walter H. Sullivan	Sixty-ninth	Los Angeles.
Ira S. Hatch	Seventieth	Los Angeles.
Harry B. Riley	Seventy-first	Los Angeles
Hobart R. Alter	Seventy-second	San Bernardino.
A. E. Brock	Seventy-third	San Bernardino.
James B. Utt	Seventy-fourth	Orange
Edward Craig	Seventy-fifth	Orange.
John P. Phillips	Seventy-sixth	Riverside
Samuel E. Robinson	Seventy-seventh	Imperial.
George B. Bowers	Seventy-eighth	San Diego.
Bruce R. Stannard	Seventy-ninth	San Diego.
Charles W. Stream	Eightieth	San Diego.

WITNESS my hand and the Great Seal of the State of California, at office in Sacramento, this seventeenth day of December, A.D 1932.

[SEAL] FRANK C. JORDAN, Secretary of State.

ROLL CALL OF COUNTIES.

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

MEMBERS SWORN IN.

As required by section 239 of the Political Code, the Clerk called the roll of counties in alphabetical order, and the following members-elect appeared before the bar of the Assembly, presenting their certificates of election and duly qualified by taking and subscribing to the following oath administered by J. A. Plummer, Associate Justice of the Third District Court of Appeal:

OATH OF OFFICE.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties as a member of the Assembly for the fiftieth session of the Legislature of the State of California, according to the best of my ability.

James M. Cassidy, William F. Knowland, William W. Hoffman, Eugene W. Roland, Henry P. Meehan, Charles W. Fisher, Albert H. Morgan, Jr., Jesse M. Mayo, John E. Frazier, John H. O'Donnell, Clifford C Anglim, Michael J. Burns, Lucius Powers, Jr., Maurice S. Meeker, Samuel E Robinson, Rodney L Turner, Ford A Chatters, Ernest C. Crowley, Albert F. Ross, James S. O'Connor, C. Don Field, Clare Woolwine, Charles A. Hunt, Sam M Greene, Eleanor Miller, Frank G. Martin, Herbert J. Evans, Frank W. Wright, William Moseley Jones, Charles W. Grubbs, E. V. Latham, Frank J. Rogers, Austin L. Tournoux, Bert V. Callahan, Kent H Redwine, Lawrence Cobb, Charles W Lyon, Walter J. Little, Charles W. Dempster, Frederick M. Roberts, Willard E. Badham, John D McCarthy, Herbert S. Hallner, James J Boyle, Cecil R. King, John T. Rawls, Walter H. Sullivan, Ira S Hatch, Harry B Riley, C. Ray Robinson, Hubert B. Scudder, Ellis E Patterson, James B Utt, Edward Craig, John P. Phillips, Roy J. Nielsen, Percy G. West, Clifford R. Kallam, Hobart R. Alter, A. E Brock, George B. Bowers, Bruce R. Stannard, Charles W. Stream, Thomas A. Maloney, Joseph P. Gilmore, James A. Miller, William B. Hornblower, Patrick J. McMurray, Melvyn I Cronin, Ray Williamson, B J. Feigenbaum, Edgar C. Levey, F. C. Clowdsley, James E. Thorp, Frederick Peterson, George R. Bliss, Frank Lee Crist, C. C. Cottrell, E. H. Zion, J J. McBride.

ANNOUNCEMENT

The Chief Clerk announced that the next order of business was the election of officers for the fiftieth session of the Assembly, and declared that nominations for the office of Speaker of the Assembly were now in order.

NOMINATIONS FOR SPEAKER.

Mr. C Ray Robinson of Merced placed in nomination for Speaker Hon. Walter J Little of Santa Monica.

Nomination of Hon. Walter J. Little was seconded by Miss Eleanor Miller of Pasadena, Thomas A. Maloney of San Francisco and James J. Boyle of Los Angeles

NOMINATIONS CLOSED.

Mr. B. J. Feigenbaum moved that nominations for Speaker be now closed.

Motion carried.

Nominations closed.

ASSISTANT CLERK DESCH READING.

ELECTION OF SPEAKER.

The roll was called, with the following result:

FOR HON. WALTER J. LITTLE—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Little, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, and Zion—79.

NOES—None.

The Chief Clerk announced the vote of the Assembly, and declared Hon. Walter J. Little the choice of the Assembly for Speaker for the fiftieth session of the Legislature

APPOINTMENT OF COMMITTEE OF ESCORT.

The Chief Clerk appointed Messrs. C. Ray Robinson, James J. Boyle, Miss Eleanor Miller and Mr. Thomas A. Maloney a special committee to escort Speaker-elect Hon. Walter J. Little to the chair.

OATH OF OFFICE ADMINISTERED.

Upon arriving at the bar of the Assembly Speaker-elect Hon. Walter J. Little took and subscribed to the following oath administered by J. A. Plummer, Associate Justice of the Third District Court of Appeal:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and I will faithfully discharge the duties of the office of Speaker of the Assembly to the best of my ability.

NOMINATIONS FOR SPEAKER PRO TEMPORE.

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

Mr. Lucius Powers of Fresno nominated Hon. F. C. Clowdsley of Stockton.

Nomination of Hon. F C. Clowdsley was seconded by Messrs. Charles W. Dempster of Los Angeles and Patrick J. McMurray of San Francisco.

Mr. Lawrence Cobb of Los Angeles nominated Hon. Percy G. West of Sacramento.

Nomination of Hon Percy G. West was seconded by Messrs. Edward Craig of Brea and Albert F. Ross of Redding.

Mr. B. J. Feigenbaum moved that the nominations for Speaker pro tempore be now closed.

Motion carried

Nominations closed.

ELECTION OF SPEAKER PRO TEMPORE.

The roll was called, with the following result:

FOR HON F C. CLOWDSLEY—Bliss, Boyle, Callahan, Cassidy, Chatters, Cottrell, Crist Cronin, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene,

Grubbs, Hallner, Hornblower, Hunt, Jones, King, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., O'Connor, O'Donnell, Peterson, Powers, Rawls, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Sullivan, Thorp, Tournoux, Turner, Williamson, Woolwine, and Zion—48

For HON. PERCY G WEST—Alter, Anglim, Badham, Bowers, Brock, Burns, Cobb, Craig, Crowley, Field, Hatch, Hoffman, Kallam, Knowland, Latham, Martin, Miller, Eleanor; Morgan, Nielsen, Patterson, Phillips, Redwine, Riley, Roland, Ross, Scudder, Stream, Utt, Wright, and Mr Speaker—30.

Hon. F. C. Clowdsley, being the choice of the Assembly for Speaker pro tempore, the Speaker declared him duly elected.

APPOINTMENT OF COMMITTEE OF ESCORT.

The Speaker appointed Messrs. Lucius Powers, Charles W. Dempster and Patrick J McMurray a special committee to escort Speaker pro tempore Hon. F. C. Clowdsley to the bar of the Assembly.

OATH OF OFFICE ADMINISTERED.

Upon arriving at the bar of the Assembly, Speaker pro tempore Hon. F. C. Clowdsley took and subscribed to the following oath, administered by J. A. Plummer, Associate Justice of the Third District Court of Appeal:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and discharge the duties of the office of Speaker pro tempore of the Assembly to the best of my ability.

NOMINATIONS FOR CHIEF CLERK.

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

Mr. Clare Woolwine of Los Angeles nominated Mr. Arthur A. Ohnimus of San Francisco

The nomination of Mr. Arthur A. Ohnimus was seconded by Messrs. Maurice S. Meeker of Kerman, Charles W. Dempster of Los Angeles and Edgar C. Levey of San Francisco.

Mr. Eugene W. Roland moved that the nominations be now closed.

Motion carried.

Nominations closed.

ELECTION OF CHIEF CLERK.

The roll was called, with the following result:

For MR ARTHUR A OHNIMUS—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—80

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

OATH OF OFFICE ADMINISTERED.

Mr Arthur A. Ohnimus appeared before the bar of the Assembly, and took and subscribed to the following oath of office, administered by J. A. Plummer, Associate Justice of the Third District Court of Appeal:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and discharge the duties of the office of Chief Clerk of the Assembly to the best of my ability.

NOMINATIONS FOR MINUTE CLERK.

The Speaker declared the next order of business the nomination and election of Minute Clerk of the Assembly.

Mr. Hubert B. Scudder of Sebastopol placed in nomination for Minute Clerk of the Assembly Mr. Louis F. Erb of San Francisco.

Nomination of Mr. Louis F Erb was seconded by Messrs. William Hornblower of San Francisco and Willard E. Badham of Los Angeles.

Mr. Bert V. Callahan moved the nomination of Minute Clerk be now closed.

Motion carried.

Nominations closed.

ELECTION OF MINUTE CLERK.

The roll was called, with the following result:

FOR MR LOUIS F ERB—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—80.

OATH OF OFFICE ADMINISTERED.

Mr. Louis F. Erb, being the choice of the Assembly, was declared duly elected Minute Clerk of the Assembly, and was directed to appear before the bar of the Assembly, where he took and subscribed to the following oath of office administered by J A. Plummer, Associate Justice of the Third District Court of Appeal:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and discharge the duties of the office of Minute Clerk to the best of my ability.

NOMINATIONS FOR SERGEANT-AT-ARMS.

The Speaker declared the next order of business the nomination and election of Sergeant-at-Arms of the Assembly.

Mr. Willard E. Badham placed in nomination Mr. Michael Connolly of Los Angeles.

Nomination of Mr. Michael Connolly was seconded by Messrs. William Hornblower of San Francisco and Eugene Roland of Oakland.

Mr. Lawrence Cobb moved that nominations for Sergeant-at-Arms be now closed

Motion carried.

Nominations closed.

ELECTION OF SERGEANT-AT-ARMS.

The roll was called, with the following result:

FOR MR. MICHAEL CONNOLLY—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—80.

OATH OF OFFICE ADMINISTERED.

Mr. Michael Connolly, having received a majority vote of the Assembly, was declared duly elected Sergeant-at-Arms, and was directed to appear before the bar of the Assembly, where he took and subscribed to the following oath of office administered by J. A. Plummer, Associate Justice of the Third District Court of Appeal:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and discharge the duties of the office of Sergeant-at-Arms of the Assembly to the best of my ability.

NOMINATIONS FOR CHAPLAIN

The Speaker declared the next order of business the nomination and election of Chaplain of the Assembly.

Mr. Roy Nielsen of Sacramento placed in nomination for Chaplain of the Assembly Rabbi Norman M. Goldburg of Sacramento.

Mr. Percy G. West of Sacramento seconded the nomination of Rabbi Norman M. Goldburg of Sacramento.

Mr. Lawrence Cobb moved that the nominations for Chaplain be now closed.

Motion carried.

Nominations closed.

ELECTION OF CHAPLAIN.

The roll was called, with the following result:

FOR RABBI NORMAN M. GOLDBURG—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—80.

The Speaker thereupon declared Rabbi Norman M. Goldburg the duly elected Chaplain of the Assembly.

ANNOUNCEMENT.

The Chief Clerk announced that in accordance with the power vested in him by the statutes he had appointed Mr. Fred J. Desch of Los Angeles, First Assistant Clerk of the Assembly at the per diem provided by law, and respectfully asked that the Assembly confirm said appointment.

The question being upon the confirmation of the appointment

The roll was called, with the following result:

FOR MR. FRED J. DESCH—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—80.

OATH OF OFFICE ADMINISTERED.

Whereupon the Speaker declared Mr. Fred J. Desch duly appointed First Assistant Clerk, and directed him to appear before the bar of the

Assembly, where he took and subscribed to the following oath of office administered by J. A. Plummer, Associate Justice of the Third District Court of Appeal:

I solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and discharge the duties of the office of First Assistant Clerk to the best of my ability.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Thomas A. Maloney:

Resolved, That the Speaker appoint a select committee of three to inform the Senate that the Assembly is now duly organized, having elected the following statutory officers:

Speaker, Hon. Walter J. Little.
Speaker pro tempore, Hon F C. Clowdsley.
Chief Clerk, Arthur A. Ohnimus
Minute Clerk, Louis F. Erb.
Sergeant-at-Arms, Michael Connolly.
Chaplain, Rabbi Norman M. Goldburg.

Resolution read, and on motion adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Lyon, Maloney and Evans as such select committee.

By Mr Ross:

Resolved, That a select committee of three be appointed by the Speaker to wait upon His Excellency, the Governor, and inform him that the Assembly is organized and awaits any communication he may have to make to it.

Resolution read, and on motion adopted

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution the Speaker appointed Messrs Ross, Morgan and Woolwine as such select committee.

By Mr. Robinson, C. Ray:

Resolved, That the Assembly rules of the forty-ninth (regular) session of the Legislature, as printed in the Assembly Journal of 1931, be and the same are hereby adopted as the temporary rules of this House until otherwise ordered, with the following changes, to wit: 1933 to be inserted in lieu of 1931, wherever those figures appear.

Mr. Robinson, C. Ray, moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr Speaker—77.

NOES—None.

STANDING RULES OF THE ASSEMBLY.

CONVENING AND ORDER OF BUSINESS

Hours of Meeting.

1. The sessions of the Assembly shall be daily (Sundays excepted), beginning at nine o'clock and thirty minutes a.m. After the constitutional recess, a recess shall be taken daily at the hour of twelve o'clock noon until the hour of one o'clock and thirty minutes p.m., unless otherwise ordered by a vote of the House.

Speaker to Call House to Order.

2. The Speaker, or, in his absence, the Speaker pro tempore, shall take the chair precisely at the hour appointed for meeting, and shall immediately call the House to order. In the absence of both the Speaker and Speaker pro tempore, the Chief Clerk, or an assistant, shall call the House to order whereupon a chairman shall be elected from among the members to preside

Order of Business.

3. The order of business of the Assembly shall be as follows:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approving of the Journal.
4. Presentation of Petitions.
5. Reports of Standing Committees.
6. Reports of Select Committees.
7. Messages from the Governor.
8. Messages from the Senate.
9. Introduction and Reference of Bills.
10. Motions and Resolutions.
11. Special Orders of the Day.
12. Unfinished Business of the Preceding Day.
13. Business on Special File, Second Reading, and Third Reading of Bills.
14. Business on General File, Second Reading, and Third Reading of Bills.
15. Announcements of Committee Meetings.
16. Adjournment.

Priority of Business.

4 All questions relating to the priority of business shall be decided without debate.

Motion to Adjourn.

5. A motion to adjourn shall always be in order, except during roll call. The Clerk shall enter on the Journal the name of any member moving an adjournment, also the hour at which the motion was made and adjournment taken.

When a motion is made and seconded to adjourn, it shall be in order for the Speaker, before putting the question, to permit any member to state any fact to the House relating to the condition of the business of the House, which would seem to render it improper to adjourn at that time Such statement, however, shall not be debatable, and such statement or statements shall not, in any case, occupy more than two minutes.

DUTIES OF THE SPEAKER.

Speaker to Preserve Order; to Decide Points of Order; and May Speak on Same.

6. The Speaker shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House by any member, on which appeal no member shall speak more than once, unless by leave of the House.

Speaker to Have Direction of the Hall; May Call Any Member to the Chair.

7. The Speaker shall have general direction of the hall. He shall have a right to name any member to perform the duties of the Chair, but such substitutions shall not extend beyond adjournment. He shall have the control and direction of the journals, papers and bills of the Assembly. He shall have the power to see that all officers of the Assembly perform their respective duties, and may assign places to properly accredited newspaper representatives

Speaker to Sign Resolutions, etc., Attested by the Clerk

8. All acts, addresses, and joint resolutions shall be signed by the Speaker, and all writs, warrants, and subpenas issued by order of the House shall be under his hand, attested by the Clerk.

COMMITTEES OF THE ASSEMBLY.

Committees to Be Appointed by Speaker.

9 All committees shall be appointed by the Speaker, unless otherwise ordered by the House.

Standing Committees.

10. The standing committees of the Assembly shall be as follows:

1. A Committee on Agriculture, to consist of seventeen members.
2. A Committee on Attaches, to consist of seven members.
3. A Committee on Aviation and Aircraft, to consist of eleven members.
4. A Committee on Banking, to consist of nine members.
5. A Committee on Building and Loan Associations, to consist of seven members.
6. A Committee on Civil Service, to consist of nine members.

7. A Committee on Claims, to consist of seven members.
8. A Committee on Commerce and Navigation, to consist of nine members.
9. A Committee on Conservation, to consist of nine members.
10. A Committee on Constitutional Amendments, to consist of nine members.
11. A Committee on Contested Elections, to consist of seven members.
12. A Committee on Contingent Expenses, to consist of five members.
13. A Committee on Corporations, to consist of nine members.
14. A Committee on County Government, to consist of fifteen members.
15. A Committee on Crime Problems, to consist of seven members.
16. A Committee on Direct Legislation, to consist of seven members.
17. A Committee on Drainage, Swamp and Overflowed Lands, to consist of thirteen members.
18. A Committee on Education, to consist of thirteen members.
19. A Committee on Elections, to consist of eleven members.
20. A Committee on Engrossment and Enrollment, to consist of five members.
21. A Committee on Exhibitions and Fairs, to consist of seven members.
22. A Committee on Federal Relations, to consist of seven members.
23. A Committee on Fish and Game, to consist of fifteen members.
24. A Committee on Governmental Efficiency and Economy, to consist of eleven members.
25. A Committee on Governmental Revenues and Expenditures, to consist of five members.
26. A Committee on Hospitals and Asylums, to consist of thirteen members.
27. A Committee on Insurance, to consist of eleven members.
28. A Committee on Irrigation, to consist of twenty-one members.
29. A Committee on Judiciary, to consist of twenty-one members.
30. A Committee on Labor and Capital, to consist of thirteen members.
31. A Committee on Libraries, to consist of seven members.
32. A Committee on Live Stock and Dairies, to consist of eleven members.
33. A Committee on Manufactures, to consist of seven members.
34. A Committee on Medical and Dental Laws, to consist of nine members.
35. A Committee on Mileage, to consist of five members.
36. A Committee on Military Affairs, to consist of nine members.
37. A Committee on Mines and Mining, to consist of nine members.
38. A Committee on Motor Vehicles, to consist of twenty-one members.
39. A Committee on Municipal Corporations, to consist of thirteen members.
40. A Committee on Oil Industries, to consist of nine members.
41. A Committee on Pensions, to consist of nine members.
42. A Committee on Prisons and Reformatories, to consist of thirteen members.
43. A Committee on Public Charities and Corrections, to consist of nine members.
44. A Committee on Public Health and Quarantine, to consist of nine members.
45. A Committee on Public Morals, to consist of eleven members.
46. A Committee on Public Utilities, to consist of eleven members.
47. A Committee on Reapportionment, to consist of twenty-one members.
48. A Committee on Revenue and Taxation, to consist of fifteen members.
49. A Committee on Revision and Printing, to consist of five members.
50. A Committee on Roads and Highways, to consist of fifteen members.
51. A Committee on Rules, to consist of seven members, including the Speaker.
52. A Committee on Social Service and Welfare, to consist of nine members.
53. A Committee on Soldiers and Sailors Affairs, to consist of thirteen members.
54. A Committee on State Grounds and Parks, to consist of seven members.
55. A Committee on Teachers Colleges, to consist of seven members.
56 A Committee on Universities, to consist of seven members.
57. A Committee on Ways and Means, to consist of twenty-one members.

Special Standing Committees.

11. In addition to the regular standing committees of the Assembly, there shall be special standing committees, as follows:

1 A Committee on Revision and Printing, to consist of five members, as provided in the Joint Rules of the Senate and Assembly.
2 A Committee on Introduction of Bills after the constitutional recess, to consist of three members.

Schedules for Committee Meetings.

12. The Speaker shall be empowered to propose to the Assembly such schedules for regular meetings of the standing committees as shall permit a full attendance of their members without conflict of committee engagements.

Quorum of Standing Committees.

13. Each standing committee shall determine its own quorum and the number of affirmative votes necessary to report a bill out of committee; *provided*, that not less than a majority of all members constituting such committee shall in any case consti-

tute such quorum, nor shall less than the affirmative votes of a majority of all members constituting such committee be sufficient to report a bill out of committee.

COMMITTEE OF THE WHOLE.

Appropriations of Money to Be Considered in Committee of the Whole.

14. All bills making appropriations of money may be considered in a Committee of the Whole House while on second reading by demand of five or more members.

Proceedings of Committee of the Whole House.

15. In forming a Committee of the Whole House, the Speaker as chairman, or a chairman to be named by the Speaker, shall preside. Bills committed to a Committee of the Whole House shall, in Committee of the Whole, be read by sections. All amendments shall be noted and reported to the Assembly by the chairman. After being reported to the Assembly, the bill shall again be subject to amendment before a vote on the report is taken.

Rules in Committee of the Whole.

16. The rules of the Assembly shall be observed in Committees of the Whole, as far as may be applicable, except limiting the time of speaking and except that the ayes and noes need not be taken.

Motion to Rise Decided Without Debate.

17. A motion that the committee rise shall always be in order, and shall be decided without debate.

SPECIAL DUTIES OF CERTAIN COMMITTEES.

Committee on Engrossment and Enrollment.

18. It shall be the duty of the Committee on Engrossment and Enrollment to compare all bills, constitutional amendments, and concurrent and joint resolutions, ordered or considered engrossed by this House with the engrossed copies thereof; and before they pass out of the possession of this House, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed.

Engrossing and Enrolling Bills.

19. The Engrossing and Enrolling Clerk shall engross and enroll the bills, constitutional amendments, and joint and concurrent resolutions which shall come to his hands for such purposes, in compliance with the provisions of section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the House. All Assembly bills, constitutional amendments and joint and concurrent resolutions shall be engrossed before final action is taken on them in the Assembly, and the report of such engrossment must be made to the Assembly on a day previous to the day on which such final action is taken.

Reports of Committee on Engrossment and Enrollment.

20. It shall be in order for the Committee on Engrossment and Enrollment to report at any time.

Committee on Ways and Means.

21. It shall be the duty of the Committee on Ways and Means to take into consideration all reports of the State officers and State boards or State commissions, and all propositions relative to the revenue of the State, as may be referred to them by the Assembly; to inquire into the state of the revenue and expenditures of the State, and report from time to time their opinion thereon. All bills for the appropriation of money, which were not at first referred to the Committee on Ways and Means, shall be reported to the House by the committees having them under consideration, and shall thereupon, without motion, be referred to the Committee on Ways and Means; and said committee shall consider and report thereon the amount of appropriation required. The Committee on Ways and Means shall, from time to time, at least once in two weeks, report to the House the exact condition of legislation involving appropriations, and the aggregate amount of all the proposed appropriations pending.

Committee's Report on Sine Die Adjournment.

22. Concurrent resolutions for adjournment sine die shall in all cases, whether originating in the House or coming from the Senate, be referred to the Committee on Ways and Means. That committee shall report upon any such concurrent resolution not later than the next legislative day and with regard to the status of the general appropriation bill and tax levy.

Committee on Contested Elections.

23. It shall be the duty of the Committee on Contested Elections to examine and report upon the certificates of election or other credentials of such members returned to serve in this House, as may have their seats contested, and to take into their consideration all such petitions and other matters touching elections and returns as

shall or may be presented or come into question, and be referred to them by the House, or the Speaker thereof.

Committee on Attaches.

24. The Committee on Attaches shall assign the committee clerks and the official stenographers of the House to the various committees and, on recommendation of the Chief Clerk, shall have the authority to reassign any clerk or attache under him to special duties or other committees when the necessity arises.

The Committee on Attaches, in cooperation with the Chief Clerk and Sergeant-at-Arms shall exercise general supervision over and shall systematize the work of all attaches

The Committee on Attaches shall see to it that attaches shall not receive their per diem until they have been sworn in, and that the per diem of attaches shall be forfeited for each day on which they are absent from their duties without excuse from the authority delegated by the committee.

All assignment of committee clerks and stenographers made by the Committee on Attaches under this rule shall be reported to the House and entered in the Journal.

DUTIES OF ASSEMBLY OFFICERS AND ATTACHES.

Duties of Chief Clerk.

25 The Chief Clerk shall have charge and supervision of all the clerical business of the Assembly. He shall perform the duties imposed on him by law and the rules of the Assembly. Subject to the provisions of Rule 67, he and his assistants shall read from the desk only such matter as the Speaker shall direct. He shall have the supervision of all the clerks and assistants at the desk, of all bill clerks, bill filers, stenographers, and of all committee attaches, and all pages, and shall be responsible for their performance of and regular attendance upon their duties and shall have power to suspend any such clerk or attache under him for dereliction of duty, and shall report to the Committee on Attaches such suspension and the cause thereof. Said suspended clerk or attache shall not receive any pay during the time of such suspension. The Committee on Attaches shall have the power to relieve the attache or clerk of his suspension, and shall have the power, subject to the approval of the House, to remove any clerk or attache for incompetency or for wilful neglect of duty. The Chief Clerk shall not permit any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee; but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment and Enrollment, and take receipts therefor.

Duties of the Sergeant-at-Arms.

26. The Sergeant-at-Arms shall attend the House during its sittings, execute the commands of the Speaker of the House, and serve all processes issued by authority thereof directed to him by the Speaker. He shall be sworn to keep the secrets of the House. He shall also have supervision over the Assistant Sergeant-at-Arms and gatekeepers and shall be responsible for their performance of and regular attendance upon their duties, and shall have power to suspend any such attache under him for dereliction of duty, and shall report to the Committee on Attaches such suspension and the causes thereof. Said suspended attache shall not receive any pay during the time of such suspension The Committee on Attaches shall have power to relieve the attache of his suspension and shall have the power, subject to the approval of the House, to remove any attache for incompetency or for wilful neglect of duty. The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and Journals and Histories, when printed, on the desks of members at least one hour previous to the opening of the session.

Expenses of Sergeant-at-Arms.

27. The Sergeant-at-Arms shall receive his actual traveling expenses for himself or a special messenger when executing any process issued by the House or by any officer or committee thereof.

Assistant Sergeant-at-Arms to be Doorkeeper.

28. The Assistant Sergeant-at-Arms who is designated to be the doorkeeper shall be sworn to keep the secrets of the House.

Compensation of Attaches.

29. No attache of the Assembly shall demand or receive from any person any compensation other than that provided by law for services performed as such attache.

INTRODUCTION OF BILLS.

Introduction and Reading of Bills

30. Any member desiring to introduce a bill shall rise in place and address the Speaker, and upon being recognized shall present the same. It shall then be numbered and read the first time at the Clerk's desk and referred to a standing committee, and be printed, and a copy placed upon the desk of each member. Every bill shall be read at length on three several days previous to its passage, unless in case of urgency two-thirds of the House shall, by votes of ayes and noes, dispense with this

provision. The Speaker shall give notice at each reading, whether it is the first, second or third reading. All bills to appropriate money for contingent purposes shall be presented by the Committee on Ways and Means. The chairman or clerk of each committee of the Assembly shall notify the author of any bill or proceeding pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

Joint and Concurrent Resolutions and Constitutional Amendments.

31. Joint and concurrent resolutions shall be treated the same as bills; *provided*, that they shall be read but once, and that after they have been reported by a committee; *and provided, further*, that the ayes and noes shall not be called upon the adoption of concurrent resolutions, except those presenting charter amendments, unless regularly demanded, or required by statute or the Constitution. Proposed amendments to the Constitution shall be treated the same as bills; *provided*, they shall be read but once, and only after they have been reported by a committee. All bills, constitutional amendments, and joint and concurrent resolutions may be amended by a majority of those voting.

Procedure on First Day of Introducing Bills.

32. In each legislative session on the first day when bills are introduced, under the "Order of Business" or "Introduction and Reference of Bills," the roll shall be called from A to Z and then back again from Z to A, and as each member's name is called, he shall have the privilege of introducing one bill, constitutional amendment, joint or concurrent resolution. After these two roll calls, bills, constitutional amendments, joint or concurrent resolutions shall be introduced by members on recognition of the Speaker, as provided by the rules of the Assembly; and all bills, constitutional amendments or joint or concurrent resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

Introduction of Bills by Committee.

33. Any committee may introduce a bill appertaining to any subject coming within its consideration, whereupon it shall be read the first time and placed upon the proper second-reading file. When such bill is designed to be a substitute for one or more Assembly bills, the bills for which it is such a substitute shall, by a majority vote of the House, be deemed withdrawn, and shall not appear upon the file. Upon the introduction of a bill by a committee, it shall be numbered as a new bill, read, ordered printed, and placed upon the Assembly file for further action.

Introduction of Bills After Constitutional Recess.

34. Immediately upon convening after the constitutional recess the Speaker shall appoint a standing Committee on Introduction of Bills, to consist of three members.

All motions for leave to introduce bills after the constitutional recess shall be sent to the desk in writing, under the order of "Introduction of Bills," and at no other time. The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction.

The committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either House of the same character which might be amended to effect the results sought, and generally as to the advisability of introducing the measure

The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate Special File.

The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full, and the roll shall be called upon the adoption of the resolution and no resolution to introduce any such bill shall be adopted without the consent of three-fourths of the members of the Assembly.

If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill The author of any bill shall have not more than ten minutes within which to speak to the question of the introduction of his bill and the Committee on Introduction of Bills may have the same time for reply.

Reference of Bills.

35. At the time of introduction the Speaker shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the Assembly by a majority vote refer it to some

other committee. A motion to re-refer a bill shall be debatable as to the propriety of such re-reference.

Order of Reference.

36. When a motion is made to refer any subject, and different committees shall be proposed, the question shall be taken in the following order

The Committee of the Whole House.
A Standing Committee
A Select Committee.

Amendment of Bills on Third Reading.

37. Amendments may be received for consideration on the third reading of any bill.

Reference of Senate Bills.

38. When a Senate bill has been received by the House with a message announcing that the same has passed the Senate, such bill shall be referred to a standing committee; *provided, however*, that when a Senate bill is received the provisions of which are stated by a member to be identical with those of an Assembly bill which has already been considered and reported by a committee of the Assembly, such Senate bill shall be referred to the Committee on Engrossment and Enrollment for comparison, which committee shall report on the next legislative day whether or not said bill is identical with the Assembly bill, and if reported identical, shall be read the second time, be substituted for the Assembly bill (the latter being considered withdrawn), shall take the latter's place on the Assembly file, and be considered as having received the same recommendation of the Assembly committee; *provided*, that the fact that the bills are identical shall be entered in the Journal.

Bills to Be Reported Back to Committee.

39. All committees shall act upon bills, constitutional amendments and resolutions referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith, and the chairman of each committee is charged with the observance of this rule; *provided*, that the Assembly may at any time, by a majority vote of all its members, recall a bill, constitutional amendment or resolution from any committee.

ORDER OF CONSIDERING BILLS.

Order of Making File.

40. Upon the introduction of bills they shall be read the first time, and referred to committees as provided in Rule 30. When reported back they shall be placed upon the General File, to be kept by the Clerk, as follows: All bills when reported to the House by the committees, except such bills as are by the report re-referred to another committee, shall be placed at the foot of the second-reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Second-reading file and third-reading file, unless otherwise ordered by unanimous consent or by two-thirds vote of the House. The bills upon third reading shall be considered in the order in which they appear upon the file, unless otherwise ordered by unanimous consent or by vote of majority of the members present, such vote to be taken by roll call; *provided*, that if a bill is passed on file for any reason, other than the absence of the author by leave of the Assembly, note of the fact shall be made in the General File, and when passed on file the second time the bill shall be ordered to the foot of the file, and notice of the fact of the bill having been passed on file prior to the order placing it at the foot of the file shall be omitted from the General File. The Clerk shall post, in a conspicuous place in the Chamber, a daily statement of the bills on the General File, setting forth the order in which they were filed, and specifying the alterations arising from the disposal of business each day.

Order Making Special File.

41. The Clerk shall, from time to time, make up a file, to be known as the Special File, on which he shall place bills relating to appropriations for the support of the State government and State institutions, revenue, election laws and constitutional amendments, in the order named, and in the order in which the same may be reported to the Assembly, and he shall place no other bills thereon, nor shall any bill on the General File be substituted for any bill thereon.

Ordering Bills to Third Reading.

42. After being read the second time bills shall be ordered by the Speaker to third reading (or, in the case of Assembly bills, to engrossment and third reading). When any member makes objection to any bill thus being ordered to third reading, the final question for such bill shall be, "Shall the bill be ordered to third reading?"

Bills Considered During Last Seven Days.

43. No Assembly bill shall be passed by the Assembly within seven days of the time set for adjournment sine die of the two Houses of the Legislature, unless per-

mission to vote on such bill be granted by a three-fourths vote of the Assembly after being recommended by the Speaker of the Assembly.

QUESTIONS AND MOTIONS.

Precedence of Motions During Debate.

44. When a question is under debate, or before the House, no motion shall be received but: To adjourn; to lay on the table; for the previous question; to postpone to a day certain; to commit or amend; to postpone indefinitely; which several motions shall have precedence in the order in which they are named, but the first three shall be decided without debate; and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill shall have preference over a motion to amend, and if carried, shall be considered equivalent to its rejection. A dilatory motion shall not be considered intervening business within the meaning of parliamentary usage.

Division of Questions.

45. Any member may call for a division of the question, which shall be divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out being lost, shall preclude neither a motion to add to nor a motion to strike out and insert.

Substitute.

46. A motion to substitute shall be deemed and held to be a motion to amend, and be treated in all respects as such.

Subjects Different from the One Under Consideration.

47. No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

Questions Indefinitely Postponed.

48. When a question is postponed indefinitely, the same shall not again be introduced during the session.

PROCEDURE OF DEBATE.

Motions to Be Stated by Speaker, and If Desired Shall Be Reduced to Writing, or May Be Withdrawn.

49. No motion shall be debated until the same be seconded and distinctly announced by the Speaker; and it shall be reduced to writing, if desired by the Speaker, or any member, and be read by the Clerk, before the same shall be debated. A motion may be withdrawn, by leave of the House, at any time before amendment or decision.

Order in Speaking to Questions.

50. Every member, when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted, except the author of a bill or resolution, or mover of a question, who shall have the right to close the debate. No member shall be allowed to speak more than fifteen minutes upon any question except by leave of the House, and except further, the author shall be allowed fifteen minutes to open and fifteen minutes to close.

Speaker to Decide Who Is Entitled to the Place.

51. When two or more members shall rise at once, the Speaker shall name the member who is first to speak.

Calling Members to Order When Transgressing Rules.

52. If any member, in speaking or otherwise, transgresses the rules of the House, the Speaker shall, or any member may, call to order; in which case the member so called to order shall immediately sit down, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the Chair, the member shall not be allowed to proceed; but if it be not sustained, then he shall be permitted to go on. Every such decision from the Chair shall be subject to an appeal to the House, but no discussion of a question of order shall be allowed, unless an appeal be taken from the decision of the Chair.

Called to Order for Offensive Words in Debate.

53. If any member be called to order for offensive words spoken in debate, the person calling him to order shall report the words excepted to, and they shall be taken down in writing at the Clerk's table; and no member shall be held to answer, or be subject to censure of the House, for language used in debate, if any member has spoken or other business has intervened after the words spoken and before exception to them shall have been taken.

THE PREVIOUS QUESTION.

Previous Question Demanded.

54. The previous question shall be put only when demanded by five members.

Manner of Putting the Previous Question.

55. The previous question shall be in this form: "Shall the main question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it.

Questions of Order After Previous Question Is Ordered.

56. All incidental questions or order arising after a motion is made for the previous question, and pending such motion or previous question, shall be decided (whether on appeal or otherwise) without debate; *provided*, that after the previous question shall have been ordered, ten minutes shall be allowed for explanation of the matters covered by the previous question, of which five minutes shall be given to the member moving the previous question, and five minutes to those opposed thereto.

VOTING BY ASSEMBLY.

Calling Ayes and Noes.

57. The ayes and noes shall be taken on the final passage of all bills, and when called for by five members on other questions, and every member within the bar of the House, when his name is called, shall (unless for special reasons he be excused) declare openly and without debate, his vote. In taking the ayes and noes, and upon call of the House, the names of the members shall be taken alphabetically, and the Clerk shall enter on the Journal the names of those demanding the ayes and noes.

Members at Clerk's Desk.

58. No member, or other person shall remain by the Clerk's table while the ayes and noes are being called, or while the votes are being counted.

Voting on Question When Interested.

59. No person shall vote on any question in the result of which he is personally interested or involved.

Division and Count of House.

60. Upon a division and count of the House on any question, no person without the bar shall be counted.

Explaining or Changing Vote.

61. No member shall be allowed to explain his vote or discuss the question while the ayes and noes are being called, and no member shall be allowed to change his vote after the vote is announced by the Chair.

Election by House.

62. In all cases of election by the House, the vote shall be taken viva voce.

Notice of Reconsideration of Vote

63. On the day succeeding that on which a final vote on any bill, constitutional amendment, or resolution has been taken, said vote may be reconsidered on the motion of any member, *provided*, a notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a member voting with the successful side, and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session. No motion to reconsider shall be adopted, except upon a roll call, and it shall require forty-one votes to adopt the motion.

MESSAGES, PETITIONS AND PAPERS.

Messages May Be Introduced.

64. Messages may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while the ballots are being counted, or while a member is addressing the House.

Messages from the Governor and Senate.

65. Messages from the Governor and from the Senate may be considered at any time by a vote of the House or by unanimous consent.

Petitions to Be Presented With a Brief Statement of Contents.

66. Whenever petitions, memorials, or other papers addressed to the House are presented by a member, a brief statement of the contents thereof shall be made verbally by the introducer. They shall not be debated on the day of their being presented, but shall lie on the table, or be referred, as the House shall determine.

Reading of Papers.

67. When the reading of a paper is called for, except petitions, and the same is objected to by a member, such reading shall be determined by a vote of the House, without debate, upon brief statement of its substance by the speaker.

THE ASSEMBLY CHAMBER.

Persons Admitted to the Floor.

68. No persons except Senators, State officers, Governors and ex-Governors of the State, members of Congress, Judges of the Supreme, Appellate and Superior Courts, ex-Senators and ex-Assemblymen, members of the press when accredited by their respective journals, attaches when actually engaged in work for the Assembly or a member thereof, and the wife, husband, or child of a member, shall be admitted within the Assembly Chamber, except in the gallery, during the sessions of the Assembly; *provided, however*, any other guest of any member may be admitted to the floor of the Assembly, but to no other part of the floor than to a seat at the desk of said member; *and provided, also*, that such admission of said guest shall be only by written permission of said member, countersigned by the Speaker, such permission being good only for the sessions of the day on which it is given, the names of such member and guest to be entered in the Journal when specifically requested by such member. At the convening of the Assembly in the morning, or after recess, all present except those covered by this rule shall retire from the floor of the Assembly. No one except the Sergeant-at-Arms or his deputies shall be allowed to remain in the lobby behind the rail at any time.

No Lobbying in the Assembly Chamber.

69. No person engaged in presenting to the Assembly or its committees any business, or claim, or legislation, shall be permitted to engage in such business in the Assembly Chamber, or be permitted on the floor of the Assembly at any time while the Assembly is in session, unless seated beside a member upon his invitation; and any person transgressing this rule shall be removed from the floor of the Assembly and be debarred from the privilege of the floor during the remainder of the entire session. The Speaker is charged with the enforcement of this rule. This rule can not be suspended except by a two-thirds vote of the entire Assembly.

Speaker May Order the Galleries and Lobby Cleared.

70 In case of any disturbance or disorderly conduct in the galleries or lobby, or whenever he shall deem it necessary, the Speaker (or Chairman of the Committee of the Whole House) shall have power to order the same to be cleared.

Smoking in the Assembly Chamber.

71. No smoking shall be allowed within the Assembly Chamber during the session of the House; *provided*, this rule may be suspended by a vote of the majority of the members present, without notice or reference to committee.

Use of Assembly Chamber.

72. The Assembly room shall not be used for any public or private business other than legislative, except by consent of a majority of the House.

LEGISLATIVE PRINTING.

Printing of Bills.

73 One thousand five hundred copies of all bills, and as many additional copies as the House shall order, shall be printed. The Chief Clerk or Sergeant-at-Arms shall be required to certify to the receipt by the House of all such printed matter and quantity thereof.

Printing Extra Number of Bills, Etc.

74. A proposition to print an extra number of any document or other matter shall lie on the table one day for consideration, unless otherwise ordered by consent of the House.

Form for Printed Amended Bills.

75. All bills amended either in committee or on the floor of the House shall be immediately reprinted; the omission of any matter to be indicated by the printing of the matter to be omitted in type having the single horizontal line through the center and new matter to be indicated by being printed in italics.

Printing of Maps.

76 Maps accompanying documents shall not be printed under the general order to print, without the special direction of the House.

Filling Blanks.

77. In filling up blanks the least sum and shortest time shall be put first

MISCELLANEOUS PROVISIONS.

Protest of Members.

78. It shall be in order for any member or members to protest against the action of the House, and have such protest entered in the Journal.

Personal Explanation.

79. Any member may rise to explain a matter personal to himself, with leave of the Chair, but shall not discuss a question in such explanation.

Right to Address Assembly.

80. No one except a member of the Assembly shall be permitted to address the Assembly except in the Committee of the Whole.

Call of the House.

81. Upon a motion being carried for a call of the House the Speaker shall immediately order the doors to be closed, and shall direct the Clerk to call the names of the absentees as disclosed by the last previous roll call. Thereupon no one shall be permitted to leave or enter the Assembly Chamber except by written permission of the Speaker, or except such members as are taken into custody as herein provided. Those members who are found to be absent and for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and then taken into custody by the Sergeant-at-Arms wherever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a roll call of the House and compel the attendance of absentees in the manner above provided. No recess can be taken during a call of the House; *provided, however*, that during a call of the House it may consider and transact any matter or business that the members then present shall unanimously decide to consider, but no call of the House shall be had, during the call of the House, on any matter so taken up or considered while the House is under call. When a call of the House is ordered, pending completion of a roll call, the pending roll call shall become unfinished business, the consideration of which shall be continued until further proceedings under the call of the House are dispensed with, when it will forthwith become the order of business before the Assembly.

Members Absenting Themselves.

82. No member shall absent himself from attendance at a session of the House without the leave of the House, and no member shall obtain leave of absence, or be excused without a vote of two-thirds of the House, or by unanimous consent.

Fees for Witnesses.

83 Witnesses summoned to appear before the House or any of its committees shall be paid as follows: For each day a witness shall attend, the sum of three dollars; for each mile he shall travel in coming to and going from the place of examination, the sum of ten cents. No mileage shall be paid, except where the witness has actually traveled for the purpose of giving testimony.

No Committee Expenditures Permitted.

84 No member of any committee shall be permitted to incur any expense by visiting any part of the State on official business, except that the chairman of the Committee on Ways and Means shall, during the constitutional recess, be allowed his actual expenses while on such business.

RULES ON PROCEDURE.

Parliamentary Rules.

85. The rules of parliamentary practice contained in Robert's Rules of Order shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the House and the Joint Rules of the Senate and Assembly.

Suspending and Changing Rules.

86. No standing rule or order of the House shall be rescinded or changed without a vote of two-thirds of the members of the Assembly, and one day's notice being given of the motion therefor: *provided*, that the Committee on Rules may at any time, except during a roll call, report a temporary rule providing for the consideration of any bill on the files of the House belonging to either of the following classes:

1. Bills affecting the State government, its revenues, its various departments or commissions or appropriations therefor.
2. Bills affecting county and township governments, or roads and highways.
3. Bills affecting town, city, city and county governments, or the municipal affairs of the same.
4. Bills amending election or primary election laws.
5. Constitutional amendments.
6. Bills amending or repealing the Codes, or sections thereof.

Such temporary rule shall provide when a bill so selected shall be taken up for consideration, and the time when final vote shall be taken thereon and pending amendments thereto, if there be any.

It shall always be in order to call up for consideration such report. The same shall be subject to amendments by the House.

On the adoption of such temporary rule by the House by a two-thirds vote thereof, if the bill be on third reading, and by a majority vote of the members elected to the House, if otherwise, such bill shall thereupon be made the special order for the time fixed therein.

A rule or order may be suspended temporarily by a vote of two-thirds of the members present, except Rule 43 and that portion of Rule 30 relating to third reading of bills. A motion or resolution proposing to increase or diminish a standing committee shall not be adopted until the same has been referred to the Committee on Rules.

The Committee on Rules may also, at any time, report a temporary rule or regulation When such temporary rule or regulation shall have been adopted by a two-thirds vote of the House it shall have the effect, for the time being, of a standing rule, and if such temporary rule shall be in conflict with a standing rule it shall supersede said standing rule for the time being and shall be enforced by the Speaker.

RESOLUTION.

The following resolution was offered:

By Mr. Nielsen:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Expense Fund in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, in the sum of $150, said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's office.

Mr. Nielsen moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—78

NOES—None.

By Mr. Chatters:

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

Resolution read, and on motion adopted.

By Mr. Roland:

Resolved, That the Chief Clerk be authorized to receive from the members of the Assembly, a mailing list of all bills, resolutions and histories to be directed to libraries, chambers of commerce and other public centers for general inspection. This list to be limited to fifteen names each and shall be forwarded to the Legislative Bill Room for regular mailing.

That in addition thereto the Chief Clerk shall forward to the Legislative Bill Room for regular mailing fifty copies of said bills, resolutions and histories to be mailed to the State Commander of the American Legion or to such posts as he may name.

Resolution read, and referred to Committee on Rules.

By Mr. Phillips:

Resolved, That the State Controller is hereby authorized and directed to draw his warrant in favor of the Chief Clerk of the Assembly in the sum of $20 to be used as the Post Office Revolving Fund, and the Treasurer is hereby directed to pay the same.

Mr. Phillips moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—79.

NOES—None.

By Mr. Hornblower:

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-three (83) sets of 1931 edition of Deering's Codes and General Laws of the State of California, complete in eight volumes; also eighty-one copies of Robert's Rules of Order

Also, that the Chief Clerk of the Assembly be and he is hereby authorized and directed to deliver one set of said Codes and General Laws to each member of the Assembly, Chief Clerk of the Assembly, Judiciary Committee and the Ways and Means Committee and one volume of Robert's Rules of Order to each member of the Assembly and the Chief Clerk of the Assembly.

Resolution read, and referred to Committee on Contingent Expenses.

By Mr. Craig:

Resolved, That the action of Arthur A. Ohnimus, Chief Clerk of the Assembly for the forty-ninth session, in employing necessary assistance for the organization of the Assembly for the fiftieth session, be and the same is hereby ratified and approved, and the State Controller is hereby authorized and directed to draw his warrants in favor of the following named persons for the items and the amounts set opposite their respective names, upon the fund for the payment of officers and attaches of the Assembly, and the Treasurer is hereby directed to pay the same:

Arthur A. Ohnimus, Chief Clerk, 1 day at $10 00	$10 00
Fred J. Desch, First Assistant Clerk, 1 day at $9 00	9 00
Madge Cross, Chief Stenographer, 1 day at $6 00	6 00

Mr. Craig moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—75

NOES—None.

By Mr. Roland:

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

Resolution read, and referred to Committee on Rules.

APPOINTMENT OF STANDING COMMITTEES.

The Speaker announced the appointment of the following standing committees:

Attaches—Messrs. Craig, Chairman; Robinson, Samuel E., Riley, Greene, Cronin, Fisher, and Ross.

Mileage—Messrs. Crowley, Chairman; Thorp, Anglim, Rogers, and O'Donnell.

Rules—Messrs. Robinson, C. Ray, Chairman; Lyon, Cobb, Feigenbaum, Roland, Clowdsley, and Little.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 2, 1933.

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as representatives of the newspapers set opposite their respective names:

Associated Press—A. R. Kinsey, Raymond F. Law, Homer T. Ashbaugh.
Los Angeles Times—Floyd J. Healey.
Oakland Tribune—Anthony F. Moitoret.
Sacramento Bee—Walter P. Jones, Stephen L. Kyle, Arthur B. Waugh, Alex Ashen, J. Earl Langdon, Sam Leedon, Hamilton Hintz.
San Francisco Chronicle—Earl C. Behrens.
San Francisco Examiner—William H. Jordan, Herbert L. Phillips.

ARTHUR A. OHNIMUS, Chief Clerk.

RESOLUTION.

The following resolution was offered:

By Mr. Clowdsley:

WHEREAS, God in His all-wise providence has called from this earthly existence a former member of this Assembly, the Hon. Frank S. Israel; and

WHEREAS, The Hon. Frank S. Israel served his State as a member of the Twelfth Assembly District, San Joaquin County, during the forty-ninth session of the Legislature, and was called by death but three months ago while actively at work; and

WHEREAS, The Hon Frank S. Israel has been an honored citizen of California many years, an educator, an agriculturist, and a public official serving on many important committees; and

WHEREAS, The Hon. Frank S. Israel, by reason of his upright Christian character, his talent, and his service in public life, has merited the esteem of his fellow citizens and of his associates in the California Legislature; and

WHEREAS, The members of the Assembly profoundly regret the death of their former associate and share in the grief experienced by his devoted family; now, therefore, be it

Resolved, That this Assembly extend to the family of our deceased associate its heartfelt sympathy; and be it further

Resolved, That engrossed copies of this resolution be sent to Mrs. Frank S. Israel, Miss Hope Israel, Miss Alida Israel, the members of his family; and be it further

Resolved, That when this Assembly adjourns on this date, it do so out of respect to the memory of the late Frank S. Israel.

Resolution read, and on motion unanimously adopted.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate is now duly organized and ready to proceed with the business of the State, having elected the following statutory officers:

President pro tempore, Arthur H. Breed.
Secretary of the Senate, Joseph A. Beek.
Sergeant-at-Arms, Joseph F. Nolan.
Minute Clerk, Francis Dalin.
Chaplain, Rev. William F. Ehmann.

J. A. BEEK, Secretary of Senate.

REPORT OF SELECT COMMITTEE.

The select committee appointed to wait upon the Governor reported as follows:

That they had delivered the Assembly's message and the Governor had informed them he would deliver his message on Tuesday evening, January 3, 1933, at eight o'clock and thirty minutes p.m. in joint session with the Senate.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced and referred as indicated:

By Mr. Hornblower: Assembly Concurrent Resolution No. 1— Relative to the selection of Legislative Counsel.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No. 1, at this time, without reference to printer, committee or file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER ONE.

Assembly Concurrent Resolution No. 1—Relative to the selection of the Legislative Council.

Resolution read, and on motion adopted.

Title read and approved.

Assembly Concurrent Resolution No. 1 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 1.

Relative to the selection of the Legislative Counsel.

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Senate and Assembly meet in joint session in the Assembly Chamber at 7:30 p.m. o'clock on the third day of January, 1933, for the purpose of selecting the Legislative Counsel, as provided and required by section 1 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 23, 1913

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following report of standing committee was received, and ordered printed in the Journal.

ON MILEAGE

District	Name	Address	Distance from seat	Distance from Co seat, more	Distance from Co seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Michael J Burns	Eureka, Humboldt County	312				624	$31 20
2	Albert F Ross	Redding, Shasta County	171				342	17 10
3	John H. O'Donnell	Woodland, Yolo County	23				46	2 30
4	J. E. Frazier	Gridley, Butte County	86		14	72	144	7 20
5	Ernest C Crowley	Suisun, Solano County	40				80	4 00
6	Jesse M. Mayo	Angels Camp, Calaveras County	73	12		85	170	8 50
7	Hubert B. Scudder	Sebastopol, Sonoma County	90	7		97	194	9 70
8	Roy J. Nielsen	Sacramento, Sacramento County						
9	Percy G West	Sacramento, Sacramento County						
10	Clifford C Anglim	Richmond, Contra Costa County	62	20		82	164	8 20
11	F. C. Clowdsley	Stockton, San Joaquin County	48				96	4 80
12	James E Thorp	Lockeford, San Joaquin County	48				96	4 80
13	James M Cassidy	Oakland, Alameda County	84				168	8 40
14	William F. Knowland	Alameda, Alameda County	84	5		89	178	8 90
15	William W. Hoffman	Oakland, Alameda County	84				168	8 40
16	Eugene W Roland	Oakland, Alameda County	84				168	8 40
17	Henry P Meehan	Oakland, Alameda County	84				168	8 40
18	Charles W. Fisher	Oakland, Alameda County	84				168	8 40
19	Albert H Morgan, Jr.	Albany, Alameda County	84				168	8 40
20	Thomas A. Maloney	San Francisco, San Francisco County	90				180	9 00
21	Joseph P. Gilmore	San Francisco, San Francisco County	90				180	9 00
22	James A. Miller	San Francisco, San Francisco County	90				180	9 00
23	William B. Hornblower	San Francisco, San Francisco County	90				180	9 00
24	Patrick J. McMurray	San Francisco, San Francisco County	90				180	9 00
25	Melvyn I. Cronin	San Francisco, San Francisco County	90				180	9 00
26	Ray Williamson	San Francisco, San Francisco County	90				180	9 00
27	B J. Feigenbaum	San Francisco, San Francisco County	90				180	9 00
28	Edgar C. Levey	San Francisco, San Francisco County	90				180	9 00
29	Frederick Peterson	Burlingame, San Mateo County	119		8	111	222	11 10
30	Frank Lee Crist	Palo Alto, Santa Clara County	128	18		146	292	14 60
31	C. C. Cottrell	San Jose, Santa Clara County	128				256	12 80

ON MILEAGE—Continued.

District	Name	Address	Distance from seat	Distance from Co. seat, more	Distance from Co seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
32	E. H. Zion	Modesto, Stanislaus County	77				154	7 70
33	C. Ray Robinson	Merced, Merced County	114				228	11 40
34	Clifford R Kallam	Watsonville, Santa Cruz County	198	20		218	436	21 80
35	Ellis E. Patterson	King City, Monterey County	208	50		258	516	25 80
36	Lucius Powers, Jr	Fresno, Fresno County	169				338	16 90
37	Maurice S. Meeker	Kerman, Fresno County	169				338	16 90
38	Ford A Chatters	Lindsay, Tulare County	206	20		226	452	22 60
39	George R. Bliss	Carpinteria, Santa Barbara County	460	12		472	944	47 20
40	J J McBride	Ventura, Ventura County	490				980	49 00
41	Rodney L Turner	Delano, Kern County	278		30	248	496	24 80
42	James S O'Connor	North Hollywood, Los Angeles County	447				894	44 70
43	C Don Field	Glendale, Los Angeles County	447		10	437	874	43 70
44	Clare Woolwine	Los Angeles, Los Angeles County	447				894	44 70
45	Charles A Hunt	Los Angeles, Los Angeles County	447				894	44 70
46	Sam M. Greene	Inglewood, Los Angeles County	447	11		458	916	45 80
47	Eleanor Miller	Pasadena, Los Angeles County	447	13		460	920	46 00
48	Frank G. Martin	Altadena, Los Angeles County	447	15		462	924	46 20
49	Herbert J Evans	Monrovia, Los Angeles County	447	12		459	918	45 90
50	Frank W. Wright	Whittier, Los Angeles County	447	15		462	924	46 20
51	Wm Moseley Jones	Montebello, Los Angeles County	447	10		457	914	45 70
52	Charles W. Grubbs	Los Angeles, Los Angeles County	447				894	44 70
53	E. V Latham	Alhambra, Los Angeles County	447	9		456	912	45 60
54	Frank J Rogers	Los Angeles, Los Angeles County	447				894	44 70
55	Austin L. Tournoux	Los Angeles, Los Angeles County	447				894	44 70
56	Bert V Callahan	Los Angeles, Los Angeles County	447				894	44 70
57	Kent H. Redwine	Hollywood, Los Angeles County	447				894	44 70
58	Lawrence Cobb	Los Angeles, Los Angeles County	447				894	44 70
59	Charles W. Lyon	Los Angeles, Los Angeles County	447				894	44 70
60	Walter J. Little	Santa Monica, Los Angeles County	447	22		469	938	46 90
61	Charles W. Dempster	Los Angeles, Los Angeles County	447				894	44 70
62	Frederick M. Roberts	Los Angeles, Los Angeles County	447				894	44 70
63	Willard E. Badham	Los Angeles, Los Angeles County	447				894	44 70
64	John D. McCarthy	Los Angeles, Los Angeles County	447				894	44 70
65	Herbert S Hallner	Los Angeles, Los Angeles County	447				894	44 70
66	James J Boyle	Los Angeles, Los Angeles County	447				894	44 70
67	Cecil R. King	Los Angeles, Los Angeles County	447				894	44 70
68	John T. Rawls	San Pedro, Los Angeles County	447	23		470	940	47 00
69	Walter H. Sullivan	Compton, Los Angeles County	447	10		457	914	45 70
70	Ira S. Hatch	Long Beach, Los Angeles County	447	22		469	938	46 90
71	Harry B. Riley	Long Beach, Los Angeles County	447	22		469	938	46 90
72	Hobart R. Alter	Ontario, San Bernardino County	508		24	484	968	48 40
73	A. E Brock	Redlands, San Bernardino County	508	12		520	1,040	52 00
74	James B. Utt	Tustin, Orange County	481	2		483	966	48 30
75	Edward Craig	Brea, Orange County	481		14	467	934	46 70
76	John P Phillips	Banning, Riverside County	512	35		547	1,094	54 70
77	Samuel E. Robinson	Imperial, Imperial County	661	12		673	1,346	67 30
78	George B Bowers	San Diego, San Diego County	573				1,146	57 30
79	Bruce R. Stannard	San Diego, San Diego County	573				1,146	57 30
80	Charles W. Stream	Palm City, San Diego County	573	13		586	1,172	58 60

Name	Address	Distance from seat	Distance from Co. seat, more	Distance from Co. seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
	OFFICERS						
Arthur A. Ohnimus	San Francisco, San Francisco County	90				180	$18 00
Louis F. Erb	San Francisco, San Francisco County	90				180	18 00

CROWLEY, Chairman.

ADJOURNMENT.

At two o'clock and forty-five minutes p.m., on motion of Mr. Cobb, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Tuesday, January 3, 1933, in respect to the memory of the late Frank S. Israel, a member of the forty-ninth session of the Assembly.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, January 3, 1933.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Bliss, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Maloney, Mr. Levey was granted leave of absence for the day.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

THE CATHOLIC WOMAN'S CLUB,
LOS ANGELES, CALIFORNIA, December 27, 1932.

STATE ASSEMBLYMEN: The Catholic Woman's Club of Los Angeles, California, is sponsoring to the Legislature of the State of California asking that this body bestow upon John Stephen McGroarty the honor and distinction of Poet Laureate of the State

We will appreciate very much your favorable consideration.

Very truly yours,

(MRS. JAMES F.) ELEANOR BREEN, President.
(MRS. A. J.) FRANCES J. KLAMT, Secretary.

COMMUNICATION.

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

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE,
SACRAMENTO, January 2, 1933.

To the Assembly of the State of California.

GREETINGS: In accordance with the provisions of Senate Concurrent Resolution No. 28 passed during the forty-ninth session of the California Legislature, I submit herewith an estimate of the cost of reconstruction of the committee rooms in the State Capitol Building and also estimates with reference to ventilation and lighting of the same.

Yours very truly,

ROLLAND A VANDEGRIFT, Director of Finance.

December 10, 1932.

REPORT TO THE LEGISLATURE IN RESPONSE TO SENATE CONCURRENT RESOLUTION No. 28.

"Relating to a survey and an estimate of the cost of reconstructing the committee rooms in the State Capitol Building."

In response to Senate Concurrent Resolution No. 28, we wish to report as follows on the reconstruction of certain committee rooms; correction of the present inadequate lighting system; and the installation of a ventilating system for the committee rooms on the fourth floor of the State Capitol Building; excluding the Indian Museum and the space occupied by the Division of Personnel and Organization, as shown on the attached plan.

1. *Reconstruction of Committee Rooms.*

(a) Combine present rooms 415, 416 and 417 to form one large room to be designated as room 416. This enlarged room will have a floor area of 1010 square feet and will be equipped with 60 opera chairs in movable sections, four 42" x 96" movable tables, 16 swivel chairs, and a wardrobe.

(b) Combine present rooms 410, 412 and 414 to form one large room to be designated as room 414. This enlarged room will have a floor area of 1024 square feet and will be equipped with 48 opera chairs in movable sections, four 42" x 96" movable tables, 16 swivel chairs, and a wardrobe.

2. *Improvements to Lighting System.*

A survey at night with a phototonic foot candle meter indicates that the intensity of illumination at the present time varies from 2½ to 5 foot candles throughout the various committee rooms at the workable areas. In extreme cases the intensity drops as low as one-half foot candle.

The desirable intensity for offices is established by the National Electric Lighting Association at 10 foot candles. For close work, 15 foot candles are recommended.

We recommend that the present installation be corrected to develop an average intensity of from 8 to 10 foot candles over the entire area of the rooms. This will result in a higher intensity directly under, or immediately adjacent to the fixtures, which can be taken advantage of by persons doing close work.

To achieve this result will require that the fixtures in certain rooms be moved to the most efficient location; that additional fixtures be installed in rooms now inadequately supplied; and that a type of fixture be installed throughout all rooms which will develop the maximum efficiency with the minimum of surface brightness or glare.

3. *Installation of Ventilating System.*

On account of the insufficient window area and the low ceiling height of the fourth-floor rooms, adequate natural ventilation is impossible. It is probable that under the present condition there is not more than one change of air per hour.

We recommend the installation of a ventilating system which will supply fresh air to each room, and exhaust the foul air at a rate which will provide not less than ten changes of air per hour.

This system would consist of the installation of one supply fan and two exhaust fans in the attic space over the fourth floor ceiling with a system of galvanized iron ducts running through the attic space to each room.

The supply fan will draw fresh air from the outside, above the roof. In cool weather this air will be tempered by passing it through a heating unit to be installed adjacent to the fan. In warmer weather the heating unit will be turned off and the air delivered at its natural temperature.

The exhaust system, in addition to aiding in the circulation of the air will remove smoke and odors and will discharge to the outside of the building.

Estimated Cost.

The estimated cost of the above proposed work is as follows:

1. Reconstruction of Committee Rooms:		
(a) Removing partitions, patching plaster and linoleum, painting, and installation of wardrobes	$540 00	
(b) Furniture for new committee rooms 414 and 416:		
32 walnut revolving arm chairs	640 00	
8 42"x96" walnut tables	705 00	
108 opera chairs	415 00	
	$2,300 00	$2,300 00
2. Improvements to Lighting System		1,100 00
3. Installation of Ventilating System		6,600 00
Total cost		$10,000 00

Respectfully submitted.

ROLLAND A VANDEGRIFT, Director of Finance.
FRANK N KILLAM, Chief of Bureau of Buildings and Grounds.
GEO. B. McDOUGALL, State Architect.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, January 3, 1933.

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as representatives of the newspapers set opposite their respective names:

Sacramento Union—John C. Lee, John Sullivan, Henry C. MacArthur, Lloyd Craig.
Alameda Times-Star—H. G. Spaulding.
Redwood City Times-Gazette—Mona L. Christensen.
International News Service—Gilbert Gordon, Ross G. Marshall, William Wells.

ARTHUR A. OHNIMUS, Chief Clerk.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Cassidy: Assembly Bill No. 1—An act to amend section 737a of the Political Code, relating to the salaries of judges of the superior court, Alameda County.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Hoffman: Assembly Bill No. 2—An act to amend section 5 of the Direct Primary Law, relating to sponsors' pamphlets.

Bill read first time, and referred to Committee on Direct Legislation.

By Mr. Knowland: Assembly Bill No. 3—An act to prohibit the possession of all devices or attachments of any kind designed, used or intended for use in silencing the report of a firearm, and providing a penalty for violation thereof.

Bill read first time, and referred to Committee on Crime Problems.

By Messrs. Latham and Field: Assembly Bill No. 4—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interest in property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Martin: Assembly Bill No. 5—An act to amend sections 3746, 3751, 3756, 3758, 3817 and 3817a of the Political Code, and to add a new section to be numbered 3757, all relating to property tax delinquencies, penalties and redemptions.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Rawls: Assembly Bill No. 6—An act to repeal the Acquisition and Improvement Act of 1925.

Bill read first time, and referred to Committee on Municipal Corporations

By Mr. Robinson, C. Ray: Assembly Bill No. 7—An act to amend sections 41, 43, 45, 46 and 47 of the California Irrigation District Act, relating to delinquent assessment penalties and redemptions.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Scudder: Assembly Bill No. 8—An act to amend sections 3746, 3756 and 3817 of the Political Code, relating to property tax delinquency and redemption penalties.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. West. Assembly Bill No. 9—An act to amend section 69 of the Civil Code, relating to issuance of licenses to marry.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Rawls: Assembly Bill No. 10—An act to amend section 737*s* of the Political Code, relating to salaries of judges of the superior court, Los Angeles County.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Knowland: Assembly Bill No. 11—An act to amend section 520 of the Penal Code, relating to the punishment of extortion in certain cases.

Bill read first time, and referred to Committee on Crime Problems.

By Messrs. Cobb and Hoffman: Assembly Bill No. 12—An act repealing the Acquisition and Improvement Act of 1925.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Badham: Assembly Bill No. 13—An act to provide for the consolidation of all taxes, other than State taxes, in the county tax officials; and to prohibit the levy of any tax within a county save by the county board of supervisors.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Williamson, Feigenbaum and Crowley: Assembly Joint Resolution No. 1—Relative to ratification of an amendment to the Constitution of the United States, proposed by the Congress of the United States of America, relating to fixing the commencement of the terms of President and Vice President and members of Congress and fixing of time of assembling of Congress.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crowley asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 1 at this time, without reference to printer or committee, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER ONE.

Assembly Joint Resolution No. 1—Relative to ratification of an amendment to the Constitution of the United States, proposed by the Congress of the United States of America, relating to fixing the commencement of the terms of President and Vice President and members of Congress and fixing of time of assembling of Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 1 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream,

Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 1 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 1.

Relative to ratification of an amendment to the Constitution of the United States, proposed by the Congress of the United States of America, relating to fixing the commencement of the terms of President and Vice President and members of Congress and fixing of time of assembling of Congress.

WHEREAS, The Seventy-Second Congress of the United States of America, at its first session, has adopted Senate Joint Resolution No. 14, two-thirds of each house concurring therein, proposing an amendment to the Constitution of the United States, in the following words, to wit:

JOINT RESOLUTION.

Proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and members of Congress and fixing the time of the assembling of Congress.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein), That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of said Constitution when ratified by the legislatures of the several States as provided in the Constitution:

"Article ------

"Section 1. The terms of the President and Vice President shall end at noon on the twentieth day of January, and the terms of Senators and Representatives at noon on the third day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin

"Sec. 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the third day of January, unless they shall by law appoint a different day.

"Sec. 3. If, at the time fixed for the beginning of the term of the President, the President-elect shall have died, the Vice President-elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President-elect shall have failed to qualify, then the Vice President shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President-elect nor a Vice President-elect shall have qualified declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified

"Sec. 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

"Sec. 5. Sections 1 and 2 shall take effect on the fifteenth day of October following the ratification of this article.

"Sec. 6 This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission"; and

WHEREAS, Said proposed amendment will be valid as part of the Constitution of the United States when ratified by the legislatures of three-fourths of the several States; therefore be it

Resolved by the Assembly and Senate, jointly, at its fiftieth session, commencing on the second day of January, 1933, a majority of all the members elected to each house of said Legislature voting in favor thereof, That the said proposed amendment be and the same is hereby ratified by the Legislature of the State of California.

Resolved, further, That certified copies of the foregoing preamble and resolution be forwarded by the Governor of the State of California to the President of the United States, the Secretary of State of the United States, the President of the Senate of the United States, and the Speaker of the House of Representatives of the United States

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 3, 1933.

To the Senate and Assembly of the State of California.

I have received from the Honorable Henry L. Stimson, Secretary of State of the United States of America, a duly certified copy of a joint resolution of the Seventy-second Congress of the United States of America, entitled "Joint Resolution proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and members of Congress and fixing the time of the assembling of Congress," which reads as follows:

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled* (two-thirds of each House concurring therein), That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of said Constitution when ratified by the legislatures of the several States as provided in the Constitution:

"'Article ------

"'Section 1. The terms of the President and Vice President shall end at noon on the twentieth day of January, and the terms of Senators and Representatives at noon on the third day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

"'Sec. 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the third day of January, unless they shall by law appoint a different day.

"'Sec. 3. If, at the time fixed for the beginning of the term of the President, the President-elect shall have died, the Vice President-elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President-elect shall have failed to qualify, then the Vice President-elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President-elect nor a Vice President-elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

"'Sec. 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

"'Sec. 5. Sections 1 and 2 shall take effect on the fifteenth day of October following the ratification of this article.

"'Sec. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.'

JNO. N. GARNER, Speaker of the House of Representatives.
CHARLES CURTIS, Vice President of the United States and President of the Senate."

I herewith submit the same to you for your ratification or rejection.

Very sincerely yours,

JAMES ROLPH, JR., Governor of California.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Field: Assembly Concurrent Resolution No. 2—Relative to approving a certain amendment to the charter of the city of Glendale, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Field asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 2 at this time, without reference to printer or committee, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWO.

Assembly Concurrent Resolution No. 2—Relative to approving a certain amendment to the charter of the city of Glendale, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 2 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 2 ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated.

Assembly Concurrent Resolution No. 2—Relative to approving a certain amendment to the charter of the city of Glendale, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932.

By Mr. Lyon: Assembly Concurrent Resolution No. 3—Relative to approving ten certain amendments to the charter of the city of Los Angeles in the county of Los Angeles, State of California, voted for and ratified by the electors of said city at special elections held therein on the third day of May, 1932, and on the eighth day of November, 1932, respectively.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 3 at this time, without reference to printer or committee, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER THREE.

Assembly Concurrent Resolution No. 3—Relative to approving ten certain amendments to the charter of the city of Los Angeles in the county of Los Angeles, State of California, voted for and ratified by the electors of said city at special elections held therein on the third day of May, 1932, and on the eighth day of November, 1932, respectively.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 3 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—68.
NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 3 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 3—Relative to approving ten certain amendments to the charter of the city of Los Angeles in the county of Los Angeles, State of California, voted for and ratified by the electors of said city at special elections held therein on the third day of May, 1932, and on the eighth day of November, 1932, respectively.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated.

By Mr. Crist: Assembly Concurrent Resolution No. 4—Relative to approving six certain amendments to the charter of the city of Palo Alto, county of Santa Clara, State of California, voted for and ratified by the qualified electors of the said city of Palo Alto at a special municipal election held therein for that purpose on the twenty-fifth day of October, 1932.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crist asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 4, at this time, without reference to printer or committee, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FOUR.

Assembly Concurrent Resolution No. 4—Relative to approving six certain amendments to the charter of the city of Palo Alto, county of Santa Clara, State of California, voted for and ratified by the qualified electors of the said city of Palo Alto at a special municipal election held therein for that purpose on the twenty-fifth day of October, 1932.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 4 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—65.
NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 4 ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated.

Assembly Concurrent Resolution No. 4—Relative to approving six certain amendments to the charter of the city of Palo Alto, county of Santa Clara, State of California, voted for and ratified by the qualified electors of the said city of Palo Alto at a special municipal election held therein for that purpose on the twenty-fifth day of October, 1932.

By Miss Miller, Eleanor: Assembly Constitutional Amendment No. 1—Proposed amendment to Article VI of the Constitution, relative to an amendment to the Constitution of said State by adding a new section to be numbered $8\frac{1}{2}$, relating to the tenure of office of judges and justices of courts of record.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Brock: Assembly Constitutional Amendment No. 2—Proposed amendment to Article IV of the Constitution, relative to a resolution proposing to the people of the State of California an amendment to the Constitution of said State by adding to Article IV thereof a new section to be numbered 31c, authorizing any city of the fifth or sixth class to acquire and hold stock in mutual water corporations.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Bliss: Assembly Constitutional Amendment No. 3—Proposed amendment to Article IV of the Constitution, relative to amending section 23 of Article IV of the Constitution of California, relating to compensation of members of the Legislature.

Introduced, and referred to Committee on Constitutional Amendments.

MOTION.

Mr. Roland moved that the Preliminary Report of the California Assembly Interim Committee be received and ordered printed in the Journal.

Motion carried.

REQUEST BY MR. FEIGENBAUM.

Upon request of Mr. Feigenbaum, the printing of the report in the Journal was deferred until the next legislative day.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 3, 1933

MR SPEAKER: Your Committee on Mileage begs leave to report that it has computed the mileage according to section 208 of the Political Code, and recommends the adoption of the resolution herewith:

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

Michael J. Burns	$31 20	Rodney L. Turner	$24 80
Albert F. Ross	17 10	James S. O'Connor	44 70
John H. O'Donnell	2 30	C. Don Field	43 70
J. E. Frazier	7 20	Clare Woolwine	44 70
Ernest C. Crowley	4 00	Charles A. Hunt	44 70

Jesse M. Mayo	$8 50	Sam M. Greene	$45 80
Hubert B. Scudder	9 70	Eleanor Miller	46 00
Roy J. Nielsen	- --	Frank G Martin	46 20
Percy G. West	- --	Herbert J. Evans	45 90
Clifford C. Anglim	8 20	Frank W. Wright	46 20
F. C. Clowdsley	4 80	William Moseley Jones	45 70
James E. Thorp	4 80	Charles W. Grubbs	44 70
James M Cassidy	8 40	E V. Latham	45 60
William F. Knowland	8 90	Frank J. Rogers	44 70
William W. Hoffman	8 40	Austin L. Tournoux	44 70
Eugene W. Roland	8 40	Bert V. Callahan	44 70
Henry P. Meehan	8 40	Kent H. Redwine	44 70
Charles W. Fisher	8 40	Lawrence Cobb	44 70
Albert H. Morgan, Jr.	8 40	Charles W Lyon	44 70
Thomas A. Maloney	9 00	Walter J. Little	46 90
Joseph P. Gilmore	9 00	Charles W Dempster	44 70
James A. Miller	9 00	Frederick M. Roberts	44 70
William B. Hornblower	9 00	Willard E Badham	44 70
Patrick J. McMurray	9 00	John D. McCarthy	44 70
Melvyn I. Cronin	9 00	Herbert S Hallner	44 70
Ray Williamson	9 00	James J. Boyle	44 70
B J Feigenbaum	9 00	Cecil R. King	44 70
Edgar C. Levey	9 00	John T. Rawls	47 00
Frederick Peterson	11 10	Walter H Sullivan	45 70
Frank Lee Crist	14 60	Ira S. Hatch	46 90
C C. Cottrell	12 80	Harry B. Riley	46 90
E H. Zion	7 70	Hobart R. Alter	48 40
C Ray Robinson	11 40	A E Brock	52 00
Clifford R. Kallam	21 80	James B Utt	48 30
Ellis E. Patterson	25 80	Edward Craig	46 70
Lucius Powers, Jr.	16 90	John P Phillips	54 70
Maurice S Meeker	16 90	Samuel E Robinson	67 30
Ford A Chatters	22 60	George B Bowers	57 30
George R Bliss	47 20	Bruce R Stannard	57 30
J. J. McBride	49 00	Charles W. Stream	58 60

OFFICERS.

Arthur A Ohnimus	$18 00	Louis F Erb	$18 00

—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

CROWLEY, Chairman
ANGLIM.
O'DONNELL.
ROGERS.
THORP.

Mr. Crowley moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt West, Williamson, Zion, and Mr. Speaker—69.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Mr. Brock:

Resolved, That a committee of five be appointed by the Speaker to escort the Governor to the Assembly this evening when he will deliver his message to the Senate and Assembly in Joint Convention.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs Brock, Field, Callahan, Nielsen and Tournoux as such select committee.

RECESS.

At ten o'clock and forty-five minutes a m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until seven o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At seven o'clock and thirty minutes p m , the Assembly reconvened. Speaker Little in the chair.

RESOLUTION.

The following resolution was offered:

By Messrs. McMurray and Hallner:

Resolved by the Assembly of the State of California, That a cordial invitation is hereby extended to

Anne Banning	Mrs. Clara H. Heller
Edward W. Cahill	Nicola Giulu
John P. Carter	John Stephen McGroarty
Charles L. Culbert	W. R. Jacobs
P. J. Conkling	Mattison B. Jones
Peter J. Haggerty	John E. King
John T. Gaffey	Patrick Francis O'Rourke
Charles O. Dunbar	Calvin L. Russell
R. F. Del Valle	Jackson H. Ralston
J. Ed. Hughes	George M. Spicer
Henry E. Harwood	Mrs. Mary Marshall Wiley

being the persons chosen by the people of the State of California as Presidential Electors, to assemble in the Assembly Chamber, in the State Capitol, at the city of Sacramento, on Wednesday, January 4, 1933, at two o'clock p.m., for the purpose of casting the electoral vote of the State of California for President and Vice President of the United States, as provided by law, and that a committee of three Assemblymen be named by the Speaker to make arrangements for an address to the Assembly or to the Senate and Assembly jointly by United States Senator-elect William Gibbs McAdoo.

Resolution read and motion adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. McMurray, Hallner and Clowdsley as such select committee.

RECESS.

At seven o'clock and fifty minutes p.m , on motion of Mr Robinson, C. Ray, the Assembly was declared at recess until eight o'clock p.m. of this day to meet in joint convention.

IN JOINT CONVENTION.

ASSEMBLY CHAMBER,

SACRAMENTO, January 3, 1933.

At eight o'clock p.m., the Senate and Assembly met in Joint Convention.

Hon. Walter J. Little, Speaker of the Assembly, directed that Hon. Frank F. Merriam, President of the Senate, and Hon. Arthur H. Breed President pro tempore of the Senate, be escorted to the platform.

Hon. Walter J. Little, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

ASSEMBLY ROLL CALL.

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

Alter, Anglim, **Badham, Bliss, Bowers, Boyle, Brock, Burns,** Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman,

Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Zion, and Mr. Speaker—70.

The Speaker declared a quorum of the Assembly present.

Hon. Frank F. Merriam, President of the Senate, directed the Secretary of the Senate to call the roll of Senators.

SENATE ROLL CALL.

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

Senators Allen, Breed, Bush, Crittenden, Deuel, Difani, Duval, Edwards, Harper, Hays, Ingels, Inman, Jespersen, Jones, King, McColl, McCormack, McKinley, Mixter, Moran, Parkman, Perry, Pierovich, Powers, Rich, Riley, Schottky, Seawell, Sharkey, Slater, Snyder, Stow, Swing, Tickle, Wagy, and Williams—36.

The President declared a quorum of the Senate present.

REGULAR ORDER OF BUSINESS.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER ONE.

ASSEMBLY CONCURRENT RESOLUTION No. 1.

Relative to the selection of the Legislative Counsel.

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Senate and Assembly meet in joint session in the Assembly Chamber at 7.30 o'clock p.m., on the third day of January, 1933, for the purpose of selecting the Legislative Counsel, as provided and required by section 1 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 23, 1913.

In accordance with Assembly Concurrent Resolution No. 1, the Speaker declared the nomination of Legislative Counsel now in order.

Mr. Hornblower of San Francisco placed in nomination Mr. Fred Wood of Berkeley for Legislative Counsel.

The nomination of Mr. Wood was seconded by Messrs. Dempster of Los Angeles and Maloney of San Francisco.

On motion of Mr. Williamson, the nominations were closed.

ROLL CALL.

The Speaker directed the Chief Clerk to call the roll of Assemblymen.

The roll was called with the following results:

For MR. FRED WOOD—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—77.

NOES—None.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called with the following results:

For MR. FRED WOOD—Senators Breed, Bush, Crittenden, Deuel, Difani, Edwards, Gordon, Harper, Hays, Ingels, Inman, Jespersen, Jones, King, McColl, McKinley, Mixter, Moran, Parkman, Perry, Pierovich, Powers, Rich, Riley, Schottky, Seawell, Slater, Snyder, Stow, Swing, Tickle, Wagy, and Williams—33

NOES—None.

Mr. Fred Wood, being the choice of the Senate and Assembly sitting in Joint Convention, was declared duly elected Legislative Counsel.

COMMITTEE OF ESCORT.

The Joint Committee of Escort, consisting of Senators Allen, McKinley and Pierovich and Assemblymen Brock, Field, Callahan, Nielsen and Tournoux, to wait upon His Excellency, Governor James Rolph, Jr., and inform him that the Joint Convention is now in session and to escort him to the convention, appeared at the bar of the House and announced the presence of His Excellency, James Rolph, Jr., Governor of the State of California.

Hon. Frank Merriam, President of the Senate, presented Governor James Rolph, Jr., to the Joint Convention. The Governor then delivered his biennial message.

BIENNIAL ADDRESS OF GOVERNOR JAMES ROLPH, JR., TO THE SENATE AND ASSEMBLY OF CALIFORNIA, IN JOINT ASSEMBLY AT SACRAMENTO, TUESDAY, JANUARY 3, 1933.

To the Senate and Assembly of the State of California and My Fellow Californians:

This biennial message of the Governor is addressed to you in compliance with the obligation imposed on the Governor by section 10, Article V, of the State Constitution, which provides that the "Governor shall communicate, by message to the Legislature, at every session, the condition of the State, and recommend such matters as he shall deem expedient."

My duty, in obedience to that provision of the Constitution, requires me, in this message, to suggest a program of economy, details of which require that the counties, in a number of cases, resume some of the humanitarian services, which, in the era of prosperity recently passed, they had shifted to the State government.

Doubtless, there will be some who, in defiance of the facts, will assert that the State government is impairing the constructive social services which it has built up.

My opponents and critics, in my two years as Governor, and in my nineteen years as mayor of San Francisco, have accused me of being sympathetic at times to the point of weakness and extravagance with the poor, the needy, the sick and distressed who are public charges. There is, therefore, I hope no need of suggesting that I have not changed character in that respect, or that I am just as keenly concerned as I have always been for the State's wards.

California is the advance guard of the States in matters of social legislation. Our program has national significance and effect. The several States have used our old age security act as a model for constructing laws of similar design and purpose. State aid to certain classes of needy persons so wisely provided for in the Constitution of California contributes substantially to the prosperity of our commonwealth.

As Governor, I shall do my part, and I am confident that the Legislature will do its part to keep it in that proud position.

When the State aids needy orphans or half orphans, it invests in its own future. We wish the next generation of our citizens to be healthy and contented.

When the State assists needy aged citizens, it is performing an act of both humanity and economy; it is keeping old people together in a dignified and self-respecting manner, and, at the same time, it is avoiding the enormous additional expense which would be incurred in maintaining such persons in private institutions.

When the State assists the needy blind, it not only gives to a class of persons with whom the world is in deep sympathy, but it provides the wherewithal for thousands of the blind to rehabilitate themselves and become productive elements of our society.

Our State social program is one that we should continue to foster. It prevents a vast amount of suffering and misery. It saves the individual citizens from many additional demands from private charities in these days of charitable appeals. It builds the future.

But in these, as in all other good works, our ability is not as unlimited as our sympathy and zeal. Unfortunately, with States as with individuals, financial considerations act as a brake on our benevolence.

There is a natural division of such humane responsibilities between the State and the local government. To say that the counties rather than the State should properly carry a portion of this load does not imply any hard-boiled or inconsiderate attitude toward the work itself.

I wish this whole message to be interpreted in the light of these preliminary remarks so that recommendations forced by consideration of the State's financial limitations shall not be distorted into an attack on its great humane activities.

This session of the Legislature of California occurs in the midst of the most momentous economic prostration that has afflicted mankind since the commencement of the age of machinery.

Those to whom it is now given to direct the State government in an executive, administrative, or legislative capacity, are called upon to exercise a degree of fortitude, courage, intelligence, and vision not ordinarily required of them in prosperous times.

The most important task before us is to deal with the grave economic distress from which our State, in common with all the rest of the world, is suffering.

It is appropriate, therefore, that as the Chief Executive of this Commonwealth, I urge that you approach consideration of this task with a deep and reverent sense of your obligations to the State and to the people. We must realize that we are in the hollow of God's hand and that without his guidance and omnipotence we are nothing and can do nothing. But the wise providence of God, exhibited in all his manifestations to mankind, commands that in order to merit His help we should display in addition to trust in God those moral and spiritual qualities, such as courage, self-sacrifice, fortitude, and self-confidence, without which we are indeed helpless.

In the past two years our people have suffered unparalleled distress of body and mind, and might have been overborne by their misfortunes had they not found anchorage in courage, faith, determination and that hope which under Divine Providence has brought us to this day, and is certain to bring us to better days.

We must cling to faith, courage and hope joined with unremitting endeavor, for with these, no matter how dark the night or forbidding the day, we are certain to come to days of good fortune.

I can think of nothing more sustaining in a crisis like this than the sublime faith and courage of Marshal Foch when he described the outlook upon the eve of a battle where the odds were desperately against him. He said: "Materially, I can not see that victory is possible. Morally, I am certain that we shall gain it."

Our task must be done with inflexible devotion to the interests of the people and the State, at whatever cost to us as individuals; but we must bear always in mind that our duty to relieve the distresses of the taxpayer is not greater than our duty to carry out those obligations of the State government toward the needy and the dependent without which our government would be neither humane nor civilized.

In the severe economic conditions now prevailing, when business, great and small, is gasping for breath, when the landowner is striving to save his farm, his investments, and his home from the mortgagee and tax collector, it should be clear to everyone that the most strenuous efforts must be made to balance the State's budget by economies, reductions, and eliminations, before considering fresh exactions from our overburdened people.

There are persons so habituated to spending the taxpayers' money, so reckless of responsibility to the people and of the first principles of thrift, that even in these times they are crying for larger tax collections instead of smaller tax expenditures.

Many of them cloak their prodigality by specious assertions that the additional revenue which they demand will be extracted solely from utilities and other industries and will not be paid by the people. But it is as true now as it was two years ago when I said in my maugural address that the corporations' taxes are eventually paid by the ratepayers of the utilities, the passengers on the railroads, the consumers of articles that have been shipped by rail, or manufactured or sold by corporations, and that the welfare of business is closely involved with the welfare of all the population.

This statement was supported by the report of the Tax Commission of 1929 which pointed out that, "a substantial portion of the public utility taxes are shifted to the consumers of the services offered by the public utilities." Any man who in the present state of almost universal public distress urges the levy of increased taxes that can possibly be avoided is an enemy of the people.

I am indeed proud of the fiscal administration of the State government in the past two years

Administration of the financial affairs of the State always requires vigilance, intelligence, and honesty, but it is a comparatively easy task in fair weather. Times like these, however, try the ability, courage, and public spirit of both the executive and legislative branches of the State government.

Notwithstanding the untoward general conditions that imposed unexpected and severe demands on the humanitarian and other services of the State government, notwithstanding that economic conditions forced an unprecedented number of aged persons on the old-age pension rolls, and that the normal growth of population implies increasing costs of government from administration to administration, the increase of expenditures over that of previous bienniums was much less than that of any biennium in a half century and there was a positive decrease in the per capita cost of State government in comparison with that of the immediately preceding administration. That this reduction of the per capita cost of government is an extraordinary performance is made plain when contrasted with the fact that the per capita expenditures of State and local governments in California doubled in the fifteen years immediately preceding the commencement of my administration.

While some other administrations have kept expenditures below budget appropriations, many of them have been largely offset by deficiency appropriations passed

by succeeding legislatures. The savings under budget appropriations by my administration in these first two years have exceeded those of any previous administration by a very large amount and will approximate $4,000,000.

This is the first administration in many years that has proposed or fathered no bond issues, kept the bond indebtedness of the State from increasing, and paid all the expenses of the State government, including capital expenditures amounting to $7,500,000, out of the diminished revenues on the "pay-as-you-go" plan.

Notwithstanding these accomplishments, this administration started the biennium commencing July 1, 1931, with a surplus of approximately $31,500,000, inherited from the previous administrations extending back as far as 1921, and will conclude the biennium with a deficit of approximately $9,500,000.

Manifestly, that situation has not been caused by extravagance or even normal spending, or lack of economy on the part of this administration. The reason for the exhaustion of surplus and the accumulation of the deficit is, of course, the fact that the revenues of the State which consist for the most part of a percentage of the gross revenues of utilities, of the net profits of industrial and mercantile corporations, and of tax on inheritances, have fallen off, beyond all reasonable anticipation, by reason of the diminished revenues and profits of the contributing corporations and the diminishing value of the estates left by decedents.

Had the period of prosperity continued, during the current biennium as in the two preceding bienniums, normal revenue of the State would have been $150,000,000, instead of the $136,000,000 which we estimated at the beginning of the biennium, and the $108,500,000 that will be actually produced.

In other words, the same causes that have reduced the revenues and profits of every industry, every business, every farmer, most employees, and nearly every citizen, have also reduced the revenues of the State government of California.

This condition is not peculiar to California. Every State in the Union and the Federal government have the same situation to meet. The Secretary of the Treasury, Ogden L. Mills, reported to the Congress at its session in December that the total tax receipts of the Federal government declined from 1930 to 1932 by $1,737,600,000, or 47.9 per cent; that Federal expenditures for 1932 reached a new high level for the post-war period; and that the Federal government closed the fiscal years of 1931–1932 with large deficits.

Two years ago, when the Director of Finance of California, in the light of information then available, estimated that the State's general fund revenue for the 1932–1933 biennium would be $136,369,000, his estimate seemed to be almost unduly conservative. But the continuance of the depression dried up the sources of the State's revenue to such an extent that the actual revenue for that biennium will be only $108,550,000; and the Director of Finance now estimates that the revenue for the next 1933–1934 biennium will be only $92,300,000.

In times of prosperity, and under former administrations, the expenses of the State government, imposed by the Constitution and statutes, arose to unprecedented figures. Under pressure from the counties, eager to shift their burdens to the State Government, the State assumed to render many services not traditionally rendered by State governments, some useful, some, it seems to me, representing merely waste of time and money; and the affluence of the State government in those times induced, or the very nature of the services implied, a laxity of administration which has resulted in appalling extravagance.

I wish to emphasize that while these expenses were not imposed on the State government under my administration, and while I am not responsible for the drop in the State's revenue, on me falls the unpleasant task, in these times of stress, of cutting down the State's expenses to fit our income; a task to me extremely repugnant in so far as it entails reduction of the State's contribution to humanitarian work.

There will be opposition, much of it sincere, but much of it ill informed, to a number of the proposed reductions, particularly some of the largest. Let me, however, impress on the Legislature, the press, and the public, that unless these very substantial reductions and eliminations are effected, the alternative is more and more taxes. As the old English saying goes, "You can not make an omelet without breaking eggs." Balancing the budget is a matter of arithmetic, not a matter of choice. It has been, therefore, extremely gratifying to me to have read in the press, in the past few months, the declarations of so many members of both houses of the Legislature in favor of a strict economy program and against any additional taxation. I shall rely confidently on those Senators and Assemblymen to support with inflexible vigor my economy recommendations and the budget as proposed.

We could not collect from the tax sources now utilized by the State the amount that will be required in order to balance the budget if the major reductions and limitations recommended are not brought about. In case of a deficit, the revenues of State government must be supplemented by various sales taxes, or by an ad valorem direct tax on the real and personal property on the assesment rolls of the counties of California; and possibly by the extension of the base of the ad valorem tax to include additional subjects such as deposits in savings banks. I am striving to keep the State from laying such burdensome taxes.

That, then, is the issue: on the one side drastic economies; on the other side heavy additional taxes.

THE GENERAL FUND SURPLUS.

Much has been said on the platform and in the public press about the $31,500,000 surplus in the general fund in the State treasury. When I took office as Governor there was in the State treasury a surplus in the general fund. At the close of the *biennium on June 30, 1931, that surplus approximated* $31,500,000.

In my message, which I presented to you with the budget two years ago, I said that the State was faced with a condition of exceptional nature in the matter of finances. I predicted that owing to the falling off in business, which directly affected the revenues of the State, the average rate of increase in revenues would be materially cut. I also reminded the people of the State that by amendments to the Constitution they had reduced by $1,000,000 the gross receipts tax received from electric street railways.

The estimate of revenues for the present biennium, which was made two years ago, was the result of a study of the best obtainable data that could be procured from every reliable source in the United States. No one at that time could foresee the depths to which the downward trend of business would go during this biennium A careful study of the chart which will be printed in the budget shows conclusively that, at the time the last budget was prepared, business conditions had reached the lowest point in the history of all depressions in the United States for the past one hundred years. Every indication pointed to an upward trend during the first year of the biennium. Instead of an upward trend, however, the opposite took place. The depression sank to a depth unprecedented in the history of the United States.

The budget recommendations of two years ago, approved by the Legislature, made it necessary to take from the $31,500,000 estimated surplus approximately $10,000,000 to carry out the functions of government provided by the Constitution and the statutes. The Legislature, by enactment of special appropriation bills, took from this surplus an additional $7,500,000, making a total of approximately $17,500,000 to be taken from the $31,500,000 surplus.

Had the estimated revenues actually come into the treasury during the present biennium it would have been possible to close the biennium with a general fund surplus of approximately $14,000,000 The revenues, as estimated however, were not received, but will be approximately $27,500,000 below the estimate. This not only wipes out the $14,000,000 which we had hoped would be left in the general fund, but will leave us, after taking into consideration budget savings of approximately $4,000,000, made effective during this biennium, with a deficit in the general fund at the close of this biennium.

This deficit may be averted, however, if the Legislature and the people will follow my recommendations, and by means of urgency measures, reduce items of expense which they have authorized. It will be necessary, otherwise, for the Legislature to pass, as urgency measures, new tax bills to make up from new or old tax sources the drastic decline in revenues

As the State's fixed charges, inherited from prior administrations, determined by constitutional or legislative enactment, and therefore beyond the power of the Governor or Director of Finance to increase or diminish, amount to $86,267,000, and the operating budget and legislative appropriations must be added to that amount, it is *plain that the expected revenue for the 1933–1935 biennium will not pay the State's* current expenses unless (1) tax collection shall be greatly increased from either old or new sources, as the amount necessary to balance the budget without the economies recommended would require additional taxes from any available sources, which would be equivalent to an ad valorem tax of $1.04 on each $100 of the assessed valuation of all the real and taxable personal property on the tax rolls of all the counties of the State, including all physical properties of the utilities, or (2) drastic reductions and eliminations are made in the cost of State government.

The situation which I have just explained is conveniently presented in the following statement of approximate figures:

Surplus on hand July 1, 1931	$31,500,000
Estimated general fund revenue for biennium at time of presentation of the 1931–1933 budget in January, 1931	136,000,000
	$167,500,000
Our budget, two years ago, because of the depression, deliberately dipped into the surplus, accumulated in the period of prosperity for just such emergencies, to the extent of $10,000,000, the total general fund *budget* being approximately	146,000,000
Thus reducing the surplus to	$21,500,000
The Legislature voted additional appropriations of	7,500,000
Thus further reducing the surplus to	$14,000,000
But actual revenues for the biennium will be only $108,500,000, which is less than the estimate by	27,500,000
And thus was created a deficit of	$13,500,000
However, by diligent economy on budget and other items we have saved approximately	4,000,000
So that the actual deficit will be approximately	$9,500,000

In my inaugural address, two years ago, I stated, referring to my first budget which was then about to be laid before you:

> "Naturally and properly it will dip into the surplus to meet the extraordinary requirements of our unemployment problem and our special building program. The use of a surplus is to act as a surge chamber in times like these when there is an unusual gap between revenue and expenditure. A substantial but not excessive surplus should always be maintained, and the surplus when depleted below the safety point, should be rebuilt. The inroad on the surplus necessitated in the approaching biennium is an emergency and will not recur in the absence of extraordinary conditions."

The Legislature agreed with the policy expressed in those words because it not only approved the budget as presented by me but, as the foregoing table shows, it increased the expenditures for which provision was made in that budget, by legislative acts appropriating an additional $7,500,000.

In accordance with the policy so expressed in my inaugural address, our budget, as I have explained in the foregoing table, contemplated that the expenditures of the 1931–1933 biennium would exceed the State's revenues by substantially $10,000,000, thus leaving in the surplus $21,500,000 which was further reduced to $14,000,000 by special legislative appropriations. In order to offset that further cut into the surplus represented by the legislative appropriations my administration put into effect strict economies which resulted in a saving of approximately $4,000,000 on budget items so that, had the revenues of the State amounted to the estimated sum of $136,000,000, we would have concluded the biennium with a surplus of $18,000,000. The falling off in anticipated revenues by the enormous sum of $27,500,000 is therefore the reason why we have a deficit of $9,500,000 instead of a surplus of $18,000,000.

In a few days the second budget of my administration will be laid before you to cover revenues and expenditures for the biennium which will commence July 1, 1933. That budget represents a painstaking and thorough study of the financial problems of California with respect to both possible revenues, possible savings and necessary expenditures.

If that budget be adopted by the Legislature as presented, and if the necessary legislation proposed therein for reduction in fixed charges, be adopted by the Legislature, and the necessary constitutional amendments proposed therein be adopted by the people, the budget will not only balance itself but will wipe out the $9,500,000 deficit, and will be able to meet all the necessary demands on the State Government for the succeeding biennium without calling on our overburdened and overtaxed people for further contributions either in the form of ad valorem taxes, additional inheritance taxes, new sales or other taxes, or additional taxes on utilities and other corporations or tax on savings bank deposits. Furthermore, as our estimated revenue for the 1933–1935 biennium is only $92,300,000, and as that estimate is based on a conservative and even pessimistic anticipation of the future, any turn toward more prosperous conditions, resulting in increased revenues or profits of corporations and restored values of the private fortunes of decedents, will be reflected immediately in increased returns to the State government out of which it will be possible to begin the restoration of a surplus.

The purpose of a surplus, as I have indicated, is to make provision in times of plenty and prosperity for the needs of times of want and depression. A surplus can be built up only in times when revenues easily exceed expenditures. That is to say, a State Government, so far as its financial affairs are concerned, is like any large business concern. In good times, when its revenues exceed its expenditures, it accumulates a surplus out of overplus, but in times like these, and unless improved conditions appear, the State Government, like all business concerns, must be well content if its revenues take care of its expenditures even though there be no residuum. The restoration of the surplus will be kept constantly in mind during the next biennium, and any excess of revenue, over the estimate, will be impounded for that purpose.

SPECIAL ELECTION SHOULD BE CALLED IMMEDIATELY.

In advance of my presentation of the executive budget for the ensuing biennium, I desire to point out to the Legislature that immediate consideration must be given by you to the matter of reducing constitutional fixed charges if we are to complete the present biennium and carry through the next two years without the necessity of enacting measures to increase present tax revenues.

Fifty-six and one-half per cent of the entire general fund budget represents the State's appropriation for the public school system. The fixed amount of $30 per unit of average daily attendance, which is automatically appropriated annually from the State treasury without an act of the Legislature, was voted into the Constitution in November, 1920. The purchasing power of the dollar today represents approximately $1.30 as compared to the value of the dollar in 1920.

It is my suggestion that one or two propositions be submitted to the people by means of a special election to be called at the earliest possible date.

The first of these is a proposed constitutional amendment reducing the mandatory apportionment for the elementary and high schools from $30 to $24 and providing

for a like reduction in local taxes. Such a reduction will still leave $31.20 per unit of average daily attendance in 1920 purchasing power.

The second, is a proposed constitutional amendment removing entirely the fixed sum to be apportioned, and giving the Legislature power to fix at each session such apportionment as it deems equitable.

These suggested amendments should be acted upon immediately by the Legislature, and a special election called for some time in February, so that the mandate of the people may be before the Legislature when it reconvenes after the constitutional recess.

It should be made clear to the people that unless they vote affirmatively on one of the suggested amendments they in fact acquiesce in, and approve, the increased taxes which will be necessary to meet these mandatory expenditures. The decision of this matter rests entirely with the people.

LEGISLATIVE FIXED CHARGES MUST BE REDUCED IMMEDIATELY.

I shall also present in the biennial budget suggestions for legislative action, looking toward a material reduction in those fixed charges which have been written into the statutes by the Legislature.

It will be necessary to reduce this portion of the fixed charges to assist materially in balancing the budget for the next biennium. Moreover, if we are to end the present biennium without a deficit in the general fund, several of the fixed charges prescribed by the Legislature must be reduced through means of urgency legislation, so that the reduced expenditures which will be made possible by such legislation can be made effective immediately.

These items include, among others to be specified in the budget, the following:

TUBERCULOSIS SUBSIDIES.

The Legislature of 1929 when prosperity was at its height enacted a law to provide that the State should pay tuberculosis subsidies of $3 per week for each person susceptible to tuberculosis cared for in any preventorium maintained at public expense by any city, county, or group of counties, in the State. While this measure is a laudable one, it is obvious that if the State were to subsidize public hospitals for every disease to which the human race is susceptible, it would bankrupt the State. I do not believe that under existing conditions the State should be called upon to pay subsidies, except in active tuberculosis cases. Furthermore, I do not believe at this time that the State should be asked to pay subsidies for persons who are not citizens of the United States, which the State must now do under existing State law.

The State of California has for many years aided cities and counties to establish hospital facilities, in an endeavor to wipe out, or to materially reduce, the disease of tuberculosis. The purpose of subsidizing these hospitals was to demonstrate to the cities and counties the need and value of such hospitalization. The State, having carried on the experimental work necessary to establish the proper care of persons suffering from tuberculosis, should now be relieved of a part of the subsidy payments.

It is my suggestion that statutes providing subsidies for susceptible cases and subsidies for aliens be repealed, and that the State's subsidy contribution be reduced from $3 to $2 per bed per week. This will effect a saving of approximately $500,000 a biennium.

AID TO THE AGED.

I quote for your enlightenment certain statements from a report on old-age pensions made to the Legislature by the State Department of Social Welfare in 1929. It was stated in this report that "The actual number of needy aged in California, of the same age groups who are now receiving public aid from the counties, is as follows:

Seventy years and over:	
In institutions	3612
Outside of institutions (outrelief)	2470
Total	6082"

The report further asserted that "the census of dependent aged, which is given herewith, is based upon reports from county auditors and county relief workers for the outrelief groups, and upon county hospital and home reports for the institutional group." A further statement was that the "estimated cost of a system of State aid to the aged, based upon actual expenditures of the counties in outrelief to the needy aged, subjected to age qualifications and to the resident qualifications of 20 years in the State (based upon 1928 reports from counties) for persons 70 years and over, total cost to State per annum $280,454, or in other words, an estimate of $562,908 a biennium as the State's share of the cost for the old-age pensions.

Instead of the estimated cost of $562,908, which the Legislature of 1929 was led to believe would be sufficient to meet the old-age pension provisions for the biennial period, we find that with 12,000 active aid cases now on the State's pension rolls, the expenditure for this biennium will be approximately $3,275,000. These cases are increasing at the rate of between 300 and 400 a month, and it is estimated that the cost for the next biennium will approximate $5,500,000.

It is extremely difficult to guard against imposture in old-age pension administration. It is not difficult for an applicant to make himself destitute by transferring his money or property to relatives. It is difficult and expensive for the State to make sure that applicants have no near relatives able and legally bound to support them.

Let me remind you that the State once before enacted an old-age pension law. This law, which went into effect in 1883, cost during the first biennium approximately $19,000. The rate of expenditure increased so rapidly during the thirteen years the act was in effect, that in the biennium preceding the repeal of the act, the expenditure was over $1,000,000. The State at that time with a population of approximately 1,365,000 concluded that it could not continue this mounting increase in expenditure, and therefore, in 1895 repealed the act.

It is apparent, from the three years' experience we have had with the present old-age pension law, that the amount of aid paid by the State is increasing on a comparable basis with the experience of the act of 1883. Unfortunately too many persons seem to think that, since the State is paying the aid, it is their inherent right to demand and receive such aid. Unfortunately, also, the State can not afford to pay an old-age pension to every person seventy years of age or older, if the total expenditure for that purpose is to increase from year to year at the rate at which it has been growing.

It is my painful but imperative duty to call this matter to your attention. I am convinced that if the present State Old-Age Pension Act with its existing provisions is continued on the statute books, within two to four years it must of financial necessity be repealed entirely as happened with the former old-age pension law.

With respect to old-age pensions it is a condition not a theory that confronts us. I do not recommend that the State *diminish* in future years the aggregate amount of its present expenditures for old-age pensions but I recommend, in the interest of the indigent aged as well as of the taxpaying public, that steps be taken at once to prevent any substantial *increase* in the aggregate of that biennial contribution. Unless such steps be taken it will be impossible to balance this or future budgets without exacting the huge and ever enlarging additional amounts by way of taxation.

Several proposals for solving this problem without increasing the tax burdens of the people have been suggested.

One proposal is that if the Legislature is unwilling to restrict the State's future allowance for old-age pensions to the present volume of the biennial appropriation for that purpose special provision be made for such pensions out of the gasoline tax without increasing that tax. The argument for this proposal is that it is better to economize on our road-building than on the bounty given to needy human beings.

A second proposal is that the State appropriate for the next biennium the same sum that was expended in the current biennium for old-age pensions and that this money be turned over to the counties in proportions based on the relative numbers of aged persons now on the roll from the respective counties. The counties will then reassume the full responsibility for taking care of all the needy aged, investigating the cases and determining the amount to be allowed in each case. Provision must be made, of course, that none of the State's contribution to a county shall be used for the purpose unless the county makes a contribution equal to that of the State and the method must be implemented with adequate safeguards against abuses. This proposal has been varied by the suggestion that counties, instead of receiving these subventions for old-age pensions from the State, take the required amounts out of their respective portions of the one cent of the gasoline tax which now goes to the counties so that the burden of the economy shall fall on inanimate roads rather than on living men and women.

The third proposal, and perhaps the most practical, is that the State should keep its expenditures for old-age pensions within present bounds by statutory changes providing that the care of the aged should be a local charge until persons have attained the age of 75 years when the State shall assist in the care of such persons. This can be done within the amounts which the State can afford to pay, and, if the counties respond to their duty, without causing distress to those who need such aid.

Because the balancing of the budget requires the recommendation of a definite plan of curbing the growth in the State's contribution to old-age pensions, and because the third proposal, namely that of raising the age limit for recipients of the State's bounty seems the most logical and the one most likely to check abuses, I recommend that method; with the qualification, however, that any practicable method of performing the State's duty to the aged, without waste or extravagance, within the State's present means, and without piling additional tax burdens on the public will be satisfactory to me.

Traditionally and properly the duty of aiding the needy aged belongs to the counties; and the counties are in a much better position to supervise such relief and see that it is confined to proper cases. The counties transferred this humanitarian obligation to the State at a time when the State was abundantly able to carry it; but now that conditions have changed the State must ask the counties to reassume some portion of their obligation which they had shifted to the State. In

other words, I am not recommending that the aged be deprived of adequate support. I am suggesting only that such support be rendered primarily by the counties from which it is primarily due.

My suggestion is necessitated by the pressure of circumstances and in response to my plain duty as Governor and not by any lack of sympathetic understanding with the difficulties of impoverished old age. If my suggestions in this matter are followed, the aged will still be taken care of partly by the State and partly by the counties but the expenditures for this purpose that the State would be called on to make in the next two years will be reduced by approximately $2,137,000. Such amendment will not diminish the total amount now being expended for this purpose by the State but will prevent the overwhelming increase that will occur under the existing law. In fact even with this suggested change in the present act the State will pay approximately $100,000 more than will be paid during this biennium.

VOCATIONAL EDUCATION.

In 1917, during the period of prosperity, the Legislature of California agreed to accept the provisions and benefits of a congressional act for cooperative vocational education. It is estimated that such cooperation will in the next biennium cost the State $679,732.

I believe that in our present financial condition, we should curtail in part this cooperative work with the Federal Government, and therefore, I recommend that our cooperative program be reduced by 25 per cent. This will result in a saving in the next two years of $156,000.

DIVERSION OF GENERAL FUND MONEY MUST CEASE.

The time has come when the Legislature must decide whether the diverting of general fund moneys for highway purposes shall continue.

During the past twenty-two years there has been diverted from the general fund for highway purposes approximately $60,000,000 to pay redemption and interest on highway bonds. In addition, large sums have been appropriated from the general fund for special bridge and road projects. Had the diversion of general fund moneys for highway purposes been discontinued with the enactment of the gas tax law, as is commonly believed by the taxpayers of the State to have been done, there would have been no need for concern regarding the condition of the general fund, and, even with the present drastic and unprecedented reduction in revenues which will accrue to the State during the next two years, all budget needs could be met and a surplus left at the close of the biennium.

There is no logical reason, considering the enormous sums derived for highway purposes from the gas tax, the motor vehicle fees, tax on highway transportation companies and Federal aid, why the general fund should be called upon to continue to pay such a large annual amount for highway purposes

If the general fund can be relieved of this burden of approximately $4,350,000 a year, which decreases at the rate of approximately $325,000 a biennium, it will go a long way toward solving the problem of making a balanced budget for the next two years.

By providing through legislative enactment that the highway funds shall carry *all* the cost of the highway system of the State of California, only a slight adjustment will be required in the present program of highway construction and maintenance. Practically no appreciable difference will be noticed. With the return of prosperity, purchase of new automobiles, and more extensive use of highways, increased revenues accruing to highway funds will easily offset the amount needed to pay the redemption and interest of highway bonds now outstanding. Certainly, the general fund has carried more than its share of the burden in establishing the foundations of the California highway system. It should not be called upon to bear any further costs of that system.

I therefore recommend for your consideration the passage of an urgency measure for the reimbursing of the general fund for moneys used to pay highway bond interest and redemption, not only for the beginning of the next biennium but also for the present biennium.

If the $8,779,750 which will have been paid for highway bond interest and redemption by the close of this biennium is returned to the general fund out of gas tax revenues, with the savings which have already been accomplished, we shall probably be able to end this biennium without a deficit in the general fund.

Opposition to this proposal has been voiced, but in my opinion it is shortsighted. My recommendations will reserve the revenues from the gasoline taxes for highway purposes. Resistance to these fair suggestions will in the long run create a demand from the irritated taxpayers that a large portion of the enormous revenues from the gasoline tax shall be applied to the relief of the general fund and the balancing of the State's budget as has been done recently in many other States.

PRESENT CONDITION OF THE GENERAL FUND.

In spite of everything that could be done during the past eighteen months to reduce expenditures payable from the general fund, unless the people of the State are willing to reduce mandatory expenditures by amendments to the Constitution at an immediate special election, and unless the Legislature, by means of urgency

legislation, eliminates many of the existing services and functions of State government, especially those representing duplications, fads, and luxury services, or unless urgency and unpopular measures providing for additional taxes are passed during the first session of this Legislature, there will be a deficit in the general fund at the close of this biennium, June 30, 1933, of approximately nine and one-half million dollars. The deficit, as I have previously stated, would have been approximately $13,500,000 had expenditures not been curtailed to produce savings approximately of $4,000,000 below appropriations authorized by the Legislature. This amount of money can be borrowed temporarily from other funds in the State treasury, but the deficit eventually will have to be met through either increased revenue measures or drastic slashing of present expenditures of State government.

The details of the biennial budget, which will be presented to you in a few days, clearly indicate that all of the revenue which will be paid into the general fund under existing law for the next two years will be needed to meet fixed charges. Even with the most drastic eliminations of expenditures, it may conceivably be necessary to look for further sources of revenue or additional revenue from present sources or an ad valorem tax to balance the budget for the next biennium. Our endeavor is still directed toward the preferable solution of balancing the budget without the necessity of levying additional taxes.

BORROWING TEMPORARILY THE PERPETUAL SCHOOL FUND.

Under the provisions of the Constitution all of the proceeds from the sale of school lands granted by the United States to this State are paid into a fund known as the perpetual school fund. The interest from the investment of this fund is paid into the elementary school fund to be used in assisting to make up the total of $30 per unit of average daily attendance apportioned to the counties from the general fund. There is nothing in the Federal law which requires that money derived from the sale of the school lands shall be placed in a perpetual fund. The congressional act requires only that the money so received shall be used for school purposes. Over fifty millions of dollars are appropriated biennially to counties for school purposes, and the interest derived from the perpetual school fund is a very small part of the money apportioned to the counties when compared to the total apportionments. The perpetual school fund has no effect upon the amount which must be apportioned under the provisions of the Constitution, and whether this perpetual school fund existed or not, the same amount of money would be paid by the State.

It is my recommendation, therefore, that there be submitted to the people, at the suggested special election, an amendment to this section of the Constitution permitting the State to use, during this emergency, the ten million dollors in the perpetual fund and, if the Legislature so desires, this fund can be reestablished as a perpetual fund when surpluses accrue in the general fund in future years.

A BALANCED BUDGET IS POSSIBLE.

In summarizing the several suggestions which I have made, I am confident that if the suggested procedure and program for balancing the budget for this current and the succeeding biennium, be adhered to strictly, it will have the effect of balancing both budgets, without the necessity of laying additional tax burdens on the people of the State.

At the expense, perhaps, of some repetition, I will conclude my discussion of the State's financial problems with some general observations which I deem especially pertinent to our present situation.

Taxpayers and officials in every State acknowledge that in view of existing conditions, by wise economy and retrenchment the cost level of government must be brought nearer to the decreased ability of the citizens to pay for its support.

It is not right to make these retrenchments and economies purely on consideration of business expediency and without regard to the humanitarian obligations of government. The obligation to provide for the education of youth, to care for the aged, to house and maintain those unable or unfit to care for themselves, to succor the unemployed must be fulfilled. But, in order that the State may be able to continue those services, it must rigorously eliminate waste and inefficiency, and unnecessary enterprises and services, and must take every measure to confine the benefits of such humanitarian services to those who really need them. Only thus can the essential services be maintained on adequate standards and without a fault by the State in its humanitarian duties.

The State government also has a direct concern in the fiscal affairs of the political subdivisions.

During the past year a number of counties and cities have by measures of economy succeeded in reducing their budgets by many millions and in cutting their tax rates.

Proposals to amend either the Constitution or the statutes in ways providently conceived for the improvement of methods of local government and to lighten the burden on real and personal properties taxed by the political subdivisions should receive hospitable consideration from the Legislature. The total tax load carried by the citizens is of concern to both State and local governments because the same public carries the burden of both State and local taxes. This idea was very graphically expressed by Mr. Frederick J. Koster, chairman of the Committee on

Governmental Expenditure and Taxation of the California State Chamber of Commerce, in a recent radio address in which he said:

> "Taxation is essentially the people's business It is not the business only of taxpayers, those whose names appear on the tax collectors' rolls, but it is the business of all members of our social body. The popular misconception which classifies the persons of a community into taxpayers and nontaxpayers is a delusion which leads many to believe, mistakenly, that because they own no property and pay no direct taxes, the cost of government can have no bearing upon them. On the contrary, every man who earns and pays for his living, the comforts and conveniences of his daily life, will find a tax or a part of a tax concealed in practically every item. The cost of government is born ultimately by the whole of our people; no one can possibly escape. Too much emphasis can not be laid upon this fact. You are all taxpayers whether you realize it or not."

Between 1915 and 1930 the total expenditures of State and local governments in California increased 277 per cent, and bonded indebtedness for State, counties, special districts, and municipalities, now amounting to $869,000,000, increased 311 per cent over the total outstanding in 1915. These increases are out of all proportion to the growth in population or the increase in the value of taxable wealth.

All the money which government spends must come from the people and be earned by their labor

The annual cost of State and local government in California is approximately $500,000,000 per year, but less than 20 per cent of it is chargeable to the State government. Of this $500,000,000 annual expenditure for State and local government in California, approximately two-thirds consists of fixed charges imposed by the Constitution or statutes.

There are at least seven thousand political subdivisions or public bodies in California authorized by law to levy taxes or assessments and without control from any central authority.

It is with these facts in mind that the California Tax Research Bureau, whose creation was recommended by me in my inaugural address, and of which I am a member, has set out in its report data and suggestions for tax limitation methods which are commended to your attention. But the State government, including the Legislature, can not call on the political subdivisions for economy and retrenchment unless it is willing to set an example.

It can not suggest central control of local tax expenditures and indebtedness unless it is able to show that it can keep under proper control the State's expenditures and indebtedness.

The budget which will be submitted to the Legislature will, I am confident, comply with every reasonable expectation of the people for such retrenchment and economy in the State government without crippling the proper humanitarian services of the State government, and I ask the Legislature to cooperate with me to the fullest possible extent in making those economies and retrenchments possible and effective.

DEPARTMENT OF PUBLIC WORKS.

In our Department of Public Works alone we have expended during the past biennium more than $82,400,000 on projects of inestimable value to the people. We have constructed and reconstructed during the past two years some 1700 miles of highway. The Division of Highways expended $64 208,839 30 in the fifty-eight counties of the State. We estimate that approximately 90 per cent of this tremendous sum, or over $51,000 000 has ultimately been paid to labor. This created the work that gave employment to legions of workmen whose wages have in large measure been the life-blood of business in this State. Some 9000 citizens on an average were continuously employed on our State highway work. There was a total of over $5 265,000 man-days work. Back of these workmen stood an army of workers manufacturing and preparing the materials that entered into these construction projects. It should be remembered that practically all of the materials used in our highway construction are California products.

In our Division of Architecture we expended the sum of $7,813,921.54 in twenty-nine counties on various necessary construction projects, thereby creating 422,942 man-days employment.

Because of the expenditures on our buildings, greater accommodation has been afforded our citizens, superior school facilities have been given to the children, and the inmates of our institutions have been afforded more adequate modern housing.

We also expended $351,488 75 on flood control, reclamation, river and hydraulic works. Of the cost of this work, 70.8 per cent or $259,811.89 was expended for labor amounting to 54,272 man-days.

All of this work was essential to the welfare of California. These works are a safeguard to the life and property of our citizens from the danger of floods which, if not prevented, would do millions of dollars' worth of damage and endanger many lives.

These tremendous expenditures made during the world's most devastating industrial depression have made possible vast employments that have stimulated industry in every county of our State. Our splendid highway system has helped place California in the forefront as the mecca for American tourists who annually spend millions of dollars while enjoying the accommodations, the climate and the scenery of our State.

It should be remembered also that our unsurpassed smooth modern highways insure safe, rapid movement with transportation economy of at least 25 per cent to our farmers, growers and manufacturers as well as to the traveling public. This desirable condition could not maintain had we shortsightedly saved money by clinging to rough, unsafe antiquated highways.

TRANSBAY BRIDGE.

In my inaugural address of January 6, 1931, I dwelt at length on the subject of this great project. Work for its construction has gone ahead unceasingly. Plans are ready to call for bids for the foundation work on February 28, 1933, estimated to cost somewhere between eight and one-half to nine million dollars.

The total construction of the San Francisco-Oakland Bay Bridge, to be the world's largest bridge, will involve the expenditure of $78,000,000.

The Federal government through the Reconstruction Finance Corporation has determined that this great enterprise is sound in all its financial and engineering features. The Reconstruction Finance Corporation has pledged itself to loan the State of California $61,400,000 of the total cost immediately upon passage in January by the State Legislature of formal legislation to meet its requirements. It has agreed to consider the additional amount required for interurban facilities as needed.

This great bridge which was designed and which will be built by our own State Department of Public Works will not increase the tax burden of the people one single cent. It will be paid for from tolls charged the users of the bridge, and it will be a free structure, owned by the people of the State of California, in 20 years. It will be a decided factor in the return to normal times too great and powerful to be denied. There is no other project in the State of California or the entire Nation which is more worthy or which will have a more far-reaching effect upon the employment of labor and the stimulation of industry.

Six thousand Californians will be given direct employment over a period of three and one-half years. Over 5000 additional men will find jobs in steel factories, lumber mills and cement and equipment manufacturing plants. The stimulus to industry can best be gauged when you consider that this structure will require 30,000,000 board feet of timber, 1,300,000 barrels of cement, 1,000,000 cubic yards of concrete, 200,000 gallons of paint, 152,000 tons of structural steel, 18,000 tons of cable wire, 17,000 tons of reinforcing steel, and large quantities of electrical and construction equipment. Measured in materials to be used, the bay bridge will represent 35 San Francisco Russ Buildings, each containing 33 stories and reaching a height above the sidewalk of 426 feet.

The San Francisco-Oakland Bay Bridge will eliminate the present four-mile water barrier between San Francisco and the East Bay cities and will bind these several communities into one great metropolitan district. It will save commuters between 10 and 15 minutes on each trip. Motorists will save 30 minutes per trip. If this time saving is computed at 50 cents per hour for the 35,000,000 commuters estimated to cross the bay in 1937, the saving would amount to $3,000,000 per year. In addition the 16,000,000 automobile passengers which statistics show cross the bay in that year will save $4,000,000, or a total saving of $7,000,000 over the first year of operations.

The bridge users will have unobstructed passage across the bay at all times of the day and night without the present delay at ferry terminals. The bridge, a two-deck structure providing for six lanes of passenger cars and light trucks on the upper deck and for three lanes of heavy trucks and two interurban tracks on the lower deck, will accommodate 16,000 vehicles per hour or seven times the present transbay vehicular traffic. As the largest bridge ever to have been constructed in the world, it will attract tourists in normal times not only from within our own borders but from other States and countries as well, and its early completion will justify the faith, hope, optimism and confidence of the peope of California in the future welfare of our great State.

THE STATE BOARD OF HARBOR COMMISSIONERS.

The State Board of Harbor Commissioners have done much also to relieve unemployment in our State by carrying forward an extensive construction program. During the past two years, this commission expended over $3,625,000 on construction work and maintenance, thereby giving some 247,000 man-day's employment to our citizens.

Our State Harbor Commission is one of the most capable and outstanding commissions in the United States. Its members have performed their duties with exceptional ability. They have placed at the disposal of the shippers the most modern

and up-to-date facilities, thus enabling goods and wares to be handled in the most efficient and economical manner.

In connection with its port activities, the commission is also conducting a refrigerating plant which cares for our fruit crops and perishable products under the most favorable conditions for our growers and our shippers. The commission has been mindful of the fact that San Francisco's harbor is one of the finest harbors in the world, and is undoubtedly destined to become in the future one of the world's greatest shipping ports, with particular advantage for shipments of California products to our South American neighbors and to the Orient.

THE STATE WATER PROBLEM.

Every year places more emphasis upon the importance of the problem of proper conservation and utilization of the water resources of California. During the winter and spring months we still witness vast quantities of water being wasted into the sea from our principal rivers, and sadly realize at the same time that certain agricultural areas in the South San Joaquin Valley of the State are suffering a slow process of economic extinction because of lack of water to maintain even their present development.

This problem was recognized in my inaugural address on January 6, 1931. It was there pledged that a constructive program of action would be sought. In carrying out that pledge, three lines of endeavor have been followed: First, the formulation of a basis of sound principles on which the conservation and utilization of the State's water resources can proceed in a comprehensive and orderly manner; second, toward the early construction of initial projects to relieve the most urgent needs; and, third, toward obtaining a proper and justified participation of the Federal government in the solution of the problem.

First activities were directed to the latter phase. Immediately after my inauguration I appointed a special committee to proceed to Washington, D. C., to confer with Federal authorities on the California water situation. This committee accomplished some very important objectives. It made definite arrangements for a visit to California by the subcommittee of the House of Representatives on appropriations for the Department of the Interior, and preliminary arrangements for a similar visit by the United States Senate Committee on Irrigation. Also it expedited the transmittal to Congress in February, 1932, of the partial report of the United States War Department engineers on their investigations on the Sacramento, San Joaquin, and Kern rivers. This report contains a definite recommendation for a substantial contribution by the Federal government toward the projects proposed by the State for the conservation of the waters of the Sacramento and San Joaquin rivers.

As a result of the work of this committee, a committee from the House of Representatives visited California in July, 1931, and made a trip of inspection by automobile, extending from Los Angeles to Redding, and a similar visit and inspection were made by a committee from the United States Senate in September, 1932. Each of these committees was accompanied by representatives of interested Federal executive departments, and in each instance was escorted while in California by the Director of Public Works and the State Engineer and assistants. Both these Federal delegations were profoundly impressed by the seriousness of the situation they viewed, and in numerous public addresses left no doubt that they were convinced that substantial Federal aid would be justified toward relief of this situation. They rightly emphasized, however, that California must agree upon its own plan and enact necessary legislation for that plan before action can be expected from the national government. I have no doubt that as a result of these visits, this State will receive sympathetic and generous consideration from the Congress when it presents in Washington a definite plan on which it is agreed, accompanied by a request for the justified Federal participation.

Further maintaining the contacts with the Federal Government, under my direction, the State of California appealed to the United States Board of Engineers for Rivers and Harbors from the recommendations made in the final report of the division engineer, Pacific Division, United States War Department as to Federal contribution toward the improvement of the Sacramento and San Joaquin rivers. While the amount of contribution recommended was approximately seven millions of dollars, it was felt that this did not represent the justified Federal interest. Accordingly a voluminous brief on appeal was prepared and filed with the board, and the case for California was presented orally in Washington in June, 1932, by a special committee appointed by me for that purpose. The result was that the Board of Engineers for Rivers and Harbors came to California in November, 1932, and made a detailed inspection of the entire project proposed on the Sacramento and San Joaquin rivers. The board held a public hearing at Sacramento on November 17th which was attended by citizens representing interests in all parts of California, urging the importance of an early solution of California's water problem, and the justification of very substantial Federal participation therein. The decision of the board may be expected early in 1933, and about the same time we expect a report from the United States Bureau of Reclamation covering the relief measures proposed for the South San Joaquin Valley.

While California has its own peculiar water problem, I am not unmindful that there are general problems, both financial and otherwise, arising out of irrigation, drainage and reclamation, which are also of concern to many other Western States. Realizing that these problems pressed for early action, I appointed a Citizens' Reclamation Committee of California to cooperate with similar committees appointed by governors of other Western States on matters of mutual interest concerning irrigation, reclamation and drainage. This committee, composed of interested citizens, serves without compensation and has already accomplished valuable results. In connection with the Western Governors' Conference at Salt Lake City in December, 1932, a well attended National Reclamation Conference was convened, and a National Reclamation Association was formed, designed to unify the efforts of the Western States toward the solution of problems of common interest to them in matters of reclamation and irrigation.

While these activities as to the Federal interest have thus progressed, efforts have not abated to evolve within our State a constructive program of definite action upon a sound basis. Such a program has been formulated and will be before this Legislature of 1933 at its regular session. The program is the work of the Joint Legislative Committee on State Water Plan, appointed out of the 1931 Legislature, and the California Water Resources Commission of nine citizens appointed by me under authority of a concurrent resolution adopted by the Legislature.

Both of these bodies spent several months in careful consideration of the difficult questions presented in evolving the fundamental principles on which a State water program may safely proceed, and in formulating the constitutional amendments and legislative acts necessary to put that program into effect at least as to initial projects. They were assisted by honorary committees of citizens appointed by me, representing all sections and interests in the State, and by the proper executive officers of the State Each has filed its report and these reports have been printed and widely distributed. These reports are in substantial agreement, particularly as to the form of constitutional amendment recommended. Both agree that the State should now carefully formulate, adopt and carry out in an orderly manner, a comprehensive plan for the conservation and utilization of its water resources. Fundamental principles expressed in the proposed constitutional amendment proposed by both bodies are, that each water project must be self-sustaining and self-liquidating, that no area wherein water originates shall be deprived by the State of any water required for its full development, and that the State shall not incur any obligation or debt for the construction of any water project until it has first been approved by vote of the people. The Water Resources Commission has presented with its report, recommended drafts of an act for the construction of the Central Valley Project, and for the creation of a permanent Water Resources Commission. Both the Joint Legislative Committee and the Water Resources Commission have rendered a great public service for which the people of California may well be grateful and, in the name of our people, I thank them.

It is of particular importance that these reports present definite recommendations accompanied by drafts of proposed legislative acts to carry those recommendations into effect. By vote of a decisive majority, a large meeting of citizens called by me to consider these reports in July, 1932, recommended that a special session of the Legislature be called at once to take action on the acts proposed so that they could be submitted to the people at the November election, but on account of the expense of a special session, and the grave doubt which I found existed as to whether such special session without unduly prolonged hearings could dispose of the questions presented, I deferred the whole matter for presentation to this regular session. This Legislature will thus have what no Legislature has ever before had—a definite plan, definite recommendations, and even the drafts of proposed legislation on the State water plan before it for consideration from the beginning of its deliberations.

In this brief summary, I trust I have made it plain that progress toward the solution of California's water problem has attained the point where further advance depends entirely on legislative action. I am deeply impressed with the necessity for promptly taking such action. At best, even if we start now, years will elapse before the initial project can be completed, and every year of further delay means increased probability that relief will come too late to save some of the imperiled areas of our State.

Moreover, we can not continue our efforts for the necessary and justified Federal aid toward the Central Valley Project unless and until this State has actually adopted a definite policy by appropriate legislation. The time is in another sense particularly opportune because of the present movement toward Federal participation in the construction of self-liquidating projects giving employment to large numbers of men in the construction of useful public works.

The general water problem of California has been the subject of governmental action and public concern for over fifty years, and most actively before the State during the last ten years, during which more than one million dollars have been spent in investigation and study of it. A vast accumulation of data and material has resulted from this expenditure of time, effort, and money, and it is crystallized in the reports of the Joint Legislative Committee of 1931, and the California Water

Resources Commission. From every angle, it appears that the time of preparation is past.

Therefore, in view of the urgency of the situation in several areas, and the definite program prepared after many years of endeavor, I recommend that this Legislature give earnest and constructive consideration to the measures proposed for the solution of the State water problem; and that especially, but without excluding other matters while not losing sight of the financial difficulties involved, particularly, under existing general conditions, a whole-hearted effort be made during this regular session to enact necessary legislation for establishing the fundamental principles of a coordinated plan of State water development.

RECLAMATION AND FLOOD CONTROL.

My inaugural address pledged my administration to action in the tremendous and pressing problem of the reclamation and flood control projects in which the State of California is vitally interested. Active cooperation of the State with local interests and the Federal Government has been pronounced in the solution of the problems of the Sacramento and San Joaquin Drainage District. This district comprises some one and one-half million acres of the most fertile lands in the Sacramento and San Joaquin valleys. It operates as a State agency in furtherance of a plan for the flood control of the great valley. The plan for the project was revised by the California Debris Commission in 1925 and adopted by Congress in 1928. This plan as adopted estimated the cost of the completed project to be $51,000,000, and obligated the Federal Government to a total of $17,600,000 in participation toward which $13,139,900 has been appropriated to date. Appropriations by the State of California proceeding under legislative enactment in 1925 have totaled $10,870,000. In order that the State of California shall do its full part in this work, I have caused to be inserted in the budget of my administration for the eighty-fifth and eighty-sixth fiscal years an appropriation of $1,200,000 applicable for construction, $200,000 for maintenance and $100,000 for bank protection, a total of $1,500,000. Former appropriations have been at the rate of $1,000,000 annually each by the State and Federal government. In view of present stringent circumstances and necessity for retrenchment and economy in all activities of the State, this amount has been reduced as set forth to the absolute minimum which can maintain the State's share of the cost of this work in keeping faith with the Federal Government. I have previously stated, and again state, "as a definite policy that the State of California during my tenure of office will continue to go forward in step and in alignment with the Government of the United States toward the completion of the tremendous works of improvement contemplated by the report of the California Debris Commission." That policy has placed this work upon a sound financial basis. Functioning under joint agreement with the Federal Government, all work on the Sacramento Flood Control Project is now prosecuted on direct cash payments.

Past construction work on this project, done by the issuance of warrants and levying of direct assessments upon the lands, had resulted in a most serious debt condition against over 1,000,000 acres of the most fertile land in the State. Conditions were such that practically all financial interests had refused to advance in this area funds necessary that landowners might continue farming operations which required advances to bring their crops to maturity and to market. This problem of impending ruin of a life's work and destruction and loss of all he possessed staring the landowner in the face, appealed to me most strongly, and I am happy that my hopes in this matter are now so well fulfilled. Cooperation between the landowners and the State in solving this problem of debts of the Sacramento and San Joaquin Drainage District has resulted in reduction of an indebtedness of some $7,400,000 in warrants and bonds outstanding upon my entering office to less than $1,000,000.

True to my promise, construction of the levees of the American River Flood Control District, which are necessary for protection of the lives and property of thousands of people living along the banks of that river is in progress. Although the time is short, it is intended that this levee construction can be completed in time to escape floods this winter.

Construction of other levees of equal importance, but not so prominently situated, is in progress, as is likewise the clearing of timber and brush from the overflow channels, so that the lives and property of all residents of our great Sacramento Valley may be made safe from devastating floods of that river and its tributaries. The prosecution of these works with the large use of Federal funds in cooperation with those of the State and local interests has been a material aid in the unemployment situation and in assistance to business conditions. Much of this work of an urgent nature remains to be done, the need of employment is acute and the State appropriation heretofore mentioned is necessary in order that Federal funds may be available. This cooperative work must not cease.

IRRIGATION AND RECLAMATION DISTRICT REHABILITATION.

California, with its great cities and its varied commercial interests, is nevertheless basically an agricultural State.

This must be borne in mind during the consideration of every measure designed to promote economic recovery.

Well informed men throughout the State, including leaders of thought and progress in the cities, have come to a vivid realization that the prosperity of both city and country alike depends upon the success of the farmer, including in the meaning of that term all industries that depend for their existence upon the land, whether it be used for grazing, the cultivation of trees and vines, or the growing of "dirt" or other crops.

The condition of agriculture in California, because of general economic conditions aggravated by an unprecedented series of dry years, has been and is deplorable.

The full power of the State government should be exercised to improve the condition of the farmer, upon whose labor, in the last analysis, the prosperity of California depends.

Of those who live upon our lands, citrus growers excepted, some 70 per cent it is estimated live within irrigation and reclamation districts. Those districts, organized many years ago with high hopes as to their destiny, have placed an almost unbearable financial burden upon those who live within their boundaries.

Careful consideration has been given by competent citizens to the problem of irrigation district and reclamation district rehabilitation and it is promised to lift a portion of the financial load from the backs of their inhabitants. By lending the credit of the State, without cost to the State, through a revolving fund to be provided by the sale of bonds in an adequate sum, the State can give hope of profit to farming operations in irrigation and reclamation districts where recently there has been little or no profit and widespread discouragement.

I earnestly recommend that the Legislature give this subject its most mature consideration.

The necessity for encouraging the farmer is very great. Great measures must be enacted to serve this great end. Recovery in town and country can be given speed by careful provision for the farmers' obvious needs. In this there should be no hesitation except to make legislation certain to serve the purpose of its enactment, and failure can not be tolerated.

STATE'S DEPENDENTS.

In my inaugural address I spoke of the great humanitarian functions of government and of my solicitude to accentuate and promote help for those in need, and throughout the two years past I have never lost sight of these objects of our concern which now cry out in their greater need for greater aid to those fellow citizens of ours who are cared for in the State institutions. I stressed the fact that any economy which denies the State's unfortunates the comforts due human beings, is false economy. When I assumed office as Governor of California the total population in the thirteen agencies comprising the Department of Institutions was 19,080; on December 1, 1932, this population had grown to 21,579; showing an increase of 2499. This abnormal increase is especially shown in the population reports for the mental hospitals and the homes for the feeble-minded. While the various institutions caring for these unfortunates have been taxed to the limit, I am pleased to tell you that the standard of California's institutions has materially increased. Out of surplus funds, since January 6, 1931, forty six sadly needed buildings have been constructed and placed in service at a cost of $2,863,000. The construction program includes proper and needed facilities for the care and housing of an additional 1915 patients, and is exclusive of $1,455,000 which has been appropriated for the construction of a new mental hospital in southern California. Construction on the first unit of this institution will begin in the spring of 1933, thereby giving additional bed space for approximately 1150 mentally disordered persons as well as giving honest employment to many worthy workmen.

Many features for the patients' safety and welfare have been added to the institutions, such as more adequate fire protection and the latest and most modern methods of scientific treatment. California can justly be proud of the institutions caring for her wards. She stands foremost amongst the States of the Union in public welfare administration.

My heart is in this important division of State government which has to do with persons whose mentality is not normal. We can bear our own troubles best when we know our unfortunate brethren are being properly cared for by the generosity of the people of the State.

It is encouraging and consoling that although misfortunes have multiplied and spread the endeavors for amelioration have mounted still higher in the sphere of goverment and in the domain of private assistance, and we shall find it necessary to go as far as we can to lighten the burden of distress and to shorten the road to relief.

The Department of Institutions is separate and apart from that of the prisons of the State of California.

THE STATE PENITENTIARIES.

Their existence and their activities are worth your knowing.

San Quentin Prison.

Inmates on parole as of January 6, 1931		1730
Inmates on parole as of December 27, 1932		2042
Inmates released on parole between January 6, 1931, and December 27, 1932		2359
Inmates discharged from parole between January 6, 1931, and December 27, 1932		1716
Prison population as of January 6, 1931, when I took office as Governor	4421	
Prisoners at road camps	539	
Total at prison and road camps		4960
Prison population as of December 27, 1932	5061	
Prisoners at road camps	441	
Total at prison and road camps		5502
A net increase during the past two years of		542

Improvements.

Construction recently completed.

New mess hall	$92,316 67
East wing cell block	215,087 67
Laundry building	44,991 80
Laundry equipment	46,225 20
Eight new cottages	25,122 63
Educational building	23,999 98
Warehouse	49,998 28
Total	$497,742 26

Under construction.	Estimated cost.
New cell block	$206,000 00
Arsenal	13,000 00
Two hundred additional cells	49,400 00
Yard toilets	1,060 00
Painting prison	1,000 00
Total	$270,460 00

You want to know where the surplus has gone. Here is more of it.

Folsom Prison.

Inmates on parole as of January 6, 1931		315
Inmates on parole as of December 27, 1932		498
Inmates released on parole between January 6, 1931, and December 27, 1932		514
Inmates discharged from parole between January 6, 1931, and December 27, 1932		237
Prison population as of January 6, 1931, when I took office as Governor	2069	
Prisoners at road camps	91	
Total at prison and road camps		2862
A net increase during the past two years of		702

Improvements.

New administration building, new hospital, new cannery, new cell block and new sewer disposal. Reconstruction of officers of and guards of building. Fourteen new cottages. New boiler room. Heating and ventilating system for old cell blocks. Aggregate cost $200,000

We are now beginning excavation for a new cell block of 400 cells to be finished during this biennium at an additional cost of approximately $200,000.

A grand total in the prison life of California, 11,167 inmates.

This summary of prison activities shows a very heavy increase in the prison population during the past two years and I inform you proportionately heavier than in any other period of the history of the State.

I respectfully urge you to read the reports to the Governor from the State Board of Prison Directors and the Board of Prison Terms and Paroles. They are on file

California Institution for Women at Tehachapi, Kern County.

The 1929 Legislature passed an act providing for the purchase of land and the erection of buildings to be known as the California Institution for Women. The same act created a board to be known as the Board of Trustees of the California Institution for Women. By this legislation it was intended to have a separate prison for women. The land was purchased The buildings were designed and construc-

tion was under way when I assumed office. These buildings were finished according to the original plans by my administration and dedicated in July, 1932. When the buildings were turned over to the board of trustees, the Attorney General ruled that the act under which the women prisoners were sought to be transferred to the new institution was legally defective and that the State Board of Prison Directors had no power to relinquish custody of the women prisoners. The institution therefore is at the present time unoccupied and will continue unoccupied until the legal defects in the legislative act are corrected.

PRISON-MADE GOODS.

Appropriate action should be taken, if possible, to prevent the distribution in California of prison-made products from other States when the Hawes-Cooper Act, which was passed by Congress in 1929, goes into effect in January, 1934. It permits the several States to prevent the sale within their boundaries of goods made by convicts in other States. Many of the most populous States have already passed anticipatory legislation taking advantage of the Federal law, which is about to become effective, in order to prevent an influx of prison goods from without the State. Unless California takes similar action the State may be made a dumping ground for the commodities which are denied admittance elsewhere. The problem in California may be complicated by the fact that one of our prisons makes jute bags for sale to farmers, and this factor should be taken into account in determining the form of any legislation enacted.

AGRICULTURE.

Agriculture is California's basic industry. In normal years the income from agriculture approximates $800,000,000. On the welfare of this industry rests the welfare of the State and of its people.

The present world-wide economic depression has decreased the purchasing power of millions of consumers, both at home and abroad. The farmers of our State have been affected greatly, although I believe that it can be said that California was last to feel the disastrous effects of the low prices which have prevailed in other producing districts during the past three years.

The seriousness of the situation confronting our farmers can not be minimized. There are many problems to be solved and their solution will tax the ingenuity of the best minds. California's agriculture is availing itself of the present opportunity and is rebuilding its structure.

Our farmers are faced with the task of reconditioning a four billion dollar investment and they have carried on their work in the past year without halting or complaining, although they have much opposition to overcome. California agriculture is in the lead in reconstruction work and is carrying other important industries along with it.

I take pardonable pride in the things the State administration has done and is doing to help our agricultural industry in this great effort. It is pride based on the things that agriculture has asked and has permitted us to do in its behalf, and it is our appreciation of the opportunity and privilege to serve. The State Department of Agriculture, under the direction of the director, has been making every effort to continue its routine regulatory and service activities and to meet the increasingly large number of requests from the different industries for assistance in the solution of their manifold problems. Low prices for agricultural commodities have resulted in the curtailment of seasonal control practices normally relied upon to protect crops against insect and rodent injury, and animals against disease, with danger of disastrous biological consequences. A great amount of additional work has been thrown upon the department because of this situation. My report must be brief necessarily since the department's scope of work is broad and its activities numerous.

Effective work has been carried on in the food administration, in establishing labor camps, in the elimination of foot and mouth, bovine tuberculosis, and other animal diseases; meat inspection; date palm scale eradication and other insect pest projects; weed, predatory animal, rodent control; port inspection; crop reporting; marketing enforcement; and certification for grades in fruit and field crops. More particularly I desire to mention a few of these.

State Food Administration.

Under emergency proclamation issued July 2, 1932, I appointed the Director of Agriculture as State Food Administrator. He has organized the work of the food administration which has proceeded to save and redistribute surpluses. More has been accomplished than was thought possible and without appropriation of funds.

The State Food Administrator appointed advisory councils and numerous food administration aids in practically every county of the State to salvage surplus food commodities and get them into the homes of those in distress. This action served a dual purpose. In many cases a salvage price was obtained for the farmers' surplus commodities which could not be placed in regular trade channels, and these food products were placed in the hands of those who otherwise might suffer from actual want and privation. The food administration has been able to play an

important part in providing foodstuffs to those of our citizens who were and are in need. Let me cite one instance of fine cooperation.

Through the Stockton Potato Growers Association, off grade potatoes have been contributed without cost to the unemployed. Executives of the Stockton association have estimated that before the potato harvest is completed late in January, 1933, approximately 2,000,000 pounds will have been donated for charitable and relief purposes.

Labor Camps.

As part of my program to care for needy men during the winter, the Department of Agriculture, in cooperation with two counties in the San Joaquin Valley, has established two camps where a total of 200 men are aiding in the reduction of agricultural pests. These men were recruited from the nearest available communities under a voluntary enlistment system devised by the State and county authorities.

These camps have furnished and will continue to furnish work and in this way it is hoped decrease the number of men who would otherwise perhaps find it necessary to apply for local charity during the winter months. As a result of this work, weedy areas, which in themselves are pests and which act as winter hosts for insects and other agricultural pests, will be destroyed. The work of each camp was placed under the supervision of an agricultural commissioner and confined to destruction of agricultural pests. In Stanislaus County, the principal irrigation companies have taken the men in hand and are removing the weeds and tules from the ditch banks. This work ordinarily would not be done by paid labor.

Foot and Mouth Disease Eradicated.

An outstanding achievement of the Division of Animal Industry was the eradication in record time of an outbreak of foot and mouth disease, which occurred in three counties in southern California early in 1932. The original outbreak, in close proximity to the densest dairy population in the State, was diagnosed on April 28 and the last infected herd slaughtered and buried on May 7. The eradication in ten days of this dangerous, foreign, animal disease sets a new record, and is noteworthy in comparison with the cost of the control measures in previous outbreaks. The stamping out of the disease in such a short period with so little loss to the live stock industry and to commerce, illustrates the value of new methods used which differed materially from the procedure used heretofore in combating this disease. The approximate cost of eradicating foot and mouth disease in California was only $264,000 in 1932, as compared to $6,200,000 in 1924, and with additional uncomputed damage to commerce. The cost in both instances was divided equally between the State and Federal governments.

Bovine Tuberculosis.

California for the first time has a comprehensive program of bovine tuberculosis control, involving the payment of indemnity to owners of slaughtered cattle. Tuberculosis control areas were established on August 15, 1932, in twenty counties. Since the inauguration of this control program one year ago, 279,410 tuberculin tests were conducted up to October 1, 1932.

The results in Del Norte County are cited in illustration of what can be accomplished under this program. The first tests on 8000 cattle revealed 16 per cent reactors, and the retest of infected herds showed but 1 per cent infection. Such a marked reduction in the percentage of reactors not only is gratifying but shows the results of a follow-up program of cleaning and disinfecting premises.

The average indemnity and salvage received by the owners for reactors found in control areas was approximately $41.92, of which the State paid $11.46. As a result of the high salvage value obtained for reactor cattle and rigid economies practiced in administration of the bovine tuberculosis law, control areas were extended to include six additional counties involving approximately an additional 100,000 head of cattle. These counties were established as tuberculosis control areas by proclamation of the Director of Agriculture issued October 20, 1932.

The $415,000 appropriated for tuberculosis control under the previous administration was set up to carry on the work in only eight counties. Without increased appropriation the work has been extended to twenty-six counties, which include more than half the cow population of the State.

Meat Inspection.

The California Meat Inspection Law, approved May 8, 1931, made meat inspection compulsory in all counties having a population over 27,000, and gave the Department of Agriculture control of practically all meat animals slaughtered. As a result California is the only State in the union with a complete State meat inspection system, making it the equal of Federal inspection. Through economies and reorganization this inspection has been carried on without calling for additional funds and with only the regular personnel.

Division of Markets.

The purposes and powers of the Market Commission Act become operative when invited by those given opportunity under the law. Assistance is in the nature of

advice, gathering and reporting information, promoting, organizing, or acting as a mediator. The potato, plum, desert grapefruit, alfalfa hay, and vegetable growers have requested help and been aided. The prune pool has been formed, the olive industry is making excellent progress, and the cling peach industry is developing a practical program. A comprehensive study of citrus is under way, and a new statewide organization of pear growers is being developed. During this year milk wars have been effectively mediated in seven markets.

Division of Market Enforcement.

This division administers the Produce Dealers Act and the Deciduous Fruit Dealers Act, two important California statutes which regulate the operation of dealers handling farm products on commission and the buyers of fruit for eastern shipment. All consignment dealers and credit buyers of fruit for eastern shipment are licensed. These merchants are subject to regulation in their business practices and are obliged by law to make full, fair, and prompt returns to growers. The major activities are the examination of applications for licenses, the correction of unfair trade practices, and the settlement and adjustment of controveries arising between grower and dealer.

BANKING.

California, in the field of banking, has made a record during the past two years, unexcelled in any State of the Union.

In no other State is the depositor's dollar safer than in this State of ours. Protected by banking laws that are universally regarded as closely approaching the ideal, safeguarded by conscientious and impartial bank supervision, and backed by the almost limitless resources of our vast domain, it has remained practically unimpaired, during a period that has seen values fall precipitately in many other fields.

The dollar deposited in other years has been returned or is available now with all of its original luster. Losses to depositors have been negligible, though their distribution has been unequal. The banks of California have shown conspicuous resistance to the onslaughts of depression and California today, as has been the case since the enactment of the present banking laws, is one of the bright spots on the banking map of America.

At this time the California banks under State supervision have aggregated resources of $1,230,849,000, of which $374,891,000 are resources of commercial banks or commercial departments of departmental banks, $840,407,000 are resources of savings banks or savings departments of departmental banks, and $15,551,000 represent the corporate assets of trust companies or trust departments.

These institutions have aggregate deposits of $1,053,489,000, of which $275,408,000 are deposited in commercial banks or departments and the remaining $778,081,000 are in savings banks or departments. The trust companies or trust departments are responsible for the administration of court trust and private trusts construed as court trusts, aggregating $180,427,000.

Of the $374,891,000 resources of the commercial banks no less than $275,408,000 represent highly liquid assets in the form of actual cash on hand, Government and other liquid bonds and cash due from banks. This aggregate amount represents 71 per cent of the total deposit liability of these commercial institutions—an unprecedented margin of safety.

A similarly derived ratio for savings banks or departments shows forty-eight and seven-tenths (48.7) per cent, also an extremely high ratio when it is considered that savings banks, because of the different character of their operations, are not under the necessity of maintaining the liquidity of commercial banks, which are on a demand basis.

We are undergoing a period when it is the assumed prerogative of innumerable persons, usually uninformed as to facts, to indiscriminately criticize not only public men and public institutions but apparently every institution in the public eye. This has been conspicuously true of banks and banking and isolated failures in our State have been seized upon as indicating a general failure of our banking practice. Banks of other countries, far away, have been held up as models of safety and stability. But even in face of unjust criticisms by the uninformed, the fact remains that the losses to depositors in California banks have been so small that even in normal times they would have been considered insignificant.

During the calendar year 1931, State bank failures temporarily impounded a fraction less than thirty cents (29.8 cents) of each one hundred dollars on deposit in the State system of banks. Subsequent liquidation by the Superintendent of Banks has already returned 39.5 per cent of all depositors' claims, thereby reducing the gross amount impounded to eighteen cents (18 cents) on each one hundred dollars and this figure will grow smaller as liquidation proceeds.

During the first nine months of 1932, fifty-four and eight-tenths cents (54.8 cents) per one hundred dollars deposited were temporarily impounded through State bank failures. Subsequent liquidation has already returned over twenty-two per cent (22.3 per cent) of claims against these failed banks, reducing the amount still impounded to 42.6 per cent on each one hundred dollars of total State bank deposits. It is only reasonable to assume that in the course of time further dividend payments will reduce absolute losses to the individual to an insignificant percentage of total

active deposits. Percentages for national bank failures in California have but slightly exceeded the figures quoted above for State banks.

The evils commonly associated in the public mind with receiverships have been wholly avoided by the State Banking Department. The interest of the depositor has been the first consideration. A record has been made by the Superintendent of Banks, in conducting bank liquidation with an economy hitherto unknown in the field of public receiverships.

An entirely new spirit of cooperation has been established between the State Banking Department and the National Department of Bank Supervision and with several other federal banking agencies, to the great benefit of California banks and their depositors.

The banking department has at all times during the past two years used all of its authority along lines helpful to the public. Wholesale foreclosures on homes, farms, ranches, live stock, crops and business property have been studiously avoided and, with California's vast resources always the real mainstay of its banking institutions, I state with confidence that this State so far as its banks are concerned, has suffered less of human misery and unhappiness because of depression throughout the world than any other section of the land of which I am informed.

I am pleased to report that the banking department has won state-wide confidence and approval. The department is operating at increasingly less cost to the banks.

In view of this remarkable record, I recommend that no fundamental changes be made in our Bank Act. However, clarification of certain sections is necessary. The Superintendent of Banks should be authorized to borrow upon assets of closed banks when expedient. Relief should be afforded depositors in closed banks who are also stockholders, whose claims beyond their assessment liability should be recognized as equal to those of depositors who are not simultaneously stockholders. There should be a clarification of the act passed at the last session of the Legislature, providing for the assessment of holders of stock in closed banks. As a result of the 1931 revision of the General Corporation Law, the right of a bank to reduce its capital stock is now open to question and certain references to the Civil Code embodied in section 55 of the Bank Act are erroneous. These ambiguities should be corrected.

BUILDING AND LOAN ASSOCIATIONS.

Perhaps no department of the State Government has occupied quite the critical position during the past year that have building and loan associations. Institutions that accept for investment the savings of individuals are and should be subject to the closest scrutiny in their conduct and operation.

My former message to the Legislature was written a few days after the unsavory Beesemyer exposure. For that reason I severely criticized the weakness and lax enforcement of the old Building and Loan Act as "an actual menace to the public and to the sound, properly managed associations." In this connection I urged a closer and more rigid State supervision of these institutions, and a revision of the outgrown and inadequate laws under which associations operated.

This has all been accomplished, and we now have a statute which, in the main, is working out in such a manner as to afford the maximum of protection to investors. Some important modifications of the law will undoubtedly be suggested to you at the present session, and I believe will merit your careful consideration. It is reasonable to expect that a statute of such far-reaching importance and necessarily more or less difficult of administration at best, will require amendment and modification in the light of the first two years of its operation

California building and loan associations, in common with all other financial institutions, have lived through three years of very trying conditions. The majority of them have weathered the economical storm bravely and manfully, thanks to the ability and integrity of those in charge of their affairs. Investors have finally come to realize that these institutions are not banks from which funds may be withdrawn at will, and that in times of economic depression associations can not pay out on demand and continue to operate. The marvel of it all is that the investing public has so bravely faced these facts.

Under the operation of the new law, now in effect for sixteen months, the Building and Loan Commissioner has taken over for liquidation eleven associations. These are being liquidated as economically as possible, so that the investors may have returned to them the largest possible portion of their savings.

LABOR AND UNEMPLOYMENT.

In California, as elsewhere, the problem of unemployment has pressed acutely on the State Government as well as on the counties and cities. The problem has received unremitting, intelligent, and practical study from the very able State Unemployment Commission which I appointed two years ago by authorization of the Legislature. The distresses from which all of us suffer can not exempt either the State or the local governments, or the relatively prosperous or comfortable members of the public from their humane duty of relieving the immediate sufferings of the unemployed and making provision against both the continuance and the recurrence

of the calamitous situation which has thrown so many decent, industrious, and self-respecting men and women out of work and kept them idle for so long a time.

As Governor, while recognizing the difficulty of some of the partial solutions presented, I urgently request that you give sympathetic study to the report of the Commission on Unemployment and carry into effect by appropriate legislation as many of their recommendations as you may deem practicable in view of the financial conditions and other limitations which might prevent us from going as far as the need requires and our sympathies incline.

Duty requires me to call to your attention the necessity of constructive legislation to relieve the desperate, appalling distress of thousands of our citizens who, through no fault of their own, are denied the opportunity to earn a living. No government can or should long endure that is indifferent to preventable widespread acute distress among its people.

These unemployed workers are part of the great constructive force that has builded and sustained our civilization. They constitute a most important part of our commonwealth. The future of the State is dependent on their welfare.

I have sponsored every possible State project that would give employment. Each of our construction projects has been an essential, necessary undertaking that will pay manifold benefits to our people. Each represents a justifiable investment.

I believe we have passed through the worst of the depression and can now look forward to a continuous improvement in conditions. As conditions improve the burdens of the State will be lessened. Retrenchments and adjustments can be made that will not carry with them additional misery and unemployment.

But as a safeguard of the future welfare and prosperity of the State, we must plan extensive construction projects that will give employment. We must also consider means and methods of giving a greater spread to employment.

One of the most interesting and practical measures for the relief of the acute unemployment situation was the establishment of State labor camps for single unemployed men who were used to construct firebreaks around towns that had been or may be threatened by forest fires and for construction of firebreaks in the foothills and mountainous regions of the State, where it is possible to work during the winter, and where such work will be of the greatest benefit in the protection of important watersheds of the State from destruction by fire.

The story of these camps is told in a report published by the State Unemployment Commission and prepared by S. Rexford Black, chairman of the State Labor Camp Committee. These camps cared last winter for approximately 3300 men who would otherwise have been supported by the community without rendering any service in return, and they performed work of permanent usefulness to the State which ordinarily would not have been done. In return for their labor the State provided food, clothing, shelter, and bedding at a total cost of $110,000, which was approximately 55 cents per man per day.

It is expected that these camps will be called upon to provide for approximately 7000 men this winter and the State has appropriated for that important humanitarian service approximately $400,000. The State has applied to the Reconstruction Finance Corporation for a loan of $900,000 on which the State may draw in case the severity of the winter and the spread of unemployment create demands on the labor camps in excess of present expectations.

While dealing with the question of unemployment and the various means suggested as a relief measure, I am not unmindful of the splendid work in that behalf being done by the unemployed relief councils functioning in the various counties throughout the State of California.

Their method of feeding and clothing the unemployed, who are willing and anxious to do their full share, seems to have solved, in a measure, a part of the problem.

Many thousands of men and women all over the State are actively engaged in this work, which consists of utilizing their idle time in saving and conserving wasting products through the use of idle equipment and buildings, and thereby producing from a small amount of finances a large part of what is necessary to maintain their lives, often producing as high as $10 and $15 worth of necessities from each dollar procured or donated for their operation.

This work is being conducted on a basis of cooperation, and not charity. It assumes a self-respect in the needy and unemployed. It recognizes the existence of ample sources of both labor and material entering into the necessities of life, whose distribution is prevented by the lack of a medium of exchange. By the cooperative method adopted various commodities, including farm produce, utensils, clothing, labor and even housing facilities are actually exchanged in kind, without the use of money, and all upon a fair basis of value. The farmer who has produce he can not sell, exchanges it for labor which he can not hire, through lack of funds. The man who lacks the necessities of life through unemployment, finds the means of obtaining them, by the exchange of his services for them. These relief councils are the clearing houses through which the exchange is made possible.

Obviously, this work can not accomplish all that is required. Such commodities as sugar, coffee, tea, medicines and others, which are brought from afar, must necessarily be obtained by purchase in the ordinary way; and funds for this purpose are

needed. The maintenance and operation of transportation facilities is another problem which will require aid.

It is my view that this work as now being organized and carried on, is one of the most constructive economic solutions of our unemployment problem that has yet been attempted. It is worthy of your careful consideration, and should receive proper recognition and substantial aid at the hands of the State.

I am reliably informed that the various units of this organization are now being consolidated in a central governing body, and will be duly incorporated by the time any official action can be taken by the Legislature.

LABOR CAMPS.

Last winter we were given much concern over the fact that an army of destitute working men, coming from practically every State in the Union, was invading California at the rate of over a thousand a day. These men were fellow human beings who had a lawful right to enter our State seeking employment. However, the fact remained that this tremendous army of unemployed was breaking down the wage standards of workmen in this State, and if allowed to continue unchecked would have wrecked the wage standards and the working conditions that have been established.

In order to help check the influx of this invading army, after careful consideration by public officials representing practically every political subdivision of the State, and also after conferences with outstanding labor leaders, it was decided to establish working camps where these destitute workers would be furnished food and shelter, provided they voluntarily went to such camps and agreed to do such work as cutting firebreaks and building fire protection roads in our park and forest preserves.

National publicity was immediately given to the fact that these work camps were being established and the invading army of migratory workers dropped from an average of a thousand a day to a couple of hundred.

The wisdom of the establishment of such camps was recognized by many other states that proceeded to care for destitute migratory American citizens in the same manner. The labor camps have been most beneficial. They greatly lessened the effort and expense that overburdened local communities were having in dealing with the problem of destitute migratory labor. They have helped preserve the self-respect, the morale and the health of these unfortunate workmen who have cleaned up our park preserves and cut firebreaks which are of great value in protecting the lives and property of our citizens from fire hazards. It is particularly gratifying to note that since the inauguration of this work there has been a decided decrease in the number and extent of our forest fires.

STATE EMPLOYMENT AGENCIES.

The State employment agencies have rendered a signal public service during the past biennium by placing 191,424 of our theretofore unemployed men and women in jobs. This record made during the two years of acute depression shows that employers generally are appreciating more and more the value and service of this department.

It should be remembered that thousands of our fellow citizens who were furnished employment without any charge through this division were destitute and could not have paid a fee to a private employment agency. We estimate that the fees that would have been charged had these placements been made through private employment agencies would have amounted to $853,751.04. This saving to our unemployed workers is unquestionably of great benefit to them and to the State.

MINING.

I have appointed a committee of mining men to study the problems of the mining industry of the State, including compensation insurance, and to propose mining legislation for submission to this Legislature. During this session they will make recommendations for your consideration with the hope that we may enact some measure recommended by them that will stimulate and revive this languishing industry. I recommend that we do all we can to assist the miners' endeavors, to make profitable the search for gold.

TAX PENALTIES.

I believe that the taxpayer who has been unable to pay the first installment of his taxes for 1932 should be relieved of the penalty of ten per cent or, in other words, I believe that an emergency measure should be passed by this Legislature permitting the unfortunate citizens to pay his first installment of taxes, if paid within a reasonable time, without paying the penalty. I fully realize that some penalty must be added to enforce the payment of taxes when due, but in these times of stress, I believe that it would be fair and just to permit the payment of the first installment of taxes if paid within a reasonable time, without having also to pay the exorbitant penalty which is now exacted for a failure to pay the first installment of taxes on or before December 5, 1932.

I recommend you give careful study to the question of extending the time of payments of the second installment delinquent in April, 1933, and the lessening of some of the penalties which attach to the second installment if not paid when due.

I recommend that remedial legislation be enacted with respect to penalties payable for redemption of property from tax sales. At the present time the law requires interest at the rate of seven per cent annum to be paid on all property sold for taxes in order to redeem property from the tax sale. The law also imposes certain graduated penalties payable on redemption, the amount of these penalties being ten per cent of the taxes each year. The property owner is therefore required to pay 17 per cent each year in interest and penalties when his land is sold for taxes. This has worked an undue hardship and the graduated penalties have rendered it impossible for many persons to redeem property from a tax sale. I believe that the graduated penalties and interest charged for redemption of property sold for taxes should be reduced. As far as purchasers other than the owners at the sale of tax deeded lands are concerned, I believe that graduated penalties should be charged. Such a change in the law would greatly assist agriculturists overburdened by taxes to redeem their properties from tax sales.

MATTOON ACT.

If the Acquisition and Improvement Act of 1925, commonly called the Mattoon Act, is to remain on our statute books, it must be amended to correct the abuses heretofore encountered in districts where special assessments have been levied against land on a blanket ad valorem basis.

A study of our existing street improvement laws proves that this one in particular has operated to allow many abuses that worked to the detriment of the land, and home owner.

The Legislature at its last session corrected one of the evils by placing a debt limitation designed to abolish the pernicious conditions occurring when the cost of improvements in numerous instances exceeded the actual improved value of the land.

Another evil needing correction occurs by reason of the fact that when certain landowners in the districts permit their assessments to become delinquent, the amount of the delinquency is spread over the remainder of the district with the result, that those who pay must, in a large measure, carry the burden for those who default. The burden is thus shifted. Entire districts have gone delinquent as a consequence. This is a serious problem for the reason that as required by law these assessments will continue to be levied and to pyramid throughout the life of the bonds. Since the assessments are levied under the ad valorem plan and become delinquent in the same manner as taxes and carry the same penalties, the cost of redeeming the land after the assessments have remained unpaid for a period of time becomes practically prohibitive.

Landowners in San Diego County, San Luis Obispo County, and other counties have suffered untold losses because of the unjust working of some of the provisions of this act.

Amendments must be drawn so that property owners will be protected.

The total amount of indebtedness, instead of being a blanket lien, should be apportioned specifically as to each parcel of property. Districts where bond issues are outstanding should be refinanced so as to benefit by this modification.

I call your attention to and recommend a study of the Improvement Act of 1915, which needs revising and some portions thereof repealed.

DEEDS OF TRUST.

Under the present statute, that was passed some four years ago, deeds of trust were legalized in California. They are now used almost exclusively in some localities in the place of mortgages. No equity of redemption is provided in a deed of trust. The operation under a deed of trust in which default has been made of the repayment of money secured thereby is as follows. The property is advertised for three months and sold and the title passes to the purchaser. After the sale the property is gone forever. In my opinion this procedure is wrong. An equity of redemption for one year, the same as now exists in the foreclosure of mortgages should be provided. Many homes, farms, and ranches would be saved for the owners if they had a year in which to redeem after sale.

I am informed that the banks, trust companies, and other persons taking deeds of trust for security, do not object to a reasonable period for redemption. The State Bar of California has, I believe, recommended that a period of redemption be provided in deeds of trust.

MORTGAGES.

When a mortgage is foreclosed and a sale of property is had, one year is allowed the owner to redeem his property by paying the amount due, costs, attorney's fees, and one per cent per month or 12 per cent a year on all sums found due, whereas if no foreclosure had been had, he would only have to pay the rate of interest provided for in the mortgage which is usually 6 or 7 per cent. I see no justification in doubling the interest or making it 12 per cent per year during the equity of redemption. I believe that the same rate of interest provided for in the mortgage should only be charged after foreclosure and up to the time of redemption. A measure can

and should be introduced correcting this evil and make it applicable to all pending foreclosures, by so doing many people of our State would thereby have an opportunity to redeem their homes from foreclosure and still at the same time the debtor would be made whole and have adequate interest on his money for the entire period it has been loaned.

Having thus outlined the problems which confront the State today, and which will press for solution during the coming two years, may I close this message on a more personal note?

The past two years in which I have been Governor of California have been, governmentally as well as economically, the most trying and distressful period in the history of the State. Needless to say, for those of us who have had the responsibility of government, they have been years of great anxiety. In view of rapidly changing conditions in every section of the State, I have deemed it my duty, and it has been my pleasure, to make frequent visits to all public institutions, with whose problems I have acquired a first-hand knowledge, and to all sections of the State, even the most remote, and to meet and consult with the people of every locality. These close contacts with the people have given me an intimate first-hand knowledge of the difficulties and problems of the people of California with which the State government must deal. The confidence which the plain people of California have exhibited in me and my administration, and the encouragement which they have given to me, have more than compensated for the anxieties and labors of the office. I take pride in the very friendly relations which I have maintained with the Legislature and virtually all its members. These reflections have supported me in times of perplexity and have enabled me, despite the trials and tribulations attendant on the responsibility of my office, to enjoy my two years as head of the State of California. I trust that I shall continue to hold in the same measure the confidence and good will of the Legislature and the people. Many of the suggestions and recommendations contained in this message are made by me with the greatest reluctance and only because I am constrained thereto by the necessities of the State and the duties and responsibilities of my office. I expect opposition to many of them. I shall respect such opposition when I feel that it is made sincerely, unselfishly, and in good faith, and I shall heed with an open mind those who present arguments against my proposals. Indeed, I shall be grateful to any who can show me how the State can avoid some of the more stringent of the economies and eliminations without imposing additional burdens on the taxpayer and without throwing the budget out of balance. And I hope, also, that my proposals and recommendations will be received and considered by the Legislature and the public in the same spirit of devotion to the public interest in which they are presented. I am encouraged in this hope by the almost unanimous demand of the press for tax economy and as I have stated, by the voluntary public commitments made by so many members of the Legislature in favor of a stringent economy program and against any additional tax exactions.

With my profound respects and respectfully submitted,

JAMES ROLPH, JR., Governor of California.

ADJOURNMENT OF JOINT CONVENTION.

There being no further business at nine o'clock and twenty-five minutes p.m., Mr. Robinson, C. Ray, moved that the Joint Convention do now adjourn.

Motion carried.

IN ASSEMBLY.

REASSEMBLED.

At nine o'clock and twenty-seven minutes p.m., the Assembly reconvened.

Speaker Little in the chair.

ADJOURNMENT.

At nine o'clock and thirty minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock and thirty minutes a.m., Wednesday, January 4, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, January 4, 1933.

At ten o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. West, its further reading was dispensed with.

MOTION TO SUSPEND RULE.

Mr. Badham moved that Rule 71 be suspended for the remainder of the day.

Motion carried.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Cottrell, Messrs. John M. Burnett and Henry Martin of San Jose were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Anglim, Mrs. Emily B. Axtell of Richmond, California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Miss Miller, Eleanor, Mr. Harold P. Huls, City Attorney of Pasadena, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Latham, John Stephen McGroarty was extended the privilege of the floor of the Assembly for this day.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 3, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 1—Relative to the selection of the Legislative Counsel.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary

Assembly Concurrent Resolution No. 1 ordered to enrollment.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Craig: Assembly Bill No. 14—An act to amend the State Bar Act by adding a new section thereto, to be numbered 24a, relating to the admission of veterans to practice law on motion, and prescribing the qualifications for such admission.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Burns: Assembly Bill No. 15—An act to add a new section to the Fish and Game Code, to be numbered 791.5, relating to crabs.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hoffman: Assembly Bill No. 16—An act to amend section 11 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to refunds of the tax therein authorized.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Meehan: Assembly Bill No. 17—An act to amend sections 5, 7, 23, 24, and 25 of the Direct Primary Law, prohibiting persons becoming candidates of more than one party.

Bill read first time, and referred to Committee on Elections.

By Mr. Maloney: Assembly Bill No. 18—An act to amend sections 3, 4, 9, and 12 of an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith." approved by the electors November 7, 1922, relating to the Board of Chiropractic Examiners and the practice of chiropractic.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Meehan: Assembly Bill No. 19—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to the amount of compensation payable thereunder.

Bill read first time, and referred to Committee on Insurance.

By Mr. Hoffman: Assembly Bill No. 20—An act to amend section 23 of an act entitled "An act to provide for and regulate primary elections,

and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 2, 5, 7, 10, 12, 13, 22, 23, and 24 of said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on Elections.

By Mr. Brock: Assembly Bill No. 21—An act to amend section 901 of the Probate Code, relating to commissions received by executors and administrators.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Brock: Assembly Bill No. 22—An act to amend section 1322 of the Penal Code, relating to husband and wife.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Phillips: Assembly Bill No. 23—An act to amend sections 3746, 3751, 3756, 3759, 3817 and 3817a of the Political Code, relating to payment of property taxes and delinquency and redemption penalties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Woolwine: Assembly Bill No. 24—An act to amend section 10 of the Public Utilities Act, approved April 23, 1915, relating to the salaries of Railroad Commissioners.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Woolwine. Assembly Bill No. 25—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extensions of time in superior and inferior courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woolwine: Assembly Bill No. 26—An act to amend section 1272 of the Penal Code, relating to bail after conviction and pending appeal.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. West: Assembly Bill No. 27—An act to amend section 602 of the Penal Code, relating to trespass.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. West: Assembly Bill No. 28—An act to amend section 627 of the Penal Code, relating to trespass.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. West: Assembly Bill No. 29—An act to amend section 268b of the Penal Code, relating to protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. West: Assembly Bill No. 30—An act relating to grants of lands granted to cities and towns under the provisions of an act of Congress entitled "An act for the relief of the inhabitants of cities and towns upon the public lands," approved March 2, 1867, and procedure in relation to such land.

Bill read first time, and referred to Committee on Judiciary.

By Mr. West: Assembly Bill No. 31—An act to provide for restoration of recorded subdivision maps which are injured or destroyed by conflagration or other public calamity, or are lost or stolen.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Greene: Assembly Bill No. 32—An act to repeal the Acquisition and Improvement Act of 1925.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Greene: Assembly Bill No. 33—An act to repeal Chapter II of Part II of Division I of the School Code, embracing sections 1.350 to 1.430, inclusive, relating to compulsory part-time education.

Bill read first time, and referred to Committee on Education.

By Mr. Greene: Assembly Bill No 34—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Greene: Assembly Bill No. 35—An act to amend sections 5, 7, 23, 24 and 25 of the Direct Primary Law, prohibiting persons becoming candidates of more than one party.

Bill read first time, and referred to Committee on Elections.

By Mr. Martin: Assembly Bill No. 36—An act to amend section 1 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the status of unincorporated territory.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Martin: Assembly Bill No. 37—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Martin: Assembly Bill No. 38—An act to amend section 4058 of the Political Code, relating to the number of signatures required on petitions for initiative and referendum by electors of counties.

Bill read first time, and referred to Committee on Direct Legislation.

By Mr. Martin: Assembly Bill No. 39—An act to amend section 1 of an act entitled "An act to provide for direct legislation by cities and towns, including initiative and referendum," approved January 2, 1912, as amended, relating to the number of signatures required on petitions.

Bill read first time, and referred to Committee on Direct Legislation.

By Messrs. Craig and Utt: Assembly Bill No. 40—An act to amend section 4238 of the Political Code, relating to compensation of county and township officers in counties of the ninth class.

Bill read first time, and referred to Committee on County Government.

By Messrs. Craig and Utt: Assembly Bill No. 41—An act to amend section 737dd of the Political Code, relating to the annual salary of judges of the superior court in and for the county of Orange.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Craig and Utt: Assembly Bill No. 42—An act to amend section 16x9 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the ninth class.

Bill read first time, and referred to Committee on County Government.

By Messrs. Craig and Utt: Assembly Bill No. 43—An act to amend sections 19x9 of the Juvenile Court Law, relating to probation officers in counties of the ninth class.

Bill read first time, and referred to Committee on County Government.

By Messrs. Craig and Utt: Assembly Bill No. 44—An act to add a new section to be numbered 9a9, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems, approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the ninth class.

Bill read first time, and referred to Committee on County Government.

By Messrs. Craig and Utt: Assembly Bill No. 45—An act to amend section 2322x9 of the Political Code, relating to the office of agricultural commissioner in counties of the ninth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Williamson: Assembly Bill No. 46—An act to add a new section to the School Code, to be numbered 6.744, relating to the sale of merchandise on school property.

Bill read first time, and referred to Committee on Education.

By Mr. Crist: Assembly Bill No. 47—An act to amend section 3440 of the Civil Code, relative to transfers for benefit of creditors.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 48—An act to amend sections 69 and 69a of the Civil Code, relating to marriage licenses and certificates of registry of marriage.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 49—An act to amend section 3076 of the Political Code, relating to the registry of marriages performed.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 50—An act to add sections numbered 570.1 to 570.6, both inclusive, to the Code of Civil Procedure of California to provide for an officer of the superior court in counties having a population of nine hundred thousand and over to be known as Public Receiver.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lyon: Assembly Bill No. 51—An act to amend sections 1 and 2 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," approved May 26, 1927.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Lyon: Assembly Bill No. 52—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Dempster: Assembly Bill No. 53—An act to repeal the Acquisition and Improvement Act of 1925.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Martin: Assembly Concurrent Resolution No. 5—Relative to requesting the Governor to make application to the Reconstruction Finance Corporation for the loan of moneys to the State and its political subdivisions for use in furnishing relief and work relief.

Introduced, and referred to Committee on Federal Relations.

By Miss Miller, Eleanor: Assembly Concurrent Resolution No. 6—Relative to approving certain amendments to the charter of the city of Pasadena, a municipal corporation of the State of California, situated in the county of Los Angeles, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Miss Miller, Eleanor, asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 6, at this time, without reference to printer or committee, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER SIX

Assembly Concurrent Resolution No. 6—Relative to approving certain amendments to the charter of the city of Pasadena, a municipal corporation of the State of California, situated in the county of Los Angeles, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 6 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 6 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 6—Relative to approving certain amendments to the charter of the city of Pasadena, a municipal corporation of the State of California, situated in the county of Los Angeles, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Messrs. Bowers and Frazier: Assembly Concurrent Resolution No. 7—Relative to reports to be made by the Department of Finance and the Civil Service Commission.

Introduced, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Hornblower: Assembly Joint Resolution No. 2—Relative to memorializing Congress to propose an amendment to the Constitution of the United States repealing the Eighteenth Amendment and to provide for conventions in the several States to accomplish this purpose.

Introduced, and referred to Committee on Federal Relations.

By Mr. Maloney: Assembly Constitutional Amendment No. 4—Proposed amendment to Article IV of the Constitution, relative to the practice of chiropractic.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Meehan: Assembly Constitutional Amendment No. 5—Proposed amendment to Article XII, section 22, of the Constitution, relative to the Railroad Commission.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Rawls: Assembly Constitutional Amendment No. 6—Proposed amendment to Article XX, adding section 23, of the Constitution, relative to deficiency judgments.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Martin: Assembly Constitutional Amendment No. 7—Proposed amendment to Article IV of the Constitution, relative to the number of signatures required on initiative and referendum petitions.

Introduced, and referred to Committee on Constitutional Amendments.

MOTION TO CONTINUE.

Mr. Roland moved that the printing of the Preliminary Report of the California Assembly Interim Committee be deferred until the next legislative day.

Motion carried.

RECESS.

At eleven o'clock and fifteen minutes a.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until one o'clock and forty-five minutes p.m. of this day.

REASSEMBLED.

At one o'clock and forty-five minutes p.m., the Assembly reconvened. Speaker Little in the chair.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 4, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Concurrent Resolution No 6—Relative to approving certain amendments to the charter of the city of Pasadena, a municipal corporation of the State of California, situated in the county of Los Angeles, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

Assembly Concurrent Resolution No. 6 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 4, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 1—Relative to approving certain amendments to the charter of the City and County of San Francisco, State of California, voted for and ratified by the qualified electors of said city and county, at a general election held therein on the eighth day of November, 1932.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

MOTION.

On motion of Mr. Levey, action on Senate Concurrent Resolution No. 1 was deferred until the next legislative day.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Messrs. Feigenbaum, Latham and Hoffman: Assembly Bill No. 54—An act to amend section 2924 of the Civil Code, relating to recording of notice of default and of sale under deeds of trust and mortgages with power of sale; and to add a new section to the Civil Code to be numbered 2924b, relating to giving of notice of recording of notice of default and of time and place of sale under deeds of trust or mortgage with power of sale; and to add a new section to the Civil Code numbered 2924c, relating to reinstatement of loans when due date of principal sum has been accelerated; and to add a new section to the Code of Civil Procedure to be numbered 580a, limiting amount of deficiency judgments and the time within which actions therefor may be commenced.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hallner: Assembly Bill No. 55—An act to amend sections 44 and 77 of the California Vehicle Act, relating to registration of vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Hallner: Assembly Bill No. 56—An act to amend sections 42 and 43 of the California Vehicle Act, relating to number plates.

Bill read first time, and referred to Committee on Motor Vehicles.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At two o'clock and ten minutes p.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

IN JOINT CONVENTION.

ASSEMBLY CHAMBER,
SACRAMENTO, January 4, 1933.

At two o'clock and fifteen minutes p.m., the Senate and Assembly met in Joint Convention.

Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, directed that Hon. Frank F. Merriam, President of the Senate, and Hon. Arthur H. Breed, President pro tempore of the Senate, be escorted to the platform.

Hon. Frank F. Merriam, President of the Senate, directed the Secretary of the Senate to call the roll of Senators.

SENATE ROLL CALL.

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

Senators Allen, Breed, Bush, Crittenden, Deuel, Difani, Duval, Edwards, Fellom, Harper, Hays, Hulse, Ingels, Inman, Jespersen, Jones, King, McColl, McCormack, McKinley, Mixter, Moran, Parkman, Perry, Pierovich, Powers, Reindollar, Rich, Riley, Schottky, Seawell, Sharkey, Slater, Snyder, Stow, Swing, Tickle, Wagy, and Williams—39.

The President declared a quorum of the Senate present.

Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

ASSEMBLY ROLL CALL.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, and Zion—74.

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

SELECT COMMITTEES.

The Speaker pro tempore appointed as a select committee Messrs. Deuel, Stow, Robinson, Samuel E., and Jones to escort His Excellency Governor James Rolph, Jr., to the bar of the Assembly.

The select committee consisting of Messrs. Allen, Hulse, McMurray and Hallahan escorted Hon. William Gibbs McAdoo and the Presidential Electors to the bar of the Assembly.

Mr. McAdoo addressed the Assembly and the Presidential Electors took the oath of office and proceeded to organize and cast their ballots for President and Vice President of the United States of America.

ADJOURNMENT OF JOINT CONVENTION.

There being no further business, at three o'clock and ten minutes p.m., Mr. Robinson, C. Ray, moved that the Joint Convention do now adjourn.

Motion carried.

IN ASSEMBLY.

Speaker pro tempore Clowdsley in the chair.

ADJOURNMENT.

At three o'clock and twenty minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker pro tempore declared the Assembly adjourned this day until ten o'clock and thirty minutes a.m., Thursday, January 5, 1933.

LOUIS F ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, January 5, 1933.

At ten o'clock and thirty minutes a m , pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

MOTION TO SUSPEND RULE.

Mr. Crist moved that Rule 71 be suspended for the remainder of the day.

Motion carried.

LEAVES OF ABSENCE.

On motion of Mr. McMurray, Mr. Williamson was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Miss Miller, Eleanor, Mr. Albert Steward, vice chairman, board of directors, city of Pasadena, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Phillips, Mr. John E. King of Hemet was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bowers, Mr. Thomas Whelan, district attorney, and Judge Frank T. Dunn of San Diego were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

SOUTH BEND, INDIANA, December 9, 1932.

Hon. Secretary of State,
Sacramento, California.

HONORABLE SIR: Enclose copy of joint resolution which would ask you to refer same to your next session of General Assembly which will convene during the month of January, 1933.

Also would appreciate very much, if you could mail me list of Representatives and Senators which were elected as members of your General Assembly. Thanking you in advance, I remain, with best wishes and regards.

Very truly yours,

I. K. WERWINSKI.

The Speaker ordered the resolution referred to Committee on Federal Relations.

Also:

Speaker of the Assembly,
State Capitol, Sacramento

Petition relative to the repeal of the Criminal Syndicalism Law.

(Signed) ANITA WHITNEY, Chairman of Delegation.
GEORGE MORRIS, Secretary, and others.

Also:

From Fred B. Hawley, 1525 E. First Street, Long Beach, California, relative to impeachment.

The Speaker ordered the above petition referred to Committee on Judiciary.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 4, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 1—Relative to ratification of an amendment to the Constitution of the United States, proposed by the Congress of the United States of America, relating to fixing the commencement of the terms of President and Vice President and members of Congress and fixing of time of assembling of Congress

J. A BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

The above reported joint resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 4, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 2—Relative to approving a certain amendment to the charter of the city of Glendale, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932;

Also: Assembly Concurrent Resolution No. 3—Relative to approving ten certain amendments to the charter of the city of Los Angeles in the county of Los Angeles, State of California, voted for and ratified by the electors of said city at special elections held therein on the third day of May, 1932, and on the eighth day of November, 1932, respectively.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

The above reported concurrent resolutions ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 5, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 4—Relative to approving six

certain amendments to the charter of the city of Palo Alto, county of Santa Clara, State of California, voted for and ratified by the qualified electors of the said city of Palo Alto at a special municipal election held therein for that purpose on the twenty-fifth day of October, 1932.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

The above reported concurrent resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 4, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 1—Relative to approving certain amendments to the charter of the City and County of San Francisco, State of California, voted for and ratified by the qualified electors of said city and county, at a general election held therein on the eighth day of November, 1932.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cronin asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 1, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER ONE.

Senate Concurrent Resolution No. 1—Relative to approving certain amendments to the charter of the City and County of San Francisco, State of California, voted for and ratified by the qualified electors of said city and county, at a general election held therein on the eighth day of November, 1932.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 1 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion, and Mr. Speaker—73.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 1 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 1—Relative to approving certain amendments to the charter of the City and County of San Francisco, State of California, voted for and ratified by the qualified electors of said city and county, at a general election held therein on the eighth day of November, 1932.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1933.

MR. SPEAKER: Your Committee on Rules respectfully submits the following rules for the permanent rules of the Assembly and recommends that they be adopted.

ROBINSON, Chairman.

STANDING RULES OF THE ASSEMBLY.

CONVENING AND ORDER OF BUSINESS.

1. *Convening of Biennial Session.* All biennial sessions of the Legislature shall commence at twelve o'clock noon, on the first Monday after the first day of January of the odd-numbered years. (Const., Art. IV, Sec. 2.)

2. *Organization and Election of Officers.* Immediately upon convening at each session, the Assembly shall proceed to organize as set forth in section 239 of the Political Code, and with the election of the following Assembly officers: Speaker, Speaker pro tempore, Chief Clerk, Minute Clerk, Sergeant-at-Arms, and Chaplain.

3. *Elections by Assembly.* In all elections by the Assembly, the members thereof shall vote viva voce, and the vote shall be entered on the Journal. (Const., Art. IV, Sec. 28.)

4. *Hour of Meeting and Recesses.* After the first day of any session the Assembly shall meet promptly at nine thirty o'clock a.m. daily (Sundays excepted) unless otherwise ordered by a majority of the members present. The time and duration of any and all recesses shall be decided by a majority vote of the members present.

5. *Speaker to Call Assembly to Order.* The Speaker, or in his absence, the Speaker pro tempore, shall take the Speaker's chair on the rostrum precisely at the hour appointed for meeting, and shall immediately call the Assembly to order. In the absence of both the Speaker and Speaker pro tempore, the Chief Clerk, or his assistant, shall call the Assembly to order, whereupon a temporary Speaker shall be elected from among the members to preside, as set forth in Rule 7.

6. *Order of Business.* The order of business of the Assembly shall be as follows:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading of the Previous Day's Journal.
4. Presentation of Petitions.
5. Reports of Committees.
6. Messages from the Governor and Senate.
7. Introduction and Reference of Bills.
8. Motions and Resolutions.
9. Business on Daily Calendar.
10. Announcements of Committee Meetings.
11. Adjournment.

7. *Roll Call and Quorum.* Before proceeding with the business of the Assembly, the roll of the members shall be called and the names of those present shall be entered on the Journal. A majority of all the members present elected to the Assembly shall constitute a quorum for the transaction of business. In the absence of a quorum or a presiding officer, eight members, having chosen a temporary presiding officer, may order a call of the Assembly to compel the attendance of absent members.

8. *Prayer by the Chaplain.* During prayer by the Chaplain, all members and others present shall remain seated and refrain from all discourse, and no one shall be allowed to enter or leave the Assembly Chamber.

9. *Reading of the Previous Day's Journal.* The reading of the Journal of the previous day may be dispensed with on motion by a majority vote of the members present.

10. *Approval of the Journal.* All Journals of the Assembly shall be corrected by the Minute Clerk and delivered by him to the Speaker within seven calendar days. Such corrected Journals may thereafter be approved on motion by a majority vote of the members present.

11. *Presentation of Petitions.* Whenever a petition for or against any pending legislation is presented by a member, he may make a brief statement of the contents thereof. Petitions are not debatable and shall be laid on the table or be referred to a committee as the Speaker shall determine. Mention of receipt of such petition and its disposition shall be entered on the Journal. (For impeachment petitions, see Rule 128.)

12. *Reports of Committees.* Reports of special and standing committees shall be delivered to the Clerk's desk. They shall be read and ordered printed on the Journal unless it is ordered otherwise by the Speaker or by a majority vote of the members present.

13. *Messages from the Governor.* Messages from the Governor shall be delivered to the Clerk's desk and shall be read and ordered printed on the Journal unless otherwise ordered by the Speaker or a majority vote of the members present.

14. *Messages from the Senate.* Messages from the Senate shall be delivered to the Clerk's desk and shall be deemed read and ordered printed on the Journal. The Speaker shall forthwith refer to the proper committee all Senate bills accom-

panying such messages, which reference shall be entered on the Journal. Assembly bills which have been passed without amendment by the Senate shall be ordered to enrollment. Such Assembly bills as have been amended by the Senate shall be forthwith referred by the Speaker to the standing committee, from which such bill was reported prior to its passage by the Assembly. (See Rule 79.)

15. *Introduction and Reference of Bills.* Any member desiring to introduce a bill shall rise in place and address the Speaker, and upon being recognized shall present the same. It shall then be numbered and read the first time at the Clerk's desk and referred to a standing committee, and be printed, and a copy placed upon the desk of each member. Each bill should be examined by the Legislative Counsel Bureau and should bear the stamp of that bureau showing such bill to be in proper form as prescribed by law or Assembly rule. (For reference of bills, see Rule 64.)

16. *Motions and Resolutions.* Any motion or resolution not otherwise provided for under the rules shall be placed before the Assembly only under this order of business.

Unless otherwise provided by law or Assembly rule, any motion or resolution may be adopted by a majority vote of the members present.

17. *Daily Calendar.* There shall be printed an Assembly Daily Calendar for each legislative day following the constitutional recess, which shall be placed upon each member's desk prior to the hour of convening. The Committee on Rules shall have charge of the Daily Calendar of the Assembly and the Chief Clerk shall list upon the Third Reading Calendar only such business as this committee shall direct. Any bill which has been reported correctly engrossed shall be placed upon the Third Reading Calendar within two legislative days after a member's written request to place such bill thereon has been received by the chairman of the Committee on Rules; *provided*, that all bills subject to being placed upon the Third Reading Calendar shall be listed upon such calendar for each day of the last week of the session. The following listing shall constitute the order of the Daily Calendar:

1. Special Orders of the Day.
2. Unfinished Business.
3. Second Reading, Assembly Bills.
4. Third Reading, Assembly Bills
5. Second Reading, Senate Bills.
6. Third Reading, Senate Bills.

All bills on the Daily Calendar shall be called for consideration in the order of their listing, unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the members present. Any bill passed on file three legislative days shall be dropped from the Daily Calendar, but may be replaced as above provided.

18. *Announcement of Committee Meetings.* The chairman, or in his absence, any member of a committee, upon recognition by the Speaker, may briefly announce the meeting of such committee under this order of business.

19. *Adjournment.* Adjournment shall be taken only upon a majority vote of the members present. (See Rule 41.)

Neither house shall adjourn for more than three days without the consent of the other house. (Const., Art. LV, Sec. 14.)

Adjournment for the constitutional recess or adjournment sine die shall be ordered by concurrent resolution. The resolution for adjournment sine die shall be passed by the Assembly not less than fourteen days before the date set therein for such adjournment.

DUTIES OF ASSEMBLY OFFICERS.

20. *Duties of the Speaker.* The Speaker shall possess the powers and perform the duties herein prescribed:

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

(b) To decide all questions of order subject to appeal to the Assembly by any member. On every appeal, he shall have the right to assign his reason for his decision. (See Rule 40.)

(c) To rise when putting a question, but may state it sitting.

(d) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly.

(e) To name any member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment, or beyond the Speaker's return to the rostrum.

(f) To appoint the membership of all standing and special committees, in accordance with the provisions of Rule 83.

(g) To propose a schedule of meetings of standing committees which shall permit a full attendance of all their members without conflict of committee assignments.

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

(i) To act as chairman of the Committee of the Whole

(j) To order the lobby and gallery cleared whenever he shall deem it necessary.

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

(l) To authenticate by his signature, when necessary, or when

(m) To sign all writs, warrants and subpenas issued by order of the Assembly.

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

21. *Duties of Speaker Pro Tempore.* The Speaker pro tempore shall have the powers and perform the duties of the Speaker during his absence.

22. *Duties of the Chief Clerk.* The duties of the Chief Clerk shall be as follows:

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

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

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

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

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

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

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

23. *Duties of the Sergeant-at-Arms.* The duties of the Sergeant-at-Arms shall be as follows:

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

(b) To see that the Assembly Chamber and committee rooms are kept clean, well heated and ventilated, and open for the use of the members at all necessary times.

(c) To see that no person is admitted to the Assembly Chamber except in accordance with the provisions of Rule 130

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

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

(f) To execute all commands of the Speaker.

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

MEMBERS' DECORUM AND PRIVILEGES.

24. *Order in Speaking to Questions.* When any member is desirous of addressing the Assembly on any subject, he shall rise from his seat and respectfully address himself to "Mr. Speaker" Upon being recognized he may continue to speak at his desk, but shall confine himself to the question under consideration, and when he has finished he shall resume his seat.

25. *Speaker to Decide Who Is Entitled to Floor.* When two or more members rise at the same time, the Speaker shall designate the member to speak first.

26 *Limiting of Debate* No member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, *except* that the author of a bill or resolution, or the mover of a question, shall have the right to close the debate thereon No member shall be allowed to speak more than ten minutes to open and ten minutes to close the debate thereon. During the final two weeks of the session, the above limits for debate shall be reduced to five minutes.

This rule can only be suspended by a two-thirds affirmative vote of all members elected to the Assembly, or by unanimous consent.

27. *Members Called to Order for Transgressing Rules.* If any member in speaking or otherwise, transgresses the Rules of the Assembly, the Speaker shall, or any member may call the offending member to order. The member so called to order shall immediately resume his seat, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. The point of order shall be decided by the Speaker without debate. If the decision of the Speaker be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall be required to keep his seat. Every such decision

by the Speaker shall be subject to an appeal to the Assembly, but no discussion of a question of order shall be allowed unless an appeal be taken from the decision of the Speaker.

28. *Members Called to Order for Offensive Words.* If any member be called to order for offensive words spoken in debate, the person calling him to order shall state to the Assembly the words excepted to and they shall be taken down in writing at the Clerk's desk. No member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business shall have been transacted by the Assembly prior to exception being taken to the words spoken.

29. *Members to Vote.* Every member must declare his vote on all questions unless the Assembly excuse him for special reasons, as set forth in Rule 98.

30. *Leave of Absence.* No member shall absent himself from attendance at any session of the Assembly without leave of the Assembly, and no member shall obtain such leave of absence, or be excused for nonattendance, *except* by a two-thirds vote of all members elected to the Assembly, or by unanimous consent.

31. *Decorum of Members.* While the Speaker is putting the question, no member shall walk across or out of the Assembly Chamber. When a member is speaking no member shall engage in audible discourse, or pass between him and the Speaker's chair.

32. *Personal Privilege.* Any member may rise to explain a matter personal to himself and shall forthwith be recognized by the Speaker, but shall not discuss a question in such explanation. Such matters of personal privilege yield only to a motion to recess or adjourn.

33. *Protest of Members.* It shall be in order for any member upon recognition by the Speaker, to protest against any action of the Assembly, and have such protest entered on the Journal, provided no such protest shall exceed 50 words in length.

34. *Explanation of Vote.* A member may submit a written explanation of his vote on any bill and have such explanation printed on the Journal immediately following such vote, *provided* no such explanation shall exceed 50 words in length.

35. *Objection to Reading of Any Paper.* Any member upon recognition by the Speaker may object to the reading of any paper before the Assembly. After such objection, the question of reading shall be determined without debate by a majority vote of the members present, upon a brief statement of its substance by the Speaker.

36. *Assignment of Desks to Members.* Members shall be assigned to desks by the Chief Clerk of the Assembly and, so far as possible, he shall conform to the requests of members, giving due consideration to their seniority in point of service in the Assembly.

37. *Expulsion of Members.* The Assembly may expel a member at any time upon a two-thirds recorded vote of all members elected to the Assembly. (Const., Art. IV, Sec. 9.)

MOTIONS AND QUESTIONS.

38. *Precedence of Motions During Debate.* When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

First—To adjourn, or recess, to a time certain;
Second—To adjourn;
Third—To lay on the table;
Fourth—For the previous question;
Fifth—To set as a special order;
Sixth—To postpone indefinitely;
Seventh—To refer or re-refer;
Eighth—To amend.

39. *Questions of Order Decided Without Debate.* All incidental questions of order, arising after a motion is made for any of the questions named in Rule 38 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

40. *Appeal from Decision of the Speaker.* Any member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken.

Upon the appeal being seconded, the Speaker may give his reasons for the decision, and shall forthwith put this question to the Assembly: "Shall the decision of the Speaker be sustained?"

An appeal cannot be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, it carries with it the main question, *except* when the sustaining of the appeal would not affect the consideration of or action upon the main question. An appeal can not be debated when relating to indecorum, transgression of rules, or priority of business.

A majority vote of the members present shall decide any appeal.

41. *To Adjourn to a Time Certain.* A motion to adjourn to a time certain is not debatable and can not be amended, and is always in order, except: (a) when another member has the floor; (b) when the Assembly is voting; (c) during a call of the Assembly. The name of any member moving an adjournment; and also the hour at which the motion was made and adjournment taken, shall been entered on the Journal. Such a motion to adjourn must be adopted by a majority vote of the members present.

When such a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. Such statement shall not occupy more than two minutes and shall not be debatable.

The unfinished business in which the Assembly was engaged preceding the adjournment shall not be taken up until reached in regular order, unless the previous question has been ordered on such unfinished business prior to said adjournment. (See Rule 45.)

42. *To Recess to a Time Certain.* A motion to recess to a time certain shall be treated the same as a motion to adjourn to a time certain, except that such motion is debatable when no business is before the Assembly and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn to a time certain.

The question under discussion at the time a recess is taken shall be the first order of business upon reassembling.

43. *Motion to Adjourn.* A motion to adjourn shall receive the same consideration as a motion to adjourn to a time certain, except it shall yield to a motion to adjourn or recess to a time certain. Such adjournment shall not extend beyond the next legislative day.

44. *To Lay on the Table.* A motion to lay on the table is not debatable and can not be amended. If carried by a majority vote of the members present, it carries with it the main question and everything that adheres to it. A motion to lay on the table having been decided in the negative, shall not again be allowed on the same day or at the same stage of the bill or question.

45. *Previous Question.* When five members demand the previous question, the Speaker shall forthwith put this question to the Assembly: "Shall the main question be now put?" A demand for the previous question is not debatable and can not be amended.

If the demand for the previous question be sustained by a majority of the members present, it shall put an end to all debate and bring the Assembly to an immediate vote on the question before it. All incidental questions of order arising after a motion is made for the previous question, and pending such motion or previous question, shall be decided (whether on appeal or otherwise) without debate; *provided,* that after the previous question shall have been ordered, five minutes shall be allowed to members moving the previous question, and five minutes to members opposed thereto, for closing debate on the main question.

If an adjournment be taken before the business involved by the demand for the previous question is disposed of, it shall become the first order of business after the reading of the Journal on the next legislative day, and the previous question still prevails, making the main question privileged over all other business.

46. *Motion to Set Special Order.* A motion to set any matter before the Assembly as a special order of business must be adopted by a two-thirds vote of the members present. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

47 *Motion to Postpone to a Time Certain.* A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

48. *Indefinite Postponement.* When a motion is made to postpone indefinitely any bill, resolution, motion or amendment, it opens the main question to debate Should the motion to postpone indefinitely prevail by a majority vote of the members present, the main question shall not be acted upon again during the session.

49 *To Refer or Re-Refer.* A motion to refer or re-refer any bill, motion or question shall be decided by a majority vote of the members present. Such motion may be amended as to reference, is debatable only as to the propriety of such reference, and shall apply only to the main question. Should several different committees be proposed, preference shall be given as follows

1. Committee of the Whole
2. Standing Committee.
3 Special Committee

50. *Motion to Amend.* A motion to amend may itself be amended, but no "amendment to an amendment" can be amended. A motion to amend is debatable, *except* where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the members present.

A motion to amend having been decided in the negative, shall not again be in order on the same day, or at the same stage of proceeding. A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected

Subject to the above provisions of this rule, a motion to amend is in order during the second or third reading of any bill.

51. *Amendment to Be Germane.* No amendment to any bill, whether reported by a committee or offered by a member, shall be in order when such amendment relates to a different subject, or is intended to accomplish a different purpose, or requires a title essentially different from the original title of any bill, resolution or constitutional amendment

Upon being called to the attention of the Assembly by a member, any bill so amended in violation of this rule shall be forthwith withdrawn and stricken from the Calendar and laid upon the table and shall not be acted upon again during the session This rule can only be suspended by unanimous consent and shall apply to all bills of both houses.

52. *Substitute Motion* A motion to substitute shall be deemed and treated as a motion to amend.

53. *Motion to Strike Out Enacting Clause.* A motion to strike out the enacting clause of a bill shall be deemed and treated as a motion to lay on the table.

54. *Motions in Writing* Upon request of the Speaker or any member, all motions shall be reduced to writing and shall be read by the Speaker before the same is acted upon.

55. *Consideration of Motions.* No motion, whether oral or written, shall be adopted until the same shall be seconded and distinctly stated to the Assembly by the Speaker.

56 *Division of Questions* Any member may call for a division of the question, and the Speaker shall order the question divided if it comprehend propositions in substance so distinct that one being taken away, a substantive proposition shall remain for the decision of the Assembly

57 *Resolutions Authorizing Expenditure of Money.* The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of all members elected to the Assembly.

58. *Withdrawal of Motions.* After a motion is stated by the Speaker, or a bill, resolution or petition read by the Clerk, it shall be deemed to be in the possession of the Assembly, but may be withdrawn from consideration at any time before amendment or decision by consent of a majority of the members present.

59. *Motion to Be Germane.* No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

60. *Motion to Withdraw Bills* No bill shall be withdrawn from any committee and placed upon the Calendar, *except* by a resolution bearing the signatures of a majority of all members elected to the Assembly. Such resolution is not debatable and the Speaker shall forthwith order such bill placed upon the Second Reading Calendar.

A motion to withdraw a bill from one committee and re-refer it to another committee may be made during the regular order of business. Such motion shall only be debatable as to the propriety of such reference, and shall be decided by a majority vote of the members present

A motion to withdraw and strike from the Calendar any bill requires a majority vote of all members elected to the Assembly Such bill shall not be acted upon again during the session.

61. *Motion to Rescind Action and Expunge Record* Previous to the approval of the Journal by the Assembly, any action of the Assembly may, upon proper motion, be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take such action originally, *except* that no action shall be rescinded and the record expunged by a vote less than a majority of all members elected to the Assembly No vote shall be so rescinded after something has been done as a result of such vote that the Assembly can not properly undo, or where such action will allow the reconsideration of a bill in violation of Rule 105

62. *Motion to Correct Journals.* A motion to correct any day's Journal shall be in order prior to the approval by the Assembly of such day's Journal. The adoption of such motion shall require a majority vote of the members present.

BILLS, JOINT AND CONCURRENT RESOLUTIONS AND CONSTITUTIONAL AMENDMENTS.

63. *Introduction and Reading of Bills.* In conformity with the provisions of Rule 15, bills shall be numbered, dated and introduced

The bill shall be read by the Clerk, and this shall constitute the first reading of the bill.

Every bill shall be read on three several days previous to its passage, *except* in a case of urgency. (Const., Art. LV, Sec. 15.)

64. *Reference and Printing of Bills.* Immediately following its first reading the Speaker shall refer each bill to a committee, unless upon a motion, the Assembly by a majority vote of the members present, shall refer it to some other committee. Such motion to refer a bill shall be debatable only as to the propriety of the reference. Any bill to appropriate money, or which requires the expenditure of State moneys, must be considered by the Committee on Ways and Means previous to its passage.

Bills may be referred to standing committees of the Assembly previous to the announcement of committee appointments by the Speaker, but such reference shall not become effective until such committee appointments are announced.

All bills shall be forthwith ordered printed unless otherwise ordered by a majority vote of the members present.

65. *Record of Bills.* The Chief Clerk shall cause to be kept a permanent record of every action taken by the Assembly on every bill, resolution or constitutional amendment, and the date of such action Every such action and the date thereof shall also be indorsed upon such bill.

66. *Joint and Concurrent Resolutions and Constitutional Amendments.* Joint and concurrent resolutions and constitutional amendments may be amended by a majority of the members present and shall be treated the same as bills, *except* that they need be read but once. The ayes and noes shall not be called upon the adoption of concurrent resolutions, except those presenting charter amendments or authorizing expenditures of money, unless regularly demanded, or required by statute or by the Constitution. Upon adoption by the Assembly, all proposed amendments to the Constitution shall be printed at length on the Journal. (Const., Art. XVIII, Sec. 1.)

67. *Introduction of Bills After Constitutional Recess.* Any member requesting permission to introduce a bill after the constitutional recess shall send such request in writing to the Clerk's desk under the order of "Introduction of Bills." The request shall give the title of the bill, and shall be accompanied by the bill. The request shall thereupon be entered on the Journal and the bill referred by the Speaker to the Committee on Introduction of Bills. The committee shall ascertain if the granting of such request will exceed the limitations as set forth in section 2 of Article IV of the Constitution, and if it will not, shall report back favorably on the same legislative day each bill so referred to it. The adoption of the report of the committee granting permission to introduce any bill shall require an affirmative vote of three-fourths of all members elected to the Assembly. (Const., Art IV, Sec. 2.)

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills and shall not require a vote to authorize their introduction.

68. *Introduction of Bills by Standing Committees.* Any standing committee of the Assembly may introduce or substitute one or more bills appertaining to any subject coming within its consideration Upon such introduction or substitution any such bill shall be read the first time, ordered printed, and placed upon the Assembly Second Reading Calendar.

69 *Bills Reported from Committee* Committees shall act upon all bills, constitutional amendments and resolutions referred to them as soon as practicable.

70. *Second Reading of Bills.* All bills shall be read the second time in the order of their appearance upon the Second Reading Calendar. Upon second reading, Senate bills reported without amendments shall be ordered to third reading and Assembly bills reported without amendments shall be ordered engrossed

71. *Committee Amendments* Committee amendments reported with bills shall be considered upon their second reading and such amendments, subject to the provisions of Rules 50 and 51 may be adopted by a majority vote of the members present Assembly bills so amended shall be ordered reprinted and engrossed and Senate bills so amended shall be ordered reprinted and to third reading

72 *Amendments from the Floor* Any member may move to amend a bill during its second or third reading and such motion to amend, subject to the provisions of Rules 50 and 51, may be adopted by a majority vote of the members present Bills so amended on second reading shall be treated the same as committee amendments as set forth in Rule 71 Any bill so amended upon the Third Reading Calendar, shall be reprinted and all Assembly bills so reprinted shall be ordered re-engrossed

73 *Adoption of Urgency Sections* No urgency section shall be adopted or effective, except by a separate affirmative recorded vote of two-thirds of all members elected to the Assembly (Const., Art. IV, Sec 1) (See Rule 63)

74. *Committee on Engrossment and Enrollment* It shall be the duty of the Committee on Engrossment and Enrollment to compare all bills, constitutional amendments, and concurrent and joint resolutions, ordered or considered engrossed by the Assembly with the engrossed copies thereof, and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto, and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed

75. *Engrossing and Enrolling Bills.* The Engrossing and Enrolling Clerk shall engross and enroll the bills, constitutional amendments, and joint and concurrent resolutions which shall come to his hands for such purposes, in compliance with the provisions of section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the Assembly. All Assembly bills, constitutional amendments and joint and concurrent resolutions shall be engrossed before final action is taken on them in the Assembly, and the report of such engrossment must be made to the Assembly on a day previous to the day on which final action is taken

76 *Final Passage of Urgency Measures.* An affirmative recorded vote of two-thirds of all members elected to the Assembly shall be necessary to pass any urgency measure in addition to the vote necessary to adopt the urgency section contained therein (Const., Art. IV, Sec. 1.) (See Rule 73.)

77. *Bills Transmitted to the Senate.* Upon final passage of any bill, if no notice of motion to reconsider such bill be given, the Speaker shall order the bill transmitted to the Senate under signature of the Chief Clerk. Senate bills refused passage shall forthwith be returned to the Senate under similar signature.

78. *Bills Considered During Last Seven Days.* No Assembly bill shall be passed by the Assembly within seven calendar days previous to the time set for adjournment sine die of the Legislature, *except* upon recommendation of the Speaker and permission to consider and vote on such bill being granted by a recorded vote of three-fourths of all members elected to the Assembly.

79 *Concurrence in Senate Amendments.* Any Assembly bill amended by the Senate shall be re-referred to the standing committee such bill was reported from prior to its passage by the Assembly. Such amended bills shall be the first order of business at the next meeting of the committee and shall forthwith be reported back to the Assembly with a "do concur" or "do not concur" recommendation. The Speaker shall thereupon order all bills so reported placed upon the unfinished business calendar. No Senate amendment shall be concurred in *except* by an affirmative recorded vote of a majority of all members elected to the Assembly. When Senate amendments to such bill are so concurred in it shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence.

80. *Nonconcurrence in Senate Amendments.* If the Assembly refuse to concur in the Senate amendments to any Assembly bill, the Chief Clerk shall notify the Senate of such refusal and request the Senate to recede from its amendments. If the Senate so recede and notify the Assembly, the bill shall be forthwith ordered enrolled.

81. *Committee on Free Conference* Should the Senate refuse to recede from its amendments and so notify the Assembly, the Speaker shall thereupon appoint three members as a Committee on Free Conference. If there be a minority vote on concurrence, two of such members shall be selected from those voting against concurrence and the third member shall be selected from those voting for concurrence. The Chairman of the Senate Committee on Free Conference for the same bill, shall arrange the time and place of meeting of such committee. It shall require an affirmative vote of not less than four of the members constituting the Committee on Free Conference to agree upon a report and the report shall be submitted to both the Senate and Assembly. Such report is not subject to amendment and if either house refuse to adopt such report the conferees shall be discharged and other conferees appointed No member who has served on a Committee on Free Conference shall be appointed a member of another Committee on Free Conference on the same bill. The presentation and consideration of any report of a Committee on Free Conference shall always be in order, *except* during roll call or when a member has the floor. It shall require an affirmative recorded vote of a majority of all members elected to the Assembly to adopt any free conference report After such adoption, and notice that the Senate has adopted the report, the bill shall be ordered enrolled.

82. *Enrollment.* After final passage by both houses, any Assembly bill, resolution or constitutional amendment, not amended by the Senate, shall be forthwith ordered by the Speaker to be enrolled, as provided in section 539 of the Political Code The Committee on Engrossment and Enrollment shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered on the Journal.

COMMITTEES.

83. *Standing Committees.* The standing committees of the Assembly shall be as follows:

1. A Committee on Agriculture, to consist of seventeen members.
2. A Committee on Attaches, to consist of seven members.
3. A Committee on Aviation and Aircraft, to consist of eleven members.
4. A Committee on Banking, to consist of nine members.
5. A Committee on Building and Loan Associations, to consist of seven members.

6. A Committee on Civil Service, to consist of nine members.
7. A Committee on Commerce and Navigation, to consist of nine members.
8. A Committee on Conservation, to consist of nine members.
9. A Committee on Constitutional Amendments, to consist of thirteen members.
10. A Committee on Contested Elections, to consist of five members.
11 A Committee on Contingent Expenses, to consist of five members.
12. A Committee on Corporations, to consist of nine members.
13. A Committee on County Government, to consist of fifteen members.
14. A Committee on Crime Problems, to consist of seven members.
15. A Committee on Direct Legislation, to consist of seven members.
16 A Committee on Drainage, Swamp and Overflowed Lands, to consist of thirteen members.
17. A Committee on Education, to consist of thirteen members.
18. A Committee on Elections, to consist of eleven members.
19. A Committee on Engrossment and Enrollment, to consist of five members.
20. A Committee on Exhibitions and Fairs, to consist of seven members.
21. A Committee on Federal Relations, to consist of seven members.
22. A Committee on Fish and Game, to consist of fifteen members.
23. A Committee on Governmental Efficiency and Economy, to consist of eleven members.
24. A Committee on Governmental Revenues and Expenditures, to consist of five members.
25. A Committee on Hospitals and Asylums, to consist of eleven members.
26. A Committee on Insurance, to consist of eleven members.
27. A Committee on Introduction of Bills, to consist of five members.
28 A Committee on Irrigation, to consist of seventeen members.
29. A Committee on Judiciary, to consist of twenty-one members
30. A Committee on Labor and Capital, to consist of thirteen members.
31 A Committee on Libraries, to consist of five members.
32. A Committee on Live Stock and Dairies, to consist of nine members
33. A Committee on Manufactures, to consist of seven members.
34. A Committee on Medical and Dental Laws, to consist of nine members.
35. A Committee on Mileage, to consist of six members.
36 A Committee on Military Affairs, to consist of nine members.
37 A Committee on Mines and Mining, to consist of nine members.
38 A Committee on Motor Vehicles, to consist of fifteen members.
39. A Committee on Municipal Corporations, to consist of thirteen members.
40. A Committee on Oil Industries, to consist of nine members.
41. A Committee on Prisons and Reformatories, to consist of eleven members.
42. A Committee on Public Charities and Corrections, to consist of nine members.
43. A Committee on Public Health and Quarantine, to consist of nine members.
44 A Committee on Public Morals, to consist of eleven members.
45 A Committee on Public Utilities, to consist of eleven members.
46 A Committee on Revenue and Taxation, to consist of fifteen members.
48 A Committee on Roads and Highways, to consist of fifteen members.
49. A Committee on Rules, to consist of seven members, including the Speaker.
50. A Committee on Social Service and Welfare, to consist of nine members
51 A Committee on Soldiers and Sailors Affairs, to consist of thirteen members.
52. A Committee on State Grounds and Parks, to consist of seven members.
53 A Committee on Teachers Colleges, to consist of seven members.
54. A Committee on Unemployment, to consist of seven members.
55 A Committee on Universities, to consist of seven members
56 A Committee on Ways and Means, to consist of twenty-one members.

84 *Special Committees* In addition to the regular standing committees of the Assembly, the Speaker shall appoint any and all special committees he may deem it necessary to appoint, subject to the approval of the Assembly.

85. *Duties of Standing Committees* Committees shall act upon all bills referred to them as soon as practicable Each bill acted upon shall be reported back to the Assembly not later than the next legislative day, and the chairman of each committee shall be held responsible for the observance of this rule.

86. *Committee Quorum.* A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business At least a majority of all members constituting such committee shall be required to report a bill out of committee.

87. *Meetings of Standing Committees.* All standing committees shall meet at the hour provided by schedule, unless otherwise ordered by the Assembly. Committees may hold such additional meetings as the chairman of the committee may deem necessary; provided, that no committee shall meet during any session of the Assembly without first obtaining permission from the Assembly.

Every scheduled committee meeting shall be open to the public, unless the committee by a majority vote of its membership shall order an executive session

88 *Standing Committee Rules.* The Rules of the Assembly shall govern the conduct of all committee meetings whenever practicable. Each committee may adopt, by a majority vote of its membership, such additional rules as it may deem necessary for the conduct of any business referred to such committee.

89 *Record of Committee Proceedings.* The chairman of each standing committee shall keep or cause to be kept and attach to each bill considered by the committee a record setting forth:

(*a*) The time and date of hearing before the committee of such bill.

(*b*) The name of each person appearing before the committee, whether favoring the bill or otherwise, and the name of the person, persons, firm or corporation in whose behalf such appearance is made;

(*c*) The vote of the committee on all motions acted upon respecting such bill.

Such record shall accompany each bill reported and any member may request and have such record read upon third reading of the bill.

90. *Signing Bills Out of Committee.* No bill shall be signed out of any committee *except* during the final two weeks of the session and then only upon the signatures of two-thirds of the members of such committee.

91. *Without Recommendation as Amended* All bills reported by any committee "Without recommendation as amended" shall be forthwith referred to the Committee on Rules The committee shall, not later than the next legislative day, report the bill out for the purpose of reprinting and re-reference to the committee from which it came or directly to said committee.

92. *Committee Expenditures Not Allowed.* No chairman or member of any committee, during the official conduct of the business of such committee or otherwise, shall be permitted to incur any expense without first receiving the consent of the Assembly, *except* that the chairman of the Committee on Ways and Means shall be allowed his actual expenses for the performance of any duties of his office during the constitutional recess.

93 *Committee on Rules* The membership of the Committee on Rules shall consist of the Speaker, the Speaker pro tempore, and five other members of the Assembly to be appointed by the Speaker.

94 *Committee on Attaches.* The Committee on Attaches shall recommend the appointment of all clerks, attaches and employees of the Assembly. It shall have authority to suspend, with or without pay, any such clerk, attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

95 *Committee on Ways and Means.* It shall be the duty of the Committee on Ways and Means to consider all bills or other matters referred to the committee by the Speaker of the Assembly. The committee shall report whenever necessary, their opinion to the condition of State revenues and expenditures.

All bills to appropriate money, other than contingent expenses of the Assembly shall be considered by the Committee on Ways and Means as set forth in Rule 64.

Whenever requested by the Assembly, the chairman of the Committee on Ways and Means shall report not later than the next legislative day, the exact condition of legislation involving appropriations and the aggregate amount of all proposed appropriations pending before the committee.

Concurrent resolutions providing for all adjournments shall be referred to the Committee on Ways and Means, which committee shall report back such concurrent resolution not later than the next legislative day, together with any statement the committee may deem advisable relative to the status of the general appropriation bill, or other business before the committee.

96. *Committee of the Whole.* The Assembly may resolve itself into a Committee of the Whole at any time, by a majority vote of the members present. The Speaker of the Assembly, or any member named by the Speaker, shall preside as Chairman of the Committee of the Whole The Rules of the Assembly shall be observed in the Committee of the Whole so far as they may be applicable, *except* that the ayes and noes need not be taken.

A motion that the Committee of the Whole "do now rise and report back to the Assembly" shall always be in order and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairman, but shall not be entered on the Journal *except* upon motion and a majority vote of the members present

VOTING

97. *Ayes and Noes.* The ayes and noes shall be taken on the final passage of all bills, and on other questions when called for by three members whose names shall be entered on the Journal. The names of the members shall be called alphabetically. (Const., Art. IV, Sec. 10)

98. *Members Excused from Voting.* Every member at his desk when his name is called, shall declare his vote openly and without debate, unless the Assembly shall excuse him. All motions to excuse a member shall be made before the Assembly divides or before the call of ayes and noes is commenced. Any member requesting to be excused from voting may make a brief oral statement of the reasons for such request, and the question shall then be decided without debate by a majority vote of the members present; *provided,* no member shall vote on any question in the result of which he has a direct personal interest.

99 *Voting Not to Be Interrupted.* When once begun, voting shall not be interrupted, *except* that any member may move a call of the Assembly after the completion of the roll and prior to the announcement of the vote, as set forth in Rule 104.

101. *Members at Clerk's Desk* No member or other person shall be allowed to change his vote, or have his vote recorded.

101 *Members at Clerk's Desk.* No member or other person shall be allowed at the Clerk's desk while the ayes and noes are being called or the votes counted.

102. *The Vote.* In case of an equal division, or tie vote, the question shall be lost

103. *Division and Count of Assembly.* Upon a division and count of the Assembly on any question, only members at their own desks shall be counted.

104. *Call of the Assembly* After the roll has been called, and prior to the announcement of the vote, any member may move a call of the Assembly. A majority of the members present may order a call of the Assembly and the Speaker shall immediately order the Sergeant-at-Arms to lock all doors and shall direct the Clerk to prepare a list of absentees as disclosed by the roll call under present consideration. Thereupon no member shall be permitted to leave the Assembly Chamber *except* by written permission of the Speaker and no person shall be permitted to enter *except* such member as is taken into custody as herein provided, or Senators, officers, attaches, or employees of the Legislature in the official performance of their duties

Those members who are found to be absent and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants, and brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call the Assembly may consider and transact any matter or business by unanimous consent, or by a vote of two-thirds of the members present. No call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of the members present, at which time the completion of the roll call pending when the call of the Assembly was ordered, shall become the immediate order of business before the Assembly.

105 *Reconsideration of Vote.* Notice of a motion to reconsider on the next legislative day, the vote whereby any bill, constitutional amendment or resolution was passed or refused passage, must be given on the same day such vote to be so reconsidered, was taken.

A notice of motion to reconsider a vote must be given by a member voting on the measure and shall take precedence over all motions, *except* a motion to adjourn. Upon such notice of motion being given, the measure shall forthwith be placed upon the unfinished business calendar, and no further action shall be taken prior to the next legislative day. When a motion to reconsider has once been made the same shall be considered to be the property of the Assembly.

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Senate or Assembly bills in the Assembly. No motion to reconsider shall be adopted *except* upon an affirmative recorded vote of a majority of all members elected to the Assembly, *except* that constitutional amendments to be so reconsidered shall require an affirmative recorded vote of two-thirds of all members elected to the Assembly.

When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.

VOTE NECESSARY ON ASSEMBLY ACTIONS.

106. *Definition of Votes Required.* Unless otherwise restricted by law or Assembly rule, the necessary majority vote of the *members present* shall prevail upon all questions. The term "members present" shall be interpreted to mean *members present and voting.*

The following rules setting forth the vote required upon different actions are for reference only and yield to all provisions in the rules.

107. *Actions by Unanimous Consent.* Unless otherwise restricted by Constitution or law, any action may be taken by unanimous consent, provided the required voting membership is present.

108. *Actions Requiring Three-fourths Vote of Members Elected.* (60 ayes.)
(a) Introduce bills after constitutional recess. (Also Rule 67.)
(b) Consider Assembly bills during last seven days of session. (Rule 79.)

109. *Actions Requiring Two-thirds Vote of Members Elected.* (54 ayes.)
(a) Pass urgency measure. (Rule 76.)
(b) Adopt urgency sections. (Rule 74.)
(c) Dispense with requirement of reading bills on three several days. (Rule 63.)
(d) Pass bills over Governor's veto. (Const., Art. IV, Sec. 16.)
(e) Increase or diminish the number of superior court judges. (Const., Art. VI, Sec. 9.)
(f) Adopt constitutional amendments. (Rule 75.)
(g) Reconsider constitutional amendments. (Rule 105.)
(h) Extend time limit for debate. (Rule 26.)
(i) Grant leave of absence to members. (Rule 30.)
(j) Expel any member. (Const., Art. IV, Sec. 9. Rule 37.)
(k) Suspend rule prohibiting lobbying.
(l) Amend standing rules (Rule 123.)
(m) Adopt a temporary rule. (Rule 124.)

110. *Actions Requiring Three-fifths Vote of Members Elected.* (48 ayes.)
(a) Appoint officers, attaches and employees other than statutory. (Pol Code, Sec. 246.)

111. *Actions Requiring Majority Vote of Members Elected.* (41 ayes.)
(a) Adopt standing rules. (Rule 120.)
(b) Pass bills not otherwise exempt. (Rule ___.)
(c) Approve city or county charters and amendments thereto. (Rule 66.)
(d) Reconsider bills, joint and concurrent resolutions. (Rule 105.)
(e) All elections by the Assembly. (Rule 3.)
(f) Quorum for transaction of business. (Rule 7.)
(g) Withdraw and strike bills from Calendar. (Rule 60.)
(h) Rescind action and expunge record. (Rule 61.)
(i) Grant use of Assembly Chamber. (Rule 130.)
(j) Concur in Senate amendments. (Rule 79.)
(k) Adopt Free Conference reports. (Rule 81.)
(l) Grant special privilege of the floor. (Rule 131.)
(m) Adopt resolutions authorizing expenditure of money. (Rule 57.)
(n) Order maps or charts printed. (Rule 119.)

112. *Actions Requiring Two-thirds Vote of Members Present.*
(a) Temporarily suspend most standing rules. (Rule 122.)
(b) Consider bills out of order. (Rule 17.)
(c) Set any business as a special order. (Rule 46.)
(d) Consider Assembly bills engrossed. (Rule 73.)

113. *Actions Requiring Majority Vote of Members Present.*
(a) Recess or adjourn. (Rules 41, 41 and 42.)
(b) Dispense with reading Journal. (Rule 9.)
(c) Approve and correct Journals. (Rules 10 and 62.)
(d) Order reading of committee reports, messages from the Governor and the Senate. (Rules 12, 13 and 14.)
(e) Adopt most motions or resolutions. (Rule 16.)
(f) Order reading of any paper objected to. (Rule 35.)
(g) Sustain appeal from decision of Speaker. (Rule 40.)
(h) Lay any business upon the table (Rule 44.)
(i) Sustain demand for previous question. (Rule 45.)
(j) Postpone any business indefinitely. (Rule 48.)
(k) Refer or re-refer any business. (Rule 49.)
(l) Withdraw and re-refer a bill. (Rule 60.)
(m) Adopt any amendment. (Rules 50 and 53.)
(n) Change regular hour of meeting. (Rule 4.)
(o) Withdraw motions of resolutions. (Rule 58.)
(p) Omit printing bills when introduced. (Rule 64.)
(q) Order a Committee of the Whole. (Rule 96.)
(r) Order or dispense with a call of the Assembly. (Rule 104.)
(s) Issue and revoke privileges of the Press. (Rule 125.)
(t) Prohibit smoking temporarily. (Rule 127.)

114 *Actions Requiring a Recorded Roll Call.* The roll shall be called and such roll entered on the Journal upon all the following actions.

(a) Morning attendance roll call. (Rule 7.)
(b) All elections by the Assembly. (Rule 3.)
(c) Rescind action and expunge record (Rule 61.)
(d) Final passage of all bills (Rule ___.)
(e) Consider Assembly bills during last seven days of session. (Rule 78.)
(f) Concur in Senate amendments. (Rule 79.)
(g) Adopt Free Conference reports. (Rule 79.)
(h) Reconsideration of all bills (Rule 105.)
(i) Amend Standing Rules. (Rule 123.)
(j) Adopt a temporary rule. (Rule 124.)
(k) Adopt resolutions, authorizing expenditure of money. (Rule 57.)
(l) Expel any member. (Rule 37.)

PRINTING.

115. *Authority for Printing.* The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly rule, *except* upon a written order signed by the Chief Clerk of the Assembly and countersigned by the chairman of the Committee on Rules or by the Speaker, and delivered to him prior to beginning such printing or work. When necessary, the Chief Clerk may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

116. *Printing Style and Form. Amount to Be Printed.* Unless otherwise restricted by law or by Assembly rule, the style and form of all printing, the quality of paper to be used, and the number of copies to be printed of each order, shall be decided by the Committee on Rules

117. *Additional Printing.* All motions or resolutions to print additional copies of any bill, document or other matter shall forthwith be referred to the Committee on Rules. Such committee shall report to the Assembly not later than the next legislative day, as to the necessity and advisability of such additional printing

118. *Printing of Assembly History.* The Chief Clerk shall cause to be compiled and printed during the constitutional recess a Semifinal Assembly History together with an index, setting forth a complete History showing all actions on bills, resolutions and constitutional amendments prior to the constitutional recess.

During the remainder of the session, the Chief Clerk shall cause to be printed and placed upon each member's desk prior to convening on Monday of each week a complete History showing all actions taken upon each measure up to and including the legislative day preceding its issuance. The Weekly History need not contain an index. For each legislative day intervening between the issuance of such Weekly History, there shall be printed a Daily Supplemental History Sheet showing only actions taken upon any measure since the issuance of the preceding Weekly History.

119. *Printing of Maps* Maps or charts accompanying documents other than bills shall not be printed without special authority from the Assembly by a majority vote of all members elected

RULES.

120 *Adoption of Standing Rules* The adoption of the Standing Rules shall require an affirmative recorded vote of a majority of all members elected to the Assembly. When once adopted, such standing rules shall remain in effect, unless suspended or amended as provided in these rules, until such time as other standing rules are adopted by a succeeding Legislature

121 *Parliamentary Rules.* Robert's Rules of Order shall be the recognized authority on all occasions when the Assembly rules are not applicable

122. *Suspension of Rules.* Unless otherwise specifically provided by law or Assembly rule, any standing rule of the Assembly may be suspended temporarily by a vote of two-thirds of the members present; provided, that such temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

123. *Amending Standing Rules.* No standing rule of the Assembly shall be amended *except* by an affirmative recorded vote of two-thirds of all members elected to the Assembly and one day's notice must be given on the motion thereof.

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

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

MISCELLANEOUS

125. *Press Privileges.* Newspaper correspondents desiring Assembly press cards and privileges shall make written application to the Speaker upon forms provided

for that purpose The Assembly by a majority vote of the members present may revoke any press card upon complaint by any member that the holder of such card has violated the agreement printed upon his Assembly press card application.

The Speaker shall assign the Assembly press desks; also the necessary rooms for the exclusive use of such accredited press representatives.

126. *Privilege of Addressing the Assembly.* No person other than a member of the Assembly shall be permitted to address the Assembly *except* in the Committee of the Whole.

127. *Smoking in Assembly Chamber.* Smoking may be prohibited temporarily during any session of the Assembly by a majority vote of the members present

128. *Impeachment Petitions.* Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer such petition to committee. No record of such petition shall be printed on the Journal until such time as the committee shall report such petition back to the Assembly.

129. *Fees for Witnesses.* Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of five dollars for each day such witness shall be required to appear, and the sum of three and one-half cents for each mile he shall travel in coming to and going from the place of examination

130. *Use of Assembly Chamber.* The Assembly Chamber shall not be used for any public or private business other than legislative matters, during the sessions of the Legislature, *except* by consent of a majority of all members elected to the Assembly.

131. *Persons Admitted to the Floor of the Assembly.* No persons other than members, officers, attaches and employees of the Legislature, shall be admitted to the floor of the Assembly during any session of the Assembly, *except* elected State officers, Governors, and ex-Governors of this State, members of Congress, judges of the superior, Appellate and Supreme Courts, ex-Senators and ex-Assemblymen, accredited members of the press, registered legislative advocates, and the wife, husband or child of any member of the Assembly; provides that a guest of any member shall be admitted upon presentation of a guest card of said member, countersigned by the Speaker, such guest card being valid only on the legislative day for which it was issued

132. *Roll Calls.* Each bill shall be voted on only by taking the ayes and noes in response to a separate roll call, and no bill shall be passed by a roll call covering more than that one bill, or by substituting the roll call on any bill previously voted upon. As each member votes, the Clerk in an audible tone of voice shall repeat the aye or no of the vote in order that the member voting may know that it is properly registered; and no vote shall be corrected or changed after the results of the roll call have been announced by the Speaker.

COMMUNICATION.

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

To the Members of the Assembly, Sacramento, California.

This is to acknowledge with sincere thanks the kind expression of your sympathy.

MRS. FRANK ISRAEL.
THE MISSES ISRAEL.

MOTION TO PRINT REPORT.

In accordance with the motion of Mr. Roland appearing in the Journal of Tuesday, January 3, 1933, the Preliminary Report of the California Assembly Interim Committee was ordered printed in the Journal.

PRELIMINARY REPORT OF THE CALIFORNIA ASSEMBLY INTERIM COMMITTEE ON LEGISLATIVE PROCEDURE AND REDUCTION OF LEGISLATIVE EXPENSE

To be submitted to the 1933 Assembly of the California Legislature.

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ASSEMBLY INTERIM COMMITTEE ON LEGISLATIVE PROCEDURE AND REDUCTION OF LEGISLATIVE EXPENSE.

HON. ROBERT LINCOLN PATTERSON, *Chairman*
Padre Hotel Building, Bakersfield
Chairman of 1931 Assembly Committee on Ways and Means

HON. HARRY F. SEWELL, *Vice Chairman*
Bank of America Building, Whittier
Chairman of 1931 Assembly Committees on Judiciary and Rules

HON. EUGENE W. ROLAND
Easton Building, Oakland
Chairman of 1931 Assembly Committee on Education

C. W. BOOTH, *Secretary*
226 State Capitol, Sacramento
First Assistant Clerk of the Assembly

STATEMENT OF TRANSMITTAL.

This committee proceeded to organize immediately upon its appointment by the Speaker of the Assembly and held its first meeting on May 18, 1931 From time to time thereafter many meetings have been held, with all day sessions in Sacramento as well as in San Francisco, Oakland and Los Angeles. Innumerable conferences with State officials and with officers and departments of the State service, and subcommittee meetings, have unearthed, classified and digested a great mass of material and statistics, only the general results of which have been embodied in our report. To extend credit and gratitude to all those to whom credit is due and for whose helpfulness appreciation should be expressed, is utterly impossible. However, we may say generally that we have had the helpful assistance of all upon whom we have called. Our personal contacts with officials of other legislatures and States, have been invaluable in comparing different legislative procedures and weighing the advantages and disadvantages of others over our own.

The general purpose of this committee is not to criticize or find fault with any person or office; but to obtain facts and arrive at constructive suggestions for improvement of our working conditions, and to point the way for more efficient operation of our State Legislature, particularly our Assembly. We are not indulging in personalities, and our criticism of existing conditions is not directed at the personnel but at the system. We have absolutely eschewed controversies of every sort and have refused to be drawn into contentious or captious criticism of any kind whatsoever. We prefer looking forward to a new era.

Our committee feels that the report submitted herewith will have made possible the following distinct purposes:

1. Reduction of twenty-five per cent in legislative operating expense.
2. More efficiency of procedure and increased decorum in the Assembly
3. More comprehensive and workable rules for the government of Assembly proceedings.
4. Placement of the Assembly on a modern business-like basis as a deliberative law-making body.
5. Return to the people of the opportunity to discuss their problems with the various committees of the Assembly.

Experience of a similar committee previously appointed at the 1929 session showed the need for experienced research and digest work. The members of the committee could not themselves devote sufficient time and did not have the opportunity to do well such a monumental task. Therefore, this committee chose for its secretary the First Assistant Clerk of the Assembly, as one most familiar with the mechanics of operation and the rules and procedure of the Assembly.

In order that our committee might have first-hand information about different methods of procedure of other State legislatures, and to ascertain their methods of handling printed matter of all kinds, so that we could arrive at ways and means for reducing our expenditures in that regard, this committee instructed its secretary to visit at once and report on the legislatures then in session in the States of Wisconsin, Michigan, Illinois, Ohio, Massachusetts, Pennsylvania, and Texas During these trips our secretary also established personal contacts with legislative and other officials in thirty additional States, which have since proved invaluable for obtaining accurate and useful information.

The entire committee, together with Mr. Fred B. Wood, Legislative Counsel of California, attended the National Conference on Government of the American Legislators Association and the Interstate Legislative Reference Bureau, at Buffalo, New York, on November 9th, 10th and 11th, 1931. At these meetings the committee met and exchanged views with experienced legislators of many other States In addition, Mr. Roland visited the State capitols and conferred with the officers of the lower houses in the States of Utah, Colorado, Nebraska, Massachusetts, New York, Virginia, Louisiana and Arizona He witnessed the operation of the electrical voting machines in the Legislature of Virginia and inspected the installation for electrical voting machines in the new capitol buildings of Nebraska and Louisiana

Mr Patterson, chairman of the committee, has attended five national conventions of the American Legislators Association and was national president of that organization for two years, from August, 1928, to November, 1930 During that time he has met and conferred with hundreds of legislators of other States, as well as professors of political science of many universities. These conferences convinced Mr. Patterson that there was distinct need for a study of the problems of legislative procedure and that these problems are as acute in other States as in California Unfortunately there are very few books which treat on the subject of legislative bodies Those which are available are of a general nature and are of very little assistance in any analysis of the specific problems of legislative reforms for any individual State Mr. Patterson therefore became author of a resolution creating a similar committee in 1929, and of another resolution for this committee at the 1931 session.

So far as possible, every member of the Assembly has been consulted by one or more members, or by the secretary, of this committee. We have also been privileged to appear before the Los Angeles Assembly delegation, the San Joaquin Assembly delegation, and the Alameda Assembly delegation. We also express our earnest thanks to the subcommittee of the Los Angeles Assembly delegation: Assemblymen Arnold, Cobb, Lyon, Eleanor Miller and Wakefield, for the valued assistance they have given this committee.

In response to the general request of the members themselves, our committee is now issuing this portion of its report previous to the actual convening of the 1933 session. The necessity for its issuance at this time lies in the fact that the report covers our committee's recommendations for the curtailment of legislative expense and the reform of its rules and procedure. To obtain maximum economies, our recommendations should be put into practice the first day of the 1933 session. This will necessitate the issuance of the remainder of our report during the forepart of the next Legislature. This additional portion of our report will include: Theory of annual sessions; salary, term of office and duties of members of the Legislature; legislators as ex officio members of boards and commissions; American Legislators Association and its National Research Convention; Interstate Legislative Reference Bureau; physical changes in the Assembly Chamber and committee rooms; representation of the Legislature on the Governor's Council; curtailment of the rule-making power of boards and commissions, and recapture by the Legislature of control over fixed charges.

If our proposed rules are adopted, they will assuredly afford to the people of the State greater opportunity to participate more fairly and more extensively in the meetings of the committees of the Assembly. That body will attain committee hearings fairer to its constituents and more informative to its members, and will thus more nearly approach the ideal condition wherein the Legislature becomes in truth the "board of directors" of the people of the great Commonwealth the Legislature represents.

The steadily increasing legislative printing costs indicate to us that the day of the general free distribution of legislative, and for that matter all State, publications is past.

In conclusion, this committee believes that the use and operation of electrical voting and the revision of our committee procedure will place California in the forefront of all legislative bodies of the United States.

Respectfully submitted.

(Signed) ROBERT LINCOLN PATTERSON, *Chairman*,
HARRY F. SEWELL.
EUGENE W. ROLAND.

Attest
C. W. BOOTH, *Secretary*.

RESOLUTION CREATING THE ASSEMBLY INTERIM COMMITTEE ON LEGISLATIVE PROCEDURE AND REDUCTION OF LEGISLATIVE EXPENSE

1931 Assembly Journal, page 3641.

WHEREAS, There is need of comprehensive study of the administrative organization of this State and of other States, and of the legislative rules and procedure, and of the equipment in legislative chambers and committee rooms to the end that the members of the Legislature may be properly informed and advised as to what changes may best suit the needs of the State of California; now, therefore, be it

Resolved by the Assembly, That a committee of three members be appointed by the Speaker of the Assembly to investigate and report on all matters and things which in its judgment are necessary or convenient to enable the Legislature to consider such changes as may be deemed desirable in the administrative organization of the State, in legislative rules and procedure, and in the manner of furnishing and equipping legislative chambers and committee rooms; and, be it further

Resolved, That the committee proceed to organize, by the election of one of its members as chairman and by the appointment of a secretary, and that it proceed with the accomplishment of the acts authorized and required by this resolution, and, be it further

Resolved, That the committee is hereby authorized to hold hearings at any place in this State, at which hearings the people shall have an opportunity to present their views to the committee with reference to any suggested change under consideration by the committee, and the committee may send any of its members or its secretary to any State in the Union to make an investigation of conditions or to confer with other persons and organizations interested in solving the same or similar problems; and, be it further

Resolved, That the committee is hereby authorized to do any and all things necessary to make a full and complete investigation of the matters herein referred to; to require the production of books, documents, records and papers of any kind; to issue subpenas, to compel the attendance of witnesses, and to procure testimony.

Each member of the committee is hereby authorized to administer oaths and all of the provisions of Article VIII, Chapter 8, Title I, of Part III of the Political Code, relating to the attendance of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution and the committee shall submit its report to the Legislature of this State during the next session thereof; and, be it further

Resolved, That the sum of $5,000 is hereby set apart, reserved and appropriated out of the Contingent Fund of the Assembly for the purpose of paying the expenses incurred by the committee and the members thereof under the authority of this resolution; and, be it further

Resolved, That the members and secretary of the committee shall receive no salaries as members but shall receive their necessary expenses incurred in the performance of the duties placed upon them by this resolution, these expenses to be paid, as all other expenses of the committee, by Controller's warrants to be drawn against the Assembly Contingent Fund, from the moneys above set apart, upon the written order of the chairman of the committee.

MEETINGS OF THE ASSEMBLY INTERIM COMMITTEE ON LEGISLATIVE PROCEDURE AND REDUCTION OF LEGISLATIVE EXPENSE, 1931–1932

Date	*Place of Meeting*
Monday, May 18, 1931	Organization Meeting, Sacramento
Saturday, October 3, 1931	Oakland and San Francisco
Monday, November 9, 1931	Buffalo, New York
Tuesday, November 10, 1931	Buffalo, New York
Wednesday, November 11, 1931	Buffalo, New York
Saturday, January 23, 1932	San Francisco
Saturday, February 13, 1932	San Francisco
Thursday, April 21, 1932	Oakland
Monday, May 2, 1932	San Francisco
Tuesday, May 3, 1932	San Francisco
Saturday, June 4, 1932	Los Angeles
Saturday, July 9, 1932	Oakland
Thursday, July 14, 1932	Los Angeles
Thursday, September 15, 1932	Sacramento
Thursday, October 6, 1932	San Francisco
Saturday, October 22, 1932	Oakland and San Francisco
Sunday, October 23, 1932	San Francisco
Saturday, November 12, 1932	Oakland
Sunday, November 13, 1932	Oakland
Monday, November 14, 1932	San Francisco
Monday, November 21, 1932	Los Angeles
Tuesday, November 22, 1932	Los Angeles
Saturday, November 26, 1932	Oakland
Saturday, December 3, 1932	Sacramento
Sunday, December 4, 1932	Sacramento

NOTE—This list of meetings does not include meetings of subcommittees, or appearances before Assembly delegation meetings

COMPARATIVE TABLE OF POSSIBLE SAVINGS.

	1931–32 Actual expense	*1933–34 If none of this committee's recommendations are followed*	*1933–34 If all recommendations of this committee are followed*	*Possible savings*
Legislative help	$59,996 00	$60,000 00	$54,000 00	$6,000 00
Contingent expense	61,107 49*	61,107 49	25,000 00	36,107 49
Legislative printing	332,328 98*	374,339 11	181,250 00	193,089 11
Legislative postage	3,452 50	3,500 00	1,500 00	2,000 00
Salaries of members	285,312 00	286,000 00	286,000 00	----------
Mileage	6,718 30	7,000 00	7,000 00	----------
Legislative Counsel Bureau	55,679 10	51,138 00	53,638 00	(2,500 00)
Totals	$804,594 37*	$843,084 60	$608,388 00	$234,696 60

A general analysis as to how these estimates were arrived at by this committee will be found in the following section of our report which deals with legislative expense. Each of the above items is discussed in a separate chapter in that section

* Complete to December 1, 1932, only

CALIFORNIA LEGISLATIVE EXPENSE.

	1921–22	*1923–24*	*1925–26*	*1927–28*	*1929–30*	*1931–32*
Legislative Help						
Senate	$11,021 50	$18,202 50	$24,234 50	$25,942 00	$29,565 50	$29,996 00
Assembly	13,266 00	49,898 00	23,811 00	25,754 00	29,569 00	30,000 00
Totals	$84,287 50	$98,100 50	$48,045 50	$51,696 00	$59,134 50	$59,996 00
Contingent Expenses						
Senate	$10 937 52	$10,713 71	$7,642 53	$16,159 10	$17 321 44	$28 437 87*
Assembly	11,819 13	12,045 91	9,004 25	14,081 12	43,063 58	32,669 62*
Totals	$22,756 65	$22,789 52	$16,646 78	$30,240 22	$90,388 02	$61,107 49*
Legislative Printing	$177,387 21	$151,191 73	$166 258 70	$211,961 13	$237,233 31	$334,328 98*
Legislative Postage	$1,197 00	$1,950 00	$3,018 00	$2,350 00	$3,000 00	$3 452 50
Salaries of Members						
Senate	$10 000 00	$17,410 00	$94,306 45	$93 512 90	$93,672 60	$93,612 00
Assembly	80,000 00	94,820 00	190,467 75	188,916 65	189,362 00	191,700 00
Totals	$120,000 00	$112,230 00	$284,771 20	$284,429 55	$283,034 60	$285 312 00
Mileage						
Senate	$3,768 60	$3,727 00	$3,508 60	$3,599 10	$2,509 40	$2,510 50
Assembly	7,382 40	7,661 00	5,155 00	5,111 30	3,681 60	4,207 80
Totals	$11,151 00	$11,391 00	$8,963 60	$9 013 40	$6,191 00	$6,718 30
Legislative Counsel Bureau	$29,985 39	$18,199 86	$22,610 79	$25,430 91	$15,567 35	$55 679 10
Grand Totals	$447,061 75	$415,852 61	$519,347 57[1]	$615,121 51[2]	$721,548 78	$801,594 37*
Duration of Sessions						
Calendar Days, less recess	87 days	101 days	80 days	87 days	99 days	100 days
Actual Meeting Days						
Senate	66 days	71 days	60 days	63 days	73 days	74 days
Assembly	71 days	78 days	63 days	63 days	72 days	74 days

[1] Includes October, 1926, special session costs
[2] Includes September, 1928, special session costs
* Complete to December 1, 1932, only

	1920	*1930*	*Percentage of increase*
Population of California	3 426,861	5,677,251	65 67
Biennial Legislative Expense	$447,064 75	$721,548 78	62 07
Biennial Expense, California State Government	$91,113,627 61	$229,802,130 77	152 21

LEGISLATIVE EXPENSE.

The total expense of the California Legislature since 1921 has been as follows:

1921–22	$447,064 75
1923–24	445,852 61
1925–26	549,347 57
1927–28	615,121 51
1929–30	724,548 78
1931–32	804,594 37*

The expense of maintaining California's entire State Government for approximately the same period has been as follows:

1921–22	$91,113,627 61
1923–24	126,794,019 22
1925–26	157,351,547 83
1927–28	179,935,343 25
1929–30	229,802,130 77
1931–32	256,936,130 80

The expense of State Government has almost trebled in the past twelve years, while legislative expense has less than double. As our survey covers the most prosperous period in the history of our State, during which our population has almost doubled, a natural increase of legislative expense is expected.

California's present legislative expense does not appear to be excessive in the following comparison with the eight most populous States in the Union. These figures, unless otherwise designated, represent the 1931–32 biennial legislative expense, with special session costs deducted:

State	*Legislative expense*	
New York	$2,151,758 56	Annual (1931)
Pennsylvania	1,450,080 35	
Illinois	977,528 04	
Ohio	526,174 01	(1931)
Texas	Not available	
California	804,594 37*	
Michigan	458,221 27	
Massachusetts	969,729 93	Annual (1931)

However, the 1933 Legislature is faced with the possibility of a deficit, instead of a surplus, in the General Fund. The present economic conditions make necessary drastic reductions in the operating expenses of all branches of our State Government. Therefore, this committee believes the Legislature should first put its own house in order by reducing or eliminating every possible expense, without sacrificing efficiency. Our report follows, based on this policy.

Since this is an Assembly committee, we have restricted our findings and recommendations, wherever possible, to our own House; but in order to arrive at certain facts upon which our conclusions must be based, Senate figures are included in our surveys. Owing to the large amount of money involved, it is impossible to deal with our legislative expenses generally. Therefore, we have compiled a survey covering the past twelve years, showing the individual items which go to make up our legislative costs (See page 15.) Each item is treated separately in the following chapters.

LEGISLATIVE PRINTING.

The total expense of legislative printing since 1921 has been as follows:

1921–22	$177,387 21
1923–24	151,191 73
1925–26	166,258 70
1927–28	211,961 43
1929–30	237,233 31
1931–32	332,328 98*

The above figures reveal the necessity for drastic curtailment of legislative printing expense. All our recommendations are made with the thought of reducing this outlay, as well as giving the greatest service per dollar to the members and the public. The adoption of our recommendations will reduce the legislative printing expense to the low 1923 figure of $151,191 73 This would save over $180,000.

A dominant factor in the large amounts paid by the Legislature for printing is the custom of having our daily publications upon each member's desk previous to convening each day. In order to meet these demands it is necessary to operate a

* Complete to December 1, 1932, only.

night shift at the State Printing Plant. As the Legislature is solely responsible it naturally must pay the entire costs incurred by the maintenance of a night force Therefore, the Legislature, not the Bureau of Printing, is responsible when amounts charged seem inconsistent for the amount of material printed, as the Legislature must pay for the many hours of useless inactivity of the night force. The major portion of this waste of time is caused by clerks responsible for the preparation of legislative copy for the printer not releasing such copy until after the Assembly has adjourned and they shall have had further time to again check their work. This committee recommends that hereafter all such "waiting time" be so billed by the printer and not incorporated in the amount charged to any particular job We feel confident this would result in our copy reaching the printing plant much sooner than at present. This committee believes that should our recommendations relative to legislative printing be adopted, also our recommendations to place the operation of the Assembly on a more systematic and businesslike basis, it would do away with the necessity of running two shifts at the printing plant until the closing few weeks of the session.

From present indications, the 1933 Legislature will be charged not less than $2 50 per hour per man for all typesetting. Our previous rate was $2.25 per hour. Most of the other types of work attendant to our printing have been increased proportionately This increase was made necessary owing to the purchase of additional machinery, the repairing and replacement of equipment and miscellaneous items Also, union employees at the printing plant recently received an increase of one dollar per week, which is included in these new rates. About two-thirds of our printing costs are directly chargeable to our per-man-hour rates. On this basis, the 1933 legislative printing outlay would be approximately $26,000 higher than the 1931 figures for the same quantity of printing. There will also be an additional fifteen cents added to the above per-man-hour rate for future night shift work should it become necessary to pay the local prevailing wage to all union employees. This would mean that those doing night work would receive five and one-half days' pay for five days' work

Section 531 of the Political Code is the only statute directly affecting wages to be paid State Printing Plant employees. This section provides:

"* * * Provided, that at no time shall he (the State Printer) pay said compositors, bookbinders, pressmen or assistants a lower rate of wages than the average wage paid by those employing such mechanics in Sacramento, San Francisco, Oakland or Los Angeles for like work * * *"

The interpretation of the word "average" in the above section will no doubt decide whether this additional wage will be paid for night work hereafter If this increase is granted, it will add an additional $16,500 to the above estimated increase in our 1933 printing expense. Therefore, should the Legislature require the same quantity of printing in 1933 as in 1931, the added expense will be $42,500 for these two estimated increases, and our *actual* 1933 savings will be approximately $42,500 more than our *apparent* savings

The steadily mounting expenditures of legislative printing have resulted from several factors. The principal cause for this increase is chargeable to the greater number of measures introduced and actions taken thereon. The cost of printing per unit has increased but slightly For example, there were 2281 measures introduced in both houses in 1929, and 3131 measures introduced in 1931 The average cost of printing measures, based upon the total number introduced, increased only from $32 16 in 1929 to $32 62 in 1931. More pronounced still is the number of amendments proposed during recent sessions. The total number of original and amended measures printed in 1929 was 3997 and increased in 1931 to 5126. The increase in the expenditures of printing, due to the greater number of measures introduced and greater number of amendments made, is also shown in the same proportion in the printing outlay for our journals Another factor in the increased cost of printing bills since 1927 was the use of strikeout type to indicate amendments in bills.

This committee's investigation shows the necessity for a constant supervision of our legislative printing. Most of the expense of legislative printing is billed after adjournment of the Legislature No provision has been made for the auditing and approval of these bills other than forwarding them to the homes of the respective legislative clerks. It can be seen, therefore, that this method of handling such large and detailed accounts is very unsatisfactory. A legislative officer on duty in Sacramento at all times would provide a more satisfactory, economical and businesslike method of supervising this important matter In other portions of this report we are indicating other duties such a legislative officer would be required to perform, and services he would render. We also recommend that hereafter the Legislature be billed daily by the printer for all work done on bills, histories, journals and daily calendars, and also for "waiting time" instead of submitting after the Legislature adjourns, a single bill of from one to two hundred thousand dollars for all of these items.

We have segregated and digested the major items which constitute legislative printing charges during the past twelve years. (See page 101) We offer them with the following comments and our recommendations as to how they may be substantially reduced. It was not possible for this committee to deal with this subject only as it affects the Assembly, because all appropriations for legislative printing are made to include both legislative houses.

Bills, et cetera. The expense of printing bills, constitutional amendments, concurrent resolutions and joint resolutions since 1921 has been as follows:

	1921–22	*1923–24*	*1925–26*	*1927–28*	*1929–30*	*1931–32*
Total expense	$48,192 13	$41,374 11	$43,359 06	$67,742 07	$73,595 95	$102,650 91
Total measures introduced	2,568	2,322	2,333	2,355	2,287	3,131

To substantially reduce our bill-printing expense, this committee offers the following recommendations:

1. Restrict the use of "strikeout" type.
2. Reduce to a minimum the practice of reporting bills with amendments to be printed and re-referred to the committee.
3. Discontinue the printing of bills in book form for free distribution.
4. Discontinue the separate printing of each bill engrossed.
5. Reduce the number of copies of enrolled bills printed.
6. Present bills at the clerk's desk one day previous to their official introduction.
7. Print only titles of certain bills until reported from committee.
8. Give more careful attention to the proper preparation of amended bill copy.
9. Require necessity be shown before extra copies of bills are ordered printed.
10. Print concurrent resolutions respecting charters in smaller type.

The following facts support these recommendations:

1. The major portion of the increase in the cost of printing bills is due to the use of "strikeout" type. This type was first used during the 1927 session. An erroneous belief prevails that by some inexpensive method a line is printed through the original type, thereby producing "strikeout" type. Unfortunately, this is not true. "Strikeout" is a separate and distinct type, the use of which is three times as costly as the orignal set-up, when considerable parts of a bill are amended, for the following reasons:

First: All matter amended out of a bill must be reset in "strikeout" type.

Second. All new matter inserted in the bill is then set in italic type.

Third: All amended portions of the bill are reset in roman, or regular, type for the engrossed or enrolled printing.

This committee recommends that when entire sections are amended or a bill substituted by amendment, brackets be used to show omissions and the new matter inserted. This would eliminate at least two-thirds of the present expense of printing amended bills when entire sections or entire bills are substituted.

2. Our ever-growing and exceptionally expensive custom of reporting bills from committee for the sole purpose of having them amended, reprinted and re-referred to the committee needs drastic regulation. The following survey shows how this custom has grown:

	1921	*1923*	*1925*	*1927*	*1929*	*1931*
Senate	6	15	27	67	149	181
Assembly	14	29	73	74	173	243
Totals	20	44	100	141	322	424

Some of these bills have been sent out to be reprinted merely for corrections of punctuation. Others have been sent out as a courtesy to the author and with no intention of further considering the bill. Such amendments are treated the same as any regular amendments, which means the use of triple-cost "strikeout" type. We recommend changing our rules to regulate this practice.

3. Our custom of allowing each member to submit a list of fifteen or twenty constituents or other persons, to receive gratis all bills, weekly histories, or other publications, makes it necessary to have all bills printed and bound in book form. We recommend that only certain public officers, law libraries or other accessible locations receive this legislative material gratis. Some States charge for this service, and we recommend a charge be made in this State to be at least sufficient to cover postage. We believe that ninety per cent of those now receiving *all* bills would be satisfied with the *few* in which they are particularly interested. Printing of bills in book form could then be abolished, thereby saving many thousands of dollars.

During recent sessions the practice of printing and binding in separate book form all bills referred to each committee has come into vogue and increased our bill-printing expense. When necessary, these bills could be gathered separately from the regular printed copies at an appreciable saving.

4. We recommend that section 539 of the Political Code be amended to eliminate the necessity for a separate printing of each bill engrossed. Invariably engrossment corrections are merely matters of spelling, punctuation and typographical errors. Such corrections could be inserted by hand on a copy of the last printed bill, which would serve as the engrossed copy. The printing plant would then be informed of these corrections in order that the enrolled bill would be in perfect order. We so recommend. Under the present law both the engrossed and enrolled copy have all "strikeout" and italic type removed and the bill reset entirely in roman or regular type. Since twice as many bills are engrossed and re-engrossed as are finally enrolled, this recommended change of not reprinting any bill in roman type until such time as it is ordered enrolled would save almost two-thirds of this expense

5. At present twenty-five copies of each enrolled bill are printed on bond paper and seventy-five copies are printed on a cheaper paper. Section 528 of the Political Code requires but one copy printed on bond paper. However, one copy would not meet all reasonable demands, so we recommend a maximum of ten copies only be printed on bond paper.

6. To enable the proper checking of bills before their original printing, we recommend changing the rules to conform with a practice followed satisfactorily by many other States, requiring that bills lie over one day before printing and reference This allows the presiding officer sufficient time to examine each bill for proper reference and thus avoid much of the re-reference of bills so prevalent at recent sessions Also the Committee on Rules, with the aid of the Legislative Counsel Bureau, would have an opportunity to make any necessary corrections to the bill previous to its first printing. Our present custom requires all bills be printed immediately upon introduction, after which even a minor correction necessitates a reprinting of the bill.

7. County government bills, companion measures introduced in both houses, claim bills and certain repealing acts constitute a major portion of our bills Most of these bills are reported from committee with amendments. This requires at least one additional printing. We recommend that only the titles of such bills be printed until such time as the committee reports them back to the Assembly for further consideration. We find that one-half of all bills introduced are never reported from committees This recommendation will save the expense of printing innumerable pages. Other States have followed such methods successfully, not only with routine measures but with all bills regardless of their importance.

8 Errors have been frequently made preparing amended bill copy for the printer which are not only expensive but greatly delay the return of the bill to the Assembly.

The Legislature meets on an average less than one hundred days every two years. This makes it difficult to obtain experienced legislative help, except a few of the principal officers. New attaches with insufficient knowledge of printing technique are often required to prepare copy for amended bills. Naturally, the percentage of errors in this work has been high, thereby requiring numerous avoidable reprints. To escape this in the future, we recommend that the Legislative Counsel Bureau, which drafts over 90 per cent of all amendments, should also prepare all amended bill copy for the printer.

The State Printer informs us that he is in the same position as the Legislature when it comes to employing extra help during legislative sessions. Many errors, with consequent loss of time in making corrections, has been the result The State Printer is of the opinion that many errors by his temporary personnel would be eliminated if we submitted more uniform copy, preferably typewritten. We so recommend. The slight additional expense of having copy typewritten is insignificant compared to the $2 50 per hour per man, charged by the Bureau of Printing for correcting errors.

9. Last session the Assembly ordered by motion from the floor the reprinting of 500 to 1500 additional copies of thirty different Assembly bills Many of these were printed unnecessarily as enough copies were on hand to supply all demands. We disapprove the present practice of immediately granting a member's request to have extra copies of any bill printed without explanation or investigation. Therefore we recommend that all such motions in the future be referred to the Rules Committee. This would allow sufficient time to ascertain whether or not the printing of such extra copies be reasonable or necessary.

10. The law requires that all new charters and amendments to existing charters be approved or ratified by the Legislature. This is accomplished by adopting a concurrent resolution, into which has been incorporated the charter or amendments to be ratified. Members seldom if ever read any such concurrent resolutions, and the ratification resolution has become a mere formality During 1931, charters and their amendments required 621 printed pages. We recommend that hereafter six-point type be used for printing charter amendments, instead of the customary ten-point type, which will reduce by two-thirds the number of pages required for this type of printing. This recommended change would have reduced the size of our 1931 statutes by 324 pages.

Daily Journals. The expense of printing the Daily Journals of both houses since 1921 has been as follows:

1921–22	$36,791 85
1923–24	34,472 95
1925–26	33,642 50
1927–28	38,443 65
1929–30	33,196 05
1931–32	52,786 39

The California Constitution sets forth in Article IV, section 10: "Each house shall keep a journal of its proceedings, and publish the same; and the yeas and nays of the members of either house, on any question, shall, at the desire of any three members present, be entered on the journal."

Section 15 of the same article reads "* * * and on the final passage of all bills they shall be read at length, and the vote shall be by yeas and nays upon each bill separately, and shall be entered on the journal."

Our interpretation of these provisions is that the Journal should be only a record of the actual proceedings of the Assembly, and the recording of the yeas and nays. Therefore, this committee recommends that all lengthy reports, petitions for or against legislation, messages from the Governor, State departments, etc., should be treated as separate documents, and printed in the appendix, the Daily Journal merely mentioning the receipt of such report. Additional comment respecting these reports will be found herein under "Appendix to Journals."

This last session the names of 3393 guests required 2316 lines of printing in the Assembly Journal, and 3731 guests necessitated 2182 printed lines in the Senate Journal. We doubt if one per cent of these guests ever saw their names in the printed journals. Further, each Assembly guest was listed separately in an already voluminous index. We recommend that guests be introduced, granted the privilege of the floor and presented with their guest cards, without entering such action on the journal. This would have eliminated 6814 lines of printing in the 1931 journals—an economy which is the main reason for our recommendation.

There were 13,789 titles of bills, consuming 58,891 lines in the 1931 Assembly Journal. Many States do not print titles of bills in their journals and there is nothing in our Constitution or in our statutes which prohibits the abolition of this practice. Titles constitute approximately one line of every five in the Journal. Therefore, we recommend the use of a single-line abbreviated bill title wherever the printing of a title in the Journal is necessary, and that the bill numbers only be used on all committee reports and interhouse messages.

We are also recommending short Journal forms to replace the lengthy antiquated ones now in use. This will save upward of one hundred pages of Journal printing during a session.

This $52,786 item of Journal expense would be cut in half by the adoption of these recommendations.

Daily and Weekly Historics. The expense of printing Daily and Weekly Histories for both houses since 1921 has been as follows:

1921–22	$15,028 65
1923–24	14,672 05
1925–26	13,383 00
1927–28	18,568 60
1929–30	17,397 25
1931–32	23,444 78

This committee earnestly recommends that no Daily or Weekly Histories be printed previous to the Semifinal History. There are few, if any, actions on bills other than their introduction and reference to a committee, previous to our constitutional recess, at which time the Semifinal History is published. The Journal shows each bill title, author and committee reference on the day of introduction. Several thousand dollars can be saved by this recommendation, and would certainly offset any slight inconvenience caused members by this change.

We further recommend the replacement of the Daily History after the recess by the substitution of a daily supplemental sheet setting forth in numerical order any and all actions on bills since the last previous Weekly History. This method would be far more efficient and its cost would be negligible in comparison to the present cost of our large daily histories. For example, the Assembly Daily History of Tuesday, March 3, 1931, contained sixty-nine printed pages. There were actually seventy-nine printed lines of additional information not included in the last previous weekly history. These seventy-nine lines could easily have been reproduced on a single page, not only eliminating the cost of printing sixty-eight unnecessary pages, but also the folding, binding and trimming charges.

Respecting the Weekly History, we recommend the use of short one-line descriptive bill titles, instead of the continued printing each week of the original lengthy

titles. The Semifinal and Final History, however, would show all titles at full length. This would reduce by one-third the present size of our Weekly History. Approximately one-third of the titles are amended during the session, and History titles are seldom corrected until the Final History is published. Therefore, the bill number, author, committee reference and a short abbreviated title would serve as well as the more expensive, longer title.

We further recommend that the general index and the index to code sections amended be printed only in every third or fourth Weekly History. At present these indexes are printed weekly, and constituted 258 pages of printed matter during the 1931 session.

This $23,444 item of expense in 1931 would be less than $10,000 in 1933 if these recommendations are followed.

Daily Files. The expense of printing the Daily Files of both houses since 1921 has been as follows:

1921-22	$3,627 36
1923-24	3,771 60
1925-26	3,556 65
1927-28	4,116 60
1929-30	5,852 70
1931-32	4,668 20

This committee recommends the substitution of a single sheet showing the measures actually coming up for consideration on the day of its publication, instead of our present voluminous Daily File. This recommendation is further explained in our recommended Standing Rule No. 17.

We further recommend that copies of bills in a loose-leaf binder, in the order in which they appear on the daily calendar, be placed every morning upon the desk of each member.

The word "File" we believe to be a misnomer and misleading and therefore recommend that this publication be known hereafter as the "Daily Calendar."

The expense of printing the 1933 daily calendars will be less than $500.

Paper. The cost of paper for bills, files and histories since 1923 has been as follows:

	1923-24	*1925-26*	*1927-28*	*1929-30*	*1931-32*
Total cost	$8,648 93	$8,465 94	$9,002 62	$12,978 25	$19,095 02
Comparative prices	06	.054	052	052	.045

Our actual paper costs have more than doubled during the past five sessions. However, this does not accurately present the increase in the amount of paper used, for which reason we have included each session's prevailing paper price in the above survey. This represents the per-pound price of newsprint paper used in our bills, histories and files. Taking into consideration the reduction in price, the result shows that we are now using three times the amount of paper these publications required in 1923. Therefore, it is again quite evident that immediate steps should be taken to curb the ever-increasing amount of legislative printing caused largely by our free distribution.

During 1921 a more expensive paper than newsprint was used in these publications. Therefore, we have omitted the 1921 figures from the above survey in order to give an accurate comparison. Newsprint used during our 1933 session will cost but $0.034. Should this economy program of legislative printing be adopted, our 1933 paper costs will be the lowest in many years.

Final Calendar and History. The expense of printing the final Calendar and History since 1921 has been as follows:

	1921-22	*1923-24*	*1925-26*	*1927-28*	*1929-30*	*1931-32*
Total cost	$1,854 05	$1,456 20	$1 992 80	$1,524 70	$1 668 65	$3,123 15
Number printed	1,750	2,500	2,500	2,680	3 000	4,000
Average cost per copy	$1 06	$0 58	$0 80	$0 57	$0 56	$0 78

The increases as listed above clearly demonstrate the great necessity for regulating the general free distribution of this publication

Therefore, we are recommending legislation which will correct this evil. Such legislation will require the payment of a nominal fee for our final Calendar and History by those not connected with the Legislature or any political subdivision of this State

The postage and express charges are not included in the amounts listed above.

Final Journals. The expense of printing the Final Journals of both houses since 1921 has been as follows:

	1921-22	*1923-24*	*1925-26*	*1927-28*	*1929-30*	*1931-32*
Senate	$2,057 65	$4,045 15	$2,415 36	$2,991 15	$2,937 60	$5,816 95
Assembly	2,445 65	3,605 23	3,039 94	3,587 70	4,175 40	6,234 95

This expense would be greatly decreased if our recommendations for short-form Daily Journals are adopted. We are also recommending legislation relative to distribution, similar to the preceding subject, which will further reduce this cost.

Both 1931 Final Journals were bound in two volumes, which explains the major portion of their increased cost over previous sessions. If our recommendations respecting one-line abbreviated titles, more compact Journal forms and elimination of reports, are followed, it would remove the possibility for binding our Journals in two volumes hereafter.

This committee submits the following survey and comment respecting the Index to the Final Journals:

Total pages in final journals	*1921*	*1923*	*1925*	*1927*	*1929*	*1931*
Senate Journal	2627	2234	2187	2148	2848	3261
Assembly Journal	2832	2719	2757	2814	3116	4263
Total pages of index						
Senate Journal	158	77	50	84	74	93
Assembly Journal	152	87	108	153	206	281

Examination of the index of the 1931 Assembly Journal reveals ten full pages of items listed under the one heading of "Motion"; eight pages under "Senate," and frequently two, three and even four pages of items under one index subject. This committee fully appreciates the necessity of a complete index. However, in view of the above facts and figures, we must recommend that serious consideration be given to the preparation of a more scientific index. The extra cost of printing many expensive and useless index pages would thereby be eliminated.

This committee believes that the Final Journals can and should be obtainable very shortly after the adjournment of the Legislature. Previous sessions have seen six to ten months elapse before the Final Journals were obtainable. All other States have their Final Journals ready for distribution many months sooner than California. Michigan has always had her Final Journals available within two weeks after the close of the session. What Michigan and others have done, California can likewise do.

We therefore recommend the adoption of the Michigan system of correcting our Journal daily. This would enable the clerk to obtain proofs of the Final Journal in order to keep the index almost up to date at all times. The long delay caused by compiling the entire index after the session is over would thus be avoided. Complete final copy would be in the hands of the printer within a few days after the final gavel fell, and members would receive their Final Journals even before the bill-signing period was over.

We further recommend that the Daily Journal and Final Journal be uniform as to style and set-up. This recommendation has the approval of the State Printer and would save several hundred dollars each session.

Postage and express charges are not included in the above costs.

In 1933 the cost of printing Final Journals will be less than half of the 1931 cost.

Appendix to Journals. The expense of printing the appendix to the Journals since 1921 has been as follows:

1921–22	$5,772 45
1923–24	4,852 72
1925–26	5,920 85
1927–28	6,108 70
1929–30	7,192 10
1931–32	7,908 15

Section 527 of the Political Code provides that:

> "Whenever any message or document, in book form, is ordered printed by either house, four hundred and eighty copies thereof, in addition to the number ordered, must be struck off and retained in sheets, and bound with the Journals of the house ordering the same, as an appendix."

This section was enacted March 12, 1872. This is the only section directly affecting the printing of the Senate and Assembly appendices, except section 528 of the Political Code, which provides, among other things, that "of the journals and appendices of the Senate and Assembly, there must be printed 750 copies." This section was amended May 18, 1921. Therefore its provision that 750 copies of the appendices be printed would take precedence over the 480 mentioned in section 527. For some unknown reason, section 527 has been interpreted from 1872 until the present time to mean that there "*must* be struck off and retained in sheets, and bound with the journals of the house ordering the same, as an appendix," the prescribed number of *every report* that any State bureau, board, commission or department has had printed. This means that when the Senate and Assembly Journals are printed biennially, they are accompanied by an appendix constituting from five to seven books each averaging five inches in thickness. Of the 750 copies printed, over two-thirds were sent out merely to get them out of the way. Realizing this condition, the State Printing Office during the past few years has voluntarily

reduced the number printed to 650. However, the following language in section 527 has evidently been overlooked: "whenever any message or document, in book form, *is ordered* printed by either house." There is no record of the Legislature *ever ordering* this work done.

When our investigation revealed no actual authority for this work, we took immediate action, aided by the Director of Finance, and eliminated much of this useless printing This will result in a saving of six thousand dollars for the present biennium. If no further savings should be effected by our recommendations, we believe our curbing this one expenditure justifies the expenses of this committee.

The definition of our appendices as set forth in section 527 of the Political Code seems a proper one. Our recommendation respecting separate documents under the caption of "Daily Journals" is in harmony with the above definition Having eliminated the reports of all State agencies from the legislative appendix, this committee is recommending legislation which will provide for the binding of such reports for future preservation.

Statutes. The expense of printing the statutes since 1921 has been as follows:

	1921–22	*1923–24*	*1925–26*	*1927–28*	*1929–30*	*1931–32*
Total expense	$13,581 76	$8,033 50	$9,058 70	$13 019 85	$14,711 83	$23,040 26
Number printed	3 075	2,253	3,000	3,005	3,000	3,501
Number sold	244	261	264	308	292	318
Number distributed free	2,092	1,992	2,080	2,160	2,216	2,271
Number on hand	739	None	656	537	492	912
Sale price	$5 00	$4 00	$4 00	$5 00	$6 00	$6 50
Average cost per copy	$4 32	$3 57	$3 02	$4 34	$4 90	$6 58

The expense of printing statutes has been charged to legislative printing as far back as the records disclose. While the Legislature has paid the cost of printing the Statutes, the money received from their sale has been credited to the General Fund. We believe the statutes to be primarily a legislative publication, and therefore do not question their being charged to our printing fund. However, in order that the Legislature may receive the proper credit from such sales, we are recommending legislation which will place the compilation, distribution, and sale of the statutes under legislative control. This is in keeping with our recommendation that all legislative publications should be handled by the Legislature and our Legislature funds receive direct credit from sales of such publications.

The expense of the 1929 Statutes included the printing, binding and indexing of the School Code separately, instead of its being printed in the Statutes. The 1931 figures include a charge of $3,452 46 for a re-run of 500 additional 1931 Statutes, which would have been prevented had the Statutes been under direct control of the Legislature. A thinner, more expensive paper was used for the 1931 Statutes, which added materially to its cost. However, this was less costly than binding the 1931 Statutes in two volumes, as the use of the thicker paper would have necessitated.

The number of copies of previous sessions still on hand shows a necessity for decreasing the number ordered.

Section 541 of the Political Code required the printing of the Constitution with each new Statutes. The Legislature apparently, since the adoption of the Constitution of 1880, has provided for the publication of the California Constitution as a separate document. We believe that it best serves its purpose as a separate document and that its inclusion with the Statutes is an unnecessary and expensive duplication. Therefore, we recommend that section 541 of the Political Code be amended so that this extra printing of the Constitution with the Statutes every two years may be eliminated.

Our recommendation that concurrent resolutions relative to charters be printed in smaller type will also reduce the size of our Statutes in excess of three hundred pages hereafter.

We further recommend that section 410 of the Political Code be amended limiting the free distribution of Statutes to one copy to each member of the Legislature and each elected State official. This is a practice followed generally by other States and would result in a substantial reduction in the number of Statutes printed in the future.

Postage and express charges are not included in the above survey.

Legislative Reports. The expense of printing legislative reports since 1921 has been as follows:

1921–22	$1,425 38
1923–24	1,714 25
1925–26	3,218 75
1927–28	2,518 30
1929–30	3,286 50
1931–32	2,089 90*

* Complete to December 1, 1932, only

This item comprises reports of special legislative recess and interim committees, and reports to the Legislature from commissions authorized by legislative act, where no other appropriation has been made to take care of the printing of such reports. This amount will vary in accordance with the number of such committees and commissions created by the Legislature.

There have been several occasions in recent years where legislative authorized commissions have spent their entire appropriation before turning in their report. This necessitated the Legislature paying for the printing of such reports. In order to avoid repetition of this abuse in the future, we recommend that all future legislation creating such commissions specify an amount to be used solely for printing their report.

The above figures do not represent the cost of all special legislative committee reports, some committees having paid for their reports from the amount allotted them from the Contingent Expense Fund. We believe there should be more uniformity in this respect, and recommend that the printing of special legislative committee reports be charged to our printing fund and not paid for with contingent expense money.

Veteran Organizations' Reports. The expense of printing veteran organizations' reports since 1921 have been as follows:

1921–22	$440 70
1923–24	1,763 50
1925–26	1,428 10
1927–28	2,755 05
1929–30	2,915 15
1931–32	4,335 84*

The Legislature by resolution in recent years has made an appropriation from its legislative printing fund to cover the cost of printing the annual reports of veterans' encampments, which have included the Grand Army of the Republic, the United Spanish War Veterans, Disabled American Veterans of the World War, and Veterans of Foreign Wars, in order that said reports might be preserved as public documents. We are not questioning the advisability of such appropriations. However, we call attention to the fact that such reports do not constitute a legitimate legislative printing charge. Also their ever-increasing number adds materially to our total legislative operating expense. We believe that authorizing such expenditures from our legislative printing fund by resolution is a bad practice and paves the way for possible abuses in the future for less meritorius undertakings.

Therefore, we recommend that such matters, if paid from public funds, be handled by direct appropriation bills hereafter.

Bill Room. The expense of operating the bill room since 1921 has been as follows:

1921–22	$5,655 06
1923–24	6,317 25
1925–26	5,977 15
1927–28	9,630 75
1929–30	9,912 10
1931–32	14,499 95

Over ninety per cent of this amount is for wages paid to persons kept busy either mailing out legislative printed material gratis, in accordance with the members' free list, or distributing over the counter at no charge to all who request bills, Histories, Journals or Files. However, the labor attendant to keeping up to date the members' desk bill files, is included in the above charges.

Investigation reveals as many as thirty-two different names appearing on one monthly pay roll charged against this item, which is significant of how expensive this medium of dispensing free legislative printed material actually is. The Senate also maintains a mailing room, which with postage for both places added $8,000 to this type of expense during 1931.

The above expense also supports our recommendation to make a nominal charge for all legislative printed material.

Bill Covers and Binders. The expense of printing bill covers and binders since 1921 has been as follows:

1921–22	$1,234 12
1923–24	1,331 95
1925–26	1,892 60
1927–28	2,598 40
1929–30	2,534 70
1931–32	1,226 65

* Complete to December 1, 1932, only

Normally the 1931–32 total would be nearer the 1929–30 figure. This decrease was caused by the gathering up of all bill binders left over from previous sessions

and using them this last session rather than having all new ones printed, as has heretofore been the custom. However, a substantial reduction over the 1931 expense would be realized by adopting our recommendations abolishing the general free distribution of all legislative printed matter, including covers and binders.

Special Resolutions. The expense of printing special resolutions since 1921 has been as follows:

1921–22	$287 14
1923–24	368 53
1925–26	326 35
1927–28	417 25
1929–30	608 20
1931–32	1,084 20

This exceptional increase is due to the growing custom of having a large sheepskin or parchment printed and engrossed and illuminated with gold and colored letters, of almost every resolution adopted, regardless of its importance. The cost of the gold and colored illuminating is not included in the above figures, and represented an additional $400 during 1931.

These resolutions are generally made up in book form with top grain morocco leather covers bearing the recipient's name in gold letters. The inside covers are lined with silk and the finished article tied with satin ribbon and boxed before presentation.

No criticism is intended for, or directed at, either those authorizing the resolutions or those receiving them. Our only object is to present the necessity for regulating this ever-increasing item.

Therefore we recommend that unless the Assembly specifically orders otherwise, the printing in the Journal of commendatory resolutions be deemed sufficient.

Also, we recommend that hereafter special resolutions be the plain, inexpensive kind used several sessions ago, except under extraordinary circumstances

The above amount would be almost entirely eliminated by adopting these recommendations.

Legislative Digest. The expense of printing the Legislative Digest since 1921 has been as follows:

	1921–22	*1923–24*	*1925–26*	*1927–28*	*1929–30*	*1931–32*
Total expense	$239 15	$1,277 95	$1,446 75	$2,641 00	$1,597 45	$1,780 00
Number printed		500	1,750	2,000	2,000	2,000
Average cost per copy		$2 55	$0 83	$1 32	$0 80	$0 89

The Legislative Digest compiled during the recess by the Legislative Counsel Bureau has proven itself an important and indispensable aid in furthering good legislation. This committee believes that one compilation and printing of a digest is not sufficient, and it has also been frequently suggested at previous sessions that the members' digest be corrected daily. Therefore, we recommend the use of loose leaf binders to accommodate a mimeographed digest. Sheets could then be changed daily as individual bills were amended.

The Legislative Counsel Bureau would be charged with this extra duty, the additional cost being slight in comparison to its value to the members.

The digesting of every bill introduced is not necessary in the original printed digest for general distribution Such routine measures as county government bills, appropriation measures, claim bills, skeleton bills, road bills, or others, where titles give sufficient information as to their content, should be omitted. This would allow a more comprehensive digest of important measures Therefore, we recommend that the original printed digest omit details of such bills as the Legislature may direct.

We further recommend that there be a nominal charge for this printed digest The money thus derived and the amount saved by reducing the size of the original printed digest would largely offset the extra cost of compiling the daily digest for the members.

Executive Budget. The expense of printing the Executive Budget since 1921 has been as follows:

	1921–22	*1923–24*	*1925–26*	*1927–28*	*1929–30*	*1931–32*
Total expense	$112 50	$1,165 72	$1,377 50	$2,759 90	$4,100 25	$7,734 20
Number printed	125	7,000	2,000	5,025	5,000	7,000
Average cost per copy	$0 90	$0 17	$0 69	$0 55	$0 82	$1 11

In 1923 our present type of executive budget became effective. It had been customary to charge the Legislature for the printing of this item previously. We do not believe the Legislature itself actually has personal need for five per cent of the total number printed. The remainder is used for gratuitous distribution

We recommend that hereafter, if the executive budget be charged to the Legislature, it become a legislative document and that provision be made for its sale and distribution by the Legislature. We are confident that this would result in many thousand less being printed and several thousand dollars saved.

Governor's Messages. The expense of printing Governor's messages since 1921 has been as follows:

1921–22	$60 15
1923–24	50 95
1925–26	459 55
1927–28	346 35
1929–30	1,416 90
1931–32	1,417 30

The above figures are compiled from charges covering the printing of the Governor's biennial messages to the Legislature, his biennial message setting forth reprieves, commutations and pardons issued, and wherever necessary, the Governor's message calling the Legislature into extraordinary session. As these messages are printed in pamphlet or book form and are distributed through the Governor's office, we believe this item should rightfully be charged against the Governor's printing fund.

We therefore recommend that this be taken into consideration in compiling the next budget.

Handbooks. The expense of printing handbooks since 1921 has been as follows:

	1921–22	*1923–24*	*1925–26*	*1927–28*	*1929–30*	*1931–32*
Total expense	$3,474 10	$4,818 70	$5,809 90	$5,426 70	$7,114 50	$9,135 95
Number printed	3,500	5,000	6,100	6,300	6,800	7,950
Number pages	256	256	272	288	304	336
Average cost per copy	$0 99	$0 96	$0 95	$0 86	$1 05	$1 15

The above survey shows how our legislative handbook has increased in number and size during the past six sessions

The high expense per book is due to the use of bible paper and expensive leather bindings. Not only is bible paper very expensive, but necessitates hand feeding while being printed, at quite an additional labor cost. We do not deem it necessary to use bible paper and recommend the use of a less expensive paper and cheaper binding such as used in other States.

The 1931 Legislature passed a law regulating the distribution and sale of the legislative handbook (Chap. 123, Stats. 1931), and we are recommending changes to this statute in the interests of economy. These recommendations would restrict the handbook to legislative information only, thereby eliminating the many pages which duplicate information printed in other State publications.

Legislative Stationery The expense of printing letterheads, envelopes and cards for both houses since 1921 has been as follows:

1921–22	$4,278 76
1923–24	4,506 00
1925–26	5,194 65
1927–28	5,336 01
1929–30	6,977 72
1931–32	7,884 78*

* Complete to December 1, 1932, only

There is no regulation of these perquisites further than the clerks of the respective houses attempting to hold the orders down within reason. When members make requests for additional stationery which seem unreasonable, the officer is placed in the embarrassing position of either subjecting himself to criticism or incurring the possible displeasure of the member The result has been wide discrepancy in the amounts individual members receive The number of cards each member receives has also been at wide variance. Every session also shows an increased amount of stationery and cards ordered for attaches. There have been occasions where members and officers have received stationery which could not be considered strictly legislative

This committee recommends that there be allotted each member a uniform amount of stationery and cards. Allowance could be made for additional stationery to cover the demands made upon the Speaker and chairmen of important committees. Except the principal officers, we recommend against furnishing stationery to other than members.

We also recommend that all requisitions for these items be approved by the Rules Committee.

It has been customary to furnish members with 500 individual letterheads on the first day of each session. These are used until such time as the member receives his letterheads listing his committee appointments. This required 60,000 letterheads and 30,000 envelopes, at a cost of approximately $655 for the 1931 session. The majority of these letterheads are not used after those showing committee appointments are received. Therefore, we recommend this practice be discontinued. Enough legislative letterheads of a general nature could be printed to take care of whatever correspondence the members required during the opening week of the session.

These recommendations would permit an appreciable saving in the expense of printing legislative stationery.

Constitutions. The expense of printing Constitutions since 1921 has been as follows:

1921–22	$---- --
1923–24	---- --
1925–26	1,450 00
1927–28	---- --
1929–30	2,374 10
1931–32	8,446 70

For several sessions past the printing and distribution of Constitutions has been directly under the control of the Legislature. At the last session, the Legislature directed the preparation of a fully annotated edition of the Constitution which will be available at the next session. This edition will be more complete and up-to-date than any other. Its sale to State officers alone, in place of other editions purchased elsewhere at a higher price, would repay its cost.

Vehicle Act. The expense of printing the Vehicle Act since 1921 has been as follows:

1921–22	$----- --
1923–24	----- --
1925–26	----- --
1927–28	----- --
1929–30	1,530 70
1931–32	11,300 15

Since its adoption in 1923, the California Vehicle Act has been printed separately and made available for free distribution through members of the Legislature, to police, public officers and operators of motor vehicles. This committee believes that the preparation and distribution by the Legislature of a limited number of copies of this act is justified, provided the expense be charged to the Motor Vehicle Fund instead of the General Fund

Miscellaneous. The expense of miscellaneous printing since 1921 has been as follows:

1921–22	$5,474 79
1923–24	2,954 49
1925–26	12,842 60
1927–28	12,426 08
1929–30	19,159 26
1931–32	12,536 95*

* Complete to December 1 1932, only

Charges other than the major legislative printing items set forth above constitute this item. It includes printed forms, record and receipt books, roll calls, binding and lettering, rubber stamps, printing, preliminary to the session, various reports and documents, amendment blanks, extra printing office employees, programs, booklets, style manuals, briefs, file and index cards, guest cards, leather-bound prayers of the chaplain, reapportionment maps, weekly bulletins of bills signed after the session, and numerous other charges.

This committee's investigation reveals that many of these charges might be questioned as to their strictly legislative nature. This was another factor in our recommending a more thorough and year-round supervision be exercised over our printing fund.

We further recommend that wherever possible, all forms, interhouse messages, amendment blanks, etc., be mimeographed. These forms average from $5 to $10 for each order and could be mimeographed for less than one-tenth of that amount. The peak of this item was reached in 1929, owing to the extra printing caused by the *Hardy impeachment trial.* Our miscellaneous printing costs will show a substantial decrease again in 1933 under proper regulation.

CONTINGENT EXPENSES.

The total amount spent for contingent expenses since 1921 has been as follows:

	1921–22	*1923–24*	*1925–26*	*1927–28*	*1929–30*	*1931–32*
Senate	$10,937 52	$10,743 71	$7,642 53	$16,159 10	$47,324 44	$28,252 81*
Assembly	11 819 13	12,045 81	9,004 25	14,081 12	43,063 58	32,422 31*
Totals	$22,756 65	$22,789 52	$16,646 78	$30,240 22	$90,388 02	$60,675 12*

* Complete to December 1 1932, only

Our contingent expenses reached their peak during the 1929 session, mainly due to the Hardy impeachment trial. The 1933 session will again show a propor-

tionate decrease, under normal conditions, provided our recommendations be adopted.

Previous to 1925, all members received $25 in cash to be used for their contingent and miscellaneous expenses for the session. Unfortunately this money was treated as a perquisite, most members receiving their supplies, postage, etc., in addition. The repealing of this provision was therefore in order. However, this committee believes in the principle of individual expense allowances. The best method would be to allow each member a fixed amount to which would be charged all his supplies, stamps, telegrams, telephone calls, and incidentals not to exceed the allotted amount. Any additional supplies required could be obtained at cost. This is successfully done by other States. We recommend that $25 per member be so allowed.

Supporting this recommendation, we offer the following comment.

During 1931, the Assembly spent $4,123.63 for postage, express, telephone calls, telegrams and supplies from the Bureau of Purchases. There was also expended an additional $2,552 12 for miscellaneous items, part of which would hereafter be taken care of by the members' individual contingent expense allowance

Should a maximum of $25 per member be allowed, the total expense per session could not exceed $2,000. We believe members would be better satisfied with this uniform arrangement, and several thousand dollars would be thus saved.

In order to properly present our recommendations for reduction of contingent expenses generally, we found it necessary to discuss this item under ten different subdivisions. (See page 102) Each subject is treated separately in the following chapters:

Bureau of Purchases. The following amounts of contingent expense money have been expended with the Bureau of Purchases for supplies since 1921:

	1921–22	*1923–24*	*1925–26*	*1927–28*	*1929–30*	*1931–32*
Senate	$2,317 67	$1,610 83	$1,320 64	$1,355 55	$1,488 70	$1,276 14
Assembly	2,617 38	2,029 36	1,590 25	1,457 05	1,745 70	1,864 85
Totals	$4,935 05	$3,640 19	$2,910 89	$2,812 60	$3,234 10	$3,140 99

This item includes pencils, ink, paste, erasers, rubber bands, typewriter paper, scratch pads, files, note books, clips and other similar articles. This committee has compiled the number of each of these supply items used during this period and finds that, although the 1931 session showed a decrease in the amount of money spent, compared to 1921, there were actually more supplies purchased. The reason for this is the present low cost of this type of merchandise. By adopting our recommendation for individual expense allowances, this expense will be substantially reduced.

Postage. The following amounts of contingent expense money have been expended for postage since 1921:

	1921–22	*1923–24*	*1925–26*	*1927–28*	*1929–30*	*1931–32*
Senate	$2,022 20	$2,304 50	$2,219 22	$3 034 99	$3 972 17	$4,606 50
Assembly	669 32	673 88	489 49	609 52	1,133 46	1,071 00
Totals	$2,691 52	$2,978 38	$2,708 71	$3,644 51	$5,105 63	$5,677 50

The Senate has maintained its own mailing department This accounts for the great difference in the above figures as respects the two houses Allowing each member an individual expense fund would materially reduce this charge in the Assembly

Owing to the new three-cent first-class postal rate, our figures will be increased by about fifty per cent for the next session unless our recommendations in this regard are followed

Local and Long Distance Telephone. The following amounts of contingent expense money have been expended for telephone service since 1921:

	1921–22	*1923–24*	*1925–26*	*1927–28*	*1929–30*	*1931–32*
Senate	$162 10	$146 67	$142 43	$275 33	$663 79	$708 99
Assembly	89 72	78 64	103 80	129 29	331 66	724 46
Totals	$251 82	$225 31	$246 23	$404 62	$995 45	$1,433 45

This ever-mounting total is another argument in favor of an individual contingent expense allowance for members. The majority of these charges is for long-distance calls, and almost all of them would be charged back against the individual members under such recommendation in this regard.

Railway Express The following amounts of contingent expense money have been expended for railway express charges since 1921:

	1921–22	*1923–24*	*1925–26*	*1927–28*	*1929–30*	*1931–32*
Senate	$125 34	$138 32	$119 21	$163 80	$225 03	$218 72
Assembly	344 06	96 03	222 33	321 86	302 27	417 43
Totals	$469 40	$234 35	$341 54	$485 66	$527 30	$636 15

This item is chargeable almost entirely to shipment of the members' desk bill files, stationery, codes and other printed material sent to their homes at the time of the constitutional recess and at the end of the session. Allowing each member an individual expense allowance would practically eliminate this expense.

Telegrams. The following amounts of contingent expense money have been expended for telegrams since 1921:

	1921–22	1923–24	1925–26	1927–28	1929–30	1931–32
Senate	$176 09	$23 94	$69 64	$172 46	$179 06	$485 86
Assembly	31 85	32 41	92 65	18 59	68 23	45 89
Totals	$207 94	$56 35	$162 29	$191 05	$247 94	$531 75

Almost all of these charges are for telegraphing resolutions to Congress or other States. The Secretary of the Senate is generally charged with this duty, which accounts for the difference between the amounts of the two houses.

We recommend that hereafter such resolutions be sent by air mail, which would reach Washington, D. C., within twenty-four hours of a telegram. Other telegrams which could be charged to an individual member's expense account would almost eliminate this expense.

Codes, Constitutions and Rules of Order. The following amounts of contingent expense money have been expended for codes, constitutions and rules of order for use of the members since 1931:

	1921–22	1923–24	1925–26	1927–28	1929–30	1931–32
Senate	$1,195 50	$1 025 00	$1,111 25	$1,520 24	$1,583 50	$1,933 20
Assembly	2,406 50	2,280 79	2,158 00	2,697 50	3,019 50	3,600 50
Totals	$3,602 00	$3,305 79	$3,269 25	$4,217 74	$4,603 00	$5,533 70

Codes alone constitute over three-fourths of the above charges. There is much to be said for and against the practice of giving each member a complete set of codes at each session. We believe this is a question for the membership itself to decide.

The California Code Commission anticipates the completion of the revision of the California Law having the codes brought up to date in time for submission to the 1935 session of the Legislature. We believe this will pave the way for the State of California to print and sell its own codes, as is customary in many other States. The various State departments and the Legislature actually spend more money for codes than it would cost to have them printed in the State Printing Plant. Therefore, this committee recommends that the State print its own edition of the California Law starting at such time as the California Code Commission submits its final report.

Interim Committees. The following amounts of contingent expense money have been expended by interim committees and for traveling expenses since 1921:

	1921–22	1923–24	1925–26	1927–28	1929–30	1931–32
Senate	$939 19	$2,119 13	$1,361 49	$7,489 91	$21,087 70	$13,804 53*
Assembly	668 88	2,007 73	2,511 14	7,137 73	22,279 03	19,915 09*
Totals	$1,608 07	$4,126 86	$3,872 63	$14,627 64	$43,366 72	$33,719 62*

* Complete to December 1, 1932, only

Only during the past three sessions have interim committees become an important part of our legislative machinery resulting in this noticeable increase.

This committee has made a special investigation of all legislative interim committees and commissions authorized by legislative act during the past six years. The results of this survey and comment respecting these increases will be found in a later chapter of our report.

Substantial decreases should be shown over the 1931 expenditures, as $20,000 of this total was expended by the water committee.

The Attorney General only recently ruled that members serving on interim committees shall be reimbursed for only such expenditures as they can show receipts for. Previously, committee members were reimbursed on a mileage basis for all traveling, and received a uniform per diem for hotel and meals.

The next Legislature should definitely decide the amounts to be allowed for these particular expenses.

Meals Served Members. The following amounts of contingent expense money have been expended for meals served members since 1921:

	1921–22	1923–24	1925–26	1927–28	1929–30	1931–32
Senate	$193 20	$72 60	. .	$176 30	$54 05	$248 60
Assembly	68 50	205 20	$220 36	250 85	. .	608 60
Totals	$261 70	$277 80	$220 36	$427 15	$54 05	$857 20

This expense was made necessary owing to members being locked in under a call of the Assembly. We recommend the "Gentlemen's agreement" method of allowing the doors to be unlocked during a call of the Assembly for a period sufficient to enable the members to obtain their meals and return, as a more satisfactory method of dealing with this problem

Towel Service. The following amounts of contingent expense money have been expended for towel service since 1921:

	1921–22	1923–24	1925–26	1927–28	1929–30	1931–32
Senate	$99 00	$117 37	$44 64	$86 48	$148 11	$149 41
Assembly	165 50	219 64	114 00	142 26	168 14	185 26
Totals	$264 50	$377 01	$158 64	$228 74	$316 25	$334 70

The above figures show the outlay necessary to maintain an individual cloth towel service during the session. This committee believes that the members will be satisfied with paper towel service at considerably less cost.

Typewriter Rental. The following amounts of contingent expense money have been expended for typewriter rental since 1921:

	1921–22	1923–24	1925–26	1927–28	1929–30	1931–32
Senate	$552 50	$597 00	$280 81	$428 00	$783 00	$665 25
Assembly	489 50	393 00	451 50	282 50	257 50	232 50
Totals	$1,042 00	$990 00	$732 31	$710 50	$1,040 50	$888 75

The amounts for typewriter rental vary with the number of stenographers employed and the length of the session. The Senate usually employs more stenographers than the Assembly. The monthly rental rate has steadily decreased since 1921 from $5 to $2 50. Typewriters have been lost during past sessions and their costs included in the above amounts. We fully appreciate the possibility of typewriters becoming misplaced or unaccounted for during the course of a session when they are distributed among the many committee rooms and legislative offices. However, we believe a more careful supervision should be kept over these machines, and recommend that persons to whom typewriters are assigned be made responsible for their return.

Legislative Recess and After-session Help. The following amounts of contingent expense money have been expended for legislative help during the recess and after the session since 1921:

	1921–22	1923–24	1925–26	1927–28	1929–30	1931–32
Senate	$593 50	$338 00	$598 50	$783 00	$4,668 55	$1,457 00
Assembly	183 00	360 00	20 00	637 00	2,843 00	1,451 92
Totals	$776 50	$698 00	$618 50	$1,420 00	$8,511 55	$2,908 92

A limited number of legislative officers and attaches must be retained during the legislative recess and for a certain period after adjournment. This committee believes, however, that part of this work should be done during the actual session, thereby reducing this expense to a minimum. The exceptional increase in 1929 was more or less caused by the Hardy impeachment trial.

Miscellaneous. The following amounts of contingent expense money have been expended on miscellaneous items since 1921:

	1921–22	1923–24	1925–26	1927–28	1929–30	1931–32
Senate	$2,561 23	$2,250 35	$374 70	$673 04	$12,470 18	$2,892 64
Assembly	4,084 92	3,669 13	1,030 73	396 97	9,915 05	2,552 12
Totals	$6,646 15	$5,919 48	$1,405 43	$1,070 01	$22,385 23	$5,444 76

These miscellaneous items consist of carpentry and millwork, repairs and equipment, sign work, badges, wooden boxes, flags, repairs, illuminating resolutions, inaugural ceremonies, funeral expenses, loud speaker, post-office boxes, desk locks, and numerous other charges. 1921 and 1923 figures include the $3,025 which represented the $25 per member individual expense allowance which was repealed in 1924. The Hardy impeachment trial was responsible for $19,120.17 of the 1929 total cost. The installation of new post-office boxes and desk locks in both houses added $1,224 to the 1931 total costs.

Under proper supervision and subject to individual allowances for members' expenses, this item can show a marked decrease in 1933

SALARIES.

The total expense for salaries of members of the Legislature since 1921 has been as follows:

	1921–22	1923–24	1925–26	1927–28	1929–30	1931–32
Senate	$40,000 00	$47,410 00	$94,306 45	$95,512 90	$93,672 60	$93 612 00
Assembly	80,000 00	94,820 00	190,467 75	188,916 65	189,362 00	191,700 00
Totals	$120,000 00	$142,230 00	$284,774 20	$284,429 55	$283,034 60	$285,312 00

The amount of salary to be paid each member is set forth in section 23 of Article IV of the Constitution, as follows

"The members of the Legislature shall receive for their services the sum of one hundred dollars each for each month of the term for which they are elected, to be paid monthly in the even numbered years and to be paid during the regular legislative session in the odd numbered years at such times as may be provided by law * * *"

This section was last amended in November, 1924. Previously members received $1,000 per session. This committee believes the $2,400 now paid members is nearer commensurate with services rendered than the $1,000 previously paid, which necessitated a severe personal financial sacrifice by legislators.

We are not in accord with the present method of paying salaries Under this arrangement many members receive their compensation for many months after their successors are chosen. It is during the session that members have the added expense of maintaining an additional residence at Sacramento. Therefore, this committee recommends that an amendment to section 23 of Article IV of the Constitution be proposed to the people, which will enable the Legislature to regulate the method for payment of members' salaries

MILEAGE.

The expense for legislative mileage since 1921 has been as follows:

	1921–22	*1923–24*	*1925–26*	*1927–28*	*1929–30*	*1931–32*
Senate	$3,768 60	$3,727 00	$3,508 60	$3,599 10	$2,509 40	$2,510 50
Assembly	7,382 40	7,664 00	5,455 00	5,414 30	3,681 60	4,207 80
Totals	$11,151 00	$11,391 00	$8,963 60	$9,013 40	$6,191 00	$6,718 30

The mileage to be paid members is set forth in section 23 of Article IV of the Constitution as follows:

"* * * and mileage to be fixed by law. * * * such mileage not to exceed five cents per mile"

Previous to the amending of this article in November, 1924, ten cents per mile was allowed. This means that members now receive but one-half the mileage paid previous to the 1925 session

The 1933 session will be the first to operate entirely under our new Federal Plan of Reapportionment. This will add several hundred dollars to our mileage costs owing to the increased number of members of the Assembly residing at greater distances from the State Capitol. This amount will be practically uniform thereafter, providing the Legislature is not called into extraordinary session

LEGISLATIVE HELP.

The expense for legislative help since 1921 has been as follows.

	1921–22	*1923–24*	*1925–26*	*1927–28*	*1929–30*	*1931–32*
Senate	$41,021 50	$18,202 50	$24,294 50	$25,942 00	$29,565 50	$29,996 00
Assembly	43,266 00	49,898 00	23,811 00	25,754 00	29,569 00	30,000 00
Totals	$84,287 50	$98,100 50	$48,045 50	$51,696 00	$59,134 50	$59,996 00

The amount of money which the Legislature may spend for legislative help is limited by the Constitution, section 23a of Article IV setting forth:

"The Legislature may provide for additional help; but in no case shall the total expense for officers, employees and attaches exceed the sum of three hundred dollars per day for either house, at any regular or biennial session * * *"

A maximum of $500 per day for each house was allowed previous to 1925.

This committee believes it possible to efficiently perform the necessary work during the actual days of the session with the $300 per day. However, it is necessary to do a considerable amount of legislative work when the houses are not actually in session. In the case of *Hilborn* vs *Nye* (15 Cal. App. 298), the court interprets the above constitutional section to include all legislative work performed previous to the session, during the constitutional recess or after the session This necessitates operating our houses on less than $300 per day in order to obtain sufficient money to pay help during the three periods of time mentioned above, when the Legislature is not in actual session. More recently the Attorney General has ruled that all help hired by interim committees, including phonographic reporters, must be paid from that $300 per diem allowance. This means that the Legislature will have to reduce still further the number of its employees during the actual session, should they desire to appoint legislative interim committees which require clerical or technical assistance. We believe the Attorney General has placed too broad an interpretation on the court's ruling when he includes interim committee work as part of the work of "*any regular or biennial session.*" At the time section 23a of Article IV was enacted, interim committees were almost unknown. Therefore, it could not have been the

intention of the people in adopting that section to prevent the Legislature from employing such help. Otherwise they would have specifically set forth this restriction in the section.

This committee therefore recommends an amendment to section 23a of Article IV of the Constitution be submitted to the people at the next general election, to exempt from this $300 limitation such necessary help required by interim committees.

It is within the sole province of the Legislature to set the amount of salary that each legislative officer, attache, or employee shall receive. However, since 1915 no legislative officer, attache or employee has received any advance in salary whatsoever This is a creditable record.

There is further the matter of pages employed in the Assembly. This committee recommends that particularly during this period of unemployment, all employees of the Assembly should be persons requiring employment for themselves or their dependents, and that so far as possible employment of minors or juveniles be eliminated

LEGISLATIVE POSTAGE.

The expense for legislative postage since 1921 has been as follows:

1921–22	$1,497 00
1923–24	1,950 00
1925–26	2,048 00
1927–28	2,350 00
1929–30	3,000 00
1931–32	3,452 50

The above amounts represent only the cost of postage used in the operation of the legislative bill room. Postage charges for the Senate and Assembly generally and the Senate mailing room are discussed in the chapter on "contingent expenses"

This item will be materially reduced by abolishing the general free distribution of legislative printed material.

LEGISLATIVE COUNSEL BUREAU.

The expense of maintaining the Legislative Counsel Bureau since 1921 has been as follows

1921–22	$29,985 39
1923–24	18,199 86
1925–26	22,610 79
1927–28	25,430 91
1929–30	45,567 35
1931–32	55,679 10

This committee believes this increase has proven a justifiable investment. It has made possible increased facilities and trained personnel, which have been directly responsible for the marked improvement in the construction of our bills and subsequent amendments during the last three sessions. The present functioning of the bureau makes it possible the year round for legislators to obtain reliable information and research work. This bureau has also successfully supervised the work of the Code Commission during the past four years.

Our recommendations, which will increase efficiency in the operation of the Assembly, will necessitate additional personnel in this bureau. Therefore, we recommend that adequate office space be permanently assigned to the bureau within the Capitol building. Such offices should be conveniently located to both houses of the Legislature. This is necessary in order that this bureau may properly and efficiently discharge its duties. Our recommendation results from the fact that the Legislative Counsel Bureau for years has been seriously handicapped in its work by the lack of permanent and adequate office space. Their present quarters on the second floor in the southern end of the Capitol are overcrowded during legislative sessions and do not accommodate one-fourth of the necessary counsel and stenographic staff This has required the maintenance of temporary quarters on the fourth floor of the Capitol and even in the distant library and courts building

The increased activities of legislative interim committees and commissions authorized by the Legislature, have necessitated the bureau securing other temporary quarters even when the Legislature is not in session. This separation not only makes for confusion and lessening of efficiency but increases the operating costs of the bureau. It also deprives the members of ready access to the facilities of the bureau's services. A constant moving of office equipment, in order to man and maintain temporary quarters, prohibits the establishment of the proper files and library so vital for the efficient operation of such a bureau.

For greatest efficiency the research, drafting and consulting work demands quiet and privacy. This is impossible under the present arrangement of grouping the counsel staff in one large temporary room without even the aid of separating partitions.

In view of the above, we believe it will be necessary for this department to show an increase in operating expense during the next two-year period, and that it will be justifiable, based upon previous achievements of valuable service.

LEGISLATIVE PROCEDURE.

The California Constitution, Article IV, section 9, sets forth: "Each house shall determine the rule of its proceeding, * * *"

Legislative procedure ("the rule of its proceeding") may rightfully be referred to as the self-imposed restriction of parliamentary order. The English-speaking people were the first to develop what has become our present priceless system of parliamentary law. It has made possible the successful operation of our representative form of government, for without parliamentary rules no deliberative body can maintain order, decorum and uniform procedure. The majority by their numbers may protect themselves against any improper measures attempted by their less numerous opponents. However, the minority could not withstand similar attempts by those in power, were it not for the rules of procedure adopted as the law of the Assembly. "Legislative Procedure," by the Honorable Robert Luce, former Lieutenant Governor of Massachusetts, and recognized authority on parliamentary law, is the source of many of the above statements.

Former Speaker Onslow, one of the ablest parliamentarians of the House of Commons, said: "It is not of so great importance what the rule is, but it is important that there be a rule to go by, so there may be uniformity of proceeding in business, not subject to the caprice of the chairman or the captiousness of the members." This is certainly as true today.

During previous sessions of our Legislature much of the confusion which exists and is seemingly unavoidable, is attributable to the large number of committees. These committees have apparently been created from time to time for the sole purpose of making committee chairmanships available to a larger number of members. This has required an elaborate schedule of committee meetings and many members serving on numerous committees. The result is that members are assigned to many committees that must meet simultaneously and they can not possibly attend faithfully Moreover with a legislator holding membership on six to eleven committees different and distinct as to subject matter, he can not be qualified specially on each by knowledge or training and his committee service suffers greatly thereby. This subject is fully treated in a following chapter under the caption of "Standing Committees."

This committee believes our Assembly can be operated on a more businesslike basis, and that this can best be accomplished by the Assembly meeting in the morning and devoting the entire afternoon to committee meetings. All of the following recommendations are made with this object in view. The evenings would be free for subcommittee work and public hearings. During the closing weeks of the session regular meetings of the Assembly could be held in the evenings.

We have divided this part of our report into two sections: the first being the new Assembly rules recommended. The second, comments and recommendations respecting procedure and other matters not directly apparent from our rules.

STANDING RULES OF THE ASSEMBLY.

This committee recommends the adoption of the following rules to replace the present standing rules of the Assembly We believe them to be the most complete and comprehensive rules our Assembly has ever had presented. Their adoption and application will enable the Assembly to conduct its business in a much more modern, uniform, businesslike and expeditious manner than at present.

Our major objective in the compilation of these rules is to have a complete, concise and authoritative ruling on every possible action by the Assembly. This will avoid not only the loss of time heretofore made necessary by continued reference to Robert's Rules of Order, but also will eliminate their misapplication.

This committee recommends the abolition of our joint rules as our bicameral system of legislating is predicated upon each house acting independently of the other Our Constitution specifically sets forth "Each house shall determine the rule of its proceeding" (Art. IV, Sec. 9) We believe those who drafted our Constitution meant exactly that, namely: "*Each* house shall determine the rules of *its* proceeding." Therefore where an individual house rule cannot be made to apply, we recommend all business requiring joint action by both houses and not set forth in the Constitution, be placed upon the statutes. This will avoid the possibility of our State experiencing a situation in Pennsylvania, which has necessitated their Legislature operating without joint rules for ten years, due to the inability of their senate and house to agree upon or adopt such rules during that period. Several States operate very satisfactorily without joint rules and we have drafted the following rules with that thought in mind. In fact for several weeks at the start of each session we now operae with no joint rules at all.

These new rules include almost every provision of our old rules, and the only radical departure from our present general procedure is in the case of our standing committees, which subject is treated separately in a later chapter.

Other recommended changes include:

1. Eliminate reading of routine reports of committees, and messages from the Governor and Senate. Rules 12, 13 and 14.
2. Method of introducing bills. Rules 15 and 63.
3. List upon third reading calendar only such business as will be transacted during the legislative day. Rule 17.
4. Limit debate. Rule 26.
5. Method of assigning desks to members. Rule 36.
6. Eliminate so-called "High-jacked" bills. Rule 51.
7. Restrict withdrawal of bills from committee. Rule 60.
8. Re-refer Assembly bills to committee before concurrence in Senate amendments. Rule 80.
9. Issue advance weekly bulletin of committee hearings. Rule 90.
10. Keep record of committee proceedings Rule 91.
11. Restrict signing bills out of committee. Rule 92.
12. Restrict committees from reporting bills for printing only. Rule 93.
13. Allow any member who voted to give notice of motion to reconsider. Rule 106.
14. Restrict through committee on rules, style, form, quantity of all printing. Rule 116.
15. Curtail Daily and Weekly History. Rule 119.
16. Restrict press privileges to accredited press representatives. Rule 125.
17. Exclude all persons from members' desks during actual session. Rule 131.

It is possible that certain minor amendments to these rules may be in order as the session progresses, but we believe no one can successfully dispute that they are a vast improvement over our present rules

The adoption of the proposed rules will result in both our Assembly and our committees becoming more deliberative bodies, with additional time for careful consideration of the business of our State The recommended rules are self-explanatory and we submit them herewith without further comment.

STANDING RULES OF THE ASSEMBLY.

Convening and Order of Business.

1. *Convening of Biennial Session.* All biennial sessions of the Legislature shall commence at twelve o'clock noon, on the first Monday after the first day of January of the odd-numbered years. (Const., Art. IV, Sec. 2.)

2. *Organization and Election of Officers.* Immediately upon convening at each session, the Assembly shall proceed to organize as set forth in section 239 of the Political Code, and with the election of the following Assembly officers. Speaker, Speaker pro tempore, Chief Clerk, Minute Clerk, Sergeant-at-Arms, and Chaplain.

3 *Elections by Assembly* In all elections by the Assembly, the members thereof shall vote *viva voce*, and the vote shall be entered on the Journal. (Const, Art. IV, Sec. 28)

4 *Hour of Meeting and Recesses.* After the first day of any session the Assembly shall meet promptly at 9 o'clock a.m. daily (Sundays excepted), unless otherwise ordered by a majority of the members present. The time and duration of any and all recesses shall be decided by a majority vote of the members present

5 *Speaker to Call Assembly to Order.* The Speaker, or in his absence, the Speaker pro tempore, shall take the Speaker's chair on the rostrum precisely at the hour appointed for meeting, and shall immediately call the Assembly to order. In the absence of both the Speaker and Speaker pro tempore, the Chief Clerk, or his assistant, shall call the Assembly to order, whereupon a temporary Speaker shall be elected from among the members to preside, as set forth in Rule 7.

6. *Order of Business.* The order of business of the Assembly shall be as follows:

1. Roll Call
2. Prayer by the Chaplain
3 Reading of the previous day's Journal
4. Presentation of petitions
5 Reports of committees
6. Messages from the Governor and Senate
7 Introduction and reference of bills
8. Motions and resolutions
9 Business on daily calendar
10. Announcements of committee meetings
11. Adjournment.

7. *Roll Call and Quorum.* Before proceeding with the business of the Assembly, the roll of the members shall be called and the names of those present shall be

entered on the Journal. No less than a majority of all the members elected to the Assembly shall constitute a quorum for the transaction of business In the absence of a quorum, nine members with the Speaker, or ten members in his absence, having chosen a temporary Speaker, may order a call of the Assembly to compel the attendance of absent members.

8 *Prayer by the Chaplain.* During prayer by the Chaplain, all members and others present shall remain seated and refrain from all discourse, and no one shall be allowed to enter or leave the Assembly Chamber.

9. *Reading of the Previous Day's Journal.* The reading of the Journal of the previous day may be dispensed with on motion by a majority vote of the members present

10. *Approval of the Journal.* All Journals of the Assembly shall be corrected by the Minute Clerk and delivered by him to the Speaker within seven calendar days of their printing. Such corrected Journals may thereafter be approved on motion by a majority vote of the members present.

11. *Presentation of Petitions* Whenever a petition for or against any pending legislation is presented by a member, he may make a brief statement of the contents thereof. Petitions are not debatable and shall be laid on the table or be referred to a committee as the Speaker shall determine. Mention of receipt of such petition and its disposition shall be entered on the Journal. For impeachment petitions, see Rule 128

12. *Reports of Committees.* Reports of special and standing committees shall be delivered to the Clerk's desk. Unless otherwise ordered by the Speaker or by a majority vote of the members present, they shall be deemed read and ordered printed on the Journal.

13. *Messages from the Governor.* Messages from the Governor shall be delivered to the Clerk's desk and unless otherwise ordered by the Speaker or by a majority vote of the members present, shall be deemed read and ordered printed on the Journal. Any vetoed bills accompanying such messages shall forthwith be placed upon the unfinished business calendar. Bills so vetoed shall be considered as provided by Art. IV, Sec. 16 of the Constitution.

14. *Messages from the Senate.* Messages from the Senate shall be delivered to the Clerk's desk and unless otherwise ordered by the Speaker or by a majority vote of the members present, shall be deemed read and ordered printed on the Journal. The Speaker shall forthwith refer to the proper committee all Senate bills accompanying such messages, which reference shall be entered on the Journal. Assembly bills which have been passed without amendment by the Senate shall be ordered to enrollment. Such Assembly bills as have been amended by the Senate shall be forthwith referred by the Speaker to the standing committee, from which such bill was reported prior to its passage by the Assembly. See Rule 80.

15 *Introduction and Reference of Bills.* Bills must be delivered to the Clerk's desk one day previous to their introduction, except that bills received the day preceding the constitutional recess shall be introduced that same day. Previous to being officially introduced, each bill must be examined by the Legislative Counsel Bureau and must bear the stamp of that bureau showing such bill to be in proper form as prescribed by law or Assembly rule. For reference of bills, see Rule 64.

16 *Motions and Resolutions.* Any motion or resolution not otherwise provided for under the rules, shall be placed before the Assembly only under this order of business.

Unless otherwise provided by law or Assembly rule, any motion or resolution may be adopted by a majority vote of the members present.

17. *Daily Calendar.* There shall be printed an Assembly Daily Calendar for each legislative day following the constitutional recess, which shall be placed upon each member's desk prior to the hour of convening. The Committee on Rules shall have charge of the Daily Calendar of the Assembly and the Chief Clerk shall list upon the third reading calendar only such business as this committee shall direct. Any bill which has been reported correctly engrossed shall be placed upon the third reading calendar within two legislative days after a member's written request to place such bill thereon has been received by the chairman of the Committee on Rules; *provided that all bills subject to being placed upon the third reading* calendar shall be listed upon such calendar for the last day on which such bills may be considered. The following listings shall constitute the order of the Daily Calendar:

1. Special orders of the day.
2. Unfinished business
3. Second reading, Assembly bills
4. Third reading, Assembly bills
5. Second reading, Senate bills.
6. Third reading, Senate bills.

All bills on the Daily Calendar shall be called for consideration in the order of their listing, unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the members present. Any bill passed on file two legislative days shall be dropped from the Daily Calendar, but may be replaced as above provided

18. *Announcement of Committee Meetings.* The chairman, or in his absence, any member of a committee, upon recognition by the Speaker, may briefly announce the meeting of such committee under this order of business.

19. *Adjournment.* Adjournment shall be taken only upon a majority vote of the members present, and unless otherwise ordered, shall not extend beyond the regular meeting hour of the next legislative day. (See Rule 41.)

Neither house shall adjourn for more than three days without the consent of the other house. (Const., Art. IV, Sec. 14.)

Adjournment for the constitutional recess or adjournment *sine die* shall be ordered by concurrent resolution. The resolution for adjournment *sine die* shall be passed by the Assembly not less than fourteen days before the date set therein for such adjournment.

Duties of Assembly Officers.

20. *Duties of the Speaker.* The Speaker shall possess the powers and perform the duties herein prescribed:

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

(b) To decide all questions of order subject to appeal to the Assembly by any member. On every appeal, he shall have the right to assign his reason for his decision. See Rule 40.

(c) To rise when putting a question, but may state it sitting

(d) To have general direction over the Assembly chamber and rooms set aside for the use of the Assembly.

(e) To name any member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment, or beyond the Speaker's return to the rostrum.

(f) To appoint the membership of all standing and special committees, in accordance with the provisions of Rule 84.

(g) To propose a schedule of meetings of standing committees which shall permit a full attendance of all their members without conflict of committee assignments

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

(i) To act as chairman of the Committee of the Whole

(j) To order the lobby and gallery cleared whenever he shall deem it necessary.

(k) To assign desks to properly accredited newspaper representatives

(l) To authenticate by his signature, when necessary, or when required by law, all acts, memorials and resolutions, orders and proceedings of the Assembly

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

21. *Duties of Speaker pro tempore.* The Speaker pro tempore shall have the powers and perform the duties of the Speaker during his absence.

22. *Duties of the Chief Clerk.* The duties of the Chief Clerk shall be as follows:

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

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

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

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

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

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

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

23. *Duties of the Sergeant-at-Arms.* The duties of the Sergeant-at-Arms shall be as follows:

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

(b) To see that the Assembly chamber and committee rooms are kept clean, well heated and ventilated, and open for the use of the members at all necessary times

(c) To see that no person is admitted to the Assembly chamber except in accordance with the provisions of Rule 131.

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

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

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

Members' Decorum and Privileges

24. *Order in Speaking to Questions.* When any member is desirous of addressing the Assembly on any subject, he shall rise from his seat and respectfully address himself to "Mr. Speaker." Upon being recognized he may continue to speak at his desk, but shall confine himself to the question under consideration, and when he has finished he shall resume his seat.

25. *Speaker to Decide Who Is Entitled to Floor.* When two or more members rise at the same time, the Speaker shall designate the member to speak first.

26. *Limiting of Debate.* No member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, *except* that the author of a bill or resolution, or the mover of a question, shall have the right to close the debate thereon. No member shall be allowed to speak more than ten minutes upon any question, *except* that the author shall be allowed ten minutes to open and ten minutes to close the debate thereon. During the final two weeks of the session, the above limits for debate shall be reduced to five minutes.

This rule can only be suspended by a two-thirds affirmative vote of all members elected to the Assembly, or by unanimous consent.

27. *Members Called to Order for Transgressing Rules.* If any member in speaking or otherwise, transgresses the rules of the Assembly, the Speaker shall, or any member may call the offending member to order. The member so called to order shall immediately resume his seat, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. The point of order shall be decided by the Speaker without debate. If the decision of the Speaker be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall be required to keep his seat. Every such decision by the Speaker shall be subject to an appeal to the Assembly, but no discussion of a question of order shall be allowed unless an appeal be taken from the decision of the Speaker.

28. *Members Called to Order for Offensive Words.* If any member be called to order for offensive words spoken in debate, the person calling him to order shall state to the Assembly the words excepted to and they shall be taken down in writing at the Clerk's desk. No member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business shall have been transacted by the Assembly prior to exception being taken to the words spoken.

29. *Members to Vote.* Every member must declare his vote on all questions unless the Assembly excuse him for special reasons, as set forth in Rule 99.

30. *Leave of Absence.* No member shall absent himself from attendance at any session of the Assembly without leave of the Assembly, and no member shall obtain such leave of absence, or be excused for nonattendance, *except* by a two-thirds vote of all members elected to the Assembly, or by unanimous consent.

31. *Decorum of Members.* While the Speaker is putting the question, no member shall walk across or out of the Assembly chamber. When a member is speaking no member shall engage in audible discourse, or pass between him and the Speaker's chair.

32. *Personal Privilege.* Any member may rise to explain a matter personal to himself and shall forthwith be recognized by the Speaker, but shall not discuss a question in such explanation. Such matters of personal privilege yield only to a motion to recess or adjourn.

33. *Protest of Members.* It shall be in order for any member upon recognition by the Speaker, to protest against any action of the Assembly, and have such protest entered on the journal, provided no such protest shall exceed fifty words in length.

34. *Explanation of Vote.* A member may submit a written explanation of his vote on any bill and have such explanation printed on the journal immediately following such vote, *provided* no such explanation shall exceed fifty words in length.

35. *Objection to Reading of Any Paper.* Any member upon recognition by the Speaker may object to the reading of any paper before the Assembly. After such objection, the question of reading shall be determined without debate by a majority vote of the members present, upon a brief statement of its substance by the Speaker.

36. *Assignment of Desks to Members.* Members representing Assembly districts numbers 1 to 40, inclusive, shall be assigned to desks at the Speaker's right of the center aisle of the Assembly chamber, and members representing Assembly districts numbers 41 to 80, inclusive, shall be assigned to desks at the Speaker's left of the center aisle of the Assembly chamber. Other than this limitation, members shall be given prior rights in the selection of their desks in accordance with their seniority of service in the Legislature. When two or more members having equal legislative service desire any particular desk, preference shall be given the member whose name appears first upon the alphabetical roll call of the Assembly.

37. *Expulsion of Members.* The Assembly may expel a member at any time upon a two-thirds recorded vote of all members elected to the Assembly. (Const., Art. IV, Sec. 9.)

Motions and Questions.

38. *Precedence of Motions During Debate.* When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

First—To adjourn, or recess, to a time certain;
Second—To adjourn;
Third—To lay on the table;
Fourth—For the previous question;
Fifth—To set as a special order;
Sixth—To postpone indefinitely;
Seventh—To refer or re-refer;
Eighth—To amend.

39. *Questions of Order Decided Without Debate.* All incidental questions of order, arising after a motion is made for any of the questions named in Rule 38 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

40. *Appeal from Decision of the Speaker.* Any member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken.

Upon the appeal being seconded, the Speaker may give his reasons for the decision, and shall forthwith put this question to the Assembly: "Shall the decision of the Speaker be sustained?"

An appeal can not be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, it carries with it the main question, *except* when the sustaining of the appeal would not affect the consideration of or action upon the main question. An appeal can not be debated when relating to indecorum, transgression of the rules, or priority of business.

A majority vote of the members present shall decide any appeal.

41. *To Adjourn to a Time Certain.* A motion to adjourn to a time certain is not debatable and can not be amended, and is always in order, except: (a) when another member has the floor; (b) when the Assembly is voting; (c) during a call of the Assembly. The name of any member moving an adjournment and also the hour at which the motion was made and adjournment taken, shall be entered on the Journal. Such a motion to adjourn must be adopted by a majority vote of the members present.

When such a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. Such statement shall not occupy more than two minutes and shall not be debatable.

The unfinished business in which the Assembly was engaged preceding adjournment shall not be taken up until reached in regular order, unless the previous question has been ordered on such unfinished business prior to said adjournment. See Rule 45.

42. *To Recess to a Time Certain.* A motion to recess to a time certain shall be treated the same as a motion to adjourn to a time certain, except that such motion is debatable when no business is before the Assembly and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn to a time certain.

The question under discussion at the time a recess is taken shall be the first order of business upon reassembling.

43. *Motion to Adjourn.* A motion to adjourn shall receive the same consideration as a motion to adjourn to a time certain, except it shall yield to a motion to adjourn or recess to a time certain. Such adjournment shall not extend beyond the regular meeting hour of the next legislative day.

44. *To Lay on the Table.* A motion to lay on the table is not debatable and can not be amended. If carried by a majority vote of the members present, it carries with it the main question and everything that adheres to it. A motion to lay on the table having been decided in the negative, shall not again be allowed on the same day or at the same stage of the bill or question.

45. *Previous Question.* When five members demand the previous question, the Speaker shall forthwith put this question to the Assembly: "Shall the main question be now put?" A demand for the previous question is not debatable and can not be amended.

If the demand for the previous question be sustained by a majority of the members present, it shall put an end to all debate and bring the Assembly to an immediate vote on the question before it; provided, that after the previous question shall have been ordered, five minutes shall be allowed to members moving the previous question, and five minutes to members opposed thereto, for closing debate on the main question.

If an adjournment be taken before the business involved by the demand for the previous question is disposed of, it shall become the first order of business after the reading of the Journal on the next legislative day, and the previous question still prevails, making the main question privileged over all other business.

46. *Motion to Set Special Order.* A motion to set any matter before the Assembly as a special order of business must be adopted by a two-thirds vote of the members present. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

47 *Motion to Postpone to a Time Certain.* A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

48. *Indefinite Postponement.* When a motion is made to postpone indefinitely, any bill, resolution, motion or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by a majority vote of the members present, the main question shall not be acted upon again during the session.

49 *To Refer or Re-refer.* A motion to refer or re-refer any bill, motion or question shall be decided by a majority vote of the members present. Such motion may be amended as to reference, is debatable only as to the propriety of such reference, and shall apply only to the main question Should several different committees be proposed, preference shall be given as follows.

1. Committee of the Whole
2. Standing Committee
3. Special Committee.

50. *Motion to Amend.* A motion to amend may itself be amended, but no "amendment to an amendment" can be amended. A motion to amend is debatable, *except* where the main question to be amended is not debatable Any motion to amend may be adopted by a majority vote of the members present.

A motion to amend having been decided in the negative, shall not again be in order on the same day, or at the same stage of proceeding. A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected

A motion to amend is always in order during the second or third reading of any bill.

51. *Amendment to be Germane.* No amendment to any bill whether reported by a committee or offered by a member, shall be in order when such amendment relates to a different subject, or is intended to accomplish a different purpose, or requires a title essentially different from the original title of any bill, resolution or constitutional amendment

Upon being called to the attention of the Assembly by a member, any bill so amended in violation of this rule shall be forthwith ordered withdrawn and stricken from the calendar and shall not be acted upon again during the session. This rule can only be suspended by unanimous consent and shall apply to all bills of both houses.

52. *Substitute Motion.* A motion to substitute shall be deemed and treated as a motion to amend.

53. *Motion to Strike Out Enacting Clause.* A motion to strike out the enacting clause of a bill shall be deemed and treated as a motion to amend, *except* it shall have preference over a motion to amend. If such a motion prevail by a majority vote of the members present, it shall preclude further action during the remainder of the session upon such bill so affected.

54. *Motions in Writing.* Upon request of the Speaker or any member, all motions shall be reduced to writing and shall be read by the Speaker before the same is acted upon.

55. *Consideration of Motions.* No motion, whether oral or written, shall be adopted until the same shall be seconded and distinctly stated to the Assembly by the Speaker.

56. *Division of Questions.* Any member may call for a division of the question, and the Speaker shall order the question divided if it comprehend propositions in substance so distinct that one being taken away, a substantive proposition shall remain for the decision of the Assembly.

57. *Resolutions Authorizing Expenditure of Money.* The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of all members elected to the Assembly.

58. *Withdrawal of Motions.* After a motion is stated by the Speaker, or a bill, resolution or petition read by the Clerk, it shall be deemed to be in the possession of the Assembly, but may be withdrawn from consideration at any time before amendment or decision by consent of a majority of the members present.

59. *Motion to be Germane.* No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

60. *Motion to Withdraw Bills.* No bill shall be withdrawn from any committee and placed upon the calendar, *except* by a resolution bearing the signatures of a majority of all members elected to the Assembly. Such resolution is not debatable and the Speaker shall forthwith order such bill placed upon the Second Reading Calendar.

A motion to withdraw a bill from one committee and re-refer it to another committee may be made during the regular order of business. Such motion shall only be debatable as to the propriety of such reference, and shall be decided by a majority vote of the members present.

A motion to withdraw and strike from the calendar any bill requires a majority vote of all members elected to the Assembly Such bill shall not be acted upon again during the session.

61. *Motion to Rescind Action and Expunge Record.* Previous to the approval by the Assembly of the Journal as corrected by the Minute Clerk, any action of the Assembly may, upon proper motion, be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take such action originally, *except* that no action shall be rescinded and the record expunged by a vote less than a majority of all members elected to the Assembly. No vote shall be so rescinded after something has been done as a result of such vote that the Assembly can not properly undo, or where such action will allow the reconsideration of a bill in violation of Rule 106.

62. *Motion to Correct Journals.* A motion to correct any day's Journal shall be in order prior to the approval by the Assembly of such day's Journal as corrected by the Minute Clerk. The adoption of such motion shall require a majority vote of the members present.

Bills, Joint and Concurrent Resolutions and Constitutional Amendments.

63. *Introduction and Reading of Bills.* In conformity with the provisions of Rule 15, bills shall be numbered, dated and introduced upon their approval by the Legislative Counsel Bureau. The bill shall be read by the Clerk, and this shall constitute the first reading of the bill.

Every bill shall be read on three several days previous to its passage, *except* in a case of urgency. (Const., Art. IV, Sec. 15.)

64. *Reference and Printing of Bills.* Immediately following its first reading the Speaker shall refer each bill to a committee, unless upon a motion, the Assembly by a majority vote of the members present, shall refer it to some other committee. Such motion to refer a bill shall be debatable only as to the propriety of the reference. Any bill to appropriate money, or which requires the expenditure of State moneys, must be considered by the Committee on Ways and Means previous to its passage.

Bills may be referred to standing committees of the Assembly previous to the announcement of committee appointments by the Speaker, but such reference shall not become effective until such committee appointments are announced.

All bills shall be forthwith ordered printed unless otherwise ordered by a majority vote of the members present.

65. *Record of Bills.* The Chief Clerk shall cause to be kept a permanent record of every action taken by the Assembly on every bill, resolution or constitutional amendment, and the date of such action. Every such action and the date thereof shall also be endorsed upon such bill.

66 *Joint and Concurrent Resolutions and Constitutional Amendments.* Joint and concurrent resolutions and constitutional amendments may be amended by a majority of the members present and shall be treated the same as bills, *except* that they need be read but once. The ayes and noes shall not be called upon the adoption of concurrent resolutions, except those presenting charter amendments or authorizing expenditures of money, unless regularly demanded, or required by statute or by the Constitution. Upon adoption by the Assembly, all proposed amendments to the Constitution shall be printed at length on the Journal (Const, Art. XVIII, Sec. 1.)

67. *Introduction of Bills After Constitutional Recess.* Any member requesting permission to introduce a bill after the constitutional recess shall send such request in writing to the Clerk's desk under the order of "Introduction of Bills." The

request shall give the title of the bill, and shall be accompanied by the bill. The request shall thereupon be entered on the Journal and the bill referred by the Speaker to the Committee on Rules. The committee shall ascertain if the granting of such request will exceed the limitations as set forth in section 2 of Article IV of the Constitution, and if it will not, shall report back favorably on the same legislative day each bill so referred to it. The adoption of the report of the committee granting permission to introduce any bill shall require an affirmative vote of three-fourths of all members elected to the Assembly. (Const., Art. IV, Sec. 2)

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Rules and shall not require a vote to authorize their introduction.

68. *Introduction of Bills by Standing Committees.* Any standing committee of the Assembly may introduce or substitute one or more bills appertaining to any subject coming within its consideration. Upon such introduction or substitution any such bill shall be read the first time, ordered printed, and placed upon the Assembly second reading calendar.

69. *Bills Reported from Committee* Committees shall act upon all bills, constitutional amendments and resolutions referred to them as soon as practicable

All bills reported back from committee shall forthwith be placed at the bottom of the second reading calendar. Joint and concurrent resolutions and constitutional amendments shall be placed upon the third reading calendar, except that such Assembly resolutions and constitutional amendments as are reported without committee amendments, shall first be ordered engrossed.

70. *Second Reading of Bills.* All bills shall be read the second time in the order of their appearance upon the second reading calendar. Upon second reading, Senate bills reported without amendments shall be ordered to third reading and Assembly bills reported without amendments shall be ordered engrossed.

71. *Committee Amendments.* Committee amendments reported with bills shall be considered upon their second reading and such amendments, subject to the provisions of Rule 51, may be adopted by a majority vote of the members present. Assembly bills so amended shall be ordered reprinted and engrossed, and Senate bills so amended shall be ordered reprinted and to third reading.

72. *Amendments from the Floor.* Any member may move to amend a bill during its second or third reading and such motion to amend, subject to the provisions of Rule 51, may be adopted by a majority vote of the members present. Bills so amended on second reading shall be treated the same as committee amendments as set forth in Rule 71 Any bill so amended upon the third reading calendar, shall be reprinted and all Assembly bills so reprinted shall be ordered re-engrossed.

73. *Engrossment and Re-engrossment* Before final action may be taken on any Assembly bill, resolution or constitutional amendment, it must be engrossed or whenever necessary, re-engrossed, as provided in section 539 of the Political Code. Each bill so engrossed or re-engrossed shall be reported back whenever practicable in the order of its receipt.

When deemed necessary the Assembly may, by a two-thirds vote of the members present, consider any bill engrossed.

74. *Adoption of Urgency Sections.* No urgency section shall be adopted or effective, *except* by a separate affirmative recorded vote of two-thirds of all members elected to the Assembly. (Const., Art. IV, Sec. 1) (See Rule 63.)

75. *Third Reading and Final Passage of Bills.* All bills upon the third reading calendar shall be called for consideration and final passage in order of their listing, as set forth in Rule 17. Upon final passage by the Assembly, each bill, or joint or concurrent resolution shall require an affirmative recorded vote of a majority of all members elected to the Assembly (Const., Art. IV, Sec. 15), *except* urgency measures and those concurrent resolutions exempt by Rule 66. No constitutional amendment shall be adopted by the Assembly except by an affirmative recorded vote of two-thirds of all members elected to the Assembly. (Const., Art. XVIII, Sec. 1.)

76. *Final Passage of Urgency Measures* An affirmative recorded vote of two-thirds of all members elected to the Assembly shall be necessary to pass any urgency measure in addition to the vote necessary to adopt the urgency section contained therein (Const., Art. IV, Sec 1.) (See Rule 74)

77. *Approval of Bill Titles.* Unless an amendment to the title of a bill is offered immediately following the announcement of the vote on such bill, the Journal shall record the title as approved as read

78 *Bills Transmitted to the Senate.* Upon final passage of any bill, if no notice of motion to reconsider such bill be given, the Speaker shall order the bill transmitted to the Senate under signature of the Chief Clerk. Senate bills refused passage shall forthwith be returned to the Senate under similar signature.

79. *Bills Considered During Last Seven Days.* No Assembly bill shall be passed by the Assembly within seven calendar days previous to the time set for adjournment *sine die* of the Legislature, *except* upon recommendation of the Speaker and permission to consider and vote on such bill being granted by a recorded vote of three-fourths of all members elected to the Assembly.

80. *Concurrence in Senate Amendments.* Any Assembly bill amended by the Senate shall be re-referred to the standing committee such bill was reported from prior to its passage by the Assembly. Such amended bills shall be the first order of business at the next meeting of the committee and shall forthwith be reported back to the Assembly with a "do concur" or "do not concur" recommendation. The Speaker shall thereupon order all bills so reported placed upon the unfinished business calendar. No Senate amendment shall be concurred in *except* by an affirmative recorded vote of a majority of all members elected to the Assembly. When Senate amendments to such bill are so concurred in it shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence.

81. *Nonconcurrence in Senate Amendments.* If the Assembly refuse to concur in the Senate amendments to any Assembly bill, the Chief Clerk shall notify the Senate of such refusal and request the Senate to recede from its amendments. If the Senate so recede and notify the Assembly, the bill shall be forthwith ordered enrolled.

82. *Committee on Free Conference.* Should the Senate refuse to recede from its amendments and so notify the Assembly, the Speaker shall thereupon appoint three members as a Committee on Free Conference. If there be a minority vote on concurrence, two of such members shall be selected from those voting against concurrence and the third member shall be selected from those voting for concurrence. The first member named shall act as chairman of the committee, and with the chairman of the Senate Committee on Free Conference for the same bill, shall arrange the time and place of meeting of such committee. It shall require an affirmative vote of not less than four of the members constituting the Committee on Free Conference to agree upon a report and the report shall be submitted to both the Senate and Assembly. Such report is not subject to amendment and if either house refuse to adopt such report, the conferees shall be discharged and other conferees appointed. No member who has served on a Committee on Free Conference shall be appointed a member of another Committee on Free Conference on the same bill. The presentation and consideration of any report of a Committee on Free Conference shall always be in order, *except* during roll call or when a member has the floor. It shall require an affirmative recorded vote of a majority of all members elected to the Assembly to adopt any free conference report. After such adoption, and notice that the Senate has adopted the report, the bill shall be ordered enrolled.

83. *Enrollment.* After final passage by both houses, any Assembly bill, resolution or constitutional amendment, not amended by the Senate, shall be forthwith ordered by the Speaker to be enrolled, as provided in section 539 of the Political Code. The Rules Committee shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered on the Journal.

COMMITTEES.

84. *Standing Committees.* The Speaker shall designate the members who shall serve on the respective standing committees of the Assembly, subject to the approval of the Assembly; *provided*, that each member shall be appointed upon not less than two nor more than three such committees.

Unless otherwise designated, the member whose name appears first upon each list of committee appointments shall be the chairman and the member whose name next appears shall be the vice chairman.

Each standing committee shall consist of eleven members, *except* the Committee on Rules, whose membership shall be seven, *and except* the Committees on Judiciary, whose membership shall be discretionary with the Speaker. There shall be fifteen standing committees of the Assembly, as follows:

1. Agriculture and Conservation
2. Banking and Investments
3. Commerce
4. Constitution and Federal Affairs
5. Education
6. Fish and Game
7. Highway and Motor Vehicles
8. Judiciary No. 1
9. Judiciary No. 2
10. Labor and Capital
11. Local Government
12. Moral and Social Welfare
13. Rules
14. State Government
15. Ways and Means

85. *Special Committees* In addition to the regular standing committees of the Assembly, the Speaker shall appoint any and all special committees he may deem it necessary to appoint, subject to the approval of the Assembly.

Membership on such special committees shall not be subject to the limitations set forth in Rule 84.

86. *Duties of Standing Committees.* Committees shall act upon all bills referred to them as soon as practicable. Each bill acted upon shall be reported back to the Assembly not later than the next legislative day, and the chairman of each committee shall be held responsible for the observance of this rule.

The chairman or clerk of the committee shall give written notice to the author or sponsor, before the committee may take any action on any bill or proceeding pending before such committee.

87. *Committee Quorum.* A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business. At least a majority of all members constituting such committee shall be required to report a bill out of committee

88. *Meetings of Standing Committees* All standing committees shall meet at the hour provided by schedule, unless otherwise ordered by the Assembly. Committees may hold such additional meetings as the chairman of the committee may deem necessary; *provided*, that no committee shall meet during any session of the Assembly without first obtaining permission from the Assembly.

Every scheduled committee meeting shall be open to the public, unless the committee by a majority vote of its membership shall order an executive session.

89. *Standing Committee Rules.* The rules of the Assembly shall govern the conduct of all committee meetings whenever practicable. Each committee may adopt, by a majority vote of its membership, such additional rules as it may deem necessary for the conduct of any business referred to such committee.

90. *Weekly Bulletin of Committee Hearings.* The chairman of each standing committee shall file with the Chief Clerk not later than 11 a.m. on Friday of each week, a calendar of all bills and other matters scheduled to be considered by his committee during the following week. The Chief Clerk shall order printed and have ready for distribution not later than the following day, a Weekly Bulletin of Committee Hearings, containing all such calendars of committee business as shall be turned over to him by the respective committee chairman.

91. *Record of Committee Proceedings.* The chairman of each standing committee shall keep or cause to be kept and attach to each bill considered by the committee a record setting forth:

(a) The time and date of hearing before the committee of such bill.

(b) The name of each person appearing before the committee, whether favoring the bill or otherwise, and the name of the person, persons, firm or corporation in whose behalf such appearance is made;

(c) The vote of the committee on all motions acted upon respecting such bill.

Such record shall accompany each bill reported and any member may request and have such record read upon third reading of the bill.

92. *Signing Bills Out of Committee.* No bill shall be signed out of any committee *except* during the final two weeks of the session and then only upon the signatures of two-thirds of the members of such committee.

93. *Without Recommendation as Amended.* All bills reported by any committee "Without recommendation as amended" shall be forthwith referred to the Committee on Rules The committee shall report not later than the next legislative day upon the advisability of further considering such bill

94. *Committee Expenditures Not Allowed.* No chairman or member of any committee, during the official conduct of the business of such committee or otherwise, shall be permitted to incur any expense without first receiving the consent of the Assembly, *except* that the chairman of the Committee on Ways and Means shall be allowed his actual expenses for the performance of any duties of his office during the constitutional recess

95. *Committee on Rules* The membership of the Committee on Rules shall consist of the Speaker, the Speaker pro tempore, and five other members of the Assembly to be appointed by the Speaker. The Speaker shall designate which member shall be the chairman, and which the vice chairman, and the First Assistant Clerk shall act as the clerk of the committee.

The Committee on Rules shall recommend the appointment of all clerks, attaches and employees of the Assembly. It shall have authority to suspend, with or without pay, any such clerk, attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

The Committee on Rules shall have direct charge of the daily calendar, subject to the provisions of Rule 17.

The Committee on Rules shall have general supervision over all printing and contingent expenditures of the Assembly during the session.

The engrossing and enrolling of all bills shall be under the direct supervision of the Committee on Rules. The chairman of the committee shall sign all engrossment and enrollment reports.

The Committee on Rules shall examine and report upon the certificate of election or other credentials of such members as may have their right to a seat in the Assembly contested.

The Committee on Rules shall perform any and all other duties set forth in these rules, and it shall be in order for the committee to report at any time.

96. *Committee on Ways and Means.* It shall be the duty of the Committee on Ways and Means to consider all bills or other matters referred to the committee by the Speaker or the Assembly. The committee shall report whenever necessary, their opinion to the condition of State revenues and expenditures.

All bills to appropriate money, other than contingent expenses of the Assembly, shall be considered by the Committee on Ways and Means as set forth in Rule 64.

Whenever requested by the Assembly, the chairman of the Committee on Ways and Means shall report not later than the next legislative day, the exact condition of legislation involving appropriations and the aggregate amount of all proposed appropriations pending before the committee.

Concurrent resolutions providing for all adjournments shall be referred to the Committee on Ways and Means, which committee shall report back such concurrent resolution not later than the next legislative day, together with any statement the committee may deem advisable relative to the status of the general appropriation bill, or other business before the committee.

97 *Committee of the Whole.* The Assembly may resolve itself into a committee of the Whole at any time, by a majority vote of the members present. The Speaker of the Assembly, or any member named by the Speaker, shall preside as chairman of the Committee of the Whole. The rules of the Assembly shall be observed in the Committee of the Whole so far as they may be applicable, *except* that the ayes and noes need not be taken.

A motion that the Committee of the Whole "do now rise and report back to the Assembly" shall always be in order and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairman, but shall not be entered on the journal *except* upon motion and a majority vote of the members present.

Voting.

98. *Ayes and Noes* The ayes and noes shall be taken on the final passage of all bills, and on other questions when called for by three members whose names shall be entered on the Journal. The names of the members shall be called alphabetically. (Const. Art. IV, Sec. 10.)

99. *Members Excused from Voting* Every member at his desk when his name is called, shall declare his vote openly and without debate, unless the Assembly shall excuse him All motions to excuse a member shall be made before the Assembly divides or before the call of ayes and noes is commenced. Any member requesting to be excused from voting may make a brief oral statement of the reasons for such request, and the question shall then be decided without debate by a majority vote of the members present; provided no member shall vote on any question in the result of which he has a direct personal interest.

100. *Voting Not to Be Interrupted.* When once begun, voting shall not be interrupted, except that any member may move a call of the Assembly after the completion of the roll and prior to the announcement of the vote, as set forth in Rule 105

101 *Changing Vote.* After the vote is announced, no member shall be allowed to change his vote, or have his vote recorded.

102. *Members at Clerk's Desk* No member or other person shall be allowed at the Clerk's desk while the ayes and noes are being called or the votes counted

103 *The Vote.* In case of an equal division, or tie vote, the question shall be lost.

104. *Division and Count of Assembly.* Upon a division and count of the Assembly on any question, only members at their own desks shall be counted.

105 *Call of the Assembly.* After the roll has been called, and prior to the announcement of the vote, any member may move a call of the Assembly. A majority of the members present may order a call of the Assembly and the Speaker shall immediately order the Sergeant at Arms to lock all doors and shall direct the Clerk to prepare a list of absentees as disclosed by the roll call under present consideration. Thereupon no member shall be permitted to leave the Assembly chamber except by written permission of the Speaker and no person shall be permitted to enter except such member as is taken into custody as herein provided, or Senators, officers, attaches, or employees of the Legislature in the official performance of their duties.

Those members who are found to be absent and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant at Arms or his assistants, and brought to the Assembly chamber No recess or adjournment shall be taken during a call of the Assembly. During such call the Assembly may consider and transact any matter or business by unanimous consent, or by a vote of two-thirds of the members present. No call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of the members present, at which time the completion of the roll call pending when the call of the Assembly was ordered, shall become the immediate order of business before the Assembly.

106. *Reconsideration of Vote.* Notice of a motion to reconsider on the next legislative day, the vote whereby any bill, constitutional amendment or resolution was passed or refused passage, must be given on the same day such vote to be so reconsidered, was taken.

A notice of motion to reconsider a vote must be given by a member voting on the measure and shall take precedence over all motions, except a motion to adjourn. Upon such notice of motion being given, the measure shall forthwith be placed upon the unfinished business calendar, and no further action shall be taken prior to the next legislative day.

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Senate or Assembly bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of all members elected to the Assembly, except that constitutional amendments to be so reconsidered shall require an affirmative recorded vote of two-thirds of all members elected to the Assembly.

When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.

Vote Necessary on Assembly Actions.

107 *Definition of Votes Required.* Unless otherwise restricted by law or Assembly rule, the necessary majority vote of the members present shall prevail upon all questions. The term "members present" shall be interpreted to mean members present and voting

The following rules setting forth the vote required upon different actions are for reference only and yield to all provisions in the rules

108 *Actions by Unanimous Consent.* Unless otherwise restricted by Constitution, law, or Assembly rule, any action may be taken by unanimous consent, provided the required voting membership is present.

109. *Actions Requiring Three-fourths Vote of Members Elected.* (60 ayes.)
- (a) Introduce bills after constitutional recess. Also Rule 67.
- (b) Consider Assembly bills during last seven days of session. Rule 79.

110. *Actions Requiring Two-thirds Vote of Members Elected.* (54 ayes)
- (a) Pass urgency measure. Rule 76.
- (b) Adopt urgency sections. Rule 74.
- (c) Dispense with requirement of reading bills on three several days. Rule 63.
- (d) Pass bills over Governor's veto. Const., Art. IV, Sec. 16
- (e) Increase or diminish the number of superior court judges. Const., Art. VI, Sec. 9.
- (f) Adopt constitutional amendments. Rule 75
- (g) Reconsider constitutional amendments. Rule 106.
- (h) Extend time limit for debate. Rule 26.
- (i) Grant leave of absence to members. Rule 30.
- (j) Expel any member. Const., Art. IV, Sec 9. Rule 37.
- (k) Suspend rule prohibiting lobbying. Rule 133.
- (l) Amend standing rules Rule 124
- (m) Adopt a temporary rule. Rule 125.

111. *Actions Requiring Three-fifths Vote of Members Elected* (48 ayes.)
- (a) Appoint officers, attaches and employees other than statutory Pol. Code, Sec. 246.

112. *Actions Requiring Majority Vote of Members Elected* (41 ayes.)
- (a) Adopt standing rules. Rule 121.
- (b) Pass bills not otherwise exempt. Rule 75
- (c) Approve city or county charters and amendments thereto. Rule 66
- (d) Reconsider bills, joint and concurrent resolutions. Rule 106.
- (e) All elections by the Assembly. Rule 3.
- (f) Quorum for transaction of business. Rule 7.
- (g) Withdraw and strike bills from calendar. Rule 60.

(h) Rescind action and expunge record. Rule 61.
(i) Grant use of Assembly Chamber. Rule 131.
(j) Concur in Senate amendments. Rule 80.
(k) Adopt Free Conference reports. Rule 82.
(l) Grant special privilege of the floor. Rule 132.
(m) Adopt resolutions authorizing expenditure of money. Rule 57.
(n) Order maps or charts printed. Rule 120.

113. *Actions Requiring Two-thirds Vote of Members Present.*

(a) Temporarily suspend most standing rules. Rule 123.
(b) Consider bills out of order. Rule 17.
(c) Set any business as a special order. Rule 46.
(d) Consider Assembly bills engrossed. Rule 73.

114. *Actions Requiring Majority Vote of Members Present*

(a) Recess or adjourn. Rules 40, 41 and 42
(b) Dispense with reading Journals Rule 9
(c) Approve or correct Journals. Rules 10 and 62.
(d) Order reading of committee reports, messages from the Governor and the Senate. Rules 12, 13 and 14.
(e) Adopt most motions or resolutions. Rule 16.
(f) Order reading of any paper objected to. Rule 35.
(g) Sustain appeal from decision of Speaker. Rule 40.
(h) Lay any business upon the table. Rule 44.
(i) Sustain demand for previous question. Rule 45.
(j) Postpone any business indefinitely. Rule 48.
(k) Refer or re-refer any business. Rule 49.
(l) Withdraw and re-refer a bill. Rule 60.
(m) Adopt any amendment. Rules 50 and 53.
(n) Change regular hour of meeting. Rule 4.
(o) Withdraw motions of resolutions. Rule 58.
(p) Omit printing bills when introduced. Rule 64
(q) Order a Committee of the Whole. Rule 97
(r) Order or dispense with a Call of the Assembly Rule 105
(s) Issue and revoke privileges of the press. Rule 126.
(t) Prohibit smoking temporarily. Rule 128.

115. *Actions Requiring a Recorded Roll Call.* The roll shall be called and such roll entered on the Journal upon all the following actions:

(a) Morning attendance roll call. Rule 7.
(b) All elections by the Assembly. Rule 3.
(c) Rescind action and expunge record. Rule 61.
(d) Final passage of all bills. Rule 75
(e) Consider Assembly bills during last seven days of session. Rule 79.
(f) Concur in Senate amendments. Rule 80.
(g) Adopt Free Conference reports. Rule 82.
(h) Reconsideration of all bills. Rule 106.
(i) Amend standing rules. Rule 124.
(j) Adopt a temporary rule. Rule 125.
(k) Adopt resolutions authorizing expenditure of money. Rule 57.
(l) Expel any member. Rule 37.

Printing

116 *Authority for Printing.* The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly rule, *except* upon a written order signed by the Chief Clerk of the Assembly and countersigned by the Chairman of the Committee on Rules or by the Speaker, and delivered to him prior to beginning such printing or work When necessary, the Chief Clerk may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

117. *Printing Style and Form Amount to Be Printed.* Unless otherwise restricted by law or by Assembly Rule, the style and form of all printing, the quality of paper to be used, and the number of copies to be printed of each order, shall be decided by the Committee on Rules

118. *Additional Printing.* All motions or resolutions to print additional copies of any bill, document or other matter shall forthwith be referred to the Committee on Rules. Such committee shall report to the Assembly not later than the next legislative day, as to the necessity and advisability of such additional printing.

119. *Printing of Assembly History.* The Chief Clerk shall cause to be compiled and printed during the constitutional recess a Semifinal Assembly History together with an index, setting forth a complete history showing all actions on bills, resolutions and constitutional amendments prior to the constitutional recess.

During the remainder of the session, the Chief Clerk shall cause to be printed and placed upon each member's desk prior to convening on Monday of each week a complete history showing all actions taken upon each measure up to and including the legislative day preceding its issuance. The Weekly History need not contain an index. For each legislative day intervening between the issuance of such Weekly History, there shall be printed a daily supplemental history sheet showing only actions taken upon any measure since the issuance of the preceding Weekly History.

120. *Printing of Maps.* Maps or charts accompanying documents other than bills shall not be printed without special authority from the Assembly by a majority vote of all members elected.

Rules.

121. *Adoption of Standing Rules.* The adoption of the standing rules shall require an affirmative recorded vote of a majority of all members elected to the Assembly. When once adopted, such standing rules shall remain in effect, unless suspended or amended as provided in these rules, until such time as other standing rules are adopted by a succeeding Legislature.

122. *Parliamentary Rules* Robert's Rules of Order shall be the recognized authority on all occasions when the Assembly rules are not applicable.

123. *Suspension of Rules* Unless otherwise specifically provided by law or Assembly rule, any standing rule of the Assembly may be suspended temporarily by a vote of two-thirds of the members present, *provided* that such temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

124. *Amending Standing Rules* No standing rule of the Assembly shall be amended *except* by an affirmative recorded vote of two-thirds of all members elected to the Assembly and one day's notice must be given on the motion therefor

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

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

Miscellaneous.

126. *Press Privileges.* Newspaper correspondents desiring Assembly press cards and privileges shall make written application to the Speaker upon forms provided for that purpose. No press card shall be issued *except* upon a majority vote of the members present, such action to be entered on the Journal. The Assembly by a majority vote of the members present may revoke any press card upon complaint by any member that the holder of such card has violated the agreement printed upon his Assembly press card application.

The Speaker shall assign the Assembly press desks; also the necessary rooms for the exclusive use of such accredited press representatives.

127. *Privilege of Addressing the Assembly.* No person other than a member of the Assembly shall be permitted to address the Assembly *except* in the Committee of the Whole.

128. *Smoking in Assembly Chamber.* Smoking may be prohibited temporarily during any session of the Assembly by a majority vote of the members present.

129. *Impeachment Petitions* Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer such petition to the Committee on Judiciary. No record of such petition shall be printed on the Journal until such time as the committee shall report such petition back to the Assembly.

130. *Fees for Witnesses.* Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of five dollars for each day such witness shall be required to appear, and the sum of five cents for each mile he shall travel in coming to and going from the place of examination.

131 *Use of Assembly Chamber.* The Assembly Chamber shall not be used for any public or private business other than legislative matters, during the sessions of the Legislature, *except* by consent of a majority of all members elected to the Assembly.

132. *Persons Admitted to the Floor of the Assembly.* No persons other than members, officers, attaches and employees of the Legislature, shall be admitted to the floor of the Assembly during any session of the Assembly, *except* elected State officers, Governors, and ex-Governors of this State, members of Congress, judges of the superior, appellate and Supreme Courts, ex-Senators and ex-Assemblymen, accredited members of the press, registered legislative advocates, and the wife, husband or child of any member of the Assembly; *provided* that a guest of any member shall be admitted upon presentation of a guest card of said member, countersigned by

the Speaker, such guest card being valid only on the legislative day for which it was issued.

Upon all convenings of the Assembly, all persons not excepted by this rule shall retire from the floor of the Assembly, and no one shall be allowed at the desk of any member during an actual meeting of the Assembly unless special permission be granted by a majority vote of all members elected to the Assembly; *except* members, officers, attaches and employees of the Legislature in the official performance of their duties.

133 *Legislative Advocate Cards and Privileges* Any person may obtain a legislative advocate card upon written application to the Sergeant-at-Arms upon forms provided for that purpose. The holder of any such card shall be entitled to the privileges of the Assembly Chamber and shall be permitted to present to the Assembly, or its committees, any business, or claim, or legislation; *provided*, that no person, whether granted legislative advocate privileges or otherwise, shall engage in such business in the Assembly Chamber at any time while the Assembly is in actual session. Any such person transgressing this rule shall be removed from the floor of the Assembly and be debarred from the privilege of the floor during the remainder of the session. The Speaker shall be charged with the enforcement of this rule. This rule may be suspended only upon a two-thirds vote of all members elected to the Assembly.

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STANDING COMMITTEES.

The reduction from fifty-eight to fifteen standing committees, as recommended by this committee in the standing rules, is vital for the efficient functioning of both the committees and the Assembly.

The only way in which the committees can be allotted a greater amount of time for committee meetings is through the reduction of the number of committees. This will also afford the people a greater opportunity to present their views upon pending legislation before our committees, without which the ordinary citizen is barred from his day in court before the Legislature. It is only fair and proper that we as legislators should afford to the people ample opportunity to appear before and confer with committees on pending legislation affecting their interests.

In furtherance of this viewpoint, we have provided in our recommended rules a uniform number of committee appointments for each member. Previous sessions have proven the impracticability of obtaining more than bare committee quorums where members must serve on from seven to eleven different committees, with each of the fifty-eight committees meeting, or attempting to meet, once or twice weekly. Following is a chart showing the number of daily committee meetings that three members were expected to attend under their committee assignments at a previous session:

Member	*Monday*	*Tuesday*	*Wednesday*	*Thursday*	*Friday*	*At call of Chairman*
X	1	2	4	3	3	1
Y	2	4	3	3	3	-
Z	1	4	4	2	3	-

In addition to attendance upon committees of which he is a member and attendance at the meetings of the Assembly, the member is required to appear before other Assembly and Senate committees in behalf of bills where he is the author or interested. For a comparison of the schedule of committee meetings necessary *under our recommended reductions in the number of committees and the schedule* now required, see page 106.

Our recommendation limiting each member to two or three committee appointments would practically insure a full membership at all committee meetings. It would also permit each member to concentrate his efforts upon co-related subjects. This would also enable persons interested in particular legislation to readily follow the same by contacting one committee.

Forty-three of the States have less committees in their lower houses than our present fifty-eight, some States having even less than the fifteen we recommend. *Forty-four States average fewer committee assignments per member than we do* and three States average less than the two per member that we recommend. This probably accounts for their bills being reported for consideration more quickly than ours, and thereby avoids much of the last-minute rush so prevalent with us. Fewer committees, meeting for longer periods of time, with almost a complete membership attendance, would certainly result in more uniform working hours for the Assembly. It would also eliminate many hours of night sessions and avoid much stopping of the clock during the closing days of the session.

The only possible reason for having fifty-eight committees is to make available *committee chairmanships for more than two-thirds of the members* We believe most members would prefer the vice-chairmanship of an important committee under this proposed arrangement, rather than be the chairman of such inconsequential committees as Mileage, Introduction of Bills, Engrossment and Enrollment, Pensions, Direct Legislation, under our present arrangement.

The question therefore resolves itself into this: Does the privilege of having the word "Chairman" printed upon their individual stationery compensate members for many needless hours consumed attending committee meetings, morning, afternoon and night and for unnecessary prolongation of the session by many days?

In order to demonstrate more thoroughly the possibility and feasibility of such a reduction, this committee has compiled a recapitulation showing all bills considered by Assembly committees during the past ten years. (See page 104.)

We believe that seniority and experience and proven interest of the member in the subject matter of the committees upon which he has had service, should be a determining factor in the selection of a chairman and the membership of committees. However, we feel that the question of seniority and the privilege of committee selection by a member is so controversial that it should not be decided by our committee consisting of but three members. Therefore, we recommend that the Assembly, sometime during its next session, give consideration to the solution of this question.

The Committee on Rules should be our most important and powerful committee and should also function in the capacity of a floor committee for the Speaker. We believe that such power thus concentrated will provide a uniform and expeditious manner of transacting the business of the Assembly, and materially aid the Speaker in keeping decorum and expediting the business of the Assembly.

Our present system of burdening our one Committee on Judiciary with 556 or almost one-fifth of all measures considered by committees last session, not only forces this committee to work at a greater disadvantage, but also places severe limitations upon those desirous of appearing before the committee. Many States avoid this overload by having two and even three separate judiciary committees. We believe our recommendation for two Assembly Committees on Judiciary would provide a remedy for this situation.

All of our recommendations respecting *standing committees are in harmony with* our desire to have the California Assembly and its committees function in a business-like manner, and as deliberative bodies. As stated above, this can best be accomplished by holding the regular meetings of the Assembly in the mornings and devoting the afternoons to committee meetings. The evenings are free for public hearings, subcommittee work or when necessary, evening meetings of the Assembly

ELECTRICAL VOTING.

It is impossible for our legislative body to attain its maximum efficiency and decorum without a system of electrical voting, sometimes referred to as flash voting. An electrical system is noiseless, accurate, and instantaneous. It includes with its installation an electrical page call system. This will remove from the front of the Assembly Chamber the present noisy and even turbulent young pages, and the present crude, distracting and annoying method of calling them.

Each member of the California Legislature has received sufficient information of a general nature to appreciate that further delay in the installation of electrical voting equipment in our Assembly Chamber, would mean not only false economy but also continued unnecessary expense in conducting the Assembly. Such a system

of voting will fully repay its cost during its first session of operation, and each session thereafter its use will save many thousands of dollars. Furthermore, such a system of mechanical voting eliminates the human factor of possible error and substitutes the precision of an electrical machine. It will also induce the membership to remain in their seats, pay more attention to the business at hand, remove confusion and increase decorum.

We offer the following interesting information as to the time consumed by the 1931 assembly in calling the roll orally. These records have been compiled by this committee from the 1931 Assembly Journal.

There were 2344 roll calls segregated as follows with the estimated time consumed. Actual timing and intimate personal knowledge convinces us that the following is a conservative estimate:

No. and classification	*Time per roll*	*Total time*
1698 *Unanimous affirmative viva voce roll calls*	2 *min.*	56 hrs 36 min
247 Affirmative viva voce rolls, 3 or less negative votes	2½ min.	9 hrs 30 min
113 Affirmative viva voce rolls, 10 or less negative votes	2⅝ min	5 hrs 2 min
154 Affirmative viva voce rolls, more than 10 negative votes	3 min	7 hrs 42 min
33 Unanimous negative viva voce roll calls	2½ min	1 hr 23 min.
99 Contested negative viva voce roll calls	3½ min	5 hrs 46 min
2344 Total		86 hrs. 5 min
Less allowance of 1½ min saved on 819 substituted roll calls		20 hrs 28 min.
Actual net time consumed by the Assembly during 1931 in calling the roll		65 hrs 37 min.
2344 rolls could have been recorded by an electric roll call system, allowing 10 seconds per roll in		6 hrs 30 min
Actual time necessarily consumed calling the roll, over and above the time necessary to record the same number of rolls by flash voting		59 hrs. 7 min

During 1931 there were 74 legislative, or actual meeting days, totaling 291 hours and 55 minutes This is an average of 3 hours and 57 minutes per meeting day. Therefore, more than 15 legislative days, or three calendar weeks were actually wasted by members answering aye or nay, owing to the absence of a system of electrical voting. It seems incredible that nearly one-fourth of the actual meeting time of the Assembly is being wasted and the session needlessly prolonged more than three weeks at an added expense to the taxpayers. This is readily shown in our legislative costs for the present two-year period which total over $800,000, the major portion of which is spent during the actual time in session. Also had we not substituted 819 roll calls by unanimous consent on uncontested matters during the last session, the calling of the roll would have consumed almost one-third of the entire time we were actually in session.

These conclusions have been arrived at by taking the meeting hours listed in the Assembly Journal. (See page 108) All experienced members know that the Assembly seldom if ever convened at 10 a.m., it being at least 15 or 20 minutes later than the appointed hour. This is also true of the reassembling after the noon recess. However, the journal shows that many hours in session, and for all the clock was stopped on three occasions, it would not make up the difference between our actual meeting time and the figures shown in the journal. Therefore the above is a *most* conservative estimate.

Our ten seconds allowance for taking the roll mechanically is vouched for by our committee secretary, who during June, 1931, personally witnessed the Wisconsin Assembly in actual session using electrical voting. His personal timing of the roll was from five to ten seconds from the time the Speaker ordered the clerk to prepare the roll, while the house was in the tumult of argument, until such time as the vote was announced by the Speaker. Our secretary has timed many rolls recorded by flash voting and seldom did any consume over ten seconds and some took as little as four seconds.

Wisconsin, Louisiana, Texas, Nebraska and Iowa already have an electric roll call system in one or both of their houses—Wisconsin for the past 17 years. North Dakota, West Virginia, Washington and Ohio have installed the necessary conduit in their legislative chambers in anticipation of the installation of flash voting in the near future.

Some of these States are noted for their extreme conservatism, and California, as one of the most progressive States in the Union, should certainly be similarly equipped. Further recommending flash voting we quote the following responsible persons and publications:

Editorial, Richmond News-Leader, March 5, 1928:

> "The General Assembly of 1928 has taken more week-end recesses than almost any Virginia Legislature of recent years, yet it has its calendar in excellent shape at the beginning of the last week of the session. The week-end recesses, which are desirable in many ways, have taken up less than half

the legislative hours that the voting machine has added to the session. If this were realized by other American legislatures, they would no more do without a voting machine than they would attempt to conduct their business without a presiding officer."

The City Club of New York, in a pamphlet dated March, 1932, entitled "Modernize the Legislature" states:

"Much of the confusion on the floor of both houses comes from the roll call. The so-called 'slow roll call' in the Assemby occupies much valuable time during which the members lose interest and pay little or no attention to the business in hand Often votes are inaccurately recorded by the oral vote. A system of flash voting is suggested as one of the most important single steps that can be taken by the Legislature itself as a means of expediting its own business and eliminating confusion. * * * It is estimated that under the existing method of oral voting in the New York State Legislature approximately one-third of the legislative time is consumed in taking roll calls. It is estimated that the electrical roll call system would pay for itself in one session of the Legislature in the time saved by the shortening of the number of legislative days. In each subsequent session it should result in a corresponding saving in money to the taxpayer by a reduction of the whole cost of legislation."

Good Government, January, 1932, sets forth this astounding fact:

"The State of Wisconsin spent less in 1931 for its entire personal service in connection with the legislative session than was spent by New York State for its *extra* legislative employees."

Wisconsin has and New York does not have a system of flash voting.

State Government, October, 1930, devoted over two pages to an article on flash voting, by Alice Kelly of the Wisconsin Legislative Reference Library. We quote her:

"The time spent on the vocal roll call before 1917 was never less than seven minutes, so that the 1246 roll calls of 1929, taken in the old manner, would have consumed 145 hours, or 48 days of three-hour sessions. Allowing even sixty seconds for the average flash vote, instead of 145 hours, the new method requires a total of 20 hours—equivalent to seven days of three-hour sessions. * * * About one thousand dollars is saved to the State by each day that the legislative session is shortened. * * * In Wisconsin, the Legislature has at no time been less than unanimously in favor of the new system, which it regards as perhaps the greatest stride forward in modern legislative procedure."

The Report of the Ohio Voting Device Committee to the 1931–32 Ohio General Assembly states:

"It has been demonstrated that an appalling amount of time has been wasted in the recording of aye and nay votes, and the spectacle of one hundred or more men and women sitting in their seats for weeks (for it amounts to that in a session) at a cost of thousands a day, just to hear the unnecessary calling of their names, is unworthy of the cause which they are serving, the welfare of the State. * * * It has been also shown that the use of speed and accuracy of mechanical voting makes for efficiency as well as economy. * * * It promotes dignity, cutting out the noise and confusion attendant on the voice roll call and allows concentration on bills without interruption. * * * that the present method of roll call is that of one hundred years ago, that it is wasteful and extravagant, consuming a larger part of the working hours of an entire session, and that the installation of a mechanical voting device to salvage this waste of time and money is as much a necessity as the use of the typewriter. * * * The recommendations of this committee are that since in their estimation the voice roll call is a serious handicap to legislative efficiency—that in its place there be substituted a mechanical voting device that will stand for greater efficiency, accuracy and economy."

Speaker Shanahan of Illinois, after witnessing the Wisconsin Assembly, stated:

"The excellent decorum observed by the House during the time of voting was especially noticeable and that the time saved in roll calls under the Wisconsin System is so great in the aggregate as to constitute an important factor in the transaction of legislative business."

Speaker J. L. Dahl, former Speaker of the Wisconsin Assembly, states:

"I believe this roll call system the most useful piece of machinery that any legislative body could have the privilege of using. * * * We would not think of getting along without the machine. It works as perfectly as an adding machine, or a cash register."

Hon. E. C. Schaffer, Chief Clerk of the Wisconsin Assembly:

"The accuracy of the registration, its great expedition of legislative business and its immediate indication to each member of how he has voted are some of the important advantages of this voting system. It has given entire satisfaction and I feel that a return to the former system would be a long step backward."

Hon. John W. Williams, Clerk of the House of Delegates of Virginia:

"Besides saving so much time, the accuracy secured is appealing not only to the members but to the officers of the House as well. * * * With the increasing volume of legislation, the House of Delegates can easily dispose of its calendar which has heretofore been done with the greatest difficulty. * * * The House of Delegates would not, under any condition, relinquish the electrical roll call which has been so satisfactory that it is now almost a necessity * * * If the various legislative bodies knew the real value of this apparatus, they would eagerly avail themselves of its advantages."

Hon. Lee Satterwhite, Speaker of the Texas House of Representatives:

"Comparing the time taken by the old method for roll call, which required twelve to fifteen minutes, with the assistance of the voting machine, which requires less than a minute, this makes a saving of about twelve minutes over the old method. * * * Our operator informs me that on one afternoon while taking up local bills, we disposed of sixty-three bills in one hour and ten minutes, taking a total of ninety-six record votes in that length of time, eighty of these votes taken in fifty minutes."

Hon. C. E. Dinkle, chairman of the Voting Machine Committee, Texas House of Representatives:

"Our experience has shown us that this machine has more than paid for itself in the regular session. We took thirty complete votes in thirty minutes. This included the reading of the captions of the bill, the vote itself, and the announcement by the Speaker of the record. The opinion of the majority of our members is that we absolutely would not work under the old system again. And it is worth the while of any Legislature to install a system of this kind. The machine is not only a great time saver, but we find that it also assists the Speaker very materially in keeping better order, as it requires the members to be in their seats when the vote is taken."

Hon. A. C. Gustafson, Chief Clerk of the House of Representatives of Iowa:

"I have been connected with the Iowa Legislature since 1907, and the voting machine is the best improvement that I have ever experienced. Our work is done expeditiously and accurately. The time usually consumed by the desk force under the old system is now given over to the House members for more important duty of consideration of the bills and measures before them. I expected that there would be more or less objection when the machine was in operation, especially from men who objected to the installation in the first place, if for no other reason than the expense. I may say to you that several of these have come to me personally to advise me how satisfied they were with this method of voting and would not go back to the old system for twice the cost. I may say that the machine has proven entirely satisfactory."

We could record many more pages of similar statements but believe it would be useless. Truly, penny-wise economy is really a foolish extravagance. Therefore, this committee recommends that the Assembly install a system of electrical voting as soon as possible.

LEGISLATIVE INTERIM COMMITTEES.

Much criticism has been directed at legislative interim committees, which this committee believes to be unjust. However, in order to properly present both sides of this question, this committee sent the following questionnaire to all California legislators who had served on such committees during the past six years:

1. Do you believe that your committee accomplished the work it was created to do?
2. Did your committee recommend any legislation as the result of its investigations and findings, and, if so, was it adopted?
3. Were recommendations, other than legislation, advanced by your committee, and, if so, were they complied with?
4. Do you believe the practice of appointing recess and interim committees should become an integral part of legislative government, and, if so, or if not, why?

Forty-nine legislators took the time and trouble to answer the above questionnaire by letter and several others gave us their opinions orally. Those answering question No. 1 were almost unanimous in agreeing that their committee had

accomplished the work it was created to do, allowing for such handicaps as insufficient appropriations, inability to obtain and pay for expert or clerical help and interference from other interests. The replies to question No. 2 indicated that in all cases where legislation was expected to be forthcoming that the committee had so recommended. Many letters set forth that important and beneficial statutes were adopted due to the recommendations of their committee. Question No. 3 was answered generally in the same manner as number two. While a great many answers to questions No. 4 savored of "ax-grinding" and disappointment that the committee they had served upon had not recommended the way the individual member might have desired, almost all agreed that such committees, through proper and judicious functioning, could, would and should play an integral part in improving our legislative branch of government.

With few exceptions, all replies indicated that those answering had not only taken their duty seriously but had regularly attended meetings with the sincere hope that their efforts would be of benefit to future Legislatures. Those who questioned the advisability of appointing such committees hereafter, supported their contentions with such statements as "Interim committees accomplish but little good and their recommendations are not taken seriously"; "Their cost is far greater than any benefit derived"; "I know of no case where their appropriation was not expended in its entirety"; "The Legislature has sufficient time to investigate all matters while it is in regular session"; "I doubt if interim committees accomplish much, as many times reports are laid aside"; "Committees can not afford to devote much time or serious application to such work"; "The main purpose of interim committees is to graft on the State"; "Their main purpose is to provide junketing trips and good times for those who are appointed to memberships thereon"; "I only served as a member to satisfy my good friend——." However, most letters containing these remarks further stated that the writers believed there is need for such committees on a few important subjects each session, but that in the past the practice has been overdone.

In contrast to some of the above quotations, we find these reactions:

"This committee recommended certain very important legislation based upon its findings and conclusions, almost all of which were enacted into law"; "Our committee recommended quite a legislative program and my recollection is that the entire program was adopted", "Experience shows that few legislative committees have time during the session to properly survey or investigate questions presented to them, and in many cases took drastic action which, upon investigation, was shown to be unjustified"; "Recommendations were made and complied with quite readily"; "All in all, I believe the good that comes from these committees outweighs the evil"; "The whole subject is one of great importance and worthy of the study now being made and the thought of each individual member of the Legislature", "I don't believe these committees should be entirely dispensed with"; "Recess and interim committees can serve a useful purpose if they will"; "Interim committees, in proper cases, give the Legislature an opportunity to ascertain facts which would not otherwise be obtainable"; "Committees can do work and get results at infinitely lower cost than could the entire legislative body"; "Some provision should be made for the carrying on of certain legislative work during the long period intervening during the interim because there are no time restrictions"; "The committee of which I had the honor to serve with did accomplish material and valuable results"; "The committee on which I served accomplished the object of our appointment to the fullest degree, and our recommendations were adopted by the Legislature"; "The short space of time we meet in Sacramento does not allow any time for investigation of important subjects because of the great volume of work necessary to be disposed of during that short period of time"; "Possibly the system of investigations has been abused, but in my opinion a great deal of good has been accomplished"; "The question whether or not interim committees justify themselves is wholly dependent upon the members of the committee"; "It is the duty of the Legislature to enact such laws as it deems necessary and therefore to secure information through such committees"; "Our committee played an important part in the adoption of the new charter act"; "They serve a useful purpose even if the only result would be to prevent hasty action on matters of grave importance"; "Committee was handicapped primarily through lack of sufficient funds * * * however, the committee made certain recommendations, practically all of which were approved by the Legislature"; "We learned that legislation which had been enacted and now in use was ample and sufficient"; "There being given us no appropriation to do our work with, we had no chance to lend our voice in the matter"; "By virtue of our report, we settled once and for all a good many controversial matters that people were bringing up before the Legislature"; "These committees can do a great deal to facilitate the work of the succeeding session of the Legislature"; "These committees have time and opportunity to make or have made a thorough, painstaking investigation"; "Their investigations are very likely to be nonpolitical, nonfactionary and nonsectional and their reports and recommendations to be in permanent form, and are easily acceptable, understandable and enforcible."

Taking into consideration all of the above quotations, this committee concludes that such interim committees are beneficial and accomplish much good. To correct the impression that legislative committees spend every cent of their entire appropriation for junketing, we have compiled the appropriations and expenditures for all such committees during the past six years. See page 100. *This statement shows that less than forty-eight per cent of all moneys appropriated were so expended.* In view of the many good statutes we now have upon our books and the beneficial results accomplished through interim committee work, we would be remiss in our duty if we did not recommend their continued use on subjects of major importance.

INTERIM COMMISSIONS AUTHORIZED BY LEGISLATIVE ACT.

This committee's investigation of legislative interim committees discloses the fact that there are equally as many interim lay commissions authorized by legislative act. The great majority of these interim commissions were created to investigate and report upon subjects which eventually would require legislative action. The question then confronting us was: Are such lay commission recommendations for legislation preferable to recommendations by legislative interim committees? This committee believes that the opinions of those who have served upon such lay commissions would aid greatly in deciding this question. Therefore we sent the following questionnaire to all who had served on interim commissions authorized by legislative act during the past six years:

1. Do you believe that your commission accomplished the work it was created to do?
2. Did your commission recommend any legislation as the result of its investigations and findings, and if so, was it adopted?
3. Were recommendations other than legislation, advanced by your commission, and if so, were they complied with?

We received sixty-nine replies from the eighty-six commissioners so interrogated. All but four or five of those answering stated they felt the commission had accomplished the work it had been created to do. Several stated they believed the commission was given too gigantic a task to accomplish in the allotted time, or with the amount appropriated.

The general answer to question two was that in all cases where proposed legislation was expected to be presented, such legislation was included in their report.

As to whether or not such legislation was adopted, almost one-third of the answers made a definite statement specifying which laws they considered had been enacted due to their recommendations. However, many answers stated a *belief* on the part of the member in this respect, which led us to conclude that most commissioners felt their duties had ended with the filing of their report.

Question three received more definite answers than question two, due mostly to the fact that many commissions were not expected to recommend specific legislation. *Many answers enumerated legislation and reforms which had been adopted either* directly or indirectly from commission's reports.

It would be impossible to set forth in this report all statements received and worthy of mention. However, we believe the following quotations to be in order, as they adequately point out a much needed reform:

"Although some legislation was recommended there was no organization for actively sponsoring and forwarding the bills during the legislative session, with the result that their merits were not properly presented to the committee concerned, and the proposals died in committee."

"*Under two, the commission did recommend legislation, first*—regarding the emergency that existed with respect to the bank tax and the recommendation was enacted into law. All other recommendations occupy a convenient ashcan where they repose since the day the report was filed."

"The recommendation does not seem to have been adopted. In fact as far as I can ascertain nothing has been done except to print 3,000 copies of the report of the commission."

"We did recommend some legislation but I don't know just how much has been enacted."

"The commission did recommend one piece of legislation * * * such legislation was not introduced and therefore not adopted."

"No legislation was adopted because of difference of opinion and counter-proposed legislation."

"The commission was obliged to work on its report until the 1931 Legislature was well under way; this gave no time for legislators to study the report and decide on the merits requesting legislation."

"I think the members of the commission should have been empowered to confer with the education committees of the Legislature on certain high points in order to secure necessary action."

"*Legislation was recommended but little was passed because there was no* time for the Legislature to study the report and no money allowed for members of the commission to go to Sacramento and interpret recommendations."

This committee believes that there are many subjects treated by such commissions which could be better handled by legislative committees. However owing to obsolete prohibitions in our Constitution, the Legislature must leave this work to the lay commissions. In our chapters on Legislative Interim Committees and Legislative Help, this subject was given consideration. Until such time as our Constitution is changed to allow legislative committees the same power and authority to obtain necessary clerical and technical assistance as lay commissions now enjoy, we believe there should be no curtailment of the activies of interim commissions authorized by legislative act. We also believe that such commissions as the Code Commission, Crime Commission, Constitutional Commission, County Home Rule Commission and others of a similar character should continue to be operated as lay commissions

Therefore this committee offers the following conclusions:

1. Interim commissions authorized by legislative act enable the State to obtain gratuitously the services of exceptionally qualified and experienced persons of preeminent ability, whose activities could not be obtained otherwise at any price.

2. Lay commissioners give gratuitously of their time, and work long and seriously, and their reports have been responsible for the enactment of many good statutes and the accomplishment of many commendable reforms.

3. Commissions may legally hire and pay necessary expert technical and clerical assistance whenever required. This assistance is denied legislative committees.

4. The act creating such lay commissions should make allowances for necessary appearances of some of their members before legislatice committees to further the adoption of their reports and recommended legislation.

COMPARATIVE TABLES, SURVEYS AND SUMMARIES.

APPROPRIATIONS AND EXPENDITURES OF CALIFORNIA'S LEGISLATIVE INTERIM AND RECESS COMMITTEES, 1927–1932

Committee and authority	*Appropriated*	*Expended*
Educational Facilities for the Deaf		
S C R 25, Res Chap 85, Stats 1927	$1,000 00	$473 19
Motor Vehicle Laws		
A C R 19, Res Chap 47, Stats 1927	7,500 00	2,158 92
Narcotics		
S C R 20, Res. Chap 84, Stats 1927	1,000 00	42 43
Legislative Rules and Procedure		
S C R. 3, Res Chap 2, Stats 1927	None	None
Employment for Convicts (Prison Labor)		
S C R 29, Res Chap 76, Stats 1927	1,000 00	119 04
Southern California Prison Site		
S C R 15, Res Chap 49, Stats 1927	500 00	500 00
Water Resources		
A C R. 30, Res. Chap 79, Stats 1927	15,000 00	9,238 70
Engineer's Report on Water Resources		
A C R 16, Res Chap 30, Stats 1927	1,000 00	1,000 00
Aviation		
A C R 9, Res Chap. 67, Stats 1929	3 000 00	2,868 50
Cement Trust		
Senate Journal 1929, pp. 236, 564 and 631	3 000 00	2,395 09
Coast Line Preservation		
A C R 25, Res Chap 68, Stats 1929	5,000 00	1,078 33
Corporation Laws		
A C R 34, Res Chap 91, Stats 1929	5,000 00	3,192 20
Klamath River Cannery		
Assembly Journal 1929, p 2278	1,000 00	708 75
Fish and Game		
Assembly Journal 1929, p 2278	2,000 00	884 46
Highway Advertising		
A C R 27, Res Chap 69, Stats 1929	2,500 00	1,797 34
Highway District Laws		
A C R 41, Res Chap 73, Stats. 1929	5,000 00	1,579 45
Legislative Procedure		
Assembly Journal 1929, p. 2828	3,000 00	2,285 40
Mechanics Liens		
A C R 47, Res Chap 92, Stats 1929	None	None
Narcotics		
A C R 11, Res Chap 19, Stats 1929	3 000 00	131 90
Employment for Convicts (Prison Labor)		
A C R 42, Res Chap 56, Stats 1929	3,000 00	1 956 37
Southern California Prison Site		
S C R 28, Res Chap 59, Stats 1929	1,000 00	1 000 00
Street Improvement Laws		
A C R 23, Res Chap 52, Stats 1929	15,000 00	4,235 08
Taxation		
S C R 20, Res Chap 35, Stats 1929	50,000 00	8,247 53
Water Resources		
A C R 38, Res Chap 78, Stats 1929	15,000 00	10,513 68
Motor Vehicle Conference		
A C R 9, Res Chap 26, Stats 1931	600 00	469 54
Narcotics		
S C R 25, Res Chap 52, Stats 1931	1,000 00	7 00
Southern California Prison Site		
S C R 7, Res Chap 41, Stats 1931	None	None
Water Resources		
S C R 38, Res Chap 71, Stats 1931	20,000 00	19,786 18
Civil Service		
A C R 4, Res. Chap 83, Stats. 1931	2,500 00	353 83
Motor Vehicle Laws		
A C R 37, Res Chap 87, Stats 1931	2,000 00	311 85
Taxation of National Banks		
S J R 14, Res Chap 98, Stats 1931	1 000 00	1,154 68
Unemployment		
Unofficial	None	None
Street Improvement Laws		
Assembly Journal 1931, p 3816	2,500 00	837 15
Assembly Rules and Procedure		
Assembly Journal 1931, p 3641	5,000 00	5,000 00
Interstate Legislative Conference		
Assembly Journal 1931, p 3620	10 00	
Fish and Game		
Assembly Journal 1931, p 3643	2,000 00	1,590 81
Boxing		
Assembly Journal 1931, p 3820	1,000 00	103 00
Mono and Inyo and Los Angeles Water Situation		
Senate Journal 1931, p. 1076	2,000 00	840 63
Mining Industry		
Senate Journal 1931, p. 409	1,000 00	938 55
Total appropriated	$187,110 00	
Total expended		$87,742 48

COMPARATIVE STATEMENT OF EXPENSE—MAJOR ITEMS OF LEGISLATIVE PRINTING.

	1921–22	*1923–24*	*1925–26*	*1927–28*	*1929–30*	*1931–32*
Bills, et cetera	$48,192 13	$41,374 11	$43,359 06	$67,742 07	$73,595 95	$102,650 91
Daily Journals	36,791 85	34,472 95	33,612 50	38,443 65	33,196 05	52 786 30
Daily and Weekly Histories	15,028 65	14,672 05	13,383 00	18,586 60	17,397 25	23 114 78
Daily Files	3,627 36	3,771 60	3,556 65	4,116 60	5,852 70	4,668 20
Paper for above	25,352 81	8,648 93	8,465 94	9,002 62	12 978 25	19,095 02
Totals	$128,992 80	$102,939 61	$102,407 15	$137,873 54	$143 020 20	$202,615 30
Final Calendar and History	$1,851 05	$1,156 20	$1,992 80	$1 524 70	$1 668 65	$3 123 15
Final Journal of Senate	2,057 65	4,015 15	2,115 36	2,991 15	2 937 60	5,816 95
Final Journal of Assembly	2,115 65	3 605 23	3,039 91	3,587 70	1,175 40	6,221 95
Appendix to Journals	5,773 45	1 852 72	5,920 85	6,108 70	7,192 10	7,908 15
Statutes	13 581 76	8 013 50	9,058 70	13,019 85	14 711 83	23 010 26
Legislative reports	1 125 38	1,714 25	3,218 75	2 518 30	3 286 50	2 089 90*
Veteran organizations reports	440 70	1 753 50	1 428 10	2,755 05	2,915 15	4 135 81*
Bill room	5 655 06	6,317 25	5,977 15	9,630 75	9 912 10	11 499 95
Bill covers and binders	1,234 12	1,331 95	1,892 60	2,598 10	2 534 70	1 226 65
Special resolutions	287 11	968 53	326 35	417 25	608 20	1 081 20
Legislative digest	239 15	1,277 95	1,416 75	2,641 00	1 597 15	1 780 00
Executive budget	112 50	1,165 72	1,377 50	2 759 90	1,100 25	7,751 20
Governors messages	60 15	50 95	159 55	316 35	1 116 90	1,417 70
Hand books	3,171 10	4 818 70	5,809 90	5,426 70	7 114 50	9,135 95
Legislative stationery and cards	4,278 76	4 506 00	5,194 65	5,376 01	6 977 72	7 881 75*
Constitutions			1,450 00		2 271 10	8 146 70*
Vehicle Act					1,590 70	11 300 15
Miscellaneous	5 174 79	2 951 19	12,812 60	12,426 08	19 159 26	12,624 60*
Totals	$177,387 21	$151,191 73	$166,258 70	$211,961 13	$237,243 31	$332,128 98*

* Complete to December 1, 1932, only

COMPARATIVE STATEMENT OF MAJOR ITEMS OF LEGISLATIVE CONTINGENT EXPENSES

	1921–22	1923–24	1925–26	1927–28	1929–30	1931–32
Bureau of Purchases						
Senate	$2,317 67	$1,610 83	$1,320 64	$1,355 55	$1 188 70	$1,276 11
Assembly	2 617 38	2,029 36	1,590 25	1,457 05	1,745 70	1,864 85
Totals	$4,935 05	$3,640 19	$2,910 89	$2,812 60	$3,231 40	$3,140 99
Postage						
Senate	$2,022 20	$2,304 50	$2,219 22	$3,034 99	$3,972 17	$4,606 50
Assembly	669 32	673 88	489 49	609 52	1,133 46	1,071 00
Totals	$2,691 52	$2,978 28	$2,708 71	$3,644 51	$5,105 63	$5,677 50
Railway Express						
Senate	$135 34	$138 22	$119 21	$163 80	$225 03	$218 72
Assembly	311 06	96 03	222 33	321 86	302 27	417 43
Totals	$469 40	$234 35	$341 54	$485 66	$527 30	$636 15
Local and Long Distance Telephone						
Senate	$162 10	$146 67	$142 14	$275 33	$663 79	$708 99
Assembly	89 72	78 64	103 80	129 29	331 66	724 46
Totals	$251 82	$225 31	$246 23	$401 62	$995 45	$1,433 45
Telegrams						
Senate	$176 09	$23 94	$69 61	$172 46	$179 66	$485 86
Assembly	31 85	32 41	92 65	18 59	68 28	45 89
Totals	$207 94	$56 35	$162 29	$191 05	$247 94	$531 75
Codes Constitutions, Rules of Order						
Senate	$1 195 50	$1,025 00	$1 111 25	$1,520 21	$1,583 50	$1,933 20
Assembly	2,406 50	2,280 79	2,158 50	2,697 50	3,019 50	3,600 50
Totals	$3,602 00	$3,305 79	$3 269 25	$4,217 71	$4,603 00	$5,533 70
Interim Committees and Traveling Expenses						
Senate	$939 19	$2,119 13	$1,361 49	$7,489 91	$21,087 70	*$13,804 53
Assembly	668 88	2,007 73	2,511 14	7,137 73	22,279 02	*19,915 09
Totals	$1,608 07	$4,126 86	$3,872 63	$14,627 64	$43,366 72	*$33,719 62
Meals Served Members						
Senate	$193 20	$72 60		$176 30	$54 05	$248 60
Assembly	68 50	205 20	$220 36	250 85		608 60
Totals	$261 70	$277 80	$220 36	$427 15	$54 05	$857 20
Towel Service						
Senate	$99 00	$117 37	$44 61	$86 48	$148 11	$149 44
Assembly	165 50	219 61	111 00	142 26	168 14	185 26
Totals	$264 50	$337 01	$158 64	$228 71	$316 25	$334 70

COMPARATIVE STATEMENT OF MAJOR ITEMS OF LEGISLATIVE CONTINGENT EXPENSES—CONTINUED.

Typewriter Rental						
Senate	$552 50	$597 00	$280 81	$428 00	$783 00	$656 25
Assembly	489 50	393 00	451 50	282 50	257 50	232 50
Totals	$1,042 00	$990 00	$732 31	$710 50	$1,040 50	$88 75
Legislative Recess and After Session Help						
Senate	$593 50	$338 00	$598 50	$783 00	$4,668 56	$1,457 00
Assembly	183 00	360 00	20 00	637 00	3,843 00	1,451 92
Totals	$776 50	$698 00	$618 50	$1,420 00	$8,511 55	$2,908 92
Miscellaneous						
Senate	$2,561 23	$2 250 35	$274 70	$673 04	$12,470 18	$2,892 64
Assembly	4,084 92	3,669 13	1,030 73	396 97	9,915 05	2,552 12
Totals	$6,646 15	$5,919 48	$1,405 43	$1,070 01	$22,385 23	$5,444 76
Total Senate	$10,937 52	$10,713 71	$7,612 53	$16 159 10	$17,324 41	*$28,137 87
Total Assembly	11,819 13	12,045 81	9,004 25	14,081 12	43,063 58	*32,669 62
Grand totals	$22,756 65	$22,789 52	$16,616 78	$30,210 22	$90,388 02	*$61,107 49

* Complete to December 1, 1932, only.

RECAPITULATION OF SENATE AND ASSEMBLY BILLS, RESOLUTIONS AND AMENDMENTS REFERRED TO AND REPORTED FROM ASSEMBLY COMMITTEES, SESSIONS OF 1923–1931, INCLUSIVE.

	1923		1925		1927		1929		1931		Ten year average	
	Referred	Reported	Referred	Reported	Referred	Reported	Referred	Reported	Referred	Reported	Referred	Reported
AGRICULTURE AND CONSERVATION												
Agriculture	41	31	49	35	37	34	34	25	40	27	40	30
Conservation	21	18	20	11	24	17	24	19	22	18	23	17
Drainage, Swamp and Overflowed Lands	28	20	31	27	19	15	20	18	27	26	25	21
Exhibitions and Fairs	No Com.	No Com.	No Com.	No Com.	No Com.	No Com.	4	3	7	4	5	3
Irrigation	61	47	38	25	32	22	33	23	34	33	40	30
Live Stock and Dairies	10	5	19	12	7	2	19	15	14	9	14	9
Total	161	121	157	110	119	90	134	103	144	117	147	110
BANKING AND INVESTMENTS												
Banking	19	9	10	4	21	11	4	1	10	9	13	7
Building and Loan Associations	5	3	11	11	12	12	10	8	8	4	9	8
Total	24	12	21	15	33	23	14	9	18	13	22	15
COMMERCE												
Commerce and Navigation	32	28	29	20	32	24	42	34	43	31	36	27
Corporations	17	15	25	15	5	1	14	11	8	---	14	8
Insurance	50	30	66	27	55	31	56	33	78	41	61	32
Manufactures	11	4	20	7	9	4	5	3	9	7	11	5
Mines and Mining	8	4	4	4	5	3	8	7	6	3	6	4
Oil Industries	8	6	8	1	5	4	13	10	26	13	12	7
Public Utilities	35	17	38	13	31	9	32	14	40	19	35	14
Total	185	116	211	102	175	99	184	121	228	127	197	112
CONSTITUTION AND FEDERAL AFFAIRS												
Constitutional Amendments	65	40	43	25	49	20	59	27	52	23	54	27
Federal Relations	39	32	32	23	21	15	28	15	23	20	29	21
Total	104	72	75	48	70	35	87	42	75	43	83	47
EDUCATION												
Education	149	94	93	62	101	67	114	80	178	120	127	85
Teachers Colleges	33	33	12	9	6	5	8	7	9	7	14	12
Universities	11	6	14	8	6	2	14	8	8	4	11	6
Total	193	133	119	79	113	74	136	95	195	131	152	103
FISH AND GAME												
Fish and Game	85	30	89	39	90	47	89	38	121	62	95	43
HIGHWAYS AND MOTOR VEHICLES												
Aviation and Aircraft	No Com.	No Com.	No Com.	No Com.	No Com.	No Com.	9	5	9	3	9	4
Motor Vehicles	46	9	44	15	28	5	41	22	49	16	42	13
Roads and Highways	84	53	78	62	70	23	45	18	49	26	65	36
Total	130	62	122	77	98	28	95	45	107	45	116	53
JUDICIARY (To be divided into two separate committees)												
Crime Problems	2	2	12	4	157	61	89	64	43	27	61	37
Judiciary	399	262	405	236	436	266	364	266	556	307	432	269
Prisons and Reformatories	13	13	10	6	9	5	17	14	10	6	12	3
Total	414	277	427	246	602	332	470	344	609	340	505	308
Each Committee Total, (Approx.)	207	139	213	123	301	166	235	172	305	170	253	154

RECAPITULATION OF SENATE AND ASSEMBLY BILLS, RESOLUTIONS AND AMENDMENTS REFERRED TO AND REPORTED FROM ASSEMBLY COMMITTEES, SESSIONS OF 1923–1931, INCLUSIVE—(CONTINUED).

LABOR AND CAPITAL												
Labor and Capital	28	22	32	19	29	15	25	18	10	7	25	16
LOCAL GOVERNMENT												
County Government	139	103	143	110	151	130	127	116	378	250	188	142
Libraries	2	2	2	---	7	7	---	---	2	---	3	2
Municipal Corporations	95	68	110	84	113	77	103	67	123	88	109	77
Total	236	173	255	194	271	214	230	183	503	338	300	221
MORAL AND SOCIAL WELFARE												
Hospitals and Asylums	16	7	17	14	8	4	14	11	8	5	13	8
Medical and Dental Laws	21	15	16	9	31	21	30	20	21	13	24	16
Public Charities and Corrections	8	4	26	17	9	7	12	10	22	12	15	10
Public Health and Quarantine	33	20	39	35	45	30	48	36	29	14	39	27
Public Morals	11	1	10	3	3	---	5	1	6	1	7	1
Social Service and Welfare	No Com.	No Com.	No Com.	No Com.	No Com.	No Com.	10	8	13	3	11	5
Total	89	47	108	78	96	62	119	86	99	48	109	67
RULES												
Attaches	---	---	---	---	---	---	---	---	---	---	---	---
Contested Elections	---	---	---	---	---	---	---	---	---	---	---	---
Contingent Expenses	---	---	2	2	2	1	5	5	2	2	2	2
Engrossment and Enrollment	---	---	---	---	---	---	---	---	---	---	---	---
Introduction of Bills	---	---	---	---	---	---	---	---	---	---	---	---
Mileage	1	1	---	---	---	---	---	---	---	---	---	---
Revision and Printing	6	3	3	2	5	4	5	4	3	2	4	3
Rules	6	3	4	3	3	3	3	2	8	6	5	3
Total	13	7	9	7	10	8	13	11	13	10	11	8
STATE GOVERNMENT												
Civil Service	3	---	3	3	3	3	2	2	7	5	3	3
Direct Legislation	---	---	---	---	---	---	2	---	9	5	2	1
Elections	32	22	21	9	25	19	35	24	39	28	30	20
Governmental Efficiency and Economy	89	50	130	93	71	47	84	61	145	97	104	70
Governmental Revenues and Expenditures	No Com	No Com.	---	---	3	3	5	4	5	4	4	4
Military Affairs	6	6	4	2	5	4	15	13	6	4	7	6
Pensions	No Com.	No Com	No Com.	No Com.	No Com.	No Com.	3	1	2	1	2	1
Soldiers and Sailors Affairs	20	12	10	10	8	4	8	8	13	7	12	8
State Grounds and Parks	9	7	12	7	7	7	10	9	10	8	10	8
Reapportionment	6	2	8	4	4	2	---	---	21	6	8	3
Total	165	99	188	128	126	89	164	122	257	165	182	124
WAYS AND MEANS												
Claims	32	29	28	28	49	46	32	32	87	78	46	43
Revenue and Taxation	36	19	40	17	34	26	42	25	66	32	44	24
Ways and Means	219	177	262	192	226	200	172	142	273	156	230	173
Total	287	225	330	237	309	272	246	199	426	266	320	240
Without reference to committee	14	14	12	12	29	29	46	46	113	113	43	43
Grand total	2,104	1,398	2,134	1,376	2,137	1,398	2,038	1,453	2,900	1,812	2,285	1,496

Present Schedule of Assembly Committee Meetings

MONDAY

Hour

4.00 p.m.

Banking
Conservation
Drainage, Swamp and Overflowed Lands
Exhibitions and Fairs
Municipal Corporations

7.30 p.m.

Elections
Judiciary
Libraries
Ways and Means

TUESDAY

9.00 a.m.

Agriculture
County Government
Hospitals and Asylums
Roads and Highways

4.00 p.m.

Education
Insurance
Medical and Dental Laws
Motor Vehicles
Pensions

7.30 p.m.

Fish and Game
Labor and Capital
Public Charities and Corrections
Revenue and Taxation
Social Service and Welfare

WEDNESDAY

9.00 a.m.

Building and Loan Associations
Commerce and Navigation
Crime Problems
Federal Relations
Live Stock and Dairies

4.00 p.m.

Aviation and Aircraft
Civil Service
Irrigation
Municipal Corporations
Public Health and Quarantine
Public Morals

7.30 p.m.

Judiciary
Manufactures
Mines and Mining
Ways and Means

Proposed Schedule of Assembly Committee Meetings

MONDAY

Hour

1.30 p.m.

Education
State Government
Constitutional and Federal Affairs
Banking and Investments
Highways and Motor Vehicles

TUESDAY

Education
State Government
Labor and Capital
Fish and Game
Commerce

WEDNESDAY

Judiciary No. 1
Judiciary No. 2
Ways and Means
Agriculture and Conservation
Moral and Social Welfare

Present Schedule of Assembly Committee Meetings—Continued

THURSDAY

9 00 a m.

Agriculture
Corporations
County Government
Roads and Highways
State Grounds and Parks

4 00 p m.

Constitutional Amendments
Drainage, Swamp and Overflowed Lands
Education
Motor Vehicles

7 30 p.m

Fish and Game
Governmental Efficiency and Economy
Labor and Capital
Revenue and Taxation

FRIDAY

9 00 a.m.

Direct Legislation
Public Utilities
Reapportionment
Teachers Colleges

4 00 p m

Claims
Oil Industries
Prisons and Reformatories
Soldiers and Sailors Affairs
Universities

7.30 p m.

Governmental Revenues and Expenditures
Judiciary
Military Affairs
Ways and Means

SUBJECT TO CALL BY CHAIRMAN

Attaches
Contested Elections
Contingent Expenses
Engrossment and Enrollment
Introduction of Bills
Mileage
Revision and Printing
Rules

Proposed Schedule of Assembly Committee Meetings—Continued

THURSDAY

1 30 p m.

Judiciary No. 1
Judiciary No. 2
Ways and Means
Agriculture and Conservation
Local Government

FRIDAY

1 30 p m

Any Committee when necessary

SUBJECT TO CALL BY CHAIRMAN

Rules

ACTUAL MEETING TIME, 1931 CALIFORNIA ASSEMBLY

Date	Convened	Noon recess	Noon returned	Evening recess	Evening returned	Adjourned	Total Hrs	Total Min
Jan 5th	12 00 n					2 10 p	2	10
Jan 6th	9 00 a					1 35 p	4	35
Jan 7th	10 00 a					11 35 a	1	35
Jan 8th	10 00 a					11 05 a	1	05
Jan 9th	10 00 a					11 05 a.	1	05
Jan 12th	11 00 a					12 25 p	1	25
Jan 13th	10 00 a					12 45 p	2	45
Jan 14th	10 00 a					11 25 a	1	25
Jan 15th	10 00 a	12 10 p.	2 00 p			2 40 p	2	50
Jan 16th	10 00 a					11 20 a	1	20
Jan 19th	11 00 a					12 45 p	1	40*
Jan 20th	10 00 a					12 10 p	2	00*
Jan 21st	10 00 a					12 40 p	2	40
Jan 22d	10 00 a.	12 15 p	1 45 p			4 45 p	2	45
Jan 23d	10 00 a	1 00 p	2 00 p			4 00 p	5	00
			(Constitutional Recess)					
Feb 24th	11 00 a					11 55 a.		55
Feb 25th	10 00 a					12 10 p	2	10
Feb 26th	10 00 a.					11.05 a		57*
Feb 27th	10 00 a					11 12 a	1	12
Mar 2d	11 00 a					12 10 p	1	10
Mar. 3d	10 00 a					11 45 a	1	45
Mar 4th	10 00 a	12 40 p	2 15 p			4 22 p	4	47
Mar 5th	10 00 a	12 15 p.	2 00 p			3 05 p	3	20
Mar 6th	10 00 a					12 05 p	2	00*
Mar 9th	11 00 a	12 30 p	2 00 p			3 42 p	3	12
Mar 10th	10 00 a.					12 40 p	2	40
Mar 11th	10 00 a	12 32 p	2 15 p			3 50 p	4	07
Mar 12th	10.00 a					12 10 p	2	10
Mar 13th	10 00 a					11 20 a	1	20
Mar 16th	11 00 a	12 35 p	2 00 p			3 35 p.	3	10
Mar 17th	10 00 a					1 55 p	3	55
Mar 18th	10 00 a	12 20 p	2 00 p			2 05 p	2	25
Mar 19th	10 00 a	12 30 p	2 00 p	6 45 p	8 00 p	11 05 p	10	30
Mar 20th	10 00 a					11 15 a	1	15
Mar 23d	11 00 a	12 30 p	2 00 p			4 00 p	3	30
Mar 24th	10 00 a					1 55 p	3	55
Mar 25th	10 00 a					6 44 p	8	44
Mar 26th	10 00 a	12 35 p	2 00 p			5 00 p	5	35
Mar 27th	10 00 a					11 40 a	1	40
Mar 30th	11 00 a	12 45 p	2 15 p			4 25 p	3	55
Mar 31st	10 00 a	12 40 p	2 00 p			5 00 p	5	40
April 1st	10 00 a	12 15 p	2 00 p			3 35 p	3	40
April 2d	10 00 a	12.45 p	2 15 p.			4 22 p	3	24*
April 3d	10 00 a					11 30 a.	1	30
April 6th	11 00 a.	12.45 p	2 00 p			4 15 p	3	40*
April 7th	10 00 a.					1 35 p	3	35
April 8th	10 00 a	1 00 p	2 30 p			5 20 p	5	50
April 9th	10 00 a	12 35 p	2 00 p.			4 35 p	5	10
April 10th	10 00 a					12 10 p	2	10
April 13th	11 00 a.	12 35 p	2 00 p			5 50 p	5	10*
April 14th	10.00 a	1.14 p	2 30 p			5 10 p	5	54
April 15th	10 00 a	1 05 p	2 15 p			3 40 p	3	30*
April 16th	10 00 a	12 25 p	2 00 p			3 40 p	4	05
April 17th	10 00 a					12 00 n	2	00
April 20th	11 00 a					1 25 p	2	25
April 21st	10 00 a	12 40 p	2 00 p			4 10 p	4	47*
April 22d	10 00 a	1 15 p.	2.30 p			4 10 p	4	55
April 23d	10 00 a	1 35 p.	3 00 p			5 45 p	6	10*
April 24th	10 00 a					12 50 p	2	50
April 27th	11 00 a	12 46 p	2 00 p			6 10 p	5	56
April 28th	10 00 a	12 35 p	2 00 p			5 40 p	6	15
April 29th	10 00 a	12 45 p	2 00 p			6 00 p	6	45
April 30th	10 00 a	12 54 p.	2 00 p.			5 45 p	6	34*
May 1st	9 30 a					12 10 p	2	40
May 4th	11 00 a.	12 55 p	2 00 p			5 35 p	5	30
May 5th	10 00 a	12 45 p	2 00 p			5 35 p	6	20
May 6th	10 00 a	12 40 p	2 00 p			11 55 p	12	20*
May 7th	10 00 a	12 35 p	2 00 p			5 50 p	6	25
May 8th	10 00 a	2 40 p.	2 45 p			4 03 p	5	58
May 11th	11 00 a	1 00 p	2 00 p			6 20 p	6	20
May 12th	10 00 a	12 50 p	2 00 p			6 10 p	7	00
May 13th	10 00 a	12 55 p	2 00 p			6 30 p	7	25
May 14th	9 30 a	12 55 p	2 00 p	6 05 p.	8 00 p	11 59 p	11	29
May 15th	10 00 a	12 45 p	2 00 p			4 00 p	3	54*
Total							291	55
Daily average							3	57

*Denotes deduction of time for unlisted recesses taken.

ACTUAL MEETING TIME, 1931 CALIFORNIA SENATE

Date	Convened	Noon recess	Noon returned	Evening recess	Evening returned	Adjourned	Total Hrs.	Total Min.
Jan. 5th	12 00 n					1.45 p	1	45
Jan 7th	10 00 a					10 50 a		50
Jan. 8th	10 00 a					11.20 a.	1	20
Jan 9th	10 00 a					11 35 a.	1	35
Jan 12th	11 00 a.					11.55 a		55
Jan 13th	10 00 a					11 55 a.	1	55
Jan 14th	10 00 a	12 15 p	2 00 p			4 20 p.	4	35
Jan. 15th	10 00 a.					12 02 p	2	02
Jan 16th	10 00 a					12 48 p.	2	48
Jan. 19th	11 00 a	12 14 p	2 00 p			3.08 p	2	22
Jan 20th	10 00 a	10 55 a	2 00 p			2 40 p.	1	35
Jan 21st	10 00 a	12 05 p.	2 00 p.			2 27 p	2	32
Jan 22d	10 00 a	12 12 p	2 00 p			5 10 p	5	22
Jan 23d	9 00 a	1 10 p	2 00 p			4 00 p	4	55*
			(Constitutional Recess)					
Feb 24th	11 00 a					12 15 p.	1	15
Feb 25th	11 00 a.					12 15 p	1	15
Feb 26th	11 00 a					12 11 p		46*
Feb 27th	11 00 a.					11 51 a		51
Mar 2d	11 00 a					11 50 a		50
Mar 3d	11 00 a					12 04 p	1	14
Mar 4th	11 00 a	12 15 p	2 00 p			3 20 p	2	35
Mar 5th	11 00 a	12 02 p	2 00 p			3 20 p	2	22
Mar 6th	11 00 a					12 10 p	1	10
Mar 9th	11 00 a					12 40 p	1	40
Mar 10th	11 00 a	1 00 p	2 00 p			3 15 p	3	15
Mar 11th	11 00 a					12 32 p	1	32
Mar 12th	11 00 a	12 17 p	2 00 p			3 50 p	3	07
Mar 13th	11 00 a					12 06 p	1	06
Mar 16th	11 00 a					1.34 p	2	34
Mar 17th	11 00 a	12 30 p	2 00 p			4 04 p	3	34
Mar 18th	11 00 a					2 20 p	3	20
Mar 19th	11 00 a	1 30 p	2 30 p			5 10 p	5	10
Mar 20th	11 00 a					12 30 p	1	30
Mar 23d	11 00 a	12 30 p	2 00 p			6 07 p	5	30*
Mar 24th	11 00 a	12 54 p	2 00 p			4 20 p	4	14
Mar. 25th	11 00 a	12 55 p	2 00 p			3 20 p	3	15
Mar 26th	11 00 a	12 52 p	2 00 p			3 45 p	3	37
Mar. 27th	11 00 a					12 45 p	1	45
Mar 30th	11 00 a	12 38 p	2 00 p			4 08 p	3	4h
Mar. 31st	11 00 a	12.26 p	2 00 p			3 22 p	2	48
April 1st	11 00 a	12 35 p	2 00 p.			3 22 p	2	57
April 2d	11 00 a	12 41 p	2 00 p.			4 02 p	2	13*
April 3d	10 00 a					11 32 a	1	32
April 6th	11 00 a	12 40 p	2 00 p			3 32 p.	3	12
April 7th	11 00 a					1 10 p	2	10
April 8th	11 00 a	1 35 p	2 30 p			5 30 p	5	35
April 9th	11 00 a	12 30 p	2 00 p			3 40 p	3	10
April 10th	11 00 a					1 02 p	2	02
April 13th	11 00 a	1 00 p	2 00 p			4 27 p	4	17*
April 14th	11 00 a	12 30 p	2 00 p			2 55 p	2	25
April 15th	11 00 a	12 40 p	2 00 p			4 10 p.	2	22*
April 16th	11 00 a	1 43 p	3 00 p			5.01 p.	4	44
April 17th	11 00 a					1 06 p.	2	06
April 20th	11 00 a.	1 02 p	2 00 p			4 27 p	4	29
April 21st	11 00 a	12 40 p	2 00 p			4 07 p	3	42*
April 22d	11 00 a	12 30 p.	2 00 p			5 10 p	4	40
April 23d	11 00 a	2 12 p	3 30 p			5 13 p	4	50
April 24th	11.00 a.					1 55 p.	2	55
April 27th	11 00 a	12 30 p	2 00 p			4 08 p	3	38
April 28th	11 00 a	12 37 p	2 00 p			5 46 p	5	23
April 29th	10 45 a	12 35 p	2 00 p			5.50 p.	5	40
April 30th	10 45 a	12 42 p.	2 00 p			5 22 p	5	14*
May 1st	10 00 a	12 35 p.	2 00 p			4 30 p	5	05
May 4th	11 00 a	12 30 p.	2 00 p			5 10 p	4	30*
May 5th	10 00 a	12 30 p	2 00 p			5 13 p.	5	43
May 6th	10 00 a	12 42 p	2 10 p			4 50 p	5	22
May 7th	10 00 a	12 40 p	2 00 p.			5 50 p	6	30
May 8th	10 00 a	12 30 p	1 30 p			4 00 p	4	45*
May 11th	11 00 a	12 35 p	2 00 p			5 06 p	4	41
May 12th	10 00 a	1 45 p	2 00 p			5 24 p	7	09
May 13th	10 00 a	12 58 p	2 00 p	5 20 p.	8 00 p	11 50 p	10	08
May 14th	10 00 a	12 34 p	1 30 p.	6 09 p.	8 45 p	11 48 p	10	16
May 15th	9 30 a	12 50 p	1 20 p			4 00 p	5	20*
Total							247	07
Daily average							3	20

*Denotes deduction of time for unlisted recesses taken

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Hoffman: Assembly Bill No. 57—An act to amend section 1315 of the Political Code, relating to electors of the President and Vice President of the United States.

Bill read first time, and referred to Committee on Elections

By Messrs. Feigenbaum, Latham, and Hoffman: Assembly Bill No. 58—An act to amend section 337 of the Code of Civil Procedure, relating to the time within which actions upon any contract, obligation or liability founded upon an instrument in writing may be commenced.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Feigenbaum, Latham, and Hoffman: Assembly Bill No. 59—An act amending section 537 of the Code of Civil Procedure, relating to actions in which an attachment may issue.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 60—An act to repeal "An act to encourage the cultivation of ramie in the State of California, to provide a bounty for ramie fiber, and to make an appropriation therefor; to appoint a State Superintendent of Ramie Culture, and make an appropriation for his salary," approved March 31, 1891.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Jones: Assembly Bill No. 61—An act to repeal "An act to provide for police courts in cities having fifteen thousand and under eighteen thousand inhabitants," approved March 31, 1891.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Jones: Assembly Bill No. 62—An act to repeal "An act to provide for the compensation of the chief and captain of police and police officers, in cities in the State of California, containing not less than ten thousand and not exceeding twenty-five thousand inhabitants," approved March 23, 1893.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Jones: Assembly Bill No. 63—An act to repeal "An act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof," approved March 3, 1897.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Jones: Assembly Bill No. 64—An act to repeal "An act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof," approved March 27, 1897.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Jones: Assembly Bill No. 65—An act to repeal "An act to provide for the celebration of the fiftieth anniversary of the Battle of

Gettysburg; appointing a commission in connection therewith; and making an appropriation therefor," approved May 31, 1913.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Jones: Assembly Bill No. 66—An act to repeal sections 3839 to 3856, inclusive, of the Political Code, relating to poll tax on aliens.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Jones: Assembly Bill No. 67—An act to repeal "An act providing for appeals from orders of the board of supervisors forming or refusing to form reclamation or swamp land districts, setting off lands from such districts or including lands in such districts, or consolidating swamp land or reclamation districts," approved March 11, 1893.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Jones: Assembly Bill No. 68—An act to repeal "An act providing for general primary elections within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privileges of free suffrage thereat, by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof, and for other purposes," approved March 13, 1897

Bill read first time, and referred to Committee on Direct Legislation.

By Mr. Jones: Assembly Bill No. 69—An act to repeal "An act to create an Exempt Firemen's Relief Fund in the several counties, cities and counties, cities, and towns of the State and relating to the enrollment, formation into fire companies, and services as firemen of such exempt firemen," approved March 26, 1895.

Bill read first time, and referred to Committee on County Government.

By Mr. Jones: Assembly Bill No. 70—An act to repeal "An act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services, in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893.

Bill read first time, and referred to Committee on County Government.

By Mr. Jones: Assembly Bill No. 71—An act to repeal "An act to regulate the salaries of certain officers in the police department within municipalities of the first class in the State of California, and to provide for the appointment and salaries of other officers of such departments," approved March 8, 1897.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Jones: Assembly Bill No. 72—An act to repeal "An act to create a court in and for the town of Berkeley, State of California," approved March 27, 1895.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Jones: Assembly Bill No. 73—An act to repeal "An act providing for a general primary election in counties of certain classes within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privileges of free suffrage thereat, by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved March 27, 1895.

Bill read first time, and referred to Committee on Direct Legislation.

By Mr. Jones: Assembly Bill No. 74—An act to repeal "An act to authorize the legislative body of a municipality to create sewer districts within its boundaries, provide a system of sewer bonds for the construction of sewers therein, and to provide for the payment of said bonds," approved February 13, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Jones: Assembly Bill No. 75—An act to repeal "An act making it a misdemeanor to sell or exchange property under the representation, advertisement, notice or inducement that an unidentified, unknown, unselected, or chance prize, premium or premium-gift, or that a stamp, trading-stamp, coupon or other like device entitling the holder to receive such a prize, premium or premium-gift, or that the redemption of such a stamp, trading-stamp, coupon or other like device so given is to be part of the transaction, or to sell or exchange any trading-stamp, stamp, coupon, or other like device to aid in such sale or exchange, as aforesaid, and providing a penalty therefor," approved March 7, 1905.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Jones: Assembly Bill No. 76—An act to repeal section 4041b of the Political Code, relating to advisory board to county assessor.

Bill read first time, and referred to Committee on County Government.

By Mr. Jones: Assembly Bill No. 77—An act to repeal "An act providing for a county engineer for each county in this State, providing for his appointment, manner of removal, qualifications, compensation and duties; transferring to such engineer certain powers, functions and duties heretofore vested in and performed by county surveyors and members of the board of supervisors; also authorizing the board of supervisors for each county to purchase and obtain all necessary equipment, materials and instrumentalities to carry out the objects of this act; to provide said county engineer with an office and necessary assistants; to provide for abolishing the office of county surveyor and for the fixing and levying of taxes for road purposes," approved May 27, 1919.

Bill read first time, and referred to Committee on County Government.

By Mr. Jones: Assembly Bill No. 78—An act to repeal "An act to regulate the sale of eggs that have been shipped or imported into the State of California from any point or place outside of the United States, requiring the marking thereof by all persons selling or offering

the same for sale, and fixing penalties for the violation of the same or of any of the provisions thereof," approved June 4, 1915.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Jones: Assembly Bill No. 79—An act to repeal "An act for the payment of fees due to trial jurors, who have served as such in the superior court of any county, or city and county, of this State, under the Act of 1895," approved March 23, 1901.

Bill read first time, and referred to Committee on Governmental Revenue and Expenditures.

By Mr. Jones: Assembly Bill No. 80—An act to repeal "An act requiring the marking of packages of butter containing less than six pounds and more than one-half pound so as to advise the purchaser or others as to the weight of butter contained in such package," approved March 20, 1905.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 81—An act to repeal section 11½ of "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Jones: Assembly Bill No. 82—An act to repeal "An act to create a harbor district to be called Ventura County Harbor District, to provide for the location, improvement, development and protection on the seacoast of Ventura County of a harbor and approaches thereto, to provide for the government, control, operation and maintenance of said harbor and the approaches thereto, and to define the powers and duties of the officers thereof, to provide for the construction of works and the acquisition of property therefor; to authorize the advance by Ventura County of the preliminary expense and the incurring by said district of indebtedness for the cost of said construction and the voting, issuing and selling of bonds therefor, and to provide for the levy of assessments by said district for said purposes and for the collection thereof," approved June 1, 1927.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Jones: Assembly Bill No. 83—An act to repeal "An act to provide for the support of vocational reeducation and rehabilitation of workmen disabled in industry in this State, and to create a fund for these purposes to be known as the 'Industrial rehabilitation fund,' by fixing an additional liability upon all employers liable under said act in cases where employees receive fatal compensable injury and leave no dependents," approved May 2, 1919.

Bill read first time, and referred to Committee on Insurance.

By Mr. Jones: Assembly Bill No. 84—An act to repeal "An act to provide for the payment of the wages of mechanics and laborers employed by corporations," approved March 31, 1891.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Jones: Assembly Bill No. 85—An act to repeal "An act relating to the liquidation of banks by the superintendent of banks; empowering him to levy assessments against the members and stockholders of any bank in process of liquidation by him to an amount which he may determine to be necessary to promptly pay the creditors of such bank in full; to enforce such assessments by suit and empowering the superior court to determine the equities of the members and stockholders of any such bank to any surplus which may remain after the payment of the creditors of such bank in full and to award and distribute the same accordingly," approved May 17, 1917.

Bill read first time, and referred to Committee on Banking.

By Mr. Jones: Assembly Bill No. 86—An act to repeal "An act to require the payment of certain premiums to counties, and cities and counties, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums," approved March 3, 1885.

Bill read first time, and referred to Committee on Insurance.

By Mr. Jones: Assembly Bill No. 87—An act to repeal "An act to enlarge the powers of the board of supervisors of the county of San Joaquin," approved March 14, 1868.

Bill read first time, and referred to Committee on County Government.

By Mr. Jones: Assembly Bill No. 88—An act to repeal "An act requiring every corporation doing business in this State to pay their employees, and each of them, at least once in each and every month, the wages earned by such employee; to limit the defenses which may be set up by such corporation to assignments of wages, set-off or counterclaims, or the absence of such employee at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same," approved March 29, 1897.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Jones: Assembly Bill No. 89—An act to repeal "An act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now residents of this State and fixing penalties and punishments for violation of this act, and providing for deportation of criminals," approved March 20, 1891.

Bill read first time, and referred to Committee on Federal Relations.

By Mr. Jones: Assembly Bill No. 90—An act to repeal "An act to discourage the immigration to this State of persons who cannot become citizens thereof," approved April 28, 1855.

Bill read first time, and referred to Committee on Federal Relations.

By Mr. Jones: Assembly Bill No. 91—An act to repeal "An act amendatory of and supplementary to an act entitled 'An act to provide revenue for the support of the government of this State from a tax upon foreign and inland bills, passengers, insurance companies, and other matters,' approved April 15, 1862," approved May 14, 1862.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Jones: Assembly Bill No. 92—An act to repeal "An act to protect free white labor against competition with Chinese coolie labor and to discourage the immigration of the Chinese into the State of California," approved April 26, 1862.

Bill read first time, and referred to Committee on Federal Relations.

By Mr. Jones: Assembly Bill No. 93—An act to repeal sections 4 and 72 of the California Irrigation Act.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Jones: Assembly Bill No. 94—An act to repeal "An act to provide for the restoration of the San Diego Mission, appointing a committee therefor, and providing an appropriation to carry this act into effect," approved June 3, 1921.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Jones: Assembly Bill No. 95—An act to repeal "An act to recognize and declare valid the Madera Irrigation District and to approve and declare valid all proceedings on formation and organization of said district," approved May 4, 1921.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Jones: Assembly Bill No. 96—An act to repeal "An act concerning unlawful holding over of lands, tenements, and other possessions," approved April 27, 1863.

Bill read first time, and referred to Committee on Judiciary.

By Mr Jones: Assembly Bill No. 97—An act to repeal section 1b of the Water Commission Act.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr Jones: Assembly Bill No. 98—An act to repeal "An act relative to the assessment in Swamp Land Reclamation District No. 118, in Contra Costa County," approved March 6, 1876.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Jones: Assembly Bill No. 99—An act to repeal "An act to establish water rates in the City and County of San Francisco," approved March 1, 1876.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Jones: Assembly Bill No. 100—An act to repeal "An act making an appropriation to pay the claims of various persons and counties against the State of California." approved June 1, 1917.
Bill read first time, and referred to Committee on Ways and Means.

By Mr. Jones: Assembly Bill No. 101—An act to repeal "An act to provide a system of drainage for agricultural, swamp, and overflowed lands," approved March 3, 1881.
Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Jones: Assembly Bill No. 102—An act to repeal "An act in relation to certain deputies, assistants, and copyists of county clerks," approved April 2, 1880.
Bill read first time, and referred to Committee on County Government.

By Mr. Jones: Assembly Bill No. 103—An act to repeal "An act to authorize the common council of the city of Santa Barbara to lay out, open, and improve streets in said city," approved March 26, 1878.
Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Jones: Assembly Bill No. 104—An act to repeal "An act to promote drainage," approved April 23, 1880.
Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Jones: Assembly Bill No. 105—An act to repeal "An act to regulate the assessment of migratory herds or bands of live stock, and to provide for an equitable distribution of the taxes derived therefrom," approved March 16, 1874, and to repeal "An act supplementary to an act entitled 'An act to regulate the assessment of migratory herds or bands of live stock, and to provide for an equitable distribution of the taxes derived therefrom,' approved March 16, 1874," approved April 1, 1876.
Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Jones: Assembly Bill No. 106—An act to repeal "An act relating to fishing in the waters of this State," approved April 23, 1880.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Jones: Assembly Bill No. 107—An act to repeal "An act to regulate and provide for a day of rest in certain cases," approved April 16, 1880.
Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Jones: Assembly Bill No. 108—An act to repeal "An act to prohibit the issuance of licenses to aliens not eligible to become electors of the State of California," approved April 12, 1880
Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Jones: Assembly Bill No. 109—An act to repeal "An act to provide for the organization, incorporation, and government of merged

and consolidated cities and counties of more than 100,000 population, pursuant to the provisions of section 7, of Article XI, of the Constitution of this State," approved April 24, 1880.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Hornblower: Assembly Bill No. 110—An act to amend "An act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of California, providing the method therefor, making an appropriation therefor and prescribing penalties for the violation of the provisions of this act," approved May 28, 1929, relating to aged persons in need.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Hornblower: Assembly Bill No. 111—An act to add a new section to the Penal Code to be numbered 146c, relating to badges or other insignia of authority of fire departments and providing penalties for the violation hereof.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Hornblower: Assembly Bill No. 112—An act to add a new section to the Penal Code to be numbered 146b, relating to badges and other insignia of authority of sheriffs, chiefs of police, constables, or peace officers, and providing penalties for the violation hereof.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. McCarthy: Assembly Bill No. 113—An act to amend sections 377b and 377e of the Political Code, relating to divisions of and boards subject to the Department of Professional and Vocational Standards.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. McCarthy: Assembly Bill No. 114—An act to repeal the California Barber Law.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. McCarthy: Assembly Bill No. 115—An act to amend section 737s of the Political Code, relating to salaries of the judges of the superior court in the county of Los Angeles.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. McCarthy: Assembly Bill No. 116—An act to amend section 737ll of the Political Code, relating to salaries of the judges of the superior court of the City and County of San Francisco.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. McCarthy: Assembly Bill No. 117—An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting, and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, as amended,

relating to the creation of a fund for advertising or exploiting the resources of the county.

Bill read first time, and referred to Committee on Agriculture.

By Mr. McCarthy: Assembly Bill No. 118—An act to repeal section 4056b of the Political Code, relating to the creation of a fund for making exhibitions of products and the assistance of local fair associations.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

By Mr. McCarthy: Assembly Bill No. 119—An act to amend section 4041.5 of the Political Code, relating to the powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr. McCarthy: Assembly Bill No. 120—An act to repeal Article XIo of Chapter III of Title I of Part III of the Political Code, embracing sections 378 to 378g, inclusive, relating to a Bureau of Commerce in the State Department of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. McCarthy: Assembly Bill No. 121—An act to amend sections 3746 and 3756 of the Political Code, relating to times for payment of taxes.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Woolwine: Assembly Bill No. 122—An act to amend sections 360b, 360c, 361, 363, 363a, 364, 364b, 366, 372a, 373, 374a, 377a, and 655 of the Political Code, relating to salaries of public officers in the State of California.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Woolwine: Assembly Bill No. 123—An act to amend section 204e of the Code of Civil Procedure, relating to the secretary and assistant secretaries of the superior court.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Woolwine: Assembly Bill No. 124—An act to amend section 261 of the Code of Civil Procedure, relating to superior court commissioners.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Woolwine: Assembly Bill No. 125—An act to amend section 120 of the Bank Act, relating to the Superintendent of Banks.

Bill read first time, and referred to Committee on Banking.

By Mr. Woolwine: Assembly Bill No. 126—An act to amend section 21 of the Corporate Securities Act, relating to the Commissioner of Corporations.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Woolwine: Assembly Bill No. 127—An act to repeal sections 378, 378a, 378b, 378c, 378d, 378e, 378f, and 378g of the Political Code, relating to the Bureau of Commerce and providing for the disposition of property in the custody of the bureau.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Woolwine: Assembly Bill No. 128—An act to amend section 737s of the Political Code, relating to salaries of the judges of the superior court, Los Angeles County.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Cobb and Hoffman: Assembly Bill No. 129—An act to repeal an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893, Statutes 1893, page 33, as amended, with provision that any bonds issued under the provisions of said act shall not be affected by said repeal.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs Cobb and Hoffman: Assembly Bill No 130—An act to amend the Road District Improvement Act of 1907, approved March 27, 1907, Statutes of 1907, page 806, as amended, by authorizing contributions to be made from public funds toward the payment of principal and interest on bonds issued under that act; and to provide for a repeal of said act with provision that said repeal shall not apply to existing proceedings instituted thereunder.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Cobb and Hoffman: Assembly Bill No. 131—An act to repeal an act entitled The Local Improvement Act of 1901, approved February 26, 1901, Statutes of 1901, page 34, as amended, with the provision that said repeal shall not apply to existing proceedings under said act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Cobb and Hoffman: Assembly Bill No. 132—An act to repeal an act entitled the Improvement Bond Act of 1915, approved June 11, 1915, Statutes of 1915, page 1441, as amended, with the provision that any bonds issued under the provisions of said act shall not be affected by said repeal.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Cobb and Hoffman: Assembly Bill No. 133—An act to repeal "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved May 24,

1927, Statutes of 1927, page 1351, as amended, with the provision that such repeal shall not apply to any existing proceeding instituted under said act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Cobb and Hoffman: Assembly Bill No. 134—An act to repeal an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, Statutes 1885, page 147, as amended, with provision that said repeal shall not apply to existing proceedings under said act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Cobb and Hoffman: Assembly Bill No. 135—An act to repeal the Acquisition and Improvement Act of 1925, approved May 23, 1925, Statutes of 1925, page 849, as amended, with a provision that said repeal shall not apply to existing proceedings under said act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Cobb and Hoffman: Assembly Bill No. 136—An act to repeal an act entitled "An act to provide for the establishment and change of grade of public highways, streets, public ways and other public property and rights of way, in whole or in part, including property over which possession and right of use have been obtained under the provisions of section 14 of Article I of the Constitution of the State of California, whether the same are situated within the limits of a municipality or whether such public ways or property are in part within the limits of one or more municipalities, or extend from one municipality into another municipality, or from one or more municipalities into or through unincorporated territory, or in whole or in part form the boundary between adjoining municipalities or between a municipality and adjacent unincorporated territory; and providing for work in and upon the same together with any and all appurtenances and appurtenant work; and providing for assessing the whole or any portion of the costs and expenses thereof upon private property and for the issuance and payment of improvement bonds to represent certain assessments for the costs thereof, and providing for the effect of and the enforcement of such bonds," approved April 21, 1911, Statutes 1911, page 1018, as amended, with provision that said repeal shall not apply to existing proceedings under said act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Cobb and Hoffman: Assembly Bill No. 137—"An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of said improvements," approved April 20, 1915, Statutes 1915, page 99, as amended; and to provide for a repeal of said act with

provision that said repeal shall not apply to existing proceedings under said act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Cobb and Hoffman: Assembly Bill No. 138—An act to repeal an act entitled "An act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889, Statutes of 1889, page 70, as amended, with provision that said repeal shall not apply to existing proceedings under said act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Scudder: Assembly Bill No. 139—An act to amend section 3716 of the Political Code, relating to the operation of taxes as a judgment or lien against property.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Scudder, Kallam, Wright, Brock, Martin, Latham, Phillips, Evans, and Utt: Assembly Bill No. 140—An act to repeal sections 9a, 9b, 9c, and 9d of the California Real Estate Act, relating to real estate brokers' bonds.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Hallner: Assembly Bill No. 141—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and to repeal an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled, 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts

of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," approved May 26, 1927.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Hallner: Assembly Bill No. 142—An act to amend section 1203 of the Penal Code, relating to probation.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hallner: Assembly Bill No. 143—An act to amend an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, by adding a new section thereto, to be numbered 12a, relating to the qualification of judges.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hallner: Assembly Bill No. 144—An act to amend sections 156 and 157 of the Code of Civil Procedure and to add a new section thereto to be numbered 156 5, relating to the qualification for judges and justices within this State.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hallner: Assembly Bill No. 145—An act to amend sections 5, 7, 23, 24 and 25 of the Direct Primary Law, relating to primary elections.

Bill read first time, and referred to Committee on Elections.

By Mr. Hallner: Assembly Bill No. 146—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

Bill read first time, and referred to Committee on Elections.

By Mr. Morgan: Assembly Bill No. 147—An act to amend section 483 of the Penal Code, relating to the sale of evidences of right of passage on a common carrier to person not entitled to use of same.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Rogers: Assembly Bill No. 148—An act to provide a limitation on the amount of interest to be paid on bonds issued under certain acquisition or improvement acts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Hunt, Boyle, and O'Connor: Assembly Bill No 149—An act to provide for the redemption of real property sold to the State for delinquent property taxes prior to the fifth day of December, 1933.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Dempster: Assembly Bill No. 150—An act to provide for the redemption of real property sold to the State for delinquent property taxes prior to the expiration of 24 months from and after the effective date hereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Dempster: Assembly Constitutional Amendment No. 8—Proposed amendment to Article XII, section 22, of the Constitution, relative to the Railroad Commission.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. King: Assembly Constitutional Amendment No. 9—Proposed amendment to Article XIII, adding section 10a of the Constitution, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments

By Mr. Greene: Assembly Concurrent Resolution No. 8—Relative to John Stephen McGroarty being given the honorary title of the Poet Laureate of California.

Introduced, and referred to Committee on Rules.

By Mr. Jones: Assembly Concurrent Resolution No. 9—Relative to bestowing of the title of Poet Laureate of California on John Stephen McGroarty.

Introduced. and referred to Committee on Rules.

By Mr. Bowers: Assembly Concurrent Resolution No. 10—Relative to approving the charter of the county of San Diego, State of California, which was submitted to the qualified electors of said county and voted for and ratified by them at a general election held therein on the eighth day of November, 1932.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Bowers asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 10. at this time, without reference to printer or committee, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TEN.

Assembly Concurrent Resolution No. 10—Relative to approving the charter of the county of San Diego, State of California, which was submitted to the qualified electors of said county and voted for and ratified by them at a general election held therein on the eighth day of November, 1932.

Resolution read.

The question being on the adoption of the resolution.

The roll was called. and Assembly Concurrent Resolution No. 10 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No 10 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 10—Relative to approving the charter of the county of San Diego, State of California, which was submitted to the qualified electors of said county and voted for and ratified by them at a general election held therein on the eighth day of November, 1932.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED)

The following concurrent resolution was introduced, and referred as indicated:

By Mr. Phillips: Assembly Concurrent Resolution No. 11—Relative to the designation and appointment of Henry Herbert Knibbs as Poet Laureate of California.

Introduced, and referred to Committee on Rules.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 5, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 2—Approving a certain amendment to the charter of the city of Portersville, a municipal corporation, in the county of Tulare, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the seventh day of April, 1931.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

Senate Concurrent Resolution No 2 referred to Committee on Municipal Corporations.

COMMUNICATION.

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

By Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 4, 1933

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as representatives of the newspapers set opposite their names:

United Press Association—Homer L. Robert, Melvin Lord, Russell D. Pennycook.
San Francisco News—B. W. Horne.
North Sacramento Journal—John T. Holden.
Pacific Coast Exhibitor—Thomas D. Van Osten.

ARTHUR A. OHNIMUS, Chief Clerk.

ADJOURNMENT.

At eleven o'clock and forty-five minutes a.m., on motion of Mr. Robinson, C Ray, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Friday, January 6, 1933, in respect to the memory of Calvin Coolidge, thirtieth President of the United States.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, January 6, 1933.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E, Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion, and Mr. Speaker—72.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Meeker, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Robinson, C. Ray, Mr. Powers was granted leave of absence for the day.

On motion of Mr. Knowland, Mr. Fisher was granted leave of absence for the day.

On motion of Mr. Cronin, Messrs. Levey, Feigenbaum and Williamson were granted leaves of absence for the day.

On motion of Mr. Morgan, Mr. Roland was granted leave of absence for the day.

On motion of Mr. Cassidy, Mr. Hoffman was granted leave of absence for the day.

GUEST ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Dempster, Master Jackie Boone of Arkansas was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITION.

The following petition was read, ordered printed in the Journal, and referred to the Committee on Rules:

By Mr. Speaker:

From Huntington Park Ebell Club indorsing John Stephen McGroarty Poet Laureate of the State of California.

(Signed) MRS. G. R. WILCOX, Corresponding Secretary.

MOTION TO ADOPT PERMANENT RULES.

Mr. Robinson, C. Ray, moved the adoption of the report of the Committee on Rules as printed on page 4 of the Journal, Thursday, January 5, 1933.

The question being on the adoption of the committee report.

The roll was called, and the report of the Committee on Rules adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cronin, Evans, Field, Greene, Grubbs, Hoffman, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream,

Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—60.

NOES—None.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 5, 1933.

To the Members of the Assembly of the State of California.

I have the honor to transmit herewith the Decision of the Governor in the Matter of the Application made on Behalf of Thomas J. Mooney for a Pardon, together with the Report of Honorable Matt I. Sullivan, Former Chief Justice of the Supreme Court of the State of California, and Special Adviser to the Governor in the Above Entitled Proceeding, dated April 21, 1932, which are submitted for your records.

With my compliments and best wishes,

Very sincerely yours,

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 5, 1933.

To the Members of the Assembly of the State of California.

I have the honor to transmit herewith the Message of the Governor Concerning Pardons, Commutations, and Reprieves granted by me for the period 1931–1933, for your records.

With my compliments and best wishes,

Very sincerely yours,

JAMES ROLPH, JR., Governor of California.

MESSAGE OF THE GOVERNOR CONCERNING PARDONS, COMMUTATIONS AND REPRIEVES

GRANTED BY GOVERNOR JAMES ROLPH, JR., FOR PERIOD 1931-1933

To the Senate and Assembly of the State of California.

In accordance with section 1 of Article VII of the Constitution of California, I hereby transmit to you a copy of the cases of pardon, commutation of sentence, restoration of citizenship and reprieve granted by me during the period from January 5, 1931, to January 2, 1933.

JAMES ROLPH, JR., Governor.

REPRIEVE

I hereby grant to Pedro Magsaysay, whose execution at San Quentin is set for Friday, January 9, 1931, a reprieve from said date of January 9, 1931, to February 9, 1931.

In witness whereof, I have hereunto set my hand and caused the Great Seal of California to be affixed this seventh day of January, 1931.

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

Sacramento, California, January 9, 1931.

I have before me the application for a pardon of William Dyer which was submitted to Governor C. C. Young December 18, 1930, Governor Young, through his executive secretary, advised Mrs. Wm. Dyer, the wife of Dyer, as follows:

"Dear Mrs. Dyer:

Governor Young has asked me to reply to your letter of December 15, and advise you that by reason of the short time remaining in his administration it will not be possible for him to take any definite action in the matter of your husband's petition for executive clemency."

Wm. Dyer was convicted of first degree robbery in Los Angeles County and sentenced on September 29, 1928, to serve a term of five years to life. Leo Aggeler and R. M. Broker were deputies acting for the District Attorney's office on this case, which went to the jury in Judge Emmet H. Wilson's Court.

Dyer entered San Quentin on October 19, 1928, and was given No. 46099. The review of the case taken from the records of San Quentin is as follows:

> The Crime: This man was identified as one of three men who held up the Pan American Company, by the two men whom they robbed. These two employees of the company were removing cash from the Pan American Co to the bank. They had just put the money into the car in the yard, when these three bandits drove in and held them up at the point of a gun, taking approximately $10,000 in currency and some checks. Said crime was committed on the second day of April, 1928, in the Pan American Petroleum Yards at 1827 East Washington Street, Los Angeles, California.

Under date of October 1, 1929, an application for executive clemency was made to Governor C. C. Young based on two grounds: (1) Newly discovered evidence, (2) Insufficient evidence to sustain and justify the verdict of guilty. The basis of the newly discovered evidence is contained in the affidavits of W. L. Rowley and Alfred Boner, the victims in the alleged holdup. This petition also contained letters from the trial judge, Hon. Emmet H. Wilson, Deputy District Attorney R. M. Broker, Assistant City Attorney Leo Aggeler, formerly Deputy District Attorney, who handled the prosecution, and signed by each member of the trial jury. At this time the necessary provisions for publication had not been made

Deputy District Attorney Leo Aggeler in his letter to Governor Young under date of October 22, 1929, expressed his belief in Dyer's innocence as follows:

> "My Dear Governor:
>
> The petition in support of an application for pardon of the above named, William Dyer, has been read by the undersigned.
>
> I was the Deputy District Attorney, who prosecuted the case with the assistance of Russell M. Broker, Deputy District Attorney. I have read the affidavits of Mr. Alfred Boner and Mr. W. L. Rowley, which are set forth in the petition.
>
> In light of all of the facts and circumstances, which have transpired since the conviction, and because of the new evidence and testimony, I personally believe that this is a case which merits and warrants the attention of the Chief Executive of our State.
>
> With kindest personal regards, I remain,
>
> Very truly yours,
>
> LEO AGGELER."

At a later date Buron Fitts, District Attorney, wrote Governor Young as follows:

> "This case was tried prior to my becoming District Attorney of Los Angeles County. I have read the affidavits of Alfred Boner and W. R. Rowley, and from those affidavits a serious question of the defendant's guilt has been produced in my mind. I feel that the State Board of Pardons should very carefully examine the evidence and from the condition of the case today, this office, under no circumstances, will oppose the conclusion reached by that Board and whatever action is taken as a result of that examination will be concurred in by this office.
>
> BURON FITTS, District Attorney."

On the ninth day of May, 1930, L. C. Boner, after being taken with W. F. Rowley to San Quentin Prison, made an affidavit stating that his previous identification of Wm. Dyer

> "was erroneous and that the said Wm. Dyer was not a participant in the said robbery and testified to by him in the trial of the *People of the State of California* vs. *Wm. Dyer*."

On the same day when W. F. Rowley was taken into the prison barber shop, he identified Joseph O'Brien, one of fourteen convicts in the barber shop, as being the person who held him up on April the second of 1928. Boner in his affidavit stated that George Costello

> "recognized him and called his attention to facts and circumstances surrounding the commission of the robbery on the second day of April, 1928, which had passed from his mind and memory. That the affiant's mind, refreshed by these two individuals, recalled the facts and circumstances described by them, as facts and circumstances actually taking place"—"affiant states it is his present belief and opinion, after said meeting and observation of said O'Brien and Costello, that they are the two men who took the money hereinabove referred to on the date in question."

At the time of the trial, George Costello and Joseph O'Brien made affidavits admitting that they were guilty of the robbery of the Pan American Petroleum Company. Later Warden J. B. Holohan forwarded to Governor Young the following letter, which was discovered in Costello's cell when the prisoner was found with his throat cut:

"October 14, 1929, San Quentin.

Sir:

There is a certain party in this institution, who through some miscarriage of justice, was convicted of an affair of which he is absolutely innocent of. I have already signed a deposition giving the facts of said affair, so it is needless of me to go into details

The party's name I am referring to is either Dyer or Cryer. The affair I give reference to is the Pan American Petroleum holdup which took place in Los Angeles.

Trusting that you will have someone look into the matter.

So now I lay me down to a long pleasant sleep—

Respectfully,

GEORGE COSTELLO, No. 45873"

The present records show that all legal requirements, including notice of intention to apply for executive clemency, have been complied with.

After consultation with Chief Deputy Robert W. Harrison and Deputy Attorney General Jess Hession, in the absence from the State of Attorney General U. S. Webb, and with former Lieutenant Governor H. L. Carnahan, who was also formerly chairman of the Advisory Pardon Board, and with D. J. O'Brien, my selection as Director of the State Department of Penology, and with Warden Holohan of San Quentin Prison, and with District Attorney Buron Fitts, of the County of Los Angeles, and with Lieutenant Governor Frank Merriam, who concurred with me that this was a proper case for executive pardon, and I having carefully perused the files and records in this matter, and being satisfied that this is a case where pardon should be granted as applied for, and it appearing to me that all legal requirements necessary for the consideration and action by me in connection with said pardon and the application have been complied with;

Therefore, I, James Rolph, Jr, pursuant to the authority vested in me as Governor of the State of California by the Constitution and the statutes of the State of California, do hereby restore him to the rights of citizenship.

In witness whereof, I have hereby set my hand and caused the Great Seal of the State of California to be affixed this tenth day of January, 1931.

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. COBY, Deputy.

REPRIEVE

I hereby grant to Victor Farolan, whose execution at San Quentin is set for Friday, January 23, 1931, a reprieve from said date of January 23, 1931, to Friday, February 27, 1931.

To give this case due and proper consideration and study, the very short time intervening between this date and January 23, 1931, is obviously not sufficient.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifth day of February, 1931.

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C. JORDAN, Secretary of State.

REPRIEVE

I hereby grant to Pedro Magsaysay, whose execution at San Quentin is set for February 9, 1931, a reprieve from said date of January 9, 1931, to Friday, March 13, 1931, in order to give this case further consideration.

In witness whereof, I have hereunto set my hand and the caused the Great Seal of the State of California to be affixed this fifth day of February, 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State
By CHARLES J. HAGERTY, Deputy

REPRIEVE

I hereby grant to Ernest A. Dias, whose execution at San Quentin is set for Friday, February 13, 1931, a reprieve from said date of Friday, February 13, 1931, to Friday, March 13, 1931.

To give this case due and proper consideration and study, the very short time intervening between this date and February 13, 1931, is obviously not sufficient.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifth day of February, 1931.

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C. JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

REPRIEVE

I hereby grant to Tony Waxon, whose execution at San Quentin is set for Friday, February 20, 1931, a reprieve from said date of Friday, February 20, 1931, to Friday, March 20, 1931.

I am granting this reprieve in order to allow a committee of doctors to give this prisoner a proper test as to his sanity.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this seventeenth day of February, 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H CORY, Deputy.

PARDON

Achille Lenci was convicted of the crime of burglary, second degree, and was sentenced on the thirteenth day of January, 1912, by the superior court in and for the county of San Joaquin, Honorable C. W. Norton, judge presiding, to be imprisoned at the State Prison at San Quentin for the term of four years.

He was duly received at the State Prison at San Quentin and given No. 25394. Thereafter, on the thirteenth day of January, 1914, by order of the State Board of Prison Directors, he was placed on parole and so remained until the expiration of his sentence on the thirteenth day of January, 1915

It appears that over seventeen years have elapsed since Lenci was placed on parole, and over ten years since his final discharge.

To substantiate the showing that Lenci holds the good will of respectable people in his community, I have received approximately sixty affidavits and letters from people who live in the neighborhood of Mr. Lenci, to the effect that Lenci is a highly respected man The list of the people making said statements includes justices of the peace and many peace officers, some of whom are:

D B Barry, justice of the peace, Washington Township, Yolo County.

Emmett Phillips, justice of the Peace, Sacramento Township, Sacramento County.

J. W Monroe, sheriff of the county, Yolo County.

Rev. Paul F Reinfels, Church of Our Lady of Blessed Sacrament, Broderick.

Frank R. Wilson, constable, Washington Township, Yolo County.

A. Marty, supervisor, Fourth District, Yolo County.

John Allerton, resident, Broderick.

E. W. Gapen, police officer, Sacramento.

Verne Lewis, detective sergeant, Sacramento

P. F. Becker, police officer, Sacramento.

Frank K. McAllister, police officer, Sacramento.

A J. Babayco, police officer, Sacramento

E. L. Roberts, police officer, Sacramento.

Dr. C. H. McDonnell, county physician, Federal physician, Sacramento.

I have received no protest to the pardon of this man.

If, therefore, after his sentence has been served and his debt to the State fully paid, such a man conclusively demonstrates over a sufficient period of time that he is willing, able and endeavoring to lead a good, sincere and honest life, it would seem clearly in accord with the theory of forgetting a man's past and encouraging his future that the State and society should recognize the worth of the man, and should remove the disabilities incident to the conviction of a felony. This can be accomplished only by the exercise of executive clemency, granting the privilege of becoming an American citizen and restoring civil rights which such person may have lost.

Now, therefore, I, James Rolph, Jr, Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of the said State, in view of the fact that Lenci is entitled to such recognition and help from the State as may be given him by the granting of this pardon, and in view of the fact that the recommendation of the various people, do hereby pardon the said Achille Lenci of the said crime of burglary, second degree.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-sixth day of February, A D. 1931.

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

REPRIEVE

I hereby grant to Pedro Magsaysay, whose execution at San Quentin is set for Friday, March 13, 1931, a reprieve from said date of Friday, March 13, 1931, to Friday, April 10, 1931, in order to give this case further consideration.

I have sought legal advice in this case from attorneys whose names and ability are held in the highest esteem by members of the bench, bar, and people of the State generally, in order to give them sufficient time to study the evidence in the case, and an affidavit which has been filed with me presenting testimony which did not appear in the trial of the case.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this eleventh day of March, 1931.

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C. JORDAN, Secretary of State
By CHARLES J. HAGERTY, Deputy.

COMMUTATION OF SENTENCE

On the twenty-eighth day of June of last year, Ernest A. Dias, a feeble-minded young man of the age of 25 years, was sentenced to death by the Superior Court of Alameda County for the crime of murder.

There is no doubt in my mind that the crime was perpetrated without the least provocation. The record discloses, however, that in 1925, by reason of his feeble-mindedness, Dias was committed to the Sonoma State Home. He was released from that institution on December 4, 1927, on parole, at the request of his mother, who desired his help at home.

While on parole he committed the double murder, of which he was convicted and sentenced to be hanged At the time of the trial in the Superior Court of Alameda County, the County Psychologist, Mrs. Grace Hunt, and Dr. R. L. Richards, a psychiatrist appointed by the court, testified that Dias was feeble-minded and possessed no greater intelligence than a child of the age of ten or eleven years. At the time of the commission of the offense, he was still on parole and was still registered as a ward of the State.

On appeal from the judgment of his conviction, the Supreme Court of the State affirmed the judgment. Justice W. H. Langdon, who wrote a concurring opinion in the case, said:

> "On the record before me, I am compelled to concur in the judgment. I do so with the utmost reluctance, and solely because of the limitations upon this court in its review of criminal proceedings. I think that the matter of sentence should receive careful consideration by the Chief Executive of the State in the event that an application for such relief should come before him, for he alone may grant relief where we are powerless to act. It has heretofore been determined that the defendant was so deficient in mentality as to require his confinement in the Sonoma State Home for the Feeble-Minded; and at the time when this crime was committed he was on parole from that institution. To me it appears monstrous that the State should execute one of its own wards, who should never have been set at liberty, and who at the time of this tragic event was still under surveillance as a mental defective."

Our State Constitution provides that—

> "Neither the Governor nor the Legislature shall have power to grant pardon or commutation of sentence in any case where a convict has been twice convicted of a felony, unless upon the written recommendation of a majority of the Supreme Court."

Dias had been convicted of a prior felony in 1925. I, therefore, could not, without the recommendation of four of the Justices of the Supreme Court, grant a commutation of the sentence imposed upon him.

On the twentieth day of February of this year, I received from Associate Justices of the Supreme Court W. H. Langdon, Jesse W. Curtis, John E. Richards and John W. Preston, all of whom concurred in the affirmance of the judgment, a recommendation for commutation of the sentence, in which they say:

> "The Supreme Court in an unanimous opinion, upheld the judgment of the Superior Court of Alameda County, for the reason that the record was free from prejudicial error. It is our view, however, that this is a case in which executive clemency may properly be invoked and granted, for the reason that it has heretofore been determined that the applicant was so deficient in mentality as to require his confinement in the Sonoma State Home for Feeble-Minded, and that, at the time this crime was committed, he was on parole from that institution and still under surveillance as a mental defective.

"We do not believe that this ward of the State under the circumstances, should suffer the extreme penalty of the law, but we do believe that he is a menace to society and should be perpetually restrained of his liberty."

These judges are familiar with the record in the case and would not make the recommendation without good and sufficient reason.

I consider it my bounden duty to act upon this recommendation, and I therefore commute the sentence of Ernest A. Dias to imprisonment in the State Prison during the term of his natural life, without parole.

In witness whereof, I have hereby set my hand and caused the Great Seal of the State of California to be affixed this eleventh day of March, 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

COMMUTATION OF SENTENCE

Albert M. Stewart, is now under sentence to be hanged for murder committed during the riot of the prisoners at Folsom Prison on Thanksgiving Day, 1927. The crime of which he was found guilty was not the first felony committed by him. I, therefore, have no power to commute his sentence without a recommendation of a majority of the Justices of the Supreme Court. I have before me a letter of February 16, 1931, signed by a majority of the Justices of that Court, reading as follows:

"There has been laid before the Justices of the Supreme Court the application for executive clemency of Albert M. Stewart, Prisoner No. 15322, now confined in Folsom Prison under judgment of the Superior Court of Sacramento County in a prosecution for murder in the first degree, in which six defendants were convicted and a judgment imposing the extreme penalty was pronounced.

"The crime of which these defendants were convicted arose out of the riot at Folsom Prison on Thanksgiving Day in 1927. The other five defendants have been executed; but we, as members of the Supreme Court, are of the view, as said in the opinion affirming the judgment in the Stewart case (80 Cal. Dec., p. 599), that 'there is perhaps left in this defendant a modicum of honor and that at the proper time, should application be made for a recommendation to the Governor for a commutation of sentence to life imprisonment, we are prepared to entertain and consider the same'

"We therefore recommend that the judgment carrying the death penalty in the case of the applicant, Stewart, be commuted to life imprisonment.

"We are returning herewith the papers which were forwarded by your office.

JOHN W. PRESTON, Associate Justice.
JESSE W. CURTIS, Associate Justice.
W. A. LANGDON, Associate Justice.
JOHN E. RICHARDS, Associate Justice."

As the Honorable Justices who signed the letter are familiar with the facts of the case as disclosed by the record, I consider myself bound to act favorably upon their recommendation and do, therefore, commute the sentence of death imposed upon Albert M. Stewart, on condition that he be imprisoned during the term of his natural life in the State Prison at Folsom.

In witness whereof, I have hereby set my hand and caused the Great Seal of the State of California to be affixed this eleventh day of March, 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State
By CHARLES J. HAGERTY, Deputy.

RESTORATION OF CITIZENSHIP

Gray T. Sampson was convicted of the crime of adultery and was sentenced on January 28, 1920, by the Superior Court in and for the County of Los Angeles, Honorable Frank R. Willis, Judge Presiding, to be imprisoned in the State Prison at San Quentin for a term of not to exceed five years. He was duly received at the State Prison at San Quentin and given No. 33419. Thereafter, on December 5, 1920, by order of the State Board of Prison Directors, he was discharged.

It appears that over ten years have elapsed since his final discharge During this period, I am informed by men who have been in close contact and associated with him, and whose judgment and opinion are entitled to the utmost consideration, that he has not only led a peaceful and law-abiding life, but has succeeded in making for himself a creditable standing and position in the community in which he has resided and worked since his final discharge.

Reverend Chas. A. Wheatley, D.D., President of the Released Prisoner's Restoration Organization, has called upon me in my office and convinced me that this man is of the highest caliber and is very desirous of being restored to citizenship, in order that he may enjoy the privilege of citizenship and civil rights which he lost by the above mentioned conviction.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, in view of the fact that Gray T. Sampson is entitled to such recognition and help from the State, as may be given him by the granting of this pardon, and in view of the recommendations for such pardon made by various people, I hereby pardon the said Gray T. Sampson of the crime of adultery, and restore him to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this nineteenth day of March, 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

COMMUTATION

It has been brought to my attention by Warden James B. Holohan of the State Prison at San Quentin, that Mrs. Tressa Carothers, No. 49053, who has been sentenced to a term of one to ten years in the Superior Court of Orange County, in and for the State of California, of the crime of grand theft, and who was received at the State Prison at San Quentin on September 19, 1930, is now in a pregnant condition and expecting to give birth to a child in the very near future

In order to prevent the expected child from carrying through its life the stigma of having been born in a penitentiary, which would indeed greatly handicap the child, I concur with the recommendation of James B. Holohan and Daniel J. O'Brien, Director of the Department of Penology, that the sentence of Mrs. Tressa Carothers be commuted to time now served in the State Prison at San Quentin, and that she be discharged immediately in order that she may go to her home which will enable her to give birth to the child in proper surroundings, that the child may have a fair start in life.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority invested in me by the Constitution and statutes of said State, do hereby commute the sentence of Mrs. Tressa Carothers to time now served in the State Prison at San Quentin.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-sixth day of March, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

PARDON

An application for pardon has been made to me by John H. Seiffert, also known as John H. Seifert, who was convicted of the crime of second degree murder in the Superior Court of San Diego County, in and for the State of California, on June 9, 1926, receiving a sentence of ten years to life. He was received at San Quentin on April 12, 1929, and was given No. 46897, after having spent over three years in the county jail at San Diego, pending the outcome of the appeal of his case.

I have before me a letter from James B Holohan, Warden of the State Prison at San Quentin, under date of February 9, 1930, which reads in part as follows:

> "I have carefully looked over this prisoner's application for executive clemency, and all documents relating thereto, and I find:
>
> Affidavit showing that the victim had practiced abortion upon herself. None of the witnesses actually saw the operation supposed to have been performed by Dr. Seiffert:
>
> The twelve jurors would not have found the defendant guilty had they known of the facts contained in the affidavit;
>
> Letters from physicians stating no trained physician would use the kind of instrument used to perform an abortion;
>
> Numerable favorable letters, all recommending clemency, including letters from the husband of the victim and county officials;
>
> The prisoner is an old man, has been in confinement since March, 1926, remaining in county jail about three years awaiting his appeal, then coming to prison, where he has served almost one year, which seems to be sufficient punishment, considering that there is doubt as to his guilt.

In view of the foregoing facts contained in the case of this applicant, I recommend that he be pardoned."

I have also received letters from such prominent people as James C. Byers, Sheriff of San Diego County; Sylvester Andriano, Supervisor of San Francisco County; W. R. Edwards, Assistant Probation Officer, San Diego County; Edwin A. Mueller, Senator from the 40th Senatorial District of the State of California; Phil D. Swing, Member of Congress of the United States, 11th District; Harry C. Clark, Mayor of the City of San Diego; William E. Harper, Senator from the 40th Senatorial District of the State of California, recommending that John H. Seiffert be pardoned because of the grave doubt as to his guilt of the crime of which he was convicted, and the old age of the doctor.

I have had Daniel J O'Brien, Director of the Department of Penology, make a thorough investigation of this case, and as a result of this investigation, he has written me a letter as follows:

"In relation to the application of Dr. John H. Seiffert, confined at San Quentin on a charge of second degree murder, I have investigated the said case and in view of his age, the length of time at San Quentin, and the time confined in the San Diego County Jail, I feel that the applicant has been punished sufficiently, and recommend that you extend executive clemency."

After personally examining the records of the case, and considering the many recommendations that have been made to me in this connection, I heartily concur with the recommendation of Daniel J. O'Brien and others, and I feel that this man should be pardoned in order to be allowed to spend the few remaining years of his life at his home in San Diego, where he has lived for many years.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon John H Seiffert of the crime of second degree murder of which he was convicted as above stated, and do hereby restore to him his rights of citizenship

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this third day of April, A. D 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State
By CHARLES J. HAGERTY, Deputy.

REPRIEVE

I hereby grant to Pedro Magsaysay, whose execution at San Quentin is set for Friday, April 10, 1931, a reprieve from said date of April 10, 1931, to Friday, July 17, 1931, in order to give this case further consideration.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this seventh day of April, 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

REPRIEVE

I hereby grant to Benjamin F. Brown, whose execution at San Quentin is set for Friday, April 10, 1931, a reprieve from said date of April 10, 1931, to Friday, July 17, 1931, in order to give this case consideration.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this seventh day of April, 1931.

[SEAL] JAMES ROLPH, JR Governor.

Attest: FRANK C. JORDAN, Secretary of State.

COMMUTATION OF SENTENCE

I have before me an application for commutation of sentence to time served of Mary C. Kavanaugh, who entered San Quentin Prison and was given No 47997 from Los Angeles County on January 18, 1930, having been convicted of the crimes of second degree burglary and grand theft.

At the time of her arrival at San Quentin Mrs. Kavanaugh was in a pregnant condition, and on the seventh day of July, 1930, gave birth to a baby girl outside the prison walls. In due time both Mrs. Kavanaugh and her infant child were returned to the prison reservation and placed in the home of one of the matrons, where they are at the present time

The State Board of Prison Directors have seriously considered and investigated this case and have submitted to me their recommendation, which reads as follows:

"May 2, 1931.

The State Board of Prison Directors of the State of California hereby respectfully recommend to your Excellency, in accordance with the provisions of section 1596 of the Penal Code, that commutation of sentence be granted to Mary Kavanaugh, No 47997, a female prisoner now imprisoned in San Quentin Prison.

Mary Kavanaugh was received at San Quentin Prison on January 18, 1930, to serve consecutive sentences for the crimes of burglary, second degree, and grand theft Her term of imprisonment has been fixed by the Board of Prison Directors for the minimum terms of one year and one year, to run consecutively, but the Board is without power at this time to grant parole in her case.

This prisoner, upon her arrival at prison, was pregnant with child, and on the seventh day of July, 1930, gave birth to a baby girl, her confinement having occurred outside the prison walls, and in due course said prisoner and her infant child have been returned to the prison reservation, but retained outside the prison walls

Your Prison Board believes commutation of sentence to the time served will be a furtherance of justice and a humane consideration, thus permitting a mother's care for her infant child outside of prison environments.

Warden James B. Holohan and Doctor Leo L. Stanley join in such recommendation.

(Signed) C. L. NEUMILLER, President, State Board of Prison Directors."

This is manifestly a case where justice and humane consideration should be shown, in order to give this child an opportunity to be cared for by her mother under the proper surroundings and away from prison environment I do not think a child should be made to suffer the stigma of having been raised in a prison, when the child had no power to alter her position. In view of the unanimous recommendation of the Board of Prison Directors, I feel convinced that I should grant a commutation of sentence to Mrs. Kavanaugh, in order to give her daughter the proper start in life.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority invested in me by the Constitution and statutes of the State, do hereby commute the sentence of Mrs. Mary C. Kavanaugh to time now served in the State Prison at San Quentin.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifth day of May, A. D , 1931.

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C. JORDAN, Secretary of State
By FRANK H CORY, Deputy.

REPRIEVE

I hereby grant to Augustus Gingell, whose execution at San Quentin is set for Friday, June 12, 1931, a reprieve from said date of June 12, 1931, to Friday, September 18, 1931, in order to give this case further consideration.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-eighth day of May, A. D., 1931.

[SEAL] JAMES ROLPH, JR , Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H CORY, Deputy.

RESTORATION OF CITIZENSHIP

P. V. Knowles was convicted of violating section 288-a of the Penal Code and was sentenced by the Superior Court of Alameda County, Honorable Lincoln S. Church presiding, to be imprisoned at the State Prison at San Quentin for an indeterminate term, which was later set by the Board of Prison Directors at six years.

He was duly received at the State Prison at San Quentin on November 28, 1925, and given No. 41506. Thereafter, on January 28, 1929, by order of the State Board of Prison Directors, he was placed on parole and so remained until the expiration of his sentence on the twenty-seventh day of January, 1930.

I have investigated the life of P. V. Knowles and find that with the exception of this one offense, he has conducted himself in a most enviable manner. He graduated from the Mission High School, San Francisco, in three years instead of the usual four years He later attended and graduated from Leland Stanford Junior University at Palo Alto with a creditable record.

Since finishing his college education Mr. Knowles has been an instructor in various secondary schools in California I have received recommendations of his

conduct, while acting as an instructor, from H. J. Waters of the Kansas State Agricultural College, W. D Bannister, Principal of the Oxnard Union High School, and George E Hume, President of the Board of Trustees of the Oxnard Union High School.

All of the above mentioned men have spoken very highly of P. V. Knowles as to his ability as an instructor, his remarked degree of intelligence in chemistry, his untiring efforts in improving the science department at the Oxnard Union High School, and his adeptness in obtaining strict discipline of his students.

I have been advised that this man is desirous of returning to his profession, which he so diligently pursued for many years, but that he can not be considered for the position he desires until he is restored to citizenship. He has served his sentence, conducted himself in an exemplary manner since his release from prison. I therefore believe that he has paid his debt to the State and society, and the State should do everything in its power to help this man to reestablish himself in the community as a respectable and law-abiding citizen. To accomplish this, he must be permitted to follow his life's work, the work in which he was so interested and successful in before his conviction.

I have had Daniel J. O'Brien, Director of the Department of Penology, investigate this case, and pursuant to such investigation, he has made the following recommendation:

"April 30, 1931.

Honorable James Rolph, Jr,
Governor of California,
Sacramento, California.
Dear Governor Rolph:

I have the petition of P. V. Knowles for executive clemency referred to me by you for investigation and attention, and I am respectfully reporting the following:

The applicant having been sentenced from Alameda County, remaining at San Quentin for over four years, being released on parole and subsequently discharged on parole on January 27, 1930, since said time conducting himself in a most exemplary manner, and also in view of the petition filed by said applicant, which is a complete record of the history of his life, I respectfully recommend that executive clemency be extended and that the applicant be restored to citizenship.

With kindest regards.
Very sincerely yours,
(Signed) DANIEL J. O'BRIEN."

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, in view of the above mentioned facts, do hereby pardon P. V. Knowles of the said crime of violating section 288-a of the Penal Code, for the purpose of restoring him to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-eighth day of May, A. D., 1931.

[SEAL] JAMES ROLPH, JR, Governor.

Attest: FRANK C. JORDAN, Secretary of State.

REPRIEVE

I hereby grant to Frank Franco, whose execution at San Quentin is set for Friday, June 26, 1931, a reprieve from said date of Friday, June 26, 1931, to Friday, September 25, 1931, in order to give this case further consideration.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twelfth day of June, A D 1931.

[SEAL] JAMES ROLPH, JR, Governor.

Attest: FRANK C. JORDAN, Secretary of State.

PARDON

I have before me the application for a pardon and restoration of citizenship of Fayette D. Marble, asking complete pardon for his conviction of three counts of manslaughter, which conviction was rendered by a jury after trial in the Superior Court of Los Angeles County, Honorable Charles W. Fricke presiding judge, on the eighteenth day of April, 1931 The charge of manslaughter arose out of an accident occurring on South Pasadena Avenue on December 17, 1930.

On the seventeenth day of April, 1931, the Honorable Charles W. Fricke, Judge of the Superior Court in and for the County of Los Angeles, denied the appli-

cation of said Fayette D. Marble for probation and thereupon sentenced him to serve from one to ten years on each count of manslaughter in the California penitentiary at San Quentin. Subsequent to said sentence, the application above mentioned was presented to me, together with notice to the District Attorney of the County of Los Angeles, State of California, of intention of said Fayette D. Marble to apply for an application for pardon, and was served on the eighth day of May, 1931, and proof has also been furnished me of publication of more than thirty days from the first publication. That in connection with said application there was presented to me the report of the probation department of the county of Los Angeles, all of the testimony taken at the trial of Fayette D. Marble on the charge for which he is sentenced, numerous letters and other documents, including a recommendation signed by nine of the twelve jurymen who tried said Fayette D. Marble, and who rendered the verdict of conviction as above recited, which reads as follows:

"To Whom It May Concern:

We, the undersigned, men and women of the jury sworn to and who did try the above entitled case, and in which case we returned a verdict of guilty, do state as follows, to wit:

From the evidence submitted in the case, guided and controlled by the instructions given by the judge, we felt bound to and did each vote for the verdicts returned and entered in said proceeding. From the evidence, however, and our consideration of the entire matter as presented thereby, we and each of us were and are of the unqualified opinion that Fayette D. Marble, the defendant in said proceeding, should not be punished by imprisonment. We each of us were and are of the opinion that the circumstances surrounding the unfortunate accident, were of a kind and character that might well have happened to any or all persons accustomed to and who do drive automobiles in congested municipal districts.

It was just one of those unfortunate things that do happen, and that in the happening results in the commission of an involuntary crime as defined by the judge in the instructions which he gave to us, particularly when we returned to the court for special instructions. Could we, under the law, have conscientiously voted not guilty in order to save the defendant from punishment, we would have done so, but our oaths as jurors required the vote which we each gave in order that the verdicts might be signed by our foreman. We each were and are of the opinion that the defendant suffered and has suffered all of the punishment that any sort of justice demands should be inflicted on him. We were and are of the opinion that if it be possible, under the law, for the judge, in the discharge of his responsibilities and duties as a judge of the great court over which he presides to not inflict a punishment of imprisonment that that be done, and we, and each of us, in the spirit here written, with the convictions we have had from the time this case was submitted to us until now, individually and collectively pray that if it be possible, punishment by imprisonment be not imposed.

Respectfully submitted.

(Signed) FREDERICK OSIUS (Foreman),
DANIEL S LACHWOOD,
JOHN L. SULLIVAN,
CARL A KERRAGER,
J. E. HAMILTON,
HERBERT E. ROGERS,
ABRAHAM C PETERS,
SAMUEL F LINDSAY,
J. S. MCCRARY."

This matter was first presented to me at a hearing named by me for that purpose in my office at Sacramento, California, on Tuesday, the fifth day of May, 1931, at which hearing I had with me Mr Charles L Neumiller, President of the Board of Prison Directors of the State of California, Mark E. Noon, Secretary of the Board of Prison Directors, and Mr. Daniel J. O'Brien, Director of the State Department of Penology; that in addition to letters and documents and the transcript of the testimony submitted to me, I have caused separate and independent investigation to be made of the facts and circumstances surrounding the accident resulting in the conviction of young Marble, and in particular, I have had Mr. O'Brien, as the Director of Penology of this State, to make special investigation and examination of the matter, and as a result of which, Mr. O'Brien has submitted to me the following letter:

"Sacramento, June 4, 1931.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Sir:

In the matter of the case of Fayette D. Marble, convicted in Los Angeles County on a charge of manslaughter (three counts) and sentenced to San Quentin Prison for a term of one to ten years, which was referred to me for investigation and report, after a request for executive clemency was made, I respectfully report as follows:

The following papers are returned herewith:

Letter addressed to you by William Carey Marble, father of the defendant; copy of letter signed by R. Stanley Dollar, addressed to William A. Brayton, Probation Officer, Los Angeles County; copy of letter addressed to Honorable Charles W. Fricke, Judge, Superior Court, Los Angeles County, signed by Thompson Webb, Headmaster, Webb School, Claremont; letter addressed to Honorable Charles W. Fricke, signed by Thomas R. Lee, copy of letter addressed to Honorable Charles W. Fricke, signed by W. B. Roberts; copy of letter addressed to William A. Brayton, Probation Officer, Los Angeles County, signed by W. W. Colwell and Roy J. Chapman; copy of letter addressed to Carl May, Probation Department, Los Angeles County, signed by Frank B. Higgins, Chief of Police, South Pasadena, California; copy of letter addressed to Mr. Henry O. Wheeler, Attorney at Law, Los Angeles, signed by Charles H. Kelly, Chief of Police, Pasadena, California; copy of letter addressed to Honorable Charles W. Fricke, Superior Court Judge, Los Angeles County, signed by C. Rankin Barnes, Rector, St. John's Church, South Pasadena; copy of letter addressed to Honorable Charles W Fricke, signed J P. Wood; copy of letter addressed to Honorable Charles W. Fricke, signed George Davidson, Rector, St. John's, copy of letter addressed to Honorable Charles W. Fricke, Judge, Superior Court, Los Angeles County, signed by Lloyd Swayne; copy of letter addressed to Honorable Charles W. Fricke, signed by Henry O. Wheeler; copy of letter addressed to Honorable Charles W. Fricke, from G. C. O'Connell, copy of letter addressed to Honorable Charles W Fricke, signed by A. G. Bohannon; copy of letter addressed to Honorable Charles W. Fricke, signed by J. R. Pinkham and Hazel E. Pinkham; copy of letter addressed to Honorable Charles W. Fricke, signed by Cecil C. Cooper, son of one of the victims; copy of letter to Arthur Brayton, Probation Officer, Los Angeles County, signed by Eldora Cooper Bennett; copy of letter addressed to Mr. Carl May, Probation Officer, Los Angeles County, signed by Charles B. Johnson, husband of one of the victims, copy of communication addressed to Whom It May Concern, signed by the foreman and eight other jurors who sat during the trial of the People of the State of California, Plaintiff, versus Fayette D. Marble, Defendant; copy of statement by H. G. Holabird, relative to interviews with three persons, whom I assume were jurors in the above case; copy of letter addressed to Carl May, Probation Officer, Los Angeles County, signed by P. B. Plumb; copy of letter addressed to Edward D. Lyman, Los Angeles, California, signed by Henry O. Wheeler; letter addressed to Honorable James Rolph, Jr., Governor of California, signed by Alfred L. Bartlett, Attorney at Law; copy of report of the Probation Officer on the application for probation by the defendant, and copy of photograph, showing the location of accident.

I have read the foregoing letters and in addition thereto have interviewed various officials in Los Angeles County in relation to this matter. I have also visited and interviewed the defendant at the county jail, Los Angeles. After completing this investigation, the matter has been given due thought and consideration. I have been advised that proper restitution has been made to the relatives of the deceased, and I feel that the ends of justice have been satisfied, the defendant sufficiently punished by his incarceration in the county jail and that further imprisonment would neither help the defendant, the victims, nor their relatives; therefore, I respectfully recommend that sentence be commuted to three months' confinement in the county jail.

Respectfully submitted.

(Signed) DANIEL J. O'BRIEN."

The letters submitted to me from the relatives of the deceased persons state that nothing would be gained by putting this young man in prison, and he should therefore not be sentenced to the State penitentiary, but that he should be given some small punishment. In reviewing a number of cases had in the Superior Court of Los Angeles County, wherein the defendant was convicted of manslaughter, I find that practically every case wherein a death occurred by reason of an automobile accident, that the defendant was sentenced to a short term in the county jail or given probation. In view of this fact, it seems to be a policy of the judges to give a county

jail sentence in cases of this kind, and I see no reason why the case before me should be made an exception to this general rule.

After considering this case it appears to me that there is a probability that the accident out of which this conviction arose might have been unavoidable. If the accident was unavoidable, then he should never have been convicted. It is quite apparent that this boy does not have a criminal mind and the accident which he had was an unfortunate circumstance which is liable to happen to anyone, even those using due precaution and diligence in operating an automobile. If this boy should be placed in the penitentiary, I believe it would be detrimental to his future, in that the association with criminals would have a very bad influence on him. I believe this boy should receive some punishment, such as a sentence of ninety days in the county jail.

After full consideration of this matter, and in view of the fact that Fayette D. Marble was under the age of 21 at the time of the accident, and in view of his enviable reputation which he enjoyed in the community in which he lived, and in view of the fact that he will have served ninety days in the county jail at Los Angeles on June 18, it is my firm belief and conviction that the said Fayette D. Marble should not be sent to San Quentin and that he be pardoned of the crime of which he was convicted.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the constitution and statute of the said State, do hereby grant a pardon to Fayette D. Marble and do hereby restore him to the rights of citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this thirteenth day of June, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

COMMUTATION

An application for executive clemency has been made to me by Milton W Prentice. The applicant was convicted of the crime of second degree murder in the superior court of Ventura County, Judge Edward Henderson presiding, and received a sentence of five years to life in the State penitentiary. He was received at San Quentin on May 14, 1930, and was given No. 48509

The acts out of which this crime arose took place while Milton W. Prentice was visiting his mother, Mrs. L. P. Elliott, and his stepfather, Lyman Elliott, on San Nicholas Island, which is located about one hundred miles east of the coast of Ventura County. Mr. and Mrs. Elliott are employed by Robert Brooks for the purpose of caring for the sheep and cattle on the island. During conversations had between Messrs. Brooks, Elliott and Milton W. Prentice, Mr. Brooks and Mr. Elliott both related stories of how it had been the general practice among fishermen in the channel island group to stop at the island for the purpose of stealing sheep or cattle. It seems that in view of the fact that Mr. Prentice had always been a law-abiding citizen and had always tried to do the right thing, that he was imbued with the spirit of attempting to stop the stealing of sheep from his stepfather. While the applicant was pursuing his duties in caring for the sheep on the ranch, he discovered some fishermen in a small skiff rowing from the mainland to their fishing boat, which was anchored a short distance from the shore, and he believed that there were some sheep lying in the bottom of the skiff Mr. Prentice immediately fired some shots which he testified were fired in the general direction of the fishermen for the purpose of frightening them sufficiently in order that they would return to the shore and return the sheep; also to impress the fishermen with the fact that he was watching the sheep very diligently to prevent stealing in the future.

It is quite apparent that the boy did not realize that he had inflicted serious injury to anyone at the time of the shooting, nor did he intend to do so, because when the officers returned to the island several days later for the purpose of arresting him, he was very much surprised to know that anyone had been injured and was quite willing to surrender himself for proper investigation and trial, if necessary.

At the time this act was committed Milton W. Prentice was eighteen years of age, and in view of his youthfulness, I believe that at the time of the trial he failed to realize the significance of pleading guilty to a second degree murder charge, and that such a plea was based upon his mistaken idea that he would receive probation.

Honorable Edward Henderson has expressed himself as having been favorably disposed at the time of the trial to give this boy probation. However, in view of

the laws governing crimes, where the offense was committed with a deadly weapon, the court is precluded from granting probation to the defendant. Judge Henderson has written me a letter recommending that I exercise my power of executive clemency, which reads as follows:

"Ventura, California, May 7, 1931.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor:

It is my understanding that an effort is being made to obtain a pardon for Milton Prentice, who was committed to San Quentin by the judgment of this court in May of 1930, for murder in the second degree. The court was greatly concerned at the time of the pronouncement of judgment because of the youth of the defendant, he being only eighteen years of age.

As the offense was committed with a deadly weapon, the court was precluded from according him any of the benefits of the probation system. Also, the court was faced with the fact that one man had been killed and another seriously wounded by this young man. At the time of pronouncement of judgment, I was compelled to express my regret that there is no institution in California to which young men of this type might be committed other than the penitentiary. At the same time, I stated for the record, that the minimum term be imposed

It is my sincere feeling, after a careful consideration of the case, that this young man will be able to rehabilitate himself as a useful member of society in the event that he is not compelled to remain in his present environment for too long a time before he is accorded some leniency either by you the State Board of Prison Directors. In this regard, it might be relevant to state that it will be, so I am informed, quite some time before the State Board of Prison Directors will have an opportunity to do anything in his behalf.

At the same time, I desire to state that I have no apologies to offer in this matter because I was precluded by law from doing otherwise. There can be no doubt that the defendant was guilty of the offense of murder in the second degree.

Trusting that you will give this matter your usual kindly attention,

Very sincerely yours,

(Signed) EDWARD HENDERSON, Judge of the Superior Court."

I have also received a letter from R. E. Clark, Sheriff of Ventura County, in which he recommends that this boy be afforded some relief, which letter reads as follows:

"Ventura, California, June 12, 1931.

To His Excellency,
James Rolph, Jr.,
Governor of the State of California.
Sir:

In Re: Prentice, Milton W. San Quentin Number 48509.

The above captioned subject, a boy of eighteen years of age, was sentenced from this county to San Quentin Prison on a charge of second degree murder on May 8, 1930, for the indeterminate term of five years to life; in that he did murder one Steve Semirenko, a fisherman, by shooting him with an Army rifle.

There are some mitigating circumstances surrounding this case:

This boy was visiting his mother and stepfather, Lyman Elliott, who were employed by Robert Brooks to care for sheep on San Nicholas Island, about one hundred miles off the coast of Ventura County. The boy had heard Mr. Brooks and Mr. Elliott conversing at various times about coastal fishermen coming ashore on the island and slaughtering the sheep for food. This has been a general practice among fishermen in the Channel Island group for many years The sheep owners have resented this. Mr. Brooks and Mr Elliott talked in the presence of Prentice of the feasibility of firing upon these marauders at any time when they might try to steal sheep from the island. The boy, imbued with the spirit of helpfulness, in many instances patroled the island and carried a .30 caliber Army Springfield rifle.

On the occasion of the regretable incident in the death of Steve Semirenko, young Prentice was patroling the island and fired upon the crew of a fishing boat (the Taivo Number A473) killing Steve Semirenko and wounding John Heise. The influence of older people is responsible for this act.

This boy was represented by counsel appointed by the court and plead guilty to murder in the second degree. There are mitigating circumstances in this case. The boy believed that he was doing the right thing to protect the property of Mr. Brooks, even to the extent of firing upon suspected marauders. Young and inexperienced in matters which an older person would have given much thought and consideration, the boy, in—may we say—

enthusiasm for the aid which he thought he could render Mr. Brooks, fired upon these fishermen.

Prentice enjoyed a wonderful school record and had never, up to the time of his arrest on this charge, been in any trouble.

Your consideration of the facts in this boy's case with a view to executive clemency for him will be greatly appreciated by his mother, and yours respectfully,

(Signed) R. E. CLARK, Sheriff, Ventura County, California."

James C. Hollingsworth, District Attorney of Ventura County, has written a letter to me in which he has unreservedly recommended that in view of the exceptional circumstances involved in this case, that the boy's application for executive clemency be considered favorably, which letter is quoted herewith:

"Ventura, California, June 8, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Sir:

In reference to the granting of executive clemency to Milton W. Prentice, I desire to state that the facts of this case are somewhat out of the ordinary. The defendant was approximately nineteen years of age when he committed the crime in question. There is no question in my mind but that a great deal can be said in his favor in view of the environment in which he was placed.

San Nicholas is a lonely, wind-swept island, lying southerly off the coast of Ventura. The island is principally given to the grazing of sheep. For many years the various lessees of the island have been bothered with fishermen, who apparently had no regard for the property rights of the owners of the flocks, many depredations having been committed from time to time, which it seems the residents of the island were powerless to protect themselves against.

The defendant, Prentice, came upon some fishermen lying close to the island, a couple of whom were apparently rowing away from the mainland toward their boat which was anchored a little way offshore. Prentice was evidently under a mistaken idea that the fishermen had been stealing or attempting to steal some of the sheep on the island. In the course of events, he commenced shooting at the occupants of the rowboat. Whether this shooting was intentional, accidental, or whether he thought he had a right to do it, the testimony did not disclose, for the reason that no trial was held. He was ably represented by counsel, and entered a plea of guilty to murder in the second degree, for which action I believe he is entitled to considerable credit under the circumstances.

It is my understanding that petitions are being made to you to extend executive clemency to the defendant, Prentice. I have been requested, under the rules of the State Board of Prison Directors, to state my views respecting the same. I have no objection to you extending to him any clemency which you feel the circumstances of the case warrant.

Very truly yours,

(Signed) JAMES C. HOLLINGSWORTH, District Attorney."

Mr. Clay Claberg, Probation Officer of Ventura County, has written to me, stating that if it had not been for the legal barrier in that a deadly weapon was used in the perpetration of this crime, that he would have recommended probation. The above mentioned letter is herein set forth as follows:

"May 14, 1931.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor:

Re: Milton Prentice

I understand that an effort is being made to secure a pardon for Milton Prentice, who was committed to San Quentin in May of 1930, for murder in the second degree.

Milton Prentice pleaded guilty to this offense and asked for probation. I went into his case very carefully and felt him to be a worthwhile lad. I ended my probation report with a statement as follows:

'I would certainly recommend probation for Milton Prentice, but according to Section 1203 of the Penal Code this appears impossible, as Milton used a deadly weapon in connection with the perpetration of the crime. I regret that due to this legal barrier, I am forced to recommend that he be sent to the Preston School of Industry.'

I consider this one case where leniency should be granted. I have given the case much thought since its inception, and I believe that after you have carefully perused the merits of this case from the material which will be submitted to you, that you will arrive at the same conclusion. Although it is

not my policy to ask that leniency should be extended to a person who has been charged with such a serious offense, I do feel that this particular case is worthy enough to warrant your most careful attention.

I sincerely hope that you will see fit to grant this youth a pardon.

Yours very sincerely,

(Signed) CLAY CLABERG, Probation Officer."

During the boy's incarceration at San Quentin, Warden James B. Holohan has taken an exceptional interest in his case because of his youthfulness and has had an opportunity of observing his conduct and attitude toward life, and as a result of his observation, Warden Holohan has made the following statement relative to Milton W. Prentice:

"I feel that there is nothing of the criminal in this boy's make-up, and that he believed he was justified in acting as he did under the circumstances. Prentice impresses me as being a red-blooded young American who had no thought of doing any criminal act, and I recommend him to you for your utmost consideration."

Daniel J. O'Brien, Director of the Department of Penology of the State of California, who has made a thorough investigation of this case, has reported to me in a letter of June 25, which reads as follows:

"June 25, 1931.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor:

In relation to the application of Milton W. Prentice, confined at San Quentin, San Quentin No. 48509, on application for pardon which is returned herewith, I respectfully report as follows:

I have examined the records in the case and discussed the matter with James B. Holohan, Warden at San Quentin Prison, and have read the following correspondence:

Letter addressed to you and signed by R. E. Clark, Sheriff of Ventura County under date of June 12, 1931; letter addressed to you and signed by James C. Hollingsworth, District Attorney of Ventura County, under date of June 8, 1931; letter addressed to you and signed by Hon. Edward Henderson, Judge of the Superior Court of Ventura County, under date of May 7, 1931; letter addressed to you and signed by Clay Claberg, Probation Officer of Ventura County, under date of May 14, 1931; letter addressed to you and signed by James B. Holohan, Warden of San Quentin, under date of June 24, 1931, all of which contain a recommendation for executive clemency.

There are many other letters on file, and after investigation of the same, and in view of the recommendations made by public officials hereinabove indicated, I respectfully recommend executive clemency for the applicant.

Respectfully submitted,

(Signed) DANIEL J. O'BRIEN, Director of Penology."

In addition to the above letters, recommendations have been received from such outstanding citizens as Robert M. Clarke, who for many years was judge of the superior court of Ventura County, Beatrice Lantz of the Ventura County schools, Dr. George C. Sabichi, past national president of the National Exchange Club, and Leonard B. Slosson, President of the State Bar of California, stating that an investigation has been made by them of this case and that it is a fit case in which executive clemency should be exercised.

In view of the fact that the applicant was eighteen years of age at the time this crime was committed, the fact that until this act occurred he had never been arrested or involved in any way in violating the laws of the State of California, or of the United States, the fact that the act was committed while attempting to protect the property interests of his stepfather in good faith, and in view of the letters of recommendation hereinabove referred to, I am of the firm belief that the sentence of Milton W. Prentice should be commuted to time already served in the State prison at San Quentin.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence of Milton W. Prentice to time already served in the State prison at San Quentin.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this first day of July, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

REPRIEVE

I hereby grant to Charles Simpson, No. 50164, whose execution at San Quentin Prison is set for Friday, July 10, 1931, a reprieve from said date of Friday, July 10, 1931, to Friday, July 17, 1931.

This reprieve is granted in order that this hanging will not occur upon a day which is most sacred to me, inasmuch as this day is the anniversary of my dear mother's death.

I have consulted with Chief Justice Waste and other members of the Supreme Court for the purpose of determining whether or not it is within my power to grant this reprieve for the above reason, and they have advised me that such is within my power.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this seventh day of July, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

I hereby grant to William H. Burkhart, whose execution at Folsom Prison is set for Friday, July 10, 1931, a reprieve from said date of Friday, July 10, 1931, to Friday, July 17, 1931.

This reprieve is granted in order that this hanging will not occur upon a day which is most sacred to me, inasmuch as this day is the anniversary of my dear mother's death.

I have consulted with Chief Justice Waste and other members of the Supreme Court for the purpose of determining whether or not it is within my power to grant this reprieve for the above reason, and they have advised me that such is within my power.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this seventh day of July, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

I hereby grant to Pedro Magsaysay, No. 48069, whose execution at San Quentin is set for Friday, July 17, 1931, a reprieve from said date of Friday, July 17, 1931, to Friday, September 11, 1931, in order to give this case further consideration.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this ninth day of July, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

I hereby grant to William Henry Burkhart, No. 16399, whose execution at Folsom Prison is set for Friday, July 17, 1931, a reprieve from said date of Friday, July 17, 1931, to Friday, September 25, 1931.

This reprieve is given because adequate information has been brought to my attention, which indicates that a serious and bonafide effort is to be made to test the sanity of the defendant in this case. This reprieve will allow sufficient time in which the proper parties may make an investigation to determine whether or not William Henry Burkhart is sane.

I have conferred with Honorable William H. Waste, Chief Justice of the Supreme Court of this State, who has written me as follows:

> "Governor Rolph has conferred with me in the matter of the application for a stay of sixty days in the case of William Henry Burkhart, now under sentence of death for the murder of his wife.
>
> Adequate representation has been made to the Governor, which indicates that a serious and bonafide effort is to be made to test the sanity of the defendant in this case. He does not appear to have been guilty by reason of insanity and apparently that question was not an issue at the trial. I therefore see no reason why a reasonable stay of execution should not be granted for the purpose of allowing this question to be properly tested under the law."

In view of the above mentioned circumstances and the letter from Chief Justice William H. Waste of the Supreme Court of this State, I hereby grant to William Henry Burkhart this reprieve

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this thirteenth day of July, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy

REPRIEVE

I hereby grant to Benjamin F. Brown, No. 49573, whose execution at San Quentin Prison is set for Friday, July 17, 1931, a reprieve from said date of Friday, July 17, 1931, to Friday, July 31, 1931.

This reprieve is granted in order that this case may be given further consideration, particularly as the plea to me for executive clemency is based on the plea that this case is identical with the case of Emery Ells, coperpetrator of the crime, upon whom the jury inflicted the penalty of life imprisonment.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fourteenth day of July, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

I hereby grant to U. Tanaka, No. 49751, whose execution at San Quentin Prison is set for Friday, July 17, 1931, a reprieve from said date of Friday, July 17, 1931, to Friday, July 31, 1931.

His attorney advises this office that application for executive clemency has been made to the Supreme Court of California, because under the statutes they alone can recommend this to the Governor, the condemned man having been twice convicted of a felony This office ascertained from the clerk of the Supreme Court today that the Supreme Court has not yet rendered an opinion on the case. This reprieve is therefore granted for two weeks in order to hear the decision of the Supreme Court.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fourteenth day of July, A. D 1931

[SEAL] JAMES ROLPH, JR, Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

COMMUTATION OF SENTENCE

Application has been made to me by Unokichi Tanaka for a commutation of sentence from the death penalty to life imprisonment at San Quentin, California.

Tanaka, with one Frank Nakana, was tried in the Superior Court of Los Angeles County and convicted of the crime of the murder of one Luz Mata while perpetrating the crime of robbery. It appears that Frank Nakana was the instigator of the crime, and Tanaka was apparently assisting his friend Nakana and offered no resistance to arrest and made a full confession. Tanaka was found guilty of murder in the first degree by a jury who sentenced him to hang, while the jury found his codefendant, Nakana, guilty of murder in the first degree and fixed his sentence to life imprisonment.

I have consulted with the justices of the Supreme Court of the State of California and have before me a letter dated July 22, 1931, signed by the Honorable William H. Waste, Chief Justice, and concurred in by a majority of the justices of that court, which reads as follows:

> "The application of U. Tanaka for commutation of sentence from death penalty to life imprisonment has received the careful attention of the justices of this court. Four of the justices, to-wit: Justices Preston, Richards, Langdon and Curtis, join in a recommendation, if it so pleases you to grant the request of the applicant, to commute the sentence from the death penalty to life imprisonment
>
> Very truly yours,
>
> (Signed) WILLIAM H. WASTE, Chief Justice."

As the justices of the Supreme Court are familiar with the facts of this case as disclosed by the record and were constrained to act favorably upon the above mentioned application, I do hereby commute the sentence of death imposed upon

said Unokichi Tanaka, on condition that he be imprisoned during the term of his natural life in the State Prison at San Quentin, California.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this thirtieth day of July, 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy

REPRIEVE

I hereby grant to Robert O'Neill, Folsom No 17084, whose execution at Folsom Prison is set for Friday, August 7, 1931, a reprieve from said date of Friday, August 7, 1931, to Friday, October 2, 1931.

Robert O'Neill, twice convicted of a felony, has made application to me for a reprieve in order that he may present his case to the Supreme Court of California for recommendation of executive clemency to the Governor. I am granting this reprieve for that purpose, and of giving every human being every opportunity to save his life by legal process of law.

I have conferred with the warden of Folsom Penitentiary, Court Smith, and also with the Chief Justice of the Supreme Court of California, concerning this case, and both concur in this reprieve, and particularly so after reading a paragraph in a letter of the attorneys of the defense, Koenig and Brunton, of Los Angeles, to the warden of Folsom Penitentiary, dated Los Angeles, July 25, 1931, signed by a member of the firm, Thomas P. Walker: "Will you kindly advise me as to the hour of the execution, and also whether or not same might be witnessed by myself and Mr. Hinton; also by a clerk in my office?"

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifth day of August, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

I hereby grant to William Hudson, Folsom No. 17083, whose execution at Folsom Prison is set for Friday, August 7, 1931, a reprieve from said date of Friday, August 7, 1931, to Friday, October 2, 1931.

This reprieve is granted for the reason that Robert O'Neill, codefendant, who has been twice convicted of a felony, is presenting his case to the Supreme Court of California for a recommendation for executive clemency to the Governor. This codefendant, William Hudson, is a one-time loser and therefore has only the Governor to appeal to for executive clemency. If Robert O'Neill, a two-time loser, upon his application to the Supreme Court of California for a recommendation to the Governor for executive clemency is granted, then in said event, said recommendation the Governor will respect, then said William Hudson, a codefendant, will be granted same consideration by the Governor.

I have conferred with the warden of Folsom Penitentiary, Court Smith, and also with the Chief Justice of the Supreme Court of California, concerning this case, and both concur in this reprieve, and particularly so after reading a paragraph in a letter of the attorneys of the defense, Koenig and Brunton, of Los Angeles, to the warden of Folsom Penitentiary, dated Los Angeles, July 25, 1931, signed by a member of the firm, Thomas P. Walker: "Will you kindly advise me as to the hour of the execution, and also whether or not same might be witnessed by myself and Mr. Hinton; also by a clerk in my office?"

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifth day of August, A. D 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that there was filed in this office on March 9, 1929, an application for executive clemency on behalf of one Henry J. Peterson, who was convicted of second degree burglary in Los Angeles County on June 15, 1928, and given a sentence of from one to fifteen years. He was received at San Quentin Penitentiary on June 23, 1928, and given No. 45829

Mr Peterson was released from San Quentin on parole July 1, 1930, for hospitalization for the purpose of providing him with better hospital facilities in order that his health might be improved. At the time of his release he was suffering from the advanced stages of tuberculosis.

In view of the fact that Mr Peterson is a recidivist, having previously served a term in the New York State Reformatory upon being convicted of a felony, his petition for a pardon was referred to the justices of the Supreme Court of the State of California. After a thorough examination of the record and investigation as to the condition of this man's health, the Supreme Court in a letter to me of April 28, 1931, signed by all the members of the Supreme Court, have expressed their views as follows:

"An examination of the record leads us to believe that there may have been a question as to whether this applicant was involved in the crime of which he was charged, to the extent that the jury found. Two others were implicated in the crime, but were found not guilty. After he was sentenced, and before the Board of Prison Directors fixed his term, the trial judge expressed the belief that 'the board should not require the defendant to serve more than two years' However, in view of his previous record, the longer sentence was fixed.

The petitioner enlisted in the United States Army in 1899, and served with an apparently clean record until 1905, when he received an honorable discharge. Having developed an advanced stage of tuberculosis, the prisoner was, on July 1, 1930, released upon parole for hospitalization For this purpose, he was placed in charge of Commander P. Eagan of Kit Carson Garrison No 135, Army and Navy Union, U. S of A., of Los Angeles, and the petitioner was thereupon placed in the Tubercular Hospital of the National Military Home in that city. Colonel Nelson M Holderman writes to the members of this court that 'this veteran is now in a serious condition physically.' We are informed that Peterson is so far gone from the ravages of tuberculosis that the Pension Bureau has allowed him an advanced rating, all of which he can not draw while an inmate at the Home If permitted to leave, the man would like to go to Arizona for a more beneficial treatment. In view of all the foregoing, we deem it unnecessary to dwell more at length on the facts of Peterson's case, but join in a recommendation that he be forthwith pardoned"

I have also received a letter from Daniel J O'Brien, Director of the Department of Penology, dated June 19, 1931, in which he states that he concurs with the recommendation of the members of the Supreme Court of the State of California

In view of the above recommendations from the Supreme Court of the State of California and Daniel J. O'Brien, Director of Penology, and the fact that this man has served honorably in the United States Army for many years, I believe that he is entitled to be restored to citizenship in order that he may spend the short time he has to live as a citizen of the country he so faithfully served.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Henry J Peterson of the crime of second degree burglary for the purpose of restoring him to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-fifth day of August, 1931.

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C JORDAN, Secretary of State.

REPRIEVE

I hereby grant to Pedro Magsaysay, whose execution at San Quentin is set for Friday, September 11, 1931, a reprieve from said date of Friday, September 11, 1931, to Friday, November 13, 1931, in order to give this case further consideration

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifth day of September, 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C JORDAN, Secretary of State.
By FRANK H. CORY, Deputy

COMMUTATION

Augustus A Gingell was sentenced to death for the murder of his wife and her paramour He has presented to me, as Governor, a strong petition for executive clemency

I have not only made a careful examination and study of the entire record in this case, but have caused the Director of Penology to make a thorough and independent investigation of all of the facts and circumstances surrounding the tragedy and the life and character of the petitioner This investigation has brought to my attention many facts and circumstances which were not included within the court records, some of which have happened since the trial and some before, which could not legally be brought before the jury.

The salient facts are these: Augustus A. Gingell is 37 years of age, a World War Veteran, with a long and honorable record in the service of his country— a member of a large and highly respected eastern family, and a man, who up to the time of this tragedy, bore an excellent reputation for industry, honesty and upright living One of his former employers speaks of him thus:

> "For a number of years I have known this young man, and he was employed by me for some time. So, with the close association which was before us, I feel that I should inform you that I feel his present predicament keenly, as it is beyond my belief that he could commit such a crime, were he in his normal state of mind. In my contact with him, I found him loyal, sober and peaceful; in fact, gentle to a marked degree. When I last saw him he spoke of his wife and his home life in the highest terms, and that he was making every effort to make his wife happy."

Gingell and his wife were married at Portland, Oregon, on December 24, 1924 They moved to Los Angeles, where they resided happily as husband and wife until June 5, 1926, when they moved to Washington, D. C., and there spent three years of happy married life. In November, 1929, they returned to Los Angeles. By mutual consent and owing to financial difficulties, they lived in separate apartments but maintained the relation of husband and wife. Gingell heard many rumors of his wife's infidelity and confronted her with these charges, which she strenuously denied Not being satisfied with her denials, he watched her apartment and found a man, by the name of Siguard Bjornby, leaving his wife's apartment A few nights thereafter, Mrs. Gingell called her husband on the telephone and stated that he should not visit her in her apartment that evening, because she was going out with a party of friends to a later dinner. Becoming suspicious, he armed himself with a revolver which he had for many years, went to the apartment, waited on the outside for a while, then entered his wife's apartment at about 11 o'clock at night and found her in the adulterous embrace of Bjornby, and in the heat of the anger and passion engendered in him by the sight, he slew both his wife and Bjornby. He immediately surrendered to the officers, made a full confession, was tried and convicted and sentenced to death Under these facts I am asked to relieve the petitioner from the death penalty.

Almost from the beginning of civilization, the sanctity and preservation of the home has been a strong element in the determination of the guilt or innocence of a man who has committed homicide because of the unfaithfulness of his wife and the failure of her paramour to respect the laws of God and man. No stronger condemnation of the adulterer can be found than in the sacred passages of the Bible (Leviticus, Chapter 20, Verse 10), where it is said:

> "And the man that committeth adultery with another man's wife even he that committeth adultery with his neighbor's wife, the adulterer and the adulteress shall surely be put to death."

The so-called unwritten law has existed in the hearts and minds of home-loving men and women for ages, and although our law against homicide does not recognize it as a justification for the taking of human life, the fact that the person committing the homicide discovers his wife in adulterous relations with her paramour, and in the heat of the anger and passion engendered by such a sight, slays them on the spot, without previous premeditation or design, still the slayer will be guilty of no higher crime than manslaughter.

In this case, I am not called upon to reduce the offense to manslaughter, or even murder in the second degree, but only to relieve the petitioner from the death penalty; or, in other words, I am only called upon to permit this poor, unfortunate young man to spend the remainder of his days behind prison walls.

I am firmly of the opinion that this is a proper case for clemency, and that the ends of justice will be fully subserved and the laws of our State upheld by granting this humane request.

I am supported in this action not only by the family of the deceased wife, but also by Director of Penology, my legal advisers to whom I have submitted the facts, and not one protest has been filed against the granting of clemency.

I, therefore, as Governor of California, do hereby commute the sentence of August A Gingell to life imprisonment in San Quentin Prison.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fourteenth day of September, 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

There has been filed in this office an application for executive clemency on behalf of one Andrew Drexel Morgan, who was convicted of the crime of assault with a deadly weapon in Los Angeles County, receiving a sentence of ten years. He was duly received at San Quentin Penitentiary on March 10, 1928, and given No. 45011. Mr. Morgan was released from San Quentin Prison on parole on May 17, 1930, and sent to the United States Veteran's Hospital at Sunmount, New York, where he is being treated at the present time for pulmonary tuberculosis and has a very slight chance of recovery.

When Andrew Drexel Morgan entered San Quentin Penitentiary the condition of his health was very poor, as indicated in the report of Dr. Benjamin Blank, who made an examination of Mr. Morgan in Los Angeles, and who stated that since Mr. Morgan's war service he has had very poor health and is suffering from an active case of pulmonary tuberculosis. Since his release from the United States Army, Mr. Morgan has spent the majority of his time in veteran hospitals. In the several letters Mr. Morgan has written to this office I find that he has exhibited an undying spirit to follow the path of a law-abiding citizen during the remaining days of his life.

Daniel J. O'Brien, Director of the Department of Penology, has made an exhaustive and thorough examination of the facts surrounding this case and has written to me the following letter of recommendation:

"June 18, 1931.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor Rolph:

Referring to the application of Andrew D. Morgan for commutation of unexpired sentence, I invite your attention to a letter under date of May 4, 1931, addressed to Mr. Francis A. Cochran, Executive Secretary to the Governor, and signed by Ed H. Whyte, State Parole Officer, and respectfully recommend that the application be favorably considered by your Excellency.

Yours very sincerely,
(Signed) DANIEL J. O'BRIEN, Director of Penology."

The letter referred to by Daniel J. O'Brien, addressed to Francis A. Cochran, reads as follows:

"May 4, 1931.

Mr. Francis A. Cochran,
Executive Secretary,
State Capitol,
Sacramento, California.

Dear Mr. Cochran:

I am enclosing herein a letter sent to me to be forwarded to Honorable James Rolph, Jr., Governor of the State of California, by one of our parole subjects, A. D. Morgan, at present an inmate of the U. S. Veterans' Hospital at Sunmount, New York, being an active tubercular case.

He is asking to have his term commuted in order that he may die a free man, and his appeal is self-explanatory.

He is really tubercular and was in the TB. ward while in San Quentin, and to give an idea of his offense and previous history, I am enclosing herein a prison narrative giving the whole history of his case.

This is submitted for whatever action may be desired, as it was asked of use to forward it to the Governor, and this poor fellow being practically at death's door, could not very well refuse his request.

Very truly yours,
(Signed) ED H. WHYTE, State Parole Officer."

In view of the fact that Andrew Drexel Morgan is at present a patient in the United States government hospital at Sunmount, New York, and is failing steadily as a result of a severe case of tuberculosis, and his loyalty to the United States during the World War, I feel that every consideration possible should be given him and that he should be restored to citizenship in order that he may not be handicapped in his recovery by the fact that he continually suffers mentally by reason of the thought he was convicted of a felony.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Andrew Drexel Morgan of the crime of assault with a deadly weapon for the purpose of restoring him to citizenship

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fourteenth day of September, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

REPRIEVE

I hereby grant to William Henry Burkhart, No. 16399, whose execution at Folsom prison is set for Friday, September 25, 1931, a reprieve from said date of Friday, September 25, 1931, to Friday, October 30, 1931.

This reprieve is given because it has been brought to my attention that counsel for the defendant has not had sufficient time in which to acquire all the data pursuant to the investigation to determine whether or not William Henry Burkhart is sane.

In addition to this fact, new counsel for the defendant has been brought into this matter, and I believe he should be allowed additional time in order to fully acquaint himself with the facts of this case. In view of the above mentioned circumstances, I hereby grant to William Henry Burkhart this reprieve.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-third day of September, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

There has been presented to me, which I immediately referred to the Director of Penology and the Advisory Pardon Board, consisting of Lieutenant Governor Merriam, Attorney General U. S. Webb, Director Department of Penology Daniel J. O'Brien, Warden of San Quentin and the Warden of Folsom, an application for the pardon of Mathew Lagier, who was convicted of the crime of rape, and was sentenced on the first day of July, 1918, by the superior court in and for the County of Sutter, Honorable K. S. Mahon, judge presiding, to be imprisoned in the State prison at San Quentin for the term of from one to fifty years. He was received at San Quentin Prison on July 2, 1918, and given No. 31884.

Mathew Lagier, of French nationality, was released on parole from San Quentin penitentiary on July 31, 1925, through the administration of Governor Richardson, and since his release he has enjoyed an enviable record in the community in which he has resided. Ed H. Whyte, the State Parole Officer, who has had charge of this man since his release, has stated in a letter to me of July 9, 1931, that this man's conduct and deportment since his release on parole has been exemplary.

I have submitted this case to the Advisory Pardon Board through the Director of Penology, who have made a thorough examination of the documents filed in connection with the application, and at a meeting of said board regularly held in Sacramento on August 26, 1931, made the following unanimous recommendation:

"September 3, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

Please be advised that at a meeting of the Advisory Pardon Board, held in Sacramento, California, August 26, 1931, the board considered the case of Mathew Lagier, San Quentin No 31884—and in view of the record in this case having satisfied the board that the applicant was properly convicted and sentenced, that he served the period fixed by law, and that his conduct while in prison and on parole and since has been good, the board recommends that this application for pardon be granted.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In addition to the above recommendations I have received a letter from Honorable K. S. Mahon, judge of the superior court of the State of California, in and for the County of Sutter, which reads as follows.

"April 9, 1931.

Honorable James Rolph, Jr.
Governor of State of California,
Sacramento, California.

My Dear Governor:

Concerning the application of Mathew Lagier for executive clemency, will say that this man plead guilty to the crime of rape committed on his own daughter, who was just a young girl. He made a bedfellow of her for some time before she became pregnant. His wife had been dead for some time before, and he lived on his little orchard with this girl and two small boys until he was sent to prison.

I don't know where the children are at present. The boys were taken to Oregon by their aunt and the girl went to Redwood City, I think, where she gave birth to her child. I never heard of the family before this thing happened, as they had lived in Sutter County only a short time. He seems to have been a hard-working, saving man, and thought he was doing no wrong. He said such practice was common in his country. It may be that he has been punished sufficiently for his crime, and I have no objections to a pardon if your honor see fit to grant one.

I know of nothing against the man except this charge, and as he is a hard-working, industrious man of saving habits, I feel sure he will not become a public charge, nor will he enter upon a career of crime.

Very truly yours,

(Signed) K. S. MAHON, Judge of Superior Court, Sutter County."

A letter from Desmond A. Winship, District Attorney of Sutter County, reads as follows:

"April 12, 1931.

State of California,
Governor's Office,
Sacramento, California.

Attention: F. A. Cochran, Executive Secretary.

In Re Mathew Lagier

Dear Sir:

I have your letter of April 6, 1931, regarding the application of Mathew Lagier for executive clemency and asking my recommendation for or against granting the same.

Inasmuch as the conviction of this man took place in 1918, and I was unfamiliar with the same, I referred the same to Arthur Coats, who was district attorney at that time and up until January 5th of this year, and requested a statement from him as to the request. I am enclosing that statement herewith, together with his recommendation, which I adopt as my own. I have great confidence in Mr. Coats, and as he was district attorney at the time and recalled the case, I believe his letter of recommendation should be given consideration in this matter.

Very truly yours,

(Signed) DESMOND A. WINSHIP."

The letter to Mr. Winship from Arthur Coats is quoted herewith:

"April 10, 1931

Mr. Desmond A. Winship,
District Attorney, Sutter County,
Yuba City, California.

Dear Sir:

You have handed to me a letter from the Executive Secretary of the Governor of the State of California, in regard to Mathew Lagier, who has applied to the Governor for executive clemency, and have asked me for an expression of my views in regard to this matter.

Mathew Lagier was convicted of the crime of rape in the Superior Court of Sutter County and sentenced for that offense on the first day of July, 1918. The offense was committed against the person of his daughter, Helen Lagier, who was at that time of about the age of fourteen or fifteen years. The defendant pleaded guilty.

At the time of the commission of the offense, the defendant resided about three miles westerly from Yuba City and owned an orchard. He was foreign born, being a native of France. I do not believe that he fully realized the enormity of the offense which he committed, and when he was arrested and understood the situation, I believe he was fully repentant for the acts he had committed. Before leaving for prison he turned over all the property that he had for the benefit of his daughter and his other minor children.

It would be my recommendation, were I now District Attorney, that executive clemency be granted to him.

Yours respectfully,

(Signed) ARTHUR COATS."

In view of the further fact that this man is past sixty years of age, and his health is failing him, he is desirous of taking out citizenship papers in order to reinstate himself in the community as a law-abiding citizen, and the above recommendation of the Advisory Pardon Board, the Director of Penology and the judge who sentenced this man, and it further appearing that the daughter of said Mathew Lagier has urged in writing that a pardon be granted to her father because of the reasons expressed in her communication to me, I yield to the appeals made to me for restoration of citizenship.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Mathew Lagier of the crime of rape, for the purpose of restoring him to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-second day of October, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

RESTORATION OF CITIZENSHIP

Upon examination of the files in this office I find that there was an application filed July 28, 1923, by one William Zophar Doyle, who was convicted of the crime of rape in Los Angeles County on or about April 23, 1909, and received a sentence of from one to fifty years confinement in the State penitentiary at Folsom Mr. Doyle was duly received at the same prison and given No. 7293

After many years of meritorious conduct in Folsom Prison, Mr. Doyle was released on parole on July 10, 1916. Since his release on parole, Mr Doyle has enjoyed an enviable record in the community, both for industriousness and truthfulness, during which time he has been the sole support of his aged parents and a niece, who is dependent upon him. To further substantiate the fact that Mr Doyle has been leading a life of a very good citizen since his release on parole, there has been received in this office innumerable letters from people who have been in personal contact with him since such release A letter from Allen Rudolph, secretary of the San Jose Building and Loan Association, indicates his thriftiness, which letter reads as follows:

"May 11, 1921.

Governor Wm. D. Stephens,
Sacramento, California.

Honorable Sir:

I have been asked by a number of mutual friends to testify regarding the character of Mr. W. Z. Doyle, who is on parole from Folsom Prison.

I have known Mr. Doyle for a considerable length of time and have found him to be one of the most honorable young men whom I have ever come in contact with He is a member of our Building and Loan Society, which in itself speaks well for his thrifty habits. I understand that he has been on parole for the past five years, and during that time has had the confidence and respect of all the people with whom he has come in contact.

Mr. Doyle does not know that I have written this letter. I am writing it at the request of Mr. George A. Davies, who is Mr. Doyle's employer. Mr. Davies had informed me that Mr Doyle is anxious to get married and wants to go into business for himself, but as long as he is on parole he can not take either of these steps.

It seems to me a pity that a deserving young man should be kept from doing the very things which would tend to make him a better man, and as a citizen of the State, I would ask that you extend executive clemency to Mr. Doyle and commute the sentence so that Mr. Doyle can enjoy the privileges of a free man once more and take his place in society

Very respectfully,

(Signed) ALLEN RUDOLPH"

During the time that he has lived in Kentucky, he seems to have been a man of splendid character as indicated in a letter from W. B. Stanfield, Federal Prohibition Inspector of Mayfield, Kentucky, which reads as follows:

"Mayfield, Kentucky, June 1, 1921.

Governor W. D. Stephens,
Sacramento, California.

Dear Governor Stephens:

Some months ago I addressed a letter to you asking that clemency be extended to Mr. W. Z. Doyle, whose home is in this city and who has been paroled for six years. I then called your attention to the fact that I have known this young man all his life and know him to be clean, competent, of high principle, and of exemplary habits. It is absolutely impossible for a young man of his integrity and character to have committed the crime of which he was unjustly convicted. Both the prosecutrix and the defendant are known here, and it is generally understood by everybody that there was no foundation for the prosecution.

Since he was paroled, his habits and way of living have been as clean and upright as any citizen in Kentucky or in any other State. He is clean cut from first to last.

I desire to remind you again, that to have this strain remain against one so absolutely free from fault, and with such a clean ambition to get forward in the world, blights his every social and commercial prospect. I believe clemency in the case as just a step as you will possibly make in your entire official dealing with pardons.

Every law abiding citizen in this community joins me in the hope that you will grant to this deserving young man freedom from the strain that remains against his name.

I will personally guarantee every statement in this letter and cheerfully furnish you any further information you may desire.

Trusting I may hear by early mail that you have granted the pardon, I remain

Yours very respectfully,

(Signed) W. B. STANFIELD,

Federal Prohibition Inspector, Mayfield Ky."

A letter has also been received from Seth T. Boaz, City Attorney of Mayfield, Kentucky, which reads as follows:

"January 26. 1924.

Honorable Friend W. Richardson,
Sacramento, California.

Dear Governor:

I am interested in one Mr. W. Z. Doyle, who is the son of my friend, Mr. Ike Doyle, who is one of the best citizens of this county.

Mr. Doyle tells me that he was convicted in your State some years ago of the crime of rape and was sentenced to a term in the State Prison, and served nearly four years when he was paroled and returned to his home here in this county

Since returning here he has lived a clean life and has made an exceptionally good citizen, and I am sure that his reformation has been achieved. He tells me that he is seeking a full and complete pardon, and I assure you that having observed Mr. Doyle since his return here, that he should be restored to full citizenship, and that you would be justified in granting him a pardon as requested. He has been exceptionally good to his parents and has provided comfortably for their support, and in short, I know that the boy is now as good a citizen as there is in the county and merits this favor.

Trusting that you will see proper to grant this request, I beg to remain,

Very truly yours,

(Signed) SETH T. BOAZ, City Attorney."

Letters have been received from his employers, namely: the Cleveland Plain Dealer, an Ohio newspaper with offices located in Akron, Ohio, stating that Mr. Doyle has always been found to be a conscientious, reliable and loyal worker, and that he is honest and a man of high moral character. M. H. Jacobs News Agency of Akron, Ohio, has also sent in a letter stating that they always found Mr. Doyle to be sober, reliable and industrious.

In addition to the above mentioned letters from people who have been in contact with Mr. Doyle since his release, there has been received in this office two letters from Judge Frank R. Willis, which read as follows:

"April 25, 1921.

To His Excellency,
William D. Stephens,
Sacramento, California.

Sir:

I am informed that Mr. W. Z. Doyle, who pleaded guilty to the crime of rape in the court about April 21, 1909, has applied for a pardon, and desires my views in regard to the same.

I considered at the time and still consider the offense to have been a serious one, and consequently imposed a long sentence. Subsequent investigation at the time of his parole convinced me that he was of previous good character and that no other charge had been made against him. For that reason I recommended his parole, which I understand was granted some six years ago. Since that time I am informed that he has conducted himself properly and that from his wages he has saved a considerable sum of money, which indicates to me that he desires to go right in the future. I am informed by his employer, Mr. George A. Davies of San Francisco, that he is desirous of procuring for defendant a full pardon, which under all the circumstances I feel ought to be granted, and would therefore respectfully recommend such executive action.

Very truly yours,

(Signed) FRANK R. WILLIS."

"January 27, 1925.

Honorable Friend W. Richardson,
Governor of the State of California,
Sacramento, California

Dear Sir:

At the request of the father and mother of William Z. Doyle, convicted in my court a number of years ago while I was trying criminal cases, I am advising you that I have no objection to a pardon being granted the defendant.

This letter is written for the reason that the defendant pleaded guilty, served a number of years in Folsom with what, I am informed, was a clear record. I am further informed that he has been on parole for about nine years, and am assured that your Excellency will be furnished with proof that he has conducted himself in an exemplary manner since paroled, that he has returned to his home in Kentucky, and is engaged in supporting his aged father and mother.

If all these facts are true, I see no reason why he should not be granted further clemency to the extent of a pardon.

With kindest personal regards, I remain,

Very truly yours,

(Signed) FRANK R. WILLIS."

The application of Mr. Doyle was considered by the Advisory Pardon Board of California at a regularly called session on June 28, 1928, and after a thorough and exhaustive consideration of the application and statements accompanying said application, the secretary of the Advisory Pardon Board transmitted the following letter to Governor C. C. Young:

"July 2, 1928.

Honorable C. C. Young,
Governor of California,
Sacramento, California.

Sir:

The case of the People of the State of California versus William Z. Doyle, wherein the defendant has applied for executive clemency, was submitted to the Advisory Pardon Board of California at a regularly called session, held in the Capitol Building, Sacramento, California, June 28, 1928. Those present were: The Lieutenant Governor, the Warden of San Quentin, the Warden of Folsom and the Secretary of the Pardon Board. After a thorough and exhaustive consideration of all the facts and circumstances surrounding the case, the Board recommends:

'That executive clemency be granted.'

A summary of the facts is attached hereto.

The petitioner in this case has been on parole for twelve years. The evidence submitted of his exemplary conduct and useful citizenship, since his release on parole, is more than satisfactory. Furthermore, the recommendation of the district attorney and the committing magistrate are very favorable.

The explanation of the petitioner at the time of the offense, and his continued affirmations of his innocence, raise a serious doubt as to his guilt. The additional fact of the questionable conduct and the malicious motives of the mother of the alleged victim provide further reasons for clemency.

In view of the mitigating circumstances connected with the offense, and the attitude of the officers who handled the trial, as well as the record of the petitioner since his parole, this board recommends that executive clemency be granted in that a pardon be awarded.

Respectfully submitted.

ADVISORY PARDON BOARD,
(Signed) LAWRENCE HALL, Secretary."

The file in this case was also referred to Mr. Daniel J. O'Brien, Director of the Department of Penology, for his consideration, and I am quoting herewith Mr. O'Brien's recommendation.

"June 4, 1931.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor Rolph:

My attention has been invited to the attached application of William Z. Doyle, former inmate of Folsom Prison, by your secretary, Betty Scandling, and the report of the Advisory Pardon Board attached thereto.

The recommendation of said board speaks for itself, and I concur in the recommendation that executive clemency be granted.

With best wishes,

Yours very sincerely,

(Signed) DANIEL J. O'BRIEN, Director of Penology."

In view of the numerous recommendations above set forth, and the fact that I believe that this man has paid his debt to society, and that he is endeavoring to lead an honest and industrious life and will never again violate the laws, I believe that he is deserving of being reinstated to full citizenship rights and be relieved of the stigma of the fact that he has been convicted of a felony.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon William Zophar Doyle of the crime of rape, for the purpose of restoring him to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-second day of October, A.D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

COMMUTATION OF SENTENCE

There has been brought to my attention by the members of the State Board of Prison Directors the case of E. Gertrude Jones, San Quentin No. 47673, who was convicted of seven counts of forgery in Los Angeles County and received a sentence of one to fourteen years in San Quentin Penitentiary on each count. Mrs. Jones was duly received at San Quentin Prison on October 26, 1929.

The crime of which Mrs. Jones was convicted arose out of several transactions while she was acting in conjunction with codefendant Hugh Nelson. In each transaction the defendant would approach an owner of a parcel of real property with an offer to purchase the same, agreeing to pay a small down payment and to execute a trust deed securing payment of a note in the amount of the balance of the purchase price. Escrow instructions to this effect would then be signed. Upon consummation of the deal the seller would discover that he or she would have a trust deed subject to a first mortgage, instead of a first trust deed, which some of the sellers contended was the original terms agreement. All the escrow instructions covering these transactions contained a clause to the effect that the seller was entitled to a trust deed subject to a first mortgage, instructions having been signed and supposedly to have been read by all parties interested in the transaction.

B. J. Scheinman, who was the Deputy District Attorney that prosecuted the case, has made a thorough investigation of the transactions involved in this case since leaving the District Attorney's office, and as a result of this investigation has written a letter to the Board of Prison Directors at San Quentin, which reads as follows:

"November 1, 1930.

Board of Prison Directors,
San Quentin, California.

Gentlemen:

I have been informed that Mrs. E. Gertrude Jones, one of your inmates, is about to come before the board for a hearing.

At the time of her conviction, I was the Deputy District Attorney who prosecuted the case, and I am familiar with all the facts that came before the attention of the court at that time. I assume that a statement of those facts constitutes a part of her record and are available to you. The transactions in which she was involved were similar, involving the alleged alteration of escrow instructions so that the sellers of property found themselves secured by a second encumbrance instead of a first encumbrance, the intention being

to sell the first encumbrance, pay off the small down payment given to the seller, and retain the balance. To my memory, only three of these deals were consummated.

Since leaving the District Attorney's office, my office was retained to straighten out one of these deals, known as the Vonk deal Mrs. Jones cooperated with us in making restitution, reconveying the property to the Vonks and permitting them to accept the rents. This cooperation has reflected very creditably upon Mrs. Jones, and when the time comes for the Prison Board to pass upon her sentence, I feel that her willingness to make the restitution in this matter should be placed to her credit in determining what action the board may take upon her case, if any.

Yours very truly,

(Signed) B. J. SCHEINMAN"

Since Mrs. Jones was convicted, Mr. Frank Bottom, in charge of the escrow department of the Broadway State Bank, has made a thorough examination of nearly all the escrows covering the questionable transactions, and as a result of his examination has written the following letter to Mark E. Noon, clerk of the Board of Prison Directors at San Quentin:

"November 21, 1930.

Mr. Mark E. Noon,
Clerk of Board of Prison Directors,
San Quentin, California.

Dear Sir:

Referring to the case of inmate E. Gertrude Jones, which we are informed comes up for hearing shortly before the Parole Board:

The escrows in which the transactions took place, on which Mrs. Jones was convicted, were handled in this bank, and, although I knew nothing about the escrows at the time they were going through, I have since looked through nearly all of them, and have talked with nearly all of the parties with whom Mrs. Jones was dealing.

From my examination of these escrows—particularly the escrow instructions, on which the criminal actions were based—I am convinced that no forgery of the documents in question took place. In fact, one of the parties to one of these escrows told me that she knew that Mrs. Jones was going to place a first encumbrance on the property, and that she consented to it as she understood the money was to be used in making some needed repairs upon the property in question I am told that this same party testified in the criminal case that she did not know that a first encumbrance was to be placed on the property until long after the escrow was closed.

Very truly yours,

(Signed) FRANK BOTTOM, Escrow Department."

Pursuant to Section 1596 of the Penal Code, which provides that the Board of Prison Directors must report to the Governor from time to time the names of any or all persons imprisoned in any State prison, who, in their judgment, ought to have a commutation of sentence or be pardoned out and set at liberty for any cause which, in their opinion, should entitle the prisoner to a pardon or commutation of sentence, the Board of Prison Directors have made a recommendation to me contained in a letter from Mark E. Noon, Clerk of the State Board of Prison Directors, which reads as follows:

"September 2, 1931.

His Excellency James Rolph, Jr.,
Governor of the State of California,
Sacramento, California.

Dear Sir:

At a meeting of the State Board of Prison Directors held at this prison on August 29 and 30, 1931, there being present Directors C. L. Neumiller, president, Henry Dickhoff, Raymond A. Leonard and Frank C. Sykes, the following proceedings were had, as appear of record in the Official Book of Records on file in this office, to-wit:

47673—Jones, E. Gertrude

Upon motion duly made and carried, it was decided in accordance with the provisions of section 1596 of the Penal Code, to recommend to His Excellency, James Rolph, Jr., Governor, State of California, that the above named prisoner be considered for executive clemency, and that her sentence be commuted to the time she has served.

Very respectfully yours,

(Signed) MARK E. NOON, Clerk.

State Board of Prison Directors at San Quentin, California."

Attest:

September 2, 1931.

Daniel J. O'Brien, Director of the Department of Penology, has made a thorough examination of this case, pursuant to my request, and in conclusion has made a recommendation to me contained in a letter of September 11, 1931, which I am quoting herewith:

"September 11, 1931.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Sir:

I am submitting herewith report under date of September 2, 1931, in relation to San Quentin inmate No 47673, E. Gertrude Jones.

I concur with the recommendation of the State Board of Prison Directors and present the same for any action that you may deem advisable.

Respectfully submitted.

(Signed) DANIEL J. O'BRIEN, Director of Penology."

In view of the above recommendations, which seem to indicate that there is considerable question and doubt as to the guilt of the defendant; that the defendant acted in good faith in all the transactions involved in her conviction; that the defendant has been incarcerated in San Quentin Penitentiary since October 26, 1929, I feel that her sentence should be commuted to time served, and that she be allowed to leave the penitentiary in order to reestablish herself in the community as a respectable and law-abiding citizen.

Now, therefore, I, James Rolph, Jr, Governor of the State of California, do hereby commute the sentence of E. Gertrude Jones to time served.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-third day of October, 1931.

[SEAL] JAMES ROLPH, JR, Governor.

Attest: FRANK C. JORDAN, Secretary of State.

REPRIEVE

I hereby grant to William Henry Burkhart, No. 16399, whose execution at Folsom Prison is set for Friday, October 30, 1931, a reprieve from said date of Friday, October 30, 1931, to Friday, November 20, 1931.

This reprieve is granted, pursuant to the request of the Supreme Court of California, in order that they may have time in which to consider additional facts that have been presented to them regarding the mental condition of William Henry Burkhart at the time the crime was committed.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-eighth day of October, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

I hereby grant to Clarence L. King, No. 48690, whose execution at San Quentin Prison is set for Friday, November 6, 1931, a reprieve from said date of Friday, November 6, 1931, to Friday, December 4, 1931.

This reprieve is granted pursuant to the request of Chief Justice William H. Waste of the Supreme Court of the State of California in order that the justices of the Supreme Court may have sufficient time in which to consider an application for executive clemency which was filed with them on November 2, 1931.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this third day of November, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

I hereby grant to William Henry Burkhart, No. 16399, whose execution at Folsom Prison is set for Friday, November 20, 1931, a reprieve from said date of Friday, November 20, 1931, to December 11, 1931.

This reprieve is granted as a result of the information received this day from the Clerk of the Supreme Court, who informed me that because of the absence of Chief Justice William H Waste, the Supreme Court would not be able to reach a final decision on this case until Thursday, November 19. In view of this fact,

I feel that additional time should be allowed in order that the decision will not be held in abeyance until the last minute before the scheduled execution.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this sixteenth day of November, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest. FRANK C. JORDAN, Secretary of State.
By FRANK H CORY, Deputy.

COMMUTATION OF SENTENCE

An application for commutation of sentence has been made to me by John D. Rishell, who was convicted of the crime of grand theft in Los Angeles County on August 15, 1930, to wit: he is charged with appropriating $700 to his own use, deposited in trust for payment of taxes entrusted to the corporation of which he was president and his wife, secretary, receiving a sentence of from one to ten years in the State Penitentiary at San Quentin. He was not received at San Quentin Penitentiary until June 27, 1931, having spent the intervening time in Los Angeles County jail awaiting the decision on his appeal to the higher courts.

Upon receipt of the application, I immediately handed the same to Daniel J. O'Brien, Director of the Department of Penology, for a complete and exhaustive investigation of the evidence presented with the application. As a result of Chief O'Brien's investigation he has made a report and recommendation to me which reads as follows:

"November 18, 1931.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor:

File in the case of John D. Rishell, applicant for executive clemency, now incarcerated in San Quentin Prison, inmate No 50445, sentenced to serve a term of one to ten years on a charge of grand theft, is returned herewith.

I have read the records of the case and respectfully invite your attention to communication under date of July 24, 1931, addressed to the Honorable James Rolph, Jr., Governor of California, and signed by the Honorable Raglan Tuttle, Judge, Superior Court of California, in which he states: 'He made application for probation, and after a thorough investigation and due consideration upon my part, I decided that he was entitled to probation, upon certain terms Accordingly, I granted the motion for probation, upon condition that Rishell served one year in the county jail For some unexplained reason his counsel rejected the probation immediately, and thereupon I sentenced him to San Quentin. The act of counsel in rejecting the offer of probation was, in my opinion, an indication of gross incompetency of counsel.' The concluding sentence of this communication is as follows: 'I recommend that executive clemency be extended in this case.'

There are communications for each of the jurors in the case, petitioning for executive clemency for the applicant. The records show that Deputy District Attorney, L. J Moses, recommends the minimum sentence. Your attention is invited to a letter from Mr Myron D. Wells, Trustee in Bankruptcy, Bay Cities Guaranty Building Loan Association; also a letter from Mr. E L. Medler, attorney at law. Several other persons have also petitioned for executive clemency.

The report of Dr. L. L. Stanley, resident physician at San Quentin Prison, shows that applicant's heart is slightly enlarged, quite weak and irregular in rhythm. Applicant is 68 years of age and was sentenced to San Quentin on August 15, 1930. He was received at that institution June 27, 1931.

In view of the recommendations of the judge presiding at the trial, the jurors, and the report of Dr. Stanley, I believe that applicant has been sufficiently punished, and I respectfully recommend that sentence be commuted to time already served.

Respectfully yours,

(Signed) DANIEL J. O'BRIEN."

I find accompanying the application numerous letters of appeal. My attention is particularly attracted to letters from each and every one of the jurors who served on the jury that found John D. Rishell guilty. Each and everyone of the letters recommends that John D Rishell be given commutation of sentence.

Among these letters is a letter from Frederick DeZemplem, who was foreman of the jury which convicted John D. Rishell, which gives a complete summary of the actions of the jury, which reads as follows:

"July 3, 1931.

Honorable James Rolph, Jr.,
Governor of the State of California,
Sacramento, California.

To His Excellency:

The undersigned was foreman of the jury which tried the case of People versus John D. Rishell, in the Superior Court of the State of California, for the county of Los Angeles, in which John D. Rishell was convicted of grand theft of the sum of $700, the property of the Bay Cities Building and Loan Association of Santa Monica, and, having been asked as to my views on the merits of his petition for executive clemency, I beg to state as follows:

1. My impression is that at the time of the trial all the members of the jury, except one lady, were at first in favor of an acquittal of Mr. Rishell on both counts. In any event, I am sure that the majority were, but the minority would not give way, and after considerable discussion, a compromise was arrived at by which a verdict of guilty was returned on the lesser charge, respecting the $700.

2. That we were all of the opinion that probation would certainly be granted to Mr. Rishell in the case of conviction, and I am surprised to learn that on his coming up for sentence, the probation offered by the judge was refused by defendant's counsel.

3. That restitution of the sum of $700 to the institution, of which Mr. Rishell was the president, was made by him with interest, from the time he had received the money some two or three months before the criminal proceedings against him were begun

4. As respects the charge of grand theft in the sum of $10,000, on which charge the jury disagreed and which was withdrawn by the district attorney, it seemed to me that the $15,000 which was divided in equal thirds between Conliss, the real estate broker, and Mr. Rishell and Mr. Stintin, his codirector, was nothing more than a legal commission to which the broker would have been entitled by the ordinary custom, and if the directors were not entitled to receive a part of that commission, it was really more ground for a civil action against them for its recovery on the part of the corporation, rather than sufficient basis for a criminal indictment.

5. At the time of the trial I felt that there was a good deal behind the institution of this action which was not brought out in the evidence, and I consider that his case was somewhat poorly presented.

6. That he is a sick man and old, and on that account also I consider that he is entitled to indulgent consideration at your Excellency's hands

I therefore have pleasure in strongly supporting his petition to your Excellency for a pardon.

Yours respectfully,

(Signed) FREDERICK DEZEMPLEM."

In addition to the above letters I find a letter addressed to me, dated July 24, 1931, from Honorable Raglan Tuttle, judge of the Superior Court of Nevada County, California, but who was presiding temporarily in Los Angeles County at the time of this trial, and was the judge who presided at this trial. This letter to me is a recommendation for executive clemency that deserves favorable consideration. The above mentioned letter reads as follows:

"July 24, 1931.

Honorable James Rolph, Jr.,
Governor of California.

My Dear Governor:

I understand that John D. Rishell, former official of Santa Monica Building and Loan Association, has applied to you for executive clemency.

I presided at the trial of Rishell in Los Angeles County, about a year ago. The jury found him guilty upon one count of grand theft. He made application for probation, and after a thorough investigation and due consideration upon my part, I decided that he was entitled to probation, upon certain terms Accordingly, I granted the motion for probation, upon condition that Rishell serve one year in the county jail. For some unexplained reason, his counsel rejected the probation immediately, and thereupon I sentenced him to San Quentin. The act of counsel in rejecting the offer of probation was, in my opinion, an indication of gross incompetence of counsel

I understand that while on bail pending appeal, Rishell has rendered valuable services to the trustee in bankruptcy for Bay Cities Building and Loan Association. I am satisfied that the ends of justice have been fully met in this case, and I recommend that executive clemency be extended in this case.

Sincerely yours,

(Signed) RAGLAN TUTTLE."

In view of the above recommendations and other evidence presented with the application, I feel that there is considerable question as to whether or not John D. Rishell was guilty of the crime of which he was convicted; I also believe that the verdict arrived at by the jury was a compromise verdict which is contrary to the theory of justice; I also agree with Judge Tuttle that his attorneys erred when they did not accept the offer of probation; I have also been informed that because of this man's old age and the condition of his health, it would be extremely detrimental to his health to remain in the penitentiary.

I believe that in view of the above recommendations, and in order to best serve the ends of justice, that John D. Rishell's sentence be commuted to time served.

Now, therefore, I, James Rolph, Jr., Governor of California, pursuant to the authority vested in me by the Constitution and statutes in said State, do hereby commute to time served the sentence of John D. Rishell, convicted of the crime of grand theft in Los Angeles County.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twentieth day of November, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

Upon the request of counsel for the condemned, and with the approval of the police authorities of the City and County of San Francisco, I hereby grant to Peter Farrington, whose execution at Folsom is set for Friday, December 11, 1931, a reprieve from said date of Friday, December 11, 1931, to Friday, January 15, 1932

This reprieve is granted in order that the attorney for the condemned may have this additional time requested in which to perfect an appeal in this case to the United States Supreme Court.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this eighth day of December, 1931.

[SEAL] JAMES ROLPH, JR, Governor.

Attest: FRANK C. JORDAN, Secretary of State.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that an application for a pardon was filed in this office on December 30, 1929, by Henry Benz, who was convicted of the crime of burglary in the county of Alameda on April 18, 1922. He was duly received at San Quentin Penitentiary on April 19, 1922, and given No. 32285. After serving approximately two years, Mr. Benz was released on parole April 17, 1924. During his parole period, which was completed November 19, 1925, he reported at regular intervals to Ed H. Whyte, the State Parole Officer, and in a letter written May 6, 1931, by Mr. Whyte, he has made a recommendation as follows:

"May 6, 1931.

Mr. Paul Yarwood, Secretary,
Advisory Pardon Board,
Room 209, State Capitol Building,
Sacramento, California.

Dear Mr. Yarwood:

With respect to the case of Harry Benz, who was received at San Quentin Prison, No. 36285, April 19, 1922, from Alameda County for crime of burglary, first degree, sentenced to a term of five years, released on parole April 17, 1924, and completed his term on parole November 19, 1925.

His record for deportment and industry during the period of his parole was exemplary, and we never had occasion to call his attention to any infraction of the parole rules. He worked steadily and reported with regularity. We would classify him as one of our very good subjects.

We have heard nothing from him since his parole expired in 1925, and could not very well say how he has progressed since then.

Very truly yours.

(Signed) ED H. WHYTE, State Parole Officer."

Louis J. Silva, chief of police of the city of Hayward, who has been acquainted with Henry Benz for a number of years, has written a letter to C. C. Young, formerly the Governor of the State of California, which I am quoting herewith:

"Hayward, California, November 26, 1928.

Honorable C. C. Young,
Governor of the State of California,
Capitol Building,
Sacramento, California.

Dear Sir:

I am advised that Henry Benz has made an application to you for a pardon. I have been acquainted with the applicant, Henry Benz, for a number of years

Since his release from the State Prison at San Quentin, he has been a resident of the city of Hayward and during practically all of that time I have been a peace officer in said city and have had an opportunity of judging his habits and conduct. During the past four years he has been a peaceful and law-abiding citizen of this community and has worked steadily and has taken care of his aged mother.

By reason of his conduct, I feel that he is deserving of executive clemency at your hands, and would recommend that his application for a pardon be granted.

Yours very truly,

(Signed) LOUIS J. SILVA,
Chief of Police, City of Hayward, State of California."

This application has been submitted to the Advisory Pardon Board, consisting of Lieutenant Governor Frank F. Merriam, Daniel J. O'Brien, Director of Penology, U. S. Webb, Attorney General, Court Smith, Warden of Folsom Prison, and James B. Holohan, Warden of San Quentin Prison, and after a thorough and serious consideration of the evidence submitted in this case, the above mentioned board has made a recommendation which reads as follows:

"Sacramento, California, June 6, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

At a meeting of the Advisory Pardon Board held in Los Angeles, May 28, 1931, it was the judgment of the board that the applicant, Henry Benz, San Quentin No. 36285, who was guilty of the crime of which he was convicted, the evidence against him having been satisfactory, it appearing that he has served his sentence and his period of parole and that during such periods his conduct was good; also that his parole period expired November 19, 1925; and furthermore that he has been a good citizen since that time, no charge appearing to have been made against him; therefore, for the above mentioned reasons the board recommends that this application for executive clemency be granted.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendation and the fact that Henry Benz seems to have completely reinstated himself in the community as a law-abiding and conscientious citizen, I feel that he should be further assisted in establishing himself in the community by having his citizenship restored.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Henry Benz of the crime of burglary in order to restore him to citizenship

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this ninth day of December, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C. JORDAN, Secretary of State.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that an application for pardon was filed in this office on February 18, 1930, by one Angus Beaton, who was convicted of the crime of robbery in Los Angeles County and was duly received at San Quentin Penitentiary on October 4, 1924, and given No. 39920. Mr. Beaton was paroled from San Quentin Prison on January 23, 1930, and completed his parole on April 17, 1930.

Mr. Ed H. Whyte, State Parole Officer, to whom Angus Beaton reported during the time of his parole, made the following recommendation in a letter addressed to Paul Yarwood, secretary of the Advisory Pardon Board, which reads as follows:

"May 4, 1931.

Mr. Paul Yarwood, Secretary,
Advisory Pardon Board,
Room 209, State Capitol Building,
Sacramento, California.

Dear Mr. Yarwood:

Responsive to your communication of May 1, with respect to an application made by Angus Beaton to Governor James Rolph, Jr., for a pardon, wish to advise that he was released from San Quentin Prison on parole, January 23, 1930, and completed his parole period April 17, 1930

During the short period of his parole, his conduct and general demeanor was very good, as he worked steadily and reported promptly as instructed, giving no trouble whatsoever.

Very truly yours,

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted this application to the Advisory Pardon Board, consisting of Lieutenant Governor Frank F. Merriam, Daniel J. O'Brien, Director of Penology, U S Webb, Attorney General, Court Smith, Warden of Folsom Prison, and James B. Holohan, Warden of San Quentin Prison, and after a thorough and serious consideration of the evidence submitted, the above mentioned board have made a recommendation which reads as follows:

"July 7, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

Please be advised that at a meeting of the Advisory Pardon Board, held in San Francisco, California, June 29, 1931, the board considered the case of Angus J. Beaton, San Quentin No. 39920, and in view of the record in this case having satisfied the board that the applicant was properly convicted and sentenced, that he has served the period fixed by law, and that his conduct while in prison and on parole and since has been good; the board, therefore, recommends that this application for pardon be granted.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

Honorable Walton J. Wood, judge of the superior court of Los Angeles County, who presided at the trial in which Angus Beaton was convicted, has written a letter of recommendation which I am quoting herewith:

"April 2, 1931.

Mr. F. A. Cochran,
Executive Secretary,
Governor's Office,
Sacramento, California

Dear Sir:

I have your communication of March 26, last, asking my views on the subject of the application for executive clemency made by Angus J. Beaton.

A number of years ago Angus J. Beaton was convicted of the crime of robbery in the court in which I presided. He was positively identified by one of the victims of the robbery. He had several alibi witnesses, but they were not of a character that impressed favorably. The jury found Beaton guilty, and I thought the verdict was justified, and, therefore, sentenced Beaton to San Quentin. I recall that he protested vigorously at the time he was sentenced. Sometime later on a man named Sidney Wood, who also had been found guilty in my court of the crime of robbery, was pardoned by the Governor because it appeared that his innocence was established after the trial and judgment. Sidney Wood also was positively identified by the victim of the robbery, and Sidney Wood also vigorously protested when he was sentenced.

The fact that these two men had each protested so vigorously at the time of judgment, and the fact that Wood was later shown to be innocent, made me think that probably a mistake had been made in the case of Beaton I called the attention of the Prison Directors to the case and also the attorney who had prosecuted Beaton in the capacity of Deputy District Attorney, and suggested that they look into the case At that time I gave them the reasons as above set forth in this communication. I was without any authority, as a judge, to do anything further. Indeed, I was not satisfied one way or the other about the matter, and simply suggested that the facts be investigated more thoroughly.

I now understand that about the time of the expiration of Mr. Beaton's sentence, someone else confessed guilt to the charge of which Beaton was convicted I learned this only from the newspapers and from hearsay reports Of course, I am not informed as to the reliability of the alleged confession of the other party. If it is genuine, of course a great mistake has been made.

In view of the above I see no reason why executive clemency should not be shown at the present time.

Yours very respectfully,

(Signed) NATHAN J. WOOD."

In view of the above recommendations, and the fact that this man has continued to lead the life of a law-abiding and conscientious citizen since completing his parole, I feel that he should be restored to citizenship in order that he may not be handicapped by the fact that he has been convicted of a felony.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Angus Beaton of the crime of robbery in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this eighth day of December, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State

RESTORATION OF CITIZENSHIP

It has been brought to my attention that on September 2, 1927, an application for pardon was filed by one Arthur Lynch, who was convicted of the crime of robbery on December 23, 1911, in Contra Costa County, and received at San Quentin Penitentiary December 27, 1911, and given No. 25354.

Arthur Lynch was released from San Quentin Penitentiary on parole December 24, 1918, and since that time has reported to Ed H. Whyte, State Parole Officer, at regular intervals. In reply to my inquiry to Mr. Whyte as to this man's conduct since he was placed on parole, I have received a letter which reads as follows:

"April 28, 1931.

Honorable James Rolph, Jr., Governor,
State of California,
State Capitol,
Sacramento, California.

Sir:

Responsive to your valued communication of April 23, requesting the recommendation of this department with respect to the application for executive clemency, submitted by Arthur Lynch, San Quentin Parole No. 25354, received at San Quentin Prison December 27, 1911, from Contra Costa County, for the crime of robbery, and sentenced to a term of forty years, released on parole December 24, 1918.

Arthur Lynch has been under the supervision of this department and my personal observation for a period extending over twelve years. During this time he has worked steadily, obeyed religiously each and every rule, term and condition of his parole as set out by the State Board of Prison Directors, to the letter. He has been extremely conscientious and not even once has it ever been necessary to call him to account for a single thing. His reports have always been submitted promptly, and after a careful survey of his employment and earning sheets, can not find where he has ever been out of employment or did not save some portion of his earnings.

In 1923 he made formal request to the State Board of Prison Directors, asking that permission be granted him to marry, and after investigation was made by this office, I personally recommended to the board that he be extended this privilege. He is now married and has two children to whom he is devoted, and faithfully fulfills his duties as a good husband and father.

From his record with this office, can sincerely say that he is one paroled subject who is well deserving of any consideration that could be extended him

I have had many interviews with Thomas D Johnston, attorney at law of Martinez, California, who, incidentally, was the prosecuting attorney at the time Lynch was tried for the offense that lead to his conviction and incarceration. He seems to feel that at the time of the trial, being a young prosecutor, he was over zealous in the prosecution of Lynch, and being fired with youthful fervor and ambition, has felt in later years when he has acquired a more conservative and liberal view of the law, that he did Lynch an injustice and made him practically a martyr to his youthful zeal. I know also, that Mr. Johnston has spent considerable of his personal time and effort to do everything he possibly could to aid Lynch in securing a pardon or kindred relief.

Therefore, in view of the statements of Mr. Johnston, and the splendid record made by Lynch over a long period of years, I am very glad to be able to give him a very high recommendation as really deserving of any consideration that could be extended to him. His card is on file, showing fully his unbroken record for industry, together with an itemized report, giving evidence of his earnings for the past twelve years.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer"

I have also submitted this application to the Advisory Pardon Board, consisting of Lieutenant Governor Frank F. Merriam, Daniel J. O'Brien, Director of Penology, U. S. Webb, Attorney General, Court Smith, Warden of Folsom Prison, and James B. Holohan, Warden of San Quentin Prison. The case of Mr Lynch was considered by this board at their meeting held in Sacramento on September 30, 1931, and after a thorough examination of the evidence submitted, made a recommendation which I am quoting herewith:

"October 8, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Arthur Lynch, San Quentin No 25354, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, September 30, 1931.

The board recommends that executive clemency be granted in view of the fact that this applicant served his sentence; also his parole period, and during such periods his conduct was good, and furthermore that he has been a good citizen since that time, no charge appearing to have been made against him.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

Honorable A. B. McKenzie, Judge of the Superior Court of Contra Costa County, who was the District Attorney of Contra Costa County at the time Arthur Lynch was convicted, has submitted an affidavit which contains the following recommendation:

"Honorable A. B. McKenzie now deposes and states: That he is and has been since the sixth day of January, 1915, a judge of the superior court of the State of California, in and for the county of Contra Costa. That for four years previous thereto he was the duly elected, qualified and acting District Attorney of Contra Costa County, State of California. That during the month of December, 1911, the said Arthur Lynch was prosecuted by and through the District Attorney's office of Contra Costa County upon a charge of robbery.

That your said deponent states that since said time he has recommended that executive clemency be given and allowed to said Arthur Lynch. That your said deponent is informed and believes and upon such information and belief alleges, that said Arthur Lynch was released on parole from San Quentin State Prison in December, 1918, and during all of the time since said date has resided in and has been employed in Contra Costa County, and has conducted himself in an honest and upright manner

That your deponent therefore recommends that a pardon be granted to said Arthur Lynch.

Dated this twenty-seventh day of October, 1927

(Signed) A. B. MCKENZIE, Judge of said Superior Court,
and former District Attorney of Contra Costa County, California"

In view of the above recommendations, and the fact that since Arthur Lynch has been on parole he has been continuously and steadily employed, has lived an honest and law-abiding life; has married and is now the father of two children by said marriage, I believe that he should be restored to citizenship in order that he may carry on in life without having his children carry the idea in their minds that their father is a felon

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Arthur Lynch of the crime of robbery in order to restore him to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this tenth day of December, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

RESTORATION OF CITIZENSHIP

I have before me an application for pardon on behalf of one Carl Plumeyer, who was convicted of lewd and lascivious conduct in Los Angeles County on February 21, 1921 He was duly received at San Quentin February 24, 1921, and given No. 34539. After serving practically four years and six months in San Quentin Penitentiary, Mr. Plumeyer was released on parole on August 22, 1925.

I have submitted this application to the Advisory Pardon Board, consisting of Lieutenant Governor Frank F. Merriam, Daniel J. O'Brien, Director of Penology; U. S. Webb, Attorney General; Court Smith, Warden of Folsom Prison, and James B. Holohan, Warden of San Quentin Prison. After a thorough and serious consideration of the evidence submitted in this case, the above mentioned board have made the following recommendation:

"September 3, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

At a meeting of the Advisory Pardon Board, held in Sacramento, California, August 26, 1931, the case of Carl Plumeyer, San Quentin No. 34539, was taken up for consideration, and after thoroughly discussing same, it was the recommendation of the board that executive clemency be granted in view of the fact that this applicant served his sentence faithfully, also his parole period, and during such periods his conduct was good, and furthermore, that he has been a good citizen since that time, no charge appearing to have been made against him.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

Ed H. Whyte, State Parole Officer, to whom Mr. Plumeyer has reported regularly since his release on parole, has written a letter to Paul Yarwood, secretary of the Advisory Pardon Board under date of July 13, 1931, which I quote in part as follows:

"Plumeyer, since his release on parole, August 22, 1925, has been an exceptionally good parole subject, his conduct and deportment having been exemplary. His parole period does not expire until January 24, 1933. During the latter part of the year of 1927, he was given permission to go to Germany to visit with his relatives and remained in that country, endeavoring to procure employment, but owing to the general depression, was unable to secure a position and returned to this country the fore part of the year of 1928. Since his return he has been supervised by our Los Angeles office, is steadily employed, and has not been a difficult case to supervise."

In view of the above recommendations and the fact that this prisoner has had an enviable record during his incarceration in the penitentiary and since his release therefrom, I feel that he should be restored to citizenship in order that he may not be handicapped in the future.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Carl Plumeyer of the crime of lewd and lascivious conduct, of which he was convicted as above stated, in order to restore him to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this eighth day of December, A. D. 1931.

[SEAL] JAMES ROLPH, JR, Governor.

Attest: FRANK C. JORDAN, Secretary of State.

COMMUTATION OF SENTENCE

There has been transmitted to me by the Supreme Court of the State of California an application for commutation of sentence to time served, on behalf of one Charles A. Ellsworth, who was convicted of the crime of forgery in Los Angeles County on May 22, 1930. He was duly received at San Quentin Penitentiary on May 30, 1930, and given No. 48590.

In view of the fact that this man had been twice convicted of a felony, his application for executive clemency was filed directly with the Supreme Court pursuant to the provisions of section 1418 of the Penal Code. After a thorough and serious consideration of the facts submitted in this case, the justices of the Supreme Court made a recommendation to me which reads as follows:

"Los Angeles, California, December 8, 1931.

Honorable James Rolph, Jr.,
Governor of California.
Los Angeles, California.

Dear Governor Rolph:

There has been filed with the justices of the Supreme Court by Mr. Mark Noon, secretary of the Board of Prison Directors, and on behalf of the board, facts concerning the condition of Charles A. Ellsworth, inmate No. 48590, San Quentin Prison, together with the report of the examination of said prisoner by Dr. Stanley, resident physician at the prison.

From this statement and the report of the physician, it appears that this prisoner is now suffering from an incurable disease known as Hodgkins' disease, from which he may die at any moment. For this reason, the Board of Prison Directors has requested that the justices of the Supreme Court recommend to you that executive clemency be granted in this case, and we, therefore, in accord with the letter from the Prison Board, do hereby recommend to you that the sentence of Charles A Ellsworth, inmate No. 48590, San Quentin Prison, be commuted immediately to time served.

Very truly yours,

(Signed) WILLIAM H. WASTE, Chief Justice,
Supreme Court of California"

I have also received a recommendation from the president and members of the State Board of Prison Directors and Mr. Joseph H. Stephens, member of the Board of Prison Terms and Paroles, which I am quoting herewith:

"December 9, 1931.

To His Excellency
James Rolph, Jr.,
Governor,
Sacramento, California.

My Dear Sir:

We have been advised that the justices of the Supreme Court have filed a recommendation with you that San Quentin Prisoner No. 48590, Charles A. Ellsworth, be immediately commuted to time served in order that he may be discharged from prison at once. (Copy of telegram from Honorable W. H. Waste, Chief Justice, Supreme Court of California, attached.) This action was taken on an application for executive clemency made directly to the Supreme Court, as provided in Article 7, section 1 of the Constitution of California, and section 1418 of the Penal Code.

Mr. Charles L. Neumiller, president, and the members of the State Board of Prison Directors; Mr. Joseph H. Stephens, member of the Board of Prison Terms and Paroles, as well as Warden James B. Holohan, have directed me to respectfully submit to you their recommendation that you commute the sentence in this case to time served. This recommendation is based on the fact that the prisoner is suffering from Hodgkin's disease, which in this case, is considered incurable, and Dr. L. L. Stanley, resident physician of California State Prison, San Quentin, advised that there is danger of a hemorrhage at any time, which may cause the prisoner's death. (Copy of physician's report attached.)

On August 4, 1931, this man appeared before this board and in accordance with the provisions of section 1168 of the Penal Code, subdivision 4, paragraph C, as amended in 1929, his sentence was fixed at the minimum of seven years. On December 2, 1931, he again appeared before this board on an application for parole, and in accordance with section 1168 of the Penal Code, subdivision 4, paragraph 2, as amended in 1931, was granted a parole effective at the expiration of half of the minimum term, which with credit will not be effective until October 15, 1932 This is the earliest date upon which the parole law could be made to operate in this case.

(The Attorney General has advised us that the provisions of section 1168 of the Penal Code, as amended by the last Legislature, are retroactive except as to that portion which provides for the reduction of minimum sentences. Therefore, the term of confinement of this prisoner was fixed in accordance with the 1929 amendment, and he was paroled in accordance with the 1931 amendment.)

I am enclosing herewith a synopsis in narrative form of our records in this case, which will show that the prisoner has been arrested a number of times, and has previously served a term in this prison as No. 29949. How-

ever, you will note that there are no violent crimes listed in his record, and I respectfully direct your attention to the military record of this man, which shows that he enlisted and was honorably discharged from the United States Navy.

We have assurance from the family of this prisoner that they are in a position to, and will care for him, and it is their earnest request that he be granted leniency in time to permit him to die outside prison walls.

Respectfully submitted,

(Signed) MARK E. NOON, Clerk,
State Board of Prison Directors, San Quentin, California."

I have been informed by Dr. L. L. Stanley, Resident Physician at San Quentin, who has continuously treated Charles A. Ellsworth, that he is suffering from a condition known as Hodgkin's disease His condition appears to be growing worse as time goes on and there is imminent danger of a hemorrhage occurring at most any time, which in all probability would cause his death.

In view of the above recommendations and the physical condition of Charles A. Ellsworth, I feel that he should be allowed to spend the last few days of his life outside of prison walls.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence of Charles A. Ellsworth to time served.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this tenth day of December, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor

Attest, FRANK C. JORDAN, Secretary of State
By FRANK H CORY, Deputy

REPRIEVE

I hereby grant to William Henry Burkhart, No 16399, whose execution at Folsom Prison is set for Friday, December 11, 1931, a reprieve from said date of Friday, December 11, 1931, to Friday, January 15, 1932.

This reprieve is granted because the Governor received the following telegrams this afternoon:

"Los Angeles, California, December 10, 1931, 12 33 P.M.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Any consideration of an extension or further reprieve in case of People against Burkhart rests entirely with you.

(Signed) WILLIAM H. WASTE,
Chief Justice, Supreme Court of California."

"Los Angeles, California, December 10, 1931, 2.39 P.M.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Mrs. Burkhart mother has engaged me to see what further can be done save life of Wm. H. Burkhart Stop Request reprieve for at least thirty days enable me investigate record to find some federal point.

(Signed) A. A. GARRETT, Attorney."

In order to give the new counsel for the condemned an opportunity to save his life, if by legal means he hopes to do so, the Governor grants that request for the possible saving of human life and mindful of the old adage "Where there is life there is hope."

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this tenth day of December, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

COMMUTATION OF SENTENCE

There has been presented to me an application for commutation of sentence on behalf of one William J. Bost, who was convicted of the crime of manslaughter in Los Angeles County on October 18, 1929, receiving an indeterminate sentence nothing to ten years William J. Bost was duly received at San Quentin Penitentiary and given No 47744. Mr. Bost regularly appeared before the Board of

Prison Terms and Paroles and was given a sentence of seven years, to expire September 21, 1934, and has been granted a parole to become effective May 6, 1932.

The Board of Prison Terms and Paroles have made a thorough and careful examination of the facts surrounding this case, and as a result thereof have written me a recommendation which I am quoting herewith:

"December 21, 1931

His Excellency James Rolph, Jr.,
Governor of the State of California,
Sacramento, California.

Dear Sir:

San Quentin Prisoner No. 47744, William J. Bost, was received November 9, 1929, to serve indeterminate sentence not to exceed ten years, for the crime of manslaughter. He was convicted by a jury before Honorable Walton J. Wood, judge of the superior court, Los Angeles County, California. On October 27, 1931, this man appeared before the Board of Prison Terms and Paroles and his definite term of confinement was fixed at seven years, and he was granted permission to serve one-half of his sentence, with credits, on parole. This action was taken in accordance with the provisions of section 1168 of the Penal Code.

The Legislature of 1931 made an effort to make the amendments to this section retroactive, but the Attorney General advises that the portion which provides for reduction of minimums can not be applied to men who committed crimes before August 14, 1931. Therefore, the term of confinement in this case was fixed at seven years in accordance with the law as it existed previous to August 14, 1931, and he was granted parole in accordance with the retroactive provisions which became effective on that date.

Honorable Walton J. Wood, judge of the superior court, made a recommendation at the time of sentence that the term be fixed at the minimum, and on a subsequent date, when this prisoner was in Los Angeles by order of the superior court, as a material witness in a criminal case, Judge Wood made an order setting aside the commitment, and released the prisoner on probation. The Attorney General advised Warden James B. Holohan that this order of the court was illegal and could not be honored. Therefore, Bost was rearrested by Warden Holohan and returned to San Quentin Prison.

I respectfully submit that all of the above would indicate that it was the intention of the judge and his desire that this man should be required to serve as little time as possible in prison, and that the law as it was written at the time, made it necessary to fix the term at the minimum of seven years, and his parole could not be made effective until he had served one-half of that time, with credits, which would make the earliest date possible for his release on parole May 6, 1932.

I have been directed by Charles L. Neumiller, Chairman, Joseph H. Stephens and Frank C. Sykes, members of the Board of Prison Terms and Paroles, as well as James B. Holohan, Warden at San Quentin Prison, to advise you that they recommuted from seven years to five years in order that this prisoner may have the advantage of the minimum sentence as is now provided in section 1168, and that his half-time parole may become effective at once.

Very respectfully yours,

(Signed) MARK E. NOON,
Secretary of the Board of Prison Terms and Paroles."

I have submitted this case to Daniel J. O'Brien, Director of the Department of Penology of the State of California, for his study and investigation and as a result thereof, Mr. O'Brien has written to me a recommendation which reads as follows:

"Sacramento, California, December 21, 1931.

Honorable James Rolph, Jr.,
Governor of the State of California,
State Capitol Building,
Sacramento, California.

Dear Sir:

I am forwarding herewith application of William J. Bost, San Quentin inmate No. 47744, who was sentenced to San Quentin for the crime of manslaughter, October 18, 1929, sentenced by the Board of Prison Terms and Paroles to seven years, sentence to expire September 21, 1934; parole has been granted to become effective May 6, 1932.

I am forwarding also letter under date of December 21, 1931, addressed to your Excellency, signed by Mark E. Noon, secretary of the Board of Prison Terms and Paroles, the closing paragraph reading as follows:

'I have been directed by Charles L. Neumiller, chairman, Joseph H. Stephens and Frank C. Sykes, members of the Board of Prison Terms and Paroles, as well as James B. Holohan, Warden at San

Quentin Prison to advise you that they respectfully recommend that the sentence in this case be commuted from seven years to five years in order that this prisoner may have the advantage of the minimum sentence as is now provided in section 1168, and that his half-time parole may become effective at once.'

Please be advised that section 1168 applies to the Penal Code of the State of California.

I respectfully recommend that the recommendation of the Board of Prison Terms and Paroles be accepted, and that you grant the plea of executive clemency by commuting the sentence of the above named applicant from seven to five years.

Very respectfully,

(Signed) DANIEL J. O'BRIEN, Director of Penology."

In view of the above recommendations, I believe that the sentence of William J. Bost should be commuted from seven to five years, in order that he may have the advantage of a minimum sentence, which is now provided for in Section 1168 of the Penal Code.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence of William J. Bost from seven to five years.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-first day of December, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that there was filed on March 3, 1930, an application for pardon on behalf of one Paul T. Case, who was convicted of the crime of forging a $20 check in Los Angeles County on August 31, 1925. Paul T. Case was received at San Quentin Penitentiary on September 5, 1925, and given No. 41217. After serving two years and one month in San Quentin, he was released on parole.

From the time of his release until April 5, 1929, he reported at regular intervals to Ed H. Whyte, the State Parole Officer, who has had an opportunity to observe the actions of Paul T. Case since his release from prison. Mr. Whyte has written a recommendation to Paul Yarwood, Secretary of the Advisory Pardon Board, which reads as follows:

"August 25, 1931.

Mr. Paul Yarwood, Secretary,
Advisory Pardon Board,
Room 209, State Capitol,
Sacramento, California.

Dear Mr. Yarwood:

With respect to the application for pardon submitted by Paul T. Case, San Quentin No. 41217, received from Los Angeles County at San Quentin Prison, September 5, 1925; for crime of Forgery of Endorsement, sentenced to a term of five years; released on parole October 5, 1927, discharged April 5, 1929.

During the period of his parole he adhered to all of the rules and requirements of his ticket of leave, conduct and general demeanor exemplary.

I am enclosing herein a copy of his prison narrative, showing the nature of his offense and prior record, and report of his general habits, from which can be gathered a fairly accurate idea of the subject

With respect to a recommendation, would say he is no better or no worse than the average parole subjects that are discharged from our lists each day. He pleaded guilty, received his sentence and completed it fully and with satisfaction. There are no extenuating circumstances that I can see to his case.

Very truly yours,

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted this application for executive clemency, together with written evidence accompanying the same, to the Advisory Pardon Board, consisting of Frank F. Merriam, Lieutenant Governor of California, U. S. Webb, Attorney General, Daniel J. O'Brien, Director of Penology, Court Smith, Warden of Folsom Prison, and James B. Holohan, Warden of San Quentin Prison. At a meeting

held in Sacramento on August 26, 1931, this board considered the application and accompanying evidence, and as a result have made a recommendation to me which I am quoting herewith:

"September 3, 1931.

Honorable James Rolph, Jr.,
Governor of the State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Paul T. Case, San Quentin No. 41217, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, August 26, 1931, and after having thoroughly discussed the matter, the board recommends this application for pardon be granted in view of the record in the case having satisfied the board that the applicant was properly convicted and sentenced, that he has served the period fixed by law, and that his conduct while in prison and on parole, and since, has been good.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

Frank C. Collier, judge of the superior court, who presided at the trial of the applicant, and since his release from the penitentiary has had an opportunity to observe him, has made the following recommendation to me:

"Los Angeles, California, December 26, 1930.

Honorable James Rolph, Jr.,
City Hall,
San Francisco, California

Dear Sir:

Shortly after your inauguration, one Paul T. Case intends to apply to you for a pardon.

In September, 1924, Mr. Case pled guilty to forging the endorsement of the name of C. R. Lewis to a ten-dollar check, and applied for probation. The report of the probation officer disclosed that he had forged the endorsement on several other checks, amounting in all to between seventy-five and one hundred dollars.

An investigation of Mr. Case's record at that time disclosed the fact that the real seat of the trouble was his craving for strong drink, and believing that ninety days at hard labor on one of the road gangs of the county would assist him in breaking the drink habit, I continued his probationary application for that length of time and sent him with the road gang

At the conclusion of the ninety days, I called him in and granted him probation, making one of the conditions that he should not touch strong drink of any kind.

Apparently the three months with the road gang was not sufficient for the purpose, and Mr. Case violated the terms of his probation by again indulging in intoxicating liquor. He was then apprehended. Such strong pleas were made to me that I again released him on probation. Finally, in August of 1925, I found him guilty of again violating the terms of his probation by becoming intoxicated, and he was sent north to San Quentin, where he served sufficient time to enable him to apply for parole, which, on my recommendation, was granted to him. I am now informed that the period of parole has been completed and that he has been discharged.

I do not really believe that Mr. Case is a criminal at heart, but I am of the opinion that his trouble was brought upon him by his desire for booze.

Since his release on parole and his discharge, he seems to have gone straight and to let that damnable stuff alone.

Shortly after his release from San Quentin he secured a position as a book salesman for Scribner's magazine. I personally purchased a set of books from him in order that he might have the benefit of my name on his certificate list for any good that it might do him.

I believe he has learned his lesson, and I believe from now on he will have a thorough respect for the laws of the country, and the State will have no further difficulty with him. I appreciate that he is at present under a very great handicap, as he is really a man without a country, can not hold a position of trust and can not vote, so long as the stigma of conviction rests upon him.

I, therefore, recommend to you that you exercise your clemency in this matter and grant him a pardon.

Yours truly,

(Signed) FRANK C. COLLIER, Judge."

Lewis R. Works, presiding Justice of the Appellate Court, Second District, who has come in contact with Paul T. Case since his release from the penitentiary, has written a favorable recommendation for the exercise of executive clemency, which I am quoting herewith:

"Los Angeles, California, April 14, 1931.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

My Dear Governor:

I am informed that Paul T. Case has applied to you for an absolute pardon, after the commission of a criminal offense by him some years ago, he having been out on parole for a long time.

I did not know Mr. Case before the time of the commission of the offense to which he pleaded guilty, but I have seen him with great frequency during the last two or three years, and know that he has been very busy with his duties under the house of Charles Scribner's Sons, for I have bought books from him frequently. I am satisfied that his conduct is now such, whatever may have been his delinquencies in the past, and whatever may have caused them, that he is entitled to the exercise of executive clemency at your hands. I am very sure that if Mr. Case should be pardoned by you there will be no reason on your part for regret at the action taken. I believe he should be restored to citizenship, and that he will always discharge the duties incident to that state in a manner satisfactory to all of his friends and to you.

Sincerely yours,

(Signed) LEWIS R. WORKS."

In view of the above recommendations and the fact that Paul T. Case seems to have lived an industrious and law-abiding life since his release from the penitentiary, and has completely rehabilitated himself in the community, I believe that he should be restored to citizenship in order that he may not be handicapped in his pursuit of happiness in the future.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Paul T. Case of the crime of forgery in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-first day of December, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C. JORDAN, Secretary of State.

RESTORATION OF CITIZENSHIP

There was filed in this office on March 23, 1931, an application for pardon on behalf of one Blanche Welch, who was convicted of the crime of second degree burglary in Los Angeles County on April 27, 1927. Blanche Welch was received at San Quentin Penitentiary on April 30, 1927, and given No. 43564. After serving a year and three months she was released on parole. Since her release on parole, and until her discharge on August 30, 1929, she has reported at regular intervals to Ed H Whyte, the State Parole Officer During this time Mr. Whyte has had an opportunity to observe the conduct of the applicant, and as a result of his observation has written a recommendation to Paul Yarwood, secretary of the Advisory Pardon Board, which I am quoting herewith:

"San Francisco, California, September 10, 1931.

Mr. Paul Yarwood,
Advisory Pardon Board,
Sacramento, California.

Dear Sir:

Responsive to your favor of recent date, where a recommendation either pro or con, with respect to the case of Blanche Welch, former San Quentin No. 43564; received from Los Angeles County, April 30, 1927, term three years, and discharged from parole August 30, 1930.

During the period of her parole, she left nothing to be desired, with respect to her conduct and parole obligations.

I understand since her discharge she has been making a valiant attempt to win her way back by industry and study to gain a position whereby she may secure such employment that would enable her to give her child the proper attention of a mother's care.

She has always contended that she was innocent of the charge for which she was committed, and that her conviction was the result of her former husband's desire to revenge himself upon her. This husband confided to a former deputy sheriff of Los Angeles that he had caused her to become

intoxicated and laid her away at home, then placed her belongings in the automobile used in the commission of the offense. She states she has affidavits to prove this

I am forced to be somewhat charitable in her case, and for that matter to any woman who has served a penitentiary term They have much more to contend with and their difficulties to surmount are much harder than those of a man

A copy of her narrative is herein enclosed, giving a history of her offense and other data, which you can return in the usual manner when it has served its purpose.

I feel Blanche Welch is deserving of any consideration that can be extended.

Very truly yours,

(Signed) ED H WHYTE, State Parole Officer."

I have submitted the application, together with written evidence accompanying same to the Advisory Pardon Board, consisting of Lieutenant Governor Frank F. Merriam; U. S. Webb, Attorney General, Court Smith, Warden of Folsom Prison, and James B Holohan, Warden of San Quentin Prison, and after a thorough and serious consideration of the facts surrounding this case, the Advisory Pardon Board has made a recommendation to me which reads as follows:

"Sacramento, California, October 8, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Blanche Welch, San Quentin No. 43564, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, September 30, 1931

The board recommends that this application for pardon be granted in view of the record in the case having satisfied the board that the applicant was properly convicted and sentenced, that she has served the period fixed by law, and that her conduct while in prison and on parole and since has been good.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board"

John J. Hill, who occupied the position of Deputy District Attorney in Los Angeles County at the time Blanche Welch was convicted, and who prosecuted the case, has written a favorable recommendation to Mr. Ed H. Whyte, State Parole Officer, which reads as follows:

"Los Angeles, California, March 3, 1931.

Mr. Edward H. Whyte,
State Parole Officer,
San Francisco, California.

Dear Sir:

I am writing you in the interests of Mrs. Blanche Wilson, otherwise known as Blanche Welch, who was prosecuted and convicted in this county some few years ago on a charge of burglary

At that time I occupied the position of Deputy District Attorney in this county and personally presented the evidence against Mrs Welch in that case At the time of the trial she was jointly charged with Bodie Black The third prospective defendant, Tom (?) Welch, Mrs Welch's former husband, was never apprehended. The evidence, particularly against Mrs. Welch, was entirely circumstantial

I will state the facts as briefly as I can: A dancing teacher returned to the vicinity of her home about 2 o'clock in the morning, to find the house fully lighted, an automobile drawn up nearby loaded with her personal belongings; articles of furniture, rugs, dishes and the like piled on the sidewalk, and a man standing nearby, who, upon her approach, together with a male companion, fled. The automobile was registered to Mrs. Blanche Welch. In the front seat was her purse and a fur coat The house had been completely looted, having been stripped of curtains, draperies, rugs, dishes, wearing apparel and nearly all of the furniture

The police traced several automobile loads of the property to a vacant store building which was adjacent to a tamale and sandwich shop which was conducted by Mrs. Welch, Welch, and Bodie Black, who worked there as a flunky A neighbor testified that he had heard noises as if someone were walking in that vicinity and deposited articles, and heard whispered consultations. He claimed he heard voices whispering 'put it there' and later 'keep quiet.' One of the officers in the door of the premises, claimed to have

seen Mrs. Welch apparently coming out of a garage on her property, and later he saw her within a few feet of the doorway. None of the articles were in the garage, but this refuted her statement that she was in a drunken stupor asleep on a couch in the house at all times and knew nothing of the burglary. There was considerable evidence offered by the defense which substantiated the fact that Welch, Black, and Mrs. Welch had been out in the automobile earlier in the evening visiting a cafe and roadhouse in San Fernando Valley, and having consumed considerable liquor.

The jury in the case found Black guilty of first degree burglary and Blanche Welch guilty of burglary in the second degree, which was a strong indication that they favored leniency for her under any circumstances.

I will go further and say that as Deputy District Attorney in charge of the case, I offered to accept a plea as to Blanche Welch of receiving stolen property, and with the promise to do all I could to get a county jail sentence, in the event Black would plead guilty to the burglary. This, however, he refused to do, and I was compelled to go to trial.

I have set forth the above facts in the light of subsequent events. Blanche Welch has served her time, and I am informed has made good both on parole and since the expiration of the parole. I believe it was the bad companionship and dominant influence of Welch, himself an ex-convict, that brought about this situation.

Mrs. Welch informs me that she greatly desires a pardon in order that she may have restored to her again her 17-year-old daughter. If she has made good, as I have been informed, I am heartily in favor of obtaining a pardon for her, and sincerely believe that this is a case that would justify executive clemency.

Yours very truly,

(Signed) JOHN J. HILL, Deputy Public Defender"

Ira E. King, who is chaplain of the Los Angeles city and county jails, had an opportunity to observe Blanche Welch during the fourteen months she was confined in the county jail at Los Angeles pending the outcome of her appeal to the Appellate Court, and as a result of this observation has written to Ed H. Whyte as follows:

"Los Angeles, California, March 2, 1931.

Mr. Ed H. Whyte,
State Parole Officer,
San Francisco, California.

Dear Mr. Whyte:

We are writing this letter in behalf of Mrs. Blanche Welch, who was committed to San Quentin in April, 1927, and released on parole in July, 1928.

This woman was brought to the Los Angeles County Jail in 1926, and found guilty and appealed her case, and on losing the appeal after fourteen months in jail, was committed to San Quentin.

Our social workers became very well acquainted with her during her long stay here and have kept in touch with her until this time. We feel that this is one of those unfortunate cases where a woman was the victim of circumstances, brought about by wrong environment.

We are informed that Mrs. Welch is now going under the name of Mrs. Wilson and is applying for complete pardon.

From all accounts, we feel that this woman has 'made good,' and it would be appreciated by the writer if her record could be expunged, so that she would be able to start life anew and bring her little girl up in a proper manner.

Thanking you for your consideration and any courtesies in this case, we are,

Yours respectfully,

(Signed) IRA E. KING, Chaplain,
Los Angeles City and County Jails."

A study of the facts and circumstances surrounding this case has led me to believe that there was considerable question as to the guilt of Blanche Welch. Since her conviction her former husband, Bob Welch, stated to Dick Proctor, a former deputy sheriff of Los Angeles County, that he and Bodie Black had pulled a burglary and that his wife, Blanche Welch, had been arrested and convicted.

The applicant has served her sentence, completed her parole, and appears to have done everything in her power to establish herself in the business world and has led a law-abiding and industrious life.

In view of the above recommendations and the facts surrounding this case, I believe that Blanche Welch should be restored to citizenship in order that she may

not be further handicapped in her progress and in caring for her 17-year-old daughter.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Blanche Welch of the crime of second degree burglary in order that she may be restored to citizenship

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-first day of December, A.D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that there was filed on February 9, 1928, an application for executive clemency on behalf of one Michel Carantan, who was convicted of the crime of second degree murder in Shasta County on January 30, 1909. He was duly received at San Quentin Penitentiary on May 9, 1909, and given No. 23563. After serving eight years and one month in San Quentin, Michel Carantan was released on parole. Since his release on parole he has reported at regular intervals to Ed H. Whyte, State Parole Officer, who has had an opportunity of observing his conduct and actions, and as a result of this observation and contact with the applicant, Mr. Whyte has written a recommendation to Paul Yarwood, secretary of the Advisory Pardon Board, which reads as follows:

"San Francisco, California, October 7, 1931.

Mr. Paul Yarwood, Secretary,
Advisory Pardon Board,
Sacramento, California

Dear Mr. Yarwood:

I have your favor of October 3, with reference to the case of Michel Carantan, San Quentin No. 23563, received from Shasta County, July 17, 1907, for crime of murder, second degree, sentenced to life imprisonment; released on parole May 26, 1917.

He has maintained a very good record for both conduct and industry, saving always a portion of his meager earnings. He has never given any occasion for even the slightest word of caution during a period extending over fourteen years.

I am enclosing herein, a copy of his prison narrative, rather old and somewhat blurred, this being the only one we possess and would appreciate its return for our files.

His long period of parole over an extended period of years, during which time he has never showed any tendency of an outburst of any sort, would permit me to recommend him for any consideration that would be extended.

Very truly yours,

(Signed) ED H WHYTE, State Parole Officer."

I have submitted this case, together with all the evidence accompanying the same, to the Advisory Pardon Board, consisting of Frank F. Merriam, Lieutenant Governor; U. S. Webb, Attorney General; Daniel J. O'Brien, Director of Penology; Court Smith, Warden of Folsom Prison, and James B. Holohan, Warden of San Quentin Prison After a thorough and careful consideration of the evidence submitted, the above mentioned board has made a recommendation to me which I am quoting herewith:

"Sacramento, California, December 2, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Michel Carantan, San Quentin No. 23563, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, November 25, 1931.

The board recommends that executive clemency be granted this applicant in view of his good conduct while in prison and while on parole for the last fourteen years, and also it appearing he has lived an honest and upright life during that time

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board"

In addition to the above recommendations I have received letters from C A. Jackson, pension clerk of the Board of Supervisors of Alameda County, W. T. Tillotson, who was District Attorney of Shasta County at the time Mr. Carantan was convicted, who have recommended that executive clemency be granted the applicant in view of his exemplary conduct since his release on parole.

In view of the above recommendations and the fact that I believe that this man has rehabilitated himself in the community in which he now resides and is attempting to lead the life of a law-abiding and conscientious citizen, I believe that he should be restored to citizenship in order that he may not be further handicapped in the future.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and the statutes of said State, do hereby pardon Michel Carantan of the crime of second degree murder, in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-second day of December, A D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that an application for executive clemency was filed in this office on September 11, 1928, on behalf of one E. de Labrousse, who was convicted of the crime of murder, first degree, in San Francisco County on May 2, 1904. He was duly received at San Quentin Penitentiary on May 2, 1904, and given No. 20614. After having been incarcerated for fourteen years Mr. de Labrousse was paroled. Since his release on parole he has reported at regular intervals to Ed H. Whyte, State Parole Officer, during which time Mr. Whyte has had an opportunity of observing the conduct of the applicant As a result of this observation and Mr. Whyte's contact with the applicant, he has written a letter of recommendation to Daniel J. O'Brien, Director of the Department of Penology, which I am quoting herewith:

"San Francisco, California, December 17, 1931.

Mr. Daniel J. O'Brien, Director,
Department of Penology,
State Capitol,
Sacramento, California.

Dear Chief:

Relative to the application for pardon submitted by Edward de Labrousse, San Quentin parole No. 20614, received May 2, 1904, from San Francisco County for crime of murder, first degree, sentenced to a term of life imprisonment, released on parole June 17, 1918

He has done exceptionally well on parole and this for over a period of thirteen years, has worked steadily and conscientiously, saved a good portion of his earnings, and has about $4,000 saved.

At the time of his parole, due to the nature of his offense, growing out of a love affair causing him to brood and worry, he climaxed the situation by shooting the girl. The Board of Prison Directors at the time of his release, and the emotional and high strung nature of this subject, made it a condition that he not return to San Francisco.

Of course, it has been some years ago, and he is no longer the young idealist he was. His record on parole has been excellent, and he is as likable a man as one would want to meet. The question is, has that kink that caused the first act been eradicated and would it be possible for him to become again enamoured, perhaps jilted, and wish to settle his differences in his own peculiar manner?

I am enclosing herein, a copy of his prison narrative, giving a complete history of his offense and all data pertaining thereto.

Trusting this is the information desired I remain

Very truly yours,

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted this application, together with the evidence in connection therewith, to Daniel J. O'Brien, Director of the Department of Penology, who has made a careful and thorough examination of the facts presented As a result of this examination, Mr. O'Brien has written me a letter of recommendation which reads as follows:

"Sacramento, California, December 21, 1931.

Honorable James Rolph, Jr.
Governor of California,
Sacramento, California.

Dear Governor:

I am forwarding herewith application for executive clemency of Edward de Labrousse, who was convicted of the crime of murder and sentenced to San Quentin Prison. He was received at that institution on May 2, 1904, and paroled on May 2, 1918, and since said time has been an ideal prisoner on parole.

Your attention is respectfully invited to copy of letter addressed to Mr. Vincent Kennedy, Executive Secretary, Governor's Office, under date of January 25, 1931, from the State Parole Officer. Your attention is also invited to letters written by Mr. Theodore J Roche to individuals interested in the case; letter written to former Governor C. C Young and signed by the Reverend L P. Golden and endorsed by Father Lucey; letter addressed to the Honorable Theodore J. Roche under date of October 24, 1928, and signed by the Reverend L. P. Golden; letter addressed to former Governor C. C Young and signed by the Reverend E. H. Bird, and letter under date of December 17, 1931, addressed to Daniel J. O'Brien, Director of the Department of Penology, signed by Ed H. Whyte, State Parole Officer, particularly paragraphs 2, 3 and 4 of said communication

I respectfully recommend that a pardon be granted to the applicant, Edward de Labrousse.

Respectfully submitted,

(Signed) DANIEL J. O'BRIEN"

In addition to the above recommendations, letters have been received from Reverend L. P. Golden of Anaheim, Theodore J. Roche of San Francisco, and Reverend E. H. Bird, who have had an opportunity of observing the actions of Edward de Labrousse since his release on parole, and in their opinion the applicant has completely rehabilitated himself as a law-abiding and conscientious citizen in the community in which he resides, and in their opinion will continue to carry on in the same manner in the future.

In view of the above recommendations I feel that the applicant has been punished sufficiently for the crime of which he was convicted, and that the stigma of having been convicted of a felony should be removed, in order that he may further progress in the future without being handicapped, and that he should be restored to citizenship

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Edward de Labrousse of the crime of murder, first degree, in order that he may be restored to citizenship

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-second day of December, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that there was filed in this office on October 7, 1930, an application for a pardon on behalf of one Louise A. Godbier, who was convicted of the crime of bigamy in Alameda County on May 29, 1926. Louise Godbier was duly received at San Quentin Penitentiary on May 29, 1926, and given No. 42248. After serving one year in San Quentin, she was released on parole May 31, 1927.

During the time Louise Godbier has been on parole she has reported at regular intervals to Ed H. Whyte, State Parole Officer, who has made a recommendation contained in a letter to Paul Yarwood, secretary of the Advisory Pardon Board, which reads as follows:

"San Francisco, California, October 7, 1931.

Mr. Paul Yarwood, Secretary,
Advisory Pardon Board,
Room 209, State Capitol Building,
Sacramento, California.

Dear Mr. Yarwood:

I have your favor of October 3, with relation to the request for pardon of Louise A. Godbier, formerly San Quentin No. 42248, received at San

Quentin Prison May 29, 1926, from Alameda County, for crime of bigamy; sentenced to a term of three years, released on parole May 31, 1927, and discharged from parole, September 29, 1928.

During the period of her parole, she was most willing to do everything possible to keep the terms and conditions of her parole, and adjusted herself to the position of a good housewife and homemaker, having become reconciled to her original husband

Her case was a rather pitiful one, as having had a rather difficult time to make ends meet, and falling into the hands of a man without any moral principles, who so broke down her resistance and mental faculties from his practice of cunnilingus upon her, that I doubt if she was aware she was committing a crime when she married him. However, after her incarceration, the spell was broken and upon her release from prison, she was her normal self. There is nothing of the criminal in her character, and she was the victim of a most unfortunate happening

I feel she is deserving of any consideration that could be extended. A copy of her prison narrative is herein enclosed, containing much general information. This can be returned for our files when it has served its purpose.

Very truly yours,

(Signed) ED H. WHYTE, State Parole Officer"

I have submitted the above mentioned application, together with the evidence on file in connection therewith, to the Advisory Pardon Board, consisting of Frank F Merriam, Lieutenant Governor, U S Webb, Attorney General, Daniel J. O'Brien, Director of Penology, Court Smith, Warden of Folsom Prison, and James B Holohan, Warden of San Quentin Prison. After a careful and thorough examination of the evidence presented, the Advisory Pardon Board have made a recommendation to me which I am quoting herewith

"Sacramento, California, December 2, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Louise A. Godbier, San Quentin No. 42248, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, November 25, 1931

The board recommends that this application for pardon be granted in view of the record in the case having satisfied the board that the applicant was properly convicted and sentenced, that she has served the period fixed by law, and that her conduct while in prison and on parole has been good.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

Pursuant to my request I have also received the following letter from Earl Warren, District Attorney of Alameda County, regarding this case, which reads as follows:

"Oakland, California, June 27, 1931.

Honorable James Rolph, Jr.,
Governor of California,
State Capitol,
Sacramento, California.

My dear Governor:

This will acknowledge receipt of your letter of June 10th concerning the application of Louise A. Godbier for a pardon.

Mrs. Godbier pleaded guilty to the crime of bigamy in this county and was sentenced to San Quentin Prison, from which institution she was paroled a few years ago.

The crime which she committed was a silly affair with a paramour, who also committed bigamy with her, both of the bigamists remaining in this city and maintaining two households, namely, their legitimate homes where they lived with their families in the night time, and a bigamous household which they occupied in the day time.

Assuming that the conduct of Mrs. Godbier in the penitentiary and on parole has been without fault, and if her mental attitude toward society is normal at the present time I know of no reason why a pardon should not be granted if, in your opinion, such action is proper.

Very truly yours,

(Signed) EARL WARREN, District Attorney."

In view of the above recommendations and the fact that Louise A. Godbier has apparently rehabilitated herself and is leading a conscientious and law-abiding life in the community in which she now resides, I believe that the stigma of having been convicted of a felony should be removed and that she should be restored to citizenship.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Louise A. Godbier of the crime of bigamy, in order that she may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-second day of December, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that there was filed in this office on October 7, 1927, an application for pardon on behalf of one O. M. Eaton, who was convicted of the crime of manslaughter in the superior court of Sacramento County, and sentenced to San Quentin Prison on April 30, 1926. Mr. Eaton was received at San Quentin on May 5, 1926, and given No. 42131. After serving approximately one year in San Quentin, Mr. Eaton was released on parole May 5, 1927.

On January 30, 1929, the file in this case was referred to the Advisory Pardon Board by former Governor C. C. Young, and on May 27, 1930, the case was returned with the following recommendation:

"Los Angeles, California, May 27, 1930.

Honorable C. C. Young,
Governor of California,
Sacramento, California.

Dear Governor Young:

The application of O. M. Eaton for executive clemency was considered by the Advisory Pardon Board at its meeting in San Francisco on May 20. The board recommends that a pardon be granted.

Yours very truly,

(Signed) LEONA S. HOLMSTRUP, Secretary."

The file in this case also contains a letter from John F. Pullen, judge of the superior court of Sacramento County, who sentenced Mr. Eaton, containing a recommendation which reads as follows:

"Sacramento, California, October 11, 1927.

To His Excellency C. C. Young,
Governor of the State of California,
Sacramento, California.

My dear Governor:

On the twentieth day of April, 1926, a man by the name of O. M. Eaton was convicted of manslaughter in Department Four over which I preside, and he has served the time fixed by the Prison Board at San Quentin; he has now been for some time on parole, and he is anxious to obtain executive clemency in order that his rights of citizenship may not be forfeited. With this end in view, I have been requested to write you in his behalf.

Eaton is a man about 60 years old, a father by trade, who was convicted of manslaughter. Testimony showed that Eaton, after quitting work on the evening in question, had had two or three drinks of liquor in his own apartment, and had returned to Oak Park to do some shopping. After the accident in which a man was killed, the doctors at the receiving hospital pronounced him under the influence of intoxicating liquor, and the jury, by their verdict, showed they thought so too; but from the testimony taken at the trial, and observation of the defendant, I am satisfied that he is not a criminal, that he is a man who will probably never come in conflict with any of the laws of the State again.

I am satisfied that he will from now on be a law-abiding citizen, and that California will not be injured by him being permitted to exercise the right of citizenship, and I join in the petition that his rights be restored through executive clemency.

Very respectfully yours,

(Signed) JOHN F. PULLEN, Judge."

J. J. Henderson, who was the Prosecuting Attorney, has written a recommendation under date of October 27, 1927, which reads as follows.

"Sacramento, California, October 27, 1927.

Honorable C. C. Young,
Governor, State of California,
Sacramento, California.

Dear Sir:

While District Attorney of Sacramento County, I prosecuted one O M. Eaton on a charge of manslaughter, and he was convicted by the jury.

I understand he has served his sentence and has been paroled and now wishes to obtain a pardon. I respectfully recommend that this pardon be granted to Mr. Eaton.

Yours very truly,

(Signed) J J. HENDERSON."

In addition to the above recommendations, letters have also been received from Ellis W. Jones, Sheriff of Sacramento County, under date of October 7, 1927, T. N. Koening, formerly Chief of Police of Sacramento County, under date of October 26, 1927, and from nine of the jurors, all of whom strongly recommend that a pardon be granted to Mr Eaton.

In view of the above recommendations, I feel that O. M. Eaton has been sufficiently punished for the crime of which he was convicted, and that in order to assist him in his effort to rehabilitate himself in the community, and to lead the life of a conscientious and law-abiding citizen, his citizenship should be restored.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon O. M. Eaton of the crime of manslaughter in order that his citizenship may be restored.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-third day of December, A. D. 1931.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State
By CHARLES J. HAGERTY, Deputy.

REPRIEVE

I hereby grant to William Henry Burkhart, No. 16399, whose execution at Folsom Prison is set for Friday, January 15, 1932, a reprieve from said date of Friday, January 15, 1932, to Friday, January 29, 1932.

I am granting this reprieve in order that new counsel, namely: Walter J. Little, Francis L Isgrigg and John E Staley, all of Los Angeles, who have been retained for the defendant, may have time to fully acquaint themselves with the facts of this case and give it thorough consideration in order to present another application for executive clemency, with additional legal reasons not heretofore presented to the Supreme Court of California.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifteenth day of January, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C JORDAN, Secretary of State
By CHARLES J. HAGERTY, Deputy.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that there was filed in this office an application for executive clemency on behalf of one Bernard Schwarz, who was convicted of the crimes of influencing a juror, bribery, and conspiracy to obtain money by false pretenses, and was duly received at San Quentin on July 17, 1926, and given No 42450 After serving two years and five months, he was granted a parole because of meritorious services that he rendered in an attempted prison break.

I have submitted this case to Daniel J. O'Brien, Director of the Department of Penology, for his examination and investigation, and as a result thereof Daniel J. O'Brien has written a letter of recommendation to me which reads as follows:

"January 8, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Capitol Building,
Sacramento, California.

Dear Governor:

I am forwarding herewith file in the case of one Bernard Schwarz, San Quentin No. 42450, who was paroled from said prison on December 24, 1928.

I would call your attention to report submitted by the justices of the Supreme Court of the State of California under date of April 29, 1927, recommending that a pardon or commutation of sentence be granted, and I respectfully concur in their recommendation.

Yours very sincerely,

(Signed) DANIEL J. O'BRIEN, Director of Penology."

In the above mentioned letter, Daniel J. O'Brien refers to a communication from the justices of the Supreme Court, which was written to former Governor C. C. Young on April 29, 1927, which I am quoting herewith:

"In the Supreme Court of the State of California

In the Matter of the Recommendation of Bernard Schwarz for Executive Clemency

To His Excellency, Honorable C. C. Young,
Governor of California.

Pursuant to the provisions of section 1418 of the Penal Code of California, the undersigned justices of the Supreme Court of California recommend that you extend such executive clemency, either by way of pardon or commutation of sentence, you may be advised to Bernard Schwarz, San Quentin Prisoner, No. 24250.

This recommendation, somewhat out of the usual course, is made on recommendation from the Board of Prison Directors and the Warden of the State Prison at San Quentin, and is based on the fact that the prisoner, Bernard Schwarz, rendered signal service to the prison authorities and to the State of California in frustrating a plot of two dangerous prisoners at San Quentin Prison, who were then armed, which plot, if not foiled, would probably have resulted in the murder of prison guards, officers of the prison, and others, by the desperate convicts concerned in its execution

(Signed) WILLIAM H. WASTE, Chief Justice
JOHN E. RICHARDS, Associate Justice
W. H. LANGDON, Associate Justice.
JOHN W. SHENK, Associate Justice
EMMET SEAWELL, Associate Justice.
JESSE W. CURTIS, Associate Justice
JOHN W. PRESTON, Associate Justice
Supreme Court of California."

Dated: April 29, 1927.

After Bernard Schwarz had rendered meritorious service in connection with an attempted prison break, the State Board of Prison Directors of the State of California made a recommendation to the Honorable Justices and Associate Justices of the Supreme Court of the State of California, which reads as follows:

"Stockton, California, April 25, 1927.

To the Honorable Chief Justice and Associates
Of the Supreme Court of the State of California,
Supreme Court Chambers,
State Building, Civic Center,
San Francisco, California.

Honorable Sirs:

The Board of Prison Directors of the State of California respectfully recommend to the members of the Supreme Court that they recommend to the Governor of the State of California executive clemency as his Excellency may be advised in the case of Bernard Schwarz, San Quentin Prisoner, No. 42450.

Such recommendation from the Board of Prison Directors to the members of the Supreme Court is based on the recommendation of the warden of San Quentin Prison, citing this prisoner for signal service rendered the prison authorities in frustrating the plot of two dangerous prisoners who were then armed, and which, if not then foiled, would probably have resulted in the murder of prison guards and officers in its desperate execution.

This prisoner, for his own safety, is now segregated from the other prisoners.

There is hereto attached a statement by the warden of San Quentin Prison, duly attested by the clerk, covering Schwarz's case.

Respectfully submitted,

State Board of Prison Directors of the State of California.

By C. L. NEUMILLER, President."

I have received numerous letters from individuals who have had an opportunity to observe and come in contact with Bernard Schwarz since his release from the penitentiary. Each and every one of these letters praises the applicant for his integrity and industriousness and his apparent eagerness to lead a conscientious and law-abiding life since his release on parole. I have also received a letter from H A. I. Wolch, who occupied the position of Deputy Commissioner of Corporations, and presided at the hearing of the State Corporation Department when the evidence that subsequently resulted in the conviction of Mr. Schwarz was presented. This letter I am quoting herewith:

"Los Angeles, California, July 28, 1931.

Honorable James Rolph, Jr.,
Governor of the State of California,
Sacramento, California.

SIR:

Having a very intimate knowledge concerning Mr. Bernard H. Schwarz and the cause that led to his conviction, I have been requested to address a letter to you on his behalf, in support of a petition made by him for executive pardon.

I occupied the position of Deputy Commissioner of Corporations and presided at the hearing in the State Corporation Department when the matters that subsequently resulted in his accusation and conviction were first brought to my attention. The respondent's brief prepared by the Attorney General's office in criminal matter No. 1230, Second Appellate District of the District Court of Appeal will show my participation in the investigation which ultimately resulted in the conviction of Mr. Schwarz.

I therefore feel competent to appeal to you with regard to the matters herein contained.

Mr. Bernard H. Schwarz has already given proof of his earnest desire to lead an upright and honorable life as a citizen of this community. The service that he has rendered while incarcerated is undoubtedly within your knowledge. Since his release on parole, I have on numerous occasions come in contact with him under various circumstances. He has paid his debt to society and has made every effort to regain the confidence and respect of his associates and of the members in this community. If ever there was a case which justified consideration from the Chief Executive of the State, I believe the case of Mr. Schwarz presents one. In my opinion he is entitled to an executive pardon and to a restoration of all rights of citizenship. It seems hardly necessary to say that he will never repeat the things that caused his original downfall. It is proper to point out that he recognizes his duties as a member of society to all persons with whom he has any relations. He is now entitled to everyone's confidence for truth, honesty and integrity, and he possesses those qualifications now if he did not possess them before

In my experience as Deputy Commissioner and later as Assistant Commissioner of Corporations, I have never before felt justified in making the recommendation with regard to persons similarly situated. This case, however, presents an exception, and I therefore do not hesitate to address you upon the subject and offer my recommendation that he be given favorable consideration by your office for the pardon that he prays. I am certain there will be no mistake about the matter if his prayer be granted.

Very respectfully yours,

(Signed) H. A. I. WOLCH."

In view of the above mentioned recommendations and the fact that Bernard Schwarz appears to have led the life of a law-abiding and conscientious citizen since his release on parole, I believe that he should be restored to citizenship in order that he will not have to be further handicapped in his pursuit of happiness.

Now, therefore, I, James Rolph, Jr., pursuant to the authority vested in me by the Constitution of the State of California, do hereby pardon Bernard Schwarz of the crimes of which he was convicted in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this thirteenth day of January, A. D., 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest. FRANK C. JORDAN, Secretary of State
By FRANK H CORY, Deputy.

RESTORATION OF CITIZENSHIP

There has been transmitted to me by the Supreme Court of the State of California, an application for executive clemency which was filed on behalf of Emil J. Kanngiesser, Folsom No. 16774, who was convicted of the crime of second degree burglary in the City and County of San Francisco on October 2, 1929. He was duly received at Folsom Penitentiary on October 12, 1929.

This application was made directly to the Supreme Court of the State of California in compliance with the terms of section 1418 of the Penal Code. After a thorough and careful examination of the application and the evidence submitted therewith, a majority of the justices of the Supreme Court have recommended that the applicant, Emil J. Kanngiesser, be granted a pardon. This recommendation is contained in a letter to me from William H. Waste, Chief Justice of the Supreme Court, which reads as follows:

"San Francisco, California, November 25, 1931.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor Rolph:

Referring to the application made to you by Emil J. Kanngiesser, prisoner No. 16774, Folsom Prison, for a pardon, a majority of the justices of the supreme court are of the view that, on the showing made, the applicant is entitled to a pardon, if that meets with your approval.

The justices are influenced in his behalf by the statement of Hon. Walter Perry Johnson, judge of the superior court of the City and County of San Francisco, before whom Kanngiesser was tried on the charge of burglary, and by the report of the investigations made in connection with another matter by Mr. David Livingston, of the firm of Livingston & Livingston, attorneys at law, of this city. The investigation of these attorneys was made in connection with a civil action which arose by reason of the burglary, and in the course of the investigation, they reached the conclusion that the burglary for which Kanngiesser was convicted, was committed by another person.

Judge Johnson is of the view that, had the showing made as the result of the Livingston investigation been presented to the jury at the trial, it would have had weight with the jury, and if, in the light of such evidence, a verdict of conviction had been rendered against Kanngiesser, Judge Johnson would have felt justified in granting a new trial.

For these reasons, the justices believe you will be warranted, if otherwise convinced that it should be done, in granting Kanngiesser's application.

Sincerely yours,

(Signed) WILLIAM H. WASTE, Chief Justice."

I have made a careful examination of the facts and recommendations submitted in connection with this application, and have come to the conclusion that there is considerable doubt as to the guilt of the applicant. Mr. Joseph Kerbaugh, who was the codefendant in the trial of Emil J. Kanngiesser, has acknowledged that he stole the merchandise and stated positively that Emil J. Kanngiesser had not participated in the theft and that he had no knowledge or information concerning it. All these facts and admissions were discovered after the conviction of Emil J. Kanngiesser from the testimony introduced during the trial of a civil action entitled *Van Raalte* vs. *Aronson*, which was an action to determine the ownership of the merchandise which was stolen.

I am also impressed with the innocence of the applicant by reason of a statement made by Judge Walter Perry Johnson to the Board of Prison Directors under a letter dated August 1, 1931, which reads as follows:

"San Francisco, California, August 1, 1931.

To the Honorable,
The State Board of Prison Directors.

Gentlemen:

I have read the letter addressed to you under date of July 30, by Mr. David Livingston, in reference to the record of E. J. Kanngiesser, No. 16774, now confined at Folsom Prison

Kanngiesser and Joseph Kerbaugh, who were jointly charged with burglary, were tried before me in 1929. So far as Kerbaugh was concerned, the evidence connecting him with the crime charged was convincing. The verdict against Kanngiesser, however, rested upon the fact that he had allowed Kerbaugh to have access at night to the building in which Kanngiesser acted as nightwatchman, and to the further fact that unsatisfactory replies were given to inquiries made of him by the police.

The failure of Kanngiesser to take the witness stand in his own behalf probably counted against him, too, notwithstanding the instruction to the jury that it was his right to remain silent and that the burden of proof was on the People.

If the information now gathered by Mr. Livingston as to Kanngiesser's trustworthiness as a custodian of property had been produced at the trial, I believe it would have had weight with the jury, and if in the light of such evidence a verdict had been rendered against him, I would have felt justified in granting a new trial.

Believing, in view of what is now disclosed, that Kanngiesser probably suffered an injustice, I recommend that parole be granted to him.

Respectfully yours,

(Signed) WALTER PERRY JOHNSON."

In view of the above recommendations of the Supreme Court and the judge of the Superior Court who presided at the trial at which the applicant was convicted, and my personal investigation of the case, it is my opinion that Emil J. Kanngiesser should be unconditionally pardoned.

Now, therefore, I, James Rolph, Jr., pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Emil J. Kanngiesser of the crime of second degree burglary in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fourteenth day of January, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. COBY, Deputy.

COMMUTATION OF SENTENCE

There has been transmitted to me by the Supreme Court of the State of California, an application for executive clemency on behalf of Frank S. Carmona, Jr., who was convicted of the crime of violation of section 476, P. C., in the county of Alameda, on July 26, 1926. He was duly received at Folsom Penitentiary on February 10, 1927, and was given No. 14588.

In accordance with section 1418 of the Penal Code, this application was filed directly with the Supreme Court of the State of California. After a careful and thorough investigation of the evidence submitted in connection with the application, a majority of the justices of the Supreme Court recommended that the sentence of Frank S. Carmona be commuted to time served, as set forth in a letter from William H. Waste, Chief Justice of the Supreme Court, which reads as follows:

"San Francisco, California, January 4, 1932

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Re: Frank S. Carmona Application for executive clemency.

Dear Governor Rolph:

Frank S. Carmona was convicted in July, 1926, of the crime of forgery. The Prison Board fixed his term of imprisonment at fourteen years. He was released on parole on August 10, 1929, since which time he has apparently rehabilitated himself, and is earning his way in an honorable and upright manner. Petitioner's time in jail, plus his time on parole, totals six years and four months, which, with the allowance of credits for good behavior, is the equivalent of a ten-year term.

Carmona now asks that his sentence be commuted to time served, and a majority of the justices of the Supreme Court recommend that that be done. The man has, during his parole, been entrusted with sums of money in the course of his employment, and has never been charged with or suspected of being dishonest. He has an opportunity to now go into business for himself outside the State, but can not accept it unless he receives a pardon. The trial judge states that he is not opposed to commutation of sentence at this time, and we make a corresponding recommendation.

Sincerely yours,

(Signed) WILLIAM H. WASTE, Chief Justice."

In view of the above recommendation and the fact that I feel, after reading the evidence supporting the application for executive clemency, that the applicant, Frank S. Carmona, has rehabilitated himself in the community and is leading the life of a law-abiding and conscientious citizen in the community since his release

from prison on August 10, 1929, that his sentence should be commuted to time served.

Now, therefore, I, James Rolph, Jr., pursuant to the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of said Frank S. Carmona to time served.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this eighteenth day of January, A. D., 1932

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

PARDON

There was filed in this office on July 9, 1929, an application for pardon on behalf of one John McNeil, who was convicted of the crime of embezzlement, three counts, to run consecutively, in Los Angeles County, on February 11, 1927.

John McNeil was duly received at San Quentin Penitentiary on February 26, 1927, and given No. 43295. After serving two years he was released on parole, and has reported at regular intervals to Ed H. Whyte, State Parole Officer, who has written a letter of recommendation which reads as follows:

"San Francisco, California, July 10, 1931.

Mr. Francis A. Cochran,
Executive Secretary, Governor's Office,
Sacramento, California.

Dear Mr. Cochran:

Responsive to your valued favor of the ninth instant with respect to our John McNeil, San Quentin No. 43295, now under the jurisdiction of this office, and whose parole period does not expire until March 12, 1932, wish to advise that there is a warrant on file by the U. S. immigration authorities for his deportation. However, he has been successful in getting extensions to forestall this deportation, through the Washington, D. C., office

His conduct and deportment since his release on parole, February 26, 1929, have been exemplary in every way and have not caused this office any trouble whatsoever. At the present writing, he is employed in San Francisco, California.

Trusting that this is the information that your letter requested, and thanking you to call upon us for like information at any time, I remain,

Very truly yours,

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted the application, together with the evidence relative thereto, to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor, Hon. U. S. Webb, Attorney General, Hon. Daniel J. O'Brien, Director of Penology, Hon. Court Smith, warden of Folsom Prison, and Hon. James B. Holohan, warden of San Quentin Prison. After a careful and thorough consideration of the case, the above mentioned board has made a recommendation to me which I am quoting herewith:

"Sacramento, California, January 22, 1932.

Hon. James Rolph, Jr.
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of John McNeil, San Quentin No. 43295, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Los Angeles, California, December 30, 1931.

The board recommends that this application for pardon be granted in view of the fact that the applicant served his time in prison, and also that his conduct while on parole has seemingly been good.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board"

I am greatly impressed by the numerous letters of recommendation from people who have been associated with the applicant during past years, particularly letters from Sylvain J. Lazarus, judge of the Municipal Court, San Francisco, and Arthur Keetch, judge of the Superior Court, Los Angeles, which I am herewith quoting

"San Francisco, California, January 7, 1931.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Your Excellency:

Permit me to express my sincerest commendation for the interest that you have shown in the pardon application of J. McNeil.

Before referring the case to your compassionate consideration, you may be sure that I amply satisfied myself that the matter warranted such attention. I have long been personally acquainted with Mr. McNeil, and know that, aside from his one unfortunate blunder, he has always occupied positions of responsibility and trust with impeccable fidelity, and that he has always had the highest respect from those who have been associated with him in a business way.

As a husband and father he has shown intense devotion to his family, and his home life is ideal. From the facts presented to you in the application for a pardon, you undoubtedly noticed that executive clemency alone could save him from being forcibly taken from his happy family group and deported to a land which he has not seen since infancy, and to which he has long renounced allegiance.

I can assure you with the utmost confidence that the humane attitude that you have assumed in this instance, characteristic of your conduct at all times, will never be regretted.

With my best wishes for your continued success in office, and with my personal appreciation for your indulgence, I beg to remain

Respectfully yours,

(Signed) SYLVAIN J. LAZARUS."

"Los Angeles, California, September 17, 1929.

Honorable C. C. Young,
Governor, State of California,
Sacramento, California.

My dear Governor:

I understand a petition has been presented to you for executive pardon in the case of John McNeil, who was convicted for the crime of embezzlement and sentenced to San Quentin, February 14, 1927. He served a portion of his sentence and was afterwards paroled by the board. I am informed that he had a most excellent record while serving his time. I further understand that an effort is now being made to deport him to Scotland, he being an alien.

Judge McLucas was the judge of record in the trial of the case and the one who sentenced him to San Quentin. The matter, however, came before me first while I was sitting in the criminal division, and I know something of the facts and circumstances. I, of course, realize that in the last analysis, and for the purpose of clearing the record, a letter from the trial judge may be necessary, but I have been asked to write you by his friends because of the fact that the matter came before me in its initial proceedings.

I can only say, however, from the file of the case, and in connection with the matter of probation which was asked for, the man presented numerous letters from prominent and reputable citizens, attesting to his former good conduct and character. He has a wife and children, and I believe that during his incarceration he lost his little boy. He appears now to have many friends who believe in him, and his deportation as an undesirable alien would be a great blow to him, and one very difficult for him to overcome in the old country.

I believe that if given the chance to clear his record and start anew, he would be worthy of the trust.

With assurances of my sincere regards, I am

Very respectfully yours,

(Signed) ARTHUR KEETCH."

I find that John McNeil was born in Scotland and came to the United States in 1908. After spending a few weeks in New York he then went to Toronto, Canada, and obtained a position with the Imperial Bank of Canada. He remained with this bank for fifteen years and then came to Los Angeles in 1923. Since this time and until the time of his conviction, he had been employed by the Pacific Southwest Trust and Savings Bank, having been the manager of the branch bank located at Sixth and Western Avenue, at the time of his conviction. He was married to Freda Margaret McKay, from which union there have been born three girls and a boy.

I understand that the immigration authorities, under the Act of Congress passed in March, 1929, intend to deport John McNeil to Scotland, and that definite

action has been deferred by the bureau at Washington pending the outcome of the application of John McNeil for a pardon.

During the year 1925, the applicant and his wife filed their first declarations to become citizens of this country, which in my opinion showed their good faith to become citizens of the United States and to raise their family as United States citizens. The conviction of John McNeil in 1926 prevented him from completing his intentions to become a citizen of the United States I feel that if John McNeil is deported to Scotland, leaving his wife and three children in California, that it would seriously handicap the wife and three daughters of the ages of 10, 13 and 15, all of whom are attending the public schools in San Francisco.

In view of the above recommendations and the fact that John McNeil appears to have completely rehabilitated himself since his release from the penitentiary and his sincere desire to raise his family as United States citizens, I feel that John McNeil should be pardoned, in order that he will not have to return to Scotland, leaving his wife and three children here in California, and to allow him to complete his intention to become a citizen of the United States.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon John McNeil of the crime of embezzlement.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-sixth day of January, A.D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

COMMUTATION OF SENTENCE

There has been filed with me an application for executive clemency on behalf of one Albert E. Judd, who was convicted on March 2, 1929, of the crimes of manslaughter and violation of section 141 of the Motor Vehicle Act, arising out of an automobile accident in Alameda County. He was received at San Quentin Penitentiary on March 2, 1929, and given No. 46702. After serving a period of two years, the Board of Prison Directors definitely determined his term of sentence as six years on the charge of manslaughter, and one year on violation of section 141 of the Motor Vehicle Act, said sentences to run consecutively. After serving approximately two years and three months, Albert E. Judd was released on parole May 25, 1931.

I have submitted this application, together with the evidence therewith, to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor of California; Hon. U. S. Webb, Attorney General; Hon. Daniel J. O'Brien, Director of Penology; Hon. Court Smith, Warden of Folsom Prison, and Hon. James B. Holohan, Warden of San Quentin Prison. After a thorough and careful consideration of the application and evidence relative thereto, the Advisory Pardon Board has written me a recommendation contained in a letter which reads as follows:

"Sacramento, California, January 22, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Albert E. Judd, San Quentin No. 46702, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Los Angeles, California, December 30, 1931.

The board recommends that the sentence of this applicant be commuted to four (4) years.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

Prior to the time that Mr. Judd was sentenced to San Quentin Penitentiary, he was a man of high standing in the community in which he lived, was admired by his associates in his business affairs and enjoyed the highest of reputation for honesty and integrity among the people of the community. As a husband and a father, he has shown intense devotion to his family, and his home life is ideal.

I am greatly impressed by the many letters recommending the character of Albert E. Judd, from such people as Raymond L. Haight of Los Angeles, A. T. Mercier, vice president and general manager of the Pacific Electric Railway, Harlan G. Palmer, owner and publisher of the Hollywood News, Paul Shoup, president, Southern Pacific Company, J. A. Reardon, president, J. A. Reardon Company, Los Angeles, and Sam M. Greene, member of the Assembly from the 65th District.

In view of the above recommendations and the fact that I do not think that the family of Mr. Judd, which consists of a wife and two children, 19 and 20 years of age, should be made to further endure the hardships caused by the conviction of their father, and the fact that I do not believe Mr Judd is a man of criminal nature, it is my opinion that the sentence for both crimes should be commuted to four years, in place of seven years, as recommended by the Advisory Pardon Board.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence of Albert E. Judd to four years.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-seventh day of January, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

COMMUTATION OF SENTENCE

There has been filed with me an application for pardon on behalf of Ernest L. Wright and George Johnson, who were convicted of the crime of first degree robbery in Los Angeles County on October 24, 1930. Both men were duly received at San Quentin Penitentiary on April 4, 1931, and given Nos. 50015 and 50001, respectively.

I have submitted the application for pardon to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor, Hon. U. S. Webb, Attorney General, Hon. Daniel J. O'Brien, Director of Penology, Hon. Court Smith, Warden of Folsom Prison, and Hon James B. Holohan, Warden of San Quentin Prison. After a careful and thorough examination of the application and the evidence submitted therewith, the above mentioned board has written me a recommendation which reads as follows:

"Sacramento, California, January 22, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Ernest L. Wright, San Quentin No. 50015, and George Johnson, San Quentin No. 50001, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Los Angeles, California, December 30, 1931.

The board recommends that the sentence of these two inmates be commuted to time served.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

The office of the District Attorney of Los Angeles County has caused an investigation to be made of this case since the time of the trial, in order to determine the authenticity of the representations of Ernest L. Wright and George Johnson that they were innocent. As a result of this investigation I have received a letter from Daniel Beecher, chief trial deputy, which I am quoting herewith

"Los Angeles, California, April 16, 1931.

Honorable James Rolph, Jr.,
Governor of the State of California,
Sacramento, California.

Dear Sir:

In the matter of the application for pardon of E. L. Wright and George Johnson.

Mr. Howard E. Forster, attorney for the above-named prisoners, requests me to write you with regard to the attitude of this office on the above entitled matter. The case was first called to my attenion by Mr. Forster after the defendants had been convicted and sentenced to San Quentin by Hon. Hartley Shaw.

In view of Mr. Forster's representation that he sincerely believed that these prisoners had been unjustly convicted, I caused an investigation to be be made by this office. Without going into the details of this investigation, I might state that Mr. Vernon L. Ferguson, Deputy District Attorney in this office, after partially completing his investigation into this matter expressed his doubts about the guilt of these defendants, although certain allegations made in affidavits presented to this office were found to be untrue. I personally examined the witness, Fisher, and I was satisfied at the time that he misinformed me about an entry on the books of the Maytag West Coast Co., which entry he referred to as a basis for refreshing his memory on the date upon which he said he saw these defendants in Riverside. I called the Maytag office at the time Mr. Fisher was in my office and found that the entry on the books of the Maytag Company did not correspond to the date claimed by Mr. Fisher. My impression at the time was that he was overzealous in his desire to help the defendants, and I felt that I could not rely upon his statements.

In view of the foregoing experience with Mr. Fisher and the unsatisfactory results obtained by this office in investigating certain affidavits which indicated that there was an attempt to manufacture evidence, I do not see my way clear to recommend a pardon.

A copy of the letter of Judge Shaw to your office has been brought to our attention, and in this regard it should be stated that this office, of course, has the highest regard for the integrity and ability of Judge Shaw, and since he has made an independent investigation and is recommending pardon for these defendants, this letter should not be construed as opposing the views expressed by him. This office does not join in his recommendation for pardon for the reason that our own investigation into the matter does not, as above stated, justify such recommendation. We are content, however, to leave the matter to your sound discretion.

Respectfully yours,

BURON FITTS, District Attorney.
(Signed) By DANIEL BEECHER, Chief Trial Deputy."

Honorable Hartley Shaw, Judge of the Superior Court of Los Angeles County before whom this case was tried has made an investigation of this case since the time of the trial, and has personally interviewed and questioned at length several persons who were familiar with the facts of the case As a result of this investigation and the knowledge that he gained of the case at the time of the trial, he has written a recommendation to me which I am quoting herewith:

"Los Angeles, California, April 14, 1931.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor:

Mr. Howard E. Forster has submitted to me his proposed application to you for the pardon of Ernest L. Wright and George Johnson, and the affidavits which he intends presenting to you in support thereof. At Mr. Forster's request I have also personally interviewed and questioned at length Mr. Maurice G. Bourgeois and Mr. Clifford B. Fisher, whose affidavits are attached to the application, and Mrs. Fisher, wife of Clifford B. Fisher. Wright and Johnson were tried before me last October, convicted of robbery in the first degree and sentenced to imprisonment at San Quentin I suppose that before acting on this application you will desire to know the opinion of the trial judge regarding it, and at Mr. Forster's request I am sending my views to you by him, instead of waiting for a request from you therefor.

The evidence given at the trial against these two defendants was not very strong, and the jury evidently had some trouble with it, for although the evidence was short, they took several hours to consider it before bringing in a verdict of guilty The person robbed was the manager of a store at Long Beach. He was a witness and testified that the robbery occurred at the store soon after he first opened it, and about 6 30 or 6 40 a.m., on July 23, 1930 He was positive in his identification of the defendants as the men who robbed him, and was not shaken at all in this respect by a somewhat extended cross-examination. Another witness said he saw the defendants, or two men who looked like them, shortly before the time of the robbery, sitting in a Ford coupe parked near the scene of the robbery. On the radiator of this Ford was a small bell ornament. The defendants when arrested a few days later were riding in a Ford coupe on which was a similar ornament. This witness was not very positive in his identification of defendants as the men he saw. There was, as far as I remember, no other evidence tending to connect the defendants with the robbery charged.

According to the affidavits now produced, the defendants, at 6.45 a.m., on July 23, 1930, were at Riverside. If this is true they could not have been at Long Beach at the time the robbery occurred. The complaining witness fixed the time of the robbery so definitely as to leave no room for a conjecture that there might have been time enough between the robbery and the time the defendants are placed at Riverside for them to travel the distance between the two places.

As already stated, I have examined Mr. Fisher and Mr. Bourgeois, whose affidavits are to be presented to you, and they tell substantially the same story as is contained in the affidavits The impression they made on me was that they were telling the truth. This impression was especially strong in the case of Fisher. I am convinced that they did see the defendants at Riverside, and the only question is whether they can be mistaken as to day or hour. On this point Bourgeois is not quite so clear as Fisher. I think Bourgeois has no independent recollection of the date, but he fixes it by the date of the contract for the sale of a washing machine by the Maytag store in Riverside, where he was employed, which machine he says he assisted Fisher to deliver and which contract was signed the same day he saw the defendants in Riverside. Mr. Forster has exhibited to me what appeared to be the original of this contract, and it was dated July 23, 1930. Mr. Fisher seems to remember the date, and also fixes it by the date of the above mentioned contract, which was signed in his presence also. He has an additional means of fixing the date by reason of the fact that he was married the day before, and he and Mrs. Fisher showed me their marriage certificate, which was dated July 22, 1930. While Mrs. Fisher did not see the defendants, she had heard about the matter and agreed that it occurred the next day after the wedding.

Both Fisher and Bourgeois agree that they saw defendants at about 6.45 a.m., and they are able to fix the hour by a projected trip to Indio which caused them to come to the Maytag store in Riverside, where they work, earlier than usual, but which had to be called off partly because the time consumed by Bourgeois in his dealings with the defendant, Wright, prevented them from getting away in time to make the trip before the hot part of the day. Mrs. Fisher corroborates the statement that this trip was planned and abandoned, and that Fisher left home earlier than usual that morning. Bourgeois lived near Fisher and was in the habit of riding to work with Fisher

After reading the affidavits and talking to the witnesses above mentioned, I have concluded that a miscarriage of justice has probably occurred in this case. Had the case been tried before me with this evidence submitted by the defense I should have acquitted the defendants, and I feel sure that the jury would have done the same. There is, to be sure, one positive identification of defendants as the robbers, but this was by the victim himself, who was naturally under a considerable strain at the time, and whose evidence by reason of that strain would be less reliable than that of one who was going about his own business in the ordinary manner Fisher told me that he never met the defendants except on this one occasion, but is certain of his identification; and his conduct in refusing to testify falsely at the trial, as disclosed in some of the affidavits, indicates that he is not willing to bear false witness for their benefit. While his affidavit does not mention this matter, he told me about it, and his statement agreed with the affidavits.

At the time of the trial I could not understand why the defendants put on no defense, except on the supposition that they were guilty. The affidavits afford an adequate explanation of their failure to do so. This explanation considerably discredits anything said by them and Bourgeois, though I felt, when questioning Bourgeois, who is little more than a boy, that he was then probably telling the truth. But at any rate, Fisher and his wife had nothing to do with this attempt to manufacture evidence, and their story convinces me that the defendants are not guilty of the offense charged. I therefore recommend their pardon

Yours very truly,

(Signed) HARTLEY SHAW."

In view of the above recommendations, and the fact that there seems to be considerable question as to the guilt of Ernest L. Wright and George Johnson, I believe that their sentence should be commuted to time served.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence of Ernest L. Wright and George Johnson to time served

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-eighth day of January, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

There has been transmitted to me by the Supreme Court of the State of California an application for restoration of citizenship filed on behalf of one George A. Turley, who was convicted of the crime of second degree murder on May 11, 1896, in Mono County He was duly received on May 11, 1896, at San Quentin Penitentiary, and given No. 16,755 After a careful and thorough examination of the evidence submitted in support of the application, the members of the Supreme Court have unanimously recommended that George A. Turley be restored to citizenship This recommendation is contained in a letter to me signed by the chief justice and all the associate justices of the Supreme Court, which reads as follows:

"San Francisco, California, September 14, 1931.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor Rolph:

The application of George A. Turley for pardon has been carefully considered by the justices of this court, and we recommend that his application for pardon be granted.

Turley was convicted in Mono County for murder of the second degree more than thirty-five years ago. He was sentenced to serve sixty-six years, and was released on parole July 1, 1910. He is a single man, now sixty-seven years of age, and since being granted parole appears to have lived correctly and to have maintained a good character

By reason of the lapse of time since his conviction, neither he nor the court officials in Mono County are able to supply a transcript of the testimony taken at the trial, but at the time Turley applied for parole he presented a statement from the trial judge, then living, and other evidence that influenced the Prison Board in granting the parole.

His prior conviction, which rendered it necessary for him to have the recommendation of a majority of the justices of this court, was for illegal voting in Sacramento County in 1888.

On the showing that is now made, and for the reasons above indicated, we recommend that the old man be pardoned

Respectfully submitted.

(Signed) WILLIAM H. WASTE, Chief Justice.
JOHN E. RICHARDS,
JOHN W. SHENK,
EMMET SEAWELL,
JESSE W. CURTIS,
JOHN W. PRESTON,
W. H. LANGDON,
Associate Justices"

I have also submitted the above-mentioned application, together with the evidence accompanying the same, to Daniel J O'Brien, Director of the Department of Penology, who has made a recommendation to me which reads as follows:

"October 2, 1931

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor Rolph:

Referring to the attached application of George A. Turley for a pardon, I respectfully concur in the recommendation of the justices of the Supreme Court of the State of California.

Yours very sincerely,
(Signed) DANIEL J. O'BRIEN, Director of Penology."

William H. Virden, Judge of the Superior Court, who presided at the trial at which this applicant was convicted, has written a recommendation to the Board of Prison Directors in a letter dated August 23, 1909, which I am quoting herewith:

"At the time I passed sentence upon him, the evidence before me fully justified a life sentence, and I fixed his punishment for a term that I believed was equivalent to a life term. Afterwards, I received statements from persons who knew the facts to their own knowledge, and who would have been legal and competent witnesses, and who, I believe, convinced me of two things: First, that the man he killed, had, in the most aggravating way, publicly stated that George Turley's sister was a common prostitute, which statement so wrought upon his feelings and mind that it prompted, almost forced, him to commit the

crime. Secondly, that other facts, constituting legal evidence could and ought to have been adduced at his trial, which I have no doubt, would have caused the jury to have found a much more favorable verdict I therefore, not only have no objections to his being granted a parole, but if a petition for his pardon was presented to me, I would sign it."

In view of the above recommendations I feel that the applicant has rehabilitated himself in the community, and that as his conduct has been of an exemplary character over a period of years, it is my opinion that he should not be further handicapped in his remaining years, and hence he should be restored to citizenship

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon George A Tuley of the crime of second degree murder in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-eighth day of January, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C JORDAN, Secretary of State
By FRANK H. CORY, Deputy.

COMMUTATION OF SENTENCE

It has been brought to my attention that Mildred Wright, who was convicted of the crime of forgery in Los Angeles County, was duly received at San Quentin Penitentiary on July 18, 1931, and given No 50524.

At a meeting of the Board of Prison Terms and Paroles on February 13, 1932, the case of the above-named inmate was given thoughtful consideration. As a result of this consideration the Board of Prison Terms and Paroles have written a recommendation which reads as follows:

"San Quentin, California, February 13, 1932.

To His Excellency, James Rolph, Jr.,
Governor, State of California.
Sacramento, California.

Dear Sir:

San Quentin Prisoner No. 50524, Mildred Wright, was received at San Quentin on July 18, 1931, to serve two consecutive indeterminate sentences of from one to fourteen years on two counts for the crime, forgery. She pleaded guilty before Honorable B. R. Schauer, Judge, Superior Court, Los Angeles County, California When this prisoner arrived at San Quentin Prison, it was found that she was pregnant and expected to give birth to a child within a short time. It is believed that this woman should be given clemency in order that her child will be born outside prison walls, and will not be handicapped through life by being born in a penitentiary. Friends and relatives have given assurance that this woman will be given proper care and attention if she is released.

Section 1168 of the Penal Code provides that the State parole law cannot operate for prisoners doing consecutive sentences until they have served at least two (2) calendar years.

I have been directed by Charles L Neumiller, chairman, and Joseph H. Stephens, member of the Board of Prison Terms and Paroles, Mr. Henry Eickhoff, member of the State Board of Prison Directors, James B. Holohan, Warden of California State Prison, San Quentin, and Dr. L. L Stanley, resident physician of San Quentin Prison, to advise you that they respectfully recommend that the sentence in this case be commuted to time served in order that the child may be born in a proper environment, and this woman be given all necessary care before and after she becomes a mother."

In view of the above recommendation, and the fact that this woman is about to become a mother, I believe that her sentence should be commuted to time served, in order that the child may be given a proper start in life and be reared outside the walls of a penitentiary.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence of Mildred Wright to time served.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this thirteenth day of February, A. D 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C JORDAN, Secretary of State
By CHARLES J. HAGERTY, Deputy.

COMMUTATION OF SENTENCE

It has been brought to my attention that Ruth Mason, who was convicted of the crime of passing fictitious checks in Yuba County, was duly received at San Quentin Penitentiary on August 1, 1931, and given No. 50611.

At a meeting of the Board of Prison Terms and Paroles on February 13, 1932, the case of the above-named inmate was given thoughtful consideration. As a result of this consideration the Board of Prison Terms and Paroles have written a recommendation which reads as follows:

"San Quentin, California, February 13, 1932.

To His Excellency, James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Sir:

San Quentin Prisoner No. 50611, Ruth Mason, was received at San Quentin August 1, 1931, to serve an indeterminate sentence of from one to fourteen years for the crime, uttering and passing fictitious checks (violation Section 476a of the Penal Code). She pleaded guilty before Honorable K. S. Mahon, Judge, Superior Court, Yuba County, California.

Upon the arrival of this prisoner, it was found that she was in a pregnant condition and expected to give birth to a child in the near future. It is believed that this child should not be handicapped by being born in a penitentiary, and being forced to carry through life the stigma of a prison birth. The record shows that upon arraignment before the Superior Court in Yuba County, California, she pleaded guilty, and when her attorney was about to make an application for probation, she advised the court that she would not consider probation, but wanted to take her sentence and get it over with as soon as possible. The district attorney states that he is of the opinion that she has possibilities and recommends that a minimum sentence be imposed.

I have been directed by Charles L. Neumiller, Chairman, and Joseph H. Stephens, member of the Board of Prison Terms and Paroles, Mr. Henry Eickhoff, member of the State Board of Prison Directors, James B. Holohan, warden of California State Prison, San Quentin, and Dr. L. L. Stanley, resident physician of San Quentin Prison, to advise you that they respectfully recommend that the sentence in this case be commuted to time served in order that this prisoner may give birth to her child in proper surroundings and that the child will have a fair start in life.

Very respectfully yours,

(Signed) MARK E. NOON, Secretary,
Board of Prison Terms and Paroles, San Quentin, California"

In view of the above recommendation, and the fact that this woman is about to become a mother, I believe that her sentence should be commuted to time served, *in order that the child may be given a proper start in life and be reared outside the* walls of a penitentiary.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence of Ruth Mason to time served

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this thirteenth day of February, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C. JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

RESTORATION OF CITIZENSHIP

There has been transmitted to me by Honorable William H. Waste, chief justice of the Supreme Court of the State of California, an application for executive clemency on behalf of one Francis L. Liberty, who was convicted of the crime of robbery in Los Angeles County on February 28, 1922. He was duly received at Folsom Prison on March 4, 1922, and given No. 12067. After serving approximately six and one-half years, Francis L. Liberty was released from the penitentiary on parole November 4, 1928, and after reporting to Ed H. Whyte, the State parole officer, at regular intervals, was discharged from parole on November 4, 1929.

The justices of the Supreme Court of the State of California, pursuant to the terms of section 1418 of the Penal Code, made a careful and thorough examination of the application, together with the evidence submitted therewith, and as a result of said examination have written a recommendation to me which reads as follows:

"San Francisco, California, February 5, 1932.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor Rolph:

The Justices of the Supreme Court have under consideration the application of Francis L. Liberty, a second term prisoner, formerly at Folsom Prison. He was convicted of robbery, committed in Los Angeles County in 1922, and his term was fixed by the Prison Board at twelve years. After serving six years, he was released on parole, which he has since served out. Since his release, he has engaged in the barber business, now owning his own shop in Huntington Park. He is married, and at this time there is dependent upon him his wife and family. Since his release on parole, he appears to have led an honorable life, and is now seeking a pardon, stating that he has had "a bitter lesson from which he has well learned."

We are quite impressed with the very strong endorsement given this applicant by Mr. Buron Fitts, District Attorney of Los Angeles County, who says his office will not oppose executive clemency in this matter. The chief of police of Pasadena, other police officers, and the state parole officer join in giving the man a good character.

In view of all the foregoing, the seven justices of this court, unite in recommending that you grant a pardon to Francis L. Liberty.

Very truly yours,

(Signed) WILLIAM H. WASTE, Chief Justice."

Mr. Ed H. Whyte, State Parole Officer, who has had an opportunity to observe this applicant during the period of his parole, has written a recommendation which I am quoting herewith:

"San Francisco, California, September 23, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
State Capitol,
Sacramento, California.

Dear Sir:

Responsive to your valued favor of September 21, with respect to the application for executive clemency by Francis L. Liberty, formerly Folsom No. 12067, received from Los Angeles County, March 4, 1922, for crime of robbery, sentenced to a term of twelve years, released on parole November 4, 1928, and discharged from parole November 4, 1929.

During the period of his one year parole, he abided fully by all rules and regulations thereof, giving no trouble whatsoever.

With respect to a recommendation in his favor, I am somewhat hesitant; this due mainly to the nature of the offense for which he was committed, and the previous term in the Vermont State Prison, however, he was pardoned from Vermont. But the fact still remains that he was a drug addict, and I am always skeptical of these as there is no telling when they will return to the habit.

A copy of his prison narrative is enclosed, giving the nature of his offense and other personal data, which I believe will be of value.

Very truly yours,

(Signed) ED H. WHYTE, State Parole Officer."

In view of the above recommendations and the fact that this man appears to have rehabilitated himself in the community in which he resides, and is attempting to lead the life of a law-abiding and conscientious citizen and conducting a barber shop, which trade he learned while he was incarcerated in the penitentiary, I believe that Francis L. Liberty should be restored to citizenship in order that he may not be further handicapped in his pursuit of happiness.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Francis L. Liberty of the crime of robbery in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-fifth day of February, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for executive clemency on behalf of one Claude Dunbar Plum, who was convicted of the crime of grand theft in Plumas County on October 15, 1928. He was duly received at San Quentin Penitentiary on October 17, 1928, and given No. 46081. After serving one year and two months, he was released on parole December 17, 1929, and since that time has reported at regular intervals to Ed H. Whyte, the State Parole Officer.

I have submitted the application, together with the evidence accompanying the same, to the Advisory Pardon Board, consisting of Frank F. Merriam, Lieutenant Governor, Daniel J. O'Brien, Director of Penology, U. S. Webb, Attorney General, Court Smith, Warden of Folsom Prison, and James B. Holohan, Warden of San Quentin Prison. After a careful and thorough examination of the evidence submitted in this case, the Advisory Pardon Board has written to me a recommendation which reads as follows:

"Sacramento, California, January 22, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of C. D. Plum, San Quentin No. 46081, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Los Angeles, California, December 30, 1931.

The Board recommends that this application for pardon be granted, in view of the fact that this case is in all respects regular, and satisfactorily establishes the guilt of the defendant, also that he has served the full period of his sentence, and during his term of imprisonment and since its expiration his conduct has been good. The board believes that the ends of justice will be best subserved by the granting of a pardon, and for the above mentioned reasons makes such recommendation.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

Mr. Ed H. Whyte, the State Parole Officer, has also written a letter of recommendation which I am quoting herewith:

"San Francisco, California, July 28, 1931

Mr. F. A. Cochran,
Executive Secretary,
State Capitol,
Sacramento, California.

Dear Mr. Cochran:

I am in receipt of your valued favor of July 22, wherein a recommendation is requested either for or against the application of C. D. Plum for a pardon.

Plum's case, from what I have been able to gather from him during conversations, is about the oddest that I have ever contacted in my experience in the Parole Office, if his assertions are true, and he states he has documentary evidence to prove his points.

It is his contention that he was sent to San Quentin for having stolen a quantity of lumber, which lumber did not belong to the complainant, but to C. D. Plum, himself. According to this, he was, therefore, sent to prison for stealing his own property. I believe Plum possesses considerable evidence to prove these statements, and do know that he sued civilly in the Sacramento courts for the recovery of the value of the lumber and actually received judgment. This after he had been released on parole.

Upon his producing actual evidence to this effect, and can show clearly that the lumber was his, I am at a loss to determine just how he was ever imprisoned, and if true, the man has suffered a terrible injustice, which should be rectified. He maintains he is going to prove this at the time he makes his pardon application.

During the time he was on parole, his conduct, general demeanor and care of his family, was most exemplary, never even once causing this office any trouble or worry regarding any of his actions. He spent every hour of his spare time working on his own case, and believed he acted as his own attorney, but even thus handicapped, won his court case. He has been obsessed with the idea that he must clear his name.

Under such circumstances as these, I can not help but admire his spirit, and if he can show proof of his contentions, he is entitled to every consideration. I have no hesitancy in recommending him for favorable action.

Very truly yours,

(Signed) ED H. WHYTE, State Parole Officer."

In view of the above recommendations and the fact that this man appears to have rehabilitated himself in the community, and his conduct has been most exemplary since his release from the penitentiary, I believe that he should be restored to citizenship.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Claude Dunbar Plum of the crime of grand theft in order that his citizenship may be restored.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twentieth day of February, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

COMMUTATION OF SENTENCE

There has been presented to me an application for a commutation of sentence on behalf of one John T. McAllister, who was convicted of the crime of issuing checks without sufficient funds in Fresno County on January 17, 1930. He was received at San Quentin Penitentiary on the same day and given No. 47795, to serve an indeterminate sentence not to exceed fourteen years.

On March 28, 1931, John T. McAllister appeared before the Board of Prison Directors. His term of confinement was fixed at seven years. This case was again considered by the Board of Prison Terms and Paroles during the month of December, 1931, and after a careful and thorough consideration of the facts surrounding this case they have written me a recommendation which reads as follows:

"December, 21, 1931.

His Excellency, James Rolph, Jr.,
Governor of the State of California,
Sacramento, California.

Dear Sir:

San Quentin Prisoner No. 47795, J. T. McAllister, was received January 17, 1930, to serve indeterminate sentence not to exceed fourteen years, for the crime of violating section 476-A of the Penal Code of California (issuing check without sufficient funds in bank). He pleaded guilty before Honorable T. R. Thompson, Judge of the Superior Court of Fresno County, California. On March 28, 1931, this man appeared before the Board of Prison Terms and Paroles, and his definite term of confinement was fixed at seven years, and he was granted permission to serve one-half of his sentence, with credits, on parole This action was taken in accordance with the provisions of subdivision 3, paragraph "C", of section 1168 of the Penal Code, because he had been previously convicted of a similar offense and granted probation.

The Legislature of 1931 made an effort to make the amendments to this section retroactive, but the Attorney General advises that the portion which provides for reduction of minimums can not be applied to men who committed crimes before August 14, 1931. Therefore the term of confinement in this case was fixed at seven years in accordance with the law as it existed previous to August 14, 1931, and he was granted parole in accordance with the retroactive provisions which became effective upon that date.

This man has a helpless family depending upon him who are anxious that he return home before the holidays. He has arranged for employment and will be in a position to support his children if released.

I have been directed by Charles L. Neumiller, chairman, Joseph H. Stephens and Frank C. Sykes, members of the Board of Prison Terms and Paroles, as well as James B. Holohan, Warden at San Quentin Prison, to advise you that they respectfully recommend that the sentence in this case be commuted from seven years to five years in order that this prisoner may have the advantage of the minimum sentence as is now provided under section 1168, and that his half-time parole may become effective at once.

Very respectfully yours,

(Signed) MARK E. NOON,
Secretary of the Board of Prison Terms and Paroles."

I have submitted this application, together with the evidence accompanying the same, to Daniel J. O'Brien, Director of the Department of Penology of the State of California After a careful and extensive investigation of the evidence produced in connection with this case, Daniel J O'Brien has written me a recommendation which I am quoting herewith:

"February 2, 1932.

Honorable James Rolph, Jr,
Governor of California,
Capitol Building,
Sacramento, California.

Dear Governor:

I respectfully call your attention to a letter signed by Mark E. Noon, Secretary of the Board of Prison Terms and Paroles, under date of December 21, 1931, wherein it states that the Board of Prison Terms and Paroles, as well as James B. Holohan, Warden at San Quentin Prison, recommend that the sentence of one J. T. McAllister, No. 47995, be commuted to five years.

After thoroughly examining the records in this case, I concur with the above recommendation, in order that J. T. McAllister may have the advantage of the minimum sentence as is now provided under Section 1168.

Yours very sincerely,

(Signed) DANIEL J. O'BRIEN, Director of Penology."

In view of the above recommendations and the fact that this man has a wife, mother and two children, who are dependent on him for their support, I believe that his sentence should be commuted from seven years to five years, in order that he may have the benefit of the minimum sentence as is now provided under section 1168 of the Penal Code, and return to his family.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence of John T McAllister from seven years to five years.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-third day of February, A.D. 1932.

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C JORDAN, Secretary of State.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for executive clemency on behalf of one Catherine Wixson, who was convicted of the crime of murder in the Superior Court of Sacramento on April 14, 1915. She was given a sentence of life imprisonment and was duly received at San Quentin Penitentiary on July 2, 1915, and given No. 28650. After serving seven years and three months, she was released on parole on October 31, 1922.

Since her release on parole, Catherine Wixson has reported at regular intervals to Ed H Whyte, State Parole Officer. As a result of Mr. Whyte's contact and observation of this woman over a period of nine years, he has been thoroughly impressed with her conduct and has written me a letter of recommendation which reads as follows:

"San Francisco, California, February 4, 1932.

Honorable James Rolph, Jr., Governor,
State of California,
State Capitol,
Sacramento, California.

Sir:

In accordance with a telephone conversation had today with Betty Scandling of your office, wherein the address of Catherine Wixson, San Quentin Parole No. 28650, was requested, beg to advise she is residing at Oakland, California I am also submitting a resume of her parole record

Catherine Wixson was received at San Quentin Prison July 2, 1915, from Sacramento County, for crime of murder, first degree, sentenced to a term of life imprisonment; released on parole, October 31, 1922

In December, 1924, she was granted permission to marry by the State Board of Prison Directors Her husband conducts a dry cleaning establishment in Oakland, California, and through their joint efforts have a nice paying business. She has shown herself to be an excellent partner and a good housewife, and as honest and conscientious a person as one could find

I shall not attempt to dwell upon that period of her life prior to her incarceration; this I am considering as a turned page, but must admit she has shown herself to be deserving of any consideration that could be extended and has developed into a good citizen I would say her rehabilitation has been complete

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have also received a letter of recommendation from Hugh B. Bradford, city attorney of Sacramento, who, at the time of the conviction of Catherine Wixson, was the prosecuting attorney, which I am quoting herewith:

"Sacramento, California, February 29, 1932.

Honorable James Rolph, Jr,
Governor of California,
State Capitol,
Sacramento, California.

Dear Sir:

I am in receipt of your letter stating that Kitty Wixson has applied for pardon.

As I remember this case, I recommended parole of this woman upon the recommendation of a prison chaplain.

Since she has been paroled for nearly ten years and has evidently conducted herself properly, I therefore recommend that she be granted a pardon.

Very truly yours,

(Signed) HUGH B. BRADFORD, City Attorney."

I have submitted the application, together with the evidence accompanying the same to Daniel J. O'Brien, Director of the Department of Penology, who has made a thorough and careful investigation of this case. As a result of this examination, Daniel J. O'Brien has written to me a letter of recommendation which reads as follows:

"Sacramento, California, March 2, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Sir:

I am forwarding herewith application for pardon from Catherine Wixson, former San Quentin inmate No. 28650, who was sentenced on April 14, 1915, charge murder, term of sentence life, from Sacramento County.

The applicant served seven years, three months and twenty-nine days in prison, being released on parole on October 31, 1922 Your attention is respectfully invited to the following letters on file with the application.

1. Letter from Hugh B. Bradford, dated February 29, 1932, City Attorney, city of Sacramento (At the time of the trial Mr. Bradford was district attorney in and for the county of Sacramento.)

2. Letter from Ed H. Whyte, State Parole Officer, under date of February 4, 1932.

3. Letter under date of February 18, 1932, from Elenore Meherin.

4. Letter from Malcolm C. Glenn, Judge of the Superior Court in and for the county of Sacramento, under date of March 3, 1932. On this day I personally interviewed the Honorable Malcolm C Glenn, Judge of the Superior Court, in and for the county of Sacramento, at which time he advised as follows:

'My personal views are against the granting of pardons where a crime of such a serious nature as murder is concerned, except where there may be said to have been some extenuating circumstances surrounding the commission of the crime In the case under consideration there were none such. It is possible that there may be circumstances based upon the subsequent conduct of the party convicted with murder which might seem to justify executive clemency by pardon, and I do not desire to be understood as intimating to the contrary; however, these matters I deem entirely within the province of the Governor to determine.'

In view of the foregoing, I respectfully recommend that executive clemency be granted to the applicant.

Yours very sincerely,

(Signed) DANIEL J O'BRIEN, Director of Penology."

In view of the above recommendations and the fact that I believe Catherine Wixson has rehabilitated herself in the community in which she resides, I believe that she should be restored to citizenship in order that she will not be further handicapped in her pursuit of happiness in the future.

Now, therefore, I, James Rolph, Jr, Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Catherine Wixson of the crime of murder in order that she may be restored to citizenship

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this third day of March, A.D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

PARDON

There has been presented to me an application for pardon on behalf of one William J. Bost, who was convicted of the crime of manslaughter on October 18, 1929, in Los Angeles County. He was duly received at San Quentin Penitentiary and given No. 47744. He was released from San Quentin Penitentiary after serving two years and two months. The act that resulted in the applicant's conviction arose while he was pursuing his duties as a police officer in the city of Los Angeles, where he served for a period of seven and one-half years.

On July 4, 1929, William J. Bost was called to arrest a group of Mexicans, who were reported to be involved in a fist fight in the neighborhood of First and Utah streets After considerable difficulty, the applicant, William J. Bost, and his fellow officer, arrested five of the suspects, all of whom had more or less of a police record. When Officer Bost was about to depart for the police station a woman reported that a man was lying injured in a nearby yard. Officer Bost discovered the injured man and immediately sent for an ambulance. It was later discovered that the injured man was Christopher Silvas Sierra, who later died, and Officer Bost was accused of having shot the deceased.

During the time that the deceased was in the hospital he was visited by Mrs Marie Buenavente, his aunt, with whom he was living At the time of her visit a conversation ensued which was not introduced at the time of the trial of the applicant, but which appears in the testimony taken at the Coroner's Inquest, which reads as follows:

"Q. Did the deceased make any statement in your presence regarding the circumstances of the shooting?

A. I asked him two or three times who had hit him, and he told me only Chaparro and a yellow truck.

Q. Did he say whether or not Chapparo had shot him?

A. I asked him who had struck him and he said, 'Chaparro, one of a yellow truck'."

A copy of the testimony taken at the Coroner's Inquest also discloses that one Jesus Lisama was one of the boys with the deceased at the time he received the gun wound and gave the following testimony at the Coroner's Inquest.

"Q. Tell us all you know about the circumstances of this shooting.

A All I know is that the fight started over a bottle of liquor.

Q. Who was present at that time?

A. Chaparro and Lorenzo and Cristo, the deceased."

Page 7, line 32, as follows.

"Q. Were these officers near the place where the two shots were fired?

A. I did not notice.'

Roberto Ocana, on page 9, says that they were all drinking, had a gun, shot the lock off the door, etc.

Lorenzo Garcia, on page 21, line 11, testified as follows:

"Q. Did you see the cop shoot at him?

A. The other officer was on the corner and the car was parked in front of us, and I could not see whether the cop shot at him.

Q. Did you tell the officers that Chaparro had shot Silvas?

A. Yes, sir."

Lines 24 to 29.

"Q. Did you tell them that you saw Chaparro shoot him?

A. Yes, sir.

Q. Did you tell them where it happened?

A. Yes, sir.

Q. Where did you tell them that it happened?

A. Kearney and Utah."

An examination of the transcript of the testimony introduced at the time of the trial of the applicant in the Superior Court of Los Angeles County discloses that the applicant was convicted chiefly upon the testimony of one Tony Thymiakos. Since the release of William J. Bost from the penitentiary Tony Thymiakos has repudiated his testimony given at the trial, and has made a statement which I am quoting herewith:

"Statement made by Tony Thymiakos in the presence of Captain J. A. McCaleb; Detective Captain C. M. Knowles; Detective Lieutenant E. E. Norgaard; Detective F. B. Tully; Jeanette Newman, stenographer, at the Hollenbeck Detective Bureau, February 24, 1932, 5 p.m. Questioned by Captain McCaleb.

'Q. State your name in full.
A. Tony Thymiakos.
Q. Where do you live?
A. 228½ North Utah Street.
Q. How old are you?
A. Eighteen years.
Q. When were you eighteen?
A. June 25, 1931
Q. Were you at the corner of Los Vegas and Utah streets on the night of July 4, 1929, when officers of the Hollenbeck Heights Station answered a call there?
A. Yes, I was.
Q. About what time in the evening was that?
A. About 11 or 12 o'clock, I don't quite remember what time it was
Q. Around 11 o'clock, was it not?
A. I am not quite sure.
Q. You were there before the officers arrived, were you not?
A. I got there just about the time that they arrived.
Q. What occasioned your presence there?
A. I went there to look for my brother, Jimmie.
Q. Was your brother present?
A. No, sir.
Q. Who was with you?
A. I was alone
Q. What caused you to stop there?
A. Officer Bost called me back as soon as I crossed Los Vegas Street.
Q That is just when you appeared on the scene, then the officers arrived before you did, did they not?
A. Yes, just a minute before I arrived
Q. Did you know Officer Bost before you met him on this occasion?
A. No, sir.
Q. You were placed under arrest by Officer Bost, were you not?
A Yes, sir.
Q. Did you testify in the case of the *People* vs. *Wm. J. Bost*, who at that time was charged with shooting a boy by the name of Cristobal Silva Sierra?
A. Yes, sir.
Q. Do you remember the date that you made the testimony in the superior court?
A. No, I do not.
Q. Do you remember testifying at that time that you saw Officer Bost shoot Sierra while you were looking through the rear window of the automobile?
A. No, sir.
Q. Is it a fact that you testified in court that you did see Officer Bost shoot the above boy?
A. If I did so testify, it was because I either misunderstood the question asked, or that my answer was misinterpreted.
Q Did you, or did you not, see Officer Bost shoot Sierra?
A. I did not.
Q. The above statements were made freely and voluntarily on your part, without any promise of reward or immunity, in this case, or any case pending were they not?
A. Yes, sir.
Q. After this statement has been written, will you be willing to sign it?
A. Yes, sir.

(Signed) Tony Thymiakos."

Witnesses:

(Signed) C. M. Knowles
J. A. McCaleb
E. E. Norgaard
F. B. Tully
Melwyn E. Farnsworth
Jeanette Newman.

During the time the deceased, Christopher Sierra, was in the General Hospital, he was attended by several nurses and doctors, namely: E. C. Vanaken, Dr I J. Lopizich, Lester G. Schuler, Grace M. Burge, Helen Briggs Jones, all of whom have made affidavits which state that Christopher Sierra at all times stated that he had not been shot by a policeman.

I have received a letter of recommendation from Buron Fitts, District Attorney of Los Angeles, which I am quoting herewith:

"Los Angeles, California, February 26, 1932.

The Honorable James Rolph, Jr.,
Governor of the State of California,
Sacramento, California.

My dear Governor:

Chief Deputy Robert P. Stewart and Deputy District Attorney John Barnes, of this office, have carefully considered the record in the case of William J. Bost, on whose behalf an application for pardon has been filed with you.

I have reviewed the case with these deputies, and while I feel this office has performed its full duty as required by law, I also feel that the penalty paid by Mr. Bost is in excess of that intended by the court

In view of all the circumstances in the case, I believe that the ends of justice would be subserved by the grant of a pardon to the applicant, William J. Bost, and, therefore, recommend the same.

Sincerely,

(Signed) BURON FITTS, District Attorney."

Benjamin J. Scheinman, who is now a judge of the Municipal Court of Los Angeles, and John Barnes, Deputy District Attorney, were the prosecuting attorneys in the case of *People* vs. *Wm. J. Bost*. They have both recommended that a pardon be given to Mr. Bost, in a letter dated February 26, 1932, which reads as follows:

"Los Angeles, California, February 26, 1932.

Honorable James Rolph, Jr.
Governor of the State of California,
Sacramento, California.

Dear Governor Rolph:

When I was in the district attorney's office I prosecuted one William Bost, a police officer of the city of Los Angeles, who had been charged with murder.

He was convicted of manslaughter and sentenced to San Quentin. Thereafter his sentence was commuted by yourself. I understood he is now seeking a pardon.

Because of many peculiar facts in the case; because if he actually did the shooting, it was while in the course of duty and under a mistake of judgment, I think a pardon would be the proper disposition of his case.

I feel that I can conscientiously recommend such action on your part.

Yours most respectfully,

(Signed) BENJAMIN J. SCHEINMAN.

I concur in the above.

(Signed) JOHN BARNES, Deputy District Attorney."

I have also received a letter of recommendation from Dailey S. Stafford, Judge of the Superior Court of Los Angeles County, which I am quoting herewith:

"Los Angeles, California, February 25, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

My dear Governor:

My attention has just been directed to the application of William J. Bost for an executive pardon

Never since I have been a judge have I ever asked for a pardon for anyone who had been convicted of a felony by a jury. But in the case of William J. Bost, I feel that my duty as a citizen requires me to join with the others of this community in asking that you give very serious consideration to his application.

I have known, personally, William J. Bost for nearly twenty years. I know his wife and family, father and mother, brothers and sisters. I have had an opportunity to see him at his work and at his play. I have carefully examined the facts surrounding the case in which he was convicted, both from the standpoint of the defense and from the standpoint of the prosecution I was prepared at the trial to take the witness stand, with full knowledge of the facts, and give under oath my opinion that he was of good moral character and bore in this community an excellent reputation for truth, honesty and integrity. I sat in the courtroom for quite awhile waiting to be called as a witness, and then asked to be excused to go back to my own courtroom to take care of my

own official business, and the attorneys neglected to call me to the stand. Of course, I can not conjecture what effect my testimony would have had on the jury, but I am still of the opinion that he is a good citizen and is honorable and truthful.

He is very fortunate also, in having such a humanitarian as yourself to pass upon his application. My only request is that you give very careful consideration to his plea, because I believe him to be worthy of it.

With highest personal regards, I remain,

Yours respectfully,

(Signed) DAILEY S. STAFFORD."

Each one of the jurors have been consulted since the release of William J. Bost from the penitentiary, and have examined additional evidence which was not introduced at the time of the trial. They have unanimously recommended a pardon, which recommendation reads as follows:

"Los Angeles, California, February 15, 1932.

Honorable James Rolph, Jr.,
Governor of the State of California,
Sacramento, California.

In Re: Application of William J. Bost for executive clemency.

Honorable Sir:

The undersigned were the jurors who rendered the verdict against the above named defendant on the trial of the *People* vs. *William J. Bost*, and we joined in the verdict in that case. In the interests of what we deem to be justice, and without any other motive, at the request of the wife of the defendant above mentioned, we beg leave to submit to your Honor the following.

We have been shown a copy of an affidavit purporting to have been made by Harry Paul, who was a witness for the defendant in the above mentioned trial; we have been shown a copy of the affidavits purported to have been made by the following: E. C. Vanaken, Dr. I. J. Lopizich, Lester G. Schuler, Grace M. Burge, Helen Briggs Jones, Harry Paul, C. H. Simpkins, C. M. Wisdom, Loren Miles, R. L. Stevenson and W. N. Parker; there has been exhibited to us transcript of testimony given before the coroner, Frank A. Nance, in the above entitled case, and after careful consideration, we say without hesitation and with all confidence that if we had before us what purports to be the facts as set forth in these affidavits and this exhibit, we would not have rendered a verdict against the defendant, and from the said affidavit and the exhibit hereinbefore referred to, we believe great injustice has been done the defendant and that justice demands that he should speedily receive a pardon at your hands.

Sincerely yours,

(Signed) Sallie O. Scott
J. R. Stead (Foreman)
Mrs. Minnie D. Chase
Teman C. Erickson
Arthur Bennett
Eddie S. Hull
Julia M Higgins
Jennie G. Elliott
Zello I. Cates
May Tyrrell
Mrs. E. Lamon
Flora Naney."

I have submitted this application, together with the evidence supporting the same, to Daniel J. O'Brien, and after a careful and thorough investigation of this case by him, he has written me a recommendation under date of March 3, 1932, that a pardon be granted to William J. Bost.

In view of the above recommendations, and the fact that there seems to be considerable doubt as to the guilt of William J. Bost, I believe that he should be pardoned.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon William J. Bost of the crime of manslaughter in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this third day of March, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

Victor Farolan, San Quentin No 49284, has been sentenced to be hanged at San Quentin Penitentiary on Friday, March 25, 1932, as a result of his conviction of first degree murder in the county of Santa Clara. This day falls on Good Friday, the holiest day of the Christian year. The trial judge setting the date of execution, did not realize this when he set Friday, March 25, 1932 as the date of execution.

I, therefore, am hereby granting a reprieve to Victor Farolan from said date of Friday, March 25, 1932, to Friday, May 6, 1932

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this seventh day of March, A. D. 1932.

[SEAL] JAMES ROLPH, JR, Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H CORY, Deputy.

REPRIEVE

There has been presented to me an application for a commutation of sentence on behalf of Tresco Lecang, No. 49286, who has been sentenced to be hanged at San Quentin Penitentiary as a result of his conviction of first degree murder in Fresno County.

In view of the fact that this application was placed before me this past week, I feel that some additional time should be allowed in order that I might give the record of the case thorough and thoughtful consideration.

Therefore, I hereby grant to Tresco Lecang a reprieve from Friday, March 11, 1932, to Friday, April 15, 1932.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this seventh day of March, A. D. 1932.

[SEAL] JAMES ROLPH, JR, Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

COMMUTATION OF SENTENCE

There has been presented to me an application for a commutation of sentence on behalf of Frank T. Keller, who was convicted of the crime of forgery in Santa Cruz County on January 6, 1928 He was duly received at Folsom Penitentiary on January 12, 1928, and given No. 15055.

In view of the fact that Frank T Keller has twice been convicted of a felony, his application for a commutation of sentence was filed directly with the Supreme Court of the State of California. The Justices of the Supreme Court carefully and thoughtfully considered the application and the evidence introduced in connection therewith, and a majority of the justices have recommended that I exercise executive clemency, which recommendation was set forth in a letter to me from Honorable William H. Waste, Chief Justice of the Supreme Court, which I am quoting herewith:

"San Francisco, California, October 19, 1932

Honorable James Rolph, Jr,
Governor of California,
Sacramento, California.

Dear Governor Rolph:

Frank T. Keller, twice convicted of a felony and now an inmate of Folsom State Prison, No. 15055, having presented to you a petition for executive clemency, and four members of the Supreme Court to wit: Justices Seawell, Richards, Langdon, and Shenk, having authorized a recommendation for clemency, the way is now open for you to act as you desire in such matter.

Very truly yours,

(Signed) WILLIAM H WASTE, Chief Justice."

In addition to the above I find that seven of the jurors, namely, John I. Geyer, Virgil T. Macy, David S. Burkett, Joseph W. Williams, Vincent Huebel, Thos. J. Ready and Edward D. Lundstedt, who were members of the jury that rendered a verdict of guilty in the case of Frank T. Keller, have recommended executive clemency.

In view of the above recommendations and the fact that Frank T. Keller has been incarcerated in Folsom Penitentiary for a period of four years and two months for a crime which bears considerable doubt as to whether or not he committed the same, I believe that his sentence should be commuted to time served.

Now, therefore, I, James Rolph, Jr, Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence of Frank T. Keller to time served.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifteenth day of March, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that an application for a pardon was filed in this office on September 17, 1923, on behalf of one Joseph M. Perry, who was convicted of the crime of murder in Plumas County on June 10, 1916. He was duly received at San Quentin Penitentiary on June 11, 1916, and given No. 29710. After serving a period of nine years and nine months, he was released on parole on March 9, 1926. Since this time he has reported at regular intervals to Ed H. Whyte, State Parole Officer, who has written a letter of recommendation to me which reads as follows

"San Francisco, California, November 2, 1931

Honorable James Rolph, Jr., Governor,
State of California,
Sacramento, California.

Sir:

With reference to the request of Joseph Perry, San Quentin No. 29710, received June 11, 1916, from Plumas County, for crime of murder, second degree, sentenced to term of life imprisonment, released on parole March 9, 1926.

During the period of his parole, he has been industrious, law-abiding, and kept each and every rule and condition of his parole. He has spent the entire five years since his release in and around Mariposa, California and is perfectly content to be away in the mountainous country near Yosemite

This offense was his first, and he always had a good reputation for being a peaceful and law-abiding citizen until he would commence drinking; this would start him off as a bad man. Perhaps the fact that he is an Indian may be the cause of this. However, since his release on parole, I have never received report of his indulging in the use of intoxicants

I have no fear in recommending him to any favorable consideration that could be extended and believe him to be worthy of a commutation at least.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted the application, together with the evidence accompanying the same, to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor of California, Hon. U. S. Webb, Attorney General, Hon. Daniel J. O'Brien, Director of Penology, Hon. Court Smith, Warden of Folsom Prison, and Hon. James B. Holohan, Warden of San Quentin Prison. They have carefully and thoroughly considered the evidence submitted with the application and have written me a letter of recommendation which I am quoting herewith:

"Sacramento, California, February 15, 1932.

Honorable James Rolph, Jr.,
Governor of the State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Joseph M. Perry, San Quentin No. 29710, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, February 8, 1932

The board recommends that this application for pardon be granted, believing that the applicant is worthy of favorable consideration in view of the fact that he served his time in prison, and that for the past six years while on parole his conduct has been good; also that there appears to be on file favorable letters of recommendation from various officials, endorsing executive clemency.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

I have also received a letter of recommendation from J. O. Moncur, Judge of the Superior Court of Plumas County, who presided at the trial at the time the applicant was convicted, which reads as follows.

"Quincy, California, November 10, 1931

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Sir:

A communication from your Executive Secretary, F A. Cochran, relative to an application for executive clemency in the way of a pardon, made by Joseph Perry, who was convicted of the crime of second degree murder in the superior court of this county, and sentenced for said offense on the tenth day of June, 1916, is before me.

Sometime ago, as I recall, I made an endorsement of Perry's application for pardon, and at that time recommended that he be extended this executive clemency. Since that time I not only have not changed my mind, but still feel that his is a case wherein justice will be done by granting him a pardon—unless he has been guilty of such misconduct within the last year or so which would necessarily preclude him from receiving favorable consideration of his application.

I have not heard anything about him for perhaps a year or eighteen months, and I do not know where he is located, but up to that time when I last heard of him he had been doing very well; and the last time I heard from him it was through people in whom I had every confidence and whose statement regarding his conduct was so entirely favorable that I was then satisfied that he was ready to have extended to him executive clemency.

I take it that no statement from me regarding the circumstances of his offense is required, and for that reason am not attempting to detail it. With the understanding as hereinbefore set forth, I can cheerfully recommend a pardon for him at this time.

Very truly yours,

(Signed) J. O MONCUR, Judge of the Superior Court"

In view of the above recommendations I feel that the applicant has rehabilitated himself in the community in which he resides and has been leading the life of a law-abiding and conscientious citizen, and is therefore entitled to be restored to citizenship in order that he may not be further handicapped.

Now, therefore, I, James Rolph, Jr, Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Joseph M Perry of the crime of murder, second degree, of which he was convicted as above stated, in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifteenth day of March, A. D. 1932

[SEAL] JAMES ROLPH, JR, Governor

Attest: FRANK C. JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that there was filed in this office on October 10, 1930, an application for a pardon, on behalf of one Tom Woo, who was convicted of the crime of murder in Colusa County on July 17, 1918. He was duly received at San Quentin Penitentiary on July 20, 1918, and given No 31927. After serving nine years in San Quentin, he was released on parole July 21, 1927 Since his release on parole he has reported at regular intervals to Ed H. Whyte, State Parole Officer, who has had an opportunity of observing his habits and conduct since his release. As a result of this information obtained, he has written me a letter of recommendation which reads as follows

"San Francisco, California, October 1, 1931.

Honorable James Rolph, Jr., Governor,
State of California,
State Capitol,
Sacramento, California.

Sir:

Responsive to your communication of September 26, with respect to the application for pardon, by Tom Woo, San Quentin Parole No. 31927, received at San Quentin, July 20, 1918, from Colusa County for crime of murder, first degree, sentenced to life imprisonment and released on parole, July 20, 1927.

Tom Woo, I have known for quite a number of years, during his stay in San Quentin and since his parole. He was, while at the institution, head house boy for the Warden, and in general, Major Domo of the Chinese inmate help, at which work he took great pains and personal pride.

Since his release on parole, he has been working at his original place of employment in Marysville, married an American born Chinese girl, a high school graduate of our California schools, and has two fine children. I must say he is doing extremely well, and I sincerely believe he will so continue. He is a bright chap, with a very pleasing personality, and has educated himself in American ways and manners to such a point where he is both gracious and pleasing, which was only acquired after considerable patience and study, as I can very well recall his early attempts that were almost laughable, but pitiful in their sincerity.

Upon his offense I am unable to comment, as these Orientals are quite taciturn in this respect, but from my knowledge and association with Chinese, especially those on parole, I have never known one to ever again become involved in a tong killing.

I have no fears in recommending Tom Woo for any consideration that may wish to be extended.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted this application, together with the evidence accompanying the same, to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor of California, Hon. U. S. Webb, Attorney General, Hon. Daniel J. O'Brien, Director of Penology, Hon. Court Smith, Warden of Folsom Prison, and Hon. James B. Holohan, Warden of San Quentin Prison. After a thorough and serious consideration of the evidence supporting the application, the above mentioned board has written a recommendation to me which I am quoting herewith:

"Sacramento, California, February 15, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Tom Woo, San Quentin No. 31927, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, February 9, 1932.

The board recommends that this application for pardon be granted, in view of the applicant's good conduct while in prison, and also that his record while on parole for the past four and one-half years has been exemplary.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendations and the fact that Tom Woo has married an American born Chinese girl since his release from the penitentiary, and appears to be leading the life of a law-abiding and conscientious citizen, I believe that he should be restored to citizenship in order that he may not be further handicapped in his pursuit of happiness.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Tom Woo of the crime of murder in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifteenth day of March, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for pardon, on behalf of Orville L. Walters, who was convicted of the crime of grand larceny in San Diego County on February 14, 1918. He was duly received at San Quentin Penitentiary on February 19, 1918, and given No. 31370. After serving a period of one year and two months he was released on parole on April 7, 1919, and completed his parole on October 19, 1919. While Mr. Walters was on parole he reported at regular intervals to Ed H. Whyte, State Parole Officer, who has written to me a letter of recommendation which reads as follows:

"San Francisco, California, October 30, 1931.

Honorable James Rolph, Jr., Governor,
State of California,
Sacramento, California.

Sir:

With reference to the application for pardon submitted by Orville L. Walters, formerly San Quentin No. 31370, received February 19, 1918, from San Diego County for crime of grand larceny, sentenced to two years, released on parole April 7, 1919, parole completed October 19, 1919.

During the short period of his parole, he maintained all obligations and complied fully to his rules

This is the case of a boy, a short time out of school, nineteen years of age, who enlisted in the Army at the outbreak of the war in 1917, and was stationed at Camp Kearny. Feeling he was to depart for France almost any day, he borrowed a Ford automobile for the purpose of saying goodbye to his mother in Los Angeles He was arrested and during a period of war time excitement, this offense was considered quite grave and he was consequently sent to prison. Prior to that he had no former criminal record, and I do not believe has been in trouble since.

He was willing, when a mere boy, to do his part for his country, and being young took a long chance and failed. His term of two years in prison adequately repaid society for his offense, and to make him for the balance of his life as a felon and an ex-convict for such a thing, I sincerely believe is too much.

I strongly recommend that he be given favorable pardon consideration, as I feel this case is most worthy and deserving A copy of his narrative and photograph in his army uniform is herein enclosed.

Respectfully submitted.

(Signed) ED H WHYTE, State Parole Officer."

I have submitted the application, together with evidence accompanying the same, to the Advisory Pardon Board consisting of Hon Frank F. Merriam, Lieutenant Governor of California, Hon U S. Webb, Attorney General, Hon Daniel J O'Brien, Director of Penology, Hon. Court Smith, Warden of Folsom Prison, and Hon James B Holohan, Warden of San Quentin Prison After a thorough investigation of the evidence submitted with the application, the above mentioned Board have written me a letter of recommendation which I am quoting herewith:

"Sacramento, California, February 15, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Orville L. Walters, San Quentin No. 31370, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, February 8, 1932

The board recommends that this application for pardon be granted, since it is noted that the applicant served and completed both his sentence while in prison and on parole, and also that his conduct has been good during the past twelve years, this period being after the expiration of parole.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendations, I believe that Orville L Walters is worthy of being restored to citizenship

Now, therefore, I, James Rolph, Jr., Governor of the State of California pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Orville L. Walters of the crime of grand larceny, in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifteenth day of March, A. D. 1932

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C JORDAN, Secretary of State
By CHARLES J. HAGERTY, Deputy.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that there was filed in this office on October 20, 1927, an application for a pardon on behalf of one Calogero Balestieri,

who was convicted of the crime of murder, first degree, in Marin County on June 26, 1913, and given No. 26641. After serving a period of ten years in San Quentin, he was released on parole on June 27, 1923, and since that time has reported at regular intervals to Ed H. Whyte, State Parole Officer. During this time Mr. Whyte has had an opportunity of observing and becoming very well acquainted with the applicant, and as a result has written a letter of recommendation to me which reads as follows:

"San Francisco, California, October 14, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Sir:

Relative to the application for pardon submitted by Calogero Balestieri, San Quentin No 26641, received at San Quentin Prison, June 27, 1913, from Marin County for crime of murder, first degree, sentenced to a term of life imprisonment, released on parole June 27, 1923.

The conduct and record for general industry of this subject have been extremely good and could be considered as an ideal parole subject.

I have heard a number of stories about the offense for which he was committed, and also a version from Balestieri himself, who has always professed his innocence.

The offense was the result of an affray between a group of fishermen and Deputy Fish and Game Wardens, the outgrowth of some illegal fishing with nets in San Francisco Bay, off the Marin shore. Balestieri had been called to one of the boats to act as an interpreter between the fishermen and the officers. A dispute resulted, and the fishermen assaulted the game wardens, causing the death of two parties, a deputy game warden and a fisherman. Balestieri was shot in the hand. He maintains he took no part in the assault, and another party, one of the real offenders, made good his escape and was never apprehended. The District Attorney, Mr. Thomas P. Boyd, who prosecuted him, states he does not believe he was the aggressor, but was implicated in the general row

His prison narrative, herein enclosed, contains many statements and a history of the offense.

I would recommend him for any consideration that could be extended.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted the application, together with evidence accompanying the same, to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor of California, Hon. U S. Webb, Attorney General, Hon. Daniel J O'Brien, Director of Penology, Hon. James B. Holohan, Warden of San Quentin Prison, and Hon Court Smith, Warden of Folsom Prison. After a thorough and serious consideration of the facts surrounding this case, I have received a recommendation from the above mentioned Board, which I am quoting herewith:

"Sacramento, California, February 15, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Calogero Balestieri, San Quentin No. 26641, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, February 8, 1932

The board recommends that this application for pardon be granted, the applicant having been on parole for over eight and one-half years and during such time reports regarding his conduct have been favorable.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

Edgar T. Zook, who was judge of the superior court of Marin County, and who presided at the trial of Calogero Balestieri, has made a careful investigation of the facts surrounding the case, and as a result of this investigation, wrote a letter to former Governor C C. Young, which reads as follows:

"San Francisco, California, January 15, 1929.

Honorable C. C. Young,
Governor of the State of California,
Sacramento, California.

Sir:

I am informed by the office of the District Attorney of Marin County that one Calogero Balestieri is about to apply to you for a pardon on the charge of murder, for which he was convicted before me and sentenced by me to life imprisonment in 1913, when I was judge of the superior court for the county of Marin.

I have clearly in mind the facts as they were brought out upon the trial of Balestieri. While there is no doubt in my mind but that the game warden who was killed, was brutally murdered, I was never quite sure how great a part the defendant in the case took in the affray It clearly appeared from the evidence that the defendant's uncle was the owner of the fishing boat in which the murder took place, and that the defendant was on his first fishing trip at the time The uncle disappeared after the murder and was never found, rumor having it that he went back to Italy

The defendant was a mere lad at the time, and, while I had no alternative but to sentence him to life imprisonment, I always took a great interest in him, and during the rest of the time I was on the bench, I used to look him up whenever I called at San Quentin He accepted his punishment with good grace and apparently bore no ill will against the prosecution or against me. The prison authorities many times told me that he was a model prisoner. I understand that he was a trusty for some years before he was paroled

I recommended his parole some years before it was granted, and I feel that his conduct subsequent to his parole, of which I have no personal knowledge, but, which I am assured has been excellent, warrants his application for a pardon at the present time.

I therefore recommend his application to your favorable consideration

Respectfully yours,

(Signed) EDGAR T. ZOOK."

In view of the above recommendations, and the fact that I feel that Calogero Balestieri has paid his debt to society, it is my opinion that he should be restored to citizenship.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Calogero Balestieri of the crime of murder, first degree, in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifteenth day of March, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that there was filed in this office on June 4, 1930, an application for pardon on behalf of one Charles Roberts, who was convicted of the crime of second degree robbery in Alameda County on April 26, 1927 He was duly received at San Quentin Penitentiary on April 26, 1927, and given No. 43556 After serving a period of one year and six months, he was released on parole October 26, 1928, and received his discharge from parole on November 26, 1930.

During the time Charles Roberts was on parole, he reported at regular intervals to Ed H. Whyte, State Parole Officer, and as a result of the contact with Mr. Roberts, a letter of recommendation has been written to me by Mr. White which reads as follows:

"San Francisco, California, October 1, 1931.

Honorable James Rolph, Jr., Governor,
State of California,
State Capitol,
Sacramento, California.

Sir:

Responsive to your favor of September 22d, with respect to a recommendation on the application for pardon made by Charles Roberts, former San Quentin No. 43556, received from Alameda County, April 26, 1927, for crime of robbery, second degree; sentenced to a term of five years; released on

parole October 26, 1928, completed parole and received discharge therefrom, November 26, 1930

The conduct of Roberts during the entire period of his parole was excellent. He was a steady and most industrious worker, gaining the confidence and respect of his employers for his hard work and application to his duties.

While on parole, he made application for marriage; this was granted. Taking into consideration his age at the time of his incarceration, 21, and the fact that after a parole period of two years, showed no inclination or tendency to again resort to criminal tendencies, I feel that his mistake could be attributed to the impulsiveness of youth. A copy of his prison narrative, giving his crime and personal history is enclosed, which can be returned for our files when its purpose has been completed.

I would have no hesitancy in recommending Roberts to any consideration that may be extended.

Respectfully submitted

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted this application, together with the evidence accompanying the same, to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor of California, Hon. U. S. Webb, Attorney General; Hon Daniel J. O'Brien, Director of Penology; Hon. Court Smith, Warden of Folsom Prison and Hon. James B. Holohan, Warden of San Quentin Prison After this board had made a careful and thorough investigation of the facts and circumstances surrounding this case, they have written a recommendation to me which I am quoting herewith:

"Sacramento, California, February 15, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Charles Roberts, San Quentin No. 43556, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, February 8, 1932.

The board recommends that this application for pardon be granted in view of the record in the case having satisfied the board that the applicant was properly convicted and sentenced, that he has served the period fixed by law, and that his conduct while in prison and on parole and since has been good.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

A letter has also been received addressed to F. A Cochran, Executive Secretary, from Fred V. Wood, Judge of the Superior Court of Alameda County, who was the judge presiding at the trial of Charles Roberts, which reads as follows:

"Oakland, California, September 24, 1931.

F. A. Cochran, Esq.,
Executive Secretary,
Sacramento, California.

Dear Sir:

I am in receipt of your letter relating to the application for pardon of Charles Roberts. I made a recommendation for pardon for Roberts during the administration of Governor Young, and I do not understand why it was not acted upon. I have no copy at hand of the letter I wrote to Governor Young, but I think you will find the same among the files.

Roberts was led into this offense by his older brother, who was an ex-convict. Roberts was under 21 years of age. Roberts pleaded guilty, but his brother went to trial before a jury, and, strange to say, in the face of overwhelming evidence of his guilt, the jury acquitted him.

I always have regretted very much that I sent Roberts to State's Prison, because I had the authority under the law as it existed at that time to give him probation. I have had not such feeling with reference to any other man I have ever sent to State's Prison I am strongly of the opinion that it would be an act of justice to pardon young Roberts. I understand he has led an exemplary life since he has been on parole I might state also that Roberts is the only man I have ever made a recommendation of pardon for, and strongly urge the granting of same.

Sincerely yours,

(Signed) FRED V. WOOD."

In view of the above recommendations and the fact that this man apparently has led a conscientious and law-abiding life since his release from the penitentiary and has rehabilitated himself in the community, I believe that he should be restored to citizenship in order that he will not be handicapped in the future.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Charles Roberts of the crime of second degree robbery in order that he may be restored to citizenship

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifteenth day of March, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for pardon on behalf of William Burk, who was convicted of the crime of murder in San Diego County on July 3, 1908. He was duly received at San Quentin Penitentiary on September 3, 1908, and given No. 23055. Mr Burk was released on parole on September 5, 1922, and since that time has reported at regular intervals to Ed H. Whyte, State Parole Officer During the time that he was on parole Ed H. Whyte had an excellent opportunity to observe his actions and his reputation in the community, and as a result of such observations has written a letter of recommendation to the Secretary of the Advisory Pardon Board which reads as follows:

"San Francisco, California, December 29, 1931.

Mr. Paul Yarwood, Secretary,
Advisory Pardon Board,
Sacramento, California.

Dear Mr. Yarwood:

I am in receipt of your favor of December 23, wherein recommendation is requested in the case of William Burk, San Quentin Parole No. 23055, received at San Quentin Prison September 3, 1908, from San Diego County, for crime of murder, first degree, sentenced to a term of life imprisonment, released on parole September 5, 1922.

During the period of parole of William Burk, I must say that he has been an ideal parole subject, a most steady and conscientious worker, of good habits and demeanor, adhering to each and every rule of his parole, always saving a good portion of his earnings, and never once, during a period of nine years, given the slightest cause for any sort of a reprimand. Our deputies, who from time to time have contacted various parole subjects in San Diego County, where Burk has resided continually since his release, have always given him a good recommendation for industry and general conduct.

Burk has been under the constant supervision and sponsorship, since his release, of Colonel Ed. Fletcher, leading realtor and head of the development of large citrus and avocado associations in San Diego County, who has taken a personal interest in Burk and recommends him for pardon consideration. Colonel Fletcher has been a champion of the parole system for many years, and never fails to lend aid to a needy and worthy subject.

I have no hesitancy in giving William Burk an excellent recommendation, having shown by eight years of continuous good conduct that he is worthy of returning to society again as a citizen

Respectfully submitted.

(Signed) ED H WHYTE, State Parole Officer."

I have submitted the application together with the evidence supporting the same to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor of California; Hon. U. S. Webb, Attorney General; Hon. Daniel J O'Brien, Director of Penology, Hon Court Smith, Warden of Folsom Prison, and Hon James B. Holohan, Warden of San Quentin Prison. After a thorough investigation of the evidence presented in connection with this application, the above mentioned board made a recommendation to me which I am quoting herewith:

"Sacramento, California, February 15, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of William Burk, San Quentin No. 23055, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, February 8, 1932.

The board recommends that this application for pardon be granted in view of the fact that this applicant served his sentence; also that during the period of over nine and one-half years his conduct while on parole has been good, no charges appearing to have been made against him.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

I have also received letters of favorable recommendation from Ed F. Cooper, Sheriff of San Diego County, and Thomas Whelan, District Attorney of San Diego County, which are herewith quoted:

"San Diego, California, May 9, 1931.

To His Excellency, the Governor of the
State of California,
James Rolph, Jr.,
Sacramento, California

Honorable Sir:

It has been brought to my attention that Mr. William Burk, sentenced from San Diego County under a charge of first degree murder, to hang in the year 1908, has made application for a pardon.

I have been familiar with this case since the early part of 1911, at which time his sentence was commuted to life imprisonment. Later, in 1922 he was paroled, after having served 14 years at San Quentin.

Upon his arrival in San Diego he was given his old position with the Russ Lumber and Mill Company, and has been with them continuously since. I have come in contact with him from time to time and am familiar with his conduct in San Diego and at his place of employment, and am pleased to say that it has been exemplary.

Mr Burk, in my opinion, is deserving of a pardon, and I at this time heartily approve of this action, and respectfully urge your Excellency to grant it.

With kind personal regards, I am

Yours sincerely,

(Signed) ED F. COOPER, Sheriff."

"San Diego, California, October 8, 1931.

Mr. F. H. Cochran,
Executive Secretary,
Governor's Office,
Sacramento, California

My dear Mr. Cochran:

I am in receipt of your letter under date of September 23, 1931, addressed to Hon. Buron Fitts and forwarded to this office, relative to the application for a pardon of William Burk, who was convicted of the crime of murder in the Superior Court of San Diego County, July 3, 1908.

This office has investigated Mr. Burk in San Diego, and we find him at the present time industrious and law-abiding, and it is therefore the recommendation of this office that he be granted a pardon. Mr. Burk has been constantly employed since his return to San Diego, at one of the lumber companies here as a millman, and from the time of his parole has never to our knowledge violated any of the laws of this State, and because of his conduct here in San Diego, and his informed conduct while he was in the penitentiary, he is, in our opinion, a fit and proper person for the granting of a pardon.

Very truly yours,

THOMAS WHELAN, District Attorney,
(Signed) By GORDON THOMPSON, Assistant."

In view of the above recommendations it is my opinion that William Burk has rehabilitated himself in the community in which he now resides and is leading the life of a law-abiding and conscientious citizen, and I therefore believe that he should be restored to citizenship.

Now, therefore, I, James Rolph, Jr, Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon William Burk of the crime of murder, in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifteenth day of March, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest FRANK C. JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

REPRIEVE

Upon investigating the case of Tom H. Walker, No. 17757, who is now incarcerated in Folsom Penitentiary, having been convicted of the crime of murder, first degree, and sentenced to hang at Folsom Penitentiary on Friday, March 18, 1932, I have discovered that an appeal was not taken on the judgment of the Superior Court of Kern County, nor has anyone filed an application for a commutation of sentence with the Supreme Court.

In order that Tom H. Walker may have the advantage of all the legal defenses, I have consulted prominent citizens of Sacramento for the purpose of securing services of an attorney who would carefully examine the record and if deemed advisable, file an application for commutation of sentence with the Supreme Court

J. L. Henry, an attorney at law of Sacramento, has volunteered to act as *amicus curiae* for the purpose of thoroughly examining the record and all the facts and circumstances surrounding the case, to determine whether or not Tom H. Walker has had every opportunity to save his life.

In order that J. L Henry may have sufficient time to complete his examination and possibly file an application for executive clemency, I am this day granting to Tom H Walker a reprieve from Friday, March 18, 1932, to Friday, April 22, 1932.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifteenth day of March, A. D. 1932.

[SEAL] JAMES ROLPH, JR, Governor.

Attest: FRANK C. JORDAN, Secretary of State.

COMMUTATION OF SENTENCE

There has been presented to me an application for a commutation of sentence on behalf of one Hattie V Larson, who was convicted of the crime of embezzlement in Los Angeles County on December 23, 1927. She was duly received at San Quentin Penitentiary on August 10, 1928, and given No. 45809. After serving approximately three years and two months, she was released on parole, October 22, 1931, and would be eligible for discharge from parole, providing she continued to maintain good conduct, on February 10, 1935.

During the time that Miss Hattie V. Larson has been on parole, she has reported at regular intervals to Ed H. Whyte, State Parole Officer, and as a result of this contact with the applicant, Mr. Whyte has written me a letter of recommendation which reads as follows:

"San Francisco, California, February 15, 1932.

Honorable James Rolph, Jr., Governor.
State of California,
State Capitol,
Sacramento, California.

SIR:

Relative to the application for commutation of sentence, submitted by Hattie V. Larson, San Quentin No. 45809, received at San Quentin Prison, August 10, 1928, from Los Angeles County, for crime of embezzlement, sentenced to a term of ten years, released on parole, October 22, 1931. Eligible for discharge from parole, with continued good conduct, February 10, 1935.

Since her release several months ago, she has complied fully to the rules and regulations of her parole, and responded quite nicely. She is a woman of considerable breeding, cultivated, and at an age where she could make the most of such a situation as the present one.

I would consider her a good subject for consideration to be commuted, always of the opinion that parole is much more difficult for a woman than a man, irrespective of their offense

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted this application, together with the evidence accompanying the same, to Daniel J O'Brien, Director of the Department of Penology, and after a thorough and careful examination of the record, has written to me a recommendation which I am quoting herewith:

"San Francisco, California, March 15, 1932.

The Honorable James Rolph, Jr.,
Governor of California,
State Capitol,
Sacramento, California.

SIR:

I am returning herewith application for commutation of sentence from San Quentin Prison of Hattie V. Larson, No 45809, now on parole.

Your attention is respectfully invited to the communication under date of February 15, 1932, addressed to Honorable James Rolph, Jr., Governor, signed by Mr. E. H. Whyte, State Parole Officer; also copy of excerpts from letter written by A. C Sellery, M D., Long Beach, under date of July 29, 1930, which letter, I believe, was written to the State Board of Prison Directors, and is contained on the second page of the narrative. Attention is also called to the excerpts from communication written by Walter B Hill, Long Beach, under date of July 19, 1929, which I believe, was addressed to the State Board of Prison Directors.

In addition to the above, I have personally interviewed the applicant, Hattie V Larson, on March 4, 1932, with Dr. Cameron of Torrance, California. From conversation during the interview and from the appearance of the applicant, I believe that she is in a bad physical condition, needs medical attention and possibly hospitalization.

Therefore, and in view of the statements made by Drs. A. C Sellery and Walter B. Hill, I respectfully recommend that the sentence of Hattie V. Larson be commuted to time served.

Respectfully submitted.

(Signed) DANIEL J. O'BRIEN, Director of Penology"

In view of the above recommendations and the fact that Miss Hattie V. Larson is in poor physical condition, and the fact that she contemplates on traveling to the eastern part of the United States to procure medical attention, I feel that her sentence should be commuted to time served, in order that she will not be handicapped with parole conditions while attempting to regain her health.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence of Hattie V. Larson to time already served

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-second day of March, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

RESTORATION OF CITIZENSHIP

There has been filed with me an application for a pardon on behalf of one Henry Quan Chuck, who was convicted of the crime of murder in San Francisco County on September 3, 1913 He was duly received at San Quentin Penitentiary on July 24, 1914, and given No. 27733. After serving a period of ten years in San Quentin, he was released on parole July 24, 1924.

During the past several years Henry Quan Chuck has reported at regular intervals to Ed H. Whyte, the State Parole Officer. During this time Mr. Whyte has had an excellent opportunity to observe the applicant's conduct and his general attitude toward life. As a result of this observation, Mr. Whyte has written a letter of recommendation to F. A. Cochran, Executive Secretary, which reads as follows:

"San Francisco, California, August 17, 1931.

Mr. F A. Cochran,
Executive Secretary,
Governor s Office,
Sacramento, California.

Dear Mr. Cochran:

I am in receipt of your favor of August 11, wherein you advise that Henry Quan Chuck, San Quentin No. 27733, received at San Quentin Prison from San Francisco County, for crime of murder, first degree, sentenced to life imprisonment and released on parole, July 24, 1924, is applying to Governor Rolph for a pardon.

He has been, since his release on parole, a model parole subject, adhering to the letter to his parole rules, has been in a small business in Fresno and never on any occasion given trouble of any sort.

On every occasion that I have spoken to him, he always maintains his innocence of this charge, and a prominent member of the San Francisco Police Department, Captain Peter McGee, who was a member of the Chinatown Squad, believed that Henry Quan Chuck was made the victim of a plot by Chinese who wished to have him put away. A copy of his prison narrative is enclosed, which can be returned for our files.

Former Warden Frank Smith of San Quentin, who recently passed away in Sacramento, always spoke well of Henry and felt he should be given pardon consideration.

In view of his parole conduct and my knowledge of his acts since his release in 1924, and knowing he desires to make a trip to China and remain there for quite a while, I have no hesitancy in giving him a favorable recommendation for any consideration that can be extended.

Very truly yours,

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted the application, together with the evidence accompanying the same, to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor of California; Hon. U. S Webb, Attorney General; Hon. Daniel J. O'Brien, Director of Penology; Hon. Court Smith, Warden of Folsom Prison, and Hon. James B. Holohan, Warden of San Quentin Prison. After a careful and thorough examination of the application and evidence, the above mentioned board has made a recommendation to me which I am quoting herewith:

"Sacramento, California, February 15, 1932.

Honorable James Rolph, Jr,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Henry Quan Chuck, San Quentin No. 27733, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, February 8, 1932.

The board recommends that this application for pardon be granted in view of the fact that this applicant served his sentence prescribed by law, and that during the period of seven years while he has been on parole, his conduct has been proper, which is substantiated by favorable recommendations from various officials.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

Many public officials such as Hon. Matthew Brady, District Attorney of the city and county of San Francisco; Hon. Z. S. Leymel, Mayor of Fresno, and Hon J. L. Broad, Chief of Police of Fresno, have recommended the applicant very highly and requested that a pardon be granted to Henry Quan Chuck.

In view of the above recommendations, I feel that Henry Quan Chuck should be restored to citizenship in order that he will not be further handicapped in the future by parole regulations.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Henry Quan Chuck of the crime of murder in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-fourth day of March, A. D., 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that an application for executive clemency was filed on May 29, 1928, on behalf of Ruby E. Bartol, who was convicted of aiding and abetting in the crime of rape in the county of Del Norte, on December 8, 1913. She was duly received at San Quentin Penitentiary on December 18, 1913, and given No. 27024. After serving a period of two years and two months, Ruby E. Bartol was released on parole on March 9, 1916. During the past fifteen years that the applicant has been on parole, she has reported at regular intervals to Ed H. Whyte, State Parole Officer, and as a result of his observation of Ruby E. Bartol, Mr. Whyte has written me a letter of recommendation which reads as follows:

"San Francisco, California, October 29, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Sir:

With reference to the application for pardon, submitted by Ruby E. Bartol, San Quentin No. 27024, received December 18, 1913, from Del Norte County, for the crime of rape (aiding and abetting), sentenced to a term of forty years; released on parole March 9, 1916.

She has, since her release on parole, manifested a real sincere desire to make amends and has been an ideal parole subject, having worked steadily doing housework, and not once has she ever returned to her former mode of living.

I feel she is entitled to consideration, and after eighteen years of penance, both in prison and on parole, has passed an age where she would be ever inclined to shortcomings. I think she has paid her debt in full and was the mother of seven children, which I think should be considered, and it is for them she is anxious to be cleared of all stigma.

I have no hesitancy in recommending this woman, who may have made a mistake, but there seems to have been many circumstances surrounding her early life which was rife with hardships, and could have accounted for the events leading to her incarceration. However, in the fifteen years she has been on parole, I think she has done considerable good and expiated this early mistake, her only one, and therefore am inclined to be charitable in her case.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted the application, together with the evidence accompanying the same to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor, Hon. U. S. Webb, Attorney General, Hon. Daniel J. O'Brien, Director of Penology, Hon. Court Smith, Warden of Folsom Prison, and Hon. James B. Holonan, Warden of San Quentin Prison. After a thorough and careful examination of the application and evidence, the above mentioned Board has written a letter of recommendation to me which I am quoting herewith:

"Sacramento, California, February 15, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Ruby E. Bartol, San Quentin No. 27024, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, February 8, 1932.

The board recommends that this application for pardon be granted, since this applicant has been on parole for approximately sixteen years and during such time her conduct has been that of industrious and proper, also that various officials, both county and State, endorse the granting of such executive clemency.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board"

In view of the above recommendations and the fact that Ruby E. Bartol appears to have been leading the life of a law-abiding, conscientious and industrious citizen since her release on parole, I believe that she should be restored to citizenship in order that she may not be further handicapped by parole obligations.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State,

do hereby pardon Ruby E. Bartol of the crime of aiding and abetting in the crime of rape, in order that she may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fourth day of April, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest. FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

COMMUTATION OF SENTENCE

There was presented to me on November 21, 1931, an application for a commutation of sentence on behalf of Horace Bennett, who was convicted of the crime of murder in the Superior Court of Monterey County, and sentenced for said offense on January 12, 1909. He was duly received at San Quentin Prison on January 12, 1909, and given No. 23300. After serving approximately nine years and four months, Horace Bennett was released on parole May 18, 1918. During the period of over thirteen years on parole, he has reported at regular intervals to Ed H. Whyte, State Parole Officer, and as a result of the observation of the applicant, Mr. Whyte has written a letter of recommendation to me which reads as follows:

"San Francisco, California, December 10, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
State Capitol,
Sacramento, California.

Sir:

Relative to the application for commutation of sentence submitted by Horace Bennett, received at San Quentin Prison, January 2, 1909, from Monterey County, for crime of murder, first degree, sentenced to life imprisonment, released on parole May 18, 1918

During the period of over thirteen years this subject has been on parole, he has been a steady and conscientious worker, reported with regularity, adhered to the rules and regulations of his parole to the letter, showing the confidence imposed in him was not at all misplaced.

The authorities and officials who were instrumental in convicting Bennett have expressed themselves as feeling the verdict was a somewhat severe one as the offense committed was to a great extent provoked by the victim. Justice Henshaw and five Justices of the Supreme Court in December, 1911, announced themselves as surprised that he was convicted of anything more than manslaughter.

I am very pleased to recommend Bennett for any consideration that could be extended, and by a record of continuous good conduct and industry, together with the extenuating circumstances surrounding his conviction, feel he is entitled to commutation.

Very truly yours,

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted this application, together with the evidence accompanying the same, to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor, Hon. U. S. Webb, Attorney General, Hon. Daniel J. O'Brien, Director of Penology, Hon. Court Smith, Warden of Folsom Prison, and Hon. James B. Holohan, Warden of San Quentin Prison. After a thorough and careful examination of the application and evidence therewith, the above mentioned board have written me a letter of recommendation which I am quoting herewith:

"Sacramento, California, March 7, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Horace Bennett, San Quentin No 23300, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, March 1, 1932.

The board recommends that this application for commutation of sentence be granted, the board being satisfied that applicant was properly convicted and sentenced, that he served the period fixed by law, and that his conduct while in prison and on parole for the past thirteen years and nine months, has been good.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

I have also received a letter from Albert E Warth, who was the District Attorney that prosecuted Horace Bennett at the time he was convicted of murder, which letter highly recommends that executive clemency be granted to the applicant I am herewith quoting this letter:

"Salinas, California, December 5, 1931.

Your Excellency, James Rolph, Jr,
Governor of the State of California,
c/o Mr. F. A. Cochran,
Sacramento, California.

My dear Governor:

In reply to your letter of the second instant with reference to Horace Bennett, who was convicted of the crime of murder, in the Superior Court of the State of California, in and for the county of Monterey, and sentenced for said offense January 12, 1909, and who has made application to you for commutation of sentence, I will say, that in my opinion, it would be a just and humane act upon your part to grant Horace Bennett's application for commutation of sentence, and I would and do hereby most earnestly recommend that such application be granted. I do so because I have always believed that said Horace Bennett was punished much more severely than he should have been considering all of the circumstances surrounding the commission of the offense charged against him, and I am satisfied that my opinion in this respect is shared almost unanimously by all persons who have knowledge of the case of the *People* vs. *Horace Bennett*.

It is my opinion and has always been my opinion that the evidence produced at his trial did not warrant a verdict finding him guilty of any offense more serious than manslaughter. Both men were cowboys, and both, as is usual among cowboys, made a practice of carrying pistols. The shooting occurred in a saloon in a small town in the southern part of the county, at a time when both men were drinking and the shooting was a direct result of a sudden quarrel, and while Horace Bennett was in the heat of passion.

It is my information that said Bennett served nine years and five months in San Quentin, that he was paroled on the eighteenth day of May, 1918, and has been on parole for the last thirteen years and five months, making a total period of twenty-two years and ten months, during which time he was and is prevented from becoming married, and under the parole system can not go into any kind of business. Here, therefore, is a man who has for thirteen years and five months, while on parole, lived up to and abided by the strict terms of his parole, and I would say that if there is any humanity in the law this man has established and earned the right to another chance in life. To say that he is not entitled to another chance under the circumstances would be to admit that the law is revengeful and vindictive

I was formerly District Attorney of Monterey County, my term expiring the first Monday of January of this year. I was not a candidate for reelection The present district attorney is Russell Scott, and I have called your letter to his attention

In conclusion I would again urge your Excellency to grant said application, thereby doing an act which would be merciful, humane and just. Such a course, I assure you, would meet with the general approval of all persons who know of this particular case.

Thanking you, I am

Yours most sincerely,

(Signed) A. E. WARTH, Former District Attorney of Monterey County."

In view of the above recommendations, and the fact that Horace Bennett has led the life of a law-abiding and conscientious citizen over a period of thirteen years, and appears to have completely rehabilitated himself in the community, I feel that he should be released from his parole obligations and his sentence commuted from life to time served.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence of Horace Bennett to time served.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fourth day of April, A D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that there was filed in this office on June 25, 1929, an application for executive clemency on behalf of one Fred Rebolledo, who was convicted of the crime of murder, in the Superior Court of Los Angeles County in January, 1908. He was received at San Quentin Penitentiary on February 8, 1908, and given No. 22662. After serving approximately seven years and a half in San Quentin Prison, Fred Rebolledo was released on parole August 23, 1915.

Since the applicant's release on parole, a period of almost sixteen years, he has reported at regular intervals to Ed H. Whyte, the State Parole Officer, who has written a letter of recommendation to my office which reads as follows:

"San Francisco, California, June 25, 1931.

Mr. F. A. Cochran,
Executive Secretary,
Governor's Office,
Sacramento, California.

Dear Mr. Cochran:

With reference to the application for executive clemency of Fred Rebolledo, San Quentin No. 22662, received February 8, 1908, from Los Angeles County for crime of murder, first degree, sentenced to life imprisonment; released on parole August 23, 1915.

Since Rebolledo has been on parole, a period now extending to almost sixteen years, he has been honest, conscientious and most sincere in all his efforts. His reports were always submitted on time and never once during this term of years had it ever been necessary to call his attention to any infraction of his parole rules, even in a most minor way.

I have had many talks with him and a more sincere little fellow would be hard to find. His parole has been a religion, and now after these years, he is desirous of being free

I would not stand in the way of any consideration that could be extended to him, as his record while on parole has been a credit to the system, and he has more than proved worthy in the faith and confidence imposed when given his release on parole I shall heartily concur with any action our worthy Governor may desire to take.

Very truly yours,

(Signed) ED H. WHYTE, State Parole Officer"

The entire file in this case has been submitted to the Advisory Pardon Board, consisting of Hon. F. F. Merriam, Lieutenant Governor, Hon. U. S. Webb, Attorney General, Hon. Daniel J. O'Brien, Director of Penology, Hon. Court Smith, Warden of Folsom Prison, and Hon. James B. Holohan, Warden of San Quentin Prison After a careful and thorough consideration of the application and evidence accompanying the same, the Advisory Pardon Board have made a recommendation to me which I am quoting herewith:

"Sacramento, California, March 7, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Fred Rebolledo, San Quentin No. 22662, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, March 1, 1932.

The board recommends that this application for pardon be granted, this applicant having served his sentence and during the period of parole (over sixteen and one-half years) his conduct has been good.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendations, and in consideration of the fact that while on parole Fred Rebolledo has demonstrated that he intends to live a peaceful, industrious and law-abiding life, I believe that he is entitled to such recognition and help from the State as may be given him by the restoration of his citizenship.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Fred Rebolledo of the crime of murder, in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fourth day of April, A.D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

There has been filed with me an application for a pardon on behalf of one William Robert Campbell, who was convicted of the crime of murder in Sierra County on July 13, 1906. He was duly received at San Quentin Penitentiary on July 16, 1906, and given No. 21747. After serving a period of ten years in San Quentin Prison, he was released on parole. During the fifteen years William Robert Campbell has been on parole, he has reported at regular intervals to Ed H Whyte, the State Parole Officer, and as a result of the contact Mr. Whyte has had with the applicant, he has written me a letter of recommendation which reads as follows:

"San Francisco, California, October 31, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
State Capitol,
Sacramento, California.
Attention: Mr. F. A. Cochran, Executive Secretary.

Sir:

Relative to the application for pardon submitted by William Robert Campbell, San Quentin No. 21747, received at San Quentin Prison, July 13, 1906, for crime of murder, first degree, sentenced to a term of life imprisonment, released on parole, July 16, 1916.

His parole record has been like a straight line, unbroken and never varying, each month the same as the other with no change in his general habits or way of living.

He seems to have taken up his place where he left off, working in the California hills in Sierra County, where he was born and spent his entire life, with the exception of the years in San Quentin

After having maintained a perfect record for almost fifteen years and being of original California pioneer stock, I feel more than inclined to recommend him for any consideration that could be extended.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted this application, together with evidence accompanying the same, to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor, Hon. U. S. Webb, Attorney General, Hon. Daniel J. O'Brien, Director of Penology, Hon. Court Smith, Warden of Folsom Prison, and Hon James B. Holohan, Warden of San Quentin Prison. After a thorough and thoughtful investigation of this case, the above mentioned board has written me a letter of recommendation which I am quoting herewith:

"Sacramento, California, February 15, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of William R. Campbell, San Quentin No. 21747, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, February 8, 1932.

The board recommends that this application for pardon be granted in view of the fact that the applicant served his time in prison, and also that his conduct while on parole for the past fifteen and one-half years has seemingly been good.

The file relating to this case is herewith returned

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendations and the fact that the applicant has served considerable time in the penitentiary and on parole, and has been leading the life of a law-abiding and conscientious citizen for over fifteen years, I believe that he should be restored to citizenship in order that he may spend the remaining years of his life without the handicap of parole obligations.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon William Robert Campbell of the crime of murder in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fourth day of April, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

I hereby grant to Tom H. Walker, Folsom No. 17757, whose execution was heretofore set for Friday, April 22, 1932, a reprieve from said date of Friday, April 22, 1932, to Friday, June 3, 1932.

This reprieve is granted with the approval of Hon. William H Waste, Chief Justice of the Supreme Court of California, with whom I have conferred in the matter, in order that Attorney J. L Henry of Sacramento, appointed by me, may investigate the case with the view of ascertaining whether Tom H. Walker is sane or insane; and further that he, Attorney J. L. Henry, may have sufficient time to complete said investigation and present his findings and prepare the necessary proceedings with the Supreme Court of the State of California, for their decision in this case not heretofore heard by them.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this seventh day of April, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

A hearing was held before me this morning concerning the case of Alexander C. Ochoa, San Quentin No. 50592, who has been sentenced to hang at San Quentin Prison on Friday, April 15, 1932.

I invited Hon. Hugh L. Preston, Jr., Presiding Justice of the Third Appellate District, to sit with me in the hearing. Reverend J M. Nead of Pasadena appeared for the condemned. Two written opinions on the case were submitted to the Governor by Hon. Hugh L. Preston, Jr. These I make a part hereof. It was decided that a more thorough and complete investigation should be made of this case

In order that further consideration might therefore be given to this case, I hereby grant to Alexander C. Ochoa a reprieve from said date of Friday, April 15, 1932, to Friday, May 20, 1932.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twelfth day of April, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that an application for a pardon was filed in this office on June 11, 1928, on behalf of Martha E. Bowers, who was convicted of the crime of murder in the county of San Francisco, on November 1, 1905, having killed her husband, Martin L. Bowers, by arsenical poisoning. She was duly received at San Quentin Penitentiary on November 2, 1905, and given No. 21376. After serving fifteen years in San Quentin Prison, she was released on parole on November 3, 1920. During the eleven years Martha Bowers has been on parole, she has reported at regular intervals to Ed H. Whyte, State Parole Officer. As a result of the observation that Mr. Whyte has made of this applicant over a period of years, he has written a letter of recommendation which reads as follows:

"San Francisco, California, October 7, 1931.

Mr. Paul Yarwood, Secretary,
Advisory Pardon Board,
Room 209, State Capitol Building,
Sacramento, California.

Dear Mr. Yarwood:

Responsive to your favor of October 3d, with respect to Martha E. Bowers, who is to appear before the Advisory Pardon Board in the very near future, beg to advise she was received at San Quentin Prison, November 2, 1905, from San Francisco County for crime of murder, first degree; sentenced to life imprisonment, paroled November 3, 1920.

She has kept her parole for almost eleven years, patiently and silently, obeying each and every rule to the letter. I have met her on numerous occasions on my visits south, and have been moved by her pleas for clemency. She is advancing in years, now over seventy, and has served both in prison and on parole over a quarter of a century, and I feel she is really entitled to some consideration that may bring a sense of happiness to her declining years. I am forced to be more charitable in her case than others.

A copy of her prison narrative, giving a history of her crime and personal data, is attached. This being the only copy we possess, and therefore would appreciate its return for our files when it has served its purpose.

Very truly yours,

(Signed) ED H. WHYTE, State Parole Officer"

I have submitted this application to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor; Hon. U. S. Webb, Attorney General; Hon. Daniel J. O'Brien, Director of Penology; Hon Court Smith, Warden of Folsom Prison, and Hon. James B. Holohan, Warden of San Quentin Prison. After a careful and serious consideration of the evidence submitted in this case, the above mentioned board have made a recommendation to me which I am quoting herewith:

"Sacramento, California, December 2, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Martha E. Bowers, San Quentin No. 21376, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, November 25, 1931.

The board recommends that this application for pardon be granted, the applicant having been on parole for approximately eleven years, during such time reports regarding her conduct have been favorable

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendations and the fact that Martha E. Bowers has rehabilitated herself in the community in which she has been residing, and has been leading the life of a law-abiding and conscientious citizen during the twelve years she has been on parole, I believe that she is entitled to be restored to citizenship.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Martha E. Bowers of the crime of murder, in order that she may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twelfth day of April, A.D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for pardon on behalf of Fred A. Pahrman, who was convicted of the crime of perjury in Los Angeles on the ninth day of March, 1931. The said Fred A. Pahrman was sentenced to ten (10) years' probation in the Superior Court of said Los Angeles County.

The act that resulted in the applicant's conviction arose while he was pursuing his duties as a police officer in the city of Los Angeles, where he served for a period of six and one-half years.

On July 4, 1929, Fred A. Pahrman, in company with officer William J. Bost, was called to arrest several Mexicans who were reported to be involved in a fist fight in the neighborhood of First and Utah streets in Los Angeles. After considerable difficulty the applicant, Fred A. Pahrman, and his fellow officer, William J. Bost, arrested five of the suspects, all of whom had more or less of a police record. At the time of the arrest Officer Bost left the scene of the arrest and pursued one of the men who had been arrested who was escaping, leaving in charge of the detained suspects Officer Fred A. Pahrman. Later Officer Bost returned to the scene of the arrest where the applicant, Fred A. Pahrman, was located with the detained suspects in the police automobile, with the man he had pursued. At that

time, when they were about to depart for the police station with the men who had been detained by the applicant, Fred A. Pahrman, a woman reported to the said police officers that a man was lying injured in a nearby yard. The applicant, Officer Fred A. Pahrman, again remained with the prisoners and suspects while Officer Bost, who had pursued the man who was attempting to escape, went with the woman to the location where the injured man was lying. It was later discovered that the injured man was Christopher Silvas Sierra, who later died, and it was claimed that Officer Bost had shot the deceased.

During the time that the deceased was in the hospital he was visited by Mrs Maria Buenavente, his aunt, with whom he was living. At the time of her visit, a conversation ensued which was not introduced at the time of the trial of the applicant, but which appears in the testimony taken at the coroner's inquest, which reads as follows:

"Q. Did the deceased make any statement in your presence regarding the circumstances of the shooting?

A. I asked him two or three times who had hit him, and he told me only Chaparro and a yellow truck.

Q. Did he say whether or not Chaparro had shot him?

A. I asked him who had struck him, and he said, 'Chaparro, one of a yellow truck'."

A copy of the testimony taken at the coroner's inquest also discloses that one Jesus Lisama was one of the boys with the deceased at the time he received the gun wound, and gave the following testimony at the coroner's inquest.

"Q. Tell us all you know about the circumstances of this shooting.

A. All I know is that the fight started over a bottle of liquor.

Q. Who was present at that time?

A. Chaparro and Lorenzo and Cristo, the deceased."

Page 7, line 32, as follows:

"Q. Were these officers near the place where the two shots were fired?

A. I did not notice."

Robert Ocana, on page 9, says that they were all drinking, had a gun, shot the lock off the door, etc.

Lorenzo Garcia, on page 21, line 11, testified as follows:

"Q Did you see the cop shoot at him?

A. The other officer was on the corner and the car was parked in front of us, and I could not see whether the cop shot at him.

Q. Did you tell the officers that Chaparro had shot Silvas?

A. Yes, sir."

Lines 24 to 29:

"Q Did you tell him that you saw Chaparro had shot Silvas?

A. Yes, sir.

Q. Did you tell them where it happened?

A. Yes, sir.

Q. Where did you tell them that it happened?

A. Kearney and Utah"

An examination of the transcript of the testimony introduced at the time of the trial of the applicant in the superior court of Los Angeles County discloses that the applicant was convicted chiefly upon the testimony of one Tony Thymiakos. Since the release of William J. Bost from the penitentiary, Tony Thymiakos has repudiated his testimony given at the trial and has made a complete statement. The statement is under oath and has been made a part of the application of Fred A. Pahrman, setting forth in detail the repudiation of his former testimony, and more particularly the following questions and answers:

"Q. Do you remember testifying at that time that you saw Officer Bost shoot Sierra while you were looking through the rear window of the automobile?

A. No, sir.

Q. Is it a fact that you testified in court that you did see Officer Bost shoot the above boy?

A. If I did so testify, it was because I either misunderstood the question asked, or that my answer was misinterpreted.

Q. Did you, or did you not, see Officer Bost shoot Sierra?

A. I did not"

During the time that the deceased, Christopher Sierra, was in the Receiving and General Hospital, he was attended by several nurses and doctors, namely, E. C. Vanaken, Dr. I. J. Lopizich, Lester G. Schuler, Grace M. Burge, Helen Briggs

Jones, all of whom have made affidavits which state that Christopher Sierra at all times stated that he had not been shot by a policeman.

I have received a letter of recommendation from the office of Buron Fitts, District Attorney of Los Angeles, which I am quoting herewith:

"Los Angeles, California, April 8, 1932.

Honorable James Rolph, Jr.,
Governor of the State of California,
Sacramento, California.

Dear Governor Rolph:

As a Deputy District Attorney, I prosecuted one Fred A. Pahrman, a police officer, for perjury, before the Hon. B. Rey Schauer, of the Superior Court of Los Angeles County, sitting without a jury, who found the defendant guilty.

This case was tried upon the transcript of testimony in the case People vs. William Bost, a brother police officer of Pahrman, whom you granted a pardon on the third day of March of this year.

While I am still of the opinion that the verdict of Judge Schauer was a proper one, I feel that, because of Pahrman's past excellent record as a police officer and citizen, and because he stands on the same footing as William Bost, that he deserves the same consideration.

In view of all of the circumstances, I believe that the ends of justice will be subserved by the granting of a pardon to the applicant, Fred A. Pahrman, to the end that he may be restored to full citizenship rights, and so recommend.

Yours very truly,

BURON FITTS, District Attorney.
(Signed) By GRANT B. COOPER, Deputy District Attorney.

I concur in the above.

(Signed) R. P. STEWART, Chief Deputy District Attorney.

I find the above statements are correct, and so recommend.

(Signed) B. REY SCHAUER, Judge of the Superior Court."

Judge B. Rey Schauer, judge of the superior court of Los Angeles County who found the applicant, Fred A. Pahrman, guilty of perjury and placed him on probation, has joined in a recommendation for executive clemency for the applicant, and has concurred in the recommendation contained in the letter addressed to me from the District Attorney's office of Los Angeles.

The said recommendation for executive clemency is also concurred in by R. P. Stewart, Chief Deputy District Attorney of Los Angeles County, as well as by Grant B. Cooper, Deputy District Attorney of Los Angeles County, who prosecuted the applicant on a charge of perjury, which resulted in his conviction.

There is also on file in the applicant's petition for executive clemency copies of letters from Judge Benjamin J. Scheineman, former Assistant District Attorney, John Barnes, Deputy District Attorney, who recommended a pardon for William J. Bost upon the ground that they believed that if the said Officer William J. Bost fired the shot, that it was in the course of duty and that there were many peculiar circumstances surrounding the case which called for executive clemency.

There is also on file with this application a copy of a letter addressed to me and signed by all of the jurors who convicted William J. Bost of manslaughter, recommending that I grant executive clemency to William J. Bost upon the ground that they as jurors would not have convicted him had the evidence been presented to them that has since been discovered by the Police Department of Los Angeles County.

I have submitted this application, together with the evidence supporting the same, to Daniel J. O'Brien, and after a thorough and careful investigation of the case by him, he has written me a recommendation under date of April 16, 1932, that a pardon be granted to Fred A. Pahrman, and I quote herewith his letter:

"San Francisco, California, April 16, 1932.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Sir:

I am returning herewith application for pardon for one Fred A. Pahrman, convicted of the crime of perjury in the superior court in the County of Los Angeles, and sentenced by said court on the ninth day of March, 1931, to serve ten years on probation.

Your attention is respectfully invited to the following correspondence attached hereto: Letter under date of April 8, 1932, addressed to the Honorable James Rolph, Jr., Governor of the State of California, signed by Grant B. Cooper, Deputy District Attorney, statement in said letter being certified as correct by the Honorable B. Rey Schauer, Judge of the Superior Court in and for the County of Los Angeles; copy of affidavit made in Los Angeles County on February 3, 1932, by R. L. Stevenson; copy of affidavit made in the county of Los Angeles by W. N. Parker on February 5, 1932; copy of affidavit made in Los Angeles County on January 20, 1932, by C. H. Simpkins, copy of affidavit made in Los Angeles County in January, 1932, by C. M Wisdom; copy of affidavit made in Los Angeles County in January, 1932, by Harry Paul.

All communications mentioned hereon are copies of originals on file with the application for executive clemency on behalf of William J. Bost, whose application was acted upon favorably by Your Excellency on March 3, 1932.

The charge of perjury against the applicant, Fred A. Pahrman, was placed after he testified at the trial of William J. Bost, his testimony being that no shot was fired by William J. Bost, then, and at the present time, a police officer in the city of Los Angeles. William J. Bost was tried in Los Angeles County by a jury, convicted and sentenced to a term in San Quentin Prison. Fred A. Pahrman was convicted by a judge of the Superior Court of Los Angeles County; his case was tried on the transcript of testimony of the case of People vs. William J Bost, a brother police officer of Pahrman's.

In the premises, therefore, Bost being not guilty, Pahrman, who testified that Bost did not fire the shot, must also be not guilty, and I respectfully recommend that executive clemency be extended to Fred A. Pahrman, in order that he may be restored to citizenship, which will, in all probability, permit him to be restored to his rank as patrolman in the Los Angeles Police Department.

Respectfully submitted.

(Signed) D. J. O'BRIEN, Director of Penology."

There has also been called to my attention the following facts: that there was considerable doubt as to whether or not a shot was fired by William J. Bost, who was previously pardoned by me and restored to active duty in the police department of the city of Los Angeles; the fact that Fred A. Pahrman was a police officer doing his duty in arresting several suspects who had been engaged in a quarrel; the fact that the charge of perjury was placed against the applicant, Fred A. Pahrman, after he testified at the trial of William J. Bost, his brother officer, his testimony being that no shot was fired by William J. Bost, then, and at the present time a police officer in the city of Los Angeles; Fred A. Pahrman was convicted by Judge B. Rey Schauer of the Superior Court of Los Angeles, without a jury trial. No testimony was offered on his behalf, and his case was tried entirely on the transcript of testimony in the case of People vs William J. Bost, a brother police officer of the applicant, Fred A. Pahrman.

It would, therefore, seem that in the interests of justice, that William J. Bost having established his innocence and having received executive clemency, to wit, a pardon, as well as being restored to duty in the Los Angeles Police Department, that the applicant, Fred A. Pahrman, who testified that Bost did not fire the shot, and was convicted upon this statement alone, should also be entitled to executive clemency in order that he may be restored to citizenship, which, in all probability, will permit him to be restored to his rank as patrolman in the Los Angeles Police Department.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Fred A. Pahrman of the crime of perjury in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this nineteenth day of April, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

COMMUTATION OF SENTENCE

There has been presented to me an application for a commutation of sentence on behalf of one John H Rutledge, who was convicted May 1, 1931, in the Superior Court of Tulare County of issuing checks in the amount of $32.50, without sufficient funds in the bank to pay the checks issued. He was duly received at Folsom Penitentiary on May 2, 1931, and given No. 17014.

In view of the fact that John T. Rutledge had been twice convicted of a felony, his application, together with the evidence accompanying the same, was forwarded to the Supreme Court of the State of California in order to obtain their recommendation before taking any action in the case.

After a thorough and extensive examination of the application and evidence submitted therewith by the justices of the Supreme Court, I have received a letter of recommendation from William H. Waste, Chief Justice, which reads as follows:

"San Francisco, California, December 31, 1931.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor Rolph:

The application on behalf of John H. Rutledge, Prisoner 17014, Folsom, for commutation of sentence to time served, following his conviction for the crime of issuing checks without sufficient funds, has been considered by the justices of this court, and a majority of the justices favor recommending to you that executive clemency be extended in this case, and that a commutation of sentence be granted.

However, we believe that, as the defendant has only served about eight months, we should not dictate to you the time of such commutation, but leave that matter entirely to your discretion. If you feel, from an examination of the record and all the circumstances of the conviction, that the defendant has been sufficiently punished to warrant commutation of sentence to time served as prayed for, you can so use your discretion

This man, now thirty years of age, was, at the time of the offense committed, living with and apparently contributing largely to the support of his mother, who is almost entirely dependent upon him for support. The trial judge recommends leniency and at the present time. He is authority for the statement that the amount of money involved is very small, and that the prisoner used the money for necessities. All the jurors have joined in a letter favoring commutation of sentence to time served

There are many testimonials as to the character of the defendant, and particularly as to the standing and worth of the man's family, especially his mother. Mr. Justice Cashin, who formerly lived in Fresno, and who knows the family well, and who is now an Associate Justice of the First District Court of Appeal, has written to you a very strong endorsement of the family. For all these reasons, a majority of the justices recommend that you extend clemency to John H Rutledge, in accordance with the prayer of the application, or in such way as you deem best.

Sincerely yours,

(Signed) WILLIAM H. WASTE, Chief Justice."

I have also received a letter of recommendation signed by each of the jurors of the jury who rendered the verdict in the trial of the applicant, which I am quoting herewith:

"To Governor James Rolph, Jr.,
Sacramento, California.

We, the jury, having tried the case of J. H. Rutledge, having been informed that he has served approximately seven months of his sentence, recommend that he be given leniency, and that his sentence be commuted to time served. Further imprisonment seems out of proportion to the small amount involved in the offense.

Respectfully yours,

1. Bert Harmon
2. Mrs. Grace Gurdy
3. William B Wells
4. A. A. Howard
5. J. R. O'Dell
6. Harry N. Robb
7. S. W. Jordan
8. A. J. Teague
9. Henry Aron, Jr.
10. Edyth Jane Parkin
11. Sebert Stevenson, Jr.
12. Bertha E. Blane."

I have also received a letter of recommendation from J S. Clack, justice of the peace in Visalia, California, who presided at the trial of John H Rutledge, which reads as follows:

"Visalia, California, November 24, 1931.

To the Honorable James Rolph, Jr.,
Governor of the State of California

Dear Governor:

I am advised that John H. Rutledge, who is confined in the State's Prison at Folsom, is making application for commutation of sentence.

As the trial judge, who sat in the case, I recommend leniency and feel that the ends of justice will thus be served if he is given his liberty at this time, and base it on the fact that the amount of money involved was very

small; he evidently used the money for necessities and the aforesaid business conditions brought it about. He is a fine looking young man and has ability, and I feel he will withstand future temptation for his mother's sake.

I acted in the trial of this case by assignment of the Judicial Council of the State of California.

Yours very truly,

(Signed) J. S. CLACK."

I have also received letters from each of the complaining witnesses, S. B. Sherman, deputy sheriff of Tulare County, D H. Cashin, Associate Justice of the First District Court of Appeal, highly recommending the character of the applicant and requesting that executive clemency be extended in this particular case.

In view of the above recommendations and the fact that the amount of the checks involved was exceedingly small, and the fact that the proceeds of the checks were used to purchase necessities for the applicant's mother, who is entirely dependent upon him for her support and maintenance, I feel that the sentence of John H. Rutledge should be commuted to time served, in order that he may return to his mother and give her the care and attention that she is entitled to.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence of John H. Rutledge to time already served.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this nineteenth day of April, A D. 1932.

[SEAL] JAMES ROLPH, JR, Governor.

Attest: FRANK C. JORDAN, Secretary of State
By CHARLES J. HAGERTY, Deputy.

PARDON

There has been presented to me applications for pardon on behalf of Sumner D. Mellory and Jess D. Mellory, who were convicted of the crime of robbing the First National Bank at Caruthers, Fresno County. They were received at San Quentin Penitentiary on January 4, 1932, Jess D. Mellory being given No. 51329, and Sumner D. Mellory, No. 51330.

During the month of January, 1932, I received a letter from Mrs Anna Mellory, wife of Jess D. Mellory, to the effect that her husband and his brother were innocent of the holdup and robbery of the First National Bank. I immediately requested Clarence S. Morrill, Chief of the Bureau of Criminal Identification and Investigation of the State of California, to make an investigation in order to determine whether or not the applicants were guilty.

As a result of the investigation made by Clarence S Morrill, I have received a letter of recommendation which reads as follows:

"Sacramento, California, April 15, 1932.

His Excellency, James Rolph, Jr,
Governor of California,
State Capitol Building,
Sacramento, California.

My dear Governor:

With reference to your request of January 8, for an investigation of the statement made by Mrs. Anna Mellory of 206 West Eighth Street, Hanford, California, to the effect that her husband, Jess Mellory, and his brother, Sumner Mellory, were innocent of the holdup and robbery of the First National Bank at Caruthers, Fresno County, on April 16, 1931, and for which they were sentenced to San Quentin Prison to serve a term of five years to life.

I have to advise that information secured by this division in working in cooperation with Sheriff W. V. Buckner of Kings County, which has been corroborated by the Sheriff's Office, Fresno County, and investigators from the office of the District Attorney of Fresno County, together with confessions now in the possession of the District Attorney of Fresno County, clearly demonstrates beyond any doubt that Jess and Sumner Mellory are innocent of the crime for which they were convicted.

I, therefore, recommend that the application now before you for pardon for Jess and Sumner Mellory be granted.

Very truly yours,

(Signed) C. S MORRILL, Chief of the Division."

Glenn De Vore and George J. Overholt, District Attorney and Sheriff of Fresno County respectively, assisted Clarence S. Morrill in making the above mentioned investigation. As a result of their investigation and the facts that they have been

able to obtain, they have written letters of recommendation to me which I am quoting herewith:

"Sacramento, California, April 11, 1932.

His Excellency, James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor Rolph:

I am today presenting to you for your approval an application for the pardon of Jess D. Mellory and Sumner D. Mellory, both prisoners in San Quentin under the name of Mellory, convicted in Fresno County of robbery in the first degree, and sentenced to San Quentin for the term of five years to life, the length of said term having not yet been determined by the Prison Board since they were admitted to the prison on January 4, 1932.

This case has been under investigation since the time of the conviction, upon the part of myself and the sheriff of Fresno County, Mr. George Overholt, together with Mr. Clarence Morrill, Superintendent of the Bureau of Criminal Identification and Investigation, and the conclusion that we have all reached is that the men are innocent and should be pardoned.

We have now secured a confession regarding this robbery which absolves the Mellorys from any participation in the same, and this has been checked with information furnished by Mr. Morrill which, together with other information and physical facts, convinces all of us that the conviction of the Mellorys has resulted in a miscarriage of justice.

It appears, then, that the only present method of righting this matter is by means of an immediate pardon.

May I respectfully suggest, therefore, to you that the application for the pardon of these men which I am now presenting, be acted upon immediately and the pardon granted.

Respectfully submitted.

(Signed) GLENN M. DE VORE, District Attorney, Fresno County."

"Sacramento, California, April 11, 1932.

His Excellency, James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor Rolph:

I have read the letter of our District Attorney, Glenn M De Vore of Fresno County, wherein he requests the pardon of Jess and Sumner D Mellory who are now in San Quentin upon being convicted of bank robbery.

The facts contained in his letter are correct, and I want to join him in requesting that a pardon be granted these two men as promptly as possible.

Respectfully submitted.

(Signed) GEORGE J. OVERHOLT, Sheriff of Fresno County."

In view of the above mentioned recommendations and the fact that the transcript of the statements made by Herbert Vincent, Arthur Gordon, L. E. Thompson, Ina M. Thompson, his wife, and Willis Franklin Canfield, which are filed in this office, prove beyond a reasonable doubt that Sumner D Mellory and Jess D Mellory are innocent of the crime of which they were convicted, therefore it is my opinion that they should be pardoned for the crime of which they were convicted and released from the penitentiary immediately.

Now, therefore, I, James Rolph, Jr, Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Sumner D. Mellory and Jess D. Mellory of the crime of robbery, first degree.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-first day of April, A D. 1932

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H CORY, Deputy.

REPRIEVE

Victor Farolan, San Quentin No. 49284, has been sentenced to be hanged at San Quentin Penitentiary on Friday, May 6, 1932, as a result of his conviction of first degree murder in the county of Santa Clara.

In view of the fact that I have this day been confined in the St. Francis Hospital, I will be prevented from giving my customary final review of the case before reaching a definite decision as to whether or not this man should be hanged

I therefore hereby grant to Victor Farolan a reprieve from said date of Friday, May 6, 1932, to Friday, June 10, 1932.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifth day of April, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

COMMUTATION OF SENTENCE

There has been presented to me an application for a pardon on behalf of Fred E. Robinson, who was convicted on November 17, 1928, of the crime of issuing checks without sufficient funds deposited in the bank on which the checks were drawn. He was duly received at Folsom Penitentiary on December 7, 1928, and given No. 15531. After serving approximately two and one-half years, he was released on parole for hospitalization purposes and sent to the Soldiers' Home in Napa County, where he is living at the present time.

In view of the fact that the applicant had been previously convicted of a felony in the State of Nebraska in 1925, his application was forwarded to the justices of the Supreme Court of the State of California in order that they might make a recommendation pursuant to section 1418 of the Penal Code.

After a thorough and thoughtful consideration of the application and evidence accompanying the same, they have written me a letter of recommendation which reads as follows:

"San Francisco, California, April 5, 1932.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor Rolph:

Fred E. Robinson, Folsom No. 15531, was convicted of a violation of section 476-a of the Penal Code (issuing a check without sufficient funds), and had suffered two prior convictions He was sent to Folsom Prison in November, 1928, and was released on parole December 7, 1930.

The record before the justices of the Supreme Court discloses that the applicant served overseas during the World War. He was gassed and shell-shocked, from the effects of which he has apparently not entirely recovered He is now on parole and is an inmate of the Soldiers' Home in Napa County. The record shows that the various soldiers' homes will not accept the applicant on parole or probation, or be responsible to the court for him. From a doctor's statement included in the record, it appears that this prisoner is now a nervous wreck and a wasted human.

In view of the above facts, the justices of the Supreme Court recommend that Robinson's term should be commuted to time served. This will enable him to be retained in a government home.

Very truly yours,

(Signed) WILLIAM H. WASTE, Chief Justice."

In view of the above recommendation and the fact that Fred E. Robinson is handicapped in attempting to regain his health, in that various veterans' hospitals will not accept him while he is on parole or probation, I believe that his sentence should be commuted to time served and that he should be released from parole in order that he may be assisted in his effort to regain his health.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence of Fred E. Robinson to time already served.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this sixth day of May, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for a pardon on behalf of one James R Anderson, who was convicted of the crime of second degree burglary in Sacramento County, on June 30, 1921. He was duly received at Folsom Penitentiary on July 5, 1921, and given No. 11839. After serving a period of a little over two years, James R. Anderson was released on parole on August 3, 1923, and discharged from parole on March 23, 1924

In view of the fact that the applicant had been previously convicted of the crime of burglary in the State of Oregon in May, 1915, his application, together with the evidence accompanying the same, was forwarded to the justices of the

Supreme Court of the State of California in order that they might make a recommendation pursuant to section 1418 of the Penal Code. After a thorough and thoughtful examination of the evidence supporting the above mentioned application, the justices of the Supreme Court have written a letter of recommendation to me which reads as follows:

"San Francisco, California, March 31, 1932.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor Rolph:

The justices of the Supreme Court have considered, and look with favor upon, the application of James R. Anderson, prisoner confined in Folsom State Prison, No. 11839, for pardon.

This man was convicted of the crime of second degree burglary, and sentenced on June 30, 1921, to serve from one to fifteen years. The Prison Board fixed his term at four years, and, before that time expired, he was paroled on August 2, 1923. Since his release on parole, and for a period of about nine years, he has behaved himself and has worked diligently to support his mother and family. His loss of citizenship has materially handicapped him in his work. He has therefore asked to be pardoned.

A previous conviction of burglary in the State of Oregon was wiped out by a pardon granted before his coming to California. Letters from persons who have employed him give him a good character. The trial judge and the present district attorney of Sacramento County request that the pardon be granted on the strength of petitioner's good behavior for the last nine years The State Parole Officer says the petitioner's conduct has been exemplary since his release from prison.

Although petitioner abused his previous pardon, he now appears to have demonstrated, during nine years, that he can be a law-abiding citizen. We therefore recommend that his application for a pardon be granted.

Very truly yours,

(Signed) WILLIAM H. WASTE, Chief Justice."

A letter of recommendation has also been received from Hon. Charles O. Busick, who was the presiding judge at the trial of James R. Anderson when he was convicted, which I am quoting herewith:

"Sacramento, California, February 23, 1932.

Mr. F. A. Cochran,
Executive Secretary,
Governor's Office,
Sacramento, California.

Dear Sir:

In re: Application of James R. Anderson for pardon.

Yours of the twentieth instant received.

I do not have any of the records in the above entitled matter at hand, and I do not recall the case of James R. Anderson, convicted in my court of second degree burglary.

If Mr. Anderson was paroled on August 3, 1923, and has lived up to the conditions of his parole since that time. I am of the opinion that he should be entitled to a pardon. My only reason for recommending a pardon at this time is that, in my opinion, any man who has conformed to the rules and regulations of the Prison Board for nine years would probably make a good citizen if pardoned.

Very respectfully,

BUSICK AND BUSICK,
(Signed) By CHARLES O. BUSICK."

In view of the above recommendations and the fact that the applicant appears to have rehabilitated himself in the community in which he resides, and has been leading the life of a law-abiding and conscientious citizen during the past nine years, it is my opinion that he should be restored to citizenship.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon James R Anderson of the crime of second degree burglary in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this sixth day of May, A. D. 1932.

[SEAL] JAMES ROLPH, JR, Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

PARDON

There has been presented to me an application for executive clemency by Mrs. Bernice Emme, who was convicted of the crime of assault with a deadly weapon in the Superior Court of Los Angeles County, on July 22, 1931. She was sentenced to imprisonment in the State Prison at San Quentin for the time prescribed by law, which in this case would be from one to ten years.

An appeal was taken to the District Court of Appeal and the judgment of conviction affirmed. An application for a hearing before the Supreme Court was denied. A stay of execution has been granted Mrs. Emme from time to time and she is now in the County Jail of Los Angeles County, never having been transferred to the penitentiary. She has been incarcerated in the county jail for a period of approximately thirteen months.

I have caused to be made a careful examination of all the evidence, facts and circumstances surrounding the entire case, and as a result of this examination, I am convinced that executive clemency should be exercised, but upon most rigid conditions.

There has also been filed with me a request by the attorney for Mrs. Bernice Emme, the attorney for her estranged husband, whom she was convicted of assaulting, which reads as follows:

"Sacramento, California, May 6, 1932.

Honorable James Rolph, Jr.,
Governor of the State of California.
Sacramento, California.

In the Matter of the Application of Bernice Emme for Executive Clemency.

We have agreed that Mrs. Bernice Emme may be pardoned by you upon the following conditions, to wit:

That she immediately leave the State of California and never return, and that the pardon shall provide that if she does return, then the pardon shall be immediately annulled and the sentence of imprisonment imposed and served, meaning, thereby, that Mrs. Bernice Emme shall reside and remain the balance of her natural life without the confines of the State of California, and if she again enters the State of California, then the pardon shall be revoked and the original judgment executed.

(Signed) W. FRANK SHELLEY, Attorney for Mrs. Bernice Emme
BAYARD R. ROUNTREE, Attorney for Frank Emme.
OTTO J. EMME."

In view of all the facts and circumstances surrounding the case, and particularly in view of the above request and agreement from all parties, I believe that the petitioner, Bernice Emme, should be pardoned upon the following terms and conditions, to wit.

1. That during the term of her natural life she remain and reside without the borders of the State of California and do not return to the State of California for any reason or for any cause whatever.

2. That she do not communicate or attempt to communicate, either by telephone, telegraph, letter, or by any other means of communication, with either her former husband, Frank Emme, or their adopted child, who has been placed by the Superior Court of Los Angeles County in the exclusive custody of its foster father, Frank Emme.

3. That she be escorted from the County Jail of Los Angeles County, where she is now incarcerated, to a point beyond the confines of California and shall not be permitted to be at large in the city of Los Angeles or any other place in California except under the supervision of the Sheriff of Los Angeles County, or one of his duly authorized deputies.

4. That if the said Bernice Emme again enters the State of California after her departure under this conditional pardon, then in that event this pardon shall be immediately revoked and the original judgment of imprisonment shall be immediately executed.

5. This pardon is also granted upon the condition that the petitioner shall not, neither shall anyone on her behalf, petition me or my successors in office for a modification or change in this conditional pardon.

It being distinctly understood that a violation of any of the terms of this pardon shall render the entire pardon void and revocable, and when so violated, the original judgment of imprisonment shall be immediately executed. I also believe that if the said Bernice Emme shall faithfully carry out the conditions of this pardon that she should be restored to citizenship, in order that she will not be further handicapped in her pursuit of happiness in the future.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon the said Bernice Emme of the crime of assault with a deadly weapon upon the expressed terms and conditions hereinabove set forth.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this ninth day of May, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest. FRANK C. JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

PARDON

There has been presented to me an application for a pardon on behalf of one Gilbert W. Sorrells, who was convicted of the crime of forging a $27.50 check on January 29, 1932, in Los Angeles County. He was duly received at San Quentin Penitentiary on February 6, 1932, and given No 51516.

In view of the fact that Gilbert Sorrells had been previously convicted of the crime of forgery in Wichita, Kansas, in 1929, and as a result thereof served twenty-seven months in the State penitentiary at Lansing, Kansas, his application, together with the evidence accompanying the same, was forwarded to the Justices of the Supreme Court of the State of California in order that they might make a recommendation pursuant to section 1418 of the Penal Code. After a thorough and thoughtful consideration of the application and the evidence accompanying the same, the Justices of the Supreme Court have made a recommendation to me which I am quoting herewith:

"San Francisco, California, April 14, 1932.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor Rolph:

At your request, the Chief Justice made quite an extended investigation into the matter of the application of Gilbert Sorrells, No. 51516, for a pardon. The matter has been carefully considered by the Justices of the Supreme Court, with the result that a majority of them are satisfied to recommend to you that executive clemency be granted in the case of this young man.

Very truly yours,

(Signed) EMMET SEAWELL, Acting Chief Justice."

In view of the above recommendation and the fact that the applicant is now 22 years of age, and that at the time he committed the above mentioned crimes he was a mere youth, I believe that he should be pardoned in order that he may be released to his mother, with whom he will have a home and a mother's care, and in order that he may be placed in a sanatorium in the event it is deemed advisable to do so.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Gilbert W. Sorrells of the crime of forgery.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this thirteenth day of May, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

Re: ALEXANDER C. OCHOA, SAN QUENTIN No. 50592

I have this day conferred with Presiding Appellate Justice Hugh L. Preston, Jr., in re: case of Alexander C. Ochoa, San Quentin No. 50592, seeking his advice in determining the proper course for the Governor to pursue in the determination of the appeal for executive clemency. I have requested him to confer with former Chief Justice Matt I. Sullivan and Peter J. Crosby, President of the State Bar Association of California, for a conference and an opinion for submission to the Governor at as early a date as possible.

I have requested them to give full study to all points involved in this unusual request by the twelve trial jurors for commutation of death sentence to life imprisonment.

In witness whereof I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-first day of May, A. D. 1932.

[SEAL] JAMES ROLPH, JR, Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

The twelve jurors who convicted Alexander C. Ochoa, San Quentin No. 50592, a married man with four children, of the crime of murder, for the slaying of his amorita in the county of Los Angeles, have now unanimously recommended in writing to the Governor that his death sentence be commuted to life imprisonment.

I have heretofore granted one reprieve in this case, and I am today granting a further reprieve to Alexander C. Ochoa for the purpose that an investigation might be made to determine the reason for said recommendation by the entire trial jury in this case.

This is the first case in the records of the Governor's office that all of the jurors in any case have recommended executive clemency. It presents a very unusual situation which required additional study and serious consideration, and to that end I shall seek further advice to determine the proper course for the Governor to pursue in the determination of the appeal.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby grant to Alexander C. Ochoa a reprieve from Friday, May 20, 1932, to Friday, June 24, 1932, for the reasons hereinabove set forth.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this nineteenth day of May, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for a pardon on behalf of one Alfred De Taube, who was convicted of the crime of second degree burglary in San Francisco County on June 15, 1910. He was duly received at San Quentin Penitentiary on June 19, 1910, and given No. 24380. After serving a period of approximately two years he was released on parole July 8, 1912, and completed his parole January 19, 1914.

During the time Alfred De Taube was on parole, and since his release from parole, he has reported at regular intervals to Ed H. Whyte, State Parole Officer, who has had an opportunity of becoming very familiar with the applicant. As a result of Mr. Whyte's association with the applicant, he has written me a letter of recommendation which reads as follows:

"San Francisco, California, November 6, 1931.

Honorable James Rolph, Jr., Governor,
State of California,
Sacramento, California.

Sir:

Relative to the request for pardon submitted by Alfred De Taube, former San Quentin No. 24380, who was received at San Quentin Prison, June 10, 1910, and whose sentence on parole expired January 19, 1914.

I well recall the case of De Taube, as he was under my jurisdiction when I took charge of this department almost twenty years ago. At the time he was just a youngster, having been only twenty when sentenced to San Quentin, and was an avid, hustling and ambitious Jewish boy, whose efforts and ambitions were most interesting to watch.

It was always his sincere contention that he did not steal the silverware for which he was committed, and that he was not a burglar. He states the silverware was given him to try and sell, having had no knowledge of its being stolen This I can realize, as he is of the hustling salesman type, being a characteristic of his race.

He has refrained from making pardon application before, as he was in business in San Francisco for the past twelve years, having conducted, prior to the recent depression, a very successful jewelry store, not a pawn shop, but marketing high class merchandise to a good trade. His many customers have every confidence in him and his dealings have always been honest, and has won the respect of those he dealt with, many of whom are now his personal friends.

Since his discharge from parole in 1914, he has always made me his confidant, and I have carefully watched his many ventures, having seen him

in both success and defeat and not once has he been in even the slightest trouble. He enlisted in the U. S. Army during the late war and was a member of the California contingent. He brought his mother and sister from Canada, and acted as father and provider for this family, a job he has performed thoroughly and well. He had the misfortune to lose his good mother recently, and I believe this is what prompted him to apply for a pardon, as he kept his early misfortune a secret from his mother.

I have often spoken to San Francisco police officials about him, including then Chief of Police, Daniel O'Brien, now State Director of Penology, and they have always expressed themselves as feeling that he has always been honest in his business dealings and every act legitimate, open and above board.

His only wish is, that should pardon consideration be extended, that no publicity be given thereof, as this would only ruin him in his business, and he would rather withdraw his appeal than jeopardize his livelihood and his good standing in business with the many people he has contacted.

I have no hesitancy in giving him an excellent recommendation, having watched him rise from a young, hustling Jewish boy, fired with ambition to succeed, to emerge into a somewhat prosperous business man, trusted, respected, and with a host of friends, all of whom would go to the limit to aid him.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have forwarded this application, together with the evidence accompanying the same, to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor, Hon. U. S. Webb, Attorney General, Hon. Daniel J. O'Brien, Director of Penology, Hon. Court Smith, Warden of Folsom Prison, and Hon. James B Holohan, Warden of San Quentin Prison. After a thorough and thoughtful consideration of the application and evidence pertaining thereto, the Advisory Pardon Board have made a recommendation to me which I am quoting herewith:

"Sacramento, California, April 29, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Alfred De Taube, paroled San Quentin No. 24380, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, April 22, 1932

The board recommends that this application for pardon be granted for the reason that this applicant completed his sentence and parole approximately eighteen years ago, and that during this time his conduct has been satisfactory.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendations and the fact that the applicant appears to have completely rehabilitated himself in the community in which he resides, and has been leading the life of a law-abiding and conscientious citizen for the past eighteen years, I believe that he should be restored to citizenship as a reward for his honest efforts.

Now, therefore, I, James Rolph, Jr, Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Alfred De Taube of the crime of burglary, second degree, in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this nineteenth day of May, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for pardon on behalf of Frank Pillsbury, who was convicted in the Superior Court of Los Angeles County on February 3, 1914, of murder, second degree. He was duly received at San Quentin Penitentiary on February 9, 1914, and given No. 27187. After serving a period of approximately nine years, he was released on parole April 11, 1923. Since his release on parole he has reported at regular intervals to Ed H. Whyte, the State

Parole Officer. As a result of the contact of Mr. Whyte with the applicant during the time he has been on parole, he has written me a letter of recommendation which reads as follows:

"San Francisco, California, December 19, 1931.

Honorable James Rolph, Jr., Governor,
State of California,
Sacramento, California.

Sir:

Relative to the application submitted by Frank Pillsbury, San Quentin No. 27187, for pardon, beg to advise this subject was received at San Quentin Prison, February 9, 1914, from Los Angeles County, for crime of murder, second degree, sentenced to life imprisonment.

Since the release of Pillsbury on parole, he has maintained an excellent record as a parole subject and a law-abiding citizen. In 1927, while working in small lunch counter, he overheard the conversation of a dangerous gang of negro bandits, who had been committing a number of brutal and daring hold-ups in Los Angeles. He brought this to the attention of the officer in his neighborhood, this at the risk of his own life, and caused the entire band to be rounded up and rid Los Angeles of a dangerous and undesirable element. Through this act he won the gratitude of the police and sheriff's office in Los Angeles.

He has been steadily employed, always saves a portion of his earnings, and has a comfortable little bank account put aside for the time when he will be too old to work.

I feel this subject, in his eight years on parole, has demonstrated himself to be useful and industrious, law-abiding and an asset to his community. I most heartily recommend him for pardon.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted this application, together with evidence accompanying the same, to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor; Hon. U. S. Webb, Attorney General; Hon. Daniel J. O'Brien, Director of Penology; Hon. Court Smith, Warden of Folsom Prison, and Hon. James B. Holohan, Warden of San Quentin Prison. After a thoughtful and careful consideration of the application and evidence pertaining thereto, the above mentioned board have written me the following letter of recommendation:

"Sacramento, California, April 29, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Frank Pillsbury, paroled San Quentin No. 27187, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, April 22, 1932.

The board recommends that this application for pardon be granted since this applicant for the past nine years while on parole has been an industrious and law-abiding resident in his community.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendations and the fact that the applicant has apparently rehabilitated himself in the community in which he resides, and is leading the life of a law-abiding and conscientious citizen, I believe that he should be restored to citizenship in order to reward him for his honest efforts.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Frank Pillsbury of the crime of murder, second degree, in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this nineteenth day of May, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that an application for a pardon was filed in this office on February 1, 1929, on behalf of Michael Paraskevopoulos, who was convicted of the crime of first degree murder in Napa County on October 31, 1917. He was duly received at San Quentin Penitentiary on November 1, 1917, and given No. 31044. On December 18, 1923, former Governor Friend W. Richardson commuted the sentence of the applicant from life imprisonment to fifteen years. He was released on parole January 30, 1924, and completed his parole term on April 1, 1927.

During the time the applicant was on parole he reported at regular intervals to Ed H. Whyte, State Parole Officer, who has written me the following letter of recommendation:

"San Francisco, California, December 10, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Sir:

Relative to the request for pardon submitted by Michael Paraskevopoulos, San Quentin No. 31044, received at San Quentin Prison November 1, 1917, from Napa County for crime of murder, first degree, sentenced to life imprisonment, commuted to term of fifteen years by then Governor Friend W. Richardson; released on parole January 30, 1924, and completed his term on parole, April 1, 1927.

During the period of his parole, he maintained a clean record for both deportment and industry and could be classified as an excellent parole subject.

There were extenuating circumstances connected with his conviction, as his crime was the result of drunken brawling between several of his countrymen. His brother, who witnessed the proceedings, became a participant, and shot one of this subject's opponents, whose death resulted.

I would have no hesitance recommending him for pardon consideration as it was never shown that he actually killed anyone, his brother being the actual perpetrator.

Respectfully submitted

(Signed) ED H WHYTE, State Parole Officer."

I have submitted the application, together with evidence accompanying the same, to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor, Hon. U. S. Webb, Attorney General, Hon. Daniel J. O'Brien, Director of Penology, Hon. Court Smith, Warden of Folsom Prison, and Hon. James B. Holohan, Warden of San Quentin Prison. After a careful examination of the application and evidence pertaining thereto by the above mentioned board, they have written me a letter of recommendation which reads as follows:

"Sacramento, California, April 29, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Michael Paraskevopoulos, San Quentin Parole No. 31044, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, April 22, 1932.

The board recommends that this application for pardon be granted for the reason that this applicant served his sentence, and that for the past eight years his conduct and activities on parole have been exemplary.

The file relating to this case is herewith returned

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendations, and the fact that before the applicant was convicted of this offense, and since his release from the penitentiary he has enjoyed an enviable reputation in the community in which he resides, and has led the life of a law-abiding and conscientious citizen, I believe that he should be restored to citizenship.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Michael Paraskevopoulos of the crime of murder, first degree, in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this nineteenth day of May, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for a pardon on behalf of Xaver Schmah, who was convicted of the crime of manslaughter in the City and County of San Francisco on December 5, 1922. He was duly received at San Quentin Penitentiary on July 30, 1923, and given No. 38216. After serving a period of approximately one year, Xaver Schmah was released on parole July 30, 1924, and was discharged from parole on February 28, 1927.

During the time Xaver Schmah was on parole he reported at regular intervals to Ed H. Whyte, State Parole Officer, who had a splendid opportunity to observe his conduct and actions, and as a result of his observation he has written me a letter of recommendation which I am quoting herewith:

"San Francisco, California, December 10, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Sir:

Relative to the application for pardon submitted by Xaver Schmah, former San Quentin No. 38216, received July 30, 1923, from San Francisco County for crime of manslaughter (automobile), sentenced to a term of five years, released on parole July 30, 1924, discharged from parole February 28, 1927.

This subject during the term of his parole was a diligent and industrious worker, complied fully to his parole requirements, and was a high class man in every respect.

He was not a criminal type, having been committed to San Quentin on a manslaughter charge, growing out of an automobile accident, causing the death of a small child. The evidence showed he was somewhat under the influence of intoxicants at the time, although Schmah has always maintained that the child darted off the sidewalk directly into the path of his car, and he did his utmost to avoid the accident and offered every possible aid immediately thereafter.

I have no hesitancy in recommending him for any consideration that could be extended, as his offense was not deliberate and prior to that he had enjoyed an excellent reputation as a business man in San Francisco, respected and an asset to his community.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted this application, together with the evidence accompanying the same, to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor, Hon. U. S. Webb, Attorney General, Hon. Daniel J. O'Brien, Director of Penology, Hon. James B. Holohan, Warden of San Quentin Prison, and Hon. Court Smith, Warden of Folsom Prison. After a careful examination of the application and evidence pertaining thereto, the above mentioned board have written a letter of recommendation to me which reads as follows:

"Sacramento, California, April 29, 1930.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Xaver Schmah, paroled San Quentin No. 38216, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, April 22, 1932.

The board recommends that this application for pardon be granted, the board being satisfied that the applicant served his sentence, his two and one-half year parole period, and that his conduct and general behavior since expiration date of parole, which was five years ago, has been good

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

I have also received letters of recommendation from Honorable Louis H. Ward, judge of the superior court of the City and County of San Francisco, who

presided at the trial when the applicant was convicted, and from Honorable Matthew Brady, District Attorney of the City and County of San Francisco, which I am quoting herewith:

'San Francisco, California, August 14, 1931.

Honorable James Rolph, Jr.,
Governor of the State of California,
Executive Chambers, State Capitol,
Sacramento, California.

My Dear Governor:

Xaver Schmah was convicted by a jury in the department of the superior court over which I presided in December, 1922, upon a charge of manslaughter, based upon evidence that the defendant had operated an automobile in a reckless manner, thereby causing the death of a young boy.

Prior to the commission of this offense Schmah's record was excellent. The crime did not involve moral turpitude, and I understand that since his release from the State prison his conduct has been exemplary.

With these facts in mind I heartily recommend that Schmah should be granted a full pardon.

Respectfully,

(Signed) LOUIS H. WARD"

"San Francisco, California, August 18, 1931.

Honorable James Rolph, Jr.,
Governor of the State of California,
Sacramento, California.

My Dear Governor:

It has been brought to my attention that Xaver Schmah has made an application to you for a pardon

The defendant was convicted of manslaughter (causing the death of a boy by reason of the reckless operation of an automobile). He was given a sentence of five years, and after serving one year thereof in San Quentin, was paroled for a term of three years, the latter term expiring in July, 1927. Since the expiration of his term he has been engaged in a bona fide business, to wit: the egg and produce business at 1831 Eddy Street in this city and county.

In view of the fact that the crime for which he was convicted involved no moral turpitude, and for the additional reason that he has reestablished himself in this community and has conducted himself as a law-abiding citizen, I believe and therefore earnestly recommend that his application for a pardon be acted favorably upon by yourself.

With kindest personal regards and best wishes, I remain

Very sincerely yours,

(Signed) MATTHEW BRADY, District Attorney."

In view of the above recommendations and the fact that the applicant appears to have completely rehabilitated himself in the community, and the fact that there was no moral turpitude involved in the original crime, I believe that he should be restored to citizenship in order that he will not be further handicapped in future years

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Xaver Schmah of the crime of manslaughter in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-third day of May, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest. FRANK C. JORDAN, Secretary of State.

COMMUTATION OF SENTENCE

There has been presented to me an application for a commutation of sentence on behalf of one O. A. Kenney, who was convicted in the superior court of the county of Santa Clara on February 2, 1931, of the crime of assault with a deadly weapon. He was received at San Quentin Penitentiary on February 3, 1931, and given No. 49628.

The applicant appeared before the Board of Prison Terms and Paroles, consisting of Hon. Charles L Neumiller, President, Hon. Frank Sykes and Hon. Joseph H. Stephens, at a meeting held at San Quentin on March 5, 1932, at which time his definite term of confinement was fixed at seven (7) years. However, due to the extremely poor health of the applicant, the above mentioned Board of Prison

Terms and Paroles have again considered the case of O A. Kenney, and as a result thereof have recommended to me in a letter under date of May 19, 1932, that his sentence be commuted to three and one-half (3½) years, which letter I am quoting herewith:

"San Quentin, California, May 19, 1932.

To His Excellency, James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

My Dear Governor.

The members of the Board of Prison Terms and Paroles, the Warden and resident physician of California State Prison, San Quentin, respectfully recommend to Your Excellency, that commutation of sentence be granted to O. A. Kenney, No. 49628, a prisoner now at San Quentin Prison.

O. A. Kenney was received here February 3, 1931, to serve an indeterminate sentence not to exceed ten (10) years for the crime, assault with a deadly weapon He pleaded guilty before Honorable J R. Welch, judge, superior court, Santa Clara County. This man appeared before this board at a meeting held at this institution on March 5, 1932, and in accordance with the provisions of section 1168 of the Penal Code, subdivision 4, paragraph A, (1929) the definite term of confinement was fixed at the legal minimum of seven (7) years, and in accordance with subdivision 4, paragraph 2, of the same section, (1931) he was granted parole, effective when he will have served one-half of such minimum with credits, which provides that the earliest date his parole could be made effective is June 18, 1933. The Legislature of 1931 amended this law, making the minimum sentence five (5) years for crimes committed under similar circumstances

Hon. J. R. Welch, in his statement to this board in accordance with the provisions of section 1192a of the Penal Code, wrote as follows:

'—— was tried by the court and found guilty of the crime of assault with a deadly weapon. So far as known, defendant has no prior record, and is vouched for by many influential persons with whom he came in contact and whom he impressed as being a man of good moral character, with the exception of this one mistake If the defendant proves to be a good prisoner, I am recommending parole at the earliest time, so as to give him an opportunity, which apparently he is so sincerely anxious to avail himself of, to make good—'

Assistant District Attorney C C. Cottrell, in the same statement advises

'—— the defendant, prior to his arrest on a robbery charge, apparently had a good work record, and was a man of good standing in the community. While out of employment he fell under the influence of an individual he had met in a pool room, and the two of them held up a soft drink parlor of questionable repute on the outskirts of the city of San Jose. They obtained the sum of $12.00, the other man escaping and the defendant being arrested a few days later. He readily admitted the whole thing and assisted officers in trying to locate the other man. He stood trial before the court, his defense consisting largely of a story of necessity from unemployment that caused him to listen to the story of an easy way to get money. A gun was used in the commission of the crime, but *no one was injured.* Owing to the apparent good record of this man, we would not oppose an early parole providing his prison record is satisfactory.'

On May 20, 1932, Dr. L. L. Stanley, resident physician of San Quentin Prison, filed the following report with the warden:

"Honorable J. B. Holohan, Warden.
Re: Kinney, O. A., No. 49628.

Dear Sir:

Replying to your request in regard to the above captioned prisoner, have to say he was received here in February, 1931, from Santa Clara County, sentence of nothing to ten years, assault with deadly weapon.

He was born in Missouri in December, 1905, and gave his occupation as nurse. His father and mother were both dead and he had one brother living. He claims to have had mumps in 1918, gonorrhea in 1928, and rheumatism at the present time. In 1924 he had two toes on right foot amputated in the Crossett Hospital, Crossett, Arkansas. His complaint on entrance to the prison was that of heart trouble.

Physical examination showed him to have valvular heart disease. Wassermann reaction for syphilis was negative and vision normal.

He was admitted to the hospital June 26, 1931, on account of his heart condition. He was transferred to our infirm ward on June 30, where he has been up to the present time.

This man's heart is not in good condition. He is not confined to his bed. He is able to be around some, but is unable to do any work which will require exertion. I do not consider that death is imminent.

Yours very truly,

(Signed) L. L. STANLEY, Resident Physician."

Mrs. Frances C. Flatley of 546 Steiner Street, San Francisco, the foster mother of this prisoner, writes that she is able to give him care and medical aid.

State Parole Officer Ed H Whyte, reports as follows:

"* * * I have contacted Mrs. Frances C. Flatley of San Francisco, who is a registered nurse, and a very thorough and competent woman. She is in a position to give him the care and attention his condition may require * * *."

C. L Neumiller, Mr. Joseph H. Stephens, and Mr. Frank C. Sykes, members of the Board of Prison Terms and Paroles, as well as Warden James B. Holohan and Dr. L. L. Stanley, submit that the minimum sentence provided by law in this case is too severe, and because of the condition of the health of this prisoner, they believe his sentence should be commuted to a term of three and one-half (3½) years, which will permit the parole law to operate, and he can be released on an early date to the custody of his foster mother, who assures us that she will give him all necessary care and attention.

BOARD OF PRISON TERMS AND PAROLES.
(Signed) C. L. NEUMILLER, Chairman.

Attest: May 19, 1932.
MARK E. NOON,
Secretary, Board of Prison Terms and Paroles, San Quentin, California."

In view of the above recommendation and the fact that the applicant is in exceptionally poor health, I am of the opinion that his sentence should be commuted to three and one-half (3½) years, which will permit the Board of Prison Terms and Paroles to release him at an early date

Now, therefore, I, James Rolph, Jr, Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence of O. A. Kenney to three and one-half (3½) years.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-fourth day of May, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

COMMUTATION OF SENTENCE

There has been presented to me an application for commutation of sentence on behalf of one Leroy Coffman, who was convicted of two counts of first degree robbery in Los Angeles County on April 2, and May 29, 1930. He was received at San Quentin Penitentiary on June 7, 1930, and given No. 48625.

At a meeting of the Board of Prison Terms and Paroles, consisting of Hon. Charles L. Neumiller, President, Hon Frank Sykes and Hon Joseph H. Stephens, held on May 12, 1932, the case of Leroy Coffman was given serious consideration, at which time a definite term of confinement on each count was fixed at twelve (12) years, to run concurrently. As a result of their investigation of this case, the above mentioned board have written me a letter of recommendation which reads as follows:

"San Quentin, California, May 19, 1932.

To His Excellency,
Governor, State of California,
Sacramento, California.

My Dear Governor:

The members of the Board of Prison Terms and Paroles, the warden, and the resident physician of California State Prison, San Quentin, respectfully recommend to Your Excellency, for reasons hereinafter set forth, that commutation of sentence be granted to Leroy Coffman, No. 48625, a prisoner now in San Quentin Prison.

Leroy Coffman was received here June 7, 1930, to serve two concurrent sentences of from five years to life, for the crime, robbery, first degree. He was convicted by a jury on count one, and pleaded guilty to count two before Honorable E H. Wilson, judge of superior court, Los Angeles County.

He appeared before this board on May 12, 1932, and the definite terms of confinement were fixed at twelve (12) years, to run concurrently. These terms were fixed to maintain the policy of substantial sentences for this class of crime, and to permit any relief to come through executive clemency, parole, or by granting of credits for meritorious services. Commutation to six years will give this board present jurisdiction.

On May 17, 1932, Dr. L L Stanley, resident physician of San Quentin Prison, filed with this board a report which reads as follows:

'Mr. Mark E. Noon, Clerk,
State Board of Prison Directors,
San Quentin.

Re: Coffman—No. 48625

Dear Sir:

Replying to your request in regard to the above captioned prisoner, have to say that he was received here in June, 1930, from Los Angeles County, sentence of five years to life for robbery in the first degree

He was born in Texas in 1902, and gave his occupation as machinist and plumber. His father and mother are both alive and well. He has four brothers and three sisters He claims never to have been ill, and when he came here he had no complaint.

Physical examination on entrance showed him to be in good health. He had a large birth mark over his left shoulder.

On July 14, 1931, this man came to the hospital with headache and general malaise. He had high fever and weighed 127 pounds He was discharged from the hospital on July 19, but on July 31, returned with a recurrence of his trouble. He coughed very much and spat up some blood

Examination of his sputum revealed tubercle bacilli, and he was, therefore, placed in the tuberculosis hospital, where he is at the present time.

At the present time he weighs 120 pounds and has fever all the time. This morning he had considerable pulmonary hemorrhage. Although I do not think death is imminent, still if someone on the outside would give him the proper care, I think it would be well to grant him a parole.

Yours very truly,

(Signed) L. L. STANLEY, Resident Physician.'

In accordance with the provisions of section 1168 of the Penal Code, the minimum sentence that can be fixed in this case is seven (7) years, and subdivision 4, paragraph 2 of the same section, does not permit this board to parole this prisoner until he has served one-half of the minimum sentence with credits, which is two years, four months and fifteen days. Therefore, the earliest date upon which parole can be made effective legally is October 22, 1932.

The Legislature of 1931 amended this law, making the minimum sentence five (5) years for crimes committed under similar circumstances.

Mrs. W D. Coffman, of Pateet, Texas, wrote to this board under date of November 24, 1931, pleading for the parole of her son because of the condition of his health. Mr D A. Coffman, of Presidio, Texas, an uncle of this prisoner, wrote to Your Excellency under date of September 4, 1931, requesting executive clemency or parole, stating that if the prisoner is paroled to him he would willingly pay transportation, take him in charge, and give him proper hospitalization.

Mr Charles L. Neumiller, Mr Joseph H. Stephens, and Mr Frank C. Sykes, members of your Board of Prison Terms and Paroles, as well as Warden James B. Holohan and Dr. L. L. Stanley, believe that commutation of sentence in this case to six (6) years, will be a furtherance of justice and a humane consideration, thus permitting the parole law to operate so that this prisoner can be paroled to the custody of his relatives for hospitalization in the State of Texas. This will insure proper care, and permit him to spend the remaining days of his life in a dry climate away from prison environment.

Respectfully submitted.

BOARD OF PRISON TERMS AND PAROLES.
By C. L. NEUMILLER, Chairman.

Attest: May 19, 1932.
MARK E NOON, Secretary, Board of Prison Terms and Paroles, San Quentin, California."

In view of the above recommendation and the fact that the applicant is in exceptionally poor health, I believe that his sentence should be commuted to six (6) years on each of the above counts, which will enable the Board of Prison Terms and Paroles to carry out their desire to parole the applicant

Now, therefore I, James Rolph, Jr Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State,

do hereby commute the sentence of Leroy Coffman to six (6) years on each of the above mentioned counts.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-fourth day of May, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C JORDAN Secretary of State.
By FRANK H CORY, Deputy.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for pardon on behalf of James Westley Smalling, who was convicted of the crime of murder in the county of Calaveras in September, 1889 He was duly received at San Quentin Penitentiary on May 18, 1891, and given No. 14554. Mr Smalling was released on parole December 26, 1908, and since that time has reported at regular intervals to Ed H. Whyte, State Parole Officer. Mr. Whyte has therefore had an excellent opportunity to observe his actions and reputation, and as a result thereof has written me the following letter of recommendation:

"San Francisco, California, November 9, 1931.

Honorable James Rolph, Jr.
Governor, State of California,
Sacramento, California.

Sir:

I am in receipt of a request from J. W. Smalling, San Quentin parole No. 14554, asking me to present his application for pardon, not knowing just how this should be submitted. I know I should return it and tell him to send it in direct to your office himself, but he is such a trusting and sincere old fellow, now approaching seventy-five, I hate to refuse him. He has been on parole for about twenty-three years, and I am therefore taking the liberty of sending this in for him, which I trust will be in order.

J. W Smalling entered San Quentin Prison, May 18, 1891, for crime of murder, first degree, from Calaveras County Paroled December 26, 1908. He has abided by the rules of his parole to the letter and has never given even the slightest trouble for a period of almost twenty years, and has served both on parole and in prison, forty years for his offense.

He cannot have very many years more to go and is our oldest subject in point of years served, and I am in favor of any consideration that could be extended to him.

Respectfully submitted

(Signed) ED H. WHYTE, State Parole Officer."

This application, together with evidence accompanying the same, has been forwarded to the Advisory Pardon Board, consisting of Hon. Frank F Merriam, Lieutenant Governor, Hon U S. Webb, Attorney General, Hon. Daniel J. O'Brien, Director of Penology, Hon. Court Smith, Warden of Folsom Prison, and Hon James B. Holohan, Warden of San Quentin Prison. After a thorough investigation of the evidence presented in connection with this application, the above mentioned board have made a recommendation to me which I am quoting herewith:

"Sacramento, California, May 25, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of James Westley Smalling, paroled San Quentin No. 14554, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, May 13, 1932.

The board recommends that this application for pardon be granted, the record satisfying the board the applicant served his sentence in prison, and that for the past twenty-three (23) years and over he has borne a good reputation for conduct and general behavior.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendations and the fact that James W Smalling has served his term in prison and has been leading the life of a law-abiding and conscientious citizen, I am of the opinion that he should be restored to citizenship.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State.

do hereby pardon James Westley Smalling of the crime of murder in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-fifth day of May, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for a pardon on behalf of one R. A. Benkert, who was convicted of the crime of forgery in Los Angeles County on February 18, 1919. He was duly received at San Quentin Penitentiary on February 25, 1919, and given No. 32411. After serving a period of one year in San Quentin Penitentiary, he was released on parole February 28, 1920. During the time he has been on parole, he has reported at regular intervals to Ed H. Whyte, State Parole Officer, having been discharged from parole on February 17, 1923. As a result of the observation of Mr. Whyte and his opportunity to observe the attitude and conduct of the applicant, R. A. Benkert, he has written a letter of recommendation to me which reads as follows.

"San Francisco, California, December 16, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Sir:

Relative to the application made for a pardon by Robert A. Benkert, former San Quentin No. 32411, received from Los Angeles County, February 25, 1919, for crime of forgery (four commitments all to run concurrently) sentenced to a term of seven years, released on parole December 20, 1920, and discharged from parole, September 17, 1923.

During the period of parole, he gave every evidence of having a concerted effort to make amends for his one and only mistake, kept the rules of his parole and was constantly employed.

His case was one of those that for some unexplainable reason often occur. He was a young man of good family, an excellent education, college graduate, and a practicing attorney, with practically everything in his favor. He evidently became a bit ahead of himself and forged the name of a woman to several checks of large amounts.

In so far as this was his first offense, and he has now been free for about eight years, and is at an age where he needs to be able to marshal all of his talents and to be handicapped with his record is a heavy obstacle to circumvent. He is now about forty years of age.

I would recommend him for favorable consideration.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted this application, together with the evidence accompanying the same to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor, Hon. U. S. Webb, Attorney General, Hon. Daniel J. O'Brien, Director of Penology, Hon. Court Smith, Warden of Folsom, and Hon. James B. Holohan, Warden of San Quentin Prison. After a thorough and careful consideration of the application and evidence pertaining thereto, the above mentioned board have made a recommendation to me which I am quoting herewith:

"Sacramento, California, April 29, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Robert A. Benkert, paroled San Quentin No. 32411, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, April 22, 1932.

The board recommends that this application for pardon be granted, the applicant having served his 2¾ year period on parole, and that since the discharged date of parole which was approximately 8½ years ago, his activities, behavior and general conduct have been good.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendations and the fact that the applicant appears to have completely rehabilitated himself and has been leading the life of a law-abiding and conscientious citizen since 1920, when he was released on parole, I believe that he should be restored to citizenship in order that he will not be further handicapped in his pursuant of happiness

Now therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon R. A Benkert of the crime of forgery in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-seventh day of May, A. D. 1932

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

Tom H. Walker, No. 17557, is now incarcerated in Folsom Penitentiary, having been convicted of the crime of murder, first degree, and sentenced to hang at Folsom Penitentiary. I have already given two reprieves to Tom H. Walker, the last of which expires June 3, 1932, in order that an application for executive clemency could be filed with the Supreme Court of the State of California.

In view of the fact that the Supreme Court has not arrived at a decision in the matter of the application for a commutation of sentence, it is necessary that Tom Walker be granted a further reprieve to allow the Supreme Court additional time to investigate and carefully consider the application for executive clemency before rendering their decision

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State do hereby grant a reprieve to Tom H Walker from said date of Friday, June 3, 1932, to Friday August 5, 1932.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this first day of June, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H CORY, Deputy.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for a pardon on behalf of one Z. F. Beck, who was convicted in the superior court of Butte County of issuing a ten dollar ($10.00) check without sufficient funds deposited in the bank, and sentenced to a term of four years in San Quentin Penitentiary on June 14, 1926. He was duly received at San Quentin on June 22, 1926, and given No. 42355. He was released on parole August 10, 1927, and received his final discharge on June 22, 1929.

During the time Z F Beck was serving his parole term he reported at regular intervals to Ed H. Whyte, the State Parole Officer, and in a letter written to me by Mr. Whyte he has made a recommendation which reads as follows:

"San Francisco, California, December 22, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
State Capitol,
Sacramento, California.

Sir:

Relative to the application submitted for pardon by Z. F. Beck, former San Quentin No. 42355, received from Butte County June 22, 1926, for crime of violating section 476, Penal Code, sentenced to a term of four years, released on parole August 10, 1927, received his final discharge June 22, 1929.

During the period of his parole, he made a valiant and sacrificing battle to maintain his wife and three children. Kept the rules and regulations of his parole to the letter.

After taking into consideration that it was only a check for $10.00 that caused him to be sent to prison, and the man is very much handicapped, having only a minimum of education and a family of very small children, I believe he is sincere in his efforts to become a useful and industrious citizen,

and do not believe him to be of the criminal type. Hence, I feel he would be entitled to consideration for a pardon.

Respectfully submitted

(Signed) ED H. WHYTE, State Parole Officer."

This application, together with the evidence accompanying the same, was submitted to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor, Hon. U. S. Webb, Attorney General, Hon. Daniel J. O'Brien, Director of Penology, Hon. Court Smith, Warden of Folsom Prison, and Hon. James B. Holohan, Warden of San Quentin Prison. After a thorough and serious consideration of the application and evidence pertaining thereto, the above mentioned board has made a recommendation to me which I am quoting herewith.

"Sacramento, California, May 25, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California

Dear Governor Rolph:

The case of Z. F. Beck, paroled San Quentin No. 42355, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, May 13, 1932.

The board recommends that this application for pardon be granted this applicant for the reason that he served his sentence in prison and on parole, and also that he has rehabilitated himself to the extent of becoming a useful and industrious member of society.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendations, and the fact that since his liberation Z. F. Beck has been leading the life of a law-abiding and conscientious citizen, I am of the opinion that his efforts should be rewarded by the restoration of his citizenship.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Z. F. Beck of the crime of issuing check without sufficient funds, in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this third day of June, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

COMMUTATION OF SENTENCE

There has been presented to me an application for a commutation of sentence to time served on behalf of Abundio Martinez, who was convicted of the crime of manslaughter in the Superior Court of Mendocino County on July 11, 1930. He was duly received at San Quentin Penitentiary on July 14, 1930, and given No. 48799.

I have been informed that the crime for which Abundio Martinez was convicted resulted from an incident when the applicant shot an Indian who had come to his home during the night for the purpose of stealing some wine. Judge Hugh L. Preston, who presided at the trial at the time the applicant was convicted, indicated that if it was possible he would have given the applicant a six months' sentence. However, in view of the fact that a deadly weapon was used in the commission of the crime, it was impossible to carry out his intention.

A letter has been received from the above-named judge, who is now Presiding Justice of the Third District Court of Appeal, which I am quoting herewith:

"Sacramento, California, March 9, 1932.

Mr. F. A. Cochran,
Executive Secretary to Governor James Rolph, Jr.,
Sacramento, California

Dear Mr. Cochran:

I am handing you herewith an application for executive clemency by Abundio Martinez.

This man was convicted in my court in Ukiah in July, 1930, of the crime of manslaughter and sentenced to San Quentin for the term prescribed by law.

It was not an aggravated case at all, and there was considerable provocation for Martinez to commit the crime, but the difficulty was he shot this

Indian after he had left the house. If he had shot him while at his place, I do not believe the jury would have convicted him.

I recommended the minimum sentence, but, owing to the fact that he committed the crime with a deadly weapon, my recommendation could not prevail.

I am in favor of pardoning him for two reasons:

1. He has suffered enough

2 His wife and child were killed on a visit to the prison some time ago, and as I understand, they met their death through the negligence of the driver of a wagon, and he can not maintain a suit for damages unless he is pardoned.

For these two reasons, I recommend to the Governor executive clemency.

With all good wishes, I am

Yours very truly,

(Signed) HUGH L. PRESTON."

A letter has also been received from Hon. Lilburn Gibson, District Attorney of Mendocino County, who prosecuted the case, addressed to Hon. Daniel J. O'Brien, which reads as follows:

"Ukiah, California, May 16, 1932.

Honorable Daniel J. O'Brien,
Director of Penology,
San Francisco, California.

Dear Sir:

I understand that one Abundio Martinez has made application to the Governor for executive clemency and has asked for a pardon. I have been asked to write you and state my views on the subject, and in this connection will say that I have no objection to Mr. Martinez receiving a pardon at this time.

Very truly yours,

(Signed) LILBURN GIBSON,
District Attorney of Mendocino County."

I have submitted this application to Honorable Daniel J. O'Brien, Director of the Department of Penology, for his investigation and recommendation, and as a result thereof I have received a letter of recommendation from Mr. O'Brien which I am quoting herewith:

"Sacramento, California, June 1, 1932

Honorable James Rolph, Jr,
Governor of California,
Sacramento, California.

Dear Sir:

I am returning herewith application for executive clemency in the case of one Abundio Martinez, San Quentin inmate No. 48799, received from Mendocino County on July 11, 1930, to serve a term of not more than ten years for the crime of manslaughter.

The Honorable Hugh L. Preston, Presiding Justice of the Third District Court of Appeal, was the trial judge in this case and recommended the minimum sentence of six months His letter recommending executive clemency is on file; also a letter from the District Attorney, the Honorable Lilburn Gibson, in which he states he has no objection to the applicant receiving executive clemency.

In view of the above, I respectfully recommend that the sentence of Abundio Martinez be commuted to time served with the restoration of citizenship.

Respectfully yours,

(Signed) DANIEL J O'BRIEN."

In view of the above recommendations and the fact that I believe Abundio Martinez has paid his debt to society by serving approximately two years in San Quentin Penitentiary, and further that in his present condition he can not maintain a suit for damages for the death of his wife and child who were killed in an automobile accident through the negligence of the driver of a wagon, I believe that his sentence should be commuted to time now served, and that he should be restored to citizenship.

Now, therefore, I, James Rolph, Jr, Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence of Abundio Martinez to time served and restore him to citizenship

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this eighth day of June, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

COMMUTATION OF SENTENCE

There has been presented to me an application for a commutation of sentence on behalf of one Frank Martin, who was convicted of the crime of second degree murder in the Superior Court of Butte County on January 4, 1915, and given No. 28143. After serving approximately ten years, he was released on parole February 2, 1925

The State Board of Prison Directors, consisting of Hon C. L. Neumiller, president, Hon. Julian H. Alco, Hon. Henry Eickhoff, Hon. Raymond A Leonard, and Hon. Frank C. Sykes, have carefully and thoroughly considered the application and the facts surrounding the conviction and subsequent sentence of the applicant, and have made a recommendation to me which I am quoting herewith:

"San Quentin, California, June 4, 1932.

To His Excellency James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

My Dear Governor:

The State Board of Prison Directors respectfully directs the attention of Your Excellency to the case of Frank Martin, No. 28143, a prisoner now on parole from San Quentin Prison.

Frank Martin was received here January 10, 1915, after having been convicted by a jury of the crime of murder in the second degree, in the Superior Court, Butte County, California. He was sentenced by the court to serve a definite term of forty years, and was released on parole February 2, 1925, after having served over ten calendar years within the prison walls.

Since he has been on parole this prisoner has maintained a perfect record for conduct and industry We are now reliably informed that he is suffering from active tuberculosis, which has advanced to such a stage as to keep him from his employment. He has friends in the State of Oregon who will take him, give him a home and proper care, but they do not want him to come there as a paroled man

Mr. George F. Jones, now an attorney at law at Oroville, California, was the judge who tried this case. His successor, Judge H. D. Gregory, imposed the sentence. Mr. Jones now writes as follows

'In December, 1914, as judge of the Superior Court of the State of California, in and for the county of Butte, I tried the case of *The People of the State of California* vs *Frank Martin*, San Quentin No. 28143.

Because my term expired before sentence was passed, Judge H. D. Gregory sentenced Mr. Martin, and it has always been my opinion that the sentence imposed was too severe

Mr. Martin, I am told by J. A. Light, constable of Chico township, who I understand has been his parole officer since his release from San Quentin, has been conducting himself in a proper manner, and is now making application for a release from parole or whatever action must be taken to permit him to leave the State of California.

I most heartily recommend that any action the State authorities can take in connection with Mr Martin's case, except of course, pardon, be taken, and you may use this letter as a recommendation to that effect.'

Mr. Raymond A. Leonard of Oroville, California, now a member of the State Board of Prison Directors, was District Attorney at the time the crime was committed, and prosecuted the prisoner on the charge of murder. Director Leonard addressed a letter to this board as follows:

'The first case I prosecuted as District Attorney of Butte County, was Frank Martin on a murder charge, who was convicted of second degree murder.

Mr. George F. Jones was on the bench for a short time during the months of December, 1914, and January, 1915, and he presided in this action. However, before sentence was passed, his term expired, and H. D. Gregory was on the bench at the time of sentencing.

Mr. Jones stated at the time to me and to others he had intended to sentence Martin to ten years. However, Judge Gregory sentenced him to forty years.

Mr. J. A. Light, constable of Chico, who has been Martin's parole officer since his release from San Quentin Prison, informs me, and I

have checked this to be correct, that Martin is in an advanced stage of tuberculosis. His last job consisted of a sheep herding job, but he is now unable to do that work.

Martin has some friends in Oregon who will take care of him, but they do not want him to come there as a paroled man.

I, therefore, recommend that Martin be given sufficient credits to terminate his prison term for the reasons, first, that he got an excessive sentence, and second, that his health is such that he will become a public charge, whereas, otherwise he can go to his friends in Oregon.

I am enclosing herewith letters from Mr. Jones and J. A. Light concerning this matter, which letters you will find self-explanatory.'

Mr. J. A. Light, constable at Chico, has filed the following letter with this board:

'Mr. Frank Martin was convicted by you in 1915 of murder in the second degree, and was duly sentenced to a term of forty years.

The facts of this case are that Martin was more or less acting in self defense and never should have been convicted of a greater charge than manslaughter.

Hon. George F. Jones, the judge before whom this case was tried, stated that at that time he intended to sentence Martin for a period of ten or twelve years However, Hon. H. D. Gregory, who was elected as judge, took the bench before the sentence could be pronounced, and he sentenced Martin to forty years.

Mr. George F. Jones will verify these statements, and I am sure that you know the facts yourself.

Frank Martin is now tubercular and in very poor health, and it will only be a question of a short time that something else will have to be done for him.

He has served over seventeen solid years of his twenty-four years of his solid sentence.

He has some friends out of this State, being close to Lake View, Oregon, who will take him just as soon as he can get off of parole, and will take care of him during his declining days.

May I not, therefore, please suggest that you immediately take such steps as are necessary, so that the State Board of Prison Directors can determine Martin's sentence?

During all of the time Martin has been out on parole he has never once caused any trouble, and I am informed that he has a good prison record I am not personally interested in this man except to see that he does get proper care and attention in his condition.'

State Parole Officer Ed H. Whyte, writes as follows, recommending clemency:

'Responsive to your request for a report from the department relative to our parole Frank Martin, No. 28143, received at San Quentin State Prison, January 10, 1915, from Butte County, crime of murder, second degree, sentenced to a term of forty (40) years, and who was released on parole, February 2, 1925, and whom you advise is seeking a pardon or commutation consideration

Martin has been a very good parole subject, working as a ranch hand and sheep herder near Chico, California. His health of late has been very poor, suffering from tuberculosis, which disease has kept him from his employment He has an offer from some friends who will take him to Oregon and provide him with a home and care, but they do not wish to assume his parole responsibility.

Communications have come to me from officials in and around Chico, California, and they all feel that he is deserving of consideration.

In so far as his application for pardon consideration is being filed, and taking this opportunity of submitting my recommendation.

Due to his present physical condition, being unable to work, and his illness may cause his demise at any time, would not hesitate to recommend that he be extended the lenience he seeks, as it will afford him the opportunity to accept the offer of a home and care that he requires. Otherwise, in a short time he may become a public or institutional charge.'

In consideration of all the facts and recommendation above set forth, the State Board of Prison Directors respectfully recommend in accordance with the provisions of section 1596 of the Penal Code of the State of California, that Your Excellency commute the sentence of San Quentin paroled

prisoner No. 28143, Frank Martin, to the time he has served, thereby insuring proper care during his sickness, and preventing him from becoming a public charge on this State.

Respectfully,

(Signed) C. L. NEUMILLER, President,
State Board of Prison Directors, San Quentin California.

Attest:
June 4, 1932.
(Signed) MARK E. NOON, Clerk,
State Board of Prison Directors,
San Quentin."

In view of the above recommendation and the fact that the recommendations referred to therein from Hon. George F. Jones, who was the judge who presided at the trial; Raymond A. Leonard, member of the State Board of Prison Directors, who was District Attorney at the time the applicant was convicted; J. A. Light, constable at Chico, and Ed H. Whyte, State Parole Officer, were exceptionally favorable, and the fact that the applicant is suffering from active tuberculosis to such an extent that he can no longer be regularly employed, I believe that his time should be commuted to time served, in order that he may be able to go to his friends in Oregon, who have kindly offered to take care of him for the rest of his life.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence of Frank Martin to time already served.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this ninth day of June, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for executive clemency on behalf of Hannah Ashkenazy, sometimes known as Hanna Ashkenazi, who was convicted of the crime of performing an abortion, in the county of San Francisco, on May 1, 1921. She was duly received at San Quentin Penitentiary on May 14, 1921, and given No. 34889. After serving a period of approximately two years, she was released on parole May 25, 1923, and received her discharge from parole on May 14, 1924. During the time Hannah Ashkenazy was on parole she reported at regular intervals to Ed H. Whyte, the State Parole Officer. As a result of his observation of the applicant, Mr. Whyte has written a letter of recommendation to me which reads as follows:

"San Francisco, California, January 28, 1932.

Honorable James Rolph, Jr., Governor,
State of California,
State Capitol,
Sacramento, California.

Sir:

Relative to the application submitted for executive clemency by Hannah Ashkenazy, who was received at San Quentin Prison May 14, 1921, from San Francisco County, for crime of violation of section 274 of the California Penal Code, sentenced to a term of three years, released on parole May 25, 1923, and discharged from parole, May 14, 1924.

Her conduct both for industry and general deportment during the period of her parole was exceptionally good. She was industrious, well behaved, and rendered every cooperation toward making her parole a success.

If it were not for the nature of her offense, I would not hesitate a moment from giving her an excellent recommendation for pardon relief. Her crime was for performing an illegal operation upon a woman with child. The matter of birth control is a much discussed and debatable one, with various opinions emanating on the subject. However, I can not condone this sort of a thing being done by parties who are neither trained nor equipped, making the outcome of such a thing hazardous to human life. A reputable and ethical physician or surgeon would not consider such a practice, with the consequence this business, although quite popular, has often terrible results, the result of bungling and inexperienced practitioners.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted the application, together with the evidence accompanying the same, to the Advisory Pardon Board, consisting of Hon. Frank F Merriam, Lieutenant Governor; Hon. U. S. Webb, Attorney General; Hon. Daniel J O'Brien, Director of Penology; Hon. Court Smith, Warden of Folsom Prison, and Hon. James B. Holohan, Warden of San Quentin Prison After a careful and thorough investigation of this case by the above mentioned board, they have written me a letter of recommendation which I am quoting herewith:

"Sacramento, California, May 25, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Hannah Ashkenazy, paroled San Quentin No. 34889, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, May 13, 1932.

The board recommends that this application for pardon be granted in view of the fact that the applicant served her sentence in prison, on parole, which was for approximately one year, and that since the date of parole discharge, which was eight years ago, her conduct and activities have been satisfactory.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendations and the fact that Hannah Ashkenazy has paid her debt to society and has been leading the life of a law-abiding and conscientious citizen since her release from the penitentiary, I believe that she should be rewarded for her efforts and restored to citizenship.

Now, therefore, I, James Rolph, Jr., pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Hannah Ashkenazy of the crime of abortion in order that she may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twentieth day of June, A.D 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

REPRIEVE

Re: Case of Alexander C. Ochoa, San Quentin No. 50592

I have this day conferred with Presiding Appellate Justice Hugh L. Preston, Jr., regarding the case of Alexander C. Ochoa, San Quentin No. 50592, under sentence of death, June 24, who has advised me that the recommendation with reference to the appeal for executive clemency filed on behalf of Alexander C Ochoa and referred to and recorded in my Official Register of Pardons, Commutations and Reprieves under dates of May 19 and 21, 1932, is not yet ready.

In view of this fact, therefore, I feel that a further reprieve should be granted to Alexander C. Ochoa, in order to allow Honorable Hugh L. Preston, Jr., former Chief Justice Matt I. Sullivan, and Mr. Peter J. Crosby additional time to complete their recommendations to me

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby grant to Alexander C Ochoa a reprieve from Friday, June 24, 1932, to Friday, July 29, 1932, for the reason hereinabove stated.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-first day of June, A.D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State
By CHARLES J. HAGERTY, Deputy.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for restoration of citizenship on behalf of William G. Latimer, Jr., who was convicted of the crime of bigamy in Alameda County on May 27, 1926 He was duly received at San Quentin Penitentiary on June 1, 1926, and given No. 42251. After serving a period of one year and six months, he was released on parole and was discharged from his parole on June 1, 1929. During the time the applicant was on parole he reported at

regular intervals to Ed H. Whyte, State Parole Officer, who has written a letter of recommendation to Hon. C. L. Neumiller, President of the Board of Prison Terms and Paroles, which reads as follows:

"San Francisco, California, December 23, 1931.

Honorable C. L. Neumiller, President,
State Board of Prison Directors,
Bank of America Building,
Stockton, California.

Dear Mr. Neumiller:

Relative to the application for pardon submitted to Hon. James Rolph, Jr., Governor of the State of California, by William G. Latimer, Jr., former San Quentin No. 42251, who was received at that institution June 1, 1926, from Alameda County for crime of bigamy, sentenced to a term of four years released on parole December 1, 1927, and discharged from parole June 1, 1929.

During the term of his parole, his record for deportment and general industry was exceptionally good He was at first occupied in a florist shop owned by his wife, at which he did very well, then later assumed the management of his own business, a laundry, and was quite successful. He is a man with considerable acumen, intelligent and very industrious

His trouble grew out of a sudden infatuation, and while under the influence of liquor, succumbed to an impulsive whim and married, failing at the time to take into consideration the seriousness of such an act. Had our present three-day license law been in effect, this may have been averted upon the full return of his full mental faculties.

I feel he is very good material for pardon consideration. He never was of the criminal type, and not a law-breaker in the literal sense of the word, but a business man and one who has always contributed toward the good of his community.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have also received a letter of recommendation from Hon Earl. Warren, who was the District Attorney of Alameda County at the time William G. Latimer, Jr., was convicted of the crime of bigamy, which I am quoting herewith:

"Oakland, California, February 16, 1932.

Honorable James Rolph, Jr.,
Governor of California,
State Capitol,
Sacramento, California.

My dear Governor:

This will acknowledge receipt of your letter of recent date concerning the application of W. G. Latimer, Jr., for restoration of citizenship.

Mr. Latimer pleaded guilty to the crime of bigamy in this county and was sentenced to San Quentin Prison, from which institution he was paroled a few years ago.

The crime which he committed was a silly affair with a paramour, who also committed bigamy with him, both of the bigamists remaining in this city and maintaining two households, namely, their legitimate homes where they lived with their families in the night time, and a bigamous household which they occupied in the day time.

Assuming that the conduct of Mr. Latimer in the penitentiary and on parole has been without fault, and if his mental attitude toward society is normal at the present time, I know of no reason why a pardon should not be granted if in your opinion such action is proper.

Very sincerely yours,

(Signed) EARL WARREN, District Attorney."

I have submitted the application, together with the evidence accompanying the same to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor; Hon. U. S. Webb, Attorney General; Hon. Daniel J O'Brien, Director of Penology; Hon. James B Holohan, Warden of San Quentin Prison, and Hon. Court Smith, Warden of Folsom Prison. After a careful and thorough consideration of the evidence accompanying the application, the above mentioned board has written me a letter of recommendation which reads as follows:

"Sacramento, California, May 25, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of William G. Latimer, Jr., paroled San Quentin No. 42251, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, May 13, 1932.

The board recommends that this application for pardon be granted, the board being satisfied that this applicant was properly convicted and sentenced, that he served the period fixed by law and that his conduct and general behavior while in prison and since date of parole, and after discharge date of parole, have been good.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendations and the fact that the crime of which William G. Latimer, Jr., was convicted was not of a criminal nature, but grew out of a sudden infatuation for a woman who was married and living with her husband, and the fact that since his release on parole he has been leading the life of a law-abiding and conscientious citizen in the community where he resides, I believe he should be restored to citizenship.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon William G. Latimer, Jr., of the crime of bigamy in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-first day of June, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C JORDAN, Secretary of State.

REPRIEVE

In Re: Raymond C. West, San Quentin No. 50148

I have received this morning the following communication from Honorable William H. Waste, Chief Justice of the Supreme Court of California:

"Supreme Court of California,
Chambers of the Chief Justice.

San Francisco, California, June 21, 1932.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor Rolph:

A majority of the Justices of the Supreme Court join in a recommendation that Raymond C. West, San Quentin prisoner No. 50148, be extended executive clemency by you, and that the penalty for a conviction for murder in the first degree be commuted from the death sentence to life imprisonment.

Very truly yours,

(Signed) WILLIAM H WASTE, Chief Justice."

I have also received a letter from the clerk of the Supreme Court of California, which is quoted herewith:

"Supreme Court of California,
Clerk's Office, State Building

San Francisco, California, June 21, 1932.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor Rolph:

This is to advise you that the documents relative to the application of Raymond C. West for executive clemency are being forwarded to your office today. A copy of the letter of the Chief Justice recommending that executive clemency be extended in this case is also being forwarded to the prisoner at San Quentin.

Respectfully yours,

B. GRANT TAYLOR, Clerk.
By (Signed) I. ERB, Chief Deputy."

I have also in my files the following letter from Honorable Neil R. McAllister, District Attorney of the county of Sacramento:

"Sacramento, California, June 10, 1932.

In Re: Raymond C. West:
Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

My dear Governor:

Some few days ago Orrin J. Lowell, attorney for the above named, filed with the Supreme Court of the State an application for commutation of sentence from the death penalty to life imprisonment, on behalf of the above named defendant.

I herewith enclose copy of our opposition thereto, filed this day with the Supreme Court, and request that if and when an application for commutation of sentence in this case comes before Your Excellency that this office be notified. We are very much opposed to a commutation of sentence in this case and do not believe it is a proper case for such action, and would like to have an opportunity of presenting our opposition.

Yours very truly,

(Signed) NEIL R. MCALLISTER, District Attorney."

I have made inquiry this morning of Hon. Neil R. McAllister, District Attorney of Sacramento County, and ascertained he left Sacramento this morning to attend the annual convention of the district attorneys of California, in conjunction with the California Crime Commission, to convene this afternoon at Al Tahoe, El Dorado County, and which convention will be in session until the end of this week.

The date of execution set for Raymond C. West is Friday, July 1, 1932, in the penitentiary at San Quentin. It is proper that I respect the request of the District Attorney of Sacramento County, Honorable Neil R. McAllister, who prosecuted the case of said Raymond C. West.

I find from my calendar that there is no opportunity for me to give Honorable Neil R. McAllister the hearing he requests before the date set for the execution, because I have engagements in Vallejo on Monday, June 27, Oakland, Tuesday, June 28, El Centro, Imperial County, Wednesday, June 29, Los Angeles, Thursday, June 30, and Glendale, Friday, July 1, returning to Sacramento the afternoon of Friday, July 1.

Therefore, in order to grant the said Honorable Neil R. McAllister the hearing he desires in this case, it is necessary that I grant a reprieve to said Raymond C. West, San Quentin No. 50148, and I hereby do so, extending the date of execution to Friday, July 15, 1932. Prior to this date I will grant a hearing to District Attorney Neil R. McAllister in protest to any executive clemency being given to said Raymond C. West, and thereafter decide the question of executive clemency brought to my attention by the recommendation of the Chief Justice of the Supreme Court of the State of California

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-second day of June, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

COMMUTATION OF SENTENCE

Raymond C. West, San Quentin No. 50148, was heretofore convicted of the crime of murder in the first degree, by a jury in the superior court of the county of Sacramento. When the jury returned its verdict, it made no recommendation as to punishment, thereby imposing upon the trial court the duty of sentencing him to death. The date of the execution of the sentence has been set for July 15, next.

Prior to his conviction of the crime of murder, Raymond C. West had been convicted of a felony. Under the provisions of section 1 of Article VII of our State Constitution—

"Neither the Governor nor the Legislature shall have power to grant pardon or commutation of sentence in any case where the convict has twice been convicted of a felony, except upon a written recommendation of the judges of the Supreme Court."

A majority of the justices of the Supreme Court, without any dissent, has recommended the extension of executive clemency by me to Raymond C. West by commutation of sentence to death, to imprisonment for life. By reason of the recommendation of the Honorable justices of the Supreme Court, I, James Rolph,

Jr., Governor of the State of California, by virtue of the authority conferred upon me, do hereby commute the sentence of Raymond C. West to imprisonment for life, provided, however, this commutation is made upon the following conditions:

His imprisonment shall be for the term of his natural life.

During his imprisonment, he will faithfully comply with all the rules and regulations governing the penitentiary wherein he may be imprisoned.

He will not hereafter be released from imprisonment and will not apply for parole to the Board of Prison Terms and Paroles, or to any board, commission or officer authorized by law to grant parole, nor will he during his imprisonment accept parole from any such board, commission or officer.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twelfth day of July, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

Re: Case of Alexander C. Ochoa, San Quentin No. 50592

Owing to a very recent death in the family of former Chief Justice Matt I. Sullivan, and also a death in my family, I have been unable to take up with the former Chief Justice the case of Alexander C. Ochoa, San Quentin No. 50592, under sentence of death on July 29, 1932.

In view of these facts, therefore, I feel that a further reprieve should be granted to Alexander C. Ochoa, in order to allow Honorable Hugh L. Preston, Jr., and former Chief Justice Matt I. Sullivan additional time to complete their investigation and make a recommendation to me on this case which I referred to them for their opinion for the reasons set forth in said request for their opinion.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby grant to Alexander C. Ochoa, a reprieve from Friday, July 29, 1932, to Friday, September 2, 1932, for the reasons hereinabove stated.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-fifth day of July, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

REPRIEVE

Tom H. Walker, No. 17557, is now incarcerated in Folsom Penitentiary, having been convicted of the crime of murder, first degree, and sentenced to hang in Folsom Penitentiary on August 5, 1932.

In view of the fact that I have no definite information of the final decision of the application filed on behalf of Tom Walker from his attorney, Jay Henry, of Sacramento, who was appointed by me to represent Walker, who was without an attorney, I hereby grant a reprieve to Tom H. Walker from Friday, August 5, 1932, to Friday, August 19, 1932, pending my return to Sacramento when I shall be able to receive definite knowledge of the status of this case.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby grant a reprieve to Tom H. Walker from Friday, August 5, 1932, to Friday, August 19, 1932.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this third day of August, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

REPRIEVE

I have conferred with Honorable William H. Waste, Chief Justice of the Supreme Court of California, regarding the case of Pat Nobles, No. 17261, now incarcerated in Folsom Penitentiary, having been convicted of the crime of murder, first degree, and whose execution has heretofore been set for Friday, August 19, 1932.

In view of the fact that no application has been made to the Supreme Court of California for a recommendation to the Governor for executive clemency on behalf of Pat Nobles, the Honorable Chief Justice concurs with me in the opinion that Pat Nobles should be granted a reprieve in order that he may file an application for executive clemency with the Supreme Court.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby grant to Pat Nobles, for the reason above stated, a reprieve from Friday, August 19, 1932, until Friday, September 23, 1932.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this seventeenth day of August, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State
By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for a pardon on behalf of A. M. Rollins, who was convicted of the crime of rape in Shasta County in August, 1905. Mr. Rollins was duly received at Folsom Prison on November 10, 1905, and given No. 6266. After having served approximately ten years and eight months in Folsom Penitentiary, he was released on parole May 20, 1916. Since his release on parole Mr. Rollins has reported at regular intervals to Ed H. Whyte, State Parole Officer, and as a result of the observation of Mr. Whyte of this man during the time he has been on parole, he has written me a letter of recommendation which reads as follows:

"San Francisco, California, December 2, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
State Capitol,
Sacramento, California.

Sir:

Relative to the application for pardon submitted by A. M. Rollins, Folsom No. 6266, received at Folsom Prison November 10, 1905, from Shasta County for crime of rape, sentenced to life imprisonment, released on parole May 20, 1916; wish to advise that this subject at this time is about seventy-seven years of age, and during the entire period of his parole has lived to the letter, to each and every rule of his parole

His case is rather a pathetic one. He returned to his native State, Kentucky, a number of years ago, and invested what small savings he had accumulated in a piece of land which he cultivated for the growth of tobacco. Through his energy and application, he managed to eke out a fair living, but during the last two years, with a general reversal of conditions in general, has lost everything, including his little plantation.

He is now faced with the possibility of entering the county poor farm and is fearful that if his former status is known, and that he is still on parole, this also would be denied him. Hence his desire to be pardoned.

I most heartily endorse his application, as whatever his crime may have been, I feel he has paid for it in full; with eleven years in Folsom Prison and sixteen on parole He is nearing eighty and can not have many more years to live. A pardon would help him considerably and could do no one any harm. It would be an act of real mercy to grant him this consideration.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted this application, together with the evidence accompanying the same to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor, Hon. Daniel J O'Brien, Director of Penology, Hon. U. S. Webb, Attorney General, Hon. Court Smith, Warden of Folsom Prison, and Hon. James B. Holohan, Warden of San Quentin Prison. After a careful and thorough study of the application and evidence accompanying the same, the above mentioned board has written me a letter of recommendation which I am quoting herewith:

"Sacramento, California, May 25, 1932.

Honorable James Rolph, Jr.
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of A. M. Rollins, paroled Folsom No. 6266, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, May 13, 1932.

The board recommends that this application for pardon be granted, in view of the fact that this applicant served eleven years in prison and sixteen

years on parole, and that throughout this entire period his activities, behavior and general conduct have been good.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board"

In view of the above recommendations, and the fact that the applicant has served a number of years in Folsom Prison and has been on parole for sixteen years, and at all times since his release on parole has led the life of a law-abiding and conscientious citizen, I believe he should be restored to citizenship in order that his efforts to rehabilitate himself may be rewarded.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon A. M. Rollins of the crime of rape in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-fourth day of August, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

Re: The Case of Alexander C. Ochoa—San Quentin No. 50592

The case of Alexander C. Ochoa, San Quentin No. 50592, under sentence of death at San Quentin Penitentiary, was referred by me to Honorable Hugh L. Preston, Peter J. Crosby, President of the State Bar Association, and former Chief Justice Matt I. Sullivan, for their investigation and recommendation.

In view of the fact that a reprieve granted to Alexander C. Ochoa under date of July 25, 1932, expires on Friday, September 2, 1932, I am today granting a further reprieve to Alexander C. Ochoa for the reason that the investigation of Honorable Hugh L. Preston, Peter J. Crosby, and former Chief Justice Matt I. Sullivan has not yet been completed for submission to me.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby grant a reprieve to Alexander C. Ochoa from Friday, September 2, 1932, to Friday, November 4, 1932.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-sixth day of August, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for a pardon on behalf of one William Campbell Gaskin, who was convicted of the crime of burglary in Alameda County on April 3, 1925, and sentenced to a term of fifteen years in San Quentin Penitentiary. He was duly received at San Quentin Prison on April 3, 1925, and given No. 40676. After serving a period of three years he was released on parole April 3, 1928.

During the time William Campbell Gaskin has been on parole he has reported at regular intervals to Ed H. Whyte, State Parole Officer, who has written a letter of recommendation to me which reads as follows:

"San Francisco, California, January 6, 1932.

Honorable James Rolph, Jr., Governor,
State of California,
Sacramento, California.

Sir:

Relative to the application submitted by William Gaskin, San Quentin Parole No. 40676, received at San Quentin Prison April 3, 1925, from Alameda County for crime of burglary, second degree, sentenced to a term of fifteen years, released on parole April 3, 1928.

This young fellow, who was only nineteen years of age when sent to San Quentin, is about one of the best subjects we have under our parole jurisdiction. A very likable chap, a most diligent worker, and one who has the makings of a good and worthy citizen. Since his release he has worked

steadily learning a good trade, which he has about completed, and is the best pardon material that has come under my observation

It was rather unfortunate that he was not sent to the reformatory instead of prison, as he would have been released when he reached his majority, and I must admit his sentence was somewhat severe, although I would not question the judgment of the board who sentenced him at the time. He was of that younger generation that were so unbridled, about six years ago, in the midst of a jazz-made reaction after the war At the present, however, he has come out of that stage and developed into a studious and industrious young man with innumerable good qualities. A thorough gentleman if there ever was one He has quite a while yet to go on parole, and he stated the only obstacle in his path at the present is the looking forward to all of his life of the ex-convict stigma.

This is a case that really deserves attention, and has my most hearty recommendation. I have watched him closely for almost four years and he has never wavered or faltered, maintains a cheerful and sunny attitude, never grumbling about his parole rules, and obedient to a fault. As he grows older and opportunities presented to him, I fear this stain will be a tremendous barrier, and while he is still young would be ripe for pardon consideration or commutation, if nothing better could be offered.

I am taking the liberty of enclosing a photograph of this subject, and I believe this in itself will bear out my contention, which shows that upon entry into prison, he was nothing more than a mischievous youth, seeking thrills, or to put it in milder terms, 'playing robber.' His arrest was his first, and the record in his case shows he was not the instigator but merely a companion.

At the time of his trial, it was felt he could be given probation, but due to the nature of the offense and he was mixed up with another party, they both were sent to prison and given the same sentence.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have forwarded this application, together with the evidence accompanying the same, to the Advisory Pardon Board, consisting of Hon Frank F. Merriam, Lieutenant Governor, Hon. U. S Webb, Attorney General, Hon. Daniel J. O'Brien, Director of Penology, Hon. Cort Smith, Warden of Folsom Prison, and Hon. James B. Holohan, Warden of San Quentin Prison. After a careful and thorough consideration of the application and evidence pertaining thereto, the Advisory Pardon Board have made a recommendation to me which I am quoting herewith:

"Sacramento California, August 9, 1932.

Honorable James Rolph, Jr.,
Governor, State of California.
Sacramento, California.

Dear Governor Rolph:

The case of William C. Gaskin, paroled San Quentin No. 40676, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Los Angeles, California, on July 29, 1932

The board recommends that this application for pardon be granted for the reason that the evidence presented reveals that the applicant satisfactorily served his sentence in prison, and that while on parole for the past four years and three months his conduct, behavior and general demeanor have been good.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendations and the fact that the applicant through his own efforts has conclusively shown that he intends to live the life of a law-abiding and conscientious citizen, I believe he is now entitled to such recognition and help from the State as may be given him by the granting of this pardon.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon William Campbell Gaskin of the crime of burglary, in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this eighth day of September, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

I have today received a request from Honorable Wm. H. Waste, Chief Justice of the Supreme Court of California, that a reprieve of thirty days be granted to William Monroe, San Quentin No 52625, who has been sentenced to death for the crime of murder, from Lassen County, the date of execution being set for Friday, September 30, 1932.

William Monroe has made application for executive clemency, and the entire file pertaining to his case is now before the justices of the Supreme Court of California for their consideration and recommendation.

Chief Justice Waste has requested that a reprieve be granted to William Monroe in view of the fact that additional time is required in which to make a thorough and complete investigation of this case.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby grant to William Monroe, San Quentin No. 52625, a reprieve from Friday, September 30, 1932, to Friday, October 28, 1932

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifteenth day of September, A. D. 1932.

[SEAL] JAMES ROLPH, JR, Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

On January 20, 1932, an application for pardon was filed in this office on behalf of Frank Hall, who was convicted of the crime of rape in the county of San Francisco, and sentenced to San Quentin Penitentiary on July 2, 1929, to serve a term of seven (7) years. He was duly received at San Quentin Prison on July 4, 1929, and given No 47277. After serving approximately two years and four months, he was released on parole November 19, 1931. Since his release on parole Frank Hall has reported at regular intervals to Ed H. Whyte, State Parole Officer, and as a result of his observation of Mr. Hall, a letter of recommendation has been written to me by Mr. Whyte, which reads as follows:

"San Francisco, California, February 18, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
State Capitol,
Sacramento, California.

Sir:

Relative to the application for pardon submitted by Frank Hall, San Quentin No. 47277, committed from San Francisco County for crime of rape, sentenced to a term of seven years, released on parole November 19, 1931.

His conduct during the short period since his release has been excellent. He is really a man of quality and had a perfect record in the United States Army prior to this occurrence, having received seven honorable discharges, and in the event he could secure a pardon, could be readmitted to the Army and after serving but a few more years would be entitled to a pension for the balance of his life for service rendered.

I am usually very reluctant to extend any consideration in sex cases, but there seems to be some extenuating circumstances in this particular one There was no force used and the girl was of a good size and appeared much older than her actual age. The statement of the policewoman, Mrs. Catherine O'Connor, shows that the girl was afflicted with a venereal disease, and this defendant upon examination showed no evidence thereof. The consummation of the act was by mutual consent and nothing was shown to prove that he had deflowered her.

In view of his many years of faithful service in the U. S Army, and having but a short time to do to receive a discharge and full pension, would recommend that pardon consideration be extended him, as if this were done he could again reenter the Army and secure his former rating.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have also received a letter from Honorable C. J. Goodell, judge of the Superior Court of San Francisco County, before whom the case of Frank Hall was tried, which I am quoting herewith:

'San Francisco, California, June 3, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Your Excellency:

In response to your request for a recommendation from me, as the judge before whom Frank Hall was tried, with respect to his application for executive clemency, I am pleased to recommend in favor of it.

Hall was convicted of statutory rape. There was no element of force or viciousness whatever connected with the case, and I got the impression that the girl with whom he had had intimate relations had been promiscuous.

I understand that if pardoned he can return to the Army and when his enlistment runs out can leave the Army without a dishonorable discharge. Such pardon would also probably help him with respect to any pension to which he might otherwise be entitled.

For all these reasons I respectfully recommend that his application for a pardon be granted.

Very respectfully yours,

(Signed) C. J. GOODELL"

This application, together with the evidence accompanying the same, has been submitted to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor; Hon. U. S. Webb, Attorney General; Hon. Daniel J. O'Brien, Director of Penology; Hon. Court Smith, Warden of Folsom Prison, and Hon. James B. Holohan, Warden of San Quentin Prison. After a careful and thorough investigation of this case the Advisory Pardon Board have written me a letter of recommendation which reads as follows:

"Sacramento, California, August 17, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Frank Hall, paroled San Quentin No. 47277, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Sacramento, California, on August 15, 1932.

The board recommends that this application for pardon be granted.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendations and the perfect record of Frank Hall in the United States Army prior to this occurrence, together with the fact that since his release on parole he has shown that he intends to lead a peaceful, honest and law-abiding life, and further that he is desirous of again reentering the Army in order to secure his former rating, I believe that he is now entitled to such recognition and help from the State as may be given him by the granting of a pardon.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Frank Hall of the crime of rape in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifteenth day of September, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

Re case Pat Nobles, Folsom No. 17261, now incarcerated at Folsom Penitentiary under sentence of death and execution set for Friday, September 23, 1932.

This defendant, colored, was convicted in Los Angeles of the crime of murder, of Walter Vones, also colored, and sentenced in the Superior Court of Los Angeles County to death. The crime was the killing by knife in a fit of rage one Walter Vones, colored, of being intimate with the separated wife of said Pat Nobles, after

seeing them together on an afternoon on the porch of a friend. Prior to this conviction Pat Nobles committed a felony in the State of Texas and did serve a term in the Texas State Penitentiary. Therefore, being a two-time loser, his fate rests upon a decision of a majority of the justices of the Supreme Court of California. His case has been heard by the said Supreme Court of California, and a majority of said justices advised me they are not in favor of making a recommendation to me for executive clemency.

This defendant has appealed to the Governor, particularly two appealing requests, that he be granted a reprieve in order, with the aid of friends in Los Angeles, to carry his case to the United States Supreme Court.

The Governor has conferred with the warden at the penitentiary regarding this case, and the Governor and the warden concur that a reprieve of sixty days should be granted in order that this defendant, Pat Nobles, may submit his case to the United States Supreme Court for final judgment, to circumvent any demagogic outburst that might arise in the case of a colored man, penniless, by engendering of race prejudice, in any charge that might be made that a poor colored convict could not get the same chance as a white man with powerful wealthy friends. I am going to put a stop to any such charge in California.

In order to give him every opportunity to save his life by every known recourse of the law, the Governor, after conferring with and in concurrence with the views of the warden of the penitentiary, does hereby grant to Pat Nobles, Folsom No. 17261, now incarcerated in the condemned cell at Folsom Penitentiary, a reprieve from Friday, September 23, 1932, to Friday, December 2, 1932.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-first day of September, A. D 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

COMMUTATION OF SENTENCE

Alexander C. Ochoa has made application for a commutation of his sentence from the death penalty to life imprisonment.

Ochoa was convicted of murder in the first degree and sentenced to death. He was received at San Quentin Penitentiary on August 1, 1931, and given No. 50592, and was sentenced to be hanged on April 15, 1932. I granted him a number of reprieves in order to allow time in which to give the case careful and serious consideration. The last reprieve stays the execution until November 4, 1932.

The record shows that Alexander C. Ochoa murdered an unmarried woman named Sadie Villalobos, to whom had been born one child. Ochoa is the admitted father of this child.

This case was never reviewed by the Supreme Court.

Accompanying the petition for executive clemency is a request signed by all twelve of the jurors who condemned Ochoa to death. The signatures have been verified and found to be genuine. It is unusual that a jury would, within a very short time after returning a verdict imposing the death penalty, and on their volition, ask the Governor to nullify their act.

The application for executive clemency is not only supported by the request of all the jurors who sat in the case, but by numerous organizations, business men and friends of Ochoa, and not one protest against commutation has been received.

The trial judge in a letter under date of May 13, 1932, said in part:

> "I have no personal feeling in this matter whatsoever, and if the Governor feels that it is a case for some recommendation, I surely will concur in any recommendation he makes."

Not being thoroughly satisfied with my own investigation and study of this case, I called to my aid Hon Hugh L. Preston, Presiding Justice of the District Court of Appeal, and Hon. Matt I. Sullivan, former Chief Justice of the Supreme Court of California, and they both have carefully examined all the records, files and pleadings in the case and have both stated to me, that in their opinion, the facts show a proper case for the exercise of executive clemency, that is, they believe that the ends of justice would be fully subserved by relieving this unfortunate man of the extreme penalty of the law.

Judge Preston states in part as follows:

> "After carefully examining the entire record, I recommend that the death penalty be commuted to life imprisonment for two reasons:
>
> First, because Ochoa was intoxicated at the time the crime was committed. While voluntary intoxication is no excuse for crime, still where the

existence of a particular intent determines the degree of the crime committed as in this case, the fact of intoxication should be considered by the jury for the purpose of determining the state of mind of the defendant and the degree of the crime of which he is guilty. In this case the jury under the evidence might well have taken the fact of intoxication into consideration and thereby reduce the offense from murder of the first degree to murder of the second degree, or have found him guilty of murder of the first degree and imposed the lesser penalty of life imprisonment.

Second, all twelve of the jurors recommended executive clemency. Furthermore, executive clemency is not opposed by the trial judge or the district attorney, and is strongly recommended by a great number of business men, church organizations; and, in fact, by people in all walks of life. I believe that the ends of justice would be fully subserved by relieving this man from the extreme penalty"

Honorable Matt I. Sullivan, former Chief Justice of the Supreme Court of California, concurs in the above views of Judge Preston.

Ochoa is forty years of age, the son of a highly respected Mexican family, is married and has a wife and four children. Prior to this trouble he bore an excellent reputation for industry, honesty and upright living He was employed at a laundry where Miss Sadie Villalobos worked. They became well acquainted, which led to an affection for each other, and finally led to improper relations which resulted in the birth of a child to Miss Villalobos. Worry, trouble and annoyance followed this unholy alliance, which undermined the mental faculties of Ochoa. He moved from place to place seeking to rid himself of Miss Villalobos. Being unable to do so, and in dire desperation, he shot her following a drunken debauch in which both participated. There is no question in my mind but that he was under the influence of intoxicating liquor and that his mind was seriously impaired when the crime was committed.

I do not want to be understood as attempting in the slightest degree to justify the conduct of Ochoa either in his relations with this poor unfortunate girl or of her murder, or holding that voluntary intoxication is any excuse for crime Such conduct on the part of Ochoa can not be too severely condemned and punished However, I am not called upon to pardon or even reduce the offense to murder in the second degree, but only to relieve the applicant from the death penalty, or, in other words, I am only called upon to permit this young man to spend the remainder of his days behind prison walls.

In view of the foregoing recommendations, and particularly the undisputed fact that Ochoa was under the influence of liquor at the time the crime was committed, and the strong recommendation of all twelve of the jurors who tried the case (which recommendation I do not believe has ever before been made in a case of this character), and further in view of the result of the investigation that I have made and caused to be made, I am constrained to the opinion that this is a proper case for the exercise of executive clemency and that the ends of justice will be fully subserved and the laws of our State vindicated by commuting the sentence of Alexander C Ochoa from death to life imprisonment.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence of death imposed on Alexander C. Ochoa to life imprisonment.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this first day of October, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

REPRIEVE

At the request of Mr. Wm. Schaper, attorney at law, Los Angeles, California, a hearing was held before me today relative to the case of Harry Fuller Goold, San Quentin No. 50727, who was convicted jointly with one Frank J. Paciga, San Quentin No. 50755, of the crime of murder, in the Superior Court of Los Angeles County, both defendants being sentenced to be hanged at San Quentin Penitentiary on Friday, October 21, 1932. Honorable J. A. Plummer, Associate Justice of the Third Appellate District, was present at this hearing upon my request for his advice.

From the evidence and information presented by Mr. Schaper, it would appear that there is considerable doubt as to the sanity of Harry Fuller Goold at the time of the commission of the crime, which occurred approximately six weeks after his release from the Norwalk State Hospital.

Justice Plummer has offered to carefully go over the records in these cases, and concurs with me that a reprieve should be granted in order that there may be sufficient time for a careful investigation.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby grant a reprieve to Harry Fuller Goold, San Quentin No. 50727, and to Frank J. Paciga, San Quentin No. 50755, extending the date of execution from Friday, October 21, 1932, to Friday, December 2, 1932.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this tenth day of October, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

I have today been advised by Honorable Wm. H. Waste, Chief Justice of the Supreme Court of California, that Peter Farrington, Folsom No. 16471, convicted of the crime of murder in the Superior Court of San Francisco County, and sentenced to be hanged at San Quentin Penitentiary on Friday, October 14, 1932, has made application to the Supreme Court for a commutation of sentence.

In view of the fact that the application was filed only today, and the date of execution has been set for next Friday, October 14, Chief Justice Waste has requested me to grant a reprieve of thirty days to Peter Farrington in order that the justices of the Supreme Court may have sufficient time in which to consider the case and make a recommendation on the application for commutation of sentence.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby grant a reprieve to Peter Farrington, Folsom No. 16471, from Friday, October 14, 1932, to Friday, November 18, 1932

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this tenth day of October, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

PARDON

There has been presented to me an application for a pardon on behalf of William Warren Momand, sometimes known as William H. Collins, who was convicted under the name of Frank Melville in Sacramento County in 1911 of the crime of robbery. He was duly received at San Quentin Penitentiary on October 1, 1911, and given No. 25194. He had been previously convicted of the crime of burglary, second degree, in San Francisco County on April 25, 1909, and was discharged from Folsom Penitentiary on February 25, 1910. While the applicant was incarcerated in San Quentin Prison he effected his escape on December 23, 1913, without committing injury or causing violence. He immediately went to New York City and assumed the name of William Harry Collins, obtaining employment in several places, namely: the Judson House, Ansonia Hotel, Third Avenue Railroad, and the Railway Express Agency, Inc., where he has been employed for the past sixteen years.

No greater evidence of proof that he has been leading the life of a law-abiding and conscientious citizen could be offered than the letter written to me by Thomas J. Lyons, Secretary-Treasurer of the Railway Express Agency Employees, which I am quoting herewith:

"New York City, June 24, 1932.

Governor Rolph,
State of California.

Honorable Sir:

I am taking the liberty of writing you and asking you to consider, when the matter is called before you, the case of Frank Melville, alias William Harry Collins, who is a fugitive from your State, escaping in 1913 from San Quentin Prison, which institution he was sentenced to in 1911 for participating in a street car holdup

This man has assumed the name of William Harry Collins and situated himself in New York City in 1913, obtaining employment in several places, namely: The Judson House, Ansonia Hotel, Third Avenue Railroad, and his last employment from which employment he was arrested, the Railway Express

Agency, Inc., employed by the herein mentioned company for sixteen years, during which time he was charged with responsibilities, and had in his care large sums of moneys and valuable packages, and at no time did he abuse the trust accorded him by his employers.

He has during his sixteen years of employment associated with thousands of employees and his fellow-workers looked upon him as one trustworthy and loyal.

The above organization enrolled him as a member when it first organized in 1919, and all during these years of membership he was always loyal, conscientious and a very excellent union member. At no time during this period has he caused the organization or his employers any anxiety, in fact his employers deeply regret it—moreover, his employers will gladly welcome his return to their employment.

Governor Rolph, this man has married and is the father of two children—two girls, ages 13 and 6—and at no time did he disclose his past to his wife and family. The wife and children of this man are heart-sick and very much broken by this recent occurrence and are praying for the return of the husband and father to his family.

For sixteen long years he had labored diligently and honestly, always trying to live down the past and establish himself once more as an honest abiding citizen of our country. We urge upon you, Governor, to consider the good record of the past sixteen years of this man's living. His family, and his fellow-workers sincerely hope that you will extend to him a pardon and permit him to return to his family and to his employment.

Trusting you will give the foregoing your earnest consideration and that we may receive a favorable reply, I remain

Respectfully yours,

(Signed) THOMAS J. LYONS,
Secretary-Treasurer, Local 808.

In order to definitely determine that the applicant had been leading the life of a law-abiding and conscientious citizen since his escape from the penitentiary, I requested Mr. Edward P. Mulrooney, Police Commissioner of the City of New York, to make an investigation of this case and to forward to me his report. I have received this report in a letter to me dated June 28, 1932, which reads as follows:

"City of New York, June 28, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

In reply to your telegram of June 27, concerning one William H. Collins, now under arrest in this jurisdiction, I would state that a very careful inquiry into his life for the past sixteen years has been made by members of the Detective Division of this Department.

It would appear that Collins arrived in New York City about the year 1914, and secured employment as head porter with the Hotel Judson, 53 Washington Square, and remained in that position until August, 1915, when he obtained a similar position with the Hotel Ansonia, Broadway and 73d Street, where he was employed until August, 1916.

On December 1, 1916, Collins entered the service of the Wells Fargo Express Company as a helper, after having made application for the position. He was not employed by this express company, however, until after an investigation had been made by the surety company of his references, which were the Hotel Judson and the Hotel Ansonia

On March 1, 1918, Collins was promoted to the position of driver and continued in that capacity up until the time of his arrest, the Wells Fargo Company in the meantime having been merged with the American Railway Express Company, which is today known as the Railway Express Agency.

Mr. J. N. Meisten, Superintendent, Railway Express Agency, is very profuse in his expressions in appreciation of the services rendered by Collins.

It further appears that Collins was married in New York City in the year 1917, and has two children, both girls, May, age 13, and Mildred, age 6.

In the vicinity in which he lives, Collins bears an excellent reputation. The pastor of the church which he attends speaks very highly of him and has expressed his intention of writing a letter to you.

The arrest of Collins was brought about while he was attempting to aid a Mr. Rowan, who was intoxicated, to reach his apartment, and during an argument Collins struck Rowan. Collins was arrested, charged with felonious assault. In court, Rowan refused to prosecute and he was discharged.

Attached please find copy of a letter from the Railway Express Agency concerning Collins.

Investigation by members of this department would indicate that Collins has made a very earnest effort to live down his past, and with the exception of the incident referred to, has been exceedingly successful.

Very truly yours,

(Signed) EDWARD P. MULROONEY, Police Commissioner."

The letter from the Railway Express Agency referred to above by Edward P. Mulrooney is quoted herewith:

"Railway Express Agency, Vehicle Division.
250 West 26th Street, New York City, June 28, 1932.

Honorable Edward P. Mulrooney,
Police Commissioner,
New York City.

Dear Sir:

Our records show that W. H. Collins entered the service of the Wells Fargo Express Company on December 1, 1916, in the capacity of helper, and on March 1, 1918, was promoted to the position of driver, and has continued in that capacity up to the present time, with the successors of the Wells Fargo Express Company, namely, American Railway Express Co., and, at present time, the Railway Express Agency, Inc.

Before coming into our service his application indicated that he was employed at the Hotel Judson, as head porter, from September, 1914, to August, 1915, and from August, 1915, to August, 1916, was employed as a foot man at the Hotel Ansonia. In September, 1916, he applied for a position with the Wells Fargo Company and was sent for and employed as a helper on December 1, 1916, after the Surety Company covered investigation with previous employers mentioned.

In the performance of his duties he was called upon at various times to handle sums of money for our company and proved himself honest to the highest degree. He was also considered by us an efficient, steady and capable worker during the entire period of his service. It is my belief that he has led a clean, honest and upright life for the past nineteen years. He is a married man with wife and two children, and from information given me he has proven a good provider for his family and a good home-loving man.

We do not hesitate to say, and this is with the permission of our General Manager, Mr. Robert Balfour, and our President, Mr. R. E. M. Cowie, that we will again employ Collins in his old position if he is exonerated or pardoned for the offenses committed in his youth, as we feel sure that he has learned his lesson and will be an asset for the good of society.

Yours truly,

(Signed) J. N. MEISTEN, Superintendent."

In view of the fact that the applicant had been twice convicted of a felony it was necessary that his application be filed and acted upon by the Supreme Court for their recommendation to the Governor in accordance with section 1418 of the Penal Code.

After a careful and thorough examination of the application, together with the evidence accompanying the same, the Justices of the Supreme Court have written me a letter of recommendation which I am quoting herewith:

"San Francisco, California, August 17, 1932.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Dear Governor Rolph:

The justices of the Supreme Court have very carefully considered the application of William Warren Momand, convicted and sentenced as Frank Melville for the crime of robbery committed in Sacramento County in 1910 or 1911, and who now seeks a pardon.

His sentence of twenty-five years' imprisonment would normally expire in 1936, but, on the twenty-third day of December, 1913, Momand, or Melville, escaped from the State Prison, and was discovered only a comparatively short time ago, when he was apprehended in New York, where he appears to have made his home for nineteen years and lived an exemplary life under the name of Collins.

It appears that, although this man is, in a technical sense, a fugitive from justice from this State, he has lived an exemplary life to such an extent that he held, up to the time of his recent apprehension, responsible positions of trust; that he has married and has two daughters, aged 13 and 6 years, respectively. His plea for executive clemency is backed by a large number of influential people, police officials, clergymen, and officials of the Railway

Express Agency, with which concern Momand has his position, and the officers of which stand ready to reemploy him.

In view of all the circumstances, the justices of this court believe, and therefore recommend, that Momand's application for a pardon should be granted.

Very truly yours,

(Signed) WILLIAM H. WASTE, Chief Justice."

In view of the above recommendations, and the fact that I am firmly convinced that the applicant since his escape from the penitentiary has been leading the life of a law-abiding and conscientious citizen, and has conducted himself in an enviable manner, I believe that he deserves to be pardoned in order that he may not have to return to San Quentin Penitentiary to be further incarcerated for an act that he committed practically twenty years ago. I am of the opinion that the ends of justice will be subserved if this man be allowed to remain in New York City and pursue his honest labor in order to support his wife and two daughters and continue to lead the life of a law-abiding American citizen.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon William Warren Momand, sometimes known as William H. Collins, of the crime of robbery, in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this seventh day of October, A.D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

COMMUTATION OF SENTENCE

There was filed in this office on November 19, 1930, an application for a commutation of sentence on behalf of E. Benjamin Nuchols, who was convicted of the crime of murder, second degree, in Los Angeles County, on June 14, 1909

He was duly received at San Quentin Penitentiary on June 16, 1909, and given No. 23634.

After serving approximately nine and one-half years in San Quentin Penitentiary he was released on parole January 7, 1919 Since his release he has reported at regular intervals to Ed H. Whyte, State Parole Officer, who has had a splendid opportunity of observing his conduct and demeanor covering a period of over twelve years. As a result of his observation, Mr. Whyte has written me a letter of recommendation which reads as follows:

"San Francisco, California, March 15, 1932.

Honorable James Rolph, Jr., Governor,
State of California,
State Capitol,
Sacramento, California.

SIR:

Relative to the application for executive clemency submitted by E. B. Nuchols, San Quentin Parole No. 23634, received at San Quentin Prison June 16, 1909, from Los Angeles County for crime of murder, second degree, released on parole January 7, 1919, on a life sentence.

Since the release of this subject on parole over thirteen years ago, he has been a steady and conscientious worker, saved his money, lived carefully and has never been in difficulty of any sort. I would classify him among our ideal parole subjects.

In taking into consideration that he was only a boy when sent to San Quentin Prison, sixteen years of age at the time, served ten years in a penal institution and upon his release has shown complete reform and a better man for it all. At the time he committed his offense, he was just a straggling kid from Tennessee, without any folks and wandered into California a stranger, and tried a holdup to gain funds, became excited and shot his victim, who died from the wounds. I believe his case to be somewhat unusual due to the fact that he made use of his time in prison, developed a purpose and is now a better citizen than before his incarceration.

In viewing his past record and conduct since his release, I would deem him a very worthy subject for the relief he seeks, and so recommend same

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted this application, together with the evidence accompanying the same to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor; Hon. Daniel J. O'Brien, Director of Penology; Hon. U. S. Webb, Attorney General; Hon. James B. Holohan, Warden of San Quentin Prison, and Hon. Court Smith, Warden of Folsom Prison. After a careful examination and serious consideration of the evidence accompanying the application, the above mentioned board has made a recommendation to me which I am quoting herewith:

"Sacramento, California, August 17, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of E. Benjamin Nuchols, paroled San Quentin No. 23634, was taken up for consideration at a meeting of the Advisory Pardon Board held in Sacramento, California, on August 15, 1932.

The board recommends that this application for commutation of sentence be granted.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendations and the fact that E. Benjamin Nuchols has been leading the life of a law-abiding and conscientious citizen since his release on parole January 7, 1919, I am firmly convinced that his sentence should be commuted to time served in order that he may be relieved from the conditions and obligations imposed upon paroled prisoners.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence of E. Benjamin Nuchols, convicted of the crime of murder, second degree, to time already served

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this tenth day of October, A.D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that an application for a pardon was filed in this office on March 21, 1930, on behalf of Floyd L. Tuttle, who was convicted of embezzlement in Yolo County on July 3, 1922. He was duly received at San Quentin Penitentiary on July 5, 1922, and given No. 36618. After serving a period of approximately three years and six months, he was released on parole December 20, 1925, and discharged from parole on December 29, 1926. During the time that he was on parole he reported at regular intervals to Ed H Whyte, State Parole Officer, who has written me a letter concerning the above mentioned application which reads as follows:

"San Francisco, California, October 22, 1931.

Honorable James Rolph, Jr., Governor,
State of California,
State Capitol,
Sacramento, California.

Sir:

With respect to the application for pardon by Floyd L. Tuttle, San Quentin No. 36618, received from Yolo County for crime of embezzlement, sentenced to a term of seven and one-half years; released on parole, December 20, 1925, discharged from parole, December 29, 1926.

He was convicted of embezzling approximately $40,000 from the Bank of Yolo, Woodland, California; while there employed in the capacity of assistant cashier, his peculations having been in effect over a period of years, by systematic withdrawals and clever manipulations of the books.

While on parole his conduct and general record for industry was very good. Coming from a respected family, did his utmost to effect a comeback into the good graces of society. He was just one of those cases that so often appear and difficult to understand, how a man of good training and breeding, respected and admired, suddenly appear in the role of an absconder.

It is quite difficult to give him a recommendation. In so far as he was not a callow youth, given to reckless dissipation or gambling, but a good

sensible man with every advantage and opportunity ahead of him. Discoveries of this kind do not have a good effect on the bank itself, and often destroy the confidence of the depositors, which often results in good, sound establishments being compelled to close their doors, causing actual loss to savings.

He obtained a large sum of money and paid for his mistake by serving his term in prison and on parole. However, I do not believe under the circumstances he should be extended further consideration.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted this application, together with the evidence accompanying the same to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor; Hon. Daniel J. O'Brien, Director of Penology; Hon. U. S. Webb, Attorney General; Hon. James B. Holohan, Warden of San Quentin Prison, and Hon. Court Smith, Warden of Folsom Prison. After a careful and thorough investigation of the evidence accompanying the application, the above mentioned board has written me a letter of recommendation which reads as follows:

"Sacramento, California, August 9, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Floyd L. Tuttle, paroled San Quentin No. 36618, was taken up for consideration at a meeting of the Advisory Pardon Board, held in Los Angeles, California, on July 29, 1932.

The board recommends that this application for pardon be granted in view of the fact that the applicant served his sentence and parole period of one year, also that since the discharged date of parole to the present time, approximately five and one-half years, his conduct and activities have been satisfactory.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

A letter of recommendation has also been received from Sheriff James W. Monroe of Yolo County, who has known the applicant personally for a number of years, addressed to former Governor C. C. Young, which I am quoting herewith:

"Woodland, California, April 11, 1930.

Honorable C. C. Young,
Governor of California.

Dear Governor:

I have received word that Floyd L. Tuttle of Monterey, California, is going to apply to you for a full pardon

He formerly lived in this county and it was my duty to take him to State's Prison for a misstep in his life. Before this unfortunate affair that deprived him of certain rights, he was looked upon as one of our finest young men.

My thought and belief is that if all rights can be restored him and that he can obtain a full pardon, that in the future he will live up to the name of a good citizen strictly to the letter. I, therefore, Mr. Governor, recommend that Floyd L. Tuttle receive an unconditional pardon at your hands and we shall be grateful.

Yours respectfully,

(Signed) J. W. MONROE, Sheriff of Yolo County."

In view of the above recommendations and the fact that I believe that applicant has been leading the life of a law-abiding and conscientious citizen since his release from the penitentiary, I am of the opinion that he should be rewarded for his efforts by having his citizenship restored.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Floyd L. Tuttle of the crime of embezzlement in order that he may be restored to citizenship

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this tenth day of October, A.D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

There was filed in this office on November 4, 1927, an application for pardon on behalf of Stephen G. Lindsey, who was convicted of the crime of lewd and lascivious conduct in the Superior Court of Los Angeles County on February 29, 1924. He was duly received at San Quentin Penitentiary on April 2, 1924, and given No. 39235 After serving approximately four years and seven months, he was released on parole November 17, 1928. During the time Stephen G. Lindsey has been on parole he has reported at regular intervals to Ed H. Whyte, State Parole Officer, who has written a letter of recommendation which I am quoting herewith:

"San Francisco, California, August 7, 1931.

Mr. F. A. Cochran,
Executive Secretary,
State Capitol,
Sacramento, California.

Dear Mr. Cochran:

I am in receipt of your favor of July 18, and wish to apologize for the delay in replying, this caused by my having had to make a trip to Los Angeles on parole work.

With respect to Stephen Lindsey, San Quentin Parole No. 39235, would say that Lindsey has always maintained his innocence of the terrible charges placed against him and for which he was convicted, for the performance of lewd acts against his minor stepson. However, if he has adequate proof of his innocence, I would not hesitate to recommend him for pardon, as he has responded remarkably well to parole, working steadily and contributing toward the support of his dependents.

However, if such charges are true and he did practice the things for which he was committed, I believe that it would be to the best interests of the public at large, particularly children, that he be retained on parole, lest there be a repetition of such conduct. Sex cases of this nature present a very difficult problem, as the evidence is often secured from very young children, who do not have the proper realization of the severe sentences imposed for such offenses.

To give you an idea of the case and the statements of the trial judge, I am enclosing a copy of his prison narrative, which you can return for our files when it has served your purpose.

Very truly yours,
(Signed) ED H. WHYTE, State Parole Officer."

I have submitted this application, together with the evidence accompanying the same to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor; Hon U. S. Webb, Attorney General; Hon. Daniel J. O'Brien, Director of Penology, Hon. Court Smith, Warden of Folsom Prison, and Hon. James B Holohan, Warden of San Quentin Prison. After a careful and thorough investigation of the evidence accompanying the application, the above mentioned board has made a recommendation to me which reads as follows:

"Sacramento, California, September 7, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento. California.

Dear Governor Rolph:

The case of Stephen G. Lindsey, paroled San Quentin No. 39235, was taken up for consideration at a meeting of the Advisory Pardon Board held in Sacramento, California, on September 2, 1932

The board recommends that this application for pardon be granted.

The file relating to this case is herewith returned.

Very sincerely yours,
(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

I also find that Hon Charles S. Burnell, judge of the Superior Court of Los Angeles County, who presided at the trial, has written a letter to Mr. Paul Yarwood, secretary of the Advisory Pardon Board, stating that he is of the opinion that the applicant was convicted on perjured testimony, which letter reads as follows:

"Los Angeles, California, August 24, 1932.

Mr. Paul Yarwood, Secretary,
Advisory Pardon Board,
209 State Capitol Building,
Sacramento, California.

Dear Sir:

I have your letter relating to Stephen G. Lindsey's parole, San Quentin No. 39235.

After the conviction of Lindsey and his sentence to San Quentin, I understand that his stepson, the alleged victim of the offense, confessed that his testimony was false and that he was coached therein by his mother who desired the conviction of her husband, Mr. Lindsey, in order that she might obtain a divorce I know nothing, of course, as to the truth of this My recommendation is as follows: If, after investigation, your board and the Governor are satisfied that there is reasonable doubt as to whether or not this conviction was obtained by fraudulent or perjured testimony, Lindsey should receive a full pardon If, on the other hand, your investigation shows that the testimony as given was true, he should not receive a pardon. Personally, I am inclined to believe that Lindsey's conviction was based upon a concocted story.

Very sincerely yours,

(Signed) CHARLES S. BURNELL."

In view of the above recommendations and the fact that Stephen G. Lindsey has been leading the life of a law-abiding and conscientious citizen since his release on parole, and the fact that there seems to be considerable doubt as to his being guilty of the crime for which he was convicted, I believe that he should be pardoned and restored to citizenship.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Stephen G. Lindsey of the crime of lewd and lascivious conduct in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this eleventh day of October, A. D 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for a pardon on behalf of Myrtle Kinney, who was convicted of the crime of burglary, first degree, six counts, and burglary, second degree, one count, in the Superior Court of San Diego County on October 14, 1924. She was duly received at San Quentin Prison on October 29, 1924, and given No. 39996.

After serving a period of approximately five years and two months, Myrtle Kinney was released on parole December 10, 1929 Since her release on parole Ed H Whyte, State Parole Officer, has observed her actions and has caused to be made an investigation of her conduct in the State of Colorado by one of his parole deputies, who had occasion to visit Denver, Colorado, where Myrtle Kinney has resided since her release on parole. I have requested E. H. Whyte for a letter of recommendation, and pursuant to this request, he has written me a letter which reads as follows:

"San Francisco, California, April 20, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
State Capitol,
Sacramento, California.

SIR:

Relative to the application for pardon submitted by Myrtle Kinney, San Quentin No. 39996, received from San Diego County, October 29, 1924, sentenced to a term of five and five and five and five and five and five and one years, all sentences to run consecutively, for crime of burglary, first and second degree, parole to expire, April 27, 1947.

The conduct of this subject since her release on parole, December 10, 1929, has been excellent, this in spite of some very serious handicaps, both physical and adverse conditions, considerable hardships and almost constant illness.

She was paroled to people in the State of Wyoming, who shortly after her release, due to her illness, asked that she be allowed to return to her folks in the State of Kansas. This she did and suffered a complete physical breakdown, and after recuperating somewhat from this, was subjected to considerable abuse from her father, who resented her presence.

A former friend, somewhat older than she, advised he would marry her and take her to his home in Colorado. After an investigation he was found to be a good and substantial citizen, permission was granted by the State Board of Prison Directors for her to marry this party. She and her husband opened a small restaurant in Denver, and after doing quite well for a while, suffered as did many others, from economic conditions and lost what they had. She again became ill as did her husband.

One of the deputies of this office, who made a trip to Denver for the purpose of returning a parole violator just last week, called upon her and found that she is really quite sick. One of her lungs is about gone from tuberculosis, and from what he could gather, this malady will claim her before very long.

A study of her case and crime would show that she was to a great extent brought into it with a man with whom she had been living in San Diego. She had met him in an eastern state believing he was an oil promoter, but later found that he was a thief and an ex-convict.

Everyone who has met and know her are unanimous in the belief she was very much the victim of her associate, but she herself has remained a very fine person. I am taking the liberty of submitting a part of our file, bearing out these contentions and it can be readily seen from the type of people who share this belief, it must contain some degree of truth.

From my personal knowledge of this girl, and from the result of conversations and correspondence with her, must say she is not a bad person, but one who has had some very unfortunate experiences. Had she not had the misfortune to meet up with a worthless man, she could have developed into a wonderful woman and for it all she still has many qualities that go to make a real lady. She is not vulgar or low—quite the contrary—somewhat shy and wistful possessing a certain feminine sweetness, with no little charm and a personality that makes real friends of those whom she meets.

I most heartily and gladly recommend her for the consideration she seeks. She can not escape her illness that is rapidly diminishing her days, and her past eight years have been filled with so much trouble and difficulty, that to grant her this plea would be a genuine act of mercy and would mean so very much to one who has really received so little from life.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have also submitted this application, together with the evidence accompanying the same to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor; Hon. U. S. Webb, Attorney General; Hon. Daniel J. O'Brien, Director of Penology; Hon. Court Smith, Warden of Folsom Prison, and Hon. James B. Holohan, Warden of San Quentin Prison. After a careful and thorough investigation of the evidence submitted in connection with the application, the above mentioned board have written me a letter of recommendation which I am quoting herewith:

"Sacramento, California, September 7, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Myrtle Kinney (female) paroled San Quentin No. 39996, was taken up for consideration at a meeting of the Advisory Pardon Board held in Sacramento, California, on September 2, 1932.

The board recommends that this application for pardon be granted.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendations, and the fact that the applicant is suffering from tuberculosis, which I have been informed is quite serious, and the fact she has apparently completely rehabilitated herself in the community where she has resided and is leading the life of a law-abiding and conscientious citizen, I believe that she should be pardoned and restored to citizenship as a reward for her efforts since her release from the penitentiary.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Myrtle Kinney of the crime of burglary, first degree, six counts, and burglary, second degree, one count, in order that she may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this eleventh day of October, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C JORDAN, Secretary of State.

COMMUTATION OF SENTENCE

There has been presented to me an application for a commutation of sentence on behalf of Mario Bora, who was convicted of the crime of rape in Butte County

on June 10, 1912. He was duly received at Folsom Penitentiary on June 13, 1912, and given No. 8377. After serving a period of approximately ten years and five months, he was released on parole November 16, 1922. Since his release on parole Mario Bora has reported at regular intervals to Ed H. Whyte, State Parole Officer, who has found him to have an exemplary record while on parole. Mr. Whyte has written me a letter of recommendation which I am quoting herewith:

"San Francisco, California, November 2, 1931.

Honorable James Rolph, Jr.,
Governor, State of California,
State Capitol,
Sacramento, California.

Sir:

With respect to the application for commutation of sentence from life imprisonment to a term of twenty-five or thirty years, submitted by Mario Bora, committed from Butte County, received at Folsom Prison, June 13, 1912, and released on parole November 16, 1922, can say that for the period of his parole, extending almost nine years, he has had a most exemplary record.

Although the nature of his offense was most abhorrent, having violated his own daughter, I would not want to stand in his way of securing a reduction from a life sentence.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted this application, together with the evidence accompanying the same to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor; Hon U S Webb, Attorney General, Hon. Daniel J O'Brien, Director of Penology; Hon Court Smith, Warden of Folsom Prison, and Hon James B. Holohan, Warden of San Quentin Prison. After a thorough and careful investigation and consideration of the case, the above mentioned board has written me a letter of recommendation which reads as follows:

"Sacramento, California, September 7, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Mario Bora, paroled Folsom No. 8377, was taken up for consideration at a meeting of the Advisory Pardon Board held in Sacramento, California, on September 2, 1932

With reference to this application for commutation of sentence from life to thirty (30) years, or time served, the board recommends that the sentence be commuted to time served.

The file relating to this case is herewith returned

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board"

In view of the above mentioned recommendations, and the fact that Mario Bora has been leading the life of a law-abiding and conscientious citizen and has completely rehabilitated himself in the community where he resides, I believe that his sentence should be commuted from life to time served, which is equivalent to practically thirty years, in order that he will not be further handicapped by parole obligations.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby commute the sentence imposed on Mario Bora for the crime of rape to time served.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this eleventh day of October, A. D. 1932.

[SEAL] JAMES ROLPH, JR, Governor.

Attest: FRANK C. JORDAN, Secretary of State.

REPRIEVE

I am today granting a reprieve to George Smith, San Quentin No. 50031, who was sentenced to death in the County of Alameda, for the crime of murder, the date of execution being set for Friday, October 21, 1932.

Section 1218 of the Penal Code states that "The Judge of the Court at which a conviction requiring judgment of death is had, must, immediately after the conviction, transmit to the Governor, by mail or otherwise, a statement of the conviction and judgment, and of the testimony given at the trial."

The transcript of the case has not yet been received in this office, and hence, I have not had an opportunity to review and investigate the facts and circumstances surrounding the case. I have today written to Honorable Earl Warren, District Attorney of Alameda County, requesting that the transcript be forwarded to this office.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, in order to allow sufficient time to investigate and seriously consider the facts and circumstances of this case, do hereby grant a reprieve to George Smith, San Quentin No. 50031, extending the date of execution from Friday, October 21, 1932, to Friday, January 6, 1933.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this seventeenth day of October, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

RESTORATION OF CITIZENSHIP

I have received an application for a pardon on behalf of one Josiah Loverin, who was convicted in Tulare County of the crime of boarding a railroad passenger train with intent to rob the same on June 29, 1896. He was duly received at San Quentin Penitentiary December 28, 1897, and given No. 17570. After serving a period of approximately thirteen (13) years and three (3) months in San Quentin Prison, he was released on parole March 1, 1910. Since his release on parole he has been under the supervision of Ed H Whyte, State Parole Officer, who has written me a letter of recommendation which reads as follows:

"San Francisco, California, March 15, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
State Capitol,
Sacramento, California

Sir

Relative to the application for pardon submitted by Josiah Loverin, San Quentin Parole No. 17570, received at San Quentin Prison December 28, 1897, from Tulare County, for attempted train robbery, sentenced to life imprisonment and released on parole, March 1, 1910.

This subject has kept his parole with sincerity and has never given this department the slightest bit of trouble in any respect.

At the present time he is a bit over eighty years of age and from his physical condition does not seem to have much longer to go. Sheriff Buckner of Kings County has been aiding him in trying to obtain pardon relief, feeling the old man has not much more time to live. I believe he is about the oldest parole subject we have on our lists, having been on parole over twenty-two years

I do not believe he will ever give any more trouble and further feel the railroads are safe from him now. I would recommend he be given pardon relief.

Respectfully submitted

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted this application, together with the evidence accompanying the same to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant-Governor; Hon Daniel J. O'Brien, Director of Penology; Hon. U. S. Webb, Attorney General; Hon. Court Smith, Warden of Folsom Prison, and Hon. James B. Holohan, Warden of San Quentin Prison. After a thorough and careful investigation and consideration of the application, the above mentioned board has written me a letter of recommendation which I am quoting herewith:

"Sacramento, California, October 7, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Josiah Loverin, paroled San Quentin No. 17570, was taken up for consideration at a meeting of the Advisory Pardon Board held in Sacramento, California, on October 5, 1932.

The board recommends that this application for pardon be granted.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board"

In view of the above recommendations and the fact that the applicant has been on parole for over twenty-two years, during which time he has been leading the life of a law-abiding and conscientious citizen, I believe that he should be restored to citizenship in reward for his exemplary conduct since his release from the penitentiary.

Now, therefore, I, James Rolph, Jr, Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Josiah Loverin of the crime of boarding a railroad passenger train with intent to rob, in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-fourth day of October, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

There is now pending before the Supreme Court of California an application for a commutation of sentence on behalf of Peter Farrington, Folsom No. 16471, who was convicted of the crime of murder, first degree, in the Superior Court of San Francisco County

On October 10, 1932, at the request of the Justices of the Supreme Court, a reprieve was granted to Peter Farrington, extending the date of execution from Friday, October 14, 1932, to Friday, November 18, 1932 Due to the fact that the time of this reprieve is about to expire, and the Supreme Court have not yet completed their investigation, I have today been requested by Honorable Wm. H. Waste, Chief Justice of the Supreme Court, to grant a further reprieve in order to allow the Justices of the Supreme Court additional time in which to complete their investigation and submit a recommendation to me relative to the application of Peter Farrington for executive clemency.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby grant a reprieve to Peter Farrington, Folsom No. 16471, from Friday, November 18, 1932, to Friday, December 16, 1932.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fourteenth day of November, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

Koji Hatamoto, San Quentin No. 52794, who was convicted of the crime of murder, first degree, in Los Angeles County, has been sentenced to be hanged at San Quentin Penitentiary on Friday, November 18, 1932

I have been requested by K. Iwanaga, attorney at law, who is representing Koji Hatamoto, and several other Japanese people who have interested themselves in this case, to grant a reprieve in order to allow K. Iwanaga additional time in which to prepare and file with this office an application for a commutation of sentence on behalf of Koji Hatamoto.

In view of the fact that an application has not been filed with this office, and that there is not sufficient time between now and the date set for the execution to file such an application and to make an investigation of the case, I believe that a reprieve should be granted to Koji Hatamoto.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby grant a reprieve to Koji Hatamoto, San Quentin No. 52794, from Friday, November 18, 1932, to Friday, January 20, 1933.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fourteenth day of November, A. D. 1932

[SEAL] JAMES ROLPH, JR, Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

PARDON

There has been presented to me an application for a pardon on behalf of one D B. Hoffman, who was convicted of the crime of second degree murder in Imperial County on April 25, 1925 He was received at San Quentin Penitentiary on May 3, 1925, and given No 40808 After serving approximately seven years and four months he was released on parole September 3, 1932

An investigation of the facts surrounding this case discloses that on the night of May 29, 1923, D. B. Hoffman noticed three youths, one of whom had been employed by him, namely Donald Cornelsion, and who was dismissed because the applicant learned of his previous bad reputation, proceeding along the highway in front of his ranch, stopping opposite a barley field upon which stood a thresher and a tractor owned by the applicant. Mr. Hoffman saw the automobile stop on the highway, and suspecting that its occupants intended stealing from his tractor or thresher, entered his own automobile and accompanied by his wife drove in the direction of the other car. Upon arriving at the place where the boy's car had been stopped, the applicant noticed two boys walking toward the thresher. In the effort of the applicant to prevent the boys from carrying out whatever they intended doing, he shot and killed the third boy, John A. Shafer, who had remained in the car. There seems to be considerable question as to whether or not Mr. Hoffman fired in self defense, as disclosed by the verdict of the jury who convicted him, and later by a letter addressed to former Governor C. C. Young, signed by ten of the members of the jury, which letter I am quoting herewith:

"El Centro, California, May 7, 1930.

Honorable C. C. Young,
Governor, State of California,
Sacramento, California.

Re: People vs. D B. Hoffman (Imperial County)

Honorable Sir:

We, the undersigned jurors, who tried the above entitled case, believe that the defendant, D. B. Hoffman, has been more than sufficiently punished, and desire that consideration be given the recommendation of leniency which was a part of our verdict of second degree murder, by releasing him after five years in San Quentin, and two years in the Imperial County jail.

We feel that at the time the act was committed, that it appeared to Mr. Hoffman, and he believes, that the boys were in the act of robbing him, and, when Mr Hoffman fired the fatal shot, he thought he was in grave danger, but it was our belief that Mr. Hoffman fired too quick in the excitement of the moment.

(Signed) A. N. BUCKLIN, Foreman — THOMAS YOUNG
S. L. HARTZELL — ROY GONDER
C. M. HIGGINS — FRANK E. ALBRIGHT
BENJ. OLIVER — IRA G. ERICKSEN
W. L DRESSAR — GEORGE BRADY"

I have also received a letter of favorable recommendation from Honorable Emmet Seawell, Associate Justice of the Supreme Court of the State of California, who had an opportunity of reviewing the case when it was before the Supreme Court on appeal, which reads as follows:

"San Francisco, California, March 28, 1932.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

My dear Governor:

I have given some attention to the petition of Mr. Daniel B. Hoffman for a pardon.

He was convicted in Imperial County in 1925 for murder of the second degree, and the Prison Board fixed his sentence at twenty years. The convictions were reversed three times, twice by the District Court of Appeal and once by this court. I joined in the opinion reversing the case when it came before this court for the first time. Upon the second trial, it was affirmed. I in particular did not feel justified in reversing the jury's verdict a second time, in the absence of a showing of errors in law.

There is room for the view that Mr. Hoffman believed that the young men who were night visitors at his ranch were bent upon mischief. The only question in my mind was as to whether or not he was too quick in drawing his gun. However, under the circumstances of the case, he doubtless believed that the three young men were contemplating some crime against his property.

He has now served seven years, which I believe is sufficient for any mistake of judgment he may have made.

I feel satisfied that if the matter were in my hands I would feel justified in granting a pardon, under the circumstances of the entire case

Very truly yours,

(Signed) EMMET SEAWELL."

I have also requested Hon. Wm. H Waste, Chief Justice of the Supreme Court of California to review the records and files concerning the above mentioned application, and as a result of such consideration and investigation, Chief Justice Waste has written me a letter dated October 18, 1932, which reads in part as follows:

"In view of all these facts, and the further fact that the jurors, drawn from the community in which the offense was committed, and in which the defendant resided, have joined in a recommendation for leniency, and as the judge who tried the case is 'of the opinion that the punishment he (Hoffman) has had has been adequate for the offense committed and that when released he will conduct himself as a useful and law-abiding citizen,' I see no reason why you should hesitate to grant the pardon as requested."

Honorable Franklin J. Cole, who was formerly judge of the Superior Court of Imperial County, and who presided at the trial of D. B. Hoffman, has written me a letter of recommendation which I am quoting herewith:

"Los Angeles, California, April 1, 1932.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Honorable Sir:

I previously addressed a letter to Your Excellency on December 29, 1931, in which I recommended that a pardon be granted to Mr. D. B. Hoffman, a prisoner in San Quentin. Mr Hoffman was convicted and sentenced from Imperial County, for the crime of second degree murder. The details of this crime and conviction having been presented to you from the records in the case, I will not infringe upon your time by rehearsing them.

All of the evidence in this case, as I remember it, tends to show that the killing was done on the impulse of the moment, and under stress and excitement, which led the killer to believe that his property was being stolen and that he himself thought that he was in imminent danger.

I believe as did the jurors who tried this case, that Mr. Hoffman was not justified in killing his victim, but I am of the opinion that a manslaughter verdict would have been more in keeping with the evidence introduced at the trial. If I am correct in this, then Mr. Hoffman has served all of the time a verdict of manslaughter would justify and he thereby would be entitled to a pardon, or at least a commutation of sentence.

I am of the opinion that the punishment he has had has been adequate for the offense committed, and that when released he will conduct himself as a useful and law-abiding citizen.

Respectfully yours,

(Signed) FRANKLIN J. COLE,
Formerly Judge of the Superior Court of Imperial County, California."

In view of the above mentioned recommendations and the fact that the applicant is now sixty-seven (67) years of age, and the fact that he has been incarcerated practically seven years behind prison bars, two years of which was spent in the county jail of Imperial County awaiting the outcome of his appeal to the Supreme Court and the remainder in San Quentin Penitentiary, together with the fact that there has always been considerable question in the minds of those familiar with the case as to whether or not the applicant committed the act in self defense, and that he did not attempt to escape after committing the act, would tend to indicate that he thought he was justified in his actions, I believe that he should now be pardoned in order that he may not be further handicapped in the remaining years of his life by complying with the conditions of parole which he is now subject to.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon D B. Hoffman of the crime second degree murder in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this sixteenth day of November, A. D. 1932.

[SEAL] JAMES ROLPH, JR, Governor.

Attest FRANK C JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

I have today received the recommendation and report in the matter of the application for a commutation of sentence on behalf of one Harry Fuller Goold, San Quentin No. 50727, from Honorable J. A. Plummer, Associate Justice of the District Court of Appeal, Third District, to whom I submitted the case for his advice and recommendation.

In view of the fact that I will not have sufficient time in which to carefully and seriously consider the recommendation made to me and complete a careful study of the case before December 2, 1932, on which date Harry Fuller Goold is sentenced to be hanged, I believe a reprieve should be given Harry Fuller Goold in order to allow additional time to consider the case.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby grant a reprieve to Harry Fuller Goold, extending the date of execution from Friday, December 3, 1932, to Friday, January 6, 1933

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this thirtieth day of November, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for a pardon on behalf of one Jacob Cline, who was convicted of the crime of stealing a horse on June 20, 1906, in Stanislaus County. He was duly received at San Quentin Prison on June 20, 1906, and given No. 21665. After serving a period of two years and four months, he was discharged from the penitentiary by order of Governor James N. Gillett.

I have submitted the application, together with the evidence accompanying the same, to the Advisory Pardon Board, consisting of Hon. Frank F. Merriam, Lieutenant Governor, Hon. U. S Webb, Attorney General; Hon. Daniel J. O'Brien, Director of Penology; Hon. James B. Holohan, Warden of San Quentin Prison, and Hon. Court Smith, Warden of Folsom Prison. After a careful and serious consideration of the application, together with the evidence pertaining thereto, the above-mentioned board has written me a letter of recommendation which reads as follows:

"Sacramento, California, October 7, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Jacob Cline, San Quentin No. 21665, was taken up for consideration at a meeting of the Advisory Pardon Board held in Sacramento, California, on October 5, 1932

The board recommends that this application for pardon be granted.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

This application for a pardon has also been recommended by Hon. A. L. Pierovich, member of the Senate of California from the Ninth District, in a letter addressed to the Advisory Pardon Board, which I am quoting herewith:

"Jackson, California, September 29, 1932.

Advisory Pardon Board,
State Capitol Building,
Sacramento, California.
Attention: Paul Yarwood, Secretary,

Dear Sir:

Some few days ago my old friend, Jake Cline, asked me to write to you submitting certain data of his activities for the past few years, but on account of my campaign for the office of Senate of this district, I have not been able to get at it. I herewith enclose his activities dating back to 1908 as best he remembered them. He does not recall the exact days of the month nor the months which he went to work at certain places, but he recalls names of employers and the years that he worked there, and I believe you could check up with those employers, although some of them will probably have passed away since then

All the local employers could be contacted, I believe, and I know from personal acquaintance with Jake over a number of years that he has

worked for these people and been around this section of the State during the time he mentions. His record has been exceptional around here, and I believe that the old gentleman is deserving of every consideration that the Pardon Board can give him. He takes a great pride in having restored to him his citizenship before he passes away. He is getting somewhat feeble and that would please him a great deal during the last few years of his life.

If there is anything further you need in the way of information that I could supply, I would be pleased to cooperate with you.

Very truly yours,

(Signed) A. L. PIEROVICH."

In view of the above recommendations and the fact that Joseph Cline, since his release from the penitentiary has been leading the life of a law-abiding and conscientious citizen and is a respected citizen of the community in which he resides, and is now seventy-three years of age, I believe that he should be restored to citizenship in order to reward him for his good conduct during the last twenty-six years.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Joseph Cline of the crime of grand larceny in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this thirtieth day of November, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

At the time the application for executive clemency was presented to me on behalf of Pat Nobles, Folsom No 17261, who was convicted of first degree murder in Los Angeles County, it was presumed that he had been twice convicted of a felony. The application was therefore forwarded to the Supreme Court of California in accordance with section 1418 of the Penal Code for their recommendation.

Since the application was filed, Pat Nobles has continually written letters to me and to the Supreme Court reiterating the fact that he has not suffered a prior conviction, although a record was sought to be introduced in the trial court at Los Angeles showing that one Pat Nobles had suffered such conviction and had served time in the Texas Penitentiary.

In view of the fact that a fire which occurred in the office of the Texas Penitentiary some years ago destroyed many of the files, which included the finger prints and photograph of Pat Nobles, it has been quite difficult to determine whether or not Pat Nobles had suffered a prior conviction in the State of Texas.

I have conferred with Hon. Wm. H. Waste, Chief Justice of the Supreme Court, and Warden Court Smith of Folsom Penitentiary, who are both of the opinion that I should establish in fact whether or not Pat Nobles has suffered a prior conviction before rendering a decision on his application for a commutation of sentence.

In view of the fact that I will not have sufficient time before December 2, 1932, when Pat Nobles is scheduled to be hanged, to determine the above mentioned fact, I believe that a further reprieve should be granted in order to allow Clarence S Morrill, Chief of the Bureau of Criminal Identification of the State of California, to make an investigation in an effort to definitely determine whether or not Pat Nobles, now incarcerated at Folsom Prison under sentence of death, has been twice convicted of a felony.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby grant a reprieve to Pat Nobles, Folsom No. 17261, extending the date of execution from Friday, December 2, 1932, to Friday, February 3, 1933.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this thirtieth day of November, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

I have received a message from Hon. Buron Fitts, District Attorney of Los Angeles County, requesting me to grant a reprieve to Frank J. Paciga, San Quentin No. 50755, whose execution is scheduled to take place at San Quentin Prison tomorrow, Friday, December 2, 1932.

Frank J. Paciga was convicted jointly with one Harry Fuller Goold of the crime of murder, first degree, in the Superior Court of Los Angeles County.

Inasmuch as Harry Fuller Goold, upon the recommendation of Hon. J. A. Plummer, Associate Justice, District Court of Appeal, Third Appellate District, and concurrence of Chief Justice Waste, on account of his probable insanity, has been granted a reprieve to January 6, 1933, in order that his case might be given further consideration, Mr. Fitts has requested that Frank J. Paciga, his crime companion, also be reprieved to January 6, 1933, in order that his office might reconsider the case of Frank J. Paciga and make a report to me of their recommendations in view of the executive clemency being granted to Harry Fuller Goold.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby grant a reprieve to Frank J. Paciga, extending the date of execution from Friday, December 2, 1932, to Friday, January 6, 1933.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this first day of December, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

I have received a request from Mr. Strother P. Walton, attorney at law, Fresno, California, for a hearing in the case of Albert W. Fuller, San Quentin No. 51299, convicted in the Superior Court of Madera County for the crime of murder, first degree, and sentenced to be executed at San Quentin Prison on Friday, December 9, 1932.

In view of the fact that I must attend a Conference of Western Governors in Salt Lake City on Tuesday morning, December 6, and keep business appointments in Los Angeles on Wednesday, December 7, and in Ventura Thursday, December 8, it will be impossible for me to conduct a hearing on the case of Albert W. Fuller prior to the date set for the execution, December 9, 1932.

Therefore, I believe that a reprieve should be granted to Albert W. Fuller in order that his attorney, Mr. Strother P. Walton, may have the desired hearing before me in the Governor's office at Sacramento, in accordance with the above mentioned request, date of said hearing being set for Monday, December 12, 1932.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby grant a reprieve to Albert W. Fuller, San Quentin No. 51299, extending the date of execution from Friday, December 9, 1932, to Friday, January 13, 1933.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifth day of December, A.D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

REPRIEVE

There is now pending before the Supreme Court of California an application for a commutation of sentence on behalf of Peter Farrington, Folsom No. 16471, who was convicted of the crime of murder, first degree, in the Superior Court of San Francisco County, being scheduled to be hanged at Folsom Prison on Friday, December 16, 1932.

I have been requested by Mr. Nathan C. Coghlan, attorney for Peter Farrington, to grant a further reprieve in order to allow him sufficient time in which to produce a reliable witness who, it is contended, can testify that Peter Farrington did not commit the murder, but who knows the person that committed the crime for which Peter Farrington was convicted.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby grant a further reprieve to Peter Farrington, extending the date of execution from Friday, December 16, 1932, to Friday, January 20, 1933.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifth day of December, A.D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for a pardon on behalf of Joseph Francis Doran, who was convicted of the crime of embezzlement in the Superior Court of Los Angeles County on April 13, 1926. He was duly received at San Quentin Penitentiary on May 8, 1926, and given No. 42143. After serving a period of one year and two months, Mr. Doran was released on parole July 8, 1927, and completed his parole on May 8, 1929. During the time he was on parole he reported at regular intervals to Ed H. Whyte, State Parole Officer, who had an opportunity to observe the conduct and demeanor of the applicant, and as a result of his observation Mr. Whyte has written me a letter of recommendation which reads as follows:

"San Francisco, California, April 14, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Sir:

Relative to the application for pardon submitted by Joseph Francis Doran, San Quentin No. 42143, received from Los Angeles County, May 8, 1926, for crime of embezzlement, sentenced to a term of four years, released on parole July 8, 1927, and discharged from parole May 8, 1929.

He was paroled for hospitalization, having been tubercular, and his entire parole period was spent in the Government hospital.

Taking into consideration his physical condition, assuming him to be still tubercular and that he is a war veteran, on this I would give a favorable recommendation. I can not, however, condone the offense for which he was committed, as he squandered the funds of which he was custodian, belonging to a very fine fraternal organization, on another woman, not his wife.

Very respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

I have submitted this application, together with the evidence accompanying the same, to the Advisory Pardon Board consisting of Hon. Frank F. Merriam, Lieutenant Governor; Hon. U. S. Webb, Attorney General; Hon. Daniel J. O'Brien, Director of Penology; Hon. Court Smith, Warden of Folsom Prison, and Hon. James B. Holohan, Warden of San Quentin Prison. After a careful and thorough investigation of this application, the above mentioned board has written me a letter of recommendation which I am quoting herewith:

"Sacramento, California, November 18, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Joseph Francis Doran, paroled San Quentin No. 42143, was taken up for consideration at a meeting of the Advisory Pardon Board held in Sacramento, California, on November 16, 1932.

The board recommends that this application for pardon be granted.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

In view of the above recommendations and the fact that Joseph Francis Doran has, since his release from the penitentiary, been leading the life of a law-abiding and conscientious citizen in the community in which he resides, I believe that he should be restored to citizenship in order that he may not be handicapped in the future.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Joseph Francis Doran of the crime of embezzlement in order that he may be restored to citizenship

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this sixteenth day of December, A.D. 1932

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By FRANK H. CORY, Deputy.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for a pardon on behalf of Frank Countryman, who was convicted of the crime of "possession of a still" in the Superior Court of Butte County on March 24, 1931. He was duly received at San Quentin Penitentiary on August 20, 1931, and given No. 50721. After serving a period of approximately one year and one month, he was released on parole September 13, 1932. Since his release on parole, Mr. Countryman has reported at regular intervals to Ed H. Whyte, State Parole Officer, who has written me a letter of recommendation which I am quoting herewith:

"San Francisco, California, November 26, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Sir:

Relative to the application filed for pardon by Frank Countryman, San Quentin No. 50721, received at San Quentin Prison for crime of operation of a still, sentenced to three years, received August 20, 1931, and released on parole September 13, 1932.

The conduct and general parole response of this subject during the short period of his parole, has so far been very good.

I have no objection whatsoever and in fact will recommend crimes of this sort be given pardon consideration, especially where it is shown that the subject had no prior criminal record for any offense other than a liquor violation. This in view of the overwhelming opinion shown by the people whereby all State liquor laws have been repealed.

Very truly yours,

(Signed) ED H. WHYTE, State Parole Officer."

I have also received letters of favorable recommendation from Hon. Charles A. Walker, District Attorney of Butte County, who prosecuted Frank Countryman, and Hon. H. D. Gregory, Judge of the Superior Court of Butte County, who presided at the trial at the time Frank Countryman was convicted, also a letter from C. W. Toland, Sheriff of Butte County, which letters read as follows:

"Oroville, California, October 31, 1932.

His Excellency James Rolph, Jr,
Sacramento, California.

Honorable Sir:

Re: In matter of the application of Frank Countryman for pardon.

It would please me very much if pardon be granted in this case. The charge was possession of a still under the socalled "Five and Ten Law." As far as I have any information this was Mr. Countryman's first offense, and the charge would not have been brought under this law, but under the "Wright Act," as have many similar offenses and charges prosecuted here, except for the fact that there was a fight on the premises and the owner of the premises was very seriously beaten. Frank Countryman was out of the county (in Yuba County) the night of the fight and of the raid. His brother, Joe Countryman, administered the beating. Whether deserved or not I am not sure as the testimony of the complaining witness was very unsatisfactory (and he was practically our only material witness), and none of the defendants took the stand to make denial. It is evident that Frank had no hand in the battery and knew nothing of it until the next day.

Three defendants were tried together. Surely Frank should have taken the stand. Had he, I have serious doubts that he would have been convicted under the drastic and unreasonable 'Five and Ten Law"

Had I the pardoning power I would not hesitate a moment in granting the request.

Very sincerely,

(Signed) CHARLES A. WALKER, District Attorney."

"Oroville, California, November 3, 1932.

Honorable F. A. Cochran,
Executive Secretary to the Governor,
State Capitol,
Sacramento, California.

My Dear Mr. Cochran:

In Re: Frank Countryman:

Countryman was convicted of possession of a still in the superior court here. For the past two months he has been out on parole. I am recommend-

ing a pardon for him simply for the purpose of restoring him to citizenship, but there was no question as to his guilt upon his conviction.

Very respectfully,

(Signed) H. D. GREGORY."

"Oroville, California, October 31, 1932.

Honorable James Rolph, Jr., Governor,
Sacramento, California.

Sir.

I am informed that one Frank Countryman, heretofore convicted in this county of a violation of the Wright Act, is making application for pardon, and I wish to state that as far as I am concerned there is no objection to the granting of such pardon, and I feel that the ends of justice would be served were it to be granted.

At the time that the offense for which the above was sentenced, was committed, he was not in Butte County, and I have every reason to believe that had he taken the witness stand in his own behalf at the time of his trial, the jury would not have convicted him. At the time of the trial there was an undercurrent of public sentiment against the defendant and his brother because of the fact that there had been a fight on the premises where the defendant is alleged to have operated a still, and during the fight his brother Joe seriously injured the complaining witness in the case.

I sincerely hope that in this case you may see your way clear to exercise executive clemency.

Very respectfully,

(Signed) C. W. TOLAND, Sheriff of Butte County."

In view of the above recommendations and the fact that the applicant has served more than a year in San Quentin Penitentiary, which punishment was in excess of the usual penalty given to those convicted of the same crime, and further in view of the overwhelming opinion expressed by the people of California in the last election in November, when the Wright Act was repealed by a large majority, I believe that Frank Countryman should be restored to citizenship in order that he may not be further penalized by parole restrictions.

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Frank Countryman of the crime of "Possession of a Still" in order that he may be restored to citizenship

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this nineteenth day of December, A. D. 1932

[SEAL] JAMES ROLPH, JR., Governor.

Attest. FRANK C. JORDAN, Secretary of State.

RESTORATION OF CITIZENSHIP

It has been brought to my attention that there was filed in this office on September 1, 1927, an application for a pardon on behalf of one Alexander R. Abrams, who was convicted in the superior court of San Francisco County of "violating Corporate Securities Act" on April 21, 1924. After awaiting the outcome of his appeal from the judgment and verdict of the superior court, he was duly received at San Quentin Penitentiary on April 25, 1927, and given No. 43554. After serving a period of two years he was released on parole, being discharged from parole on August 25, 1930. While on parole Mr. Abrams reported at regular intervals to Ed H. Whyte, State Parole Officer, who has written me a letter of recommendation which I am quoting herewith.

"San Francisco, California, June 8, 1932.

Honorable James Rolph, Jr., Governor,
Sacramento, State of California.
State Capitol,
Sacramento, California

Sir:

Relative to the application for pardon submitted by Alexander R. Abrams, former San Quentin No. 43554, received from San Francisco County for crime of violation of the Corporate Securities Act, April 25, 1927, sentenced to a term of one year on one count and six counts of six months each, terms to run consecutively; released on parole April 25, 1929, and discharged from parole August 25, 1930.

His record while on parole was excellent, having kept steadily employed and obedient to each and every rule of his parole.

Abrams was a very high class sort of a man and was the least culpable of the group which was sent to prison on the same offense. Had there not been others more deeply involved, in all likelihood he would have been granted probation. He was not the organizer of the firm but was only employed as a broker handling the securities, and he states it was his belief that the enterprise was legitimate. A check of the facts as set out by the narrative will give a clearer idea as to what transpired.

I would recommend him favorably for the consideration he seeks, as he is not of a criminal nature or type, having been caught in a net of over-frenzied finance that has arisen in this present decade.

Respectfully submitted

(Signed) ED H WHYTE, State Parole Officer."

I have submitted this application, together with the evidence accompanying the same, to the Advisory Pardon Board, consisting of Hon. Frank F Merriam, Lieutenant Governor, Hon. U. S. Webb, Attorney General, Hon. Daniel J. O'Brien, Director of Penology, Hon. James B. Holohan, Warden of San Quentin Prison, and Hon. Court Smith, Warden of Folsom Prison. After a careful and thorough consideration of the application, the above mentioned board has written me a letter of recommendation which reads as follows.

"Sacramento, California, November 18, 1932.

Honorable James Rolph, Jr., Governor,
State of California,
Sacramento, California.

Dear Governor Rolph:

The case of Alexander R. Abrams, paroled San Quentin No. 43554, was taken up for consideration at a meeting of the Advisory Pardon Board held in Sacramento, California, on November 16, 1932.

The board recommends that this application for pardon be granted.

The file relating to this case is herewith returned.

Very sincerely yours,

(Signed) PAUL YARWOOD, Secretary, Advisory Pardon Board."

I also find in the files a letter from Hon Louis H Ward, judge of the superior court of San Francisco County, dated July 2, 1928, addressed to former Governor C C. Young, which reads in part as follows:

"I deem this a meritorious case for pardon, and earnestly request that you permit the application to be immediately entertained for all of the reasons herein stated, and those stated in the letter addressed to you on May 12, 1927."

In view of the above recommendations and the fact that Alexander R. Abrams has been leading the life of a law-abiding and conscientious citizen since his release from the penitentiary, I believe that he is now entitled to be restored to citizenship in order that he may be rewarded for his past efforts to rehabilitate himself

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Alexander R. Abrams of the crime of "violating the Corporate Securities Act" in order that he may be restored to citizenship.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twentieth day of December, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest, FRANK C JORDAN, Secretary of State
By CHARLES J HAGERTY, Deputy.

PARDON

There has been presented to me an application for a pardon on behalf of Laurence Richard Pardee, a former member of the police department of the City of Oakland. Mr. Pardee was charged with violating section 245 of the Penal Code, State of California, growing out of a fight between himself and a prisoner named Marshall Mathiesen, who was being arrested in the lockup. Mr. Pardee was convicted of simple assault which is a misdemeanor with the recommendation of leniency by the jury. However, Mr. Pardee was given six months, but after a short incarceration he was paroled and released by the County Parole Commission, consisting of District Attorney Earl Warren, Sheriff M. B. Driver, and Chief of Police James T. Drew.

An appeal has been made to me for a pardon for said patrolman, Laurence Richard Pardee, by two hundred and twenty-one members of the Oakland Police Department, ranging from patrolman to captain of police, asking that Mr. Pardee be exonerated from a misdemeanor charge now being held on record against him which reads as follows:

"We feel that a grave injustice has been done in this case, as Mr. Pardee was dealing with an unruly prisoner when the circumstances arose which resulted in his conviction. We believe that had it not been for the backing and influence of this prisoner, Mr. Pardee would never have been brought to trial for his conduct. We are appealing to you as a last resort, knowing that your reputation in the past has always been that of eminent fairness toward those, who, through some misfortune, have been placed in positions similar to that of Mr. Pardee.

We feel that we have a friend in you and sincerely hope that you will see your way clear to granting a pardon for our former brother member, as it is only through the medium of a pardon that he may regain his former position in the Oakland Police Department."

The conviction of Officer Laurence Richard Pardee under the aforesaid misdemeanor charge caused his dismissal from the Oakland Police Department and thereby prevented his further reinstatement to said Oakland Police Department under the rules of the Civil Service Board, City of Oakland, as set forth in their rules and regulations and City Charter regarding Civil Service as of April 1, 1929, and more particularly set forth under rule 7, section 6, paragraph "C" thereof

I have investigated this case and find that no objection exists toward granting to said officer, Laurence Richard Pardee, a pardon in order that he may again qualify for reinstatement to said Oakland Police Department, all that is required for his reinstatement being a pardon by the Governor. This the Governor very gladly grants.

Now, therefore, I, James Rolph Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Laurence Richard Pardee of the charge of "simple assault" in order that he may be restored to Civil Service rights I extend to him my best wishes and trust that the Oakland Police Department will immediately honor the Governor's pardon by reinstating this good man to his former place among his fellow officers in the Oakland Police Department.

I wish to extend my compliments to His Honor, Fred N. Morcom, Mayor of the City of Oakland, to the City Manager of Oakland, and to the Honorable Civil Service Board of the City of Oakland.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-third day of December A. D. 1932

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.
By CHARLES J. HAGERTY, Deputy.

RESTORATION OF CITIZENSHIP

There has been presented to me an application for a pardon on behalf of one Charles E. Downs, who was convicted of the crime of accepting a bribe in the County of Los Angeles in the month of October, 1925. He appealed his case while he remained in the Los Angeles County Jail until May 21, 1926, when he was duly received at San Quentin Penitentiary and given No. 42200

Charles E. Downs was released on parole April 21, 1928, and discharged from parole on July 21, 1930. During the time he was on parole he reported at regular intervals to Ed H. Whyte, State Parole Officer, who has written me a letter of recommendation which reads as follows:

"San Francisco, California, November 21, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Sir:

Responsive to your valued communication of November 18, relative to the application for pardon submitted by Charles E. Downs, former San Quentin Parole No. 42200, received from Los Angeles County, May 21, 1926, for crime of bribery, sentenced to a term of six years, released on parole, April 21, 1928, discharged from parole, July 21, 1930.

During the period of parole, Downs was an excellent subject and responded remarkably, adhering fully to each and every rule as set out by his parole, and made a distinct effort to comply to the wishes of the parole officer He was always obedient and did everything possible to confine himself within his parole status Downs is a very high-class man and I feel his offense was rather an unfortunate one as he with his training and position should really have known better than to become involved in such an affair as he did

I have no hesitancy in recommending him for the relief he seeks, believing him to be worthy, as I know he possesses those very necessary attributes that go into making a good and useful citizen.

Respectfully submitted.

(Signed) ED H. WHYTE, State Parole Officer."

The conviction of Charles E. Downs resulted in his accepting a bribe from one William C. Hodges, Jr., while the applicant was a member of the City Council of Los Angeles. He was convicted solely on the testimony of William C. Hodges, Jr., who since that time has been convicted of larceny in the State of Colorado and sentenced to the Colorado State Penitentiary. After serving slightly more than a year he escaped and is now being sought by the Colorado authorities to be returned to the penitentiary. I find that prior to his conviction in the State of Colorado he was arrested in various cities in the United States thirteen different times on misdemeanor and felony charges, but was never convicted It would appear to me that the veracity of the testimony of a person of such reputation would be given considerable doubt. I believe this contention is substantiated by letters from Hon. Thomas P. White, judge of the superior court of Los Angeles County, Elmer Larry Doyle, court commissioner of the superior court of Los Angeles County, Domestic Relations Department, Hon. Dudley S. Valentine, judge of the superior court of Los Angeles County, Hon. Charles S. Burnell, judge of the superior court of Los Angeles County, which I am quoting herewith:

"Los Angeles, California, November 17, 1932.

Honorable James Rolph, Jr., Governor,
State of California,
Sacramento, California.

My dear Governor Rolph:

There is being filed with you an application for pardon of one Charles E. Downs, who was convicted in Los Angeles County in October, 1925, of the crime of accepting a bribe. I have known Charles E. Downs for many years and have always considered him an upright young man. I was chief counsel for the defense in the bribery trial, and although he was convicted, I have always sincerely felt that he was innocent, especially due to the low character of the principal witness against him.

Charles Downs is living with his mother and supporting and educating his young daughter, and is naturally anxious to see that she has every advantage possible He is a native Californian and expects to spend the rest of his life in this community, and I assure you that your confidence will not be misplaced, if you see your way clear to grant his application.

Assuring you of my appreciation of anything you may do for Mr. Downs, I am

Very respectfully yours,

(Signed) THOMAS P. WHITE."

"Los Angeles, California, November 17, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

My dear Governor Rolph:

It has come to my attention that Charles E. Downs, former councilman of Los Angeles, has applied for pardon. As you know, Mr. Downs was convicted in 1925. During the course of his trial, one William C. Hodges was the complaining witness. William C. Hodges was tried for criminal failure to provide for his minor children before Judge J. W. Summerfield in 1924. During this time William C. Hodges was before our court forty-eight times for failure to provide for his children.

I bring this to your attention to show the character of William C. Hodges. In my opinion his testimony could not be believed. As Commissioner for Judge Summerfield I had reason to observe him in the court room and also to observe his character. In my opinion, he is a man of the lowest type. This is the testimony that convicted Charles Downs.

Charles Downs, since leaving the penitentiary has made good, and I think to grant him the pardon now would be doing an act of kindness and also to put Charles Downs in the proper place in the community in which he resides.

Very sincerely,

(Signed) ELMER LARRY DOYLE"

"Los Angeles, California, November 17, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

My dear Governor Rolph:

I understand that Mr. Charles E. Downs is going to file an application for a pardon to you within a short time. I have known Mr. Downs for some few years prior to the time that he was convicted upon the testimony of

William C. Hodges and have contacted him since his return from San Quentin here in the city and have observed the endeavor on his part to make good here in Los Angeles.

William C. Hodges, prior to the time of his testimony in the trial of Downs, had been before the superior court of Los Angeles on a failure to provide charge, according to the records, forty-eight times. Before that time and ever since, Hodges has had a wide and varied criminal career and is now wanted on an escape charge from the Colorado State Prison at Canyon City. Surely, evidence from a man of that character is not wholly to be believed. However, the damage has been done. Mr. Downs has served his time and paid the price exacted by the State of California as payment thereof.

On the other hand, Mr. Downs, since his return to Los Angeles, which, by the way, is the town from whence he came, has returned to the contracting business and has established himself, has good credit at the bank and is in good standing.

Surely, Governor Rolph, you remember the time I was in your office in San Francisco right after the election of 1930 wherein you patted me on the knee and said, "Judge, have a heart." I think under these circumstances that it is the desire of all of Downs' friends here in Los Angeles in appealing to you for a pardon, that you also have a heart.

Hoping that you can see your way clear to grant this man his request, which will in my opinion do him and his family a world of good, I am, with kindest personal regards,

Sincerely yours,

(Signed) DUDLEY S. VALENTINE."

"Los Angeles, California, October 22, 1932

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

My Dear Governor:

I am told that Charles E. Downs is an applicant for a full pardon. Mr. Downs was convicted of bribery while a member of the City Council in 1925; was eventually released on parole and completed his term of service, including parole, in 1929.

From all that I have been able to learn, Mr. Downs' conviction was largely due to the evidence of one William C Hodges, Jr., a man with a criminal record as long as the moral law. Mr Downs is a member of a very fine family, and I believe that he is deserving of a pardon which will restore his rights as a citizen. I am glad to be able to speak a good word for him, and trust that your investigation into the case will result in restoring to Mr. Downs his right as a citizen of the State.

Respectfully yours,

(Signed) CHARLES S. BURNELL."

I have also received letters of recommendation from Mr. E Manchester Boddy, Editor and publisher of the *Daily News* of Los Angeles, Mr E. Raymond Cato, Chief of the California Highway Patrol, Mr. H. J. McGuire, Commissioner of Public Works, Los Angeles, Hon Howard W. Davis, Councilman of the Seventh District, Los Angeles, and Hon. E. Snapper Ingram, Councilman of the Tenth District, Los Angeles, which I am quoting herewith:

"Los Angeles, California, October 17, 1932.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

My dear Governor:

There is to be filed with you an application for a pardon from a very good friend of mine, one Charles E. Downs, who was convicted in Los Angeles County on a charge of accepting a bribe.

I have always felt that Charles Downs was innocent of the crime of which he was convicted, and especially when it is taken into consideration that the conviction was brought about solely upon the testimony of one William C. Hodges, who has a long criminal record.

I personally knew Hodges before the time of the trial of Charles Downs and was ready to testify as to his unreliability and bad reputation, but was not called upon to do so by reason of the fact that although he had been charged with various criminal offenses, he had not been convicted of a felony at that time and my testimony would not be admissible.

Hodges was anxious to put over a franchise with the Los Angeles City Council for a moving sidewalk through the new Second Street Tunnel in Los Angeles, and doubtless that if he could appear to be doing some public service, even at the expense of the reputation of Downs, that he could put his deal over; however, the public reaction was so strong against him that he lost instead of gained by his action.

As I have stated, I have known Charles Downs for many years before his trouble, and I have been in close contact with him since, and I can vouch for his sterling character, and know that he has continued to lead an upright life, and is respected by all who know him. He is now a successful young business man and is living with his mother and supporting and educating his minor daughter.

This is one case, in my mind, that certainly calls for the use of the pardoning power which the Constitution vests in the Chief Executive of this State. If you can see your way clear to issue a pardon to Charles E Downs, it will certainly be appreciated by me.

Very truly yours,

(Signed) E. MANCHESTER BODDY."

"Sacramento, California, December 1, 1932.

Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.

Your Excellency:

My attention has been called to an application now before you, by Mr. C. E. Downs, for pardon. I have known Mr. Downs for many years and was a captain in the Detective Bureau in Los Angeles in 1925 when the alleged offense was committed, and am somewhat familiar with the circumstances surrounding the prosecution and conviction of Downs on the charge of receiving a bribe.

The State's witness who framed the case, Wm. C. Hodges, with many aliases, is what criminologists would term an habitual criminal, having been in and out of jails and penitentiaries many times, and now is an escaped convict from the State Prison of Colorado at Canyon City. I have a grave suspicion that Mr. Downs was never guilty as charged, and if he were guilty has paid his debt to society. Since his release from prison he has established himself in the contracting business in Los Angeles County and has the respect and good wishes of those who know him. If Your Excellency can consistently extend executive clemency to Mr Downs by way of a pardon, and thereby remove the stigma from his children, affording him the opportunity to completely reestablish himself, I am sure that the intent of the law will have been better served.

With kind personal regards, I am

Most respectfully,

(Signed) E. RAYMOND CATO, Chief, California Highway Patrol."

"Los Angeles, California, October 18, 1932

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

Dear Governor Rolph:

It has come to my attention that my friend Charles E. Downs is to file an application for a pardon with you within a short time.

I have known Mr. Downs for a good many years, and was president of the Board of Public Works at the time he was convicted of accepting a bribe while a member of the City Council of the City of Los Angeles. I have always felt that he was unjustly convicted on the evidence submitted by William C. Hodges, who had a criminal record, and has since been convicted of a felony.

I worked with Mr. Downs when he was councilman, on various projects, and also when he was a contractor prior to the time of his election to the City Council, and always found him upright and honest in all of his dealings.

I wish to assure you that the many friends of Mr Downs in southern California, as well as myself, would appreciate any action taken by yourself to grant a pardon to Mr. Downs, whom we honestly believe deserves it.

Very truly yours,

(Signed) H. J. MCGUIRE, Commissioner of Public Works."

"Los Angeles, California, October 19, 1932.

Honorable James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

My Dear Governor:

It is my understanding that Charles E. Downs intends to file an application for a pardon within a short time.

I have known Mr. Downs for many years and have always found him upright and honest in all of his dealings, and have always felt that he was unjustly convicted of bribery inasmuch as the evidence was submitted by William C. Hodges who has a long criminal record.

I know that Mr. Downs' many friends will be extremely grateful to you for any action you may take to grant a pardon to Mr. Downs, whom we all believe in.

Respectfully,

(Signed) HOWARD W DAVIS, Councilman, Seventh District."

"Los Angeles, California, October 18, 1932.

Honorable James Rolph, Jr., Governor,
Sacramento, California.

Your Excellency:

It has come to my attention that there will be placed before you in the very near future an application for a pardon for a very close friend of mine, one Charles E. Downs, who some time since was convicted in Los Angeles County on the charge of accepting a bribe. Knowing Mr. Downs, as I have for a number of years, I have always entertained the thought that there was a question as to his guilt.

In connection with the charge of which he was convicted, and in looking over the information available and its bearing on one Wm. C. Hodges, whose testimony was solely responsible for the conviction of Mr. Downs, I am more convinced than ever that there is a possibility of a miscarriage of justice in this case. It is with this thought in mind that I am adding my voice to those which you, no doubt, have already heard, in supplication for your favorable action regarding a pardon for Mr Downs

I feel sure that in checking over all of the available information and facts, that your Excellency will find considerable merit in this request, and while I do not wish to presume or be insistent, may I say that I am hopeful that your Excellency will see your way clear to grant this pardon, as I feel sure that any confidence placed in Mr Downs will not be amiss and will win for your Excellency the approbation and appreciation of Mr. Downs' many friends

With sincere personal regards and every good wish, I beg to remain,

Sincerely,

(Signed) E. SNAPPER INGRAM, Councilman Tenth District."

In view of the above recommendations and the fact that Charles E. Downs has been leading the life of a law-abiding and conscientious citizen since his release from the penitentiary, and has completely rehabilitated himself in the community where he was born and raised, I feel that he is entitled to be restored to citizenship in order that he may be rewarded for his efforts since his release from the penitentiary

Now, therefore, I, James Rolph, Jr., Governor of the State of California, pursuant to the authority vested in me by the Constitution and statutes of said State, do hereby pardon Charles E Downs of the crime of accepting a bribe in order that he may be restored to citizenship

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-fourth day of December, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor

Attest: FRANK C. JORDAN, Secretary of State.

PARDON

Whereas, one W. M. Cox was convicted in the County of Ventura, State of California, for a violation or violations of chapter 277, Statutes of 1927, commonly known as the Jones Still Act, and was thereafter, on or about the thirteenth day of June, 1932, sentenced to the county jail of said county on account of such conviction or convictions; and

Whereas, the said W. M Cox is now confined in the jail of said county on account of such conviction or convictions and sentence or sentences; and

Whereas, an application for a pardon on account of such conviction or convictions has been presented to and filed with me on behalf of said W. M. Cox; and

Whereas, believing that the ends of justice will be best served by the granting of a pardon to said applicant on account of such conviction or convictions;

Now, therefore, I, James Rolph, Jr., Governor of California, pursuant to the authority vested in me by the Constitution and laws of said State, do hereby pardon said W. M Cox for such violation or violations of said act

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this nineteenth day of December, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C. JORDAN, Secretary of State.

In addition to the above pardon for the violation of the Jones Still Act I have issued pardons to the following named individuals, for violations of the Jones Still Act, on the same form as hereinabove set forth:

Domingo Perez (Ventura County)	E. R. Johnson (Riverside County)	Fred Eichhoefer (Ventura County)
Earl B. Ray (Riverside County)	August A. L. Necker (Los Angeles County)	Harry W. Fink (Riverside County)
George Brown (Los Angeles County)	V. Alvorado (Riverside County)	

PARDON

Whereas, one Henry Thomston was convicted in the County of Los Angeles, State of California, for a violation or violations of chapter 80, Statutes of 1921, commonly known as the Wright Act, and was, thereafter, on or about the seventh day of October, 1932, sentenced to the county jail of said county on account of such conviction or convictions; and

Whereas, the said Henry Thomston is now confined in the jail of said county on account of such conviction or convictions and sentence or sentences; and

Whereas, the People of the State of California did, by their vote at the last general State election, held on November 8, 1932, repeal said act and did thereby express their disapproval of said act; and

Whereas, an application for a pardon on account of such conviction or convictions has been presented to and filed with me on behalf of said Henry Thomston and

Whereas, believing that the ends of justice will be best served by the granting of a pardon to said applicant on account of such conviction or convictions;

Now, therefore, I, James Rolph, Jr., Governor of California, pursuant to the authority vested in my by the Constitution and laws of said State, do hereby pardon said Henry Thomston for such violation or violations of said act.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this nineteenth day of December, A. D. 1932.

[SEAL] JAMES ROLPH, JR., Governor.

Attest: FRANK C JORDAN, Secretary of State.

In addition to the above pardon for the violation of the Wright Act I have issued pardons to the following named individuals, for violations of the Wright Act, on the same form as hereinabove set forth:

Issued Under Date of December 19, 1932

ALAMEDA COUNTY

Richard K. Osborne

BUTTE COUNTY

Albert L. Mullins Carl Edwards

GLENN COUNTY

Lee Pawley

KINGS COUNTY

J. F. Barcroft

LOS ANGELES COUNTY

Frederick J. Wright	Violet Gilbertson	William A. Bonner
Maria Rodriguez	John Mulraney	Salvador Aguire
Kate Smith	George W. Corrigan	Charles C. Harris
Bill Glosson	Eugene D. Carroll	Carlos Ayala
Frank L. Clemmons	John A. Miller	A. F. Millar
Roy W. Morgan	John W. Bacon	William A. Tatum
Lloyd O. Beard	John H. Dunn	Harvey A. Emory
Philip E. Garvin	Lance L. Gleason	Fred B. Kirk
Leo J. O'Neil	Christ J. Albert	Ray Gorman
William Charles LeBel	Wallace E. Alexander	Earl Wilson
Lilburn Kincheloe	Alexander Puerto	Harry Wilson
John D. Kelley	Jack Skinner	Henry Thomston
Jess F. Rutherford	Arthur C. Kendall	Fred D'Angelo
Wm. H. Cusbine	Bill M. Patterson	W. Roy Beeson
Ted. W. Downey	Darrell Lee Moore	Andrew F. Johnson
Paul Robinson	Herman Wayne Asher	Efijenio Meza

LOS ANGELES COUNTY—Continued

Frank H. Lopez	Refugio Chavalla	Ed Williams
John Dinwiddie	Herbert M Smith	George R. McNaught
Walter Hamilton	Thos. R Metz	Gilbert H. Verdugo
Manuel Chavez	Paul McGee	John G. Waterhouse
Louis Schwartz	Waldo Romo	Walter F. Griep
Joe Barragan	Walter L Murray	Beltrom Holder
Claude Faggard	Bessie Kent	

MENDOCINO COUNTY

Preston Jackson Frank Ayers

NAPA COUNTY

Tony Beeler

ORANGE COUNTY

Mary Reilly	Elmer Cota	Harvey Rios
Howard Hobbs	Francisco Duarte	James A Armour
Joseph Corcoles	Joseph B. Trammull	Vernon M. Pee
Clarence E. McCord		

SAN BERNARDINO COUNTY

Wiley Livingston	Jenaro Robeldo	George Kieffer
C H Gaston	Anastacio Palomino	James Stubbs
R. S. Shinn	Bert Stultz	Goldie Jackson

SAN DIEGO COUNTY

Francisco Vega	Ralph Hilding Emerson	Jess Nolan Miller
Elmer Bell	Vincenzo Di Babbo	Joseph James

SAN JOAQUIN COUNTY

Ed Dunnagan	Jules Doneux	Phillip Nito
John Cottis	Hohn Escobar	J. W Graves
Jose Olivares	Frank Green	Newton D Brannon
Peter Antoni		

SAN LUIS OBISPO COUNTY

A. A. Hamilton

SANTA CLARA COUNTY

Phillip De Bello	Leo Garcia	Guy Petroni

STANISLAUS COUNTY

John Mirandette

TULARE COUNTY

A. E. Shaw	W. C. Billingslea	Chas. Dolan
Lester E. McCormick	Thomas V. Taylor	Fred Russell

VENTURA COUNTY

Jose Jesus Verdin	Wm. J. Sharkey	Lasaro Ponce
Frederick G. Naso		

YUBA COUNTY

Martin Montgomery

SANTA BARBARA COUNTY

La Vern Young

SANTA CRUZ COUNTY

Joseph Nunes

TULARE COUNTY

Elliott G. Brown

Issued Under Date of December 22, 1932

RIVERSIDE COUNTY

Louisa Leon	Thomas N. Richards	Lorenzo Ramirez
Kathlene Moreno	Mrs. Josephine Gomez	Augustine Guerra
Harry K. Dean	Helmer Arness	James M Brock

LOS ANGELES COUNTY

Ernest H. Milliman, Frank C. Campbell, Barto McAllister
Frank Moore, Jack Harry Daniels, Everett Mack
Albert Gething, Edgar G Spears
Floyd L. Derry, Ernest Myers

SANTA CLARA COUNTY

Henry Walton, Charles Coneo

EL DORADO COUNTY

Thomas F. Golden

VENTURA COUNTY

Victor R. Johnson

SOLANO COUNTY

Gwendolyn McIntyre, William Redmond, Muriel Greaves
James E. Canary

ORANGE COUNTY

James Bart Jackson

NEVADA COUNTY

Hans Hansen

Issued Under Date of December 24, 1932

LOS ANGELES COUNTY

Samuel E. Brantley

FRESNO COUNTY

Miyo Yamasaki

LAKE COUNTY

Ernest Martin

Issued Under Date of December 30, 1932

LOS ANGELES COUNTY

Max Stillman, Everett Cottini, David Schlyen
Ivan J. Laurence

PLACER COUNTY

C. R. Pelton

MERCED COUNTY

Sam Martino

RIVERSIDE COUNTY

Fred Simmons, Gordon Clayton Thorsnes, Cecil R. Johnson
Henry Ortega, Macario Flores

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 5, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 21—Making an appropriation to pay the expenses of electors of President and Vice President of the United States of America.

J. A. BEEK, Secretary of Senate.
By R. M WILSON, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Clowdsley asked for, and was granted, unanimous consent to take up Senate Bill No. 21, at this time, without reference to committee.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 5, 1933.

To the Senate and Assembly of the State of California,
Sacramento, California.

Senate Bill No. 21 makes an appropriation to pay the expenses of electors of President and Vice President of the United States of America.

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of Article IV, section 34, of the Constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Clowdsley:

Resolved, That Senate Bill No. 21 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E, Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Woolwine, Wright, Zion, and Mr. Speaker—60.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 21.

SECOND READING OF SENATE BILL NUMBER TWENTY-ONE.

Senate Bill No. 21—An act making an appropriation to pay the expenses of electors of President and Vice President of the United States of America.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Evans, Field, Gilmore, Greene, Grubbs, Hatch, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E, Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Wright, Zion, and Mr. Speaker—59.

NOES—None.

THIRD READING OF SENATE BILL NUMBER TWENTY-ONE.

Senate Bill No. 21—An act making an appropriation to pay the expenses of electors of President and Vice President of the United States of America.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 21 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Wright, Zion, and Mr. Speaker—63

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 5, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Concurrent Resolution No. 3—Relative to adjournment in respect to the memory of Calvin Coolidge.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cobb asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 3, without reference to committee.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THREE.

Senate Concurrent Resolution No 3—Relative to adjournment in respect to the memory of Calvin Coolidge.

Resolution read, and on motion, unanimously adopted.

Title read and approved.

Senate Concurrent Resolution No. 3 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 3.

Relative to adjournment in respect to the memory of Calvin Coolidge.

WHEREAS, In the wisdom of Providence the Honorable Calvin Coolidge, thirtieth President of the United States, has been called to the Great Beyond, and

WHEREAS, The news of his sudden passing comes as a severe shock to the people of California, who held him in high esteem and sincere affection, being ever mindful of his inspiring record of devoted service to his country; and

WHEREAS, The Nation has sustained an irreparable loss because of the unique position the late former President occupied in our national life, his calm views on the problems of our time inspiring universal confidence; and

WHEREAS, It is fitting that on this occasion the California Legislature make due acknowledgment of Calvin Coolidge's public service and call attention to the high place he will occupy in American history; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That when the respective houses of the Legislature of the State of California shall this day adjourn, they shall do so in respect to the memory of Calvin Coolidge, thirtieth President of the United States; and be it further

Resolved, That the Secretary of the Senate and the Chief Clerk of the Assembly are hereby directed to convey to the family this expression of tribute from the Senate and Assembly of California.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Phillips: Assembly Bill No. 151—An act to add sections 27, 28, 29, 30, 31, 32, 33, and 34 to Chapter 310, Statutes of 1905, entitled "An act to provide for the formation of levee districts in the various counties of this State, and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, relating to levee districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Morgan: Assembly Bill No. 152—An act to amend section 3817 of the Political Code, relating to property tax redemption penalties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Morgan: Assembly Bill No. 153—An act to add a new chapter to Title IX of Part III of the Political Code to be numbered IXa, comprising sections 3857 to 3864.6, inclusive, and to amend sections 3771a, 3781, 3788, 3816, 3866, 3897a, 3898 and 3899 of said code, relating to the issuance and sale of State bonds for the purpose of creating funds to reimburse the counties, cities, and the State for delinquent property taxes, the disposition of proceeds from such bonds, and the methods of settlement between counties or cities and the State.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Badham: Assembly Bill No 154—An act to prohibit unfair transactions designated as "Fake sales," and providing penalty therefor.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Badham: Assembly Bill No. 155—An act relating to the use and furnishing of stamps, coupons, tickets, can covers, bottle caps or other similar devices, for or with the sale of goods, wares or merchandise and the giving of gifts, premiums or bonuses in connection with or as part of the sale of goods, wares or merchandise and providing a penalty for violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Badham: Assembly Bill No. 156—An act to amend section 12 of the General Dairy Law of California, approved June 15, 1923, as amended, relating to licenses and license fees for manufacturers of and dealers in, and those furnishing, renovated butter, oleomargarine, adulterated butter, or any substance designed to be used as a substitute for butter.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Redwine: Assembly Bill No. 157—An act to amend the title and sections 11, 12, 17, 19, 20, 21, 22, 31 and 32 and to add new sections numbered 9a, 16a, and 16b, of the act known as "The General Cemetery Act," approved June 19, 1931, and providing for methods and requirements for establishing new cemeteries, defining perpetual care and nonperpetual care cemeteries, and requiring certain acts of the same and providing penalties for the violation of act.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 158—An act to amend sections 3746, 3751, 3756, 3759, 3817, and 3817a of the Political Code, and to add a new section thereto to be numbered 3757, all relating to payment of property taxes and delinquency and redemption penalties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Lyon and Evans: Assembly Bill No. 159—An act to amend section 4041.7 of the Political Code, defining the powers of the board of supervisors.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs Lyon and Evans: Assembly Bill No. 160—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used.

Bill read first time, and referred to Committee on Oil Industries.

By Messrs. Lyon and Evans, Assembly Bill No. 161—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel

from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used.

Bill read first time, and referred to Committee on Oil Industries.

By Messrs. Lyon and Evans: Assembly Bill No. 162—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, of the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Lyon and Evans: Assembly Bill No. 163—An act to amend section 159 of the California Vehicle Act, approved May 30, 1923. Statutes of 1923, page 517, to provide that the funds derived under said act may be used for contributions to special assessment improvement proceedings.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Lyon and Evans: Assembly Bill No. 164—An act to amend section 159 of an act entitled the California Vehicle Act, approved May 30, 1923, Statutes of 1923, page 517, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cronin: Assembly Bill No. 165—An act to amend section 540 of the Code of Civil Procedure, relating to writs of attachment

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 166—An act to amend sections 1026 and 1026a of the Penal Code, relating to release of defendant committed to an institution for insane.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Cronin: Assembly Bill No. 167—An act to amend section 2188 of the Political Code, relating to release of persons committed to custody as insane or incompetent.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Cronin: Assembly Bill No. 168—An act to amend section 30 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, relating to liability for workmen's compensation.

Bill read first time, and referred to Committee on Insurance.

By Mr. Cronin: Assembly Bill No. 169—An act to amend section 360c of the Political Code, relating to the California Highway Patrol.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Cronin: Assembly Bill No. 170—An act to regulate the transportation, sale or possession, within the State of fish meal, fish flour, fish oil, canned, packed or processed fish or fishery products.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Cronin: Assembly Bill No. 171—An act to amend section 3 of an act entitled "An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and preservation of the fish in the waters of the State of California," relating to regulations of the Fish and Game Commission.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Woolwine: Assembly Bill No. 172—An act to add a new section to be numbered section 25 to the act known as the "Act Concerning Cosmetology," approved May 31, 1927, as amended, relating to actions arising out of the practice of cosmetology or any branch thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Cronin: Assembly Bill No. 173—An act to amend section 710 of the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 174—An act to add a new section to the Civil Code to be numbered 2924b, relating to deficiency judgments after sale under a power of sale conferred by a deed of trust.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Hornblower and Maloney: Assembly Bill No. 175—An act to repeal "An act relating to stills and other devices for the manufacture or production of intoxicating liquor for beverage purposes, providing a penalty for the violation thereof, and repealing all inconsistent acts," approved April 29, 1927.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Hornblower: Assembly Bill No. 176—An act to amend section 1089 of the Penal Code, relating to the selection of alternate jurors and the rights and duties of alternate jurors.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No. 177—An act to amend sections 822, 824, 829 and 1269a of the Penal Code and to add a new section thereto to be numbered section 815a, relating to bail in criminal cases.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No. 178—An act to amend section 136 of the Penal Code, relating to preventing or dissuading a witness from attending a trial, proceeding or inquiry, authorized by law.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bowers: Assembly Bill No. 179—An act to amend section 41 of the Acquisition and Improvement Act of 1925, approved May 23, 1925, as amended, relating to the retirement of bonds issued thereunder.

Bill read first time, and referred to Committee on Municipal Corporations.

By Miss Miller, Eleanor: Assembly Bill No. 180—An act to amend section 1197 of the Political Code, relating to election ballots.

Bill read first time, and referred to Committee on Elections.

By Mr. O'Connor: Assembly Concurrent Resolution No. 12—Relative to providing for the creation of a Joint Committee of the Senate and Assembly to Investigate State Government and Expenditures.

Introduced, and referred to Committee on Rules.

By Mr. Hornblower: Assembly Joint Resolution No. 3—Relative to memorializing Congress to adopt legislation permitting the manufacture and sale of light wines.

Introduced, and referred to Committee on Federal Relations.

By Mr. Bowers: Assembly Concurrent Resolution No. 13—Relative to reports of the Department Encampment and the Annual Convention of the United Spanish-American War Veterans and the Disabled American Veterans of the World War of the Department of California, respectively.

Introduced, and referred to Committee on Soldiers and Sailors Affairs.

COMMUNICATION.

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

By Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1933.

MR. SPEAKER: Assembly Concurrent Resolution No. 1—Relative to the selection of the Legislative Counsel—has been correctly enrolled and presented to the Governor on this sixth day of January at nine o'clock and forty-five minutes a.m.

ARTHUR A. OHNIMUS, Chief Clerk.

RECESS.

At ten o'clock and thirty minutes a.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until eleven o'clock a.m., this day.

REASSEMBLED.

At eleven o'clock a.m., the Assembly reconvened. Speaker Little in the chair.

STATEMENT OF VOTE.

The following statement of vote was received, and ordered printed in the Journal:

In the Assembly Journal of January 5, 1933, page 145, I observe that I am not recorded as voting for Assembly Concurrent Resolution No. 10. I voted for this resolution but through some error I am not included in this roll call. I wish this statement to show that I was in my seat and voted for this resolution when the measure was considered by the Assembly.

CHARLES W. STREAM.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ATTACHES

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1933.

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

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

Commencing January 2, 1933	*Per day (Sundays excepted)*
Beth Rice, History Clerk	$7 00
Norma McAtee, Stenographer	5 00
Madge Cross, Chief Stenographer	6 00
Fred J. Desch, First Assistant Clerk	9 00
Marcus Fitzsimmons, Assistant Clerk	7 00
Clay Bernard, Assistant Clerk	7 00
Harry O. Johnson, Assistant Sergeant-at-Arms	5 00
C. E. Whiteside, Assistant Sergeant-at-Arms	5 00
Mrs. E. C. Crowley, Assistant Sergeant-at-Arms	5 00
Barton Dempster, Page	2 50
James O'Connor, Jr., Page	2 50
George Bliss, Jr., Page	2 50
Commencing January 3, 1933	
Irma Eubanks, Stenographer	5 00
Beulah Van Wart, Stenographer	5 00
Cristol Hastings, Stenographer	5 00
May Gilmore, Stenographer	5 00
Marian A. Olsen, Stenographer	5 00
Elizabeth Lawson, Stenographer	5 00
Myrtle Dyer, Stenographer	5 00
Ardene Bourne, Stenographer	5 00
Juanita Dependener, Stenographer	5 00
Dorothy M. Atkins, Stenographer	5 00
Jewel Wilson, Stenographer	5 00
James Clancy, Page	2 50
William Gunlock, Engrossing and Enrolling Clerk	7 00
Florence E. Miller, Assistant Engrossing and Enrolling Clerk	5 00
Ruth Dickey, Assistant Engrossing and Enrolling Clerk	5 00
Wilhelmina Feeley, Journal Clerk	7 00
Paul F. Cronin, Assistant Journal Clerk	5 00
Harold P. Norton, Assistant Sergeant-at-Arms	5 00
Eugene Sullivan, Assistant Sergeant-at-Arms	5 00
William Hinds, Assistant Sergeant-at-Arms	5 00
Charles Lindsey, Assistant Sergeant-at-Arms	5 00
Don Mayes, Assistant Sergeant-at-Arms	5 00
Moe Genzer, Assistant Sergeant-at-Arms	5 00

Commencing January 4, 1933	*Per day (Sundays excepted)*
Besse Golze, Stenographer	$5 00
Nancy R. Swanson, Stenographer	5 00
Sara Kellogg, Postmistress	4 00
Commencing January 6, 1933	
Margaret Baumberger, Stenographer	5 00

Resolved, further, That the compensation of Michael Connolly, heretofore elected Sergeant-at-Arms, and Rabbi Norman Goldburg, heretofore elected Chaplain, shall be on a six-day per week basis, and

Resolved, further, That the Chief Clerk and Minute Clerk shall receive compensation on a seven-day per week basis.

CRAIG, Chairman.

Mr. Craig moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Zion, and Mr. Speaker—68

NOES—None

ADJOURNMENT.

At eleven o'clock and twenty minutes a.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, January 9, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

SACRAMENTO, Monday, January 9, 1933.

At eleven o'clock a m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Meeker, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr. Cobb, Mr. Woolwine was granted leave of absence for the day.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

From California Association of Teachers of Deafened Adults, relative to limitation of adult education.

(Signed) CARALIE N. KENFIELD, President.
RUTH BARTLETT, Secretary and Treasurer.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1933.

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

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

Commencing January 9, 1933:	*Per day (Sundays excepted)*
Ray Cunningham, Stenographer	$5 00
Bernice Marsh, Stenographer	5 00
Effie Cope, Stenographer	5 00
Beatrice Ray, Stenographer	5 00
Margaret Chenu, Stenographer	5 00
Frances Gentry, Stenographer	5 00

Resolved further, That the following named persons be stricken from the list of the Assembly attaches, and their names be stricken from the pay roll of the Assembly to take effect on completion of the work, January 7, 1933:

C. E. Whiteside, Assistant Sergeant-at-Arms	$5 00
Jewel Wilson, Stenographer	5 00

CRAIG, Chairman.

Mr. Craig moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—75.

NOES—None.

DIPLOMA OF APPRECIATION.

The members of the Assembly were in receipt of a diploma of appreciation sent by Tenth Olympiad Games Committee, Los Angeles, 1932. Signed May Garland, President; Zack J. Farmer, Secretary, Organizing Committee.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Maloney: Assembly Bill No. 181—An act to repeal an act entitled "An act defining criminal syndicalism and sabotage, prescrib-

ing certain acts and matters in connection therewith and in pursuance thereof and providing penalties and punishments therefor," approved April 30, 1919.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Martin: Assembly Bill No. 182—An act adding a new section to be numbered 5a to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to qualifications for judges of municipal courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Martin: Assembly Bill No. 183—An act to amend sections 156 and 157 of the Code of Civil Procedure, relating to the qualifications of justices and judges.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hoffman: Assembly Bill No. 184—An act to amend section 692 of the Code of Civil Procedure, relating to giving of notice of sale under execution and under deeds of trust.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 185—An act to amend sections 278, 290, 292, 293, 294, 295, 296, 300a, 300b, 301, 303, 304, 305, 306, 307, 307a, 308, 309, 311, 312, 313, 314, 315, 319, 320a and 320b of the Civil Code, to add a new section 381 to the Civil Code, and to repeal section 375 of the Civil Code, all relating to corporations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No 186—An act to amend sections 326, 328, 328a, 328b, 328d, 328e, 330.6, 330.13, 330.24, 331, 332, 333, 334, 334a, 336 and 337 of the Civil Code, and to repeal section 587 of the Civil Code, all relating to corporations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 187—An act to amend sections 341, 342, 342a, 342b, 343, 346, 346a, 348 and 348b of the Civil Code, and to repeal sections 343a and 347 of the Civil Code, all relating to corporations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 188—An act to amend sections 355, 358 and 359 of the Civil Code, and to add a new section to the Civil Code to be numbered 356, all relating to corporations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 189—An act to amend sections 361, 362, 362a, 362b and 362c of the Civil Code, all relating to corporations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No 190—An act to amend sections 363, 365, 366, 368, 369, 370a and 373 of the Civil Code, all relating to corporations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum Assembly Bill No. 191—An act to amend sections 399, 399a, 400, 400a, 401, 401a, 401c, 402, 402a, 403, 403a, 403b, 403c, 403d, 404, 404a and 404b of the Civil Code, and to repeal section 401b of the Civil Code, all relating to winding up and dissolution of corporations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 192—An act to amend sections 405, 406, 406a, 408, 411 and 412 of the Civil Code, and to repeal section 409 of the Civil Code, all relating to foreign corporations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 193—An act to repeal the Acquisition and Improvement Act of 1925.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. McCarthy: Assembly Bill No. 194—An act to repeal the Transportation District Act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Evans: Assembly Bill No 195—An act to amend section 73 of the Code of Civil Procedure, relating to sessions of the superior courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Evans: Assembly Bill No. 196—An act to amend section 142 of the Code of Civil Procedure, relating to sessions of the superior court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Ross: Assembly Bill No. 197—An act to amend section 1425 of the Penal Code, relating to the jurisdiction of justices' courts in criminal cases.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Knowland: Assembly Bill No. 198—An act to amend section 1506 of the Penal Code, relating to the right of appeal in habeas corpus cases.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Ross: Assembly Bill No. 199—An act to amend section 270 of the Penal Code, relative to omitting to provide child with necessaries.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Crist: Assembly Bill No. 200—An act to repeal section 710, as added by Chapter 263, Statutes of 1903, and as amended by Chapter 634, Statutes of 1929, of the Code of Civil Procedure and to add a new section to be numbered 709a to the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Morgan: Assembly Bill No. 201—An act to amend section 3.291 of the School Code, relating to the establishment of high schools.
Bill read first time, and referred to Committee on Education.

By Mr. Cobb: Assembly Bill No. 202—An act to amend section 1032 of the Political Code, relating to the inspection of public records.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Cobb: Assembly Bill No. 203—An act to amend section 831d of the Code of Civil Procedure, relating to pleadings and practice in municipal courts.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Cobb: Assembly Bill No. 204—An act to add section 25a to the Corporate Securities Act, relating to the filing of papers, applications, statements and reports.
Bill read first time, and referred to Committee on Corporations.

By Mr. Cobb: Assembly Bill No. 205—An act to add section 542c to the Code of Civil Procedure, relating to dissolution of attachments.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 206—An act to empower and authorize the institution of a suit and/or action against the People of the State of California by former depositors of the Guaranty Building and Loan Association of Los Angeles, a domestic corporation organized and existing under the laws of the State of California, for the recovery of such sum or sums of money as may be found due and owing from the State of California to such depositors, bringing or instituting the action, by reason of the defalcations of one, Beesemeyer, and of men associated with him in the enterprise known and/or designated as the Guaranty Building and Loan Association.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 207—An act to amend section 635c of the Penal Code, relating to the hours of labor on public works.
Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Robinson, Samuel E.: Assembly Bill No. 208—An act to amend section 270 of the Penal Code, relative to omitting to provide for a minor child.
Bill read first time, and referred to Committee on Crime Problems.

By Mr. Lyon: Assembly Bill No. 209—An act to amend section 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, relating to unprofessional conduct.
Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Lyon: Assembly Bill No 210—An act providing for transfers in equal proportions from the State Highway Construction Fund and the State Highway Maintenance Fund to the General Fund in the

State Treasury of amounts equal to the principal and interest due or accruing upon certain State bonds for highway purposes.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Lyon (by request): Assembly Bill No. 211—An act to provide for the sterilization of selected persons from the inmates of State institutions, for the protection of such individuals, the State, and future generations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hunt: Assembly Bill No. 212—An act requiring licenses for the operation, maintenance, opening or establishment of stores in this State, prescribing the license and filing fees to be paid therefor and the disposition thereof, and the disposition and duties of the State Board of Equalization in connection therewith and prescribing penalties for violation thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Cronin. Assembly Bill No. 213—An act to repeal an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violation." approved May 28, 1931.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Cronin: Assembly Bill No. 214—An act to amend section 413 of the Vehicle Code, relating to financial responsibility of owners and operators of vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Cobb: Assembly Bill No. 215—An act to amend sections 549 and 689 of the Code of Civil Procedure, relating to proceedings on attachment and execution.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 216—An act to add a new section to the Fish and Game Code, to be numbered 282, relating to the speed of motor vehicles in Fish and Game District 1 G.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Cronin, Feigenbaum, Gilmore, Hornblower, Levey, Maloney, McMurray, Miller, James A., and Williamson: Assembly Bill No. 217—An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and main-

tenance of a bridge or causeway connecting said lands with Yerba Buena Island.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Feigenbaum: Assembly Bill No. 218—An act to amend section 1029 of the Penal Code, relating to trial of a judge of the superior court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 219—An act to amend section 1053 of the Penal Code, relating to substitution of judges in criminal actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 220—An act to repeal section 160 of the Code of Civil Procedure, relating to absence or disability of a judge of the superior court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 221—An act to amend section 52 of the Code of Civil Procedure, and to repeal section 52a of the Code of Civil Procedure, relating to jurisdiction of appeals from the superior court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 222—An act to amend section 130 of the Code of Civil Procedure, relating to taking effect of rules of court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 223—An act to add four new sections, to be numbered 1000a, 1000b, 1000c and 1000d, to Chapter III of Title XIV of Part II of the Code of Civil Procedure, relating to admissions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 224—An act to amend section 1027 of the Code of Civil Procedure, relating to costs on appeal.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 225—An act to amend sections 1466, 1467, 1468 and 1469 of the Penal Code, and to repeal sections 1468a and 1470 of the Penal Code, all relating to appeals to superior courts in criminal cases.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 226—An act to amend section 134 of the Code of Civil Procedure, relating to the time when courts shall be open.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 227—An act to add four new sections to be numbered 597, 597a, 597b, 597c, to Chapter III of Title VIII of Part II of the Code of Civil Procedure, relating to summary judgment.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Hoffman and Cobb: Assembly Bill No. 228—An act to repeal "An act to provide for the planting, maintenance and care of shade trees upon streets, lanes, alleys, courts and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits," approved March 11, 1893.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Hoffman and Cobb: Assembly Bill No. 229—An act to repeal the Tree Planting Act of 1915.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Hoffman and Cobb: Assembly Bill No. 230—An act to repeal the Tree Planting Act of 1913.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Hoffman and Cobb: Assembly Bill No. 231—An act to repeal "An act to provide for the laying out, opening, extending, widening, straightening, diverting, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities or cities and cities and counties of 40,000 inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 23, 1893.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Hoffman and Cobb: Assembly Bill No. 232—An act to repeal "An act empowering the legislative body of any city or municipal corporation to abandon proceedings taken under an act entitled 'An act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby,' approved April 21, 1909, and referred to as the 'Street Improvement Act of 1909,' " approved June 8, 1915.

Bill read first time, and referred to Committee on Municipal Corporations

By Mr. Clowdsley: Assembly Bill No. 233—An act to amend section 1201 of the Probate Code, relating to notice of petition for leave to sell or give option on mines and mining claims.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Craig: Assembly Bill No. 234—An act to provide for the payment of indemnities to owners of live stock or property, taken, destroyed or otherwise disposed of pursuant to any law of the State for the control, prevention or eradication of disease of live stock, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Stream: Assembly Constitutional Amendment No. 10—Proposed amendment to Article I, section 8, of the Constitution, relative to grand jurors.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Hallner: Assembly Constitutional Amendment No. 11—Proposed amendment to Article VI, section 23, of the Constitution, relative to qualifications for justices and judges.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Lyon: Assembly Constitutional Amendment No. 12—Proposed amendment to Article IV, sections 5 and 6, of the Constitution, relative to the Legislative Department.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. McCarthy: Assembly Constitutional Amendment No. 13—Proposed amendment to Article VI, section 23, of the Constitution, relative to the eligibility of justices and judges.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Craig: Assembly Concurrent Resolution No. 14—Relative to Roy Walter James being given the honorary title of the Laurel Crowned Poet of California.

Introduced, and referred to Committee on Rules.

By Mr. Dempster: Assembly Concurrent Resolution No. 15—Relative to General Pulaski's Memorial Day.

Introduced, and referred to Committee on Federal Relations.

APPOINTMENT OF STANDING COMMITTEES.

The Speaker announced the appointment of the following standing committees:

Agriculture—Meeker (Chairman), Alter, Cassidy, Chatters, Clowdsley, Frazier, Kallam, McBride, O'Connor, Phillips, Robinson, C. Ray; Robinson, Samuel E., Thorp, Utt, West, Wright, Zion.

Aviation—Miller, James A. (Chairman), Cottrell, Grubbs, Hornblower, Jones, King, Morgan, Nielsen, O'Connor, Redwine, Scudder.

Banking—Williamson (Chairman), Badham, Crist, Greene, Peterson, Rawls, Roberts, Utt, Zion.

Building and Loan Associations—Roberts (Chairman), Brock, Crist, Greene, Kallam, Levey, West.

Civil Service—Bowers (Chairman), Anglim, Badham, Crowley, Latham, Maloney, Martin, McCarthy, Sullivan.

Commerce and Navigation—Maloney (Chairman), Bliss, Bowers, Gilmore, Hornblower, McMurray, Rawls, Riley, Williamson.

Conservation—Evans (Chairman), Field, Hunt, Martin, Mayo, O'Donnell, Robinson, Samuel E., Stannard, Wright

Constitutional Amendments—Feigenbaum (Chairman), Anglim, Chatters, Clowdsley, Craig, Frazier, Latham, Lyon, Miller, Eleanor; Redwine, Robinson, C. Ray; Ross, West.

Contested Elections—Clowdsley (Chairman), Crist, Hunt, Meehan, Sullivan.

Contingent Expenses—Phillips (Chairman), Hatch, Fisher, McCarthy, Miller, James A.

Corporations—Hatch (Chairman), Cronin, Feigenbaum, Field, Gilmore, Hunt, Miller, James A., Peterson, Roland.

County Government—Brock (Chairman), Anglim, Bowers, Callahan, Grubbs, King, Mayo, McCarthy, McMurray, Nielsen, O'Donnell, Riley, Rogers, Ross, Turner.

Crime Problems—Miller, Eleanor (Chairman), Callahan, Cobb, Cottrell, Jones, Knowland, Sullivan.

Direct Legislation—Chatters (Chairman), Crist, Cronin, McMurray, O'Connor, Stannard, Sullivan.

Drainage, Swamp and Overflowed Lands—Stream (Chairman), Burns, Callahan, Cassidy, Chatters, Mayo, Meeker, McMurray, O'Donnell, Patterson, Robinson, Samuel E., Stannard, Turner.

Education—Roland (Chairman), Callahan, Clowdsley, Cobb, Feigenbaum, Greene, Meeker, Miller, Eleanor; Phillips, Powers, Redwine, Roberts, Williamson.

Elections—Alter (Chairman), Burns, Callahan, Cottrell, Crowley, Hoffman, Hornblower, Knowland, Maloney, Rogers, Sullivan.

Engrossment and Enrollment—Patterson (Chairman), Bliss, Brock, Dempster, Phillips.

Exhibitions and Fairs—Thorp (Chairman), Cassidy, Dempster, McBride, McCarthy, Nielsen, Tournoux.

Federal Relations—Peterson (Chairman), Badham, Evans, Grubbs, Hunt, Martin, Tournoux.

Fish and Game—Zion (Chairman), Bowers, Burns, Cassidy, Crowley, Field, Fisher, Hornblower, King, Mayo, Patterson, Rawls, Scudder, West, Wright.

Governmental Efficiency and Economy—Levey (Chairman), Brock, Callahan, Greene, Hoffman, Miller, Eleanor; Morgan, Nielsen, Roland, Stream, Thorp.

Government Revenues and Expenditures—Grubbs (Chairman), Lyon, Martin, Robinson, Samuel E, Rogers.

Hospitals and Asylums—Knowland (Chairman), Boyle, Dempster, Evans, Fisher, Hallner, Hornblower, Levey, Rawls, Williamson, Woolwine.

Insurance—Crist (Chairman), Craig, Cronin, Crowley, Evans, Frazier, Maloney, Nielsen, Robinson, C. Ray; Stream, Turner.

Introduction of Bills—Hallner (Chairman), Boyle, Latham, Tournoux, West.

Irrigation—Frazier (Chairman), Cassidy, Chatters, Craig, Crist, Mayo, Meeker, O'Donnell, Patterson, Robinson, C. Ray, Robinson, Samuel E, Stannard, Stream, Turner, Utt, West, Zion.

Judiciary—West (Chairman), Anglim, Clowdsley, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Hoffman, Hornblower, Levey, Lyons, Miller, James A.; Powers, Redwine, Robinson, C Ray, Roland, Ross, Williamson, Woolwine.

Labor and Capital—Dempster (Chairman), Bliss, Boyle, Grubbs, Hatch, Hunt, Maloney, Meehan, O'Connor, Peterson, Rogers, Sullivan, Turner.

Libraries—Utt (Chairman), Meehan, Nielsen, O'Connor, Sullivan.

Live Stock and Dairies—Robinson, Samuel E. (Chairman), Anglim, Burns, Chatters, Patterson, Robinson, C. Ray; Scudder, Stream, Thorp.

Manufactures—Gilmore (Chairman), Evans, Grubbs, Hunt, Maloney, McBride, Thorp.

Medical and Dental Laws—Cronin (Chairman), Boyle, Cobb, Gilmore, Hallner, King, Levey, Meehan, Morgan.

Military Affairs—Scudder (Chairman), Hallner, Hatch, King, McCarthy, Peterson, Rawls, Rogers, Tournoux.

Mines and Mining—Mayo (Chairman), Boyle, Hatch, King, Latham, McBride, Ross, Turner, Stannard.

Motor Vehicles—Hornblower (Chairman), Alter, Badham, Cottrell, Field, Gilmore, Kallam, Levey, McBride, McMurray, Miller, James A., Morgan, Ross, Thorp, Zion.

Municipal Corporations—Lyon (Chairman), Brock, Cassidy, Grubbs, Hoffman, Jones, Latham, O'Connor, Rawls, Riley, Tournoux, Utt, Woolwine.

Oil Industries—Badham (Chairman), Anglim, Brock, Frazier, Hatch, McBride, McMurray, Riley, Turner.

Prisons and Reformatories—Woolwine (Chairman), Alter, Burns, Cottrell, King, Maloney, McCarthy, Miller, Eleanor; Roberts, Tournoux, Wright.

Public Charities and Corrections—Martin (Chairman), Cassidy, Hallner, Hoffman, Jones, McCarthy, Meeker, O'Donnell, Woolwine.

Public Health and Quarantine—Hoffman (Chairman), Alter, Boyle, Callahan, Field, Kallam, Levey, Roberts, Williamson.

Public Morals—Wright (Chairman), Cronin, Gilmore, Hallner, Lyon, McMurray, Meehan, Miller, Eleanor; Peterson, Powers, Woolwine.

Public Utilities—Latham (Chairman), Craig, Dempster, Evans, Frazier, McBride, Miller, Eleanor; Miller, James A., Morgan, Redwine, Utt.

Revenue and Taxation—Riley (Chairman), Alter, Badham, Cobb, Evans, Feigenbaum, Frazier, Kallam, Lyon, Knowland, Martin, Meeker, Powers, Redwine, Woolwine.

Roads and Highways—Greene (Chairman), Bliss, Burns, Cottrell, Craig, Crowley, Hoffman, Jones, Meehan, Patterson, Powers, Scudder, Stannard, Stream, Tournoux.

Social Service—Fisher (Chairman), Feigenbaum, Gilmore, Roberts, Rogers, Roland, Williamson, Wright, Zion.

Soldiers and Sailors Affairs—Nielsen (Chairman), Bowers, Clowdsley, Dempster, Fisher, Hunt, Miller, James A., O'Connor, O'Donnell, Patterson, Redwine, Scudder, Stannard.

State Grounds and Parks—Field (Chairman), Kallam, Knowland, Mayo, Meehan, Rawls, Scudder.

Teachers Colleges—Bliss (Chairman), Bowers, Burns, Hatch, Phillips, Powers. Stream.

Unemployment—Powers (Chairman), Bliss, Chatters, Hallner, Meeker, Peterson, Utt.

Universities—Morgan (Chairman), Cobb, Greene, Knowland, Phillips, Roland, Ross.

Ways and Means—Cobb (Chairman), Alter, Badham, Bliss, Bowers, Boyle, Brock, Cottrell, Craig, Field, Jones, Kallam, Knowland, Latham, Martin, Morgan, Phillips, Riley, Roberts, Wright, Zion.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1933.

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as representives of the newspapers set opposite their names:

North Hollywood Sun—Dean McHenry.
Politics—Kenneth Medcraft
Stockton Record—Esto Broughton.
Alhambra Post-Advocate—John B. Lang.

ARTHUR A. OHNIMUS, Chief Clerk.

ADJOURNMENT.

At twelve o'clock noon, on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, January 10, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, January 10, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—79.

Quorum present.

PRAYER.

By invitation of the Speaker, prayer was offered by Miss Eleanor Miller, member of the Assembly from the Forty-seventh Assembly District.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. West, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr. Cronin, Mr. Levey was granted leave of absence for the day.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 5—Relative to requesting the Governor to make application to the Reconstruction Finance Corporation for the loan of money to be used in furnishing relief and work relief to needy and distressed people and in relieving the hardship resulting from unemployment.

J. A. BEEK, Secretary of Senate.
By JAMES L. GARDINER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

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

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FIVE

Senate Concurrent Resolution No. 5—Relative to requesting the Governor to make application to the Reconstruction Finance Corporation for the loan of money to be used in furnishing relief and work relief to needy and distressed people and in relieving the hardship resulting from unemployment.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 5 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr Speaker—77.

NOES—None.

Senate Concurrent Resolution No. 5 ordered transmitted to the Senate.

Senate Concurrent Resolution No 5—Relative to requesting the Governor to make application to the Reconstruction Finance Corporation for the loan of money to be used in furnishing relief and work relief to needy and distressed people and in relieving the hardship resulting from unemployment.

RESOLUTION.

The following resolution was offered by Mr. Dempster:

WHEREAS, The Railroad Commission of the State of California has exclusive power and authority to fix and prescribe the rates and charges of privately owned

public utilities within the State, amounting in the aggregate to more than four hundred millions of dollars per annum; and

WHEREAS, Public utility rates are akin to taxes in that they are fixed by the State and are paid for public services, and have increased on the whole during the past five years in California, notwithstanding substantial reductions in taxes; and

WHEREAS, Under the provisions of the Public Utilities Act enacted by the Legislature, the orders of the commission in the premises are final and conclusive as to questions of fact upon which public utilities rates are fixed, and are not subject to review by the courts of the State as to such questions, resulting in autocratic power in the commission; and

WHEREAS, It is the long-established law of the land that "what the company is entitled to demand in order that it may have just compensation is a fair return upon the reasonable value of the property at the time it is being used by the public," and that the present cost of reproducing the property less depreciation is the paramount, if not the controlling factor in determining the value of public utility property (San Diego Land and Town Co. *vs.* Jasper, 189 U. S. 439; United Railways and Electric Co. *vs.* West, 280 U. S. 234; and other State, Federal and Supreme Court cases); and

WHEREAS, The Railroad Commission is empowered by the provisions of section 47 of the Public Utilities Act to value the properties of public utilities from time to time based upon independent investigation, but has failed, neglected and refused to do so in cases involving more than seventy-five millions of dollars in rates, annually, in Los Angeles County alone; and, in lieu of making such valuations and using them as a rate basis, the commission used the cost of properties as claimed by the utilities, virtually, and without any deduction for depreciations, which is in direct contravention of law, and against the emphatic declaration of the Supreme Court of the United States that "never was it held that the cost of the thing is the test of its value" (P. C. C and St Louis Ry. Co. *vs.* Backes, 154 U. S. 421); and

WHEREAS, It is common knowledge of which courts are taking judicial notice, and of which the Railroad Commission under the law is bound to take similar notice, that the values of all classes of physical property have fallen considerably during the past four years; and, to take a concrete case of a public utility property before the commission in July, 1932—that of John B Elliott, et al. *vs* Southern California Telephone Company, Case No 3271—the evidence was conclusive and undisputed that the cost of reproducing the property had fallen more than 30 per cent during the last four years, yet the commission dismissed the complaint on the ground that evidence of reproduction cost was of "little aid to the commission in reaching its conclusion"; and

WHEREAS, The financial world is not only aware of the law governing public utilities rates as hereinabove set forth, but also of the fact that public utility values have fallen greatly as evidenced by the following news item in the financial pages of California newspapers under date of February 1, 1932.

> "New York, February 1, J. Morrison, president of the savings division of the American Bankers Association, states the belief that public utilities throughout the country face a probable reduction of 30 per cent in rates on the basis of revaluation at present-day reproduction costs"; and

WHEREAS, By reason of the failure and neglect of the Railroad Commission to thus value the property of the Los Angeles Railway Corporation in 1927, the company was given a 25 per cent increase in fares by the Federal courts, which increase is yet in force; and, due to such failure and neglect to value the properties of the Los Angeles Gas and Electric Corporation and the Southern Counties Gas Company, the orders of the commission requiring relatively small reduction in their rates for gas, the former in 1930 and the latter in 1932, are now being assailed by the companies in the Federal courts with considerable prospect of success, and the former gas rates are still in effect; and

WHEREAS, The Elliott case against the telephone company aforementioned was brought by more than 25 responsible citizens and rate payers on behalf of 196 commercial, labor and civic organizations of the city of Los Angeles, the complainants moved the commission for an order requiring the company to file an inventory of its property with the commission for purposes of valuation; the case was filed June 7, 1932, and the commission forthwith set the same for hearing on June 22, 1932, and at said hearing refused to rule upon the complainants' motion for an inventory, and ordered the complainants to present all of their evidence as to the alleged unreasonableness of the company's rates; upon the strong insistence of the complainants' right to an inventory of the company's property for the purposes of the hearing, the commission reluctantly granted a continuance of but two weeks within which to gather evidence as to the cost of reproducing the telephone plant, claimed to be worth in excess of $100,000,000, the hearing was resumed July 6, 1932, and continued three days, practically all of which was used by the complainants in presenting their testimony; the company was duly subpenaed to produce certain of its costs records at said hearing, but failed and refused to do so and the commission, without assigning any reason therefor, upheld the company in such refusal; at the conclusion of said hearing, counsel for the complainants formally notified the commission that if, in the judgment of the commission, additional evidence was necessary to secure

the order for inventory the complainants would insist upon compliance with said subpena, and the commissioner who presided at the hearing clearly intimated that no additional evidence would be required for the purpose; the complaint in said cause alleged that the company was receiving in excess of $6,200 per annum above a reasonable return upon the value of its property, and the evidence submitted at the hearing tended to reasonably support said allegation; yet, on September 1, 1932, the commission further refused to require the company to file an inventory, and without further opportunity to the complainants to gather and present additional evidence in the case, dismissed the complaint; and further, that neither the complainants nor the public had any notice or knowledge of what action the commission purposed taking in the case, prior to September 1, 1932, yet more than three weeks prior thereto, the telephone company had knowledge that the case was to be dismissed, and secretly published the same to certain of its officers and employees; and

WHEREAS, The Constitution of the State of California vests the Legislature with power to remove any one or more of the Railroad Commissioners from office for "dereliction of duty or corruption or incompetence," and such investiture of power makes it the duty of the Legislature to investigate the Railroad Commission and its acts and doings under the circumstances above set forth and to ascertain in what manner the Public Utilities Act may be amended so as to prevent future abuses of power of the commission, if abuses are found to exist; now, therefore, be it

Resolved by the Assembly, That a committee of three members be appointed by the Speaker of the Assembly to investigate and report as to all matters and things which in its judgment are necessary or convenient to enable the Legislature to consider and adjudge the Railroad Commission of the State of California, and each of the members thereof, as to the exercise and administration of the powers vested in said commission, and particularly as to whether or not said commission has disregarded the law of the land, and has not regularly pursued and exercised its authority, in the fixing of public utility rates and charges; and further, to ascertain and report to the Assembly such changes, and as to the removal of each of the members of said commissioners from office in the Public Utilities Act as may be deemed necessary and desirable to carry out the expressed purpose of said act that public utility rates shall be just and reasonable at all times; and be it further

Resolved, That the committee proceed to organize by the election of one of its members as chairman, and by the appointment of a secretary, and that it proceed with the accomplishment of the acts authorized and required by this resolution; and be it further

Resolved, That the committee is hereby authorized to hold hearings at any place in the State, at which hearing the people shall have an opportunity to present their evidence and views to the committee with reference to the subject of said investigation, and the committee may send any of its members or its secretary to any State in the Union to make an investigation of conditions or to confer with other persons, organizations or public officials who are experienced in said subject; and be it further

Resolved, That the committee is hereby authorized to do any and all things necessary to make a full and complete investigation of the matters herein referred to; to require the production of records, books, documents and papers of any kind; to issue subpenas; to compel the attendance of witnesses; to procure testimony; and to employ necessary counsel. Each member of the committee is hereby authorized to administer oaths, and all of the provisions of sections 300 to 304, inclusive, being Article VIII, Chapter II, Title I, page 3 of the Political Code, relating to the attendance of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution, and the committee shall submit its report to the Legislature at the reconvention of the Assembly following the constitutional recess of this session of the Assembly; and be it further

Resolved, That the sum of $5,000 is hereby set apart, reserved and appropriated out of the Contingent Fund to be hereafter appropriated for the contingent expenses of the Assembly at this session of the Legislature, for the purpose of paying the expenses incurred by the committee and the members thereof under the authority of this resolution, to be disbursed from time to time by Controller's warrants to be drawn against said Contingent Fund upon the written order of the chairman of the committee.

The Speaker ordered the above resolution printed in the Journal and a copy sent to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Craig asked for, and was granted, unanimous consent to have Assembly Bill No. 234 withdrawn from Committee on Agriculture and considered at this time.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO HUNDRED THIRTY-FOUR.

Assembly Bill No. 234—An act to provide for the payment of indemnities to owners of live stock or property, taken, destroyed or otherwise disposed of pursuant to any law of the State for the control, prevention or eradication of disease of live stock, declaring the urgency thereof, and providing that this act shall take effect immediately.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 5, 1933.

To the Honorable Members of the Assembly of the State of California.

Assembly Bill No. 234 permits payment by the State Department of Agriculture for animals and property destroyed in eradicating and preventing the spread of infectious diseases of animals.

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of Article IV, section 34, of the Constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted

JAMES ROLPH, JR., Governor of California.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Craig:

Resolved, That Assembly Bill No. 234 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—74.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 234.

SECOND READING OF ASSEMBLY BILL NUMBER TWO HUNDRED THIRTY-FOUR.

Assembly Bill No. 234—An act to provide for the payment of indemnities to owners of live stock or property, taken, destroyed or otherwise disposed of pursuant to any law of the State for the control, prevention or eradication of disease of live stock, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being, Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—75.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO HUNDRED THIRTY-FOUR.

Assembly Bill No. 234—An act to provide for the payment of indemnities to owners of live stock or property, taken, destroyed or otherwise disposed of pursuant to any law of the State for the control, prevention or eradication of disease of live stock, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 234 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No 1—Relative to ratification of an amendment to the Constitution of the United States, proposed by the Congress of the United States of America, relating to fixing the commencement of the terms of President and Vice President and Members of Congress and fixing of time of assembling of Congress—and reports that the same has been correctly enrolled and presented the same to the Governor on this tenth day of January at ten o'clock and fifteen minutes a m

PATTERSON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 2—Relative to approving a certain amendment to the charter of the city of Glendale, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932;

Also: Assembly Concurrent Resolution No. 3—Approving ten certain amendments to the charter of the city of Los Angeles in the county of Los Angeles, State of California, voted for and ratified by the electors of said city at special elections held therein on the third day of May, 1932, and on the eighth day of November, 1932, respectively;

Also: Assembly Concurrent Resolution No. 4—Approving six certain amendments to the charter of the city of Palo Alto, county of Santa Clara, State of California, voted for and ratified by the qualified electors of the said city of Palo Alto at a

special municipal election held therein for that purpose on the twenty-fifth day of October, 1932;
And reports that the same have been correctly enrolled and presented the same to the Governor on this tenth day of January at ten o'clock and fifteen minutes a.m.

PATTERSON, Chairman

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Fisher: Assembly Constitutional Amendment No. 14—Proposed amendment to Article IX, section 6, of the Constitution, relative to the support of the public school system.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Rawls: Assembly Constitutional Amendment No. 15—Proposed amendment to Article XX, adding section 23 of the Constitution, relative to garnishment.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Robinson, C. Ray; Little and Frazier: Assembly Constitutional Amendment No. 16—Proposed amendment to Article XVI, new section to be numbered 9 of the Constitution, relative to authorizing the Legislature to provide for assistance by the State in the refinancing of irrigation and reclamation districts, and approving and ratifying the District Finance Act of 1933.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Frazier: Assembly Bill No. 235—An act to appropriate the sum of $12,000 to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, and to provide for the manner of expending such appropriation.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Tournoux: Assembly Bill No. 236—An act to amend section 23 of the Direct Primary Law, relating to the method of choosing and the qualifications of candidates of political parties.

Bill read first time, and referred to Committee on Direct Legislation.

By Mr. Badham: Assembly Bill No. 237—An act to amend sections 3746, 3751, 3756 and 3817 of the Political Code, relating to property tax delinquency and redemption penalties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Martin: Assembly Bill No. 238—An act to add a new section to the Penal Code to be numbered 653c1, relating to the hours of labor on public works.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Martin: Assembly Bill No. 239—An act to amend section 653c of the Penal Code, relating to the hours of labor on public works.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 240—An act to amend sections 330.13, 336 and 337 of the Civil Code, relating to share of stock.

Bill read first time, and referred to Committee on Corporations.

By Messrs Robinson, C. Ray, Little and Frazier: Assembly Bill No. 241—An act relating to the refunding of bonds of irrigation and reclamation districts, making State assistance available therefor and authorizing the issuance and sale of bonds of the State to provide funds for use in furtherance thereof.

Bill read first time, and referred to Committee on Constitutional Amendments.

By Mr. Dempster: Assembly Bill No 242—An act to amend section 736b and to repeal sections 737a to 737fff, inclusive, of the Political Code, relating to salaries of judges of the superior court.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Dempster: Assembly Bill No. 243—An act to amend section 737s of the Political Code, relating to salaries of judges of the superior court.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Dempster: Assembly Bill No. 244—An act to amend section 3665c of the Political Code, to require companies to report to the State Board of Equalization all operative property used by them.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Crowley: Assembly Bill No. 245—An act to amend sections 3 and 5b of the Narcotic Rehabilitation Act, relating to drug addicts.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Dempster: Assembly Bill No 246—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "Registered Sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Public Health to certify approved schools, conduct examinations and issue "Registered Sanitarian," prescribing the powers and duties of the State board; prescribing conditions under which the title "Registered Sanitarian" or the placing of the initials "R.S." may be used after the names of certificate holders; providing penalties for violations hereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Dempster: Assembly Bill No. 247—An act to amend an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, by

adding a new section thereto to be numbered 6b, relating to dental technicians.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Crist. Assembly Bill No 248—An act to amend section 8 of the Workmen's Compensation Insurance and Safety Act of 1917, relating to and defining employees and excluding from the provisions of the act any person or persons engaged in any work or service under or in connection with any unemployment, relief, or charity project.

Bill read first time, and referred to Committee on Insurance.

ANNOUNCEMENT BY SPEAKER.

The Speaker announced that the unemployed requested that they be permitted to address the members of the Assembly at three o'clock p.m. of this day.

REQUEST GRANTED.

On motion of Mr. Dempster, the request was granted.

RECESS.

At eleven o'clock and fifteen minutes a.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Bernard reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1933.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 2—Relative to memorializing Congress to propose an amendment to the Constitution of the United States repealing the Eighteenth Amendment and to provide for conventions in the several States to accomplish this purpose—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

PETERSON, Chairman.

The above reported Assembly Joint Resolution No. 2 ordered to engrossment and on file for adoption.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Robinson, C. Ray: Assembly Bill No. 249—An act to amend sections 3746, 3751, 3756, 3817 and 3817a of the Political Code, relating to property tax delinquencies and redemptions.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Cronin: Assembly Bill No 250—An act to amend section 628a of the Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Dempster: Assembly Bill No. 251—An act to amend sections 1 and 2 of "An act prohibiting the issuance as payment for wages of

any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No 252—An act to amend section 7 of the act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities of the first and one-half class.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 253—An act to amend section 8 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases, to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917," approved June 13, 1923.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Dempster: Assembly Bill No 254—An act to amend section 3 of an act entitled "An act regulating the sale, offering for sale, possession or transportation of machine rifles, machine guns and submachine guns, and providing a penalty for the violation thereof," approved May 16, 1927.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Riley: Assembly Bill No. 255—An act to amend section 2192 of the Political Code, requiring counties to pay the State only for actual time that feeble-minded are inmates of the State home.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr Lyon: Assembly Bill No. 256—An act to add sections 3a, 3b, and 5a to, and to amend sections 5 and 7 of an act entitled "The County Improvement Act of 1921," approved June 3, 1921, Statutes of 1921, page 1628, relating to the improvement of roads and highways within unincorporated territory of counties.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Lyon: Assembly Bill No. 257—An act to amend sections 60, 62, 63, 65a and 66 of an act entitled "Improvement Act of 1911," approved April 7, 1911, Statutes of 1911, page 730.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Badham: Assembly Constitutional Amendment No. 17—Proposed amendment to Article XIII, adding section 5, of the Constitution, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

RECESS.

At two o'clock and twelve minutes p.m., on motion of Mr. Bliss, the Assembly was declared at recess until two o'clock and fifty-five minutes p.m. of this day.

REASSEMBLED.

At two o'clock and fifty-five minutes p m., the Assembly reconvened. Speaker Little in the chair.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1933.

MR. SPEAKER: Your Committee on Rules to which was referred the following resolution by Mr. Roland—*Resolved*, That the Chief Clerk of the Assembly be and he is hereby directed to procure from the State Purchasing Department on requisition, for the use of the members of the Assembly, all necessary stationery and supplies—has had the same under consideration, and respectfully reports the same back, and recommends that the same be adopted.

ROBINSON, C. RAY, Chairman.

Mr. Robinson, C. Ray, moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

Report and resolution adopted.

MOTION TO APPROVE JOURNALS.

Mr. Robinson, C. Ray, moved that the Journals of Monday, January 2, 1933; Tuesday, January 3, 1933; Wednesday, January 4, 1933, be approved as corrected by the Minute Clerk.

Motion carried.

RECESS.

At three o'clock and two minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until four o'clock p.m. of this day, to allow the committee representing the unemployed to address the members of the Senate and Assembly on State unemployment insurance and other demands. Messrs. Walter Lambert and Jeff Goodman of San Francisco acted as spokesmen for the delegation.

REASSEMBLED

At four o'clock and twenty-five minutes p.m., the Assembly reconvened. Speaker Little in the chair.

ADJOURNMENT.

At four o'clock and thirty minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a m., Wednesday, January 11, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, January 11, 1933.

At ten o'clock a.m, pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Clowdsley, its further reading was dispensed with.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

4713 ORION AVENUE, VAN NUYS, CALIFORNIA, January 7, 1933.

California Legislature, Sacramento, California.

GENTLEMEN: As only one of the many breeders of parakeets in southern California, I am asking that earnest consideration be given our problems when they come before you.

Thanking you, I am

MRS. F. C. HURST

Also:

By Mr. Speaker:

From Amanda A. Smith, 1246 N. Kenmore, Los Angeles, January 6, 1933, relative to insanity laws.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 2—Relative to memorializing Congress to propose an amendment to the Constitution of the United States repealing the Eighteenth

Amendment and to provide for conventions in the several States to accomplish this purpose—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Joint Resolution No. 2 ordered on file for adoption.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1933.

MR. SPEAKER: Your Committee on Rules submits the following amendments to the standing rules of the Assembly as appearing in the Assembly Daily Journal, Thursday, January 5, 1933—and respectfully recommends that they be adopted.

ROBINSON, C. RAY, Chairman.

AMENDMENTS TO STANDING RULES.

On page 5, line 2 of Rule 14, strike out the word "deemed".

On page 5, line 2 of Rule 15, after the words "shall rise in", insert the word "his".

On page 5, paragraph 2 of Rule 19, change "LV" to "IV".

On page 6, section L of Rule 20, complete the section by adding after the words "or when" the following: "required by law, all acts, memorials and resolutions, orders and proceedings of the Assembly".

On page 6, section F of Rule 22, strike out the word "Rules", and insert in lieu thereof the word "Attaches".

On page 6, section E of Rule 23, strike out the word "Rules", and insert in lieu thereof the word "Attaches".

On page 7, line 4 of Rule 28, strike out the period after the word "desk", and insert the following: "by the Chief Clerk or his assistant"

On page 7, line 2 of Rule 36, strike out the words "Chief Clerk of the Assembly", and insert in lieu thereof the words "Superintendent of Capitol Building and Grounds".

On page 8, line 5 of Rule 41, strike out the word "been", and insert in lieu thereof the word "be".

On page 10, line 6 of Rule 63, change "LV" to "IV".

On page 10, paragraph 2 of Rule 64, insert between paragraphs 2 and 3 the following new paragraph: "All bills shall be subject to the approval of the Legislative Counsel as to form, and, with the consent of the author, shall be changed by such bureau."

On page 12, Rule 83, strike out the figures "48", and in lieu thereof insert the figures "47".

On page 13, Rule 83, strike out the figures "49", "50", "51", "52", "53", "54", "55", "56", and insert in lieu thereof the figures "48", "49", "50", "51", "52", "53", "54", "55".

On page 14, line 1, change the word "request" to "requested".

On page 17, line 6 of Rule 131, strike out the words "registered legislative advocates".

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 4—Relative to requesting the Governor to make application to the Reconstruction Finance Corporation for the loan of money to be used in furnishing relief and work relief to needy and distressed people and in relieving the hardship resulting from unemployment.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Martin asked for unanimous consent to take up Senate Concurrent Resolution No. 4 at this time, without reference to committee or file.

OBJECTION RAISED.

Mr. Crist objected to unanimous consent.

The Speaker ordered Senate Concurrent Resolution No. 4 referred to Committee on Federal Relations.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced:

By Mr. Robinson, C. Ray: Assembly Bill No. 258—An act to amend the California Districts Securities Commission Act, approved June 19, 1931, by repealing section 11 thereof and adding a new section 11 thereto, providing that certain defaulting irrigation districts shall be subject to said section and shall be under the control of the California District Securities Commission to the extent and for the time set forth; providing for the levy, and the manner of levy, of the annual assessment of such defaulting districts in an amount it will be reasonably possible for the lands to pay without exceeding a delinquency of 15 per cent and for the allocation of the proceeds of said annual assessment; superseding the California Irrigation District Act and particularly section 39 thereof and any other law in conflict therewith to the extent set forth, limiting the operation of said section 11 until November 1, 1937, only, unless sooner repealed; and making same an emergency measure enacted under the police power.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Robinson, C. Ray, asked for unanimous consent to take up Assembly Bill No. 258, at this time, without reference to committee or file, and that same be considered engrossed.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 10, 1933.

To the Honorable Members of the Assembly of the State of California.

Assembly Bill No. 258 amends the California District Securities Commission Act of June 19, 1931, by repealing section 11 thereof, and adding a new section 11 thereto, and deals with the subject of taxation.

In my opinion, the conditions which this bill seeks to remedy constitute an emergency within the meaning of Article IV, section 34, of the Constitution; and I, therefore, recommend passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

OBJECTION RAISED.

Mr. Knowland objected to unanimous consent.

The Speaker ordered Assembly Bill No. 258 referred to Committee on Irrigation.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Messrs. Chatters, Anglim, Clowdsley, Cronin, Dempster, Maloney, Ross, and Turner: Assembly Bill No. 259—An act providing for the construction and operation by the State of California of a system of works designated as the Central Valley Project for the conservation, development, distribution and utilization of water; defining and describing the units or parts of said project; also defining the prerequisite conditions under which said project shall be constructed; defining the duties and powers of the Department of Public Works and of the State Engineer in relation to said project; creating a Water Administration Board and defining its duties and powers with rela-

tion to the construction and operation of said project; authorizing the issuance and sale of general obligation bonds of the State of California in the amount of $160,000,000 for the purpose of defraying the cost of construction of said project; and providing for the payment of such bonds with the interest thereon, and for the creation of a Water Construction Fund and a Water Revenue Fund in the State treasury.

Bill read first time, and referred to Committee on Constitutional Amendments.

By Mr. Bowers: Assembly Bill No. 260—An act to regulate certain working conditions of operators of motion picture machines in theaters and motion picture houses; and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Jones: Assembly Bill No. 261—An act to amend section 110a of the Code of Civil Procedure, relating to salaries of justices of the peace in townships of 30,000 population or more in counties of the first class, and the determination of such population.

Bill read first time, and referred to Committee on County Government.

By Mr. Woolwine: Assembly Bill No 262—An act to amend section 860 of the Penal Code, relating to preliminary examination in criminal prosecutions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woolwine: Assembly Bill No. 263—An act to amend section 1050 of the Penal Code, relating to time of trial in criminal prosecutions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woolwine: Assembly Bill No 264—An act to amend section 990 of the Penal Code, relating to time to plead in criminal prosecutions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woolwine: Assembly Bill No 265—An act to amend section 1203 of the Penal Code, relating to recommendations of probation officers.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Woolwine: Assembly Bill No. 266—An act to add a new section to the Civil Code, to be numbered 1669, relating to contracts entered into, acts performed and moneys paid under statutes subsequently held unconstitutional.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woolwine: Assembly Bill No 267—An act to abate salaries of State officers and employees in cases where such party receives a pension or retirement allowance from a political subdivision or municipal corporation.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Martin: Assembly Bill No. 268—An act to amend section 1187 of the Code of Civil Procedure, relating to mechanics' liens.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Martin: Assembly Bill No. 269—An act to provide a six-hour day and five-day week for State employees.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Martin: Assembly Bill No. 270—An act to amend the title and sections 7 and 21 of the State Housing Act, approved June 15, 1923, as amended, relating to the regulation of dwellings, apartment houses and hotels.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Martin: Assembly Bill No. 271—An act to amend section 903 of the Penal Code, relating to grand jurors.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Craig: Assembly Bill No. 272—An act to add a new section to the Political Code, to be numbered 3628a, relating to notice of increases in assessment valuation.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs Mayo and Clowdsley: Assembly Bill No 273—An act to amend section 3 of an act entitled "An act to provide for the establishment and maintenance of a Bureau of Tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons affected with tuberculosis; making an appropriation therefor, and repealing certain acts of the Legislature of the State of California." approved June 12, 1915, relating to management of tuberculosis hospitals.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Crist: Assembly Bill No. 274—An act to amend section 549 of the Code of Civil Procedure, relating to attachments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McMurray: Assembly Bill No. 275—An act to amend section 1305 of the Penal Code, relating to forfeiture of bail or deposit.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McMurray: Assembly Bill No. 276—An act to amend section 1434 of the Penal Code, relating to proceedings in criminal actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woolwine: Assembly Bill No. 277—An act to amend sections 30, 31 and 60 of the State Housing Act, relating to hotel and apartment house kitchens.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Cobb: Assembly Bill No. 278—An act to add a new section to the Penal Code of California, to be known as section 1510.1, relating to the powers and duties of coroners and to the custody of dead bodies.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cobb: Assembly Bill No. 279—An act to amend section 2653 of the Political Code, relating to road district tax rates.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Cobb: Assembly Bill No. 280—An act to amend section 23 of the Drainage District Improvement Act of 1919 (Statutes 1919, page 731), relating to advances of money by the county for payment of bonds and interest.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Cronin: Assembly Bill No. 281—An act to amend sections 4 and 5 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931, relating to cleaning and dyeing shops and private schools and colleges of spotting, sponging and/or pressing.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 282—An act to amend sections 10, 11, 12, and 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry and the power of the Dental Board.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Cronin: Assembly Bill No 283—An act to amend sections 6 and 14 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry and the power of the Dental Board.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Messrs. Feigenbaum and Roland: Assembly Bill No. 284—An act to amend section 710 of the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Riley: Assembly Bill No. 285—An act to add a new section to the Penal Code, to be numbered 1375, relating to the manner in which counties shall pay the State for care of insane and inebriates.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Fisher: Assembly Concurrent Resolution No. 16—Relative to the designation and appointment of Charles Keeler as Poet Laureate of California.

Introduced, and referred to Committee on Rules.

By Messrs. Chatters, Craig, Turner, Anglim, Clowdsley, Cronin, Dempster, Maloney and Ross: Assembly Constitutional Amendment No. 18—A proposed amendment adding Article XIVa to the Constitution, relative to the control, development and utilization of the water resources in the State.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. McCarthy: Assembly Constitutional Amendment No. 19—Proposed amendment to Article XII, section 22, of the Constitution, relative to the Railroad Commission.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Ross: Assembly Constitutional Amendment No. 20—Proposed amendment to Article I, section 7, of the Constitution, relative to trial by jury.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Williamson (by request): Assembly Constitutional Amendment No. 21—Proposed amendment to Article IV, sections 1a, 7, and 9, and adding section 26, of the Constitution, relative to a supervisory judicial commission.

Introduced, and referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1933.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolution by Mr. Hornblower:

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-three (83) sets of 1931 edition of Deering's Codes and General Laws of the State of California, complete in eight volumes; also eighty-one copies of Robert's Rules of Order.

Also, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to deliver one set of said Codes and General Laws to each member of the Assembly, Chief Clerk of the Assembly, Judiciary Committee and the Ways and Means Committee and one volume of Robert's Rules of Order to each member of the Assembly and the Chief Clerk of the Assembly,

submits the following substitute resolution:

Resolved, That the Clerk of the Assembly be, and hereby is, authorized and directed to purchase eighty-three (83) sets of the 1931 edition of

Deering's Codes of the State of California—each set consisting of the following five volumes:

Civil Code
Code of Civil Procedure
Penal Code
Political Code (two volumes)

also five sets of the General Laws of California, each set consisting of three volumes; also three copies of Robert's Rules of Order; also, be it

Resolved, That the Chief Clerk of the Assembly be, and hereby is, directed to deliver one set each of the Codes (five volumes) to each member of the Assembly; one to the Chief Clerk of the Assembly; one to the Judiciary Committee, and one to the Ways and Means Committee

Also, That the Chief Clerk be directed to deliver one set of the General Laws (three volumes) to the Judiciary Committee; one set to the Ways and Means Committee; one set to the Social Welfare Committee, and two sets to the Chief Clerk of the Assembly.

Also, That the three copies of Robert's Rules of Order be delivered to the Chief Clerk of the Assembly, for the use of the members of the Assembly;

And respectfully reports the same back, and recommends that the substitute resolution be adopted.

PHILLIPS, Chairman.

Mr. Phillips moved the adoption of the report and substitute resolution.

The question being on the adoption of the report and substitute resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—66.

NOES—None.

ADJOURNMENT.

At ten o'clock and forty minutes a.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, January 12, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

SACRAMENTO, Thursday, January 12, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. McMurray, Mr. Feigenbaum was granted leave of absence for the day.

On motion of Mr Kallam, Mr. Peterson was granted leave of absence for the day.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

From Fred B. Hawley, 1525 E. First Street, Long Beach, California, relative to impeachment.

Petition ordered referred to Committee on Judiciary.

PROCLAMATION.

The following proclamation was read, and ordered referred to the Committee on Federal Relations·

PROCLAMATION.

On Friday, February 3, 1933, the first Interstate Conference of Legislators will convene in Washington, D. C., to discuss problems of conflicting taxation and to consider means for cooperation between the States in dealing with each other and with the Federal Government in respect thereto.

This notice and invitation is presented to the Speaker of the Assembly of the State of California, for the official consideration of this body.

The Senate and the House of Representatives of each of the forty-eight States is entitled—and is urged—to send a delegate, and the Governor of each State is invited to send an adviser to represent him.

A prompt response to this invitation is cordially invited

THE AMERICAN LEGISLATORS' ASSOCIATION.

WILLIAM B. BELKNAP (Kentucky), President
GEORGE WOODWARD (Pennsylvania), Vice President.
SEABURY C. MASTICKA (New York), Vice President.
HENRY W. TOLL (Colorado), Director.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 6—Approving certain amendments to the charter of the city of Pasadena, a municipal corporation of the State of California, situated in the county of Los Angeles, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932—and reports that the same has been correctly enrolled and presented the same to the Governor on the eleventh day of January, 1933, at ten o'clock and forty-five minutes a.m.

PATTERSON, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 2—Relative to approving a certain amendment to the charter of the city of Porterville, a municipal corporation, in the county of Tulare, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the seventh day of April, 1931—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LYON, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Chatters asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 2, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWO.

Senate Concurrent Resolution No. 2—Approving a certain amendment to the charter of the city of Porterville, a municipal corporation, in the county of Tulare, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the seventh day of April, 1931.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 2 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Evans, Field, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 2 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 2—Approving a certain amendment to the charter of the city of Porterville, a municipal corporation, in the county of Tulare, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the seventh day of April, 1931.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1933.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Concurrent Resolution No 4—Relative to requesting the Governor to make application to the Reconstruction Finance Corporation for the loan of money to be used in furnishing relief and work relief to needy and distressed people and in relieving the hardship resulting from unemployment—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

EVANS, Acting Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Martin asked for unanimous consent to take up Senate Concurrent Resolution No. 4, at this time, without reference to file.

OBJECTION RAISED.

Mr. Zion objected to unanimous consent.

The Speaker ordered Senate Concurrent Resolution No. 4 placed on file for adoption.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Frazier: Assembly Bill No. 286—An act to amend section 15c of the California Irrigation District Act, relating to the use and distribution of water and rules and regulations therefor.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Frazier: Assembly Bill No. 287—An act to provide for the constructions and completion of a causeway across the Tisdale By-pass in Sutter County, State of California, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Grubbs: Assembly Bill No. 288—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to employees subject to said act.

Bill read first time, and referred to Committee on Insurance.

By Mr. O'Donnell: Assembly Bill No. 289—An act to permit any water users' association organized under the laws of the State of California to levy unequal assessments upon its capital stock in the event of contract with the United States under the provisions of the National Reclamation Laws.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Phillips: Assembly Bill No. 290—An act to amend sections 1, 3, 4, 7, 8, 9, 10, 11, 12, and to repeal sections 5 and 6 of an act entitled "An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and to fix the penalties therefor; and to repeal all conflicting acts or parts of acts," approved June 1, 1927, relating to the bonds and licenses provided for therein, and declaring the urgency thereof.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Jones: Assembly Bill No. 291—An act to amend section 4143 of the Political Code, relating to the duties of county coroners and to the employment by such coroners of clerks and stenographers and providing for their compensation.

Bill read first time, and referred to Committee on County Government.

By Mr. Rogers: Assembly Bill No. 292—An act declaring Figueroa Street in the city of Los Angeles and a continuation thereof by way of Haskell Avenue to a connection with State Highway 23, near Palmdale, to be a State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Tournoux: Assembly Bill No. 293—An act to amend Chapter 266, Statutes of 1923, entitled the "California Vehicle Act," approved May 30, 1923, as amended by amending section 85 thereof, relating to the permissible weight of vehicles moved upon public highways.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Tournoux: Assembly Bill No. 294—An act to add a new section to the California Vehicle Act to be numbered 135¾, prohibiting the transportation, by motor truck, trailer or semitrailer, of gasoline, distillate, explosive substances or inflammable gases over the public highways of this State.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Latham: Assembly Bill No. 295—An act to amend section 44 of the California Vehicle Act by adding thereto a new subdivision to be known as subdivision (c), relating to the registration of vehicles, the payment of State, county, city and county, and municipal taxes thereon, the issuance of tax clearance certificates and the duties of county, city and county and city assessors with respect thereto.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Greene: Assembly Bill No. 296—An act to amend section 4041.18 of the Political Code, relating to responsibility of bidders upon county contracts.

Bill read first time, and referred to Committee on County Government.

By Messrs. Crist, Brock, Boyle, Roberts, and Williamson: Assembly Bill No. 297—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees, to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 6.02, 9.02, 9.11, 13.01, 15.03 and 15.17 thereof;

declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Redwine. Assembly Bill No 298—An act to amend sections 1, 2, 3 and 9 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Redwine: Assembly Bill No. 299—An act to amend section 2924 of the Civil Code, relating to foreclosures of trust deeds

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No 300—An act to amend section 4041.11 of the Political Code, relating to the maintenance, regulation and government of public pounds, the protection of sheep, the destruction of animals, weeds and insects injurious to plant life and the protection of fish and game.

Bill read first time, and referred to Committee on Conservation

By Mr. Hatch: Assembly Bill No 301—An act to amend sections 410 and 413 of the Vehicle Code, relating to financial responsibility of owners and operators of vehicles

Bill read first time, and referred to Committee on Motor Vehicles

By Mr. Hatch: Assembly Bill No. 302—An act to amend sections 3746, 3751, 3756 and 3817 of the Political Code, relating to payment of property taxes and delinquency and redemption penalties.

Bill read first time, and referred to Committee on Revenue and Taxation

By Mr. Hoffman: Assembly Bill No. 303—An act to repeal section 695 of the Political Code, relating to and abolishing the Bureau of Publications and Documents in the Department of Finance

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Greene: Assembly Bill No. 304—An act to amend sections 1.145 and 1.350 of the School Code, relating to part-time compulsory education.

Bill read first time, and referred to Committee on Education

By Mr. Stream: Assembly Bill No. 305—An act to add a new section, to be numbered 52a, to the California Irrigation District Act,

providing for the use of certain bonds and coupons in the payment of assessments.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Alter: Assembly Bill No. 306—An act to amend section 7 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expense thereof," approved May 23, 1923, relating to organization and management of fire protection districts.

Bill read first time, and referred to Committee on County Government.

By Messrs. Clowdsley, Feigenbaum, Hoffman, Bliss, Brock, Jones, and West. Assembly Bill No. 307—An act to amend section 3664a of the Political Code, relating to the taxation of public service and other companies for the benefit of the State, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation

By Mr. Hallner: Assembly Bill No. 308—An act to amend section 9 of "An act to provide for the formation, management, alteration of boundaries, and dissolution of sewer maintenance districts in unincorporated territory of counties, defining the powers of such districts and providing for the levy and collection of taxes to defray the expenses thereof," approved May 19, 1927, Statutes of 1927, page 1088.

Bill read first time, and referred to Committee on County Government

By Mr. Hallner: Assembly Bill No. 309—An act to amend section 42 of, and add sections 2¾ and 50¼ to the Public Utilities Act, approved April 23, 1915, relating to aircraft and air transportation.

Bill read first time, and referred to Committee on Public Utilities

By Mr. Scudder. Assembly Bill No. 310—An act to establish a Fish and Game Code, therein revising and consolidating the law relating to fish and game and other wild life, and repealing certain provisions of law therein specified.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 311—An act to amend section 1381 of the Penal Code, relating to the time of trial of prisoners on charge other than that for which imprisoned

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Hornblower: Assembly Bill No 312—An act to amend section 7 of that certain act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons;

to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Hornblower: Assembly Bill No. 313—An act to amend sections 8 and 17 of the State Medical Practice Act, relating to certificates licensing the practice of medicine, drugless healing, and chiropody, and to penalties for violation of the provisions of the act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Riley: Assembly Bill No. 314—An act to amend section 737s of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Los Angeles.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Cronin: Assembly Bill No. 315—An act to define and limit the jurisdiction of courts sitting in equity, and for other purposes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 316—An act to amend section 27 of the State Civil Service Act, relating to preference to veterans and the widows of veterans.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Cronin: Assembly Bill No. 317—An act to amend sections 1, 11, and 15, of "An act to regulate the sale, possession, distribution and use of habit-forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Cronin: Assembly Bill No. 318—An act to amend sections 1, 7, 8a, 8c, 8d, 8e, 8f, 8g, 8½, and 9, to repeal sections 8 and 8b, and to add two new sections to be numbered 8 and 8b, to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Field: Assembly Bill No. 319—An act to amend sections 3746, 3751, 3756, 3814 and 3817 of the Political Code of California, relating to penalties for delinquencies in payment of taxes, and to

redemption of property from tax sales, and to repeal sections 3815 and 3817a of said code.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. McCarthy: Assembly Bill No. 320—An act to add a new section to be numbered 4a to an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1914, relating to the dissemination of information of value in placer mining and making an appropriation therefor.

Bill read first time, and referred to Committee on Mines and Mining

By Mr. McCarthy: Assembly Bill No. 321—An act to add a new section, to be numbered 373k, to the Political Code, relating to the development of desert regions, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. McCarthy and Rogers: Assembly Bill No. 322—An act to amend section 11½ of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition of such improvements," approved April 20, 1915, relating to the purchase of outstanding bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Maloney and Hornblower: Assembly Bill No. 323—An act to amend section 2466 of the Political Code, relating to rates of pilotage at San Francisco.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Maloney: Assembly Bill No. 324—An act to add a new section to the Penal Code, to be numbered 653g, relating to employment on public work.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. King: Assembly Bill No. 325—An act to add section 4a to an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, Statutes of 1923, page 431, providing for the disposition of funds collected from districts illegally formed.

Bill read first time, and referred to Committee on County Government.

By Mr. King: Assembly Bill No. 326—An act to amend section 4041.17 of the Political Code, relating to the powers and duties of county boards of supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr. McCarthy: Assembly Bill No. 327—An act to amend sections 1, 3, 6 and 8 of an act entitled "An act authorizing counties to declare noxious or dangerous weeds growing upon the streets or sidewalks or upon private property in counties, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same, and providing that such cost shall constitute special assessments, and providing for the enforcement and collection of such special assessments," approved May 24, 1929, Statutes of 1929, page 819. (Act 1806 of Deering's General Laws.)

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Greene and King: Assembly Bill No. 328—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Hoffman and Hornblower: Assembly Joint Resolution No. 4—Relative to memorializing Congress to enact the Ludlow Unemployment Bill

Introduced, and referred to Committee on Unemployment.

By Miss Miller, Eleanor: Assembly Constitutional Amendment No. 22—Proposed amendment to Article VI, sections 6 and 8, of the Constitution, relative to the selection and tenure of judges of the superior court.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Cobb: Assembly Constitutional Amendment No. 23—Proposed amendment to Article VI, section 1a, of the Constitution, relative to Judicial Council.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Rawls: Assembly Concurrent Resolution No. 17—Relative to recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and the qualification, compensation, and manner of electing the delegates to such convention

Introduced, and referred to Committee on Constitutional Amendments

By Messrs Greene, Jones, Latham, Boyle, O'Connor, Roberts, Badham, King, McCarthy, Callahan, Alter, Rogers, Martin, Hallner, Rawls, Tournoux, Sullivan and Grubbs: Assembly Concurrent Resolution No. 18—Relative to the designation and appointment of John Stephen McGroarty as Poet Laureate of California.

Introduced, and referred to Committee on Rules

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 4—Relative to memorializing and petitioning Congress to enact legislation transferring certain oil lands in Kern County, California, from the jurisdiction of the Navy Department to the jurisdiction of the Department of the Interior

J. A. BEEK, Secretary of Senate.
By ROBERT M. WILSON, Assistant Secretary.

Senate Joint Resolution No. 4 ordered referred to Committee on Federal Relations.

RESOLUTION.

The following resolution was offered:

By Messrs. Craig, Field and Knowland.

Resolved, That the Director of Finance is hereby directed to demand immediately of each department, board, commission or other State agency, a complete salary schedule covering any person who receives compensation for services of any character rendered to the department, board, commission or other State agency, together with a brief summary of the character of each employment and duties in connection therewith

The said information is to be transmitted to the Chief Clerk of the Assembly.

Mr. Craig moved the adoption of the resolution.

The question being on the adoption of the resolution.

AMENDMENT.

During reading of the resolution, the following amendment was submitted by Mr. Bliss:

AMENDMENT NUMBER ONE.

Strike out the period after the word "therewith", and insert in lieu thereof the following: "and also all increases or decreases of salary or compensation made effective during the last two years and whether salaries are paid by authority of constitutional provision, statute, departmental order or civil service regulation".

Mr. Bliss moved the adoption of the amendment.

The question being on the adoption of the amendment.

Mr. Bliss, with the consent of the second, Mr. Cottrell, withdrew the amendment.

The question being on the adoption of the resolution as submitted by Messrs. Craig, Fields and Knowland.

Resolution read, and on motion adopted.

DAILY CALENDAR.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER TWO.

Assembly Joint Resolution No. 2—Relative to memorializing Congress to propose an amendment to the Constitution of the United States repealing the Eighteenth Amendment and to provide for conventions in the several States to accomplish this purpose.

Assembly Joint Resolution No. 2 read.

Mr. Hornblower moved the adoption of the resolution.

The question being on the adoption of the resolution.

AMENDMENTS.

During reading of Assembly Joint Resolution No 2, the following amendments were submitted by Mr. Crist:

AMENDMENT NUMBER ONE

On page 2, line 5, of the printed bill, after the word "whatever", insert the following: "except such legislation as will protect States which may desire to adopt prohibition of the sale, use or manufacture of intoxicating liquors within their own borders or boundaries"

AMENDMENT NUMBER TWO.

On page 2, line 7, of the printed bill, after the word "amendment", insert the following: "except as heremhefore provided".

AMENDMENT NUMBER THREE.

On page 2, line 9, of the printed bill, insert the following: "except as hereinbefore provided".

The question being on the adoption of the amendments as submitted by Mr. Crist.

Amendments refused adoption.

The question being on the adoption of Assembly Joint Resolution No. 2.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Hoffman, Powers, Fisher, Martin, and Riley demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the adoption of Assembly Joint Resolution No. 2.

The roll was called, and Assembly Joint Resolution No. 2 was adopted by the following vote:

AYES—Anglim, Bliss, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Crist, Cronin, Crowley, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Tournoux, Turner, West, Williamson, Woolwine, and Mr. Speaker—54.

NOES—Alter, Badham, Brock, Chatters, Cobb, Craig, Evans, Field, Greene, Hatch, Latham, Martin Miller, Eleanor; Phillips, Redwine, Riley, Roberts, Stream, Utt, Wright, and Zion—21.

Title read and approved.

Assembly Joint Resolution No. 2 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 2.

Relative to memorializing Congress to propose an amendment to the Constitution of the United States repealing the eighteenth amendment and to provide for conventions in the several States to accomplish this purpose.

WHEREAS, One of the modes prescribed for the amendment of the Constitution of the United States is that Congress, whenever two-thirds of both houses shall deem it necessary, may propose amendments to said Constitution which shall be and become effective and operative as part of said Constitution when ratified by conventions in three-fourths of the several States if such mode of ratification be proposed by Congress; and

WHEREAS, The selection by the qualified voters in the several States of delegates to represent them in State conventions called to consider and act upon proposals thus submitted, is in harmony with the spirit of our institutions and the tenor of our time, and is the mode most expressive of the will of the people; and

WHEREAS, The Supreme Court of the United States has held that the determination of the method of ratification of a proposed amendment is the exercise of a national power specifically granted by the Constitution of the United States to the Congress, and that the Congress is not bound by the conflicting constitution or laws of any State in the exercise of this national power; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California does hereby petition the Congress of the United States to submit to the several States a resolution proposing an amendment to the Constitution of the United States repealing the eighteenth amendment thereto, without any reservation whatever, thereby restoring to the several States exactly those powers over the beverage use of intoxicating liquors possessed by them prior to the adoption of said amendment and reserving to the Congress only those powers possessed by it prior to the adoption thereof; and be it further

Resolved, That it is the further desire of the Legislature of the State of California, in order that the most prompt and direct vote of the people may be had, that the Congress provide and enact:

First—That the above proposed amendment be submitted to a convention in each of the several States for their approval and ratification or their disapproval and rejection.

Second—That the delegates to the ratifying conventions be elected at large in their several States after the manner of the election of the members of the Electoral College, namely, that the delegates be elected on the basis of whether they are in favor of or opposed to the proposed amendment.

Third—That the day of election be uniform throughout the United States and as soon as practicable after the submission of the resolution.

Fourth—That the Congress provide the ways and means of nominating delegates to the several conventions, of conducting the election, and of assembling the several conventions, and that the Congress provide for the costs incurred thereby; and be it further

Resolved, That in adopting this resolution it is not the purpose or intent of this Legislature to apply to the Congress to call a convention for proposing amendments, but to give expression, through their representatives in Senate and Assembly, of the desire and hope of the people of California that such repeal of the eighteenth amendment be submitted, and that it be submitted to conventions in the several States for ratification; and be it further

Resolved, That duly authenticated copies of this resolution be sent forthwith to the President of the Senate of the United States, to the Speaker of the House of Representatives of the United States, to the members of Congress from the State of California, and to the presiding officer of each branch of the legislature of each of the several States.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of the Committee on Rules was read, and ordered printed in the Journal, action deferred until the next legislative day.

ON RULES

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1933.

MR SPEAKER Your Committee on Rules, to which was referred the following resolution:

"*Resolved*, That the Chief Clerk be authorized to receive from the members of the Assembly, a mailing list of all bills, resolutions and Histories to be directed to libraries, chambers of commerce and other public centers for general inspection. This list to be limited to 15 names each and shall be forwarded to the Legislative Bill Room for regular mailing.

That in addition thereto the Chief Clerk shall forward to the Legislative Bill Room for regular mailing 50 copies of said bills, resolutions and Histories to be mailed to the State Commander of the American Legion or to such posts as he may name."

Your committee has considered this resolution and respectfully recommends that it be amended as follows:

"*Resolved*, That the Chief Clerk be authorized to receive from the members of the Assembly a mailing list of all bills, resolutions, and Histories; to be directed to libraries, chambers of commerce, and other public centers, for general inspection This list is to be limited to 10 names each, and shall be forwarded to the Legislative Bill Room for regular mailing. No member shall include on his list any State department or employee thereof. The Chief Clerk is further authorized to place accredited newspaper representatives on the regular mailing list, as well as the Attorney General, Legislative Counsel Bureau, and the Governor's Office. That in addition to the above, the Chief Clerk shall forward to the Legislative Bill Room for regular mailing, 5 copies of said bills, resolutions, and Histories; to be mailed to the State Commander of the American Legion, or to such parties as he shall name; be it further

Resolved, That no additional mailing list shall be allowed or authorized, unless the sum of thirty-five dollars ($35 00) each is paid therefor, to State Printer and which sum shall be credited to legislative printing and accounted for to the Legislature; be it further

Resolved, That the total number of bills to be printed be reduced from three thousand (3.000) to a minimum number necessary to supply the ordinary demands; in no event unless otherwise authorized over twenty-five hundred (2,500)";

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted, as amended

ROBINSON, C RAY, Chairman

MOTION TO PRINT.

On motion of Mr Levey, the report of the committee, appointed pursuant to authorization of Senate Joint Resolution No. 14, Statutes of 1931, Chapter 98, was ordered printed in the Journal

The report of the hearings before the Committee on Banking and Currency, United States Senate, was placed in custody of the Minute Clerk.

COMMITTEE REPORT

To the Senate and Assembly of the State of California.

Your committee, appointed pursuant to authorization of Senate Joint Resolution No. 14, Chapter 98, Statutes of 1931, begs leave to report as follows:

After preliminary arrangements were made through members of the California Congressional Delegation with the respective chairmen of the Senate and House Banking and Currency committees, and after advising tax officials of other States interested in the problem, your committee appeared before the Senate Banking and Currency Committee, Senator Norbeck presiding, on April 2, 1932, and before the House Banking and Currency Committee, Chairman Steagall presiding, on April 4 and 5, 1932, and thereafter certain members remained in Washington until April 14, 1932, in conference with the members of Congress, relating to the subject matter presented to said committee.

At Washington, D. C., your committee was joined by Hon Fred E Stewart, Chairman of the State Board of Equalization, and Hon. Dixwell Pierce, Secretary of the Board of Equalization, both of whom presented valuable aid to your committee, and to the committees of Congress.

Material assistance was also furnished by Hon. Rolland A Vandegrift, Director of Finance, and by Hon. Charles J. McColgan, Franchise Tax Commissioner, in furnishing data and information, to be presented to the committees of Congress

Appearing with your committee, and in support of its request upon Congress and remedial legislation in the form of an amendment to section 5219 of the U. S. Revised Statutes, so as to enable the several States to exercise greater latitude in the equitable taxation of national banks, were the following

Hon George H Sullivan, chairman of the Minnesota Bank Tax Commission, of St. Paul, Minnesota

Mr J. P. Ryan, attorney for the Minnesota Bank Tax Commission, of St Paul, Minnesota.

Hon J G. Armson, chairman of the Minnesota Tax Commission.

Hon. Henry F. Long, Commissioner of Corporations and Taxation of the State of Massachusetts.

Hon Oscar Leser, member of the State Tax Commission of Maryland.

Appearing before the committee hearings on behalf of the banks were the following:

Mr. Edward Elliott, chairman of the Committee on Legislation and Taxation California Banker's Association, and vice president of the Security First National Bank of Los Angeles, California.

Mr. W. R Williams, vice chairman of the Committee on Legislation and Taxation, and vice president of the Bank of America National Trust and Savings Association.

Mr James R. Douglas, vice president Security First National Bank of Los Angeles, California.

Mr. Philip Nichols, representing the Massachusetts National Banker's Association

Mr Thomas B. Paton, general counsel of the American Banker's Association.

Mr. A. McC. Washburn, vice president-general counsel, First National Bank of Minneapolis, Minnesota.

Representation was also present on behalf of the United States Building and Loan League, and the National Bankers Association of the State of New York.

SENATE COMMITTEE HEARING.

The immediate bill considered before the Senate Committee on Banking and Currency was Senate Bill No 4291, presented by the chairman of the committee, Senator Norbeck.

This bill provides in substance in the case of a tax on shares of national banks, the taxes imposed shall not be at a greater rate than is assessed upon other moneyed capital used or employed in the business of banking

In substance this proposed amendment would allow the several States to tax national banks on the same basis that they taxed State banks.

A full report of the hearing before the Senate Banking and Currency Committee is submitted herewith, and made a part hereof

It will appear therefrom that the representatives of the banks strongly opposed the so-called Norbeck bill.

In order to eliminate the objection of the banks, that they were being discriminated against, as compared with other business corporations, your committee, while not opposing the Norbeck bill, suggested the simplification of section 5219 and the amendment thereof to provide as follows:

> "Sec. 5219 The Legislature of each State may determine and direct the manner and place of taxing national banking associations located within its limits and the shares of stock of such associations; provided, that the taxes imposed by a State pursuant to the provisions of this section shall be invalid if such taxes are discriminatory against national banking associations, or the holders of shares of such stock as compared with the tax burden of business and financial corporations doing business within the borders of the taxing State, or of shares therein."

This proposal, the committee felt, would allow ample latitude to the States as to the method each might employ in the taxation of national banks, and escape the restrictive features now laid down in section 5219, and at the same time would guarantee the banks the protection that they would not have imposed upon them a heavier tax burden than they imposed upon business corporations generally.

The representatives of the banks strongly opposed the granting of such latitude to the States, notwithstanding the protection afforded, and took the position that Congress should specifically set forth the methods that the States might use in the taxation of national banks.

Realizing that the opposition of the States was becoming more formidable, and admitting that the national law should be liberalized so as to allow the imposition of an effective tax in many of the complaining States, the representatives of the bankers in conjunction with the representatives of the Minnesota Tax Commission worked out a substitute bill which was placed before the Senate committee, and

was later introduced by Chairman Steagall of the House committee, as House Bill No. 11118.

This last mentioned bill provided a fifth method for the taxation of national banks.

By this added method a tax may be imposed on the shares of national banks, but the burden is to be not greater than that imposed upon other business corporations, as may be shown by the income tax returns.

After the hearing, the Senate Committee on Banking and Currency reported favorably on the Norbeck bill, a copy of which report is hereto attached and made a part hereof.

HOUSE COMMITTEE HEARINGS.

The House committee had before it for consideration on this general subject, H. R. 7928, by Mr. Goodwin of Minnesota; a copy of said bill is hereto attached, and made a part hereof.

The House committee listened for several days very attentively and fully into the presentation made on behalf of the several States, which was much the same as that presented before the Senate committee. While the statements made before the House committee were reported and transcribed, the committee did not order a printing thereof. As a result of the hearings, Chairman H. B. Steagall of said Committee introduced H. R. 11118, a copy of which is hereto attached and made a part hereof.

This bill adds the fifth method, whereby States, such as California and Minnesota, may impose a share tax method upon banks, the burden thereof to be not greater than that imposed upon business and financial corporations, as shown by their income tax returns to the State, or by reports made by the corporations to the State showing their tax burden.

The following language taken from the annual report of the Commissioner of Corporations and Taxation for the State of Massachusetts for the year ending November 30, 1931, clearly sets forth what we believe to be the present attitude of Congress:

> "Both the Senate and House committee members deprecated what they called a complicated law that no Congressman could understand or explain, but appeared to be in no different position from previous committee members, and if, as argued, they are convinced that the present law does make the bank tax law of several States illegal, they are likely to favor the Goodwin bill as amended to cure the present ills, although there seemed to be a new spirit in the committee favorable to enacting a sweeping and simple tax-enabling statute."

The emergency legislation before Congress at that time and the general unrest of the country with reference to its desire to have Congress expedite its session and adjourn, caused a failure to secure more favorable action at that session.

Letters from Chairman Steagall of the House committee and from Congressman Clarence F. Lea, copies of which are attached hereto, show the attitude of those members at the time

The State of California did not have representation on either of the Congressional committees handling this subject, and to that extent, the State was at a disadvantage.

The committee was advised by tax officials of other States who had long dealt with this problem, that the bankers had such influence at Washington that it was hopeless to expect to secure any relief.

While we do not discount the influence of the bankers with respect to legislation on this subject, we believe that Congress is ready to enact a simplified method for the taxation of national banks, and that if the active support of the chairman of the House Committee on Banking can be enlisted, there is a fair prospect of early relief on the subject.

We are further convinced that the most effective way of securing action on this subject is to have personal presentation of the matter to the committees of Congress, so as to directly impress them with the urgency and importance of the subject matter to the several States.

Respectfully submitted.

H. C. NELSON.
J. W. McKINLEY.
EDGAR C. LEVEY.
HARRY F. SEWELL.

SEVENTY-SECOND CONGRESS, FIRST SESSION.

H. R. 7928.

IN THE HOUSE OF REPRESENTATIVES.

January 18, 1932.

Mr. Goodwin introduced the following bill; which was referred to the Committee on Banking and Currency and ordered to be printed.

A bill to amend section 5219 of the Revised Statutes of the United States (U. S. C., 1925, Title 12, ch. 4, sec. 546).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5219 of the Revised Statutes of the United States (U. S. C., 1925, Title 12, ch. 4, sec. 546) be, and the same is hereby, amended so as to read as follows:

"Sec. 5219. The Legislature of each State may determine and direct, subject to the provisions of this section, the manner and place of taxing national banking associations located within its limits or the shares of such associations. The several States may (1) impose an ad valorem tax on said shares, or (2) impose a specific tax on said shares, or (3) include the dividends derived therefrom in the taxable income of an owner or holder thereof, or (4) tax such associations on their net income, or (5) impose a tax on such associations according to or measured by their net income; provided the following conditions are complied with:

"1. (a) The imposition by any State of any one of the above five forms of taxation shall be in lieu of the others, except as hereinafter provided in paragraph (f) of this subsection.

"(b) In the case of an ad valorem tax on said shares, the tax imposed shall not be at a greater rate than is assessed upon other moneyed capital in the hands of individual citizens of such State coming into competition with the business of national banks; provided, that bonds, notes, or other evidences of indebtedness in the hands of individual citizens not employed or engaged in the banking or investment business and representing merely personal investments not made in competition with such business shall not be deemed moneyed capital within the meaning of this section; provided further, that in any State in which bonds, notes, and other evidences of indebtedness are taxed ad valorem at a fixed statutory rate or rates, less than the rate assessed upon tangible property, a tax on said shares may be imposed at a rate no higher than the rate assessed upon the shares of other financial corporations, nor upon the net assets of individuals, partnerships, or associations employed or engaged in the banking, loan, or investment business, nor higher than the rate assessed by the taxing State upon mercantile, manufacturing, and business corporations having their actual principal place of business within such State. For the purpose of this proviso the rate of taxation upon the shares of national banking associations in any such State shall be deemed to be no higher than the rate assessed upon said mercantile, manufacturing, and business corporations, if, so far as can reasonably be ascertained, the proportion which the aggregate of the taxes imposed upon the real property and the shares of national banking associations within such State bears to the aggregate of the net profits of such associations is no greater than the proportion which the aggregate of the taxes imposed upon such other corporations under authority of such States bears to the aggregate of the net profits of such corporations.

"(c) In the case of a specific tax on the shares of national banking associations, the amount upon which the tax on each share shall be based shall be determined by adding together the total dividends paid during the preceding year by any such association and the amount by which the capital, surplus, and undivided profits of such association at the end of such year exceeded the capital, surplus, and undivided profits of such association at the beginning of such year, less any additions to capital or surplus paid in by the stockholders during such year, and dividing such total by the number of shares issued and outstanding at the end of such year. The rate of such tax shall not be higher than the rate assessed upon other financial corporations, nor higher than the rate assessed by the taxing State upon mercantile, manufacturing, and business corporations, having their actual principal place of business within such State, in proportion to the net profits of such corporations; provided, however, that the taxing State may establish a minimum tax on each share under this paragraph, the base of which shall be the capital, surplus, and undivided profits of the national banking association divided by the number of shares issued and outstanding and the rate not more than 1 mill on each dollar.

"(d) In case the dividends derived from said shares are taxed, the tax shall not be a greater rate than is assessed upon the net income from other moneyed capital.

"(e) In case of a tax on or according to or measured by the net income of an association, the taxing State may, except in case of a tax on net income, include the entire net income received from all sources, but the rate shall not

be higher than the rate assessed upon other financial corporations, nor higher than the rate assessed by the taxing State upon mercantile, manufacturing, and business corporations, having their actual principal place of business within such State, in proportion to the net profits of such corporations. In case a State allocates for purpose of taxation the income of mercantile, manufacturing, and business corporations, derived from business carried on within such State, such income may be used as a limitation under this paragraph in place of the limitation above provided; provided, however, that the taxing State may provide whichever limitation is used, that such tax shall not be less than a tax, at the rate herein authorized, upon or measured by the amount of the dividends declared by such association during the preceding calendar or fiscal year, if an equivalent minimum provision is also made applicable to such other corporations.

"(f) A State which imposes a tax on or according to or measured by the net income of national banking associations, or a specific tax on the shares thereof, and a tax on or according to or measured by the net income of, or a franchise or excise tax on financial, mercantile, manufacturing, and business corporations organized under its own laws or laws of other States, or a specific tax on the shares thereof, and also imposes a tax upon the income of individuals, may include in such individual income dividends from national banking associations located within the State on condition that it also includes dividends from domestic corporations, and may likewise include dividends from national banking associations located without the State on condition that it also includes dividends from foreign corporations, but at no higher rate than is imposed on dividends from such other corporations.

"2. The shares of any national banking association owned by nonresidents of any State shall be taxed by the taxing district or by the State where the association is located and not elsewhere; and such association shall make return of such shares and pay the tax thereon as agent of such nonresident shareholders.

"3. Nothing herein shall be construed to exempt the real property of national banking associations from taxation in any State or in any subdivision thereof, to the same extent according to its value, as other real property is taxed.

"4. The second proviso in paragraph (b) of subsection (1) shall not be applicable, nor shall a specific tax on the shares of a national banking association or tax on or according to or measured by the net income of such association be assessed hereafter, in any State which does not require the financial, mercantile, manufacturing, and business corporations with which a comparison is required hereunder to file annually with the appropriate State officials, statements under oath showing, in the case of each such corporation, the net income and the net profits as set forth in the last preceding income tax return to the Federal government in the statement therein of reconciliation of net income, and the total taxes on real property and the total taxes other than on real property imposed on such corporation by authority of such State during the period to which such return relates, and does not also annually compile and publish statistics showing the respective aggregates of net income and net profits reported by and of such taxes imposed upon (1) national banking associations, (2) all other financial corporations, (3) mercantile, manufacturing, and business corporations. Such statistics shall be competent evidence of the facts therein contained; provided, however, that this subsection shall not apply in any State which imposes a specific tax on the shares of national banking associations or a tax on or according to or measured by the net income of such associations at a fixed statutory rate, and imposes a tax on or according to or measured by net income on financial, mercantile, manufacturing, and business corporations at the same rate; and provided also, that in any State in which a tax on or according to or measured by income is imposed upon such other corporations by authority of such State, if such corporations are required to file returns showing the net income and the net profits and a statement of reconciliation of net income, a further statement from such corporations shall not be required, and the statistics may be derived from such returns and from the records of such State or the political subdivisions thereof with respect to taxes other than on real property imposed on such corporations.

"5. The term 'net profits' of a corporation or association as used in this section shall mean the net profits of such corporation or association as shown by its books before any adjustments are made therein, as required to be reported to the Federal government in its corporation income tax return in the schedule thereof providing for the reconciliation of net income, plus all taxes which have been deducted in determining net income under said terms. The term 'aggregate of the net profits' shall mean the total of the net profits of only such corporations or associations reporting net profits to the Federal or State government as the case may be."

SEVENTY-SECOND CONGRESS, FIRST SESSION

H. R 11118

IN THE HOUSE OF REPRESENTATIVES.

April 5, 1932.

Mr. Steagall introduced the following bill; which was referred to the Committee on Banking and Currency and ordered to be printed

A bill to amend section 5219 of the Revised Statutes of the United States (U S C. 1925, Title 12, ch. 4, sec 546).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5219 of the Revised Statutes of the United States (U. S. C., 1925, title 12, ch. 4, sec 546) be, and the same is hereby, amended by striking out the proviso in subsection (1), paragraph (b), thereof and inserting in place thereof the following Provided, that in any State in which such bonds, notes, and other evidences of indebtedness as are not exempt from taxation are taxed according to value at a fixed statutory rate or rates, less than the rate upon tangible property, a tax on said shares may be imposed at a rate no higher than the rate assessed upon the shares of other financial corporations, nor upon the net assets of individuals, partnerships, or associations engaged in the banking, loan, or investment business, nor higher than the rate assessed by the taxing State upon mercantile manufacturing, and business corporations having their actual principal place of business within such State For the purposes of the proviso the rate of taxation upon the shares of national banking associations in any such State shall be deemed to be no higher than the rate assessed upon said mercantile, manufacturing, and business corporations, if, so far as can reasonably be ascertained, the proportion which the aggregate of the taxes imposed upon the real property and the shares of national banking associations within such State bears to the aggregate of the net profits of such associations is no greater than the proportion which the aggregate of the taxes imposed upon such other corporations under authority of such State bears to the aggregate of the net profits of such corporations; but this proviso shall not be applicable in any State which does not require the mercantile, manufacturing, and business corporations with which a comparison is required hereunder to file annually with the appropriate State officials statements under oath showing, in case of each such corporation, its net profits as hereinafter defined, as set forth in its last preceding income tax return to the Federal government, and the total taxes on real property and the total taxes other than on real property imposed on such corporation by authority of such State during the period to which such return relates, and does not also annually compile and publish statistics showing the respective aggregate of net profits reported by, and of such taxes imposed upon, (1) national banking associations, and (2) mercantile, manufacturing, and business corporations

Such statistics shall be competent evidence of the facts therein contained For the purposes of this proviso, the term "net profits" of a corporation or association shall mean the net profits of such corporation or association as shown on its books before any adjustments are made therein, as required to be reported to the Federal Government in its corporation income tax return in the schedule thereof providing for the reconciliation of net income plus all taxes which have been deducted in determining net income under said return. The term "aggregate of the net profits" shall mean only the total of the net profits of such corporations reporting to the Federal Government

SEVENTY-SECOND CONGRESS

Henry B. Steagall, Alabama, Chairman; Charles H. Brand, Georgia; W. F. Stevenson, South Carolina; T. Alan Goldsborough, Maryland; Anning S. Prall, New York; Jeff Busby, Mississippi; Michael K. Reilly, Wisconsin; Frank Hancock, North Carolina; Clyde Williams, Missouri; P. H. Stewart, New Jersey; Wesley E Disney, Oklahoma; W. L. Tierney, Connecticut; Louis T. McFadden, Pennsylvania; James G Strong, Kansas; Robert Luce, Massachusetts, Guy E. Campbell, Pennsylvania; Carroll L Beedy, Maine; Joseph L. Hooper, Michigan; Godfrey C. Goodwin, Minnesota, Benjamin M. Golder, Pennsylvania, Frances Seiberling, Ohio

O. K. Weed, Clerk

(COPY)

HOUSE OF REPRESENTATIVES, COMMITTEE ON BANKING AND CURRENCY,
WASHINGTON, June 15, 1932.

Hon H. C. Nelson, Eureka, California.

DEAR SIR: Your recent letter regarding H. R 11118, relating to the taxation of national banks

I appointed a subcommittee to determine upon a draft of a new bill but on account of a number of other measures coming before the House and our committee we have been unable to take up the matter for further consideration We are going to make

effort to take it up at an early date and try to report it to the House in the near future. However, it is not certain that we shall be able to do this.

Please accept my thanks for your letter and be assured of my sincere interest and efforts in the matter.

With personal regards, I am

Sincerely yours,

(Signed) H. B. STEAGALL.

(COPY)

CLARENCE F. LEA, FIRST DISTRICT, CALIFORNIA,
HOUSE OF REPRESENTATIVES, UNITED STATES.
WASHINGTON, D. C., July 21, 1932.

Hon. H. C. Nelson, Eureka, California.

DEAR SENATOR: The House Banking and Currency Committee did not report a bill to amend section 5219. They simply did not act on the question. So far as my information goes, there is no reason to doubt that a decided majority of the committee is in favor of going as far as you suggested. I can say also that the failure to act on the matter is due to no failure on your part to present the matter thoroughly and impressively.

The members of the committee still assert they will act on the matter before this Congress terminates. I am sorry they did not actively take up the bill but to a degree I can look upon their failure with leniency in view of the fact that that committee had its time so largely consumed by emergency legislation dealing with depression, even up to the closing hours of the session. The next step should be to try to get the committee to take up this matter when Congress meets in December, with a view of getting action if possible before the congestion in the closing weeks of that session.

I have been gradually improving since I returned from the Arkansas Hot Springs. I have no rheumatic inflammation, but still have to fight with some of my muscles to get them to function normally after the rheumatism got through with them.

Hoping everything is well with you and Mrs. Nelson, I am

Sincerely yours,

(Signed) CLARENCE F. LEA.

S. 4291.

A bill to amend section 5219 of the Revised Statutes, as amended

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision (b) of paragraph 1 of section 5219 of the Revised Statutes, as amended, is amended to read as follows:

"In the case of a tax on shares, the taxes imposed shall not be at a greater rate than is assessed upon other moneyed capital used or employed in the business of banking."

CALENDAR No. 660.

SEVENTY-SECOND CONGRESS, FIRST SESSION, SENATE; REPORT No. 625.

Taxation on National Bank Shares.

April 26 (calendar day, April 30), 1932. Ordered to be printed.

Mr. Norbeck, from the Committee on Banking and Currency, submitted the following

REPORT.

(To accompany S. 4291.)

The Committee on Banking and Currency, to whom was referred the bill (S. 4291) to amend section 5219 of the Revised Statutes, as amended, having considered the same, report favorably thereon with the recommendation that the bill do pass.

This bill confines the taxation of shares of national banks to rates not in excess of those imposed upon State banking institutions. The States will be permitted to tax national banks, providing the tax does not discriminate against them in favor of other banking institutions. This has been the intent of section 5219 since 1864, but recent judicial interpretation has greatly expanded the comparisons in determining discrimination. Chaos has resulted in a number of State taxation systems. In many States national banks have refused to pay their usual taxes and, in some instances, are paying only one-tenth of their former taxes. Several States are collecting practically no taxes from national banks.

The proposed bill reads as follows:

To amend section 5219 of the Revised Statutes, as amended:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subdivision (b) of paragraph 1 of section 5219 of the Revised Statutes, as amended, is amended to read as follows: 'In the case of a tax on shares, the taxes imposed shall not be at a greater rate than is assessed upon other moneyed capital used or employed in the business of banking.'"

The present law provides a comparison with " * * * other moneyed capital in the hands of individual citizens of such State coming into competition with the business of national banks." The amendment confines the comparison to other banking institutions.

Section 5219 in no way levies a tax on national banks, nor does the amendment herein proposed increase their taxes. It merely permits the States to tax national banks on the same basis as they tax their State banks and trust companies, an ample and fair protection. The present section 5219 has been interpreted by the courts in such a manner that the comparison in determining discrimination against national banks has not been confined to similar banking institutions. Unanticipated legal interpretation has forced a comparison, as regards ad valorem taxation, not only with State banks, but with all other corporations with widely different capital structure and very different capacity to pay with regard to property values. Comparisons have been made even with the modest investments of individuals in bonds, mortgages and the like.

The effects of the present section 5219 have been particularly against public policy in those States where the State Legislatures and taxing authorities desire to establish a comparatively low rate on intangibles.

The justice of classifying the intangibles is generally admitted. Low rates established on intangibles are proper as they represent, as a rule, property which is already subject to substantial taxation. This is true of a bond, or a mortgage, but certainly is a different situation in the case of a share in a national banking corporation.

The courts, in other words, have held that the rates applied to moneys, credits, intangibles, etc., must be the maximum rates for national bank shares, which the taxing officials of the several States claim is not adequate or proper taxation. A rate admittedly equitable on national bank shares might be unfair, if not confiscatory, applied to certain types of taxable property, for example, mortgages.

The trend of modern taxation has been away from uniform rules toward classification and treatment according to ability to pay. As a further example of comparisons that have been made, national banks are today contesting payment of taxes on their shares, claiming that their shares are being taxed at a higher rate than the invested funds of other financial and business institutions, which can not and should not be classified as banks.

The national banks have the same, if not greater, opportunities for profit that the State banks have. They are entitled to equal consideration with State banking institutions, but the national banks have used the present section 5219 as a device for escaping fair taxation. This bill will continue to protect capital invested in national bank shares against unfriendly discrimination by a State.

The bill places the taxation of national banks in ad valorem States in substantially the situation it was in for 60 years following the original enactment of section 5219 in 1864. It has developed recently that any intentional or systematic discrimination against either national banks or State banks could be voided under the equal protection clause of the Fourteenth Amendment. (See Iowa-Des Moines National Bank *vs.* Bennett, Chairman, et al., together with Central State Bank *vs.* Bennett, Chairman, et al., 284 U. S. 239, Pt., third preliminary print.) With this protection, the national banks would have nothing to fear from discriminatory taxation if the whole Federal statute dictating the manner and rates of the taxation of national banks by the States were repealed. It is untenable that State tax systems must be molded to fit the legal idea (and this has developed in the recent cases) that individuals making personal investments in intangibles are in competition with national banks.

A study of the differences between individuals and their funds, and different business corporations and their funds, as compared with banks and the privileges given to them, particularly their credit power, can lead only to the conclusion that the only real competitors of national banks, as far as taxation is concerned, are similar banking institutions. For reasons of sound public policy in banking, a national bank should confine its investments to short-term credit obligations and securities that meet the highest tests of safety and liquidity. The courts have held that investments in mortgages on homes made by building and loan associations for a period of 10 or 12 years are in competition with the business of national banks and that section 5219 is violated if the proprietorship and profit-making shares of a national bank are taxed at a higher rate than are these investments.

The bill will give a large number of the States the right to deal with other institutions as they see fit, but will prevent any discriminatory taxation against national banks, as compared with State banking institutions.

The only objection to the pending bill that seems valid comes from the cooperative institutions, namely, mutual savings banks and building and loan associations. In most States these institutions, because of, first, their cooperative nature, second, their teaching of thrift, and, third, their activities in increasing and financing home ownership, are encouraged through a preferred tax status. The representatives of these organizations have urged an amendment which merely gives the States the right to treat these institutions as they see fit, without reference to the taxation of national bank shares and without interference from the Federal Government.

The Committee, however, took no action on this matter, but left it for the consideration of the Senate. The amendment suggested is as follows:

To amend section 5219 of the Revised Statutes by adding thereto the following:

5 The term "other moneyed capital" as used in this section shall not include moneys, shares of stock, bonds, notes, or other evidences of indebtedness in the hands of mutual savings banks, or building and loan associations, savings and loan associations, cooperative banks and homestead associations, nor shall such banks, associations, societies, or organizations be considered "financial corporations" within the meaning of that term as used in this section.

Exhaustive hearings have been held on the question. Every interest has been heard. Numerous requests for relief are at hand, including memorials or resolutions from several important State legislatures Everyone admits the unfairness of the present situation. A great injustice results.

ADJOURNMENT.

At twelve o'clock and forty minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, January 13, 1933.

LOUIS F ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, January 13, 1933

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon Walter J. Little, Speaker of the Assembly, in the chair

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion, and Mr. Speaker—72.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Cassidy, Mr Hoffman was granted leave of absence for the day.

On motion of Mr. McMurray, Mr Feigenbaum was granted leave of absence for the day.

On motion of Mr Powers, Mr. Williamson was granted leave of absence for the day.

On motion of Mr Kallam, Mr Peterson was granted leave of absence for the day.

On motion of Mr. Cottrell, Mr Crist was granted leave of absence for the day.

On motion of Mr. Knowland, Mr. Fisher was granted leave of absence for the day.

On motion of Mr Morgan, Mr Roland was granted leave of absence for the day.

On motion of Mr. Tournoux, Mr McCarthy was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr Anglim, Mr. William Luiz of San Pablo, California, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Scudder, Mr. Hatch of San Rafael was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. O'Donnell, Gladys E. Layman, teacher of the Winters High School and the following pupils of the government class: Alan Wherman, Jim Rice, Wayne Ireland, Clifton Perkins, Pat Mahoney, Relo Taylor, Howard Coombs, Thissel Barret, Charlie Pearse, John Dutton, Louie Forden, Albert Long, Lorraine Long, Mae Long, Helen Mahoney, Lavinia Niemann, Lelia Meldrum, Edith Thornberry, Irene Meyer, Eugenia Ramos, Mary Tanigo, Jean Caldwell, Lottie Berg and Ruth Fong were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Los Angeles Council No. 621, Knights of Columbus, relative to John Stephen McGroarty.

(Signed) THOMAS B. FLANNAGAN.

Also:

By Mr. Speaker:

From Ebell Club of Los Angeles, relative to John Stephen McGroarty.

(Signed) MRS. SAMUEL CARY DUNLAP, President.
MRS. A. BENNETT COOKE, Chairman, Public Relations.

Also:

By Mr. Speaker:

From East Los Angeles Property Owners' and Business Men's Association, Inc., relative to property owners voting on bond issues.

(Signed) HENRY KRAFT, President.

The Speaker ordered the above resolution referred to Committee on Ways and Means.

ANNOUNCEMENT.

The following announcement was received and read:

By Mr. Speaker:

To the Members of the Assembly.

The members of the Assembly and their ladies are very cordially invited to attend the noon luncheon session of the annual meeting of Alta California, Inc., which will be held at Hotel Sacramento at twelve-thirty. Two very important nationally known speakers will address the luncheon meeting. Dr. L. I. Hewes, of San Francisco, Chief of the Western Division of the United States Bureau of Public Roads, will explain the use of Federal road funds and how this money can be obtained for county road projects. Don Thomas, of Los Angeles, manager of the All-Year Club of Southern California, will speak on "The value of the tourist dollar to the California taxpayer." Both of these gentlemen are very well worth hearing and you are respectfully urged to attend.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1933

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as representatives of the newspapers set opposite their names:

Sacramento Bee—Carol Williams.
California Real Estate Magazine—Glenn D Willaman, Hayden F. Jones, Charles E. Wantland.
Pacific Dairy Review—Robert E. Jones.
Better Health—Celestine J. Sullivan.

ARTHUR A. OHNIMUS, Chief Clerk.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 234—An act to provide for the payment of indemnities to owners of live stock or property, taken, destroyed or otherwise disposed of pursuant to any law of the State for the control, prevention or eradication of disease in live stock, declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ROBERT M WILSON, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No 10—Approving the charter of the county of San Diego, State of California, which was submitted to the qualified electors of said county and voted for and ratified by them at a general election held therein on the eighth day of November, 1932.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

Assembly Concurrent Resolution No. 10 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 22—An act making an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., declaring the urgency thereof, and providing that this act shall take effect immediately.

J A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cobb asked for unanimous consent to take up Senate Bill No. 22, at this time, without reference to committee or file.

Mr. Robinson, C. Ray, objected to the unanimous consent.

The Speaker ordered Senate Bill No. 22 referred to Committee on Ways and Means.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Zion: Assembly Bill No. 329—An act to amend section 629 of the Penal Code, relating to the installation of fish screens over mill races, irrigation ditches, pipes, flumes, tunnels and canals, for the payment of the expense of the construction, installation and maintenance thereof, and providing a penalty for the interference therewith.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Zion: Assembly Bill No. 330—An act to amend sections 535 and 536 and to repeal sections 537 to 548, inclusive, of the Fish and Game Code, relating to obstructions and fish screens.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Wright: Assembly Bill No. 331—An act amending section 4157 of the Political Code, relating to the duties of sheriff.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 332—An act to amend sections 1 and 2 of an act entitled "An act relating to commitments to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the superior court judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the counties from which their children are committed," approved March 26, 1895, Statutes of 1895, page 122. (6083 Deering's General Laws)

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Burns: Assembly Bill No 333—An act to amend section 613 of the Fish and Game Code, relating to trout.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Martin: Assembly Bill No. 334—An act to amend section 209 of the Penal Code, relating to the punishment of kidnaping for purposes of extortion or robbery.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Morgan: Assembly Bill No. 335—An act to amend section 42 of the State Housing Act, relating to requirements for buildings.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr Boyle: Assembly Bill No. 336—An act to amend section 6.1 of the School Code, relating to care, management and control of school property.

Bill read first time, and referred to Committee on Education.

By Mr. Craig: Assembly Bill No 337—An act to amend sections 6.740 and 6.771 of the School Code, to add a new section to said code, to be numbered 6.744, and to repeal sections 6.770 and 6.772 of said code, relating to the use of school buildings or grounds.

Bill read first time, and referred to Committee on Education.

By Mr. McMurray: Assembly Bill No. 338—An act to amend sections 1 and 2 of an act entitled "An act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works," approved May 30, 1913, relating to the keeping of records of the hours worked, providing penalties for violation of the act, providing for the enforcement of the act by the Department of Industrial Relations and extending the benefits

of the act to workers employed in sheds or buildings in lime and cement plants where dust is created.

Bill read first time, and referred to Committee on Mines and Mining.

By Mr. O'Connor: Assembly Bill No. 339—An act providing that any person, firm, association, or corporation, agent, superintendent or manager thereof, employing special agents, detectives or so-called spotters, before disciplining or discharging any employee upon a report by such special agent, detective or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof, and repealing an act entitled "An act providing that any public service corporation, agent, superintendent, or manager thereof, employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof," approved April 14, 1915, as amended.

Bill read first time, and referred to Committee on Judiciary.

By Mr Riley: Assembly Bill No. 340—An act to repeal an act entitled "An act providing for the erection and maintenance of a monument to the memory of Chief Solano, to be erected in Solano County, and making appropriation therefor," approved June 19, 1931.

Bill read first time, and referred to Committee on Ways and Means

By Messrs. Cassidy, Cronin, Feigenbaum, Fisher, Gilmore, Hoffman, Hornblower, Knowland, Levey, McMurray, Maloney, Meehan, Miller, James A., Morgan, Roland, Williamson, Anglim, Peterson, Scudder, Crist, Cottrell and Crowley: Assembly Bill No. 341—An act making an appropriation to the Department of Public Works for the construction of the approaches to a toll bridge to be built across the bay of San Francisco, from the City and County of San Francisco to the county of Alameda, and providing that this act become effective immediately.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Cassidy, Cronin, Feigenbaum, Fisher, Gilmore, Hoffman, Hornblower, Knowland, Levey, McMurray, Maloney, Meehan, Miller, James A., Morgan, Roland, Williamson, Anglim, Peterson, Scudder, Crist, Cottrell and Crowley: Assembly Bill No. 342—An act determining the amount of money to be reimbursed to the State of California by the California Toll Bridge Authority, out of the proceeds of revenue bonds to be issued by it for the construction of a bridge across the bay of San Francisco from the City and County of San Francisco to the county of Alameda for preliminary surveys for which the State has heretofore appropriated funds, and providing that this act become effective immediately.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs Cassidy, Cronin, Feigenbaum, Fisher, Gilmore, Hoffman, Hornblower, Knowland, Levey, McMurray, Maloney, Meehan, Miller, James A., Morgan, Roland, Williamson, Anglim, Peterson, Scudder, Crist, Cottrell and Crowley: Assembly Bill No. 343—An act to amend

sections 1, 2, 3, 4, 5, 6 and 8 of Chapter 764 of the Statutes of 1929, entitled "An act to regulate the constructions, operation and maintenance of toll bridges and toll roads situated wholly or in part within the State of California; vesting the exclusive jurisdiction over said toll bridges and toll roads in the Department of Public Works of the State of California; authorizing and empowering said department to grant upon certain terms, limitations, conditions and restrictions and under such supervision as in its judgment may be necessary, franchises, privileges or licenses for the construction or operation of toll bridges and toll roads and for the taking and keeping of tolls thereon, and to fix, determine, modify or change the rate of tolls to be taken thereon; to terminate the right of boards of supervisors to grant franchises, privileges or licenses for the construction, operation and the taking and keeping of tolls on toll bridges and toll roads; also providing that the State may purchase or retake any such toll bridges or toll roads constructed hereunder and repealing all other acts and parts of acts in conflict therewith," approved June 10, 1929, relative to toll ferries and extending the provisions of said act to toll ferries.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Cassidy, Cronin, Feigenbaum, Fisher, Gilmore, Hoffman, Hornblower, Knowland, Levey, McMurray, Maloney, Meehan, Miller, James A., Morgan, Roland, Williamson, Anglim, Peterson, Scudder, Crist, Cottrell and Crowley: Assembly Bill No. 344—An act to amend section 2620 of the Political Code, relating to the width of highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Cassidy, Cronin, Feigenbaum, Fisher, Gilmore, Hoffman, Hornblower, Knowland, Levey, McMurray, Maloney, Meehan, Miller, James A., Morgan, Roland, Williamson, Anglim, Peterson, Scudder, Crist, Cottrell and Crowley: Assembly Bill No. 345—An act directing the Department of Public Works to construct the approaches to a toll bridge to be built across the bay of San Francisco from the City and County of San Francisco to the county of Alameda; declaring such toll bridge and approaches to be a State highway; requiring their maintenance and operation by the Department of Public Works; and prescribing the manner in which the cost thereof shall be paid; and providing that this act become effective immediately.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Cassidy, Cronin, Feigenbaum, Fisher, Gilmore, Hoffman, Hornblower, Knowland, Levey, McMurray, Maloney, Meehan, Miller, James A., Morgan, Roland, Williamson, Anglim, Peterson, Scudder, Crist, Cottrell and Crowley: Assembly Bill No. 346—An act to amend Chapter 763, Statutes 1929, approved June 10, 1929, as amended by Chapter 401, Statutes 1931, approved May 25, 1931, entitled and known and cited as "California Toll Bridge Authority Act," by amending the title thereof, and by amending sections 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 17, and 19, and by adding thereto new sections numbered 6½, 13½, 22½ and 22¾, relating to and prescribing additional duties, powers and limita-

tions regarding the construction and financing of toll bridges; and providing that this act become effective immediately.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Woolwine: Assembly Bill No. 347—An act to amend section 6.771 of the School Code, relating to charges for use of schoolhouses, property and grounds for entertainment.

Bill read first time, and referred to Committee on Education.

By Mr. Woolwine: Assembly Bill No 348—An act to provide for the operation and maintenance of storage garages for state-owned vehicles, the pooling of vehicles in general use, and the placing of the State seal on each vehicle, and to provide that the use of state-owned vehicles for other than official purposes shall constitute a misdemeanor.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Boyle: Assembly Bill No. 349—An act to repeal an act entitled "An act creating the office of Chief of the Division of Narcotic Enforcement, providing for appointment to, powers and duties of such office, making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to provide for the establishment and maintenance of a Division of Narcotic Enforcement under the direction and control of the State Board of Pharmacy,' approved May 17, 1927," approved April 30, 1929, and to transfer to the State Board of Pharmacy all powers, duties and functions of the Chief of the Division of Narcotic Enforcement.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lyon: Assembly Bill No. 350—An act to amend sections 2.1500, 2.1501, 2.1502 and 2.1503 of the School Code, and to add a new section thereto, to be numbered 2.1505, relating to conventions of county and city superintendents.

Bill read first time, and referred to Committee on Education.

By Mr. Lyon: Assembly Bill No. 351—An act to repeal an act entitled "An act providing for annual conventions of secondary school principals," approved April 12, 1929, and to repeal sections 5.630 to 5.634, inclusive, of the School Code, and to add six new sections to said code, to be numbered 5.630, 5.631, 5.632, 5.633, 5.634 and 5.636, all relating to conventions of secondary school principals

Bill read first time, and referred to Committee on Education

By Mr. Hallner: Assembly Bill No. 352—An act to repeal an act entitled "An act creating the California Crime Commission, defining its duties and making an appropriation for its expenses, and repealing all acts and parts of acts in conflict with this act," approved May 28, 1929.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lyon: Assembly Bill No. 353—An act to amend section 9 of an act entitled "An act to provide for the organization and govern-

ment of public cemetery districts," approved June 1, 1921 (Statutes 1921, Chapter 652, page 1103), as amended, relating to dividing estimate of amount of money to be raised by taxation when district is in more than one county.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Greene. Assembly Bill No. 354—An act to amend section 5.500 of the School Code, relating to teachers' tenure.

Bill read first time, and referred to Committee on Education

By Mr. Lyon: Assembly Bill No 355—An act to amend sections 3, 4, 5a, and 15, and to repeal section 17 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, Statutes of 1911, page 1192, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Robinson, C. Ray: Assembly Concurrent Resolution No. 19—Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Introduced, and referred to Committee on Ways and Means.

By Mr. Greene: Assembly Constitutional Amendment No. 24—Proposed amendment to Article VI, sections 6 and 8 of the Constitution, relative to the election and tenure of judges of the superior court.

Introduced, and referred to Committee on Constitutional Amendments

RESOLUTION.

The following resolution was offered by Messrs. Hallner, Grubbs, Woolwine, Tournoux, Jones, King, O'Connor, Boyle, Callahan, McBride, Rogers, and Hunt:

WHEREAS, On January 12, 1933, Divine Providence removed from this earthly sphere, Anna G. McCarthy, sister of John D. McCarthy, one of our esteemed members; and

WHEREAS, The Assembly of the State of California expresses its profound sorrow at the loss suffered by Mr. McCarthy; therefore, be it

Resolved by the Assembly of the State of California, That a copy of this resolution be spread upon the Minutes of this Assembly, and the sincere sympathy and consolation of the Assembly of the State of California, be offered to Mr. McCarthy in his bereavement;

Resolved, further, That the Chief Clerk of the Assembly be instructed to have this resolution suitably engrossed and transmitted to the family of the deceased.

Resolution read, and on motion unanimously adopted.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON FEDERAL RELATIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1933.

MR SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No 4—Relative to memorializing and petitioning Congress to enact legislation transferring certain oil lands in Kern County, California, from the jurisdiction of the Navy Department to the jurisdiction of the Department of the Interior—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

EVANS, Acting Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Turner asked for unanimous consent to take up Senate Joint Resolution No. 4, at this time, without reference to file.

Mr. Knowland objected to unanimous consent.

The Speaker ordered Senate Joint Resolution No. 4 on file for adoption.

MOTION TO SUSPEND RULES.

Mr. Cobb moved that the standing rules of the Assembly be temporarily suspended for the purpose of withdrawing Senate Bill No. 22 from committee and having the same considered at this time.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cobb asked for, and was granted, unanimous consent to take up Senate Bill No. 22, at this time, without reference to file.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, January 5, 1933.

To the Honorable Members of the Assembly of the State of California.

Senate Bill No 22 makes an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., for the fiftieth session of the Legislature.

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of Article IV, section 1, of the Constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted

JAMES ROLPH, JR., Governor of California

CONSIDERATION OF SENATE BILL NUMBER TWENTY-TWO.

Senate Bill No. 22—An act making an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., declaring the urgency thereof, and providing that this act shall take effect immediately.

CASE OF URGENCY

The following resolution was offered:

By Mr Cobb

Resolved, That Senate Bill No. 22 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage

Resolution read.

Mr. Cobb moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Powers, Redwine, Riley, Robinson, C. Ray; Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, and Mr. Speaker—60

NOES—Brock and Zion—2.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 22.

SECOND READING OF SENATE BILL NUMBER TWENTY-TWO.

Senate Bill No. 22—An act making an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Redwine, Robinson, C. Ray; Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Woolwine, and Mr. Speaker—60

NOES—Brock, Riley, Robinson, Samuel E., and Zion—4.

THIRD READING OF SENATE BILL NUMBER TWENTY-TWO.

Senate Bill No. 22—An act making an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 22 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, Patterson, Powers, Rawls, Redwine, Robinson, C. Ray; Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, and Mr. Speaker—58.

NOES—Brock, O'Connor, Riley, Robinson, Samuel E., Woolwine, Wright, and Zion—7.

Title read and approved.

Bill ordered transmitted to the Senate.

DAILY CALENDAR.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FOUR.

Senate Concurrent Resolution No. 4—Relative to requesting the Governor to make application to the Reconstruction Finance Corporation for the loan of money to be used in furnishing relief and work relief to needy and distressed people and in relieving the hardship resulting from unemployment.

Resolution read.

The question being on the adoption of the resolution.

MOTION.

Mr. Craig moved that further consideration of Senate Concurrent Resolution No. 4 be made a special order of business for Monday, January 16, 1933, at two o'clock p.m., when it could be considered with Senate Concurrent Resolution No. 6 which would be on the calendar that day.

The roll was called, and the motion to have Senate Concurrent Resolution No. 4 and Senate Concurrent Resolution No. 6 made special order lost by the following vote:

AYES—Boyle, Cottrell, Craig, Frazier, Gilmore, Hatch, Meeker, O'Donnell, Scudder, Stannard, Stream, Thorp, Utt, West, and Zion—15.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Dempster, Evans, Field, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Sullivan, Tournoux, Turner, Woolwine, Wright, and Mr. Speaker—56.

FURTHER CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FOUR.

Senate Concurrent Resolution No. 4—Relative to requesting the Governor to make application to the Reconstruction Finance Corporation for the loan of money to be used in furnishing relief and work relief to needy and distressed people and in relieving the hardship resulting from unemployment.

The question being on the adoption of Senate Concurrent Resolution No. 4.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Clowdsley, Cottrell, Evans, Latham and Brock demanded the previous question.

The question being put: Shall the main question be now put?

The roll was called, and the demand for the previous question lost by the following vote:

AYES—Alter, Bowers, Brock, Chatters, Clowdsley, Cottrell, Evans, Greene, Hatch, Knowland, Latham, Nielsen, Patterson, Phillips, Riley, Robinson, C. Ray; Robinson, Samuel E., Stannard, Stream, Sullivan, Turner, and Zion—22.

NOES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Cobb, Craig, Cronin, Crowley, Dempster, Field, Frazier, Gilmore, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Powers, Rawls, Redwine, Roberts, Rogers, Ross, Scudder, Thorp, Tournoux, Utt, West, Woolwine, Wright, and Mr. Speaker—48.

FURTHER CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FOUR.

Senate Concurrent Resolution No. 4—Relative to requesting the Governor to make application to the Reconstruction Finance Corporation for the loan of money to be used in furnishing relief and work relief to needy and distressed people and in relieving the hardship resulting from unemployment.

The question being on the adoption of the resolution

The roll was called, and Senate Concurrent Resolution No. 4 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream,

Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 4 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 4.

Relative to requesting the Governor to make application to the Reconstruction Finance Corporation for the loan of money to be used in furnishing relief and work relief to needy and distressed people and in relieving the hardship resulting from unemployment

WHEREAS, The current period of economic instability, unemployment and the influx into California of indigent non-resident unemployed, has occasioned widespread and unusual economic distress; and

WHEREAS, The revenues of the State, the funds of its political subdivisions and contributions from private sources are inadequate to furnish necessary relief; and

WHEREAS, The Government of the United States, through the Emergency Relief and Construction Act of 1932 has made available to the States the sum of three hundred million dollars to be used in furnishing relief and work relief to needy and distressed people and in relieving the hardship resulting from unemployment, which sum has been appropriated to be loaned to the governors of the several States upon their application and is to be repaid to the Government of the United States by making annual deductions, beginning with the fiscal year 1935, from regular apportionments made from future Federal authorizations in aid of the States for the construction of highways and rural post roads; and

WHEREAS, The Governor of the State has created the board of supervisors of each county a fact-finding body to determine the amount of supplemental relief necessary in each county to be obtained to furnish adequate relief and work relief in the respective counties of the State; and

WHEREAS, Several boards of supervisors have certified to the Governor the inadequacy of existing funds, including moneys from State, local and private contributions, to furnish adequate relief, and have requested the Governor by resolution to make application to the Reconstruction Finance Corporation for additional moneys under the provisions of subsection (c) of section 1 of Title I of the Emergency Relief and Construction Act of 1932, and have resolved that the conditions in the respective counties are serious enough to justify pledging of future regular apportionments of Federal authorizations in aid of the States for the construction of highways and rural post roads, now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Governor is hereby respectfully requested to apply to the Reconstruction Finance Corporation for a loan of moneys to the Governor, under the provisions of subdivision (c) of section 1 of Title I of the Emergency Relief and Construction Act of 1932, for the benefit of counties when the county board of supervisors of any county, by resolution certify to the Governor the need of such funds; and be it further

Resolved, That the Secretary of the Senate be and he is hereby directed to transmit a copy of this resolution to the Governor.

MOTION.

On motion of Mr. Scudder, the report of the investigation committee on fish and game conditions in the State of California was ordered printed in the Journal.

REPORT OF THE CALIFORNIA ASSEMBLY INTERIM COMMITTEE ON INVESTIGATION OF FISH AND GAME CONDITIONS IN THE STATE OF CALIFORNIA.

Submitted to the 1933 Assembly of the California Legislature.

Assembly resolution adopted in the Assembly May 14, 1931, and as appearing on pages 3642-3 of the Assembly Journal of that date, directed the Speaker to appoint a committee of three Assemblymen to investigate fish and game conditions in the State of California and to report its findings to the fiftieth session of the State Legislature. Pursuant thereto Speaker Levey appointed Assemblymen Hubert B. Scudder, Henry McGuinness and Jerrold L. Seawell

On August 15, 1931, the committee met and elected Hubert B. Scudder chairman and Henry McGuinness secretary, and made plans to visit the several sections of the State to make personal investigations, and get first-hand information of the problems confronting the various interests.

We met with sportsmen, commercial fishermen, canners, chambers of commerce, representatives of sportsmen's clubs and many others interested in fish and game conservation.

Meetings and investigations were held at Lassen, Yreka, Crescent City, Requa, San Rafael, San Francisco, Monterey, Los Angeles, San Pedro and San Diego. Good meetings were had at all the above-mentioned places, we were shown every courtesy, and an honest endeavor was made by each group to help us in our effort to prepare our report and submit our findings and recommendations to your honorable body.

KLAMATH RIVER—SALMON.

Our investigations at Yreka, Crescent City and Requa pertained principally to the salmon situation on the Klamath and Smith rivers. Your committee has four recommendations to make regarding salmon.

First. That all commercial fishing on the Klamath and Smith rivers be prohibited.

Second. That the sale of fresh, canned and cured game fish in that district be made illegal.

Third. That the Klamath River be declared a navigable stream, providing a saving clause be contained therein that is satisfactory to the mining industry of that district, the same to be agreed upon by representatives of that industry.

Fourth. That the spearing of salmon in the State of California be prohibited, first, because it is contrary to all laws of conservation as the fish are taken on the spawning beds; second, it is wasteful and destructive; third, it is the most unsportsmanlike manner of pursuing the cherished prize of the angler.

SARDINES.

Your committee carried on an extensive investigation and held meetings in San Francisco, Monterey, San Pedro and San Diego with fishermen, canners, reduction operators, food manufacturers, chambers of commerce and civic organizations, sportsmen and officials of the Fish and Game Commission. Many policies were advocated. Your committee felt a great responsibility in dealing with this industry with its large investments, employing thousands of people and producing several millions of dollars of finished products each year in the State of California. We have kept in mind the people employed and the interests concerned, also we have had to consider the floating reduction plants off our coast that are reducing thousands of tons of sardines, and are beyond the control of the Legislature.

We recommend that the Fish and Game Commission be given the authority to determine the tonnage of sardines that can be taken in the several areas of the State, that after a thorough conference with the canners, they should be empowered to designate the tonnage to be allowed in a given year for canning purposes, that they be given the authority and be empowered to distribute the balance of the allowable tonnage equally among those who are engaged in using the fish for other purposes.

STRIPED BASS

Soon after the committee was organized, we held meetings in hopes we could arrive at a solution of the striped bass controversy, the most perplexing of all fish legislation. Several meetings were held in San Francisco and the bay district. On June 16, 1932, a meeting was held at the Fish and Game Commission offices pursuant to a call by the chairman. Notices had been sent to all interested in bass legislation of whom the committee had knowledge; also newspaper publicity was given out as to the time and place of meeting. A large representation of sportsmen and those interested in commercial fishing were present at this meeting. A lengthy meeting was held. The varied interests were so widely separated in opinion that it was evident no satisfactory conclusion could be reached. A suggestion was made that as all interests were represented, the chairman of the committee appoint a committee of eleven from those present and charge them with bringing back a report to the legislative committee at a subsequent date. Chairman Scudder appointed the following committee:

Joseph Springer, Chairman, member of Associated Sportsmen of California.
William B. Hornblower, Assemblyman from San Francisco.
Mayor Hugh Donovan, representative of commercial fishermen.
J. H. Dempsey, representative of commercial fishermen.
H. K. Walton, member of the State Chamber of Commerce.
E. W. Ditman, representative of Fisherman's Journal.
Dr. F. D. Taft, member of Sportsmen, Incorporated.
A. H. Curry, Napa Fish and Game and Forest Protective Association.
William Murray, member of Oakland Striped Bass Club.
L. S. Whitaker, member of the Marin Rod and Gun Club.
L. I. Herrington, member of Fish and Game Development Association.

Your committee met at the Fish and Game Commission offices on December 16, 1932, the following reports were received from the committee

MAJORITY REPORT OF THE SPECIAL STRIPED BASS INVESTIGATION COMMITTEE APPOINTED BY HUBERT SCUDDER, CHAIRMAN OF THE ASSEMBLY FISH AND GAME COMMITTEE.

December 13, 1932.

We submit herewith majority report of the Special Striped Bass Investigating Committee which you appointed on June 16, 1932, and instructed to thoroughly investigate the striped bass situation with the view to offering recommendations for changes in the present laws governing the taking of these fish. The committee you appointed comprises the following:

Joseph Springer, Chairman, member of Associated Sportsmen of California.
William B. Hornblower, Assemblyman from San Francisco.
Mayor Hugh Donovan, representative of commercial fishermen
J. H. Dempsey, representative of commercial fishermen
H. K. Walton, member of the State Chamber of Commerce.
E. W. Ditman, representative of Fisherman's Journal
Dr. F. D. Tatt, member of Sportsmen, Incorporated
A. H. Curry, Napa Fish and Game and Forest Protective Association.
William Murray, member of Oakland Striped Bass Club.
L. S. Whitaker, member of the Marin Rod and Gun Club.
L. I. Herrington, member of Fish and Game Development Association

Before giving you the details of the recommendations approved by the majority of the committee, we want to point out certain circumstances in relation to the division of the final vote of the committee as follows:

First. Mr. H. K. Walton, affiliated with the State Chamber of Commerce, attended only one meeting held November 29th, at which time he stated he did not feel qualified to pass judgment on these recommendations on account of not having heard all of the discussions. Therefore, to all intents and purposes, he eliminated himself from the committee and did not vote or attend the final meeting

Second. The two members of the committee who voted against the proposed recommendations, Chairman Joseph Springer, affiliated with the Associated Sportsmen, and William Murray, affiliated with the Oakland Striped Bass Club, announced at the November 29th meeting that before their appointment to the committee they were definitely committed with their organizations in favor of an amendment to the State law designed to stop the sale of striped bass entirely; therefore, it was apparent that the committee's discussions could have had no influence on their conclusions, which were obviously predetermined. They attended all the hearings, however, and deliberated in the discussions in a fair and impartial manner

Third. The other eight members of the committee who voted in favor of the proposed amendments and who have signed this report, when accepting appointment to this committee, were not definitely committed to any particular program, therefore were able to vote according to their convictions after carefully considering all the questions involved.

The report of the proceedings of the committee and the final recommendations approved by the majority of the members thereof are as follows.

The first meeting was held in San Francisco on August 10, 1932. Two major recommendations were submitted and discussed which can be designated in brief as follows:

1. Nonsale of striped bass.
2. Legal netting and sale of bass for 5½ months

These two recommendations were so wide apart that it was apparent after discussion that a unanimous or even a majority vote could not be obtained favoring either one of these propositions. The suggestion was made that perhaps a smaller group could get together and formulate some program that might possibly receive the unanimous support of the committee and, in any case, the majority It was moved, seconded and unanimously carried that Chairman Joseph Springer appoint a subcommittee of five with instructions to make every effort to work out such a program—the subcommittee to comprise members of the main committee including sportsmen and commercial fishermen's representatives. Chairman Springer appointed the following

Wm. B. Hornblower, Chairman.
A. H. Curry.
L. S. Whitaker.
Mayor Hugh Donovan.
L. I. Herrington

This subcommittee met in San Francisco on August 15, 1932, and after many hours of discussion, formulated 11 proposed amendments which were presented to the main committee at their meeting held in San Francisco on August 31 1932 After considerable discussion, it was apparent that unanimous agreement could not be reached, in fact, only a scant majority, therefore, in a further effort to keep the

committee together and to do everything possible to arrive at a unanimous agreement, the committee voted to adjourn to a date to be named later with the hope that the subcommittee of five could, in the meantime, prepare a new proposal that would meet the objections presented.

This subcommittee subsequently met on two occasions and made certain revisions in their proposed recommendations and unanimously agreed to support them before the full committee at its next meeting.

This meeting was held November 29th and, unfortunately, several members of the committee found it impossible to be present. As a result those who were present felt the meeting should be postponed in order that when final action was taken, the entire committee could be present, making possible a unanimous decision or a definite majority and minority division. There was some discussion in regard to the revised amendments of the subcommittee and two or three slight changes made which were later approved by the entire subcommittee.

The final meeting of the committee was held in San Francisco on December 13, 1932. After a short discussion, it was decided that the committee should vote on the program as submitted by the subcommittee and then adjourn sine die.

The proposed amendments, which were actually the result of over five months of careful study and consideration of all angles of the situation, were introduced and read, and are as follows:

Proposed Recommendations.

1. Prohibit sale and possession for sale of bass between June 1st and the fifteenth day of February following, inclusive.
2. Prohibit sale of any bass at any time over 10 pounds in weight, or less than 20 inches in length.
3. Prohibit all netting of bass and shad in all districts from May 15th to the following February 15th, inclusive.
4. Permit legal netting of bass and shad with 5½-inch mesh gill nets in Districts 12B and 12C only, from February 16th to May 15th, inclusive.
5. Prohibit netting in all sloughs except Broad Slough.
6. Prohibit the use of trammel nets in Districts 12B and 12C.
7. Prohibit the use of set lines entirely and prohibit hand lines with over two hooks (plugs excepted).
8. Prohibit all hook and line angling between sunset and sunrise of any day and all netting between sunrise of each Saturday and sunset of the following Sunday.
9. Prohibit the taking with hook and line, and in the manner commonly known as angling, of over five bass or shad in any one day. Prohibit having over five bass in possession except by regularly licensed commercial fishermen, dealers, cold storage warehouses, restaurants and hotels, during the legal sale period.
10. Permit an open season for anglers in all districts on all days between sunrise and sunset of each day.

It was moved, and seconded, that the above proposed recommendations for legislative action be approved. The motion was carried by a vote of eight to two. Those voting to approve have affixed their signatures to this majority report.

In presenting these recommendations for your consideration, we wish to call your attention to the fact that they have been formulated with the definite purpose of securing practicable and enforceable legislation that will accomplish three major results:

1. To preserve and increase the supply of striped bass, thereby perpetuating for present and future generations the great outdoor recreational opportunities that this great game fish provides.
2. To protect and preserve the shad industry, which brings to California hundreds of thousands of dollars annually.
3. To protect and preserve the income during these distressing times of those engaged commercially in the taking of striped bass and shad.

Careful study of the proposed recommendations will show conclusively that if enacted into law they will accomplish the three major objects outlined above. Recommendations Nos. 1, 2, 3, 4, 5, 6, 7, and 8 will all aid in increasing the supply; recommendation No. 4 will preserve the shad industry, and recommendations No. 1 and No. 4 will protect and preserve the incomes of commercial fishermen. To sum up, eight recommendations are great steps forward for sportsmen and two others give adequate protection to the commercial interests.

For your consideration, we submit below the results to be gained from each separate proposal:

1. Present law permits sale of striped bass for nine months, August 1st to April 30th, inclusive. Our proposal decreases this period by 5½ months, which will automatically reduce the take of commercial fishermen by restricting their market. (The sale period of sixteen days longer than netting season, provided in recommendation No. 4, is to enable the disposition of the last few days' legal catch.)

2. Present law permits the sale of any sized bass—the length limit is the same as our proposal, which forbids, however, the netting by commercial fishermen of the more prolific spawners.

3 and 4. The present law prohibits netting of bass but allows all bass to be sold that are caught "accidentally" while seining for shad in District 12B between March 15th and May 1st, inclusive. Present law permits netting for shad 7½ months, August 1st to September 16th, inclusive, and November 15th to May 15th, inclusive, during which period there is no law against sale; the answer to which we leave to your own conclusions. This law is conceded to be impracticable and unenforceable. Our proposal cuts the shad netting season from 7½ months to 3 months, February 15th to May 15th, inclusive, and provides for an open netting season on striped bass during the same period. This proposal leaves no loophole for bass to be taken in nets by commercial fishermen at any other time. Proposals No. 3 and No. 4 are practicable and enforceable.

5. This proposal is self-explanatory.

6. Present law permits the use of trammel nets in both Districts 12B and 12C at stated times and with certain restrictions as to the size of mesh. Our proposal eliminates their use entirely in the districts specified.

7. Present law prohibits the use of set lines but allows hand lines with any number of hooks, which enables fishermen to evade by subterfuge the set-line restrictions. Our proposal is enforceable.

8. This proposal is the same as the present law.

9. Present law establishes a daily limit of five bass or shad for anglers and a possessory limit of five shad but provides no possessory limit for bass. Our proposal provides a possessory limit for both which will make possible the enforcement of the daily angling limit.

10. Present law provides for a closed season in Districts 1, 3 and 12A between May 1st and July 31st, inclusive. It is acknowledged by all authorities that there is no accurate information available that proves definitely when and where bass spawn. No one has ever located a spawning bed anywhere; therefore, it seemed an injustice to sportsmen of certain areas to close the season in their particular district when it was not known definitely that the district in question is a spawning area; further, that if the spawning months are May, June and July, any bass caught of spawning age during that period regardless of the district was a potential spawner. Therefore, if investigation proves that these months mentioned, or some others, do cover the spawning period, in that event it seems reasonable that the season should be closed in all districts during the period determined upon. It is understood that investigations are being made in an endeavor to learn definitely when and where bass spawn; consequently, when this investigation is concluded and accurate information is available, the proper closed season should be established.

Before completing this report, we wish to call your attention to a joint statement of Messrs. Donovan and Dempsey of this committee, acknowledged representatives of 90 per cent of the commercial fishermen interested in striped bass. They stated publicly that the recommendations as set forth herein represent the utmost to which they can possible concede. They insisted the changes proposed were a great step forward for sportsmen. They pledged the unqualified support of their entire group at the coming session of the Legislature in behalf of this proposed program. They further stated that if any one of their group secretly or openly attempted, in any manner, to retard or block the program, they would publicly denounce them before the legislators. They agreed to abide by the law and the spirit thereof, if passed, and to report all violations that come to their attention and to give full cooperation to enforcement agencies in order to obtain convictions of violators; in short, to do everything in their power to aid law enforcement, and further, to extend every effort to create a better and more harmonious feeling between commercial fishermen and sportsmen.

In closing this report, the members of the committee who have approved these recommendations express their regret that it was impossible to obtain a unanimous vote in its favor as they felt all the way through the committee's proceedings that such unanimous support would be a great step forward in the movement for the preservation and increase of our fish and game resources—one that would go down in history as the beginning, in California, of the era of common sense in fish and game matters. That most-to-be-hoped-for spectacle of all those sincerely interested in fish and game joining together for the first time in the history of our State in

a common purpose, determined to support such proposals as will be for the best interests of all the people of our great State.

The majority report represents the individual opinions of the signers hereto.

Respectfully submitted.

(Signed)

WILLIAM B. HORNBLOWER.
HUGH H. DONOVAN
J. H. DEMPSEY.
E. W. DITTMAN.
F. D. TAFT.
A. H. CURRY.
L. S. WHITAKER.
L. I. HERRINGTON.

SAN FRANCISCO, CALIFORNIA, December 13, 1932.

Assembly Fish and Game Investigating Committee.
c/o Mr. Hubert Scudder, Chairman,
Sebastopol, California.

GENTLEMEN: The signers of this report have served as members of this committee and have participated in its deliberations.

Soon after the committee met, it was quite apparent that no hope of a mutually satisfactory compromise could be reached. Three main thoughts were presented to the committee. First, to prohibit the sale of striped bass entirely; second, to allow five and one-half months open netting of striped bass; and third, to allow three months open netting of striped bass After giving due consideration to all of the proposals of the committee, we are convinced that there is no hope of a satisfactory solution to this pressing problem except by prohibiting the sale of striped bass entirely.

The experience of the past two years, under a compromise bill passed by the last Legislature as a substitute for stopping the sale entirely, has shown that any measure which permits any sale at all will be subject to extensive violation. Bass have been netted and taken by other illegal means on a large scale during the past two years.

It is therefore our opinion that the sale of striped bass must be stopped to provide a satisfactory solution to this problem, and we recommend that this be done at the next session of the State Legislature in order that this controversy can be settled now, once and for all time. There is not the slightest doubt but that this legislation will be placed upon the statute books sometime in the near future. The sooner this is done the sooner we will eliminate these controversies and the sooner all parties concerned can adjust themselves to the changed conditions. The quicker the settlement, the quicker the adjustment and the greater the profit for all concerned. In addition, if it is done at once, there will be an opportunity for the bass to increase and furnish some reasonable sport. Certainly the past season has amply demonstrated the fact that something decisive must be done immediately.

The sentiment among bass anglers, sportsmen groups, resort owners, business men and all who serve commercially the vast army of striped bass anglers in all parts of the State, is for taking striped bass off the market, and as this is the will of the majority of those interested, we feel duty-bound to vote as the majority wish.

We therefore respectfully urge that the legislative investigating committee adopt such a recommendation for the promotion of better business conditions for all the people of our State, including those who have heretofore engaged in commercial fishing for striped bass.

Respectfully submitted.

(Signed)

JOSEPH SPRINGER.
W. M. MURRAY.

Your committee considered at great length the above recommendations. They are very grateful to the committee for their painstaking and intelligent efforts. Your committee feels that if a choice were to be made as to the economic value of the striped bass between its use as a commercial fish and a sport fish they would be unanimous in support of it being made an exclusive sport fish. However, after studying the reports and from information gained during our investigation we were unanimous in accepting the majority report as the report of the legislative committee and recommend the provisions of the same be drafted into a bill, and that the committee will sponsor such legislation at the fiftieth session of the Legislature. Your committee further recommends that striped bass shall be taken commercially with gill nets only, and of 5½ to 6½-inch mesh.

Proposal No. 4.

Your committee investigated the problems confronting the people of southern California and hereby recommends that the present license fee should be invoked for angling in the southern part of the State as it is in the north, or, if the Legislature feels that this is impracticable, that a new salt water license fee of not more than $1

be charged. It might be proper if the Legislature does not deem either of these proposals advisable to levy a license on the fishing barges as a substitute, the amount to be determined by the Fish and Game Commission.

Your committee recommends that the sale of marlin and broadbill sword fish and sail fish be prohibited and that it be made illegal to transport these varieties outside the boundaries of this State.

We further recommend that the use of round haul nets for the taking of barracuda, white sea bass and yellow tail in fish and game district No. 19 be prohibited It is our opinion this type of gear destroys the young fish, investigation shows that the white sea bass and yellow tail are being depleted. We recommend that 7½-inch gill nets be permitted for taking of barracuda and white sea bass, and that the taking of yellow tail be limited to hook and line

Your committee made an investigation of the deer, quail and waterfowl. We recommend the deer and quail seasons and limits be not changed. That the waterfowl law as regards season be not changed, but that the bag limit and possession be made to conform with the Federal law

Your committee appreciates the opportunity they were accorded to make this study. We served on the committee because we were intently interested in fish and game and conservation We have served on the Fish and Game Committee of the Assembly and have felt there should be a common ground on which all interests could agree. It has been our purpose to try and coordinate these interests, with the hope that many hours of unnecessary hearings and prolonged debates might be avoided.

We wish to express our gratitude to the staff of the Fish and Game Commission for their willing and untiring assistance rendered us; especially do we wish to thank Mr. N. B Scofield, Chief of Bureau of Commercial Fisheries, and J. L. Farley, the very efficient and accommodating executive officer.

(Signed)

HUBERT B. SCUDDER
HENRY McGUINNESS.
JERROLD L. SEAWELL.

MOTION TO PRINT

Mr. Scudder moved that 500 additional copies of the Journal of Friday, January 13, 1933, be printed.

Motion carried.

MOTION TO ADOPT REPORT.

Mr. Robinson, C. Ray, moved that the report of the Committee on Rules appearing on page 13 of the Assembly Journal, Thursday, January 12, 1933, be adopted.

COMMITTEE REPORT

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1933.

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

"*Resolved*, That the Chief Clerk be authorized to receive from the members of the Assembly, a mailing list of all bills, resolutions and Histories to be directed to libraries, chambers of commerce and other public centers for general inspection This list to be limited to 15 names each and shall be forwarded to the Legislative Bill Room for regular mailing.

That in addition thereto the Chief Clerk shall forward to the Legislative Bill Room for regular mailing 50 copies of said bills, resolutions and Histories to be mailed to the State Commander of the American Legion or to such posts as he may name."

Your committee has considered this resolution and respectfully recommends that it be amended as follows

"*Resolved*, That the Chief Clerk be authorized to receive from the members of the Assembly a mailing list of all bills, resolutions, and Histories; to be directed to libraries, chambers of commerce, and other public centers, for general inspection. This list is to be limited to 10 names each, and shall be forwarded to the Legislative Bill Room for regular mailing No member shall include on his list any State department or employee thereof. The Chief Clerk is further authorized to place accredited newspaper representatives on the regular mailing list, as well as the Attorney General, Legislative Counsel Bureau, and the Governor's Office. That in addition to the above, the Chief Clerk shall forward to the Legislative Bill Room for regular mailing, 5 copies of said bills, resolutions, and Histories; to be mailed to the State Commander of the American Legion, or to such parties as he shall name; be it further

Resolved, That no additional mailing list shall be allowed or authorized, unless the sum of thirty-five dollars ($35 00) each is paid therefor, to State

Printer and which sum shall be credited to legislative printing and accounted for to the Legislature; be it further

Resolved, That the total number of bills to be printed be reduced from three thousand (3,000) to a minimum number necessary to supply the ordinary demands; in no event unless otherwise authorized over two thousand five hundred (2,500)";

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted, as amended.

ROBINSON, C. RAY, Chairman.

The question being on the adoption of the report and resolution.

The report and resolution, as submitted by the committee, was adopted.

REQUEST GRANTED.

Mr. Miller, James A., asked for, and was granted, the privilege of being excused for the remainder of this legislative day.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED.)

The following bill was introduced, and referred as indicated:

By Mr. McBride: Assembly Concurrent Resolution No. 20—Relative to approving the charter of the city of San Buenaventura, a municipal corporation in the county of Ventura, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of January, 1932.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. McBride asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 20, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY.

Assembly Concurrent Resolution No. 20—Relative to approving the charter of the city of San Buenaventura, a municipal corporation in the county of Ventura, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of January, 1932.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 20 adopted by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 20 ordered transmitted to the Senate

Assembly Concurrent Resolution No. 20—Relative to approving the charter of the city of San Buenaventura, a municipal corporation in the county of Ventura, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of January, 1932.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Greene: Assembly Bill No. 356—An act to amend section 3.122 of the School Code, relating to the age of admission of pupils to kindergartens.

Bill read first time, and referred to Committee on Education.

By Mr. Field: Assembly Bill No. 357—An act to repeal sections 378, and 378a to 378g, inclusive, of the Political Code, relating to the Bureau of Commerce, and to provide for the disposition of the records and files of such bureau.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Field: Assembly Bill No. 358—An act to repeal the California Nautical School Act and to provide for the disposition of the property of said school, and declaring the urgency therefor.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Boyle: Assembly Bill No. 359—An act to amend section 1374 of the Penal Code, relating to the expense of maintenance in State hospitals of persons charged with crime.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Badham: Assembly Bill No. 360—An act making appropriation to pay the claim of William J. Bost against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Field: Assembly Bill No. 361—An act to amend section 4041.18 of the Political Code, relating to the jurisdiction and powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr. Redwine: Assembly Bill No. 362—An act to amend section 1 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, relating to the scope of the act.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Riley: Assembly Bill No. 363—An act to amend section 376a of the Political Code, relating to the office of Director of Penology.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Hallner: Assembly Bill No. 364—An act to amend sections 2 and 84 of the Public Utilities Act, relating to airplane line corporations.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Woolwine. Assembly Bill No. 365—An act to amend section 17 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to vacancies in the office of a judge of a municipal court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woolwine: Assembly Bill No. 366—An act to amend section 17 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to vacancies in the office of a judge of a municipal court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woolwine: Assembly Bill No. 367—An act to add section 146b to the Penal Code, relating to unlawful acts by public officers.

Bill read first time, and referred to Committee on Crime Problems

By Mr. Woolwine: Assembly Bill No. 368—An act to amend sections 146 and 146a of the Penal Code, relating to public officers and persons pretending to be public officers.

Bill read first time, and referred to Committee on Crime Problems

By Mr. Cobb: Assembly Bill No. 369—An act to amend section 1510 of the Probate Code, relating to the payment of judgments recovered in favor of minors.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cobb: Assembly Bill No. 370—An act to amend section 1431 of the Probate Code, relating to the compromise of disputed claims.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cobb: Assembly Bill No. 371—An act to add to the Probate Code a new section, to be numbered 1510a, relating to the compromise of suits for and on behalf of minors

Bill read first time, and referred to Committee on Judiciary.

By Mr. Burns: Assembly Bill No. 372—An act to amend section 1151 of the Fish and Game Code, relating to hunting and fishing at night.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Burns: Assembly Bill No. 373—An act to amend sections 657 and 666 of the Fish and Game Code, and to add thereto a new section to be numbered 666.5, relating to salmon.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs. Powers, Bliss and Meeker: Assembly Bill No. 374—An act to provide for the construction and supervision of safe and sanitary low-cost dwellings and apartments, and for the rental or sale thereof at reasonable rates, and in connection therewith to authorize the incor-

poration and provide for the regulation of limited dividend housing corporations and prescribe the powers, rights and duties thereof; to regulate and limit the rate of return on securities to be issued by such corporations; to declare the urgency of this act and provide that it shall take effect immediately.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Wright: Assembly Bill No. 375—An act to limit the construction of State and county highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Wright: Assembly Bill No. 376—An act to amend sections 1 and 2 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," approved May 26, 1927, as amended, relating to the disposition of the funds collected thereunder.

Bill read first time, and referred to Committee on Oil Industries.

By Mr Dempster: Assembly Bill No. 377—An act to amend section 2 of an act entitled "An act to prohibit the employment of aliens by contractors and subcontractors on all public work, except in certain cases of extraordinary emergency, providing for the reporting of such cases of extraordinary emergency and the keeping of records of the citizenship of workers employed upon public work and the inspection of such records by the proper officials, providing for a forfeiture for each calendar day, or portion thereof, any alien is knowingly permitted to work on public work and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931 (Statutes 1931, page 913), relating to investigation and determination as to alleged violations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 378—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the witholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescrib-

ing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, relating to the disposition of the funds collected thereunder.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Stannard: Assembly Bill No. 379—An act to provide for the use of matured bonds or matured interest coupons of districts formed under the provisions of the Acquisition and Improvement Act of 1925 or the Road District Improvement Act of 1907 in the payment of assessment taxes levied upon land within said districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hallner: Assembly Bill No. 380—An act to amend section 1255a of the Code of Civil Procedure, relating to the abandonment of condemnation proceedings.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hallner: Assembly Bill No. 381—An act to amend section 26a of an act entitled "An act to provide for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," relating to street improvements.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Lyon: Assembly Constitutional Amendment No. 25—Proposed amendment to Article XI, section 19, of the Constitution, relative to municipal ownership of public utilities.

Introduced, and referred to Committee on Constitutional Amendments.

ADJOURNMENT.

At twelve o'clock and forty minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, January 16, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, January 16, 1933.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Feigenbaum, Mr. Levey was granted leave of absence for the day.

On motion of Mr. Hallner, Mr. McCarthy was granted leave of absence for the day.

On motion of Mr. Field, Mr. Redwine was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Sullivan, Mr. Charles C. Reed, city treasurer of Lynwood, California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Sullivan, Mr. Monroe Butler of Los Angeles was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hornblower, Miss Marie McMurray, daughter of Assemblyman McMurray, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hornblower, Mr. and Mrs. Frank Brady of San Francisco were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

LOS ANGELES, CALIFORNIA, January 11, 1933

Walter J. Little, Speaker of the Assembly,
State Capitol, Sacramento, California

GREETINGS At the meeting of the council of the city of Los Angeles held January 11, 1933, a resolution was adopted strenuously opposing the proposed legislation providing for an allocation of the sum of $17,000,000 from the State Gasoline Tax Fund for payments on State highway bonds

Respectfully,

ROBERT DOMINGUEZ, City Clerk.

Also:

By Mr. Speaker

Relative to bill introduced by Assemblyman Frank Rogers, to include Figueroa Street from Ocean to Palmdale in State highway system.

(Signed) R. D. WHITICE [B. H. W.],
Los Angeles, California

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON BUILDING AND LOAN ASSOCIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1933

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 297—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: To define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto, Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith" approved May 5, 1931, by amending sections numbered 6.02, 9.02, 9.11, 13.01, 15.03 and 15.17 thereof; declaring the urgency thereof, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that the same do pass

ROBERTS, Chairman

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crist asked for unanimous consent to take up Assembly Bill No. 297, at this time, without reference to file, and that same be considered engrossed.

Mr. Sullivan objected to unanimous consent.

The Speaker ordered Assembly Bill No. 297 on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 234—An act to provide for the payment of indemnities to owners of live stock or property, taken, destroyed or otherwise disposed of pursuant to any law of the State for the control, prevention or eradication of disease in live stock, declaring the urgency thereof, and providing that this act shall take effect immediately—and reports that the same has been correctly enrolled and presented the same to the Governor on this sixteenth day of January at eleven o'clock a.m.

PATTERSON, Chairman

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 11, 1933

To the Members of the Senate and the Assembly.

I have the honor to transmit to you herewith the report of the California Water Resources Commission, presented to me on June 20, 1932. This commission of nine citizens was appointed by me and acted pursuant to Senate Concurrent Resolution No. 40 of the forty-ninth session of the Legislature. (Chapter 90, Statutes of 1931.)

This commission, aided by honorary advisory committees representing practically all interests in California, and aided by the proper officers of the executive departments, labored most faithfully in considering the water problem of California, and

evolving plans for its solution. The result of these efforts, embodied in this report, are, in my opinion, sound and constructive. The commission and those who assisted it have performed a splendid public service for which I make grateful acknowledgment.

I am particularly impressed with the comprehensive nature of the report in its dealing with fundamental principles as well as its definiteness, with reference to specific elements of the problem before it. These characteristics largely furnish the basis for the statement made in my biennial message to the Legislature, that this Legislature has available to it a definite program, definite recommendations and drafts of proposed acts for the solution of the water problem of the State. It is my earnest hope that out of this report, and the series of reports from other State agencies which have preceded it, this Legislature will be enabled to formulate into the necessary constitutional amendment and statutes, a constructive program for the conservation and utilization of the water resources of California.

Sincerely and respectfully,

JAMES ROLPH, JR., Governor of California.

The report of the California Water Resources Commission, referred to in the Governor's letter, was placed on file.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Peterson: Assembly Bill No. 382—An act to amend sections 581 and 629 of the Code of Civil Procedure, relating to civil actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr Peterson: Assembly Bill No. 383—An act to amend sections 3746, 3756 and 3759 of the Political Code, relating to installments of property taxes, and the dates of payment and delinquency thereof.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

By Messrs. Bowers, Stream, and Stannard: Assembly Bill No. 384—An act to amend section 476a of the Penal Code, relating to issuing instruments with intent to defraud.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Stream and Bowers: Assembly Bill No. 385—An act to add section 429.5 to the Fish and Game Code, relating to fishing licenses.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs. Stream and Bowers: Assembly Bill No. 386—An act to amend an act entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved May 27, 1927, as amended, by adding a new section thereto to be numbered 8a, relating to sporting fishing licenses.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Brock: Assembly Bill No. 387—An act to add two new sections to be numbered 764a and 862b to an act entitled "An act to provide for the organization, incorporation and government of munici-

pal corporations," approved March 18, 1883, relating to powers of municipalities of the fifth and sixth classes.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Brock: Assembly Bill No. 388—An act to amend section 923 of the Penal Code, relating to grand juries.

Bill read first time, and referred to Committee on Crime Problems

By Mr. Brock: Assembly Bill No. 389—An act making an appropriation to pay the claim of Evelyn Morse against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Stream: Assembly Bill No. 390—An act making an appropriation to pay the claim of the city of Coronado against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Martin: Assembly Bill No. 391—An act to amend sections 2 and 7 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting government and municipal control of such annexed territory," approved June 11, 1913, relating to the annexation of territory to municipal corporations.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Martin: Assembly Bill No. 392—An act to amend section 2 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended, relating to the possession of deadly weapons.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Martin: Assembly Bill No. 393—An act to add a new section to the Penal Code to be numbered 904a, relating to grand juries.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Martin: Assembly Bill No. 394—An act to amend section 726 of the Code of Civil Procedure, relating to proceedings in foreclosure suits.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McBride: Assembly Bill No. 395—An act to repeal Chapter III of Part III of Division V of the School Code, embracing sections 5.500 to 5.521, inclusive, relating to classification of persons in positions requiring certification qualifications.

Bill read first time, and referred to Committee on Teachers Colleges.

By Mr. Rawls: Assembly Concurrent Resolution No. 21—Relative to recommending that the State and all local governmental agencies therein confine purchases of all kinds to American-made products.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Rawls asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 21 at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-ONE.

Assembly Concurrent Resolution No 21—Relative to recommending that the State and all local governmental agencies therein confine purchases of all kinds to American-made products.

Resolution read.

The question being on the adoption of the resolution.

Assembly Concurrent Resolution No. 21 adopted.

Title read and approved.

Assembly Concurrent Resolution No 21 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No 21

Recommending that the State and all local governmental agencies therein confine purchases of all kinds to American made products.

WHEREAS, The United States by reason of its diversity of climate and topography produces nearly every product needed for consumption therein, and

WHEREAS, American business should be encouraged to the greatest possible extent in order that American workmen may be furnished employment and be able to maintain the present high standard of living in this country, now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby recommends that all State purchases be made of American made goods, and to that end all State offices are hereby earnestly requested to purchase goods made in this country; and be it further

Resolved, That all local governmental agencies follow said policy of patronizing American industry and purchasing American made goods.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Clowdsley: Assembly Concurrent Resolution No. 22—Relative to approving two certain amendments to the charter of the city of Stockton, State of California, ratified by the qualified electors thereof, at a special municipal election held therein on Tuesday, November 8, 1932.

Introduced.

REQUEST FOR UNANIMOUS CONSENT

Mr. Clowdsley asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 22 at this time, without reference to committee or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-TWO.

Assembly Concurrent Resolution No. 22—Relative to approving two certain amendments to the charter of the city of Stockton, State of California, ratified by the qualified electors thereof, at a special municipal election held therein on Tuesday, November 8, 1932.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 22 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—77.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No 22 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 22—Relative to approving two certain amendments to the charter of the city of Stockton, State of California, ratified by the qualified electors thereof, at a special municipal election held therein on Tuesday, November 8, 1932.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Clowdsley: Assembly Concurrent Resolution No. 23—Relative to approving four certain amendments to the charter of the city of Stockton, State of California, ratified by the qualified electors thereof, at a special municipal election held therein on Tuesday, May 31, 1932.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Clowdsley asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 23, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-THREE.

Assembly Concurrent Resolution No. 23—Relative to approving four certain amendments to the charter of the city of Stockton, State of California, ratified by the qualified electors thereof, at a special municipal election held therein on Tuesday, May 31, 1932.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 23 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor;

Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 23 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 23—Relative to approving four certain amendments to the charter of the city of Stockton, State of California, ratified by the qualified electors thereof, at a special municipal election held therein on Tuesday, May 31, 1932.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED.)

The following bills were introduced, and referred as indicated:

By Mr. Woolwine: Assembly Constitutional Amendment No. 26—Proposed amendment to Article IV, sections 3, 4, 5 and 23, of the Constitution, relative to the Legislative Department.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Feigenbaum: Assembly Constitutional Amendment No. 27—Proposed amendment to Article XI by adding section 10, and amending Article XIII by amending section 14 and repealing section 12½, of the Constitution, relative to taxation

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Dempster: Assembly Constitutional Amendment No. 28—Proposed amendment to Article VI, section 1a, of the Constitution, relative to providing for a judicial council.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Dempster: Assembly Constitutional Amendment No. 29—Proposed amendment to Article XI, section 8½, of the Constitution, relative to city charters and to the mode of elections held thereunder.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Dempster: Assembly Constitutional Amendment No. 30—Proposed amendment to Article XI, section 7½, of the Constitution, relative to charters of counties and the election of officers thereunder.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr Bowers: Assembly Bill No 396—An act to add a new section to the Political Code, to be numbered 2610, relating to the power of the Director of Public Works to rescind or terminate leases of lands of Mission Bay.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Riley: Assembly Bill No. 397—An act to regulate the administration of State bonds.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Craig: Assembly Bill No. 398—An act to amend sections 2.770, 2.771, 2.811, 2.870, 2.871, and 2.872 of the School Code, relating to boards of school trustees.

Bill read first time, and referred to Committee on Education.

By Mr. Crist: Assembly Bill No. 399—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing, gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacture of motor vehicle fuel and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, relating to moneys collected thereunder.

Bill read first time, and referred to Committee on Oil Industries

By Mr. Crist. Assembly Bill No. 400—An act to amend section 465 of the Code of Civil Procedure, relating to pleadings subsequent to the complaint.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crist: Assembly Bill No. 401—An act to add section 595a to the Code of Civil Procedure, relating to postponement of trials.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crist: Assembly Bill No. 402—An act to amend section 670 of the Code of Civil Procedure, relating to the judgment roll.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crist: Assembly Bill No. 403—An act to amend section 1005 of the Code of Civil Procedure, relating to notices of motion.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crist: Assembly Bill No. 404—An act to amend section 224 of the Civil Code, relating to the adoption of children.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Badham: Assembly Bill No. 405—An act to amend section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses or furnished bungalow courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Tournoux: Assembly Bill No. 406—An act providing for the supervision and regulation of the business of transportation of property by motor vehicle as a common carrier for compensation over any public highway in this State; defining highway transportation companies and providing for the regulation and supervision thereof by the Railroad Commission; providing for the enforcement of the provisions of the act and for the punishment of violations thereof; providing rules of evidence for the application of the provisions of this act; and repealing an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney buses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provision of this act and for the punishment of violation thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, Chapter 213, Statutes 1917, page 330, and all acts amendatory thereof; and repealing all acts inconsistent with the provisions of this act.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Utt: Assembly Bill No. 407—An act to amend sections 3638a, 3716, 3717, 3718, 3746, 3756, and 3820 of the Political Code, relating to taxes on improvements and personal property secured by real property.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Williamson and Mr. Maloney: Assembly Bill No. 408—An act regulating and restricting the sale of goods, wares and merchandise manufactured, produced or mined by convicts or prisoners or in penal or reformatory institutions and prescribing penalties for violation of the provisions hereof.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Messrs. Woolwine and Riley (by request): Assembly Bill No. 409—An act to amend section 274 of the Code of Civil Procedure, relating to compensation of official reporters of the superior court.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Woolwine and Riley (by request): Assembly Bill No. 410—An act to amend sections 4013 and 4180 of the Political Code, relating to county officers and official reporters of the superior court.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Woolwine, Hallner, Tournoux and Cobb: Assembly Bill No. 411—An act to amend section 1174 of the Code of Civil Procedure, relating to judgments in proceedings for forcible entries, forcible or unlawful detainer.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Woolwine, Hallner, Tournoux and Cobb: Assembly Bill No. 412—An act to amend section 537 of the Code of Civil Procedure, relating to attachments.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Woolwine, Hallner, Tournoux and Cobb: Assembly Bill No. 413—An act to amend section 537 of the Penal Code, relating to defrauding proprietors of hotels, inns, restaurants, boarding houses, lodging houses, apartment houses, or bungalow courts.

Bill read first time, and referred to Committee on Crime Problems.

By Messrs. Woolwine, Hallner, Tournoux and Cobb: Assembly Bill No. 414—An act to amend section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses and of bungalow courts.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Woolwine, Hallner, Tournoux and Cobb: Assembly Bill No. 415—An act to amend section 1861a of the Civil Code, relating to liens of landlords.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Lyon and Evans: Assembly Bill No. 416—An act to amend an act entitled "An act authorizing counties to construct, improve, maintain and repair streets lying in municipalities or to aid or assist by the appropriation of money and otherwise in establishing, laying out, opening, widening, extending, straightening, constructing, improving or altering streets or changing or separating the grades thereof within municipalities or in acquiring lands, rights of way or other property necessary therefor," approved April 30, 1923 (Statutes 1923, page 123), by amending section 1 thereof to authorize aid in the payment of bonds and/or interest thereon.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Lyon: Assembly Bill No. 417—An act to amend the California Vehicle Act, approved May 30, 1923, as amended, by amending section 45¼ thereof.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Lyon: Assembly Bill No. 418—An act repealing Chapter 634, Statutes of 1909, entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cobb: Assembly Bill No. 419—An act repealing Chapter 487, Statutes of 1931, entitled "An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor, approved May 28, 1931.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Riley: Assembly Bill No. 420—An act adding a new section to be designated section 1149½ to the Political Code, and amending section 1150 of the Political Code, relating to the index to the book of affidavits of registration, and the designation thereon of persons who have voted.

Bill read first time, and referred to Committee on Elections.

By Mr. Riley: Assembly Bill No. 421—An act to amend section 13 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, relating to the time for preparing and mailing sample ballots.

Bill read first time, and referred to Committee on Elections.

By Mr. Riley: Assembly Bill No. 422—An act to amend section 1142, 1257a, 1258, 1260, 1261, 1264 and 1267 of the Political Code, relating to the number of tally lists, rosters, and lists of assisted voters and affidavits of election officers assisting voters and voters challenged.

Bill read first time, and referred to Committee on Elections.

By Mr. Hornblower: Assembly Bill No. 423—An act to add section 679b to the Penal Code, relating to goods, wares, and merchandise manufactured, produced, or mined by convicts or prisoners, and prescribing penalties for violation of the provisions thereof.

Bill read first time, and referred to Committee on Manufactures

By Mr. Hornblower: Assembly Bill No 424—An act to amend section 189 of the Code of Civil Procedure, relating to justice courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr Hunt. Assembly Bill No 425—An act to prevent all persons not eligible to citizenship in the State of California, or in the United States of America, from catching or taking fish or shellfish in the waters of the State of California.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Dempster: Assembly Bill No. 426—An act to add a new section, to be numbered 340a, to the Code of Civil Procedure, relating to the time for commencement of actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 427—An act to repeal the State Bar Act.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 428—An act to amend section 43 of the State Bar Act, relating to membership fees.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Mayo: Assembly Bill No. 429—An act to amend section 19x52 of the Juvenile Court Law, relating to probation officers in counties of the fifty-second class.

Bill read first time, and referred to Committee on County Government.

By Mr. Mayo: Assembly Bill No. 430—An act to amend section 4281 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-second class.

Bill read first time, and referred to Committee on County Government.

By Mr. Mayo: Assembly Bill No 431—An act to amend section 2322x52 of the Political Code, relating to the office of the agricultural commissioner in counties of the fifty-second class.

Bill read first time, and referred to Committee on County Government.

By Mr. Meeker: Assembly Bill No. 432—An act to amend section 2333 of the Political Code, relating to the powers and duties of the Department of Social Welfare.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Dempster: Assembly Bill No. 433—An act to provide security for and guarantee the deposits in building and loan associations and to create a fund therefor, to provide for the assessment of building and loan associations, and to prescribe the duties of the Building and Loan Commissioner in relation thereto.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Feigenbaum: Assembly Bill No. 434—An act to amend sections 1, 2, 3, 4, 23, and 26 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," and to add thereto a new section to be numbered 4a, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Feigenbaum: Assembly Bill No. 435—An act to amend sections 8, 14, and 19 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Feigenbaum: Assembly Bill No. 436—An act to amend sections 5, 6, 12, 13, 20, 21, 25, 27, 29, 30, 31, and 33 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Feigenbaum: Assembly Bill No. 437—An act to provide for the taxation of Massachusetts or business trusts.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Feigenbaum: Assembly Bill No. 438—An act to amend section 15 of an act entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," approved March 1, 1929, as amended, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Woolwine (by request): Assembly Bill No. 439—An act to amend section 4185a of the Political Code, relating to qualifications of justices of the peace.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 440—An act to amend section 9271 of the Code of Civil Procedure, relating to proceedings in small claims courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 441—An act making an appropriation to pay the claim of Boeing Air Transport, Incorporated, a corporation.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cronin: Assembly Bill No. 442—An act to amend section 726 of the Code of Civil Procedure, relating to foreclosure of mortgages.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 443—An act to add a new section to the Code of Civil Procedure, to be numbered 692a, relating to appraisal of property before sale under the provision of any deed of trust.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crowley: Assembly Bill No. 444—An act to amend section 19x24 of the Juvenile Court Law, relating to probation officers in counties of the twenty-fourth class

Bill read first time, and referred to Committee on County Government.

By Mr. Crowley: Assembly Bill No. 445—An act to amend section 16x24 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Crowley: Assembly Bill No. 446—An act to amend section 2322x24 of the Political Code, relating to the office of the agricultural commissioner in counties of the twenty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Crowley: Assembly Bill No. 447—An act to amend section 4253 of the Political Code, relating to the compensation of county and township officers in counties of the twenty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Crowley: Assembly Bill No. 448—An act to amend section 3897 of the Political Code, and to add a new section to said code, to be numbered 3897c, relating to the purchase of tax delinquent property deeded to the State prior to January 1, 1932.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Field: Assembly Bill No. 449—An act to amend sections 3760, 3766, 3769, 3785, 3897, 3897b and 3898 of the Political Code, relating to contents of the delinquent list, publication of the delinquent list, forms of tax deeds, recording of tax deeds to the State, sales and notices of sale for delinquent taxes, and sales of tax-deeded lands suitable for public purposes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Field: Assembly Bill No. 450—An act to add a new section to the Political Code, to be numbered 3817b, authorizing the temporary suspension of penalties on delinquent taxes

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Cobb: Assembly Bill No. 451—An act to amend sections 5 and 9 of, and to add section 10 to an act entitled "An act to regulate the practice of architecture," approved March 23, 1901, relating to the practice of architecture.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robinson, Samuel E.: Assembly Bill No. 452—An act to amend the title of, and to add a new section to be numbered 4a to, an act entitled "An act to provide for the government of irrigation districts having an area of more than 500 acres and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to qualification of electors.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Sullivan: Assembly Bill No. 453—An act to amend sections 901 and 910, and to repeal sections 902 and 904 of the Probate Code, relating to compensation of executors, administrators, and attorneys.

Bill read first time, and referred to Committee on Judiciary.

By Mr. West: Assembly Bill No. 454—An act to declare provisions in contracts of employment whereby either party undertakes not to join, become or remain a member of a labor union or of any organization of employers or undertakes in such event to withdraw from the contract of employment, to be against public policy and void.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Knowland: Assembly Bill No. 455—An act to amend section 141 of the California Vehicle Act, relating to the duty of drivers of vehicles involved in accidents and providing penalties for violation thereof.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Knowland: Assembly Bill No. 456—An act to amend section 153 of the California Vehicle Act, relating to penalties for violation of the provisions of said act.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Cassidy: Assembly Bill No. 457—An act to amend sections 698, 702, 705, 708 and 711 of the Fish and Game Code, relating to fish.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs. Hunt, O'Connor, Dempster and Jones: Assembly Bill No. 458—An act to amend section 340 of the Code of Civil Procedure of the State of California, relating to the time for the commencement of actions.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Cobb and Roberts: Assembly Bill No. 459—An act to amend the title and sections 1, 2, 3, 3a, 5, 6, 7, 8, 10, 13, 14, 15, 21, 22, 23, 24, 27 and 28 of an act entitled "An act regulating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State board therefor, providing penalties for violations thereof, and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof,' approved April 16, 1915, as amended," approved April 20, 1929, relating to and regulating funeral directors, embalmers and embalmers' apprentices.

Bill read first time, and referred to Committee on Public Health and Quarantine.

RESOLUTION.

The following resolution was offered:

By Mr. Dempster:

WHEREAS, Our country is suffering at this time because of unemployment and millions of our citizens are unable to find work; and

WHEREAS, It is the patriotic duty of our country to make the welfare of our own citizens our first consideration; now, therefore, be it

Resolved, That we indorse the "Buy American" movement and urge all Americans to buy only American-made goods, and American products; and be it further

Resolved, That we urge all employers of labor to employ only American labor; and be it further

Resolved, That the authorities be urged to enforce to the limit of their ability the laws as to the deportation of undesirable aliens, to the end that America shall provide for Americans first

Resolution read.

The question being on the adoption of the resolution.

Resolution adopted.

MOTION TO APPROVE JOURNALS.

Mr. Robinson, C. Ray, moved that the Journals of Thursday, January 5, 1933; Friday, January 6, 1933; Monday, January 9, 1933; and Tuesday, January 10, 1933, be approved as corrected by the Minute Clerk.

Motion carried.

DAILY CALENDAR.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER FOUR.

Senate Joint Resolution No. 4—Relative to memorializing and petitioning Congress to enact legislation transferring certain oil lands in Kern County, California, from the jurisdiction of the Navy Department to the jurisdiction of the Department of the Interior.

Resolution read.

Mr. Turner moved the adoption of the resolution.

The question being on the adoption of the resolution.

MOTION TO DEFER ACTION.

On motion of Mr. Maloney, further consideration of Senate Joint Resolution No. 4 was deferred until the next legislative day.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1933.

MR. SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the application for the position of Assistant Sergeant-at-Arms and desires to submit the following resolution:

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the said person for the said respective amount, and the Treasurer is hereby directed to pay the same:

	Per day
Commencing January 16, 1933	(Sundays excepted)
Leo Richardson, Assistant Sergeant-at-Arms	$5 00

Resolved, further, That the following named person be stricken from the list of the Assembly attaches, and his name be stricken from the pay roll of the Assembly to take effect on completion of the work, January 14, 1933:

Charles Lindsay, Assistant Sergeant-at-Arms.....$5 00

CRAIG, Chairman.

Mr. Craig moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—77.

NOES—None.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1933.

MR. SPEAKER: Your Committee on Rules submits the following amendments to the standing rules of the Assembly as appearing on the Assembly Daily Journal, Thursday, January 5, 1933, and respectfully recommends that they be adopted:

AMENDMENT NUMBER ONE.

Rule 17, as therein stated, is amended to read as follows:

Daily Calendar. There shall be printed an Assembly Daily Calendar for each legislative day following the constitutional recess, which shall be placed upon each member's desk prior to the hour of convening. The Committee on Rules shall have charge of the Daily Calendar of the Assembly. The following listing shall constitute the order of the Daily Calendar:

1. Special Orders of the Day.
2. Unfinished Business.
3. Second Reading, Assembly Bills.
4. Third Reading, Assembly Bills.
5. Second Reading, Senate Bills.
6. Third Reading, Senate Bills.

All bills on the Daily Calendar shall be called for consideration in the order of their listing, unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the members present. Any bill passed on file three legislative days shall be dropped from the Daily Calendar, but must be replaced upon third reading calendar within two legislative days after a member's written request to place such bill thereon has been received by the Chairman of the Committee on Rules.

AMENDMENT NUMBER TWO.

Rule 33. In line 2, after the fifth word "protest", insert in lieu thereof the following: "in writing".

AMENDMENT NUMBER THREE.

Rule 44. In line 2, after the word "members", strike out the word "present", and insert in lieu thereof the word "elected".

AMENDMENT NUMBER FOUR.

Rule 45. In line 3, strike out the third word "not", and insert in lieu thereof the word "now".

AMENDMENT NUMBER FIVE.

Rule 68 is stricken out and following inserted in lieu thereof:

68. *Examining of Bills by Legislative Counsel Bureau.* After introduction all bills shall be delivered to the Legislative Counsel for the purpose of determining if the bill is in the proper form as prescribed by law or Assembly rule. He shall have authority to correct any clerical error such as orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, and in any other particular wherein the bill does not comply in form with law or Assembly rule. He shall have authority to correct any error in the title of an amendatory bill wherein it does not enumerate the sections added or amended of a particular act or code.

If in the opinion of the Legislative Counsel, any correction made by him under the authority of this rule should in any manner be construed to be a change in the bill other than a change in form, he shall obtain the consent of the author of the bill before making such change.

Immediately upon the completion of the check of the bills referred to the Legislative Counsel in accordance with the provisions of this rule, he shall deliver the bills to the State Printer. Under no circumstances shall the Legislative Counsel retain in his possession any bills referred to him under the provisions of this rule for any period longer than two legislative days.

AMENDMENT NUMBER SIX.

Rule 89. In line 2, strike out the word "shall", and insert in lieu thereof the word "may".

AMENDMENT NUMBER SEVEN.

Rule 104. In line 16, after the word "consent", insert a period, and strike out the following: "or by a vote of two-thirds of the members present".

AMENDMENT NUMBER EIGHT.

Rule 108. In section (b), after the word "rule", strike out the figures "79", and insert in lieu thereof the figures "78".

AMENDMENT NUMBER NINE

Rule 109. In section (b), after the word "Rule", strike out the figures "74", and insert in lieu thereof the figures "73 and 76".

In section (f), after the word "amendments", strike out the following: "(Rule 75)".

AMENDMENT NUMBER TEN.

Rule 111. In section (b), strike out the following: "(Rule * * *)".

AMENDMENT NUMBER ELEVEN.

Rule 113. In section (a), after the word "Rules", strike out the figures "41, 41 and 42", and insert in lieu thereof the following figures, "41, 42 and 43".

AMENDMENT NUMBER TWELVE.

Rule 114. In section (d), after the word "bills", strike out the following: "(Rule * * *)".

AMENDMENT NUMBER THIRTEEN.

Rule 128. In line 3, after the word "committee", strike out the following: "No record of such petition shall be printed on the Journal until such time as the committee shall report such petitions back to the Assembly."

ROBINSON, C. RAY, Chairman.

The Speaker ordered the report of Committee on Rules printed in the Journal.

RESOLUTION.

The following resolution was offered:

By Mr. Hornblower:

Resolved, That Rule 60 of the standing rules of the Assembly be amended to read as follows: After the comma and the word "calendar", strike out the balance of said rule and insert in lieu thereof the following: "except that by a majority of all of the members of the Assembly, the Assembly may at any time recall a bill, constitutional amendment or resolution from any committee".

Resolution read, and ordered printed in the Journal.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Craig asked for unanimous consent to have the reports of the California Joint Legislative Water Committee, appointed under authority of Senate Concurrent Resolution No. 38, Chapter 71, Statutes of 1931, and the report of the California Water Resources Commission, appointed by the Governor in accordance with Senate Concurrent Resolution No. 40, filed with Secretary of State May 15, 1931, printed in the Journal.

OBJECTION RAISED.

Mr. Martin objected to printing reports in the Journal.

MOTION.

Mr. Lyon moved that the request of Mr. Craig to have the reports printed in the Journal be referred to the Committee on Rules.

Motion carried.

The Speaker ordered the reports of the California Joint Legislative Water Committee referred to the Committee on Rules.

ADJOURNMENT.

At twelve o'clock and forty minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, January 17, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, January 17, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans,

Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Frazier, Mrs. Elizabeth Hughes, former member of the Assembly, now teacher of the civic class, Oroville High School, and Mr. Hoor, teacher of history of the same school, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. West, Francis Simmons, teacher, and thirty pupils of the high eighth grade of the Sierra School, of Sacramento, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Boyle, Mrs. Edna Gleason, Stockton, California, and Mr. Walter Guerick of San Francisco were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cottrell, Mr. Thomas Bradley, tax collector, Santa Clara County, and Mr. Chris Nedderson, deputy tax collector of Santa Clara County, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Knowland, Mr. and Mrs. Louis D. Barr of Piedmont were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From San Francisco Junior Chamber of Commerce, relative to California National Guard.

(Signed) ROBERT B. COONS, President.

Also:

By Mr. Speaker:

From J. M. Weems, Fresno, California, relative to repeal of Eighteenth Amendment.

Also:

By Mr. Speaker:

From Fred Bernard, San Francisco, relative to repeal of the Criminal Syndicalism Act.

Also:

By Mr. Speaker:

From Robert Byrne, Secretary of State, North Dakota, relative to memorializing Congress to pass Senate Bill No. 1197, dealing with relief.

COMMUNICATION.

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

By Mr. Speaker:

SACRAMENTO PARLOR No. 3, N. S. G. W.,
SACRAMENTO, CAL., January 8, 1933.

To Members of the Senate and Assembly of the State of California,
Sacramento, California.

FELLOW CITIZENS: On Thursday evening January 19th, at eight o'clock p.m., Native Sons Hall, Sacramento Parlor No. 3, N. S. G. W., through the efforts of a committee composed of Irving D. Gibson and Archibald Mull, Jr., will stage an oratorical contest on California history between pupils of the Sacramento High School. The contest is limited to six selected through an elimination contest indulged in by over 100 pupils. Three prominent citizens are to be the judges and an orchestra is to be on hand to enliven the occasion. As makers of our laws for this great State of California and interested in its welfare we feel it befitting that a large delegation from your bodies should be in attendance. With this idea in mind we extend you all an invitation. Come with your friends and learn what the schools are accomplishing toward the making of our future citizens. We promise that you will be enlightened.

Yours very truly,

J. F. DIDION, Recording Secretary.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 2, 1933.

To the People and the Legislature of the State of California.

I have the honor to submit this, the first report of the Crime Problem Advisory Committee of California, constituted in accordance with the act of the forty-ninth session of the Legislature of the State of California, approved May 28, 1931, containing its findings and recommendations on the subjects specified in that statute.

Respectfully,

JAMES ROLPH, JR., Governor of California.

The Speaker ordered the report of the Crime Problem Advisory Committee of California placed on file.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 16, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 21—Relative to recommending that the State and all governmental agencies therein confine purchases of all kinds to American-made products.

J. A. BEEK, Secretary of Senate.
By JAMES L. GARDINER, Assistant Secretary.

Assembly Concurrent Resolution No. 21 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 16, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 8—Relative to approving certain amendments to the charter of the county of Tehama, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on the eighth day of November, 1932.

J. A. BEEK, Secretary of Senate.
By JAMES L. GARDINER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr O'Donnell asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 8, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER EIGHT.

Senate Concurrent Resolution No. 8—Approving certain amendments to the charter of the county of Tehama, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on the eighth day of November, 1932.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 8 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—73.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 8 ordered transmitted to the Senate.

Senate Concurrent Resolution No 8—Approving certain amendments to the charter of the county of Tehama, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on the eighth day of November, 1932.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Jones: Assembly Constitutional Amendment No. 31—Proposed amendment to Article IV, section 24, of the Constitution, relative to acts codifying, revising, consolidating, rearranging or repealing the law.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Boyle: Assembly Constitutional Amendment No. 32—Proposed amendment to Article XVI, section 1, of the Constitution, relative to State indebtedness.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Robinson, C. Ray: Assembly Bill No. 460—An act substituting for the existing Chapter VIII of Title II of Part IV, Division I, of the Civil Code of the State of California a new Chapter VIII of said Title II, Part IV, which shall supersede said existing Chapter VIII, relating to mortgage insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Zion (by request): Assembly Bill No. 461—An act to amend section 5.500 of the School Code of the State of California, relating to school employees.

Bill read first time, and referred to Committee on Education.

By Mr. Zion (by request): Assembly Bill No. 462—An act to amend sections 2.863, 2.982, 2.1520, 5.402, 5.404, 5.650, 5.651, 5.652, 5.653, 5.654, 5.655, 5.657, 5.658, 5.662, and 5.663 of the School Code, relating to public schools.

Bill read first time, and referred to Committee on Education.

By Mr. Jones: Assembly Bill No. 463—An act to repeal "An act to authorize counties, cities and counties, and incorporated towns, and chartered or incorporated cities, to license bicycles, tricycles and similar vehicles, and collect a fee therefor, for the purpose of devoting such fee to the construction of paths along county roads for the use of pedestrians, and the wheeling thereon of such vehicles," which became law without the Governor's approval, March 16, 1901.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Jones: Assembly Bill No. 464—An act to repeal "An act relating to the granting by counties and municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles," approved March 27, 1897.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Jones: Assembly Bill No. 465—An act to repeal "An act to limit and fix the rates of fares on street railroads in cities and towns of more than 100,000 inhabitants," approved January 1, 1878.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Jones: Assembly Bill No. 466—An act to repeal "An act for the protection of the Antwerp messenger or homing pigeon," approved February 26, 1897.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Jones: Assembly Bill No. 467—An act to repeal "An act to protect all citizens in their civil and legal rights," approved March 13, 1897.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 468—An act to repeal "An act for the establishment of a uniform system of road government and administration in the counties of the State of California," approved April 1, 1897.

Bill read first time, and referred to Committee on County Government.

By Mr. Jones: Assembly Bill No. 469—An act to repeal "An act to provide for the protection and preservation of public highways from damage by storm waters and floods, and to authorize the expenditure of public moneys for the purposes thereof," approved April 1, 1897.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Jones. Assembly Bill No 470—An act to repeal section 924 of the Political Code.

Bill read first time, and referred to Committee on County Government.

By Mr. Jones: Assembly Bill No. 471—An act to repeal section 3310 of the Political Code, relating to quarterly reports of auctioneers.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones. Assembly Bill No. 472—An act to repeal "An act to promote the safety of employees and passengers upon street railroads, by compelling equipment of cars and dummies with fenders and brakes, and to prescribe penalties," approved March 22, 1899.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Jones. Assembly Bill No 473—An act to repeal "An act authorizing and directing district attorneys to bring suits to abate public nuisances," which became law without the Governor's approval, March 15, 1899.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 474—An act to repeal "An act creating a Commissioner of Public Works, defining his duties and powers, and fixing his compensation," approved March 21, 1899.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Jones· Assembly Bill No. 475—An act to repeal "An act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law," approved March 2, 1897.

Bill read first time, and referred to Committee on Elections.

By Mr. Jones: Assembly Bill No 476—An act to repeal "An act to prohibit prize fighting," approved March 9, 1893.

Bill read first time, and referred to Committee on Public Morals

By Mr. Jones: Assembly Bill No. 477—An act to repeal "An act to regulate the practice of osteopathy in the State of California, and to provide for a State Board of Osteopathic Examiners, and to license osteopaths to practice in this State, and punish persons violating the provisions of this act," which became law without the Governor's approval, March 9, 1901.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Jones: Assembly Bill No. 478—An act to repeal "An act requiring corporations organized under the laws of another State, territory, or foreign country, to file a certified copy of their articles of incorporation in the office of the Secretary of State, and a certified copy thereof, duly certified by the Secretary of State of this State, in the office of the county clerk of the county where its principal place of business is located and also where such corporation owns property, and requiring such corporation to pay to the Secretary of State the same fees as are paid by corporations formed by the laws of the State of

California, and providing for a penalty for the violation of the provisions of this act," approved March 8, 1901.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 479—An act to repeal "An act to create a firemen's relief, health and life insurance and pension fund in the several counties, cities and counties, and cities and towns of the State," which became law without the Governor's approval, March 7, 1901.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Jones: Assembly Bill No. 480—An act to repeal "An act authorizing the Governor to order the transfer to the General Fund of any money that may be in other funds of the State treasury, and the return thereof to such funds," approved March 20, 1899.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Jones: Assembly Bill No. 481—An act to repeal "An act limiting the hours of daily service of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof; providing for the insertion of certain stipulations in contracts for public works; imposing penalties for violations of the provisions of this act, and providing for the enforcement thereof," approved March 20, 1899.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr Jones: Assembly Bill No. 482—An act to repeal "An act to assist the Woman's Relief Corps Home Association to provide for ex-army nurses, and worthy destitute widows, wives, mothers, and destitute maiden daughters or sisters of veterans who served honorably in the war for the Union, and making an appropriation therefor," approved April 1, 1897.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

By Mr. Jones: Assembly Bill No. 483—An act to repeal "An act limiting the hours of daily service of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof; providing for the insertion of certain stipulations in contracts for public works; imposing penalties for violations of the provisions of this act, and providing for enforcement thereof," approved March 23, 1901.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Jones: Assembly Bill No. 484—An act to repeal "An act to regulate the employment, hours of labor, etc., of children, and to prohibit the employment of minors under a certain age," approved March 23, 1901.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Jones: Assembly Bill No. 485—An act to repeal "An act limiting the hours of service of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of

California, or of or for any political subdivision thereof; imposing penalties for violation of the provisions of said act, and providing for the enforcement thereof," approved March 10, 1903.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Jones: Assembly Bill No. 486—An act to repeal "An act to prevent the selling, giving or delivering intoxicating liquors to minor children, and to prevent minor children visiting saloons or public houses where intoxicating liquors are sold," approved March 20, 1903.

Bill read first time, and referred to Committee on Public Morals

By Mr. Latham: Assembly Bill No. 487—An act to amend sections 3 and 4 of that certain act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, as amended, relating to the regulation of real estate brokers and salesmen.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Latham: Assembly Bill No. 488—An act to amend sections 375 and 375a of the Political Code, relating to the Department of Investment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crist: Assembly Bill No. 489—An act to amend sections 3.480, 3.481 and 3.482 of the School Code, relating to tuition charges for adults.

Bill read first time, and referred to Committee on Education.

By Mr. Crist: Assembly Bill No. 490—An act to repeal sections 4.873 and 4.894 of the School Code, relating to apportionment of State and county moneys to high school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Crist: Assembly Bill No. 491—An act to add two new sections to the School Code, to be numbered 4.769 and 4.929, and to amend section 4.950 of said code, relating to the computation of average daily attendance in public schools.

Bill read first time, and referred to Committee on Education

By Mr. Cobb: Assembly Bill No. 492—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extensions of time in superior and inferior courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cassidy: Assembly Bill No. 493—An act to amend sections 7b and 9 of an act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in

any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, relating to mosquito abatement districts.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Messrs. Maloney and Hornblower: Assembly Bill No. 494—An act to amend section 1083a of the Political Code, relating to signatures on election petitions or papers.

Bill read first time, and referred to Committee on Elections.

By Mr. Riley: Assembly Bill No. 495—An act to amend section 472 of the Political Code, and to add a new section to said code, to be numbered 472a, relating to the powers, duties and payment of the Attorney General with respect to legal services for State departments, divisions, commissions, bureaus, boards, offices, and institutions.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. McCarthy: Assembly Bill No. 496—An act to add a new section, to be numbered 86, to the Bank Act, relating to checking service charges.

Bill read first time, and referred to Committee on Banking.

By Mr. McCarthy: Assembly Bill No. 497—An act to add section 52a to the Acquisition and Improvement Act of 1925, declaring that no new proceedings can be instituted under or pursuant to the provisions of this act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Ross: Assembly Bill No. 498—An act to provide for the alteration of county boundary lines and for the adjustment of county debts and liabilities when such boundaries are changed.

Bill read first time, and referred to Committee on County Government.

By Mr. Hatch: Assembly Bill No. 499—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30,

1923, to provide for the uses and purposes to which the funds derived under said act may be used.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Dempster: Assembly Bill No. 500—An act to protect commerce against unfair price discrimination and unfair price competition.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Powers: Assembly Bill No. 501—An act to amend section 19a of the California Irrigation District Act, relating to officers of irrigation districts.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Anglim: Assembly Bill No. 502—An act to amend section 4242 of the Political Code, relating to the compensation of county and township officers in counties of the thirteenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Anglim: Assembly Bill No. 503—An act to amend section 19x13 of the Juvenile Court Law, relating to probation officers in counties of the thirteenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Anglim: Assembly Bill No. 504—An act to amend section 737g of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Contra Costa.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Anglim: Assembly Bill No. 505—An act to amend section 2322x13 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirteenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Hoffman: Assembly Bill No. 506—An act to amend section 12 of Chapter 690, Statutes of 1913, entitled the Direct Primary Law, as amended, relating to direct primary elections.

Bill read first time, and referred to Committee on Elections.

By Mr. Crist: Assembly Bill No. 507—An act to provide the licensing and regulation of racing within this State, and providing penalties for the violation of this act.

Bill read first time, and referred to Committee on Public Morals.

By Miss Miller, Eleanor: Assembly Bill No. 508—An act to amend sections 1202a, 1572, 1576, and 1586, of the Penal Code, relating to the State prisons, establishing a female department thereof and transferring an appropriation therefor.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Boyle: Assembly Bill No. 509—An act to amend section 4960 of the School Code, relating to school district bonds.

Bill read first time, and referred to Committee on Education.

By Mr. Boyle: Assembly Bill No. 510—An act to amend section 1373 of the Penal Code, relating to apportioning cost of transporting insane persons charged with crime between the State and the county.

Bill read first time, and referred to Committee on Crime Problems.

RESOLUTION.

The following resolution was offered:

By Mr. Robinson, C. Ray:

WHEREAS, It will become necessary to distribute many copies of the budget for the current biennium; and

WHEREAS, The expenses of printing said budgets is approximately one dollar ($1) per copy; and

WHEREAS, In the past there has been a considerable loss to the State of California by virtue of the fact that no system was followed in regard to the distribution of said budgets; and

WHEREAS, The total cost of said budgets is charged to the printing expense of the Legislature, now, therefore, be it

Resolved by the Assembly, That the Chief Clerk of the Assembly be and he is hereby authorized to distribute to each member of the Legislature six (6) copies, and to distribute to the members of the desk such copies as may be necessary, in no event over fifteen (15) copies, and be it further

Resolved, That the Chief Clerk be and he is hereby authorized to give to the State Library such copies as they may request, in no event over two hundred fifty (250) copies, as provided for in section 2295 of the Political Code, State of California, and be it further

Resolved, That the Chief Clerk be and he is hereby authorized to give to the Secretary of State fifty (50) copies for the State archives; and be it further

Resolved, That the Chief Clerk be and he is hereby authorized to give to the Department of Finance one hundred fifty (150) copies for the purpose of exchanging budgets with other States and large cities and counties in the United States; and be it further

Resolved, That the Chief Clerk be and he is hereby authorized to give to all authorized press representatives such copies as may be necessary and requested; and be it further

Resolved, That the Chief Clerk be and is hereby authorized to charge all other persons receiving copies of said budget the sum of $1, and that said sums so collected be credited to legislative printing and accounted for to this Legislature.

Resolution read.

The question being on the adoption of the resolution.

Resolution adopted.

DAILY CALENDAR

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER FOUR.

Senate Joint Resolution No. 4—Relative to memorializing and petitioning Congress to enact legislation transferring certain oil lands in Kern County, California, from the jurisdiction of the Navy Department to the jurisdiction of the Department of the Interior.

Resolution read.

The question being on the adoption of the resolution.

MOTION.

On motion of Mr. Turner, consideration of Senate Joint Resolution No. 4 was deferred until the next legislative day.

SECOND READING OF ASSEMBLY BILL NUMBER TWO HUNDRED NINETY-SEVEN.

Assembly Bill No. 297—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their

organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes, to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 6.02, 9.02, 9.11, 13.01, 15.03 and 15.17 thereof; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crist asked for, and was granted, unanimous consent to take up Assembly Bill No. 297, at this time, without reference to engrossment or file

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 13, 1933.

Hon. Frederick Roberts, Chairman Committee on Building and Loan Associations, Assembly Chamber, State Capitol, Sacramento, California.

HONORABLE SIR: It appears to me that Assembly Bill No. 297, relating to membership in the Federal Home Loan Bank by building and loan associations, on which your committee acted yesterday and have recommended do pass, is of sufficient import to come within the meaning of section 1, Article IV, of the Constitution of the State of California as an urgency measure.

Section 7 of the proposed measure sets forth in detail a statement of facts constituting what I consider of sufficient necessity to recommend the urgency thereof.

Respectfully,

JAMES ROLPH, JR., Governor of California.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Crist:

Resolved, That Assembly Bill No. 297 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read third time, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster,

Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—Stannard—1.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 297.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO HUNTRED NINETY-SEVEN.

Assembly Bill No. 297—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 6.02, 9.02, 9 11, 13.01, 15.03 and 15.17 thereof; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—75.

NOES—Stannard—1.

THIRD READING OF ASSEMBLY BILL NUMBER TWO HUNDRED NINETY-SEVEN.

Assembly Bill No. 297—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations, and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 6.02, 9.02, 9.11, 13.01, 15.03 and 15.17 thereof; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 297 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—78.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 10—Approving the charter of the county of San Diego, State of California, which was submitted to the qualified electors of said county and voted for and ratified by them at a general election held therein on the eighth day of November, 1932—and reports that the same has been correctly enrolled and presented the same to the Governor on this seventeenth day of January, 1933, at ten o'clock a.m.

PATTERSON, Chairman.

UNFINISHED BUSINESS.

Mr. Robinson moved that the report of the Committee on Rules, appearing on page 2 of the Assembly Journal of Wednesday, January 11, 1933, be adopted.

REPORT OF COMMITTEE ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1933

MR. SPEAKER: Your Committee on Rules submits the following amendments to the standing rules of the Assembly as appearing in the Assembly Daily Journal, Thursday, January 5, 1933—and respectfully recommends that they be adopted.

ROBINSON, C. RAY, Chairman.

AMENDMENTS TO STANDING RULES.

On page 5, line 2 of Rule 14, strike out the word "deemed".

On page 5, line 2 of Rule 15, after the words "shall rise in", insert the word "his".

On page 5, paragraph 2 of Rule 19, change "LV" to "IV".

On page 6, section L of Rule 20, complete the section by adding after the words "or when" the following: "required by law, all acts, memorials and resolutions, orders and proceedings of the Assembly".

On page 6, section F of Rule 22, strike out the word "Rules", and insert in lieu thereof the word "Attaches".

On page 6, section E of Rule 23, strike out the word "Rules", and insert in lieu thereof the word "Attaches".

On page 7, line 4 of Rule 28, strike out the period after the word "desk", and insert the following: "by the Chief Clerk or his assistant."

On page 7, line 2 of Rule 36, strike out the words "Chief Clerk of the Assembly", and insert in lieu thereof the words "Superintendent of Capitol Building and Grounds".

On page 8, line 5 of Rule 41, strike out the word "been", and insert in lieu thereof the word "be".

On page 10, line 6 of Rule 63, change "LV" to "IV".

On page 10, paragraph 2 of Rule 64, insert between paragraphs 2 and 3 the following new paragraph: "All bills shall be subject to the approval of the Legislative Counsel as to form, and, with the consent of the author, shall be changed by such bureau."

On page 12, Rule 83, strike out the figures "48", and in lieu thereof insert the figures "47".

On page 13, Rule 83, strike out the figures "49", "50", "51", "52", "53", "54", "55", "56", and insert in lieu thereof the figures "48", "49", "50", "51", "52", "53", "54", "55".

On page 14, line 1, change the word "request" to "requested".

On page 17, line 6 of Rule 131, strike out the words "registered legislative advocates".

Amendments read.

The question being on the adoption of the report and amendments.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—74.

NOES—Hornblower, Hunt, and Sullivan—3.

MOTION.

Mr Robinson, C. Ray, moved that the report of the Committee on Rules, appearing on page 18 of the Assembly Journal of Monday, January 16, 1933, be adopted

REPORT OF COMMITTEE ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1933.

MR SPEAKER: Your Committee on Rules submits the following amendments to the standing rules of the Assembly as appearing in the Assembly Daily Journal, Thursday, January 5, 1933, and respectfully recommends that they be adopted:

AMENDMENT NUMBER ONE.

Rule 17, as therein stated, is amended to read as follows:

Daily Calendar. There shall be printed an Assembly Daily Calendar for each legislative day following the constitutional recess, which shall be placed upon each member's desk prior to the hour of convening. The Committee on Rules shall have charge of the Daily Calendar of the Assembly. The following listing shall constitute the order of the Daily Calendar:

1. Special Orders of the Day.
2. Unfinished Business.
3. Second Reading, Assembly Bills.
4. Third Reading, Assembly Bills.
5. Second Reading, Senate Bills.
6. Third Reading, Senate Bills.

All bills on the Daily Calendar shall be called for consideration in the order of their listing, unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the members present. Any bill passed on file three legislative days shall be dropped from the Daily Calendar, but must be replaced upon third reading calendar within two legislative days after a member's written request to place such bill thereon has been received by the Chairman of the Committee on Rules.

AMENDMENT NUMBER TWO.

Rule 33. In line 2, after the fifth word "protest", insert in lieu thereof the following: "in writing".

AMENDMENT NUMBER THREE.

Rule 44. In line 2, after the word "members", strike out the word "present", and insert in lieu thereof the word "elected".

AMENDMENT NUMBER FOUR.

Rule 45. In line 3, strike out the third word "not", and insert in lieu thereof the word "now".

AMENDMENT NUMBER FIVE.

Rule 68 is stricken out and following inserted in lieu thereof:

68. *Examining of Bills by Legislative Counsel Bureau.* After introduction all bills shall be delivered to the Legislative Counsel for the purpose of determining if the bill is in the proper form as prescribed by law or Assembly rule. He shall have authority to correct any clerical error such as orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, and in any other particular wherein the bill does not comply in form with law or Assembly rule. He shall have authority to correct any error in the title of an amendatory bill wherein it does not enumerate the sections added or amended of a particular act or code.

If in the opinion of the Legislative Counsel, any correction made by him under the authority of this rule should in any manner be construed to be a change in the bill other than a change in form, he shall obtain the consent of the author of the bill before making such change.

Immediately upon the completion of the check of the bills referred to the Legislative Counsel in accordance with the provisions of this rule, he shall deliver the bills to the State Printer. Under no circumstances shall the Legislative Counsel retain in his possession any bills referred to him under the provisions of this rule for any period longer than two legislative days

AMENDMENT NUMBER SIX.

Rule 89. In line 2, strike out the word "shall", and insert in lieu thereof the word "may".

AMENDMENT NUMBER SEVEN.

Rule 104. In line 16, after the word "consent", insert a period, and strike out the following: "or by a vote of two-thirds of the members present".

AMENDMENT NUMBER EIGHT.

Rule 108. In section (b), after the word "rule", strike out the figures "79", and insert in lieu thereof the figures "78".

AMENDMENT NUMBER NINE.

Rule 109. In section (b), after the word "Rule", strike out the figures "74", and insert in lieu thereof the figures "73 and 76".

In section (f), after the word "amendments", strike out the following: "(Rule 75)".

AMENDMENT NUMBER TEN.

Rule 111. In section (b), strike out the following: "(Rule * * *)".

AMENDMENT NUMBER ELEVEN.

Rule 113 In section (a), after the word "Rules", strike out the figures "41, 41 and 42", and insert in lieu thereof the following figures, "41, 42 and 43".

AMENDMENT NUMBER TWELVE.

Rule 114. In section (d), after the word "bills", strike out the following: "(Rule * * *)".

AMENDMENT NUMBER THIRTEEN.

Rule 128. In line 3, after the word "committee", strike out the following: "No record of such petition shall be printed on the Journal until such time as the committee shall report such petitions back to the Assembly."

ROBINSON, C. RAY, Chairman.

Amendments read.

The question being on the adoption of the report and amendments.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for, and was granted, unanimous consent to have a roll call taken on Amendment No. 1, as submitted by the Committee on Rules.

The question being on the adoption of Amendment No. 1.

The roll was called, and Amendment No. 1 was adopted by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion, and Mr. Speaker—65.

NOES—Anglim, Grubbs, Hornblower, Hunt, Maloney, O'Connor, Sullivan, and Williamson—8.

FURTHER CONSIDERATION OF REPORT.

Mr. Feigenbaum moved that Amendments Nos. 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13 be adopted as submitted by the Committee on Rules.

The roll was called, and Amendments Nos. 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13 were adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—75.

NOES—None.

FURTHER CONSIDERATION OF REPORT.

Mr. Robinson, C. Ray, moved the adoption of Amendment No. 6 as submitted by the Committee on Rules.

The question being on the adoption of Amendment No. 6.

The roll was called, and Amendment No. 6, as submitted by the committee, was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—65.

NOES—Boyle, Burns, Grubbs, Hornblower, Hunt, Jones, Maloney, McMurray, O'Connor, and Stannard—10.

AMENDMENT TO RULES.

The following amendment to the Assembly Rules was submitted by Mr. Hornblower, and appears on page 19 of the Journal of Monday, January 16, 1933:

AMENDMENT NUMBER ONE.

Resolved, That Rule 60 of the standing rules of the Assembly be amended to read as follows: After the comma and the word "calendar", strike out the balance of said rule and insert in lieu thereof the following: "except that by a majority of all of the members of the Assembly, the Assembly may at any time recall a bill, constitutional amendment or resolution from any committee."

Amendment read.

The question being on the adoption of the amendment.

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

AYES—Anglim, Bliss, Burns, Cassidy, Cottrell, Craig, Crist, Cronin, Dempster, Gilmore, Grubbs, Hatch, Hornblower, Hunt, Levey, Maloney, McCarthy, McMurray, Meehan, Miller, James A., O'Connor, Peterson, Rogers, Stannard, Sullivan, Tournoux, and Williamson—27.

NOES—Alter, Badham, Bowers, Boyle, Brock, Callahan, Chatters, Clowdsley, Cobb, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Hallner, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Nielsen, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Stream, Thorp, Turner, Utt, West, Woolwine, Wright, Zion, and Mr. Speaker—49.

RECESS.

At one o'clock and thirty minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until three o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At three o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1933.

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as representatives of the newspapers set opposite their names:

Le Courrier Francais—Edward E. Levine.

The Railway Labor News—M. F. O'Malley and James M. Murphy.

ARTHUR A. OHNIMUS, Chief Clerk.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1933.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 3—Relating to memorializing Congress to adopt legislation permitting the manufacture and sale of light wines—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

PETERSON, Chairman.

Assembly Joint Resolution No. 3 ordered to engrossment, and on file for adoption.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Hoffman: Assembly Bill No. 511—An act to add two new sections of the Penal Code to be numbered 969c and 1158a, relating to defendants armed with weapons at the time of the commission of the offense or at the time of arrest and providing a procedure for charging that defendants were so armed and for determining the truth of the charge.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Levey: Assembly Bill No. 512—An act to add a new section to the Political Code to be numbered 433a, relating to the powers and duties of the State Controller.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. West, Anglim, Clowdsley, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Hoffman, Hornblower, Levey, Lyon, Miller, James A., Powers, Redwine, Robinson, C. Ray; Roland, Ross, Williamson and Woolwine: Assembly Bill No. 513—An act to amend sections 17, 22, and 30 of the Code of Civil Procedure, relating to definition of words used in said code.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. West, Anglim, Clowdsley, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Hoffman, Hornblower, Levey, Lyon, Miller, James A., Powers, Redwine, Robinson, C. Ray; Roland, Ross, Williamson, and Woolwine: Assembly Bill No. 514—An act to amend sections 33, 34, 36, 40, 47, 53, 57, 65, 66, 73 (as amended by Chapter 706, Statutes 1931), 103a, 104, 105, 107, 112, 129, 130, 134, 135, 139, 142, 147, 150, 151, 152, 153, 156, 157, 159, 166, and Chapters V and VI of Title I of Part I, and Article I of Chapter V of Title I of Part I of the Code of Civil Procedure, to add sections 81, 82, 83, 84, 85, 86, 87, 88, 89, 108, 108a, 109, 113, 113a, 113b, 113c, 113d, 114, 115, 116, 116a, 116b, 117, 117a, 117b, 117c, 117d, 117e, 117f, 117g, 117h, 117i, 117j, 117k, 117l, 117m, 117o, 117p, 117q, 122, 122a, 122b, 122c, 122d, 122e, and Articles II, III, IV and V of Chapter V of Title I of Part I, and Chapter Va of Title I of Part I thereto, and to repeal sections 37, 38, 39, 41, 42, 43, 44, 45, 46, 49, 50, 51, 52, 52a, 54, 55, 56, 67b, 68, 69, 70, 71, 72, 73 (as amended by Chapter 182, Statute 1931), 75, 76, 77, 78, 79, 85, 86, 87, 88, 89, 91, 92, 93, 94, 95, 96, 97, 98, 142 (as amended by Chapter 182, Statutes 1931), 160, 161, 167, 170b, 176, 182, 183, 304, and Articles II and III of Chapter V of Title I of Part I thereof, relating to courts of justice and various officers connected therewith.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. West, Anglim, Clowdsley, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Hoffman, Hornblower, Levey, Lyon, Miller, James A., Powers, Redwine, Robinson, C. Ray; Roland, Ross, Williamson and Woolwine: Assembly Bill No. 515—An act to amend sections 372, 373, 392, 393, 394, 395, 397, 398, 399, 400, 410, 412, 413, 415, 416, 422, 426, 437, 446, 465, 472, 473, 480, 481, 482, 483, 484, 485, 488, 489, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 511, 512, 513,

514, 515, 517, 518, 519, 520, 529, 538, 539, 540, 542, 542a, 543, 544, 545, 546, 547, 548, 549, 550, 551, 553, 554, 555, 556, 559, 573, 574, 581, 581a, 581b, 583, 585, 594, 595, 596, 600, 601, 607, 607a, 618, 628, 631, 632, 634, 638, 639, 640, 641, 644, 649, 650, 651, 652, 653, 659a, 661, 663, 664, 666, 667, 668, 670, 671, 672, 673, 674, 675, 681a, 682, 683, 687, 689, 691, 713½, 714, 715, 716, 717, 718, 719, 720, 721, 722, 936, 959, 983, 984, 985, 986, 987, 988, 988a, 988b, 988c, 988d, 988g, 988h, 988i, 989, 997, 1000, 1003, 1004, 1005, 1006, 1011, 1015, 1021, 1033, 1051, 1052, 1054, and Chapters I, II, III, and IV of Title XIII, Part II, of the Code of Civil Procedure, to add sections 396, 396a, 411a, 437b, 437c, 437d, 472a, 472b, 473a, 477, 586, 594a, 648a, 710b, 710c, 973, 983a, 1008, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1054a thereto, and to repeal sections 476, 633, 692 (as added by Chapter 117, Statutes 1931), 710 (as added by Chapter 92, Statutes 1903), 710½, 831, 831a, 831b, 831c, 831d, 831e, 831f, 831g, 831h, 831i, 831j, 832, 833, 834, 835, 835a, 836, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 857a, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 889, 890, 890a, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 900a, 900b, 901, 901a, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 927a, 927b, 927c, 927d, 927e, 927f, 927g, 927h, 927i, 927j, 927k, 927l, 927m, 927n, 927o, 927p, 927q, 929, 930, 931, 932, 933, 933½, 964, 965, 982a, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1035, 1036, 1037, 1038, and 1039 thereof, relating to civil actions.

By Messrs. West, Anglim, Clowdsley, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Hoffman, Hornblower, Levey, Lyon, Miller, James A., Powers, Redwine, Robinson, C. Ray; Roland, Ross, Williamson, and Woolwine: Assembly Bill No. 516—An act to amend sections 1134, 1135, 1139, 1140, 1144, 1146, 1148, 1149, 1151, 1169, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221, and 1222 of the Code of Civil Procedure, relating to special proceedings.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. West, Anglim, Clowdsley, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Hoffman, Hornblower, Levey, Lyon, Miller, James A., Powers, Redwine, Robinson, C. Ray; Roland, Ross, Williamson, and Woolwine: Assembly Bill No. 517—An act to amend section 1985 of the Code of Civil Procedure, relating to subpenas.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. West, Anglim, Clowdsley, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Hoffman, Hornblower, Levey, Lyon, Miller, James A., Powers, Redwine, Robinson, C. Ray; Roland, Ross, Williamson, and Woolwine: Assembly Bill No. 518—An act to amend sections 4300a, 4300e, and 4300l of the Political Code, relating to fees.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. West, Anglim, Clowdsley, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Hoffman, Hornblower, Levey, Lyon, Miller, James A., Powers, Redwine, Robinson, C. Ray; Roland, Ross, Williamson, and Woolwine: Assembly Bill No. 519—An act to amend sections

806 and 882 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to city and justice courts.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. West, Anglim, Clowdsley, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Hoffman, Hornblower, Levey, Lyon, Miller, James A., Powers, Redwine, Robinson, C. Ray; Roland, Ross, Williamson and Woolwine: Assembly Bill No. 520—An act to amend sections 5 and 29 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, the terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, and to repeal section 27a thereof, relating to municipal courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Morgan: Assembly Bill No. 521—An act to amend section 112 of the California Vehicle Act, approved May 30, 1923, as amended, relating to the driving of vehicles on the public highway by habitual users of narcotic drugs and persons under the influence of intoxicating liquor or narcotic drugs.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Levey: Assembly Concurrent Resolution No. 24—Relative to the designation and appointment of Milton S. Ray as Poet Laureate of California.

Introduced, and referred to Committee on Rules.

By Mr. Feigenbaum: Assembly Constitutional Amendment No. 33—Proposed amendment to Article XVI, section 1, of the Constitution, relative to incurrence and retirement of bonded indebtedness by the State.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Feigenbaum: Assembly Constitutional Amendment No. 34—Proposed amendment to Article XI, section 18, of the Constitution, relative to the incurrence and retirement of bonded indebtedness by political subdivisions.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. West, Anglim, Clowdsley, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Hoffman, Hornblower, Levey, Lyon, Miller, James A., Powers, Redwine, Robinson, C. Ray; Roland, Ross, Williamson and Woolwine: Assembly Constitutional Amendment No. 35—Proposed amendment to Article VI, section 11, of the Constitution, relative to courts.

Bill read first time, and referred to Committee on Constitutional Amendments.

By Mr. Levey: Assembly Constitutional Amendment No. 36—Proposed amendment to Article XI, by adding section 10 and amending

sections 10 and 14, and Article XIII, by repealing section 12½, of the Constitution, relative to revenue and taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Cobb and Feigenbaum: Assembly Constitutional Amendment No. 37—Proposed amendment to Article IV, section 2, of the Constitution, relative to the sessions of the Legislature and the introduction of bills at such sessions.

Introduced, and referred to Committee on Constitutional Amendments.

RESOLUTION.

The following resolution was offered:

By Mr. Hornblower:

Resolved, To amend Rule 90 of the standing rules of the Assembly as follows: In line 3 of Rule 90, after the word "of", strike out the words "2/3", and insert in lieu thereof "a majority".

The Speaker ordered the above resolution printed in the Journal.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred request of Messrs. Craig and Chatters—Relative to the printing of the report of the California Water Resources Commission and the report of the California Joint Legislative Water Committee in the Journal—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

ROBINSON, C. RAY, Chairman.

Mr. Robinson, C. Ray, moved the adoption of the report.

The question being on the adoption of the report of the Committee on Rules.

Report adopted.

The Speaker ordered the report of the California Water Resources Commission and the report of the California Joint Legislative Water Committee printed in the Journal.

REPORT OF THE CALIFORNIA JOINT LEGISLATIVE WATER COMMITTEE

The Joint Legislative Water Committee, having arrived at a definite conclusion with respect to a recommendation for a water conservation program for the State of California, hereby makes a report to the Legislature of the State of California, as follows:

Upon undertaking the task assigned to it, this committee took cognizance of the fact that the water problems of this State have been exhaustively studied by the State Engineer and the Department of Public Works throughout a period of not less than 10 years

Furthermore, during the past four years unusual and intense investigations have been made by several legislative committees, working in conjunction with several gubernatorial and presidential commissions, and also with representatives of the Appropriations Committee of the United States House of Representatives, and departments and bureaus of both the State and Federal governments.

Governor Rolph has repeatedly expressed his desire that the State's urgent water conservation problems be solved and has stated that he might call a special session of the Legislature therefor.

Therefore, the committee makes this report in order that it may be of assistance to the members of the Legislature, the Governor, and the people of the State of California, in the event of a call for a special session of the Legislature for the purpose of proposing a constitutional amendment to the people at the next general election, and to consider for passage other water conservation legislation. In the interest of saving time and permitting early legislation on the water conservation

problem, this committee now reports to the Legislature of the State of California through the President of the Senate, Lieutenant Governor Frank F. Merriam, and the Speaker of the Assembly, Hon. Edgar C. Levey. The committee also respectfully requests that they call it at once to the attention of the Governor of the State.

This committee promptly organized after its appointment and has pursued diligently the task assigned to it, not only by frequent meetings, but by intensive study. Not only has this committee, as a distinct entity, held frequent meetings relative to the water conservation problem, but has also met upon numerous occasions in joint session with Governor Rolph's Water Resources Commission and with our congressional representatives. It has also collaborated from time to time with the Department of Public Works, members of the Appropriations Committee of the United States House of Representatives, and numerous representatives of many State organizations. Its many public hearings were well attended by representatives from all parts of the State, and communications, briefs and arguments in large numbers were filed with the committee for its consideration, all of which were carefully considered. The committee has also carefully studied the various State and Federal reports, as well as the reports of joint legislative committees and gubernatorial committees heretofore appointed, which reports have been previously filed with the Legislature. A schedule of meetings and hearings held is found on page 9, and a list of the reports referred to above is contained in the appendix on page 29.

It was at all times the view of the committee that its primary duty was to consider and report upon legislation which would enable the State to carry out a State coordinated water conservation plan. In determining how this intricate problem could best be solved by legislative enactments, the fundamental question arose in the minds of the committee as to what the initial step should be. Should we, at the beginning, recommend a constitutional amendment specific in its nature providing for specific projects, or one general in its scope which would enable the Legislature from time to time to enact necessary measures, providing for specific projects as needed?

RECOMMENDATION NUMBER ONE.

The committee recommends that the initial step should be a general constitutional amendment, authorizing the Legislature to enact such legislation, which will doubtless be of a varied nature, as may be necessary or convenient in carrying out a comprehensive state-wide water program. We, therefore, recommend the submission by the Legislature to the people of the State of California of a general constitutional amendment substantially as follows:

---------- *Constitutional Amendment No. ——A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new article thereto to be numbered XIVa, relating to the control, development and utilization of the water resources in the State. Resolved by the --------, the -------- concurring,* That the Legislature of the State of California, at its extraordinary session commencing on the ------ day of ------, 1932, two-thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California an amendment to the Constitution of this State by adding a new article to the numbered XIVa, to read as follows:

Article XIVa.

Enumeration of Powers.

Section 1. In addition to any and all powers otherwise held by it under this Constitution, and not in limitation or derogation thereof, the Legislature has power to enact such laws as it deems necessary or proper:

(a) To provide by general law, and subject to all the provisions of this article:

Determination of Water Rights.

1. For determining the flow of water in any stream or stream system;

2. For determining rights or claims to the use of water in or from any stream or stream system;

3. For determining the quantity or extent of water which can be taken from any stream or stream system for the purposes herein authorized;

General Powers of State to Conserve and Develop Water Resources.

(b) To provide for the acquisition, conservation, development, utilization, control, storage, transportation, and distribution by this State, independently of or in conjunction with any State agency, or with the government of the United States, any other State or foreign country, or with any department or agency of any thereof, or with any person, firm or corporation, of water and water resources, including electric energy, and for the doing by this State of any and all things necessary or proper in the making and carrying out of any plans therefor;

Lending Credit to State Agencies. Limitations.

(c) To lend or to authorize the lending of the credit of the State in aid of any State agency for the payment of the indebtedness of any State agency incurred in the acquisition, ownership, and utilization of water or in the construction, acquisition, ownership, and operation of works for the conservation, development, control, storage, distribution or use of water by such State agency. Such legislation shall provide therein the terms and conditions under which the credit of the State shall be loaned or authorized to be loaned, and must provide for thorough investigation and determination of the ability of such State agency to repay all of such indebtedness, and must further provide for the determination by an authorized officer or official body of the State that there is adequate security against default being made by such State agency in the payment of said indebtedness; any indebtedness for which the credit of the State is loaned hereunder shall be payable within not more than 70 years from the date of the creation of such indebtedness;

Eminent Domain, Immediate Possession.

(d) To provide that in actions in eminent domain brought by the State or by a State agency in carrying out any project authorized by this article, or legislation enacted pursuant thereto, the State or State agency may take immediate possession and use of any property required for such project upon giving such adequate security in money as the court in which the proceeding is pending may direct and in such amount as the court may determine to be reasonably adequate to secure to the owner of the property sought to be taken immediate payment of just compensation for the taking and any damage incident thereto as soon as the same can be ascertained according to law;

Eminent Domain Offsetting Benefits.

(e) To provide that in actions in eminent domain brought by the State or any State agency to acquire water or the right to the use of water, any benefits which the owner of such water or right to the use of water may gain, or which may accrue to property of such owner not sought to be taken through the construction and operation of the public works for the use of which said water or right to the use of water is sought, may be evaluated and offset against the compensation payable upon such taking.

Local Water Supplies Protected.

Sec. 2. In the construction and operation by the State of California of any project for water conservation, development or distribution under the provisions of this article or any legislation enacted pursuant thereto, the State shall preserve to and in any watershed or area wherein water originates, and in and to all areas immediately adjacent thereto, and which can be conveniently supplied with water therefrom, a supply of water adequate for the needs of such watersheds or areas; and the right of such watersheds or areas or any of the inhabitants or property owners therein to such supply shall never be lost by reason of any transfer by this State of any water therefrom into any other area or watershed; provided, that the provisions of this section shall not require this State to furnish any water which it shall have made available by the construction of any works, free of charge to any State agency, water user or consumer.

In the construction and operation by the State of California of any project for water conservation, development or distribution under the provisions of this article or any legislation enacted pursuant thereto, no exchange of the waters of any watershed or area for the waters of any other watershed or area may be made by the State unless the water requirements of the watershed or area wherein such exchange is made are first and at all times met and satisfied to the extent that such requirements would have been met were the exchange not made, and no right to the use of water shall be gained or lost by reason of any such exchange thereof.

Requirement That Projects Be Self-Supporting.

Sec. 3. In carrying out the provisions of this article and any legislation enacted pursuant thereto, no project, except as otherwise herein provided, shall be constructed by the State of California, nor shall the State obligate itself to pay the cost of the construction of any such project, until and unless contracts have been first made with this State for the sale of water, the use of water, water storage, electricity or electric power to be made available by such project, which contracts shall be sufficient to provide for the repayment to this State, within not more than seventy years from the beginning of construction, of all moneys expended by this State, or for which this State has obligated itself for the construction of such project, together with interest thereon at the rate to be paid by the State upon any indebtedness or obligation incurred or assumed by it for the said project, and together with all expense of operating and maintaining such project, and making necessary replace-

ments thereto. Cost of construction of any project shall include interest during construction period. Payment to the State on contracts shall be made at least annually and such payments shall commence not later than three years after completion of construction. Nothing herein requires the repayment to this State of moneys appropriated by the Legislature to be expended by or for it for flood control or improvement of navigation.

Enforcing Payment of Obligations to State.

Sec. 4. The State has power, and it is mandatory upon the Legislature, to provide for the levy and collection of an ad valorem tax upon all property subject to taxation or assessment within the exterior boundaries of any State agency including the classes of property enumerated in sections 14, 15, 16, and 18 of Article XIII of this Constitution, excluding property exempted from all taxation by this Constitution, but including all property sold or deeded to the State or any State agency for delinquent taxes or assessments, or in which the State or any State agency has acquired an interest by reason of any taxes or assessments levied upon such property, in the event of a default by such State agency in the payment of any indebtedness for which it is liable and for which the credit of the State has been loaned, or in the payment of any amounts provided to be paid to the State under any contract for the purchase, use or storage of water or the purchase or use of electricity or electric power. Such tax shall in all cases be sufficient to reimburse the State or to prevent loss to the State by reason of such default of a State agency and to pay the costs of collection. Such tax shall in all cases be levied at the time of the next general tax levy following such default. The lien of such tax shall be paramount and superior to all special assessments and to all taxes levied for any purpose.

State Indebtedness to Be Submitted to People.

Sec. 5. Nothing in this article authorizes the creation of debts or liabilities of the State, contingent or otherwise, contrary to the provisions of section 1 of Article XVI of this Constitution, except that the Legislature may include such projects as it may deem necessary in one act.

Eminent Domain, Protection of Existing State Agencies.

Sec. 6. In any action brought by the State of California to acquire by eminent domain from any State agency or mutual water company, any water or right to the use of water, choate or inchoate, or any facilities for the storage of water, such State agency or mutual water company shall have the right and option to be compensated in money for the property so taken, or to require and have it adjudged that in lieu of such compensation in money, the State of California shall replace the water so taken with other water of equivalent quality and quantity at times and places of delivery and at costs as favorable as would have existed but for such taking, or in lieu of the facilities so taken other facilities of equal advantage.

"State Agency" Defined.

Sec. 7. For the purposes of this article, the phrase "State agency" means and includes any county, city and county, municipality, or other public corporation or public district.

We recommend that the above constitutional amendment be adopted for the following reasons:

The adoption and passage of this proposed constitutional amendment would be a recognition upon the part of the Legislature and also of the people of the entire State that there exists a state-wide water conservation problem in California, and that the Legislature should be authorized to enact, subject to the referendum and other constitutional restrictions, necessary laws to solve such problem. Furthermore, the committee recognizes that the problem is a progressive one, a problem that can not be readily solved by a single comprehensive bill, but that, on the contrary, it is one that will probably require a series of legislative measures, to be enacted from time to time as conditions may require; for it would appear obvious that numerous situations of a widely varied character will inevitably arise and will require solution by reason of the different conditions existing in the several districts of the State, and the various uses to which water or its by-products may be put

Due to the nature and probable amount of legislation that will be required to carry out a state-wide plan of water conservation, the committee felt that the draft should be as broad in nature as possible On the other hand, it was also felt that the interests of the State should be safeguarded to the fullest extent possible so long as the safeguards provided would not tie the hands of the State to such an extent that a plan could not be conveniently carried out A short summary of the provisions of each subdivision and section follows, but it must be borne in mind that the draft is to be considered as a whole

Section 1, including all of its subdivisions, is a declaration of the power of the Legislature to enact legislation with reference to the subjects contained in the subdivisions.

Subdivision (a) declares that the Legislature may enact legislation to determine the water rights on any stream system and the amount of water that may be diverted from that stream system by the State. This provision and the provisions of section 2 are so closely bound together that further reference will be made to subdivision (a) in the discussion of section 2.

Subdivision (b) of section 1 makes possible legislation for the acquisition and utilization, etc., of such water, either independently or in conjunction with the United States or foreign countries. It is broad in its scope and contemplates a great variety of legislation on water development. Representatives of the Federal government have already recognized the importance of California's water problems and have definitely recommended that the Federal government appropriate large sums of money to assist the State in the solution of such problems and in the development of its water resources. It will be recalled that President Hoover, prior to his election as President, also recognized the conservation of the waters of the Big Basin of California as one of the seven great development projects in the United States. Some of the commissions have recommended that the Federal government loan to the State of California sufficient money at a very low rate of interest for the construction of the various units.

Subdivision (c) of section 1 extends authority to enact legislation, subject to the approval of the people, whereby the State may work through State agencies, such as irrigation districts and municipalities, in the interest of water conservation.

Subdivision (d) of section 1 enables the State under suitable laws to obtain quick action in eminent domain, but secures to the owner of the rights so condemned adequate security in money for the immediate payment of just compensation.

Subdivision (e) of section 1 recognizes the just principle that the benefits derived from public construction and operation of works for water conservation may, in point of practical value, be equivalent to compensation in money.

Section 2 recognizes the sound principle that water needed for local uses shall not be diverted to other parts of the State. In other words, water that now is or will be needed locally can not, and should not, be classified or defined as surplus water subject to diversion. Subdivision (a) of section 1 provides a method of determining what water is not needed locally and therefore is subject to diversion.

Section 3 places a bar on State extravagance in the construction of projects by positively requiring that each project be self-supporting.

Section 4 also adds to the economic security of the State with regard to any action that might be taken by the State under this proposed amendment in that it makes it mandatory upon the Legislature to levy an ad valorem tax to enforce the collection of all moneys due the State under any contract made with the State under the provisions of the proposed amendment.

Section 5 preserves the present provisions of the Constitution and insures that no indebtedness of the State can be created without first being submitted to the vote of the people of the State.

Section 6 deals with the power of the State to condemn property. This inherent power remains unchanged, save and except that any given State agency, as in the said amendment defined, possessed of certain water rights, may not be restricted to a monetary compensation or indemnity upon being deprived of such water rights by condemnation but may, at its election, demand compensation in other water of like quality and quantity. By virtue of this provision, such an agency may, through the exercise of such option, maintain its legal entity.

Section 7 defines a State agency as used in the proposed draft.

The recommended constitutional amendment is in reality only an extension of the scope of the State Constitution so as to enable the enactment of necessary or convenient legislation to carry out a state-wide water conservation program. It would permit the State, subject to certain limitations and safeguards, to provide, by means of any one or more of several different ways, for the financing of projects for the development and utilization of the water resources of the State. The State may cooperate with the Federal government, other States, cities, counties, cities and counties, public districts, and with private persons, firms, and corporations. It contemplates assistance from the Federal government in whatever form it may be offered, as well as an income from the sale of water.

At the same time, it is extremely conservative in that every project must be self-supporting and the State must be secure in financing contracts with responsible agents and with full power for the levying of taxes in the event of default resulting in financial liability on the part of the State. It does not, as heretofore stated, take away any of the safeguards now guaranteed to the people of the State by the Constitution as it is now in force, and yet it recognizes that the sovereign rights of the State are now and should be kept paramount to the interest of any individual or any part of the State.

Great care has been given to the drafting of said constitutional amendment. Our original drafts have been changed after careful study to meet suggestions of the members of our committee and the members of Governor Rolph's Water Resources Commission.

This draft is not submitted in an arbitrary spirit or with any desire or design to be dictatorial. Should amendments be submitted designed to improve this draft,

our minds will be open to such suggestions However, in the event of a special session of the Legislature, or at the general session next to follow, we now feel that we will, in accord with our present inclination, support in the Legislature by our vote a constitutional amendment substantially in the form of the one which we hereby recommend.

RECOMMENDATION NUMBER TWO.

The committee, pursuant to a motion passed on March 19, 1932, recommends that the above constitutional amendment be adopted, and that, if the Governor deems it advisable, a special session of the Legislature be called, in order that the proposed constitutional amendment may be placed upon the ballot at the general election to be held in 1932.

From personal observation and knowledge we concede the acute situation existing in the counties of Tulare and Kern, where a constantly increasing number of farms and homes are being abandoned from the effects of the continued lowering of their water levels, and the necessity for salinity control in the Sacramento-San Joaquin delta area. Therefore, we deem it essential that every possible means be put into force to expedite as soon as possible the necessary structures and works to alleviate these situations.

RECOMMENDATION NUMBER THREE.

The committee did, on March 19, 1932, adopt the following resolutions:

Resolution introduced by Senator Swing, seconded by Senator Rich:

Resolved, That the Legislative Counsel Bureau be directed to prepare such legislation as may be necessary to enable the State to acquire the right to construct a reservoir in the upper Sacramento River, and to take and impound the waters of such river therein, and that the Attorney General be requested to take such action and do such things as shall be necessary to enable the State to acquire the right so to do; and

That said Legislative Counsel Bureau prepare such legislation and do such things as shall be necessary, to enable the Legislature to submit a bond issue to the people, in such amount as shall be necessary to construct such dam and such works, aqueducts and equipment, as shall be required to transport water from the Sacramento River to the lower San Joaquin Valley; all of such legislation to be in harmony with, and to carry out the plans for such purpose as proposed and advocated by the Department of Public Works of the State of California in the bulletins and reports concerning such projects.

Resolution introduced by Senator Mixter and seconded by Senator Swing:

Resolved, That in the event the Legislature shall be called in special session by the Governor for the consideration of the solution of the water problems of California that such call be requested to be made sufficiently broad to include provision for submission of a bond issue act to the people of California, for the purpose of constructing the great Central Valley Project, including a dam at or near Kennett, a conduit to convey water to the industrial areas of Contra Costa County, a series of low dams, pumping lift stations and other necessary works appurtenant thereto, a dam at or near Friant on the San Joaquin River, a canal from said point to a point on the Chowchilla River in Madera County, and an aqueduct from said Friant reservoir southerly to the Kern River in Kern County, California, and such other project or projects as may be recommended for such attention by the Division of Engineering of the Department of Public Works.

In view of the urgency for getting the project of water conservation under way at the earliest possible date, the Joint Legislative Water Committee hereby recommends that in the event the Governor should elect to call the Legislature into special session, with respect to the water conservation question, his call for such special session be sufficiently broad in scope so as to permit of legislation at the hands of such special session of the Legislature as may be necessary for the carrying out of the purposes of the aforesaid two resolutions.

As the committee has, with respect to its investigations and deliberations, been very ably assisted by such efficient persons and agencies as the Water Resources Commission appointed by the Governor, the State Department of Public Works, including Col Walter E. Garrison, director thereof, Edward Hyatt, State Engineer, and others in the Department of Public Works, and also by Mr. Wood and Mr. Reed of the Legislative Counsel Bureau, the Joint Legislative Water Committee wishes to express its gratitude and indebtedness to them for their able assistance. We greatly appreciate the interest shown by our Senators and Representatives in Congress and by the Federal Committee on Appropriations in our problems. We also express our gratitude to the many persons who have attended our sessions and offered us suggestions and to the press throughout the State. Everyone with

whom we have come in contact has been most helpful in our attempt to solve this problem so vital to the interests of the State of California.

Respectfully submitted.

JOINT LEGISLATIVE WATER COMMITTEE.

BRADFORD S. CRITTENDEN, Chairman.
ROBERT P. EASLEY, Vice Chairman.
ROBERT L. PATTERSON, Secretary.
C. C. BAKER.
FRANK W. MIXTER.
ANDREW R. SCHOTTKY.
RALPH E. SWING.
HAROLD C. CLOUDMAN.
EDWARD CRAIG.
FRANK S ISRAEL.
CHESTER M. KLINE.

We concur only in such parts of the foregoing committee report as are consistent with the minority report filed by us.

(Signed)

W. P. RICH.
RALPH H. CLOCK.
J. E. FRAZIER.

RESERVATIONS BY SENATOR RALPH E. SWING.

I have joined in the foregoing committee report because of my desire to get before the people a constitutional amendment that will permit legislation necessary for the conservation of the now wasted flood waters of the Sacramento River and thereby provide a supply of fresh water for the industrial area at the mouth of the river and water for use in the lower San Joaquin Valley. The necessities for such uses are urgent and, in my opinion, justify the submission at the earliest convenient opportunity of a constitutional amendment that will make possible the accomplishment of such purposes.

The proposal submitted by the committee, however, in so far as it extends beyond the purposes above mentioned, does not meet with my approval My objections to the provisions authorizing legislation concerning eminent domain and the loaning of the State credit have been stated before the committee and are well known, and it is not necessary to here repeat them. I will, however, if the occasion requires it, at a proper time set forth my views upon these subjects.

In approving the report I do not wish to be understood as approving a policy which might eventually result in a complete destruction of State credit or the jeopardizing of present vested water rights, neither of which is necessary if we adhere to the original plan of conservation of waste waters for use by those communities now in dire need

(Signed) RALPH E. SWING.

MINORITY REPORT.

Submitted by Senator W. P. Rich, Senator Ralph H. Clock, Assemblyman J. E Frazier.

In submitting this minority report, it is our desire to submit to the members of the Legislature our views as to the form of a constitutional amendment which should be adopted by the people of the State of California to enable the State of California to fully carry out a state-wide water conservation program. We also wish to express our views upon the extent of the duties of the State in relation to the conservation and development of water resources.

We know that the water problems of this State have been exhaustively studied by the various agencies of the State, and we believe that a state-wide water conservation program should at some time be undertaken by the State of California. Unless this is done, this State will soon reach its maximum development.

In many parts of the State, practically all of the available water has already passed into private ownership. However, investigation has conclusively established that during the flood season of each year enough water to provide for all reasonable and necessary demands, both present and future, of the entire State runs into the sea and is wasted.

The water supply of this State is derived from its annual snow and rainfall, and it is said that three-fourths of all this water reaches the ocean within a very short time after its precipitation as rain or snow. It is further said that it is an engineering possibility to construct dams which will store these flood waters, which would otherwise run to the sea shortly after they had fallen upon the land, and release them so as to replenish the streams in summer. In this way ample water could and would be provided to care for all existing needs and for the future agricultural and industrial development of the State, as well as to insure an adequate domestic water supply for the ever-growing metropolitan areas.

If by a state-wide water program is meant the building of these dams and holding back this water and making it available for the purposes above set forth, then we believe all of the people of the State of California can truly say that they are in

favor of a water conservation program. Such a program can be undertaken by the State alone or by the State in conjunction with the Federal government.

We believe that a distinction should be made between water conservation and water distribution, and that the State will have fulfilled its duties to the people of the State of California when it has impounded the water behind the dams. We think it is as much the duty of the State to conserve the waters of the State, as it is for it to undertake the building of a State system of highways, or to maintain harbors or to aid in the navigation and flood control of its navigable streams or to preserve its fish and game. But, when the State has built the dams and impounded the water behind them, it has performed its duty. The distribution of the water and the expense in connection therewith should be paid by the persons desiring to use it. In those cases where it is possible, arrangements might be made whereby the State could reimburse itself for the moneys expended; but if this is not possible, projects which are necessary for the development of the State should nevertheless be undertaken and completed.

In order to permit the State to embark upon a water conservation program, the Constitution should be amended. There are certain limitations therein which would seriously hamper the consummation of any proposed program. We believe such an amendment should be in the form of a general enabling act, broad enough to permit the Legislature to take care of the water situation in the State of California for all time to come.

We believe the Legislature of the State of California should be able to enact general laws for the conservation of the waters of the State, unrestricted, except by the referendum provisions contained in section 1 of Article IV of the Constitution and by the provisions of section 1 of Article XVI thereof, which require the creation of State indebtedness to be submitted to the people.

In our opinion the constitutional amendment proposed by the Legislative Committee does not contain these broad powers and should not be submitted to a vote of the people of the State of California unless amended in several particulars. When the proposed amendment is before the Legislature, we reserve the right to submit an entirely new constitutional amendment or to propose amendments to the one now offered by the committee.

In this minority report we want to point out a few of the objectionable matters which we find in the proposed constitutional amendment. They are as follows:

We believe that section 3 should be entirely eliminated. The matters contained therein should be left to the general law creating the particular project. Our views hereinbefore expressed upon the State's duty to conserve the waters of the State, preclude us from demanding that each and every project for the conservation of water be self-supporting from the beginning. The highway system and the flood control projects now supported by the State, although they benefit the entire State and are well worth the money expended upon them, do not furnish revenue to the State treasury. In our opinion the conservation of the State's water resources to the extent hereinbefore outlined is analogous to the furnishing of adequate highways and flood control. Any project should be worth its cost, measured in benefits to the State at large. Due to the extremely high cost of the necessary projects to carry out a complete plan of water conservation, provision should be made to reimburse the State treasury as far as possible. The extent of such reimbursement and the method of insuring it should be set forth in the legislation authorizing each particular project.

We are opposed to section 6. This section restricts the rights of the State in eminent domain proceedings. If the State is to embark upon a water conservation program, then what excuse can be offered for restricting it in the right of eminent domain?

In our opinion there is none. This is true for several reasons. In the first place section 6 seems to us to be inconsistent with subdivision (d) of section 1. By that subdivision the State is permitted to take immediate possession of the property desired, upon depositing security in court. Possession of the property is then taken and the trial of the eminent domain action proceeds. Section 6, on the other hand, provides that the property may not be taken unless the State furnishes a substitute for the property taken, if the State agency so desires. The State might conceivably put up its security and build a dam; and then if the State agency exercises its option find that it would be impossible to furnish a substitute to the State agency. In such a case, the State could not impound any water behind the dam it had constructed.

In the second place the power of eminent domain is an attribute of the sovereignty of the State. This principle is fundamental in the structure of the national government and that of each of the 48 States. The State should not tie its own hands by a provision similar to section 6.

In the third place there is no reason why the State should limit its power in favor of subdivisions or agencies of the State itself. The powers, and the very existence of these subdivisions or agencies, except counties, cities, and cities and counties chartered under the provisions of the Constitution, depend upon acts passed by the Legislature. To insert section 6 of the proposed constitutional amendment in the Constitution would make these subdivisions or agencies superior to the State itself. To this we are unalterably opposed.

Finally, the proposed section 6 might effectively block the construction of some projects. Furthermore, the evident purpose of the section is to insure the corporate or governmental entity of the subdivisions or agencies of the State, rather than to insure a supply of water to individual consumers. Most of these subdivisions or agencies of the State were created by the Legislature; and we can see no reason why, if the need for them ceases, they could not be abolished.

In view of the fact that the Legislative Water Committee has failed to reach a unanimous agreement upon the form of constitutional amendment to be adopted by the Legislature and submitted to a vote of the people, it would appear to us to be advisable to have the whole matter submitted at the next regular session of the Legislature and not at a special session thereof.

Respectfully submitted.

(Signed) W. P. RICH.
RALPH H. CLOCK.
J. E. FRAZIER.

APPENDIX.

The following reports and data were available to the committee and were carefully considered during its deliberations:

I. Reporter's Transcript of Joint Meetings of California Joint Legislative Water Committee and California Water Resources Commission.
January 15, 1932.
February 5, 1932.
February 25, 1932, joint meeting of subcommittees.
March 19, 1932.

II. Federal Reports.
House of Representatives Document No. 791, Seventy-first Congress, Third Session, Partial Report on Sacramento, San Joaquin and Kern Rivers, California, dated February 27, 1931.

III. State Department of Public Works, Division of Water Resources
Bulletin No. 18-B, California Irrigation District Laws, 1931, revision.
Bulletin No. 21-B, Report on Irrigation Districts in California for the years 1930, 1931.
Bulletin No. 25, Report to Legislature of 1931 on State Water Plan, 1930.
Bulletin No. 26, Sacramento River Basin, advance copy.
Bulletin No. 27, Variation and Control of Salinity in Sacramento-San Joaquin Delta and Upper San Francisco Bay, advance copy.
Bulletin No. 28, Economic Aspects of a Salt Water Barrier Below Confluence of Sacramento and San Joaquin Rivers, 1931.
Bulletin No. 28-A, Industrial Survey of Upper San Francisco Bay Area, 1930.
Bulletin No 29, San Joaquin River Basin, advance copy.
Bulletin No. 31, Santa Ana River Basin, 1930
Bulletin No. 32, South Coastal Basin, a Cooperative Symposium, 1930.
Bulletin No. 33, Rainfall Penetration and Consumptive Use of Water in Santa Ana River Valley and Coastal Plain, 1930.
Bulletin No. 34, Permissible Annual Charges for Irrigation Water in Upper San Joaquin Valley, 1930.
Bulletin No. 35, Permissible Economic Rate of Irrigation Development in California, 1930.
Bulletin No. 36, Cost of Irrigation Water in California, 1930.
Bulletin No. 37, Financial and General Data Pertaining to Irrigation, Reclamation and Other Public Districts in California, 1930

REPORT OF CALIFORNIA WATER RESOURCES COMMISSION.

To the Honorable James Rolph, Jr., Governor of California.

In accord with your direction, we have made a study of the water problems of California and herewith submit a report thereon containing our findings and recommendations.

INTRODUCTION.

Senate Concurrent Resolution No. 40 (Statutes of 1931, Chapter 90) adopted by the forty-ninth session of the Legislature, after recommending the appointment of this commission, indicated the duties and functions of the commission as follows:

1. To study and report upon the conservation, development and distribution of the water resources of the State, including particularly findings and recommendations as to the economic phases involved in said plan and such proposed legislation, resolutions and constitutional amendments as may be necessary to carry into effect a coordinated plan for the development and distribution of the water resources of this State.

2. To meet and collaborate with any joint legislative committee created by resolution adopted by this forty-ninth session of the Legislature for the purpose of considering and reporting to the Legislature at the next session thereof, with reference to the economic, legal, statutory and constitutional questions relating to the conservation, development and distribution of the water resources of this State.

3. To cooperate and confer with the President of the United States, and any board, commission, congressional committee or other agency of the government of the United States which may be designated by the President or by law to have charge of activities of the United States government in respect to water conservation, utilization, flood control or navigation.

Senate Concurrent Resolution No. 38 (Statutes of 1931, Chapter 71) authorized the appointment of a Joint Legislative Committee composed of seven members from each house of the Legislature, charged with the duty of making recommendations as to the economic phases of a State plan for the conservation, development and distribution of the water resources of this State, and particularly to prepare and submit such proposed legislation, resolutions and constitutional amendments as may be necessary to carry into effect a coordinated plan for the conservation, development and distribution of the water resources of this State.

We are happy to report that the direction that this commission and the California Joint Legislative Water Committee collaborate has been carried out both in the letter and the spirit. Very early in the proceedings of both bodies it was agreed that each should meet separately, but each should fully inform the other of its activities and conclusions, and that joint sessions of this commission and the committee should be held from time to time as circumstances dictated. This program which has been carried out has in our opinion been most valuable, because thereby there has been preserved that independence of thought and action in each body which was in every way desirable, while constant intercommunication and joint sessions from time to time have led to harmonizing of differences and a broader viewpoint by all members of both bodies of the most difficult questions involved. The Joint Legislative Committee has been most helpful and earnest in its attitude toward this commission and toward the whole great problem presented for the consideration of both bodies, and we feel that that committee has performed a notable service for the State.

A number of honorary advisory committees composed of many prominent citizens representing practically all interests and localities in the State were appointed at the time of the selection of this commission. Communications from these committees indicate that the majority of them feel that they will be able to perform their functions best after the filing of a report by this commission. The Honorary Advisory Committee of Engineers has held several meetings and considered several important elements of the engineering problems involved, but it has not yet filed its report. The Honorary Watershed Committee has filed a valuable report having to do with the protection of California's watershed and the preservation of forest growth thereon.

ELEMENTS OF PROBLEM CONSIDERED.

The problem of formulating a plan for the conservation, development, distribution and utilization of the water resources of California is recognized as one of the most difficult and complicated. It is, however, a problem which to an ever-increasing extent presses for solution. To a greater or less degree it has been before our people and the Legislature continually for the past 60 years. In the last 10 years this State has expended approximately $1,000,000 in investigating its water resources and preparing plans for their conservation and use.

This commission found that any complete consideration of the water problem of California involved study of the following major elements:

(a) Engineering.
(b) Economics.
(c) Finances.
(d) Legal.
(e) Administrative.

Accordingly it has centered its study principally upon these elements, and in this report each element is briefly treated and a general statement of the conclusions of the commission thereon given.

Engineering.

As stated above, the State of California has, in the past 10 years, expended approximately $1,000,000 upon a detailed investigation of its water resources and plans for their conservation, distribution and use. This work has been principally carried on by the Department of Public Works, Division of Water Resources, and has resulted in the compilation of a great amount of data now available in printed form. Taken together, these reports contain a systematic and thoroughgoing study and inventory of the water supply of California, along with a presentation of the most pressing situations in need of remedy and suggestions as to how those situations may be remedied. The major part of these reports are of course devoted to the engineering element, but there are in them, studies of certain economic and financial problems involved. They also include recommendations of a plan of initial development for remedying the immediate water problems of the great central valley of the State, a study of the problem of bringing water into southern California from the Colorado River, a study with recommendations as to conserving the waters of the Santa Ana River, and recommendations as to an ultimate comprehensive plan for conservation of a great part of the available water resources of the State. Cost

estimates on different projects recommended or suggested are presented together with estimates of expected revenue in many instances.

It may be said, we think, without question, that these investigations conclusively establish the following facts:

(*a*) The primary and dominating difficulty as to California's water supply arises from the unequal geographic distribution of that supply by nature. Nature furnishes to that part of the State lying north of a line drawn east and west through the city of Sacramento, 72 per cent of the annual water "crop" of the entire State and only 28 per cent to the remainder of the State. On the other hand, in round figures, 72 per cent of the total area of the State lies south of that line and 28 per cent north of it. It is proper to add, however, that of the above-mentioned 72 per cent of the annual natural water supply of the State, slightly over one-half thereof, or 37 per cent of the total annual State supply, originates in the northern coast counties, and does not flow into the great central valley.

(*b*) The great development both of agriculture and manufacturing with accompanying increase of population throughout the State, has brought into being in several important areas of the State acute situations as to water supply which now require remedy, and, if the development of the entire State is to proceed normally, other such difficult situations will arise; these facts indicating the necessity of now formulating, if possible, a broad and comprehensive plan for the conservation, distribution and utilization of the available water resources of the State, based upon fundamental principles and capable of being carried into execution as needs arise and circumstances dictate.

(*c*) More than one-half of the water which nature supplies to California now runs into the sea within a comparatively short time after it falls upon our watersheds as rain or snow. No one can contemplate the past development of this State and visualize its almost certain future, without realizing that so far as it is economically and reasonably possible, this waste of a great natural resource must be stopped.

(*d*) Conditions lend themselves in some parts of the State to serving more than one beneficial purpose by the artificial control and regulation of the natural water supply. In these areas there can be effected by one system of works not only an increased supply of water for irrigation and domestic use, but great improvement of navigation facilities and considerable benefit in the way of flood control and salinity control.

(*e*) There are two projects of major importance which demand first consideration and action in any solution of the water problems of California. These are:

(1) The storage and stabilization of the flow of the Sacramento River connected with measures for the relief of the salinity problem in the Sacramento, San Joaquin Delta and the Suisun Bay industrial region, and for the relief of the water shortage in the counties of Madera, Fresno, Tulare, Kings and Kern.

(2) The bringing of water from the Colorado River into the southern coast counties.

These projects may be said to be of equal importance, but they by no means include all that will have to be done for the conservation of water in California as the years advance. Many other areas of the State are facing increasingly difficult water situations and we reiterate that the need now is to lay out the fundamental principles of a broad and comprehensive plan sufficient in scope to lend itself to the solution of those difficulties in an orderly manner. In no other way can the development of this State proceed in its expected course.

It is deemed unnecessary here to treat of the engineering investigation of the report of the State Engineer in great detail. Questions may and probably will arise in the future as to some features of the report. In a work of such magnitude and complexity it would be strange if this were not so Further and more critical study of some situations will undoubtedly be necessary. Recognizing this, and without passing that judgment on the reports which would be justified only by a most exhaustive examination and analysis, beyond our time or opportunity to make, we have nevertheless reached and now state the following conclusions as to the engineering reports and the engineering elements involved:

First. The engineering reports as prepared by the State Engineer are sufficient for the present purpose of formulating a general program for a State water plan.

Second. It is the conclusion of this commission that the State of California should now carefully formulate, adopt and carry out in an orderly manner, a comprehensive plan for the conservation, distribution and utilization of its available water resources.

Third. Sufficient engineering data, cost estimates and other information are available in these reports to enable the preparation at this time of a general act for the initial development of the Central Valley Project, being the first of the two major projects hereinbefore mentioned for immediate activity as a part of the State water program. Revisions or changes in

details of this project may and should be left to the judgment of a permanent Water Resources Commission and the State Engineer, who, if it is authorized, will have its construction and operation in charge.

Economics.

A broad scope of inquiry is at once suggested under this phase of the general subject. The difficulty lies in confining the study within reasonable limits and yet considering all the questions which arise. The principal economic questions considered by this commission may be stated as follows:

(*a*) The relation in general of the direct and indirect benefits reasonably to be expected to accrue to the State from a State program of water conservation and distribution, to the cost to the State and the burden upon its people imposed by any such program.

(*b*) The relation of direct benefits to accrue from each particular project considered, to the cost of such project.

(c) The adjustment of a program of water development to economic conditions in general and particularly to agricultural conditions. The present overproduction of agricultural products must not be increased by bringing in new lands under a State-provided water supply. At the same time it must be recognized that there will in the future be extensive development of land in California and, as that development proceeds, water development so far as possible must keep step with it.

The conclusions we have reached may be summarized as follows:

First. It is unnecessary and inadvisable at this time to attempt to evaluate in terms of money the indirect benefits which may accrue to the State at large, and particularly those areas of it not directly involved, by the construction and operation of any state-wide water plan, or any particular project of such plan. Much has been said on the subject, but we are of the opinion that for the present at least, attention should be directed solely to the direct benefits received by the particular areas receiving service from each project. This subject is further treated herein under the head of Finances.

Second. No project should be constructed or encouraged at present looking to the development of any new lands. If any project is constructed under present conditions, it should to the very greatest extent be designed for the preservation and maintenance of improved lands, threatened with destruction or great damage through a deficient water supply. Rigid safeguards in investigations and administration should be adopted and enforced to insure this condition.

Third. No project should be constructed by the State unless and until firm contracts are first secured by the State from responsible agencies for the purchase by them of water, power, or other facilities to be made available by such project, at such prices as will in not more than 70 years repay to the State all cost of construction together with interest thereon, and in addition all costs of maintenance, operation and necessary replacements.

Fourth. In the opinion of this commission, because the program, as set forth by it, is based upon a pay back plan under which the areas receiving the benefits of the construction of any given project are obligated to repay the cost of that project in full to the State, and as our program also includes the creation of a permanent commission to pass upon the sufficiency of the contracts insuring the repayment to the State of the moneys expended on any particular project, it is unnecessary for this commission to make an exhaustive and detailed study of the economic factors involved in the projects proposed.

Finances.

Funds for the construction of California water projects may be obtained in several ways, among which are:

(a) By direct appropriations made by the United States for the construction of a given project in whole. or in part.

(b) Borrowing by the State from the Federal government.

(c) Cooperative agreement between the State and the Federal government by which the latter shall advance the necessary money and construct a given project, on the agreement that the State shall operate the same and repay to the Federal government within an agreed period the moneys expended by it for such construction with interest thereon.

(d) Issuance of general obligation State bonds

(e) Issuance of so-called revenue bonds, that is, bonds which are payable only out of revenue from the project.

(f) Levy of some form of taxes analogous to the present gasoline tax to produce a continuing revenue to be devoted to the construction of water projects.

We are of the opinion that it is not advisable to attempt to impose any form of taxation for construction of a State water plan. The present imperative demand throughout the country for reduction of taxes renders it unnecessary to enlarge upon

our reasons for this view. It should be said, however, that to adopt such a policy would be contrary to the conclusions we have reached that every project should be self-sustaining and self-liquidating out of its own direct revenue paid by the areas directly benefited by the project, and should impose no burden or cost upon any area of the State not directly benefited.

Construction of the Kennett Dam by the Federal government has been seriously suggested, and the Chief of Engineers, United States Army, has recommended a direct appropriation by Congress in the amount of $6,000,000, the estimated value to the Federal government of the aid to navigation of the Sacramento River to be given by this dam. A considerable benefit is also recognized by the United States Army engineers from the improvement of navigation of the San Joaquin River resulting from the construction of a pump and dam system on that river.

The traditional policy of the Federal government has been to improve, in an orderly manner, the navigation facilities of the important rivers and inland waterways of the Nation as the growth of population and the ensuing commerce make such improvement of nation-wide interest or benefit, and in our opinion that point has now been reached as to the above rivers.

This commission has appointed a subcommittee consisting of the Director of the Department of Public Works, the Director of the Department of Finance, the State Engineer and the Chief Engineer of the Reclamation Board, which subcommittee is to confer with the Federal agencies with the end in view of obtaining an appropriation from the Federal government based upon improvement of navigation and benefit from flood control and also to negotiate for a loan from the Federal government for financing the construction of the Central Valley Project.

The situation as to obtaining a loan to the State from the Federal government, or the making of a cooperative contract with the Federal government for the construction of water projects in this State has not been sufficiently developed at this time to enable us to speak with definiteness on that subject We believe, however that a great opportunity in that regard exists at the present time, particularly in view of present pending measures in Congress looking to the launching of a great program of public works construction, particularly of self-liquidating projects. Definite negotiations with the Federal government will necessarily be somewhat extended in character and require close and continuous attention. This commission has not been able to enter upon such extended negotiations. They must be pursued by a permanent Water Resources Commission if such commission be created, and by the appropriate executive officers of the State We recommend that negotiations for this purpose, and for the purpose of obtaining the largest possible direct contribution from the Federal government toward the construction of the Central Valley Project on account, particularly, of the features of flood control and improvement of navigation which it offers, be commenced and pursued vigorously and continuously

For reasons which will appear from the foregoing discussion, we propose financing the Central Valley Project by the issuance of general obligation bonds of the State The total amount of bonded indebtedness for that project, however, can and will be reduced by whatever amounts are appropriated by the Federal government in aid of the construction of any unit or units of this project. Also some form of cooperative agreement may be made between this State and the Federal government for the building of one or more units of this project, notwithstanding State bonds for that purpose may have been authorized. We submit as a part of this report a proposed form of bond act for that project. Some consideration of the cost estimates and estimated revenues of the Central Valley Project is given at a later point in this report.

Legal.

We are well aware that there has been much criticism of the law of waters as the same has been developed in California.

There are, from some sources, insistent demands for radical changes in those laws. In most instances such demands fail to recognize that valuable vested property rights in water can not be divested by arbitrary changes in the law.

It has also been urged for several years that there be created a special court or tribunal with exclusive jurisdiction to hear and determine controversies as to water rights. We have carefully considered this suggestion. A majority of the members of this commission are of the opinion that no necessity exists for the creation of such court or tribunal and that it is not advisable to authorize its creation It is believed that our courts, as at present constituted, are capable and best qualified to continue adjudicating water rights.

Nor do we recommend any changes in the present law of waters. Such changes, either substantive or procedural as experience may demonstrate to be necessary to carry out a State water plan, may and should be left to future legislatures

Administrative

If this State is to embark upon a State program of water development, as we believe it must, then proper governmental machinery for administration of that program must be created. No such machinery at present exists. Therefore, we

recommend the creation of a permanent Water Resources Commission appointed by the Governor. The duty of such commission will be to investigate and recommend projects, recommend plans of financing them, negotiate and arrange all contracts with reference to them, and generally supervise their construction and operation. A State water program if carried out will be a great business enterprise. It can only be successfully conducted by well qualified men giving it constant attention. Moreover, if the development of a State plan is to be progressive and comprehensive, as we believe it must be, then it should receive continuous investigation and planning. Therefore, we recommend the creation of a permanent Water Resources Commission receiving adequate salaries. This recommendation is specifically expressed in detail in the proposed form of act creating a Water Resources Commission which is attached to and made a part of this report.

CONSTITUTIONAL AMENDMENT.

We are of the opinion that such constitutional amendment as may be necessary to enable the State to commence and carry out a State water program should be as brief and general as possible and should embody only those fundamental principles which seem necessary for the purposes in view.

We attach to this report as a part hereof, a proposed form of constitutional amendment which we recommend for adoption. It may be said briefly of this amendment that it embodies the following provisions:

(a) Specific authority to the Legislature to provide by general law such enactments as experience demonstrates are necessary to the carrying out of the State water program.

(b) Provision for lending the credit of the State under certain limitations to districts and municipalities in aid of water conservation by such agencies, whether such development has already been consummated or is proposed; provided that such water is used or to be used in whole or in substantial part for agricultural purposes.

(c) Provisions to authorize changes in the law of eminent domain for the purposes of expediting the acquisition by the State of necessary property without impairing any of the rights of the owners of such property.

(d) Provisions for protecting areas having surplus waters against being deprived by the State of any water required for their full ultimate development.

(e) A provision requiring that each project constructed by the State shall be self-sustaining and self-liquidating; that is, that no project shall be constructed unless and until contracts have first been made with the State for the sale of water, power, or other services to be made available by such project, which contracts shall be sufficient to provide for the repayment to the State within not more than 70 years from the beginning of construction, of all moneys expended by the State in the construction of such project, together with interest thereon and together with all expense of operation and maintenance, including necessary replacements.

(f) A provision empowering the State, in case of any default, to enforce the obligations due to it in all cases where a district or other public agency has contracted with it or has obtained a loan on the credit of the State, by levying a tax upon all property in such district or other public agency, sufficient to pay all amounts which become due to the State under such obligation, together with all costs of collection of such taxes.

(g) A provision requiring that all debts or liabilities of the State, contingent or otherwise, created under the provisions of this amendment, must first be voted upon and approved by the people as provided in section 1 of Article XVI of the Constitution.

(h) A provision limiting the power of the State itself to acquire by eminent domain any water or right to the use of water or any facilities for the storage of water belonging to any district or municipality.

We believe that this constitutional amendment embodies fundamental principles which are necessary to be written into the Constitution of the State as a firm foundation for the future development of a State water program. It contains what we believe are necessary limitations and safeguards to provide against unsafe or unwise expenditure of public moneys upon projects which will not be self-sustaining and self-liquidating; and it further provides adequate protection to areas having surplus water, that they will always be assured by the State of a supply of water adequate for their complete development. Moreover, this constitutional amendment provides for the possibility of cooperation between the State and Federal governments in the construction of water projects

This commission has given the most detailed consideration to this constitutional amendment. Early in the deliberations of this commission we developed certain fundamental principles which we believed should be embodied in any constitutional amendment on the State water program. These principles were adopted by the Joint Legislative Committee and by this commission after several conferences and joint meetings of the two bodies.

ACT FOR THE CREATION OF A PERMANENT WATER RESOURCES COMMISSION.

We recommend the adoption of an act for the creation of a permanent Water Resources Commission of five members to be appointed by the Governor. A form of act for this purpose is attached to and made a part of this report. This act may be summarized as follows.

Section 1. Authorizes the creation of the commission, fixes the salaries and terms of office.

Sec. 2. Authorizes the employment by the commission of a secretary and other employees, said employees, but not the secretary, to be subject to the rules and regulations of the Civil Service Commission.

Sec. 3. Requires the commission to prepare a general plan for the orderly development, conservation and distribution by the State of California of the available water resources in the State; and in detail, requires rigid investigation of each project considered for inclusion in such plan, together with a check upon such investigation by the Director of the Department of Finance, the California Districts Securities Commission and the State Reclamation Board.

Sec. 4. Provides that the commission shall not recommend any project for construction unless and until it shall determine that the revenues which can reasonably be expected to be received by the State of California from any and all resources made available by said project will repay to the State within not more than 70 years from the beginning of construction of said project, all moneys expended in the construction of said project, together with interest thereon and together with cost of operation and maintenance and necessary replacements. Also provides for filing all recommendations of projects with the Governor and transmittal of the same by him to the Legislature.

Sec. 5. Authorizes the commission to proceed with the construction of any project only when it shall have been authorized by the act of the Legislature and approved by a vote of the people, and then only when it shall have first obtained contracts for the sale of water, power, and other facilities to be made available by said project which in its judgment will repay to the State within not more than 70 years from the beginning of the construction of such project all cost of construction, together with interest and necessary maintenance, operation and replacement costs, but also permits projects to be authorized by exercise of the initiative by the people, subject always to the provisions of the Constitution of the State of California.

Sec. 6. Authorizes the commission to conduct necessary investigations and hearings.

Sec. 7. Authorizes the commission to negotiate and enter into necessary contracts, acquire property, commence, intervene in, prosecute and maintain necessary actions, and exercise all other powers incidental to carrying out the purposes of the act.

Sec. 8. Provides for the determination of controversies as to the right to receive water from any project under the jurisdiction of the commission.

Sec. 9. Requires the commission to keep correct and separate accounts as to each project.

Sec. 10. Creates in the State treasury a fund to be known as the water construction fund and also a fund to be known as the water revenue fund, and provides for the disposition of the moneys collected in such funds. This section rigidly requires that no part of any balance remaining to the credit of one project shall be used or expended for the purpose of making up any deficiency arising out of the construction or operation of any other project. The purpose of this provision is to insure that all projects shall be thoroughly investigated and shall be at all times self-sustaining and self-liquidating, and that consumers under one project shall receive the benefit by reduction of rates or otherwise, of any surplus arising in such project and that such surplus shall not be diverted from them to other less successful projects.

Sec. 11. Provides for fixing the rates to be charged for water made available by any project; the purpose is to create a flexible system by which rates may be reduced under any project if found to be creating a surplus, or increased after such reduction if found to be inadequate.

Sec. 12. Provides for keeping the records and accounts of the commission and making them at all times open to inspection of the Legislature and other officers of the State and the public.

Sec. 13. Provides that the act shall not go into effect unless the constitutional amendment is adopted and approved by the people.

CENTRAL VALLEY PROJECT.

This is one of the two major water projects which we have stated should receive immediate attention. The other, for bringing water from the Colorado River into the southern coast counties, is now going forward through the Metropolitan Water District of Southern California.

The Central Valley Project is designed to accomplish the following purposes.

(1) To improve navigation, aid in flood control, and increase the summer supply of irrigation in the Sacramento Valley, by conserving and stabilizing the flow of the Sacramento River by means of a dam at Kennett in Shasta County, providing a reservoir capacity of not less than 2,940,000 acre-feet of water.

(2) To provide, by means of such dam, flows adequate to prevent the intrusion of salt water through tidal action into the rich delta region of the Sacramento and San Joaquin rivers, to furnish a supply of fresh water for irrigation in the delta and to provide a supply of fresh water to the industrial and agricultural areas around Suisun Bay. The engineering reports state that the operation of Kennett Reservoir would accomplish these purposes, by maintaining a river flow of not less than 3300 cubic feet of water per second past Antioch, and that a river flow of not less than 5000 cubic feet of water per second would be maintained past the city of Sacramento.

(3) To provide for extension of this water supply into the industrial and agricultural area on the south shore of Suisun Bay by means of a canal or conduit extending as far west as Martinez. The advisability of constructing a similar canal along the north shore to a point as far west as Benicia has been put forward but this canal is not at this time recommended because its revenue-producing capabilities are undetermined.

(4) A system for transferring water by means of pumps and low dams up the channel of the San Joaquin River to a point near Mendota. This is for the purpose of providing an additional supply of water to the upper San Joaquin Valley when necessity requires and the circumstances justify, but it is recommended that the construction of this unit be deferred until such time.

(5) To provide an additional water supply for developed areas now having a deficient supply in Madera, Fresno, Tulare, Kings and Kern counties, by storage of the waters of the San Joaquin River behind a dam at Friant in Fresno County, and distribution therefrom by canals extending into Madera County on the north and into Kern County on the south.

A form of act authorizing the construction of this project, after approval of a bond issue by the people and the obtaining of the necessary contracts to make it self-sustaining and self-liquidating in accordance with the proposed constitutional amendment, is attached to and made a part of this report. It is recommended for passage and submission to the vote of the people.

It is unnecessary to dwell upon the situation which makes this project one of first importance. A recent succession of years of deficient rainfall have emphasized the grave menace of salt water intrusion into the delta and industrial regions at the mouth of the Sacramento River, and the imperative necessity of providing an additional supply of water for the highly developed agricultural region in the five counties of the southern San Joaquin Valley. The wealth which stands in imminent danger of destruction if these conditions be not relieved, as well as the toll of suffering and misery which would thereby result, should command the help of both the State and Federal governments.

The various parts or units of this project are related, constituting a system of regulating the major streams of the Great Central Basin of California, and therefore it is by us, and in our opinion should be, treated as one project consisting of several units. So considered, and assuming adequate contributions from the Federal government on account of benefit to navigation and aid in flood control, and with money obtained at a reasonable rate of interest, we believe it can be made self-sustaining and self-liquidating.

The cost estimates of this project as made by the State Engineer and reported in Bulletin 25 of the Division of Water Resources, give its total cost, including the cost of acquiring rights of way, water rights and general expense, as $158,900,000. Those cost estimates were made on a basis of prices as they were in the year 1929, and are stated to include a 25 per cent factor for contingencies. In the light of present price levels and this factor of safety, it may well be assumed, we believe, that the project can be constructed within this estimate of cost.

We are informed that the above total estimated cost includes approximately $3,500,000 for the relocation and reconstruction of the State highway which now runs through the Kennett Reservoir site. In our opinion this expense should be paid out of the State highway funds without requirement of repayment from revenues earned by the project.

Substantial benefits by way of aid in flood control will follow from the construction of Kennett Dam. The contribution, if any, to be made by the State toward the project by reason of this flood control benefit is left for later determination by the Legislature. If such contribution is made, it should be in accordance with the provisions of the proposed constitutional amendment.

It is asserted and well established, both by the investigations of the State Engineer and the Division Engineer of the United States War Department, that the construction and operation of the Kennett Dam will provide a continuous minimum depth of 6 feet of water in the Sacramento River upstream as far as Chico Landing, and very considerable facilities for navigation as far as Red Bluff. At present, in

the low water season, navigation extends only to about the city of Sacramento. Dependable navigation during all seasons of the year will thus be extended on the Sacramento River a distance of over 140 miles more than is possible under present conditions of unregulated stream flow. Also, the reports of the United States Army Engineers indicate that by the installation of locks with the proposed series of low dams and pumps on the San Joaquin River, that river will be made navigable as far as Mendota, a distance of over 150 miles above Stockton. The benefits to follow from such improvements in navigation are great, and this project well deserves a large contribution from the United States by reason thereof.

In a partial report from the Secretary of War to Congress, House Document 791, Seventy-first Congress, Third Session, dated February 27, 1931, it is recommended that this contribution be $6,000,000. We are informed that the Division Engineer of the War Department at San Francisco has rendered a final report to the Chief of Engineers recommending additional amounts of Federal contribution on the grounds of flood control benefit in the Sacramento Valley and of navigation value inherent in the San Joaquin River pumping system. Every effort should be put forward by the proper officers of the State and by interested citizens to the end that those amounts or increased amounts, if circumstances justify, be approved by the reviewing board and officer at Washington, and included in the next Rivers and Harbors Appropriation Bill enacted by Congress.

SOUTHERN CALIFORNIA PROJECT.

The organization of the Metropolitan Water District of southern California and the approval by its people of a bond issue of $220,000,000 for the purpose of bringing water from the Colorado River into the district, in large measure provides for the solution of the second of the two great water projects which we have said should engage first the attention of this State.

The people of the Metropolitan Water District have chosen to solve their problem by local effort independent of the State. They obviously desire to retain the fullest independence and entire control of the project, and for that spirit no one can have other than praise. It is a spirit which we feel sure the State should and will recognize and uphold at all times.

There is, however, one way we believe by which the State can aid the Metropolitan Water District without in any manner intruding upon the independence of the district. That is by the State underwriting or guaranteeing the bonds of the district. It seems certain that such underwriting would enable the district to sell its bonds at a considerably lower rate of interest than the rate will be if the bonds are not so underwritten. The saving to the district from such procedure would aggregate many millions of dollars, and without financial loss to the State. The Metropolitan Water District has not yet indicated any desire that the State should underwrite its bonds. We do not know that it will do so, and therefore merely put forward the suggestion here as a possible basis by which the State can properly assist this great local project which of itself is of state-wide importance.

Provision is made in the proposed constitutional amendment by which the State can underwrite the bonds of the Metropolitan Water District upon a vote of the people to that effect. We believe, and recommend, that if the constitutional amendment is adopted and the Metropolitan Water District thereupon applies to the State to underwrite or guarantee its bonds, such application should be granted. Such action will be in line with the general policy which we believe is sound for the State to follow in reference to its water program. The central feature of that policy is that the State should not directly subsidize or aid any particular area or section in obtaining an additional water supply, but that the State may and should extend the benefit of its credit to those areas or sections whose water problems are of state-wide importance. The policy here proposed for the financing of the Central Valley Project amounts to merely the extension or loaning of the State credit to that project, and the policy here proposed for the Metropolitan Water District of underwriting its bonds amounts to the same thing. We have endeavored to express and preserve this policy in all of the provisions of the constitutional amendment and legislative acts which we propose. We believe it is a sound policy, and, if exercised with care and proper safeguards, can result in enormous benefit to the State, without affecting the finances of the State or laying additional burdens upon the general taxpayers.

LOANING OF STATE CREDIT IN AID OF WATER DEVELOPMENT PROJECTS.

The constitutional amendment which we propose provides that the Legislature may authorize the loaning of the credit of the State in aid of any county, city and county municipality or other public corporation or public district for the payment of the indebtedness of any such entity incurred in the acquisition, ownership and operation of works for the conservation, development, control, storage, distribution or use of water by such entity, provided that such water is used in whole or in substantial part for agricultural purposes. Commissioners Sullivan and Carr do not approve of this provision of the constitutional amendment. The majority of the members of this commission are of the opinion that this provision embodies a

sound policy for the State to pursue and does not and will not impose upon the State or its taxpayers, if properly carried out, any financial loss.

The majority of the members of this commission are of the opinion that the justice of this policy can not be questioned. Up to this time the great progress which has been made in conserving and developing the water resources of the State of California has been entirely by local effort. Municipalities and districts in all parts of the State have bonded themselves heavily to provide for their own water supply. They have not alone benefitted themselves by their conservation of water resources. The contribution to the wealth of the State and to its economic resources which they have made by their efforts, is of tremendous magnitude. It now appears, however, that the time has come when at least some great water projects in California must be undertaken and carried through by the State as a whole. Such projects are beyond the capacity of the local areas which will receive directly the benefits accruing from them. No good reason appears to the majority of the members of this commission why the State should thus extend this great benefit to those areas which will be directly aided by the projects proposed for a State water program, while leaving the independent districts and cities which have heretofore undertaken and carried through their own projects to bear the burden without any State aid. A broad view of the water problem of California must confirm the belief that every substantial development and conservation of a part of the water resources of the State is of benefit to the entire State whether it be made by local effort or by State effort. The majority of the members of this commission are therefore of the opinion that a sound State policy as to water development projects should contemplate not only State aid for those projects which may be constructed directly by the State, but the loaning of the State's credit under proper safeguards to those municipalities or districts which are able to qualify for such aid in reference to their locally developed water systems. Such State underwriting would result in much lower interest charges on the bonds of the districts affected, thus saving these entities and their inhabitants many millions of dollars without financial loss to the State.

The majority of the members of this commission are of the opinion that no alarm need be felt as to the finances of the State by adopting this provision in the constitutional amendment. In the first place, every city or district which applies for a loan of State credit must submit to a rigid investigation and qualify as financially responsible before such aid can even be further considered. Next, the proposition for loaning the credit of the State to such entity must pass the Legislature and be approved by the Governor. Finally, under the provisions of section 5 of the proposed constitutional amendment, such proposition must be submitted to and approved by the vote of the people. The majority of the members of this commission are confident that any proposition which can successfully pass all of these tests is not very likely to default upon its obligations. Moreover, provision is made in the constitutional amendment that should any city or district default on any obligation which the State has underwritten, then it shall be mandatory upon the State Legislature to at once provide for the levy of a direct tax upon all of the property in such city or district to reimburse the State for any amount which it may have been compelled to pay by reason of such default.

We are aware that in common with many private corporations and business concerns, and in common with some other public agencies, some of the irrigation and reclamation districts of California are now in default on their bond obligations. The majority of the members of this commission are of the opinion that this situation need not cause any alarm with reference to the adoption of the proposed constitutional amendment. Percentage of default of these districts to their total obligations compares favorably with the percentage of default to total obligations of other enterprises, both public and private. The majority of the members of this commission are firmly convinced that in all instances of State underwriting of city and district bonds issued for water development purposes, the great benefit of such underwriting will inure to the taxpayers of such cities and districts.

SUMMARY OF PRINCIPAL CONCLUSIONS AND RECOMMENDATIONS.

The principal conclusions and recommendations of this commission may be summarized as follows:

(1) The situation, both present and prospective, as to the water supply of California in reference to the well-balanced future development of the State, requires that the State should now carefully plan and carry out a comprehensive program for the conservation of its available water resources.

(2) In carrying out such program every project included therein should be self-sustaining and self-liquidating.

(3) The State, in carrying out its water program, should not at any time deprive any area of any water required for the full maintenance and development of such area.

(4) The State should, under proper safeguards, extend the aid of its credit to cities and districts in aid of financing water development projects constructed or hereafter to be constructed by such cities or districts, where such

water is used or to be used in whole or in substantial part for agricultural purposes.

(5) The construction of the Central Valley Project and the construction of the Metropolitan Water District Project of southern California are the two most important and urgent water development projects now requiring attention in the State of California. The construction of the first of these projects should be undertaken by the State and, if such aid is requested, the State should extend the benefit of its credit to the Metropolitan Water District, to the extent of underwriting its bonds in aid of the construction of that project.

(6) There should be created a permanent Water Resources Commission in order that there may be proper and continued investigation of the water problems of the State, an orderly, well-planned development of those resources, and adequate administration of such water projects as are constructed by the State.

(7) Every effort should be made to obtain cooperation and financial aid from the Federal government for the development of the water resources of California. A close and continuous contact should be kept with the Federal authorities in this regard.

(8) A constitutional amendment, an act creating a permanent Water Resources Commission and an act authorizing the construction of the Central Valley Project should be adopted, not only to establish the fundamental principles upon which the State water program should proceed, but to enable a start to be made on the construction of that portion of the work which appears to be most urgently necessary.

We are gratified to state that this commission is in substantial accord with the Joint Legislative Committee in most of the recommendations herein made. The Joint Legislative Committee has proposed a form of constitutional amendment practically identical in form with the one herein recommended. Also, the Joint Legislative Committee has adopted a resolution directing the preparation of such legislation as shall enable the Legislature to submit to the people a bond issue to provide for the construction of the Central Valley Project and such other legislation as may be necessary for carrying out the purposes of the resolution which in effect approves the construction of the Central Valley Project. The Joint Legislative Committee has, however, made no recommendation as to a permanent Water Resources Commission.

A helpful, interested and cooperative spirit has been displayed toward us by all citizens with whom we have come in contact in our work. Also the officers of the executive departments of the State, connected with the matters before us have rendered us valuable assistance and many of them have attended our meetings. All of this, taken with the collaboration of the California Joint Legislative Water Committee, has made our work pleasant, and for it we are very grateful.

In closing, we express the hope that some, at least, of the major differences of opinion which have existed as to the State water program have been reconciled, and that the State of California is now prepared in a united spirit to proceed upon what we conceive to be a well-considered, well-balanced and necessary program of State water development.

Respectfully submitted.

MATT I. SULLIVAN, Chairman.
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JAMES M. BURKE.
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A. B. TARPEY.

June 20, 1932.

STATEMENT BY JESSE POUNDSTONE, MEMBER OF COMMISSION.

In joining with the other commissioners in signing this report, I am doing so, not because I am in agreement with everything it contains but for the same reason that, as a member of the subcommittee representing this commission, I agreed to certain things that I did not approve in order to arrive at an agreement between this commission and the Joint Legislative Committee on the constitutional amendment.

In order that there may be no misunderstanding of my position, I desire to say I am in favor of the constitutional amendment herein proposed for the reasons set out in this report and hope the Legislature will adopt the same and submit it to the people for a vote. I am not in favor of a bond issue to carry out a specific plan or project being submitted to a vote of the people until after this constitutional amendment has been voted on by the people and approved. If the amendment is adopted by the people of this State, the Legislature should enact the necessary legislation to bring into being a permanent Water Resources Commission as recom-

mended in this report, to study the economic, legal and financial features of the project, something that up to the present time has not been done by any commission or committee that has had anything to do with the matter. The people of the State should not be called on to vote on a water project or bond issue to finance the same until the permanent Water Resources Commission, provided for in this report, has made a thorough investigation of the economic, legal and financial features of the project and can report favorably thereon.

JESSE POUNDSTONE.

RECESS.

At three o'clock and twenty minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until four o'clock p.m. of this day.

REASSEMBLED.

At four o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Chief Clerk Ohnimus reading.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal:

BUDGET MESSAGE OF JAMES ROLPH, JR.,
GOVERNOR OF CALIFORNIA.

To the Members of the Senate and Assembly.

In accordance with the provisions of section 34 of Article IV of the State Constitution, I present herewith a budget of the State of California for the eighty-fifth and eighty-sixth fiscal years, covering the period July 1, 1933, to June 30, 1935.

The section of the Constitution above referred to provides that, "The Governor *shall* * * * *submit* to the *Legislature* * * * a budget containing a complete plan and itemized statement of all proposed expenditures of the State provided by existing law or recommended by him. * * * If the proposed expenditures for the ensuing biennial period shall exceed the estimated revenues therefor, the Governor shall recommend the sources from which the additional revenues shall be provided."

BALANCING BUDGET UNPRECEDENTED PROBLEM.

No Governor since the enactment of the constitutional requirement for an executive budget has been faced with such a tremendous task of presenting budget recommendations which will fall within anticipated revenues. The economic depression we are now experiencing has been of unprecedented severity and duration. This disturbance of business conditions has affected adversely the revenues not only of this State but also of every other State in the Union as well as of governments throughout the world. In fact, California undoubtedly has weathered the depression better than other localities. Under normal conditions revenue accruals for the next biennium would have approximated $160,000,000 for the general fund. The effect of the depression will be to reduce this to approximately $92,000,000.

The extent of this reduction in the expectant revenues accruing to the general fund may be appreciated better by comparing the $92,000,000 estimated general fund revenues with the $98,000,000 that will accrue from motor vehicle fuel taxes, motor vehicle fees and other highway sources, which under present legislation is dedicated exclusively to highway and road purposes and over which the administration has no control. These special highway funds are completely under the control of the Legislature. In other words, under present law the State in the next two years will collect for highway and road purposes alone approximately $6,000,000 more than the entire amount it will receive from all general fund sources to carry on all general operating purposes of the State government, including the State's contribution to the public education system, and all its humanitarian services.

The section of the Constitution quoted above clearly states that the budget shall contain a complete plan of all proposed expenditures provided by existing law. This requirement, under the conditions of declining revenue, presents a dilemma, for existing laws call for expenditures which make it impossible for the Chief Executive alone to solve the problem of presenting a balanced budget without increasing taxes. It will require not only the assistance and full cooperation of the Legislature but also the approval of the people through constitutional amendments to accomplish this most imperative objective. In other words, the Legislature and the people have directed the fiscal officers of the State government to make certain expenditures but they have not provided them, under present conditions of reduced revenue, sufficient money to meet the demands. Hence, either the demands must be diminished or the revenue supply increased.

LEGAL OBSTACLES PREVENT BALANCING BUDGET BY EXPENDITURE REDUCTIONS.

With the drastic decline in revenues accruing to the State General Fund, it is impossible, under existing law, to present a balanced budget for the ensuing biennium, unless additional tax burdens are levied upon the already overburdened taxpayer. The Governor of the State of California has control over only approximately 27 per cent of the total budget. The remaining 73 per cent of expenditures is fixed by law, in other words, by the Legislature and the people. Even though the Governor should desire to reduce materially this 73 per cent of the expenditures he is without power to do so. The budget bill, or general appropriation bill, as it is more commonly known, includes but approximately 27 per cent of the total expenditures which are authorized for a biennium.

While the constitutional provisions for the Executive budget give to the Governor the power to reduce any item of appropriation contained in the budget bill, no such power is provided to control mandatory or fixed expenditures. A careful analysis of the fixed charges will indicate clearly that the rapidity with which these expenditures increase from year to year gives to the Governor of the State ever-lessening control over an ever-increasing budget. In my message to you on the opening day of the session, I pointed out to you the necessity of presenting to the people of the State, through means of a special election, recommended amendments to the Constitution which will reduce fixed charges or eliminate them and place under control of the Legislature all State expenditures, with the exception of payment of interest and redemption of bonds, which must remain fixed expenditures. Only by the reduction of fixed charges and the elimination of many of the functions and services of government set forth in Part II of this budget, which must be accomplished by the Legislature, can a balanced budget be obtained without levying additional taxes.

NEW APPROACH TO BUDGET PROBLEMS.

The budget presented herewith strikes out along new lines in that it recommends reductions of expenditures provided by law and also the entire elimination of certain unnecessary or overlapping governmental functions. This, in fact, is an innovation going beyond the constitutional provisions prescribing an Executive budget, for clearly those who drafted the provisions for the Executive budget did not anticipate that the Chief Executive would find it imperative to recommend the elimination of expenditures through the repeal of existing statutes.

This budget suggests most drastic action on the part of the Legislature to either amend or repeal existing laws prescribing certain functions of government, or requiring mandatory expenditures of State money, which make impossible the presentation of a balanced budget without the necessity of levying additional taxes. To accomplish this result I am recommending the following program:

First. As I have stated in my biennial message, I recommend for your consideration the passage of an urgency measure providing for the reimbursement of the general fund for the moneys used to pay highway bond interest and redemption for this present biennium. If the $8,779,750 which will have been paid for highway bond interest and redemption by the close of this biennium is returned to the general fund out of highway funds, together with savings secured through the operation of urgency measures covering all items of expenditure which can be eliminated immediately, we shall be able to end this biennium without a deficit in the General Fund.

As a safety factor I likewise recommend that any tax adjustments made in the State's revenue structure be passed as urgency measures so that any additional revenue will accrue immediately to aid in relieving our anticipated deficit and if possible, create a small reserve for the coming biennium.

Second. I recommend that you approve the reduced appropriations presented herewith in Part I of the budget which are under the budgetary control of the Chief Executive, with the exception of those items which I recommend be entirely eliminated or materially reduced as outlined in Part II of the budget. These controllable items have already been reduced 22.29 per cent below appropriations for the previous biennium and I feel that such recommendations are for the lowest possible amounts consistent with the necessity of carrying on the essentials of State government called for under existing law.

Although Part I of the budget recommends a reduction in proposed expenditures of $16,115,501 below appropriations for the current biennium, authorized by the 1931 Legislature, it leaves a requirement for the operating budget of $56,186,477. The requirement for fixed charges will be $86,505,363 or a total of $142,691,840. Even after having made this large reduction in that part of the budget controlled by the Governor, there will still be a gap of $49,811,266 between anticipated revenues and expenditures required by existing law.

In order to make still further reductions it is necessary that the Legislature change existing laws, as indicated in the third step.

Third. I recommend that the Legislature enact changes in existing laws to effect further reductions in the sum of $4,613,975 which items have been included in Part I of the budget because the services are prescribed by existing statutes. A detailed schedule of the individual items is presented in Part II of the budget.

Fourth. I recommend that the Legislature effect reductions of $12,989,325 in fixed charges against the general fund over which it has control. This recommen-

dation includes the provision that the interest and redemption of highway bonds be paid from highway funds. A schedule of the details of these recommendations is set forth in Part II of the budget.

Fifth. I recommend that the Legislature apply to the State's highway expenditures approximately the same percentage of saving (20 per cent) as has been applied by the Chief Executive to the general fund items and that this saving, together with the savings in other funds, be used to meet the State's requirements wherever necessary. This would produce approximately $10,000,000 toward balancing the budget

If these three steps, as outlined above, are taken by the Legislature the gap of $49,811,266 between anticipated revenues and expenditures would be further reduced in the sum of $27,603,300, still leaving a requirement of $22,207,966 to close the remaining gap between anticipated revenues and expenditures required by law. In order to span this gap I recommend two further steps be taken as explained hereafter.

Sixth. I recommend that a special election be called immediately by the Legislature submitting to the people a constitutional amendment reducing the fixed charges for the State subsidy to schools by approximately the same percentage reductions recommended previously for the general fund items controlled by the Governor and special fund items controlled by the Legislature. A reduction of 20 per cent would be in proportion to the increased purchasing power of the dollar and produce a saving for the State of approximately $12,000,000 for the biennium and a saving of approximately $15,500,000 for the counties.

As I said to you in my biennial message 57 per cent of the entire general fund budget represents the State's appropriation for the public educational system. The fixed amount of $30 per unit of average daily attendance, which is automatically appropriated annually from the State treasury to the counties without an act of the Legislature was voted into the Constitution in November, 1920. The purchasing power of the dollar today represents approximately $1 30 as compared to the value of the dollar in 1920.

It is my suggestion that either one of two propositions in relation to mandatory school expenditures be submitted to the people by means of a special election to be called at the earliest possible date.

The first of these is a proposed constitutional amendment reducing the mandatory appropriation for the elementary and high schools from $30 to $24 and providing for a like reduction in local taxes. Such a reduction will still leave $31.20 per unit of average daily attendance in 1920 purchasing power.

The second is a proposed constitutional amendment removing entirely the fixed sums appropriated, and giving the Legislature power to fix at each session such appropriations as it deems equitable.

Seventh. I also recommend that at the same special election another constitutional amendment be submitted to the people transferring to the State School Fund the accumulated funds in the Perpetual School Fund This will provide approximately $11,000,000 to be used for school expenditures, which is in keeping with the provisions of the congressional enactment pertaining to these funds.

These seven steps, if taken substantially as recommended, will make it possible to end the present biennium without a deficit and to balance the budget for the succeeding biennium without the imposition of additional taxes This result, in my opinion, should be our goal in order to assure the people that there will be no increase in the tax burden because of State expenditures, to give every industry and every element of our population renewed hope and substantial assistance looking toward recovery, and by the same action to effect a material reduction in the mandatory expenditures of local government.

I wish to point out that if these several recommendations are followed not only will the budget be balanced without the imposition of additional taxes, but there will be a slight margin to serve as a safety factor. This will come from the possible increased accruals from the miscellaneous adjustments in taxes which are potential factors in increasing revenues.

SUMMARY OF PROGRAM RECOMMENDED FOR BALANCING GENERAL FUND BUDGET FOR THE BIENNIUM 1931-1933 AND THE BIENNIUM 1933-1935

Without the adjustments recommended we would close the present biennium with a net deficit of	$9,272,000
(After applying savings aggregating $4,015,000.)	
First step recommended:	
Reimbursement for 1931-1933 highway bond payments and other urgency legislation which will reduce this deficit by	9,272,000
Thus closing the biennium without a deficit.	
Revenues which will accrue to the general fund for biennium 1933-1935 from present authorized sources are estimated at	$92,880,574
Fixed charges made mandatory by the Constitution and the statutes will require	86,505,363
Leaving for all operations of the State only	$6,375,211

Second step recommended:

The operating budget for the biennium 1933–1935 presented herewith totals	$56,186,477
Which is a reduction of $16,115,501 or 22.29% from the appropriations authorized by the Legislature of $72,301,978 for the current (1931–1933) biennium.	
This would leave a deficit for the 1933–1935 biennium amounting to	$49,811,266

Third step recommended:

Adoption of sundry recommendations requiring legislative action for eliminations and consolidation of services which will produce savings amounting to	4,613,975
Leaving the deficit at	$45,197,291

Fourth step recommended:

Reduction of fixed charges under the control of the Legislature by	12,989,325
Reducing the deficit to	$32,207,966

Fifth step recommended:

Legislature to apply same percentage of savings to State highway operations as recommended for general fund operating budget, these savings with other special fund savings to apply to deficit in amount of	10,000,000
Further reducing deficit to	$22,207,966

Sixth step recommended:

Submission to people at special election, constitutional amendments authorizing reduction in fixed charges for school apportionments producing a saving of	12,000,000
Leaving the deficit at	$10,207,966

Seventh step recommended:

Submission to people at same special election, constitutional amendment to authorize the use of school perpetual funds for school purposes	$11,000,000

Thus balancing the budget with a small surplus.

A NEW TYPE OF BUDGET.

The serious financial condition with which the State of California is confronted has made it necessary to present to you a three-part budget.

Part I: Presents the budget as required by law and the economy recommendations for such items which fall under the jurisdiction and responsibility of the Governor.

Part II: Presents economy recommendations, the fulfillment of which is a responsibility of the Legislature.

Part III: Recommends reduction in fixed charges, the accomplishment of which rests as a responsibility upon the people of the State.

This first part of the budget sets forth the minimum amounts which will be required to continue the present activities of the State government, and for which funds must be provided. Otherwise, legislation must be enacted to eliminate, or reduce, many of the functions included therein.

Obviously, certain expenditures of government can not be eliminated without destroying what has long been recognized as a responsibility of State government These include expenditures for those functions providing for the protection of persons and property and for the care of insane, feeble-minded, and prisoners, and for the custody of boys and girls committed to correctional schools. There is an irreducible minimum below which the budgets for agencies charged with the care of human beings can not be cut without depriving the State's wards of necessary food, clothing, and housing. There are, however, many expenditures of State government which readily fall under the heading of "nonessentials," built up in times of abundance and prosperity, and which can, and should be eliminated in times of stress. To guide the Legislature in its deliberations considering reductions and eliminations of items falling under the heading of nonessentials, Part II of the budget is presented.

BUDGET—PART ONE

Part I is divided into three sections: "General Government," "Education," and "Highway" It includes expenditures from all funds which are mandatory under the provisions of the Constitution or existing law, and expenditures necessary to carry on activities of State government prescribed by acts of the Legislature.

The budget as presented totals $258,655,163 47, which is a reduction of $24,495,376.74 from the actual and estimated expenditures for the current biennium as shown by the following summary, which is analyzed, as between special and general funds, and as between controllable expenditures and fixed charges.

Actual and estimated expenditures 83d & 84th fiscal years, 1931–1933	*Controllable expenditures*	*Fixed charges*	*Total*
General fund	$68,519,685 22	$80,404,131 39	$148,915,316 61
Special funds	13,812,869 48	120,413,854 12	134,235,223 60
Total	$82,332,554 70	$200,817,985 51	$283,150,540 21
Estimated and proposed expenditures 85th & 86th fiscal years, 1933–1935			
General fund	$56,186,476 93	$86,505,363 82	$142,691,840 75
Special funds	12,391,156 22	103,572,166 50	115,963,322 72
Total	$68,577,633 15	$190,077,530 32	$258,655,163 47
Reduction			
General fund	$12,333,208 29	$6,101,232 43*	$6,223,475 86
Special funds	1,421,713 26	16,841,687 62	18,271,900 88
Total	$13,754,921 55	$10,740,455 19	$24,495,376 74

* Increase

The following is a summary tabulation showing the total amount of the budget under the three sections as proposed for the coming biennium, compared with the total amounts for the five preceding biennial periods, showing the percentage of increase for each of the past bienniums and the percentage of decrease for the recommended budget for the coming biennium.

BUDGET SUMMARY—ALL FUNDS.

Fiscal years and date limits of biennium	*Total expenditures for biennium*	*Percentage of biennial increase*	*Average annual expenditures per capita*
GENERAL GOVERNMENT.			
75th & 76th (1923–1925)	$39,338,710 64	-----	$4.21
77th & 78th (1925–1927)	46,002,964 89	16.941	4.62
79th & 80th (1927–1929)	54,410,916 77	18.277	5.05
81st & 82d (1929–1931)	65 113,652 77	19.670	5.73
83d & 84th (1931–1933)	71,387,666 92	9.635	5.81
85th & 86th (1933–1935)	67,328,328 34	5 686*	5.17
EDUCATION.			
75th & 76th (1923–1925)	$54,332,242 80	-----	$5.81
77th & 78th (1925–1927)	63,519,574 89	16 910	6.41
79th & 80th (1927–1929)	71,921,292 17	13.227	6.67
81st & 82d (1929–1931)	80,635,162 97	12 116	7 10
83d & 84th (1931–1933)	87,297,922 42	8.263	7.11
85th & 86th (1933–1935)	84,324,659 13	3 405*	6 47
HIGHWAYS.			
75th & 76th (1923–1925)	$47,797,851 68	-----	$5.11
77th & 78th (1925–1927)	64 902,504 61	35.785	6 54
79th & 80th (1927–1929)	83,453,908 43	28 583	7.74
81st & 82d (1929–1931)	112,567 941 49	34 886	9 91
83d & 84th (1931–1933)	124,464,950 87	10 569	10.14
85th & 86th (1933–1935)	107 002,176 00	14 030*	8 21
TOTAL BUDGET.			
75th & 76th (1923–1925)	$141,468,805 12	-----	$15.13
77th & 78th (1925–1927)	174,425,044 39	23 296	17.60
79th & 80th (1927–1929)	209,786,117 37	20.272	19.47
81st & 82d (1929–1931)	258 313,755 23	23.132	22.75
83d & 84th (1931–1933)	283,150,540 21	9.615	23.06
85th & 86th (1933–1935)	258,655,163 47	8.616*	19.86

* Decrease.

The "General Government" budget, as set forth in the table above, totals $67,328,328.24 as compared with the estimated expenditures of $71,387,666.92 for the current biennium. This is a decrease for this section of the budget for the next biennium of 5.69 per cent in face of an increase of $3,453,271 in fixed charges. Such an accomplishment, as compared to the average increase of approximately 18 per cent

for the three biennıums preceding this administration, has been made possible only by the strictest application of economy to such items which fall under the control of the Chief Executive.

The expenditures for education, as presented in the above table, reveal that the estimated expenditures for education in the next biennium will total $84,324,659.13 as compared with the estimated expenditures of $87,297,922.42 for the current biennium. This decrease is in spite of the fact that the mandatory expenditures for education will be increased by approximately $3,000,000 in the next biennium.

Here again, by paring to the minimum that part of the educational budget which is controllable by the Governor, it has been possible to reduce the average increase of approximately 14 per cent for the three bienniums preceding this administration to a decrease of 3 405 per cent for the next biennium.

The proposed budget for highway expenditures during the next biennium, as presented in the above table, shows a decrease of 14.03 per cent as compared with the expenditures for the present biennium. It must be noted that the expenditure program for the present biennium was increased by approximately $12,000,000 over the expenditures of the biennium for 1929–1931. This tremendous increase in the highway expenditure program for the current biennium, practically the entire sum of which is without executive control, was due to two factors: first, the Federal government increased its contribution to this State for highway purposes many millions of dollars; and, second, there will be expended during the current biennium an accumulation of funds collected during the previous biennium which had accrued at a more rapid rate than could be judiciously expended. It was possible, therefore, during this biennium to greatly expedite and expand the highway construction program. It should not be necessary to carry on this same increased program of highway construction during the next two years. A temporary curtailment of highway expenditures will permit the use of gasoline tax revenue to eliminate an otherwise imperative necessity to levy a heavy additional tax burden upon all taxpayers of the State to meet the costs of the essential functions and services of the State government.

BUDGET—PART TWO.

Part II of the budget sets forth first, governmental functions, and the costs thereof, which may be eliminated by legislative action without jeopardizing, or seriously injuring, the welfare of the State. The present operation of these functions is required by existing law. The Legislature should weigh carefully each item presented in this part of the budget. It will be necessary to eliminate all of these items or their equivalent if we are to balance the budget for the coming biennium without enacting additional revenue-raising laws and increasing the tax burden on the people. The total sum of these recommended reductions amounts to $4,500,000.

Second, it makes recommendations for the elimination, or reduction, of expenditures classified as "fixed charges" which are made mandatory by legislative acts and which the Legislature has power to either eliminate or reduce. These recommendations total $12,989,325.

Third, it recommends that the Legislature apply to highway expenditures and other special fund items the same percentage of savings as has been applied to the general fund items under the control of the Governor. This recommendation will produce in excess of $10,000,000.

BUDGET—PART THREE.

Part III of the budget sets forth first, recommendations for the reduction of constitutional fixed charges. These reductions amount to approximately $12,000,000.

Second, it recommends that the Permanent School Funds of approximately $11,000,000 be used in the present emergency to meet school costs.

These will require the approval of the Legislature and the submitting of three proposals to the people by means of a special election

BORROWING THE PERPETUAL SCHOOL FUNDS.

Under the provisions of section 4 of Article IX of the State Constitution all of the proceeds from the sale of school lands granted by the United States to this State are paid into a perpetual fund known as the Perpetual School Fund. The interest from the investment of this fund is paid into the Elementary School Fund to be used in assisting to make up the total of $30 per unit of average daily attendance appropriated to the counties from the general fund. There is nothing in the Federal law which requires that money derived from the sale of the school lands shall be placed in a perpetual fund. The congressional act only requires that the money so received shall be used for school purposes.

Over forty millions of dollars are appropriated biennially by the State to counties for elementary school purposes, and the interest derived from the Perpetual School Fund is a very small part of the money apportioned to the counties when compared to the total appropriations. The Perpetual School Fund has no effect upon the amount which must be appropriated under the provisions of the Constitution, and whether this Perpetual School Fund existed or not, the same amount of money would be paid by the State. The same provision of the Constitution which provides for the disposition of the proceeds from the sale of school lands also provides that all estates of deceased persons, who have died without leaving a will or heir,

shall also remain a perpetual fund, the interest from which shall be used for the support of the common schools throughout the State.

It is my recommendation, therefore, that there be submitted to the people, at the suggested special election, an amendment to this section of the Constitution permitting the State to use during this emergency $11,000,000 of the perpetual school funds now frozen. If the Legislature so desires, these funds can be reestablished as perpetual funds when surpluses accrue in the general fund in future years.

PRESENT CONDITION OF GENERAL FUND.

Because of its importance, I want to repeat what I said to you in my biennial message regarding the present condition of the general fund. In spite of everything that was done during the past 18 months under the limitations of existing law, or can be accomplished under the same limitations during the rest of the biennium to reduce expenditures payable from the general fund, there will be a deficit in the general fund at the close of this biennium, June 30, 1933, of approximately $9,500,000. The deficit would have been approximately $13,000,000 had expenditures not been curtailed to produce savings of approximately $4,000,000 below appropriations authorized by the Legislature. This threatened deficit can be avoided without imposition of added taxes if the Legislature will approve by *urgency legislation the recommendations set forth specifically in the following* schedule:

Reimburse general fund for highway bond interest and redemption paid during the current biennium	$8,779,750 00
Abolish Emergency Permanent Improvement Fund established in 1929 to care for replacements of property destroyed by "acts of God"	53,215 00
Repeal appropriation providing construction for Agricultural District 1-A, which has not been matched as required by the appropriation act	250,000 00
Return to general fund revolving fund appropriated to California Toll Bridge Authority	50,000 00
Require return of unexpended balance of appropriation for Santa Ana River flood control no longer needed	150,000 00

If the Legislature does not approve these reductions or eliminations, or their equivalent as urgency measures, then it must approve during the first half of this session provisions for additional taxes.

I recommend, however, that the first two steps here suggested to eliminate the threatened deficit be taken by the Legislature and that no new tax measures be enacted either to avoid the deficit for the present biennium or to meet expenditures of the State for the ensuing biennium.

THE GENERAL FUND SURPLUS

I wish to reiterate what I said in my biennial message, that much has been said on the platform and in the public press about the $31,500,000 surplus in the general fund in the State treasury. When I took office as Governor of the State there was at that time in the State treasury a large surplus in the general fund. At the close of the biennium on June 30, 1931, that surplus approximated $31,500,000.

In my message, which I presented to you with the budget two years ago, I informed you that the State was faced with a condition of exceptional nature in the matter of finances. I pointed out that due to the falling off in business, which directly affected the revenues of the State, the average rate of increase in revenues would be materially cut. I further pointed out that the people of the State, by amendments to the Constitution, had reduced by $1,000,000 the gross receipts tax to be received from electric street railways

The estimate of general fund revenues for the present biennium, which was made two years ago, was the result of a study of the best obtainable data that could be procured from every reliable source within the State and Nation. No one at that time could foresee the depth to which the downward trend of business would go during this biennium A careful study of the chart presented below shows conclusively, that at the time the last budget was prepared, business conditions had reached the lowest point in the history of all depressions in the United States for the past 100 years. Every indication pointed to an upward trend during the first year of the biennium. Instead of a continued upward trend, however, after a short-lived recovery, the very opposite took place, and business conditions sank to a depth unprecedented in the history of the United States during the last century

The budget recommendations of two years ago made it necessary to take from the $31,500,000 estimated surplus approximately $10,000,000 to carry out the functions of government provided by the Constitution and the statutes. As I pointed out then the purpose of a surplus is to provide a reserve for use in times of economic stress. The Legislature, by enactment of special appropriation bills, took from this surplus an additional $7,500,000, making a total of approximately $17,500,000 to be taken from the $31,500,000 surplus.

Had the estimated revenues actually come into the treasury during the present biennium it would have been possible to close the biennium with a general fund surplus of approximately $14,000,000. The revenues, as estimated, however, will not

be received, but will be approximately $27,500,000 below the estimate. This will not only wipe out the $14,000,000 which we estimated would be left in the general fund, but will leave us with a deficit in the general fund at the close of this biennium even after taking into consideration budget savings of approximately $4,000,000 made effective during these two years.

IMPROVEMENTS IN BUDGET DOCUMENT.

Each succeeding budget since the Executive budget law became effective has brought developments in improved style and form, and the budget presented herewith contains many details not found in previous budgets. Additional charts and tables which will throw added light on the contents of the budget have been included.

NEW EXPENDITURE SUMMARIES.

Few persons are able to grasp readily all of the many details presented in the statements and budget statistics contained within these 500 odd pages. An endeavor has been made in the preparation of this budget to still further consolidate into tables and graphic pictures the contents of the budget as a whole.

So that the taxpayer may have an analysis of expenditures of State government by objects, that is, "Salaries and wages," "Materials and supplies," "Service and expense," and "Equipment," tables have been prepared to show the total of expenditures for each of these four objects. A detailed statement of the fixed charges and a citation of the laws governing such charges have also been included.

WHAT THE STATE GETS FOR ITS MONEY.

A new feature in this budget is an explanation preceding the budget for each State agency showing what the taxpayer receives from the State for the money which is expended through such agency. The location of each State institution, teachers' college, etc., showing the city and county, and the location of the main office of each agency, is also given.

DETAILED PROPOSED EXPENDITURES SHOWN.

The provisions of the Constitution, that the Governor shall submit to the Legislature "a budget containing a complete plan and itemized statement of all proposed expenditures of the State provided by existing law or recommended by him," have been complied with fully. The functional analysis of expenditures for each State agency, which was presented for the first time in the budget of two years ago, has been included in this budget. The original budget requests for each agency are also given for comparison with the amounts recommended by me.

BOND ISSUE FOR PERMANENT IMPROVEMENT PROGRAM.

It has been found necessary in this budget to eliminate practically all permanent improvements for the next two years. The ten-year building program presented four years ago, which was designed to provide an orderly building program for necessary additions and replacements, can not be carried forward with available revenues during the next biennium. Only the very minimum requirements for construction projects, which are necessary to provide housing facilities to care for the increased population of the State's wards during the next two-year period, have been recommended. It is regrettable that many buildings at our institutions, which are greatly overcrowded and which present serious fire hazards, must continue to be occupied and not replaced.

I desire to present for your consideration the facts incident to the calling of a special bond issue to carry on a much-needed building program for the next two to five years. If this administration during the present biennium had followed the course taken by previous administrations by calling for a bond issue to take care of permanent improvements, instead of including them on the "pay-as-you-go" plan adopted in the budget of this biennium, the threatened deficit in the general fund at the close of this biennium could have been avoided.

The Legislature of 1925 authorized for submission to the people a bond issue for State buildings and university buildings in the amount of $8,500,000. The Legislature of 1927 authorized two bond issues, one for the California Tenth Olympiad for $1,000,000 and another for California State Parks for $6,000,000.

The budget for this biennium included approximately $7,500,000 for permanent improvements. Almost all of these improvements were made the subject of urgency legislation so that construction work might begin immediately in order to relieve unemployment and also to provide rapidly much needed housing facilities.

If the Legislature should determine that a bond issue is desirable it should be voted upon at the special election which I have recommended. The $1,500,000 for permanent improvements included in this budget for the next biennium should be included in the bond issue. This would aid in balancing the budget for the next biennium and it would delay the necessity of finding funds at this time to meet this unavoidable demand.

A summary of construction projects covering normal requirements for the next five years is set forth on page 477 of the budget. At the present time the State can

secure a far greater return for its construction dollar than will be possible probably for many years to come. For this reason a bond issue for permanent improvements can be justified, although we should remember that the interest and principal must be paid in the future.

PER CAPITA EXPENDITURE REDUCED.

The per capita cost of State Government * for the ensuing biennium (1933–1935) as contemplated by this budget will be reduced to $19.86 as compared to $23.06 per year for the current biennium. This very substantial reduction results from a greatly reduced budget in face of an estimated normal increase in population.

Whether it will be possible to continue to obtain a reduced per capita cost of State government will depend upon the mandate of the people expressed through constitutional enactments or demands upon the Legislature for new or increased functions of government. We can not upon the one hand place upon the State the burden of providing new or increased services and on the other hand expect to secure a reduction in the tax burden. In the last analysis the people of the State of California must determine whether they prefer to pay additional taxes or to forego some of the benefits and special services which they receive at the hands of their government.

UPWARD TREND IN THE TOTAL COST OF STATE GOVERNMENT REDUCED.

A complete picture of the experience of the State of California under the administrative budget system, which will have covered a period of 10 years at the close of the present biennium, June 30, 1933, is presented in chart form following this message. A careful study of this chart on page XXVI, in conjunction with the comparative statement of total biennial expenditures from all funds, will indicate that the average biennial increase of approximately 22 per cent in the total budget for the past three bienniums has been reduced during the first two years of the present administration to 9.52 per cent.

NO DEFICIENCY APPROPRIATIONS REQUIRED.

This will be the first session of the Legislature for many years which will not be asked to approve deficiency appropriations for the general operation of government. The only deficiency appropriations to be submitted will be for expenditures of the Legislature itself and an appropriation to pay the cost of printing the sponsors' pamphlet. The deficiency for the sponsors' pamphlet is required because the Legislature failed to follow the recommendation of this administration to repeal the act making this pamphlet necessary.

LARGE PERCENTAGE OF STATE REVENUES EXPENDED BY COUNTIES.

As I called to your attention in the message covering the last biennial budget, a large per cent of the total budget represents money transferred as subventions and grants by the State to the counties for disbursement. In the next biennium this will be approximately 42.18 per cent. If funds which are appropriated to the counties by the State were paid by the taxpayers directly to the county, the State budget for the coming biennium would be reduced from $258,421,813 to $150,-239,000. The average taxpayer does not take the time necessary to fully analyze the various details of the budget. He looks only at the total thereof and forms the conclusion that the administrators of the State government are expending the total amount of the budget. It will doubtless surprise many that the total cost of administrative government, excluding those agencies which are charged with custodial care of the State's wards, aid to orphans, aged, and blind, care of the sick, and educational institutions, highway maintenance and construction, and bond interest and redemption, but including the Legislature, judiciary, executive, and the several regulatory, administrative, and service agencies of the State, represents only an exceedingly small part of the total budget. This percentage is but 12.02 per cent of the total budget.

SUGGESTED NEW TAX SOURCES IF REDUCED EXPENDITURE PROGRAM IS NOT ADOPTED.

I am recommending a fiscal program which will effect a balanced budget without the necessity for new tax revenues. Should the people refuse to authorize a reduction in fixed charges, or should the Legislature not find it advisable or expedient to adopt this program in its entirety with the inevitable result that additional revenues must be raised, I recommend as sources for such revenues, tax measures which will have the broadest base and which will bear most lightly on the already overburdened property owner.

* "Cost of State government" as used herein includes all outlay of State revenues whether paid to defray expenses of State government operations or whether apportioned to counties and other governmental units for expenditures by them. If those funds apportioned to counties and other governmental units for direct expenditure by such units were eliminated as part of the cost of State government, a more correct statement of the per capita cost of State government would be presented. With such elimination the per capita cost of State government would be for the biennium 1931-1933 $14.48; and as proposed in this budget for the biennium 1933-1935 $11.48 per year.

I refrain from suggesting that additional revenues be derived by increasing tax rates on those who are already heavy taxpayers on the theory of equalization or otherwise. My theory for tax equalization, although undoubtedly new to most public officials, is that it can be secured better by reduction of the already intolerable tax burden than by acceptance of the prevalent suggestions for equalization by increasing tax rates. My reasons for not recommending a program of equalization by increasing the tax burden on some one are as follows:

First. Such action would be to increase the total tax burden of the people already making large contributions for the support of government. This tax burden should be at least prevented from increasing if it is not possible to reduce it.

Second. Many increases in taxes levied under the guise of equalization on one tax subject are merely passed on to overburdened consumers of essential commodities and services which are taxed.

Third. It is feasible and necessary to consider during this period of depression an equalization of tax burdens by means of reducing the cost of Federal, State, and local government, thus following the trend secured in many localities by the demand of taxpayers.

Fourth. The Tax Research Bureau in its report presented to this Legislature has made no recommendations for accomplishing equalization by increasing taxes

Fifth. Finally, if added taxes are unavoidable for the reason that the people or the Legislature do not follow my recommendations, it appears to be more equitable to secure additional revenues by broadening the tax base, bringing in those who now largely escape paying anything for the support of government. This, I believe, should be done rather than to pyramid additional taxes on present contributors The tax base should be broadened by confining new levies to taxes on luxuries and nonessentials, avoiding, in particular, levies which will fall most heavily on persons of small income who must spend all they earn for the bare necessaries of life.

I wish to reiterate that increased or new taxes will not be necessary if the people and the Legislature adopt my recommendations for balancing the budget.

However, if the people or the Legislature fail to adopt my recommendations and therefore a contingency requiring new or additional taxes occurs, I point out for your careful consideration the following possible sources of revenues, with a statement showing a conservative estimate of the possible yield at stated rates

These items are taken from the report of the Tax Research Bureau with estimates modified so as to present a conservative estimate of the amounts.

	Estimated biennial yield	
Tax on tobacco products:		
Cigarettes, 3c per 20	$8,000,000 00	
Other tobacco products, 10%	3,580,000 00	
Retail dealers (License, $5 to $50)	550,000 00	$12,130,000 00
Tax on beverages and confectionery:		
Malt syrups, extracts, wort and carbonic acid gas, 5c per lb.	$550,000 00	
Fountain sirups, 76c per gal.	1,400,000 00	
Bottled drinks, 1c per half pint	2,100,000 00	
Soft drinks at fountains (excluding ice cream), 1c each 5c	5,090,000 00	
Confectionery, 10%	2,890,000 00	
Chewing gum, 20%	1,225,000 00	$13,255,000 00
Tax on business and legal documents and playing cards:		
Stock transfer stamp, 2c per $100 par value	$450,000 00	
Tax on bond transfers, 3c per $100 par value	90,000 00	
Tax on original issues, stocks, bonds, certificates of indebtedness, 5c per $100 par value	338,000 00	
Documentary stamp taxes—notes, conveyances, other documents, sundry	720,000 00	
Stamp tax on playing cards, 10c per pack	270,000 00	$1,868,000 00
Taxes on certain luxuries.		
Cosmetics (exclusive of dentifrices and talcums) and patent medicines, 20%	$5,971,000 00	
Jewelry, 5%	1,440,000 00	
Sporting goods and furs, 10%	1,160,000 00	
Musical instruments, 5%	368,000 00	
Radio sets and parts, 5%	2,000,000 00	
Cameras, 10%	315,000 00	
Motion picture films and photographic supplies, 5%	748,000 00	$12,002,000 00

	Estimated Biennial Yield	
Taxes on amusements:		
Admissions tax—moving picture shows, theatrical entertainment, etc., 1c each 10c	$5,350,000 00	
Tax on initiation fees, and dues, social, athletic or sporting clubs (exempt if not over $10), 10%	1,275,000 00	
Gross receipts tax, athletic exhibitions, racing, rodeos, circuses, etc. (exempting school athletics), 10%	255,000 00	
Privilege tax—highway advertising signs, 5c per sq. ft.	340,000 00	$7,220,000 00

Should Congress legalize the sale of beer, I recommended a tax on that commodity. A conservative estimate of the yield from such tax is $5,000,000 for the biennium.

Most of the revenue measures cited above could be placed in operation in a very short time. If enacted they should be urgency measures to become effective within thirty days of passage. This would make possible the collection of from six to eight millions of dollars during the current biennium.

CONCLUSION.

It is unnecessary for me to state to you that the importance of reducing the cost of government and balancing the budget for the State is paramount. We can not expect an early or substantial recovery in business conditions until the Federal, State and local governments have put their fiscal affairs upon a sound basis. This budget, with its recommendations, is presented with the full realization of the need for relief to taxpayers on the one hand and of the necessity of preserving the essential functions of government on the other.

It can not be considered economy nor for the best interests of the State to sacrifice those governmental functions, humanitarian and regulatory in character, which are indispensable to safeguard and forward the general welfare of the people. The amounts included in this budget for the operation of the various State departments and other agencies have been presented in such amounts as to compel the most rigid economies in order that services which they are required by law to perform may be carried on efficiently.

Respectfully submitted.

JAMES ROLPH, JR., Governor.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Cobb: Assembly Bill No. 522—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 17, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 297—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants

and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations, and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 6.02, 9.02, 9.11, 13.01, 15.03, and 15.17 thereof; declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By JAMES L. GARDINER, Assistant Secretary.

The above reported bill ordered to enrollment.

ADJOURNMENT.

At five o'clock and fifteen minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, January 18, 1933, out of respect to the memory of Carlos K. McClatchy.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, January 18, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Peterson, Mr. Kallam was granted leave of absence for the day.

On motion of Mr. Hallner, Mr. Woolwine was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Roland, Mr. George E. Sheldon of Oakland was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Robinson, C. Ray, Mr. John H. Riordan of San Francisco was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Miss Miller, Eleanor, Mr. and Mrs. S. C. Joyner of Pasadena were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Miller, James A., Mr. George W. Gerhard, secretary, Civic League of Improvement Clubs and Associations, San Francisco, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Knowland, Mr. T. J. Roberts of Oakland and Mr. R. R. Corrie of San Francisco were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cassidy, Mr. Thomas J. Church of Berkeley was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hornblower, Mr. Daniel Gallagher of San Francisco was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Crowley, Mr. Leo C. Dunnell, United States Deputy District Attorney, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Messrs. Cronin and Maloney, Mr. and Mrs. Carl Maritzen and Mr. and Mrs. James McDougall of San Francisco were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scudder, Mr. W. E. Baumberger of Kentfield was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Badham, Mrs. W. H. Bachman of Los Angeles was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of the Alameda County delegation, Hon. Joseph R. Knowland, father of Assemblyman Knowland, and former member of the California Legislature, and of Congress from the Sixth Congressional District, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Unemployed Cooperative Relief Council of California, relative to unemployed relief.

(Signed) ALFRED C. DORTER, State Secretary.

The Speaker ordered the petition referred to Committee on Unemployment.

By Mr. Speaker:

From Civic Association of Los Angeles, relative to enact necessary legislation to obtain retrenchment in all State departments.

(Signed) MRS. CHAS. IRVING WALKER, President.
MRS. E. GRAHAM DOUGLAS, Secretary.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Peterson: Assembly Bill No. 523—An act to amend section 1 of an act entitled "An act authorizing counties to declare noxious or dangerous weeds growing upon the streets or sidewalks or upon private property in counties, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same, and providing that such cost shall constitute special assessments, and providing for the enforcement and collection of such special assessment," approved May 24, 1929, relating to the powers of supervisors to declare the existence of a public nuisance.

Bill read first time, and referred to Committee on County Government.

By Mr Peterson. Assembly Bill No. 524—An act to repeal sections 6.470 to 6.477, inclusive, of the School Code, to repeal an act entitled "An act to provide for the purchase of school supplies for school districts and defining the powers and duties of superintendents of schools of counties and other officers in relation thereto," approved May 31, 1929, and to amend section 6.478 of the School Code, relating to the purchase of school supplies.

Bill read first time, and referred to Committee on Education.

By Mr. Badham: Assembly Bill No. 525—An act to provide for the regulation and licensing of short-wave length radio receiving sets and the regulation of information rendered to police or other official radio broadcasting stations, to prescribe the duties of the California Highway Patrol in relation thereto, and to provide penalties for the violations thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 526—An act to amend section 167 of the Civil Code, relating to liability of community property for wife's contracts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 527—An act to amend sections 549 of the Code of Civil Procedure, relating to third party claims.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Crist and Cottrell: Assembly Bill No. 528—An act to amend section 4234 of the Political Code, relating to compensation of county officers and employees in counties of the fifth class.

Bill read first time, and referred to Committee on County Government.

By Messrs. Crist and Cottrell: Assembly Bill No. 529—An act to amend section 19x5 of the Juvenile Court Law, relating to probation officers in counties of the fifth class.

Bill read first time, and referred to Committee on County Government.

By Messrs. Crist and Cottrell: Assembly Bill No. 530—An act to amend section 9a5 of and to add section 18 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing "An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, prescribing a short title and relating to librarians in counties of the fifth class.

Bill read first time, and referred to Committee on County Government.

By Messrs. Crist and Cottrell: Assembly Bill No. 531—An act to amend section 16x5 of the Weights and Measures Act, relating to sealers in counties of the fifth class.

Bill read first time, and referred to Committee on County Government.

By Messrs. Crist and Cottrell: Assembly Bill No 532—An act to amend section 2322x5 of the Political Code, relating to agricultural commissioner in counties of the fifth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Crist: Assembly Bill No. 533—An act to amend section 2440 of the Political Code, relating to pilot commissioners for the ports of San Francisco, Mare Island and Benicia.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Latham: Assembly Bill No 534—An act relating to the collection, treatment and disposal of sewage.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Miss Miller, Eleanor: Assembly Bill No. 535—An act to amend sections 2, 3, 6, 7, 8, 9, 12, 13, 14, 17, 18, and 19, and to add two new sections to be numbered 18a and 21a, to the Act Concerning Cosmetology, relating to the practice and teaching of cosmetology.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Burns: Assembly Bill No. 536—An act to add section 459 to the Fish and Game Code, relating to birds, mammals, and fish kept for exhibition purposes.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Utt: Assembly Bill No. 537—An act to add a new section, to be numbered 2b, to an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,' approved March 22, 1909," relating to bids for contracts for public work.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lyon: Assembly Bill No. 538—An act to amend section 1 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," approved May 26, 1927, Statutes 1927, page 1565, as amended, to provide for an allocation of funds derived under said act and the disposition to be made of such portion of said funds as are allocated to the counties of this State, and to authorize counties to establish systems of county highways.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr Lyon: Assembly Bill No. 539—An act to amend sections 2167, 2167a, 2169, 2172, and 2175 of, to repeal sections 2168, 2170, 2171, and 2185c of, and to add new sections numbered 2168, 2171, and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Mayo: Assembly Bill No. 540—An act to amend section 3805a of the Political Code, relating to cancellation of assessments, certificates of sale and deeds.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr Mayo: Assembly Bill No. 541—An act to amend section 737e of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Calaveras

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr Mayo: Assembly Bill No. 542—An act to amend section 16x52 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-second class.

Bill read first time, and referred to Committee on County Government.

By Mr. Cronin: Assembly Bill No. 543—An act making it unlawful for an attorney-at-law to employ any person who is not an attorney to solicit claims for personal injuries or for death, prohibiting any person not an attorney-at-law from soliciting such claims, limiting the use of written statements taken from an injured person, and providing the penalties therefor, also establishing presumptions as to certain settlements, compromises, releases, discharges and satisfactions as to contracts with attorneys.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Greene: Assembly Bill No. 544—An act to amend sections 430 and 431 of the Fish and Game Code, and to add thereto section 428.5, relating to hunting and sporting fishing licenses.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Craig: Assembly Bill No. 545—An act to amend section 3 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of lubricating oil.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Williamson: Assembly Bill No. 546—An act to amend section 683 of the Civil Code, relating to joint tenancies.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Williamson: Assembly Bill No. 547—An act to amend section 5.520 of the School Code, relating to substitute employees of school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Williamson: Assembly Bill No. 548—An act to amend section 10 of an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau Fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1913, and all amendments thereto.

Bill read first time, and referred to Committee on Mines and Mining.

By Messrs. Feigenbaum, Clowdsley, Crist, Williamson, West, Ross, Cronin, Dempster, Cottrell, Meeker, Hornblower, Alter, Brock, Roland, Zion, and Powers: Assembly Bill No. 549—An act to add sections 85 and 85½ to the Public Utilities Act, relating to assessing the salaries

and expenses of the Railroad Commission to public utilities and disbursements from the Railroad Commission Fund.

Bill read first time, and referred to Committee on Public Utilities.

By Messrs. Feigenbaum, Clowdsley, Crist, Williamson, West, Ross, Cronin, Dempster, Cottrell, Meeker, Hornblower, Alter, Brock, Roland, Zion, and Powers: Assembly Bill No. 550—An act to amend sections 5 and 6 of an act entitled "An act providing for the supervision and regulation of the transportation of property for compensation over any public highway by auto trucks; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to the Railroad Commission Fund.

Bill read first time, and referred to Committee on Public Utilities.

By Messrs. Feigenbaum, Clowdsley, Crist, Williamson, West, Ross, Cronin, Dempster, Cottrell, Meeker, Hornblower, Alter, Brock, Roland, Zion, and Powers: Assembly Bill No. 551—An act to amend sections 57 and 50¼ of the Public Utilities Act, relating to the Railroad Commission Fund.

Bill read first time, and referred to Committee on Public Utilities.

By Messrs. Feigenbaum, Clowdsley, Crist, Williamson, West, Ross, Cronin, Dempster, Cottrell, Meeker, Hornblower, Alter, Brock, Roland, Zion, and Powers: Assembly Bill No. 552—An act to amend section 4 of an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, relating to the Railroad Commission Fund.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Chatters: Assembly Bill No. 553—An act to add a new section to the Political Code, to be numbered 3747a, relating to segregation of valuation of property on the assessment roll.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Roberts, Brock, Williamson, Crist, and Boyle: Assembly Bill No. 554—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and

continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 1.01, 3.02, 5.01, 6.01, 6.02, 6.03, 6.06, 6.07, 7.06, 8.07, 10.03, 12.08, and 15.16 thereof, and by repealing section numbered 5.04 thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Messrs. Roberts and Brock: Assembly Bill No. 555—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending section numbered 4.01 thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Brock: Assembly Bill No. 556—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and

liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending section numbered 1.02 thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Messrs. Cronin, Levey, Feigenbaum, Williamson, Roland, Hoffman, Fisher, and Anglim: Assembly Bill No. 557—An act to amend section 367 of the Code of Civil Procedure and to add a new section, numbered 367a, to said code, relating to parties in certain civil actions.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Cronin, Levey, Feigenbaum, Williamson, Roland, Hoffman, Fisher and Anglim: Assembly Bill No. 558—An act to amend section 3422 of the Civil Code, relating to injunctions.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Cronin, Levey, Feigenbaum, Williamson, Roland, Hoffman, Fisher and Anglim: Assembly Bill No. 559—An act to amend section 526 of the Code of Civil Procedure, relating to injunctions.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Cronin, Levey, Feigenbaum, Williamson, Roland, Hoffman, Fisher and Anglim: Assembly Bill No. 560—An act to amend sections 281 and 1209 of the Code of Civil Procedure, relating to contempt of court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hunt: Assembly Bill No 561—An act to amend sections 2756 and 2757 of the Civil Code and to add a new section thereto, to be numbered 2758, all relating to measure of indemnity in fire insurance policies.

Bill read first time, and referred to Committee on Insurance.

By Mr. Meeker: Assembly Bill No 562—An act creating a State Board of Tax Lands and defining its powers and duties and making an appropriation in aid of its operations.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Jones: Assembly Bill No. 563—An act to amend sections 2 and 7 of the act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved

March 13, 1883, relating to incorporation of municipal corporations and annexation of territory thereto.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Greene: Assembly Concurrent Resolution No. 25—Relative to approving a certain amendment to the charter of the city of Inglewood, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Greene asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 25, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-FIVE.

Assembly Concurrent Resolution No. 25—Relative to approving a certain amendment to the charter of the city of Inglewood, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 25 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Wright, Zion, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 25 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 25—Relative to approving a certain amendment to the charter of the city of Inglewood, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 3—Relating to memorializing Congress to adopt legis-

lation permitting the manufacture and sale of light wines—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Joint Resolution No. 3 ordered on file for adoption.

ON UNEMPLOYMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1933.

MR. SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No. 374—An act to provide for the construction and supervision of safe and sanitary low-cost dwellings and apartments, and for the rental or sale thereof at reasonable rates, and in connection therewith to authorize the incorporation and provide for the regulation of limited dividend housing corporations and prescribe the powers, rights and duties thereof; to regulate and limit the rate of return on securities to be issued by such corporations; to declare the urgency of this act and provide that it shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

POWERS, Chairman.

The above reported bill ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Mr. Craig:

WHEREAS, It appears that it will be to the advantage of the State of California to have a uniform system of numbering for all State highway routes and that such routes should be marked with an official sign displaying the State highway route number; now, therefore, be it

Resolved, That the Department of Public Works shall prepare a plan for uniform numbering of routes in the State highway system, together with a suggested design for an official sign, and submit them to the State Highway Commission for approval and that upon approval of the plan and design of sign that the Department of Public Works shall proceed with signing the State highway system with the State highway route numbers.

Resolution read.

The question being on the adoption of the resolution.

MOTION.

Mr. Bliss moved that the resolution by Mr. Craig be referred to Committee on Roads and Highways.

Motion carried.

The Speaker ordered the resolution by Mr. Craig referred to Committee on Roads and Highways.

DAILY CALENDAR.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER FOUR.

Senate Joint Resolution No. 4—Relative to memorializing and petitioning Congress to enact legislation transferring certain oil lands in Kern County, California, from the jurisdiction of the Navy Department to the jurisdiction of the Department of the Interior.

Resolution read.

The question being on the adoption of Senate Joint Resolution No. 4.

MOTION TO REFER.

Mr. Turner moved that Senate Joint Resolution No. 4 be withdrawn from the calendar, and referred to Committee on Oil Industries.

The question being on referring Senate Joint Resolution No. 4 to the Committee on Oil Industries.

Motion carried.

Senate Joint Resolution No. 4 ordered referred to Committee on Oil Industries.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THREE.

Assembly Joint Resolution No. 3—Relative to memorializing Congress to adopt legislation permitting the manufacture and sale of light wines.

Resolution read.

The question being on the adoption of the resolution.

CALL OF THE HOUSE.

Pending the announcement of the vote, Messrs. Lyon and Cobb moved a call of the House.

Motion carried.

Time, eleven o'clock and forty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, and Mr. Speaker—75.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.
INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Messrs. Fisher and Zion: Assembly Bill No. 564—An act to provide for the sterilization of defectives in State institutions.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Messrs. Fisher and Zion: Assembly Bill No. 565—An act to provide for the voluntary sterilization of persons not in State institutions.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Roland: Assembly Bill No. 566—An act to repeal Article III of Chapter I of Part III of Division IV of the School Code, comprising section 4.300, relating to the use of surplus funds of school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Roland: Assembly Bill No. 567—An act to add a new article to Chapter I of Part I of Division II of the School Code to be known as Article X, embracing sections 2.85 and 2.86, relating to the formation, annexation, consolidation, unionization, and changing of boundaries of school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Roland: Assembly Bill No. 568—An act to amend section 6.61 of the School Code, relating to contracts for the erection, addition to, or alteration of school buildings.

Bill read first time, and referred to Committee on Education.

By Mr. Stannard: Assembly Bill No. 569—An act to authorize the investigation of the financial condition of, and granting financial aid to, assessment districts organized under the Acquisition and Improvement Act of 1925 or the Road District Improvement Act of 1907.

Bill read first time, and referred to Committee on Municipal Corporations.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and forty-seven minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Lyon.

The roll of absentees was called, and Assembly Joint Resolution No. 3 was adopted by the following vote:

AYES—Anglim, Badham, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Crist, Cronin, Crowley, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Zion, and Mr. Speaker—56.

NOES—Alter, Bliss, Bowers, Brock, Chatters, Cottrell, Craig, Dempster, Evans, Field, Greene, Hatch, Latham, Martin, Miller, Eleanor; Phillips, Riley, Robinson, Samuel E., Stream, Utt, and Wright—21.

Title read and approved.

Assembly Joint Resolution No. 3 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 3.

Relating to memorializing Congress to adopt legislation permitting the manufacture and sale of light wines.

WHEREAS, Large sums of money have heretofore been invested in, and great tracts of land have been devoted to, the grape industry in California; and

WHEREAS, In the past, said industry has furnished work for thousands of persons; and

WHEREAS, Because of certain provisions contained in the laws of the United States, the production of grapes and the products thereof has been greatly curtailed, causing many persons heretofore gainfully employed to lose their means of livelihood; and

WHEREAS, It is of vital interest to the people of the State of California that the Congress of the United States adopt legislation legalizing the manufacture and sale of light wines, so that the grape industry in California may again be revived and employment furnished many people; and

WHEREAS, The sale and taxation of such light wines in this State would produce a large annual revenue, relieving the tax burden now placed upon owners of real property; furnish employment to thousands of unemployed persons and provide a market for large quantities of farm products required in the manufacture of such wines; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of said State urgently petition and request the Congress of the United States to adopt legislation amending the National Prohibition Act or acts amendatory or supplementary thereto, in order to legalize the manufacture, transportation, possession, sale and use, of nonintoxicating, vinous liquors made by natural fermentation of grape juice, and without the addition of distilled spirits; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Vice President, the Speaker of the House of Representatives, and to the Senators and Representatives of the State of California in Congress.

SPECIAL ORDER SET.

On motion of Mr. Powers, the consideration of Assembly Bill No. 374 was made a special order for Thursday, January 19, 1933, at eleven o'clock a.m.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes a.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, January 19, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, January 19, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Zion, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Grubbs, Mr. Bowers was granted leave of absence for the day.

On motion of Mr. Peterson, Mr. Kallam was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Brock, Mr. J. J. Prendergast, former member of the Assembly, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Roland, Mr. Walter W. Feeley, former member of the Legislature, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hoffman, Mr. J. Croter, former member of the Legislature, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITION

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From Inter-Parlor Committee, Native Sons and Daughters of the Golden West, Los Angeles, California, favoring the "Buy American" campaign.

(Signed) BURRELL D. NEIGHBOURS, Chairman.
F. J. BURMESTER, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON OIL INDUSTRIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1933.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 160—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used—has had the same under consideration, and respectfully reports the same back with recommendation that it be referred to the Committee on Municipal Corporations.

BADHAM, Chairman.

The above reported bill ordered referred to Committee on Municipal Corporations.

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 161—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used—has had the same under consideration, and respectfully reports the same back with recommendation that it be referred to the Committee on Municipal Corporations.

BADHAM, Chairman.

The above reported bill ordered referred to Committee on Municipal Corporations.

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Senate Joint Resolution No. 4—Relative to memorializing and petitioning Congress to enact legislation transferring certain oil lands in Kern County, California, from the jurisdiction of the Navy Department to the jurisdiction of the Department of the Interior

—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

BADHAM, Chairman.

The above reported Senate Joint Resolution No. 4 ordered on file for adoption.

REPORT.

The following report of the Director of Finance on the estimated biennial savings if certain State activities are curtailed or eliminated, was received and read:

To the Legislature of the State of California.

In compliance with the terms of the resolution proposed by Senator Breed, and adopted by the Senate, May 7, 1931, I hand you herewith a report of my findings, suggestions, and estimated savings.

This study, made in anticipation of the State's financial emergency, has attempted to follow both the spirit and the letter of the resolution. The functions of State government were considered from four separate and distinct viewpoints in relation to the public welfare: First, are they essential? Second, are they desirable? Third, do they overlap or duplicate other services? Fourth, are they special services which are rendered to special groups or special interests without regard to the need of, or the desirability to, the taxpayers as a whole?

This report does not pretend to cover the entire field of State government. To make such a study, covering every activity engaged in by the State, would require a great deal of time; but it would undoubtedly prove of immense value to the Legislature and to the taxpayers of the State. Although the report is not complete, it has been made as comprehensive as time would permit.

Pressure of other duties made it impossible for the Director of Finance, personally, to make the detailed investigations necessary for this study. In order to make it as accurate, comprehensive, and factual as possible, it was necessary to employ a specialist in governmental problems and administration who, in addition to his training and qualifications, was without the prejudice of former State connections or the bias of other associations. Mr. J. H. Jamison, former assistant city manager, and director of purchasing, personnel and budget, for the city of Berkeley, was employed to devote his entire time to this work and to coordinate all information available from State employees and other sources.

He has surveyed and studied every department which derives its support from the General Fund, concentrating on those departments where the possibility of effecting savings by elimination or curtailment of functions or activities, without injury to the public welfare, seemed greatest.

It should be noted that the report does not include any of the many savings which were accomplished by executive order as the result of this study. Wherever it was possible to effect savings through elimination, curtailment, or improvement of activities without legislative action and without injury to the public welfare, such savings were made effective immediately by the Director of Finance.

Among such improvements and savings was the installation of a Central Collections Bureau in the Department of Institutions. When this department was studied, it was found that in four years, past-due and uncollected pay-patients' accounts exceeded $300,000; while uncollected transportation accounts at the seven State hospitals for a four-year period ending December 31, 1931, totaled more than $217,000 of which sum only $15,500 had been billed. A Central Collections Bureau was established October 1, 1932, and in three months, at a cost of less than $1,200, had collected $10,000 which otherwise probably would have been lost forever to the State. There is no doubt that this new method of collection of current and delinquent accounts will net the State $200,000 a biennium.

It was discovered that a comprehensive survey of the electrical rates had never been made at any of the State institutions, and although this work has been only half completed, the savings effected in adjusted rates and more efficient use of equipment will exceed $30,000 a biennium. An inspection which has been started of the mechanical equipment used throughout the State will also result in the saving of many thousands of dollars.

In the past, thousands of free meals have been given annually to friends of employees and to visitors of the State hospitals. This practice has been discontinued, and it is estimated that the charges fixed by the Department of Finance for such meals will return revenue of not less than $10,000 a biennium.

In addition to making this study, Mr. Jamison has been called upon frequently by several departments and has given freely of his time and advice to the executive officers in aiding them to solve many of the innumerable administrative problems which confront them.

The Director of Finance wishes to express his sincere appreciation to those individuals, both in and out of State service, who have so generously given of their time, experience, and advice, and to thank them for their assistance and cooperation.

The report has been divided into (1) a recapitulation of estimated biennial savings to the General Fund; (2) a summary of findings, suggestions and estimated biennial savings; (3) general findings, suggestions and estimated biennial savings; (4) findings, suggestions and estimated biennial savings for each department; and (5) a detailed plan of the proposed reorganization of State activities on behalf of the blind.

ROLLAND A VANDEGRIFT, Director of Finance.

The Speaker ordered the detail report of the Director of Finance placed on file.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 18, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 20—Relative to approving the charter of the city of San Buenaventura, a municipal corporation in the county of Ventura, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of January, 1932

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

The above reported Assembly Concurrent Resolution No. 20 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 18, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 25—Approving a certain amendment to the charter of the city of Inglewood, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

The above reported Assembly Concurrent Resolution No. 25 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 18, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 9—Relative to approving the charter of the city of Oroville, ratified by the qualified electors of said city at a special election held therein on the twenty-second day of October, 1931.

Also: Senate Concurrent Resolution No. 10—Relative to providing a rule for the Legislative Counsel Bureau, relating to requests for bills, constitutional amendments and resolutions

Also: Senate Concurrent Resolution No. 11—Relative to the death of Carlos K. McClatchy.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

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

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER NINE.

Senate Concurrent Resolution No. 9—Approving the charter of the city of Oroville, ratified by the qualified electors of said city at a special election held therein on the twenty-second day of October, 1931.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 9 adopted by the following vote:

AYES—Alter, Anglim, Badham, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hunt, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 9 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 9—Approving the charter of the city of Oroville, ratified by the qualified electors of said city, at a special election held therein, on the twenty-second day of October, 1931.

REQUEST FOR UNANIMOUS CONSENT.

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

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TEN.

Senate Concurrent Resolution No. 10—Relative to providing a rule for the Legislative Counsel Bureau, relating to requests for bills, constitutional amendments and resolutions.

Resolution read.

The question being on the adoption of Senate Concurrent Resolution No. 10.

Senate Concurrent Resolution No. 10 adopted.

Title read and approved.

Senate Concurrent Resolution No. 10 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 10.

Relative to providing a rule for the Legislative Counsel Bureau, relating to requests for bills, constitutional amendments and resolutions

Resolved by the Senate of the State of California, the Assembly concurring, That the Legislative Counsel be, and he is hereby instructed to prepare and keep on file, in a book to be maintained for that purpose, a complete record of all requests made for the preparation of bills, constitutional amendments and resolutions, the name of the author, and the subject matter to be covered by such bill, constitutional amendment or resolution.

Requests shall be numbered and entered in the order received, and bills, constitutional amendments and resolutions prepared pursuant to requests, shall be delivered in the order requested.

All such records shall be open to the inspection of any member of the Legislature, but shall not be subject to inspection by others.

Information concerning any such bill, constitutional amendment or resolution, other than set forth in such record, shall not be given out by the Legislative Counsel Bureau, except with the consent of the author.

REQUEST FOR UNANIMOUS CONSENT.

Mr. West asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 11, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER ELEVEN.

Senate Concurrent Resolution No. 11—Relative to the death of Carlos K. McClatchy.

Resolution read.

The question being on the adoption of Senate Concurrent Resolution No. 11.

Senate Concurrent Resolution No. 11 adopted.

Title read and approved.

Senate Concurrent Resolution No. 11 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 11.

Relative to the death of Carlos K. McClatchy.

WHEREAS, The members of the Legislature have learned with deep sorrow and regret of the untimely death, on January 17, 1933, of Carlos K. McClatchy, one of California's noted editors and newspaper men, and the son of Charles K. McClatchy, the dean of California journalism; and

WHEREAS, Carlos K. McClatchy, as editor of the Fresno Bee and vice president and general manager of the McClatchy newspapers, has carried forward the tradition of a vigorous, independent journalism, dedicated to the public service, and has ever worked fearlessly for the welfare of the State of California and the people thereof; now therefore be it

Resolved by the Senate, the Assembly concurring, That the members of the Legislature of the State of California extend to the family of the deceased their deepest sympathy in this hour of bereavement; and be it further

Resolved, That this resolution be spread upon the minutes of the Senate and Assembly and that suitably engrossed copies be transmitted to the members of the family.

REQUEST FOR UNANIMOUS CONSENT.

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

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER FOUR.

Senate Joint Resolution No. 4—Relative to memorializing and petitioning Congress to enact legislation transferring certain oil lands in Kern County, California, from the jurisdiction of the Navy Department to the jurisdiction of the Department of the Interior.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 4 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Chatters, Cobb, Cottrell, Crist, Evans, Feigenbaum, Field, Greene, Grubbs, Hallner, Hornblower, Hunt, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—59.

NOES—Cassidy, Clowdsley, Cronin, Fisher, Gilmore, Jones, Knowland, Nielsen, Patterson, and Zion—11.

Title read and approved.

Senate Joint Resolution No. 4 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 4.

Relative to memorializing and petitioning Congress to enact legislation transferring certain oil lands in Kern County, California, from the jurisdiction of the Navy Department to the jurisdiction of the Department of the Interior.

WHEREAS, On September 27, 1909, by Presidential Executive order of that date, certain lands in Kern County, California, were withdrawn from entry and, by Presidential Executive order of September 2, 1912, Naval Petroleum Reserve No. 2 was created therefrom embracing originally 31,181 acres, of which 19,620 acres were or have been patented to private parties, and 9,991 acres have been leased to private parties for operation and are being operated under the provisions of the general leasing act of February 25, 1920 (c. 85, 41 Stats. 450), and 570 acres remain unleased; and

WHEREAS, By the act of June 4, 1920, 41 Stats. 812, 813, the Secretary of the Navy was directed to take possession of all properties within the Naval Petroleum Reserves as are or may become subject to the control and use by the United States for naval purposes, and on which there were no pending claims or applications for permits or leases under the provisions of the said general leasing act of February 25, 1920, or pending applications for United States patents under any law, and to conserve, develop, use and operate the same in his discretion, directly or by contract, lease or otherwise; and by the act of February 25, 1928, 45 Stats. 148, jurisdiction over and the administration and enforcement of all oil and gas leases on lands in Naval Petroleum Reserves, issued pursuant to the provisions of sections 18 and 18 (a) of the said general leasing act of February 25, 1920, were transferred to the Secretary of the Navy; and

WHEREAS, Section 35 of the said general leasing act provides that thirty-seven and one-half per cent (37½%) of all amounts derived by the Federal government from bonuses, royalties and rentals on leased oil or gas lands or deposits within the public domain shall be paid, at stated intervals, by the Secretary of the Treasury to the State within the boundaries of which such leased lands or deposits are located, for the use by said State, or the subdivisions thereof, for the construction and maintenance of public roads or for the support of public schools or other public educational institutions, and that fifty-two and one-half per cent (52½%) of the amounts derived from such bonuses, royalties and rentals shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the Act of Congress known as the Reclamation Act, approved June 17, 1902, and that all moneys accruing to the Federal government from bonuses, royalties and rentals from Naval Petroleum Reserve lands shall be deposited in the United States treasury as "miscellaneous receipts"; and

WHEREAS, Neither the State of California, nor Kern County, California, nor the Navy Department of the United States, nor the said reclamation fund, receives any benefit from or part of the amounts derived by the Federal government from bonuses, royalties or rentals on said lands within said Naval Petroleum Reserve No. 2; and

WHEREAS, By the enactment of the said acts of June 4, 1920, and February 25, 1928, the Navy Department of the United States is empowered to enter into the business of producing petroleum and its products from the said Naval Petroleum Reserves, particularly from said Naval Petroleum Reserve No. 2; and if such operation shall be engaged in by the Navy Department one of the results thereof will be to deprive Kern County, California, and the State of California, annually of tax revenues in excess of $250,000, and this although the quality of the petroleum producible from said lands in said Naval Petroleum Reserve No. 2 is such that neither the said petroleum nor the gas produced from said lands can be used by the Navy except for purposes of sale; and

WHEREAS, The extensive and continued production of petroleum and gas from the patented lands in said Naval Petroleum Reserve requires the continued production of petroleum from the government lands in said reserve to prevent the drainage and depletion thereof by the aforesaid production on the patented lands, and the necessity for such continued production from the government lands effectually prevents and will continue to prevent the said lands from being or becoming a petroleum reserve in any sense; and

WHEREAS, So long as jurisdiction over said lands and the administration and enforcement of oil and gas leases therein remain in the Navy Department, the formulation and enforcement of any state-wide conservation program to which the State of California has heretofore committed itself by appropriate legislation, with respect to oil and gas production from the lands aforesaid, may be prevented because of the inability of the lessees to secure cooperation from the said Navy Department in respect of the duration of their tenure of the said leased lands; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California hereby memorializes and petitions Congress to enact legislation restoring the public lands within the external boundaries of Naval Petroleum Reserve No. 2 as now constituted, to the public domain of the United States, and transferring the jurisdiction over and the administration thereof and of all leases thereof, to the Secretary of the Interior, and revoking and repealing any and all executive orders and acts of Congress creating or confirming the creation of said Naval Petroleum Reserve No. 2; and be it further

Resolved, That a copy of this joint resolution be transmitted to the President of the United States, to the Vice President of the United States, and to each member of the Senate and the House of Representatives of the United States.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Bliss: Assembly Bill No. 570—An act to regulate drilling or operating any well for petroleum oil or gas within 300 feet of any publicly owned land.

Bill read first time, and referred to Committee on Oil Industries.

By Messrs. Lyon and Evans: Assembly Bill No. 571—An act appropriating money for the control and conservation of flood waters in the Los Angeles County Flood Control District.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. McBride: Assembly Bill No. 572—An act to amend section 2322x20 of the Political Code, relating to the salary of the agricultural commissioner, his deputies and inspectors in counties of the twentieth class

Bill read first time, and referred to Committee on County Government.

By Mr. McBride: Assembly Bill No 573—An act to amend section 19x20 of the Juvenile Court Law, relating to the compensation of the probation officers in counties of the twentieth class

Bill read first time, and referred to Committee on County Government.

By Mr. McBride: Assembly Bill No 574—An act to amend section 16x20 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twentieth class

Bill read first time, and referred to Committee on County Government.

By Mr. McBride: Assembly Bill No. 575—An act to amend section 4249 of the Political Code, relating to compensation of county and township officers in counties of the twentieth class.

Bill read first time, and referred to Committee on County Government.

By Mr. McBride: Assembly Bill No 576—An act to amend section 737ddd of the Political Code, relating to the salary of the judge of the superior court in and for the county of Ventura.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. McBride: Assembly Bill No. 577—An act to amend section 5.501 of the School Code, relating to permanent employees of school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Dempster: Assembly Bill No. 578—An act to provide for the sanitary inspection of slaughterhouses, the inspection of animals or meats intended for human consumption, to provide rules and regulations therefor, to provide penalties for the violation thereof and to repeal the California Meat Inspection Law, approved May 8, 1931.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Hoffman: Assembly Bill No. 579—An act to amend sections 2440 and 2460 of the Political Code, relating to pilot commissioners for the ports of San Francisco, Mare Island and Benicia.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Messrs. Williamson, Crist and Rawls: Assembly Bill No. 580—An act to regulate the sale of issued and outstanding shares, stock and investment certificates of building and loan associations; to regulate and supervise brokers and agents dealing in such shares, stock and investment certificates, and to prevent fraud in the sale thereof; and to provide for the enforcement of said act and penalties for the violation thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Woolwine: Assembly Bill No. 581—An act to amend section 50½ of the Public Utilities Act, relating to warehouses.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Knowland: Assembly Bill No. 582—An act to amend section 761 of the Vehicle Code, relating to penalties for violations of certain provisions of the code.

Bill read first time, and referred to Committee on Crime Problems.

By Mr Robinson, C. Ray: Assembly Bill No. 583—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read first time, and referred to Committee on County Government.

By Mr Robinson, C. Ray: Assembly Bill No. 584—An act to amend section 3633 of the Political Code, relating to the assessment of property.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Gilmore: Assembly Bill No. 585—An act to amend section 653d of the Penal Code, relating to rebating wages on public work, so as to specifically include within its terms any person who accepts or conspires to accept a rebate from those performing services under contractors and subcontractors doing public work.

Bill read first time, and referred to Committee on Labor and Capital

By Messrs. Gilmore and Cronin: Assembly Bill No. 586—An act to amend sections 951 and 952, and to repeal sections 953 to 958 inclusive, of the Fish and Game Code, relating to nets.

Bill read first time, and referred to Committee on Fish and Game

By Mr. Field: Assembly Bill No. 587—An act making an appropriation to pay the claim of _____ against Charles G. Johnson as Treasurer of the State of California.

Bill read first time, and referred to Committee on Ways and Means

By Mr. Field: Assembly Bill No. 588—An act making an appropriation to pay the claim of _____ against Charles G. Johnson as Treasurer of the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr Field: Assembly Bill No. 589—An act making an appropriation to pay the claim of ------ against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Field: Assembly Bill No. 590—An act making an appropriation to pay the claim of ------ against Charles G. Johnson as Treasurer of the State of California

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Field: Assembly Bill No. 591—An act making an appropriation to pay the claim of ------ against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Field: Assembly Bill No 592—An act making an appropriation to pay the claim of ------ against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Boyle: Assembly Bill No. 593—An act to amend sections 3 and 4 of an act entitled "An act to provide for the establishment and maintenance of a Bureau of Tuberculosis under the direction of the State Board of Health, defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons afflicted with tuberculosis; making an appropriation therefor; and repealing certain acts of the Legislature of the State of California." (Approved June 12, 1915, Statutes 1915, page 1530, as amended.)

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cobb: Assembly Bill No. 594—An act making appropriation to pay the cost of printing copies of the Motor Vehicle Act, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cobb asked for, and was granted, unanimous consent to take up Assembly Bill No. 594, at this time, without reference to committee or file, and that same be considered engrossed.

MESSAGE FROM THE GOVERNOR

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 13, 1933.

To the Honorable Members of the Assembly of the State of California.

Assembly Bill No. 594 makes an appropriation to pay the cost of printing over 100,000 copies of the California Vehicle Act ordered by the State Legislature which the Attorney General has ruled can not be paid for out of the general fund

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of section 1 of Article IV of the Constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR, Governor of California.

CONSIDERATION OF ASSEMBLY BILL NUMBER FIVE HUNDRED NINETY-FOUR.

Assembly Bill No. 594—An act making appropriation to pay the cost of printing copies of the Motor Vehicle Act, declaring the urgency thereof, and providing that this act shall take effect immediately.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Cobb:

Resolved, That Assembly Bill No. 594 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Mr. Cobb moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—69.
NOES—Alter, and Zion—2.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 594.

SECOND READING OF ASSEMBLY BILL NUMBER FIVE HUNDRED NINETY-FOUR.

Assembly Bill No. 594—An act making appropriation to pay the cost of printing copies of the Motor Vehicle Act, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr Speaker—70.
NOES—Zion—1.

THIRD READING OF ASSEMBLY BILL NUMBER FIVE HUNDRED NINETY-FOUR.

Assembly Bill No. 594—An act making appropriation to pay the cost of printing copies of the Motor Vehicle Act, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 594 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Riley, Robinson,

C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—70.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated.

By Mr Dempster: Assembly Bill No. 595—An act to provide for the payment of real property taxes levied subsequent to July 1, 1928, and prior to the effective date of this act, and providing for the redemption of real property sold to the State for delinquent taxes levied during said period, and declaring this act to be an urgency measure.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Latham: Assembly Bill No. 596—An act to amend section 3672 of the Political Code of California, relating to the assessment, equalization and taxation of personal property escaping assessment between the first Monday of March and the first Monday of July.

Bill read first time, and referred to Committee on Revenue and Taxation

By Mr. Latham: Assembly Bill No. 597—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Municipal Improvement District Act of 1915, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Latham: Assembly Bill No 598—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments collectible by the ad valorem method, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Latham. Assembly Bill No. 599—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Road District Improvement Act of 1907, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments and for the payment of such refunding bonds, to enforce the liens of such assessments and reassess-

ments and to provide for the proceedings to test the validity of such refunding and reassessment.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Latham Assembly Bill No 600—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Municipal Improvement District Act of 1927, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Latham: Assembly Bill No. 601—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Acquisition and Improvement Act of 1925, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Dempster. Assembly Bill No. 602—An act to amend the title and section 2 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931 (Statutes 1931, p. 910, Chapter 397), relating to schedule of such rates of wages and to decisions on complaints of violations of the provisions of said act.

Bill read first time, and referred to Committee on Manufactures.

By Mr. Dempster: Assembly Bill No. 603—An act to amend section 653c of the Penal Code, relating to investigation of and decision on complaints of alleged violations of requirements on hours of labor on public works.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Frazier: Assembly Bill No. 604—An act to amend sections 3466, 3480 and 3480a of the Political Code, relating to penalties upon delinquent assessments levied in reclamation districts.

Bill read first time, and referred to Committee on Irrigation.

By Messrs. Craig and Utt: Assembly Bill No. 605—An act to validate the formation, organization and existence of municipal improvement districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Craig and Utt: Assembly Bill No. 606—An act to confirm and validate the boundaries of school districts, high school districts and junior college districts of every kind and class.

Bill read first time, and referred to Committee on Education.

By Messrs. Craig and Utt: Assembly Bill No. 607—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the principal and interest of such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Craig and Utt: Assembly Bill No. 608—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Irrigation.

By Messrs. Craig and Utt: Assembly Bill No. 609—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Irrigation.

By Messrs. Craig and Utt: Assembly Bill No. 610—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read first time, and referred to Committee on County Government

By Messrs. Craig and Utt: Assembly Bill No. 611—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Craig and Utt: Assembly Bill No. 612—An act confirming and validating the formation, organization and existence of reclamation districts.

Bill read first time, and referred to Committee on Irrigation.

By Messrs. Craig and Utt: Assembly Bill No. 613—An act validating the formation, organization and existence of sanitary districts.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Craig and Utt: Assembly Bill No. 614—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any acquisition and improve-

ment district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Craig and Utt: Assembly Bill No. 615—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class.

Bill read first time, and referred to Committee on Teachers Colleges.

By Messrs. Craig and Utt: Assembly Bill No. 616—An act to validate bonds of flood control districts and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest of such bonds

Bill read first time, and referred to Committee on Judiciary.

By Messrs Craig and Utt: Assembly Bill No. 617—An act confirming and validating the formation, organization and existence of irrigation districts.

Bill read first time, and referred to Committee on Irrigation.

By Messrs. Craig and Utt: Assembly Bill No. 618—An act to validate proceedings for the annexation, incorporation, and inclusion of territory by municipal corporations

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Craig and Utt: Assembly Bill No. 619—An act to validate the organization and existence of municipal utility districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cronin: Assembly Bill No. 620—An act to add two new sections to the Probate Code to be numbered 930.5 and 1556.5, respectively, to add a new section to the Code of Civil Procedure to be numbered 1042, and to repeal "An act making the cost of certain bonds of receivers, assignees, trustees, guardians, administrators and executors chargeable to a certain extent against the trust estate," approved March 20, 1905, relating to the payment of premiums on bonds of executives, administrators and guardians, receivers, assignees and trustees.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 621—An act to amend section 1531 of the Probate Code, relating to sales of the property of a ward

Bill read first time, and referred to Committee on Judiciary.

By Mr Cronin: Assembly Bill No 622—An act to add a new section to the Civil Code to be numbered 85, relating to legitimacy.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No 623—An act to add a new section to the Probate Code to be numbered 1026, and to repeal section 672 of the Civil Code, relating to distribution of estate to nonresident aliens.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 624—An act to amend sections 1120, 1125 and 1126 of the Probate Code and to add a new section thereto to be numbered 1127, relating to testamentary trustees.
Bill read first time, and referred to Committee on Judiciary

By Mr. Cronin: Assembly Bill No. 625—An act to amend sections 1200 and 1201 of the Probate Code, relating to the giving of notice in probate proceedings.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 626—An act to amend sections 1010 and 1020 of the Probate Code, relating to the distribution of the estates of decedents.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin. Assembly Bill No. 627—An act to amend section 715 of the Probate Code, relating to limitations prescribed for bringing suit upon a rejected claim.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 628—An act to amend section 932 of the Probate Code, relating to executors and administrators.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 629—An act to amend sections 780 and 782 of the Probate Code, relating to sales of real property by executors and administrators.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin. Assembly Bill No. 630—An act to amend section 702 of the Probate Code, relating to notice to creditors by executors or administrators.
Bill read first time, and referred to Committee on Judiciary

By Mr. Cronin: Assembly Bill No. 631—An act to amend section 578 of the Probate Code and to add section 718.5 thereto, relating to the compromise and settlement of claims by or against estates of decedents.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 632—An act to amend section 463 of the Probate Code, relating to special administrators.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 633—An act to amend section 440 of the Probate Code, relating to petitions for letters of administration
Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 634—An act to amend sections 228 and 229 of the Probate Code, relating to succession to estates of decedents.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 635—An act to amend section 21 of the Probate Code, relating to the disposition of community property by will.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 636—An act to repeal sections 1969 and 1970 of the Code of Civil Procedure, relating to wills.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin. Assembly Bill No. 637—An act to amend section 2287 of the Civil Code, relating to appointment of a trustee to fill a vacancy.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 638—An act to amend section 1537 of the Probate Code, relating to guardians.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No 639—An act to add two new sections to the Probate Code to be numbered 1241 and 1632, respectively, and to repeal sections 965 and 966 of the Code of Civil Procedure, relating to appeals by and concerning executors, administrators or guardians.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hoffman: Assembly Bill No. 640—An act to amend section 1261 of the Political Code, relating to election supplies and records.

Bill read first time, and referred to Committee on Elections.

By Mr. Hoffman: Assembly Bill No. 641—An act to amend section 1265 of the Political Code, relating to the disposal of election supplies and records.

Bill read first time, and referred to Committee on Elections

By Mr. Hoffman: Assembly Bill No. 642—An act to repeal section 1267 of the Political Code, relating to delivery of election returns by clerk of supervisors.

Bill read first time, and referred to Committee on Elections.

By Mr. Hoffman· Assembly Bill No. 643—An act to repeal section 1264*a* of the Political Code, relating to roster of voters

Bill read first time, and referred to Committee on Elections.

By Mr Hoffman: Assembly Bill No. 644—An act to repeal section 1266 of the Political Code, relating to destruction of ballots

Bill read first time, and referred to Committee on Elections.

By Mr Hoffman: Assembly Bill No. 645—An act to repeal section 1268 of the Political Code, relating to copy of register.

Bill read first time, and referred to Committee on Elections.

By Mr. Gilmore. Assembly Bill No. 646—An act to amend section 1168 of the Penal Code, relating to the sentencing of prisoners, terms of imprisonment, credits to prisoners and paroles of prisoners.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Mayo: Assembly Bill No. 647—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to the extent and amount of compensation to be paid thereunder.

Bill read first time, and referred to Committee on Insurance.

By Mr. Mayo: Assembly Bill No. 648—An act to amend section 3 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to definitions of terms used in the act

Bill read first time, and referred to Committee on Insurance.

By Mr. Mayo: Assembly Bill No. 649—An act to amend section 40 of the Workmen's Compensation, Insurance and Safety Act, relating to the fixing of insurance rates for the State Compensation Fund.

Bill read first time, and referred to Committee on Insurance.

By Mr. Mayo: Assembly Bill No. 650—An act to add a new section to be numbered 14a to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to statements of dependency thereunder.

Bill read first time, and referred to Committee on Insurance.

By Mr. Mayo: Assembly Bill No. 651—An act to amend section 3 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to definitions of terms used therein.

Bill read first time, and referred to Committee on Insurance.

By Mr. Mayo: Assembly Bill No. 652—An act to add a new section, to be numbered section 29½, to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to misrepresentation in the procuring of compensation awards.

Bill read first time, and referred to Committee on Insurance.

By Mr. Mayo: Assembly Bill No. 653—An act to amend section 14 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to dependency in relation to death benefits under said act.

Bill read first time, and referred to Committee on Insurance.

By Mr. Mayo: Assembly Bill No 654—An act to add two new sections to the Civil Code to be numbered 1426d¾ and 1426d¼, relating to discovery shafts on lode and placer mining locations.

Bill read first time, and referred to Committee on Mines and Mining.

By Mr. Robinson, Samuel E.: Assembly Bill No. 655—An act to amend section 55 of the California Irrigation District Act, approved March 31, 1897, as amended.

Bill read first time, and referred to Committee on Irrigation.

By Messrs. Stream, Bowers, and Stannard: Assembly Bill No. 656—An act to provide for an extension of time for the payment of property taxes for the fiscal year ending June 30, 1933, and declaring this act to be an urgency measure.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs Stream, Bowers and Stannard: Assembly Bill No. 657—An act to add a new section to the Political Code, to be numbered 3756a, relating to the extension of time for the payment of property taxes for the fiscal year ending June 30, 1933, and declaring this act to be an urgency measure.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs Stream, Bowers and Stannard Assembly Bill No 658—An act to add two new sections to the Penal Code, to be numbered 200 and 201, establishing the public offense of unlawfully causing death through operation of a motor vehicle and providing penalties therefor

Bill read first time, and referred to Committee on Crime Problems.

By Mr Crowley: Assembly Bill No. 659—An act to amend the title and sections 2 and 3 and to add a new section, to be numbered section 1¼, to an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment," approved April 20, 1917 (Statutes 1917, Chapter 108, as amended, Statutes 1927, Chapter 347, Statutes 1929, Chapter 559), by specifically including within its protection any security put up by the employee, or applicant for employment, for faithful performance and any money or property directly or indirectly turned over to the employer or prospective employer pursuant to the contract of employment, prohibiting investments and the sale of stock or an interest in a business in connection with the securing of a position and advertisements to this effect, and providing penalties for violation of the provisions thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr Ross: Assembly Bill No. 660—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read first time, and referred to Committee on County Government.

By Messrs. Gilmore and Hornblower: Assembly Bill No 661—An act to amend section 2618 of the Political Code, defining highways.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Gilmore and Hornblower: Assembly Bill No. 662—An act to amend section 602 of the Penal Code, relating to trespass.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Gilmore and Hornblower: Assembly Bill No. 663—An act to amend section 365d of the Political Code, relating to highways

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Gilmore and Hornblower: Assembly Bill No. 664—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on personal property for work, materials, supplies, feed, care, keep and services rendered.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs Gilmore and Hornblower: Assembly Bill No. 665—An act to amend sections 576 and 599 of the Vehicle Code, relating to the operation of vehicles upon the highways.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Gilmore and Hornblower: Assembly Bill No 666—An act to regulate the transportation, care and handling of explosives

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Gilmore and Hornblower: Assembly Bill No. 667—An act to amend section 408 of the Political Code, relating to the Secretary of State.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Gilmore and Hornblower: Assembly Bill No 668—An act to amend section 4041.7 of the Political Code, relating to the powers and jurisdiction of boards of supervisors with respect to public roads.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs Gilmore and Hornblower: Assembly Bill No. 669—An act to amend sections 4130 and 4300c of the Political Code, relating to county recorders

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs Gilmore and Hornblower Assembly Bill No 670—An act to amend section 384 of the Penal Code, relating to fires.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs Gilmore and Hornblower: Assembly Bill No 671—An act to amend section 409 of the Political Code, relating to the fees to be collected by the Secretary of State.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs Gilmore and Hornblower: Assembly Bill No. 672—An act to amend sections 2959, 2965 and 2966 of the Civil Code, relating to mortgages of personal property.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Williamson: Assembly Bill No. 673—An act to amend section 542 of the Code of Civil Procedure, relating to the method of levying an attachment upon real or personal property

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Gilmore and Hornblower: Assembly Bill No. 674—An act to establish the Vehicle Code and thereby to consolidate and revise the law relating to traffic on streets and highways and the registration, identification, operation, driving, use, ownership, transfer, theft, embezzlement, destruction, molestation, unlawful entering and taking and driving, equipment, size, weight, loading and wrecking of vehicles used upon streets and highways and liens and mortgages on such vehicles and the licensing and regulation of drivers of such vehicles and the civil liability of persons signing license applications of minors and the conduct and records of persons dealing with such vehicles and the civil liability arising from the ownership, maintenance, use and operation of such vehicles and the financial responsibility of owners and operators of such vehicles and crimes connected with the use of such vehicles and the parties, procedure, presumptions, evidence and reports in relation to such crimes and the creation, organization, powers, duties, jurisdiction and maintenance of the Department of Motor Vehicles and its divisions in connection therewith and the collection, disposition and use of fees, fines and forfeitures in relation thereto and the limitations on the powers of local authorities over the aforesaid subject and to repeal certain specified provisions of law germane to the aforesaid subject.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Cobb: Assembly Bill No 675—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. McCarthy: Assembly Bill No. 676—An act to amend section 1861a of the Civil Code, relating to liens of lessors of real property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 677—An act to amend section 537 of the Penal Code, relating to defrauding proprietors of hotels, inns, restaurants, boarding houses, lodging houses, apartment houses, or bungalow courts.

Bill read first time, and referred to Committee on Crime Problems

By Miss Miller, Eleanor: Assembly Bill No. 678—An act to repeal section 4.353 of the School Code, relating to orders upon school district funds.

Bill read first time, and referred to Committee on Education.

By Miss Miller, Eleanor: Assembly Bill No. 679—An act to add a new section to the School Code to be numbered section 6.6, prohibiting any city, county, or city and county, from establishing districts or zones and prohibiting therein the use of property for public school purposes.

Bill read first time, and referred to Committee on Education.

By Miss Miller, Eleanor: Assembly Bill No. 680—An act to amend section 2.21 of the School Code, relating to the attendance of pupils from one school district in the schools of another school district.

Bill read first time, and referred to Committee on Education.

By Miss Miller, Eleanor: Assembly Bill No. 681—An act to amend section 2.804 of the School Code, relating to the personal liability of members of school boards.

Bill read first time, and referred to Committee on Education.

By Miss Miller, Eleanor: Assembly Bill No. 682—An act to add two new sections to the School Code to be numbered 2.103 and 2.104, relating to the changing of school district boundaries.

Bill read first time, and referred to Committee on Education.

By Miss Miller, Eleanor: Assembly Bill No. 683—An act to repeal section 2 801 of the School Code, relating to the liability of governing boards of school districts for injuries to pupils.

Bill read first time, and referred to Committee on Education.

By Miss Miller, Eleanor: Assembly Bill No. 684—An act to amend sections 3.415 and 3.416 of the School Code, relating to the attendance of junior college students in a district other than that of their residence.

Bill read first time, and referred to Committee on Teachers Colleges.

By Miss Miller, Eleanor: Assembly Bill No. 685—An act to add to the School Code new sections to be numbered 2.1112, 2.1113, 2.1114, 2.1115, 2.1116, 2.1117, 2.1118, and 2.1119; and to amend School Code sections 4.375 and 4.970, all relating to the powers and duties of the governing boards of school districts and authorizing any elementary district to permit the high school board of the high school district within which any such elementary district is located, to manage, operate and control the elementary schools within such elementary district.

Bill read first time, and referred to Committee on Education.

By Mr. Lyon (by request): Assembly Constitutional Amendment No. 38—Proposed amendment to Article I, section 24, of the Constitution, relative to the right of suffrage.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Latham: Assembly Constitutional Amendment No. 39—Proposed amendment to Article XIII, section 1¼, of the Constitution, relative to exemption of nurses from taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Ross: Assembly Constitutional Amendment No. 40—Proposed amendment to Article XIII, sections 1a, 1b, 1¼, 1½, 1½a and 1½b, of the Constitution, relative to tax exemptions.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Ross: Assembly Constitutional Amendment No. 41—Proposed amendment to Article XIII, section 8, of the Constitution, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration

CONSIDERATION OF ASSEMBLY BILL NUMBER THREE HUNDRED SEVENTY-FOUR.

Assembly Bill No. 374—An act to provide for the construction and supervision of safe and sanitary low-cost dwellings and apartments, and for the rental or sale thereof at reasonable rates, and in connection therewith to authorize the incorporation and provide for the regulation of limited dividend housing corporations and prescribe the powers, rights and duties thereof; to regulate and limit the rate of return on securities to be issued by such corporations; to declare the urgency of this act and to provide that it shall take effect immediately.

MOTION TO RE-REFER

Mr. Powers moved that Assembly Bill No. 374 be re-referred to the Committee on Unemployment.

Motion carried.

The Speaker ordered Assembly Bill No. 374 re-referred to Committee on Unemployment.

MOTION.

Mr. Cobb moved that Assembly Bill No. 522, being defective and incomplete in certain particulars as reported by the Director of the Department of Finance and the Legislative Counsel, be not printed under the provisions of Assembly Rule No. 64.

Motion carried.

MOTION TO APPROVE JOURNALS.

Mr. Robinson, C. Ray, moved that the Journals of Wednesday, January 11, 1933; Thursday, January 12, 1933; Friday, January 13, 1933, be approved as corrected by the Minute Clerk.

Motion carried.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 438—An act to amend section 15 of an act entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," approved March 1, 1929, as amended, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 19, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 22—Approving two certain amendments to the charter of the city of Stockton, State of California, ratified by the qualified electors thereof, at a special municipal election held therein on Tuesday, November 8, 1932.

Also: Assembly Concurrent Resolution No. 23—Approving four certain amendments to the charter of the city of Stockton, State of California, ratified by the qualified electors thereof, at a special municipal election held therein on Tuesday, May 31, 1932.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

The above reported concurrent resolutions ordered to enrollment.

REPORT.

The interim Committee on Revision of Motor Vehicle Laws, appointed in accordance with Assembly Concurrent Resolution No. 37, Chapter 87 of Resolutions of 1931, submitted their report, which was read, and ordered placed on file.

ADJOURNMENT.

At eleven o'clock and forty minutes a.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, January 20, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, January 20, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—71.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Knowland, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Knowland, Messrs. Roland and Hoffman were granted leave of absence for the day.

On motion of Mr. Fisher, Mr. Ross was granted leave of absence for the day.

On motion of Mr. Powers, Mr. Crist was granted leave of absence for the day.

On motion of Mr. Grubbs, Mr. Bowers was granted leave of absence for the day.

On motion of Mr. Cronin, Messrs. Feigenbaum, Levey and Williamson were granted leave of absence for the day.

GUEST ADMITTED TO FLOOR OF ASSEMBLY

Through the courtesy of Mr. Cronin, Mr. Bert McMurray, son of Assemblyman McMurray, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Woman's City Club of Long Beach, relative to John Stephen McGroarty as Poet Laureate of California.

(Signed)

BERTHA M. ELSEY (Mrs. F. Ray), President.
MRS. CHAS. WALTER, Secretary.

Also:

By Mr. Speaker:

From Merchant Plumbers' Association, Los Angeles, petitioning the President of the Senate and the Speaker of the Assembly to create a standing committee under

the title of Building and Construction for the consideration of legislation affecting important industrial and social groups.

(Signed) MARTIN S. HAUSER, Executive Secretary.

REPORT OF STANDING COMMITTEE

The following report of standing committee was received and read:

ON PUBLIC MORALS

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1933.

MR. SPEAKER: Your committee on Public Morals, to which was referred Assembly Bill No. 175—An act to repeal "An act relating to stills and other devices for the manufacture or production of intoxicating liquor for beverage purposes, providing a penalty for the violation thereof, and repealing all inconsistent acts," approved April 29, 1927—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 19, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended, Assembly Joint Resolution No. 2—Relative to memorializing Congress to propose an amendment to the Constitution of the United States repealing the Eighteenth Amendment and to provide for conventions in the several States to accomplish this purpose—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By JAMES L. GARDINER, Assistant Secretary.

The above reported Assembly Joint Resolution No. 2 ordered referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, January 19, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 5—Relative to memorializing Congress to provide medical care and other aid for Indians not residing on government reservations.

J. A. BEEK, Secretary of Senate.
By JAMES L. GARDINER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

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

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER FIVE.

Senate Joint Resolution No 5—Relative to memorializing Congress to provide medical care and other aid for Indians not residing on government reservations

Resolution read

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No 5 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahar, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson,

C Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—68.
NOES—None

Title read and approved

Senate Joint Resolution No 5 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 5.

Relative to memorializing Congress to provide medical care and other aid for Indians not residing on government reservations.

WHEREAS, The National Government in pursuance of a long established policy now provides medical care and other aid for needy and destitute Indians living on Government reservations; and

WHEREAS, There are many Indians in this State who do not live on Government reservations and who are not thereby eligible to receive the medical care and other aid which is sorely needed, and

WHEREAS, The inequitable and intolerable burden of providing suitably for these needy and destitute Indians which has been placed upon the people of the thinly populated districts where they are now massed has been vastly increased by the present economic crisis; now be it therefore

Resolved by the Senate and Assembly of the State of California, jointly, That Congress be most respectfully urged to make suitable provision for those needy and destitute Indians who are now in want and suffering; and be it further

Resolved, That the Senators and Representatives of the State of California in Congress be, and are hereby urged, to put forth their best and united efforts to secure the enactment by Congress of a measure adequately providing for these needy and destitute Indians, and be it further

Resolved, That copies of this resolution be respectfully transmitted to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, to each of the Senators and Representatives of the State of California in Congress, to the Secretary of the Interior, and to the Commissioner of Indian affairs.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr Hallner: Assembly Bill No 686—An act to regulate the sale of human food put up in sealed cans or other metal containers.

Bill read first time, and referred to Committee on Manufactures.

By Mr. O'Donnell: Assembly Bill No 687—An act to amend section 4273 of the Political Code, relating to compensation of county and township officers in counties of the forty-fourth class

Bill read first time, and referred to Committee on County Government.

By Mr O'Donnell: Assembly Bill No 688—An act to amend section 2322x44 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fourth class

Bill read first time, and referred to Committee on County Government

By Mr O'Donnell: Assembly Bill No 689—An act to amend section 737f of the Political Code, relating to the superior judge in and for the county of Colusa

Bill read first time, and referred to Committee on Governmental Efficiency and Economy

By Mr. O'Donnell Assembly Bill No. 690—An act to amend section 16x44 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the forty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Mr. O'Donnell: Assembly Bill No. 691—An act to amend section 19x44 of the Juvenile Court Law, relating to probation officers in counties of the forty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Stream: Assembly Bill No. 692—An act to add a new section to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, to be numbered 862b, relating to cities of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Rawls: Assembly Bill No. 693—An act to amend section 385 of the Political Code, relating to the secretaries of the Governor.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Rawls: Assembly Bill No. 694—An act to amend the Fish and Game Code by amending the heading of Article II, Chapter IV, Part II, Division IV, by adding sections 844.5 and 866 thereto, and by repealing section 929 thereof, relating to nets.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Robinson, C. Ray: Assembly Bill No. 695—An act declaring it unlawful for certain persons, associations, or corporations to engage in the business of selling, offering for sale or issuing contracts or certificates for medical service or other form of treatment for sickness or injury, without a license from the Insurance Commissioner, and deposit of cash, securities or surety bond guaranteeing performance of same, as therein provided; relating to and regulating medical and hospital and other service as therein defined and provided; and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Insurance.

By Mr. Maloney: Assembly Bill No. 696—An act to amend the title and sections 3 and 5 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931 (Statutes 1931, Chapter 397) by requiring all contractors and subcontractors doing public work to pay their employees and workmen by negotiable checks without refund, abatement or reduction except by a reasonable charge for board, to furnish certified accurate duplicate copies of their pay roll records to the inspector on the job on the day following each pay day and to post and keep posted in a conspicuous

place at the site of the work an accurate and legible copy of the schedule of wages required by the contract to be paid to all workers employed on the job, providing penalties for failure to do so, and making it clear that piece workers and working subcontractors are to be classed as workmen when doing work on the job.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr West: Assembly Bill No. 697—An act to amend section 111 of the Penal Code, relating to a payment by the State of costs of certain criminal trials.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cobb: Assembly Bill No. 698—An act to amend sections 3746, 3451, 3756, 3759, 3817 and 3817a, of the Political Code, and to add a new section to said code to be numbered 3817b, relating to property tax delinquencies and redemptions

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs Craig, Field and Knowland: Assembly Bill No 699—An act to add a new section to the Political Code, to be numbered 473a, relating to the centralization in the Attorney General's office of all attorneys and legal advisers for State departments, divisions, commissions, bureaus, boards, offices, and institutions, and the reimbursement of the Attorney General's office for such services.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs Craig, Field and Knowland. Assembly Bill No. 700—An act to prescribe salaries and salary classifications for the several offices and positions in the Executive Department of the government of the State of California

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lyon. Assembly Bill No. 701—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr Lyon: Assembly Bill No. 702—An act to amend sections 978 and 985 of the Code of Civil Procedure, relating to appeals.

Bill read first time, and referred to Committee on Judiciary.

By Messrs Craig, Field and Knowland: Assembly Bill No 703—An act to prescribe salaries and salary classifications for the several offices and positions in the Judicial Department of the government of the State of California.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr Morgan: Assembly Bill No. 704—An act to amend section 71 of the Public Utilities Act, relating to reparation to be made for excessive or unreasonable charges by a public utility.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Jones: Assembly Bill No 705—An act to add a new chapter to Title IX of Part III of the Political Code, to be numbered Chapter V-A, embracing sections 3720 to 3726l, inclusive, and to amend section 3714 of the Political Code, relating to the supervision, limitation and control of budgets of, and of tax levies by, counties, cities, school districts, special districts, or other public or quasi public corporations, having the power to levy a tax or to incur indebtedness, and providing penalties for the violation hereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Jones: Assembly Bill No. 706—An act repealing sections 11 and 11a of an act entitled "An act to regulate and license the business of producing, refining, or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to refunds of the tax therein authorized.

Bill read first time, and referred to Committee on Oil Industries

By Messrs. McMurray and Rogers: Assembly Bill No. 707—An act to add a new section, to be numbered section 2a, to an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation thereof" (Statutes 1931, Chapter 397), as amended, permitting the publishing of the schedule of general prevailing rate of wages by reference to it in the advertisement of the call for bids and requiring the awarding body in such case to furnish an

accurate and legible copy of the said schedule as found in the call for bids, without cost, to any person requesting same.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Burns: Assembly Bill No. 708—An act to amend sections 927 and 927b of the Code of Civil Procedure so as to raise the jurisdictional limit of the small claims court from $50 to $100 and to permit suit at the place where the obligation has been incurred as well as at the place of residence of the defendant.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Clowdsley: Assembly Bill No. 709—An act to add a new section to the Agricultural Code to be numbered 118.5, relating to the importation of the Colorado potato beetle.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Clowdsley: Assembly Bill No. 710—An act to amend section 3881 of the Political Code, relating to assessments.

Bill read first time, and referred to Committee on Revenue and Taxation

By Miss Miller, Eleanor: Assembly Bill No. 711—An act defining building loans, providing for the recording before beginning of construction of a detailed statement of the actual terms and conditions and true consideration thereof verified upon the oath of the borrower and forbidding the recording of a false statement of procuring the recording thereof, and providing for penalties and consequences of the violation of the terms of this act, and providing for clearing the record of abandoned building loans.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Messrs. Thorp and Clowdsley: Assembly Bill No. 712—An act to amend section 478 of the Agricultural Code, relating to standards for cream.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Jones: Assembly Constitutional Amendment No. 42—Proposed amendment to Article XIII, section 9, of the Constitution, relative to the powers and duties of the State Board of Equalization.

Introduced, and referred to Committee on Constitutional Amendments.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1933.

MR SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as representatives of the newspapers set opposite their names:

California State Grange News—O. W. Newman, George Schlmeyer
San Francisco News—Franklin Hichborn

ARTHUR A. OHNIMUS, Chief Clerk.

RESOLUTION.

The following resolution was offered:

By Mr. Craig:

WHEREAS, In 1927 the Legislature passed, and the Governor approved, an act known as the "Bovine Tuberculosis Law," designed to provide for the eradication of

bovine tuberculosis by areas, and the identification, branding and disposal of tubercular animals; and

WHEREAS, In 1929, and again in 1931, the Legislature passed, and the Governor approved, statutes on the same subject further extending and declaring the policy of the State, to the end that such eradication might be accomplished for the benefit of the State, with due and reasonable compensation awarded to the owner of tubercular animals thus disposed of; and

WHEREAS, A question has arisen as to the efficacy of the existing provisions of law, it being indicated that further revision may be needed to the end that the policy of the law may be fully accomplished; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee consisting of three members of the Assembly be appointed by the Speaker, thoroughly to investigate and to report to this Assembly the findings of the committee in relation to the efficacy of the Bovine Tuberculosis Law of California and the administration thereof, and all matters and things in anywise, directly or indirectly, related thereto, including any changes in the law which may be deemed advisable, the report to be rendered as soon after the constitutional recess as may be convenient

Resolution read

The question being on the adoption of the resolution.

Resolution adopted.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 438—An act to amend section 15 of an act entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," approved March 1, 1929, as amended, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON UNEMPLOYMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1933.

MR SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No. 374—An act to provide for the construction and supervision of safe and sanitary low-cost dwellings and apartments, and for the rental or sale thereof at reasonable rates, and in connection therewith to authorize the incorporation and provide for the regulation of limited dividend housing corporations and prescribe the powers, rights and duties thereof; to regulate and limit the rate of return on securities to be issued by such corporations; to declare the urgency of this act and provide that it shall take effect immediately—has had the same under consideration, and respectfully reports the same back without recommendation as amended.

POWERS, Chairman

The above reported bill ordered referred to Committee on Rules.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1933

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 21—*Recommending that the State and all* local governmental agencies therein confine purchases of all kinds to American made products—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twentieth day of January, 1933, at ten o'clock a m.

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 297—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies

and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors, to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 6 02, 9 02, 9 11, 13 01, 15.03 and 15.17 thereof; declaring the urgency thereof, and providing that this act shall take effect immediately—and reports that the same has been correctly enrolled and presented the same to the Governor on this twentieth day of January, 1933, at ten o'clock and thirty minutes a.m.

PATTERSON, Chairman.

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1933

MR SPEAKER Your Committee on Roads and Highways, to which was referred Assembly Bill No. 342—An act determining the amount of money to be reimbursed to the State of California by the California Toll Bridge Authority, out of the proceeds of revenue bonds to be issued by it for the construction of a bridge across the bay of San Francisco from the City and County of San Francisco to the county of Alameda for preliminary surveys for which the State has heretofore appropriated funds, and providing that this act become effective immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GREENE, Chairman.

POINT OF ORDLR.

Mr. Lyon arose to the following point of order: That Assembly Bill No. 342 should be referred to the Committee on Ways and Means, in accordance with Rule 64.

RULING BY SPEAKER.

The Speaker ruled the point of order raised by Mr. Lyon not well taken.

The Speaker ordered Assembly Bill No. 342 on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 341—An act making an appropriation to the Department of Public Works for the construction of the approaches to a toll bridge to be built across the bay of San Francisco from the City and County of San Francisco to the county of Alameda, and providing that this act become effective immediately.

Also: Assembly Bill No. 343—An act to amend sections 1, 2, 3, 4, 5, 6 and 8 of Chapter 764 of the Statutes of 1929, entitled "An act to regulate the constructions, operation and maintenance of toll bridges and toll roads situated wholly or in part within the State of California; vesting the exclusive jurisdiction over said toll bridges and toll roads in the Department of Public Works of the State of California; authorizing and empowering said department to grant upon certain terms, limitations, conditions and restrictions and under such supervision as in its judgment may be necessary, franchises, privileges or licenses for the construction or operation of toll bridges and toll roads and for the taking and keeping of tolls thereon, and to fix, determine, modify or change the rate of tolls to be taken thereon; to terminate the right of boards of supervisors to grant franchises, privileges or licenses for the construction, operation and the taking and keeping of tolls on toll bridges and toll roads; also providing that the State may purchase or retake any such toll bridges or toll roads constructed hereunder and repealing all other acts and parts of acts in conflict therewith," approved June 10, 1929, relative to toll ferries and extending the provisions of said act to toll ferries;

Also: Assembly Bill No 344—An act to amend section 2620 of the Political Code, relating to the width of highways;

Also: Assembly Bill No. 345—An act directing the Department of Public Works to construct the approaches to a toll bridge to be built across the bay of San Francisco to the county of Alameda; declaring such toll bridge and approaches to be a State highway; requiring their maintenance and operation by the Department of Public Works; and prescribing the manner in which the cost thereof shall be paid; and providing that this act become effective immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

GREENE, Chairman.

POINT OF ORDER.

Mr. Lyon arose to the following point of order: That Assembly Bill No. 341 and Assembly Bill No. 345 should be referred to the Committee on Ways and Means, in accordance with Rule 64.

RULING BY SPEAKER.

The Speaker ruled the point of order raised by Mr. Lyon well taken.

The Speaker ordered Assembly Bills Nos. 341 and 345 re-referred to Committee on Ways and Means.

The Speaker ordered Assembly Bills Nos. 343 and 344 on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 346—An act to amend Chaper 763, Statutes 1929, approved June 10, 1929, as amended by Chapter 401, Statutes 1931, approved May 25, 1931, entitled and known and cited as "California Toll Bridge Authority Act," by amending the title thereof, and by amending sections 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 17 and 19, and by adding thereto new sections numbered 6¼, 13½, 22½ and 22¾, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing that this act become effective immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GREENE, Chairman

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER SACRAMENTO, January 20, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 7—Relative to the orderly addition of new roads to the State highway system, after study and report by the California Highway Commission and the Department of Public Works

J. A. BEEK, Secretary of Senate.
By JAMES L. GARDINER, Assistant Secretary.

Senate Concurrent Resolution No. 7 ordered referred to Committee on Roads and Highways.

Also:

SENATE CHAMBER, SACRAMENTO, January 19, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 180—An act to validate certain contracts of irrigation districts with the United States of America and all proceedings leading up to and including execution of such contracts and granting certain powers to districts which have executed such contracts and the officers thereof including the power to perform such acts as may be necessary to carry out the terms of any such contract.

J. A. BEEK, Secretary of Senate.
By JAMES L. GARDINER, Assistant Secretary.

Senate Bill No. 180 read first time, and referred to Committee on Irrigation.

Also

SENATE CHAMBER, SACRAMENTO, January 20, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 68—An act to establish an Agricultural Code, thereby consolidating and revising the law relating to plant and animal industry

and the products thereof, and to repeal certain acts and parts of acts specified herein.

J. A. BEEK, Secretary of Senate.
By JAMES L. GARDINER, Assistant Secretary.

Senate Bill No. 68 read first time, and referred to Committee on Agriculture.

UNFINISHED BUSINESS.

Mr. Hornblower moved the adoption of the following resolution, which was introduced, and appeared in the Journal of Tuesday, January 17, 1933, page 23.

RESOLUTION BY MR HORNBLOWER.

Resolved, To amend Rule 90 of the standing rules of the Assembly as follows: In line 3 of Rule 90, after the word "of", strike out the words "two-thirds", and insert in lieu thereof "a majority".

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglin, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—68.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Evans: Assembly Bill No. 713—An act to amend the Water Commission Act, approved June 16, 1913, by amending section 42 thereof, relating to the definition of terms stream, stream system, lake, or other body of water or water.

Bill read first time, and referred to Committee on Conservation.

By Mr. Evans. Assembly Bill No. 714—An act to amend sections 2, 9, 10 and 16 of the Los Angeles County Flood Control Act, relating to the sale or disposal of impounded waters, and the use of the proceeds therefrom.

Bill read first time, and referred to Committee on Conservation.

By Messrs Hornblower, Bliss, Boyle, Callahan, Cassidy, Clowdsley, Cottrell, Crist, Dempster, Gilmore, Grubbs, Hallner, Hatch, Hunt, Jones, King, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Rawls, Roberts, Robinson, Samuel E., Rogers, Sullivan, Tournoux, Woolwine and Wright Assembly Bill No. 715—An act to abolish the death penalty as a punishment for crime, except in certain cases, and to provide for the punishment for crimes in cases where the death penalty is abolished.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Dempster: Assembly Bill No. 716—An act to establish a Public Works Penalty Fund of the Division of Labor Statistics and Law Enforcement of the State Department of Industrial Relations from penalties and fines assessed under the labor laws pertaining to public

works, requiring the awarding body to transfer to the State Treasurer for said fund of the said division at the time the progress payment from which the penalty has been withheld after full investigation, or the final payment, as the case may be, is made to the contractor on public works contracts all penalties withheld under and by virtue of any of the labor laws pertaining to public works, requiring any court collecting criminal penalties or fines under these laws to likewise transmit same to the State Treasurer to be credited to the said fund and appropriating this money to the said division to be used generally in the enforcement of the said laws.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

By Mr. Hallner: Assembly Bill No. 717—An act to amend an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Hornblower. Assembly Bill No. 718—An act to amend sections 26, 37, 101, 190, 219, 1095, 1168, 1203, 1254, 1272 and 1547 of the Penal Code and to add to said code a new section numbered 1193a, relating to crimes and the punishment therefor.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Hornblower: Assembly Bill No. 719—An act to add a new section to the Penal Code to be numbered 1540a, relating to search warrants and the property obtained thereunder.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No. 720—An act to amend sections 1525 and 1535 of the Penal Code, relating to search warrants.

Bill read first time, and referred to Committee on Judiciary.

By Mr Hornblower: Assembly Bill No. 721—An act to add a new section to the Penal Code, to be numbered 1540b, relating to search warrants and the property obtained thereunder as evidence.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Nielsen: Assembly Bill No. 722—An act to add a new section to be numbered 14a to the State Civil Service Act, relating to the abolition or discontinuance of positions.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Woolwine: Assembly Bill No. 723—An act to amend sections 4 320, 4 321 and 4.322 and repeal sections 4.323 to 4 334, both inclusive, of the School Code, all relating to school warrants registered for want of funds.

Bill read first time, and referred to Committee on Education.

By Mr Woolwine: Assembly Bill No. 724—An act to amend section 4082 of the Political Code, to provide for exempting certain claimants for duplicate warrants from the requirement to file a bond.

Bill read first time, and referred to Committee on County Government.

By Messrs. Stream and Robinson, Samuel E.: Assembly Bill No. 725—An act declaring the Julian-Kane Springs Road, in San Diego and Imperial counties, a State highway and placing the same under the supervision of the State Department of Public Works as a part of the secondary highway system of the State.

Bill read first time, and referred to Committee on Roads and Highways

By Mr Callahan: Assembly Bill No. 726—An act to amend section 648a of the Penal Code, relating to circulating slugs and tokens of the same dimensions as United States coins.

Bill read first time, and referred to Committee on Public Morals.

By Messrs. Craig, Field and Knowland: Assembly Bill No. 727—An act to amend sections 245, 246, 247, 267, 268 and 269 of the Political Code, relating to the number, designation, election, appointment and compensation of officers and employees of the Legislature.

Bill read first time, and referred to Committee on Elections

By Mr. Boyle: Assembly Bill No. 728—An act to amend sections 1, 6 and 9 of an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act" (approved May 28, 1929, Statutes 1929, page 910, as amended).

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Boyle: Assembly Bill No. 729—An act to amend section 1 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, as amended, permitting consolidation of a county election with the August primary election.

Bill read first time, and referred to Committee on Elections.

By Mr Jones: Assembly Bill No. 730—An act to amend section 7 of an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923 (Statutes 1923, page 431), to provide for levying taxes on all taxable property.

Bill read first time, and referred to Committee on Conservation.

By Mr. Grubbs: Assembly Bill No. 731—An act to amend sections 384 and 385 of the Political Code, relating to the salaries of the Governor and the secretaries to the Governor.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Scudder and Brock: Assembly Bill No. 732—An act to amend sections 2 and 3 of, and to add two new sections to be numbered sections 3a and 7b to, an act entitled "An act to define motor club service, and to define, license, and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles, and providing penalties for the violation

thereof, and repealing all acts in conflict herewith," approved June 15, 1929, relating to the qualification, organization and operation of persons, firms, associations and corporations selling or rendering motor club service.

Bill read first time, and referred to Committee on Insurance.

By Messrs. Powers, Riley, Zion, Morgan, Maloney, Knowland and Fisher: Assembly Joint Resolution No. 5—Relative to the levy and collection by the United States government on certain imports.

Introduced, and referred to Committee on Federal Relations.

ADJOURNMENT.

At eleven o'clock and forty minutes a.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until eleven o'clock a m , Monday, January 23, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, January 23, 1933.

At eleven o'clock a m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—76.

Quorum present.

PRAYER

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Williamson, Mr. Feigenbaum was granted leave of absence for the day

On motion of Mr McMurray, Mr Hunt was granted leave of absence for the day

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr Alter, Mrs. Benjamin Franklin Warner was extended the privilege of the floor of the Assembly for this day

Through the courtesy of Mr. Grubbs, Mr. Roscoe Hess, former city attorney of Lynwood, California, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Golden Gate Aerie No. 61, Fraternal Order of Eagles, relative to Old Age Security Act.

CLYDE WARE, President.

Also:

By Mr. Speaker:

From Board of Supervisors, San Francisco, relative to San Francisco-Oakland Bay Bridge.

(Signed) J. S. DUNNIGAN, Clerk.

Also:

By Mr. Speaker:

From A. F. Levy, 4312 Sunset Boulevard, Los Angeles, petition for order of impeachment.

Petition ordered referred to Committee on Rules.

Also:

By Mr. Speaker:

From J. J. Lehman, mayor, Maricopa, California, relative to diversion of State gasoline tax funds to General Fund.

Also:

By Mr. Speaker:

From city of Colton, relative to diversion of State gasoline tax funds to General Fund of the State.

OLIVE PHILLIPS, City Clerk.

Also:

By Mr. Speaker:

From National Association of Power Engineers, Los Angeles, relative to reducing State tax on gasoline.

(Signed) J. DUNCAN GRANT, Secretary.

Also:

By Mr. Speaker:

From Lakeside Chamber of Commerce, San Diego, California, relative to State Teachers College.

(Signed) L. G. SCOTT, President.
R. L. SWEARENGIN, Secretary.

Also:

By Mr. Speaker:

From Fish and Game Development Association, San Francisco, relative to taking of striped bass.

(Signed) L. I. HERRINGTON.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 438—An act to amend section 15 of an act entitled, "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes" approved March 1, 1929, as amended, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately—and reports that the same has been correctly engrossed.

PATTERSON, Chairman

The above reported bill ordered on file for third reading.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 18, 1933

To the Members of the Senate and Assembly,
California State Legislature, Sacramento, California

I am transmitting herewith copies of two telegrams, both dated January 13, 1933, one from Fred C Croxton, assistant to the directors of the Reconstruction Finance Corporation, and the other from Hon S Rexford Black, chairman, State Board of Forestry, announcing that the Reconstruction Finance Corporation has approved our application for funds, in the sum of $281,372, to be used in unemployment camps.

With kindest regards,
Sincerely yours,

JAMES ROLPH, JR., Governor of California

WASHINGTON, D C, January 13, 1933

Governor James Rolph, Jr., Sacramento, California.

Reconstruction Corporation this morning made available to California $281,372 for January and February labor camp costs pursuant to your request which I presented yesterday

S REXFORD BLACK.

(Copy)

WASHINGTON, D C, January 13, 1933.

Hon James Rolph, Jr., Governor,
State of California, Sacramento, California

Under your certificate and application for supplemental funds Reconstruction Finance Corporation has just made available $281,372 for current relief needs in State labor camps for nonresident unemployed men during January and February. You will note a slight reduction in amount, but the exact figure was reached in full accord with your representative Letter follows

FRED C. CROXTON, Assistant to the Directors

(Copy)

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Knowland Assembly Bill No 733—An act to amend section 2 of an act entitled "An act providing for the exhibit of the products and resources of the State of California at the Chicago World's Fair Centennial Celebration to be held at Chicago, Illinois, in 1933, creating the California World's Fair Centennial Celebration Commission and defining its powers and duties, and making an appropriation therefor," approved June 12, 1931, relating to powers and duties of said commission.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

By Mr. Hoffman: Assembly Bill No. 734—An act to repeal section 2 of Chapter 172 of the Statutes of 1929, embracing Article VII and sections 2.1460 to 2 1469, inclusive; also to repeal Article VII of Chapter II of Part IV of Division II of the School Code, embracing sections 2 1460 to 2 1468 of said code, and providing for the disposition of the properties and funds of the Division of Schoolhouse Planning, hereby abolished.

Bill read first time, and referred to Committee on Education.

By Mr. Hoffman. Assembly Bill No. 735—An act to add section 39½ to an act entitled the "Acquisition and Improvement Act of 1925," relating to the issuance of bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hoffman: Assembly Bill No. 736—An act to add section 29½ to an act entitled "An act to provide for work done upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, as amended, relating to the issuance of bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hoffman: Assembly Bill No. 737—An act to add section 4½ to an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893, as amended, relating to the issuance of bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hoffman: Assembly Bill No 738—An act to add section 7½ to an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities and upon property and rights of way owned by municipalities and for the laying out, opening, extending, widening, straightening, or acquiring in whole or in part of public streets, squares, lanes, alleys, easements, courts and places within municipalities, to provide for the collection of such assessments, the sale of the property affected thereby, and for the payment of the bonds so issued," approved June 11, 1915, as amended, relating to the issuance of bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hoffman: Assembly Bill No 739—An act to add section 4½ to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements under the Street Opening Act of 1889 and providing for the effect and enforcement of such bonds," approved May 24, 1921, relating to the issuance of bonds

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr Hoffman: Assembly Bill No 740—An act to add section 25½ to an act entitled the "Street Improvement Act of 1913," relating to the issuance of bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hoffman: Assembly Bill No. 741—An act to add section 4a to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended, relating to the issuance of bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr Hoffman: Assembly Bill No. 742—An act to add section 5½ to an act entitled the "Grade Separation Act of 1927," relating to the issuance of bonds.

Bill read first time, and referred to Committee on Municipal Corporations

By Mr. Hoffman: Assembly Bill No. 743—An act to add section 17½ to an act entitled "An act to provide for the funding and refunding of the indebtedness of, and for the issue and sale or exchange of funding bonds and the retirement of outstanding bonds of districts organized under and in pursuance of the Acquisition and Improvement Act of 1925, and to provide for payment of such bonds and for proceedings to test the validity of the refunding proceeding, and for such funding or refunding to levy assessments and reassessments, and to enforce the liens thereof," approved June 15, 1931, relating to the issuance of bonds

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hoffman: Assembly Bill No 744—An act to add section 63a to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the issuance of bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Bowers: Assembly Bill No. 745—An act to provide a method whereby any separately assessed land within any district organized under the provisions of the Acquisition and Improvement Act of 1925 may be permanently removed therefrom and relieved of all past and future taxation or assessment which has attached or which would in the future attach by reason of the existence of such district.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hallner: Assembly Bill No. 746—An act requiring the board of supervisors of any county to call a special election in such county for the purpose of submitting to the electors thereof the proposition of consenting to the separation therefrom of any city located in such county desiring to form a consolidated city and county, pursuant to the provisions of section 8½ of Article XI of the Constitution of the State of California.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hallner: Assembly Bill No. 747—An act providing employment for inmates of State prisons and reformatories; providing for appointment and compensation of a Superintendent of Prison Industries and providing rules and regulations for the carrying out of the provisions thereof.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Hallner: Assembly Bill No. 748—An act to amend sections 1152 and 1410 of the Fish and Game Code, and to add thereto sections 491 5 and 743, relating to the shooting or harpooning of birds, mammals or fish, and the sale and transportation of fish

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Clowdsley: Assembly Bill No. 749—An act to amend section 982a and to repeal Chapter IV of Title XIII of Part II of the Code of Civil Procedure, embracing sections 983 to 988i, inclusive, relating to appeals from justices and municipal courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roland: Assembly Bill No. 750—An act to amend section 927j of the Code of Civil Procedure, relating to appeals by defendants.

Bill read first time, and referred to Committee on Judiciary.

By Mr Roland: Assembly Bill No 751—An act to amend sections 9, 14 and 15 of the State Bar Act, relating to the Board of Governors.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cottrell: Assembly Bill No. 752—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers

Bill read first time, and referred to Committee on County Government.

By Mr. Woolwine: Assembly Bill No. 753—An act making an appropriation to pay the claim of F. H. Rolapp, as receiver of Sunset Pacific Oil Company, against the State of California

Bill read first time, and referred to Committee on Ways and Means.

By Mr Crist: Assembly Bill No 754—An act to amend section 338 of the Code of Civil Procedure, relating to limitations of sections

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crist. Assembly Bill No. 755—An act to add a new section, to be numbered 905a, to Chapter IX of Title XI of Part II of the Code of Civil Procedure, relating to the determination of third party claims.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crist: Assembly Bill No. 756—An act to amend section 549 of the Code of Civil Procedure, relating to property claims by a third party.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crist: Assembly Bill No. 757—An act to provide for the classification, construction, and maintenance of public highways within municipalities.

Bill read first time, and referred to Committee on Roads and Highways

By Mr. Frazier: Assembly Bill No. 758—An act establishing an additional State highway and classifying it as a secondary highway.
Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Frazier: Assembly Bill No. 759—An act to amend section 8 of the California Irrigation District Act, relating to qualifications for voting at irrigation district elections.
Bill read first time, and referred to Committee on Irrigation.

By Mr. Hornblower: Assembly Bill No. 760—An act to add a new section to the State Bar Act, to be numbered 34a, relating to disbarment, suspension, or reproval of attorneys.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No. 761—An act to amend section 24 of the State Bar Act, relating to admission to practice law.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No 762—An act to add section 291½ to the Code of Civil Procedure, relating to the filing of accusations against attorneys and counselors at law.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Tournoux. Assembly Bill No. 763—An act to amend section 312 of the Agricultural Code, relating to the inspection of meat and meat food products.
Bill read first time, and referred to Committee on Agriculture.

By Mr. Badham (by request): Assembly Bill No. 764—An act to provide for the relief of property owners who are paying the special assessments for the construction of certain public improvements.
Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Badham (by request): Assembly Bill No. 765—An act to provide for the assumption by counties of certain local improvement bonds where, in the opinion of four-fifths of the county board of supervisors, said local improvement has become of countywide importance.
Bill read first time, and referred to Committee on County Government.

By Mr. Badham (by request): Assembly Bill No. 766—An act to provide for the allocation of certain funds from the funds now in the hands of the State Highway Commission for the payment of certain bonds now outstanding on certain public improvements.
Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Badham: Assembly Bill No. 767—An act to add a new section to the Fair Trade Act to be numbered 1½, relating to unfair competition.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Badham: Assembly Bill No. 768—An act to add section 1b to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful,

defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair competition

Bill read first time, and referred to Committee on Judiciary.

By Mr. Badham: Assembly Bill No. 769—An act to add section 1c to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair trade practice.

Bill read first time, and referred to Committee on Judiciary.

By Mr Badham: Assembly Bill No 770—An act to add section 1a to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair competition

Bill read first time, and referred to Committee on Judiciary.

By Mr. Field: Assembly Bill No. 771—An act to amend section 16 of the act known as the "Act Concerning Cosmetology," relating to exemptions.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Field: Assembly Bill No. 772—An act to amend the act known as "An Act Concerning Cosmetology."

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Field: Assembly Bill No. 773—An act to amend the act known as "An Act Concerning Cosmetology."

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Field: Assembly Bill No. 774—An act to amend the act known as "An Act Concerning Cosmetology."

Bill read first time, and referred to Committee on Public Health and Quarantine

By Messrs Rawls and Woolwine: Assembly Bill No. 775—An act to amend the title and sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, of an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District';

to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended, and by adding four new sections to said act to be numbered sections 1a, 3a, 3b, and 3c, relating to and providing for the government and control of said district by a board of directors, defining the powers and duties of said board and for the appointment of certain officers by said board, and dividing said district into five divisions for the election of a director from each of such divisions, and providing for the performance of certain duties by Los Angeles County officers for said district.

Bill read first time, and referred to Committee on Conservation.

By Mr. Martin: Assembly Bill No. 776—An act to amend section 758 of the Political Code, relating to employees of District Courts of Appeal.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Martin: Assembly Bill No. 777—An act to amend sections 1, 3, 4, 5, 10, 12, 13, and 23 of the Direct Primary Law, relating to the time of holding primary elections.

Bill read first time, and referred to Committee on Direct Legislation.

By Mr. Martin: Assembly Bill No 778—An act regarding assessment of property lying within a road district.

Bill read first time, and referred to Committee on County Government.

By Mr. Cobb: Assembly Bill No. 779—An act to repeal Chapters I, II and III of Title V of Part IV of Division II of the Civil Code, embracing sections 1237 to 1269, inclusive, and to add two new chapters to Title V of Part IV of Division II of said code, to be numbered Chapters I and II, embracing sections 1236 to 1275, inclusive, relating to homesteads and the proceedings on execution against homesteads.

Bill read first time, and referred to Committee on Judiciary.

By Mr Cobb: Assembly Bill No. 780—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10a, 11, and 12 of, and to add section 15 to, an act entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to contractors and the Contractors' License Bureau and declaring the same to be an urgency measure.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Sullivan: Assembly Bill No. 781—An act to amend sections 692, 702, and 726 of, and to add sections 725, 725a, and 725b to the Code of Civil Procedure, relating to trust deeds and mortgages, and to repeal sections 2920, 2924, 2924a, and 2932 of the Civil Code.

Bill read first time, and referred to Committee on Judiciary.

By Mr Ross: Assembly Bill No. 782—An act to amend section 132 of the Civil Code, relating to final judgments of divorce.

Bill read first time, and referred to Committee on Judiciary.

By Mr Ross: Assembly Bill No. 783—An act to add a new section to the Political Code to be numbered 4349, requiring public printing to be done in the county needing the same.

Bill read first time, and referred to Committee on County Government.

By Mr. Ross: Assembly Bill No. 784—An act to amend section 2 of Chapter 233, Statutes of 1903, entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, relating to license fees

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Ross: Assembly Bill No 785—An act to amend section 2322x48 of the Political Code, relating to the office of the agricultural commissioner in counties of the forty-eighth class

Bill read first time, and referred to Committee on County Government.

By Mr. Ross: Assembly Bill No. 786—An act to amend section 4277 of the Political Code, relating to the compensation of county and township officers in counties of the forty-eighth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Ross: Assembly Bill No 787—An act to amend section 737y of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Modoc.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr Ross: Assembly Bill No. 788—An act to amend section 19x48 of the Juvenile Court Law, relating to the probation officer in counties of the forty-eighth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Ross: Assembly Bill No. 789—An act to amend section 16x48 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the forty-eighth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Ross: Assembly Bill No. 790—An act to amend section 4268 of the Political Code, relating to the compensation of county and township officers in counties of the thirty-ninth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Ross: Assembly Bill No. 791—An act to amend section 737r of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Lassen.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Ross: Assembly Bill No. 792—An act to amend section 2322x39 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-ninth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Ross: Assembly Bill No. 793—An act to amend section 19x39 of the Juvenile Court Law, relating to the probation officer in counties of the thirty-ninth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Ross: Assembly Bill No. 794—An act to amend section 16x39 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the thirty-ninth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Craig: Assembly Bill No. 795—An act to provide for licensing and regulation of apparatus capable of producing roentgen rays or roentgenographs, and the licensing and regulation of operators of such apparatus, and to provide penalties for the violations hereof.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Craig: Assembly Bill No. 796—An act to amend section 5 of the Direct Primary Law, relating to pamphlets.

Bill read first time, and referred to Committee on Elections.

By Mr. Lyon: Assembly Bill No. 797—An act to provide for the transfer from the State Highway Maintenance Fund and the State Highway Construction Fund to the General Fund in the State treasury, an amount equal to that paid or necessary to be paid on or after July 1, 1933, for the principal and interest upon certain State bonds for highway purposes and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Hoffman: Assembly Bill No. 798—An act to amend section 385 of the Political Code, relating to the Governor's secretaries and other assistants.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Riley: Assembly Bill No. 799—An act to amend section 1343 of the Fish and Game Code, relating to sea lions and seals.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Kallam: Assembly Bill No. 800—An act to amend section 634 of the Penal Code, relating to the protection of fish and game.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. McMurray: Assembly Bill No. 801—An act to amend section 42 of the State Housing Act, relating to construction of buildings.
Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Levey (by request): Assembly Bill No. 802—An act to amend section 2009 of the Code of Civil Procedure, relating to the purposes for which an affidavit may be used.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Clowdsley: Assembly Bill No 803—An act to add a new section to be numbered 5.408 to the School Code, relating to the exchange of teachers with foreign countries.
Bill read first time, and referred to Committee on Education.

By Miss Miller, Eleanor: Assembly Bill No. 804—An act to amend section 928 of the Penal Code, relating to duties of grand juries.
Bill read first time, and referred to Committee on Judiciary.

By Miss Miller, Eleanor: Assembly Bill No. 805—An act to add a new section to the School Code to be numbered 1.395, relating to the duties of employers of minors who are subject to compulsory continuation education.
Bill read first time, and referred to Committee on Education.

By Miss Miller, Eleanor: Assembly Bill No 806—An act to add a new section to the School Code, to be numbered 2.1428, relating to examination of records of school districts.
Bill read first time, and referred to Committee on Education.

By Mr. Bliss: Assembly Bill No. 807—An act to amend sections 2639, 2651, 2655, 4041.4, and 4041.7 and to repeal sections 2653 and 2654 of the Political Code, relating to jurisdiction and powers of boards of supervisors in regard to public roads or highways.
Bill read first time, and referred to Committee on Roads and Highways

By Mr Bliss: Assembly Bill No. 808—An act to amend section 363c of the Political Code, relating to the transfer of powers, duties, and the jurisdiction of the California Highway Commission to the Department of Public Works and the abolition of the California Highway Commission.
Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lyon: Assembly Bill No. 809—An act to amend the title, sections 12, 16, 23, 23a and to repeal sections 12a, 12b, and 12c, and to add section 16a to an act entitled "An act to promote the drainage of

wet, swamp, and overflowed lands or lands otherwise needing surface or underground drainage or protection from storm water overflow, and to promote the public health in the communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof," approved May 18, 1919, Statutes 1919, page 731, as amended, with the provision that the repeal of sections 12a, 12b and 12c shall not affect existing proceedings under said act, and to provide for the advancing of maturity of bonds issued under said act.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Messrs. Knowland and Fisher: Assembly Bill No. 810—An act providing for the deposit of county and city publications in the State Library and the University of California.

Bill read first time, and referred to Committee on Universities.

By Mr. Mayo: Assembly Bill No. 811—An act to amend sections 4.362, 4.366, 4.370, 4.371, 4.373 and 4.383 of the School Code, to repeal sections 4.363, 4.364 and 4.365 of said code, and to add three new sections to said code, to be numbered 4.363, 4.364 and 4.365, respectively, all relating to school district budgets.

Bill read first time, and referred to Committee on Education.

By Mr. Mayo: Assembly Bill No. 812—An act to amend sections 3.174, 3.301, 3.302 and 3.306 of the School Code, relating to attendance of pupils in school districts other than those in which they reside.

Bill read first time, and referred to Committee on Education.

By Mr. Dempster: Assembly Bill No. 813—An act to amend section 161 of the Penal Code, relating to champerty.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cassidy: Assembly Bill No. 814—An act to amend section 9 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provisions for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violation thereof," approved May 17, 1923, relating to elections.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Cassidy (by request): Assembly Bill No. 815—An act to amend section 13 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Boyle: Assembly Bill No. 816—An act to amend sections 14, 15 and 21 of an act entitled "An act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of California, providing the method therefor, making an appropriation therefor and prescribing penalties for the violation of the provisions of this act," approved May 28, 1929, Statutes 1929, page 914, as amended.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Levey: Assembly Bill No. 817—An act to amend section 28 of the General Cemetery Act, relating to the extension of time for the disinterment and removal of bodies from cemeteries.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Hallner, Woolwine, and Lyon: Assembly Bill No. 818—An act to amend section 1269a of the Penal Code, relating to admission to bail.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crowley: Assembly Bill No. 819—An act to amend section 4039 of the Political Code, relating to records kept by the board of supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr. Crowley: Assembly Bill No. 820—An act to amend section 921 of the Political Code, relating to purchases and sales of county, State, township and city officers.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Knowland: Assembly Bill No. 821—An act providing for the payment of the necessary and reasonable expenses of boards of freeholders elected to propose and prepare charters.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Riley: Assembly Bill No. 822—An act to add a new section to the Political Code, to be numbered 3817b, authorizing the temporary suspension of penalties on delinquent taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Greene: Assembly Bill No. 823—An act to amend section 15 of the Los Angeles County Flood Control Act, relating to the responsibility of bidders upon public work.

Bill read first time, and referred to Committee on Conservation.

By Mr. Morgan: Assembly Bill No. 824—An act to amend sections 5, 7, 23, 24, and 25 of the Direct Primary Law, relating to requirements for party candidates.

Bill read first time, and referred to Committee on Elections.

By Mr. Fisher: Assembly Bill No. 825—An act directing the Regents of the University of California to gather data for studying and writing

the history of the people of California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Universities.

By Messrs. Cronin and Feigenbaum: Assembly Bill No. 826—An act to amend sections 12 and 13 of the Direct Primary Law, relating to choice of party ballots at primary elections.

Bill read first time, and referred to Committee on Elections.

By Mr. McBride: Assembly Bill No. 827—An act to amend section 2145 of the Political Code, relating to State institutions for persons mentally defective.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Morgan: Assembly Bill No. 828—An act to add a new section to the California Vehicle Act, approved May 30, 1923, as amended, to be numbered 94½, relating to the operation and equipment of motor vehicles operated upon public highways.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Thorp: Assembly Bill No. 829—An act to amend section 585 of the Agricultural Code, relating to dairies and dairy products.

Bill read first time, and referred to Committee on Agriculture.

RECESS.

At eleven o'clock and forty minutes a.m., on motion of Mr Bliss, the Assembly was declared at recess for the purpose of being addressed by Hon. V. J. Patel, former Lord Mayor of Bombay, and first Speaker elected in the India Legislature.

The Speaker also introduced Mr. Theodore V. Resmey, representing the Bombay Chronicle of Bombay, and Mr. Godha Ram Channon, merchant, of San Francisco.

REASSEMBLED.

At twelve o'clock m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

DAILY CALENDAR

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 175—An act to repeal "An act relating to stills and other devices for the manufacture or production of intoxicating liquor for beverage purposes, providing a penalty for the violation thereof, and repealing all inconsistent acts," approved April 29, 1927.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 342—An act determining the amount of money to be reimbursed to the State of California by the California Toll Bridge Authority, out of the proceeds of revenue bonds to be issued by it for the construction of a bridge across the bay of San Francisco from the City and County of San Francisco to the county of Alameda for preliminary surveys for which the State has heretofore appropriated funds, and providing that this act become effective immediately.

Bill read second time.

MOTION TO REFER.

Mr. Hornblower moved that Assembly Bill No. 342 be withdrawn from the file, and ordered referred to Committee on Ways and Means.

The question being on referring Assembly Bill No 342 to the Committee on Ways and Means.

Motion carried.

Assembly Bill No 342 ordered referred to Committee on Ways and Means.

Assembly Bill No. 343—An act to amend sections 1, 2, 3, 4, 5, 6 and 8 of Chapter 764 of the Statutes of 1929, entitled "An act to regulate the construction, operation and maintenance of toll bridges and toll roads situated wholly or in part within the State of California; vesting the exclusive jurisdiction over said toll bridges and toll roads in the Department of Public Works of the State of California; authorizing and empowering said department to grant upon certain terms, limitations, conditions and restrictions and under such supervision as in its judgment may be necessary, franchises, privileges or licenses for the construction or operation of toll bridges and toll roads and for the taking and keeping of tolls thereon, and to fix, determine, modify or change the rate of tolls to be taken thereon; to terminate the right of boards of supervisors to grant franchises, privileges or licenses for the construction, operation and the taking and keeping of tolls on toll bridges and toll roads; also providing that the State may purchase or retake any such toll bridges or toll roads constructed hereunder and repealing all other acts and parts of acts in conflict therewith," approved June 10, 1929, relative to toll ferries and extending the provisions of said act to toll ferries.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 31, of the printed bill, strike out the period, and insert in lieu thereof a comma, followed by the words "or to any toll ferry operated or to be operated by a municipality".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 344—An act to amend section 2620 of the Political Code, relating to the width of highways.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, strike out the word "be", and insert in lieu thereof the word "by".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 346—An act to amend Chapter 736, Statutes of 1920, approved June 10, 1929, as amended by Chapter 401, Statutes of

1931, approved May 25, 1931, entitled and known and cited as "California Toll Bridge Authority Act," by amending the title thereof, and by amending sections 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 17 and 19, and by adding thereto new sections numbered 6½, 13½, 22½ and 22¾, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing that this act become effective immediately.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 13, line 22, of the printed bill, after the word "Marin", insert the following: ", or any bridge or tube between the cities of Oakland and Alameda".

AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill, strike out figures "736", and insert in lieu thereof the figures "763".

AMENDMENT NUMBER THREE.

In line 1 of the title of the printed bill, strike out date "1920", and insert in lieu thereof the date "1929".

AMENDMENT NUMBER FOUR.

On page 9, line 17, of the printed bill, strike out the word "bridges", and insert in lieu thereof the word "bridge".

AMENDMENT NUMBER FIVE.

On page 9, line 19, of the printed bill, strike out the word "bridges", and insert in lieu thereof the word "bridge".

Amendments adopted.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Levey:

AMENDMENT NUMBER ONE

On page 9, line 29, of the printed bill, strike out the words "for any toll bridge", and insert in lieu thereof the words "in connection therewith".

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Messrs. Craig and Utt: Assembly Bill No. 830—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act.

Bill read first time, and referred to Committee on County Government.

By Messrs. Craig and Utt: Assembly Bill No. 831—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness, and providing

for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act.

Bill read first time, and referred to Committee on County Government.

By Messrs. Craig and Utt: Assembly Bill No. 832—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

Bill read first time, and referred to Committee on County Government.

By Mr. Cronin: Assembly Bill No 833—An act to amend section 924 of the Fish and Game Code, and to add thereto section 920 5, relating to nets.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs Williamson and Cronin: Assembly Bill No 834—An act to amend section 423 of the Probate Code, relating to nomination of administrators.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Gilmore: Assembly Bill No 835—An act to amend section 4 of the California Air Navigation Act, relating to aircraft including aircraft used solely for pleasure and not for commercial purposes.

Bill read first time, and referred to Committee on Aviation and Aircraft.

By Mr. Frazier: Assembly Bill No. 836—An act to add a new section to the Political Code to be numbered 352a, relating to the payment of the costs of State administrative and service agencies.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Field: Assembly Bill No. 837—An act to provide for the sale and conveyance of the Napa State Farm, situated in Napa County, California, and certain personal property located thereon.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr Chatters: Assembly Bill No. 838—An act to amend section 1.70 of the School Code, and to add a new section to said code, to be numbered 1 72, relating to transportation of school pupils

Bill read first time, and referred to Committee on Education.

By Mr Field: Assembly Bill No. 839—An act making an appropriation to pay the claim of _____ against Charles G Johnson as Treasurer of the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Field: Assembly Bill No. 840—An act making an appropriation to pay the claim of _____ against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr Cronin: Assembly Bill No. 841—An act to amend section 1000 of the Probate Code, relating to partial distribution

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin (by request): Assembly Bill No. 842—An act appropriating money to pay the claim of Guiseppi Bottega against the State of California

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Crist: Assembly Bill No. 843—An act to amend section 659 of the Code of Civil Procedure, relating to the time of giving notice of intention to move for a new trial.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crist: Assembly Bill No. 844—An act to amend section 663a of the Code of Civil Procedure, relating to the time of filing notice of intention to move to vacate judgment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Grubbs, Assembly Constitutional Amendment No. 43—Proposed amendment to Article V, section 19, of the Constitution, relative to the salary of the Governor.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Robinson, Samuel E., Meeker, Zion, and Patterson: Assembly Constitutional Amendment No. 44—Proposed amendment to Article IX, section 6, of the Constitution, relative to funds for support of the school system.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Ross: Assembly Constitutional Amendment No. 45—Proposed amendment to Article VII, section 1, of the Constitution, relative to the pardoning power.

Introduced, and referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 374—An act to provide for the construction and supervision of safe and sanitary low-cost dwellings and apartments, and for the rental or sale thereof at reasonable rates, and in connection therewith to authorize the incorporation and provide for the regulation of limited dividend housing corporations and prescribe the powers, rights and duties thereof; to regulate and limit the rate of return on securities to be issued by such corporations; to declare the urgency of this act and provide that it shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it be referred to the Committee on Unemployment.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered referred to Committee on Unemployment.

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1933.

MR SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the application for the position of Assistant History Clerk and desires to submit the following resolution:

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrant

in favor of the said person for the said amount, and the Treasurer is hereby directed to pay the same:

Commencing January 23, 1933	*Per day (Sundays excepted)*
Howard S. McIntire, Assistant History Clerk	$5 00

CRAIG, Chairman.

Mr. Craig moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Wright, Zion, and Mr. Speaker—71

NOES—None.

ADJOURNMENT.

At twelve o'clock and twenty minutes p m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, January 24, 1933.

LOUIS F ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, January 24, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Nielsen, Mr. M. A. Bailey and Mr. J. V. Muller were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Williamson, Mr. William Walter Murphy, assistant district attorney of San Francisco, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Alter, Mr. Isaac Jones, former member of the Legislature, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Eastbay Motor Car Dealers Association, relative to diversion of State gasoline tax funds to general fund of State.

(Signed) R. C. KENNEDY, Secretary.

Also:

By Mr. Speaker:

From Board of Supervisors, San Francisco, urging adoption of Senate Bills Nos. 87 to 92, inclusive.

(Signed) J. S. DUNNIGAN, Clerk

By Mr. Levey:

From Jewel Alexander and 150 others of San Francisco, resolution indorsing Milton S. Ray for Laurel Crowned Poet of California.

Resolution referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 175—An act to repeal "An act relating to stills and other devices for the manufacture or production of intoxicating liquor for beverage purposes, providing a penalty for the violation thereof, and repealing all inconsistent acts," approved April 29, 1927—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1933.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 2—Relative to memorializing Congress to propose an amendment to the Constitution of the United States repealing the Eighteenth Amendment and to provide for conventions in the several States to accomplish this purpose, as amended in the Senate—has had the same under consideration, and respectfully reports the same back, and recommends that the Assembly do concur in said amendments.

PETERSON, Chairman.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 2?

AMENDMENT NUMBER ONE.

On page 1 of the printed resolution, strike out lines 1 to 17, inclusive, and insert in lieu thereof the following:

"WHEREAS, One of the modes prescribed for the amendment of the Constitution of the United States is that Congress, whenever two-thirds of both houses shall deem

it necessary, may propose amendments to said Constitution which shall be and become effective and operative as part of said Constitution when ratified by conventions in three-fourths of the several States if such mode of ratification be proposed by Congress; and

WHEREAS, The selection by the qualified voters in the several States of delegates to represent them in State conventions called to consider and act upon proposals thus submitted, is in harmony with the spirit of our institutions and the tenor of our time, and is the mode most expressive of the will of the people; and".

AMENDMENT NUMBER TWO.

On page 2 of the printed resolution, between lines 29 and 30, insert the following paragraph:

"*Resolved*, That in adopting this resolution it is not the purpose or intent of this Legislature to apply to the Congress to call a convention for proposing amendments, but to give expression, through their representatives in Senate and Assembly, of the desire and hope of the people of California that such repeal of the Eighteenth Amendment be submitted, and that it be submitted to conventions in the several States for ratification; and be it further"

The roll was called, and Senate amendments to Assembly Joint Resolution No. 2 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, and Mr Speaker—58.

NOES—Alter, Brock, Chatters, Cobb, Craig, Dempster, Field, Greene, Hatch, Latham, Martin, Miller, Eleanor; Phillips, Redwine, Riley, Stream, Utt, Wright, and Zion—19.

The above reported bill ordered to enrollment

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 23, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 12—Relative to approving the charter of the county of San Mateo, State of California, which was submitted to the qualified electors of said county and voted for and ratified by them at a general election held therein on the eighth day of November, 1932.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Peterson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 12, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWELVE

Senate Concurrent Resolution No 12—Approving the charter of the county of San Mateo, State of California, which was submitted to the qualified electors of said county and voted for and ratified by them at a general election held therein on the eighth day of November, 1932

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 12 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Craig, Crist, Cronin, Dempster, Feigenbaum, Fisher, Greene, Grubbs, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson,

Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—64.
NOES—None.

Title read and approved.

Senate Concurrent Resolution No 12 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 12—Approving the charter of the county of San Mateo, State of California, which was submitted to the qualified electors of said county and voted for and ratified by them at a general election held therein on the eighth day of November, 1932

DAILY CALENDAR.

Assembly Bill No 438—An act to amend section 15 of an act entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," approved March 1, 1929, as amended, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—75.
NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER FOUR HUNDRED THIRTY-EIGHT.

Assembly Bill No 438—An act to amend section 15 of an act entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," approved March 1, 1929, as amended, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 438 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—71.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1933

MR SPEAKER. Your Committee on Roads and Highways, to which was referred Senate Concurrent Resolution No. 7—Relative to the orderly addition of new roads to the State highway system, after study and report by the California Highway Commission, and the Department of Public Works—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GREENE, Chairman.

The above reported Senate Concurrent Resolution No. 7 ordered on file for adoption.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1933

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Concurrent Resolution No. 19—Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

COBB, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cobb asked for, and was granted, unanimous consent to consider, at this time, committee amendment to Assembly Concurrent Resolution No. 19.

COMMITTEE AMENDMENT.

AMENDMENT NUMBER ONE

On page 1, lines 9 and 10, of the printed bill, strike out "four o'clock in the afternoon on Saturday, January 21, 1933," and insert in lieu thereof "twelve o'clock noon on Friday, January 27, 1933".

The question being on the adoption of the amendment.

Amendment adopted.

Assembly Concurrent Resolution No. 19 ordered to reprint, engrossment, and on file for adoption.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 342—An act determining the amount of money to be reimbursed to the State of California by the California Toll Bridge Authority, out of the proceeds of revenue bonds to be issued by it for the construction of a bridge across the bay of San Francisco from the City and County of San Francisco to the county of Alameda for preliminary surveys for which the State has heretofore appropriated funds, and providing that this act become effective immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COBB, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 341—An act making an appropriation to the Department of Public Works for the construction of the approaches to a toll bridge to be built across the bay of San Francisco, from the City and County of San Francisco to the county of Alameda, and providing that this act become effective immediately;

Also: Assembly Bill No. 345—An act directing the Department of Public Works to construct the approaches to a toll bridge to be built across the bay of San Francisco from the City and County of San Francisco to the county of Alameda;

declaring such toll bridge and approaches to be a State highway; requiring their maintenance and operation by the Department of Public Works; and prescribing the manner in which the cost thereof shall be paid; and providing that this act become effective immediately;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

COBB, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Levey asked for, and was granted, unanimous consent to consider, at this time, committee amendments to Assembly Bill No. 341.

AMENDMENT NUMBER ONE

On page 1, line 15, of the printed bill, strike out the word "and", and insert in lieu thereof the following: "but only".

AMENDMENT NUMBER TWO

On page 1, line 15, of the printed bill, strike out the word "and", and insert in lieu thereof the words "but only".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 10, 11 and 12, and insert in lieu thereof the following: "order to complete such acquisition and construction by such time that the opening of the said San Francisco-Oakland Bay Bridge to public traffic will not be delayed thereby, and the State Controller, subject to the".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Levey asked for, and was granted, unanimous consent to consider, at this time, committee amendments to Assembly Bill No. 345.

AMENDMENT NUMBER ONE.

On page 2, line 44, of the printed bill, strike out the word "northerly", and insert in lieu thereof the word "westerly".

AMENDMENT NUMBER TWO.

On page 4, line 8, of the printed bill, strike out the words "maintenance, repair,".

AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, strike out the period after the word "approaches", and insert in lieu thereof the following: "and to complete such construction and acquisition by such time that the opening of the said toll bridge for public traffic will not be delayed thereby.".

AMENDMENT NUMBER FOUR

On page 2, line 44, of the printed bill, strike out the word "northerly", and insert in lieu thereof the word "westerly".

AMENDMENT NUMBER FIVE.

On page 3, line 46, of the printed bill, after the word "therefrom", insert "and the cost of complying with any order of any governmental agency or authority as provided in section 4 hereof".

AMENDMENT NUMBER SIX.

On page 4, line 6, of the printed bill, after the word "thereof", insert "and the cost of complying with any order of any governmental agency or authority as provided in section 4 hereof".

AMENDMENT NUMBER SEVEN

On page 4, line 8, of the printed bill, strike out the words "maintenance, repair,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Zion: Assembly Bill No. 845—An act to repeal Chapter V, Part III, Division V of the School Code, relating to teachers' institutes.

Bill read first time, and referred to Committee on Education.

By Mr. Zion: Assembly Bill No. 846—An act appropriating money to pay the claim of Shella Bucklund against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Zion: Assembly Bill No. 847—An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled "An act to define the duties of and to license land surveyors." approved March 16, 1907.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hallner: Assembly Bill No. 848—An act to regulate the transportation, sale or possession, within the State of fish meal, fish flour, fish oil, canned, packed or processed fish or fishery products.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hallner: Assembly Bill No. 849—An act to amend section 3 of Chapter 197, Statutes of 1909, entitled "An act to amend 'An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and conservation of the fish in the waters of the State of California,' " relating to regulations of the Fish and Game Commission.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Zion: Assembly Bill No. 850—An act to amend section 737xx of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Stanislaus.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Zion. Assembly Bill No. 851—An act to suspend the exemption from taxation granted by the Constitution to the California School of Mechanical Arts.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Bowers: Assembly Bill No. 852—An act to amend section 990 of the Fish and Game Code, relating to commercial fishing licenses.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs. Martin, Brock, Evans, Wright, Scudder, and Stream: Assembly Bill No. 853—An act to amend sections 3, 4, 5, 6, 7, 9, 9a, 9b, 9c, 9d, 11, 11a, 12, 12a, 13, 14, 15, 16, 19, 20a, and 20b of the California Real Estate Act, and to add new sections to be numbered 3a, 3b, 3c, 3d, 3e, 12b, 13a, and 13b, relating to the Division of Real Estate.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roberts: Assembly Bill No 854—An act to add a new section to the Civil Code to be numbered 712, relating to restrictions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 855—An act to add a new section to the Penal Code to be numbered 383c, relating to the labeling of foreign-made goods.

Bill read first time, and referred to Committee on Manufactures.

By Messrs McCarthy and Dempster: Assembly Bill No. 856—An act making an appropriation to pay the claim of William Dyer against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. McCarthy: Assembly Bill No. 857—An act to amend section 1426-1 of the Civil Code, relating to development work on mining claims

Bill read first time, and referred to Committee on Ways and Means.

By Mr Levey: Assembly Bill No. 858—An act to amend sections 11, 12, and 13 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to reciprocity, service of notice and process, and penalties.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Levey: Assembly Bill No. 859—An act to amend section 1b of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to fees.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Martin: Assembly Bill No 860—An act to add sections 1.5 and 1 7 to an act entitled the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," relating to investigations, reports and hearings.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Powers: Assembly Bill No. 861—An act to add a new section to the Political Code, to be numbered 3649a, relating to the assessment of property discovered after the first Monday in July.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Powers: Assembly Bill No. 862—An act to amend section 726 of the Code of Civil Procedure, relating to the foreclosure of mortgages, sale thereunder and forbidding the granting of a deficiency judgment

Bill read first time, and referred to Committee on Judiciary.

By Mr. Powers. Assembly Bill No 863—An act to add a new section to the Civil Code, to be numbered 2924b, relating to deficiency judgments.

Bill read first time, and referred to Committee on Judiciary.

By Mr West: Assembly Bill No 864—An act establishing an additional State highway and classifying it as a secondary highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. West: Assembly Bill No. 865—An act establishing an additional State highway and classifying it as a secondary highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. West: Assembly Bill No 866—An act to amend sections 612, 651, 654, and 659 of the Fish and Game Code, and to add thereto sections 615.5, 658 5, and 658 6, relating to salmon and trout.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Lyon: Assembly Bill No. 867—An act to amend sections 1 and 2 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, as amended

Bill read first time, and referred to Committee on Manufactures.

By Mr. Lyon: Assembly Bill No. 868—An act to amend section 10 of and to add a new section, to be known as 1a, to an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund."

Bill read first time, and referred to Committee on Manufactures.

By Mr. Scudder: Assembly Bill No. 869—An act to amend sections 3714 and 4041 2 of the Political Code, relating to accounting, auditing and budget control in cities, counties, cities and counties, districts and other political subdivisions.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Peterson: Assembly Bill No. 870—An act to amend an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violations thereof," approved May 14, 1927, relating to the regulation of collection agencies

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bliss: Assembly Bill No. 871—An act to provide emergency relief and work relief and providing funds to be administered in the various counties of this State.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Dempster: Assembly Bill No. 872—An act to amend section 128 of the Code of Civil Procedure, relating to powers and duties of courts

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 873—An act to amend section 1182 of the Penal Code, and to add a new section thereto, to be numbered 1183, relating to new trials

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 874—An act to add a new section to the Political Code, to be numbered 4469, relating to the common law writ of error coram nobis.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 875—An act to amend section 956a of the Code of Civil Procedure, relating to remedial powers of the appellate courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Sullivan: Assembly Bill No. 876—An act to amend sections 851, 852 and 855 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Patterson: Assembly Bill No. 877—An act authorizing the director of the Department of Industrial Relations to adopt measures relating to spreading work in private industry.

Bill read first time, and referred to Committee on Unemployment.

By Messrs. Hornblower and Cronin: Assembly Bill No. 878—An act providing for a system of unemployment reserves and compensation, making an appropriation therefor, and prescribing penalties in connection therewith.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Riley: Assembly Bill No. 879—An act to amend section 855 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to compensation of officers.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Riley: Assembly Bill No. 880—An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities of the second and one-half class

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lyon (by request): Assembly Bill No. 881—An act to add a new section to the Penal Code to be numbered 190a, relating to punishment of persons convicted of killing a peace officer.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Lyon: Assembly Bill No. 882—An act to add a new section to the Penal Code to be numbered 1279a, relating to professional bondsmen.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Williamson: Assembly Bill No. 883—An act to amend section 1203 of the Penal Code, relating to probation of adult persons.

Bill read first time, and referred to Committee on Judiciary.

By Mr Gilmore: Assembly Bill No. 884—An act to amend sections 43 and 51 of the California Vehicle Act, relating to seals on license plates.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Woolwine. Assembly Bill No. 885—An act to add section 736c to the Political Code, relating to the vacations and compensations of superior court judges.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Woolwine: Assembly Bill No. 886—An act to add section 22a to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the vacations and compensation of municipal judges.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. O'Connor: Assembly Bill No. 887—An act regulating private trade schools, providing for a license for the operation thereof and a fee therefor, and a bond, providing for proper equipment and for refunds of tuition where courses are not taken, prohibiting misleading advertisements and false representations and promises, providing for registers, receipts, diplomas and prescribed courses of instruction, providing for supervision of such schools by the Director of Industrial Relations and granting to the said director the power to revoke or refuse to grant licenses and to prescribe rules and regulations to carry out the purposes and intent of this act, and providing penalties for violations of this act.

Bill read first time, and referred to Committee on Education.

By Mr. O'Connor: Assembly Bill No. 888—An act to provide for the raising of public revenue by imposing taxes on all branch or chain store retail businesses in the State of California, to provide the procedure for the ascertainment, assessment and collection of the taxes by the State Board of Equalization and the State Controller, to provide for the methods of enforcing the provisions of the act, and imposing penalties for the violation thereof

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Hornblower: Assembly Bill No. 889—An act to amend section 685 of the Code of Civil Procedure, relating to execution of judgments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No. 890—An act to amend section 732 of the Probate Code, relating to executions of judgment after the death of the judgment debtor.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Maloney: Assembly Bill No. 891—An act to create and to define the functions, powers and duties of a State Economic Council for the purpose of formulating plans for the prevention of unemployment and the improvement of economic conditions within the State and making an appropriation therefor.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Dempster: Assembly Bill No. 892—An act to amend the title of and to revise an act entitled "An act to provide for the extension of the public works of the State of California during periods of extraordinary unemployment caused by temporary industrial depression, and regulating employment therein, and authorizing the Board of Control to enforce the provisions hereof; and repealing all acts inconsistent with the provisions hereof," approved May 26, 1921, relating to advance planning and long range budgeting of public works.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Mayo: Assembly Bill No 893—An act to provide for instruction in mining safety by the Department of Natural Resources.

Bill read first time, and referred to Committee on Mines and Mining.

By Mr. Mayo: Assembly Bill No 894—An act to require security for the payment of wages of persons engaged in the mining industry.

Bill read first time, and referred to Committee on Mines and Mining.

By Mr. Mayo: Assembly Bill No. 895—An act providing for the exemption from taxation of the proceeds of the sale by the producer of gold and silver extracted from the soil of this State.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Mayo. Assembly Bill No. 896—An act relating to exemption of mining property from taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Feigenbaum, Knowland, Alter, Cobb, Crist, Fisher, Cottrell, Bliss, Meeker, Phillips and Cronin: Assembly Bill No. 897—An act to repeal Part I of Division II of the School Code, embracing sections 2.20 to 2.760, inclusive, to repeal Chapters I, II, III, and IV of Part II of Division II of said code, embracing sections 2.770 to 2.1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2.10 to 2.281, inclusive, to add five new chapters to Part II of Division II of said Code, to be numbered Chapters I, II, III, IV, and IV-A, respectively, embracing sections 2.650 to 2.911, inclusive, to amend sections 4.181, 4.375, 4.773, 4.811, 4.812, 4.875, 4.895, 4.896, 4.898, 4.970, 6.470, and 6.471 to 6.477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4.769, 6.470–1, and 6.470–2, to repeal section 4.771 of said code, and to repeal certain acts, all relating to school districts and junior college districts.

Bill read first time, and referred to Committee on Education.

By Mr. Feigenbaum: Assembly Bill No. 898—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to provide for the management and sale of lands belonging to the State," approved March 28,

1868, also an act entitled "An act to provide for the sale of certain lands belonging to the State," approved April 27, 1863, including any case wherein relief has been granted to a purchaser or purchasers under the provisions of an act entitled "An act for the relief of purchasers of State lands," approved March 27, 1872; provided that all taxes levied against the property during the thirty years next preceding the commencement of the action have been fully paid.

Bill read first time, and referred to Committee on Judiciary.

By Mr Feigenbaum. Assembly Bill No 899—An act to amend section 409 of the Political Code, relating to the fees to be collected by the Secretary of State, and declaring the urgency thereof.

Bill read first time

REQUEST FOR UNANIMOUS CONSENT.

Mr. Feigenbaum asked for, and was granted, unanimous consent to take up Assembly Bill No 899, at this time, without reference to committee or file, and that same be considered engrossed

CASE OF URGENCY

The following resolution was offered:

By Mr. Feigenbaum:

Resolved, That Assembly Bill No 899 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr Speaker—75.

NOES—None

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 899.

SECOND READING OF ASSEMBLY BILL NUMBER EIGHT HUNDRED NINETY-NINE.

Assembly Bill No. 899—An act to amend section 409 of the Political Code, relating to the fees to be collected by the Secretary of State, and declaring the urgency thereof.

Bill read second time.

Urgency clause read.

The question being Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney,

Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion, and Mr. Speaker—74

NOES—None

THIRD READING OF ASSEMBLY BILL NUMBER EIGHT HUNDRED NINETY-NINE.

Assembly Bill No. 899—An act to amend section 409 of the Political Code, relating to the fees to be collected by the Secretary of State, and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 899 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—72.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Rawls (by request): Assembly Bill No. 900—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation provided under said act.

Bill read first time, and referred to Committee on Insurance.

By Mr. Mayo: Assembly Bill No. 901—An act to amend section 602b of the Political Code, relating to classification of workmen's compensation insurance risks and premium rates.

Bill read first time, and referred to Committee on Insurance.

By Mr. Mayo: Assembly Bill No. 902—An act to amend sections 38 and 47 of the Workmen's Compensation, Insurance and Safety Act, relating to workmen's compensation insurance issued by the State Compensation Fund.

Bill read first time, and referred to Committee on Insurance.

By Mr. Mayo: Assembly Bill No. 903—An act to add a new section, to be numbered 37a, to the Workmen's Compensation, Insurance and Safety Act, relating to administration of the State Compensation Insurance Fund.

Bill read first time, and referred to Committee on Insurance.

By Mr. Mayo: Assembly Bill No. 904—An act to amend section 364b of the Political Code, relating to the Industrial Accident Commission.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Mayo: Assembly Bill No. 905—An act to add a new section to the Workmen's Compensation, Insurance and Safety Act, to be

numbered 39a, relating to the issue of policies by the State Compensation Insurance Fund.

Bill read first time, and referred to Committee on Insurance.

By Mr. Alter: Assembly Bill No. 906—An act to add a new section to the Civil Code, to be numbered 2924b, relating to substitution of trustees.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hallner: Assembly Bill No. 907—An act to amend section 1260 of the Civil Code, relating to homesteads.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Rawls: Assembly Bill No. 908—An act to declare a moratorium on foreclosure of mortgages and collection of interest thereon for a period of two years.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cobb: Assembly Bill No. 909—An act relating to the use of facsimile signatures, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cobb asked for, and was granted, unanimous consent to take up Assembly Bill No. 909, at this time, without reference to committee or file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Cobb:

Resolved, That Assembly Bill No. 909 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74

NOES—None

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 909

SECOND READING OF ASSEMBLY BILL NUMBER NINE HUNDRED NINE.

Assembly Bill No. 909—An act relating to the use of facsimile signatures, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion, and Mr. Speaker—72.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER NINE HUNDRED NINE.

Assembly Bill No. 909—An act relating to the use of facsimile signatures, declaring the urgency thereof, and providing that this act shall take effect immediately.

MOTION.

Mr. Clowdsley moved that further consideration of Assembly Bill No. 909 be deferred until the next legislative day.

Motion carried.

The Speaker ordered Assembly Bill No. 909 placed on the calender.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Gilmore: Assembly Bill No. 910—An act to regulate the business of loaning or advancing money on the security of motor vehicles.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Badham: Assembly Bill No. 911—An act to add a new section to the School Code to be numbered section 6.231, providing for the payment of deposits by pupils in the public schools.

Bill read first time, and referred to Committee on Education.

By Mr. Badham: Assembly Bill No. 912—An act to amend section 6.3 of the School Code, relating to the improvement of public streets and places by school boards.

Bill read first time, and referred to Committee on Education.

By Mr. Peterson: Assembly Bill No. 913—An act granting to the city of San Mateo the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and grant franchises and leases thereon, and regulating the management, use and control thereof, and authorizing suits against said city and the State

to quiet title to any such lands, and regulating the procedure therein and conditions under which said suits may be brought.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Craig: Assembly Bill No. 914—An act to add a new section to the Political Code, to be numbered 2333a, relating to supervision of emergency unemployment relief

Bill read first time, and referred to Committee on Unemployment.

By Mr. Craig. Assembly Bill No. 915—An act to add a new section to the Political Code to be numbered 4056d, relating to powers and duties of board of supervisors with respect to county and township officers, deputies, assistants and employees.

Bill read first time, and referred to Committee on County Government.

By Messrs. Cobb, Robinson, C. Ray, Levey, Hornblower, Cronin, Lyon and Clowdsley: Assembly Bill No 916—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extensions of time in superior and inferior courts, and declaring the urgency thereof and providing the same shall take effect immediately.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Robinson, C. Ray, asked for, and was granted, unanimous consent to take up Assembly Bill No. 916, at this time, without reference to committee or file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Robinson, C Ray:

Resolved, That Assembly Bill No. 916 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Zion, and Mr. Speaker—71.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 916.

SECOND READING OF ASSEMBLY BILL NUMBER NINE HUNDRED SIXTEEN.

Assembly Bill No. 916—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extensions of time in superior and inferior courts, and declaring the urgency thereof and providing the same shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion, and Mr. Speaker—69.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER NINE HUNDRED SIXTEEN.

Assembly Bill No. 916—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extensions of time in superior and inferior courts, and declaring the urgency thereof and providing the same shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 916 passed by the following vote:

AYES—Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion, and Mr. Speaker—70

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Levey: Assembly Joint Resolution No. 6—Relative to memorializing and petitioning Congress to enact legislation to eliminate the restrictions which now attach to the taxation of national banking associations, and creating a committee to further such purpose.

Introduced, and referred to Committee on Federal Relations.

By Mr. Ross: Assembly Joint Resolution No. 7—Relative to memorializing Congress to provide compensation, in lieu of taxes, for certain lands of the United States within the borders of the several States.

Introduced, and referred to Committee on Federal Relations.

By Mr. O'Connor: Assembly Joint Resolution No. 8—Relative to the proposal of an amendment to the Constitution of the United States permitting the enactment of legislation regulating minimum wages to be paid to workers and the maximum number of hours a day during which persons may be employed.

Introduced, and referred to Committee on Federal Relations.

By Mr West: Assembly Joint Resolution No 9—Relative to memorializing Congress to adopt legislation with reference to manufacture of arms, munitions and implements of war.

Introduced, and referred to Committee on Federal Relations.

By Messrs. Powers, Meeker, Robinson, Chatters, Mayo, Thorp, Clowdsley, Turner and Zion. Assembly Joint Resolution No. 10—Relative to memorializing Congress to authorize the Federal Farm Board to contribute its raisin holdings to the American Red Cross and other relief organizations for relief and charitable purposes.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Powers asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 10, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER TEN.

Assembly Joint Resolution No. 10—Relative to memorializing Congress to authorize the Federal Farm Board to contribute its raisin holdings to the American Red Cross and other relief organizations for relief and charitable purposes.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 10 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion, and Mr Speaker—73.

NOES—None

Title read and approved.

Assembly Joint Resolution No. 10 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 10.

Relative to memorializing Congress to authorize the Federal Farm Board to contribute its raisin holdings to the American Red Cross and other relief organizations for relief and charitable purposes

WHEREAS, The Federal Farm Board is now the legal owner of approximately 20,000 tons of raisins comprising the remainder of the 1930 and 1931 crops; and

WHEREAS, It is unlikely that an adequate market can be found for such raisins because of the restricted purchasing power both at home and abroad; and

WHEREAS, Such holdings of raisins comprise a valuable and wholesome article of food, thus making them a noteworthy contribution to the nation-wide relief and charitable work now being carried on; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of said State urgently petition and request the Congress of the United States to adopt legislation authorizing the Federal Farm Board to contribute its holdings of raisins from the 1930 and 1931 crops to the American Red

Cross and other relief organizations for distribution under its program of national relief work; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, to the Vice President, to the Speaker of the House of Representatives, and to the Senators and Representatives of the State of California in Congress.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Messrs. Powers, Bliss, Chatters, Hallner, Meeker, Peterson and Utt: Assembly Joint Resolution No. 11—Relative to unemployment relief.

Introduced, and referred to Committee on Unemployment

By Mr. Stream: Assembly Constitutional Amendment No 46—Proposed amendment to Article XIII, adding sections 1.1 and 1.2 of the Constitution, relative to limitation of tax rates

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Dempster: Assembly Constitutional Amendment No. 47—Proposed amendment to Article XIII, section 1a, of the Constitution, relative to exemption of educational institutions from taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Hallner: Assembly Constitutional Amendment No. 48—Proposed amendment to Article IV, section 1, of the Constitution, relative to the signatures required for initiative and referendum petitions in respect to measures to be submitted to the vote of the people.

Introduced, and referred to Committee on Constitutional Amendments

By Messrs. Hornblower, Cronin, Feigenbaum, Gilmore, Levey, McMurray, Maloney, Miller, James A., and Williamson: Assembly Constitutional Amendment No. 49—Proposed amendment to Article I, section 14, of the Constitution, relative to eminent domain

Introduced, and referred to Committee on Constitutional Amendments.

SPECIAL ORDER SET.

On motion of Mr. Levey, the consideration of Assembly Bills Nos. 341, 342, 343, 344, 345, and 346 was made a special order for this day at two o'clock and thirty minutes p.m.

MOTION TO APPROVE JOURNALS.

Mr. Robinson, C. Ray, moved that the Journals of Monday, January 16, 1933; Tuesday, January 17, 1933; Wednesday, January 18, 1933, be approved as corrected by the Minute Clerk.

Motion carried.

MOTION.

Mr. Utt moved that the Chief Clerk be instructed to have a rush order made on the printing of Assembly Bills Nos. 830, 831, and 832.

Motion carried.

RECESS.

At twelve o'clock and fifteen minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock and fifteen minutes p.m. of this day.

REASSEMBLED.

At two o'clock and fifteen minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Bernard reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1933

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 318—An act to amend sections 1, 7, 8a, 8c, 8d, 8e, 8f, 8g, 8½, and 9, to repeal sections 8 and 8b, and to add two new sections to be numbered 8 and 8b, to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907—has had the same under consideration, and respectfully reports the same back without recommendation, to be referred to the Committee on Medical and Dental Laws.

HOFFMAN, Chairman.

The above reported bill ordered referred to Committee on Medical and Dental Laws.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Cobb. Assembly Joint Resolution No 12—Relative to the Veterans' Home of California.

Introduced, and referred to Committee on Military Affairs.

By Mr. Powers: Assembly Bill No. 917—An act to amend sections 21a and 62 of the Bank Act, relating to the definition and regulation of the business of banking.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Woolwine: Assembly Bill No 918—An act to add sections 417 and 418 to the Code of Civil Procedure, relating to actions for breach of promise of marriage and for alienation of affections.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cobb: Assembly Bill No. 919—An act to add a new section to the Political Code, to be numbered 542.5, relating to expenditures for the printing or publishing of books, pamphlets, reports, compilations, synopses and other documents.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Craig, Field and Knowland: Assembly Bill No 920—An act to amend section 2154 of the Political Code, relating to the salaries of State hospital officers and employees

Bill read first time, and referred to Committee on Ways and Means.

By Mr Cobb: Assembly Bill No 921—An act to amend sections 410 and 782 and repeal section 781 of the Political Code, relating to the bound volumes of decisions of the Supreme Court and District Courts of Appeal.

Bill read first time, and referred to Committee on Ways and Means.

By Mr Cobb. Assembly Bill No. 922—An act to abolish the California Crime Commission, to amend section 376b of the Political Code in conformity thereto and to repeal certain acts inconsistent therewith.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Craig, Field and Knowland. Assembly Bill No 923—An act to amend sections 3 and 9 of an act entitled "An act to establish a State Training School for Girls, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved June 14, 1913.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Feigenbaum: Assembly Bill No. 924—An act to amend the title and section 2 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917, as amended.

Bill read first time, and referred to Committee on Insurance.

By Mr. Feigenbaum: Assembly Bill No. 925—An act to amend section 409 of the Political Code, relating to fees of the Secretary of State.

Bill read first time, and referred to Committee on Judiciary

By Mr Feigenbaum: Assembly Bill No. 926—An act to amend section 291 of the Civil Code, relating to corporations.

Bill read first time, and referred to Committee on Judiciary

By Messrs Feigenbaum, Cronin Phillips, Mecker and Powers—Assembly Bill No. 927—An act to amend sections 12 and 13 of the Direct Primary Law, relating to choice of party ballots at primary elections.

Bill read first time, and referred to Committee on Elections

By Mr. Boyle Assembly Bill No 928—An act to add section 517 to the Agricultural Code, relating to the sale of ice cream.

Bill read first time, and referred to Committee on Manufactures.

By Mr. Cobb: Assembly Bill No 929—An act to repeal an act entitled "An act making an appropriation for the mileage for members and officers of the Legislature, and declaring the urgency thereof," approved March 11, 1931.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cobb: Assembly Bill No. 930—An act to amend section 365f of the Political Code, relating to the power of the California Highway Commission to acquire lands for highway and other purposes and to construct and maintain State highways and other improvements incidental thereto.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Zion: Assembly Bill No 931—An act to amend sections 4 960 and 4.975 of the School Code, relating to school district bonds and the application of proceeds therefrom

Bill read first time, and referred to Committee on Education.

By Mr. Fisher: Assembly Bill No. 932—An act to provide a system of unemployment insurance, reserves, and compensation for the State

of California, making an appropriation therefor and providing penalties for the violation of this act.

Bill read first time, and referred to Committee on Insurance

By Mr. Martin: Assembly Bill No. 933—An act to amend section 10 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith.

Bill read first time, and referred to Committee on Oil Industries.

By Messrs Craig, Field and Knowland: Assembly Bill No 934—An act to add section 356a to the Political Code, relating to State officers or employees performing work or services for more than one State agency.

Bill read first time, and referred to Committee on Ways and Means

By Messrs Craig, Field and Knowland: Assembly Bill No. 935—An act to add a new section to the Political Code to be numbered 1034, relating to State officers and employees.

Bill read first time, and referred to Committee on Ways and Means.

By Mr Jones: Assembly Bill No. 936—An act to amend section 2 of an act entitled, "An act to define the liability of stockholders in California State banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California," approved April 24, 1931, relating to liability of stockholders in California banks and the enforcement thereof.

Bill read first time, and referred to Committee on Banking.

By Messrs. McBride and Woolwine: Assembly Bill No. 937—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, and 16, and to add sections 17, 18, 19, 20, and 21, to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," submitted by initiative and approved by electors November 4, 1924, relating to boxing and wrestling.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Wright: Assembly Bill No. 938—An act to abolish the California Bureau of Juvenile Research and to repeal an act entitled "An act authorizing the board of trustees of the Whittier State School to maintain a department for the clinical diagnosis of inmates of the school and other State institutions, and to inquire into the causes and consequences of delinquency and mental deficiency, and related problems," approved May 11, 1917.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Wright: Assembly Bill No. 939—An act to amend section 2333 of the Political Code, relating to the powers and duties of the Department of Social Welfare.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Wright: Assembly Bill No. 940—An act to repeal section 5.44 of the School Code, relating to additional compensation for extra work performed by a faculty member of a State teachers college.

Bill read first time, and referred to Committee on Education.

By Mr. Wright: Assembly Bill No. 941—An act to provide for the charging of fees for admission to Sutter's Fort, and for the disposition of such fees.

Bill read first time, and referred to Committee on State Grounds and Parks.

By Mr. Wright: Assembly Bill No. 942—An act to amend section 5.63 of the School Code, relating to State teachers colleges.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Wright: Assembly Bill No. 943—An act to amend section 528 of the Political Code, relating to the printing and distribution of the statutes and journals and other documents.

Bill read first time, and referred to Committee on Rules.

By Mr. Wright: Assembly Bill No. 944—An act to repeal section 2.1420 of the School Code, relating to the printing of the school laws.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Bowers: Assembly Bill No. 945—An act to amend section 2 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, relating to the adoption of a Federal census.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Dempster: Assembly Bill No. 946—An act authorizing counties to assume and discharge certain municipal functions relating to police departments and criminal prosecutions, providing for transfers of employees and adjustment of pensions, and authorizing cities to surrender such functions to counties and to enter into contracts in relation thereto.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Dempster. Assembly Bill No. 947—An act to make labor claims preferred to material and other claims against bonding companies and money in the hands of the awarding or public body or officer on all public work done by contract and to insure their prompt payment.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Cobb: Assembly Bill No. 948—An act to repeal section 2078 of the Political Code, relating to National Guard uniform and equipment allowances.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cobb: Assembly Bill No. 949—An act to add section 3.401 to the School Code, relating to tuition fees of students in junior colleges.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Dempster, Tournoux, O'Connor, Hunt and Sullivan: Assembly Bill No. 950—An act to provide for the assessment of building and loan associations and to provide for a fund to be raised thereby to provide that such fund shall be used to reimburse persons who were depositors in building and loan associations in this State prior to January 1, 1931, and to prescribe the duties of the Building and Loan Commissioner pertaining thereto.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Williamson: Assembly Bill No. 951—An act to amend section 1204 of the Code of Civil Procedure so as to give a preference to all wage claimants under a receivership.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 952—An act to amend Chapter 1167 of the 1931 Statutes of the State of California, relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, and authorizing such public or quasi public corporations to take out and pay for insurance to protect them against such liability.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 953—An act to amend section 2.806 of the School Code, relating to duties of the district attorney.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 954—An act to add a new section to the School Code to be numbered section 2.991, relating to the powers and duties of city boards of education in districts having average daily attendance of 100,000 or more pupils.

Bill read first time, and referred to Committee on Education.

SPECIAL ORDER.

The hour of two o'clock and thirty minutes p. m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER THREE HUNDRED FORTY-TWO

MOTION.

Mr. Feigenbaum moved that Rule 122 of the standing rules of the Assembly be suspended for the purpose of considering Assembly Bill No. 342.

Motion carried.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 20, 1933

To the Honorable Members of the Senate and Assembly of the State of California.

Assembly Bill No. 342 provides for the reimbursement to the State of California by the California Toll Bridge Authority of the amount heretofore advanced by the State under the provisions of Chapter 400, Laws of 1931.

In my opinion, said Assembly Bill No. 342 constitutes an emergency bill within the meaning of that term as used in section 34 of Article IV of the Constitution, the consideration of which should not await the final enactment of the budget bill.

I therefore recommend the passage of this bill as such an emergency measure.

Respectfully submitted

JAMES ROLPH, JR., Governor of California.

CASE OF URGENCY.

The following resolution was offered.

By Mr. Levey:

Resolved, That Assembly Bill No. 342 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, and Mr. Speaker—75.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 342.

SECOND READING OF ASSEMBLY BILL NUMBER THREE HUNDRED FORTY-TWO.

Assembly Bill No. 342—An act determining the amount of money to be reimbursed to the State of California by the California Toll Bridge Authority, out of the proceeds of revenue bonds to be issued by it for the construction of a bridge across the bay of San Francisco from the City and County of San Francisco to the county of Alameda for preliminary surveys for which the State has heretofore appropriated funds, and providing that this act become effective immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, and Mr. Speaker—75.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER THREE HUNDRED FORTY-TWO.

Assembly Bill No. 342—An act determining the amount of money to be reimbursed to the State of California by the California Toll Bridge Authority, out of the proceeds of revenue bonds to be issued by it for the construction of a bridge across the bay of San Francisco from the City and County of San Francisco to the county of Alameda for preliminary surveys for which the State has heretofore appropriated funds, and providing that this act become effective immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 342 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Feigenbaum asked for, and was granted, unanimous consent to have Rule 122 of the standing rules of the Assembly suspended for the purpose of considering Assembly Bill No. 346.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Levey:

Resolved, That Assembly Bill No. 346 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Demp-

ster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—77.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 346.

SECOND READING OF ASSEMBLY BILL NUMBER THREE HUNDRED FORTY-SIX.

Assembly Bill No. 346—An act to amend Chapter 736, Statutes of 1920, approved June 10, 1929, as amended by Chapter 401, Statutes of 1931, approved May 25, 1931, entitled and known and cited as "California Toll Bridge Authority Act," by amending the title thereof, and by amending sections 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 17 and 19, and by adding thereto new sections numbered 6½, 13½, 22½ and 22¾, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing that this act become effective immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—74.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER THREE HUNDRED FORTY-SIX.

Assembly Bill No. 346—An act to amend Chapter 736, Statutes of 1920, approved June 10, 1929, as amended by Chapter 401, Statutes of 1931, approved May 25, 1931, entitled and known and cited as "California Toll Bridge Authority Act," by amending the title thereof, and by amending sections 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 17 and 19, and by adding thereto new sections numbered 6½, 13½, 22½ and 22¾, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing that this act become effective immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 346 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson,

Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—78.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Feigenbaum asked for, and was granted, unanimous consent to have Rule 122 of the standing rules of the Assembly suspended for the purpose of considering Assembly Bill No. 345

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 20, 1933.

To the Honorable Members of the Senate and Assembly of the State of California.

Assembly Bill No 345 provides for the necessary acquisitions and construction of approach highways leading to and upon the easterly and westerly ends of the San Francisco-Oakland Bay Bridge to be constructed across the bay of San Francisco from the City and County of San Francisco to the county of Alameda, and for the operation and maintenance of such approach highways and the said bridge as a part of the primary highway system of the State

In my opinion said Assembly Bill No. 345 constitutes an emergency bill within the meaning of that term as used in section 34 of Article IV of the Constitution, the consideration of which should not await the final enactment of the budget bill.

I therefore recommend the passage of this bill as such an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Levey:

Resolved, That Assembly Bill No 345 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Nielsen O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—75.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 345.

SECOND READING OF ASSEMBLY BILL NUMBER THREE HUNDRED FORTY-FIVE.

Assembly Bill No. 345—An act directing the Department of Public Works to construct the approaches to a toll bridge to be built across the bay of San Francisco from the City and County of San Francisco

to the county of Alameda; declaring such toll bridge and approaches to be a State highway; requiring their maintenance and operation by the Department of Public Works; and prescribing the manner in which the cost thereof shall be paid; and providing that this act become effective immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—76.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER THREE HUNDRED FORTY-FIVE.

Assembly Bill No. 345—An act directing the Department of Public Works to construct the approaches to a toll bridge to be built across the bay of San Francisco from the City and County of San Francisco to the county of Alameda; declaring such toll bridge and approaches to be a State highway; requiring their maintenance and operation by the Department of Public Works; and prescribing the manner in which the cost thereof shall be paid; and providing that this act become effective immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 345 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—76.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Feigenbaum asked for, and was granted, unanimous consent to have Rule 122 of the standing rules of the Assembly suspended for the purpose of considering Assembly Bill No. 341.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 19, 1933.

To the Honorable Members of the Assembly, California State Legislature, Sacramento, California

Assembly Bill No. 341 makes an appropriation to meet all the costs of acquiring all lands or interest therein and all rights, privileges, franchises, easements, and overhead and underground ways that may be necessary in connection with the construction of the approaches to a toll bridge to be built over the bay of San Francisco, from the City and County of San Francisco to the county of Alameda, and to do all things necessary or incident thereto.

In my opinion, the appropriation necessary for such expenditure constitutes an emergency, within the meaning of Article IV, sections 1 and 34, of the Constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted,

JAMES ROLPH, Jr., Governor of California.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Levey:

Resolved, That Assembly Bill No. 341 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—73.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 341.

SECOND READING OF ASSEMBLY BILL NUMBER THREE HUNDRED FORTY-ONE.

Assembly Bill No. 341—An act making an appropriation to the Department of Public Works for the construction of the approaches to a toll bridge to be built across the bay of San Francisco, from the City and County of San Francisco to the county of Alameda, and providing that this act become effective immediately.

Bill read second time

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson,

Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—76.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER THREE HUNDRED FORTY-ONE.

Assembly Bill No. 341—An act making an appropriation to the Department of Public Works for the construction of the approaches to a toll bridge to be built across the bay of San Francisco, from the City and County of San Francisco to the county of Alameda, and providing that this act become effective immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 341 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—76

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 343—An act to amend sections 1, 2, 3, 4, 5, 6 and 8 of Chapter 764 of the Statutes of 1929, entitled "An act to regulate the construction, operation and maintenance of toll bridges and toll roads situated wholly or in part within the State of California; vesting the exclusive jurisdiction over said toll bridges and toll roads in the Department of Public Works of the State of California; authorizing and empowering said department to grant upon certain terms, limitations, conditions and restrictions and under such supervision as in its judgment may be necessary, franchises, privileges or licenses for the construction or operation of toll bridges and toll roads and for the taking and keeping of tolls thereon, and to fix, determine, modify or change the rate of tolls to be taken thereon; to terminate the right of boards of supervisors to grant franchises, privileges or licenses for the construction, operation and the taking and keeping of tolls on toll bridges and toll roads; also providing that the State may purchase or retake any such toll bridges or toll roads constructed hereunder and repealing all other acts and parts of acts in conflict therewith," approved June 10, 1929, relative to toll ferries and extending the provisions of said act to toll ferries;

Also Assembly Bill No. 344—An act to amend section 2620 of the Political Code, relating to the width of highways;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Feigenbaum asked for, and was granted, unanimous consent to take up Assembly Bill No. 343, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER THREE HUNDRED FORTY-THREE.

Assembly Bill No. 343—An act to amend sections 1, 2, 3, 4, 5, 6 and 8 of Chapter 764 of the Statutes of 1929, entitled "An act to regulate the construction, operation and maintenance of toll bridges and toll roads situated wholly or in part within the State of California; vesting

the exclusive jurisdiction over said toll bridges and toll roads in the Department of Public Works of the State of California; authorizing and empowering said department to grant upon certain terms, limitations, conditions and restrictions and under such supervision as in its judgment may be necessary, franchises, privileges or licenses for the construction or operation of toll bridges and toll roads and for the taking and keeping of tolls thereon, and to fix, determine, modify or change the rate of tolls to be taken thereon; to terminate the right of boards of supervisors to grant franchises, privileges or licenses for the construction, operation and the taking and keeping of tolls on toll bridges and toll roads; also providing that the State may purchase or retake any such toll bridges or toll roads constructed hereunder and repealing all other acts or parts of acts in conflict therewith," approved June 10, 1929, relative to toll ferries and extending the provisions of said act to toll ferries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 343 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, and Mr Speaker—75

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Feigenbaum asked for, and was granted, unanimous consent to take up Assembly Bill No. 344, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER THREE HUNDRED FORTY-FOUR.

Assembly Bill No 344—An act to amend section 2620 of the Political Code, relating to the width of highways

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 344 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West Williamson, Woolwine, Wright, and Mr Speaker—77.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

RESOLUTION.

The following resolution was offered by the San Francisco delegation.

WHEREAS, The members of the Assembly of the State of California have this day unanimously adopted certain legislation providing for the construction of the San Francisco-Oakland Bay Bridge, and

WHEREAS, The bridge has been made possible only through the untiring efforts of certain public-spirited citizens of California, who have given unsparingly of their time and own resources; now, therefore, be it

Resolved by the Assembly, That we do hereby extend our thanks and the thanks of the people of the State of California to Messrs. Leland W. Cutler, Joseph R. Knowland, Harrison S. Robinson, George T. Cameron and to the press of San Francisco, Alameda and the bay counties, as well as to all others who have and are making this great emergency project possible.

Resolution read, and on motion, unanimously adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 22—Approving two certain amendments to the charter of the city of Stockton, State of California, ratified by the qualified electors thereof, at a special municipal election held therein on Tuesday, November 8, 1932;

Also: Assembly Concurrent Resolution No. 23—Approving four certain amendments to the charter of the city of Stockton, State of California, ratified by the qualified electors thereof, at a special municipal election held therein on Tuesday, May 31, 1932;

Also: Assembly Concurrent Resolution No. 25—Approving a certain amendment to the charter of the city of Inglewood, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932,

And reports that the same have been correctly enrolled and presented the same to the Governor on this twenty-fourth day of January, 1933, at four o'clock p.m.

PATTERSON, Chairman.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 24, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 6—Relative to memorializing Congress to provide compensation, in lieu of taxes, for certain lands of the United States within the borders of the several States.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

Senate Joint Resolution No. 6 read, and referred to committee on Federal Relations.

ADJOURNMENT.

At four o'clock and forty-five minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, January 25, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, January 25, 1933.

At ten o'clock a. m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A Ohnimus, and the following members answered to their names:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hofman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. West, Pauline Olson, teacher, Robert Stromnes, class president, and 40 pupils of the sixth grade, Crocker School of Sacramento, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stream, M. W. Conkling of San Diego was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Wright, Mr. and Mrs. Fred Neushutz of Whittier were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Badham, Hon William Treager, Congressman-elect, of Los Angeles, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Alter, Bennett W. Spenser, secretary, Chamber of Commerce of Ontario, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. O'Connor, Hon. I. Dockweiler, Congressman-elect, of Los Angeles, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. O'Connor:

From Southern California Retail Hardware Association, Limited, relative to the creation of a legislative standing committee to be known as the "Committee on Building and Construction."

(Signed)

J. V. GUILFOYLE, Secretary.

COMMUNICATION.

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

TRUCKEE, CALIFORNIA, January 24, 1933.

Hon Walter J. Little, Sacramento, California.

MY DEAR MR. LITTLE On behalf of the Truckee Lions Club, I wish to extend a cordial invitation to yourself and every member in the House and Assembly to attend the Lions Club Snow Carnival to be held in Truckee on next Saturday and

Sunday, January 28th and 29th, in which 58 clubs in California and Nevada have been asked to participate.

We sincerely hope that every Assemblyman will join us for this big snow frolic and I shall be highly appreciative if you will read this invitation to your fellow colleagues.

The passenger traffic department of the Southern Pacific have advised us that they will be very glad to cooperate in making arrangements for your transportation to Truckee.

Cordially and sincerely,

A. P. LEITCH, Lions President.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 19, 1933

To the Members of the Senate and of the Assembly of the California State Legislature.

I have the honor to submit a copy of a report of the Commission on Uniform State Laws, composed of a list of the uniform acts recommended by the National Conference of Commissioners on Uniform State Laws, together with a study relative to the Uniform State Aeronautical Code.

With kindest regard,

Very sincerely yours,

JAMES ROLPH, JR., Governor of California.

The report submitted by the Governor was ordered placed on file.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. O'Connor: Assembly Bill No. 955—An act to amend section 3005 of the Civil Code, relating to sale of pledged property and deficiency remaining after sale.

Bill read first time, and referred to Committee on Judiciary.

By Mr. O'Connor: Assembly Bill No. 956—An act to amend sections 2.1410, 2.1412, and 2.1452 of the School Code, relating to the salaries of State officers and employees.

Bill read first time, and referred to Committee on Education.

By Mr. O'Connor: Assembly Bill No. 957—An act to amend section 5 of an act entitled "An act to regulate the sale, possession, distribution and use of habit-forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929, relating to salary of special counsel.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. O'Connor: Assembly Bill No. 958—An act to amend section 120 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, relating to the salary of Superintendent of Banks.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. O'Connor: Assembly Bill No. 959—An act to amend section 3 of the Workmen's Compensation Insurance and Safety Act, approved May 26, 1913, relating to the salary of members of the Industrial Accident Commission.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr O'Connor: Assembly Bill No 960—An act to amend section 10 of an act entitled the "Public Utilities Act," approved April 23, 1915, relating to the salaries and expenses of the Railroad Commissioners.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. O'Connor: Assembly Bill No. 961—An act to amend section 3 of an act entitled "California Real Estate Act," approved May 27, 1919, relating to the salary of Real Estate Commissioner.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. O'Connor: Assembly Bill No. 962—An act to amend section 2 of an act entitled "An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the 'Building and loan inspection fund' created by Chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations," approved June 12, 1931, relating to salary of Building and Loan Commissioner.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. O'Connor: Assembly Bill No. 963—An act to amend sections 21 and 22 of the Corporate Securities Act, approved May 18, 1917, relating to the salaries of Corporation Commissioner and attorney.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. O'Connor: Assembly Bill No. 964—An act to amend section 4 of an act entitled "An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor," approved May 28, 1931, relating to the salary of members of the Board of Prison Terms and Paroles.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. O'Connor: Assembly Bill No. 965—An act to amend section 21 of the California Barber Law, approved May 31, 1927, relating to salary of members of the Board of Barber Examiners.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. O'Connor: Assembly Bill No 966—An act to amend section 4 of an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties

and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation, providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purposes of this act," approved June 10, 1915, relating to the salary of attorney.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. O'Connor: Assembly Bill No. 967—An act to amend sections 360b, 360c, 361, 363, 363a, 364, 364b, 366, 367b, 372a, 373, 373b, 374a, 376a, 377a, 378a, 589 and 655 of the Political Code, relating to salaries of public officers of the State of California.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. O'Connor: Assembly Bill No. 968—An act to amend sections 736 and 736a of the Political Code, relating to salaries of the justices of the Supreme Court and District Courts of Appeal.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Wright: Assembly Bill No. 969—An act to amend section 664 of the Political Code, relating to the Board of Control.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Zion: Assembly Bill No. 970—An act to add a new article to Chapter III, Part III, Division IV, to be numbered Article VI, embracing sections 1350, 1351, 1352 and 1353 of the Fish and Game Code, and to amend section 1410 thereof, relating to amphibia, and to renumber present Articles VI and VII of Chapter III, Part III, Division IV.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hoffman: Assembly Bill No. 971—An act to amend sections 1, 3, 4, and 7, and to add a new section to be numbered 7a, to an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Burns. Assembly Bill No. 972—An act establishing an additional State highway and classifying said highway as a secondary highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Badham: Assembly Bill No. 973—An act to amend sections 307 and 316 of the Agricultural Code, relating to meat inspection.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Messrs. Ross and Brock (by request): Assembly Bill No. 974—An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities, as the same are therein defined; to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; creating a State Division of Corporations and the office of Director of Securities; providing for the regulation and supervision of companies, dealers, salesmen and sales of securities, and prevention of fraud in the sale of the same.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woolwine: Assembly Bill No. 975—An act to amend section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the organization of municipal courts in cities or cities and counties of the first and one-half class.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woolwine: Assembly Bill No 976—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. West and Sullivan: Assembly Bill No. 977—An act to amend section 131 and to repeal section 132 of the Civil Code, relating to divorces.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clowdsley: Assembly Bill No 978—An act authorizing the Governor to make conveyances of certain parcels of real property to the original grantors thereof or their successors or assigns, if and when the interest of the United States in said parcels is conveyed to the State of California, which said parcels were acquired pursuant to the provisions of the Statutes of California for 1927, Chapter 142, particularly the paragraph commencing on the bottom of page 271, and which were conveyed, pursuant to the provisions of the Statutes of California, Chapter 517, to the United States of America, for temporary use as spoil disposal areas, in connection with the construction of that certain project approved by an act of Congress which was approved by the President of the United States, on January 21, 1927, which said act

provided for the deepening and rectification of the San Joaquin River and Stockton Channel in accordance with the plan laid down in House Document No. 554, Sixty-eighth Congress, second session.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clowdsley: Assembly Bill No. 979—An act to add a new section to the Political Code, to be numbered 2161a, relating to State hospital buildings and grounds.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Utt: Assembly Bill No. 980—An act to provide for the acquisition, construction and operation of works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary, and sanitation districts; also providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of operating and maintaining such works; also providing for the use of such works by other cities, counties or districts.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr Roberts: Assembly Bill No 981—An act to amend the Political Code by adding thereto a new section to be numbered 2168a, providing for the arrest, without a warrant upon probable cause, of alleged insane persons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roberts (by request): Assembly Bill No. 982—An act to amend section 11 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Roberts (by request): Assembly Bill No. 983—An act to amend section 12 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Roberts (by request): Assembly Bill No. 984—An act to amend section 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Roberts (by request): Assembly Bill No. 985—An act to amend section 14 of an act entitled "An act to insure the better educa-

tion of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Crist: Assembly Bill No. 986—An act to provide for the selection of impartial expert medical witnesses and impartial medical examiners appointed by the court under sections 1871, 1871½ of the Code of Civil Procedure or section 1027 of the Penal Code, from eligible lists or panels to be provided under the direction of the Civil Service Commission.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crist: Assembly Bill No. 987—An act to add a new section to the Code of Civil Procedure to be known as section 1871½, relating to reports of medical examinations and expert medical testimony in civil actions and proceedings.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crist: Assembly Bill No. 988—An act to amend section 4.770 of the School Code, relating to teacher units.

Bill read first time, and referred to Committee on Education.

By Mr. Sullivan (by request): Assembly Bill No. 989—An act to amend section 611 of the Political Code, relating to the filing and publication of statements of insurance companies.

Bill read first time, and referred to Committee on Insurance.

By Mr Sullivan (by request): Assembly Bill No. 990—An act to amend section 612 of the Political Code, relating to what statements of insurance companies other than life insurance companies must show.

Bill read first time, and referred to Committee on Insurance.

By Mr. Sullivan (by request): Assembly Bill No. 991—An act to amend section 613 of the Political Code, relating to the statements of life, health and accident companies, and also relating to the statements of casualty and indemnity companies.

Bill read first time, and referred to Committee on Insurance.

By Mr. Sullivan (by request): Assembly Bill No. 992—An act to amend section 617 of the Political Code, relating to penalty for failure to file statements required to be filed by sections 611, 612 and 613 of the Political Code.

Bill read first time, and referred to Committee on Insurance.

By Mr. Sullivan (by request): Assembly Bill No. 993—An act to add a new section to the Political Code, to be numbered 633b–1, and providing that all premiums due on insurance policies must be paid directly to the insurer.

Bill read first time, and referred to Committee on Insurance.

By Mr. Dempster: Assembly Bill No. 994—An act to amend section 3366 of the Political Code, relative to the powers of boards of

supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures

By Mr. Cottrell: Assembly Bill No. 995—An act to amend section 1144 of the Probate Code, relating to assets of decedents.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robinson, Samuel E: Assembly Bill No. 996—An act to amend section 797 of the Agricultural Code, relating to the standardization of grapefruit

Bill read first time, and referred to Committee on Agriculture.

By Mr. Robinson, Samuel E: Assembly Bill No. 997—An act to amend sections 814, 828 and 829 of the Agricultural Code, relating to the standardization of lettuce.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Robinson, Samuel E.: Assembly Bill No. 998—An act to amend section 815 of the Agricultural Code, relating to the standardization of Persian melons, casabas, honeydew melons and watermelons.

Bill read first time, and referred to Committee on Agriculture.

By Mr Robinson, Samuel E: Assembly Bill No 999—An act to amend section 811 of the Agricultural Code, relating to the standardization of cantaloupes.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Robinson, Samuel E.: Assembly Bill No. 1000—An act to amend section 57 of the California Irrigation Act, relating to officers of irrigation districts.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Morgan: Assembly Bill No. 1001—An act to amend section 4190 of the Political Code and to add thereto new sections to be numbered 4206, 4206a, 4207, and 4207a, relating to law libraries.

Bill read first time, and referred to Committee on Libraries.

By Mr. Morgan: Assembly Bill No 1002—An act regulating the practice of architecture, structural engineering, civil engineering, and land surveying by officers, or employees, of the State of California, or of any county, city and county, city, town, school district, road district, bridge district, sanitary district, water district, irrigation district, drainage district, levee district, reclamation district, utility district, or other improvement district of any kind, thereof, or any other political subdivision thereof, or of any public corporation thereof which has the right to levy taxes, or assessments which may be collected as taxes, or of any public corporation thereof whose revenue is derived either in whole or in part from public funds which have been collected as taxes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roberts: Assembly Bill No. 1003—An act to amend "An act to create a public corporation to be known as 'The State Bar of California,' to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties

for violation of said act," approved March 31, 1927, as amended, relating to requirements for admission to the bar of California and examination therefor and eligibility of graduates of certain courses for admission to the bar of California.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roberts: Assembly Bill No. 1004—An act to amend section 1197 of the Political Code, relating to presidential electors in presidential elections and method of voting therefor.

Bill read first time, and referred to Committee on Elections.

By Mr. Roberts: Assembly Bill No. 1005—An act to add a new section to the Political Code to be numbered 1981, relating to opportunity for military training for all citizens and membership in the National Guard.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Burns: Assembly Bill No 1006—An act to provide a five-day week for State employees during the present unemployment emergency.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Burns asked for unanimous consent to take up Assembly Bill No. 1006, at this time, without reference to committee or file, and that same be considered engrossed.

The question being on the request of Mr. Burns

Mr. Evans objected to the unanimous consent

Assembly Bill No. 1006 ordered referred to Committee on Unemployment.

MOTION TO REFER

Mr. Crist moved that Assembly Bill No. 238 be withdrawn from Committee on Judiciary and be referred to Committee on Unemployment.

The question being on withdrawing Assembly Bill No. 238 from Committee on Judiciary and referring same to Committee on Unemployment.

Motion carried.

Assembly Bill No. 238 ordered referred to Committee on Unemployment.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Woolwine: Assembly Bill No. 1007—An act to amend section 7 of an act entitled "An act authorizing the establishing of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woolwine: Assembly Bill No. 1008—An act to add a new section to the California Vehicle Act, to be numbered 51½, relating to the display of registration plates.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. McMurray. Assembly Bill No. 1009—An act to add a new section to the Penal Code to be numbered 653c1, relating to the hours of labor on public works during the present emergency and declaring the urgency thereof.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Cassidy: Assembly Bill No. 1010—An act providing for an investigation, study and report on the various aspects of old-age or retirement insurance, with respect to the feasibility of adopting such a system in this State, and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Scudder: Assembly Bill No. 1011—An act to amend sections 2 and 5 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the office of State Fire Marshal.

Bill read first time, and referred to Committee on Insurance.

By Mr. Evans: Assembly Bill No. 1012—An act to amend section 3 of the California Meat Inspection Law, relating to municipal inspection departments.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Williamson: Assembly Bill No. 1013—An act to amend sections 16f, 21, 37, 55, 61, 96 and 105 and to add sections 25a and 59 to the Bank Act, defining and regulating the business of banking.

Bill read first time, and referred to Committee on Banking.

By Mr. Bliss: Assembly Bill No. 1014—An act to amend section 270 of, and to add three new sections to be numbered 270a, 270b and 270c, to the Code of Civil Procedure, relating to phonographic reporters for the superior court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bliss: Assembly Bill No. 1015—An act to provide for a system of old-age and invalidity insurance for the State of California.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Hallner: Assembly Bill No. 1016—An act to amend section 1060 of the Fish and Game Code, to add thereto sections 481.5, 744, 842.5, 846.5, 867, 1063.5, 1064.5, 1065 5, and to repeal sections 714, and 1066 to 1071, inclusive, relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs. Hallner and Woolwine: Assembly Bill No. 1017—An act to add a new section to the Penal Code, to be numbered 1193a, relating to terms of imprisonment.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Boyle (by request): Assembly Bill No. 1018—An act to amend section 5 of an act entitled "An act authorizing the creation, government, maintenance and dissolution of county sanitation dis-

tricts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, relating to the election of the board of directors.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Bliss: Assembly Bill No. 1019—An act to amend the Political Code by amending subsection 3 of section 690.10 thereof, relating to the removal of certain structures upon the swamp, overflowed, marsh, tide or submerged lands of this State.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Hunt: Assembly Bill No. 1020—An act to amend section 594 of the Political Code, relating to kinds of insurance and insurance companies.

Bill read first time, and referred to Committee on Insurance.

By Mr. Hunt: Assembly Bill No. 1021—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishments employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to occupations to which the act applies.

Bill read first time, and referred to Committee on Manufactures.

By Mr. Hunt: Assembly Bill No. 1022—An act to amend section 1 and to repeal section 3 of an act entitled "An act to establish a standard form of fire insurance policy and to prevent variation therefrom, excepting under certain stated conditions and restrictions," approved March 18, 1909, relating to a standard form of fire insurance policy.

Bill read first time, and referred to Committee on Insurance.

By Mr. Hunt: Assembly Bill No. 1023—An act to add a new section, to be numbered 595c, to the Political Code, relating to qualifications of surety companies to do business in this State.

Bill read first time, and referred to Committee on Insurance.

By Mr. Hunt: Assembly Bill No. 1024—An act to amend section 1 of an act entitled "An act to establish a standard form of fire insurance policy and to prevent variations therefrom, excepting under certain stated restrictions," approved March 18, 1909, relating to appraisers under fire insurance policies.

Bill read first time, and referred to Committee on Insurance.

By Messrs. Levey, Gilmore, Miller, James A., Hornblower, McMurray, Cronin, Williamson and Feigenbaum: Assembly Bill No. 1025—An act to amend sections 3746 and 3756 of the Political Code, relating to taxes on real and personal property.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Mayo (by request): Assembly Bill No. 1026—An act to amend section 12 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to computation of the earnings of employees.

Bill read first time, and referred to Committee on Insurance.

By Mr. Mayo (by request): Assembly Bill No. 1027—An act to amend section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to proceedings of the commission with relation to findings and award of compensation and the jurisdiction thereof.

Bill read first time, and referred to Committee on Insurance.

By Mr. Mayo (by request): Assembly Bill No. 1028—An act to amend section 37 of the Workmen's Compensation Act, relating to the State Compensation Insurance Fund.

Bill read first time, and referred to Committee on Insurance.

By Mr. Mayo (by request): Assembly Bill No. 1029—An act to amend section 16 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to medical examination of employees.

Bill read first time, and referred to Committee on Insurance.

By Mr. Mayo (by request): Assembly Bill No. 1030—An act to amend section 602b of the Political Code, relating to workmen's compensation insurance premium rates.

Bill read first time, and referred to Committee on Insurance.

By Mr. Brock: Assembly Bill No. 1031—An act to amend section 2.464 of the School Code, relating to annexation of elementary school districts on petition from a high school board.

Bill read first time, and referred to Committee on Education.

By Mr. Latham: Assembly Bill No. 1032—An act to add a new section to the Political Code of California to be numbered 3803, relating to the cancellation of personal property tax liens on real property when wrongfully entered and providing for a reassessment thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. O'Connor, Assembly Constitutional Amendment No. 50—Proposed amendment to Article V, section 19, of the Constitution, relative to the salary of certain State officers.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Woolwine: Assembly Constitutional Amendment No. 51—Proposed amendment to Article VI, section 23, of the Constitution, relative to qualifications of judges.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Woolwine: Assembly Constitutional Amendment No. 52—Proposed amendment to Article VI, section 13, of the Constitution, relative to municipal and inferior courts and the judges thereof.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Bliss: Assembly Constitutional Amendment No. 53—Proposed amendment to Article XIII of the Constitution, by adding a new section to be numbered 17, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Latham: Assembly Constitutional Amendment No. 54—Proposed amendment to Article XIII of the Constitution, relative to the payment of taxes in installments.

Introduced, and referred to Committee on Constitutional Amendments.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Phillips:

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Patrick and Moise-Klinkner Co., badges, Sergeant-at-Arms	$22 65
The Thomson-Diggs Company, 1 lock latch	1 00
Bancroft-Whitney Company, codes and general laws	2,525 00
Joseph P. Gilmore, flowers, Hon. Frank Israel	25 00
Joseph P. Gilmore, telegram, funeral committee	1 42
Bureau of Purchases	523 86

Resolution read, and ordered referred to Committee on Contingent Expenses.

Also:

By Mr. Phillips:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150.00), said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's office.

Resolution read, and ordered referred to Committee on Contingent Expenses.

DAILY CALENDAR.

THIRD READING FILE.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER SEVEN.

Senate Concurrent Resolution No. 7—Relative to the orderly addition of new roads to the State highway system, after study and report by the California Highway Commission and the Department of Public Works

COMMITTEE AMENDMENTS.

During reading of Senate Concurrent Resolution No. 7, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed measure, strike out "appears", and insert in lieu thereof the following "may appear".

AMENDMENT NUMBER TWO.

On page 2, line 4, of the printed measure, strike out "supporting data", and insert in lieu thereof the following: "all supporting engineering data of all roads studied."

AMENDMENT NUMBER THREE.

On page 2, line 26, of the printed measure, strike out "traffic," and insert in lieu thereof the following: "traffic and be connected with the present State highway system.".

AMENDMENT NUMBER FOUR

On page 2 of the printed measure, after line 29, insert the following:

"(4) That in making the above study access to National and State parks shall be considered."

AMENDMENT NUMBER FIVE.

On page 1, line 24, of the printed measure, strike out the following: "the underlying", and insert in lieu thereof the following: "in order that proper consideration be given to the".

AMENDMENT NUMBER SIX.

On page 1, line 25, of the printed measure, strike out the following: "be reiterated and continued in regard to", and insert in lieu thereof the following: "respecting".

AMENDMENT NUMBER SEVEN.

On page 1, line 26, of the printed measure, strike out the following: "and that".

The question being on the adoption of the amendments

Amendments adopted.

FLOOR AMENDMENT.

The following amendment was submitted by Mr Brock:

AMENDMENT NUMBER ONE.

On page 2, line 6, of the printed measure, insert after "highway system", the following: "and in addition thereto a similar alternative report for the inclusion of any lesser number of miles in the secondary State highway system."

The question being on the adoption of the amendment.

Amendment adopted.

Senate Concurrent Resolution No 7 ordered to reprint and on file for adoption.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1933

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Concurrent Resolution No 7—Relative to reports to be made by the Department of Finance and the Civil Service Commission—has had the same under consideration, and respectfully reports the same back, and recommends that the same do pass as amended.

LEVEY, Chairman.

REQUEST FOR UNANIMOUS CONSENT

Mr. Frazier asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 7 for the purpose of considering the committee amendment.

AMENDMENT NUMBER ONE.

On page 2 of the resolution, strike out lines 1 to 5, inclusive.

The question being on the adoption of the amendment.

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT

Mr. Frazier asked for unanimous consent to take up Assembly Concurrent Resolution No. 7 as amended, at this time, without reference to printer or file, and that the same be considered engrossed.

The question being on the request of Mr. Frazier.

Mr. Knowland objected to unanimous consent.

Assembly Concurrent Resolution No. 7 ordered to printer and on file for adoption

ON AGRICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1933.

MR. SPEAKER: Your Committee on Agriculture to which was referred Senate Bill No. 68—An act to establish an Agricultural Code, thereby consolidating and revising the law relating to plant and animal industry and the products thereof, and to repeal certain acts and parts of acts specified herein—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Meeker asked for, and was granted, unanimous consent to take up Senate Bill No. 68, at this time, without reference to file.

MESSAGE FROM THE GOVERNOR

The following message from the Governor was received and read:

GOVERNOR'S OFFICE, STATE OF CALIFORNIA,
SACRAMENTO, January 19, 1933.

To the Honorable Members of the Assembly of the State of California.

Senate Bill No. 68 establishes an Agricultural Code and consolidates and revises the law relating to plant and animal industry, and the products thereof.

In my opinion, Senate Bill No. 68 constitutes an emergency bill within the meaning of section 34 of Article IV of the State Constitution, the consideration of which should not await final enactment of the budget bill, in view of the confusion and expense which may be avoided by early consideration of this measure in the light of other legislative measures pending designed to effect substantive changes in the Agricultural Code if adopted.

I therefore recommend the passage of this bill as an emergency measure within the meaning of that term as used in section 34 of Article IV of the Constitution.

Respectfully submitted.

JAMES ROLPH, JR, Governor of California.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Meeker:

Resolved, That Senate Bill No. 68 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, and Mr Speaker—71.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 68.

SECOND READING OF SENATE BILL NUMBER SIXTY-EIGHT.

Senate Bill No. 68—An act to establish an Agricultural Code, thereby consolidating and revising the law relating to plant and animal industry and the products thereof, and to repeal certain acts and parts of acts specified herein.

Bill read second time.

THIRD READING OF SENATE BILL NUMBER SIXTY-EIGHT.

Senate Bill No. 68—An act to establish an Agricultural Code, thereby consolidating and revising the law relating to plant and animal industry and the products thereof, and to repeal certain acts and parts of acts specified herein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 68 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, and Mr. Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

DAILY CALENDAR—(RESUMED).

THIRD READING FILE.

Assembly Bill No. 909—An act relating to the use of facsimile signatures, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 909 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr Woolwine Assembly Concurrent Resolution No. 26—Relative to the creation of a joint committee of the Senate and the Assembly to investigate any and all matters relating to prisons and reformatories.

Introduced, and referred to Committee on Prisons and Reformatories.

By Mr Dempster: Assembly Constitutional Amendment No. 55—Proposed amendment to Article IX of the Constitution, adding a new section to be numbered 16, relative to the California State University.

Introduced, and referred to Committee on Constitutional Amendments

By Messrs Craig, Utt, Brock, Field, Tournoux, Woolwine, Jones, and Lyon: Assembly Constitutional Amendment No. 56—Proposed amendment to Article I, section 14, of the Constitution, relative to eminent domain

Introduced, and referred to Committee on Constitutional Amendments

By Messrs Powers, Feigenbaum, Field, McCarthy, Wright, Grubbs, Rawls, Alter, Roberts, Martin, O'Donnell, Kallam, Cobb, Frazier, Greene, Redwine, Scudder, Callahan, Meeker, Roland, Dempster, Tournoux, Woolwine, Bowers, Ross, Clowdsley, Zion, Brock, Phillips, Rogers, Crist, and Badham: Assembly Constitutional Amendment No. 57—Proposed amendment to Article XI, adding section 20 of the Constitution, relative to tax limitation and consolidation of certain functions of local government.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr Williamson: Assembly Bill No. 1033—An act to provide for the securing of payment by owners of private automobiles of damages for injuries to persons or property caused by the negligence of such owners, or their agents or presumptive agents, by requiring insurance, a surety bond, or a deposit of securities; to provide means and methods for the administration of said system of security; to substitute the rule of comparative negligence for contributory negligence in proceedings concerning such injuries; to provide for the form of insurance policies required hereunder, for the classification of risks covered by said insurance and for the application of the minimum rating law to such insurance; to prescribe penalties for violations of this act, and making an appropriation for the administration of this act.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Boyle: Assembly Bill No. 1034—An act to add a new section to be numbered section 11 to an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, as amended, relating to the

provision of relief and support of persons incapacitated by tuberculosis or indigent persons afflicted with tuberculosis, the reimbursement of counties and cities and counties by the State for the amount of relief and support extended to such persons and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Phillips: Assembly Bill No. 1035—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as 'Palo Verde irrigation district,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde joint levee district of Riverside and Imperial counties, California; the properties and functions of the Palo Verde drainage district; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district," approved June 21, 1923, as amended, by amending sections numbered 8a, 23 and 28o thereof, relating to irrigation district bonds.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Phillips: Assembly Bill No. 1036—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by amending sections numbered 3, 4, 5, 9, 10, 12, 15 and 26, and by adding to said act, as amended,

new sections to be numbered and providing as follows, to wit: sections 3a and 3b, relating to voting in county water districts; section 22a, relating to levy of special assessments in county water districts; sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, relating to the optional levy and collection of taxes by county water districts through the district's own officers rather than with county taxes; section 52, relating to the raising and payment by a county water district of assessments levied by an irrigation district within which is included a part of the lands within such county water district; section 53, relating to use of district assessment roll and duties of district officers in connection with voting, and section 54, relating to short title of this act

Bill read first time, and referred to Committee on Irrigation.

By Mr. Hunt: Assembly Bill No. 1037—An act abolishing trust deed foreclosures except by action at law; adding a new section to the Civil Code to be numbered 2920a, defining real estate mortgages, fixing their method of foreclosure and providing for redemption after foreclosure sale; establishing a rule for its constitutional construction and repealing conflicting law.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Williamson and Cronin. Assembly Bill No. 1038—An act to amend sections 7, 30 and 65 of the State Housing Act, approved June 15, 1923, as amended, relating to the regulation of dwellings, apartment houses and hotels.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Martin: Assembly Bill No. 1039—An act to amend section 411 of the Vehicle Code, relating to the suspension or revocation of vehicle licenses and registration.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Callahan and McMurray: Assembly Bill No. 1040—An act to add section 187 to the Vehicle Code, relating to the transfers of title or interest in vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Craig: Assembly Bill No. 1041—An act to add a new section to the Political Code, to be numbered 3714b, relating to annual financial estimates from special tax and assessment districts.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Craig: Assembly Bill No. 1042—An act to provide the procedure for the formation of certain special tax and assessment districts and providing certain restrictions and limitations thereon.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Nielsen: Assembly Bill No. 1043—An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of water works systems by any political subdivision or public agency of the State authorized by law to own and operate such water-

works systems by the issuance of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; providing for the exchange or refunding of revenue bonds issued hereunder; making said bonds legal investments for trust funds and other funds of insurance companies, banks, cities, cities and counties, counties and school districts, and providing for the use of said bonds as security in certain cases and as security for the deposit of public funds; defining the terms political subdivisions and public agencies as included herein; and declaring the urgency of this act.

Bill read first time, and referred to Committee on Irrigation.

By Messrs. Hornblower and Badham: Assembly Bill No. 1044—An act to amend the act known as "The General Cemetery Act," approved June 19, 1931, by amending section 3 and other sections thereof and by adding new sections thereto

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woolwine: Assembly Bill No. 1045—An act to amend section 605 of the Probate Code, relating to the appointment of appraisers

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woolwine: Assembly Bill No. 1046—An act to abolish the office of chief accounting officer of Folsom State Prison

Bill read first time, and referred to Committee on Ways and Means

By Mr. Dempster: Assembly Bill No. 1047—An act to establish the California State University, and to provide for the government, operation, maintenance and support thereof, the affiliation of certain institutions therewith, and the transfer of certain property thereto.

Bill read first time, and referred to Committee on Universities.

By Mr. Cobb (by request): Assembly Bill No. 1048—An act to add to Title VIII of Part II of the Code of Civil Procedure, a new chapter to be known as Chapter IIIa, embracing sections 597, 598 and 599, relating to civil actions and proceedings

Bill read first time, and referred to Committee on Judiciary

By Mr. Fisher: Assembly Bill No. 1049—An act to amend section 2.1370 of the School Code, relating to the State Board of Education.

Bill read first time, and referred to Committee on Education.

By Mr. Hunt: Assembly Bill No. 1050—An act to provide for the levy, collection and payment of an income tax on the salaries of individuals and to provide for the allocation of the revenues therefrom.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. McMurray (by request): Assembly Bill No. 1051—An act appropriating money to pay the claim of William F. Kaliher against the State of California

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cobb: Assembly Bill No. 1052—An act to add a new section to the Fish and Game Code, to be numbered 742, relating to swordfish.

Bill read first time, and referred to Committee on Fish and Game

By Mr Cobb. Assembly Bill No. 1053—An act to add a new section to the Political Code to be numbered 633e, providing for the licensing of "public adjusters," and prescribing the requirements to be complied with in connection therewith and fees charged therefor

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Craig, Utt, Brock, Field, Tournoux, Woolwine, Jones and Lyon: Assembly Bill No 1054—An act to amend an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town or municipal utility district, or flood control district," approved April 23, 1913, as amended by amending section 1, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city, or town, municipal utility district or flood control district.

Bill read first time, and referred to Committee on Municipal Corpo rations

By Messrs Craig, Utt, Brock, Field, Tournoux, Woolwine, Jones and Lyon: Assembly Bill No. 1055—An act relating to the formation, organization and proceedings of metropolitan water districts; confirming the formation, organization and existence of such districts; establishing and validating the boundaries thereof; confirming the appointment of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken; confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof and all bonds heretofore authorized or issued by such districts and authorizing such bonds to be sold and delivered; providing for the levy and collection of a tax sufficient to pay the principal and interest of any such funds and declaring this act to be an urgency measure.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Craig, Utt, Brock, Field, Tournoux, Woolwine, Jones and Lyon: Assembly Bill No. 1056—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality, metropolitan water district or other political subdivision, public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act.

Bill read first time, and referred to Committee on Banking.

By Messrs Craig, Utt, Brock, Field, Tournoux, Woolwine, Jones and Lyon: Assembly Bill No. 1057—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in

the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 5, 6, 7, 8, 10, 11 and 13¾, all relating to the powers, government and management of metropolitan water districts, and the exclusion of area therefrom, and declaring same an urgency measure.

Bill read first time, and referred to Committee on Municipal Corporations

By Messrs. Craig, Utt, Brock, Field, Tournoux, Woolwine, Jones and Lyon: Assembly Bill No. 1058—An act to amend section 1158 of the Civil Code, relating to recordation of instruments or judgments affecting the title to or possession of real property.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Craig, Utt, Brock, Field, Tournoux, Woolwine, Jones and Lyon: Assembly Bill No. 1059—An act to amend sections 19, 20, 21a, 46, 57, 62, 65, 67, 83 and 96 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, relating to the business of banking.

Bill read first time, and referred to Committee on Banking.

By Messrs Craig, Utt, Brock, Field, Tournoux, Woolwine, Jones and Lyon: Assembly Bill No. 1060—An act to amend section 453ee of the Civil Code, relating to investments authorized to be made by mortgage insurance companies.

Bill read first time, and referred to Committee on Insurance.

By Messrs. Craig, Utt, Brock, Field, Tournoux, Woolwine, Lyon and Jones: Assembly Bill No 1061—An act to amend an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919, as amended, by amending section 1, relating to the bond required of certain contractors on public works

Bill read first time, and referred to Committee on Judiciary.

By Messrs Craig, Utt, Brock, Field, Tournoux, Woolwine, Jones and Lyon: Assembly Bill No. 1062—An act to amend section 574 of the Civil Code, relating to the property which savings and loan corporations are authorized to purchase, hold and convey

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Craig, Utt, Brock, Field, Tournoux, Woolwine, Jones and Lyon: Assembly Bill No. 1063—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, by amending section 27b, relating to the deposit in banks of moneys of irrigation districts organized or existing under said act.

Bill read first time, and referred to Committee on Irrigation.

By Messrs. Craig, Utt, Brock, Field, Tournoux, Woolwine, Jones and Lyon: Assembly Bill No. 1064—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations, and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent therewith," approved May 5, 1931, by amending section 15.17, relating to investments authorized to be made by any borrowers' mutual building and loan association.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Messrs. Craig, Utt, Brock, Field, Tournoux, Woolwine, Jones and Lyon: Assembly Bill No. 1065—An act to amend an act entitled "An act providing for the designation of money in the State treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interests or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," approved June 10, 1913, as amended, by amending section 1, relating to the investment of surplus money in the State treasury.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Craig, Utt, Brock, Field, Tournoux, Woolwine, Jones, and Lyon: Assembly Bill No. 1066—An act to amend sections 671 and 672 of the Political Code, relating to investments to be made by the Director of Finance of school land funds and of estates of deceased persons' funds.

Bill read first time, and referred to Committee on Municipal Corporations

By Messrs. Craig, Utt, Brock, Field, Tournoux, Woolwine, Jones, and Lyon: Assembly Bill No 1067—An act to amend an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act

authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911, by amending section 1, relating to the investment of moneys in the sinking funds of counties, cities and counties, incorporated cities and towns.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Utt: Assembly Bill No. 1068—An act to amend section 805 of the Agricultural Code, relating to standardization of Oriental persimmons.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Hornblower: Assembly Bill No 1069—An act to amend sections 452e, 452f and 453 of the Civil Code, providing for the maintenance of minimum membership of mutual benefit and life associations; notification to Insurance Commissioner in event membership shall not equal minimum requirement, or submit to revocation of certificate of authority and duty to liquidate and dissolve or merge or reinsure its business under the supervision of said commissioner; prescribing exemption of certain association from provisions of this chapter; relating to the formation and operation of mutual benefit and life associations, the collection of dues and assessments from members and the payment of benefits to nominees of decedent and also prescribing rules and regulations regarding the investments of such associations; and adding a new section to the Civil Code to be numbered 452g, relating to the licensing of all agents and solicitors for such associations and prescribing the fee therefor.

Bill read first time, and referred to Committee on Insurance.

By Mr. Hornblower: Assembly Bill No. 1070—An act to amend Chapters IV and VI of Division I, Part IV, Title II, of the Civil Code for the following purposes: 1. To prevent the formation or licensing of any new associations or corporations under these chapters. 2. To subject associations or corporations formed under these chapters to the provisions of the general laws relative to insurance companies or corporations in so far as they are not in direct conflict with these chapters. 3 To require that any such association or corporation as shall promise any benefit not limited to the proceeds of one assessment or shall provide for the collection of stipulated premiums on definite dates shall hold such reserves as are found necessary to carry out the promises made. 4. To require separation of expense and benefit funds and prevent the use for expenses of funds collected to pay benefits. 5. To provide a reasonable standard of solvency, for the manner of liquidation of insolvent associations and corporations and for relative rights of officers and directors and other creditors. 6 To require such associations or corporations when denying liability for any claim on the ground of misrepresentation to show affirmatively that the agent taking the application had no knowledge of such misrepresentation. 7. To make failure to hold reserves called for by this act a cause for restraining such an association or corporation from doing business.

Bill read first time, and referred to Committee on Insurance.

By Mr. Hornblower: Assembly Bill No. 1071—An act to amend section 453e of the Civil Code, relating to corporations formed to carry on the business of mutual insurance upon the assessment plan.

Bill read first time, and referred to Committee on Insurance.

By Mr. Hornblower. Assembly Bill No. 1072—An act to amend section 1 of the act entitled "An act providing that any domestic society, organization or company, providing life insurance for its members or their beneficiaries upon the assessment plan, including any domestic fraternal benefit society organized or operating under the act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended, may change into a corporation to transact a life insurance business as a legal reserve or legal premium company, not affecting existing suits, rights or contracts, for the protection of which business may be transacted of the kind transacted before reorganization, and for the protection of which a fund is to be created under conditions set forth herein," approved May 22, 1919.

Bill read first time, and referred to Committee on Insurance.

By Mr. Hornblower. Assembly Bill No. 1073—An act to amend section 1 of the act entitled "An act to provide for a notice to be printed on the cover of the policies of all insurance companies, associations or societies relating to future assessments," approved June 6, 1913.

Bill read first time, and referred to Committee on Insurance.

By Mr. Hornblower. Assembly Bill No. 1074—An act to define life and accident and health insurance on the assessment plan and to provide for the formation of corporations to conduct life and accident and health insurance on the assessment plan, for the government thereof, and for the licensing and regulation of their agents.

Bill read first time, and referred to Committee on Insurance.

By Mr. Phillips. Assembly Bill No. 1075—An act to amend section 798 of the Agricultural Code, relating to the standardization of dates.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Craig: Assembly Bill No. 1076—An act to amend section 809 of the Agricultural Code, relating to the standardization of walnuts.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Craig. Assembly Bill No. 1077—An act to amend section 782 of the Agricultural Code, relating to the powers of the director.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Latham: Assembly Bill No. 1078—An act to amend sections 4.371, 4.373, 4.375, 4.376, and 4.377 of the School Code, and to add two new sections to the School Code, to be numbered 4.378 and 4.379, all relating to district taxes.

Bill read first time, and referred to Committee on Education.

By Mr. Latham. Assembly Bill No. 1079—An act to add two new sections to the School Code, to be numbered 6.734 and 6.735, relating to cafeterias.

Bill read first time, and referred to Committee on Education.

By Mr. Latham: Assembly Bill No. 1080—An act to add a new article to Chapter I of Part III of Division IV of the School Code, to be numbered Article Ib, comprising sections 4.280b to 4.284b, inclusive, relating to revolving funds for warehouse stock.

Bill read first time, and referred to Committee on Education.

By Mr. Craig: Assembly Bill No. 1081—An act to amend section 5.750 of the School Code, relating to payment of certificated employees during absence from their positions.

Bill read first time, and referred to Committee on Education.

By Mr Robinson, C. Ray: Assembly Bill No. 1082—An act to amend section 1, subsection (b) of section 4, subsection (b) of section 5, section 8 and subsection (a) of section 13 of an act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as "The Reciprocal or Interinsurance Act of the State of California." and repealing the act entitled "An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled 'An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee,' approved December 24, 1911," approved May 26, 1917, as amended.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C Ray: Assembly Bill No. 1083—An act to amend sections 2, 3, 5, and 6 of an act entitled "An act to define motor club service, and to define, license, and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles, and providing penalties for the violation thereof, and repealing all acts in conflict herewith," approved June 15, 1929.

Bill read first time, and referred to Committee on Insurance.

By Mr Robinson, C. Ray: Assembly Bill No. 1084—An act to amend section 1 of the act entitled "An act to prohibit insurance companies, associations, or societies, their agents, or any other person from misrepresenting the terms of any policy of insurance," approved June 7, 1915.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No. 1085—An act to provide for the protection of obligees under fidelity and surety bonds and undertakings issued or given and to be issued or given by companies authorized and to be authorized to transact the business of fidelity and surety insurance, against the default or insolvency of such companies, by requiring such companies to provide security for the payment of the sums payable to such obligees, to be known as "The Surety Deposit Act of the State of California"

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No. 1086—An act to provide for the protection of beneficiaries of liability insurance policies against the default or insolvency of insurance carriers issuing such policies by requiring such carriers to provide security for the payment of claims under such policies.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No. 1087—An act to amend section 23 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended, relating to the filing of annual statements and prescribing the fee therefor, and to repeal section 30 of said act, relating to taxation.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No 1088—An act regulating the business of insurance counselors.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robinson, C. Ray: Assembly Bill No. 1089—An act to amend section 1056 of the Code of Civil Procedure, relating to sureties on undertakings or bonds, prescribing the amount of capital stock required and regulating the formation or admission of corporations to transact such business in this State, placing such corporations under the jurisdiction of the Insurance Commissioner, providing for examination and prescribing the duties of the said Insurance Commissioner in connection therewith.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No. 1090—An act to add a new section to the Civil Code of the State of California, to be numbered section 453z1, relating to title insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No 1091—An act to amend sections 633a, 633a4, 633a7, 633a16, 633a18, 633a24, 633a25, 633a27, 633a28, 633a29 and 633a31 of the Political Code, and to add three new sections to the Political Code, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors, numbered sections 633a32, 633a33 and 633a34.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No. 1092—An act to amend section 623 of the Political Code, relating to bonds to be given by insurance companies

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No. 1093—An act to amend section 616 of the Political Code, relating to the designation of an agent and attorney for service of legal process, providing for service upon the Insurance Commissioner in the absence of such agent or attorney, and prescribing the fee in connection therewith.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No. 1094—An act to amend section 611 of the Political Code, relating to reports required of insurance companies.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No. 1095—An act to repeal section 608 of the Political Code, relating to transfers of actions or special proceedings by foreign insurance companies doing business in this State.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No. 1096—An act to amend section 606 of the Political Code, relating to the moneys and fees of office of the Insurance Commissioner, and providing for assessment of insurance companies in case of deficiency.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No. 1097—An act to amend section 605 of the Political Code, relating to the fees payable to the Insurance Commissioner.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No. 1098—An act to amend section 602 of the Political Code, relating to insurance

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No. 1099—An act to amend section 597 of the Political Code, relating to examination of insurance companies and holding companies

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No. 1100—An act to add a new section to the Political Code, to be numbered 596c, prohibiting any person or corporation from acting as agent for or in any manner aiding in the solicitation or advertising of any insurance corporation or insurer unless such insurance corporation or insurer, shall have received a certificate of authority to transact business in this State and prescribing a penalty for violation thereof.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No. 1101—An act making an appropriation for the support of the Division of Insurance, Department of Investment, of funds heretofore transferred from the insurance fund into the general fund; directing the transfer of the sum appropriated from the general fund to the insurance fund; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Robinson, C. Ray: Assembly Bill No. 1102—An act to amend section 594 of the Political Code, defining and classifying insurance, and prescribing capital and other requirements of the various classes and limitations of classes permitted, and also requiring the stock of insurance companies to have a specified par value

Bill read first time, and referred to Committee on Insurance

By Mr. Robinson, C. Ray: Assembly Bill No. 1103—An act to amend section 594c of the Political Code, relating to the sale and issuance of securities of companies organized for the purpose of transacting an insurance business or to act as a holding company for any such company.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No. 1104—An act to amend section 595 of the Political Code, relating to the duties of the Insurance Commissioner.

Bill read first time, and referred to Committee on Insurance

By Mr. Robinson, C. Ray: Assembly Bill No. 1105—An act to amend section 633b of the Political Code, relating to insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No 1106—An act to add a new section to the Political Code to be numbered 633e, providing for the licensing of "public adjusters," and prescribing the requirements to be complied with in connection therewith and fees charged therefor.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No 1107—An act to amend section 634a of the Political Code, defining the word "company" and the words "capital stock," as used in Title I of Part III of said code.

Bill read first time, and referred to Committee on Insurance.

By Mr. Lyon: Assembly Bill No. 1108—An act relating to and providing funds for furnishing relief and aid to the destitute, needy and distressed people of this State and levying a gross receipt tax on tangible personal property therefor.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Turner: Assembly Bill No. 1109—An act to amend section 19x11 of the Juvenile Court Law, relating to probation officers in counties of the eleventh class.

Bill read first time, and referred to Committee on County Government.

By Mr Turner: Assembly Bill No. 1110—An act to amend section 16x11 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the eleventh class.

Bill read first time, and referred to Committee on County Government.

By Mr. Turner: Assembly Bill No. 1111—An act to amend section 2322x11 of the Political Code, relating to the office of agricultural commissioner in counties of the eleventh class.

Bill read first time, and referred to Committee on County Government.

By Mr. Turner: Assembly Bill No. 1112—An act to amend section 4240 of the Political Code, relating to compensation of county and township officers in counties of the eleventh class.

Bill read first time, and referred to Committee on County Government

By Mr. Brock: Assembly Bill No. 1113—An act to amend sections 850 and 873 of the Code of Civil Procedure, relating to justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roland: Assembly Bill No. 1114—An act to provide for the organization, incorporation and government of metropolitan park and playground districts, authorizing such districts, to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the interest and principal thereon.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs Woolwine and Maloney: Assembly Bill No 1115—An act to encourage agriculture and the breeding of live stock and to create a market for said live stock in the State of California and to provide for regulating and licensing horse racing and horse race meetings and the wagering on the results thereof in the State of California; creating a State Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to legalize the pari mutuel or mutual method of wagering on horse races; to provide penalties for the violation of the provisions of this act and repealing all acts or parts of acts in conflict therewith.

Bill read first time, and referred to Committee on Public Morals.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the following resolution introduced by Mr. Craig, and adopted by the Assembly on January 20, 1933, the Speaker appointed Messrs. Craig, Scudder and Robinson, C Ray, as such select committee:

RESOLUTION BY MR. CRAIG.

WHEREAS, In 1927 the Legislature passed, and the Governor approved, an act known as the "Bovine Tuberculosis Law," designed to provide for the eradication of bovine tuberculosis by areas, and the identification, branding and disposal of tubercular animals; and

WHEREAS, In 1929, and again in 1931, the Legislature passed, and the Governor approved, statutes on the same subject further extending and declaring the policy of the State, to the end that such eradication might be accomplished for the benefit of the State, with due and reasonable compensation awarded to the owner of tubercular animals thus disposed of; and

WHEREAS, A question has arisen as to the efficacy of the existing provisions of law, it being indicated that further revision may be needed to the end that the policy of the law may be fully accomplished, now, therefore, be it

Resolved by the Assembly of the State of California, That a committee consisting of three members of the Assembly be appointed by the Speaker, thoroughly to investigate and to report to this Assembly the findings of the committee in relation to the efficacy of the Bovine Tuberculosis Law of California and the administration thereof, and all matters and things in anywise, directly or indirectly, related thereto, including any changes in the law which may be deemed advisable, the report to be rendered as soon after the constitutional recess as may be convenient.

COMMUNICATION

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1933.

MR SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

Los Angeles Times—Cleaves A. Jones.

ARTHUR A OHNIMUS, Chief Clerk.

MOTIONS TO PRINT BILLS.

Mr. Scudder moved that the Chief Clerk be instructed to have 200 copies of Assembly Bill No. 869 printed

Motion carried.

Mr. Rawls moved that the Chief Clerk be instructed to have 100 copies of Assembly Bill No. 775 printed.

Motion carried.

Mr. Wright moved that the Chief Clerk be instructed to have 200 copies of Assembly Bill No. 853 printed.

Motion carried.

Miss Miller, Eleanor, moved that the Chief Clerk be instructed to have 100 copies of Assembly Bill No 211 printed.

Motion carried.

Mr. Chatters moved that the Chief Clerk be instructed to have 200 copies of Assembly Bill No. 259 and 200 copies of Assembly Constitutional Amendment No. 18 printed.

Motion carried.

ADJOURNMENT.

At twelve o'clock and ten minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, January 26, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, January 26, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Hoffman, Hon. James N. Gillett, former governor of California, was extended the privilege of the floor of the Assembly for this day

Through the courtesy of Mr Sullivan, Judge Carlos S. Hardy of Los Angeles was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Sullivan, Mr. Donald Rose of Los Angeles was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr Maloney, Mrs. Milton Treacy, daughter-in-law of Senator Tim Treacy, and Mrs. Raleigh Herman of San Francisco, also Mr. and Mrs. C E Haley of San Francisco, and Claire Marty and Rose Sestil of Sacramento were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hornblower, Mr. Phil B. Bekeart of San Francisco was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kallam, Mr. James B. Holohan, Warden of San Quentin, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal

By Mr. Speaker:

From House of Representatives, State of Washington, Olympia, relative to memorializing Congress in regard to the condition created by depreciated foreign currency.

(Signed) GEO. F. YANTIS, Speaker.

By Mr. Fisher:

From Frank K Mott and 1500 others, relative to Charles Keller as Poet Laureate of California

By Mr. Speaker:

From city of Berkeley, relative to Charles Keller as Poet Laureate of California.

(Signed) FLORENCE E. TURNER, City Clerk.

Also:

By Mr. Speaker:

From M C. Conklin, relative to impeachment.

Petition referred to Committee on Rules.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 19—Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature

after said recess, and fixing the date for said adjournment and said reassembling—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cobb asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 19, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER NINETEEN.

Assembly Concurrent Resolution No. 19—A resolution relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Resolution read.

Mr. Cobb moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 19 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion, and Mr. Speaker—68.

NOES—None

Title read and approved.

Assembly Concurrent Resolution No. 19 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 19.

Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

WHEREAS, Section 2 of Article IV of the Constitution of the State of California requires that, after the Legislature has been in session for a period not exceeding thirty days a recess must be taken by both houses for a period of not less than thirty days; therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the fiftieth session of the Legislature of the State of California shall adjourn for said recess at twelve o'clock noon on Friday, January 27, 1933, and shall reassemble at the hour of eleven o'clock in the forenoon on Tuesday, February 21, 1933.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1933.

MR. SPEAKER. Your Committee on County Government, to which was referred Assembly Bill No. 830—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Utt asked for, and was granted, unanimous consent to take up Assembly Bill No. 830, at this time, without reference to file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER EIGHT HUNDRED THIRTY.

Assembly Bill No. 830—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act.

CASE OF URGENCY.

The following resolution was offered

By Mr. Utt:

Resolved, That Assembly Bill No. 830 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp Tournoux, Turner, Utt, Williamson, Woolwine, Wright, and Mr. Speaker—69.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 830.

SECOND READING OF ASSEMBLY BILL NUMBER EIGHT HUNDRED THIRTY.

Assembly Bill No. 830—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—71.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER EIGHT HUNDRED THIRTY.

Assembly Bill No. 830—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 830 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crouch, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 831—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Utt asked for, and was granted, unanimous consent to take up Assembly Bill No 831, at this time, without reference to file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER EIGHT HUNDRED THIRTY-ONE.

Assembly Bill No. 831—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Utt:

Resolved, That Assembly Bill No. 831 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby

dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—74.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 831.

SECOND READING OF ASSEMBLY BILL NUMBER EIGHT HUNDRED THIRTY-ONE.

Assembly Bill No. 831—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—68.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER EIGHT HUNDRED THIRTY-ONE.

Assembly Bill No. 831—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 831 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray,

Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 832—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Utt asked for, and was granted, unanimous consent to take up Assembly Bill No 832, at this time, without reference to file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER EIGHT HUNDRED THIRTY-TWO.

Assembly Bill No. 832—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Utt:

Resolved, That Assembly Bill No. 832 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—68.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No 832.

SECOND READING OF ASSEMBLY BILL NUMBER EIGHT HUNDRED THIRTY-TWO.

Assembly Bill No 832—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class,

and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—72.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER EIGHT HUNDRED THIRTY-TWO.

Assembly Bill No. 832—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 832 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1933.

MR SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 5—Relative to the levy and collection by the United States government on certain imports—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

PETERSON, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Powers asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 5, at this time, without reference to file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER FIVE.

Assembly Joint Resolution No. 5—Relative to the levy and collection by the United States government on certain imports.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 5 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 5 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 5.

Relative to the levy and collection by the United States government on certain imports.

WHEREAS, The protection of American industries and agriculture should be the controlling policy of the Nation; and

WHEREAS, At the present time many foreign countries have deserted the gold standard and are seeking our markets to sell their products; and

WHEREAS, Our industrial plants have curtailed production, wages have been reduced, agricultural products have unsuccessfully sought a market and distress has come to our people as a result of the unequal competition; and

WHEREAS, There has been proposed in the Congress a bill (H R 13999, seventy-second Congress, second session) compensating for depreciation in foreign currencies, now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That we respectfully request and memorialize the Senate and House of Representatives of the Congress to enact said bill and the President of the United States to affix his signature thereto, to the end that adequate protection be afforded the industries and agriculture of this Nation; and be it further

Resolved, That a copy of this joint resolution be transmitted to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives, and to the Senators and Representatives of California in the Congress.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FEDERAL RELATIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1933.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 6—Relative to memorializing Congress to provide compensation, in lieu of taxes, for certain lands of the United States within the borders of the several States—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

PETERSON, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

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

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER SIX.

Senate Joint Resolution No. 6—Relative to memorializing Congress to provide compensation, in lieu of taxes, for certain lands of the United States within the borders of the several States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 6 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—66

NOES—Bliss, Callahan, Hoffman, and Knowland—4

Title read and approved.

Senate Joint Resolution No. 6 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No 6.

Relative to memorializing Congress to provide compensation, in lieu of taxes, for certain lands of the United States within the borders of the several States

WHEREAS, The United States government has withdrawn and set apart within permanent national parks or forests, enormous tracts of land, approximately nineteen million acres in the State of California alone; and

WHEREAS, Among other reasons, this has been made possible by the owner of timber land trading in their "cut-over" lands to the government for selected "cuttings"; and

WHEREAS, The United States government pays no taxes on such lands, resulting in throwing a heavy tax burden on privately owned property in the same political subdivision; now, therefore, be it

Resolved by the Senate and Assembly, jointly, That Congress is urgently requested to appropriate sufficient money so that a sum of five cents per acre per year may be paid, in lieu of taxes, to the political subdivisions in which such lands belonging to the United States are situated, and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Vice President, the Speaker of the House of Representatives and each of the members from California of the Senate and House of Representatives of the United States

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON UNEMPLOYMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1933.

MR SPEAKER Your Committee on Unemployment, to which was referred Assembly Joint Resolution No. 4—Relative to memorializing Congress to enact the Ludlow Unemployment Bill—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

POWERS, Chairman.

Assembly Joint Resolution No. 4 ordered on file for adoption.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 341—An act making an appropriation to the Department of Public Works for the construction of the approaches to a toll bridge to be built across the bay of San Francisco, from the City and County of San Francisco to the county of Alameda, and providing that this act become effective immediately.

Also, Assembly Bill No. 342—An act determining the amount of money to be reimbursed to the State of California by the California Toll Bridge Authority, out of the proceeds of revenue bonds to be issued by it for the construction of a bridge across the bay of San Francisco from the City and County of San Francisco to the county of Alameda for preliminary surveys for which the State has heretofore appropriated funds, and providing that this act become effective immediately.

Also: Assembly Bill No 345—An act directing the Department of Public Works to construct the approaches to a toll bridge to be built across the bay of San Francisco from the City and County of San Francisco to the county of Alameda; declaring such toll bridge and approaches to be a State highway; requiring their maintenance and operation by the Department of Public Works; and prescribing the

manner in which the cost thereof shall be paid; and providing that this act become effective immediately.

J. A. BEEK, Secretary of Senate.
By JAMES L GARDINER, Assistant Secretary

The above reported bills ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, January 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 343—An act to amend sections 1, 2, 3, 4, 5, 6 and 8 of Chapter 764 of the Statutes of 1929, entitled "An act to regulate the construction, operation and maintenance of toll bridges and toll roads situated wholly or in part within the State of California; vesting the exclusive jurisdiction over said toll bridges and toll roads in the Department of Public Works of the State of California; authorizing and empowering said department to grant upon certain terms, limitations, conditions and restrictions and under such supervision as in its judgment may be necessary, franchises, privileges or licenses for the construction or operation of toll bridges and toll roads and for the taking and keeping of tolls thereon, and to fix, determine, modify or change the rate of tolls to be taken thereon, to terminate the right of boards of supervisors to grant franchises, privileges or licenses for the construction, operation and the taking and keeping of tolls on toll bridges and toll roads; also providing that the State may purchase or retake any such toll bridges or toll roads constructed hereunder and repealing all other acts and parts of acts in conflict therewith," approved June 10, 1929, relative to toll ferries and extending the provisions of said act to toll ferries.

Also: Assembly Bill No. 344—An act to amend section 2620 of the Political Code, relating to the width of highways.

J. A. BEEK, Secretary of Senate.
By R. M WILSON, Assistant Secretary

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 25, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 346—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended by Chapter 401, Statutes of 1931, approved May 25, 1931, entitled and known and cited as "California Toll Bridge Authority Act." by amending the title thereof, and by amending sections 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 17 and 19, and by adding thereto new sections numbered 6½, 13½, 22½ and 22¾, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing that this act become effective immediately.

J A BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 25, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No 899—An act to amend section 409 of the Political Code, relating to the fees to be collected by the Secretary of State and declaring the urgency thereof.

J A. BEEK, Secretary of Senate
By R M WILSON, Assistant Secretary

The above reported bill ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, January 25, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 594—An act making an appropriation to pay the cost of printing copies of the Motor Vehicle Act, declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate
By R M. WILSON, Assistant Secretary

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 25, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No 62—An act making an appro-

priation to pay the cost of printing the candidates' sponsors pamphlets for the 1932 primary election, declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cobb asked for, and was granted, unanimous consent to take up Senate Bill No. 62, at this time, without reference to committee or file.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 25, 1933

To the Honorable Members of the Assembly of the State of California.

Senate Bill No. 62 makes an appropriation to pay the cost of printing the sponsors' pamphlets for the 1932 primary election.

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of section 1 of Article IV of the Constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

CONSIDERATION OF SENATE BILL NUMBER SIXTY-TWO.

Senate Bill No. 62—An act making an appropriation to pay the cost of printing the candidates' sponsors pamphlets for the 1932 primary election, declaring the urgency thereof, and providing that this act shall take effect immediately.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Cobb:

Resolved, That Senate Bill No. 62 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, and Mr. Speaker—73.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 62.

SECOND READING OF SENATE BILL NUMBER SIXTY-TWO.

Senate Bill No. 62—An act making an appropriation to pay the cost of printing the candidates' sponsors pamphlets for the 1932 primary election, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers Rawls, Redwine, Riley, Roberts, Robinson, Samuel E. Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—71.

NOES—None.

THIRD READING OF SENATE BILL NUMBER SIXTY-TWO.

Senate Bill No. 62—An act making an appropriation to pay the cost of printing the candidates' sponsors pamphlets for the 1932 primary election, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 62 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, and Mr. Speaker—70

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 299—An act authorizing and directing the California Toll Bridge Authority to continue to fix and collect tolls on the bridge to be constructed across the bay of San Francisco from the City and County of San Francisco to the county of Alameda under the provisions of the California Toll Bridge Authority Act, approved June 10, 1929, Chapter 763, Laws of 1929, and as amended, after all revenue bonds issued and sold by said authority for the acquisition and construction of said bridge have been redeemed and paid, for the purpose of reimbursing the State of California for moneys appropriated from the State highway construction fund and used for the acquisition and construction of the approach highways leading to and upon said bridge at either end thereof; also providing for the manner in which such reimbursement shall be made; and providing that this act become effective immediately.

J. A. BEEK, Secretary of Senate
By R. M. WILSON, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Levey asked for, and was granted, unanimous consent to take up Senate Bill No. 299, at this time, without reference to committee or file.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED NINETY-NINE.

Senate Bill No. 299—An act authorizing and directing the California Toll Bridge Authority to continue to fix and collect tolls on the bridge

to be constructed across the bay of San Francisco from the City and County of San Francisco to the county of Alameda under the provisions of the California Toll Bridge Authority Act, approved June 10, 1929, Chapter 763, Laws of 1929, and as amended, after all revenue bonds issued and sold by said authority for the acquisition and construction of said bridge have been redeemed and paid, for the purpose of reimbursing the State of California for moneys appropriated from the State highway construction fund and used for the acquisition and construction of the approach highways leading to and upon said bridge at either end thereof; also providing for the manner in which such reimbursement shall be made; and providing that this act become effective immediately.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Levey:

Resolved, That Senate Bill No. 299 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, West, Williamson, Woolwine, and Mr. Speaker—71.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 299.

SECOND READING OF SENATE BILL NUMBER TWO HUNDRED NINTY-NINE.

Senate Bill No. 299—An act authorizing and directing the California Toll Bridge Authority to continue to fix and collect tolls on the bridge to be constructed across the bay of San Francisco from the City and County of San Francisco to the county of Alameda under the provisions of the California Toll Bridge Authority Act, approved June 10, 1929, Chapter 763, Laws of 1929, and as amended, after all revenue bonds issued and sold by said authority for the acquisition and construction of said bridge have been redeemed and paid, for the purpose of reimbursing the State of California for moneys appropriated from the State highway construction fund and used for the acquisition and construction of the approach highways leading to and upon said bridge at either end thereof; also providing for the manner in which such reimbursement shall be made; and providing that this act become effective immediately.

Bill read second time.

Urgency clause read

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, and Mr. Speaker—72.

NOES—None.

THIRD READING OF SENATE BILL NUMBER TWO HUNDRED NINTY-NINE.

Senate Bill No. 299—An act authorizing and directing the California Toll Bridge Authority to continue to fix and collect tolls on the bridge to be constructed across the bay of San Francisco from the City and County of San Francisco to the county of Alameda under the provisions of the California Toll Bridge Authority Act, approved June 10, 1929, Chapter 763, Laws of 1929, and as amended, after all revenue bonds issued and sold by said authority for the acquisition and construction of said bridge have been redeemed and paid, for the purpose of reimbursing the State of California for moneys appropriated from the State highway construction fund and used for the acquisition and construction of the approach highways leading to and upon said bridge at either end thereof; also providing for the manner in which such reimbursement shall be made; and providing that this act become effective immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 299 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—71.

NOES—None

AMENDMENT TO TITLE.

During reading of the title, Mr. Levey submitted the following amendment:

AMENDMENT NUMBER ONE.

In the title of the printed bill, line 3 from the bottom thereof, after the words "either end thereof", insert the following: ", and also until all interest due and to become due on the sum of six hundred fifty thousand dollars ($650,000) heretofore appropriated to the use of the California Toll Bridge Authority by Chapter 400, Laws of 1931, has been paid to the State of California".

Amendment adopted.

Title read and approved, as amended

Bill ordered transmitted to the Senate.

SENATE MESSAGE

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 25, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 369—An act to amend

sections 3, 6, 12, 16, 17 and 18b of the American River Flood Control District Act, relating to the issuance of bonds and disposition of the proceeds thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Nielsen asked for, and was granted, unanimous consent to take up Senate Bill No. 369, at this time, without reference to committee or file.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED SIXTY-NINE.

Senate Bill No. 369—An act to amend sections 3, 6, 12, 16, 17 and 18b of the American River Flood Control District Act, relating to the issuance of bonds and disposition of the proceeds thereof, and providing that this act shall take effect immediately.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Nielsen:

Resolved, That Senate Bill No. 369 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—72.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 369.

SECOND READING OF SENATE BILL NUMBER THREE HUNDRED SIXTY-NINE.

Senate Bill No. 369—An act to amend sections 3, 6, 12, 16, 17 and 18b of the American River Flood Control District Act, relating to the issuance of bonds and disposition of the proceeds thereof, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Greene, Grubbs, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E.; Rogers, Roland,

Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion, and Mr. Speaker—66.

NOES—None.

THIRD READING OF SENATE BILL NUMBER THREE HUNDRED SIXTY-NINE.

Senate Bill No. 369—An act to amend sections 3, 6, 12, 16, 17 and 18b of the American River Flood Control District Act, relating to the issuance of bonds and disposition of the proceeds thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 369 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Powers, Redwine, Riley, Roberts, Robinson, Samuel E.; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—65.

NOES—None.

AMENDMENT TO TITLE.

During reading of the title, Mr. Nielsen submitted the following amendment:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend the American River Flood Control District Act, approved May 28, 1927, as amended, by amending section 3 thereof, relating to trustees of said district, their qualification and tenure, section 6 thereof, relating to candidates for the office of trustee, section 12 thereof, relating to sale of bonds, section 16 thereof, relating to the use of the proceeds of bond issue, section 17 thereof, relating to the levying and collection of assessments, and section 18b, relating to the incurring of indebtedness by the district, the levying of assessments, and the return of moneys heretofore appropriated by the State of California and ratifying the use of proceeds of bond issues therefor, and containing a provision declaring this act to be an emergency measure, stating the facts constituting such emergency and providing this act shall take effect immediately upon its passage."

Amendment adopted.

Title read and approved, as amended.

Bill ordered transmitted to the Senate.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 15—Relative to the creation of a joint committee of the Senate and the Assembly to investigate any and all matters relating to prisons and reformatories.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

Senate Concurrent Resolution No. 15 ordered referred to Committee on Prisons and Reformatories.

MOTION TO REFER.

Miss Miller, Eleanor, moved that Assembly Bill No. 684 be withdrawn from the Committee on Teachers Colleges, and be referred to Committee on Education.

The question being on referring Assembly Bill No. 684 to the Committee on Education.

Motion carried.

Assembly Bill No. 684 ordered referred to Committee on Education.

MOTION TO REFER.

Mr. Roland moved that Assembly Bills Nos. 395 and 615 be withdrawn from the Committee on Teachers Colleges, and be referred to Committee on Education.

The question being on referring Assembly Bills Nos. 395 and 615 to the Committee on Education.

Motion carried.

Assembly Bills Nos. 395 and 615 ordered referred to Committee on Education.

MOTIONS TO PRINT BILLS.

Mr. Cronin moved that the Chief Clerk be instructed to have 1000 copies of Assembly Bill No. 878 printed.

Motion carried.

Mr. Feigenbaum moved that the Chief Clerk be instructed to have 200 copies of Assembly Bill No. 897 printed.

Motion carried.

Mr. Phillips moved that the Chief Clerk be instructed to have 300 copies of Assembly Bill No. 290 printed

Motion carried.

Mr. Feigenbaum moved that the Chief Clerk be instructed to have 100 copies each of Assembly Bills Nos. 185 to 192, inclusive, printed.

Motion carried

RECESS.

At twelve o'clock and fifteen minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At two o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Bernard reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1933.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolution, by Mr. Phillips—*Resolved*, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Patrick and Moise-Klinkner Co., badges, Sergeant-at-Arms	$22 65
The Thomson-Diggs Company, 1 lock latch	1 00
Bancroft-Whitney Company, codes and general laws	2,525 00
Joseph P. Gilmore, flowers, Hon. Frank Israel	25 00
Joseph P. Gilmore, telegram funeral committee	1 42
Bureau of Purchases	523 86

Also:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150 00), said amount being for the pay-

ment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's office;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

PHILLIPS, Chairman.

Mr. Phillips moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—65.

NOES—None.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1933.

MR SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Senate Concurrent Resolution No. 15—Relative to the creation of a joint committee of the Senate and the Assembly to investigate any and all matters relating to prisons and reformatories—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

WOOLWINE, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Woolwine asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 15, at this time, for the purpose of considering the committee amendment:

COMMITTEE AMENDMENT.

AMENDMENT NUMBER ONE.

Strike out the last paragraph of the resolution reading as follows:

"*Resolved*, That the sum of five hundred dollars ($500) or so much thereof as may be necessary, is hereby appropriated and made available for the actual necessary expenses of the committee, and the members thereof, incurred in the performance of their duties hereunder, payable in equal amounts out of the respective contingent funds of the Senate and Assembly; to be disbursed upon Controller warrants drawn upon the order of the chairman of the committee."

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Woolwine asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 15, at this time, without reference to printer or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FIFTEEN.

Senate Concurrent Resolution No. 15—Relative to the creation of a joint committee of the Senate and the Assembly to investigate any and all matters relating to prisons and reformatories.

Resolution read.

The question being on the adoption of the resolution.

Senate Concurrent Resolution No. 15 adopted.

Title read and approved.

Senate Concurrent Resolution No. 15 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 15.

Relative to the creation of a joint committee of the Senate and the Assembly to investigate any and all matters relating to prisons and reformatories.

WHEREAS, The crowded conditions in our prisons and reformatories do greatly handicap the work of such institutions; and

WHEREAS, The present conditions in our prisons prevent the carrying out of any orderly program of rehabilitation; and

WHEREAS, The granting of paroles has been a subject of considerable comment and some dissatisfaction; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That there is hereby created a joint committee of the Senate and Assembly to consist of three members of the Assembly to be appointed by the Speaker of the Assembly and three members of the Senate appointed by the President of the Senate; and be it further

Resolved, That it shall be the duty of said committee to investigate any and all matters relating to prisons and reformatories and the granting of paroles therefrom; and be it further

Resolved, That said committee is hereby empowered to adopt such rules as it may deem necessary or advisable to enable it to expeditiously carry out and perform the duties herein imposed upon it; and be it further

Resolved, That such committee be and is hereby authorized and empowered to do and perform any and all things necessary or proper to make a full and complete investigation of all matters touching prisons and reformatories and to do and perform each and all things necessary or proper to secure all the information which said committee shall deem necessary, proper and advisable, to enable the Legislature to act advisedly and judicially upon the various matters concerning prisons and reformatories and the functioning and activities thereof, which will or may be presented to it during the present session; and be it further

Resolved, That each and every officer of the State and the head of each and every department and the subordinates thereof shall give and furnish to such committee upon request such information, records and documents as such committee shall deem necessary or proper for the purposes aforesaid. Said committee is authorized and empowered to summon and subpena witnesses, require the production of persons, books, accounts, reports, documents, records and papers of every kind, to issue subpenas and to take all necessary means to compel the attendance of witnesses, and to procure testimony. The members of said committee are and each of them is hereby authorized to administer oaths; all of the provisions of Article VIII of Chapter II, Title I, Part III, of the Political Code of this State, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution, and said committee shall have the powers therein specified. Said committee is hereby given leave to sit during the recess of the Legislature, at such times, place or places, as the committee may determine; and such committee may, at its discretion, hold public or executive meetings as it shall deem necessary or desirable; and be it further

Resolved, That said committee as speedily as possible report to the Senate its findings and recommendations concerning the matters which it is by this resolution authorized to consider; and be it further

Resolved, That the sum of five hundred dollars ($500.00) or so much thereof as may be necessary, is hereby appropriated and made available for the actual necessary expenses of the committee, and the members thereof, incurred in the performance of their duties hereunder, payable in equal amounts out of the respective contingent funds of the Senate and Assembly; to be disbursed upon Controller warrants drawn upon the order of the chairman of the committee.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended, Assembly Concurrent Resolution No. 19—Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

Assembly Concurrent Resolution No. 19 ordered referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, January 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 10—Relative to memorializing Congress to pass legislation known as H. R. 13999.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

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

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER TEN.

Senate Joint Resolution No. 10—Relative to memorializing Congress to pass legislation known as H. R. 13999.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 10 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—76.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 10 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 10

Relative to memorializing Congress to pass legislation known as H. R. 13999.

WHEREAS, There is annually imported into this country a vast amount of foreign-made products; and

WHEREAS, These products may be manufactured in foreign countries at a price far below the cost of manufacturing in this country; and

WHEREAS, It is necessary for the protection of American industry that a tariff be placed upon these imports sufficiently high to provide the desired protection; and

WHEREAS, There is a bill pending in the Congress of the United States introduced by Representative Hill of Washington and known as H. R. 13999, which would permit United States Tariff Commission to levy a tax on imports from foreign countries for the purpose of protecting American industry; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California respectfully requests and memorializes the Congress of the United States to immediately pass a bill introduced by Representative Hill of Washington known as H. R. 13999 so that the United States Tariff Commission may provide a sufficient tax of imports from foreign countries so that American industry may be given the desired protection; and be it further

Resolved, That the Secretary of the Senate be directed to forward a true copy of this resolution to the President of the United States, the Vice President, the Speaker of the House of Representatives, each Senator and the Representatives from California in Congress and the United States Tariff Commission.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 9—Relative to memorializing Congress to pass S. 1197, known as "The Farmers' Farm Relief."

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

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

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER NINE.

Senate Joint Resolution No. 9—Relative to memorializing Congress to pass S. 1197, known as "The Farmers' Farm Relief."

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 9 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 9 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 9.

Relative to memorializing Congress to pass S. 1197, known as "The Farmers' Farm Relief Act."

WHEREAS, A crisis exists and hundreds of thousands of once prosperous farmers of this Nation have already lost their homes and their all by mortgage foreclosures because of the fact that the price of agricultural products has for years been below the cost of production, a condition that affects all of the people of this Nation and is largely responsible for the continuance of the depression; and

WHEREAS, There is no adequate way of refinancing existing agricultural indebtedness and the farmers are at the mercy of their mortgagees and creditors; and

WHEREAS, Unless immediate relief is given thousands and hundreds of thousands of additional farmers will lose their farms and their homes and millions more will be forced into our cities and villages and the army of unemployed will necessarily increase to alarming proportions, precipitating a condition that threatens the very life of this Nation; and

WHEREAS, The State Legislatures of Montana, North Dakota, Minnesota, Wisconsin, Nevada and Illinois have each and all memorialized Congress to pass Senate bill number 1197, known as the Frazier bill, without delay, which bill provides that existing farm indebtedness shall be refinanced by the Government of the United States at one and one-half per cent interest and one and one half per cent principal on the amortization plan, not by issuing bonds and plunging the Nation further into debt, but by issuing Federal reserve notes the same as the government now does for the banks through the Federal reserve bank; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That they respectfully request and petition the Congress of the United States to pass Senate bill 1197 in order that the agricultural indebtedness of this nation may be speedily liquidated and refinanced and agriculture saved from utter ruin and destruction and this depression brought to an intelligent and speedy end; and be it further

Resolved, That the Governor send copies of this resolution to the President of the United States, the President of the Senate and the Speaker of the House and to the Representatives of this State in Congress

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 376—An act to add section 664a to the Political Code, relating to the payment of State officers and employees, declaring the urgency thereof and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cobb asked for, and was granted, unanimous consent to take up Senate Bill No. 376, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED SEVENTY-SIX.

Senate Bill No. 376—An act to add section 664a to the Political Code, relating to the payment of State officers and employees, declaring the urgency thereof, and providing that this act shall take effect immediately.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Cobb:

Resolved, That Senate Bill No. 376 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, and Mr. Speaker—75.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 376.

SECOND READING OF SENATE BILL NUMBER THREE HUNDRED SEVENTY-SIX.

Senate Bill No. 376—An act to add section 664a to the Political Code, relating to the payment of State officers and employees, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Dempster, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, and Mr. Speaker—66.

NOES—None.

THIRD READING OF SENATE BILL NUMBER THREE HUNDRED SEVENTY-SIX.

Senate Bill No. 376—An act to add section 664a to the Political Code, relating to the payment of State officers and employees, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 376 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 8—Relative to memorializing Congress and the Legislatures of the several States of the Union to cooperate in the program for a belated recognition of the people of the United States of the services rendered the Nation by volunteers who fought the war with Spain, the Philippine Insurrection and the China Relief Expedition.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

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

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER EIGHT.

Senate Joint Resolution No. 8—Relative to memorializing Congress and the Legislatures of the several States of the Union to cooperate in the program for a belated recognition of the people of the United States of the services rendered the Nation by volunteers who fought the war with Spain, the Philippine Insurrection and the China Relief Expedition.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 8 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers,

Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, Woolwine, Wright, Zion, and Mr. Speaker—65.
NOES—None.

Title read and approved.

Senate Joint Resolution No. 8 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 8.

Relative to memorializing Congress and the Legislatures of the several States of the Union to cooperate in the program for a belated recognition of the people of the United States of the services rendered the Nation by volunteers who fought the war with Spain, the Philippine Insurrection and the China Relief Expedition.

WHEREAS, The Veterans of the Spanish War, hold their Thirty-fifth Annual National Encampment in Los Angeles, California, beginning August 20th this year. The year celebrates the thirty-fifth anniversary of the important events of that war and its related campaigns, which wrote some of the most important history of the United States, and

WHEREAS, History as available to the people of the United States, especially in the schools, has not given the accomplishments and achievements of that service, and the tremendous benefits to the Nation, the place they deserve in the national hall of fame, and

WHEREAS, The Spanish War was responsible for eliminating the feeling of sectionalism between the North and the South that had endured from the Civil War. It made the United States of America united in fact as well as in name. The blue and the gray fought together as brothers. Eighty-four per cent of the armies from the South were sons of Confederate veterans. Seventy-two per cent of the armies from the North were sons of Union veterans. All were volunteers, former Confederate and Union chiefs officered that army in fighting for a united Nation. That war made the United States a real world power. It made our flag respected in every land and on every sea, and

WHEREAS, The value of those accomplishments can not be measured in material terms. The World recognized the importance of the developments from that war long before they were recognized by our own people. All nations realized that in the welding of the forces of the North and the forces of the South, a new Nation had been born, magnificent in purpose and invincible in power, that forever would be a power in world affairs, and

WHEREAS, That was thirty-five years ago. For years patriotic leaders of the country have been planning a belated recognition of the value of the service rendered the Nation by the men of that war as a fiftieth anniversary, golden jubilee, but it now seems that too few of these veterans will remain alive for a semicentennial celebration. Originally there were about 400,000 men in that service. More than half of them have already passed to the great beyond. Simple arithmetic will demonstrate how few will remain fifteen years from now, and

WHEREAS, It is deemed fitting that this Thirty-fifth National Encampment held in the year of the Century of Progress Exposition, when we are looking in retrospect at the achievements and accomplishments of the past hundred years, be taken as the most propitious time to recognize nationally the service rendered by those patriots and for setting up some lasting tribute to them that may be made part of the enduring historical record of the Nation and the States from which they came, and

WHEREAS, An honor scroll, graphically setting out the major events of the Spanish War and related campaigns and the accomplishments therefrom, together with the roll Spanish War veterans who distinguished themselves in that service, or later achieved prominence in public affairs, has been decided upon as the most fitting tribute at this time. A tribute that in original and in replica can be placed in the halls of the National Capitol, the leading museums of the country, in the halls of the capitols of every State in the Union, and in the palaces in the capitals of Cuba, Porto Rico, Hawaii, and the Philippines, as a perpetual monument to those patriots, doing honor to the dead, giving the survivors their flowers now rather than when they have passed to their final reward, and at the same time preserving those flowers that posterity may be made more familiar with those glorious pages of national history and aid in keeping their memory green, and

WHEREAS, War, ordinarily is not profitable to the nations engaged. The Spanish War was an exception to this rule The 400,000 men who served the colors in that war brought to the United States, possessions worth more than eight billions of dollars To June 30, 1930, more than twenty-two billions of dollars of business had come to the United States from these possessions and the inflow continues at the rate of nearly a billion dollars a year, and

WHEREAS, It is peculiarly fitting that this celebration and presentation of the tribute of a grateful Nation to its warriors of long ago, be staged at the Los Angeles National Encampment, because it was a California regiment, the First Infantry, that had the honor to be the first unit of the United States Army ever to embark for service on foreign soil, it sailing from San Francisco on the City of Peking, bound for Manila on May 23, 1898 All previous foreign military operations had been conducted by the Navy or the Marine Corps. Likewise California was the base

for all of the operations in the Philippines and China during the more than four years of the war and its related campaigns, and was more closely in touch with the war during those four years than any other State in the Union, therefore be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the State of California does hereby extend a most cordial welcome to the delegates and visitors of the United Spanish War Veterans, their auxiliaries and affiliated organizations, who will be present at the Thirty-fifth National Encampment, that the President of the Senate and the Speaker of the Assembly is hereby authorized to appoint a committee from these bodies to officially express this welcome on behalf of the State of California, and be it further

Resolved, That the Congress of the United States of America and the legislatures of all of the States of the Union, be and are hereby memorialized to most heartily endorse and support the program for what we believe to be a highly merited recognition of a series of the most important events in the life of our country and of the services of that gallant body of volunteers who answered the call to the Colors, brought glory, solidarity and power to the Nation and credit to themselves, and be it further

Resolved, That the Secretary of State be and he is hereby directed to transmit under the Great Seal of the State of California, copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Chairmen of the Committee on Military Affairs of each of the two houses of Congress, to the Senators and Representatives from California in Congress, to the Governors and Lieutenant Governors of each of the other forty-seven States of the United States, to the Speakers of the Houses of Representatives in the Legislatures of each of these States, to the Chairmen of the Committee on Military Affairs of each of the two houses in the Legislatures; to the National Headquarters of the United Spanish War Veterans in Washington D. C., and to the Department Headquarters of the Department of California, United Spanish War Veterans at Oakland, California; as evidence of the wishes of the people of the Sovereign State of California that the glowing deeds of these patriotic sons of the Nation be given the recognition that their accomplishments merit, and be it further,

Resolved, That the Governor of the State of California be and he is hereby requested to appoint a commission of not less than twenty-five of the leading patriotic citizens of California, to be known as the Spanish War Commemoration Commission to aid in carrying into effect the program for a national tribute to the service of these veterans in accordance with the plan outlined in this resolution, this commission to serve without pay, but to be furnished if necessary with office space in the buildings of the State of California in Sacramento, San Francisco and Los Angeles as headquarters for carrying out its work, and be it

Resolved, That we do hereby authorize and direct that such an honor scroll as may be devised for the occasion, setting forth the important events of the Spanish War and its related campaigns and the accomplishments therefrom, together with the names of the men of that service who especially distinguished themselves or have since attained prominence in public affairs, be given a proper place in the historical records of the State of California and be displayed in proper places in the halls of the Capitol building at Sacramento and the State buildings in San Francisco and Los Angeles as a perpetual monument to the gallant sons of California who brought credit to our Commonwealth through their sacrifices and their loyalty to the flag of our country.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Messrs. Cobb and Hoffman: Assembly Bill No. 1116—An act regarding special districts and including a procedure for the organization, operation, financing, government, consolidation and dissolution of such districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Wright: Assembly Bill No. 1117—An act to amend the Code of Civil Procedure by adding thereto a new section to be numbered 270a, relating to appointment, qualification and compensation of official reporters and reporters pro tempore of the superior court in counties having a population of 900,000 or more.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hoffman: Assembly Bill No. 1118—An act to amend sections 1, 3, 4, 5, 6, 8 and 9 of and to add section 10 to an act entitled

"An act to regulate the practice of architecture," approved March 23, 1901.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bowers: Assembly Bill No. 1119—An act adding section 470a to the Political Code, authorizing and empowering the Attorney General to prosecute or defend, when in his opinion the public interest so requires, any action involving title, possession, or boundaries of any lands belonging to the State of California or in which it has any interest.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Evans: Assembly Bill No. 1120—An act to amend section 1132 of, and to add a new section to be numbered 1132.5 to, the Agricultural Code, relating to cold storage eggs and shell-treated eggs.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Evans: Assembly Bill No. 1121—An act to add a new section to be numbered section 8a to an act entitled "An act to promote the development of the egg industry in California, to prohibit the sale of eggs unfit for human food, to provide standards of quality and weight for the sale of eggs, to provide for proper labeling of all eggs displayed for sale to the consumer, to protect the consuming public by preventing deception in the sale of eggs, providing penalties for the violation of the provisions of this act, and repealing all acts or parts of acts in conflict herewith," approved May 28, 1931, relating to cold storage eggs and shell-treated eggs.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Messrs. Meeker, Scudder, Clowdsley, Robinson, Samuel E., Alter, O'Donnell and Zion: Assembly Bill No. 1122—An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; providing for the powers, duties and authority of said commission and the members thereof; providing for the institution of prorate programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Cobb: Assembly Bill No. 1123—An act to amend sections 3746, 3751, 3756, 3817 and 3817a of the Political Code, relating to payment of property taxes, and delinquency and redemption penalties thereon.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Cobb: Assembly Bill No. 1124—An act to amend section 2010 of the Code of Civil Procedure, relating to evidence of publication.

Bill read first time, and referred to Committee on Judiciary.

By Mr. West: Assembly Bill No. 1125—An act to amend section 623 of the Political Code, relating to bonds required of insurance companies to insure payment of taxes.

Bill read first time, and referred to Committee on Insurance.

By Mr. West: Assembly Bill No. 1126—An act to amend section 467 of the Vehicle Code, relating to the direction signs to registered State landmarks of historical interest.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. West: Assembly Bill No. 1127—An act to amend an act entitled "An act to require the Director of the Department of Natural Resources to register and mark buildings of historical interest or landmarks," approved April 24, 1931, by amending the title thereof and by amending section 2 and by adding a new section to be numbered section 3.

Bill read first time, and referred to Committee on Education.

By Mr. West: Assembly Bill No. 1128—An act to add a new section to the Code of Civil Procedure, to be numbered 396b, relating to venue.

Bill read first time, and referred to Committee on Judiciary.

By Mr. West: Assembly Bill No. 1129—An act to add a new section to the Code of Civil Procedure, to be numbered 396b, relating to venue.

Bill read first time, and referred to Committee on Judiciary.

By Mr. West: Assembly Bill No. 1130—An act to amend section 4189 of the Political Code, relating to service of writs, notices and other process.

Bill read first time, and referred to Committee on Judiciary.

By Mr. West: Assembly Bill No. 1131—An act to provide for the payment of not less than the general prevailing rate of wages and not less than the general prevailing rate of wages for legal holidays and overtime work for compositors, bookbinders, pressmen and assistants employed in the State Printing Office.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Latham: Assembly Bill No. 1132—An act to amend section 2898 of the Civil Code, relating to the priority of mortgages and deeds of trust given for the price of real property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Latham (by request): Assembly Bill No. 1133—An act making an appropriation of the claim of the Title Insurance and Trust Company against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Fisher: Assembly Bill No. 1134—An act to amend sections 7b and 9 of Chapter 584, Statutes of 1915, entitled "An act to provide for the formation, government, operation and dissolution of mosquito

abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursements of taxes therein," approved May 29, 1915, as amended, relating to mosquito abatement district tax levies.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Latham: Assembly Bill No. 1135—An act to provide for the organization and operation of revenue-producing sewer maintenance districts.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Martin: Assembly Bill No. 1136—An act to amend section 4041.7 of the Political Code, relating to the jurisdiction and powers of boards of supervisors over public roads or county highways.

Bill read first time, and referred to Committee on County Government.

By Mr. Robinson, C. Ray: Assembly Bill No. 1137—An act to amend section 4264 of the Political Code, relating to the compensation of county and township officers in counties of the thirty-fifth class.

Bill read first time, and referred to Committee on County Government.

By Messrs. Powers and Bliss: Assembly Bill No. 1138—An act to amend the Political Code by adding to Part IV, Title II, Chapter VIII of said code a new article to be numbered Article III, embracing sections 4222a to 4222l, inclusive, amending section 2641 and repealing sections 2642, 2643 and 4222 of said code, thereby creating the office of county engineer, transferring to the county engineer all the powers and duties of other officers and employees of the county with respect to county roads, highways and bridges, and vesting in the county engineer additional powers and duties with respect to construction, improvement, maintenance and repair of county roads, highways and bridges, and to repeal the County Engineer Act.

Bill read first time, and referred to Committee on County Government.

By Mr. McMurray: Assembly Bill No. 1139—An act to provide for the payment of attorney fees by the county to attorneys for representing defendants charged with crime who are without funds.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Robinson, C. Ray: Assembly Bill No. 1140—An act to repeal section 653hh of the Civil Code, relating to land value insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No. 1141—An act to amend sections 453cc and 453ee of the Civil Code, relating to mortgage insurance companies; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Insurance.

By Mr. Mecker. Assembly Bill No. 1142—An act to amend sections 5.160, 5.161 and 5.162 of the School Code, relating to teachers' certificates.

Bill read first time, and referred to Committee on Education.

By Mr. Lyon: Assembly Bill No. 1143—An act to amend sections 3051a and 3052 of, and to add sections 3051.1 to 3051.5, and 3051b to 3051m, both inclusive, to the Civil Code, all relating to liens on personal property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Badham: Assembly Bill No. 1144—An act to amend section 7½ of an act entitled "An act to provide for the care, management and protection of State highways and provide penalties for violations of the provisions of the act," approved May 20, 1915, relating to public highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Scudder: Assembly Bill No. 1145—An act to add a new section to be numbered 27c to an act entitled "An act to provide for the incorporation and organization and management of municipal water districts and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, relating to escheat of funds of dissolved water works, and providing that this act shall take effect immediately.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 1145, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FORTY-FIVE.

Assembly Bill No. 1145—An act to add a new section to be numbered 27c to an act entitled "An act to provide for the incorporation and organization and management of municipal water districts and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, relating to escheat of funds of dissolved water works, and providing that this act shall take effect immediately

CASE OF URGENCY.

The following resolution was offered:

By Mr. Scudder:

Resolved, That Assembly Bill No. 1145 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—72.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1145.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FORTY-FIVE.

Assembly Bill No. 1145—An act to add a new section to be numbered 27c to an act entitled "An act to provide for the incorporation and organization and management of municipal water districts and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, relating to escheat of funds of dissolved water works, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—72.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FORTY-FIVE.

Assembly Bill No. 1145—An act to add a new section to be numbered 27c to an act entitled "An act to provide for the incorporation and organization and management of municipal water districts and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, relating to escheat of funds of dissolved water works, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1145 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster,

Evans, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Ross: Assembly Bill No. 1146—An act to amend section 17 of an act entitled the "Joint Highway District Act," relating to construction works.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Ross: Assembly Bill No. 1147—An act to add a new section to the Agricultural Code, to be numbered 62.5, relating to county agricultural commissioners.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Ross: Assembly Bill No. 1148—An act to add a new section to the Civil Code to be numbered 3342, relating to liability of public officers, agents, and employees, under unconstitutional statutes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Williamson: Assembly Bill No. 1149—An act to provide for the inspection and registration of aviaries and other places where birds of the psittacine family are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Williamson: Assembly Bill No. 1150—An act to amend section 1026 of the Penal Code, relating to insane persons charged with or guilty of crime.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Williamson: Assembly Bill No. 1151—An act to amend section 1374 of the Penal Code, relative to the sanity of persons charged with crime.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Williamson: Assembly Bill No. 1152—An act to amend section 2183 of the Political Code, relating to the insane poor and indigent dipsomaniacs.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Williamson: Assembly Bill No. 1153—An act to amend section 29 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," relating to the definition and regulation of the business of banking.

Bill read first time, and referred to Committee on Banking.

By Mr. Williamson: Assembly Bill No. 1154—An act to amend section 9 of an act entitled "An act to authorize and regulate the employment of prisoners in the State prisons of this State and to provide for the disposition of the products of their skill and labor," approved February 23, 1911, relating to products exempt from the provisions of that act and specifically providing that jute and jute products shall after a certain time be governed by the provisions of said act, and to repeal all laws inconsistent with said act as so amended.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Williamson: Assembly Bill No. 1155—An act to repeal Article VIIa of Chapter II of Part IV of Division III of the School Code, embracing sections 3.670a to 3.685a, inclusive, and to repeal section 1 of an act entitled "An act providing for the establishment and maintenance of 24-hour elementary schools by elementary school districts with the approval of the State Board of Education, providing for the admission to such schools and providing for the government, control, conduct, and support thereof," approved June 19, 1929, relating to 24-hour elementary schools.

Bill read first time, and referred to Committee on Education.

By Messrs. Williamson and Gilmore: Assembly Bill No. 1156—An act to provide procedure for determining whether or not a reclamation district to be known as "South Basin-South Basin Canal Reclamation District" should be created; fixing the boundaries thereof in the event of the creation thereof; providing for the management and control thereof; vesting certain powers therein, and authorizing a method for the reclamation of the lands of said district in the event of its creation; granting to the City and County of San Francisco and its successors any title of the State in or to any public highways lying in said district with certain reservations; and dissolving any reclamation district wholly situate within the boundaries of said South Basin-South Basin Canal Reclamation District.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Gilmore: Assembly Bill No. 1157—An act to amend section 120 of the Agricultural Code, relating to nursery stock.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Gilmore: Assembly Bill No. 1158—An act to amend sections 376b, 376d and 376f of the Political Code, and to repeal sections 376a and 376e of said code, relating to the Department of Penology.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Gilmore: Assembly Bill No. 1159—An act to create a public corporation to be known as the "Naturopathic Association of California," to provide for its organization, government, membership and powers, to regulate the practice and licensing of naturopathic physicians, to create a board of governors, to provide for the appoint-

ment of a State Board of Naturopathic Examiners, and to provide penalties for violations hereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Dempster: Assembly Bill No. 1160—An act abolishing trust deed foreclosures except by action at law; adding a new section to the Civil Code to be numbered 2920A, defining real estate mortgages, fixing their method of foreclosure and providing for redemption after foreclosure sale; establishing a rule for its constitutional construction and repealing conflicting law.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Frazier: Assembly Bill No. 1161—An act to amend section 487 of the Penal Code, relating to grand theft.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Frazier: Assembly Bill No. 1162—An act to add a new section to the Penal Code, to be numbered 627c, relating to muskrats.

Bill read first time, and referred to Committee on Public Health and Quarantine

By Mr. Frazier: Assembly Bill No. 1163—An act to add a new section to the Fish and Game Code, to be numbered 1323, relating to muskrats.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Frazier: Assembly Bill No. 1164—An act to amend section 164 of the Agricultural Code, relating to deer-tight fences.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Morgan: Assembly Bill No. 1165—An act to add a new section to the Code of Civil Procedure to be numbered 2007, relating to depositions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Morgan: Assembly Bill No. 1166—An act to amend section ____ of that certain act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Morgan: Assembly Bill No. 1167—An act to amend section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to proceedings after decision.

Bill read first time, and referred to Committee on Insurance.

By Mr. Morgan: Assembly Bill No. 1168—An act to amend section 3 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by making further provisions regarding aggravation of disease existing prior to injury.

Bill read first time, and referred to Committee on Insurance.

By Mr. Morgan. Assembly Bill No. 1169—An act to amend section 12 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to average earnings.

Bill read first time, and referred to Committee on Insurance.

By Mr. Morgan. Assembly Bill No. 1170—An act to amend section 14 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, relating to nonresident alien dependents, and to reassignment of a death benefit.

Bill read first time, and referred to Committee on Insurance.

By Mr. Morgan: Assembly Bill No. 1171—An act to amend section 60 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to hearings.

Bill read first time, and referred to Committee on Insurance.

By Messrs. Morgan and Craig: Assembly Bill No. 1172—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the disposition of the receipts thereunder.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Cassidy: Assembly Bill No. 1173—An act to amend section 315 of the Agricultural Code, relating to meat inspection.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Miss Miller, Eleanor: Assembly Bill No. 1174—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Hallner: Assembly Bill No. 1175—An act to add a new section to the Political Code, to be numbered 3664f, relating to taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Cottrell: Assembly Bill No. 1176—An act to repeal section 3770 of the Political Code, relating to tax collectors.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Alter: Assembly Bill No. 1177—An act to add a new section to the Agricultural Code, to be numbered 830.5, relating to the transportation of fruits, nuts and vegetables.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Bliss: Assembly Bill No. 1178—An act to amend sections 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593 and 596 of the Fish and Game Code, to add a new section thereto to be numbered 580, and to amend and renumber section 580 to be section 580.5.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Bliss: Assembly Bill No. 1179—An act regulating the hours of work of employees in public utility businesses and businesses affected with the public interest.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Bliss: Assembly Bill No. 1180—An act to amend section 4131 of the Political Code, relating to the county recorder.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bliss: Assembly Bill No. 1181—An act to amend section 3644 of the Political Code, relating to taxation of boats and vessels.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Bliss: Assembly Bill No. 1182—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene, distillate or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for a license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for the violation of this act, and repealing all acts or parts of acts inconsistent herewith," approved May 30, 1923, relating to expenditure of moneys received hereunder.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Bliss: Assembly Bill No. 1183—An act to amend section 159 of the California Vehicle Act, relating to expenditures of the motor vehicle fund.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Bliss: Assembly Bill No. 1184—An act to amend sections 639 and 671 of the Vehicle Code, relating to sirens, horns, warning devices and lights on vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Knowland and Roberts: Assembly Bill No. 1185—An act to add two new sections to the Penal Code, to be numbered 405a and

405b, establishing the public offense of lynching, and providing penalties therefor.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Crist: Assembly Bill No. 1186—An act making an appropriation for major construction at Agnews State Hospital including ward building at farm colony, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Hoffman: Assembly Bill No. 1187—An act to amend the California Irrigation District Act by adding a new section thereto to be designated as section 48b, relating to the application of proceeds derived from the leasing and sale of lands and from penalties upon delinquent assessments.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Hoffman: Assembly Bill No. 1188—An act to amend the California Irrigation District Act by amending section 32b thereof, relating to the procedure for the payment and retirement of funding or refunding bonds.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Hoffman: Assembly Bill No. 1189—An act to repeal section 11 of the California Districts Securities Commission Act, relating to when a district may be declared insolvent, control thereof by the Districts Securities Commission, the ordering of refunding bonds of a district.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Hoffman: Assembly Bill No. 1190—An act to amend the California Irrigation District Act by adding a new section thereto to be designated as section 32f, relating to the legal status of funding and refunding bonds issued pursuant to the provisions of said act.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Hoffman: Assembly Bill No. 1191—An act to amend section 44 of the California Irrigation District Act.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Hoffman: Assembly Bill No. 1192—An act to amend the California Districts Securities Commission Act by amending section 11 thereof, relating to when a district may be declared insolvent, control thereof by the Districts Securities Commission, the ordering of refunding bonds of a district.

Bill read first time, and referred to Committee on Irrigation.

By Messrs. Utt and Craig: Assembly Bill No. 1193—An act to amend section 792 of the Agricultural Code, relating to the standardization of avocados.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Craig: Assembly Bill No. 1194—An act to add a new section to be known as 852c, to an act entitled "An act to provide for the

organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Woolwine: Assembly Bill No. 1195—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woolwine: Assembly Bill No. 1196—An act to amend section 3881a of the Political Code, relating to corrections of clerical omissions and clerical errors and the transfer of erroneous tax payments and credits.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Gilmore: Assembly Bill No. 1197—An act to repeal section 2524c of the Political Code, relating to the harbor of San Francisco and the State Board of Harbor Commissioners.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Badham: Assembly Bill No. 1198—An act to appropriate and transfer funds to the "State employees' retirement fund" from moneys allocated and payable to the county of Los Angeles from the "Motor vehicle fund" to cover deficiencies in the "State employees' retirement fund" arising out of the transfer of the Los Angeles County Motor Patrol to the California Highway Patrol.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Fisher: Assembly Bill No. 1199—An act making an appropriation to pay the claim of A. C. Brunzell and E. S. Brunzell, copartners, against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Fisher: Assembly Bill No. 1200—An act to repeal sections 1120 to 1140, inclusive, of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Fisher: Assembly Bill No. 1201—An act to amend section 4095 of the Political Code, relating to the duties of county auditors.

Bill read first time, and referred to Committee on County Government.

By Mr. Badham: Assembly Bill No. 1202—An act to add a new section to the Agricultural Code to be numbered 344.5 and to amend sections 348, 356 and 357, all relating to marks and brands.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Lyon: Assembly Bill No. 1203—An act to amend sections 1393 and 1394½ of the Political Code of California, relating to fees and tuition at the university.

Bill read first time, and referred to Committee on Universities.

By Mr. Lyon: Assembly Bill No. 1204—An act to amend section 5.21, Article III, Chapter I, Division V, of the School Code of California.

Bill read first time, and referred to Committee on Education.

By Mr. Lyon: Assembly Bill No. 1205—An act to add section 3.362 to Article I, Chapter VI, Part III, Division III, of the School Code of California, relating to junior colleges.

Bill read first time, and referred to Committee on Education.

By Mr. Lyon: Assembly Bill No. 1206—An act amending section 6 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisition is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, relating to special assessment proceedings.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Lyon: Assembly Bill No. 1207—An act appropriating money to pay the claim of city of Los Angeles against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Lyon: Assembly Bill No. 1208—An act to amend section 526 of the Code of Civil Procedure, relating to injunctions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 1209—An act to amend item "Eight" and "Seventeen," section 1432, of the Political Code of California, relating to the general powers and duties of Regents of the University.

Bill read first time, and referred to Committee on Universities.

By Mr. Robinson, C. Ray: Assembly Bill No. 1210—An act to add section 113 to the California Irrigation District Act, relating to actions and proceedings against an irrigation district or the board of directors thereof, brought by the holders of bonds of the district.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Fisher: Assembly Bill No. 1211—An act to add a new section to the Vehicle Code to be known as section 603, relating to the operation of authorized emergency vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Sullivan: Assembly Bill No. 1212—An act to provide emergency unemployment relief through State loans in aid of counties and

municipalities administering such relief work; and making an appropriation for such purpose.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Sullivan: Assembly Bill No. 1213—An act providing for the issuance and sale of State bonds for the single object of creating a fund to finance the operation of an act passed at the fiftieth regular session of the Legislature of the State of California, providing for loans to political subdivisions and municipal corporations for unemployment relief.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Grubbs: Assembly Bill No. 1214—An act to repeal Chapter 4 of Division V of the Agricultural Code embracing sections 891 to 900 inclusive, relating to field crops.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Grubbs: Assembly Bill No. 1215—An act to repeal Articles I and II of Chapter I of Division III of the Agricultural Code, embracing sections 301 to 317 inclusive, and sections 321 to 324 inclusive, relating to meat.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Sullivan: Assembly Bill No. 1216—An act providing for a system of unemployment reserves and compensation, making an appropriation therefor and prescribing penalties in connection therewith.

Bill read first time, and referred to Committee on Insurance.

By Mr. Badham: Assembly Bill No. 1217—An act to amend section 312 of the Agricultural Code, relating to meat inspection.

Bill read first time, and referred to Committee on Agriculture.

By Mr. West: Assembly Bill No. 1218—An act to amend section 111 of the Penal Code, relating to a payment by the State of costs of certain criminal trials.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Powers: Assembly Bill No. 1219—An act to amend sections 5.1 and 5.2 of the School Code, relating to State colleges.

Bill read first time, and referred to Committee on Education.

By Mr. Powers: Assembly Bill No. 1220—An act to amend sections 5.10 and 5.84 of the School Code, relating to State colleges.

Bill read first time, and referred to Committee on Teachers Colleges.

By Mr. Stannard (by request): Assembly Bill No. 1221—An act to amend section 44 of the Motor Vehicle Act of the State of California, in relation to the registration of motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Stannard (by request): Assembly Bill No. 1222—An act to amend section 77a of the Motor Vehicle Act of the State of California, in relation to the fees to be paid for registration.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Bowers, Powers, Bliss, Stream, Burns, and Meeker: Assembly Bill No. 1223—An act to amend sections 5.1, 5.2, 5.20, 5.21, 5.23, 5.25, 5.26, 5.40, 5.44, 5.60, 5.61, 5.62, 5.70, 5.80, 5.84, 5.86, 5.87,

5.88, 5.89, 5.90, 5.91, 5.92, 5.93, 5.100, 5.101, 5.102, 5.103, 5.104, 5.105, 5.110, 5.112 of the School Code, and to repeal Article II of Chapter I of Part I of Division V thereof embracing section 5.10, all relating to the organization, government, and control of State teachers colleges.

Bill read first time, and referred to Committee on Teachers Colleges.

By Mr. Lyon: Assembly Bill No. 1224—An act to regulate the conduct of commercial manufacturers of jams, jellies, marmalades and preserves; to carry on such regulation, to provide rules and regulating the proper sanitation, and adopt standards and definitions for preserves, marmalades, jellies and jams.

Bill read first time, and referred to Committee on Manufactures.

By Mr. Woolwine (by request): Assembly Bill No. 1225—An act to add section 3485 to the Civil Code, relating to nuisances.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Clowdsley, Cronin, Hornblower, Dempster, Powers, West and Crist: Assembly Bill No. 1226—An act to amend section 8 of, and to add section 17 to, an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to personal property brokers and the licensing of such brokers and exemptions from said act.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 1227—An act to amend section 2179 of the Political Code, relating to guardians and estates of insane persons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Powers: Assembly Bill No. 1228—An act to amend section 1461 of the Probate Code, relating to guardians of insane and other incompetent persons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Badham: Assembly Bill No. 1229—An act to amend sections 5.404, 5.420, 5.500, 5.503, 5 510, 5 520, 5.521, 5.650, 5.651, 5.652, 5.654, 5 655, 5 657, 5.658, 5.662, 5.663, 5.681, 5.691, and 5.710, and repealing sections 5.653, 5.664 and 5.682, and adding new sections to be numbered 5.505, 5 506 and 5.666 of the School Code of the State of California, relating to the employment, classification, dismissal and suspension of employees requiring certification qualifications.

Bill read first time, and referred to Committee on Education.

By Mr. Crist: Assembly Bill No. 1230—An act to add Chapter III entitled "Property Held in Joint Tenancy" and section 270 therein to Division II of the Probate Code, relating to joint tenancy.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Ross: Assembly Bill No. 1231—An act to define and regulate the practice of shorthand reporting; creating a State Board of Shorthand Reporting; and providing for its powers and duties; providing for the examination and certification of shorthand reporters, with the designation of "Certified shorthand reporter"; providing for the reporting, taking, and certifying of depositions by certified short-

hand reporters; and prescribing penalties for violations of this act and to repeal section 270 of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Nielsen (by request): Assembly Bill No. 1232—An act for the improvement of the election laws of the State; providing for the investigation of the methods and conditions of voting and the laws pertaining thereto, to determine more simple, economic, and uniform methods of conducting elections, and to report to the Legislature, and providing for the expenses of carrying out the provisions therefor.

Bill read first time, and referred to Committee on Elections.

By Mr. O'Donnell: Assembly Bill No. 1233—An act to amend section 2322x32 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-second class.

Bill read first time, and referred to Committee on County Government.

By Mr. O'Donnell: Assembly Bill No. 1234—An act to amend section 19x32 of the Juvenile Court Law, relating to probation officers in counties of the thirty-second class.

Bill read first time, and referred to Committee on County Government.

By Mr. O'Donnell: Assembly Bill No. 1235—An act to amend section 4261 of the Political Code, relating to compensation of county and township officers in counties of the thirty-second class.

Bill read first time, and referred to Committee on County Government.

By Mr. O'Donnell: Assembly Bill No. 1236—An act to amend section 737eee of the Political Code, relating to the superior judge in and for the county of Yolo.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. O'Donnell: Assembly Bill No. 1237—An act to amend section 16x32 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the thirty-second class.

Bill read first time, and referred to Committee on County Government.

By Mr. Badham: Assembly Bill No. 1238—An act appropriating to the cities of the State, in proportion to the vehicle registration therein, one-third of all moneys received by the State in payment of license taxes in connection with the regulation or licensing of the business of producing, refining, distributing or dealing in or with gasoline, distillate or other motor vehicle fuels or materials used in the blending, compounding or manufacturing thereof, and one-third of all moneys received by the State as license or registration fees in connection with the ownership, operation or use of vehicles, allowing certain deductions therefrom and providing for the use thereof by the cities; dividing the remaining two-thirds of these funds between the counties and

the State and providing for powers and duties of county and State officers with respect thereto and defining terms herein used.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Dempster: Assembly Bill No. 1239—An act to amend section 791 of the Political Code, relative to notaries public.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 1240—An act to add a new section to Chapter VI of Title XIV of Part IV of Division III of the Civil Code to be known as section 3045, covering the lien of an attorney at law.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 1241—An act to provide for, and to govern the incorporation, management and control of cooperative exchange associations, and to regulate the issuance, circulation and redemption of evidences of commodity ownership of service credits, among members, and to prescribe the methods of record and accounting for such associations, and generally to provide for their operation and control.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Martin: Assembly Bill No. 1242—An act to add a new section to the Penal Code, to be numbered 597h, relating to cruelty to animals and defining and prohibiting coursing and prescribing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Martin: Assembly Bill No. 1243—An act to add a new section to the "California Vehicle Act," to be numbered 151a, relating to the transportation of live animals on motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr Martin: Assembly Bill No. 1244—An act to add a new section to the California Vehicle Act to be numbered 151b, relating to rendering assistance to domestic animals injured by a vehicle, conveying it to a veterinarian, and notifying the owner thereof.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Callahan: Assembly Bill No. 1245—An act to enable former bona fide depositors of the Guaranty Building and Loan Association of Los Angeles, a building and loan corporation, organized and existing under, and by virtue of, the laws of the State of California, and empowering and authorizing such former depositors of said association to institute an action against the people of the State of California for the recovery of such sum, or sums, of money as may be found due and owing by, or from, the said Guaranty Building and Loan Association of Los Angeles, and/or from the State of California, to such bona fide depositors, who shall, or may, bring or institute such action, or actions, by reason, and arising out of the defalcations, misappropriations, embezzlements, misapplications, or misuse, or any combination thereof, of the funds of said corporation by one Gilbert R. Beesemyer, and of

those associated with him in the conduct and supervision of the said Guaranty Building and Loan Association of Los Angeles, and by reason of the negligence, malfeasance or misfeasance or any combination thereof, of the officers, agents, or servants, or of the State of California, contributing to, aiding, or abetting, the said Gilbert R. Beesemyer, and others associated with him in the conduct of the affairs of the said Guaranty Building and Loan Association, and chargeable, or chargeable, under the laws of the State of California with supervision of the conduct and affairs of the said Guaranty Building and Loan Association, in such defalcations, misappropriations, embezzlements, misapplications, or misuse, or any of them.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Levey: Assembly Bill No. 1246—An act to amend section 3664a of the Political Code, relating to the tax of public service and other companies for the benefit of the State.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Field: Assembly Bill No. 1247—An act to amend section 927 of the Code of Civil Procedure, relating to small claims courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Turner: Assembly Bill No. 1248—An act to amend sections 2.801, 2.802 and 2.805 of the School Code, and to repeal section 2.804 thereof, relating to the liability of school districts and members of governing boards thereof.

Bill read first time, and referred to Committee on Education.

By Mr. Hornblower: Assembly Bill No. 1249—An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Hornblower: Assembly Bill No. 1250—An act to add sections 1156, 1157 and 1158 to the Fish and Game Code, relating to the closing of areas to hunting.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1251—An act to amend section 991 of the Fish and Game Code, relating to commercial fishing licenses.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1252—An act to amend section 698 of the Fish and Game Code, relating to black bass.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1253—An act to add a new section to the Fish and Game Code, to be numbered 1203.6, relating to pheasants.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1254—An act to add a new section to the Fish and Game Code, to be numbered 488.5, relating to fish hatcheries.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1255—An act to amend section 373f of the Political Code, relating to officers under the Department of Natural Resources.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr Hornblower: Assembly Bill No. 1256—An act to amend section 1230 of the Fish and Game Code, and to add a new section to the Fish and Game Code to be numbered 1340.5, relating to predatory mammals and rodents.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1257—An act to amend section 1177 of the Fish and Game Code, and to add thereto a new section to be numbered 1203.5, relating to game.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1258—An act to amend section 1251 of the Fish and Game Code, relating to deer.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1259—An act to add a new section to the Fish and Game Code, to be numbered 492 5, relating to shipment of game fish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1260—An act to amend section 489 of the Fish and Game Code, relating to the taking of fish near spawn-taking stations.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1261—An act to amend section 106 of the Penal Code, relating to the penalty for attempting to escape from prison.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Hornblower: Assembly Bill No. 1262—An act to amend section 5 of an act entitled "An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor," approved May 28, 1931, relating to report to the Governor.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Messrs. Fisher, Crist and Hoffman: Assembly Bill No. 1263—An act to repeal section 842 of the Code of Civil Procedure, relating to practice of law in justice's courts.

Bill read first time, and referred to Committee on Judiciary

By Mr. Lyon: Assembly Bill No 1264—An act to amend sections 1, 3, 4, 5, 6, 10, 11, 12, 12a, 13, 17 and 20a of the California Real Estate Act, to add thereto a new section to be numbered 11b, and to repeal sections 9a, 9b, 9c, and 9d thereof, relating to the regulation, supervision and licensing of real estate brokers and salesmen.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 1265—An act to add a new section to the Code of Civil Procedure to be numbered 329, relating to the limitation of the time within which actions for the foreclosure of street improvement assessment liens against real property may be commenced, when the assessments are made payable in installments pursuant to bonds or other written obligations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 1266—An act declaring passenger stages a public nuisance when operated over the public highways of this State by passenger stage corporations without such corporations having first secured a certificate of public convenience and necessity from the Railroad Commission of the State of California, prescribing the duties of officers of the law in respect thereto, providing for actions for the seizure, forfeiture and sale of such passenger stages and prescribing the procedure relative thereto.

Bill read first time, and referred to Committee on Public Utilities.

By Mr Cronin: Assembly Bill No. 1267—An act to amend section 12 of the State Housing Act, relating to height limitations of semi-fireproof apartment houses or hotels and providing a method of measurement for such buildings.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Cronin: Assembly Bill No. 1268—An act establishing roads within the grounds of certain State institutions as State highways and classifying them as secondary highways.

Bill read first time, and referred to Committee on Roads and Highways

By Mr. Cronin: Assembly Bill No. 1269—An act to amend section 206 of the Code of Civil Procedure, relating to the number of persons and where selected from for service as jurors in the trial courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 1270—An act to amend section 578 of the Probate Code, relating to compounding debts and compromises by executors and administrators

Bill read first time, and referred to Committee on Judiciary.

By Mr. Craig: Assembly Bill No. 1271—An act to provide for the incorporation, organization, and operation of cash depositories in the State of California.

Bill read first time, and referred to Committee on Banking.

By Mr. Craig: Assembly Bill No. 1272—An act relating to the marking of State highways for the purpose of indicating route numbers and making readily available information of a cautionary, regulatory or directional nature pertaining to the use of such highways, and defining the powers and duties of the State Department of Public Works and the Division of Highways in relation thereto.

Bill read first time, and referred to Committee on Roads and Highways

By Messrs. Gilmore and Hornblower: Assembly Bill No. 1273—An act to revise an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to wrestling and boxing.

Bill read first time, and referred to Committee on Public Morals.

By Messrs. Hornblower and Gilmore: Assembly Bill No. 1274—An act to amend sections _____ of the Vehicle Code.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. O'Donnell, Meeker and Zion: Assembly Bill No. 1275—An act to consolidate at Davis all the activities of the College of Agriculture of the University of California.

Bill read first time, and referred to Committee on Universities.

By Messrs. Bowers and Powers: Assembly Bill No. 1276—An act to amend sections 5.120, 5.133, 5 134, 5.180, 5.181, 5.182 and 5.540 of the School Code, all relating to the granting of teaching credentials and certificates.

Bill read first time, and referred to Committee on Education.

By Mr. Nielsen: Assembly Bill No. 1277—An act defining clinics and dispensaries and providing for the operation, conduct, maintenance, and the examination and regulation thereof, and the issuance of permits therefor by the State Board of Public Health and the Director of Public Health.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Robinson, Samuel E.: Assembly Bill No 1278—An act creating the Colorado River Board of California and the office of Colorado River Commissioner of California, providing for the powers and duties of said board and office and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Powers: Assembly Bill No. 1279—An act to provide for the issuance of assessor's emblems for certain vehicles upon the assessment of personal property taxes and prescribing the type of emblems to be issued and the manner of displaying such emblems on the vehicles for which issued and prescribing the penalties for any violation of this act and declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Hornblower: Assembly Bill No. 1280—An act to amend sections 452a, 452b, 452c, 452d, 452e, 452f, 452g and 453 of the Civil Code, all relating to mutual benefit and life insurance associations.

Bill read first time, and referred to Committee on Insurance.

By Mr. West: Assembly Bill No. 1281—An act to add a new section to the Penal Code, to be numbered 603, relating to trespass.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Patterson: Assembly Bill No. 1282—An act to amend section 2.1231 of the School Code, at page 108, to read as follows: "The rate of mileage allowed the county superintendent of schools shall be the same as that allowed to the sheriff."

Bill read first time, and referred to Committee on Education.

By Mr Powers: Assembly Bill No. 1283—An act to amend section 1272 of the Fish and Game Code, and to add thereto a new section to the Fish and Game Code to be numbered 1272.5, relating to deer.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 1284—An act to add a new section to the Fish and Game Code, to be numbered 1414, relating to the forfeiture of hunting and fishing equipment illegally used.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 1285—An act to amend the Fish and Game Code by amending sections 651, 652, 653 and 655 thereof, and by adding thereto a new section to be numbered 490 5, relating to the taking of fish with spears.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs. Hornblower, Scudder and Frazier: Assembly Bill No. 1286—An act to add three new sections to the Fish and Game Code, to be numbered 170, 171 and 172, relating to fish and game districts; refuges.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 1287—An act to amend sections of the Fish and Game Code.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 1288—An act to amend sections 851, 861, 869, 870 and 871 and to repeal sections 853, 855, 856, 857, 858, 859, 862, 864, 865, 866, 867 and 868 of the Agricultural Code, relating to canned foods.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Roland. Assembly Bill No. 1289—An act to amend section 2924 of the Civil Code and to add new sections 2924b, 2924c and 2924e to the Civil Code, all relating to deeds of trust and mortgages.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roland: Assembly Bill No. 1290—An act to add a new section 725 to the Code of Civil Procedure to amend 726 of the Code of Civil Procedure and to add a new section 726a to the Code of Civil Procedure, all relating to mortgages and deeds of trust.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roland: Assembly Bill No. 1291—An act to add a new section 2924d to the Civil Code, relating to deeds of trust and mortgages with a power of sale and fees for foreclosing same.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Phillips (by request): Assembly Bill No. 1292—An act providing for the creation and management of "California Desert Park," giving to the Director of Natural Resources, powers and duties with respect thereto in the acquiring of land and other property therefor and in the creation, maintenance and improvement of said park; providing for the maintenance and improvement of the same and making an appropriation therefor, and declaring the highways therein and leading thereto to be State highways.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Fisher: Assembly Bill No. 1293—An act to amend section 925 of the Penal Code of the State of California, relating to grand juries.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Fisher and Crist: Assembly Bill No. 1294—An act to add a new section to the Penal Code of the State of California, numbered 952a, relating to indictments and informations.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Fisher and Crist: Assembly Bill No. 1295—An act to amend section 995 of the Penal Code, relating to indictments and informations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Sullivan: Assembly Bill No. 1296—An act to repeal section 831d of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 1297—An act to amend section 7 of an act entitled "An act for the registration of deaths, the issuance and registration and burial and disinterment permits and the establishment of registration districts in county, cities and counties, cities and incorporated towns under the superintendence of the State Bureau of Vital Statistics and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration, and fixing penalties for violation of this act,"

approved March 18, 1905, as amended, relating to powers and duties of coroners.

Bill read first time, and referred to Committee on County Government.

By Mr. Wright: Assembly Bill No. 1298—An act to amend sections 7 and 8 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Bill read first time, and referred to Committee on County Government.

By Mr. Levey (by request): Assembly Bill No. 1299—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Latham: Assembly Bill No. 1300—An act to amend section 3633 of the Political Code, relating to equalization of assessments.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Levey (by request): Assembly Bill No. 1301—An act to amend "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, by amending sections 1, 5, and 24 thereof.

Bill read first time, and referred to Committee on Elections.

By Mr. Utt: Assembly Bill No. 1302—An act to amend sections 6, 7 and 26, and to add two new sections to be numbered sections 7a and 21a to the Corporate Securities Act, all relating to corporations.

Bill read first time, and referred to Committee on Corporations.

By Mr. McMurray: Assembly Bill No. 1303—An act to amend section 2176 of the Political Code, relating to insane persons and inebriates.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Martin: Assembly Bill No. 1304—An act to amend section 4191, Political Code, relating to the use of the law library fund.

Bill read first time, and referred to Committee on County Government.

By Messrs. Cobb and Hoffman: Assembly Bill No. 1305—An act to amend an act of the Legislature of the State of California entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, by amending sections 6, 10 and 12 thereof and relating to notice, assessment limitations, incidental expenses of proceedings and payment of portions of the cost from public funds.

Bill read first time, and referred to Committee on Municipal Corporations

By Mr. Dempster (by request): Assembly Bill No. 1306—An act to regulate the practice of naturopathy, to establish a State Board of Naturopathic Examiners, to provide for their appointment and prescribe their powers and duties, defining the practice of naturopathy and prescribing the terms upon which licenses may be issued for such practice, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Greene: Assembly Bill No. 1307—An act to amend section 44 of the California Vehicle Act, relating to the registration of motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles

By Mr. Greene: Assembly Bill No. 1308—An act for the preservation of the fur-bearing wild animals of the State, regulating the taking and the killing thereof, defining the powers and duties of the Fish and Game Commission in relation thereto, and prescribing the penalties for violations of the provisions thereof

Bill read first time, and referred to Committee on Fish and Game

By Mr. Greene: Assembly Bill No. 1309—An act to amend sections 3746, 3751, 3756, 3817 and 3817a of the Political Code, relating to property tax, delinquency penalties and assessments.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Lyon: Assembly Bill No. 1310—An act to amend sections 2, 3 and 14 of, and to add section 3a to, the State Civil Service Act, and

to repeal section 686 of the Political Code, relating to the administration of said act, defining the powers and duties of the Civil Service Commission and transferring to said commission the powers, duties, functions and responsibilities of the Division of Personnel and Organization and the Department of Finance in relation to the administration of said act.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Crowley: Assembly Bill No. 1311—An act to amend section 3817 of the Political Code of the State of California, relating to tax delinquencies, penalties and redemption.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Crowley: Assembly Bill No. 1312—An act to amend section 737vv of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Solano.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Crowley (by request): Assembly Bill No. 1313—An act to amend section 514 of the Penal Code, relating to embezzlement.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Crowley: Assembly Bill No. 1314—An act to amend sections 4.200, 4.210 and 4.773 of the School Code of California, relating to apportionment of school moneys.

Bill read first time, and referred to Committee on Education.

By Mr. Hatch: Assembly Bill No. 1315—An act to amend sections 692 and 694 of the Code of Civil Procedure, relating to notices of sale under execution and power of sale and to the conduct of such sale.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hatch: Assembly Bill No. 1316—An act to amend section 726 of the Code of Civil Procedure, relating to deficiency judgments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hatch: Assembly Bill No. 1317—An act to add a new section to the Code of Civil Procedure to be numbered 702a, relating to the redemption of property sold under provision of a deed of trust.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hatch: Assembly Bill No. 1318—An act to add sections 2924b, 2924c, 2924d, 2924e and 2924f to the Civil Code, all relating to deeds of trust and mortgages.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Boyle: Assembly Bill No. 1319—An act to amend section 13 of the "Juvenile Court Law," relating to the transfer of cases to the juvenile court of the county wherein the person filed against resides, whenever a petition has been filed in the juvenile court of a county other than the residence of such person so filed on as coming within any of the provisions of said "Juvenile Court Law," or whenever, subsequent to the filing of a petition in the juvenile court of

the county where such person resides, the residence of such person is changed to another county.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Boyle: Assembly Bill No. 1320—An act providing for the creation of a California Truck Commission of five members to be appointed by the Governor; such commission to govern, regulate and supervise all private highway transportation companies; providing an annual fee of twenty-five dollars ($25) together with fifty cents ($0.50) per ton of load capacity of motor vehicles operated by private highway transportation companies, two hundred thousand dollars ($200,000) of these fees is appropriated for the expense of the commission; providing that all yearly fees collected in excess of two hundred thousand dollars ($200,000) to go into the general fund of the State of California at the close of each fiscal year; defining a private highway transportation company; providing that all existing truck owners who operated a private highway transportation business as defined in this act for the period between July 1, 1932, and June 30, 1933, shall be granted an operating permit to continue his business; and providing for the establishment of a system of minimum rates to be complied with by all private highway transportation companies.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Boyle: Assembly Bill No. 1321—An act to add a new section to the Penal Code, to be numbered 654d, relating to advertisements of drugs or medicines.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Boyle: Assembly Bill No. 1322—An act to add a new section to be numbered section 12 to an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, as amended, relating to the reimbursement of counties and cities and counties by the State for the amount of relief and support extended by them to indigent persons of the age of 70 years or more who are eligible for aid under the provisions of said act and making an appropriation therefor.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Maloney: Assembly Bill No. 1323—An act to amend section 3 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the election and appointment of officers of the Board of Dental Examiners.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. West: Assembly Bill No. 1324—An act to amend section 664 of the Code of Civil Procedure, relating to the time within which judgment upon a verdict shall be entered.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cobb: Assembly Bill No. 1325—An act to amend sections 224m, 226 and 227 of the Civil Code and to repeal section 2346 of the Political Code, relating to the adoption of children.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Badham (by request). Assembly Bill No. 1326—An act to repeal an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Field: Assembly Bill No. 1327—An act to amend section 2 of an act entitled "An act providing for the establishment and maintenance of a State nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along the highways and in public places, and making an appropriation therefor," approved May 15, 1917, relating to the sale of nursery stock.

Bill read first time, and referred to Committee on State Grounds and Parks.

By Mr. Field: Assembly Bill No. 1328—An act to amend section 3 of the California Real Estate Act, relating to the printing of directory of brokers and salesmen.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Lyon, Hallner and McBride: Assembly Bill No. 1329—An act to provide for the regulation and licensing horse racing and horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Dempster (by request): Assembly Bill No. 1330—An act providing for supervision, limitation and control of budgets of counties, cities, and counties and cities, and all municipal corporations; creating a tax supervising and conservation board in and for each county, and city and county, and prescribing its powers and duties; providing for

appeals from orders of such boards; providing for hearings before such boards; authorizing the board to incur indebtedness; providing for publicity of the board's recommendations; providing penalties for violations of this act; and providing for the repeal of sections _____.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Dempster (by request): Assembly Bill No. 1331—An act to amend an act entitled "An act to create a public corporation to be known as 'The State Bar of California,' to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violations of said act," by adding a new section to said act to be numbered 47a.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster (by request): Assembly Bill No. 1332—An act to amend section 11½ of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913.

Bill read first time, and referred to Committee on Judiciary.

By Mr Lyon: Assembly Bill No. 1333—An act to add a new section to the Penal Code to be numbered section 593b, relating to climbing upon poles, towers and other structures supporting wires or cables, transmitting electric energy.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Greene: Assembly Bill No. 1334—An act to amend section 1240 of the Code of Civil Procedure, relating to the taking of private property under proceedings in eminent domain.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Greene: Assembly Bill No. 1335—An act to amend section 363c of the Political Code, relating to the Director of Public Works.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Greene: Assembly Bill No. 1336—An act transferring a parcel of State park land in Humboldt County from the Department of Natural Resources to the Department of Public Works to be used for State highway purposes

Bill read first time, and referred to Committee on State Grounds and Parks.

By Mr. Greene: Assembly Bill No. 1337—An act to amend section 692 of the Political Code, relating to the approval of contracts by the Director of Finance.

Bill read first time, and referred to Committee on Ways and Means.

By Mr Greene Assembly Bill No 1338—An act to add a new section to the Political Code to be numbered 363cc, authorizing the filing for

record of State highway maps and prescribing the duties of county recorders with relation thereto.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Greene: Assembly Bill No. 1339—An act to amend section 1 of an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, Statutes of 1919, page 756.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Williamson: Assembly Bill No 1340—An act to amend sections 6, 9, 10, 13, 14, 15, 16, 20, 21 and 22 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Williamson: Assembly Bill No 1341—An act to amend section 2 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulations to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Williamson: Assembly Bill No. 1342—An act to amend sections 6, 9, 10, 11, 12, 13, 14, 15, 16 and 20 of an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to power of the State Board of Public Health.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Nielsen: Assembly Bill No. 1343—An act to add a new section to the Political Code, to be numbered 363dd, authorizing the Director of Public Works to enter into agreements for the construction, maintenance, and use of State highway bridges jointly by the public and private owners.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Nielsen: Assembly Bill No. 1344—An act to add a new section to the Political Code to be known as section 373k, authorizing the Director of Natural Resources to grant easements for public highways

over State park lands on terms and conditions to be prescribed by the State Park Commission.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Nielsen: Assembly Bill No. 1345—An act to amend section 2631 of the Political Code, relating to the accepting or taking of land for highways by adding to said section a provision concerning the ownership of the fee of such lands.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Nielsen: Assembly Bill No. 1346—An act making an appropriation out of the State general fund to pay the claim of the disbursing officer of the Department of Public Works against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Nielsen: Assembly Bill No. 1347—An act making an appropriation out of the State general fund to pay the claim of the disbursing officer of the Department of Public Works against the State of California

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Nielsen: Assembly Bill No. 1348—An act making an appropriation out of the State highway maintenance fund to pay the claim of the disbursing officer of the Department of Public Works against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. King: Assembly Bill No. 1349—An act to repeal section 4 of the Old Age Security Act of the State of California, relating to the ownership of real property.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. King: Assembly Bill No. 1350—An act to add a new section to the Political Code, to be numbered 4052b1, to authorize county aid for district public parks, beaches and recreation grounds.

Bill read first time, and referred to Committee on County Government.

By Mr. Craig: Assembly Bill No. 1351—An act to amend section 4156b of the Political Code, prohibiting district attorneys of counties or cities and counties from defending or assisting in the defense of, or acting as counsel for, defendants in civil actions and proceedings, when the State or any county or city and county or municipality or other political subdivision of the State, is a party plaintiff, and to redesignate said section 4156b as section 4156c of the Political Code.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Craig: Assembly Bill No. 1352—An act to regulate contracts on behalf of the State in relation to the construction, repair, or improvement of any State structure, building, road, or other State improvement of any kind and to repeal an act entitled "An act to regulate contracts on behalf of the State in relation to the erection,

construction, alteration, repair, or improvement of any State structure, building, road or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,' approved March 22, 1909."

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Craig: Assembly Bill No 1353—An act to add sections 363r, 363s, 363t, 363u, 363v, 363w, 363x, 363y, 363z, 363aa and 363bb to the Political Code, to amend section 363h of the Political Code, and to repeal sections 365, 365a, 365b, 365c, 365d, 365e, 365f and 365m, all relating to State roads and highways, and the powers and duties of the Director of Public Works, Department of Public Works, and California Highway Commission in respect thereto.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Craig: Assembly Bill No 1354—An act to amend section 536 of the Civil Code, relating to telegraph and telephone lines within public roads and highways.

Bill read first time, and referred to Committee on Roads and Highways

By Mr. Craig: Assembly Bill No. 1355—An act to amend sections 587 and 1515 of the Probate Code, relating to the dedication of real property by executors, administrators and guardians

Bill read first time, and referred to Committee on Roads and Highways

By Mr. Craig: Assembly Bill No. 1356—An act to amend section 374b of the Penal Code, relating to the deposit of offensive matter on public highways.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. West: Assembly Bill No. 1357—An act to add a new section to the Probate Code, to be numbered section 1026, relating to distribution of an estate where no heirs appear in the course of administration and claim the estate or some part thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Riley: Assembly Bill No. 1358—An act to add a new section to the Political Code, to be numbered 353ee, authorizing the closing of State highways during storms or during construction and maintenance operations, and to repeal section 588b of the Penal Code.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Riley: Assembly Bill No. 1359—An act to amend section 588c of the Penal Code, relating to the injury, defacement or removal of monuments or stakes placed, erected or used by the Department of Public Works, its officers or employees, on or along any State road or highway, or in connection with State road or highway work, and prescribing a penalty for the violation of such section.

Bill read first time, and referred to Committee on Roads and Highways

By Mr. Riley: Assembly Bill No. 1360—An act to amend an act entitled "An act to provide for the care, management and protection of State highways and providing penalties for violations of the provisions of the act," approved May 20, 1915, as amended.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Riley: Assembly Bill No. 1361—An act to amend an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915, as amended.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Riley: Assembly Bill No. 1362—An act to amend section 588b of the Penal Code, relating to the breaking down, removal, injury or destruction of barriers or obstructions, the tearing down, removal or destruction of notices, or the extinguishing, removal, injury or destruction of warning lights or lanterns, on a State road or highway, and prescribing a penalty for the violation of such section.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Hornblower: Assembly Bill No. 1363—An act to add section 21.5 to the Fish and Game Code, relating to suits against officers and deputies.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs. Lyon and Greene: Assembly Bill No. 1364—An act to permit the State Treasurer to accept a donation for the retirement of the California Olympiad bonds.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Lyon: Assembly Bill No. 1365—An act to amend sections 1, 4b, 8 and 9 of an act entitled "An act to provide for the regulation, control, and licensing of any person, firm or corporation engaging in the business of milling, sampling, concentrating, reducing, refining, purchasing or receiving for sale, ores, concentrates, or amalgams, bearing gold or silver, gold dust, silver or gold bullion, nuggets or specimens; to provide rules and regulations therefor; and to provide penalties for the violation of the provisions of this act," approved April 15, 1925, as amended, and to add a new section to said act to be numbered 9a, relating to the ore buyer's license fund.

Bill read first time, and referred to Committee on Mines and Mining.

By Mr. Lyon: Assembly Bill No. 1366—An act to repeal section 694 of the Political Code, relating to the apportionment of moneys appropriated for county and district agricultural fairs.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

By Mr. Lyon: Assembly Bill No. 1367—An act to amend section 43½ of the Workmen's Compensation, Insurance and Safety Act, relating to the revolving fund of the State compensation insurance fund.

Bill read first time, and referred to Committee on Insurance.

By Mr. Alter: Assembly Bill No. 1368—An act to amend sections 4.161 and 4.190 of the School Code, relating to county elementary school funds.

Bill read first time, and referred to Committee on Education.

By Mr. Lyon: Assembly Bill No. 1369—An act to repeal "An act empowering the State Board of Health to examine sources from which shellfish are taken; making it unlawful to take shellfish from contaminated sources if determined by said board to be a menace to health; making violations of this act misdemeanors and providing for the punishment of same," approved April 5, 1917.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Lyon: Assembly Bill No. 1370—An act to amend sections 4, 7, 9, 14, and to add new sections 8a, 15a and 15b of an "Act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, etc.

Bill read first time, and referred to Committee on County Government.

By Mr. Ross: Assembly Bill No. 1371—An act to impose a special tax and regulate sales and distribution in this State of moving picture films sold or distributed by any person, firm, corporation or association in this State, and to provide methods and penalties for the enforcement of such tax.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Jones: Assembly Bill No. 1372—An act to amend section 1 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled, 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle

fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," approved May 26, 1927, relating to refunds.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Jones: Assembly Bill No. 1373—An act to amend section 13 of and to repeal sections 11 and 11a of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to refunds.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Hoffman: Assembly Bill No. 1374—An act to repeal an act entitled "An act to establish a State prison; creating a commission to select and purchase a suitable site therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct, and management thereof; and to make an appropriation therefor," approved June 4, 1929.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Meeker: Assembly Bill No. 1375—An act to add a new section to the Public Utilities Act, to be numbered 13a, relating to the temporary alteration or suspension of rates.

Bill read first time, and referred to Committee on Public Utilities.

By Messrs. Feigenbaum, Zion, Cottrell, Knowland, Roland, Phillips, West, Williamson, Powers and Redwine: Assembly Bill No. 1376—An act to amend sections 2, 4, 5, 7, 10, 23, 26 and 37 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities; providing for the enforcement of said act and penalties for violation thereof; and creating a State Corporation Department and office of 'Commissioner of Corporations'," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sale of securities, and the prevention of fraud in the sale of securities.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 1377—An act to amend section 15 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Feigenbaum, Williamson, Brock, Greene, Bliss, Bowers, Phillips, Martin, Rogers, Alter and Evans: Assembly Bill No. 1378—An act to regulate and license persons engaged in the business of outdoor advertising and to provide penalties for the violation hereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 1379—An act to amend section 5.405 of the School Code, relating to the employment of persons by school authorities.

Bill read first time, and referred to Committee on Education.

By Mr. Feigenbaum: Assembly Bill No. 1380—An act to amend section 429 of the Civil Code, relating to the funds from which corporations formed under the laws of this State having a capital stock and transacting fire, marine or inland navigation insurance business may make dividends.

Bill read first time, and referred to Committee on Insurance.

By Mr. Feigenbaum: Assembly Bill No. 1381—An act to amend section 2924 of the Civil Code and to add sections 2924b, 2924c, 2924d and 2924e to the Civil Code, all relating to the mortgages and deeds of trust.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 1382—An act to amend section 2924 of the Civil Code, relating to notice of sale under provisions of a deed of trust or mortgage.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 1383—An act to amend section 726 of the Code of Civil Procedure and to add sections 725 and 726a to the Code of Civil Procedure, all relating to mortgages and deeds of trust.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 1384—An act to repeal section 300 of the Civil Code, relating to corporations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 1385—An act to add a new section to the Probate Code, to be numbered section 1501a, providing that wage claims of not exceeding $200 each for work done within 90 days shall be preferred in the administration of the estates of minors and insane and incompetent persons, and paid promptly out of the first available assets of the estate as soon as their validity is established.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Feigenbaum: Assembly Bill No. 1386—An act to add two new sections to the Penal Code, to be numbered section 488a and 952a,

making a series of petty thefts, by the same or similar methods a felony, and providing what must be alleged in charging such an offense.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 1387—An act to amend section 1072 of the Political Code, relating to the compensation of election officials.

Bill read first time, and referred to Committee on Elections.

By Mr. Cronin: Assembly Bill No. 1388—An act to amend section 688 of the Political Code, relating to claims against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cronin: Assembly Bill No. 1389—An act to amend section 1847 of the Code of Civil Procedure, relating to witnesses presumed to speak the truth.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roland: Assembly Bill No. 1390—An act to add a new chapter to Title VI of Part II of the Penal Code, to be numbered X, embracing sections 1054 and 1054a, relating to material witnesses in criminal actions, the requiring and taking therefrom of undertakings, with sureties, for their appearance at the trials of such actions, the commitment thereof for failure to enter into such undertakings, and the conditional examination thereof, and to the use of depositions of such witness upon the trials of such actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roland: Assembly Bill No. 1391—An act to amend section 19 of the Juvenile Court Law, relating to referees in counties of the first class and third class, and authorizing the boards of supervisors in such counties to fix the compensation for such referees.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Maloney: Assembly Bill No. 1392—An act making an appropriation to pay the claim of John Bargetto against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Maloney: Assembly Bill No. 1393—An act to amend sections 3732, 3746, 3751, 3756, 3758, 3759, 3764, 3766, 3769, 3771a, 3797, 3817, 3817a and 3866, and to repeal sections 3765 and 3767 of the Political Code, relating to the assessment and collection of taxes on real and personal property.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Anglim and Miller, James A.: Assembly Bill No. 1394—An act to amend sections 3746, 3751, 3756, 3759 and 3817 of the Political Code, relating to payment of property taxes and delinquency and redemption penalties.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Miller, James A.: Assembly Bill No. 1395—An act to amend section 537 of the Code of Civil Procedure, relating to attachments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Miller, James A.: Assembly Bill No. 1396—An act to amend section 537 of the Penal Code, relating to nonpayment of charges of proprietors of hotels, inns, restaurants, boarding houses, lodging houses, apartment houses, or bungalow courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Miller, James A.: Assembly Bill No. 1397—An act to amend section 1861a of the Civil Code of the State of California relating to liens of landlords on the property of tenants.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Miller, James A.: Assembly Bill No. 1398—An act to amend section 1861a of the Civil Code, relating to liens of lessors of real property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Miller, James A.: Assembly Bill No. 1399—An act relating to the powers and duties of the State Board of Harbor Commissioners.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Miller, James A.: Assembly Bill No. 1400—An act to amend section 79 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act." relating to punishment for violation thereof.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Miller, James A.: Assembly Bill No. 1401—An act regulating the use of public highways by certain motor vehicles for commercial purposes, requiring the operators of such vehicles to secure permits from the Railroad Commission of California for the operation thereof, to foster a fair distribution of traffic between the several transportation agencies to the end that the public highways may be relieved of unnecessary commercial traffic and that necessary existing agencies of transportation shall be preserved, and providing penalties for violation of this act.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Miller, James A.: Assembly Bill No. 1402—An act to amend certain sections of "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and

the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," as amended.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Miller, James A.: Assembly Bill No. 1403—An act to amend certain sections of "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," as amended.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Greene: Assembly Bill No. 1404—An act to amend sections 2.170, 3 302 and 3.306 of the School Code, and to add thereto three new sections to be numbered 2.21, 2 22 and 2.23, and to repeal Chapter 63 of the Statutes of 1929 entitled "An act relating to the attendance of pupils attending school in a district other than the district in which they reside," all relating to the attendance of pupils attending school in school districts other than those in which they reside.

Bill read first time, and referred to Committee on Education.

By Mr. Ross: Assembly Bill No. 1405—An act to amend section 2 of that act known as the "Corporate Securities Act," relating to offering securities for sale.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Powers and Bliss: Assembly Constitutional Amendment No. 58—Proposed amendment to Article XI, section 5, of the Constitution, relative to county government.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Craig: Assembly Constitutional Amendment No. 59—Proposed amendment to Article XI, section 18, of the Constitution, relative to manner and extent in which indebtedness or liability of a county, city, town, township, board of education, or school district may be incurred.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Zion (by request): Assembly Constitutional Amendment No. 60—Proposed amendment to Article IX, section 2, of the Constitution, relative to the Superintendent of Public Instruction.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Zion (by request): Assembly Constitutional Amendment No. 61—Proposed amendment to Article IX, section 7, of the Constitution, relative to State Board of Education, textbooks, and county boards of education.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Dempster: Assembly Constitutional Amendment No. 62—Proposed amendment to Article VI, adding section 14½ of the Constitution, relative to judges pro tempore of the superior and municipal courts.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Chatters: Assembly Constitutional Amendment No. 63—Proposed amendment to Article IX, section 6, of the Constitution, relative to taxation for school purposes.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Chatters: Assembly Constitutional Amendment No. 64—Proposed amendment to Article XI, section 5, of the Constitution, and adding section 5.5 to said article, relative to the government of counties.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Roberts: Assembly Constitutional Amendment No. 65—Proposed amendment to Articles IV and V of the Constitution, relative to sessions of the Legislature, and procedure therein.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Levey: Assembly Constitutional Amendment No. 66—Proposed amendment to Article XI, by adding section 18¼, of the Constitution, relative to the expenditures of county, or city and county, or city, or school districts.

Bill read first time, and referred to Committee on Constitutional Amendments.

By Mr. Feigenbaum: Assembly Constitutional Amendment No. 67—Proposed amendment to Article XI, to be numbered 8¾ of the Constitution, relative to consolidation of counties, cities and counties, and cities.

Bill read first time, and referred to Committee on Constitutional Amendments.

By Messrs. Wright, Alter, Brock, Utt, Phillips, Lyon, McBride, Roberts, King, Zion, Woolwine, West, Bliss, Boyle, Cassidy, Cottrell, Craig, Crist, Crowley, Dempster, Fisher, Frazier, Hoffman, Hunt, Kallam, Martin, Mayo, Meehan, Meeker, Powers, Roland, Ross, Scudder, and Turner: Assembly Constitutional Amendment No. 68—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by amending sections 6 and 6½ of Article IX, sections 14, 15 and 16 of Article XIII, by adding a new section to be numbered 20 to Article XI, and by repealing sections 12½

and 18 of Article XIII, relating to taxation and the support of the public school system.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. O'Donnell, Meeker, Powers, Robinson, C. Ray; Frazier: Assembly Joint Resolution No. 13—Relative to memorializing the Congress of the United States to pass Senate Bill No. 1197.

Introduced, and referred to Committee on Federal Relations.

By Mr. Sullivan: Assembly Joint Resolution No. 14—Relative to memorializing Congress to adopt legislation abolishing the Federal tax on gasoline.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Sullivan asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 14, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER FOURTEEN.

Assembly Joint Resolution No. 14—Relative to memorializing Congress to adopt legislation abolishing the Federal tax on gasoline.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 14 was refused adoption by the following vote:

AYES—Alter, Badham, Boyle, Brock, Callahan, Cassidy, Clowdsley, Cobb, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Frazier, Hallner, Hornblower, Hunt, Jones, King, Latham, Mayo, McMurray, Miller, James A., Nielsen, O'Connor, Phillips, Riley, Rogers, Ross, Sullivan, Tournoux, Turner, and Williamson—34.

NOES—Bliss, Bowers, Cottrell, Craig, Evans, Fisher, Gilmore, Greene, Grubbs, Hoffman, Kallam, Knowland, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Thorp, Utt, West, Wright, Zion, and Mr. Speaker—39.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Messrs. Hallner and Lyon: Assembly Joint Resolution No. 15—Relative to memorializing and petitioning Congress to adopt a national system of insurance to protect bank depositors in the national banks of the United States.

Introduced, and referred to Committee on Federal Relations.

RESOLUTION.

The following resolution was offered:

By Messrs. Bliss and Levey:

WHEREAS, Substantial benefits could result to the citizens of all States from a closer contact between the various Legislatures, and many governmental difficulties are aggravated by the absence of adequate facilities for conference between these law-making bodies; and

WHEREAS, In connection with problems of taxation, the evils resulting from this lack of contact have become especially acute, and the further factor of the inability of the States to deal with the Federal government in an orderly and cooperative manner has involved heavy burdens upon the taxpayer, upon the Federal government, and upon each State; and

WHEREAS, The impaired ability of our people to bear the cost of government has now rendered these problems of taxation critical; and

WHEREAS, The burdens of our individual taxpayers, and the difficulties of each of our 48 States, imperatively require that an attempt be made to improve the situation; and

WHEREAS, This is a legislative problem and the present economic emergency creates an imperative necessity for joint counsel; and

WHEREAS, The Ways and Means Committee of the Congress has created a subcommittee on double taxation, and representatives of this committee have expressed the opinion that it would be desirable to confer with representatives of the State Legislatures; and

WHEREAS, An interstate conference of legislators is to be held on February 3 and 4, 1933, in Washington, D. C.; now, therefore, be it

Resolved, by the Assembly of the State of California, That Honorable Harry B. Riley, chairman of the Committee on Revenue and Taxation, be designated as the delegate of this Assembly to the Interstate Conference of Legislators.

Resolution read, and on motion adopted.

REPORT OF "TORRENS TITLE ASSURANCE FUND."

The following report from the chief of the Division of State Lands, Department of Finance, was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE,
DIVISION OF STATE LANDS, SACRAMENTO, January 27, 1933.

To the Assembly of the State of California.

Pursuant to the provisions of Chapter 800, Statutes of California, 1917, I respectfully report that, according to advices received, certificates of title have been issued to August 1, 1932, by the registrars of land titles under the Torrens Law in 18 of the 58 counties, as follows:

Alameda	147
Fresno	38
Humboldt	260
Imperial	433
Kern	106
Lassen	1
Los Angeles	70,699
Orange	6,450
Riverside	258
San Bernardino	4,058
San Diego	4,383
San Francisco	6
San Luis Obispo	3
Santa Barbara	588
Santa Cruz	51
Sonoma	408
Tulare	61
Ventura	1

The Torrens Act provides that upon the original registration of any land, a sum equal to one-tenth of one per cent of the assessed value of the land including permanent improvements thereon as the same were valued for county taxation the last time said land and permanent improvements or either thereof were assessed for county taxes next preceding the filing of the petition shall be collected by the registrar and paid to the State Treasurer to be credited to the "Torrens title assurance fund." The books of the State Treasurer show that on December 31, 1932, the "Torrens title assurance fund" had a cash balance of $612.65 and an investment of $34,000 in bonds

Respectfully submitted.

W. S. KINGSBURY,
Chief of the Division of State Lands of the Department of Finance.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 7—Relative to reports to be made by the

Department of Finance and the Civil Service Commission—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported Assembly Concurrent Resolution No. 7 ordered on file for adoption.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 341—An act making an appropriation to the Department of Public Works for the construction of the approaches to a toll bridge to be built across the bay of San Francisco, from the City and County of San Francisco to the county of Alameda, and providing that this act become effective immediately;

Also: Assembly Bill No. 342—An act determining the amount of money to be reimbursed to the State of California by the California Toll Bridge Authority, out of the proceeds of revenue bonds to be issued by it for the construction of a bridge across the bay of San Francisco from the City and County of San Francisco to the county of Alameda for preliminary surveys for which the State has heretofore appropriated funds, and providing that this act become effective immediately;

Also: Assembly Bill No. 343—An act to amend sections 1, 2, 3, 4, 5, 6 and 8 of Chapter 764 of the Statutes of 1929, entitled "An act to regulate the construction, operation and maintenance of toll bridges and toll roads situated wholly or in part within the State of California; vesting the exclusive jurisdiction over said toll bridges and toll roads in the Department of Public Works of the State of California; authorizing and empowering said department to grant upon certain terms, limitations, conditions and restrictions and under such supervision as in its judgment may be necessary, franchises, privileges or licenses for the construction or operation of toll bridges and toll roads and for the taking and keeping of tolls thereon, and to fix, determine, modify or change the rate of tolls to be taken thereon; to terminate the right of boards of supervisors to grant franchises, privileges or licenses for the construction, operation and the taking and keeping of tolls on toll bridges and toll roads; also providing that the State may purchase or retake any such toll bridges or toll roads constructed hereunder and repealing all other acts and parts of acts in conflict therewith," approved June 10, 1929, relative to toll ferries and extending the provisions of said act to toll ferries;

Also: Assembly Bill No. 344—An act to amend section 2620 of the Political Code, relating to the width of highways;

Also: Assembly Bill No. 345—An act directing the Department of Public Works to construct the approaches to a toll bridge to be built across the bay of San Francisco from the City and County of San Francisco to the county of Alameda; declaring such toll bridge and approaches to be a State highway; requiring their maintenance and operation by the Department of Public Works; and prescribing the manner in which the cost thereof shall be paid; and providing that this act become effective immediately;

Also: Assembly Bill No. 346—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended by Chapter 401, Statutes of 1931, approved May 25, 1931, entitled and known and cited as "California Toll Bridge Authority Act," by amending the title thereof, and by amending sections 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 17 and 19, and by adding thereto new sections numbered 6½, 13¼, 22½ and 22¾, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing that this act become effective immediately;

And reports that the same have been correctly enrolled and presented the same to the Governor on this twenty-sixth day of January, 1933, at five o'clock and fifteen minutes p.m.

PATTERSON, Chairman

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 11—Relating to memorializing Congress and Postmaster General Brown to adopt legislation or to permit the issuance of postage stamps commemorating the sixtieth anniversary of the planting of the parent Washington navel orange trees in honor of the California citrus industry.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Phillips asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 11, at this time, without reference to committee or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER ELEVEN.

Senate Joint Resolution No. 11—Relating to memorializing Congress and Postmaster General Brown to adopt legislation or to permit the issuance of postage stamps commemorating the sixtieth anniversary of the planting of the parent Washington navel orange trees in honor of the California citrus industry.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 11 adopted by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Zion, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 11 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 11.

Relating to memorializing Congress and Postmaster General Brown to adopt legislation or to permit the issuance of postage stamps commemorating the sixtieth anniversary of the planting of the parent Washington navel orange trees in honor of the California citrus industry.

WHEREAS, In December, 1873, Luther C. Tibbets, Riverside colonist, received from a friend in Washington, D. C., two small Washington navel orange trees of the seedless variety which had been imported from the city of Bahia in Brazil by the Agricultural Department of the United States; and

WHEREAS, In the same year, to wit, 1873, Mrs. L. C. Tibbets planted said navel orange trees in the city of Riverside, then a part of San Bernardino County, State of California; and

WHEREAS, The navel orange industry of the State of California in the years that have followed has grown to an industry with an annual income of approximately sixty-seven million dollars; and

WHEREAS, The aforementioned planting by these pioneers of the West has meant much and contributed greatly to the agricultural industry of the State of California and of the United States; and

WHEREAS, The people of the city of Riverside, county of Riverside, State of California, wish to commemorate the sixtieth anniversary of the planting of the said parent Washington navel orange trees, *as aforesaid, in honor of the great California* citrus industry by having a special postage stamp issued by the Post Office Department of the United States in commemoration of the said sixtieth anniversary of the aforesaid planting; now, therefore, be it

Resolved, by the Assembly and the Senate of the State of California, jointly, That the Legislature of said State urgently petition and request the Congress of the United States and/or Postmaster General Brown of the Post Office Department of the United States to adopt legislation to effect or permit the issuance of postage stamps commemorating the sixtieth anniversary of the planting of the parent Washington navel orange trees in honor of California citrus industry; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Vice President, the Speaker of the House of Representatives and to the Senators and Representatives of the State of California in Congress, and to Postmaster Brown of the United States.

MOTION TO PRINT BILLS.

Mr. Kallam moved that the Chief Clerk be instructed to have 1000 copies of Assembly Constitutional Amendment No. 68 printed.

Motion carried.

NOTICE OF RECONSIDERATION.

Mr. Craig gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Joint Resolution No. 14 was this day refused adoption.

ADJOURNMENT.

At six o'clock and ten minutes p m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, January 27, 1933, out of respect to the memory of Hon. T. R. Finley, former member of the Legislature.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, January 27, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West Williamson, Woolwine, Wright, Zion, and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL

During the reading of the Journal, on motion of Mr Crist its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. McMurray, Mr. and Mrs. Francis C. Brown of San Francisco were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Burns, Mr. and Mrs. Sam Wells of Eureka, member of the Game Refuge Commission, were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Gilmore:

From Bookbinders and Bindery Women's Union, relative to diverting gasoline tax money

(Signed) WM J OSTERLOH, Secretary.

REPORT OF SELECT COMMITTEE.

The report of Assembly Committee to study the Acquisition and Improvement Laws of the State of California, pursuant to Assembly resolution of the forty-ninth session of the Legislature, was received, and ordered placed on file.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 4—Relative to memorializing Congress to enact the Ludlow Unemployment Bill—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported Assembly Joint Resolution No. 4 ordered on file for adoption.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1933.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Concurrent Resolution No. 19—Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling, as amended in the Senate—has had the same under consideration, and respectfully reports the same back, and recommends that the Assembly do concur in said amendments.

COBB, Chairman.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 19?

AMENDMENT NUMBER ONE.

On page 1 of the printed resolution, as amended in the Assembly January 24, 1933, beginning with line 6, strike out all of lines 6, 7, 8, 9, 10 and 11, and insert in lieu thereof the following:

"Resolved by the Assembly of the State of California, the Senate thereof concurring, That the fiftieth session of the Legislature of the State of California shall adjourn for said recess at three o'clock in the afternoon on Saturday, January 28, 1933, and shall reassemble at the hour of eleven o'clock in the forenoon on Tuesday, February 28, 1933."

The roll was called, and Senate amendment to Assembly Concurrent Resolution No. 19 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Evans, Frazier, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—59.

NOES—None.

The above reported Assembly Concurrent Resolution No. 19 ordered to enrollment.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 20—Approving the charter of the city of San Buenaventura, a municipal corporation in the county of Ventura, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of January, 1932—and reports that the same has been correctly enrolled and presented the same to the Governor on this twenty-sixth day of January, 1933, at five o'clock and fifteen minutes p.m.

PATTERSON, Chairman

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 438—An act to amend section 15 of an act entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," approved March 1, 1929, as amended, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended, Assembly Joint Resolution No. 3—Relating to memorializing Congress to adopt legislation permitting the manufacture and sale of light wines—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

Assembly Joint Resolution No. 3 ordered referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, January 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 12—Relative to memorializing Congress to expedite the passage of Senate Bill No. 5121 and thereby relieve the unemployment situation in the several States.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

Senate Joint Resolution No. 12 read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, January 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 14—Relative to Federal aid road appropriations.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

Senate Joint Resolution No. 14 read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, January 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 7—Relative to the levy and collection by the United States Government on certain imports.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

Senate Joint Resolution No. 7 read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, January 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 909—An act relating to the use of facsimile signatures, declaring the urgency thereof, and providing that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cobb asked for, and was granted, unanimous consent to consider Senate amendment to Assembly Bill No. 909, without reference to committee.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 909?

AMENDMENT NUMBER ONE

In section 2 of Assembly Bill No. 909 strike out the words "Director of Finance", and insert in lieu thereof the words "State Board of Control".

The roll was called, and Senate amendment to Assembly Bill No. 909 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crouin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A.; Morgan, O'Connor, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, and Mr. Speaker—71.

NOES—None.

The above reported bill ordered to enrollment.

INTRODUCTION AND REFERENCE OF BILLS

The following bills were introduced, and referred as indicated:

By Mr. Martin: Assembly Bill No. 1406—An act to repeal an act entitled "An act providing for the compilation of, printing, binding, publishing, and distribution of a legislative manual, State Blue Book or roster, repealing all conflicting acts," approved May 21, 1929.

Bill read first time, and referred to Committee on Rules

By Mr. Hoffman: Assembly Bill No. 1407—An act to amend section 79b of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways; roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to improvements of municipalities.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hoffman: Assembly Bill No. 1408—An act to amend section 16 of an act entitled "An act to provide for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or con-

venient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hoffman: Assembly Bill No. 1409—An act to amend sections 10 and 11 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements under the Street Opening Act of 1889 and providing for the effect and enforcement of such bonds," relating to street improvement bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hoffman: Assembly Bill No. 1410—An act to amend section 34 of an act entitled "An act to provide for work done upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, relating to work, construction and improvements within municipalities.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hoffman: Assembly Bill No. 1411—An act to amend section 10 of the Street Improvement Act of 1913, relating to street improvements.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hoffman: Assembly Bill No. 1412—An act to amend section 50 of the Acquisition and Improvement Act of 1925, relating to the acquisition and improvement of public ways.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hoffman: Assembly Bill No. 1413—An act to amend section 2 of the Municipal Improvement District Act of 1927, relating to improvement districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hoffman: Assembly Bill No. 1414—An act to amend section 2 of the Street Lighting Act of 1919, relating to street lighting.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hoffman: Assembly Bill No. 1415—An act to amend section 13 of the Grade Separation Act of 1927, relating to the separation of grades.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. McBride: Assembly Bill No. 1416—An act to amend an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to

prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, as amended, by amending section 12 thereof and by adding a new section thereto to be numbered "26," relating to cooperative or unit plans of development or operation on oil and gas permits or leases of State lands, solely or in conjunction with lands not belonging to the State forming part of the same pool or field, and to delegate to the Chief of the Division of State Lands the power to change, with the consent of permittees and lessees, provisions of permits and leases of State lands included in any such cooperative or unit plan, and to join in any such cooperative or unit plan on behalf of the State.

Bill read first time, and referred to Committee on Mines and Mining.

By Mr. Woolwine: Assembly Bill No. 1417—An act to amend section 1161 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Meehan (by request): Assembly Bill No. 1418—An act to require maintenance of proper facilities in buildings used for purposes of public assembly or for school purposes.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Scudder: Assembly Bill No. 1419—An act to repeal section 1412 of the Fish and Game Code, relating to fines and penalties.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 1420—An act to repeal section 1413 of the Fish and Game Code, relating to fines and penalties.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Lyon: Assembly Bill No. 1421—An act to amend section 1861a of the Civil Code, relating to liens of keepers of habitations rented furnished for living purposes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 1422—An act to amend sections 3051a and 3052 of, and to add sections 3051.1 to 3051.5, and 3051b to 3051m, both inclusive, to the Civil Code, all relating to liens on personal property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. King: Assembly Bill No. 1423—An act to repeal an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Rela-

tions; providing ways and means for enforcement, and providing penalties for violation," approved May 28, 1931.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Cottrell: Assembly Bill No. 1424—An act to amend section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, as amended, relating to fees of grand and trial jurors.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Evans: Assembly Bill No. 1425—An act to amend section 2.160 of the School Code, relating to the uniting of elementary school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Martin: Assembly Bill No. 1426—An act to amend sections 1, 3, 4 and 11 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State and to repeal all acts or parts of acts in conflict with this act," approved May 24, 1927, Statutes 1927, page 1389, as amended, providing for the establishment of a new class of deposit known as a "Deposit Collection Account" and for the security and control thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Roberts: Assembly Bill No. 1427—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and part of acts inconsistent therewith," being Statutes 1931, page 483, as approved May 5, 1931, by amending the title and adding sections 6.09 and 13.20, repealing section 6.05 and amending sections 6.08, 13.11 and 13.12 so as to first require a day in court before the commissioner may

take possession; require the commissioner to agree to reorganizations agreed upon by 60 per cent of the creditors of any seized association, and authorizing building and loan associations and their custodians, receivers, etc., to purchase certificates at less than par or to trade real estate for certificates.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Hoffman: Assembly Bill No. 1428—An act authorizing the legislative body of a municipality to vacate, abandon and close any public street, highway, road, boulevard, avenue, lane or place, or any part thereof, and prescribing a procedure therefor.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Badham (by request): Assembly Bill No. 1429—An act to amend Chapter 34, Statutes of 1927, entitled "An act to create a public corporation to be known as "The State Bar of California," to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violation of said act," approved March 31, 1927, by adding a new section thereto to be known as 47a, forbidding members of the State Bar to employ other members of the State Bar to practice law on a salary basis but permitting partnerships and associations; by adding a new section thereto to be known as 47b forbidding any member of the State Bar to practice law in any court except when he is an attorney of record in each case in which he appears in court; and by adding a new section thereto to be known as 47c forbidding any member of the State Bar from practicing law in any other than his own name or jointly with other active members of the State Bar; and repealing all laws and parts of acts and laws in conflict therewith.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Sullivan: Assembly Bill No. 1430—An act to amend section 68 of the Agricultural Code, relating to the duties of county live stock inspector.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Morgan: Assembly Bill No. 1431—An act to amend section 2466 of the Political Code, relating to rates of pilotage of San Francisco.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Morgan: Assembly Bill No. 1432—An act to repeal an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation of said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict

labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Mayo and West: Assembly Bill No. 1433—An act to amend section 1115 of the Political Code to provide for the printing of the index to registration of affidavits

Bill read first time, and referred to Committee on Elections.

By Mr. Frazier: Assembly Bill No. 1434—An act to amend section 61a of the California Irrigation District Act, relating to warrants of irrigation districts; providing for certain extensions of time for the payment of warrants; authorizing agreements for the payment of warrants or any portion thereof from time to time or at a fixed time; authorizing the allocation of specified funds or any amount thereof for the payment of warrants and validating and legalizing all warrants heretofore issued and outstanding.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Frazier: Assembly Bill No. 1435—An act to add a new section to the Penal Code to be known as section 537i, relating to the defrauding of garage keepers.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Frazier: Assembly Bill No. 1436—An act to amend sections 27 and 34 of an act entitled "An act to make uniform the law of warehouse receipts."

Bill read first time, and referred to Committee on Judiciary.

By Mr. Frazier: Assembly Bill No. 1437—An act to provide for the inspection of warehouses where grain is stored for hire; for the sampling, examination and condemnation of infested grain and regulating the sale thereof; defining the powers and duties of the Director of Agriculture in regard thereto and prescribing penalties for violations of the provisions hereof.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Cobb: Assembly Bill No. 1438—An act to amend the Municipal Improvement District Act of 1927 by adding three new sections thereto to be numbered sections 17, 18 and 19, relating to the refunding of bonds of districts organized under said Municipal Improvement District Act of 1927.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cobb: Assembly Bill No. 1439—An act to amend sections 764 and 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, Statutes 1883, page 93, as amended, and relating to the powers of city councils of cities of the fifth and sixth classes.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cobb: Assembly Bill No. 1440—An act to amend sections 1 and 2 of an act entitled "Authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor and to provide for the payment of the same," Statutes 1897, page 75, as amended, relating to the refunding of indebtedness of cities and towns.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cobb: Assembly Bill No. 1441—An act to amend section 718 of the Civil Code, relating to leases of municipal property.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cobb: Assembly Bill No. 1442—An act, authorizing and empowering the Department of Public Works of the State of California, the boards of supervisors of the counties thereof, and the legislative bodies of municipalities, to acquire the fee or other additional easements in highways which are already public highways, and for the acquisition, opening, widening, construction and improvement (or any of them) of which any assessment or tax has, within three (3) years prior to January 1, 1933, been levied upon the owners of property within any district found or declared by the legislative body creating such district to have been benefited thereby.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cobb: Assembly Bill No. 1443—An act to validate the organization and bonds of municipal improvement districts formed under the Municipal Improvement District Act of 1927 and providing for the levy of a tax to pay the same.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cobb: Assembly Bill No. 1444—An act to amend an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes: the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, Statutes 1923, page 393, by adding sections 35, 36 and 37 thereto, relating to the refunding of bonds of sanitary districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cobb: Assembly Bill No. 1445—An act to amend an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improve-

ments, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, Statutes 1915, page 99, as amended, by adding three new sections thereto to be numbered sections 15, 16 and 17, relating to the refunding of bonds of such districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cobb: Assembly Bill No. 1446—An act authorizing and providing for the acquisition, construction or completion by cities, towns and municipal corporations of municipal improvements which are of a self-liquidating nature and providing for the issuance of bonds of such cities, towns and municipal corporations to raise funds to pay the costs and expenses of such improvements and providing that such bonds shall be paid only from revenues derived from such improvements.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cobb: Assembly Bill No. 1447—An act to amend section 3714 of the Political Code, relating to budgets and tax levies.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cobb: Assembly Bill No. 1448—An act to amend an act entitled "An act to provide for the funding and refunding of the indebtedness of districts organized under and in pursuance of the Road District Improvement Act of 1907 and to provide for the levy of assessments and reassessments, for such refunding, and to enforce the liens of said assessments and reassessments, and for the issue and sale or exchange of refunding bonds and the retirement of the unpaid bonds of said districts, and to provide for the payment of bonds and for proceedings to test the validity of such refunding and reassessment," approved June 19, 1931, Statutes 1931, Chapter 1111, and providing for the levying of specific assessments and the refunding of the bonds of said districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cobb: Assembly Bill No. 1449—An act to provide for the satisfaction of taxes and assessments, and tax and assessment liens against land and improvements in any public body organized under any law or ordinance by surrendering bonds, coupons, warrants, checks, or other evidences of indebtedness of the public body, defining "public bodies" as used herein and declaring the intent of the Legislature with respect hereto.

Bill read first time, and referred to Committee on Muncipal Corporations.

By Mr. Cobb: Assembly Bill No. 1450—An act to amend an act entitled "An act to provide for the funding and refunding of the indebtedness of, and for the issue and sale or exchange of funding bonds and the retirement of outstanding bonds of districts organized under

and in pursuance of the Acquisition and Improvement Act of 1925, and to provide for payment of such bonds and for proceedings to test the validity of the refunding proceeding, and for such funding or refunding to levy assessments and reassessments and enforce the liens thereof," approved June 15, 1931, Statutes 1931, Chapter 877, and providing for the levying of specific assessments and the refunding of the bonds of said districts.

Bill read first time, and referred to Committee on Muncipal Corporations.

By Mr. Cobb: Assembly Bill No. 1451—An act to empower cities and towns to rent or lease from any individual, person, partnership or corporation property which said cities or towns are authorized under general law to acquire or construct and to provide for the mode of making said leases and to limit the term of said leases.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cobb: Assembly Bill No. 1452—An act to amend sections 32, 33, 34, 35, 36, 37, 38 and 39 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, Statutes 1903, page 291, relating to the refunding of bonds of such districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Cobb: Assembly Bill No. 1453—An act to amend sections 3 and 4 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, Statutes 1911, page 1192, as amended, and relating to special assessments and improvement bonds representing same.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cobb: Assembly Bill No. 1454—An act to amend section 1142 of the Political Code, relating to boards of election.

Bill read first time, and referred to Committee on Elections.

By Mr. Cobb: Assembly Bill No. 1455—An act to amend section 1151 of the Political Code, relating to boards of election.

Bill read first time, and referred to Committee on Elections.

By Mr. Hunt: Assembly Bill No. 1456—An act to amend sections 3 and 5 of Chapter 551, Statutes of 1919, entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish markets must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and

control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended, relating to the use of sardines in reduction plants, the percentage of waste allowed and the powers of the Fish and Game Commission.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hunt: Assembly Bill No. 1457—An act to amend section 5 of Chapter 551, Statutes of 1919, entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish and other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to fresh fish markets must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, relating to the canning of sardines.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Boyle: Assembly Bill No. 1458—An act to amend section 2189 of the Political Code of the State of California, relating to the reimbursement of counties by the State for the expense of supporting and maintaining indigent persons afflicted with idiocy, imbecility, chronic harmless mental unsoundness or acute mania a potu.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Boyle: Assembly Bill No. 1459—An act to amend section 1203 of the Penal Code of the State of California, relating to the reimbursement of counties by the State for the expense of keeping prisoners convicted of felonies and confined in the county jail while on probation.

Bill read first time, and referred to Committee on County Government.

By Mr. O'Connor: Assembly Bill No. 1460—An act to add a new section to the Political Code of California, to be numbered 1381, forbidding any incorporated bank, building and loan association, trust company, title company or subsidiary corporation to expend, donate or contribute money to aid in the passage or defeat of any question or proposition on any ballot at any election; and to add a new section to the Political Code, to be numbered 1382, declaring the violation of section 1381 to be a felony, and providing the penalty therefor.

Bill read first time, and referred to Committee on Judiciary.

By Mr. O'Connor: Assembly Bill No. 1461—An act to require manufacturers, dealers and sellers of cosmetics to employ the services of registered pharmacists and to use labels containing true formulas of ingredients.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Williamson (by request): Assembly Bill No. 1462—An act to amend section 5.405 of the School Code, relating to employment of

persons for position requiring certification qualifications in school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Williamson (by request): Assembly Bill No. 1463—An act to amend section 5.500 of the School Code, relating to classification of permanent employees of school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Williamson (by request): Assembly Bill No. 1464—An act to amend section 5.510 of the School Code, relating to probationary employees of school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Williamson (by request): Assembly Bill No. 1465—An act to amend section 5.520 of the School Code, relating to substitute employees of school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Williamson (by request): Assembly Bill No. 1466—An act to repeal section 5.521 of the School Code, relating to temporary employees of school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Williamson (by request): Assembly Bill No. 1467—An act to amend section 5.734 of the School Code, relating to fixing of compensation of employees of school districts

Bill read first time, and referred to Committee on Education.

By Mr. Williamson (by request): Assembly Bill No. 1468—An act to amend section 5.736 of the School Code, relating to teachers.

Bill read first time, and referred to Committee on Education.

By Mr. Williamson (by request): Assembly Bill No. 1469—An act to amend section 5.743 of the School Code, relating to payment of salaries of employees of school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Williamson (by request): Assembly Bill No. 1470—An act to repeal section 5.745 of the School Code, relating to payment of salaries of employees of school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Williamson (by request): Assembly Bill No. 1471—An act to amend section 5.750 of the School Code, relating to payment of salaries of employees of school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Williamson: Assembly Bill No. 1472—An act granting in trust to the City and County of San Francsco the interest of the State in and to, and the control and management of the harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds; and for the redemption of bonds; fixing the terms and con-

ditions of the grant; providing for the issuance of a proclamation by the Governor.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Williamson: Assembly Bill No. 1473—An act to amend the title and section 1 of an act entitled "An act to provide for the protection of certain employees of cities, cities and counties, incorporated or unincorporated cities, towns or districts, against personal liability incurred while acting within the course of their duty," approved May 11, 1929.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Dempster: Assembly Bill No. 1474—An act providing for a voluntary moratorium on the foreclosure of mortgages, sales under deeds of trust, or other instruments in writing securing an indebtedness on a farm or home occupied by the owner, or on the sale thereof under execution on a judgment obtained on any promissory note secured by a mortgage or deed of trust on said farm or home, for a period of two (2) years from the date of the passage of this act; and to appropriate money to be advanced by the State for the payment of interest on such incumbrances in certain cases, and the manner of making such advances, and providing for their repayment to the State.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No 1475—An act to amend section 595 of the Code of Civil Procedure, relating to postponement of trials.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Evans: Assembly Bill No. 1476—An act to provide for cooperation between States and counties in the establishment and maintenance of prison camps for the furnishing of labor on public works.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Redwine: Assembly Bill No. 1477—An act to amend section 10 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act," approved May 24, 1927, relating to the deposit of public funds.

Bill read first time, and referred to Committee on Banking.

By Mr. Redwine: Assembly Bill No. 1478—An act to amend section 868 of the Code of Civil Procedure, relating to the approval by justices of the peace of bonds for the release of attachment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 1479—An act to amend section 1446 of the Penal Code, relating to imprisonment for unpaid fine.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Rogers: Assembly Concurrent Resolution No. 27—Relative to the placing of appropriate signs on the State Office Building at Los Angeles.

Introduced, and referred to Committee on Ways and Means.

By Mr. Woolwine: Assembly Concurrent Resolution No. 28—Relative to providing for the appointment of a committee to investigate and report upon conditions of crime and corruption in the city and county of Los Angeles.

Introduced, and referred to Committee on Rules.

By Mr. Scudder: Assembly Concurrent Resolution No. 29—Approving a certain amendment to the charter of the city of Petaluma, a municipal corporation in the county of Sonoma, State of California, and voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventeenth day of May, 1932.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 29, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-NINE.

Assembly Concurrent Resolution No. 29—Approving a certain amendment to the charter of the city of Petaluma, a municipal corporation in the county of Sonoma, State of California, and voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventeenth day of May, 1932.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 29 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.

NOES—None

Title read and approved.

Assembly Concurrent Resolution No. 29 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 29—Approving a certain amendment to the charter of the city of Petaluma, a municipal corporation in the county of Sonoma, State of California, and voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventeenth day of May, 1932.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Riley: Assembly Bill No. 1480—An act to amend the first section numbered 710 of the Code of Civil Procedure, relating to levies by judgment creditors upon moneys owing to judgment debtors by the State of California or any State department, board, commission or officer thereof, or by any county, city and county, city, school district, special district or other municipal or public corporation.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Riley: Assembly Bill No. 1481—An act to add a new section to the Political Code to be numbered 3897c, relating to easements for public highways over lands deeded to the State for delinquent taxes.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Bliss: Assembly Bill No. 1482—An act to amend section 1 of Chapter 389, Statutes of 1915, entitled "An act providing for the sale of certain State lands," as approved May 15, 1915, as amended, relating to State lands.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Bliss: Assembly Bill No. 1483—An act to add a new section to the Political Code to be numbered 3444, relating to the administration of ungranted tide and submerged lands, beds of navigable channels, streams, rivers, creeks, lakes, bays and inlets, of the State of California, by the Division of State Lands, and empowering and authorizing the Director of Finance, through the Division of State Lands, to eject trespassers from such lands by appropriate action in the courts of this State.

Bill read first time, and referrred to Committee on Commerce and Navigation.

By Mr. Latham: Assembly Bill No. 1484—An act to amend section 1 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Redwine: Assembly Bill No. 1485—An act to amend an act entitled "An act relating to the use of the air and to make uniform the law with reference thereto; providing for the licensing of aircraft,

airmen and air navigation facilities; providing, in a certain contingency, for the creation of the Aeronautical Commission of California, prescribing its powers and duties and making an appropriation for its use; providing for the enforcement of the act and penalties for violations thereof and repealing acts in conflict therewith," approved June 18, 1929, by amending section 1 (e) defining the term "Federal license."

Bill read first time, and referred to Committee on Aviation and Aircraft.

By Messrs. Burns, Anglim, Chatters, Mayo, Crowley and Peterson: Assembly Bill No. 1486—An act establishing certain additional State highways and classifying them as secondary highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Cronin: Asssembly Bill No. 1487—An act to establish a State Psychiatric Institute, defining the purposes and activities thereof and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Frazier and O'Donnell: Assembly Bill No. 1488—An act to amend section 599f of the Penal Code, relating to the protection of elk.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. O'Donnell: Assembly Bill No. 1489—An act to repeal an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved March 28, 1927; and to repeal an act entitled "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. O'Donnell: Assembly Bill No. 1490—An act to amend section 4185a of the Political Code of the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Mr. O'Donnell: Assembly Bill No. 1491—An act to add a new section to the Code of Civil Procedure to be numbered 103f, relating to justice's clerks in counties of the thirty-second class.

Bill read first time, and referred to Committee on County Government.

By Mr. O'Donnell: Assembly Bill No. 1492—An act to amend sections 112, 398, 835a, 900b and 982a of the Code of Civil Procedure of the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Mr. O'Donnell: Assembly Bill No. 1493—An act to amend section 1425 of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No. 1494—An act to provide for the collection by the Department of Motor Vehicles of the State of California of certain taxes upon motor vehicles, trailers and semitrailers in addition to the registration fees provided in the California Vehicle Code, and to provide for the distribution and expenditure of the revenues derived from such tax.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Hornblower: Assembly Bill No. 1495—An act to amend an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners' recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, relating to convict labor.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Callahan and McMurray: Assembly Bill No. 1496—An act to amend the title and section 4 of Chapter 282, Statutes of 1913, entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, providing for the examination of applicants for employment agency licenses as to their qualifications to operate employment agencies of the type designated in their applications and providing penalties for the enforcement thereof.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Callahan and McMurray: Assembly Bill No. 1497—An act to add a new section, to be numbered section 11b, to an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purposes and intent of this act," approved June 3, 1913, as amended, requiring licensed employment agencies to print or publish the maximum fees which they charge for positions on all their advertising matter, including introduction cards, bulletins, blotters, throw-aways, newspaper and other advertising.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Callahan and McMurray: Assembly Bill No. 1498—An act to amend section 4 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to suspension and revocation of licenses.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Callahan and McMurray: Assembly Bill No. 1499—An act prohibiting the operation of a street car by less than two men.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Callahan: Assembly Bill No. 1500—An act to regulate and prevent the transportation of persons to gambling ships; to prevent the solicitation of persons to visit gambling ships; and to provide penalties for such transportation or solicitation.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Wright: Assembly Bill No. 1501—An act to amend section 956 of the Code of Civil Procedure, relating to what may be reviewed on appeal from judgment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 1502—An act to add a new section to be numbered 726a to the Code of Civil Procedure, relating to actions to enforce obligations secured by mortgage on real property situated outside of California.

Bill read first time, and referred to Committee on Judiciary.

MOTION.

Mr. Robinson, C. Ray, moved that the Journals of Thursday, January 19, 1933; Friday, January 20, 1933; Monday, January 23, 1933; be approved as corrected by the Minute Clerk.

Motion carried.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 830—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act.

Also: Assembly Bill No. 831—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act.

Also: Assembly Bill No. 832—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said act

Also: Assembly Bill No 1145—An act to add a new section to be numbered 27c to an act entitled "An act to provide for the incorporation and organization and management of municipal water districts and to provide for the acquisition or construction by said districts of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, relating to escheat of funds of dissolved waterworks, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Concurrent Resolution No. 15—Relative to the creation of a joint committee of the Senate and the Assembly to investigate any and all matters relating to prisons and reformatories—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.

The question being: Shall the Assembly recede from Assembly amendments to Senate Concurrent Resolution No. 15?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Concurrent Resolution No. 15 by the following vote:

AYES—Chatters, Clowdsley, Cottrell, Fisher, Knowland, and Meehan—6.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Cobb, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—69.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Woolwine, Morgan and Fisher, as a Committee on Free Conference, to meet with a like committee from the Senate for consideration of Senate Concurrent Resolution No. 15.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Riley: Assembly Bill No. 1503—An act to amend section 1360 of the Political Code, relating to absent voters' ballots.

Bill read first time, and referred to Committee on Elections.

By Mr. Cottrell: Assembly Bill No. 1504—An act to add a new section to the Civil Code, to be numbered 2924b, relating to substitution of trustees in deed of trust.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cottrell: Assembly Bill No. 1505—An act to amend section 1221 of the Probate Code, relating to entry and filing of orders.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Thorp: Assembly Bill No. 1506—An act to amend the title and section 1 of an act entitled "An act declaring the improved county road extending from Rio Vista to Lodi to be a State highway," approved June 3, 1921.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Ross: Assembly Bill No. 1507—An act to amend section 4278 of the Political Code, relating to the compensation of county and township officers in counties of the forty-ninth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Hornblower: Assembly Bill No. 1508—An act to amend section 68 of the Fish and Game Code, relating to fish and game districts.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1509—An act to amend section 67 of the Fish and Game Code, relating to fish and game districts.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1510—An act to amend section 65 of the Fish and Game Code, relating to fish and game districts.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1511—An act to amend section 62 of the Fish and Game Code, relating to fish and game districts.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1512—An act to add a new section to the Fish and Game Code to be numbered 1271.5, relating to deer.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1513—An act to add a new section to the Fish and Game Code to be numbered 67.5, relating to fish and game districts.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1514—An act to amend section 630 of the Fish and Game Code, relating to trout and whitefish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1515—An act to add a section to be numbered section 208 to the Vehicle Code, relating to use of special plates on vehicles operated or moved on highways outside this State.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Hornblower: Assembly Bill No. 1516—An act to amend sections 789 and 791 of the Fish and Game Code, relating to crabs.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hallner: Assembly Bill No. 1517—An act to amend section 2 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, relating to the annexation of inhabited territory.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hallner: Assembly Bill No. 1518—An act to amend section 5 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof" which became a law under constitutional provision without the Governor's approval (February 25, 1901), relating to the issuance of municipal improvement bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Bliss: Assembly Bill No. 1519—An act to provide for the payment of compensation by associations formed for purposes of unemployment relief in remuneration other than money.

Bill read first time, and referred to Committee on Unemployment.

By Mr. West: Assembly Bill No. 1520—An act to add a new section to be numbered section 51a to the Bank Act, relating to deposits of trust funds in banks.

Bill read first time, and referred to Committee on Banking.

By Mr. Levey: Assembly Bill No. 1521—An act confirming and extending the application of the provisions of section 830 of the Civil Code of the State of California to grants made or patents issued to lands by the State and consenting that it may be sued to quiet title to such lands.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Riley: Assembly Bill No. 1522—An act to add a new section to the Code of Civil Procedure, to be numbered 67c, relating to superior judges of Los Angeles County.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Riley: Assembly Bill No. 1523—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to sessions of the superior court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No. 1524—An act to amend section 629 of the Fish and Game Code, relating to trout and whitefish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1525—An act to amend section 1250 of the Fish and Game Code and to add thereto section 1342.5, relating to elk, mountain sheep, and other mammals.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1526—An act to amend section 379 of the Fish and Game Code, relating to Federal preserves.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1527—An act to control license, and regulate the manufacture, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; and to provide penalties for the violations hereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Hornblower: Assembly Bill No. 1528—An act to provide for the creation of a commission to be known as the License Tax Commission, which shall or may issue licenses to manufacturers, purveyors, transporters and sellers of alcohol, spirits or beverages containing alcohol and to provide for the issuance of licenses to those who manufacture, sell, convey and transport alcohol, spirits or beverages containing alcohol, and to provide for the collection of taxes from those to whom licenses may or do issue and for the regulation of the sale of alcohol, spirits or beverages containing alcohol, and for the taxing of said sales, and for the collection of taxes upon sales and manufactures of alcohol, spirits or such beverages containing alcohol and for the appointment of commissioners to be known as License Tax Commissioners, and to appropriate money out of the funds collected for license taxes for the salaries and expenses of such commissioners, its agents and employees, and its offices and incidental expenses.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Powers: Assembly Bill No. 1529—An act to amend sections 3746, 3756, 3759 and 3817 of the Political Code, relating to installments of property taxes, penalties for delinquency and redemption penalties.

Bill read first time, and referred to Committee on Revenue and Taxation

By Mr. Stannard: Assembly Bill No. 1530—An act to amend section 3 of an act entitled "An act relating to the liability of employers for injuries or death sustained by their employees, providing for compensation for the accidental injury of employees, establishing an Industrial Accident Board, making an appropriation therefor, defining its powers and providing for a review of its awards," approved April 8, 1911, relating to actions and proceedings by employees and their successors against employers.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Stannard: Assembly Bill No. 1531—An act to amend sections 12 and 55 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to workmen's compensation.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, C. Ray: Assembly Bill No. 1532—An act providing for the regulation of carriers in air commerce; providing for the enforcement of said act and penalties for violation thereof.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Roland: Assembly Bill No. 1533—An act to repeal Article I of Chapter VI of Part II of Division VI of the School Code, embracing sections 6.470 to 6.479, inclusive, to repeal an act entitled "An act to provide for the purchase of school supplies for school districts and defining the powers and duties of superintendents of schools of counties and other officers in relation thereto," approved May 31, 1929, and to add a new article to Chapter VI of Part II of Division VI of the School Code, to be numbered Article I, embracing sections 6.470 to 6.479, inclusive, all relating to the purchase of apparatus and supplies.

Bill read first time, and referred to Committee on Education.

By Mr. Hallner: Assembly Bill No. 1534—An act to amend section 925, and to repeal section 927 of the Fish and Game Code, relating to nets.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Roberts: Assembly Bill No. 1535—An act to add a new section to the Penal Code to be numbered 147a, relating to arrest of insane persons.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Scudder: Assembly Bill No. 1536—An act to add section 484.5 to the Fish and Game Code, to amend section 665, and to repeal sections 863 and 887 thereof, relating to the sale of fish and the use of nets.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Roberts: Assembly Bill No. 1537—An act to amend sections 2, 3 and 4 of an act entitled "An act to define personal property brokers and to regulate their charges and business," approved April 16, 1909, relating to personal property brokers.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Scudder: Assembly Bill No. 1538—An act to amend section 972 of the Fish and Game Code, relating to the use of troll lines or hand lines.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 1539—An act to repeal sections 903 and 904 of the Fish and Game Code, relating to nets.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 1540—An act to add section 745 to the Fish and Game Code, relating to yellowtail.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 1541—An act to amend section 925 of the Fish and Game Code, relating to nets.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 1542—An act to amend sections 1204 and 1209 of the Fish and Game Code, relating to ducks and geese.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs. Scudder and Hornblower: Assembly Bill No. 1543—An act to amend section 2349 of the Political Code, relating to navigable streams and public waterways.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Scudder: Assembly Bill No. 1544—An act to add section 1063.6 to the Fish and Game Code, and to repeal sections 1066 to 1071, inclusive, thereof, relating to sardines.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 1545—An act to amend sections 691, 692, 693, 694, 695, 696, 865, 880 and 881 of the Fish and Game Code, and to repeal section 719 thereof, relating to striped bass and shad.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1546—An act to amend section 1168 of the Penal Code, relating to sentences, imprisonments and paroles of prisoners.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No. 1547—An act to amend section 1168 of the Penal Code, relating to sentences, imprisonments and paroles of prisoners.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Stream and Bowers: Assembly Bill No. 1548—An act to provide for the dredging and improvement of San Diego Bay, to make an appropriation therefor, and to provide for the repayment thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Cassidy: Assembly Bill No. 1549—An act to amend section 340 of the Penal Code, relating to interest charged by pawnbrokers.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 1550—An act to amend section 1174 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 1551—An act to amend section 1861a of the Civil Code, relating to liens of landlords on the property of tenants.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 1552—An act to amend section 537 of the Code of Civil Procedure, relating to attachments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robinson, Samuel E.: Assembly Bill No. 1553—An act to amend sections 3.330 and 3.331 of the School Code, relating to the attendance of high school pupils residing in California upon high schools in adjoining States.

Bill read first time, and referred to Committee on Education.

By Mr. Roland: Assembly Bill No. 1554—An act to repeal section 269 of the Political Code, relating to compensation of officers and employees of the Legislature.

Bill read first time, and referred to Committee on Rules.

By Mr. Roland: Assembly Bill No. 1555—An act to amend section 237 of the Political Code, relating to officers and employees of the Senate and Assembly.

Bill read first time, and referred to Committee on Rules.

By Mr. Roland: Assembly Bill No. 1556—An act to amend section 253 of the Political Code, relating to the duties of Secretary of the Senate and Chief Clerk of the Assembly.

Bill read first time, and referred to Committee on Rules.

By Mr. Roland: Assembly Bill No. 1557—An act to amend section 245 of the Political Code, relating to officers, employees and attaches of the Senate.

Bill read first time, and referred to Committee on Rules.

By Mr. Roland: Assembly Bill No. 1558—An act to amend section 246 of the Political Code, relating to officers, employees and attaches of the Assembly.

Bill read first time, and referred to Committee on Rules.

By Mr. Nielsen (by request). Assembly Bill No. 1559—An act to create the State Advisory Commission on Indian Affairs, to prescribe its membership and its powers and duties, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Nielsen, Alter, Bowers, Boyle, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Hunt, Jones, King, Little, Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Rogers, Ross, Scudder, Stannard, Sullivan, Utt, Williamson and Woolwine: Assembly Bill No. 1560—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act, approved May 30, 1921, and of any and all acts amendatory thereof or supplemental thereto; creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State offices in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1934.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

By Messrs. Callahan and Rogers: Assembly Concurrent Resolution No. 30—Relative to hiring of special attorneys.

Introduced, and referred to Committee on Municipal Corporations.

By Mr. Dempster: Assembly Joint Resolution No. 16—Relative to memorializing Legislatures of the several States of the Union to cooperate in the program for a belated recognition of the people of the United States of the services rendered the Nation by volunteers who fought

the war with Spain, the Philippine Insurrection and the China Relief Expedition.

Introduced, and referred to Committee on Federal Relations.

By Mr. Greene: Assembly Constitutional Amendment No. 69—Proposed amendment to Article IV of the Constitution, relative to lending of credit of the State or any subdivision thereof.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Knowland: Assembly Constitutional Amendment No. 70—Proposed amendment to Article XI, section 8, of the Constitution, relative to the amendment of municipal charters.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Hornblower: Assembly Constitutional Amendment No. 71—Proposed amendment to Article XIII of the Constitution, relative to revenue and taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Rogers and McCarthy: Assembly Constitutional Amendment No. 72—Proposed amendment to Article XVII, by adding section 4, of the Constitution, relative to public parks.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Riley: Assembly Constitutional Amendment No. 73—Proposed amendment to Article VI, section 6, of the Constitution, relative to superior courts.

Introduced, and referred to Committee on Constitutional Amendments.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 635—An act making an appropriation to meet a deficiency in the appropriation for subsidies of the Bureau of Tuberculosis of the Department of Public Health, declaring the urgency thereof and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crist asked for unanimous consent to take up Senate Bill No. 635, at this time, without reference to committee or file.

Mr. Cobb objected to the unanimous consent.

Senate Bill No. 635 ordered referred to Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for, and was granted, unanimous consent to have Rule 122 of the standing rules of the Assembly suspended for the purpose of considering Senate amendment to Assembly Joint Resolution No. 3.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 3?

AMENDMENT NUMBER ONE.

On page 1 of the printed resolution, beginning in line 25, strike out the following: "amending the National Prohibition Act or acts amendatory or supplementary thereto, in order to legalize the manufacture, transportation, possession, sale and use, of" and the first three lines on page 2 of the printed resolution and insert in lieu thereof, the following: "now pending before it to amend section 29, Title II of the National Prohibition Act, being an amendment to H. R. 13312, to allow the manufacture, possession, transportation, sale, or exportation of naturally fermented wines without the addition of any distilled spirits, manufactured, possessed, sold, transported within or exported from the United States, to be served and consumed with usual meals in bona fide hotels, restaurants, public eating places, dining cars, or for the distribution and sale by duly permitted retail stores, for consumption in the home, which uses are expressly declared by this act of Congress to be nonbeverage and when so used said naturally fermented wines are declared to be and are nonintoxicating."

The roll was called, and Senate amendment to Assembly Joint Resolution No. 3 was concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Crist, Cronin, Crowley, Feigenbaum, Fisher, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, and Mr. Speaker—57.

NOES—Alter, Bowers, Brock, Chatters, Cottrell, Craig, Dempster, Evans, Field, Greene, Hatch, Latham, Martin, Miller, Eleanor; Phillips, Riley, Robinson, Samuel E., Stream, Utt, and Wright—20.

Assembly Joint Resolution No. 3 ordered to enrollment.

DAILY CALENDAR.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Craig moved that the vote whereby Assembly Joint Resolution No. 14 was refused adoption be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—75.

NOES—None.

MOTION TO REFER BILL.

On motion of Mr. Craig, the Speaker ordered Assembly Joint Resolution No. 14 referred to Committee on Federal Relations.

RECESS.

At twelve o'clock and fifteen minutes p m., on motion of Mr. Lyon, the Assembly was declared at recess until three o'clock p.m., of this day.

REASSEMBLED.

At three o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 2—Relative to memorializing Congress to propose an amendment to the Constitution of the United States repealing the Eighteenth Amendment and to provide for conventions in the several States to accomplish this purpose—and reports that the same has been correctly enrolled and presented the same to the Governor on the twenty-seventh day of January, 1933, at two o'clock p.m.

PATTERSON, Chairman.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 29—Approving a certain amendment to the charter of the city of Petaluma, a municipal corporation in the county of Sonoma, State of California, and voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventeenth day of May, 1932.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

The above reported Assembly Concurrent Resolution No. 29 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Senate Concurrent Resolution No. 15—Relative to the creation of a joint committee of the Senate and the Assembly to investigate any and all matters relating to prisons and reformatories—the following Senators, McColl, Slater and Tickle, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate.
By JAMES L. GARDINER, Assistant Secretary.

MESSAGE FROM THE GOVERNOR'S OFFICE.

The following message from the Governor's Office was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, January 27, 1933.

Hon. Walter J. Little, Speaker of the Assembly, Sacramento, California.

DEAR MR. SPEAKER: Attached hereto is a copy of a telegram received this morning by His Excellency, James Rolph, Jr., Governor of California, from Mr. Fred A. McClung, president of the Southeast District Chamber of Commerce, Huntington Park, California, which I have been directed by the Governor to send to your honorable body.

Very sincerely yours,

WM. A. SMITH, Private Secretary.

The Speaker ordered the telegram placed on file.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Mayo: Assembly Bill No. 1561—An act to amend section 4 of the Corporate Securities Act, relating to powers of the Commissioner of Corporations.

Bill read first time, and referred to Committee on Mines and Mining.

By Mr. Mayo: Assembly Bill No. 1562—An act appropriating money to be used for the purchase of dam sites and other necessary lands to

restrain tailings from hydraulic mining operations and for engineering investigations in connection therewith.

Bill read first time, and referred to Committee on Mines and Mining.

By Messrs. Stream and Bowers: Assembly Bill No. 1563—An act to regulate and license the business of distributing gasoline for marine use and other motor fuels, to provide for the disposition of the receipts under this act, to create a division in the Department of Public Works, and to create a fund for the administration of this act.

Bill read first time, and referred to Committee on Oil Industries.

By Messrs. Lyon and Hallner: Assembly Bill No. 1564—An act to amend section 15 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contest," approved by electors, November 4, 1924, relating to disposition of moneys collected hereunder.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

By Mr. Cronin: Assembly Bill No 1565—An act to amend section 657 of the Code of Civil Procedure, relating to new trials.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Scudder: Assembly Bill No 1566—An act to amend section 4014 of the Political Code, relating to township officers.

Bill read first time, and referred to Committee on County Government.

By Mr. Scudder: Assembly Bill No 1567—An act to amend section 4246 of the Political Code, relating to compensation of county and township officers in counties of the seventeenth class.

Bill read first time, and referred to Committee on County Government.

By Messrs. Meeker, West, Thorp, Ross, Maloney, McCarthy, Cassidy, and Robinson, Samuel E.: Assembly Bill No. 1568—An act to amend section 13 of the Public Utilities Act, approved April 23, 1915, relating to public utilities.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Roland: Assembly Bill No. 1569—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bond indebtedness for the acquisition and construction of works or property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by adding a

new section thereto to be numbered 22b, relating to calling of bids and awarding of contracts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Roland: Assembly Bill No. 1570—An act to add a new section to the Code of Civil Procedure, to be numbered 1183a, relating to mechanics' liens.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Peterson: Assembly Bill No. 1571—An act to validate the organization and incorporation of municipal corporations.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Lyon: Assembly Bill No. 1572—An act to amend section 948 of the Political Code, relating to bonds of State officials and employees.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lyon: Assembly Bill No. 1573—An act to amend section 2337 of the Political Code, relating to the licensing of institutions, boarding homes, or other places for the reception or care of aged persons and children.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Lyon: Assembly Bill No. 1574—An act to amend section 985 of the Political Code, relating to official bonds.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Patterson: Assembly Bill No. 1575—An act to add section 792.5 to the Fish and Game Code, relating to abalones.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Riley: Assembly Bill No. 1576—An act to add section 1208 to the Penal Code, relating to costs of prosecution.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bowers: Assembly Bill No. 1577—An act to amend sections 221 to 231, inclusive, of the Civil Code, relating to the legal status of children.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Bowers: Assembly Bill No. 1578—An act to amend sections 2330 to 2346, inclusive, of the Political Code, all relating to the organization, operation and jurisdiction of the Department of Social Welfare.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Bowers: Assembly Bill No. 1579—An act to amend sections 367 and 367a to 367g, inclusive, of the Political Code, relating to the Department of Social Welfare.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Bowers: Assembly Bill No. 1580—An act to amend sections 1 to 16, inclusive, of an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, all relating to aid to the needy blind.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Bowers: Assembly Bill No. 1581—An act to amend sections 2283 to 2290, inclusive, of the Political Code, all relating to dependent children.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Bowers: Assembly Bill No. 1582—An act to amend sections 1 to 23, inclusive, of the Old Age Security Act of the State of California, all relating to aid to aged persons.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Lyon: Assembly Bill No. 1583—An act to amend section 4178 of the Political Code, relating to the duties of the county clerk.

Bill read first time, and referred to Committee on County Government.

By Mr. Lyon: Assembly Bill No. 1584—An act to amend section 7 of the Direct Primary Law, Statutes of 1915, page 1379, relating to filing fees for candidates.

Bill read first time, and referred to Committee on Direct Legislation.

By Mr. Cottrell: Assembly Bill No. 1585—An act to amend section 8 of an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907, as amended, relating to licensing of surveyors and the preparation and filing of maps.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 1586—An act making an appropriation to pay the claim of M. R. Knauft against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Dempster: Assembly Bill No. 1587—An act regulating public laundries, prescribing conditions connected with the operation of such laundries, and fixing penalties for violation of the provisions of this act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Brock: Assembly Bill No. 1588—An act to add a new section to the School Code, to be numbered section 9, relating to the meaning of the word pupil as used in the School Code.

Bill read first time, and referred to Committee on Education.

By Mr. Dempster: Assembly Bill No. 1589—An act to amend sections 1 and 2 of an act entitled "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing the same must be payable upon demand," approved March 1, 1911, relating to certain exemptions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Boyle: Assembly Bill No. 1590—An act to amend an "Act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy."

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Roberts: Assembly Bill No. 1591—An act to amend section 6 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, relating to fraternal benefit societies.

Bill read first time, and referred to Committee on Insurance.

By Mr. Hornblower: Assembly Bill No. 1592—An act to add a new section to the Political Code to be numbered section 472a, relating to the defense of peace officers.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No. 1593—An act to amend section 782 of the Fish and Game Code, relating to lobsters.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs. Hoffman and Knowland: Assembly Bill No. 1594—An act to amend the California Irrigation District Act by amending section 52 thereof, relating to the payment of matured bonds and matured interest coupons by providing for the pro rata payment thereof when funds are insufficient and for the redemption of bonds.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Phillips (by request): Assembly Bill No. 1595—An act to provide for the payment of real property taxes heretofore delinquent, the redemption of such property and the restoration thereof to the assessment rolls.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Morgan: Assembly Bill No. 1596—An act to amend section 337a of the Penal Code, relating to gambling.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Morgan: Assembly Bill No. 1597—An act to amend the Public Utilities Act by adding a new section thereto to be numbered 61½, relating to the duties of the official reporter appointed by the Railroad Commission, and fixing the amount of fees or charges for furnishing transcripts.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Greene: Assembly Bill No. 1598—An act to authorize the acceptance of checks, bank drafts and money orders in payment of taxes, assessments, licenses, fees, and other accounts payable into the treasury

of any municipal or other public corporation, or political subdivision, subject to the due honor thereof and relating to the manner of making collection thereon, settlement with the treasurer therefor and procedure upon the nonpayment thereof, and to repeal an act entitled "An act to authorize assessors and tax collectors to accept checks, bank drafts and money orders in payment of taxes, subject to the due honor thereof and relating to the manner of making collection thereon and settlement with the county treasurer therefor," approved May 24, 1921.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Lyon and Hallner: Assembly Bill No. 1599—An act to provide for the establishment of a State Home for War Mothers, to provide for the government thereof and to make an appropriation therefor.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

By Mr. Gilmore (by request): Assembly Bill No. 1600—An act to amend sections 41 and 51 of, and to add section 77¼ to the California Vehicle Act, relating to certificates of registration, metal holders and seals therefor.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. O'Connor: Assembly Bill No. 1601—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended.

Bill read first time, and referred to Committee on Banking.

By Mr. Cronin: Assembly Bill No. 1602—An act to amend section 499b of the Penal Code, relating to the unauthorized taking for temporary use or operation of aircraft, automobiles, bicycles, motorcycles or other vehicles.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Cronin: Assembly Bill No. 1603—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on aircraft and other personal property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 1604—An act to amend sections 2957, 2959, 2965 and 2966 of the Civil Code, relating to mortgages of personal property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fisher: Assembly Bill No. 1605—An act to add section 2349a to the Political Code, relating to navigable waters.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Levey: Assembly Bill No. 1606—An act to amend the heading of Article XIo of Chapter III of Title I of Part III of the Political Code, and to amend sections 378 to 378g, inclusive, of said code, relating to the Department of Commerce.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Dempster: Assembly Bill No. 1607—An act to amend section 681a of the Code of Civil Procedure, relating to executions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 1608—An act to amend Chapter 34, Statutes of 1927, entitled "An act to create a public corporation to be known as 'The State Bar of California,' to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violation of said act," approved March 31, 1927, by adding a new section thereto to be known as 47a, forbidding members of the State Bar to employ other members of the State Bar to practice law on a salary basis but permitting partnerships and associations; by adding a new section thereto to be known as 47b forbidding any member of the State Bar to practice law in any court except when he is an attorney of record in each case in which he appears in court; and by adding a new section thereto to be known as 47c forbidding any member of the State Bar from practicing law in any other than his own name or jointly with other active members of the State Bar; and repealing all laws and parts of acts and laws in conflict therewith.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster (by request): Assembly Bill No. 1609—An act to provide for the regulation and licensing of stores in this State; to fix the maximum hours of labor in stores as herein defined; and to prescribe penalties for the violation hereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Scudder: Assembly Bill No. 1610—An act to amend section 6 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs, and making an appropriation therefor," approved March 11, 1907.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Ross and Gilmore: Assembly Bill No. 1611—An act to amend sections 476 and 476a of the Penal Code, relating to crimes and the punishment thereof.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Roberts: Assembly Bill No 1612—An act to provide for regulation by the State of the business of operating or conducting businesses of which the playing of pool, billiards and similar games is a part, and to prevent racketeering in connection therewith.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Woolwine: Assembly Bill No. 1613—An act to amend 1305, 1306, 1307 of the Penal Code, relating to bail, the forfeiture and enforcement of bail, and the disposal of forfeited bail moneys.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woolwine: Assembly Bill No. 1614—An act to amend section 1287 of the Penal Code, relating to the form of bail bonds.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woolwine: Assembly Bill No. 1615—An act to amend section 1300 of the Penal Code, relating to bail and the surrender of the defendant.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Martin: Assembly Bill No. 1616—An act to add section 418 to the Vehicle Code, relating to the civil liability, financial responsibility of owner and operator of vehicle and persons signing license applications of minors.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Feigenbaum: Assembly Bill No. 1617—An act to add a new section to be numbered 5a to the California Air Navigation Act, approved June 18, 1929, relating to the requiring of a certificate of authority.

Bill read first time, and referred to Committee on Aviation and Aircraft.

By Mr. Craig: Assembly Bill No. 1618—An act to add a new section to be numbered 14a to Chapter 609, Statutes of 1931, entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to licensing of persons, firms, associations or corporations, installing and using motor vehicle fuel pumps.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Craig: Assembly Bill No. 1619—An act to amend section 3 of Chapter 609, Statutes of 1931, entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of lubricating oil.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Field: Assembly Bill No. 1620—An act to amend section 77 of the California Vehicle Act, approved May 30, 1923, as amended, relating to registration fees.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Maloney: Assembly Bill No. 1621—An act transferring from the highway maintenance fund to the general fund an amount equal

to the interest due upon moneys paid from the general fund pursuant to the provisions of Chapter 400, Statutes of 1931.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Badham (by request): Assembly Bill No. 1622—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending section 6, relating to the powers and duties of the board of directors.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Maloney: Assembly Bill No. 1623—An act to amend an act entitled "An act regulating traffic on streets and highways and to regulate the use and operation of vehicles; to provide for the registration and identification of motor vehicles, trailers and semitrailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act."

Bill read first time, and referred to Committee on Motor Vehicles

By Mr. Maloney: Assembly Bill No. 1624—An act to amend an act entitled "An act regulating traffic on streets and highways and to regulate the use and operation of vehicles; to provide for the registration and identification of motor vehicles, trailers and semtrailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of sup-

plies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act."

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Maloney: Assembly Bill No 1625—An act to amend an act entitled "An act regulating traffic on streets and highways and to regulate the use and operation of vehicles; to provide for the registration and identification of motor vehicles, trailers and semitrailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act."

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Burns: Assembly Bill No. 1626—An act to amend section 4282 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-third class.

Bill read first time, and referred to Committee on County Government.

By Mr. Burns: Assembly Bill No 1627—An act to amend section 2322x53 of the Political Code, relating to the office of the agricultural commissioner in counties of the fifty-third class.

Bill read first time, and referred to Committee on County Government.

By Mr. Burns: Assembly Bill No. 1628—An act to amend section 737h of the Political Code, relating to the salary of the judge of the superior court in and for the county of Del Norte.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Patterson: Assembly Bill No. 1629—An act to amend sections 1, 2 and 3, of an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties, and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," said repealing act having been approved May 18, 1919.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Patterson: Assembly Bill No. 1630—An act to amend section 15 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property," etc., approved June 8, 1931.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Patterson: Assembly Bill No. 1631—An act to amend sections numbered 990, 991, 992 and 993, of Article I, Chapter V, Part II, Division IV, of the Fish and Game Code of the State of California, relating to commercial fishing regulations and commercial fishing licenses.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Patterson: Assembly Bill No. 1632—An act to amend section 1714½ of the Civil Code, relating to negligence on the part of State officers, agents and employees of the State, counties, cities and counties, municipal corporations, the State Compensation Insurance Fund, irrigation districts, school districts, districts established by law and political subdivisions of the State, and authorizing the issuance of insurance covering such liability.

Bill read first time, and referred to Committee on Insurance.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray, Wright and Zion: Assembly Bill No. 1633—An act to repeal an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Robinson, C. Ray, Wright and Zion: Assembly Bill No. 1634—An act to abolish the Fourth District Court of Appeal and to repeal an act entitled "An act creating an additional District Court of Appeal known as the District Court of Appeal for the Fourth Appel-

late District, providing for the maintenance and operation of said court and making an appropriation therefor," approved June 5, 1929.
Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1635—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Powers, Crist, Feigenbaum, Fisher, Knowland, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1636—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1637—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1638—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1639—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1640—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1641—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1642—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1643—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1644—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1645—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1646—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1647—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1648—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C Ray; Wright and Zion: Assembly Bill No. 1649—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No 1650—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1651—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1652—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1653—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1654—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1655—An act to repeal an act entitled "An act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1656—An act to repeal an act entitled "An Act".
Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1657—An act to repeal an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1658—An act to repeal an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1659—An act to add a new section to the Political Code, to be numbered 695a, relating to the Chief of the Bureau of Publications and Documents.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1660—An act to amend sections 778 and 779 and to repeal sections 767, 771, 772, 774, 775 and 776 of the Political Code, relating to reporters of decisions of the Supreme Court and District Courts of Appeal.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1661—An act to abolish the Bureau of Commerce and to repeal Article II of Chapter III, Title I, Part III of the Political Code, embracing sections 378 to 378g, inclusive, relating to the Bureau of Commerce.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1662—An act to amend section 649d of the Political Code, relating to the State Agricultural Society.

Bill read first time, and referred to Committee on Agriculture.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1663—An act to repeal an act entitled "An act creating the California Crime Commission, defining its duties and making an appropriation for its expenses, and repealing all acts and parts of acts in conflict with this act," approved May 28, 1929.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1664—An act to amend section 1 of an act entitled "An act creating an Advisory Pardon Board; defining and prescribing the powers and duties thereof; and making an appropriation therefor," approved May 7, 1915, relating to the membership of the Advisory Pardon Board.

Bill read first time, and referred to Committee on Crime Problems.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1665—An act to repeal an act entitled "An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board and making an appropriation therefor," approved May 28, 1931.

Bill read first time, and referred to Committee on Crime Problems.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1666—An act to repeal Chapter IV of Division V embracing sections 891 to 900, inclusive, of the Agricultural Code, relating to field crops.

Bill read first time, and referred to Committee on Agriculture.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1667—An act to repeal Chapter V of Division VI embracing sections 1231 to 1258, inclusive, of the Agricultural Code, relating to agricultural warehouses.

Bill read first time, and referred to Committee on Agriculture.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1668—An act to repeal Chapter IV of Division II embracing sections 271 to 284, inclusive, of the Agricultural Code, relating to bees and apiaries.

Bill read first time, and referred to Committee on Agriculture.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1669—An act to repeal Chapter II of Division V embracing sections 781 to 831, inclusive, of the Agricultural Code, relating to standards for fruits, nuts and vegetables.

Bill read first time, and referred to Committee on Agriculture.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1670—An act to repeal Article II of Chapter V of Division V embracing sections 931 to 940, inclusive, of the Agricultural Code, relating to cotton.

Bill read first time, and referred to Committee on Agriculture.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1671—An act to repeal sections 1152 to 1155, inclusive, of the Agricultural Code, relating to the marketing of agricultural products.

Bill read first time, and referred to Committee on Agriculture.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1672—An act to repeal Chapter VII of Division VI embracing sections 1281 to 1298, inclusive, of the Agricultural Code, relating to dealers in deciduous fruits.

Bill read first time, and referred to Committee on Agriculture.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1673—An act to repeal "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931.

Bill read first time, and referred to Committee on Oil Industries.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1674—An act to add section 372h to the Political Code, relating to the powers and duties of the Department of Public Health.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1675—An act to repeal Article I of Chapter V of Division V embracing sections 911 to 920, inclusive, of the Agricultural Code, relating to agricultural seeds.

Bill read first time, and referred to Committee on Agriculture.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1676—An act to amend section 266 of the Political Code, relating to the compensation and mileage of members of the Legislature.

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1677—An act to repeal section 267 of the Political Code, relating to the compensation and mileage of the Speaker of the Assembly.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1678—An act to repeal an act entitled "An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the chairman of the Judicial Council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments," approved May 20, 1927.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill

No. 1679—An act to repeal an act entitled "An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance; prescribing the powers and duties of said officials in relation to such bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor," approved June 5, 1931.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1680—An act to create a Tax Research Commission and to provide for the membership thereof, to provide for the investigation of matters relating to revenue, taxation and public finance, to prescribe the powers and duties of the members of the commission and to provide for reports and recommendations relating to revenue, taxation and public finance and to make an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1681—An act calling a special election, to be held on ____, and providing for the submission thereat to the qualified electors of this State of all the amendments proposed by the Legislature of said State at its fiftieth regular session, including amendments for the reduction of salaries fixed by constitutional provision, and submitted by the Legislature prior to the calling of such election.

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1682—An act empowering and directing the Director of Finance, through the Division of Personnel and Organization, to adjust salaries, including maintenance and other compensation, of all judges, officers, agents and employees of the State of California, but excepting salaries fixed by the Constitution of California, and the Board of Regents of the University of California; and repealing and/or modifying all acts or parts of acts in conflict hereof.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1683—An act to amend sections 656 and 663 of the Political Code, relating to the Department of Finance and the State Board of Control.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1684—An act to abolish the Division of Service and Supply in the Department of Finance and to amend section 656 of the Political Code, relating to the Department of Finance.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1685—An act to amend section 374 of the Political Code, relating to the Department of Military and Veterans' Affairs.

Bill read first time, and referred to Committee on Military Affairs.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1686—An act to amend section 374a of the Political Code, relating to the salary of the Director of Military and Veterans' Affairs.

Bill read first time, and referred to Committee on Military Affairs.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1687—An act to abolish the Department of Penology and to repeal Article IIm of Chapter III, Title I, Part III of the Political Code embracing sections 376 to 376f, relating to the Department of Penology.

Bill read first time, and referred to Committee on Crime Problems.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1688—An act to provide for the purchase or use and maintenance of a prisoner railroad car and to provide for the receiving of prisoners by the wardens of the State prisons, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright, and Zion: Assembly Bill No. 1689—An act to abolish the Division of Immigration and Housing in the Department of Industrial Relations and to transfer the powers and duties of said division to the Department of Public Health and to amend section 364a and to repeal section 364d of the Political Code, relating to the Division of Immigration and Housing.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright, and Zion: Assembly Bill No. 1690—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright, and Zion: Assembly Bill No. 1691—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright, and Zion: Assembly Bill No. 1692—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright, and Zion: Assembly Bill No. 1693—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright, and Zion: Assembly Bill No. 1694—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright, and Zion: Assembly Bill No. 1695—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher Knowland, Powers, Robinson, C. Ray; Wright, and Zion: Assembly Bill No. 1696—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright, and Zion: Assembly Bill No. 1697—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1698—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1699—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1700—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1701—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1702—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1703—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1704—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1705—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C Ray; Wright and Zion: Assembly Bill No. 1706—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1707—An act to amend sections ------ of an act entitled "An act"

Bill read first time, and referred to Committee on Rules.

By Messrs Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1708—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1709—An act to amend sections ------ of an act entitled "An act"

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1710—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C Ray; Wright and Zion: Assembly

Bill No. 1711—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1712—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C Ray; Wright and Zion: Assembly Bill No. 1713—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Bill No. 1714—An act to amend sections ------ of an act entitled "An act".

Bill read first time, and referred to Committee on Rules.

By Mr. Miller, James A. (by request): Assembly Bill No. 1715—An act making an appropriation to pay the claim of Habenicht & Howlett against the State of California

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Miller, James A. (by request): Assembly Bill No. 1716—An act making an appropriation to pay the claim of G. W. Freethy against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Miller, James A. (by request). Assembly Bill No. 1717—An act making an appropriation to pay the claim of J. A. Clark Drayage Company against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Miller, James A. (by request): Assembly Bill No. 1718—An act making an appropriation to pay the claim of Overland Freight and Transfer Company against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Roberts: Assembly Bill No. 1719—An act to secure payment of claims of persons employed by contractors upon public works and claims of persons who furnish materials, supplies, teams, vehicles, implements or machinery used or consumed by such contractors in the performance of such works, prescribing the duties of certain public officers in respect thereto, and providing for the manner and procedure of the enforcement of such claims, and to repeal an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto." approved May 10, 1919.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Dempster: Assembly Bill No. 1720—An act to amend section 4071 of the Political Code of California, relating to the limit of the debts or liabilities that the boards of supervisors may contract.

Bill read first time, and referred to Committee on County Government.

By Mr Dempster: Assembly Bill No. 1721—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered section 4041.26, relating to the issuance of warrants or certificates of indebtedness by boards of supervisors

Bill read first time, and referred to Committee on County Government.

By Mr Dempster: Assembly Bill No. 1722—An act to amend section 3888 of the Political Code of California, relating to the medium for the payment of taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Dempster: Assembly Bill No 1723—An act to add a new section to the State Bar Act, to be numbered 41 5, relating to ballots.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 1724—An act requiring all telephone companies operating as a public utility to furnish wire connection for purpose of exchange and toll or other messages to telephone system owned and operated by the State or any political subdivision thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Feigenbaum. Assembly Bill No 1725—An act relating to State and local ad valorem taxes, to be known as the California Revenue Act of 1933.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Dempster: Assembly Bill No. 1726—An act to add section 1a to the act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 1727—An act to add a new section to be numbered section 6a to an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for

the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, relating to ownership of real estate by indigent, incompetent, and incapacitated persons.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr Bliss. Assembly Bill No 1728—An act to authorize the Department of Public Works to construct and maintain freeways, authorizing the cooperation of said department with any political subdivision of the State in constructing freeways, and providing for the acquisition of real property, or interest in real property, necessary for the construction thereof.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Bliss: Assembly Bill No. 1729—An act to amend sections 32 and 34 of the Joint Highway District Act, approved June 17, 1931

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Riley: Assembly Bill No. 1730—An act to amend section 1833 of the Code of Civil Procedure, relating to evidence

Bill read first time, and referred to Committee on Judiciary

By Mr. Riley: Assembly Bill No. 1731—An act to amend sections 1, 3, 11, 12, 16, 17, 20, 21 and 24 of an act entitled "An act to provide for the funding and refunding of the indebtedness of, and for the issue and sale or exchange of funding bonds and the retirement of outstanding bonds of districts organized under and in pursuance of the Acquisition and Improvement Act of 1925, and to provide for payment of such bonds and for proceedings to test the validity of the refunding proceeding, and for such funding or refunding to levy assessments and reassessments and enforce the liens thereof," approved June 15, 1931, relating to refunding agreements, mandatory provisions, protests, reassessing, foreclosures, penalties, interest rates, sales and notices thereunder.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Riley: Assembly Bill No. 1732—An act to amend section 41 of an act entitled "An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improvement of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, commons, and all public ways and other property and rights of way of the public, including any property over which possession and right of use have been obtained under the provisions of section 14 of Article I of the Constitution of the State of California, in whole or in part, whether lying entirely within unincorporated territory of a county or in the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly

within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes; and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements," approved May 23, 1925, as amended, relating to the retirement of bonds issued thereunder, and the entry, collection and enforcement of taxes thereunder.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Riley: Assembly Bill No. 1733—An act to amend sections 8 and 11 of an act entitled "An act to provide for the maintenance by municipalities of lighting systems along public streets, alleys and other public places and for the lighting thereof by electric current, gas or other illuminating agent; and for the assessment of the cost and expense thereof upon the property benefited and the manner of collecting such assessments," approved May 16, 1919, as amended, relating to penalties levied thereunder.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Riley: Assembly Bill No. 1734—An act to provide for the funding and refunding of the indebtedness of, and for the issue and sale or exchange of funding bonds and the retirement of outstanding bonds of districts organized under and in pursuance of the Acquisition and Improvement Act of 1925, and to provide for payment of such bonds and to provide for proceedings to test the validity of the refunding proceeding, and to provide for the levy of assessments and reassessments to pay such bonds and to enforce the liens of such assessments and reassessments.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Riley: Assembly Bill No. 1735—An act to amend sections 850, 851, 852, 852a, 852b, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 862a, 863, 864, 865, 867, 868, 870, 870a, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883, relating to organization, incorporation and government of cities of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Nielsen: Assembly Bill No. 1736—An act to amend sections ---- ---- ---- of the Military Code.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

By Mr. Nielsen: Assembly Bill No. 1737—An act to establish a Military Code, thereby revising and consolidating the law relating to the armed forces of the State, and to repeal certain acts and parts of acts therein specified.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

By Mr. Woolwine: Assembly Bill No. 1738—An act to amend section 2319b of the Political Code of the State of California, relating to the duties of the State Commissioner of Horticulture.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Maloney (by request): Assembly Bill No. 1739—An act to amend section 3 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to the definition of certain terms used in said act.

Bill read first time, and referred to Committee on Insurance.

By Mr. Maloney (by request). Assembly Bill No. 1740—An act relating to chiropractors in public institutions, providing for the appointment and compensation of chiropractors in certain State institutions and prisons and providing for necessary facilities for such chiropractors, prescribing the removal of superintendents, officers and commissioners for unfair discrimination against chiropractors, and repealing all acts and parts of acts inconsistent herewith.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Turner: Assembly Bill No. 1741—An act to amend sections 2.801 and 2.804 of the School Code, relating to liability of school districts for injuries to children.

Bill read first time, and referred to Committee on Education.

By Mr. Cronin: Assembly Bill No. 1742—An act to amend sections 1, 11 and 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene, distillates or other petroleum products used in or which may be used in the blending, compounding, or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, relating to the receipts from and the disposition of the taxes imposed thereunder.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Dempster: Assembly Bill No. 1743—An act to amend the Political Code of the State of California by amending section 4041.16,

relating to the care and maintenance of indigent, sick and dependent poor.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Miss Miller, Eleanor: Assembly Bill No. 1744—An act to add a new section to the School Code, to be numbered 4.985, to provide for the payment of interest on past due bonds and interest.

Bill read first time, and referred to Committee on Education.

By Mr. Patterson: Assembly Concurrent Resolution No. 31—Relative to the substitution of the use of machinery for manual labor.

Introduced, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray; Wright and Zion: Assembly Constitutional Amendment No. 74—Proposed amendment to Article IV, section 23, of the Constitution, relative to the compensation of the members of the Legislature.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Feigenbaum: Assembly Constitutional Amendment No. 75—Proposed amendment to the Constitution, by adding section 10 to Article XI, and amending section 14 and repealing section 12½ of Article XIII, relating to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Cronin: Assembly Constitutional Amendment No. 76—Proposed amendment to article of the Constitution, relative to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 4a, relating to the exemption of airports from taxation except for State purposes.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Cobb: Assembly Constitutional Amendment No. 77—Proposed amendment to Article VI, section 7, of the Constitution, relative to presiding judges of superior courts.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Lyon: Assembly Constitutional Amendment No. 78—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 19, relating to revenue and taxes.

Introduced, and referred to Committee on Constitutional Amendments.

MESSAGE FROM THE GOVERNOR'S OFFICE.

The following message from the Governor's office was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 27, 1933.

Hon Walter J. Little, Speaker of the Assembly, Sacramento, California.

DEAR MR. SPEAKER: Attached hereto is a copy of a telegram received this morning by His Excellency, James Rolph, Jr., Governor of California, from Mr. Fred C. Croxton, assistant to the directors, Reconstruction Finance Corporation, Washington, D. C., which I have been directed by the Governor to send to your honorable body.

Very sincerely yours,

WM. A. SMITH, Private Secretary.

The Speaker ordered the telegram placed on file.

ADJOURNMENT.

At four o'clock and ten minutes p.m., on motion of Mr. Cronin, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Saturday, January 28, 1933, out of respect to the memory of Hon. David C. Coates, former Lieutenant Governor and member of the Legislature of Colorado.

LOUIS F ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Saturday, January 28, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Dempster, Evans, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Wright, Zion and Mr. Speaker—50.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with.

CALL OF THE HOUSE.

Mr. Maloney moved a call of the house.

Motion carried.

Time, ten o'clock and five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Dempster, Evans, Greene, Grubbs, Hallmer, Hatch, Hoffman, Hunt, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Wright, Zion and Mr. Speaker—50.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From San Francisco Chamber of Commerce, relative to National Guard of California.

(Signed) M. A. HOGAN, Secretary.

Also:

By Mr. Speaker:

From Southern California Bird Breeders' Association, relative to bird industry in California.

(Signed) DR. E. J. HANSCH, D. D. S., Secretary.

Also:

By Mr. Speaker:

From Madera County Grand Jury, relative to adoption of County Government Bill.

(Signed) W A. ELLIS, Foreman,
J C. NOHRNBERG, S cretary,
And 17 members of Grand Jury.

COMMUNICATION.

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

SAN FRANCISCO, CALIFORNIA, January 27, 1933.

Hon. Walter J. Little, Speaker of the Assembly, Sacramento, California.

As the representative of all San Franciscans may I extend to you and through you to all members of the Assembly our grateful thanks for the inestimable service you have rendered the bay region of California by your unanimous passage of necessary legislation enabling the immediate financing of the San Francisco-Oakland Bay Bridge. By this prompt unselfish cooperation you share our satisfaction in the thought that thousands of our fellow Californians now idle will soon find employment which will last over a long term. We thank you all from the bottom of our hearts. The feeling that all of you, thinking as one for the future of this great area, so heartily indorsed these measures fills our cup of happiness to the brim.

ANGELO J. ROSSI, Mayor.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 28, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 16—Relative to joint rules of the Senate and Assembly.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

Senate Concurrent Resolution No. 16 read, and referred to Committee on Rules.

Also:

SENATE CHAMBER, SACRAMENTO, January 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 503—An act to repeal section 22 of and to add a new section to be numbered 22 to the "California Toll Bridge Authority Act," relating to the permanent revolving fund, to make an appropriation from the highway maintenance fund for the permanent revolving fund, and to provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, January 19, 1933.

To the Honorable Members of the Assembly of the State of California.

Senate Bill No. 503 makes an appropriation from the highway maintenance fund to replace an appropriation of like amount made from the general fund to provide a permanent revolving fund for use and support of the California Toll Bridge Authority, and further provides that the original appropriation shall be returned to the general fund in the State treasury.

In my opinion this act is necessary for the immediate preservation of public peace, health, and safety in that the general fund in the State treasury is greatly depleted and necessary funds must be placed to the credit thereof that the functions of the State government may not be seriously hampered. I therefore recommend the passage of this bill as an emergency measure within the meaning of sections 1 and 34 of Article IV of the Constitution.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and twenty minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Maloney.

The roll of absentees was called.

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—70.

FURTHER CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED THREE.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Maloney asked for, and was granted, unanimous consent to take up Senate Bill No. 503, at this time, without reference to committee or file.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED THREE.

Senate Bill No. 503—An act to repeal section 22 of and to add a new section to be numbered 22 to the California Toll Bridge Authority Act, relating to the permanent revolving fund, to make an appropriation from the highway maintenance fund for the permanent revolving fund, and to provide that this act shall take effect immediately.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Maloney:

Resolved, That Senate Bill No. 503 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby

dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Field, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 503.

SECOND READING OF SENATE BILL NUMBER FIVE HUNDRED THREE.

Senate Bill No. 503—An act to repeal section 22 of and to add a new section to be numbered 22 to the California Toll Bridge Authority Act, relating to the permanent revolving fund, to make an appropriation from the highway maintenance fund for the permanent revolving fund, and to provide that this act shall take effect immediately.

Bill read second time.

FLOOR AMENDMENT.

During second reading of the bill, the following amendment was submitted by Mr. Knowland:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in section 22, strike out the following: "The sum of fifty thousand dollars is hereby appropriated from the highway maintenance fund in the State treasury to provide a permanent revolving fund for the use and support of the California Toll Bridge Authority in carrying out the provision of this act.", and insert in lieu thereof the following: "The sum of fifty thousand dollars is hereby appropriated from the State highway maintenance fund available for the widening, resurfacing and reconstruction of State highways for the group of counties designated as group number one in section 4 of that certain act of the Legislature classifying the highways of the State into primary and secondary highways, approved May 26, 1927, being chapter 794 Laws of 1927. Said appropriation is hereby made to provide a permanent revolving fund for the use and support of the California Toll Bridge Authority in carrying out the provisions of this act."

Amendment read.

The question being on the adoption of the amendment.

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Maloney asked for, and was granted, unanimous consent to take up Senate Bill No. 503, at this time, without reference to printer or file.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Field, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller,

James A., Morgan, O'Connor, Peterson, Phillips, Powers, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—59.

NOES—None.

THIRD READING OF SENATE BILL NUMBER FIVE HUNDRED THREE.

Senate Bill No. 503—An act to repeal section 22 of and to add a new section to be numbered 22 to the California Toll Bridge Authority Act, relating to the permanent revolving fund, to make an appropriation from the highway maintenance fund for the permanent revolving fund, and to provide that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 503 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

LEAVES OF ABSENCE.

On motion of Mr. Knowland, Mr. Fisher was granted leave of absence for the day.

On motion of Mr. Maloney, Messrs. Hornblower and Williamson were granted leave of absence for the day.

On motion of Mr. Cronin, Mr. Levey was granted leave of absence for the day.

On motion of Mr. McMurray, Mr. Feigenbaum was granted leave of absence for the day.

On motion of Mr. Cassidy, Mr. Roland was granted leave of absence for the day.

On motion of Mr. Cottrell, Mr. Crist was granted leave of absence for the day.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 502—An act to repeal an act entitled "An act establishing the emergency permanent improvement fund and relating to the deposits of moneys therein and withdrawals therefrom," approved May 20, 1929, to transfer the moneys in the emergency permanent improvement fund to the general fund and to declare that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cobb asked for unanimous consent to take up Senate Bill No. 502, at this time, without reference to committee or file.

Mr. Stannard objected to unanimous consent.

Senate Bill No. 502 read, and referred to Committee on Ways and Means.

Also.

SENATE CHAMBER, SACRAMENTO, January 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 722—An act making an appropriation of $40,000 to pay the cost and expense of providing, installing and equipping in the office of the State Controller all the necessary machines, appliances, files, furniture, fixtures and equipment for the preparation, printing, typing, stamping, drawing, copying, filing, safekeeping, preservation, mailing, delivering, registering and recording of individual warrants for all claims and demands against the State of California, for certain alterations and additions for office space for the State Controller for said machines, appliances, files, furniture and fixtures, for certain repairs and replacements thereto, and for salaries and compensation of certain officers and employees of the State Controller necessary for the preparation, printing, typing, stamping, drawing, copying, filing, safekeeping, preservation, mailing, delivering, registering and recording of such individual warrants, declaring the urgency of such appropriation, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cobb asked for unanimous consent to take up Senate Bill No. 722, at this time, without reference to committee or file

Mr. Craig objected to unanimous consent.

Senate Bill No. 722 read, and referred to Committee in Ways and Means.

RESOLUTION.

The following resolution was offered:

By Mr. Craig:

Resolved, That the Chief Clerk of the Assembly be and he is hereby ordered and directed to prepare, during the constitutional recess, for use of the members of the Legislature, a complete and comprehensive Legislative Manual or Handbook of the size and style uniform with similar publications of previous sessions, same to contain list of State officers, members and officers of both houses of the Legislature, list of committees and rules of both houses and joint rules, together with indexes to the same, and such other information as he may deem useful; also to prepare for the use of members of the Legislature a Semi-Final Calendar containing a history of all bills introduced to date, together with a complete index and cross index to the same, to be printed and distributed during the constitutional recess, and the Chief Clerk is hereby empowered to employ such expert assistants, indexers, etc., as he may find necessary, and the Controller is hereby ordered and directed to draw his warrant on the contingent fund of the Assembly in favor of the Chief Clerk of the Assembly in the sum of $719 to pay for such services, and the Treasurer is hereby ordered and directed to pay the same. The Chief Clerk of the Assembly is further directed to furnish the Controller with vouchers for all expenditures made by him in pursuance of the work set forth above, during the said constitutional recess.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Woolwine, Zion and Mr. Speaker—66.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Mr. Craig:

WHEREAS, During the constitutional recess, services of the officers, attaches and employees of the Assembly will not be required with the exception hereinafter noted; and

WHEREAS, There is a great deal of exacting details pertaining to this session of the Legislature to be taken care of; and

WHEREAS, It will be necessary to retain a certain amount of help to assist in the performance of this work; therefore, be it

Resolved, That the name of each of the officers, attaches and employees heretofore employed by the fiftieth session of the Assembly for the positions at the per diem provided by law, be, and they are hereby stricken from the roll to begin and include the 29th day of January, 1933, save and except the following:

Arthur A. Ohnimus, Chief Clerk, 30 days @ $10 per day----------$300.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Jones, Kallam, King, Knowland, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Woolwine and Mr. Speaker—56.

NOES—None.

DAILY CALENDAR.

THIRD READING FILE.

Senate Concurrent Resolution No. 7—Relative to the orderly addition of new roads to the State highway system, after study and report by the California Highway Commission and the Department of Public Works.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 7 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—59.

NOES—Powers—1.

Title read and approved.

Senate Concurrent Resolution No. 7 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 7.

Relative to the orderly addition of new roads to the State highway system, after study and report by the California Highway Commission and the Department of Public Works.

WHEREAS, The forty-eighth and forty-ninth sessions of the Legislature adopted resolutions declaring certain underlying principles to be observed in the inclusion of new secondary roads within the State highway system, which principles have been observed during recent years; and

WHEREAS, Said underlying principles included the policy that additions be made so as to bring about an equality of secondary mileage in the North and in the South; that all such additions be recommended to the Legislature by the California Highway Commission and the State Department of Public Works after engineering and economic studies and that there be no change in the present statutory division of secondary highway funds; and

WHEREAS, It may appear desirable during the fiftieth session of the Legislature to add to the secondary State highway system a substantial mileage of county highways and through routes in cities in order to afford a wider spread of State highway revenues and to afford substantial relief to counties and cities with respect to the maintenance and improvement of major county roads and through routes in cities, thereby permitting a reduction in local taxes for said purposes; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That in order that proper consideration be given to the principle heretofore declared by the California Legislature respecting additions to the State highway system the California Highway Com-

mission and the Department of Public Works be and they are hereby directed immediately to make the necessary studies and on or before March 15, 1933, to submit a report and recommendations with all supporting engineering data of all roads studied to this Legislature for the inclusion of approximately 6600 miles in the secondary State highway system and in addition thereto a similar alternative report for the inclusion of any lesser number of miles in the secondary State highway system and that in the selection of the routes and mileage to be added said California Highway Commission and the Department of Public Works shall be guided by the following basic principles:

(1) That additions shall be made in such manner as to bring about an equality of secondary highway mileage in the North and in the South;

(2) That the selection of routes shall be such as to result in a connected and correlated system of State highways extending through municipalities in such manner as to best meet traffic requirements and that the proposed routes within municipalities include such mileage and warrant such future expenditures as to afford substantial and justifiable expenditure of the State highway revenues thereon, consistent with the necessary maintenance and improvement of State highways not within the limits of municipalities;

(3) That in the selection of county roads to be included, the California Highway Commission and the State Department of Public Works give consideration to those routes which are carrying or will serve a considerable volume of county or intercounty traffic and be connected with the present State highway system, the inclusion of which in the State system will afford a substantial measure of relief to the counties, and that in the selection of routes consideration be given to the needs of all parts of the State.

(4) That in making the above study access to National and State parks shall be considered.

Assembly Bill No. 175—An act to repeal "An act relating to stills and other devices for the manufacture or production of intoxicating liquor for beverage purposes, providing a penalty for the violation thereof, and repealing all inconsistent acts." approved April 29, 1927.

The Speaker ordered Assembly Bill No. 175 withdrawn from the file, and referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 16—Relative to joint rules of the Senate and Assembly—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

ROBINSON, C. RAY, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Robinson, C. Ray, asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 16, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER SIXTEEN.

Senate Concurrent Resolution No. 16—Relative to joint rules of the Senate and Assembly.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 16 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Jones, Kallam, Knowland, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls,

Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Utt, West, Zion and Mr. Speaker—59.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 16 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 16.

Resolved, by the Senate of the State of California, the Assembly concurring, That the following be, and the same are hereby adopted as the Joint Rules of the Senate and Assembly of the State of California for the fiftieth session of the Legislature.

JOINT RULES OF SENATE AND ASSEMBLY.

Committees and Committee Meetings.

Standing Committees.

1. Subject to the right of either house to appoint additional committees, the following standing committees shall be appointed in the Senate and Assembly, the number of members and the manner of selection to be determined by the rules of each house:

(1) Agriculture.
(2) Banking.
(3) Building and Loan Associations
(4) Commerce and Navigation
(5) Conservation.
(6) Constitutional Amendments.
(7) County Government.
(8) Drainage, Swamp and Overflowed Lands
(9) Education.
(10) Elections.
(11) Federal Relations.
(12) Finance in the Senate and Ways and Means in the Assembly
(13) Fish and Game.
(14) Hospitals and Asylums
(15) Insurance.
(16) Irrigation.
(17) Judiciary.
(18) Labor and Capital.
(19) Military Affairs.
(20) Mines and Mining.
(21) Municipal Corporations.
(22) Oil Industries.
(23) Prisons and Reformatories.
(24) Public Health and Quarantine
(25) Public Utilities.
(26) Revenue and Taxation.
(27) Roads and Highways
(28) Rules.

Joint Committee.

2. (1) A joint standing Committee on Joint Rules of Senate and Assembly shall be appointed to consist of the members of the Rules Committee of each house.

Joint Meeting of Committees.

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

Bills and Resolutions

Scope of Word "Bill."

4. Whenever the word "bill" is used in these rules it shall include constitutional amendments, joint and concurrent resolutions.

Joint and Concurrent Resolutions

5. Joint resolutions are those which relate to matters connected with the Federal government. All other resolutions relating to matters to be treated by both houses of the Legislature are concurrent resolutions.

Resolutions Treated as Bills.

6. Joint resolutions, concurrent resolutions and constitutional amendments shall be treated in all respects as bills: except that they shall be read but one time in each house and that they shall not be deemed bills within the meaning of section 2 of Article IV of the Constitution, and shall not be referred to the Committee on

Introduction of Bills, and shall not require a vote to authorize their introduction. As in the case of bills, they shall be engrossed in the house in which they originate before being voted upon.

Preparation and Introduction of Bills.

Title of Bill.

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

Division of Bill into Sections.

8. Bills amending more than one section of existing laws shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

Restrictions as to Amendments.

9. A substitute or amendment must relate to the same subject as the original bill, resolution or constitutional amendment under consideration. It shall be the duty of the Legislative Counsel to note all bills upon the third reading files of the Senate and Assembly to determine whether or not such bills have been amended, and if so, whether or not a bill which has been amended affects the same subject matter as that expressed in the title of the original bill In the event that it does not, he shall immediately notify the Secretary of the Senate in writing if the bill be upon the third reading file of the Senate, or the Chief Clerk of the Assembly if the bill be upon the third reading file of the Assembly, and shall state wherein this rule has been violated

Changes in Existing Law to Be Marked by Author.

10. In case of a bill amending a code section or a general law, any new matter shall be underlined and any matter to be omitted shall have a single horizontal line through the center. When printed the new matter shall be printed in italics and the matter to be omitted shall be printed in canceled or "strikeout" type.

Endorsement of Date of Introduction.

11. Bills introduced in either house shall be endorsed with the date of introduction.

Printing and Distribution of Bills.

Manner of Printing Bills, Etc.

12. The State Printer shall observe the following directions in printing all bills, constitutional amendments, joint and concurrent resolutions:

(a) The body of such bills and resolutions shall be printed in solid unspaced form so that the same type shall be used both before and after enrollment.

(b) All titles of bills, resolutions, etc., shall be set in italics, statute form, and the length of the lines used in the titles shall not exceed that of the body of the bill.

(c) The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only; provided, however, that concurrent resolutions approving city or county or city and county charters or amendments thereto may be set in smaller type and without line numbers.

(d) Enrolled bills may be inclosed in stock cover.

Printing of Amendments.

13. All bills amended by either house shall be immediately reprinted; in the case new matter is added by the amendment such new matter shall be printed in italics in the printed bill, and in the case of matter being omitted, the matter to be omitted shall be printed in type bearing a horizontal line through the center and commonly known as "strikeout" type. When a bill is amended in either house, the first or previous markings shall be omitted. When a bill amendatory of a code section or general law is engrossed, all figures or symbols shall be removed.

Distribution of Bills During Constitutional Recess.

14. All requests for mailing or distribution of bills, resolutions, histories, etc., shall be filed with the Secretary of the Senate or Chief Clerk of the Assembly, who shall compile the same with the elimination of duplication as a general mailing list. Each member of the Senate and Assembly shall be permitted to submit a list of ten libraries, chambers of commerce or individuals who shall be placed upon such general mailing list The Secretary of the Senate and Chief Clerk of the Assembly shall order sufficient number of bills, constitutional amendments, joint and concurrent resolutions, histories, etc., to supply this list, together with such number as may be necessary to supply members and legislative officers, accredited newspaper representatives, law libraries, and State officers, together with such requests for individual bills as may be filed with either of the houses of the Legislature or the Legislative

Bill Room. It shall be the duty of the Secretary of the Senate or the Chief Clerk of the Assembly, when it shall appear that there is an insufficient number of any particular legislative publication on hand to supply public demand, to immediately order a reprint of such publication in a number sufficient to meet such demand as may reasonably be anticipated. Except as hereinabove provided, no complete list of bills, resolutions, etc., shall be delivered to any individual except upon payment therefor of the sum of $35, which amount shall be paid to the State Printer, credited to legislative printing, and accounted for to the Legislature. Except in the event of unusual demand, as hereinabove provided for, the total number of each bill, constitutional amendment, joint or concurrent resolution to be printed, shall be not more than 2500.

Distribution of Bills After Constitutional Recess.

15. Following the recess, new bills introduced shall be forwarded to the public libraries and law libraries only, and one copy each of amended bills as may be requested. Weekly Histories and Journals shall be distributed generally, following the recess, upon such schedule as the Secretary of the Senate and Chief Clerk of the Assembly may designate.

Other Legislative Printing.

Printing of the Daily Journal.

16. The State Printer shall print one thousand copies of the Journal of each day's proceedings of each house; at the end of the session he shall also print a sufficient number of copies, properly paged after being corrected and indexed by the Secretary of the Senate and Chief Clerk of the Assembly, to bind in book form as the Journal of the respective houses of the Legislature as required by law.

What Shall Be Printed in the Journal.

17. The following shall always be printed in the Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions and constitutional amendments when introduced in, offered to, or acted upon by the house, and the title and text of joint and concurrent resolutions and constitutional amendments when adopted by the house; provided, that in the case of a concurrent resolution approving the adoption of a charter or charter amendments of any kind, the text of such charter or charter amendments need not be printed in the Journal.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial or paper presented to the house

(c) A true and accurate account of the proceedings of the house, when not acting as a committee of the whole.

Printing of the Daily File.

18. A daily file of bills ready for consideration shall be printed each day for each house, and copies of the file of each house shall be distributed each day to all of the members of both houses.

Printing of History.

19. Each house shall cause to be printed on Monday of each week, during the session, a complete History of all bills, joint or concurrent resolutions and constitutional amendments originating in or acted upon by the respective houses.

Such History shall show the action taken upon each measure up to and including the legislative day preceding its issuance

For each legislative day intervening there shall be printed a Supplementary History showing the action taken upon any measure since the issuance of the complete History. A regular form shall be prescribed and no other form shall be used.

Immediately following the adjournment for the constitutional recess the History shall be compiled and printed to date of recess.

Authority for Printing Orders.

20. The Superintendent of State Printing shall not print for use of either house any matter other than provided by law or by these rules, except upon a written order signed by the Secretary of the Senate or the Chief Clerk of the Assembly. The Secretary of the Senate and the Chief Clerk of the Assembly may also, when necessity requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order.

Record of Bills.

Secretary and Chief Clerk to Keep Register.

21. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a register, in which shall be recorded every action taken by the Senate and Assembly on every bill, concurrent or joint resolution or constitutional amendment.

Secretary and Chief Clerk Shall Endorse Bills

22 The Secretary of the Senate and the Chief Clerk of the Assembly shall endorse on every original bill a statement of any action taken by the Senate and Assembly.

Action in One House on Bill Transmitted From the Other.

Bills Read and Referred to Committee.

23. When a Senate bill has been received by the Assembly or an Assembly bill by the Senate, with a message announcing that the same has passed the Senate or Assembly, such bill shall be read the first time by the Secretary or the Chief Clerk and referred to a standing committee by the presiding officer, unless otherwise ordered by the house.

After a Bill Has Been Passed by the Senate or Assembly.

24. When a bill (if it be a Senate bill) has been received from the Senate by the Assembly, after its passage, or (if it be an Assembly bill) has been received from the Assembly by the Senate after its passage, it shall be taken up by the Senate or Assembly, as the case may be, under the regular order of business ("Senate messages" or "Assembly messages"), read the first time, unless otherwise ordered by the house, and shall then be assigned to the proper committee, unless otherwise ordered, who shall act upon the same as soon as practicable, and report the same back to the Senate or Assembly forthwith, and the chairman of each committee is charged with observance of this rule.

Special File.

25 On the second day after the close of the recess provided for in section 2, Article IV of the Constitution, the Senate and Assembly shall each anopt and provide a special file upon which shall be placed: In the Senate, only Assembly bills that have passed the Assembly; and in the Assembly, only Senate bills that have passed the Senate Such special file shall be taken up at two o'clock p.m. of each day in the Assembly and at two o'clock and thirty minutes p.m. of each day in the Senate and be considered at least one hour and a half after being so taken up unless its consideration shall be completed in a lesser period of time. This rule shall not be suspended in either house except by a three-fourths vote of such house.

Reports From One House to the Other as to Action on Bill.

Bill or Resolution in One House, Rejected in the Other, Requires Notice.

26. When a bill or resolution which shall have passed one house is rejected by the other, notice thereof shall be given immediately to the house in which the same shall have passed.

Each House to Transmit Papers.

27. Each house shall transmit to the other papers on which any bill or resolution shall be founded

Notices to Be in Writing Under Proper Signatures.

28. Notice of the action of either house to the other shall be in writing and under the signature of the Secretary of the Senate or the Chief Clerk of the house from which such notice is to be conveyed.

Secretary, Chief Clerk, etc, to Dispatch Messages.

29. Messages shall be sent to the other house by an officer or attache to be designated by the Secretary, if it be a Senate message, or by the Chief Clerk, if it be an Assembly message.

Messages to Be Delivered to Secretary, Chief Clerk, etc.

30 When a message shall be sent from either house to the other, it shall be delivered to the Secretary of the Senate or one of his assistants, if it be directed to the Senate, or the Chief Clerk of the Assembly, or one of his assistants, if it be directed to the Assembly, and a receipt taken from the officer to whom such message is delivered.

Passage and Enrolling of Bills.

Passage of Bills Taking Effect Immediately.

31. Each house shall act in the usual course upon all bills that may be made to take effect immediately, under the provisions of section 1, Article IV of the Constitution.

Passage of Urgency Provisions in Bills.

32 Upon the third reading of an act which is an urgency measure within the meaning of section 1, Article IV of the State Constitution, the presiding officer shall direct that the section of said act setting forth the facts constituting the necessity for such urgency (which shall be known as the urgency section) be then read and put to vote. The question shall be thus stated: "Shall this section, setting forth the urgency features of this bill, be passed?" If upon such final vote two-thirds of all the members elected to the house in which the vote is being taken shall not vote in the affirmative, no further action shall be taken on the bill; but, in case an identical bill without such an emergency clause be again introduced into such house, such bill shall be placed on file without reference to any committee.

Passage of Bills Preceding Final Adjournment.

33. No Senate bill shall be passed by the Senate and no Assembly bill shall be passed by the Assembly within seven days of the time set for adjournment sine die of the two houses of the Legislature, unless permission to vote on such bill shall be

granted by a three-fourths vote of the house of its origin after being recommended by the presiding officer thereof.

Enrollment of Bill After Passage.

34. After a bill shall have passed both houses, it shall be duly enrolled after being carefully compared, by the engrossing and enrolling clerk and committee of the house in which it originated, with the engrossed bill, as passed in the two houses. It shall then receive the signatures provided for in joint rule 37, and be presented to the Governor of the State.

Enrolling Committee to Present Bills to Governor.

35. After a bill shall have been thus passed in each house, it shall be presented by the engrossing and enrolling committee of the house in which it originated to the Governor of the State for his approval (it being first indorsed by the presiding officers of the two houses, and by the Secretary of the Senate and the Chief Clerk of the Assembly). The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the house in which the bill originated.

Amendments and Conferences.

Amendments to Amended Bills Must Be Attached.

36. Whenever a bill or resolution which shall have been passed in one house shall be amended in the other, it shall immediately be reprinted as amended by the house making such amendment or amendments. Such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "adopted," and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be indorsed "concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly, as the case may be; provided, however, that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the house in which such bill originated.

To Concur or Refuse to Concur in Amendments.

37. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Chief Clerk shall notify the house making the amendments and the bill shall be ordered to enrollment.

When Senate or Assembly Refuse to Concur.

38. If the Senate refuse to concur (if it be a Senate bill), or the Assembly refuse to concur (if it be an Assembly bill), the Secretary or the Chief Clerk shall notify the house making the amendments of such refusal, and ask that they recede from their amendments. If they refuse to recede, the presiding officer shall appoint a committee of three (3) on conference and the Secretary or the Chief Clerk shall immediately notify the other house of the action taken and request the appointment of a like committee. Two of the members comprising such committee from each house shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each house of such committee shall be selected from the minority, in the event there is a minority vote. The first Senator named on the free conference committee shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the Committee from the House, and the chairman thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The Committee on Free Conference shall report to both the Senate and Assembly.

COMMITTEE ON FREE CONFERENCE

39. In every case of an amendment of a bill agreed to in one House and dissented from in the other, if either House shall request a conference and appoint a committee to confer, the other house shall appoint a like committee; and such committee shall meet at a convenient hour, to be agreed upon by the respective chairmen of the committees.

REPORT OF COMMITTEE ON FREE CONFERENCE.

40. The report of the Committee on Free Conference shall not be subject to amendment, and if either House refuse to adopt such report the conferees may be discharged and other conferees appointed

It shall require the affirmative vote of not less than four of the members constituting the committee to agree upon a report No member who has served on a Committee on Free Conference shall be appointed a member of another Committee on Free Conference on the same bill.

WHEN CONFERENCE COMMITTEE REPORT IS IN ORDER.

41. The presentation of the report of a Committee on Free Conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

MISCELLANEOUS PROVISIONS.

42. The Committee on Joint Rules shall be empowered to compile a list of suggestions as to the form of bills and resolutions prepared for introduction into the Legislature.

PRESS RULES.

43 A person desiring recognition by the Senate or Assembly as a newspaper correspondent shall make application in writing to the President of the Senate or Speaker of the Assembly.

(a) The applicant shall state in writing the name of the newspaper or newspapers he represents and that he is not engaged and will not become engaged as a lobbyist for any person, copartnership, corporation or interest and that he is not and will not become the agent or representative of any person, copartnership, organization or corporation in advocating or attempting to defeat any measure pending in either branch of the Legislature, that he is not employed in any executive, administrative or legislative department of the State government and will not become so employed while accepting the privileges of a press representative.

(b) It shall be the duty of the President of the Senate and the Speaker of the Assembly to assign one or more rooms for the exclusive use of correspondents during the legislative session, which room shall be known as the press room. The press room shall be under the control of the Superintendent of the Capitol Building and Grounds, provided, that all rules and regulations shall be approved by the President of the Senate and Speaker of the Assembly.

ADJOURNMENT.

44. Adjournment for the constitutional recess and adjournment sine die shall be made only by concurrent resolution; and the resolution for adjournment sine die shall be passed by both houses at least fourteen days before the date of such adjournment.

JOINT ADDRESS TO GOVERNOR.

45. When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber by the President of the Senate in the presence of the Speaker of the Assembly and a select committee of six members from each house appointed by the respective presiding officers.

DISPENSING WITH JOINT RULES.

46. No joint rule shall be dispensed with except by a vote of two-thirds of each house; and joint rules 27 and 35 can be dispensed with only in the manner provided for in said joint rules. If either house shall violate a joint rule a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the rules of such house; and if it shall be decided that the joint rules have been violated, the bill involving such violations shall be returned to the house in which it originated, without further action. Or, at the option of such house, the president or speaker may direct the Secretary or the Chief Clerk to mark the section or sections in conflict with the rules as nonconcurred in or negatived.

MOTION.

Mr. Craig moved that Rule 90 of the standing rules of the Assembly be temporarily suspended.

Motion carried.

MOTION TO WITHDRAW BILL.

Mr. Craig moved that Senate Bill No. 722 be withdrawn from the Committee on Ways and Means, for consideration.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Craig asked for, and was granted, unanimous consent to take up Senate Bill No. 722, at this time.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 26, 1933.

To the Honorable Members of the Assembly of the State of California.

Senate Bill No. 722 makes an appropriation to pay the cost and expense of equipment and personnel necessary to the issuing of individual warrants for all salaries, wages, and other claims against the State of California, which procedure apparently will have to be followed because of the necessity of registering Controller's warrants against the general fund before the close of the present biennium.

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of section 1 of Article IV of the Constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted

JAMES ROLPH, JR., Governor of California.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Cobb:

Resolved, That Senate Bill No. 722 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Anglim, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Relwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West and Mr. Speaker—59.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 722.

SECOND READING OF SENATE BILL NUMBER SEVEN HUNDRED TWENTY-TWO.

Senate Bill No. 722—An act making an appropriation of $40,000 to pay the cost and expense of providing, installing and equipping in the office of the State Controller all the necessary machines, appliances, files, furniture, fixtures and equipment for the preparation, printing, typing, stamping, drawing, copying, filing, safe-keeping, preservation, mailing, delivering, registering and recording of individual warrants for all claims and demands against the State of California, for certain alterations and additions for office space for the State Controller for said machines, appliances, files, furniture and fixtures, for certain repairs and replacements thereto, and for salaries and compensation of certain officers and employees of the State Controller necessary for the preparation, printing, typing, stamping, drawing, copying, filing, safe-keeping, preservation, mailing, delivering, registering and recording of such individual warrants, declaring the urgency of such appropriation, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Woolwine and Mr. Speaker—65.

NOES—None

THIRD READING OF SENATE BILL NUMBER SEVEN HUNDRED TWENTY-TWO.

Senate Bill No 722—An act making an appropriation of $40 000 to pay the cost and expense of providing installing and equipping in the office of the State Controller all the necessary machines, appliances, files furniture, fixtures and equipment for the preparation, printing, typing, stamping, drawing, copying, filing, safe-keeping, preservation, mailing, delivering, registering and recording of individual warrants for all claims and demands against the State of California, for certain alterations and additions for office space for the State Controller for said machines, appliances, files, furniture and fixtures, for certain repairs and replacements thereto, and for salaries and compensation of certain officers and employees of the State Controller necessary for the preparation, printing, typing, stamping, drawing, copying, filing, safe-keeping, preservation, mailing, delivering, registering and recording of such individual warrants, declaring the urgency of such appropriation, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 722 finally passed by the following vote:

AYES—Alter, Anglim Badham, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, King, Knowland, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, and Mr. Speaker—58.

NOES—Bliss, Clowdsley, Kallam, Riley, and Zion—5

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FEDERAL RELATIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1933.

MR SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No 14—Relative to Federal aid road appropriations—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

PETERSON, Chairman

REQUEST FOR UNANIMOUS CONSENT.

Mr. Greene asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 14, at this time, without reference to file.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER FOURTEEN.

Senate Joint Resolution No. 14—Relative to Federal aid road appropriations.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 14 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Woolwine and Mr. Speaker—60.

NOES—Bliss and Zion—2.

Title read and approved.

Senate Joint Resolution No. 14 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 14.

Relative to Federal aid road appropriations.

WHEREAS, The Federal Congress has failed to authorize the regular Federal highway aid appropriations of $125,000,000 annually for the fiscal years 1934 and 1935; and

WHEREAS, Present appropriations, from which the State of California receives approximately $4,200,000 annually, terminate with the fiscal year ending June 30, 1933; and

WHEREAS, The abrupt discontinuance of Federal aid work in California and the other western States will undoubtedly greatly increase unemployment and require relief measures that otherwise would not be necessary; and

WHEREAS, It is further asserted that even with annual appropriations of $125,000,000 the States will have less Federal money for roads than in 1932, because emergency Federal road advances and loans from the Reconstruction Finance Corporation must be repaid to the Federal government from future Federal aid allotments; and

WHEREAS, It is vitally important to the development of the country and particularly the western States for continuation of Federal aid at this time, not only for regular Federal aid projects, but also for Federal lands projects and forest highway construction; now therefore, be it

Resolved by the Senate, the Assembly concurring, That the Federal Congress be and is hereby memorialized to make the regular Federal aid road appropriations for the fiscal years 1934 and 1935 before adjournment, and be it further

Resolved, That a copy of this memorial be sent to California's Representatives in Congress.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Powers: Assembly Joint Resolution No. 17—Relative to unemployment relief.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Powers asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 17, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER SEVENTEEN.

Assembly Joint Resolution No. 17—Relative to unemployment relief.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 17 adopted by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Gilmore, Greene, Grubbs, Hallner,

Hatch, Jones, Kallam, King, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, and Mr. Speaker—56

NOES—Hoffman—1.

Title read and approved.

Assembly Joint Resolution No. 17 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 17.

Relative to unemployment relief.

WHEREAS, Extremely large numbers of transient unemployed, nonresident men enter California during the fall and remain throughout the winter to escape the hardships of northern winters, and

WHEREAS, Such nonresident, obless men form a tremendous burden upon local relief agencies to the detriment of relief for California residents, and

WHEREAS, The support of such nonresident, obless itinerants does not constitute a just charge against the people of the State of California, and

WHEREAS, The cost of relieving the distress of such nonresidents is a more proper charge against the Federal government of the United States, and

WHEREAS, U. S. Senate Bill 5121 has been introduced into the United States Senate by Senator Cutting of New Mexico for the purpose of making available funds for the relief of transient, unemployed through the amendment of Title I of the Emergency Relief and Construction Act of 1932, approved July 21, 1932 (47 Stat. L. 709), and

WHEREAS, U. S. Senate Bill 5121 if made law would make available to the State of California funds for the relief of nonresident transients without the necessity of repayment of such funds to the Federal government by the State of California either directly or through the withholding of future Federal aid for highways, now therefore be it

Resolved by the Assembly and Senate of the State of California, jointly, That the California Legislature hereby indorses Senator Cutting's bill S. 5121, and urges its adoption by the Congress of the United States, and be it further

Resolved, That copies of this resolution be sent to Senator Cutting and to the California members of the United States Senate and House of Representatives.

MOTIONS TO PRINT BILLS.

Mr. Roberts moved that the Chief Clerk be instructed to have 500 copies each of Assembly Bills Nos. 555 and 580 printed.

Motion carried.

Mr. Morgan moved that the Chief Clerk be instructed to have 250 copies of Assembly Bill No. 878 printed.

Motion carried.

Mr. Badham moved that the Chief Clerk be instructed to have 250 copies each of Assembly Bills Nos. 878, 880 and 1326 printed.

Motion carried.

Mr. Ross moved that the Chief Clerk be instructed to have 500 copies of Assembly Bill No. 974 printed.

Motion carried.

Mr. Phillips moved that the Chief Clerk be instructed to have 500 copies of Assembly Bill No. 290 printed.

Motion carried.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. West: Assembly Bill No. 1745—An act to amend section 949 of the Fish and Game Code, relating to nets.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Bliss: Assembly Bill No. 1746—An act providing for the conveyance to the city of Santa Barbara of real property belonging to the State of California on condition that the city of Santa Barbara in exchange therefor convey to the State of California real property belonging to the city of Santa Barbara.

Bill read first time. and referred to Committee on Teachers Colleges.

By Mr. Bliss: Assembly Bill No. 1747—An act to authorize and empower the State Director of Education, with the approval of the State Director of Finance, to sell and convey the lands and buildings now being used by the State Teachers College of Santa Barbara, and from the proceeds of such sale to improve the site for said school, acquired by the State in 1932, to erect and construct upon such site buildings and other structures and improvements necessary and proper for said school, to purchase furniture, fixtures, apparatus, and other things necessary for said school, and to rent such temporary buildings and grounds as may be necessary for the use of said school until the completion of the new school buildings.

Bill read first time, and referred to Committee on Teachers Colleges.

By Mr. Badham (by request): Assembly Bill No. 1748—An act to amend an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended, and providing for the creating a Board of Wage Review for the purpose of readjusting existing minimum wage schedules relating to the employment of women when economic conditions arise incident to conditions in industries or occupational classifications where such readjustment would tend to spread work to embrace a greater number of individuals.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Jones (by request): Assembly Bill No. 1749—An act amending section 3658a of the Political Code, relating to the preparation and adoption of official maps.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No. 1750—An act to add a new section to the Fish and Game Code, to be numbered 738.5, relating to smelt.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1751—An act to amend sections 1060, 1410, of the Fish and Game Code, and to add thereto sections 481.6, 842.6, 842.7, 1064.6 and to add Article 1A to Chapter V, Part II, Division IV embracing sections 1000 and 1001, relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1752—An act to add a new section to the Fish and Game Code, to be numbered 950.5, relating to Chinese shrimp nets.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1753—An act to add a new section to the Fish and Game Code to be numbered 459, relating to other regulations.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1754—An act to amend section 423 of the Fish and Game Code, relating to hunting and sporting fishing licenses.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1755—An act to add a new section to the Fish and Game Code to be numbered 20, relating to powers and duties.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1756—An act to repeal section 1069 of the Fish and Game Code, relating to fish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1757—An act to amend section 1068 of the Fish and Game Code, relating to fish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 1758—An act to add section 640b to the Penal Code, relating to the fraudulent or unauthorized installation or use of any telephonic device or contrivance.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Scudder: Assembly Bill No. 1759—An act to amend sections 656 and 843 of the Fish and Game Code, and to repeal section 863 thereof, relating to salmon and nets.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 1760—An act to amend section 797 of the Fish and Game Code, relating to abalones.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 1761—An act to amend section 250 of the Fish and Game Code, relating to clam preserves.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 1762—An act to add sections 1415 and 1416 to the Fish and Game Code, relating to the forfeiture of hunting and sporting fishing licenses.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 1763—An act to amend section 809 of the Fish and Game Code, relating to clams.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 1764—An act to amend sections 879 and 882 of the Fish and Game Code, relating to nets.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs. Alter, Bliss, Boyle, Brock, Cassidy, Cottrell, Craig, Crist, Crowley, Dempster, Fisher, Frazier, Gilmore, Hoffman, Hunt, Kallam,

King, Lyon, McBride, Martin, Mayo, Meehan, Meeker, Patterson, Phillips, Powers, Roberts, Roland, Ross, Scudder, Turner, Utt, West, Woolwine, Wright and Zion: Assembly Bill No. 1765—An act amending the Political Code by repealing sections 3627a, 3627c, 3664, 3664a, 3664aa, 3664c, 3664d, 3665a, 3665b, 3666, 3666b, 3667, 3667a, 3670, 3670a, 3670b, 3670bb, 3670c, 3670cc, 3670d, 3671, 3671a, 3671b, 3671c and 3671d, by amending sections 3627, 3628, 3629, 3630, 3648, 3649, 3650, 3664b, 3664b-1, 3665c, 3667b, 3668, 3668a, 3668b, 3668c, 3669, 3669a, 3669c, 3696 and 3714a, and by adding thereto new sections to be numbered 3664, 3664a and 3667 respectively, relating to the assessment and collection of taxes, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Alter, Bliss, Boyle, Brock, Cassidy, Cottrell, Craig, Crist, Crowley, Dempster, Fisher, Frazier, Gilmore, Hoffman, Hunt, Kallam, King, Lyon, McBride, Martin, Mayo, Meehan, Meeker, Patterson, Phillips, Powers, Roberts, Roland, Ross, Scudder, Turner, Utt, West, Woolwine, Wright and Zion: Assembly Bill No. 1766—An act to carry into effect the provisions of section 15 of Article XIII of the Constitution of the State of California, relating to taxes on gross receipts

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Maloney: Assembly Bill No. 1767—An act appropriating moneys to the use of the insurance fund, and providing for the return of said moneys to the general fund.

Bill read first time, and referred to Committee on Ways and Means

By Mr. Maloney: Assembly Bill No. 1768—An act to amend sections 53 and 54 of the Agricultural Code, relating to county agricultural commissioners, deputy commissioners and inspectors.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Scudder: Assembly Bill No. 1769—An act to amend section 730 of the Fish and Game Code, relating to halibut.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Morgan: Assembly Bill No. 1770—An act to add a new section to the School Code to be numbered 1.3, relating to fees and rates of tuition of nonresident students enrolled in junior college courses of study, junior colleges or State teachers colleges.

Bill read first time, and referred to Committee on Education.

By Mr. Fisher: Assembly Bill No. 1771—An act to amend section 4110 of the Political Code, relating to presentation and payment of warrants by the county treasurer and the duties of the auditor in relation thereto.

Bill read first time, and referred to Committee on County Government.

By Mr. Fisher: Assembly Bill No. 1772—An act to add a new section to the Workmen's Compensation Insurance and Safety Act of 1917 to be known as section 26a.

Bill read first time, and referred to Committee on Insurance.

By Mr. Fisher: Assembly Bill No. 1773—An act to amend section 1 of an act entitled "An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, and authorizing such public or quasi public corporations to take out and pay for insurance to protect them against such liability." (Statutes 1931, Chapter 1167.)

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Fisher: Assembly Bill No. 1774—An act to amend section 2 of an act entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances" (Statutes 1923, Chapter 328), to read as follows:

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Fisher: Assembly Bill No. 1775—An act to pay the claim of the Master Plumbers Association Holding Corporation against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Fisher: Assembly Bill No. 1776—An act to repeal "An act relating to senior rights of members of paid police departments of counties, cities and counties, cities, or towns," approved February 23, 1907, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Fisher: Assembly Bill No. 1777—An act to amend section 4223 of the Political Code, relating to county hospitals.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Fisher: Assembly Bill No. 1778—An act to provide for the aid and relief of indigents.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Fisher: Assembly Bill No. 1779—An act authorizing the administration of relief to county welfare agencies governed by commissions; and setting forth the organization, powers and duties of such agency.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Fisher: Assembly Bill No. 1780—An act to amend sections 2, 2½, 3 and 4 of an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent and incapacitated persons (other than persons adjudged insane and con-

fined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Turner: Assembly Bill No. 1781—An act to amend section 4149 of the Political Code, relating to the office and compensation of the county live stock inspector.

Bill read first time, and referred to Committee on County Government.

By Mr. Ross: Assembly Bill No. 1782—An act to amend section 79 of the Fish and Game Code, relating to Fish and Game District 12A.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Ross: Assembly Bill No. 1783—An act to amend section 651 of the Fish and Game Code, relating to salmon.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Ross: Assembly Bill No. 1784—An act to amend section 654 of the Fish and Game Code, relating to salmon.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Ross: Assembly Bill No. 1785—An act to amend section 1177 of the Fish and Game Code, relating to pheasants.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Ross: Assembly Bill No. 1786—An act to add a new section to the Fish and Game Code to be numbered 1217, relating to pheasants.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Ross: Assembly Bill No. 1787—An act to add a new section to the Fish and Game Code to be numbered 170, relating to Fish and Game District 4H.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Ross: Assembly Bill No. 1788—An act to amend section 737ss of the Political Code, relating to the compensation of the judge of the superior court of Shasta County.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Ross: Assembly Bill No. 1789—An act to amend section 737aaa of the Political Code, relating to the compensation of the judge of the superior court of Trinity County.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Ross: Assembly Bill No. 1790—An act to amend section 737ff of the Political Code, relating to the compensation of the judge of the superior court of Plumas County.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Robinson, C. Ray: Assembly Bill No. 1791—An act to amend an act entitled "An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations," approved April 30, 1919, by adding section 1, section 4, section 2, section 4b, section 3, section 4c, section 4, section 4d, section 5, section 4e, section 6, section 4f, section 7, section 4g, section 8, section 4h, section 9, section 4i, section 10, section 4j, section 11, section 4k, section 12, section 4l thereto.

Bill read first time, and referred to Committee on Insurance.

By Mr. Zion: Assembly Bill No. 1792—An act to impose a graduated tax for support of State government, etc.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Roberts: Assembly Bill No. 1793—An act to amend sections 47 and 48 of the Civil Code and to add section 47a thereto, relating to libel and slander.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clowdsley: Assembly Bill No 1794—An act to add a new section to the Political Code, to be numbered 4041.26, relating to the purchase and sale of county property.

Bill read first time, and referred to Committee on County Government.

By Mr. Clowdsley: Assembly Bill No. 1795—An act to amend section 68 of the Penal Code, relating to bribery.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Clowdsley: Assembly Bill No. 1796—An act to amend section 1557 of the Penal Code, relating to the return to this State of fugitives from justice.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clowdsley: Assembly Bill No. 1797—An act to amend section 288 of the Penal Code, relating to crimes against children.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clowdsley: Assembly Bill No. 1798—An act to amend section 925 of the Penal Code, relating to subpenas for grand juries.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clowdsley: Assembly Bill No. 1799—An act to amend section 1446 of the Penal Code, relating to the payment of fines.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clowdsley: Assembly Bill No. 1800—An act to amend section 1205 of the Penal Code, relating to the payment of fines.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clowdsley: Assembly Bill No. 1801—An act to add section 5 64 to the School Code, relating to the limitation of enrollment in State teachers colleges and in institutions subject to the provisions of the School Code relating to State teachers colleges.

Bill read first time, and referred to Committee on Education.

By Mr. Clowdsley: Assembly Bill No. 1802—An act to amend section 7 of and to add a new section to be numbered 8½ to "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; and to make an appropriation for the carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to fees for the use of State park areas, and making an appropriation for the State park system.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Gilmore: Assembly Bill No. 1803—An act to amend section 172a of the Penal Code, relating to the selling, giving away, or exposing for sale of any vinous or alcoholic liquors upon or within one and one-half miles of the university grounds of any university having an enrollment of more than 1000 students, more than 500 of whom reside or lodge upon said university grounds.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Gilmore: Assembly Bill No 1804—An act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain State buildings and grounds.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Gilmore: Assembly Bill No. 1805—An act to regulate the practice of auctioneering and to license, regulate and supervise persons engaged in the business of or acting as auctioneers.

Bill read first time, and referred to Committee on Judiciary.

By Miss Miller, Eleanor: Assembly Bill No. 1806—An act to add to the School Code new sections to be numbered 2.1112, 2.1113, 2.1114, 2.1115, 2.1116, 2.1117, 2.1118, and 2.1119; and to amend School Code sections 4.375 and 4.970, relating to public schools, school districts, the powers and duties of the governing boards of school districts, and the authorizing of any elementary district to permit the governing board of the high school district within which any such elementary district is located, to manage, operate and control the elementary schools within such elementary district together with the high schools of the high school district as a single school district system.

Bill read first time, and referred to Committee on Education.

By Mr. Redwine: Assembly Bill No. 1807—An act to amend the act known as "The General Cemetery Act," approved June 19, 1931, by amending section 3 and other sections thereof and by adding new sections thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Rogers: Assembly Bill No. 1808—An act to amend section 489 of the Penal Code, relating to punishment for grand theft.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Badham (by request): Assembly Bill No. 1809—An act to regulate the practice of dentistry and the education of dentists, to license dentists and dental hygienists, to provide for a State Board of Dental

Examiners, and to provide for a fund for the fees and other moneys collected under this act and for the enforcement of the provisions of this act, and to provide penalties for the violation hereof.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Cassidy: Assembly Bill No. 1810—An act to amend sections 207 to 209 of the Penal Code, relating to kidnaping.

Bill read first time, and referred to Committee on Crime Problems.

By Messrs. Jones, Boyle, Turner, Rogers, Stannard, King, Tournoux, Sullivan, O'Connor, Callahan, McCarthy and Rawls: Assembly Bill No. 1811—An act to provide for conventions in the State of California to ratify amendments to the Constitution of the United States.

Bill read first time, and referred to Committee on Constitutional Amendments.

By Mr. O'Connor: Assembly Bill No. 1812—An act to amend section 1 of the Direct Primary Law, relating to definitions.

Bill read first time, and referred to Committee on Direct Legislation.

By Mr. O'Connor: Assembly Bill No. 1813—An act to abolish the Department of Professional and Vocational Standards and all boards and offices under the jurisdiction of said department and to provide for the transfer of the powers and duties of said boards and offices to other State departments and to repeal Article IIn of Chapter 3 of Title I of Part III of the Political Code, embracing sections 377 to 377n, relating to various State administrative agencies.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. O'Connor: Assembly Bill No. 1814—An act to abolish the various State Boards of Pilot Commissioners and to transfer their powers and duties to the Board of State Harbor Commissioners and to repeal sections 2440 and 2441 of the Political Code and sections 1, 2, 3 and 4 of an act entitled "An act creating a Board of Pilot Commissioners for the harbor of San Diego, defining their duties and fixing their compensation," approved March 2, 1921, relating to State Boards of Pilot Commissioners.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. West: Assembly Bill No. 1815—An act to amend section 29 of the California Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. West: Assembly Bill No. 1816—An act making an appropriation to pay the claim of the county of Sacramento against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. West: Assembly Bill No. 1817—An act to amend sections 651, 654 and 659 of the Fish and Game Code, and to add thereto sections 658.5 and 658.6, relating to salmon.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Field: Assembly Bill No. 1818—An act to amend section 1143 of the Penal Code, relating to fees and mileage of jurors in criminal cases.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Field: Assembly Bill No. 1819—An act to amend section 4300f of the Political Code, relating to jurors' fees and mileage.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Field: Assembly Bill No. 1820—An act to add a new section to the Code of Civil Procedure, to be numbered 605, establishing the procedure for jury fees in civil cases and making such fees a revenue of the county and to repeal conflicting acts and parts of acts.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Field: Assembly Bill No. 1821—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to the place of holding court.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Field: Assembly Bill No. 1822—An act to amend sections 997, 1009, 1116, 1117, 1166, 1188, 1262, 1297, 1302, 1371, and 1384 of the Penal Code, relating to refund of money deposited in lieu of bail, and to repeal conflicting acts and parts of acts.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Field: Assembly Bill No. 1823—An act to amend the California Toll Bridge Authority Act.
Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Field: Assembly Bill No. 1824—An act to amend the Vehicle Code, regarding operators' licenses.
Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Field: Assembly Bill No. 1825—An act to amend section 325 of the Fish and Game Code, to amend section 330 to be section 327, section 331 to be section 328, to amend and renumber section 332 to be 329, to amend and renumber section 327 to be 330, to renumber section 328 to be 331, and to amend and renumber section 329 to be section 332, relating to game farms, game refuges, and public shooting grounds.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Field: Assembly Bill No. 1826—An act to repeal an act entitled "An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance; prescribing the powers and duties of said officials in relation to said bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor," approved June 5, 1931.
Bill read first time, and referred to Committee on Ways and Means.

By Mr. Field: Assembly Bill No. 1827—An act to provide for the regulation and licensing of motor carriers, operating wholly or in part within this State, and to provide penalties for the violation thereof.
Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Field: Assembly Bill No. 1828—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Field. Assembly Bill No 1829—An act to repeal sections 330, 331 and 332 of the Fish and Game Code, relating to the public shooting grounds advisory committee.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Field: Assembly Bill No. 1830—An act to amend section 2 of an act entitled "An act to prevent the introduction of rabies or other animal diseases dangerous to human beings into portions of the State not infected; to control the spread of such diseases after introduction; and authorize the State Board of Health to make rules and regulations therefor," approved June 13, 1913, relating to diseases of birds and animals.
Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Roberts: Assembly Bill No 1831—An act to provide for the observance of a "Citizenship Day."
Bill read first time, and referred to Committee on Education.

By Mr. Peterson (by request): Assembly Bill No. 1832—An act to add to the Code of Civil Procedure a new section, to be numbered 435, relating to allowance of costs upon overruling of demurrer.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Peterson (by request): Assembly Bill No 1833—An act to add to the Probate Code a new section, to be numbered 1068, relating to the discharge of executors and administrators and the termination of probate proceedings.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Peterson (by request): Assembly Bill No. 1834—An act to amend section 431 of the Code of Civil Procedure, relating to the statement of grounds of demurrer.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Cassidy: Assembly Bill No 1835—An act relating to the collection of taxes on vehicles and the issuance of licenses therefor.
Bill read first time, and referred to Committee on Revenue and Taxation

By Mr. Robinson, C Ray: Assembly Bill No. 1836—An act to repeal Article III of Chapter I of Division III, embracing sections 331 to 378, inclusive, of the Agricultural Code, relating to brands and marks
Bill read first time, and referred to Committee on Agriculture.

By Mr Nielsen: Assembly Bill No. 1837—An act to amend the "California Vehicle Act," approved May 30, 1923, as amended, by adding two new sections thereto to be numbered 49½ and 76¾, relating to delegation of the power to register vehicles, issue license plates, and issue operators' licenses.
Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Robinson, C. Ray: Assembly Bill No. 1838—An act to add a new section to the Political Code to be numbered 528a, relating to the printing of new or revised codes.

Bill read first time. and referred to Committee on Judiciary.

RECESS.

At twelve o'clock and thirty minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m., of this day

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Bernard reading.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 28, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No 33—Relative to approving certain amendments to the charter of the city of Burbank, a municipal corporation, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932.

J. A. BEEK, Secretary of Senate.
By R. M. WILSON, Assistant Secretary.

The above reported Assembly Concurrent Resolution No. 33 ordered to enrollment.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Nielsen: Assembly Bill No 1839—An act to amend the California Vehicle Act, approved May 30, 1923, as amended, by adding a new section thereto, to be numbered 152¼, relating to road and highway signs.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Nielsen: Assembly Bill No 1840—An act to amend sections 37f and 37h of the Water Commission Act, approved June 16, 1913, relating to the costs of administration and distribution.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Nielsen: Assembly Bill No 1841—An act to amend sections 2176, 2180, 2181 and 2182 of the Political Code, and to repeal section 2197 of said code, relating to the support of insane persons and inebriates.

Bill read first time, and referred to Committee on Ways and Means

By Mr. Roberts: Assembly Bill No. 1842—An act to repeal sections 3.160, 4.130, 4.131, 4.140 and 4.830 to 4.833, inclusive, of the School Code, relating to special classes for the education of children of migratory laborers engaged in seasonal industries.

Bill read first time, and referred to Committee on Education.

By Mr. Roberts: Assembly Bill No. 1843—An act to amend section 4.84 of the School Code, relating to the vocational education fund.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Roberts: Assembly Bill No. 1844—An act to amend section 4.85 and to repeal section 4.91 of the School Code, relating to the vocational education fund

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Roberts: Assembly Bill No. 1845—An act to add section 2168a to the Political Code, relating to the arrest without warrant upon probable cause of alleged insane persons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 1846—An act to amend sections 1 and 2 of an act entitled "An act prohibiting the destruction of foodstuffs, food products or food articles," approved June 5, 1913, relating to the destruction of foodstuffs, food products or food articles for the purpose of maintaining the prices thereon or for the purpose of artificially affecting the marketing thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 1847—An act to license and regulate fortune tellers, fakirs, and similar persons engaged in treating the human body or the human mind.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Frazier: Assembly Bill No. 1848—An act to add section 3a to an act entitled "An act to provide for the establishment and maintenance of a Bureau of Tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons affected with tuberculosis; making an appropriation therefor and repealing certain acts of the Legislature of the State of California," approved June 12, 1915, relating to the granting of such State aid.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Frazier: Assembly Bill No. 1849—An act to repeal an act entitled "An act to provide for the establishment and maintenance of preventoria for the treatment of persons susceptible to tuberculosis; providing for the granting of State aid to cities, counties, cities and counties and groups of counties, for the care and treatment of such persons; defining the powers and duties of the Department of Public Health and Bureau of Tuberculosis in relation thereto, and making an appropriation therefor," approved May 23, 1929.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Frazier: Assembly Bill No. 1850—An act to amend section 531 of the Political Code, relating to the duties of the Superintendent of State Printing.

Bill read first time, and referred to Committee on Rules.

By Mr. Frazier: Assembly Bill No. 1851—An act to amend section 2253 of the Political Code, relating to limitation of enrollment of pupils in the California School for the Blind.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Frazier: Assembly Bill No. 1852—An act to amend section 2238 of the Political Code, relating to limitation of the enrollment of pupils in the California School for the Deaf.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Callahan: Assembly Bill No. 1853—An act to amend section 701 of the Vehicle Code, relating to motor trucks, trailers, and towed vehicles, and the use of motor trucks drawing another vehicle on a highway.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Callahan (by request): Assembly Bill No. 1854—An act to provide safeguards for occupants of certain buildings against loss of life or injury due to fire or panic.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Callahan (by request): Assembly Bill No. 1855—An act to regulate the classes of policies to be issued by carriers of life insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Callahan (by request): Assembly Bill No. 1856—An act to forbid the listing of securities by life insurers.

Bill read first time, and referred to Committee on Insurance.

By Mr. Callahan (by request): Assembly Bill No. 1857—An act to regulate the benefits to be received under life insurance policies.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, Samuel E.: Assembly Bill No. 1858—An act relating to irrigation districts having an area of 500,000 acres or more.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Robinson, Samuel E.: Assembly Bill No. 1859—An act relating to irrigation districts of the first class.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Roberts: Assembly Bill No. 1860—An act to amend section 24 of the Direct Primary Law, relating to the State Central Committee and primary elections.

Bill read first time, and referred to Committee on Elections.

By Mr. Roberts: Assembly Bill No. 1861—An act to amend sections 23 and 24 of the Direct Primary Law, relating to county central committees and primary elections.

Bill read first time, and referred to Committee on Elections.

By Mr. Cottrell: Assembly Bill No. 1862—An act to amend section 1016 of the Penal Code, relating to indictments and information.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Scudder: Assembly Bill No. 1863—An act to repeal sections 1121 to 1124, inclusive, and sections 1131 to 1133, inclusive, of the Agricultural Code, relating to the storage of eggs.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Bowers: Assembly Bill No. 1864—An act to authorize the California State Park Commission, with the approval of the Director of Finance, to exchange certain parcels of land now set apart for park purposes along the outer boundary of Mission Bay State Park for certain other parcels, privately owned, adjacent thereto, such exchange to be based on the equal value thereof.

Bill read first time, and referred to Committee on State Grounds and Parks.

By Mr. Roberts: Assembly Bill No. 1865—An act to add a new section to the Civil Code to be numbered 712, relating to restrictions.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Meeker and Powers: Assembly Bill No. 1866—An act to amend section 4099a of the Political Code, relating to orphan aid.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Messrs. Meeker and Powers. Assembly Bill No. 1867—An act to repeal section 16x6 of the Weights and Measures Act and to add a new section thereto, to be numbered 16x6, relating to the sealer of weights and measures in counties of the sixth class.

Bill read first time, and referred to Committee on County Government.

By Messrs. Meeker and Powers: Assembly Bill No. 1868—An act to amend section 19x6 of the Juvenile Court Law, relating to the probation officer in counties of the sixth class.

Bill read first time, and referred to Committee on County Government.

By Messrs. Meeker and Powers. Assembly Bill No. 1869—An act to amend section 4235 of the Political Code, relating to compensation of county and township officers in counties of the sixth class.

Bill read first time, and referred to Committee on County Government.

By Messrs. Meeker and Powers: Assembly Bill No 1870—An act to amend section 9a6 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems." approved April 12, 1909, and all acts and parts of acts in conflict with this act.'" approved February 25, 1911, as amended, relating to libraries in counties of the sixth class.

Bill read first time, and referred to Committee on County Government.

By Messrs. Meeker and Powers: Assembly Bill No. 1871—An act to repeal section 4041c of the Political Code, and to add a new section thereto to be numbered 4041c, relating to county officers.

Bill read first time, and referred to Committee on County Government.

By Messrs. Meeker and Powers: Assembly Bill No. 1872—An act to amend section 737j of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Fresno.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Meeker and Powers. Assembly Bill No. 1873—An act to amend section 2322x6 of the Political Code, relating to the office of the agricultural commissioner in counties of the sixth class.

Bill read first time, and referred to Committee on County Government.

By Messrs. Meeker and Powers. Assembly Bill No. 1874—An act to amend section 4017 of the Political Code, relating to the consolidation of county offices.

Bill read first time, and referred to Committee on County Government.

By Messrs. Meeker and Powers: Assembly Bill No. 1875—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No. 1876—An act to amend sections 15 and 21 of the Old Age Security Act of the State of California, relating to relief for the aged.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Fisher: Assembly Bill No. 1877—An act to renumber section 1170 of the Fish and Game Code to be 1170.5 and to add a new section thereto to be numbered 1170.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Utt: Assembly Bill No. 1878—An act to amend section 7 of Chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith." as amended

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Lyon: Assembly Bill No. 1879—An act to add a new section to the Code of Civil Procedure, to be numbered 1022a, relating to costs allowed to the prevailing party in a civil suit.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 1880—An act to amend section 182 of the Penal Code, relating to criminal conspiracy.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 1881—An act to amend section 1243 of the Penal Code, relating to stay of execution pending appeal.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 1882—An act to amend section 1272 of the Penal Code, relating to admission to bail upon appeal.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bliss: Assembly Bill No. 1883—An act relating to streets, avenues, lanes, roads and highways in, through or across the premises of State institutions and other lands of the State, and placing the same under the jurisdiction of the State Department of Public Works.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Bliss: Assembly Bill No. 1884—An act to reappropriate $50,000 of the unexpended balance of appropriations made by Chapter XVI of the Statutes of 1931, entitled "An act making an appropriation for major construction and equipment at Santa Barbara State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately," for the improvement of the site of the State Teachers College of Santa Barbara acquired by the State in 1932.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Bliss: Assembly Bill No. 1885—An act to impose for State purposes a tax on employers; prescribing the method and manner of collecting such tax; providing for penalty for the violation of this act; and allocating the revenue derived therefrom.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Lyon: Assembly Bill No. 1886—An act to amend sections of the Inheritance Tax Act.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Lyon: Assembly Bill No. 1887—An act to amend section 1 of an act entitled "An act to provide for direct legislation by cities and towns, including initiative and referendum," approved January 2, 1912, relating to ordinances.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Lyon: Assembly Bill No. 1888—An act to amend section 3714 of the Political Code, relating to county and district budgets and county expenditures.

Bill read first time, and referred to Committee on County Government.

By Mr. Lyon: Assembly Bill No. 1889—An act to amend sections 766 and 864 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, relating to cities and towns.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Lyon: Assembly Bill No. 1890—An act to amend sections 4387 and 4388 of the Political Code, relating to city officers.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Lyon: Assembly Bill No. 1891—An act to amend sections 1161, 1161a and 1162 of the Code of Civil Procedure, relating to landlord and tenant.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robinson, C. Ray (by request): Assembly Bill No. 1892—An act making an appropriation to pay the claim of Morris Cohan against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. McBride: Assembly Bill No. 1893—An act establishing additional State highways and classifying them as secondary highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Redwine: Assembly Bill No 1894—An act to add a new section to be numbered 17 to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or when an admission fee is charged, and limiting such boxing contests to 12 rounds, to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contest," approved November 4, 1924, relating to the State Athletic Commission.

Bill read first time, and referred to Committee on Public Morals.

By Messrs. Powers and Clowdsley: Assembly Bill No. 1895—An act to amend sections 4, 5 and 10 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Powers: Assembly Bill No. 1896—An act to add section 1417 to the Fish and Game Code, relating to prosecutions for violations of said code.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Sullivan Assembly Bill No. 1897—An act to amend sections 274, 275, 276, 278, 279 and 281 of the Political Code, relating to elections.

Bill read first time, and referred to Committee on Elections.

By Mr. Sullivan: Assembly Bill No. 1898—An act to add a new section to the Political Code, to be numbered 1084a, relating to deputy registrars of voters, registration clerks and members of election boards.

Bill read first time, and referred to Committee on Elections.

By Mr. Sullivan: Assembly Bill No 1899—An act to amend section 1290 of the Political Code, relating to the statement of vote.

Bill read first time, and referred to Committee on Elections.

By Mr. Sullivan: Assembly Bill No. 1900—An act to amend section 1022 of the Code of Civil Procedure, relating to costs of suit.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Sullivan: Assembly Bill No. 1901—An act to regulate practice before the Industrial Accident Commission.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Sullivan (by request): Assembly Bill No. 1902—An act relating to the Chief Chemist of the Division of Narcotic Enforcement and the qualifications of such officer.
Bill read first time, and referred to Committee on Medical and Dental Laws.

By Messrs. Powers and Meeker: Assembly Bill No. 1903—An act making an appropriation for the construction and equipment of a State Armory at Fresno.
Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Powers and Meeker: Assembly Bill No. 1904—An act to establish the southern approach road to the Yosemite Valley from the city of Fresno to Batterson ranch as a secondary State highway.
Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Powers: Asembly Bill No. 1905—An act to provide for a system of compulsory unemployment insurance, reserves and compensation for the State of California.
Bill read first time, and referred to Committee on Insurance.

By Messrs. Powers and Meeker: Assembly Bill No. 1906—An act to add a new section to the School Code to be numbered 5.27, relating to cooperative stores on the campuses of the State teachers colleges.
Bill read first time, and referred to Committee on Education.

By Mr. Powers: Assembly Bill No 1907—An act to amend sections 74, 75 and 78 of the California Irrigation District Act, relating to exclusion of lands.
Bill read first time, and referred to Committee on Irrigation

By Mr. Powers: Assembly Bill No. 1908—An act to provide for the supervision, control and review of tax levies, budgets and indebtedness of counties, cities and counties, cities, school districts, special districts, and other political subdivisions of this State, and defining the powers and duties of the State Board of Equalization with respect thereto.
Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Powers: Assembly Bill No 1909—An act to regulate hours of labor and days of labor, for the purpose of relieving unemployment, and declaring the urgency thereof.
Bill read first time, and referred to Committee on Unemployment

By Mr. Powers (by request): Assembly Bill No. 1910—An act providing for social unemployment insurance to all workers who are unemployed or unable to work because of sickness, injury, maternity or old age.

Bill read first time, and referred to Committee on Insurance.

By Mr. Miller, James A.: Assembly Bill No. 1911—An act to amend sections 425 and 426 of the Vehicle Code, relating to liens upon vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Zion: Assembly Bill No. 1912—An act to amend sections 13 and 19 of the California Irrigation District Act, relating to officers of irrigation districts.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Craig: Assembly Bill No. 1913—An act authorizing the creation of police protection districts in unincorporated territory within a county.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Craig: Assembly Bill No. 1914—An act to allow unincorporated territory within a county to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection, custody and disbursement of taxes, for such purposes and to create a board of police commissioners.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Craig: Assembly Bill No. 1915—An act to add a new section to the Political Code, to be numbered 365q, relating to the construction and maintenance of State highways in and through municipalities.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Phillips: Assembly Bill No. 1916—An act to repeal Articles IV, V, Va and VII of Chapter VII of Part III of Division V of the School Code, embracing sections 5.680 to 5.713, inclusive, relating to dismissal of school employees.

Bill read first time, and referred to Committee on Education.

By Mr. Phillips: Assembly Bill No. 1917—An act to repeal Article II of Chapter VII of Part III of Division V of the School Code, embracing sections 5 650 to 5.665, inclusive, and to add a new article to Chapter VII of Part III of Division V of said code, embracing sections 5.650 to 5.658, inclusive, relating to dismissal of school employees.

Bill read first time, and referred to Committee on Education.

By Mr. Phillips: Assembly Bill No. 1918—An act to repeal Chapter III of Part III of Division V of the School Code, embracing sections 5.500 to 5.521, inclusive, relating to classification of persons in positions requiring certification qualifications.

Bill read first time, and referred to Committee on Education.

By Mr. Phillips: Assembly Bill No. 1919—An act to add a new article to Chapter VII of Part III of Division V of the School Code, to be numbered Article III, embracing sections 5.660 to 5.662, inclusive, relating to dismissal of school employees.

Bill read first time, and referred to Committee on Education.

By Mr. Phillips: Assembly Bill No. 1920—An act to repeal Article I of Chapter I of Part III of Division V of the School Code, embracing sections 5.400 to 5.407, inclusive, to repeal an act entitled "An act relating to the election of teachers in the public schools," approved May 23, 1929, and to add a new article to Chapter I of Part III of Division V of the School Code, embracing sections 5.400 to 5.406, inclusive, all relating to employment of school employees.

Bill read first time, and referred to Committee on Education.

By Mr. Roberts: Assembly Bill No. 1921—An act to add section 10.03a to the Building and Loan Association Act, relating to building and loan associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Roberts: Assembly Bill No. 1922—An act to add section 9.03 to the Building and Loan Association Act, relating to building and loan associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Gilmore: Assembly Bill No. 1923—An act to repeal Articles I, II and III of Chapter VIII of Division V of the Agricultural Code, and to add a new Article I to said chapter and division, relating to eggs and egg products.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Gilmore: Assembly Bill No. 1924—An act to add a new section to the State Medical Practice Act, to be numbered 21a, relating to persons retailing physical deformity to correction appliances.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Gilmore: Assembly Bill No. 1925—An act to amend section 124 of the Agricultural Code, relating to quarantine and pest control.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Gilmore: Assembly Bill No. 1926—An act to prohibit the operation by the State of tree nurseries and to sale by the State of tree nursery stock and to repeal an act entitled "An act providing for the establishment and maintenance of a State Nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along highways and in public places, and making an appropriation therefor," approved May 15, 1917.

Bill read first time, and referred to Committee on Agriculture.

By Miss Miller, Eleanor: Assembly Bill No. 1927—An act to add a new section to the Code of Civil Procedure to be numbered 143a, relat-

ing to posting of notice of hearing by the superior court at a session of said court held at a place other than the county seat.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cobb: Assembly Bill No. 1928—An act making an appropriation to pay the claim of Continental Oil Company against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cobb: Assembly Bill No. 1929—An act making an appropriation to pay the claim of C. D. Plum against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cobb: Assembly Bill No. 1930—An act making an appropriation to pay the claim of California Union Insurance Company against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cobb: Assembly Bill No. 1931—An act making an appropriation to pay the claim of Sumner Mallory against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cobb: Assembly Bill No. 1932—An act making an appropriation to pay the claim of Jess Mallory against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cobb: Assembly Bill No. 1933—An act making an appropriation to pay the claim of the Barber Asphalt Company against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cobb: Assembly Bill No. 1934—An act making an appropriation to pay the claim of the Federal Mutual Liability Insurance Company against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cobb: Assembly Bill No. 1935—An act making an appropriation to pay the claim of the Associated Indemnity Company against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cobb: Assembly Bill No. 1936—An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Gilmore: Assembly Bill No. 1937—An act to amend section 1197 of the Political Code, relating to election ballots.

Bill read first time, and referred to Committee on Elections.

By Mr. Nielsen: Assembly Bill No. 1938—An act to amend sections 3, 4 and 5 of an act entitled "An act relating to lakes and streams, the waters of which contain minerals in commercial quantities; withdrawing State lands within the meander lines thereof from sale; prescribing conditions for taking such minerals from said waters and lands, and providing for the leasing of lands uncovered by the reces-

sion of the waters of such lakes and streams," approved April 27, 1911, relating to the powers and duties of the State Controller with respect thereto.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Robinson, C. Ray: Assembly Bill No. 1939—An act to amend section 737x of the Political Code, relating to the salary of the judge of the superior court in and for the county of Merced.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Robinson, C Ray: Assembly Bill No. 1940—An act to amend sections 4255 and 4255a of the Political Code, relating to the salaries and fees of county officers in counties of the twenty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Mr Robinson, C. Ray: Assembly Bill No. 1941—An act to amend section 19x26 of the Juvenile Court Law, relating to the probation officer in counties of the twenty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Robinson, C Ray: Assembly Bill No. 1942—An act to amend section 16x26 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the twenty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Robinson, C. Ray: Assembly Bill No. 1943—An act to amend section 2322x26 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Mr. McCarthy: Assembly Bill No. 1944—An act to create a Hydraulic Mining Board; prescribing its powers and duties and providing for cooperation with Federal Debris Commission.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Roberts: Assembly Bill No. 1945—An act to enable the State Department of Agriculture to cooperate with counties of this State to provide lands and implements with which needy and unemployed persons may raise farm products.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Roberts: Assembly Bill No. 1946—An act to provide for modifying procedure in relation to sales under trust deeds and deficiency judgments thereon.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Burns: Assembly Bill No. 1947—An act to add a new section to the Vehicle Code, to be numbered 217, relating to reciprocal registration of foreign vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Burns: Assembly Bill No. 1948—An act to provide for the payment of the proportionate share of bonded indebtedness levied against property subsequently acquired by the State or a political subdivision thereof for public purposes.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Burns: Assembly Bill No. 1949—An act to provide for the granting of reciprocal registration of motor vehicles to nonresident owners living within 25 miles of the boundary of the State of California.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Phillips (by request): Assembly Bill No. 1950—An act establishing an additional State highway from Shaver's Summit on State Highway Route 64 to State Highway Route 26 near Indio and classifying the same as a primary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Phillips and Hatch: Assembly Bill No. 1951—An act to amend section 337a of the Penal Code, relating to marble and pin games

Bill read first time, and referred to Committee on Public Morals.

By Mr. Clowdsley: Assembly Bill No. 1952—An act to amend section 2154 of the Political Code, relating to the salaries of State hospital employees.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Messrs. Phillips and Hatch: Assembly Bill No 1953—An act to add a new section to the Penal Code to be numbered 330b, relating to gambling devices

Bill read first time, and referred to Committee on Public Morals.

By Messrs. Phillips and Hatch: Assembly Bill No. 1954—An act to amend section 330a of the Penal Code, relating to gambling by the use of slot machines, card dice or other dice having more than six faces each, or by the use of marble or pin games.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Ross: Assembly Bill No. 1955—An act to amend section 4284 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-fifth class.

Bill read first time, and referred to Committee on County Government

By Mr. Riley: Assembly Bill No. 1956—An act to raise revenue for State purposes; providing the manner and method of assessing and levying taxes therefor, providing for penalties for the violation of the provisions of this act and allocating the revenue derived therefrom.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Redwine: Assembly Bill No. 1957—An act to add a new section to the Penal Code, to be numbered 1203a, relating to probation in courts having jurisdiction of misdemeanor cases.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 1958—An act to amend section 1449 of the Penal Code, relating to time for pronouncing judgments in justices' and police courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 1959—An act to provide for the organization, government, powers and functions of road fund administration districts.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Jones: Assembly Bill No. 1960—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and distribution of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, relating to the uses and purposes to which the funds derived under said act may be used.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Hoffman: Assembly Bill No. 1961—An act to repeal sections 2440 to 2447, inclusive, of the Political Code, to repeal Articles VI and VII of Chapter I of Title VI of Part III of said code, embracing sections 2457 to 2491, inclusive, to repeal an act entitled "An act creating a Board of Pilot Commissioners for the harbor of San Diego, defining their duties, and fixing their compensation," approved March 2, 1911, and to add a new article to Chapter I of Title VI of Part III of the Political Code, to be numbered Article VI, all relating to pilot commissioners and their powers and duties.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Maloney: Assembly Bill No. 1962—An act to amend an act entitled "An act to prohibit the employment of aliens by contractors and subcontractors on all public work, except in certain cases of extraordinary emergency, providing for the reporting of such cases of extraordinary emergency and the keeping of records of the citizenship of workers employed upon public work and the inspection of such records by the proper officials, providing for a forfeiture for each calendar day, or portion thereof, any alien is knowingly permitted to work on public work and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relating to subcontractors.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Maloney: Assembly Bill No. 1963—An act to amend section 3793 and to add a new section to be numbered 3790 to the Political Code, relating to personal property taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Cronin (by request): Assembly Bill No. 1964—An act making an appropriation to pay the claim of P. Shanahan against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Gilmore: Assembly Bill No. 1965—An act to amend sections 770, 771 and 777 of the Vehicle Code, relating to the dispositions of fines.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Roberts: Assembly Bill No. 1966—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

Bill read first time, and referred to Committee on Elections.

By Mr. Frazier: Assembly Bill No. 1967—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Frazier: Assembly Bill No. 1968—An act fixing the minimum rate of compensation for labor on public work.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Gilmore and Hornblower: Assembly Bill No. 1969—An act to amend section 3051a of the Civil Code, relating to the amount recoverable on personal property liens.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Gilmore: Assembly Bill No. 1970—An act to amend section 3052 of the Civil Code, relating to sale of property by a lienholder.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robinson, C. Ray: Assembly Bill No. 1971—An act to provide for the classification of irrigation districts.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Scudder: Assembly Bill No. 1972—An act establishing certain additional State highways and classifying them as secondary highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Scudder: Assembly Bill No. 1973—An act to provide for the sale of, and granting authority to, and authorizing the State Director

of Finance and/or the Department of Finance, to grant, convey and sell by deed, or by any other proper legal conveyance, all the right, title and interest of the State of California, in and to the abandoned channel of Petaluma creek or river in the city of Petaluma, county of Sonoma, State of California, lying north of Washington Street in said city, to property owners whose lands abut thereon.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Scudder: Assembly Bill No. 1974—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 1975—An act to amend sections 654, 655 and 656 and to repeal sections 657 and 658 of the Agricultural Code, relating to dairies and dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Scudder: Assembly Bill No. 1976—An act to amend sections 628 and 629 of the Agricultural Code, relating to dairies and dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Scudder: Assembly Bill No. 1977—An act to amend section 626 of the Agricultural Code, relating to dairies and dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Scudder: Assembly Bill No. 1978—An act to amend sections 621 and 622 of the Agricultural Code, relating to dairies and dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Scudder: Assembly Bill No. 1979—An act to amend sections 596, 597, 598, 599, 600 and 601 and to repeal sections 594, 595 and 602 of the Agricultural Code, relating to dairies and dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Scudder: Assembly Bill No. 1980—An act to amend sections 534, 536, 537 and 543 and to repeal sections 531, 532, 533, 535, 538, 539, 540, 541 and 542 of the Agricultural Code, relating to dairies and dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Scudder: Assembly Bill No. 1981—An act to amend section 479 of the Agricultural Code, relating to dairies and dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Scudder: Assembly Bill No. 1982—An act to amend section 459 of the Agricultural Code, relating to dairies and dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Scudder: Assembly Bill No. 1983—An act to amend section 476 of the Agricultural Code, relating to dairies and dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Cobb: Assembly Bill No. 1984—An act to amend sections 660 to 668, inclusive, of the Probate Code, relating to homesteads and exempt property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cobb: Assembly Bill No. 1985—An act making an appropriation to reimburse the general fund for moneys advanced from the emergency fund for the support of the fuel tax for the Motor Vehicle Fuel Tax Refund Division of the State Controller and the Fuel Tax Division of the State Board of Equalization.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cobb: Assembly Bill No. 1986—An act to add a new section to the Probate Code, to be numbered 912, relating to claims against estates of insane persons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Field: Assembly Bill No. 1987—An act to add section 10 to "An act to establish a Legislaitve Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to expenses.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Field: Assembly Bill No. 1988—An act to amend section 1203 of the Political Code, relating to elections.

Bill read first time, and referred to Committee on Elections.

By Mr. Woolwine: Assembly Bill No. 1989—An act to provide revenue by imposing a State tax upon the sale of tobacco products, providing permits for retail dealers, prescribing the method and manner of levying and collecting such tax, conferring powers and imposing duties on the Franchise Tax Commissioner, providing penalties for the enforcement of this act and allocating the revenue derived therefrom.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Woolwine: Assembly Bill No. 1990—An act to provide a permit to be issued to any person, firm, corporation or association manufacturing or distributing alcoholic beverage; to impose an excise tax upon the manufacture and distribution of such alcoholic beverage; to provide methods and penalties for the enforcement of the tax; and to credit the revenues derived therefrom to the general fund of the State and providing when this act shall become effective.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Woolwine: Assembly Bill No. 1991—An act to impose an excise tax upon amusements, fees and club dues, and to provide meth-

ods and penalties for the enforcement of the tax, and to appropriate the revenue derived therefrom.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Woolwine: Assembly Bill No. 1992—An act to provide revenue by imposing a State tax upon sales of certain goods, prescribing the method and manner of collecting such tax, providing penalties for the violation of the provisions of this act, and allocating the revenue to be derived therefrom.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Hornblower: Assembly Bill No. 1993—An act to amend sections 1095 and 1104 of the Fish and Game Code and to add thereto section 1096.5, relating to records and reports.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Patterson: Assembly Bill No. 1994—An act to amend sections 4 270, 4.271, 4.274 and 4.275 of the School Code, relating to junior colleges.

Bill read first time, and referred to Committee on Education.

By Mr. Grubbs: Assembly Bill No. 1995—An act to amend sections 4 and 5 of the Public Utilities Act, relating to salaries of employees of the Railroad Commission.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Grubbs: Assembly Bill No. 1996—An act to abolish the California Bureau of Juvenile Research, and investigations into delinquency.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Grubbs: Assembly Bill No. 1997—An act to abolish the "California Poultry Experimental Station" providing for the description of the property thereof and repeal an act entitled "An act to establish a poultry experiment station in the county of Sonoma and making a provision therefor" approved March 13, 1903.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Grubbs: Assembly Bill No. 1998—An act to transfer to the Department of Public Health the duty of inspecting auto camps.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Grubbs: Assembly Bill No. 1999—An act to repeal section 105 of the Agricultural Code, relating to quarantine and pest control.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Cobb: Assembly Bill No. 2000—An act to add a new section to the Political Code, to be numbered 363K, relating to the Department of Public Works.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cobb: Assembly Bill No. 2001—An act to amend section 633b of the Political Code, relating to insurance premiums.

Bill read first time, and referred to Committee on Insurance.

By Mr. Cobb: Assembly Bill No. 2002—An act to add a new section o the Political Code, to be numbered 689a, relating to use of the State's teletype system.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Grubbs: Assembly Bill No. 2003—An act to add section 372h to the Political Code, relating to the positions and duties of the Department of Public Health.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Grubbs: Assembly Bill No. 2004—An act to add section 7½ to the State Civil Service Act, relating to the acceptance by county fire districts or municipalities of Civil Service provisions.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Grubbs: Assembly Bill No. 2005—An act to amend sections 16 and 18 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining "gasoline" and prescribing specifications for products sold or offered for sale as "gasoline"; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to inspection of containers and the enforcement of the provisions of said act.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Grubbs: Assembly Bill No. 2006—An act to amend section 759 of the Political Code, relating to reporters for the District Court of Appeal.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Grubbs: Assembly Bill No. 2007—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

Bill read first time, and referred to Committee on Elections.

By Mr. Roberts: Assembly Bill No. 2008—An act to amend section 726 of the Code of Civil Procedure, relating to sales under mortgages and including deficiency judgments thereon.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Frazier: Assembly Bill No. 2009—An act relating to signs upon the roads and highways of this State.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Martin, Jones, Craig, Hatch, Greene, Lyon, Hallner, Phillips, Utt, Miller, Eleanor; Meeker, Alter, Brock, Bliss, Scudder, Kallam and Robinson, Samuel E: Assembly Bill No. 2010—An act to establish

a single unified system of State highways and to abolish the classification of State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Alter and Brock: Assembly Bill No. 2011—An act directing the Department of Public Works to make a study of highways suitable for inclusion in the State highway system, and declaring the policy of the State herein.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Brock and Alter: Assembly Bill No. 2012—An act to provide for the acquisition of rights of way for construction, maintenance and improvement of State highways; allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways; and abolishing classification of State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Woolwine (by request): Assembly Bill No. 2013—An act to amend section 630 of the Probate Code, relating to withdrawal of moneys without probate.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woolwine: Assembly Bill No. 2014—An act to amend section 5 of an act entitled "An act to provide for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903, as amended, relating to street improvements.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Woolwine: Assembly Bill No. 2015—An act to amend section 7 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for the establishing and changing [illegible] of public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such

bonds," approved April 7, 1911, as amended, relating to doing of work upon streets and providing a method of payment therefor.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Woolwine: Assembly Bill No. 2016—An act to add section 672a to the Political Code, relating to the investment of State funds.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Robinson, C. Ray: Assembly Bill No. 2017—An act to amend sections 737x of the Political Code, relating to the compensation of judges of the superior court, Merced County.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Redwine: Assembly Bill No. 2018—An act to amend section 1446 of the Penal Code, relative to imprisonment for fines.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2019—An act to amend section 927h, of the Code of Civil Procedure, relating to pleadings in small claims courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2020—An act to add a new section to the Code of Civil Procedure to be numbered 927v, relating to issue of process from small claims court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2021—An act to add a new section to the Code of Civil Procedure, to be numbered 927u, relating to consolidation of small claims actions with actions pending in other courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2022—An act to add a new section to the Code of Civil Procedure to be numbered 927t, relating to small claims actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2023—An act to amend section 927 of the Code of Civil Procedure, relating to small claims courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2024—An act to amend section 33 of the Code of Civil Procedure, relating to courts of justice.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2025—An act to amend section 906 of the Code of Civil Procedure, relating to punishment for contempts in justice's courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2026—An act to amend section 1209 of the Code of Civil Procedure, relating to contempts of court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2027—An act to amend section 281 of the Code of Civil Procedure, relating to practicing without a certificate.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2028—An act to repeal section 842 of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2029—An act to amend section 873 of the Code of Civil Procedure, relating to trials in justice's court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2030—An act to amend section 153 of the Code of Civil Procedure, relating to the affixing of seals.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2031—An act to amend section 152 of the Code of Civil Procedure, relating to seals.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2032—An act to amend section 151 of the Code of Civil Procedure, relating to seals for courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2033—An act to amend section 150 of the Code of Civil Procedure, relating to seals of courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2034—An act to amend section 147 of the Code of Civil Procedure, specifying which courts shall have seals.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2035—An act to add a new section to the Code of Civil Procedure, to be numbered 110b, relating to justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2036—An act to amend section 112 of the Code of Civil Procedure, relating to jurisdiction of justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2037—An act to amend section 845 of the Code of Civil Procedure, relating to the time for appearance of defendants in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2038—An act to amend section 927c of the Code of Civil Procedure, relating to filing small claims court orders.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2039—An act to amend section 104 of the Code of Civil Procedure, relating to justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2040—An act to amend section 849 of the Code of Civil Procedure, relating to the service and return of summons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hallner: Assembly Bill No. 2041—An act to amend sections 28, 63 and 76, and to add a new section to be numbered section 76b to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to street improvements.

Bill read first time, and referred to Committee on Municipal Corporations

By Mr. Hallner: Assembly Bill No. 2042—An act to amend section 625a of the Political Code, relating to surety companies.

Bill read first time, and referred to Committee on Insurance.

By Messrs Hallner and Woolwine. Assembly Bill No. 2043—An act to amend section 1491 of the Penal Code, relating to bail upon habeas corpus proceedings.

Bill read first time, and referred to Committee on Judiciary.

By Mr Callahan: Assembly Bill No. 2044—An act to amend section 372 of the Vehicle Code, relating to weight fees for commercial vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Dempster: Assembly Bill No. 2045—An act to add a new section to the Public Utilities Act, to be numbered 40a, relating to connection of telephone lines.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Dempster: Assembly Bill No. 2046—An act to amend section 3a of an act entitled "An act defining mattresses; regulating the making, remaking and sale thereof; prohibiting the use of unsanitary and unhealthy material therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, relating to licenses.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Dempster: Assembly Bill No. 2047—An act to amend section 6 of an act entitled "An act to regulate the manufacture and sale of

upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture, and creating the upholstered furniture, and creating the upholstered furniture inspection fund," approved May 10, 1927.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Dempster: Assembly Bill No. 2048—An act relating to energy certificates to be issued by a commission to be known as the Energy Certificates Commission, for the relief of unemployment.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Dempster: Assembly Bill No. 2049—An act to declare a moratorium on foreclosure of mortgages; prohibiting the sale under provision of a mortgage or deed of trust; and prohibiting the bringing of any action for the collection of any debt or the interest thereon for which a mortgage or deed of trust has been given as security.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Williamson and Maloney: Assembly Bill No. 2050—An act to amend section 5.750 of the School Code, relating to the payment of salaries of persons employed by school districts in positions requiring certification qualifications.

Bill read first time, and referred to Committee on Education.

By Mr. Redwine: Assembly Bill No. 2051—An act to amend section 375 of the Penal Code, relating to offensive substances.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2052—An act to amend section 520 of the Penal Code, relating to extortion.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Redwine: Assembly Bill No. 2053—An act to amend section 1181 of the Penal Code, relating to new trials.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2054—An act to amend section 1089 of the Penal Code, relating to jurors.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2055—An act to amend section 3479 of the Civil Code, relating to nuisances.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2056—An act to amend section 3480 of the Civil Code, relating to public nuisances.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2057—An act to amend section 2047 of the Code of Civil Procedure, relating to witnesses.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2058—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2059—An act to amend section 518 of the Penal Code, relating to extortion.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2060—An act to amend section 182 of the Penal Code, relating to criminal conspiracy.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Miller, James A: Assembly Bill No. 2061—An act regulating the use of public highways by certain motor vehicles for commercial purposes, requiring the operators of such vehicles to secure permits from the Railroad Commission of California for the operation thereof, to foster a fair distribution of traffic between the several transportation agencies to the end that the public highways may be relieved of unnecessary commercial traffic and that necessary existing agencies of transportation shall be preserved, and providing penalties for violation of this act.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Redwine: Assembly Bill No. 2062—An act to amend section 1 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject."

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Redwine: Assembly Bill No. 2063—An act to amend section 821 of the Penal Code, relating to arrest.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2064—An act to amend section 1382 of the Penal Code.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2065—An act to amend section 1322 of the Penal Code, relating to husband and wife as witnesses.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2066—An act to add a new section to the Penal Code to be numbered 1183, relating to evidence admissible upon the hearing of a motion for new trial.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 2067—An act to amend section 1238 of the Penal Code, relating to appeals.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Maloney: Assembly Bill No. 2068—An act to amend section 10 of the "State Civil Service Act," relating to examinations.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Hornblower: Assembly Bill No. 2069—An act to amend the act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Maloney: Assembly Bill No 2070—An act making an appropriation to pay the claim of William B. Hornblower against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Hornblower: Assembly Bill No. 2071—An act making an appropriation to pay the claim of Fred C. Hawes against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Hornblower: Assembly Bill No. 2072—An act making an appropriation for the support of the Legislative Counsel Bureau during the eighty-fourth fiscal year.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. McCarthy: Assembly Bill No. 2073—An act to amend section 1 of an act entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, relating to the refunding of indebtedness of any incorporated city or town other than cities of the first class or of any department, board or special fund thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Dempster: Assembly Bill No. 2074—An act to amend section 692 of the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 2075—An act to limit the election or employment of the spouse or minor child of any person holding an elective position in the State or in any political subdivision thereof.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Dempster: Assembly Bill No. 2076—An act to amend sections 1 and 2 and to add a new section to be numbered 15 to an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof,"

approved May 14, 1927, relating to limitation upon the business of a collection agency.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 2077—An act to add a new section to the Code of Civil Procedure, to be numbered 565a, relating to appointment of receivers.

Bill read first time, and referred to Committee on Judiciary.

Mr. Dempster: Assembly Bill No. 2078—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 2079—An act to add a new section to the Code of Civil Procedure, to be known as section 173, prohibiting the practice of law by attorneys employed on full time in the office of the Attorney General of the State of California and in the offices of the district attorneys and of public defenders and of city prosecutors and in the offices of other public officials throughout the State of California.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Dempster: Assembly Bill No. 2080—An act providing for the election of presiding judges of the superior court in and for the county of Los Angeles and in and for the City and County of San Francisco, and vesting said presiding judges with certain powers and describing and defining their duties.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 2081—An act to add two sections 433 and 344 to the California Vehicle Code, relating to rights, titles, interests, liens and mortgages on vehicles.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster (by request): Assembly Bill No. 2082—An act providing for the regulation and supervision of persons, firms or corporations engaging in the business as "bailee-repairers" and to prevent oppression of or advantage being taken in the employment of labor in such business, and to prevent fraud in the keeping or working upon of the property of the public; defining the duties of the Attorney General in regard thereto, and providing for the enforcement of said act and penalties for the violation thereof; and creating a State "Bailee-Repairers' Department" and the office of "Director of Bailments" and defining his duties and powers.

Bill read first time, and referred to Committee on Judiciary

By Messrs. Martin, Hallner and Lyon: Assembly Bill No. 2083—An act to amend sections 1, 5, 7, 10, 12, 13, 24 and 25 of the Direct Primary Law, approved June 16, 1913, as amended, relating to primary elections, providing for party conventions in the State and various political units thereof, and the powers and duties of the same, for the choosing of delegates to such conventions, method of choosing

members of the party county central committee and State Central Committee and the powers and duties of the same.

Bill read first time, and referred to Committee on Direct Legislation.

By Mr. Cronin: Assembly Bill No. 2084—An act to add five sections to the Probate Code to be numbered 861, 862, 863, 864 and 865, for the purpose of authorizing executors and administrators under certain conditions to accept title to real property which is then subject to a mortgage or deed of trust securing an indebtedness which is an asset of an estate under administration, in satisfaction of such indebtedness, and in addition thereto to pay such further or other consideration as the court shall authorize and approve.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Ross: Assembly Bill No. 2085—An act to amend section 9a55 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to county libraries.

Bill read first time, and referred to Committee on Libraries.

By Mr. McMurray: Assembly Bill No. 2086—An act to amend section 777 of the Vehicle Code, relating to the motor vehicle fund.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. McMurray: Assembly Bill No. 2087—An act to amend section 92 of the Vehicle Code, relating to the method of making appointments.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. McMurray: Assembly Bill No. 2088—An act to amend section 159 of the California Vehicle Act, relating to the motor vehicle fund.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. McMurray: Assembly Bill No. 2089—An act to amend section 159½ of the California Vehicle Act, relating to motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. McMurray: Assembly Bill No. 2090—An act to amend section 360c of the Political Code, relating to the California Highway Patrol.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cassidy: Assembly Bill No. 2091—An act to amend section 161 of the Vehicle Code, relating to registration of vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Riley: Assembly Bill No. 2092—An act to amend sections 25, 27, 62 and 63 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two of more municipalities, and for establishing and changing the grades of any such public

streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Robinson, Samuel E., and Turner: Assembly Bill No. 2093—An act to amend section 2 of an act entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, relating to payment of wages.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robinson, Samuel E.: Assembly Bill No. 2094—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal Reclamation Laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contract," approved May 5, 1917, as amended, by amending the title and sections 7 and 8 thereof to authorize the division of districts into units and for fixing conditions upon inclusion of lands.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Robinson, Samuel E.: Assembly Bill No. 2095—An act to amend the Agricultural Code, relating to inspection of farm products and the regulation of such inspection.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Nielsen (by request): Assembly Bill No. 2096—An act appropriating money to pay the claim of Maude R. Torrey against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Robinson, Samuel E.: Assembly Bill No. 2097—An act to amend sections 828 and 829 and to add a new section to the Agricultural Code, to be numbered 810.5, relating to the standardization of asparagus.
Bill read first time, and referred to Committee on Agriculture.

By Mr. Robinson, Samuel E.: Assembly Bill No. 2098—An act to amend section 3617 of the Political Code, relating to definitions.
Bill read first time, and referred to Committee on Judiciary.

By Messrs. Hornblower and Gilmore: Assembly Bill No. 2099—An act to amend section 3051 of the Civil Code, relating to liens.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Mayo: Assembly Bill No. 2100—An act to provide for the examination and licensing of hoisting engineers employed in mines in this State.
Bill read first time, and referred to Committee on Mines and Mining.

By Mr. Mayo: Assembly Bill No. 2101—An act to add a new section to the Penal Code, to be numbered 373, relating to acts endangering safety of employees.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Mayo: Assembly Bill No. 2102—An act to add a new section to the Juvenile Court Law, to be numbered 19x57, and to repeal section 19u thereof, relating to the probation officer in counties of the fifty-seventh and fifty-eighth classes.
Bill read first time, and referred to Committee on County Government.

By Mr. Mayo: Assembly Bill No. 2103—An act to amend section 15 of an act entitled "The Water Commission Act," relating to the use of unappropriated water.
Bill read first time, and referred to Committee on Conservation.

By Mr. Dempster: Assembly Joint Resolution No. 18—Relative to memorializing Congress in regard to pensions of veterans and their widows and orphans.
Introduced, and referred to Committee on Federal Relations.

By Mr. Dempster: Assembly Joint Resolution No. 19—An act to memorialize Congress to set aside February 15th as a national holiday to commemorate the birthday of Susan B. Anthony.
Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Dempster asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 19, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER NINETEEN.

Assembly Joint Resolution No. 19—An act to memorialize Congress to set aside February 15th as a national holiday to commemorate the birthday of Susan B. Anthony.
Resolution read.
The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 19 adopted by the following vote:

AYES—Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Cronin, Dempster, Evans, Field, Frazier, Gilmore, Grubbs, Hunt, King, Knowland, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Redwine, Roberts, Robinson, C. Ray; Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, West, Zion and Mr. Speaker—46.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 19 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 19.

An act to memorialize Congress to set aside February 15 as a national holiday to commemorate the birthday of Susan B. Anthony.

WHEREAS, Susan B. Anthony was the pioneer who blazed the trail leading to women's suffrage in the United States, and

WHEREAS, Susan B. Anthony gave her life and energy toward obtaining equal rights for women, and

WHEREAS, Susan B. Anthony is honored and looked upon by the people of our country as a great national figure, and

WHEREAS, February 15 is the day of the birth of this great leader; now, therefore, be it

Resolved by the Assembly and Senate jointly, of the California Legislature that Congress be urged to set aside and apart February 15 as a national holiday in commemoration of the birthday of Susan B. Anthony.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated

By Mr. Dempster: Assembly Joint Resolution No. 20—Relative to memorializing Congress to set apart February 15th as a national holiday to commemorate the life of Susan B. Anthony.

Introduced, and referred to Committee on Federal Relations.

By Mr. Dempster: Assembly Concurrent Resolution No. 32—Relative to Owens Valley as a site for a junior State prison.

Introduced, and referred to Committee on Prisons and Reformatories.

By Mr. Field: Assembly Concurrent Resolution No. 33—Relative to approving certain amendments to the charter of the city of Burbank, a municipal corporation, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Field asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 33, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER THIRTY-THREE.

Assembly Concurrent Resolution No. 33—Relative to approving certain amendments to the charter of the city of Burbank, a municipal corporation, in the county of Los Angeles, State of California, voted

for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 33 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Cottrell, Cronin, Crowley, Dempster, Evans, Field, Gilmore, Greene, Hallner, Hatch, Hoffman, Jones, King, Knowland, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stream, Sullivan, Thorp, Tournoux, Utt, West and Mr. Speaker—51.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 33 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 33—Relative to approving certain amendments to the charter of the city of Burbank, a municipal corporation, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932.

By Mr. Patterson: Assembly Concurrent Resolution No. 34—Relative to use of moneys received by the State of California from the Reconstruction Finance Corporation

Introduced, and referred to Committee on Ways and Means.

By Mr. Dempster. Assembly Constitutional Amendment No. 79—Proposed amendment to Article XX, adding section 22, of the Constitution, relative to legal rate of interest.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Bliss: Assembly Constitutional Amendment No. 80—Proposed amendment to Article XIII, section 14 of the Constitution, relative to taxation of property for State purposes.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Greene: Assembly Constitutional Amendment No. 81—Proposed amendment to Article IV, section 2, of the Constitution, relative to the session of the Legislature and the introduction of bills at such sessions.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Morgan: Assembly Constitutional Amendment No. 82—Proposed amendment to Article XIII, section 10½ of the Constitution, relative to exemption of personal property from taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Callahan and Rogers: Assembly Constitutional Amendment No. 83—Proposed amendment to Article I, section 24, of the Constitution, relative to the right to vote at bond elections.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Rogers: Assembly Constitutional Amendment No. 84—Proposed amendment to Article VII, section 1, of the Constitution, relative to limitation upon the pardoning power of the Governor.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Mayo: Assembly Constitutional Amendment No. 85—Proposed amendment to Article XI, section 5 of the Constitution, relative to the compensation, election and appointment of county officers.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Powers: Assembly Constitutional Amendment No. 86—Proposed amendment to Article XIII, section 8, of the Constitution, relative to the filing of annual statements of property owned by taxpayers.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Hunt: Assembly Constitutional Amendment No. 87—Proposed amendment to Article XIII of the Constitution, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments

By Mr. Hunt: Assembly Constitutional Amendment No. 88—Proposed amendment to Article XIII of the Constitution, relative to taxation, by repealing section 14.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Hunt: Assembly Constitutional Amendment No. 89—Proposed amendment to Article XIII of the Constitution, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Hunt: Assembly Constitutional Amendment No. 90—Proposed amendment to Article XIII of the Constitution, relative to taxation, by adding a new section to be numbered 5.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Morgan: Assembly Constitutional Amendment No. 91—Proposed amendment to Article VI, adding section 26, of the Constitution, relative to the nomination and election of judges.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Dempster: Assembly Constitutional Amendment No. 92—Proposed amendment to Article IX, section 9, of the Constitution, relative to the Board of Regents of the University of California.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Mayo: Assembly Bill No. 2104—An act to amend section 19x43 of the Juvenile Court Law, relating to probation officer in counties of the forty-third class.

Bill read first time, and referred to Committee on County Government.

By Mr. Mayo: Assembly Bill No. 2105—An act to amend section 16x43 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the forty-third class.

Bill read first time, and referred to Committee on County Government.

By Mr. Mayo: Assembly Bill No. 2106—An act to amend section 4272 of the Political Code, relating to the compensation of county and township officers in counties of the forty-third class.

Bill read first time, and referred to Committee on County Government.

By Mr. Mayo: Assembly Bill No. 2107—An act to amend section 737cc of the Political Code, relating to the salary of the judge of the superior court in and for the county of Nevada.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Mayo: Assembly Bill No. 2108—An act to amend section 2322x43 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-third class.

Bill read first time, and referred to Committee on County Government.

By Mr. Mayo: Assembly Bill No. 2109—An act to amend section 9a43 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to county libraries.

Bill read first time, and referred to Committee on Libraries.

By Mr. Powers: Assembly Bill No. 2110—An act to amend sections 3627a, 3628, 3629, 3630, 3633, 3638a, 3650, 3652, 3659, 3678, 3717, 3718, 3738, and 3820 of the Political Code, relating to certain dates with respect to the assessment of property.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Callahan (by request): Assembly Bill No. 2111—An act to amend section 16 of an act entitled "An act to define personal property

brokers and regulate their charges and business," approved April 16, 1909, relating to disposition of fees and moneys.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Callahan (by request): Assembly Bill No. 2112—An act to amend section 26 and to repeal section 28 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, abolishing the Corporation Commission fund, transferring the moneys in said fund to the general fund and making an appropriation.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Callahan (by request): Assembly Bill No. 2113—An act to provide for the acquisition by the State of a cement plant to produce the necessary cement to be used in the construction of the San Francisco Bay Bridge.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Callahan: Assembly Bill No. 2114—An act to amend section 5 of the Direct Primary Law, relating to party candidates.

Bill read first time, and referred to Committee on Elections.

By Messrs. Hoffman and Knowland (by request): Assembly Bill No. 2115—An act to add a new section to the Political Code of the State of California, to be known as section 3480a (1), relating to the legal status of refunding bonds issued by any reclamation district.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Grubbs: Assembly Bill No. 2116—An act to repeal an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health" approved May 23, 1925.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Burns: Assembly Bill No. 2117—An act to amend section 11 of the act entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved May 27, 1927, relating to the game refuge and public shooting grounds advisory committee and defining the powers and duties thereof.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Burns: Assembly Bill No. 2118—An act to amend section 12 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, relating to compensation and insurance of workmen.

Bill read first time, and referred to Committee on Insurance.

By Mr. Lyon: Assembly Bill No. 2119—An act granting to the city of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Hallner: Assembly Bill No 2120—An act to amend the Political Code by adding thereto a new section to be numbered 2168a, providing for the arrest, without a warrant upon probable cause, of alleged insane persons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Craig: Assembly Bill No. 2121—An act making an appropriation for the support of the Thirty-second District Agricultural Association.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Craig. Assembly Bill No. 2122—An act relating to the construction and maintenance of highways.

Bill read first time, and referred to Committee on Roads and Highways

By Mr. Craig: Assembly Bill No. 2123—An act to add a new section, to be numbered 3a, to an act entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved May 23, 1907, relating to sewerage disposal.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Craig. Assembly Bill No. 2124—An act authorizing a suit against the State of California to quiet title against it to certain real property in the city of Newport Beach.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bowers: Assembly Bill No. 2125—An act to amend section 5 of the act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, relating to duties of the commission.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Martin: Assembly Bill No. 2126—An act to add a new section to the Probate Code, to be numbered 786c, relating to exchange of real property belonging to an estate.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Martin: Assembly Bill No. 2127—An act to amend section 1530 of the Probate Code and to add a new section to the Probate Code,

to be numbered 1540, relating to exchange of property belonging to one subject to guardianship.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Martin: Assembly Bill No. 2128—An act to amend section 172b of the Civil Code, relating to exchange of community property when one spouse incompetent.

Bill read first time, and referred to Committee on Judiciary.

By Mr. O'Donnell: Assembly Bill No. 2129—An act to amend section 2 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of, State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. O'Donnell: Assembly Bill No. 2130—An act establishing certain additional State highways and classifying them as secondary highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. O'Donnell: Assembly Bill No. 2131—An act establishing an additional State highway and classifying it as a secondary highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. O'Donnell: Assembly Bill No. 2132—An act to amend section 4300b of the Political Code of the State of California, relating to the fees for mileage of sheriffs.

Bill read first time, and referred to Committee on County Government.

By Mr. O'Donnell: Assembly Bill No. 2133—An act to amend section 9.01, Article IX of an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the following) also to do the following: To define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil

Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Woolwine (by request): Assembly Bill No. 2134—An act adding one new section to the Political Code, to be section 4041.26 thereof, relating to the jurisdiction and powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr. Nielsen: Assembly Bill No. 2135—An act to amend section 12 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United States soldiers, sailors and marines, and to provide for the government thereof by the State," approved March 11, 1897, as amended.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

By Mr. Nielsen: Assembly Bill No. 2136—An act to add a new section to the Bank Act, to be numbered 136½, relating to powers of trustees or receivers of closed banks.

Bill read first time, and referred to Committee on Banking.

By Mr. Brock: Assembly Bill No. 2137—An act relating to the acquisition by municipalities of any public utility, and of any enterprise or undertaking convenient or necessary for the improvement and development of a municipality, and the payment therefor by revenue bonds, and for the sale or lease of such utility, enterprise or undertaking to any person, partnership or corporation.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Clowdsley: Assembly Bill No. 2138—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof.

Bill read first time, and referred to Committee on Public Utilities.

By Messrs. Powers and Turner: Assembly Bill No. 2139—An act requiring the licensing of certain vehicles used for the transportation of property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Clowdsley: Assembly Bill No. 2140—An act relating to the disposition of unpaid moneys deposited with public utilities for metered service.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. McMurray (by request): Assembly Bill No. 2141—An act regulating the business of funeral directors and the transportation and traffic in dead human bodies, and providing penalties for violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. McMurray (by request): Assembly Bill No. 2142—An act regulating the practice of embalming in connection with the care and disposition of the dead, creating a State board therefor, providing penalties for the violation thereof, and repealing the act entitled "An act regulating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State board therefor, providing penalties for violations thereof, and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof,' approved April 16, 1915, as amended," approved April 20, 1929, as amended, relating to and regulating the business of funeral directors and embalmers.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Crist: Assembly Bill No. 2143—An act to amend sections 4175 and 4176 of the Political Code, relating to compensation of sheriffs.

Bill read first time, and referred to Committee on County Government.

By Miss Miller, Eleanor: Assembly Bill No. 2144—An act to amend sections 484 and 532 of the Penal Code, relating to obtaining property by unlawful means.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Peterson: Assembly Bill No. 2145—An act to amend sections 93 to 95, inclusive, of the Vehicle Code, relating to members of the California Highway Patrol.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Peterson: Assembly Bill No. 2146—An act to add a new article to Chapter XI of Part I of Division II of the School Code to be known as Article III embracing sections 2.690 to 2.699, both inclusive, relating to the annexation of territory to junior college districts.

Bill read first time, and referred to Committee on Education.

By Mr. Peterson: Assembly Bill No. 2147—An act to amend sections 2.873, 2.874, 2.913, 2.1058 and 2.1142 of the School Code, relating to school elections.

Bill read first time, and referred to Committee on Education.

By Mr. Callahan (by request): Assembly Bill No. 2148—An act to amend section 1 of Act 2727, approved April 17, 1931, Statutes of 1931, page 238, entitled "Act providing for the granting of franchises in counties or cities and counties for the disposal or destruction, or both, of garbage and other waste and declaring same an urgency measure" by

regulating and controlling the disposal or destruction, or both, of garbage and other waste in municipal corporations of the first, first and one-half, second and second and one-fourth class.

Bill read first time, and referred to Committee on Public Health annd Quarantine.

By Mr. Callahan (by request): Assembly Bill No. 2149—An act to prohibit the sale, possession and operation of gambling devices, coin or slug machines or devices, or by depositing any other article or device into a receptacle or device attached to or affixed to such machine for the purpose of operating the same and providing penalty therefor.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Dempster: Assembly Bill No. 2150—An act to amend sections 160, 161 and 164 of the Vehicle Code, relating to the registration of vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Dempster (by request): Assembly Bill No. 2151—An act to require the State to pay all jury fees in civil actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster (by request): Assembly Bill No. 2152—An act to amend section 141¾ of the California Vehicle Act, relating to liability for death or injury to a guest riding in a vehicle.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Dempster: Assembly Bill No. 2153—An act to amend section 399 of the Code of Civil Procedure, relating to transfer of an action or proceeding.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 2154—An act to add a new section to be numbered 9a to the act entitled "The Bank Act," approved March 1, 1909, as amended, relating to branch banking.

Bill read first time, and referred to Committee on Banking.

By Mr. Dempster: Assembly Bill No. 2155—An act to provide that no public utility may discharge any employee solely because of age.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Dempster: Assembly Bill No. 2156—An act to allow any individual to do all electrical, plumbing and similar work on his own property and to authorize him to sell what he raises or anything that he makes in any city without a license.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Dempster: Assembly Bill No. 2157—An act to permit the owners of small shops to maintain their families on their business premises.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Morgan: Assembly Bill No 2158—An act to add a new section to the Code of Civil Procedure to be numbered 2007, relating to depositions.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Morgan: Assembly Bill No. 2159—An act to amend section 605d of the Civil Code, relating to nonprofit corporations.
Bill read first time, and referred to Committee on Corporations.

By Mr. Morgan: Assembly Bill No. 2160—An act to amend section 605d of the Civil Code, relating to nonprofit corporations.
Bill read first time, and referred to Committee on Corporations.

By Mr. Morgan: Assembly Bill No. 2161—An act to amend section 689 of the Code of Civil Procedure, relating to indemnity where property is claimed by a third party.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Morgan: Assembly Bill No. 2162—An act to amend section 545 of the Code of Civil Procedure, relating to persons having property in their possession belonging to the judgment debtor.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Morgan: Assembly Bill No. 2163—An act to add a new section to the Code of Civil Procedure, to be numbered 467, relating to pleading compliance with a statute.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Morgan: Assembly Bill No. 2164—An act to amend section 447 of the Code of Civil Procedure, relating to written instruments.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Morgan: Assembly Bill No. 2165—An act to amend section 447 of the Code of Civil Procedure, relating to written instruments.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Morgan: Assembly Bill No 2166—An act to amend section 458 of the Code of Civil Procedure, relating to the pleading of statutes or ordinances.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Morgan: Assembly Bill No. 2167—An act to add a new section to the Code of Civil Procedure, to be numbered 466, relating to pleading compliance with a statute.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Morgan: Assembly Bill No. 2168—An act to amend section 1211 of the Code of Civil Procedure, relating to punishment of contempt of court.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Morgan: Assembly Bill No. 2169—An act to amend section 1212 of the Code of Civil Procedure, relating to contempt of court.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Williamson: Assembly Bill No. 2170—An act to amend section 779 of the Political Code.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Williamson: Assembly Bill No. 2171—An act to amend section 778 of the Political Code.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Williamson: Assembly Bill No. 2172—An act to provide for the regulation of business investment brokers and salesmen, and providing penalties.

Bill read first time, and referred to Committee on Judiciary.

By Mr. O'Connor: Assembly Bill No. 2173—An act to add a new section to the Penal Code to be numbered 653d½, relating to coercion of State employees in relation to their compensation.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Alter, Boyle, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Knowland, Powers, Robinson, C. Ray, and Zion: Assembly Bill No. 2174—An act to make an appropriation to pay the expenses for legislative printing, binding, etc., for the eighty-fourth fiscal year, and to provide that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. King: Assembly Bill No. 2175—An act to amend section 681 of the Penal Code, relating to punishment and treatment of persons in State, county and city institutions.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. King: Assembly Bill No. 2176—An act to provide for the conveyance and transfer of property to and by the State Food Administrator and for the relief of the unemployed and destitute of this State.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Kallam: Assembly Bill No. 2177—An act to amend section 737rr of the Political Code, relating to the judge of the superior court in and for the county of Santa Cruz.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Kallam: Assembly Bill No. 2178—An act to amend section 19x41 of the Juvenile Court Law, relating to probation officer in counties of the forty-first class.

Bill read first time, and referred to Committee on County Government.

By Mr. Kallam: Assembly Bill No. 2179—An act to amend section 2322x41 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-first class.

Bill read first time, and referred to Committee on County Government.

By Mr. Kallam: Assembly Bill No. 2180—An act to amend sections 4270 and 4270a to 4270r, inclusive, of the Political Code, relating to county and township officers of counties of the forty-first class.

Bill read first time, and referred to Committee on County Government.

By Mr. Kallam: Assembly Bill No. 2181—An act to amend sections 4254 and 4254a to 4254s, inclusive, of the Political Code, relating to the compensation of county and township officers in counties of the twenty-fifth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Kallam: Assembly Bill No. 2182—An act to amend section 737ii of the Political Code, relating to the judge of the superior court in and for the county of San Benito.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Kallam: Assembly Bill No. 2183—An act to amend section 16x41 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the forty-first class.

Bill read first time, and referred to Committee on County Government.

By Mr. Kallam: Assembly Bill No. 2184—An act to amend section 2322x25 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-fifth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Kallam: Assembly Bill No. 2185—An act to amend section 9a25 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the twenty-fifth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Kallam: Assembly Bill No. 2186—An act to amend section 19x25 of the Juvenile Court Law, relating to probation officers in counties of the twenty-fifth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Kallam: Assembly Bill No. 2187—An act to repeal section 16x25 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the twenty-fifth class.

Bill read first time, and referred to Committee on County Government.

By Mr. King: Assembly Bill No. 2188—An act to amend sections 691, 692, 694, 696, 865, 880, 881, 972 and to repeal section 719 of the Fish and Game Code, relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Morgan (by request): Assembly Bill No. 2189—An act to amend section 2309 of the Civil Code, relating to oral authorizations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bliss: Assembly Bill No 2190—An act to amend section 4223 of the Political Code, relating to county hospitals.

Bill read first time, and referred to Committee on County Government.

By Mr. Bliss: Assembly Bill No. 2191—An act to amend section 9a16 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the sixteenth class

Bill read first time, and referred to Committee on County Government.

By Mr. Bliss: Assembly Bill No. 2192—An act granting certain tidelands and submerged lands of the State of California, to the county of Santa Barbara upon certain trusts and conditions.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Bliss: Assembly Bill No. 2193—An act to add a new section, to be numbered 14, to an act entitled "An act to define trust and to provide for criminal penalties and civil damages, and punishment for corporations, persons, firms, and associations or persons connected with them, and to promote free competition in commerce and in all classes of business in this State," approved March 23, 1907, relating to anti-trust affidavits.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bliss: Assembly Bill No. 2194—An act to amend section 9 of an act entitled "An act to regulate the taking and harvesting of kelp and other aquatic plants of the State of California by recognizing and declaring their ownership in the State of California and providing for the control thereof by the Fish and Game Commissioners, and providing for a license tax upon all persons, firms or corporations engaged in the industry of taking or harvesting kelp or other aquatic plants, and providing for the collection and disbursement of the revenues derived therefrom, and providing for a privilege tax upon all kelp taken in the waters of this State, and providing for the protection of kelp beds, for the manner of taking kelp and other aquatic plants, and providing for hearings by the Fish and Game Commissioners, and providing penalties for the violation of this act," approved May 18, 1917, relating to kelp.

Bill read first time, and referred to Committee on Crime Problems

By Mr. Bliss: Assembly Bill No. 2195—An act to amend section 19x16 of the Juvenile Court Law, relating to the probation officer in counties of the sixteenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Bliss: Assembly Bill No. 2196—An act to amend section 2322x16 of the Political Code, relating to the office of the agricultural commissioner in counties of the sixteenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Bliss: Assembly Bill No. 2197—An act to amend section 737pp of the Political Code, relating to the salary of the judge of the superior court in and for the county of Santa Barbara.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Bliss: Assembly Bill No. 2198—An act to amend section 16x16 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the sixteenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Bliss: Assembly Bill No. 2199—An act to add a new section, to be numbered 73a, to the Code of Civil Procedure, relating to superior courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robinson, C. Ray: Assembly Bill No. 2200—An act to amend section 2295a of the Political Code, relating to reports and publications furnished to the State Library.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Morgan: Assembly Bill No. 2201—An act to amend section 605d of the Civil Code, relating to nonprofit corporations.

Bill read first time, and referred to Committee on Corporations.

By Mr. Gilmore: Assembly Bill No. 2202—An act to add a new section to the Penal Code to be numbered 535a, relating to insurance business.

Bill read first time, and referred to Committee on Insurance.

By Mr. Dempster: Assembly Bill No. 2203—An act to provide security for and guarantee the deposits in banks and to create a fund therefor, to provide for the assessment of banks, and to prescribe the duties of the Superintendent of Banks, in relation thereto.

Bill read first time, and referred to Committee on Banking.

By Mr. Woolwine: Assembly Bill No. 2204—An act to amend section 338 of the Code of Civil Procedure, relating to statutes of limitation.

Bill read first time, and referred to Committee on Judiciary.

By Mr. O'Connor: Assembly Bill No. 2205—An act to amend section 6 of an act entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing that notices as to pay days must be kept

posted by the employer and making failure to keep such notices posted prima facie evidence of violation of the act, providing criminal penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys and prosecuting attorneys of cities relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner for failure to maintain regular pay days and the disposition of penalties so collected, providing a civil penalty for failure of the employer to pay discharged employees or employees who quit and permitting such employees to sue directly or through an assignee for such penalties as well as permitting the said commissioner to sue for same in such cases as he may deem proper; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915,'' approved May 6, 1919, relating to refusal of employer to pay wages.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Nielsen: Assembly Bill No. 2206—An act to add a new section to the Political Code, to be numbered 3631, relating to the Division of Architecture revolving fund.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Nielsen: Assembly Bill No. 2207—An act to repeal sections 716 to 719, inclusive, and to add section 716 to the Political Code, relating to the Capitol Building and grounds.

Bill read first time, and referred to Committee on State Grounds and Parks.

By Mr Peterson: Assembly Bill No. 2208—An act to amend section 4041.14 of the Political Code, relating to the licensing of businesses by the counties.

Bill read first time, and referred to Committee on County Government.

By Mr. Woolwine: Assembly Bill No. 2209—An act to impose an excise tax, and to provide methods and penalties for the enforcement of the tax, and to allocate the revenues derived therefrom.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Hornblower: Assembly Bill No. 2210—An act to amend sections 1333 and 1567 of the Penal Code, relating to production of prisoners in court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Ross: Assembly Bill No 2211—An act providing for the subrogation of liens arising under the terms and provisions of section 1191a of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Ross: Assembly Bill No. 2212—An act to amend sections 90, 91, 92, 93 and 95 of the Vehicle Code, relating to the Department of Motor Vehicles and the organization thereof.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Ross: Assembly Bill No. 2213—An act to amend section 360c of the Political Code, relating to the Division of Enforcement and the California Highway Patrol of the Department of Motor Vehicles.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Ross: Assembly Bill No. 2214—An act to amend section 3764 of the Political Code, relating to delinquent tax lists and the publication thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Jones: Assembly Bill No. 2215—An act to amend sections 1425 and 1462 of the Penal Code, relating to criminal jurisdiction of justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 2216—An act providing for powers of counties in joint county and city projects.

Bill read first time, and referred to Committee on County Government.

By Mr. Robinson, Samuel E.: Assembly Bill No. 2217—An act to amend section 3718 of the Political Code, relating to tax liens.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Grubbs: Assembly Bill No. 2218—An act to amend section 2 of the State Housing Act, relating to the enforcement of the provisions of said act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Grubbs: Assembly Bill No. 2219—An act to provide a system for the exchange of private lands in national forests for lands of the United States located outside of national forests.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Nielsen: Assembly Bill No. 2220—An act to add a new section to be numbered 39a to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties, or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved

April 7, 1911, as amended, relating to liability for injuries due to defective sidewalks.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Nielsen: Assembly Bill No 2221—An act to add a new section to be numbered 2a and to amend the title of an act entitled "An act limiting the liability of supervisors, city trustees, city councils, board of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," approved June 13, 1923, as amended, relating to joint liability of property owners for injuries from defective sidewalks.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Bowers: Assembly Bill No. 2222—An act to provide a method whereby any separately assessed land within any district organized under the provisions of the Road District and Improvement Act of 1911 may be permanently excluded therefrom.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Knowland: Assembly Bill No. 2223—An act to amend section 1203 of the Penal Code, relating to probation and probation officers.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Boyle: Assembly Bill No. 2224—An act to amend section 1601 of the Penal Code of the State of California, relating to the sheriff receiving prisoners committed by the United States courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Boyle (by request): Assembly Bill No. 2225—An act relating to financial institutions.

Bill read first time, and referred to Committee on Banking.

By Mr. McBride: Assembly Bill No. 2226—An act to amend section 779, to repeal sections 780, 781, 782, and 783 of, and to add a new section to be numbered 780 to, the Vehicle Code, relating to the motor vehicle fund and the disposition of moneys placed therein.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Scudder and Burns: Assembly Bill No. 2227—An act to add sections 822 to 829, inclusive, to Article II, Chapter III, Part II, Division IV of the Fish and Game Code, relating to oysters.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Burns: Assembly Bill No. 2228—An act to amend section 653 of the Fish and Game Code, relating to salmon.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Burns: Assembly Bill No. 2229—An act to repeal section 954 of the Fish and Game Code, relating to nets.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Burns: Assembly Bill No. 2230—An act to amend section 799 of the Fish and Game Code, relating to abalones.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Burns: Assembly Bill No. 2231—An act to add section 798.5 to the Fish and Game Code, relating to abalones.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Zion: Assembly Bill No. 2232—An act to add a new section to be numbered 4a to the General Cemetery Act, relating to amendment of articles of cemetery corporation.
Bill read first time, and referred to Committee on Judiciary.

By Messrs. Meeker and Powers: Assembly Bill No. 2233—An act to add 44 new sections to the Political Code, to be numbered 364k to 364k43, inclusive, to amend section 364a of said code, and to repeal certain acts inconsistent herewith, all relating to a system of unemployment relief insurance, reserves, and compensation for the State of California, and making an appropriation therefor.
Bill read first time, and referred to Committee on Insurance.

By Mr. Scudder: Assembly Bill No. 2234—An act to appropriate funds for the payment of damages accruing from the closing of the Klamath River to commercial fishing.
Bill read first time, and referred to Committee on Ways and Means.

By Mr. Scudder: Assembly Bill No. 2235—An act making an appropriation out of the fish and game preservation fund for the construction of jetties at the mouth of the Russian River.
Bill read first time, and referred to Committee on Ways and Means.

By Mr. Dempster: Assembly Bill No 2236—An act to amend section 657 of the Code of Civil Procedure, relating to new trials and the law granting thereof.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster (by request): Assembly Bill No. 2237—An act to amend section 261 of the Code of Civil Procedure, relating to court commissioners in any county having a population of nine hundred thousand (900,000) or over.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster (by request): Assembly Bill No. 2238—An act to amend section 110a of the Code of Civil Procedure, relating to justices of the peace in counties of the first class.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Boyle: Assembly Bill No. 2239—An act to amend section 11 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the filing of prescriptions by pharmacists.
Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Knowland (by request): Assembly Bill No. 2240—An act regulating laundries and cleaning establishments and requiring the registration of identification marks used by such establishments with the State Bureau of Criminal Identification and Investigation, and providing the penalty for violation hereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bliss: Assembly Bill No. 2241—An act providing for the levying, collecting and paying of an income tax on individuals for unemployment relief.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Hornblower and Gilmore: Assembly Bill No. 2242—An act to amend section 412 of the Penal Code, prohibiting prize fights and betting on any pugilistic contest, boxing contest or exhibition, but sanctioning amateur boxing contests, sparring matches and exhibitions not to exceed three rounds of duration, prescribing conditions in relation thereto and the issuance of annual licenses to hold such amateur contests by the State Athletic Commission of California.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Cobb: Assembly Bill No. 2243—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Callahan: Assembly Bill No. 2244—An act to amend section 6 of the Corporate Securities Act, relating to brokers and agents engaged in the sale of securities.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robinson, C. Ray: Assembly Bill No. 2245—An act to amend section 198 of the Code of Civil Procedure, relating to jurors.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robinson, C. Ray: Assembly Bill No. 2246—An act relating to the care and treatment of feeble-minded children and making available for use therefor the buildings and grounds at the State Narcotic Hospital.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Gilmore: Assembly Bill No. 2247—An act in relation to contracts in restraint of the insurance business.

Bill read first time, and referred to Committee on Insurance.

By Mr. Gilmore: Assembly Bill No. 2248—An act to amend section 46 of the California Vehicle Act, relating to manufacturers and dealers of and in vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Cobb: Assembly Bill No. 2249—An act to repeal an act entitled "An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor, and to repeal an act approved February 14, 1887, entitled 'An act to provide for the permanent sup-

port and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and also to repeal an act approved February 27, 1897, entitled 'An act to provide additional support and maintenance and for the acquisition of necessary property and improvements of the University of California by the levy of a rate of taxation, and the creation of a fund therefor,' " approved March 20, 1909, and to provide for the transfer of moneys now in the State University fund to the general fund of the State treasury.

Bill read first time, and referred to Committee on Universities.

By Mr. Cobb: Assembly Bill No. 2250—An act to repeal an act entitled "An act making an appropriation from the contingent fund of the State Board of Pharmacy to be used by the Regents of the University of California for the use and benefit of the College of Pharmacy of the University of California," approved May 28, 1931, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Frazier: Assembly Bill No 2251—An act to provide for the inspection of warehouses where grain is stored for hire; for the sampling, examination and condemnation of infested grain and regulating the sale thereof; defining the powers and duties of the Director of Agriculture in regard thereto and prescribing penalties for violations of the provisions thereof.

Bill read first time, and referred to Committee on Agriculture.

By Mr Frazier: Assembly Bill No 2252—An act to amend section 3 of an act entitled "An act to require owners of forest lands to provide a fire patrol therefor," approved June 6, 1923, relating to forest land fire patrols.

Bill read first time, and referred to Committee on Conservation.

By Mr. Frazier: Assembly Bill No. 2253—An act to amend sections 27 and 34 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909, relating to duty of warehouseman in regard to stored goods.

Bill read first time, and referred to Committee on Agriculture.

By Mr. West: Assembly Bill No. 2254—An act to add a new section, to be numbered 7, to the Weights and Measures Act, relating to and extending the provisions of said act to cover and include gas and electric meters.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Cobb: Assembly Bill No. 2255—An act to provide aid and assistance to special assessment districts where the assessment is levied upon specific property, and authorizing the expenditure of public funds therefor.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cobb: Assembly Bill No. 2256—An act providing for the prevention of fraud in the sale and issuance of securities, and for the regulation and supervision of issuers, brokers, agents and investment

counsel, as the same are herein defined; providing for the enforcement of said act and penalties for the violation thereof; and creating a Division of Corporations and the office of "Securities Commissioner"; and repealing an act known as the "Corporate Securities Act," approved May 18, 1917, and all amendments thereto.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Frazier: Assembly Bill No. 2257—An act to amend sections 737fff and 737yy of the Political Code, relating to the salaries of superior court judges.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Roberts (by request): Assembly Bill No 2258—An act to amend sections 451, 452, 453, 458, 482, 487, 489, 490 and 493, to add a new section to be numbered 462, and to repeal sections 491 and 492 of the Agricultural Code, relating to dairies

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Roberts (by request): Assembly Bill No. 2259—An act to amend section 622 of the Agricultural Code, relating to license fees for persons treating dairy products or imitation dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Messrs Callahan and Rogers: Assembly Bill No. 2260—An act to add section 736d to the Political Code, relating to judges of the superior court.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Cassidy: Assembly Bill No. 2261—An act to amend section 1 of an act entitled "An act defining mattresses; regulating the making, remaking and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, relating to mattresses.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Mayo: Assembly Bill No. 2262—An act to amend section 46½ of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to the Industrial Accident Commission.

Bill read first time, and referred to Committee on Insurance.

By Mr. Mayo: Assembly Bill No. 2263—An act to amend section 602b of the Political Code, relating to workmen's compensation insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. West: Assembly Bill No. 2264—An act to amend section 4185a of the Political Code, relating to qualifications and eligibility for the office of justice of the peace.

Bill read first time, and referred to Committee on Judiciary.

By Mr. West: Assembly Bill No. 2265—An act to add a new section to the Code of Civil Procedure, to be numbered 149b, relating to seals of justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. West: Assembly Bill No. 2266—An act to amend sections 33 and 34 of the Code of Civil Procedure, relating to justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. West: Assembly Bill No. 2267—An act to amend section 112 of the Code of Civil Procedure, relating to jurisdiction of justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Field and Redwine: Assembly Bill No. 2268—An act to add section 347a to the Code of Civil Procedure, relating to the redemption of property sold under the foreclosure of mortgages or sold under deeds of trust.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Roberts, Badham, Dempster, Morgan and Roland: Assembly Bill No. 2269—An act relating to the acquisition and installation of an electrical roll call system in the Assembly, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Evans: Assembly Bill No. 2270—An act to amend section 4191 of the Political Code, relating to the expenditure by boards of trustees of law libraries of surplus funds to acquire real property and erect a building thereon and to contribute from such funds to obtain adequate quarters in any building hereafter erected by the board of supervisors of the county in which such law library is maintained.

Bill read first time, and referred to Committee on Libraries.

By Mr. Patterson: Assembly Bill No. 2271—An act to amend section 16x21 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-first class.

Bill read first time, and referred to Committee on County Government.

By Mr. Patterson: Assembly Bill No. 2272—An act to amend section 4250 of the Political Code, relating to compensation of officers and employees in counties of the twenty-first class.

Bill read first time, and referred to Committee on County Government.

By Mr. Patterson: Assembly Bill No. 2273—An act to amend section 737aa of the Political Code, relating to compensation of the judge of the superior court in and for the county of Monterey.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Patterson: Assembly Bill No. 2274—An act to amend section 2322x21 of the Political Code, relating to the office of the agricultural commissioner in counties of the twenty-first class.

Bill read first time, and referred to Committee on County Government.

By Mr. Patterson: Assembly Bill No. 2275—An act to amend section 19x21 of the Juvenile Court Law, relating to probation officers in counties of the twenty-first class.

Bill read first time, and referred to Committee on County Government.

By Mr. Morgan. Assembly Bill No. 2276—An act to impose an excise tax for State purposes upon the gross receipts realized from automobile and motorcycle races or contests, to provide methods and penalties for the enforcement of the tax, to provide the method for collecting the same and to allocate the revenue derived therefrom.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Sullivan: Assembly Bill No. 2277—An act to amend section 653c of the Penal Code, relating to working conditions on public works, and declaring the urgency thereof.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Frazier: Assembly Bill No. 2278—An act to repeal Part V of Division IV of the School Code, embracing sections 4.960 to 4.1044, inclusive, and to add a new part to Division IV of said code, to be numbered Part V, relating to issuance of county bonds for school purposes.

Bill read first time, and referred to Committee on Education.

By Mr. Grubbs: Assembly Bill No. 2279—An act to consolidate the administration of the act known as the "California Barber Law," approved May 31, 1927, as amended, and that certain act known as the "Act Concerning Cosmetology," approved May 31, 1927, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Scudder (by request): Assembly Bill No. 2280—An act to amend sections 3, 5, 6, 7, 9, 11, 12 and 13 of that certain act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, as amended, relating to the regulation of collection agencies.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Badham: Assembly Bill No. 2281—An act to add section 41a to the Public Utilities Act, relating to telephone companies and the installation of telephone meters.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Frazier: Assembly Bill No. 2282—An act to add a new section to the Political Code, to be numbered 3714b, relating to county budgets.

Bill read first time, and referred to Committee on County Government.

By Mr. Frazier (by request): Assembly Bill No. 2283—An act to amend section 2079 of the Political Code, relating to allowances to organizations of the National Guard.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Frazier: Assembly Bill No. 2284—An act to add a new section to the Political Code, to be numbered 3714b, relating to county budgets.

Bill read first time, and referred to Committee on County Government.

By Mr. Dempster: Assembly Bill No. 2285—An act to amend section 136 of the Bank Act, relating to liquidation of banks.

Bill read first time, and referred to Committee on Banking.

By Mr. Knowland: Assembly Bill No. 2286—An act authorizing and empowering the Director of Finance to accept money from the estate of Emma Hotfilter for the purpose of erecting a fountain within the State Capitol Grounds.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Dempster: Assembly Bill No. 2287—An act to amend sections 1 and 2 of an act entitled "An act prohibiting the destruction of foodstuffs, food products or food articles," approved June 5, 1913, relating to the destruction of foodstuffs, food products or food articles for the purpose of maintaining the prices thereon or for the purpose of artificially affecting the marketing thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Callahan: Assembly Bill No. 2288—An act to amend section 9a of the California Real Estate Act, relating to applicants for a real estate broker's license and the bonds furnished by them.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Callahan: Assembly Bill No. 2289—An act to amend section 6 of the Corporate Securities Act, relating to brokers and agents engaged in the sale of securities.

Bill read first time, and referred to Committee on Corporations.

By Mr. Cronin: Assembly Bill No. 2290—An act to amend sections 5 and 13 and to add sections 13a and 13b to the State Civil Service Act.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Cronin: Assembly Bill No. 2291—An act to add a new article, to be numbered VIII, consisting of sections 2.1471 to 2.1473, inclusive, to Chapter II of Part V of Division II of the School Code, relating to the State Commission for the Blind.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Cronin: Assembly Bill No 2292—An act to amend sections 1, 10, 12, 21, 22. 23 and 24 of an act entitled the "Direct Primary Law," relating to nonpartisan offices.

Bill read first time, and referred to Committee on Elections.

By Mr. Dempster: Assembly Bill No. 2293—An act to amend sections 1 and 2 and to add a new section to be numbered 15 to an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to limitation upon the business of a collection agency.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dempster: Assembly Bill No. 2294—An act to declare a moratorium on foreclosure of mortgages; prohibiting the sale under provision of a mortgage or deed of trust; and prohibiting the bringing of any action for the collection of any debt or the interest thereon for which a mortgage or deed of trust has been given as security.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 2295—An act to add a new section to be numbered 270a to the Code of Civil Procedure. relating to official reporters.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bliss: Assembly Bill No. 2296—An act to regulate appointment of county employees.

Bill read first time, and referred to Committee on County Government.

By Mr. Meehan: Assembly Bill No 2297—An act to provide for the insurance or guaranty of bank deposits in the State of California.

Bill read first time, and referred to Committee on Banking.

By Mr. Roland: Assembly Bill No 2298—An act to amend section 13 of the Juvenile Court Law, relating to transfer of cases under said act.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hoffman: Assembly Bill No. 2299—An act to amend sections 7, 7a and 7b and to add sections 7.1 and 9a to an act entitled "An act to provide for the formation, governing, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levying, collection and distribution of taxes thereon," approved May 29, 1915, relating to mosquito abatement districts.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Dempster: Assembly Bill No. 2300—An act to amend section 3 of an act entitled "An act to regulate the conduct of election campaigns and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation

thereto, and providing for the punishment thereof,' " approved February 23, 1893, relating to campaign expense.

Bill read first time, and referred to Committee on Elections.

By Mr. Patterson: Assembly Bill No. 2301—An act to amend section 660 of the Fish and Game Code and to add thereto a new section, to be numbered 660.5, relating to salmon.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Zion: Assembly Bill No. 2302—An act to add 24 new sections to the Political Code, to be numbered 4248 and 4248a to 4248w, inclusive, and to repeal sections 2322x19 and 4248 of said code, section 19x19 of the Juvenile Court Law, and section 16x19 of the Weights and Measures Act, relating to compensation of county and township officers in counties of the nineteenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Gilmore: Assembly Bill No. 2303—An act to amend section 160 of the California Vehicle Act, relating to the fines and forfeitures collected under the provisions hereof.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 2304—An act to amend section 77 of the California Vehicle Act, relating to registration and license fees for vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 2305—An act to amend sections 3 to 7, inclusive, and 9, 11, 12, and 13 of, and to add three new sections to be numbered 4a, 4b, 4c to, an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, all relating to collection agencies.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Scudder (by request): Assembly Bill No. 2306—An act to amend section 4.375 of the School Code, relating to the maximum rate of school district taxes.

Bill read first time, and referred to Committee on Education.

By Mr. Scudder (by request): Assembly Bill No. 2307—An act to amend section 4.181 of the School Code, relating to county elementary school supervision funds.

Bill read first time, and referred to Committee on Education.

By Mr. Scudder (by request): Assembly Bill No. 2308—An act to amend sections 6.470, 6.470-1, 6.470-2, 6.472 and to repeal sections 6.473 and 6.477 of the School Code, relating to the purchase of school district supplies and apparatus.

Bill read first time, and referred to Committee on Education.

By Mr. Nielsen. Assembly Bill No 2309—An act to amend section 3 of the California Veterans' Welfare act, approved May 30, 1921, as amended, relating to veterans and the Veterans' Welfare Board.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

By Mr. Frazier (by request). Assembly Bill No. 2310—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Sullivan. Assembly Bill No 2311—An act to amend section 4149a of the Political Code, relating to the duties of county live stock inspector.

Bill read first time, and referred to Committee on Live Stock and Dairies

By Mr. Sullivan Assembly Bill No 2312—An act to amend section 102 of the Agricultural Code, relating to charges or fees for certificates or inspections

Bill read first time, and referred to Committee on Agriculture.

By Mr. Greene: Assembly Bill No. 2313—An act to add the following mileage to the State highway system.

Bill read first time, and referred to Committee on Roads and Highways.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 3—Relating to memorializing Congress to adopt legislation permitting the manufacture and sale of light wines and reports that the same has been correctly enrolled and presented the same to the Governor on this twenty-eighth day of January, 1933, at two o'clock and thirty minutes p m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 19—Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling,

Also: Assembly Concurrent Resolution No. 29—Approving a certain amendment to the charter of the city of Petaluma, a municipal corporation in the county of Sonoma, State of California, and voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventeenth day of May, 1932;

Also: Assembly Concurrent Resolution No. 33—Relative to approving certain amendments to the charter of the city of Burbank, a municipal corporation, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1932;

And reports that the same have been correctly enrolled and presented the same to the Governor on this twenty-eighth day of January, 1933, at two o'clock and thirty minutes p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 438—An act to amend section 15 of an act entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," approved March 1, 1929, as amended, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 594—An act making an appropriation to pay the cost of printing copies of the Motor Vehicle Act, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 830—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act;

Also: Assembly Bill No. 831—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act;

Also: Assembly Bill No. 832—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said act;

Also: Assembly Bill No. 899—An act to amend section 409 of the Political Code, relating to the fees to be collected by the Secretary of State, and declaring the urgency thereof;

Also: Assembly Bill No. 909—An act relating to the use of facsimile signatures, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1145—An act to add a new section, to be numbered 27c, to an act entitled "An act to provide for the incorporation and organization and management of municipal water districts and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, relating to escheat of funds of dissolved water works, and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled and presented the same to the Governor on this twenty-eighth day of January, 1933, at two o'clock and thirty minutes p.m.

PATTERSON, Chairman.

MOTION.

Mr. Robinson, C. Ray, moved that the Journals of Tuesday, January 24, 1933; Wednesday, January 25, 1933; Thursday, January 26, 1933; Friday, January 27, 1933, be approved as corrected by the Minute Clerk.

Motion carried.

RESOLUTION.

The following resolution was offered:

By Mr. Miller, James A.:

Resolved, That the Chief Clerk be authorized and directed to receipt for any warrants for members, officers or attaches of the Assembly during the constitutional recess.

Resolution read, and on motion adopted.

RESOLUTION.

The following resolution was offered:
By Mr. West:

Resolved, That a committee of three be appointed by the Speaker to wait upon the Senate and inform that body that the Assembly is ready for the constitutional recess, and ask if the Senate has any further communication to make to the Assembly

Resolution read, and on motion adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. West, Gilmore and Greene as such Select Committee.

RESOLUTION.

The following resolution was offered:
By Mr. Cronin:

Resolved, That the Speaker appoint a committee of three to wait upon His Excellency, Governor James Rolph, Jr., and inform His Excellency that the Assembly is ready to adjourn for the constitutional recess, and awaits his further pleasure.

Resolution read, and on motion adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs Cronin, Frazier and Knowland as such Select Committee.

REPORT OF SELECT COMMITTEE.

The committee appointed to wait upon the Senate appeared before the bar of the Assembly and reported that the instructions of the Assembly had been carried out, and that the Senate had concluded its labors and was ready to adjourn.

COMMITTEE FROM THE SENATE.

Senators Williams, Parkman and Pierovich appeared before the bar of the Assembly and informed the Assembly that the Senate was ready to adjourn, and asked if the Assembly had any further message to convey to the Senate.

The Speaker replied that the Assembly had concluded its labors and was ready to adjourn, and had no further communication to make to the Senate.

REPORT OF SELECT COMMITTEE.

The committee appointed to wait upon His Excellency the Governor appeared before the bar of the Assembly and reported that they had communicated with the Governor, and that he had no further communication to make to the Assembly.

ADJOURNMENT.

At three o'clock p.m., Saturday, January 28, 1933, in accordance with the provisions of Assembly Concurrent Resolution No. 19, Hon. Walter J. Little, Speaker of the Assembly, announced that the time for the adjournment for the constitutional recess of the fiftieth session of the Legislature of the State of California had arrived, and thereupon declared the Assembly adjourned until eleven o'clock a.m., Tuesday, February 28, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, February 28, 1933

At eleven o'clock a m, pursuant to the requirements of section 2, Article IV of the Constitution of the State of California, and to the provisions of Assembly Concurrent Resolution No. 19, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—79.

Quorum present

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with

ANNOUNCEMENT

The following telegram was received and read.

REDDING, CALIFORNIA, February 27, 1933.

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

Will be delayed one day by a jury trial here. Will you have me excused.

ALBERT F. ROSS

Upon request of Mr Speaker, Mr Ross was excused for this Legislative day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Miss Eleanor Miller, the Reverend and Mrs. H. H. Hocker of Pasadena were extended the privilege of the floor of the Assembly for this day

Through the courtesy of Mr Evans, Hon A. N. Multer, former Mayor of Arcadia, California, was extended the privilege of the floor of the Assembly for this day

Through the courtesy of the San Francisco and Alameda County delegations, Rev. William I. Lonergan, S J., president of the University of San Francisco; Rev. James J Lyons, S. J., president of University of Santa Clara, Rev. Brother Lewis, representing Chancellor of St Mary's College, were extended the privilege of the floor of the Assembly for this day.

RESOLUTION.

The following resolution was offered:

By Mr. Roberts

Resolved, That the Speaker appoint a committee of three to notify the Senate that the Assembly has reconvened, pursuant to Assembly Concurrent Resolution No. 19,

adopted on January 27, 1933, and is ready to proceed with the business of the State, with all officers heretofore elected present, to wit:

Speaker	Honorable Walter J. Little
Speaker pro tempore	Honorable F. C. Clowdsley
Chief Clerk	Arthur A. Ohnimus
Minute Clerk	Louis F. Erb
Chaplain	Rabbi Norman M. Goldburg
Sergeant-at-Arms	Michael Connolly

Resolution read, and on motion adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Roberts, Riley and Feigenbaum as such select committee.

RESOLUTION.

The following resolution was offered:

By Miss Miller, Eleanor:

Resolved, That a committee of three be appointed by the Speaker to wait upon His Excellency, Governor James Rolph, Jr., and inform him that the Assembly has reconvened after the constitutional recess, and awaits any communication that he may wish to make to it.

Resolution read, and on motion adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Miss Miller, Eleanor, and Messrs. Meeker and Hoffman as such select committee.

REPORT OF COMMITTEE FROM THE SENATE.

Senators Snyder, Mixter and Jespersen appeared before the bar of the Assembly and announced that, pursuant to the provisions of Assembly Concurrent Resolution No. 19, the Senate had reconvened and was ready to proceed with the business of the State, with all officers elected heretofore present, to wit:

President pro tempore	Honorable Arthur H. Breed
Secretary	Joseph A. Beek
Sergeant-at-Arms	Joseph F. Nolan
Chaplain	Reverend William F. Ehmann
Minute Clerk	F. E. Dalin

REPORT OF SELECT COMMITTEE.

The committee appointed to wait upon the Governor appeared before the bar of the Assembly, and reported that they had waited upon the Governor, and His Excellency had informed them that he would deliver his message to the members of the Assembly and Senate sitting in Joint Convention at eleven o'clock and thirty minutes a.m., of this day.

REPORT OF SELECT COMMITTEE.

The committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out.

MOTION.

Mr. Robinson, C. Ray, moved that a committee of three be appointed to escort His Excellency the Governor, James Rolph, Jr., to the bar of the Assembly at the hour of eleven o'clock and thirty minutes a.m.

Motion carried.

APPOINTMENT OF COMMITTEE OF ESCORT.

In accordance with the above motion, the Speaker appointed Messrs. Cobb, Zion and Fisher as such select committee.

REQUEST FOR PERMISSION TO USE ASSEMBLY CHAMBER

Mr. Clowdsley asked for, and was granted, permission to use the Assembly Chamber for a joint meeting of the Assembly and Senate Committees on Revenue and Taxation for this evening at seven o'clock and thirty minutes p.m

REQUEST FOR PERMISSION TO USE ASSEMBLY CHAMBER.

Mr. Robinson, C. Ray, asked for, and was granted, permission to use the Assembly Chamber for this day, at two o'clock p m., for the purpose of witnessing the ceremony incidental to the opening of the San Francisco Bay Bridge.

PRESENTATION OF PETITIONS

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From California Real Estate Association in support of Assembly Bill No. 140
(Signed) GLENN D WILLIAMS, State Secretary.

Also:

By Mr. Speaker:

From Chotiner Investment Co., Los Angeles, California, protesting tax on tobacco.
(Signed) H W. CHOTINER, President.

Also:

By Mr. Speaker:

From Mrs. Free, Los Angeles, California, against closing of free State employment office

Also:

By Mr. Speaker:

From the Taxpayers Protest League of Los Angeles, California, relative to taxes and bonds unpaid
(Signed) IRENE HERNS, Secretary.

Also:

By Mr Speaker:

From Department of State, State of Maine, Augusta, relative to joint memorial, that immediate and greatest need of this Nation is to establish a fully employed citizenship, and normally functioning private industry.
(Signed) ROBINSON C. TOBEY, Secretary of State.

Also:

By Mr. Speaker:

From A. E. Yeagell, San Francisco, relative to promissory notes secured by mortgages.

Also:

By Mr. Speaker:

From J. M. McMahon, district attorney, Sierra County, Downieville, California, opposing amendment to Senate Constitutional Amendment No. 12.

SIERRA COUNTY BAR ASSOCIATION,
(Signed) J. M. MCMAHON, President.

Also:
By Mr. Speaker:

From Business and Professional Women's Club, Venice, California, opposing Senate Bill No. 427.

(Signed) FLORENCE GALENTINE, President.
EVA SHERWOOD, Secretary.

Also:
By Mr. Speaker:

From Department of State, State of Oklahoma, Oklahoma City, relative to a resolution memorializing Congress to repeal the law levying an excise tax of one cent (1c) per gallon of gasoline for Federal purposes.

(Signed) R A. SNEED, Secretary of State.

Also:
By Mr. Speaker:

CITY AND COUNTY OF SAN FRANCISCO.
BOARD OF SUPERVISORS, CLERK'S OFFICE, January 31, 1933.

Hon. Walter J. Little, Speaker of the Assembly.

DEAR SIR: On motion of Supervisor J Emmet Hayden, the following resolution was adopted by the board of supervisors at its meeting Monday, January 30, 1933.

WHEREAS, The City and County of San Francisco is placed in an enviable position by and through the contemplated erection of a bridge across the Golden Gate, and one across San Francisco Bay; and

WHEREAS, Much time, labor, study and perseverance has brought the prospect of these two bridges to fruition and immediate accomplishment; and

WHEREAS, The Senate and the Assembly of the State of California in Sacramento now assembled, and His Excellency, James Rolph, Jr., Governor, have given due and careful consideration to several bills positively required by and necessary to the launching of these two projects of magnitude, and have, after deliberation, enacted said bills into law; and

WHEREAS, Said enactments by the Senate and the Assembly of the State of California and His Excellency, James Rolph, Jr., Governor, remove all last obstacles to the prosecution and realization of these two bridges; now, therefore, be it

Resolved, That the board of supervisors of the City and County of San Francisco after contemplation fully recognizes the importance of the legislation passed by the Senate and the Assembly now in session and His Excellency, James Rolph, Jr., Governor, which legislation has paved the way for a free and unobstructed erection of two of the greatest projects that California has witnessed; and be it further

Resolved, That in view of the excellent and wise cooperation of the legislative bodies of the State of California now in session and Governor of the State of California, the board of supervisors of the city extends to said bodies individually and collectively sincere appreciation, hearty endorsement and grateful acknowledgment; and be it further

Resolved, That a copy of this resolution be spread on the minutes of this meeting, and that a copy be forwarded to the Speaker of both the Senate and Assembly, and one also to His Excellency, James Rolph, Jr., Governor

Sincerely yours,

J. S. DUNNIGAN, Clerk.

Also:
By Mr Speaker:

From the council of the city of Los Angeles, opposing abolishment of care and relief of World War veterans by Federal government.

(Signed) ROBERT DOMINGUEZ, City Clerk

Also:
By Mr. Speaker·

From Mrs. G. McCully, San Francisco, relative to abolishing the Department of Social Welfare

Also:
By Mr Speaker:

From Ramona Parlor, Native Sons of the Golden West, Los Angeles, California, reindorsing the Buy American Campaign.

(Signed) JOHN V. SCOTT, Secretary.

Also:
By Mr. Speaker:

From Richard Franke, South Gate, Los Angeles, indorsing John Stephen McGroarty as Poet Laureate.

Also:
By Mr. Speaker:

From Echo Park Post, American Legion, Los Angeles, California, favoring appropriation for the maintenance of the National Guard at San Pedro.

(Signed) HERBERT B. CROWELL, Commander.

Also:
By Mr. Speaker:

From Associated Sportsmen of California, against the sale of striped bass.

Also:
By Mr. Speaker:

From Santa Rosa Aerie No. 210, Fraternal Order of Eagles, protesting against the proposed changes in the Old Age Security Act.

(Signed) G. E. McDANIEL, President.

Also:
By Mr. Speaker:

From Boyle Heights Post No. 1556, Los Angeles, favoring legislation which provides funds for the State Armory at San Pedro.

(Signed) PETER EVANS, Commander.

Also:
By Mr. Speaker:

From California Medical Association, San Francisco, protesting against the abolishment of our State Narcotic Division, also extinction of our State Narcotic Hospital at Spadra.

(Signed) EMMA W. POPE, M.D., Secretary.

Also:
By Mr. Speaker:

From Lions Club, Santa Monica, against reducing aid granted to the blind by the State of California.

(Signed) EDMUND G. SCHOBER, President.

Also:
By Mr. Speaker:

From Moving Picture Painters, Los Angeles, protesting against the diverting of the gasoline tax money to another fund.

(Signed) CHAS. KOENNEKER, Secretary.

Also:
By Mr. Speaker:

From Ignatius K. Werwinski, South Bend, Indiana, relative to memorializing Congress of the United States to enact House Joint Resolution No. 191 commemorating the 150th anniversary of the naturalization as an American citizen, in 1783, of Brigadier General Thaddeus Kosciuszko, a hero of the Revolutionary War, by issuing special series of postage stamps in honor of Brigadier General Thaddeus Kosciuszko.

Also:
By Mr. Speaker:

From Dr Arthur McDonald, Washington, District of Columbia, relative to scientific study of modern civilized man.

Also:

By Mr Speaker:

From Mary Greer Conklin, Long Beach, relative to impeachment.

The Speaker ordered the above petition referred to Committee on Judiciary.

Also:

By Mr. Speaker:

From E. Morris, San Pedro, California, relative to superior court judges

Also:

By Mr. Speaker:

From Secretary of State, Phoenix, Arizona, urging State legislatures to petition Congress.

(Signed) JAMES H. KERBY, Secretary of State.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, February 3, 1933

To the Members of the California Assembly.

GREETINGS: Attached hereto is a letter dated January 30, 1933, from the President and Secretary, respectively, of the National Reclamation Association, requesting that the California Legislature memorialize Congress to pass Senate Bill No 5417, granting a 1½-year time extension on payments on charges due from settlers, and Senate Bill No 5471, providing a loan from the Federal treasury to continue authorized construction.

Inasmuch as it has been stated that a large number of men will be thrown out of work and that a great many more will be affected directly in the event these bills are not passed, I heartily recommend the passage of the resolution memorializing Congress to enact Senate Bills Nos. 5417 and 5471.

Very sincerely yours,

JAMES ROLPH, JR, Governor of California.

PORTLAND, OREGON, January 30, 1933.

Hon. James Rolph, Jr., Governor of California,
Sacramento, California.

MY DEAR GOVERNOR ROLPH: Two bills dealing with reclamation and of vital importance to the West are pending before the present Congress.

These are:

1. Senate Bill No 5417, granting a 1½-year time extension on payments on charges due from settlers.

2 Senate Bill No 5471, providing a loan from the Federal treasury to continue authorized construction.

Settlers on the projects must have the time extensions, but the revenues thereby lost will stop authorized construction by next July unless a loan from the Federal treasury permits continuance. To stop construction would throw out of work between 2500 and 3500 men and affect at least 10,000 people directly. Indirectly every western interest would be affected.

The two bills are both necessary. They provide only for the saving of values already created and to go on with construction authorized. No new proposals are included

General apathy in Congress reduces hope of their enactment unless strong pressure is exerted from the West. For this reason we earnestly ask that you request the California Legislature now in session to adopt a memorial to Congress, asking the enactment of Senate Bills Nos. 5417 and 5471. We would ask that you add your own urgent appeal.

Will you make this matter subject of instant action on your part and help to meet an emergency as urgent as any other that now exists?

It would be very gratifying if you would let us have copies of the memorial adopted and of your own letter. The form enclosed is merely a suggestion.

Very truly yours,

NATIONAL RECLAMATION ASSOCIATION.
MARSHALL N. DANA, President.
KENNETH C. MILLER, Secretary.

MEMORIAL OF THE _____ LEGISLATIVE ASSEMBLY TO THE CONGRESS OF THE UNITED STATES.

To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled.

Your memorialists, the legislative Assembly of the State of _____, respectfully represent that:

WHEREAS, There have been introduced into the United States Senate for passage, Senate Bills Nos. 5417 and 5471, which are complementary one to the other. the first providing for a suspension in payment of charges due from the Federal reclamation project settlers to the United States and in the amount of which charges and for like period of time the principal source of income to the reclamation fund is likewise delayed; and the second providing for a loan to the reclamation fund to replace the income thereto thus suspended; and

WHEREAS, Such suspension of construction charges has become necessary on account of the extreme low prices affecting all agricultural communities; and

WHEREAS, There has already been authorized by the Congress of the United States the construction of irrigation projects under the provision of the Reclamation Act; and

WHEREAS, Said Federal projects are now only partially completed and incapable of substantial self-liquidation of their present costs until the same are completed; and

WHEREAS, The settlers upon numerous privately projected irrigation districts of the State are on the verge of being forced out of their homes—to swell the throng of urban unemployed—because of an inadequate water supply due to lack of storage, and depreciation of distribution facilities, and a supplemental water supply can be made most readily available by the Federal Reclamation Bureau; and

WHEREAS, Delays in completion of projects already begun and the commencement of those projects contemplated to rehabilitate worthy enterprises will result in serious loss to the United States and to the State of _____ in

(a) Direct increase in unemployment to the extent of several thousand men, with incidental increase in unemployment in those industries which supply such projects, incalculable;

(b) Depreciation of works already constructed in such incomplete projects, and of idle money therein invested; and

(c) The crushing blow to those under said projects (with their dependent communities) having inadequate water supply and having staked all in faith upon the Federal government's completing that which it has undertaken and in commencing needed construction to supplement the water supply of those worthy private projects;

and failure to enact said bills, or similar legislation, will result in the discharge of thousands of men now employed and the consequent loss in purchasing power for consumption of both farm and industrial products and add to the depression prevailing in all markets; and

WHEREAS, Effective relief to the State of _____ and its citizens; the timely completion of said projects; and the enactment of the bills, herein designated, into laws, are propositions of inseparable relation; and

WHEREAS, Relief delayed is tantamount to relief denied; therefore, be it

Resolved by the joint concurrent sentiment and action of the _____ State Senate and House of Representatives, in legislative assembly, That the Congress of the United States in furtherance of subsisting national policies of reconstruction and reclamation, make early enactment of United States Senate Bills Nos. 5417 and 5471 into laws; and be it further

Resolved, That the Secretary of the State of _____ be, and he is hereby, directed forthwith to transmit a copy of this memorial to each, the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and to the _____ delegation in Congress, with a request that they expeditiously promote the enactment into law of United States Senate Bills Nos. 5417 and 5471.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, February 28, 1933.

To the Members of the Assembly of the State of California.

I desire officially to call your attention to the fact that Congress has proposed to the States an amendment to the Federal Constitution which would repeal the Eighteenth Amendment, although at the same time prohibiting the transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors in violation of the laws thereof. This amendment (Senate Joint Resolution No. 211) was passed by the Senate on February 16, 1933, and by the House of Representatives on February 20, 1933, and is now before the people of the States. In order that this proposed constitutional amendment shall become effective, it is essential that it be ratified by three-fourths of the States acting through constitutional conventions to be called for that purpose.

At the present time there is no legislation in effect in California making provision for the holding of such constitutional convention or indicating how its members shall be selected or elected. It is, therefore, necessary that the Legislature shall make provision for the calling of such constitutional convention in order that the people of California may not be deprived of the opportunity to pass upon this most important question.

It is my earnest desire that you give your immediate attention to the enactment of adequate and appropriate legislation providing for the holding of such constitutional convention as well as the manner of the selection or election of its members, so that the people of California may be among the first to be accorded the opportunity to express themselves upon this proposed constitutional amendment, the adoption of which in my judgment is of paramount importance to the welfare of this State

Attached hereto is a copy of Senate Joint Resolution No. 211 proposing an amendment to the Constitution of the United States which was transmitted to me by the Honorable Henry L. Stimson, Secretary of State, in his letter dated February 21, 1933, a copy of which is also attached. I am also attaching, in addition to the above, a copy of a joint telegram dated February 20, 1933, sent me by the Honorable Hiram W. Johnson, Senator from California, and the Honorable Harry L. Englebright, Congressman from California.

With my compliments and every good wish,

Respectfully submitted.

JAMES ROLPH, JR., Governor of California

SENATE JOINT RESOLUTION No. 211.

SEVENTY-SECOND CONGRESS OF THE UNITED STATES OF AMERICA.

At the second session, begun and held at the city of Washington on Monday, the fifth day of December, 1932.

JOINT RESOLUTION.

Proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by conventions in three-fourths of the several States:

"ARTICLE ------.

"Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

"Sec. 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

"Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

JNO. N. GARNER,
Speaker of the House of Representatives.

CHARLES CURTIS.
Vice President of the United States and President of the Senate.

(COPY)

DEPARTMENT OF STATE, WASHINGTON, February 21, 1933.

The Honorable The Governor of California, Sacramento.

SIR: I have the honor to inclose a certified copy of a resolution of Congress, entitled "Joint resolution proposing an amendment to the Constitution of the United States" passed during the second session of the Seventy-second Congress of the United States, "Begun and held at the city of Washington on Monday the fifth day of December, 1932." It is requested that you cause this joint resolution to be submitted to a convention in your State for such action as may be had and that a certified copy of such action be communicated to the Secretary of State, as required by section 160, Title V, United States Code. (See overleaf.)

An acknowledgment of the receipt of this communication is requested.

I have the honor to be, Sir,

Your obedient servant,

(Signed) HENRY L. STIMSON.

Inclosure: Joint Resolution proposing the repeal of the Eighteenth Amendment, et cetera.

(COPY)

SECTION ONE HUNDRED SIXTY, TITLE FIVE, UNITED STATES CODE.

Whenever official notice is received at the Department of State that any amendment proposed to the Constitution of the United States has been adopted, according to the provisions of the Constitution, the Secretary of State shall forthwith cause the amendment to be published, with his certificate, specifying the States by which the same may have been adopted, and that the same has become valid, to all intents and purposes, as a part of the Constitution of the United States.

No. 693.

UNITED STATES OF AMERICA, DEPARTMENT OF STATE.

To All to Whom These Presents Shall Come, Greeting.

I certify that the copy hereto attached is a true copy of a resolution of Congress entitled "Joint resolution proposing an amendment to the Constitution of the United States" the original of which is on file in this department

In testimony whereof, I, Henry L. Stimson, Secretary of State, have hereunto caused the Seal of the Department of State to be affixed and my name subscribed by the acting chief clerk of the said department, at the city of Washington, in the District of Columbia, this twenty-first day of February, 1933.

(Signed) HENRY L. STIMSON, Secretary of State.
(Signed) By P. F. ALLEN, Acting Chief Clerk.

(COPY)

WASHINGTON, D. C., February 20, 1933.

Hon. James Rolph, Jr., Governor of California, Sacramento, California.

House of Representatives just passed resolution for repeal of Eighteenth Amendment by a vote of 289 to 121. It is now necessary for the legislatures of the several States to make provision for the calling of a constitutional convention. Permit us to suggest that the California Legislature give this matter early consideration so that California may be among the first States to give the people the opportunity to express themselves on this important question.

HIRAM W. JOHNSON, United States Senator.
HARRY L. ENGLEBRIGHT,
Member of Congress, Second California District

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, February 28, 1933.

To the Members of the Assembly, California State Legislature.

The situation faced by the United States Bureau of Reclamation of greatly diminished revenues from payments due from settlers on Federal reclamation projects, has become most acute during the past year. This condition is due to the inability of the settlers to meet their charges on account of loss of profitable markets for farm products, resultant from the extraordinary business depression existent throughout the Nation and the world. Inasmuch as California has a great interest in both the present and future programs designed to be carried out under the direction of this Federal bureau, I appointed in October, 1932, a California Citizens Reclamation Committee, consisting of irrigation leaders from many sections of the State, to define a course of action relative to reclamation bureau policies and activities. The membership of this committee is as follows: A. B. Tarpey, chairman, Fresno; R. W. Blackburn, Thermal; James M. Burke, Visalia; Francis Carr, Redding, Shannon Crandall, Los Angeles; William Durbrow, Grass Valley; Robert P. Easley, Antioch; C. B. Hutchison, Berkeley; Edward Hyatt, Sacramento; Jesse Poundstone, Grimes. The committee has vigorously pursued its investigations and in December its subcommittee attended the meeting of the National Reclamation Association at Salt Lake City, and competently participated in this conference in the interest of California.

There are pending in the present Congress two bills affecting the reclamation bureau, the one extending necessary relief to the hard pressed settlers on the projects, and another providing for a loan, without which the constructive work of the bureau under the Reclamation Act will practically cease. I feel that the passage of these bills by the National Congress will be of great value to California, and am transmitting for your consideration a memorial drawn by the California Citizens Reclamation Committee indorsing them.

It is my earnest hope that the recommendation of the Governor and of the committee may be followed in this important matter, and that the California Legislature will immediately enact and transmit to the Congress the attached memorial.

Sincerely and respectfully,

JAMES ROLPH, JR., Governor of California.

MEMORIAL OF THE CALIFORNIA LEGISLATURE TO THE CONGRESS OF THE UNITED STATES.

To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled.

Your memorialists, the Legislature of the State of California, respectfully represent that:

WHEREAS, There have been introduced into the United States Senate for passage, Senate Bills Nos. 5417 and 5607, which are complementary one to the other, the first providing for a suspension in payment of charges due from the Federal reclamation project settlers to the United States and in the amount of which charges and for like period of time the principal source of income to the reclamation fund is likewise delayed; and the second providing for a loan to the reclamation fund to replace the income thereto thus suspended; and

WHEREAS, Such suspension of construction charges has become necessary on account of the extreme low prices affecting all agricultural communities; and

WHEREAS, Unless the loan above referred to is made to the reclamation fund the activities of the bureau in carrying out the long-established governmental policies relating to reclamation must stop; and

WHEREAS, There has already been authorized by the Congress of the United States the construction of irrigation projects under the provision of the Reclamation Act; and

WHEREAS, Many of said Federal projects are now only partially completed and therefore incapable of performing the service for which they were intended, or of any substantial self-liquidation of their present costs until the same are completed; and

WHEREAS, The settlers upon numerous privately initiated irrigation districts of the western States are on the verge of being forced out of their homes—to swell the throng of urban unemployed—because of an inadequate water supply due to lack of storage and necessity for repair of distribution facilities, and a supplemental water supply can be made most readily available by the Federal Reclamation Bureau upon a sound engineering and economic set-up; and

WHEREAS, Delays in completion of projects already begun and the commencement of those projects designed to rehabilitate worthy existent enterprises will result in serious loss to the United States generally and to the Western States particularly in

(a) Direct increase in unemployment through cessation of work on projects and consequent laying off of workers, and indirect increase of unemployment in all of those industries supplying materials for the projects;

(b) Depreciation of works already constructed in such incomplete projects, and of idle money therein invested; and

(c) The crushing blow to those under said projects (with their dependent communities) having inadequate water supply and having staked all in faith upon the Federal government's completing that which it has undertaken and in commencing needed construction to supplement the water supply of those worthy private projects;

and failure to enact said bills, or similar legislation, will result in the discharge of thousands of men now employed and the consequent loss in purchasing power for consumption of both farm and industrial products and add to the depression prevailing in all markets; and

WHEREAS, We understand that the program of the reclamation bureau, if the aforementioned legislation is enacted, is to be confined strictly during the period provided for in the loan to doing those things necessary to place existent projects on a sound and workable basis, and does not contemplate initiating work on any projects, either Federal or otherwise, not now developed to a material extent, and therefore does not propose the bringing under irrigation of any appreciable areas of land not now irrigated; therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Congress of the United States in furtherance of established national policies of reconstruction and reclamation should enact, without delay, United States Senate Bills Nos. 5417 and 5607 into laws; and be it further

Resolved, That the Secretary of the State of California be, and he is hereby, directed forthwith to transmit a copy of this memorial to each, the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and to the California delegation in Congress, with a request that they expeditiously promote the enactment into law of United States Senate Bills Nos. 5417 and 5607.

The Speaker ordered the above resolution referred to the Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON MILEAGE.

ASSEMBLY CHAMBER,
SACRAMENTO, CALIFORNIA, February 28, 1933.

MR. SPEAKER: Your Committee on Mileage begs leave to report that it has computed the mileage, according to section 208 of the Political Code, as follows:

District	Name	Address	Distance from seat	Distance from Co seat, more	Distance from Co seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Michael J Burns	Eureka, Humboldt County	312				624	$31 20
2	Albert F Ross	Redding, Shasta County	171				342	17 10
3	John H. O'Donnell	Woodland, Yolo County	23					2 30
4	J E. Frazier	Gridley, Butte County	86		14	72	144	7 20
5	Ernest C Crowley	Suisun, Solano County	40				80	4 00
6	Jesse M Mayo	Angels Camp, Calaveras County	73	12		85	170	8 50
7	Hubert B Scudder	Sebastopol, Sonoma County	90	7		97	194	9 70
8	Roy J Nielsen	Sacramento, Sacramento County						
9	Percy G West	Sacramento, Sacramento County						
10	Clifford C Anglim	Richmond, Contra Costa County	62	20		82	164	8 20
11	F. C. Clowdsley	Stockton, San Joaquin County	48				96	4 80
12	James E Thorp	Lockeford, San Joaquin County	48				96	4 80
13	James M Cassidy	Oakland, Alameda County	84				168	8 40
14	William F Knowland	Alameda, Alameda County	84	5		89	178	8 90
15	William W. Hoffman	Oakland, Alameda County	84				168	8 40
16	Eugene W. Roland	Oakland, Alameda County	84				168	8 40
17	Henry P Meehan	Oakland, Alameda County	84				168	8 40
18	Charles W Fisher	Oakland, Alameda County	84				168	8 40
19	Albert H Morgan, Jr	Albany, Alameda County	84				168	8 40
20	Thomas A Maloney	San Francisco, San Francisco County	90				180	9 00
21	Joseph P Gilmore	San Francisco, San Francisco County	90				180	9 00
22	James A Miller	San Francisco, San Francisco County	90				180	9 00
23	William B Hornblower	San Francisco, San Francisco County	90				180	9 00
24	Patrick J. McMurray	San Francisco, San Francisco County	90				180	9 00
25	Melvyn I Cronin	San Francisco, San Francisco County	90				180	9 00
26	Ray Williamson	San Francisco, San Francisco County	90				180	9 00
27	B J Feigenbaum	San Francisco, San Francisco County	90				180	9 00
28	Edgar C Levey	San Francisco, San Francisco County	90				180	9 00
29	Frederick Peterson	Burlingame, San Mateo County	119		8	111	222	11 10
30	Frank Lee Crist	Palo Alto, Santa Clara County	128	18		146	292	14 60
31	C C Cottrell	San Jose, Santa Clara County	128				256	12 80
32	E. H. Zion	Modesto, Stanislaus County	77				154	7 70
33	C Ray Robinson	Merced, Merced County	114				228	11 40
34	Clifford R Kallam	Watsonville, Santa Cruz County	198	20		218	436	21 80
35	Ellis E. Patterson	King City, Monterey County	208	50		258	516	25 80
36	Lucius Powers, Jr	Fresno, Fresno County	169				338	16 90
37	Maurice S Meeker	Kerman, Fresno County	169				338	16 90
38	Ford A. Chatters	Lindsay, Tulare County	206	20		226	452	22 60
39	George R. Bliss	Carpinteria, Santa Barbara County	460	12		472	944	47 20
40	J. J. McBride	Ventura, Ventura County	490				980	49 00
41	Rodney L Turner	Delano, Kern County	278		30	248	496	24 80
42	James S O'Connor	North Hollywood, Los Angeles County	447				894	44 70
43	C. Don Field	Glendale, Los Angeles County	447		10	437	874	43 70
44	Clare Woolwine	Los Angeles, Los Angeles County	447				894	44 70
45	Charles A. Hunt	Los Angeles, Los Angeles County	447				894	44 70
46	Sam M Greene	Inglewood, Los Angeles County	447	11		458	916	45 80
47	Eleanor Miller	Pasadena, Los Angeles County	447	13		460	920	46 00
48	Frank G Martin	Altadena, Los Angeles County	447	15		462	924	46 20
49	Herbert J Evans	Monrovia, Los Angeles County	447	12		459	918	45 90
50	Frank W Wright	Whittier, Los Angeles County	447	15		462	924	46 20
51	Wm Moseley Jones	Montebello, Los Angeles County	447	10		457	914	45 70
52	Charles W. Grubbs	Los Angeles, Los Angeles County	447				894	44 70
53	E V Latham	Alhambra, Los Angeles County	447	9		456	912	45 60
54	Frank J Rogers	Los Angeles, Los Angeles County	447				894	44 70
55	Austin L. Tournoux	Los Angeles, Los Angeles County	447				894	44 70
56	Bert V Callahan	Los Angeles, Los Angeles County	447				894	44 70
57	Kent H Redwine	Hollywood, Los Angeles County	447				894	44 70
58	Lawrence Cobb	Los Angeles, Los Angeles County	447				894	44 70
59	Charles W Lyon	Los Angeles, Los Angeles County	447				894	44 70
60	Walter J. Little	Santa Monica, Los Angeles County	447	22		469	938	46 90
61	Charles W Dempster	Los Angeles, Los Angeles County	447				894	44 70
62	Frederick M Roberts	Los Angeles, Los Angeles County	447				894	44 70
63	Willard E Badham	Los Angeles, Los Angeles County	447				894	44 70
64	John D. McCarthy	Los Angeles, Los Angeles County	447				894	44 70
65	Herbert S. Hallner	Los Angeles, Los Angeles County	447				894	44 70
66	James J. Boyle	Los Angeles, Los Angeles County	447				894	44 70
67	Cecil R King	Los Angeles, Los Angeles County	447				894	44 70
68	John T. Rawls	San Pedro, Los Angeles County	447	23		470	940	47 00
69	Walter H Sullivan	Compton, Los Angeles County	447	10		457	914	45 70
70	Ira S Hatch	Long Beach, Los Angeles County	447	22		469	938	46 90
71	Harry B Riley	Long Beach, Los Angeles County	447	22		469	938	46 90
72	Hobart R Alter	Ontario, San Bernardino County	508		24	484	968	48 40
73	A E Brock	Redlands, San Bernardino County	508	12		520	1,040	52 00
74	James B Utt	Tustin, Orange County	481	2		483	966	48 30
75	Edward Craig	Brea, Orange County	481		14	467	934	46 70
76	John P Phillips	Banning, Riverside County	512	35		547	1,094	54 70
77	Samuel E Robinson	Imperial, Imperial County	661	12		673	1,346	67 30
78	George B Bowers	San Diego, San Diego County	573				1,146	57 30
79	Bruce R. Stannard	San Diego, San Diego County	573				1,146	57 30
80	Charles W. Stream	Palm City, San Diego County	573	13		586	1,172	58 60

ON MILEAGE—Continued

Name	Address	Distance from seat	Distance from Co seat, more	Distance from Co seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
	OFFICERS						
Michael Connolly, Sergeant-at-Arms	Los Angeles, Los Angeles County	447				894	$89 40
Louis F. Erb	San Francisco, San Francisco County	90				180	18 00

CROWLEY, Chairman.

The above report was ordered printed in the Journal.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Robinson, C. Ray:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1933

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 3671d and to repeal sections 3671c and 3713 of the Political Code, relating to taxation.

Referred to Committee on Introduction of Bills.

DAILY CALENDAR.

THIRD READING OF ASSEMBLY BILLS.

Assembly Joint Resolution No. 4—Relative to memorializing Congress to enact the Ludlow Unemployment Bill.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No 4 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—Robinson, Samuel E.—1.

Title read and approved.

Assembly Joint Resolution No. 4 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 4.

Relative to memorializing Congress to enact the Ludlow Unemployment Bill.

WHEREAS, There is pending in Congress the Ludlow Unemployment Bill, H. R 5317, calling for the creation of a Federal Industrial Commission to aid in the stabilization of employment in industry, agriculture and commerce, with a view to formulating such plans and recommending such legislation as will enable employees to obtain a saving wage and investors a reasonable dividend; and

WHEREAS, The prevention of recurrent periods of industrial prostration and unemployment is the greatest problem of our age; and

WHEREAS, This Nation is experiencing a period of industrial, agricultural and financial stress, with over 5,000,000 willing workers unemployed; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Congress of the United States of America be hereby memorialized and earnestly urged to enact said bill and the President and Vice President be likewise memorialized and urged to support said bill; and be it further

Resolved, That the Chief Clerk of the Assembly be and is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to Senators and Representatives of California in the Congress of the United States.

WITHDRAWAL OF BILL.

The Speaker ordered Assembly Concurrent Resolution No. 7 withdrawn from the file, and referred to Committee on Rules.

MOTION.

Mr. Scudder moved that Assembly Bill No. 140 be withdrawn from Committee on Revenue and Taxation and be referred to Committee on Judiciary.

Motion carried.

RECESS.

At eleven o'clock and twenty-five minutes a.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess for the purpose of meeting with the Senate in Joint Convention.

IN JOINT CONVENTION.

SACRAMENTO, CALIFORNIA,
Tuesday, February 28, 1933.

At eleven o'clock and thirty minutes a.m., the Assembly and Senate met in Joint Convention.

Hon. Walter J. Little, Speaker of the Assembly, directed that Hon. Frank F. Merriam, President of the Senate, and Hon. Arthur H. Breed, President pro tempore of the Senate, be escorted to the platform.

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

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

COMMITTEE OF ESCORT.

The select committee consisting of Senators Slater, Swing and Seawell, together with Assemblymen Cobb, Fisher and Zion, conducted His Excellency, James Rolph, Jr., Governor of the State of California, to the bar of the Assembly, where he delivered the following message:

GOVERNOR'S CHAMBERS,
SACRAMENTO, CALIFORNIA, February 28, 1933.

To the Senate and Assembly of the State of California.

You have convened, following the recess, to resume tasks fraught with unprecedented difficulty, responsibility and anxiety. Many of your members have served the State in these halls much longer than I, and approach our common problem with a wealth of experience and wisdom born of that experience such as I can not claim. But as Governor, I share your responsibility and anxiety, and I deem it my duty to set before you the situation confronting us as I see it in the hope that a frank, definite statement of the problem may aid us all in finding an acceptable solution.

Both the Legislature and the Governor are earnestly endeavoring to serve to the best of their ability the State and the people. Should differences of opinion arise, as well may happen in making decisions involving foresight and human judgment, we shall, I am confident, resolve them amicably, intent as we all are on ascertaining what is best for the public welfare in a troubled time.

In approaching our task, we should first determine for ourselves, with such light as we may be able to obtain, whether the people are so opposed to the levy of additional taxes, particularly ad valorem taxes, that, in order to avoid such taxation, they will patiently accept drastic economies and readjustments, either those suggested in my budget message or equivalent economies and readjustments.

The State government is not insolvent. Its estimated revenues from existing sources and at existing rates will provide sufficient money for all essential requirements of the State government. Our problem really is whether we shall increase the taxes on our overburdened people in order to maintain, at present levels, certain services, useful and beneficial in themselves, but which we could readily drop or diminish for the next two years if the people prefer that course.

Conservatively, and even pessimistically estimated, the revenue both for special funds and the general fund of the State government in the next biennium will be $208,000,000. Of that sum $98,000,000, or almost one-half, will accrue from the gasoline tax, motor vehicle fees, and other highway sources, while only $92,000,000 will be available for general fund purposes.

The total requirements of the State government for all purposes except roads in the next two years call for $169,500,000, including provision to repair the deficit incurred in the current biennium, and $8,500,000 for interest and redemption of highway bonds. Of course, if we pay interest and redemptions of highway bonds ($8,779,750 this biennium) from the gasoline tax funds, the required total for purposes other than roads will be less by that much.

This amount, $169,500,000, leaves the school funds and all other fixed charges intact at present estimated amounts. The only saving is in that part of the expenditures controlled by the Governor; and in that part a reduction of over 22 per cent has been made in the estimates as compared with the amounts for the same purposes appropriated by the 1931 Legislature. Let me add, that I shall welcome practicable suggestions for further reductions.

If, out of the special road taxes, amounting to $98,000,000, the entire amount of the State's share, or $68,000,000, were to be poured into the general fund and made applicable, like other revenues, to the general expenses of the State, there would be ample to pay all the expenses of the State government, without new or additional taxes, there would be a remainder of $8,500,000 available for State road purposes, and the amount of $30,000,000 could still be allotted to the counties for road purposes.

In this connection, it is interesting to note that in 21 years the taxpaying public of California has contributed $436,000,000 for road purposes.

You have a choice, as the situation now presents itself, between new and additional taxation or reducing from $98,000,000 to $38,500,000 the State's contribution and expenditures for roads in the coming two years, without counting the additional contribution of $8,500,000 for interest and redemption on highway bonds from the general fund. This choice could be varied, of course, by reducing the gasoline tax and exacting a compensating amount from other sources, without augmenting the total exacted from the public.

Manifestly, the problem of unemployment relief is not involved in the question how the revenues of the State from present sources and at present rates shall be applied. If the unemployment situation requires increased taxation, that is a separate question not dependent on the allocation of gasoline tax or other money to this or that fund. Whether spent for roads, or for teachers' salaries, supplies for State institutions, or any of the multiple services of the State government, the money will be spent and, however spent, it will go directly or indirectly for labor and wages. No one suggests that the State hoard its revenue.

Please understand that I am not urging the Legislature to a particular course. Nor am I indifferent to the sincere, vigorous and impressive objections to proposals for diverting any portion of the gasoline tax from road purposes. I am merely stating the simple arithmetic of the present situation as it appears to me.

My opinion is that the people should not be asked to carry additional taxation and will not tolerate it. Perhaps I am wrong. Perhaps the people are willing to shoulder heavier tax burdens rather than cut down or cut out services to which they have grown accustomed.

Nor do I think that the whole weight of the economy program should fall on roads to the exclusion of schools and other agencies and functions of the State. My budget message made that clear.

The budget proposed that only $27,000,000 of the $98,000,000 of road tax money be applied to purposes other than road maintenance and new construction. Of this, $17,000,000 were to be allotted for interest and redemption of highway bonds. I thought, and still think, that the remainder of the gap between the State's revenue and its necessary expenditures could better be bridged by other economies and adjustments, which I proposed.

But the Legislature disagreed with my proposals for modification of the school allotment and the old age pension plan and the decision of the Legislature is final. I am not reopening the discussion of that matter. Neither am I so dogmatic as to assert that there were not two sides to those questions.

Nevertheless, the rejection of those proposals leaves unsolved the problem of balancing the budget, and forces us to a choice between additional taxes, from old or new sources, on the one hand, and using the gasoline tax for general fund purposes, on the other hand. Suggestions for reducing the gasoline tax and making up for the reduction by other taxes from untapped sources (tobacco, etc.) present merely

a variation of the second alternative. The oil and automobile industries may reasonably demand that part of the load be shifted to other industries.

The required additional taxes would run into a huge amount, about $60,000,000, minus any savings that may be effected out of fixed charges and any additional savings out of the operating budget. The aggregate of such savings would be small in comparison. Manifestly, $60,000,000 of additional taxes could not be raised from the utilities or selective sales taxes without levying confiscatory rates. In the end the Board of Equalization would have to lay an ad valorem tax on all property within the State, real and personal.

In conclusion, I repeat that I am merely stating our problem, so that the people, as well as the Legislature and the Governor, will have it clearly in mind as we buckle to the task before us. Primarily and properly the decision must be made by the Legislature. I am not attempting to impose my personal opinions or conclusions on the legislative branch of the government. Command me for any assistance that you may think I can render in dealing with these perplexities and difficulties. Neither economies nor taxes are popular and we will not be able to make them so. Our task will be lightened, however, if the people will understand that the present fiscal situation of the State government was created by the unprecedented and unforeseeable falling off in the State's normal revenues by reason of the world-wide depression, and not by any improvidence on the part of the Legislature or the Governor.

Let us confront the labors of the oncoming weeks united by our common zeal for the public interest and resolved to do without fear or favor what shall seem to us best for the people of California. Working in such accord and in that spirit, we shall master the difficulties before us and present to the people of our loved State a balanced budget, a public credit unimpaired, and a harmonious administration.

Respectfully,

JAMES ROLPH, JR., Governor of California.

ADJOURNMENT.

There being no further business, at twelve o'clock and two minutes p.m. the President of the Senate adjourned the Joint Convention.

IN ASSEMBLY.

REASSEMBLED.

At twelve o'clock and five minutes p.m., the Assembly reconvened. Speaker Walter J. Little in the chair.

ADJOURNMENT.

At twelve o'clock and seven minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, March 1, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, March 1, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr. Maloney, Mr. Levey was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. West, Mrs. Woodbury, principal, Mrs. Brownell, teacher, and pupils of the Walnut Grove School of Sacramento were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Peterson, Harold J. Trafford of Brisbane and Allen B. Gould of Daly City were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From California Optometric Eye Specialists' Association, opposing any change in the optometry law.

(Signed) EDWARD H. MORRISSEY,
Chairman Legislative Committee.

Also:

By Mr. Speaker:

From Palms Chamber of Commerce, Los Angeles, requesting State Legislature to refrain from further increasing taxation.

(Signed) D. I. WORSFORD, Secretary.

Also:

By Mr. Speaker:

From Los Angeles Warehousemen's Association, Los Angeles, requesting that Legislature not increase taxation further, either direct or indirect.

(Signed) C. G. MUNSON, Secretary.

Also:

By Mr. Speaker:

From the Merchant Plumbers' Association, Los Angeles, disapproving any increase in taxation and particularly such measures as Senate Bill No. 2 and Assembly Bill No. 307.

(Signed) M. S. HANSEN, Secretary.

Also:

By Mr. Speaker:

From Southwest Tile Institute, protesting increased taxation on public utilities.

(Signed) HARRY WILKINSON, Secretary.

Also:

By Mr. Speaker:

From Furnace Dealers' Association, Los Angeles, protesting additional taxes on public utilities and particularly on gas, electric, telephone and telegraph companies.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 310—An act to establish a Fish and Game Code, therein revising and consolidating the law relating to fish and game and other wild life, and repealing certain provisions of law therein specified—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ZION, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 15—An act to add a new section to the Fish and Game Code, to be numbered 791 5, relating to crabs—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1933

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 434—An act to amend sections 1, 2, 3, 4, 23, and 26 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," and to add thereto a new section to be numbered 4a, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 435—An act to amend sections 8, 14 and 19 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 436—An act to amend sections 5, 6, 12, 13, 20, 21, 25, 27, 29, 30, 31 and 33 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Also: Assembly Bill No. 437—An act to provide for the taxation of Massachusetts or business trusts;

Has had the same under consideration, and respectfully reports the same back, and recommends that the same do pass as amended.

RILEY, Chairman.

The above reported bills ordered on file for second reading.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1933

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 3671d and to repeal sections 3671c and 3713 of the Political Code, relating to taxation.

HALLNER, Chairman.

Mr. Hallner moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel F., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Robinson, C. Ray: Assembly Bill No. 2314—An act to amend section 3671d and to repeal sections 3671c and 3713 of the Political Code, relating to taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

MOTION TO RE-REFER.

Mr. Roland moved that Assembly Bills Nos. 1219, 1204, 940 and 1276 be withdrawn from Committee on Education, and be re-referred to Committee on Teachers Colleges.

Motion carried.

Assembly Bills Nos. 1219, 1204, 940 and 1276 ordered re-referred to Committee on Teachers Colleges.

MOTION TO RE-REFER.

Mr. McCarthy moved that Assembly Bill No. 117 be withdrawn from Committee on Agriculture, and be re-referred to Committee on County Government.

The question being on re-referring Assembly Bill No. 117 to Committee on County Government.

Motion carried.

Assembly Bill No. 117 ordered re-referred to Committee on County Government.

MOTION TO RE-REFER.

Mr. Dempster moved that Assembly Bill No. 1306 be withdrawn from Committee on Public Health and Quarantine, and be re-referred to Committee on Medical and Dental Laws.

The question being on re-referring Assembly Bill No. 1306 to Committee on Medical and Dental Laws.

Motion carried.

Assembly Bill No 1306 ordered re-referred to Committee on Medical and Dental Laws.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, February 28, 1933.

To the Members of the Assembly, California State Legislature.

I have the honor to submit a copy of the Tenth Biennial Report of the State Civil Service Commission and the Division of Personnel and Organization of the Department of Finance.

With kindest regard,

Very sincerely yours,

JAMES ROLPH, JR., Governor of California.

The Speaker ordered the above mentioned report placed on file.

ADJOURNMENT.

At ten o'clock and thirty minutes a.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, March 2, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, March 2, 1933.

At ten o'clock a m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Board of Water and Power Commissioners, Los Angeles, opposing Senate Constitutional Amendment No. 30.
(Signed) JAMES VROMAN, Secretary.

Also:

By Mr. Speaker:

From Lumber and Allied Products Institute, Los Angeles, relative to rigid measures of economy.
(Signed) KENNETH SMITH, Secretary-Manager.

Also:

By Mr. Speaker:

From Disabled American Veterans of the World War, Modesto, relative to change of Athletic Commission.
(Signed) L. J. RING, Secretary.

Also:

By Mr. Speaker:

From Veterans of Foreign Wars of the United States, San Diego, relative to change in Athletic Commission.
(Signed) GEO. T. URBANI, Commander.

Also:

By Mr. Speaker:

From Veterans of Foreign Wars, Pomona, opposing Assembly Constitutional Amendment No. 40.
(Signed) LOUIS STEEN, Commander.

Also:

By Mr. Speaker:

From Los Angeles County Grand Jury, favoring passage of Assembly Bill No. 2045.

(Signed) HARVEY B. DALTON.
O. G. LAWTON.
L. E. PHIPPS.
ROBERT S. PERSON.
STAFFORD W. BIXBY.

By Mr. Robinson, C. Ray:

From Women's Home Protective Council, Merced, declaring a moratorium in regard to all taxes levied on farm homes owned by persons having no other means of livelihood.

(Signed) ETHEL M. HALE,
And members of committee.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1933.

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as representatives of the newspapers set opposite their names:

California State Chamber of Commerce—Charles W. Coleman.
Vallejo Evening News—Louis Rowland.
California Press Service—Homer L. Roberts.

ARTHUR A. OHNIMUS, Chief Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1933.

MR SPEAKER: Your Committee on Mileage begs leave to report that it has computed the mileage according to section 208 of the Political Code, and recommends the adoption of the resolution herewith:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper fund in favor of the following named members of the Assembly for the amounts set opposite their names and the State Treasurer is hereby directed and ordered to pay the same:

Michael J. Burns	$31 20
Albert F. Ross	17 10
John H. O'Donnell	2 30
J. E. Frazier	7 20
Ernest C. Crowley	4 00
Jesse M. Mayo	8 50
Hubert B. Scudder	9 70
Roy J. Nielsen	----
Percy G. West	----
Clifford C. Anglim	8 20
F. C. Clowdsley	4 80
James E. Thorp	4 80
James M. Cassidy	8 40
William F. Knowland	8 90
William W. Hoffman	8 40
Eugene W. Roland	8 40
Henry P. Meehan	8 40
Charles W. Fisher	8 40
Albert H Morgan, Jr.	8 40
Thomas A. Maloney	9 00
Joseph P. Gilmore	9 00
James A. Miller	9 00
William B. Hornblower	9 00
Patrick J. McMurray	9 00
Melvyn I. Cronin	9 00
Ray Williamson	9 00
B. J. Feigenbaum	9 00
Edgar C. Levey	9 00
Frederick Peterson	11 10
Frank Lee Crist	14 60

C. C. Cottrell	$12 80
E. H. Zion	7 70
C. Ray Robinson	11 40
Clifford R. Kallam	21 80
Ellis E. Patterson	25 80
Lucius Powers, Jr.	16 90
Maurice S. Meeker	16 90
Ford A. Chatters	22 60
George R. Bliss	47 20
J. J. McBride	49 00
Rodney L. Turner	24 80
James S. O'Connor	44 70
C. Don Field	43 70
Clare Woolwine	44 70
Charles A. Hunt	44 70
Sam M. Greene	45 80
Eleanor Miller	46 00
Frank G. Martin	46 20
Herbert J. Evans	45 90
Frank W. Wright	46 20
Wm. Moseley Jones	45 70
Charles W. Grubbs	44 70
E. V. Latham	45 60
Frank J. Rogers	44 70
Austin L. Tournoux	44 70
Bert V. Callahan	44 70
Kent H. Redwine	44 70
Lawrence Cobb	44 70
Charles W. Lyon	44 70
Walter J. Little	46 90
Charles W. Dempster	44 70
Frederick M. Roberts	44 70
Willard E. Badham	44 70
John D. McCarthy	44 70
Herbert S. Hallner	44 70
James J. Boyle	44 70
Cecil R. King	44 70
John T. Rawls	47 00
Walter H. Sullivan	45 70
Ira S. Hatch	46 90
Harry B. Riley	46 90
Hobart R. Alter	48 40
A. E. Brock	52 00
James B. Utt	48 30
Edward Craig	46 70
John P. Phillips	54 70
Samuel E. Robinson	67 30
George B. Bowers	57 30
Bruce R. Stannard	57 30
Charles W. Stream	58 60

OFFICERS.

Michael Connolly	89 40
Louis F. Erb	18 00

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

CROWLEY, Chairman.
ROGERS.
O'DONNELL.
THORP.
ANGLIM.

Report and resolution read.

The question being on the adoption of the report and resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray;

Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Wright, Zion and Mr. Speaker—68.

NOES—None.

ON PUBLIC HEALTH AND QUARANTINE

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1933.

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 172—An act to add a new section to be numbered section 25 to the act known as the "Act Concerning Cosmetology," approved May 31, 1927, as amended, relating to actions arising out of the practice of cosmetology or any branch thereof—has had the same under consideration, and respectfully reports the same back, and recommends that the same do pass.

HOFFMAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 980—An act to provide for the acquisition, construction and operation of works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary and sanitation districts; also providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of operating and maintaining such works; also providing for the use of such works by other cities, counties or districts—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Municipal Corporations.

HOFFMAN, Chairman.

The above reported bill ordered re-referred to Committee on Municipal Corporations.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1933.

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 29—An act to amend section 268b of the Penal Code, relating to protection of fish—has had the same under consideration, and respectfully reports the same back, and recommends that same do pass as amended.

ZION, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 970—An act to add a new article to Chapter 3, Part 3, Division IV, to be numbered Article 6, embracing sections 1350, 1351, 1352 and 1353 of the Fish and Game Code, and to amend section 1410 thereof, relating to amphibia, and to renumber present Articles 6 and 7 of Chapter 3, Part 3, Division IV—has had the same under consideration, and respectfully reports the same back, and recommends that same do pass as amended.

ZION, Chairman.

The above reported bill ordered on file for second reading.

MOTION.

Mr. Clowdsley moved that when the Assembly adjourned this day it do so out of respect to the memory of the late Honorable Thomas J. Walsh, United States Senator from Montana.

Motion unanimously adopted.

MESSAGE FROM THE GOVERNOR

The following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 2, 1933.

To the Assembly of the State of California.

I am transmitting herewith my proclamation which was issued by me last night, proclaiming Thursday, March 2, 1933, Friday, March 3, 1933, and Saturday, March

4, 1933, legal holidays. I have taken this action for the reasons stated in the proclamation, but principally because of my desire to conserve and protect the interests of the depositors in banks in California, as well as the banking institutions themselves.

The national situation has reacted very adversely to California since, as I am informed, large amounts of money are being withdrawn from the State to the detriment of our business life.

It is essential that certain legislation be enacted in order to safeguard the interests of these depositors and banks as well as to protect and promote the welfare of California and her people, and with these objects in view, I am requesting you to give immediate consideration to the proposed legislation as soon as it shall be submitted to you through the chairman of your Banking Committee.

Respectfully,

JAMES ROLPH, JR., Governor of California.

PROCLAMATION BY THE GOVERNOR OF THE STATE OF CALIFORNIA.

WHEREAS, A financial unrest exists throughout the United States, the adverse effect of which has been reflected in the State of California with a consequent unnecessary withdrawal of funds from banking institutions in this State, I deem it necessary in the public interest and for the preservation of the public welfare, peace, health and safety and for the protection of depositors whose interests it is essential to safeguard, that a period of public holidays be proclaimed until the legislation necessary thereto may be enacted, which in my judgment will not require a period longer than that hereinafter specified; now, therefore,

I, James Rolph, Jr, acting in my capacity as Governor of the State of California under authority by law in me vested, do hereby proclaim each of the following days, to wit: Thursday, March 2, 1933, Friday, March 3, 1933, and Saturday, March 4, 1933, to be public holidays; said days to be recognized, classed and treated and to have the same effect as other legal holidays under the laws of this State.

In witness whereof, I, James Rolph, Jr., Governor of the State of California, acting in my capacity as such, have hereunto affixed my hand at the executive office in Sacramento, California, on this first day of March, 1933, and have likewise caused the great seal of the State of California to be affixed hereto.

[SEAL] JAMES ROLPH, JR., Governor of California

By the Governor of the State of California.
Attest: FRANK C. JORDAN, Secretary of State.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 16—Relative to memorializing Congress to enact legislation providing for the suspension in payment of charges due from Federal reclamation project settlers to the United States and providing for a loan to the reclamation fund to replace the income thereto thus suspended.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Joint Resolution No. 16 read, and referred to Committee on Federal Relations.

MOTION.

Mr. Dempster moved that the Governor be requested to issue a holiday on foreclosures of mortgages and trust deeds, directed to all banks and trust companies and all other holders of mortgages and deeds of trust, including contracts for 30 days.

AMENDMENT TO MOTION.

Mr. Boyle moved to amend the motion by adding the word "contracts" after the word "mortgages," as appearing in the original motion.

Amendment adopted.

MOTION.

Mr. Martin moved that the motion of Mr. Dempster, as amended, be referred to Committee on Judiciary.

REQUEST FOR ROLL CALL.

On request of Messrs. Hunt, Jones and Powers, the Speaker ordered a roll call taken on the motion to refer the motion of Mr. Dempster, as amended, to Committee on Judiciary.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hunt moved a call of the House.

Motion lost.

The roll was called, and the motion to refer the motion of Mr. Dempster, as amended, to Committee on Judiciary carried by the following vote:

AYES—Alter, Badham, Bowers, Brock, Cassidy, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Greene, Hallner, Hatch, Hoffman, Hornblower, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Miller, Eleanor; Miller, James A., Morgan, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Thorp, Utt, West, Wright, Zion and Mr. Speaker—44.

NOES—Anglim, Bliss, Boyle, Burns, Callahan, Chatters, Clowdsley, Cronin, Crowley, Dempster, Frazier, Gilmore, Grubbs, Hunt, Jones, King, Mayo, McBride, McCarthy, McMurray, Meehan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Stannard, Sullivan, Tournoux and Turner—31.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Roland:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to the Political Code to be numbered 3614, relating to exempting orphanages from taxation.

Referred to Committee on Introduction of Bills

By Messrs. Hornblower, Tournoux, Grubbs and Hallner:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1933.

MR. SPEAKER: We ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for a convention in the State of California to pass on the amendment to the Constitution of the United States for the repeal of the Eighteenth Amendment thereof and for the prohibition of the transportation and imporation of intoxicating liquor into the States and Territories in violation of the laws thereof, proposed by the Congress for ratification by conventions in the several States, and to call a special election for the purpose of filling the offices of delegates to such convention in this State.

Referred to Committee on Introduction of Bills.

RESOLUTION.

The following resolution was offered:

By Mr. West:

WHEREAS, The President of the United States will be inaugurated on Saturday, March 4, 1933; and

WHEREAS, It is of great interest to all the members of the Assembly to listen to the inauguration ceremonies over the radio; therefore, be it

Resolved, That the Superintendent of Capitol Building and Grounds be instructed to install in the Assembly Chamber a radio receiving set, amplifying set, and dynamic speaker, at a cost not to exceed ten dollars ($10).

Mr. West moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Cassidy, Chatters, Clowdsley, Craig, Cronin, Dempster, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—57.

NOES—Evans, Robinson, Samuel E., Scudder and Wright—4.

RESOLUTION.

The following resolution was offered:

By Mr. Clowdsley:

Resolved, That Assembly Bill No. 307 be forthwith withdrawn from Committee on Revenue and Taxation, and placed upon the second reading calendar, pursuant to *Rule No. 60.*

(Signed) HOBART R. ALTER.
CHARLES W. STREAM.
E. H. ZION.
FRANK LEE CRIST.
LUCIUS POWERS, JR.
WILLIAM F. KNOWLAND
B. J. FEIGENBAUM.
CHARLES W. FISHER.
F C. CLOWDSLEY.
GEORGE R. BLISS.
A E. BROCK.
JAMES M. CASSIDY.
WILLIAM W. HOFFMAN.
HENRY P. MEEHAN.
C. R. KALLAM.
P. G. WEST.
JAMES J. BOYLE.
C C. COTTRELL.
WM MOSELEY JONES.
FRANK G. MARTIN.
BRUCE R. STANNARD.
F. PETERSON.
ELLIS E. PATTERSON.
CHARLES A. HUNT.
JOHN D McCARTHY.
FRANK J. ROGERS.
CECIL R. KING.
P. J. McMURRAY.
THOMAS MALONEY.
E. C CROWLEY.
EUGENE W. ROLAND.
JOSEPH P. GILMORE.
JOHN T. RAWLS.
FRANK W. WRIGHT.
ELEANOR MILLER.
ROY J. NIELSEN.
J. E THORP.
RODNEY L. TURNER.
CHAS. W. DEMPSTER
JAMES S. O'CONNOR
WM. B. HORNBLOWER.
BERT V. CALLAHAN.
WALTER H SULLIVAN.
C W. GRUBBS.
JOHN H. O'DONNELL.
MELVYN I. CRONIN.

The Speaker ordered Assembly Bill No 307 placed on second reading file.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 310—An act to establish a Fish and Game Code, therein revising and consolidating the law relating to fish and game and other wild life, and repealing certain provisions of law therein specified.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 15—An act to add a new section to the Fish and Game Code, to be numbered 791.5, relating to crabs.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 434—An act to amend sections 1, 2, 3, 4, 23 and 26 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," and to add thereto a new section to be numbered 4a, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, strike out that portion of line 11 thereof following the word "organized", commencing with the word "to", and strike out all of lines 12 to 14, inclusive.

AMENDMENT NUMBER TWO.

On page 4, line 14, of the printed bill, strike out the period after the word "year", and in lieu thereof insert the following: " ; provided, however, that said rate of tax shall not exceed seven per centum."

AMENDMENT NUMBER THREE.

On page 4, line 21, of the printed bill, insert after the word "commissioner", the following: ", after public hearing and opportunity given to examine the data on which his determination is based,".

AMENDMENT NUMBER FOUR.

On page 4, line 38, of the printed bill, strike out the comma after the word "association", and in lieu thereof insert the word "and".

AMENDMENT NUMBER FIVE.

On page 4, line 38, of the printed bill, strike out the word "or", and in lieu thereof insert the word "and".

AMENDMENT NUMBER SIX.

On page 4, line 50, of the printed bill, strike out the word "or", and in lieu thereof insert the word "and".

AMENDMENT NUMBER SEVEN.

On page 5, line 9, of the printed bill, strike out the period, and in lieu thereof insert the following: " ; provided, however, that the sum of the first and second installments shall not exceed seven per centum of the net income of each such banking association, bank and financial corporation"

AMENDMENT NUMBER EIGHT.

On page 6, line 18, of the printed bill, strike out the numeral "4", and in lieu thereof insert the numeral "4a".

AMENDMENT NUMBER NINE.

On page 6, line 49, of the printed bill, strike out the period, and in lieu thereof insert the following: ", and shall be applied in the computation of taxes accruing subsequent to December 31, 1932."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 435—An act to amend sections 8, 14 and 19 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 18, of the printed bill, strike out that portion of line 18 following the word "herein", commencing with the comma, and strike out all of lines 19 to 21, inclusive, and in lieu thereof insert a period.

AMENDMENT NUMBER TWO.

On page 3, line 33, of the printed bill, strike out that portion of line 33 following the numeral "1932", commencing with the comma, and strike out all of lines 34 to 37, inclusive, and in lieu thereof insert a period.

AMENDMENT NUMBER THREE.

On page 3, line 42, of the printed bill, strike out the word "of", following the word "tract", and in lieu thereof insert the word "or".

AMENDMENT NUMBER FOUR.

On page 5 of the printed bill, commencing after line 41 thereof, insert the following:

"An affiliated group of banks or an affiliated group of corporations shall, subject to the provisions of this section, have the privilege of making a consolidated return for any taxable year in lieu of separate returns. In the case of a bank or corporation which is a member of the affiliated group for a fractional part of the year the consolidated return shall include the income of such bank or corporation for such part of the year as it is a member of the affiliated group. As used in this section an affiliated group means two or more banks or two or more corporations connected through stock ownership, in the case of a bank, with a common parent bank, or in the case of a corporation with a common parent corporation, if at least ninety-five per centum of the stock of each of the banks or corporations, except the common parent bank or corporation, is owned directly by one or more of the other banks or corporations, as the case may be, and the common parent bank or corporation owns directly at least ninety-five per centum of the stock of at least one of the other banks or corporations as the case may be. As used in this section the term "stock" does not include nonvoting stock which is limited and preferred as to dividends.

If a consolidated return is made subject to the provisions of this section the tax imposed under this act shall be computed as a unit upon the consolidated net income of the group except as hereinafter provided. The parent corporation and each subsidiary, a member of the group during any part of a consolidated period shall be severally liable for the tax (including any deficiency in respect thereof) computed upon the consolidated net income of the group. If a subsidiary by reason of a bona fide sale of stock for fair value has ceased to be a member of the affiliated group its liability shall remain unchanged, except that if such cessation occurred prior to the date upon which any such deficiency is assessed, such deficiency, in the case of such former subsidiary, shall be reduced to an amount equal to such part as may be allocable to it upon the basis of the consolidated net income properly assignable to it. In no case, however, shall any demand for the payment of any deficiency be made, or any proceeding in court for the collection thereof be begun against such former subsidiary prior to the determination by the commissioner that the amount of the deficiency can not be collected from the parent corporation and the corporations (if any) remaining members of the affiliated group.

Where a member of an affiliated group filing a consolidated return is a bank or corporation commencing to do business in this State for the first time after the effective date of this act, its tax for its first and second taxable years shall be computed without regard to this section but in accordance with the provisions of section 13 of this act. The tax of the remaining members of the group for the year succeeding the year in which such bank or corporation commenced to do business shall be computed as if such bank or corporation were not a member of the affiliated group.

The commissioner shall prescribe such regulations as he may deem necessary in order that the tax liability of an affiliated group of corporations making a consolidated return and of each corporation in the group during, before and after the period of affiliation, may be determined, assessed, collected, and adjusted in such manner as clearly to reflect the income and to prevent avoidance of tax liability."

AMENDMENT NUMBER FIVE.

On page 6, line 19, of the printed bill, strike out that portion of line 19 following the word "be", commencing with the word "the", and strike out all of lines 20 to 28, inclusive, and in lieu thereof insert the following: "determined in accordance with the provisions of section 113 of the Federal Revenue Act of 1932, which are hereby referred to and incorporated for the purpose of this section with the same force and effect as though fully set forth herein."

AMENDMENT NUMBER SIX.

On page 7, line 33, of the printed bill, strike out the period, and in lieu thereof insert the following: ", and shall be applied in the computation of taxes accruing subsequent to December 31, 1932."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 436—An act to amend sections 5, 6, 12, 13, 20, 21, 25, 27, 29, 30, 31 and 33 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corpo-

ration taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 49, of the printed bill, strike out "(a)".

AMENDMENT NUMBER TWO.

On page 3, line 3, of the printed bill, strike out "(b)", and in lieu thereof insert "(a)".

AMENDMENT NUMBER THREE.

On page 3, between lines 14 and 15, of the printed bill, insert the following

"(b) Where a separate return is made under paragraph (a) on account of a change in the accounting period then the income shall be computed on the basis of the period for which separate return is made. The due date of the separate return for such period is the fifteenth day of the third month following the close of that period.

(c) If a separate return is made under paragraph (a) on account of a change in the accounting period, the net income, computed on the basis of the period for which separate return is made, shall be placed on an annual basis by multiplying the amount thereof by twelve and dividing by the number of months included in the period for which separate return is made. The commissioner shall compute the amount of a tax on the income placed on such annual basis, and shall allow the offset provided for in section 26 from such tax. The tax due under this section (which shall not be subject to offset) shall be such part of the tax (less the offset allowed) computed on such annual basis as the number of months in such period is of twelve months.

SEC 4. Section 13 of said act is hereby amended to read as follows:"

AMENDMENT NUMBER FOUR

On page 5 of the printed bill, strike out lines 35 to 37, inclusive, and in lieu thereof insert the following:

"Any bank or corporation which is dissolved and any foreign corporation which withdraws from the State during any year shall pay a tax hereunder only for the months of its fiscal year which precede such dissolution or withdrawal, according to or measured by such proportionate part of the net income of the preceding taxable year as the number of months of the year prior to such dissolution or withdrawal bears to the entire preceding taxable year; provided, however, that in the case of any bank or corporation which is dissolved, or which withdraws from the State during any year, the offset from the tax for the months prior to such dissolution or withdrawal shall not exceed that proportion of the offset computed under section 26 which the number of said months prior to such dissolution or withdrawal bears to the number of months of the preceding taxable year, and provided, further, that the taxes levied under this act shall not be subject to abatement or refund because of the cessation of business or corporate existence of any bank or corporation pursuant to a reorganization, consolidation, or merger. In any event, each such corporation shall pay a minimum tax not subject to offset of twenty-five dollars for such period."

AMENDMENT NUMBER FIVE.

On page 6 of the printed bill, strike out lines 26 to 30, inclusive, and in lieu thereof insert the following:

"SEC 21. In the case of property acquired in a manner described in section 113 (a) (2) to (a) (12) of the Federal Revenue Act of 1932 the basis shall be".

AMENDMENT NUMBER SIX.

On page 6 of the printed bill, strike out lines 36 to 52, inclusive.

AMENDMENT NUMBER SEVEN.

On page 7 of the printed bill, strike out lines 1 to 6, inclusive.

AMENDMENT NUMBER EIGHT.

On page 12, line 46, of the printed bill, after the word "corporation", insert the following: "and to all persons appearing of record to have an interest in such property".

AMENDMENT NUMBER NINE.

On page 12 of the printed bill, between lines 49 and 50, insert the following "and, in the case of any person appearing of record to have an interest in such property, addressed to such person at the last known place of residence, if any,".

AMENDMENT NUMBER TEN.

On page 13, line 25, of the printed bill, strike out the period, and in lieu thereof insert the following: "; provided, however, that if any person having an interest in or lien upon the property has filed with the Controller prior to any such sale notice of such interest or lien the Controller shall withhold any such excess pending a determination of the rights of the respective parties thereto by a court of competent jurisdiction."

AMENDMENT NUMBER ELEVEN.

On page 15, line 4, of the printed bill, strike out the period, and in lieu thereof insert the following: ", and shall be applied in the computation of taxes accruing subsequent to December 31, 1932."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 437—An act to provide for the taxation of Massachusetts or business trusts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 27, and insert in lieu thereof the following: "trustees where the trustees are not restricted to the mere collection of funds and their payment to the beneficiaries but are associated together with similar or greater powers than the directors in a corporation for the purpose of carrying on some business enterprise."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 1 to 3, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 307—An act to amend section 3664a of the Political Code, relating to the taxation of public service and other companies for the benefit of the State, and providing that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 11, of the printed bill, following the words "drawing-room car", strike out the comma and insert in lieu thereof the word "and".

AMENDMENT NUMBER TWO.

On page 2, line 12, of the printed bill, following the word "companies", insert the following: "three per cent; on all".

AMENDMENT NUMBER THREE.

On page 2, lines 13 and 14, of the printed bill, following the words "other car companies", strike out the words: "six and six-tenths" and insert in lieu thereof the words "nine and seven-tenths".

AMENDMENT NUMBER FOUR.

On page 2, line 41, of the printed bill, following the words "per cent.", add the following sentence: "In the event that it shall be hereafter finally determined by the courts that the classification of car companies as herein made is inconsistent with or repugnant to the provisions of the Constitution of this State or the Constitution of the United States or prejudicial to the rights of this State to tax other car companies at a different or higher rate of taxation than is imposed upon sleeping car, dining car, drawing-room car and palace car companies mentioned in subsection 3 of this section, then the percentage upon the gross receipts from the operation of such sleeping car, dining car, drawing-room car, palace car, refrigerator, oil, stock,

fruit and other car loaning and other car companies is hereby fixed at six and six-tenths per cent."

Amendments adopted.

MOTION

Mr Clowdsley moved that Rule 75 be suspended for the purpose of considering Assembly Bill No. 307 at this time.

POINT OF ORDER.

Mr. Lyon arose to the following point of order: Stating that according to the Assembly rules one day's notice should be given.

Mr. Lyon waived his point of order

The question being on the motion of Mr Clowdsley to have Rule 75 suspended for the purpose of considering Assembly Bill No. 307.

REQUEST FOR ROLL CALL.

On request of Messrs. West, Crist and Clowdsley, the Speaker ordered a roll call taken on the motion of Mr. Clowdsley to have Rule 75 suspended.

The roll was called, and the motion to suspend Rule 75 carried by the following vote:

AYES—Alter, Anglim, Bliss, Boyle, Brock, Burns, Callahan Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Wright and Zion—55

NOES—Badham, Bowers, Cobb, Craig, Evans, Greene, Hatch, Latham, Lyon, McBride, Redwine, Riley, Robinson C. Ray, Robinson, Samuel E., Ross, Scudder, Utt, Woolwine and Mr Speaker—19

RESOLUTION

CASE OF URGENCY

The following resolution was offered.

By Mr. Clowdsley:

Resolved, That Assembly Bill No. 307 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read third time, and placed upon its passage

Mr. Clowdsley moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called.

CALL OF THE HOUSE

Pending the announcement of the vote, Mr. Feigenbaum moved a call of the House.

Motion carried.

Time, eleven o'clock and fifty minutes a m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam King, Knowland, Latham, Levey Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson,

Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—77.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 908—An act to declare a moratorium on foreclosure of mortgages and collection of interest thereon for a period of two years—has had the same under consideration, and respectfully reports the same back without recommendation, as amended, to be reprinted and returned to committee.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 139—An act to amend section 3716 of the Political Code, relating to the operation of taxes as a judgment or lien against property;

Also: Assembly Bill No. 271—An act to amend section 903 of the Penal Code, relating to grand jurors;

Also: Assembly Bill No. 274—An act to amend section 549 of the Code of Civil Procedure, relating to attachments;

Also: Assembly Bill No. 402—An act to amend section 670 of the Code of Civil Procedure, relating to the judgment roll;

Also: Assembly Bill No. 755—An act to add a new section, to be numbered 905a, to Chapter IX of Title XI of Part II of the Code of Civil Procedure, relating to the determination of third party claims;

Also: Assembly Bill No. 756—An act to amend section 549 of the Code of Civil Procedure, relating to property claims by a third party;

Also: Assembly Bill No. 1148—An act to add a new section to the Civil Code to be numbered 3342, relating to liability of public officers, agents, and employees, under unconstitutional statutes;

Also: Assembly Bill No. 1218—An act to amend section 111 of the Penal Code, relating to a payment by the State of costs of certain criminal trials;

Also: Assembly Bill No. 1324—An act to amend section 664 of the Code of Civil Procedure, relating to the time within which judgment upon a verdict shall be entered;

Also: Assembly Bill No. 1377—An act to amend section 15 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927;

Also: Assembly Bill No. 1799—An act to amend section 1446 of the Penal Code, relating to the payment of fines;

Also: Assembly Bill No. 1800—An act to amend section 1205 of the Penal Code, relating to the payment of fines;

Also: Assembly Bill No. 2232—An act to add a new section to be numbered 4a to the General Cemetery Act, relating to amendment of articles of cemetery corporation;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman.

The above reported bills ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1933.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 258—An act to amend "The California Districts Securities Commission Act" approved June 19, 1931, by repealing section 11 thereof and adding a new section 11 thereto, providing that certain defaulting irrigation districts shall be subject to said section and shall be under the control of The California Districts Securities Commission to the extent and for the time set forth; providing for the levy, and the manner of levy, of the annual assessment of such defaulting districts in an amount it will be reasonably possible for the lands to pay without exceeding

a delinquency of 15 per cent and for the allocation of the proceeds of said annual assessment; superseding the California Irrigation District Act and particularly section 39 thereof and any other law in conflict therewith to the extent set forth; limiting the operation of said section 11 until November 1, 1937, only, unless sooner repealed; and making same an emergency measure enacted under the police power;

Also: Assembly Bill No. 609—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 612—An act confirming and validating the formation, organization and existence of reclamation districts;

Also: Assembly Bill No. 617—An act confirming and validating the formation, organization and existence of irrigation districts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FRAZIER, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 1063—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, by amending section 27b, relating to the deposit in banks of moneys of irrigation districts organized or existing under said act;

Also: Assembly Bill No. 1210—An act to add section 113 to the California Irrigation District Act, relating to actions and proceedings against an irrigation district or the board of directors thereof, brought by the holders of bonds of the district;

Also: Assembly Bill No. 1912—An act to amend sections 13 and 19 of "The California Irrigation District Act," relating to officers of irrigation districts;

Also: Assembly Bill No. 1971—An act to provide for the classification of irrigation districts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

FRAZIER, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 608—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

MOTION.

Mr. Robinson, C. Ray, moved that the Sergeant-at-Arms be instructed to furnish lunch and refreshments for the members.

Motion carried.

MOTION.

Mr. Clowdsley moved that all lobbyists be excluded from the floor of the Assembly.

AMENDMENT TO MOTION.

Mr. Powers moved to amend the motion of Mr. Clowdsley as follows: That all lobbyists be excluded from the Assembly Chambers.

Mr. Clowdsley accepted the amendment as offered by Mr. Powers.

The question being on the motion to exclude all lobbyists from the Assembly Chambers.

Motion carried.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1933.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them The titles of said bills are as follows.

An act to add a new section to the Political Code to be numbered 3614, relating to exempting orphanages from taxation

Also: An act to provide for a convention in the State of California to pass on the amendment to the Constitution of the United States for the repeal of the Eighteenth Amendment thereof and for the prohibition of the transportaion and importation of intoxicating liquor into the States and territories in violation of the laws thereof, proposed by the Congress for ratification by conventions in the several States, and to call a special election for the purpose of filling the offices of delegates to such conventions in this State.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr Speaker—74

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Roland: Assembly Bill No. 2315—An act to add a new section to the Political Code to be numbered 3614, relating to exempting orphanages from taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs Hornblower, Hallner, Grubbs and Tournoux: Assembly Bill No. 2316—An act to provide for a convention in the State of California to pass on the amendment to the Constitution of the United States for the repeal of the Eighteenth Amendment thereof and for the prohibition of the transportation and importation of intoxicating liquor into the States and Territories in violation of the laws thereof, proposed by the Congress for ratification by conventions in the several States, and to call a special election for the purpose of filling the offices of delegates to such convention in this State.

Bill read first time, and referred to Committee on Constitutional Amendments.

POINT OF ORDER.

Mr. Woolwine arose to the following point of order: Stating that an opinion should be received from the Attorney General as to the legality of any legislation pending during the proclamation that was issued by the Governor.

RULING BY THE SPEAKER.

The Speaker ruled the point of order raised by Mr. Woolwine not well taken.

REPORTS OF STANDING COMMITTES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1933.

MR SPEAKER Your Committee on Rules, to which was referred Assembly Bill No. 908—An act to declare a moratorium on foreclosure of mortgages and collection of interest thereon for a period of two years—has had the same under consideration, and respectfully reports the same back, and recommends that it be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered to reprint.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and ten minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Clowdsley.

The roll of absentees was called, and the resolution offered by Mr. Clowdsley was adopted by the following vote:

AYES—Alter, Anglim, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Gilmore, Grubbs, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Wright and Zion—56.

NOES—Badham, Bowers, Cobb, Craig, Evans, Field, Frazier, Greene, Hallner, Hatch, Latham, Lyon, McBride, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Ross, Scudder, Utt, Woolwine and Mr. Speaker—23.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 307.

THIRD READING OF ASSEMBLY BILL NUMBER THREE HUNDRED SEVEN.

Assembly Bill No. 307—An act to amend section 3664a of the Political Code, relating to the taxation of public service and other companies for the benefit of the State, and providing that this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

DEMAND FOR PREVIOUS QUESTION.

Messrs. Woolwine, Hallner, Greene, Stream and Bowers demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question was lost.

Urgency clause read.

The question being: Shall the section, setting forth the urgency features of Assembly Bill No. 307, be passed?

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Feigenbaum moved a call of the House.

Motion carried.

Time, five o'clock and fifteen minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—79.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At five o'clock and twenty-two minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Clowdsley.

The roll of absentees was called, and the urgency features of Assembly Bill No. 307 were adopted by the following vote:

AYES—Alter, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Gilmore, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright and Zion—54.

NOES—Anglim, Badham, Bowers, Cobb, Craig, Evans, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Latham, Lyon, McBride, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Ross, Scudder, Utt, Woolwine and Mr. Speaker—25

THIRD READING OF ASSEMBLY BILL NUMBER THREE HUNDRED SEVEN.

Assembly Bill No. 307—An act to amend section 3664a of the Political Code, relating to the taxation of public service and other companies for the benefit of the State, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Feigenbaum moved a call of the House.

Motion carried.

Time, five o'clock and twenty-five minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E,

Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—79.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 2, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 141—An act to amend section 736b of the Political Code, relating to the salaries of judges of the superior court.

Also: Senate Bill No. 143—An act to amend sections 736 and 736a of the Political Code, relating to salaries of the justices of the Supreme Court and District Courts of Appeal.

J. A. BEEK, Secretary of Senate.
By JAMES L. GARDINER, Assistant Secretary

Senate Bill No. 141 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 143 read first time, and referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1933

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 453—An act to amend sections 901 and 910, and to repeal sections 902 and 904 of the Probate Code, relating to compensation of executors, administrators, and attorneys—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 15—An act to add a new section to the Fish and Game Code, to be numbered 791.5, relating to crabs—and reports that the same has been correctly engrossed

PATTERSON, Chairman

The above reported bill ordered on file for third reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1933

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1895—An act to amend sections 4, 5 and 10 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WEST, Chairman

The above reported bill ordered referred to Committee on Rules.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 31—An act to provide for restoration of recorded subdivision maps which are injured or destroyed by conflagration or other public calamity, or are lost or

stolen—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1933.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1166—An act to amend section ------ of that certain act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman.

The above reported bill ordered referred to Committee on Rules.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At five o'clock and forty-five minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Feigenbaum.

The roll was called, and Assembly Bill No. 307 passed by the following vote:

AYES—Alter, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Gilmore, Grubbs, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright and Zion—54.

NOES—Anglim, Badham, Bowers, Chatters, Cobb, Craig, Evans, Field, Frazier, Greene, Hallner, Hatch, Latham, Lyon, McBride, Meeker, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Ross, Scudder, Utt, Woolwine and Mr. Speaker—26.

Title read and approved.

Bill ordered transmitted to the Senate.

EXPLANATION OF VOTE.

The following explanation of vote was received and ordered printed in the Journal:

Mr. Speaker and Members of the Assembly

While my personal inclination would tend toward support of Assembly Bill No. 307, I have, in an effort to correctly reflect what I conceive to be the wishes of a majority of my constituents, particularly in the rural sections, voted in opposition to this measure.

CLIFFORD C. ANGLIM.

ADJOURNMENT.

At five o'clock and forty-nine minutes p.m., on motion of Mr. Feigenbaum, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, March 3, 1933, out of respect to the memory of the late Honorable Thomas J. Walsh, United States Senator from Montana.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, March 3, 1933.

At ten o'clock a m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—79.

Quorum present.

PRAYER

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Thorp, Mrs. Anna Granlees and Mrs. Bilardi, teachers of the Bruella School, San Joaquin County, and pupils of the seventh and eighth grades were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. West, Irene Clark, sponsor, and the Know Your City Club, William Land Junior High School of Sacramento, were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From taxpaying farmers and citizens of Monterey County, opposing any bills which will increase our costs, either directly or indirectly.
(Signed) J. M. PURA.

Also:

By Mr. Speaker:

From Merchants Credit Association, Santa Monica, against increasing the taxes against public utilities.
(Signed) JACK L HARE.

Also:

By Mr. Speaker.

From Veterans of Foreign Wars, San Diego, opposing the action of the Governor in his recommendation to reduce pensions.
(Signed) GEO. I. URBANI, Commander.

Also:

By Mr. Speaker:

From Bay Builders' Exchange, Santa Monica, opposing the increase of taxes on public utilities.
(Signed) ROBERT E. PETERSON, 3d, Secretary-Manager.

Also:

By Mr. Speaker:

From Mary D. Lacey, requesting support of Assembly Bill No. 334.

Also:
By Mr. Speaker:

From property owners of San Diego County, favoring enactment of some moratorium measure to save property from foreclosures.
(Signed) D. W. EWING,
And 125 others.

Also:
By Mr. Speaker:

From Brawley Nonpartisan League, opposed to property qualification bills.
(Signed) R. L. McLEAN, President.

Also:
By Mr. Speaker:

From Building Industries Association of San Mateo County, opposing Senate Bill No. 83, relative to registration of contractors.
(Signed) R. F. BYRNES, Secretary-Manager.

Also:
By Mr. Speaker:

From William Ellis Lady, Los Angeles, favoring appointment of a committee of three with authority to purchase a juvenile prison site.

Also:
By Mr. Speaker:

From Radio and Music Trades Association, Los Angeles, opposing Senate Bill No. 2 and Assembly Bill No. 307.
(Signed) J. V. GUILFOYLE, Secretary.

Also:
By Mr. Speaker:

From Culver City Chamber of Commerce, opposing increasing taxes of public utilities.
(Signed) M. C. McKENNY, Secretary-Manager.

Also:
By Mr. Speaker:

From California Council, International Society of Master Painters and Decorators, favoring continuation of State Contractors License Law, and opposed to Senate Bill No. 83.
(Signed) PAUL SCHWENZFEIER, Chairman, Resolutions Committee.

Also:
By Mr. Speaker:

From Mrs Lillian Strong, Los Angeles, preferring charges against one of the judges of the superior court.

Petition ordered referred to Committee on Judiciary.

Also:
By Mr. Speaker:

From Fred B. Hawley, Long Beach, relative to impeachment.

Petition ordered referred to Committee on Judiciary.

Also:
By Mr. Speaker:

From Pacific Coast Products League, Los Angeles, opposing Senate Bill No. 2 and Assembly Bill No. 307.
(Signed) GEORGE J. GOWAN, Secretary-Manager.

Also:

By Mr. Speaker:

From County Superintendents Association and District Superintendents Association of the State assembled in Oakland, opposing Assembly Bill No. 897.

(Signed) COUNTY SUPERINTENDENTS ASSOCIATION,
DAVID E. MARTIN, President.
PANSY JEWETT ABBOTT, Secretary.

Also:

By Mr. Speaker:

From Mrs. Mary Lease, Venice, relative to dependent orphan children.

Also:

By Mr. Speaker:

From Sacramento Chamber of Commerce, relative to roadside advertising, Sears Point toll road, abolition of Carquinez Bridge toll, diversion of gasoline tax.

(Signed) EARL O. SCHULTZ, President.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1933.

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

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

Commencing February 28, 1933	Per day (Sundays excepted)
Dorothy Atkins, Stenographer	$5 00
Margaret Baumberger, Stenographer	5 00
Ardene Bourne, Stenographer	5 00
Helen Carpenter, Stenographer	5 00
Margaret Chenu, Stenographer	5 00
Effie D. Cope, Stenographer	5 00
Juanita Dependener, Stenographer	5 00
Myrtle Dwyer, Stenographer	5 00
Irma Eubanks, Stenographer	5 00
Mary C. Flynn, Stenographer	5 00
Edythe Gates, Stenographer	5 00
May Gilmore, Stenographer	5 00
Cristel Hastings, Stenographer	5 00
Besse Golze, Stenographer	5 00
Madeline Hoppin, Stenographer	5 00
Frances Gentry, Stenographer	5 00
Elizabeth Lawson, Stenographer	5 00
Bernice Marsh, Stenographer	5 00
Marian Olsen, Clerk, Ways and Means Committee	6 00
Beatrice Ray, Stenographer	5 00
Ann Rieland, Stenographer	5 00
Beulah Van Wart, Stenographer	5 00
Alice Weist, Stenographer	5 00
Nancy R. Swanson, Stenographer	5 00
Madge Cross, Chief Stenographer	6 00
Arthur A. Ohnimus, Chief Clerk	10 00
Louis F. Erb, Minute Clerk	9 00
William Gunlock, Engrossing and Enrolling Clerk	7 00
Michael Connolly, Sergeant-at-Arms	8 00
Moe Genzer, Assistant Sergeant-at-Arms	5 00
Harold P. Norton, Assistant Sergeant-at-Arms	5 00
Leo Richardson, Assistant Sergeant-at-Arms	5 00
Eugene Sullivan, Assistant Sergeant-at-Arms	5 00
Joe Bafigo, Assistant Sergeant-at-Arms	5 00
William Hinds, Assistant Sergeant-at-Arms	5 00
Harry O. Johnson, Assistant Sergeant-at-Arms	5 00

Commencing February 28, 1933	Per day (Sundays excepted)
Mrs E. C. Crowley, Assistant Sergeant-at-Arms	$5 00
Howard S. McIntyre, Clerk, Judiciary Committee	6 00
Barton Dempster, Page	2 50
James O'Connor, Jr., Page	2 50
James Clancy, Page	2 50
Billy Guthrie, Page	2 50
Fred J. Desch, First Assistant Clerk	9 00
Ruth Dickey, File Clerk	7 00
Clay Bernard, Assistant Clerk	7 00
Marcus Fitzsimmons, Assistant Clerk	7 00
Herman H. Donsted, Assistant Minute Clerk	7 00
A. J. Kelly, Assistant Clerk	7 00
Wilhelmina Feeley, Journal Clerk	7 00
Paul Cronin, Assistant Journal Clerk	5 00
Beth Rice, History Clerk	7 00
Sara Kellogg, Postmistress	4 00
Florence E. Miller, Assistant Engrossing and Enrolling Clerk	5 00
Rabbi Norman M. Goldburg, Chaplain	4 00
Rae Cunningham, Stenographer	5 00
Dorothy Jessop, Stenographer	5 00
Ray Riordon, Assistant Engrossing and Enrolling Clerk	5 00
Commencing March 2, 1933	
J. C. Goad, Assistant Sergeant-at-Arms	5 00

Resolved, further, That the Chief Clerk and Minute Clerk shall receive compensation on a seven-day-per-week basis.

CRAIG, Chairman.

Mr. Craig moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Alter, Anglin, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—73.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 610—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1933.

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 42—An act to amend section 16x9 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the ninth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

BROCK, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 45—An act to amend section 2322x9 of the Political Code, relating to the office of agricultural commissioner in counties of the ninth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 44—An act to add a new section to be numbered 9a9, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems approved April 12, 1909, and all acts and parts of acts in conflict with this act.'" approved February 25, 1911, as amended, relating to libraries in counties of the ninth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 43—An act to amend section 19x9 of the Juvenile Court Law, relating to probation officers in counties of the ninth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 40—An act to amend section 4238 of the Political Code, relating to compensation of county and township officers in counties of the ninth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 31—An act to provide for restoration of recorded subdivision maps which are injured or destroyed by conflagration or other public calamity, or are lost or stolen;

Also: Assembly Bill No. 453—An act to amend sections 901 and 910, and to repeal sections 902 and 904 of the Probate Code, relating to compensation of executors, administrators, and attorneys;

Also: Assembly Bill No. 1166—An act to amend section ------ of that certain act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended;

Also: Assembly Bill No. 1895—An act to amend sections 4, 5 and 10 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1933.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 309—An act to amend section 42 of, and add sections 2¾ and 50¾ to the "Public Utilities Act," approved April 23, 1915, relating to aircraft and air transportation—has had the same under consideration, and respectfully reports the

same back, and recommends that it be re-referred to Committee on Aviation and Aircraft.

LATHAM, Chairman.

The above reported bill ordered re-referred to Committee on Aviation and Aircraft.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No 364—An act to amend sections 2 and 84 of the Public Utilities Act, relating to airplane line corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Aviation and Aircraft.

LATHAM, Chairman.

The above reported bill ordered re-referred to Committee on Aviation and Aircraft.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1532—An act providing for the regulation of carriers in air commerce; providing for the enforcement of said act and penalties for violations thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Aviation and Aircraft.

LATHAM, Chairman

MOTION.

Mr. Robinson, C. Ray, moved that the members of the Assembly oppose the adoption of the report of the Public Utility Committee, relative to re-referring Assembly Bill No. 1532 to Committee on Aviation and Aircraft.

Question being on the adoption of the committee report.

Report refused adoption.

The Speaker ordered Assembly Bill No. 1532 re-referred to Committee on Public Utilities.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1597—An act to amend the Public Utilities Act by adding a new section thereto to be numbered 61½, relating to the duties of the official reporter appointed by the Railroad Commission, and fixing the amount of fees or charges for furnishing transcripts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

LATHAM, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 704—An act to amend section 71 of the Public Utilities Act, relating to reparation to be made for excessive or unreasonable charges by a public utility—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LATHAM, Chairman.

The above reported bill ordered on file for second reading.

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1933

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred Assembly Bill No. 1327—An act to amend section 2 of an act entitled "An act providing for the establishment and maintenance of a State Nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along the highways and in public places, and making an appropriation therefor," approved May 15, 1917, relating to the

sale of nursery stock—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

INTRODUCTION AND REFERENCE OF BILL

The following bill was introduced, and referred as indicated:

By Mr. Morgan: Assembly Constitutional Amendment No. 93—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 9 of, and adding sections 21, 22, 23, 24 and 25 to, Article V thereof, providing for the manager form of State government.

Introduced, and referred to Committee on Constitutional Amendments

MOTION TO RE-REFER.

Mr. Fisher moved that Assembly Bill No. 1727 be withdrawn from Committee on Hospitals and Asylums, and ordered re-referred to Committee on Social Service and Welfare

The question being on re-referring Assembly Bill No. 1727 to Committee on Social Service and Welfare.

Motion carried.

Assembly Bill No. 1727 ordered re-referred to Committee on Social Service and Welfare.

MOTION TO RE-REFER.

Mr. Martin moved that Assembly Bill No. 1242 be withdrawn from Committee on Judiciary, and ordered re-referred to Committee on Public Morals.

The question being on re-referring Assembly Bill No. 1242 to Committee on Public Morals.

Motion carried.

Assembly Bill No. 1242 ordered re-referred to Committee on Public Morals.

MOTION TO RE-REFER.

Mr. McBride moved that Assembly Bill No. 1416 be withdrawn from Committee on Mines and Mining, and ordered re-referred to Committee on Oil Industries.

The question being on re-referring Assembly Bill No. 1416 to Committee on Oil Industries.

Motion carried.

Assembly Bill No. 1416 ordered re-referred to Committee on Oil Industries.

MOTION TO RE-REFER.

Mr. Crowley moved that Assembly Bill No. 659 be withdrawn from Committee on Judiciary, and ordered re-referred to Committee on Labor and Capital.

The question being on re-referring Assembly Bill No. 659 to Committee on Labor and Capital.

Motion carried.

Assembly Bill No. 659 ordered re-referred to Committee on Labor and Capital.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 172—An act to add a new section to be numbered section 25 to the act known as the "Act Concerning Cosmetology," approved May 31, 1927, as amended, relating to actions arising out of the practice of cosmetology or any branch thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 29—An act to amend section 268b of the Penal Code, relating to protection of fish.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title and insert in lieu thereof the following:

"An act to add section 698.5 to the Fish and Game Code, relating to the protection of fish."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 29, inclusive, and strike out all of page 2, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Fish and Game Code to be numbered 698.5, and to read as follows:

698.5. Black bass lawfully taken may be carried or transported into and possessed in a district where the season is closed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 970—An act to add a new article to Chapter III, Part III, Division IV, to be numbered Article VI, embracing sections 1350, 1351, 1352 and 1353 of the Fish and Game Code, and to amend section 1410 thereof, relating to amphibia, and to renumber present Articles VI and VII of Chapter III, Part III, Division IV.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out "dragtonii", and insert in lieu thereof the following: "draytonii".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 8 to 12, inclusive, and insert in lieu thereof the following:

"1351. Except for any person or persons who take or possess frogs to sell to, or for use by, educational or scientific institutions for scientific purposes, and except as otherwise provided in this article, it is unlawful to take or possess any frog less than four inches in length, measured from the tip of the nose to the posterior end of the body between the hind legs, or to take or possess more than twenty-four frogs per day or forty-eight frogs per week."

AMENDMENT NUMBER THREE.

On page 1, lines 16 and 17, of the printed bill, strike out "or possesses frogs for scientific use in an educational or scientific institution", and insert in lieu thereof the following: "for food".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 139—An act to amend section 3716 of the Political Code, relating to the operation of taxes as a judgment or lien against property.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 271—An act to amend section 903 of the Penal Code, relating to grand jurors.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 274—An act to amend section 549 of the Code of Civil Procedure, relating to attachments.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 402—An act to amend section 670 of the Code of Civil Procedure, relating to the judgment roll.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 756—An act to amend section 549 of the Code of Civil Procedure, relating to property claims by a third party.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1148—An act to add a new section to the Civil Code to be numbered 3342, relating to liability of public officers, agents, and employees, under unconstitutional statutes.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1218—An act to amend section 111 of the Penal Code, relating to a payment by the State of costs of certain criminal trials.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1324—An act to amend section 664 of the Code of Civil Procedure, relating to the time within which judgment upon a verdict shall be entered.
Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1377—An act to amend section 15 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927.
Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1799—An act to amend section 1446 of the Penal Code, relating to the payment of fines.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1800—An act to amend section 1205 of the Penal Code, relating to the payment of fines.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2232—An act to add a new section to be numbered 4a to the General Cemetery Act, relating to amendment of articles of cemetery corporation.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 258—An act to amend "The California Districts Securities Commission Act" approved June 19, 1931, by repealing section 11 thereof and adding a new section 11 thereto, providing that certain defaulting irrigation districts shall be subject to said section

and shall be under the control of The California Districts Securities Commission to the extent and for the time set forth; providing for the levy, and the manner of levy, of the annual assessment of such defaulting districts in an amount it will be reasonably possible for the lands to pay without exceeding a delinquency of 15 per cent and for the allocation of the proceeds of said annual assessment; superseding the California Irrigation District Act and particularly section 39 thereof and any other law in conflict therewith to the extent set forth; limiting the operation of said section 11 until November 1, 1937, only, unless sooner repealed; and making same an emergency measure enacted under the police power.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 609—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 612—An act confirming and validating the formation, organization and existence of reclamation districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 617—An act confirming and validating the formation, organization and existence of irrigation districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1063—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, by amending section 27b, relating to the deposit in banks of moneys of irrigation districts organized or existing under said act.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1210—An act to add section 113 to the California Irrigation District Act, relating to actions and proceedings against an irrigation district or the board of directors thereof, brought by the holders of bonds of the district.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1912—An act to amend sections 13 and 19 of "The California Irrigation District Act," relating to officers of irrigation districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1971—An act to provide for the classification of irrigation districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 608—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and

to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "sale", insert the words "or exchange".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, after the word "sold", insert the words "or exchanged".

AMENDMENT NUMBER THREE.

On page 1, line 13, of the printed bill, after the word "sold", insert the words "or exchanged".

AMENDMENT NUMBER FOUR.

On page 1, line 17, of the printed bill, after the word "sold", insert the words "or exchanged".

AMENDMENT NUMBER FIVE.

On page 1, line 22, of the printed bill, after the word "sold", insert the words "or exchanged".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 755—An act to add a new section, to be numbered 905a, to Chapter IX of Title XI of Part II of the Code of Civil Procedure, relating to the determination of third party claims.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 908—An act to declare a moratorium on foreclosure of mortgages and collection of interest thereon for a period of two years.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 3 of the title, strike out the period, and insert in lieu thereof the following: "by directing courts of record to continue actions for foreclosure of mortgages until September 15, 1935, with certain exceptions, declaring all transfers of title to or any interest in real property for the purpose of securing the payment of any obligation to be mortgages, suspending all acts and parts of acts in conflict with this act, and declaring the urgency hereof."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SECTION 1. In all actions for the foreclosure of real estate mortgages now pending in which decree has not been entered, and in all actions hereafter commenced for the foreclosure of real estate mortgages, or on notes secured thereby, in any court of record in the State of California, while this act is in effect, the court, upon the application of the owner or owners of such real estate or persons liable on said mortgages, or notes secured thereby, who are defendants in said cause and not in default for want of pleading or appearance shall, unless upon hearing on said application good cause is shown to the contrary, order such cause continued until September 15, 1935, or so long as this act is in effect, providing, however, that in all causes now pending in which default has been entered but no decree signed, said owner or owners of such real estate or persons liable on said mortgages or notes secured thereby, shall have ten days from the taking effect of this act in which to file said application for continuance, and upon such order of continuance the court shall make order or orders for possession of said real estate, giving preference to the owner or owners in possession, determine fair rental terms to be paid by the party or parties to be in possession and the application and distribution of the rents, income and profits from said real estate, and make such

provision for the preservation of said property as will be just and equitable during the continuance of said cause, which order or orders shall provide that such rents, income or profits shall be paid to and distributed by the clerk of the superior court of the county in which said suit is pending, and further provide that in such distribution taxes, insurance, cost of maintenance and upkeep of said real estate shall be paid in the priority named, and any balance distributed as the court may further direct, provided, however, that the court shall, upon a substantial violation of its said order or orders, or for other good and sufficient cause, set aside said order or continuance and the cause shall proceed to trial as by law now provided, the provisions of this act to the contrary notwithstanding.

SEC. 2. A deed of trust and every transfer of an interest in real property in trust whereby specific real property is hypothecated for the performance of an act without the necessity of a change of possession, is invalid and void as a conveyance in trust or deed of trust and as to any power of sale therein contained, but shall be enforceable in any court of competent jurisdiction as a mortgage for the amount of the debt actually owed and secured thereby, together with interest as therein provided, and shall be foreclosed only as a mortgage in the manner provided in Chaper I of Title X of Part II, of the Code of Civil Procedure, for the foreclosure of mortgages.

SEC. 3. All mortgages affecting real property in this State shall be subject to this act. No contract, condition or agreement shall exempt any such mortgage from the provisions of this act and every such contract, condition or agreement is void.

SEC. 4. For the purpose of the administration of this act, the court may in all cases suggest and recommend conciliation.

SEC. 5. From and after the fifteenth day of September 1935, this act shall cease to be in force and effect.

SEC. 6. All provisions of all acts and parts of acts in conflict with this act are hereby suspended during the period this act shall be in force and effect.

SEC. 7. If any section, subsection, clause, sentence or phrase of this act, which is reasonably separable from the remaining portions of this act, is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional.

SEC. 8. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution, and shall therefore go into immediate effect The facts constituting the necessity are as follows: A severe economic depression exists throughout the State, rendering many of our citizens utterly unable to pay the interest or principal sum of their debts. As a result thereof, through foreclosure actions, they are being deprived of their homes and farms, burdened with deficiency judgments and generally impoverished."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 453—An act to amend sections 901 and 910, and to repeal sections 902 and 904 of the Probate Code, relating to compensation of executors, administrators, and attorneys.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

Assembly Bill No. 453 is hereby amended to read as follows:

"An act to amend sections 901 and 910, and to repeal sections 902 and 904 of the Probate Code, relating to compensation of executors, administrators, and attorneys.

The people of the State of California do enact as follows:

SECTION 1. Section 901 of the Probate Code is hereby amended to read as follows:

901. The executor, when compensation is expressly provided by will, or the administrator when the person first entitled to letters of administration waives his right of administration, and nominates an administrator in his place, or the administrator with the will annexed shall receive commissions upon the amount of estate accounted for by him as follows: For the first thousand dollars, at the rate of seven per cent; for the next nine thousand dollars, at the rate of four per cent; for the

next ten thousand dollars, at the rate of three per cent; for the next thirty thousand dollars, at the rate of two per cent; and for all above fifty thousand dollars, at the rate of one per cent. If there are two or more executors or administrators, the compensation shall be apportioned among them by the court according to the services actually rendered by each. It is further provided that nothing herein contained shall affect the compensation now allowed by law to public administrators.

SEC. 2. Section 910 of the Probate Code is hereby amended to read as follows:

910. Attorneys for executors and administrators shall be allowed out of the estate, as fees for conducting the ordinary probate proceedings, commissions upon the amount of estate, as follows: For the first thousand dollars, at the rate of seven per cent; for the next nine thousand dollars, at the rate of four per cent; for the next ten thousand dollars, at the rate of three per cent; for the next thirty thousand dollars, at the rate of two per cent; and for all above fifty thousand dollars, at the rate of one per cent; and such further amount as the court may deem just and reasonable for extraordinary services.

SEC. 3. Sections 902 and 904 of the Probate Code are hereby repealed."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1895—An act to amend sections 4, 5 and 10 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "power", insert a comma and the following, in italic type: "subject to the supervision and control of the Corporation Commissioner of the State of California:".

AMENDMENT NUMBER TWO.

On page 2, lines 9 to 15, inclusive, of the printed bill, set up in italic type.

AMENDMENT NUMBER THREE.

On page 2, line 26, of the printed bill, after the word "corporation," insert the following in italic type: "as primary debtor".

AMENDMENT NUMBER FOUR.

On page 2, line 28, of the printed bill, insert a period after the word "company", and strike out "except that this limitation shall not be con-", and strike out lines 29 to 32, inclusive.

AMENDMENT NUMBER FIVE.

On page 3, lines 6 to 9, inclusive, of the printed bill, set up in italic type.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 31—An act to provide for restoration of recorded subdivision maps which are injured or destroyed by conflagration or other public calamity, or are lost or stolen.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 1 of the title, strike out "subdivision".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 2 of the title, and insert in lieu thereof the following: "which are injured, destroyed,".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 3 of the title, strike out "public calamity,".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and on page 2 of the printed bill, strike out lines 1 to 14, inclusive, and insert in lieu thereof the following:

"SECTION 1. Whenever any map which has been recorded in the office of the recorder of any county, or city and county of this State, has been, or shall hereafter be injured, destroyed, lost, or stolen, any person or persons interested may file in the superior court of the county, or city and county, wherein said map was originally filed or recorded, a verified petition in writing alleging that such map has been injured, destroyed, lost, or stolen, according to the facts in the case, without fault or neglect of the party or person making such application, and that said petitioner has a true and correct copy of said original map and offers the same for record in the place and stead of the original map injured, destroyed, lost, or stolen. The petition must be accompanied by a copy of the true copy offered for recording.

Upon the filing of the said petition the clerk must set said petition for hearing by the court, and give notice of said hearing by causing notice of the time and place of hearing to be posted at the courthouse in the county, or city and county, where the court is held at least ten days prior to said hearing. A copy of said petition, together with a copy of the true copy offered for record must be served upon the recorder of the county, or city and county, wherein the proceedings are brought at least ten days prior to the hearing. The court may order such further notice to be given as in its judgment may seem proper. At the time set for the hearing the court shall take evidence for and against the petition, and if it satisfactorily appear to the court from the evidence presented that a copy of the map submitted is a true copy of the original map so injured, destroyed, lost, or stolen, the court shall thereupon decree that such copy is a true copy of the original map, and order the said copy placed of record in the office of the recorder in the place and stead of the original map injured, destroyed, lost, or stolen.

SEC. 2. A certified copy of the decree of the court ordering the recording of the true copy of the map shall accompany the true copy of the map for record, and when presented to the recorder of the county, or city and county, for record, the said recorder shall place of record the said copy of the map in the place and stead of the original map injured, destroyed, lost, or stolen.

When placed of record the said copy shall have the same force and effect as the original map, and conveyances of property whether heretofore or hereafter made, referring to the original map shall have the same effect as though such original map had not been injured, destroyed, lost, or stolen, and conveyances thereafter made referring to the copy of such original map shall be deemed to refer also to the original map."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1166—An act to amend section ------ of that certain act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "section", insert the figure: "13"

AMENDMENT NUMBER TWO.

In line 1 of the printed bill, after "SECTION 1", insert the following.

"Section 13 of the act cited in the title hereof is hereby amended to read as follows:

SEC. 13. Any dentist may have his license revoked or suspended by the Board of Dental Examiners for any of the following causes.

(1) His conviction of a felony or misdemeanor involving moral turpitude in which case the record of conviction or a certified copy thereof, certified by the clerk of the court, or by the judge in whose court the conviction is had, shall be conclusive evidence.

(2) The rendition of a final judgment against any such dentist in a court of competent jurisdiction upon a cause of action alleging grossly unskillful or negligent dental practice.

(3) For unprofessional conduct or for gross ignorance or inefficiency in his profession. Unprofessional conduct is hereby defined to be: The employment of persons known as cappers or steerers, to obtain business; the obtaining of any fee by fraud or misrepresentation; wilfully betraying professional secrets; employing directly or indirectly any student or any suspended or unlicensed dentist to perform operations of any kind, or to treat lesions of the human teeth or jaws, or correct malimposed formations thereof; aiding or abetting any unlicensed person to practice dentistry unlawfully; habitual intemperance; gross immorality; the use of any false, assumed or fictitious name, either as an individual, firm, corporation, or otherwise, or any practice, advertise or in any other manner indicate that he is practicing or will practice dentistry; directly or indirectly paying, accepting or receiving any commission or rebate in any form or manner on fees for professional services, radiograms, prescriptions or other services or articles supplied to patients; advertising or publishing statements of his art, skill or knowledge, or his method of treatment or practice."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

RECESS.

At eleven o'clock a.m., on motion of Mr. Williamson, the Assembly was declared at recess until two o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At two o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Kelly reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Zion:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 3669c of the Political Code, relating to taxation for State purposes and declaring that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr. Lyon:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1933.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 4, 5, 6, 7, 8, 9, 11 and to add a new section numbered 17, to Chapter 598, Statutes 1913, entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the Board of Optometry and to the regulation of the practice of optometry and relating to the constitutionality of said act.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 3669c of the Political Code, relating to taxation for State purposes and declaring that this act shall take effect immediately.

HALLNER, Chairman.

Mr. Hallner moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—72.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced:

By Mr. Zion: Assembly Bill No. 2317—An act to amend section 3669c of the Political Code, relating to taxation for State purposes and declaring that this act shall take effect immediately.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Zion asked for, and was granted, unanimous consent to take up Assembly Bill No. 2317 at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED SEVENTEEN.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Zion:

Resolved, That Assembly Bill No. 2317 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Anglim, Badham, Bliss, Boyle, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—63.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2317.

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED SEVENTEEN.

Assembly Bill No. 2317—An act to amend section 3669c of the Political Code, relating to taxation for State purposes and declaring that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Zion and Mr. Speaker—64.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED SEVENTEEN.

Assembly Bill No. 2317—An act to amend section 3669c of the Political Code, relating to taxation for State purposes and declaring that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 2317 passed by the following vote:

AYES—Anglim, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—62.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1933.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act to amend sections 4, 5, 6, 7, 8, 9, 11 and to add a new section numbered 17, to Chapter 598, Statutes 1913, entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the Board of Optometry and to the regulation of the practice of optometry and relating to the constitutionality of said act.

HALLNER, Chairman.

Mr. Hallner moved the adoption of the report.

The question being on the adoption of the report.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Lyon moved a call of the House.

Motion carried.

Time, three o'clock and twenty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anglim, Burns, Callahan, Cassidy, Chatters, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—58.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At three o'clock and twenty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Lyon.

The roll of absentees was called, and the report of the Committee on Introduction of Bills was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—69.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Lyon: Assembly Bill No. 2318—An act to amend sections 4, 5, 6, 7, 8, 9, 11 and to add a new section numbered 17, to Chapter 598, Statutes 1913, entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the Board of Optometry and to the regulation of the practice of optometry and relating to the constitutionality of said act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

RECESS.

At three o'clock and thirty minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 3, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2317—An act to amend section 3669c of the Political Code, relating to taxation for State purposes and declaring that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By JAMES L. GARDINER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 3, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1048—An act to amend section 3.90 of the School Code, relating to days upon which the public schools shall close, and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Roland asked for, and was granted, unanimous consent to take up Senate Bill No. 1048, at this time, without reference to committee or file.

CONSIDERATION OF SENATE BILL NUMBER ONE THOUSAND FORTY-EIGHT.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Roland:

Resolved, That Senate Bill No. 1048 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—70.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1048.

SECOND READING OF SENATE BILL NUMBER ONE THOUSAND FORTY-EIGHT.

Senate Bill No. 1048—An act to amend section 3.90 of the School Code, relating to days upon which the public schools shall close, and declaring the urgency thereof.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—70.

NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND FORTY-EIGHT.

Senate Bill No. 1048—An act to amend section 3 90 of the School Code, relating to days upon which the public schools shall close, and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1048 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—73

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1933.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Bill No. 2316—An act to provide for a convention in the State of California to pass on the amendment to the Constitution of the United States for the repeal of the Eighteenth Amendment thereof and for the prohibition of the transportation and importation of intoxicating liquor into the States and Territories in violation of the laws thereof, proposed by the Congress for ratification by conventions in the several States, and to call a special election for the purpose of filling the offices of delegates to such convention in this State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FEIGENBAUM, Chairman

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 139—An act to amend section 3716 of the Political Code, relating to the operation of taxes as a judgment or lien against property;

Also: Assembly Bill No. 172—An act to add a new section to be numbered section 25 to the act known as the "Act Concerning Cosmetology," approved May 31, 1927, as amended, relating to actions arising out of the practice of cosmetology or any branch thereof;

Also: Assembly Bill No. 258—An act to amend "The California Districts Securities Commission Act" approved June 19, 1931, by repealing section 11 thereof and adding a new section 11 thereto, providing that certain defaulting irrigation districts shall be subject to said section and shall be under the control of The California

Districts Securities Commission to the extent and for the time set forth; providing for the levy, and the manner of levy, of the annual assessment of such defaulting districts in an amount it will be reasonably possible for the lands to pay without exceeding a delinquency of 15 per cent and for the allocation of the proceeds of said annual assessment; superseding the California Irrigation District Act and particularly section 39 thereof and any other law in conflict therewith to the extent set forth; limiting the operation of said section 11 until November 1, 1937, only, unless sooner repealed; and making same an emergency measure enacted under the police power;

Also: Assembly Bill No. 271—An act to amend section 903 of the Penal Code, relating to grand jurors;

Also: Assembly Bill No. 274—An act to amend section 549 of the Code of Civil Procedure, relating to attachments;

Also: Assembly Bill No. 402—An act to amend section 670 of the Code of Civil Procedure, relating to the judgment roll;

Also: Assembly Bill No. 609—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 612—An act confirming and validating the formation, organization and existence of reclamation districts;

Also: Assembly Bill No. 617—An act confirming and validating the formation, organization and existence of irrigation districts;

Also: Assembly Bill No. 756—An act to amend section 549 of the Code of Civil Procedure, relating to property claims by a third party;

Also: Assembly Bill No. 1063—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, by amending section 27b, relating to the deposit in banks of moneys of irrigation districts organized or existing under said act;

Also. Assembly Bill No. 1148—An act to add a new section to the Civil Code to be numbered 3342, relating to liability of public officers, agents, and employees, under unconstitutional statutes;

Also: Assembly Bill No. 1210—An act to add section 113 to the California Irrigation District Act, relating to actions and proceedings against an irrigation district or the board of directors thereof, brought by the holders of bonds of the district;

Also: Assembly Bill No. 1218—An act to amend section 111 of the Penal Code, relating to a payment by the State of costs of certain criminal trials;

Also: Assembly Bill No. 1324—An act to amend section 664 of the Code of Civil Procedure, relating to the time within which judgment upon a verdict shall be entered;

Also: Assembly Bill No. 1377—An act to amend section 15 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927;

Also: Assembly Bill No. 1799—An act to amend section 1446 of the Penal Code, relating to the payment of fines;

Also: Assembly Bill No. 1800—An act to amend section 1205 of the Penal Code, relating to the payment of fines;

Also: Assembly Bill No. 1912—An act to amend sections 13 and 19 of "The California Irrigation District Act," relating to officers of irrigation districts;

Also: Assembly Bill No. 1971—An act to provide for the classification of irrigation districts;

Also: Assembly Bill No. 2232—An act to add a new section to be numbered 4a to the General Cemetery Act, relating to amendment of articles of cemetery corporation;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Williamson:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 135b to the "Bank Act," defining and regulating the business of banking.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act to add section 135b to the "Bank Act," defining and regulating the business of banking.

HALLNER, Chairman

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—72.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Williamson: Assembly Bill No. 2319—An act to add section 135b to the "Bank Act," defining and regulating the business of banking.

Bill read first time.

MOTION.

At nine o'clock and forty-five minutes p.m., Mr. Hornblower moved that the reference to committee of Assembly Bill No. 2319 be deferred until the next legislative day and that the Assembly do now adjourn this day until nine o'clock a.m., Saturday, March 4, 1933.

Motion carried.

Whereupon the Speaker declared the Assembly adjourned this day until nine o'clock a.m., Saturday, March 4, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Saturday, March 4, 1933.

At nine o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson,

Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wilhamson, Wright, Zion and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

PRESENTATION OF PETITIONS.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From National Federation of Post Office Clerks, Los Angeles, favoring continuance of evening high schools for adults.

(Signed) GEORGE E. LINDBORG, Secretary.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Dempster:

ASSEMBLY CHAMBER, SACRAMENTO, MARCH 4, 1933.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the immediate relief and public employment for the unemployed and indigent citizens and residents of California.

Referred to Committee on Introduction of Bills.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 610—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 42—An act to amend section 16x9 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the ninth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out lines 3 to 7, inclusive, and insert in lieu thereof the following:

"Sec. 16x8. The sealer of weights and measures in counties of the ninth class shall receive a salary of one hundred twenty-seven dollars and fifty cents per month and shall have one deputy sealer of weights and measures who shall receive a salary of one hundred twenty-seven dollars and fifty cents per month."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 45—An act to amend section 2322x9 of the Political Code, relating to the office of agricultural commissioner in counties of the ninth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 26, inclusive, and all of page 2, and insert in lieu thereof the following:

"2322x9. In counties of the ninth class, the commissioner shall receive a salary of three thousand eight hundred forty dollars per annum; provided, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies, inspectors and clerks to be appointed by said commissioner which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Three deputy agricultural commissioners at a salary of two thousand four hundred dollars each per annum.

(b) One deputy agricultural commissioner for bacteriological work at a salary of two thousand forty dollars per annum.

(c) The commissioner is also authorized and empowered to appoint not to exceed eleven inspectors at a monthly salary of one hundred forty-eight and seventy-five one-hundredths dollars each during the time actually employed; three inspectors at a monthly salary of one hundred twenty-seven and fifty one-hundredths dollars each during the time actually employed; and five inspectors at a compensation of four dollars and fifty one-hundredths per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such five inspectors shall not exceed three thousand three hundred dollars.

(d) The commissioner is also authorized and empowered to appoint not to exceed one clerk at a monthly salary of one hundred twenty-seven and fifty one-hundredths dollars during the time actually employed, one clerk at a monthly salary of one hundred twelve and fifty one-hundredths dollars during the time actually employed, one clerk at a monthly salary of ninety-five dollars during the time actually employed."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 44—An act to add a new section to be numbered 9a9, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the ninth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 12, inclusive, and insert in lieu thereof the following:

"Sec. 9a9. In counties of the ninth class the salary of the county librarian shall be one thousand seven hundred eighty-five dollars per annum, payable monthly as other county officers are paid

The provisions of this act, so far as they are substantially the same as existing statutes governing counties of this class, must be construed as continuations thereof and not as new enactments; and nothing in this act contained shall be deemed to shorten or extend the term of office or employment of any person holding office or employment under the provisions of such statutes."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 43—An act to amend section 19x9 of the Juvenile Court Law, relating to probation officers in counties of the ninth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee.

AMENDMENT NUMBER ONE

Strike out lines 3 to 17, inclusive, of the printed bill, and insert in lieu thereof the following:

"Sec. 19x9. In counties of the ninth class there shall be one probation officer, whose salary shall be two hundred dollars per month, and also three assistant probation officers Salaries of the assistant probation officers shall be as follows, to wit: One assistant probation officer, one hundred fifty-nine dollars and fifty cents per month, one assistant probation officer, one hundred fifty-nine dollars and fifty cents per month; one assistant probation officer, one hundred one dollars and seventy-five cents per month; and one clerk at seventy-five dollars per month, and one social investigator at a salary of one hundred twenty-seven dollars and fifty cents per month.

The provisions of this act, so far as they are substantially the same as existing statutes governing counties of this class, must be construed as continuations thereof, and not as new enactments; and nothing in this act contained shall be deemed to shorten or extend the term of office or employment of any person holding office or employment under the provisions of such statutes."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 40—An act to amend section 4238 of the Political Code, relating to compensation of county and township officers in counties of the ninth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out lines 3 to 27, inclusive, and all of pages 2, 3, 4, 5, 6, 7, 8, and 9 and insert in lieu thereof the following:

"4238 In counties of the ninth class the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries to wit:

1. Clerk. The county clerk, three thousand eight hundred twenty-five dollars per annum; provided, that in counties of this class there shall be and there is hereby allowed to the county clerk one deputy for each department of the superior court, which offices are hereby created, as provided, in section 4290 of the Political Code of the State of California, said deputies shall be appointed by said county clerk, shall be courtroom clerks of the departments of the superior court, and shall each receive a salary of two thousand forty dollars per annum. There shall be also, and is hereby allowed the said county clerk one deputy who shall be known and designated as "chief deputy," and one deputy to be known and designated as "master calendar deputy," and four office deputies and one copyist, which offices are hereby created Said deputies shall be appointed by the county clerk, the chief deputy shall receive a salary of two thousand four hundred dollars per annum, the master calendar deputy shall receive a salary of two thousand two hundred ninety-five dollars per annum; one of the office deputies to receive a salary of one hundred seventy dollars per month; one of the office deputies to receive a salary of one hundred thirty-six dollars per month, and two of the office deputies, each to receive a salary of one hundred twenty-seven dollars and fifty cents per month, and the copyist to receive a salary of one hundred twelve dollars and fifty cents per month; all of said salaries shall be paid by the said county in monthly installments at the same time, in the same manner and out of the same fund as the salary of the county clerk is paid. In the registration of voters, as required by law, said county clerk shall appoint an additional deputy or deputies, who shall receive the sum of seven and one-half cents per name for taking the affidavits of registration outside of the office of said county clerk and the claims for their services at said rate shall be presented to and allowed by the board of supervisors as other claims are presented and allowed.

In each year in which a general election is held, the county clerk may appoint assistant clerks which offices are hereby created, and whose compensation shall not exceed the sum of two thousand seven hundred dollars in the aggregate of all assistants so employed.

All fees received by this office shall be turned over to the county and become the property of the county. All of the provisions of this paragraph are to apply to present incumbents

2. Sheriff. The sheriff, two thousand eight hundred ninety-two dollars per annum, and such mileage as is now allowed by law, and also, all fees for service of papers in actions arising outside of this county; provided, that in counties of this class there shall be and hereby is allowed to the sheriff twenty-one deputies whose offices are hereby created, and who shall be appointed by the sheriff, and shall be paid salaries as follows: one chief deputy sheriff at a salary of two thousand two hundred ninety-five dollars per annum; one deputy sheriff, to act as fingerprint expert and photographer, at a salary of two thousand two hundred ninety-five dollars per annum; one deputy sheriff to act as assistant fingerprint expert and photographer, at a salary of one thousand five hundred thirty dollars per annum; one deputy sheriff to act as assistant fingerprint expert and stenographer, at a salary of one thousand four hundred eighty-five dollars per annum; one deputy sheriff to act as chief criminal deputy at a salary of two thousand two hundred ninety-five dollars per annum; six deputy sheriffs at a salary of one thousand seven hundred eighty-five dollars each per annum; one deputy sheriff to act as jailer at a salary of one thousand seven hundred eighty-five dollars per annum; two deputy sheriffs to act as assistant jailers at a salary of one thousand five hundred thirty dollars each per annum; two deputy sheriffs to act as turnkeys in the jail at a salary of one thousand five hundred thirty dollars each per annum; one deputy sheriff to act as office deputy at a salary of one thousand six hundred thirty-two dollars per annum; three deputy sheriffs to act as court bailiffs in the several departments of the superior court at a salary of one thousand three hundred fifty dollars each per annum; one deputy sheriff to act as stenographer at a salary of one thousand five hundred thirty dollars per annum; provided, that the board of supervisors may in its discretion appoint five deputy sheriffs to be known as the "farm detail," who may be appointed by a majority of the board of supervisors with the approval of the sheriff, who shall operate under the jurisdiction of the sheriff and who shall be subject to discharge by the sheriff or a majority of the board of supervisors, and who shall receive a salary of one thousand five hundred sixty dollars each per annum. The salaries of all said deputies shall be paid by said county in equal monthly installments at the same time, in the same manner and out of the same funds as the salary of the sheriff is paid. All fees and commissions except as hereinbefore in this paragraph mentioned, shall be turned over to the county and become the property of the county. All paragraphs relating to salaries of deputies shall apply to incumbents.

3. Recorder. The recorder, three thousand sixty dollars per annum; provided, that in counties of this class there shall be and there is hereby allowed the recorder seven deputies, who shall be appointed by the recorder, and shall be paid the following salaries, to wit: one chief deputy at a salary of two thousand forty dollars per annum; one deputy (who shall have charge of the Torrens title work) at a salary of one thousand seven hundred eighty-five dollars per annum; three deputies at a salary of one thousand six hundred thirty-two dollars each per annum; one deputy at a salary of one thousand five hundred thirty dollars per annum. The salaries of said deputies shall be paid by the county in equal monthly installments at the same time, in the same manner and out of the same fund as the salaries of the county officers are paid. The recorder may also appoint such number of copyists as may be required, who shall be paid by the county at the rate of four cents per folio. The compensation of such copyists shall be paid monthly upon claims duly presented to and allowed by the board of supervisors as other claims are presented and allowed; provided, also that in counties of this class there shall be and is hereby allowed the recorder such additional assistants and deputies as the recorder may require to properly and efficiently care for the work of the office, and whose compensation in the aggregate shall not exceed two thousand seven hundred dollars in any one year. All fees and commissions received by this office shall be turned over to the county and become the property of the county, except that the recorder shall be and is hereby allowed for his services such compensation as is allowed by section 3079 of the Political Code.

4. Auditor. The auditor, three thousand four hundred dollars per annum; in counties of this class there shall be and there is hereby allowed to the county auditor the following deputies, whose offices are hereby created and who shall be appointed by the auditor and receive the following salaries: one chief deputy, two thousand two hundred ninety-five dollars per annum; three deputies, one thousand five hundred thirty dollars each per annum; one deputy, one thousand three hundred fifty dollars per annum; one deputy assistant penalty segregation clerk, one thousand five hundred thirty dollars per annum; and such other assistants as the auditor may require; provided, that the compensation of such assistants shall not in the aggregate exceed the sum of five thousand two hundred fifty dollars in any one year; and provided further, that the auditor shall file with the county clerk a certified statement

showing in detail the amounts and the persons to whom said compensation is paid. The salaries of said deputies and assistants herein provided for shall be paid by the said county in monthly installments at the same time, in the same manner and out of the same fund as the salary of the auditor is paid.

5. Treasurer. The treasurer, three thousand sixty dollars per annum. In counties of this class there shall be and there is hereby allowed to the treasurer two deputies, which offices are hereby created, who shall be appointed by the treasurer and receive the following salaries: one chief deputy, two thousand one hundred sixty-eight dollars per annum; one deputy, one thousand seven hundred eighty-five dollars per annum; and also such assistants as the treasurer may require; provided, that the compensation of such assistants shall not in the aggregate exceed the sum of one thousand three hundred fifty dollars in any one year; and provided, further, that the treasurer shall file with the county auditor a verified statement showing in detail the amounts and the persons to whom said compensation is paid The salaries of such deputies and assistants herein provided for shall be paid by the said county in monthly installments at the same time, in the same manner and out of the same fund as the salary of the treasurer is paid. All fees received by this office shall be turned over to the county and become the property of the county, except that the treasurer shall have, and is hereby allowed for his services the fees, commissions and compensation allowed to him by the Inheritance Tax Act of California.

6. Tax Collector. The tax collector, three thousand four hundred dollars per annum. In counties of this class there shall be and there is hereby allowed to the tax collector the following deputies whose offices are hereby created and who shall be appointed by the tax collector: one chief deputy at a salary of two thousand one hundred sixty-seven dollars and fifty cents per annum; one deputy at a salary of one thousand six hundred thirty-two dollars per annum, one deputy at a salary of one thousand four hundred fifty-eight dollars per annum; one deputy at a salary of one thousand three hundred fifty dollars per annum; and such assistants as the tax collector may require; provided, that the compensation of such assistants shall not in the aggregate exceed the sum of eighteen thousand dollars in any one year, and provided, further, that the tax collector shall file with the county auditor a verified statement showing in detail the amounts and the persons to whom said compensation is paid The salaries of said deputies and assistants herein provided for shall be paid by the said county in monthly installments at the same time and in the same manner and out of the same funds as the salary of the tax collector is paid. The provisions of this paragraph relating to deputies and assistants shall apply to the incumbents.

7. Assessor. The assessor, three thousand eight hundred twenty-five dollars per annum. In counties of this class, there shall be allowed to the assessor, the following deputies, whose offices are hereby created and who shall be appointed by the assessor; one deputy who shall be chief deputy at a salary of two thousand four hundred dollars per annum; two office deputies at a salary of one thousand seven hundred eighty-five dollars each per annum; and such office and field deputies as the assessor may require and whose compensation in the aggregate shall not exceed thirty thousand dollars per annum; and provided that the assessor shall file with the county auditor a verified statement showing in detail the amounts and the persons to whom such compensation is paid The assessor shall also be allowed his necessary traveling expenses, not exceeding in any one year the sum of three hundred dollars. The salaries of such deputies shall be paid by the county in monthly installments at the same time, in the same manner and out of the same funds as county officers are paid. All fees and commissions, including commissions on poll taxes, collected by this office shall be turned over to the county and become the property of the county. The provisions of this paragraph relating to deputies shall apply to incumbents

8. District Attorney. The district attorney, three thousand eight hundred twenty-five dollars per annum. In counties of this class there shall be and there is hereby allowed to the district attorney, one chief deputy to be known as assistant district attorney, and four deputies, all to be appointed by the district attorney, all of whom shall be regularly admitted to practice before the courts of the State of California, and said assistant shall receive a salary of two thousand eight hundred eighty dollars per annum; one deputy to receive a salary of two thousand eight hundred eighty dollars per annum; one deputy to receive a salary of two thousand seven hundred dollars per annum, one deputy to receive a salary of two thousand four hundred dollars per annum; and one deputy to receive a salary of two thousand forty dollars per annum, which said salaries shall be paid by the county in equal monthly installments at the same time, in the same manner and out of the same funds as the salary of the said district attorney is paid There shall be and there is hereby allowed to the district attorney one secretary at a salary of one thousand seven hundred eighty-five dollars per annum, one stenographer at a salary of one thousand three hundred fifty dollars per annum; and one clerk to act as stenographer and telephone operator at a salary of one thousand one hundred forty dollars per annum; all to be appointed by the district attorney; and a detective to be known as county investigator, to be appointed by the district attorney, who shall receive a salary of two thousand forty dollars per annum All of said salaries

shall be paid in equal monthly installments at the same time in the same manner and out of the said fund as the salary of the district attorney is paid

provided, further, that in counties of this class, the district attorney, in addition to the salary herein fixed, shall be allowed his traveling and other personal expenses incurred in criminal cases arising in the county, and in civil actions and proceedings in which the county is interested, and all other expenses necessarily incurred by him in the investigation and detection of crime, the prosecution of criminal and civil actions and proceedings, and all other matters in which the county is interested, all of which said charges and expenses so incurred by him shall be a legal charge against the county. The provisions of this paragraph relating to deputies and assistants shall apply to incumbents

9. Coroner. The coroner shall be entitled to such fees as are now or may hereafter be allowed by law

10. Public Administrator. The public administrator shall be entitled to such fees as are now or may hereafter be allowed by law

11 Superintendent of Schools. The superintendent of schools, three thousand two hundred thirty dollars per annum, and his actual traveling expenses when visiting the schools of the county. In counties of this class there is hereby allowed to the superintendent of schools the following deputies: one office deputy at a salary of one thousand six hundred fifty-seven dollars and fifty cents per annum; one office deputy at a salary of one thousand four hundred eighty-five dollars per annum; which officers are hereby created and who shall be appointed by the said superintendent of schools. The salaries of the said deputies herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same funds as the salary of the superintendent of schools is paid. All fees pertaining to this office shall be paid to the county. The provisions of this paragraph relating to deputies shall apply to incumbents

12. Surveyor. The surveyor shall receive as compensation ten dollars per day for each day actually employed by the county

13. Justices. Justices of the peace shall receive the following monthly salaries to be paid each month in the same manner and out of the same fund as county officers are paid, which shall be in full for all services rendered by them as such officers

(1) In townships having a population of thirty thousand or over, one hundred fifty-seven dollars and fifty cents per month

(2) In townships having a population of more than twenty thousand and not exceeding thirty thousand, one hundred thirty-five dollars per month

(3) In townships having a population of more than fifteen thousand and not exceeding twenty thousand, one hundred eighteen dollars and seventy-five cents per month.

(4) In townships having a population of more than twelve thousand and not exceeding fifteen thousand, one hundred eighteen dollars and seventy-five cents per month

(5) In townships having a population of more than nine thousand and not exceeding twelve thousand, ninety-five dollars per month.

(6) In townships having a population of more than six thousand and not exceeding nine thousand, seventy-five dollars per month

(7) In townships having a population of more than three thousand and not exceeding six thousand, fifty dollars per month

(8) In townships having a population of less than three thousand, twenty-five dollars per month.

13¾ Justice Clerks. In townships having a population of thirty thousand or more, there is hereby created an office to be known as clerk of the justice court, which office shall consist of one clerk and one deputy clerk, both to be appointed by the justice of the peace to hold office during the pleasure of said justice of the peace, who shall receive the following salaries: the clerk of the justice court one hundred twenty-seven dollars and fifty cents per month; the deputy clerk one hundred twelve dollars and fifty cents; said salaries to be paid monthly as the salaries of other county officers are paid. Each of said clerks shall give a bond in the sum of three thousand dollars to be approved by a judge of the superior court of the county in which said township is situated, conditioned upon the faithful discharge of the duties of the office. The clerk of the justice's court shall keep a record of the proceedings of the said court and shall have custody of all records and papers in said justice court, shall be authorized in all actions to issue, sign, certify and file all pleadings, summons, writs, writs of attachment, writs of execution, notices, subpenas, abstracts, certificates, transcripts, records, papers and proceedings, which are required to be issued, signed, certified or filed by the justice of the peace of said township; enter default judgments; enter satisfaction of judgment, shall have authority to administer and certify oaths and take and certify affidavits in any action, suit or proceeding in said justice court, shall prepare bonds and justify bail

when the amount has been fixed by the court; and all such instruments shall be issued and signed in substantially the following form:

_____
Justice of the peace.

Attest:

_____
Clerk of justice court.

By_____
Deputy.

and said clerk shall collect and receive all civil fees, all fines and forfeitures in criminal cases and pay the same to the authorities regularly entitled to receive them at the time and in the manner provided by law.

14. Constables. Constables shall receive the following monthly salaries; to be paid each month in the same manner, out of the same fund as other officers are paid, which salaries shall be in full for all services rendered by them in criminal cases:

(1) In townships having a population of thirty thousand or over, one hundred fifty-seven dollars and fifty cents per month;

(2) In townships having a population of more than twenty thousand and not exceeding thirty thousand, one hundred thirty-five dollars per month;

(3) In townships having a population of more than fifteen thousand and not exceeding twenty thousand, one hundred eighteen dollars and seventy-five cents per month;

(4) In townships having a population of more than twelve thousand and not exceeding fifteen thousand, ninety-five dollars per month;

(5) In townships having a population of more than six thousand and not exceeding twelve thousand, seventy-five dollars per month;

(6) In townships having a population of more than three thousand and not exceeding six thousand, fifty dollars per month;

(7) In townships having a population of less than three thousand twenty-five dollars per month; provided, further, that each constable shall receive his actual and necessary expenses incurred in conveying prisoners to the court, or to the county jail. In addition to the compensation received in criminal cases, each constable shall receive and retain for his own use, such fees as are now or may hereafter be allowed by law for all services performed by him in civil actions, provided, in counties of this class in townships having a population of thirty thousand or more, there shall be one deputy constable, who shall act as office deputy for the constables office, said deputy constable to be appointed by the constables of said townships, subject to the confirmation of such appointment by the board of supervisors, said deputy constable to receive ninety-five dollars per month, the said salary to be paid monthly as salaries of other officers are paid.

15. Supervisors. Each supervisor shall receive two thousand five hundred fifty dollars per annum, payable in monthly installments, and the necessary and actual expenses incurred by him while engaged in county business outside of his own district, not exceeding in the aggregate the sum of two hundred dollars per annum.

16. Live Stock Inspector. A live stock inspector to be appointed by the board of supervisors and who shall receive for his services one thousand six hundred twenty dollars per annum; which shall be in full payment for all expenses incurred and services rendered by said inspector.

17. Population of Townships. For the purposes of subdivisions 13 and 14 of this section, the population of the several judicial townships shall be determined by the United States census taken in 1930; provided, that the board of supervisors of said county may each four years thereafter cause a census of any or all townships in the county to be taken for the purpose of determining the population of said township or townships upon which to base the salaries of justices of the peace and constables.

18. Jurors. In counties of this class grand and trial jurors, in superior courts shall receive for each day's attendance, per day, the sum of three dollars. In justice courts in civil cases, jurors shall receive for each day's attendance, per day, the sum of two dollars. In justice courts and city courts in criminal cases jurors shall receive for each day's attendance, per day, the sum of one dollar and fifty cents and all jurors shall receive for each mile actually and necessarily traveled from their residence to the place of service, in going only, the sum of ten cents per mile, such mileage to be allowed but once during the trial of any single cause and in any event not more than once in any one day, during any session of the court where such jurors serve; provided, however, that the fees of all trial jurors in civil cases shall be paid by the litigants as other costs are paid, and jurors in criminal cases in city court shall be paid by the municipality in which such court is or may be established.

19. Court Interpreter. In counties of this class, the board of supervisors may appoint a court interpreter which office is hereby created. Said interpreter shall receive a salary of one hundred fifty dollars per month in full compensation for all services rendered by him, and shall pay all fees received by him into the county treasury.

20. Constitutionality. If any paragraph, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this section. The Legislature hereby declares that it

would have passed each section and each paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one or more paragraphs, sentences, clauses or phrases is declared unconstitutional."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 1597—An act to amend the Public Utilities Act by adding a new section thereto to be numbered 61½, relating to the duties of the official reporter appointed by the Railroad Commission, and fixing the amount of fees or charges for furnishing transcripts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 704—An act to amend section 71 of the Public Utilities Act, relating to reparation to be made for excessive or unreasonable charges by a public utility.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No 1327—An act to amend section 2 of an act entitled "An act providing for the establishment and maintenance of a State nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along the highways and in public places, and making an appropriation therefor," approved May 15, 1917, relating to the sale of nursery stock.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 2316—An act to provide for a convention in the State of California to pass on the amendment to the Constitution of the United States for the repeal of the Eighteenth Amendment thereof and for the prohibition of the transportation and importation of intoxicating liquor into the States and Territories in violation of the laws thereof, proposed by the Congress for ratification by conventions in the several States, and to call a special election for the purpose of filling the offices of delegates to such convention in this State

FLOOR AMENDMENT

During second reading of the bill, the following amendment was submitted by Mr. Latham:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of section 4 and substitute in lieu thereof the following:

"Sec. 4 The number of delegates to be chosen to such convention shall be eighty and each candidate for the office of delegate to the convention shall be voted on in the respective assembly districts and elected therefrom."

Amendment read.

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs. Latham, Wright and Jones, the Speaker ordered a roll call taken on the motion to amend Assembly Bill No. 2316.

The roll was called, and the amendment to Assembly Bill No. 2316 was refused adoption by the following vote:

AYES—Alter, Bowers, Brock, Chatters, Craig, Evans, Field, Greene, Hatch, Latham, Martin, Miller, Eleanor; Phillips, Riley, Robinson, Samuel E., Stream, Utt, Wright and Zion—19.

NOES—Anglim, Badham, Bliss, Boyle, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson and Mr. Speaker—58.

Bill read, ordered to engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No 271—An act to amend section 903 of the Penal Code, relating to grand jurors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 271 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—73.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 402—An act to amend section 670 of the Code of Civil Procedure, relating to the judgment roll.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 402 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—69

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1148—An act to add a new section to the Civil Code to be numbered 3342, relating to liability of public officers, agents, and employees, under unconstitutional statutes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1148 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Dempster, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts,

Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1218—An act to amend section 111 of the Penal Code, relating to a payment by the State of costs of certain criminal trials.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1218 passed by the following vote:

AYES—Anglim, Badham, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—65.

NOES—Alter, Bliss, Brock, Martin, Phillips, Riley and Zion—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1324—An act to amend section 664 of the Code of Civil Procedure, relating to the time within which judgment upon a verdict shall be entered.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1324 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At ten o'clock and thirty-seven minutes a.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

Assembly Bill No. 1377—An act to amend section 15 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1377 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field,

Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Zion—76.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2232—An act to add a new section to be numbered 4a to the General Cemetery Act, relating to amendment of articles of cemetery corporation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2232 passed by the following vote·

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan Nielsen, O'Connor Patterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Zion—64

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 258—An act to amend "The California Districts Securities Commission Act" approved June 19, 1931, by repealing section 11 thereof and adding a new section 11 thereto, providing that certain defaulting irrigation districts shall be subject to said section and shall be under the control of The California Districts Securities Commission to the extent and for the time set forth; providing for the levy, and the manner of levy, of the annual assessment of such defaulting districts in an amount it will be reasonably possible for the lands to pay without exceeding a delinquency of 15 per cent and for the allocation of the proceeds of said annual assessment; superseding the California Irrigation District Act and particularly section 39 thereof and any other law in conflict therewith to the extent set forth; limiting the operation of said section 11 until November 1, 1937, only, unless sooner repealed; and making same an emergency measure enacted under the police power.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 258 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Grubbs, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E, Rogers,

Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine and Wright—62.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 609—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 609 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Phillips, Powers, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine and Wright—63.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 612—An act confirming and validating the formation, organization and existence of reclamation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 612 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, Patterson, Powers, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine and Wright—59.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 617—An act confirming and validating the formation, organization and existence of irrigation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 617 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Phillips, Powers, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E.,

Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—63.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and fifteen minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 1063—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, by amending section 27b, relating to the deposit in banks of moneys of irrigation districts organized or existing under said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1063 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Craig, Cronin, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine and Zion—64.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1210—An act to add section 113 to the California Irrigation District Act, relating to actions and proceedings against an irrigation district or the board of directors thereof, brought by the holders of bonds of the district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1210 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Cottrell, Craig, Cronin, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Ross, Scudder, Stream, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—62.
NOES—Boyle and Stannard—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1912—An act to amend sections 13 and 19 of "The California Irrigation District Act," relating to officers of irrigation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1912 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Cronin, Evans, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1971—An act to provide for the classification of irrigation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1971 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 172—An act to add a new section to be numbered section 25 to the act known as the "Act Concerning Cosmetology," approved May 31, 1927, as amended, relating to actions arising out of the practice of cosmetology or any branch thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 172 refused passage by the following vote:

AYES—Bowers, Callahan, Dempster, Grubbs, Hoffman and Latham—6.

NOES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Evans, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—60

NOTICE OF RECONSIDERATION.

Mr. Woolwine gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 172 was this day refused passage.

Assembly Bill No. 139—An act to amend section 3716 of the Political Code, relating to the operation of taxes as a judgment or lien against property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 139 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1799—An act to amend section 1446 of the Penal Code, relating to the payment of fines.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1799 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—68.

NOES—Dempster, Frazier and Hunt—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1800—An act to amend section 1205 of the Penal Code, relating to the payment of fines.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1800 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Evans, Field, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—64.

NOES—Dempster, Frazier and Hunt—3.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Powers:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 11a to an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May

18, 1917, relating to the operation of the business of industrial loan companies, and providing that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1933.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide means for the immediate relief and public employment for the unemployed and indigent citizens and residents of California.

Also:

An act to add section 11a to an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and relating to the operation of the business of industrial loan companies, and providing that this act shall take effect immediately.

HALLNER, Chairman.

Mr. Hallner moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Alter, Anglin, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—65.

NOES—None

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Dempster (by request): Assembly Bill No. 2320—An act to provide means for the immediate relief and public employment for the unemployed and indigent citizens and residents of California.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Powers: Assembly Bill No. 2321—An act to add section 11a to an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Banking

MOTION.

On motion of Mr. Powers, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 2321.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2317—An act to amend section 3669 of the Political Code, relating to taxation for State purposes and declaring that this act shall take effect immediately—and reports that the same has been correctly enrolled and presented the same to the Governor on this fourth day of March, 1933, at eleven o'clock and forty-five minutes a.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 437—An act to provide for the taxation of Massachusetts or business trusts;

Also Assembly Bill No 755—An act to add a new section, to be numbered 905a, to Chapter IX of Title XI of Part II of the Code of Civil Procedure, relating to the determination of third party claims;

Also, Assembly Bill No. 908—An act to declare a moratorium on foreclosure of mortgages and collection of interest thereon for a period of two years by directing courts of record to continue actions for foreclosure of mortgages until September 15, 1935, with certain exceptions, declaring all transfers of the title to or any interest in real property for the purpose of securing the payment of any obligation to be mortgages, suspending all acts and parts of acts in conflict with this act, and declaring the urgency hereof,

And reports that the same have been correctly engrossed

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

REFERENCE OF BILL.

The Speaker ordered Assembly Bill No. 2319 referred to Committee on Banking.

MOTION.

Mr. McMurray moved that the Chief Clerk of the Assembly be instructed to send the following telegram to His Excellency Franklin D. Roosevelt, President of the United States:

ASSEMBLY CHAMBER,
SACRAMENTO, CALIFORNIA, March 4, 1933.

President Franklin D. Roosevelt.

We, the members of the Assembly of the Legislature of the State of California, on this day of your inauguration do extend to you our heartiest congratulations and best wishes for a successful term of office during your incumbency as President of the United States of America We trust in God, under your able leadership, that it will be only a short time before the economic conditions of the country will be readjusted and we will again enjoy the pursuit of happiness as provided in the Constitution of these United States We offer you our fullest support in all necessary measures to give relief and stability to the people of the United States

(Signed) ASSEMBLY OF THE STATE OF CALIFORNIA

Motion unanimously adopted.

RECESS.

At twelve o'clock and forty minutes p.m., on motion of Mr. C. Ray Robinson, the Assembly was declared at recess until three o'clock p.m. of this day.

REASSEMBLED.

At three o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 29—An act to add section 698.5 to the Fish and Game Code, relating to the protection of fish;

Also: Assembly Bill No 31—An act to provide for restoration of recorded maps which are injured, destroyed, or are lost or stolen;

Also: Assembly Bill No 310—An act to establish a Fish and Game Code, therein revising and consolidating the law relating to fish and game and other wild life, and repealing certain provisions of law therein specified,

Also: Assembly Bill No 434—An act to amend sections 1, 2, 3, 4, 23, and 26 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," and to add thereto a new section to be numbered 4a, relating to taxes upon banks and corporations and providing that this act shall take effect immediately;

Also: Assembly Bill No. 435—An act to amend sections 8, 14 and 19 of Chapter XIII, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 436—An act to amend sections 5, 6, 12, 13, 20, 21, 25, 27, 29, 30, 31 and 33 of Chapter XIII, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 453—An act to amend sections 901 and 910, and to repeal sections 902 and 904 of the Probate Code, relating to compensation of executors, administrators, and attorneys;

Also: Assembly Bill No. 608—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 610—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Assembly Bill No. 704—An act to amend section 71 of the Public Utilities Act, relating to reparation to be made for excessive or unreasonable charges by a public utility;

Also: Assembly Bill No. 1166—An act to amend section 13 of that certain act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended

Also: Assembly Bill No 1327—An act to amend section 2 of an act entitled "An act providing for the establishment and maintenance of a State Nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along the highways and in public places, and making an appropriation therefor," approved May 15, 1917, relating to the sale of nursery stock;

Also: Assembly Bill No 1597—An act to amend the Public Utilities Act by adding a new section thereto to be numbered 61¼, relating to the duties of the official reporter appointed by the Railroad Commission, and fixing the amount of fees or charges for furnishing transcripts;

Also: Assembly Bill No 2316—An act to provide for a convention in the State of California to pass on the amendment to the Constitution of the United States for the repeal of the Eighteenth Amendment thereof and for the prohibition of the transportation and importation of intoxicating liquor into the States and Territories in violation of the laws thereof, proposed by the Congress for ratification by conventions in the several States, and to call a special election for the purpose of filling the offices of delegates to such convention in this State,

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, MARCH 4, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1167—An act to amend section 10 of the Political Code, relating to holidays, to take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. West asked for, and was granted, unanimous consent to take up Senate Bill No. 1167, at this time, without reference to committee or file.

CONSIDERATION OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED SIXTY-SEVEN.

CASE OF URGENCY.

The following resolution was offered:

By Mr. West.

Resolved, That Senate Bill No. 1167 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Cottrell, Craig, Cronin, Crowley, Evans, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Wright and Mr Speaker—62.

NOES—Cassidy—1.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1167.

SECOND READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED SIXTY-SEVEN.

Senate Bill No. 1167—An act to amend section 10 of the Political Code, relating to holidays, to take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Fisher, Fraziei, Gilmore, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Utt, West, Wright, Zion and Mr. Speaker—64.

NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED SIXTY-SEVEN.

Senate Bill No. 1167—An act to amend section 10 of the Political Code, relating to holidays; to take effect immediately.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1167 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stream, Thorp, Tournoux, Utt, West, Wright, Zion and Mr. Speaker—54.

NOES—Boyle, Burns, Cassidy, Crowley, Dempster, Frazier, Hornblower, Hunt, Jones, King, McBride, McCarthy, Meehan, O'Connor, O'Donnell, Patterson, Powers, Rogers, Stannard and Turner—20.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 4, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 243—An act to amend the title and section 1 of Chapter 379, Statutes of 1913, entitled "An act to provide for the instruction of blind students in certain State institutions," approved June 13, 1913, relating to the instruction of blind persons;

Also: Senate Bill No. 286—An act to amend sections 2.780, 2.871 and 2 872 of the School Code, relating to the term of office of members of governing boards of elementary school districts;

Also: Senate Bill No. 341—An act to repeal section 4.121 of the School Code, relating to the audit by the State Board of Control of expenditures from the vocational rehabilitation fund;

Also: Senate Bill No. 759—An act to provide for the adoption and use of a uniform fire alarm code signal in all public, private or parochial schools;

Also: Senate Bill No. 146—An act to repeal sections 2.1223 and 6.523 of the School Code, relating to reports of books purchased by school districts.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 243 and 341 read first time, and referred to Committee on Ways and Means.

Senate Bills Nos. 286, 759 and 146 read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 235—An act to repeal sections numbered 1.60 to 1.66, both numbers inclusive, of the School Code, and Chapter 267 of the Statutes of 1919 entitled "An act to provide for the registration of minors," all relating to the registration of minors;

Also: Senate Bill No. 236—An act to amend sections 5.720 and 5.790 of the School Code, relating to leaves of absence of employees of school districts;

Also: Senate Bill No. 237—An act to amend section 4 380 of the School Code, relating to school district fund statements;

Also: Senate Bill No. 238—An act to amend section 4.894 of the School Code, relating to the apportionment of the State high school fund to high school districts;

Also: Senate Bill No. 239—An act to repeal sections 3.321, 3 322, 3.323, 3 324, 3.339 and 4 223 of the School Code, to add thereto new sections to be numbered 4.891-1 and 4.891-2 and to amend sections 4.896 and 4.898 thereof, all relating to county high school funds;

Also: Senate Bill No. 240—An act to amend sections 4 347, 4.349, and 4.350 of the School Code, relating to requisitions on school district funds;

Also: Senate Bill No. 241—An act to repeal sections 5.361 and 5 635 of the School Code and to amend section 5 362 thereof, all relating to the disposition of fees received by county superintendents of schools for the issuance of kindergarten, elementary, high school and junior college certificates.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 235, 236, 237, 239 and 240 read first time, and referred to Committee on Education.

Senate Bills Nos. 238 and 241 read first time, and referred to Committee on Ways and Means.

MOTION.

Mr. Zion moved that Mr. Kallam be excused for the balance of this legislative day, he having this day been taken to the Sutter Hospital.

Motion carried.

Whereupon the Speaker declared Mr. Kallam excused for the balance of this legislative day.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1933.

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 556—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following, to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes, to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending section numbered 1.02 thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ROBERTS, Chairman.

The above reported bill ordered referred to Committee on Rules.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Messrs. Grubbs, McCarthy, Stannard, Sullivan and Tournoux: Assembly Joint Resolution No. 21—Relative to memorializing Congress to provide that the Federal government take over, manage and control banks and banking institutions throughout the Nation.

Introduced, and referred to Committee on Banking.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Grubbs:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act prohibiting the bringing of any action or proceeding for the recovery or collection of any public or private debt and the issuance of writs of execution and other writs to enforce the payment of such debts while any bank has suspended payment to depositors and creditors or limited the same.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1933

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act prohibiting the bringing of any action or proceeding for the recovery or collection of any public or private debt and the issuance of writs of execution and

other writes to enforce the payment of such debts while any bank has suspended payment to depositors and creditors or limited the same.

HALLNER, Chairman.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Grubbs: Assembly Bill No. 2322—An act prohibiting the bringing of any action or proceeding for the recovery or collection of any public or private debt and the issuance of writs of execution and other writs to enforce the payment of such debts while any bank has suspended payment to depositors and creditors or limited the same.

Bill read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1933.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 15—Relative to memorializing and petitioning Congress to adopt a National system of insurance to protect bank depositors in the National Banks of the United States—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

PETERSON, Chairman.

The above reported Assembly Joint Resolution No. 15 ordered to engrossment, and on file for adoption.

ON BANKING

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1933.

MR. SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No. 2319—An act to add section 135b to the "Bank Act" defining and regulating the business of banking—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMSON, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Williamson asked for unanimous consent to take up Assembly Bill No. 2319, at this time, without reference to file.

OBJECTION RAISED.

Mr. O'Connor objected to granting unanimous consent to Mr. Williamson for the purpose of considering Assembly Bill No. 2319, at this time.

WITHDRAWAL OF OBJECTION.

Mr. O'Connor withdrew his objection, and Mr. Williamson was granted unanimous consent to take up Assembly Bill No. 2319, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED NINETEEN.

Assembly Bill No. 2319—An act to add section 135b to the "Bank Act," defining and regulating the business of banking.

COMMITTEE AMENDMENTS.

During reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out lines 6 to 23, inclusive, and insert in lieu thereof the following: "of the banks under his supervision or that such action is in the public interest, order simultaneously all such banks forthwith to uniformly

limit the payment in lawful money of the liabilities of all such banks to depositors and other creditors. Such uniform order shall immediately become effective and shall be binding upon any such bank upon receipt by such bank of notice thereof and shall continue in full force and effect until rescinded or modified by the Superintendent of Banks in writing, but in no event to exceed a period of sixty days; provided, that such limitation may be extended for further successive periods not to exceed sixty days each upon the order of the Superintendent of Banks."

AMENDMENT NUMBER TWO.

On page 1, line 26, of the printed bill, strike out "suspension or".

AMENDMENT NUMBER THREE.

On page 2, line 3, of the printed bill, strike out "suspension or".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 13 to 25, inclusive, and insert in lieu thereof the following: "Provided however that nothing herein shall restrict or prevent the free deposit and withdrawal of trust funds or deposits secured in accordance with law".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out the first five words in line 28 including the following: "either by the bank or".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, insert between lines 37 and 38 the following paragraph:

"During such period of limitation no bank shall pay any dividend to its stockholders or members except with the written approval of the Superintendent of Banks".

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, strike out all of line 3, and insert in lieu thereof the following: "the Constitution, necessary for the immediate preservation of the public".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment and third reading.

ADJOURNMENT.

At four o'clock and fifty minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, March 6, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, March 6, 1933.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Knowland, its further reading was dispensed with.

HON. EDGAR C. LEVEY IN THE CHAIR.

At eleven o'clock and five minutes a.m., Hon. Edgar C. Levey, member of the Assembly from the Twenty-eighth District, in the chair.

LEAVE OF ABSENCE.

On motion of Mr. Patterson, Mr. Kallam was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Cassidy, Captain N. Armstrong of San Leandro was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Messrs. Hornblower and Wright, Dr. H. Briggs of San Francisco was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgan, Hon. Roy Bishop, former member of the Legislature from Alameda, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Phillips, Lester Bamberger of Riverside was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Southern California Bakers Bureau of Los Angeles, opposing all measures which would increase taxes.

Also:

By Mr. Speaker:

From Watts Chamber of Commerce of Los Angeles, opposing increase of taxes.

(Signed) MRS. A. D. LEFAVOR, Secretary.

Also:

By Mr. Speaker:

From Old Glory Post No. 2044, Veterans of Foreign Wars, opposing raising age limit from 70 to 75 years for State aid for aged.

(Signed) LEROY W. JOHNSTON, Commander.

Also:

By Mr. Speaker:

From Polytechnic Evening High School Alumni Association of Los Angeles, protesting passage of Assembly Bills Nos. 33, 490 and 1588, and Senate Bills Nos. 123, 434, 447, 937 and 124; condemning as harmful and injurious, legislation affecting the future of adult education.

(Signed) OSCAR C. BOWMAN,
EDWIN H. WALLACE,
HYMAN BRADOFSKY,
Legislative Committee.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 970—An act to add a new article to Chapter 3, Part 3, Division IV, to be numbered Article 6, embracing sections 1350, 1351, 1352 and 1353 of the Fish and Game Code, and to amend section 1410 thereof, relating to amphibia, and to renumber present Articles 6 and 7 of Chapter 3, Part 3, Division IV.

Also: Assembly Bill No. 1895—An act to amend sections 4, 5 and 10 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1933

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 556—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending section numbered 1.02 thereof—has had the same under consideration, and respectfully reports the same back, and recommends that same be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered to reprint.

ON OIL INDUSTRIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1933.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 545—An act to amend section 3 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of lubricating oil—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BADHAM, Chairman

The above reported bill ordered to Committee on Rules.

REQUEST TO PRINT IN JOURNAL.

Mr. Clowdsley asked for, and was granted, the privilege of having the following resolution printed in the Journal:

RESOLUTION.

WHEREAS, There has been introduced in the California Legislature an act to prohibit the sale of striped bass and which would have the effect of making it illegal to take striped bass from our streams for commercial purposes; and

WHEREAS, This proposed act was sponsored by the sincere sportsmen of California, realizing the possible extermination of the striped bass, and who sincerely believe that such legislation is necessary to preserve this fish for sport fishing purposes only; and

WHEREAS, This proposed legislation is being vigorously opposed by commercial fishing interests; and

WHEREAS, The following facts justify the position of the sport fishermen in demanding legislation to prevent the taking of striped bass for commercial purposes, to wit:

First—That the annual commercial catch of striped bass over the last five-year period was 650,000 pounds per year, valued at $130,000 per year;

Second—There are approximately 100,000 licensed anglers in the striped bass fish area in central California, of which 60,000 are striped bass fishermen and who have invested in fishing equipment, such as rods, reels, lines, lures, tackle, boats, motors, etc., used exclusively for bass fishing, a total of $3,000,000;

Third—These 60,000 fishermen have an additional investment of $1,200,000 in motor boats, arks, trailers, etc., used exclusively for bass fishing, making a total investment of $4,200,000;

Fourth—The annual expenditure of these striped bass fishermen for gasoline, oil ferry fares, railroad fares, boat rental, restaurant, hotel, bait, etc., amounts to $1,800,000;

Fifth—These fishermen expend an additional $840,000 per year for upkeep on their fishing equipment or a total annual expenditure of $2,640,000 in addition to the investment of $4,200,000;

Sixth—These 60,000 striped bass fishermen pay annually for license fees $120,000, have $4,200,000 invested in equipment, and spend $2,640,000 in pursuing them;

Seventh—Capitalized at the rate of 6 per cent on the investment the striped bass fishing, from the sportsman's angle, represents a $50,000,000 industry;

Eighth—The annual catch of striped bass is 650,000 pounds as compared to 2,500,000 pounds of shad, 1,600,000 pounds of salmon, to say nothing of the many other varieties of commercial fish taken, which proves that the striped bass catch, from the commercial standpoint, is insignificant;

Ninth—Elaborating on the foregoing facts is attached a portion of an address by A. M. Robertson, secretary-manager of the Stockton Chamber of Commerce, before the Pacific Rod and Reel Club, held in Stockton on the evening of February 9th; now, therefore, be it

Resolved, By the Pacific Rod and Reel Club, in regular meeting assembled, this ninth day of February, 1933, that it strongly favors the enactment of such legislation as will definitely and permanently remove the taking of striped bass for commercial purposes; and be it further

Resolved, That copies of this resolution be forwarded to Senator B. S Crittenden and Assemblyman F. C. Clowdsley for presentation to the Senate and Assembly respectively; and be it further

Resolved, That this action on the part of the Pacific Rod and Reel Club be given wide publicity.

PACIFIC ROD AND REEL CLUB OF CALIFORNIA, AT STOCKTON.

D. D. DAVENPORT, President.
ROBERT H. ALLEN, Secretary

A great deal of help has been given to the movement to take striped bass off the market, by the Stockton Chamber of Commerce, due to the fact that through their publishing a pamphlet having to do with the fishing, hunting and boating in the delta section, they having sent out nearly 150,000 copies and with the record that not one single copy was sent out without being asked for. They have also consistently published articles in magazines and papers on the subject. While I do not want to give the Chamber of Commerce entire credit for the tremendous increase in striped bass fishing in the area around Stockton, I do feel that it is entitled to some credit which has been reflected in a material business way among the sporting goods houses and bait stores. In this area the sale of sardines for bait in 1929 was about 200 pounds per week and increased in 1931 to approximately 5000 pounds per week. As a question as to what way this will assist the commercial fishermen

a report from one sardine fishing concern shows that $175,000 was realized from the sale of sardines for bait as against $50,000 for other purposes. In this case alone the striped bass fishermen produced three times the business for the commercial interests as all the rest combined. It can be supposed that the same holds true of the sardine industry throughout

Perhaps a little history and some statistics comparing the value of striped bass from a commercial standpoint with that of the sportsmen will be of interest and throw some light on the situation and possibilities that may accrue if the striped bass is conserved for sport fishermen. In 1879, 107 striped bass were transplanted from the Navesink River in New Jersey to the Carquinez Straits. In 1882, 300 were transferred from the Shrewsbury River to Suisun Bay. This was all of the original fish that were planted and were brought from a section where the fishing for striped bass was a major sport. The increase of this fine fish plainly shows that conditions were favorable and that if properly handled it was destined to become one of central California's leading sport fishes. However, difficulties arose and commercial fishing began to take its toll due to the fact that no provision had been made to restrict the netting of the fish that had been planted by and with the money furnished the commission through the license tax.

The commercial figures are available from 1908, for at about this time the peak was reached. This year (1908) there was taken by the net men 1,776,000 pounds and in 1909 1,784,448 pounds After this the catch diminished until 1918, when 1,407,841 pounds were taken Then the real decline began, due to the immense amount of fish previously taken and to the fact that the numbers of sport anglers had increased to a marked degree In 1929 the commercial catch was only 528,226 pounds, or less than one-half of what it was ten years ago This shows without a doubt that striped bass was on the decrease. Now as to the yearly value of the commercial catch, which averaged about 650,000 pounds per year If this catch averaged 20 cents a pound retail it would amount to $130,000 a year Yearly fluctuations in the commercial catch might well be governed by the amount of commercial fishing done and the persistency with which the fish has been pursued. The increase in the commercial catch of bass during the year 1930 over the catch of several years previous is undoubtedly due to the greater amount of fishing by the net men for striped bass on account of the very poor run of salmon in the river sections. Records show that the average catch per commercial fishing boat per fishing day is 67 pounds of striped bass. The prevailing price paid to the fishermen at Pittsburg during the last season has been 6 and 8 cents a pound. Giving them a benefit of 10 cents a pound gives a total of $6.70 for the day's work. One-third of this amount is charged to overhead for the operation of the boat. The balance is divided between the two fishermen, giving them $2.25 each as a day's wages. In the striped bass fishing area in central California there are about 100,000 licensed anglers. It is conservatively figured that about 60 per cent of these are striped bass fishermen and this estimate is low when it is considered that the striped bass is the only game fish in this area in large numbers. A careful check of the investment of these anglers in fishing equipment indicates that they have an average of $50 each invested in rods, reels, lines, lures, tackle-boxes, boats, motors, etc., used exclusively for bass fishing, or a total investment of $3,000,000 It is estimated that these anglers have an additional average of $20 each invested in motor boats, arks, trailers, etc., used exclusively for fishing, or a total of $1,200,000, making a total investment of $4,200,000. Many of these anglers go often during the year, others occasionally. But the average annual expenditure for fishing trips, going for such items as gasoline, oil, ferry fares, railroad fares, boat rental, restaurant, hotel, bait, etc., will amount to $30 each, or a total of $1,800,000. In addition the annual renewal of equipment figuring on the basis of 20 per cent and depreciation brings an annual expenditure of $840,000 or a total of $2,640,000 in addition to the $4,200,000

The average commercial catch for the last five years has been about 650,000 pounds, selling for an average of 20 cents per pound, or $130,000 annually. In other words, the yearly expenditure of the anglers is 20 times more than the total income from the commercial sources, which shows that the striped bass is far more valuable to the State of California and to the community from the sport angling standpoint. The 60,000 striped bass anglers pay to the Fish and Game Commission $120,000 a year for the bare privilege of fishing for striped bass This license or privilege fee almost equals the entire income from all of the sources connected with the commercial striped bass fishing.

The yearly expenditure of these anglers amounts to 20 times the total income from the commercial fishery from the monetary standpoint alone, without considering the recreation and outdoor sport this fishing offers to the angler. And without taking into account the publicity advantages and possible drawing power of fishing of this kind if properly protected.

The yearly commercial catch, averaging 650,000 pounds of striped bass, gives one-ninth of a pound to each of the 5,677,251 people in California. The retail price realized from the 650,000 pounds of striped bass yearly caught commercially is less than $130,000. The 60,000 striped bass anglers pay yearly for license $120,000. They have $4,200,000 invested in equipment and spend $2,640,000 in pursuing these fish.

Why should we permit a natural resource to be put to one use, when we can put it to another use 50 times as valuable?

What is the purpose of the conservation of our natural resources unless it is to promote the happiness and prosperity of our people and the greatest good to the greatest number? Are not the 60,000 entitled to a greater consideration than the 500?

Commercial interests now contribute only one-sixth of the total revenue of the Fish and Game Commission. Hunters and anglers five-sixths. The revenue from the commercial fishermen and hunters is decreasing—that from the anglers is increasing. What with the steady depletion of fish and game and all of it, except striped bass, being held incommunicado by trespass law, the time is coming when the chief revenue of the Fish and Game Commission will be from licenses from those who fish for striped bass and other fish found in navigable waters.

Whether the striped bass is increasing, decreasing or holding its own, may be a controversial subject, but there is no answer to the fact that the number of striped bass anglers is increasing enormously and that where years ago there was one fish to every angler, there is now one fish to every ten anglers.

The only waters on the North American continent where striped bass are found in appreciable quantities are on Atlantic coast near New Jersey and on the Pacific coast in the waters of the San Joaquin Delta, San Joaquin and Sacramento rivers, and Suisun Bay. By far the best fishing is found in the waters adjacent to Stockton.

In years past, I can vividly recall the great abundance of game and fish that used to abound especially in the area around Stockton. It was no difficult task in those days, or up until a few years ago, to get a limit of quail, doves, rabbits, geese, ducks, or bass during season, but as time went on and hunting increased, the supply diminished, largely, I believe, through the activities of the commercial fisherman and the commercial hunter. History has shown that whenever a natural resource becomes of overwhelming importance from the sport standpoint, it must be utilized for that purpose. History also shows that any species of fish or game which is subjected to commercial exploitation eventually faces depletion. Consequently we have long ago stopped the sale of ducks, deer, trout, black bass, quail and other valuable forms of wild life, and the time has arrived when this must be done so far as striped bass are concerned.

What a howl went up from the commercial interests when that legislation was passed! Such a howl is now going up from the commercial fishermen who are opposing the removal of striped bass from the markets, but if we are to protect this fine game fish for our sportsmen and for posterity, which in dollars and cents means tremendously more to our community, the sooner proper legislation is passed prohibiting the marketing of striped bass, the sooner we can capitalize on this wonderful asset for the sporting fraternity. Since striped bass angling actually yields $3,000,000 in revenue to the State, this revenue can be figured as the return, at the rate of 6 per cent, on the "investment" represented by the resource as a whole. We therefore have a resource in the striped bass in our waters worth $50,000,000 to the people of California. Certainly such an important resource is worthy of careful handling and wise use and should command the attention of every thinking citizen of the State.

One argument which has been urged with force against this protective legislation is that 300 commercial fishermen will be deprived of a livelihood. As a matter of actual fact, the only commercial interests affected are those in the up-river district around Pittsburg, Antioch and Rio Vista. Striped bass are not an important part of their commercial catch, as evidenced by the fact that records show their average catch over a period of several years has been some 2,500,000 pounds of shad a year and some 1,600,000 pounds of salmon a year, to say nothing of the many other varieties of commercial fish taken by them. So the revenue from striped bass represents only a very small item.

Another argument advanced by the commercial interests is that it is impossible to fish for salmon or shad without catching some bass. The answer to that comes from men who formerly were commercial fishermen. They state that the salmon and shad are top runners in the main current of the stream only, while the bass, when they do get into the main current, are bottom runners. They, however, keep mostly to the flats. If the commercial men raise their nets off the bottom and fish in the main stream where the salmon and shad are, the number of striped bass taken will be negligible. This argument was finally agreed to as being right by the commercial fishermen who attended the meeting of the investigating committee of the State Legislature.

In addition, these commercial men can make more money by placing their boats and knowledge at the disposal of the anglers, than is now made from the commercial striped bass activities, and once the sale of striped bass is prohibited, those who are progressive will find it possible to actually increase their income. There are 80 other varieties of fish and shellfish taken in California waters and utilized for food, so the loss of striped bass will not be felt.

We therefore urge upon all persons who are interested in the welfare of the State, its business interests, and the 60,000 striped bass anglers who rely upon this

fish for their sport, to indorse the passage of Assembly Bill No. 250 by Cronin and Fisher, so that this situation can be brought under satisfactory control and striped bass angling perpetuated both for the enjoyment and healthful recreation derived by the anglers and for the revenue it produces.

MOTION TO RE-REFER.

Mr. Martin moved that Assembly Bill No. 239 be withdrawn from Committee on Judiciary, and ordered re-referred to Committee on Unemployment.

The question being on re-referring Assembly Bill No. 239 to Committee on Unemployment.

Motion carried.

Assembly Bill No. 239 ordered re-referred to Committee on Unemployment.

UNFINISHED BUSINESS.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Woolwine moved that the vote whereby Assembly Bill No. 172 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Woolwine, Wright and Zion—62.

NOES—Cronin, Crowley, Feigenbaum, Hunt and Meehan—5.

MOTION TO RE-REFER.

Mr. Woolwine moved that Assembly Bill No. 172 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 172 to Committee on Judiciary.

Motion carried.

Assembly Bill No. 172 ordered re-referred to Committee on Judiciary.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 556—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and

his assistants and employees, to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending section numbered 1.02 thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Amend the title of the printed bill to read as follows:

"An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following, to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising, to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees, to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations, and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto, Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 6.02 and 6.03 relating to withdrawals, 6.06 relating to payments entitled to preference, 6.07 relating to minimum amount of withdrawals and acceptance of investment certificates or shares in payment for loans or property, 8.07 relating to attachments, injunctions or executions, 9.01 relating to investments and loans, 9.03 relating to acquisition, disposition and encumbrance of property, repealing section 5.01 of said act relating to cash fund for investment certificates; adding a new section numbered 8.09 to said act regulating dividends and interest, and declaring the urgency of this act and providing that it shall take effect immediately.

The people of the State of California do enact as follows:"

AMENDMENT NUMBER TWO.

All of said printed bill, except the title and enacting clause, is hereby amended to read as follows:

"SECTION 1. Section 5.04 of an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees, to define, authorize and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes, to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, is hereby repealed

SEC 2. Section 6.02 of said act is hereby amended to read as follows for the period commencing with the effective date of this act and ending September 1, 1935:

Sec. 6.02. Limitation on withdrawals. The term "matured withdrawal claims," as used in this article, shall include each and all of the following, to wit, (1) the value of all shares or investment certificates or parts thereof, in respect of which valid notices of intention to withdraw shall be on file, matured and unpaid, including notices of intention to withdraw by defaulting shareholders pursuant to section 3.05 of this act, as well as notices of withdrawal generally pursuant to section 6.01 of this act; (2) the value of all shares which shall have matured pursuant to section 3.03 of this act and which shall be unpaid; (3) the value of all investment certificates in respect of which the holders, pursuant to section 5.07 of this act but subject to section 6.02 of this act, shall be entitled to receive the redemption price, but which shall be unpaid, and (4) the value of all definite term investment certificates which shall have reached the expressed date of their maturity but which shall be unpaid.

Regardless of whether or not an association is on notice or on a pro rata basis, its obligation to pay matured withdrawal claims, and the right of shareholders and certificate holders to receive payment of matured withdrawal claims, shall be secondary and subsequent to the right of such association to pay, and to provide reasonable reserves for the payment of, the following: taxes, assessments, insurance, repairs, alterations and other sums necessary to protect and preserve or to furnish or equip its properties and its interest in properties (including those on the security of which it holds loans); principal and interest on borrowings by such association, otherwise than through the issuance of investment certificates; interest on investment certificates and dividends on shares; rent, compensation of officers, agents, salesmen and other employees, and other usual and ordinary operating expenses of such association; and commitments on its incomplete loans or investments; provided, however, that an association on notice or on a pro rata basis shall not pay any dividends on its stock or distribute any profits to its stockholders or make any loans or investments, except loans or investments pursuant to its obligations incurred before it became an association on notice, and except loans expressly permitted by section 9.01 of this act; provided further, that an association on notice and not on a pro rata basis may with the prior consent of the commissioner, and an association not on notice and not on a pro rata basis may without the necessity of obtaining the consent of the commissioner, in lieu of paying matured withdrawal claims, make or purchase loans or investments not exceeding the principal amount of moneys borrowed by such association from a Federal home loan bank, or other similar Federal agency, and not theretofore repaid; and provided further, that an association which is either on notice or on a pro rata basis may with the prior consent of the commissioner, and an association which is neither on notice nor on a pro rata basis may without the necessity of obtaining the consent of the commissioner, in lieu of paying matured withdrawal claims, invest in stock issued by any Federal home loan bank or other Federal agency of which such association may be eligible to be a member. Moreover, regardless of whether or not an association is on notice or on a pro rata basis, its obligation to pay matured withdrawal claims, and the right of shareholders and certificate holders to receive payment of matured withdrawal claims, shall be limited to payments from its cash on hand or in bank, proceeds from sale of investments and loans and other cash receipts of such association; and shall be further limited to payments pursuant to the subsequent provisions of this section. The cash, proceeds and other receipts aforesaid which shall remain after deducting therefrom all payments, reserves, loans and investments above mentioned in this paragraph, are hereafter in this section 6.02 called the "available funds."

The term "free money," as hereafter used in this section 6.02, is hereby defined as that part of the available funds which may be used at the option of the association to pay any or all withdrawals without requiring notice of intention to withdraw or before the maturity of a notice of intention to withdraw and regardless of the nonpayment of any or all matured withdrawal claims, or to pay any or all definite term investment certificates before the expressed date of maturity subject to such adjustment of interest, if any, as may be provided in such certificates, or for the purpose of making loans or investments, or for any other purpose not prohibited by law.

If the association is neither on notice nor on a pro rata basis, and if there are no matured withdrawal claims (excepting claims for the payment of which funds have been set aside by the association) then all of the available funds shall be free money.

If there are matured withdrawal claims (for the payment of any of which funds have not been set aside by the association), then not to exceed twenty-five per cent of the available funds shall be free money (but in such case no part of such free money shall be used to pay dividends on stock or be distributed as profits to stockholders), and all the remainder shall be applied to the payment of withdrawals. The commissioner is hereby authorized, in the case of any or all associations, to reduce the amount of such free money from twenty-five per cent of the available funds to such smaller per cent of the available funds as he may from time to time prescribe, and in such case all the remainder shall be applied to the payment of

withdrawals. Whether or not the commissioner shall have reduced such amount of free money such remainder of the available funds shall be applied (regardless of whether or not the association is on notice or on a pro rata basis) at such times as the commissioner shall prescribe to the payment of matured withdrawal claims as follows:

First: To all matured withdrawal claims in respect of investment certificates until all sums payable thereon are paid and, as between several holders thereof, pro rata according to the unpaid principal thereof at the time of each such payment.

Second: To all matured withdrawal claims in respect of shares until all sums payable thereon are paid and, as between the several holders thereof, pro rata according to the unpaid value thereof at the time of each such payment

Notwithstanding anything to the contrary in this act, however, any association (whether or not it is on notice or on a pro rata basis) may at its option pay in each month, with or without requiring notice of intention to withdraw, and regardless of the nonpayment of any or all matured withdrawal claims, to any one or more of its shareholders or certificate holders, not to exceed whichever of the two following amounts shall be the greater (1) twenty-five dollars per person, or (2) one per cent of the value of such person's shares or investment certificates; and withdrawals may be made at any time from pledged shares and investment certificates, whether or not the association is on notice or on a pro rata basis, and without notice, provided the full amounts of such withdrawals shall be used to pay the indebtedness for which such shares or investment certificates are pledged, or any part thereof; and provided further that in the case of loans upon the mutual plan, such withdrawals without notice shall be permitted only at the option of the association unless the entire indebtedness shall be simultaneously paid.

If in any accounting period an association has not used as free money the full amounts which such association is permitted by this section 6.02 to use for such purposes, then (unless the commissioner shall otherwise order in the case of such association) the amounts not so used shall be available to the association in any subsequent period for such purpose until such amounts shall have been so used, in addition to the amounts which would otherwise be available for such purpose in such subsequent period

No association shall make any contract waiving in any manner any of the provisions of this section and, if any such contract shall be so made, such contract shall be void.

The provisions of this act shall govern the withdrawal and other rights of the holders of all shares and investment certificates whether heretofore or hereafter issued, and whether or not withdrawal claims shall have heretofore been filed or shall have heretofore matured.

SEC. 3. Section 6.03 of said act is hereby amended to read as follows:

Sec 6.03. Withdrawals without notice or before maturity. No association shall agree in advance to pay withdrawals without requiring notice of intention to withdraw or before the maturity of a notice of intention to withdraw. Except as otherwise provided in this act in respect of shares and investment certificates pledged to the association issuing the same and except as otherwise so provided in respect of free money or payments in each month not to exceed the amount per person permitted by section 6.02 of this act to any one or more shareholders or certificate holders, no association having matured withdrawal claims (for the payment of any of which funds have not been set aside by the association) shall pay any withdrawals except upon matured notice of intention to withdraw, nor allow the withdrawal of any definite term investment certificate before the expressed date of its maturity; provided, however, that an association on a pro rata basis shall pay withdrawals of definite term investment certificates after the maturity of notices of intention to withdraw subject to the same conditions as investment certificates of other classes Any agreement contrary to the provisions of this section shall be void.

SEC. 4. Section 6.06 of said act is hereby amended to read as follows:

Sec 6.06. Payments entitled to preference. In the event of the liquidation or dissolution of any association, then notwithstanding anything to the contrary in section 13.16 of this act or elsewhere in this act, all sums heretofore or hereafter paid into such association on investment certificates or shares while such association shall have been on a pro rata basis and all sums which shall hereafter be paid in to such association on investment certificates or shares prior to September 1, 1935, shall be repaid in full before any payments shall be made to other certificate holders or other creditors or other shareholders, or to stockholders, unless after the receipt of such money and prior to the liquidation or dissolution of such association, there shall have been a period of six consecutive months within which such association shall have had no matured withdrawal claims (except claims for the payment of which funds shall have been set aside by the association). An association which has issued and outstanding both shares and investment certificates shall not accept any money on account of free shares if such money might be entitled to a preference under the provisions of this section 6.06. No association shall accept any money on account of investment certificates or shares, except investment

certificates and shares pledged to such association in connection with loans secured by real property, if such money might be entitled to preference pursuant to this section 6.06, if the commissioner in writing shall have directed the association not to accept such money.

SEC. 5. Section 6.07 of said act is hereby amended to read as follows:

Sec. 6.07. Acceptance of investment certificates or shares in payment for loans or property. Any association may at its option, with the prior approval of the commissioner, but no association shall be obligated to, accept its own outstanding investment certificates, and any association not issuing investment certificates may at its option, with the prior approval of the commissioner, but no association shall be obligated to, accept its own outstanding shares, in partial or full payment for property sold by such association or in partial or full payment of loans. The provisions of this section shall apply to any association, regardless of whether or not it is on notice or on a pro rata basis, and regardless of the nonpayment of any or all matured withdrawal claims.

SEC 6. Section 8.07 of said act is hereby amended to read as follows:

Sec. 8.07. Attachment. In the case of any attachment levied upon any shares or investment certificates of any association or upon any debts owing by any association, the copy of writ and notice must be left, if such association maintains branches, with the manager or any other officer of such association at the office or branch thereof at which such shares or investment certificates were issued or such debt incurred if such office or branch is still being maintained, and otherwise at the principal office of such association; and no attachment not served as aforesaid shall be effective as to any share or investment certificate issued by any such association or as to any debt owing by any such association if such share or certificate was issued or such debt incurred at an office or branch thereof not so served. No attachment, injunction or execution shall be issued against any association or its property in any suit, action or proceeding arising out of the claim of any shareholder or certificate holder to withdraw before final judgment that such shareholder or certificate holder is presently entitled to payment of such withdrawal

SEC 7. A new section, numbered 8.09, is hereby added to said act to read as follows:

Sec. 8.09. Regulation of interest and dividends. In the case of interest or dividends which shall accrue, during the period this section 8.09 shall be in effect, upon investment certificates or shares, whether heretofore or hereafter issued, the rate of such interest or dividends shall not exceed four per cent per year. The commissioner is hereby authorized, however, in the case of any or all associations, to decrease such rate or to postpone the time for the payment of such interest or dividends, or any part thereof, or to decrease such rate and to postpone such time of payment, if he shall determine that such decrease or postponement, or decrease and postponement, is reasonably necessary for the protection of the investment in such association of its certificate holders or shareholders No association shall pay dividends on its stock during the period this section 8.09 shall be in effect except with the prior consent of the commissioner, and no association shall pay dividends on its stock during any period when the dividend or interest rate of such association on its shares or investment certificates shall be less than four per cent per year. This section shall continue in effect until September 1, 1935, and shall thereupon cease to be effective. Any agreement contrary to the provisions of this section shall be void.

SEC 8 Section 9.01 of said act is hereby amended to read as follows:

Sec. 9.01. Investments and loans limited by act No association shall hereafter make or purchase any investments or loans except investments or loans authorized or permitted by this act. Nothing contained in this act shall require any association to sell, transfer or dispose of any investment or loan heretofore made or purchased by such association. Notwithstanding anything to the contrary in this act, any association, without limitation or restriction, may renew, extend the time of payment of, or rewrite any loan heretofore made, and may make additional advances or loans for the purpose of preserving the security of any loan or of protecting the property securing any loan and may make any such renewal, extension, advance, or loan, as aforesaid, to the borrower or any successor in interest in the property securing the loan, and may make loans on property sold by an association or extend credit thereon for the purpose of facilitating the sale of such property.

SEC. 9. Section 9.03 of said act is hereby amended to read as follows:

Sec. 9.03. Acquisition, disposition and encumbrance of property Any association may purchase at any sale, public or private, any real or personal property upon which it may have a mortgage, judgment, trust deed, pledge, lien or other encumbrance, or in which it may have an interest, and may acquire any real or personal property which may be conveyed or transferred to it in full or partial satisfaction, discharge or release of loans for which such property is security. Any association may sell, convey, lease, exchange, improve, repair, mortgage, convey in trust, pledge or encumber any real or personal property purchased or acquired by it in the manner authorized or permitted by this section; provided, however, that except with the

consent of the commissioner, no association shall mortgage, convey in trust, pledge, or encumber any property owned by it and used primarily as the principal office or branch of such association; and provided further that, except with the consent of the commissioner, no association shall (a) exchange any real property owned by it for any property other than investments expressly permitted by section 9.02 of this act, or real property, nor (b) mortgage, convey in trust or encumber any real property owned by it nor (c) assume the payment of any mortgage or deed of trust upon any real property received by it in any such exchange.

SEC. 10. If any section, subsection, paragraph, sentence, clause, phrase or other part of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, paragraph, sentence, clause, phrase or other part thereof irrespective of the fact that any one or more of the sections, subsections, paragraphs, sentences, clauses, phrases or other parts thereof be declared unconstitutional.

SEC. 11. The Legislature hereby declares that this act is enacted in the exercise of the police powers of this State in view of the existing emergency.

SEC. 12. This act is hereby declared to be an urgency measure necessary for *the immediate preservation of the public peace, health and safety, within the mean*ing of section 1 of Article IV of the Constitution of the State of California, and as such it shall take effect immediately. The following is a statement of the facts constituting such necessity: There exist throughout the United States economic conditions which have engendered financial disturbances requiring the immediate enactment of legislation which shall be immediately effective protecting investors in building and loan associations subject to the laws of this State. It is essential to the preservation of the public peace, health and safety that building and loan associations in this State be permitted to pay withdrawals proportionately, after payment of small sums which will alleviate distress; that they be no longer required to maintain cash funds or liquid funds; that new moneys hereafter invested in such associations shall receive preference upon liquidation or dissolution; that restrictions on minimum amount of withdrawals be eliminated and that associations be permitted to accept investment certificates or shares in payment for loans or property; that associations be protected against premature or unjustified attachments, injunctions and executions; that dividends and interest be regulated in order that the capital investment of certificate holders and shareholders shall not be impaired and that the solvency of such associations may be maintained; and that necessary changes be made as to investments and loans and as to acquisition, disposition and encumbrance of property. Unless such associations are immediately regulated by the provisions of this act great distress will be suffered by several hundred thousand investors in such associations. It is essential to the immediate preservation of the public peace, health and safety that each and all of the sections, subsections, paragraphs, sentences, clauses, phrases or other portions of this act be enacted and be immediately effective."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2319—An act to add section 135b to the "Bank Act," defining and regulating the business of banking.

Bill read second time, ordered to engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 310—An act to establish a Fish and Game Code, therein revising and consolidating the law relating to fish and game and other wild life, and repealing certain provisions of law therein specified.

Bill read.

MOTION TO RE-REFER.

Mr. Scudder moved that Assembly Bill No. 310 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 310 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 310 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 15—An act to add a new section to the Fish and Game Code, to be numbered 791.5, relating to crabs.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 15 was withdrawn from the file and referred to Committee on Rules.

Assembly Bill No. 437—An act to provide for the taxation of Massachusetts or business trusts

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 437 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and thirty minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 908—An act to declare a moratorium on foreclosure of mortgages and collection of interest thereon for a period of two years by directing courts of record to continue actions for foreclosure of mortgages until September 15, 1935, with certain exceptions, declaring all transfers of title to or any interest in real property for the purpose of securing the payment of any obligation to be mortgages, suspending all acts and parts of acts in conflict with this act, and declaring the urgency hereof.

Bill read.

MOTION TO RE-REFER.

Mr. Rawls moved that Assembly Bill No 908 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 908 to Committee on Judiciary.

Motion carried.

Assembly Bill No. 908 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 608—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 608 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No 453—An act to amend sections 901 and 910, and to repeal sections 902 and 904 of the Probate Code, relating to compensation of executors, administrators, and attorneys.

Bill read.

MOTION TO RE-REFER.

Mr. Sullivan moved that Assembly Bill No. 453 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 453 to Committee on Judiciary.

Motion carried.

Assembly Bill No. 453 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 31—An act to provide for restoration of recorded subdivision maps which are injured or destroyed by conflagration or other public calamity, or are lost or stolen.

Bill read.

MOTION TO RE-REFER.

Mr. West moved that Assembly Bill No. 31 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 31 to Committee on Judiciary.

Motion carried.

Assembly Bill No. 31 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1166—An act to amend section ------ of that certain act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.

Bill read.

MOTION TO RE-REFER.

Mr. Morgan moved that Assembly Bill No. 1166 be withdrawn from the file, and ordered re-referred to Committee on Medical and Dental Laws.

The question being on re-referring Assembly Bill No. 1166 to Committee on Medical and Dental Laws.

Motion carried.

Assembly Bill No. 1166 ordered re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 610—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 610 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1327—An act to amend section 2 of an act entitled "An act providing for the establishment and maintenance of a State Nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along the highways and in public places, and making an appropriation therefor," approved May 15, 1917, relating to the sale of nursery stock.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1327 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—Cottrell, Crist, Gilmore, Nielsen, O'Donnell, Robinson, Samuel E. and Stream—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2316—An act to provide for a convention in the State of California to pass on the amendment to the Constitution of the United States for the repeal of the Eighteenth Amendment thereof and for the prohibition of the transportation and importation of intoxicating liquor into the States and Territories in violation of the laws thereof, proposed by the Congress for ratification by conventions in the several States, and to call a special election for the purpose of filling the offices of delegates to such convention in this State.

Bill read third time.

The question being on the passage of the bill.

MOTION TO AMEND.

Mr. Latham moved to amend Assembly Bill No. 2316 at this time.

POINT OF ORDER.

Mr. Maloney arose to the following point of order, stating that in order to amend a bill, the member doing so must present three copies of said amendments in order to have the same considered.

RULING BY SPEAKER.

The Speaker ruled the point of order raised by Mr. Maloney well taken.

POINT OF ORDER.

Mr. Hornblower arose to the following point of order, stating that there were no amendments to Assembly Bill No. 2316 at the desk at this time, therefore the Assembly should continue consideration of Assembly Bill No. 2316.

RULING BY SPEAKER.

The Speaker ruled the point of order raised by Mr. Hornblower well taken.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2316 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—66.

NOES—Alter, Brock, Chatters, Craig, Evans, Hatch, Latham, Martin, Miller, Eleanor; Phillips, Utt and Wright—12.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGE

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 6, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 276—An act to add a new section to the School Code, to be numbered 3.10-1, relating to the education of Indian children;

Also, Senate Bill No. 1118—An act to add a new section to the School Code, to be numbered 5.94, relating to summer session conducted by State teachers colleges

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

Senate Bill No. 276 read first time, and referred to Committee on Education.

Senate Bill No. 1118 read first time, and referred to Committee on Ways and Means.

MOTION.

Mr. Robinson, C. Ray, moved that the Chief Clerk be instructed to have 500 additional copies of Assembly Bill No. 2319 printed.

Motion carried.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced:

By Messrs. Maloney, Levey, Cronin, Gilmore, Feigenbaum, Miller, James A., Williamson, McMurray and Hornblower: Assembly Concurrent Resolution No. 35—Relative to the death of the Honorable Frederick C. Hawes.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 35, at this time, without reference to committee, file or printer, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER THIRTY-FIVE.

Assembly Concurrent Resolution No. 35—Relative to the death of the Honorable Frederick C. Hawes.

Resolution read, and on motion unanimously adopted.

Assembly Concurrent Resolution No. 35 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 35.

Relative to the death of Honorable Frederick C. Hawes.

WHEREAS, Divine Providence has seen fit to remove from this earthly sphere of activity the Honorable Frederick C. Hawes; and

WHEREAS, The Honorable Frederick C. Hawes was a member of this Assembly, being elected in 1917 and having served his district and State continuously in the Assembly until 1931; and

WHEREAS, During his long and active service in this body he endeared himself to the hearts of the members by his sterling character and qualities; and

WHEREAS, The members of this Legislature have learned with profound regret and the deepest sorrow of the passing of their esteemed colleague Honorable Frederick C. Hawes; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That when the Legislature adjourn this day it do so out of respect to the memory of the late Frederick C. Hawes; and be it further

Resolved, That the Chief Clerk be and he is hereby instructed to have prepared a suitable memorial resolution properly engrossed and mailed to the family of the deceased.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Cassidy:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to prohibit the issuance of any media to exchange for circulation as money unless with and upon the approval of a duly constituted State or National authority, and to declare the urgency hereof.

Referred to Committee on Introduction of Bills.

MOTION.

Mr. Clowdsley moved that the Chief Clerk be instructed to send telegrams of condolence to the family of Hon. Anton J. Cermak and the acting mayor of Chicago expressing the regrets of the members of the Assembly of the State of California on the death of Anton J. Cermak, mayor of Chicago.

Motion unanimously adopted.

ADJOURNMENT.

At twelve o'clock and thirty minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, March 7, 1933, out of respect to the memory of Hon. Frederick C. Hawes, former member of the Legislature.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, March 7, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tourneux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Phillips, Mr. Sullivan was granted leave of absence for the day.

On motion of Mr. Peterson, Mr. Kallam was granted leave of absence for the day.

On motion of Mr. Maloney, Mr. Ross was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Nielsen, Miss Cox, principal, and Miss Morrison, of Edward Kelly School, Bradshaw Station, Sacramento County, and the pupils of the seventh and eighth grades were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Burns, Ed Haehl, C. E. Gordon and Charles Perkins, supervisors from Mendocino County, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Maloney, Mrs. Mollie Callanan, Mrs. Sheila Coen, Mrs. George Reilly and former Senator F. C. Treacy of San Francisco were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Robinson, C. Ray, Stephen P. Galvin of Merced was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stream, Leroy Richards, supervisor of San Diego County, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cassidy, Mr. William McKinnon and Mr. Michael Mulqueeny of Livermore were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Meeker, Hon. C. Todd Clark, former member of the Legislature, and now Fresno County supervisor, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Merriam M. Mulligan, Los Angeles, opposed to taxation on chain stores

Also:

By Mr. Speaker:

From George F. Mitchell, Sacramento, requesting open hearings on all unemployment bills.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1933.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 2239—An act to amend section 11 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the filing of prescriptions by pharmacists—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CRONIN, Chairman

The above reported bill ordered on file for second reading.

ON EXHIBITIONS AND FAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred Assembly Bill No. 118—An act to repeal section 4056b of the Political Code, relating to the creation of a fund for making exhibitions of products and the assistance of local fair associations—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on County Government.

THORP, Chairman.

Mr McCarthy moved the adoption of the report.

The question being on the adoption of the report.

OBJECTION RAISED.

Mr. Cassidy objected to having Assembly Bill No. 118 withdrawn from Committee on Exhibitions and Fairs and re-referred to Committee on County Government, stating the bill should remain in the Committee on Exhibitions and Fairs.

The question being on the adoption of the report.

Report of committee adopted.

Assembly Bill No. 118 ordered re-referred to Committee on County Government.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 545—An act to amend section 3 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of lubricating oil—has had the same under consideration, and respectfully reports the same back, and recommends that it be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered to reprint.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 15—Relative to memorializing and petitioning Congress to adopt a national system of insurance to protect bank depositors in the national banks of the United States—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Joint Resolution No. 15 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 42—An act to amend section 16x9 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the ninth class;

Also: Assembly Bill No. 43—An act to amend section 19x9 of the Juvenile Court Law, relating to probation officers in counties of the ninth class;

Also: Assembly Bill No. 44—An act to add a new section to be numbered 9a9, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems, approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the ninth class;

Also: Assembly Bill No. 45—An act to amend section 2322x9 of the Political Code, relating to the office of agricultural commissioner in counties of the ninth class;

Also: Assembly Bill No. 2319—An act to add section 135b to the "Bank Act," defining and regulating the business of banking;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1272—An act relating to the marking of State highways for the purpose of indicating route numbers and making readily available information of a cautionary, regulatory or directional nature pertaining to the use of such highways, and defining the powers and duties of the State Department of Public Works and the Division of Highways in relation thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1933.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to prohibit the issuance of any media of exchange for circulation as money unless with and upon the approval of a duly constituted State or national authority, and to declare the urgency hereof.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Powers, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—None.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1933.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 30—An act relating to grants of lands granted to cities and towns under the provisions of an act of Congress entitled "An act for the relief of the inhabitants of cities and towns upon the public lands," approved March 2, 1867, and procedure in relation to such land—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 140—An act to repeal sections 9a, 9b, 9c and 9d of the California Real Estate Act, relating to real estate brokers' bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 31—An act to provide for restoration of recorded maps, which are injured, destroyed, or are lost or stolen;

Also: Assembly Bill No. 233—An act to amend section 1201 of the Probate Code, relating to notice of petition for leave to sell or give option on mines and mining claims;

Also: Assembly Bill No. 382—An act to amend sections 581 and 629 of the Code of Civil Procedure, relating to civil actions;

Also: Assembly Bill No. 858—An act to amend sections 11, 12 and 13 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to reciprocity, service of notice and process, and penalties;

Also: Assembly Bill No. 859—An act to amend section 1b of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to fees;

Also: Assembly Bill No. 1263—An act to repeal section 842 of the Code of Civil Procedure, relating to practice of law in justice's courts;

Also: Assembly Bill No. 1838—An act to add a new section to the Political Code to be numbered 528a, relating to the printing of new or revised codes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman.

The above reported bills ordered on file for second reading.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 6, 1933.

To the Honorable Members of the Assembly of the California State Legislature.

I have just received from the Honorable Ray Lyman Wilbur in his letter to me dated February 28, 1933, a copy of a report from two members of the Naval Oil

Reserve Commission under date of February 27, 1933, concerning California Senate Joint Resolution No. 4, passed January 20, 1933.

I am attaching hereto for your information a copy of the above-mentioned report.

With my compliments and best wishes,

Very sincerely yours,

JAMES ROLPH, JR., Governor of California.

(COPY)

WASHINGTON, D. C., February 27, 1933.

Hon. Ray Lyman Wilbur, Secretary of the Interior.

DEAR MR. SECRETARY: In response to your letter of February 16 requesting the views of the Naval Oil Reserve Commission on Senate Joint Resolution No. 4 of the State of California dated January 20, 1933, the commission, appointed in March, 1924, submitted a report and recommendation to the President under date of March 31, 1925, recommending a policy to be pursued in administration of the naval oil reserves. The policy recommended has to date been followed so far as circumstances have permitted. The following is quoted from the report:

"II. NAVAL RESERVE NUMBER TWO, BUENA VISTA HILLS, KERN COUNTY, CALIFORNIA.

"Naval Petroleum Reserve No. 2, created by executive order of December 13, 1912, comprises 30,181 acres in the Buena Vista Hills district of the Sunset-Midway oil field on the west side of San Joaquin Valley in Kern County, California. It occupies the crest and flanks of the Buena Vista Hills uplift, involving the United and Honolulu anticlines and related minor folds, extending from a point near the center of the west line of T. 31 S., R 23 E., M. D. M., southeastward to approximately the middle of the east line of T. 32 S., R. 24 E., a distance of about 13 miles. Production in this field is obtained at depths of 2500 feet or more from sands occurring in a zone 700 feet or more in thickness, in the Etchegoin formation of the Tertiary system.

"Of this reserve, 67 per cent is patented; the remaining 33 per cent of government-owned land has been leased About 15,040 acres, or 23½ sections, is proved oil land of which 78 per cent is developed and producing. The patented lands so thoroughly checkerboard the entire reserve that its value as a future reserve is practically nothing and the commission believes that this reserve is chiefly valuable as a source of oil for reserve storage in tanks and possibly for trading purposes in perfecting Naval Reserve No. 1."

At the time the report referred to was made, the probability of the existence of undeveloped, deeper oil producing zones was given no consideration. However, since then a great deal more information is available and the Temblor sands of Miocene Age have been developed and are highly productive in Kettleman Hills, Kings County, and farther south in the Belridge oil field, Kern County, not far distant from Naval Reserve No. 2. In addition, oil production has recently been obtained from the still deeper formations underlying the Temblor sands in the Belridge field The geology of the region indicates that these formations are present beneath Naval Reserve No. 2 as well as beneath Naval Reserve No. 1, and within reach of the drill with present day equipment, particularly in Naval Reserve No. 2.

The statement in the quotation above that the leased government lands in Naval Reserve No. 2 might be used for trading purposes in perfecting Naval Reserve No. 1 was based on determinable values in the developed and producing sands; but in the light of probable unknown values in deeper sands, it is apparent that trading of lands involving unknown values could not be considered either by private interests or the government. These values, necessarily preliminary to any exchange of land with the purpose of consolidating Reserve No. 1, could not be determined until both Reserve No 2 and Reserve No 1 had been thoroughly developed and tested and valuations made This would be entirely impractical and undesirable at this time or in the near future in Reserve No. 2, and would be entirely impractical and undesirable in Reserve No. 1, as it would defeat the purpose for which Reserve No. 1 is maintained. The cost of such drilling and testing, particularly in Reserve No 1, would have to be shared, too, in some proportion by the Federal government with no returns until the existence of a national emergency. Owners of patented lands which would bear a share of the cost of testing would likewise be unwilling to make this great expenditure and suspend for an indefinite period a return on the investment.

The leased lands in Reserve No 2 are held by lessees under 20-year leases, subject to preferential right of renewal for 10-year periods under reasonable conditions. Some of these leases will expire as to the 20-year period in about eight years, and it is the opinion of those in the Department of the Interior having to do with public land leases that the lessees are entitled to extension of these leases so long as they are not in default of the lease provisions. It therefore seems that Naval Reserve No. 2 has no value whatever as a naval reserve. "Oil for reserve storage in tanks" could be readily obtained from any of the public lands under lease.

Referring to the California Senate resolution, it appears that the intent of Congress contained in the Leasing Act of 1920 is being defeated by maintaining Naval

Reserve No. 2 because it can not be properly considered a reserve of oil for the Navy and has no other value to the Navy.

It is therefore the view of the undersigned members of this commission that the necessary steps be taken to restore Naval Reserve No. 2 to the public lands under the jurisdiction of the Department of the Interior. A copy of this letter is being sent to the Secretary of the Navy.

Respectfully submitted.

NAVAL OIL RESERVE COMMISSION.

(Signed) GEORGE OTIS SMITH.
R. D. BUSH.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Cassidy: Assembly Bill No. 2323—An act to prohibit the issuance of any media of exchange for circulation as money unless with and upon the approval of a duly constituted State or national authority, and to declare the urgency hereof.

Bill read first time, and referred to Committee on Banking.

By Mr. Fisher: Assembly Joint Resolution No. 22—Relative to memorializing Congress to guarantee bank deposits in banks which are approved as to financial condition.

Introduced, and referred to Committee on Banking.

MOTION TO USE ASSEMBLY CHAMBERS.

Mr. Anglim asked for, and was granted, the use of the Assembly Chambers for the purpose of considering Assembly Constitutional Amendment No. 18 and Assembly Bill No. 259, by the Committee on Constitutional Amendments, on the evening of Thursday, March 16, 1933.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 545—An act to amend section 3 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of lubricating oil.

Bill read second time.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, after the word "product", strike out the period, insert a comma, and add the following: "and unless and until there shall be firmly attached to or painted upon each pump from which gasoline is dispensed and upon each container, receptacle, and fill-pipe inlet end from which or into which gasoline or oil is drawn or poured or sold or offered for sale, in letters not less than one inch in height, so as to be plainly visible (and in case of such pump, not less than two feet above the ground), a label or sign containing the words "Refined by," "Manufactured by," or "Blended by," as the case may be, followed by the name of the person, firm or corporation who and/or which refined or manufactured the

products entering into the said gasoline or oil placed or contained in or sold or intended to be sold through such pump, container, receptacle, or storage tank."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Brock asked for, and was granted, unanimous consent to have the following amendments to Assembly Bill No. 556 adopted by the Assembly:

AMENDMENT NUMBER ONE.

On page 7, line 25, of the printed bill, after the word "commissioner", strike out the comma, and insert the following: "and subject to such rules and regulations as he may from time to time prescribe,".

AMENDMENT NUMBER TWO.

On page 7, line 29, of the printed bill, after the word "commissioner", strike out the comma, and insert the following: "and subject to such rules and regulations as he may from time to time prescribe,".

AMENDMENT NUMBER THREE.

On page 8, line 21, of the printed bill, after the word "shareholders", strike out the period, and insert the following: ", or is in the public interest."

AMENDMENT NUMBER FOUR.

On page 8, line 27, of the printed bill, after the sentence ending "year.", insert the following: "Notwithstanding anything to the contrary contained in this act or in any outstanding note, mortgage, deed of trust or other instrument, no association nor the commissioner while in possession of any association shall hereafter demand, charge or collect any interest in excess of the rate of seven and two-tenths per cent per year in respect of the interest which shall accrue, during the period this section 8.09 shall be in effect, upon any loan on real estate held or heretofore or hereafter made by any association, or held by the commissioner while in possession of any association; provided, however, that nothing herein contained shall prevent any association or the commissioner while in possession of any association from collecting interest at such maximum yearly rate monthly in advance, nor from charging or collecting usual and ordinary fees and expenses in connection with the making or renewing of any loan."

Amendments adopted.

Bill ordered to reprint, and engrossment.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 2319—An act to add section 135b to the "Bank Act," defining and regulating the business of banking.

Bill read third time.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Williamson:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 18 to 23, inclusive, and insert in lieu thereof the following: "gated and held either in cash or on deposit with a Federal Reserve bank and used solely to meet such new deposit liabilities; provided, however, that any part of such segregated deposits may be invested in securities of the United States government, and not otherwise, during the period in which the order of the Superintendent of Banks is in effect and for thirty days after the expiration thereof".

AMENDMENT NUMBER TWO.

On page 2, line 39, of the printed bill, insert after the word "secured", the following: "by deposit of securities".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 40 to 51, inclusive, and insert in lieu thereof the following: "In the event that any bank, while operating under the provisions of this section, is taken into possession by the Superintendent of Banks for the purpose of liquidation, any depositor, any of whose obligations to said bank have been pledged, hypothecated, discounted or sold during such period of limitation, shall

have a preferred claim against said bank in liquidation of the same amount as the set-off to which such depositor would have been entitled had such obligation or obligations not been so pledged, hypothecated, discounted or sold."

AMENDMENT NUMBER FOUR.

On page 3, line 7, of the printed bill, strike out the word "act", and insert in lieu thereof the word "section".

AMENDMENT NUMBER FIVE.

On page 3, line 17, of the printed bill, after the words "pro rata", insert the word "share".

MOTION.

Mr. Hornblower moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering amendments to Assembly Bill No. 2319.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Ray Williamson in the chair.

CONSIDERATION OF AMENDMENTS TO ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED NINETEEN.

Mr. Cobb moved that the committee do now rise and recommend that the amendments to Assembly Bill No. 2319 be printed.

Motion carried.

IN ASSEMBLY.

SPEAKER LITTLE IN THE CHAIR.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

GENTLEMEN: The Committee of the Whole, to which was referred amendments to Assembly Bill No. 2319, has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

WILLIAMSON, Chairman.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED NINETEEN.

Amendments read.

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1933.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 506—An act to amend section 12 of Chapter 690, Statutes of 1913, entitled the Direct Primary Law, as amended, relating to direct primary elections—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ALTER, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 226—An act to amend section 134 of the Code of Civil Procedure, relating to the time when courts shall be open—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 362—An act to amend section 1 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, relating to the scope of the act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1867—An act to repeal section 16x6 of the Weights and Measures Act and to add a new section thereto, to be numbered 16x6, relating to the sealer of weights and measures in counties of the sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1137—An act to amend section 4264 of the Political Code, relating to the compensation of county and township officers in counties of the thirty-fifth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1868—An act to amend section 19x6 of the Juvenile Court Law, relating to the probation officer in counties of the sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1870—An act to amend section 9a6 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1873—An act to amend section 2322x6 of the Political Code, relating to the office of the agricultural commissioner in counties of the sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1940—An act to amend sections 4255 and 4255a of the Political Code, relating to the salaries and fees of county officers in counties of the twenty-sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1942—An act to amend section 16x26 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the twenty-sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1941—An act to amend section 19x26 of the Juvenile Court Law, relating to the probation officer in counties of the twenty-sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1943—An act to amend section 2322x26 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1304—An act to amend section 4191, Political Code, relating to the use of the Law Library fund—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1933.

MR SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 57—An act to amend section 1315 of the Political Code, relating to electors of the President and Vice President of the United States—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ALTER, Chairman.

The above reported bill ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Knowland:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend the title and sections 1, 2, 3, 4, 6 and 7 of "An act to regulate the possession or transportation of any form of shell, cartridge or bomb containing or

capable of emitting tear gas and providing penalties for violation thereof," approved May 28, 1931, and to add sections 2a and 2b of said act, relating to the possession, transportation and sale of tear gas shells, cartridges, bombs or weapons.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend the title and sections 1, 2, 3, 4, 6 and 7 of "An act to regulate the possession or transportation of any form of shell, cartridge or bomb containing or capable of emitting tear gas and providing penalties for violation thereof," approved May 28, 1931, and to add sections 2a and 2b of said act, relating to the possession, transportation and sale of tear gas shells, cartridges, bombs or weapons.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—65.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Knowland: Assembly Bill No. 2324—An act to amend the title and sections 1, 2, 3, 4, 6 and 7 of "An act to regulate the possession or transportation of any form of shell, cartridge or bomb containing or capable of emitting tear gas and providing penalties for violation thereof," approved May 28, 1931, and to add sections 2a and 2b of said act, relating to the possession, transportation and sale of tear gas shells, cartridges, bombs or weapons.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Grubbs: Assembly Concurrent Resolution No. 36—Relative to the taxation of public utilities and the charges collected by such utilities from the consumers of their service.

Introduced, and referred to Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Feigenbaum asked for, and was granted, unanimous consent to take up Assembly Bill No. 226, at this time, without reference to file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO HUNDRED TWENTY-SIX.

Assembly Bill No. 226—An act to amend section 134 of the Code of Civil Procedure, relating to the time when courts shall be open.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Feigenbaum:

Resolved, That Assembly Bill No 226 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—70.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 226.

SECOND READING OF ASSEMBLY BILL NUMBER TWO HUNDRED TWENTY-SIX

Assembly Bill No. 226—An act to amend section 134 of the Code of Civil Procedure, relating to the time when courts shall be open.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out lines 1 and 2 of said title, and insert in lieu thereof the following:

"An act to add sections 12a and 13a to, and to amend sections 134, 135, 660 and 939 of the Code of Civil Procedure, relating to holidays, and declaring the urgency thereof, to take effect immediately."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section, numbered 12a, is hereby added to the Code of Civil Procedure, to read as follows.

12a. As to any act provided or required by law to be performed within a specified period of time, such period of time is hereby extended—

(a) To and including the next day which is not a holiday (other than a special holiday), if the last day of such period falls upon a holiday; and

(b) By such number of days as equals the number of holidays (other than special holidays) appointed by the President or by the Governor and which occur within or during such period; and

(c) In any event, as to any such period of time which commenced prior to the date this act takes effect, by not less than ten days.

The term "special holiday" is used herein in the same sense as used in section 10 of the Political Code.

SEC. 2. A new section, numbered 13a, is hereby added to the Code of Civil Procedure, to read as follows:

13a. Any act required by law to be performed on a particular day or within a specified period of time may be performed (but is not hereby required to be performed) on a special holiday as that term is used in section 10 of the Political Code, with like effect as if performed on a day which is not a holiday.

SEC. 3. Section 134 of the Code of Civil Procedure is hereby amended to read as follows:

134. No court, other than the Supreme Court and the District Courts of Appeal, must be open for the transaction of judicial business on any of the holidays, other

than special holidays, mentioned in section 10 of the Political Code, except for the following purposes:"

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 13 to 19, inclusive, and insert in lieu thereof the following:

"4. In all counties with a population of two hundred fifty thousand or over, the presiding judge of the superior court shall appoint or designate some judge or judges to be available nights and Sundays and holidays for the purpose of issuing and approving bail and original writs and signing orders on bonds and for any other legal matters concerning the fixing of bail or issuing release for a person's property and title thereto."

AMENDMENT NUMBER FOUR.

On page 1, after line 19, of the printed bill, add the following:

"SEC. 4. Section 135 of the Code of Civil Procedure is hereby amended to read as follows:

135. On all special holidays, as the term "special holidays" is used in section 10 of the Political Code, the courts of this State shall be open for the transaction of any and all judicial business. If any day mentioned in section 10 of the Political Code, other than such a special holiday, happen to be the day appointed for the holding or sitting of a court, or to which it is adjourned, it shall be deemed appointed for or adjourned to the next day.

SEC. 5. Section 660 of the Code of Civil Procedure is hereby amended to read as follows:

660. On the hearing of such motion, reference may be had in all cases to the pleadings and orders of the court on file, and when the motion is made on the minutes, reference may also be had to any depositions and documentary evidence offered at the trial and to the report of the proceedings on the trial taken by the phonographic reporter, or to any certified transcript of such report or if there be no such report or certified transcript, to such proceedings occurring at the trial as are within the recollection of the judge; when the proceedings at the trial have been phonographically reported, but the reporter's notes have not been transcribed, the reporter must upon request of the court or either party, attend the hearing of the motion and shall read his notes, or such parts thereof as the court, or either party, may require.

The hearing and disposition of the motion for a new trial shall have precedence over all other matters except criminal cases, probate matters and cases actually on trial, and it shall be the duty of the court to determine the same at the earliest possible moment.

Except as otherwise provided in section 12a of this code, the power of the court to pass on motion for a new trial shall expire sixty (60) days from and after service on the moving party of written notice of the entry of the judgment, or if such notice has not theretofore been served, then sixty (60) days after filing of the notice of intention to move for a new trial. If such motion is not determined within said period of sixty (60) days, or within said period as thus extended, the effect shall be a denial of the motion without further order of the court.

SEC. 6. Section 939 of the Code of Civil Procedure is hereby amended to read as follows:

939. An appeal may be taken from any judgment or order of a superior court from which an appeal lies under any provision of this code, or of any other code, or under any other statute, within sixty days from the entry of said judgment or order. No appeal, however, shall be dismissed on the ground that it was taken after the rendition of such judgment or order and before formal entry. If proceedings on motion for a new trial are pending, the time for appeal from the judgment shall not expire until thirty days after entry in the trial court of the order determining such motion for a new trial, or other termination in the trial court of the proceedings upon such motion. The time for appeal is also extended in the manner, for the period and under the circumstances prescribed in section 12a of this code.

SEC. 7. The provisions of section 12a, hereby added to the Code of Civil Procedure, apply also to sections 659, 659a, 946, 953a, and 974 to 982 of the Code of Civil Procedure and the periods of time severally therein prescribed or provided for, and to all other provisions of law, howsoever stated or wheresoever expressed, providing or requiring an act to be performed on a particular day or within a specified period of time. The mention of said sections herein or the specific amendment by this act of sections 660 and 939 of this code are not intended and shall not be construed to exclude the application of the provisions of said section 12a to such other provisions of law whether the latter are expressed in this or any other code or statute, ordinance, rule or regulation.

SEC. 8. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution and shall, therefore, go into immediate effect.

The facts constituting the necessity are as follows:
The necessity of declaring holidays by executive proclamation, due to economic conditions, and the possible continuance of such necessity for a greater or shorter period, require that suitable changes in the law, effected by this act, be made immediately, in order to avoid or prevent the loss or impairment of rights dependent upon the performance of acts required to be performed within a specified period of time.

Amendments adopted.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO HUNDRED TWENTY-SIX.

Assembly Bill No. 226—An act to amend section 134 of the Code of Civil Procedure, relating to the time when courts shall be open.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 226 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At twelve o'clock and twenty minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 40—An act to amend section 4238 of the Political Code, relating to compensation of county and township officers in counties of the ninth class;

Also: Assembly Bill No. 556—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 6.02 and 6.03 relating to withdrawals, 6.06 relating to payments entitled to preference, 6.07 relating to minimum amount of withdrawals and acceptance of investment certificates or shares in payment for loans or property, 8.07 relating to attachments, injunctions or executions, 9.01 relating to investments and loans, 9.03 relating to acquisition, disposition and encumbrance of property; repealing section 5.04 of said act, relating to cash fund for investment certificates; adding a new section numbered 8.09 to said act regulating dividends and interest; and declaring the urgency of this act and providing that it shall take effect immediately;
And respectfully reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No. 2136—An act to add a new section to the Bank Act, to be numbered 136½, relating to powers of trustees or receivers of closed banks—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WILLIAMSON, Chairman.

The above reported bill ordered re-referred to Committee on Rules.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 45—A resolution to propose to the people of the State of California, an amendment to section 1 of Article VII of the Constitution of said State, relating to the pardoning power;

Also: Assembly Constitutional Amendment No. 54—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 7 of Article XIII thereof, relating to the lending of the credit of the State or of any county, city and county, city, township or other political corporation or subdivision of the State;

Also: Assembly Constitutional Amendment No. 2—A resolution proposing to the people of the State of California an amendment to the Constitution of said State by adding to Article IV thereof a new section to be numbered 31c, authorizing any city of the fifth or sixth class to acquire and hold stock in mutual water corporations. Has had the same under consideration, and respectfully reports the same back, and recommends that the same be adopted.

FEIGENBAUM, Chairman.

The above reported constitutional amendments ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 18 of Article XI thereof, relating to the incurrence and retirement of bonded indebtedness by political subdivisions;

Also: Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1 of Article XVI thereof, relating to incurrence and retirement of bonded indebtedness by the State;
Has had the same under consideration, and respectfully reports the same back, and recommends that the same be adopted, as amended.

FEIGENBAUM, Chairman.

The above reported constitutional amendments ordered on file for adoption.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1869—An act to amend section 4235 of the Political Code, relating to compensation of county and township officers in counties of the sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, as amended.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 68—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending sections 6 and 6½ of Article IX, sections 14, 15 and 16, of Article XIII, by adding a new section to be numbered 20 to Article XI, and by repealing sections 12½ and 18 of Article XIII, relating to taxation and the support of the public school system—has had the same under consideration, and respectfully reports the same back, and recommends that the amendments be adopted, and be re-referred to Committee on Constitutional Amendments.

FEIGENBAUM, Chairman.

Assembly Constitutional Amendment No. 68 ordered on file for adoption.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 35—Relative to the death of the Honorable Frederick C. Hawes.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Concurrent Resolution No. 35 ordered to enrollment.

RECESS.

At two o'clock and twenty minutes p.m., on motion of Mr. Tournoux, the Assembly was declared at recess until two o'clock and forty-five minutes p.m. of this day.

REASSEMBLED.

At two o'clock and forty-five minutes p.m., the Assembly reconvened. Speaker Little in the chair.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 7, 1933.

To the Honorable Members of the Assembly of the California State Legislature.

Assembly Bill No. 556 amends the present Building and Loan Association Law in certain particulars made necessary for the immediate preservation of the public peace, health and safety.

The present situation constitutes an emergency within the meaning of section 1, Article IV of the Constitution of the State of California and I, therefore, recommend the passage of this measure.

With my compliments and best wishes,

Very sincerely yours,

JAMES ROLPH, JR., Governor of California

REQUEST FOR UNANIMOUS CONSENT.

Mr. Brock asked for, and was granted, unanimous consent to have Rule 75 suspended for the purpose of considering Assembly Bill No. 556, at this time, without reference to file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER FIVE HUNDRED FIFTY-SIX.

Assembly Bill No. 556—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 6.02 and 6.03 relating to withdrawals, 6 06 relating to payments entitled to preference, 6.07 relating to minimum amount of withdrawals and acceptance of investment certificates or shares in payment for loans or property, 8.07 relating to attachments, injunctions or executions, 9.01 relating to investments and loans, 9.03 relating to acquisition, disposition and encumbrance of property; repealing section 5.04 of said act relating to cash fund for investment certificates; adding a new section numbered 8.09 to said act regulating dividends and interest; and declaring the urgency of this act and providing that it shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hornblower, Jones,

Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—66

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER FIVE HUNDRED FIFTY-SIX.

Assembly Bill No. 556—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 6.02 and 6.03 relating to withdrawals, 6 06 relating to payments entitled to preference, 6.07 relating to minimum amount of withdrawals and acceptance of investment certificates or shares in payment for loans or property, 8 07 relating to attachments, injunctions or executions, 9 01 relating to investments and loans, 9.03 relating to acquisition, disposition and encumbrance of property; repealing section 5.04 of said act relating to cash fund for investment certificates; adding a new section numbered 8.09 to said act regulating dividends and interest; and declaring the urgency of this act and providing that it shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

MOTION.

Mr. Clowdsley moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bill No. 556.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Little in the chair.

CONSIDERATION OF ASSEMBLY BILL NUMBER FIVE HUNDRED FIFTY-SIX.

Mr. Lyon moved that the committee do now rise and recommend that Assembly Bill No 556 be re-referred to the Committee on Building and Loan Associations.

Motion carried.

IN ASSEMBLY.

SPEAKER LITTLE IN THE CHAIR.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

GENTLEMEN: The Committee of the Whole, to which was referred Assembly Bill No. 556—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 6.02 and 6.03, relating to withdrawals, 6.06, relating to payments entitled to preference, 6.07, relating to minimum amount of withdrawals and acceptance of investment certificates or shares in payment for loans or property, 8.07, relating to attachments, injunctions or executions, 9.01, relating to investments and loans, 9.03, relating to acquisition, disposition and encumbrance of property; repealing section 5.04 of said act, relating to cash fund for investment certificates; adding a new section numbered 8.09 to said act, regulating dividends and interest; and declaring the urgency of this act and providing that it shall take effect immediately—has had the same under consideration and does now report back, and recommends that it be re-referred to Committee on Building and Loan Associations.

LITTLE, Chairman.

The above reported bill ordered re-referred to Committee on Building and Loan Associations.

MOTION TO RE-REFER.

Mr. Hallner moved that Assembly Bill No. 2120 be withdrawn from Committee on Judiciary, and ordered re-referred to Committee on Hospitals and Asylums.

The question being on re-referring Assembly Bill No. 2120 to Committee on Hospitals and Asylums.

Motion carried.

Assembly Bill No. 2120 ordered re-referred to Committee on Hospitals and Asylums.

MOTION TO RE-REFER.

Mr. Powers moved that Assembly Bill No. 1895 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 1895 to Committee on Judiciary.

Motion carried.

Assembly Bill No. 1895 ordered re-referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Williamson asked for, and was granted, unanimous consent to have Rule 75 suspended for the purpose of considering Assembly Bill No. 2319, at this time, without reference to file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED NINETEEN.

Assembly Bill No. 2319—An act to add section 135b to the "Bank Act," defining and regulating the business of banking.

Bill read.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendment was submitted by Mr. Lyon:

AMENDMENT NUMBER ONE.

On page 2, line 17, of the printed bill, add the following paragraph:

"It is further provided, that all checks for the payment of taxes or special assessments (which are levied therewith) shall be paid by all banks forthwith and shall not be within any restrictions contained herein."

The question being on the adoption of the amendment.

Amendment refused adoption.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED NINETEEN.

Assembly Bill No. 2319—An act to add section 135b to the Bank Act, defining and regulating the business of banking.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2319 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—Stannard—1.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No. 2323—An act to prohibit the issuance of any media of exchange for circulation instead of money unless with and upon the approval of a duly constituted State or national authority, and to declare the urgency thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMSON, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 142—An act to repeal sections 737a to 737fff, inclusive, and to add sections 737 to 737c, inclusive, of the Political Code, relating to the salaries of judges of the superior courts;

Also: Senate Bill No. 444—An act to abolish the California State Historical Association, providing for the disposition of its property, and repealing that certain act entitled "An act to establish the California State Historical Association, providing for the appointment of a board of trustees for said association and making an appropriation for its support during the 79th and 80th fiscal year," approved May 25, 1927.

Also: Senate Bill No. 541—An act to amend section 2296 of the Political Code, relating to the State Library;

Also: Senate Bill No. 744—An act to repeal section 2.1420 of the School Code, relating to printing and distribution of school laws;

Also: Senate Bill No. 742—An act to amend section 6.273 of the School Code, relating to textbooks.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 142, 444, 541, 744 and 742 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 226—An act to add sections 12a and 13a to, and to amend sections 134, 135, 660 and 939 of the Code of Civil Procedure, relating to holidays, and declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 200—An act to repeal section 710, as added by Chapter 263, Statutes of 1903 and as amended by Chapter 634, Statutes of 1929, of the Code of Civil Procedure and to add a new section to be numbered 709a to the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 539—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

KNOWLAND, Chairman.

The above reported bill ordered on file for second reading.

ADJOURNMENT.

At five o'clock and thirty minutes p.m., on motion of Mr. Williamson, the Speaker declared the Assembly adjourned this day until ten o'clock a m., Wednesday, March 8, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, March 8, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr. Phillips, Mr. Sullivan was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Crowley, Mr. Dan H. White, superintendent of schools of Fairfield, and Minerva Ferguson, superintendent of schools, Lakeport, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Crowley, T. C. McDaniels of Fairfield and Mrs. Mosher of Lakeport were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cassidy, Michael Mulqueeny of Livermore and William McKinnon of Livermore were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Thorp, Mrs. Florence Lundquist and Miss Olga W. Locke and pupils of seventh and eighth grades, Houston School, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Messrs. McMurray and Maloney, Miss Lee Petrucci of San Francisco was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Burns, Messrs. J. J. McNamara, Eugene McNamara and Ira L. Scott of Crescent City were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Evans, Prof. C. R. Clifton, superintendent of schools of Los Angeles County, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Chatters, Mr. and Mrs. Roy Lowe of Lindsay were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scudder, Messrs. T. A. Keiser and Wade H. Wilson of Sonoma were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From Association of Justices of the Peace, opposing the constitutional amendment that will abolish the Judicial Council.

(Signed) CARL B. STURZENACKER, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 83—An act to repeal "An act to provide for the support of vocational reeducation and rehabilitation of workmen disabled in industry in this State, and to create a fund for these purposes to be known as the industrial rehabilitation fund by fixing an additional liability upon all employers liable under said act in cases where employees receive fatal compensable injury and leave no dependents," approved May 2, 1919;

Also: Assembly Bill No. 86—An act to repeal "An act to require the payment of certain premiums to counties, and cities and counties, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums," approved March 3, 1885;

Also: Assembly Bill No. 695—An act declaring it unlawful for certain persons, associations, or corporations to engage in the business of selling, offering for sale or issuing contracts or certificates for medical service or other form of treatment for sickness or injury, without a license from the Insurance Commissioner, and deposit of cash, securities or surety bond guaranteeing performance of same, as therein provided; relating to and regulating medical and hospital and other service as therein defined and provided; and providing penalties for the violation thereof;

Also: Assembly Bill No. 1011—An act to amend sections 2 and 5 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the office of State Fire Marshal;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CRIST, Chairman.

The above reported bills ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 584—An act to amend section 3633 of the Political Code, relating to the assessment of property;

Also: Assembly Bill No. 1032—An act to add a new section to the Political Code to be numbered 3803, relating to the cancellation of personal property tax liens on real property when wrongfully entered and providing for a reassessment thereof;

Also: Assembly Bill No. 2315—An act to add a new section to the Political Code to be numbered 3614, relating to exempting orphanages from taxation;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

RILEY, Chairman.

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 2—A resolution proposing to the people of the State of California an amendment to the Constitution of said State by adding to Article IV thereof a new section to be numbered 31c, authorizing any city of the fifth or sixth class to acquire and hold stock in mutual water corporations;

Also: Assembly Constitutional Amendment No. 45—A resolution to propose to the people of the State of California, an amendment to section 1 of Article VII of the Constitution of said State, relating to the pardoning power;

Also: Assembly Constitutional Amendment No. 54—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 7 of Article XIII thereof, relating to the lending of the credit of the State or of any county, city and county, city, township or other political corporation or subdivision of the State;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933.

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

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

Commencing March 6, 1933.	Per day (Sundays excepted)
William Lyons, Assistant Sergeant-at-Arms	$5 00
R. J. Anderson, Jr., Assistant History Clerk	5 00
Effa N. Longley, Assistant Engrossing and Enrolling Clerk	5 00

Resolved, further, That beginning March 6, 1933, First Assistant Clerk Fred J. Desch shall receive compensation on a seven-day-per-week basis.

CRAIG, Chairman.

Report and resolution read.

The question being on the adoption of the report and resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—68.

NOES—None.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 894—An act to require security for the payment of wages of persons engaged in the mining industry—has had the same under consideration, and respectfully reports the same back, and recommends that the same do pass as amended.

MAYO, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1753—An act to add a new section to the Fish and Game Code, to be numbered 459, relating to other regulations;

Also: Assembly Bill No. 1755—An act to add a new section to the Fish and Game Code, to be numbered 20, relating to powers and duties.

Also: Assembly Bill No. 1752—An act to add a new section to the Fish and Game Code, to be numbered 950.5, relating to Chinese shrimp nets;

Also: Assembly Bill No. 1750—An act to add a new section to the Fish and Game Code, to be numbered 738.5, relating to smelt.

Also: Assembly Bill No. 1761—An act to amend section 250 of the Fish and Game Code, relating to clam preserves.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

ZION, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Fish and Game, to which was referred Assembly Bill No. 106—An act to repeal "An act relating to fishing in the waters of this State," approved April 23, 1880;

Also: Assembly Bill No. 457—An act to amend sections 698, 702, 705, 708 and 711 of the Fish and Game Code, relating to fish;

Also: Assembly Bill No. 461—An act to amend section 5.500 of the School Code of the State of California, relating to school employees;

Also: Assembly Bill No. 1200—An act to repeal sections 1120 to 1140 inclusive of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof;

Also: Assembly Bill No. 1254—An act to add a new section to the Fish and Game Code, to be numbered 488.5, relating to fish hatcheries;

Also: Assembly Bill No. 1256—An act to amend section 1230 of the Fish and Game Code, and to add a new section to the Fish and Game Code to be numbered 1340.5, relating to predatory mammals and rodents;

Also: Assembly Bill No. 1257—An act to amend section 1177 of the Fish and Game Code and to add thereto a new section to be numbered 1203.5, relating to game;

Also: Assembly Bill No. 1259—An act to add a new section to the Fish and Game Code, to be numbered 492.5, relating to shipment of game fish;

Also: Assembly Bill No. 1363—An act to add section 21.5 to the Fish and Game Code, relating to suits against officers and deputies.

Also: Assembly Bill No. 1526—An act to amend section 379 of the Fish and Game Code, relating to Federal preserves.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ZION, Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1518—An act to amend section 5 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof" which became a law under constitutional provision without the Governor's approval (February 25, 1901), relating to the issuance of municipal

improvement bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1484—An act to amend section 1 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931—has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 322—An act to amend section 11½ of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, relating to the purchase of outstanding bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Mr. Dempster:

WHEREAS, The Railroad Commission of the State of California has exclusive power and authority to fix and prescribe the rates and charges of privately owned public utilities within the State, amounting in the aggregate to more than $400,000,000 per annum; and

WHEREAS, Under the provisions of the Public Utilities Act enacted by the Legislature, the orders of the commission in the premises are final and conclusive as to questions of fact upon which public utilities rates are fixed, and are not subject to review by the courts of the State as to such questions, resulting in autocratic power in the commission; and

WHEREAS, It is common knowledge, of which courts are taking judicial notice, and of which the Railroad Commission under the law is bound to take similar notice, that the values of all classes of physical property have fallen considerably during the past four years; yet the commission has failed and refused to compel the said Southern California Telephone Company to reduce rates of service to conform to the present values of the property at this time; and now be it

Resolved by the Assembly, That a committee of three members be appointed by the Speaker of the Assembly to investigate the action of the Railroad Commission in fixing the said rates charged for service by the Southern California Telephone Company, and the said committee be authorized and empowered to administer oath and to require the production of records, books, documents and papers of all kinds; to issue subpenas; to compel the attendance of witnesses; to procure testimony; and to furnish a report of the findings of said committee to the public, to the end that action may be taken to force the Southern California Telephone Company to reduce its rates of service in accordance with the rule that said rates shall be fixed according to the value of the property at the time it is being used by the public.

Resolution read.

The question being on the adoption of the resolution.

MOTION TO REFER.

Mr. Feigenbaum moved that the above resolution be referred to Committee on Rules.

Motion carried.

Resolution referred to Committee on Rules.

MOTION TO RE-REFER.

Mr. Bliss moved that Assembly Bill No. 1179 be withdrawn from Committee on Public Utilities, and be re-referred to Committee on Unemployment.

The question being on re-referring Assembly Bill No. 1179 to Committee on Unemployment.

Motion carried.

Assembly Bill No. 1179 ordered re-referred to Committee on Unemployment.

COMMUNICATION.

The following communication was received, read, and on request of Mr. Levey, ordered printed in the Journal:

CITY AND COUNTY OF SAN FRANCISCO, March 7, 1933.

Hon. Edgar C. Levey, Member of the Assembly,
Sacramento, California.

DEAR SIR: Your attention is called to the following resolution adopted by the board of supervisors, March 6, 1933:

WHEREAS, There is a movement on foot having for its purpose the diversion of highway funds, *one*, to the general funds of the State of California, and, *two*, the diversion of sufficient moneys to discharge bond interest and redemption on highway bonds; and

WHEREAS, The spirit and the letter and the origination and the initiation of the gas tax fund was for and is to all purposes and intents for the construction, reconstruction and maintenance of primary roads throughout the State of California; now, therefore, be it

Resolved, That this board of supervisors, in regular session assembled, does hereby oppose the diversion of any moneys derived from gas tax funds to the general fund of the State of California; and be it further

Resolved, That this board of supervisors at this time makes no recommendation relative to the use of gas tax moneys for the discharge of interest and redemption of highway bonds; and be it further

Resolved, That a copy of this resolution be spread on the minutes of this meeting, and that copies be sent to His Excellency, the Governor of the State of California, to the President of the Senate, the Speaker of the House, and to each member of the San Francisco delegation in Sacramento.

Sincerely,

J. S. DUNNIGAN, Clerk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committees was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 2136—An act to add a new section to the Bank Act to be numbered 136½, relating to the powers of trustees or receivers of closed banks—has had the same under consideration, and respectfully reports the same back, and recommends that it be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered to reprint.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Ross:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by adding a new section thereto to be numbered section 28, relating to the dissolution of said municipal utility districts or the withdrawal of certain territory therefrom.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committees was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows.

An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by adding a new section thereto to be numbered section 28, relating to the dissolution of said municipal utility districts or the withdrawal of certain territory therefrom.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel F., Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Utt, West, Wright, Zion and Mr. Speaker—68.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Ross: Assembly Bill No. 2325—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by adding a new section thereto to be numbered section 28, relating to the dissolution of said municipal utility districts or the withdrawal of certain territory therefrom.

Bill read first time, and referred to Committee on Municipal Corporations.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 2239—An act to amend section 11 of an act entitled "An act to regulate the practice of pharmacy in the State of California,

and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the filing of prescriptions by pharmacists.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1272—An act relating to the marking of State highways for the purpose of indicating route numbers and making readily available information of a cautionary, regulatory or directional nature pertaining to the use of such highways, and defining the powers and duties of the State Department of Public Works and the Division of Highways in relation thereto.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 30—An act relating to grants of lands granted to cities and towns under the provisions of an act of Congress entitled "An act for the relief of the inhabitants of cities and towns upon the public lands," approved March 2, 1867, and procedure in relation to such land.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of line 26, and insert in lieu thereof the following: "prior to the first day of January, 1933, by any".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 140—An act to repeal sections 9a, 9b, 9c and 9d of the California Real Estate Act, relating to real estate brokers' bonds.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "provided, however, that this repeal shall not affect any cause of action arising under any bond given prior to the effective date of this act."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 31—An act to provide for restoration of recorded maps which are injured, destroyed, or are lost or stolen.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 233—An act to amend section 1201 of the Probate Code, relating to notice of petition for leave to sell or give option on mines and mining claims.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 382—An act to amend sections 581 and 629 of the Code of Civil Procedure, relating to civil actions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 858—An act to amend sections 11, 12 and 13 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to reciprocity, service of notice and process, and penalties.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 859—An act to amend section 1b of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to fees.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1263—An act to repeal section 842 of the Code of Civil Procedure, relating to practice of law in justice's courts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1838—An act to add a new section to the Political Code to be numbered 528a, relating to the printing of new or revised codes.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 506—An act to amend section 12 of Chapter 690, Statutes of 1913, entitled the Direct Primary Law, as amended, relating to direct primary elections.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 362—An act to amend section 1 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, relating to the scope of the act.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 39 to 48, inclusive, and insert in lieu thereof the following: "its members; provided, further, that nothing in this act shall be construed to include any person, firm or corporation engaged in the business of managing any person or the handling of the business of any person, even though the managing or handling of such person may involve the seeking or obtaining of employment for such person, where the net weekly wages or salary of such person is equal to or exceeds the sum of two hundred dollars per week under any engagement or contract of hire. The net weekly wages or salary means the wages or salary earned during the week after paying for the cost of wardrobe and traveling expenses where such cost is paid by the person or persons engaged or hired."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1867—An act to repeal section 16x6 of the Weights and Measures Act and to add a new section thereto, to be numbered 16x6, relating to the sealer of weights and measures in counties of the sixth class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1137—An act to amend section 4264 of the Political Code, relating to the compensation of county and township officers in counties of the thirty-fifth class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1868—An act to amend section 19x6 of the Juvenile Court Law, relating to the probation officer in counties of the sixth class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1870—An act to amend section 9a6 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the sixth class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1873—An act to amend section 2322x6 of the Political Code, relating to the office of the agricultural commissioner in counties of the sixth class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1940—An act to amend sections 4255 and 4255a of the Political Code, relating to the salaries and fees of county officers in counties of the twenty-sixth class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1942—An act to amend section 16x26 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the twenty-sixth class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1941—An act to amend section 19x26 of the Juvenile Court Law, relating to the probation officer in counties of the twenty-sixth class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1943—An act to amend section 2322x26 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-sixth class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1304—An act to amend section 4191 of the Political Code, relating to the use of the Law Library fund.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 57—An act to amend section 1315 of the Political Code, relating to electors of the President and Vice President of the United States.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2136—An act to add a new section to the Bank Act, to be numbered 136½, relating to powers of trustees or receivers of closed banks.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 8, inclusive, and insert in lieu thereof the following:

"Sec. 136½. Whenever in the opinion of the Superintendent of Banks the liquidation or reorganization of any bank taken in charge by him, pursuant to the provisions of this act, would be facilitated thereby, or whenever in the opinion of the Superintendent of Banks the public interests and the interests of depositors or stockholders in any bank of which he has taken charge will be subserved thereby, the Superintendent of Banks shall have power to borrow money in behalf of such bank from the Reconstruction Finance Corporation, or from any other Federal agency which may be hereafter authorized to lend money to the receivers, trustees, liquidating agents or other agents or supervisory authorities in charge of banks which are closed or in process of liquidation, and with consent of the superior court, the Superintendent of Banks may secure such borrowings by the pledge of the assets of any such bank in such manner and amount as may to the Superintendent of Banks seem necessary, proper or expedient."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1869—An act to amend section 4235 of the Political Code, relating to compensation of county and township officers in counties of the sixth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 18, of the printed bill, after the word "dollars", insert the following: "each".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, at the end of line 28, insert the following: "The sheriff may retain for his own use and benefit all mileage now allowed by section 4300b of the Political Code, for traveling in the service of any paper required by law to be served in civil cases only."

AMENDMENT NUMBER THREE.

On page 2, line 32, of the printed bill, strike out "eight", and insert in lieu thereof the following: "nine".

AMENDMENT NUMBER FOUR.

On page 2, line 33, of the printed bill, strike out "ninety", and insert in lieu thereof the following: "eighty".

AMENDMENT NUMBER FIVE.

On page 2, line 34, of the printed bill, after "annum", insert the following: "each".

AMENDMENT NUMBER SIX.

On page 2, line 35, of the printed bill, strike out "two deputies", and insert in lieu thereof the following, "one deputy".

AMENDMENT NUMBER SEVEN

On page 2 of the printed bill, strike out lines 36 to 38, inclusive, and insert in lieu thereof the following: "twenty-eight dollars per annum; two deputies at a salary of one thousand six hundred twenty dollars per annum each."

AMENDMENT NUMBER EIGHT.

On page 3, line 36, of the printed bill, after "annum", insert the following: "each".

AMENDMENT NUMBER NINE.

On page 4, line 43, of the printed bill, strike out "neither", and insert in lieu thereof the following: "none".

AMENDMENT NUMBER TEN.

On page 6, line 13, of the printed bill, strike out "Kingsbury", and insert in lieu thereof the following: "Kingsburg".

AMENDMENT NUMBER ELEVEN.

On page 8, line 5, of the printed bill, after "justices", strike out "and", and insert in lieu thereof the following: "of the".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2323—An act to prohibit the issuance of any media of exchange for circulation as money unless with and upon the approval of a duly constituted State or national authority, and to declare the urgency hereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the word "as", and insert in lieu thereof the words "instead of".

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, strike out beginning with words "any other", and all of lines 4, 5 and 6, and insert in lieu thereof the following: "any other media of exchange intended for, or used for, general circulation instead of money unless such issuance shall have been approved by either a State or national authority authorized by law so to do."

Amendments adopted.

MOTION.

Mr. Clowdsley moved that the rules be suspended at this time for the purpose of considering Assembly Bill No. 2323, without reference to printer or file, and that the same be considered engrossed.

WITHDRAWAL.

Mr. Clowdsley withdrew his motion.

MOTION.

Mr. Clowdsley moved that the Chief Clerk be instructed to have a rush order placed on the printing of Assembly Bill No. 2323 as amended.

Motion carried.

The Speaker ordered Assembly Bill No. 2323 to reprint, engrossment, and on file for passage.

Assembly Bill No. 200—An act to repeal section 710, as added by Chapter 263, Statutes of 1903 and as amended by Chapter 634, Statutes of 1929, of the Code of Civil Procedure and to add a new section to be numbered 709a to the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 8, and insert in lieu thereof the following: "officer or employee of the State except such elective officers whose salaries are fixed by the Constitution of the State of California or against any elective or other officer or employee of any county, city and".

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, after "transcript", insert the following: "or abstract".

AMENDMENT NUMBER THREE.

On page 1, line 23, of the printed bill, after "script", insert the following: "or abstract".

AMENDMENT NUMBER FOUR.

On page 1, line 24, of the printed bill, after "transcript", insert the following: "or abstract".

AMENDMENT NUMBER FIVE.

On page 2, line 6, of the printed bill, after "transcript", and before the period insert the following: "or abstract".

AMENDMENT NUMBER SIX.

On page 2, line 9, of the printed bill, after "script", and before the comma, insert the following: "or abstract".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 539—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, lines 3 and 4, of the printed bill, strike out the following: "Any judge of the superior court", and insert in lieu thereof the following: "The judge of the superior court of each county, or city and county."

AMENDMENT NUMBER TWO.

On page 2, lines 36 and 37, of the printed bill, strike out the following: "issue an order with a copy of the petition annexed thereto to two named certified medical examiners," and insert in lieu thereof the following: "by order for that purpose designate and appoint two certified medical examiners for said county or city and county."

AMENDMENT NUMBER THREE.

On page 2, line 40, of the printed bill, after the word "person", add the following: "The petition and order shall be filed with the county clerk. If the petition is filed with the county clerk before it has been presented to a judge of the superior court, the county clerk shall bring the petition at once before a judge of the superior court."

AMENDMENT NUMBER FOUR.

On page 2, line 42, of the printed bill, after the word "courts", insert the following: "county clerks and magistrates."

AMENDMENT NUMBER FIVE.

On page 2, line 44, of the printed bill, after the words "by the", insert the following: "judge of the".

AMENDMENT NUMBER SIX.

On page 3, line 16, of the printed bill, after the word "detention", insert the following: "which method may be in charge of relatives of the person in the discretion of the judge."

AMENDMENT NUMBER SEVEN.

On page 3, line 20, of the printed bill, insert the following: "If delay in obtaining an order for examination from a judge of the superior court would result in danger to health, person or property, or the failure to give the person the immediate and emergency care that is necessary, and an affidavit to this effect is made by a person who holds an unrevoked physician's and surgeon's certificate in the State of California, such affidavit and the verified petition provided for by subdivision 1 of this section, may be presented to any magistrate in the jurisdiction, and such magistrate, if satisfied, may order the person detained for a period not to exceed two days, in the same place and under the same conditions as the temporary detention provided for in this section by order of the judge of the superior court. Immediately on making such order the magistrate shall forward to the county clerk of the county or city and county, the verified petition, the affidavit of the physician, and his own order, who shall file the same and bring them at once before a judge of the superior court. The judge of the superior court, if satisfied, shall thereupon make the order for examination as hereinbetore provided and with the same effect. If an officer or other person has probable cause to believe any person is so far disordered in his mind as to endanger health, person, or property, and that the delay in procuring an order for the detention of such person would result in grave danger, that the person so disordered would injure himself or others, or property, such officer or person may take such mentally disordered person to the place of detention provided by section 2167 where he may be detained. If in the opinion of the officers in charge of said place of detention, he is dangerous to be at large, for a reasonable time not exceeding in any event two days, Sundays and holidays excepted, and provided that if any officer or person delivering patients to such place of detention under the provisions of this section should fail or refuse to file a verified petition for an order of examination within such period of two days, he shall be guilty of a contempt of court in addition to any civil liability which he may incur.

AMENDMENT NUMBER EIGHT.

On page 3, line 23, of the printed bill, after the word "examined", add the following: "and the protection of the public."

AMENDMENT NUMBER NINE.

On page 3, line 23, of the printed bill, after the word "A", insert the word "certified".

AMENDMENT NUMBER TEN

On page 3, line 27, of the printed bill, after "assistance of", strike out the following: "the sheriff.", and insert in lieu thereof the following: "any peace officer.", and in line 28 of the printed bill, after the word "examination", add the following "and it shall be the duty of any peace officer to render such assistance."

AMENDMENT NUMBER ELEVEN.

On page 3, line 31, of the printed bill, before the word "superior", add the words "judge of the", and after the word "court", add the following: "within one day after completion of the examination."

AMENDMENT NUMBER TWELVE.

On page 3, line 24, of the printed bill, after the words "record of the person examined", insert the words "as it is determined by them."

AMENDMENT NUMBER THIRTEEN.

On page 3 of the printed bill, beginning with line 51, strike out paragraphs 7 and 8, and insert in lieu thereof the following: "If the certified medical examiners determine that the person is mentally disordered and in need of care and treatment in a hospital, they shall serve or cause to be served notice upon the person that they will report to the judge of the superior court that the person is mentally disordered and in need of care and treatment in a hospital, and will recommend to the judge of the superior court that he be committed to a State hospital, and that within one day after service of such notice the person alleged to be mentally disordered, or anyone in his behalf, may file with the county clerk a demand for a hearing and examination before the court. Such notice and demand shall be upon forms to be prescribed and furnished by the Department of Institutions to all superior courts and county clerks. The certified medical examiners shall file their report with the county clerk within one day after the service of such notice. If no demand for a hearing is made within the prescribed time the court, if satisfied with the report may forthwith issue an order of commitment to a State hospital. The commitment shall not be made to any hospital with which either or any of the certified medical examiners who examined the person ordered committed are in any way connected. The court may in its discretion require other proofs in addition to the petition and the report of the certified medical examiners, and may order service of notice of the petition upon such relatives or friends of the person as the court may direct before making the order of commitment. If the examiners determine and report that the person examined is mentally disordered, but is harmless, and his relatives or a guardian of his person are willing and able properly to provide care for him, upon

their written consent, the court may order that he be committed to the care and custody of such relatives or guardian. If from all the evidence, including the reports of the certified medical examiners and the psychopathic parole officer of the court is satisfied that the person should be governed by the provisions of section 2167b, the court may so order. The original order of commitment, together with proof of all notices required herein to be served shall be filed with the county clerk."

AMENDMENT NUMBER FOURTEEN.

On page 4, line 32, of the printed bill, strike out paragraph 8, and insert in lieu thereof the following: "If a demand for a hearing has been made the court shall set a time and place for the hearing and notice of the exact time and place of such hearing shall be served upon the person at least two days prior thereto, and upon such relatives and friends as the court shall direct. The court shall appoint two medical examiners who shall be present at the hearing and shall examine the person alleged to be mentally disordered. The hearing and examination may be held in or out of court, at the place where the original examination was made, or at a hospital, or at the place of detention provided by the county, or at such other place as is deemed best for the welfare of the person alleged to be mentally disordered. If, after the hearing, the court determines the findings of the certified medical examiners are correct it shall make an order of commitment as above provided, which shall be carried out forthwith"

AMENDMENT NUMBER FIFTEEN.

On page 5, line 1, of the printed bill, after the word "hospital", add the following: "provided that the transportation may also be in charge of a relative of the person in the discretion of the judge."

AMENDMENT NUMBER SIXTEEN.

On page 5, lines 10 and 11, of the printed bill, strike out the words "held after a person is ordered committed to a hospital, person or officer".

AMENDMENT NUMBER SEVENTEEN.

On page 5, lines 21 and 22, of the printed bill, strike out the words "ordered committed", and insert in lieu thereof the following: "alleged to be mentally disordered".

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 24, of the printed bill, strike out the words "person ordered committed", and insert in lieu thereof the following: "person alleged to be mentally disordered".

AMENDMENT NUMBER NINETEEN.

On page 5, line 45, of the printed bill, after the words "superior courts", insert the words "and county clerks".

AMENDMENT NUMBER TWENTY.

On page 6, line 40, of the printed bill, strike out the words "whence he is committed", and insert in lieu thereof the following: "which would be responsible for his maintenance if he were a poor or indigent person, and not suffering from mental disorder."

AMENDMENT NUMBER TWENTY-ONE.

On page 6, line 47, of the printed bill, strike out lines 48, 49, 50, 51, and after "mentally disordered", in line 47, substitute in lieu thereof the following: "and if the judge finds that the person making the application for the order of commitment was acting in bad faith, he may charge the cost of the proceedings to such person making the application, and judgment may be recovered by the county against him for the amount thereof and enforced by execution. Where, however, the application for an order of commitment has been made by the medical superintendent, or the physician in charge of the place of detention as provided in section 2167, or by a staff physician, on his behalf and pursuant to his order, no costs shall be charged against said medical superintendent or such physician in charge or such staff physician, nor shall they or any one of them be liable civilly or criminally for the filing of the petition for an order of examination."

AMENDMENT NUMBER TWENTY-TWO.

On page 7, line 9, of the printed bill, strike out the words "issue an order with a copy of the petition annexed thereto to two named certified medical examiners", and insert in lieu thereof the following: "by order for that purpose designate and appoint two certified medical examiners for said county, or city and county."

AMENDMENT NUMBER TWENTY-THREE.

On page 7, line 31, of the printed bill, after the word "detention", insert the following: "which method may also be in charge of relatives of the person in the discretion of the judge."

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 38, of the printed bill, after the word "examined", insert the following: "and the protection of the public.", and after the word "A", insert the word "certified".

AMENDMENT NUMBER TWENTY-FIVE.

On page 7, line 42, of the printed bill, strike out the words "the sheriff", and insert in lieu thereof the following: "any peace officer", and in line 43, after the word "examination", add the following: "and it shall be the duty of any peace officer to render such assistance."

AMENDMENT NUMBER TWENTY-SIX.

On page 7, line 46, of the printed bill, before the word "superior", add "judge of the", and, after the word "court", add the following: "within one day after completion of the examination".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 7, line 49, of the printed bill, after the word "examined", add the following: "as it is determined by them".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 8, lines 18 and 19, of the printed bill, strike out the following: "the court, if satisfied with the report may forthwith issue an order of commitment; provided that", and insert in lieu thereof the following: "they shall serve or cause to be served notice upon the person that they will report to the judge of the superior court that the person has lost the power of self-control to the extent that he should be cared for in a hospital, and will recommend to the judge that he be committed to a State hospital, and that within one day after the service of such notice the person, or anyone in his behalf, may file with the county clerk a demand for a hearing and examination before the court. Such notice and demand shall be upon forms to be prescribed and furnished by the Department of Institutions to all superior courts, county clerks and magistrates. The certified medical examiners shall file their report with the county clerk within one day after the service of such notice. If no demand for a hearing is made within the prescribed time the court, if satisfied with the report, may forthwith issue an order of commitment to a State hospital. Provided that".

AMENDMENT NUMBER TWENTY-NINE.

On pages 8 and 9 of the printed bill, strike out lines 51 to 10, inclusive.

AMENDMENT NUMBER THIRTY.

On page 9 of the printed bill, strike out paragraph 8, and substitute in lieu thereof 2168-8, as amended with the substitution therein for the words "person alleged to be mentally disordered", of the words "person alleged to have lost self-control.", reading as follows: "If a demand for a hearing has been made the court shall set a time and place for the hearing and notice of the exact time and place of such hearing shall be served upon the person at least two days prior thereto, and upon such relatives and friends as the court shall direct. The court shall appoint two medical examiners who shall be present at the hearing and shall examine the person alleged to have lost self-control. The hearing and examination may be held in or out of court, at the place where the original examination was made, or at a hospital, or at the place of detention provided by the county, or at such other as is deemed best for the welfare of the person alleged to have lost self-control. If, after the hearing, the court determines the findings of the certified medical examiners are correct it shall make an order of commitment as above provided, which shall be carried out forthwith."

At the end of 2185c, add a new paragraph: "If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and every section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared incorrect."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Joint Resolution No. 15—Relative to memorializing and petitioning Congress to adopt a national system of insurance to protect bank depositors in the national banks of the United States.

Resolution read.

The question being on the adoption of the resolution.

MOTION TO RE-REFER.

Mr. Grubbs moved that Assembly Joint Resolution No. 15 be withdrawn from the file, and re-referred to Committee on Banking.

The question being on re-referring Assembly Joint Resolution No. 15 to Committee on Banking.

Motion carried.

Assembly Joint Resolution No. 15 ordered re-referred to Committee on Banking.

Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 18 of Article XI thereof, relating to the incurrence and retirement of bonded indebtedness by political subdivisions.

COMMITTEE AMENDMENTS.

During reading of Assembly Constitutional Amendment No. 34, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 24, of the printed measure, at the beginning of the line, strike out the word "Bonds", and insert in lieu thereof the following: "Except as hereinafter otherwise provided, bonds".

AMENDMENT NUMBER TWO.

On page 4, line 15, of the printed measure, strike out the period, and insert in lieu thereof a comma and the following: "and nothing in this section contained shall be construed to limit or prohibit the issuance of bonds authorized in accordance with law prior to the taking effect of this section but not yet sold or issued at said time."

Amendments adopted.

Assembly Constitutional Amendment No. 34 ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1 of Article XVI thereof, relating to incurrence and retirement of bonded indebtedness by the State.

COMMITTEE AMENDMENTS.

During reading of Assembly Constitutional Amendment No. 33, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 11, of the printed measure, at the beginning of the line, strike out the word "Bonds", and insert in lieu thereof the following: "Except as hereinafter otherwise provided, bonds".

AMENDMENT NUMBER TWO.

On page 2, line 52, of the printed measure, strike out the period, and insert in lieu thereof a comma and the following: "and nothing in this section contained shall be construed to limit or prohibit the issuance of bonds authorized in accordance with law prior to the taking effect of this section but not yet sold or issued at said time.

Nothing in this section shall be construed to limit or prohibit the issuance by the State of California of bonds for not to exceed a period of seventy years for the acquisition, development or distribution of waters and water resources, including electric energy."

Amendments adopted.

Assembly Constitutional Amendment No. 33 ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 68—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by amending sections 6 and 6½ of Article IX, sections 14, 15 and 16 of Article XIII, by adding a new section to be numbered 20 to Article XI, and by repealing sections 12½ and 18 of Article XIII, relating to taxation and the support of the public school system.

COMMITTEE AMENDMENTS.

During reading of Assembly Constitutional Amendment No. 68, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed measure, strike out the title, and in lieu thereof insert the following:

"Assembly Constitutional Amendment No. 68—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to be numbered 34a to article four, by amending section 12 of article eleven, by adding a new section to be numbered 20 to article eleven, by amending sections 14, 15 and 16, and by repealing sections 12½ and 18 of article thirteen, relating to taxation."

AMENDMENT NUMBER TWO.

On page 1 of the printed measure, strike out lines 8 to 19, inclusive, and insert in lieu thereof the following:

"First. That a new section to be numbered 34a, be added to Article IV, to read as follows:

Sec. 34a. Appropriations from the general fund of the State for any biennium, exclusive of appropriations for the support of the public school system, shall not exceed by more than five per centum the appropriations from such fund, exclusive of such public school appropriations, for the preceding biennium unless two-thirds of all the members elected to each house of the Legislature vote in favor thereof; provided, that no amount appropriated in excess of such five per centum shall become a part of the base for determining the maximum appropriation for a succeeding biennium. Should the appropriations in the budget act for any biennium exceed the limitations herein prescribed, and such budget act be not passed by such two-thirds vote, the several items of appropriation therein shall be deemed reduced by that percentage which the excess amount of appropriation bears to the total appropriation. Should the prescribed limit for any biennium be exceeded by reason of any other appropriation or appropriations from the general fund, then the appropriation first passed by the Legislature without such two-thirds vote, and later approved by the Governor, which exceeds such prescribed limitation, shall be deemed reduced by the amount of such excess, and all other subsequent appropriations from the general fund not passed by such two-thirds vote shall be void. Nothing herein contained shall prevent the Governor from vetoing any bills or reducing any appropriation therein or any appropriation reduced as herein provided.

Not more than fifty per cent of the total appropriations from the general fund of the State shall be raised by means of taxes on real and personal property.

Second. That section 12 of Article XI be amended to read as follows:

Sec. 12. Except as otherwise provided in this Constitution, the Legislature shall have no power to impose taxes upon counties, cities, towns or other public or municipal corporations, or upon the inhabitants or property thereof, for county, city, town, or other municipal purposes, but may, by general laws, vest in the corporate authorities thereof the power to assess and collect taxes for such purposes.

All property subject to taxation shall be assessed for taxation at its full cash value."

AMENDMENT NUMBER THREE.

On page 2 of the printed measure, strike out lines 1 to 33, inclusive.

AMENDMENT NUMBER FOUR.

On page 2 of the printed measure, strike out lines 36 to 51, inclusive, and insert in lieu thereof the following.

"Sec. 20. The expenditures of any county, city and county, municipality, district or other political subdivision of this State, whether or not operating under freeholders charters, shall not in any year exceed by more than five per centum the expenditures of such county, city and county, municipality, district or other political subdivision for the preceding year unless previously authorized by two-thirds of the qualified electors thereof voting at an election held for that purpose or unless previously authorized by the State Board of Equalization in such manner as may be provided by law; provided, that no amount expended in excess of such five per

centum shall become a part of the base for determining the maximum expenditure for a succeeding year. The Legislature may further restrict such expenditures.

From the total amount required to meet expenditures provided for in any county budget there shall first be deducted (a) such amount as is therein estimated to be derived from all county sources other than taxes upon real and personal property, and (b) such amount as is estimated to be derived from all other sources except apportionments pursuant to section 15 of Article XIII of this Constitution, and of the balance remaining after such deductions not over fifty per centum thereof shall be derived from taxes upon real and personal property.

The Legislature shall provide that all taxes on property for the support of counties, cities and counties, municipalities, districts or other political subdivisions or agencies shall be assessed and collected only by the officers charged with the assessment and collection of taxes for county or city and county purposes.

The Legislature shall pass all laws necessary to carry into effect the provisions of this section."

AMENDMENT NUMBER FIVE.

On page 3 of the printed measure, strike out lines 1 to 12, inclusive.

AMENDMENT NUMBER SIX.

On page 3, line 17, of the printed measure, after the numeral "(1)", strike out the word "all".

AMENDMENT NUMBER SEVEN.

On page 3, line 19, of the printed measure, after the numeral "(2)", strike out the word "all".

AMENDMENT NUMBER EIGHT.

On page 3, line 19, of the printed measure, strike out the word "all".

AMENDMENT NUMBER NINE.

On page 3, line 22, of the printed measure, after the numeral "(3)", strike out the word "all".

AMENDMENT NUMBER TEN

On page 3, line 24, of the printed measure, after the numeral "(4)", strike out the word "all", and after the numeral "(5)", strike out the word "all".

AMENDMENT NUMBER ELEVEN.

On page 3, line 26, of the printed measure, after the numeral "(6)", strike out the word "all".

AMENDMENT NUMBER TWELVE.

On page 3, line 32, of the printed measure, strike out the words "land and improvements", and insert in lieu thereof the word "property".

AMENDMENT NUMBER THIRTEEN.

On page 3 of the printed measure, strike out that portion of line 34 following the word "property", commencing with the word "all", and strike out all of lines 35 to 38, inclusive.

AMENDMENT NUMBER FOURTEEN.

On page 3 of the printed measure, strike out that portion of line 39 thereof following the word "franchises", commencing with the comma, and strike out all of lines 40 to 42, inclusive, and strike out that portion of line 43 preceding the word "shall".

AMENDMENT NUMBER FIFTEEN.

On page 3 of the printed measure, insert between lines 44 and 45, the following paragraph:

"The Legislature shall have the power to provide for the assessment, levy and collection of taxes upon all notes, debentures, shares of capital stock, bonds, solvent credits, deeds of trust, mortgages, and any legal or equitable interest therein, not exempt from taxation under the provisions of this Constitution, in such manner, and at such rates, as may be provided by law."

AMENDMENT NUMBER SIXTEEN.

On page 3 of the printed measure, strike out that portion of line 46 following the word "tax", commencing with the word "upon", and strike out all of lines 47 and 48, and that portion of line 49 preceding the semicolon following the word "law", and insert in lieu thereof the following: ", assessed by the State Board of Equalization, of two and six-tenths per centum upon the amount of the gross premiums other than gross premiums from ocean marine insurance, received upon its business done in this State, less return premiums and reinsurance in companies or associations authorized to do business in this State; provided, that there shall be deducted from said two and six-tenths per centum upon the gross premiums the amount of any taxes paid by such companies on real estate owned by them in this State. This tax shall be in lieu of all other taxes and licenses, State, county, and municipal, upon which companies or their property, except taxes upon their real estate".

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 11, of the printed measure, after the word "tax", insert the following: ", assessed by the State Board of Equalization,".

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 17, of the printed measure, following the word "rate", strike out the words "to be provided by law.", and insert in lieu thereof the following: "of five per centum, which tax shall be in lieu of all other taxes and licenses, State, county and municipal, upon such insurer, except taxes upon real estate, and such other taxes as may be assessed or levied against such insurer on account of any other class of insurance written by it."

AMENDMENT NUMBER NINETEEN.

On page 4 of the printed measure, between lines 20 and 21, insert the following paragraph:

"The Legislature, two-thirds of all the members elected to each of the two houses voting in favor thereof, may by law change the rate or rates of taxes herein imposed upon insurance companies."

AMENDMENT NUMBER TWENTY.

On page 4, line 27, of the printed measure, after the word "by", insert the following: "vote of two-thirds of all the members elected to each house of".

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 27, of the printed measure, after the word "assessed", insert the following: "by the State Board of Equalization", and after the word "collected", insert the following: "as provided by law".

AMENDMENT NUMBER TWENTY-TWO.

On page 4 of the printed measure, strike out that portion of line 29 following the word "utilities." commencing with the word "residing", and strike out all of line 30, and all of line 31.

AMENDMENT NUMBER TWENTY-THREE.

On page 4, line 35, of the printed measure, strike out the word "meeting", and insert in lieu thereof the word "meet".

AMENDMENT NUMBER TWENTY-FOUR.

On page 4, line 38, of the printed measure, after the word "counties", strike out the words "of this State", and insert in lieu thereof the following: ", to be applied toward meeting expenditures provided for in their budgets," and after the word "upon", insert the word "the".

AMENDMENT NUMBER TWENTY-FIVE.

On page 4, line 40, of the printed measure, after the words "city and county", insert the words ", and by reference to such other factors".

AMENDMENT NUMBER TWENTY-SIX.

On page 4 of the printed measure, between lines 41 and 42, insert the following paragraphs:

"The Legislature shall define 'gross receipts' and may define the same so as to include any value received, tangible or intangible, upon any transaction; and the Legislature may define the term 'transaction'.

The Legislature shall pass all laws necessary to carry into effect the provisions of this section."

AMENDMENT NUMBER TWENTY-SEVEN.

On page 5 of the printed measure, between lines 7 and 8, insert the following paragraph:

"3. All taxes imposed pursuant to this section shall be assessed by the State Board of Equalization"

Amendments adopted.

Assembly Constitutional Amendment No. 68 ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 435—An act to amend sections 8, 14 and 19 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—74.

NOES—None.

MOTION TO RESCIND ACTION AND EXPUNGE ROLL CALL.

Pending announcement of the vote, Mr Feigenbaum moved that the roll call whereby Assembly Bill No. 435 was passed, be rescinded, and that the same be expunged from the records, as the bill had an urgency clause which should be adopted before the passage of the bill.

The question being on the motion to rescind the action, and expunge the roll call on Assembly Bill No. 435.

Motion carried.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED THIRTY-FIVE.

Assembly Bill No. 435—An act to amend sections 8, 14, and 19 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Wright and Mr Speaker—68

NOES—Woolwine—1.

THIRD READING OF ASSEMBLY BILL NUMBER FOUR HUNDRED THIRTY-FIVE.

Assembly Bill No. 435—An act to amend sections 8, 14, and 19 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 435 passed by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones,

Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—70.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 436—An act to amend sections 5, 6, 12, 13, 20, 21, 25, 27, 29, 30, 31 and 33 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Bill read.

Urgency clause read:

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—72.
NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER FOUR HUNDRED THIRTY-SIX.

Assembly Bill No. 436—An act to amend sections 5, 6, 12, 13, 20, 21, 25, 27, 29, 30, 31 and 33 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 436 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—73.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 29—An act to amend section 268b of the Penal Code, relating to protection of fish.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 29 was withdrawn from the file, and referred to Committee on Rules.

HON. E. H. ZION IN THE CHAIR.

At eleven o'clock and forty minutes a.m., Hon. E. H. Zion, member of the Assembly from the Thirty-second District, in the chair.

Assembly Bill No. 274—An act to amend section 549 of the Code of Civil Procedure, relating to attachments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 274 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Stannard, Stream, Tournoux, Utt, West, Woolwine, Wright and Zion—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 755—An act to add a new section, to be numbered 905a, to Chapter IX of Title XI of Part II of the Code of Civil Procedure, relating to the determination of third party claims.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 755 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Tournoux, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 756—An act to amend section 549 of the Code of Civil Procedure, relating to property claims by a third party.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 756 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Riley, Roberts,

Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Tournoux, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—67.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 42—An act to amend section 16x9 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 42 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Utt, West, Woolwine, Wright and Zion—64.
NOES—O'Connor—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 45—An act to amend section 2322x9 of the Political Code, relating to the office of agricultural commissioner in counties of the ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 45 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Woolwine and Zion—67.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At twelve o'clock and ten minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 44—An act to add a new section to be numbered 9a9, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems, approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 44 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Woolwine and Mr. Speaker—65.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 43—An act to amend section 19x9 of the Juvenile Court Law, relating to probation officers in counties of the ninth class.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 43 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Patterson, Peterson, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Utt, West, Woolwine, Wright and Mr. Speaker—60.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 40—An act to amend section 4238 of the Political Code, relating to compensation of county and township officers in counties of the ninth class.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 40 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Utt, West, Woolwine and Mr. Speaker—60.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1597—An act to amend the Public Utilities Act by adding a new section thereto to be numbered 61½, relating to the duties of the official reporter appointed by the Railroad Commission, and fixing the amount of fees or charges for furnishing transcripts.
Bill read third time.
The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1597 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Thorp, Tournoux, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 704—An act to amend section 71 of the Public Utilities Act, relating to reparation to be made for excessive or unreasonable charges by a public utility.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 704 was withdrawn from the file and referred to Committee on Rules.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 8, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 740—An act to amend section 4 of an act entitled "An act providing for the control and management of a tract of land owned by the State of California and situated in the county of Napa in said State," approved May 15, 1917, relating to State property in Napa County.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 740 read first time, and referred to Committee on Hospitals and Asylums.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 41—An act to amend section 737dd of the Political Code, relating to the annual salary of judges of the superior court in and for the county of Orange—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 2017—An act to amend section 737x of the Political Code, relating to the compensation of judges of the superior court, Merced County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1231—An act to define and regulate the practice of shorthand reporting; creating a State Board of Shorthand Reporting, and providing for its powers and duties; providing for the examination and certification of shorthand reporters, with the designation of "certified shorthand reporter"; providing for the reporting, taking and certifying of depositions by certified shorthand reporters; and prescribing penalties for violations of this act and to repeal section 270 of the Code of Civil Procedure—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

LEVEY, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 585—An act to amend section 653d of the Penal Code, relating to rebating wages on public work, so as to specifically include within its terms any person who accepts or conspires to accept a rebate from those performing services under contractors and subcontractors doing public work;

Also: Assembly Bill No. 708—An act to amend sections 927 and 927b of the Code of Civil Procedure, relating to the jurisdictional limit of the small claims court, and to permit suit at the place where the obligation has been incurred as well as at the place of residence of the defendant;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DEMPSTER, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 207—An act to amend section 635c of the Penal Code, relating to the hours of labor on public works—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Unemployment.

DEMPSTER, Chairman.

The above reported bill ordered re-referred to Committee on Unemployment.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 396—An act to add a new section to the Political Code to be numbered 2610, relating to the power of the Director of Public Works to rescind or terminate leases of lands of Mission Bay—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933.

MR SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 707—An act to add a new section, to be numbered 2a, to an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation thereof," as amended, permitting the publishing of the schedule of general prevailing rate of wages by reference to it in the advertisement of the call for bids and requiring the awarding body in such case to furnish an accurate and legible copy

of the said schedule as found in the call for bids, without cost, to any person requesting same—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DEMPSTER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 696—An act to amend the title and sections 3 and 5 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, by requiring all contractors and subcontractors doing public work to pay their employees and workmen by negotiable checks without refund, abatement or reduction except by a reasonable charge for board, to furnish certified, accurate duplicate copies of their pay roll records to the inspector on the job on the day following each pay day and to post and keep posted in a conspicuous place at the site of the work an accurate and legible copy of the schedule of wages required by the contract to be paid to all workers employed on the job, providing penalties for failure to do so, and making it clear that piece workers and working subcontractors are to be classed as workmen when doing work on the job—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DEMPSTER, Chairman.

The above reported bill ordered on file for second reading.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 253—An act to amend section 8 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917," approved June 13, 1923;

Also: Assembly Bill No. 254—An act to amend section 3 of an act entitled "An act regulating the sale, offering for sale, possession or transportation of machine rifles, machine guns and submachine guns, and providing a penalty for the violation thereof," approved May 16, 1927;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MILLER, ELEANOR, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 393—An act to add a new section to the Penal Code to be numbered 904a, relating to grand juries—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Crime Problems, to which was referred Assembly Bill No. 715—An act to abolish the death penalty as a punishment for

crime, except in certain cases, and to provide for the punishment for crimes in cases where the death penalty is abolished—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 22—An act to amend section 1322 of the Penal Code, relating to husband and wife—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 1795—An act to amend section 68 of the Penal Code, relating to bribery—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 392—An act to amend section 2 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject." approved June 13, 1923, as amended, relating to the possession of deadly weapons—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 511—An act to add two new sections to the Penal Code to be numbered 969c and 1158a, relating to defendants armed with weapons at the time of the commission of the offense or at the time of arrest and providing a procedure for charging that defendants were so armed and for determining the truth of the charge—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

MILLER, ELEANOR, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Crime Problems, to which was referred Assembly Bill No. 3—An act to prohibit the possession of all devices or attachments of any kind designed, used or intended for use in silencing the report of a firearm, and providing a penalty for violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

MOTION.

Mr. Robinson, C. Ray, moved that the Journals of Saturday, January 28, 1933; Tuesday, February 28, 1933; Wednesday, March 1, 1933; Thursday, March 2, 1933, be approved as corrected by the Minute Clerk.

Motion carried.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Levey:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the assessment and collection of the taxes on property in safe deposit vaults, and declaring the urgency thereof.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide for the assessment and collection of the taxes on property in safe deposit vaults, and declaring the urgency thereof.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, West, Wright, Zion and Mr. Speaker—66.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Levey: Assembly Bill No. 2326—An act to provide for the assessment and collection of the taxes on property in safe deposit vaults, and declaring the urgency thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

ADJOURNMENT.

At twelve o'clock and forty-five minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, March 9, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, March 9, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Mecker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Hoffman, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Thorp, Mrs. L. P. Leete, principal, Mrs. Lester Montgomery, W. M. Fox, and pupils of the seventh and eighth grades, Lockeford School, San Joaquin County, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nielsen, Mrs. M. C. Wilson, instructor, and the pupils of Western School of Business in Sacramento, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Zion, Mr. W. W. Cox of Westley, California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Anglim, Messrs. P. O. Rupp and J. Hamill of Richmond, California, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nielsen, Hon. Joe Maloney, fire chief of Truckee, California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hornblower, Mr. and Mrs. Thomas Wilson of San Francisco were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Burns, Hon. Robert A. Fisher, former member of the Legislature, Arthur Walton and Hugh Gilmore were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Maloney, Mr. and Mrs. Ray French were extended the privilege of the floor of the Assembly for this day.

COMMUNICATION.

The following communication was received, read, and, on motion of Mr. Grubbs, ordered printed in the Journal:

SAN FRANCISCO, CALIFORNIA, March 8, 1933.

To the Assembly of the State of California.

GENTLEMEN: According to press reports there are before your body resolutions calling for certain information from this commission regarding the rates of return of the utilities of the State and kindred matters. Whether or not these resolutions are passed, this commission is desirous of not only furnishing any information wanted

but of getting your aid in attempting to harmonize the income of the utilities with conditions obtaining with businesses and individuals. Some proposed legislation is now before you which may indirectly assist in this regard

For the past three years this commission has been devoting especial attention to utility rates and has succeeded in reducing the return below what has been allowed in normal times, except where we have been attacked in the Federal courts. We have now three major rate cases under hearing. In addition to this, we have contemplated and have been preparing to take more drastic action which might or might not take us further into the Federal courts. On February 14th of this year the commission spread upon its minutes a resolution directing its departments to bring together in concise form the data necessary upon which to institute such emergency proceedings regarding rates and rates of return. We have not heretofore actually started such proceedings for four principal reasons:

1. Because to do so would have unduly interfered with the legal and proper process of the Legislature in the equalization of utility taxes, which matter we knew would be before your bodies.

2. Because we believed if equalization of taxes was accomplished the return of the utilities would be reduced substantially and perhaps as low or lower than we could accomplish by an attempt to exercise extraordinary regulatory powers.

3. Because we believed the proposed equalization of taxes would be a surer way of reducing return than drastic action on the part of this commission, subject, as the latter action is, to delay and reversal through the Federal courts.

4. Because this commission is in a much stronger position to prevent rate increases than to reduce rates.

The commission is also advised through the press and by individual members that it is contemplated later in the session to attempt equalization of utility taxes. We wish to conform to the wishes of the Legislature in this matter. If it is your desire that we proceed at once to attempt drastic reduction of rates under the circumstances we are prepared to do so.

Respectfully,

RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.
By CLYDE L SEAVEY, President.

PRESENTATION OF PETITIONS

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Navigators Club, Santa Monica, commending the action of the State of California in furthering the interests of the California Nautical School.

(Signed) ALTON L. WYMAN, President.

Also:

By Mr. Speaker:

From Fresno County Bar Association, Fresno, opposed to abolishment of the Fourth District Court of Appeals.

(Signed) HERBERT McDOWELL, President.
LOUIS J. COELHO, Secretary.

Also:

By Mr. Speaker:

From Louise Keelor and 50 others, opposing abolishment of Board of Cosmetology.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 57—An act to amend section 1315 of the Political Code, relating to electors of the President and Vice President of the United States;

Also: Assembly Bill No 233—An act to amend section 1201 of the Probate Code, relating to notice of petition for leave to sell or give option on mines and mining claims;

Also: Assembly Bill No. 382—An act to amend sections 581 and 629 of the Code of Civil Procedure, relating to civil actions;

Also: Assembly Bill No. 859—An act to amend section 1b of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to fees;

Also: Assembly Bill No. 1137—An act to amend section 4264 of the Political Code, relating to the compensation of county and township officers in counties of the thirty-fifth class;

Also: Assembly Bill No 1263—An act to repeal section 842 of the Code of Civil Procedure, relating to practice of law in justice's courts;

Also: Assembly Bill No. 1272—An act relating to the marking of State highways for the purpose of indicating route numbers and making readily available information of a cautionary, regulatory or directional nature pertaining to the use of such highways, and defining the powers and duties of the State Department of Public Works and the Division of Highways in relation thereto;

Also: Assembly Bill No. 1304—An act to amend section 4191, Political Code, relating to the use of the law library fund;

Also: Assembly Bill No. 1838—An act to add a new section to the Political Code to be numbered 528a, relating to the printing of new or revised codes;

Also: Assembly Bill No. 1867—An act to repeal section 16x6 of the Weights and Measures Act and to add a new section thereto, to be numbered 16x6, relating to the sealer of weights and measures in counties of the sixth class;

Also: Assembly Bill No. 1868—An act to amend section 19x6 of the Juvenile Court Law, relating to the probation officer in counties of the sixth class;

Also: Assembly Bill No. 1870—An act to amend section 9a6 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the sixth class;

Also: Assembly Bill No 1873—An act to amend section 2322x6 of the Political Code, relating to the office of the agricultural commissioner in counties of the sixth class,

Also: Assembly Bill No. 1941—An act to amend section 19x26 of the Juvenile Court Law, relating to the probation officer in counties of the twenty-sixth class.

Also: Assembly Bill No. 1942—An act to amend section 16x26 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the twenty-sixth class;

Also: Assembly Bill No. 1943—An act to amend section 2322x26 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-sixth class;

Also: Assembly Bill No. 2239—An act to amend section 11 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the filing of prescriptions by pharmacists;

Also: Assembly Bill No. 2323—An act to prohibit the issuance of any media of exchange for circulation instead of money unless with and upon the approval of a duly constituted State or national authority, and to declare the urgency hereof;

Also. Assembly Bill No. 31—An act to provide for restoration of recorded subdivision maps which are injured or destroyed by conflagration or other public calamity, or are lost or stolen;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON RULES

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No 1231—An act to define and regulate the practice of shorthand reporting; creating a State Board of Shorthand Reporting, and providing for its powers and duties; providing for the examination and certification of shorthand reporters, with the designation of "certified shorthand reporter"; providing for the reporting, taking and certifying of depositions by certified shorthand reporters; and prescribing penalties for violations of this act and to repeal section 270 of the Code of Civil Procedure—has had the same under consideration, and respectfully reports the same back, and recommends that it be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered to reprint.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 622—An act to add a new section to the Civil Code to be numbered 85, relating to legitimacy;

Also: Assembly Bill No. 623—An act to add a new section to the Probate Code to be numbered 1026, and to repeal section 672 of the Civil Code, relating to distribution of estates to nonresident aliens;

Also: Assembly Bill No. 628—An act to amend section 932 of the Probate Code, relating to executors and administrators;

Also: Assembly Bill No. 629—An act to amend sections 780 and 782 of the Probate Code, relating to sales of real property by executors and administrators;

Also: Assembly Bill No. 630—An act to amend section 702 of the Probate Code, relating to notice to creditors by executors or administrators;

Also: Assembly Bill No. 633—An act to amend section 440 of the Probate Code, relating to petitions for letters of administration;

Also: Assembly Bill No. 635—An act to amend section 21 of the Probate Code, relating to the disposition of community property by will;

Also: Assembly Bill No. 636—An act to repeal sections 1969 and 1970 of the Code of Civil Procedure, relating to wills;

Also: Assembly Bill No. 637—An act to amend section 2287 of the Civil Code, relating to appointment of a trustee to fill a vacancy;

Also: Assembly Bill No. 638—An act to amend section 1537 of the Probate Code, relating to guardians;

Also: Assembly Bill No. 639—An act to add two new sections to the Probate Code to be numbered 1241 and 1632, respectively, and to repeal sections 965 and 966 of the Code of Civil Procedure, relating to appeals by and concerning executors, administrators or guardians;

Also Assembly Bill No. 817—An act to amend section 28 of The General Cemetery Act, relating to the extension of time for the disinterment and removal of bodies from cemeteries;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman

The above reported bills ordered on file for second reading.

ON FEDERAL RELATIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No 9—Relative to memorializing Congress to adopt legislation with reference to manufacture of arms, munitions and implements of war—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

PETERSON, Chairman.

The above reported resolution ordered on file for adoption.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2049—An act to declare a moratorium on foreclosure of mortgages; prohibiting the sale under provision of a mortgage or deed of trust; and prohibiting the bringing of any action for the collection of any debt or the interest thereon for which a mortgage or deed of trust has been given as security—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

WEST, Chairman

The above reported bill ordered on file for second reading.

ON AVIATION AND AIRCRAFT

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933.

MR SPEAKER: Your Committee on Aviation and Aircraft, to which was referred Assembly Bill No. 1617—An act to add a new section to be numbered 5a to "The California Air Navigation Act," approved June 18, 1929, relating to the requiring of a certificate of authority—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, JAMES A., Chairman.

The above reported bill ordered on file for second reading

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 226—An act to add sections 12a and 13a to, and to amend sections 134, 135, 660 and 939 of the Code of Civil Procedure, relating to holidays,

and declaring the urgency thereof, to take effect immediately—and reports that the same has been correctly enrolled and presented the same to the Governor on this ninth day of March, 1933, at ten o'clock and fifteen minutes a.m.

PATTERSON, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 8, 1933.

To the Members of the Assembly of the State of California.

I am transmitting herewith my proclamation issued by me today proclaiming Friday, March 10, 1933, and Saturday, March 11, 1933, to be special holidays under the provisions of Chapter 28 of the Statutes of 1933. I have taken this action for the reason stated in said proclamation, but principally because of a telegram received by me today signed by the Honorable William G. McAdoo and the Honorable Hiram W. Johnson, Senators from California, a copy of which is also attached hereto.

Respectfully,

JAMES ROLPH, JR., Governor of California.

PROCLAMATION BY THE GOVERNOR OF THE STATE OF CALIFORNIA.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

WHEREAS, A financial unrest exists throughout the United States, the adverse effect of which has been reflected in the State of California with a consequent unnecessary withdrawal of funds from banking institutions in this State, I deem it necessary in the public interest and for the preservation of the public welfare, peace, health and safety and for the protection of depositors whose interests it is essential to safeguard, that a period of special holidays be proclaimed until the legislation necessary thereto may be enacted; now, therefore,

I, James Rolph, Jr., acting in my capacity as Governor of the State of California under authority by law in me vested, do hereby proclaim each and all of the following days, to wit: Friday, March 10, 1933, and Saturday, March 11, 1933, to be special holidays under the provisions of Chapter 28 of the Statutes of 1933; all public offices and courts and all public schools, of or under this State or any city, county, city and county, township, district or political subdivision thereof, shall be open for transaction of business as on days which are not holidays.

In witness whereof, I, James Rolph, Jr., Governor of the State of California, acting in my capacity as such, have hereunto affixed my hand at the executive office in Sacramento, California, on this eighth day of March, 1933, and have likewise caused the great seal of the State of California to be affixed hereto.

[SEAL] JAMES ROLPH, JR., Governor of California.

Attest:
FRANK C. JORDAN, Secretary of State.
By CHAS. J. HAGERTY, Deputy Secretary of State.

(COPY)

WASHINGTON, D. C., March 8, 1933.

Hon. James Rolph, Jr., Governor of California,
Sacramento, California.

Only this morning was it possible to obtain the views of the Comptroller of the Currency concerning the proposed bill contained in your wire of Saturday night. The Comptroller thought it wise from the standpoint of the Federal government that nothing should be done by the government here in respect to any legislation contemplated in California until Congress acts in its special session tomorrow upon the legislation which will be presented to it. He expressed the view that what had thus far been done by the Federal government rendered it unnecessary or inadvisable for him to do anything in regard to the State legislation at the moment and whether ultimately there should be any expression on his part could be determined only when the terms of the laws contemplated here tomorrow shall have been decided by Congress.

(Signed) WM. G. McADOO.
HIRAM W. JOHNSON.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 83—An act to repeal "An act to provide for the support of vocational reeducation and rehabilitation of workmen dis-

abled in industry in this State, and to create a fund for these purposes to be known as the 'Industrial rehabilitation fund' by fixing an additional liability upon all employers liable under said act in cases where employees receive fatal compensable injury and leave no dependents," approved May 2, 1919.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 86—An act to repeal "An act to require the payment of certain premiums to counties, and cities and counties, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums," approved March 3, 1885

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 695—An act declaring it unlawful for certain persons, associations, or corporations to engage in the business of selling, offering for sale or issuing contracts or certificates for medical service or other form of treatment for sickness or injury, without a license from the Insurance Commissioner and deposit of cash, securities or surety bond guaranteeing performance of same, as therein provided; relating to and regulating medical and hospital and other service as therein defined and provided; and providing penalties for the violation thereof

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1011—An act to amend sections 2 and 5 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the office of State Fire Marshal

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 584—An act to amend section 3633 of the Political Code, relating to the assessment of property.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1032—An act to add a new section to the Political Code to be numbered 3803, relating to the cancellation of personal property tax liens on real property when wrongfully entered and providing for a reassessment thereof

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2315—An act to add a new section to the Political Code to be numbered 3614, relating to exempting orphanages from taxation.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 894—An act to require security for the payment of wages of persons engaged in the mining industry.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after line 13, add the following:
"SEC. 2. Any person, firm or corporation violating any of this act shall be guilty of a misdemeanor."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1753—An act to add a new section to the Fish and Game Code, to be numbered 459, relating to other regulations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1755—An act to add a new section to the Fish and Game Code, to be numbered 20, relating to powers and duties.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1752—An act to add a new section to the Fish and Game Code, to be numbered 950.5, relating to Chinese shrimp nets.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1750—An act to add a new section to the Fish and Game Code, to be numbered 738.5, relating to smelt.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1761—An act to amend section 250 of the Fish and Game Code, relating to clam preserves.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 106—An act to repeal "An act relating to fishing in the waters of this State," approved April 23, 1880.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 457—An act to amend sections 698, 702, 705, 708 and 711 of the Fish and Game Code, relating to fish.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 466—An act to repeal "An act for the protection of the Antwerp messenger or homing pigeon," approved February 26, 1897.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1200—An act to repeal sections 1120 to 1140 inclusive of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1254—An act to add a new section to the Fish and Game Code, to be numbered 488.5, relating to fish hatcheries.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1256—An act to amend section 1230 of the Fish and Game Code, and to add a new section to the Fish and Game Code to be numbered 1340.5, relating to predatory mammals and rodents.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1257—An act to amend section 1177 of the Fish and Game Code and to add thereto a new section to be numbered 1203.5, relating to game.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1259—An act to add a new section to the Fish and Game Code, to be numbered 492.5, relating to shipment of game fish.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1363—An act to add section 21.5 to the Fish and Game Code, relating to suits against officers and deputies.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1526—An act to amend section 379 of the Fish and Game Code, relating to Federal preserves.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1518—An act to amend section 5 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof" which became a law under constitutional provision without the Governor's approval (February 25, 1901), relating to the issuance of municipal improvement bonds.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 7 of the title of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following: "and declaring the urgency of this act and that this act shall take effect immediately."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 6, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 5 of the act cited in the title hereof is hereby amended to read as follows.

Sec. 5. Subject to the provisions of this act, the legislative body of the municipality shall prescribe the form of the bonds to be issued hereunder, and of the interest coupons appertaining thereto. An issue of bonds is hereby defined to be the aggregate principal amount of all of the bonds authorized to be issued in accordance with a proposal submitted to and approved by the electors of the municipality in conformity with the provisions of this act, but no indebtedness shall be deemed to have been contracted within the meaning of this act until bonds shall have been sold and delivered and then only to the extent of the principal amount of bonds so sold and delivered. The legislative body of the municipality issuing the bonds shall fix the date of the bonds and may, in its discretion, divide the aggregate principal amount of any authorized issue into two or more divisions or series and fix different dates for the bonds of each separate division or series. In the event any authorized issue is divided into two or more divisions or series, the bonds of each division or series may be made payable at such time or times as may be fixed by the legislative body of the municipality separate and distinct from the time or times of payment of bonds of any other division or series of the same issue; provided that the maturity or maturities of each separate division or series shall in each separate case comply with the provisions of this act. Each issue of bonds, or in the event such issue is divided into two or more divisions or series, then each such division or series as the case may be issued under the provisions of".

AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, after the word "indebtedness", and before "shall", strike out the comma, and insert in lieu thereof the following: "evidenced by each issue or each series or division of such issue, as the case may be,".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 20 and 21, and insert in lieu thereof the following: "of the principal of such issue, or of each separate division or series thereof, not more than ten years from the date of such issue, or separately in the case of each separate series or division of such issue not more than ten years from the date of each such division or series, respectively, but, in this event, the whole".

AMENDMENT NUMBER FIVE.

On page 1, line 22, of the printed bill, after the word "indebtedness", insert the following: "evidenced by such issue, or if such issue has been divided into two or more divisions or series, then the separate amount of the indebtedness evidenced by each of such divisions or series."

AMENDMENT NUMBER SIX.

On page 2, line 1, of the printed bill, strike out "same" and the period, and insert in lieu thereof the following "indebtedness evidenced by such issue or from the time of contracting the indebtedness evidenced by each separate series or division of such issue if such issue has been divided into two or more divisions or series."

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, after line 24, insert the following:

"SEC. 2. This act is hereby declared to be an urgency measure, necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall take effect immediately. The facts constituting such urgency are as follows. Certain municipalities in this State have heretofore authorized the issuance of bonds for the purpose of providing pure water for the use of such cities and their inhabitants. The proceeds of the sale of such bonds will be devoted to necessary construction which will afford immediate relief to many persons in this State now unemployed and who are without funds to support themselves and are likely to become a charge upon this State and the public authorities thereof. The issuance and sale of all of such bonds at this time would render an increased burden upon the taxpayers but said bonds may be issued in series or divisions from time to time as funds are needed, and if this act is made effective immediately, such bonds can and will be so issued in such series as to make possible such construction, provide employment and furnish pure water to municipalities."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1484—An act to amend section 1 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 322—An act to amend section 11½ of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such

districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, relating to the purchase of outstanding bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 41—An act to amend section 737dd of the Political Code, relating to the annual salary of judges of the superior court in and for the county of Orange.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 5, inclusive, and insert in lieu thereof the following:

"737dd. The annual salary of each of the judges of the superior court in and for the county of Orange is six thousand dollars."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2017—An act to amend section 737x of the Political Code, relating to the compensation of judges of the superior court, Merced County.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 396—An act to add a new section to the Political Code to be numbered 2610, relating to the power of the Director of Public Works to rescind or terminate leases of lands of Mission Bay.

Bill read second time.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 396 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1231—An act to define and regulate the practice of shorthand reporting; creating a State Board of Shorthand Reporting, and providing for its powers and duties; providing for the examination and certification of shorthand reporters, with the designation of "certified shorthand reporter"; providing for the reporting, taking and certifying of depositions by certified shorthand reporters; and prescribing penalties for violations of this act and to repeal section 270 of the Code of Civil Procedure.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 4, line 40, of the printed bill, strike out all of section 9, to and including line 3 on page 5.

AMENDMENT NUMBER TWO.

On page 5, line 4, of the printed bill, strike out "10", and insert in lieu thereof "9".

AMENDMENT NUMBER THREE.

On page 5, line 10, of the printed bill, strike out "11", and insert in lieu thereof "10".

AMENDMENT NUMBER FOUR.

On page 5, line 14, of the printed bill, strike out "12", and insert in lieu thereof "11".

AMENDMENT NUMBER FIVE.

On page 5, line 16, of the printed bill, strike out "13", and insert in lieu thereof "12".

AMENDMENT NUMBER SIX.

On page 5, line 22, of the printed bill, strike out "14", and insert in lieu thereof "13".

AMENDMENT NUMBER SEVEN.

On page 5, line 26, of the printed bill, strike out "15", and insert in lieu thereof "14".

AMENDMENT NUMBER EIGHT.

On page 5, line 35, of the printed bill, strike out "16", and insert in lieu thereof "15".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 585—An act to amend section 653d of the Penal Code, relating to rebating wages on public work, so as to specifically include within its terms any person who accepts or conspires to accept a rebate from those performing services under contractors and subcontractors doing public work.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 708—An act to amend sections 927 and 927b of the Code of Civil Procedure, relating to the jurisdictional limit of the small claims court, and to permit suit at the place where the obligation has been incurred as well as at the place of residence of the defendant.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 707—An act to add a new section, to be numbered 2a, to an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation thereof," as amended, permitting the publishing of the schedule of general prevailing rate of wages by reference to it in the advertisement of the call for bids and requiring the awarding body in such case to furnish an accurate and legible copy of the said schedule as found in the call for bids, without cost, to any person requesting same

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 696—An act to amend the title and sections 3 and 5 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the pro-

visions thereof," approved May 25, 1931, by requiring all contractors and subcontractors doing public work to pay their employees and workmen by negotiable checks without refund, abatement or reduction except by a reasonable charge for board, to furnish certified, accurate duplicate copies of their pay roll records to the inspector on the job on the day following each pay day and to post and keep posted in a conspicuous place at the site of the work an accurate and legible copy of the schedule of wages required by the contract to be paid to all workers employed on the job, providing penalties for failure to do so, and making it clear that piece workers and working subcontractors are to be classed as workmen when doing work on the job.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 253—An act to amend section 8 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917," approved June 13, 1923.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the word "eighteen", and insert in lieu thereof the words "twenty-one".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 254—An act to amend section 3 of an act entitled "An act regulating the sale, offering for sale, possession or transportation of machine rifles, machine guns and submachine guns, and providing a penalty for the violation thereof," approved May 16, 1927

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 1 of the title, strike out "section 3", and insert in lieu thereof "sections 1, 2, 3, 6 and 7".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, strike out the word "eighteen", and insert in lieu thereof the words "twenty-one".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, after the last line insert the following:

"SEC. 2. Section 1 of said act is hereby amended to read as follows:

Section 1. On and after the date upon which this act takes effect every person, firm or corporation, who within the State of California sells, offers for sale, possesses or knowingly transports any firearms of the kind commonly known as a machine gun, except as herein prescribed, is guilty of a public offense and upon conviction thereof shall be punished by imprisonment in the State prison not to exceed five years or by a fine not to exceed five thousand dollars or by both such fine and imprisonment.

Provided, however, that nothing in this act contained shall prohibit the sale to, purchase by, or possession of such firearms by police departments and members thereof, sheriffs, and city marshals, or the military or naval forces of this State or of the United States for use in the discharge of their official duties.

SEC. 3. Section 2 of said act is hereby amended to read as follows:

Sec. 2. The term machine gun as used in this act shall be construed to apply to and include all firearms known as machine rifles, machine guns, or submachine guns capable of discharging automatically and continuously loaded ammunition of any caliber in which the ammunition is fed to such gun from or by means of clips, disks, drums, belts or other separable mechanical device and all firearms which are automatically fed after each discharge from or by means of clips, disks, drums, belts or other separable mechanical device having a capacity greater than ten cartridges.

SEC. 4. Section 6 of said act is hereby amended to read as follows:

Sec. 6. Permits issued in accordance with this act may be revoked by the issuing authority at any time when it shall appear that the need for such firearms has ceased or that the holder of the permit has used such firearms for purposes other than those allowed by the permit or that the holder of the permit has not exercised great care in retaining custody of any weapons possessed under the permit.

SEC 5. Section 7 of said act is hereby amended to read as follows:

Sec. 7. The Superintendent of the Division of Criminal Identification and Investigation of the Department of Penology may also grant licenses in a form to be prescribed by him effective for not more than one year from the date of issuance, to permit the sale at the place specified in the license of such firearm subject to all of the following conditions, upon breach of any of which the license shall be revoked:

1. Such business shall be carried on only in the place designated in the license

2. Such license or a certified copy thereof must be displayed on the premises in a place where it may easily be read.

3. No such firearm shall be delivered to any person not authorized to receive the same under the provisions of this act.

4. A complete record must be kept of sales made under the authority of the license showing the name and address of the purchaser, the descriptions and serial numbers of the weapons purchased, the number and date of issue of the purchaser's permit, if any, and the signature of the purchaser or purchasing agent. This record shall be open to the inspection of any peace officer or other person designated by the Superintendent of the Bureau of Criminal Identification and Investigation"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 393—An act to add a new section to the Penal Code to be numbered 904a, relating to grand juries.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, lines 3 and 4, of the printed bill, strike out ", except the foreman".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 715—An act to abolish the death penalty as a punishment for crime, except in certain cases, and to provide for the punishment for crimes in cases where the death penalty is abolished.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 2 to 5, inclusive, and insert in lieu thereof the following: "and abolished as a punishment for crime except in the following cases: (1) Those crimes denounced in section 246 of the Penal Code, (2) for murder committed by a person while confined in prison, (3) for murder by an escaped prisoner undergoing a life sentence in a State Prison, and (4) those cases provided for in the Articles of War as adopted by section 1918 of the Political Code."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 8 to 11, inclusive, and insert in lieu thereof the following: "crime is now punishable by death except in the following cases: (1) Those crimes denounced in section 246 of the Penal Code, (2) for murder committed by a person while confined in prison, (3) for murder by an escaped prisoner undergoing a life sentence in a State Prison, and (4) those cases provided for under the Articles of War as adopted by section 1918 of the Political Code, the punishment for said crime".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 22—An act to amend section 1322 of the Penal Code, relating to husband and wife.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 7, of the printed bill, after the word "other", insert the following: "whether before or after marriage".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, after the word "other", insert the following: "or upon the child or children of one by the other".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1795—An act to amend section 68 of the Penal Code, relating to bribery.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 392—An act to amend section 2 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating

sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended, relating to the possession of deadly weapons.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 511—An act to add two new sections to the Penal Code to be numbered 969c and 1158a, relating to defendants armed with weapons at the time of the commission of the offense or at the time of arrest and providing a procedure for charging that defendants were so armed and for determining the truth of the charge.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 3—An act to prohibit the possession of all devices or attachments of any kind designed, used or intended for use in silencing the report of a firearm, and providing a penalty for violation thereof.

Bill read second time, ordered to engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 45—A resolution to propose to the people of the State of California, an amendment to section 1 of Article VII of the Constitution of said State, relating to the pardoning power.

Assembly Constitutional Amendment No. 45 read.

The question being on the adoption of Assembly Constitutional Amendment No. 45.

The roll was called, and Assembly Constitutional Amendment No. 45 adopted by the following vote:

AYES—Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Wright, Zion and Mr. Speaker—62.

NOES—Clowdsley, King, Nielsen, O'Connor, Stannard and West—6.

Title read and approved.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 45.

A resolution to propose to the people of the State of California, an amendment to section 1 of Article VII of the Constitution of said State, relating to the pardoning power.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of said Legislature voting therefor, hereby proposes to the people of the State of California that section 1 of Article VII of the Constitution of said State be amended to read as follows:

Section 1. The Governor shall have the power to grant reprieves, pardons, and commutations of sentence, after conviction, for all offenses except treason and cases of impeachment, upon such conditions, and with such restrictions and limitations, as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Upon conviction for treason, the Governor shall have power to suspend the execution of the sentence until the case shall be reported to the Legislature at its next meeting, when the Legislature shall either pardon, direct the execution of the sentence, or grant a further reprieve. The Governor shall communicate to the Legislature, at the beginning of every session, every case of reprieve or pardon granted, stating the name of the convict, the crime for which he was convicted, the sentence, its date, the date of the pardon or reprieve, and the reasons for granting the same. Neither the Governor nor the Legislature shall have power to grant pardons, or commutations of sentence, in any case where the convict has been twice convicted of a felony, or in any case of sentence of

death, unless upon the written recommendation of a majority of the judges of the Supreme Court.

NOTICE OF RECONSIDERATION.

Mr. Crist gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 45 was this day adopted.

Assembly Constitutional Amendment No. 54—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 7 of Article XIII thereof, relating to the lending of the credit of the State or of any county, city and county, city, township or other political corporation or subdivision of the State.

Assembly Constitutional Amendment No. 54 read.

The question being on the adoption of Assembly Constitutional Amendment No. 54.

The roll was called, and Assembly Constitutional Amendment No. 54 adopted by the following vote:

AYES—Alter, Badham, Bliss, Brock, Burns, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Wright, Zion and Mr. Speaker—65.

NOES—None

Title read and approved.

Assembly Constitutional Amendment No. 54 ordered transmitted to the Senate

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 54.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 7 of Article XIII thereof, relating to the lending of the credit of the State or of any county, city and county, city, township or other political corporation or subdivision of the State.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California, at its 50th regular session, commencing on the second day of January, 1933, two-thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California that section 7 of Article XIII of the Constitution of this State be amended to read as follows:

SEC. 7. *The Legislature shall have the power to provide by law for the payment of all taxes in installments.*

Assembly Constitutional Amendment No. 2—A resolution proposing to the people of the State of California an amendment to the Constitution of said State by adding to Article IV thereof a new section to be numbered 31c, authorizing any city of the fifth or sixth class to acquire and hold stock in mutual water corporations.

Assembly Constitutional Amendment No. 2 read.

The question being on the adoption of Assembly Constitutional Amendment No. 2

The roll was called, and Assembly Constitutional Amendment No. 2 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin,

Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—72.

NOES—None.

Title read and approved

Assembly Constitutional Amendment No 2 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 2.

A resolution proposing to the people of the State of California an amendment to the Constitution of said State by adding to Article IV thereof a new section to be numbered 31c, authorizing any city of the fifth or sixth class to acquire and hold stock in mutual water corporations.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California at its 50th regular session commencing on the second day of January, 1933, two-thirds of all the members elected to each of the two houses of the Legislature voting in favor thereof, hereby proposes that the Constitution of said State be amended by adding to Article IV thereof a new section to be numbered 31c, and to read as follows:

Sec. 31c. Nothing contained in this Constitution shall preclude any city of the fifth or sixth class from acquiring or holding shares of the capital stock of any mutual water company or corporation when said stock is so acquired or held for the purpose of furnishing a supply of water for public or municipal purposes, or for the use of the inhabitants of the city, and the city is hereby authorized to acquire and hold such stock, and said holding of such stock shall entitle such holder thereof to all the rights, powers and privileges, and subjects such holder to the obligations and liabilities, as are given or are imposed by law to or upon other holders of stock in the mutual water corporation in which such stock is so held.

Assembly Bill No 970—An act to add a new article to Chapter 3, Part 3, Division IV, to be numbered Article 6, embracing sections 1350, 1351, 1352 and 1353 of the Fish and Game Code, and to amend section 1410 thereof, relating to amphibia, and to renumber present Articles 6 and 7 of Chapter 3, Part 3, Division IV.

Bill read.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 970 was withdrawn from the file, and referred to Committee on Rules.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Messrs. Rawls and Dempster

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR SPEAKER: We ask permission to introduce the accompanying bill, the title of which reads as follows:

An act relating to and providing for a moratorium in respect to the sale of farms, dwelling houses and outbuildings, whether on execution, under power of sale contained in a mortgage or deed of trust or in an action for the recovery of a debt or the enforcement of a right secured by mortgage or other lien, and declaring the urgency thereof, to take effect immediately

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act relating to and providing for a moratorium in respect to the sale of farms, dwelling houses and outbuildings, whether on execution, under power of sale contained in a mortgage or deed of trust or in an action for the recovery of a debt or the enforcement of a right secured by mortgage or other lien, and declaring the urgency thereof, to take effect immediately

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—70.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Messrs. Rawls and Dempster: Assembly Bill No. 2327—An act relating to and providing for a moratorium in respect to the sale of farms, dwelling houses and outbuildings, whether on execution, under power of sale contained in a mortgage or deed of trust or in an action for the recovery of a debt or the enforcement of a right secured by mortgage or other lien, and declaring the urgency thereof, to take effect immediately.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Feigenbaum asked for, and was granted, unanimous consent to have Rules Nos. 64, 68, 70, 74 and 75 suspended for the purpose of considering Assembly Bill No. 2327, at this time, without reference to committee or file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Messrs. Rawls and Dempster:

Resolved, That Assembly Bill No. 2327 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No 2327.

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED TWENTY-SEVEN.

Assembly Bill No. 2327—An act relating to and providing for a moratorium in respect to the sale of farms, dwelling houses and outbuildings, whether on execution, under power of sale contained in a mortgage or deed of trust or in an action for the recovery of a debt or the enforcement of a right secured by mortgage or other lien, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Powers, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—67.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED TWENTY-SEVEN.

Assembly Bill No. 2327—An act relating to and providing for a moratorium in respect to the sale of farms, dwelling houses and outbuildings, whether on execution, under power of sale contained in a mortgage or deed of trust or in an action for the recovery of a debt or the enforcement of a right secured by mortgage or other lien, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2327 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER SET.

On motion of Mr. Robinson, C. Ray, the consideration of Assembly Bill No. 715 was made a special order for Wednesday, March 15, 1933, at eleven o'clock a.m.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 157—An act to amend the title and sections 11, 12, 17, 19, 20, 21, 22, 31 and 32 and to add new sections numbered 9a, 16a and 16b of the act known as "The General Cemetery Act," approved June 19, 1931, and providing for methods and requirements for establishing new cemeteries, defining perpetual care and nonperpetual care cemeteries, and requiring certain acts of the same and providing penalties for the violation of act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1115—An act to encourage agriculture and the breeding of live stock and to create a market for said live stock in the State of California and to provide for regulating and licensing horse racing and horse race meetings and the wagering on the results thereof in the State of California; creating a State Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to legalize the pari mutuel or mutual method of wagering on horse races; to provide penalties for the violation of the provisions of this act and repealing all acts or parts of acts in conflict therewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1359—An act to amend section 588c of the Penal Code, relating to the injury, defacement or removal of monuments or stakes placed, erected or used by the Department of Public Works, its officers or employees, on or along any State road or highway, or in connection with State road or highway work, and prescribing a penalty for the violation of such section—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1344—An act to add a new section to the Political Code to be known as section 373k, authorizing the Director of Natural Resources to grant easements for public highways over State park lands on terms and conditions to be prescribed by the State Park Commission—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1358—An act to add a new section to the Political Code to be numbered 363ee, authorizing the closing of State highways during storms or during construction and maintenance operations, and to repeal section 588b of the Penal Code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1177—An act to add a new section to the Agricultural Code, to be numbered

S30.5. relating to the transportation of fruits, nuts and vegetables—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1077—An act to amend section 782 of the Agricultural Code, relating the powers of the director—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1193—An act to amend section 792 of the Agricultural Code, relating to the standardization of avocados—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1076—An act to amend section 809 of the Agricultural Code, relating the standardization of walnuts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1075—An act to amend section 798 of the Agricultural Code, relating to the standardization of dates—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1068—An act to amend section 805 of the Agricultural Code, relating to the standardization of oriental persimmons—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman

The above reported bill ordered on file for second reading.

ON IRRIGATION

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 329—An act to amend section 629 of the Penal Code, relating to the installation of fish screens over mill races, irrigation ditches, pipes, flumes, tunnels and canals, for the payment of the expense of the construction, installation and maintenance thereof, and providing a penalty for the inteference therewith;

Also: Assembly Bill No. 330—An act to amend sections 535 and 536 and to repeal sections 537 to 548, inclusive, of the Fish and Game Code, relating to obstructions and fish screens;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FRAZIER, Chairman

The above reported bills ordered on file for second reading.

ON MANUFACTURES.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR. SPEAKER: Your Committee on Manufactures, to which was referred Assembly Bill No. 602—An act to amend the title and section 2 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relating to schedule of such rates of wages and to decisions on complaints of violations of the provisions of said act;

Also: Assembly Bill No. 1021—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to occupations to which the act applies;

Has had the same under consideration, and respectfully reports the same back without recommendation, to be re-referred to the Committee on Labor and Capital.

GILMORE, Chairman.

The above reported bills ordered re-referred to Committee on Labor and Capital.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 621—An act to amend section 1531 of the Probate Code, relating to sales of the property of a ward—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 620—An act to add two new sections to the Probate Code to be numbered 930.5 and 155.6.5, respectively, to add a new section to the Code of Civil Procedure to be numbered 1.042, and to repeal "An act making the cost of certain bonds of receivers, assignees, trustees, guardians, administrators and executors chargeable to a certain extent against the trust estate," approved March 20, 1905, relating to the payment of premiums on bonds of executors, administrators and guardians, receivers, assignees and trustees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 626—An act to amend sections 1010 and 1020 of the Probate Code, relating to the distribution of the estates of decedents—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Judiciary, to which was referred Assembly Bill No. 627—An act to amend section 715 of the Probate Code, relating to limitations prescribed for bringing suit upon a rejected claim—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 631—An act to amend section 578 of the Probate Code and to add section 718.5 thereto, relating to the compromise and settlement of claims by or against estates of decedents—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 632—An act to amend section 463 of the Probate Code, relating to special administrators—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman

The above reported bill ordered on file for second reading

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 634—An act to amend sections 228 and 229 of the Probate Code, relating to succession to estates of decedents—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR SPEAKER. Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1345—An act to amend section 2631 of the Political Code, relating to the accepting or taking of land for highways by adding to said section a provision concerning the ownership of the fee of such lands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended and be re-referred to Committee on Judiciary.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

MOTION TO RE-REFER

Mr. Greene moved that Assembly Bill No. 328 be withdrawn from Committee on Governmental Efficiency and Economy, and ordered re-referred to Committee on Municipal Corporations

The question being on re-referring Assembly Bill No. 328 to Committee on Municipal Corporations.

Motion carried.

Assembly Bill No 328 ordered re-referred to Committee on Municipal Corporations.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:
By Mr. Lyon:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 609 of the Probate Code, relating to the compensation of appraisers.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 609 of the Probate Code, relating to the compensation of appraisers.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Lyon: Assembly Bill No. 2328—An act to amend section 609 of the Probate Code, relating to the compensation of appraisers.

Bill read first time, and referred to Committee on Judiciary.

RECESS.

At eleven o'clock and thirty-five minutes p.m., on motion of Mr. Clowdsley, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR. SPEAKER: Pursuant to your instructions, the following named person has filed her credentials and is duly recognized as representative of the newspaper set opposite her name:

International News Service—Minna Lafferty.

ARTHUR A. OHNIMUS, Chief Clerk.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2327—An act relating to

and providing for a moratorium in respect to the sale of farms, dwelling houses and outbuildings, whether on execution, under power of sale contained in a mortgage or deed of trust or in an action for the recovery of a debt or the enforcement of a right secured by mortgage or other lien, and declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

MOTION TO RE-REFER.

Mr. West moved that Assembly Bill No. 1127 be withdrawn from Committee on Education and be re-referred to Committee on Roads and Highways.

The question being on re-referring Assembly Bill No. 1127 to Committee on Roads and Highways.

Motion carried.

Assembly Bill No. 1127 ordered re-referred to Committee on Roads and Highways.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1242—An act to add a new section to the Penal Code to be numbered 597h, relating to cruelty to animals and defining and prohibiting coursing and prescribing a penalty for the violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 624—An act to amend sections 1120, 1125 and 1126 of the Probate Code and to add a new section thereto to be numbered 1127, relating to testamentary trustees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2190—An act to amend section 4223 of the Political Code, relating to county hospitals—has had the same under consideration, and respectfully reports the same back, without recommendation as amended.

BROCK, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1933.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 625—An act to amend sections 1200 and 1201 of the Probate Code, relating to the giving of notice in probate proceedings—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON BUILDING AND LOAN ASSOCIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No 556—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 6.02 and 6.03 relating to withdrawals, 6.06 relating to payments entitled to preference, 6.07 relating to minimum amount of withdrawals and acceptance of investment certificates or shares in payment for loans or property, 8.07 relating to attachments, injunctions or executions, 9.01 relating to investments and loans, 9.03 relating to acquisition, disposition and encumbrance of property; repealing section 5.04 of said act relating to cash fund for investment certificates; adding a new section numbered 8.09 to said act regulating dividends and interest; and declaring the urgency of this act and providing that it shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROBERTS, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Levey asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Assembly Bill No. 556, at this time.

CONSIDERATION OF ASSEMBLY BILL NUMBER FIVE HUNDRED FIFTY-SIX

Assembly Bill No. 556—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent

herewith,'' approved May 5, 1931, by amending section numbered 1.02 thereof.

COMMITTEE AMENDMENTS.

During reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

On page 2, line 29, of the printed bill, strike out the words "period commencing with the effective date", and strike out all of line 30, and in lieu thereof insert the following: "emergency period as hereafter in said section 6.02 defined:".

AMENDMENT NUMBER TWO.

On page 5, line 28, of the printed bill, after the word "govern", insert the following: ", during the existence of the emergency period as hereinafter defined and only during such period,".

AMENDMENT NUMBER THREE.

On page 5, line 6, of the printed bill, after the word "certificates" and before the semicolon, insert the following: "(in addition to any free money which may be applied to the payment of withdrawals)".

AMENDMENT NUMBER FOUR.

On page 5 of the printed bill, between lines 32 and 33, insert the following: "The term "emergency period" as used in this section 6.02 shall mean the period commencing with the effective date of this section 6.02 as amended and ending September 1, 1935; provided, however, that said emergency period may be terminated at any time prior to September 1, 1935, by order of the commissioner"

AMENDMENT NUMBER FIVE.

On page 6, line 14, of the printed bill, strike out the words and figures "September 1, 1935," and insert in lieu thereof the following: "the expiration of the emergency period as hereinafter in this section 6.06 defined,".

AMENDMENT NUMBER SIX.

On page 6, line 32, of the printed bill, after the period insert the following: "The term "emergency period" as used in this section 6.06 shall mean the period commencing with the effective date of this section 6.06 as amended and ending September 1, 1935; provided, however, that said emergency period may be terminated at any time prior to September 1, 1935, by order of the commissioner."

AMENDMENT NUMBER SEVEN.

On page 6, line 46, of the printed bill after the word "loans" and before the period, insert the following: "; provided, however, notwithstanding anything to the contrary herein contained that, subject to such reasonable rules and regulations as the commissioner may from time to time prescribe, any person who, on the date this section 6.06 as amended takes effect, is the record owner of any outstanding investment certificate of any association may, at his option, apply or set off the value of such investment certificate or any part thereof to the payment, in whole or in part, of any loan held by the association issuing such investment certificate, if such loan was originally made to, or prior to the effective date of this section 6.06 as amended was indorsed or guaranteed by, such certificate holder or is secured by property, record or registered title to which is, on the effective date of this section 6.06 as amended, vested in such certificate holder".

AMENDMENT NUMBER EIGHT.

On page 6, line 50, of the printed bill, after the word "claims", and before the period, insert the following: ", but shall not apply to any association the property, business and assets of which shall be in the possession of the commissioner".

AMENDMENT NUMBER NINE.

On page 7, line 16, of the printed bill, strike out the following ", injunction".

AMENDMENT NUMBER TEN.

On page 7 of the printed bill, strike out all of lines 24 to 50, and on page 8, strike out all of lines 1 to 11, and insert in lieu thereof the following: .

"Sec. 8.09. Regulation of interest and dividends. Notwithstanding anything to the contrary contained in this act or in any investment certificate or certificate evidencing shares or in any agreement or elsewhere, no association shall hereafter at any time pay, credit, declare or allow any interest or dividends in excess of the rate of four per cent per year in respect of interest or dividends which shall accrue or be earned during the emergency period (but only during such period) as hereinafter in this section 8.09 defined, upon investment certificates or shares, whether heretofore or hereafter issued and whether or not withdrawal claims shall have heretofore been filed or shall have heretofore matured. The commissioner is hereby authorized, however, during such emergency period, in the case of any or all associations, to increase such rate to a rate not in excess of five per cent per year, or to decrease such rate or

to postpone the time for the payment of such interest or dividends, or any part thereof, or to decrease such rate and to postpone such time of payment, if he shall determine that such increase is reasonably justified in the interest of the certificate holders or shareholders, or is in the public interest, or that such decrease or postponement, or decrease and postponement, is reasonably necessary for the protection of the investment in such association of its certificate holders or shareholders, or is in the public interest; provided, however, that in the event the authority granted the commissioner by this section 8.09 to increase or decrease such rate or to postpone such time of payment shall be held invalid, then it is hereby declared to be the intention of the Legislature that the invalidity of such authority shall not affect the validity of the remaining portions of this section; provided further that in no case shall the commissioner increase or decrease such rate or postpone such time of payment unless he shall have caused a notice of such intended action to be published, at least five days before such intended action is taken, in a newspaper of general circulation published in the county or city and county in which such association's principal office in this State is located; and provided further that such association or any of its certificate holders or shareholders aggrieved by the action of the commissioner may at any time within ten days after the taking of such action apply to the Supreme Court of the State of California for a review of such action, and such action shall not be set aside or modified unless such court shall determine that the commissioner in taking such action committed an abuse of discretion.

Notwithstanding anything to the contrary contained in this act or in any outstanding note, mortgage, deed of trust or other instrument or elsewhere, no association, nor the commissioner while in possession of the property, business and assets of any association, shall hereafter at any time demand, charge or collect any interest in excess of the rate of seven and two-tenths per cent per year in respect of the interest which shall accrue during said emergency period (but only during such period), upon any loan, secured by real property, held or heretofore or hereafter made by any association, or held by the commissioner while in possession of the property, business and assets of any association; provided, however, that nothing herein contained shall prevent any association or the commissioner while in possession of the property, business and assets of any association, from collecting interest at such maximum yearly rate monthly in advance, nor from charging or collecting usual and ordinary fees and expenses in connection with the making or renewing of any loan.

Solely for the purpose of this section, and notwithstanding anything to the contrary in this act contained, the term "investment certificate" as used in this section 8.09 shall be deemed to include any instrument issued to its savers by a borrowers' mutual building and loan association as defined in section 15.01 of this act, and the term "association" as used in this section 8.09 shall be deemed to include a borrowers' mutual building and loan association as defined in section 15.01 of this act. Notwithstanding anything to the contrary herein contained, the commissioner may in his discretion permit any association which has neither stock nor investment certificates issued or outstanding to pay, credit, declare or allow during said emergency period, a dividend on its shares in excess of said maximum yearly rate of four per cent. Notwithstanding the respective rates of interest and dividends prescribed by this section 8.09, or by the commissioner pursuant to this section 8.09, interest on unpaid interest or dividends on unpaid dividends may be paid, credited, declared, allowed, demanded, charged or collected at a like rate.

The term "emergency period" as used in this section 8.09 shall mean the period commencing with the effective date of this section 8.09 and ending September 1, 1935; provided, however, that said emergency period may be terminated at any time prior to September 1, 1935, by order of the commissioner. Any agreement contrary to any of the provisions of this section shall be void.

If, during said emergency period, any association shall make any net profits after dividends on shares, computed in accordance with accounting practices prescribed or approved by the commissioner, the total amount of such net profits after dividends on shares shall be set aside as a loss reserve which shall be available at all times to meet any losses whether arising from loans or otherwise, and no part of such loss reserve may be used to pay dividends on stock."

AMENDMENT NUMBER ELEVEN.

On page 9, line 38, of the printed bill, strike out the following: ", injunctions".

Amendments adopted.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 556 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Kallam,

Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—Boyle, Hallner, Hunt, Jones, Lyon, O'Connor and Thorp—7.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1018—An act to amend section 5 of an act entitled "An act authorizing the creation, government, maintenance and dissolution of county sanitation districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, relating to the election of the board of directors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HOFFMAN, Chairman

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR. SPEAKER: Your Committtee on Roads and Highways, to which was referred Assembly Bill No. 1361—An act to amend an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915, as amended—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GREENE, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1360—An act to amend an act entitled "An act to provide for the care, management and protection of State highways and providing penalties for violations of the provisions of the act," approved May 20, 1915, as amended—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GREENE, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1343—An act to add a new section to the Political Code, to be numbered 363dd, authorizing the Director of Public Works to enter into agreements for the construction, maintenance, and use of State highway bridges jointly by the public and private owners—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GREENE, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 2190—An act to amend section 4223 of the Political Code, relating to county

hospitals—has had the same under consideration, and respectfully reports the same back, and recommends that it be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 3—An act to prohibit the possession of all devices or attachments of any kind designed, used or intended for use in silencing the report of a firearm, and providing a penalty for violation thereof;

Also: Assembly Bill No. 83—An act to repeal "An act to provide for the support of vocational reeducation and rehabilitation of workmen disabled in industry in this State, and to create a fund for these purposes to be known as the 'Industrial rehabilitation fund' by fixing an additional liability upon all employers liable under said act in cases where employees receive fatal compensable injury and leave no dependents," approved May 2, 1919;

Also: Assembly Bill No. 86—An act to repeal "An act to require the payment of certain premiums to counties, and cities and counties, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums," approved March 3, 1885;

Also: Assembly Bill No. 106—An act to repeal "An act relating to fishing in the waters of this State," approved April 23, 1880,

Also: Assembly Bill No. 322—An act to amend section 11½ of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, relating to the purchase of outstanding bonds;

Also: Assembly Bill No. 457—An act to amend sections 698, 702, 705, 708 and 711 of the Fish and Game Code, relating to fish.

Also: Assembly Bill No. 466—An act to repeal "An act for the protection of the Antwerp messenger or homing pigeon," approved February 26, 1897;

Also: Assembly Bill No. 511—An act to add two new sections to the Penal Code to be numbered 969c and 1158a, relating to defendants armed with weapons at the time of the commission of the offense or at the time of arrest and providing a procedure for charging that defendants were so armed and for determining the truth of the charge;

Also: Assembly Bill No. 545—An act to amend section 3 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of lubricating oil;

Also: Assembly Bill No. 584—An act to amend section 3633 of the Political Code, relating to the assessment of property;

Also: Assembly Bill No. 585—An act to amend section 653d of the Penal Code, relating to rebating wages on public work, so as to specifically include within its terms any person who accepts or conspires to accept a rebate from those performing services under contractors and subcontractors doing public work;

Also: Assembly Bill No. 695—An act declaring it unlawful for certain persons, associations, or corporations to engage in the business of selling, offering for sale or issuing contracts or certificates for medical service or other form of treatment for sickness or injury, without a license from the Insurance Commissioner and deposit of cash, securities or surety bond guaranteeing performance of same, as therein provided; relating to and regulating medical and hospital and other service as therein defined and provided; and providing penalties for the violation thereof;

Also: Assembly Bill No. 696—An act to amend the title and sections 3 and 5 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less

than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, by requiring all contractors and subcontractors doing public work to pay their employees and workmen by negotiable checks without refund, abatement or reduction except by a reasonable charge for board, to furnish certified, accurate duplicate copies of their pay roll records to the inspector on the job on the day following each pay day and to post and keep posted in a conspicuous place at the site of the work an accurate and legible copy of the schedule of wages required by the contract to be paid to all workers employed on the job, providing penalties for failure to do so, and making it clear that pieceworkers and working subcontractors are to be classed as workmen when doing work on the job;

Also: Assembly Bill No. 707—An act to add a new section, to be numbered 2a, to an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation thereof," as amended, permitting the publishing of the schedule of general prevailing rate of wages by reference to it in the advertisement of the call for bids and requiring the awarding body in such case to furnish an accurate and legible copy of the said schedule as found in the call for bids, without cost, to any person requesting same;

Also: Assembly Bill No. 708—An act to amend sections 927 and 927b of the Code of Civil Procedure, relating to the jurisdictional limit of the small claims court, and to permit suit at the place where the obligation has been incurred as well as at the place of residence of the defendant;

Also: Assembly Bill No. 858—An act to amend sections 11, 12 and 13 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to reciprocity, service of notice and process, and penalties;

Also: Assembly Bill No. 1011—An act to amend sections 2 and 5 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the office of State Fire Marshal;

Also: Assembly Bill No. 1200—An act to repeal sections 1120 to 1140, inclusive, of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof;

Also: Assembly Bill No. 1254—An act to add a new section to the Fish and Game Code, to be numbered 488 5, relating to fish hatcheries;

Also: Assembly Bill No. 1256—An act to amend section 1230 of the Fish and Game Code, and to add a new section to the Fish and Game Code to be numbered 1340.5, relating to predatory mammals and rodents;

Also: Assembly Bill No. 1259—An act to add a new section to the Fish and Game Code, to be numbered 492.5, relating to shipment of game fish;

Also: Assembly Bill No. 1363—An act to add section 21.5 to the Fish and Game Code, relating to suits against officers and deputies;

Also: Assembly Bill No. 1484—An act to amend section 1 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931;

Also: Assembly Bill No. 1526—An act to amend section 379 of the Fish and Game Code, relating to Federal preserves;

Also: Assembly Bill No. 1750—An act to add a new section to the Fish and Game Code, to be numbered 738 5, relating to smelt;

Also: Assembly Bill No. 1752—An act to add a new section to the Fish and Game Code, to be numbered 950 5, relating to Chinese shrimp nets.

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 35—Relative to the death of the Honorable Frederick C. Hawes—and reports that the same has been correctly enrolled and presented the same to the Governor on this ninth day of March, 1933, at three o'clock and thirty minutes p.m.

PATTERSON, Chairman.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR. SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No. 2321—An act to add section 11a to an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GREENE, Vice Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Powers asked for unanimous consent to take up Assembly Bill No. 2321, at this time, without reference to file.

OBJECTION RAISED.

Mr. Woolwine objected to granting unanimous consent.

MOTION.

Mr. Powers moved that Rule 75 be suspended for the purpose of considering Assembly Bill No. 2321, at this time.

Motion carried.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED TWENTY-ONE.

Assembly Bill No. 2321—An act to add section 11a to an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies, and providing that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 14, inclusive, and insert in lieu thereof the following:

"Sec. 11a. The Corporation Commissioner whenever it may appear that such action is necessary for the protection of the interests of the investment certificate holders, stockholders, investors or any other creditors of any industrial loan company or to protect such company itself which is organized and/or operating under this act or that such action is in the public interest, order such company or companies forthwith to suspend as herein set forth the payment in lawful money (of) the liabilities of such company or limit the payment of same in such manner as he may prescribe. Such order shall become effective upon receipt by such company of notice thereof and shall continue in full force and effect until rescinded or modified by the Corporation Commissioner in writing and delivered to the manager or executive officer thereof, but in no event to exceed a".

AMENDMENT NUMBER TWO.

On page 2, line 2, of the printed bill, strike out "any other".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 5 to 12, inclusive.

AMENDMENT NUMBER FOUR.

On page 2, line 21, of the printed bill, strike out "each", and strike out lines 22 to 33, inclusive, and insert in lieu thereof the following: "Nothing herein contained shall be construed to limit the powers of the commissioner pursuant to this act or any other laws now in effect.

The authority herein contained is in addition to the other powers provided in this act and, in the discretion of the commissioner, may be exercised by him in conjunction therewith or independently thereof.

Whenever the commissioner shall believe from evidence satisfactory to him that any company, director, officer, agent or employee thereof has violated or is about to violate any of the provisions of this act, or any order, license, permit, decision, demand or requirement of the commissioner, or any part or provision thereof, he may bring an action in the name of the people of the State of California in the superior court of the State of California against such company, director, officer, agent or employee thereof to enjoin such company, director, officer, agent or employee thereof from continuing such violation or engaging therein or the attempt to violate said act or doing any act or acts in furtherance thereof. In said action an order or judgment may be entered awarding such preliminary or final injunction as may be proper."

Amendments adopted.

Bill read, and ordered to reprint, engrossment, and third reading.

MOTION.

Mr. Powers moved that the Chief Clerk be instructed to have a rush order placed on the printing of Assembly Bill No. 2321.

Motion carried.

ADJOURNMENT.

At four o'clock p.m., on motion of Mr. Clowdsley, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Friday, March 10, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, March 10, 1933.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—78

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. McMurray, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Nielsen, Mr. West was granted leave of absence for the day.

On motion of Mr. Meeker, Mr. Robinson, C Ray, was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. O'Connor, Mrs. Roger Jessup, Mrs. George W. Jones and Mrs. Harold Kennedy, all of Glendale, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Thorp, Mr. E. B. Hinman, county clerk of San Mateo County, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Messrs Maloney and Ross, Mrs. Jesse Mayo, wife of Assemblyman Mayo, and two sons, Raymond and Jesse, Jr., were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Messrs. Maloney and Ross, Grace Ordway and Dorothy Mills were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Inglewood Democratic Progressive Club, opposing Mattoon Act.
(Signed) R. E. PERRY, President.

Also:

By Mr. Speaker:

From the American Institute of Fraternal Citizenship, Incorporated, Oakland, California, opposing legislation tending to close the homes for the blind.
(Signed) CARY W. HARTMAN, President.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 30—An act relating to grants of lands granted to cities and towns under the provisions of an act of Congress entitled "An act for the relief of the inhabitants of cities and towns upon the public lands," approved March 2, 1867, and procedure in relation to such land;

Also: Assembly Bill No. 140—An act to repeal sections 9a, 9b, 9c and 9d of the California Real Estate Act, relating to real estate brokers' bonds;

Also: Assembly Bill No. 200—An act to repeal section 710, as added by Chapter 263, Statutes of 1903 and as amended by Chapter 634, Statutes of 1929, of the Code of Civil Procedure and to add a new section to be numbered 709a to the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor;

Also: Assembly Bill No. 506—An act to amend section 12 of Chapter 690, Statutes of 1913, entitled the Direct Primary Law, as amended, relating to direct primary elections;

Also: Assembly Bill No. 1032—An act to add a new section to the Political Code to be numbered 3803, relating to the cancellation of personal property tax liens on real property when wrongfully entered and providing for a reassessment thereof;

Also: Assembly Bill No. 1753—An act to add a new section to the Fish and Game Code, to be numbered 459, relating to other regulations;

Also: Assembly Bill No. 1755—An act to add a new section to the Fish and Game Code, to be numbered 20, relating to powers and duties;

Also: Assembly Bill No. 1761—An act to amend section 250 of the Fish and Game Code, relating to clam preserves;

Also: Assembly Bill No. 1795—An act to amend section 68 of the Penal Code, relating to bribery;

Also: Assembly Bill No. 1869—An act to amend section 4235 of the Political Code, relating to compensation of county and township officers in counties of the sixth class;

Also: Assembly Bill No 1940—An act to amend sections 4255 and 4255a of the Political Code, relating to the salaries and fees of county officers in counties of the twenty-sixth class;

Also: Assembly Bill No. 2017—An act to amend section 737x of the Political Code, relating to the compensation of judges of the superior court, Merced County;
Also: Assembly Bill No. 2136—An act to add a new section to the Bank Act, to be numbered 136¼, relating to powers of trustees or receivers of closed banks;
Also: Assembly Bill No. 2315—An act to add a new section to the Political Code to be numbered 3614, relating to exempting orphanages from taxation;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1 of Article XVI thereof, relating to incurrence and retirement of bonded indebtedness by the State;
Also: Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 18 of Article XI thereof, relating to the incurrence and retirement of bonded indebtedness by political subdivisions;
And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported constitutional amendments ordered on file for adoption.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1933.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 659—An act to amend the title and sections 2 and 3 and to add a new section, to be numbered section 1¼, to an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment," approved April 20, 1917, by specifically including within its protection any security put up by the employee, or applicant for employment, for faithful performance and any money or property directly or indirectly turned over to the employer or prospective employer pursuant to the contract of employment, prohibiting investments and the sale of stock or an interest in a business in connection with the securing of a position and advertisements to this effect, and providing penalties for violation of the provisions thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DEMPSTER, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2327—An act relating to and providing for a moratorium in respect to the sale of farms, dwelling houses and outbuildings, whether on execution, under power of sale contained in a mortgage or deed of trust or in an action for the recovery of a debt or the enforcement of a right secured by mortgage or other lien, and declaring the urgency thereof, to take effect immediately—and reports that the same has been correctly enrolled and presented the same to the Governor on this ninth day of March, 1933, at five o'clock and thirty minutes p m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 556—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the

office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith." approved May 5, 1931, by amending sections numbered 6.02 and 6.03 relating to withdrawals, 6.06 relating to payments entitled to preference, 6.07 relating to minimum amount of withdrawals and acceptance of investment certificates or shares in payment for loans or property, 8.07 relating to attachments, injunctions or executions, 9.01 relating to investments and loans, 9.03 relating to acquisition, disposition and encumbrance of property; repealing section 5.04 of said act relating to cash fund for investment certificates; adding a new section numbered 8.09 to said act regulating dividends and interest; and declaring the urgency of this act and providing that it shall take effect immediately—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

Assembly Bill No. 556 ordered transmitted to the Senate.

MOTION.

Mr. Rawls moved that the Chief Clerk be instructed to have 500 copies of Assembly Bill No. 908 printed.

Motion carried.

MOTION.

Mr. Maloney moved that the Chief Clerk be instructed to have 1000 copies of Assembly Bill No. 1910 printed.

Motion carried.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 622—An act to add a new section to the Civil Code to be numbered 85, relating to legitimacy.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 623—An act to add a new section to the Probate Code to be numbered 1026, and to repeal section 672 of the Civil Code, relating to distribution of estates to nonresident aliens.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 628—An act to amend section 932 of the Probate Code, relating to executors and administrators.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 629—An act to amend sections 780 and 782 of the Probate Code, relating to sales of real property by executors and administrators.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 630—An act to amend section 702 of the Probate Code, relating to notice to creditors by executors or administrators.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 633—An act to amend section 440 of the Probate Code, relating to petitions for letters of administration.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 635—An act to amend section 21 of the Probate Code, relating to the disposition of community property by will.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 636—An act to repeal sections 1969 and 1970 of the Code of Civil Procedure, relating to wills.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 637—An act to amend section 2287 of the Civil Code, relating to appointment of a trustee to fill a vacancy.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 638—An act to amend section 1537 of the Probate Code, relating to guardians.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 639—An act to add two new sections to the Probate Code to be numbered 1241 and 1632, respectively, and to repeal sections 965 and 966 of the Code of Civil Procedure, relating to appeals by and concerning executors, administrators or guardians.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 817—An act to amend section 28 of The General Cemetery Act, relating to the extension of time for the disinterment and removal of bodies from cemeteries.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2049—An act to declare a moratorium on foreclosure of mortgages; prohibiting the sale under provision of a mortgage or deed of trust; and prohibiting the bringing of any action for the collection of any debt or the interest thereon for which a mortgage or deed of trust has been given as security.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"An act relating to and providing for a moratorium in respect to the sale of farms, dwelling houses and outbuildings, whether on execution, under power of sale contained in a mortgage or deed of trust or in an action for the recovery of a debt or the enforcement of a right secured by mortgage or other lien, and declaring the urgency thereof, to take effect immediately."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 12, and insert in lieu thereof the following:

"SECTION 1. From the date this act takes effect until sixty days thereafter, no sale on execution or under power of sale contained in any mortgage or deed of trust or by direction of court in an action for the recovery of a debt or the enforcement of a right secured by mortgage or other lien, shall be made of the dwelling house in which the owner resides or of any of the necessary outbuildings, or of the land upon which situated and necessary for the convenient use thereof, or of land used by the owner in farming or ranch operations conducted by him or under his immediate supervision, or of any interest therein or in either thereof. "Owner" as used herein includes the debtor, mortgagor or trustor or his successor in interest in respect to such dwelling house, outbuildings or land. Any such sale held contrary to the provisions of this act, or any deed given or executed pursuant to any such sale, is void

SEC. 2. Notwithstanding any provision of law or any obligation or agreement affected by the provisions of this act, the period of time during which proceedings must be instituted or a sale had on execution or under power contained in any mortgage or deed of trust or by direction of court in an action for the recovery of a debt or the enforcement of a right secured by mortgage or other lien is hereby extended for sixty days, and any such sale heretofore set for a date which occurs during the period of time mentioned in section 1 of this act may legally and effec-

tually be postponed to a date subsequent to the expiration of said period of time. The owner has not the right to waive any of the provisions or benefits of this act. Any such waiver by or for the owner is wholly null, void and ineffectual, whether executed heretofore or hereafter or before or after the event.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution, and shall therefore take effect immediately. The facts constituting such necessity are as follows:

Due to the existing economic crises and the proclamation of the President of the United States restricting the withdrawal of funds from the banks of the Nation, it is impossible for home or farm owners to obtain money with which to pay the obligations mentioned in this act. As a result, unless this act takes immediate effect obligors will lose their farms, dwelling houses, outbuildings and the land on which they are situated and many people will be homeless.

It is therefore necessary that this act go into effect immediately to curb the effects of the existing national crises."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1617—An act to add a new section to be numbered 5a to "The California Air Navigation Act," approved June 18, 1929, relating to the requiring of a certificate of authority.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 3 of the title, strike out the following: "a certificate of authority", and insert in lieu thereof the following: "authority of passenger air transport services"

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, strike out the following words: "to engage in" and all of lines 4 to 8, inclusive, and insert in lieu thereof the following: "after the effective date of this act to operate or cause to be operated, for the transportation of passengers for hire, any aircraft between fixed termini over a route entirely within this State unless such person holds a Federal certificate of authority.

The term "Federal certificate of authority" shall mean a valid, unrevoked and unsuspended passenger air transport certificate issued by the Secretary of Commerce of the United States, or such other Federal officer as may be thereunto duly authorized, under the laws of the United States pertaining to aviation and air commerce and the rules and regulations thereunder and regulating the scheduled operation of passenger air transport services."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 157—An act to amend the title and sections 11, 12, 17, 19, 20, 21, 22, 31 and 32 and to add new sections numbered 9a, 16a and 16b of the act known as "The General Cemetery Act," approved June 19, 1931, and providing for methods and requirements for establishing new cemeteries, defining perpetual care and nonperpetual care cemeteries, and requiring certain acts of the same and providing penalties for the violation of act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 2 of the title, strike out the last word "and", and after the figure "16b" in line 3 insert the words and figures "and 27a".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill change the word "removal" to "removed".

AMENDMENT NUMBER THREE.

On page 6, line 41, of the printed bill, after the word "columbarium", insert the following ", provided that where there is a combination of two or more of the above at a single location and under the same ownership and management, the greater amount shall include the smaller;"

AMENDMENT NUMBER FOUR.

On page 7 of the printed bill, strike out lines 9, 10, 11, 12, 13, 16, 17, 18 and 19, and in line 14, change the letter "D" to "B".

AMENDMENT NUMBER FIVE.

On page 7, line 19, of the printed bill, insert the following new paragraph:

"Each perpetual care cemetery as defined in this act shall file in its office a statement which shall contain the following information:

A. Amount of principal of the perpetual care fund

B. Total amount invested in bonds, cash surrender value of life insurance policies, and other securities, the total amount of cash on hand not invested, and such other items which shall actually show the financial condition of the trust.

C. Number of square feet of grave space and number of crypts and number of niches disposed of under perpetual care prior to and subsequent to the enactment of this section, each separately set forth"

AMENDMENT NUMBER SIX.

On page 7, line 39, of the printed bill, after the phrase "on said signs", insert the words "and statement"

AMENDMENT NUMBER SEVEN.

On page 7, line 43, of the printed bill, after the phrase "on said signs", insert the words "and statement".

AMENDMENT NUMBER EIGHT.

On page 7, line 44, of the printed bill, delete the first four letters "semi".

AMENDMENT NUMBER NINE.

On page 9, line 49, of the printed bill, after the word "State", insert a comma.

AMENDMENT NUMBER TEN

On page 10, line 20, of the printed bill, after the phrase "any of the provisions", insert the following "of sections 4, 5, 9a, 16, 16a, 16b, 19, 21 and 23".

AMENDMENT NUMBER ELEVEN.

On page 10, line 21, of the printed bill, strike out everything except the first word "misdemeanor", and also strike out all of line 22, and all of line 23 except the following: ", and upon con-".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1115—An act to encourage agriculture and the breeding of live stock and to create a market for said live stock in the State of California and to provide for regulating and licensing horse racing and horse race meetings and the wagering on the results thereof in the State of California; creating a State Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to legalize the pari-mutuel or mutual method of wagering on horse races; to provide penalties for the violation of the provisions of this act and repealing all acts or parts of acts in conflict therewith.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 19, of the printed bill, after "agents", insert the following: "trainers".

AMENDMENT NUMBER TWO

On page 3, line 18, of the printed bill, after "if", strike out "in the judgment of the board".

AMENDMENT NUMBER THREE.

On page 5 of the printed bill, strike out line 2, and insert in lieu thereof the following: "such horse race or horse races except under the pari-mutuel or mutual".

AMENDMENT NUMBER FOUR.

On page 5 of the printed bill, strike out line 5, and insert in lieu thereof the following: "equipment as may be adopted by the board; but such board shall not require any particular make of mechanical equipment; and no such horse races".

AMENDMENT NUMBER FIVE.

On page 5, line 14, of the printed bill, strike out "such license", and insert in lieu thereof the following "all licenses provided to be granted under the provisions of this act, including those granted pursuant to the provisions of section 3 hereof,".

AMENDMENT NUMBER SIX.

On page 5 of the printed bill, strike out line 36, and insert in lieu thereof the following: "lation of six hundred thousand or over and less than a".

AMENDMENT NUMBER SEVEN.

On page 5 of the printed bill, strike out line 39, and insert in lieu thereof the following: "under six hundred thousand population".

AMENDMENT NUMBER EIGHT.

On page 5, lines 44 and 45, of the printed bill, strike out "and not within another county of the second class".

AMENDMENT NUMBER NINE.

On page 5 of the printed bill, strike out lines 48, 49 and 50 and insert in lieu thereof the following: "In counties of either or any of said classes there may be allowed by said board not to exceed fourteen (14) racing days per year to county fairs and to racing meets on tracks less than a mile in circumference or length. That said fourteen days, when and if allowed by the board in any county or area of the first or second class, shall not diminish the one hundred days racing per year permitted to be allowed to tracks of a mile or more in circumference or length as set out in the preceding two paragraphs of this section"

AMENDMENT NUMBER TEN.

On page 6, lines 43 and 44, of the printed bill, strike out "paid by said licensee", and insert in lieu thereof the following: "deposited with such application for a license".

AMENDMENT NUMBER ELEVEN.

On page 6, line 46, of the printed bill, after "money", insert the following: "handled in said pools".

AMENDMENT NUMBER TWELVE

On page 6 of the printed bill, strike out line 47, and insert in lieu thereof the following: "sum so deposited with such application for a license and the balance if any shall be".

AMENDMENT NUMBER THIRTEEN.

On page 7, line 17, of the printed bill, strike out "annual", and insert in lieu thereof the following: "animal".

AMENDMENT NUMBER FOURTEEN.

On page 7 of the printed bill, strike out line 32, and insert in lieu thereof the following: "may be approved by the board, but such board shall not require any particular make of mechanical equipment; provided, that such wagering"

AMENDMENT NUMBER FIFTEEN.

On page 7, line 42, of the printed bill, strike out "are".

AMENDMENT NUMBER SIXTEEN

On page 3, line 28, of the printed bill, strike out "two", and insert in lieu thereof the following: "one".

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 30, of the printed bill, strike out "their", and insert in lieu thereof the following: "his".

AMENDMENT NUMBER EIGHTEEN.

On page 3 of the printed bill, strike out line 31, and insert in lieu thereof the following: "other two members shall be any fit and qualified persons. The gov-".

AMENDMENT NUMBER NINETEEN.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse

Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1359—An act to amend section 588c of the Penal Code, relating to the injury, defacement or removal of monuments or stakes placed, erected or used by the Department of Public Works, its officers or employees, on or along any State road or highway, or in connection with State road or highway work, and prescribing a penalty for the violation of such section.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of line 3 of the printed bill, and insert in lieu thereof the following: "588c. Any person who wilfully injures, defaces, breaks down or removes any monument or stake placed, erected or used by the Department of Public Works, its officers, engineers, or employees, for the purpose of designating any point in the boundary or survey of any State road or highway on or along any such road or highway, or as a part of such road or highway work, shall be guilty of a misdemeanor."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1344—An act to add a new section to the Political Code to be known as section 373k, authorizing the Director of Natural Resources to grant easements for public highways over State park lands on terms and conditions to be prescribed by the State Park Commission.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1358—An act to add a new section to the Political Code to be numbered 363ee, authorizing the closing of State highways during storms or during construction and maintenance operations, and to repeal section 588b of the Penal Code.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out all of lines 3 to 23, both inclusive, strike out all of page 2 of the printed bill and insert in lieu thereof the following:

"363ee. The Director of Public Works shall have authority to close or restrict the use of any road or highway under the jurisdiction of the Department of Public Works, whenever, in the judgment of said director, such closing or restriction of use is necessary for the protection of the public, either by reason of weather conditions, or the condition of said highway, or otherwise, or whenever such closing or restriction of use is necessary by reason of construction or maintenance operations thereon, or necessary for the protection of such road or highway from damage during storms or during construction or maintenance operations thereon, and said director or any contractor working under authority of the Department of Public Works may erect, or cause to be erected, suitable barriers or obstructions upon any such road or highway to prevent or restrict the use thereof, and may post, or cause to be posted, warnings and notices to the public of the condition of any such highway, and signs for the direction of traffic thereon, or to or upon any other highway or detour road provided for or open to public travel, and may likewise and for like purposes place thereon lanterns or other warning lights.

The authority hereby conferred upon the Director of Public Works may be exercised by any appropriate officer, engineer, superintendent or employee of the Department of Public Works, Division of Highways, in charge of maintenance or construction of any State road or highway.

It shall be the duty of the California Highway Patrol to cooperate with the Department of Public Works, or with any authorized contractor thereof, in the enforcement of the closing or restriction of use of any State road or highway, as in this section provided.

Any person, firm or corporation who wilfully fails to observe any warning or other notice placed or posted in accordance with the provisions of this section, or who otherwise wilfully violates any direction or order of the Director of Public Works or of any officer, engineer, superintendent or employee of the Department of Public Works made or issued to make effective the provisions of this section, or who otherwise wilfully violates the provisions hereof, is guilty of a misdemeanor and shall be punishable as in the Penal Code provided."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1177—An act to add a new section to the Agricultural Code, to be numbered 830.5, relating to the transportation of fruits, nuts and vegetables.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, after the word "suspended", insert the following: "for failure to furnish required evidence of lawful disposal of the commodity or commodities or for violation of any other requirement of this chapter,".

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, after the period, insert the following: "Nothing herein contained shall apply to a common carrier transporting any of the commodities mentioned in section 830 in good faith and in accordance with its duties as a common carrier."

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, after the word "Commissioner", insert the word "reasonably".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1077—An act to amend section 782 of the Agricultural Code, relating to the powers of the director.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 9 to 13, inclusive, and insert in lieu thereof the following:

"The director may define methods of selecting samples of fruits, nuts and vegetables, which samples shall be considered as representative of the entire container or lot from which taken; establish and issue official color charts depicting the color standards and requirements established in this chapter; and make such other rules and regulations as are necessary to secure uniformity in the enforcement of this chapter.

Any sample taken under the provisions of this chapter shall be prima facie evidence, in any court in this State, of the true condition of the entire lot in the examination of which said sample was taken."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1193—An act to amend section 792 of the Agricultural Code, relating to the standardization of avocados.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out "but not overripe or rancid", and insert in lieu thereof the following: "and free from decay".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out "mold, decay," and insert in lieu thereof the following: "overripeness, rancidity,".

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, strike out "twenty", and insert in lieu thereof the following: "fifteen".

AMENDMENT NUMBER FOUR.

On page 1, line 9, of the printed bill, strike out "edible portion of the".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1076—An act to amend section 809 of the Agricultural Code, relating to the standardization of walnuts

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1075—An act to amend section 798 of the Agricultural Code, relating to the standardization of dates

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 3, of the printed bill, after the word "dates", insert the following: "and date by-products,".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, after the second comma in said line, insert the following: "or in the case of dates packed in blocks, by weight,".

AMENDMENT NUMBER THREE.

On page 1, line 9, of the printed bill, strike out the period in said line, and insert in lieu thereof the following: ", except that no part of this tolerance shall be allowed for the presence of live insects"

AMENDMENT NUMBER FOUR.

On page 1, line 27, of the printed bill, strike out "may", and insert in lieu thereof the following: "shall".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1068—An act to amend section 805 of the Agricultural Code, relating to the standardization of oriental persimmons.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 329—An act to amend section 629 of the Penal Code, relating to the installation of fish screens over mill races, irrigation ditches, pipes, flumes, tunnels and canals, for the payment of the

expense of the construction, installation and maintenance thereof, and providing a penalty for the interference therewith.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 330—An act to amend sections 535 and 536 and to repeal sections 537 to 548, inclusive, of the Fish and Game Code, relating to obstructions and fish screens

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 621—An act to amend section 1531 of the Probate Code, relating to sales of the property of a ward.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, lines 14 and 15, of the printed bill, strike out "a savings bank or", and insert in lieu thereof: "savings account with one or more".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 620—An act to add two new sections to the Probate Code to be numbered 930.5 and 155.6.5, respectively, to add a new section to the Code of Civil Procedure to be numbered 1.042, and to repeal "An act making the cost of certain bonds of receivers, assignees, trustees, guardians, administrators and executors chargeable to a certain extent against the trust estate," approved March 20, 1905, relating to the payment of premiums on bonds of executors, administrators and guardians, receivers, assignees and trustees.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out "155.6 5", and substitute "1556.5"; and strike out "1.042", and substitute "1042".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 626—An act to amend sections 1010 and 1020 of the Probate Code, relating to the distribution of the estates of decedents.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the title of the printed bill, after the comma, insert: "and to add a new section thereto to be numbered 1020.5,"

AMENDMENT NUMBER TWO

On page 2 of the printed bill, strike out all of line 16 following the period after the word "application", and insert in lieu thereof the following:

"SEC. 3. A new section is hereby added to the Probate Code, to be numbered 1020.5 and to read as follows:
1020 5. A statement of any receipts and dis-".

Amendments adopted.
Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 627—An act to amend section 715 of the Probate Code, relating to limitations prescribed for bringing suit upon a rejected claim.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the figures "714", insert "of this code".

Amendment adopted.
Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 631—An act to amend section 578 of the Probate Code and to add section 718.5 thereto, relating to the compromise and settlement of claims by or against estates of decedents

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the words "or a judge thereof".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, strike out the words "or judge".

Amendments adopted.
Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 632—An act to amend section 463 of the Probate Code, relating to special administrators

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out "purposes", and substitute "purpose".

Amendment adopted.
Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 634—An act to amend sections 228 and 229 of the Probate Code, relating to succession to estates of decedents.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the comma insert "and came to the decedent as the survivor of the community or as the survivor of a joint tenancy in which such community property had been placed."

AMENDMENT NUMBER TWO

On page 1, line 22, of the printed bill, after "bequest," insert "or as the survivor of a joint tenancy in which such separate property had been placed.".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1345—An act to amend section 2631 of the Political Code, relating to the accepting or taking of land for highways by adding to said section a provision concerning the ownership of the fee of such lands.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 7 to 15, both inclusive, and insert in lieu thereof the following

"2631 The interest acquired by the public, by accepting or taking land for highway purposes, whether by purchase, dedication or proceedings in eminent domain, shall be deemed to be a fee simple estate, subject only to the right of reversion to the person or persons legally entitled thereto upon abandonment of such public use, unless a lesser interest is expressed in the grant, dedication, or judgment."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1242—An act to add a new section to the Penal Code to be numbered 597h, relating to cruelty to animals and defining and prohibiting coursing and prescribing a penalty for the violation thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 7, of the printed bill, strike out "and", and insert in lieu thereof the following: "or".

AMENDMENT NUMBER TWO

On page 1, line 9, of the printed bill, strike out "and", and insert in lieu thereof the following "or".

AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed bill, strike out "for coursing", and insert in lieu thereof the following: "to be pursued, or worried, or killed by a dog or dogs".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 624—An act to amend sections 1120, 1125 and 1126 of the Probate Code and to add a new section thereto to be numbered 1127, relating to testamentary trustees.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 27, of the printed bill, strike out "whose"

AMENDMENT NUMBER TWO

On page 2, line 1, of the printed bill, strike out "addresses are known to him", and insert in lieu thereof the following "at their last known addresses"

AMENDMENT NUMBER THREE.

On page 2, line 29, of the printed bill, strike out "whose addresses are known to him", and insert in lieu thereof the following: "at their last known addresses".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2190—An act to amend section 4223 of the Political Code, relating to county hospitals.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 8 to 14, inclusive, and insert in lieu thereof the following: "the board; and said board shall also have power to admit to county hospitals and to branches thereof in addition to tubercular, crippled children, psychopathic, emergency and contagious cases, residents of the county as pay patients only where other hospital facilities are not available, or where private hospitals will not take patients because of the inability of the patients to pay the rates charged by available private hospitals"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 625—An act to amend sections 1200 and 1201 of the Probate Code, relating to the giving of notice in probate proceedings.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 34, of the printed bill, strike out "or for leave to borrow money or execute a mortgage"; strike out all of line 35, and strike out "a lease," in line 36.

AMENDMENT NUMBER TWO.

On page 2, line 19, of the printed bill, strike out "heirs", and substitute "heir".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1018—An act to amend section 5 of an act entitled "An act authorizing the creation, government, maintenance and dissolution of county sanitation districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, relating to the election of the board of directors.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 1, of the title of the printed bill, strike out "section 5", and insert in lieu thereof the following: "sections 5, 6, 7, 16, 19a and 21".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 6 of the title, and insert in lieu thereof the following: "1923, relating to the board of directors, the duties of county officers with relation thereto, and to the employment of engineers, sanitation experts and other employees of the districts."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 4 to 13, inclusive, and insert in lieu thereof the following: "board of directors of not less than three members. The presiding officer of the governing body of each incorporated city, the whole or part of which is included in such district, shall automatically become a member of such board of directors. If unincorporated territory and but one incorporated city or part thereof be included in such district, the presiding officer and one other member of the board of supervisors of the county in which said district is organized shall be members of the board of directors, unless the population of such city or part thereof exceed that of the unincorporated territory included within such district, in which event the presiding officer of the governing body of such city and one other member of such governing body shall constitute such board of directors; but whenever unincorporated territory and two or more cities or parts thereof are included in such district the presiding officer of the board of supervisors of the county in which such district is located shall be a member of such board of directors. In the event such district contains no unincorporated territory, the board of directors thereof shall consist of the presiding officers of the governing bodies of the cities wholly or in part within said district, together with the presiding officer of the board of supervisors of the county in which the district is located. In the event the whole of such district shall be unincorporated territory, the board of supervisors of the county in which the district is organized shall be and constitute such board of directors.

Whenever additional territory becomes annexed to such sanitation district under the provisions of section 4½ of this act as well as whenever any change takes place in the character of the territory within any sanitation district by the incorporation of a municipality therein or otherwise resulting in a condition which makes it necessary for a change to be made in the membership of the board of directors as hereinbefore specified, then and thereupon such change in the membership of the board of directors shall take place and become effective immediately thereafter."

AMENDMENT NUMBER FOUR.

On page 2, line 32, of the printed bill, insert after "district.", the following: "The county surveyor of the county in which such district is located shall be and is hereby designated as, and empowered to act as, chief engineer of the district. The district attorney of the county in which such district is located shall be and is hereby designated as, and empowered to act as, ex officio the counsel of the district; provided, however, that in counties having a freeholders' charter creating the office of county counsel, such county counsel shall be ex officio the counsel of the district."

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out line 35, and insert in lieu thereof the following: "(a) To employ such other sanitation experts, engineers, surveyors, counsel".

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, after line 26, insert the following:

"SEC. 2. Section 6 of said act is hereby amended to read as follows:

Sec. 6. Upon the creation of any sanitation district, it shall become the duty of the board of directors to instruct the county surveyor as chief engineer to make a survey of the problems of the district concerning sanitation, and especially with reference to the matter of sewage collection, treatment and disposal, and to employ one or more sanitation engineers to assist in the making of such survey. Such resolution shall direct such county surveyor, as chief engineer, and such assistant engineer or engineers to prepare and file with the board of directors of the district a report setting forth:

1. A general description of existing facilities for sewage collection, treatment and disposal,

2. A general description of the work proposed to be done to carry out the objects of the district;

3. A general plan and general specifications of such work;

4. A general description of the property proposed to be acquired or damaged in carrying out said work;

5. A map showing the boundaries of the district and in general the location of the work proposed to be done, property taken or damaged, and any other information useful to an understanding of the proposed work;

6. An estimate of the cost of such proposed work

Such county surveyor, as chief engineer, shall have authority, subject to the direction of the board of directors, to employ such assistant engineer, engineers, surveyors and others as may be necessary to prepare such report. The board of directors may at any time remove any or all the engineers or other persons employed under the provisions of this act, except those specifically required herein; namely, county auditor, county treasurer, district attorney, county counsel and county surveyor as chief engineer, and may fill all vacancies however arising.

SEC. 3. Section 7 of said act is hereby amended to read as follows:

Sec. 7. When the chief engineer's report is filed, the board of directors shall examine it and may thereupon (a) reject and direct that a new report be prepared; (b) direct that changes be made in it or (c) if it complies with the provisions of the preceding section and is satisfactory to said board, the board shall fix a time and place for hearing objections to said report and to the doing of the work therein referred to or to any part thereof. Notice of said hearing shall be given by the board by publishing the same for at least five times in a daily or twice in a weekly newspaper circulated in the district, as the board may direct. At the time and place so fixed, or at such time and place to which the hearing may be from time to time continued, the board shall hear all objections made.

At the conclusion of the hearing the board shall either order the report to be changed to conform to some or all the objections made, or shall approve and adopt the report as made. In the event changes in the report are ordered, a further hearing shall be had upon the same as amended and reported back to the board as above provided, and further hearings shall be had until the board of directors approves and adopts said report. It may, thereafter, have such portions of the report as are adopted or a resume thereof published for free distribution to the public.

SEC. 4. Section 16 of said act is hereby amended to read as follows:

Sec. 16. The county surveyor, as chief engineer, and such assistant engineer or engineers employed by the county surveyor at direction of the board of directors to make the report by this act required, or the county surveyor, as chief engineer, and other assistant engineers or engineers employed by the county surveyor at the direction of the board of directors, shall be directed by the board of directors to superintend the doing of the work recommended to be done in the report as approved and adopted.

Such work, or any portion of it, may be done in any of the following ways as ordered by the board of directors:

1. By purchasing the material and doing the work by day labor;

2. By purchasing the material and letting a contract for the doing of the work;

3. By purchasing only a portion or none of the material and letting a contract for furnishing the balance or all of the material and doing of the work.

Any contract for the doing of the work or for the doing of the work and furnishing any or all of the material shall be let to the lowest responsible bidder submitting a sealed bid in response to a notice calling for such bid, published once a week for at least two successive weeks in a newspaper circulated in the county and which notice refers to detailed plans and specifications covering the work to be done and materials, if any, to be furnished. If the material to be purchased costs over one thousand dollars, and there is no purchasing agent, such material shall be purchased from the lowest responsible bidder as above provided.

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

SEC. 5. Section 19a of said act is hereby amended to read as follows:

Sec. 19a. Whenever two or more sanitation districts shall find and declare by resolution adopted by their respective boards of directors that it will be for the interest or advantage of such districts so to do, such sanitation districts, by their respective boards of directors, may enter into an agreement for the maintenance of a centralized and joint administrative organization to care for the general administration of the affairs of each of such districts, and the construction, supervision, operation and maintenance of the work of each of said districts, and for that purpose the said districts may agree to employ the same assistant engineer, engineers, surveyors, counsel and other persons needed to carry out the purposes of this act. Such agreement shall specify the proportionate amount to be paid by each district, party thereto, toward the costs and expenses of such organization and the salaries, wages or other compensation of all persons employed jointly by such districts; and for the purpose of facilitating the payment of such joint costs, expenses, salaries, wages or other compensation, such agreement may also provide for the payment by each district, party to such agreement, of its proportionate share of such costs, expenses, salaries,

wages or other compensation, into the funds of any one of such districts which may be designated for the purpose, and such designated district shall thereafter pay all such costs, expenses, salaries, wages or other compensation incurred by, or to be paid in connection with the maintenance of such joint organization.

SEC. 6. Section 21 of said act is hereby amended to read as follows:

Sec. 21. The cost of preparing the report required by section 6 of this act, including the compensation paid any assistant engineer, engineers and other employees of the district, shall be a charge against the district and shall be paid from the first available funds of the district."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2321—An act to add section 11a to an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies, and providing that this act shall take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 545—An act to amend section 3 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of lubricating oil.

Bill read third time.

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No. 545 was withdrawn from the file, and referred to Committee on Oil Industries.

Assembly Bill No. 2239—An act to amend section 11 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the filing of prescriptions by pharmacists

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2239 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, Samuel E,

Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Wright, Zion and Mr. Speaker—57
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 233—An act to amend section 1201 of the Probate Code, relating to notice of petition for leave to sell or give option on mines and mining claims.
Bill read third time.
The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Clowdsley moved that Assembly Bill No. 233 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.
The question being on re-referring Assembly Bill No 233 to Committee on Judiciary.
Motion carried.
Assembly Bill No. 233 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 382—An act to amend sections 581 and 629 of the Code of Civil Procedure, relating to civil actions.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 382 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, Samuel E, Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner and Mr. Speaker—52.
NOES—Feigenbaum, Fisher, Levey and Roland—4.

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No. 1868—An act to amend section 19x6 of the Juvenile Court Law, relating to the probation officer in counties of the sixth class.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1868 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Wright, Zion and Mr. Speaker—56
NOES—Sullivan—1.

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No. 1870—An act to amend section 9a6 of an act entitled "An act to provide for the establishment and maintenance of

county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1870 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, O'Donnell, Patterson, Peterson, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner and Mr. Speaker—54

NOES—Sullivan—1.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1873—An act to amend section 2322x6 of the Political Code, relating to the office of the agricultural commissioner in counties of the sixth class

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1873 passed by the following vote.

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Wright and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 9, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2319—An act to add section 135b to the "Bank Act," defining and regulating the business of banking —and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT.

Mr. Feigenbaum asked for, and was granted, unanimous consent to have Rule 79 suspended, at this time, for the purpose of concurring in Senate amendments to Assembly Bill No. 2319.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2319?

AMENDMENT NUMBER ONE

On page 2 of the printed, engrossed bill, strike out lines 8 to 10, inclusive, and insert in lieu thereof the following: "Provided, however, that the Superintendent of Banks may authorize in writing the withdrawal of any or all deposits secured

by deposits of securities in accordance with law from any or all banks, in such amount as he may from time to time determine, but in the event that scrip, clearing house certificates, or any other media of exchange shall be declared by law to be acceptable in payment of obligations to the State or any political subdivision thereof, or public corporation therein, then, during any period of limitation, authorized under this section, such deposits and withdrawals shall be made in such media."

AMENDMENT NUMBER TWO.

On page 2, between lines 40 and 41, of the printed, engrossed bill, insert the following: "Any bank now in the course of liquidation that can comply with the provisions of and meet the withdrawals authorized under this act shall be permitted by the Superintendent of Banks to resume business on the same basis as other banks".

AMENDMENT NUMBER THREE

On page 2 of the printed, engrossed bill, as amended in the Assembly March 7, 1933, strike out, in lines 24 and 25, the words "except with the written approval of the Superintendent of Banks".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2319, by the following vote:

AYES—Crowley—1.

NOES—Alter, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, Williamson, Wright, Zion and Mr. Speaker—66.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1304—An act to amend section 4191, Political Code, relating to the use of the law library fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1304 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Wright, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 57—An act to amend section 1315 of the Political Code, relating to electors of the President and Vice President of the United States.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 57 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson,

Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Wright, Zion and Mr. Speaker—67.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 83—An act to repeal "An act to provide for the support of vocational reeducation and rehabilitation of workmen disabled in industry in this State, and to create a fund for these purposes to be known as the 'industrial rehabilitation fund' by fixing an additional liability upon all employers liable under said act in cases where employees receive fatal compensable injury and leave no dependents," approved May 2, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 83 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Wright and Mr. Speaker—68.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 86—An act to repeal "An act to require the payment of certain premiums to counties, and cities and counties, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums," approved March 3, 1885.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 86 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Craig, Crist, Cronin, Crowley, Evans, Fisher, Greene, Grubbs, Hallner, Hoffman, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Wright and Mr. Speaker—58.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No. 695—An act declaring it unlawful for certain persons, associations, or corporations to engage in the business of selling, offering for sale or issuing contracts or certificates for medical service or other form of treatment for sickness or injury, without a license from the Insurance Commissioner, and deposit of cash, securities or surety bond guaranteeing performance of same, as therein provided; relating

to and regulating medical and hospital and other service as therein defined and provided; and providing penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER

Mr. Cronin moved that Assembly Bill No. 695 be withdrawn from the file, and ordered re-referred to Committee on Insurance

The question being on re-referring Assembly Bill No. 695 to Committee on Insurance.

Motion carried.

Assembly Bill No. 695 ordered re-referred to Committee on Insurance

Assembly Bill No. 1752—An act to add a new section to the Fish and Game Code, to be numbered 950 5, relating to Chinese shrimp nets

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1752 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stanward, Stream, Sullivan, Thorp, Tournoux, Zion and Mr Speaker—62.

NOES—McMurray—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 106—An act to repeal "An act relating to fishing in the waters of this State" approved April 23, 1880.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 106 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stanward, Stream, Sullivan, Thorp, Turner, Wright and Mr. Speaker—61.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No 466—An act to repeal "An act for the protection of the Antwerp messenger or homing pigeon," approved February 26, 1897

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 466 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Burns, Cassidy, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs,

Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 10, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 2319—An act to add section 135b to the "Bank Act," defining and regulating the business of banking—and appointed Senators McKinley, Swing and Inman as a Committee on Free Conference to meet a like committee from the Assembly.

J. A BEEK, Secretary of the Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Williamson, Feigenbaum and Crowley as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 2319.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1484—An act to amend section 1 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Jones moved that Assembly Bill No. 1484 be withdrawn from the file, and ordered re-referred to Committee on Labor and Capital.

The question being on re-referring Assembly Bill No. 1484 to Committee on Labor and Capital.

Motion carried.

Assembly Bill No. 1484 ordered re-referred to Committee on Labor and Capital.

Assembly Bill No. 322—An act to amend section 11½ of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the

acquisition or construction of such improvements," approved April 20, 1915, relating to the purchase of outstanding bonds.

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 322 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Mecker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Williamson, Wright and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 585—An act to amend section 653d of the Penal Code, relating to rebating wages on public work, so as to specifically include within its terms any person who accepts or conspires to accept a rebate from those performing services under contractors and subcontractors doing public work.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 585 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Mecker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Williamson, Wright, Zion and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 708—An act to amend sections 927 and 927b of the Code of Civil Procedure, relating to the jurisdictional limit of the small claims court, and to permit suit at the place where the obligation has been incurred as well as at the place of residence of the defendant.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. O'Connor moved that Assembly Bill No. 708 be withdrawn from the file, and ordered re-referred to Committee on Labor and Capital.

AMENDMENT TO MOTION

Mr. Clowdsley moved to amend the motion and have Assembly Bill No. 708 re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 708 to Committee on Judiciary.

Motion carried.

Assembly Bill No. 708 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 707—An act to add a new section, to be numbered 2a, to an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation thereof," as amended, permitting the publishing of the schedule of general prevailing rate of wages by reference to it in the advertisement of the call for bids and requiring the awarding body in such case to furnish an accurate and legible copy of the said schedule as found in the call for bids, without cost, to any person requesting same.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 707 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Feigenbaum, Frazier, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Williamson, Woolwine, Wright and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 696—An act to amend the title and sections 3 and 5 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, by requiring all contractors and subcontractors doing public work to pay their employees and workmen by negotiable checks without refund, abatement or reduction except by a reasonable charge for board, to furnish certified, accurate duplicate copies of their pay roll records to the inspector on the job on the day following each pay day and to post and keep posted in a conspicuous place at the site of the work an

accurate and legible copy of the schedule of wages required by the contract to be paid to all workers employed on the job, providing penalties for failure to do so, and making it clear that piece workers and working subcontractors are to be classed as workmen when doing work on the job.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 696 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Williamson, Woolwine, Wright and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3—An act to prohibit the possession of all devices or attachments of any kind designed, used or intended for use in silencing the report of a firearm, and providing a penalty for violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 3 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Woolwine, Wright and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 9—Relative to memorializing Congress to adopt legislation with reference to manufacture of arms, munitions and implements of war.

Resolution read.

COMMITTEE AMENDMENTS.

During reading of Assembly Joint Resolution No. 9, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 21, of the printed bill, after the word "government", strike out the rest of the line.

AMENDMENT NUMBER TWO

On page 1, line 22, of the printed bill, strike out the words "be manufactured in government establishments".

Amendments adopted.

Assembly Joint Resolution No. 9 ordered to reprint, engrossment, and on file for adoption.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Crist moved that the vote whereby Assembly Constitutional Amendment No. 45 was adopted, be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Alter, Anglim, Badham, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Lyon, Maloney, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner and Wright—48.

NOES—Bliss, Bowers, Chatters, Cobb, Craig, Evans, Fisher, Latham, Mayo, Meeker, Riley, Robinson, Samuel E., Roland, Ross, Scudder, Zion and Mr. Speaker—17.

Assembly Constitutional Amendment No. 45 ordered transmitted to the Senate.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 10, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No 556—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following, to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations, and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 6.02 and 6.03 relating to withdrawals, 6.06 relating to payments entitled to preference, 6.07 relating to minimum amount of withdrawals and acceptance of investment certificates or shares in payment for loans or property, 8.07 relating to attachments, injunctions or executions 9.01 relating to investments and loans, 9.03 relating to acquisition, disposition and encumbrance of property, repealing section 5.04 of said act relating to cash fund for investment certificates; adding a new section numbered 8.09 to said act regulating dividends and interest; and declaring the urgency of this act and providing that it shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bill ordered to enrollment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 838—An act to amend section 1.70 of the School Code, and to add a new section to said code, to be numbered 1.72, relating to transportation of school pupils;

Also: Assembly Bill No. 606—An act to confirm and validate the boundaries of school districts, high school districts and junior college districts of every kind and class;

Also: Assembly Bill No 615—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class;

Also Assembly Bill No. 566—An act to repeal Article III of Chapter I of Part III of Division IV of the School Code, comprising section 4.300, relating to the use of surplus funds of school districts,

Also: Assembly Bill No 1368—An act to amend sections 4.161 and 4.190 of the School Code, relating to county elementary school funds;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ROLAND, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 568—An act to amend section 6.61 of the School Code, relating to contracts for the erection, addition to, or alteration of school buildings;

Also: Assembly Bill No. 931—An act to amend sections 4.960 and 4.975 of the School Code, relating to school district bonds and the application of proceeds therefrom;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

ROLAND, Chairman.

The above reported bills ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1933.

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 535—An act to amend sections 2, 3, 6, 7, 8, 9, 12, 13, 14, 17, 18 and 19, and to add two new sections to be numbered 18a and 21a, to the "Act Concerning Cosmetology," relating to the practice and teaching of cosmetology—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

LEVEY, Chairman

The above reported bill ordered referred to Committee on Rules.

ON PUBLIC UTILITIES

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1933.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No 147—An act to amend section 483 of the Penal Code, relating to the sale of evidences of right of passage on a common carrier to person not entitled to use of same—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LATHAM, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1933.

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1096—An act to amend section 606 of the Political Code, relating to the moneys and fees of office of the Insurance Commissioner, and providing for assessment of insurance companies in case of deficiency—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Ways and Means.

CRIST, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON SOCIAL SERVICE AND WELFARE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1933.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 1866—An act to amend section 4099a of the Political Code, relating to orphan aid—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1769—An act to amend section 730 of the Fish and Game Code, relating to halibut;

Also: Assembly Bill No. 1260—An act to amend section 489 of the Fish and Game Code, relating to the taking of fish near spawn-taking stations;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

ZION, Chairman.

The above reported bills ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1933.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1815—An act to amend section 29 of the California Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation insurance;

Also: Assembly Bill No. 1367—An act to amend section 43½ of the Workmen's Compensation, Insurance and Safety Act, relating to the revolving fund of the State Compensation Insurance Fund;

Also: Assembly Bill No. 1089—An act to amend section 1056 of the Code of Civil Procedure, relating to sureties on undertakings or bonds, prescribing the amount of capital stock required and regulating the formation or admission of corporations to transact such business in this State, placing such corporations under the jurisdiction of the Insurance Commissioner, providing for examination and prescribing the duties of the said Insurance Commissioner in connection therewith;

Also: Assembly Bill No. 1095—An act to repeal section 608 of the Political Code, relating to transfers of actions or special proceedings by foreign insurance companies doing business in this State;

Also: Assembly Bill No. 1141—An act to amend sections 453cc and 453ee of the Civil Code, relating to mortgage insurance companies; declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CRIST, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1102—An act to amend section 594 of the Political Code, defining and classifying insurance, and prescribing capital and other requirements of the various classes and limitations of classes permitted, and also requiring the stock of insurance companies to have a specified par value;

Also: Assembly Bill No. 1098—An act to amend section 602 of the Political Code, relating to insurance;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

CRIST, Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1054—An act to amend an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, as amended by amending section 1, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city, or town, municipal utility district or flood control district;

Also: Assembly Bill No. 1057—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 5, 6, 7, 8, 10, 11 and 13¾, all relating

to the powers, government and management of metropolitan water districts, and the exclusion of area therefrom, and declaring same an urgency measure;

Also: Assembly Bill No. 1062—An act to amend section 574 of the Civil Code, relating to the property which savings and loan corporations are authorized to purchase, hold and convey;

Also: Assembly Bill No. 1065—An act to amend an act entitled "An act providing for the designation of money in the State treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," approved June 10, 1913, as amended, by amending section 1, relating to the investment of surplus money in the State treasury;

Also: Assembly Bill No. 1066—An act to amend sections 671 and 672 of the Political Code, relating to investments to be made by the Director of Finance of school land funds and of estates of deceased persons' funds;

Also: Assembly Bill No. 1067—An act to amend an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911, by amending section 1, relating to the investment of moneys in the sinking funds of counties, cities and counties, incorporated cities and towns;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1724—An act requiring all telephone companies operating as a public utility to furnish wire connection for purpose of exchange and toll or other messages to telephone system owned and operated by the State or any political subdivision thereof—has had the same under consideration, and respectfully reports the same back without recommendation, and recommends that the bill be re-referred to Committee on Public Utilities.

LYON, Chairman.

The above reported bill ordered re-referred to Committee on Public Utilities.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Woolwine:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act relating to and providing for a moratorium in respect to payments due under conditional sales contracts of automobiles and on loans secured by motor vehicles and implements of husbandry, and declaring the urgency thereof.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act relating to and providing for a moratorium in respect to payments due under conditional sales contracts of automobiles and loans secured by motor vehicles and implements of husbandry, and declaring the urgency thereof.

HALLNER, Chairman.

The question being on the adoption of the report

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Williamson, Wright, Zion and Mr. Speaker—67.

NOES—None

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Woolwine: Assembly Bill No. 2329—An act relating to and providing for a moratorium in respect to payments due under conditional sales contracts of automobiles and on loans secured by motor vehicles and implements of husbandry, and declaring the urgency thereof.

Bill read first time, and referred to Committee on Judiciary.

ANNOUNCEMENT.

The following announcement was made by the Speaker:

From and after this date the following committees will hold meetings on the day and hour herein provided, said meetings to be held in addition to those meetings by these committees provided by the schedule of committee meetings.

Judiciary	Friday, 7.30 p.m	Room 432
Fish and Game	Thursday, 7.30 p.m.	Room 432

LITTLE, Speaker.

MOTION TO RE-REFER.

Mr. Badham moved that Assembly Bill No. 525 be withdrawn from the Committee on Judiciary, and re-referred to Committee on Motor Vehicles.

The question being on re-referring Assembly Bill No. 525 to Committee on Motor Vehicles.

Motion carried.

Assembly Bill No. 525 ordered re-referred to Committee on Motor Vehicles.

MOTION.

Mr. Brock moved that the Chief Clerk be instructed to have printed 2000 copies of Assembly Bill No. 556, also 500 copies of Assembly Bill No. 2327.

Motion carried.

ADJOURNMENT.

At twelve o'clock and fifty minutes p.m., on motion of Mr. Clowdsley, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, March 13, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, March 13, 1933.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Powers, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Cronin, Mr. Levey was granted leave of absence for the day.

On motion of Mr. Cottrell, Mr. Crist was granted leave of absence for the day.

On motion of Mr Robinson, Samuel E., Mr. O'Donnell was granted leave of absence for the day.

On motion of Mr. McBride, Mr. Roberts was granted leave of absence for the day

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr West, Ulyssa Woodbury, principal; Julia Knox, teacher, of the Walnut Grove Oriental school, and pupils of the seventh and eighth grades were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Anglim, Mrs. J. G. Smith of Stockton, Mrs. T. F. Hutchison of Independence and Mrs R R. Veale of Martinez were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Peterson, W. L. Wardlow and A. E. Martinelli of Palo Alto were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Workers of Fresno, California, requesting open hearings on Assembly Bill No. 1910.

(Signed) A. MANTY, Chairman.

Also:

By Mr. Speaker:

From Midwest Piping and Supply Company, Incorporated, Los Angeles, protesting against Assembly Bill No. 1992

(Signed) G. L. MORRILL, Manager.

Also:
By Mr. Speaker:

From F. A. Tanner, Los Angeles, protesting enactment of Assembly Bill No. 1992

Also:
By Mr. Speaker:

From Overton Laboratories, Glendale, California, protesting against Assembly Bill No. 1992.
(Signed) FRANK H. OVERTON.

Also:
By Mr. Speaker:

From Constitutional League Bulletin, San Diego, protesting nullification.
(Signed) C. L. BURTNETT, Secretary.

Also:
By Mr. Speaker:

From Standard Wiping Rag Company, Los Angeles, protesting against Assembly Bill No. 1992.
(Signed) SAM BERNSTEIN.

Also:
By Mr. Speaker:

From J A. Leach, Los Angeles, and 18 others, protesting against Assembly Bill No. 1989

Also:
By Mr. Speaker:

From Western Stopper Company, San Francisco, protesting against Assembly Bill No. 1992.
(Signed) RUSSELL GOWANS.

Also:
By Mr. Speaker:

From McCall Brothers Service Corporation, El Centro, favoring homestead legislation.
(Signed) GRANT S. BLASKO, Chairman.

Also:
By Mr. Speaker:

From county of Imperial, El Centro, California, protesting passage of Assembly Bill No. 1668

Also:
By Mr. Speaker:

From beauty shop owners and operators of Visalia, California, favoring retaining State Board of Cosmetology.

Also.
By Mr. Speaker:

From United Veterans of the Republic, Inglewood, protesting Mattoon Act
(Signed) JACOB BRUNNER, Commander.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1933.

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1361—An act to amend an act entitled "An act regulating the making of

openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits, and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915, as amended.

Also: Assembly Bill No. 1360—An act to amend an act entitled "An act to provide for the care, management and protection of State highways and providing penalties for violations of the provisions of the act," approved May 20, 1915, as amended;

Also, Assembly Bill No. 1343—An act to add a new section to the Political Code, to be numbered 363dd, authorizing the Director of Public Works to enter into agreements for the construction, maintenance, and use of State highway bridges jointly by the public and private owners;

Also Assembly Bill No. 535—An act to amend sections 2, 3, 6, 7, 8, 9, 12, 13, 14, 17, 18 and 19, and to add two new sections to be numbered 18a and 21a, to the "Act Concerning Cosmetology," relating to the practice and teaching of cosmetology;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1933.

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 704—An act to amend section 71 of the Public Utilities Act, relating to reparation to be made for excessive or unreasonable charges by a public utility—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on Daily Calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1055—An act relating to the formation, organization and proceedings of metropolitan water districts; confirming the formation, organization and existence of such districts; establishing and validating the boundaries thereof; confirming the appointment of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken; confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof and all bonds heretofore authorized or issued by such districts and authorizing such bonds to be sold and delivered; providing for the levy and collection of a tax sufficient to pay the principal and interest of any such bonds, and declaring this act to be an urgency measure;

Also Assembly Bill No. 1058—An act to amend section 1158 of the Civil Code, relating to recordation of instruments or judgments affecting the title to or possession of real property;

Also, Assembly Bill No. 744—An act to add section 63a to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the issuance of bonds;

Also: Assembly Bill No. 741—An act to add section 4a to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended, relating to the issuance of bonds;

Also. Assembly Bill No 742—An act to add section 5½ to an act entitled the "Grade Separation Act of 1927," relating to the issuance of bonds;

Also. Assembly Bill No 740—An act to add section 25½ to an act entitled the "Street Improvement Act of 1913," relating to the issuance of bonds;

Also: Assembly Bill No. 739—An act to add section 4½ to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements under the 'Street Opening Act of 1889' and providing for the effect and enforcement of such bonds," approved May 24, 1921, relating to the issuance of bonds,

Also: Assembly Bill No. 232—An act to repeal "An act empowering the legislative body of any city or municipal corporation to abandon proceedings taken under an act entitled 'An act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby,' approved April 21, 1909, and referred to as the Street Improvement Act of 1909,'" approved June 8, 1915;

Also: Assembly Bill No 231—An act to repeal "An act to provide for the laying *out, opening, extending, widening, straightening, diverting, curving,* contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities or cities and cities and counties of 40,000 inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 23, 1893;

Also: Assembly Bill No. 229—An act to repeal the "Tree Planting Act of 1915.";

Also: Assembly Bill No. 230—An act to repeal the "Tree Planting Act of 1913.";

Also: Assembly Bill No. 228—An act to repeal "An act to provide for the planting, maintenance and care of shade trees upon streets, lanes, alleys, courts and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits," approved March 11, 1893,

Also: Assembly Bill No. 129—An act to repeal an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893, Statutes of 1893, page 33, as amended, with provision that any bonds issued under the provisions of said act shall not be affected by said repeal,

Also: Assembly Bill No. 136—An act to repeal an act entitled "An act to provide for the establishment and change of grade of public highways, streets, public ways and other public property and rights of way, in whole or in part, including property over which possession and right of use have been obtained under the provisions of section 14 of Article I of the Constitution of the State of California, whether the same are situated within the limits of a municipality or whether such public ways or property are in part within the limits of one or more municipalities, or extend from one municipality into another municipality, or from one or more municipalities into or through unincorporated territory, or in whole or in part form the boundary between adjoining municipalities or between a municipality and adjacent unincorporated territory; and providing for work in and upon the same together with any and all appurtenances and appurtenant work; and providing for assessing the whole or any portion of the costs and expenses thereof upon private property and for the issuance and payment of improvement bonds to represent certain assessments for the costs thereof, and providing for the effect of and the enforcement of such bonds.' approved April 21, 1911, Statutes of 1911, page 1018, as amended, with provision that said repeal shall not apply to existing proceedings under said act;

Also: Assembly Bill No. 131—An act to repeal an act entitled "The Local Improvement Act of 1901," approved February 26, 1901, Statutes of 1901, page 34, as amended, with the provision that said repeal shall not apply to existing proceedings under said act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman

The above reported bills ordered on file for second reading

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1933

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No 68—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to be numbered 34a to Article IV, by amending section 12 of Article XI, by adding a new section to be numbered 20 to Article XI, by amending sections

14, 15 and 16, and by repealing sections 12½ and 18 of Article XIII, relating to taxation—and reports that the same has been correctly engrossed.

PATTERSON, Chairman

The above reported Assembly Constitutional Amendment No. 68 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 22—An act to amend section 1322 of the Penal Code, relating to husband and wife;

Also: Assembly Bill No. 41—An act to amend section 737dd of the Political Code, relating to the annual salary of judges of the superior court in and for the county of Orange;

Also: Assembly Bill No. 253—An act to amend section 8 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917," approved June 13, 1923;

Also: Assembly Bill No. 254—An act to amend sections 1, 2, 3, 6, and 7 of an act entitled "An act regulating the sale, offering for sale, possession or transportation of machine rifles, machine guns and submachine guns, and providing a penalty for the violation thereof," approved May 16, 1927;

Also: Assembly Bill No. 329—An act to amend section 629 of the Penal Code, relating to the installation of fish screens over mill races, irrigation ditches, pipes, flumes, tunnels and canals, for the payment of the expense of the construction, installation and maintenance thereof, and providing a penalty for the interference therewith;

Also: Assembly Bill No. 330—An act to amend sections 535 and 536 and to repeal sections 537 to 548, inclusive, of the Fish and Game Code, relating to obstructions and fish screens;

Also Assembly Bill No. 362—An act to amend section 1 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act." approved June 3, 1913, relating to the scope of the act;

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 393—An act to add a new section to the Penal Code to be numbered 904a, relating to grand juries;

Also: Assembly Bill No. 622—An act to add a new section to the Civil Code to be numbered 85, relating to legitimacy;

Also: Assembly Bill No. 623—An act to add a new section to the Probate Code to be numbered 1026, and to repeal section 672 of the Civil Code, relating to distribution of estates to nonresident aliens;

Also: Assembly Bill No. 628—An act to amend section 932 of the Probate Code, relating to executors and administrators;

Also: Assembly Bill No. 629—An act to amend sections 780 and 782 of the Probate Code, relating to sales of real property by executors and administrators;

Also: Assembly Bill No. 630—An act to amend section 702 of the Probate Code, relating to notice to creditors by executors or administrators;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 633—*An act to amend section 440 of the Probate Code, relating* to petitions for letters of administration;

Also: Assembly Bill No. 635—An act to amend section 21 of the Probate Code, relating to the disposition of community property by will,

Also. Assembly Bill No. 636—An act to repeal sections 1969 and 1970 of the Code of Civil Procedure, relating to wills;

Also: Assembly Bill No. 637—An act to amend section 2287 of the Civil Code, relating to appointment of a trustee to fill a vacancy;

Also: Assembly Bill No. 638—An act to amend section 1537 of the Probate Code, relating to guardians;

Also: Assembly Bill No. 639—An act to add two new sections to the Probate Code to be numbered 1241 and 1632, respectively, and to repeal sections 965 and 966 of the Code of Civil Procedure, relating to appeals by and concerning executors, administrators or guardians;

Also: Assembly Bill No 715—An act to abolish the death penalty as a punishment for crime, except in certain cases, and to provide for the punishment for crimes in cases where the death penalty is abolished;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 817—*An act to amend section 28 of The General Cemetery Act,* relating to the extension of time for the disinterment and removal of bodies from cemeteries;

Also: Assembly Bill No. 1008—*An act to amend section 805 of the Agricultural* Code, relating to the standardization of oriental persimmons;

Also: Assembly Bill No 1076—An act to amend section 809 of the Agricultural Code, relating the standardization of walnuts,

Also: Assembly Bill No 1231—An act to define and regulate the practice of shorthand reporting; creating a State Board of Shorthand Reporting, and providing for its powers and duties, providing for the examination and certification of shorthand reporters, with the designation of "certified shorthand reporter"; providing for the reporting, taking and certifying of depositions by certified shorthand reporters; and prescribing penalties for violations of this act and to repeal section 270 of the Code of Civil Procedure;

Also: Assembly Bill No 1344—An act to add a new section to the Political Code to be known as section 373k, authorizing the Director of Natural Resources to grant easements for public highways over State park lands on terms and conditions to be prescribed by the State Park Commission;

Also: Assembly Bill No 2321—An act to add section 11a to an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies, and providing that this act shall take effect immediately,

And reports that the same have been correctly engrossed

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 556—An act to amend the act entitled "An act to define building *and loan associations and to regulate them and their organization, business, operation,* merger, consolidation and liquidation and (without limiting the generality of the foregoing) also to do the following to define and regulate the agents, salesmen *and collectors of such associations, and to regulate their officers, directors and* employees; to define, authorize and regulate the issuance of, shares, stock and investment certificates of such associations and to prescribe the rights, remedies and liabilities *of holders thereof, and to make such investment certificates legal investments* for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors, to regulate the investments, loans and borrowings of such associations, and their accounts, reports audits statements and advertising, to create and continue the office of Building and Loan Commissioner provide for and define the rights powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the

Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 6 02 and 6 03 relating to withdrawals, 6 06 relating to payments entitled to preference 6 07 relating to minimum amount of withdrawals and acceptance of investment certificates or shares in payment for loans or property, 8 07 relating to attachments injunctions or executions, 9.01 relating to investments and loans 9 03 relating to acquisition, disposition and encumbrance of property, repealing section 5 04 of said act relating to cash fund for investment certificates, adding a new section numbered 8 09 to said act regulating dividends and interest; and declaring the urgency of this act and providing that it shall take effect immediately—and reports that the same has been correctly enrolled and presented the same to the Governor on this tenth day of March, 1933, at six o'clock and forty-five minutes p m

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 620—An act to add two new sections to the Probate Code to be numbered 930.5 and 1556 5, respectively, to add a new section to the Code of Civil Procedure to be numbered 1042, and to repeal "An act making the cost of certain bonds of receivers, assignees, trustees, guardians, administrators and executors chargeable to a certain extent against the trust estate," approved March 20, 1905, relating to the payment of premiums on bonds of executors, administrators and guardians, receivers, assignees and trustees;

Also: Assembly Bill No 621—An act to amend section 1531 of the Probate Code, relating to sales of the property of a ward,

Also: Assembly Bill No 624—An act to amend sections 1120 1125 and 1126 of the Probate Code and to add a new section thereto to be numbered 1127, relating to testamentary trustees:

Also, Assembly Bill No. 625—An act to amend sections 1200 and 1201 of the Probate Code, relating to the giving of notice in probate proceedings,

Also Assembly Bill No 626—An act to amend sections 1010 and 1020 of the Probate Code, and to add a new section thereto to be numbered 1020 5 relating to the distribution of the estates of decedents;

Also: Assembly Bill No. 627—An act to amend section 715 of the Probate Code, relating to limitations prescribed for bringing suit upon a rejected claim;

Also: Assembly Bill No 631—An act to amend section 578 of the Probate Code and to add section 718 5 thereto, relating to the compromise and settlement of claims by or against estates of decedents;

And reports that the same have been correctly engrossed

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 632—An act to amend section 463 of the Probate Code, relating to special administrators,

Also, Assembly Bill No. 634—An act to amend sections 228 and 229 of the Probate Code, relating to succession to estates of decedents;

Also, Assembly Bill No 1518—An act to amend section 5 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof" which became a law under constitutional provision without the Governor's approval (February 25, 1901), relating to the issuance of municipal improvement bonds; and declaring the urgency of this act and that this act shall take effect immediately;

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 10, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 326—An act to amend section 689 of the Political Code, relating to the costs of janitor and maintenance service furnished by the Department of Finance;

Also: Senate Bill No. 327—An act to add section 675.2 to the Political Code, relating to the transfer of land between State agencies;

Also: Senate Bill No. 372—An act to repeal section 2.1391 to 2.1398, inclusive, of the School Code, and to repeal an act entitled "An act relating to the finances of the State Board of Education," approved May 4, 1929, and to add a new section to the School Code to be numbered 2.1391, all relating to powers and duties of State Board of Education;

Also: Senate Bill No. 733—An act to add a new section to the Political Code to be known as 674a, relating to purchase and sale of bonds by the Director of the Department of Finance;

Also: Senate Bill No. 833—An act validating the formation, organization, reorganization and existence of joint highway districts;

Also: Senate Bill No. 457—An act to validate all proceedings for the formation of improvement districts within irrigation districts and all assessments heretofore made in any such improvement districts, to validate all warrants heretofore issued or to be issued, payable from the assessments levied in such improvement districts, and authorizing and directing the collection of the assessments in such improvement districts sufficient to pay the principal and interest of said warrants, validating and confirming all acts and proceedings of the board of directors of any irrigation district in connection with the acquisition and creation of improvement districts within irrigation districts, and the acquisition, construction, operation, maintenance and repair of improvements therein;

Also: Senate Bill No. 776—An act to amend section 844 of the Probate Code, relating to leases of real property;

Also: Senate Bill No. 777—An act to amend section 920.5 of the Probate Code, relating to the deposit of money by trust companies.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 326 and 327 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 372 read first time, and referred to Committee on Education.

Senate Bill No. 733 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 833 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 457 read first time, and referred to Committee on Irrigation.

Senate Bills Nos. 776 and 777 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 804—An act to amend section 1557 of the Probate Code, relating to guardian and ward;

Also: Senate Bill No. 533—An act to amend the Probate Code by adding a new section thereto, to be numbered 1241, specifying the papers which shall constitute the judgment roll in probate;

Also: Senate Bill No. 159—An act to amend section 537 of the Code of Civil Procedure, relating to attachments;

Also: Senate Bill No. 1011—An act to amend section 376a of the Political Code, relating to the office of Director of Penology,

Also: Senate Bill No. 1012—An act to repeal an act entitled "An act creating the California Crime Commission, defining its duties and making an appropriation for its expenses, and repealing all acts and parts of acts in conflict with this act," approved May 28, 1929;

Also: Senate Bill No. 1014—An act to repeal an act entitled "An act creating an Advisory Pardon Board; defining and prescribing the powers and duties thereof; and making an appropriation therefor, approved May 17, 1915, as amended, relating to Advisory Pardon Board

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 804, 533 and 159 read first time, and referred to Committee on Judiciary.

Senate Bills Nos. 1011, 1012 and 1014 read first time, and referred to Committee on Ways and Means.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced and referred as indicated:

By Mr. Latham: Assembly Concurrent Resolution No. 37—Relative to rewriting veterans' contracts for purchase of land in certain cases.

Introduced, and referred to Committee on Soldiers and Sailors Affairs.

MOTION TO RE-REFER.

Mr. Meeker moved that Assembly Bills Nos 712, 829, 1430 and 1836 be withdrawn from Committee on Agriculture, and ordered re-referred to Committee on Live Stock and Dairies.

The question being on re-referring Assembly Bills Nos. 712, 829, 1430 and 1836 to Committee on Live Stock and Dairies.

Motion carried.

Assembly Bills Nos. 712, 829, 1430 and 1836 ordered re-referred to Committee on Live Stock and Dairies.

MOTION TO RE-REFER.

Mr. Meeker moved that Assembly Bill No. 1149 be withdrawn from Committee on Agriculture, and ordered re-referred to Committee on Public Health and Quarantine.

The question being on re-referring Assembly Bill No. 1149 to Committee on Public Health and Quarantine.

Motion carried.

Assembly Bill No. 1149 ordered re-referred to Committee on Public Health and Quarantine.

MOTION TO RE-REFER.

Mr. Meeker moved that Assembly Bill No. 973 be withdrawn from Committee on Live Stock and Dairies, and ordered re-referred to Committee on Agriculture.

The question being on re-referring Assembly Bill No. 973 to Committee on Agriculture.

Motion carried.

Assembly Bill No. 973 ordered re-referred to Committee on Agriculture.

RESOLUTION.

The following resolution was offered:

By Mr. Maloney:

WHEREAS, In the past week our sister county Los Angeles has met with a dreadful disaster which has taken life and destroyed property; and

WHEREAS, This catastrophe has brought sorrow and destruction to the people of our sister city; and

WHEREAS, It is the intent of all of those representing their constituents in the Legislature of the State of California to cooperate with a sister city that meets with chaos; and

WHEREAS, It has been called to our attention that the Speaker of the Assembly, Hon. Walter J. Little, of Los Angeles County, is at this time holding conferences with the Governor of the State of California and other public and private citizens relative to enacting legislation for the purpose of aiding those now in distress; therefore be it

Resolved, That we, the members of the California State Legislature, representing fifty-seven counties in the State, do hereby extend to our colleagues and to the people of Los Angeles County, our heartfelt sorrow in their hours of distress; and be it further

Resolved, That we do hereby pledge our cooperation so far as it is humanly possible, so that it may be only a short time before the people of our sister county fully recover from this most unfortunate disaster.

Resolution read, and on motion unanimously adopted.

DAILY CALENDAR

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 659—An act to amend the title and sections 2 and 3 and to add a new section, to be numbered section 1¼, to an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment," approved April 20, 1917, by specifically including within its protection any security put up by the employee, or applicant for employment, for faithful performance and any money or property directly or indirectly turned over to the employer or prospective employer pursuant to the contract of employment, prohibiting investments and the sale of stock or an interest in a business in connection with the securing of a position and advertisements to this effect, and providing penalties for violation of the provisions thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 838—An act to amend section 1.70 of the School Code, and to add two new sections to said code, to be numbered 1.72, and 1.73-1, relating to transportation of school pupils.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 606—An act to confirm and validate the boundaries of school districts, high school districts and junior college districts of every kind and class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 615—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 566—An act to repeal Article III of Chapter I of Part III of Division IV of the School Code, comprising section 4.300, relating to the use of surplus funds of school districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1368—An act to amend sections 4.161 and 4.190 of the School Code, relating to county elementary school funds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 568—An act to amend section 6.61 of the School Code, relating to contracts for the erection, addition to, or alteration of school buildings.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 1 of the title, strike out the following: "amend section 6.61", and insert in lieu thereof the following: "repeal sections 6.60, 6.61 and 6.62."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 1 of the title, after the comma insert the following: "to repeal section 3 of Chapter 172 of the Statutes of 1929 entitled "An act creating a Division of Schoolhouse Planning in the State Department of Education, and establishing standards for school sites and the construction and alteration of school buildings," approved April 27, 1929, and to add to the School Code two new sections to be numbered 6.60 and 6.61,".

AMENDMENT NUMBER THREE

On page 1 of the printed bill, strike out all of lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1 Sections 6.60, 6.61, and 6.62 of the School Code are hereby repealed.

SEC. 2. Section 3 of Chapter 172 of the Statutes of 1929 entitled, "An act creating a Division of Schoolhouse Planning in the State Department of Education, and establishing standards for school sites and the construction and alteration of school buildings," approved April 27, 1929, is hereby repealed

SEC. 3. A new section is hereby added to the School Code to be numbered 6.60 and to read as follows:

6.60 Except in incorporated cities having boards of education, it is the duty of the superintendent of schools of each county, to pass upon and approve or reject all plans for schoolhouses. To enable him to do so, all boards of trustees, before adopting any plans for school buildings, must submit the same to the county superintendent for his approval.

SEC. 4. A new section is hereby added to the School Code to be numbered 6.61 and to read as follows:

6.61 It shall be the duty of the governing board of each school district, except districts governed by a city board of education, before letting any contract or contracts totaling five thousand dollars or more, for the erection of any new school building, or for any addition to, or alteration of, an existing school building, to submit plans therefor to the State Department of Education, and to obtain the written approval of such plans by the State Department of Education. No contract for building made by any governing board of a school district contrary to the provisions of this section shall be valid, nor shall any public moneys be paid for erecting, adding to, or altering any school building in contravention of the provisions of this section."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 931—An act to amend sections 4.960 and 4.975 of the School Code, relating to school district bonds and the application of proceeds therefrom.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 22 and 23, and insert in lieu thereof the following: "sary apparatus of a permanent nature."

AMENDMENT NUMBER TWO.

On page 2, lines 19 and 20, of the printed bill, strike out the words "in accordance with section 4.960 of this code.", and insert in lieu thereof a period.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 535—An act to amend sections 2, 3, 6, 7, 8, 9, 12, 13, 14, 17, 18 and 19, and to add two new sections to be numbered 18a and 21a, to the "Act Concerning Cosmetology," relating to the practice and teaching of cosmetology.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in lines 1 and 2 of the title, strike out "and 19," and insert in lieu thereof the following: "19 and 21,".

AMENDMENT NUMBER TWO.

On page 2, line 7, of the printed bill, strike out "needly", and insert in lieu thereof the following: "needle".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 24 to 26, inclusive, and insert in lieu thereof the following: "person who, for the purpose of sale, demonstrates the application of cosmetic preparations, antiseptics, tonics, lotions or creams to the hair, scalp, face, neck, arms, bust or upper part of the human body, or who for the purpose of sale demonstrates the use of any mechanical or electrical appliance designed to perform in whole or in part any of the practices enumerated in subdivision (b) of this section, without charge for any such demonstration."

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 46 to 51, inclusive

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, strike out line 3, and insert in lieu thereof the following: "Sec 3. Every".

AMENDMENT NUMBER SIX.

On page 3, line 12, of the printed bill, after "thereof," insert the following: "and every person who shall engage in, or attempt to engage in, the practice of a demonstrator,".

AMENDMENT NUMBER SEVEN.

On page 3, line 28, of the printed bill, strike out "provision", and insert in lieu thereof the following: "provisions".

AMENDMENT NUMBER EIGHT.

On page 3, line 30, of the printed bill, strike out "of branches".

AMENDMENT NUMBER NINE

On page 3, line 31, of the printed bill, strike out "that".

AMENDMENT NUMBER TEN

On page 3 of the printed bill, strike out lines 32 to 38, inclusive.

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill, strike out line 50, and insert in lieu thereof the following: "Sec. 6. The".

AMENDMENT NUMBER TWELVE.

On page 3, line 52, of the printed bill, strike out "apprentice".

AMENDMENT NUMBER THIRTEEN.

On page 4, line 8, of the printed bill, strike out "tenth", and insert in lieu thereof the following: "eighth".

AMENDMENT NUMBER FOURTEEN.

On page 4 of the printed bill, strike out lines 11 to 33, inclusive, and insert in lieu thereof the following. "or cosmetologist, for a period of two years; or (e) who has had training of at least one thousand hours extending over a school term of six months in a school of cosmetology approved by the board; or (f) who has served at least two years as a licensed junior operator in a licensed cosmetological establishment in which a majority of the occupations of a hairdresser and cosmetician, or cosmetologist, are practiced.

It is hereby provided, however, that on and after the first day of October, 1933, no person shall be admitted to examination for a certificate of registration and license as a hairdresser and cosmetician, or cosmetologist, who has not been actually engaged in the practice of the occupations of a hairdresser and cosmetician, or cosmetologist, for a period of two years prior to the date of the application; or who has not had training in an approved school of cosmetology as outlined in provision (e) of this section, or who has not had an education equivalent to the completion of the tenth grade in the public schools of this State.

Any applicant".

AMENDMENT NUMBER FIFTEEN.

On page 4 of the printed bill, strike out line 50, and insert in lieu thereof the following:

"Any applicant".

AMENDMENT NUMBER SIXTEEN.

On page 7, line 16, of the printed bill, strike out "apprentice".

AMENDMENT NUMBER SEVENTEEN.

On page 7, line 19, of the printed bill, strike out "as an apprentice".

AMENDMENT NUMBER EIGHTEEN.

On page 7 of the printed bill, between lines 30 and 31, insert the following:

"Every applicant for registration to engage in practice as a demonstrator, who shall comply with the regulations made by the board and shall pass a satisfactory examination if required by the board, shall receive a certificate of registration and license to engage in practice as a demonstrator, up to and including the thirtieth day of September following the date of issue.

Every applicant for a special instructor's license who shall pass a satisfactory examination conducted by the board to determine his or her fitness to teach in a school of cosmetology shall receive from the board a certificate of registration and license to act as an instructor in cosmetology, up to and including the thirtieth day of September following the date of issue."

AMENDMENT NUMBER NINETEEN.

On page 7 of the printed bill, strike out lines 35 to 45, inclusive.

AMENDMENT NUMBER TWENTY.

On page 7, line 51, of the printed bill, after "cosmetology," insert the following: "or as an electrologist or as a manicurist,".

AMENDMENT NUMBER TWENTY-ONE

On page 8 of the printed bill, strike out line 14, and insert in lieu thereof the following: "provided further, that any applicant for registration and license as a hairdresser and cosmetician, or cosmetologist, shall have the".

AMENDMENT NUMBER TWENTY-TWO.

On page 8, line 18, of the printed bill, strike out "three", and insert in lieu thereof the following: "two".

AMENDMENT NUMBER TWENTY-THREE.

On page 8 of the printed bill, at the end of line 21, strike out the period, and insert in lieu thereof the following: "; provided, however, that any applicant for registration and license as an electrologist shall be required to attend such school for a period of one hundred hours of sixty minutes each over a period of three weeks, and an applicant for registration and license as a manicurist shall attend such a school for a period of forty hours over a school term of two weeks."

AMENDMENT NUMBER TWENTY-FOUR

On page 9 of the printed bill, between lines 8 and 9, insert the following:

"The fee for examination as a demonstrator shall be five dollars, provided, however, that anyone failing to pass the first examination shall, upon application, be permitted a second examination for which no fee shall be required

The fee for examination as an instructor in cosmetology shall be five dollars, provided, however, that anyone failing to pass the first examination shall, upon application, be permitted a second examination for which no fee shall be required"

AMENDMENT NUMBER TWENTY-FIVE.

On page 9 of the printed bill, strike out lines 12 and 13, and insert in lieu thereof the following "cosmetologist, every licensed electrologist, every licensed manicurist, every licensed demonstrator and every instructor in cosmetology who con-"

AMENDMENT NUMBER TWENTY-SIX.

On page 9, line 19, of the printed bill, after the word "annual", insert the following, "renewal".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 9 of the printed bill, strike out line 25, and insert in lieu thereof the following: "electrologist, manicurist, demonstrator or instructor, whose license".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 9, line 29, of the printed bill, after "manicurist," insert the following: "instructor in cosmetology,".

AMENDMENT NUMBER TWENTY-NINE.

On page 9, line 34, of the printed bill, after "manicurist," insert the following: 'instructor in cosmetology,".

AMENDMENT NUMBER THIRTY.

On page 9 of the printed bill, strike out the period at the end of line 37, and insert in lieu thereof the following: ", provided further, that licenses heretofore issued for permanent waiver shall be renewed from time to time but shall not be restored in case of any lapse."

AMENDMENT NUMBER THIRTY-ONE.

On page 10 of the printed bill, strike out lines 33 and 34, and insert in lieu thereof the following:

"SEC. 18. Cosmetological establishments may be operated as follows:"

AMENDMENT NUMBER THIRTY-TWO.

On page 10 of the printed bill, strike out lines 42 and 43, and insert in lieu thereof the following: "Schools of cosmetology may be conducted as follows: Any person, firm,".

AMENDMENT NUMBER THIRTY-THREE.

On page 10, line 48, of the printed bill, after "(8125)" insert the following: ", together with a bond as provided in section 17 of this act".

AMENDMENT NUMBER THIRTY-FOUR.

On page 11 of the printed bill, strike out lines 20 to 22, inclusive, and insert in lieu thereof the following: "so arrange the courses devoted to each branch or practice of cosmetology as the board may from time to time adopt as the course to be followed by said schools."

AMENDMENT NUMBER THIRTY-FIVE.

On page 11 of the printed bill, strike out lines 25 to 34, inclusive, and insert in lieu thereof the following: "practices of cosmetology."

AMENDMENT NUMBER THIRTY-SIX.

On page 11, line 35, of the printed bill, strike out "public".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 12 of the printed bill, between lines 4 and 5, insert the following as a paragraph:

"Under such regulations as may be provided by the board from time to time, each student at a school of cosmetology shall be required to complete a definite number of practical operations in each subject of the course for which such student is enrolled over the period of the school term."

AMENDMENT NUMBER THIRTY-EIGHT.

On page 12 of the printed bill, strike out lines 28 and 29, and insert in lieu thereof the following: "cosmetologist connected with any such school. No school of cosmetology shall charge for any supplies used in the performance of".

AMENDMENT NUMBER THIRTY-NINE.

On page 13 of the printed bill, after line 52, insert the following:

"The board shall have power to make additional requirements or alter existing ones so as to include training in any new style or method of cosmetology which may come into usage."

AMENDMENT NUMBER FORTY.

On page 14 of the printed bill, between lines 33 and 34, insert the following:

"SEC. 14. Section 21 of said act is hereby amended to read as follows:

Sec. 21. The board shall not renew, or may revoke, or suspend at any time any license as required by the provisions of section 3 hereof in any of the following cases: (a) Failure of a person, firm or corporation operating a cosmetological establishment to comply with the requirements of this act; (b) failure to comply with any provision of section 21a for the regulation of cosmetological establishments, schools of cosmetology, or the practice of the occupations of a hairdresser and cosmetician, or cosmetologist; (c) obtaining practice in cosmetology, or any branch thereof, or money, or any other thing of value, by fraudulent misrepresentation; (d) gross malpractice; (e) continued practice by a person knowingly having an infectious or contagious disease; (f) habitual drunkenness or habitual addiction to the use of morphine or any habit-forming drug, (g) advertisement by means of knowingly false or deceptive statements; (h) permitting a certificate of registration or license to be used where the holder thereof is not personally, actively and continuously engaged in business, (i) failure to display the license, as provided in section 19 of this act, (j) or for any other unfair or unjust practice, method or dealing which in the judgment of the board may justify such action; provided, however, that the said board shall not refuse to issue or renew any license as required by the provisions of section 3 hereof, or to revoke or suspend any such license already issued, except upon twenty days' notice in writing to the interested parties, which notice shall contain a brief statement of the reasons for the contemplated action of the board and designate a proper time and place for the hearing of all interested parties before any final action is taken as hereinabove provided;

provided, however, that due notice within the provisions of this section shall be deemed to have been given when the board shall have placed in a United States post office a copy of the notice as hereinabove provided, addressed to the designated or last known residence of the person applying for such license or to whom such license has already been issued; provided, further, that any such person, firm, or corporation, whose license to do business as herein provided is revoked or suspended, or who is refused a license, or any renewal of a license already issued, or any such practitioner whose license is revoked or suspended or who is refused a license, or a renewal of a license already issued may commence an action in a court of competent jurisdiction against the State Board of Cosmetology for the purpose of canceling or obtaining other relief from the act of the said board. All the provisions of the Code of Civil Procedure relating to the pleadings, proof, trials and appeals shall be applicable to such action

Proceedings for the revocation of licenses shall be begun by filing with the secretary of the board written charges against the accused, such charges shall be in detail, and sworn to under oath by the complainant. The accused shall have the right to appear personally or by counsel, to cross-examine witnesses or to produce witnesses in his own defense. The board shall have the power to compel the attendance of witnesses and the production of necessary papers and documents.

The board may, for good cause shown, reissue a license to any person whose license has been revoked; provided, a majority of the members of the board vote in favor of such reissuance for reasons the board may deem sufficient, and under such conditions as the board may impose"

AMENDMENT NUMBER FORTY-ONE.

On page 14, line 34, of the printed bill, strike out "14", and insert in lieu thereof the following: "15"

AMENDMENT NUMBER FORTY-TWO.

On page 14 of the printed bill, strike out lines 36 to 38, inclusive, and insert in lieu thereof the following:

"SEC. 21a The violation of any of the following provisions shall constitute a misdemeanor: (a) No employer shall".

AMENDMENT NUMBER FORTY-THREE.

On page 15 of the printed bill, strike out lines 34 to 36, inclusive, and insert in lieu thereof the following: "soft absorbent paper, or other sterile material."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 147—An act to amend section 483 of the Penal Code, relating to the sale of evidences of right of passage on a common carrier to person not entitled to use of same.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the words "shall sell", insert the following: "or give".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1866—An act to amend section 4099a of the Political Code, relating to orphan aid.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1769—An act to amend section 730 of the Fish and Game Code, relating to halibut

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 8, of the printed bill, insert after "sold" and before the period the following: "or offered for sale".

Amendment adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1260—An act to amend section 489 of the Fish and Game Code, relating to the taking of fish near spawn-taking stations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, insert after "a", the following: "trout".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 7, and insert in lieu thereof the following: "trout spawning station, or within one-half mile of the lower side of, or in any lake within one-half mile of, any other spawn-taking station or a rack, trap, or dam used in connection with any other spawn-taking station"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1815—An act to amend section 29 of the California Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation insurance.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1367—An act to amend section 43½ of the Workmen's Compensation, Insurance and Safety Act, relating to the revolving fund of the State Compensation Insurance Fund.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1089—An act to amend section 1056 of the Code of Civil Procedure, relating to sureties on undertakings or bonds, prescribing the amount of capital stock required and regulating the formation or admission of corporations to transact such business in this State, placing such corporations under the jurisdiction of the Insurance Commissioner, providing for examination and prescribing the duties of the said Insurance Commissioner in connection therewith.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1095—An act to repeal section 608 of the Political Code, relating to transfers of actions or special proceedings by foreign insurance companies doing business in this State.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1141—An act to amend sections 453cc and 453ee of the Civil Code, relating to mortgage insurance companies; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1102—An act to amend section 594 of the Political Code, defining and classifying insurance, and prescribing capital and other requirements of the various classes and limitations of classes permitted, and also requiring the stock of insurance companies to have a specified par value.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 6 of the printed bill, commencing in line 7, and ending in line 8, strike out "two hundred fifty thousand", and insert in lieu thereof the following: "one hundred thousand".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1098—An act to amend section 602 of the Political Code, relating to insurance.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, strike out all of line 23, and insert in lieu thereof the following: "the same below one hundred thousand dollars, or".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1054—An act to amend an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, as amended by amending section 1, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city, or town, municipal utility district or flood control district.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1, line 5, of the title of the printed bill, after "amended", insert a comma.

AMENDMENT NUMBER TWO.

On page 1, line 8, of the title of the printed bill, strike out the comma after "city".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1057—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property,

providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 5, 6, 7, 8, 10, 11 and 13¾, all relating to the powers, government and management of metropolitan water districts, and the exclusion of area therefrom, and declaring same an urgency measure.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 12, of the printed bill, after "provided", insert a comma.

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, strike out lines 6 to 23, inclusive, and insert in lieu thereof the following: "district, in its own bonds, or in treasury notes, or bonds, of the United States, or of this State, and such investment may be made by direct purchase of any issue of such bonds or treasury notes, or part thereof, at the original sale of the same, or by the subsequent purchase of such bonds or treasury notes. Any bonds or treasury notes thus purchased and held may, from time to time, be sold and the proceeds reinvested in bonds or treasury notes, as above provided. Sales of any bonds or treasury notes thus purchased and held shall, from time to time, be made in season so that the proceeds may be applied to the purposes for which the money, with which the bonds or treasury notes were originally purchased, was placed in the treasury of the district. The functions and duties authorized by this paragraph shall be performed by joint action of the controller and treasurer, with the approval of the attorney,".

AMENDMENT NUMBER THREE.

On page 4, line 36, of the printed bill, strike out the period, and insert a comma and the following: "and bearing interest at a rate not exceeding the interest rate on the refunded bonds"

AMENDMENT NUMBER FOUR.

On page 5 of the printed bill, strike out lines 11 to 13, inclusive, and insert in lieu thereof the following: "par and accrued interest for the bonds so refunded."

AMENDMENT NUMBER FIVE.

On page 5, line 27, of the printed bill, strike out "general", and insert the following: "sinking".

AMENDMENT NUMBER SIX.

On page 6 of the printed bill, strike out lines 35 and 36, and insert in lieu thereof the following: "On all ordinances the roll shall be called and the ayes and noes recorded. Resolutions and orders may be adopted by viva".

AMENDMENT NUMBER SEVEN.

On page 7, line 33, of the printed bill, strike out the comma after "provided".

AMENDMENT NUMBER EIGHT.

On page 7, line 34, of the printed bill, after "that", insert a comma.

AMENDMENT NUMBER NINE

On page 7, line 50, of the printed bill, after "Provided", insert a comma.

AMENDMENT NUMBER TEN.

On page 9, line 25, of the printed bill, strike out "thereunder", and insert in lieu thereof the following, "hereunder".

AMENDMENT NUMBER ELEVEN.

On page 10 of the printed bill, strike out line 28, and insert in lieu thereof the following: "greater denomination than fifty thousand (50,000) dollars, and".

AMENDMENT NUMBER TWELVE

On page 11 of the printed bill, at the end of line 30, insert the following: "For the purposes of this section, the construction period shall be deemed to end when the works, the construction of which shall have been authorized from the proceeds of any such bond issue, shall have been placed in operation to such extent as to

result in the sale and delivery in the district, of water transported and provided by means of such works"

AMENDMENT NUMBER THIRTEEN.

On page 12, line 28, of the printed bill, strike out the comma

AMENDMENT NUMBER FOURTEEN

On page 14, line 9, of the printed bill, strike out the figure "(1)", and insert in lieu thereof the letter "(l)".

AMENDMENT NUMBER FIFTEEN.

On page 15 of the printed bill, strike out lines 28 to 35, inclusive, and insert in lieu thereof the following: "city shall elect to pay in cash, or by deferred installments, money or any part thereof which would otherwise be levied upon property within the city,"

AMENDMENT NUMBER SIXTEEN

On page 15 of the printed bill, strike out lines 51 and 52, and on page 16, lines 1 to 6, inclusive, and insert in lieu thereof the following: "of directors as hereinbefore provided for, then such election shall be ineffective for any purpose."

AMENDMENT NUMBER SEVENTEEN.

On page 18, line 48, of the printed bill strike out "and", and insert in lieu thereof the following: "or".

AMENDMENT NUMBER EIGHTEEN

On page 18, line 51, of the printed bill, strike out "ten", and insert in lieu thereof the following: "eight"

AMENDMENT NUMBER NINETEEN.

On page 19 of the printed bill, strike out lines 33 to 43, inclusive, and insert in lieu thereof the following: "other indebtedness outstanding or contracted for at the time of such exclusion and until such bonded or other indebtedness shall have been satisfied."

AMENDMENT NUMBER TWENTY.

On page 19 of the printed bill, strike out line 46, and insert in lieu thereof the following:

"SEC. 11. Except as herein provided, no director or any other officer or employee of the district shall"

AMENDMENT NUMBER TWENTY-ONE.

On page 19, line 49, of the printed bill, after "officer", insert the following: "or employee".

AMENDMENT NUMBER TWENTY-TWO.

On page 19 of the printed bill, strike out lines 51 and 52, and on page 20, lines 1 to 9, inclusive, and insert in lieu thereof the following: "from Notwithstanding the fact that such director or other officer or employee of the district may be a stockholder or bondholder or director or other officer or employee of a corporation contracting with the district, contracts may be made with such corporation for its general benefit unless such director or officer or employee of the district shall own or control, directly or indirectly, stock or bonds to an amount exceeding five per centum (5%) of the total amount of the stock or bonds, respectively, of such contracting corporation issued and outstanding. For any violation of this section such director or other officer or employee of the district shall be deemed guilty of a misdemeanor, and such conviction shall work a forfeiture of his office, or employment, and he shall be"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1062—An act to amend section 574 of the Civil Code, relating to the property which savings and loan corporations are authorized to purchase, hold and convey.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 2, line 4, of the printed bill, strike out "bond", and insert in lieu thereof the following: "bonds".

AMENDMENT NUMBER TWO.

On page 2, line 8, of the printed bill, insert after the comma the following: "municipal utility districts".

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1065—An act to amend an act entitled "An act providing for the designation of money in the State treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased." approved June 10, 1913, as amended, by amending section 1, relating to the investment of surplus money in the State treasury.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, after "water district", insert the following: "municipal utility district".

Amendment adopted

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 1066—An act to amend sections 671 and 672 of the Political Code, relating to investments to be made by the Director of Finance of school land funds and of estates of deceased persons' funds.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 9, of the printed bill, after the comma following "water district", insert the following: "municipal utility district".

AMENDMENT NUMBER TWO.

On page 2, line 1, of the printed bill, after the comma following "water districts", insert the following "municipal utility districts

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 1067—An act to amend an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911, by amending section 1, relating to the investment of moneys in the sinking funds of counties, cities and counties, incorporated cities and towns.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, after the comma following "water district", insert the following: "municipal utility district".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1361—An act to amend an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out that portion beginning with the words "Section 1. An", to and including the word "follows:" in line 14, and substitute the following:

"SECTION 1. The title of the act cited in the title hereof is hereby amended to read as follows: An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Public Works relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act.

SEC. 2. The act cited in the title hereof is hereby amended to read as follows:

Section 1. No opening shall be made in any State road or highway nor shall any structure be placed thereon, nor shall any structure which has been placed thereon be changed or renewed without a permit in writing from the Department of Public Works, through its duly authorized officers, who shall exercise complete and permanent control over such roads or highways.

Sec 2. No State road or highway shall be dug up for laying or placing pipes, conduits, sewers, poles, wires, railways or other objects, and no tree or shrub in or on any State road or highway shall be planted, trimmed or removed, and no obstruction shall be placed on any State road or highway, without such written permit, and then only in accordance with the regulations of such department and the conditions of such permit.

Sec 3. Each such permit shall contain the provision that the permittee will pay the entire expense of replacing the highway in as good condition as before, and such other conditions as to the location and the manner in which the work shall be done as the duly authorized officers of said department may deem necessary for the protection of the highway.

Sec. 4. Any such permit for the location or establishment of poles, pipe lines, structures, or other objects in any State road or highway, including the entire width thereof, shall also contain a provision that in the event the future improvement of the highway necessitates the relocation, or removal of such poles, pipe lines, structures, or other objects, the permittee will remove the same at his sole expense.

Sec. 5. The said department may, but shall not be required to, supervise any work done under any such permit, in which event the reasonable cost of such supervision shall be paid to said department by the permittee.

Sec. 6. A city or town may, within its corporate limits, dig up a State road or highway without such permit in case of immediate necessity, but in such cases it shall be forthwith replaced in as good condition as before at the expense of the city or town.

Sec. 7. The Department of Public Works may, in its discretion, before granting a permit under the provisions of this act, require the applicant to file with said department a satisfactory bond to the people of the State of California in such amount as is deemed sufficient conditioned on the proper compliance by the permittee with the provisions of this act and with the conditions of the permit, provided, however, that any governmental agency authorized by law to place, construct, establish, or maintain any works or facilities in, along, upon, across, over or under any public highway shall not be required to furnish a bond prior to the issuance of such permit, but shall otherwise be subject to the provisions of this act

Sec. 8. This act shall apply to all private corporations authorized by law to place, construct, establish, or maintain any works or facilities in, along, upon, across, over or under any public highway; provided, however, that this act is not intended, nor is it to be construed as limiting the powers and duties vested by law in the Railroad Commission of the State of California, and in the event of any conflict in jurisdiction that of such Railroad Commission shall prevail

Sec. 9. All acts and parts of acts in conflict herewith are hereby repealed.

Sec. 10. This act shall be known and may be cited as, "The State Highway Permit Act." "

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1360—An act to amend an act entitled "An act to provide for the care, management and protection of State highways and providing penalties for violations of the provisions of the act," approved May 20, 1915, as amended.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title, and insert in lieu thereof the following:

"An act to provide for the care, management and protection of State roads and highways and the right of way thereof and providing penalties for the violation of the provisions thereof, and to repeal an act entitled "An act to provide for the care, management and protection of State highways and providing penalties for violations of the provisions of the act," approved May 20, 1915, Statutes of 1915, Chapter 400, as amended "

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 5, both inclusive, and insert in lieu thereof the following

"SECTION 1. It shall be unlawful for any State road or highway to be encroached upon by any tower, pole, pole line, pipe, pipe line, fence, billboard, stand, building, or other structure of any kind or character whatever, placed in, upon, across or over the right of way thereof, unless the same shall be authorized by permit issued by the Department of Public Works in the manner provided by law or unless such encroachment is expressly provided for by law If any such encroachment exists within the right of way of any State road or highway the Department of Public Works, or its appropriate officers, engineers, or employees, shall have authority to require the removal thereof in the manner herein provided Notice shall be given to the owner, occupant, or to the person in possession thereof, or to any other person causing or suffering the encroachment to exist, or, in the case of a nonresident, his agent, by delivering to and serving upon any such person a demand, in writing, for the removal forthwith of such encroachment from within said right of way Any such notice shall describe the encroachment complained of with reasonable certainty as to its character and location Service of such notice by registered mail and the posting of a copy on the encroachment described therein for a period of five days shall be sufficient compliance with the requirements of this section

SEC 2. If such encroachment be not removed or removal thereof commenced and thereafter diligently prosecuted prior to the expiration of five days from and after the service, or mailing and posting of the demand therefor, as herein provided,

or when such encroachment obstructs or prevents the use of said road or highway by the public, or consists of refuse, or is an advertising sign of any description (unless excepted by the proviso of section 8 of this act), the Department of Public Works, or its appropriate officers, engineers or employees, is hereby authorized forthwith to remove or cause to be removed such encroachment from within the right of way of any such road or highway, and said department, in the name of the people of the State of California, may commence and prosecute in any court having jurisdiction, an action to recover the costs and expenses of such removal and costs and expenses of suit and, in addition thereto, the sum of ten dollars for each day such encroachment is or was permitted to remain within the right of way of any such road or highway after service of the notice and demand as herein provided

SEC. 3 If the owner, occupant, or person in possession, or person causing or suffering the encroachment to exist, or the agent of any of them, disputes or denies the existence thereof, or refuses to remove or permit the removal thereof, the Department of Public Works, in the name of the people of the State of California, is hereby authorized and empowered to commence an action in any court having jurisdiction to abate the same as a public nuisance If judgment is recovered by said Department of Public Works it may, in addition to having such encroachment adjudged a nuisance and abated, recover ten dollars for each day such encroachment remained, or was permitted to remain, after the service of the notice and demand, as herein provided, and also its costs and expenses incurred in such action.

SEC. 4. Any person, firm or corporation owning, controlling, placing, or causing or suffering any encroachment to exist upon or within the right of way of any State road or highway after the service upon such person, firm or corporation of the notice and demand as herein provided, unless the same be authorized by law as provided in section 1 hereof, in addition to any civil liability therefor, is guilty of a misdemeanor and shall be punishable therefor as in the Penal Code provided.

SEC. 5. It shall be unlawful for any person, firm or corporation to drain or to permit water to be drained from his or its lands onto any State road or highway by means of ditches or dams, or otherwise, to the damage thereof, or to divert, dam up, fill in, or otherwise obstruct any natural water course so as to prevent, impede or restrict the natural flow of waters from such State road or highway into and through such water course (unless other adequate and proper drainage has been provided) or so as to cause waters to be impounded upon or within the right of way of any State road or highway, to the damage thereof, or so as to cause interference with, damage or hazard to public travel, or to store or distribute water for any purpose so as to permit the same to overflow onto or to saturate by seepage any State road or highway, or to otherwise obstruct the same, to the damage thereof. Upon notification thereof by the Department of Public Works, or its appropriate officers, engineers or employees, in the manner provided by section 1 hereof, any person, firm or corporation permitting or suffering such damage to be done to any State road or highway, or permitting or suffering any such condition to exist, shall immediately cease and discontinue such diversion of waters or cause to be discontinued and prevented such drainage, seepage, or overflow and shall repair, at his or its expense, the damage thereby occasioned to any State road or highway. Upon the neglect, failure, or refusal of any person, firm or corporation, so notified, to cease and discontinue such diversion, or to discontinue and prevent the drainage, seepage or overflow of such waters, or to make the repairs herein required, the Department of Public Works, or its appropriate officers, engineers or employees, may make such repairs and may also perform such work as may be necessary to prevent the further drainage, diversion, overflow, or seepage of such waters, and said department, in the name of the people of the State of California, may recover in an action at law in any court of competent jurisdiction, the amount expended for such repairs and works, and, in addition thereto, the sum of ten dollars for each day such drainage, diversion, overflow, or seepage of such waters is or was permitted to continue after the service of the notice as herein required, together with the costs and expenses incurred in such action.

SEC 6 Any person, firm or corporation proposing or desiring to excavate or construct ditches across any State road or highway for the purposes of irrigation, drainage, or mining or other purposes shall erect, without expense to the State of California, such bridges, culverts, pipes, siphons, or other crossings as may be necessary adequately and properly to carry such waters across, over or under such State road or highway. Any such construction shall be done only in accordance with the plans and the terms of any permit that may be issued therefor by the Department of Public Works, and subject to the approval of the Director of Public Works, or the proper officer engineer or employee of said department. The issuance of any such permit may be withheld until the Director of Public Works is assured that proper and adequate provision has been made for the protection of such State road or highway and safety of travel thereon Upon the neglect or refusal of any person, firm or corporation so to do, the Department of Public Works, in its discretion, may construct any such crossing and may recover, in the name of the people of the State of California, in an action at law in any court having jurisdiction, the cost thereof, together with the costs and expenses incurred in any such action

SEC. 7. Any person, firm or corporation wilfully injuring or damaging any bridge, culvert or other structure in or on any State road or highway, whether by transporting thereover loads of an illegal weight or otherwise, shall be liable for the repair thereof, and the Department of Public Works, in the name of the people of the State of California, may recover in an action in any court having jurisdiction, the amount expended therefor, together with the costs and expenses incurred in any such action. Any person, firm or corporation so injuring any bridge, culvert or other structure in or on any State road or highway is guilty of a misdemeanor and shall be punishable therefor as provided by law

SEC. 8. It shall be unlawful to place, erect, or display in, upon, across or over any State road or highway any handbill, sign, picture, transparency, advertisement, or mechanical advertising device of any kind or character, unless and until a permit therefor has been obtained from the Department of Public Works, or its appropriate officer, engineer or employees, in the manner provided by law. If so placed without such permit, any such handbill, sign, picture, transparency, advertisement, or mechanical advertising device is hereby declared to be a public nuisance and the removal thereof forthwith from any State road or highway, or from within the right of way thereof, by the Department of Public Works is hereby authorized.

Any person so placing within, upon, across or over the right of way of any State road or highway any such handbill, sign, picture, transparency, advertisement, or mechanical advertising device of any kind or character, without a permit therefor, is guilty of a misdemeanor and shall be punishable therefor as in the Penal Code provided; provided, that nothing in this section contained shall be construed to prohibit the posting of any notice required by law or by order of any court of this State to be so posted

SEC. 9. It shall be unlawful for any person, firm or corporation to plant, dig up, cut down, prune, trim, injure, or destroy any tree, shrub, flowering plant, or other plants or flowers, or wild flowers, growing on or within the right of way of any State road or highway, unless such person, firm or corporation has been granted a permit therefor, in writing, by the Department of Public Works, or its appropriate officers, engineers or employees, or unless such person, firm or corporation is otherwise lawfully entitled to plant, dig up, cut down, destroy, or remove any such tree, shrub or other growth or flowers as herein enumerated. Any person, firm or corporation violating the provisions of this section is guilty of a misdemeanor and shall be punishable therefor as in the Penal Code provided.

SEC. 10. It shall be unlawful for any person, firm or corporation to have, erect, place, stand, or park, wholly or partly within the right of way of any State road or highway, any vehicle, motor vehicle, trailer, semitrailer, wagon, pushcart, stand, structure, or building for the purpose of selling the same or of selling, vending, displaying for sale, or offering for sale, therefrom or therein, any goods, wares, or merchandise, fruit, vegetables, produce, food, or any other article or thing of value, and any such vehicle, motor vehicle, trailer, semitrailer, wagon, pushcart, stand, structure, or building so had, erected, placed, stood, or parked for any such purpose or purposes is hereby declared to be a public nuisance and the removal thereof forthwith from within the right of way of any such road or highway by the Department of Public Works, or its officers, engineers or employees, is hereby authorized.

Any person, firm or corporation having, erecting, placing, standing, or parking any such vehicle, motor vehicle, trailer, semitrailer, wagon, pushcart, stand, structure, or building, wholly or partly within the right of way of any such road or highway, for the purpose of selling or vending therefrom, or displaying for sale, or offering for sale, therefrom or therein, any such goods, wares, and merchandise, fruit, vegetables, produce, food, or any other article or thing of value, or any person, firm or corporation selling or vending, or displaying for sale, or offering for sale in or from any such vehicle, motor vehicle, trailer, semitrailer, wagon, pushcart, stand, structure, or building so had, erected, placed, stood, or parked, any article as herein specified is guilty of a misdemeanor and shall be punishable therefor as provided by law.

It shall be the duty of the California Highway Patrol and of all peace officers of the State or any political subdivision thereof to enforce the provisions of this section and to cooperate with the Department of Public Works, its officers, engineers and employees, to that end; provided, that nothing herein contained shall be construed to prohibit a seller from taking orders or delivering any commodity from a vehicle on that part of the right of way of any State road or highway immediately adjacent to the premises of the purchaser.

SEC. 11. All penalties or forfeitures or other recoveries provided for and recovered under this act shall be paid into such fund or funds available to the Department of Public Works for highway purposes as the Director of Public Works may determine.

SEC. 12. The procedure herein provided for shall not be exclusive and shall not prohibit the Department of Public Works, or its proper officers, engineers or employees, from exercising any other remedy provided by law to prevent damage to or protect any State road or highway.

SEC. 13. This act shall be known and may be cited as the "Act for the Protection of State Highways."

SEC 14. The act of the Legislature entitled, "An act for the care, management and protection of State highways and providing penalties for the violation of the provisions of the act," approved May 20, 1915, Statutes of 1915, Chapter 400, as amended, and all acts and parts of acts in conflict herewith is and are hereby repealed.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1343—An act to add a new section to the Political Code, to be numbered 363dd, authorizing the Director of Public Works to enter into agreements for the construction, maintenance, and use of State highway bridges jointly by the public and private owners.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 16, both inclusive, and insert in lieu thereof the following:

"Whenever it is necessary for State highway purposes that a bridge be constructed across any river, stream, or inlet of the sea, or that an existing bridge thereover, privately owned, but used for highway purposes by the public and such owner, be reconstructed or replaced, or whenever such an existing bridge is so located that its purchase or acquisition, or the purchase or acquisition of a right of way for a State highway over and across the location of any such bridge would require an excessive expenditure of State highway funds, the Director of Public Works may, after determining the facts relative thereto and if in his opinion public convenience and necessity so require, enter into an agreement with any private individual, firm or corporation for the construction of a new bridge, and the use of any such bridge thereafter jointly by such private individual, firm or corporation and the public, or may enter into an agreement with the owner of any existing bridge for the reconstruction thereof, or for the construction of a new bridge, and the use of any such bridge thereafter jointly by such owner and the public. Such agreement may provide:".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, after line 14, add the following:

Nothing in this section contained shall be construed as prohibiting any county, city, or city and county, from contributing to the State of California in the manner provided by law funds or rights of way for the construction or reconstruction of any such bridge as is herein provided for, or as prohibiting the relinquishment by the Department of Public Works to any county, city, or city and county, of any such bridge constructed as herein provided for, such bridge thereafter to be under the jurisdiction of any such county, city, or city and county.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

MOTION.

Miss Miller, Eleanor, moved that the Chief Clerk be instructed to have a rush order placed on the printing of Assembly Bill No. 535.

Motion carried

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No 34—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 18 of Article XI thereof, relating to the incurrence and retirement of bonded indebtedness by political subdivisions.

Assembly Constitutional Amendment No. 34 read.

The question being on the adoption of Assembly Constitutional Amendment No. 34.

The roll was called, and Assembly Constitutional Amendment No. 34 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—73.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 34 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 34.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 18 of Article XI thereof, relating to the incurrence and retirement of bonded indebtedness by political subdivisions.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State of California be amended by amending section 18 of Article XI thereof to read as follows:

Sec. 18 No county, city, town, township, board of education, school district, special district, or other political subdivision of this State, shall incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year, without the assent of two-thirds of the qualified electors thereof, voting at an election to be held for that purpose, nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same except as hereinafter provided; provided, however, anything to the contrary herein notwithstanding, when two or more propositions for incurring any indebtedness or liability are submitted at the same election, the votes cast for and against each proposition shall be counted separately, and when two-thirds of the qualified electors, voting on any one of such proposition, vote in favor thereof, such proposition shall be deemed adopted; provided further, however, that the City and County of San Francisco may at any time pay the unpaid claims, with interest thereon at the rate of five per cent per annum, for materials furnished to and work done for said city and county during the forty-first, forty-second, forty-third, forty-fourth and fiftieth fiscal years, and for unpaid teachers' salaries for the fiftieth fiscal year, out of the income and revenue of any succeeding year or years, the amount to be paid in full of said claims not to exceed in the aggregate the sum of $500,000, and that no statute of limitations shall apply in any manner to these claims; and provided further, that the city of Vallejo, or Solano County, may pay its existing indebtedness, incurred in the construction of its waterworks, whenever two-thirds of the electors thereof, voting at an election held for that purpose, shall so decide, and that no statute of limitations shall apply in any manner; provided further, that the city of Venice may pay all of its indebtedness incurred during the years 1914, 1915 and 1916 in excess of the income and revenue for said years, the amount to be paid in full of said indebtedness not to exceed in the aggregate the sum of $60,000, whenever two-thirds of the voters thereof voting at an election held for that purpose shall so decide, and that no statute of limitations shall apply in any manner. Any indebtedness or liability incurred contrary to this provision, with the exceptions hereinbefore recited, shall be void. The City and County of San Francisco, the city of San Jose, and the town of Santa Clara may make provision for a sinking fund, to pay the principal of any indebtedness incurred, or to be hereafter incurred by it, to commence at a time after the incurring of such indebtedness of no more than a period of one-fourth of the time of maturity of such indebtedness, which shall not exceed seventy-five years from the time of contracting the same. Any indebtedness incurred contrary to any provision of this section shall be void

Except as hereinafter otherwise provided, bonds issued to secure any indebtedness hereafter incurred pursuant to this section shall not be for a longer term than the estimated useful life of the project for which the same are issued, as determined by the issuing authority and specified in the bond proposal, when such project consists of tangible physical improvements or constructions and in no case shall the term

of any bond hereafter issued in accordance with the provisions of this section exceed 40 years. Bonds so issued shall be in the form of serial bonds maturing in substantially equal semiannual or annual installments. When the project for which bonds are issued consist of tangible physical improvements or constructions the estimated date for the final completion of such improvements or constructions must be specified in the bond proposal. The authorization must provide that the date of first maturity of any bonds hereafter issued under this section shall be not later than three years from and after the date of issuance of such bonds, except that where bonds are issued for the construction or improvement of revenue-producing utilities, as hereinafter defined, the date of first maturity shall be not later than four years from and after the specified date for final completion of the construction or improvement, but in no event shall the date of first maturity be later than ten years from and after the date of issuance of such bonds. The words "revenue-producing utilities" as used herein shall be deemed to mean such utilities as those from which revenue is customarily or may be derived from charges, rates or rentals imposed upon or collected from users, consumers, or customers thereof, together with such works, facilities and appliances used or useful in connection therewith or incidental thereto

The governing body of the county, city, township, school district, special district, or other political subdivision, may provide in the authorization that bonds issued thereunder shall be subject to call by the issuing authority at some date before maturity and at some figure above the par value thereof, which date and figure must be set forth in the original proposal submitted to the people for approval as aforesaid.

Nothing in this section contained shall be construed to limit or prohibit the issuance of bonds for the purpose of refunding a valid outstanding bonded indebtedness, except that no refunding bond so issued shall have a date of final maturity later than the date of final maturity of the bonds to be refunded, and nothing in this section contained shall be construed to limit or prohibit the issuance of bonds authorized in accordance with law prior to the taking effect of this section but not yet sold or issued at said time.

Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1 of Article XVI thereof, relating to incurrence and retirement of bonded indebtedness by the State.

Assembly Constitutional Amendment No. 33 read.

The question being on the adoption of Assembly Constitutional Amendment No. 33.

The roll was called, and Assembly Constitutional Amendment No. 33 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 33 ordered transmitted to the Senate

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 33.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1 of Article XVI thereof, relating to incurrence and retirement of bonded indebtedness by the State.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State of California be amended by amending section 1 of Article XVI thereof to read as follows:

Section 1. The Legislature shall not, in any manner, create any debt or debts, liability or liabilities, which shall, singly or in the aggregate with any previous debts or liabilities, exceed the sum of $300,000, except in case of war to repel invasion or

suppress insurrection, unless the same shall be authorized by law for some single object or work to be distinctly specified therein, which law shall provide ways and means, exclusive of loans, for the payment of the interest of such debt or liability as it falls due, and also to pay and discharge the principal of such debt or liability within forty years of the time of the contracting thereof, except as hereinafter provided, and shall be irrepealable until the principal and interest thereon shall be paid and discharged; but no such law shall take effect until, at a general election, it shall have been submitted to the people and shall have received a majority of all the votes cast for and against it at such election; and all moneys raised by authority of such law shall be applied only to the specific object therein stated or to the payment of the debt thereby created, and such law shall be published in at least one newspaper in each county, or city and county, if one be published therein, throughout the State, for three months next preceding the election at which it is submitted to the people. The Legislature may, at any time after the approval of such law by the people, if no debt shall have been contracted in pursuance thereof, repeal the same.

Except as hereinafter otherwise provided, bonds issued in accordance with the authorization of the Legislature pursuant to this section shall not be for a longer time than the estimated useful life of the project for which the same are issued, as determined by the issuing authority and specified in the bond proposal, when such project consists of tangible physical improvements or constructions and in no case shall the term of any bond issued in accordance with the provisions of this section exceed forty years. Bonds so issued shall be in the form of serial bonds maturing in substantially equal semiannual or annual installments. When the project for which bonds are issued consists of tangible physical improvements or constructions the estimated date for the final completion of such improvements or constructions must be specified in the bond proposal. The authorization must provide that the date of first maturity of any bonds issued under this section shall be not later than three years from and after the date of issuance of such bonds; except that where bonds are issued for the construction or improvement of revenue-producing utilities, as hereinafter defined, the date of first maturity shall be not later than four years from and after the specified date for final completion of the construction or improvement, but in no event shall the date of first maturity be later than ten years from and after the date of issuance of such bonds. The words "revenue-producing utilities" as used herein shall be deemed to mean such utilities as those from which revenue is customarily or may be derived from charges, rates or rentals imposed upon or collected from users, consumers, or customers thereof, together with such works, facilities and appliances used or useful in connection therewith or incidental thereto.

The Legislature may provide in the authorization that bonds issued thereunder shall be subject to call by the issuing authority at some date before maturity and at some figure above the par value thereof, which date and figure must be set forth in the original proposal submitted to the people for approval as aforesaid.

Nothing in this section contained shall be construed to limit or prohibit the issuance of bonds for the purpose of refunding a valid outstanding bonded indebtedness, except that no refunding bond so issued shall have a date of final maturity later than the date of final maturity of the bonds to be refunded, and nothing in this section contained shall be construed to limit or prohibit the issuance of bonds authorized in accordance with law prior to the taking effect of this section but not yet sold or issued at said time.

Nothing in this section shall be construed to limit or prohibit the issuance by the State of California of bonds for not to exceed a period of seventy years for the acquisition, development or distribution of waters and water resources, including electric energy.

Assembly Bill No. 140—An act to repeal sections 9a, 9b, 9c, and 9d of the California Real Estate Act, relating to real estate brokers' bonds.

Bill read third time.

The question being on the passage of the bill.

POINT OF ORDER RAISED

Mr McCarthy arose to a point of order, stating that in accordance with Rule 98, no member should vote on any question in the result of which he has a direct personal interest.

RULING BY SPEAKER

The Speaker ruled the point of order raised by Mr. McCarthy not well taken.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 140 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crowley, Evans, Field, Greene, Grubbs, Hallner, Hatch, Hoffman, Kallam, Latham, Lyon, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—53.

NOES—Cronin, Feigenbaum, Fisher, Frazier, Gilmore, Hornblower, Hunt, Jones, King, Knowland, Maloney, McCarthy, McMurray, Meehan, Miller, James A., Roland, Stannard and Williamson—18.

Title read and approved

Bill ordered transmitted to the Senate.

RECESS.

At twelve o'clock and thirty-five minutes p m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 13, 1933

Hon. Walter Little, Speaker of the Assembly.
Assembly Chamber, State Capitol, Sacramento, California.

DEAR MR. SPEAKER: I received this morning through Assemblyman Harry B. Riley of Los Angeles the inclosed communication addressed to me from the Rehabilitation Ways and Means Committee, Mr. Bruce Mason, Secretary

The communication advises that the city council of the city of Long Beach, for the purpose of meeting the present emergency, has appointed Mr. Charles S. Henderson with full and absolute powers in every particular You will note the request made and I am sure that you will see that the communication receives the attention of the Assembly through the proper committees.

I shall be very happy to appear before your committee to present to them or to you all information which I have after a special visit to the areas affected.

Very respectfully yours,

JAMES ROLPH, JR., Governor of California.

CITY OF LONG BEACH, CALIFORNIA,
LONG BEACH, March 12, 1933.

Hon. James Rolph, Jr.,
Governor, State of California.
Sacramento, California.

DEAR SIR: The city council of the city of Long Beach, for the purpose of meeting the present emergency, has appointed Mr Charles S. Henderson with full and absolute powers in every particular Mr Henderson, in turn, has appointed his executive committee known as the Rehabilitation Ways and Means Committee of Long Beach This committee is now in session and has authorized the application herein contained

By and through its properly constituted authorities, as aforesaid, the city of Long Beach hereby applies to your excellencies and the State of California for the sum of five hundred thousand dollars ($500,000) to be made available immediately from the treasury of the State of California for use in the present emergency existing in the city of Long Beach, in procuring and distributing food for those of its citizens and inhabitants that are actually in need

This application is made with the understanding and upon the condition that if the funds above mentioned are made available they will be used for no other purpose other than those herein contained.

Respectfully submitted.

REHABILITATION WAYS AND MEANS COMMITTEE.

(Signed) BRUCE MASON, Secretary.

The above message from the Governor was ordered referred to the Committee on Ways and Means.

THIRD READING OF ASSEMBLY BILLS—(RESUMED)

Assembly Bill No. 1838—An act to add a new section to the Political Code to be numbered 528a, relating to the printing of new or revised codes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1838 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Craig, Cronin, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hatch, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Peterson, Phillips, Rawls, Robinson, C. Ray; Roland, Ross, Scudder, Stannard, Stream, Sullivan, Turner, Utt, Williamson, Wright and Mr Speaker—46

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 2136—An act to add a new section to the Bank Act, to be numbered 136½, relating to powers of trustees or receivers of closed banks.

Bill read third time.

The question being on the passage of the bill

MOTION TO RE-REFER.

Mr. Williamson moved that Assembly Bill No. 2136 be withdrawn from the file, and ordered re-referred to Committee on Banking.

The question being on re-referring Assembly Bill No. 2136 to Committee on Banking.

Motion carried.

Assembly Bill No. 2136 ordered re-referred to Committee on Banking.

Assembly Bill No. 1869—An act to amend section 4235 of the Political Code, relating to compensation of county and township officers in counties of the sixth class.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1869 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Cronin, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Peterson, Rawls, Riley, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Turner, Utt, Williamson and Mr. Speaker—49

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 584—An act to amend section 3633 of the Political Code, relating to the assessment of property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 584 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Cronin, Crowley, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1032—An act to add a new section to the Political Code to be numbered 3803, relating to the cancellation of personal property tax liens on real property when wrongfully entered and providing for a reassessment thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1032 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. PERCY G. WEST IN THE CHAIR

At two o'clock and twenty-five minutes p.m., Hon. Percy G. West, member of the Assembly from the Ninth Assembly District, in the chair.

Assembly Bill No. 2315—An act to add a new section to the Political Code to be numbered 3614, relating to exempting orphanages from taxation.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2315 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Craig, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Phillips, Powers, Rawls, Redwine, Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine and Wright—56.

NOES—O'Connor and Rogers—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1200—An act to repeal sections 1120 to 1140 inclusive of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Fisher:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, after "expended", insert the following: "during the eighty-fifth and eighty-sixth fiscal years".

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1795—An act to amend section 68 of the Penal Code, relating to bribery.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1795 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Zion—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1231—An act to define and regulate the practice of shorthand reporting; creating a State Board of Shorthand Reporting, and providing for its powers and duties, providing for the examination and certification of shorthand reporters, with the designation of "certified shorthand reporter"; providing for the reporting, taking and certifying of depositions by certified shorthand reporters; and prescribing penalties for violations of this act and to repeal section 270 of the Code of Civil Procedure.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr Ross moved that Assembly Bill No. 1231 be withdrawn from the file, and re-referred to Committee on Governmental Efficiency and Economy.

The question being on re-referring Assembly Bill No. 1231 to Committee on Governmental Efficiency and Economy.

Motion carried.

Assembly Bill No. 1231 ordered re-referred to Committee on Governmental Efficiency and Economy.

THE SPEAKER IN THE CHAIR.

At two o'clock and fifty minutes p m , Hon. Walter J. Little, Speaker of the Assembly, in the chair.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

REPORT OF COMMITTEE ON FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1933.

MR SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 2319—An act to add section 135b to the "Bank Act" defining and regulating the business of banking—reports that it has met a like committee of the Senate, consisting of Senators McKinley, Swing and Inman, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in the Senate March 9, 1933, strike out "section 135b", and insert in lieu thereof the following: "sections 135b, 135c, 135d, 135e, and 135f".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended in the Senate March 9, 1933, strike out lines 1 to 27, inclusive; also strike out all of pages 2 and 3, and insert in lieu thereof the following:

"SECTION 1. Five new sections to be numbered sections 135b, 135c, 135d, 135e and 135f are hereby added to the Bank Act to read as follows:

Sec. 135b. In order to provide for the safer and more effective operation of the banks of this State, to preserve for the people of this State the full benefits to be derived from national legislation and to relieve the banks of this State from undue pressure in times of financial stress which might arise from lack of uniformity in their operations with those of the national banking system and the Federal Reserve system:

(a) During any emergency period prescribed by the President of the United States, by proclamation or otherwise, each State bank shall conform to any order or orders of the Superintendent of Banks, directed to any such bank, with relation to the regulation or regulations, limitation or limitations, restriction or restrictions, which are applicable thereto, prescribed by the Secretary of the Treasury or the Comptroller of the Currency or the Federal Reserve Board regulating or governing the operation of any bank which may be a member of the Federal Reserve system.

(b) During any emergency period prescribed by the Governor of this State, by proclamation or otherwise, no bank organized under the laws of this State shall transact any banking business except to such extent and subject to such regulation or regulations, limitation or limitations, restriction or restrictions directed to any such bank as may be prescribed by the Superintendent of Banks and as are made effective by the Secretary of the Treasury or the Comptroller of the Currency or the Federal Reserve Board with relation to the operation of banks which are members of the Federal Reserve system.

The Superintendent of Banks is authorized to assess against and collect from such banks as become subject to the provisions of this section their ratable share of the costs incurred in the administration thereof.

Sec. 135c. Whenever he shall deem it necessary in order to conserve the assets of any bank for the benefit of the depositors and other creditors thereof, the Superintendent of Banks may appoint a conservator for such bank and require of him such bond and security as the Superintendent of Banks deems proper. The conservator under the direction of the Superintendent of Banks shall take possession of the books, records and assets of every description of such bank, and take such action as he may deem necessary to conserve the assets of such bank pending further disposition of its business as provided by law. Such conservator shall have all the rights, powers and privileges now possessed by or hereafter given the Superintendent of Banks, with relation to banks of which he has taken charge under the provisions of section 136 of this act, and shall be subject to the obligations and penalties, not inconsistent with the provisions of this section to which the Superintendent of Banks now or may hereafter become subject. During the time that such conservator remains in possession of such bank the rights of all parties with respect thereto, subject to the other provisions of this section, shall be the same as if the Superintendent of Banks had taken such bank into possession for purposes of liquidation. All expenses of any such conservatorship shall be paid out of the assets of such bank and shall be a lien thereon, which shall be prior to any other lien provided by this act or otherwise. The conservator shall receive as salary an amount no greater than paid by the Superintendent of Banks to his special deputies in charge of the liquidation of State banks.

(1) The Superintendent of Banks shall cause to be made such examination of the affairs of any bank for which he has appointed a conservator as shall be necessary

to inform him as to the financial condition of such bank and the examiner shall make a report thereon to the Superintendent of Banks at the earliest practicable date.

(2) If the Superintendent of Banks becomes satisfied that it may safely be done and that it would be in the public interest, he may, in his discretion, terminate the conservatorship and permit such bank to resume the transaction of its business, subject to such terms, conditions, restrictions and limitations as he may prescribe.

(3) While any bank for which the Superintendent of Banks has appointed a conservator is in the hands of such conservator, the Superintendent of Banks may require the conservator to set aside and make available for withdrawal by depositors and payment to other creditors on a ratable basis such amounts as in the opinion of the Superintendent of Banks may safely be used for this purpose, and the Superintendent of Banks may, in his discretion, permit the conservator to receive deposits; but deposits received while the bank is in the hands of the conservator shall be held as trust funds, and shall not be subject to any limitation as to payment or withdrawal, and such deposits shall be segregated and shall not be used to liquidate any indebtedness of such bank existing at the time such conservator was appointed for it, or any subsequent indebtedness incurred for the purpose of liquidating any indebtedness of such bank existing at the time such conservator was appointed. Such deposits received while the bank is in the hands of the conservator shall be kept on hand in cash, invested in the direct obligations of the United States government or deposited with the Federal Reserve Bank

(4) Any bank, including a bank in the possession of the Superintendent of Banks pursuant to the provisions of section 136 of this act, may be reorganized under a plan which requires the consent,

(a) Of depositors and other creditors, or

(b) Of stockholders, or

(c) Of both depositors and other creditors and stockholders Such reorganization shall become effective only,

I. When the Superintendent of Banks shall be satisfied that the plan of reorganization is fair and equitable as to all depositors, other creditors and stockholders and is in the public interest, and shall have approved the plan subject to such conditions, restrictions and limitations as he may prescribe, and

II. When, in any such reorganization, in this paragraph mentioned, after notice thereof satisfactory to the Superintendent of Banks, as the case may be,

(a) Depositors and other creditors of such bank representing at least seventy-five per cent in amount of its total deposits and other liabilities as shown by the books of such bank, or

(b) Stockholders owning at least two-thirds of its outstanding capital stock as shown by the books of such bank, or

(c) Both depositors and other creditors representing at least seventy-five per cent in amount of the total deposits and other liabilities and stockholders owning at least two-thirds of its outstanding capital stock as shown by the books of such bank, have consented in writing to the plan of reorganization; provided, however, that claims of depositors or other creditors which will be satisfied in full under the provisions of the plan of reorganization shall not be included among the total deposits and other liabilities of such bank in determining the seventy-five per cent thereof as above provided When such reorganization becomes effective, all books, records, and assets of such bank shall be disposed of in accordance with the provisions of the plan and the affairs of such bank shall be conducted by its board of directors in the manner provided by the plan and under the conditions, restrictions and limitations which may have been prescribed by the Superintendent of Banks. In any reorganization which shall have been approved and shall have become effective as provided herein, all depositors and other creditors and stockholders of such bank, whether or not they have consented to such plan of reorganization, shall be fully and in all respects subject to and bound by its provisions, and claims of all depositors and other creditors shall be treated as if they had consented to such plan of reorganization.

(5) After thirty days after the affairs of a bank shall have been turned back to its board of directors by the conservator, either with or without a reorganization as provided in this section, the provisions of paragraph (3) hereof with respect to the segregation of deposits received while it is in the hands of the conservator and with respect to the use of such deposits to liquidate the indebtedness of such bank shall no longer be effective; provided, that before the conservator shall turn back the affairs of the bank to its board of directors, if any deposits have been received since the conservator was appointed, he shall cause to be published in a newspaper published in the city, town or county in which such bank is located, and if no newspaper is published in such city, town or county, in a newspaper to be selected by the Superintendent of Banks published in this State, a notice in form approved by the Superintendent of Banks stating the date on which the affairs of the bank will be returned to its board of directors and that the said provisions of paragraph (3) hereof will not be effective after thirty days after such date; and on the date of the publication of such notice the conservator shall

immediately send to every person who is a depositor in such bank under paragraph (3) hereof a copy of such notice by mail addressed to the last known address of such person as shown by the records of the bank, and the conservator shall send similar notice in like manner to every person making deposit in such bank under paragraph (3) hereof after the date of such newspaper publication and before the time when the affairs of the bank are returned to its directors.

(6) No creditor having security for the payment of his claim shall be affected in his right to enforce such security by the provisions of any plan for the reorganization of any such bank. Any plan of reorganization involving the reduction of claims of creditors shall, as to secured creditors, apply to the amounts of their claims against any such bank after collateral has been realized upon.

(7) The Superintendent of Banks is authorized to assess against and collect from such banks as become subject to the provisions of this section their ratable share of the costs incurred in the administration thereof.

SEC. 135d. Notwithstanding any other provision of law, any bank may, with the approval of the Superintendent of Banks and by vote of shareholders owning a majority of the stock of such bank, upon not less than five days' notice, given by registered mail pursuant to action taken by its board of directors, issue preferred stock in such amount and with such par value as shall be approved by the Superintendent of Banks, and make such amendments to its articles of incorporation as may be necessary for this purpose; but, in the case of any newly organized bank which has not yet issued common stock, the requirement of notice to and vote of shareholders shall not apply. No issue of preferred stock shall be valid until the par value of all stock so issued shall be paid in.

The holders of such preferred stock shall be entitled to cumulative dividends at a rate not exceeding six per centum per annum, but shall not be held individually responsible as such holders for any debts, contracts, or engagements of such bank and shall not be liable for assessments to restore impairments in the capital of such bank as now provided by law with reference to holders of common stock. Notwithstanding any other provision of law, the holders of such preferred stock shall have such voting rights, and such stock shall be subject to retirement in such manner and on such terms and conditions, as may be provided in the articles of incorporation with the approval of the Superintendent of Banks.

No dividends shall be declared or paid on common stock until the cumulative dividends on the preferred stock shall have been paid in full; and, if the bank is placed in liquidation or a conservator is appointed therefor, no payments shall be made to the holders of the common stock until the holders of the preferred stock shall have been paid in full the par value of such stock plus all accumulated dividends.

SEC. 135e. If in the opinion of the Superintendent of Banks any bank is in need of funds for capital purposes either in connection with the organization or reorganization of such bank or otherwise, such bank may, with the approval of the Superintendent of Banks, request the Reconstruction Finance Corporation to subscribe for preferred stock in such bank or to make loans secured by such stock as collateral.

SEC. 135f. Subject to the approval of the Superintendent of Banks any bank is authorized, pursuant to the provisions of section 13 of the Federal Reserve Act, as amended, to apply for and receive from the Federal Reserve Bank loans secured by direct obligations of the United States, and to make, execute and deliver to the Federal Reserve Bank a promissory note or notes evidencing such loans, subject to such terms and conditions as may be fixed by the Federal Reserve Bank or the Federal Reserve Board.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 3. Nothing in this act contained shall be construed to limit, modify or in any way affect any powers now vested in the Superintendent of Banks under the terms of the Bank Act.

SEC. 4. This act is hereby declared to be an urgency measure, within the meaning of section 1 of Article IV of the Constitution, necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately.

The facts constituting such necessity are as follows:

There exist throughout the United States economic conditions which have engendered financial disturbances requiring the immediate effective enactment of legislation protecting the depositors in financial institutions subject to the laws of this State. It is essential to the preservation of the public peace, health and safety that the financial institutions of this State be afforded an opportunity for the orderly payment of moneys due depositors and other creditors. This act will aid materially in accomplishing this necessary result."

SPECIAL ORDER SET.

On motion of Mr. Greene, the consideration of report of Committee on Free Conference was made a special order for Tuesday, March 14, at eleven o'clock a.m.

MOTION TO RE-REFER.

Mr. McCarthy moved that Assembly Bill No. 677 be withdrawn from Committee on Crime Problems, and ordered re-referred to Committee on Judiciary.

Motion carried.

The question being on re-referring Assembly Bill No. 677 to Committee on Judiciary.

Assembly Bill No. 677 ordered re-referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT.

Miss Miller, Eleanor, asked for, and was granted, unanimous consent to have Rule 75 suspended for the purpose of considering Assembly Bill No. 1518, at this time.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND FIVE HUNDRED EIGHTEEN.

Assembly Bill No. 1518—An act to amend section 5 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof" which became a law under constitutional provision without the Governor's approval (February 25, 1901), relating to the issuance of municipal improvement bonds.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—64.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND FIVE HUNDRED EIGHTEEN.

Assembly Bill No. 1518—An act to amend section 5 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof" which became a law under constitutional provision without the Governor's approval (February 25, 1901), relating to the issuance of municipal improvement bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1518 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—66

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2190—An act to amend section 4223 of the Political Code, relating to county hospitals.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Bliss moved that Assembly Bill No. 2190 be withdrawn from the file, and ordered re-referred to Committee on County Government.

The question being on re-referring Assembly Bill No. 2190 to Committee on County Government.

Motion carried.

Assembly Bill No. 2190 ordered re-referred to Committee on County Government.

Assembly Bill No. 1345—An act to amend section 2631 of the Political Code, relating to the accepting or taking of land for highways by adding to said section a provision concerning the ownership of the fee of such lands.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Nielsen moved that Assembly Bill No. 1345 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 1345 to Committee on Judiciary.

Motion carried

Assembly Bill No. 1345 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 506—An act to amend section 12 of Chapter 690, Statutes of 1913, entitled the Direct Primary Law, as amended, relating to direct primary elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 506 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson,

Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON OIL INDUSTRIES

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1933

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 16—An act to amend section 11 of an act entitled, "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to refunds of the tax therein authorized—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

BADHAM, Chairman

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 894—An act to require security for the payment of wages of persons engaged in the mining industry,

Also: Assembly Bill No. 1075—An act to amend section 798 of the Agricultural Code, relating to the standardization of dates;

Also: Assembly Bill No. 1077—An act to amend section 782 of the Agricultural Code, relating to the powers of the director;

Also: Assembly Bill No. 1177—An act to add a new section to the Agricultural Code, to be numbered 830.5, relating to the transportation of fruits, nuts and vegetables;

Also: Assembly Bill No. 1242—An act to add a new section to the Penal Code to be numbered 597h, relating to cruelty to animals and defining and prohibiting coursing and prescribing a penalty for the violation thereof;

Also: Assembly Bill No. 1345—An act to amend section 2631 of the Political Code, relating to the accepting or taking of land for highways by adding to said section a provision concerning the ownership of the fee of such lands,

Also: Assembly Bill No. 1358—An act to add a new section to the Political Code to be numbered 363ee, authorizing the closing of State highways during storms or during construction and maintenance operations, and to repeal section 588b of the Penal Code;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1359—An act to amend section 588c of the Penal Code, relating to the injury, defacement or removal of monuments or stakes placed, erected or used by the Department of Public Works, its officers or employees, on or along any State road or highway, or in connection with State road or highway work, and prescribing a penalty for the violation of such section;

Also: Assembly Bill No. 1617—An act to add a new section to be numbered 5a to "The California Air Navigation Act," approved June 18, 1929, relating to the requiring of authority of passenger air transport services;

Also: Assembly Bill No. 2049—An act relating to and providing for a moratorium in respect to the sale of farms, dwelling houses and outbuildings, whether on execution, under power of sale contained in a mortgage or deed of trust or in an action for

the recovery of a debt or the enforcement of a right secured by mortgage or other lien, and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No. 2190—An act to amend section 4223 of the Political Code, relating to county hospitals;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Cronin:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 605g, 605h, 605i and 605j of the Civil Code, relating to corporations sole.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act to amend sections 605g, 605h, 605i and 605j of the Civil Code, relating to corporations sole.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Thorp, Tournoux, Turner, Utt, Williamson, Wright and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Cronin: Assembly Bill No. 2330—An act to amend sections 605g, 605h, 605i and 605j of the Civil Code, relating to corporations sole.

Bill read first time, and referred to Committee on Judiciary.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Little:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation to pay the claims for services, subsistence, supplies, transportation and other expenses of the National Guard of California called into service by order of the Governor in the months of March and April, 1933. To take effect immediately.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act making an appropriation to pay the claims for services, subsistence, supplies, transportation and other expenses of the National Guard of California called into service by order of the Governor in the months of March and April, 1933. To take effect immediately.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—64.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Mr. Little: Assembly Bill No. 2331—An act making an appropriation to pay the claims for services, subsistence, supplies, transportation and other expenses of the National Guard of California called into service by order of the Governor in the months of March and April, 1933. To take effect immediately.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Riley asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Assembly Bill No. 2331, at this time, without reference to committee or file, and that same be considered engrossed.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 13, 1933.

To the Honorable Members of the Assembly of the State of California.

Assembly Bill No. 2331 makes an appropriation to pay the claims for services, subsistence, supplies, transportation and other expenses of the National Guard.

In my opinion, Assembly Bill No. 2331 constitutes an emergency bill within the meaning of section 34 of Article IV of the State Constitution, consideration of which should not await final enactment of the budget bill.

It is necessary that the money appropriated by this bill be made immediately available to pay the expenses of the National Guard of California on duty in the earthquake area in Los Angeles County by my order.

I, therefore, recommend the passage of this bill as an emergency measure within the meaning of that term as used in section 34 of Article IV of the Constitution.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Riley:

Resolved, That Assembly Bill No. 2331 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—74.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2331.

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED THIRTY-ONE.

Assembly Bill No. 2331—An act making an appropriation to pay the claims for services, subsistence, supplies, transportation and other expenses of the National Guard of California called into service by order of the Governor in the months of March and April, 1933. To take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—71.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED THIRTY-ONE.

Assembly Bill No. 2331—An act making an appropriation to pay the claims for services, subsistence, supplies, transportation and other expenses of the National Guard of California called into service by order of the Governor in the months of March and April, 1933 To take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2331 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Woolwine, Wright and Mr. Speaker—68.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Messrs. Hornblower, Maloney and McMurray: Assembly Concurrent Resolution No. 38—Relative to requesting the Governor to make application to the Reconstruction Finance Corporation for a loan to be used for relief and reconstruction work in Los Angeles County.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Maloney asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Assembly Concurrent Resolution No. 38, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER THIRTY-EIGHT.

Assembly Concurrent Resolution No. 38—Relative to requesting the Governor to make application to the Reconstruction Finance Corporation for a loan to be used for relief and reconstruction work in Los Angeles County.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 38 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72.
NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 38 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 38.

Relative to requesting the Governor to make application to the Reconstruction Finance Corporation for a loan to be used for relief and reconstruction work in Los Angeles County.

WHEREAS, The recent disaster occurring in Los Angeles County has occasioned widespread distress and suffering and caused great loss and damage to property; and

WHEREAS, It will be necessary that funds be made available immediately for carrying out relief work and enabling reconstruction of the damage to be started immediately; and

WHEREAS, Los Angeles County has not at the present time sufficient funds available to carry out the relief work or enable reconstruction to be started; and

WHEREAS, The Reconstruction Finance Corporation is authorized upon application of the Governor to make funds available for such relief and reconstruction work; and

WHEREAS, The Legislature of this State deems it advisable that the Governor make such application to the end that funds be made available for relief work in Los Angeles County; now, therefore, be it

Resolved, by the Assembly of the State of California, the Senate thereof concurring, That the Governor is urgently requested to make application to the Reconstruction Finance Corporation for a loan of moneys under the provisions of subdivision (c) of section 1 of Title I of the Emergency Relief and Construction Act of 1932 for the benefit of Los Angeles County, said funds to be used by said county for relief and work relief made necessary by the damage and suffering caused by the occurrence of the recent earthquake in such county; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to the Governor.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Messrs. Hornblower, Maloney and McMurray: Assembly Joint Resolution No. 23—Relative to memorializing and requesting the Reconstruction Finance Corporation to make funds available for relief work in Los Angeles County.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Maloney asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Assembly Joint Resolution No. 23 at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER TWENTY-THREE.

Assembly Joint Resolution No. 23—Relative to memorializing and requesting the Reconstruction Finance Corporation to make funds available for relief work in Los Angeles County.

Resolution read.

The question being on the adoption of the resolution.

MOTION.

On motion of Mr. Cobb, further consideration of Assembly Joint Resolution No. 23 was deferred until the next legislative day.

REPORT OF COMMITTEE.

The following report of the subcommittee on Ways and Means was received and ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, March 13, 1933.

Mr. Speaker and Members of the Assembly.

On January 12, 1933, there was adopted in the Assembly a house resolution directing the Director of Finance to demand of each department, board, commission and other State agency, a complete salary schedule covering all persons receiving compensation for services of any character rendered to said department, board, commission or other State agency. The purpose of this resolution was to enable the Committee on Ways and Means to make a study of salary schedules paid State employees with the view of ad usting these salary schedules to conform with the present economic condition of the State.

There was appointed by the chairman of the committee a subcommittee consisting of Messrs. Craig, Field and Knowland, and said subcommittee was instructed to work out and submit to the committee, for its consideration, a report and recommendation which would enable the committee and Assembly to readjust salary schedules in this State in a manner which would be fair to the employees and at the same time be in line with economic conditions.

The subcommittee has done its work and has filed with the Committee on Ways and Means its report and recommendation. This report has been adopted by the Committee on Ways and Means and is as follows:

Mr. Chairman and Members of the Ways and Means Committee.

Your subcommittee appointed to carry out the provisions of the floor resolution passed by the Assembly on January 12 requesting a review of the report on all salaries wishes to submit the following information and salary schedules:

Your subcommittee found the present rates of pay were written and made effective in the early part of 1931 and were based on data collected in 1930. Due to the economic changes, these rates in the main are too high, and consequently have been reduced. The proposed rates, especially in the administrative, supervising, and the highly technical and professional positions are probably slightly lower than the salaries paid for comparable positions in industrial and commercial concerns in California. However, when we consider the security of employment, favorable hours of work, liberal vacation and sick leave privileges, and retirement rights, the comparison of wages and salaries in the State service with those of private industry, we are convinced that the State employee occupies a desirable position. In fact, the existing employment conditions have rendered the State service so attractive that competent workers are willing to accept State positions at rates considerably lower than those paid by commercial and industrial concerns.

The Legislature has never made a systematic attempt to standardize the rates of pay in the unclassified service, nor has it given the State Personnel Agency sufficient authority to deal with this problem in a satisfactory manner. In fact, there has been little or no check upon the tendency to fix high salaries for exempt employees. If the salary reduction bill proposed by the Ways and Means Committee is approved by the Legislature and becomes a law, the grave inequalities resulting from these differences in rates of pay will be eliminated.

This plan proposed to reduce to the maximum the salaries of all employees who are receiving rates of pay in excess of the maximum salary for the class and grade, and to increase to the minimum the salaries of all State employees who are receiving less than the minimum established for the class and grade to which their positions have been allocated. This proposal is based on the principle of equal pay for equal work. In revising the salary schedule, the subcommittee of the Ways and Means Committee has reduced the salary range for the specific classes and grades for most of the positions in the State service. In fact, more than 95 per cent of the salary schedules have been reduced. However, a few have been slightly increased in order to correct mistakes that were made at the time the original salary schedules were set up and approved by the Civil Service Commission in 1931. The reduction was made necessary because the present schedules were based on data collected in 1929 and 1930, which present economic conditions have rendered obsolete. We believe that the rates of pay proposed in this plan are both fair and equitable.

The committee believes that employees who are doing comparable work in the State of California should receive equal pay or at least their salaries should be within an appropriate salary range. The salary range for a specific class or grade is written wherever possible with three or four steps. This will enable the State Personnel Agency, in administering the plan, to consider the seniority rights of old employees. This plan contemplates that the State Personnel Agency will control all salaries for both exempt and civil service employees except those which are constitutional or statutory. It is proposed to limit the statutory salaries to a minimum number, and to require all appointing officers to make new appointments at the rates approved by the Central Personnel Agency. The lack of such central control has resulted in employees in one department receiving $275 a month, while in other departments employees of the same class and grade receive only $150 a month.

In accordance with the proposed plan, the salaries of these employees which are obviously inequitable will be reduced to the maximum for the class and grade to which their positions are allocated. These employees for the past several years have been receiving salaries which are considerably higher than those paid to employees performing similar duties in the classified service, and now that economy is necessary we see no reason why these employees should object to a reasonable reduction. Nor do we believe that such a reduction will result in the State's losing any appreciable percentage of its efficient workers. The principle of adjusting salaries has been applied not only to the classified, but also to the unclassified service.

The application of an emergency percentage is recommended by the committee—a copy of the plan is attached In lieu of a flat reduction or a horizontal cut, we have worked out a graduated percentage reduction plan which we believe is much fairer than any horizontal cut or than any one, two, three, four step plan could possibly be.

A graduated percentage reduction is deemed preferable to other possible immediate measures for many reasons. A flat percentage reduction is believed to bear too heavily on lower-paid employees whose incomes are used in the main for essential expenditures

The advantages of a graduated percentage reduction as an immediate step in the readjustment of compensation lies not only in the ease and rapidity with which the

readjustment can be accomplished, but in the essential justice and social expediency of making a smaller reduction in the lower rates paid than in the higher rates. While higher paid officers and employees have many financial commitments in money terms, their ability to absorb the shock of lowered income without serious inconvenience should be much greater. At the same time, while better paid employees may have others than those normally dependent upon them to whom they are affording help at this time, the possibility of adjusting living standards to such needs is much greater in their cases than where lower paid employees must meet similar obligations. Also, social policy of which the State should be cognizant supports the principle that the purchasing power of those most likely to spend their incomes on immediate needs should be less sharply reduced than the incomes of higher paid individuals.

Furthermore, there is much reason to believe that in recent years the rates of compensation of higher salaried officers and employees in the State service, more especially in the nonclassified service, have risen more rapidly than the compensation of lower-paid employees in the classified service. While this difference in rate of increase may have been based upon proper policies related to economic and employment conditions, it affords added justification for the belief that the use of the graduated principle is appropriate in securing the necessary immediate economies at this time

By applying this graduated percentage reduction to the salaries of all State employees, a biennial saving of $8 231,029 92 will result, or 11.1023 per cent of the total present pay roll for the State of California. This saving includes the reductions of the employees of the University of California, but without the University of California the reduction will amount to $6,580,229 28, or 8 875 per cent.

It may be contended by some that this percentage cut is not severe enough. However, it must be remembered that within a reasonably short time, the State employees will be paid in warrants which the banks will discount at from 7 per cent to 10 per cent. This, in addition to the proposed salary reduction, will result in rather severe reductions in salaries of State employees. Also, the requirement that each employee take a fifteen working day vacation without pay will constitute an additional 5½ per cent reduction in pay.

It should also be remembered that there are other ways by which economies may be effected which will materially increase the percentage of saving without reducing the salaries of necessary State employees to a point below which they may find it difficult to eke out a bare living. However, we offer the following suggestions for your consideration:

1. *Create No New Positions.* This policy should be adhered to strictly and exceptions should be made only where the creation of a new position is of the highest importance to the public interest. At the present time department heads have the authority to create new positions and there is no central agency which can veto the establishment of such new positions even though the resulting additional expense is obviously unnecessary The approval of the Central Personnel Agency should be required before any new position, whether exempt or civil service, could be established by a department head. The enforcement of this policy would save the State a considerable sum of money. We have no way of estimating the exact amount, but we do know that the Division of Personnel and Organization in cooperation with the Division of Budgets and Accounts has been able in a number of instances to point out to department heads that certain new positions were unnecessary and to persuade them to reduce the number of new positions as much as 50 per cent. We can give specific examples if this is desired. While as mentioned above, there is no way by which the savings resulting from the strict adherence to this policy could be accurately computed, we would say that a biennial saving of $500,000 would be a very conservative estimate. This saving was not included in the final summary which is attached to chart.

2. *Hire No New Employees.* The policy of hiring no new employees should be rigidly enforced. Exceptions to this policy should be made only in those instances where the services of persons having very specialized training or experience are urgently needed for the good of the service at the specified time, and where such services can not be satisfactorily secured from persons already employed by the State There is no doubt that in times likes these all vacancies should be filled in so far as possible by the transfer, promotion, or demotion of old employees or by the reinstatement of former employees who are somewhat familiar with the workings of State government. This would in a measure remove the State service from political influence and would lessen to a material degree the political pressure which is sometimes brought to bear for the establishment of unnecessary new positions in order that State officers may pay political debts. The enforcement of such a policy would make it unnecessary for the State to dispense with the services of old employees while the appointment of new employees who are unfamiliar with the State government is permitted.

3. *The Elimination of All Unnecessary Positions.* The Central Personnel Agency with the approval of the Board of Control or some other central board should be given authority to abolish all unnecessary positions in the State service A strict

adherence to this policy would save the State at least $1,000,000 a year, or $2,000,000 per biennium. The Attorney General has ruled that under the present law the appointing officer has the right to create positions or to abolish them without the approval of the State Personnel Agency. A strict adherence to this policy would not only save the State a considerable sum of money, but would result in improving the general efficiency of the service.

4. *Allow No Salary Increases During the Next Biennium.* During the calendar year 1929, salary increases cost the State $331,526.16; in 1930, $416,361.38; and 1931, $27,352.62. The normal salary increases will amount to more than $300,000 a year or better than half a million dollars per biennium.

5. *Reduce the Amount of Sick Leave* Effective July 1, 1932, a rule was adopted by the Civil Service Commission and approved by the Director of Finance which allows each State employee ten days sick leave with pay for each year of service completed after its adoption and an accumulation of five days sick leave for each year of service or major portion thereof completed previous to the adoption of this rule. Before July 1, 1932, each State employee could be allowed sick leave in the amount of 30 days with full pay and 60 days with half pay during each year. While the new rule has reduced the amount expended by the State by a considerable sum, the State is still paying approximately $400,000 per biennium for sick leave. These figures are based on actual reports since the adoption of the new rule on July 1, 1932. I would suggest that the amount of sick leave be reduced by at least 50 per cent, which would result in a saving of approximately $200,000 per biennium.

6. *Standardization of Working Hours.* Some departments in the State service work only six hours a day, some six and one-half, some seven, and others eight. I understand that employees of all constitutional offices such as the Secretary of State, State Treasurer, State Controller, courts, etc., work only six hours a day. The persons employed in the offices of the Board of State Harbor Commissioners work only six and one-half hours a day, while the employees of the other State offices work seven or eight. I would suggest that all employees be required to work eight hours a day, exclusive of an hour for lunch, and that the offices be required to keep open only five days a week. By working eight hours a day, the State employees would serve a total of 40 hours a week, while under the present system they are working from 30 to 38 hours a week. The additional savings in dollars as a result of the adoption of this policy would result in a biennial saving of not less than $100,000, provided the Central Personnel Agency is given authority to abolish unnecessary positions. In addition to the benefit to the State, this procedure of increased working hours will permit the employees to have each Saturday to spend as they think best.

7. *No Overtime.* If the State would adopt a policy of not allowing overtime pay for employees working on a daily or hourly basis, it would spread employment considerably and would also save a small amount of money. The privilege of paying hourly and daily employees for overtime is being badly abused. For example, during the past month some 20 truck drivers employed by the Division of Highways received pay for 16, 18 and 20 working days during the first half of the month, whereas they should have received pay for but 12. The Division of Highways submits semimonthly pay rolls for the daily and hourly employees and frequently such employees are allowed to work as much as 20 hours in one day and thus receive pay for two and one-half days. The employees who are paid by the month are not allowed to receive additional amounts for overtime. However, this group of employees frequently works 10 or 12 hours a day. In other words, the monthly employees are given a certain amount of work to do and if they are unable to complete the assigned tasks during office hours, it sometimes becomes necessary for them to remain after the office is closed. They neither receive nor expect additional pay for this overtime. I am unable to estimate the amount of saving that would result if this policy were adopted. However, it would correct an existing situation which is obviously unjust.

8. *Vacation Without Pay.* As an emergency measure, for the next biennium, the State employees may be required to take a vacation of 15 working days without pay each year. This would result in a biennial saving of approximately 5½ per cent of the entire pay roll, or in round numbers $3,500,000 per biennium.

If the above proposals offered are carried out, a $15,000,000 biennial saving will result, or an equivalent of a 20 per cent reduction in the State pay roll.

We also inclose herewith a schedule showing the graduated steps of reductions and the new salaries after applying this reduction.

Attention is directed to the fact that State employees drawing less than $100 per month are in the employment of the various institutions throughout the State. In almost every instance this type of employee draws, in addition to a monetary salary, room, board, laundry, etc.

Respectfully submitted.

COBB, Chairman.

STATE OF CALIFORNIA.

1933–1935.

Scale of Reductions in Pay Roll, Based on December, 1932, Pay Roll of All State Salaries.

	Per cent reduction	Amount reduction in section	Total reduction	Total per cent reduction	Net
Under $100 00	5.0				
100 00	5.0	$5 00	$5 00	5.00	$95 00
$101 00– 150 00	10 0	5 00	10 00	6 66	140 00
151 00– 200 00	12.5	6 25	16 25	8.13	183 75
201 00– 250 00	15 0	7 50	23 75	9.50	226 25
251 00– 300 00	17 5	8 75	32 50	10.83	267 50
301 00– 350 00	20.0	10 00	42 50	12.14	307 50
351 00– 400 00	23 0	11 50	54 00	13.50	346 00
401 00– 450 00	25.0	12 50	66 50	14 78	383 50
451 00– 500 00	27.0	13 50	80 00	16.00	420 00
501 00– 550 00	30.0	15 00	95 00	17.28	455 00
551 00– 600 00	33.0	16 50	111 50	18.58	488 50
601 00– 650 00	36 0	18 00	129 50	19.93	520 50
651 00– 700 00	39.0	19 50	149 00	21.29	551 00
701 00– 750 00	42.0	21 00	170 00	22.67	580 00
751 00– 800 00	45 0	22 50	192 50	24.06	607 50
801 00– 833 33	48.0	16 00	208 50	25.02	624 83
801 00– 850 00	48.0	24 00	216 50	25.47	633 50
851 00– 900 00	51 0	26 50	242 00	26.89	658 00
901 00– 950 00	54.0	27 00	269 00	28.32	281 00
951 00–1000 00	57.0	28 50	279 50	29.75	702 50
1001 00–1050 00	60.0	30 00	327 50	31.19	722 50
1051 00–1100 00	63 0	31 50	359 00	32.64	741 00
1101 00–1150 00	66.0	33 00	392 00	34.09	758 00
1151 00–1200 00	69 0	34 50	426 50	35.54	773 50
1201 00–1250 00	72.0	36 00	462 50	37.00	787 50

STATE OF CALIFORNIA.

Salaries, Reduction, Net Salaries, As Per 5 Per Cent Minimum.

Rate Sheet.

Salary	Amount reduction	Net salary
$60 00	$3 00	$57 00
65 00	3 25	61 75
70 00	3 50	66 50
75 00	3 75	71 25
80 00	4 00	76 00
85 00	4 25	80 75
90 00	4 50	85 50
95 00	4 75	90 25
100 00	5 00	95 00
105 00	5 50	99 50
110 00	6 00	104 00
115 00	6 50	108 50
120 00	7 00	113 00
125 00	7 50	117 50
130 00	8 00	122 00
135 00	8 50	126 50
140 00	9 00	131 00
145 00	9 50	135 50
150 00	10 00	140 00
155 00	10 63	144 37
160 00	11 25	148 75
165 00	11 88	153 12
170 00	12 50	157 50
175 00	13 13	161 67
180 00	13 75	166 25
185 00	14 88	170 62
190 00	15 00	175 00
195 00	15 53	179 37
200 00	16 25	183 75
205 00	17 00	188 00
210 00	17 75	192 25
215 00	18 50	196 50
220 00	19 25	200 75

Rate Sheet—(Continued).

Salary	Amount reduction	Net salary
$225 00	$20 00	$205 00
230 00	20 75	209 25
235 00	21 50	213 50
240 00	22 25	217 75
245 00	23 00	222 00
250 00	23 75	226 25
255 00	24 63	230 37
260 00	25 50	234 50
265 00	26 38	238 62
270 00	27 25	242 75
275 00	28 13	246 87
280 00	29 00	251 00
285 00	29 88	255 12
290 00	30 75	259 25
295 00	31 63	263 37
300 00	32 50	267 50
305 00	33 50	271 50
310 00	34 50	275 50
315 00	35 50	279 50
320 00	36 50	283 50
325 00	37 50	287 50
330 00	38 50	291 50
333 33	39 17	294 16
335 00	39 50	295 50
340 00	40 50	299 50
345 00	41 50	303 50
350 00	42 50	307 50
355 00	43 65	311 35
360 00	44 80	315 20
365 00	45 95	319 05
370 00	47 10	322 90
375 00	48 25	326 75
380 00	49 40	330 60
385 00	50 55	334 45
390 00	51 70	338 30
395 00	52 85	342 15
400 00	54 00	346 00
416 67	58 16	358 51
425 00	60 25	364 75
450 00	66 50	383 50
475 00	73 25	401 75
500 00	80 00	420 00
525 00	87 50	437 50
550 00	95 00	455 00
575 00	103 25	471 75
600 00	111 50	488 50
625 00	120 50	504 50
650 00	129 50	520 50
675 00	139 25	535 75
700 00	149 00	551 00
750 00	170 00	580 00
800 00	192 50	607 50
833 33	208 50	624 83
850 00	216 50	633 50
900 00	242 00	658 00
950 00	269 00	681 00
1000 00	297 50	702 50
1050 00	327 50	722 50
1100 00	359 00	741 00
1150 00	392 00	758 00
1200 00	426 50	773 50
1250 00	462 50	787 50

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 13, 1933.

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

Assembly Bill No. 2319—An act to add sections 135b, 135c, 135d, 135e and 135f to the "Bank Act," defining and regulating the business of banking.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 3—An act to repeal an act entitled "An act concerning the completion of unfinished public buildings now in process of construction by this State, permitting alterations of and additions to the original plans for the construction thereof, and permitting the execution of contracts for the construction thereof and for the purchase of materials for use therein without publishing notice of such work and without calling for or receiving bids therefor, declaring the urgency thereof and providing that this act shall take effect immediately," approved April 9, 1931;

Also: Senate Bill No 340—An act relating to the control and jurisdiction over, and disposition of, certain State lands therein described;

Also: Senate Bill No. 121—An act to amend section 583 of the Code of Civil Procedure, relating to the dismissal of actions;

Also: Senate Bill No. 403—An act to amend section 2980 of the Civil Code, relating to recordation of interests in property;

Also: Senate Bill No. 1009—An act to repeal an act entitled "An act to establish a State prison; creating a commission to select and purchase a suitable site therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved June 4, 1929;

Also: Senate Bill No. 548—An act to amend section 2187 of the Political Code, relating to the transfer of inmates between State institutions;

Also: Senate Bill No. 551—An act to amend section 12 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State Home for United States Soldiers, Sailors, and Marines, and to provide for the government thereof by the State," approved March 11, 1897, as amended.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 3 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 340 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bills Nos. 121 and 403 read first time, and referred to Committee on Judiciary.

Senate Bills Nos. 1009, 548 and 551 read first time, and referred to Committee on Ways and Means

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 453—An act to repeal sections 1205, 1206, 1210 and 1211 of the Fish and Game Code, relating to water fowl;

Also: Senate Bill No. 46—An act to amend section 4259 of the Political Code, relating to salaries of officers of the counties of the thirtieth class;

Also: Senate Bill No. 48—An act to amend section 16x30 of the "Weights and Measures Act," relating to the salary of the sealer of weights and measures in counties of the thirtieth class;

Also: Senate Bill No. 1104—An act to amend section 7 of an act entitled "An act to promote the development of the California canned fruit industry and to prevent deception in the packing and sale of canned fruit by establishing and defining certain standards for canned fruit of the varieties herein named, defining the powers and duties of the director of the Department of Agriculture in relation hereto, including the collection of fees, creating a Board of Appeal and defining its powers and duties in relation hereto and fixing the compensation of the members thereof, prescribing penalties for violations hereof, and making an appropriation to carry out the provisions hereof," approved May 23, 1925, relating to powers of the Director of Public Health

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 453 read first time, and referred to Committee on Fish and Game.

Senate Bills Nos. 46 and 48 read first time, and referred to Committee on County Government.

Senate Bill No. 1104 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 18—Relative to extending condolences to the people in the stricken areas in the southern portion of the State.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Concurrent Resolution No. 18 read, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 13—Relative to the Veterans' Home of California.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Joint Resolution No. 13 read, and referred to Committee on Ways and Means.

ADJOURNMENT.

At four o'clock and thirty-five minutes p m., on motion of Mr. Clowdsley, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, March 14, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, March 14, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lvon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr. Frazier, Mr. O'Donnell was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of the members of the Assembly, Jane Doe Crist of Palo Alto, California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Anglim, Mr. William Beasley of Antioch was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hoffman, Mr. E. Van Ribbink of Oakland was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Thorp, Mary E. Rathbun, principal of Alpine School, San Joaquin County, and the pupils of the sixth, seventh and eighth grades were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Thorp, Mr. and Mrs. J. E. Handle, Mr. and Mrs. Baumback, Mrs. L. K. Marshal, Mr. F. Frey and Mr. Ed. Prezler were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Southern Civic Clubs, San Francisco, indorsing Assembly Bill No 884.

(Signed) W. J. VARLEY, President.

Also:

By Mr. Speaker:

From Civic League of Improvement Clubs and Association, San Francisco, protesting against legal interference in the matter of safe deposit boxes

GEORGE SKALLER,
Chairman, Legislative Committee.

Also:

By Mr. Speaker:

From Iron, Steel and Allied Industries of California, favoring reduction of governmental expenses.

Also:

By Mr. Speaker:

From Lawyers Club of Los Angeles, opposing the issuance of any media of exchange not legal tender.

(Signed) CHARLES A. SON, Chairman.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No 9—Relative to memorializing Congress to adopt

legislation with reference to manufacture of arms, munitions and implements of war—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Joint Resolution No. 9 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 157—An act to amend the title and sections 11, 12, 17, 19, 20, 21, 22, 31 and 32 and to add new sections numbered 9a, 16a, 16b and 27a of the act known as "The General Cemetery Act," approved June 19, 1931, and providing for methods and requirements for establishing new cemeteries, defining perpetual care and nonperpetual care cemeteries, and requiring certain acts of the same and providing penalties for the violation of act;

Also: Assembly Bill No. 392—An act to amend section 2 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person, to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended, relating to the possession of deadly weapons;

Also: Assembly Bill No 539—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent;

Also: Assembly Bill No 566—An act to repeal Article III of Chapter I of Part III of Division IV of the School Code, comprising section 4300, relating to the use of surplus funds of school districts;

Also: Assembly Bill No. 606—An act to confirm and validate the boundaries of school districts, high school districts and junior college districts of every kind and class;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 615—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class;

Also: Assembly Bill No. 659—An act to amend the title and sections 2 and 3 and to add a new section, to be numbered section 1¼, to an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment," approved April 20, 1917, by specifically including within its protection any security put up by the employee, or applicant for employment, for faithful performance and any money or property directly or indirectly turned over to the employer or prospective employer pursuant to the contract of employment, prohibiting investments and the sale of stock or an interest in a business in connection with the securing of a position and advertisements to this effect, and providing penalties for violation of the provisions thereof;

Also: Assembly Bill No. 838—An act to amend section 1.70 of the School Code, and to add two new sections to said code, to be numbered 1.72, and 1.73–1, relating to transportation of school pupils;

Also: Assembly Bill No. 1018—An act to amend sections 5, 6, 7, 16, 19a and 21 of an act entitled "An act authorizing the creation, government, maintenance and dissolution of county sanitation districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, relating to the board of directors, the duties of county officers with relation thereto, and to the employment of engineers, sanitation experts and other employees of the districts;

Also: Assembly Bill No. 1089—An act to amend section 1056 of the Code of Civil Procedure, relating to sureties on undertakings or bonds, prescribing the amount of capital stock required and regulating the formation or admission of corporations to transact such business in this State, placing such corporations under the jurisdiction

of the Insurance Commissioner, providing for examination and prescribing the duties of the said Insurance Commissioner in connection therewith;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1095—An act to repeal section 608 of the Political Code, relating to transfers of actions or special proceedings by foreign insurance companies doing business in this State;

Also: Assembly Bill No. 1115—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act;

Also: Assembly Bill No. 1141—An act to amend sections 453cc and 453ee of the Civil Code, relating to mortgage insurance companies; declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1193—An act to amend section 792 of the Agricultural Code, relating to the standardization of avocados;

Also: Assembly Bill No. 1257—An act to amend section 1177 of the Fish and Game Code and to add thereto a new section to be numbered 1203.5, relating to game;

Also: Assembly Bill No. 1367—An act to amend section 43½ of the Workmen's Compensation, Insurance and Safety Act, relating to the revolving fund of the State Compensation Insurance Fund;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1368—An act to amend sections 4.161 and 4.190 of the School Code, relating to county elementary school funds;

Also: Assembly Bill No. 1815—An act to amend section 29 of the California Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation insurance;

Also: Assembly Bill No. 1866—An act to amend section 4099a of the Political Code, relating to orphan aid;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1933

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 1871—An act to repeal section 4041c of the Political Code, and to add a new section thereto to be numbered 4041c, relating to county officers;

Also: Assembly Bill No. 1874—An act to amend section 4017 of the Political Code, relating to the consolidation of county offices;

Also Assembly Bill No. 325—An act to add section 4a to an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, Statutes of 1923, page 431, providing for the disposition of funds collected from districts illegally formed;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON DIRECT LEGISLATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1933.

MR. SPEAKER: Your Committee on Direct Legislation, to which was referred Assembly Bill No. 2—An act to amend section 5 of the Direct Primary Law,

relating to sponsors' pamphlets—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 583—An act to amend section 4307 of the Political Code, relating to county charges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1933.

MR SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 2252—An act to amend section 3 of an act entitled "An act to require owners of forest lands to provide a fire patrol therefor," approved June 6, 1923, relating to forest land fire patrols—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

EVANS, Chairman.

The above reported bill ordered on file for second reading.

ON UNEMPLOYMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1933.

MR. SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No. 877—An act to provide a five-day week for State employees during the present unemployment emergency, and declaring the urgency thereof;

Also: Assembly Bill No. 1006—An act to add a new section to the Penal Code to be numbered 653c-1, relating to the hours of labor on public works during the present emergency and declaring the urgency thereof;

Also: Assembly Bill No. 1009—An act authorizing the Director of the Department of Industrial Relations to adopt measures, relating to spreading work in private industry;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

POWERS, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 251—An act to amend sections 1 and 2 of "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911—has had the same under consideration, and respectfully reports the same back without recommendation, and that it be re-referred to Committee on Labor and Capital.

WEST, Chairman.

The above reported bill ordered re-referred to Committee on Labor and Capital.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 4—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property;

Also: Assembly Bill No. 411—An act to amend section 1174 of the Code of Civil Procedure, relating to judgments in proceedings for forcible entries, forcible or unlawful detainer;

Also: Assembly Bill No. 1395—An act to amend section 537 of the Code of Civil Procedure, relating to attachments;

Also: Assembly Bill No. 1895—An act to amend sections 4, 5 and 10 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman.

The above reported bills ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 13, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended, Assembly Concurrent Resolution No. 38—Relative to requesting the Governor to make application to the Reconstruction Finance Corporation for a loan to be used for relief and reconstruction work in Los Angeles County—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 38?

AMENDMENT NUMBER ONE.

In lines 4 and 5 of the title of the original resolution, strike out "Los Angeles County", and insert in lieu thereof the words "portions of southern California".

AMENDMENT NUMBER TWO.

In line 1 of the first "Whereas" of the original resolution, strike out the word "earthquake", and insert in lieu thereof "disorder".

AMENDMENT NUMBER THREE.

In lines 1 and 2 of the first "Whereas" of the original resolution, strike out the words "Los Angeles County", and insert in lieu thereof "portions of southern California".

AMENDMENT NUMBER FOUR.

In line 1 of the third "Whereas" of the original resolution, strike out the words "Los Angeles County", and insert in lieu thereof the words "afflicted areas have".

AMENDMENT NUMBER FIVE.

In lines 3 and 4 of the fifth "Whereas" of the original resolution, strike out the words "Los Angeles County", and insert in lieu thereof the words "certain section of southern California".

AMENDMENT NUMBER SIX.

In line 7 of the original resolution, strike out the words "Los Angeles County", and insert in lieu thereof "the stricken areas".

AMENDMENT NUMBER SEVEN

In line 8 of the original resolution, strike out the word "county", and insert in lieu thereof the word "areas".

AMENDMENT NUMBER EIGHT.

In line 10 of the original resolution, strike out the words "such county", and insert in lieu thereof the words "that section".

The roll was called, and Senate amendments to Assembly Concurrent Resolution No. 38 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Wright and Mr. Speaker—64.

NOES—None.

Assembly Concurrent Resolution No. 38 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 137—An act to amend sec-

tions 1202a, 1572, 1576 and 1586, of the Penal Code, relating to the State prisons, establishing a female department thereof and transferring an appropriation therefor, and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 137 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 219—An act to amend section 4017 of the Political Code, relative to consolidation of county offices;

Also: Senate Bill No. 636—An act to amend section 4 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, as amended, relating to consolidation of elections.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 219 read first time, and referred to Committee on County Government.

Senate Bill No. 636 read first time, and referred to Committee on Elections.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2331—An act making an appropriation to pay the claims for services, subsistence, supplies, transportation and other expenses of the National Guard of California called into service by order of the Governor in the months of March and April, 1933. To take effect immediately.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Bill No. 2331 ordered to enrollment.

RESOLUTIONS

The following resolutions were offered:

By Mr. Phillips:

RESOLUTION.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance, pro rata cost telephone service, January	$44 13
Cascade Towel Supply Company, towel service, January	52 10
Carithers and Travis, Incorporated, lettering Assembly committee room doors	73 04
Department of Finance, pro rata cost telephone service, February	23 34
The Coca Cola Bottling Company, 4 cases—lunch served members	7 20
Bureau of Purchases, supplies	100 32
Hart's Lunch, Incorporated, lunch served members	57 75

Resolution ordered referred to Committee on Contingent Expenses.

Also:

By Mr. Phillips:

RESOLUTION.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's office.

Resolution ordered referred to Committee on Contingent Expenses.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1055—An act relating to the formation, organization and proceedings of metropolitan water districts; confirming the formation, organization and existence of such districts; establishing and validating the boundaries thereof; confirming the appointment of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken; confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof and all bonds heretofore authorized or issued by such districts and authorizing such bonds to be sold and delivered; providing for the levy and collection of a tax sufficient to pay the principal and interest of any such bonds; and declaring this act to be an urgency measure.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1058—An act to amend section 1158 of the Civil Code, relating to recordation of instruments or judgments affecting the title to or possession of real property.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 744—An act to add section 63a to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article 1 of the Constitution within municipalities or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the issuance of bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 742—An act to add section 5½ to an act entitled the "Grade Separation Act of 1927," relating to the issuance of bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 741—An act to add section 4a to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended, relating to the issuance of bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 740—An act to add section 25½ to an act entitled the "Street Improvement Act of 1913," relating to the issuance of bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 739—An act to add section 4½ to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements under the 'Street Opening Act of 1889' and providing for the effect and enforcement of such bonds," approved May 24, 1921, relating to the issuance of bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 232—An act to repeal "An act empowering the legislative body of any city or municipal corporation to abandon proceedings taken under an act entitled 'An act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby,' approved April 21, 1909, and referred to as the 'Street Improvement Act of 1909,' " approved June 8, 1915.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 231—An act to repeal "An act to provide for the laying out, opening, extending, widening, straightening, diverting, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities or cities and cities and counties of forty thousand inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 23, 1893.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 230—An act to repeal the "Tree Planting Act of 1913."

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 229—An act to repeal the "Tree Planting Act of 1915."

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 228—An act to repeal "An act to provide for the planting, maintenance and care of shade trees upon streets, lanes, alleys, courts and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits," approved March 11, 1893.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 136—An act to repeal an act entitled "An act to provide for the establishment and change of grade of public highways, streets, public ways and other public property and rights of way, in whole or in part, including property over which possession and right of use have been obtained under the provisions of section 14 of Article I of the Constitution of the State of California, whether the same are situated within the limits of a municipality or whether such public ways or property are in part within the limits of one or more municipalities, or extend from one municipality into another municipality, or from one or more municipalities into or through unincorporated territory, or in whole or in part form the boundary between adjoining municipalities or between a municipality and adjacent unincorporated

territory; and providing for work in and upon the same together with any and all appurtenances and appurtenant work; and providing for assessing the whole or any portion of the costs and expenses thereof upon private property and for the issuance and payment of improvement bonds to represent certain assessments for the costs thereof; and providing for the effect of and the enforcement of such bonds," approved April 21, 1911, Statutes of 1911, page 1018, as amended, with provision that said repeal shall not apply to existing proceedings under said act.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 131—An act to repeal an act entitled "The Local Improvement Act of 1901," approved February 26, 1901, Statutes of 1901, page 34, as amended, with the provision that said repeal shall not apply to existing proceedings under said act.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 129—An act to repeal an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893, Statutes of 1893, page 33, as amended, with provision that any bonds issued under the provisions of said act shall not be affected by said repeal.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 16—An act to amend section 11 of an act entitled, "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to refunds of the tax therein authorized.

Bill read second time, ordered to engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 68—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by amending sections 6 and 6½ of Article IX, sections 14, 15 and 16 of Article XIII, by adding a new section to be numbered 20 to Article XI, and by repealing sections 12½ and 18 of Article XIII, relating to taxation and the support of the public school system.

Assembly Constitutional Amendment No. 68 read.

The question being on the adoption of Assembly Constitutional Amendment No. 68.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Constitutional Amendment No. 68 was withdrawn from the file and referred to Committee on Constitutional Amendments.

Assembly Bill No. 1272—An act relating to the marking of State highways for the purpose of indicating route numbers and making readily available information of a cautionary, regulatory or directional nature pertaining to the use of such highways, and defining the powers and duties of the State Department of Public Works and the Division of Highways in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1272 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Frazier, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, King, Latham, Levey, Lyon, Martin, McBride, McCarthy, Meeker, Miller, Eleanor, Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—57

NOES—Badham, Burns, Callahan, Feigenbaum, Fisher, Gilmore, Grubbs, Hunt, Knowland, Maloney, Mayo, McMurray, Meehan, Ross, Tournoux and Williamson—16.

Title read and approved.

Bill ordered transmitted to the Senate

HON. FRANK LEE CRIST IN THE CHAIR.

At ten o'clock and fifty-five minutes p.m., Hon. Frank Lee Crist, member of the Assembly from the Thirtieth Assembly District, in the chair.

RESOLUTION.

The following resolution was offered:

By the Assembly:

RESOLUTION BY THE ENTIRE ASSEMBLY

WHEREAS, It has just come to the notice of the Assembly of the State of California that the somewhat esteemed member from the northern half of Santa Clara County is smiling today; and

WHEREAS, The Assembly Investigating Committee has ascertained that there has been deposited under the glorious weeping willow of Santa Clara County a small bundle; and

WHEREAS The said Investigating Committee, upon further investigation, has ascertained that the bundle consisted of a small unnamed daughter; and

WHEREAS, In ordinary times the smokes should be upon the aforementioned member from the northern half of Santa Clara County, but times being as they are and the aforementioned bundle needing covering, the Assembly is supplying its own smokes; now, therefore, nevertheless, and anything to the contrary notwithstanding, be it hereby

Resolved, That this honorable body do hereby rise for the purpose of congratulating Mrs. Frank Lee Crist and Jane Doe Crist, and that this body do hereby extend to said Jane Doe Crist the privilege of the floor; be it further

Resolved, That in view of the present economic depression, the Assembly do hereby instruct the Committee on Military Affairs to beg, borrow or steal one good and sufficient gun to be given to the said member from the northern one-half of Santa Clara County for the purpose of shooting the stork.

Resolution read, and on motion, unanimously adopted.

Resolution ordered referred to Committee on Military Affairs.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 30—An act relating to grants of lands granted to cities and towns under the provisions of an act of Congress entitled "An act for the relief of the inhabitants of cities and towns upon the public lands," approved March 2, 1867, and procedure in relation to such land.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 30 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and five minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 31—An act to provide for restoration of recorded maps which are injured, destroyed, or are lost or stolen.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 31 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF REPORT OF THE COMMITTEE ON FREE CONFERENCE.

REPORT OF COMMITTEE ON FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1933.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 2319—An act to add section 135b to the "Bank Act," defining and regulating the business of banking—reports that it has met a like committee of the Senate, consisting of Senators McKinley, Swing and Inman, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in the Senate March 9, 1933, strike out "section 135b", and insert in lieu thereof the following: "sections 135b, 135c, 135d, 135e and 135f".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended in the Senate March 9, 1933, strike out lines 1 to 27, inclusive; also strike out all of pages 2 and 3, and insert in lieu thereof the following:

SECTION 1. Five new sections to be numbered sections 135b, 135c, 135d, 135e and 135f are hereby added to the Bank Act to read as follows:

Sec. 135b. In order to provide for the safer and more effective operation of the banks of this State, to preserve for the people of this State the full benefits to be derived from national legislation and to relieve the banks of this State from undue pressure in times of financial stress which might arise from lack of uniformity in their operations with those of the national banking system and the Federal Reserve system:

(a) During any emergency period prescribed by the President of the United States, by proclamation or otherwise, each State bank shall conform to any order or orders of the Superintendent of Banks, directed to any such bank, with relation to the regulation or regulations, limitation or limitations, restriction or restrictions, which are applicable thereto, prescribed by the Secretary of the Treasury or the Comptroller of the Currency or the Federal Reserve Board regulating or governing the operation of any bank which may be a member of the Federal Reserve system.

(b) During any emergency period prescribed by the Governor of this State, by proclamation or otherwise, no bank organized under the laws of this State shall transact any banking business except to such extent and subject to such regulation or regulations, limitation or limitations, restriction or restrictions directed to any such bank as may be prescribed by the Superintendent of Banks and as are made effective by the Secretary of the Treasury or the Comptroller of the Currency or the Federal Reserve Board with relation to the operation of banks which are members of the Federal Reserve system.

The Superintendent of Banks is authorized to assess against and collect from such banks as become subject to the provisions of this section their ratable share of the costs incurred in the administration thereof.

Sec. 135c. Whenever he shall deem it necessary in order to conserve the assets of any bank for the benefit of the depositors and other creditors thereof, the Superintendent of Banks may appoint a conservator for such bank and require of him such bond and security as the Superintendent of Banks deems proper. The conservator under the direction of the Superintendent of Banks shall take possession of the books, records and assets of every description of such bank, and take such action as he may deem necessary to conserve the assets of such bank pending further disposition of its business as provided by law. Such conservator shall have all the rights, powers and privileges now possessed by or hereafter given the Superintendent of Banks, with relation to banks of which he has taken charge under the provisions of section 136 of this act, and shall be subject to the obligations and penalties, not inconsistent with the provisions of this section to which the Superintendent of Banks now or may hereafter become subject. During the time that such conservator remains in possession of such bank the rights of all parties with respect thereto, subject to the other provisions of this section, shall be the same as if the Superintendent of Banks had taken such bank into possession for purposes of liquidation. All expenses of any such conservatorship shall be paid out of the assets of such bank and shall be a lien thereon, which shall be prior to any other lien provided by this act or otherwise. The conservator shall receive as salary an amount no greater than paid by the Superintendent of Banks to his special deputies in charge of the liquidation of State banks.

(1) The Superintendent of Banks shall cause to be made such examination of the affairs of any bank for which he has appointed a conservator as shall be necessary to inform him as to the financial condition of such bank and the examiner shall make a report thereon to the Superintendent of Banks at the earliest practicable date.

(2) If the Superintendent of Banks becomes satisfied that it may safely be done and that it would be in the public interest, he may, in his discretion, terminate the conservatorship and permit such bank to resume the transaction of its business, subject to such terms, conditions, restrictions and limitations as he may prescribe.

(3) While any bank for which the Superintendent of Banks has appointed a conservator is in the hands of such conservator, the Superintendent of Banks may require the conservator to set aside and make available for withdrawal by depositors and payment to other creditors on a ratable basis such amounts as in the opinion of the Superintendent of Banks may safely be used for this purpose; and the Superintendent of Banks may, in his discretion, permit the conservator to receive deposits; but deposits received while the bank is in the hands of the conservator shall be held as trust funds, and shall not be subject to any limitation as to payment or withdrawal, and such deposits shall be segregated and shall not be used to liquidate any

indebtedness of such bank existing at the time such conservator was appointed for it, or any subsequent indebtedness incurred for the purpose of liquidating any indebtedness of such bank existing at the time such conservator was appointed. Such deposits received while the bank is in the hands of the conservator shall be kept on hand in cash, invested in the direct obligations of the United States government or deposited with the Federal Reserve Bank.

(4) Any bank, including a bank in the possession of the Superintendent of Banks, pursuant to the provisions of section 136 of this act, may be reorganized under a plan which requires the consent.

(a) Of depositors and other creditors or

(b) Of stockholders or

(c) Of both depositors and other creditors and stockholders. Such reorganization shall become effective only,

I. When the Superintendent of Banks shall be satisfied that the plan of reorganization is fair and equitable as to all depositors, other creditors and stockholders and is in the public interest, and shall have approved the plan subject to such conditions, restrictions and limitations as he may prescribe, and

II. When, in any such reorganization, in this paragraph mentioned, after notice thereof satisfactory to the Superintendent of Banks, as the case may be:

(a) Depositors and other creditors of such bank representing at least seventy-five per cent in amount of its total deposits and other liabilities as shown by the books of such bank, or

(b) Stockholders owning at least two-thirds of its outstanding capital stock as shown by the books of such bank, or

(c) Both depositors and other creditors representing at least seventy-five per cent in amount of the total deposits and other liabilities and stockholders owning at least two-thirds of its outstanding capital stock as shown by the books of such bank, have consented in writing to the plan of reorganization; provided, however, that claims of depositors or other creditors which will be satisfied in full under the provisions of the plan of reorganization shall not be included among the total deposits and other liabilities of such bank in determining the seventy-five per cent thereof as above provided. When such reorganization becomes effective, all books, records, and assets of such bank shall be disposed of in accordance with the provisions of the plan and the affairs of such bank shall be conducted by its board of directors in the manner provided by the plan and under the conditions, restrictions and limitations which may have been prescribed by the Superintendent of Banks. In any reorganization which shall have been approved and shall have become effective as provided herein, all depositors and other creditors and stockholders of such bank, whether or not they have consented to such plan of reorganization, shall be fully and in all respects subject to and bound by its provisions, and claims of all depositors and other creditors shall be treated as if they had consented to such plan of reorganization.

(5) After thirty days after the affairs of a bank shall have been turned back to its board of directors by the conservator, either with or without a reorganization as provided in this section, the provisions of paragraph (3) hereof with respect to the segregation of deposits received while it is in the hands of the conservator and with respect to the use of such deposits to liquidate the indebtedness of such bank shall no longer be effective; provided, that before the conservator shall turn back the affairs of the bank to its board of directors, if any deposits have been received since the conservator was appointed, he shall cause to be published in a newspaper published in the city, town or county in which such bank is located, and if no newspaper is published in such city, town or county, in a newspaper to be selected by the Superintendent of Banks published in this State, a notice in form approved by the Superintendent of Banks stating the date on which the affairs of the bank will be returned to its board of directors and that the said provisions of paragraph (3) hereof will not be effective after thirty days after such date; and on the date of the publication of such notice the conservator shall immediately send to every person who is a depositor in such bank under paragraph (3) hereof a copy of such notice by mail addressed to the last known address of such person as shown by the records of the bank, and the conservator shall send similar notice in like manner to every person making deposit in such bank under paragraph (3) hereof after the date of such newspaper publication and before the time when the affairs of the bank are returned to its directors.

(6) No creditor having security for the payment of his claim shall be affected in his right to enforce such security by the provisions of any plan for the reorganization of any such bank. Any plan of reorganization involving the reduction of claims of creditors shall, as to secured creditors, apply to the amounts of their claims against any such bank after collateral has been realized upon.

(7) The Superintendent of Banks is authorized to assess against and collect from such banks as become subject to the provisions of this section their ratable share of the costs incurred in the administration thereof.

Sec. 135d. Notwithstanding any other provision of law, any bank may, with the approval of the Superintendent of Banks and by vote of shareholders owning

a majority of the stock of such bank, upon not less than five days' notice, given by registered mail pursuant to action taken by its board of directors, issue preferred stock in such amount and with such par value as shall be approved by the Superintendent of Banks, and make such amendments to its articles of incorporation as may be necessary for this purpose; but, in the case of any newly organized bank which has not yet issued common stock, the requirement of notice to and vote of shareholders shall not apply. No issue of preferred stock shall be valid until the par value of all stock so issued shall be paid in.

The holders of such preferred stock shall be entitled to cumulative dividends at a rate not exceeding six per centum per annum, but shall not be held individually responsible as such holders for any debts, contracts, or engagements of such bank and shall not be liable for assessments to restore impairments in the capital of such bank as now provided by law with reference to holders of common stock. Notwithstanding any other provision of law, the holders of such preferred stock shall have such voting rights, and such stock shall be subject to retirement in such manner and on such terms and conditions, as may be provided in the articles of incorporation with the approval of the Superintendent of Banks

No dividends shall be declared or paid on common stock until the cumulative dividends on the preferred stock shall have been paid in full; and, if the bank is placed in liquidation or a conservator is appointed therefor, no payments shall be made to the holders of the common stock until the holders of the preferred stock shall have been paid in full the par value of such stock plus all accumulated dividends.

Sec. 135e. If in the opinion of the Superintendent of Banks any bank is in need of funds for capital purposes either in connection with the organization or reorganization of such bank or otherwise, such bank may with the approval of the Superintendent of Banks request the Reconstruction Finance Corporation to subscribe for preferred stock in such bank or to make loans secured by such stock as collateral.

Sec 135f. Subject to the approval of the Superintendent of Banks any bank is authorized, pursuant to the provisions of section 13 of the Federal Reserve Act, as amended, to apply for and receive from the Federal Reserve Bank loans secured by direct obligations of the United States, and to make, execute and deliver to the Federal Reserve Bank a promissory note or notes evidencing such loans, subject to such terms and conditions as may be fixed by the Federal Reserve Bank or the Federal Reserve Board.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 3 Nothing in this act contained shall be construed to limit, modify or in any way affect any powers now vested in the Superintendent of Banks under the terms of the Bank Act.

SEC. 4. This act is hereby declared to be an urgency measure, within the meaning of section 1 of Article IV of the Constitution, necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately.

AMENDMENT NUMBER THREE.

In line 1 of the title of the printed bill, after the figures "135b", insert "135c, 135d, 135e and 135f".

AMENDMENT NUMBER FOUR.

In line 2 of the title of the printed bill, after the word "bank", strike out the period, and insert "and declaring the urgency therefor, and that the same shall take effect immediately".

The facts constituting such necessity are as follows: There exist throughout the United States economic conditions which have engendered financial disturbances requiring the immediate effective enactment of legislation protecting the depositors in financial institutions subject to the laws of this State. It is essential to the preservation of the public peace, health and safety that the financial institutions of this State be afforded an opportunity for the orderly payment of moneys due depositors and other creditors. This act will aid materially in accomplishing this necessary result.

WILLIAMSON,
FEIGENBAUM,
CROWLEY,
Assembly Committee on Free Conference.

SWING,
McKINLEY,
INMAN,
Senate Committee on Free Conference.

The question being on the adoption of the report of the Committee on Free Conference.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Williamson asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Assembly Bill No. 2319, at this time.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Williamson:

Resolved, That Assembly Bill No. 2319 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—69.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2319.

The above reported bill ordered to enrollment.

MOTION.

Mr. Williamson moved that the Chief Clerk be instructed to have a rush order placed on the printing of Assembly Bill No. 2319.

Motion carried.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1263—An act to repeal section 842 of the Code of Civil Procedure, relating to the practice of law in justice's courts.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1263 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 362—An act to amend section 1 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting

the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, relating to the scope of the act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 362 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 200—An act to repeal section 710, as added by Chapter 263, Statutes of 1903 and as amended by Chapter 634, Statutes of 1929, of the Code of Civil Procedure and to add a new section to be numbered 709a to the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During the reading of the bill, the following amendments were submitted by Mr. Crist:

AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed bill, as amended, after the word "with", insert the following: "the State department, board, commission or officer thereof, from which money, wages or salary is owing to the judgment debtor in such action and at the same time with".

AMENDMENT NUMBER TWO.

On page 1, line 24, of the printed bill, as amended, after the word "money", insert a comma and the following: "wages or salary".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 894—An act to require security for the payment of wages of persons engaged in the mining industry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 894 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Rogers, Ross, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—60.

NOES—Cassidy, Fisher, Hoffman, Roland and Stannard—5.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Fisher gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 894 was this day passed.

Assembly Bill No. 1867—An act to repeal section 16x6 of the Weights and Measures Act and to add a new section thereto, to be numbered 16x6, relating to the sealer of weights and measures in counties of the sixth class.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1867 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1137—An act to amend section 4264 of the Political Code, relating to the compensation of county and township officers in counties of the thirty-fifth class.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1137 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1011—An act to amend sections 2 and 5 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the office of State Fire Marshal.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1011 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1940—An act to amend sections 4255 and 4255a of the Political Code, relating to the salaries and fees of county officers in counties of the twenty-sixth class.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1940 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1942—An act to amend section 16x26 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the twenty-sixth class.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1942 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1941—An act to amend section 19x26 of the Juvenile Court Law, relating to the probation officer in counties of the twenty-sixth class.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1941 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1943—An act to amend section 2322x26 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-sixth class.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1943 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 2323—An act to prohibit the issuance of any media of exchange for circulation as money unless with and upon the approval of a duly constituted State or national authority, and to declare the urgency hereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2323 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 41—An act to amend section 737dd of the Political Code, relating to the annual salary of judges of the superior court in and for the county of Orange.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Craig moved that Assembly Bill No 41 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 41 to the Committee on Ways and Means.

Motion carried.

Assembly Bill No. 41 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 253—An act to amend section 8 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being con-

cealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917," approved June 13, 1923.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Dempster moved that Assembly Bill No. 253 be withdrawn from the file, and ordered re-referred to Committee on Crime Problems.

The question being on re-referring Assembly Bill No. 253 to Committee on Crime Problems.

Motion carried.

Assembly Bill No 253 ordered re-referred to Committee on Crime Problems.

Assembly Bill No. 254—An act to amend section 3 of an act entitled "An act regulating the sale, offering for sale, possession or transportation of machine rifles, machine guns and submachine guns, and providing a penalty for the violation thereof," approved May 16, 1927.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Dempster moved that Assembly Bill No. 254 be withdrawn from the file, and ordered re-referred to Committee on Crime Problems.

The question being on re-referring Assembly Bill No. 254 to the Committee on Crime Problems.

Motion carried.

Assembly Bill No. 254 ordered re-referred to Committee on Crime Problems.

Assembly Bill No 1254—An act to add a new section to the Fish and Game Code, to be numbered 488.5, relating to fish hatcheries.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1254 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1750—An act to add a new section to the Fish and Game Code, to be numbered 738.5, relating to smelt.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1750 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 457—An act to amend sections 698, 702, 705, 708 and 711 of the Fish and Game Code, relating to fish.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 457 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1200—An act to repeal sections 1120 to 1140 inclusive of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1200 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1526—An act to amend section 379 of the Fish and Game Code, relating to Federal preserves.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1526 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1259—An act to add a new section to the Fish and Game Code, to be numbered 492.5, relating to shipment of game fish.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1259 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1363—An act to add section 21.5 to the Fish and Game Code, relating to suits against officers and deputies.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1363 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1256—An act to amend section 1230 of the Fish and Game Code, and to add a new section to the Fish and Game Code to be numbered 1340 5, relating to predatory mammals and rodents.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1256 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 393—An act to add a new section to the Penal Code to be numbered 904a, relating to grand juries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 393 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 22—An act to amend section 1322 of the Penal Code, relating to husband and wife.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 22 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 511—An act to add two new sections to the Penal Code to be numbered 969c and 1158a, relating to defendants armed with weapons at the time of the commission of the offense or at the time of arrest and providing a procedure for charging that defendants were so armed and for determining the truth of the charge.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 511 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 622—An act to add a new section to the Civil Code to be numbered 85, relating to legitimacy.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 622 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 629—An act to amend sections 780 and 782 of the Probate Code, relating to sales of real property by executors and administrators.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 629 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 635—An act to amend section 21 of the Probate Code, relating to the disposition of community property by will.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Robinson, C. Ray:

AMENDMENT NUMBER ONE.

On page 1, strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 21, 228, 229, 440, 463, 578, 702, 715, 932, 1010, 1020, 1120, 1125, 1126, 1200, 1201, 1531 and 1537 of the Probate Code, to add sections 718.5, 930.5, 1020.5, 1026, 1127, 1241, 1556.5 and 1632 thereto, and to repeal sections 965, 966, 1969 and 1970 of the Code of Civil Procedure and section 672 of the Civil Code, all relating to probate, including the custody, disposal by will, succession, administration and distribution of estates of decedents, and the custody and administration of estates of persons under guardianship."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after line 7, insert the following:

"SEC. 2. Section 228 of the Probate Code is hereby amended to read as follows:

228. If the decedent leaves neither spouse nor issue, and the estate or any portion thereof was community property of the decedent and a previously deceased spouse, and came to the decedent as the survivor of the community or as the survivor of a joint tenancy in which such community property had been placed, such property goes in equal shares to the children of the deceased spouse and to their descendants by right of representation, and if none, then one-half of such community property goes to the parents of the decedent in equal shares or if either is dead to the survivor, or if both are dead in equal shares to the brothers and sisters of the decedent

and to their descendants by right of representation, and the other half goes to the parents of the deceased spouse in equal shares, or if either is dead to the survivor, or if both are dead in equal shares to the brothers and sisters of such deceased spouse and to their descendants by right of representation.

SEC. 3. Section 229 of the Probate Code is hereby amended to read as follows:

229. If the decedent leaves neither spouse nor issue, and the estate or any portion thereof was separate property of a previously deceased spouse, and came to the decedent from such spouse by gift, descent, devise or bequest, or as the survivor of a joint tenancy in which such separate property had been placed, such property goes in equal shares to the children of the deceased spouse and to their descendants by right of representation, and if none, then to the parents of the deceased spouse in equal shares, or if either is dead to the survivor, or if both are dead in equal shares to the brothers and sisters of the deceased spouse and to their descendants by right of representation.

SEC. 4. Section 440 of the Probate Code is hereby amended to read as follows:

440. A petition for letters of administration must be in writing, signed by the applicant or his counsel, and filed with the clerk of the court, and must state:

(1) The jurisdictional facts;

(2) The names, ages and post-office addresses of the heirs of the decedent, so far as known to the applicant;

(3) The character and estimated value of the property of the estate.

No defect of form or in the statement of jurisdictional facts actually existing shall make void an order appointing an administrator or any of the subsequent proceedings.

SEC. 5. Section 463 of the Probate Code is hereby amended to read as follows:

463. The special administrator must take possession of all of the real and personal property of the decedent, and preserve it from damage, waste and injury, and must collect all claims, rents and other income belonging to the estate; and for any such purpose may commence and maintain or defend suits and other legal proceedings as such administrator. He may sell perishable property and exercise such other powers as are conferred upon him by his appointment, but, except when the powers, duties and obligations of a general administrator are conferred upon him as hereinafter provided, he is not liable to an action by any creditor on a claim against the decedent. He may obtain leave to borrow money, or to lease or mortgage or execute a deed of trust upon real property, in the same manner as a general administrator.

SEC. 6. Section 578 of the Probate Code is hereby amended to read as follows:

578. If a debtor of the decedent is unable to pay all his debts, the executor or administrator, with the approval of the court, may compound with him and give him a discharge, upon receiving a fair and just dividend of his effects. A compromise may also be authorized by the court when it appears to be just and for the best interest of the estate. To obtain such approval or authorization, the executor or administrator shall file a petition with the clerk showing the advantage of the settlement or compromise. The clerk shall set the petition for hearing by the court and notice thereof shall be given for the period and in the manner required by section 1200 of this code.

SEC. 7. Section 702 of the Probate Code is hereby amended to read as follows:

702. An affidavit showing due publication of the notice must be filed with the clerk within thirty days after the completion of the publication. The affidavit shall contain a copy of the notice and shall state the date of its first publication. Final distribution shall not be decreed unless it is shown that notice to creditors has been duly given. If the affidavit is not filed until after such thirty-day period, the time to file or present claims shall be extended for a period equal to the period of default in such filing.

SEC. 8. Section 715 of the Probate Code is hereby amended to read as follows:

715. The time during which there is a vacancy in the administration is not included in any limitation prescribed in section 714 of this code for bringing suit upon a rejected claim.

SEC 9. A new section is hereby added to the Probate Code to be numbered 718.5, and to read as follows:

718.5 After the lapse of sixty days from the issuance of letters testamentary or of administration, the executor or administrator, with the approval of the court, may compromise any claim against the estate or any suit brought against the executor or administrator as such, by the transfer of specific assets of the estate, or otherwise. To obtain such approval, the executor or administrator shall file a petition with the clerk showing the advantage of the compromise. The clerk shall set the petition for hearing by the court and notice thereof shall be given for the period and in the manner required by section 1200 of this code. If under this section the court authorizes the transfer of real property of the estate, conveyances shall be executed by the executor or administrator in the same manner as provided in section 786 of this code and such conveyances shall have the same force and effect as conveyances executed pursuant to that section.

SEC. 10. A new section is hereby added to the Probate Code to be numbered 930.5, and to read as follows:

930.5. The executor or administrator shall be allowed the cost of his bond, not exceeding one-half of one per cent of the amount of the bond for each year it remains in force.

SEC. 11. Section 932 of the Probate Code is hereby amended to read as follows:

932. If the executor or administrator dies or becomes incompetent, his accounts may be presented by his personal representative or guardian to, and settled by, the court in which the estate of which he was executor or administrator is being administered, and, upon petition of the successor of such deceased or incompetent executor or administrator, such court shall compel the personal representative or guardian of the deceased or incompetent executor or administrator to render an account of the administration of his testator or intestate, and must settle such account as in other cases.

SEC. 12. Section 1010 of the Probate Code is hereby amended to read as follows:

1010. When the time for filing or presenting claims has expired, and all uncontested claims have been paid, or are sufficiently secured by mortgage, but the estate is not in a condition to be finally closed and distributed, the executor or administrator may petition the court for a ratable payment of the legacies, or ratable distribution of the estate, to the heirs, devisees or legatees, or their assignees, grantees or successors in interest, or, where there are priorities, to those of the class or classes having priority; or, if the decedent was a nonresident and left a will which has been duly proved or allowed in the State of his residence, and an authenticated copy thereof has been admitted to probate in this State, or if he died intestate and an administrator has been duly appointed and qualified in the State of his residence, and it is necessary, in order that the estate or any part thereof may be distributed according to the will, or it is for the best interests of the estate, that any part of the estate in this State should be delivered to the executor or administrator in the State of the decedent's residence, the executor or administrator may petition the court for an order authorizing the delivery of such portion of the estate as the court shall deem safe and proper and for the best interests of the estate, to the executor or administrator in the State of the decedent's residence. The clerk shall set the petition for hearing by the court and give notice thereof for the period and in the manner required by section 1200 of this code. Any person interested in the estate or any coexecutor or coadministrator may resist the application.

SEC 13. Section 1020 of the Probate Code is hereby amended to read as follows:

1020. Immediately upon the final settlement of the accounts of the executor or administrator, or at any subsequent time, upon the application of the executor or administrator, or of any heir, devisee or legatee, or his assignee, grantee or successor in interest, and after notice given for the period and in the manner required by section 1200 of this code, the court must proceed to distribute the residue of the estate among the persons entitled thereto Any person interested in the estate or any coexecutor or coadministrator may resist the application.

SEC. 14. A new section is hereby added to the Probate Code, to be numbered 1020.5 and to read as follows:

1020 5. A statement of any receipts and disbursements of the executor or administrator since the rendition of his final account must be reported and filed at the time of making such distribution; and a settlement thereof, together with an estimate of the expenses of closing the estate, must be made by the court and included in the order or decree, or the court or judge may order notice to be given of the settlement of such supplementary account as in other cases of the settlement of accounts.

SEC 15. A new section is hereby added to the Probate Code to be numbered 1026, and to read as follows:

1026. A nonresident alien who becomes entitled to property by succession must appear and demand the property within five years from the time of succession; otherwise, his rights are barred and the property shall be disposed of as escheated property

SEC 16. Section 1120 of the Probate Code is hereby amended to read as follows:

1120. When a trust created by a will continues after distribution, the superior court shall not lose jurisdiction of the estate by final distribution, but shall retain jurisdiction for the purpose of determining to whom the property shall pass and be delivered upon final or partial termination of the trust, to the extent that such determination is not concluded by the decree of distribution, of settling the accounts and passing upon the acts of the trustee and for the other purposes hereinafter set forth. Any trustee appointed by will, or appointed to execute a trust created by will, may, from time to time pending the execution of his trust, or at the termination thereof, render for settlement his accounts and report his acts as such trustee, before the superior court in which the will was probated. For that purpose, the trustee, or, in case of his death, his legal representatives, shall present to the court his verified account and report, setting forth his accounts in detail, reporting his acts as trustee, and showing the condition of the trust estate, and giving the names and post-office addresses, if known, of the beneficiaries. The trustee may also petition such court, from time to time, for instructions as to the administration of

the trust. The clerk shall set the account and report or petition for settlement or hearing by the court and give notice thereof for the period and in the manner required by section 1200 of this code. The trustee shall cause notice of the hearing to be mailed to the beneficiaries at their last known addresses, as provided in said section 1200, whether they have requested special notice or given notice of appearance or not.

SEC. 17. Section 1125 of the Probate Code is hereby amended to read as follows:

1125. The court in which the administration is pending shall have power, at any time before final distribution, to appoint some fit and proper person to fill any vacancy in the office of trustee under the will, whether resulting from such declination, removal, or otherwise, if such appointment is necessary to carry out the trust. Such appointment may be made by the court upon the written application of any person interested in the trust, filed in the probate proceedings, and shall be made only after notice to all parties interested in the trust, given as required upon a petition for the probate of a will.

SEC. 18. Section 1126 of the Probate Code is hereby amended to read as follows.

1126. If a trustee of a testamentary trust dies, resigns or is removed after distribution, and a vacancy in the trusteeship is created thereby, the court which had jurisdiction over the settlement of his accounts shall have the power to appoint a new trustee to fill the vacancy, upon the petition of anyone interested in the trust estate and notice given for the period and in the manner required by section 1200 of this code. The petitioner shall cause notice of the hearing to be mailed to the beneficiaries at their last known addresses, as provided in said section 1200, whether they have requested special notice or given notice of appearance or not.

SEC. 19. A new section is hereby added to the Probate Code to be numbered 1127, and to read as follows:

1127. The person appointed under section 1125 or section 1126 of this code, before acting as trustee, shall give a bond such as is required of a person appointed administrator.

SEC. 20. Section 1200 of the Probate Code is hereby amended to read as follows:

1200. Upon the filing of a petition under section 641 or section 642 of this code for the setting aside of an estate not exceeding two thousand five hundred dollars in value, or of a petition to set apart a homestead or exempt property, or of a petition relating to the family allowance filed after the return of the inventory, or of a petition for leave to settle or compromise a claim against a debtor of the decedent or a claim against the estate or a suit against the executor or administrator as such, or of a petition for the sale of stocks or bonds, or of a petition for confirmation of a sale, or of a petition for leave to sell or give an option to purchase a mining claim or real property worked as a mine, or of a petition for leave to execute a promissory note or mortgage or deed of trust or give other security, or of a petition for leave to lease or to exchange property, or to institute an action for the partition of property, or of a petition for an order authorizing or directing the investment of money, or of a report of appraisers concerning a homestead, or of an account of an executor or administrator or trustee, or of a petition for partial or ratable or final distribution, or of a petition for the delivery of the estate of a nonresident, or of a petition for determination of heirship or interests in an estate, or of a petition of a trustee for instructions, or of a petition for the appointment of a trustee after distribution, and in all cases in which notice is required and no other time or method is prescribed by law or by the court or judge, the clerk shall set the same for hearing by the court and shall give notice of the petition or application or report or account by causing a notice to be posted at the courthouse of the county where the proceedings are pending, at least ten days before the day of hearing, giving the name of the estate, the name of the petitioner and the nature of the application, referring to the petition for further particulars, and notifying all persons interested to appear at the time and place mentioned in the notice and show cause, if any they have, why the order should not be made. Within two days after the filing of such petition, account or report, the petitioner or person filing the account or desiring the confirmation of a report of appraisers must cause a copy of the notice to be mailed to the executor or administrator, when he is not the petitioner, to any coexecutor or coadministrator not petitioning, and to all persons (or to their attorneys, if they have appeared by attorney), who have requested notice or who have given notice of appearance in the estate in person or by attorney, as heir, devisee, legatee or creditor, or as otherwise interested, addressed to them at their respective post-office addresses given in their requests for special notice, if any, otherwise at their respective offices or places of residence, if known, and if not, at the county seat of the county where the proceedings are pending, or to be personally served upon such person. Proof of the giving of notice must be made at the hearing; and if it appears to the satisfaction of the court that said notice has been regularly given, the court shall so find in its order, and such order, when it becomes final, shall be conclusive upon all persons.

SEC. 21. Section 1201 of the Probate Code is hereby amended to read as follows:

1201. In the case of a petition for leave to sell, or to give an option to purchase, a mining claim or real property worked as a mine, the clerk shall also cause such notice of the application to be published in a newspaper of general circulation in

the county. If the notice is published in a weekly newspaper, it must appear therein on at least two different days of publication and the first publication must be at least ten days before the hearing; if in a newspaper published oftener, there must be at least ten days from the first to the last day of publication, both days included.

SEC. 22. A new section is hereby added to the Probate Code to be numbered 1241, and to read as follows:

1241. When an order appointing an executor or administrator is reversed on appeal for error, and not for want of jurisdiction of the court, all lawful acts in administration upon the estate theretofore performed by such executor or administrator after he has qualified are as valid as though the order were affirmed.

SEC. 23. Section 1531 of the Probate Code is hereby amended to read as follows:

1531. When it will benefit a ward to sell any of his real or personal property and to put out the proceeds at interest or invest the same in some productive stock or bonds, or in the improvement or security of any other real property of the ward, his guardian may sell the same for that purpose, subject to confirmation by the court as hereinafter provided. The order confirming the sale, or authorizing the sale of stocks or bonds, must specify the particular disposition to be made of the proceeds, or it may direct the deposit of the whole or any portion thereof in a savings account with one or more banks, in which case the money so deposited may be invested from time to time under further directions of the court.

SEC. 24. Section 1537 of the Probate Code is hereby amended to read as follows:

1537. When an incompetent ward is bound by a contract in writing to convey any real property, executed by him while competent, or executed by his predecessor in interest, or when a minor ward has succeeded to the interest of a person bound by a contract in writing to convey any real property, the court may authorize and direct the guardian of his estate to convey the property to the person entitled thereto. The proceedings to obtain such an order and the proceedings thereunder must conform, as nearly as may be, to the provisions of this code concerning conveyances by administrators of property contracted to be sold by their decedents.

SEC. 25. A new section is hereby added to the Probate Code to be numbered 1556.5, and to read as follows:

1556.5. The guardian shall be allowed the cost of his bond, not exceeding one-half of one per cent of the amount of the bond for each year it remains in force.

SEC. 26. A new section is hereby added to the Probate Code to be numbered 1632, and to read as follows:

1632. When an order appointing a guardian is reversed on appeal for error, and not for want of jurisdiction of the court, all lawful acts in relation to the guardianship theretofore performed by such guardian after he has qualified are as valid as though the order were affirmed.

SEC. 27. Sections 965, 966, 1969 and 1970 of the Code of Civil Procedure and section 672 of the Civil Code are hereby repealed."

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 817—An act to amend section 28 of The General Cemetery Act, relating to the extension of time for the disinterment and removal of bodies from cemeteries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 817 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Hallner, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—62

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2049—An act to declare a moratorium on foreclosure of mortgages; prohibiting the sale under provision of a mortgage or deed of trust; and prohibiting the bringing of any action for the

collection of any debt or the interest thereon for which a mortgage or deed of trust has been given as security.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Dempster moved that Assembly Bill No. 2049 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 2049 to Committee on Judiciary.

Assembly Bill No. 2049 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1617—An act to add a new section to be numbered 5a to "The California Air Navigation Act," approved June 18, 1929, relating to the requiring of a certificate of authority.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1617 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Cronin moved that Assembly Bills Nos. 623, 628, 630, 633, 637, 638, 639, 621, 626, 627, 631, 632, 634, 624, 625 and 636 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bills Nos. 623, 628, 630, 633, 637, 638, 639, 621, 626, 627, 631, 632, 634, 624, 625 and 636 to Committee on Judiciary.

Motion carried.

Assembly Bills Nos. 623, 628, 630, 633, 637, 638, 639, 621, 626, 627, 631, 632, 634, 624, 625 and 636 ordered re-referred to Committee on Judiciary.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At twelve o'clock and fifteen minutes p.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

Assembly Bill No. 1359—An act to amend section 588c of the Penal Code, relating to the injury, defacement or removal of monuments or stakes placed, erected or used by the Department of Public Works, its officers or employees, on or along any State road or highway, or in connection with State road or highway work, and prescribing a penalty for the violation of such section.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1359 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine and Wright—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1358—An act to add a new section to the Political Code to be numbered 363ee, authorizing the closing of State highways during storms or during construction and maintenance operations, and to repeal section 588b of the Penal Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1358 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright and Zion—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 704—An act to amend section 71 of the Public Utilities Act, relating to reparation to be made for excessive or unreasonable charges by a public utility.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Morgan moved that Assembly Bill No. 704 be withdrawn from the file, and ordered re-referred to Committee on Public Utilities.

The question being on re-referring Assembly Bill No. 704 to Committee on Public Utilities.

Motion carried.

Assembly Bill No 704 ordered re-referred to Committee on Public Utilities.

MOTION TO RE-REFER.

Mr. Powers moved that Assembly Bill No. 2048 be withdrawn from Committee on Unemployment, and ordered re-referred to Committee on Labor and Capital.

The question being on re-referring Assembly Bill No. 2048 to Committee on Labor and Capital.

Motion carried.

Assembly Bill No. 2048 ordered re-referred to Committee on Labor and Capital.

MOTION TO RE-REFER.

Mr. Crowley moved that Assembly Bill No. 245 be withdrawn from Committee on Public Health and Quarantine, and ordered re-referred to Committee on Medical and Dental Laws.

The question being on re-referring Assembly Bill No. 245 to Committee on Medical and Dental Laws.

Motion carried.

Assembly Bill No. 245 ordered re-referred to Committee on Medical and Dental Laws.

MOTION TO RE-REFER.

Mr. Cassidy moved that Assembly Bill No. 1173 be withdrawn from Committee on Public Health and Quarantine, and ordered re-referred to Committee on Agriculture.

The question being on re-referring Assembly Bill No. 1173 to Committee on Agriculture.

Motion carried.

Assembly Bill No. 1173 ordered re-referred to Committee on Agriculture.

REQUEST FOR UNANIMOUS CONSENT.

Mr Maloney asked for, and was granted, unanimous consent to have Rule 75 suspended for the purpose of considering Assembly Bill No. 1115 at this time

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FIFTEEN.

Assembly Bill No. 1115—An act to encourage agriculture and the breeding of live stock and to create a market for said live stock in the State of California and to provide for regulating and licensing horse racing and horse race meetings and the wagering on the results thereof in the State of California, creating a State Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon: to legalize the pari-mutuel or mutual method of wagering on horse races; to provide penalties for the violation of the provisions of this act and repealing all acts or parts of acts in conflict therewith.

Bill read third time.

The question being on the passage of the bill

SPECIAL ORDER SET.

On motion of Mr. Robinson, C. Ray, the consideration of Assembly Bill No. 1115 was made a special order for Wednesday, March 15, at ten o'clock and thirty minutes a.m.

Assembly Bill No. 1177—An act to add a new section to the Agricultural Code, to be numbered 830 5, relating to the transportation of fruits, nuts and vegetables.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1177 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones,

Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine and Zion—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

THE SPEAKER IN THE CHAIR.

At twelve o'clock and fifty minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced:

By Mr. Woolwine: Assembly Concurrent Resolution No. 39—Relative to the influx of foreign labor in the portion of the State devastated by the earthquake in March, 1933.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Woolwine asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 39, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER THIRTY-NINE.

Assembly Concurrent Resolution No. 39—Relative to the influx of foreign labor in the portion of the State devastated by the earthquake in March, 1933.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 39 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—71.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 39 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 39.

Relative to the influx of foreign labor in the portion of the State devastated by the earthquake in March, 1933.

WHEREAS, An earthquake has occurred in the southern portion of this State; and

WHEREAS, This disaster has caused destruction and damage to a considerable portion of property in the earthquake area; and

WHEREAS, An influx of labor from outside of our State is imminent; and

WHEREAS, Such an influx of foreign labor is unnecessary due to the adequate supply of labor already resident in California; and

WHEREAS, Unless some steps are taken by the State of California to prevent this influx it will further aggravate our already serious unemployment condition; now, therefore, be it

Resolved by the Assembly of the State of California, That the Governor be and he is hereby urged to use every lawful means to discourage and prevent this influx of foreign labor to the end that the citizens of California shall have every opportunity for employment in the reconstruction and rehabilitation of the stricken area.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1933.

MR SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the application for the position of Assistant Engrossing and Enrolling Clerk of the Assembly, and desires to submit the following resolution:

Resolved, That the following named person be and he is hereby appointed to the position hereafter set forth, as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the person for the said amount, and the Treasurer is hereby directed to pay the same.

	Per day
Commencing Monday, March 13, 1933.	(Sundays excepted)
Frank M. Jordan, Assistant Engrossing and Enrolling Clerk	$5 00

CRAIG, Chairman.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—70.

NOES—None.

ON ELECTIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1933.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 20—An act to amend section 23 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22 23, and 24 of said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended;

Also: Assembly Bill No. 420—An act adding a new section to be designated section 1149½ to the Political Code, and amending section 1150 of the Political Code, relating to the index to the book of affidavits of registration, and the designation thereon of persons who have voted;

Also: Assembly Bill No. 421—An act to amend section 13 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, relating to the time for preparing and mailing sample ballots;

Also: Assembly Bill No. 1937—An act to amend section 1197 of the Political Code, relating to election ballots;

Also: Assembly Bill No. 2007—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ALTER, Chairman

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 1433—An act to amend section 1115 of the Political Code to provide for the printing of the index to registration of affidavits—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ALTER, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1353—An act to add sections 363r, 363s, 363t, 363u, 363v, 363w, 363x, 363y, 363aa and 363bb to the Political Code, to amend sections 363h of the Political Code, and to repeal sections 365, 365a, 365b, 365c, 365d, 365e, 365f, and 365m, all relating to State roads and highways, and the powers and duties of the Director of Public Works, Department of Public Works, and California Highway Commission in respect thereto—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GREENE, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1127—An act to amend an act entitled "An act to require the Director of the Department of Natural Resources to register and mark buildings of historical interest or landmarks," approved April 24, 1931, by amending the title thereof and by amending section 2 and by adding a new section to be numbered section e—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GREENE, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1355—An act to amend sections 587 and 1515 of the Probate Code, relating to the dedication of real property by executors, administrators and guardians—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GREENE, Chairman

The above reported bill ordered on file for second reading

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1933

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1809—An act to regulate the practice of dentistry and the education of dentists, to license dentists and dental hygienists, to provide for a State Board of Dental Examiners, and to provide for a fund for the fees and other moneys collected under this act and for the enforcement of the provisions of this act, and to provide penalties for the violation hereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 282—An act to amend sections 10, 11, 12, and 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of

dentistry and the power of the Dental Board—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 283—An act to amend sections 6 and 14 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry and the power of the Dental Board—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 14, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 609—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 612—An act confirming and validating the formation, organization and existence of reclamation districts;

Also: Assembly Bill No. 617—An act confirming and validating the formation, organization and existence of irrigation districts.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 133—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act;

Also: Senate Bill No. 828—An act to amend sections 4 200, 4.210 and 4.786 of the School Code, to repeal Article III of Chapter II of Part II of Division IV of said code, embracing sections 4.180 and 4.181, and to repeal sections 4 773, 4.782, 5.137, 5.470 and 5.471 of said code, relating to supervisors and the county elementary school supervision fund.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 133 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 828 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1063—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, by amending section 27b, relating to the deposit in banks of moneys of irrigation districts organized or existing under said act—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.

The above reported bill ordered referred to Committee on Irrigation.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON IRRIGATION

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1933.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 1063, as amended by the Senate March 9, 1933—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, by amending section 27b, relating to the deposit in banks of moneys of irrigation districts organized or existing under said act—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendment.

FRAZIER, Chairman.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1063?

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after the comma after the word "State", insert the following: "and such bank or banks are authorized to accept such deposits and to give security for the same as herein provided".

The roll was called, and Senate amendment to Assembly Bill No. 1063 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—70.

NOES—None.

The above reported bill ordered to enrollment.

MOTION.

Mr. Robinson, C. Ray, moved that the Journals of Friday, March 3, 1933; Saturday, March 4, 1933; Monday, March 6, 1933; be approved as corrected by the Minute Clerk.

Motion carried.

MOTION.

On motion of Mr. Fisher, the Chief Clerk of the Assembly was instructed to have 500 copies of Assembly Bill No. 2327 printed.

EXPLANATION OF VOTE.

In the Assembly Journal report of March 13, third reading of Assembly Bill No. 1838, on page 31, I voted "yes" and was not registered; also on the same date, on the vote for passage of Assembly Bill No 1869, I voted "yes" and was not registered. Kindly correct same.

Yours truly,

AUSTIN L. TOURNOUX.

ADJOURNMENT.

At one o'clock and ten minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, March 15, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, March 15, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr. Frazier, Mr. O'Donnell was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Thorp, Mr. Leroy Nichols, principal, and Miss Kathryn Taylor, teacher, of the Lodi Union High School, and the members of the California Scholarship Society from that school were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Thorp, Miss Marcella Thorp of Lockeford was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Chatters, Sheriff W. V. Buckner of Hanford, Kings County, newly elected president California State Sheriffs Association, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Peterson, Col. C. N. Kirkbride and Mr. E. P. Wilsey of San Mateo, California, were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Fort Bragg Unemployed Council, requesting passage of Assembly Bill No 1910.

(Signed) E. ERICKSON, Chairman.

Also:

By Mr. Speaker:

From Josephine Delano, Visalia, California, and 19 petitioners, favoring present Cosmetology Law and Board.

Also:
By Mr. Speaker:

From Zonta Club of Riverside, California, favoring present Cosmetology Law and Board.
(Signed) EVA E. CAMPBELL, President.

Also:
By Mr. Speaker:

From Woman's Auxiliary of the Disabled American Veterans of the World War, Unit No. 33, recommending amending of Veterans' Welfare Act.
(Signed) DOROTHY D. EBERHARD, Commander.

Also:
By Mr. Speaker:

From Woman's Auxiliary of the Disabled American Veterans of the World War, Unit No. 18, recommending amending of Veterans' Welfare Act.
(Signed) MRS. MAY McDONALD, Commander.

Also:
By Mr. Speaker:

From The Chirotonsors Science Fraternity, Los Angeles, urging retaining of State Barber License Law in its present form.
(Signed) ALVIN L. HOLT, Chairman.

Also:
By Mr. Speaker:

From United Church Brotherhood, Los Angeles, urging that State Social Welfare Department be not discontinued.
(Signed) H. L. HERBERTS, Secretary.

By Mr. Gilmore:

From Bernal Boosters, San Francisco, opposing Senate Bill No. 1010 and Assembly Bill No. 345, relative to abolishing State Narcotic Department.
(Signed) D. M. DICKSON, President.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1353—An act to add sections 363r, 363s, 363t, 363u, 363v, 363w, 363x, 363y, 363z, 363aa and 363bb to the Political Code, to amend section 363h of the Political Code, and to repeal sections 365, 365a, 365b, 365c, 365d, 365e, 365f, and 365m, all relating to State roads and highways, and the powers and duties of the Director of Public Works, Department of Public Works, and California Highway Commission in respect thereto;

Also: Assembly Bill No. 1809—An act to regulate the practice of dentistry and the education of dentists, to license dentists and dental hygienists, to provide for a State Board of Dental Examiners, and to provide for a fund for the fees and other moneys collected under this act and for the enforcement of the provisions of this act, and to provide penalties for the violation hereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 858—An act to amend sections 11, 12 and 13 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to reciprocity, service of notice and process, and penalties;

Also: Assembly Bill No. 859—An act to amend section 1b of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to fees;
Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered placed on daily calendar.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 16—An act to amend section 11 of an act entitled, "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to refunds of the tax therein authorized;

Also: Assembly Bill No. 129—An act to repeal an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893, Statutes of 1893, page 33, as amended, with provision that any bonds issued under the provisions of said act shall not be affected by said repeal;

Also: Assembly Bill No. 131—An act to repeal an act entitled "The Local Improvement Act of 1901," approved February 26, 1901, Statutes of 1901, page 34, as amended, with the provision that said repeal shall not apply to existing proceedings under said act;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 136—An act to repeal an act entitled "An act to provide for the establishment and change of grade of public highways, streets, public ways and other public property and rights of way, in whole or in part, including property over which possession and right of use have been obtained under the provisions of section 14 of Article I of the Constitution of the State of California, whether the same are situated within the limits of a municipality or whether such public ways or property are in part within the limits of one or more municipalities, or extend from one municipality into another municipality, or from one or more municipalities into or through unincorporated territory, or in whole or in part form the boundary between adjoining municipalities or between a municipality and adjacent unincorporated territory; and providing for work in and upon the same together with any and all appurtenances and appurtenant work; and providing for assessing the whole or any portion of the costs and expenses thereof upon private property and for the issuance and payment of improvement bonds to represent certain assessments for the costs thereof; and providing for the effect of and the enforcement of such bonds," approved April 21, 1911, Statutes of 1911, page 1018, as amended, with provision that said repeal shall not apply to existing proceedings under said act;

Also: Assembly Bill No. 228—An act to repeal "An act to provide for the planting, maintenance and care of shade trees upon streets, lanes, alleys, courts and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits," approved March 11, 1893;

Also: Assembly Bill No. 229—An act to repeal the "Tree Planting Act of 1915";

Also: Assembly Bill No. 230—An act to repeal the "Tree Planting Act of 1913";

Also: Assembly Bill No. 231—An act to repeal "An act to provide for the laying out, opening, extending, widening, straightening, diverting, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities or cities and cities and counties of 40,000 inhabitants or over, and

to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 23, 1893;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 232—An act to repeal "An act empowering the legislative body of any city or municipal corporation to abandon proceedings taken under an act entitled 'An act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby,' approved April 21, 1909, and referred to as the 'Street Improvement Act of 1909,'" approved June 8, 1915;

Also: Assembly Bill No. 739—An act to add section 4½ to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements under the 'Street Opening Act of 1889' and providing for the effect and enforcement of such bonds," approved May 24, 1921, relating to the issuance of bonds;

Also: Assembly Bill No. 740—An act to add section 25½ to an act entitled the "Street Improvement Act of 1913," relating to the issuance of bonds;

Also: Assembly Bill No. 741—An act to add section 4a to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended, relating to the issuance of bonds;

Also: Assembly Bill No 742—An act to add section 5½ to an act entitled the "Grade Separation Act of 1927," relating to the issuance of bonds;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 744—An act to add section 63a to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alley, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the issuance of bonds;

Also Assembly Bill No 1055—An act relating to the formation, organization and proceedings of metropolitan water districts; confirming the formation, organization and existence of such districts; establishing and validating the boundaries thereof; confirming the appointment of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken, confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof and all bonds heretofore authorized or issued by such districts and authorizing such bonds to be sold and delivered; providing for the levy and collection of a tax sufficient to pay the principal and interest of any such bonds; and declaring this act to be an urgency measure;

Also: Assembly Bill No. 1058—An act to amend section 1158 of the Civil Code, relating to recordation of instruments or judgments affecting the title to or possession of real property;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1200—An act to repeal sections 1120 to 1140, inclusive, of the

Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 147—An act to amend section 483 of the Penal Code, relating to the sale of evidences of right of passage on a common carrier to person not entitled to use of same;

Also: Assembly Bill No. 568—An act to repeal sections 6.60, 6.61 and 6.62 of the School Code, to repeal section 3 of Chapter 172 of the Statutes of 1929 entitled "An act creating a Division of Schoolhouse Planning in the State Department of Education, and establishing standards for school sites and the construction and alteration of school buildings," approved April 27, 1929, and to add to the School Code two new sections to be numbered 6.60 and 6.61, relating to contracts for the erection, addition to, or alteration of school buildings;

Also: Assembly Bill No. 1054—An act to amend an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, as amended, by amending section 1, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district or flood control district;

Also: Assembly Bill No. 1062—An act to amend section 574 of the Civil Code, relating to the property which savings and loan corporations are authorized to purchase, hold and convey;

Also: Assembly Bill No. 1065—An act to amend an act entitled "An act providing for the designation of money in the State treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," approved June 10, 1913, as amended, by amending section 1, relating to the investment of surplus money in the State treasury;

And reports that the same have been correctly engrossed

PATTERSON, Chairman

The above reported bills ordered on file for third reading

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1057—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 5, 6, 7, 8, 10, 11 and 13¾, all relating to the powers, government and management of metropolitan water districts, and the exclusion of area therefrom, and declaring same an urgency measure;

Also: Assembly Bill No. 1066—An act to amend sections 671 and 672 of the Political Code, relating to investments to be made by the Director of Finance of school land funds and of estates of deceased persons' funds;

Also: Assembly Bill No. 1067—An act to amend an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911, by amending section 1, relating to the investment of moneys in the sinking funds of counties, cities and counties, incorporated cities and towns;

Also: Assembly Bill No. 1260—An act to amend section 489 of the Fish and Game Code, relating to the taking of fish near spawn-taking stations;

Also: Assembly Bill No. 1343—An act to add a new section to the Political Code, to be numbered 363dd, authorizing the Director of Public Works to enter

into agreements for the construction, maintenance, and use of State highway bridges jointly by the public and private owners;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1360—An act to provide for the care, management and protection of State roads and highways and the right of way thereof and providing penalties for the violation of the provisions thereof, and to repeal an act entitled "An act to provide for the care, management and protection of State highways and providing penalties for violations of the provisions of the act," approved May 20, 1915, Statutes of 1915, Chapter 400, as amended;

Also: Assembly Bill No 1361—An act to amend an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways, providing for the issuance of permits by the State Department of Engineering relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23 1915, as amended;

Also: Assembly Bill No. 1769—An act to amend section 730 of the Fish and Game Code, relating to halibut;

Also: Assembly Bill No. 1102—An act to amend section 594 of the Political Code, defining and classifying insurance, and prescribing capital and other requirements of the various classes and limitations of classes permitted, and also requiring the stock of insurance companies to have a specified par value;
And reports that the same have been correctly engrossed

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2319—An act to add sections 135b, 135c, 135d 135e and 135f to the "Bank Act" defining and regulating the business of banking and declaring the urgency therefor, and that the same shall take effect immediately—and reports that the same has been correctly enrolled and presented the same to the Governor on this fourteenth day of March, 1933, at six o'clock p m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2331—An act making an appropriation to pay the claims for services, subsistence, supplies, transportation and other expenses of the National Guard of California called into service by order of the Governor in the months of March and April, 1933. To take effect immediately—and reports that the same has been correctly enrolled and presented the same to the Governor on this fourteenth day of March, 1933, at eleven o'clock and fifteen minutes p.m.

PATTERSON, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 605—An act to validate the formation, organization and existence of municipal improvement districts;

Also: Assembly Bill No 607—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the principal and interest of such bonds;

Also: Assembly Bill No 614—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any acquisition and improvement district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Assembly Bill No 618—An act to validate proceedings for the annexation, incorporation, and inclusion of territory by municipal corporations;

Also: Assembly Bill No. 619—An act to validate the organization and existence of municipal utility districts;

Also: Assembly Bill No. 1206—An act amending section 6 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, relating to special assessment proceedings;

Also: Assembly Bill No. 1517—An act to amend section 2 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, relating to the annexation of inhabited territory;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

LYON, Chairman.

The above reported bills ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1690—An act to amend sections _____ of an act entitled "An act"—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROBINSON, C RAY, Chairman.

The above reported bill ordered on file for second reading

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 380—An act to amend section 1255a of the Code of Civil Procedure, relating to the abandonment of condemnation proceedings—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 924—An act to amend the title and section 2 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917, as amended.

Also: Assembly Bill No 1060—An act to amend section 453ee of the Civil Code, relating to investments authorized to be made by mortgage insurance companies.

Also: Assembly Bill No. 1380—An act to amend section 429 of the Civil Code, relating to the funds from which corporations formed under the laws of this State having a capital stock and transacting fire, marine or inland navigation insurance business may make dividends;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

CRIST, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1280—An act to amend sections 452a, 452b, 452c, 452d, 452e, 452f, 452g, and 453 of the Civil Code, all relating to mutual benefit and life insurance associa-

tions—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRIST, Chairman.

The above reported bill ordered referred to Committee on Rules.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Rawls: Assembly Joint Resolution No. 24—Relative to memorializing the Congress of the United States to enact a two-year moratorium on foreclosures of real property mortgages and on sales under deed of trust on real property.

Introduced, and referred to Committee on Judiciary.

By Mr. O'Connor: Assembly Constitutional Amendment No. 94—Proposed amendment to Article XI, section 18 of the Constitution, relative to bonded indebtedness.

Introduced, and referred to Committee on Constitutional Amendments.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Gilmore:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 3a to an act entitled "An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and to fix the penalties therefor; and to repeal all conflicting acts or parts of acts", approved June 1, 1927, relating to slaughterers.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add section 3a to an act entitled "An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and to fix the penalties therefor; and to repeal all conflicting acts or parts of acts," approved June 1, 1927, relating to slaughterers.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Morgan, O'Connor, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson Samuel E., Rogers, Ross, Scudder, Stannard,

Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated

By Mr. Gilmore: Assembly Bill No 2332—An act to add section 3a to an act entitled "An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and to fix the penalties therefor; and to repeal all conflicting acts or parts of acts," approved June 1, 1927, relating to slaughterers.

Bill read first time, and referred to Committee on Live Stock and Dairies.

SPECIAL ORDER.

The hour of ten o'clock and thirty minutes a.m. having arrived, the special order heretofore set for this hour was taken up for consideration

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FIFTEEN.

Assembly Bill No. 1115—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Knowland:

AMENDMENT NUMBER ONE.

On page 4, line 17, of the printed bill, as amended in Assembly March 10, 1933, strike out "may", and insert in lieu thereof the following: "shall".

AMENDMENT NUMBER TWO

On page 4 of the printed bill, as amended in Assembly March 10, 1933, strike out lines 35 to 37, inclusive, and insert in lieu thereof the following: "the members of the board shall serve without compensation other than their necessary traveling expenses."

AMENDMENT NUMBER THREE.

On page 4 of the printed bill, as amended in Assembly March 10, 1933, strike out lines 41 and 42, and insert in lieu thereof the following: "The salary of the secretary and the necessary traveling expenses and other expenses of the secretary and members of the board shall be paid".

AMENDMENT NUMBER FOUR

On page 4 of the printed bill, as amended in Assembly March 10, 1933, strike out line 47, and insert in lieu thereof the following: "actually necessary, in accordance with the State Civil Service Act, and, with the approval of the Department of Finance, fix their salaries, which shall be paid".

AMENDMENT NUMBER FIVE.

On page 7, line 51, of the printed bill, as amended in Assembly March 10, 1933, strike out the period, and insert in lieu thereof the following: "or for the relief of unemployment within the State of California"

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for unanimous consent to take up Assembly Bill No. 1115, at this time, without reference to printer or file, and that same be considered engrossed.

Mr. Wright objected to unanimous consent.

MOTION.

Mr. Hornblower moved that Rule 75 be suspended for the purpose of considering Assembly Bill No. 1115 at this time.

REQUEST FOR ROLL CALL.

On request of Messrs. Gilmore, Peterson and Maloney, the Speaker ordered a roll call taken on the motion to suspend Rule 75, and consider Assembly Bill No. 1115 at this time.

The roll was called, and the motion to suspend Rule 75 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74.

NOES—Bowers and Craig—2.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FIFTEEN.

Assembly Bill No. 1115—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act.

Bill read.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. West:

AMENDMENT NUMBER ONE.

On page 7, line 5, of the printed bill, strike out the word "two", and insert in lieu thereof the following: "ten".

AMENDMENT NUMBER TWO.

On page 7, line 18, of the printed bill, strike out the word "two", and insert in lieu thereof the following: "ten".

AMENDMENT NUMBER THREE.

On page 7, line 22, of the printed bill, strike out the word "two", and insert in lieu thereof the following: "ten".

AMENDMENT NUMBER FOUR.

On page 8, line 25, of the printed bill, strike out the word "two", and insert in lieu thereof the following: "ten".

Amendments read.

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. West, Wright and Rawls, the Speaker ordered a roll call taken on the adoption of the amendments submitted by Mr. West.

The roll was called, and the amendments submitted by Mr. West were adopted by the following vote:

AYES—Alter, Bowers, Brock, Burns, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Field, Fisher, Frazier, Greene, Hoffman, King, Knowland, Latham, Martin, McCarthy, Meeker, Miller, Eleanor; Morgan, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Stream, Thorp, Turner, Utt, West, Wright and Zion—42.

NOES—Anglim, Badham, Bliss, Boyle, Callahan, Cassidy, Cronin, Crowley, Feigenbaum, Gilmore, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, Levey, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, Peterson, Ross, Scudder, Stannard, Sullivan, Tournoux, Williamson, Woolwine and Mr. Speaker—35.

MOTION.

Mr. Hornblower moved that Rule 75 be suspended, at this time, for the purpose of considering Assembly Bill No. 1115.

Motion carried.

MOTION.

Mr. Hornblower moved that further consideration of Assembly Bill No. 1115 be made a special order for the hour of two o'clock p.m. of this day.

Motion carried.

Assembly Bill No. 1115 made special order for two o'clock p.m. of this day.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED FIFTEEN.

Assembly Bill No. 715—An act to abolish the death penalty as a punishment for crime, except in certain cases, and to provide for the punishment for crimes in cases where the death penalty is abolished.

MOTION.

On motion of Mr. Clowdsley, further consideration of Assembly Bill No. 715 was made a special order for the hour of three o'clock p.m. of this day.

UNFINISHED BUSINESS.

RECONSIDERATION WAIVED.

Mr. Fisher waived his notice to reconsider the vote whereby Assembly Bill No. 894 was passed.

Assembly Bill No. 894 ordered transmitted to the Senate.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1871—An act to repeal section 4041c of the Political Code, and to add a new section thereto to be numbered 4041c, relating to county officers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1874—An act to amend section 4017 of the Political Code, relating to the consolidation of county offices.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 325—An act to add section 4a to an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, Statutes of 1923, page 431, providing for the disposition of funds collected from districts illegally formed.

Bill read second time, ordered to engrossment, and third reading.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At eleven o'clock and thirty minutes a.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

Assembly Bill No. 2—An act to amend section 5 of the Direct Primary Law, relating to sponsors' pamphlets.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, between lines 3 and 4, insert the following. "I have been a citizen of the United States for _____ years."

AMENDMENT NUMBER TWO.

On page 6 of the printed bill, between lines 14 and 15, insert the following. "I have been a citizen of the United States for _____ years."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and thirty-five minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No 583—An act to amend section 4307 of the Political Code, relating to county charges.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 23, of the printed bill, strike out the entire section 11 down to and including line 33.

AMENDMENT NUMBER TWO.

On page 2, line 34, of the printed bill, strike out "12", and insert in lieu thereof "11".

AMENDMENT NUMBER THREE.

On page 2, line 40, of the printed bill, strike out "13", and insert in lieu thereof "12".

REQUEST FOR ROLL CALL.

On request of Messrs. West, Robinson, C. Ray; and Lyon, the Speaker ordered a roll call taken on the adoption of the amendments.

The roll was called, and the amendments to Assembly Bill No. 583 were adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, King, Knowland, Latham, Lyon, Martin, McCarthy, Meehan, Meeker, Miller, Eleanor; O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Zion—53.

NOES—Bowers, Chatters, Gilmore, Hornblower, Hunt, Kallam, Maloney, Mayo, McBride, Nielsen, Robinson, C. Ray; Robinson, Samuel E., Ross, Scudder and Mr. Speaker—15

Bill ordered to reprint, engrossment and third reading.

Assembly Bill No. 2252—An act to amend section 3 of an act entitled "An act to require owners of forest lands to provide a fire patrol therefor," approved June 6, 1923, relating to forest land fire patrols.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 877—An act authorizing the Director of the Department of Industrial Relations to adopt measures, relating to spreading work in private industry.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1006—An act to provide a five-day week for State employees during the present unemployment emergency.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1009—An act to add a new section to the Penal Code to be numbered 653c-1, relating to the hours of labor on public works during the present emergency and declaring the urgency thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 4—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 411—An act to amend section 1174 of the Code of Civil Procedure, relating to judgments in proceedings for forcible entries, forcible or unlawful detainer.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1395—An act to amend section 537 of the Code of Civil Procedure, relating to attachments.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1895—An act to amend sections 4, 5 and 10 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies.

Bill read second time, and ordered to third reading.

Assembly Bill No. 20—An act to amend section 23 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 420—An act adding a new section to be designated section 1149½ to the Political Code, and amending section 1150 of the Political Code, relating to the index to the book of affidavits of registration, and the designation thereon of persons who have voted.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 421—An act to amend section 13 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, relating to the time for preparing and mailing sample ballots.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1937—An act to amend section 1197 of the Political Code, relating to election ballots.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2007—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1433—An act to amend section 1115 of the Political Code to provide for the printing of the index to registration of affidavits.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, following the word "addresses", insert a comma and the word "occupations."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1353—An act to add sections 363r, 363s, 363t, 363u, 363v, 363w, 363x, 363y, 363z, 363aa and 363bb to the Political Code, to amend section 363h of the Political Code, and to repeal sections 365, 365a, 365b, 365c, 365d, 365e, 365f, and 365m, all relating to State roads and highways, and the powers and duties of the Director of Public Works, Department of Public Works, and California Highway Commission in respect thereto.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 30, of the printed bill, after the word "has", insert the word "been".

AMENDMENT NUMBER TWO.

On page 4, line 24, of the printed bill, after the word "stock", strike out the following words: "upon any State highway or permit any untethered stock to be".

AMENDMENT NUMBER THREE.

On page 4, line 28, of the printed bill, after the word "done", strike out the following words. "to said highway or to any person or property upon said highway by any stock.", and substitute therefor the following: "thereby to said highway."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1127—An act to amend an act entitled "An act to require the Director of the Department of Natural Resources to register and mark buildings of historical interest or landmarks," approved April 24, 1931, by amending the title thereof, and by amending section 2 and by adding a new section to be numbered section 3.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1355—An act to amend sections 587 and 1515 of the Probate Code, relating to the dedication of real property by executors, administrators and guardians.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1809—An act to regulate the practice of dentistry and the education of dentists, to license dentists and dental hygienists, to provide for a State Board of Dental Examiners, and to provide for a fund for the fees and other moneys collected under this act and for the enforcement of the provisions of this act, and to provide penalties for the violation hereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to regulate the practice of dentistry and the education of dentists and to provide penalties for the violation hereof and to repeal an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. There is hereby created a Board of Dental Examiners, hereinafter called the board, consisting of five persons, each of whom shall be a legal resident of this State, a graduate of a reputable college, and a reputable dentist with an actual practice in dentistry in the State for ten years next preceding his appointment. No member of the board shall be a member of the faculty or a trustee of any institution engaged in educating dentists or having power to confer degrees in dentistry. Members of the board shall be appointed by the Governor and except as hereinafter provided the term of office of each member shall be four years. The terms of the first members of the board shall expire as follows: One member January 15, 1934; two members January 15, 1935; two members January 15, 1937. Immediately after their appointment the members of the board shall by lot classify themselves as to the length of their respective terms.

Vacancies occurring under the provisions of this act shall be filled by appointment for the unexpired term within thirty days after such vacancy occurs. No member of the board shall serve more than two full terms.

SEC. 2. The board shall hold at least two regular meetings in each year in the city of Sacramento and shall annually choose from its own number a chairman and a secretary.

SEC. 3. There shall be paid from the State dentistry fund to the chairman and secretary of the board annual salaries of eight hundred dollars each, to the members thereof annual salaries of six hundred dollars each, and to each member thereof his necessary traveling expenses actually incurred in attending meetings of the board. The secretary of the board shall keep a record of all money received and expenses incurred by the board and a duplicate thereof shall be open to public inspection in the office of the secretary.

All fines, fees, penalties and forfeitures collected under the provisions of this act shall be paid to the secretary of the board who shall at least once in each month forward the same to the State Treasurer, said moneys to be placed to the credit of the State dentistry fund which is hereby created.

SEC. 4. The Board of Dental Examiners shall examine applicants for registration in dentistry. It may make, and shall publish, necessary rules and regulations for the proper conduct of its duties. Four members of the board shall constitute a quorum for the transaction of business. The board shall keep a full record of its proceedings and a registry of all persons registered by it, which shall be public records and open to inspection. A transcript of any of the entries in such record, certified by its secretary, shall be competent evidence of the facts stated therein. The board shall make a full and accurate annual report.

SEC. 5. Every registered dentist when he begins practice, either by himself or associated with or in the employ of another, shall forthwith notify the board of his office address or addresses, and every registered dentist practicing as aforesaid shall annually, before April first, pay to the board a license fee of two dollars Every registered dentist shall also promptly notify the board of any change in his office address or addresses and shall furnish such other information as the board may require. The board may suspend the authority of any registered dentist to practice dentistry for failure to comply with any of the foregoing requirements. The board shall publish annually complete lists of the names and office addresses of all dentists registered and practicing in this State, arranged alphabetically by name and also by the cities where their offices are situated. Every registered dentist shall exhibit his full name in plain readable letters in each office or room where his business is transacted.

SEC 6. Applications for registration hereunder shall be in writing upon blanks furnished by the board, which shall be signed and sworn to by the applicant, presenting proof of the requirements herein specified. Any such applicant twenty-one years or over and of good moral character who shall furnish the board with satisfactory proof that he has received a diploma from the faculty of a reputable dental college as defined in the following section, shall, upon payment of twenty-five dollars, be entitled to be examined by the board; provided, that any such applicant who shall furnish the board with satisfactory proof that he has attended such a reputable dental college for four years and has successfully passed all examinations of the

first, second and third years may, upon payment of such fee, be examined. An applicant failing in his examination shall be entitled to one reexamination free of charge, but for each subsequent examination he shall pay ten dollars. If found competent, the applicant shall be registered by the board and shall receive a certificate of registration signed by the members of the board of a majority of them, which shall be prima facie evidence of the right of the holder to practice dentistry. In proof of this right the certificate or a duplicate shall be kept in his office in plain view of his patients, and, on application, shall be shown to any member or agent of the board.

SEC 7. An applicant for limited registration under this section who shall furnish the board with proof entitling him to be examined for registration under the preceding section and with satisfactory proof that he has been appointed a dental interne in a hospital or other institution maintained by this State or by a county or municipality thereof, or in a hospital or dental infirmary incorporated under the laws of this State may, upon payment of five dollars, be registered by the board as a dental interne for one year; but such limited registration shall entitle said applicant to practice dentistry only in the hospital or other institution designated on his registration and under the direction of a registered dentist employed therein Limited registration under this section may be revoked at any time by the board.

SEC. 8. A dental college shall be considered reputable which possesses the following qualifications:

First, it shall be incorporated and authorized by its charter to confer degrees of doctor of dental medicine, doctor of dental surgery or doctor of dental science.

Second, it shall have a competent faculty and corps of instructors. The teaching staff shall deliver a comprehensive and satisfactory course of lectures supplemented by adequate clinical and laboratory exercises in all subjects pertaining to modern dentistry.

Third, it shall give a course of not less than four separate academic years to matriculants who are graduates of accredited high schools or who present proof of equivalent training, or a course of not less than three separate accademic years to matriculants who present satisfactory proof of having successfully completed two years of appropriate predental training in a college or university authorized to grant degrees. Each academic year shall consist of not less than thirty-two weeks of six days each.

The administrative policy of the dental college shall be such as to accomplish the requirements of this section.

SEC. 9. The examination may be written or oral or both, at the option of the board and shall include the principal subjects taught in reputable dental colleges. Demonstrations in operative and prosthetic dentistry, diagnosis and prognosis shall be required.

SEC 10. The board may, without examination, upon the payment of a fee of twenty-five dollars, register, and issue a certificate to, a dentist who has been lawfully in practice for at least five years in another State, if he presents to the board a certificate of registration, and duration of practice, from the Board of Dental Examiners or other like board of said State: provided, that such other State shall require a degree of competency equal to that required of applicants in this State and extends a like courtesy to dentists registered in this State.

SEC 11 No person shall conduct a dental office under any name other than that of the dentist actually owning the practice, or a corporate name containing the name of such dentist.

SEC. 12. Any person who owns or carries on a dental practice or business, or who, by himself, his servants or agents, or by contract with others, performs any operation or makes examination, with the intention of performing or causing to be performed any operation on the human teeth or jaws, or who describes himself by the word "dentist" or other like word, or the letters "D D S." or other like letters, or other like title in connection with his name, or who advertises by sign, card, circular, pamphlets or newspaper, or otherwise indicates that he by contract with others, or by himself, his servants or agents, will perform any operation or make examination, with the intention of performing or causing to be performed any operation on the human teeth or jaws, shall be deemed to be practicing dentistry within the meaning of the provisions of this act.

SEC. 13. Any person of good moral character nineteen years old or over, who is a graduate of a training school for dental hygienists requiring a course of not less than one academic year and approved by the board, or who is a graduate of a training school for nurses and has received three months' clinical training in dental hygiene in any such training school for dental hygienists, may, upon the payment of ten dollars, be examined by the board in the subjects considered essential by it for a dental hygienist, and, if his examination is satisfactory, shall be registered as a dental hygienist and given a certificate allowing him to practice dental hygiene, which shall mean the cleaning of teeth under the direction of any registered dentist of this State, subject to such rules and regulations as may be adopted by the board. An applicant failing to pass a satisfactory examination shall be entitled to one reexamination at any meeting of the board, free of charge, but for each subsequent examination she shall pay ten dollars.

SEC. 14. Any person who falsely asserts that he has a certificate granted by the board, or who, having such certificate or a duplicate thereof, fails to exhibit the same as required by section six, or who falsely and with intent to deceive claims to be a graduate of any college granting degrees in dentistry, or who, except as permitted by the following section, directly or indirectly practices or attempts to practice dentistry or dental hygiene without being registered under sections 6 to 13, inclusive, or any registered dentist or incorporated dental company who employs or permits a person to practice dentistry unless such person is registered and exhibits his name and certificate as provided in sections 5 and 6, or any person who violates any provision of sections 4 to 15, inclusive, for which no other penalty is provided, shall, except as provided in section 16, be punished by a fine of not more than two hundred dollars or by imprisonment for three months, or both; and any registered dentist who fails to exhibit his full name, as required by section 5, shall be punished by a fine of not more than fifty dollars; provided, that any corporation violating any provision of sections 4 to 15, inclusive, shall be punished by the fine herein provided for such violation, and its officers, owners or managers concerned in the violation shall be punished by the fine or imprisonment herein provided for such violation, or both.

SEC. 15 *Nothing in this act shall apply to treatment by a registered physician* not practicing dentistry, in cases where he deems immediate treatment necessary for the relief of his patients, or prevent a registered dentist of another State or his assistant from operating at a public clinic under the auspices of a duly organized and reputable dental college or association, or prevent a student of a reputable dental college, incorporated under the laws of this State and granting degrees in dentistry, from performing operations as part of the regular college course, or prevent the widow, executor or administrator of a registered dentist who has died, or the wife of one who is incapacitated, from continuing his business under a registered dentist. A registered dentist shall have the same right to prescribe or buy drugs or medicines for use in the conduct of his practice, as a registered physician of this State

SEC. 16. Whoever continues to practice dentistry, or after his certificate, registration, license or authority so to do is suspended, revoked or canceled, and while such disability continues, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than three months, or both.

SEC. 17. An act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof" approved May 21, 1915, is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 282—An act to amend sections 10, 11, 12, and 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry and the power of the dental board.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 20, of the printed bill, after "dentistry", insert the following: "within the meaning of this act".

AMENDMENT NUMBER TWO.

On page 2, line 21, of the printed bill, after "newspaper or", insert: "in".

AMENDMENT NUMBER THREE.

On page 2, line 24, of the printed bill, after "performs", insert a comma and the following: "or offers to perform,".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 31 and 32, and insert in lieu thereof the following: "denture or other prosthetic appliance or orthodontic appliance, or (4)".

AMENDMENT NUMBER FIVE.

On page 2, line 33, of the printed bill, after "makes", insert a comma and the following: "or offers to make,".

AMENDMENT NUMBER SIX

On page 2, line 34, of the printed bill after 'teeth', insert a comma and the following, "alveolar process, gums".

AMENDMENT NUMBER SEVEN.

On page 2, line 47, of the printed bill, after "departments", strike out "of", and insert in lieu thereof the following: "or".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, strike out lines 49 to 52, inclusive, and on page 3 strike out lines 1 to 5, inclusive, and insert in lieu thereof the following: "repairing of bridges, crowns, dentures, or other prosthetic appliances or orthodontic appliances when the casts or impressions for such work have been made or taken by a licensed dentist, provided, however, a written authorization signed by a licensed dentist must accompany the order for such work or such work must be performed in the office of a licensed dentist under his supervision. The burden of".

AMENDMENT NUMBER NINE

On page 3, line 27, of the printed bill, after the word "dentistry", insert a semicolon, and strike out line 28.

AMENDMENT NUMBER TEN.

On page 4, line 11, of the printed bill, strike out "two hundred fifty", and insert in lieu thereof the following, "one hundred".

AMENDMENT NUMBER ELEVEN.

On page 5 of the printed bill, strike out lines 11, 12, 13 and 14, and insert in lieu thereof the following, "the use of any false, assumed or fictitious name, either as an individual, firm, corporation or otherwise, or any name other than the name under which he is licensed, practice, advertise or in any other manner indicate that he is practicing or will practice dentistry; practicing or".

AMENDMENT NUMBER TWELVE.

On page 4 of the printed bill, strike out lines 24 to 33, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 283—An act to amend sections 6 and 14 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry and the power of the dental board.

Bill read second time, ordered to engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 200—An act to repeal section 710, as added by Chapter 263, Statutes of 1903 and as amended by Chapter 634, Statutes of 1929, of the Code of Civil Procedure and to add a new section to be numbered 709a to the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 200 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 539—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and

to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent

Bill read third time.

The question being on the passage of the bill

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Lyon:

AMENDMENT NUMBER ONE

On page 6, line 8, of the printed bill, strike out "of", and insert in lieu thereof a comma.

AMENDMENT NUMBER TWO.

On page 7, line 18, of the printed bill, strike out "medical expert", and insert in lieu thereof the following: "certified medical examiner".

AMENDMENT NUMBER THREE.

On page 10, line 3, of the printed bill, between "the", and "examiners", insert the following: "certified medical".

AMENDMENT NUMBER FOUR.

On page 10, line 9, of the printed bill, after "each", insert the following: "certified medical".

AMENDMENT NUMBER FIVE

On page 10, line 14, of the printed bill, between "the", and "examiners", insert the following: "certified medical".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1753—An act to add a new section to the Fish and Game Code, to be numbered 459, relating to other regulations.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No. 1753 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1755—An act to add a new section to the Fish and Game Code, to be numbered 20, relating to powers and duties.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1755 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 2017—An act to amend section 737x of the Political Code, relating to the compensation of judges of the superior court, Merced County.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2017 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1761—An act to amend section 250 of the Fish and Game Code, relating to clam preserves.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 1761 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 392—An act to amend section 2 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended, relating to the possession of deadly weapons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 392 passed by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1344—An act to add a new section to the Political Code to be known as section 373k, authorizing the Director of Natural Resources to grant easements for public highways over State park lands on terms and conditions to be prescribed by the State Park Commission.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1344 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp,

Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—70

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

MOTION.

On motion of Mr. Williamson, the Chief Clerk was instructed to have 2000 extra copies of Assembly Bill No. 2319 printed.

RECESS.

At twelve o'clock m., on motion of Mr. Robinson, C Ray, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m , the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1075—An act to amend section 798 of the Agricultural Code, relating to the standardization of dates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1075 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Chatters, Clowdsley, Cottrell, Crowley, Dempster, Evans, Feigenbaum, Frazier, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 620—An act to add two new sections to the Probate Code to be numbered 930 5 and 155.6 5, respectively, to add a new section to the Code of Civil Procedure to be numbered 1.042, and to repeal "An act making the cost of certain bonds of receivers, assignees, trustees, guardians, administrators and executors chargeable to a certain extent against the trust estate," approved March 20, 1905, relating to the payment of premiums on bonds of executors, administrators and guardians, receivers, assignees and trustees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 620 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls,

Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—62.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No. 330—An act to amend sections 535 and 536 and to repeal sections 537 to 548, inclusive, of the Fish and Game Code, relating to obstructions and fish screens.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Robinson, C. Ray:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title and insert in lieu thereof the following:

"An act to amend sections 535 and 536 of the Fish and Game Code, and to add thereto sections 536 5, 536.6, 536.7, 536.8 and 536.9, relating to fish screens."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 23, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 535 of the Fish and Game Code is hereby amended to read as follows:

535. The commission shall examine all conduits and order the owners to install and maintain, and it is the duty of the owners of a conduit to install and maintain, a screen on any conduit when, in the opinion of the commission, such a screen is necessary to prevent fish from passing into the conduit. Except as provided in sections 536 9, 537 and 538, one-half of the expense of constructing or installing a screen shall be paid by the owner of a conduit, and one-half by the commission.

SEC. 2. Section 536 of the Fish and Game Code is hereby amended to read as follows.

536. The order to install a screen must be in writing, and specify the type, size, mesh, material and location of the screen, the time within which the screen must be installed, and must include an estimate of the expense of installing the screen.

SEC. 3. A new section is hereby added to the Fish and Game Code, to be numbered 536.5 and to read as follows:

536.5. When an order is made to install a screen the commission must pay the owner upon whom the order is served one-half of the estimated expense of the construction or installation of the screen.

SEC. 4. A new section is hereby added to the Fish and Game Code, to be numbered 536 6 and to read as follows

536.6. If the expense of constructing or installing a screen exceeds the estimated expense the commission must, upon written notification by the owner of the conduit, inspect the screen, and pay to the owner one-half of the amount estimated to be necessary to complete the construction or installation of the screen.

SEC 5. A new section is hereby added to the Fish and Game Code, to be numbered 536 7 and to read as follows:

536.7 The owner of a conduit must, within ten days after completing the installation of the screen, return to the commission any surplus money advanced by the commission pursuant to the provisions of this article.

SEC 6. A new section is hereby added to the Fish and Game Code, to be numbered 536.8 and to read as follows:

536.8. All money paid by the commission to the owner of a conduit pursuant to the provisions of this article shall be paid out of the money in the fish and game preservation fund appropriated for the support of the Division of Fish and Game, Department of Natural Resources

SEC 7. A new section is hereby added to the Fish and Game Code, to be numbered 536 9 and to read as follows:

536 9. The commission shall not pay one-half of the expense of the construction and installation of the screen as provided in sections 535, 536 5 and 536 6 to any person, firm or corporation engaged in producing, generating, transmitting, delivering, or furnishing electricity for light, heat or power If this section is for any reason held to be unconstitutional such decision shall not affect the validity of sections 535, 536 5 or 536 6, and the Legislature hereby declares that the persons, firms

or corporations mentioned in this section shall be subject to the provisions of sections 535, 536.5 and 536.6.

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1077—An act to amend section 782 of the Agricultural Code, relating to the powers of the director.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1077 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Ross Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1193—An act to amend section 792 of the Agricultural Code, relating to the standardization of avocados.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1193 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of two o'clock p m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FIFTEEN.

Assembly Bill No. 1115—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act.

MOTION TO EXPUNGE RECORD.

Mr. Hornblower moved that the amendments submitted by Mr. West and adopted by the Assembly this day, be rescinded and the record expunged.

The question being on the motion to rescind the action, and expunge the record relative to the amendments submitted by Mr. West.

Motion carried.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FIFTEEN.

Assembly Bill No. 1115—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act.

Bill read

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr Maloney:

AMENDMENT NUMBER ONE.

On page 7, line 5, of the printed bill, strike out "two", and insert in lieu thereof the following: "four"

AMENDMENT NUMBER TWO

On page 7, line 18, of the printed bill, strike out "two", and insert in lieu thereof the following: "four".

AMENDMENT NUMBER THREE.

On page 7, line 22, of the printed bill, strike out "two", and insert in lieu thereof the following: "four".

AMENDMENT NUMBER FOUR.

On page 8, line 25, of the printed bill, strike out "two", and insert in lieu thereof the following: "four".

Amendments read.

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Hornblower, Maloney and Lyon, the Speaker ordered a roll call taken on the motion to adopt the amendments to Assembly Bill No. 1115.

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—69.

NOES—Bowers, Craig, Dempster, Greene, Latham, Morgan, Utt and Zion—8.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for, and was granted, unanimous consent to have Rule 75 suspended for the purpose of considering Assembly Bill No. 1115, at this time, without reference to file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FIFTEEN.

Assembly Bill No 1115—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon, to provide penalties for the violation of the provisions of this act.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1115 passed by the following vote:

AYES—Anglim, Badham, Boyle, Burns, Callahan, Cassidy, Cobb, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King Knowland, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Powers, Roberts, Robinson, C Ray; Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Mr. Speaker—50.

NOES—Alter, Bliss, Bowers, Brock, Chatters, Clowdsley, Cottrell, Craig, Crist, Dempster, Field, Greene, Hatch, Latham, Martin, Meeker, Miller, Eleanor; Morgan, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Stream, Utt, Wright and Zion—29

Title read and approved.

NOTICE OF RECONSIDERATION.

Miss Miller, Eleanor, gave notice that on the next legislative day she would move to reconsider the vote whereby Assembly Bill No. 1115 was this day passed.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1076—An act to amend section 809 of the Agricultural Code, relating to the standardization of walnuts

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 1076 passed by the following vote.

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1242—An act to add a new section to the Penal Code to be numbered 597h, relating to cruelty to animals and defining and prohibiting coursing and prescribing a penalty for the violation thereof.

Bill read third time.

The question being on the passage of the bill

MOTION TO RE-REFER

Mr. Grubbs moved that Assembly Bill No 1242 be withdrawn from the file, and ordered re-referred to Committee on Public Morals.

The question being on re-referring Assembly Bill No. 1242 to the Committee on Public Morals.

Motion carried.

Assembly Bill No 1242 ordered re-referred to Committee on Public Morals.

Assembly Bill No 1018—An act to amend section 5 of an act entitled "An act authorizing the creation, government, maintenance and dissolution of county sanitation districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, relating to the election of the board of directors.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1018 passed by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr Speaker—67.

NOES—Grubbs—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Grubbs gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1018 was this day passed.

Assembly Bill No. 2321—An act to add section 11a to an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies, and providing that this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—67.

NOES—None

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED TWENTY-ONE.

Assembly Bill No. 2321—An act to add section 11a to an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2321 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, Patterson, Peterson, Powers, Redwine, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 606—An act to confirm and validate the boundaries of school districts, high school districts and junior college districts of every kind and class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 606 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, Patterson, Peterson, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of three o'clock p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED FIFTEEN.

Assembly Bill No. 715—An act to abolish the death penalty as a punishment for crime, except in certain cases, and to provide for the punishment for crimes in cases where the death penalty is abolished.

Bill read third time.

The question being on the passage of the bill

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Robinson, C. Ray:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, as amended in Assembly March 9, 1933, and insert in lieu thereof the following:

"An act to amend sections 37, 128, 208, 209, 190, 219, 246, and 1243 of the Penal Code, relating to the punishment of crime."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended in Assembly March 9, 1933, strike out lines 1 to 15, inclusive, also strike out page 2 of the printed bill, as amended in Assembly March 9, 1933, and insert in lieu thereof the following:

"SECTION 1 Section 37 of the Penal Code is hereby amended to read as follows:

37. Treason against this State consists only in levying war against it, adhering to its enemies, or giving them aid and comfort, and can be committed only by persons owing allegiance to the State. The punishment of treason shall be death or life imprisonment in the State prison without possibility of parole, at the discretion of the jury trying the same No person, however, shall suffer death unless the jury expressly recommends that punishment. Upon the plea of guilty or upon trial by the court, the court shall determine which of the punishments above set forth shall be inflicted.

SEC. 2. Section 128 of the Penal Code is hereby amended to read as follows:

128. Every person, who by wilful perjury or subornation, of perjury procures the conviction and execution of any innocent person, is punishable by death or by life imprisonment in the State prison without possibility of parole, at the discretion of the jury trying the same No person, however, shall suffer death unless the jury expressly recommends that punishment. Upon the plea of guilty or upon trial by the court, the court shall determine which of the punishments above set forth shall be inflicted

SEC. 3 Section 190 of the Penal Code is hereby amended to read as follows:

190. Every person guilty of murder in the first degree shall suffer death, or confinement in the State prison for life, or confinement in the State prison for life without possibility of parole, at the discretion of the jury trying the same. No person, however, shall suffer death unless the jury expressly recommends that punishment. Upon the plea of guilty or upon trial by the court, the court shall determine which of the punishments above set forth shall be inflicted

Every person guilty of murder in the second degree is punishable by imprisonment in the State prison for not less than ten years The death penalty shall not be imposed or inflicted upon any person for murder committed before such person shall have reached the age of eighteen years. The burden of proof as to the age of said person shall be upon the defendant.

SEC 4 Section 208 of the Penal Code is hereby amended to read as follows.

208. Kidnaping is punishable by death or by life imprisonment in the State prison without possibility of parole, at the discretion of the jury trying the same. No person, however, shall suffer death unless the jury expressly recommends that punishment Upon the plea of guilty or upon trial by the court, the court shall determine which of the punishments above set forth shall be inflicted.

SEC. 5. Section 209 of the Penal Code is hereby amended to read as follows

209. Every person who maliciously, forcibly, or fraudulently takes or entices away any person with intent to restrain such person and thereby commit extortion or robbery, or exact from the relatives or friends of such person any money or valuable thing, is punishable by death or by life imprisonment in the State prison without possibility of parole, at the discretion of the jury trying the same. No person, however, shall suffer death unless the jury expressly recommends that punishment. Upon the plea of guilty or upon trial by the court, the court shall determine which of the punishments above set forth shall be inflicted.

SEC. 6. Section 219 of the Penal Code is hereby amended to read as follows:

219 Every person who unlawfully throws out a switch, removes a rail, or places any obstruction on any railroad with the intention of derailing any passenger, freight, or other train, car or engine and thus derails the same, or who unlawfully places any dynamite or other explosive material or any other obstruction upon or near the track of any railroad with the intention of blowing up or derailing any such train, car, or engine and thus blows up or derails the same, or who unlawfully sets fire to any railroad bridge or trestle over which any such train, car or engine must pass with the intention of wrecking such train, car or engine, and thus wrecks the same, is guilty of a felony and punishable with death, or life imprisonment in the State prison without possibility of parole, or life imprisonment in the State prison at the option of the jury trying the case. No person, however, shall suffer death unless the jury expressly recommends that

punishment Upon the plea of guilty or upon trial by the court, the court shall determine which of the punishments above set forth shall be inflicted.

SEC. 7. Section 246 of the Penal Code is hereby amended to read as follows:

246. Every person undergoing a life sentence in a State prison of this State, who, with malice aforethought, commits an assault upon the person of another with a deadly weapon or instrument or by any means or force likely to produce great bodily injury, is punishable with death or life imprisonment in the State prison without possibility of parole, at the discretion of the jury trying the same. No person, however, shall suffer death unless the jury expressly recommends that punishment. Upon the plea of guilty or upon trial by the court, the court shall determine which of the punishments above set forth shall be inflicted.

SEC. 8. Section 1243 of the Penal Code is hereby amended to read as follows:

1243. An appeal to the Supreme Court from a judgment of conviction stays the execution of the judgment in all capital cases. In other cases an appeal to the Supreme Court or to a District Court of Appeal from a judgment of conviction does not stay the execution of the judgment unless the trial court shall so order. The granting or refusal of such order shall rest in the sole discretion of the trial court. If such order is made the clerk of the court shall issue a certificate stating that such order has been made. In cases where the defendant has been sentenced to death or life imprisonment or life imprisonment without possibility of parole, he shall be confined in a State prison without possibility of parole pending the decision upon his appeal."

Amendments read.

The question being on the adoption of the amendments.

POINT OF ORDER.

Mr. Clowdsley arose to the following point of order: Stating that the amendments submitted by Mr. Robinson, C Ray, were not germane to the subject matter of Assembly Bill No. 715 now before the House for consideration.

RULING BY SPEAKER.

The Speaker ruled the point of order raised by Mr. Clowdsley not well taken.

FURTHER CONSIDERATION OF AMENDMENTS TO ASSEMBLY BILL NUMBER SEVEN HUNDRED FIFTEEN.

The question being on the adoption of the amendments.

MOTION TO RE-REFER.

Mr. Sullivan moved that Assembly Bill No. 715, and the proposed amendments submitted by Mr. Robinson, C. Ray, be re-referred to Committee on Crime Problems.

The question being on re-referring Assembly Bill No. 715 and amendments to Committee on Crime Problems.

WITHDRAWAL OF MOTION.

Mr. Sullivan withdrew his motion relative to re-referring Assembly Bill No. 715 to Committee on Crime Problems.

The question being on the adoption of the amendments to Assembly Bill No. 715.

MOTION TO RE-REFER.

Mr. Hallner moved that Assembly Bill No. 715 and the proposed amendments be referred to Committee on Crime Problems.

The question being on re-referring Assembly Bill No. 715 and the proposed amendments to Committee on Crime Problems.

Motion lost.

The question being on the adoption of the amendments to Assembly Bill No. 715.

REQUEST FOR ROLL CALL.

On request of Messrs. Robinson, C. Ray; West and Lyon, the Speaker ordered a roll call taken on the adoption of amendments to Assembly Bill No. 715.

The roll was called, and the amendments to Assembly Bill No. 715 were refused adoption by the following vote:

AYES—Alter, Bliss, Bowers, Brock, Chatters, Craig, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Kallam, Knowland, Latham, Meeker, Phillips, Powers, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Thorp, Utt, West, Williamson and Zion—33.

NOES—Anglim, Badham, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Field, Gilmore, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Rawls, Roberts, Rogers, Sullivan, Tournoux, Turner, Woolwine, Wright and Mr. Speaker—46.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 715 passed by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Dempster, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Rawls, Roberts, Robinson, Samuel E., Rogers, Sullivan, Tournoux, Turner, Woolwine, Wright and Mr. Speaker—48.

NOES—Alter, Bowers, Brock, Chatters, Craig, Cronin, Crowley, Evans, Feigenbaum, Fisher, Greene, Hoffman, Kallam, Latham, Mayo, Meeker, Phillips, Powers, Redwine, Riley, Robinson, C. Ray; Roland, Ross, Scudder, Stannard, Stream, Thorp, Utt, West, Williamson and Zion—31.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1171—An act authorizing the Department of Public Works to repair, reconstruct, resurface, clear, and otherwise restore public highways in the counties of Los Angeles and Orange damaged by the earthquake of March, 1933, making an appropriation therefor and providing that this act become effective immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 1171 read first time.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 15, 1933.

To the Members of the Assembly of the State of California

Senate Bill No. 1171 appropriates $150,000 for the purpose of reconstructing highways in the counties of Los Angeles and Orange

In my opinion Senate Bill No. 1171 constitutes an emergency bill within the meaning of section 34 of Article IV of the State Constitution, the consideration of which should not await final enactment of the budget bill.

It is necessary that the money appropriated by this bill be made immediately available for the purpose of repairing, reconstructing, resurfacing, clearing or otherwise restoring public highways in the counties of Los Angeles and Orange which were closed as a result of the earthquake occurring in March, 1933.

I, therefore, recommend the passage of this bill as an emergency measure within the meaning of that term as used in section 34 of Article IV of the Constitution.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, March 13, 1933.

To the Members of the Assembly of the State of California.

I find that the Board of Public Works has $150,000 cash surplus now on hand available for public work in southern California.

To use this money exclusively for the repair of devastated roads and highways in Long Beach and other cities in southern California, caused by the recent disaster, it will be necessary for the Legislature to pass a bill authorizing the expenditure of this $150,000 surplus in such repair work in the devastated regions.

This sum is a saving between the estimated cost and actual contracts of work now finished and under construction, and therefore is additional money at the disposal of the Board of Public Works. The allocation of this $150,000 surplus for the purposes mentioned will not postpone the performance of additional contract work in southern California.

The Legislature has the authority to order the expenditure of this surplus money. I recommend that you authorize the expenditure of this surplus money in the afflicted areas which will put men to work in their home districts. The authority of the Legislature will permit the removal of debris, the clearing of streets, roads, and alleys in the stricken districts and provide employment in the home districts where it is absolutely necessary. I declare this an emergency and an urgency.

Respectfully submitted

JAMES ROLPH, JR., Governor of California.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Riley asked for, and was granted, unanimous consent to take up Senate Bill No. 1171, at this time, without reference to committee or file.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Riley:

Resolved, That Senate Bill No. 1171 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1171.

SECOND READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED SEVENTY-ONE

Senate Bill No. 1171—An act authorizing the Department of Public Works to repair, reconstruct, resurface, clear, and otherwise restore public highways in the counties of Los Angeles and Orange damaged

by the earthquake of March, 1933, making an appropriation therefor and providing that this act become effective immediately.

Bill read second time

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—66

NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED SEVENTY-ONE.

Senate Bill No. 1171—An act authorizing the Department of Public Works to repair, reconstruct, resurface, clear, and otherwise restore public highways in the counties of Los Angeles and Orange damaged by the earthquake of March, 1933, making an appropriation therefor and providing that this act become effective immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1171 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—66

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Evans:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1 of an act entitled "An act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, as amended, relating to the procedure necessary for such disincorporation.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 1 of an act entitled "An act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, as amended, relating to the procedure necessary for such disincorporation.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright, Zion and Mr. Speaker—65

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Evans: Assembly Bill No. 2333—An act to amend section 1 of an act entitled "An act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, as amended, relating to the procedure necessary for such disincorporation.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Stannard (by request): Assembly Concurrent Resolution No. 40—Relative to the designation and appointment of Arthur A. Flakoll as Poet Laureate of California.

Introduced, and referred to Committee on Rules.

By Mr. Hunt: Assembly Joint Resolution No. 25—Relative to memorializing and petitioning the President of the United States and Congress to accept the cemetery situated at Sawtelle as a national cemetery.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hunt asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 25, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER TWENTY-FIVE

Assembly Joint Resolution No. 25—Relative to memorializing and petitioning the President of the United States and Congress to accept the cemetery situated at Sawtelle as a national cemetery.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 25 adopted by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Crist, Evans, Feigenbaum, Frazier, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Roberts, Robinson, Samuel E., Rogers, Stannard, Stream, Sullivan, Tournoux, Woolwine, Wright and Mr. Speaker—50.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 25 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 25

Relative to memorializing and petitioning the President of the United States and Congress to accept the cemetery situated at Sawtelle as a national cemetery.

WHEREAS, At the present time a cemetery is maintained at the National Military Home at Sawtelle for veterans; and

WHEREAS, The care of those who served their country in the time of stress and peril is a matter of national scope and importance; and

WHEREAS, This cemetery contains more than ten thousand graves of those who answered the call of their country, now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That Congress is urgently requested to authorize the Secretary of War to accept the cemetery at the National Military Home at Sawtelle as a national cemetery, to the end that jurisdiction and power of legislation be granted over such cemetery in accordance with section 8, Article I of the Constitution of the United States; and be it further

Resolved, That a copy of this resolution be forwarded by the Governor to the President of the United States, the Vice President, the Secretary of War, the Speaker of the House of Representatives, and each of the members from California of the Senate and House of Representatives of the United States.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 517—An act to amend section 1985 of the Code of Civil Procedure, relating to subpenas;

Also Assembly Bill No. 1130—An act to amend section 4189 of the Political Code, relating to service of writs, notices and other process;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman.

The above reported bills ordered on file for second reading.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 27—An act to amend section 602 of the Penal Code, relating to trespass,

Also, Assembly Bill No. 28—An act to amend section 627 of the Penal Code, relating to trespass;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MILLER, ELEANOR, Chairman.

The above reported bills ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1872—An act to amend section 737j of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Fresno—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 514—An act to amend sections 33, 34, 36, 40, 47, 53, 57, 65, 66, 73 (as amended by Chapter 706, Statutes of 1931), 103a, 104, 105, 107, 112, 129, 130, 134, 135, 139, 142, 147, 150, 151, 152, 153, 156, 157, 159, 166, and Chapters V and VI of Title I of Part I, and Article I of Chapter V of Title I of Part I, of the Code of Civil Procedure, to add sections 81, 82, 83, 84, 85, 86, 87, 88, 89, 108, 108a, 109, 113, 113a, 113b, 113c, 113d, 114, 115, 116, 116a, 116b, 117, 117a, 117b, 117c, 117d, 117e, 117f, 117g, 117h, 117i, 117j, 117k, 117*l*, 117m, 117o, 117p, 117q, 122, 122a,

122b, 122c, 122d, 122e, and Articles II, III, IV and V of Chapter V of Title I of Part I, and Chapter V, A of Title I of Part I thereto, and to repeal sections 37, 38, 39, 41, 42, 43, 44, 45, 46, 49, 50, 51, 52, 52a, 54, 55, 56, 67b, 68, 69, 70, 71, 72, 73 (as amended by Chapter 182, Statutes of 1931), 75, 76, 77, 78, 79, 85, 86, 87, 88, 89, 91, 92, 93, 94, 95, 96, 97, 98, 142 (as amended by Chapter 182, Statutes of 1931), 160, 161, 167, 170b, 176, 182, 183, 304, and Articles II and III of Chapter V, of Title I of Part I thereof, relating to courts of justice and various officers connected therewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

WEST, Chairman.

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 515—An act to amend sections 372, 373, 392, 393, 394, 395, 397, 398, 399, 400, 410, 412, 413, 415, 416, 422, 426, 437, 446, 465, 472, 473, 480, 481, 482, 483, 484, 485, 488, 489, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 511, 512, 513, 514, 515, 517, 518, 519, 520, 529, 538, 539, 540, 542, 542a, 543, 544, 545, 546, 547, 548, 549, 550, 551, 553, 554, 555, 556, 559, 573, 574, 581, 581a, 581b, 583, 585, 594, 595, 596, 600, 601, 607, 607a, 618, 628, 631, 632, 634, 638, 639, 640, 641, 644, 649, 650, 651, 652, 653, 659a, 661, 663, 664, 666, 667, 668, 670, 671, 672, 673, 674, 675, 681a, 682, 683, 687, 689, 691, 713½, 714, 715, 716, 717, 718, 719, 720, 721, 722, 936, 959, 983, 984, 985, 986, 987, 988, 988a, 988b, 988c, 988d, 988g, 988h, 988i, 989, 997, 1000, 1003, 1004, 1005, 1006, 1011, 1015, 1021, 1033, 1051, 1052, 1054, and Chapters I, II, III, and IV of Title XIII, Part II, of the Code of Civil Procedure, to add sections 396, 396a, 411a, 437b, 437c, 437d, 472a, 472b, 473a, 477, 586, 594a, 648a, 710b, 710c, 973, 983a, 1008, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1054a thereto, and to repeal sections 476, 633, 692 (as added by Chapter 117, Stats. 1931), 710 (as added by Chapter 92, Stats. 1903), 710½, 831, 831a, 831b, 831c, 831d, 831e, 831f, 831g, 831h, 831i, 831j, 832, 833, 834, 835, 835a, 836, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 857a, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 889, 890, 890a, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 900a, 900b, 901, 901a, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 927a, 927b, 927c, 927d, 927e, 927f, 927g, 927h, 927i, 927j, 927k, 927l, 927m, 927n, 927o, 927p, 927q, 929, 930, 931, 932, 933, 933½, 964, 965, 982a, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1035, 1036, 1037, 1038, and 1039 thereof, relating to civil actions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON LIVE STOCK AND DAIRIES

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 829—An act to amend section 585 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 1981—An act to amend section 479 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 1982—An act to amend section 459 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 1983—An act to amend section 476 of the Agricultural Code, relating to dairies and dairy products;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

ROBINSON, SAMUEL E., Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 516—An act to amend sections 1134, 1135, 1139, 1140, 1144, 1146, 1148, 1149, 1151, 1169, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221 and 1222 of the Code of Civil Procedure, relating to special proceedings—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1129—An act to add a new section to the Code of Civil Procedure, to be numbered 396b, relating to venue—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

WEST, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 520—An act to amend sections 5 and 29 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, the terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, and to repeal section 27a thereof, relating to municipal courts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 519—An act to amend sections 806 and 882 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to city and justice courts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

WEST, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 513—An act to amend sections 17, 22 and 30 of the Code of Civil Procedure, relating to definition of words used in said code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman

The above reported bill ordered on file for second reading

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1543—An act to amend section 2349 of the Political Code, relating to navigable streams and public water ways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

MALONEY, Chairman.

The above reported bill ordered on file for second reading

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No 812—An act to amend sections 3 174, 3 301, 3 302 and 3 306 of the School Code, relating to attendance of pupils in school districts other than those in which they reside—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

ROLAND, Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 553—An act to add a new section to the Political Code, to be numbered 3747a, relating to segregation of valuation of property on the assessment

roll—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 518—An act to amend sections 4300a, 4300e, and 4300f of the Political Code, relating to fees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 303—An act to repeal section 695 of the Political Code, relating to and abolishing the Bureau of Publications and Documents in the Department of Finance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 700—An act to prescribe salaries and salary classifications for the several offices and positions in the executive department of the government of the State of California;

Also: Assembly Bill No. 703—An act to prescribe salaries and salary classifications for the several offices and positions in the judicial department of the government of the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to Committee on Ways and Means.

LEVEY, Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means.

ON OIL INDUSTRIES

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1172—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the disposition of the receipts thereunder—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BADHAM, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1044—An act to amend the act known as "The General Cemetery Act," approved June 19, 1931, by amending section 3 and other sections thereof and by adding new sections thereto—has had the same under consideration, and respectfully

reports the same back without recommendation, as amended, and be re-referred to Committee on Judiciary.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR SPEAKER Your Committee on Education, to which was referred Assembly Bill No. 897—An act to repeal Part I of Division II of the School Code, embracing sections 2 20 to 2.760, inclusive, to repeal Chapters I, II, III, and IV of Part II of Division II of said code embracing sections 2.770 to 2.1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2.10 to 2 281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-A, respectively, embracing sections 2.650 to 2 911, inclusive, to amend sections 4 181, 4.375, 4 773, 4.811, 4.812, 4.875, 4 895, 4.896, 4.898, 4 970, 6.470 and 6 471 to 6.477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4 769, 6.470–1, and 6.470–2, to repeal section 4.771 of said code and to repeal certain acts, all relating to school districts and junior college districts—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ROLAND, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 1378—An act to regulate and license persons engaged in the business of outdoor advertising and to provide penalties for the violation hereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended, and be re-referred to Committee on Judiciary.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 38—Relative to requesting the Governor to make application to the Reconstruction Finance Corporation for a loan to be used for relief and reconstruction work in portions of southern California—and reports that the same has been correctly enrolled and presented the same to the Governor on this fifteenth day of March, 1933, at four o'clock and twenty minutes p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 609—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 612—An act confirming and validating the formation, organization and existence of reclamation districts;

Also: Assembly Bill No. 617—An act confirming and validating the formation, organization and existence of irrigation districts;

Also: Assembly Bill No 1063—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, by amending section 27b, relating to the deposit in banks of moneys of irrigation districts organized or existing under said act;

And reports that the same have been correctly enrolled and presented the same to the Governor on this fifteenth day of March, 1933, at four o'clock and twenty minutes p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 4—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property,

Also: Assembly Bill No. 20—An act to amend section 23 of an act entitled "An act to provide for and regulate primary elections, and providing a method for

choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended;

Also: Assembly Bill No. 283—An act to amend sections 6 and 14 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry and the power of the dental board.

Also: Assembly Bill No. 325—An act to add section 4a to an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, Statutes of 1923, page 431, providing for the disposition of funds collected from districts illegally formed;

Also: Assembly Bill No. 420—An act adding a new section to be designated section 1149½ to the Political Code, and amending section 1150 of the Political Code, relating to the index to the book of affidavits of registration, and the designation thereon of persons who have voted;

And reports that the same have been correctly engrossed

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 421—An act to amend section 13 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, relating to the time for preparing and mailing sample ballots;

Also: Assembly Bill No. 535—An act to amend sections 2, 3, 6, 7, 8, 9, 12, 13, 14, 17, 18, 19 and 21, and to add two new sections to be numbered 18a and 21a, to the "Act Concerning Cosmetology," relating to the practice and teaching of cosmetology.

Also: Assembly Bill No. 877—An act authorizing the Director of the Department of Industrial Relations to adopt measures, relating to spreading work in private industry.

Also: Assembly Bill No. 931—An act to amend sections 4960 and 4975 of the School Code, relating to school district bonds and the application of proceeds therefrom.

Also: Assembly Bill No. 1006—An act to provide a five-day week for State employees during the present unemployment emergency, and declaring the urgency thereof;

Also: Assembly Bill No. 1098—An act to amend section 602 of the Political Code, relating to insurance.

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 200—An act to repeal section 710, as added by Chapter 263, Statutes of 1903 and as amended by Chapter 634, Statutes of 1929, of the Code of Civil Procedure and to add a new section to be numbered 709a to the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman

The above reported bill ordered on file for third reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1011—An act to amend sections 2 and 5 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the office of State Fire Marshal—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 175—An act to amend section 60 of the Civil Code, relating to illegal and void marriages;

Also: Senate Bill No. 176—An act to amend section 69 of the Civil Code, relating to marriage licenses.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 175 read first time, and referred to Committee on Social Service and Welfare.

Senate Bill No 176 read first time, and referred to Committee on Social Service and Welfare.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 177—An act to amend section 1145 of the Agricultural Code, relating to imported egg products;

Also: Senate Bill No. 484—An act to add a new section to the Political Code to be numbered 363a½, relating to the powers and duties of the Department of Public Works.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No 177 read first time, and referred to Committee on Agriculture.

Senate Bill No. 484 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 294—An act to provide for the registration and protection of the names and insignia of fraternal associations, and to prohibit the wearing, exhibition, display, or use of the same by any person not entitled to wear, exhibit, display or use the same, and fixing a penalty for the violation thereof;

Also: Senate Bill No. 955—An act to repeal "An act to regulate the distribution of date palms and date palm offshoots and to hold the same in quarantine under the supervision of the State Commissioner of Horticulture until they are free from Marlatt scale (Phoenicococcus Marlatti) and Blanchard scale (Parlatoria Blanchardi) when introduced from, or grown in, any infested locality within this State or from other States, or if of foreign introduction, after they have been released by the Federal Horticultural Board and to fix a penalty for violation of this act" approved April 1, 1915.

Also Senate Bill No. 956—An act to repeal "An act to control the spread of the walnut codling moth, to regulate the movement of and treatment of shipment of walnuts, sacks, trays, and other orchard appliances into or from any premises or districts known to be infested with walnut codling moth, and to confer power on the Director of Agriculture to prescribe rules and regulations for such or other control of said pest, and to provide a penalty for the violation thereof," approved June 3, 1921;

Also: Senate Bill No 957—An act to repeal "An act providing for the protection of the vineyards of the State against Phylloxera by regulating the transportation

within the State of grapevines or parts thereof for use as fuel," approved May 11, 1913;

Also: Senate Bill No 958—An act to repeal "An act to prevent the propagation by the production of seed of that certain plant known as Sorghum Halepense otherwise known as Johnson grass," approved March 30, 1903;

Also: Senate Bill No. 781—An act to amend section 1105 of the Agricultural Code, relating to eggs

J. A BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary

Senate Bill No. 294 read first time, and referred to Committee on Judiciary.

Senate Bills Nos. 955, 956, 957, 958 and 781 read first time, and referred to Committee on Agriculture.

MESSAGES FROM THE GOVERNOR.

On this day, the following messages from the Governor were received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, February 28, 1933

To the Members of the Assembly of the State of California.

I am attaching hereto for your consideration and such action as you deem advisable in the premises, copy of a letter dated February 24, 1933, embodied in which is a resolution passed February 20, 1933, by The Regents of the University of California, protesting against an appropriation of $120,000 to establish a graduate division of the university at Los Angeles.

Very sincerely yours,

JAMES ROLPH, JR., Governor of California

(COPY)

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA,

BERKELEY, CALIFORNIA, February 24, 1933.

Hon. James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

DEAR GOVERNOR ROLPH: At a special meeting of The Regents of the University of California on February 20, which was called to consider university problems now pending in the Legislature, the following resolution was adopted:

WHEREAS, In response to repeated requests from the Director of Finance of the State and in recognition of the tragic circumstances of the times, The Regents reduced their budget estimates for the biennium 1933-1935 by $3,000,000, or 17½ per cent; and

WHEREAS, These reduced estimates were not only below the sum approved as necessary and appropriated by the Legislature of 1931, but also below the amount required for the maintenance of normal standards of educational efficiency at Berkeley, Davis, Los Angeles, and elsewhere; and

WHEREAS, In submitting such reduced estimates, The Regents omitted any provision for new departments or functions, and also drastically curtailed existing activities and impaired the efficiency of present instruction and research to an extent justifiable only because of the dire economic situation of today; and

WHEREAS, There is pending before the Legislature a proposal to appropriate $120,000 specifically to establish a graduate division of the university at Los Angeles, which, if its service to the State is to be of substantial value, will involve in subsequent years ever increasing appropriations; therefore, be it

Resolved, That The Regents inform the Legislature that, in the light of the conditions set forth above, they are opposed to the establishment of a graduate division of the university at Los Angeles at the present time and to the appropriation of any money for such purpose, as contrary to the public interest.

Very truly yours,
(Signed) ROBERT M. UNDERHILL.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 8, 1933.

To the Honorable Members of the Assembly of the California State Legislature.

With reference to my letter to you under date of March 6, 1933, I am in receipt of another letter from the Honorable Ray Lyman Wilbur, dated March 3, 1933, inclosing a copy of a letter from Mr. H. P. Jones, a member of the President's Naval Oil Reserve Commission, dissenting from the recommendation made by the

other members of the commission, a copy of which was forwarded to you on March 6th, concerning Naval Petroleum Reserve No 2.

I am inclosing herewith a copy of Mr. Jones' letter to the Secretary of the Interior, for your information.

With my compliments and best wishes,

Very sincerely yours,

JAMES ROLPH, JR, Governor of California

(COPY)

NAVY DEPARTMENT, WASHINGTON, D. C., March 2, 1933.

My dear Mr. Secretary: I have just received a copy of a letter dated February 27, 1933, to the Secretary of the Interior and signed by Dr. George Otis Smith and Mr. R D. Bush, as members of the President's Naval Oil Reserve Commission in regard to restoring Naval Petroleum Reserve No. 2 to the public lands under the jurisdiction of the Department of the Interior, and also a copy of Dr. Smith's letter of February 27, 1933, to the Secretary of the Navy forwarding a copy of the above report.

As a member of the President's Naval Oil Reserve Commission I wish to place myself on record as dissenting from the recommendation made by the other members of the commission.

I am sending copies of this letter to the Secretary of the Navy and to the other members of the President's Naval Oil Reserve Commission.

Very respectfully,

(Signed) H. P. JONES, Admiral, U. S N. (Retired),
Member, President's Naval Oil Reserve Commission.

Honorable Ray Lyman Wilbur, The Secretary of the Interior.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, February 28, 1933.

To the Members of the Assembly, California State Legislature.

I have the honor to submit a copy of two resolutions adopted by the Mining Committee of Fifteen, signed by Arthur B. Foote, Chairman, and W. J. Brock, Secretary, together with copy of preliminary report of Governor Rolph's Special Committee of Fifteen, appointed to investigate matters generally appertaining to mining as well as compensation rates, dated February 1, 1933.

With kindest regards,

Very sincerely yours,

JAMES ROLPH, JR, Governor.

(COPY)

His Excellency James Rolph, Jr.,
Governor of California,
Sacramento, California.

YOUR EXCELLENCY. At a meeting of your Mining Committee of Fifteen, held in Sacramento on February 1, 1933, the following resolution was passed:

WHEREAS, The mining industry, during the several years last past, has suffered from lack of sympathetic understanding of its problems and absence of practical cooperation on the part of the State administrations, and

WHEREAS, For the first time in many years, direct recognition of the mining industry was given by a Governor, when, on December 2, 1932, Governor James Rolph, Jr., appointed a committee of 15 men to investigate the problems of the mining industry and recommend legislation therefor; now, therefore, be it

Resolved, by the Committee of Fifteen, so appointed, That we express, by this resolution, our appreciation of the action of the Governor, in thus recognizing the importance and needs of the mining industry.

Passed and adopted, February 1, 1933.

(Signed) ARTHUR B. FOOTE, Chairman.
(Signed) W. J. BROCK, Secretary.

His Excellency James Rolph, Jr.,
Governor of California,
Sacramento, California.

YOUR EXCELLENCY: At a meeting of your Mining Committee of Fifteen, held in Sacramento on February 1, 1933, the following resolution was passed:

Resolved, By the Governor's Mining Committee of Fifteen that we hereby express our appreciation of the uniform courtesy shown this committee by the Director of Natural Resources, Mr. D. H. Blood, in providing a meeting place for this committee, and to his private secretary, Mrs. Audrey Sollenberger, who

has acted as our secretary and prepared our minutes outside her regular office hours, wholly without pay.

Passed and adopted, February 1, 1933.

(Signed) ARTHUR B. FOOTE, Chairman.
(Signed) W. J. BROCK, Secretary.

PRELIMINARY REPORT OF GOVERNOR ROLPH'S SPECIAL COMMITTEE OF FIFTEEN, APPOINTED TO INVESTIGATE MATTERS GENERALLY APPERTAINING TO MINING AS WELL AS COMPENSATION INSURANCE RATES.

His Excellency James Rolph, Jr.,
Governor of the State of California,
Sacramento, California.

The undersigned members of your Committee of Fifteen appointed

"To study the problems of the mining industry of the State, including compensation insurance, and to propose legislation for submission to the State Legislature, and otherwise to assist the mining industry of the State of California,"

submit the following preliminary report of progress:

The work is of such scope and importance that your committee has been unable to complete its investigation of the subjects for which it was formed. A complete report, together with tabulations, further facts and figures, will be submitted to you at the conclusion of the investigation.

Your committee has met in Sacramento, Los Angeles, San Francisco, and Grass Valley, and has listened to complaints from divers persons directly and indirectly connected with the mining industry. These hearings have been open to the public and press.

We have pursued our investigations principally with respect to workmen's compensation insurance, as this appeared to be one of the greatest afflictions of the industry. However, complaints from all parts of the State were heard in regard to the Corporate Securities Act, taxation, and other matters affecting the mining industry.

This preliminary report deals largely with industrial insurance which is in force in most of the States of the Union and in the Provinces of Canada.

From our investigations we have found the following:

Under the California Insurance Act there are four types of insurance provided: Stock carriers, mutual, reciprocal and State fund. In addition, permits are granted for self-insurers. The premium rate also increases in direct ratio to the manual rate, and also increases in direct ratio to the pure premium cost due to the load 40.6 per cent applied as a flat percentage to the pure premium This is a standard loading used by all States where competitive insurance is permitted. This causes the higher rated industries to pay greater loading charge in dollars and cents than in the industries rating lower pure premium costs

In California 59 4 per cent of the rate is used to pay benefits, 40 6 per cent to defray cost of overhead and one cent for catastrophe loading. The following is the makeup of the 40.6 per cent:

Acquisition of business, 17.5 per cent;
Claims, 8 per cent;
Home office expense, 7.5 per cent;
State and Federal taxes, 3.1 per cent;
Inspection, 2.5 per cent;
Pay roll audit, 2 per cent.

The rate as fixed by the State, being based wholly on the needs and requirements of an insurance carrier having a capital stock structure, is necessarily higher than where compensation insurance rates are fixed on a State monopoly basis. Wherever a low rate is in effect we find practically a State monopoly. The Province of Ontario, Canada, is a striking example, giving the greatest benefits to the injured workman. The 1932 underground rate was $2.50 for silver and $3.50 for gold mines. Surface labor had a rate of $1.50. The loading or overhead charge in that premium was but 5.07 per cent of benefits paid, as compared with California's 40.6 per cent of the total premium, or 68.4 per cent of benefits paid. Had we such a limitation of overhead, even with our extravagant awards, our rate in 1932 would have been materially lower.

The need for closer supervision by the Industrial Accident Commission over the items of medical care and hospitalization, is apparent even to the casual observer. It is quite evident that no really practical attempt is made to curb the malingerer, and the same is true with respect to the mounting costs of medical care and hospitalization. Your committee finds that medical costs, including hospitalization, are increasing at an alarming rate each year.

The Province of Ontario under State monopoly handles an annual mine pay roll of $24,500,000, with a premium rate for gold mining of 3½ per cent; and her medical and hospitalization costs are very low.

Under the present law, the Industrial Accident Commission is responsible to no one. Under section 364b of the Political Code, this body is appointed by the Governor, and each member holds office for a four-year term Under this form, no matter how arbitrary or unfair may be the rulings of this body, the people have absolutely no method of displacing them. A change of administration means nothing

The undersigned believe that this body should be responsible to the Governor and that the members of this very important commission should hold office at the pleasure of the Governor.

The law of this State makes no distinction between nonresident alien dependents and resident citizen dependents. In the case of a death award where the heirs of the injured workman are entitled to receive $5,000 such payment to an alien dependent in a foreign country, with their depreciated currencies and the high exchange rate of the American dollar, means that such alien dependents in some instances receive the equivalent of $30,000 in their money. This is unfair and inequitable. We believe, therefore, that the law should be limited so that compensation will be paid only to the surviving dependent father, mother, widow, or surviving minor children of the deceased who are residents and citizens of a foreign country, and that such award shall not in any instance exceed 50 per cent of the amount allowed to resident citizen dependents in similar cases

As an aid in curbing excessive medical costs, it has been recommended by some that the law should be amended so as to allow and permit the employer to collect from the employees and to deduct from any wages earned, 50 per cent of that portion of the premium chargeable as medical costs, and for this purpose, the rate as fixed by the State should set up the two factors in the premium rate, that is, medical costs and hospitalization on the one hand, and benefits and overhead on the other.

Five of the Pacific Coast States provide for participation by the employee in medical costs. Washington provides unlimited medical aid and the workmen pay half. Oregon, unlimited, men pay 1 cent per day Nevada, workmen pay half medical aid, and the same rule is true in Arizona.

In consideration of the many facts disclosed in the investigation, the following observations and recommendations are made:

1. Prior to 1926, the interpretation of section 9a was that medical treatment would not exceed 240 weeks, but in a California decision of that year the courts interpreted section 9a to permit unlimited medical treatment This interpretation reversed the intent of the act and created a condition, in so far as it relates to medical treatment, which has increased insurance premiums, for medical treatment can now continue throughout the life of the injured.

Your committee feels that in nearly all cases, if a cure is to be effected, or relief of a permanent nature secured, 240 weeks is ample time to secure relief or cure.

With discontinuance of medical treatment at a total of 240 weeks, an injured workman, if his injury continues for so long, could be cared for in the splendid institutions of State and county governments, where the best of medical treatment may be secured Moreover, provided the injury is such that the injured workman is incapacitated for a period longer than 240 weeks, the compensation rating would assure an income, commensurate with previous earning ability, as a means of livelihood It must be assumed that an injury that would exceed a 240-week period would be such as to cause total, or very nearly total, permanent disability

If the injured should require medical attention after 240 weeks, that which he could secure at public institutions would be fully as competent as that secured under medical aid furnished under workmen's compensation, and in no case which has come to the consideration of your committee, would such procedure result in an injustice to the injured workman.

Recommended That legislative action be provided to set a limit on medical treatment to a total of 240 weeks. If necessary, a provision could be made that a workman on whom insurance had been carried, requiring treatment in excess of 240 weeks, be afforded such treatment by public institutions.

2 Further, under section 9, in regard to disability payment as provided under 2-1 of that section, the present interpretation is not sufficiently specific, is too liberal and has worked hardships on all compensation insurance carriers. Such interpretations have been one cause for the raise in premium rates for compensation insurance.

Recommendation. That bills be passed to provide compensation awards to any individual for the actual loss of wage, and not upon a theoretical average which the workman "might" have received This is recommended to provide for the staggered plan of employment now being practiced.

3 Compensation to alien dependents is of importance Investigation has shown abuses of the act in regard to claims and allowances of such dependents.

Actual dependency is a serious question. It has been found that upon the death of an alien employee who had claimed no dependents, several persons disclosed themselves as dependents subsequent to the death of the employee. Obviously, in such cases, dependency is difficult to prove or disprove.

Recommendations. Awards made to alien dependents under the Workmen's Compensation Act, provided the alien dependents are living abroad at the time of the death or injury, be limited to 50 per cent of the benefits awarded to those within the boundaries of the United States.

In order to make certain of actual dependency of aliens living abroad, an employee with alien dependents shall be required to register and make known such dependents, at the time of securing employment, and shall clear all remittances to foreign dependents through the employer, in order that moneys forwarded shall be a matter of record. Such action would also make less difficult the decisions of the Industrial Accident Commission.

4. Your committee conferred with members of the medical profession and an unfortunate condition regarding the award of claims to injured workmen was disclosed. This phase deals entirely with workmen who have been injured slightly or not at all, or those who wrongfully claim serious injury. Numerous cases have been cited where the injury was nonexistent or cured at the time a claim for award was asked Such workmen are termed malingerers. One case was cited where claim awards totaled 156 per cent disability. This type of workman is a constant source of annoyance to the employer, the attending physician and the Industrial Accident Commission, and has been a cause for some of the increase in the premium rates. Such a workman will continually make claims for medical treatment and compensation without justification, and, in many cases, such claims have been renewed after a lapse of several years The Industrial Accident Commission, through no fault of its own, has been unable to properly segregate deserving and undeserving claimants In order to remedy the present condition it is advisable to set up, for each case, if requested, a committee of examining medical men to assist the Industrial Accident Commission

Recommended. That a bill be provided by the Legislature for a committee to assist the Industrial Accident Commission, such committee to be composed of three medical men, one of whom shall be named by the employer, one by the injured workman, and one by the insurance carrier. This committee to examine the claimant and either appear before or report to the Industrial Accident Commission, giving testimony to definitely establish his status for benefits under the Workmen's Compensation Act Such committee to serve without expense to the State The expenses of the medical testimony are to be borne by each of the three factors appointing such medical representation

The findings of this medical committee to be used as a basis to determine the final awards to the injured workman.

6. Your committee's investigation has disclosed that a campaign for safety is necessary in mining as in other industries. While the facts disclose that the number of accidents is decreasing, it appears that the matter of safety plays an important part in the reduction of premium rates of insurance, however, other factors are of vital importance, and in order to continue a decrease in accidents, it is advisable that plans be executed in order to make safety a factor which every employer will consider more vital than at present.

Recommended That the Industrial Accident Commission, cooperating with the State Insurance Fund, the State Division of Mines, and the United States Bureau of Mines, work out a plan whereby the various employees and elements in each organization may be so coordinated that a duplication of work will not occur, and that a safety program be followed to the end that all employers and employees be educated in the matter of safety and accident prevention.

7. There have been broad interpretations by the Industrial Accident Commission and the courts in cases which come under the following groups: "Accident in the course of employment." "occupational or industrial diseases." "accidents or injuries arising out of or in the course of employment," "infections."

Too broad and general interpretation under these classifications has been made by the Industrial Accident Commission and the courts, and injuries of unrelated or doubtful origin have been awarded medical aid and compensation.

Recommended. That the law be amended to include only injuries and diseases that actually arise out of or in the course of the employment.

8. The Industrial Accident Commission has recognized the workmen's claim for compensation without taking into full consideration the facts that awards, not fully substantiated or justified, are a hardship to all industry, resulting in high insurance rates. These rates cause decreased employment. Industry, as at present constituted, can not pass on to the consumers any further increase in the cost of manufacturing, particularly when added cost does not increase the real value of that which is produced. This is particularly true in gold mining, where the product is stabilized at $20 67 an ounce, and the impossibility of increasing the price of gold, in the face of increasing insurance rates, will soon make production of gold virtually impossible.

While your committee sympathizes with every branch of labor, it must take into consideration those factors which make for employment; that is, sound economic conditions of employment In this consideration it is felt that labor should share with industry for the welfare of all. If this is not done, labor, on account of the increasing demands made upon industry in the matter of increasing insurance premium rates, will be forced to accept a lower wage.

Recommended. That the Industrial Accident Commission be instructed by Your Excellency to interpret Workmen's Compensation Law, to the end that extreme liberality will be discontinued, and that all interpretations will consider the requirements of both labor and industry.

9. An investigation of the matter of safety in shafts has been considered and your committee has found that the hoist men and engineers upon whom the lives of many men depend are sometimes not competent.

Recommended. That a law be enacted requiring hoisting engineers at shafts and in other mine workings to pass an examination similar to that provided under the laws of the State of Nevada; that there be issued to qualified applicants certificates of competency, and that provisions be made for renewal of such certificates at stated intervals.

10. In the matter of the Corporate Securities Act, disclosures and complaints made to your committee reveal the fact that there is apparently a hardship worked upon the mining industry, as well as other industries, in the administration of this act. The committee has not gone into this matter thoroughly, but intends to consider the subject at future meetings It believes this matter should receive serious consideration, and its recommendations will be presented later.

11 Mine taxation and a bonus on gold have been brought to the attention of the committee, but were tabled pending the completion of the investigation of workmen's compensation. These and other subjects are now under consideration by your committee and hearings will be held to secure complete data and information.

The undersigned respectfully submit the foregoing as a preliminary report. The final report to be submitted to Your Excellency at the close of the investigation.

February 1, 1933.

(Signed) ARTHUR B. FOOTE, Chairman.
(Signed) W. J. BROCK, Secretary.
(Signed) P. W. RACEY.
(Signed) FRANK A. CRAMPTON.
(Signed) H. R. PLATE.
(Signed) GEORGE W. STARR
(Signed) G. CHESTER BROWN.
(Signed) CHAS. L. GILMORE

I dissent as per attached report.
(Signed) JOHN C. CHANDLER.

SAN FRANCISCO, CALIFORNIA, January 31, 1933.

His Excellency James Rolph, Jr.,
Governor of the State of California,
Sacramento, California.

The undersigned dissent in respect to the majority report in that there are certain inferences and conclusions which might be viewed as misleading and in some instances not substantiated by facts. It has been established for your committee that compensation rates follow accident costs and do not follow the number of accidents. It follows logically therefore that there must be a lowering of these accidents which result in costs in order to produce a reduction in rates

While paragraph 6 on page 4 of the report dwells on the matter of mine safety yet there has not been sufficient weight given to this very important feature. Concerted action for mine safety is the only feasible method of control of accident cost. The mining industry must through its associations take drastic steps to drive home to the mine operators in this State that compliance with the safety rules not only regarding the use and maintenance of mechanical equipment but also the exercising of proper supervision at all times by managers, superintendents, foremen and others who act in authority.

Statement is made that the number of accidents is decreasing. This assertion is misleading. So far as the insured mines in the State of California are concerned, the latest reports over a five-year period terminating December 31, 1930, indicate that there has not been any general lowering of accident costs As a matter of fact the tendency shows an upward trend For example, on the basis of pay roll expenditure the year 1930 shows in a more unfavorable light affecting serious accidents and medical than any year of the five-year period except 1928. This also means that there is an increase under serious and medical when compared with 1929.

Furthermore the total percentage based on serious, nonserious and medical amounts using the pay roll for the insured mines gives a higher percentage as a whole for 1930 than any year of the five-year period except 1928.

On the other hand accident costs of self-insured mines appear to be steadily decreasing. All of which must be interpreted to the effect that the self-insured mine owner is alive to the advantage which accrues from having mandatory safety rules in effect at all times. Actual facts prove beyond a doubt that the safety factor, which has not occupied much space in the majority report, is really the point upon which the matter of mine insurance rates hinge.

Accident costs determine compensation rates in any industry and in this respect the mining industry is no different than any other. Just as soon as people who control any mine become safety minded in the full meaning of such term, then it is obvious that a rate decrease affecting that particular mine will follow.

In respect to the 4.6 per cent loading feature, due recognition must be given that the different items making up this total do not include any percentage representing underwriting profit. When we consider that this 4.6 per cent loading is used almost universally in about 38 States and there is not any portion of such loading which may be viewed as not essential to the rendering of the proper and efficient service to the employer, any criticism for the use of such loading is not well founded. On the other hand the inspection expense of 2.5 per cent will be found to be too low for any carrier that attempts to devote the proper time to actual inspection of a mine as well as instruction in safety procedure to the different executives and employees of the employer. The State and Federal taxes are fixed charges not to be evaded under any circumstances while the home office expense is not excessive. The claim expense of 8 per cent is required when the various details pertaining to handling of compensation claims is to be carried out in accordance with the rules and requirements of the Industrial Accident Commission together with claim help which must be extended to the employer and injured employee. The pay roll audit expense of 2 per cent is not too much for the proper functioning in connection with the examination and recording of actual pay rolls which will determine the proper earned premium earned by the carrier and to be paid by the employer. The remaining item of acquisition—17.5 per cent—is essential when in the final analysis the agent does have many services which he must render for his client and on his client's behalf. This action on the part of the agent incurs expense in time and accruing from travel. Notwithstanding the compulsory feature of the act experience has shown us that the agent is in reality an arm of the insurance business and the commission which is paid is fully earned in every sense of the word.

The reflection of 40.6 per cent loading is included in this report in commenting upon the Compensation Act prevailing in the Province of Ontario. While stress has been laid on the low rates which are in force in Ontario yet there are some very pertinent facts that have not been touched upon. For example, under the Ontario law no mine owner is allowed to proceed on a self-insured basis; they must be insured in the so-called fund. In the event that the self-insured mines in California would have been insured during the last seven or eight years there is no doubt but what the resulting rate would have been materially lower than called for under the latest computation. We exceedingly doubt that the self-insured mine owners in California will approve any scheme which will require them to lose their self-insured status which would prevail should a law similar to the Ontario Act go into effect.

Next as respects Ontario, accident prevention plays practically no part in any service which should be obtained by the employer. The merit rating of risks does not prevail, hence the cheapness of administration is affected thereby.

The board in Ontario which administers the Compensation Law investigates claims as it pleases and its decision or awards are final. There is no right of the employer or employee to appeal to courts from any decisions handed down by the board whether such decisions reflect against the employer or deny compensable benefits to an employee who really believes he is justified in securing proper amounts due to injury which has been sustained. Several years ago an investigating commission from New Zealand studied the Ontario plan and reported adversely on the grounds that the people of New Zealand would not submit to such uncontrolled bureaucracy as described.

The compensation law in Ontario is restricted to apply only to the large and highly organized industries. Farm labor and domestic service are excluded by statute and the board does under regulations exclude all mercantile business, hotels, restaurants and employments in the conveyance of passengers by motor vehicles, etc., with their subsidiary occupations. Then again exclusion extends to some industries wherever less than six workmen are usually employed as well as some other industries wherever less than four workmen are usually employed are also excluded. We are satisfied that such a scheme would not be acceptable to employers in general or the labor interests in California.

We respectfully call your attention to the portion of page 2 of the report which stipulates that the Industrial Accident Commission should be responsible to the Governor and that the members of the commission should hold office at the pleasure

of the Governor. Stress has been laid in the report dealing with the apparent beneficial effect on the Ontario law. To all intents and purposes such law is viewed with considerable favor by members of the committee who have affixed their signatures to the report. The Ontario law is such that the members of the board hold permanent office and are not subject to periodical appointment. For this reason it is difficult to comprehend how on one hand members of the committee feel that the California Industrial Accident Commission members should be periodically appointed and responsible to the Governor while the Ontario law which they favor calls for the board members holding their office permanently and are not responsible to any one for their activities.

In keeping with the belief that recommendations applying to change in the compensable benefits or medical aid payments or the rendering of statutory medical comprise features which should receive the attention of employers exclusively and that the functions of the insurance companies fundamentally require the companies to give complete protection under existing acts in accordance with the terms of their policy contracts, we the undersigned must respectfully place on record that the undersigned are not in the position to approve or disapprove any portion or portions of the report dealing with payments to the employee or employees' dependents involving compensable benefits, medical costs or rendering of medical treatment.

For reasons set forth above, the undersigned must dissent from the majority report

(Signed) JOHN C. CHANDLER.
(Signed) ARTHUR M. BROWN, JR.

MOTION TO RE-REFER.

Mr. Rawls moved that Assembly Joint Resolution No. 24 be withdrawn from Committee on Judiciary, and re-referred to Committee on Federal Relations.

The question being on referring Assembly Joint Resolution No. 24 to Committee on Federal Relations.

Motion carried.

Assembly Joint Resolution No. 24 ordered referred to Committee on Federal Relations.

ADJOURNMENT.

At six o'clock and twenty minutes p.m., on motion of Mr. Clowdsley, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, March 16, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, March 16, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Horublower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Crowley, Mr. O'Donnell was granted leave of absence for the day.

On motion of Mr. Utt, Mr. Craig was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Ross, Mr. G. A. Collyer, history instructor from Lincoln Union High School of Roseville, Placer County, and a delegation of senior and junior students, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Utt, Paul Witmer, mayor of Santa Ana, and Clyde Downing, city attorney of Santa Ana, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stream, Mrs O. Miller Robertson, Riverside, third vice president, California Congress of Parents and Teachers, member of Riverside Board of Education, and Mrs. F. W. Kenney, Hemet, president, Twenty-third District California Congress of Parents and Teachers, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stream, Mrs Julia McKinney, member of board of directors of San Diego Camp Fire Association, San Diego Tuberculosis Association, and Ninth District Parent-Teachers Association, and probation committee of San Diego County, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stream, Mr. and Mrs. R W. Marvin, Anaheim, president of fourth district, California Congress of Parents and Teachers, were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Melvin A Isaacs and Company, San Francisco, protest against Assembly Bill No. 1992.

Also:

By Mr. Speaker:

From Woman's Auxiliary of the Disabled American Veterans of the World War, Unit No 17, urging amendment of Veterans' Welfare Act.

(Signed) (MRS.) EDWARD D. RAGON.

COMMUNICATIONS.

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

CALIFORNIA HIGHWAY COMMISSION.
SACRAMENTO, March 15, 1933.

To the Honorable Members of the State Legislature of California, Session of 1933.

Pursuant to the provisions of Senate Concurrent Resolution No. 7, amended in Assembly January 25, 1933, directing the California Highway Commission and the Department of Public Works to make the necessary studies on or before March 15, 1933, and to submit a report and recommendation with supporting engineering data for

the inclusion of approximately 6600 miles in the secondary State highway system, and an alternative report for the inclusion of any lesser number of miles in the secondary State highway system, we have the honor to transmit to you in the accompanying report the results of such study and our recommendations.

Respectfully submitted.

CALIFORNIA HIGHWAY COMMISSION.
H. A. HOPKINS, Chairman.
P. A. STANTON,
FRANK A. TETLEY,
T. A. REARDON,
W. W. BARHAM,
Members
DEPARTMENT OF PUBLIC WORKS.
EARL LEE KELLY, Director.

The Speaker ordered the report of the California Highway Commission referred to in the above communication referred to the Committee on Roads and Highways, and when the report has been analyzed by that committee such report to be returned to the Minute Clerk of the Assembly.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1172—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casinghead gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the disposition of the receipts thereunder—has had the same under consideration, and respectfully reports the same back, and recommends that it be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered to reprint.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1280—An act to amend sections 452a, 452b, 452c, 452d, 452e, 452f, 452g and 453 of the Civil Code, all relating to mutual benefit and life insurance associations;

Also: Assembly Bill No. 1044—An act to amend the act known as "The General Cemetery Act," approved June 19, 1931, by amending section 3 and other sections thereof and by adding new sections thereto;

Also: Assembly Bill No. 1378—An act to regulate and license persons engaged in the business of outdoor advertising and to provide penalties for the violation hereof;

Also: Assembly Bill No. 897—An act to repeal Part I of Division II of the School Code, embracing sections 2.20 to 2.760, inclusive, to repeal Chapters I, II, III and IV of Part II of Division II of said code, embracing sections 2.770 to 2.1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2.10 to 2.281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-A, respectively, embracing sections 2.650 to 2.911, inclusive, to amend sections 4.181, 4.375, 4.773, 4.811, 4.812, 4.875, 4.895, 4.896, 4.898, 4.970, 6.470 and 6.471 to 6.477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4.769, 6.470-1 and 6.470-2, to repeal section 4.771 of said code, and to

repeal certain acts, all relating to school districts and junior college districts; Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 635—An act to amend sections 21, 228, 229, 440, 463, 578, 702, 715, 932, 1010, 1020, 1120, 1125, 1126, 1200, 1201, 1531 and 1537 of the Probate Code, to add sections 718.5, 930.5, 1020.5, 1026, 1127, 1241, 1556.5 and 1632 thereto, and to repeal sections 965, 966, 1969 and 1970 of the Code of Civil Procedure and section 672 of the Civil Code, all relating to probate, including the custody, disposal by will, succession, administration and distribution of estates of decedents, and the custody and administration of estates of persons under guardianship—and reports that the same has been correctly re-engrossed

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1009—An act to add a new section to the Penal Code to be numbered 653c-1, relating to the hours of labor on public works during the present emergency and declaring the urgency thereof;

Also: Assembly Bill No. 1127—An act to amend an act entitled "An act to require the Director of the Department of Natural Resources to register and mark buildings of historical interest or landmarks," approved April 24, 1931, by amending the title thereof, and by amending section 2 and by adding a new section to be numbered section 3;

Also: Assembly Bill No. 1355—An act to amend sections 587 and 1515 of the Probate Code, relating to the dedication of real property by executors, administrators and guardians;

Also: Assembly Bill No. 1395—An act to amend section 537 of the Code of Civil Procedure, relating to attachments;

Also: Assembly Bill No. 1871—An act to repeal section 4041c of the Political Code, and to add a new section thereto to be numbered 4041c, relating to county officers;

Also: Assembly Bill No. 1874—An act to amend section 4017 of the Political Code, relating to the consolidation of county offices,

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1933.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 151—An act to add sections 27, 28, 29, 30, 31, 32, 33, and 34 to Chapter 310, Statutes of 1905, entitled "An act to provide for the formation of levee districts in the various counties of this State, and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, relating to levee districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

UNFINISHED BUSINESS.

Assembly Joint Resolution No. 23—Relative to memorializing and requesting the Reconstruction Finance Corporation to make funds available for relief work in Los Angeles County.

Resolution read.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Joint Resolution No. 23 was withdrawn from the file, and referred to Committee on Rules.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 605—An act to validate the formation, organization and existence of municipal improvement districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 607—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the principal and interest of such bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 614—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any acquisition and improvement district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 618—An act to validate proceedings for the annexation, incorporation, and inclusion of territory by municipal corporations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 619—An act to validate the organization and existence of municipal utility districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1206—An act amending section 6 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, relating to special assessment proceedings.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1517—An act to amend section 2 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, relating to the annexation of inhabited territory.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1690—An act to amend sections ------ of an act entitled "An act * * *.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out "amend sections ------ of an act entitled "An act", and insert in lieu thereof the following "add section 32 to the Land Settlement Act, ratifying and confirming the execution of a certain agreement between the Federal Land Bank of Berkeley, the Delhi National Farm Loan Association and the State of California relating to the transfer of properties at the Delhi State Land Settlement to the Federal Land Bank at Berkeley, and the satisfaction of certain obligations of the State of California which said agreement was executed subject to the confirmation and ratification of the Legislature of the State of California."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the act cited in the title hereof to be numbered 32 and to read as follows:

Sec. 32. That certain agreement dated February 11, 1933, by and between the Federal Land Bank of Berkeley, party of the first part, the Delhi National Farm Loan Association, a corporation chartered by the Federal Farm Loan Board, party of the second part, and the State of California, by and through its duly appointed, qualified and acting Director of Finance, party of the third part, which said agreement was executed by the Director of Finance subject to the confirmation and ratification of the Legislature of the State of California, and a true and correct copy of which said agreement is on file with the Chief Clerk of the Assembly, is hereby confirmed and ratified."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 380—An act to amend section 1255a of the Code of Civil Procedure, relating to the abandonment of condemnation proceedings.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

In line 16 of the printed bill, after the word "actions", strike out the semicolon and insert in lieu thereof a comma and the following: "provided, however, that upon judgment of dismissal on motion of plaintiff, defendants, and each of them, may file a cost bill within thirty (30) days after notice of entry of such judgment:".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 924—An act to amend the title and section 2 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 15, of the printed bill, strike out the comma following the word "created", and insert "and while it maintains,".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1060—An act to amend section 453ee of the Civil Code, relating to investments authorized to be made by mortgage insurance companies.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee.

AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, insert after the phrase "metropolitan water district", the following: "municipal utility district."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1380—An act to amend section 429 of the Civil Code, relating to the funds from which corporations formed under the laws of this State having a capital stock and transacting fire, marine or inland navigation insurance business may make dividends.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out entire line 5, and insert in lieu thereof the following: "navigation insurance business shall be governed in the making of dividends exclusively by the provisions of this section, and may make dividends only from funds".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1280—An act to amend sections 452a, 452b, 452c, 452d, 452e, 452f, 452g, and 453 of the Civil Code, all relating to mutual benefit and life insurance associations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out line 1 of the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 452a, 452c, 452d, 452f, and 453 of".

AMENDMENT NUMBER TWO

In line 2 of the title of the printed bill, strike out "452g and 453 of".

AMENDMENT NUMBER THREE.

In line 3 of the title of the printed bill, strike out "insurance".

AMENDMENT NUMBER FOUR.

On page 1, line 1, of the printed bill, after "452a", insert the following: "of the Civil Code".

AMENDMENT NUMBER FIVE.

On page 1, line 5, of the printed bill, strike out "but", and insert in lieu thereof a comma.

AMENDMENT NUMBER SIX.

On page 1 of the printed bill, strike out line 6, and insert in lieu thereof the following: "exceeding three dollars for each one thousand dollars or fraction thereof, of insurance carried by each member of the association, but not exceeding in any case the sum of three thousand dollars. The articles of".

AMENDMENT NUMBER SEVEN.

On page 1 of the printed bill, strike out line 8, and in line 9 strike out "property rights, and interests", and insert in lieu thereof the following: "tion 595, except that they must provide that the voting power".

AMENDMENT NUMBER EIGHT.

On page 1 of the printed bill, between lines 10 and 11, insert the following: "The articles must also provide that the property rights and interests of each member of any association shall be that proportion of the total of the property and interests of the association which the amount stated by the policy of the member to be payable on the member's death bears to the total of such amounts in all the policies issued by the association and in force at the time when the determination of rights and interests is made. The articles shall also provide that if the association ceases to do business, the property rights and interests of the members as to one another are those which exist at the time when the business of the association so ceases."

AMENDMENT NUMBER NINE.

On page 1 of the printed bill, strike out lines 11 to 27, inclusive, and on page 2 of the printed bill, strike out lines 1 to 16, inclusive.

AMENDMENT NUMBER TEN.

On page 2 of the printed bill, strike out line 17, and insert in lieu thereof the following:

"SEC. 2. Section 452c of the Civil Code is hereby amended to read as follows:".

AMENDMENT NUMBER ELEVEN.

On page 2, lines 19 and 20, of the printed bill, strike out "except such associations referred to in section 452f".

AMENDMENT NUMBER TWELVE.

On page 2, lines 25 and 26, of the printed bill, strike out "the Insurance Commissioner", and insert in lieu thereof "said commissioner".

AMENDMENT NUMBER THIRTEEN.

On page 2 of the printed bill, strike out lines 32 and 33, and insert in lieu thereof the following: "vided."

AMENDMENT NUMBER FOURTEEN.

On page 2 of the printed bill, strike out line 34, and insert in lieu thereof the following:

"SEC. 4. Section 452d of the Civil Code is hereby amended to read as follows:".

AMENDMENT NUMBER FIFTEEN.

On page 2, line 39, of the printed bill, after "solvent", insert the following: "association or".

AMENDMENT NUMBER SIXTEEN.

On page 2 of the printed bill, strike out lines 42 to 45, inclusive.

AMENDMENT NUMBER SEVENTEEN.

On page 2 of the printed bill, strike out line 46, and insert in lieu thereof the following:

"SEC. 4. Section 452f of the Civil Code is hereby amended to read as follows:".

AMENDMENT NUMBER EIGHTEEN.

On page 2, lines 47 and 48, of the printed bill, strike out "employed by the same employer", and insert in lieu thereof the following: "or other persons".

AMENDMENT NUMBER NINETEEN.

On page 2, line 51, of the printed bill, after "therein", insert a comma.

AMENDMENT NUMBER TWENTY.

On page 3, line 2, of the printed bill, strike out the period following "Code", and insert in lieu thereof the following: "and section 597 of the Political Code."

AMENDMENT NUMBER TWENTY-ONE.

On page 3 of the printed bill, strike out lines 3 to 32, inclusive.

AMENDMENT NUMBER TWENTY-TWO.

On page 3 of the printed bill, strike out line 33, and insert in lieu thereof the following

"SEC. 5. Section 453 of the Civil Code is hereby amended to read as follows:".

AMENDMENT NUMBER TWENTY-THREE.

On page 3, line 35, of the printed bill, after "member", strike out the comma, and insert in lieu thereof the following: 'under circumstances entitling the nominee of said member to the benefits set forth in the member's policy, and within sixty days after receipt of notice of an order of the insurance commissioner based on such death and requiring it so to do, must".

AMENDMENT NUMBER TWENTY-FOUR.

On page 3 of the printed bill, strike out line 37, and insert in lieu thereof the following: "dollars of insurance or fraction thereof, carried by each member, and collect".

AMENDMENT NUMBER TWENTY-FIVE.

On page 3, line 40, of the printed bill, after "of", insert the following: "such".

AMENDMENT NUMBER TWENTY-SIX.

On page 3, line 41, of the printed bill, immediately before "exclusive", insert a comma.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 3, line 42, of the printed bill, strike out "membership fees", and insert in lieu thereof the following "initial membership fee payable on the first policy held,".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 3, line 43, of the printed bill, strike out "eight", and insert in lieu thereof the following: "twelve".

AMENDMENT NUMBER TWENTY-NINE.

On page 3, line 45, of the printed bill, strike out "when," and also strike out lines 46 to 52, inclusive, and on page 4 strike out lines 1 to 8, inclusive, and insert in lieu thereof the following, "upon issuance of policy held by the member. The association may make such by-laws not inconsistent with".

AMENDMENT NUMBER THIRTY.

On page 4 of the printed bill, strike out line 10, and insert in lieu thereof the following "and the transaction of its business; may by its name sue and be".

AMENDMENT NUMBER THIRTY-ONE.

On page 4, line 11, of the printed bill, strike out the colon, and insert in lieu thereof a semicolon

AMENDMENT NUMBER THIRTY-TWO.

On page 4 of the printed bill, immediately after line 13, insert the following:

"Each association governed by the provisions of this chapter may levy a special assessment or special assessments, in addition to other assessments authorized by the provisions of this chapter, for the purpose of creating an emergency mortuary fund.

Such emergency mortuary fund shall be used solely for the payment of approved death claims, but no such payment shall be made out of such fund to an amount in excess of the net proceeds of the last preceding assessment, or to an amount in excess of the largest amount agreed, under the terms of the policy, to be paid on the death of the member. Notwithstanding the payment of any death claim out of moneys in the emergency mortuary fund, the association may, in addition to the special assessments above authorized, levy an assessment in the same manner as though for the payment of such claim, but the proceeds thereof shall be paid into said fund to replenish it for the loss arising out of the payment of such claim.

Each association governed by the provisions of this chapter may provide for the payment in advance, at periodic intervals, of stipulated amounts, each consisting of specified portions of the initial membership fees, or of dues or assessments, or all or any thereof.

The portion of such payments which constitutes payment or part payment of assessments for mortality claims or of special assessments for the emergency mortuary fund must as to each member be maintained as a trust fund in the name of such member on the books of the association. Such trust funds shall be used only for the payment of assessments chargeable against the member for the payment of assessments for mortality claims, replenishment or creation of the emergency fund and expenses incidental thereto, as authorized by this chapter. Any portion of such fund not previously applied to the payment of an assessment and not

subject to be applied to an assessment made prior to such demand, shall be subject to any disposition required by the member on demand by him"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 517—An act to amend section 1985 of the Code of Civil Procedure, relating to subpenas.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1130—An act to amend section 4189 of the Political Code, relating to service of writs, notices and other process.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 27—An act to amend section 602 of the Penal Code, relating to trespass.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 28—An act to amend section 627 of the Penal Code, relating to trespass.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1872—An act to amend section 737j of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Fresno.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 514—An act to amend sections 33, 34, 36, 40, 47, 53, 57, 65, 66, 73 (as amended by Chapter 706, Statutes of 1931), 103a, 104, 105, 107, 112, 129, 130, 134, 135, 139, 142, 147, 150, 151, 152, 153, 156, 157, 159, 166, and Chapters V and VI of Title I of Part I, and Article I of Chapter V of Title I of Part I, of the Code of Civil Procedure, to add sections 81, 82, 83, 84, 85, 86, 87, 88, 89, 108, 108a, 109, 113, 113a, 113b, 113c, 113d, 114, 115, 116, 116a, 116b, 117, 117a, 117b, 117c, 117d, 117e, 117f, 117g, 117h, 117i, 117j, 117k, 117l, 117m, 117o, 117p, 117q, 122, 122a, 122b, 122c, 122d, 122e, and Articles II, III, IV and V of Chapter V of Title I of Part I, and Chapter V, A of Title I of Part I thereto, and to repeal sections 37, 38, 39, 41, 42, 43, 44, 45, 46, 49, 50, 51, 52, 52a, 54, 55, 56, 67b, 68, 69, 70, 71, 72, 73 (as amended by Chapter 182, Statutes of 1931), 75, 76, 77, 78, 79, 85, 86, 87, 88, 89, 91, 92, 93, 94, 95, 96, 97, 98, 142 (as amended by Chapter 182, Statutes of 1931), 160, 161, 167, 170b, 176, 182, 183, 304, and Articles II and III of Chapter V, of Title I of Part I thereof, relating to courts of justice and various officers connected therewith.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend sections 33, 34, 36, 40, 47, 53, 57, 65, 66, 73, 103a, 104, 105, 107, 112, 129, 130, 134, 135, 139, 142, 147, 150, 151, 152, 153, 156, 157, 159, 166, 170, 179, 184, 188, 189, 225, 226, 227, 228, 231, and 248 of the Code of Civil Procedure; to amend the headings of Chapter V of Title I of Part I and of Chapter V of Title II of Part I thereof; to add sections 108a, 159a, and 203 thereto; to add new Articles II and V to Chapter V of, and a new Chapter V-A to Title I of Part I thereof; to repeal the existing Article I of and to add a new Article I to Chapter V

of, and to repeal the existing Chapter VI of, and to add a new Chapter VI to, Title I of Part I thereof; to renumber Articles II and III of Chapter V of Title I of Part I thereof, to be Articles III and IV, respectively, of said chapter and to amend the headings of said articles; to amend sections 892, 914, 915, 916, 917, 918 and 921 thereof, and to renumber section 892 to be 109, section 914 to be 113, section 915 to be 113a, section 916 to be 113b, section 917 to be 113c, section 918 to be 113d and section 921 to be 108; and to repeal sections 37, 38, 39, 41, 42, 43, 44, 45, 46, 49, 50, 51, 52, 52a, 54, 55, 56, 67b, 68, 69, 70, 71, 72, 75, 76, 77, 78, 79, 106, 160, 161, 167, 170b, 176, 182, 183, 304, 831f, 831g, 911, 912, 913, 920, 927 to 927q, inclusive, 929, 930, 931, 932, 933 and 933} thereof; all relating to courts of justice and various officers connected therewith."

AMENDMENT NUMBER TWO

On page 2, lines 48 and 49, of the printed bill, strike out "; the number, qualifications, terms of office, powers and duties of", and insert in lieu thereof a comma.

AMENDMENT NUMBER THREE

On page 3, line 27, of the printed bill, after "lights", insert a comma.

AMENDMENT NUMBER FOUR.

On page 4, line 5, of the printed bill, after "appeal", insert a comma.

AMENDMENT NUMBER FIVE.

On page 4, lines 24 and 25, of the printed bill, strike out ", the qualifications, terms of office, powers and duties of the judges thereof,".

AMENDMENT NUMBER SIX.

On page 5, strike out lines 25 to 33, inclusive, of the printed bill, and insert in lieu thereof the following.

"SEC. 12. Article I of Chapter V of Title I of Part I of the Code of Civil Procedure, embracing sections 85 to 98, inclusive, is hereby repealed, and a new Article I, embracing sections 81 to 85, inclusive, is hereby added to said chapter, to read as follows:

Article I. General Provisions."

AMENDMENT NUMBER SEVEN.

On page 5 of the printed bill, strike out lines 40 and 41.

AMENDMENT NUMBER EIGHT.

On page 5, line 43, of the printed bill, between "county," and "shall", insert the following: "or the determination of the jurisdiction of such courts by the Legislature,".

AMENDMENT NUMBER NINE.

On page 5, line 46, of the printed bill, strike out "where", and insert in lieu thereof the following: "wherein".

AMENDMENT NUMBER TEN.

On page 5 of the printed bill, strike out lines 48 and 49.

AMENDMENT NUMBER ELEVEN.

On page 6 of the printed bill, strike out lines 1 and 2.

AMENDMENT NUMBER TWELVE

On page 6 of the printed bill, strike out lines 5 and 6.

AMENDMENT NUMBER THIRTEEN.

On page 6, line 14, of the printed bill, strike out "18", and insert the following: "13".

AMENDMENT NUMBER FOURTEEN.

On page 6, line 17, of the printed bill, strike out "and the heading".

AMENDMENT NUMBER FIFTEEN.

On page 6 of the printed bill, strike out lines 21 and 22.

AMENDMENT NUMBER SIXTEEN.

On page 6 of the printed bill, strike out lines 37 and 38

AMENDMENT NUMBER SEVENTEEN.

On page 6 of the printed bill, strike out lines 43 to 45, inclusive, and insert in lieu thereof the following: "88 The".

AMENDMENT NUMBER EIGHTEEN.

On page 6 of the printed bill, strike out lines 50 and 51.

AMENDMENT NUMBER NINETEEN.

On page 7, line 5, of the printed bill, strike out the semicolon, and in lieu thereof insert the following ", except cases which involve the legality of any tax, impost, assessment, toll or municipal fine;".

AMENDMENT NUMBER TWENTY.

On page 8 of the printed bill, strike out lines 4 to 12, inclusive, and insert in lieu thereof the following:

"SEC. 14. Article II of Chapter V of Title I of Part I of the Code of Civil Procedure, embracing sections 99 to 107, inclusive, as it existed on January 1, 1933, is hereby renumbered to be Article III and the heading thereof is amended to read as follows.

Article III. Justices' Courts in Townships, Cities and Towns.

SEC. 15. Section 103a of the Code of Civil Procedure is".

AMENDMENT NUMBER TWENTY-ONE.

On page 8, line 25, of the printed bill, strike out "25", and insert the following: "16".

AMENDMENT NUMBER TWENTY-TWO.

On page 8, line 31, of the printed bill, strike out "26", and insert the following: "17".

AMENDMENT NUMBER TWENTY-THREE.

On page 9, line 3, of the printed bill, strike out "27", and insert the following: "18".

AMENDMENT NUMBER TWENTY-FOUR.

On page 9 of the printed bill, strike out lines 14 to 17, inclusive, and insert in lieu thereof the following.

"SEC. 19. Article III of Chapter V of Title I of Part I of the Code of Civil Procedure as it existed on January 1, 1933, is hereby renumbered Article IV to embrace sections 108 to 113d, inclusive, and the heading thereof is amended to read as follows: ".

AMENDMENT NUMBER TWENTY-FIVE.

On page 9, line 22, of the printed bill, strike out "29", and insert the following. "20".

AMENDMENT NUMBER TWENTY-SIX.

On page 9, line 30, of the printed bill, strike out "30", and insert the following: "21".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 9 of the printed bill, strike out lines 32 to 34, inclusive, and insert in lieu thereof the following

"108a. The constable of any justice's court shall, with respect to proceedings in such justice's court, exercise all powers and perform all duties imposed by".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 9, line 37, of the printed bill, strike out "31", and insert the following: "22".

AMENDMENT NUMBER TWENTY-NINE.

On page 9, line 46, of the printed bill, strike out "sixty", and insert in lieu thereof "thirty".

AMENDMENT NUMBER THIRTY.

On page 9, line 47, of the printed bill, strike out "32", and insert in lieu thereof "23".

AMENDMENT NUMBER THIRTY-ONE.

On page 10 of the printed bill, strike out lines 18 to 21, inclusive, and insert in lieu thereof the following: "of which they have jurisdiction;

(e) To charge the interest of a debtor partner with payment of the unsatisfied amount of any judgment rendered by such court in the manner provided in section 2422 of the Civil Code and in such cases to appoint a receiver and to make any order or perform any act mentioned or authorized in said section

2. Justices' courts of Class B shall have original jurisdiction:".

AMENDMENT NUMBER THIRTY-TWO.

On page 10, line 23, of the printed bill, after "interest", insert a comma.

AMENDMENT NUMBER THIRTY-THREE.

On page 10 of the printed bill, strike out line 33, and in lieu thereof insert the following: "is three hundred dollars or less;

(d) To charge the interest of a debtor partner with payment of the unsatisfied amount of any judgment rendered by such court in the manner provided in section 2422 of the Civil Code and in such cases to appoint a receiver and to make any order or perform any act mentioned or authorized in said section."

AMENDMENT NUMBER THIRTY-FOUR.

On page 10, line 34, of the printed bill, strike out "33", and insert in lieu thereof "24".

AMENDMENT NUMBER THIRTY-FIVE.

On page 10, line 41, of the printed bill, strike out "34", and insert in lieu thereof "25".

AMENDMENT NUMBER THIRTY-SIX.

On page 11, line 1, of the printed bill, strike out "35", and insert in lieu thereof "26".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 11, line 4, of the printed bill, strike out "justices", and insert in lieu thereof "justice"

AMENDMENT NUMBER THIRTY-EIGHT.

On page 11, line 13, of the printed bill, strike out "36", and insert in lieu thereof "27".

AMENDMENT NUMBER THIRTY-NINE.

On page 11, line 20, of the printed bill, strike out "37", and insert in lieu thereof "28".

AMENDMENT NUMBER FORTY.

On page 11, line 28, of the printed bill, strike out "38", and insert in lieu thereof "29".

AMENDMENT NUMBER FORTY-ONE.

On page 11, lines 30 and 31, of the printed bill, strike out "the heading", and insert in lieu thereof "and".

AMENDMENT NUMBER FORTY-TWO

On page 11 of the printed bill, strike out lines 36 to 38, inclusive.

AMENDMENT NUMBER FORTY-THREE.

On page 11 of the printed bill, strike out lines 41 and 42.

AMENDMENT NUMBER FORTY-FOUR

On page 11 of the printed bill, strike out lines 46 and 47

AMENDMENT NUMBER FORTY-FIVE

On page 12 of the printed bill, strike out lines 26 and 27

AMENDMENT NUMBER FORTY-SIX.

On page 12, line 29, of the printed bill, strike out "section", and insert in lieu thereof "action".

AMENDMENT NUMBER FORTY-SEVEN.

On page 12 of the printed bill, strike out lines 35 and 36.

AMENDMENT NUMBER FORTY-EIGHT

On page 12, line 42, of the printed bill, strike out "43a", and insert in lieu thereof "30".

AMENDMENT NUMBER FORTY-NINE

On page 12, line 45, of the printed bill, strike out "the heading", and insert in lieu thereof "and".

AMENDMENT NUMBER FIFTY.

On page 12 of the printed bill, strike out lines 49 and 50.

AMENDMENT NUMBER FIFTY-ONE.

On page 13, line 5, of the printed bill, after "provided" insert a comma.

AMENDMENT NUMBER FIFTY-TWO

On page 13 of the printed bill, strike out lines 11 and 12.

AMENDMENT NUMBER FIFTY-THREE

On page 13 of the printed bill, strike out lines 15 to 21, inclusive, and insert the following: "chapter whenever any person executes an affidavit substantially in the form set forth in section 117b of this code, and files the same with the justice of the peace or the clerk or deputy clerk of said justice's or municipal court."

AMENDMENT NUMBER FIFTY-FOUR.

On page 13 of the printed bill, strike out line 45, and insert in lieu thereof the following: "Justice (clerk or notary public)".

AMENDMENT NUMBER FIFTY-FIVE

On page 14, line 3, of the printed bill, after "name", insert the following: "of".

AMENDMENT NUMBER FIFTY-SIX.

On page 14 of the printed bill, strike out lines 20 to 22, inclusive, and insert in lieu thereof the following: "117c. The claimant shall prepare".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 14 of the printed bill, strike out lines 27 and 28, and insert in lieu thereof the following: "shall draft the same for him. Such affidavit may be presented by the claimant in person or sent to the justice or clerk by mail. Upon the receipt of said affidavit, properly sworn to, the clerk or deputy".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 14 of the printed bill, strike out lines 47 and 48.

AMENDMENT NUMBER FIFTY-NINE

On page 15 of the printed bill, strike out lines 5 and 6

AMENDMENT NUMBER SIXTY.

On page 15 of the printed bill, strike out lines 24 and 25.

AMENDMENT NUMBER SIXTY-ONE

On page 15 of the printed bill, strike out lines 28 and 29

AMENDMENT NUMBER SIXTY-TWO

On page 15 of the printed bill, strike out lines 40 and 41.

AMENDMENT NUMBER SIXTY-THREE.

On page 16 of the printed bill, strike out lines 3 and 4.

AMENDMENT NUMBER SIXTY-FOUR.

On page 16, line 6, of the printed bill, strike out "such times", and insert in lieu thereof the following: "any time".

AMENDMENT NUMBER SIXTY-FIVE

On page 16 of the printed bill, strike out lines 9 and 10

AMENDMENT NUMBER SIXTY-SIX

On page 16 of the printed bill, strike out line 15, and insert in lieu thereof the following: "is held. He shall pay, for filing the papers in the superior court, the same fee as is charged and collected on the appeal of a civil action from a justices' court, and if final judgment is rendered against him".

AMENDMENT NUMBER SIXTY-SEVEN.

On page 16 of the printed bill, strike out lines 18 to 22, inclusive, and insert in lieu thereof the following: "fifteen dollars ($15). When any such appeal is taken the action must be tried anew in the superior court."

AMENDMENT NUMBER SIXTY-EIGHT.

On page 16 of the printed bill, strike out lines 41 and 42.

AMENDMENT NUMBER SIXTY-NINE.

On page 17 of the printed bill, strike out lines 8 to 28, inclusive, and in lieu thereof insert the following:

"Now, therefore, the undersigned do hereby undertake and promise that if said judgment is affirmed, in whole or in part, or the appeal from such judgment dismissed, then and in that event, the appellant will pay the amount directed to be paid by said judgment, or the part of such amount as to which the judgment is affirmed, if affirmed only in part, and all costs which may be awarded against appellant on appeal; and that if the appellant does not make such payment within twenty days after the entry by the clerk of said superior court of the modification or affirmation of said judgment, that then judgment may be entered, on motion of respondent, in his favor and against the undersigned sureties for such amount, together with the interest that may be due thereon, costs which may be awarded against the appellant on appeal and also the sum of fifteen dollars as an attorney fee.

Dated this _____ day of _____, 19___.

_____

_____

Sureties.

State of California, City and County or County of _____. } ss.

_____ and _____, the sureties named in the above bond, being first duly sworn, each for himself and not one for the other, deposes and says that he is a _____ holder and resident within said city and county or county and within said State, and is worth the sums hereinabove mentioned, over and above all of his debts and liabilities, exclusive of property exempt from execution.

_____

_____

Subscribed and sworn to before me this _____ day of _____, 19___.

_____

Notice of the filing of the appeal and notice of the filing of the undertaking on appeal must be given to respondent within five days after filing the same. Within five days after the service of such notices upon respondent the adverse party may except to the sufficiency of the sureties, and unless they or other sureties justify before the judge or justice of said small claims court within five days thereafter, upon notice to the adverse party, to the amounts stated in their affidavits, the appeal must be regarded as if no such undertakings had been given."

AMENDMENT NUMBER SEVENTY.

On page 18 of the printed bill, strike out lines 1 and 2

AMENDMENT NUMBER SEVENTY-ONE.

On page 18 of the printed bill, strike out lines 9 and 10.

AMENDMENT NUMBER SEVENTY-TWO.

On page 18 of the printed bill, strike out lines 19 and 20.

AMENDMENT NUMBER SEVENTY-THREE.

On page 18 of the printed bill, strike out lines 24 to 29, inclusive, and insert in lieu thereof the following:

"SEC. 31. Chapter VI of Title I of Part I of the Code of Civil Procedure, embracing section 121, is hereby repealed and a new Chapter VI, embracing sections 121 to 122e, inclusive, is hereby added to said title, to read as follows:

Chapter VI. Police Courts.

121. Police courts are established in incorporated cities and counties, cities and towns, and their organization, jurisdiction, and powers provided for in the Political Code, Part IV."

AMENDMENT NUMBER SEVENTY-FOUR.

On page 18 of the printed bill, strike out lines 38 and 39.

AMENDMENT NUMBER SEVENTY-FIVE.

On page 18 of the printed bill, strike out lines 44 and 45.

AMENDMENT NUMBER SEVENTY-SIX.

On page 18 of the printed bill, strike out lines 50 and 51.

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 19 of the printed bill, strike out lines 7 and 8

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 19 of the printed bill, strike out lines 13 and 14.

AMENDMENT NUMBER SEVENTY-NINE.

On page 19, line 15, of the printed bill, strike out "122c", and insert in lieu thereof "122e".

AMENDMENT NUMBER EIGHTY.

On page 19, line 20, of the printed bill, strike out "68", and insert in lieu thereof "32".

AMENDMENT NUMBER EIGHTY-ONE.

On page 19, line 29, of the printed bill, strike out "69", and insert in lieu thereof "33".

AMENDMENT NUMBER EIGHTY-TWO.

On page 19, line 41, of the printed bill, strike out "70", and insert in lieu thereof "34".

AMENDMENT NUMBER EIGHTY-THREE.

On page 19, line 47, of the printed bill, after "State", insert the following: ", other than a special holiday,".

AMENDMENT NUMBER EIGHTY-FOUR

On page 20, line 13, of the printed bill, strike out "71", and insert in lieu thereof "35".

AMENDMENT NUMBER EIGHTY-FIVE.

On page 20, line 15, of the printed bill, after "135.", insert the following: "On all special holidays, as the term "special holidays" is used in the Political Code, the courts of this State shall be open for the transaction of any and all judicial business."

AMENDMENT NUMBER EIGHTY-SIX.

On page 20, line 21, of the printed bill, after "State", insert the following: ", other than such a special holiday,".

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 20, line 25, of the printed bill, strike out "72", and insert in lieu thereof "36".

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 20, line 38, of the printed bill, strike out "73", and insert in lieu thereof "37".

AMENDMENT NUMBER EIGHTY-NINE.

On page 21, line 33, of the printed bill, strike out "74", and insert in lieu thereof "38".

AMENDMENT NUMBER NINETY.

On page 21, line 42, of the printed bill, strike out "75", and insert in lieu thereof "39".

AMENDMENT NUMBER NINETY-ONE.

On page 21, line 50, of the printed bill, strike out "76", and insert in lieu thereof "40".

AMENDMENT NUMBER NINETY-TWO.

On page 22, line 13, of the printed bill, strike out "77", and insert in lieu thereof "41".

AMENDMENT NUMBER NINETY-THREE

On page 22, line 17, of the printed bill, strike out "78", and insert in lieu thereof "42".

AMENDMENT NUMBER NINETY-FOUR

On page 22, line 30, of the printed bill, strike out "79", and insert in lieu thereof "43".

AMENDMENT NUMBER NINETY-FIVE

On page 22, line 40, of the printed bill, strike out "80", and insert in lieu thereof "44".

AMENDMENT NUMBER NINETY-SIX.

On page 22, line 48, of the printed bill, after "State", insert a comma.

AMENDMENT NUMBER NINETY-SEVEN.

On page 23, line 3, of the printed bill, strike out "81", and insert in lieu thereof "45".

AMENDMENT NUMBER NINETY-EIGHT.

On page 23 of the printed bill, strike out line 11, and insert in lieu thereof "ment.

SEC. 46 A new section is hereby added to the Code of Civil Procedure to be numbered 159a and to read as follows:

159a. No person shall be eligible to the office of justice of".

AMENDMENT NUMBER NINETY-NINE.

On page 23, line 19, of the printed bill, strike out "82", and insert in lieu thereof "47".

AMENDMENT NUMBER ONE HUNDRED.

On page 23, line 48, of the printed bill, strike out "83", and insert in lieu thereof "48".

AMENDMENT NUMBER ONE HUNDRED ONE.

On page 26, line 50, of the printed bill, strike out "84", and insert in lieu thereof "49".

AMENDMENT NUMBER ONE HUNDRED TWO.

On page 27, line 12, of the printed bill, strike out "85", and insert in lieu thereof "50".

AMENDMENT NUMBER ONE HUNDRED THREE.

On page 27, line 19, of the printed bill, strike out "86", and insert in lieu thereof "51".

AMENDMENT NUMBER ONE HUNDRED FOUR

On page 27, line 25, of the printed bill, strike out "87", and insert in lieu thereof: "52"

AMENDMENT NUMBER ONE HUNDRED FIVE.

On page 27, line 44, of the printed bill, strike out "88", and insert in lieu thereof: "53".

AMENDMENT NUMBER ONE HUNDRED SIX.

On page 27, line 47, of the printed bill, strike out "justices' ", and insert in lieu thereof the following: "justice's".

AMENDMENT NUMBER ONE HUNDRED SEVEN.

On page 27, line 51, of the printed bill, strike out "of", and insert in lieu thereof: "on".

AMENDMENT NUMBER ONE HUNDRED EIGHT.

On page 28, line 26, of the printed bill, strike out "89", and insert in lieu thereof "54".

AMENDMENT NUMBER ONE HUNDRED NINE.

On page 29, line 11, of the printed bill, strike out "90", and insert in lieu thereof. "55".

AMENDMENT NUMBER ONE HUNDRED TEN.

On page 29, line 25, of the printed bill, strike out "91", and insert in lieu thereof: "56".

AMENDMENT NUMBER ONE HUNDRED ELEVEN.

On page 29, line 41, of the printed bill, strike out "92", and insert in lieu thereof: "57".

AMENDMENT NUMBER ONE HUNDRED TWELVE.

On page 30, line 1, of the printed bill, strike out "93", and insert in lieu thereof: "58".

AMENDMENT NUMBER ONE HUNDRED THIRTEEN.

On page 30, line 9, of the printed bill, strike out "94", and insert in lieu thereof: "59".

AMENDMENT NUMBER ONE HUNDRED FOURTEEN.

On page 30, line 37, of the printed bill, strike out "file", and insert in lieu thereof: "filed".

AMENDMENT NUMBER ONE HUNDRED FIFTEEN.

On page 31, line 3, of the printed bill, strike out "95", and insert in lieu thereof: "60".

AMENDMENT NUMBER ONE HUNDRED SIXTEEN.

On page 31 of the printed bill, strike out lines 21 to 27, inclusive, and insert in lieu thereof the following:

"SEC. 61. Sections 37, 38, 39, 41, 42, 43, 44, 45, 46, 49, 50, 51, 52, 52a, 54, 55, 56, 67b, 68, 69, 70, 71, 72, 75, 76, 77, 78, 79, 106, 160, 161, 167, 170b, 176, 182, 183, 304, 831f, 831g, 911, 912, 913, 920, 927 to 927q, inclusive, 929, 930, 931, 932, 933 and 933½ of the Code of Civil Procedure, as said sections existed on January 1, 1933, are hereby repealed.

SEC. 62. The headings to the articles and chapters herein shall not be deemed to govern or limit the scope or meaning of the articles or chapters to which they are appended.

SEC. 63. All parts and provisions of this act which are the same as parts or provisions contained in the sections, articles or chapters renumbered, amended or repealed shall be considered as continuations of the latter and as having been the law from the time the latter were enacted."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 515—An act to amend sections 372, 373, 392, 393, 394, 395, 397, 398, 399, 400, 410, 412, 413, 415, 416, 422, 426, 437, 446, 465, 472, 473, 480, 481, 482, 483, 484, 485, 488, 489, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 511, 512, 513, 514, 515, 517, 518, 519, 520, 529, 538, 539, 540, 542, 542a, 543, 544, 545, 546, 547, 548, 549, 550, 551, 553, 554, 555, 556, 559, 573, 574, 581, 581a, 581b, 583, 585, 594, 595, 596, 600, 601, 607, 607a, 618, 628, 631, 632, 634, 638, 639, 640, 641, 644, 649, 650, 651, 652, 653, 659a, 661, 663, 664, 666, 667, 668, 670, 671, 672, 673, 674, 675, 681a, 682, 683, 687, 689, 691, 713½, 714, 715, 716, 717, 718, 719, 720, 721, 722, 936, 959, 983, 984, 985, 986, 987, 988, 988a, 988b, 988c, 988d, 988g, 988h, 988i, 989, 997, 1000, 1003, 1004, 1005, 1006, 1011, 1015, 1021, 1033, 1051, 1052, 1054, and Chapters I, II, III, and IV of Title XIII, Part II, of the Code of Civil Procedure, to add sections 396, 396a, 411a, 437b, 437c, 437d, 472a, 472b, 473a, 477, 586, 594a, 648a, 710b, 710c, 973, 983a, 1008, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1054a thereto, and to repeal sections 476, 633, 692 (as added by Chapter 117, Statutes 1931), 710 (as added by Chapter 92, Statutes 1903), 710½, 831, 831a, 831b, 831c, 831d, 831e, 831f, 831g, 831h, 831i, 831j, 832, 833, 834, 835, 835a, 836, 838, 839, 840, 841, 842, 843, 844, 845, 846,

847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 857a, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 889, 890, 890a, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 900a, 900b, 901, 901a, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 927a, 927b, 927c, 927d, 927e, 927f, 927g, 927h, 927i, 927j, 927k, 927*l*, 927m, 927n, 927o, 927p, 927q, 929, 930, 931, 932, 933, 933½, 964, 965, 982a, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1035, 1036, 1037, 1038, and 1039 thereof, relating to civil actions.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 2 of the title, after "400," insert the following: "406, 407, 408,".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 7 of the title, strike out "583,".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 11 of the title, after "691," insert "712,".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 14 to 22, inclusive, of the title, and insert in lieu thereof the following: "1005, 1006, 1011, 1015, 1021, 1033, 1034, 1051, 1052, 1054, and the headings of Chapters I, II, III and IV of Title XIII, Part II, of the Code of Civil Procedure, to add sections 396, 396a, 437b, 437c, 437d, 472a, 473a, 477, 594a, 648a, 667a, 973, 983a, 1008, 1031, 1032, and 1054a to said code; to amend sections 476, 710 (as added by Chapter 92, Statutes 1903), 710½, 842, 872, 1023, 1028, 1029, 1030, 1031, 1032, 1036, 1038 and 1039 of said code and to renumber said sections as follows: 842 to be 411a, 476 to be 472b, 872 to be 586, 710 to be 710b, 710½ to be 710c, 1023 to be 1022, 1028 to be 1023, 1029 to be 1024, 1030 to be 1025, 1031 to be 1026, 1032 to be 1027, 1038 to be 1028, 1039 to be 1029, and 1036 to be 1030; and to repeal sections 396, 633, 831, 831a, 831b, 831c, 831d, 831e,".

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, in line 24 of the title, strike out "842,".

AMENDMENT NUMBER SIX.

On page 1 of the printed bill, in line 26 of the title, strike out "872,".

AMENDMENT NUMBER SEVEN.

On page 1 of the printed bill, in line 30 of the title, strike out "911, 912, 913, 914, 915, 916, 917, 918,".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, strike out all of the title appearing on said page, and insert in lieu thereof the following: "919, 922, 923, 924, 925, 926, 964, 965, 982a, 1022, 1024, 1025, 1026, 1027, 1035, and 1037 of said code, and the heading of Title X-A of Part II, and all chapter headings in said title, the headings of Title XI of Part II, and all chapter headings in said title, and the heading of Title XII, of Part II, of said code, all relating to civil actions."

AMENDMENT NUMBER NINE.

On page 3, line 31, of the printed bill, after "of", strike out "the", and insert in lieu thereof "a".

AMENDMENT NUMBER TEN.

On page 3, lines 34 and 35, of the printed bill, strike out "brought and".

AMENDMENT NUMBER ELEVEN.

On page 4, line 46, of the printed bill, strike out "said", and insert in lieu thereof "such".

AMENDMENT NUMBER TWELVE.

On page 5, lines 49 and 50, of the printed bill, strike out "or in which the obligation was contracted to be performed,".

AMENDMENT NUMBER THIRTEEN.

On page 6 strike out lines 3 and 4 of the printed bill, and insert in lieu thereof the following:

"SEC. 7. Section 396 of the Code of Civil Procedure, as it existed on January 1, 1933, is hereby repealed and a new section numbered 396 is hereby added thereto, to read as follows:".

AMENDMENT NUMBER FOURTEEN.

On page 6 of the printed bill, at the end of line 12, insert the following: "Time to answer or otherwise plead in any such case shall date from service of summons issued by the court to which such action or proceeding is transferred, but such action or proceeding shall be deemed commenced on the day the complaint was originally filed in the first court."

AMENDMENT NUMBER FIFTEEN.

On page 6, line 26, of the printed bill, after the period, insert the following: "Nothing herein shall be construed to require the superior court to transfer any such action or proceeding because the judgment to be rendered, as determined at the trial, is one which might have been rendered by a municipal or justices' court in the same county or city and county."

AMENDMENT NUMBER SIXTEEN.

On page 7 of the printed bill, at the end of line 9, insert the following: "In any such case where the transfer of the action or proceeding is ordered under the provisions of this paragraph, if summons is served prior to the filing of such action or proceeding in the court to which it is transferred, the time to answer or otherwise plead shall date from service upon the defendant of written notice of such filing."

AMENDMENT NUMBER SEVENTEEN.

On page 10, line 6, of the printed bill, strike out "where such copy is served,".

AMENDMENT NUMBER EIGHTEEN.

On page 11 of the printed bill, strike out line 8, and insert in lieu thereof the following: "newspaper, to be named and designated as most likely to give notice to the".

AMENDMENT NUMBER NINETEEN.

On page 12, line 24, of the printed bill, after "plaint", insert "or cross complaint".

AMENDMENT NUMBER TWENTY.

On page 12, lines 48 and 49, of the printed bill, strike out ", which may be set up in the court in which the action is brought".

AMENDMENT NUMBER TWENTY-ONE.

On page 12, line 51, of the printed bill, strike out "allegation", and insert in lieu thereof "allegations".

AMENDMENT NUMBER TWENTY-TWO.

On page 14 of the printed bill, strike out lines 7 to 12, inclusive, and in lieu thereof insert the following: "plaintiff's claim, or that any part is admitted, the court shall, by order, so declare, and plaintiff's claim shall be deemed established as to so much thereof as such defense shall not apply to, or as is admitted, and the cause of action may be severed accordingly, and the action may proceed as to the remainder of such claim. No judgment shall be entered prior to the termination of such action but the judgment in such action shall, in addition to any matters determined in such action, award to plaintiff the amount of his claim so established by the proceedings herein provided for. A judgment entered under this section is an appealable judgment as in other cases."

AMENDMENT NUMBER TWENTY-THREE.

On page 17 of the printed bill, strike out line 9, and in lieu thereof insert the following:

"477. Except as otherwise expressly provided, the provisional remedies, injunction and receivers.".

AMENDMENT NUMBER TWENTY-FOUR.

On page 19, line 38, of the printed bill, strike out "justifications", and insert in lieu thereof: "justification".

AMENDMENT NUMBER TWENTY-FIVE.

On page 20, line 24, of the printed bill, between "to", and "plaintiff", insert the following: "the".

AMENDMENT NUMBER TWENTY-SIX.

On page 20, line 51, of the printed bill, strike out "making the arrest", and insert in lieu thereof the following: "having the custody of such defendant at the time of his escape or rescue".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 21, line 32, of the printed bill, after "marshal", insert the following: "receiving such affidavit and notice".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 21, lines 37 and 38, of the printed bill, strike out "the sheriff, constable, or marshal", and insert in lieu thereof the following: "such officer".

AMENDMENT NUMBER TWENTY-NINE.

On page 21, line 47, of the printed bill, strike out "nearest".

AMENDMENT NUMBER THIRTY.

On page 22, line 27, of the printed bill, strike out "or", and insert in lieu thereof "on".

AMENDMENT NUMBER THIRTY-ONE.

On page 23 of the printed bill, strike out lines 3 to 13, inclusive, and insert in lieu thereof the following:

"519. In cases where the property taken is claimed by any other person than the defendant or his agent, the rules and proceedings applicable in cases of third party claims after levy under execution or attachment shall apply."

AMENDMENT NUMBER THIRTY-TWO.

On page 24, line 3, of the printed bill, strike out "twenty-five", and insert in lieu thereof "fifteen".

AMENDMENT NUMBER THIRTY-THREE

On page 24, lines 30 and 31, of the printed bill, strike out "of a demand over which such court has jurisdiction", and insert in lieu thereof the following: "claimed by the plaintiff".

AMENDMENT NUMBER THIRTY-FOUR.

On page 24 of the printed bill, strike out lines 42 and 43, and insert in lieu thereof the following: "the writ of attachment must be vacated".

AMENDMENT NUMBER THIRTY-FIVE.

On page 25 of the printed bill, strike out lines 5 to 7, inclusive, and insert in lieu thereof the following: "then by a judge or justice of a court, having jurisdiction in cases involving the amount claimed in the attachment, in the county".

AMENDMENT NUMBER THIRTY-SIX.

On page 25, line 19, of the printed bill, strike out "at plaintiff's expense", and insert in lieu thereof the following: ", at plaintiff's expense,".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 25, line 41, of the printed bill, strike out "under", and insert in lieu thereof "by his".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 26, line 6, of the printed bill, after "property", insert a comma.

AMENDMENT NUMBER THIRTY-NINE.

On page 29, line 6, of the printed bill, strike out "is owing", and insert in lieu thereof "owes".

AMENDMENT NUMBER FORTY.

On page 29, line 16, of the printed bill, strike out "or", and insert in lieu thereof "of".

AMENDMENT NUMBER FORTY-ONE.

On page 29, line 19, of the printed bill, after "marshal", insert a comma.

AMENDMENT NUMBER FORTY-TWO.

On page 29, line 33, of the printed bill, strike out "or justice", and insert in lieu thereof the following: "justice or referee".

AMENDMENT NUMBER FORTY-THREE.

On page 29, line 34, of the printed bill, after "capable", strike out "to", and insert in lieu thereof "of".

AMENDMENT NUMBER FORTY-FOUR

On page 29, line 41, of the printed bill, strike out "sheriff, constable, or marshal", and insert in lieu thereof the following: "officer levying the attachment".

AMENDMENT NUMBER FORTY-FIVE.

On page 30, line 4, of the printed bill, strike out "sheriff, constable, or marshal", and insert in lieu thereof the following: "officer levying the attachment".

AMENDMENT NUMBER FORTY-SIX

On page 30, line 9, of the printed bill, strike out "issuing", and insert in lieu thereof "levy".

AMENDMENT NUMBER FORTY-SEVEN.

On page 30 of the printed bill, strike out lines 29 to 35, inclusive, and insert in lieu thereof the following:

"549. In cases where a third person claims, as his property, any personal property attached, the rules and proceedings applicable in cases of third party claims after levy under execution shall apply."

AMENDMENT NUMBER FORTY-EIGHT.

On page 30 of the printed bill, strike out lines 41 to 43, inclusive, and in lieu thereof insert the following: "or released because of a third party claim, or subjected to a prior execution or attachment, if it be sufficient for that purpose:".

AMENDMENT NUMBER FORTY-NINE.

On page 34, line 32, of the printed bill, after "fails", insert a comma.

AMENDMENT NUMBER FIFTY.

On page 34, line 51, of the printed bill, strike out "by the plaintiff".

AMENDMENT NUMBER FIFTY-ONE.

On page 35 of the printed bill, strike out lines 5 to 33, inclusive.

AMENDMENT NUMBER FIFTY-TWO.

On page 35, line 44, of the printed bill, strike out "justice", and insert in lieu thereof the following: "the justice, if there be no clerk.".

AMENDMENT NUMBER FIFTY-THREE.

On page 38, line 52, of the printed bill, after the comma, insert the following: "or the hearing of any motion, demurrer, or other proceeding,".

AMENDMENT NUMBER FIFTY-FOUR.

On page 39, line 1, of the printed bill, after "action", insert the following: "or proceeding".

AMENDMENT NUMBER FIFTY-FIVE.

On page 39 of the printed bill, strike out lines 3 to 6, inclusive, and in lieu thereof insert the following "a member of the Legislature of this State and that the Legislature is in session or in recess, and such action or proceeding shall not, without the consent of the attorney of record therein, be brought on for trial or hearing before the expira-".

AMENDMENT NUMBER FIFTY-SIX

On page 39 of the printed bill, between lines 19 and 20, insert the following: "In all cases, the court shall postpone a trial, or the hearing of any motion or demurrer, for a period not to exceed thirty days, when all attorneys of record of parties who have appeared in the action agree in writing to such postponement."

AMENDMENT NUMBER FIFTY-SEVEN.

On page 41, line 16, of the printed bill, strike out "by the clerk".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 42 of the printed bill, strike out lines 15 to 23, inclusive, and in lieu thereof insert the following: "lately stated. In all cases written findings of fact and conclusions of law shall be deemed waived by a party by failure to appear at the trial. In municipal courts written findings of fact and conclusions of law shall be deemed waived unless they shall be expressly requested by one or more of the parties at the time of the trial, provided, that the court shall not be required to make any written findings of fact and conclusions of law in cases in which the amount of the demand, exclusive of interest and costs, or the value of the property in controversy, does not exceed three hundred dollars. In superior courts, and in justices' courts of Class A, written findings of fact and conclusions of law may be waived by consent in writing filed with the clerk or justice, or by oral consent in open court, entered in the minutes."

AMENDMENT NUMBER FIFTY-NINE.

On page 43, line 3, of the printed bill, strike out "of Class B".

AMENDMENT NUMBER SIXTY

On page 43, line 12, of the printed bill, strike out the colon and insert in lieu thereof a semicolon.

AMENDMENT NUMBER SIXTY-ONE.

On page 44, line 17, of the printed bill, strike out "Section", and insert in lieu thereof "Sections".

AMENDMENT NUMBER SIXTY-TWO

On page 45, lines 24 and 25, of the printed bill, strike out "not thus forwarded", and insert in lieu thereof the following: "such notice be not given.".

AMENDMENT NUMBER SIXTY-THREE.

On page 46 of the printed bill, strike out lines 20 and 21, and insert in lieu thereof the following: "refuses to allow a bill of exceptions or to certify a transcript in accordance with the facts, the party desiring the bill settled or the transcript certified may apply by petition to the".

AMENDMENT NUMBER SIXTY-FOUR.

On page 46, line 25, of the printed bill, after "by the", insert the following: "chief justice or the".

AMENDMENT NUMBER SIXTY-FIVE.

On page 47, line 9, of the printed bill, strike out "and".

AMENDMENT NUMBER SIXTY-SIX.

On page 47, line 10, of the printed bill, after "appeal", insert the following: "and the superior courts".

AMENDMENT NUMBER SIXTY-SEVEN.

On page 47, line 13, of the printed bill, after "659a", insert the following: "of the Code of Civil Procedure".

AMENDMENT NUMBER SIXTY-EIGHT.

On page 47 of the printed bill, strike out line 47, and insert the following "663. A judgment or".

AMENDMENT NUMBER SIXTY-NINE.

On page 48, line 17, of the printed bill, after the period, insert the following: "When a motion for judgment notwithstanding the verdict is pending, entry of judgment by the clerk in conformity to the verdict shall be automatically stayed until the court has rendered its decision upon the motion."

AMENDMENT NUMBER SEVENTY.

On page 49 of the printed bill, strike out line 11, and insert in lieu thereof the following:

"SEC. 123a. A new section is hereby added to the Code of Civil Procedure, to be numbered 667a, and to read as follows:

667a. In justices' courts of Class B, notice of the rendition of".

AMENDMENT NUMBER SEVENTY-ONE.

On page 50 of the printed bill, strike out line 1, and insert in lieu thereof the following: "of the judgment; if defendant has appeared by demurrer, and such demurrer has been overruled, then notice of the overruling thereof served on defendant's attorney, together with proof of such service; and in case the service so made is by publi-".

AMENDMENT NUMBER SEVENTY-TWO.

On page 50, line 3, of the printed bill, strike out "publications", and insert in lieu thereof the following: "publication".

AMENDMENT NUMBER SEVENTY-THREE.

On page 50, line 45, of the printed bill, after "small claims court", insert a comma.

AMENDMENT NUMBER SEVENTY-FOUR.

On page 51, lines 22 and 23, of the printed bill, strike out "justice", and insert in lieu thereof the following: "with the justice, if there be no clerk".

AMENDMENT NUMBER SEVENTY-FIVE.

On page 52, line 22, of the printed bill, strike out "recorded", and insert in lieu thereof the following: "filed".

AMENDMENT NUMBER SEVENTY-SIX

On page 52, line 26, of the printed bill, strike out "the".

AMENDMENT NUMBER SEVENTY-SEVEN

On page 53, line 11, of the printed bill, strike out "or", and insert in lieu thereof the following: "nor".

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 53 of the printed bill, strike out lines 46 to 50, inclusive

AMENDMENT NUMBER SEVENTY-NINE

On page 54, line 11, of the printed bill, after the period, insert the following: "If objection be made to such undertaking, by such third person, on the ground that the amount thereof is not sufficient, the property involved may be appraised by one or more disinterested persons, appointed for that purpose by the court in which the action is pending, or from which the execution issued, or by a judge or justice thereof, or the court, judge or justice may direct a hearing to determine the value of such property. If, upon such appraisal or hearing, the court, judge or justice

finds that the undertaking given is not sufficient, a sufficient undertaking shall be given."

AMENDMENT NUMBER EIGHTY.

On page 54, line 15, of the printed bill, after the period, insert the following: "Such officer shall not be liable for damages to any such third person for the taking or keeping of such property if no claim is served by any such third person, nor, in any event, shall such officer be liable for the holding, release, or other disposition of such property in accordance with the provisions of this section"

AMENDMENT NUMBER EIGHTY-ONE.

On page 54, line 29, of the printed bill, strike out the period, and in lieu thereof insert the following: ", provided, that if such court lacks jurisdiction to try title to the property involved, such application or petition may be filed in, or transferred to, a court in the same county having jurisdiction thereof, which shall hear and determine the same. When any such application or petition is transferred from one court to another as herein provided, the twenty days herein specified shall date from the filing of the application or petition in the court to which the same is transferred."

AMENDMENT NUMBER EIGHTY-TWO.

On page 54 of the printed bill, strike out line 39, and in lieu thereof insert the following: "ings to determine title The court may order the sale of any perishable property held by such officer and direct the deposit of the proceeds of such sale, and may, by order, forbid a".

AMENDMENT NUMBER EIGHTY-THREE.

On page 54, line 47, of the printed bill, strike out the period, and in lieu thereof insert the following: "or proceeds"

AMENDMENT NUMBER EIGHTY-FOUR.

On page 55, line 33, of the printed bill, strike out "attachment", and insert in lieu thereof the following: "execution".

AMENDMENT NUMBER EIGHTY-FIVE.

On page 55, line 34, of the printed bill, strike out ". and said", and insert in lieu thereof the following: ". Said".

AMENDMENT NUMBER EIGHTY-SIX.

On page 55, between lines 43 and 44, of the printed bill, insert the following:

"SEC. 138a. Section 712 of the Code of Civil Procedure is hereby amended to read as follows:

712. When the sureties, or either of them, are objected to, the surety or sureties so objected to shall justify before the court out of which such execution issued, upon ten days' notice of the time when they will so justify being given to the judgment creditor or his attorney. Upon the hearing and examination into the sufficiency of a surety, witnesses may be required to attend and evidence may be procured and introduced in the same manner as in trial of civil cases. Upon such hearing and examination, the court shall make its order, in writing, approving or disapproving the sufficiency of the surety or sureties on such undertaking. In case the court disapproves of the surety or sureties on any undertaking, a new undertaking may be filed and served, and to any undertaking given under the provisions of this section the same objection to the sureties may be made, and the same proceedings had as in case of the first undertaking filed and served."

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 57, line 25, of the printed bill, after "debtor," insert "or".

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 61, line 40, of the printed bill, strike out "or justice", and insert in lieu thereof the following: ", justice, or the clerk,".

AMENDMENT NUMBER EIGHTY-NINE

On page 67, line 41, of the printed bill, after "clerk", insert the following: "of the court".

AMENDMENT NUMBER NINETY.

On page 67 of the printed bill, strike out line 52, and insert in lieu thereof the following: "clerk of the court or the justice, if there be no clerk, for such party."

AMENDMENT NUMBER NINETY-ONE

On page 68, line 15, of the printed bill, after "clerk", insert the following: "of the court".

AMENDMENT NUMBER NINETY-TWO.

On page 70, line 17, of the printed bill, strike out "and", and insert in lieu thereof the following: "aid".

AMENDMENT NUMBER NINETY-THREE.

On page 71 of the printed bill, strike out lines 36 and 37, and insert in lieu thereof the following: "hereby amended to read as follows:".

AMENDMENT NUMBER NINETY-FOUR.

On page 71, line 39, of the printed bill, strike out "proceeding", and insert in lieu thereof the following: "proceedings".

AMENDMENT NUMBER NINETY-FIVE.

On page 72 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following: "after the remittitur is filed with the clerk below, serve upon the adverse party and file with such clerk a memorandum".

AMENDMENT NUMBER NINETY-SIX.

On page 72, line 6, of the printed bill, strike out "notice of filing", and insert in lieu thereof the following: "service of a copy"

AMENDMENT NUMBER NINETY-SEVEN.

On page 72 of the printed bill, strike out lines 29 to 31, inclusive, and insert in lieu thereof the following: "service of notices other than of appeal and of intention to move for a new trial, the time allowed by this code, unless otherwise expressly provided, may be extended, upon good cause".

AMENDMENT NUMBER NINETY-EIGHT.

On page 72 of the printed bill, strike out lines 39 to 43, inclusive, and in lieu thereof insert the following. "for said extension is a member of the Legislature of this State, and that the Legislature is in session or in recess, it shall be the duty of such judge or justice to extend such time to a date not less than thirty (30) days next following the final adjournment of the Legislature

In all cases, an extension of time shall be granted when all attorneys of record of parties who have appeared in the action agree in writing to such extension of time."

AMENDMENT NUMBER NINETY-NINE.

On page 73 of the printed bill, strike out lines 1 to 16, inclusive, and insert in lieu thereof the following:

"SEC 198. Sections 633, 831, 831a, 831b, 831c, 831d, 831e, 831h, 831i, 831j, 832, 833, 834, 835, 835a, 836, 838, 839, 840, 841, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 857a, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 889, 890, 890a, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 900a, 900b, 901, 901a, 902, 903, 904, 905, 906, 907, 908, 909, 910, 919, 922, 923, 924, 925, 926, 964, 965, 982a, 1022, 1024, 1025, 1026, 1027, 1035 and 1037 of the Code of Civil Procedure as they existed on January 1, 1933, are hereby repealed.

SEC 199 The headings to the articles and chapters herein shall not be deemed to govern or limit the scope or meaning of the articles or chapters to which they are appended.

SEC. 200. All parts and provisions of this act which are the same as parts or provisions contained in the sections, articles or chapters renumbered, amended or repealed shall be considered as continuations of the latter and as having been the law from the time the latter were enacted."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 829—An act to amend section 585 of the Agricultural Code, relating to dairies and dairy products.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "distributor", and insert in lieu thereof the words "original bottler".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1981—An act to amend section 479 of the Agricultural Code, relating to dairies and dairy products.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 11 to 21, inclusive, and insert in lieu thereof the following:

"(b) It is unlawful to sell or otherwise dispose of market milk, in quantities of less than one gallon, unless said milk is contained in standard milk bottles which have been mechanically filled and capped in a milk room properly designed and equipped and approved by the department. All receptacles used for receiving market milk shall be properly washed and sterilized in the place of business maintained in connection with said milk room. Transferring of milk from one receptacle to another upon any highway, any street or sidewalk, or upon any vehicle, or in any place except a milk room as specified above is prohibited."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1982—An act to amend section 459 of the Agricultural Code, relating to dairies and dairy products.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 10 to 13, inclusive, and insert in lieu thereof the following: "this division, or to sell, give away, or deliver, or to knowingly purchase or receive as or for milk or cream any product prepared or manufactured by the mixing or blending of milk or skim milk with butter."

Amendment adopted.

Bill read third time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1983—An act to amend section 476 of the Agricultural Code, relating to dairies and dairy products.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, following the numerals "476", insert the following: "Except as otherwise provided in this division".

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, strike out the word "It", and insert in lieu thereof "it".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 516—An act to amend sections 1134, 1135, 1139, 1140, 1144, 1146, 1148, 1149, 1151, 1169, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221 and 1222 of the Code of Civil Procedure, relating to special proceedings.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following: "1134. In courts other than justices' courts of Class B, the statement must be filed with the clerk, or if there".

AMENDMENT NUMBER TWO.

On page 1, lines 5 and 6, of the printed bill, strike out "in the judgment book".

AMENDMENT NUMBER THREE

On page 3, line 7, of the printed bill, after "court," insert the following: "or of the".

AMENDMENT NUMBER FOUR.

On page 3, line 14, of the printed bill, after "court," insert the following. "or of the".

AMENDMENT NUMBER FIVE.

On page 3, line 17, of the printed bill, strike out "officer.", and insert in lieu thereof the following: "officers."

AMENDMENT NUMBER SIX.

On page 3, line 36, of the printed bill, strike out "sheriff", and insert in lieu thereof the following: "officer executing the warrant".

AMENDMENT NUMBER SEVEN.

On page 4, line 16, of the printed bill, after the word "both", strike out the comma, and insert in lieu thereof a semicolon.

AMENDMENT NUMBER EIGHT.

On page 4, line 17, of the printed bill, strike out "of Class B,".

AMENDMENT NUMBER NINE.

On page 4 of the printed bill, at the end of line 21, strike out the period, and insert the following: "or minutes."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1129—An act to add a new section to the Code of Civil Procedure, to be numbered 396b, relating to venue.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 10 to 18, inclusive, and in lieu thereof insert the following: "if there be no clerk, an affidavit of merits and notice of motion for an order transferring the action or proceeding to the proper court, together with proof of service, upon the adverse party, of a copy of such papers. Upon the hearing of such motion the court shall, if it appears that the action or proceeding was not commenced in the proper court, order the same transferred to the proper court, provided, however, that the court, in an action for divorce or separate maintenance, may, prior to the determination of such motion, consider and determine a motion for counsel fees and costs, and make all necessary and proper orders in connection therewith."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 520—An act to amend sections 5 and 29 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the

judges, clerks and other attaches of such courts, the terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, and to repeal section 27a thereof, relating to municipal courts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 6 of the title, strike out "the", and insert in lieu thereof "their".

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, after line 21, insert the following as a new paragraph: "SEC. 3. Section 27a of the act cited in the title hereof is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 519—An act to amend sections 806 and 882 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to city and justice courts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 2 of the title, after the word "incorporation", insert a comma.

AMENDMENT NUMBER TWO.

On page 2, line 6, of the printed bill, strike out the word "justices' ", and insert in lieu thereof "justice's".

AMENDMENT NUMBER THREE.

On page 2, line 9, of the printed bill, strike out "justices' ", and insert in lieu thereof "justice's".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 513—An act to amend sections 17, 22 and 30 of the Code of Civil Procedure, relating to definition of words used in said code.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after the semicolon insert the following: "justices' courts, without special designation, shall include both justices' courts of Class A and Class B;".

AMENDMENT NUMBER TWO.

On page 2, line 29, of the printed bill, after "is", insert "an ordinary".

AMENDMENT NUMBER THREE.

On page 2, line 30, of the printed bill, strike out "prosecuted", and insert "prosecutes".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1543—An act to amend section 2349 of the Political Code, relating to navigable streams and public water ways.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 31, of the printed bill, strike out the period following the word "declared", insert a semicolon, and the following: "provided further, that nothing herein shall abrogate or infringe the rights of locating or operating mining claims thereon, except for the public rights of way herein declared"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 812—An act to amend sections 3.174, 3.301, 3.302 and 3.306 of the School Code, relating to attendance of pupils in school districts other than those in which they reside.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 1 of the title, strike out the word "sections", and insert in lieu thereof the word "section".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 1 of the title, strike out the first comma, and the following: "3.301, 3.302 and 3.306".

AMENDMENT NUMBER THREE

On page 1 of the printed bill, strike out lines 11 to 27, both inclusive, and also strike out all of page 2, and insert in lieu thereof the following: "the consent of the county superintendent of schools having jurisdiction over the district in which such pupil resides."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 553—An act to add a new section to the Political Code, to be numbered 3747a, relating to segregation of valuation of property on the assessment roll.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, lines 4 and 5, of the printed bill, strike out the words, "real property is sold to the State under the provisions of section 3771", and insert in lieu thereof the following: "the last installment of taxes becomes delinquent as provided for under section 3756".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 15, 16 and 17, and insert in lieu thereof the following: "the original assessment, if any. The officer receiving the application for".

AMENDMENT NUMBER THREE.

On page 1, line 21, of the printed bill, after the period in said line, insert the following: "The aggregate amount of assessed valuation of the parcels so segregated shall remain the same as before such segregation."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 518—An act to amend sections 4300a, 4300e, and 4300*l* of the Political Code, relating to fees.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 5, line 19, of the printed bill, after "dollar", insert a comma.

AMENDMENT NUMBER TWO.

On page 5, line 50, of the printed bill, after the word "record", strike out "of", and insert in lieu thereof the following: "or".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 303—An act to repeal section 695 of the Political Code, relating to and abolishing the Bureau of Publications and Documents in the Department of Finance.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to abolish the Bureau of Publications and Documents in the Department of Finance and to transfer to the State Printer all the powers and duties of said bureau."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following:

"SECTION 1. The Bureau of Publications and Documents in the Department of Finance is hereby abolished.

SEC. 2. The State Printer shall succeed to and is hereby invested with all the duties, powers, purposes, responsibilities and jurisdiction of the Bureau of Publications and Documents set out and contained in section 695 of the Political Code.

SEC. 3. All of the records, books, papers, equipment and other property now in the possession or under the control of and held for the benefit and use of the Bureau of Publications and Documents hereby abolished shall be transferred to the possession and control of the State Printer."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1172—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other moter vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding of manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing

in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the disposition of the receipts thereunder.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title of said bill, and insert in lieu thereof the following:

"An act to amend sections 1, 2, 3, 5, 6, 7, 10, 13, 13a, 14 and 16 of Chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, to add thereto a new section to be numbered 19, providing for a short title for said act, and to repeal Chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," as amended."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 10, inclusive, and strike out all of pages 2, 3, 4, 5 and 6, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 1 of Chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, is hereby amended to read as follows:

Section 1. The following words, terms and phrases shall, whenever used in this act, have the meaning set forth in this section.

(a) "Motor vehicle" shall mean and include every vehicle operated upon the highways of this State which is propelled by the use of motor vehicle fuel.

(b) "Motor vehicle fuel" shall mean and include any inflammable liquids, by whatever name such liquid may be known or sold, which is used, or is usable, either alone or when mixed, blended or compounded in propelling motor vehicles operated by the explosion type of engine; provided, however, that kerosene shall not be considered motor vehicle fuel for the purposes of this act.

(c) "Distributor" shall mean and include every person, firm, association or corporation refining, manufacturing, producing, blending, or compounding motor vehicle fuel in this State and, within the meaning of section 7 of this act, dis-

tributing such fuel; also every person, firm, association or corporation importing any motor vehicle fuel into this State and, within the meaning of section 7 of this act, distributing such fuel in this State, whether in the original package or container in which it is imported or otherwise than in such original package or containers; also every person, firm, association or corporation who, having acquired in this State in the original package or container motor vehicle fuel which has been imported into this State, shall, within the meaning of section 7 of this act, distribute such fuel, whether in such original package or container in which the same was imported or otherwise than in such original package or container.

(d) "Producer" shall mean and include every person, firm, association or corporation, other than a distributor, engaged in the business of producing or manufacturing any petroleum product or products used in, or which may be used in, the blending, compounding or manufacturing of motor vehicle fuel, provided, however, that crude oil which must be refined before it may be used in such blending, compounding or manufacturing shall not be considered a petroleum product within the meaning of this definition.

(e) "Broker" shall mean and include every person, firm, association or corporation, other than a distributor, engaged in business as a broker, jobber or wholesale merchant dealing in motor vehicle fuel or any petroleum product or products used in or which may be used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, provided, however, that crude oil which must be refined before it may be used in such blending, compounding or manufacturing shall not be considered a petroleum product within the meaning of this definition.

(f) "Service station" is a place operated primarily for the purpose of delivering motor vehicle fuel into the fuel tanks of motor vehicles.

SEC. 2. Section 2 of Chapter 267, Statutes of 1923, as amended, is hereby amended to read as follows:

Sec. 2. Every distributor before April 1, 1931, and after this act becomes effective every person, firm, association or corporation before becoming a distributor shall make an application to the State Board of Equalization for a license authorizing such distributor, person, firm, association or corporation to engage in business as a distributor. Applications for such licenses must be made to the State Board of Equalization on forms to be prescribed, prepared and furnished by said board. It shall be unlawful from and after April 1, 1931, for any person, firm, association or corporation to be a distributor without first securing from the State Board of Equalization a license for which provision is made in this section. Before granting any license authorizing any person, firm, association or corporation to engage in business as a distributor, the State Board of Equalization must require such person, firm, association or corporation to file with said board, in such form as shall be prescribed by said board, a bond duly executed by such person, firm, association or corporation as principal and a corporation such as is mentioned in section 1056 of the Code of Civil Procedure of this State, as surety, payable to the people of the State of California, conditioned upon faithful performance of all the requirements of this act and expressly providing for the payment of all license taxes, penalties and other obligations of such person, firm, association or corporation arising out of this act.

The total amount of the bond or bonds required of any distributor shall be fixed by the State Board of Equalization and may be increased or reduced by said board at any time subject to the limitations herein provided. In fixing the total amount of the bond or bonds required of any distributor, the State Board of Equalization must require a bond or bonds equivalent in total amount to twice his estimated monthly license tax determined in such manner as said board may deem proper; provided, however, that, subject to such terms and conditions as the State Board of Equalization may prescribe, any distributor may undertake to pay on each Tuesday the license tax accruing on all of his distributions of motor vehicle fuel during the week ending the Saturday next preceding, and, if any distributor shall so bind himself, said board shall fix his bond or bonds in a total amount equivalent to twice the license tax accruing on account of his estimated weekly distributions determined in such manner as said board may deem proper, and further provided that the total amount of the bond or bonds required of any distributor shall never be less than one thousand dollars nor more than one hundred thousand dollars. No recoveries on any bond or any execution of any new bond shall invalidate any bond and no revocation of any license shall affect the validity of any bond.

In lieu of any such bond or bonds in total amount as fixed hereunder, any distributor may deposit with the State Treasurer, under such terms and conditions as said board may prescribe, a like amount of lawful money of the United States, or bonds or other obligations of the United States, the State of California, or any county or city and county of this State, of an actual market value not less than the amount so fixed by said board. All licenses issued to distributors under this section shall be valid until revoked by the State Board of Equalization.

Nothing in this section shall be construed as relieving any distributor of the duty of filing the sworn monthly statement required by section 6 of this act. The assessment of any distributor who makes weekly payments shall be shown on the assessment roll prepared under said section 6 in the same manner as the assessments

of other distributors are shown thereon, and the Controller shall apply such payments to the credit of such distributor on the assessment roll for the month during which the distributions covered by such payments were made. Whenever any distributor undertaking to pay his license tax in weekly installments, as provided in this section, shall fail to pay the full amount thereof in accordance with the terms and conditions prescribed by the State Board of Equalization, his license may be revoked forthwith, unless he complies immediately with the requirement of this section relating to the filing of a bond or bonds equivalent in total amount to twice the estimated monthly license tax. In the event of nonpayment of any weekly installment of the license tax, or any part thereof, pursuant to the undertaking of any distributor, the full amount of the license tax accrued against such distributor shall become immediately due and payable and the Controller and the Attorney General shall proceed forthwith to collect the license tax due from such distributor in the manner prescribed by section 4 of this act with reference to delinquency in the payment of the monthly license tax. All provisions of said section 4 shall apply with full force and effect to collections required to be made under this section; provided, however, that the ten per cent penalty for delinquency for which provision is made under section 4 hereof shall accrue only as provided in said section, and there shall be added to any weekly installment of license tax remaining unpaid at five o'clock in the afternoon of the Tuesday following the close of such week, a penalty of five per cent on account of such delinquency; the accrual of any such penalty of five per cent shall not in anywise affect the ten per cent penalty for delinquency imposed under section 4 hereof, but such ten per cent penalty shall not be computed upon any amount added to such weekly license tax as a penalty under this section.

The license issued hereunder to any distributor shall not be transferable, and, upon discontinuance of operations as a distributor, any such licensee must first pay all license taxes assessed on account of his distributions of motor vehicle fuel and surrender his license hereunder to the State Board of Equalization for cancellation, prior to any transfer of his property. Any transfer of property attempted contrary to the provisions of this section shall be void and of no effect; provided, however, that this section shall not affect sales made by the State Controller under section 4 of this act.

Every producer and every broker before April 1, 1933, and thereafter every person, firm, association or corporation before becoming a producer or broker shall register as such with the State Board of Equalization and made application for a license on forms to be prepared and furnished by the State Board of Equalization Each such application shall be accompanied by a registration fee of ten dollars.

Upon the receipt of the application of any such producer or broker, accompanied by such license fee, the State Board of Equalization shall issue to every such applicant a license to engage in such business from the date of the issuance thereof, until and including the following December 31st, and on or before January 1st, of each and every year and before any such producer or broker shall engage in business, an application shall be filed and a license obtained for the calendar year. Any license so issued shall not be transferable and may be revoked by the State Board of Equalization as hereinafter provided. All registration fees collected under the provisions of this section shall be credited to the "Fuel tax enforcement fund" hereinafter created

SEC. 3. Section 3 of Chapter 267, Statutes of 1923, as amended, is hereby amended to read as follows:

Sec. 3. A license tax is hereby imposed for the privilege of distributing, within the meaning of section 7 of this act, any motor vehicle fuel Said license tax shall be according to or measured by the gallonage of motor vehicle fuel so distributed in this State and shall be at the rate of three cents for each gallon of such fuel refined, manufactured, produced, blended or compounded by such distributor in this State and so distributed by him in this State, or imported by such distributor into and so distributed by him in this State otherwise than in the original package or container in which such motor vehicle fuel was imported into this State, and for each gallon of motor vehicle fuel imported into this State and thereafter acquired by such distributor in the original package or container in which the same was imported and thereafter so distributed by such distributor otherwise than in the original package or container in which the same was imported into this State.

From any amount found to be due upon any report hereunder the distributor shall first be allowed to deduct one per cent of the tax otherwise due hereunder to cover subsequent losses occasioned by evaporation and handling

SEC. 4. Section 5 of Chapter 267, Statutes of 1923, as amended, is hereby amended to read as follows

Sec. 5. Every distributor must keep a true and accurate record in such form as the State Board of Equalization may prescribe, of all stocks of petroleum products on hand, of all raw gasoline, gasoline stock, kerosene distillates, casing-head gasoline and other petroleum products used in, or which may be used in, compounding, blending or manufacturing motor vehicle fuel; of the amount of crude oil refined, the gravity of the crude oil refined and the yield from said crude oil, as well as of

such other matters relating to transactions in petroleum products as said board may direct. Every distributor must take a physical inventory of the petroleum products on hand on the first day of every calendar month and must have the record of such inventory and of the other matters mentioned in this section, available at all times for the inspection of said board or its representatives. Upon demand of said board or its representatives every distributor must furnish a statement under oath reflecting the contents of any records to be kept under this section.

Every producer must keep a true and accurate record in such form as the State Board of Equalization may prescribe of all manufacture and distribution of any petroleum product or products used in, or which may be used in, the blending, compounding or manufacturing of motor vehicle fuel, and every broker must likewise keep a true and accurate record of all purchases of motor vehicle fuel and such petroleum products in such manner as to disclose the vendor, the quantity purchased, the correct description of the commodity and the means of transportation to said broker, as well as all of the sales of motor vehicle fuel and such petroleum products in such manner as to disclose the vendee, the quantity sold, the correct description of the commodity and the means of transportation from said broker to the vendee All such records required by this section must be available at all times for the inspection of said board or its representatives, who may require a statement or statements under oath at such intervals as said board may determine, reflecting the contents thereof.

SEC. 5. Section 6 of Chapter 267, Statutes of 1923, as amended, is hereby amended to read as follows:

Sec. 6. Each distributor shall on or before the fifteenth day of May, 1931, and on or before the fifteenth day of each and every month thereafter, file on forms prescribed, prepared and furnished by the State Board of Equalization, a sworn statement showing the total number of gallons of motor vehicle fuel refined, manufactured or compounded by such distributor within this State and sold during the preceding calendar month by such distributor within this State; the total number of gallons of motor vehicle fuel imported into this State by such distributor and sold or distributed within this State by such distributor during such month, when sold or distributed otherwise than in the original packages or containers in which imported into this State or used by such importer; also the number of gallons of such fuel acquired by him in the original package or container in which the same was imported into this State and thereafter sold, distributed or used by him; and such other information as the State Board of Equalization may require If any distributor shall fail, neglect or refuse to file said report within the time prescribed by this section, the State Board of Equalization must note such failure, neglect, or refusal upon the tax roll hereinafter described, and must estimate the motor vehicle fuel distributions of said distributor, assessing the license tax thereon adding to said license tax a penalty of fifteen per cent thereof for failure, neglect or refusal to report, and said distributor shall be estopped from complaining of the amount of said estimate. Said penalty for failure to report shall not be in lieu of the penalty for delinquency prescribed by section 4 of this act, but the penalty for delinquency shall not apply to or be charged against the penalty for failure to report. The State Board of Equalization shall, on or before the twenty-second day of May, 1931, and on or before the twenty-second day of each calendar month thereafter, assess the license tax due hereunder, and prepare and complete an assessment roll showing the amount of the license tax assessed against each distributor, and immediately deliver said assessment roll to the State Controller.

SEC. 6. Section 7 of Chapter 267, Statutes of 1923, as amended, is hereby amended to read as follows:

Sec. 7. For the purposes of this act the amount of motor vehicle fuel distributed during any calendar month by any distributor hereunder shall be determined by adding to the gallonage of motor vehicle fuel sold in this State by such distributor an amount equal to one-ninety-ninth thereof, except that the gallonage delivered by the distributor to any service station operated either by such distributor or by a corporation controlled by such distributor through ownership of a majority of the capital stock of such corporation, may, at the option of the distributor, be used for the determination of the amount of the distribution, without addition thereto of one-ninety-ninth, in lieu of the sales from such station plus one-ninety-ninth thereof, but any distributor electing to use service station deliveries in the determination of his tax liability must report all such transactions on that basis for any calendar month, and must make appropriate adjustment in the determination of his distributions as the State Board of Equalization may require, upon any change to or from that basis.

It shall be presumed for the purposes of this act that all motor vehicle fuel refined, manufactured, produced, blended, or compounded in this State, or imported into this State, by any distributor has been sold by such distributor unless the distributor shall establish to the satisfaction of said board that such fuel is still in the ownership and possession of such distributor, or, prior to the termination of such ownership, has been lost through evaporation, leakage, spillage, or destruction by the elements, or has been used by the distributor in such a manner as would entitle him

to claim refund of the license tax on account thereof under the terms of section 11 of this act.

Nothing in this act shall be construed as requiring the payment of the license tax herein specified upon more than one sale, distribution or transfer of the same motor vehicle fuel, but it shall be presumed for the purposes of this act that any motor vehicle fuel acquired by a distributor and commingled with any other product shrinks from evaporation not less than one per cent prior to its redistribution by such distributor, and no credit or deduction on account of such shrinkage shall be allowed in the determination of the distributions of such distributor

SEC. 7. Section 10 of Chapter 267, Statutes of 1923, as amended, is hereby amended to read as follows:

Sec. 10. The provisions of this act requiring the payment of license taxes shall not be held or construed to apply to motor vehicle fuel imported into this State in interstate or foreign commerce and intended to be sold in the original and unbroken tank cars or other original receptacles, containers or packages and so sold while the same are in interstate or foreign commerce, nor to any motor vehicle fuel exported from this State by the distributor or delivered by the distributor to any vessel clearing from a port of this State for a port outside of this State and actually exported from this State in such vessel, nor to any motor vehicle fuel sold to the government of the United States or any department thereof for official use of said government, but every distributor shall be required to report such exports and sales to the State Board of Equalization in such detail as that board may require, otherwise the exemption herein granted shall be null and void and all such fuel shall be considered distributed in this State subject fully to the provisions of this act.

In support of any exemption from license taxes claimed under this section on account of the exportation of motor vehicle fuel, every distributor must execute an export certificate in such form as shall be prescribed, prepared and furnished by the State Board of Equalization, containing a sworn statement, made by some person having actual knowledge of the fact of such exportation, that the motor vehicle fuel has been exported from the State of California, and giving such details with reference to such shipment as said board may require. All export certificates must be completed and on file in the office of the State Board of Equalization within forty-five days after the close of the calendar month in which the shipments to which they relate are made, and no certificate not completed and filed within such period shall be recognized for any purpose by the State of California or any agency thereof. The State Board of Equalization may demand of any distributor such additional data as are deemed necessary by said board in support of any such certificate, and failure to supply such data will constitute a waiver of all right to exemption claimed by virtue of such certificate.

Any claim for exemption based on a sale to the United States government or any department thereof may be made by the distributor at any time within six months from the date of sale by filing such claim in the office of the State Board of Equalization, but no claim made after the expiration of said period of six months shall be recognized for any purpose by the State or any agency thereof

SEC. 8. Section 13 of Chapter 267, Statutes of 1923, as amended, is hereby amended to read as follows:

Sec. 13. All money received by the State Controller in payment of license taxes under the provisions of this act shall be by him deposited in the State treasury and credited to the "motor vehicle fuel fund," which fund is hereby created. Out of the gross amount deposited in said "motor vehicle fuel fund" the State Treasurer shall transfer, upon order of the Controller, the amounts heretofore or hereafter appropriated by the Legislature for the support of the fuel tax division of the State Board of Equalization into the "fuel tax enforcement fund," which fund is hereby created: *provided, however, that before ordering the transfer of the amounts so appropriated* the Controller shall offset against said amount the amount of the registration fees credited to said "fuel tax enforcement fund" under section 2 of this act during the biennial period next preceding the period for which said appropriations are made.

The amounts so transferred by the Controller into said "fuel tax enforcement fund," together with the amount of the registration fees credited to said fund under section 2 of this act, shall be used by the State Board of Equalization to pay the expenses of the enforcement of the duties of said board under this act, such moneys to be available to the State Board of Equalization on warrants drawn by the Controller upon demands made by said board and allowed and audited as provided by the rules of the State Board of Control.

The Controller shall also pay out of the "motor vehicle fuel fund" such amounts as have been or may be appropriated for the support of the motor vehicle fuel tax refund division in the office of the Controller, and such refunds as may be due on account of judgments for the return of license taxes illegally collected, as provided in section 16 of this act.

One-third of all moneys remaining in said "motor vehicle fuel fund" after the payments into the "fuel tax enforcement fund" shall have been made and the refunds herein provided for shall have been paid, is hereby appropriated to the counties of

this State and shall be paid to the counties as hereinafter provided. The payments to the counties shall be based upon the number of vehicles registered in each of the counties as determined by the places of residence of the owners to whom the registration certificates for such vehicles have been issued by the State during the current year, and it is hereby made the duty of the Motor Vehicle Department to furnish to the State Controller a record of the number of such registrations by counties

Out of said appropriation each county shall first be paid five thousand dollars for each quarter of a year. The balance remaining in said appropriation, after making said apportionment of five thousand dollars quarterly, shall be apportioned to all of the counties of this State in the proportion that the registration of vehicles in each of such counties bears to the total number of vehicles registered in this State.

All such amounts so paid to the several counties shall be paid into a special road improvement fund. Such fund shall be expended by the county receiving it exclusively in the construction and maintenance of roads, bridges and culverts in each such county.

But the board of supervisors of any county may in its discretion expend any portion of such sums so received by such county in the construction, maintenance and repair of streets, bridges and culverts within those incorporated cities therein the legislative bodies of which by ordinance or resolution authorize such work of construction, maintenance and repair The board of supervisors of any county, or city and county is hereby empowered to expend any portion of the amounts paid to the said county, or city and county and deposited in the special road improvement fund or other road fund thereof, as herein in this section directed, in and for the construction of public highways outside of its corporate limits; provided, however, that the construction thereof is authorized by ordinance or resolution of the board of supervisors of the county, or city and county, in which said highway is to be constructed. Where such authorization is given, as herein provided, the board of supervisors of the county, or city and county desiring the said construction, may, through its own board, officers or commissions expend the amounts herein authorized to be expended, or may, by resolution of its board of supervisors, transfer said amounts to the account of the Highway Commission of the State of California or to the account of the Secretary of Agriculture of the United States, and may by said resolution specify and determine the route and type of construction of said highway, and the said amount thus transferred shall, if accepted by the said Highway Commission, or said Secretary of Agriculture, be expended for the purpose specified and determined in said resolution, and not otherwise.

In the event that any such county has not established such a road fund, its proportion of such fund shall be retained by the State until provision for such a road fund has been made, and it shall then be paid over to such county.

In the months of January, April, July and October of each year, the Controller shall ascertain the gross amounts received and the net receipts remaining after the payment of the refunds for which provision is made in section 11 of this act during the preceding three months, and thereupon the Controller shall draw his warrant upon the "motor vehicle fuel fund" in favor of each county in the State for the amount to which each such county is entitled. The Controller shall not draw such warrant in favor of any county which shall not have established such a road fund as is herein required or which shall be delinquent in its annual report to the State Department of Public Works as hereinafter required.

The board of supervisors of each county shall make an annual report to the State Department of Public Works not later than three months after the close of the county's fiscal year upon forms to be provided by such department, showing the amount of moneys received from the "motor vehicle fuel fund" during the preceding fiscal year and the disposition of said moneys, giving such details as to the disposition of said moneys as may be required by said department. Whenever such report shall not have been duly filed in the manner and form herein provided for at or before the time herein specified, the State Controller shall not draw his warrant in favor of the treasurer of such county until such report has been filed.

One-twelfth of all moneys in said "motor vehicle fuel fund" after the payments into the "fuel tax enforcement fund" shall have been made and the refunds herein provided for shall have been paid, is hereby appropriated to and shall be paid quarterly into the "municipal street fund" which fund is hereby created.

The State Department of Public Works shall allocate and expend all revenue in the said "municipal street fund," within the incorporated cities and cities organized under freeholder charters, in this State, for the purposes specified in this section, and the revenues of said fund shall be apportioned and expended within each such city within the State, in the proportion that the total population in each city bears to the total population in all such cities in this State For the purpose of this section the population in each city is declared to be that determined by the last preceding Federal census.

The expenditure of the allocation to each incorporated and charter city from said "municipal street fund" shall, in the discretion of the State Department of Public Works, first be made for the acquisition of rights of way for or the construction, or maintenance or improvement of State highways or portions thereof within such city.

In the event that the amount of money allocated to any one city is greater than is necessary to adequately maintain and improve to adequate standard all State highways within such city, then any surplus amount accruing to such city shall be expended for the acquisition of rights of way or the construction, or maintenance or improvement of other streets of major importance within such city as may be agreed upon by the State Department of Public Works and the legislative body of such city.

With respect to any expenditure within an incorporated or charter city herein authorized the State Department of Public Works may delegate any such expenditure to the legislative body of such city when and if said department is satisfied that such city is equipped to conduct such maintenance or improvement work in an efficient and economic manner.

The legislative body of any incorporated or charter city may authorize the accumulation of funds accruing to it over a period of years or authorize the advancement of moneys to accrue to such city over a period of years to permit the accomplishment of a major project in its entirety. No such accumulation or advancement of funds shall be made without the approval of the State Department of Public Works.

The legislative body of any incorporated or charter city may authorize the allocation and expenditure by the State Department of Public Works of any money accruing to such city hereunder upon any State or other major street or highway outside the limits of such city.

All money drawn from the "municipal street fund" shall be upon warrants drawn by the State Controller upon demands made by the Department of Public Works, Division of Highways, audited and allowed by the State Board of Control.

All moneys in the "motor vehicle fuel fund" other than those hereinbefore appropriated, are hereby appropriated to and shall by the State Treasurer be paid into the "State highway fund," which fund is hereby created, and shall be allocated and expended by the State Department of Public Works, Division of Highways for the acquisition of rights of way for, or the construction, maintenance, repair, widening, resurfacing, reconstruction or other improvement of State highways, and for the maintenance, repair, widening, resurfacing and reconstruction of roads and highways in State parks subject to the approval of the official or officials charged by law with the management and control of such parks and in the manner specified in that certain act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways" passed at the forty-seventh session of the Legislature, as amended.

All money from said "State highway fund" shall be upon warrants drawn by the State Controller upon demands made by the Department of Public Works, Division of Highways, and allowed and audited as provided by the rules of the State Board of Control.

SEC 9. Section 13a of Chapter 267, Statutes of 1923, as amended, is hereby amended to read as follows:

Sec. 13a. The State Board of Equalization may, without at the time furnishing vouchers and itemized statements, draw from the "fuel tax enforcement fund," a sum not to exceed five thousand dollars; and the Department of Public Works, Division of Highways, may, in like manner, draw five hundred thousand dollars from the "State highway fund." The sum or sums so drawn shall be used as a revolving fund where cash advances are necessary.

SEC. 10. Section 14 of Chapter 267, Statutes of 1923, as amended, is hereby amended to read as follows:

Sec. 14. Any person, firm, association or corporation or any officer or agent thereof failing to pay the license tax as herein provided, or violating any of the other provisions of this act, or unlawfully making any false statement, or concealing any material fact in any record, report, affidavit or claim provided for herein, shall be guilty of a misdemeanor, unless such act is by any other law of this State declared to be a felony, and upon conviction thereof shall be punished by a fine of not less than five hundred dollars nor more than five thousand dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

The State Board of Equalization shall have power to revoke the license of any distributor, producer, or broker, refusing or neglecting to comply with the provisions of this act

Before revoking any license issued hereunder said board shall send notice by registered mail directed to said operator at his last known address ordering him to show cause, before said board at Sacramento or such other place in this State as may be designated by said board, at a time not less than ten days after the mailing of such notice, why his license issued hereunder should not be revoked. Said board shall allow such distributor, producer or broker an opportunity to be heard in pursuance of such notice and thereafter shall have full power to revoke his license issued hereunder.

The State Board of Equalization is hereby authorized to pay out of the "fuel tax enforcement fund" all expenses incurred in the prosecution before any court of

this State of any person, firm, association or corporation charged with the violation of any of the provisions of this act.

SEC. 11. Section 16 of Chapter 267, Statutes of 1923, as amended, is hereby amended to read as follows:

Sec. 16. No injunction or writ of mandate or other legal or equitable process shall ever issue in any suit, action or proceeding in any court against this State or against any officer thereof, to prevent or enjoin the collection under this act of any license tax assessed by the State Board of Equalization; but after payment of any such license tax under protest duly verified and setting forth the grounds of objection to the legality of such license tax, the distributor paying such license tax may bring an action against the State Treasurer in the superior court of the county of Sacramento for the recovery of the license tax so paid under protest. No such action may be instituted more than ninety days after the last day prescribed for the payment of such license tax without penalty, and failure to bring suit within said ninety days shall constitute waiver of any and all demands against this State on account of alleged overpayment of license taxes hereunder. No grounds of illegality of the license tax shall be considered by the court other than those set forth in the protest filed at the time of the payment of the license tax. If in any such action judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any license taxes due from the plaintiff under this act, and the balance of the judgment shall be refunded to the plaintiff. In any such judgment, interest shall be allowed at the rate of seven per cent per annum upon the amount of the license tax found to have been illegally collected from the date of payment thereof to the date of allowance of credit on account of such judgment or to a date preceding the date of the refund warrant by not more than thirty days, such date to be determined by the State Board of Equalization.

In no case shall any judgment be rendered in favor of the plaintiff in any action brought against the State Treasurer to recover any license tax paid hereunder, when such action is brought by or in the name of an assignee of the distributor paying said license tax, or by any person, company or corporation other than the person, company or corporation that has paid such license tax

All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

SEC. 12. A new section is hereby added to Chapter 267, Statutes of 1923, as amended, to be numbered 19 and to read as follows.

Sec. 19. This act shall be known as the "Motor vehicle fuel license tax act."

SEC. 13. Chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions not inconsistent herewith, of an act entitled, 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for the violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," as amended, is hereby repealed

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 1044—An act to amend the act known as "The General Cemetery Act," approved June 19, 1931, by amending section 3 and other sections thereof and by adding new sections thereto.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 3, 4, 6, 7, and 8 of the "General Cemetery Act," approved June 19, 1931, relating to cemetery corporations."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert in lieu thereof the following:

"Sec. 3. Any private corporation, now or hereafter organized, the articles of which limit its corporate purposes to the operation and maintenance of a cemetery, mausoleum, columbarium, or crematory and columbarium, may establish, maintain, manage, improve and/or operate a cemetery, mausoleum, columbarium, or crematory

and columbarium and conduct any one or more of all of the businesses necessary or incident to a cemetery, mausoleum, columbarium, or crematory and columbarium, either for or without profit to its members or stockholders.

SEC. 2. Section 4 of the act known as the "General Cemetery Act" is hereby amended to read as follows:

Sec 4. It shall be unlawful for any corporation, copartnership, firm, trust, association, or individual to engage in or transact any of the businesses necessary or incident to the conduct of a cemetery, mausoleum, columbarium, or crematory and columbarium within this State except by means of a corporation duly organized for such purpose, the articles of which corporation limit its corporate powers to the operation and maintenance of a cemetery, mausoleum, columbarium, or crematory and columbarium.

SEC. 3. Section 6 of the act known as the "General Cemetery Act" is hereby amended to read as follows:

Sec. 6. Cemetery associations may take by purchase, donation or devise, property, consisting of lands, mausoleums, crematories and columbariums, and/or other property within which the permanent interment of the dead shall be authorized by law. Such cemetery association shall within six months of the date of acquiring any real property acquired by it either sell same or execute a declaration acknowledged by the president and secretary or other authorized officer or officers, so as to entitle it to be recorded, describing said property or any part thereof for interment purposes, which declaration it may file for record in the office of the recorder of the county wherein the property is situated, and from the date of such filing the same shall be constructive notice of the use for which such property is intended.

SEC. 4. Section 7 of the act known as the "General Cemetery Act" is hereby amended to read as follows:

Sec. 7. Every cemetery association shall, within one year from the time it acquires any real property, either sell the same or dedicate the same to exclusive cemetery, mausoleum, columbarium, or crematory and columbarium purposes, which dedication shall be accomplished as follows:

(a) In case of land, survey and subdivide such land into sections, blocks, lots, avenues, walks and/or other subdivisions; make a good and substantial map or plat thereof showing said sections, lots, avenues, walks and/or other subdivisions, with descriptive names or numbers, and/or (b) in case of a mausoleum and/or crematory and columbarium it shall make a good and substantial map or plat thereof on which shall be delineated the actions, halls, rooms, corridors, elevators, and/or other divisions thereof with their descriptive names and numbers; and shall file such map or plat in the office of the recorder of the county in which such property or some part thereof is situated, and shall also file for record in such county recorder's office a written certificate or declaration of dedication of the property delineated, on said plat or map, dedicating the same exclusively to cemetery, mausoleum, columbarium, or crematory and columbarium purposes. Which certificate or declaration shall be in such form as the directors or officers may prescribe, and shall be subscribed by the president or vice president and the secretary of the association, or such other person or persons as the board of directors may authorize and acknowledge so as to entitle it to be recorded; and upon the filing of said plat and the filing of said certificate for record, the dedication of said property shall be complete for all the purposes of this title, and thereafter such property shall be held, occupied and used exclusively for a cemetery and for cemetery purposes. Provided, however, that when reservation is made therefor in the certificate or declaration of dedication, any part or subdivision of the property so mapped and platted may, by order of the directors, be resurveyed and altered in shape and size and an amended map or plat thereof filed, so long as such change does not disturb the remains of any deceased person interred therein. Such filed map and recorded declaration shall constitute and be constructive notice to all persons of the dedication of such property to interment purposes.

It shall be the duty of the county recorder of the county in which such map is filed to number and file such map or plat and to index the same in the general index, giving reference to date of filing and number so that the same may be easily found, for which service the recorder shall receive a fee of one dollar

It shall also be the duty of the county recorder of the county in which such declaration of dedication is filed to record the same in the official records of his office and index the same in the general index for which service the recorder shall receive a fee of one dollar

SEC. 5. Section 8 of the act known as the "General Cemetery Act" is hereby amended to read as follows:

Sec 8. After such property is so dedicated to cemetery, mausoleum, columbarium, or crematory and columbarium purposes, neither the dedication, nor the title of a plot owner, shall ever be affected by the dissolution of the association, or by nonuser on its part, or by alienation of the property, or by any incumbrances thereon, or by sale under execution, or otherwise, and such dedication shall not be deemed or held invalid as violating any existing laws against perpetuities or the suspension of the power of alienation of title to or use of property, but such dedication is hereby

expressly permitted and shall be deemed to be in respect for the dead, a provision for the disposition of the bodies of deceased persons, and a duty to, and for the benefit of, the general public; and said property shall be held and used exclusively for cemetery, mausoleum, columbarium, or crematory and columbarium purposes, unless and until the dedication shall be removed by an order and decree of the superior court of the county in which the same is situated, in a proceeding brought therefor, as in this act hereafter provided upon notice and proof satisfactory to the court that all bodies have been removed therefrom, or that no interments were made therein, and that the same is no longer used or required for interment purposes."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 897—An act to repeal Part I of Division II of the School Code, embracing sections 2.20 to 2.760, inclusive, to repeal Chapters I, II, III and IV of Part II of Division II of said code, embracing sections 2 770 to 2.1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2.10 to 2.281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-A, respectively, embracing sections 2 650 to 2 911, inclusive, to amend sections 4.181, 4 375, 4.773, 4.811, 4.812, 4 875, 4 895, 4 896, 4 898, 4.970, 6.470 and 6.471 to 6.477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4.769, 6.470-1 and 6 470-2, to repeal section 4.771 of said code, and to repeal certain acts, all relating to school districts and junior college districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

On page 3, line 40, of the printed bill, strike out "expiration of thirty days", and insert in lieu thereof the following: "first day of July next".

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out line 43, and insert in lieu thereof the following: "(1) If, prior to said first day of July, a major-".

AMENDMENT NUMBER THREE.

On page 4, line 6, of the printed bill, strike out "is", and insert in lieu thereof "are".

AMENDMENT NUMBER FOUR.

On page 4, line 52, of the printed bill, strike out "provisiaons", and insert in lieu thereof "provisions".

AMENDMENT NUMBER FIVE.

On page 5, line 13, of the printed bill, strike out "thirty days after", and insert in lieu thereof the following: "on the first day of July next following".

AMENDMENT NUMBER SIX.

On page 8 of the printed bill, strike out lines 13 and 14, and insert in lieu thereof the following: "the payment of all debts, if any, outstanding or existing against said merged".

AMENDMENT NUMBER SEVEN.

On page 8, line 16, of the printed bill, after the word "districts", insert a comma and the following: "and shall assume and be responsible for the performance of all contracts or other obligations of said merged districts"

AMENDMENT NUMBER EIGHT.

On page 28 of the printed bill, strike out lines 50 and 51, and insert in lieu thereof the following: "of trustees a written statement signed by him that he is a candidate for the office of trustee and specifying the trustee".

AMENDMENT NUMBER NINE.

On page 35 of the printed bill, strike out lines 40 and 41, and insert in lieu thereof the following: "trict shall consist of five trustees selected from the trustee districts of the consolidated school district as hereinafter provided, and"

AMENDMENT NUMBER TEN.

On page 36 of the printed bill, strike out lines 7 and 8, and insert in lieu thereof the following: "district shall be elected in the trustee districts of the consolidated school district in the same manner, at the same times, and for the".

AMENDMENT NUMBER ELEVEN.

On page 39, line 14, of the printed bill, strike out "three", and insert in lieu thereof "five".

AMENDMENT NUMBER TWELVE.

On page 39, line 27, of the printed bill, strike out "three", and insert in lieu thereof "five".

AMENDMENT NUMBER THIRTEEN.

On page 40, line 32, of the printed bill, strike out "three", and insert in lieu thereof "five".

AMENDMENT NUMBER FOURTEEN.

On page 40, line 40, of the printed bill, strike out "three", and insert in lieu thereof "five".

AMENDMENT NUMBER FIFTEEN.

On page 40, line 45, of the printed bill, strike out "three", and insert in lieu thereof "five".

AMENDMENT NUMBER SIXTEEN.

On page 41, line 15, of the printed bill, strike out "three", and insert in lieu thereof "five".

AMENDMENT NUMBER SEVENTEEN

On page 41, line 21, of the printed bill, strike out "three", and insert in lieu thereof "five".

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 18, of the printed bill, strike out the period after the word "part", and insert in lieu thereof a semicolon.

AMENDMENT NUMBER NINETEEN.

On page 6, line 19, of the printed bill, insert the following.

"(6) The classification of employees of any such district under the provisions of Chapter III of Part III of Division V of this code."

AMENDMENT NUMBER TWENTY.

On page 10 of the printed bill, after line 47, insert the following.

"Article V—Employees of School Districts

2.115. Nothing contained in the provisions of this part shall be construed to abridge, modify or otherwise affect the classification or manner of classification of employees of school districts under the provisions of Chapter III of Part III of Division V of this code. For purposes of such classification, the boundaries of all component preexisting districts shall be preserved and retained; but the governing board of a merged and consolidated district shall succeed to all the powers and duties of the governing boards of the component districts with respect to the classification of such employees."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1378—An act to regulate and license persons engaged in the business of outdoor advertising and to provide penalties for the violation hereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee

of property upon which such advertising structure or sign is located, to provide for penalties; to provide for the manner of proving violations of this act in any trial thereof; and to repeal all acts or parts of acts in conflict with this act."

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, after "placed", insert a comma.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 9 to 23, inclusive, and insert in lieu thereof the following: "including statuary for advertising purposes.

Sign: The term "sign" is hereby defined to be any card, cloth, paper, metal, painted or wooden sign of any character placed for outdoor advertising purposes, on or to the ground or any tree, wall, bush, rock, fence, building, structure or thing, either privately or publicly owned, other than an advertising structure as hereinabove defined."

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following: "erecting, constructing or maintaining advertising structures or signs.

To place: The term "to place" and the various forms thereof as applied to advertising structures or signs shall".

AMENDMENT NUMBER FIVE.

On page 2, line 8, of the printed bill, strike out "and/or", and insert in lieu thereof "or".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out lines 15 to 18, inclusive.

AMENDMENT NUMBER SEVEN

On page 2, line 32, of the printed bill, strike out "and/or", and insert in lieu thereof "or".

AMENDMENT NUMBER EIGHT.

On page 2, line 38, of the printed bill, strike out "and/or", and insert in lieu thereof "or".

AMENDMENT NUMBER NINE.

On page 2 of the printed bill, strike out lines 45 to 52, inclusive, and on page 3, lines 1 to 4, inclusive, and insert in lieu thereof the following:

"(d) Any advertising structure or sign not exceeding 6 feet in length and 4 feet in height, or its equivalent in area used exclusively:

(1) To advertise the sale or lease of the property upon which such advertising structure or sign is placed; or

(2) To designate the name of the owner or occupant of the premises or to identify such premises; or

(3) To advertise the business conducted or the goods sold upon the property upon which such advertising structure or sign is placed; provided that nothing in this subdivision (d) contained shall be deemed to limit the size of signs of the character defined in subsections (1), (2) and (3) of this subdivision when such signs are painted on a building or other permanent improvement; and provided further that nothing in this subdivision (d) contained shall be construed to permit the erection of any advertising structure or sign upon the right of way of any highway"

AMENDMENT NUMBER TEN.

On page 3 of the printed bill, strike out line 10, and insert in lieu thereof the following: "or his authorized agent as hereinafter provided."

AMENDMENT NUMBER ELEVEN.

On page 3, line 21, of the printed bill, strike out "aforesaid".

AMENDMENT NUMBER TWELVE.

On page 3 of the printed bill, strike out lines 29 to 50, inclusive, and on page 4, lines 1 to 3, inclusive, and insert in lieu thereof the following:

"No person shall place or maintain within the State of California, within the areas affected by the provisions of this act, any advertising structure or sign without first having secured a written permit so to do from the director or from his authorized agent in the county within which the advertising structure or sign is to be placed; provided, however, that no permit shall be required for any display or copy placed on any advertising structure for which a permit shall have already been secured and which is in force and effect.

SEC. 6. Application for Permit.

Every person desiring a permit to place and/or maintain any advertising structure or sign shall file with the director or with his authorized agent in the county within which the advertising structure or sign is to be placed an application therefor on a blank to be furnished by said director or by said agent. Such application shall set

forth the name and address of the applicant and shall contain a general description of the property upon which it is proposed to erect and/or maintain the advertising structure or sign for which a permit is sought and a diagram indicating the location of such proposed advertising structure or sign on such property, in such a manner that said property and the location of said proposed advertising structure or sign may be readily ascertained and identified."

AMENDMENT NUMBER THIRTEEN

On page 4, line 20, of the printed bill, strike out "and/or", and insert in lieu thereof "or".

AMENDMENT NUMBER FOURTEEN

On page 4 of the printed bill, strike out lines 23 to 40, inclusive, and insert in lieu thereof the following: "mit shall contain the number of the license issued by the director.

If such application is in full compliance with the provisions of this act and if such advertising structure or sign will not be in violation of any law or ordinance, the director or his authorized agent shall, within ten (10) days after the filing of such application and upon payment by applicant of the fee hereinafter specified, issue a permit to place and/or maintain such advertising structure or sign for the remainder of the calendar year in which such permit is issued. Issuance of a permit for the placing and/or maintenance of an advertising structure shall include the right to change the advertising display or copy thereon without obtaining any additional permit for the remainder of the calendar year in which such permit is issued and without the payment of any additional permit fee. Permits shall be renewed on the first day of January of each year upon application and the payment of fees as herein provided and shall expire on the thirty-first day of December of said year."

AMENDMENT NUMBER FIFTEEN.

On page 5 of the printed bill, strike out lines 13 to 51, inclusive, and on page 6, lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SEC. 7 Delegation of Authority by Director

The director shall furnish requisite forms for applications, licenses and permits provided for herein and shall appoint and designate a representative or agent in each of the counties throughout the State for the purpose of issuing the licenses and permits and collecting fees therefor as provided in this act. Such agent or representative, in the discretion of the director, may be the county clerk in each county. In the event of such appointment and designation of the county clerk in any county by the director, said county clerk shall so act. Upon the issuance of any such license or permit by said county clerk or other authorized agent of the director, said agent shall immediately forward a copy thereof to the director.

SEC 8. Display of Permit Number Plates

Each permit provided for in this act shall carry an identification number and shall entitle the holder to place and/or maintain the advertising structure or sign described in said permit.

No person shall place or maintain any advertising structure or sign unless there shall be securely fastened upon the front thereof a permit number plate of the character hereinafter specified. The erection or maintenance of any advertising structure or sign without having affixed thereto a permit number plate as hereinabove required shall be prima facie evidence that such advertising structure or sign has been placed and is being maintained in violation of the provisions of this act.

Permit number plates shall be furnished by the director They shall be of metal construction, at least three (3) inches in length and two (2) inches in width and shall bear the permit number of the advertising structure or sign to which they are assigned and the year for which the permit is issued. The color of permit number plates shall be changed from year to year.

SEC 9 Name of Owner

No advertising structure shall be maintained unless the name of the person owning or maintaining the same shall be plainly displayed thereon.

SEC. 10 Disposition of Fees.

All license and permit fees collected by the director and his authorized agents in accordance with the provisions of this act shall be forwarded to and deposited with the Treasurer of the State as collected, to the credit of the "Supervision of outdoor advertising fund" and shall be accounted for by the director in the manner provided by law. There is hereby created the "Supervision of outdoor advertising fund." The expense of administering this act is and shall be under the control of the director. Upon the order of the director the Controller must, without the approval of any board, draw his warrant upon the Treasurer for the amount specified and in favor of the person designated in such order. Such warrants are hereby exempt from the operation of section 669 of the Political Code Payments for the expense of administering this act shall be made out of the fees of applicants as provided in this act and in the event such fees are insufficient to bear such expense, then out of any appropriation, the administration of which is under the direction of the director, available for such purposes Unbudgeted balances, if any, in such fund shall be transferred to

the general fund by the director on the thirtieth day of June of each odd-numbered year"

AMENDMENT NUMBER SIXTEEN.

On page 6, line 5, of the printed bill, strike out "and/or", and insert in lieu thereof the following: "or"

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 8, of the printed bill, strike out "and/or", and insert in lieu thereof the following, "or".

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 10, of the printed bill, after "If", insert the following: "visible from any highway".

AMENDMENT NUMBER NINETEEN.

On page 6 of the printed bill, strike out lines 21 to 25, inclusive, and insert in lieu thereof the following.

"(d) If visible from any highway and by positive or negative suggestion or otherwise, inviting the attention of the observer to the opposite side of such advertising structure or sign.

(e) If placed on any tree, shrub, bush, rock or face of any natural cliff

(f) If not maintained in safe condition

(g) If visible from any highway and displaying any red light likely to be mistaken for a"

AMENDMENT NUMBER TWENTY.

On page 6 of the printed bill, strike out lines 30 to 52, inclusive, and on page 7, lines 1 to 20, inclusive, and insert in lieu thereof the following:

"SEC. 12. Prohibited Advertising Structures and Signs and Locations (outside certain areas)

No advertising structure or sign shall be placed or maintained outside of any business district as now defined under the California Vehicle Act, or outside of any unincorporated city, town or village or outside of any area that is subdivided into blocks or lots in any of the following locations or positions, or under any of the following conditions, or if the advertising structure or sign is of the following nature:

(a) If within a distance of three hundred (300) feet from the point of interception of intersecting or intercepting highways or of an intersecting highway and railroad right of way; provided, however, that nothing herein contained shall prevent the erection and/or maintenance of advertising structures or signs on that side of an intercepted highway that is opposite the point of interception; provided, further, however, that in case any permanent building, structure or other object prevents any traveler on any such highway from obtaining a clear view of approaching vehicles for a distance of three hundred (300) feet, then no advertising structure or sign shall be placed nearer to the intercepting right of way boundary line than is such permanent building, structure or other object, unless the same is placed on such building, structure or object and does not project more than one (1) foot therefrom.

(b) If placed in such a manner as to prevent any traveler on any highway from obtaining a clear view of approaching vehicles for a distance of five hundred (500) feet along said highway.

(c) If visible from any highway and in series less than one thousand five hundred (1500) feet apart. Advertising structures or signs shall be deemed to be in series if they advertise the identical product, business or subject, and convey a continued message, or if they are designed or intended to carry or if they do carry the attention of the observer from one advertising structure or sign to another

(d) If visible from any highway and with blinking or intermittent lights and likely to be mistaken for a warning or danger signal"

AMENDMENT NUMBER TWENTY-ONE.

On page 7, line 23, of the printed bill, strike out "and/or", and insert in lieu thereof the following: "or".

AMENDMENT NUMBER TWENTY-TWO.

On page 7, line 26, of the printed bill, strike out "and/or", and insert in lieu thereof the following: "or".

AMENDMENT NUMBER TWENTY-THREE

On page 7, line 34, of the printed bill, strike out "and/or", and insert in lieu thereof the following: "or".

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 36, of the printed bill, strike out "and/or", and insert in lieu thereof the following: "or".

AMENDMENT NUMBER TWENTY-FIVE.

On page 7, line 47, of the printed bill, strike out "and/or", and insert in lieu thereof the following: "or"

AMENDMENT NUMBER TWENTY-SIX.

On page 8, line 1, of the printed bill, strike out "and/or", and insert in lieu thereof the following: "or".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 8, line 6, of the printed bill, strike out "and/or", and insert in lieu thereof the following: "or".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 8 of the printed bill, strike out lines 8 to 41, inclusive, and insert in lieu thereof the following. "person without doing unnecessary injury and the same shall not constitute a breach of the peace.

SEC. 17 Enforcement.

The director is hereby authorized, directed and empowered to make orders and regulations for the enforcement of this act; to designate and authorize the Department of Maintenance of the Division of Highways of the Department of Public Works to enforce the provisions hereof; to prescribe the form of all applications, licenses, permits and other written matter appurtenant thereto; to enforce penalties for failure to comply herewith; to revoke any license or permit for such failure and without resort to legal proceedings to remove and destroy any advertising structure or sign placed or maintained contrary to any provisions of this act. For the purpose of removing or destroying any advertising structure or sign placed or maintained in violation of the provisions of this act, the director or his authorized agent may enter upon private property without incurring any liability therefor.

SEC. 18. Nothing in this act shall be deemed to prohibit enforcement of any or all of the provisions hereof by persons designated so to act by appropriate ordinances duly adopted by any county of this State.

SEC 19. Fees in Lieu.

The fees for licenses and permits prescribed by this act shall be in lieu of all other license and permit fees required by the laws of the State or of any political subdivision thereof for the privilege of engaging in the occupation or business of outdoor advertising or placing and/or maintaining advertising structures or signs outside incorporated cities and towns.

SEC 20 Permission of Owner.

It shall be unlawful for any person to place, cause to be placed, or to maintain or cause to be maintained any advertising structure or sign without the lawful permission of the owner or lessee of the property upon which such advertising structure or sign is located.

SEC. 21. Penalties"

AMENDMENT NUMBER TWENTY-NINE.

On page 9 of the printed bill, strike out lines 3 to 16, inclusive, and insert in lieu thereof the following: "of the "Supervision of outdoor advertising fund" provided for by this act.

SEC 22 Evidence.

Any person who authorizes the erection or maintenance of any advertising sign or structure shall be deemed for the purpose of this act to have erected or maintained such advertising sign or structure.

SEC. 22 (a). In any criminal action or proceeding by the State of California or the people thereof, under any of the provisions of this act, when the complaint, indictment or information alleges the erection and/or maintenance of any advertising sign or structure in violation of any provision of this act, and when the proof introduced by the State or the people thereof establishes such unlawful erection and/or maintenance of such advertising sign or structure by the defendant, then the burden of proving that defendant at the time of the alleged violation had a valid unrevoked license and/or permit as required by the provisions of this act shall thereupon devolve upon said defendant.

SEC. 22 (b) In any criminal action or proceeding by the State of California or the people thereof, under any of the provisions of this act, when the complaint, indictment or information alleges that defendant authorized the erection and/or maintenance of any advertising sign or structure in violation of any provision of this act, and when the proof introduced by the State or the people thereof establishes that such advertising sign or structure was erected and/or maintained in violation of any such provision, and the proof further establishes that the defendant is a person who is advertised or whose products are advertised, or who owns or conducts the business which is advertised or is the distributor of the article advertised on such advertising sign or structure, there shall be a prima facie presumption that defendant authorized such erection and/or maintenance, and the burden of proving that such erection and/or maintenance was not authorized by such defendant shall thereupon devolve upon said defendant.

SEC. 23. Validity."

AMENDMENT NUMBER THIRTY.

On page 9, line 25, of the printed bill, strike out "23", and insert in lieu thereof the following: "24".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Joint Resolution No. 9—Relative to memorializing Congress to adopt legislation with reference to manufacture of arms, munitions and implements of war.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 9 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—63.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 9 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 9.

Relative to memorializing Congress to adopt legislation with reference to manufacture of arms, munitions and implements of war.

WHEREAS, One of the main causes for the maintenance of large military and naval establishments, and which is a standing menace to peace between nations, is to be found in the fact that patent rights on and the manufacture of arms, munitions and implements of war are in the hands of international combinations of capitalists, who sell their products indiscriminately to the governments of the world and promote the sale of such products by arousing and encouraging feelings of national prejudice and jealousy and by employing the press and the officers of the Army and Navy to produce periodical war scares in different countries; and

WHEREAS, This menace to international peace can be eliminated and the ultimate disarmament promoted by having the government manufacture its own equipment and articles used for war purposes; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California earnestly memorializes and petitions Congress to enact legislation to the end that all patent rights for arms, munitions and other equipment to be used for war purposes should be acquired by the government, and all such equipment should be manufactured in government establishments; and be it further

Resolved, That in order to obtain international acceptance of the intent and purpose of this resolution, we respectfully urge that the President of the United States, by appropriate means, have this subject matter presented at future international disarmament conferences; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit forthwith upon its adoption to the President of the United States and to the Senators and members of Congress of the State of California.

Assembly Bill No. 1068—An act to amend section 805 of the Agricultural Code, relating to the standardization of oriental persimmons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1068 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gil-

more, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 659—An act to amend the title and sections 2 and 3 and to add a new section, to be numbered section 1¼, to an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment," approved April 20, 1917, by specifically including within its protection any security put up by the employee, or applicant for employment, for faithful performance and any money or property directly or indirectly turned over to the employer or prospective employer pursuant to the contract of employment, prohibiting investments and the sale of stock or an interest in a business in connection with the securing of a position and advertisements to this effect, and providing penalties for violation of the provisions thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 659 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Crist, Crowley, Evans, Feigenbaum, Fisher, Gilmore, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 838—An act to amend section 170 of the School Code, and to add two new sections to said code, to be numbered 1.72, and 1.73*n*1, relating to transportation of school pupils.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 838 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 615—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 615 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crowley, Evans, Feigenbaum, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 566—An act to repeal Article III of Chapter I of Part III of Division IV of the School Code, comprising section 4.300, relating to the use of surplus funds of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 566 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1368—An act to amend sections 4.161 and 4.190 of the School Code, relating to county elementary school funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1368 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 568—An act to amend section 6.61 of the School Code, relating to contracts for the erection, addition to, or alteration of school buildings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 568 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 931—An act to amend sections 4.960 and 4.975 of the School Code, relating to school district bonds and the application of proceeds therefrom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 931 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Evans, Feigenbaum, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—Robinson, Samuel E.—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 535—An act to amend sections 2, 3, 6, 7, 8, 9, 12, 13, 14, 17, 18 and 19, and to add two new sections to be numbered 18a and 21a, to the "Act Concerning Cosmetology," relating to the practice and teaching of cosmetology.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 535 was withdrawn from the file, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 147—An act to amend section 483 of the Penal Code, relating to the sale of evidences of right of passage on a common carrier to person not entitled to use of same.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Morgan moved that Assembly Bill No. 147 be withdrawn from the file, and ordered re-referred to Committee on Public Utilities.

The question being on re-referring Assembly Bill No. 147 to Committee on Public Utilities.

Motion carried.

Assembly Bill No. 147 ordered re-referred to Committee on Public Utilities.

Assembly Bill No. 1367—An act to amend section 43½ of the Workmen's Compensation, Insurance and Safety Act, relating to the revolving fund of the State Compensation Insurance Fund.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1367 passed by the following vote.

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, Williamson, Woolwine, Wright and Mr. Speaker—63.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1095—An act to repeal section 608 of the Political Code, relating to transfers of actions or special proceedings by foreign insurance companies doing business in this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1095 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crist, Cronin, Crowley, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—Dempster and Hunt—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1102—An act to amend section 594 of the Political Code, defining and classifying insurance, and prescribing capital and other requirements of the various classes and limitations of classes permitted, and also requiring the stock of insurance companies to have a specified par value.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Robinson, C. Ray, moved that Assembly Bill No. 1102 be withdrawn from the file, and ordered re-referred to Committee on Insurance.

The question being on re-referring Assembly Bill No. 1102 to Committee on Insurance.

Motion carried.

Assembly Bill No 1102 ordered re-referred to Committee on Insurance.

Assembly Bill No. 1054—An act to amend an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, as amended by amending section 1, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city, or town, municipal utility district or flood control district.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1054 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Cottrell, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Martin, McBride, McCarthy, Meehan, Meeker, Miller, James A., Morgan, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1062—An act to amend section 574 of the Civil Code, relating to the property which savings and loan corporations are authorized to purchase, hold and convey.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Brock moved that Assembly Bill No. 1062 be withdrawn from the file, and ordered re-referred to Committee on Municipal Corporations.

The question being on re-referring Assembly Bill No. 1062 to Committee on Municipal Corporations.

Motion carried.

Assembly Bill No. 1062 ordered re-referred to Committee on Municipal Corporations.

RECESS.

At twelve o'clock m, on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 978—An act authorizing the Governor to make conveyances of certain parcels of real property to the original grantors thereof or their successors or assigns, if and when the interest of the United States in said parcels is conveyed to the State of California, which said parcels were acquired pursuant to the provisions of the Statutes of California for 1927, Chapter 142, particularly the paragraph commencing on the bottom of page 271, and which were conveyed, pursuant to the provisions of the Statutes of California, Chapter 517, to the United States of America, for temporary use as spoil disposal areas, in connection with the construction of that certain project approved by an act of Congress which was approved by the President of the United States, on January 21, 1927, which said act provided for the deepening and rectification of the San Joaquin River and Stockton Channel in accordance with the plan laid down in House Document No. 554, Sixty-eighth Congress, second session—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 172—An act to add a new section to be numbered section 25 to the act known as the "Act concerning cosmetology," approved May 31, 1927, as amended, relating to actions arising out of the practice of cosmetology or any branch thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2078—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2310—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Labor and Capital.

WEST, Chairman.

The above reported bill ordered re-referred to Committee on Labor and Capital.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 611—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 613—An act validating the formation, organization and existence of sanitary districts;

Also: Assembly Bill No. 616—An act to validate bonds of flood control districts and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest of such bonds;

Also: Assembly Bill No. 754—An act to amend section 338 of the Code of Civil Procedure, relating to limitations of actions;

Also: Assembly Bill No. 951—An act to amend section 1204 of the Code of Civil Procedure so as to give a preference to all wage claimants under a receivership;

Also: Assembly Bill No. 2126—An act to add a new section to the Probate Code, to be numbered 786c, relating to exchange of real property belonging to an estate;

Also: Assembly Bill No. 2127—An act to amend section 1530 of the Probate Code and to add a new section to the Probate Code, to be numbered 1540, relating to exchange of property belonging to one subject to guardianship;

Also: Assembly Bill No. 2128—An act to amend section 172b of the Civil Code, relating to exchange of community property when one spouse incompetent;

Also: Assembly Bill No. 2199—An act to add a new section, to be numbered 73a, to the Code of Civil Procedure, relating to superior courts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman.

The above reported bills ordered on file for second reading.

HON. B. J. FEIGENBAUM IN THE CHAIR.

At one o'clock and forty minutes p m , Hon. B. J. Feigenbaum, member of the Assembly from the Twenty-seventh Assembly District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No 1065—An act to amend an act entitled "An act providing for the designation of money in the State treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," approved June 10, 1913, as amended, by amending section 1, relating to the investment of surplus money in the State treasury.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1065 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Jones, Kallam, Latham, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Thorp, Tournoux, Utt, West, Williamson, Wright and Zion—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1066—An act to amend sections 671 and 672 of the Political Code, relating to investments to be made by the Director of Finance of school land funds and of estates of deceased persons' funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1066 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch,

Hoffman, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; O'Connor, Patterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson and Zion—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1067—An act to amend an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911, by amending section 1, relating to the investment of moneys in the sinking funds of counties, cities and counties, incorporated cities and towns.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1067 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hoffman, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1361—An act to amend an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1361 was withdrawn from the file, and referred to Committee on Roads and Highways.

Assembly Bill No. 1360—An act to amend an act entitled "An act to provide for the care, management and protection of State highways and providing penalties for violations of the provisions of the act," approved May 20, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1360 was withdrawn from the file, and referred to Committee on Roads and Highways.

Assembly Bill No. 1343—An act to add a new section to the Political Code, to be numbered 363dd, authorizing the Director of Public Works to enter into agreements for the construction, maintenance, and use of State highway bridges jointly by the public and private owners.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1343 was withdrawn from the file, and referred to Committee on Roads and Highways.

Assembly Bill No. 744—An act to add section 63a to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the issuance of bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 744 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Dempster, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 742—An act to add section 5½ to an act entitled the "Grade Separation Act of 1927," relating to the issuance of bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 742 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Cassidy, Chatters, Cottrell, Crist, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Rogers, Roland, Ross,

Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine and Wright—55.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 741—An act to add section 4a to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended, relating to the issuance of bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 741 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Rawls, Roberts, Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson and Woolwine—55.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 740—An act to add section 25½ to an act entitled the "Street Improvement Act of 1913," relating to the issuance of bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 740 passed by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Chatters, Cottrell, Crist, Crowley, Evans, Feigenbaum, Fisher, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson and Woolwine—55
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 739—An act to add section 4½ to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements under the 'Street Opening Act of 1889' and providing for the effect and enforcement of such bonds," approved May 24, 1921, relating to the issuance of bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 739 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Riley, Roberts,

Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Zion—59.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At two o'clock and twenty minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 232—An act to repeal "An act empowering the legislative body of any city or municipal corporation to abandon proceedings taken under an act entitled 'An act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby,' approved April 21, 1909, and referred to as the 'Street Improvement Act of 1909,' " approved June 8, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 232 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—60
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 231—An act to repeal "An act to provide for the laying out, opening, extending, widening, straightening, diverting, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities or cities and cities and counties of 40,000 inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 23, 1893.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 231 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Maloney, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—59.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 230—An act to repeal the "Tree Planting Act of 1913."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 230 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Rawls, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 229—An act to repeal the "Tree Planting Act of 1915."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 229 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Rawls, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 228—An act to repeal "An act to provide for the planting, maintenance and care of shade trees upon streets, lanes, alleys, courts and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits," approved March 11, 1893.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 228 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Roberts, Robinson, C Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 136—An act to repeal an act entitled "An act to provide for the establishment and change of grade of public highways,

streets, public ways and other public property and rights of way, in whole or in part, including property over which possession and right of use have been obtained under the provisions of section 14 of Article I of the Constitution of the State of California, whether the same are situated within the limits of a municipality or whether such public ways or property are in part within the limits of one or more municipalities, or extend from one municipality into another municipality, or from one or more municipalities into or through unincorporated territory, or in whole or in part form the boundary between adjoining municipalities or between a municipality and adjacent unincorporated territory; and providing for work in and upon the same together with any and all appurtenances and appurtenant work; and providing for assessing the whole or any portion of the costs and expenses thereof upon private property and for the issuance and payment of improvement bonds to represent certain assessments for the costs thereof; and providing for the effect of and the enforcement of such bonds," approved April 21, 1911, Statutes of 1911, page 1018, as amended, with provision that said repeal shall not apply to existing proceedings under said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 136 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Rawls, Redwine, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 131—An act to repeal an act entitled "The Local Improvement Act of 1901," approved February 26, 1901, Statutes of 1901, page 34, as amended, with the provision that said repeal shall not apply to existing proceedings under said act.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 131 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 129—An act to repeal an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within munici-

palities, and also for the payment of such bonds," approved February 27, 1893, Statutes of 1893, page 33, as amended, with provision that any bonds issued under the provisions of said act shall not be affected by said repeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 129 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Halluer, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No 325—An act to add section 4a to an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, Statutes of 1923, page 431, providing for the disposition of funds collected from districts illegally formed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 325 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Halluer, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. EUGENE W. ROLAND IN THE CHAIR.

At three o'clock p.m., Hon. Eugene W. Roland, member of the Assembly from the Sixteenth Assembly District, in the chair.

Assembly Bill No. 877—An act authorizing the Director of the Department of Industrial Relations to adopt measures, relating to spreading work in private industry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 877 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum,

Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Zion—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At three o'clock and forty minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 4—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property.

Bill read third time.

The question being on the passage of the bill.

SPECIAL ORDER SET.

On motion of Mr. Feigenbaum, the further consideration of Assembly Bill No. 4 was made a special order for Tuesday, March 21, 1933, at three o'clock p.m.

Assembly Bill No. 1895—An act to amend sections 4, 5 and 10 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1895 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, King, Latham, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—Sullivan—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 20—An act to amend section 23 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 20 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 420—An act adding a new section to be designated section 1149½ to the Political Code, and amending section 1150 of the Political Code, relating to the index to the book of affidavits of registration, and the designation thereon of persons who have voted.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 420 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—70.

NOES—Williamson—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 421—An act to amend section 13 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, relating to the time for preparing and mailing sample ballots.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 421 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray;

Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—68.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 200—An act to repeal section 710, as added by Chapter 263, Statutes of 1903 and as amended by Chapter 634, Statutes of 1929, of the Code of Civil Procedure and to add a new section to be numbered 709a to the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 200 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, King, Knowland, Latham, Levey, Lyon, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—66.
NOES—Hornblower, Jones, Maloney and Williamson—4.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION.

In compliance with her notice given on a previous day, Miss Miller, Eleanor, moved that the vote whereby Assembly Bill No. 1115 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—70.
NOES—Brock—1.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FIFTEEN.

Assembly Bill No. 1115—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Maloney:

AMENDMENT NUMBER ONE.

On page 4, lines 4 and 5, of the printed bill, as amended, strike out "the cost of said bond to be charged as a part of the necessary expenses of said board."

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, as amended, strike out lines 24 to 43, inclusive.

AMENDMENT NUMBER THREE.

On page 7 of the printed bill, as amended, beginning with line 23, strike out "All such moneys, to the amount of thirty-five thousand dollars ($35,000) annually are hereby appropriated to be used to defray the expenses of the board and to pay the salaries of the officers and employees herein provided. All money remaining in the State treasury from the money receipts", and insert in lieu thereof the following: "All money".

The question being on the adoption of the amendments.

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for, and was granted, unanimous consent to have Rules 72, 74 and 75 suspended for the purpose of considering Assembly Bill No. 1115 at this time, without reference to printer or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FIFTEEN.

Assembly Bill No. 1115—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

MOTION TO LAY ON TABLE.

Mr. Phillips moved that the bill be laid upon the table.

The question being on the motion to lay the bill upon the table.

REQUEST FOR ROLL CALL.

On request of Messrs. Williamson, Peterson and Hornblower, the Speaker ordered a roll call taken on the motion to lay the bill upon the table.

The roll was called, and the motion to lay the bill on the table lost by the following vote:

AYES—Alter, Bliss, Bowers, Brock, Chatters, Dempster, Evans, Frazier, Greene, Latham, Martin, Meeker, Miller, Eleanor; Morgan, Phillips, Riley, Robinson, Samuel E., Stream, Utt, Wright and Zion—21.

NOES—Anglim, Badham, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Levey, Lyon, Maloney, McBride, McCarthy, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Roberts, Robinson, C. Ray, Rogers, Roland, Ross, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Mr. Speaker—52.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FIFTEEN.

Assembly Bill No. 1115—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act.

Bill read.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1115 passed by the following vote:

AYES—Anglim, Badham, Boyle, Burns, Callahan, Cassidy, Cobb, Cronin, Crowley, Feigenbaum, Fisher, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Levey, Lyon, Maloney, McBride, McCarthy, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Powers, Robinson, C. Ray; Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Mr. Speaker—45.

NOES—Alter, Bliss, Bowers, Brock, Chatters, Clowdsley, Cottrell, Crist, Dempster, Evans, Field, Frazier, Greene, Hatch, Latham, Martin, Meeker, Miller, Eleanor; Morgan, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Stream, Utt, Wright and Zion—30.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RECONSIDER.

Mr. Grubbs moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1018 was passed, be continued until the next legislative day.

Motion carried.

ADJOURNMENT.

At five o'clock and twenty-five minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, March 17, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, March 17, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—72.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Clowdsley, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Crowley, Mr. O'Donnell was granted leave of absence for the day.

On motion of Mr. Knowland, Mr. Fisher was granted leave of absence for the day.

On motion of Mr. Clowdsley, Mr. Feigenbaum was granted leave of absence for the day.

On motion of Mr. Cottrell, Mr. Crist was granted leave of absence for the day.

On motion of Mr. Anglim, Mr. Williamson was granted leave of absence for the day.

On motion of Mr. Cronin, Mr. Levey was granted leave of absence for the day.

On motion of Mr. Utt, Mr. Craig was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Messrs. McMurray and Maloney, Joseph F. McCarthy and Thomas J. McCarthy of San Francisco were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. McMurray, Mrs. Thomas P. Maloney, wife of Assemblyman Thomas P. Maloney, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Maloney, Mr. and Mrs. Carl Maritzen, Miss Mary McCarthy and Miss Dorothy Staley were extended the privilege of the floor of the Assembly for this day.

COMMUNICATIONS.

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

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1933.

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

Sutter Independent—A. A. McMillan.

ARTHUR A. OHNIMUS, Chief Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1933.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XVI thereof a new section to be numbered 9, authorizing the Legislature to provide for assistance by the State in the refinancing of irrigation and reclamation districts, and approving and ratifying the District Finance Act of 1933—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

FEIGENBAUM, Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California, an amendment to section 11 of Article VI of the Constitution of the State of California, relating to courts;

Also: Assembly Constitutional Amendment No. 56—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 14 of Article I of the Constitution of the State of California, relating to eminent domain;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted as amended.

FEIGENBAUM, Chairman.

The above reported constitutional amendments ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 75—Proposing an amendment to the Constitution of the State by adding section 10 to Article XI, and amending section 14 and repealing section 12½ of Article XIII, relating to taxation—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

FEIGENBAUM, Chairman

The above reported constitutional amendment ordered on file for adoption.

ON SOLDIERS AND SAILORS AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1933.

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No. 1560—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act, approved May 30, 1921, and of any and all acts amendatory thereof or supplemental thereto; creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1934—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

NIELSEN, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1933.

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 306—An act to amend section 7 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expense thereof," approved May 23, 1923, relating to organization and management of fire protection districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

The above reported bill ordered on file for second reading

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1933.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 324—An act to add a new section to the Penal Code, to be numbered 653g, relating to employment on public work—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DEMPSTER, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1122—An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission;

providing for the appointment of members of said commission, fixing the term of office of the members of said commission; providing for the powers, duties and authority of said commission and the members thereof; providing for the institution of prorate programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

MEEKER, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1933.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Bill No. 241—An act relating to the refunding of bonds of irrigation and reclamation districts, making State assistance available therefor and authorizing the issuance and sale of bonds of the State to provide funds for use in furtherance thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FEIGENBAUM, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1933

MR SPEAKER Your Committee on Rules, to which was referred Assembly Bill No. 978—An act authorizing the Governor to make conveyances of certain parcels of real property to the original grantors thereof or their successors or assigns, if and when the interest of the United States in said parcels is conveyed to the State of California, which said parcels were acquired pursuant to the provisions of the Statutes of California for 1927, Chapter 142, particularly the paragraph commencing on the bottom of page 271 and which were conveyed, pursuant to the provisions of the Statutes of California, Chapter 517, to the United States of America, for temporary use as spoil disposal areas, in connection with the construction of that certain project approved by an act of Congress which was approved by the President of the United States, on January 21, 1927, which said act provided for the deepening and rectification of the San Joaquin River and Stockton Channel in accordance with the plan laid down in House Document No. 554, Sixty-eighth Congress, second session;

Also: Assembly Bill No. 2078—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons;

Also: Assembly Bill No. 172—An act to add a new section to be numbered section 25 to the act known as the "Act Concerning Cosmetology," approved May 31, 1927, as amended, relating to actions arising out of the practice of cosmetology or any branch thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C RAY, Chairman.

The above reported bill ordered to reprint.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1122—An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; providing for the powers, duties and authority of said commission and the members thereof; providing for the institution of prorate programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it be reprinted

ROBINSON, C. RAY, Chairman

The above reported bill ordered to reprint.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2—An act to amend section 5 of the Direct Primary Law, relating to sponsors' pamphlets;

Also: Assembly Bill No. 27—An act to amend section 602 of the Penal Code, relating to trespass;

Also: Assembly Bill No. 28—An act to amend section 627 of the Penal Code, relating to trespass;

Also: Assembly Bill No. 411—An act to amend section 1174 of the Code of Civil Procedure, relating to judgments in proceedings for forcible entries, forcible or unlawful detainer;

Also: Assembly Bill No. 605—An act to validate the formation, organization and existence of municipal improvement districts.

Also: Assembly Bill No. 614—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any acquisition and improvement district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Assembly Bill No. 618—An act to validate proceedings for the annexation, incorporation, and inclusion of territory by municipal corporations;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 619—An act to validate the organization and existence of municipal utility districts;

Also: Assembly Bill No. 1130—An act to amend section 4189 of the Political Code, relating to service of writs, notices and other process;

Also: Assembly Bill No. 1433—An act to amend section 1115 of the Political Code to provide for the printing of the index to registration of affidavits.

Also: Assembly Bill No. 1517—An act to amend section 2 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, relating to the annexation of inhabited territory;

Also: Assembly Bill No. 1872—An act to amend section 737j of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Fresno;

Also: Assembly Bill No. 2007—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers;

Also: Assembly Bill No. 2252—An act to amend section 3 of an act entitled "An act to require owners of forest lands to provide a fire patrol therefor," approved June 6, 1923, relating to forest land fire patrols,

And reports that the same have been correctly engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 330—An act to amend sections 535 and 536 of the Fish and Game Code, and to add thereto sections 536 5, 536 6, 536 7, 536 8 and 536 9, relating to fish screens—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman

The above reported bill ordered on file for third reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1933

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 219—An act to amend section 4017 of the Political Code, relative to consolidation of county offices—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 16, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2321—An act to add section 11a to an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 3—An act to prohibit the possession of all devices or attachments of any kind designed, used or intended for use, in silencing the report of a firearm, and providing a penalty for violation thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 634—An act to provide for the establishment of the coast line of the State of California;

Also: Senate Bill No. 491—An act to amend section 29 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," relating to the definition and regulation of the business of banking;

Also: Senate Bill No. 855—An act to amend section 107 of the Penal Code, relating to punishment for escape of a prisoner;

Also: Senate Bill No. 880—An act to amend section 476 of the Penal Code, relating to fictitious bills, notes, and instruments;

Also: Senate Bill No. 877—An act to amend section 801 of the Penal Code, relating to limitation of one year in misdemeanors.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No 634 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 491 read first time, and referred to Committee on Banking.

Senate Bill No. 855 read first time, and referred to Committee on Crime Problems.

Senate Bills Nos. 880 and 877 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 325—An act to add a new section to the Political Code, to be numbered 356a, relating to contracts between State agencies,

Also: Senate Bill No. 866—An act to repeal an act entitled "An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance; prescribing the powers and duties of said officials in relation to such bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor," approved June 5, 1931;

Also: Senate Bill No 424—An act to amend section 2528 of the Political Code, relating to moneys received or collected or coming into possession of the Board of State Harbor Commissioners and the disposition and expenditure thereof;

Also: Senate Bill No. 465—An act to amend section 4082 of the Political Code, relating to lost or destroyed county warrants issued in favor of the State;

Also: Senate Bill No. 734—An act to repeal section 354 of the Political Code and to add a new section to be numbered 354, relating to biennial reports of departments and agencies of the State.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 325 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 866 read first time, and referred to Committee on Ways and Means.

Senate Bills Nos. 424, 465 and 734 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 17—Relative to memorializing and petitioning Congress to enact legislation subsidizing the discovery of gold in the gold mining sections of the United States

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Ross asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 17, at this time, without reference to committee or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER SEVENTEEN.

Senate Joint Resolution No. 17—Relative to memorializing and petitioning Congress to enact legislation subsidizing the discovery of gold in the gold mining sections of the United States.

Senate Joint Resolution No. 17 read

The question being on the adoption of Senate Joint Resolution No. 17.

The roll was called, and Senate Joint Resolution No. 17 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Woolwine, Wright, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 17 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 17.

Relative to memorializing and petitioning Congress to enact legislation subsidizing the discovery of gold in the gold mining sections of the United States.

WHEREAS, The United States is passing through a period of great unemployment and distress among the working people of this country; and

WHEREAS, We are passing through a financial crisis in the history of our country; and

WHEREAS, Our great gold-producing areas have remained undeveloped through these past many years; and

WHEREAS, It would materially benefit the United States if more people were given an incentive to prospect and develop the gold-bearing sections of our country, which gold-bearing sections are still undeveloped to any great depth; and

WHEREAS, During the Civil War period great relief to our stricken nation was obtained by reason of the gold recovered from our gulches and river beds by the mere scratching and washing on the surface of our gold-bearing veins; and

WHEREAS, The cost of mining has increased materially by reason of the fact that it is now necessary to mine beneath the surface with modern equipment and machinery and at a higher cost of labor; and

WHEREAS, It would materially better our standing as a nation to conserve, protect and increase our available gold reserves; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California jointly, That the Legislature of the State of California hereby memorializes and petitions Congress to enact legislation that it subsidize the production of gold by issuing to every producer of two hundred ounces or less of primary gold per month a bond of the value of five dollars for each ounce thereof, said bonds to take the form of government bonds bearing a low rate of interest and maturing five years from date of issuance thereof; and be it further

Resolved, That a copy of this joint resolution be transmitted to the President of the United States, to the Vice President of the United States, and to each member of the Senate and House of Representatives of the United States.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Bowers:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1015 of the Fish and Game Code, relating to taxes on fish.

Referred to Committee on Introduction of Bills.

By Mr. Rawls:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1933.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately;

Also. An act to amend section 1015 of the Fish and Game Code, relating to taxes on fish.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Woolwine, Wright, Zion and Mr. Speaker—62.

NOES—None

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Rawls: Assembly Bill No. 2334—An act relating to and providing for a moratorium with respect to forfeitures of State school

lands as provided for in section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bowers: Assembly Bill No 2335—An act to amend section 1015 of the Fish and Game Code, relating to taxes on fish.

Bill read first time, and referred to Committee on Revenue and Taxation.

UNFINISHED BUSINESS.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Grubbs moved that the vote whereby Assembly Bill No. 1018 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Bliss, Brock, Burns, Cobb, Cottrell, Crowley, Evans, Greene, Grubbs, Hallner, Hornblower, Jones, Kallam, Lyon, McCarthy, Meehan, Phillips, Riley, Rogers, Stannard, Sullivan, Turner, West and Zion—24.

NOES—Alter, Anglim, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cronin, Dempster, Field, Frazier, Hoffman, Knowland, Latham, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Nielsen, O'Connor, Patterson, Peterson, Rawls, Redwine, Roberts, Roland, Scudder, Stream, Thorp, Tournoux, Utt, Wright and Mr. Speaker—37.

Assembly Bill No. 1018 ordered transmitted to the Senate

DAILY CALENDAR

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 151—An act to add sections 27, 28, 29, 30, 31, 32, 33, and 34 to Chapter 310, Statutes of 1905, entitled "An act to provide for the formation of levee districts in the various counties of this State, and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, relating to levee districts.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, after "sections", insert the following: "8a,".

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, after line 11 insert the following:

"SEC 9. A new section is hereby added to the act cited in the title hereof, to be numbered section 8a and to read as follows:

Sec. 8a. Whenever the trustees of a district desire to employ funds thereof in the construction or maintenance of a public improvement within the district not in this act otherwise authorized, such trustees may submit to the electors of the district the question as to whether such funds shall be so employed.

Such election shall be called by the board of trustees of the district and by giving notice thereof not less than one month in advance. At such election every qualified elector in said district whose name appears on the last preceding assessment roll of the county as having been assessed on property within the boundaries of the district shall be entitled to vote, and unless two-thirds of the votes cast at such election are in favor of devoting such funds to such improvement, the funds shall not be so employed. The notice of such election shall be given by publication weekly for not less than one month, in a newspaper in the county where such district is situated Such notice shall state the time and place for holding the election, and must state

the nature of the contemplated improvement and the amount of money to be expended therefor or thereon.

For the purpose of such election the board of trustees must appoint from the qualified electors and property owners of such district, one inspector and two judges of election who shall constitute the board of election; but in case the trustees fail to appoint, or the persons appointed fail to attend at the time and place appointed for such election, the voters present at the time and place when the polls are opened may appoint the board or supply the place of any absent member thereof Each member of the board of election must before entering upon his duties be sworn to faithful performance thereof by some officer authorized to administer oaths. The board of election must canvass the votes cast, and issue a certificate stating the number of votes cast, the number in favor of the improvement and the number against, and must place the ballots when canvassed in an envelope and forward the same sealed to the board of trustees.

Any legally qualified voter of the district may challenge any vote, and the board of election shall determine, by the oath of the parties or otherwise, as they consider proper, whether or not the person challenged is entitled to vote, and in case of challenge, any member of the board of election is hereby authorized to administer oaths. The polls shall be open from ten a m until four p m.

The board of trustees shall canvass the votes submitted to it by the officers of the board of election, shall declare the result thereof, and if sufficient votes were cast in favor of the making of the improvement shall by resolution provide for the expenditure of the money in the manner proposed.'

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 978—An act authorizing the Governor to make conveyances of certain parcels of real property to the original grantors thereof or their successors or assigns, if and when the interest of the United States in said parcels is conveyed to the State of California, which said parcels were acquired pursuant to the provisions of the Statutes of California for 1927, Chapter 142, particularly the paragraph commencing on the bottom of page 271 and which were conveyed, pursuant to the provisions of the Statutes of California, Chapter 517, to the United States of America, for temporary use as spoil disposal areas, in connection with the construction of that certain project approved by an act of Congress which was approved by the President of the United States, on January 21, 1927, which said act provided for the deepening and rectification of the San Joaquin River and Stockton Channel in accordance with the plan laid down in House Document No. 554, Sixty-eighth Congress, second session.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, after the word "conveyed", insert "or released".

AMENDMENT NUMBER TWO.

On page 2, line 7, of the printed bill, after the word "herein,", insert "or to issue notices of completion concerning said project stating that said parcels of land are no longer required for the purpose for which they were conveyed to the United States of America".

AMENDMENT NUMBER THREE

On page 2, line 22, of the printed bill, after the word "land", insert "or whenever a certificate of completion of said project shall be issued by an authorized agent of the United States of America stating that said parcels of land".

AMENDMENT NUMBER FOUR.

On page 2, line 27, of the printed bill, after the figures "1927", insert "are no longer required for the purpose for which they were conveyed to the United States of America".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 172—An act to add a new section to be numbered section 25 to the act known as the "Act Concerning Cosmetology," approved May 31, 1927, as amended, relating to actions arising out of the practice of cosmetology or any branch thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of line 1 of the title of the printed bill, and insert in lieu thereof the following: "An act to add three new sections to be numbered 25, 26 and 27 to the".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. Three new sections to be numbered 25, 26 and 27 are".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of lines 4 to 13, inclusive, and insert in lieu thereof the following:

"Sec. 25. In all civil actions brought against any duly licensed "cosmetological establishment," as defined in this act, or against any person duly licensed under the provisions of this act to practice "cosmetology," or any branch thereof, as defined in this act, for any personal injuries alleged to have arisen out of or to have been caused by the practice of cosmetology, or any branch thereof, as defined in this act, it shall be presumed that said duly licensed establishment and said duly licensed cosmetologist performed the practice of cosmetology complained of with the proper and requisite degree of care and skill. That the plaintiff in said action shall have the burden of overcoming these presumptions.

Sec. 26. In all civil actions brought for personal injuries hereafter sustained and arising out of the practice of cosmetology, or any branch thereof, as defined in this act, and which said personal injuries were caused in whole or in part by the negligent practice of cosmetology, or any branch thereof, by a duly licensed cosmetologist, no recourse for damage thus suffered shall be had against the cosmetological establishment wherein said act of cosmetology was performed unless it is established by the plaintiff that the injury complained of was caused by gross negligence on the part of said cosmetological establishment, but the person negligently performing said practice of cosmetology complained of shall be liable to the party injured for the damage sustained.

Sec. 27. Constitutionality. If any section, subsection, sentence, clause or phrase of this act be for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act, and the Legislature hereby declares that it would have passed this act and each and every other section, subdivision, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subdivisions, sentences, clauses, or phrases of this act be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2078—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 1 to 8, inclusive, and insert in lieu thereof the following.

"SECTION 1. In all cases in which a full pardon has been granted by the Governor of this State or will hereafter be granted by said Governor to a person convicted of an offense to which said pardon applies, it shall operate to restore to such convicted person, all the rights, privileges, and franchises of which he has been deprived in consequence of said conviction or by reason of any matter involved therein; provided, that nothing herein contained shall abridge or impair the power or authority conferred by law on any board or tribunal to revoke or suspend any such right, privilege or franchise for any act or omission not involved in said conviction."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 611—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 613—An act validating the formation, organization and existence of sanitary districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 616—An act to validate bonds of flood control districts and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest of such bonds

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 754—An act to amend section 338 of the Code of Civil Procedure, relating to limitations of actions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 951—An act to amend section 1204 of the Code of Civil Procedure so as to give a preference to all wage claimants under a receivership.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2126—An act to add a new section to the Probate Code, to be numbered 786c, relating to exchange of real property belonging to an estate.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2127—An act to amend section 1530 of the Probate Code and to add a new section to the Probate Code, to be numbered 1540, relating to exchange of property belonging to one subject to guardianship

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2128—An act to amend section 172b of the Civil Code, relating to exchange of community property when one spouse incompetent.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2199—An act to add a new section, to be numbered 73a, to the Code of Civil Procedure, relating to superior courts.

Bill read second time, ordered to engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1257—An act to amend section 1177 of the Fish and Game Code and to add thereto a new section to be numbered 1203.5, relating to game.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1257 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 635—An act to amend section 21 of the Probate Code, relating to the disposition of community property by will.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 635 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 157—An act to amend the title and sections 11, 12, 17, 19, 20, 21, 22, 31 and 32 and to add new sections numbered 9a, 16a and 16b of the act known as "The General Cemetery Act," approved June 19, 1931, and providing for methods and requirements for establishing new cemeteries, defining perpetual care and nonperpetual care cemeteries, and requiring certain acts of the same and providing penalties for the violation of act.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 157 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 329—An act to amend section 629 of the Penal Code, relating to the installation of fish screens over mill races, irrigation ditches, pipes, flumes, tunnels and canals, for the payment of the expense of the construction, installation and maintenance thereof, and providing a penalty for the interference therewith

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 329 was withdrawn from the file, and referred to Committee on Rules

Assembly Bill No. 1815—An act to amend section 29 of the California Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation insurance

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1815 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Dempster, Evans, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stream, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—58.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 1055—An act relating to the formation, organization and proceedings of metropolitan water districts; confirming the formation, organization and existence of such districts; establishing and validating the boundaries thereof; confirming the appointment of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken; confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof and all bonds heretofore authorized or issued by such districts and authorizing such bonds to be sold and delivered; providing for the levy and collection of a tax sufficient to pay the principal and interest of any such bonds; and declaring this act to be an urgency measure.

Bill read.

Urgency clause read.

The question being, Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Dempster, Evans, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—62

NOES—None

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND FIFTY-FIVE.

Assembly Bill No. 1055—An act relating to the formation, organization and proceedings of metropolitan water districts, confirming the formation, organization and existence of such districts; establishing and validating the boundaries thereof; confirming the appointment of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken; confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof, and all bonds heretofore authorized or issued by such districts and authorizing such bonds to be sold and delivered; providing for the levy and collec-

tion of a tax sufficient to pay the principal and interest of any such bonds; and declaring this act to be an urgency measure

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1055 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cronin, Crowley, Dempster, Evans, Field, Gilmore, Greene, Hallner, Hoffman, Hornblower, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At eleven o'clock and forty minutes a.m., the Assembly was declared at recess for the purpose of paying tribute to the Sons of St. Patrick.

Hon. Thomas A. Maloney, presiding.

Hon. Patrick J. McMurray, Acting Secretary.

REASSEMBLED.

At twelve o'clock and fourteen minutes p.m., the Assembly reconvened.

Speaker Little in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1058—An act to amend section 1158 of the Civil Code, relating to recordation of instruments or judgments affecting the title to or possession of real property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1058 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1871—An act to repeal section 4041c of the Political Code, and to add a new section thereto to be numbered 4041c, relating to county officers

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1871 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Dempster, Evans, Frazier, Gilmore, Greene, Grubbs,

Hatch, Hoffman, Hornblower, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Peterson, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1874—An act to amend section 4017 of the Political Code, relating to the consolidation of county offices.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1874 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Dempster, Evans, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E.; Rogers, Roland, Ross, Scudder, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—58

NOES—Bowers, Stannard and Stream—3

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1395—An act to amend section 537 of the Code of Civil Procedure, relating to attachments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1395 passed by the following vote:

AYES—Anglim, Bliss, Bowers, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Knowland, Latham, Lyon, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—55.

NOES—Hoffman, Jones and King—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1127—An act to amend an act entitled "An act to require the Director of the Department of Natural Resources to register and mark buildings of historical interest or landmarks," approved April 24, 1931, by amending the title thereof, and by amending section 2 and by adding a new section to be numbered section 3.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1127 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Dempster, Evans, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scud-

der, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—63.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 283—An act to amend sections 6 and 14 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry and the power of the dental board.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 283 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Dempster, Evans, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Latham, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—57.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1933.

MR SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolutions.

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same.

Department of Finance, pro rata cost telephone service, January	$44 13
Cascade Towel Supply Company, towel service, January	52 10
Carithers and Travis, Incorporated, lettering Assembly committee room doors	73 04
Department of Finance, pro rata cost telephone service, February	23 34
The Coca Cola Bottling Company, 4 cases—lunch served members	3 85
Bureau of Purchases, supplies	100 32
Hart's Lunch, Incorporated, lunch served members	57 75

Also:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's office.
Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

PHILLIPS, Chairman.

Resolutions read.
The question being on the adoption of the resolutions.

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

AYES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Evans, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Latham, Lyon, Martin, Mayo, McBride, McMurray, Miller, Eleanor; Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—54.

NOES—None.

ON UNEMPLOYMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1933.

MR. SPEAKER. Your Committee on Unemployment, to which was referred Assembly Bill No. 1909—An act to regulate hours of labor and days of labor, for the purpose of relieving unemployment, and declaring the urgency thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

POWERS, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Powers asked for, and was granted, unanimous consent to have the rules suspended for the purpose of adopting amendments to Assembly Bill No. 1909.

CONSIDERATION OF AMENDMENTS TO ASSEMBLY BILL NUMBER ONE THOUSAND NINE HUNDRED NINE.

Assembly Bill No. 1909—An act to regulate hours of labor and days of labor, for the purpose of relieving unemployment, and declaring the urgency thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "regulate hours of labor and days of labor," and insert in lieu thereof the following: "add a new section to the Political Code, to be numbered 367h, relating to and providing for relief and relief work in California".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, after "unemployment", insert the following: "and distress, providing for the administration thereof by and through the emergency relief division of the Department of Social Welfare under the direction of the Governor, making an appropriation for such purposes".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 1 and 3, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Political Code, to be numbered 367h, and to read as follows:

367h. Under the direction and upon the responsibility of the Governor, the

(a) Shall administer funds paid or made available to the Governor by the Reconstruction Finance Corporation for use in this State in furnishing relief and work relief to needy and distressed people or in relieving the hardship resulting from unemployment, together with other funds made available to the State for the same or like purposes and derived from other sources, including moneys of this State appropriated therefor;

(b) Shall provide relief to inhabitants of this State who by reason of unemployment or other causes are destitute or in necessitous circumstances, which relief may be rendered by providing employment, distributing funds or supplies or by any other means approved by the chief of the division;

(c) May, in its discretion, cooperate with existing national, State or local unemployment or relief commissions or agencies, and with counties, municipalities or other political subdivisions and coordinate and correlate its work with the work or projects of any such commission, agency or political subdivision; and

(d) May, with the approval of the Governor, supervise or manage any relief, reconstruction, or rehabilitation projects which the government of the United States or any of its agencies may at any time request or empower the State of California or the division to undertake.

The chief of the emergency relief division, who is responsible directly to the Governor, shall direct and manage the activities of the division, appoint such assistants and other employees as he deems necessary, the appointment of such assistants and employees, except professional and technical assistants including trained social workers, to be subject to the provisions of the Civil Service Law. The salaries of the chief and of all such assistants and employees, together with other administrative expenses of the division, are payable out of moneys available therefor, and none of such salaries or expenses are payable out of any funds received from the Reconstruction Finance Corporation.

The chief of the division may and upon direction of the Governor shall appoint such advisory committees as the chief or the Governor, respectively, deem advisable to carry out the purposes of this section. Each member of such a committee shall serve without compensation but shall be reimbursed for his actual and necessary traveling expenses incurred in the performance of duty

The chief of the division, with the approval of the Governor, may make and enforce such rules and regulations, not in conflict with law, as he deems necessary or expedient for the administration of the work and activities of the division.

SEC 2. Out of any moneys in the State treasury not otherwise appropriated, the sum of fifty thousand dollars is hereby appropriated to be expended in accordance with law by the division in carrying out the provisions of this act, including the payment of salaries of officers, assistants and employees and other administrative expenses of the division. It is the intent of this act to provide suitable and efficient administration of funds available for the purposes herein stated and to appropriate moneys of the State therefor supplemental to and not in lieu of moneys appropriable for such purposes by counties, municipalities or other political subdivisions of the State.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California and shall therefore go into effect immediately. The facts constituting such necessity are as follows:

By reason of present economic conditions and other calamitous causes many of the inhabitants of this State are without employment, food or other necessaries of life and it is imperative that the State immediately provide suitable and effective means for the prompt and efficient distribution of available funds and supplies and centralized control of the administration of relief and relief work in this State, to the end that such conditions forthwith may be checked and ameliorated and adequate relief afforded, the attainment of which ends will be greatly delayed, incalculable distress suffered and serious impairment of the proper functioning of governmental units result, if this act does not take effect immediately.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 845—An act to repeal Chapter V, Part III, Division V of the School Code, relating to teachers institutes;

Also: Assembly Bill No. 1049—An act to amend section 2 1370 of the School Code, relating to the State Board of Education;

Also: Assembly Bill No. 1906—An act to add a new section to the School Code, to be numbered 5.27, relating to cooperative stores on the campuses of the State teachers colleges;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

ROLAND, Chairman.

The above reported bills ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 996—An act to amend section 797 of the Agricultural Code, relating to the standardization of grapefruit;

Also: Assembly Bill No. 1164—An act to amend section 164 of the Agricultural Code, relating to deer-tight fences;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MEEKER, Chairman.

The above reported bills ordered on file for second reading.

ON EXPOSITIONS AND FAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1933.

MR SPEAKER Your Committee on Expositions and Fairs, to which was referred Assembly Bill No. 733—An act to amend section 2 of an act entitled "An act providing for the exhibit of the products and resources of the State of California at the Chicago World's Fair Centennial Celebration to be held at Chicago, Illinois, in 1933, creating the California World's Fair Centennial Celebration Commission and defining its powers and duties, and making an appropriation therefor," approved June 12, 1931, relating to powers and duties of said commission—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

THORP, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1933.

MR SPEAKER Your Committee on Fish and Game, to which was referred Assembly Bill No. 1783—An act to amend section 809 of the Fish and Game Code, relating to clams—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1933.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 305—An act to add a new section, to be numbered 52a to "The California Irrigation District Act," providing for the use of certain bonds and coupons in the payment of assessments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 997—An act to amend sections 814, 828 and 829 of the Agricultural Code, relating to the standardization of lettuce;

Also: Assembly Bill No 998—An act to amend section 815 of the Agricultural Code, relating to the standardization of Persian melons, casabas, honeydew melons and watermelons;

Also: Assembly Bill No 999—An act to amend section 811 of the Agricultural Code, relating to the standardization of cantaloupes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MEEKER, Chairman.

The above reported bills ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1229—An act to amend sections 5 404, 5 420, 5.500, 5.503, 5 510, 5 520, 5.521, 5 650, 5.651, 5 652, 5 654, 5 655, 5.657, 5.658, 5.662, 5 663, 5.681, 5.691, and 5.710, and repealing sections 5 653, 5 664 and 5 682, and adding new sections to be numbered 5.505, 5 506 and 5 666 of the School Code of the State of California, relating to the employment, classification, dismissal and suspension of employees requiring certification qualifications—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ROLAND, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1527—An act to control, license, and regulate the manufacture, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; and to provide penalties for the violations hereof;

Also: Assembly Bill No. 1990—An act to provide a permit to be issued to any person, firm, corporation or association manufacturing or distributing alcoholic beverage; to impose an excise tax upon the manufacture and distribution of such alcoholic beverage, to provide methods and penalties for the enforcement of the tax; and to credit the revenues derived therefrom to the general fund of the State and providing when this act shall become effective;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman

The above reported bills ordered referred to Committee on Rules.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1867—An act to repeal section 16x6 of the Weights and Measures Act and to add a new section thereto, to be numbered 16x6, relating to the sealer of weights and measures in counties of the sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman

The above reported bill ordered placed on daily calendar.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1933

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 2097—An act to amend sections 828 and 829 and to add a new section to the Agricultural Code, to be numbered 810.5, relating to the standardization of asparagus;

Also: Assembly Bill No. 2095—An act to amend the Agricultural Code, relating to inspection of farm products and the regulation of such inspection;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MEEKER, Chairman.

The above reported bills ordered referred to Committee on Rules.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 17, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1327—An act to amend section 2 of an act entitled "An act providing for the establishment and maintenance of a State nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along the highways and in public places, and making an appropriation therefor," approved May 15, 1917, relating to the sale of nursery stock;

Also: Assembly Bill No. 1377—An act to amend section 15 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 756—An act to repeal section 300 of the Civil Code, relating to banks;

Also: Senate Bill No. 976—An act authorizing the city of Richmond to lease certain tide and submerged lands heretofore granted by the State of California to said city in trust.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 756 read first time, and referred to Committee on Banking.

Senate Bill No. 976 read first time, and referred to Committee on Commerce and Navigation.

MOTION TO RE-REFER.

Mr. Powers moved that Assembly Bill No. 2048 be withdrawn from Committee on Medical and Dental Laws, and referred to Committee on Labor and Capital.

The question being on referring Assembly Bill No. 2048 to Committee on Labor and Capital.

Motion carried.

Assembly Bill No. 2048 ordered referred to Committee on Labor and Capital.

ADJOURNMENT.

At one o'clock and fifteen minutes p.m., on motion of Mr Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, March 20, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, March 20, 1933.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—77.

Quorum present.

PRAYER

Prayer was offered by Rabbi Norman M Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Zion, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Peterson, Mr. Kallam was granted leave of absence for the day.

On motion of Mr. Feigenbaum, Mr. McMurray was granted leave of absence for the day.

On motion of Mr. Crowley, Mr. O'Donnell was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Sullivan, Leo Bailey, chief of police of Lynwood, California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Wright, Mr. and Mrs. Stanley F. Trueblood of Anaheim were extended the privilege of the floor of the Assembly for this day.

COMMUNICATIONS.

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

By Mr. Speaker:

THE WHITE HOUSE, WASHINGTON, March 11, 1933.

Hon. Walter J. Little, Speaker, Assembly of State of California, Sacramento, California.

MY DEAR MR SPEAKER: I want you and the members of the Assembly of the State of California to know of my grateful appreciation of the cordial message of congratulations and good wishes and pledge of support conveyed in your telegram of March 4th.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

Also:

By Mr. Speaker:

WASHINGTON, D. C., March 18, 1933.

Hon. Walter J. Little, State Assembly, Sacramento, California.

Members California House delegation learn with deep concern of possibility that California may fail to match Federal appropriation for Sacramento flood control. Failure to do this might be of far-reaching adverse consequence in relation of our State to Federal government. A number of our important Federal relations impress us with necessity of preserving State reputation of undeviating compliance with Federal obligations.

CLARENCE F. LEA.
FRANK H. BUCK.
ALBERT E. CARTER.
JOHN J. MCGRATH.
DENVER S. CHURCH
WILLIAM E. EVANS.
JOHN H. HOEPPEL.
JOHN F. DOCKWEILER.
CHARLES J. COLDEN.
JOHN H. BURKE.

Also:

By Mr. Speaker:

WASHINGTON, D. C., March 18, 1933.

Hon. Walter J. Little, State Assembly, Sacramento, California.

Congressman Richard Welch concurs in telegram sent earlier today.

CLARENCE F. LEA.

By Mr. Crowley:

NATIONAL GOVERNMENT, WASHINGTON, D. C., March 18, 1933.

Hon. Ernest C. Crowley, State Capitol, Sacramento, California.

Understand proposals have been made to State Legislature eliminate California's contribution for Sacramento River flood control. Emphatically protest this and point out to you danger of interfering permanently with Federal aid to this project. May have even more far reaching effects in subsequent assistance sought by our State. Earnestly urge you keep California's faith with Federal government. Entire California delegation joins in protest.

FRANK H. BUCK.

The Speaker ordered the above communications referred to Committee on Ways and Means.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Builders Exchange of Santa Clara County, opposing Senate Bill No 83, the act to repeal Contractors License Act, and that the Builders Exchange support the bill to amend the Contractors License Act.

(Signed) F. N. SCHREGNER, Secretary.

Also:

By Mr. Speaker:

From Midtown Development Association, urging enactment of a law protecting school children as regards traffic banners.

(Signed) J. C. EVERDING, President.

Also:

By Mr. Speaker:

From Porterville Post, American Legion, protesting against Assembly Constitutional Amendment No. 40 and its passage.

(Signed) E. N. BENHAM, Commander.

Also:

By Mr. Speaker:

From California Federation of Women's Clubs, Rio Vista, California, protesting passage of Senate Bills Nos. 539 and 540.

(Signed) ETHEL A. ROBINSON, State Corresponding Secretary.

Also:

By Mr. Speaker:

From Sacramento Chamber of Commerce, congratulating California Almond Growers Exchange on their expansion program.

EARL O. SCHNETZ, President.

Also:

By Mr. Speaker:

From Paso Robles Almond Growers Association, urging moratorium on agricultural and small home liens, and to abolish the deficiency judgment in foreclosures.

(Signed) W. J. STONE, President,
And 150 members.

Also:

By Mr. Speaker:

From Women's Auxiliary of Disabled American Veterans of World War, Pasadena Unit No. 29, urging that Veterans' Welfare Act be amended in protection of property.

(Signed) CORDELIA BARBER, Commander

Also:

By Mr. Speaker:

From Inglewood Unit No. 30, Women's Auxiliary, Disabled American Veterans of World War, urging that Veterans' Welfare Act be amended in protection of property.

(Signed) LEAH JAYNE HAMBLY, Commander.

Also:

By Mr. Speaker:

From City Council, San Anselmo, California, protesting against passage of Senate Bill No. 941.

(Signed) WILLIAM D. FUSSELMAN, Mayor of San Anselmo.

Also:

By Mr. Speaker:

From First District Board of California Congress of Parents and Teachers, Los Angeles, California, urging that all public buildings housing children be made as nearly fire and earthquake-proof as is humanly possible.

(Signed) MRS. H. C. BALDWIN, Chairman.

Also:

By Mr. Speaker:

From Trustees of Sierra Madre City Elementary School District, opposing Assembly Bill No. 897 and approving of Assembly Bill No. 1806.

Also:

By Mr. Speaker:

From County Supervisors Association of California, recommending approval of Senate Bill No. 583, also Senate Bill No. 568, also Senate Bill No. 1038, also Assembly Bill No. 1378, and voicing opposition to Assembly Bill No. 679.

(Signed) STANLEY ABEL.

Also:

By Mr. Speaker:

From Southside Chamber of Commerce, Los Angeles, urging elimination of time-consuming deliberations in connection with all the unessential bills of this fiftieth session.

(Signed) AUG. B. GORBACH, President.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XVI thereof a new section to be numbered 9, authorizing the Legislature to provide for assistance by the State in the refinancing of irrigation and reclamation districts, and approving and ratifying the District Finance Act of 1933—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Constitutional Amendment No. 16 ordered on file for adoption.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 282—An act to amend sections 10, 11, 12, and 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry and the power of the dental board;

Also: Assembly Bill No. 520—An act to amend sections 5 and 29 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, and to repeal section 27a thereof, relating to municipal courts;

Also: Assembly Bill No. 553—An act to add a new section to the Political Code, to be numbered 3747a, relating to segregation of valuation of property on the assessment roll;

Also: Assembly Bill No. 583—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Assembly Bill No. 611—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 613—An act validating the formation, organization and existence of sanitary districts;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 616—An act to validate bonds of flood control districts and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest of such bonds,

Also: Assembly Bill No. 754—An act to amend section 338 of the Code of Civil Procedure, relating to limitations of actions;

Also: Assembly Bill No. 924—An act to amend the title and section 2 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917, as amended;

Also: Assembly Bill No 951—An act to amend section 1204 of the Code of Civil Procedure so as to give a preference to all wage claimants under a receivership;

Also: Assembly Bill No 1060—An act to amend section 453ee of the Civil Code, relating to investments authorized to be made by mortgage insurance companies;

Also: Assembly Bill No. 1129—An act to add a new section to the Code of Civil Procedure, to be numbered 396b, relating to venue;

Also: Assembly Bill No. 1353—An act to add sections 363r, 363s, 363t, 363u, 363v, 363w, 363x, 363y, 363z, 363aa and 363bb to the Political Code, to amend section 363h of the Political Code, and to repeal sections 365, 365a, 365b, 365c, 365d, 365e, 365f, and 365m, all relating to State roads and highways, and the powers and duties of the Director of Public Works, Department of Public Works, and California Highway Commission in respect thereto;
And reports that the same have been correctly engrossed

PATTERSON Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1809—An act to regulate the practice of dentistry and the education of dentists and to provide penalties for the violation hereof and to repeal an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof" approved May 21, 1915;

Also, Assembly Bill No 1937—An act to amend section 1197 of the Political Code, relating to election ballots;

Also: Assembly Bill No. 1981—An act to amend section 479 of the Agricultural Code, relating to dairies and dairy products

Also: Assembly Bill No 1982—An act to amend section 459 of the Agricultural Code, relating to dairies and dairy products

Also Assembly Bill No 1983—An act to amend section 476 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 2126—An act to add a new section to the Probate Code, to be numbered 786c, relating to exchange of real property belonging to an estate;

Also Assembly Bill No. 2127—An act to amend section 1530 of the Probate Code and to add a new section to the Probate Code, to be numbered 1540, relating to exchange of property belonging to one subject to guardianship;
And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2128—An act to amend section 172b of the Civil Code, relating to exchange of community property when one spouse incompetent,

Also: Assembly Bill No. 2199—An act to add a new section, to be numbered 73a, to the Code of Civil Procedure, relating to superior courts;
And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 303—An act to abolish the Bureau of Publications and Documents in the Department of Finance and to transfer to the State Printer all the powers and duties of said bureau;

Also: Assembly Bill No. 380—An act to amend section 1255a of the Code of Civil Procedure, relating to the abandonment of condemnation proceedings;

Also: Assembly Bill No. 513—An act to amend sections 17, 22 and 30 of the Code of Civil Procedure, relating to definition of words used in said code;

Also: Assembly Bill No. 516—An act to amend sections 1134, 1135, 1139, 1140, 1144, 1146, 1148, 1149, 1151, 1169, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221 and 1222 of the Code of Civil Procedure, relating to special proceedings;

Also: Assembly Bill No. 519—An act to amend sections 806 and 882 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to city and justice courts;

Also: Assembly Bill No. 812—An act to amend section 3 174 of the School Code, relating to attendance of pupils in school districts other than those in which they reside;

Also: Assembly Bill No. 978—An act authorizing the Governor to make conveyances of certain parcels of real property to the original grantors thereof or their successors or assigns, if and when the interest of the United States in said parcels is conveyed or released to the State of California, which said parcels were acquired pursuant to the provisions of the Statutes of California for 1927, Chapter 142, particularly the paragraph commencing on the bottom of page 271 and which were conveyed, pursuant to the provisions of the Statutes of California, Chapter 517, to the United States of America, for temporary use as spoil disposal areas, in connection with the construction of that certain project approved by an act of Congress which was approved by the President of the United States, on January 21, 1927, which said act provided for the deepening and rectification of the San Joaquin River and Stockton Channel in accordance with the plan laid down in House Document No. 554, Sixty-eighth Congress, second session;

And reports that the same have been correctly engrossed

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1044—An act to amend sections 3, 4, 6, 7, and 8 of the "General Cemetery Act," approved June 19, 1931, relating to cemetery corporations;

Also: Assembly Bill No. 1172—An act to amend sections 1, 2, 3, 5, 6, 7, 10, 13, 13a, 14 and 16 of Chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, to add thereto a new section to be numbered 19, providing for a short title for said act, and to repeal Chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled, 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," as amended;

Also: Assembly Bill No. 1280—An act to amend sections 452a, 452c, 452d, 452f, and 453 of the Civil Code, all relating to mutual benefit and life associations;

Also: Assembly Bill No. 1378—An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration

of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; to provide for the manner of proving violations of this act in any trial thereof; and to repeal all acts or parts of acts in conflict with this act; And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1380—An act to amend section 429 of the Civil Code, relating to the funds from which corporations formed under the laws of this State having a capital stock and transacting fire, marine or inland navigation insurance business may make dividends;

Also: Assembly Bill No. 1543—An act to amend section 2349 of the Political Code, relating to navigable streams and public water ways;

Also: Assembly Bill No. 1690—An act to add section 32 to the Land Settlement Act, ratifying and confirming the execution of a certain agreement between the Federal Land Bank of Berkeley, the Delhi National Farm Loan Association and the State of California, relating to the transfer of properties at the Delhi State Land Settlement to the Federal Land Bank at Berkeley, and the satisfaction of certain obligations of the State of California which said agreement was executed subject to the confirmation and ratification of the Legislature of the State of California;

Also: Assembly Bill No. 1909—An act to add a new section to the Political Code, to be numbered 367h, relating to and providing for relief and relief work in California, for the purpose of relieving unemployment, and distress, providing for the administration thereof by and through the Emergency Relief Division of the Department of Social Welfare under the direction of the Governor, making an appropriation for such purposes and declaring the urgency thereof;

Also: Assembly Bill No. 2078—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 172—An act to add three new sections to be numbered sections 25, 26 and 27 to the act known as the "Act Concerning Cosmetology," approved May 31, 1927, as amended, relating to actions arising out of the practice of cosmetology or any branch thereof;

Also: Assembly Bill No. 539—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1406—An act to repeal an act entitled "An act providing for the compilation of, printing, binding, publishing and distribution of a legislative manual, State Blue Book or roster, repealing all conflicting acts," approved May 21, 1929—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1527—An act to control, license, and regulate the manufacture, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; and to provide penalties for the violations hereof;

Also: Assembly Bill No. 1990—An act to provide a permit to be issued to any person, firm, corporation or association manufacturing or distributing alcoholic beverage; to impose an excise tax upon the manufacture and distribution of such alcoholic beverage; to provide methods and penalties for the enforcement of the tax; and to credit the revenues derived therefrom to the general fund of the State and providing when this act shall become effective;

Also: Assembly Bill No. 2095—An act to amend the Agricultural Code, relating to inspection of farm products and the regulation of such inspection;

Also: Assembly Bill No. 2097—An act to amend sections 828 and 829 and to add a new section to the Agricultural Code, to be numbered 810.5, relating to the standardization of asparagus;

Also Assembly Bill No. 1229—An act to amend sections 5 404, 5.420, 5 500, 5 503, 5.510, 5 520, 5.521, 5 650, 5.651, 5.652, 5.654, 5 655, 5 657, 5.658, 5 662, 5.663, 5 681, 5 691 and 5 710, and repealing sections 5 653, 5 664 and 5 682, and adding new sections to be numbered 5.505, 5.506 and 5.666 of the School Code of the State of California, relating to the employment, classification, dismissal and suspension of employees requiring certification qualifications;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C RAY, Chairman.

The above reported bills ordered to reprint.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Dempster:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a section to the School Code to be numbered 4 57, relating to the support of junior colleges.

Referred to Committee on Introduction of Bills.

RESOLUTION.

The following resolution was offered:

By Mr. Fisher:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the contingent fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of $2,000, said amount being for the purchase of postage stamps to be used by members of the Assembly for official mail; and be it further

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

Resolved, That the amount of stamps requisitioned by any one member of the Assembly for official mail shall not exceed the sum of $25.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, Wright and Zion—53.

NOES—Brock, Meeker, Robinson, C. Ray; Ross, West and Mr. Speaker—6

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1560—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and

home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act, approved May 30, 1921, and of any and all acts amendatory thereof or supplemental thereto; creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1934.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 306—An act to amend section 7 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expense thereof," approved May 23, 1923, relating to organization and management of fire protection districts.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No 324—An act to add a new section to the Penal Code, to be numbered 653g, relating to employment on public work.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1122—An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; providing for the powers, duties and authority of said commission and the members thereof; providing for the institution of prorate programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out all of the bill after the enacting clause and insert in lieu thereof the following:

"SECTION 1. The unreasonable waste of agricultural wealth occasioned by the harvesting, preparation for market and delivery to market of greater quantities of agricultural commodities than are reasonably necessary to supply the demands of the market is opposed to the public interest and the difficulty inherent in any attempt by individuals to correlate within a reasonable degree the supply of any agricultural commodity to current consumptive demands is creating chaotic economic conditions in certain agricultural areas of the State of such severity as to imperil the ability of agricultural producers to contribute in appropriate amounts to the support of ordinary governmental and educational functions, thus tending to increase and increasing the tax burdens of other citizens for the same purposes. In the

interest of the public welfare and general prosperity of the State, the unnecessary and unreasonable waste of agricultural wealth, hereinafter referred to as "agricultural waste," involved in the harvesting and/or preparation for and delivery to market of agricultural commodities for which there exists only a limited consumer demand should be eliminated while at the same time preserving to all agricultural producers an equality of opportunity in the available markets.

SEC. 2. As used in this act:

(a) The term "person" includes any individual, firm, association, or corporation.

(b) The terms "agricultural waste"—in addition to their ordinary meaning—shall include economic waste, and waste incident to the harvesting and/or preparation for and delivery to market of agricultural commodities in excess of reasonable market demands.

(c) The terms "product" or "commodity" mean any horticultural, viticultural, or vegetable product of the soil and milk.

(d) The terms "proration zone" or "zone" mean any district or districts in which a prorating program is proposed to be or has been instituted.

(e) The term "commission" means the Agricultural Prorate Commission unless otherwise indicated by the context.

(f) The term "handler" means any person receiving agricultural commodities from the producer for the purpose of marketing the same.

(g) The phrase "primary channel of trade" shall mean that transaction immediately following loss of physical possession of the commodity by the producer.

SEC. 3. The Agricultural Prorate Commission, consisting of nine members is hereby created. The members shall be appointed by the Governor. Four of the members of said commission shall be engaged at the time of their appointment in the production of agricultural commodities, and representation shall be given to the vegetable, dairying, citrus and deciduous fruit industries. Three of said members shall be appointed to represent consumers and shall be neither producers nor handlers of agricultural commodities. One member shall be an experienced commercial handler of agricultural products and one shall be an experienced cooperative marketing handler of agricultural products. Their term of office shall be four years and they shall hold office until the appointment and qualification of their successors, except that the term of office of the members first appointed shall expire as follows: two members January 1, 1934, two members, January 1, 1935, two members, January 1, 1936, and three members, January 1, 1937. The members at their first meeting shall determine by lot the relative order in which their terms expire. Vacancies shall be filled by appointment for the unexpired term.

SEC. 4. Within thirty days after notice of his appointment each member shall qualify by taking the oath of office and filing the same with the Secretary of State in accordance with law. Within five days after all of said members shall have qualified, they shall organize and elect a president from among their number. The commission shall appoint a secretary and may remove him at its pleasure and may prescribe his duties and compensation. The members of said commission shall receive no compensation but shall be reimbursed for their traveling expenses necessarily incurred in the performance of their duties hereunder.

SEC. 5. The office of the commission shall be in the city of Sacramento and it may meet at such times and in such places as may be expedient and necessary for the proper performance of its duties. The commission shall have a seal, bearing the following inscription "Agricultural Prorate Commission." The seal shall be affixed to all orders of the commission, to authentications of copies of records and to such other instruments as the commission shall direct. All courts shall take judicial notice of said seal.

SEC. 6. The said commission shall constitute a body corporate and body politic for the purpose of exercising the powers and performing the acts herein mentioned, and shall have power to sue and be sued. For the purpose of carrying out the provisions of this act, the commission is authorized to adopt such necessary rules and regulations as it may from time to time deem advisable. The conduct of any hearing, inquiry or investigation which the commission has power to undertake or hold may be delegated by the commission to any member thereof or to its secretary and any finding, order or decision made by the commission pursuant to such hearing, inquiry or investigation shall be and be deemed to be the finding, order or decision of the commission. Each member of the commission and the secretary thereof, in the conduct of any such hearing, inquiry or investigation shall have power to administer oaths, and issue subpenas for the attendance of witnesses and the production of papers, books, maps, accounts, documents and testimony in any inquiry, investigation or hearing ordered or undertaken by the commission in any part of the State. The superior court of the county or city and county in which any such inquiry, investigation or hearing may be held shall have power to compel the attendance of witnesses and to require the disclosure by such witnesses of all facts known to them relative to the matters under investigation, and the production of papers, maps, books, accounts, documents and testimony as required by any subpena issued by the commission. All parties disobeying the orders or subpenas issued under the authority of said commission shall be guilty of contempt and shall be certified to any superior court of the State, which court shall punish such contempt.

SEC 7. A full and accurate record of business or acts performed or of testimony taken by the commission or any member or members thereof or by its secretary in pursuance of the provisions of this act shall be kept and be placed on file in the office of said commission.

SEC. 8. A petition for the institution of a prorating program with respect to a variety or kind of agricultural commodity may be presented to the commission which shall be signed by not less than fifty producers of said variety or kind of agricultural commodity within the proposed prorating zone; provided, that if it be alleged in said petition that it is signed either by the producers of two-thirds of the estimated current seasonal production within the proposed zone of the commodity as to which it is proposed to institute a prorating program or by two-thirds in number of the producers of said commodity within said proposed zone, the number of signers shall be immaterial

The said petition shall, among other things, contain:

1. A legal description of the district or districts comprising the proposed zone, together with a map thereof.

2. A general statement of facts showing the necessity for the institution of a prorating program, and,

3. If not signed by two-thirds of the producers or production of the commodity concerned, as hereinbefore specified, a request that an election be called in said zone for the purpose of submitting to the qualified producers thereof the proposition of instituting a program of proration. In case an election is requested, or required, there shall also be filed with said petition a good and sufficient undertaking in double the amount of the probable cost of holding such election, conditioned that the sureties will pay such costs in the event that the proposition be rejected.

The signatures to said petition may be either in person or by duly authorized agent or representative and nothing herein shall be construed to prevent any cooperative or other marketing agency from signing such petition if thereunto properly authorized by producers for whom it purports to sign.

SEC. 9 Upon the presentation of any such petition, the commission shall hold a hearing at some central point located within the district described in said petition and proposed to be established as a proration zone Notice of such hearing shall be given at least ten (10) days prior thereto by publication in a newspaper of general circulation printed and published in the district affected and by posting in at least three (3) conspicuous places in said district. In case the proposed proration zone includes more than one district the required notice shall be given in each district and the commission shall hold hearings in each of said districts At said hearings, the commission shall receive and hear the evidence offered by the petitioners in support of the petition and by any interested person in opposition thereto. Said hearings may be adjourned from time to time and from place to place as the circumstances may require. A transcript of the proceedings at all such hearings shall be made by the commission and shall be open to inspection by any interested party.

SEC 10 If upon such hearing it shall be made to appear to the commission:

(1) That the petition is signed in person or by proxy by the required number of producers or amount of production; and

(2) That the economic stability of the agricultural industry concerned is being or is about to be imperiled by prevailing market conditions; and

(3) That agricultural waste is occurring or is about to occur; and

(4) That the institution of a program of prorated marketing will conserve the agricultural wealth of the State and will prevent threatened economic waste; and

(5) That the institution of a proration program as proposed in the petition will advance the public welfare without injustice to any producer; and

(6) That the proposed program may be instituted and conducted without permitting unreasonable profits to the producers and that the commodity named in the petition can not be marketed at a reasonable profit otherwise than by means of such a program; and

(7) That the proposed zone of proration includes all of the producing territory within this State reasonably necessary to render the proposed program feasible, it shall make written findings to that effect. If in any case of any petition it shall appear to the commission that the inclusion of territory additional to that described in the petition is necessary to the feasibility of the proposed program, it shall postpone further proceedings until notice shall have been given to the producers within such additional territory in the manner provided for in section 8 hereof. Thereafter the commission may complete said hearings and make findings in the manner hereinbefore provided. If the commission shall find against the existence of any of the facts required to be present under this section, it shall deny the petition.

SEC. 11 If it shall be alleged in said petition that it is signed by two-thirds or more of the producers of the commodity named in the petition within the zone described or by producers of two-thirds of the commodity produced in said zone, proof shall be required in support of such allegation and the commission shall make a finding with respect thereto. If it shall find such allegation to be the fact, and shall also find to exist all of the other facts specified in section 10 of this act, the commission shall forthwith make an order declaring the proposed program adopted and specifying the zone in which the program shall be effective.

SEC 12. If said petition shall have proposed an election in the proposed zone, and the commission shall find to exist all of the facts specified in section 10 hereof, thereupon it shall order an election to be held in the proposed original or modified zone. At any such election, the polling places shall be located in each of the regular county precincts, any part of which are included in proposed zone affected. At least twenty (20) days before any election called the commission shall cause to be posted in three (3) public places in each election precinct notice of the time and place of holding the election and also post in the office of the county clerk of each county in which any part of the proposed zone affected is located a general notice specifying the polling places of each precinct.

SEC. 13. At such elections only producers of the commodity named in the petition shall be entitled to vote and each producer shall be entitled to one vote for each unit of production which it is determined, in the manner hereinafter specified, he may be expected to produce in the ensuing season. At the time of posting notices of election, the agricultural commissioners of each county shall be notified thereof and it shall be the duty of such agricultural commissioners to prepare lists of producers entitled to vote in each precinct in their respective counties which lists shall be filed in the office of the county clerks of their respective counties at least five (5) days prior to the day of the election. Such lists shall also show the producing factors belonging to or controlled by each producer used in the production of the commodity as to which a proration program is proposed and the volume of production which may be reasonably expected from such factors under prevailing conditions. Said agricultural commissioners shall at the same time notify by mail all producers whose names appear on such lists of the number of votes to which they are entitled. No irregularity in the mailing of such notices and no failure on the part of any producer to receive such notice shall affect the validity of the subsequent election.

SEC. 14 Any producer whose name does not appear on the proper list and any producer claiming to be allotted an erroneous production estimate may make application to the agricultural commissioner to be placed on said list, or to be credited with the proper production, as the case may be, and upon substantiating his claim, is entitled to have the error corrected. In the event any such producer shall be dissatisfied with the final action of the agricultural commissioner in that regard, he may appeal to the commission whose finding shall be final. Producers may vote production only in the precincts in which it is listed. Corporations and firms shall have their voting rights similarly determined. Votes of producers may be cast either in person or by proxy through duly authorized representatives, which shall include marketing agencies.

SEC. 15. At least five (5) days prior to the day fixed for the election, the board of supervisors of each county in which any part of the district or districts affected is situated shall appoint for each precinct from among those entitled to vote at the election, one inspector and two judges, who shall constitute a board of election for such precinct If the board fail to appoint a board of election, or the members appointed do not attend at the opening of the polls on the morning of the election, the voters of the precinct present at that hour may appoint the board, or supply the place of an absent member thereof. The polls shall be kept open for the reception of votes from ten o'clock a.m. until six o'clock p.m. when the same must be closed. The election board shall, before the opening of the polls, post in a conspicuous place thereat a list of all persons entitled to vote in said precinct at said election, together with the factors of production and production of such persons. The ballots used at the election shall be provided by the commission and one of the clerks of election shall deliver one of them to each person qualified to cast a vote, or to his representative by proxy. The election board shall retain and file with returns of the election all proxies presented at said election. At the close of the polls the board of elections shall at once proceed to canvass the votes and declare the result and shall forward its certificates of such result, together with all ballots used and all documents and papers used at such election, to the clerk of the board of supervisors of the county in which the precinct is located. A copy of said certificate certified by said clerk of the board of supervisors shall be by him forwarded to the commission.

SEC 16. On the second Monday succeeding such election the commissioner shall proceed to canvass the votes cast thereat and if upon such canvass it appears either that two-thirds or more of the production or that two-thirds in number of the producers represented at such election cast their votes in favor of the institution of a proration program the commission shall declare such a program adopted. In any order instituting a proration program, whether on petition or after election, the commission shall define the zone affected and shall designate it by some title indicative of the commodity affected. The commission shall also at the same time appoint an agent to represent the commission in the zone in carrying out the program, and may also appoint such deputy agents as may be necessary to administer the program.

SEC. 17. Any order of the commission instituting a proration program and any other order of the commission substantially affecting the rights of any interested party may be reviewed by any court of competent jurisdiction. Any such action must

be commenced within thirty days after the effective date of the order complained of or within thirty days after the injurious effect complained of.

SEC. 18. In the event of the institution of a proration program in a marketing zone, it shall be the duty of the commission to forthwith select a proration committee of five producers and two handlers operating within the zone, provided, that any marketing agency controlling more than one-fifth of the production within the zone of the commodity subject to the program shall be entitled to name such proportion of the producer members of said committee as it controls of the production except that no such marketing agency shall be entitled to name more than three of the producer members of said proration committee. It shall be the duty of such committee to determine the method, manner and extent of prorating. Such prorating program may be altered or modified from time to time by such committee but the original program and any alteration or modification thereof must be approved by the commission before it shall be made effective. Before approving any program or any alteration or modification thereof, the commission shall hold a hearing in the zone and must find that the same is reasonably calculated to maintain the existence of the facts specified in section 10 hereof. The members of such proration committee shall not be entitled to compensation.

SEC 19. In the event that a prorating committee shall fail within a reasonable time to present to the commission a prorating program or shall present a program which is not consistent with the condition specified in paragraph ten of this act, the commission shall initiate a proper program or shall modify the program presented, as the case may be, in conformity with the provisions of section 10. If at any time during the operation of any proration program, it shall appear probable to the commission that the program being carried out has ceased to be in conformity with the provisions of section 10, it shall be the duty of the commission, after hearing, to so modify such program as to obtain the conditions required by said section 10.

SEC. 20. After any prorating program has been formulated and has been approved by the commission, the agent of the commission shall assume the administration of the program and any subsequent modification thereof and the issuance of proration certificates thereunder. Such certificates shall be divided into primary and secondary certificates Each producer shall be entitled to one primary certificate which shall indicate the quantities of the commodity as to which the program has been instituted which the producer named in such certificate shall be entitled to harvest or otherwise prepare for market and delivery into the primary channels of trade. Said primary certificates shall also indicate from time to time the number of secondary certificates theretofore issued under it. Secondary certificates shall be numbered consecutively and shall be used to control the time and volume of harvesting or other preparation for market. Such secondary certificates shall accompany all deliveries of the prorated commodity by producers into a primary trade channel. It shall be unlawful for any commodity to be harvested and/or marketed without there shall have been an appropriate secondary proration certificate issued therefor. It shall be unlawful for any producer to deliver to any dealer and for any dealer or handler in the primary channels of trade to have in his possession, within this State, any commodity upon which a proration program has been instituted without an accompanying certificate issued under the authority of the commission. Such certificates shall be negotiable between producers.

SEC. 21. The commission under each zone program shall collect a reasonable and proportional fee for each certificate issued to the producers, so calculated as to produce the expenses of administration and the costs of the organization of the zone and all such fees shall be paid monthly by the commission into the State treasury, to the credit of the "Agricultural Prorate Commission fund" which fund is hereby created. All such fees obtained under any proration program shall be used only for the purpose of defraying the expenses of organization and of administering and enforcing the program under which they were collected.

SEC. 22 The commission have power to establish such rules and regulations consistent with this act as may be necessary to carry out the purposes thereof, and through its duly authorized representatives and agents shall have access, solely for the purpose of investigating possible violations of any program, to the records of producers, dealers, distributors and handlers of a commodity as to which a proration program has been instituted, and shall have at all times free and unimpeded access to all buildings, yards, warehouses, storage and transportations, or any other facility or place in which any commodity under a proration program is kept, stored, handled or transported. Any person who violates any provision of this act, or who wilfully renders or furnishes a false or fraudulent report, statement or record is guilty of a misdemeanor and each infraction shall constitute a separate and distinct offense.

SEC 23. After the institution of any proration program, such program shall continue to remain in effect unless there shall be filed with the commission an application for its termination signed by not less than forty per cent of the producers or of the production of the prorated commodity provided, that the commission may at any time initiate an investigation on its own motion to determine whether or not the facts specified in section 10 hereof continue to exist. Upon a finding that any one or more of the prerequisite facts no longer exist, the commission shall terminate

said program, provided, that programs may be terminated only at the end of marketing seasons.

SEC. 24. Any person who shall market any commodity in violation of any provision of an original or modified proration program approved and made effective by the commission may be enjoined by the commission in an action brought in the superior court for the county in which the violation is alleged to be occurring. There may be joined in the same proceeding any number of defendants alleged to be violating the same program, although their properties and interests may be situated in several counties and their actual violations of the program may be separate and distinct. In any action for injunction brought hereunder, the procedure shall be governed by the provisions of Chapter 3, Title VII, Part II of the Code of Civil Procedure of the State of California.

SEC. 25. Any person who violates any provision of a proration program approved and made effective by the commission shall be liable civilly in the sum of five hundred dollars for each and every violation to be recovered by the commission in any court of competent jurisdiction. All sums recovered under this section shall be deposited in the State treasury to the credit of "Agricultural Prorate Commission fund".

SEC. 26. There is hereby appropriated out of any funds in the State treasury not otherwise appropriated the sum of ten thousand dollars to be expended by the commission in the performance of the duties herein imposed upon it. Said sum shall constitute a loan to said commission and shall be repaid in ten equal annual installments without interest."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 241—An act relating to the refunding of bonds of irrigation and reclamation districts, making State assistance available therefor and authorizing the issuance and sale of bonds of the State to provide funds for use in furtherance thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 5, of the printed bill, strike out "sold", and insert in lieu thereof the following: "sole".

AMENDMENT NUMBER TWO.

On page 3, line 16, of the printed bill, strike out "fifty", and insert in lieu thereof the following: "forty".

AMENDMENT NUMBER THREE.

On page 3, line 25, of the printed bill, strike out "for the refunding bonds", and insert in lieu thereof the following: "to provide funds for the purchase of the bonds to be refunded".

AMENDMENT NUMBER FOUR.

On page 4, line 8, of the printed bill, after the semicolon, insert the following: "and may in the discretion of the commission specify that such bonds are callable at some date before maturity and at some figure above the par value thereof, upon such notice as shall be prescribed in the resolution;".

AMENDMENT NUMBER FIVE.

On page 4, line 27, of the printed bill, strike out "fifty", and insert in lieu thereof the following: "forty".

AMENDMENT NUMBER SIX.

On page 5, line 49, of the printed bill, strike out "one", and insert in lieu thereof the following: "once".

AMENDMENT NUMBER SEVEN.

On page 7, line 27, of the printed bill, strike out line 27, and insert in lieu thereof the following: "the State Treasurer. The State Treasurer with the approval of the commission may, if he deems it for the best interests of the State, sell such refunding bonds at not less than par at public or private sale. All moneys received from the sale of such bonds and all payments upon account of interest".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 845—An act to repeal Chapter V, Part III, Division V of the School Code, relating to teachers institutes.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1049—An act to amend section 2.1370 of the School Code, relating to the State Board of Education.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1906—An act to add a new section to the School Code to be numbered 5.27, relating to cooperative stores on the campuses of the State teachers colleges.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 996—An act to amend section 797 of the Agricultural Code, relating to the standardization of grapefruit.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1164—An act to amend section 164 of the Agricultural Code, relating to deer-tight fences.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 733—An act to amend section 2 of an act entitled "An act providing for the exhibit of the products and resources of the State of California at the Chicago World's Fair Centennial Celebration to be held at Chicago, Illinois, in 1933, creating the California World's Fair Centennial Celebration Commission and defining its powers and duties, and making an appropriation therefor," approved June 12, 1931, relating to powers and duties of said commission.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 12 to 16, inclusive, and insert the following: "the work conducted by the commission, and to employ and fix the com-".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1763—An act to amend section 809 of the Fish and Game Code, relating to clams.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 76, 808, 809 and 810 of the Fish and Game Code and to add thereto section 808.5, relating to fish and game."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 76 of the Fish and Game Code is hereby amended to read as follows:

76. District 10. The following shall constitute Fish and Game District 10: The ocean waters and the tidelands of the State to high water mark lying between

the southern boundary of Mendocino County and a line extending west from the Pigeon Point Lighthouse in San Mateo County, including the waters of Tomales Bay, to a line drawn from the western end of the railroad bridge across the entrance to Millerton Gulch to Bailey's Wharf at Inverness and excluding Bodega Lagoon and all that portion of Bolinas Bay lying inside of Bolinas Bar, that portion of San Francisco Bay lying east of a line drawn from Point Bonita to Point Lobos and all rivers, streams, and lagoons.

SEC. 2. Section 808 of the Fish and Game Code is hereby amended to read as follows:

808. The bag limit on razor clams (Siliqua patula) is thirty per day. Not more than one daily bag limit of said clams may be possessed by any person during one day.

SEC. 3. A new section is hereby added to the Fish and Game Code, to be numbered 808.5, and to read as follows:

808.5. The bag limit on jackknife clams is thirty per day. Not more than one daily bag limit of said clams may be possessed by any person during one day.

SEC. 4. Section 809 of the Fish and Game Code is hereby amended to read as follows:

809. The bag limit on clams of the species Schizothaerus nuttallii, variously known as gaper, horse clam, or big-neck clam, is ten per day. Not more than one daily bag limit of said clams may be possessed by any person during one day.

SEC. 5. Section 810 of the Fish and Game Code is hereby amended to read as follows:

810. In Districts 2 and 10 the bag limit on Washington clams (Saxidomus) is fifteen per day. Not more than one daily bag limit of Washington clams may be possessed by any person during one day."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 305—An act to add a new section, to be numbered 52a to "The California Irrigation District Act," providing for the use of certain bonds and coupons in the payment of assessments.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "Any", and insert in lieu thereof the following: "Notwithstanding any of the other provisions of this act any".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 997—An act to amend sections 814, 828 and 829 of the Agricultural Code, relating to the standardization of lettuce.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after "814." insert the following: "821.".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, after "lettuce", insert the following: "and apples".

AMENDMENT NUMBER THREE.

On page 1, line 23, of the printed bill, after "All", insert the following: "closed".

AMENDMENT NUMBER FOUR.

On page 2, line 7, of the printed bill, after "conspicuously", insert the following: "and indelibly".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out all of lines 9 to 13, inclusive, and insert in lieu thereof the following: "such container, in letters and numbers not less than

one-half of an inch in height with the inside width in inches directly preceded by the word "width" and the inside length in inches, directly preceded by the word "length"."

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, after line 13, insert the following:

"SEC. 2. Section 821 of the Agricultural Code is hereby amended to read as follows:

821. Apples shall conform to one of the following standards:

(a) The "Extra Fancy" grade consists of well grown, properly matured apples of one variety which are clean, hand picked, well colored, normally shaped for the locality where produced, free from decay, visible Baldwin spot, Jonathan spot, scale, internal breakdown, visible watercore, bruises (except such bruises as are necessarily caused in proper sorting or packing), broken skin, insect pests, limbrub, spray burn, sun scald, russeting except within the basin of the stem, drought spot, hail mark, frost injury, internal browning, apple scab and other diseases, insect bites, and other defects.

Apples of this grade shall be uniform in size and well packed in clean, standard boxes.

Not more than ten per cent, by count, of the apples in any container may be below the requirements of apples of this grade, but not to exceed one-half of this tolerance shall be allowed for any one cause.

(b) The "Fancy" grade consists of well grown, properly matured apples of one variety which are clean, hand picked, normally shaped for the locality where produced, free from decay, visible Baldwin spot, Jonathan spot, soft scald, internal breakdown, visible watercore, bruises (except such bruises as are necessarily caused in proper sorting or packing), broken skin, and insect pests; and free from appreciable damage caused by limbrub, spray burn, sun scald, russeting, drought spot, hail mark, frost injury, internal browning, apple scab, flyspeck fungus and other diseases, insect pests, sun spots, and other defects.

Apples of this grade shall be uniform in size and well packed in clean, standard boxes.

Not more than ten per cent, by count, of the apples in any container may be below the requirements of this grade, but not to exceed one-half of this tolerance, shall be allowed for any one cause.

(c) The "Fancy Loose" grade shall conform in all respects to the fancy grade except that: the apples in this grade shall not be wrapped and shall be of a size that will not pass through a ring two and one-fourth inches in diameter, and need not be packed, uniform in size, or in clean or standard boxes.

(d) The "C" grade consists of properly matured apples of one variety which are virtually clean, hand picked, free from decay, soft scald, internal breakdown, visible watercore, bruises (except such bruises as are necessarily caused in proper sorting or packing), broken skin, and insect pests; and free from serious damage caused by stem punctures, visible Baldwin spot, Jonathan spot, sun scald, spray burn, hail marks, frost injury, internal browning, apple scab, insect pests and blossom end cracks.

Apples of this grade shall be uniform in size and well packed in clean, standard boxes.

Not more than ten per cent, by count, of the apples in any one container, may be below the requirements of this grade, but not to exceed one-half of this tolerance shall be allowed for any one cause.

(e) The "C Grade Loose" shall conform in all respects to the C grade except that the apples in this grade shall not be wrapped, and need not be hand picked, packed, uniform in size or in clean or standard boxes.

(f) The combination Fancy and C Grade Loose shall meet all requirements of C Grade Loose apples and shall include in each container not less than fifty per cent, by count, of apples meeting all requirements of the fancy loose grade. None of the apples of the grade combination Fancy and C Grade Loose shall be of a size that will pass through a ring two and one-fourth inches in diameter.

Although the tolerances specified for the various standards necessarily are placed on a package basis, not more than one-fourth of the packages in any lot may be permitted to exceed the tolerance established by not more than one-half of the amount allowed. The entire lot shall average within the tolerance established. No container shall have more insect pests or decay than the amount specified in the tolerance established."

AMENDMENT NUMBER SEVEN.

On page 2, line 14, of the printed bill, strike out "Sec. 2.", and insert in lieu thereof the following: "Sec. 3."

AMENDMENT NUMBER EIGHT.

On page 3, line 47, of the printed bill, strike out "lettuce".

AMENDMENT NUMBER NINE.

On page 4, line 28, of the printed bill, strike out "Sec. 3.", and insert in lieu thereof the following: "Sec. 4."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 998—An act to amend section 815 of the Agricultural Code, relating to the standardization of Persian melons, casabas, honeydew melons and watermelons.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed bill, strike out "honeydew", and insert in lieu thereof the following: "honeyball".

AMENDMENT NUMBER TWO.

On page 1, line 22, of the printed bill, strike out "eleven", and insert in lieu thereof "twelve".

AMENDMENT NUMBER THREE.

On page 1, line 25, of the printed bill, strike out "honeyballs", and insert in lieu thereof "honeydew melons".

AMENDMENT NUMBER FOUR.

On page 1, line 26, of the printed bill, strike out "twelve", and insert in lieu thereof "ten".

AMENDMENT NUMBER FIVE.

On page 2, line 2, of the printed bill, directly after the period in said line, insert the following: "In view of differences in climatic and other natural conditions prevailing south and east of San Gorgonio Pass, which result in the honeydew melons grown in that area having, at maturity, a higher percentage of soluble solids than the mature honeydew melons grown in the area north and west of San Gorgonio Pass, mature in the case of honeydew melons produced in the area south and east of San Gorgonio Pass means, in addition to the maturity requirements herein specified, that the juice of the edible portion shall contain not less than eleven per cent soluble solids as determined by the Balling or Brix scale hydrometer."

AMENDMENT NUMBER SIX.

On page 2, line 6, of the printed bill, directly after "All", insert the following: "closed".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 999—An act to amend section 811 of the Agricultural Code, relating to the standardization of cantaloupes.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill, strike out "nine", and insert in lieu thereof the following: "eight".

AMENDMENT NUMBER TWO.

On page 1, line 22, of the printed bill, directly after the period in said line, insert the following: "In view of differences in climatic and other natural conditions prevailing south and east of San Gorgonio Pass, which result in the cantaloupes grown in that area having, at maturity, a higher percentage of soluble solids than the mature cantaloupes grown in the area north and west of San Gorgonio Pass, mature in the case of cantaloupes produced in the area south and east of San Gorgonio Pass, means, in addition to the maturity requirements herein specified, that the

juice of the edible portion shall contain not less than nine per cent soluble solids, as determined by the Balling or Brix scale hydrometer."

AMENDMENT NUMBER THREE.

On page 1, line 23, of the printed bill, directly after the word "All", insert the following: "closed".

AMENDMENT NUMBER FOUR.

On page 2, lines 5, 6, and 7, of the printed bill, strike out "Containers of cantaloupes which are not closed shall not be required to show markings required in this section."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1229—An act to amend sections 5.404, 5.420, 5.500, 5.503, 5.510, 5.520, 5.521, 5.650, 5.651, 5.652, 5.654, 5.655, 5.657, 5.658, 5.662, 5.663, 5.681, 5.691 and 5.710, and repealing sections 5.653, 5.664 and 5.682, and adding new sections to be numbered 5.505, 5.506 and 5.666 of the School Code of the State of California, relating to the employment, classification, dismissal and suspension of employees requiring certification qualifications.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

The title of the printed bill is hereby amended to read as follows:

"An act to amend sections 5.400, 5.420, 5.500, 5.503, 5.510, 5.520, 5.521, 5.650, 5.651, 5.652, 5.653, 5.654, 5.655, 5.657, 5.658, 5.660, 5.662, 5.663, 5.664, 5.681, 5.691, and 5.710, and repealing sections 5.404, 5.504 and 5.682, and adding new sections to be numbered 5.505, 5.506, 5.507, 5.666 and 5.711½ of the School Code of the State of California relating to the employment, classification, dismissal and suspension of employees requiring certification qualifications."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, amend section 1 to read as follows:

"SECTION 1. Section 5.404 of the School Code is hereby repealed."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, following section 1 thereof, a new section is added to the bill to be numbered section 1½ and to read as follows:

"SEC. 1½. Section 5.400 of the School Code is hereby amended to read as follows:

5.400. Boards of school trustees, and city, and city and county boards of education shall have power and it shall be their duty to employ persons in public school service requiring certification qualifications as provided in this code; provided, however, that such boards shall not after May 1, 1934, employ or retain beyond the then current school year in a position requiring certification qualifications a person who shall have attained the age of seventy years.

AMENDMENT NUMBER FOUR.

On page 2, line 14, of the printed bill, after the word "employed", insert the words "in special day or evening classes or".

AMENDMENT NUMBER FIVE.

On page 2, lines 17 and 18, of the printed bill, strike out all of the words therein contained, and substitute in place thereof the words "classified as or become a permanent employee of any district by reason of any such service".

AMENDMENT NUMBER SIX.

On page 2, line 23, of the printed bill, strike out the words "and one-half".

AMENDMENT NUMBER SEVEN.

On page 2, line 42, of the printed bill, add at the very beginning thereof, the words "tenure or".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, add a new section to the bill, to be numbered section 6a, immediately following section 6 thereof, and to read as follows:

"SEC. 6a. Section 5.504 of the School Code is hereby repealed."

AMENDMENT NUMBER NINE.

On page 2 of the printed bill, add a new section to the bill, to be numbered section 6b, immediately following section 6a thereof, and to read as follows:

"SEC. 6b. A new section to be numbered 5 507 is hereby added to the School Code to read as follows:

5.507. Anything in this code to the contrary notwithstanding, no employee shall be classified as or become a permanent employee by reason of services performed during the period beginning July 1, 1932, and ending June 30, 1934; provided, however, that consecutive service performed immediately prior to July 1, 1932, and service performed immediately after June 30, 1934, shall be considered as consecutive service for the purpose of computing the length of service required for permanent tenure."

AMENDMENT NUMBER TEN.

On page 4, lines 26 and 27, of the printed bill, amend section 13 thereof to read as follows:

"SEC. 13. Section 5.653 of the School Code is hereby amended to read as follows:

5.653. The board shall not act upon any charges of incompetency filed by any employee of the district unless the employee against whom such charge is filed shall have had notice in writing that he is deemed to be incompetent given to him by the governing board or by his principal, his immediate supervisor, or his district supervisor, at least two months prior to the date of the filing of such charges."

AMENDMENT NUMBER ELEVEN.

On page 5 of the printed bill, add a new section to the bill, to be numbered section 17½, and to read as follows:

"SEC. 17½. Section 5.660 of the School Code is hereby amended to read as follows:

5.660. The employee shall not be dismissed except upon the affirmative vote of a majority of the board after a fair and impartial hearing upon competent and substantial evidence adduced thereat. No member of the board shall sit or act as such in such hearing when it is made to appear that, by reason of bias or prejudice of such member, a fair and impartial hearing can not be had before him. If said board shall find any member thereof to be disqualified to sit or act as such in such hearing by reason of bias or prejudice, then the county superintendent of schools shall appoint a disinterested person to sit and act in the place of said disqualified member. No member of the board shall be permitted to vote who has not been present during the entire hearing The board shall vote and publicly announce the vote within ten days after the conclusion of the hearing."

AMENDMENT NUMBER TWELVE.

On page 5 of the printed bill, amend section 18 to read as follows:

"SEC. 18. Section 5.662 of the School Code is hereby amended to read as follows:

5.662. Nothing in this part shall be construed in such manner as to deprive any person of his rights and remedies in a court of competent jurisdiction on a question of law and fact; except as follows: 1, that in all cases where it is provided in this code that an employee may demand a hearing before the governing board on charges filed against him, in the event such demand for hearing is not made by such employee, the dismissal of such employee by the governing board shall be final and conclusive; 2, that in any proceeding in mandamus brought by a dismissed employee to compel reinstatement by a governing board, or in any action by such employee to recover salary or on contract of employment, the governing board shall be entitled to plead and prove that the requirements of sections 5.650 to 5.665 have been complied with by said governing board and that the employee has been dismissed thereunder. If it shall appear in any such action that such employee has been dismissed after a hearing as provided in this code and in compliance with the provisions thereof, the order of dismissal by such board shall be deemed conclusive evidence of the right of said governing board to dismiss such employee, unless it shall appear from the whole record of the proceedings before such board that the decision of said board was arbitrary or in any material respect unfair, or that there was such an abuse of discretion or erroneous admission or rejection of evidence, or other error in the proceedings as to materially and adversely affect the substantial rights of the employee, in which event the court shall disregard the said order of dismissal as evidence of the right of said board to dismiss such employee."

AMENDMENT NUMBER THIRTEEN.

On page 6, lines 40 to 45, of the printed bill, amend section 20 to read as follows:

"SEC. 20. Section 5.664 of the School Code is hereby amended to read as follows:

5.664. No permanent employee of a school district shall without his consent be dismissed or deprived of his classification as a permanent employee of the district because the district shall not have sufficient funds to pay his salary."

AMENDMENT NUMBER FOURTEEN.

On page 7, line 34, of the printed bill, strike out the words "or in any school or schools thereof, or on account of the".

AMENDMENT NUMBER FIFTEEN.

On page 7, line 35, of the printed bill, strike out the words "consolidation of two or more positions or assignments", and the comma after the word "assignments".

AMENDMENT NUMBER SIXTEEN.

On page 7 of the printed bill, add a new section to the bill, to be numbered 26, and to immediately follow section 25 thereof, and to read as follows:

"SEC. 26 A new section to be numbered 5.711¼ is hereby added to the School Code, to read as follows:

5.711¼. If the dismissal of such employee shall become necessary on account of the assignment of a greater number of pupils to each teacher of the district of any particular type of teaching service, such employee so dismissed shall be the last person engaged in such type of service, and such dismissed employee shall have the preferred right to reappointment if such particular type of service requires an additional teacher within one year from such dismissal."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1527—An act to control, license, and regulate the manufacture, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; and to provide penalties for the violations hereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to impose an excise tax on the manufacture and distribution of beer, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive; also strike out pages 2 to 14, inclusive, of the printed bill; and insert in lieu thereof the following:

"SECTION 1. As used in this act:

(a) "Beer" means and includes any beer, ale, porter or other beverage containing not more than 3.2 per cent of alcohol by weight and obtained by the alcoholic fermentation of an infusion or decoction of barley, malt, hops or other similar products.

(b) "Brewer" means every person who, within the State of California, produces, brews, ferments or manufactures beer as herein defined or who, in the case of beer produced, brewed, fermented or manufactured outside of the State of California, is the first in possession thereof within the State after completion of the act of importation.

(c) "Sell" or "sale" or "sold" means any sale, exchange, barter or other act whereby the title to beer is transferred, for a consideration, from a brewer, as herein defined, to any other person.

(d) "Person" means natural person, partnership, association, company, corporation, organization or the manager, agent, servant, officer or employee of any of them

(e) "Commissioner" means the Franchise Tax Commissioner of the State of California.

SEC. 2. Every person who engages in business as a brewer, as herein defined, shall make an application to the Franchise Tax Commissioner for a permit to engage in such business. The application shall be made on forms to be prescribed, prepared and furnished by the commissioner and shall be accompanied by a fee of one hundred dollars. The application shall be signed and the signature verified if the applicant be a natural person, or if an association (or partnership) by a member or partner thereof, or if a corporation, by an executive officer thereof or by some person authorized by the corporation to sign the application.

SEC. 3. Upon the payment of the application fee prescribed by section 2 hereof and filing with the commissioner of a photostatic copy of a permit issued to applicant under the laws of the United States of America, if such permit be required under

said laws, establishing the right of the applicant to engage in said business, the commissioner shall issue to the applicant a permit which shall not be assignable, shall be valid only for the person in whose name it is issued, and shall at all times be conspicuously displayed at the place or places of business for which it is issued.

SEC. 4. All permits shall expire on the thirty-first day of December next succeeding the date upon which they are issued. Permits issued under the provisions of this act must be renewed annually upon application made to the commissioner, in such form as he may prescribe. Such application for renewal must be accompanied by the fee prescribed by section 2, hereof, and by a photostatic copy of a valid and effective permit issued under the laws of the United States as required by section 3, hereof. Upon payment of said fee and filing of said photostatic copy the commissioner shall renew said permit. Said application for renewal shall be filed not less than ten days nor more than sixty days before the first day of January of the year for which the permit is to be issued.

SEC. 5. An excise tax is hereby imposed on all beer sold by a brewer, as said term is herein defined, at the rate of thirty-one cents for every barrel containing not more than thirty-one gallons and at the rate of one cent per gallon for any other quantity thereof.

SEC. 6. Every brewer, as herein defined shall render to the commissioner on or before the tenth day of each month a verified statement of the quantity of beer sold by such brewer during the preceding month. Said statement shall be in such form as the commissioner may prescribe, together with such other information as the commissioner may require. Said statement shall be accompanied with the amount of tax due to the State for all beer sold by the brewer during the next preceding month, said amount to be computed at the rate hereinabove prescribed.

SEC. 7. The commissioner may at any time within one year after said statement is due examine the books and records of any person required to make said statement, and such books and papers shall at all times be subject to his inspection, or that of his representatives, during regular business hours.

SEC. 8. Any person refusing to permit the commissioner or any of his representatives to make the inspection provided for in the preceding section of this act or failing to keep books of account as may be prescribed by the commissioner, or failing to preserve such books for the period for which they are to be open to the inspection of the commissioner, and any person altering, canceling or obliterating entries in such books of account for the purpose of falsifying the records of sales of beer made under this act shall be guilty of a misdemeanor and shall be punished by fine not exceeding five hundred dollars or by imprisonment in the county jail not exceeding six months or by both such fine and imprisonment.

SEC. 9. Any brewer who fails to pay the excise tax herein prescribed at the time at which it is due shall be guilty of a misdemeanor and shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail not exceeding six months or by both such fine and imprisonment.

SEC. 10. The commissioner on five days' notice and after a hearing duly held shall have power to revoke or suspend the permit of any brewer who fails or neglects to comply with any of the provisions of this act.

SEC. 11. None of the provisions of this act shall apply, or be construed to apply, to commerce with foreign nations or commerce with the several States, except in so far as the same may be permitted under the provisions of the Constitution and laws of the United States, nor shall the same be construed to apply to beer manufactured or sold within the State of California for purposes of export outside of said State.

SEC. 12. The commissioner shall administer all of the provisions of this act and to that end shall prescribe all necessary rules and regulations to carry out such provisions.

SEC. 13. Any person who sells beer as a brewer without having first obtained a permit therefor or who violates any of the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail not exceeding six months or by both such fine and imprisonment.

SEC. 14. All moneys collected under the provisions of this act and all fines and forfeitures imposed and collected for violation of any of the provisions hereof shall be paid into the State treasury to the credit of the general fund. The commissioner shall from time to time and at least once in every month transfer and report all moneys collected by him hereunder to the State treasury.

SEC. 15. The provisions of this act shall become operative and applicable and shall be administered upon the occurrence of an event, which event shall be whenever the sale in California of beer as defined herein is not prohibited by the laws of the United States.

SEC. 16. Inasmuch as this act provides for a levy of taxes, it shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately as a statute, but shall become operative, applicable and administrable upon the occurrence

of the events, under the circumstances, in the manner, and to the extent provided in section 15 of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1990—An act to provide a permit to be issued to any person, firm, corporation or association manufacturing or distributing alcoholic beverage; to impose an excise tax upon the manufacture and distribution of such alcoholic beverage; to provide methods and penalties for the enforcement of the tax; and to credit the revenues derived therefrom to the general fund of the State and providing when this act shall become effective.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 38, of the printed bill, strike out "$2 50", and insert in lieu thereof the following: "one dollar and eighty-six cents".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out line 39, and insert in lieu thereof the following: "containing not more than thirty-one gallons and at the rate of six cents per gallon for".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out line 43, and insert in lieu thereof the following: "three-quarter cent tax shall be collected on each bottle or other container commonly known as a pint and a one and one-half cent tax on each bottle or container commonly known as a quart".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2097—An act to amend sections 828 and 829 and to add a new section to the Agricultural Code, to be numbered 810.5, relating to the standardization of asparagus.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, between the word "sections" and "828," insert the following: "790,".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, between the enacting clause and line 1, insert the following:

"SECTION 1. Section 790 of the Agricultural Code is hereby amended to read as follows:

790. There are hereby established standards for fruits, nuts and vegetables which shall include apricots, avocados, berries, cherries, citrus fruits, dates, grapes, peaches, pears, oriental persimmons, plums and fresh prunes, "wonderful" pomegranates, quinces, walnuts, artichokes, asparagus, cantaloupes, carrots, cauliflower, head lettuce, melons, onions, peas, potatoes, sweet potatoes, tomatoes and apples."

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "Section 1", and insert in lieu thereof "Sec. 2".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 7, inclusive, and insert in lieu thereof the following:

"810.5. Fresh asparagus shall not be wilted, or crushed (except such injuries as are necessarily caused in proper sorting or packing); stalks shall not have badly

broken, badly spreading or badly seeded tips and shall be free from decay and from damage caused by dirt, disease, insects, mechanical injury or other causes. Stalks of asparagus, when bunch packed, shall not be badly crooked. "Damage" means any injury from the causes mentioned which materially affects the quality"

AMENDMENT NUMBER FIVE.

On page 1, line 14, of the printed bill, strike out the following: "or placed".

AMENDMENT NUMBER SIX

On page 1 of the printed bill, strike out all of lines 18 to 25, inclusive, and on page 2, strike out all of lines 1 to 8, inclusive, and insert in lieu thereof the following:

"In view of differences in climatic and other natural conditions prevailing south and east of San Gorgonio Pass, which causes fresh asparagus grown in that area to be satisfactory in quality only if a large portion of the stalk is green or colored as compared to asparagus grown in the area north and west of the San Gorgonio Pass, stalks of asparagus produced in the area south and east of San Gorgonio Pass shall have not more than two inches of white on the butt, except that not more than twenty per cent of the stalks in any bunch, or when not packed in bunches, twenty per cent of the stalks in any container, may have not to exceed two and one-half inches of white.

Bunches of asparagus classified according to the following designated size grades shall contain the number of stalks indicated in each classification and shall weigh not less than two pounds net when packed, except that bunches smaller than two pounds net when packed, with a proportionately less number of stalks per bunch, may be so classified if the container is conspicuously marked, on the outside of the end which bears any marks intended to describe the contents of such container, in letters not less than one-half inch in height, with the number of bunches and the minimum weight per bunch. Not less than twelve bunches of asparagus so classified may be packed in standard container number 51.

Colossal, not more than fourteen stalks to a bunch
Jumbo, fifteen to twenty stalks to a bunch.
Extra select, twenty-one to twenty-eight stalks to a bunch.
Select, twenty-nine to forty-two stalks to a bunch.
Extra Fancy, forty-three to sixty-seven stalks to a bunch.
Fancy, sixty-eight to one hundred stalks to a bunch.
"Crooks" when packed in bunches shall have no more than sixty-seven stalks to a bunch.

The number of stalks of asparagus packed in bunches shall not vary more than ten per cent from the count of the grade classification as marked, except that ten per cent, by count, of the bunches in any one container may exceed this tolerance."

AMENDMENT NUMBER SEVEN.

On page 2, line 16, of the printed bill, strike out the "period", and insert in lieu thereof the following: ", except that crates of bunch packed asparagus which is badly crooked and so marked with the designation "crooks" need not bear any other grade classification; and in the case of bunches smaller than two pounds, with the number of bunches and minimum weight per bunch."

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, between lines 19 and 20, insert the following: "If ninety per cent, by count, of the stalks of asparagus in any container have less than fifty per cent of the length of the stalk white, the containers may be marked with the term "green"."

AMENDMENT NUMBER NINE.

On page 2, line 26, of the printed bill, strike out "Sec. 2", and insert in lieu thereof the following: "Sec. 3".

AMENDMENT NUMBER TEN.

On page 4 of the printed bill, strike out all of lines 22 to 25, inclusive, and insert in lieu thereof the following: "51. The standard pyramid asparagus crate, maximum depth inside, eleven inches; length inside, eighteen inches; width at the bottom inside, eleven inches; maximum width at the top inside, ten inches, minimum width at the top inside, nine inches."

AMENDMENT NUMBER ELEVEN.

On page 4, line 35, of the printed bill, strike out "Sec. 3", and insert in lieu thereof the following: "Sec. 4".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2095—An act to amend the Agricultural Code, relating to inspection of farm products and the regulation of such inspection.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "amend", insert the following: "sections 893 and 898 of".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, insert the following: "Section 893 of the Agricultural Code is hereby amended to read as follows:

893. (a) When standards have been established under authority of this act it shall be unlawful for any person to sell, offer to sell, buy, or offer to buy by grade any such field crop product unless the same has been or is to be inspected and graded by the director and the grade by which it is sold, offered for sale, or consigned for sale be one of the grades fixed therefor by the director; provided, that any person may sell, offer for sale, consign for sale, ship, or deliver for shipment any such field crop product by sample or type, or under any name, description or designation which is not false or misleading, and which name, description, or designation does not include in whole or in part the terms of any official standard of the State; provided, that when field crop products sold by grade are shipped under conditions which preclude official sampling and certification, such certification may be made on the basis of an agreed sample, in which case the certificates will state that the grade assigned applies only to such agreed sample.

(b) The Director of Agriculture shall inspect, grade and certify to any interested party the quality and condition of any agricultural product covered by the provisions of this act, under such rules and regulations as he may prescribe; provided, that certificates issued by the Director of Agriculture shall be received in courts of the State of California as prima facie evidence of the truth of the statements therein contained.

(c) It shall be unlawful for any person or persons, other than such inspectors directly employed by the Department of Agriculture under authority of this act, to certify to the grade, quality or condition of any field crop product for which official standards have been established by the Director of Agriculture, except as provided in section 11 of this act.

(d) No person shall in any certificate or in any contract or agreement of sale or agreement to sell by grade, either oral or written, involving, or in any invoices or bill of lading or other shipping document relating to, the shipment or delivery for shipment, of any field crop product for which standards have been fixed and established under the act, describe or in any way refer to any such field crop product as being of any grade other than a grade fixed therefor under the provisions of this act.

SEC. 2. Section 898 of the Agricultural Code is hereby amended to read as follows:

898. (a) Any railroad delivering field crop products in cars at any of the places provided with inspection service under this chapter shall provide convenient and suitable sidetracks at such places as the director may designate, on which all cars of field crop products delivered by them shall, upon arrival, be set and conveniently arranged for inspection, whenever such cars of field crop products are to be inspected.

(b) All common carriers other than railroads who receive or deliver field crop products subject to inspection under this act shall arrange and hold such shipments or deliveries convenient for the inspection thereof."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California, an amendment to section 11, of Article VI of the Constitution of the State of California, relating to courts.

Assembly Constitutional Amendment No 35 read.

The question being on the adoption of Assembly Constitutional Amendment No. 35.

COMMITTEE AMENDMENT.

During reading of Assembly Constitutional Amendment No. 35, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3 of the printed measure, strike out lines 21 to 23, inclusive, and insert in lieu thereof the following: "ment of such inferior courts."

Amendment adopted.

Assembly Constitutional Amendment No. 35 ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 56—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 14 of Article I of the Constitution of the State of California, relating to eminent domain.

Assembly Constitutional Amendment No. 56 read.

MOTION TO RE-REFER.

Mr. Feigenbaum moved that Assembly Constitutional Amendment No. 56 be withdrawn from the file, and re-referred to Committee on Constitutional Amendments.

The question being on re-referring Assembly Constitutional Amendment No. 56 to the Committee on Constitutional Amendments.

Motion carried.

Assembly Constitutional Amendment No. 56 ordered re-referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 75—Proposing an amendment to the Constitution of the State by adding section 10 to Article XI, and amending section 14 and repealing section 12½ of Article XIII, relating to taxation.

Assembly Constitutional Amendment No. 75 read.

COMMITTEE AMENDMENTS.

During reading of Assembly Constitutional Amendment No. 75, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed measure, strike out lines 2 and 3 of the title, and insert in lieu thereof the following: "amendment to the Constitution of the State by amending section 14 and".

AMENDMENT NUMBER TWO.

On page 1 of the printed measure, strike out lines 8 to 17, inclusive, and insert in lieu thereof the following:

"First. That section 12½ of Article XIII be repealed

Second. That section 14 of Article XIII be amended to".

AMENDMENT NUMBER THREE.

On page 2 of the printed measure, strike out lines 3 to 10, inclusive.

AMENDMENT NUMBER FOUR.

On page 2, line 11, of the printed measure, strike out "(b)", and insert in lieu thereof the following: "(a)".

AMENDMENT NUMBER FIVE.

On page 2, line 17, of the printed measure, strike out "one and one-half", and insert in lieu thereof the following: "two and sixty-hundredths".

AMENDMENT NUMBER SIX.

On page 2, line 36, of the printed measure, strike out "(c)", and insert in lieu thereof the following: "(b)".

AMENDMENT NUMBER SEVEN.

On page 2, line 41, of the printed measure, strike out "(d)", and insert in lieu thereof the following: "(c)".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed measure, strike out line 52, and insert in lieu thereof the following: "erated in subdivisions (b) and (c) of this section shall".

AMENDMENT NUMBER NINE.

On page 3 of the printed measure, strike out lines 8 to 14, inclusive, and insert in lieu thereof the following:

"(d) The rates of taxation fixed in this section shall remain in force".

AMENDMENT NUMBER TEN.

On page 3 of the printed measure, strike out lines 28 to 36, inclusive, and insert in lieu thereof the following: "by the Legislature."

AMENDMENT NUMBER ELEVEN.

On page 3, line 37, of the printed measure, strike out "(f)", and insert in lieu thereof the following: "(e)".

AMENDMENT NUMBER TWELVE.

On page 3, line 44, of the printed measure, strike out "(g)", and insert in lieu thereof the following: "(f)".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 48, of the printed measure, strike out "(h)", and insert in lieu thereof the following: "(g)".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 51, of the printed measure, strike out "of", and insert in lieu thereof the following: "or".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 17, of the printed measure, strike out "(i)", and insert in lieu thereof the following: "(h)".

AMENDMENT NUMBER SIXTEEN.

On page 4, line 40, of the printed measure, strike out "(j)", and insert in lieu thereof the following: "(i)".

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 23, of the printed measure, strike out "(d)", and insert in lieu thereof the following: "(4)".

AMENDMENT NUMBER EIGHTEEN.

On page 5 of the printed measure, strike out line 28, and insert in lieu thereof the following:

"(j) All the provisions of this section shall be self-executing and the Legislature shall pass all laws necessary to carry this section into effect and shall provide for the valuation and assessment of the property enumerated in this section and shall prescribe the duties of the State Board of Equalization and any other officers in connection with the administration thereof. The California Revenue Act of 1933 is hereby ratified".

Amendments adopted.

Assembly Constitutional Amendment No. 75 ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 1200—An act to repeal sections 1120 to 1140 inclusive of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No. 1200 was withdrawn from the file, and referred to Committee on Rules

Assembly Bill No. 1866—An act to amend section 4099a of the Political Code, relating to orphan aid.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1866 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1769—An act to amend section 730 of the Fish and Game Code, relating to halibut.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1769 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1260—An act to amend section 489 of the Fish and Game Code, relating to the taking of fish near spawn-taking stations.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1260 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1089—An act to amend section 1056 of the Code of Civil Procedure, relating to sureties on undertakings or bonds, prescribing the amount of capital stock required and regulating the formation or admission of corporations to transact such business in this State, placing such corporations under the jurisdiction of the Insurance Commissioner, providing for examination and prescribing the duties of the said Insurance Commissioner in connection therewith.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1089 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1141—An act to amend sections 453cc and 453ec of the Civil Code, relating to mortgage insurance companies; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1141 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1057—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 5, 6, 7, 8, 10, 11 and 13¾, all relating to the powers, government and management of metropolitan water districts, and the exclusion of area therefrom, and declaring same an urgency measure.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1057 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1098—An act to amend section 602 of the Political Code, relating to insurance.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1098 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 16—An act to amend section 11 of an act entitled, "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to refunds of the tax therein authorized.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 16 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 2—An act to amend section 5 of the Direct Primary Law, relating to sponsors' pamphlets.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cronin, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1006—An act to provide a five-day week for State employees during the present unemployment emergency, and declaring the urgency thereof.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cronin, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—60.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND SIX.

Assembly Bill No. 1006—An act to provide a five-day week for State employees during the present unemployment emergency, and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1006 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cronin, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1009—An act to add a new section to the Penal Code to be numbered 653c-1, relating to the hours of labor on public works during the present emergency and declaring the urgency thereof.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, James A., O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—61.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE.

Assembly Bill No. 1009—An act to add a new section to the Penal Code to be numbered 653c-1, relating to the hours of labor on public works during the present emergency and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1009 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At twelve o'clock and ten minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Bernard reading.

SENATE MESSAGES

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 20, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 373—An act to add a new section to the Political Code to be numbered 661½, relating to the powers of the Director of Finance;

Also: Senate Bill No. 166—An act to amend section 710 of the Code of Civil Procedure, relating to collection of moneys due from judgment debtor;

Also: Senate Bill No. 64—An act to amend section 384a of the Penal Code, relating to the protection of native trees, shrubs, ferns, herbs, bulbs and flowers;

Also: Senate Bill No. 531—An act to amend sections 2, 6, 7, 9, 14 and 18 of the "Act Concerning Cosmetology";

Also: Senate Bill No. 538—An act to amend sections 364d and 364f of the Political Code, and to add a new section to said code to be numbered 372h, relating to the powers and duties of the departments and commissions of the State with respect to immigration and housing and labor camps;

Also: Senate Bill No. 178—An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 373 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 166 read first time, and referred to Committee on Judiciary.

Senate Bill No. 64 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 531 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 538 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 178 read first time, and referred to Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1933.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 548—An act to amend section 10 of an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1913, and all amendments thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MAYO, Chairman.

The above reported bill ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1353—An act to add sections 363r, 363s, 363t, 363u, 363v, 363w, 363x, 363y, 363z, 363aa and 363bb to the Political Code, to amend section 363h of the Political Code, and to repeal sections 365, 365a, 365b, 365c, 365d, 365e, 365f and 365m, all relating to State roads and highways, and the powers and duties of the Director of Public Works, Department of Public Works, and California Highway Commission in respect thereto.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1353 was withdrawn from the file, and referred to Committee on Roads and Highways.

Assembly Bill No. 1809—An act to regulate the practice of dentistry and the education of dentists, to license dentists and dental hygienists, to provide for a State Board of Dental Examiners, and to provide for a fund for the fees and other moneys collected under this act and for the enforcement of the provisions of this act, and to provide penalties for the violation hereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1809 was withdrawn from the file, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1011—An act to amend sections 2 and 5 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the office of State Fire Marshal.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Scudder:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 8 and 9, and insert in lieu thereof the following: "act, shall be guilty of a misde-".

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Scudder asked for unanimous consent to take up Assembly Bill No. 1011, at this time, without reference to committee or file, and that same be considered engrossed.

OBJECTION RAISED.

Mr. Rogers objected to unanimous consent.

MOTION.

Mr. Scudder moved that the rules be suspended for the purpose of considering Assembly Bill No. 1011 at this time.

The question being on the motion to suspend the rules for the purpose of considering Assembly Bill No. 1011, at this time.

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

AYES—Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hatch, Hornblower, Knowland, Latham, Maloney, Martin, Mayo, Meehan, Meeker, Miller, Eleanor, Morgan, Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—52.

NOES—None

Assembly Bill No. 1011—An act to amend sections 2 and 5 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts incon-

sistent herewith," approved May 23, 1923, relating to the office of State Fire Marshal.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Grubbs moved that Assembly Bill No. 1011 be withdrawn from the file, and re-referred to Committee on County Government.

The question being on re-referring Assembly Bill No. 1011 to the Committee on County Government.

Motion lost.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND ELEVEN.

Assembly Bill No. 1011—An act to amend sections 2 and 5 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the office of State Fire Marshal.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1011 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Clowdsley, Cottrell, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Hoffman, Knowland, Latham, Levey, Lyon, Maloney, Mayo, McBride, Meehan, Meeker, Miller, Eleanor, Morgan, Nielsen, Peterson, Phillips, Powers, Rawls, Roberts, Robinson, Samuel E., Roland, Ross, Scudder, Stream, Thorp, Utt, West, Zion and Mr. Speaker—45.

NOES—Callahan, Cobb, Greene, Grubbs, Hallner, Hunt, Jones, King, Martin, McCarthy, O'Connor, Rogers, Stannard, Sullivan, Tournoux, Turner, Woolwine and Wright—18.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. King gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1011 was this day passed.

Assembly Bill No 605—An act to validate the formation, organization and existence of municipal improvement districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 605 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Robinson, C Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—60.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 614—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any acquisition and improvement district, and author-

izing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 614 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—60.

NOES—Stannard—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1517—An act to amend section 2 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, relating to the annexation of inhabited territory.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1517 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1280—An act to amend sections 452a, 452b, 452c, 452d, 452e, 452f, 452g, and 453 of the Civil Code, all relating to mutual benefit and life insurance associations.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1280 was withdrawn from the file, and referred to Committee on Insurance.

Assembly Bill No. 1872—An act to amend section 737j of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Fresno.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1872 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Crist, Cronin, Crowley, Feigenbaum, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—57.

NOES—Gilmore—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1172—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the disposition of the receipts thereunder.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1172 was withdrawn from the file, and referred to Committee on Oil Industries.

Assembly Bill No. 1044—An act to amend the act known as "The General Cemetery Act," approved June 19, 1931, by amending section 3 and other sections thereof and by adding new sections thereto.

Bill read third time.

The question being on the passage of the bill

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1044 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 1378—An act to regulate and license persons engaged in the business of outdoor advertising and to provide penalties for the violation hereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1378 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 978—An act authorizing the Governor to make conveyances of certain parcels of real property to the original grantors thereof or their successors or assigns, if and when the interest of the United States in said parcels is conveyed to the State of California, which said parcels were acquired pursuant to the provisions of the Statutes of California for 1927, Chapter 142, particularly the paragraph commencing on the bottom of page 271 and which were conveyed, pursuant to the provisions of the Statutes of California, Chapter 517, to the United States of America, for temporary use as spoil disposal areas, in connection with the construction of that certain project approved by an act of Congress which was approved by the President of the United States, on January 21, 1927, which said act provided for the deepening and rectification of the San Joaquin River and Stockton Channel in accordance with the plan laid down in House Document No. 554, Sixty-eighth Congress, second session.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 978 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 172—An act to add a new section to be numbered section 25 to the act known as the "Act Concerning Cosmetology," approved May 31, 1927, as amended, relating to actions arising out of the practice of cosmetology or any branch thereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 172 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 2078—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2078 was withdrawn from the file, and re-referred to Committee on Judiciary.

Assembly Bill No. 1909—An act to regulate hours of labor and days of labor, for the purpose of relieving unemployment, and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Powers asked for, and was granted, unanimous consent to have Rule 75 suspended for the purpose of considering Assembly Bill No. 1909 at this time.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 20, 1933.

Honorable Members of the Assembly of the State of California.

Assembly Bill No. 1909 provides for the administration of funds by the Emergency Relief Division of the State Department of Social Welfare made available to the Governor by the Reconstruction Finance Corporation.

In my opinion, Assembly Bill No. 1909 constitutes an emergency bill within the meaning of section 34 of Article IV of the State Constitution, the consideration of which should not await final enactment of the budget bill, in order that provision be made for the administration of the funds made available to the Governor by the Reconstruction Finance Corporation through the Emergency Relief Division of the State Department of Social Welfare, these funds to be used in this State in furnishing relief and work relief to needy and distressed people or in relieving the hardship resulting from unemployment, and also to administer such other funds as may be made available to the State for the same or like purposes and derived from other sources. It is also necessary that the $50,000 appropriated by this act be made immediately available for the purpose of carrying out the provisions of this act.

I, therefore, recommend the passage of this bill as an emergency measure within the meaning of that term as used in section 34 of Article IV of the Constitution.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE HUNDRED NINE.

Assembly Bill No. 1909—An act to regulate hours of labor and days of labor, for the purpose of relieving unemployment, and declaring the urgency thereof.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Redwine, Robinson, C Ray; Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—61.

NOES—Lyon, O'Connor, Rawls, Robinson, Samuel E., and Sullivan—5.

HON. C. RAY ROBINSON IN THE CHAIR.

At three o'clock and twenty minutes p.m., Hon. C. Ray Robinson, member of the Assembly from the Thirty-third Assembly District, in the chair.

THE SPEAKER IN THE CHAIR.

At three o'clock and twenty-five minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE HUNDRED NINE.

Assembly Bill No. 1909—An act to regulate hours of labor and days of labor, for the purpose of relieving unemployment, and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. McCarthy moved that Assembly Bill No. 1909 be withdrawn from the file, and ordered re-referred to Committee on Unemployment.

The question being on re-referring Assembly Bill No. 1909 to the Committee on Unemployment.

SUBSTITUTE MOTION.

Mr. Powers moved, as a substitute motion, that Assembly Bill No. 1909 be withdrawn from the file, and be referred to the Committee on Judiciary.

Motion carried.

Assembly Bill No. 1909 ordered referred to Committee on Judiciary.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1867—An act to repeal section 16x6 of the Weights and Measures Act and to add a new section thereto, to be numbered 16x6, relating to the sealer of weights and measures in counties of the sixth class

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1867 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, King, Knowland, Latham, Levey, Lyon, Maloney, McBride, McCarthy, Meehan, Meeker, Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 27—An act to amend section 602 of the Penal Code, relating to trespass.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. West:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 27 and 28, and insert in lieu thereof the following:

"(j). Entering any lands under cultivation whether enclosed or unenclosed belonging to or occupied by another; or entering any lands not under cultivation enclosed by a fence belonging to or occupied by another".

Amendment adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 858—An act to amend sections 11, 12 and 13 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to reciprocity, service of notice and process, and penalties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 858 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—62.

NOES—Crist, King and O'Connor—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 859—An act to amend section 1b of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 859 passed by the following vote:

AYES—Alter, Anglim, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Greene, Hallner, Latham, Levey, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, James A., Morgan, Patterson, Peterson, Rawls, Redwine, Robinson, C. Ray; Rogers, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—45.

NOES—Crist, Fisher, Grubbs, Hoffman, Hunt, King, Knowland, O'Connor, Riley, Roland and Stannard—11.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILLS.

Senate Bill No. 219—An act to amend section 4017 of the Political Code, relative to consolidation of county offices.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill by Mr. Dempster—An act to add a new section to the School Code to be numbered 4.57, relating to the support of junior colleges—herewith returns the same with the recommendation that the author be not permitted to introduce it. The reason for not allowing this request is as follows:

The author, in accordance with Standing Rule No. 67 of the Assembly and section 2 of Article IV of the Constitution has already introduced his two allotted bills, the numbers of which are as follows:

Assembly Bill No. 2320, March 4, 1933.

Assembly Bill No. 2327, March 9, 1933.

HALLNER, Chairman.

Report read.

The question being on the adoption of the report.

On motion of Mr. Fisher, the further consideration of the committee report was deferred until the next legislative day.

MOTION.

Mr. Robinson, C. Ray, moved that the Journals of Wednesday, March 7, 1933; Thursday, March 8, 1933; Friday, March 9, 1933; be approved as corrected by the Minute Clerk.

Motion carried.

MOTION TO RE-REFER.

Mr. Robinson, Samuel E., moved that Assembly Bill No. 1215 be withdrawn from the Committee on Live Stock and Dairies, and re-referred to Committee on Agriculture.

The question being on re-referring Assembly Bill No. 1215 to the Committee on Agriculture.

Motion carried.

Assembly Bill No. 1215 ordered re-referred to Committee on Agriculture.

MOTION TO RE-REFER.

Mr. Crist moved that Assembly Bill No. 507 be withdrawn from the Committee on Public Morals, and referred to Committee on Crime Problems.

The question being on referring Assembly Bill No. 507 to the Committee on Crime Problems.

REQUEST FOR ROLL CALL.

On request of Messrs. Crist, Wright and Cottrell, the Speaker ordered a roll call taken on the motion to withdraw Assembly Bill No. 507 from Committee on Public Morals, and be referred to Committee on Crime Problems.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

Time, four o'clock and fifty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Peterson, Phillips, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Stanmard, Stream, Sullivan, Thorp, Tournoux, Utt, Woolwine, Wright and Mr. Speaker—49.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER THE CALL OF THE HOUSE BY UNANIMOUS CONSENT.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 970—An act to add a new article to Chapter 3, Part 3, Division IV, to be numbered Article 6, embracing sections 1350, 1351, 1352 and 1353 of the Fish and

Game Code, and to amend section 1410 thereof, relating to amphibia, and to renumber present Articles 6 and 7 of Chapter 3, Part 3, Division IV;

Also: Assembly Bill No. 511—An act to add two new sections to the Penal Code to be numbered 969c and 1158a, relating to defendants armed with weapons at the time of the commission of the offense or at the time of arrest and providing a procedure for charging that defendants were so armed and for determining the truth of the charge;

Also: Assembly Bill No. 434—An act to amend sections 1, 2, 3, 4, 23 and 26 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," and to add thereto a new section to be numbered 4a, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on Calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered placed on daily calendar.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1206—An act amending section 6 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, relating to special assessment proceedings;

Also: Assembly Bill No. 1560—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act, approved May 30, 1921, and of any and all acts amendatory thereof or supplemental thereto; creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1934;

Also: Assembly Bill No. 1906—An act to add a new section to the School Code to be numbered 5.27, relating to cooperative stores on the campuses of the State teachers colleges;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 324—An act to add a new section to the Penal Code, to be numbered 653g, relating to employment on public work;

Also: Assembly Bill No. 517—An act to amend section 1985 of the Code of Civil Procedure, relating to subpenas;

Also: Assembly Bill No. 518—An act to amend sections 4300a, 4300e, and 4300l of the Political Code, relating to fees;

Also: Assembly Bill No. 607—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the principal and interest of such bonds;

Also: Assembly Bill No. 829—An act to amend section 585 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 1049—An act to amend section 2.1370 of the School Code, relating to the State Board of Education;

Also: Assembly Bill No. 1164—An act to amend section 164 of the Agricultural Code, relating to deer-tight fences;

Also: Assembly Bill No. 845—An act to repeal Chapter V, Part III, Division V of the School Code, relating to teachers institutes;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1933.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 913—An act granting to the city of San Mateo the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and grant franchises and leases thereon, and regulating the management, use and control thereof, and authorizing suits against said city and the State to quiet title to any such lands, and regulating the procedure therein and conditions under which said suits may be brought—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

ON UNEMPLOYMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1933.

MR. SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No. 891—An act to create and to define the functions, powers and duties of a State Economic Council for the purpose of formulating plans for the prevention of unemployment and the improvement of economic conditions within the State and making an appropriation therefor;

Also: Assembly Bill No. 892—An act to amend the title of and to revise an act entitled "An act to provide for the extension of the public works of the State of California during periods of extraordinary unemployment caused by temporary industrial depression, and regulating employment therein, and authorizing the Board of Control to enforce the provisions hereof; and repealing all acts inconsistent with the provisions hereof." approved May 26, 1921, relating to advance planning and long-range budgeting of public works;
Has had the same under consideration, and respectfully reports the same back with recommendation that they do pass, and be referred to Committee on Ways and Means.

POWERS, Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 3—An act to prohibit the possession of all devices or attachments of any kind designed, used or intended for use in silencing the report of a **firearm,** and providing a penalty for violation thereof;

Also: Assembly Bill No. 1327—An act to amend section 2 of an act entitled "An act providing for the establishment and maintenance of a State Nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along the highways and in public places, and making an appropriation therefor," approved May 15, 1917, relating to the sale of nursery stock;

Also: Assembly Bill No. 1377—An act to amend section 15 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927;

Also: Assembly Bill No. 2321—An act to add section 11a to an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies, and providing that this act shall take effect immediately;
And reports that the same have been correctly enrolled and presented the same to the Governor on this twentieth day of March, 1933, at 3 o'clock and 15 minutes p.m.

PATTERSON, Chairman.

COMMUNICATION.

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

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1933.

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

Los Angeles Examiner—A. M. Rochlen.

ARTHUR A. OHNIMUS, Chief Clerk.

COMMUNICATION.

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

NORTHAMPTON, MASSACHUSETTS, March 14, 1933.

Hon. J. A. Beek, Secretary of the Senate,
Sacramento, California.

MY DEAR MR. BEEK: Mrs. Coolidge has asked me to convey to you, and through you to the members of both houses of the Legislature of the State of California, her grateful appreciation of the sympathy expressed by your resolution.

Very sincerely yours,

HARRY E. ROSS, Secretary.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 20, 1933.

To the Honorable Members of the Assembly of the California State Legislature.

Attached hereto is a copy of a telegram dated March 20, 1933, received from Senator Hiram W. Johnson and another dated March 18, 1933, from Congressmen Clarence F. Lea, Frank H. Buck, Albert E. Carter, John J. McGrath, Denver S. Church, William E. Evans, John H. Hoeppel, John F. Dockweiler, Charles J. Colden, and John H. Burke, both of which are self-explanatory.

I am preparing a message on the telegrams attached and will submit the same to both houses of the Legislature tomorrow.

With my compliments and best wishes,

Very sincerely yours,

JAMES ROLPH, JR., Governor of California.

(COPY OF TELEGRAM)

WASHINGTON, D. C., March 20, 1933

Hon James Rolph, Jr., State of California,
Sacramento, California.

I have been advised that there is some endeavor being made to eliminate flood control appropriations of the State of California which, under the existing arrangements, have been made to match the Federal appropriations for the like purpose This action by the State might be construed, because of legislation that has been heretofore passed, as something of a breach of faith on our part. I call the matter to your attention because I know that neither of us would wish California either to repudiate or fail in any obligation to the Federal government

HIRAM W. JOHNSON.

WASHINGTON, D. C., March 18, 1933.

Governor James Rolph, Jr.,
Sacramento, California.

Members California House delegation learn with deep concern of possibility that California may fail to match Federal appropriation for Sacramento flood control. Failure to do this might be of far-reaching adverse consequence in relation of our State to Federal government. A number of our important Federal relations impress us with necessity of preserving State reputation of undeviating compliance with Federal obligations

CLARENCE F. LEA.
FRANK H. BUCK
ALBERT E. CARTER
JOHN J. MCGRATH
DENVER S. CHURCH.
WILLIAM E. EVANS.
JOHN H. HOEPPEL.
JOHN F. DOCKWEILER.
CHARLES J. COLDEN.
JOHN H. BURKE.

RESOLUTION.

The following resolution was offered:

By Mr. Burns:

WHEREAS, On the seventeenth day of March the South of Market Boys Association of San Francisco extended an invitation to the members of the Assembly to attend their seventh annual corned beef and cabbage luncheon which was held in the Whitcomb Hotel, Saturday at noon, and

WHEREAS, The Honorable Speaker of this Assembly, Walter J. Little, representing the Assembly, was honored by being placed at the Speaker's table, and delivered an oration on that occasion, and

WHEREAS, Twenty-five members of this body attended the luncheon and were warmly received by the South of Market Boys Association, therefore, be it

Resolved, that we, the members of the Assembly of the State of California, Through the Speaker of this House, the Honorable Walter J. Little, send a letter of thanks to the South of Market Boys Association, extending to them our appreciation for the warm welcome and cordiality shown to the members of the Assembly who were present on that memorable occasion.

Resolution read, and on motion, unanimously adopted.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At five o'clock and five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

The roll of absentees was called, and the motion to withdraw Assembly Bill No. 507 from the Committee on Public Morals, and be re-referred to Committee on Crime Problems, lost by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Chatters, Clowdsley, Cottrell, Crist, Crowley, Fisher, Greene, Hatch, Knowland, Mayo, McCarthy, Meehan, Miller, Eleanor; Phillips, Redwine, Robinson, Samuel E., Rogers, Roland, Stream, Thorp, Utt, West and Wright—28.

NOES—Anglim, Boyle, Burns, Cassidy, Cronin, Dempster, Evans, Feigenbaum, Field, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, King, Latham, Levey, Maloney, Martin, McBride, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Rawls, Riley, Robinson, C. Ray; Ross, Stannard, Sullivan, Tournoux, Turner, Woolwine and Mr. Speaker—37.

ADJOURNMENT.

At five o'clock and twelve minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, March 21, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, TUESDAY, March 21, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers,

Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—77.

Quorum present

PRAYER.

Prayer was offered by Rabbi Norman M Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Crowley, Mr. O'Donnell was granted leave of absence for the day.

On motion of Mr. Feigenbaum, Mr. McMurray was granted leave of absence for the day.

On motion of Mr. Hallner, Mr. Woolwine was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Thorp, Mr. John R Williams, superintendent San Joaquin County schools, and Mr. Ansel Williams, superintendent city of Stockton schools, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Thorp, Mrs. Ruth F. Declusin, teacher of the Victor School, San Joaquin Valley, and the students of the seventh and eighth grades were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. West, Mrs. Isabell Jackson, Mrs. Christie Frasinett, teachers; Mrs. Benjamin Thomas, Mrs. Harry French, Mrs. L. McNie and pupils of the seventh and eighth grades, Florin School, Sacramento County, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Knowland, Margaret Mealey, president; Vivian Jordan, vice president; Geraldean Anderson, secretary, College of the Holy Names, Oakland, California, and the following students of Alpha Phi Alpha, history honor society: Lalla Boone, Ranada Gregory, Muriel Gibson, Rose Mary Trodden, Katherine Breckenridge, Marion Broderick, Ursula McDermott, Helene Vance, Margaret Ernst, Lucy Lathrop, Dorothy Grafe and Marie Dean, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Phillips, Mrs. George Lunt of Riverside representing rural teachers of Riverside, Orange and San Diego counties, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Miss Eleanor Miller, Mr. Harold P. Huls, city attorney, Pasadena, California; Mr C Hal Reynolds, president, Board of Funeral Directors and Embalmers, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Miss Eleanor Miller, Mr. S. B. Morris, general manager, Pasadena Water Department; Mr. B. F. DeLanty, general manager, Municipal Light and Power of Pasadena, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Crowley, Mr. Henry Stahl of Vallejo Evening News and Mr. Harry Aden of Vallejo, California, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Dempster, Hon. Ben B. Jones, past president, California State Fraternal Congress, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Dempster, Mrs. Eva F. Bottle, president, California State Fraternal Congress, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Dempster, Dr. C. B. Dixon, Supreme Medical Examiner, Independent Order of Foresters of Toronto, Canada, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Dempster, Mrs. Julia Ginn of Woodmen's Benefit Association, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Dempster, Mrs. Carrie Egan, Woodmen's Circle, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Anglim, Mr. Vincent Cardinelli and Miss Dorothy Dragoin of Pittsburg, California, and Mr. J. C. Valins and Mr. Frank S. Roderick of Oakland, California, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cassidy, Hon. Judge Jacob Harder of Hayward, California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bliss, Mr. Percy Heckendorff, district attorney of Santa Barbara County, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Dempster, Captain Tony Siminoff, Mr. Joe G. Kramer and Councilman E. L. Thrasher were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. West, Mabel Cox, sponsor, and thirty students of the Know Your City Club of the Sutter Junior High School were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ross, Mrs. John W. Hower, Mrs. Daniel H. Blood and Mrs. Robert Gardner of Sacramento and Miss Bertha Merrill, superintendent of schools of Shasta, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Fisher, Mr. Avery C. Moore and Mr. Carl W. Auer were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Feigenbaum, Mr. Frederick J. Koster of San Francisco was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From the Guardian Club, San Francisco, opposing a proposed measure to assess applicants of State Free Employment Agency a fee for such service.

(Signed) W. F. BENNETT, President.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 897—An act to repeal Part I of Division II of the School Code, embracing sections 2.20 to 2.760, inclusive, to repeal Chapters I, II, III and IV of Part II of Division II of said code, embracing sections 2.770 to 2.1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2.10 to 2 281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-A, respectively, embracing sections 2.650 to 2 911, inclusive, to amend sections 4 181, 4.375, 4.773, 4.811, 4.812, 4.875, 4.895, 4.896, 4.898, 4.970, 6 470 and 6.471 to 6 477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4.769, 6.470-1 and 6.470-2, to repeal section 4.771 of said code, and to repeal certain acts, all relating to school districts and junior college districts—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 469—An act to repeal "An act to provide for the protection and preservation of public highways from damage by storm waters and floods, and to authorize the expenditure of public moneys for the purposes thereof," approved April 1, 1897—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 464—An act to repeal "An act relating to the granting by counties and municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles," approved March 27, 1897—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

GREENE, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 635—An act making an appropriation to meet a deficiency in the appropriation for subsidies of the Bureau of Tuberculosis of the Department of Public Health, declaring the urgency thereof and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COBB, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Concurrent Resolution No. 18—Relative to extending condolences to the people in the stricken areas in the southern portion of the State—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

COBB, Chairman.

Senate Concurrent Resolution No 18 ordered on file for adoption.

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1933.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Bill No. 259—An act providing for the construction and opera-

tion by the State of California of a system of works designated as the Central Valley Project for the conservation, development, distribution and utilization of water; defining and prescribing the units or parts of said project, also defining the prerequisite conditions under which said project shall be constructed, defining the duties and powers of the Department of Public Works and of the State Engineer in relation to said project; creating a Water Administration Board and defining its duties and powers with relation to the construction and operation of said project; authorizing the issuance and sale of general obligation bonds of the State of California in the amount of one hundred sixty millions of dollars for the purpose of defraying the cost of construction of said project; and providing for the payment of such bonds with the interest thereon, and for the creation of a water construction fund and a water revenue fund in the State treasury—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FEIGENBAUM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Concurrent Resolution No. 17—Relative to recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and the qualification, compensation, and manner of electing the delegates to such convention—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

FEIGENBAUM, Chairman.

The above reported Assembly Concurrent Resolution No. 17 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 18—Relative to the control, development and utilization of the water resources in the State—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

FEIGENBAUM, Chairman.

Assembly Constitutional Amendment No. 18 ordered on file for adoption.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Peterson:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to authorize the counties, cities and counties, and municipalities to license and regulate the sale and disposition of beverages containing alcohol, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to authorize the counties, cities and counties, and municipalities to license and regulate the sale and disposition of beverages containing alcohol, to

provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately.

HALLNER, Chairman.

The question being on the adoption of the report.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

Time, ten o'clock and fifteen minutes a m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, James A., Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Stannard, Stream, Tournoux, Turner, West, Williamson and Mr. Speaker—53.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1406—An act to repeal an act entitled "An act providing for the compilation of, printing, binding, publishing, and distribution of a legislative manual, State Blue Book or roster, repealing all conflicting acts," approved May 21, 1929.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 548—An act to amend section 10 of an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1913, and all amendments thereto.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 913—An act granting to the city of San Mateo the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and grant franchises and leases thereon, and regulating the management, use and control thereof, and authorizing suits against said city and the State to quiet title to any such lands, and regulating the procedure therein and conditions under which said suits may be brought.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, after line 43, insert the following:

"SEC. 5. There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in the land granted by this act and there is also reserved to the State of California or persons authorized by the State, the right to prospect for, mine and remove such deposits from said land."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 583—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 583 passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McCarthy, Meehan, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—63.

NOES—Bowers, Callahan, Crist, Hallner and Mayo—5

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and thirty minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

The roll of absentees was called, and the report of the Committee on Introduction of Bills was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr Speaker—70.

NOES—Grubbs—1.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Peterson: Assembly Bill No. 2336—An act to authorize the counties, cities and counties, and municipalities to license and regulate the sale and disposition of beverages containing alcohol, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

MOTION.

On motion of Mr. Peterson, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 2336.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XVI thereof a new section to be numbered 9, authorizing the Legislature to provide for assistance by the State in the refinancing of irrigation and reclamation districts, and approving and ratifying the District Finance Act of 1933.

Assembly Constitutional Amendment No. 16 read.

The question being on the adoption of Assembly Constitutional Amendment No. 16.

The roll was called, and Assembly Constitutional Amendment No. 16 adopted by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, West, Williamson and Mr. Speaker—59.

NOES—Badham, Boyle, Callahan, Craig, Crist, Field, Jones, Kallam, Latham, McCarthy, Riley, Tournoux, Utt and Wright—14.

Title read and approved.

Assembly Constitutional Amendment No. 16 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 16

A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XVI thereof a new section to be numbered 9, authorizing the Legislature to provide for assistance by the State in the refinancing of irrigation and reclamation districts, and approving and ratifying the District Finance Act of 1933.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses thereof voting therefor, hereby proposes to the people of the State of California that the Constitution of said State be amended by adding to Article XVI thereof, a new section to be numbered 9, to read as follows:

Sec. 9. The issuance and sale of bonds of the State in the total principal sum of fifty-five million dollars and the use and disposition of the proceeds of the sale thereof as provided in the District Finance Act of 1933, is hereby authorized, and regardless of any other provision in this Constitution said act is hereby approved and ratified and made fully and completely effective. All provisions of this section are self-executing and do not require legislative action in furtherance thereof but this does not prevent such legislative action except that no amendments by the Legislature shall be enacted which will affect the liability of the State for any

indebtedness incurred under said act or impair the security which must be deposited with the State to insure the retirement of any such State indebtedness.

Assembly Bill No. 2252—An act to amend section 3 of an act entitled "An act to require owners of forest lands to provide a fire patrol therefor," approved June 6, 1923, relating to forest land fire patrols.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2252 passed by the following vote:

AYES—Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1355—An act to amend sections 587 and 1515 of the Probate Code, relating to the dedication of real property by executors, administrators and guardians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1355 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Wright, Zion and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 282—An act to amend sections 10, 11, 12, and 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry and the power of the Dental Board.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 282 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, C. Ray;

Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—66.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 607—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the principal and interest of such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 607 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meeham, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—68.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 618—An act to validate proceedings for the annexation, incorporation, and inclusion of territory by municipal corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 618 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—62.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 619—An act to validate the organization and existence of municipal utility districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 619 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers,

Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—65.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1206—An act amending section 6 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, relating to special assessment proceedings

Bill read third time
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1206 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Sullivan, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—62.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 380—An act to amend section 1255a of the Code of Civil Procedure, relating to the abandonment of condemnation proceedings.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 380 passed by the following vote:

AYES—Alter, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—67.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 924—An act to amend the title and section 2 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special

reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 924 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1060—An act to amend section 453ee of the Civil Code, relating to investments authorized to be made by mortgage insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1060 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr Speaker—63

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1380—An act to amend section 429 of the Civil Code, relating to the funds from which corporations formed under the laws of this State having a capital stock and transacting fire, marine or inland navigation insurance business may make dividends.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1380 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Wright, Zion and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

RECESS.

At twelve o'clock and six minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until one o'clock and thirty minutes p m., of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Bernard reading

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON BANKING

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1933.

MR. SPEAKER: Your Committee on Banking, to which was referred Assembly Joint Resolution No 15—Relative to memorializing and petitioning Congress to adopt a national system of insurance to protect bank depositors in the national banks of the United States—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted, as amended.

WILLIAMSON, Chairman.

The above reported Assembly Joint Resolution No. 15 ordered on file for adoption.

ON FEDERAL RELATIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933

MR SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 24—Relative to memorializing the Congress of the United States to enact a two-year moratorium on foreclosures of real property mortgages and on sales under deeds of trust on real property—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

PETERSON, Chairman.

The above reported Assembly Joint Resolution No. 24 ordered on file for adoption.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933.

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 245—An act to amend sections 3 and 5b of the "Narcotic Rehabilitation Act," relating to drug addicts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1933.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 873—An act to amend section 1182 of the Penal Code, and to add a new section thereto, to be numbered 1183, relating to new trials;

Also, Assembly Bill No. 1334—An act to amend section 1240 of the Code of Civil Procedure, relating to the taking of private property under proceedings in eminent domain,

Also: Assembly Bill No 1338—An act to add a new section to the Political Code to be numbered 366cc, authorizing the filing for record of State highway maps and prescribing the duties of county recorders with relation thereto,

Also: Assembly Bill No. 1351—An act to amend section 4156b of the Political Code, prohibiting district attorneys of counties or cities and counties from defending or assisting in the defense of, or acting as counsel for, defendants in civil actions and proceedings, when the State or any county or city and county or municipality or other political subdivision of the State, is a party plaintiff, and to redesignate said section 4156b as section 4156c of the Political Code;

Also: Assembly Bill No. 1357—An act to add a new section to the Probate Code, to be numbered section 1026 relating to distribution of an estate where no heirs appear in the course of administration and claim the estate or some part thereof,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 46—An act to amend section 4259 of the Political Code, relating to salaries of officers of the counties of the thirtieth class;

Also, Senate Bill No. 48—An act to amend section 16x30 of the "Weights and Measures Act," relating to the salary of the sealer of weights and measures in counties of the thirtieth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 2301—An act to amend section 660 of the Fish and Game Code and to add thereto a new section to be numbered 660 5, relating to salmon—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 453—An act to amend sections 901 and 910 and to repeal sections 902 and 904 of the Probate Code, relating to compensation of executors, administrators and attorneys—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER. Your Committee on Judiciary, to which was referred Assembly Bill No. 1118—An act to amend sections 1, 3, 4, 5, 6, 8 and 9 of and to add section 10 to an act entitled "An act to regulate the practice or architecture," approved March 23, 1901—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2294—An act to declare a moratorium on foreclosure of mortgages; prohibiting the sale under provision of a mortgage or deed of trust; and prohibiting the bringing of any action for the collection of any debt or the interest thereon for which a mortgage or deed of trust has been given as security—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933.

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1138—An act to amend the Political Code by adding to Part IV, Title II, Chapter VIII of said code a new article to be numbered Article III, embracing sections 4222a to 4222l, inclusive, amending section 2641 and repealing

sections 2642, 2645 and 4222 of said code, thereby creating the office of county engineer, transferring to the county engineer all the powers and duties of the county surveyor and the powers and duties of other officers and employees of the county with respect to county roads, highways and bridges, and vesting in the county engineer additional powers and duties with respect to construction, improvement, maintenance and repair of county roads, highways and bridges, and to repeal the County Engineer Act—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BROCK, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON MEDICAL AND DENTAL LAWS

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1933.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 2069—An act to amend the act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation thereof," approved May 21, 1915—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

CRONIN, Chairman

The above reported bill ordered referred to Committee on Rules.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 318—An act to amend sections 1, 7, 8a, 8c, 8d, 8e, 8f, 8g, 8½, and 9, to repeal sections 8 and 8b, and to add two new sections to be numbered 8 and 8b, to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 317—An act to amend sections 1, 11 and 15 of "An act to regulate the sale, possession, distribution and use of habit forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

CRONIN, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1118—An act to amend sections 1, 3, 4, 5, 6, 8 and 9 of and to add section 10 to an act entitled "An act to regulate the practice of architecture," approved March 23, 1901;

Also: Assembly Bill No. 2294—An act to declare a moratorium on foreclosure of mortgages; prohibiting the sale under provision of a mortgage or deed of trust; and prohibiting the bringing of any action for the collection of any debt or the interest thereon for which a mortgage or deed of trust has been given as security;

Also: Assembly Bill No. 1138—An act to amend the Political Code by adding to Part IV, Title II, Chapter VIII of said code a new article to be numbered Article III, embracing sections 4222a to 4222f, inclusive, amending section 2641 and repealing sections 2642, 2645 and 4222 of said code, thereby creating the office of county engineer, transferring to the county engineer all the powers and duties of the county surveyor and the powers and duties of other officers and employees of the county with respect to county roads, highways and bridges, and vesting in the county engineer additional powers and duties with respect to construction, improvement, maintenance and repair of county roads, highways and bridges, and to repeal the County Engineer Act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

Also.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 2069—An act to amend the act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915;

Also: Assembly Bill No. 318—An act to amend sections 1, 7, 8a, 8c, 8d, 8e, 8f, 8g, 8½, and 9, to repeal sections 8 and 8b, and to add two new sections to be numbered 8 and 8b, to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907;

Also: Assembly Bill No. 317—An act to amend sections 1, 11 and 15 of "An act to regulate the sale, possession, distribution and use of habit forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933,

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1011—An act to amend sections 2 and 5 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the office of State Fire Marshal—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1543—An act to amend section 2349 of the Political Code, relating to navigable streams and public waterways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1543 passed by the following vote:

AYES—Alter, Badham, Brock, Burns, Cassidy, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, James A., O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 812—An act to amend sections 3.174, 3.301, 3.302 and 3.306 of the School Code, relating to attendance of pupils in school districts other than those in which they reside.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 812 passed by the following vote:

AYES—Alter, Badham, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Field, Fisher, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Scudder, Stannard, Stream,

Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—53.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 553—An act to add a new section to the Political Code, to be numbered 3747a, relating to segregation of valuation of property on the assessment roll.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Chatters:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, as amended in the Assembly on March 16, 1933, after the word "taxes", insert the following: ", including penalties,".

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Chatters asked for, and was granted, unanimous consent to take up Assembly Bill No. 553, at this time, without reference to print or file, and that same be considered engrossed.

Bill read.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 553 passed by the following vote:

AYES—Alter, Badham, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—56.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 303—An act to repeal section 695 of the Political Code, relating to and abolishing the Bureau of Publications and Documents in the Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 303 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Grubbs, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roberts, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—57
NOES—Chatters—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 897—An act to repeal Part I of Division II of the School Code, embracing sections 2 20 to 2.760, inclusive, to repeal Chapters I, II, III and IV of Part II of Division II of said code, embracing sections 2.770 to 2.1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2.10 to 2.281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-A, respectively, embracing sections 2.650 to 2.911, inclusive, to amend sections 4.181, 4.375, 4.773, 4.811, 4812, 4.875, 4.895, 4.896, 4 898, 4.970, 6.470, and 6.471 to 6.477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4.769, 6.470–1, and 6.470–2, to repeal section 4.771 of said code, and to repeal certain acts, all relating to school districts and junior college districts.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 897 was withdrawn from the file, and referred to Committee on Education.

Assembly Bill No. 611—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 611 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Fisher, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 613—An act validating the formation, organization and existence of sanitary districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 613 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 616—An act to validate bonds of flood control districts and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 616 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Wright, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 754—An act to amend section 338 of the Code of Civil Procedure, relating to limitations of actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 754 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Peterson, Phillips, Powers, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—56.

NOES—Hallner, Lyon and Rawls—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2126—An act to add a new section to the Probate Code, to be numbered 786c, relating to exchange of real property belonging to an estate.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2126 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2127—An act to amend section 1530 of the Probate Code and to add a new section to the Probate Code, to be numbered

1540, relating to exchange of property belonging to one subject to guardianship.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2127 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2128—An act to amend section 172b of the Civil Code, relating to exchange of community property when one spouse incompetent.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2128 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Fisher, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2199—An act to add a new section, to be numbered 73a, to the Code of Civil Procedure, relating to superior courts

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2199 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Wright and Mr. Speaker—64.

NOES—Riley and Zion—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 324—An act to add a new section to the Penal Code, to be numbered 653g, relating to employment on public work.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 324 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 845—An act to repeal Chapter V, Part III, Division V of the School Code, relating to teachers' institutes.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Powers:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "Chapter V", and insert in lieu thereof the following: "Chapters V and VI".

AMENDMENT NUMBER TWO.

Strike out line 2 of the title of the printed bill, and insert in lieu thereof the following: "Code, and to repeal Article III, Chapter I, Part V, Division II of the School Code, relating to teachers' institutes and conventions of principals and superintendents."

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "Chapter V", and insert in lieu thereof the following: "Chapters V and VI".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, after line 2, insert the following:

"SEC. 2. Article III, Chapter I, Part V, Division II of the School Code is hereby repealed."

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

SPECIAL ORDER.

The hour of three o'clock p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR.

Assembly Bill No. 4—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 4 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Cottrell, Craig, Dempster, Evans, Feigenbaum, Field, Greene, Hallner, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, Wright, Zion and Mr Speaker—55.

NOES—Cassidy, Clowdsley, Crist, Cronin, Crowley, Fisher, Grubbs, Hatch, Hoffman, Hornblower, Maloney, Meehan, Roland, Sullivan, West and Williamson—16.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Sullivan gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 4 was this day passed.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1164—An act to amend section 164 of the Agricultural Code, relating to deer-tight fences.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1164 passed by the following vote:

AYES—Alter, Badham, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—66.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 970—An act to add a new article to Chapter 3, Part 3, Division IV, to be numbered Article 6, embracing sections 1350, 1351, 1352 and 1353 of the Fish and Game Code, and to amend section 1410 thereof, relating to amphibia, and to renumber present Articles 6 and 7 of Chapter 3, Part 3, Division IV.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During third reading of the bill, the following amendments were submitted by Mr. Zion:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, and on page 2 strike out line 1, and insert in lieu thereof the following

"SECTION 1. A new article, to be numbered Article 6, embracing sections 1350 to 1353, inclusive, is hereby added to Chapter 3, Part 3, Division IV of the Fish and Game Code, to read as follows:

Article 6. Amphibia.

1350. As used in this article, "frog" means the American bullfrog (Rana catesbeiana), the California Redlegged frog (Rana aurora draytonii), or any other species of edible frog.

1351. Except as otherwise provided in this article, it is unlawful to take or possess any frog less than four inches in length, measured from the tip of the nose to the posterior end of the body between the hind legs, or to take or possess more than twenty-four frogs per day or forty-eight frogs per week.

1352. Any person who conducts a place of business where frogs are sold to the public for food, or who takes or possesses frogs for sale to, or for use by, educational or scientific institutions for scientific purposes, may".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 6 and 7.

AMENDMENT NUMBER THREE.

On page 2, line 13, of the printed bill, strike out "SEC 5", and insert in lieu thereof the following: "SEC. 2".

AMENDMENT NUMBER FOUR.

On page 2, line 48, of the printed bill, strike out "SEC. 6", and insert in lieu thereof the following: "SEC. 3".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. King moved that the vote whereby Assembly Bill No. 1011 was passed, be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Badham, Boyle, Callahan, Cassidy, Clowdsley, Cronin, Field, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, King, Martin, McBride, McCarthy, O'Connor, Peterson, Rawls, Redwine, Rogers, Stannard, Sullivan, Thorp, Tournoux, Turner and Wright—28.

NOES—Alter, Anglim, Bowers, Burns, Chatters, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Hoffman, Hornblower, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Mayo, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Phillips, Powers, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stream, Utt, West, Williamson, Zion and Mr. Speaker—44.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 330—An act to amend sections 535 and 536 and to repeal sections 537 to 548, inclusive, of the Fish and Game Code, relating to obstructions and fish screens.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Zion:

AMENDMENT NUMBER ONE

On page 2, line 22, of the printed bill, as amended in Assembly March 15, 1933, after the word "or", insert the word "private".

AMENDMENT NUMBER TWO.

On page 2, line 27, of the printed bill, as amended in Assembly March 15, 1933, after the word "or", insert the word "private".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2007—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During third reading of the bill, the following amendments were submitted by Mr. Grubbs:

AMENDMENT NUMBER ONE

On page 1, line 14, of the printed bill, strike out "provisions", and insert in lieu thereof the following: "provision"

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 6 to 8, inclusive, and insert in lieu thereof the following: "at the last preceding general election. When the chairman

of any county central committee shall submit a list of names at least forty-five days prior to the election at which the election officers are to serve, the appointment of said officers shall be made from the list of names submitted. In the event the chairman of any county central committee shall fail to submit a list, the board of supervisors may appoint any qualified elector of the precinct to serve on said board, but all appointments shall be subject to the following provisions."

AMENDMENT NUMBER THREE.

On page 2, line 35, of the printed bill, strike out "the", and insert in lieu thereof *the following: "this"*.

AMENDMENT NUMBER FOUR.

On page 4, line 37, of the printed bill, insert the following directly under the signature line in line 36: "(Name and designation of official before whom taken.)"

AMENDMENT NUMBER FIVE.

On page 4, strike out line 38 of the printed bill.

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 219—An act to amend section 4017 of the Political Code, relative to consolidation of county offices.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During third reading of the bill, the following amendment was submitted by Mr. Crowley:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out lines 15 to 18, inclusive, and insert in lieu thereof the following: "county sealer of weights and measures"

Amendment adopted.

Bill ordered to reprint, and third reading.

RESOLUTION.

The following resolution was offered:

By Messrs. Zion, Knowland, Field and Cottrell.

WHEREAS, It appears that in the constitutional offices of the State of California, the number of hours of work required daily of the employees except on Saturdays is but six; and

WHEREAS, The eight-hour day has been maintained in other departments; therefore be it and it is hereby

Resolved, That said constitutional officers and the department heads furnish to the Assembly a statement of the number of hours the employees are working to the end that action may be taken to secure for the employees of all departments similar or the same number of working hours per day; and be it further

Resolved, That the Clerk be and he is hereby authorized and directed to send copies of this resolution to said constitutional officers and department heads.

Resolution read.

The question being on the adoption of the resolution.

Resolution adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill by Mr. Dempster—An act to add a new section to the School Code to be numbered 4.57, relating to the support of junior colleges--herewith returns the same with the recommendation that the author be not permitted to introduce it The reason for not allowing this request is as follows:

The author, in accordance with Standing Rule No. 67 of the Assembly and section 2 of Article IV of the Constitution has already introduced his two allotted bills, the numbers of which are as follows:
Assembly Bill No. 2320, March 4, 1933.
Assembly Bill No. 2327, March 9, 1933.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—64.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 893—An act to provide for instruction in mining safety by the Department of Natural Resources—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MAYO, Chairman.

The above reported bill ordered on file for second reading.

MOTION TO RE-REFER.

Mr. Morgan moved that Assembly Bill No. 521 be withdrawn from the Committee on Crime Problems, and ordered re-referred to Committee on Motor Vehicles.

The question being on re-referring Assembly Bill No 521 to Committee on Motor Vehicles.

Motion carried.

Assembly Bill No. 521 ordered re-referred to Committee on Motor Vehicles.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 27—An act to amend section 602 of the Penal Code, relating to trespass—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 24—Relative to memorializing the Congress of the United States to enact a two-year moratorium on foreclosures of real property mortgages and on sales under deeds of trust on real property—and reports that the same has been correctly engrossed

PATTERSON, Chairman

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 35—A resolution to propose to the people

of the State of California, an amendment to section 11, of Article VI of the Constitution of the State of California, relating to courts—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported Assembly Constitutional Amendment No. 35 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 306—An act to amend section 7 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expense thereof," approved May 23, 1923, relating to organization and management of fire protection districts;

Also: Assembly Bill No. 514—An act to amend sections 33, 34, 36, 40, 47, 53, 57, 65, 66, 73, 103a, 104, 105, 107, 112, 129, 130, 134, 135, 139, 142, 147, 150, 151, 152, 153, 156, 157, 159, 166, 170, 179, 184, 188, 189, 225, 226, 227, 228, 231, and 248 of the Code of Civil Procedure; to amend the headings of Chapter V of Title I of Part I and of Chapter V of Title II of Part I thereof; to add sections 108a, 159a, and 203 thereto; to add new Articles II and V to Chapter V of, and a new Chapter V-A to Title I of Part I thereof; to repeal the existing Article I of and to add a new Article I to Chapter V of, and to repeal the existing Chapter VI of, and to add a new Chapter VI to, Title I of Part I thereof; to renumber Articles II and III of Chapter V of Title I of Part I thereof, to be Articles III and IV, respectively, of said Chapter and to amend the headings of said articles; to amend sections 892, 914, 915, 916, 917, 918 and 921 thereof, and to renumber section 892 to be 109, section 914 to be 113, section 915 to be 113a, section 916 to be 113b, section 917 to be 113c, section 918 to be 113d and section 921 to be 108; and to repeal sections 37, 38, 39, 41, 42, 43, 44, 45, 46, 49, 50, 51, 52, 52a, 54, 55, 56, 67b, 68, 69, 70, 71, 72, 75, 76, 77, 78, 79, 106, 160, 161, 167, 170b, 176, 182, 183, 304, 831f, 831g, 911, 912, 913, 920, 927 to 927q, inclusive, 929, 930, 931, 932, 933 and 933¼ thereof; all relating to courts of justice and various officers connected therewith;

Also: Assembly Bill No. 548—An act to amend section 10 of an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1913, and all amendments thereto;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 996—An act to amend section 797 of the Agricultural Code, relating to the standardization of grapefruit;

Also: Assembly Bill No 1406—An act to repeal an act entitled "An act providing for the compilation of, printing, binding, publishing, and distribution of a legislative manual, State Blue Book or roster, repealing all conflicting acts," approved May 2, 1929;

Also: Assembly Bill No. 1990—An act to provide a permit to be issued to any person, firm, corporation or association manufacturing or distributing alcoholic beverage; to impose an excise tax upon the manufacture and distribution of such alcoholic beverage; to provide methods and penalties for the enforcement of the tax;

and to credit the revenues derived therefrom to the general fund of the State and providing when this act shall become effective;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 17—A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and the qualification, compensation, and manner of electing the delegates to such convention—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported Assembly Concurrent Resolution No. 17 ordered on file for adoption.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 21, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 83—An act to repeal "An act to provide for the support of vocational reeducation and rehabilitation of workmen disabled in industry in this State, and to create a fund for these purposes to be known as the industrial rehabilitation fund by fixing an additional liability upon all employers liable under said act in cases where employees receive fatal compensable injury and leave no dependents," approved May 2, 1919;

Also: Assembly Bill No. 86—An act to repeal "An act to require the payment of certain premiums to counties, and cities and counties, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums," approved March 3, 1885.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 21, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 884—An act transferring from the vocational rehabilitation fund to the general fund of the State the sum of $33,000;

Also: Senate Bill No. 223—An act to amend section 16x51 of the Weights and Measures Act, relating to the office of the sealer of weights and measures, in counties of the fifty-first class;

Also: Senate Bill No. 222—An act to amend section 4286 of the Political Code relating to the compensation of county and township officers and their deputies, assistants and employees, and of jurors in counties of the fifty-seventh class;

Also: Senate Bill No. 665—An act to amend section 9a54 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the fifty-fourth class;

Also: Senate Bill No. 791—An act to amend section 60 of the Public Utilities Act, relating to complaints and procedure in respect thereto.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 884 read first time, and referred to Committee on Ways and Means.

Senate Bills Nos. 223, 222 and 665 read first time, and referred to Committee on County Government.

Senate Bill No 791 read first time, and referred to Committee on Public Utilities.

REQUESTS FOR PERMISSION TO USE ASSEMBLY CHAMBER.

Mr. Dempster asked for, and was granted, permission to use the Assembly Chamber for this evening, for consideration of bills pending before the Committee on Labor and Capital.

Mr. Roland asked for, and was granted, permission to use the Assembly Chamber after adjournment this day, for the consideration of bills pending before the Committee on Education.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Bliss: Assembly Joint Resolution No. 26—Relative to memorializing Congress to propose an amendment to the Constitution of the United States providing for economic planning and regulation.

Introduced, and referred to Committee on Unemployment.

MOTION TO RE-REFER.

Mr. Powers moved that Assembly Bill No. 917 be withdrawn from Committee on Ways and Means, and re-referred to Committee on Banking.

The question being on re-referring Assembly Bill No. 917 to Committee on Banking.

Motion carried.

Assembly Bill No. 917 ordered re-referred to Committee on Banking.

ADJOURNMENT.

At four o'clock and twenty minutes p.m., on motion of Mr. Robinson. C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, March 22, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, March 22, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—79.

Quorum present.

PRAYER.

By invitation of the Speaker, prayer was offered by Rabbi Rudolph I. Coffee, former Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr. Crowley, Mr. O'Donnell was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. McMurray, Assistant Chief James L. Shanahan of the San Francisco fire department was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. McMurray, Rabbi Rudolph I. Coffee of San Francisco was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Williamson, Mr. Joseph Rose of San Francisco was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. West, Mrs. Ardyth Berry, teacher; W. B. McClard, principal of Isleton Grammar School, and the following students of the seventh and eighth grades: Alfred Avila, Alvin Avilla, Kenneth Berg, Muriel Blank, George Brown, Madge Bender, Willie Carvalho, Elsie Fernandez, Wilbert Fernandez, Bobby Freitas, Bruno Giovannoni, Louis Gonzales, Marie Heffner, Jake Hessler, Marian Huntley, Harry Hodgers, Eula James, Edgar Knapp, Violet Kot, Manuel Lopez, Helen Maria, Calvin Machado, Lucile Perry, Margaret Perry, June Rice, Freddie Rosellini, Victor Scheech, Henry Schlager, Raymond Smith, Frank Terry, Johnny Valente, Elger Vengley, June Vengley, Charles Worcester and Richard Worcester were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. West, Viola N. Coe, teacher, and the following students of the Donner School, Sacramento: Arthur Costa, Leonard Durant, Bob Hammel, Charles Yancey, Stanford Wilson, Eugene Jacobson, Thurston Cole, Gordon Husby, Joe Faraci, Bob Rogers, Kay Whittington and Ernest Crews, of the high eighth grade, and Phina Hamner, teacher, Jack Hulen, Le Roy Gale, Harold Steving, Marshall Schindler, Billy Pemberton, Walter Stephan, Leonard Kemp, Leland Riley, Charles Williams, Charles Rhodes, Don Shafer and Bob Irving of the low eighth grade, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Evans, Charles P. Bayer, field secretary, Los Angeles Chamber of Commerce, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Roland, Ollie Snedigar, probation officer, Oakland, and R. R. Miller, probation officer, San Francisco, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cronin, Mrs. Frank Crivello was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Knowland, Miss Annie F Brown of Oakland and Mrs. Stanley Moore of Piedmont were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Burns, Hon. John W. Runner, former Assemblyman of Humboldt County, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Anglim, Wayne L. Hawkins, instructor, and the students of the Antioch High School social problems class were extended the privilege of the floor of the Assembly for this day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 515—An act to amend sections 372, 373, 392, 393, 394, 395, 397, 398, 399, 400, 406, 407, 408, 410, 412, 413, 415, 416, 422, 426, 437, 446, 465, 472, 473, 480, 481, 482, 483, 484, 485, 488, 489, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 511, 512, 513, 514, 515, 517, 518, 519, 520, 529, 538, 539, 540, 542, 542a, 543, 544, 545, 546, 547, 548, 549, 550, 551, 553, 554, 555, 556, 559, 573, 574, 581, 581a, 581b, 585, 594, 595, 596, 600, 601, 607, 607a, 618, 628, 631, 632, 634, 638, 639, 640, 641, 644, 649, 650, 651, 652, 653, 659a, 661, 663, 664, 666, 667, 668, 670, 671, 672, 673, 674, 675, 681a, 682, 683, 687, 689, 691, 712, 713½, 714, 715, 716, 717, 718, 719, 720, 721, 722, 936, 959, 983, 984, 985, 986, 987, 988, 988a, 988b, 988c, 988d, 988g, 988h, 988i, 989, 997, 1000, 1003, 1004, 1005, 1006, 1011, 1015, 1021, 1033, 1034, 1051, 1052, 1054, and the headings of Chapters I, II, III and IV of Title XIII, Part II, of the Code of Civil Procedure; to add sections 396, 396a, 437b, 437c, 437d, 472a, 473a, 477, 594a, 648a, 667, 973, 983, 1008, 1031, 1032, and 1054 to said code; to amend sections 476, 710 (as added by Chapter 92, Statutes 1903), 710½, 842, 872, 1023, 1028, 1029, 1030, 1031, 1032, 1036, 1038 and 1039 of said code and to renumber said sections as follows: 842 to be 411a, 476 to be 472b, 872 to be 586, 710 to be 710b, 710½ to be 710c, 1023 to be 1022, 1028 to be 1023, 1029 to be 1024, 1030 to be 1025, 1031 to be 1026, 1032 to be 1027, 1038 to be 1028, 1039 to be 1029, and 1036 to be 1030; and to repeal sections 396, 633, 831, 831a, 831b, 831c, 831d, 831e, 831h, 831i, 831j, 832, 833, 834, 835, 835a, 836, 838, 839, 840, 841, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 857a, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 889, 890, 890a, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 900a, 900b, 901, 901a, 902, 903, 904, 905, 906, 907, 908, 909, 910, 919, 922, 923, 924, 925, 926, 964, 965, 982a, 1022, 1024, 1025, 1026, 1027, 1035, and 1037 of said code, and the heading of Title X-A of Part II, and all chapter headings in said title, the heading of Title XI of Part II, and all chapter headings in said title, and the heading of Title XII, of Part II, of said code, all relating to civil actions—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 305—An act to add a new section, to be numbered 52a to "The California Irrigation District Act," providing for the use of certain bonds and coupons in the payment of assessments;

Also: Assembly Bill No 733—An act to amend section 2 of an act entitled "An act providing for the exhibit of the products and resources of the State of California at the Chicago World's Fair Centennial Celebration to be held at Chicago, Illinois, in 1933, creating the California World's Fair Centennial Celebration Commission and defining its powers and duties, and making an appropriation therefor," approved June 12, 1931, relating to powers and duties of said commission;

Also: Assembly Bill No. 998—An act to amend section 815 of the Agricultural Code, relating to the standardization of Persian melons, casabas, honeydew melons and watermelons;

Also: Assembly Bill No. 999—An act to amend section 811 of the Agricultural Code, relating to the standardization of cantaloupes;

Also: Assembly Bill No. 1763—An act to amend sections 76, 808, 809 and 810 of the Fish and Game Code and to add thereto section 808.5, relating to fish and game;

Also: Assembly Bill No. 2095—An act to amend sections 893 and 898 of the Agricultural Code, relating to inspection of farm products and the regulation of such inspection;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON MINES AND MINING.

SENATE CHAMBER, SACRAMENTO, March 22, 1933.

MR SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 338—An act to amend sections 1 and 2 of an act entitled "An act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works," approved May 30, 1913, relating to the keeping of records of the hours worked, providing penalties for violation of the act, providing for the enforcement of the act by the Department of Industrial Relations and extending the benefits of the act to workers employed in sheds or buildings in lime and cement and plants where dust is created—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MAYO, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 866—An act to amend sections 612, 651, 654, 659 of the Fish and Game Code and to add thereto sections 615 5, 658.5 and 658.6, relating to salmon and trout—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ZION, Chairman.

The above reported bill ordered on file for second reading.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 469—An act to repeal "An act to provide for the protection and preservation of public highways from damage by storm waters and floods, and to authorize the expenditure of public moneys for the purposes thereof," approved April 1, 1897.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 464—An act to repeal "An act relating to the granting by counties and municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles," approved March 27, 1897.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 259—An act providing for the construction and operation by the State of California of a system of works designated as the Central Valley Project for the conservation, development, distribution and utilization of water; defining and prescribing the units or parts of said project; also defining the prerequisite conditions under which said project shall be constructed; defining the duties and powers of the Department of Public Works and of the State Engineer in relation to said project; creating a Water Administration Board and defining its duties and powers with relation to the construction and operation of said project; authorizing the issuance and sale of general obligation bonds of the State of California in the amount of $160.000,000 for the purpose of defraying the cost of construction of said project; and providing for the payment of such bonds with the interest thereon, and for the creation of a water construction fund and a water revenue fund in the State treasury.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 873—An act to amend section 1182 of the Penal Code, and to add a new section thereto, to be numbered 1183, relating to new trials.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1334—An act to amend section 1240 of the Code of Civil Procedure, relating to the taking of private property under proceedings in eminent domain.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1338—An act to add a new section to the Political Code to be numbered 363cc, authorizing the filing for record of State highway maps and prescribing the duties of county recorders with relation thereto.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1351—An act to amend section 4156b of the Political Code, prohibiting district attorneys of counties or cities and counties from defending or assisting in the defense of, or acting as counsel for, defendants in civil actions and proceedings, when the State or any county or city and county or municipality or other political subdivision of the State, is a party plaintiff, and to redesignate said section 4156b as section 4156c of the Political Code.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1357—An act to add a new section to the Probate Code, to be numbered section 1026, relating to distribution of an estate where no heirs appear in the course of administration and claim the estate or some part thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 245—An act to amend sections 3 and 5b of the "Narcotic Rehabilitation Act," relating to drug addicts.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 2301—An act to amend section 660 of the Fish and Game Code and to add thereto a new section, to be numbered 660 5, relating to salmon.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 1 and 2 of the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 660 of the Fish and Game Code, relat-".

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, after the comma following "16", insert the following: "17,".

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, strike out "April", and insert in lieu thereof the following: "March".

AMENDMENT NUMBER FOUR.

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

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 453—An act to amend sections 901 and 910, and to repeal sections 902 and 904 of the Probate Code, relating to compensation of executors, administrators, and attorneys.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 and 2 of the title, and insert in lieu thereof the following: "An act to amend sections 901 and 910 of the Probate".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 7 to 10, inclusive, and insert in lieu thereof the following: "pensation is expressly provided by will and not otherwise, or the executor named in an holographic will, or the administrator, or the administrator with the will annexed".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 37 and 38, and insert in lieu thereof the following:

"SEC. 3. Nothing in this act shall apply to wills executed prior to the time this act takes effect."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1118—An act to amend sections 1, 3, 4, 5, 6, 8 and 9 of and to add section 10 to an act entitled "An act to regulate the practice of architecture," approved March 23, 1901.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 1 and 2 of the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 3, 4, 5, 6, 8 and 9 of, to add sections 1, 1a, 1b, 9a and 10 to, and to amend and renumber section 1 to be section 1c of an act entitled "An act to regulate the prac-".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the act cited in the title hereof to be numbered section 1 and to read as follows:

Sec. 1. This act may be known and cited as the "State Architectural Act."

SEC. 2. A new section, to be numbered section 1a, is hereby added to said act, to read as follows:

Sec. 1a. The intent and purpose of this act is: to define certain words and phrases as used in this act; to create a State board to be known as the "California State Board of Architectural Examiners," to provide for its organization, powers and duties; in order to safeguard life, health and property, to require prior evidence of qualification in architecture before any person shall engage in the practice thereof, or assume the title "architect"; to regulate the practice of architecture and the use of the title "architect"; to provide for the enforcement of this act; to provide penalties for violations thereof; and, to provide for certain exemptions hereunder.

SEC. 3. A new section, to be numbered section 1c, is hereby added to the act cited in the title hereof, to read as follows:

Sec. 1b. Definitions: As used in and for the purpose of this act, certain terms or words and phrases shall have the meanings and/or include the activities ascribed to them, and certain provisions shall be construed as set out in this section, unless it shall be apparent from their context that they have a different meaning:

(a) Words used in the singular include the plural and the plural the singular.

(b) Words used in the present tense include the future and words in the future tense include the present tense.

(c) Words used in the masculine gender include the feminine.

(d) The words "person" shall mean a natural person.

(e) The term "State board" means the California State Board of Architectural Examiners as by this act created and established.

(f) The term "district board" means a division of the California State Board of Architectural Examiners as determined and established by the provisions of this act.

(g) The term "building law" shall mean any legislative act, law, code, ordinance or other statute of this State, or of any political subdivision thereof, now existing or hereafter to be enacted, which regulates and/or governs the arrangement, construction, erection, alteration and/or completion of buildings; and/or which requires that a permit be first obtained before commencing or proceeding to construct, erect or alter buildings; and/or which requires that a certificate of final completion be issued or a permit be first obtained before occupying such buildings.

(h) The term "building department" shall mean any officer, inspector, Board of Public Works, Board of Building and Safety Commissioners, Housing Commission, department or other lawful official or agency of this State, or of any political subdivision thereof, now or hereafter charged with the enforcement of building laws and/or empowered to grant permits to construct, erect or alter buildings and/or to issue permits of occupancy or certificates of final completion.

(i) The term "building" when used in an objective sense, shall mean any fixed, framed and homogeneous structure, erected by art upon or in any soil not a public thoroughfare, the bulk of which is above ground and designed for permanent use in its fixed position; provided the construction and/or arrangement of such structure is regulated or governed by, or a permit to construct, erect, alter or occupy, is required by any building law; and further provided, that it is intended that such structure be ordinarily entered into by man for the storage of goods, or for use, and/or occupancy, for worship, shelter, business or pleasure.

Said term "building" shall include any addition, annex or extension to an existing building; or any alteration or remodeling of an existing building which involves any rearrangement or change to its component parts or to its structural load-sustaining members; or the replacement and/or reconstruction of an existing building which, by any cause, has been destroyed in any of its component parts or its structural load-sustaining members

(j) The term "architectural building permit documents" shall mean such drawings, plans, elevations, sections, details, specifications, calculations, instruments of service, and/or other information or data, in whole or in part, and in such detail and completeness, as are by any building law, required to be submitted with, or to be filed with, or to accompany, an application in order to obtain, from a building department, a permit to construct, erect or alter, a building.

(k) The term "architecture," when used in the active sense, shall mean the art and science of designing and constructing buildings, in which art and science, certain functions of the architect, are hereinbelow described:

The designing of buildings and the manifestation thereof in the architectural building permit documents is the special province and primary function of the architect;

The constructing of buildings is a general province in which the function of the architect is the interpretation of architectural building permit documents, the directive supervision of construction and the general inspection of executed work.

(l) The term "architect" means a person who, in accordance with the provisions of this act, has submitted evidence that he is sufficiently versed in architecture to discharge, with due regard to safety of life, health and property, the professional functions of an architect; and who, in attestation of such fact, holds, in conformity with the provisions of this act, a valid unrevoked certificate certifying his qualification to practice architecture.

(m) The phrase "to practice architecture" or "the practice of architecture" shall mean the preparation and/or furnishing of architectural building permit documents for or to others.

SEC. 4. Section 1 of said act is hereby renumbered section 1c and amended to read as follows:

Sec. 1c. In order to carry out the provisions of this act, the Governor of the State shall appoint ten".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out line 11, and insert in lieu thereof the following: "acts and duties as may be provided for in this act and necessary for its enforcement. The other five mem-".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 24 to 26, inclusive, and insert in lieu thereof the following:

"SEC. 5. Section 3 of said act is hereby amended to read as follows:".

AMENDMENT NUMBER FIVE.

On page 2, line 31, of the printed bill, after the word "words", insert "California".

AMENDMENT NUMBER SIX.

On page 2, line 33, of the printed bill, after the word "words", insert "California".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out lines 44 and 45, and insert in lieu thereof the following: "Special meetings of the State board shall be called by the secretary upon the".

AMENDMENT NUMBER EIGHT.

On page 2, line 48, of the printed bill, after the word "meeting", and before the period, insert the following: ", unless said notice is waived in writing by each member".

AMENDMENT NUMBER NINE.

On page 2, line 52, of the printed bill, after the words "such meeting", strike out the period, and insert in lieu thereof the following: ", unless said notice is waived in writing by each member"

AMENDMENT NUMBER TEN.

On page 3, line 21, of the printed bill, after the word "to", insert the following: "enforce the provisions of this act and to"

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill, between lines 28 and 29, insert the following: "All building departments, as defined in this act, shall, under the direction of the State board or a district board, assist in the enforcement of this act; and, such architect as is directively supervising and controlling the construction or erection of any building, shall assist the building department in the enforcement of such building laws as are applicable to the construction and erection of such building."

AMENDMENT NUMBER TWELVE.

On page 3 of the printed bill, strike out lines 46 and 47, and insert in lieu thereof the following: "with his application to the secretary of the district board wherein said person resides of a fee of fifteen dollars, which fee shall be retained by the district board;".

AMENDMENT NUMBER THIRTEEN.

On page 4, line 8, of the printed bill, strike out the word "final", and insert in lieu thereof the following: "State".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 14, of the printed bill, after the word "incompetency", insert the following: "or gross negligence"

AMENDMENT NUMBER FIFTEEN.

On page 4, line 20, of the printed bill, strike out the word "final", and insert in lieu thereof the word "State"

AMENDMENT NUMBER SIXTEEN.

On page 4 of the printed bill, strike out lines 21 and 22, and insert in lieu thereof the following: "ing next succeeding. A holder of a provisional certificate may, upon payment of the annual license fee, practice architecture".

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 26, of the printed bill, strike out "Sec. 4", and insert in lieu thereof the following: "Sec. 6"

AMENDMENT NUMBER EIGHTEEN

On page 4 of the printed bill, strike out line 28, and insert in lieu thereof the following:

"SEC. 4. Every architect shall within thirty (30) days of issuance have his provisional and State".

AMENDMENT NUMBER NINETEEN.

On page 4 of the printed bill, after line 33 insert the following "Every architect licensed to practice in accordance with the provisions of this act shall, in his principal office, place of practice or employment, display, in a conspicuous place, both his annual license to practice and his certificate to practice architecture"

AMENDMENT NUMBER TWENTY.

On page 4 of the printed bill, strike out lines 37 and 38, and insert in lieu thereof the following "in connection with any architectural building permit documents or other data that have not been pre-".

AMENDMENT NUMBER TWENTY-ONE

On page 4, after line 39, of the printed bill, insert the following.

"No architect shall act in the capacity of a general building contractor or subcontractor, or in any manner engage in the business of constructing or erecting buildings, for others, under contracts such as would involve guaranteeing the actual cost of the construction work, or the sharing in the profits of such work, or have

any pecuniary interest in the cost of such work which would preclude his impartially adjudicating any dispute which might arise as between his client or principal and the building contractors or workmen in the performance of the contract to construct said buildings in accordance with the architectural building permit documents therefor; nor shall the architect have any other pecuniary interest in the cost of constructing said buildings without the knowledge and consent of the client or principal by whom he in engaged or retained as architect, to render or perform such professional services as are involved in the discharge of his functions or duties as an architect; nor shall an architect act for more than one party to a transaction without the knowledge or consent of all parties thereto."

AMENDMENT NUMBER TWENTY-TWO.

On page 4, line 40, of the printed bill, strike out "Sec 5.", and insert in lieu thereof the following: "Sec. 7"

AMENDMENT NUMBER TWENTY-THREE.

On page 4 of the printed bill, strike out lines 42 to 51, inclusive, and on page 5, strike out lines 1 to 47, inclusive, and insert in lieu thereof the following:

"Sec. 5. No person shall use the word architect as a title or assume the title "architect" in this State unless he be an architect as in this act defined.

In order to safeguard life, health, and property: no person unless he is exempt under this act, shall practice architecture in this State unless he is an architect as in this act defined; and, no architect shall engage in practice without a license as required by this act."

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 48, of the printed bill, strike out "Sec 6 ", and insert in lieu thereof the following. "Sec. 8. '

AMENDMENT NUMBER TWENTY-FIVE.

On page 6 of the printed bill, strike out lines 2 and 3, and insert in lieu thereof the following: "lars, provided that the State board may reduce said fee to not less than five".

AMENDMENT NUMBER TWENTY-SIX.

On page 6, line 6, of the printed bill, after "April", insert "next".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 6 of the printed bill, strike out lines 17 and 18, and insert in lieu thereof the following "entitled to practice for a term expiring on the December thirty-first next following; but notwithstanding the possession by any archi-"

AMENDMENT NUMBER TWENTY-EIGHT.

On page 6, line 24, of the printed bill, after "the", insert ' aforesaid".

AMENDMENT NUMBER TWENTY-NINE.

On page 6, line 30, of the printed bill, after "said", insert "district".

AMENDMENT NUMBER THIRTY

On page 6, line 35, of the printed bill, after "the", insert "said district".

AMENDMENT NUMBER THIRTY-ONE.

On page 6, line 37, of the printed bill, after "the", insert "said district"

AMENDMENT NUMBER THIRTY-TWO.

On page 6 of the printed bill, after line 38 insert the following "A district board shall have authority to issue to a person not a resident of and having no established place of business in this State, a temporary license to practice architecture in connection with a stipulated building, provided that said person shall make application for said license and submit evidence satisfactory to the board of the district in which said building is to be erected, that he is qualified to practice architecture in his own State or country, and further provided that he shall have paid to the said board, a fee of twenty-five (25) dollars for said license"

AMENDMENT NUMBER THIRTY-THREE.

On page 6, line 39, of the printed bill, strike out "Sec 8", and insert in lieu thereof "Sec 9."

AMENDMENT NUMBER THIRTY-FOUR

On page 6, line 42, of the printed bill, strike out "final", and insert in lieu thereof "State".

AMENDMENT NUMBER THIRTY-FIVE

On page 7, line 41, of the printed bill, strike out "final", and insert in lieu thereof "State".

AMENDMENT NUMBER THIRTY-SIX.

On page 8, line 4, of the printed bill, strike out "Sec 9.", and insert in lieu thereof "Sec. 10."

AMENDMENT NUMBER THIRTY-SEVEN.

On page 8 of the printed bill, strike out lines 6 to 19, inclusive, and insert in lieu thereof the following

"SEC 9 Any person who, not being an architect as in this act defined, shall use the word architect as a title or assume the title "architect," or advertise or put out any sign or card or other device which might indicate to the public that he, or any other uncertificated person, is an architect or that he is qualified to engage in the practice of architecture, shall be guilty of a misdemeanor.

Any person who, not being a licensed architect, or any architect whose certificate has been revoked or who while his license to practice is under suspension, shall practice architecture, shall be guilty of a misdemeanor, unless he is exempt under this act

Any person, firm or corporation, who shall otherwise violate any of the provisions of this act, unless specifically exempted by a provision of this act, shall be guilty of a misdemeanor.

Under this act, a misdemeanor shall be punishable by a fine of not less than fifty dollars or by imprisonment in the county jail, or by both."

AMENDMENT NUMBER THIRTY-EIGHT.

On page 8 of the printed bill, after line 19, insert the following:

"SEC 11 A new section to be numbered section 9a is hereby added to the act cited in the title hereof, to read as follows

Sec. 9a Exemptions

(a) Any person not a resident of and having no established place of business in this State, when acting as a consulting associate of an architect licensed to practice architecture in this State, shall be exempt from the provisions of this act; provided, however, that such nonresident person is a certificated or registered architect licensed to practice architecture under a law of the State or Territory in which he resides

(b) The following shall be exempt from the provisions of this act, provided however, that no such exempt person, firm or corporation, shall use the word "architect" as a title, or assume the title "architect," or use any word or title of like implication;

Officers and employees of the United States of America when engaged in the discharge of their duties solely as such officers or employees;

All persons when acting subordinate to an architect licensed to practice architecture under and in accordance with the provisions of this act;

Any person who is registered as or who holds a valid unrevoked certificate or license to practice as, and practices under, the title "structural engineer," by authority of a law of this State governing or regulating the practice of civil engineering;

Any person, firm or corporation, in so far as such person, firm or corporation furnishes, either alone or with subcontractors, labor and materials (either with or without drawings, plans, specifications, instruments of service or other data covering such labor and materials), for store fronts, interior alterations or additions, fixtures, cabinet work, furniture or for other appliances or equipment, or for any work, necessary to provide for their installation, or for any alterations or additions to any building necessary to or attendant upon the installation of such work."

AMENDMENT NUMBER THIRTY-NINE.

On page 8, line 20, of the printed bill, strike out "10", and insert in lieu thereof the following: "12".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 2294—An act to declare a moratorium on foreclosure of mortgages; prohibiting the sale under provision of a mortgage or deed of trust; and prohibiting the bringing of any action for the collection of any debt or the interest thereon for which a mortgage or deed of trust has been given as security.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act relating to and providing for a moratorium with respect to the requirement for the performance of prospecting work contained in certain State mineral permits other than those issued for prospecting for oil or gas, under the authority

contained in Chapter 303, Statutes of California, 1921, as amended, and declaring the urgency thereof, to take effect immediately."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 12, inclusive, and insert in lieu thereof the following:

"SECTION 1. A moratorium is hereby declared with respect to the requirement for the performance of prospecting work contained in certain State mineral permits other than those issued for prospecting for oil or gas, under the authority contained in Chapter 303, Statutes of California, 1921, as amended, effective on the date of the approval of this act and terminating upon the first day of January, 1935; provided, however, that this act shall not be construed as an extension of the period of any such State mineral permit heretofore issued or which may hereafter be issued.

SEC. 2. This act is hereby declared an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and as such it shall take effect immediately. The facts constituting such necessity are as follows:

Due to the existing economic crisis and proclamation of the President of the United States and recent legislation imposing restrictions upon withdrawal of funds from banks, it is, at present, impossible for permittees of said State mineral permits to obtain money with which to perform the required prospecting work. As a result, unless this act takes effect immediately, permittees will lose such State mineral permits, and thereby suffer losses on account of investments made in prospecting work.

It is, therefore, necessary that this act go into effect immediately to curb the effects of the existing national crisis."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1138—An act to amend the Political Code by adding to Part IV, Title II, Chapter VIII of said code a new article to be numbered Article III, embracing sections 4222a to 4222*l*, inclusive, amending section 2641 and repealing sections 2642, 2645 and 4222 of said code, thereby creating the office of county engineer, transferring to the county engineer all the powers and duties of the county surveyor and the powers and duties of other officers and employees of the county with respect to county roads, highways and bridges, and vesting in the county engineer additional powers and duties with respect to construction, improvement, maintenance and repair of county roads, highways and bridges, and to repeal the County Engineer Act.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out lines 11 to 13, inclusive, and insert in lieu thereof the following: "to practice civil engineering Before entering upon".

AMENDMENT NUMBER TWO.

On page 2, line 2, of the printed bill, after "salary", insert the following: "or compensation".

AMENDMENT NUMBER THREE

On page 2, line 4, of the printed bill, after "salaries", insert the following: "or rates of compensation".

AMENDMENT NUMBER FOUR.

On page 2, line 6, of the printed bill, strike out "adjoining"

AMENDMENT NUMBER FIVE.

On page 2, line 12, of the printed bill, after "salary", insert the following: "or compensation".

AMENDMENT NUMBER SIX.

On page 2, line 14, of the printed bill, after "salaries", insert the following: "or compensation".

AMENDMENT NUMBER SEVEN

On page 4, line 8, of the printed bill, strike out "adjoining".

AMENDMENT NUMBER EIGHT.

On page 4, line 16, of the printed bill, after "bridges," insert the following: "or other work ordered by the board of supervisors,".

AMENDMENT NUMBER NINE.

On page 4 of the printed bill, strike out lines 35 to 37, inclusive, and insert in lieu thereof the following:

"2641. The board of supervisors of each county shall constitute the county a separate road district, or may, in lieu thereof, divide the county into two or more suitable road districts, and may change the boundaries of such districts."

AMENDMENT NUMBER TEN.

On page 5, line 7, of the printed bill, after the word "officers", insert a comma and the following: "and validating this act and declaring it to be in full force and effect.

SEC. 6 This act shall not apply to any county or city and county now having or hereafter adopting a freeholders' charter which provides for the office of county surveyor, county road commissioner, or other engineering officer exercising any of the functions which are herein vested in the county engineer".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2069—An act to amend the act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after "amend", insert the following: "section 6 of".

AMENDMENT NUMBER TWO.

In line 4 of the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "relating to examination and licensing of persons who have been engaged as apprentices."

AMENDMENT NUMBER THREE

On page 1, line 1 of the printed bill, strike out "The", and insert in lieu thereof the following: "Section 6 of the".

AMENDMENT NUMBER FOUR

On page 1 of the printed bill, after line 2 add the following

"SEC. 6. Any person over twenty-one years of age shall be eligible to take an examination before the Board of Dental Examiners of California, upon making application therefor, and upon (1) paying a fee of twenty-five dollars; provided, that the fee shall be fifty dollars for applicant presenting credentials of graduation from dental schools other than in California; (2) furnishing satisfactory testimonials of good moral character; (3) furnishing satisfactory evidence of having graduated from a reputable dental college, which must have been approved by the Board of Dental Examiners of California: provided, he shall also file his diploma or certificate of graduation with recommendations from a high school accredited to the University of California or any other university of equal standing; or a certificate signed by a State Superintendent of Public Instruction, or similar officer to the effect that such applicant has had scholastic preparation equivalent in all respects to that demanded for graduation with recommendations from a high school giving a four-year course of instruction in the State from which such certificate is issued; (4) in lieu of such diploma or certificate from an accredited high school, such applicant may and with like effect furnish to said Board of Dental Examiners a certificate from the Board of Dental Examiners, or similar official body, of some other State in the United States, showing that such applicant has been a duly licensed practitioner of dentistry in such other State for a period of at least five years; provided, however, that every person actually engaged as an apprentice to a regularly licensed dentist who has, prior to the effective date of this amendment, practiced in the State of California for ten years or more shall be eligible for examination, if, within thirty days from and after the date upon which this amendment takes effect, he shall file with the secretary of the board an affidavit stating his name, age, the length of time for

which he has been actually apprenticed and with whom, and who, at the time of his application for examination shall show to the satisfaction of the board that he has served an apprenticeship of at least five years and is a graduate from a high school or similar institution of learning in this or some other State of the United States requiring a three years' course of study. Each applicant for the certificate of scholastic preparation to be issued by the State Superintendent of Public Instruction as hereinbefore provided shall pay a fee of ten dollars, all of such fees to be paid into the State treasury to the credit of the contingent fund of the Superintendent of Public Instruction and applied by him in defraying or in partially defraying the expense of investigating the qualifications of such applicants."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 318—An act to amend sections 1, 7, 8a, 8c, 8d, 8e, 8f, 8g, 8½, and 9, to repeal sections 8 and 8b, and to add two new sections to be numbered 8 and 8b, to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 1, of the title of the printed bill, after "1," insert "6,".

AMENDMENT NUMBER TWO.

On page 1, lines 2 and 3, of the title of the printed bill, strike out "two new sections to be numbered", and insert in lieu thereof the following: "new sections to be numbered 7a,".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, between lines 27 and 28, insert the following:

"SEC. 1a. Section 6 of said act is hereby amended to read as follows:

Sec. 6. It is hereby made the duty of the district attorney of the county wherein any violation of this act is committed, to conduct all actions and prosecutions for the same; provided, that actions and prosecutions under the provisions of this act relating to the labeling, sale or use of poisons shall be made at the request of the Board of Pharmacy. The board may employ special counsel to assist the district attorney in such actions and prosecutions, but the compensation for such special counsel shall be paid only from funds derived from fines collected in prosecutions under the provisions of this act relating to poisons

Subject to the approval of the Attorney General, the Chief of the State Division of Narcotic Enforcement shall have the power to employ special counsel who shall have authority to take complete charge of the conduct of actions or prosecutions for any violation of the provisions of this act relating to narcotics. The Chief of the Division of Narcotic Enforcement shall have power to fix the compensation to be paid for such service and may incur such other expense in connection with the conduct of such actions or prosecutions as he may deem necessary

No attorney employed as special counsel under the provisions of this section shall receive as compensation therefor any sum in excess of three thousand five hundred dollars in any one year."

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, at the end of line 32, insert the following: "substances or".

AMENDMENT NUMBER FIVE.

On page 2, lines 40 and 41, of the printed bill, strike out "their derivatives mentioned therein," and insert in lieu thereof the following: "substances mentioned therein, or their salts, derivatives, or any preparation thereof,".

AMENDMENT NUMBER SIX.

On page 2, line 42, of the printed bill, after "8a", insert the following: ", or the first paragraph of section 8d,".

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, strike out lines 17 and 18, and insert in lieu thereof the following: "Any person violating any of the provisions of this act, except those for which a penalty is otherwise in this act specifically provided, shall be deemed".

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, between lines 29 and 30, insert the following

"SEC 2a. A new section is hereby added to said act, to be numbered 7a, and to read as follows:

Sec. 7a. It shall be the duty of all judges and magistrates collecting fines or forfeitures under this act to keep a record of said fines or forfeitures, and, upon the imposition of any such fine or forfeiture, to immediately transmit a copy of the record thereof to the county clerk of the particular county. It shall be the duty of the county clerk to keep a record of the fines and forfeitures imposed under this act in his county.

Whenever an imprisonment has been imposed for a violation of this act, and before the termination of the sentence thereof, the defendant is released by the vacation of the sentence of imprisonment and the imposition of a fine or forfeiture in lieu thereof, said lieu fine or forfeiture shall be recorded and accounted for in the same manner as though it had been imposed in the first instance.

It shall be the duty of the county clerk of each county to transmit to the State Treasurer an annual report of the fines and forfeitures collected during the calendar year within his county. Said report must be rendered before the fifteenth day of January of the following year.

It shall be the duty of the State Treasurer to check the report of each county clerk with the transmittals of fines and forfeitures from the judges and magistrates, and whenever it is apparent that fines or forfeitures have not been transmitted, it shall be the duty of the State Treasurer to bring suit to enforce the collection or transmittal thereof, or both.

The official bond of any judge or magistrate shall be liable for his failure to transmit the fines or forfeitures imposed by him under the provisions of this act.

The records kept by any judge, magistrate or county clerk, under the provisions of this section, shall be open to the public for inspection, and may be checked by the State Treasurer, the Attorney General, the district attorney of the particular county, or the State Division of Narcotic Enforcement."

AMENDMENT NUMBER NINE.

On page 4, line 21, of the printed bill, after the word "articles", insert the following: "ordered or".

AMENDMENT NUMBER TEN.

On page 6, line 3, of the printed bill, after the word "physician", insert the following: "and surgeon".

AMENDMENT NUMBER ELEVEN.

On page 6, line 14, of the printed bill, strike out "grams", and insert in lieu thereof "grains".

AMENDMENT NUMBER TWELVE.

On page 7, line 13, of the printed bill, strike out "four", and insert in lieu thereof "two".

AMENDMENT NUMBER THIRTEEN.

On page 9 of the printed bill, between lines 44 and 45, insert the following as a paragraph:

"The words "cannabis sativa" shall be construed to mean and shall refer to the male and female of that species."

AMENDMENT NUMBER FOURTEEN.

On page 10 of the printed bill, strike out lines 23 to 30, inclusive, and insert in lieu thereof the following: "proceeding shall be filed with the county clerk and shall be served on all persons, firms or corporations having any right, title or interest in the automobile or other vehicle seized, hereinafter referred to as the "owners," in the following manner: upon each owner whose right, title or interest is of record in the Department of Motor Vehicles and upon each owner whose name and address is known, by mailing a copy of such notice by registered mail to the last known address of such owner, and upon all other owners by one publication in a newspaper of general circulation in the county where such seizure was made."

AMENDMENT NUMBER FIFTEEN.

On page 10, line 38, of the printed bill, strike out "vertified", and insert in lieu thereof "verified".

AMENDMENT NUMBER SIXTEEN.

On page 11, line 25, of the printed bill, after the word "addict", insert the following: "for narcotic addiction".

AMENDMENT NUMBER SEVENTEEN.

On page 12, line 4, of the printed bill, after the word "furnish", insert the following: "or administer to".

AMENDMENT NUMBER EIGHTEEN.

On page 13, line 11, of the printed bill, strike out "alcoholic", and insert in lieu thereof "alcohol".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 317—An act to amend sections 1, 11 and 15 of "An act to regulate the sale, possession, distribution and use of habit forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, strike out line 1 of the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 1, 5, 10, 11 and 15 of, and to add new sections to be numbered 10a to 10g, inclusive, to "An act to regu-".

AMENDMENT NUMBER TWO.

On page 4, line 6, of the printed bill, strike out "my", and insert in lieu thereof the following: "may".

AMENDMENT NUMBER THREE

On page 4, line 22, of the printed bill, after "cian", insert the following: "and surgeon".

AMENDMENT NUMBER FOUR.

On page 5 of the printed bill, between lines 10 and 11, insert the following:

"SEC. 2. Section 5 of said act is hereby amended to read as follows.

Sec. 5. It is hereby made the duty of the district attorney of the county wherein any violation of this act is committed to conduct all actions and prosecutions for the same; provided, however, that subject to the approval of the Attorney General, the Chief of the Division of Narcotic Enforcement of the State of California shall have the power to employ special counsel for such purpose, who shall have authority to take complete charge of the conduct of such actions or prosecutions; provided, further, that the Chief of the Division of Narcotic Enforcement shall have the power to fix the compensation to be paid for such service and may incur such other expense in connection with the conduct of such actions or prosecutions as he may deem necessary; provided, however, that no attorney employed as special counsel shall receive as compensation therefor any sum in excess of three thousand five hundred dollars in any one year.

SEC 3 Section 10 of said act is hereby amended to read as follows:

Sec. 10 Any person violating any of the provisions of this act, except those for which a penalty is otherwise in this act specifically provided, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not less than thirty dollars, nor more than five hundred dollars, or by imprisonment for not less than thirty days, and not more than one hundred eighty days, or by both such fine and imprisonment.

SEC. 4. A new section is hereby added to said act, to be numbered 10a and to read as follows

Sec. 10a. All moneys, forfeited bail or fines received under the operation of this act shall be sent without delay by the judge or magistrate receiving the same, seventy-five per cent to the State Treasurer to be deposited in the State treasury, and twenty-five per cent to the city treasurer of the city, if incorporated, otherwise to the county treasurer of the county in which the prosecution is conducted

SEC. 5. A new section is hereby added to said act, to be numbered 10b and to read as follows:

Sec. 10b It shall be the duty of all judges and magistrates collecting fines or forfeitures under this act to keep a record of said fines or forfeitures, and, upon the imposition of any such fine or forfeiture, to immediately transmit a copy of the record thereof to the county clerk of the particular county. It shall be the duty of the county clerk to keep a record of the fines and forfeitures imposed under this act in his county.

SEC. 6. A new section is hereby added to said act, to be numbered 10c and to read as follows:

Sec 10c Whenever an imprisonment has been imposed for a violation of this act, and before the termination of the sentence thereof, the defendant is released by the vacation of the sentence of imprisonment and the imposition of a fine or

forfeiture in lieu thereof, said lieu fine or forfeiture shall be recorded and accounted for in the same manner as though it had been imposed in the first instance.

SEC. 7. A new section is hereby added to said act, to be numbered 10d and to read as follows:

Sec. 10d. It shall be the duty of the county clerk of each county to transmit to the State Treasurer an annual report of the fines and forfeitures collected during the calendar year within his county. This report must be rendered before the fifteenth day of January of the following year.

SEC. 8. A new section is hereby added to said act, to be numbered 10e and to read as follows:

Sec. 10e. It shall be the duty of the State Treasurer to check the report of each county clerk with the transmittals of fines and forfeitures from the judges and magistrates, and wherever it is apparent that fines or forfeitures have not been transmitted, it shall be the duty of the State Treasurer to bring suit to enforce the collection or transmittal thereof, or both.

SEC. 9. A new section is hereby added to said act, to be numbered 10f and to read as follows:

Sec. 10f. The official bond of any judge or magistrate shall be liable for his failure to transmit the fines or forfeitures imposed by him under the provisions of this act.

SEC. 10. A new section is hereby added to said act, to be numbered 10g and to read as follows:

Sec. 10g. The records kept by any judge, magistrate or county clerk under the provisions of sections 10b, 10c and 10d of this act, shall be open to public inspection, and may be checked by the State Treasurer, the Attorney General, the district attorney of the particular county, or the State Division of Narcotic Enforcement."

AMENDMENT NUMBER FIVE

On page 5, line 11, of the printed bill, strike out "2", and insert in lieu thereof "11".

AMENDMENT NUMBER SIX.

On page 5, line 16, of the printed bill, strike out "tintures", and insert in lieu thereof "tinctures".

AMENDMENT NUMBER SEVEN.

On page 6, line 3, of the printed bill, strike out "3", and insert in lieu thereof "12".

AMENDMENT NUMBER EIGHT.

On page 6, line 31, of the printed bill, after "ordered", insert "as".

AMENDMENT NUMBER NINE

On page 6 of the printed bill, strike out lines 33 to 39, inclusive, and insert in lieu thereof the following: "ceeding shall be filed with the county clerk and shall be served on all persons, firms or corporations having any right, title or interest in the automobile or other vehicle seized, hereinafter referred to as the "owners" in the following manner. Upon each owner whose right, title or interest is of record in the Department of Motor Vehicles and upon each owner whose name and address is known, by mailing a copy of such notice by registered mail to the last known address of such owner, and upon all other owners by one publication in a newspaper of general circulation in the county where such seizure was made."

AMENDMENT NUMBER TEN

On page 7, line 25, of the printed bill, after the word "the", insert "State"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 893—An act to provide for instruction in mining safety by the Department of Natural Resources.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 2 to 8, inclusive, and insert in lieu thereof the following "through the Division of Mines shall prepare pamphlets containing information relating to mining safety among miners, first aid and safety devices in mines and shall distribute such pamphlets in the various mining

districts of this State in such manner and to the extent that said division shall deem advisable."

Amendment adopted

Bill read second time, ordered to reprint, engrossment and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California, an amendment to section 11, of Article VI of the Constitution of the State of California, relating to courts.

Assembly Constitutional Amendment No. 35 read.

The question being on the adoption of Assembly Constitutional Amendment No. 35.

The roll was called, and Assembly Constitutional Amendment No. 35 adopted by the following vote:

AYES—Alter, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley Cottrell, Craig, Crist, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Stannard, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—56.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 35 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No 35

A resolution to propose to the people of the State of California, an amendment to section 11 of Article VI of the Constitution of the State of California, relating to courts.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California that section 11 of Article VI of the Constitution of the State of California be amended to read as follows:

Sec. 11. In any city or city and county which is governed under a charter framed and adopted under the authority of this Constitution containing a population of more than forty thousand inhabitants, as ascertained by the last preceding census taken under the authority of the Congress of the United States, a municipal court may be established as in this article provided, anything in this Constitution to the contrary notwithstanding. For each such municipal court at least one judge with such additional judges as may be determined by the Legislature, shall be elected by the qualified electors of the city or city and county at the general municipal election. In any city, or city and county, in which such municipal court shall be established for which there shall be more than one judge the judges of such court may hold as many sessions thereof at the same time as there are judges thereof, and the business thereof shall be apportioned among such judges in the manner prescribed by law

The Legislature shall provide by general law for the establishment of such municipal courts in cities or cities and counties in this section specified, and for the constitution, regulation, government, procedure and jurisdiction thereof

The manner in which, the time at which, the term for which the judges, clerks and other attaches of municipal courts shall be elected or appointed, the number and qualifications of said judges and of the clerks and other attaches, except as such matters are otherwise provided in this article, shall be prescribed by the Legislature

In any city or city and county where such municipal court has been established, and in townships situated in whole or in part in such city or city and county, there shall be no other court inferior to the superior court, except that the Legislature may provide for the establishment of such inferior courts.

Pending actions, trials, and all pending business of inferior courts within a city or city and county or township, upon the establishment of any such municipal

court therein, shall, unless otherwise provided by law be transferred to and become pending in such municipal court, and all records of such inferior courts shall be transferred to, and thereafter be and become records of, such municipal court

Upon the establishment of any such municipal court, and until the first election and the qualification of the judge or judges thereof, and the first appointment and the qualification of the clerks and other attaches thereof, the judges or justices, and the clerks and other attaches, of any existing inferior courts in such city, city and county, or township shall become and act as the judges, clerks and attaches respectively of such municipal court Whenever any city having a municipal court is formed into a consolidated city and county with the combined powers of a city and county under proceedings therefor as elsewhere in this Constitution provided, such municipal court shall thereupon and thereby be and become the municipal court of such city and county.

The compensation of the justices or judges of all courts of record shall be fixed, and the payment thereof prescribed, by the Legislature.

Assembly Joint Resolution No. 24—Relative to memorializing the Congress of the United States to enact a two-year moratorium on foreclosures of real property mortgages and on sales under deeds of trust on real property.

Assembly Joint Resolution No. 24 read.

The question being on the adoption of Assembly Joint Resolution No. 24.

MOTION TO RE-REFER.

Mr. West moved that Assembly Joint Resolution No. 24 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Joint Resolution No. 24 to Committee on Judiciary.

Motion carried.

Assembly Joint Resolution No 24 ordered re-referred to Committee on Judiciary.

Assembly Joint Resolution No. 15—Relative to memorializing and petitioning Congress to adopt a national system of insurance to protect bank depositors in the national banks of the United States.

Resolution read.

FLOOR AMENDMENTS

During reading of the resolution, the following amendments were submitted by Mr. Hallner

AMENDMENT NUMBER ONE

On page 1 of the printed measure, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following

"WHEREAS, The current period of economic stress and stringency has caused a great and undue financial strain on every bank throughout this Nation; and

WHEREAS, The safety of the banking system of the Nation is the".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed measure, strike out "National".

AMENDMENT NUMBER THREE.

On page 1, line 13, of the printed measure, strike out "seventy-second".

AMENDMENT NUMBER FOUR.

On page 1, line 14, of the printed measure, strike out "session of the".

AMENDMENT NUMBER FIVE.

On page 1, line 15, of the printed measure, strike out "the National".

AMENDMENT NUMBER SIX.

On page 1, line 16, of the printed measure, strike out "National", and insert in lieu thereof the following: "national".

AMENDMENT NUMBER SEVEN.

On page 1, line 22, of the printed measure, strike out "seventy-second session of the".

Amendments adopted

Assembly Joint Resolution No 15 ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 411—An act to amend section 1174 of the Code of Civil Procedure, relating to judgments in proceedings for forcible entries, forcible or unlawful detainer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 411 was refused passage by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cottrell, Crowley, Dempster, Field, Frazier, Grubbs, Hallner, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Peterson, Redwine, Riley, Roberts, Rogers, Ross, Stream, Tournoux, Turner, Woolwine and Mr. Speaker—36.

NOES—Boyle, Callahan, Cassidy, Chatters, Crist, Evans, Fisher, Hoffman, Hunt, Jones, Kallam, King, Knowland, Meehan, O'Connor, Phillips, Rawls, Roland, Scudder, Stannard, Sullivan, Williamson, Wright and Zion—24.

NOTICE OF RECONSIDERATION.

Mr. Woolwine gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 411 was this day refused passage.

Assembly Bill No. 1433—An act to amend section 1115 of the Political Code to provide for the printing of the index to registration of affidavits.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Mayo:

AMENDMENT NUMBER ONE

In line 2 of the title of the printed bill, as amended, strike out "of", following "registration".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, as amended, insert a comma after the word "and".

AMENDMENT NUMBER THREE.

On page 2, line 10, of the printed bill, as amended, strike out "references", and insert in lieu thereof "reference".

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr Mayo asked for, and was granted, unanimous consent to take up Assembly Bill No. 1433, at this time, without reference to print or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND FOUR HUNDRED THIRTY-THREE.

Assembly Bill No. 1433—An act to amend section 1115 of the Political Code, to provide for the printing of the index to registration of affidavits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1433 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, Peterson, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 517—An act to amend section 1985 of the Code of Civil Procedure, relating to subpenas.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 517 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1130—An act to amend section 4189 of the Political Code, relating to service of writs, notices and other process.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1130 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr Speaker—60

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 514—An act to amend sections 33, 34, 36, 40, 47, 53, 57, 65, 66, 73 (as amended by Chapter 706, Statutes of 1931), 103a, 104, 105, 107, 112, 129, 130, 134, 135, 139, 142, 147, 150, 151, 152, 153, 156, 157, 159, 166, and Chapters V and VI of Title I of Part I, and Article I of Chapter V of Title I of Part I, of the Code of Civil Procedure, to add sections 81, 82, 83, 84, 85, 86, 87, 88, 89, 108, 108a, 109, 113, 113a, 113b, 113c, 113d, 114, 115, 116, 116a, 116b, 117, 117a, 117b, 117c, 117d, 117e, 117f, 117g, 117h, 117i, 117j, 117k, 117l, 117m, 117o, 117p, 117q, 122, 122a, 122b, 122c, 122d, 122e, and Articles II, III, IV and V of Chapter V of Title I of Part I, and Chapter V, A of Title I

of Part I thereto, and to repeal sections 37, 38, 39, 41, 42, 43, 44, 45, 46, 49, 50, 51, 52, 52a, 54, 55, 56, 67b, 68, 69, 70, 71, 72, 73 (as amended by Chapter 182, Statutes of 1931), 75, 76, 77, 78, 79, 85, 86, 87, 88, 89, 91, 92, 93, 94, 95, 96, 97, 98, 142 (as amended by Chapter 182, Statutes of 1931), 160, 161, 167, 170b, 176, 182, 183, 304, and Articles II and III of Chapter V, of Title I of Part I thereof, relating to courts of justice and various officers connected therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 514 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Craig, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Rawls, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Zion and Mr. Speaker—55

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 829—An act to amend section 585 of the Agricultural Code, relating to dairies and dairy products.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 829 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Evans, Field, Fisher, Frazier, Gilmore Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E, Rogers, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT.

Mr. West asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Assembly Bill No 515, at this time, without reference to committee or file

CONSIDERATION OF ASSEMBLY BILL NUMBER FIVE HUNDRED FIFTEEN.

Assembly Bill No. 515—An act to amend sections 372, 373, 392, 393, 394, 395, 397, 398, 399, 400, 410, 412, 413, 415, 416, 422, 426, 437, 446, 465, 472, 473, 480, 481, 482, 483, 484, 485, 488, 489, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 511, 512, 513, 514, 515, 517, 518, 519, 520, 529, 538, 539, 540, 542, 542a, 543, 544 545, 546, 547, 548, 549, 550, 551, 553, 554, 555, 556, 559, 573, 574, 581, 581a, 581b, 583, 585, 594, 595, 596, 600, 601, 607, 607a, 618, 628, 631, 632, 634, 638, 639, 640, 641, 644, 649, 650, 651, 652, 653, 659a, 661, 663, 664, 666, 667, 668, 670, 671, 672, 673, 674, 675, 681a, 682, 683, 687, 689, 691, 713½, 714, 715, 716, 717, 718, 719, 720, 721, 722, 936, 959, 983, 984, 985, 986, 987, 988, 988a, 988b, 988c, 988d, 988g, 988h, 988i, 989, 997, 1000, 1003, 1004, 1005, 1006, 1011,

1015, 1021, 1033, 1051, 1052, 1054, and Chapters I, II, III, and IV of Title XIII, Part II, of the Code of Civil Procedure, to add sections 396, 396a, 411a, 437b, 437c, 437d, 472a, 472b, 473a, 477, 586, 594a, 648a, 710b, 710c, 973, 983a, 1008, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1054a thereto, and to repeal sections 476, 633, 692 (as added by Chapter 117, Statutes 1931), 710 (as added by Chapter 92, Statutes 1903), 710½, 831, 831a, 831b, 831c, 831d, 831e, 831f, 831g, 831h, 831i, 831j, 832, 833, 834, 835, 835a, 836, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 857a, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 889, 890, 890a, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 900a, 900b, 901, 901a, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 927a, 927b, 927c, 927d, 927e, 927f, 927g, 927h, 927i, 927j, 927k, 927l, 927m, 927n, 927o, 927p, 927q, 929, 930, 931, 932, 933, 933½, 964, 965, 982a, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1035, 1036, 1037, 1038, and 1039 thereof, relating to civil actions.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 515 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor, Miller, James A., O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Rogers, Ross, Scudder, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—59

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 516—An act to amend sections 1134, 1135, 1139, 1140, 1144, 1146, 1148, 1149, 1151, 1169, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221 and 1222 of the Code of Civil Procedure, relating to special proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 516 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Crowley, Dempster, Evans, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1129—An act to add a new section to the Code of Civil Procedure, to be numbered 396b, relating to venue.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1129 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Rawls, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 520—An act to amend sections 5 and 29 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, the terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, and to repeal section 27a thereof, relating to municipal courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 520 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Patterson, Peterson, Phillips, Rawls, Redwine, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 519—An act to amend sections 806 and 882 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to city and justice courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 519 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross,

Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—63.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 513—An act to amend sections 17, 22 and 30 of the Code of Civil Procedure, relating to definition of words used in said code.

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No 513 passed by the following vote·

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hunt, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, West, Williamson, Woolwine, Wright and Mr. Speaker—59.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 518—An act to amend sections 4300a, 4300e, and 4300*l* of the Political Code, relating to fees

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 518 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Burns, Callahan, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Grubbs, Hallner, Hatch, Hoffman, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—55.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 306—An act to amend section 7 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expense thereof," approved May 23, 1923, relating to organization and management of fire protection districts.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 306 passed by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson,

Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1990—An act to provide a permit to be issued to any person, firm, corporation or association manufacturing or distributing alcoholic beverage, to impose an excise tax upon the manufacture and distribution of such alcoholic beverage; to provide methods and penalties for the enforcement of the tax; and to credit the revenues derived therefrom to the general fund of the State and providing when this act shall become effective.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1990 was withdrawn from the file, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2095—An act to amend the Agricultural Code, relating to inspection of farm products and the regulation of such inspection.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2095 was withdrawn from the file, and referred to Committee on Agriculture.

Assembly Bill No. 1406—An act to repeal an act entitled "An act providing for the compilation of, printing, binding, publishing, and distribution of a legislative manual, State Blue Book or roster, repealing all conflicting acts," approved May 21, 1929.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1406 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C Ray; Rogers, Roland, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—60.

NOES—Stream—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 17—A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and the qualification, compensation, and manner of electing the delegates to such convention.

Assembly Concurrent Resolution No. 17 read.

The question being on the adoption of Assembly Concurrent Resolution No 17.

The roll was called, and Assembly Concurrent Resolution No 17 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray, Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright and Mr. Speaker—64.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 17 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No 17.

A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and the qualification, compensation, and manner of electing the delegates to such convention.

Resolved, by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California, at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of all the members elected to each house concurring, hereby recommends that the electors of this State vote at the next general election upon the proposition to call a convention to revise the State Constitution, such proposition to read as follows:

SECTION 1. Two-thirds of the members elected to each branch of the Legislature for the fiftieth regular session of the Legislature of the State of California, commencing on the second day of January, 1933, do hereby recommend to the electors of the State to vote at the next general election for or against a convention for the purpose of revising the Constitution of the State Such vote to be taken for the reason that two-thirds of the members elected to each branch of the Legislature, at said regular fiftieth session, deem it necessary to revise such Constitution. At such next general election the ballot used shall, in addition to the other names and matters required by law to be printed thereon, contain the words "For the convention," and the words "Against the convention" written or printed thereon in a suitable place with the appropriate space for each elector to designate his intention with respect to such proposition. The election officers at each and every voting precinct in the State shall make and ascertain, and make returns of the number of votes cast in favor of a convention and the number of votes cast against a convention, as aforesaid, in like manner and with the same particularity as other votes are required by law to be counted and returned, and an abstract thereof shall be transmitted by each and every county clerk of the State, and each and every registrar of voters in any county, or city and county, of the State, to the Secretary of State, in the same manner, and within the same time that votes for State officers are now by law required to be transmitted.

SEC 2 The Secretary of State shall have authority to compel the mailing of such returns, and when received, shall prepare and lay before the Governor of the State a complete abstract of the whole number of votes cast "for" and "against" a convention. If it shall appear from the returns of the county clerks and registrar of voters that a majority of the electors voting at such general election on the proposition for a convention shall have voted in favor of calling such convention, it shall be the duty of the Governor to forthwith issue his proclamation, announcing the fact that such convention has been called; and thereupon, it shall be the duty of the Legislature at its session next after such election, to provide by law for the election of delegates to such convention, and for the holding thereof at the State Capitol Such convention to meet within three months from the date of the election calling it, and shall continue in session until it shall have completed the work of revision and provided for submitting the same to the electors for approval or rejection

SECOND READING OF SENATE BILLS

Senate Bill No. 635—An act making an appropriation to meet a deficiency in the appropriation for subsidies of the Bureau of Tuberculosis of the Department of Public Health, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 46—An act to amend section 4259 of the Political Code, relating to salaries of officers of the counties of the thirtieth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 48—An act to amend section 16x30 of the "Weights and Measures Act," relating to the salary of the sealer of weights and measures in counties of the thirtieth class.

Bill read second time, and ordered on file for third reading

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR. SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the application for the position of assistant postmaster of the Assembly and desires to submit the following resolution:

Resolved, That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, and the Controller is hereby directed to draw warrants in favor of the said person for the said amounts, and the Treasurer is hereby directed to pay the same:

Commencing March 22, 1933.	Per day (Sundays excepted)
Letitia O'Brien, assistant postmistress	$4 00

Resolved, further, That beginning Sunday, March 26th, the engrossing and enrolling clerk, William Gunlock, shall receive compensation on a seven-day-per-week basis.

CRAIG, Chairman.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Craig, Cronin, Crowley, Dempster, Evans, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—66.

NOES—None.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 63—An act to repeal "An act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof," approved March 3, 1897;

Also: Assembly Bill No. 64—An act to repeal "An act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof," approved March 27, 1897;

Also: Assembly Bill No. 71—An act to repeal "An act to regulate the salaries of certain officers in the police department within municipalities of the first class in the State of California, and to provide for the appointment and salaries of other officers of such departments," approved March 8, 1897;

Also: Assembly Bill No. 72—An act to repeal "An act to create a court in and for the town of Berkeley, State of California," approved March 27, 1895;

Also: Assembly Bill No. 74—An act to repeal "An act to authorize the legislative body of a municipality to create sewer districts within its boundaries, provide a system of sewer bonds for the construction of sewers therein, and to provide for the payment of said bonds," approved February 13, 1911;

Also: Assembly Bill No. 99—An act to repeal "An act to establish water rates in the City and County of San Francisco," approved March 1, 1876;

Also: Assembly Bill No. 103—An act to repeal "An act to authorize the common council of the city of Santa Barbara to lay out, open, and improve streets in said city," approved March 26, 1878;

Also: Assembly Bill No. 563—An act to amend sections 2 and 7 of the act entitled "An act to provide for the organization, incorporation, and government of

municipal corporations," approved March 13, 1883, relating to incorporation of municipal corporations and annexation of territory thereto;

Also: Assembly Bill No. 1415—An act to amend section 13 of "The Grade Separation Act of 1927," relating to the separation of grades;

Also: Assembly Bill No. 737—An act to add section 4½ to an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893, as amended, relating to the issuance of bonds;

Also: Assembly Bill No. 1774—An act to amend section 2 of an act entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," approved June 13, 1923, relating to liability for negligence;

Also. Assembly Bill No. 1407—An act to amend section 79b of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds, approved April 7, 1911, relating to improvements of municipalities;

Also: Assembly Bill No. 1408—An act to amend section 16 of an act entitled "An act to provide for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903;

Also: Assembly Bill No. 1411—An act to amend section 10 of the "Street Improvement Act of 1913," relating to street improvements;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

RAWLS, Vice Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1163—An act to add a new section to the Fish and Game Code to be numbered 1323, relating to muskrats;

Also: Assembly Bill No. 1745—An act to amend section 949 of the Fish and Game Code, relating to nets;

Also: Assembly Bill No. 2229—An act to repeal section 954 of the Fish and Game Code, relating to nets;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ZION, Chairman.

The above reported bills ordered on file for second reading.

ON CRIME PROBLEMS

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 11—An act to amend section 520 of the Penal Code, relating to the punishment of extortion in certain cases—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 658—An act to add two new sections to the Penal Code, to be

numbered 200 and 201, establishing the public offense of unlawfully causing death through operation of a motor vehicle and providing penalties therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 2194—An act to amend section 9 of an act entitled "An act to regulate the taking and harvesting of kelp and other aquatic plants of the State of California by recognizing and declaring their ownership in the State of California and providing for the control thereof by the Fish and Game Commissioners, and providing for a license tax upon all persons, firms or corporations engaged in the industry of taking or harvesting kelp or other aquatic plants, and providing for the collection and disbursement of the revenues derived therefrom, and providing for a privilege tax upon all kelp taken in the waters of this State, and providing for the protection of kelp beds, for the manner of taking kelp and other aquatic plants, and providing for hearings by the Fish and Game Commissioners, and providing penalties for the violation of this act," approved May 18, 1917, relating to kelp—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 391—An act to amend sections 2 and 7 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting government and municipal control of such annexed territory," approved June 11, 1913, relating to the annexation of territory to municipal corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RAWLS, Vice Chairman.

The above reported bill ordered on file for second reading.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR. SPEAKER: Your Committee on Crime Problems to which was referred Assembly Bill No. 334—An act to amend section 209 of the Penal Code, relating to the punishment of kidnapping for purposes of extortion or robbery—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 460—An act substituting for the existing Chapter 8 of Title II of Part IV, Division I, of the Civil Code of the State of California a new Chapter 8 of said Title II, Part IV, which shall supersede said existing Chapter 8, relating to mortgage insurance;

Also: Assembly Bill No. 1087—An act to amend section 23 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended, relating to the filing of annual statements and prescribing the fee therefor, and to repeal section 30 of said act relating to taxation;

Also: Assembly Bill No. 1100—An act to add a new section to the Political Code, to be numbered 596c, prohibiting any person or corporation from acting as agent for or in any manner aiding in the solicitation or advertising of any insurance corporation or insurer unless such insurance corporation or insurer, shall have received a certificate of authority to transact business in this State and prescribing a penalty for violation thereof;

Also: Assembly Bill No. 1125—An act to amend section 623 of the Political Code, relating to bonds required of insurance companies to insure payment of taxes;

Also: Assembly Bill No. 1280—An act to amend sections 452a, 452b, 452c, 452d, 452e, 452f, 452g, and 453 of the Civil Code, all relating to mutual benefit and life insurance associations;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

CRIST, Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1258—An act to amend section 1251 of the Fish and Game Code, relating to deer—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ZION, Chairman.

The above reported bill ordered re-referred to Committee on Rules.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 33—An act to repeal Chapter II of Part II of Division I of the School Code, embracing sections 1.350 to 1.430, inclusive, relating to compulsory part-time education;

Also: Assembly Bill No. 304—An act to amend sections 1.145 and 1.350 of the School Code, relating to part-time compulsory education;
Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ROLAND, Chairman.

The above reported bills ordered re-referred to Committee on Rules.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 16—Relative to memorializing Congress to enact legislation providing for the suspension in payment of charges due from Federal reclamation project settlers to the United States and providing for a loan to the reclamation fund to replace the income thereto thus suspended—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

PETERSON, Chairman.

The above reported Senate Joint Resolution No. 16 ordered on file for adoption.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 976—An act authorizing the city of Richmond to lease certain tide and submerged lands heretofore granted by the State of California to said city in trust—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 634—An act to provide for the establishment of the coast line of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Crist:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act giving the Insurance Commissioner power to limit payments or loans of funds of life insurance companies and to generally regulate such companies for the protection of policyholders during periods of extraordinary economic and financial conditions, defining the term "life insurance companies" as used herein, reciting the establishment of similar control and limitations in other States, and declaring the urgency thereof and that the same shall take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr. Frazier:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to the Political Code to be numbered 3480d, relating to crediting on calls of installment of assessments made by reclamation districts amounts of outstanding bonds exchanged in refunding proceedings or otherwise canceled as provided by law, and to the redemption of property sold to reclamation districts for delinquent assessments and installments thereof, and to the sale by county treasurers of lands sold for delinquent assessments and installments thereof, and containing a provision declaring this act to be an urgency measure, stating the facts constituting such urgency and providing this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act giving the Insurance Commissioner power to limit payments or loans of funds of life insurance companies and to generally regulate such companies for the protection of policyholders during periods of extraordinary economic and financial conditions, defining the term "life insurance companies" as used herein, reciting the establishment of similar control and limitations in other States, and declaring the urgency thereof and that the same shall take effect immediately.

Also:

An act to add a new section to the Political Code to be numbered 3480d, relating to crediting on calls of installment of assessments made by reclamation districts amounts of outstanding bonds exchanged in refunding proceedings or otherwise canceled as provided by law, and to the redemption of property sold to reclamation districts for delinquent assessments and installments thereof, and to the sale by county treasurers of lands sold for delinquent assessments and installments thereof, and containing a provision declaring this act to be an urgency measure, stating the facts constituting such urgency and providing this act shall take effect immediately.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—65.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Crist: Assembly Bill No. 2337—An act giving the Insurance Commissioner power to limit payments or loans of funds of life insurance companies and to generally regulate such companies for the protection of policyholders during periods of extraordinary economic and financial conditions, defining the term "life insurance companies" as used herein, reciting the establishment of similar control and limitations in other States, and declaring the urgency thereof and that the same shall take effect immediately.

Bill read first time.

MOTION.

Mr. Crist moved that Rules Nos 64, 68, 72, 74 and 75 be suspended, at this time, for the purpose of considering Assembly Bill No. 2337.

The question being on the motion to suspend the rules.

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

AYES—Anglim, Badham, Bliss, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Peterson, Powers, Redwine, Roberts, Robinson, C. Ray; Rogers, Roland, Stream, Sullivan, Thorp, Tournoux, West, Williamson, Woolwine and Mr. Speaker—56.

NOES—Rawls and Stannard—2.

SPECIAL ORDER SET.

On motion of Mr. Robinson, C. Ray, the further consideration of Assembly Bill No. 2337 was made a special order for this day at two o'clock and thirty minutes p.m.

RECESS.

At one o'clock p m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock and fifteen minutes p.m. of this day.

REASSEMBLED.

At two o'clock and fifteen minutes p m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 325—An act to add a new section to the Political Code, to be numbered 356a, relating to contracts between State agencies;

Also: Senate Bill No. 340—An act relating to the control and jurisdiction over, and disposition of certain State lands therein described;

Also: Senate Bill No. 734—An act to repeal section 354 of the Political Code and to add a new section to be numbered 354, relating to biennial reports of departments and agencies of the State;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

LEVEY, Chairman

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 699—An act to add a new section to the Political Code, to be numbered 473a, relating to the centralization in the Attorney General's office of all attorneys and legal advisors for State departments, divisions, commissions, bureaus, boards, offices, and institutions, and the reimbursement of the Attorney General's office for such services—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 836—An act to add a new section to the Political Code, to be numbered 352a, relating to the payment of the costs of State administrative and service agencies;

Also: Assembly Bill No. 837—An act to provide for the sale and conveyance of the Napa State Farm, situated in Napa County, California, and certain personal property located thereon:

Also: Assembly Bill No. 1572—An act to amend section 948 of the Political Code, relating to bonds of State officials and employees;

Also: Assembly Bill No. 1574—An act to amend section 985 of the Political Code, relating to official bonds;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LEVEY, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 465—An act to amend section 4082 of the Political Code, relating to lost or destroyed county warrants issued in favor of the State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 22, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 139—An act to amend section 3716 of the Political Code, relating to the operation of taxes as a judgment or lien against property.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 22, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 14—Relative to a State hospital for persons injured in the course of employment in the mining industry.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Concurrent Resolution No. 14 read, and referred to Committee on Public Health and Quarantine.

Also:

SENATE CHAMBER, SACRAMENTO, March 22, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 206—An act to amend section 9a38 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of

acts in conflict with this act,'" approved February 25, 1911, as amended, relating to librarians in counties of the thirty-eighth class;

Also: Senate Bill No. 224—An act to amend section 4280 of the Political Code, relating to the salaries and fees of officials in counties of the fifty-first class;

Also: Senate Bill No. 412—An act to repeal section 195 of the Agricultural Code, relating to exemption of cattle from dipping or treatment;

Also: Senate Bill No. 684—An act to amend section 461 of the Penal Code, relating to punishment for burglary;

Also: Senate Bill No. 685—An act to amend section 245 of the Penal Code, relating to the penalty for assault with deadly weapon;

Also: Senate Bill No. 686—An act to add a new section to the Penal Code to be numbered 19a, relating to the maximum period of confinement in a county jail;

Also: Senate Bill No. 136—An act to amend section 331 of the Agricultural Code, relating to hides and brands.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 206 and 224 read first time, and referred to Committee on County Government.

Senate Bill No. 412 read first time, and referred to Committee on Agriculture.

Senate Bills Nos. 684 and 685 read first time, and referred to Committee on Judiciary.

Senate Bill No. 686 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 136 read first time, and referred to Committee on Agriculture.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Frazier: Assembly Bill No. 2338—An act to add a new section to the Political Code to be numbered 3480d, relating to crediting on calls of installment of assessments made by reclamation districts amounts of outstanding bonds exchanged in refunding proceedings or otherwise canceled as provided by law, and to the redemption of property sold to reclamation districts for delinquent assessments and installments thereof, and to the sale by county treasurers of lands sold for delinquent assessments and installments thereof, and containing a provision declaring this act to be an urgency measure, stating the facts constituting such urgency and providing this act shall take effect immediately.

Bill read first time, and referred to Committee on Irrigation.

UNFINISHED BUSINESS.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Sullivan moved that the vote whereby Assembly Bill No. 4 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Cassidy, Clowdsley, Crist, Cronin, Crowley, Fisher, Gilmore, Grubbs, King, Maloney, McCarthy, McMurray, Meehan, Nielsen, Rogers, Sullivan and Williamson—17.

NOES—Alter, Badham, Bowers, Brock, Burns, Chatters, Craig, Evans, Feigenbaum, Field, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Lyon, Martin, Mayo, Meeker, Miller, Eleanor; O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Stannard, Stream, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—41.

Assembly Bill No. 4 ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of two o'clock and thirty minutes p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED THIRTY-SEVEN.

Assembly Bill No. 2337—An act giving the Insurance Commissioner power to limit payments or loans of funds of life insurance companies and to generally regulate such companies for the protection of policyholders during periods of extraordinary economic and financial conditions, defining the term "life insurance companies" as used herein, reciting the establishment of similar control and limitations in other States, and declaring the urgency thereof and that the same shall take effect immediately.

MOTION.

Mr. Crist moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bill No. 2337.

Motion carried.

SPEAKER LITTLE IN THE CHAIR.

Mr. Wright moved that the Committee of the Whole do now rise.

MOTION.

Mr. Hornblower moved that the Committee of the Whole do now rise and recommend that Assembly Bill No. 2337 be referred to Committee on Insurance.

Motion carried.

IN ASSEMBLY.

SPEAKER LITTLE IN THE CHAIR.

The following report of the Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

GENTLEMEN: The Committee of the Whole has had under consideration Assembly Bill No. 2337, and does now report back, and recommends that Assembly Bill No. 2337 be referred to Committee on Insurance.

LITTLE, Chairman.

Assembly Bill No. 2337 ordered referred to Committee on Insurance.

MOTION.

On motion of Mr. Crist, the Chief Clerk was authorized to have a rush order placed on the printing of Assembly Bill No. 2337.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 539—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Lyon:

AMENDMENT NUMBER ONE

On page 5, line 16, of the printed bill, as amended, after "the", insert the following. "certified medical".

AMENDMENT NUMBER TWO.

On page 6, line 15, of the printed bill, as amended, strike out "examiner", and insert in lieu thereof "examiners".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

RESOLUTION.

The following resolution was offered:

By Mr. O'Connor:

RESOLUTION.

WHEREAS, The Governor of California has recently appointed Messrs. Ralph B. Lloyd of Los Angeles, president of the so-called Oil Producers Sales Agency, and W. H. Cooley of Visalia, chairman of the so-called Oil States' Advisory Committee, both of whom are known to have either close affiliations or business associations with the major oil interests of California, to represent the interests of this State at a conference called by the Secretary of the Interior at Washington, D. C., on March 27, 1933, to consider the problems of the oil industry; and

WHEREAS, The independent producers, refiners and marketers of California's oil industry, for the past several years, have been subjected by the major oil interests of the State to business intimidations, unfair and ruinous price-cutting practices which have resulted in creating generally unsound economic conditions in the State, with increased unemployment in the oil industry and its allied branches and the impairment of millions of dollars of independent capital invested in property and equipment, due to the large losses of income sustained by independent oil producers, refiners and marketers and land and royalty owners; and

WHEREAS, It is of paramount importance to the entire oil industry of California as well as to the people of the State that the problems of the industry peculiar to California be impartially and adequately presented at the aforementioned oil conference at Washington, D. C., so that the interests of the entire industry as well as those of the people of this State may be fairly and properly served; therefore, be it

Resolved, That the Governor of California be and is hereby requested to furnish the Legislature of California with a full and complete statement of the affiliations and associations of Messrs. Lloyd and Cooley with the major oil interests of California, and also whether the expenses of Messrs. Lloyd and Cooley in connection with the conference at Washington will be paid by the State of California or by private interests; further,

That a copy of this resolution be sent to the Secretary of the Interior at Washington, D. C., and a copy be printed in the Journal.

MOTION.

On motion of Mr. Frazier, the above resolution was referred to Committee on Oil Industries.

THIRD READING OF SENATE BILLS.

Senate Concurrent Resolution No. 18—Relative to extending condolences to the people in the stricken areas in the southern portion of the State.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 18 adopted by the following vote:

AYES—Anglim, Badham, Bliss, Brock, Burns, Clowdsley, Cobb, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Latham, Levey, Lyon, Maloney, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Stannard, Tournoux, Turner, Utt, Williamson, Woolwine, Wright and Mr. Speaker—45.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 18 ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Field:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act relating to the safety of design and construction of public school buildings, providing for regulation and supervision of the construction, reconstruction or alteration of or addition to public school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr Williamson:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933.

MR. SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 362c of the Civil Code, relating to the extension of the term of corporate existence.

Referred to Committee on Introduction of Bills.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Patterson: Assembly Joint Resolution No. 27—Relative to memorializing the Congress of the United States to adopt legislation imposing a tariff on rubber.

Introduced, and referred to Committee on Federal Relations.

By Mr. Patterson: Assembly Concurrent Resolution No. 41—Relative to the establishment of the twenty-eighth day of August, 1934, as "Junipero Serra Day."

Introduced, and referred to Committee on Education.

By Mr. Patterson: Assembly Concurrent Resolution No. 42—Relative to the establishment of the year 1934 as "Junipero Serra Year."

Introduced, and referred to Committee on Education.

ADJOURNMENT.

At four o'clock and thirty minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, March 23, 1933

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, THURSDAY, March 23, 1933

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus.

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. Lyon moved a call of the House.

Motion carried.

Time, ten o'clock and six minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Burns, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Fisher, Greene, Hatch, Knowland, Latham, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Morgan, Patterson, Peterson, Powers, Rawls, Redwine, Robinson, Samuel E., Scudder, Stannard, Stream, Tournoux, Woolwine and Mr. Speaker—32.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and fourteen minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Lyon.

The roll of absentees was called, and the Speaker declared a quorum present.

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—78.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Dempster, Mr Hunt was granted leave of absence for the day.

On motion of Mr. Crowley, Mr. O'Donnell was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. West, Crocker School, sixth grade: E. Pauline Olson, teacher; Leonard McWilliams, class president; Emory Sitts, vice president; Rita Mae Masiel, secretary; Richard Applegate, treasurer; Lloyd Butler, sergeant-at-arms; Theresa Grab, Dora Stewart, Dorothy Brinson, Shirley Brinson, Delores Kline, Rita Mae Masiel, Constance McConnell, Venita Estrada, Joyce Rutherford, Thelma McDonough, Patty Ogden, Bobby Nyberg, Duncan Taylor, Bob Holtzman, chief of traffic patrol; James Olwell, Dick Thomas, Laurence Wells, Henry Lang, Leo Fahn, Frank Hewett and Sevarino Cimaroli, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. West, the following members of Zion Lutheran Sunday School of Sacramento Gerald Robbins, Robert Gray, Bernie Robbins, Donald Wilson, Mary Lund, Andrew Lund, Mr A. Lund, Harold Lund, Dr. O. F. Johnson, Mrs. O. F. Johnson, Rev. Carl G. Anderson, Gordon Husby, Mrs Hugo Johnson, Pearl Anderson, Marion Gray, Florence Lundberg, Ruth Benson, Alice Anderson, Dorothy Fields, William Anderson, Bryce Watson, George Lundberg, Henry Lundberg, Mrs A. Benson, Eva Benson, Betty Wilson, Mr. N. E. Wilson, Mr. Ernest Olson, Mrs Ernest Olson, Mrs. P. K. Graves, Nils Benson, Sonny Worden, Eugene Deranuda, Mrs F. Forsberg, Carl Forsberg, LeRoy Anderson, Mrs C. G. Anderson, Mrs. N. E. Wilson, Ina Johnson and Edna Johnson were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr West, Viola N. Coe, teacher of the Donner School, and the students of the high eighth class as follows: Constance Brooks, Frances Valenti, Betty Evans, Lucille Ewing, Charmian Currey, Helen Platz, Louise Lanigir, Lois Paull, ex-president; Elizabeth Tucker, Rose Parino and Lucille Freeman, were extended the privilege of the floor of the Assembly for this day

Through the courtesy of Mr. West, Miss Phina Hammer and the following students of the low eighth grade, Donner School · Lois Weyand, Vera Chaney, Dorothy Costello, Violet Herrera, Grace McGinnis, Anna Belle Lewis, Mildred Erwin, Constance Alexander, Geraldine Kelliher, Frances Du Bois, Dorothy Ayres, Pauline Hall, Margaret Wallace, Rose Sanchez, Katherine Wegele, Alice Newington and Evelyn Carter, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cassidy, Mr. Chris Runckel of Berkeley was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr Maloney, Captain Clyde Parker and Captain Arthur Self were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Maloney, Mr. Donald Bruce of San Francisco was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Gilmore, Messrs. William J. Varley and Paul Laufenberg of San Francisco were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Gilmore, Mrs. A. Luttringer of San Francisco was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nielsen, Mr. Frank Maloney of Sacramento was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Lyon, Hon. Harry Morrison, former member of the Legislature, was extended the privilege of the floor of the Assembly for this day

Through the courtesy of Mr Anglim, Messrs. M. M. Dawling of Richmond, H. C Soito of Richmond and F. W. Vieth of Crockett were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr Morgan, Hon. Harold Cloudman of Berkeley, former member of the Legislature, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgan, Mr. Harry Waite of San Francisco was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Burns, Mr. Emil C. Ingham of Humboldt was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Peterson, Mr. Jack Wheeler of Brisbane was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Peterson, Mr. Allan B. Gould of Daly City was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Los Angeles County League of Municipalities, protesting any compromise of essentials of Assembly Bill No. 1172

Also:

By Mr. Speaker:

From Psychopathic Association of California, Los Angeles, opposing curtailment of hospital activities as regards those mentally afflicted.

(Signed) MRS. O. C. BRYANT, Secretary

Also:

By Mr. Speaker:

From Plumas County Chamber of Commerce, urging adoption of State Chamber of Commerce legislative program of economy in government.

(Signed) L. B. O'ROURKE, President.

Also:

By Mr. Speaker:

From Filipino Community, El Centro, California, protesting legislation prohibiting intermarriage of whites and Filipinos.

(Signed) A. ATADERO.

Also:

By Mr. Speaker:

From County Supervisors Association of State of California, protesting abolishment of Social Welfare Department.

(Signed) STANLEY ABEL, Secretary.

Also:

By Mr. Speaker:

From R. E. Campbell, Berkeley, California, urging enactment of Assembly Bill No. 1002.

Also:

By Mr. Speaker:

From C. H. McCarty and 25 others, favoring appointment of Roy Walter James, Poet Laureate of California.

Also:

By Mr. Speaker:

From Department of Health, City of Los Angeles, opposing alienation of dairy and milk inspection from regular activities of Los Angeles City Health Department.

(Signed) C. B. LEASURE, Secretary.

Also:
By Mr. Speaker:

From Master Plumbers' Association of San Francisco, Incorporated.

SAN FRANCISCO, CALIFORNIA, March 1, 1933.

Hon. Walter J. Little,
State Capitol, Sacramento, California.

RESOLUTION ADOPTED BY THE MASTER PLUMBERS' ASSOCIATION OF SAN FRANCISCO, INCORPORATED, FEBRUARY 24, 1933.

WHEREAS, The California Contractors' License Law since its adoption has proved very desirable and beneficial to the citizens of this State by eliminating the dishonest contractor and setting up safeguards to protect the legitimate contractor, and

WHEREAS, The law is being enforced fairly and impartially and at a reasonable cost to the contractors, and

WHEREAS, Attempts are being made to persuade our State Legislature to repeal this equitable law, now therefore; be it

Resolved, That we, the Master Plumbers' Association of San Francisco, Incorporated, resist to the best of our ability any and all attempts looking toward the repeal or weakening of this law.

MASTER PLUMBERS' ASSOCIATION OF SAN FRANCISCO, INC
CHARLES MAYER, President.

Also:
By Mr. Speaker:

From Bay Builders Exchange, Santa Monica; opposed to any increase in taxes

(Signed) ROBERT E PETERSON, III, Secretary-Manager.

Also:
By Mr. Speaker:

From State of California, Department of Public Health, urging increased appropriations for that department.

(Signed) GILES S PORTER, M.D., Director.

Also:
By Mr. Speaker:

From Woman's Auxiliary of the Disabled American Veterans of the World War, urging amendment to Veterans' Welfare Act.

(Signed) MILDRED C. TRIPP, Commander, District No. 1.

Also:
By Mr. Speaker:

From Woman's Auxiliary of the Disabled American Veterans of the World War, Unit No. 6; urging amendment to Veterans' Welfare Act.

(Signed) HAZEL WARD, Commander.

Also:
By Mr. Speaker:

From Woman's Auxiliary of the Disabled American Veterans of the World War, Unit No. 40; urging amendment to Veterans' Welfare Act.

(Signed) MRS. ALBERTA BLUST, Commander.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 253—An act to amend section 8 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person, to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such

weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons, to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917," approved June 13, 1923—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

ON AVIATION AND AIRCRAFT.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR SPEAKER: Your Committee on Aviation and Aircraft, to which was referred Assembly Bill No. 1485—An act to amend an act entitled "An act relating to the use of the air and to make uniform the law with reference thereto; providing for the licensing of aircraft, airmen and air navigation facilities; providing, in a certain contingency, for the creation of the Aeronautical Commission of California, prescribing its powers and duties and making an appropriation for its use; providing for the enforcement of the act and penalties for violations thereof and repealing acts in conflict therewith," approved June 18, 1929, by amending section 1(e) defining the term "Federal license"—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, JAMES A., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Aviation and Aircraft, to which was referred Assembly Bill No 835—An act to amend section 4 of the California Air Navigation Act, relating to aircraft including aircraft used solely for pleasure and not for commercial purposes—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

MILLER, JAMES A., Chairman.

The above reported bill ordered referred to Committee on Rules.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1122—An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; providing for the powers, duties and authority of said commission and the members thereof; providing for the institution of prorate programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new article thereto to be numbered XIVa, relating to the control, development and utilization of the water resources in the State—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Constitutional Amendment No. 18 ordered on file for adoption.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 151—An act to add sections 8a, 27, 28, 29, 30, 31, 32, 33, and 34 to Chapter 310, Statutes of 1905, entitled "An act to provide for the formation of

levee districts in the various counties of this State, and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, relating to levee districts;

Also: Assembly Bill No. 241—An act relating to the refunding of bonds of irrigation and reclamation districts, making State assistance available therefor and authorizing the issuance and sale of bonds of the State to provide funds for use in furtherance thereof;

Also: Assembly Bill No. 245—An act to amend sections 3 and 5b of the "Narcotic Rehabilitation Act," relating to drug addicts;

Also: Assembly Bill No. 464—An act to repeal "An act relating to the granting by counties and municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles," approved March 27, 1897;

Also: Assembly Bill No. 469—An act to repeal "An act to provide for the protection and preservation of public highways from damage by storm waters and floods, and to authorize the expenditure of public moneys for the purposes thereof," approved April 1, 1897;

Also: Assembly Bill No. 873—An act to amend section 1182 of the Penal Code, and to add a new section thereto, to be numbered 1183, relating to new trials;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 913—An act granting to the city of San Mateo the salt marsh tide and submerged lands of the State of California, including the right to wharf out therefrom, and grant franchises and leases thereon, and regulating the management, use and control thereof, and authorizing suits against said city and the State to quiet title to any such lands, and regulating the procedure therein and conditions under which said suits may be brought;

Also: Assembly Bill No. 997—An act to amend sections 814, 821, 828 and 829 of the Agricultural Code, relating to the standardization of lettuce and apples;

Also: Assembly Bill No. 1334—An act to amend section 1240 of the Code of Civil Procedure, relating to the taking of private property under proceedings in eminent domain;

Also: Assembly Bill No. 1338—An act to add a new section to the Political Code to be numbered 363cc, authorizing the filing for record of State highway maps and prescribing the duties of county recorders with relation thereto;

Also: Assembly Bill No. 1351—An act to amend section 4156b of the Political Code, prohibiting district attorneys of counties or cities and counties from defending or assisting in the defense of, or acting as counsel for, defendants in civil actions and proceedings, when the State or any county or city and county or municipality or other political subdivision of the State, is a party plaintiff, and to redesignate said section 4156b as section 4156c of the Political Code;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1357—An act to add a new section to the Probate Code, to be numbered section 1026, relating to distribution of an estate where no heirs appear in the course of administration and claim the estate or some part thereof;

Also: Assembly Bill No. 1527—An act to impose an excise tax on the manufacture and distribution of beer, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately;

Also: Assembly Bill No. 2097—An act to amend sections 790, 828 and 829 and to add a new section to the Agricultural Code, to be numbered 810 5, relating to the standardization of asparagus;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 330—An act to amend sections 535 and 536 of the Fish and Game

Code, and to add thereto sections 536.5, 536.6, 536 7, 536.8 and 536.9, relating to fish screens;

Also: Assembly Bill No 845—An act to repeal Chapters V and VI, Part III, Division V of the School Code, and to repeal Article III, Chapter I, Part V, Division II of the School Code, relating to teachers' institutes and conventions of principals and superintendents;

Also: Assembly Bill No 970—An act to add a new article to Chapter 3, Part 3, Division IV, to be numbered Article 6, embracing sections 1350, 1351, 1352 and 1353 of the Fish and Game Code, and to amend section 1410 thereof, relating to amphibia, and to renumber present Articles 6 and 7 of Chapter 3, Part 3, Division IV;

Also: Assembly Bill No. 2007—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers·

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 83—An act to repeal "An act to provide for the support of vocational reeducation and rehabilitation of workmen disabled in industry in this State, and to create a fund for these purposes to be known as the 'Industrial rehabilitation fund' by fixing an additional liability upon all employers liable under said act in cases where employees receive fatal compensable injury and leave no dependents," approved May 2, 1919;

Also: Assembly Bill No. 86—An act to repeal "An act to require the payment of certain premiums to counties, and cities and counties, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums," approved March 3, 1885;

And reports that the same have been correctly enrolled and presented the same to the Governor on this twenty-second day of March, 1933, at five o'clock and fifteen minutes p m.

PATTERSON, Chairman

ON RULES

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933.

MR SPEAKER. Your Committee on Rules, to which was referred Assembly Bill No. 304—An act to amend sections 1 145 and 1.350 of the School Code, relating to part-time compulsory education:

Also: Assembly Bill No. 1258—An act to amend section 1251 of the Fish and Game Code, relating to deer;

Also: Assembly Bill No 33—An act to repeal Chapter II of Part II of Division I of the School Code, embracing sections 1 350 to 1 430, inclusive, relating to compulsory part time education·

Also: Assembly Bill No. 338—An act to amend sections 1 and 2 of an act entitled "An act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works," approved May 30, 1913, relating to the keeping of records of the hours worked, providing penalties for violation of the act, providing for the enforcement of the act by the Department of Industrial Relations and extending the benefits of the act to workers employed in sheds or buildings in lime and cement and plants where dust is created:

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

REQUEST FOR PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Mr. Crowley:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933.

MR SPEAKER· I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 1034 to the Political Code, relating to the salaries of State officers or employees.

Referred to Committee on Introduction of Bills.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Woolwine moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 411 was refused passage be continued until the next legislative day.

Motion carried.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 866—An act to amend sections 612, 651, 654 and 659 of the Fish and Game Code and to add thereto sections 615.5, 658.5 and 658.6, relating to salmon and trout.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the comma following "615.5", insert the following: "650.5,".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out lines 8 and 9, and insert in lieu thereof the following: "3 and 15, steelhead trout may be taken from May 1 to the last day of February. The bag limit is three fish per day, irrespective of".

AMENDMENT NUMBER THREE

On page 1 of the printed bill, after line 16, insert the following:

"SEC. 3. A new section is hereby added to the Fish and Game Code, to be numbered 650.5, and to read as follows:

650.5. The provisions of this article relating to the times during which salmon may be taken with hook and line are subject to the provisions of Article 1, Chapter 2, Part 2, Division IV, and whenever an open season for trout is specified for any district or area, salmon may be taken with hook and line in such district or area during the period of time so specified."

AMENDMENT NUMBER FOUR.

On page 1, line 17, of the printed bill, strike out "SEC. 3", and insert in lieu thereof the following: "SEC. 4".

AMENDMENT NUMBER FIVE

On page 1 of the printed bill, strike out lines 20 to 24, inclusive, and insert in lieu thereof the following: "or spear, between May 29 and October 31; except that (a) in the Feather River from its mouth to the mouth of the Yuba River, (b) in the American River from its mouth to where the Fair Oaks Bridge crosses the American River, (c) in the Russian, Napa, and Navarro Rivers, (d) in that portion of the Eel River in district 2, and (e) in tidewater in districts 2, 3, and 15, salmon may be taken with hook and line between May 1 and the last day".

AMENDMENT NUMBER SIX.

On page 2, line 1, of the printed bill, strike out "SEC. 4", and insert in lieu thereof the following: "SEC. 5".

AMENDMENT NUMBER SEVEN.

On page 2, line 6, of the printed bill, strike out "SEC. 5", and insert in lieu thereof the following: "SEC. 6".

AMENDMENT NUMBER EIGHT.

On page 2, line 10, of the printed bill, strike out "SEC. 6", and insert in lieu thereof the following: "SEC. 7".

AMENDMENT NUMBER NINE.

On page 2, line 15, of the printed bill, strike out "SEC. 7", and insert in lieu thereof the following: "SEC. 8".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 338—An act to amend sections 1 and 2 of an act entitled "An act regulating the hours of employment in underground

mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works," approved May 30, 1913, relating to the keeping of records of the hours worked, providing penalties for violation of the act, providing for the enforcement of the act by the Department of Industrial Relations and extending the benefits of the act to workers employed in sheds or buildings in lime and cement and plants where dust is created.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 9 to 12, inclusive, and insert in lieu thereof the following: "beginning when the employee enters the shaft, tunnel, adit, or other opening of the underground workings or door of the plant, as the case may be, and as ending when the employee emerges therefrom or from another opening of the mine or plant"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 63—An act to repeal "An act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof," approved March 3, 1897.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 64—An act to repeal "An act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof," approved March 27, 1897.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 71—An act to repeal "An act to regulate the salaries of certain officers in the police department within municipalities of the first class in the State of California, and to provide for the appointment and salaries of other officers of such departments," approved March 8, 1897.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 72—An act to repeal "An act to create a court in and for the town of Berkeley, State of California," approved March 27, 1895.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 74—An act to repeal "An act to authorize the legislative body of a municipality to create sewer districts within its boundaries, provide a system of sewer bonds for the construction of sewers therein, and to provide for the payment of said bonds," approved February 13, 1911.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 99—An act to repeal "An act to establish water rates in the City and County of San Francisco," approved March 1, 1876.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 103—An act to repeal "An act to authorize the common council of the city of Santa Barbara to lay out, open, and improve streets in said city," approved March 26, 1878.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 563—An act to amend sections 2 and 7 of the act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to incorporation of municipal corporations and annexation of territory thereto.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1415—An act to amend section 13 of "The Grade Separation Act of 1927," relating to the separation of grades.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 737—An act to add section 4½ to an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893, as amended, relating to the issuance of bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1774—An act to amend section 2 of an act entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," approved June 13, 1923, relating to liability for negligence.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1407—An act to amend section 79b of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds, approved April 7, 1911, relating to improvements of municipalities.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1408—An act to amend section 16 of an act entitled "An act to provide for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more

municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1411—An act to amend section 10 of the "Street Improvement Act of 1913," relating to street improvements.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1163—An act to add a new section to the Fish and Game Code, to be numbered 1323, relating to muskrats.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1745—An act to amend section 949 of the Fish and Game Code, relating to nets.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2229—An act to repeal section 954 of the Fish and Game Code, relating to nets.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 11—An act to amend section 520 of the Penal Code, relating to the punishment of extortion in certain cases.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 658—An act to add two new sections to the Penal Code, to be numbered 200 and 201, establishing the public offense of unlawfully causing death through operation of a motor vehicle and providing penalties therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2194—An act to amend section 9 of an act entitled "An act to regulate the taking and harvesting of kelp and other aquatic plants of the State of California by recognizing and declaring their ownership in the State of California and providing for the control thereof by the Fish and Game Commissioners, and providing for a license tax upon all persons, firms or corporations engaged in the industry of taking or harvesting kelp or other aquatic plants, and providing for the collection and disbursement of the revenues derived therefrom, and providing for a privilege tax upon all kelp taken in the waters of this State, and providing for the protection of kelp beds, for the manner of taking kelp and other aquatic plants, and providing for hearings by the Fish and Game Commissioners, and providing penalties for the violation of this act," approved May 18, 1917, relating to kelp.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 391—An act to amend sections 2 and 7 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting government and municipal control of such annexed

territory," approved June 11, 1913, relating to the annexation of territory to municipal corporations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, after "election", insert the following: "giving at least fifty days notice thereof,".

AMENDMENT NUMBER TWO.

On page 5, line 18, of the printed bill, strike out "thirty", and insert in lieu thereof the following: "fifty".

AMENDMENT NUMBER THREE.

On page 5, line 27, of the printed bill, strike out "fifteen days", and insert in lieu thereof the following: "twelve months".

AMENDMENT NUMBER FOUR.

On page 3, line 31, of the printed bill, following the word "city,", strike out all printed matter down to and including the word "proposition" in line 35, and insert in lieu thereof the following: "Opposite these words there shall be printed the words "Yes" and "No,", and to the right of each of these last two words there shall be a voting square"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 334—An act to amend section 209 of the Penal Code, relating to the punishment of kidnapping for purposes of extortion or robbery.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In lines 2 and 3 of the title of the printed bill, strike out "for purposes of extortion or robbery".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert in lieu thereof the following:

"209 Every person who seizes, confines, inveigles, entices, decoys, abducts, conceals, kidnaps or carries away any individual by any means whatsoever with intent to hold or detain, or who holds or detains, such individual for ransom, reward or to commit extortion or robbery or to exact from relatives or friends of such person any money or valuable thing, or who aids or abets any such act, is guilty of a felony and upon conviction thereof shall be punished by death or, upon recommendation of the trial jury or in the discretion of the trial judge, by life imprisonment without possibility of parole If two or more individuals enter into any agreement or conspiracy to do any act or acts which would constitute a violation of the provisions of this section and one or more of such individuals do any act to effect the object of such agreement or conspiracy, each such individual shall be deemed to have violated the provisions of this section."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 460—An act substituting for the existing Chapter VIII of Title II of Part IV, Division I, of the Civil Code of the State of California a new Chapter VIII of said Title II, Part IV, which shall supersede said existing Chapter VIII, relating to mortgage insurance,

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following.

"An act to repeal sections 453aa, 453bb, 453cc, 453dd, 453ee, 453ff, 453gg and 453gg½ of the Civil Code of the State of California and to substitute therefor new sections of said Civil Code numbered 453.1, 453.2, 453.3, 453.4, 453.5, 453.6, 453.7, 453.8, 453.9, 453.10 and 453.11, all relating to mortgage insurance companies"

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 12, inclusive, and insert in lieu thereof the following:

"SECTION 1. Sections 453aa, 453bb, 453cc, 453dd, 453ee, 453ff, 453gg and 453gg½ of the Civil Code of the State of California are hereby repealed."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 13 to 19, inclusive, and insert in lieu thereof the following:

"SEC. 2. New sections 453.1, 453.2, 453.3, 453.4, 453.5, 453.6, 453.7, 453.8, 453.9, 453.10 and 453.11 are hereby substituted for said sections so repealed, which new sections shall read as follows:".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 9 to 51, inclusive, and on page 3 strike out lines 1 to 44, inclusive, and insert in lieu thereof the following.

"453.2. As used in this chapter:

1. Unless the context indicates a different construction.

The word "note" shall include "bond";

The term "mortgaged" shall include "deeded or conveyed in trust to secure a debt";

The term "real estate" shall include real estate with the improvements thereon, including improvements in process of construction under a building loan;

The term "building loan" shall mean a loan made for the purpose of providing funds for the construction of improvements upon real estate;

The term "public bond" shall include only bonds issued pursuant to charter or statutory authority by the officials of a county, city and county, city, town, municipality or district where each bond constitutes a lien upon specified land described therein or represents a special assessment theretofore levied which is a lien upon specified land described in said bond;

The term "assessment" shall include only special assessments levied pursuant to charter or statutory authority by the officials of a county, city and county, city, town, municipality or district;

The singular number shall include the plural and the plural the singular

2. The term "mortgage insurance company" shall be construed to refer to and mean any association, corporation, firm or person who shall engage as a business in making and issuing policies of mortgage insurance, as herein defined, in this State.

3. The term "security," wherever used in this chapter without a different meaning being specified or made apparent, shall be construed to refer to and mean a note evidencing a debt secured by a mortgage or deed of trust constituting a lien or charge on real estate.

4. The term "authorized real estate security" wherever used in this chapter shall be construed to refer to and mean any security which complies with the following conditions:

(a) The mortgage or trust deed securing the same constitutes a first mortgage or first deed of trust upon the title in fee to improved or productive real estate situated in this State. Real estate on which a building is in process of construction by means of a building loan shall be deemed to be improved within the meaning of this definition.

(b) The aggregate unpaid principal of all public bonds and assessments, as in this section defined, existing and outstanding against such real estate does not exceed ten per cent of the fair market value thereof.

(c) The principal loaned on such security, or if a number of securities are secured by a single mortgage or deed of trust, the aggregate principal so secured, does not exceed fifty per cent of the fair market value of the real estate

Provided, however, the principal loaned may be equal to but not in excess of sixty per cent of the fair market value of the real estate in cases where the security complies with the following additional conditions:

(d) The real estate is improved by, or the loan is for the purpose of constructing a single-family dwelling.

(e) The aggregate face amount of the loan does not exceed fifteen thousand dollars.

(f) The note is to be repaid in full in not less than eight (8) nor more than fifteen (15) years from the date thereof.

(g) Regular equal monthly, quarterly or semi-annual payments are to be made directly in reduction of the debt and such payments are to commence not more than two (2) years after the date of the note.

(h) The aggregate of the installments required to be paid upon the principal in each year amounts to at least six per cent of the principal of the note.

5. The term "first mortgage" or "first deed of trust" as used in the definition of "authorized real estate security" hereinbefore set forth, and elsewhere in this chapter, shall be construed to refer to and mean a mortgage or deed of trust constituting a lien or charge on the title in fee to real estate prior and superior to all other liens or charges thereon excepting the lien of any public bond or assessment or of any tax, unless an installment, call or payment of or under such tax, assessment or bond shall be due and delinquent; provided, however, that outstanding mineral, oil or timber rights, rights of way, easements or rights of wall or support, building restructions or other restrictions or covenants, or outstanding leases upon such real property under which rents or profits are reserved to the owner thereof, shall not be deemed to constitute liens or charges upon real estate within the meaning of this chapter, provided that there is no condition or right of reentry or forfeiture under which such first mortgage or first deed of trust can be cut off or subordinated.

6. The term "policy of mortgage insurance" shall be construed to refer to and mean any contract which purports to guarantee or insure against loss on, or to guarantee or insure the payment of, the whole or any part of the principal, interest or other sums agreed to be paid under the terms of any security, or group of securities.

7. The term "mortgage participation certificate" shall be construed to refer to and mean any instrument issued by a mortgage insurance company which constitutes an assignment, or which evidences the ownership by the assignee, of an undivided share or interest, legal or equitable or both, or the right to participate to a specified extent in a group of securities the payment of all of which securities is insured, either singly or as a group, by a policy or policies of mortgage insurance.

8. The term "group of securities" shall be construed to refer to and mean one or more securities, together with the proceeds or avails thereof, which securities have been segregated and set apart from the assets and securities of a mortgage insurance company and assigned in trust in the manner provided in section 453 7 hereof and in which undivided shares or interests or rights to participate may be or have been assigned by means of mortgage participation certificates as defined in this chapter.

9. The term "group value" shall be construed to refer to and mean the aggregate value of (1) all securities, (2) all real estate acquired through foreclosure of defaulted securities, or through conveyances made in lieu of such foreclosure, and (3) all cash, other than cash received as interest on any securities, held by a trustee in any mortgage participation trust. For the purpose of determining such group value the securities in such trust shall be deemed to have a value equal to the unpaid principal thereof; and any real estate in such trust acquired by foreclosure of any defaulted security or by conveyance in lieu of such foreclosure shall be deemed to have a value equal to the unpaid principal of such defaulted security as of the date of such foreclosure or of such conveyance. The date of foreclosure shall be deemed to be the date of the sheriff's or trustee's or other sale under which such property may be acquired by the trustee.

10 The term "mortgage participation trust" shall be construed to refer to and mean any trust established by the assignment and transfer to a trust company of a group of securities in which undivided shares or interests or rights to participate may be or have been assigned by means of mortgage participation certificates as defined in this chapter.

11. The term "trust company" shall be construed to refer to and mean a trust company as defined in the Bank Act of California and shall include a national bank having a trust department and doing business within this State."

AMENDMENT NUMBER FIVE

On page 3 of the printed bill, strike out lines 45 to 52, inclusive, and on page 4, strike out lines 1 to 52, inclusive, and on page 5, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following:

"453.3. Every corporation formed for the purpose of engaging in the business of mortgage insurance must have a capital stock of not less than two hundred fifty thousand dollars fully paid in in cash and must obtain from the Insurance Commissioner his certificate that such company has complied with the laws of this State applicable to mortgage insurance companies and is duly authorized to do business as a mortgage insurance company.

A mortgage insurance company duly authorized to engage in business as in this chapter provided may guarantee and insure the payment of, and may issue policies of mortgage insurance covering, authorized real estate securities as defined in section 453 2;

Provided, however, no company shall guarantee or insure the payment of, or issue policies of insurance covering, any security or securities secured by a single mortgage or single deed of trust the aggregate principal of which security or securities shall be in excess of fifteen per cent of the then authorized, issued and outstanding capital stock of such company.

Provided, further, no company shall have at any time outstanding policies of mortgage insurance guaranteeing the payment of securities the aggregate amount of the unpaid principal of which exceeds twenty times the amount of its authorized, issued and outstanding capital stock.

No mortgage insurance company shall guarantee the payment of, or issue any policy of insurance covering, any form of security other than authorized real estate security as defined in section 453 2 of this chapter.

No mortgage insurance company shall reduce its outstanding capital stock to an aggregate par value less than is required by this chapter, to be maintained by such mortgage insurance company or less than the indebtedness of said mortgage insurance company.

The making and issuing of policies of mortgage insurance or mortgage participation certificates by mortgage insurance companies must not be construed to be the creation of an indebtedness.

No loan shall be made by any mortgage insurance company, directly or indirectly, to any of its officers, directors or other employees.

No mortgage insurance company shall invest in, hold or own any of the capital stock of any other corporation or make any loan, in whole or in part, on security of capital stock of any other corporation except as permitted under section 453 5 of this chapter, provided that a mortgage insurance company may take in its own name as pledgee, in connection with any investment which it may make in any authorized real estate security, stock in a water or power corporation in cases where such stock represents the right to receive or obtain water or power for irrigation or cultivation of, or other beneficial use on, the real estate securing said investment, whether such right be appurtenant thereto or otherwise Said company may hold, use, transfer or dispose of any such stock for the benefit and protection of such investment.

A violation of any of the terms or provisions of this section shall not make any certificate, any security or any policy of such company void or voidable, but any officer, director, agent or other employee of any mortgage insurance company who knowingly consents to any violation of any of the terms or provisions of this section shall be guilty of a misdemeanor."

AMENDMENT NUMBER SIX.

On page 5 of the printed bill, strike out lines 10 to 30, and insert in lieu thereof the following:

"453.4. Every mortgage insurance company shall set aside annually, as soon as its net profits for the preceding year are determined, an amount not less than ten per cent of such net profits as a surplus, until such time as there shall be accumulated an amount equal to twenty-five per cent of the then paid in capital stock of said company, or such surplus may be paid in voluntarily in whole or in part by the stockholders of the company Such surplus must be maintained as a further security to the holders of policies of mortgage insurance issued by such company; and if at any time such surplus shall be impaired by reason of a loss, the amount by which it shall have been impaired must be restored in the manner hereinabove provided for its accumulation.

No mortgage insurance company may declare any dividends except from undivided profits remaining on hand after retaining unimpaired its entire capital stock and the amount required to be set apart as a surplus, as in this section provided

A director of a mortgage insurance company shall not be deemed to have violated the provisions of this section if he relied and acted in good faith upon a balance sheet or profit and loss statement of the company represented to him to be correct by the president or officer of the company having charge of or supervision of its accounts, or certified to be correct and according to the books of the company by a public accountant or firm of public accountants selected with reasonable care."

AMENDMENT NUMBER SEVEN.

On page 5 of the printed bill, strike out lines 31 to 52, inclusive; also on page 6, strike out lines 1 to 5, inclusive and insert in lieu thereof the following:

"453.5 No mortgage insurance company shall hereafter make or purchase any investments or loans except investments or loans authorized by this chapter; but nothing contained in this chapter shall require any company to sell, transfer or dispose of any investment or loan heretofore legally made or purchased by such company. The renewal or extension of any loan heretofore legally made or purchased by any mortgage insurance company shall not be deemed to be a loan hereafter made, within the meaning of this paragraph.

A mortgage insurance company may invest in, hold, buy and sell, and may make collateral loans secured by the securities specified in subdivisions (a), (b), (c), (d) and (e) of subdivision 1 of section 421 of the Civil Code of this State, and in addition, any of the following, to wit:

1. Authorized real estate securities as hereinabove defined, provided that in no event shall any mortgage insurance company invest a sum in excess of fifteen per cent of the then authorized, issued and outstanding capital stock of the said company in any such security or securities which may be secured by a single first mortgage or single first deed of trust upon any one parcel or group of parcels of real estate.

2. Securities, the payment of which is guaranteed or insured by a mortgage insurance company operating under the laws of the State of California, also mortgage participation certificates issued by any such company in accordance with the provisions of this chapter, including securities the payment of which is guaranteed or insured by, and mortgage participation certificates issued by, the investing company; also other certificates issued by the investing company in lieu of mortgage participation certificates, as provided in section 453 7 of this chapter.

3. Collateral trust bonds or notes when secured by deposit with a trustee of any securities authorized for investment by this section of a market value at least equal to one hundred fifteen per cent of the par value of the collateral trust bonds or notes then outstanding.

4. The stock issued by any Federal home loan bank or other similar Federal agency of which such mortgage insurance company may be eligible to become a member, and the bonds, debentures and notes issued by any Federal home loan bank or other similar Federal agency.

5. Bonds of a metropolitan water district.

Mortgage insurance companies may make deposits with any bank and such deposits shall not be construed as loans within the meaning of this section."

AMENDMENT NUMBER EIGHT.

On page 6 of the printed bill, strike out lines 6 to 42, inclusive, and insert in lieu thereof the following:

"453.6. Any mortgage insurance company may purchase and hold or convey real estate of the following character, but no other, to wit:

1 The land with improvements thereon in which it has its office, provided the cost of said land with improvements does not exceed a sum equal to twenty-five per cent of its unimpaired capital.

2. Also such as may be requisite for its accommodation in the convenient transaction of its business; provided, however, the aggregate cost of real estate with improvements acquired under the authority granted in subdivisions 1 and 2 of this section shall not exceed twenty-five per cent of its unimpaired capital.

3 Also such as may be conveyed to it or to any person for it by way of mortgage or in trust or otherwise to secure or provide for the payment of loans contracted or for moneys due.

4. Also such as may be purchased at sales under deeds of trust or mortgages or judgments obtained or made for such loans or debts.

5 Also such as may be conveyed to it in full or partial satisfaction of any debts previously contracted in the course of its dealings.

6 All such real estate as may be acquired by it by virtue of the provisions of any policy of mortgage insurance issued by such company or for protection of the company's liability under such policy.

7 All such real estate as may be conveyed to it by any trustee under the provisions of any mortgage participation trust created by such company.

All real estate held by any company may be sold, conveyed or exchanged by said company, and any property received by it upon such sale or exchange may but need not be of the classes permitted for investment by section 453 5 of this chapter; provided no exchange shall be made which results in increasing the total amount of all encumbrances then outstanding against the properties and assets of such company except with the consent of the Insurance Commissioner

After five years shall have elapsed from the date of the acquisition of any real estate acquired under the provisions of subdivisions 4, 5, 6 and 7 of this section, and as well any real estate obtained on the sale or exchange thereof, a reserve account shall be established on the books of the company in an amount equal to the cost value at which such assets are carried on the books; provided the Insurance Commissioner may in his discretion permit such real estate to be held for a longer period than five (5) years without the establishment of such reserve account, upon such conditions as may be prescribed by him.

Nothing in this chapter or code contained shall be construed to prevent a mortgage insurance company from purchasing furniture or other personal property in order to operate or sell any real estate, if such purchase be advisable in the opinion of the officers of such insurance company; nor to prevent any mortgage insurance company from making such expenditure as its officers may deem advisable in the repair, maintenance or improvement of any real estate acquired by such company."

AMENDMENT NUMBER NINE.

On page 6 of the printed bill, strike out lines 43 to 50, inclusive, and on page 7, strike out lines 1 to 52, inclusive, and on page 8, strike out lines 1 to 51, inclusive, and also on page 9, strike out lines 1 to 11, inclusive, and insert in lieu thereof the following:

"453 7. A mortgage insurance company may issue mortgage participation certificates which must comply with the provisions of this chapter; such certificates and any trust agreement under which the same may be issued may contain such further provisions not inconsistent therewith as may be agreed upon between the company issuing such mortgage participation certificates, the purchasers thereof and the trustee.

No mortgage insurance company shall issue mortgage participation certificates unless the securities, the right of participation in which is evidenced by such certificates, shall be insured, either singly or as a group, by a policy or policies of mortgage insurance issued by such company or by any other mortgage insurance company, and unless such securities shall have been segregated and set apart and shall have been assigned and transferred to a trust company to be held as a mortgage participation trust, for the common and equal benefit of the issuing company and the holders of all mortgage participation certificates evidencing participation in such particular group so segregated and set apart and so assigned.

Every mortgage participation certificate issued by such mortgage insurance company must bear the certificate of the trustee to the effect that the aggregate face amount of mortgage participation certificates then outstanding, including both the one being certified and all others evidencing participation in the same group of securities, does not exceed the amount authorized by the trust agreement under which such certificate is issued.

Each security set apart and assigned to a trustee to be held in a mortgage participation trust shall be accompanied by a copy of the appraisement of the property securing the same made in accordance with the provisions of this chapter and also a copy of the certificate required by the provisions of section 453.9 of this code, and copies of each such appraisement and accompanying certificate shall be, promptly upon the segregation and assignment of each such security, transmitted to the Insurance Commissioner and to the Superintendent of Banks, and each such copy of appraisement so transmitted shall bear an endorsement or certificate executed by the trustee of the trust in which each such security is held reciting and setting forth the amount of the unpaid principal named in the security which covers the property described in such appraisement.

A mortgage insurance company which issues mortgage participation certificates may at any time and from time to time withdraw from any mortgage participation trust under which such certificates are issued, any real estate, cash, or securities, or the proceeds or avails thereof which may be held in such trust, upon the substitution therefor of other securities insured by a policy or policies of mortgage insurance as herein provided, or cash, or both, provided always the group value of all the assets held in any such trust shall not be less than the aggregate face amount of mortgage participation certificates issued and outstanding under such trust.

Upon the substitution of any securities in any trust as herein provided, said mortgage insurance company shall report the same with a full description of the security or securities so substituted, together with an appraisement of each separate parcel of property securing said security or securities made in accordance with the provisions of this chapter, and together with the certificate required by the provisions of section 453.9 of this code, to the Insurance Commissioner in its monthly report next following such substitution

Every mortgage participation trust and the administration thereof shall at all times be and hereby is expressly made subject to the inspection, supervision and control of the Superintendent of Banks as fully and completely as if the same constituted a court trust under the provisions of the Bank Act

Mortgage participation certificates, also securities guaranteed by policies of mortgage insurance issued in conformity with the provisions of this chapter shall be legal investments for all trust funds held by any executor, administrator, guardian, trustee or other person holding trust funds, also for the funds of insurance companies, banks, banking institutions and trust companies, and shall be accepted by the State of California, its officers and officials, as securities comprising any part of any fund or deposit required by law to be made with the State of California, or with any officer or official thereof, by any trust company or insurance company doing business in the State of California, and all premiums required to be paid according to the terms of any policy of mortgage insurance, may be charged to or paid out of the income from the note or notes covered thereby; and the right of substitution hereinbefore provided and the exercise thereof shall not alter or affect the status of any mortgage participation certificates as legal investments or as securities acceptable by the State of California, its officers and officials, as comprising or constituting any such fund or deposit

The legality or validity of policies of mortgage insurance and securities guaranteed thereby and of mortgage participation certificates heretofore issued which at the date of issuance fully conformed to and complied with the law then in force shall

not be affected or impaired by the provisions of this chapter. Such securities guaranteed by policies of mortgage insurance and such mortgage participation certificates shall continue to be legal investments and to be acceptable by the State of California, its officers and officials, as deposits, to the extent and in the manner provided by the law in force at date of such issuance

Any mortgage insurance company which shall have heretofore issued mortgage participation certificates in accordance with the provisions of the law of this State in force at the time of such issuance may, with the consent of the Insurance Commissioner, amend such certificates or may cancel and retire all or any part of such certificates presently outstanding and issue in exchange therefor other certificates representing a similar proportionate interest in the group of assets held in trust for the benefit of the holders of such presently outstanding mortgage participation certificates. The plan under which such amended certificates or such other certificates are to be issued, and the form of such amended certificates and such other certificates, shall be submitted to the Insurance Commissioner for his approval, and all such amended or new certificates and any agreement under which the same may be issued shall contain, notwithstanding anything in this chapter to the contrary, such terms and provisions as shall be approved or required by such commissioner. Any executor, administrator, guardian, trustee, insurance company, bank, banking institution or trust company, and any officer of the State of California, now holding one or more mortgage participation certificates as a legal investment or as a fund or deposit required by law to be made with the State of California, may consent to the amendment of such certificates or may exchange such certificates for other certificates issued as herein provided, and may hold such amended certificates or such other certificates as legal investments or as securities eligible for deposit with the State of California or with its officers or officials in the same manner and to the same extent as the particular mortgage participation certificates so amended, or the particular certificates in exchange for which such other certificates may be issued, are now held."

AMENDMENT NUMBER TEN.

On page 9 of the printed bill, strike out lines 12 to 40, inclusive, and insert in lieu thereof the following:

"453.8. Before investing in any security or making or issuing any policy of mortgage insurance thereon or participation certificate therein, every mortgage insurance company shall cause an appraisement of the real property with improvements thereon securing the same to be made by a competent person or corporation appointed as appraiser by resolution of the board of directors of said company. No such appointment shall be valid or effective unless and until the same shall have been approved by both the Insurance Commissioner and the Superintendent of Banks, and such appointment shall be revocable at any time by either the Insurance Commissioner or the Superintendent of Banks should they or either of them consider said appointee incompetent or any appraisals made by said appointee improper, after a hearing upon due notice thereof first given to the appraiser and the company

Such approved appraiser shall examine and appraise said property and determine the fair market value thereof without deducting therefrom the amount of any outstanding and unpaid taxes, bonds or assessments, and shall thereafter make his verified report to said mortgage insurance company. Said report shall state whether such property is improved or productive and shall contain a general statement of the character of the property appraised, the purposes for which it is being used, and the kind and condition of the improvements, and the fair market value of each parcel of land and of the improvements thereon, and shall contain such other information as shall be ordered by the Insurance Commissioner or the Superintendent of Banks. Appraisals made as herein provided by an approved appraiser shall, in the absence of any negligence, gross error, fraud or collusion, be conclusive as to the facts therein stated."

AMENDMENT NUMBER ELEVEN.

On page 9 of the printed bill, strike out lines 41 to 51, inclusive, on page 10, strike out lines 1 to 52, inclusive, and on page 11, strike out lines 1 to 20, inclusive, and insert in lieu thereof the following:

"453.9. Every mortgage insurance company shall make a report in writing to the Insurance Commissioner, which report shall be made monthly and shall be verified by the oath of its president or vice president and its secretary or treasurer. Such report shall be in such form and contain such information as the commissioner shall require.

There shall be filed with such report an appraisement made by an approved appraiser, in accordance with the provisions of section 453.8 of this chapter, of each separate parcel of property securing any security which has been guaranteed or insured during the month covered by the report, an appraisement of which has not theretofore been filed in accordance with the provisions of this section or of section 453.7 of this chapter. Each appraisement shall be signed and verified by the approved appraiser making the same and shall be accompanied by a certificate signed and verified by an officer of such mortgage insurance company to the effect

that said company has in its possession and control evidences of title consisting of a full abstract of title, a full certificate or guarantee of title, or a policy of title insurance, showing that the mortgage or deed of trust securing such loan is a first mortgage or first deed of trust upon real estate and the improvements thereon, if any. Concurrently with such filing, a verified copy of such report, together with a copy of all appraisements filed therewith, shall be sent by said company to the Superintendent of Banks.

In addition to the above monthly report, every mortgage insurance company shall make and file with the Insurance Commissioner an annual report in writing covering the calendar year, in such form and containing such information as said commissioner shall require.

In case of the neglect or failure of any such mortgage insurance company to make and file such monthly reports in the office of the Insurance Commissioner before the twentieth day of the next succeeding month, or to file such annual report covering any calendar year on or before the first day of March next following the close of such calendar year as herein provided, such company shall forfeit to the State of California ten dollars per day for every day during which said neglect or failure continues; provided, however, that the Insurance Commissioner shall have authority to extend the time within which any report must be filed."

AMENDMENT NUMBER TWELVE.

On page 11 of the printed bill, strike out lines 21 to 35, inclusive, and insert in lieu thereof the following:

"453.10. Any association, corporation, firm or person who, without complying with the provisions of this chapter, shall engage as a business in the making or issuing of policies of mortgage insurance or mortgage participation certificates, as herein defined, in California, or shall advertise the making or issuing of such policies of mortgage insurance or such mortgage participation certificates in California, or shall publicly offer to make or issue such policies of mortgage insurance or such mortgage participation certificates in California shall be guilty of a misdemeanor, and any officer, director, agent or other employee of any such association, corporation, firm or person who knowingly consents, permits or makes any violation of any of the terms or provisions of this section shall be guilty of a misdemeanor.

453.11. In the event sales on execution or under power of sale contained in any mortgage or deed of trust, or by direction of court in an action for the recovery of a debt or for the enforcement of a right secured by a mortgage or other lien, shall be extended or postponed by any law of this State or of the United States, or by any order or ruling of any officer of this State or of the United States, or in the event the date when payment of either principal or interest shall become due under any note secured by a mortgage or deed of trust on real estate shall be extended or postponed by any law of this State or of the United States, or by any order or ruling of any officer of this State or of the United States, then and in any of such cases there shall be a corresponding extension for a like period of time of the date upon which mortgage insurance companies are required to make any and all payments under and by reason of any and all policies of mortgage insurance or mortgage participation certificates then issued and outstanding."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1087—An act to amend section 23 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended, relating to the filing of annual statements and prescribing the fee therefor, and to repeal section 30 of said act relating to taxation.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, strike out lines 8 and 9.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1100—An act to add a new section to the Political Code, to be numbered 596c, prohibiting any person or corporation from acting as agent for or in any manner aiding in the solicitation or advertising of any insurance corporation or insurer, unless such insurance corporation or insurer shall have received a certificate of authority to transact business in this State and prescribing a penalty for violation thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the word "such", insert "insurance".

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, after the word "such", insert "insurance".

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, after the word "such", insert "insurance".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1125—An act to amend section 623 of the Political Code, relating to bonds required of insurance companies to insure payment of taxes.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the comma first appearing in said line, and the word "or".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, strike out the comma secondly appearing in said line.

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, following the word "bond", insert the following: "in favor of the people of the State of California, to be approved by the commissioner,".

AMENDMENT NUMBER FOUR.

On page 1, line 14, of the printed bill, strike out "taxes due or paid by the company to the State", and insert in lieu thereof the following: "State taxes assessed and levied".

AMENDMENT NUMBER FIVE.

On page 1, line 15, of the printed bill, strike out the following: "upon business done".

AMENDMENT NUMBER SIX.

On page 1, line 18, of the printed bill, strike out "be signed by the company as".

AMENDMENT NUMBER SEVEN.

On page 1 of the printed bill, strike out all of line 19.

AMENDMENT NUMBER EIGHT.

On page 1, line 20, of the printed bill, strike out "sioner, and".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1280—An act to amend sections 452a, 452c, 452d, 452f, and 453 of the Civil Code, all relating to mutual benefit and life associations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 7, of the printed bill, as amended March 16th, after the word "chapter", add the words ", or under the act of the Legislature of the State of California approved March 28, 1874, as amended, relating to mutual benefit associations,".

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, as amended March 16th, after line 37, add a new paragraph reading:

"Provided that the limitation of annual dues hereinbefore provided shall not apply to associations heretofore organized and incorporated and now existing under the provisions of an act of the Legislature of the State of California, approved March 28, 1874, as amended, entitled "An act relating to mutual benefit and relief associations".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1258—An act to amend section 1251 of the Fish and Game Code, relating to deer.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following.

"An act to amend section 374a of the Penal Code, relating to the dumping of garbage in the navigable or territorial waters of this State."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 374a of the Penal Code is hereby amended to read as follows:

374a. Any person who places, deposits or dumps any garbage, swill, refuse, cans, bottles, paper, or vegetable matter or the carcass of any dead animal, or the offal from any slaughter pen or butcher shop, or any trash or rubbish in or upon the navigable waters of this State, or who places, deposits or loads the same upon any scow, barge, float, hulk, or any steam or sailing vessel, or any vessel of any kind, with intent that the same shall be dumped or deposited therefrom in or upon any of the navigable waters of this State, or of the Pacific Ocean without the State, at any point therein, within thirty miles of any point on the coast line of the State, and any captain, or other person in charge of any scow, barge, float, hulk, or any steam or sailing vessel, or any vessel of any kind, who permits the same to be loaded with any garbage, swill, refuse, cans, bottles, paper, or vegetable matter, or the carcass of any dead animal, or the offal from any slaughter pen or butcher shop, or any trash or rubbish, with intent that the same shall be dumped or deposited therefrom in or upon any of the navigable waters of this State, or of the Pacific Ocean without the State, at any point therein, within thirty miles of any point on the coast line of the State, is guilty of a misdemeanor, and no scow, barge, float, hulk, or any steam or sailing vessel, or any vessel of any kind, upon which any garbage, swill, refuse, cans, bottles, paper, or vegetable matter, or the carcass of any dead animal, or the offal from any slaughter pen or butcher shop, or any trash or rubbish has been loaded with the intent that the same shall be dumped or deposited therefrom upon any of the waters of the Pacific Ocean where permitted by this section, shall leave any point within the State unless it shall carry for the entire trip an inspector appointed by the State Board of Health, or where such point of departure is within a municipality, then by such municipality, and it shall be the duty of such inspector to enforce the provisions of this section, and the captain, or other person in charge of any such scow, barge, float, hulk, steam, sailing or other vessel, so leaving without carrying such inspector during the entire trip is guilty

of a misdemeanor; provided, however, that this act shall not be construed to affect the discharge of any sewer system."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 33—An act to repeal Chapter II of Part II of Division I of the School Code, embracing sections 1.350 to 1.430, inclusive, relating to compulsory part time education.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after "act", insert the following: "to amend section 1.145 of the School Code and".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, after the comma after "inclusive", insert the following: "and to add a new chapter, to be numbered Chapter II, of Part II of Division I of said code, embracing sections 1.350 to 1.380, inclusive,".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. Section 1.145 of the School Code is hereby amended to read as follows:

1.145. *Children who hold permits to work granted under the provisions of this* chapter, but such children shall be subject to compulsory attendance upon part time classes as provided under the provisions of Chapter II of this part.

SEC. 2. Chapter II of Part II of Division I of the".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, after line 3, insert the following

"SEC. 3. A new chapter is hereby added to the School Code, to be numbered Chapter II, of Part II, of Division I of said code, and to read as follows:

CHAPTER II—COMPULSORY CONTINUATION EDUCATION.

Article I—Persons Subject To.

1.350. All persons under sixteen years of age who hold permits to work granted under the provisions of Chapter I of this part who have not been graduated from a *high school maintaining a four-year course above the eighth grade of the elementary* schools, or who have not had an equal amount of education in a private school or by private tuition, who are not disqualified for attendance upon these classes because of their physical or mental condition, or because of personal services that must be rendered to their dependents, and who are not in attendance upon a public or private full time day school, or satisfactory part time classes maintained by other agencies, shall be, and hereby are, required to attend upon special continuation education classes maintained by the high school board of the district wherein they reside, or by the high school board of a neighboring district, for not less than four sixty-minute *hours per week for the regularly established annual school term.*

1.351. The local school authorities may accept, in lieu of the attendance required in this article, an equivalent amount of instruction at a place of employment under the direction of a duly certified instructor and in accordance with the standards and regulations established by the State Board of Education

1.352. Whenever a minor subject to the provisions of this chapter can not give satisfactory proof of regular employment such minor shall be required to attend upon special continuation education classes established under the provisions of this code, for not less than three hours per day during the period of unemployment.

1.353. The local school authorities may, in their discretion, arrange with the parent, guardian, or other person responsible for any minor employed in a seasonal occupation and excused for a period from attendance upon continuation education classes, for his full time attendance upon a special class maintained for such minor at a convenient season and such parent, guardian, or other person shall become responsible for said minor's attendance upon these classes for said period.

Article II—Enforcement of Compulsory Attendance.

1.360. Each parent, guardian, or other person having control or charge of any minor required under the provisions of Article I of this chapter to attend special continuation education classes, must compel the attendance of such minor upon the

same. He must retain a copy of the permit to work provided for by Chapter I of this part, and must present the same upon request of any officer of the law, or other person authorized to enforce the provisions of this chapter.

Article III—Investigation of Charges Against Parent or Guardian; Penalties for Violation.

1 370. The high school board of any high school district wherein a minor resides who has violated the provisions of this chapter shall, on the complaint of any person, make full and impartial investigation of all charges against any parent, guardian, or other person having control or charge of any such minor for violation of the provisions of Article II of this chapter.

1 371. If it shall appear upon the investigation provided for by this article that any such parent, guardian, or other person having control or charge of any such minor has violated the provisions of Article II of this chapter, it is hereby made the duty of the clerk of said board, or other person authorized by said board to bring such actions, to make and file in the proper court a criminal complaint against such parent, guardian, or other person having control or charge of any such minor, charging such violation, and to see that such charge is prosecuted by the proper authorities.

1 372. In cities, and in cities and counties, and in school districts having an attendance officer or officers, such officer or officers shall have power, and it shall be their duty, to make and file the complaint provided for in this article, and see that said charge is prosecuted by the proper authorities.

1 373. Should any parent, guardian, or other person having control or charge of any minor who is subject to the provisions of this chapter fail to perform any of the duties imposed upon him by the provisions of Article II of this chapter, he shall be deemed guilty of a misdemeanor, and, upon conviction, shall be liable for the first offense to a fine of not more than ten dollars, or to imprisonment for not more than five days, and for each subsequent offense he shall be liable to a fine of not less than ten, nor more than fifty dollars or to imprisonment for not less than five days, nor more than twenty-five days, or to both such fine and imprisonment.

Article IV—Disposition of Fines.

1 380. All fines collected under the provisions of this chapter shall be paid into the high school fund of the high school district wherein the minor resides.".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 304—An act to amend sections 1.145 and 1.350 of the School Code, relating to part-time compulsory education.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out line 1 of the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 1 145, 1.350, 1.391, 1 393 and 1.430 of the School Code,".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after line 27, insert the following:

"SEC. 3. Section 1 391 of the School Code is hereby amended to read as follows:

1.391. Under no conditions shall any person employ a minor under sixteen years of age who is subject to compulsory continuation education under the provisions of Article I of this chapter and who does not present the permit to work required by this chapter. The employer shall file and retain permanently said permit to work.

SEC. 4. Section 1.393 of the School Code is hereby amended to read as follows:

1.393. Except in agricultural and home-making occupations, it shall be illegal for any employer to employ a minor under sixteen years of age for a greater number of hours each day than will, if added to the number of hours that such minor is compelled to attend school under the provisions of this chapter, equal eight hours.

SEC. 5. Section 1 430 of the School Code is hereby amended to read as follows:

1.430. The compulsory attendance features of this chapter, the restrictions relating to the employment of minors under sixteen years of age, and all penalties relating thereto shall become effective upon the taking effect of this act. The provisions for

the attendance upon special classes for three hours a day by minors who can not give proof of regular employment shall take effect on the first day of July, 1930."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 699—An act to add a new section to the Political Code, to be numbered 473a, relating to the centralization in the Attorney General's office of all attorneys and legal advisers for State departments, divisions, commissions bureaus, boards, offices, and institutions, and the reimbursement of the Attorney General's office for such services

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, lines 5 and 6, of the printed bill, strike out "University of California and the Industrial Accident Commission", and insert in lieu thereof the following: "University of California, Industrial Accident Commission, State Compensation Insurance Fund, Railroad Commission, Division of Labor Statistics and Law Enforcement in the Department of Industrial Relations, Department of Motor Vehicles, Inheritance Tax Department, Legislative Counsel Bureau, Division of Banking and Division of Insurance in the Department of Investments".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 836—An act to add a new section to the Political Code, to be numbered 352a, relating to the payment of the costs of State administrative and service agencies.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 837—An act to provide for the sale and conveyance of the Napa State Farm, situated in Napa County, California, and certain personal property located thereon.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1572—An act to amend section 948 of the Political Code, relating to bonds of State officials and employees.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1574—An act to amend section 985 of the Political Code, relating to official bonds.

Bill read second time, ordered to engrossment, and third reading.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Messrs. Cobb and Field: Assembly Concurrent Resolution No. 43—Relative to school buildings damaged by earthquakes occurring in March, 1933.

Introduced, and referred to Committee on Education

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No 27—An act to amend section 602 of the Penal Code, relating to trespass

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 27 refused passage by the following vote:

AYES—Anglim, Bliss, Bowers, Boyle, Chatters, Clowdsley, Cottrell, Crist, Cronin, Field, Fisher, Grubbs, Hoffman, Jones, King, Knowland, McCarthy, Meehan, Miller, Eleanor; Morgan, Nielsen, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, West and Williamson—29

NOES—Alter, Badham, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Feigenbaum, Frazier, Gilmore, Greene, Hallner, Hatch, Kallam, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meeker, Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray, Robinson, Samuel E., Rogers, Sullivan, Utt, Woolwine, Wright, Zion and Mr. Speaker—43.

REQUEST FOR PERMISSION TO USE ASSEMBLY CHAMBER.

Mr. Powers asked for, and was granted, permission to use the Assembly Chamber for this evening, for consideration of bills pending before the Committee on Unemployment.

RECESS.

At twelve o'clock and five minutes p m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until one o'clock and thirty minutes p m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 15—Relative to memorializing and petitioning Congress to adopt a national system of insurance to protect bank depositors in the national banks of the United States—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 139—An act to amend section 3716 of the Political Code, relating to the operation of taxes as a judgment or lien against property—and reports that the same has been correctly enrolled and presented the same to the Governor on this twenty-third day of March, 1933, at eleven o'clock and thirty minutes a.m.

PATTERSON, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Joint Resolution No. 24—Relative to memorializing the Congress of the United States to enact a two-year moratorium on foreclosures of real property mortgages and on sales under deeds of trust on real property—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

WEST, Chairman.

Assembly Joint Resolution No. 24 ordered on file for adoption.

ON CIVIL SERVICE

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933

MR. SPEAKER: Your Committee on Civil Service, to which was referred Assembly Bill No. 722—An act to add a new section to be numbered 14a to the "State

Civil Service Act," relating to the abolition or discontinuance of positions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BOWERS, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1343—An act to add a new section to the Political Code, to be numbered 363dd, authorizing the Director of Public Works to enter into agreements for construction, maintenance, and use of State highway bridges jointly by the public and private owners—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GREENE, Chairman

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 310—An act to establish a Fish and Game Code, thereby revising and consolidating the law relating to fish and game and other wild life, and repealing certain provisions of law therein specified—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COBB, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 9—An act to amend section 69 of the Civil Code, relating to issuance of licenses to marry,

Also: Assembly Bill No. 889—An act to amend section 685 of the Code of Civil Procedure, relating to execution of judgments;

Also: Assembly Bill No. 898—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to provide for the management and sale of lands belonging to the State," approved March 28, 1868, also an act entitled "An act to provide for the sale of certain lands belonging to the State," approved April 27, 1863, including any case wherein relief has been granted to a purchaser or purchasers under the provisions of an act entitled "An act for the relief of purchasers of State lands," approved March 27, 1872; provided that all taxes levied against the property during the thirty years next preceding the commencement of the action have been fully paid;

Also: Assembly Bill No. 1132—An act to amend section 2898 of the Civil Code, relating to the priority of mortgages and deeds of trust given for the price of real property;

Also: Assembly Bill No 1502—An act to add a new section to be numbered 726a to the Code of Civil Procedure, relating to actions to enforce obligations secured by mortgage on real property situated outside of California;

Also: Assembly Bill No. 1879—An act to add a new section to the Code of Civil Procedure, to be numbered 1022a, relating to costs allowed to the prevailing party in a civil suit;

Also: Assembly Bill No. 978—An act authorizing the Governor to make conveyances of certain parcels of real property to the original grantors thereof or their successors or assigns, if and when the interest of the United States in said parcels is conveyed or released to the State of California, which said parcels were acquired pursuant to the provisions of the Statutes of California for 1927, Chapter 142, particularly the paragraph commencing on the bottom of page 271 and which were conveyed, pursuant to the provisions of the Statutes of California, Chapter 517, to the United States of America, for temporary use as spoil disposal areas, in connection with the construction of that certain project approved by an act of Congress which was approved by the President of the United States, on January 21, 1927, which said act provided for the deepening and rectification of the San Joaquin River and Stockton Channel in accordance with the plan laid down in House Document No. 554, Sixty-eighth Congress, second session,

Also: Assembly Bill No. 2330—An act to amend sections 605g, 605h, 605i and 605j of the Civil Code, relating to corporations sole;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 278—An act to add a new section to the Penal Code of California, to be known as section 1510 1, relating to the powers and duties of coroners and to the custody of dead bodies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 771—An act to amend section 16 of the act known as the "Act Concerning Cosmetology," relating to exemptions;

Also: Assembly Bill No. 1587—An act regulating public laundries, prescribing conditions connected with the operation of such laundries, and fixing penalties for violation of the provisions of this act;

Also: Assembly Bill No. 814—An act to amend section 9 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provisions for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, relating to elections;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

HOFFMAN, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2058—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered re-referred to Committee on Rules.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1376—An act to amend sections 2, 4, 5, 7, 10, 23, 26 and 37 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities; providing for the enforcement of said act and penalties for violation thereof; and creating a State Corporation Department and office of Commissioner of Corporations'," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sale of securities, and the prevention of fraud in the sale of securities—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman

The above reported bill ordered re-referred to Committee on Rules.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 281—An act to amend sections 4 and 5 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for

the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations." approved May 28, 1931, relating to cleaning and dyeing shops and private schools and colleges of spotting, sponging and/or pressing—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Public Health and Quarantine.

WEST, Chairman.

The above reported bill ordered re-referred to Committee on Public Health and Quarantine.

ON PUBLIC HEALTH AND QUARANTINE

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 531—An act to amend sections 2, 6, 7, 9, 14 and 18 of the "Act Concerning Cosmetology"—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HOFFMAN, Chairman.

The above reported bill ordered on file for second reading.

ORATION.

On request of the members of the Assembly, the following oration, delivered on St. Patrick's Day, Friday, March 17, 1933, by the Honorable Thomas A. Maloney, was ordered printed in the Journal:

ORATION ON SAINT PATRICK.

Permit me, at this time, to extend to the Speaker of this House on behalf of the Irish people of California, my sincere thanks and appreciation for this opportunity of giving an oration on this sacred day—The Feast of Saint Patrick.

My parents, to whom I owe so much, were born near the city of Dublin in County Kildare, Ireland. So what I say here today about Saint Patrick is what I learned from Irish parents.

It has not been definitely established just where Saint Patrick was born but history informs us that his ancestors were French and history also informs us that Saint Patrick died when he was 100 years of age in the year 473, which would indicate to us that he was born in the year 373.

In the year 385 St. Patrick was captured by the Irish Kelts who at that time invaded England. In the darkness of the night he escaped and made his way to Galway Bay and embarked to return home to his own people in France. After years of study Patrick was commissioned to go to Ireland and Christianize the Irish people, who were at that time suffering persecution by the Druid priests. His task was hard and his trials and tribulations many. His home was a mountain side, his clothes were made of wool from sheep, and for a pillow he used a hard stone, and all to fulfill his mission in Ireland to Christianize this persecuted race and help to relieve the many hardships they were enduring at that time.

From the hills of Tara, Patrick could see the feasts of the Druid priests being celebrated, and knowing well in his heart that during this celebration no fires were permitted, he disobeyed this rule and made a fire on the hillside. The king, seeing the fire, ordered the culprit, Patrick, brought in, which was done, and upon questioning by the king, Patrick was asked whom he represented, and he stated, the Holy Trinity, explaining to the king who the Holy Trinity were.

Patrick converted the king and his wife and those at the feast, and was then given permission to preach to the Irish people, which he did, and did well, for it was not long after that monasteries and churches were built in Ireland to carry on his work and which to this day is carried on by the Irish people.

In the seventh century, Alaric conquered Rome and destroyed the Roman empire and it was at that time that the Middle or Dark Ages began and lasted until the twelfth century. When the civilization of the world was destroyed by the German invasion of the Roman empire, it was civilized Ireland, educated by Patrick, whose teachings brought back education and civilization to the entire world and has to this day advanced its educational facilities to the high standards that it now enjoys. In those days with the very fervent kiss of a loving mother on the cheek of her child, the respect was instilled into the hearts of the children in Ireland, and this respect has to this day played its most important part in bringing the highest standards of decency and education throughout the entire world. The Irish people who came to America have contributed to this country loyalty and good citizenship and in all the impor-

tant walks of life in this great United States, the sons and daughters and those of Irish parentage show their allegiance to the American flag.

Although persecuted to the very depths of persecution, Irish mothers shared equally the hardships endured by those who were struggling in this fight for independence.

More than 1500 years have passed since that sublime young Patrick, with child-like simplicity and heavenly grace, walked from Ireland preaching and baptising, and when his journey had ended the pagan land which he first viewed had become Christian forever; and not only Christian did she become, but she built and developed a civilization that for centuries ruled and enlightened the world—ruled not by force of arms but by peaceful means—by her art unexampled, her literature unexcelled; in a word, by her culture—a culture so strong and so vital and so generally distributed among her people that today it is the marvel of students and historians.

Next to God the greatest love of the Irishman is liberty Because of that great love he has made the nations of the world his betters and what could be more fitting on this day—this day which to us of Irish blood is not alone religiously holy, but politically holy as well—what could be more fitting, I repeat, than to call to mind the deeds of valour and the patriotic service of those who wrote their imperishable record on the tablets of American history—a record which should be ever before us, of which we are justly proud, but which, save for such occasions as this, we are, indeed, prone to forget. When Jefferson brought forth the Declaration of Independence and enunciated the immortal doctrine of the equality of mankind and the right of the people to govern themselves, he but echoed the sentiments of the Irish writers expressed a century before and but stated the principle for which Ireland had been battling and struggling for 600 years. And it was Ireland first of all nations which gave to the rebellious colonies recognition and encouragement in their struggle for nationality.

The strong attributes displayed by Patrick instilled into the hearts and the minds of the Irish people determination and courage, and that determination and courage has played its most important part in the building up not only of Ireland, but nearly all of the nations of the world, because no matter where you may go you will find Irish people.

Ireland, through the efforts of St. Patrick, has more than contributed its share to this Nation, not only on the battlefields when this country was at war, but on all other occasions when her sons and daughters were called upon.

If we were to trace back our history just a little we find that General Montgomery, a son of Ireland, took part in the Revolutionary War, and in that war 65 per cent of Washington's Army were native-born Irish. Washington's secretary was also a native-born Irishman The first battle, known as the Battle of William and Mary, was led to victory by that stalwart Irishman John Sullivan. General Montgomery, another native-born Irishman, was also one of the leaders in this war, in which 185 Irishmen died for the cause of liberty.

We also know that Admiral Barry, an Irishman, was the first admiral of the American Navy

In the Civil War, 184,000 native-born Irishmen died. We also find that Thomas Francis Mehan was commander of the Irish Brigade.

While we are in the throes of depression we look back and see that in Washington's time there was also a depression and that the treasury was depleted, and it was at that time that the Sons of St. Patrick of Philadelphia gave $2,000,000 to Washington So high was George Washington held in the esteem of the Sons of St. Patrick, that he was initiated into that organization and was a member until he died

In closing, on behalf of the Irish people of the State of California, I wish to extend to the members of this Assembly my sincere thanks and appreciation for the courtesy shown in granting me the privilege of expressing to you the gratitude of the Irish people and their descendants

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1122—An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; providing for the powers, duties and authority of said commission and the members thereof; providing for the institution of prorate programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of

funds for the purposes of said act and providing for the collection thereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1122 was withdrawn from the file, and referred to Committee on Ways and Means.

Assembly Bill No. 733—An act to amend section 2 of an act entitled "An act providing for the exhibit of the products and resources of the State of California at the Chicago World's Fair Centennial Celebration to be held at Chicago, Illinois, in 1933, creating the California World's Fair Centennial Celebration Commission and defining its powers and duties, and making an appropriation therefor," approved June 12, 1931, relating to powers and duties of said commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 733 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Gilmore, Greene, Hatch, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; O'Connor, Patterson, Phillips, Rawls, Redwine, Rogers, Roland, Ross, Stream, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 305—An act to add a new section, to be numbered 52a to "The California Irrigation District Act," providing for the use of certain bonds and coupons in the payment of assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 305 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Gilmore, Greene, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; O'Connor, Patterson, Phillips, Rawls, Redwine, Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1527—An act to impose an excise tax on the manufacture and distribution of beer, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1527 was withdrawn from the file, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2097—An act to amend sections 828 and 829 and to add a new section to the Agricultural Code, to be numbered 810.5, relating to the standardization of asparagus.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2097 was withdrawn from the file, and referred to Committee on Agriculture.

Assembly Bill No. 434—An act to amend sections 1, 2, 3, 4, 23, and 26 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," and to add thereto a new section to be numbered 4a, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 434 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 548—An act to amend section 10 of an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1913, and all amendments thereto.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 548 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 951—An act to amend section 1204 of the Code of Civil Procedure so as to give a preference to all wage claimants under a receivership.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 951 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Gilmore, Greene, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; O'Connor, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Ross, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 996—An act to amend section 797 of the Agricultural Code, relating to the standardization of grapefruit.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 996 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Crowley, Evans, Feigenbaum, Field, Greene, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, West, Williamson, Wright and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 998—An act to amend section 815 of the Agricultural Code, relating to the standardization of Persian melons, casabas, honeydew melons and watermelons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 998 passed by the following vote:

AYES—Anglim, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Craig, Crist, Crowley, Feigenbaum, Field, Frazier, Gilmore, Greene, Hoffman, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—52

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 999—An act to amend section 811 of the Agricultural Code, relating to the standardization of cantaloupes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 999 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Craig, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Hallner, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson,

Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—58.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1690—An act to add section 32 to the Land Settlement Act, ratifying and confirming the execution of a certain agreement between the Federal Land Bank of Berkeley, the Delhi National Farm Loan Association and the State of California, relating to the transfer of properties at the Delhi State Land Settlement to the Federal Land Bank at Berkeley, and the satisfaction of certain obligations of the State of California which said agreement was executed subject to the confirmation and ratification of the Legislature of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1690 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—58.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1981—An act to amend section 479 of the Agricultural Code, relating to dairies and dairy products.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1981 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Craig, Crist, Crowley, Feigenbaum, Field, Frazier, Gilmore, Hallner, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson and Mr. Speaker—55.
NOES—Zion—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1982—An act to amend section 459 of the Agricultural Code, relating to dairies and dairy products.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1982 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Latham, Levey, Lyon, Maloney, Martin, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A.,

O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson and Mr. Speaker—56

NOES—Zion—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1983—An act to amend section 476 of the Agricultural Code, relating to dairies and dairy products.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1983 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Latham, Levey, Lyon, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson and Mr. Speaker—66

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 511—An act to add two new sections to the Penal Code to be numbered 969e and 1158a, relating to defendants armed with weapons at the time of the commission of the offense or at the time of arrest and providing a procedure for charging that defendants were so armed and for determining the truth of the charge.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE.

On page 2, line 25, of the printed bill, strike out "armed as alleged", and insert in lieu thereof the following: "using or attempting to use the weapon at the time of his commission of the offense".

Amendment adopted.

Bill read, ordered to reprint, engrossment, and third reading.

REPORTS OF STANDING COMMITTEE—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 75—Proposing an amendment to the Constitution of the State by amending section 14 and repealing section 12¼ of Article XIII, relating to taxation—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Feigenbaum asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 75, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NUMBER SEVENTY-FIVE

Assembly Constitutional Amendment No 75—Proposing an amendment to the Constitution of the State by adding section 10 to Article XI, and amending section 14 and repealing section 12½ of Article XIII, relating to taxation.

Assembly Constitutional Amendment No. 75 read.

The question being on the adoption of Assembly Constitutional Amendment No. 75.

FLOOR AMENDMENTS

During reading of Assembly Constitutional Amendment No. 75, the following amendments were submitted by Mr. Feigenbaum:

AMENDMENT NUMBER ONE

On page 3, line 4, of the printed measure, strike out "(b) and (c)", and insert in lieu thereof the following: "(a) and (b)".

AMENDMENT NUMBER TWO.

On page 4, line 6, of the printed measure, strike out the words "can companies", and insert in lieu thereof "car companies".

AMENDMENT NUMBER THREE.

On page 4, line 47, of the printed measure, strike out the following: "(h)", and insert in lieu thereof the following: "(g)".

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Feigenbaum asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 75, at this time, without reference to printer or file, and that same be considered engrossed.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At three o'clock and ten minutes p.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

Further consideration of Assembly Constitutional Amendment No. 75.

Assembly Constitutional Amendment No. 75—Proposing an amendment to the Constitution of the State by amending section 14 and repealing section 12½ of Article XIII, relating to taxation.

Assembly Constitutional Amendment No. 75 read as amended.

The question being on the adoption of Assembly Constitutional Amendment No. 75.

The roll was called, and Assembly Constitutional Amendment No. 75 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland,

Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr Speaker—74

NOES—None

Title read and approved.

Assembly Constitutional Amendment No. 75 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No 75

Proposing an amendment to the Constitution of the State by amending section 14 and repealing section 12½ of Article XIII, relating to taxation

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California, at its fiftieth regular session, commencing on the second day of January, 1933, two-thirds of all the members elected to each of the houses thereof voting in favor hereof, hereby proposes to the people of the State of California that the Constitution of said State be amended as follows:

First. That section 12½ of Article XIII be repealed

Second That section 14 of Article XIII be amended to read as follows:

Sec. 14. Taxes levied, assessed and collected as hereinafter provided upon insurance companies and taxes upon all franchises of every kind and nature, shall be entirely and exclusively for State purposes, and shall be levied, assessed and collected in the manner hereinafter provided. The word "companies" as used in this section shall include persons, partnerships, joint stock associations, companies and corporations.

(a) Every insurance company or association doing business in this State shall annually pay to the State a tax of two and sixty-hundredths per cent upon the amount of the gross premiums received upon its business done in this State, less return premiums and reinsurance in companies or associations authorized to do business in this State; provided, that there shall be deducted from said two and sixty-hundredths per cent upon the gross premiums the amount of any county and municipal taxes paid by such companies on real estate owned by them in this State. This tax shall be in lieu of all other taxes and licenses, State, county and municipal, upon the property of such companies except county and municipal taxes on real estate, and except as otherwise in this section provided, provided, that when by the laws of any other State or country, any taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, are imposed on insurance companies of this State doing business in such other State or country, or upon their agents therein, in excess of such taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, imposed upon insurance companies of such other State or country, so long as such laws continue in force, the same obligations and prohibitions of whatsoever kind may be imposed by the Legislature upon insurance companies of such other State or country doing business in this State

(b) All franchises, other than those expressly provided for in this section, shall be assessed at their actual cash value, in the manner to be provided by law, and shall be taxed at the rate of one per centum each year, and the taxes collected thereon shall be exclusively for the benefit of the State

(c) Out of the revenues from the taxes provided for in this section, together with all other State revenues, there shall be first set apart the moneys to be applied by the State to the support of the public school system and the State University. In the event that the above named revenues are at any time deemed insufficient to meet the annual expenditures of the State, including the above named expenditures for educational purposes, there may be levied in the manner to be provided by law, a tax, for State purposes, on all the property in the State including the classes of property enumerated in this section, sufficient to meet the deficiency All property enumerated in subdivisions (a) and (b) of this section shall be subject to taxation, in the manner provided by law, to pay the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township or district, before the adoption of this section The taxes so paid for principal and interest on such bonded indebtedness shall be deducted from the total amount paid in taxes for State purposes

(d) The rates of taxation fixed in this section shall remain in force until changed by the Legislature, two-thirds of all the members elected to each of the two houses voting in favor thereof The taxes herein provided for shall become a lien on the first Monday in March of each year after the adoption of this section and shall become due and payable on the first Monday in July thereafter The gross receipts and gross premiums herein mentioned shall be computed for the year ending the thirty-first day of December prior to the levy of such taxes and the value of any property mentioned herein shall be fixed as of the first Monday in March Nothing herein contained shall affect any tax levied or assessed prior to the adoption of this section; and all laws in relation to such taxes in force at the time of the adoption of this section shall remain in force until changed by the Legislature.

(e) No injunction shall ever issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin the collection of any tax levied under the provisions of this section; but after payment action may be maintained to recover any tax illegally collected in such manner and at such time as may now or hereafter be provided by law

(f) Nothing in this section is intended to, nor shall the same, supersede or repeal, expressly or impliedly, any of the provisions of sections 15, 16 or 18 of this article, nor impair the effectiveness of said provisions or any thereof

(g) The State Board of Equalization shall assess and levy taxes for State purposes upon operative property of all railroad companies, including street railways, whether operated in one or more counties; all sleeping car, dining car, drawing-room car, and palace car companies, all refrigerator, oil, stock, fruit and other car-loaning and other car companies operating upon the railroads in this State; all companies doing express business on any railroad, steamboat, vessel or stage line in this State; all telegraph and telephone companies; and all companies engaged in the transmission or sale of gas or electricity which companies shall annually pay to the State a tax upon their franchises, roadways, roadbeds, rails, rolling stock, poles, wires, pipes, canals, conduits, rights of way, and other property, or any part thereof used exclusively in the operation of their business in this State, and also upon such franchises and property of such companies operating partly within and partly without this State, the tax upon the latter class of property to be based upon the proportion of the mileage within this State to the entire mileage over which the business of the company is done in respect to all business passing through, into or out of this State

(h) In determining the rates of tax upon operative and nonoperative property, for State purposes, the State Board of Equalization shall

(1) Ascertain the true value of all operative property and of all nonoperative property throughout the State and likewise in each county in the State; and

(2) Ascertain the ratio between true value and locally assessed value of nonoperative property in each county in the State; and

(3) The total amount of money required to be raised, during or in respect to the current tax year, by way of an ad valorem tax, including particularly the tax on operative and nonoperative property, taking into consideration the revenues of the State derived or calculated to be derived from other sources, to the end that—

The State rate or rates of tax upon operative ad nonoperative property shall be so determined and fixed that the tax burden resting upon operative and nonoperative property for State purposes, wheresoever the property may be situated in this State, shall be as nearly equal as may be in proportion to value, without necessitating the making of equal and uniform assessment valuations of nonoperative property in or by each and every county

(i) All ad valorem taxes for county, city, city and county or district purposes upon the operative property mentioned or referred to in subdivision "(g)" of this section shall be levied, assessed and collected in the manner provided by law as the law existed on the first day of November, 1910, except that

(1) The assessment valuation as ascertained and determined by the State Board of Equalization in respect to operative property situate in the county, city, city and county or district shall govern and shall be used as the basis for such tax; and

(2) The rate for such tax shall be equalized, fixed and determined by the State Board of Equalization, in the fixing of which said board shall take into consideration and be governed by the ratio between the true value and the assessed value (as assessed by the appropriate local officials) of taxable nonoperative property in the local governmental unit, on the one hand and the ratio between the true value and the assessed value (as assessed by the State Board of Equalization for purposes of State taxation) of operative property, on the other hand, and

(3) For the purpose of fixing the proper rate of local tax on operative property situate in local governmental units, said State board shall each year ascertain and determine, in and for each local governmental unit that exercises the taxing power upon an ad valorem basis, the true value of all nonoperative property, and the relation thereto of the locally assessed value thereof as well as the true value of all operative property, situate within the boundaries of such governmental unit, to the end that the rate of tax may be suitably adjusted and the local tax burdens resting upon operative and nonoperative property, respectively, may be equalized without the necessity of making equal and uniform the assessment valuations in each of the local governmental units throughout the State; and

(4) When such local rate of tax upon operative property is thus determined, said State board shall certify the same to the appropriate officials of the local governmental unit and such shall be the rate of tax to be levied by them upon such property within such unit for that year

(j) All the provisions of this section shall be self-executing and the Legislature shall pass all laws necessary to carry this section into effect and shall provide for the valuation and assessment of the property enumerated in this section and shall prescribe the duties of the State Board of Equalization and any other officers in connection with the administration thereof The California Revenue Act of 1933 is hereby ratified and confirmed. It is and shall be as valid and effective, in every

particular, as it would be had it been enacted subsequent to the adoption of this amendment

THE SPEAKER IN THE CHAIR.

At three o'clock and fifteen minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No 1906—An act to add a new section to the School Code to be numbered 5.27, relating to cooperative stores on the campuses of the State teachers colleges.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Powers:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "provided that any and all profits so derived shall revert to the benefit of the students attending said colleges."

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1937—An act to amend section 1197 of the Political Code, relating to election ballots.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Gilmore:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out lines 21 to 27, inclusive, and insert in lieu thereof the following: "The name of the incumbent shall appear first upon a list of all candidates for any office and if two or more positions are to be filled at the same time and more than one incumbent is running, the name of each of the incumbents shall appear in alphabetical order for that assembly district which is lowest in numerical order of any assembly districts in which such candidates are to be voted on; and thereafter for each succeeding assembly district in which such candidates are to be voted on the name appearing first for such office in the last preceding district shall be placed last, the order of the other names remaining unchanged."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, at the beginning of line 15, and before "groups", insert the following: "other".

AMENDMENT NUMBER THREE.

On the specimen ballot, facing page 8 of the printed bill, and for use at general elections at which electors of President and Vice President of the United States are chosen, make the changes indicated on the attached copy of the specimen ballot (These changes provide for striking out certain material at the beginning of the list of candidates for electors of each party. The names of the candidates for the other offices are arranged in alphabetical order. That is, candidates other than the incumbent whose name is printed first in such list.)

AMENDMENT NUMBER FOUR.

On the second specimen ballot, facing page 8 of the printed bill, and for use at general elections at which a Governor of the State is chosen, make the changes on this copy of the specimen ballot as marked on the attached copy (These changes provide for arranging the names of the candidates in alphabetical order. That is, candidates other than the incumbent whose name is printed first in such list.)

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Messrs Robinson, C. Ray, and Meeker:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933

MR. SPEAKER: We ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to reduce the rates and charges of gas and electrical corporations furnishing heat, light and power to the public, empowering and directing the Railroad Commission to administer and enforce the reduction, and declaring this act to be an urgency measure.

Referred to Committee on Introduction of Bills

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows

An act relating to the safety of design and construction of public school buildings, providing for regulation and supervision of the construction, reconstruction or alteration of or addition to public school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately

HALLNER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act to reduce the rates and charges of gas and electrical corporations furnishing heat, light and power to the public, empowering and directing the Railroad Commission to administer and enforce the reduction, and declaring this act to be an urgency measure.

HALLNER, Chairman

Also:

ASSEMBLY CHAMBER, SACRAMENTO March 21, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act to amend section 362c of the Civil Code, relating to the extension of the term of corporate existence.

HALLNER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add section 1034 to the Political Code, relating to the salaries of State officers or employees.

HALLNER, Chairman

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—71.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated

By Mr. Williamson: Assembly Bill No. 2339—An act to amend section 362c of the Civil Code, relating to the extension of the term of corporate existence.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crowley: Assembly Bill No 2340—An act to add section 1034 to the Political Code, relating to the salaries of State officers or employees

Bill read first time, and referred to Committee on Ways and Means

By Messrs. Robinson, C Ray, and Meeker: Assembly Bill No. 2341—An act to reduce the rates and charges of gas and electrical corporations furnishing heat, light and power to the public, empowering and directing the Railroad Commission to administer and enforce the reduction, and declaring this act to be an urgency measure.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Field Assembly Bill No 2342—An act relating to the safety of design and construction of public school buildings, providing for regulation and supervision of the construction, reconstruction or alteration of or addition to public school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Field asked for, and was granted, unanimous consent to have Rules 64, 68, 72, 74 and 75 suspended for the purpose of considering Assembly Bill No. 2342, at this time, without reference to committee or file, and that same be considered engrossed

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO CALIFORNIA, March 23, 1933.

To the Honorable Members of the Assembly

Assembly Bill No 2342 provides for the regulation and supervision of the construction, reconstruction or alteration of or addition to public school buildings.

In my opinion Assembly Bill No 2342 constitutes an emergency bill within the meaning of section 34 of Article IV of the State Constitution, consideration of which should not await final enactment of the budget bill in view of the immediate necessity of putting into effect the regulation of the construction of public school buildings provided for by this bill and to the end that all necessary and proper steps may be taken to insure against a recurrence of the loss and damage caused by the destruction by earthquakes of school buildings not properly constructed.

School buildings destroyed in the recent earthquake will be immediately rebuilt and for that reason it is necessary that the regulation provided for by this bill be immediately made effective in order that this reconstruction work may be properly supervised and regulated.

I, therefore, recommend the passage of this bill as an emergency measure within the meaning of that term as used in section 34 of Article IV of the Constitution.

Respectfully submitted

JAMES ROLPH, JR, Governor of California.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Field:

Resolved, That Assembly Bill No 2342 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with and it is ordered that said bill be read the first, second, and third times, and placed upon its passage

The question being on the adoption of the resolution.

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

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.

NOES—None

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering at this time Assembly Bill No. 2342

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED FORTY-TWO.

Assembly Bill No. 2342—An act relating to the safety of design and construction of public school buildings, providing for regulation and supervision of the construction, reconstruction or alteration of or addition to public school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately.

Bill read second time

Urgency clause read

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—62

NOES—Feigenbaum, Hornblower and Williamson—3.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED FORTY-TWO.

Assembly Bill No 2342—An act relating to the safety of design and construction of public school buildings, providing for regulation and supervision of the construction, reconstruction or alteration of or addition to public school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the

collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately.

Bill read third time.

The question being on the passage of the bill

MOTION.

Mr. Powers moved that further consideration of Assembly Bill No 2342 be made a special order for Monday, March 27, 1933, at the hour of two o'clock p m.

Mr. Grubbs seconded the motion.

The question being on the motion to have Assembly Bill No 2342 made a special order.

WITHDRAWAL OF SECOND

Mr. Grubbs withdrew his second to Mr. Powers' motion

RULING BY SPEAKER.

The Speaker ruled the motion of Mr. Powers out of order for want of a second.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2342 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILLS.

Senate Bill No 976—An act authorizing the city of Richmond to lease certain tide and submerged lands heretofore granted by the State of California to said city in trust.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 634—An act to provide for the establishment of the coast line of the State of California.

Bill read second time

MOTION TO RE-REFER.

Mr. Gilmore moved that Senate Bill No 634 be withdrawn from the file, and re-referred to Committee on Fish and Game.

The question being on re-referring Senate Bill No. 634 to Committee on Fish and Game

AMENDMENT TO MOTION

Mr. Maloney moved, as an amendment, that Senate Bill No. 634 be withdrawn from the file, and ordered re-referred to Committee on Commerce and Navigation.

The question being on re-referring Senate Bill No. 634 to Committee on Commerce and Navigation.

Motion carried.

Senate Bill No. 634 ordered re-referred to Committee on Commerce and Navigation

Senate Bill No. 325—An act to add a new section to the Political Code, to be numbered 356a, relating to contracts between State agencies.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after the period, insert the following: "State departments, officers, board, commissions or bureaus which are requested to furnish such special or technical services, or to perform such work, are authorized to comply with such requests, and to employ the services of such employees, and to furnish such materials, supplies, or equipment as may be necessary to efficiently carry on the work or services provided for in the contract."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after the period in line 15, add the following: "All moneys received by any agency under the provisions of this section shall be deposited in the State treasury and shall be used in augmentation of the appropriation made for such agency."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 340—An act relating to the control and jurisdiction over, and disposition of certain State lands therein described.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, lines 2 and 3, of the printed bill, as amended, strike out the words "State Board of Control", and insert in lieu thereof the following: "Division of State Lands".

AMENDMENT NUMBER TWO.

On page 2, line 21, of the printed bill, as amended, strike out the words "State Board of Control", and insert in lieu thereof the following: "Division of State Lands".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 734—An act to repeal section 354 of the Political Code and to add a new section to be numbered 354, relating to biennial reports of departments and agencies of the State

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, as amended, strike out the word "No", and insert in lieu thereof the following: "With the exception of the biennial report of the State Controller which shall be printed, no".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 465—An act to amend section 4082 of the Political Code, relating to lost or destroyed county warrants issued in favor of the State.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Joint Resolution No. 16—Relative to memorializing Congress to enact legislation providing for the suspension in payment of charges due from Federal reclamation project settlers to the United States and providing for a loan to the reclamation fund to replace the income thereto thus suspended.

Senate Joint Resolution No. 16 read.

The question being on the adoption of Senate Joint Resolution No. 16.

The roll was called, and Senate Joint Resolution No. 16 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Dempster, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Patterson, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—55.

NOES—None

Title read and approved.

Senate Joint Resolution No. 16 ordered transmitted to the Senate.

Senate Bill No. 219—An act to amend section 4017 of the Political Code, relative to consolidation of county offices.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 219 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Feigenbaum, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—56

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 46—An act to amend section 4259 of the Political Code, relating to salaries of officers of the counties of the thirtieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 46 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crowley, Feigenbaum, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley,

Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Utt, West, Woolwine, Wright and Mr. Speaker—56.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 48—An act to amend section 16x30 of the "Weights and Measures Act," relating to the salary of the sealer of weights and measures in counties of the thirtieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 48 finally passed by the following vote:

AYES—Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Gilmore, Hallner, Hoffman, Jones, King, Knowland, Latham, Maloney, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—49.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 63—An act to repeal "An act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof," approved March 3, 1897;

Also: Assembly Bill No. 64—An act to repeal "An act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof," approved March 27, 1897;

Also: Assembly Bill No. 71—An act to repeal "An act to regulate the salaries of certain officers in the police department within municipalities of the first class in the State of California, and to provide for the appointment and salaries of other officers of such departments," approved March 8, 1897;

Also: Assembly Bill No. 72—An act to repeal "An act to create a court in and for the town of Berkeley, State of California," approved March 27, 1895;

Also: Assembly Bill No. 74—An act to repeal "An act to authorize the legislative body of a municipality to create sewer districts within its boundaries, provide a system of sewer bonds for the construction of sewers therein, and to provide for the payment of said bonds," approved February 13, 1911;

Also: Assembly Bill No. 99—An act to repeal "An act to establish water rates in the City and County of San Francisco," approved March 1, 1876.

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 103—An act to repeal "An act to authorize the common council of the city of Santa Barbara to lay out, open, and improve streets in said city," approved March 26, 1878;

Also: Assembly Bill No. 563—An act to amend sections 2 and 7 of the act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to incorporation of municipal corporations and annexation of territory thereto;

Also: Assembly Bill No. 658—An act to add two new sections to the Penal Code, to be numbered 200 and 201, establishing the public offense of unlawfully causing death through operation of a motor vehicle and providing penalties therefor;

Also: Assembly Bill No. 737—An act to add section 4½ to an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for

the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893, as amended, relating to the issuance of bonds;

Also: Assembly Bill No. 836—An act to add a new section to the Political Code, to be numbered 352a, relating to the payment of the costs of State administrative and service agencies;

Also: Assembly Bill No. 837—An act to provide for the sale and conveyance of the Napa State Farm, situated in Napa County, California, and certain personal property located thereon.

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 893—An act to provide for instruction in mining safety by the Department of Natural Resources;

Also: Assembly Bill No. 1163—An act to add a new section to the Fish and Game Code, to be numbered 1323, relating to muskrats;

Also: Assembly Bill No. 1229—An act to amend sections 5.400, 5.420, 5.500, 5.503, 5.510, 5 520, 5.521, 5 650, 5.651, 5.652, 5.653, 5.654, 5.655, 5.657, 5.658, 5 660, 5.662, 5 663, 5 664, 5.681, 5.691 and 5.710, and repealing sections 5.404, 5.504 and 5.682, and adding new sections to be numbered 5.505, 5.506, 5.507, 5 666 and 5.711½ of the School Code of the State of California, relating to the employment, classification, dismissal and suspension of employees requiring certification qualifications;

Also: Assembly Bill No. 1408—An act to amend section 16 of an act entitled "An act to provide for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903;

Also: Assembly Bill No. 1411—An act to amend section 10 of the "Street Improvement Act of 1913," relating to street improvements;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1415—An act to amend section 13 of "The Grade Separation Act of 1927," relating to the separation of grades;

Also: Assembly Bill No. 1572—An act to amend section 948 of the Political Code, relating to bonds of State officials and employees;

Also: Assembly Bill No. 1574—An act to amend section 985 of the Political Code, relating to official bonds;

Also: Assembly Bill No. 1745—An act to amend section 949 of the Fish and Game Code, relating to nets;

Also: Assembly Bill No 1774—An act to amend section 2 of an act entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," approved June 13, 1923, relating to liability for negligence;

Also: Assembly Bill No. 2069—An act to amend section 6 of the act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, relating to examination and licensing of persons who have been engaged as apprentices;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2194—An act to amend section 9 of an act entitled "An act to

regulate the taking and harvesting of kelp and other aquatic plants of the State of California by recognizing and declaring their ownership in the State of California and providing for the control thereof by the Fish and Game Commissioners, and providing for a license tax upon all persons, firms or corporations engaged in the industry of taking or harvesting kelp or other aquatic plants, and providing for the collection and disbursement of the revenues derived therefrom, and providing for a privilege tax upon all kelp taken in the waters of this State, and providing for the protection of kelp beds, for the manner of taking kelp and other aquatic plants, and providing for hearings by the Fish and Game Commissioners, and providing penalties for the violation of this act," approved May 18, 1917, relating to kelp;

Also: Assembly Bill No. 2229—An act to repeal section 954 of the Fish and Game Code, relating to nets;

Also: Assembly Bill No. 2294—An act relating to and providing for a moratorium with respect to the requirement for the performance of prospecting work contained in certain State mineral permits other than those issued for prospecting for oil or gas, under the authority contained in Chapter 303, Statutes of California, 1921, as amended, and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No. 2301—An act to amend section 660 of the Fish and Game Code, relating to salmon;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 453—An act to amend sections 901 and 910 of the Probate Code, relating to compensation of executors, administrators, and attorneys—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 2097—An act to amend sections 828 and 829 and to add a new section to the Agricultural Code, to be numbered 810 5, relating to the standardization of asparagus—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC MORALS.

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 937—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16, and to add sections 17, 18, 19, 20 and 21 to, an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," submitted by initiative and approved by electors November 4, 1924, relating to boxing and wrestling—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman.

The above reported bill ordered re-referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 507—An act to provide the licensing and regulation of racing within this State, and providing penalties for the violation of this act—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman.

The above reported bill ordered re-referred to Committee on Rules.

Also:

MR SPEAKER. Your Committee on Public Morals, to which was referred Assembly Bill No. 298—An act to amend sections 1, 2, 3 and 9 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held, to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests" approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WRIGHT, Chairman.

The above reported bill ordered re-referred to Committee on Rules.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 217—An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island—has had the same under consideration, and respectfully reports the same back *without recommendation, as amended.*

MALONEY, Chairman.

The above reported bill ordered re-referred to Committee on Rules.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933.

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1057—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 5, 6, 7, 8, 10, 11 and 13½, all relating to the powers, government and management of metropolitan water districts, and the exclusion of area therefrom, and declaring same an urgency measure—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman

The above reported bill ordered placed on daily calendar.

SENATE MESSAGES

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO, March 23, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 362—An act to amend section 1 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and *regulations to carry out the purpose and intent of this act,*" approved June 3, 1913, relating to the scope of the act,

Also: Assembly Bill No. 1838—An act to add a new section to the Political Code to be numbered 528a relating to the printing of new or revised codes

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 23, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1006—An act to amend section 1239 of the Agricultural Code, relating to warehouses, the collection and disposition of fees therefrom;

Also, Senate Bill No. 322—An act for the regulation of auto camps and to provide penalties for the violation thereof;

Also: Senate Bill No. 197—An act to amend section 4269 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the fortieth class;

Also: Senate Bill No. 198—An act to amend section 2322x36 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-sixth class;

Also: Senate Bill No. 126—An act relating to and regulating the grazing of live stock on public lands of the United States in the State of California, protecting customary grazing uses thereon, making certain acts unlawful, and prescribing penalties and liabilities for violation of the act;

Also, Senate Bill No. 330—An act to repeal an act entitled "An act making an appropriation for the construction and completion, equipment, and furnishing of an addition to the State Office Building at San Francisco, California," approved June 14, 1929;

Also: Senate Bill No. 23—An act to repeal Article XIo of Chapter III, Title I, Part III of the Political Code, embracing sections 378 to 378g, relating to the Bureau of Commerce;

Also: Senate Bill No. 1003—An act to amend sections 706, 736, 789, 790 and 791 of the Probate Code, relating to claims secured by liens

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 1006 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 322 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bills Nos. 197 and 198 read first time, and referred to Committee on County Government.

Senate Bill No. 126 read first time, and referred to Committee on Live Stock and Dairies.

Senate Bill No. 330 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 23 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1003 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 23, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 404—An act to amend section 53 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp or overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, and relating to compensation of directors

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 404 read first time, and referred to Committee on Irrigation.

Also.

SENATE CHAMBER, SACRAMENTO, March 23, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 886—An act transferring from the appropriation contained in Chapter 400, Statutes of 1931, to the general fund an amount equal to the State's contributions to the State employees' retirement fund for employees of the California Toll Bridge Authority, declaring the urgency thereof and providing that this act shall take effect immediately

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 886 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, March 23, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 467—An act to repeal an act entitled "An act making an appropriation for the construction and completion of an exposition building for the use of No 1a Agricultural District Association," approved June 9, 1931, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate
By ARTHUR J SCHILDER, Assistant Secretary.

Senate Bill No. 467 read first time, and referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON AGRICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933.

MR SPEAKER Your Committee on Agriculture, to which was referred Assembly Bill No 1147—An act to add a new section to the Agricultural Code, to be numbered 62 5, relating to county agricultural commissioners—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

MEEKER, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1925—An act to amend section 124 of the Agricultural Code, relating to quarantine and pest control—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

MEEKER, Chairman

The above reported bill ordered on file for second reading.

MOTION TO RE-REFER.

Mr. Martin moved that Assembly Bill No. 270 be withdrawn from Committee on Judiciary, and referred to Committee on Public Health and Quarantine.

The question being on referring Assembly Bill No. 270 to Committee on Public Health and Quarantine.

Motion carried.

Assembly Bill No. 270 ordered referred to Committee on Public Health and Quarantine.

MOTION TO RE-REFER.

Mr. Martin moved that Assembly Bill No. 1426 be withdrawn from Committee on Municipal Corporations, and referred to Committee on Revenue and Taxation.

The question being on referring Assembly Bill No. 1426 to Committee on Revenue and Taxation.

Motion carried.

Assembly Bill No. 1426 referred to Committee on Revenue and Taxation.

ADJOURNMENT.

At five o'clock and ten minutes p m., on motion of Mr. Robinson, C Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, March 24, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, March 24, 1933

At ten o'clock a m., pursuant to adjournment, the Assembly was called to order.

Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine Riley, Roberts, Robinson, C Ray, Robinson, Samuel E., Rogers, Roland, Ross Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—74.

Quorum present.

THE SPEAKER IN THE CHAIR.

At ten o'clock and three minutes a.m., Hon Walter J. Little, Speaker of the Assembly, in the chair.

PRAYER.

Prayer was offered by Rabbi Norman M Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with

LEAVES OF ABSENCE.

On motion of Mr. Gilmore, Mr. Williamson was granted leave of absence for the day.

On motion of Mr. Frazier, Mr. O'Donnell was granted leave of absence for the day.

On motion of Mr. Cronin, Messrs Levey, Feigenbaum and McMurray were granted leaves of absence for the day

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr Chatters, Mr John Gange of Stanford University, California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr Sullivan, Mr D L Holland of Compton, California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgan, Messrs. G. H. Raitt and Aubrey Drury Writter of Berkeley were extended the privilege of the floor of the Assembly for this day

Through the courtesy of Messrs Lyon and Evans, Hon Thomas C. West, former member of the Legislature, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr Morgan, Mr Hollis Thompson, city manager of Berkeley, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From Los Angeles Chamber of Commerce, favoring passage of Assembly Bills Nos. 246, 2123, 306, 1485, 97, 325, 327, 730, 2134, 2312, 319, 935, 169, 162, 163, 164, 248, 288, 648, 650, 651, 652, 128, 1340, 1610 and 868; and opposed to the passage of Assembly Bills Nos. 1018, 1924, 2190, 215, 523, 709, 121, 1617, 1602, 364, 309, 835, 1722, 775, 2296, 19, 168, 647, 649, 900, 901, 686, 2117, 855, 313, 747, 2446, 984, 181, 1373, 1742, 2113, 563, 706 and 1372; and further urge the passage of Senate Bills Nos. 504, 953, 181 and 285, and oppose the passage of Senate Bills Nos 766, 767, 994, 472, 162 and 470

(Signed) ARTHUR G ARNOLD, *Secretary-General Manager.*

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933.

MR SPEAKER Your Committee on Rules, to which was referred Assembly Bill No. 835—An act to amend section 4 of the California Air Navigation Act, relating to aircraft including aircraft used solely for pleasure and not for commercial purposes,

Also; Assembly Bill No. 298—An act to amend sections 1, 2, 3 and 9 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission;

Also: Assembly Bill No. 507—An act to provide the licensing and regulation of racing within this State, and providing penalties for the violation of this act;

Also: Assembly Bill No. 217—An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island,

Has had the same under consideration, and respectfully reports the same back, and recommends that it be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 2058—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications;

Also: Assembly Bill No 1376—An act to amend sections 2, 4, 5, 7, 10, 23, 26 and 37 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities, providing for the enforcement of said act and penalties for violation thereof; and creating a State Corporation Department and office of 'Commissioner of Corporations'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sale of securities, and the prevention of fraud in the sale of securities;

Also: Assembly Bill No 937—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16, and to add sections 17, 18, 19, 20 and 21 to, an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds, to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," submitted by initiative and approved by electors November 4, 1924, relating to boxing and wrestling;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1933

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 11—An act to amend section 520 of the Penal Code, relating to the punishment of extortion in certain cases;

Also: Assembly Bill No. 259—An act providing for the construction and operation by the State of California of a system of works designated as the Central Valley Project for the conservation, development, distribution and utilization of water; defining and describing the units or parts of said project, also defining the prerequisite conditions under which said project shall be constructed; defining the duties and powers of the Department of Public Works and of the State Engineer in relation to said project; creating a Water Administration Board and defining its duties and powers with relation to the construction and operation of said project, authorizing the issuance and sale of general obligation bonds of the State of California in the amount of $160,000,000 for the purpose of defraying the cost of construction of said project; and providing for the payment of such bonds with the interest thereon, and for the creation of a water construction fund and a water revenue fund in the State treasury;

Also Assembly Bill No. 1138—An act to amend the Political Code by adding to Part IV, Title II, Chapter VIII of said code a new article to be numbered Article III, embracing sections 4222a to 4222f, inclusive, amending section 2641 and repealing sections 2642, 2645 and 4222 of said code, thereby creating the office of county engineer, transferring to the county engineer all the powers and duties of the county surveyor and the powers and duties of other officers and employees of the county with respect to county roads, highways and bridges, and vesting in the county engineer additional powers and duties with respect to construction, improvement, maintenance and repair of county roads, highways and bridges, and to repeal the County Engineer Act;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1407—An act to amend section 79b of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds, approved April 7,

1911, relating to improvements of municipalities—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 539—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 253—An act to amend section 8 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917," approved June 13, 1923.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1485—An act to amend an act entitled "An act relating to the use of the air and to make uniform the law with reference thereto; providing for the licensing of aircraft, airmen and air navigation facilities; providing, in a certain contingency, for the creation of the Aeronautical Commission of California, prescribing its powers and duties and making an appropriation for its use; providing for the enforcement of the act and penalties for violations thereof and repealing acts in conflict therewith," approved June 18, 1929, by amending section 1(e) defining the term "Federal license."

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 10 of the title of the printed bill, after "Section 1", strike out "(e)".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after "Section 1", strike out "(e)".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 11 to 18, inclusive, and insert in lieu thereof the following:

"SECTION 1. (a) The term "aircraft" means any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air, except a parachute

or other contrivance designed for such navigation but used primarily as safety equipment.

(b) The term "air navigation facility" includes any airport, emergency landing field, light, or other signal structure, radio directional finding facility, radio or other communication facility, and any other structure or facility used as an aid to air navigation

(c) The term "airport" means any locality either of water or land which is adapted for the landing and taking off of aircraft and which provides facilities for shelter, supply, and repair of aircraft, or a place used regularly for receiving or discharging passengers or cargo by air.

(d) The term "airman" means any individual (including the person in command and any pilot, mechanic, or member of the crew) who engages in the navigation of aircraft while under way, and any individual who is in charge of the inspection, overhauling, or repairing of aircraft

(e) The term "Federal license" shall mean, as the case may be, a valid, unrevoked and unsuspended aircraft license issued by the Secretary of Commerce to aircraft which have met the minimum airworthiness requirements of the Department of Commerce, or airman license issued by the Secretary of Commerce under the authority of the Federal act and the lawful rules and regulations issued or which may be issued thereunder.

(f) The term 'person" means every natural person, firm, copartnership, association or corporation."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 835—An act to amend section 4 of the California Air Navigation Act, relating to aircraft including aircraft used solely for pleasure and not for commercial purposes.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the title of the printed bill, after the word "purposes", strike out the period, and insert in lieu thereof a comma, and add the following, "and to add a new section thereto to be numbered 11½, relating to the responsibility of owners or operators of aircraft for injury to or death of a guest riding in such aircraft."

AMENDMENT NUMBER TWO.

At the end of the printed bill add the following:

"SEC 2 A new section is hereby added to said act, to be numbered 11½, and to read as follows:

SEC 11½. Any person who as a guest accepts a ride in any aircraft operated or navigated within the State of California, and while so riding as such guest receives or sustains an injury shall have no right of recovery against the owner or operator or person responsible for the operation of such aircraft. In the event that such person while so riding as such guest is killed or dies as a result or injury sustained while so riding as such guest, then neither the estate nor the legal representatives or heirs of such guest shall have any right of recovery against the operator or owner of such aircraft by reason of the death of the said guest. If such person so riding as a guest be a minor and sustain an injury or be killed or die as a result of injury sustained while so riding as such guest, then neither the parents nor guardian nor the estate nor legal representatives or heirs of such minor shall have any right of recovery against the operator or owner or person responsible for the operation of said aircraft for injury sustained or as a result of the death of such minor.

Nothing in this section contained shall be construed as relieving the owner or operator or person responsible for the operation of an aircraft from liability for injury to or death of such guest proximately resulting from the intoxication or wilful misconduct of such owner, operator or person responsible for the operation of such aircraft; provided that in any action for death or for injury or damage to person or property by or on behalf of a guest or the estate heirs or legal representatives of such guest, the burden shall be upon plaintiff to establish that such intoxication or wilful misconduct was the proximate cause of such death or injury or damage; and provided further that in any such action the rule of res ipsa loquitor shall not apply.

For the purpose of this section the term "guest" is hereby defined as being a person who accepts a ride in any aircraft without giving compensation therefor"

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 722—An act to add a new section to be numbered 14a to the "State Civil Service Act," relating to the abolition or discontinuance of positions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1343—An act to add a new section to the Political Code, to be numbered 363dd, authorizing the Director of Public Works to enter into agreements for the construction, maintenance, and use of State highway bridges jointly by the public and private owners.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No 310—An act to establish a Fish and Game Code, therein revising and consolidating the law relating to fish and game and other wild life, and repealing certain provisions of law therein specified.

Bill read second time, and ordered on file for third reading.

Assembly Bill No 9—An act to amend section 69 of the Civil Code, relating to issuance of licenses to marry.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 889—An act to amend section 685 of the Code of Civil Procedure, relating to execution of judgments.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 898—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to provide for the management and sale of lands belonging to the State," approved March 28, 1868, also an act entitled "An act to provide for the sale of certain lands belonging to the State," approved April 27, 1863, including any case wherein relief has been granted to a purchaser or purchasers under the provisions of an act entitled "An act for the relief of purchasers of State lands," approved March 27, 1872; provided that all taxes levied against the property during the thirty years next preceding the commencement of the action have been fully paid.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1132—An act to amend section 2898 of the Civil Code, relating to the priority of mortgages and deeds of trust given for the price of real property.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1502—An act to add a new section to be numbered 726a to the Code of Civil Procedure, relating to actions to enforce obligations secured by mortgage on real property situated outside of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1879—An act to add a new section to the Code of Civil Procedure, to be numbered 1022a, relating to costs allowed to the prevailing party in a civil suit

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 978—An act authorizing the Governor to make conveyances of certain parcels of real property to the original grantors thereof or their successors or assigns, if and when the interest of the United States in said parcels is conveyed or released to the State of California, which said parcels were acquired pursuant to the provisions of the Statutes of California for 1927, Chapter 142, particularly the paragraph commencing on the bottom of page 271 and which were conveyed, pursuant to the provisions of the Statutes of California, Chapter 517, to the United States of America, for temporary use as spoil disposal areas, in connection with the construction of that certain project approved by an act of Congress which was approved by the President of the United States, on January 21, 1927, which said act provided for the deepening and rectification of the San Joaquin River and Stockton Channel in accordance with the plan laid down in House Document No. 554, Sixty-eighth Congress, second session.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2330—An act to amend sections 605g, 605h, 605i and 605j of the Civil Code, relating to corporations sole

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 278—An act to add a new section to the Penal Code of California, to be known as section 1510 1, relating to the powers and duties of coroners and to the custody of dead bodies.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, after the word "conclusion", add "of the autopsy or medical investigation by the coroner", and strike out the rest of the sentence after the word "conclusion".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 771—An act to amend section 16 of the act known as the "Act Concerning Cosmetology," relating to exemptions

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the comma following the word "recommendation", insert the following: "demonstration"

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, after the comma following the word "dentistry", insert the following: "pharmacies (including those employed in pharmacies)".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1587—An act regulating public laundries, prescribing conditions connected with the operation of such laundries, and fixing penalties for violation of the provisions of this act

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, after the word "weather", strike out the word "and".

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, strike out the entire line.

AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed bill, strike out the word "level".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 814—An act to amend section 9 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provisions for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, relating to elections.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 30, of the printed bill, strike out the word "two", and insert in lieu thereof the words, "not more than five".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2058—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 2 of the printed bill, strike out section 3 of said bill, containing all of lines 1 to 4, and in lieu thereof, insert the following: "A clergyman, a priest, or other person to whom a communication is made in his professional character according to the practices of the religious polity or doctrine enjoined by the church to which he belongs can not be examined as to such communication without the consent of the person making the communication."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1376—An act to amend sections 2, 4, 5, 7, 10, 23, 26 and 37 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities; providing for the enforcement of said act and penalties for violation thereof; and creating a State Corporation Department and office of 'Commissioner of Corporations'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sale of securities, and the prevention of fraud in the sale of securities.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 3, line 33, of the printed bill, strike out the following: "any of the following", and strike out all of line 34 thereof, and insert in lieu thereof the following: "the original sale or issuance of any of the following classes of securities, but the resale of any of the following classes of securities, excepting those hereinafter specified in subparagraphs 8, 10 and 11 of this subdivision (b), and excepting the resale by the Reconstruction Finance Corporation, or other similar federal agencies, of the preferred stock of any bank, shall be subject to the provisions of this act:".

AMENDMENT NUMBER TWO

On page 3, line 41, of the printed bill, strike out the words "or resale".

AMENDMENT NUMBER THREE.

On page 3 line 44, of the printed bill, strike out the word "resold", and insert in lieu thereof the world 'sold"

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 217—An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 49, 50, 51 and 52

AMENDMENT NUMBER TWO

On page 3 of the printed bill, strike out all of line 1.

AMENDMENT NUMBER THREE.

On page 3, line 2, of the printed bill, strike out the following words, "in the public interest,".

AMENDMENT NUMBER FOUR

On page 3, line 5, of the printed bill, strike out the words "or lessees".

AMENDMENT NUMBER FIVE.

On page 3, line 11, of the printed bill, strike out the comma following the word "purposes", and the word "and" following said comma, and insert in lieu thereof a period.

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, strike out all of lines 12 to 19, inclusive

AMENDMENT NUMBER SEVEN.

On page 3, line 42, of the printed bill, strike out the following: "or its lessee or lessees".

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, strike out all of lines 47 to 51, inclusive.

AMENDMENT NUMBER NINE.

On page 4 of the printed bill, strike out all of lines 1 and 2

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2097—An act to amend sections 790, 828 and 829 and to add a new section to the Agricultural Code, to be numbered 810.5, relating to the standardization of asparagus.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 298—An act to amend sections 1, 2, 3 and 9 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds, to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 15, of the printed bill, strike out "which", and insert in lieu thereof the following: "who".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 5 to 12, inclusive, and insert in lieu thereof the following: "California. The commission shall consist of five members to be appointed by the Governor within fifteen days after this act takes effect. Two of the members of said commission shall".

AMENDMENT NUMBER THREE

On page 2 of the printed bill, strike out lines 7 to 9, inclusive, and insert in lieu thereof the following: "of said State. Two com-".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 13 to 19, inclusive, and insert in lieu thereof the following: "successors shall be appointed by the Governor for a term of four years and any vacancy occurring in the office of a member of such commission otherwise than by expiration of a term shall be filled in like manner for the remainder of the unexpired term of such office. Three members of the".

AMENDMENT NUMBER FIVE.

On page 2, line 42, of the printed bill, strike out "five thousand", and insert in lieu thereof the following: "three thousand six hundred".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 507—An act to provide the licensing and regulation of racing within this State, and providing penalties for the violation of this act

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to limit the hours during which racing may be conducted within this State."

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following: "SECTION 1."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 11 to 27, inclusive, and insert in lieu thereof the following:

"SEC. 2. No person, firm, association or corporation shall conduct any racing within this State before seven o'clock a. m. or after seven o'clock p. m."

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 1 to 19, inclusive.

AMENDMENT NUMBER FIVE.

On page 2, line 20, of the printed bill, strike out "SEC. 7.", and insert in lieu thereof the following "SEC. 3."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 937—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16, and to add sections 17, 18, 19, 20 and 21 to, an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," submitted by initiative and approved by electors November 4, 1924, relating to boxing and wrestling.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

Amend the printed bill to read as follows:

"An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16, and to add sections 17, 18, 19, 20, and 21 to, an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein, to prescribe conditions under which licenses shall be issued and contests held, to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," submitted by initiative and approved by electors November 4, 1924, relating to boxing and wrestling.

The people of the State of California do enact as follows:

SECTION 1. Section 2 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 2. The commission shall appoint, and for cause remove, a secretary to the commission, and he shall hold office for four years, unless sooner removed for cause by the commission, whose duty it shall be to keep a full and true record of all its proceedings, preserved at its general office all its books, documents and papers, prepare for service such notices and other papers as may be required by him of the commission and to perform such other duties as the commission may prescribe; and he may, under the direction of the commission, issue subpenas for the attendance of witnesses before the commission with the same effect as if they were issued in an action in the superior court, and may, under the direction of the commission, administer oaths, in all matters appertaining to the duties of his office or connected with the administration of the affairs of the commission Disobedience of such a subpena and false swearing before such secretary shall be attended by the same consequences and be subject to the same penalties as if such disobedience or false swearing occurred in an action in the superior court. The secretary of the commission shall be entitled to receive an annual salary of three thousand six hundred dollars The necessary traveling expenses and other necessary expenses of the secretary and the members of the commission, and the salary of the secretary, shall be paid monthly by the State Treasurer on the warrant of the State Controller and the certificate of the chairman of the commission out of the money appropriated to be used therefor. The commission shall appoint such clerical employees and inspectors as may be actually necessary and fix their salaries which shall be paid in like manner as the salaries of other employees of the commission out of the money hereby appropriated except as hereinafter provided in section 9 of this act No person in the employ of any political subdivision from which he receives a salary or compensation shall be employed by the commission nor shall any employee be permitted to hold office who receives a pension from any Federal, State, county or city government except judges who may be appointed in conformance with section 19 of this act The State Athletic Commission shall have authority to join the National Boxing Association and pay the initiation fees and dues as specified by the National Boxing Association. The commission shall also have authority to send a delegate or delegates to National Boxing Association conventions and pay the necessary traveling expenses of such delegate or delegates. The State Athletic Commission shall reserve the privilege of withdrawing from membership in the National Boxing Association at the pleasure of the commission

All boxing contests, sparring or wrestling matches or exhibitions may be held in any building, stadium, outside arena or other place for which the commission in its discretion may issue a license. Where such match or contest is authorized to be held in State or city owned armory the provisions of the military law in respect thereto must be complied with.

The commission shall biennially make to the Legislature a full report of its proceedings for the year ending with the thirty-first day of the preceding December and may submit, with such report, such recommendations pertaining to its affairs as it shall deem desirable

SEC 2. Section 3 of said act is hereby amended to read as follows:

Sec. 3. Boxing contests, sparring and wrestling matches or exhibitions for prizes or purses, or where an admission fee is received, are hereby allowed except on Sundays, May thirtieth, and November eleventh. The commission shall have and hereby is vested with the sole direction, management, control and jurisdiction over all such boxing contests, sparring and wrestling matches or exhibitions to be conducted, held or given within the State of California, and no such boxing contests, sparring or wrestling match or exhibition shall be conducted, held or given within the State except in accordance with the provisions of this act.

The commission may, in its discretion, issue, and at its pleasure revoke, a license to conduct, hold, or give boxing, sparring and wrestling contests, matches and exhibitions, where an admission fee is received, to any individual, club, corporation, organization or association which holds a lease of a term of at least one year of the premises in which such match, contest or exhibition is to be held, except that where such match, contest or exhibition is to be given in an armory the lease thereof need not be for such term. Every license shall be subject to such rules and regulations, and amendments thereof, as the commission may prescribe. The application for a license, as herein provided for, shall be in writing, and shall be addressed to the commission, and shall be verified by the applicant or by some officer of the club, corporation, organization or association on whose behalf the application may be made. It shall contain a recital of such facts as, under the provisions hereof, will show the applicant entitled to receive a license and, in addition thereto, such other facts and recitals as the commission may by rule require to be shown. Such application shall be accompanied by an annual fee, which shall be twenty-five dollars in cities of not more than five thousand inhabitants; forty dollars in cities of not more than fifty thousand inhabitants; fifty dollars in cities of not more than seventy-five thousand inhabitants; and seventy-five dollars in all cities of the State having a population of over seventy-five thousand and not to exceed one hundred fifty thousand inhabitants; and one hundred dollars in all cities of this State having a population of one hundred fifty thousand or more inhabitants. Before any such permit or license is granted to any individual, club, corporation, organization or association, which shall have filed its application as herein provided, such applicant must file a bond of two thousand dollars with good and sufficient surety with the commission, conditioned for the faithful performance by said individual, club, corporation, organization or association of the provisions of this act and the payment of any taxes or fines herein imposed.

Every individual, club, corporation, organization or association which shall have filed its application as herein provided must furnish a surety bond to the State Athletic Commission of California in the full amount of the seating capacity of the house, arena, club or park where contests are to be held, such amount to be based on prices to be charged.

This surety bond is to be conditioned for the payment to the State Athletic Commission of a sum equivalent to the total sale of tickets in any of the following events, viz: (1) in the event of a failure to hold said contest upon the date advertised unless the same is thereafter held at a postponed date with the consent of the commission, (2) in the event of a failure to hold said contest at any subsequent date fixed by the commission for the holding thereof. Said sum to be payable within fifteen days after default to insure reimbursement to the purchasers of tickets for such contest; provided, however, that the reimbursement to ticket holders be first ordered by the commission. Every club conducting boxing or wrestling matches must furnish a surety company bond to the State Athletic Commission for seventy per cent of the capacity of the house, figured as above. This bond is to protect the boxers, wrestlers and referee, exclusively.

In case of default in such performance, the commission may impose upon the delinquent a penalty in the sum of not more than one thousand dollars for each offense, which may be recovered by the Attorney General in the name of the people of the State of California in the same manner as other penalties are recovered by law; any amount so recovered shall be paid to the State Treasurer.

The commission is hereby given the sole control, authority and jurisdiction over all licenses to any and all persons who participate in such boxing, sparring or wrestling matches, contests or exhibitions, as hereinafter provided.

SEC. 3. Section 4 of said act is hereby amended to read as follows:

Sec. 4. All individuals, clubs, corporations, organizations, associations, physicians, referees, timekeepers, professional boxers, professional wrestlers, their managers matchmakers, announcers, seconds, judges and ticket collectors shall be licensed by the commission, and no such individual, club, corporation, organization, association or person shall be permitted to participate, either directly or indirectly, in any such boxing, sparring or wrestling match, contest or exhibition, or the holding thereof, unless such club, corporation, organization, association or person shall have first procured a license from the commission. It is not necessary that the owner of a club who acts as matchmaker shall hold a matchmaker's license. For the purposes of this act a professional boxer or professional wrestler is deemed to be one who competes for a money prize or purse or teaches or pursues or assists in the practice of boxing or wrestling as a means of obtaining a livelihood or pecuniary gain, and any boxing or sparring contest conforming to the rules, regulations, and requirements of this act shall be deemed to be a boxing contest and not a prize fight.

SEC. 4. Section 5 of said act is hereby amended to read as follows:

Sec. 5. (a) Any individual, club, corporation, organization or association which may conduct, hold or give, or participate in any sham or fake boxing contest or wrestling match or exhibition shall be subject to a fine of not less than one hundred dollars nor more than five hundred dollars and shall thereby forfeit its license

issued in accordance with the provisions of this act, which shall thereupon be, by the commission, canceled and declared void; and it shall not thereafter be entitled to receive another such, or any license pursuant to the provisions of this act, nor shall any such license be issued to any individual, club, corporation, organization or association, which has among its members any member who belonged to a club, corporation, organization or association which had its license revoked

(b) Any wrestling demonstration shall be advertised and announced as an exhibition and not as a contest or match.

SEC. 5. Section 6 of said act is hereby amended to read as follows:

Sec. 6. Any contestant who shall, in the judgment of the commission, regardless of decision of the referee, participate in any sham or fake boxing contest or wrestling match or exhibition shall be penalized in the following manner; for the first offense he shall be restrained for a period of six months, such period to begin immediately after the occurrence of such offense, from participating in any boxing contest or wrestling match or exhibition to be held or given by any individual, club, corporation, organization, or association duly licensed to give or hold such contests, matches or exhibitions. For a second offense he shall be restrained from appearing in any boxing or wrestling contest or exhibition for a period of not less than two years from the date of such occurrence with a maximum penalty to be decided by the commission. In all cases of sham, fake or collusive matches or contests the purse or purses of the offending participant or participants shall be forfeited to the State Athletic Commission fund.

SEC. 6. Section 7 of said act is hereby amended to read as follows:

Sec. 7. Every individual, club, corporation, organization or association which may hold or exercise any of the privileges conferred by this act shall, within seventy-two hours after the termination of every contest, match or exhibition for which an admission fee is charged and received, furnish to the commission a written report, duly verified by one of its officers, showing the number of tickets sold for such contest, match or exhibition and the amount of the gross receipts or proceeds thereof, and such other matters as the commission may prescribe, and shall also within the said time pay to the commission a tax of five per centum of its total gross receipts, exclusive of any Federal taxes paid thereon, from the sale of tickets of admission to such boxing contest or wrestling match or exhibition, which tax shall be paid by the commission into the State treasury. All tickets of admission to any such boxing contest, sparring or wrestling match or exhibition shall have printed clearly upon the face thereof the purchase price of same, and no such tickets shall be sold for more than such price as printed thereon. Passes and complimentary tickets shall not exceed two per cent of seating capacity of house except with consent of main event boxer or boxers when the purse or purses of either or both are based on a percentage of the gate receipts. The State tax of five per centum shall be collected on all passes in excess of two per cent, such tax to be based on the normal price of such complimentary ticket. No tax shall be collected on any pass or complimentary ticket issued to working newspaper men or photographers.

SEC. 7. Section 8 of said act is hereby amended to read as follows.

Sec. 8. Whenever any such individual, club, corporation, organization or association shall fail to make a report of any contest, match or exhibition at the time prescribed by this act or whenever such report is unsatisfactory to the commission, or at any other time, the secretary of the commission may examine or cause to be examined the books and records of such individual, club, corporation, organization or association, and subpena and examine under oath its officers and other persons as witnesses for the purpose of determining the total amount of its gross receipts for any contest, match or exhibition and the amount of tax due pursuant to the provisions of this act, which tax he may upon and as the result of such examination fix and determine. In case of the default in the payment of any tax so ascertained to be due, together with the expenses incurred in making such examination, for a period of thirty days after notice to such delinquent individual, club, corporation, organization or association of the amount at which the same may be fixed by the commission, such delinquent shall, ipso facto, forfeit its license and shall be thereby disqualified from receiving any new license or any renewal of license; and it shall, in addition, forfeit to the people of the State of California the sum of five hundred dollars, which may be recovered by the Attorney General in the name of the people of the State of California, in the same manner as other penalties are by law recovered

SEC. 8. Section 9 of said act is hereby amended to read as follows

Sec. 9. The commission shall appoint official representatives designated as "inspectors," each of whom shall receive from the commission a card, authorizing him to act as such inspector whenever the commission may designate him to act. An inspector or the secretary of the commission shall be present at all contests, exhibitions and matches and see that the rules are strictly observed, and also be present at the counting up of the gross receipts of all such contests, matches or exhibitions, and shall immediately mail to the commission the official box office statement received by him from the officers of the club, corporation, organization or association. Inspectors appointed by the commission to supervise the conduct of boxing or wrestling matches or exhibitions shall be paid seven dollars and fifty cents

per day and necessary traveling expenses. However the commission shall have power, in its discretion, to order any individual, club, corporation, organization or association to pay the salaries and necessary travel expenses of any inspector or inspectors assigned by the commission to supervise the conduct of any boxing or wrestling contests or exhibition.

SEC. 9. Section 10 of said act is hereby amended to read as follows:

Sec. 10. No boxing contest or sparring match or exhibition shall be of more than twelve rounds in length, such rounds to be not more than three minutes each, and there shall be one minute rest between each round except as referee may otherwise order in case of foul or other emergency; and no boxer shall be allowed to participate in more than twelve rounds within twelve consecutive hours. The commission may in respect to any bout or in respect to any class of contestants limit the number of rounds of a bout within the maximum of twelve rounds. At each boxing contest or sparring match or exhibition there shall be in attendance a duly licensed referee appointed by the commission, who shall direct and control the same. Before starting such contest the referee shall ascertain from each contestant the name of his chief second, and shall hold such chief second responsible for the conduct of his assistant seconds during the progress of the contest. The referee shall have power in his discretion to declare forfeited any prize, remuneration or purse, or any part thereof, belonging to the contestants or one of them, or any part of the gate receipts for which said contestants are competing, if in his judgment such contestant or contestants are not honestly competing. The referee must stop the contest or match when either of the contestants shows a marked superiority or is apparently outclassed. The referee shall, at the termination of all boxing contests or sparring matches or exhibitions, render his decision. Each contestant shall wear, during such contest gloves weighing not less than five ounces, if such contestant weighs in ring attire one hundred forty-seven pounds or less and six ounces if such contestant weights more than one hundred forty-five to one hundred forty-seven pounds. The provisions of this section shall apply to a wrestling contest or exhibition except that the commission shall by rule and regulation prescribe the length or duration of such contest or exhibition, the manner in which the contestants shall engage in such contest or exhibition and such further safeguards and conditions as shall insure fair, sportsmanlike and scientific wrestling contests or exhibitions.

SEC. 10. Section 11 of said act is hereby amended to read as follows:

Sec. 11. (a) All buildings or structures used or intended to be used for holding or giving such boxing contests, sparring or wrestling matches or exhibitions shall be properly ventilated and provided with fire exits and fire escapes, and in all manner conform to the laws, ordinances and regulations pertaining to buildings in the city or town where situated. A duly licensed club may, by permission of the commission, temporarily hold boxing or wrestling contests or exhibitions in a location within the same city other than the building or arena for which the license was granted.

(b) It shall be the duty of every individual, club, corporation, organization or association holding a license to conduct boxing contests, sparring or wrestling matches or exhibitions at its own expense, to have in attendance at every boxing contest, sparring or wrestling match or exhibition, a licensed physician recognized by or a member of county medical society or association who has had not less than three years' medical practice, whose duty it shall be to observe the physical condition of the boxers and wrestlers, and advise the referee with regard thereto, and within one hour before contestants enter the ring to certify in writing over his signature, as to the contestants' physical condition to engage in such contest or exhibition and a report of said medical examinations shall be filed with the commission not later than twenty-four hours after the termination of a contest or exhibition.

(c) Each duly licensed club shall have a matchmaker whose duty it shall be to contract for the services of boxers and wrestlers, to see that such contracts are properly signed, that the boxers are evenly matched as to ability and weight, and in all respects shall be held responsible for the observance of all sections of this act and the rules of this commission to the end that matches conducted under the license of his club shall be to the best interests of the performers, the public and the commission.

(d) No contestant under the age of eighteen years shall be permitted to participate in any such boxing contest, sparring or wrestling match or exhibition. Burden of proof of contestant's age shall rest with contestant and club.

(e) No person shall be admitted to a boxing contest, sparring or wrestling match or exhibition under the age of sixteen years, unless accompanied by his parent or guardian.

(f) No individual, club, corporation, organization or association nor any member, stockholder or matchmaker thereof, shall have, either directly or indirectly, any financial interest in a boxer or wrestler competing on premises owned or leased by the individual, club, corporation, organization or association, or in which such individual, club, corporation, organization, association, member or stockholder thereof is otherwise interested.

(g) Every such individual, club, corporation, organization, or association and the officers thereof, and any such physician, matchmaker, referee, timekeeper, boxer,

wrestler, manager, trainer, second or person who shall wilfully and knowingly conduct, give or participate in any sham or collusive boxing contest, sparring or wrestling match or exhibition, shall be totally disqualified from participation in any further boxing, sparring or wrestling match or exhibition held under the terms of this act

(h) Each person who is an applicant for a license shall, before a license is issued by the commission, and annually thereafter during the life of such license, pay to the commission, a license fee as follows. Physicians, five dollars; referees, twenty-five dollars; timekeepers, five dollars, professional boxers, five dollars; professional wrestlers, five dollars; managers, twenty-five dollars, announcers, five dollars, seconds, five dollars, matchmakers, twenty-five dollars; judges, one dollar; and ticket collectors, one dollar. Such licenses may be revoked by the commission upon such cause as the commission shall deem sufficient.

(i) No contestant shall be paid for services before a contest, and should it be determined by the referee and/or the commission that such contestant did not give an honest exhibition of his skill, such services shall not be paid for.

(j) No boxing contest, match or exhibition shall be allowed in which the difference in weight of contestants weighing up to one hundred and twenty-six pounds shall exceed eight pounds; and for contestants weighing between one hundred and twenty-six pounds and one hundred and forty-seven pounds the difference shall not exceed ten pounds, and for contestants weighing between one hundred and forty-seven pounds and one hundred and sixty pounds the weight difference shall not exceed twelve pounds and for contestants weighing between one hundred and sixty pounds and one hundred and seventy-five pounds the weight difference shall not exceed fifteen pounds. This provision shall not apply to boxers who weigh over one hundred and seventy-five pounds.

SEC. 11. Section 12 of said act is hereby amended to read as follows:

Sec 12. Any individual, club, corporation, organization, association or person who directly or indirectly holds any such boxing contest, sparring or wrestling match or exhibition except where all contestants are amateurs and no admission fee is charged to witness same, without first having procured a license as hereinbefore prescribed shall be guilty of a misdemeanor.

SEC 12. Section 14 of said act is hereby amended to read as follows

Sec 14. (a) The commission shall have, and hereby is vested with, the sole direction, management, and control of and jurisdiction over all amateur boxing contests, sparring matches and exhibitions to be conducted in accordance with the provisions of section 412 of the Penal Code, wherein an admission fee is charged and received to witness said amateur boxing contests, sparring matches and exhibitions, and same are subject to the provisions of this act

(b) No provisions of this act shall be construed to apply to any sparring, boxing or wrestling contest conducted under the supervision of the authorities of any university or college in the State of California where the contestants are students in any of the universities or colleges participating in the contests or tournaments. This does not apply to schools, colleges or universities whose principal purpose is to provide instruction in boxing or wrestling.

SEC. 13. Section 15 of said act is hereby amended to read as follows

Sec 15. All money receipts of the commission shall be paid over to the State Treasurer before the tenth of the month succeeding receipt of such receipts. All such moneys to the amount of forty thousand dollars annually are hereby appropriated to be used to defray the expenses of the commission and to pay the salaries of the officers and employees provided for herein. All moneys budgeted to use of Athletic Commission unexpended at end of year shall revert to commission fund and shall be available for subsequent use by the commission in addition to the forty thousand dollars annually appropriated by this act for support of commission. All moneys remaining in the State treasury from the money receipts paid under the provisions of this act shall be, and are hereby appropriated for the purpose of providing and/or maintaining such homes for the care of veterans of any war of the United States as may be existing at the time this act becomes effective, except as above provided, or that may be established by the laws of this State. Such moneys to be apportioned as the Legislature of the State of California may direct

SEC. 14 Section 16 of said act is hereby amended to read as follows:

Sec 16. Mixed shows shall be prohibited under the terms of this act A mixed show is defined as one in which boxing or wrestling contests or exhibitions are held in conjunction with vaudeville shows, dances or entertainments of any sort

SEC. 15. A new section to be numbered section 17 is hereby added to said act to read as follows:

Sec. 17. The commission shall have authority to impose and collect fines levied upon clubs, managers, matchmakers, boxers, seconds, wrestlers or any person holding a license from this commission or connected with boxing or wrestling contests or exhibitions, for violation of the act governing boxing and wrestling in this State or for violation of any rule made by the commission for the administration of their office Such fines may be withheld by the commission from the receipts of the

club or purse or salary of such license holders or persons against whom the fines may be levied.

SEC 16. A new section to be numbered section 18 is hereby added to said act to read as follows:

Sec. 18. All licenses issued by the commission shall expire on December thirty-first of the year in which such license is issued The commission shall have authority to specify a minimum fee which shall be paid to boxers, wrestlers, referees, announcers, physicians, seconds or license holders at any boxing, sparring or wrestling contest or exhibition held under the provisions of this act

SEC 17 A new section to be numbered section 19 is hereby added to said act to read as follows:

Sec. 19. Any individual, club, corporation, organization or association which shall hold a license from this commission to conduct boxing, sparring or wrestling contests or exhibitions, or the main event boxers or wrestlers at such matches or exhibitions, shall have the privilege of using two judges who in conjunction with the referee shall determine the winner of any such boxing, sparring or wrestling contest or exhibition. If judges are to be used the contracts signed by the main event boxers must so specify. The promoter shall appoint one judge and the commission shall appoint the second judge. It shall be the duty of the referee to see that the duly assigned judges are in their seats on opposite sides of the ring.

Judges shall receive five dollars per bout or more, as the commission may direct, such fees to be shared proportionately by the respective purses between main event participants Where judges are appointed to assist the referee in rendering a decision in a boxing or wrestling bout at the termination thereof, the referee shall have the announcer obtain from each of the judges his written decision, and the referee shall also hand the announcer his written decision. The announcer after consulting the slips containing the three written decisions shall advise the referee thereof and the referee shall abide by a majority decision of the votes cast, call the announcer and have the decision announced by him. In the event that all three decisions are different the referee shall pronounce the decision as a draw by raising both his own hands. A "no contest" decision can only be rendered by the referee and must be done prior to the termination of the number of rounds the bout is scheduled for by contract Slips on which are written the decisions of the referee and judges shall be handed by the announcer to the State inspector in charge of the show who in turn shall file such slips with the commission.

SEC 18. A new section to be numbered section 20 is hereby added to said act to read as follows:

Sec. 20. Any individual, club, corporation, organization, association or person who violates any of the provisions of this act, for which a penalty is not herein expressly prescribed, shall be guilty of a misdemeanor.

SEC 19. A new section to be numbered section 21 is hereby added to said act to read as follows:

Sec. 21. In cases of urgency the commission may take a telegraphic vote on any matter, such wires to be forwarded to Sacramento: A telegraphic vote must be unanimous to render a choice or decision

SEC. 20. A new section to be numbered section 22 is hereby added to said act to read as follows.

Sec. 22 Applications for club licenses must be on file with the secretary for a period of at least thirty days before such application can be voted on by the commission On receipt of such application it shall be the duty of the secretary to notify each commissioner of such application in substance and effect thereof Each application for a wrestling or boxing permit must contain an affidavit giving the name and address of every individual directly or indirectly interested in the club either financially or otherwise.

SEC. 21. A new section to be numbered section 23 is hereby added to said act to read as follows

Sec. 23. Before any contest or exhibition the commission may request and the promoter shall immediately furnish the commission with a complete report showing the location and price of every seat, the location of every entrance and exit, the number of ticket takers, ushers and all other attendants. Such club shall also furnish to the commission a sample copy of each kind of ticket to be sold and shall also post in a conspicuous place for the convenience of each ticket taker samples of every ticket of admission sold for such contest If the arrangements are not satisfactory to the commission the commission may order such change or changes as it deems necessary for the proper conduct of the contest or exhibition Failure to comply with the ruling of the commission regarding any contest or exhibition shall give the commission the power to order the match or exhibition canceled, the promoter suspended and all moneys received for tickets returned to the purchasers: the surety bond of the promoter to guarantee that ticket holders receive refund in the full amount paid for tickets. When any individual, club, corporation, organization or association holding a license to conduct boxing, sparring or wrestling matches

or exhibitions shall fail to conduct a contest or exhibition for a period of sixty consecutive days, such license shall be automatically canceled, and a new application filed with the commission in the event that the promoter again wishes to obtain a permit, which application the commission may approve or disapprove."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1147—An act to add a new section to the Agricultural Code, to be numbered 62.5, relating to county agricultural commissioners.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1925—An act to amend section 124 of the Agricultural Code, relating to quarantine and pest control

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and all of page 2, and insert in lieu thereof the following:

"SECTION 1. Section 124 of the Agricultural Code is hereby amended to read as follows:

124. When any shipment of nursery stock, plants, or their containers, or appliances, or any host or other carrier of any pest brought into any county or locality in the State from another county or locality within the State, is found to be infected or infested with a pest, or there is reasonable cause to presume that said shipment may be so infested or infected, the entire shipment shall be refused delivery and may be immediately destroyed by the said commissioner, except that if the commissioner determines that the nature of the pest is such that no damage or detriment can be caused to agriculture by the return of said shipment to the point of shipment, then the officer who makes the inspection shall notify in writing the owner or bailee thereof to return said shipment to the point of shipment within forty-eight hours after such notification. The owner or bailee shall, at his own expense, return said shipment under the direction of said commissioner, and if the owner or bailee fails to return it within the time specified, the commissioner shall destroy the same. If such pest may be exterminated or controlled by treatment or processing prescribed by the commissioner, and if it shall be determined by the commissioner that the nature of the pest is such that no damage can be caused to agriculture through such treatment, processing, or procedure incidental thereto, such shipment may be so treated or processed at the expense of the owner or bailee of said shipment in a manner and within a time satisfactory to the commissioner, and under his supervision, and if so treated or processed, said shipment may be released to the consignee. If it shall be determined by the said commissioner that only a portion of said shipment is infested or infected with a pest, or that there is reasonable cause to presume that only a portion of said shipment may be so infested or infected, then only such portion of said shipment may be destroyed or returned to origin or treated or processed as hereinbefore provided."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

REQUEST FOR UNANIMOUS CONSENT

Mr. Scudder asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Assembly Bill No. 310, at this time, without reference to file, and that same be considered engrossed.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, CALIFORNIA, March 20, 1933.

To the Honorable Members of the Assembly.

Assembly Bill No. 310 establishes a Fish and Game Code and consolidates and revises the law relating to the subject of fish and game

In my opinion Assembly Bill No 310 constitutes an emergency bill within the meaning of section 34 of Article IV of the State Constitution, consideration of which should not await final enactment of the budget bill, in view of the confusion and expense which may be avoided by early consideration of this measure in the light of other legislative measures pending designed to effect substantive changes in the Fish and Game Code, if adopted.

I, therefore, recommend the passage of this bill as an emergency measure within the meaning of that term as used in section 34 of Article IV of the Constitution.

Respectfully submitted

JAMES ROLPH, JR, Governor of California.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Scudder:

Resolved, That Assembly Bill No. 310 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage

Resolution read

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan Cassidy, Chatters, Cottrell, Crist, Evans, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright, Zion and Mr Speaker—60

NOES—None

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 310.

THIRD READING OF ASSEMBLY BILL NUMBER THREE HUNDRED TEN.

Assembly Bill No. 310—An act to establish a Fish and Game Code, therein revising and consolidating the law relating to fish and game and other wild life, and repealing certain provisions of law therein specified.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 310 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crist, Evans, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Woolwine, Wright, Zion and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS.

Assembly Joint Resolution No. 15—Relative to memorializing and petitioning Congress to adopt a national system of insurance to protect bank depositors in the national banks of the United States.

Assembly Joint Resolution No. 15 read.

The question being on the adoption of Assembly Joint Resolution No. 15.

The roll was called, and Assembly Joint Resolution No. 15 adopted by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E, Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Woolwine, Wright, Zion and Mr. Speaker—62

NOES—West—1.

Title read and approved.

Assembly Joint Resolution No. 15 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 15

Relative to memorializing and petitioning Congress to adopt a national system of insurance to protect bank depositors in the national banks of the United States.

WHEREAS, Bank failures, the consequences of which are serious enough in normal times, now fall with unusual and peculiarly crushing force upon depositors; and

WHEREAS, The safety of the national banking system is the very basis of the business and economic structure of the community, and

WHEREAS There is available through the storing up of proper reserves, the means whereby national bank deposits may be made much safer than at the present time; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes and petitions the seventy-second session of the Congress of the United States, to enact legislation relating to the national banks, so as to provide a national system of insurance to protect bank depositors therein based on reserves to be accumulated and maintained through the payment of premiums by each of said banks, according to its strength, resources, deposits and other relating factors with regard to banking; and be it further

Resolved, That the Legislature of the State of California further petition the seventy-second session of the Congress of the United States, to place such an insurance system under the supervision of the Secretary of the Treasury, with power in that officer to fix and determine the rate and proportion of premiums to be paid by each said bank, and be it further

Resolved That a true copy hereof be transmitted by the Clerk of the Assembly to the President of the United States and each Representative and Senator of California in Congress

Assembly Joint Resolution No. 24—Relative to memorializing the Congress of the United States to enact a two-year moratorium on foreclosures of real property mortgages and on sales under deeds of trust on real property.

Assembly Joint Resolution No 24 read

The question being on the adoption of Assembly Joint Resolution No. 24.

The roll was called, and Assembly Joint Resolution No 24 adopted by the following vote.

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Crowley, Dempster, Evans, Field Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Lyon, Maloney, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E, Rogers, Ross, Stannard,

Stream, Sullivan, Thorp, Tournoux, Turner, West, Zion and Mr. Speaker—51.
NOES—Brock, Latham, Martin and Redwine—4.

Title read and approved

Assembly Joint Resolution No. 24 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 24

Relative to memorializing the Congress of the United States to enact a two-year moratorium on foreclosures of real property mortgages and on sales under deeds of trust on real property.

WHEREAS, A period of depression exists in the State of California, throughout the United States and the world, accompanied by general inability to procure loans from any source; and

WHEREAS, In several States legislation providing temporary relief from foreclosure and sale of homes and farms, subject to a mortgage or deed of trust, has been enacted or proposed; and

WHEREAS, In the present emergency it is imperative that the home and farm owners throughout the United States be afforded adequate relief from foreclosure and sale of their homes and farms subject to a mortgage or deed of trust, and

WHEREAS, It lies within the power of the Congress to enact relief legislation; and

WHEREAS, In various parts of the United States force and intimidation have been and are now being employed to prevent foreclosure of mortgages on real property and sales under deeds of trust on real property, now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California most respectfully urges and petitions the special session of the seventy-third Congress to enact legislation declaring a moratorium for two years in respect to the sale of farms, dwelling houses and outbuildings, whether on execution, under power of sale contained in a mortgage or deed of trust or in an action for the recovery of a debt or the enforcement of a right secured by mortgage or other lien; and be it further

Resolved, That the Legislature of the State of California requests the honorable Senators and Representatives in the National Congress representing this State in the Senate and House of Representatives of the United States to use every honorable means to secure the enactment of such legislation; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to send copies of this resolution to the President of the Senate, the Speaker of the House of Representatives and to each member of the Senate and House of Representatives from the State of California.

Assembly Bill No. 330—An act to amend sections 535 and 536 of the Fish and Game Code, and to add thereto sections 536.5, 536.6, 536.7, 536.8 and 536.9, relating to fish screens.

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 330 passed by the following vote:

AYES—Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Field, Frazier, Greene, Hallner, Hatch, Hunt, Jones, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright, Zion and Mr. Speaker—56

NOES—Anglim and Fisher—2

Title read and approved.

NOTICE OF RECONSIDERATION

Mr. Scudder gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 330 was this day passed.

Assembly Bill No. 151—An act to add sections 27, 28, 29, 30, 31, 32, 33, and 34 to Chapter 310, Statutes of 1905, entitled "An act to provide for the formation of levee districts in the various counties of this

State, and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, relating to levee districts.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 151 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Fisher, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 241—An act relating to the refunding of bonds of irrigation and reclamation districts, making State assistance available therefor and authorizing the issuance and sale of bonds of the State to provide funds for use in furtherance thereof.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Robinson, C. Ray, moved that Assembly Bill No. 241 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 241 to the Committee on Ways and Means

Motion carried.

Assembly Bill No 241 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 845—An act to repeal Chapter V, Part III, Division V of the School Code, relating to teachers institutes.

Bill read third time

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 845 was withdrawn from the file, and referred to Committee on Education.

Assembly Bill No 1763—An act to amend section 809 of the Fish and Game Code, relating to clams.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1763 passed by the following vote

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Crowley, Dempster, Evans, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hoffman, Hunt, Jones, Kallam, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen,

Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright, Zion and Mr. Speaker—59.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 997—An act to amend sections 814, 828 and 829 of the Agricultural Code, relating to the standardization of lettuce.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 997 passed by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Field, Fisher, Frazier, Gilmore, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Lyon, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright, Zion and Mr. Speaker—61.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1229—An act to amend sections 5.404, 5.420, 5.500, 5.503, 5.510, 5.520, 5.521, 5.650, 5.651, 5.652, 5.654, 5.655, 5.657, 5.658, 5.662, 5.663, 5.681, 5.691 and 5.710, and repealing sections 5.653, 5.664 and 5.682, and adding new sections to be numbered 5.505, 5.506 and 5.666 of the School Code of the State of California, relating to the employment, classification, dismissal and suspension of employees requiring certification qualifications.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1229 was withdrawn from the file, and referred to Committee on Education.

Assembly Bill No. 970—An act to add a new article to Chapter 3, Part 3, Division IV, to be numbered Article 6, embracing sections 1350, 1351, 1352 and 1353 of the Fish and Game Code, and to amend section 1410 thereof, relating to amphibia, and to renumber present Articles 6 and 7 of Chapter 3, Part 3, Division IV.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Mayo:

AMENDMENT NUMBER ONE

On page 2, line 13, of the printed bill, after the word "purposes", strike out the comma, and insert in lieu thereof the following: "or for use in what is generally and popularly known as frog-jumping contests".

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs. Ross, Mayo and Zion, the Speaker ordered a roll call taken on the amendment to Assembly Bill No. 970.

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

AYES—Alter, Anglim, Bliss, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crist, Cronin, Dempster, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—56.

NOES—Badham, Bowers, Brock, Cobb, Crowley, Hatch, Latham, Morgan, Riley, Robinson, C. Ray; Robinson, Samuel E., Stannard and Zion—13.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Robinson, C. Ray, asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Assembly Bill No. 970 at this time, without reference to printer or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED SEVENTY.

Assembly Bill No. 970—An act to add a new article to Chapter 3, Part 3, Division IV, to be numbered Article 6, embracing sections 1350, 1351, 1352 and 1353 of the Fish and Game Code, and to amend section 1410 thereof, relating to amphibia, and to renumber present Articles 6 and 7 of Chapter 3, Part 3, Division IV.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 970 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Crowley, Dempster, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Maloney, Martin, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—64.

NOES—Cottrell—1.

Title read and approved.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS.

RECONSIDERATION

In compliance with his notice given on a previous day, Mr. Woolwine moved that the vote whereby Assembly Bill No. 411 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, King, Knowland, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Rogers, Ross, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—53

NOES—Cassidy, Fisher, Hoffman, Jones, Roland, Stannard and Thorp—7

CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED ELEVEN.

Assembly Bill No 411—An act to amend section 1174 of the Code of Civil Procedure, relating to judgments in proceedings for forcible entries, forcible or unlawful detainer.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 411 passed by the following vote

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Chatters, Cobb, Cottrell, Craig, Cronin, Dempster, Evans, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, James A., Morgan, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr Speaker—51

NOES—Burns, Cassidy, Clowdsley, Crowley, Fisher, Hoffman, Hornblower, Hunt, Jones, McBride, O'Connor, Patterson, Roland, Stannard and Thorp—15

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933

MR SPEAKER Your Committee on Irrigation, to which was referred Assembly Bill No. 501—An act to amend section 19a of the California Irrigation District Act, relating to officers of irrigation districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No 250—An act to amend section 628a of the Penal Code relating to the protection of fish and game—has had the same under consideration, and respectfully reports the same back, and recommends that same do pass as amended

ZION, Chairman

The above reported bill ordered on file for second reading.

ON INSURANCE

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1933

MR. SPEAKER Your Committee on Insurance, to which was referred Assembly Bill No. 2337—An act giving the Insurance Commissioner power to limit payments or loans of funds of life insurance companies and to generally regulate such companies for the protection of policyholders during periods of extraordinary economic and financial conditions, defining the term "life insurance companies" as used herein, reciting the establishment of similar control and limitations in other States, and declaring the urgency thereof and that the same shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

CRIST, Chairman.

The above reported bill ordered on file for second reading.

ON LABOR AND CAPITAL

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1933

MR SPEAKER Your Committee on Labor and Capital to which was referred Assembly Bill No 1021—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing mechanical, or mercantile establishment, laundry, hotel or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company, compelling each employer in any manufacturing, mechanical, or mercantile establishment, laun-

dry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to occupations to which the act applies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

DEMPSTER, Chairman

The above reported bill ordered on file for second reading

ON UNEMPLOYMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933

MR SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No 374—An act to provide for the construction and supervision of safe and sanitary low-cost dwellings and apartments, and for the rental or sale thereof at reasonable rates, and in connection therewith to authorize the incorporation and provide for the regulation of limited dividend housing corporations and prescribe the powers, rights and duties thereof; to regulate and limit the rate of return on securities to be issued by such corporations, to declare the urgency of this act and provide that it shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

POWERS, Chairman

The above reported bill ordered on file for second reading.

ON IRRIGATION

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933

MR SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 1192—An act to amend the California Districts Securities Commission Act by amending section 11 thereof, relating to when a district may be declared insolvent, control thereof by the Districts Securities Commission, the ordering of refunding bonds of a district—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

FRAZIER, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON PUBLIC UTILITIES

ASSEMBLY CHAMBER SACRAMENTO, March 23, 1933

MR. SPEAKER: Your Committee on Public Utilities to which was referred Assembly Bill No 1400—An act to amend section 79 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act, relating to punishment for violation thereof:

Also: Assembly Bill No. 2281—An act to add section 41a to the Public Utilities Act, relating to telephone companies and the installation of telephone meters:

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LATHAM, Chairman.

The above reported bills ordered referred to Committee on Rules.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 457—An act to validate all proceedings for the formation of improvement districts within irrigation districts and all assessments heretofore made in any such improvement districts, to validate all warrants heretofore issued or to be issued, payable from the assessments levied in such improvement districts, and authorizing and directing the collection of the assessments in such improvement districts sufficient to pay the principal and interest of said warrants, validating and confirming all acts and proceedings of the board of directors of any irrigation district in connection with the acquisition and creation of improvement districts within irrigation districts,

and the acquisition, construction, operation, maintenance and repair of improvements therein—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman

The above reported bill ordered on file for second reading.

MOTION.

On motion of Mr. Crist, the Chief Clerk was instructed to place a rush order on the printing of Assembly Bill No. 2337.

MOTION.

On motion of Mr. McBride, the Chief Clerk was instructed to have 200 additional copies of Assembly Concurrent Resolution No. 20 printed

RECESS.

At twelve o'clock and fifteen minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

LEAVE OF ABSENCE.

On motion of Mr. Robinson, C. Ray, Mr. Meeker was granted leave of absence for the balance of this legislative day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Concurrent Resolution No. 43—Relative to school buildings damaged by earthquakes occurring in March, 1933—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

ROLAND, Chairman

Assembly Concurrent Resolution No. 43 ordered on file for adoption

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 9—An act to amend section 69 of the Civil Code, relating to issuance of licenses to marry;

Also: Assembly Bill No. 304—An act to amend sections 1.145, 1.350, 1.391, 1.393 and 1.430 of the School Code, relating to part-time compulsory education;

Also: Assembly Bill No. 317—An act to amend sections 1, 5, 10, 11 and 15 of, and to add new sections to be numbered 10a to 10g, inclusive, to "An act to regulate the sale, possession, distribution and use of habit forming, narcotic and other dangerous drugs and substances, and providing penalties for violation thereof," approved May 4, 1929;

Also: Assembly Bill No. 334—An act to amend section 209 of the Penal Code, relating to the punishment of kidnapping;

Also: Assembly Bill No. 699—An act to add a new section to the Political Code, to be numbered 473a relating to the centralization in the Attorney General's office of all attorneys and legal advisers for State departments, divisions, commissions, bureaus, boards, offices, and institutions, and the reimbursement of the Attorney General's office for such services;

Also: Assembly Bill No. 722—An act to add a new section to be numbered 14a to the "State Civil Service Act," relating to the abolition or discontinuance of positions;

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 866—An act to amend sections 612, 651, 654 and 659 of the Fish and Game Code and to add thereto sections 615.5, 650.5, 658.5 and 658.6, relating to salmon and trout;

Also: Assembly Bill No. 889—An act to amend section 685 of the Code of Civil Procedure, relating to execution of judgments;

Also: Assembly Bill No. 898—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to provide for the management and sale of lands belonging to the State," approved March 28, 1868, also an act entitled "An act to provide for the sale of certain lands belonging to the State," approved April 27, 1863, including any case wherein relief has been granted to a purchaser or purchasers under the provisions of an act entitled "An act for the relief of purchasers of State lands," approved March 27, 1872; provided that all taxes levied against the property during the 30 years next preceding the commencement of the action have been fully paid;

Also: Assembly Bill No. 1100—An act to add a new section to the Political Code, to be numbered 596c, prohibiting any person or corporation from acting as agent for or in any manner aiding in the solicitation or advertising of any insurance corporation or insurer, unless such insurance corporation or insurer shall have received a certificate of authority to transact business in this State and prescribing a penalty for violation thereof;

Also: Assembly Bill No. 1258—An act to amend section 374a of the Penal Code, relating to the dumping of garbage in the navigable or territorial waters of this State;

And reports that the same have been correctly engrossed

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 24, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 219—An act to amend section 4017 of the Political Code, relative to consolidation of county offices.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Dempster: Assembly Constitutional Amendment No. 95—Proposed amendment to Article XIII, section 1, of the Constitution, relative to taxation.

Introduced, and referred to Committee on Revenue and Taxation.

RESOLUTION.

The following resolution was offered:

By Mr. Ross:

Resolved, That Assembly Bill No. 782 be forthwith withdrawn from the Committee on Judiciary and placed upon the Second Reading Calendar, pursuant to Rule No. 60.

(Signed) ALBERT E ROSS
JESSE M. MAYO.
F. PETERSON.
P. G. WEST.
ROY J. NIELSEN.
JOSEPH P. GILMORE.
C. W. GRUBBS.
H. S. HALLNER.
CLARE WOOLWINE.
RODNEY L. TURNER.
MAURICE MEEKER.
C. RAY ROBINSON.
J. E. THORP.
S. E. ROBINSON.
FRANK W. WRIGHT.
F. M. ROBERTS.
FRANK J. ROGERS.
IRA S HATCH.
SAM M. GREENE.
CHAS. W. DEMPSTER
W. E. BADHAM.
CHARLES W. FISHER.
ELLIS E. PATTERSON.
FORD A. CHATTERS.
JAMES S. O'CONNOR.
JOHN D. McCARTHY.
FRANK G. MARTIN.
HOBART R. ALTER.
JOHN T. RAWLS.
JAMES M. CASSIDY.
HENRY P. MEEHAN.
BRUCE R. STANNARD.
CHARLES W. STREAM.
M. J. BURNS.
HUBERT B. SCUDDER.
CHARLES A. HUNT.
CLIFFORD C. ANGLIM.
HARRY B. RILEY.
JAMES J. McBRIDE
CECIL R. KING.
WM. MOSELEY JONES.
E V. LATHAM.
A. E. BROCK.
J. E. FRAZIER.

By order of the Speaker, Assembly Bill No. 782 was ordered placed on file for second reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 913—An act granting to the city of San Mateo the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and grant franchises and leases thereon, and regulating the management, use and control thereof, and authorizing suits against said city and the State to quiet title to any such lands, and regulating the procedure therein and conditions under which said suits may be brought.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 913 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock Burns, Chatters, Cottrell, Craig, Crist, Crowley, Evans, Gilmore, Greene, Hallner, Hatch, Hornblower, Hunt, Kallam, King Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Woolwine and Mr. Speaker—49

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1334—An act to amend section 1240 of the Code of Civil Procedure, relating to the taking of private property under proceedings in eminent domain.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1334 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cottrell, Craig, Crowley, Gilmore, Greene, Hallner, Hatch, Hornblower, Hunt, Kallam, King, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—49.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1338—An act to add a new section to the Political Code to be numbered 363cc, authorizing the filing for record of State highway maps and prescribing the duties of county recorders with relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1338 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Evans, Frazier, Gilmore, Hallner, Hatch, Hornblower, Hunt, Kallam, King, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine and Mr. Speaker—54.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 245—An act to amend sections 3 and 5b of the "Narcotic Rehabilitation Act," relating to drug addicts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 245 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Evans, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Lyon, Martin, Mayo, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Rogers, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Zion and Mr. Speaker—53
NOES—Woolwine—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2301—An act to amend section 660 of the Fish and Game Code and to add thereto a new section, to be numbered 660.5, relating to salmon.

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 2301 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cobb, Cottrell, Craig, Crowley, Evans, Frazier, Gilmore, Grubbs, Hatch, Hornblower, Hunt, Jones, Kallam, Lyon, Maloney, Martin, Mayo, McCarthy, Miller, Eleanor; Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine,

Riley, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Zion and Mr Speaker—51
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 453—An act to amend sections 901 and 910, and to repeal sections 902 and 904 of the Probate Code, relating to compensation of executors, administrators, and attorneys

Bill read third time.
The question being on the passage of the bill
The roll was called, and Assembly Bill No 453 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle Cassidy, Chatters, Clowdsley, Cobb, Craig, Crowley, Frazier, Gilmore, Greene, Grubbs, Hallnet, Hatch Hornblower, Hunt, Jones, Kallam, King, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Peterson, Phillips, Powers Rawls, Riley, Robinson Samuel E Rogers, Scudder, Stannard, Sullivan, Tournoux, Turner, Utt, West, Woolwine and Mr Speaker—49
NOES—Brock, Evans, Redwine and Zion—4

Title read and approved
Bill ordered transmitted to the Senate

Assembly Bill No. 2294—An act to declare a moratorium on foreclosure of mortgages; prohibiting the sale under provision of a mortgage or deed of trust; and prohibiting the bringing of any action for the collection of any debt or the interest thereon for which a mortgage or deed of trust has been given as security.

Bill read third time.
The question being on the passage of the bill

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No. 2294 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 2069—An act to amend the act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915

Bill read third time
The question being on the passage of the bill

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 2069 was withdrawn from the file, and referred to Committee on Medical and Dental Laws

Assembly Bill No 63—An act to repeal "An act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof," approved March 3, 1897.

Bill read third time
The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 63 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 64—An act to repeal "An act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof," approved March 27, 1897.

Bill read third time

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 64 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No 71—An act to repeal "An act to regulate the salaries of certain officers in the police department within municipalities of the first class in the State of California, and to provide for the appointment and salaries of other officers of such departments," approved March 8, 1897.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No. 71 was withdrawn from the file, and referred to Committee on Rules

Assembly Bill No 72—An act to repeal "An act to create a court in and for the town of Berkeley, State of California," approved March 27, 1895.

Bill read third time

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 72 was withdrawn from the file, and referred to Committee on Rules

Assembly Bill No 74—An act to repeal "An act to authorize the legislative body of a municipality to create sewer districts within its boundaries, provide a system of sewer bonds for the construction of sewers therein, and to provide for the payment of said bonds," approved February 13, 1911.

Bill read third time

The question being on the passage of the bill

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 74 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No 99—An act to repeal "An act to establish water rates in the City and County of San Francisco," approved March 1, 1876.

Bill read third time

The question being on the passage of the bill.

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No. 99 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 103—An act to repeal "An act to authorize the common council of the city of Santa Barbara to lay out, open, and improve streets in said city," approved March 26, 1878.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No. 103 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 563—An act to amend sections 2 and 7 of the act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to incorporation of municipal corporations and annexation of territory thereto.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 563 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crowley, Evans, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Maloney, Martin, Mayo, McBride, Meehan, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Scudder, Stannard, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—54.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1163—An act to add a new section to the Fish and Game Code, to be numbered 1323, relating to muskrats.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1163 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crowley, Frazier, Gilmore, Hallner, Hatch, Hunt, Jones, Kallam, King, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Rogers, Scudder, Stannard, Sullivan, Tournoux, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—51

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 1745—An act to amend section 949 of the Fish and Game Code, relating to nets.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1745 passed by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Craig, Crowley, Evans, Frazier, Gilmore, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, King, Maloney, Martin, McBride, McCarthy, Miller, Eleanor; Morgan, Nielsen, O'Connor, Peterson, Phillips, Rawls, Redwine,

Riley, Robinson, Samuel E., Scudder, Stannard, Sullivan, Tournoux, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—48.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2229—An act to repeal section 954 of the Fish and Game Code, relating to nets.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 2229 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Chatters, Clowdsley, Cobb, Craig, Crowley, Evans, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Rawls, Redwine, Robinson, Samuel E., Rogers, Scudder, Stannard, Sullivan, Tournoux, Turner, Utt, West, Zion and Mr. Speaker—47.
NOES—Woolwine—1.

Title read and approved
Bill ordered transmitted to the Senate

Assembly Bill No. 836—An act to add a new section to the Political Code, to be numbered 352a, relating to the payment of the costs of State administrative and service agencies.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No 836 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Craig, Evans, Frazier, Gilmore, Grubbs Hallner, Hatch, Hunt, Jones, King, Lyon, Maloney, Martin, Mayo, McBride, Miller, Eleanor, Miller, James A, Morgan, Nielsen, Peterson, Phillips, Rawls, Redwine, Riley, Rogers, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—46.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No. 1572—An act to amend section 948 of the Political Code, relating to bonds of State officials and employees.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1572 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Chatters, Clowdsley, Craig, Crowley, Evans, Frazier, Gilmore, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, King, Lyon, Maloney, Martin, Mayo, McBride, Miller, Eleanor; Morgan, Nielsen, Peterson, Phillips, Redwine, Riley, Rogers, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—44
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1574—An act to amend section 985 of the Political Code, relating to official bonds.
Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1574 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Chatters, Clowdsley, Evans, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Morgan, Nielsen, Peterson, Phillips, Rawls, Redwine, Rogers, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine, Zion and Mr Speaker—44

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1357—An act to add a new section to the Probate Code, to be numbered section 1026, relating to distribution of an estate where no heirs appear in the course of administration and claim the estate or some part thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1357 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Chatters, Clowdsley, Craig, Crowley, Evans, Frazier, Gilmore, Greene, Hallner, Hunt, Jones, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A, Nielsen, O'Donnell, Peterson, Phillips, Rawls, Redwine, Rogers, Scudder, Stream, Tournoux, Utt, West, Woolwine and Mr Speaker—41

NOES—Grubbs and Stannard—2.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILLS.

Senate Bill No 531—An act to amend sections 2, 6, 7, 9, 14 and 18 of the "Act Concerning Cosmetology"

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 3, line 5, of the printed bill, strike out "eight", and insert in lieu thereof the following: "five".

AMENDMENT NUMBER TWO.

On page 3, line 6, of the printed bill, strike out "nine", and insert in lieu thereof the following: "eight".

AMENDMENT NUMBER THREE

On page 7, line 3, of the printed bill, strike out "eight", and insert in lieu thereof the following: "five".

AMENDMENT NUMBER FOUR.

On page 7, line 4 of the printed bill, strike out "nine", and insert in lieu thereof the following: "eight".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 976—An act authorizing the city of Richmond to lease certain tide and submerged lands heretofore granted by the State of California to said city in trust.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 976 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Chatters, Clowdsley, Evans, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Rawls, Redwine, Riley, Rogers, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 465—An act to amend section 4082 of the Political Code, relating to lost or destroyed county warrants issued in favor of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 465 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Chatters, Clowdsley, Craig, Evans, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, King, Lyon, Maloney, Martin, McBride, Meehan, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Rawls, Redwine, Riley, Rogers, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 24, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to be numbered 34a to Article IV, by amending section 12 of Article XI, by adding a new section to be numbered 20 to Article XI, by amending sections 14, 15 and 16, and by repealing sections 12½ and 18 of Article XIII, relating to taxation.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Constitutional Amendment No. 30 read first time, and referred to Committee on Revenue and Taxation.

RESOLUTION.

The following resolution was offered:

By Messrs. Tournoux, Grubbs, Callahan, King, Jones, O'Connor, Boyle, Rogers, Stannard, McBride, Hallner, Clowdsley, Rawls, Crowley, Meehan, Hunt, Miller, Eleanor; McCarthy, Hornblower, Bowers, Burns, Robinson, Samuel E., Phillips, Redwine, Lyon and Little:

WHEREAS, On March 23, 1933, Divine Providence removed from this earthly sphere John Francis McMurray, brother of Patrick J. McMurray, one of our esteemed members, and

WHEREAS, The Assembly of the State of California expresses its profound sorrow at the loss suffered by Mr. McMurray, therefore, be it

Resolved by the Assembly of the State of California, That a copy of this resolution be spread upon the minutes of this Assembly, and the sincere sympathy and consolation of the Assembly of the State of California be offered to Mr. McMurray in his bereavement; and be it further

Resolved, That the Chief Clerk of the Assembly be instructed to have this resolution suitably engrossed.

Resolution read, and on motion unanimously adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1933.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 669—An act to amend sections 4130 and 4300c of the Political Code, relating to county recorders—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER. Your Committee on Motor Vehicles, to which was referred Assembly Bill No 663—An act to amend section 365d of the Political Code, relating to highways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER. Your Committee on Motor Vehicles, to which was referred Assembly Bill No 667—An act to amend section 408 of the Political Code, relating to the Secretary of State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No 672—An act to amend sections 2959, 2965 and 2966 of the Civil Code, relating to mortgages of personal property—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 664—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on personal property for work, materials, supplies, feed, care, keep and services rendered—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 668—An act to amend section 4041.7 of the Political Code, relating to the powers and jurisdiction of boards of supervisors with respect to public roads—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 671—An act to amend section 409 of the Political Code, relating to the fees

to be collected by the Secretary of State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 662—An act to amend section 602 of the Penal Code, relating to trespass—had had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 567—An act to add a new article to Chapter I of Part I of Division II of the School Code to be known as Article X, embracing sections 2.85 and 2.86, relating to the formation, annexation, consolidation, unionization, and changing of boundaries of school districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ROLAND, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1933.

MR. SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 769—An act to add section 1c to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair trade practice—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1933.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 670—An act to amend section 384 of the Penal Code, relating to fires—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 665—An act to amend sections 576 and 599 of the Vehicle Code, relating to the operation of vehicles upon the highways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 666—An act to regulate the transportation, care and handling of explosives—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 674—An act to establish the Vehicle Code and thereby to consolidate and revise the law relating to traffic on streets and highways and the registration, identification, operation, driving, use, ownership, transfer, theft, embezzlement, destruction, molestation, unlawful entering and taking and driving, equipment, size, weight, loading and wrecking of vehicles used upon streets and highways and liens and mortgages on such vehicles and the licensing and regulation of drivers of such vehicles and the civil liability of persons signing license applications of minors and the conduct and records of persons dealing with such vehicles and the civil liability arising from the ownership, maintenance, use and operation of such vehicles and the financial responsibility of owners and operators of such vehicles and crimes connected with the use of such vehicles and the parties, procedure, presumptions, evidence and reports in relation to such crimes and the creation, organization, powers, duties, jurisdiction and maintenance of the Department of Motor Vehicles and its divisions in connection therewith and the collection, disposition and use of fees, fines and forfeitures in relation thereto and the limitations on the powers of local authorities over the aforesaid subject and to repeal certain specified provisions of law germane to the aforesaid subject—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1933

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 897—An act to repeal Part I of Division II of the School Code, embracing sections 2.20 to 2.760, inclusive, to repeal Chapters I, II, III and IV of Part II of Division II of said code, embracing sections 2.770 to 2.1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2.10 to 2.281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-A, respectively, embracing sections 2.650 to 2.911, inclusive, to amend sections 4.181, 4.375, 4.773, 4.811, 4.812, 4.875, 4.895, 4.896, 4.898, 4.970, 6.470, and 6.471 to 6.477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4.769, 6.470–1, and 6.470–2, to repeal section 4.771 of said code, and to repeal certain acts, all relating to school districts and junior college districts—has had the same under consideration, and respectfully reports the same back without recommendation.

ROLAND, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 770—An act to add section 1a to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair competition—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 767—An act to add a new section to the "Fair Trade Act" to be numbered 1½, relating to unfair competition—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 2281—An act to add section 41a to the Public Utilities Act, relating to telephone companies and the installation of telephone meters;

Also: Assembly Bill No 1400—An act to amend section 79 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act, relating to punishment for violation thereof;

Also: Assembly Bill No. 1192—An act to amend the California Districts Securities Commission Act by amending section 11 thereof, relating to when a district may be declared insolvent, control thereof by the Districts Securities Commission, the ordering of refunding bonds of a district;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1200—An act to repeal sections 1120 to 1140, inclusive, of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C RAY, Chairman.

The above reported bill ordered placed on calendar.

LEAVES OF ABSENCE.

On motion of Mr. Evans, Mr. Latham was granted leave of absence for the balance of this legislative day.

On motion of Mr. West, Mr. Robinson, C. Ray, was granted leave of absence for the balance of this legislative day.

On motion of Mr. Redwine, Mr. Field was granted leave of absence for the balance of this legislative day.

ADJOURNMENT.

At four o'clock and ten minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, March 27, 1933, out of respect to the memory of John Francis McMurray, brother of Assemblyman Patrick McMurray.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, March 27, 1933.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Croun, Crowley, Dempster, Evans,

Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—76.

Quorum present.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and three minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Hallner, Mr. Woolwine was granted leave of absence for the day.

On motion of Mr. McBride, Mr. Turner was granted leave of absence for the day.

On motion of Mr. Maloney, Mr. McMurray was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Fisher, Mr. R. H. W. Mahoney, Mr. Frank Hoard, Mr. Irving F. Mahoney, and Mr. Henry C. Donovan were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Powers, Hon. Herbert McDowell, former member of the State Legislature, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. West, Mrs. Richard Codman, California Daughters American Revolution, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nielsen, Mrs. Francis, teacher, and the students of Stanford Junior High School, were extended the privilege of the floor of the Assembly for this day.

COMMUNICATIONS.

The following communications were received, and read:

OFFICE OF STATE BOARD OF EQUALIZATION,
STATE OF CALIFORNIA, SACRAMENTO, March 24, 1933.

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

DEAR MR. OHNIMUS: This is in acknowledgment of your letter of March 23d directing our attention to a resolution adopted by the Assembly on March 21, 1933, with reference to the hours of work of the employees in the various offices of the State government.

In pursuance of that resolution the Assembly is informed that each of the offices maintained by this board, viz. the principal office at Sacramento and the branch offices at Los Angeles and San Francisco, is open to the general public on every business day from 8 30 a.m. until 5 p.m. except that on Saturdays the hours are from 8 30 a.m. until 12 noon on those days.

Our auditors and investigators in the field are required to work each day from 8 a.m. until 5 p.m. with the exception of the half day for Saturday. Their work

frequently requires that longer hours be maintained and is also somewhat irregular requiring night work as well.

Office executives and secretarial assistants are expected to be present at the office for work each day for not less than seven and one-half hours, allowing one hour for lunch. As a matter of fact, most of our staff is actually at work from eight and one-half to nine hours each business day, allowing one hour for lunch and with the exception of Saturday as above noted.

During the time when tax reports are being filed and the State tax roll prepared, our personnel serves considerably longer than eight hours full working time each day. None of this overtime, nor the overtime of the auditors and investigators above mentioned, is compensated for, as our staff is held strictly to a monthly salary basis.

The foregoing statements apply to all branches of our office, including the Tax Research Bureau.

We trust that the foregoing will afford the Assembly the desired information.

Very truly yours,

DIXWELL L. PIERCE, Secretary.

STATE OF CALIFORNIA, DEPARTMENT OF STATE.
SACRAMENTO, March 24, 1933.

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

DEAR SIR: In response to your letter of March 23d, and in accordance with the resolution appearing on page 25 of the Assembly Daily Journal of March 21st, we wish to state that the employees of this office are permitted to report for duty at 9 a.m., are allowed one hour for lunch, and may leave the office at 4 p.m. except that on Saturdays they report at 9 a m. and leave at 12 noon

We may state, further, however, that this office is always open for business at 8 a m. and is not closed until 5 p.m. on all business days except Saturdays

Very truly yours,

FRANK C. JORDAN, Secretary of State.
By ROBERT JORDAN, Assistant Secretary of State

STATE OF CALIFORNIA, DEPARTMENT OF EDUCATION.
SACRAMENTO, March 27, 1933

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

DEAR SIR: In accord with a request contained in your letter of March 23d, I am pleased to give statement as follows:

I interpret the meaning of the resolution to request that I present to you a statement indicating the hours of service required of all employees in this department. I am happy to report to you that the State Department of Education in all of its divisions and branches of services maintains an eight-hour day It has very thoroughly been our understanding that eight hours constituted a day of service in State offices and this department has been obedient to that understanding.

If we can be of any further service I shall be more than pleased to cooperate at all times

Sincerely yours,

V. KERSEY, Superintendent of Public Instruction.

STATE OF CALIFORNIA, LEGAL DEPARTMENT,
SAN FRANCISCO, March 24, 1933

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

DEAR SIR: This office acknowledges yours of the twenty-third instant, in which you direct attention to a resolution adopted by the Assembly and appearing on page 25 of the Assembly Journal of Tuesday, March 21, 1933, in which it is recited that

> "It appears that in the constitutional offices of the State of California, the number of hours of work required daily of the employees except on Saturdays is but six",

and that

> "The eight-hour day has been maintained in other departments".

and it is then resolved,

> "That said constitutional officers and the department heads furnish to the Assembly a statement of the number of hours the employees are working to the end that action may be taken to secure for the employees of all departments similar or the same number of working hours per day"

In compliance with this request I have to advise you, and through you the Assembly, that the offices of the Attorney General of this State are open at 9 a m and continue so open until 5 p m, and usually for some thirty minutes after 5 o'clock, and each member of the office force is required to strictly observe these hours.

The rule establishing these hours is not of recent origin, indeed such has been the rule for more than 20 years past. During all of this time I have been aware of the provisions of section 1030 of the Political Code, but the observance of the hours indicated has been required because the daily business of this office can not be transacted in shorter time with the force it has and has had. While the requirement is that the office be kept open until 5 p.m., there is a further requirement that the day's work of the officers or employees be completed, even though he or she be required to remain after the hour of 5 p.m., and it is seldom that the office closes before 5 30.

I may add for your information, and the information of the Assembly, that the offices of the Attorney General in Los Angeles and San Francisco remain open on Saturdays until 1 p m.

You will understand that a lunch time of one hour is allowed.

Very truly yours,

U. S. WEBB, Attorney General.

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE,
SACRAMENTO, March 25, 1933.

To the Assembly of the State of California, Sacramento, California.
Attention: Mr. Arthur A. Ohnimus

GENTLEMEN: As requested in the resolution offered by Messrs. Zion, Knowland, Field and Cottrell in the Assembly on March 21, 1933, I desire to inform you that the administrative offices of this department remain open from 9 a m. to 5 p.m. daily except on Saturdays when the hours are from 9 a.m to 12 noon

All of the janitors, groundsmen, elevator men, and policemen work on an eight-hour daily basis, their time of employment, however, being at different periods during the twenty-four hours of the day.

I should like to call to your attention Senate Bill No. 342 which was introduced at our request by Senator Seawell, providing that all State departments, bureaus, boards, commissions, and officers shall keep their offices open for the transaction of business from 9 a m until 5 p m on each day in order to establish uniform hours of service for all State agencies

Yours very truly,

ROLLAND A VANDEGRIFT, Director of Finance.

The Speaker ordered the above communications referred to Committee on Education.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Michael O'Dea of San Francisco, relative to impeachment.

The Speaker ordered the petition referred to Committee on Judiciary.

Also:

By Mr. Speaker:

From Southside Chamber of Commerce, Limited, of Los Angeles, disapproving "ad valorem tax"

AUGUST B GORBACH, President

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1933

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No 29—An act to add section 698 5 to the Fish and Game Code, relating to the protection of fish—has had the same under consideration, and respectfully reports the same back and recommends that it be replaced on calendar

ROBINSON, C RAY, Chairman.

The above reported bill ordered placed on daily calendar

Also:

ASSEMBLY CHAMBER, SACRAMENTO March 27, 1933

MR SPEAKER Your Committee on Rules, to which was referred Assembly Bill No. 897—An act to repeal Part I of Division II of the School Code, embracing

sections 2 20 to 2 760, inclusive, to repeal Chapters I, II, III and IV of Part II of Division II of said code, embracing sections 2.770 to 2 1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2 10 to 2 281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-A, respectively, embracing sections 2 650 to 2 911, inclusive to amend sections 4.181, 4 375, 4 773, 4.811, 4.812, 4.875, 4 895, 4.896, 4 898, 4.970, 6 470 and 6 471 to 6 477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4.769, 6.470-1 and 6 470-2, to repeal section 4.771 of said code, and to repeal certain acts, all relating to school districts and junior college districts;

Also: Assembly Bill No. 770—An act to add section 1a to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair competition;

Also: Assembly Bill No. 767—An act to add a new section to the "Fair Trade Act" to be numbered 1½, relating to unfair competition;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman

The above reported bills ordered to reprint.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 43—Relative to school buildings damaged by earthquakes occurring in March, 1933—and reports that the same has been correctly engrossed.

PATTERSON, Chairman

Assembly Concurrent Resolution No 43 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1838—An act to add a new section to the Political Code to be numbered 528a, relating to the printing of new or revised codes—and reports that the same has been correctly enrolled and presented the same to the Governor on this twenty-fourth day of March, 1933, at five o'clock p.m.

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 511—An act to add two new sections to the Penal Code to be numbered 969c and 1158a, relating to defendants armed with weapons at the time of the commission of the offense or at the time of arrest and providing a procedure for charging that defendants were so armed and for determining the truth of the charge;

Also: Assembly Bill No. 1280—An act to amend sections 452a, 452c, 452d, 452f, and 453 of the Civil Code, all relating to mutual benefit and life associations;

Also: Assembly Bill No. 1937—An act to amend section 1197 of the Political Code, relating to election ballots;

Also: Assembly Bill No. 1906—An act to add a new section to the School Code to be numbered 5.27, relating to cooperative stores on the campuses of the State teachers colleges;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 33—An act to amend section 1 145 of the School Code and to repeal Chapter II of Part II of Division I of the School Code, embracing sections 1 350 to 1.430, inclusive, and to add a new chapter, to be numbered Chapter II, of Part II of Division I of said code, embracing sections 1 350 to 1 380, inclusive, relating to compulsory part-time education;

Also: Assembly Bill No 278—An act to add a new section to the Penal Code of California, to be known as section 1510.1, relating to the powers and duties of coroners and to the custody of dead bodies,

Also: Assembly Bill No. 298—An act to amend sections 1, 2, 3 and 9 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contest," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission;

Also: Assembly Bill No. 318—An act to amend sections 1, 6, 7, 8a, 8c, 8d, 8e, 8f, 8g, 8½ and 9, to repeal sections 8 and 8b, and to add new sections to be numbered 7a, 8 and 8b, to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 338—An act to amend sections 1 and 2 of an act entitled "An act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works," approved May 30, 1913, relating to the keeping of records of the hours worked, providing penalties for violation of the act, providing for the enforcement of the act by the Department of Industrial Relations and extending the benefits of the act to workers employed in sheds or buildings in lime and cement and plants where dust is created;

Also Assembly Bill No. 391—An act to amend sections 2 and 7 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting government and municipal control of such annexed territory," approved June 11, 1913, relating to the annexation of territory to municipal corporations,

Also: Assembly Bill No. 460—An act to repeal sections 453aa, 453bb, 453cc, 453dd, 453ee, 453ff, 453gg and 453gg½ of the Civil Code of the State of California and to substitute therefor new sections of said Civil Code numbered 453.1, 453.2, 453.3, 453.4, 453.5, 453.6, 453.7, 453.8, 453.9, 453.10 and 453.11, all relating to mortgage insurance companies,

Also Assembly Bill No. 507—An act to limit the hours during which racing may be conducted within this State;

Also Assembly Bill No. 771—An act to amend section 16 of the act known as the "Act Concerning Cosmetology," relating to exemptions,

And reports that the same have been correctly engrossed

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 814—An act to amend section 9 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provisions for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, relating to elections;

Also Assembly Bill No. 835—An act to amend section 4 of the California Air Navigation Act, relating to aircraft including aircraft used solely for pleasure and not for commercial purposes, and to add a new section thereto to be numbered 11½, relating to the responsibility of owners or operators of aircraft for injury to or death of a guest riding in such aircraft;

Also Assembly Bill No. 1125—An act to amend section 623 of the Political Code, relating to bonds required of insurance companies to insure payment of taxes,

Also Assembly Bill No. 1132—An act to amend section 2898 of the Civil Code, relating to the priority of mortgages and deeds of trust given for the price of real property,

Also. Assembly Bill No 1147—An act to add a new section to the Agricultural Code, to be numbered 62 5, relating to county agricultural commissioners;
And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1485—An act to amend an act entitled "An act relating to the use of the air and to make uniform the law with reference thereto; providing for the licensing of aircraft, airmen and air navigation facilities, providing, in a certain contingency, for the creation of the Aeronautical Commission of California, prescribing its powers and duties and making an appropriation for its use; providing for the enforcement of the act and penalties for violations thereof and repealing acts in conflict therewith," approved June 18, 1929, by amending section 1 defining the term "Federal license";

Also: Assembly Bill No 1502—An act to add a new section to be numbered 726a to the Code of Civil Procedure, relating to actions to enforce obligations secured by mortgage on real property situated outside of California;

Also. Assembly Bill No 1587—An act regulating public laundries, prescribing conditions connected with the operation of such laundries, and fixing penalties for violation of the provisions of this act;

Also: Assembly Bill No 1879—An act to add a new section to the Code of Civil Procedure, to be numbered 1022a, relating to costs allowed to the prevailing party in a civil suit;

Also: Assembly Bill No 2058—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications;
And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1118—An act to amend sections 3, 4, 5, 6, 8 and 9 of, to add sections 1, 1a, 1b, 9a and 10 to, and to amend and renumber section 1 to be section 1c of an act entitled "An act to regulate the practice of architecture," approved March 23, 1901;

Also: Assembly Bill No. 2330—An act to amend sections 605g, 605h, 605i and 605j of the Civil Code, relating to corporations sole;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Messrs. Phillips, Greene, Brock and Alter: Assembly Concurrent Resolution No 44—Relative to the investment of moneys in certain State funds.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 44, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FORTY-FOUR.

Assembly Concurrent Resolution No. 44—Relative to the investment of moneys in certain State funds.

Assembly Concurrent Resolution No. 44 read.

The question being on the adoption of Assembly Concurrent Resolution No. 44.

MOTION TO RE-REFER.

Mr. Feigenbaum moved that Assembly Concurrent Resolution No. 44 be withdrawn from the file, and ordered referred to Committee on Rules.

The question being on referring Assembly Concurrent Resolution No. 44 to Committee on Rules.

Motion carried.

Assembly Concurrent Resolution No. 44 ordered referred to Committee on Rules.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Messrs. Meehan and Fisher: Assembly Concurrent Resolution No. 45—Relative to the establishment of a free employment agency in the city of Oakland.

Introduced, and referred to Committee on Labor and Capital.

MOTION TO RE-REFER.

Mr. Knowland moved that Senate Bill No. 64 be withdrawn from Committee on Crime Problems, and referred to Committe on Conservation

The question being on referring Senate Bill No. 64 to Committee on Conservation.

Motion carried.

Senate Bill No. 64 ordered referred to Committee on Conservation.

MOTION TO RE-REFER

Mr. Fisher moved that Assembly Bill No. 1049 be withdrawn from Committee on Rules, and referred to Committee on Education.

The question being on referring Assembly Bill No. 1049 to Committee on Education.

Motion carried.

Assembly Bill No. 1049 ordered referred to Committee on Education.

MOTION TO RE-REFER.

Mr. Powers moved that Assembly Bill No. 917 be withdrawn from Committee on Ways and Means, and referred to Committee on Banking.

The question being on referring Assembly Bill No. 917 to Committee on Banking.

Motion carried.

Assembly Bill No. 917 ordered referred to Committee on Banking.

MOTION.

On motion of Mr. Crist, the Chief Clerk was instructed to have 500 copies of Assembly Bill No. 2337 printed.

MOTION.

Mr. Robinson, C. Ray, moved that the Journals of Friday, March 10, 1933; Monday, March 13, 1933; Tuesday, March 14, 1933; Wednesday, March 15, 1933; Thursday, March 16, 1933; be approved as corrected by the Minute Clerk.

Motion carried.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 501—An act to amend section 19a of "The California Irrigation District Act," relating to officers of irrigation districts.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the word "ten", and insert in lieu thereof the word "twenty".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 250—An act to amend section 628a of the Penal Code, relating to the protection of fish and game.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:
"An act to amend sections 692, 693, 694, 695 and 696 of the Fish and Game Code, relating to striped bass."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and on page 2, strike out lines 1 to 14, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 692 of the Fish and Game Code is hereby amended to read as follows:

692. Striped bass may not be taken in district 22.

SEC. 2. Section 693 of the Fish and Game Code is hereby amended to read as follows:

693. Striped bass may be taken only by angling with hook and line. Not more than three hooks, artificial lures excepted, may be used on any line for the purpose of taking striped bass.

SEC. 3. Section 694 of the Fish and Game Code is hereby amended to read as follows:

694. No striped bass less than twelve inches in length may be taken or possessed.

SEC. 4. Section 695 of the Fish and Game Code is hereby amended to read as follows:

695. The bag limit on striped bass taken with hook and line is five per day. Not more than one daily bag limit of striped bass may be possessed during one day.

SEC. 5. Section 696 of the Fish and Game Code is hereby amended to read as follows:

696. No striped bass may be sold or purchased."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2337—An act giving the Insurance Commissioner power to limit payments or loans of funds of life insurance companies and to generally regulate such companies for the protection of policyholders during periods of extraordinary economic and financial conditions, defining the term "life insurance companies" as used herein, reciting the establishment of similar control and limitations in other States, and declaring the urgency thereof and that the same shall take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, following the word "moneys" in section 1, add the following: "in excess of one hundred dollars to each policyholder".

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, in section 1, strike out the words "or stockholders".

AMENDMENT NUMBER THREE.

On page 1, line 12, of the printed bill, in section 1, strike out "matured endowments,".

AMENDMENT NUMBER FOUR.

On page 1, line 13, of the printed bill, in section 1, strike out the words "or stockholders".

AMENDMENT NUMBER FIVE.

On page 1, line 13, of the printed bill, in section 1, strike out the word "nothing" following the word "provided", and insert in lieu thereof the following: "that during any period of limitation prescribed by said commissioner hereunder no dividend to stockholders of any such companies shall be paid. Nothing".

AMENDMENT NUMBER SIX.

On page 1, line 16, of the printed bill, in section 1, before the word "or", add ", matured endowment"

AMENDMENT NUMBER SEVEN.

On page 1, line 16, of the printed bill, in section 1, after the word "annuity", insert the following: ", nor the making of a loan or payment of a cash surrender value in any amount where the proceeds of such loan or surrender value are applied to pay premiums or any other policy obligation to the same company".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1021—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishments employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to occupations to which the act applies.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 19, of the printed bill, after the word "hospitals," insert the following words: "nor nurses in sanatoriums where the sick are treated exclusively by prayer in the practice of religion".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 374—An act to provide for the construction and supervision of safe and sanitary low-cost dwellings and apartments, and for the rental or sale thereof at reasonable rates, and in connection therewith to authorize the incorporation and provide for the regulation of limited dividend housing corporations and prescribe the powers, rights and duties thereof; to regulate and limit the rate of return on securities to be issued by such corporations; to declare the urgency of this act and provide that it shall take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, following line 18, insert the following:

"The term "security" shall include any share, stock, bond, note, treasury stock, debenture, evidence of indebtedness, certificate of interest or participation, or beneficial interest in title to property, profits or earnings or any other instrument commonly known as a security.

The term "slum area" means any area of property partially or totally occupied by deteriorated, obsolete, unsafe or unsanitary single or multiple dwellings. The determination of the question as to whether or not any building is deteriorated, obsolete, unsafe or unsanitary rests solely with the commission."

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, strike out the words "company or".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 25 to 27, inclusive.

AMENDMENT NUMBER FOUR.

On page 2, line 32, of the printed bill, after the word "cent", insert the following: "per annum".

AMENDMENT NUMBER FIVE.

On page 3, line 20, of the printed bill, strike out the word "any", and insert in lieu thereof the following: "the".

AMENDMENT NUMBER SIX.

On page 5, line 48, of the printed bill, after "charges", insert the following: "The sale price shall be determined upon the basis of actual cost of the project so that the income from sales together with other income of the corporation shall be sufficient to meet and repay the actual cost and fixed charges. Such prices, interest on deferred payments and other charges may be changed, adjusted or revised from time to time with the approval of the commission."

AMENDMENT NUMBER SEVEN.

On page 5, line 49, of the printed bill, strike out "sale", and insert in lieu thereof the following: "resale".

AMENDMENT NUMBER EIGHT.

On page 5 of the printed bill, strike out line 50, and insert in lieu thereof the following: "leasing or subletting of property after a".

AMENDMENT NUMBER NINE.

On page 5, line 52, of the printed bill, strike out the period following "prevented" and insert a comma and the following: "which rules shall be in effect until the full purchase price and all outstanding obligations have been paid to the corporation."

AMENDMENT NUMBER TEN.

On page 7, line 21, of the printed bill, after "corporation", insert the following: "or for services actually rendered to a corporation,".

AMENDMENT NUMBER ELEVEN.

On page 8 of the printed bill, between lines 41 and 42, insert the following:

"Sec. 23. When the commission has approved a project of a limited dividend housing corporation formed for the sole purpose of the clearance or reconstruction of slum areas, the property necessary for said project may be acquired by such corporation by gift, bequest, purchase or by the exercise of the power of eminent domain under and pursuant to the laws of this State relating to eminent domain proceedings. The power of eminent domain shall not be exercised by a limited dividend housing corporation except with the specific authorization of the commission. The authorization must be contained in a certificate of the commission specifying that

the acquisition of the property and the construction of the housing accommodations in connection with which the power of eminent domain is to be exercised has been determined by the commission after public hearing to be in the public interest and necessary for the public use. The hearing shall be held at a time and place appointed by the commission and notice of such hearing shall be given by the corporation by publication in a newspaper to be designated by the commission published or circulated in the city, city and county or county wherein the property is located, at least ten days prior to the date fixed for such hearing. A duly certified copy of the certificate of the commission shall be conclusive evidence as to the matters certified therein in any proceeding in eminent domain to acquire property or any part thereof set forth in said certificate.

It is hereby declared that congested, unsafe and insanitary housing conditions which exist in certain slum areas of this State are a menace to the health, safety, morals and reasonable comfort of the residents of this State. The correction of these conditions is a public necessity and the acquisition of property necessary to permit the clearance and reconstruction of slum areas is hereby declared to be acquired for a public use within the meaning of the laws of this State relating to proceedings in eminent domain."

AMENDMENT NUMBER TWELVE.

On page 8, line 42, of the printed bill, strike out "Sec. 23", and insert in lieu thereof the following: "Sec. 24".

AMENDMENT NUMBER THIRTEEN.

On page 8, line 50, of the printed bill, strike out "Sec 24", and insert in lieu thereof the following: "Sec. 25".

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 1192—An act to amend the California Districts Securities Commission Act by amending section 11 thereof relating to when a district may be declared insolvent, control thereof by the Districts Securities Commission, the ordering of refunding bonds of a district.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "to amend the California Districts Securities Commis-"; also strike out line 2 of the title; and in line 3 of the title, strike out "a", and insert in lieu thereof the following: "providing an in rem court proceeding for the purpose of determining the inability of an irrigation".

AMENDMENT NUMBER TWO.

In lines 3 and 4 of the title of the printed bill, strike out "may be declared insolvent, control thereof by the Districts Securities Commission, the ordering of", and insert in lieu thereof the following: "to meet its bonded or other indebtedness, and to approve a plan for the funding or".

AMENDMENT NUMBER THREE.

In line 4 of the title of the printed bill, after "refunding", insert the following: "thereof, and of requiring the holders of outstanding".

AMENDMENT NUMBER FOUR.

In line 5 of the title of the printed bill, strike out the words "of a district.", and insert a comma and the following "warrants or other evidences of indebtedness to accept funding or refunding bonds in lieu thereof; making the decree therein binding upon all persons whether appearing in said proceeding or not; providing a method of procedure and declaring this act to be an urgency measure."

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, also strike out all of page 2 of the printed bill, and insert in lieu thereof the following:

"SECTION 1. If any irrigation district of the State of California shall be in default in payment of any money due by reason of its bonds, warrants or other evidences of indebtedness, and if a plan of funding or refunding any bonds, warrants or other evidences of indebtedness of such district shall have been approved or agreed

upon by the holders of two-thirds (2/3) in amount of such bonds, warrants or other evidences of indebtedness, thus to be funded or refunded, and if the board of directors of such district shall have likewise approved or agreed to said plan and if the issuance of funding or refunding bonds under such plan has been authorized by the voters of such district in the manner provided by law, then any one or more of the holders of the bonds, warrants or other evidences of indebtedness thus to be refunded may file a petition in the superior court in the county in which the principal office of said district is located, setting forth: (1) the fact that said default has taken place; (2) that the district is unable to pay its indebtedness or some part thereof in the manner required by law; (3) that unless a plan or reorganization, funding or refunding of its outstanding indebtedness or a portion thereof is accomplished, a substantial loss will be sustained by the holders of the bonds, warrants or other evidences of such indebtedness; (4) that it is necessary in order to prevent a substantial loss to such holders that a plan of reorganization, funding or refunding of the indebtedness of the district or a portion thereof be effected; and (5) that a plan of funding or refunding of said indebtedness has been approved or agreed to by the holders of two-thirds (2/3) in amount of the bonds, warrants or other evidences of said indebtedness thus to be funded or refunded and has been agreed to by said district, and that refunding bonds have been authorized by the voters of said district pursuant to said plan in the manner required by law, and that said plan is fair and equitable and no other plan, procedure or action on behalf of such bondholders would be as advantageous to them or would enable them to receive as much money or other things of value as would be received by them under said plan.

SEC. 2. Upon the filing of said petition the court shall first set a date for the hearing thereof, which date shall not be less than ninety (90) days from the filing of said petition and the court shall direct the manner of giving notice of the filing of said petition and of the date set for hearing of the same. In making such order the court shall direct that written notice thereof shall be mailed to all known bondholders and creditors of said district to such addresses as they may file with the secretary of the district, otherwise to their last known place of residence, and shall provide for the posting of said notice in three public places in the county and for the publication of such notice not less than once a week for four weeks in a newspaper of general circulation printed in the county, if there be one, and in similar newspapers in the cities of Los Angeles, San Francisco and Sacramento. Such order shall provide for such further notice as the court may deem proper under the circumstances of the particular proceeding.

SEC. 3 Any bondholder or creditor of said district may appear and file an answer therein and the court may permit intervention by any party whose interest may be affected by such proceeding. Upon the date set for the hearing thereof or upon any date to which such hearing may be continued the court shall hear, try and determine the issues of fact involved therein, and shall take evidence for or against the ability of said district to meet its obligations or to continue to function as such, and the necessity and the fairness of said plan of funding or refunding of the bonded or other indebtedness of the district. If the court shall find that the essential allegations of said petition are true the court shall thereupon make and file its findings of fact and conclusions of law. If the essential allegations of the petition are not sustained, the proceeding shall be dismissed. If they are sustained the court shall enter its decree requiring all holders of the bonds, warrants or other evidences of indebtedness being refunded to deposit their bonds pursuant to said funding or refunding plan, and the district shall thereupon and pursuant to said plan issue its funding or refunding bonds in exchange therefor. The decree shall further provide that if any holder of bonds, warrants or other evidences of indebtedness shall not deposit his bond, warrant or other evidence of indebtedness as aforesaid, the district treasurer shall deposit the refunding bond or bonds to be issued in exchange for the outstanding bond, warrant or other evidence of indebtedness of such nondepositing holder with the California Districts Securities Commission and upon such deposit and the issuance of the receipt of said California Districts Securities Commission therefor the obligation of such outstanding bond, warrant or other evidence of indebtedness shall terminate and the rights of the holder thereof shall be limited to his right to obtain such deposited refunding bond or bonds upon surrender by holder of his bond, bonds or warrants, as the case may be, and upon executing to the California Districts Securities Commission a receipt therefor. The California Districts Securities Commission is hereby authorized to, and it shall, act as the depositary of such evidences of indebtedness and shall perform all duties incident thereto as indicated by this act.

SEC. 4. The proceeding hereinabove provided for shall be conclusively deemed to be in rem and the decree therein binding upon all persons whether appearing therein or not.

SEC. 5. Any holder of any bonds, warrants or other evidences of indebtedness affected by any such court procedure provided for by this act or any other interested party shall have the right to appeal to the Supreme Court at any time within thirty (30) days after the rendition of said decree of the superior court, which appeal must be heard and determined within three (3) months after the time of taking such appeal. The court, in inquiring into the regularity, legality or correctness of

any of said proceedings must disregard any error, irregularity or omission which does not affect the substantial rights of the parties and may approve the proceedings in part and disapprove the remainder thereof. The costs of the special proceedings may be allowed and apportioned between the parties in the discretion of the court Any judge of the superior court of the county in which any such proceeding is brought shall be disqualified to act as judge of said court in passing upon any such proceeding.

SEC. 6 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution and shall therefore go into immediate effect.

The facts constituting the necessity are as follows: Many irrigation districts organized under the laws of the State of California, are now in a bankrupt condition and unable to meet their obligations in full and are in the process of funding or refunding their bonded indebtedness, and it is impossible to locate all of the owners of their securities to secure their assent thereto; that if this legislation is not made immediately effective and on the contrary shall become effective ninety (90) days after the final adjournment of this session of the Legislature, it will be too late to make such funding or refunding plans applicable to the tax rate levied by such districts for the calendar year 1934, that the inability to levy a rate in accordance with such funding or refunding plan for the calendar and fiscal year 1934 will in most instances result in the serious and substantial prejudice of the bondholders, creditors and districts."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 1400—An act to amend section 79 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act, relating to punishment for violation thereof."

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, in the title of the printed bill, strike out lines 1 to 13, inclusive, and insert in lieu thereof the following:

"An act to add a new section to the Public Utilities Act, to be numbered 50½, relating to the punishment of passenger stage corporations."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 16, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Public Utilities Act, to be numbered 50½ and to read as follows:

Sec. 50½. Every passenger stage corporation, as defined in this act, who violates any provision of section 50¼ of this act, or who aids or abets, or without being present shall have advised or encouraged any person or corporation in the violation of said section, is guilty of a misdemeanor and shall, upon conviction thereof, if a person, be punished by a fine not exceeding five hundred dollars or by imprisonment in a county jail for a term not to exceed six months, or by both such fine and imprisonment; or, if a corporation, shall be punished by a fine not to exceed five hundred dollars."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2281—An act to add section 41a to the Public Utilities Act, relating to telephone companies and the installation of telephone meters.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after "Sec. 41a", insert the following: "All telephones on which the charge or part of the charge for service or use thereof is based on the number of calls made, and where such calls are charged against the user, the meters recording such calls shall be placed at the source of such calls and attached to or be a part of the telephone where such calls originate."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 782—An act to amend section 132 of the Civil Code, relating to final judgments of divorce.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 669—An act to amend sections 4130 and 4300c of the Political Code, relating to county recorders.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 663—An act to amend section 365d of the Political Code, relating to highways.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 668—An act to amend section 4041.7 of the Political Code, relating to the powers and jurisdiction of boards of supervisors with respect to public roads.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 664—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on personal property for work, materials, supplies, feed, care, keep and services rendered.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 672—An act to amend sections 2959, 2965 and 2966 of the Civil Code, relating to mortgages of personal property.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 667—An act to amend section 408 of the Political Code, relating to the Secretary of State.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 662—An act to amend section 602 of the Penal Code, relating to trespass.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 671—An act to amend section 409 of the Political Code, relating to the fees to be collected by the Secretary of State.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 567—An act to add a new article to Chapter I of Part I of Division II of the School Code to be known as Article X, embracing sections 2.85 and 2.86, relating to the formation, annexation,

consolidation, unionization, and changing of boundaries of school districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 769—An act to add section 1c to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair trade practice.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out "under", and insert in lieu thereof the following: "purchasing upon".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 13, and insert in lieu thereof the following: "a fine not exceeding five hundred dollars ($500), or by".

AMENDMENT NUMBER THREE.

On page 1, line 14, of the printed bill, strike out "one year", and insert in lieu thereof the following: "six months".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 666—An act to regulate the transportation, care and handling of explosives.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 5, line 14, of the printed bill, strike out the period, and add the following words: "nor to the transportation of economic poisons as defined in the Agricultural Code."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 670—An act to amend section 384 of the Penal Code, relating to fires.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 25, of the printed bill, strike out the figure "9", and insert in lieu thereof the following: "3".

AMENDMENT NUMBER TWO.

On page 3, line 4, of the printed bill, after the word "grain", strike out "or", and insert in lieu thereof the following: ", brush or".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 665—An act to amend sections 576 and 599 of the Vehicle Code, relating to the operation of vehicles upon the highways.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, lines 19 and 20, of the printed bill, strike out the following: "directs traffic to proceed", and insert in lieu thereof the following: "indicates that traffic may proceed."

AMENDMENT NUMBER TWO.

On page 1, lines 22 and 23, of the printed bill, strike out "spur track crossings", and insert in lieu thereof the following: "such crossing".

AMENDMENT NUMBER THREE.

On page 2, line 9, of the printed bill, strike out the words "Explosives or".

AMENDMENT NUMBER FOUR.

On page 2, line 10, of the printed bill, after the word "inflammables", strike out the period and add the following: "or poisonous gases."

AMENDMENT NUMBER FIVE.

On page 2, line 19, of the printed bill, after the word "inflammables", strike out the comma.

AMENDMENT NUMBER SIX.

On page 2, line 23, of the printed bill, after the word "tank", add the following: "truck".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 674—An act to establish the Vehicle Code and thereby to consolidate and revise the law relating to traffic on streets and highways and the registration, identification, operation, driving, use, ownership, transfer, theft, embezzlement, destruction, molestation, unlawful entering and taking and driving, equipment, size, weight, loading and wrecking of vehicles used upon streets and highways and liens and mortgages on such vehicles and the licensing and regulation of drivers of such vehicles and the civil liability of persons signing license applications of minors and the conduct and records of persons dealing with such vehicles and the civil liability arising from the ownership, maintenance, use and operation of such vehicles and the financial responsibility of owners and operators of such vehicles and crimes connected with the use of such vehicles and the parties, procedure, presumptions, evidence and reports in relation to such crimes and the creation, organization, powers, duties, jurisdiction and maintenance of the Department of Motor Vehicles and its divisions in connection therewith and the collection, disposition and use of fees, fines and forfeitures in relation thereto and the limitations on the powers of local authorities over the aforesaid subject and to repeal certain specified provisions of law germane to the aforesaid subject

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 8, line 32, of the printed bill, after the word "highway", add a comma; on page 8, line 33, after the word "highway", add a comma; on page 61, line 13, after the word "amount", add a comma.

AMENDMENT NUMBER TWO.

On page 3, line 48, of the printed bill, after the second word "or", strike out the word "by".

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, strike out line 49, and insert in lieu thereof the following: "of an organized fire department or one assistant chief of such a department who shall be designated by said chief, in respond-".

AMENDMENT NUMBER FOUR.

On page 4, line 2, of the printed bill, after the word "deputy", add the word "sheriff".

AMENDMENT NUMBER FIVE.

On page 4, line 6, of the printed bill, after the word "one", insert the word "regular".

AMENDMENT NUMBER SIX.

On page 4 of the printed bill, after line 48, insert the following:

"18. "Implement of Husbandry."

Every vehicle which is designed for agricultural purposes and exclusively used by the owner thereof in the conduct of his agricultural operations."

AMENDMENT NUMBER SEVEN.

On page 7, line 47, of the printed bill, after the word "two", strike out "or more streets or".

AMENDMENT NUMBER EIGHT

On page 9, line 12, of the printed bill, after the portion of the word "nation," strike out the following words: "and off", and insert in lieu thereof the following: "or in".

AMENDMENT NUMBER NINE.

On page 9, line 22, of the printed bill, after the word "vehicles", strike out the following words: "and of every", and insert in lieu thereof the following: "or of any".

AMENDMENT NUMBER TEN.

On page 10, line 13, of the printed bill, after the word "and", insert the following: "the Division of Enforcement, to be known as".

AMENDMENT NUMBER ELEVEN.

On page 11 of the printed bill, strike out all of line 3 preceding the word "secretary", and insert in lieu thereof the following: "(1) A".

AMENDMENT NUMBER TWELVE.

On page 11 of the printed bill, strike out lines 7 to 10, inclusive, and insert in lieu thereof the following:

"(2) Subject to the provisions of section 92 hereof, such traffic officers and traffic clerks as may be necessary; and

(3) A stenographer, an assistant chief, and such deputy chiefs, inspectors, captains, sergeants and other".

AMENDMENT NUMBER THIRTEEN.

On page 11, lines 27 and 28, of the printed bill, strike out the following: "inspectors, captains, sergeants,".

AMENDMENT NUMBER FOURTEEN

On page 12 of the printed bill, strike out lines 10 to 17, inclusive, and insert in lieu thereof the following: "Civil Service Act."

AMENDMENT NUMBER FIFTEEN.

On page 13, line 17, of the printed bill, add the following: "If such answer consists of a denial of such charges, a hearing shall be held as provided in subdivision (a) hereof, but the suspension provided for in this subdivision shall be in effect pending such hearing. If the trial board shall find that the charges are true, it may recommend any penalty as set forth in section 14 of the Civil Service Act in addition to such suspension."

AMENDMENT NUMBER SIXTEEN.

On page 14, line 11, of the printed bill, strike out the word "office", and insert in lieu thereof the word "position".

AMENDMENT NUMBER SEVENTEEN.

On page 14 of the printed bill, strike out lines 31 to 33, inclusive, and insert in lieu thereof the following: "quarters offices of the California Highway Patrol.

(c) For any of said purposes, the director may lease or purchase necessary lands and buildings."

AMENDMENT NUMBER EIGHTEEN.

On page 15 of the printed bill, strike out all of line 38, and insert in lieu thereof the following: "sion thereof or which is fictitious or which has been unlawfully or erroneously issued."

AMENDMENT NUMBER NINETEEN.

On page 15, line 42, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

AMENDMENT NUMBER TWENTY.

On page 17, line 4, of the printed bill, after the words "Motor Vehicles", insert the following: ", "California Highway Patrol"."

AMENDMENT NUMBER TWENTY-ONE.

On page 17, line 7, of the printed bill, after the word "display", strike out the period and add the following: "in which event such display shall be of a design approved by the department."

AMENDMENT NUMBER TWENTY-TWO.

On page 18 of the printed bill, strike out lines 32 to 34, inclusive, and insert in lieu thereof the following: "shall also state the gross weight for which such vehicle is to be registered, unless such vehicle is exempt from the payment of an additional registration fee according to weight."

AMENDMENT NUMBER TWENTY-THREE.

On page 18, line 36, of the printed bill, strike out the word "applications", and insert in lieu thereof the word "Application".

AMENDMENT NUMBER TWENTY-FOUR.

On page 19, line 5, of the printed bill, before the word "Upon", add the parenthesis and letter "(a)".

AMENDMENT NUMBER TWENTY-FIVE

On page 19, line 11, of the printed bill, strike out the following: "of registration or title".

AMENDMENT NUMBER TWENTY-SIX.

On page 19 of the printed bill, strike out all of line 15 following the word "necessary", and all of lines 16 to 20, both inclusive, and insert in lieu thereof the following: "to retain registration of said vehicle in such other State, such applicant need not surrender but shall submit for inspection said evidence of such foreign registration and the department upon registering said vehicle in this State shall not issue a certificate of ownership for such vehicle."

AMENDMENT NUMBER TWENTY-SEVEN.

On page 19, line 45, of the printed bill, strike out the word "rightful", and the second word "or".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 19 of the printed bill, strike out all of line 46, and insert in lieu thereof the following:

"(4) That the registration of the vehicle stands suspended or revoked for any reason as provided in this code; or

(5) That the required fee has not been paid."

AMENDMENT NUMBER TWENTY-NINE.

On page 21 of the printed bill, strike out all of lines 1 to 6, both inclusive.

AMENDMENT NUMBER THIRTY.

On page 21, line 13, of the printed bill, after the word "in", strike out the word "the", and insert in lieu thereof the word "a".

AMENDMENT NUMBER THIRTY-ONE.

On page 21, line 14, of the printed bill, insert the word "suitable" before the word "container", and strike out the words "furnished for it".

AMENDMENT NUMBER THIRTY-TWO.

On page 21, line 29, of the printed bill, strike out the word "if", and insert in lieu thereof the word "for".

AMENDMENT NUMBER THIRTY-THREE

On page 21, line 30, of the printed bill, strike out the words "and one license plate if", and insert in lieu thereof the following: "; and otherwise, one license plate for"

AMENDMENT NUMBER THIRTY-FOUR.

On page 21, line 37, of the printed bill, after the comma insert the following: "a symbol indicating".

AMENDMENT NUMBER THIRTY-FIVE.

On page 22 of the printed bill, strike out all of lines 30 to 40, both inclusive, and insert in lieu thereof the following:

"Application for renewal of a vehicle registration expiring on the date above mentioned shall be made by the owner between January 1st and February 1st succeeding said expiration date and shall be made by presentation of the registration card last issued for the vehicle and by payment of the full annual fee for such vehicle as provided in this code. Any application made after the thirty-first day of January shall be delinquent and shall be subject to the penalty prescribed in this code, but no such penalty shall attach in the event of the nonoperation of such vehicle if application is made and the proper fees are paid within thirty days after the date the vehicle is first operated."

AMENDMENT NUMBER THIRTY-SIX.

On page 22, line 42, of the printed bill, strike out the word "During", and insert in lieu thereof the word "Pending"

AMENDMENT NUMBER THIRTY-SEVEN.

On page 23, line 36, of the printed bill, after the word "which", insert the following: "the same was".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 24, line 27, of the printed bill, after the word "reverse", add the word "side".

AMENDMENT NUMBER THIRTY-NINE

On page 24, line 35, of the printed bill, strike out the word "such", and insert in lieu thereof the word "a".

AMENDMENT NUMBER FORTY.

On page 25 of the printed bill, strike out lines 34 to 36, inclusive, and insert in lieu thereof the following: "strating or selling the same, but such dealer upon trans-".

AMENDMENT NUMBER FORTY-ONE.

On page 27, line 10, of the printed bill, after the word "without", add the following: "such decedent's".

AMENDMENT NUMBER FORTY-TWO.

On page 29 of the printed bill, strike out lines 47 to 52, inclusive, and on page 30, strike out lines 1 and 2, and insert in lieu thereof the following "otherwise subject to registration hereunder may operate or permit the operation of such vehicle within this State without registering such vehicle in, or paying any fees to, this State, subject to the following conditions

(1) That such vehicle at all times when operated in this State is duly registered in, and displays upon it a valid plate or plates issued for such vehicle in the place of residence of such owner; and

(2) That such owner obtain and duly display on such vehicle a nonresident permit or its equivalent as hereinafter provided."

AMENDMENT NUMBER FORTY-THREE

On page 30, line 19, of the printed bill, after the word "unless", insert the words "and until".

AMENDMENT NUMBER FORTY-FOUR

On page 30, lines 20 and 21, of the printed bill, strike out the following: "ownership or other evidence of '.

AMENDMENT NUMBER FORTY-FIVE.

On page 30 of the printed bill, strike out all of line 23 following the word "present", and all of line 24 preceding the comma, and insert in lieu thereof the following: "a valid certificate of registration".

AMENDMENT NUMBER FORTY-SIX

On page 30, line 26, of the printed bill, strike out the words "evidence of such", and insert in lieu thereof the words "certificate of".

AMENDMENT NUMBER FORTY-SEVEN

On page 31 of the printed bill, strike out all of line 9 following the word "foreign", and all of line 10 preceding the comma, and insert in lieu thereof the following: "registration of said vehicle".

AMENDMENT NUMBER FORTY-EIGHT

On page 31 of the printed bill, strike out all of line 15 preceding the word "been", and insert in lieu thereof the following "registration has not expired or has"

AMENDMENT NUMBER FORTY-NINE.

On page 31, line 17, of the printed bill, strike out "in either such event", and insert in lieu thereof the following: "at such time".

AMENDMENT NUMBER FIFTY.

On page 32, line 4, of the printed bill, after the word "the", insert therein the following: "local sheriff's office or police department and to the".

AMENDMENT NUMBER FIFTY-ONE.

On page 33, line 3, of the printed bill, strike out the word "or".

AMENDMENT NUMBER FIFTY-TWO.

On page 33, line 7, of the printed bill, after the word "revoked", strike out the period and insert and add the following: "; or

(7) When the department is so authorized under any other provision of law."

AMENDMENT NUMBER FIFTY-THREE.

On page 33 of the printed bill, strike out lines 17 to 24, both inclusive, and insert in lieu thereof the following:

"(b) Upon such cancellation no registration card or license plate shall be reinstated or reissued for such vehicle except upon payment of the full proper fee as determined by the gross weight which such vehicle actually carried upon a highway with credit thereon of the amount of any such fee theretofore paid, together with a penalty equal to said full proper fee based on said gross weight."

AMENDMENT NUMBER FIFTY-FOUR.

On page 34, line 35, of the printed bill, strike out the word "Makers", and insert in lieu thereof the word "Manufacturers".

AMENDMENT NUMBER FIFTY-FIVE.

On page 35, line 13, of the printed bill, after the word "dismantling", insert the words "or wrecking".

AMENDMENT NUMBER FIFTY-SIX.

On page 35, line 18, of the printed bill, after the word "dismantled", add the following: "or wrecked".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 35, line 24, of the printed bill, strike out the words "which said", and insert in lieu thereof the following: ". Said".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 35, line 42, of the printed bill, strike out "certificate", and insert in lieu thereof the word "card".

AMENDMENT NUMBER FIFTY-NINE.

On page 35, line 44, of the printed bill, strike out the words "an official", and insert in lieu thereof the words "a valid".

AMENDMENT NUMBER SIXTY.

On page 36, line 11, of the printed bill, strike out the word "title", and insert in lieu thereof the word "code".

AMENDMENT NUMBER SIXTY-ONE.

On page 36, line 21, of the printed bill, strike out the word "title", and insert in lieu thereof the word "code".

AMENDMENT NUMBER SIXTY-TWO.

On page 38, line 12, of the printed bill, after the portion of a word "teen", add the following: "years of age".

AMENDMENT NUMBER SIXTY-THREE.

On page 38 of the printed bill, between lines 47 and 48, insert the following:

"5. Whether the applicant has ever previously been refused an operator's or chauffeur's license in this State, and if so, the date of and the reason for such refusal."

AMENDMENT NUMBER SIXTY-FOUR.

On page 38, line 48, of the printed bill, strike out the figure "5", and insert in lieu thereof the figure "6".

AMENDMENT NUMBER SIXTY-FIVE.

On page 38, line 50, of the printed bill, strike out the figure "6", and insert in lieu thereof the figure "7".

AMENDMENT NUMBER SIXTY-SIX.

On page 38, line 51, of the printed bill, strike out the figure "7", and insert in lieu thereof the figure "8".

AMENDMENT NUMBER SIXTY-SEVEN

On page 39, line 1, of the printed bill, strike out the figure "8", and insert in lieu thereof the figure "9".

AMENDMENT NUMBER SIXTY-EIGHT.

On page 39, line 5, of the printed bill, strike out the figure "9", and insert in lieu thereof the figure "10".

AMENDMENT NUMBER SIXTY-NINE.

On page 39, line 8, of the printed bill, strike out the figure "10", and insert in lieu thereof the figure "11".

AMENDMENT NUMBER SEVENTY.

On page 43, line 24, of the printed bill, add the following:

"If the person so convicted holds more than one license issued hereunder, the court must, if suspension is imposed under this section, suspend all licenses then held by such person."

AMENDMENT NUMBER SEVENTY-ONE.

On page 43 of the printed bill, strike out line 52, and on page 44, strike out lines 1 to 6, and insert in lieu thereof the following: "licenses of such person by the department or is convicted under section 502 hereof, the court in which such conviction is had shall require the surrender to it of all operator's and chauffeur's licenses issued to the person so convicted and the court shall thereupon forward the same together with the required report of such conviction to the department".

AMENDMENT NUMBER SEVENTY-TWO.

On page 47 of the printed bill, strike out all of line 9.

AMENDMENT NUMBER SEVENTY-THREE.

On page 47 of the printed bill, between lines 11 and 12, add the following: "badge or the department may issue to such person a new".

AMENDMENT NUMBER SEVENTY-FOUR.

On page 48, line 17, of the printed bill, after the word "vehicle", add the following words: "upon a highway".

AMENDMENT NUMBER SEVENTY-FIVE.

On page 48, line 20, of the printed bill, after the word "conviction", add the word "thereof".

AMENDMENT NUMBER SEVENTY-SIX.

On page 50, line 18, of the printed bill, after the parenthesis and letter "(a)", add the following: "and (b)".

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 52, line 43, of the printed bill, after the word "vehicle", add the following: "other than an electric vehicle".

AMENDMENT NUMBER SEVENTY-EIGHT

On page 54, line 44, of the printed bill, strike out the words "within thirty days after", and insert in lieu thereof the word "when".

AMENDMENT NUMBER SEVENTY-NINE.

On page 55, line 15, of the printed bill, strike out "tax collector", and insert in lieu thereof the word "assessor".

AMENDMENT NUMBER EIGHTY.

On page 55 of the printed bill, strike out line 40.

AMENDMENT NUMBER EIGHTY-ONE.

On page 55, line 41, of the printed bill, strike out the figure "(3)", and insert in lieu thereof the following: "(2)".

AMENDMENT NUMBER EIGHTY-TWO

On page 55, line 42, of the printed bill, strike out the figure "(4)", and insert in lieu thereof the following: "(3)".

AMENDMENT NUMBER EIGHTY-THREE

On page 55, line 43, of the printed bill, strike out the figure "(5)", and insert in lieu thereof the following: "(4)".

AMENDMENT NUMBER EIGHTY-FOUR.

On page 57, line 19, of the printed bill, after the word "owned", strike out the following: "or controlled".

AMENDMENT NUMBER EIGHTY-FIVE.

On page 62, line 38, of the printed bill, after the word "law", strike out the word "and".

AMENDMENT NUMBER EIGHTY SIX

On page 63, line 8, of the printed bill, strike out the word "from", and insert in lieu thereof the following: "said insured".

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 63, line 8, of the printed bill, after the word "nor", add the following: "any liability for".

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 66, line 9, of the printed bill, strike out the figures "12", and insert in lieu thereof the following: "twelve".

AMENDMENT NUMBER EIGHTY-NINE

On page 68 of the printed bill, strike out line 49, and insert in lieu thereof the following: "vehicles while engaged in the course of employment by".

AMENDMENT NUMBER NINETY.

On page 68, line 50, of the printed bill, strike out the words and comma "United States,".

AMENDMENT NUMBER NINETY-ONE

On page 69, line 4, of the printed bill, add the following:

"457. Provisions of Title Refer to Vehicles Upon the Highways.

The provisions of this title relating to the operation of vehicles refer exclusively to the operation of vehicles upon the highways, unless a different place is specifically referred to in a given section."

AMENDMENT NUMBER NINETY-TWO

On page 71, line 10, of the printed bill, after the word "rounded", strike out the period and add the following: "and shall conform approximately to the specifications hereinafter set forth."

AMENDMENT NUMBER NINETY-THREE.

On page 71 of the printed bill, strike out line 46, and insert in lieu thereof the following: "shall consist of a metal disc and shall conform approximately to the specifications hereinafter set forth. Said disc shall be twenty-four inches in diameter."

AMENDMENT NUMBER NINETY-FOUR.

On page 72 of the printed bill, strike out all of line 20, and insert in lieu thereof the following: "octagonal in shape and shall conform approximately to the specifications hereinafter set forth. Each side of such sign shall be of equal".

AMENDMENT NUMBER NINETY-FIVE.

On page 74, line 12, of the printed bill, strike out the word "felony", and insert in lieu thereof the following: "public offense".

AMENDMENT NUMBER NINETY-SIX

On page 76, line 7, of the printed bill, after the word "police", add the word "departments".

AMENDMENT NUMBER NINETY-SEVEN.

On page 76, line 40, of the printed bill, strike out the figure "499", and insert in lieu thereof the figure "489".

AMENDMENT NUMBER NINETY-EIGHT.

On page 76 of the printed bill, strike out all of line 43, and insert in lieu thereof the following: "The department shall tabulate and may analyze all accident".

AMENDMENT NUMBER NINETY-NINE.

On page 76, line 45, of the printed bill, strike out the comma and word ", cause".

AMENDMENT NUMBER ONE HUNDRED.

On page 76 of the printed bill, strike out all of lines 47 to 53, both inclusive.

AMENDMENT NUMBER ONE HUNDRED ONE.

On page 80 of the printed bill, strike out all of line 6 following the word "obstructed", and all of line 7 preceding the word "within".

AMENDMENT NUMBER ONE HUNDRED TWO.

On page 81, line 17, of the printed bill, strike out the word "six", and insert in lieu thereof the word "ten".

AMENDMENT NUMBER ONE HUNDRED THREE.

On page 83, line 49, of the printed bill, strike out the word "highway", and insert in lieu thereof the word "roadway".

AMENDMENT NUMBER ONE HUNDRED FOUR.

On page 85, line 37, of the printed bill, strike out the word "two", and insert in lieu thereof the word "three".

AMENDMENT NUMBER ONE HUNDRED FIVE.

On page 86, line 4, of the printed bill, strike out the word "reasonable".

AMENDMENT NUMBER ONE HUNDRED SIX.

On page 86, line 11, of the printed bill, strike out "an electrical", and insert in lieu thereof the following: "a signal lamp".

AMENDMENT NUMBER ONE HUNDRED SEVEN.

On page 86, line 15, of the printed bill, after the words "such a", add the following: "lamp or".

AMENDMENT NUMBER ONE HUNDRED EIGHT.

On page 90, line 13, of the printed bill, after the word "section", strike out the period and insert and add the following: "or in obedience to a sign or signal regulating traffic at an intersection."

AMENDMENT NUMBER ONE HUNDRED NINE.

On page 90 of the printed bill, strike out all of line 32, and insert in lieu thereof the following: "indicates that traffic may proceed".

AMENDMENT NUMBER ONE HUNDRED TEN.

On page 91, line 24, of the printed bill, strike out the word "fifteen", and insert in lieu thereof the word "eighteen".

AMENDMENT NUMBER ONE HUNDRED ELEVEN.

On page 92, line 2, of the printed bill, strike out the word "or", and insert in lieu thereof the word "and".

AMENDMENT NUMBER ONE HUNDRED TWELVE.

On page 96, line 23, of the printed bill, add the following:

"616. Provisions of Title Refer to Vehicles Upon the Highways.

The provisions of this title refer exclusively to the equipment of vehicles when operated upon the highways."

AMENDMENT NUMBER ONE HUNDRED THIRTEEN.

On page 97, line 31, of the printed bill, after the word "shall", add the word "also".

AMENDMENT NUMBER ONE HUNDRED FOURTEEN.

On page 98, lines 51 and 52, of the printed bill, strike out "such vehicle is upon a highway".

AMENDMENT NUMBER ONE HUNDRED FIFTEEN.

On page 101 of the printed bill, strike out lines 15 to 25, inclusive, and insert in lieu thereof the following:

"(a) Any vehicle of a type subject to registration hereunder may be equipped with one or more signal lamps adequate to give at the times mentioned in section 618 hereof a signal of intention to stop or suddenly decrease the speed of said vehicle plainly visible under normal atmospheric conditions from a distance of at least one hundred feet to the rear of said vehicle or a signal of intention to turn so visible both to the front and rear of said vehicle.

(b) Any mechanical signal device on a commercial vehicle shall be illuminated when in use at the times mentioned in section 618 hereof by either a light or reflex mirrors rendering likewise visible the signals given thereby as specified in subdivision (a) of this section."

AMENDMENT NUMBER ONE HUNDRED SIXTEEN.

On page 101 of the printed bill, strike out lines 36 to 42, inclusive, and insert in lieu thereof the following:

"639. Identification Lamps and Termini and Identification Signs.

(a) Any passenger common carrier motor vehicle may be equipped with one or more identification lamps displaying a green light to the front of such vehicle.

Any such vehicle may also be equipped with a termini sign. Such sign may be illuminated by a diffused white light.

(b) Any commercial vehicle other than a passenger common carrier motor vehicle may be equipped with an identification sign not exceeding twenty-four inches in length or eight inches in width. Such sign may be illuminated by a diffused white light.

(c) No identification lamp shall emit any glaring light nor shall any termini or identification sign project any direct light rays."

AMENDMENT NUMBER ONE HUNDRED SEVENTEEN.

On page 106, line 20, of the printed bill, after the word "lamp", insert the following: "or lamp equipment".

AMENDMENT NUMBER ONE HUNDRED EIGHTEEN.

On page 106, line 21, of the printed bill, after the word "lamp", insert the following: "or lamp equipment".

AMENDMENT NUMBER ONE HUNDRED NINETEEN.

On page 106, line 29, of the printed bill, add the following:

"No person shall sell or offer for sale either separately or as a part of the equipment of a new motor vehicle any red reflector of a type approved by the department unless such red reflector bears thereon the trademark or name under which it is approved so as to be legible when installed."

AMENDMENT NUMBER ONE HUNDRED TWENTY.

On page 110 of the printed bill, strike out all of lines 19 to 24, both inclusive, and insert in lieu thereof the following:

"Any motor vehicle which is so constructed or loaded as to obstruct the driver's view to the rear thereof from the driver's position, shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least two hundred feet to the rear of such vehicle."

AMENDMENT NUMBER ONE HUNDRED TWENTY-ONE.

On page 112, line 25, of the printed bill, strike out the following words: "department. The department", and insert in lieu thereof the following: "director. The director".

AMENDMENT NUMBER ONE HUNDRED TWENTY-TWO.

On page 112, line 30, of the printed bill, strike out the word "department", and add the word "director".

AMENDMENT NUMBER ONE HUNDRED TWENTY-THREE.

On page 112, line 32, of the printed bill, insert the following:

"Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail for not to exceed six months or by both such fine and imprisonment."

AMENDMENT NUMBER ONE HUNDRED TWENTY-FOUR.

On page 113 of the printed bill, before line 1, add the following:

"691. Provisions of Title Refer to Vehicles Upon the Highways.

The provisions of this title refer exclusively to the size and weight of, and loads upon, vehicles when operated upon the highways."

AMENDMENT NUMBER ONE HUNDRED TWENTY-FIVE.

On page 113, line 1, of the printed bill, strike out the figures "691.", and insert in lieu thereof the following: "692."

AMENDMENT NUMBER ONE HUNDRED TWENTY-SIX.

On page 113, line 36, of the printed bill, after the word "section", strike out the period and insert the following: "when such vehicle is used exclusively within the boundary limits of such city."

AMENDMENT NUMBER ONE HUNDRED TWENTY-SEVEN.

On page 113, line 49, of the printed bill, strike out the words "unless such tire is", and insert in lieu thereof the following: "except that a commercial vehicle may be so driven when such tire is".

AMENDMENT NUMBER ONE HUNDRED TWENTY-EIGHT.

On page 115, line 13, of the printed bill, strike out the word "on", and insert in lieu thereof the word "of".

AMENDMENT NUMBER ONE HUNDRED TWENTY-NINE

On page 116 of the printed bill, strike out line 20, and insert in lieu thereof the following: "the roadway except that a detachable semitrailer may".

AMENDMENT NUMBER ONE HUNDRED THIRTY

On page 123, line 16, after the word "magistrate", add the words "having jurisdiction of such offense".

AMENDMENT NUMBER ONE HUNDRED THIRTY-ONE.

On page 123, line 30, of the printed bill, after the word "the", strike out the word "maximum".

AMENDMENT NUMBER ONE HUNDRED THIRTY-TWO.

On page 123, line 32, of the printed bill, strike out the words "prima facie speed limit", and insert in lieu thereof the following: "speed limit specified in section 511 hereof".

AMENDMENT NUMBER ONE HUNDRED THIRTY-THREE.

On page 125, line 14, of the printed bill, strike out "pnishment", and insert in lieu thereof the word "punishment".

AMENDMENT NUMBER ONE HUNDRED THIRTY-FOUR.

On page 125, line 36, of the printed bill, after the word "of", add the following: "Title IX of".

AMENDMENT NUMBER ONE HUNDRED THIRTY-FIVE.

On page 125, line 44, of the printed bill, after the word "of", add the following: "Title IX of".

AMENDMENT NUMBER ONE HUNDRED THIRTY-SIX.

On page 126, line 30, of the printed bill, after the word "the", add the word "foregoing".

AMENDMENT NUMBER ONE HUNDRED THIRTY-SEVEN.

On page 126, line 31, of the printed bill, add the following:

"754. Record of Suspension or Revocation of Driving License or Privilege Inadmissible in a Civil Action.

No record of the suspension or revocation of an operator's or chauffeur's license or of a nonresident's driving privilege by the department, nor any testimony of or concerning or produced at the hearing terminating in such suspension or revocation, shall be admissible as evidence in any court in any civil action.

755. Record of Conviction Inadmissible in a Civil Action.

No record of the conviction of any person for any violation of this code, nor any testimony of or concerning or produced at the trial terminating in such conviction, shall be admissible as evidence in any court in any civil action."

AMENDMENT NUMBER ONE HUNDRED THIRTY-EIGHT.

On page 126, line 5, of the printed bill, after the word "violation", insert the following: "of Title IX".

AMENDMENT NUMBER ONE HUNDRED THIRTY-NINE.

On page 126, line 11, of the printed bill, after the word "under", insert the following: "Title IX of".

AMENDMENT NUMBER ONE HUNDRED FORTY.

On page 126, line 19, of the printed bill, after the word "under", add the following: "Title IX of".

AMENDMENT NUMBER ONE HUNDRED FORTY-ONE.

On page 126, line 27, of the printed bill, after the second word "of", add the following: "Title IX of".

AMENDMENT NUMBER ONE HUNDRED FORTY-TWO.

On page 126, line 52, of the printed bill, after the word "felony", strike out the period and insert and add the following: "or a public offense which is punishable either as a felony or misdemeanor."

AMENDMENT NUMBER ONE HUNDRED FORTY-THREE.

On page 128, line 13, of the printed bill, strike out the parenthesis and letter "(a)".

AMENDMENT NUMBER ONE HUNDRED FORTY-FOUR

On page 128 of the printed bill, strike out lines 21 to 27.

AMENDMENT NUMBER ONE HUNDRED FORTY-FIVE

On page 128, line 41, of the printed bill, add the following:

"772. Penalty for Disobedience.

Failure, refusal or neglect on the part of any judicial or other officer or employee receiving or having custody of any fine or forfeiture in this chapter mentioned either before or after deposit in said respective fund to comply with the foregoing provisions of this chapter shall constitute misconduct in office and shall be ground for removal therefrom."

AMENDMENT NUMBER ONE HUNDRED FORTY-SIX

On page 132 of the printed bill, strike out all of line 16 after the word "person", and all of line 17 preceding the word "or", and insert in lieu thereof the following: "to be so notified".

AMENDMENT NUMBER ONE HUNDRED FORTY-SEVEN.

On page 53, line 8, of the printed bill, strike out the figures "6,000", and insert in lieu thereof the figures "7,500".

AMENDMENT NUMBER ONE HUNDRED FORTY-EIGHT.

On page 57 of the printed bill, strike out lines 4 to 8, inclusive, and insert in lieu thereof: "provided, that if the State Compensation Insurance Fund insures against such liability with respect to its officers, agents and employees, then the premium for insurance in such event shall be a proper charge only against said State Compensation Insurance Fund."

AMENDMENT NUMBER ONE HUNDRED FORTY-NINE.

On page 64, line 15, of the printed bill, strike out "special", and insert in lieu thereof the word "general".

AMENDMENT NUMBER ONE HUNDRED FIFTY.

On page 91, line 22, of the printed bill, after the word "vehicle", add the following: "other than a passenger common carrier vehicle".

AMENDMENT NUMBER ONE HUNDRED FIFTY-ONE.

On page 90, line 34, of the printed bill, strike out the word "spur", and in line 35, strike out the words "track crossings", and insert in lieu thereof the words "such crossing".

AMENDMENT NUMBER ONE HUNDRED FIFTY-TWO.

On page 70, line 35, of the printed bill, strike out the word "shall", and insert in lieu thereof the following: "is hereby authorized to".

AMENDMENT NUMBER ONE HUNDRED FIFTY-THREE.

On page 70, line 40, of the printed bill, after the word "signs", add the following: "when erected".

AMENDMENT NUMBER ONE HUNDRED FIFTY-FOUR.

On page 70, line 43, of the printed bill, strike out the word "shall", and insert in lieu thereof the following: "are hereby authorized to".

AMENDMENT NUMBER ONE HUNDRED FIFTY-FIVE.

On page 70, line 46, of the printed bill, after the word "jurisdiction", strike out the period and add the following: "or when said department has not so designated any such route to erect and maintain or cause to be erected and maintained like signs upon the highways under their jurisdiction."

AMENDMENT NUMBER ONE HUNDRED FIFTY-SIX.

On page 56 of the printed bill, strike out lines 25 to 31, inclusive, and insert in lieu thereof the following: "tion of a motor vehicle by an officer, agent or employee thereof when acting within the scope of his office, agency or employment to the same extent that liability is imposed by law on such operator. Furthermore, every such public entity or corporation owning a motor vehicle shall be liable for civil damages on account of personal injury to or death of any person or damage to property resulting from the operation of such motor vehicle by an officer, agent or employee thereof with the express or implied permission of said public entity or corporation but without the scope of his office, agency or employment to the same extent that liability is imposed by law on such operator subject to the limit in amount of five thousand dollars for personal injury to or death of one person as a result of any one accident and, subject to said limit as to one person, the amount of ten thousand dollars for personal injury to or death of all persons as a result of any one accident and one thousand dollars for damage to property of others as a result of any one accident."

AMENDMENT NUMBER ONE HUNDRED FIFTY-SEVEN.

On page 65, line 14, of the printed bill, strike out "fifteen", and insert in lieu thereof the word "sixty".

AMENDMENT NUMBER ONE HUNDRED FIFTY-EIGHT.

On page 65 of the printed bill, strike out lines 15 to 19, inclusive, and insert in lieu thereof the following: "days except as against the person requesting such storage nor shall any such charges be valid for a lesser time except as against the person requesting such storage unless said keeper within thirty days after the commencement of the storage gives notice to the persons as provided in subdivision (a) hereof "

AMENDMENT NUMBER ONE HUNDRED FIFTY-NINE.

On page 67, line 6, of the printed bill, strike out the word "fifteen", and insert in lieu thereof the word "thirty".

AMENDMENT NUMBER ONE HUNDRED SIXTY.

On page 68, line 13, of the printed bill, strike out "one thousand", and insert in lieu thereof the following: "five hundred".

AMENDMENT NUMBER ONE HUNDRED SIXTY-ONE.

On page 68, line 14, of the printed bill, strike out "one year", and insert in lieu thereof the following: "six months".

AMENDMENT NUMBER ONE HUNDRED SIXTY-TWO.

On page 95 of the printed bill, strike out lines 16 to 31, and insert in lieu thereof the following:

"(a) No person shall drive upon any highway any motor vehicle transporting persons for hire, compensation or profit for more than ten consecutive hours nor for more than ten hours spread over a total of fifteen consecutive hours. Thereafter,

such person shall not drive any such vehicle until eight consecutive hours have elapsed.

(b) No person shall drive upon any highway any motor vehicle transporting merchandise, freight, materials or other property for more than twelve consecutive hours nor for more than twelve hours spread over a total of fifteen consecutive hours. Thereafter, such person shall not drive any such vehicle until eight consecutive hours have elapsed.

(c) In computing the number of hours hereunder, any time spent by a person in driving such a vehicle outside this State shall be included when such person enters this State."

AMENDMENT NUMBER ONE HUNDRED SIXTY-THREE.

On page 15, line 15, of the printed bill, after "Oaths", strike out the period and add the following: "and Certify Copies of Records,".

AMENDMENT NUMBER ONE HUNDRED SIXTY-FOUR.

On page 15, line 17, of the printed bill, before the word "officers", add the following: "(a)".

AMENDMENT NUMBER ONE HUNDRED SIXTY-FIVE.

On page 15, line 20, of the printed bill, add the following:

"(b) The director and such officers of the department as he may designate are hereby authorized to prepare under the seal of the department and deliver free of charge upon request a certified copy of any record of the department received or maintained under this code."

AMENDMENT NUMBER ONE HUNDRED SIXTY-SIX

On page 124, line 32, of the printed bill, after the word "the", add the word "foregoing".

AMENDMENT NUMBER ONE HUNDRED SIXTY-SEVEN.

On page 124 of the printed bill, between lines 38 and 39, add the following:

"745. Procedure upon Arrest for Violation of Other State Law.

Whenever any person is arrested by any member of the California Highway Patrol for any violation of any State law regulating the operation of vehicles or the use of the highways declared to be a misdemeanor but which offense is not specified in this code, such person shall, in the judgment of the arresting officer, either be given a five-day notice to appear in the manner hereinbefore provided or be immediately taken before a magistrate within the county in which the offense charged is alleged to have been committed and who has jurisdiction of such offense and is nearest or accessible with reference to the place where said arrest is made."

AMENDMENT NUMBER ONE HUNDRED SIXTY-EIGHT.

On page 121, line 50, of the printed bill, after the word "misdemeanors", strike out the comma, and add the following: "and the arresting officer is not required as hereinbefore provided to take such person immediately before a magistrate.".

AMENDMENT NUMBER ONE HUNDRED SIXTY-NINE.

On page 14 of the printed bill, strike out lines 43 to 48, inclusive, and insert in lieu thereof the following: ing the provisions of this code and of all laws the enforcement or administration of which is now or hereafter may be vested in the department and with the duty of enforcing any other laws regulating the operation of vehicles or the use of the highways."

AMENDMENT NUMBER ONE HUNDRED SEVENTY

On page 129, line 17, of the printed bill, strike out the word "of", and insert in lieu thereof the following: "in enforcing"

AMENDMENT NUMBER ONE HUNDRED SEVENTY-ONE.

On page 129, line 18, of the printed bill, insert a period after the word "highways", and strike out the words "where the", and strike out all of lines 19 and 20 on said page

AMENDMENT NUMBER ONE HUNDRED SEVENTY-TWO.

On page 124, line 40, of the printed bill, strike out the figures "745.", and insert in lieu thereof "746."

AMENDMENT NUMBER ONE HUNDRED SEVENTY-THREE.

On page 58 of the printed bill, strike out lines 8 to 9, and insert in lieu thereof the following: "nor to the operation of a motor vehicle by a garage, repair shop or service station keeper or his employees in the course of storing, servicing or repairing such".

AMENDMENT NUMBER ONE HUNDRED SEVENTY-FOUR

On page 58, line 17, of the printed bill, strike out "upon a highway".

AMENDMENT NUMBER ONE HUNDRED SEVENTY-FIVE.

On page 58, line 18, of the printed bill, after the word "ride", add the following: "or riding in or upon any vehicle while engaged in a joint enterprise with the owner or driver of such vehicle".

AMENDMENT NUMBER ONE HUNDRED SEVENTY-SIX.

On page 59, line 51, of the printed bill, strike out "fifteen", and insert in lieu thereof the word "thirty".

AMENDMENT NUMBER ONE HUNDRED SEVENTY-SEVEN.

On page 60 of the printed bill, strike out line 2, and insert in lieu thereof the following. "forward to the department a certified copy of such judgment if such court is a court of record or a certified copy of the docket entries covering the action in which such judgment was rendered if such court is not a court of record."

AMENDMENT NUMBER ONE HUNDRED SEVENTY-EIGHT.

On page 60, line 3, of the printed bill, strike out "a certified copy", and insert in lieu thereof the following: "such proof"

AMENDMENT NUMBER ONE HUNDRED SEVENTY-NINE.

On page 60 of the printed bill, strike out lines 5 to 7, inclusive, and insert in lieu thereof the following: "competent jurisdiction in this or any other State or in the District of Columbia or of the United States or in the Dominion of Canada shall forthwith suspend all operators and chauffeurs licenses issued to the judgment debtor".

AMENDMENT NUMBER ONE HUNDRED EIGHTY.

On page 61, line 35, of the printed bill, after "issued to", add the following: "or for the benefit of".

AMENDMENT NUMBER ONE HUNDRED EIGHTY-ONE.

On page 62, line 19, of the printed bill, after word and period "full", add the following: "All money so deposited shall be subject to execution to satisfy any judgment in this chapter mentioned but shall not otherwise be subject to attachment or execution."

AMENDMENT NUMBER ONE HUNDRED EIGHTY-TWO.

On page 62, line 37, of the printed bill, after "United States", add the following: "or the Dominion of Canada".

AMENDMENT NUMBER ONE HUNDRED EIGHTY-THREE

On page 62, line 52, of the printed bill, after "United States", add the following. "or the Dominion of Canada"

AMENDMENT NUMBER ONE HUNDRED EIGHTY-FOUR

On page 63 of the printed bill, strike out lines 19 to 21, inclusive, and insert in lieu thereof the following:

"(g) The department may accept several policies of one or more such carriers which together meet the requirements of this section"

AMENDMENT NUMBER ONE HUNDRED EIGHTY-FIVE.

On page 63 of the printed bill, strike out lines 27 to 29, inclusive, and insert in lieu thereof the following: "of any motor vehicle liability policy or the expiration thereof or the application of said proof to the satisfaction of any judgment in this chapter mentioned or any"

AMENDMENT NUMBER ONE HUNDRED EIGHTY-SIX.

On page 79 of the printed bill, strike out lines 23 to 29, inclusive, and insert in lieu thereof the following: "ing."

AMENDMENT NUMBER ONE HUNDRED EIGHTY-SEVEN.

On page 62, line 26, of the printed bill, after the word "to", add the following: "or for the benefit of".

AMENDMENT NUMBER ONE HUNDRED EIGHTY-EIGHT.

On page 130 of the printed bill, strike out lines 31 to 44, both inclusive, and insert in lieu thereof the following: "its boundaries in the manner hereinafter provided

(1) When such expenditure is to be made for the construction of a highway under the jurisdiction of the State Department of Public Works or of the United States, said board may by resolution transfer such amount to the account of the State Department of Public Works or to the account of the Secretary of Agriculture of the United States, and in such resolution may specify and determine the route and type of construction of the highway to be constructed, and the said amount thus transferred shall, if accepted by the said State Department of Public Works or the said Secretary of Agriculture, be expended for the purpose specified and determined in said resolution and not otherwise.

(2) When such expenditure is to be made for the construction of a highway under the jurisdiction of another board of supervisors, such latter board must first authorize such construction by ordinance or resolution. When such authorization so provides, the board of supervisors making such appropriation may expend the amounts so appropriated through its own boards or officers."

AMENDMENT NUMBER ONE HUNDRED EIGHTY-NINE

On page 37 of the printed bill, between lines 44 and 45, add the following:

"254. Temporary Permits.

The department in its discretion may issue a temporary driving permit to a person who has made application for an operator's or chauffeur's license pending examination and action by the department on such application. Said permit shall entitle the person to whom issued while having such permit in his immediate possession to drive a motor vehicle upon the highways as an operator for a period not exceeding ten days."

AMENDMENT NUMBER ONE HUNDRED NINETY

On page 37, line 45, of the printed bill, strike out the figures "254.", and insert in lieu thereof the following: "255."

AMENDMENT NUMBER ONE HUNDRED NINETY-ONE.

On page 38, line 1, of the printed bill, strike out the figures "255.", and insert in lieu thereof the following: "256."

AMENDMENT NUMBER ONE HUNDRED NINETY-TWO.

On page 38, line 7, of the printed bill, strike out the figures "256.", and insert in lieu thereof the following: "257."

AMENDMENT NUMBER ONE HUNDRED NINETY-THREE.

On page 38, line 18, of the printed bill, strike out the figures "257.", and insert in lieu thereof the following: "258."

AMENDMENT NUMBER ONE HUNDRED NINETY-FOUR.

On page 38, line 23, of the printed bill, strike out the figures "258.", and insert in lieu thereof the following: "259."

AMENDMENT NUMBER ONE HUNDRED NINETY-FIVE.

On page 23, line 20, of the printed bill, add the following:

"163. Refusal of Renewal.

No vehicle registration shall be renewed when the department has received notice from a court that the person making application for such renewal has for a period of fifteen or more days wilfully violated his written promise to appear given upon an arrest for any violation of this code as provided herein unless and until the department receives a certificate signed by the magistrate, or the clerk of the court, hearing the case in which such promise was given showing that said case has been adjudicated."

AMENDMENT NUMBER ONE HUNDRED NINETY-SIX.

On page 21, line 8, of the printed bill, strike out "156.", and insert in lieu thereof the following: "155."

AMENDMENT NUMBER ONE HUNDRED NINETY-SEVEN.

On page 21, line 25, of the printed bill, strike out "157", and insert in lieu thereof the following: "156."

AMENDMENT NUMBER ONE HUNDRED NINETY-EIGHT

On page 21, line 43, of the printed bill, strike out "158.", and insert in lieu thereof the following: "157."

AMENDMENT NUMBER ONE HUNDRED NINETY-NINE.

On page 22, line 4, of the printed bill, strike out "159.", and insert in lieu thereof the following: "158."

AMENDMENT NUMBER TWO HUNDRED.

On page 22, line 18, of the printed bill, strike out "160", and insert in lieu thereof the following: "159."

AMENDMENT NUMBER TWO HUNDRED ONE.

On page 22, line 28, of the printed bill, strike out "161.", and insert in lieu thereof the following: "160"

AMENDMENT NUMBER TWO HUNDRED TWO.

On page 22, line 42, of the printed bill, strike out "162.", and insert in lieu thereof the following: "161."

AMENDMENT NUMBER TWO HUNDRED THREE.

On page 23, line 1, of the printed bill, strike out "163.", and insert in lieu thereof the following: "162."

AMENDMENT NUMBER TWO HUNDRED FOUR.

On page 35, line 10, of the printed bill, after the word "dismantling", add the following: "or wrecking".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 897—An act to repeal Part I of Division II of the School Code, embracing sections 2.20 to 2.760, inclusive, to repeal Chapters I, II, III and IV of Part II of Division II of said code, embracing sections 2.770 to 2.1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2.10 to 2.281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-a, respectively, embracing sections 2.650 to 2.911, inclusive, to amend sections 4.181, 4.375, 4.773, 4.811, 4.812, 4.875, 4.895, 4.896, 4.898, 4.970, 6.470 and 6.471 to 6.477, inclusive, of said code, to add four new sections to said code to be numbered 9, 4.769, 6.470–1 and 6.470–2, to repeal section 4.771 of said code, and to repeal certain acts, all relating to school districts and junior college districts

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 10 of the title of the printed bill, after "4.375,", insert the following: "4.771,".

AMENDMENT NUMBER TWO.

Strike out lines 13 and 14 of the title of the printed bill, and insert in lieu thereof the following: "4.769, 6.470–1 and 6.470–2, and to repeal certain acts, all relating to school dis-".

AMENDMENT NUMBER THREE.

On page 37, line 29, of the printed bill, after "units of", insert the following: "elementary".

AMENDMENT NUMBER FOUR.

On page 38 of the printed bill, strike out line 2, and insert in lieu thereof the following: "amended to read as follows:

4.771. To each school district having six hundred or more units of elementary average daily attendance, one additional teacher unit shall be allowed for each three hundred units of elementary average daily attendance therein during the preceding school year."

AMENDMENT NUMBER FIVE.

On page 38 of the printed bill, strike out lines 5 to 11, inclusive, and insert in lieu thereof the following:

"4.773. Teacher units shall be allowed to the county elementary school supervision fund of each county having a total of one hundred or more units of elementary average daily attendance therein as follows:

1. One teacher unit shall be allowed to said fund for the first six teacher units or fraction thereof allowed under the provisions of section 4.770 to school districts having less than six hundred units of elementary average daily attendance;

2. One additional teacher unit shall be allowed to said fund for the second six teacher units or fraction thereof allowed to such districts under the provisions of said section;

3. One additional teacher unit shall be allowed to said fund for the next eight teacher units or fraction thereof allowed to such districts under the provisions of said section;

4. One additional teacher unit shall be allowed to said fund for the next ten teacher units or fraction thereof, and for each further ten teacher units or fraction thereof, allowed to such districts under the provisions of said section."

AMENDMENT NUMBER SIX.

On page 10, line 5, of the printed bill, strike out "districts", and insert in lieu thereof the following "district to which such real property belonged".

AMENDMENT NUMBER SEVEN.

On page 27, line 21, of the printed bill, strike out the word "high".

AMENDMENT NUMBER EIGHT.

On page 27, line 28, of the printed bill, after "shall", insert the following: "so classify themselves by lot that they shall".

AMENDMENT NUMBER NINE.

On page 33, line 41, of the printed bill, after "to the", insert the word "county".

AMENDMENT NUMBER TEN.

On page 38 of the printed bill, strike out lines 38 and 39, and insert in lieu thereof the following: "on the total average daily attendance in high school courses in such districts during the preceding".

AMENDMENT NUMBER ELEVEN.

On page 38 of the printed bill, strike out lines 46 and 47, and insert in lieu thereof the following: "physically handicapped pupils in high school courses during the preceding school year as computed by".

AMENDMENT NUMBER TWELVE.

On page 38 of the printed bill, strike out lines 50 and 51, and insert in lieu thereof the following: "of physically handicapped pupils in high school courses during said school year."

AMENDMENT NUMBER THIRTEEN.

On page 39 of the printed bill, strike out lines 6 and 7, and insert in lieu thereof the following: "pro rata on the total average daily attendance in high school courses in such districts during the preceding".

AMENDMENT NUMBER FOURTEEN.

On page 8, line 26, of the printed bill, after "districts", insert a semicolon

AMENDMENT NUMBER FIFTEEN.

On page 26, line 21, of the printed bill, insert the following.

"2.671. No person shall be eligible to the office of trustee unless he has been a resident, for one year immediately preceding the date of election, of the trustee district from which he is to be elected or appointed."

AMENDMENT NUMBER SIXTEEN.

On page 29 of the printed bill, strike out lines 23 and 24, and insert in lieu thereof the following: "candidate for the office of trustee, specifying the trustee district that he intends to represent, and declaring that he is a resident, as provided in section 2.671, of such trustee district."

AMENDMENT NUMBER SEVENTEEN.

On page 32 of the printed bill, strike out lines 8 and 9, and insert in lieu thereof the following: "their own number. At such meeting, or within three months thereafter, the board shall employ a superintendent of schools for the school district as provided in this code. Unless a district superintendent is employed at said first meeting, the board shall designate a suitable person to serve as temporary district superintendent until such employment, and shall have power to provide for the compensation of such temporary district superintendent."

Amendments adopfed.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 770—An act to add section 1a to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair competition.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out "cost," and insert in lieu thereof the following: "the cost thereof to such vendor,".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 9 to 11, inclusive, and insert in lieu thereof the following: "punished by a fine not exceeding five hundred dollars ($500), or by imprisonment not exceeding six months, or by both said fine and imprisonment. The term "cost"."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 13 to 17, inclusive, and insert in lieu thereof the following: "of raw materials, labor and all necessary overhead expenses of the producer; and as applied to distribution "cost" shall mean the cost of the article or product to the distributor and vendor plus the cost of doing business by said distributor and vendor.

The provisions of this section shall not apply to any sale made:

(1) In closing out in good faith the owner's stock or any part thereof for the purpose of discontinuing his trade in any such stock or commodity, that is, as in the case of the sale of seasonal goods; or to the bona fide sale of perishable goods to prevent loss to the vendor by spoilage or depreciation:

(2) When the goods are damaged or deteriorated in quality, and notice is given to the public thereof;

(3) By any officer acting under the orders of any court."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 767—An act to add a new section to the "Fair Trade Act" to be numbered 1½, relating to unfair competition.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 3, of the printed bill, after "Sec. 1½.", insert the following: "Wilfully and knowingly".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 469—An act to repeal "An act to provide for the protection and preservation of public highways from damage by storm waters and floods, and to authorize the expenditure of public moneys for the purposes thereof," approved April 1, 1897.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 469 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 464—An act to repeal "An act relating to the granting by counties and municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles," approved March 27, 1897.

Bill read third time.

The question being on the passage of the bill

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 464 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1351—An act to amend section 4156b of the Political Code, prohibiting district attorneys of counties or cities and counties from defending or assisting in the defense of, or acting as counsel for, defendants in civil actions and proceedings, when the State or any county or city and county or municipality or other political subdivision of the State, is a party plaintiff, and to redesignate said section 4156b as section 4156c of the Political Code.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Craig moved that Assembly Bill No. 1351 be withdrawn from the file, and ordered re-referred to Committee on County Government.

The question being on re-referring Assembly Bill No. 1351 to Committee on County Government.

Motion carried.

Assembly Bill No. 1351 ordered re-referred to Committee on County Government.

Assembly Bill No. 1118—An act to amend sections 1, 3, 4, 5, 6, 8 and 9 of and to add section 10 to an act entitled "An act to regulate the practice of architecture," approved March 23, 1901.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1118 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 1138—An act to amend the Political Code by adding to Part IV, Title II, Chapter VIII of said code a new article to be numbered Article III, embracing sections 4222a to 4222*l*, inclusive, amending section 2641 and repealing sections 2642, 2645 and 4222 of said code, thereby creating the office of county engineer, transferring to the county engineer all the powers and duties of the county surveyor and the powers and duties of other officers and employees of the county with respect to county roads, highways and bridges, and vesting in the county engineer additional powers and duties with respect to construction, improvement, maintenance and repair of county roads, highways and bridges, and to repeal the County Engineer Act.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1138 was withdrawn from the file, and referred to Committee on County Government.

Assembly Bill No. 318—An act to amend sections 1, 7, 8a, 8c, 8d, 8e, 8f, 8g, 8½, and 9, to repeal sections 8 and 8b, and to add two new sections to be numbered 8 and 8b, to an act entitled "An act to regulate

the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 318 was withdrawn from the file, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 317—An act to amend sections 1, 11 and 15 of "An act to regulate the sale, possession, distribution and use of habit forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 317 was withdrawn from the file, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 866—An act to amend sections 612, 651, 654 and 659 of the Fish and Game Code and to add thereto sections 615.5, 658.5 and 658.6, relating to salmon and trout.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 866 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—66

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 338—An act to amend sections 1 and 2 of an act entitled "An act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works," approved May 30, 1913, relating to the keeping of records of the hours worked, providing penalties for violation of the act, providing for the enforcement of the act by the Department of Industrial Relations and extending the benefits of the act to workers employed in sheds or buildings in lime and cement and plants where dust is created.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 338 was withdrawn from the file, and referred to Committee on Mines and Mining.

Assembly Bill No. 1415—An act to amend section 13 of "The Grade Separation Act of 1927," relating to the separation of grades.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1415 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Roland, Ross, Scudder, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright and Mr. Speaker—63.

NOES—McCarthy, Rogers and Stannard—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 737—An act to add section 4½ to an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893, as amended, relating to the issuance of bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 737 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1774—An act to amend section 2 of an act entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," approved June 13, 1923, relating to liability for negligence.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1774 was refused passage by the following vote:

AYES—Alter, Bowers, Brock, Craig, Evans, Fisher, Greene, Knowland, Miller, Eleanor; Nielsen, Phillips, Rawls, Robinson, Samuel E., Roland, Ross, Stream and Utt—17.

NOES—Anglim, Badham, Bliss, Boyle, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Feigenbaum, Field, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, James A., O'Connor, Peterson, Powers, Redwine, Robinson, C. Ray; Rogers, Scudder, Stannard, Sullivan, Thorp, Tournoux, West, Williamson, Wright, Zion and Mr. Speaker—48.

RECESS.

At twelve o'clock and twenty minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.
Speaker Little in the chair.
Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 362—An act to amend section 1 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, relating to the scope of the act—and reports that the same has been correctly enrolled and presented the same to the Governor on this twenty-seventh day of March, 1933, at eleven o'clock and fifty-five minutes a.m.

PATTERSON, Chairman.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 6 of Article IX thereof, relating to taxation for school purposes.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Constitutional Amendment No. 2 read, and referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, March 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 649—An act to amend section 4277 of the Political Code, relating to the compensation of county and township officers in counties of the forty-eighth class;

Also: Senate Bill No. 815—An act to repeal Articles II and III of Chapter II of Division III of the Agricultural Code, and to add a new Article II to said chapter and division, relating to estrays;

Also: Senate Bill No. 134—An act to amend section 331 of the Civil Code, relating to corporations;

Also: Senate Bill No. 382—An act to repeal an act entitled "An act to authorize justices of the District Court of Appeal for the Second Appellate District to provide proper rooms for the accommodations of the court and its officers and library, and declaring the balances thereof to be an only charge against the general fund in the State treasury," approved May 25, 1919;

Also: Senate Bill No. 323—An act to amend sections 1, 2, 3, 4, 7, 11, 12, 13, 15, and 17 and to repeal section 3½ of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the practice of pharmacy;

Also: Senate Bill No. 694—An act to amend section 73 of the California Irrigation District Act, relating to the liability of officers for violation of duties and of irrigation districts for the negligence of its directors, officers, agents or employees.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 649 read first time, and referred to Committee on County Government.

Senate Bill No. 815 read first time, and referred to Committee on Agriculture.

Senate Bill No. 134 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 382 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 323 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 694 read first time, and referred to Committee on Irrigation.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At two o'clock and ten minutes p. m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1407—An act to amend section 79b of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds, approved April 7, 1911, relating to improvements of municipalities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1407 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, Meeker, Miller, James A., Morgan, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Roland, Ross, Scudder, Thorp, Tournoux, Utt and Williamson—48.

NOES—Clowdsley, Hunt, King, McCarthy, O'Connor, Robinson, Samuel E., Rogers, Stannard and Stream—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 11—An act to amend section 520 of the Penal Code, relating to the punishment of extortion in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 11 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson and Zion—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At two o'clock and twenty-two minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 1100—An act to add a new section to the Political Code, to be numbered 596c, prohibiting any person or corporation from acting as agent for or in any manner aiding in the solicitation or advertising of any insurance corporation or insurer, unless such insurance corporation or insurer shall have received a certificate of authority to transact business in this State and prescribing a penalty for violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1100 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hoffman, Hornblower, Hunt, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Donnell, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Wright, Zion and Mr. Speaker—61.

NOES—Boyle, Jones, King and O'Connor—4

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1258—An act to amend section 1251 of the Fish and Game Code, relating to deer.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1258 was withdrawn from the file, and referred to Committee on Fish and Game.

Assembly Bill No. 33—An act to repeal Chapter II of Part II of Division I of the School Code, embracing sections 1.350 to 1.430, inclusive, relating to compulsory part-time education.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 33 was withdrawn from the file, and referred to Committee on Education.

Assembly Bill No. 304—An act to amend sections 1.145 and 1.350 of the School Code, relating to part-time compulsory education.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 304 was withdrawn from the file, and referred to Committee on Education.

Assembly Bill No. 835—An act to amend section 4 of the California Air Navigation Act, relating to aircraft including aircraft used solely for pleasure and not for commercial purposes.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 835 was withdrawn from the file, and referred to Committee on Aviation and Aircraft.

Assembly Bill No. 722—An act to add a new section to be numbered 14a to the "State Civil Service Act," relating to the abolition or discontinuance of positions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 722 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—63.

NOES—King—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1343—An act to add a new section to the Political Code, to be numbered 363dd, authorizing the Director of Public Works to enter into agreements for the construction, maintenance, and use of State highway bridges jointly by the public and private owners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1343 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 9—An act to amend section 69 of the Civil Code, relating to issuance of licenses to marry.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER

Mr. Dempster moved that Assembly Bill No. 9 be withdrawn from the file, and ordered re-referred to Committee on Judiciary

The question being on re-referring Assembly Bill No 9 to Committee on Judiciary.

Motion lost.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 9 was refused passage by the following vote:

AYES—Anglim, Cottrell, Crist, Crowley, Hoffman, Hornblower, Kallam, King, Mayo, Nielsen, Robinson, C. Ray; Ross, Sullivan and West—14.

NOES—Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream Thorp, Tournoux, Utt, Williamson, Wright, Zion and Mr. Speaker—59.

Assembly Bill No. 889—An act to amend section 685 of the Code of Civil Procedure, relating to execution of judgments

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 889 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Utt, West, Wright and Mr. Speaker—63.

NOES—McCarthy, Rogers and Stream—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 898—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to provide for the management and sale of lands belonging to the State," approved March 28, 1868, also an act entitled "An act to provide for the sale of certain lands belonging to the State," approved April 27, 1863, including any case wherein relief has been granted to a purchaser or purchasers under the provisions of an act entitled "An act for the relief of purchasers of State lands," approved March 27, 1872; provided that all taxes levied against the property during the 30 years next preceding the commencement of the action have been fully paid.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 898 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 978—An act authorizing the Governor to make conveyances of certain parcels of real property to the original grantors thereof or their successors or assigns, if and when the interest of the United States in said parcels is conveyed or released to the State of California, which said parcels were acquired pursuant to the provisions of the Statutes of California for 1927, Chapter 142, particularly the paragraph commencing on the bottom of page 271 and which were conveyed, pursuant to the provisions of the Statutes of California, Chapter 517, to the United States of America, for temporary use as spoil disposal areas, in connection with the construction of that certain project approved by an act of Congress which was approved by the President of the United States, on January 21, 1927, which said act provided for the deepening and rectification of the San Joaquin River and Stockton Channel in accordance with the plan laid down in House Document No. 554, Sixty-eighth Congress, second session.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 978 passed by the following vote:

AYES—Alter, Badham, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Zion and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2058—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2058 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 298—An act to amend sections 1, 2, 3 and 9 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting

such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 298 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 507—An act to provide the licensing and regulation of racing within this State, and providing penalties for the violation of this act.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 507 was withdrawn from the file, and referred to Committee on Judiciary.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Utt:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California.

Referred to Committee on Introduction of Bills.

By Mr. Morgan:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to the Penal Code, to be numbered 537f, relating to the sale and offering for sale of rebuilt storage batteries.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California.

Also: An act to add a new section to the Penal Code, to be numbered 537f, relating to the sale and offering for sale of rebuilt storage batteries.

HALLNER, Chairman

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman Hornblower, Hunt, Jones, Kalhan, King, Knowland Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—70.

NOES—None

MOTION TO RECONSIDER

Mr. Scudder moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 330 was passed, be continued until the next legislative day.

Motion carried

Assembly Bill No. 1200—An act to repeal sections 1120 to 1140, inclusive, of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Fisher moved that Assembly Bill No. 1200 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 1200 to Committee on Ways and Means.

Motion carried.

Assembly Bill No 1200 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 837—An act to provide for the sale and conveyance of the Napa State Farm, situated in Napa County, California, and certain personal property located thereon.

Bill read third time

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Field moved that Assembly Bill No. 837 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 837 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 837 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 1057—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for

the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 5, 6, 7, 8, 10, 11 and 13¾, all relating to the powers, government and management of metropolitan water districts, and the exclusion of area therefrom, and declaring same an urgency measure.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Utt moved that Assembly Bill No. 1057 be withdrawn from the file, and ordered re-referred to Committee on Municipal Corporations.

The question being on re-referring Assembly Bill No. 1057 to Committee on Municipal Corporations.

Motion carried.

Assembly Bill No. 1057 ordered re-referred to Committee on Municipal Corporations.

REQUEST FOR USE OF ASSEMBLY CHAMBER.

On motion of Mr. Sullivan, the Committee on Labor and Capital was granted the use of the Assembly Chamber for Tuesday evening, March 28, 1933.

ADJOURNMENT.

At four o'clock and forty-five minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, March 28, 1933.

LOUIS F. ERB, Minute Clerk

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, March 28, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of the San Francisco delegation, Rev. Owen Lacey and Rev. Victor V. White were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cassidy, Messrs. N. P. Nielsen, A. A. Oliver and R. C. Kennedy of Hayward, and J. W. DeCow of San Leandro were extended the privilege of the floor of the Assembly for this day.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read.

ON OIL INDUSTRIES

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1933.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1172—An act to amend sections 1, 2, 3, 5, 6, 7, 10, 13, 13a, 14 and 16 of Chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, to add thereto a new section to be numbered 19, providing for a short title for said act, and to repeal Chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled, 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BADHAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1182—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene, distillate or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for a license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for the violation of this act, and repealing all acts or parts of acts inconsistent herewith," approved May 30, 1923, relating to expenditure of moneys received hereunder—has had the same under consideration, and respectfully reports the same back without recommendation.

BADHAM, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1933

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 459—An act to amend the title and sections 1, 2, 3, 3a, 5, 6, 7, 8, 10, 13, 14, 15, 21, 22, 23, 24, 27 and 28 of an act entitled "An act regu-

lating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State board therefor, providing penalties for violation thereof, and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof,' approved April 16, 1915, as amended," approved April 20, 1929, relating to and regulating funeral directors, embalmers and embalmers' apprentices—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HOFFMAN, Chairman.

The above reported bill ordered on file for second reading

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1933

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 217—An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island,

Also: Assembly Bill No. 567—An act to add a new article to Chapter I of Part I of Division II of the School Code to be known as Article X, embracing sections 2.85 and 2.86, relating to the formation, annexation, consolidation, unionization, and changing of boundaries of school districts;

Also: Assembly Bill No. 662—An act to amend section 602 of the Penal Code, relating to trespass;

Also: Assembly Bill No 663—An act to amend section 365d of the Political Code, relating to highways;

Also: Assembly Bill No. 664—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on personal property for work, materials, supplies, feed, care, keep and services rendered;

Also: Assembly Bill No. 667—An act to amend section 408 of the Political Code, relating to the Secretary of State;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 668—An act to amend section 4041.7 of the Political Code, relating to the powers and jurisdiction of boards of supervisors with respect to public roads;

Also: Assembly Bill No. 671—An act to amend section 409 of the Political Code, relating to the fees to be collected by the Secretary of State;

Also: Assembly Bill No. 672—An act to amend sections 2959, 2965 and 2966 of the Civil Code, relating to mortgages of personal property;

Also: Assembly Bill No. 782—An act to amend section 132 of the Civil Code, relating to final judgments of divorce;

Also: Assembly Bill No. 1087—An act to amend section 23 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended, relating to the filing of annual statements and prescribing the fee therefor, and to repeal section 30 of said act relating to taxation;

Also: Assembly Bill No. 1376—An act to amend sections 2, 4, 5, 7, 10, 23, 26 and 37 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities; providing for the enforcement of said act and penalties for violation thereof; and creating a State Corporation Department and office of 'Commissioner of Corporations'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sale of securities, and the prevention of fraud in the sale of securities;

Also: Assembly Bill No. 1925—An act to amend section 124 of the Agricultural Code, relating to quarantine and pest control;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1526—An act to amend section 379 of the Fish and Game Code, relating to Federal preserves;

Also: Assembly Bill No. 1750—An act to add a new section to the Fish and Game Code, to be numbered 738.5, relating to smelt;

Also: Assembly Bill No. 1753—An act to add a new section to the Fish and Game Code, to be numbered 459, relating to other regulations;

Also: Assembly Bill No. 1755—An act to add a new section to the Fish and Game Code, to be numbered 20, relating to powers and duties;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered replaced on daily calendar.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 175—An act to repeal "An act relating to stills and other devices for the manufacture or production of intoxicating liquor for beverage purposes, providing a penalty for the violation thereof, and repealing all inconsistent acts," approved April 29, 1927;

Also: Assembly Bill No. 1254—An act to add a new section to the Fish and Game Code, to be numbered 488 5, relating to fish hatcheries;

Also: Assembly Bill No 1256—An act to amend section 1230 of the Fish and Game Code, and to add a new section to the Fish and Game Code to be numbered 1340 5, relating to predatory mammals and rodents;

Also: Assembly Bill No. 1257—An act to amend section 1177 of the Fish and Game Code and to add thereto a new section to be numbered 1203.5, relating to game;

Also: Assembly Bill No. 1259—An act to add a new section to the Fish and Game Code, to be numbered 492.5, relating to shipment of game fish;

Also: Assembly Bill No. 1260—An act to amend section 489 of the Fish and Game Code, relating to the taking of fish near spawn-taking stations;

Also: Assembly Bill No. 1363—An act to add section 21.5 to the Fish and Game Code, relating to suits against officers and deputies;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered replaced on daily calendar

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred Senate Bill No. 740—An act to amend section 4 of an act entitled "An act providing for the control and management of a tract of land owned by the State of California and situated in the county of Napa in said State," approved May 15, 1917, relating to State property in Napa County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KNOWLAND, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1146—An act to amend section 17 of an act entitled the "Joint Highway District Act," relating to construction works—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 745—An act to amend sections 2.878 and 2.881 of Article I, Chapter II, Part II, Division II, of the School Code of the State of California, relating to school district elections;

Also: Senate Bill No. 829—An act to amend sections 5.402 and 5.510, to repeal Article I of Chapter III of Part III of Division V, embracing sections 5.500 to 5.504, inclusive, to repeal Article II of Chapter VII of Part III of Division V, embracing sections 5.650 and 5.665, inclusive, and to repeal Article VII of Chapter VII of Part III of Division V, embracing sections 5.710 to 5.713, inclusive, of the School Code, all relating to permanent employees;

Also: Senate Bill No. 381—An act to repeal section 6.390 of the School Code; to repeal section 6.390 of an act entitled "An act relating to the adoption of textbooks for use in the public high schools of the State and to the furnishing of such textbooks for the use of the pupils of such schools," approved June 5, 1929; and to add a new section to the School Code to be numbered 6.390, relating to fees received for the listing of textbooks;

Also: Senate Bill No. 122—An act to amend section 3.122 of the School Code, relating to the age of admission of pupils to kindergartens;

Also: Senate Bill No. 543—An act to amend sections 4.360, 4.364, 4.365, 4.366, 4.367, 4.370, 4.371, 4.372, 4.373, 4.380 and 4.383 of the School Code, and to repeal section 4.362 thereof, and to add six new sections thereto to be numbered 4.365a, 4.365b, 4.365c, 4.365d, 4.365e, 4.365f, respectively, relating to school district budgets and financial statements

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 745, 829, 381, 122 and 543 read first time, and referred to Committee on Education

Also:

SENATE CHAMBER, SACRAMENTO, March 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 67—An act to amend section 857 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the sixth class;

Also: Senate Bill No. 194—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class;

Also: Senate Bill No. 1168—An act to add three new sections, to be numbered 51a, 51b and 51c, to an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory;

Also: Senate Bill No. 661—An act to amend section 2322x45 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fifth class;

Also: Senate Bill No. 311—An act to amend section 2322x23 of the Political Code, relating to the office of the agricultural commissioner in counties of the twenty-third class;

Also: Senate Bill No. 660—An act to amend section 4274 of the Political Code, relating to compensation of county and township officers, in counties of the forty-fifth class;

Also: Senate Bill No. 313—An act to amend section 16x23 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the twenty-third class;

Also: Senate Bill No. 315—An act to amend section 9a23 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems, approved April 12, 1909, and all acts and parts of acts in conflict with

this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the twenty-third class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 67 and 194 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 1168 read first time, and referred to Committee on Public Utilities.

Senate Bills Nos. 661, 311, 660, 313 and 315 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, March 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 493—An act to regulate the importation and keeping of wild birds and animals and providing a penalty for the violation of the provisions hereof;

Also: Senate Bill No. 335—An act to amend section 68 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission fund and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended;

Also: Senate Bill No. 334—An act to amend section 67 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission fund and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended;

Also: Senate Bill No. 476—An act to amend sections 3804 and 3819 of the Political Code, relating to refund of taxes, penalties and costs illegally collected;

Also: Senate Bill No. 1172—An act to amend section 1 of an act entitled "An act establishing certain additional State highways and classifying them as secondary highways," approved March 27, 1931, and to repeal an act entitled "An act establishing certain additional State highways and classifying them as secondary highways," approved April 1, 1931, relating to the State highway system and the addition and classification of certain highways;

Also: Senate Bill No. 1173—An act declaring the bridge across the Sacramento River near the town of Meridian, between the counties of Sutter and Colusa, to be a part of the State highway system for maintenance purposes and providing for the relinquishment of jurisdiction over said bridge by the State to said counties.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 493 read first time, and referred to Committee on Fish and Game.

Senate Bills Nos. 335 and 334 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 476 read first time, and referred to Committee on Revenue and Taxation.

Senate Bills Nos. 1172 and 1173 read first time, and referred to Committee on Roads and Highways.

Also:

SENATE CHAMBER, SACRAMENTO, March 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 18—Relative to memorializing the

Congress of the United States to adopt legislation protecting and fostering the rubber industry of the United States.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Joint Resolution No 18 read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, March 27, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 2—An act to amend section 5 of the Direct Primary Law, relating to sponsors' pamphlets;

Also: Assembly Bill No. 57—An act to amend section 1315 of the Political Code, relating to electors of the President and Vice President of the United States;

Also: Assembly Bill No. 20—An act to amend section 23 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended;

Also: Assembly Bill No 506—An act to amend section 12 of Chapter 690, Statutes of 1913, entitled "The Direct Primary Law," as amended, relating to direct primary elections;

Also: Assembly Bill No. 40—An act to amend section 4238 of the Political Code, relating to compensation of county and township officers in counties of the ninth class;

Also: Assembly Bill No. 42—An act to amend section 16x9 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the ninth class,

Also: Assembly Bill No 43—An act to amend section 19x9 of the Juvenile Court Law, relating to probation officers in counties of the ninth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 27, 1933.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 1518—An act to amend section 5 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof" which became a law under constitutional provision without the Governor's approval (February 25, 1901), relating to the issuance of municipal improvement bonds.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also.

SENATE CHAMBER, SACRAMENTO, March 27, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 44—An act to add a new section to be numbered 9a9, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems, approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the ninth class;

Also: Assembly Bill No. 606—An act to confirm and validate the boundaries of school districts, high school districts and junior college districts of every kind and class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Morgan: Assembly Bill No. 2343—An act to add a new section to the Penal Code, to be numbered 537f, relating to the sale and offering for sale of rebuilt storage batteries.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Utt: Assembly Bill No. 2344—An act making an appropriation to pay the claim of the Chief Accounting Officer of the Department of Finance against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

DAILY CALENDAR.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new article thereto to be numbered XIVa, relating to the control, development and utilization of the water resources in the State.

Assembly Constitutional Amendment No. 18 read.

The question being on the adoption of Assembly Constitutional Amendment No. 18.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At eleven o'clock and fifteen minutes a.m., Hon. F C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

The roll was called, and Assembly Constitutional Amendment No. 18 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lvon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Mecker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson and Wright—68

NOES—Brock, Crowley, Frazier, Kallam and O'Donnell—5.

Title read and approved.

Assembly Constitutional Amendment No. 18 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 18.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new article thereto to be numbered XIVa, relating to the control, development and utilization of the water resources in the State

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the second day of January, 1933, two-thirds of all the members elected to each of the two houses voting in favor thereof, hereby, proposes to the people of the State of California, an amendment to the Constitution of this State by adding a new article to be numbered XIVa, to read as follows:

ARTICLE XIVa.

Section 1. In addition to any and all powers otherwise held by it under this Constitution, and not in limitation or derogation thereof, the Legislature has power to enact such laws as it deems necessary or proper:

(a) To provide by general law, and subject to all the provisions of this article

1. For determining the flow of water in any stream or stream system:

2. For determining rights or claims to the use of water in or from any stream or stream system;

3. For determining the quantity or extent of water which can be taken from any stream or stream system for the purposes herein authorized.

(b) To provide for the acquisition, conservation, development, utilization, control, storage, transportation, and distribution by this State, independently of or in conjunction with any State agency, or with the government of the United States, any other State or foreign country, or with any department or agency of any thereof, or with any person, firm or corporation, of water and water resources, including electric energy, and for the doing by this State of any and all things necessary or proper in the making and carrying out of any plans therefor;

(c) To lend or to authorize the lending of the credit of the State in aid of any State agency for the payment of the indebtedness of any State agency incurred in the acquisition, ownership, and utilization of water or in the construction, acquisition, ownership, and operation of works for the conservation, development, control, storage, distribution or use of water by such State agency. Such legislation shall provide therein the terms and conditions under which the credit of the State shall be loaned or authorized to be loaned, and must provide for thorough investigation and determination of the ability of such State agency to repay all of such indebtedness, and must further provide for the determination by an authorized officer or official body of the State that there is adequate security against default being made by such State agency in the payment of said indebtedness; any indebtedness for which the credit of the State is loaned hereunder shall be payable within not more than seventy years from the date of the creation of such indebtedness.

(d) To provide that in actions in eminent domain brought by the State or by a State agency in carrying out any project authorized by this article, or legislation enacted pursuant thereto, the State or State agency may take immediate possession and use of any property required for such project upon giving such adequate security in money as the court in which the proceeding is pending may direct and in such amount as the court may determine to be reasonably adequate to secure to the owner of the property sought to be taken immediate payment of just compensation for the taking and any damage incident thereto as soon as the same can be ascertained according to law;

(e) To provide that in actions in eminent domain brought by the State or any State agency to acquire water or the right to the use of water, any benefits which the owner of such water or right to the use of water may gain, or which may accrue to property of such owner not sought to be taken, through the construction and operation of the public works for the use of which said water or right to the use of water is sought, may be evaluated and offset against the compensation payable upon such taking.

Sec. 2. In the construction and operation by the State of California of any project for water conservation, development or distribution under the provisions of this article or any legislation enacted pursuant thereto, the State shall preserve to and in any watershed or area wherein water originates, and in and to all areas immediately adjacent thereto, and which can be conveniently supplied with water therefrom, a supply of water adequate for the needs of such watersheds or areas, and the right of such watersheds or areas or any of the inhabitants or property owners therein to such supply shall never be lost by reason of any transfer by this State of any water therefrom into any other area or watershed; provided, that the provisions of this section shall not require this State to furnish any water which it shall have made available by the construction of any works, free of charge to any State agency, water user or consumer.

In the construction and operation by the State of California of any project for water conservation, development or distribution under the provisions of this article or any legislation enacted pursuant thereto, no exchange of the waters of any watershed or area for the waters of any other watershed or area may be made by the State unless the water requirements of the watershed or area wherein such exchange is made are first and at all times met and satisfied to the extent that such requirements would have been met were the exchange not made, and no right to the use of water shall be gained or lost by reason of any such exchange thereof.

Sec. 3. In carrying out the provisions of this article and any legislation enacted pursuant thereto, no project, except as otherwise herein provided, shall be constructed by the State of California, nor shall the State obligate itself to pay the cost of the construction of any such project, until and unless contracts have been first made with this State for the sale of water, the use of water, water storage, electricity or electric power to be made available by such project, which contracts shall be sufficient to provide for the repayment to this State, within not more than seventy years from the beginning of construction, of all moneys expended by this State, or for which this State has obligated itself for the construction of such project, together with interest thereon at the rate to be paid by the State upon any indebtedness or obligation incurred or assumed by it for the said project, and together with all expense of operating and maintaining such project, and making necessary replacements thereto Cost of construction of any project shall include interest during construction period. Payment to the State on contracts shall be made at least annually and such payments shall commence not later than three years after completion of construction Nothing herein requires the repayment to

this State of moneys appropriated by the Legislature to be expended by or for it for flood control or improvement or navigation.

Sec. 4. The State has power, and it is mandatory upon the Legislature, to provide for the levy and collection of an ad valorem tax upon all property subject to taxation or assessment within the exterior boundaries of any State agency including the classes of property enumerated in sections 14, 15, 16, and 18 of Article XIII of this Constitution, excluding property exempted from all taxation by this Constitution, but including all property sold or deeded to the State or any State agency for delinquent taxes or assessments, or in which the State or any State agency has acquired an interest by reason of any taxes or assessments levied upon such property, in the event of a default by such State agency in the payment of any indebtedness for which it is liable and for which the credit of the State has been loaned, or in the payment of any amounts provided to be paid to the State under any contract for the purchase, use or storage of water or the purchase or use of electricity or electric power. Such tax shall in all cases be sufficient to reimburse the State or to prevent loss to the State by reason of such default of a State agency and to pay the costs of collection. Such tax shall in all cases be levied at the time of the next general tax levy following such default. The lien of such tax shall be paramount and superior to all special assessments and to all taxes levied for any purpose.

Sec. 5. Nothing in this article authorizes the creation of debts or liabilities of the State, contingent or otherwise, contrary to the provisions of section 1 of Article XVI of this Constitution, except that the Legislature may include such projects as it may deem necessary in one act.

Sec. 6. In any action brought by the State of California to acquire by eminent domain from any State agency or mutual water company, any water or right to the use of water, choate or inchoate, or any facilities for the storage of water, such State agency or mutual water company shall have the right and option to be compensated in money for the property so taken, or to require and have it adjudged that in lieu of such compensation in money, the State of California shall replace the water so taken with other water of equivalent quality and quantity at times and places of delivery and at costs as favorable as would have existed but for such taking, or in lieu of the facilities so taken other facilities of equal advantage.

Sec. 7. For the purposes of this article, the phrase "State agency" means and includes any county, city and county, municipality, or other public corporation or public district.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and fifty-five minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

UNFINISHED BUSINESS.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Scudder moved that the vote whereby Assembly Bill No. 330 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anglim, Bowers, Boyle, Burns, Callahan, Cassidy, Cottrell, Crist, Cronin, Dempster, Evans, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, James A., Nielsen, Peterson, Rawls, Redwine, Rogers, Roland, Scudder, Sullivan, Turner, West and Williamson—45.

NOES—Alter, Badham, Bliss, Brock, Clowdsley, Cobb, Frazier, Kallam, Mayo, Meeker, Miller, Eleanor; O'Donnell, Patterson, Phillips, Powers, Riley, Robinson, C. Ray; Robinson, Samuel E., Ross, Stannard, Stream, Thorp, Tournoux, Wright, Zion and Mr. Speaker—26.

The Speaker ordered Assembly Bill No. 330 replaced on daily calendar.

RECESS.

At twelve o'clock and twenty minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Bernard reading.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2337—An act giving the Insurance Commissioner power to limit payments or loans of funds of life insurance companies and to generally regulate such companies for the protection of policyholders during periods of extraordinary economic and financial conditions, defining the term "life insurance companies" as used herein, reciting the establishment of similar control and limitations in other States, and declaring the urgency thereof and that the same shall take effect immediately—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crist asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Assembly Bill No. 2337, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED THIRTY-SEVEN

Assembly Bill No. 2337—An act giving the Insurance Commissioner power to limit payments or loans of funds of life insurance companies and to generally regulate such companies for the protection of policyholders during periods of extraordinary economic and financial conditions, defining the term "life insurance companies" as used herein, reciting the establishment of similar control and limitations in other States, and declaring the urgency thereof and that the same shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

MOTION.

Mr. Hallner moved that further consideration of Assembly Bill No. 2337 be deferred until the next legislative day.

The question being on the motion to defer action on Assembly Bill No. 2337 until the next legislative day.

Motion lost.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hoffman, Knowland, Latham, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Phillips, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—55.

NOES—Boyle, Burns, Callahan, Cassidy, Dempster, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Mayo, McBride, McCarthy, O'Connor, O'Donnell, Patterson, Powers, Riley, Stannard and Tournoux—22.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED THIRTY-SEVEN.

Assembly Bill No. 2337—An act giving the Insurance Commissioner power to limit payments or loans of funds of life insurance companies and to generally regulate such companies for the protection of policyholders during periods of extraordinary economic and financial conditions, defining the term "life insurance companies" as used herein, reciting the establishment of similar control and limitations in other States, and declaring the urgency thereof and that the same shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Crist moved a call of the House.

Motion carried.

Time, three o'clock and fifty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—77.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933.

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No 28—An act to amend section 627 of the Penal Code, relating to trespass—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered replaced on daily calendar.

Also:

MR. SPEAKER Your Committee on Rules, to which was referred Assembly Bill No. 15—An act to add a new section to the Fish and Game Code, to be numbered 791.5, relating to crabs;

Also: Assembly Bill No. 1560—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance

with the provisions of the Veterans' Farm and Home Purchase Act, approved May 30, 1921, and of any and all acts amendatory thereof or supplemental thereto; creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1934;

Also: Assembly Bill No. 1761—An act to amend section 250 of the Fish and Game Code, relating to clam preserves;

Also: Assembly Bill No. 1769—An act to amend section 730 of the Fish and Game Code, relating to halibut;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered replaced on daily calendar.

Also:

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No 313—An act to amend sections 8 and 17 of the State Medical Practice Act, relating to certificates licensing the practice of medicine, drugless healing, and chiropody, and to penalties for violation of the provisions of the act;

Also: Assembly Bill No 676—An act to amend section 1861a of the Civil Code, relating to liens of lessors of real property;

Also: Assembly Bill No. 1352—An act to regulate contracts on behalf of the State in relation to the construction, repair, or improvement of any State structure, building, road, or other State improvement of any kind and to repeal an act entitled, "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any State structure, building, road, or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909;

Also: Assembly Bill No. 1729—An act to amend sections 32 and 34 of the Joint Highway District Act, approved June 17, 1931;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 250—An act to amend sections 692, 693, 694, 695 and 696 of the Fish and Game Code, relating to striped bass;

Also: Assembly Bill No. 374—An act to provide for the construction and supervision of safe and sanitary low-cost dwellings and apartments, and for the rental or sale thereof at reasonable rates, and in connection therewith to authorize the incorporation and provide for the regulation of limited dividend housing corporations and prescribe the powers, rights and duties thereof; to regulate and limit the rate of return on securities to be issued by such corporations; to declare the urgency of this act and provide that it shall take effect immediately;

Also: Assembly Bill No. 501—An act to amend section 19a of "The California Irrigation District Act," relating to officers of irrigation districts;

Also: Assembly Bill No. 666—An act to regulate the transportation, care and handling of explosives;

Also: Assembly Bill No. 669—An act to amend sections 4130 and 4300c of the Political Code, relating to county recorders;

Also: Assembly Bill No. 767—An act to add a new section to the "Fair Trade Act" to be numbered 1½, relating to unfair competition;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 769—An act to add section 1c to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair trade practice;

Also: Assembly Bill No. 770—An act to add section 1a to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair competition;

Also: Assembly Bill No. 1021—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to occupations to which the act applies;

Also: Assembly Bill No. 1400—An act to add a new section to the Public Utilities Act, to be numbered 50½, relating to the punishment of passenger stage corporations;

Also: Assembly Bill No. 2281—An act to add section 41a to the Public Utilities Act, relating to telephone companies and the installation of telephone meters,

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 640—An act to amend section 1261 of the Political Code, relating to election supplies and records,

Also, Assembly Bill No. 641—An act to amend section 1265 of the Political Code, relating to the disposal of election supplies and records,

Also: Assembly Bill No. 642—An act to repeal section 1267 of the Political Code, relating to delivery of election returns by clerk of supervisors;

Also Assembly Bill No. 643—An act to repeal section 1264a of the Political Code, relating to roster of voters;

Also: Assembly Bill No. 644—An act to repeal section 1266 of the Political Code, relating to destruction of ballots;

Also, Assembly Bill No 645—An act to repeal section 1268 of the Political Code, relating to copy of register;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ALTER, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933.

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1138—An act to amend the Political Code by adding to Part IV, Title II, Chapter VIII of said code a new article to be numbered Article III, embracing sections 4222a to 4222f, inclusive, amending section 2641 and repealing sections 2642, 2645 and 4222 of said code, thereby creating the office of county engineer, transferring to the county engineer all the powers and duties of the county surveyor and the powers and duties of other officers and employees of the county with respect to county roads, highways and bridges, and vesting in the county engineer

additional powers and duties with respect to construction, improvement, maintenance and repair of county roads, highways and bridges, and to repeal the County Engineer Act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1364—An act to permit the State Treasurer to accept a donation for the retirement of the California Olympiad bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COBB, Chairman

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1863—An act to repeal sections 1121 to 1124, inclusive, and sections 1131 to 1133, inclusive, of the Agricultural Code, relating to the storage of eggs—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 177—An act to amend sections 822, 824, 829, and 1269a of the Penal Code and to add a new section thereto to be numbered section 815a, relating to bail in criminal cases;

Also: Assembly Bill No. 558—An act to amend section 3422 of the Civil Code, relating to injunctions;

Also: Assembly Bill No. 559—An act to amend section 526 of the Code of Civil Procedure, relating to injunctions;

Also: Assembly Bill No. 560—An act to amend sections 281 and 1209 of the Code of Civil Procedure, relating to contempt of court;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 557—An act to amend section 367 of the Code of Civil Procedure and to add a new section, numbered 367a, to said code, relating to parties in certain civil actions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933.

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 300—An act to amend section 4041.11 of the Political Code, relating to the maintenance, regulation and government of public pounds, the protection of sheep, the destruction of animals, weeds and insects in urious to plant life and the protection of fish and game—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

EVANS, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 677—An act to amend section 537 of the Penal Code, relating to defrauding proprietors of hotels, inns, restaurants, boarding houses, lodging houses, apartment houses, or bungalow courts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1002—An act regulating the practice of architecture, structural engineering, civil engineering, and land surveying by officers, or employees, of the State of California, or of any county, city and county, city, town, school district, road district, bridge district, sanitary district, water district, irrigation district, drainage district, levee district, reclamation district, utility district, or other improvement district of any kind, thereof, or any other political subdivision thereof, or of any public corporation thereof which has the right to levy taxes, or assessments which may be collected as taxes, or of any public corporation thereof whose revenue is derived either in whole or in part from public funds which have been collected as taxes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 925—An act to amend section 400 of the Political Code, relating to fees of the Secretary of State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 317—An act to amend sections 1, 5, 10, 11 and 15 of, and to add new sections to be numbered 10a to 10g, inclusive, to "An act to regulate the sale, possession, distribution and use of habit forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929;

Also: Assembly Bill No. 318—An act to amend sections 1, 6, 7, 8a, 8c, 8d, 8e, 8f, 8g, 8½, and 9, to repeal sections 8 and 8b, and to add new sections to be numbered 7a, 8 and 8b, to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907,

Also: Assembly Bill No. 2318—An act to amend sections 4, 5, 6, 7, 9, 11, and to add a new section numbered 17 to Chapter 598, Statutes 1913, entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the Board of Optometry and to the regulation of the practice of optometry and relating to the constitutionality of said act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

CRONIN, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 313—An act to amend sections 8 and 17 of the State Medical Practice Act, relating to certificates licensing the practice of medicine, drugless healing, and chiropody, and to penalties for violation of the provisions of the

act—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

CRONIN, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1729—An act to amend sections 32 and 34 of the Joint Highway District Act, approved June 17, 1931—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GREENE, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1933.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1352—An act to regulate contracts on behalf of the State in relation to the construction, repair, or improvement of any State structure, building, road, or other State improvement of any kind and to repeal an act entitled, "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any State structure, building, road, or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,' " approved March 22, 1909—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

COBB, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1933.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 676—An act to amend section 1861a of the Civil Code, relating to liens of lessors of real property—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933.

MR. SPEAKER: Your Committee on Banking, to which was referred Senate Bill No. 491—An act to amend section 29 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," relating to the definition and regulation of the business of banking —has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WILLIAMSON, Chairman.

The above reported bill ordered on file for second reading

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933.

MR SPEAKER: Your Committee on Elections, to which was referred Senate Bill No. 636—An act to amend section 4 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, as amended, relating to consolidation of elections—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ALTER, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 502—An act to repeal an act entitled "An act establishing the emergency permanent improvement fund and relating to the deposits of moneys therein and withdrawals therefrom" approved May 20, 1929, to transfer the moneys

in the emergency permanent improvement fund to the general fund and to declare that this act shall take effect immediately;

Also. Senate Bill No. 886—An act transferring from the appropriation contained in Chapter 400, Statutes of 1931, to the general fund an amount equal to the State's contributions to the State employees' retirement fund for employees of the California Toll Bridge Authority, declaring the urgency thereof and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman

The above reported bills ordered on file for second reading

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933.

MR. SPEAKER: Your Committee on Conservation, to which was referred Senate Bill No. 64—An act to amend section 384a of the Penal Code, relating to the protection of native trees, shrubs, ferns, herbs, bulbs, cacti and flowers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

EVANS, Chairman

The above reported bill ordered on file for second reading

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No 833—An act validating the formation, organization, reorganization and existence of joint highway districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GREENE, Chairman

The above reported bill ordered on file for second reading

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 28, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 19—Requesting and directing the State Board of Control to take such steps as are necessary to reduce the number of State-owned motor vehicles now in use, to prevent the use of State-owned motor vehicles for purposes other than the official business for the State of California and to standardize for State use a less costly type of automobile than is now being used by the State.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Concurrent Resolution No. 19 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, March 28, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 410—An act to amend Sacramento and San Joaquin Drainage District Refunding Act, approved May 26, 1927, as amended, by amending section 2 thereof, relating to the operation and maintenance of certain units of the flood control work within the Sacramento and San Joaquin Drainage District;

Also: Senate Bill No 320—An act to amend the Reclamation Board Act, approved December 24, 1911, as amended, by amending section 14 thereof, relating to assessments and assessment lists of the Sacramento and San Joaquin Drainage District and providing when public officers shall not be entitled to fees, section 36 thereof, relating to reapportionment of assessments on subdivided lands, and section 37a thereof, relating to the application of moneys released, reimbursed, or appropriated under and pursuant to Chapter 176, California Statutes of 1925, and the War Department Appropriations Act of Congress of the United States for the fiscal year ending June 30, 1930, being Public Law No. 843, 70th Congress, approved February 28, 1929;

Also: Senate Bill No. 321—An act to amend an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin Drainage District based upon assessments levied by the Reclamation Board upon lands in said district," approved May 27, 1919, as amended, by amending section 29 thereof, relating

to the maturity, calling and redemption of bonds of said district, section 42 thereof, relating to the calling of installments to pay interest and principal on such bonds and to provide a sinking fund, section 50 thereof, relating to the redemption of delinquent assessments and to deeds by the Reclamation Board where lands have not been redeemed and section 52 thereof, relating to the investment of surplus moneys in the bond fund and to the cancellation of bonds purchased with such moneys;

Also Senate Bill No. 557—An act to amend section 3 of "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended;

Also: Senate Bill No. 342—An act to amend section 1030 of the Political Code, relating to office hours.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 410, 320 and 321 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bills Nos. 557 and 342 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, March 28, 1933.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 271—An act to amend section 903 of the Penal Code, relating to grand jurors—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 28, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1380—An act to amend section 429 of the Civil Code, relating to the funds from which corporations formed under the laws of this State having a capital stock and transacting fire, marine or inland navigation insurance business may make dividends;

Also: Assembly Bill No. 924—An act to amend the title and section 2 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917, as amended;

Also: Assembly Bill No. 1011—An act to amend sections 2 and 5 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the office of State Fire Marshal;

Also: Assembly Bill No. 1367—An act to amend section 43¼ of the Workmen's Compensation, Insurance and Safety Act, relating to the revolving fund of the State compensation insurance fund;

Also: Assembly Bill No. 1690—An act to add section 32 to the Land Settlement Act, ratifying and confirming the execution of a certain agreement between the Federal Land Bank of Berkeley, the Delhi National Farm Loan Association and the State of California, relating to the transfer of properties at the Delhi State Land Settlement to the Federal Land Bank at Berkeley, and the satisfaction of certain obligations of the State of California which said agreement was executed subject to the confirmation and ratification of the Legislature of the State of California.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

COMMUNICATIONS.

The following communication was received and read:

SACRAMENTO, March 28, 1933.

Mr. Speaker and Members of the Assembly.

I desire at this time to express to you and the members of the Assembly of the State of California, the sincere thanks and appreciation of Mrs. McMurray and myself, and the immediate members of our family, for the kindness extended to us

during the past week, due to the death of my beloved brother, Mr. John F. McMurray.

The thoughtfulness of the members of the Assembly in adjourning out of respect to the memory of one of my nearest kin, and the letters we received from the members of this body, will go down in our memory as one of the nicest gestures on the part of friends in our hours of bereavement.

Again thanking you, I remain

Very sincerely yours, P. J. McMURRAY.

DAILY CALENDAR.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 539—An act to amend sections 2167, 2167a, 2169, 2172, and 2175 of, to repeal sections 2168, 2170, 2171, and 2185c of, and to add new sections numbered 2168, 2171, and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 539 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McCarthy, Meehan, Miller, James A., Rawls, Redwine, Roberts, Robinson, Samuel E., Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—51.

NOES—Cassidy, Chatters, Cottrell, Gilmore, Hatch, King, Mayo, McBride, McMurray, Meeker, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Riley, Rogers, Ross, Stannard, Turner and West—21.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2007—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS

During reading of the bill, the following amendments were submitted by Mr. Grubbs:

AMENDMENT NUMBER ONE

On page 2 of the printed bill, strike out lines 10 and 11, and insert in lieu thereof the following: "at the last preceding general election. When the Assemblyman or Assemblywoman shall submit a list of names of persons affiliated with the various political parties to serve as election officers in his or her Assembly district, at".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out line 15, and insert in lieu thereof the following: "Assemblyman or Assemblywoman shall fail to submit".

Amendments refused adoption.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Hallner:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following.

"An act to amend sections 1115 and 1142 of the Political Code, relating to the index to registration books and boards of election."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. Section 1115 of the Political Code is hereby amended to read as follows:

1115. Within ten days after the binding of said books by precincts the county clerk or registrar of voters shall prepare an index of each book, for county or city and county elections, said index to contain the names, addresses and political party as they appear in said books, and also a ruled space, in front of the name of the elector, within which to write the word "voted" for each elector who votes. Such names shall include Christian or given names, the middle name or initial, if any; and, if the name be that of a woman, the Christian name shall be preceded by the designation of "Miss" or "Mrs." as the case may be. The county clerk or registrar of voters shall have at least forty copies of said index printed for the use of said county, and he shall at the same time also have printed and shall furnish to the municipalities within said county, such additional number of copies thereof, not exceeding twenty, as the governing body of such municipalities shall by resolution require The county clerk or registrar of voters shall furnish upon wirtten or oral demand of every candidate, who is to be voted for in said county, city, or city and county or any political subdivision of said county, city, or city and county, or upon written demand of his campaign committee, one copy of a printed index of the registration, for such primary and general elections in which said candidate will participate, at a cost of fifty cents per thousand names. All such moneys collected shall be deposited in the county treasury, to the credit of the general fund. The number of copies of said index necessary to be printed shall apply only to the index prepared for use at general elections. In counties where indexes are prepared for primary elections, a smaller number of such indexes may be printed. The county clerk or registrar of voters shall have bound together in one or more volumes, a general index of said books arranged alphabetically by precincts, and shall keep at least one copy of said general index in his office for public reference. The county clerk or registrar of voters shall furnish, free of charge, to the chairman of each county central committee, in said county, ten copies of said general index. He shall also transmit one copy of said general index to the State Librarian at Sacramento

SEC 2. Section 1142 of the Political Code is hereby".

Amendments read

MOTION TO RE-REFER.

Mr. Hallner moved that Assembly Bill No. 2007, and amendments be withdrawn from the file, and ordered re-referred to Committee on Elections.

The question being on re-referring Assembly Bill No. 2007 and amendments to Committee on Elections.

Motion carried.

Assembly Bill No. 2007 ordered re-referred to Committee on Elections.

Assembly Bill No. 511—An act to add two new sections to the Penal Code to be numbered 969c and 1158a, relating to defendants armed with weapons at the time of the commission of the offense or at the time of arrest and providing a procedure for charging that defendants were so armed and for determining the truth of the charge.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Hoffman moved that Assembly Bill No. 511 be withdrawn from the file, and ordered re-referred to Committee on Crime Problems.

The question being on re-referring Assembly Bill No 511 to Committee on Crime Problems.

Motion carried.

Assembly Bill No 511 ordered re-referred to Committee on Crime Problems.

Assembly Bill No. 893—An act to provide for instruction in mining safety by the Department of Natural Resources.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 893 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 873—An act to amend section 1182 of the Penal Code, and to add a new section thereto, to be numbered 1183, relating to new trials.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 873 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1408—An act to amend section 16 of an act entitled "An act to provide for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1408 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—62.

NOES—Jones, O'Connor, O'Donnell, Rogers and Stannard—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1411—An act to amend section 10 of the "Street Improvement Act of 1913," relating to street improvements.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1411 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch,

Hoffman, Hunt, Kallam, King, Latham, Levey, Lyon, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—66.

NOES—Rogers and Stannard—2.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At five o'clock p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Crist.

The roll of absentees was called, and Assembly Bill No. 2337 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hoffman, Knowland, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Phillips, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stream, Sullivan, Thorp, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—55.

NOES—Boyle, Burns, Callahan, Cassidy, Frazier, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Latham, Mayo, McBride, McCarthy, O'Connor, O'Donnell, Peterson, Powers, Riley, Rogers, Stannard, Tournoux and Turner—25.

Title read and approved.

Bill ordered transmitted to the Senate.

EXPLANATION OF VOTE

I am unable to vote for Assembly Bill No. 2337 due to the fact that Mr. Crist would not accept my amendments to place insurance companies' payments on a pro rate basis.

J. E. FRAZIER.

Assembly Bill No. 674—An act to establish the Vehicle Code and thereby to consolidate and revise the law relating to traffic on streets and highways and the registration, identification, operation, driving, use, ownership, transfer, theft, embezzlement, destruction, molestation, unlawful entering and taking and driving, equipment, size, weight, loading and wrecking of vehicles used upon streets and highways and liens and mortgages on such vehicles and the licensing and regulation of drivers of such vehicles and the civil liability of persons signing license applications of minors and the conduct and records of persons dealing with such vehicles and the civil liability arising from the ownership, maintenance, use and operation of such vehicles and the financial responsibility of owners and operators of such vehicles and crimes connected with the use of such vehicles and the parties, procedure, presumptions, evidence and reports in relation to such crimes and the creation, organization, powers, duties, jurisdiction and maintenance of the Department of Motor Vehicles and its divisions in connection therewith and the collection, disposition and use of fees, fines and forfeitures in relation thereto and the limitations on the powers of local authorities over the aforesaid subject and to repeal certain specified provisions of law germane to the aforesaid subject.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Hornblower moved that Assembly Bill No. 674 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 674 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 674 ordered re-referred to Committee on Ways and Means

REQUEST FOR UNANIMOUS CONSENT

Mr. Roberts asked for, and was granted, unanimous consent to have the rules suspended for the purpose of having the amendments to Assembly Bill No 459 adopted, at this time

Assembly Bill No. 459—An act to amend the title and sections 1, 2, 3, 3a, 5, 6, 7, 8, 10, 13, 14, 15, 21, 22, 23, 24, 27 and 28 of an act entitled "An act regulating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State board therefor, providing penalties for violation thereof, and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof,' approved April 16, 1915, as amended." approved April 20, 1929, relating to and regulating funeral directors, embalmers and embalmers' apprentices

AMENDMENT NUMBER ONE.

On page 3, line 51, of the printed bill, after the word "application", insert the following: "for registration as an embalmer's apprentice.".

AMENDMENT NUMBER TWO.

On page 4 line 8, of the printed bill, after the word "and", insert the word "be"

AMENDMENT NUMBER THREE

On page 4, line 33, of the printed bill, after the word "semiannually", insert the following: "on January 15 and July 15.".

AMENDMENT NUMBER FOUR.

On page 4, line 35, of the printed bill, after the word "the", insert the word "semiannual".

AMENDMENT NUMBER FIVE.

On page 4, line 35, of the printed bill, after the word "period", insert the following: "preceding the first of the month on which".

AMENDMENT NUMBER SIX.

On page 4, line 35, of the printed bill, strike out the words "covered by".

AMENDMENT NUMBER SEVEN.

On page 4, line 35, of the printed bill, after the word "report", insert the following: "is made,".

AMENDMENT NUMBER EIGHT.

On page 4, line 46, of the printed bill, after the word "apprentice", insert the following: "upon his apprenticeship".

AMENDMENT NUMBER NINE.

On page 5, line 8, of the printed bill, after the word "absence", insert the following: "or extension thereof".

AMENDMENT NUMBER TEN.

On page 5, line 17, of the printed bill, insert a new paragraph to read as follows: "2 Failure to make any semiannual report to the board as required hereunder,".

AMENDMENT NUMBER ELEVEN.

On page 5, line 17, of the printed bill, strike out the figure "2", and insert in lieu thereof the figure "3".

AMENDMENT NUMBER TWELVE.

On page 5, line 20, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "4".

AMENDMENT NUMBER THIRTEEN.

On page 5, line 21, of the printed bill, strike out the figure "4", and insert in lieu thereof the figure "5".

AMENDMENT NUMBER FOURTEEN.

On page 5, line 23, of the printed bill, strike out the figure "5", and insert in lieu thereof the figure "6".

AMENDMENT NUMBER FIFTEEN.

On page 5, line 25, of the printed bill, insert a new paragraph to read as follows:
"7. Violation of any provision of this act or any rule or regulation of the board is made hereunder;".

AMENDMENT NUMBER SIXTEEN.

On page 5, line 25, of the printed bill, strike out the figure "6", and insert in lieu thereof the figure "8".

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 27, of the printed bill, strike out the figure "7", and insert in lieu thereof the figure "9".

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 29, of the printed bill, strike out the figure "8", and insert in lieu thereof the figure "10".

AMENDMENT NUMBER NINETEEN.

On page 6, line 9, of the printed bill, after the word "Inc.", insert a semicolon and add the following: "provided that a funeral director who secured a license prior to January 1, 1930, and who ever since said date has been continuously engaged as a funeral director, may be given a special examination by the board to determine his qualifications as an embalmer, and upon passing such examination may receive an embalmer's license without further compliance with the provisions of this section"

AMENDMENT NUMBER TWENTY.

On page 7, line 35, of the printed bill, strike out the word "applicant", as it appears before the words "must specify", and insert in lieu thereof the word "application".

AMENDMENT NUMBER TWENTY-ONE

On page 8, line 29, of the printed bill, after the word "act", insert a new paragraph to read as follows:
"In case of the death of a licensed funeral director who leaves an established business, as in this act defined, as part or all of the assets of his estate, the board may issue to the legal representative of such deceased funeral director, provided such legal representative is of good character and is either himself a licensed embalmer or has and will during the administration of said estate continue to have in his employment a regularly licensed embalmer of this State, a special temporary license as a funeral director for the duration of the administration of such estate, but in no case to exceed two years; provided that the fees for issuance and renewal of such special temporary license and the time for payment thereof shall be the same as those required for regular licenses issued by said board."

AMENDMENT NUMBER TWENTY-TWO.

On page 9, line 39, of the printed bill, after the word "revocation", strike out the period, and insert the following ", and no city or county authority shall issue any permit or license to any funeral director or embalmer notice of the lapse or suspension or revocation of whose license has been so given to such board of health, until such board shall be notified of the reinstatement of such funeral director or embalmer."

AMENDMENT NUMBER TWENTY-THREE.

On page 10, line 47, of the printed bill, after the word "impending;", insert the following: "provided this shall not be deemed to prohibit general advertising;"

AMENDMENT NUMBER TWENTY-FOUR.

On page 11, line 6, of the printed bill, strike out the entire line.

AMENDMENT NUMBER TWENTY-FIVE.

On page 11, line 7, of the printed bill, strike out the entire line

AMENDMENT NUMBER TWENTY-SIX.

On page 11, line 8, of the printed bill, strike out the entire line

AMENDMENT NUMBER TWENTY-SEVEN.

On page 11, line 9, of the printed bill, strike out the entire line.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 11, line 10, of the printed bill, strike out the letter "g", and insert in lieu thereof the letter "f".

AMENDMENT NUMBER TWENTY-NINE.

On page 11, line 20, of the printed bill, strike out the letter "h", and insert in lieu thereof the letter "g".

AMENDMENT NUMBER THIRTY.

On page 11, line 21, of the printed bill, strike out the letter "i", and insert in lieu thereof the letter "h".

AMENDMENT NUMBER THIRTY-ONE.

On page 11, line 23, of the printed bill, strike out the letter "j", and insert in lieu thereof the letter "i".

AMENDMENT NUMBER THIRTY-TWO.

On page 11, line 27, of the printed bill, strike out the letter "k", and insert in lieu thereof the letter "j".

AMENDMENT NUMBER THIRTY-THREE.

On page 11, line 31, of the printed bill, strike out the letter "l", and insert in lieu thereof the letter "k".

AMENDMENT NUMBER THIRTY-FOUR.

On page 11, line 34, of the printed bill, strike out the letter "m", and insert in lieu thereof the letter "l".

AMENDMENT NUMBER THIRTY-FIVE.

On page 11, line 36, of the printed bill, strike out the letter "n", and insert in lieu thereof the letter "m".

AMENDMENT NUMBER THIRTY-SIX

On page 11, line 39, of the printed bill, strike out the letter "o", and insert in lieu thereof the letter "n".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 11, line 40, of the printed bill, strike out the letter "p", and insert in lieu thereof the letter "o".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 12, line 8, of the printed bill, after the word "or", and preceding the words "the agent", insert the word "to".

AMENDMENT NUMBER THIRTY-NINE.

On page 3, line 16, of the printed bill, strike out the word "case", to the end of the line, and insert in lieu thereof the word "cases".

AMENDMENT NUMBER FORTY.

On page 3, line 17, of the printed bill, strike out the words "served, such suitability to be determined by the board."

AMENDMENT NUMBER FORTY-ONE.

On page 7, line 19, of the printed bill, after the comma, strike out the rest of the line.

AMENDMENT NUMBER FORTY-TWO.

On page 7, line 20, of the printed bill, strike out the entire line.

AMENDMENT NUMBER FORTY-THREE.

On page 7, line 21, of the printed bill, strike out up to and including the word "establishment,".

AMENDMENT NUMBER FORTY-FOUR

On page 8, line 2, of the printed bill, after the word "dollars," strike out the rest of the line, and insert in lieu thereof a period.

AMENDMENT NUMBER FORTY-FIVE.

On page 8 of the printed bill, strike out lines 3 to 14, inclusive.

AMENDMENT NUMBER FORTY-SIX.

On page 8, line 25, of the printed bill, strike out the word "may", and insert in lieu thereof the word "shall".

AMENDMENT NUMBER FORTY-SEVEN.

On page 12, line 16, of the printed bill, after the word "shall", insert the following: "and each thereof shall".

AMENDMENT NUMBER FORTY-EIGHT.

On page 12, line 22, of the printed bill, strike out the words "treasurer of".

AMENDMENT NUMBER FORTY-NINE

On page 12, line 24, of the printed bill, after the word "to", insert the word "the"

AMENDMENT NUMBER FIFTY.

On page 7, line 16, of the printed bill, after the word "board", strike out the period, and insert in lieu thereof the following: "and filed at its Sacramento, San Francisco or Los Angeles office."

AMENDMENT NUMBER FIFTY-ONE.

On page 7, line 18, of the printed bill, strike out the words "general manager or", and insert in lieu thereof the word "other".

AMENDMENT NUMBER FIFTY-TWO.

On page 7, line 19, of the printed bill, strike out the word "corresponding"

AMENDMENT NUMBER FIFTY-THREE

On page 7, line 24, of the printed bill, strike out the word "administrative".

AMENDMENT NUMBER FIFTY-FOUR.

On page 7, line 25, of the printed bill, strike out the word "head".

AMENDMENT NUMBER FIFTY-FIVE

On page 7, line 24, of the printed bill, after the word "or", insert the word "such".

AMENDMENT NUMBER FIFTY-SIX.

On page 7, line 24, of the printed bill, after the word "other", insert the word "officer".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 10, line 52, of the printed bill, strike out the word "whether".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 11, line 1, of the printed bill, strike out the words "in a single instance or more frequently or".

AMENDMENT NUMBER FIFTY-NINE.

On page 11, line 2, of the printed bill, strike out the words "or otherwise".

AMENDMENT NUMBER SIXTY

On page 11 of the printed bill, strike out all of lines 14, 15, 16, 17, 18 and 19

AMENDMENT NUMBER SIXTY-ONE.

On page 11, line 34, of the printed bill, after the word "act," strike out the rest of the line, and insert in lieu thereof a semicolon.

AMENDMENT NUMBER SIXTY-TWO.

On page 11, line 35, of the printed bill, strike out the entire line.

AMENDMENT NUMBER SIXTY-THREE.

On page 7, line 26, of the printed bill, strike out the word "and", and insert in lieu thereof the word "or".

AMENDMENT NUMBER SIXTY-FOUR

On page 10, line 49, of the printed bill, after the word "other", insert the word "such".

AMENDMENT NUMBER SIXTY-FIVE.

On page 10, line 50, of the printed bill, strike out the words "business for a funeral director or embalmer;", and insert in lieu thereof the following: "funeral directing or embalming business;".

AMENDMENT NUMBER SIXTY-SIX.

On page 9, line 33, of the printed bill, after the word "license", insert the following: "for removal or interment of a dead human body".

AMENDMENT NUMBER SIXTY-SEVEN.

On page 8 of the printed bill, strike out from line 30 to line 52, inclusive, and on page 9 of the printed bill, strike out from line 1 to line 17, inclusive, and insert in section 9 the following "Section 8 of said act is hereby amended to read as follows:

Sec 8. Upon receipt of an application for a license hereunder said board shall cause an investigation to be made as to the character of the applicant, including its officers or members, if the application is by or in behalf of an association, corporation or partnership, and may require such showing as will reasonably prove the good character of the applicant; may subpena witnesses, administer oaths and take testimony with respect to the character of the applicant and, upon proper notice and after proper hearing, shall grant a license if it finds that the applicant is of good character, and that the proposed funeral establishment is or will be constructed and equipped as required by section 3 of this act. The board shall have power to examine into and pass upon the qualifications of the applicant as to char-

acter, ability and experience before passing upon the physical status of the proposed funeral establishment, and, in case the applicant's character, ability and experience have been favorably passed upon, shall instruct the secretary of the board to issue the funeral director's license upon the filing with the board of a favorable report by a board member or an inspector of the board as to the physical status of said proposed funeral establishment.

Every application must be granted or refused within ninety days from the date of the filing of such application or within thirty days after the close of the hearing upon the application, in case a hearing is held."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

MOTION.

On motion of Mr. Meeker, the Chief Clerk was instructed to have 500 copies of Assembly Bill No. 1122 printed.

MOTION.

On motion of Mr. Roberts, the Chief Clerk was instructed to have a rush order placed on printing of Assembly Bill No. 459.

ADJOURNMENT.

At five o'clock and five minutes p m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, March 29, 1933

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, March 29, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. James A. Miller, Mr. and Mrs. Charles Henry Johnstone were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Patterson, Messrs. George N. Cominos and Fred S. McCargar of Salinas were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Knowland, Mrs. Duncan McDuffie of Berkeley and Mrs. Everett J. Brown of Piedmont were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hornblower, Henry H. Livingston of Salinas was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr Maloney, Mrs A. F. Ross, wife of Assemblyman Ross, and their daughter, Katherine, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cronin, Messrs. Joseph Ryan and Harold Gardner of San Francisco were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Miss Eleanor Miller, J W. Morin of Pasadena was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Burns, Mr. John F. Roberts of Eureka was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Robinson, C. Ray, Hon. Fred Stevenot, former member of the Assembly, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. West, W. B. McClard, principal, and Miss Delight Moore, teacher, of the Isleton Union School, and their students were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scudder, E. E. Close, president, and Irvine Carner, instructor, and the students of Close's Modern Commercial College of Santa Rosa were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Feigenbaum, Mr. Hartnick E. B. Sullivan of San Francisco was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. West, Lena B. Everett and Helen G. Johnson, teachers, and the students of the low seventh and eighth grades of Newton Booth School were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgan, Mr. Robert E. Connolly, president, Berkeley Chamber of Commerce, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgan, Charles C. Adams of Berkeley was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From D. Zinninger, Long Beach, California, opposing sales tax.

Also:

By Mr. Speaker.

From Wm. McMahill, Riverside County, opposing Senate Bills Nos. 125, 355, 356, 386 and 387.

Also:

By Mr. Speaker:

From Christian Assembly, San Jose, California, opposing passage of Assembly Bills Nos 486, 1803, 1804, 175, 507 and 1115

FIRST CHRISTIAN ASSEMBLY IN SAN JOSE, CALIFORNIA.
(Signed) GRACE BENSON, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 897—An act to repeal Part I of Division II of the School Code, embracing sections 2 20 to 2.760, inclusive, to repeal Chapters I, II, III and IV of Part II of Division II of said code, embracing sections 2 770 to 2 1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2 10 to 2 281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-A, respectively, embracing sections 2 650 to 2 911, inclusive, to amend sections 4 181, 4 375, 4 771, 4 773, 4 811, 4 812, 4 875, 4 895, 4.896, 4 898, 4.970, 6.470 and 6 471 to 6.477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4 769, 6 470-1 and 6 470-2, and to repeal certain acts, all relating to school districts and junior college districts—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading

Also.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 670—An act to amend section 384 of the Penal Code, relating to fires—and reports that the same has been correctly engrossed

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 28, 1933.

Hon Walter J. Little, Speaker of the Assembly,
State Capitol, Sacramento, California.

DEAR MR SPEAKER: Attached hereto is a copy of part three of the report of the synopsis of the drainage laws of 35 States reporting organized drainage enterprises, together with a chart of the drainage laws for all States of the Union

This document has been forwarded to me for transmission to the Senate and the Assembly by the Honorable W. M. Steuart, Director of the Department of Commerce, Bureau of Census, and appears to be a reprint of part three from Drainage and Agricultural Lands of the United States

This is for the information of the Assembly

Respectfully submitted.

JAMES ROLPH, JR, Governor of California.

Report referred to in the above communication from the Governor, ordered filed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Cottrell:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to repeal an act entitled "An act to create a Board of Harbor Commissioners for the port of San Jose on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees and to appropriate money to carry this act into effect," approved June 14, 1913.

Referred to Committee on Introduction of Bills.

By Mr. Martin:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements.

Referred to Committee on Introduction of Bills.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1172—An act to amend sections 1, 2, 3, 5, 6, 7, 10, 13, 13a, 14 and 16 of Chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, to add thereto a new section to be numbered 19, providing for a short title for said act, and to repeal Chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled, 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On pages 1 and 2 of the printed bill, as amended, strike out all of the title, and insert in lieu thereof the following

"An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the disposition of the receipts thereunder"

AMENDMENT NUMBER TWO.

In the printed bill as amended, strike out all of pages 7, 8, 9, 10, 11, 12 and 13 and lines 1 to 40, inclusive, on page 14, and insert in lieu thereof the following.

"SECTION 1. Section 13 of Chapter 267, Statutes of 1923 as amended, is hereby amended to read as follows:"

AMENDMENT NUMBER THREE.

On page 15, line 20, of the printed bill, as amended, strike out "one-third", and insert in lieu thereof the following: "one-half".

AMENDMENT NUMBER FOUR

On page 15 line 48 of the printed bill, as amended after the word "incorporated", insert the following "or charter".

AMENDMENT NUMBER FIVE

On page 16 of the printed bill, as amended, strike out all of line 50, and insert in lieu thereof the following "An amount equal to one-quarter of one cent per gallon tax on motor vehicle fuel".

AMENDMENT NUMBER SIX.

On page 17, line 21, of the printed bill, as amended, after the word "one", insert the following "incorporated or charter".

AMENDMENT NUMBER SEVEN.

On page 18 of the printed bill, as amended, strike out all of lines 27 to 52, inclusive, and strike out all of pages 19 and 20

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1182—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene, distillate or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for a license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for the violation of this act, and repealing all acts or

parts of acts inconsistent herewith," approved May 30, 1923, relating to expenditure of moneys received hereunder

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1146—An act to amend section 17 of an act entitled the "Joint Highway District Act," relating to construction work.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 640—An act to amend section 1261 of the Political Code, relating to election supplies and records.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 641—An act to amend section 1265 of the Political Code, relating to the disposal of election supplies and records.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 642—An act to repeal section 1267 of the Political Code, relating to delivery of election returns by clerk to supervisors.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 643—An act to repeal section 1264a of the Political Code, relating to roster of voters.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 644—An act to repeal section 1266 of the Political Code, relating to destruction of ballots.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 645—An act to repeal section 1268 of the Political Code, relating to copy of register.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1138—An act to amend the Political Code by adding to Part IV, Title II, Chapter VIII of said code a new article to be numbered Article III, embracing sections 4222a to 4222*l*, inclusive, amending section 2641 and repealing sections 2642, 2645 and 4222 of said code, thereby creating the office of county engineer, transferring to the county engineer all the powers and duties of the county surveyor and the powers and duties of other officers and employees of the county with respect to county roads, highways and bridges, and vesting in the county engineer additional powers and duties with respect to construction, improvement, maintenance and repair of county roads, highways and bridges, and to repeal the County Engineer Act

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1364—An act to permit the State Treasurer to accept a donation for the retirement of the California Olympiad bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1863—An act to repeal sections 1121 to 1124, inclusive, and sections 1131 to 1133, inclusive, of the Agricultural Code, relating to the storage of eggs.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 177—An act to amend sections 822, 824, 829, and 1269a of the Penal Code and to add a new section thereto to be numbered section 815a, relating to bail in criminal cases.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 558—An act to amend section 3422 of the Civil Code, relating to injunctions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 559—An act to amend section 526 of the Code of Civil Procedure, relating to injunctions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 560—An act to amend sections 281 and 1209 of the Code of Civil Procedure, relating to contempt of court.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 557—An act to amend section 367 of the Code of Civil Procedure and to add a new section, numbered 367a, to said code, relating to parties in certain civil actions.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, strike out the word "competent", and insert in lieu thereof the word "lawful".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 300—An act to amend section 4041.11 of the Political Code, relating to the maintenance, regulation and government of public pounds, the protection of sheep, the destruction of animals, weeds and insects injurious to plant life and the protection of fish and game.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 2 to 5, inclusive, of the title of the printed bill, and insert in lieu thereof the following: "to powers and duties of boards of supervisors."

AMENDMENT NUMBER TWO

On page 1, line 15, of the printed bill, after "other", insert the following: "wild".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 677—An act to amend section 537 of the Penal Code, relating to defrauding proprietors of hotels, inns, restaurants, boarding houses, lodging houses, apartment houses, or bungalow courts.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out lines 3 to 19, inclusive, and insert in lieu thereof the following:

"537. Any person who obtains any food or accommodations at an hotel, inn, restaurant, boarding house, lodging house, furnished apartment house, or furnished bungalow court, without paying therefor, with intent to defraud the proprietor or manager thereof, or who obtains credit at an hotel, inn, restaurant, boarding house, lodging house, furnished apartment house, or furnished bungalow court by the use of any false pretense, or who, after obtaining credit, food, accommodations, at an hotel, inn, restaurant, boarding house, lodging house, furnished apartment house or furnished bungalow court, absconds, or surreptitiously, or by force, menace, or threats, removes any part of his baggage therefrom, without paying for his food or accommodations is guilty of a misdemeanor."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1002—An act regulating the practice of architecture, structural engineering, civil engineering, and land surveying by officers, or employees, of the State of California, or of any county, city and county, city, town, school district, road district, bridge district, sanitary district, water district, irrigation district, drainage district, levee district, reclamation district, utility district, or other improvement district of any kind, thereof, or any other political subdivision thereof, or of any public corporation thereof which has the right to levy taxes, or assessments which may be collected as taxes, or of any public corporation thereof whose revenue is derived either in whole or in part from public funds which have been collected as taxes.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 2 of the printed bill, strike out lines 9 and 10, and insert in lieu thereof the following "then said person, during the free time remaining.".

AMENDMENT NUMBER TWO

On page 2 of the printed bill, strike out lines 14 and 15, and insert in lieu thereof the following: "however, that none of the field equipment which has been provided at public expense for use in con-".

AMENDMENT NUMBER THREE

On page 2 of the printed bill, strike out line 25, and insert in lieu thereof the following "the field equipment which has been".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 925—An act to amend section 409 of the Political Code, relating to fees of the Secretary of State.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 7, of the printed bill, strike out "twelve cents per folio", and insert in lieu thereof the following: "thirty cents per page, or fraction thereof."

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, strike out "five cents per folio", and insert in lieu thereof the following: "twelve cents per page, or fraction thereof".

AMENDMENT NUMBER THREE

On page 1, line 13, of the printed bill, strike out "five cents per folio", and insert in lieu thereof the following: "twelve cents per page, or fraction thereof".

AMENDMENT NUMBER FOUR

On page 1 of the printed bill, strike out all of lines 16 to 30, inclusive, and insert in lieu thereof the following:

"5. For filing articles of incorporation or agreements of consolidation, except as otherwise provided, the fee fixed in the following schedule.

Amount represented by the total number of shares provided for in the articles of incorporation or the agreement of consolidation	Fee
$25,000 or less	$15
Over $25,000 and not over $75,000	$25
Over $75,000 and not over $200,000	$50
Over $200,000 and not over $500,000	$75
Over $500,000 and not over $1,000,000	$100
Over $1,000,000	
(1) for the first $1,000,000	$100
(2) for each additional $500,000 or fraction thereof	$50

For the purposes of the foregoing schedule, the amount represented by the total number of shares provided for in the articles of incorporation or the agreement of consolidation shall be

1. The aggregate par value of such shares, if only shares with a par value are therein provided for.

2. The product of the number of shares multiplied by ten dollars, if only shares without par value are therein provided for, or

3. The aggregate par value of the shares with a par value plus the product of the number of shares without par value multiplied by ten dollars, if shares with and without par value are therein provided for.

For filing articles of incorporation or agreements of consolidation not providing for shares with and/or without par value, five dollars,".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out all of lines 1 to 12, inclusive.

AMENDMENT NUMBER SIX.

On page 2, line 13, of the printed bill, strike out "twelve cents per", also strike out line 14, and insert in lieu thereof the following: "and agreements of consolidation, and certified copies of articles of foreign corporations filed at the time they qualify for the transaction of intrastate business in this State, thirty cents per page, or fraction thereof"

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out all of line 15 following the word "filing", and all of lines 16 to 41, inclusive, and insert in lieu thereof the following: "certificates of amendment of articles of incorporation, or agreements of merger, except as otherwise provided for, five dollars; for filing certificates of amendment of articles of incorporation, or agreements of merger, providing for shares the total number of which represents an amount in excess of the amount represented by the total number of authorized shares of the corporation, or the surviving corporation, respectively, five dollars for each fifty thousand dollars, or fraction thereof, of such additional amount. For the purposes of the preceding sentence, the amount represented by the total number of authorized shares of the corporation, or the surviving corporation respectively, shall be

1. The aggregate par value of such shares if only shares with a par value have been authorized,

2. The product of the total number of such shares multiplied by ten dollars, if only shares without par value have been authorized, or

3. The aggregate par value of such shares with a par value plus the product of the total number of such shares without par value multiplied by ten dollars, if shares with and without par value have been authorized

and the amount represented by the total number of shares provided for in the certificate of amendment of articles of incorporation or agreement of merger shall be

1. The aggregate par value of such shares, if only shares with a par value are therein provided for,

2. The product of the number of shares multiplied by ten dollars, if only shares without par value are therein provided for, or

3. The aggregate par value of the shares with a par value plus the product of the number of shares without par value multiplied by ten dollars, if shares with and without par value are therein provided for."

AMENDMENT NUMBER EIGHT.

On page 3, line 5, of the printed bill, strike out the comma and the following "but a separate fee of five dollars must be", and also strike out lines 6 and 7, and insert in lieu thereof a period.

AMENDMENT NUMBER NINE

On page 3, line 11, of the printed bill, strike out "fifteen dollars," and also strike out lines 12, 13 and 14, and insert in lieu thereof the following: "five dollars."

AMENDMENT NUMBER TEN.

On page 3, line 26, of the printed bill, strike out "twelve cents per folio", and insert in lieu thereof the following, "thirty cents per page, or fraction thereof."

AMENDMENT NUMBER ELEVEN.

On page 3, line 35, of the printed bill, insert "of filing", after "certificate".

AMENDMENT NUMBER TWELVE.

On page 3 of the printed bill, strike out lines 36 and 37, and insert in lieu thereof the following "assignment or full or partial discharge of mortgage of live stock or any vehicle other than a vehicle registered under the Vehicle Code and certificate of filing of contract of conditional sale of live stock and other animate chattels or assignment or full or partial discharge of such contract.".

AMENDMENT NUMBER THIRTEEN.

On page 3 of the printed bill, after line 44, add the following:

"21. For filing contracts for conditional sale of railroad or street railway equipment or rolling stock and declarations of payment and performance, five dollars.

22 For recording contracts for conditional sale of railroad or street railway equipment or rolling stock and declarations of payment and performance, thirty cents per page, or fraction thereof.

23 For registering farm, ranch or villa names, including the issuance of certificates of such registration, one dollar.

24. For issuing certificates of the filing of a copy of any lecture, sermon, address, *dramatic composition, story or motion picture scenario and of an affidavit of authorship*, five dollars."

Amendments adopted

Bill read *second time, ordered to reprint, engrossment, and third* reading.

Assembly Bill No. 317—An act to amend sections 1, 5, 10, 11 and 15 of, and to add new sections to be numbered 10a to 10g, inclusive, to "An act to regulate the sale, possession, distribution and use of habit forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 1, 1929.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, after "11", insert the following: ", 13".

AMENDMENT NUMBER TWO

On page 4 of the printed bill, strike out lines 40 to 44, inclusive, and insert in lieu thereof the following: "be open at all times to inspection by the inspectors of the Division of Narcotic Enforcement In any prosecution under this"

AMENDMENT NUMBER THREE.

On page 7 of the printed bill, between lines 19 and 20, insert the following:

"SEC 12. Section 13 of said act is hereby amended to read as follows:

Sec. 13 It is hereby made unlawful for any person to sell, vend, give away, or furnish, either directly or indirectly, to any person other than a duly licensed physician, licensed to practice and prescribe medicines in this State, or to a dentist or a veterinarian, or a pharmacist licensed to practice in this State, or person holding an unrevoked license to practice osteopathy, an instrument commonly known as a hypodermic syringe, or an instrument commonly known as a hypo-

dermic needle, without a written, signed order from a duly licensed physician, dentist or veterinarian licensed to practice and prescribe medicine in this State, said order to contain the name and address of the party for whom ordered, or for any person other than a physician dentist, registered nurse, veterinarian or pharmacist, licensed to practice in this State, to have in his possession such an instrument commonly known as a hypodermic syringe or an instrument commonly known as a hypodermic needle, or an instrument or contrivance used for the same purpose as a hypodermic syringe or hypodermic needle, unless said instrument or contrivance was purchased by said person through and with a written order signed by a duly licensed physician, dentist or veterinarian licensed to practice and prescribe medicine in this State or person holding an unrevoked license to practice osteopathy, as above provided

No order, certificate or prescription shall be for more than one hypodermic syringe or for more than three hypodermic needles and no copy or duplicate of such order shall be made for or delivered to any person and said order or prescription shall be accepted and filled only once; provided, however, that the above restrictions shall not prevent any duly registered nurse of this State or student nurse in any hospital or training school for nurses from obtaining or possessing any hypodermic syringe and hypodermic needles when working under the immediate direction and supervision of a licensed physician or licensed dentist,

Provided, further, that the Board of Pharmacy may upon application and at its discretion issue a permit, revocable at the discretion of the said board, to any duly registered pharmacist, for a limited period, permitting and authorizing such pharmacist to sell and dispense hypodermic syringes and needles for specific purposes, to persons not addicted to the use of the drugs enumerated in section 1 of this act, and sales made under the authority of and in conformity with the terms of such permit shall not be construed to be in violation of the provisions of this section."

AMENDMENT NUMBER FOUR.

On page 7, line 20, of the printed bill, strike out "12.", and insert in lieu thereof the following: "13.'

AMENDMENT NUMBER FIVE.

On page 7 of the printed bill, at the beginning of line 22, insert the following: "Sec. 15 "

AMENDMENT NUMBER SIX.

On page 7, line 44, of the printed bill, after "owners" ", insert a comma.

AMENDMENT NUMBER SEVEN.

On page 8, line 4, of the printed bill, strike out the period, and insert in lieu thereof the following: ", provided, however, that the claimant of any right, title or interest in said vehicle so seized may make a verified answer to establish his claim as provided in subdivision (e) of this section."

AMENDMENT NUMBER EIGHT.

On page 8, line 20, of the printed bill, strike out the period, and strike out lines 21 to 27, inclusive, and insert in lieu thereof the following: "; provided, however, that the claimant of any right, title or interest in said vehicle may prove his lien, mortgage, or conditional sales contract to be bona fide and that such right, title or interest was created after a reasonable investigation of the responsibility, character and reputation of the offender and without any knowledge that the vehicle was being, or was to be, used for the illegal transportation of such drugs.

(f) In the event of such proof, the court shall order said vehicle released to such bona fide or innocent owner, lienholder, mortgagee or vendor if the amount due to such person shall be equal to, or in excess of, the value of the automobile, it being the intention of this section to forfeit only the right, title or interest of the offender; provided, that if the amount due to such person shall be less than the value of said vehicle, then said vehicle shall be sold in the manner provided for sales of property under execution and the remainder of the proceeds of such sale, after payment of the balance due on the purchase price, mortgage, or lien shall be deposited in the State treasury."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 318—An act to amend sections 1, 6, 7, 8a, 8c, 8d, 8e, 8f, 8g, 8½, and 9, to repeal sections 8 and 8b, and to add new sections to be numbered 7a, 8 and 8b, to an act entitled "An act to regulate the

sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 7 of the printed bill, strike out lines 51 and 52, and on page 8, strike out lines 1 and 2, and insert in lieu thereof the following: "the inspectors of the Division of Narcotic Enforcement. In".

AMENDMENT NUMBER TWO.

On page 9, lines 36 and 37, of the printed bill, strike out "or a nurse duly registered under the laws of this State,".

AMENDMENT NUMBER THREE.

On page 11, line 28, of the printed bill, strike out the period, and insert in lieu thereof the following: "; provided, however, that the claimant of any right, title or interest in said vehicle so seized may make a verified answer to establish his claim as provided in subdivision (e) of this section."

AMENDMENT NUMBER FOUR.

On page 11 of the printed bill, strike out lines 44 to 51, inclusive, and insert in lieu thereof the following: "unlawful transportation of drugs in violation of this act; provided, however, that the claimant of any right, title or interest in said vehicle may prove his lien, mortgage, or conditional sales contract to be bona fide and that such right, title or interest was created after a reasonable investigation of the responsibility, character and reputation of the offender and without any knowledge that the vehicle was being, or was to be, used for the illegal transportation of such drugs

(f) In the event of such proof, the court shall order said vehicle released to such bona fide or innocent owner, lienholder, mortgagee or vendor if the amount due to such person shall be equal to, or in excess of, the value of the automobile, it being the intention of this section to forfeit only the right, title or interest of the offender, provided, that if the amount due to such person shall be less than the value of said vehicle, then said vehicle shall be sold in the manner provided for sales of property under execution and the remainder of the proceeds of such sale, after payment of the balance due on the purchase price, mortgage, or lien, shall be deposited in the State treasury."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2318—An act to amend sections 4, 5, 6, 7, 9, 11, and to add a new section numbered 17 to Chapter 598, Statutes 1913, entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the Board of Optometry and to the regulation of the practice of optometry and relating to the constitutionality of said act.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 7, line 22, of the printed bill, strike out the following: "bait advertising;".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 313—An act to amend sections 8 and 17 of the State Medical Practice Act, relating to certificates licensing the practice of medicine, drugless healing, and chiropody, and to penalties for violation of the provisions of the act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, strike out "of any mechanical appliance of any nature or".

AMENDMENT NUMBER TWO.

On page 2, line 4, of the printed bill, strike out "or the correction of malimposed bones thereof"

AMENDMENT NUMBER THREE.

On page 2, line 7, of the printed bill, strike out "include or".

AMENDMENT NUMBER FOUR

On page 2, line 8, of the printed bill, after "of", insert the following, "either".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out line 9, and insert in lieu thereof the following: "corrective shoes or appliances for human feet".

AMENDMENT NUMBER SIX.

On page 3, line 2, of the printed bill, after "tisement", insert the following: "or otherwise".

AMENDMENT NUMBER SEVEN

On page 3 of the printed bill, strike out lines 11 to 14, inclusive, and insert in lieu thereof the following, "that nothing contained in this section shall be construed to prohibit the manufacture, the recommendation, or sale of either corrective shoes or of appliances for human feet"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1729—An act to amend sections 32 and 34 of the Joint Highway District Act, approved June 17, 1931.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 4, of the printed bill, following the words "Sec 32.", insert the following: "Highways on completion to revert to counties. Upon the completion of construction or improvement of any highway or portion thereof by any district organized hereunder, the board of directors of the district shall adopt a resolution declaring such completion and transmit a copy of the same to the board of supervisors of the county in which such highway or portion of highway is situated. Upon receipt of such resolution by such board of supervisors, the control of such highway or portion thereof shall revert to the county in which the same is situated and become a part of the county system of highways therein and such county shall be liable for the future maintenance and care thereof.

The board of directors shall not adopt any resolution declaring completion under this section unless and until it shall first obtain from the Director of Public Works of the State of California, a certificate, in writing, showing that the highway, or portion thereof, proposed to be surrendered to the county within which the same is situated, has been duly constructed, improved or completed in accordance with the plans and specifications previously adopted therefor; provided, that the Director of Public Works shall not be required to furnish such certificate, (except when the highway, or portion thereof, has been constructed, improved or completed under his supervision or control) unless and until the district engineer of such joint highway district shall first have made and delivered his certificate to said director showing

that the highway, or portion thereof, has been duly constructed, improved or completed in accordance with the plans and specifications previously adopted therefor."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1352—An act to regulate contracts on behalf of the State in relation to the construction, repair, or improvement of any State structure, building, road, or other State improvement of any kind and to repeal an act entitled, "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any State structure, building, road, or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,' " approved March 22, 1909.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out the title of the printed bill, and substitute therefor the following:

"An act to revise an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any State structure, building, road, or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,' " approved March 22, 1909."

AMENDMENT NUMBER TWO.

Strike out all of the printed bill, commencing with the word "Section", on page 1, line 1, to and including the word "repealed.", line 37, page 7, and substitute the following

"SECTION 1 The act cited in the title hereof is hereby revised to read as follows:

Section 1. This act shall be known and may be cited as "The State Contract Act"

Sec 2. Whenever provision is made by law for the erection, construction, alteration, repair or improvement of any State structure, building, road, or other State improvement of any kind excepting improvements on the property of the State on the water front of the City and County of San Francisco under the jurisdiction of the Board of State Harbor Commissioners, the total cost of which will exceed the sum of one thousand dollars, the same shall be under the sole charge and direct control of the Department of Public Works. Said department, before entering into any contract for the erection, construction, alteration, repair or improvement of any State structure, building, road or other State improvement of any kind, shall prepare full, complete and accurate plans and specifications and estimates of cost, giving such directions for the same as will enable any competent mechanic or other builder to carry them out. The plans, specifications and estimates of cost must be approved by the Director of Public Works and the original draft or a certified copy thereof filed permanently in the office of the Department of Public Works before further action is taken.

Sec. 3. Said Department of Public Works shall after the approval and filing of plans, specifications and estimates of cost, as in this act required, let such work by contract to the lowest responsible bidder or bidders upon public notice which shall be given as follows, except as otherwise provided in section 4 hereof. Notice of such work must be published once a week for at least two consecutive weeks, or once a week for more than two consecutive weeks if such longer period of advertising is deemed necessary by the Department of Public Works, next preceding the day set for the receiving of bids in two trade papers of general circulation, one published in Los Angeles and one in San Francisco, devoted primarily to the dissemination of contract and building news among contracting and building material supply firms In each case such notice must state the time and place for the receiving and opening of sealed bids and must also state that the bids will be required for the entire work and also, when advisable, for the performance of segregate parts of the entire work, such segregation to be determined by the Department of Public Works and designated in such notice.

Sec. 4. When it appears from the plans, specifications and estimates of cost, that the cost and expense of doing any construction, reconstruction, alteration, maintenance, repair or other work authorized to be done by or under the direction of the Division of Highways of the Department of Public Works, or any flood control work to be done by or under the Division of Water Resources of the Department of Public Works, will not exceed fifteen thousand dollars, the Director of Public Works may direct that said work be done under contract awarded to the lowest responsible bidder or bidders upon public notice, which shall be given as follows.

Notice of such work must be published for two consecutive insertions in a weekly trades paper of general circulation, published either in Los Angeles or San Francisco, devoted primarily to the dissemination of contract news among contracting firms. Notice must also be published for eight days in a daily newspaper or for two consecutive insertions in a weekly newspaper located in the county in which said work is located. Such notice must state the time and place for the receiving and opening of sealed bids and must also describe in general terms the work to be done; and no other notice calling for said bids need be given In the case of work done by or under the Division of Highways, said director may designate that such bids shall be delivered to and opened by the district engineer of said Division of Highways in whose district said work is to be done, and said notice shall designate when and by whom said bids shall be opened At the time specified in said notice said district engineer shall proceed to publicly open said sealed bids, and shall report the contents thereof to said director. In all other respects any such contract shall be awarded as other contracts.

Sec 5. On the day named in said public notice the Department of Public Works shall proceed to publicly open said sealed bid, and shall award such contract or contracts to the lowest responsible bidder or bidders All bids shall be presented under sealed cover and shall be accompanied by cash, cashier's check or a certified check made payable to the Director of Public Works, for an amount equal to at least ten per cent of the amount of said bid and no bid shall be considered unless such cash, cashier's check or certified check is inclosed therewith. A bidder's bond executed as surety by some corporation authorized to issue surety bonds in the State of California may be furnished in lieu of cash, cashier's check or certified check with the bids on any contract when so specified by the Department of Public Works, provided, however, that all bidders shall be given reasonable notice of the fact that such bidder's bonds will be accepted with bids on such contract. Should the successful bidder to whom the contract is awarded fail to execute the same, such cash, cashier's check or certified check shall be forfeited to the State of California and the same shall be the property of the State, and shall be deposited in the fund out of which the expenses of preparation and printing of the plans and specifications, estimates of cost, and publication of notice are paid. All other cash, cashier's checks and certified checks shall within ten days after the date of the award of said contract, be returned to the unsuccessful bidders who submitted the same, provided, however, that cash, cashier's check or certified check of the second and third lowest responsible bidders may be withheld until the contract has been finally executed If, in the opinion of the Director of Public Works, it is for the best interests of the State, on the refusal or failure of the successful bidder to execute the contract, said director may, in his discretion, award the same to the second lowest responsible bidder. If the second lowest responsible bidder fails or refuses to execute such contract, the said director may likewise award the same to the third lowest responsible bidder On the failure or refusal of the second or third lowest bidder, to whom any such contract is so awarded, to execute the same, such bidders' cash, certified check or cashier's check shall be likewise forfeited to the State.

Sec. 6 Any bid may be withdrawn at any time prior to the hour fixed in said public notice for the opening of bids as follows, and not otherwise: A request in writing for the withdrawal of such bid must be filed with the Director of Public Works or the chief of the division under which the said work is to be performed. Such request must be executed by the bidder or his duly authorized representative. The withdrawal of a bid shall not prejudice the right of the bidder to file a new bid.

Nothing in this section contained shall authorize the withdrawal of any bid after the hour fixed in said public notice for the opening of such bids, and no bid shall be received after such hour, regardless of whether or not such bids are opened exactly at the hour set or thereafter.

Sec. 7. If in the opinion of the Director of Public Works the acceptance of the lowest responsible bid or bids shall not be for the best interests of the State, it may be lawful for him to reject all bids and advertise for others in the manner aforesaid. But at any time after the approval of the plans, specifications and and estimates of costs by the Director of Public Works if, in the opinion of said Director of Public Works the advertising or award of a contract under the provisions of this act, or the acceptance of any bid or bids shall not be for the best interests of the State, or if in the opinion of said director the acceptance of any further bids after the rejection of all bids submitted shall not be for the best interests of the State,

he may direct that the said work shall be done by day's labor, under the direction and control of the Department of Public Works. Upon the approval of the Director of Public Works, the duly authorized officer or officers of the Department of Public Works may, when proceeding upon the basis of day's labor, let any subdivision or unit of said work by contract upon informal bids.

Sec. 8. Any contract awarded hereunder shall not be binding on the State until it has been submitted to the Attorney General, or the attorney appointed according to law and authorized to represent the division of the Department of Public Works under which said work is to be performed, and by him found to be in accordance with the provisions of this act, and his certificate thereon to that effect made.

A certified copy of each such contract shall be filed with the State Controller and the Director of Finance, but the failure so to file shall not in any manner invalidate any such contract.

Sec. 9. Except in unit basis contracts in State road or highway work, including the construction of bridges, no contract or contracts shall be made exceeding in amount the estimates of costs approved by the Director of Public Works and no plans and specifications and estimates of cost including expense of advertising and inspection, shall be approved by said director requiring a greater expenditure of money than is appropriated for the specific purpose in the act authorizing the same.

Sec. 10. Each such contract shall provide that the Department of Public Works may, as hereinafter provided, and on the conditions stated, make any change in the plans and specifications. After the contract or contracts are let no change shall be made to increase or diminish the cost of any contract in excess of five hundred dollars, except upon the approval of the Director of Public Works, and then only upon additional plans and specifications and estimates of cost being filed and approved, and amended contracts entered into and filed with the original contract.

This section shall not be construed, in State road or highway work, including the construction of bridges, to prevent the receipt of bids or the making of a contract upon a unit basis, that is, the bids compared upon the basis of the estimates of quantities of the work to be done, nor the increase or decrease of such quantities during the progress of the work by the Department of Public Works as may be deemed expedient by such department, nor the insertion of provisions in the contract for the performance of such extra work and the furnishing of such materials therefor by the contractor as may be required by such department for the proper completion or construction of the whole work contemplated; provided, that the bidders shall have had equal opportunity of knowing what the terms proposed by the Department of Public Works for the performance of such extra work shall be.

Sec. 11. The Department of Public Works shall, before furnishing any person proposing to bid on duly advertised public work with plans and specifications for the proposed public work, require from any such person answers to questions contained in a standard form of questionnaire and financial statement including a complete statement of the person's financial ability and experience in performing public works, which questionnaire and financial statement when completed must be verified under oath by the bidder in the manner in which pleadings in civil actions are verified.

Whenever the Department of Public Works is not satisfied with the sufficiency of the answers contained in such questionnaire and financial statement it may refuse to furnish such person with plans and specifications on any such duly advertised public work, and the bid of any person to whom plans and specifications have not been issued must be disregarded.

The foregoing provisions of this section shall not apply to contracts awarded under section 4 of this act.

The said Department of Public Works shall furnish to each bidder a standard proposal form, which, when filled out and executed may be submitted as his bid. Bids not presented on such forms so furnished must be disregarded. Said department shall not furnish such proposal forms to any person who has not been prequalified in the manner provided in the first two paragraphs of this section at least five days prior to the date fixed for publicly opening sealed bids.

The word "person" as used in this section includes a natural person, a corporation, any combination of natural persons recognized by law, or any combination of any thereof.

Sec. 12. In all contracts made under the provisions of this act, there shall be a provision in regard to the time when the whole, or any specified portion, of the work contemplated in said contract shall be completed, and also providing that for each and every day the same shall be delayed beyond such time or times so named, the said contractor or contractors shall forfeit and pay to the State a sum of money, to be fixed and determined in said contract, to be deducted from any payment or payments due, or to become due, to said contractor or contractors; provided, however, that the Director of Public Works may, in his discretion, grant such extensions of time as he may deem expedient and for the best interests of the State. Any such contract shall provide for the filing of a good and sufficient bond of the kind, in the amount, and containing the terms required by that certain act of the Legislature entitled 'An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials,

supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919, as amended, and shall contain all such other provisions as are now or may hereafter be required by law.

Sec. 13. All contracts made under the provisions of this act shall provide for the filing of a good and sufficient bond by the contractor, executed as surety by a corporation or corporations authorized to issue surety bonds in the State of California, which bond shall be approved by the properly authorized officer of the Department of Public Works. The said bond shall be executed in a sum equal to at least one-half of the contract price, and shall guarantee the faithful performance of the said contract by the contractor. The failure of the successful bidder to furnish said bond, or any other bond required of him by law, within the time fixed for his execution of the contract, shall constitute a failure to execute the contract, within the meaning of section 5 hereof.

Whenever any surety or sureties on any such bond, or on any bond required by law for the protection of the claims of laborers and materialmen, becomes insufficient, or the Director of Public Works has cause to believe that such surety or sureties has become insufficient, he may demand in writing of the contractor such further bond or bonds or additional surety, not exceeding that originally required, as in his opinion is necessary, considering the extent of the work remaining to be done. Thereafter no payment shall be made upon such contract to the contractor or any assignee of the contractor until such further bond or bonds or additional surety has been furnished.

Sec. 14. Whenever, in the opinion of the Director of Public Works, or of the chief of any division under whom a contract is to be performed, the work under any contract made in pursuance of this act is neglected by the contractor or contractors, or the same is not prosecuted with diligence and force specified or intended in and by the terms of the contract, it shall be lawful for such Director of Public Works or chief of such division to make a requisition upon such contractor or contractors for such additional specific force, or for such additional specific material, to be brought into the work under such contract, as in his opinion is necessary properly to prosecute the work, or to remove improper materials from the grounds; of which action of said Director of Public Works due notice in writing of not less than five days shall be served upon such contractor, or his or their agent having charge of the work. Such written notice may be served by personally delivering such notice to such contractor, or his agent having charge of the work, or by registered mail directed to such contractor or agent (the period of five days to run from the date of registration in the United States Post Office), or when such contractor or his agent has left the State or his address is unknown, by posting such notice in a conspicuous place upon the premises of work. If such contractor or contractors fail to comply with such requisition within five days, and thereafter to diligently prosecute the work according to the contract and such requisition, it shall be lawful for said Department of Public Works to employ upon such work the additional force, or supply the materials so specifically required as aforesaid, or such part of either as they may deem proper, and to remove improper materials from the grounds, and it shall be the duty of the Department of Public Works to make separate estimates of all such additional force or materials so employed or supplied as aforesaid, and the amount so estimated shall be charged against said contractor or contractors, and deducted from his or their next, or any subsequent, estimate; or the same, or any part thereof not paid as aforesaid, may be recovered by action from such contractor or contractors and his or their sureties.

Sec. 15. Payments upon contract shall be made as the Department of Public Works may prescribe upon estimates made and approved by the said department, but no payment shall be made in excess of ninety per cent of the percentage of actual work completed, to which has been added one-half of the value of material delivered on the ground and unused. The Department of Public Works shall withhold not less than ten per cent of the contract price until final completion and acceptance of the work. The Controller shall draw his warrants upon estimates so made and approved by the Department of Public Works and the State Treasurer shall pay the same.

Sec. 16. Any officer or employee of the Department of Public Works who shall corruptly perform any official act to the injury of the State, or any contractor or his agent or employee who shall corruptly permit the violation of any contract awarded under this act to the injury of the State, or any subcontractor, or any agent, or employee of any contractor, or of any subcontractor, who shall have knowledge of any work being done in violation of any contract awarded under this act and does not immediately notify the Department of Public Works or the inspector or resident engineer upon said work in regard to the same is guilty of a felony and, upon conviction thereof, shall be confined in the State prison for not less than one

year nor more than five years and be liable to the State for double the amount the State may have lost, or be liable to lose by reason thereof

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 676—An act to amend section 1861a of the Civil Code, relating to liens of lessors of real property.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 17, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 1861a of the Civil Code is hereby amended to read as follows:

1861a. Keepers of furnished apartment houses, furnished bungalow courts, furnished flats and furnished dwellings shall have a lien upon the baggage and upon all the right, title and interest in and to all other property of value in the possession of their tenants or guests which may be in such furnished apartment house, furnished bungalow court, furnished flat or furnished dwelling, for the proper charges due from such tenants or guests for their accommodation, rent, services, meals and such extras as are furnished at their request, and for all moneys expended for them at their request, and for the costs of enforcing such lien, with the right to possession of such interest of such tenant in such baggage and other property of value after five (5) days default in the payment of any such charges or moneys until such charges are paid and such moneys are repaid

Unless such".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 20 and 21, and insert in lieu thereof the following: "moneys, respectively, become due, said keeper of a furnished apartment house, furnished bungalow court, furnished flat or furnished dwelling, may sell said baggage and".

AMENDMENT NUMBER THREE

On page 1 of the printed bill, strike out line 28, and insert in lieu thereof the following: "said furnished apartment house, furnished bungalow court, furnished flat or furnished dwelling is situated,".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out line 5, and insert in lieu thereof the following: "where such furnished apartment house, furnished bungalow court, furnished flat or furnished dwelling is".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out lines 10 and 11, and insert in lieu thereof the following: "months after such sale, be paid by said keeper of a furnished apartment house, furnished bungalow court, furnished flat or furnished dwelling to such tenant or guest;".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out lines 18 and 19, and insert in lieu thereof the following: "action against said keeper of a furnished apartment house, furnished bungalow court, furnished flat or furnished dwelling for the recovery of such baggage or property.".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1906—An act to add a new section to the School Code, to be numbered 5.27, relating to cooperative stores on the campuses of the State Teachers Colleges.

Bill read third time.

The question being on the passage of the bill,

MOTION TO RE-REFER.

Mr Brock moved that Assembly Bill No 1906 be withdrawn from the file, and ordered re-referred to Committee on Education.

The question being on re-referring Assembly Bill No 1906 to Committee on Education.

Motion lost.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1906 refused passage by the following vote:

AYES—Bliss, Bowers, Burns, Chatters, Fisher, Greene, Hoffman, Kallam, Knowland, Lyon, Mayo, Meeker, Miller, Eleanor; Phillips, Powers, Robinson, Samuel E., Roland, Stream, West and Wright—20

NOES—Alter, Badham, Boyle, Brock, Callahan, Cassidy, Clowdsley, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Grubbs, Hallner, Hornblower, Hunt, Jones, King, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Rogers, Ross, Scudder, Stannard, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine and Mr. Speaker—50

NOTICE OF RECONSIDERATION.

Mr. Powers gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1906 was this day refused passage

Assembly Bill No. 259—An act providing for the construction and operation by the State of California of a system of works designated as the Central Valley Project for the conservation, development, distribution and utilization of water; defining and prescribing the units or parts of said project; also defining the prerequisite conditions under which said project shall be constructed; defining the duties and powers of the Department of Public Works and of the State Engineer in relation to said project; creating a Water Administration Board and defining its duties and powers with relation to the construction and operation of said project; authorizing the issuance and sale of general obligation bonds of the State of California in the amount of one hundred sixty millions of dollars for the purpose of defraying the cost of construction of said project; and providing for the payment of such bonds with the interest thereon, and for the creation of a water construction fund and a water revenue fund in the State treasury.

Bill read third time

The question being on the passage of the bill

MOTION TO RE-REFER.

Mr Anglim moved that Assembly Bill No 259 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means

The question being on re-referring Assembly Bill No. 259 to Committee on Ways and Means.

Motion carried.

Assembly Bill No 259 ordered re-referred to Committee on Ways and Means

Assembly Bill No 658—An act to add two new sections to the Penal Code, to be numbered 200 and 201, establishing the public offense of

unlawfully causing death through operation of a motor vehicle and providing penalties therefor

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 658 was withdrawn from the file, and referred to Committee on Rules

Assembly Bill No 2194—An act to amend section 9 of an act entitled "An act to regulate the taking and harvesting of kelp and other aquatic plants of the State of California by recognizing and declaring their ownership in the State of California and providing for the control thereof by the Fish and Game Commissioners, and providing for a license tax upon all persons, firms or corporations engaged in the industry of taking or harvesting kelp or other aquatic plants, and providing for the collection and disbursement of the revenues derived therefrom, and providing for a privilege tax upon all kelp taken in the waters of this State, and providing for the protection of kelp beds, for the manner of taking kelp and other aquatic plants, and providing for hearings by the Fish and Game Commissioners, and providing penalties for the violation of this act," approved May 18, 1917, relating to kelp

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 2194 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy McMurray, Meehan, Meeker, Miller Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland Ross, Scudder, Stannard Stream, Sullivan Thorp Tournoux Turner Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—76

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No 391—An act to amend sections 2 and 7 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting government and municipal control of such annexed territory," approved June 11, 1913, relating to the annexation of territory to municipal corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 391 passed by the following vote

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson Phillips, Powers, Rawls, Redwine, Riley

Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 334—An act to amend section 209 of the Penal Code, relating to the punishment of kidnapping for purposes of extortion or robbery.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Martin:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out lines 16 to 18, inclusive, and insert in lieu thereof the following: "victim thereof shall be punished by life imprisonment without possibility of parole in cases in which the person or persons subjected to such kidnapping is or are murdered or suffers or suffer bodily harm inflicted by such kidnappers, or by life imprisonment with possibility of parole in cases where there is no violence and upon the recommendation of the trial jury or in the discretion of the trial judge."

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs. Martin, Robinson, C. Ray, and Latham, the Speaker ordered a roll call taken on the adoption of the amendment to Assembly Bill No. 334.

The roll was called, and the amendment to Assembly Bill No. 334 was adopted by the following vote:

AYES—Anglim, Badham, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Gilmore, Grubbs, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, McBride, McCarthy, McMurray, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Roberts, Robinson, Samuel E., Rogers, Sullivan, Turner and Mr. Speaker—44.

NOES—Alter, Bowers, Brock, Craig, Evans, Fisher, Greene, Hallner, Hoffman, Latham, Martin, Meeker, Phillips, Powers, Redwine, Riley, Robinson, C. Ray, Ross, Scudder, Stannard, Stream, Tournoux, Utt, West, Williamson, Woolwine, Wright and Zion—28

Bill ordered to engrossment, and third reading.

Assembly Bill No. 460—An act substituting for the existing Chapter VIII of Title II of Part IV, Division I, of the Civil Code of the State of California a new Chapter VIII of said Title II, Part IV, which shall supersede said existing Chapter VIII, relating to mortgage insurance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 460 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray,

Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1087—An act to amend section 23 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended, relating to the filing of annual statements and prescribing the fee therefor, and to repeal section 30 of said act relating to taxation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1087 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—67.
NOES—Craig and Utt—2

Title read and approved
Bill ordered transmitted to the Senate

Assembly Bill No. 1125—An act to amend section 623 of the Political Code, relating to bonds required of insurance companies to insure payment of taxes.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1125 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Cassidy, Chatters, Clowdsley, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Kallam, Latham, Levey, Lyon, Maloney, Martin, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Roberts, Robinson, C. Ray; Robinson, Samuel E., Ross, Scudder, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—54.
NOES—Grubbs, Hallner, Jones, King, Roland and Stannard—6.

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No. 1280—An act to amend sections 452a, 452c, 452d, 452f, and 453 of the Civil Code, all relating to mutual benefit and life associations

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1280 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson,

Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At twelve o'clock and five minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Rogers (by request):

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to the School Code to be numbered 4 57, relating to the support of junior colleges.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 201—An act to amend section 3 291 of the School Code, relating to the establishment of high schools—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ROLAND, Chairman

The above reported bill ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Concurrent Resolution No. 45—Relative to the establishment of a free employment agency in the city of Oakland—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

DEMPSTER, Chairman.

The above reported Assembly Concurrent Resolution No. 45 ordered on file for adoption.

ON COMMERCE AND NAVIGATION

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No 1605—An act to add section 2349a to the Political Code, relating to navigable waters—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

MALONEY, Chairman

The above reported bill ordered on file for second reading.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 388—An act to amend section 923 of the Penal Code, relating to grand juries—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems to which was referred Assembly Bill No. 1185—An act to add two new sections to the Penal Code, to be numbered 405a and 405b, establishing the public offense of lynching, and providing penalties therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1916—An act to repeal Articles IV, V, Va and VII of Chapter VII of Part III of Division V of the School Code, embracing sections 5 680 to 5 713, inclusive, relating to dismissal of school employees—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ROLAND, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON LIVE STOCK AND DAIRIES

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 2332—An act to add section 1263 5 to the Agricultural Code relating to slaughterers—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ROBINSON, SAMUEL E., Chairman.

The above reported bill ordered referred to Committee on Rules.

ON COMMERCE AND NAVIGATION

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933

MR. SPEAKER: Your Committee on Commerce and Navigation to which was referred Senate Bill No. 634—An act to provide for the establishment of the coast line of the State of California—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MALONEY, Chairman.

The above reported bill ordered referred to Committee on Rules.

SECOND READING OF SENATE BILLS

Senate Bill No. 457—An act to validate all proceedings for the formation of improvement districts within irrigation districts and all assessments heretofore made in any such improvement districts, to validate all warrants heretofore issued or to be issued, payable from the assessments levied in such improvement districts, and authorizing and directing the collection of the assessments in such improvement districts sufficient to pay the principal and interest of said warrants, validating and confirming all acts and proceedings of the board of directors of any irrigation district in connection with the acquisition and creation of improvement districts within irrigation districts, and the acquisition, construction, operation, maintenance and repair of improvements therein.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 740—An act to amend section 4 of an act entitled "An act providing for the control and management of a tract of land owned by the State of California and situated in the county of Napa in said State," approved May 15, 1917, relating to State property in Napa County.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 491—An act to amend section 29 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," relating to the definition and regulation of the business of banking

Bill read second time, and ordered on file for third reading.

Senate Bill No. 636—An act to amend section 4 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, as amended, relating to consolidation of elections.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 502—An act to repeal an act entitled "An act establishing the emergency permanent improvement fund and relating to the deposits of moneys therein and withdrawals therefrom," approved May 20, 1929, to transfer the moneys in the emergency permanent improvement fund to the general fund and to declare that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading

Senate Bill No. 886—An act transferring from the appropriation contained in Chapter 400, Statutes of 1931, to the general fund an amount equal to the State's contributions to the State employees' retirement fund for employees of the California Toll Bridge Authority, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 64—An act to amend section 384a of the Penal Code, relating to the protection of native trees, shrubs, ferns, herbs, bulbs, cacti and flowers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 833—An act validating the formation, organization, reorganization and existence of joint highway districts

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 253—An act to amend section 8 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person, to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe

penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter one hundred forty-five of California Statutes of 1917," approved June 13, 1923.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr Dempster moved that Assembly Bill No 253 be withdrawn from the file, and ordered re-referred to Committee on Crime Problems.

The question being on re-referring Assembly Bill No. 253 to the Committee on Crime Problems.

Motion carried.

Assembly Bill No. 253 ordered re-referred to Committee on Crime Problems.

Assembly Bill No. 1132—An act to amend section 2898 of the Civil Code, relating to the priority of mortgages and deeds of trust given for the price of real property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1132 passed by the following vote:

AYES—Anglim, Badham, Bowers, Brock, Burns, Callahan Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Feigenbaum, Greene, Hatch, Hunt, Jones, Latham, Levey, Martin, Mayo, McMurray, Meeker, Miller, Eleanor, Nielsen, Patterson, Peterson, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stream, Thorp, Turner, Utt, West, Wright, Zion and Mr. Speaker—43.

NOES—Cassidy, Hallner, Meehan and O'Connor—4

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 699—An act to add a new section to the Political Code, to be numbered 473a, relating to the centralization in the Attorney General's office of all attorneys and legal advisers for State departments, divisions, commissions, bureaus, boards, offices, and institutions, and the reimbursement of the Attorney General's office for such services.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Craig:

AMENDMENT NUMBER ONE

On page 1, line 4, of the printed bill, strike out "Regents of the", and strike out lines 5 to 12, inclusive, and insert in lieu thereof the following: "Division of Contracts and Rights of Way, Division of State Lands Division of Water Resources, Division of Labor Statistics and Law Enforcement, Secretary of State, Industrial Accident Commission, Railroad Commission, State Compensation Insurance Fund, Legislative Counsel Bureau, Department of Education, Inheritance Tax Department shall employ any".

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1502—An act to add a new section to be numbered 726a to the Code of Civil Procedure, relating to actions to enforce obligations secured by mortgage on real property situated outside of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1502 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Latham, Levey, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2330—An act to amend sections 605g, 605h, 605i and 605j of the Civil Code, relating to corporations sole.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2330 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Greene, Hallner, Hatch, Hoffman, Hunt, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Stanford, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—62.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No. 1587—An act regulating public laundries, prescribing conditions connected with the operation of such laundries, and fixing penalties for violation of the provisions of this act.

Bill read third time

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

Motion carried

Time, two o'clock and five minutes p. m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel

E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

Assembly Bill No. 814—An act to amend section 9 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provisions for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, relating to elections

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 814 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan Cassidy, Chatters, Clowdsley, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Latham, Maloney, Martin, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—60.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No. 1879—An act to add a new section to the Code of Civil Procedure, to be numbered 1022a, relating to costs allowed to the prevailing party in a civil suit.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1879 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Ross, Scudder, Thorp, Tournoux, Turner, Utt, West, Wright and Mr Speaker—60.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1376—An act to amend sections 2, 4, 5, 7, 10, 23, 26 and 37 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities; pro-

viding for the enforcement of said act and penalties for violation thereof; and creating a State Corporation Department and office of 'Commissioner of Corporations' " approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sale of securities, and the prevention of fraud in the sale of securities

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1376 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 2097—An act to amend sections 790, 828 and 829 and to add a new section to the Agricultural Code, to be numbered 810 5, relating to the standardization of asparagus.

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No 2097 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and twenty minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hornblower.

The roll of absentees was called, and Assembly Bill No. 1587 was passed by the following vote:

AYES—Anglim, Badham, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Sullivan, Tournoux, Turner, Utt West, Williamson, Wright and Mr. Speaker—56.

NOES—Alter, Bliss, Bowers, Brock, Chatters, Greene, Hallner, Latham, Lyon, O'Donnell, Phillips, Powers, Rawls, Redwine, Riley, Stannard, Stream, Thorp, Woolwine and Zion—20.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr Stannard gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1587 was this day passed

Assembly Bill No 217—An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation

and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No 217 was withdrawn from the file, and referred to Committee on Commerce and Navigation.

Assembly Bill No 1147—An act to add a new section to the Agricultural Code, to be numbered 62.5, relating to county agricultural commissioners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1147 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crowley, Dempster, Evans, Feigenbaum, Field, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Levey, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Ross, Scudder Stannard, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No 1400—An act to amend section 79 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act, relating to punishment for violation thereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1400 was withdrawn from the file, and referred to Committee on Public Utilities.

Assembly Bill No 2281—An act to add section 41a to the Public Utilities Act, relating to telephone companies and the installation of telephone meters.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 2281 was withdrawn from the file, and referred to Committee on Public Utilities.

Assembly Bill No. 782—An act to amend section 132 of the Civil Code, relating to final judgments of divorce.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 782 was refused passage by the following vote.

AYES—Anglim, Badham, Bowers, Cobb, Cottrell, Field, Hornblower, Jones, Latham, Mayo, McBride, Nielsen, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Ross, Sullivan, Turner, West, Woolwine and Mr. Speaker—22

NOES—Alter, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, Knowland, Levey, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, Williamson, Wright and Zion—55

Assembly Bill No. 567—An act to add a new article to Chapter I of Part I of Division II of the School Code to be known as Article X, embracing sections 2.85 and 2.86, relating to the formation, annexation, consolidation, unionization, and changing of boundaries of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 567 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—68.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No 769—An act to add section 1c to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair trade practice.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 769 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls,

Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr Speaker—60
NOES—Martin, Phillips, Redwine, Rogers, Stream and Sullivan—6

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No 770—An act to add section 1a to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties." approved June 10, 1913, as amended, relating to unfair competition
Bill read third time.
The question being on the passage of the bill.

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No 770 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No 767—An act to add a new section to the "Fair Trade Act" to be numbered 1½, relating to unfair competition.
Bill read third time.
The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 767 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No 29—An act to add section 698 5 to the Fish and Game Code, relating to the protection of fish.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 29 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Evans, Feigenbaum, Frazier, Gilmore, Hallner, Hatch, Hoffman, Jones, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray, Robinson, Samuel E., Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr Speaker—56
NOES—Hornblower, Hunt, Ross and Williamson—4

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 1526—An act to amend section 379 of the Fish and Game Code, relating to Federal preserves.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1526 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Know-

land, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—63

NOES—Bliss and Ross—2.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. A. E. BROCK IN THE CHAIR.

At three o'clock and forty-five minutes p.m., Hon. A. E. Brock, member of the Assembly from the Seventy-third District, in the chair.

Assembly Bill No. 1750—An act to add a new section to the Fish and Game Code, to be numbered 738.5, relating to smelt.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1750 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—67

NOES—Stannard—1

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1753—An act to add a new section to the Fish and Game Code, to be numbered 459, relating to other regulations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1753 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright and Zion—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1755—An act to add a new section to the Fish and Game Code, to be numbered 20, relating to powers and duties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1755 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray,

Meehan, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stanward, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At four o'clock p. m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 1254—An act to add a new section to the Fish and Game Code, to be numbered 488.5, relating to fish hatcheries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1254 passed by the following vote.

AYES—Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor, Morgan, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Roland, Ross, Scudder, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements.

HALLNER, Chairman.

Also

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add a new section to the School Code to be numbered 4.57, relating to the support of junior colleges.

HALLNER, Chairman.

Also

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to repeal an act entitled "An act to create a Board of Harbor Commissioners for the port of San Jose on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees and to appropriate money to carry this act into effect," approved June 14, 1913.

HALLNER, Chairman.

Reports read.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote.

AYES—Anglim, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Ross, Scudder, Thorp, Tournoux, Utt, West Williamson, Wright, Zion and Mr. Speaker—63.

NOES—None

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to section 24 of Article IV of the Constitution of said State, relating to acts codifying, revising, consolidating, rearranging or repealing the law—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

FEIGENBAUM, Chairman.

The above reported Assembly Constitutional Amendment No. 31 ordered on file for adoption

ON REVENUE AND TAXATION

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 540—An act to amend section 3805a of the Political Code, relating to cancellation of assessments, certificates of sale and deeds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1293—An act to amend section 925 of the Penal Code of the State of California, relating to grand juries—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

WEST, Chairman

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 536—An act to add section 459 to the Fish and Game Code, relating to birds, mammals and fish kept for exhibition purposes;

Also: Assembly Bill No. 1785—An act to amend section 1177 of the Fish and Game Code, relating to pheasants;

Also: Assembly Bill No. 1974—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission;

Has had the same under consideration, and respectfully reports the same back, and recommends that same do pass as amended.

ZION, Chairman

The above reported bills ordered on file for second reading

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1083—An act to amend sections 2, 3, 5, and 6 of an act entitled "An act to define motor club service, and to define, license, and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles, and providing penalties for the violation thereof, and repealing all acts in conflict herewith," approved June 15, 1929;

Also: Assembly Bill No. 1091—An act to amend sections 633a, 633a4, 633a7, 633a16, 633a18, 633a24, 633a25, 633a27, 633a28, 633a29 and 633a31 of the Political Code, and to add three new sections to the Political Code, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors, numbered sections 633a32, 633a33 and 633a34;
Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRIST, Chairman.

The above reported bills ordered referred to Committee on Rules.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 319—An act to amend sections 3746, 3751, 3756, 3814 and 3817 of the Political Code of California, relating to penalties for delinquencies in payment of taxes, and to redemption of property from tax sales, and to repeal sections 3815 and 3817a of said code;

Also: Assembly Bill No. 1309—An act to amend sections 3746, 3751, 3756, 3817 and 3817a of the Political Code, relating to property tax, delinquency penalties and assessments;

Also: Assembly Bill No. 1595—An act to provide for the payment of real property taxes heretofore delinquent, the redemption of such property and the restoration thereof to the assessment rolls;
Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bills ordered referred to Committee on Rules.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1277—An act defining clinics and dispensaries and providing for the operation, conduct, maintenance, and the examination and regulation thereof, and the issuance of permits therefor by the State Board of Public Health and the Director of Public Health—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

CRONIN, Chairman.

The above reported bill ordered referred to Committee on Rules

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR SPEAKER Your Committee on Fish and Game, to which was referred Senate Bill No. 493—An act to regulate the importation and keeping of wild birds and animals and providing a penalty for the violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 558—An act to amend section 3422 of the Civil Code, relating to *injunctions*,

Also: Assembly Bill No 559—An act to amend section 526 of the Code of Civil Procedure, relating to injunctions;

Also: Assembly Bill No. 640—An act to amend section 1261 of the Political Code, relating to election supplies and records,

Also: Assembly Bill No. 641—An act to amend section 1265 of the Political Code, relating to the disposal of election supplies and records;

Also: Assembly Bill No. 642—An act to repeal section 1267 of the Political Code, relating to delivery of election returns by clerk to supervisors;

Also, Assembly Bill No 643—An act to repeal section 1264a of the Political Code, relating to roster of voters;

Also, Assembly Bill No 644—An act to repeal section 1266 of the Political Code, relating to destruction of ballots;

Also Assembly Bill No. 645—An act to repeal section 1268 of the Political Code, relating to copy of register;

Also: Assembly Bill No 560—An act to amend sections 281 and 1209 of the Code of Civil Procedure, relating to contempt of court;
And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 665—An act to amend sections 576 and 599 of the Vehicle Code, relating to the operation of vehicles upon the highways;

Also: Assembly Bill No 1146—An act to amend section 17 of an act entitled the "Joint Highway District Act," relating to construction work;

Also: Assembly Bill No 1182—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene, distillate or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for a license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for the violation of this act, and repealing all acts or parts of acts inconsistent herewith," approved May 30 1923, relating to expenditure of moneys received hereunder;

Also: Assembly Bill No 1364—An act to permit the State Treasurer to accept a donation for the retirement of the California Olympiad bonds;

Also: Assembly Bill No 1863—An act to repeal sections 1121 to 1124, inclusive, and sections 1131 to 1133, inclusive, of the Agricultural Code, relating to the storage of eggs;
And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No 457—An act to amend sections 698, 702, 705, 708 and 711 of the Fish and Game Code, relating to fish—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Senate Bill No. 634—An act to provide for the establishment of the coast line of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be reprinted

ROBINSON, C RAY, Chairman.

The above reported bill ordered to reprint.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No 1083—An act to amend sections 2, 3, 5, and 6 of an act entitled, "An act to define motor club service, and to define, license, and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles, and providing penalties for the violation thereof, and repealing all acts in conflict herewith," approved June 15, 1929;

Also: Assembly Bill No. 1091—An act to amend sections 633a, 633a4, 633a7, 633a16, 633a18, 633a24, 633a25, 633a27, 633a28, 633a29 and 633a31 of the Political Code, and to add three new sections to the Political Code, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors, numbered sections 633a32, 633a33 and 633a34;

Also: Assembly Bill No. 1277—An act defining clinics and dispensaries and providing for the operation, conduct, maintenance, and the examination and regulation

thereof, and the issuance of permits therefor by the State Board of Public Health and the Director of Public Health;
Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1309—An act to amend sections 3746, 3751, 3756, 3817 and 3817a of the Political Code, relating to property tax, delinquency penalties and assessments.

Also: Assembly Bill No. 1916—An act to repeal Articles IV, V, Va and VII of Chapter VII of Part III of Division V of the School Code, embracing sections 5.680 to 5.713, inclusive, relating to dismissal of school employees;

Also: Assembly Bill No. 2332—An act to add section 3a to an act entitled "An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and to fix the penalties therefor; and to repeal all conflicting acts or parts of acts," approved June 1, 1927, relating to slaughterers;

Also: Assembly Bill No. 1595—An act to provide for the payment of real property taxes heretofore delinquent, the redemption of such property and the restoration thereof to the assessment rolls;

Also: Assembly Bill No. 319—An act to amend sections 3746, 3751, 3756, 3814, and 3817 of the Political Code of California, relating to penalties for delinquencies in payment of taxes, and to redemption of property from tax sales, and to repeal sections 3815 and 3817a of said code;
Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Rogers (by request): Assembly Bill No. 2345—An act to add a new section to the School Code to be numbered 4.57, relating to the support of junior colleges.

Bill read first time, and referred to Committee on Education.

By Mr. Cottrell: Assembly Bill No. 2346—An act to repeal an act entitled "An act to create a Board of Harbor Commissioners for the port of San Jose on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees and to appropriate money to carry this act into effect," approved June 14, 1913.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Martin: Assembly Bill No. 2347—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Martin asked for unanimous consent to have the rules suspended for the purpose of considering Assembly Bill No. 2347, at this time,

without reference to committee or file, and that same be considered engrossed.

Mr. Hoffman objected to the unanimous consent.

The Speaker ordered Assembly Bill No. 2347 referred to Committee on Municipal Corporations.

MOTION.

On motion of Mr. Martin, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 2347.

MOTION TO RE-REFER.

Miss Miller, Eleanor, moved that Assembly Bill No. 711 be withdrawn from Committee on Building and Loan Associations, and referred to Committee on Judiciary.

The question being on referring Assembly Bill No. 711 to Committee on Judiciary.

Motion carried.

Assembly Bill No 711 ordered re-referred to Committee on Judiciary.

ADJOURNMENT.

At four o'clock and twenty minutes p m , on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a m., Thursday, March 30, 1933, out of respect to the memory of Mr L. B. Mallory, former Chief Clerk of the Assembly.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, March 30, 1933

At nine o'clock and thirty minutes a.m , pursuant to adjournment, the Assembly was called to order.

Hon. Walter J Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus.

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr Cottrell moved a call of the House.

Motion carried.

Time, nine o'clock and thirty-five minutes a m

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Bliss, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Evans, Fisher, Greene, Hatch, Latham, Lyon, Maloney, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Wright, Zion and Mr. Speaker—41.

The Chief Clerk announced the absentees

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At nine o'clock and forty minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

The roll of absentees was called.

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—80

The Speaker declared a quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Anglim, Mr. and Mrs. Thomas J. McDonough of Represa were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker.

From Foreign Trade Club of San Francisco, favoring passage of Senate Bill No. 1178.

(Signed) WM. L. MONTGOMERY, Secretary.

COMMUNICATIONS

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

STATE OF CALIFORNIA, OFFICE OF THE CONTROLLER,
SACRAMENTO, March 28, 1933.

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

MY DEAR MR. OHNIMUS: This will acknowledge your letter of March 23d enclosing a resolution introduced by Messrs. Zion, Knowland, Field and Cottrell relating to the number of hours of work required daily of employees in constitutional offices.

It has been the practice of this office for 75 years to comply with the law in this matter, to wit: That the office shall be open for business from 9 a.m. until 4 p.m. As a matter of practice the office is open at 8 a.m. and closes sometime between 5:30 and 10 o'clock in the evening, depending upon conditions.

As previously stated to the Committee on Ways and Means, the employees of the State generally are working from 9 a.m. until 5 p.m. with one hour for lunch, and I understand that a bill is now proposed that all employees of the State conform to those hours. This would of course be entirely acceptable to the Controller's office, if it is the desire of the Legislature to pass such an enactment.

Very truly yours,

RAY L. RILEY, Controller.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

Progressive Railway Journal—W. C. Fulenwider.

ARTHUR A. OHNIMUS, Chief Clerk.

EXPLANATION OF VOTE.

In the discussion of Assembly Bill No 769, by Mr Badham, on March 29th (relative to special, secret discounts), the explanation of this measure by its author was misunderstood by the undersigned, who now feel that "aye" votes would more accurately have represented their opinions of the proposed legislation.

JOHN PHILLIPS.
F. J. ROGERS
FRANK G. MARTIN.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 45—Relative to the establishment of a free employment agency in the city of Oakland—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Concurrent Resolution No 45 ordered on file for adoption.

Also.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to section 24 of Article IV of the Constitution of said State, relating to acts codifying, revising, consolidating, rearranging or repealing the law—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Constitutional Amendment No. 31 ordered on file for adoption.

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933.

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No. 1172—An act to amend section 1 of an act entitled "An act establishing certain additional State highways and classifying them as secondary highways," approved March 27, 1931, and to repeal an act entitled "An act establishing certain additional State highways and classifying them as secondary highways," approved April 1, 1931, relating to the State highway system and the addition and classification of certain highways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

GREENE, Chairman

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER SACRAMENTO, March 29, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 310—An act to establish a Fish and Game Code, therein revising and consolidating the law relating to fish and game and other wild life, and repealing certain provisions of law therein specified.

J A BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 29, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1170—An act to amend section 456 of the Political Code, relating to the State Treasurer's office, to take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

Senate Bill No. 1170 read first time, and referred to Committee on Ways and Means

Also:

SENATE CHAMBER, SACRAMENTO, March 29, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 362—An act to amend section 726 of the Code of Civil Procedure, relating to proceedings for the foreclosure of mortgages;

Also: Senate Bill No. 352—An act to amend section 1262 of the Agricultural Code, relating to produce dealers;

Also: Senate Bill No. 676—An act to amend section 4149 of the Political Code, relating to the office and compensation of the county live stock inspector;

Also: Senate Bill No. 888—An act to repeal an act entitled "An act providing for the erection and maintenance of a monument to the memory of Chief Solano, to be erected in Solano County, and making appropriation therefor," approved June 19, 1931;

Also: Senate Bill No. 85—An act to amend School Code section 4.375, relating to the maximum rate of school district taxes;

Also: Senate Bill No. 980—An act to repeal an act entitled "The State Fish Exchange Act" approved June 1, 1917, as amended, relating to the regulation of the business of buying and selling fish;

Also: Senate Bill No. 1035—An act to transfer the duties, powers, purposes, responsibilities and jurisdiction of the Department of Finance over and appertaining to Sutter's Fort to the Division of Parks of the Department of Natural Resources of the State of California, charging the said Division of Parks with the administration thereof and the execution of the laws concerning the same, authorizing the employment of employees, abolishing certain offices and positions, authorizing the expenditure of certain funds, and repealing all acts or parts of acts inconsistent therewith;

Also: Senate Bill No. 226—An act to amend section 802 of the Agricultural Code, relating to the standardization of grapes;

Also Senate Bill No. 982—An act to add a new section to be numbered section 8½ to an act entitled "California Ripe Olive Standardization Act," approved May 11, 1931, relating to the regulation of the canned olive industry.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 362 read first time, and referred to Committee on Judiciary.

Senate Bills Nos. 352 and 676 read first time, and referred to Committee on Live Stock and Dairies.

Senate Bill No. 888 read first time, and referred to Committee on Ways and Means

Senate Bill No. 85 read first time, and referred to Committee on Education

Senate Bills Nos. 980 and 1035 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 226 read first time, and referred to Committee on Agriculture.

Senate Bill No. 982 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, March 29, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 196—An act to amend section 4265 of the Political Code, relating to compensation of county and township officers in counties of the thirty-sixth class;

Also: Senate Bill No. 82—An act to amend section 11 of an act entitled "An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license, to declare certain acts to be offenses and fix the penalties therefor, and to repeal all conflicting acts or parts of acts," approved June 1, 1927, and to add a new section thereto to be numbered 5a. relating to produce dealers;

Also: Senate Bill No. 79—An act to add a new section to be numbered 12¼ to "An act to provide for the formation, management and dissolution of county water works districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county water works district bonds and the payment thereof," approved June 13, 1913, relating to the organization and regulation of county water works districts;

Also: Senate Bill No. 80—An act to add a new section numbered 13½ to an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, relating to county water districts.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary

Senate Bill No. 196 read first time, and referred to Committee on County Government.

Senate Bill No. 82 read first time, and referred to Committee on Agriculture.

Senate Bills Nos. 79 and 80 read first time, and referred to Committee on Public Utilities.

Also:

SENATE CHAMBER, SACRAMENTO, March 29, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 1117—An act to abolish the Division of Research and Statistics in the Department of Education.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

Senate Bill No. 1117 read first time, and referred to Committee on Ways and Means.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr Bliss: Assembly Constitutional Amendment No. 96—Proposed amendment to Article XIII, section 1¾ of the Constitution, relative to exemption of bonds issued by the State or by a county, city or district.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Bliss: Assembly Constitutional Amendment No. 97—Proposed amendment to Article IV, section 2 of the Constitution, relative to the Legislature.

Introduced, and referred to Committee on Constitutional Amendments.

UNFINISHED BUSINESS.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr Stannard moved that the vote whereby Assembly Bill No 1587 was passed, be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Alter, Bliss, Bowers, Brock, Chatters, Clowdsley, Cobb, Cottrell, Evans, Greene, Grubbs, Hallner, Hatch, Latham, Lyon, O'Donnell, Phillips, Redwine, Riley, Robinson, Samuel E., Rogers, Stannard, Stream, Sullivan, Thorp, Wright and Zion—28.

NOES—Anglim, Badham, Boyle, Burns, Callahan, Cassidy, Craig, Crist, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Hoffman, Hunt, Kallam, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Powers, Rawls, Ross, Scudder, Tournoux, Utt, Williamson and Mr. Speaker—40.

Assembly Bill No. 1587 ordered transmitted to the Senate.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Powers moved that the vote whereby Assembly Bill No 1906 was refused passage, be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Dempster, Evans, Fisher, Greene, Hatch, Hoffman, Hunt, Knowland, Levey, Maloney, Mayo, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Peterson, Phillips, Powers, Robinson, Samuel E., Roland, Ross, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson and Woolwine—44

NOES—Clowdsley, Crist, Field, Gilmore, Grubbs, Hallner, Latham, Martin, Redwine, Riley, Rogers, Scudder, Sullivan and Mr. Speaker—14

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE HUNDRED SIX.

Assembly Bill No. 1906—An act to add a new section to the School Code, to be numbered 5.27, relating to cooperative stores on the campuses of the State Teachers Colleges

Bill read third time

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr Powers moved that Assembly Bill No. 1906 be withdrawn from the file, and re-referred to Committee on Education.

The question being on re-referring Assembly Bill No. 1906 to Committee on Education.

Motion carried.

Assembly Bill No. 1906 ordered re-referred to Committee on Education.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No 201—An act to amend section 3 291 of the School Code, relating to the establishment of high schools

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No 1605—An act to add section 2349a to the Political Code, relating to navigable waters.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 388—An act to amend section 923 of the Penal Code, relating to grand juries.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1185—An act to add two new sections to the Penal Code, to be numbered 405a and 405b, establishing the public offense of lynching, and providing penalties therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1916—An act to repeal Articles IV, V, Va and VII of Chapter VII of Part III of Division V of the School Code, embracing sections 5.680 to 5.713, inclusive, relating to dismissal of school employees.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to repeal Article I of, and to add a new article, to be numbered I, to Chapter I of Part III of Division V of the School Code; to repeal Chapter III and Articles IV, V, Va and VII of Chapter VII of Part III of Division V of said code; to repeal Article II of, and to add new articles, to be numbered II and III, to Chapter VII of Part III of Division V of said code; and to repeal an act entitled "An act relating to the election of teachers in the public schools," approved May 23, 1929, all relating to the public school system"

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after "Section 1.", add the following:

"An act entitled "An act relating to the election of teachers in the public schools," approved May 23, 1929, and Article I of Chapter I of Part III of Division V of the School Code, embracing sections 5.400 to 5.407, inclusive, are hereby repealed

SEC. 2 A new article is hereby added to Chapter I of Part III of Division V of the School Code, to be numbered Article I, and to read as follows:

Article I—Employment of Persons for Positions Requiring Certification Qualifications.

5.400. Boards of school trustees, and city, and city and county boards of education shall have power and it shall be their duty to employ persons in public school service requiring certification qualifications as provided in this code.

5.401. Persons in positions, or qualified to hold positions, requiring certification qualifications may be elected for the next ensuing school year on or after the first meeting of the governing board as reorganized on the first day of May, and each person so elected shall be deemed reelected from year to year except as hereinafter provided.

5.402. Any person elected for the next ensuing school year, who shall fail to signify his acceptance within twenty days after notice of his election shall have been given him by the clerk or secretary of the governing board of the district, or after notice shall have been mailed by the clerk or secretary of the governing board by depositing such notice in the United States Post Office, with postage thereon prepaid, addressed to such person at his last known place of address, shall be deemed to have declined such employment

5.403 The county superintendent of schools shall be given immediate notice in writing of the employment of persons for positions requiring certification qualifications, on blanks furnished by the superintendent of public instruction, stating the name and address of each person so employed.

5.404. Nothing in this code shall be construed as prohibiting the employment of persons in positions requiring certification qualifications for less than a full year as substitute or part time employees or as employees in temporary schools and classes.

5.405. Nothing in this part shall be construed so as to repeal or negate any provisions concerning employees of school districts contained in the charter of any city, county, or city and county, heretofore or hereafter adopted and approved in conformity with Article XI of the Constitution of this State

5.406 The terms of tenure of all persons employed by the governing boards of school districts of all types and classes prior to the enactment of this article shall become void at the end of the school year next succeeding the enactment of said article.

SEC. 3 Chapter III of Part III of Division V of the School Code, embracing sections 5.500 to 5.521, inclusive, of the School Code, is hereby repealed.

SEC 4. Article II of Chapter VII of Part III of Division V of the School Code, embracing sections 5.650 to 5.665, inclusive, is hereby repealed.

SEC. 5. A new article is hereby added to Chapter VII of Part III of Division V of said code, embracing sections 5.650 to 5.658, inclusive, relating to dismissal of school employees, to be numbered Article II, and to read as follows:

Article II—Dismissal of Certificated Employees During the School Year.

5.650. Any certificated employee of a school district of any type or class not having a district or city superintendent may be dismissed during the school year, as hereinafter provided, by a majority vote of the governing board with the approval of the county superintendent of schools, or by the unanimous vote of the governing board.

5.651. Any certificated employee of a school district of any type or class having a district or city superintendent may be dismissed during the school year, as hereinafter provided, by the majority vote of the governing board with the approval of the district or city superintendent, or by the unanimous vote of the governing board.

5.652. No certificated employee shall be dismissed during the school year except for immoral or unprofessional conduct, incompetence or evident unfitness for service, or refusal to conform to reasonable rules or regulations of the governing board.

5.653. The governing board shall give at least ten days notice in writing to any certificated employee against whom charges shall have been preferred. Such notice shall state the charges, and the time when and the place where the hearing will be held.

5.654. The governing board shall hold a hearing at which the county superintendent of schools, or the district or city superintendent, as required in this article, shall be present, and shall conduct the hearing under reasonable rules which it shall adopt. Such hearing shall be confined to the charges only.

5.655. Within thirty days after the hearing shall have been concluded the governing board may dismiss the certificated employee by an affirmative vote of the majority of the members of the board with the concurrent approval of the superintendent, or by the unanimous vote of the governing board.

5.656. No member of the board shall be qualified to vote who has not been present throughout the hearing.

5.657. Any certificated employee against whom charges have been preferred may be suspended by a vote of the majority of the members of the board with the concurrent approval of the superintendent, or by the unanimous vote of the governing board, pending the hearing and the determination of the charges.

5.658. Any certificated employee dismissed during the school year shall receive compensation up to date on which the order of dismissal shall become effective but such date shall not be prior to the date on which the employee receives notification of his dismissal.

SEC. 6. A new article is hereby added to Chapter VII of Part III of Division V of the School Code, to be numbered Article III, and to read as follows:

Article III—Dismissal of Certificated Employees at the End of the School Year.

5.660. Any certificated employee of a school district of any type or class not having a district or city superintendent may be dismissed at the end of any school year by the affirmative vote of the majority of the members of the governing board with the concurrent approval of the county superintendent of schools, or by the unanimous vote of the governing board.

5.661. Any certificated employee of a school district of any type or class having a district or city superintendent may be dismissed at the end of any school year by the affirmative vote of the majority of the members of the governing board with the concurrent approval of the district or city superintendent, or by the unanimous vote of the governing board.

5.662. Notice of intent to dismiss a certificated employee at the end of the school year must be given such employee not later than the fifteenth day of May of the year in which the dismissal becomes effective.

5.663. Any permanent employee dismissed for cause under the provisions of Articles II and III of this chapter may within twenty days thereafter appeal to the Superintendent of Public Instruction for a review of the decision of the governing board. The Superintendent of Public Instruction shall, within sixty days after the receipt of the appeal by him, render a written decision affirming or reversing the action of the governing board, one copy of which shall be sent to the clerk of the governing board dismissing the employee and one copy to the employee. If the decision of the Superintendent of Public Instruction reverses the action of the governing board, the employee shall, within ten days after the receipt of a copy of the decision by the clerk of the governing board, be reinstated in the position from which he was dismissed, and shall be paid full salary by the governing board for the period between his suspension or dismissal, as the case may be, and his reinstatement.

SEC. 7. Articles IV, V, Va and VII of Chapter VII of Part III of Division V of the School Code, embracing sections 5680 to 5713, inclusive, are hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2332—An act to add section 3a to an act entitled "An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein, to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products, to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and to fix the penalties therefor, and to repeal all conflicting acts or parts of acts," approved June 1, 1927, relating to slaughterers.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to add sections 1263.5 and 1268.5 to the Agricultural Code, relating to slaughterers."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 1263.5 is hereby added to the Agricultural Code to read as follows:

1263.5. Any person licensed as a slaughterer under Article 3, Chapter 1, Division III of this code shall not be required to obtain the license provided for by this chapter.

SEC. 2. Section 1268.5 is hereby added to the Agricultural Code to read as follows:

1268.5. When a verified complaint is filed with the director against any person licensed as a slaughterer under Article 3, Chapter 1, Division III of this code, for failure to make and prepare a true account of sales of and settlement for live stock and live stock products, the director shall make all necessary investigations relative to the complaint. In the event that the director finds that the complaint is meritorious, he may suspend the slaughterers license of said person until the complaint is satisfied."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 540—An act to amend section 3805a of the Political Code, relating to cancellation of assessments, certificates of sale and deeds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1293—An act to amend section 925 of the Penal Code of the State of California, relating to grand juries.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed bill, insert after "defendant", the following "or his attorney or by leaving the same with the clerk of the court for the defendant".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 536—An act to add section 459 to the Fish and Game Code, relating to birds, mammals, and fish kept for exhibition purposes.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 and 4, and in lieu thereof insert the following:

"459. Except as provided in Article 7, Chapter 3, Part 3, Division IV, any deer, elk or bear kept in captivity may be".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 7, and in lieu thereof insert the following: "carcass, or part thereof, of any such mammal".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1785—An act to amend section 1177 of the Fish and Game Code, relating to pheasants.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend sections 1201, 1202 and 1203 of the Fish and Game Code, relating to quail."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 1201 of the Fish and Game Code is hereby amended to read as follows:

1201. Mountain quail may be taken in district 1½ between November 1st and December 31st, and in all other districts between November 15th and December 31st. The bag limit is ten per day, twenty per week. Not more than one daily bag limit of mountain quail may be possessed by any person during one day.

SEC. 2. Section 1202 of the Fish and Game Code is hereby amended to read as follows:

1202. Desert quail may be taken between November 15th and December 31st. The bag limit is ten per day, twenty per week. Not more than one daily bag limit of desert quail may be possessed by any person during one day.

SEC. 3. Section 1203 of the Fish and Game Code is hereby amended to read as follows:

1203. Valley quail may be taken in district 1½ between November 1st and December 31st, and in all other districts between November 15th and December 31st.

The bag limit is ten per day, twenty per week. Not more than one daily bag limit of valley quail may be possessed by any person during one day."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1974—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 6 and 7 and insert in lieu thereof the following: "of seven members appointed by the Governor. The terms of three of the members first appointed shall expire on January 1, 1935, and the terms of four of the members first appointed shall expire on January 1, 1937. At the expiration of the term of each member the vacancy shall be filled for a term of four years. Members of the commission shall".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out line 18, and insert in lieu thereof the following:

"d One member from an area composed of the City and County of San Francisco, and Contra Costa."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 24 to 27, inclusive, and insert in lieu thereof the following:

"f. Two members to be selected at large"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1083—An act to amend sections 2, 3, 5, and 6 of an act entitled, "An act to define motor club service, and to define, license, and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles, and providing penalties for the violation thereof, and repealing all acts in conflict herewith," approved June 15, 1929.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out the entire title of the printed bill, and substitute therefor the following

"An act to amend sections 1, 2, 3, 6 and 14 of an act entitled 'An act to define motor club service, and to define, license and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles and providing penalties for the violation thereof, and repealing all acts in conflict herewith,' approved June 15, 1929, as amended, and to add thereto two new sections to be numbered sections 3 (a) and 17"

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 23, inclusive, and all of pages 2 and 3, and substitute therefor the following.

"SECTION 1. Section 1 of the act cited in the title hereof is hereby amended to read as follows

Section 1. The following words and phrases, when used in this act, shall, for the purpose of this act, have the meanings respectively ascribed to them in this section, except in those instances where the context of the act clearly indicates that they shall have a different meaning:

"Commissioner." The Commissioner of Insurance of the State of California or his assistants or deputies or other persons authorized to act for him.

"Company." Any person, firm, copartnership, company, association or corporation engaged in selling, furnishing or procuring either as principal or agent motor club service as herein defined.

"Agent." Whoever solicits the purchase of service contracts, as herein defined, or transmit for another any such contract or application therefor to or from the company, or acts or aids in any manner in the delivery or negotiation of any such contract, or of the renewal or continuance thereof.

"Towing service." Any act or acts by a company, as herein defined, consisting of the drafting or moving of a motor vehicle from one place to another under other than its own power.

"Emergency road service." Any act or acts by a company, as herein defined, consisting of the adjustment, repair or replacement of the equipment, tires or mechanical parts of an automobile so as to permit it to be operated under its own power

"Insurance service." Any act or acts by a company, as herein defined, consisting of the selling or giving with a service contract, as herein defined, or as a result of membership in or affiliation with a company, as herein defined, a policy of insurance covering liability or loss by the holder of a service contract with any such company as the result of injury or damage to the person or property of such service contract holder or to any other person following an accident resulting from the ownership, maintenance, operation or use of a motor vehicle.

"Bail bond service." Any act or acts by a company, as herein defined, the purpose of which is to furnish or procure for any person accused of violation of any law of this State a cash deposit, bond or other undertaking required by law in order that the accused might enjoy his personal freedom pending trial

"Discount service." Any act or acts by a company, as herein defined, resulting in the giving of special discounts, rebates or reductions of price on gasoline, oil, repairs, insurance, parts, accessories or service for motor vehicles, to holders of service contracts with any such company

"Financial service." Any act or acts by a company, as herein defined, whereby loans or other advances of money, with or without security, are made to holders of service contracts with any such company.

"Buying and selling service." Any act or acts by a company, as herein defined, whereby the holder of a service contract with any such company is aided in any way in the purchase or sale of an automobile.

"Theft service." Any act or acts by a company, as herein defined, the purpose of which is to locate, identify or recover a motor vehicle owned or controlled by the holder of a service contract with any such company which has been or may be stolen or to detect or apprehend the person guilty of such theft.

"Map service." Any act or acts by a company, as herein defined, by which road maps are furnished without cost to holders of service contracts with any such company.

"Touring service." Any act or acts by a company, as herein defined, by which touring information is furnished without cost to holders of service contracts with any such company

"Claim adjustment service." Any act or acts by a company, the purpose of which is to adjust claims for the holder of a service contract with any such company, as the result of injury or damage to the person or property of such service contract holder or to any other person, following an accident resulting from the ownership, maintenance, operation and use of a motor vehicle.

"License service." Any act or agreement by a company to assist any person or persons to obtain State registration of automobile, operator's license, chauffeur's license, transfer of legal or registered ownership upon the State records of the Department of Motor Vehicles.

"Motor club service." The rendering, furnishing or procuring of any one or more of the services in this section provided and defined to any person or persons in connection with the ownership, operation, use or maintenance of a motor vehicle by such other person or persons in consideration of such other person or persons being or becoming a member or members of any company, rendering, procuring or furnishing the same, or being or becoming in any manner affiliated therewith, or being or becoming entitled to receive membership or other motor club service therefrom by virtue of any agreement or understanding with any such company

"Service contract." Any written agreement whereby any company, as herein defined, for a consideration promises to render, furnish or procure for any other person or persons, whether they be members of such company or otherwise, motor club service, as herein defined

SEC. 2. Section 2 of said act is hereby amended to read as follows:

Sec. 2. It shall be unlawful for any company to sell or offer for sale, directly or indirectly, any motor club service herein provided without first having deposited and thereafter continuously maintaining with the commissioner the sum of one hundred thousand dollars in cash or securities of a market value in said amount of a type legal for investment by insurance companies in this State and approved by the commissioner or in lieu thereof a surety bond in the principal sum of twenty-

five thousand dollars with a corporate surety company legally authorized to do business in this State as surety on said bond Said bond shall be in favor of and for the protection, use and benefit of all persons whose applications for membership in a company have been accepted by such company or its representative, and conditioned that said company will faithfully furnish and render to said persons any and all of the motor club services in this act specified as may have been sold or offered for sale by such company, and also conditioned for the payment of any fines, fees or penalties imposed upon such company under or pursuant to this act and any person defrauded or injured by any wrongful act, misrepresentation or failure on the part of a company with respect to the selling or rendering of any of its services may bring suit on such bond in his own name. Upon the depositing of such cash, securities or bond with the Insurance Commissioner, it shall be the duty of said commissioner to issue a certificate of authority to said company.

SEC 3 Section 3 of said act is hereby amended to read as follows:

Sec 3 No agent, as herein defined, doing business in this State shall execute, issue or deliver any service contract as herein defined to any person or persons owning or operating motor vehicles without first having obtained a license from the commissioner, nor shall any agent collect or receive from any person or persons in advance of the execution issuance or delivery of any such service contract any money or other thing of value upon any promise or agreement to execute, issue or deliver any such service contract, without first having obtained a license from said commissioner Such license may, upon a hearing duly noticed and had before the Insurance Commissioner, be suspended or revoked by said commissioner for misrepresentation fraud or any other violation of this act.

SEC 4 A new section is hereby added to said act to be numbered section 3a and to read as follows:

Sec 3a The name under which any company hereafter is proposed to be formed or organized under the laws of this State shall be submitted to the commissioner before the commencement of business under the provisions of this act The commissioner may reject any name so submitted when the same is an interference with or too similar to one already appropriated, or likely to mislead the public in any respect; and in such case a name not liable to such objections must be chosen The commissioner shall not grant a certificate of authority to do business to any company until a name is chosen and approved by him under the provisions of this section

SEC 5. Section 6 of said act is hereby amended to read as follows

Sec 6 If the commissioner shall, at any time for cause shown and after a hearing, determine that a company has violated any provision or provisions of this act, or that it is insolvent, or that its assets are less than its liabilities, or that it or its officers refuse to submit to an examination, or that it is transacting business fraudulently, he shall thereupon revoke or suspend its certificate of authority and shall give notice thereof to the public in such manner as he may deem proper. The commissioner may on receipt of verified complaint reciting facts indicating that a company is insolvent or is transacting its business in a fraudulent manner, demand from the company a statement under oath setting forth its assets and liabilities and may, for the purpose of verifying the correctness of such statement, examine the books of the company, from which such statement purports to have been prepared. In the event such statement be not furnished within twenty days from the time of demand thereof or it upon the examination of such records the statement furnished or records examined contain any wilful misstatement of fact the expense of said examination shall be paid by the company

SEC 6. Section 14 of said act is hereby amended to read as follows:

Sec 14. (a) Any person or any officer, agent or representative of any company convicted of violating the provisions of section 2 of this act shall be punishable by a fine of not less than two hundred fifty dollars or more than one thousand dollars or by imprisonment in the county jail for not less than thirty days or more than twelve months, or by both such fine and imprisonment

(b) Any person or any officer, agent or representative of any company convicted for violating any other provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than six months or by both such fine and imprisonment

SEC 7 A new section is hereby added to said act to be numbered section 17 and to read as follows:

Sec. 17 This act shall be known and may be cited as the "Motor Service Club Act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1091—An act to amend sections 633a, 633a4, 633a7, 633a16, 633a18, 633a24, 633a25, 633a27, 633a28, 633a29 and 633a31 of the Political Code, and to add three new sections to the Political Code, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors, numbered sections 633a32, 633a33 and 633a34.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out the entire title, and substitute therefor the following:

"An act to amend sections 633a7, 633a16, 633a18, 633a24, 633a25, 633a27 and 633a31 of the Political Code, and to add a new section to said code, to be numbered 633a32, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors"

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 1 to 36, inclusive, and substitute therefor the following:

'SECTION 1. Section 633a7 of the Political Code is hereby amended to read as follows:

633a7. The Insurance Commissioner shall investigate the qualifications of the applicants. Except as otherwise prescribed in this code he may issue a license to applicants on a showing satisfactory to him of the following facts: That the applicant is properly qualified to perform the duties of an insurance agent, broker, or solicitor, as the case may be; that granting the license will not be against public interest; that the applicant intends actively and in good faith to carry on the business of insurance agent, broker, or solicitor, as the case may be, that in the case of a corporate applicant, the articles of incorporation permit it to act as an insurance agent or broker, as the case may be; or in the case of an association or copartnership applying for such a license, that its articles of association or agreement of partnership do not forbid it from so acting; that the license is not being secured for the purpose of enabling the applicant or the employer of the applicant to obtain contracts of surety, indemnity or insurance other than life, at a cost less than specified in such contracts; that in the case of a person who has not within two years previous to the application held a license to act as an insurance agent, broker, or solicitor, the applicant has taken and passed the qualifying examination provided in this code.

The Insurance Commissioner must require in advance, in United States gold coin, the following fees: For issuing each annual license to an insurance broker, ten dollars; for issuing each annual license to an agent or solicitor, one dollar; which said fees shall be in lieu of the fees provided in subsections 11, 12 and 13 of section 605 of the Political Code"

AMENDMENT NUMBER THREE.

On page 2, line 37, of the printed bill, strike out "SEC. 4.", and substitute therefor "SEC. 2."

AMENDMENT NUMBER FOUR.

On page 2, line 46, of the printed bill, strike out "SEC. 5.", and substitute therefor "SEC. 3."

AMENDMENT NUMBER FIVE.

On page 3, line 12, of the printed bill, strike out "SEC. 6.", and substitute therefor "SEC. 4."

AMENDMENT NUMBER SIX.

On page 3, line 17, of the printed bill, strike out the matter between the word "with" and the word "such".

AMENDMENT NUMBER SEVEN.

On page 3, line 22, of the printed bill, strike out "SEC. 7", and substitute therefor "SEC. 5."

AMENDMENT NUMBER EIGHT

On page 3, line 33, of the printed bill, strike out all matter between the word "requirements" and the word "restrictions", and strike out the parenthesis and comma after said word "restrictions".

AMENDMENT NUMBER NINE

On page 3, line 34, of the printed bill, strike out all of said line, beginning with the word "and" to the word "as", in said line.

AMENDMENT NUMBER TEN

On page 3, line 38, of the printed bill, substitute a period for the colon after the word "business", and strike out all of said line beginning with the parenthesis, and also strike out all of line 39 to and including the parenthesis in line 39.

AMENDMENT NUMBER ELEVEN.

On page 3, line 40, of the printed bill, strike out all matter between the word "in" and the word "his", in said line.

AMENDMENT NUMBER TWELVE.

On page 3, line 49, of the printed bill, strike out "SEC. 8", and substitute therefor "SEC. 6"

AMENDMENT NUMBER THIRTEEN.

On page 4, line 15, of the printed bill, strike out all matter between the word "terminate", and the word "and".

AMENDMENT NUMBER FOURTEEN.

On page 4 of the printed bill, strike out all of lines 18 to 42, both inclusive

AMENDMENT NUMBER FIFTEEN.

On page 4, line 43, of the printed bill, strike out "SEC. 11.", and substitute therefor "SEC. 7"

AMENDMENT NUMBER SIXTEEN.

On page 4, line 45, of the printed bill, strike out all matter between the word "to" and "of", and substitute therefor "633a32".

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 49, of the printed bill, strike out "SEC. 12", and substitute therefor "SEC. 8."

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 52, of the printed bill, strike out the words "or which".

AMENDMENT NUMBER NINETEEN.

On page 5 of the printed bill, strike out all matter in line 2 beginning with the parenthesis to and including the word "act" in said line; strike out all of lines 3 and 4 on said page; strike out all of line 5 to the word "who" in said line, and insert immediately preceding said word "who" the word "and".

AMENDMENT NUMBER TWENTY.

On page 5 of the printed bill, strike out all of lines 11 and 12

AMENDMENT NUMBER TWENTY-ONE

On page 1 of the printed bill, strike out lines 1 to 22 inclusive

AMENDMENT NUMBER TWENTY-TWO

On page 3 of the printed bill, after the word "requirements", insert a comma

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 319—An act to amend sections 3746, 3751, 3756, 3814, and 3817 of the Political Code of California, relating to penalties for delinquencies in payment of taxes, and to redemption of property from tax sales, and to repeal sections 3815 and 3817a of said code.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 3732, 3746, 3751, 3756, 3758, 3759, 3764, 3766, 3767, 3797, 3801, 3817, 3817a, and 3897 of the Political Code, relating to the assessment and collection of taxes on real and personal property and the redemption thereof."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 22, inclusive; also strike out pages 2 to 5, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 3732 of the Political Code is hereby amended to read as follows:

3732. On or before the fifteenth day of September, he must deliver the corrected assessment book to the tax collector, with an affidavit attached thereto, and by him subscribed as follows

"I, _____, auditor of the county of _____, do swear that I received the assessment book of the taxable property from the clerk of the board of supervisors, with his affidavit thereto affixed, and that I have corrected it and made it conform to the requirements of the State Board of Equalization; that I have reckoned the respective sums due as taxes, and have added up the columns of valuations, taxes and acreage, as required by law."

SEC. 2. Section 3746 of the Political Code is hereby amended to read as follows:

3746. On or before the day when taxes are payable, the tax collector must publish a notice specifying:

1. That the taxes on all personal property secured by real property and one-quarter of the taxes on all real property, will be due on the tenth day of October, and will be delinquent on the first day of November next thereafter, at five o'clock p. m., and that unless paid prior thereto ten per cent will be added to the amount thereof, that the second one-quarter of taxes on all real property will be due on the fifteenth day of December and will be delinquent on the fifteenth day of January, next thereafter, at five o'clock p. m., and that unless paid prior thereto ten per cent will be added to the amount thereof, that the third one-quarter of taxes on all real property will be due on the first day of March and will be delinquent on the first day of April, next thereafter, at five o'clock p.m., and that unless paid prior thereto five per cent will be added to the amount thereof, that the remaining one-quarter of taxes on all real property will be due on the fifteenth day of May and will be delinquent on the fifteenth day of June, next thereafter, at five o'clock p. m., and that unless paid prior thereto, five per cent will be added to the amount thereof, provided, however, that when November first, January fifteenth, April first, or June fifteenth, falls on Saturday, taxes shall become delinquent at twelve o'clock m., on any of said dates.

2. That all taxes may be paid at the time the first installment, as herein provided, is due and payable.

3. The times and places at which payment of taxes may be made. The tax collector may fix a date in advance of the due date when payments may be made.

SEC. 3. Section 3751 of the Political Code is hereby amended to read as follows:

3751. He must give a receipt to the person paying any tax or any part of any tax, specifying the amount of the assessment and the tax, or any part of the tax paid, and the amount remaining unpaid, if any, with a description of the property assessed, and printing clearly the beginning and ending of the fiscal year for which such tax is paid, provided, that the receipts for the second, third and last installments of taxes may refer, by number or any other intelligent manner, to the receipt given for the first installment of taxes in lieu of a description of the property assessed, provided, further, that all tax bills shall have printed thereon a conspicuous notice that in the event that taxes are unpaid the delinquent will, in addition to the same, be obliged to pay upon redemption of the property, interest at one per cent per month as required under section 3817 of the Political Code.

SEC. 4. Section 3756 of the Political Code is hereby amended to read as follows:

3756. The taxes on all personal property, together with one-quarter of the taxes on all real property, are delinquent on the first day of November of each year, at five o'clock p. m., and thereafter the tax collector must collect, for the use of the county, or city and county, an additional ten per cent thereon. On the fifteenth day of January of each year, at five o'clock p. m., the second one-quarter of the taxes on all real property is delinquent, and thereafter the tax collector must collect, for the use of the county, or city and county, an additional ten per cent thereon. On the first day of April of each year, at five o'clock p. m., the third one-quarter of the taxes on all real property is delinquent, and thereafter the tax collector must collect, for the use of the county, or city and county, an additional five per cent thereon. On the fifteenth day of June of each year, at five o'clock p.m., the remaining one-quarter of the taxes on all real property is delinquent, and thereafter the tax collector must collect, for the use of the county, or city and county, an additional five per cent thereon; provided, that the entire tax on any real property may be paid at the time the first installment is due and payable, and provided further, that the taxes on all personal property unsecured by real property shall be due and payable immediately after the assessment of said personal property is made; and provided further, that if the first day of November, the fifteenth day of January, the first day of April, or the fifteenth day of June, falls on Saturday, all taxes then unpaid shall become delinquent at twelve o'clock m., on any of said dates.

SEC. 5. Section 3758 of the Political Code is hereby amended to read as follows:

3758. On the fifteenth day of November, the first day of February and the fifteenth day of April, of each year, in each of the counties, and cities and counties of this State, the tax collector must attend at the office of the auditor with the assessment book, having all the items of taxes collected marked "paid." The auditor shall thereupon compute and enter against all the items of taxes due and unpaid the penalty for delinquency, foot up the total amount of penalties then due, and

must, within ten days thereafter, deliver to said tax collector the assessment book and charge him with the amount of said penalties.

SEC. 6. Section 3759 of the Political Code is hereby amended to read as follows:

3759. On the first day of July of each year, in each of the counties, and cities and counties of this State, the tax collector must attend at the office of the auditor with the assessment book, having all items of taxes and penalties collected marked "paid," and at the same time he shall deliver to the auditor a complete delinquent list of all persons and property then owing taxes.

SEC. 7. Section 3764 of the Political Code is hereby amended to read as follows:

3764. (1) On or before the twenty-first day of July of each year, the tax collector shall publish the delinquent list, which must contain the names of persons and a description of the property delinquent, and an amount equal to the total amount of all taxes, assessments, penalties, and costs due, and which are a lien thereon. Whenever any property appears in this list, which was sold to the State five years previous to the date fixed herein for the sale to be had under the provisions of section 3771a of this code, there shall appear immediately following the description of said property a notice, which notice shall be in substance, and may be in form, as follows:

"To be sold at public auction ------ 19 ---.

See sale No. ------ in addenda to this list."

(2) In addition to the publication prescribed in subdivision one of this section, there shall be appended thereto a notice of sale, and a list of all property which was sold to the State five years previous to the date fixed herein for the sale to be had under the provisions of section 3771a of this code, on which the taxes remain unpaid, or which has not been redeemed or the sale thereon canceled, and to which property the State would otherwise be entitled to a deed thereof after the lapse of five years from the date of said previous sale. Such notice shall state the day and hour and the place of sale, which sale must be had not less than twenty-one nor more than twenty-eight days from the time of the first publication, and the place shall be in the tax collector's office, and shall contain a description of the property to be sold and the least amount which will be accepted as a bid thereon, which amount shall be the amount of all taxes, penalties and costs for which the property was sold to the State at said sale. The properties enumerated shall each be preceded by a sale number, such sale numbers running in regular sequence. Said notice herein provided for shall be in substance, and may be in form, as follows:

"Addenda to delinquent tax list.

Notice of sale of property for delinquent taxes of 19 --- at public auction.

In pursuance of law, public notice is hereby given, that, commencing on the ------ day of ------, 19 ---, at the hour of ------ o'clock, --- m., of that day, and continuing from day to day thereafter, if additional time is required to complete the sale, in the office of the tax collector of the county of ------, State of California, the undersigned tax collector will, unless the delinquent taxes thereon are sooner redeemed, sell or offer for sale at public auction to the highest bidder, for cash in lawful money of the United States, the several parcels and lots of property hereinafter described upon which date five years will have elapsed from the date of the sale of said property to the State. No bid for said property will be accepted for less than the amount of all taxes, penalties and costs due on said property for the year the same was sold to the State (in the year 19 --- for the taxes of the year 19 ---), which minimum amounts are set forth opposite the description of each of said properties.

In order to entitle the successful bidder to a deed of the property purchased he must, in addition to the price paid pursuant to his bid at such sale, within thirty days pay by redemption any and all further delinquent taxes and assessments against said property, together with all penalties, costs, interest and charges accrued thereon.

After a bid has been made and accepted at such sale, the right of redemption (except by the purchaser) shall cease.

Dated this ------ day of ---- - 19----.

Tax Collector of ------ County,
State of California.

The properties to be sold and the subject of this notice are situated in the county of ------, State of California, and particularly described as follows, to wit:

No. ------ Description of Property ----------.
Assessed to ----------
Least acceptable bid $------

SEC. 8. Section 3766 of the Political Code is hereby amended to read as follows:

3766. The publication must be made once a week for three successive weeks in some newspaper of general circulation published in the county, and must be paid therefor at the county rate for advertising, as fixed by the board of supervisors

If there be no newspaper of general circulation published in the county, then said list must be posted in three public places in the county

SEC. 9. Section 3767 of the Political Code is hereby amended to read as follows:

3767. The publication must designate the day and hour when the property will, by operation of law, be sold to the State, which sale must not be less than twenty-one nor more than twenty-eight days from the time of the first publication, and the place shall be in the tax collector's office

SEC. 10. Section 3797 of the Political Code is hereby amended to read as follows:

3797. The tax collector must, on or before the twentieth day of August of each year, attend at the office of the auditor with the delinquent list, with all items collected marked "paid" thereon, and the auditor must then carefully compare the list with the assessment of persons and property not marked "paid" on the assessment book, and when taxes have been paid, must note the fact in the appropriate column in the assessment book

SEC. 11. Section 3801 of the Political Code is hereby amended to read as follows:

3801. It shall be the duty of the tax collector within twenty days after the sale of any land for delinquent taxes to furnish to the auditor a complete printed list of all such land so sold, and thereupon the auditor shall enter upon the assessment book of the current year immediately after the description of the property the fact that said property has been sold for taxes and the date of such sale. The auditor shall transmit said list to the assessor who shall thereupon enter upon the proper books of his office the fact that said property has been sold for taxes and the date of such sale.

SEC. 12. Section 3817 of the Political Code is hereby amended to read as follows:

3817. In all cases where real estate has been sold, or may hereafter be sold to the State for delinquent taxes, and the State has not disposed of the same, the person whose estate has been or may hereafter be sold, his heirs, executors, administrators or other successors in interest shall, at any time after the same has been sold to the State and before the State shall have disposed of the same, have the right to redeem such real estate by paying to the county treasurer of the county wherein the real estate may be situated, the amount of taxes, penalties for delinquency and costs due thereon at the time of such sale with interest on the aggregate amount of said taxes, at the rate of one per cent per month, and also all taxes that were a lien upon said real property at the time said taxes became delinquent, and also all unpaid taxes of every description assessed against the property for each year since the sale, as shown on the delinquent assessment rolls in the then permanent custody of the county auditor, or, if not so assessed, then upon the value of the property as assessed in the year nearest the time of such redemption, with interest from the twentieth day of August of each of said years, respectively, at the same rate, to the time of redemption; and also all costs and expenses of such redemption

The county auditor shall, on the application of the person desiring to redeem, make an estimate of the amount to be paid and shall give him triplicate certificates of the amount, specifying the several amounts thereof, which certificates the redemptioner shall deliver to the county treasurer, together with the money, and the county treasurer shall give triplicate receipts, written or indorsed upon said certificates, one to the redemptioner, and two to the county auditor, who shall deliver one of said receipts to the State Controller.

Upon consummation of the redemption and the delivery of the receipts aforesaid by the treasurer, the auditor shall report the same to the assessor, tax collector and recorder, and the recorder shall, without payment of fee, note on the margin of the record of the certificate of sale, or deed, if issued, the fact of such redemption, the date thereof, and by whom redeemed, which certificate of sale, or deed, shall become null and void, and all right, title and interest acquired by virtue of the tax sale shall cease and determine

The county treasurer shall settle for the moneys received as for other State and county moneys.

The State Controller shall, upon request of the auditor, issue a receipt which may be recorded in the recorder's office of the county in which said real estate is situated, in the book of deeds, and the record thereof shall have the same effect as that of a deed of reconveyance of the interest conveyed by such deed or certificate of sale

This act shall also apply to State lands sold by the State when the full amount of the purchase price has not been paid to the State therefor, after the deed to the State, provided for in section 3785 has been filed with the Surveyor General, provided, however, that one of the receipts showing the redemption of such land shall be delivered to the Surveyor General, who shall issue his receipt to the redemptioner; and provided, further, that no certificates of redemption shall be issued by the county auditor until he has first ascertained from the Surveyor General that the land has not been disposed of by the State

SEC. 13. Section 3817a of the Political Code is hereby amended to read as follows:

3817a. In all cases where real estate has been sold, or may hereafter be sold to the State for delinquent taxes, pursuant to the provisions of section 3771 of this code, and where the person whose estate has been or may hereafter be sold, his heirs, executors, administrators or other successors in interest shall, contemporaneously or prior to the payments hereinafter provided, also pay the current State and county taxes due on said property for the fiscal year during which such payment shall be made, such person his heirs, legal representatives or other successor in interest, shall at any time after the same has been sold to the State pursuant to the provisions of section 3771 of this code and prior to the sale at auction provided for in section 3771a of this code, have the right to extend the period during which such real estate may be redeemed and to postpone the date of the sale by auction as provided by section 3771a of this code and the execution of the deed to the State as provided by section 3785 of this code, for additional periods of one year each, by paying to the county treasurer of the county wherein said real estate may be situated the following amounts for the following periods, respectively: (1) for extending the period of redemption for the first period of one year, by paying to the county treasurer a sum of money equal to the amount of the taxes, penalties for delinquency and costs thereon for which said real estate was originally sold to the State together with a sum equal to interest on the aggregate amount of said taxes at the rate of one per cent per month, (2) for extending the period of redemption for each additional year thereafter, by paying to the county treasurer a sum of money equal to the taxes, penalties for delinquency and costs thereon for each of the second, third, fourth and/or fifth years of delinquency, respectively and consecutively, together with a sum equal to the interest on the aggregate amount of said taxes at the rate of one per cent per month.

Provided, however, that if any of the payments, as hereinabove in subdivisions (1) and (2) of this section provided shall be made on or after the twentieth day of August of any year and the State and county taxes on said property for the fiscal year next preceding such payment have not theretofore been paid, then such person must contemporaneously with the payments hereinabove provided also pay the said State and county taxes for the fiscal year next preceding such payment, together with the penalties and costs due thereon.

The county auditor shall, upon request, issue his certificate in triplicate showing the amounts necessary to be paid as hereinabove provided one copy of said certificate shall be delivered to the person making such payment and upon the payment being made a receipt shall be indorsed upon said certificate by the county treasurer evidencing payments as compensation for the use and occupancy of said real estate and to be applied as a credit, if, when and as redemption is made, as in this section hereinafter provided. The county treasurer shall deposit all payments so made to the same fund in which moneys received upon redemption are deposited.

The county auditor shall keep accurate records of all payments made hereunder in a book kept for that purpose, said records to show the name of the person making said payments, the amount or amounts paid, the certificate number, if any, and the year or years of delinquency, together with a description of the property.

Such payments shall not be deemed a redemption of such real estate nor affect the right, title, or interest in the State thereto, but shall postpone, for the period or periods aforesaid, the time when said real estate shall be deeded to or may be disposed of by the State, and the moneys so paid shall be deemed and considered as compensation for the use and occupancy of said real estate.

Provided, however, that if redemption shall thereafter be made pursuant to the provisions of section 3817 of the Political Code, the amounts so paid to extend said periods of redemption and to postpone the sale provided for by section 3771a of this code, and the execution of the deed provided for in section 3785 of this code, together with interest thereon at the rate of one per cent per month computed from the dates of said respective payments to the date of redemption, shall be credited on the amounts to be paid for such redemption.

SEC. 14. Section 3897 of the Political Code is hereby amended to read as follows:

3897. Except when otherwise disposed of, as provided in sections 3897a and 3897b of this code, whenever the State shall have become the owner of any property sold for taxes and the deed to the State has been filed with the Controller as provided in section 3785, the Controller may thereupon by a written authorization direct the tax collector of the county or city and county, to sell the property or any part thereof as in his judgment he shall deem advisable in the manner following:

He must give notice of such sale by first publishing a notice for at least three successive weeks in some newspaper published in the county or city and county, or if there be no newspaper published therein, then by posting a notice in three conspicuous places in the county or city and county, one of which shall be in the United States post office, nearest the land, in addition to a notice conspicuously posted on the land itself for the same period. Such notices must state specifically the place of and the day and hour of sale and shall contain a description of the property to be sold and shall also contain a detailed statement of all the delinquent taxes, penalties, costs, and interest required under section 3817 as if redemption were to be made, and expenses up to the date of such sale and shall give the name

of the person to whom the property was assessed for each year on which there may be delinquent taxes against said property or any part thereof and said notice shall embody a copy of the authorization received by the Controller. It shall be the duty of the tax collector to mail within five days after the publication of said notice of sale, a copy of said notice, postage thereon prepaid and registered, to the party to whom the land was last assessed next before the sale, at his last known post-office address, twenty-one days before the date of sale thereunder.

At the time set for such sale, the tax collector must sell the property described in the Controller's authorization and said notices, at public auction to the highest bidder for cash in lawful money of the United States

But no bid shall be received or accepted at such sale for less than the amount of all the taxes levied upon such property and all costs and penalties for every year delinquent as shown by the delinquent rolls for said years and also all tax liens up to the date of execution of the deed to the State and all expenses accrued to the date of the sale under this section, together with interest at one per cent per month computed upon the aggregate amount of the taxes for each year delinquent from the twentieth day of August following delinquency in each of said years to the date of the sale hereunder; provided, however, that if the board of supervisors of the county or city and county, in which any such property is situate, shall, by resolution entered upon their minutes, declare that, in their judgment, the property so owned by the State and particularly described in said resolution, is not at that time of value great enough that it can be sold by the State for a sum equal to the amount of all taxes levied upon said property, and all interests, costs and penalties and expenses up to the date of said sale, and that it would be to the best interest of the State to sell the said property for a sum to be stated in said resolution, less than the sum above named, upon receipt of a copy of said resolution, certified by the clerk of said board of supervisors, the State Controller may thereupon, by written authorization, direct the tax collector of the county or city and county, to sell the said property so described in said resolution for a sum not less than the sum so stated in said resolution, together with expenses of sale

The expense of giving the notice herein required shall be a charge against the property so advertised, and shall be collected by the collector, and no redemption of such property before said sale may be had without payment of such cost of advertising; and to secure the payment of such advertising cost the collector shall demand in advance from the party or parties seeking to purchase, a deposit with said officer of a sum sufficient to defray such cost of advertising, which deposit shall be forfeited in the event said party or parties fail or refuse to purchase at such sale, provided, that if the party or parties so depositing fail to secure such property on their bid, such deposit shall be returned, and such advertising cost shall be collected from the successful purchaser; provided, also, that if the board of supervisors of the county, or city and county, in which the property is situated shall by resolution entered upon the minutes, direct the tax collector to apply for an authorization of sale of any property which has been deeded to the State, and shall authorize him to order the necessary advertising to be done at county expense, the tax collector shall thereupon proceed as though a deposit had been made to cover advertising costs, and shall add a proportionate part of the total expense of advertising to the amount of taxes, penalties and interest chargeable against each tract or parcel sold. In any case in which no sale is made, the advertising shall be charged and paid as are other county charges."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1309—An act to amend sections 3746, 3751, 3756, 3817 and 3817a of the Political Code, relating to property tax, delinquency penalties and assessments.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee

AMENDMENT NUMBER ONE

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to extend the time for the payment of taxes for the period of sixty days and declaring the urgency thereof."

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out lines 1 to 3 inclusive, and insert in lieu thereof the following:

"SECTION 1. The time for the payment of taxes upon all real property which became due and payable on January 20, 1933, is hereby extended for a period of sixty days.

SEC. 2. The time for computing or determining delinquencies and penalties and the time for performing acts or duties by public officials with relation thereto, which is dependent or based upon the payment of any real property taxes on or before April 20, 1933, is hereby extended for a period of sixty days.

SEC. 3. This act is hereby declared to be an urgency measure within the meaning of section 1 of Article IV of the Constitution, necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately.

The facts constituting such necessity are as follows: There exists throughout the State of California economic conditions which make it impossible for property owners to pay this installment of taxes. Further delinquencies at this time will add a tremendous burden on the property which will have to bear the cost of government. It is essential that confidence be restored by giving property owners additional time to secure funds to meet their obligations. This act will aid in accomplishing this necessary result and should go into effect immediately."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 1595—An act to provide for the payment of real property taxes heretofore delinquent, the redemption of such property, and the restoration thereof to the assessment rolls.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out the title of the printed bill and insert in lieu thereof the following: "An act to add a new section to the Political Code, to be numbered 3817b, authorizing the temporary suspension of penalties on delinquent taxes, and declaring the urgency hereof to take effect immediately."

AMENDMENT NUMBER TWO.

Strike out lines 1 to 15, inclusive, of the printed bill, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Political Code, to be numbered 3817b and to read as follows:

3817b. The word "taxes," wherever used in this section, includes all taxes and assessments and annual installments of assessments charged on the tax roll.

In all cases where real estate has been sold to the State on or before July 6, 1933, for delinquent taxes and the State has not disposed of the same, the person whose estate has been sold, his heirs, executors, administrators or other successors in interest shall, at any time before the first day of January, 1934, have the right to redeem such real estate by paying to the county treasurer of the county wherein the real estate may be situated, the amount of taxes due thereon at the time of such sale, with interest on the aggregate amount of said taxes, at the rate of seven per cent per annum; and also all taxes that were a lien upon said real property at the time said taxes became delinquent, and also all unpaid taxes of every description assessed against the property together with all taxes that are a lien against the property, for each year since the sale, as shown on the delinquent assessment rolls in the then permanent custody of the county auditor; or, if not so assessed, then upon the value of the property as assessed in the year nearest the time of such redemption, with interest from the first day of July of each of said years, respectively, at the same rate, to the time of such redemption, if made before the first day of January, 1934.

Except as hereinbefore in this section provided, such redemption shall be made in the manner prescribed in section 3817 of this code.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: Due to the widespread depression, many taxpayers have been unable to pay their taxes, or to redeem their property from sale to the State for delinquency. By permitting redemption without penalties, many taxpayers will be enabled to redeem their property, restore the same

to the tax rolls, and thereby add revenue for the operation and maintenance of local government"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1277—An act defining clinics and dispensaries and providing for the operation, conduct, maintenance, and the examination and regulation thereof, and the issuance of permits therefor by the State Board of Public Health and the Director of Public Health.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, of the title, and insert in lieu thereof the following:

"An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act."

AMENDMENT NUMBER TWO.

On page 1, line 20, of the printed bill, strike out "and", and insert in lieu thereof the following: "or".

AMENDMENT NUMBER THREE.

On page 2, line 17, of the printed bill, after "iners," add the following: "the Board of Dental Examiners of California."

AMENDMENT NUMBER FOUR.

On page 2 line 21, of the printed bill, after "surgery" insert the following: "dentistry, osteopathy, chiropractic".

AMENDMENT NUMBER FIVE.

On page 2, line 31, of the printed bill, after "employees", insert the following: "only"

AMENDMENT NUMBER SIX.

On page 2, line 46, of the printed bill, after "county", insert the following: "or city and county or district".

AMENDMENT NUMBER SEVEN

On page 3, line 9, of the printed bill, after "surgery", insert the following: "or dentistry or osteopathy or chiropractic".

AMENDMENT NUMBER EIGHT

On page 3, line 52, of the printed bill, after "annually", add the following: "by every such person, firm or corporation maintaining, conducting and operating a clinic and dispensary other than the United States of America or any department, official or agency thereof".

AMENDMENT NUMBER NINE.

On page 4 of the printed bill, strike out line 13, and insert in lieu thereof the following. "the public health, he shall so report to the State Board of Public Health and the board shall issue".

AMENDMENT NUMBER TEN.

On page 4, line 14, of the printed bill, after "issued", add the following: "In the event that it shall not within three months after the filing of application therefor, issue or cause to be issued such permit, it shall state the grounds and reasons for such refusal thereof in writing, furnishing a copy thereof to the applicant"

AMENDMENT NUMBER ELEVEN.

On page 4, line 21, of the printed bill, strike out "director", and insert in lieu thereof the following. "State Board".

AMENDMENT NUMBER TWELVE

On page 4, line 22, of the printed bill, after "if", insert the following: "it shall appear that such clinic or dispensary has violated the provisions of this act or".

AMENDMENT NUMBER THIRTEEN.

On page 4, line 43, of the printed bill, after "make", insert the following: "from time to time".

AMENDMENT NUMBER FOURTEEN.

On page 5, line 2, of the printed bill, after "applied", insert the following "and to amend or repeal any thereof".

AMENDMENT NUMBER FIFTEEN.

On page 5 of the printed bill, strike out lines 30 and 31, and insert in lieu thereof the following: "of the said fund. All amounts paid into this fund are hereby appropriated to the State Board of Public Health to be expended".

AMENDMENT NUMBER SIXTEEN.

On page 5, line 38, of the printed bill, after "Controller.", add the following: "The State Board of Public Health shall employ inspectors, assistants and other persons to aid in carrying out the provisions of this act and such employees shall be exempt from the provisions of the State Civil Service Act."

AMENDMENT NUMBER SEVENTEEN.

On page 6 line 16, of the printed bill, after "health.", add the following: "The said annual report shall contain the list of clinics and dispensaries provided for in section 7 hereof and the rules and regulations provided for in section 8 hereof and then in force, and said report shall be printed and published at least once a year and distributed at the cost of printing thereof by the State Board of Public Health."

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 20, of the printed bill, strike out "and provided".

AMENDMENT NUMBER NINETEEN.

On page 6, line 22, of the printed bill, strike out "violates any of", and insert in lieu thereof the following "maintains, conducts or operates a clinic and dispensary as herein defined without having complied with".

AMENDMENT NUMBER TWENTY.

On page 6, line 47, of the printed bill, after "surgery", insert the following "or dentistry or osteopathy or chiropractic".

AMENDMENT NUMBER TWENTY-ONE

On page 6 of the printed bill, strike out line 49, and insert in lieu thereof the following: "manner the practice of medicine, surgery, dentistry, osteopathy, chiropractic or drugless"

AMENDMENT NUMBER TWENTY-TWO.

On page 7 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following "*practice act or dental practice act or any existing act defining or governing or regulating the practice of medicine, surgery, dentistry, osteopathy, chiropractic or drugless healing.*"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Concurrent Resolution No. 43—Relative to school buildings damaged by earthquakes occurring in March, 1933.

Assembly Concurrent Resolution No. 43 read.

The question being on the adoption of Assembly Concurrent Resolution No 43

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Concurrent Resolution No. 43 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No 1937—An act to amend section 1197 of the Political Code, relating to election ballots

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1937 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch Hoffman, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Eleanor; Miller, James A, Morgan, O'Connor, O'Donnell, Peterson, Powers, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E, Rogers, Ross, Scudder, Stream, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—58.
NOES—Dempster and Hunt—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1485—An act to amend an act entitled "An act relating to the use of the air and to make uniform the law with reference thereto; providing for the licensing of aircraft, airmen and air navigation facilities; providing, in a certain contingency, for the creation of the Aeronautical Commission of California, prescribing its powers and duties and making an appropriation for its use; providing for the enforcement of the act and penalties for violations thereof and repealing acts in conflict therewith," approved June 18, 1929, by amending section 1 (e) defining the term "Federal license"

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1485 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A, Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—66.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 278—An act to add a new section to the Penal Code of California, to be known as section 1510.1, relating to the powers and duties of coroners and to the custody of dead bodies.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 278 passed by the following vote:

AYES—Alter, Anglim, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Eleanor; Miller, James A., O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—62.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 771—An act to amend section 16 of the act known as the "Act Concerning Cosmetology," relating to exemptions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 771 passed by the following vote·

AYES—Anglim, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—68

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1925—An act to amend section 124 of the Agricultural Code, relating to quarantine and pest control

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1925 passed by the following vote·

AYES—Alter, Anglim, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

MESSAGE FROM THE GOVERNOR.

On this day, the following message from the Governor was received, read, and ordered printed in the Journal·

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, March 29, 1933.

To the Honorable Members of the Assembly of the State of California.

It gives me special pleasure to officially advise you that the Governors of the States of the United States will hold their twenty-fifth annual conference in California during July of this year.

The Governor of California; His Honor C. H. S. Bidwell, mayor of the city of Sacramento; His Honor Angelo J. Rossi, mayor of the city of San Francisco, and His Honor John C Porter, mayor of the city of Los Angeles, extended a formal invitation to the members of the twenty-fourth conference of Governors in Richmond, Virginia, April 25, 1932, in the following words:

> It is the honor and pleasure of the people of the State of California to invite you to hold your twenty-fifth annual conference in our Golden State.
>
> Since the beginning of your organization, it has never held a meeting on the Pacific coast. We feel a visit to California will greatly strengthen the bonds of friendship between the East and the West, besides affording you an opportunity of enjoying a very happy and unusual vacation.

It is the earnest wish of the people of California that you honor us by accepting this invitation, and permit us to show you the genuine warmth of welcome that typifies the Spirit of the West.

With our compliments and best wishes, the undersigned subscribe themselves.

JAMES ROLPH, JR.,
Governor of the State of California.
C. H. S BIDWELL,
Mayor of the city of Sacramento.
ANGELO J ROSSI,
Mayor of the city of San Francisco
JOHN C PORTER,
Mayor of the city of Los Angeles

This invitation was unanimously accepted. Accompanying this invitation was a neatly designed brochure, and the charms of California, and particularly the three cities of Sacramento, San Francisco, and Los Angeles were beautifully portrayed in true but tempting phrases:

"SACRAMENTO . . . Cradled as a drowsy trading post . . . reared as a child of the mines, and fed on all the exhilarants of the gold-spangled days of the Argonauts . . . this entrancing capital city of California is like a dashing western beauty with the eyes of exotic ancestry

Sutter's Fort, goal of a hundred thousand courageous men in the dramatic gold rush days of '49 . . . Gorgeous capital park, with trees and shrubbery from every continent and every clime . . . The State Capitol Building with its magnificent white dome, illuminated like a jewel at night.

Nearby you will find Coloma, where James Marshall found the nugget of gold that started the westward trek of civilization . . . oranges, lemons and snow plants . . . Lake Tahoe, a gem of robin's egg blue nestled a mile above the sea, and many other Alpine lakes . . . Placerville, the "Hangtown" of '49 . . . Grass Valley, with the deepest gold mines in America . . . Bret Harte's country, with its captivating 'ghost towns' of Rough and Ready, Red Dog and You Bet.

Sacramento, greatest inland city of California . . . Here the Pony Express trail ended, and envisioned pioneers met the challenge of transportation by starting the first transcontinental railroad.

In Sacramento's residents you will find an infiltration of high ideals, of courage, faith and hospitality . . . That is the legacy of their pioneer ancestry.

SAN FRANCISCO . . . Child of Old Spain, child of the Argonauts of '49 and the Vigilantes of '56, child of the mines, the orchards, the mountains and the seven seas . . . this city of western romance sends you greetings!

Chinatown, largest Chinese city outside of China, with its queer pagoda roofs and gay, lantern-hung balconies . . . the Ferry Building, where ships dock from all sea lanes . . . shops and bazaars on Market Street that rival Paris and Tokio . . . golf courses that literally hang out over the sea . . . Golden Gate, key to the world's greatest land-locked harbor

Golden Gate Park, a sumptuous garden of a thousand acres, created where once were shifting sand dunes . . . cafes, gay cabarets, unique restaurants where viands of every race are a specialty and a rite

Only a few hours afield may be seen Del Monte's miles of lawn . . . the snowy beaches at Carmel, the Redwood Highway, Yosemite with its wild, lacy waterfalls, stupendous mountains, and the world's oldest, largest, living trees.

Here in San Francisco Tetrazzini turns street singer and Jan Kubelik is a wandering minstrel . . . from Dana to Stevenson from Harte to Mencken, this city has captured the hearts of a train of illustrious admirers . . . and it will yours, too!

San Francisco invites you to visit 'Where each day the sun's last benediction shines on America, through the Golden Gate.'

LOS ANGELES . . . Dream City of the West . . . an empire within itself, embracing mountains, seashore and desert . . . orange groves, golden fields, crystal lakes and mountain streams fed by snow-capped peaks and glaciers.

Attractive beach communities and gay pleasure piers . . . Miles of beaches with surf bathing the year 'round . . . Grand opera and symphonies . . . open air Greek theaters and community playhouses

Tennis, horseback riding, hiking, fishing, golfing on your choice of 50 courses . . . cruises to Old Mexico or the Gulf of Lower California . . . racing at Tijuana or Agua Caliente . . . smart shops, factories and industries.

Hollywood, entrancing city of make-believe . . . Motion picture capital of the world . . . where weekly entertainment for 250,000,000 all over the world is provided . . . *Would you like to live in the fairyland* of your childhood dreams? Then be our guest at one of Hollywood's motion picture world premieres.

Here you will see dazzling, brilliantly illuminated streets . . . gleaming, sparkling searchlights . . . gay floating banners . . . gorgeous, beautiful women . . . princes and diplomats . . . the world's greatest artists, designers and technicians . . . creators of fashions and fancies . . . all happy and laughing and mirthful.

Come! Honor us by being our guests that we may show you how lovely life is, here where the motto is "Love, laughter and work."

At a conference of Governors of the States of the United States invited to meet in Washington by the President of the United States on March 5th of this year, Sunday, July 23d was decided as the meeting day of the conference of Governors in California, and the conference will take place during the ensuing four or possibly five days.

The chairman of the Governors' conference is Governor John Garland Pollard, Governor of the Commonwealth of Virginia, and the other members of the executive committee are the Governors of California, Mississippi, New Hampshire, and Ohio. The secretary is former Governor Cary A. Hardee of Florida.

The Governor of California suggests that your Honorable Body pass appropriate resolutions concurring in the invitation sent and accepted and appoint a committee from your body to join with the Governor and the mayors of the respective cities of California who have joined in the invitation that a proper committee may arrange details for the reception, entertainment, and accommodations of their excellencies, the Governors of the States of the United States, who will attend this conference, together with the members of their parties, and that the Governor be authorized to add to the committee appointed by your Honorable Body a committee of citizens of California to perfect the details for the reception of the Governors.

The Governor respectfully suggests that the Legislature of California prepare and forward to the Senators and the Members of the House of Representatives representing California an invitation to the President of the United States to visit California during the conference of Governors and that all arrangements be made for his coming and his reception through proper committees duly authorized by your Honorable Body.

The Governor respectfully advises you that when the Governors met in Richmond, Virginia, last April, the President of the United States was invited to address the Governors and the President of the United States came by special train from Washington to attend the conference.

The Governor believes that a pressing invitation to President Franklin Delano Roosevelt to come out and attend the Governors' conference here in California in July might probably be accepted as the President of the United States was the former Governor of New York and takes a deep interest in the annual conference of Governors and attended last year and has invited the Governors again this year to visit with him.

I present my compliments to each member of the Assembly and respectfully suggest that we are honored in the privilege of doing honor to the Governors of the States of the United States. It will be a great event in California, and the Army and Navy will join with the Legislature, public officials, and citizens of our State with the chosen representatives of the peoples of all the States of the Union, and at this conference public questions of paramount interest to the welfare of the people of the United States will be discussed by the leaders of the States of the Union. It will be a great occasion if the President of the United States comes to California and the Governor feels confident he will do everything possible to attend.

I present my compliments to you and it is hardly necessary for me to add that I ask that you will join with me unanimously in making this event of outstanding importance in the history of California.

Respectfully submitted

JAMES ROLPH, JR., Governor of California

[SEAL]

RESOLUTION.

The following resolution was offered:

By Messrs. Nielsen, Knowland, Cobb, Levey, Hornblower, Clowdsley, Robinson, C. Ray; Cronin, Greene, Peterson, McBride and Lyon.

WHEREAS, The Governors' conference is a national organization composed of the Chief Executives of the States and Territories of the United States devoted to the purposes of the promotion of greater uniformity in State legislation, the attainment of greater efficiency in State administration, the solution of problems of mutual concern to the several States, and the preservation of the high ideals of Americanism and democracy, and

WHEREAS, It is the custom of the conference to meet annually at a time and place selected by the members at the preceding annual meeting; and

WHEREAS, The State of California is honored by the selection of this State as the place for holding the twenty-fifth annual Governors' conference, to assemble, it is understood, during the month of July of this year, and

WHEREAS, It is appropriate and befitting that this Commonwealth should accord to such an eminent and respected group, a reception and welcome consistent with their positions as representatives of the people of all the Commonwealths; now, therefore, be it

Resolved by the Assembly of the State of California, That the Legislature of this State does hereby join with the Governor of the State and with the mayors of the cities of Sacramento, San Francisco, and Los Angeles, the civic organizations of those cities, and the State in extending to the members of the conference a cordial welcome and does hereby assure the respected and honorable members of the conference that their visit to this Commonwealth is delightfully anticipated; and the people of this Commonwealth cherish the opportunity of being host to such distinguished guests and proffer to them the facilities courtesies, and hospitality of the State of California; and be it further

Resolved, That the Speaker of the Assembly appoint a committee of 12 members, which committee, acting with the advice and in conjunction with the Governor of this State, shall be authorized and empowered to plan a suitable itinerary and to make arrangements for accommodations for the members of the twenty-fifth annual Governors' conference during their stay in this State; and be it further

Resolved, That a true and correct copy of this resolution, signed by the Speaker of the Assembly, be forwarded by the Chief Clerk of the Assembly to the Governors of each and every State and Territory of the United States.

Resolution read, and on motion unanimously adopted.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 501—An act to amend section 19a of "The California Irrigation District Act," relating to officers of irrigation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 501 passed by the following vote.

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 897—An act to repeal Part I of Division II of the School Code, embracing sections 2.20 to 2.760, inclusive, to repeal Chapters I, II, III and IV of Part II of Division II of said code, embracing sections 2.770 to 2.1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2.10 to 2.281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-A, respectively, embracing sections 2.650 to 2.911, inclusive, to amend sections 4.181, 4.375, 4.773, 4.811, 4.812, 4.875, 4.895, 4.896, 4.898, 4.970, 6.470 and 6.471 to 6.477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4.769, 6.470-1 and 6.470-2, to repeal section 4.771 of said code, and to repeal certain acts, all relating to school districts and junior college districts.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 897 was withdrawn from the file, and referred to Committee on Education.

Assembly Bill No. 1256—An act to amend section 1230 of the Fish and Game Code, and to add a new section to the Fish and Game Code to be numbered 1340.5, relating to predatory mammals and rodents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1256 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1257—An act to amend section 1177 of the Fish and Game Code and to add thereto a new section to be numbered 1203.5, relating to game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1257 passed by the following vote:

AYES—Anglim, Badham, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—60.

NOES—Clowdsley, Stannard, Stream and Thorp—4.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1259—An act to add a new section to the Fish and Game Code, to be numbered 492.5, relating to shipment of game fish.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1259 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Fisher, Frazier, Gilmore, Greene, Grubbs, Hoffman, Hornblower, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray;

Robinson, Samuel E., Rogers, Roland, Scudder, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—56.
NOES—Burns, Hallner, Hatch, Ross, Stream and Turner—6.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1260—An act to amend section 489 of the Fish and Game Code, relating to the taking of fish near spawn-taking stations.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1260 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—62.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1363—An act to add section 21.5 to the Fish and Game Code, relating to suits against officers and deputies.
Bill read third time.
The question being on the passage of the bill
The roll was called, and Assembly Bill No. 1363 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Roberts, Robinson, C. Ray, Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 15—An act to add a new section to the Fish and Game Code, to be numbered 791.5, relating to crabs.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 15 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Rogers, Ross, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—64.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No. 1761—An act to amend section 250 of the Fish and Game Code, relating to clam preserves.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1761 passed by the following vote.

AYES—Alter, Anglim, Badham, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Feigenbaum, Frazier, Greene, Grubbs, Hallner, Hoffman, Hunt, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—61.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1769—An act to amend section 730 of the Fish and Game Code, relating to halibut.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1769 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hoffman, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—66.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At twelve o'clock p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Bernard reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 177—An act to amend sections 822, 824, 829, and 1269a of the Penal Code and to add a new section thereto to be numbered section 815a, relating to bail in criminal cases;

Also Assembly Bill No. 459—An act to amend the title and sections 1, 2, 3, 3a, 5, 6, 7, 8, 10, 13, 14, 15, 21, 22, 23, 24, 27 and 28 of an act entitled "An act regulating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State board therefor, providing penalties for violations thereof and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better

protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof," approved April 16, 1915, as amended," approved April 20, 1929, relating to and regulating funeral directors, embalmers and embalmers' apprentices;

Also: Assembly Bill No 1192—An act providing an in rem court proceeding for the purpose of determining the inability of an irrigation district to meet its bonded or other indebtedness, and to approve a plan for the funding or refunding thereof, and of requiring the holders of outstanding bonds, warrants or other evidences of indebtedness to accept funding or refunding bonds in lieu thereof; making the decree therein binding upon all persons whether appearing in said proceeding or not; providing a method of procedure and declaring this act to be an urgency measure;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2—An act to amend section 5 of the Direct Primary Law, relating to sponsors' pamphlets;

Also: Assembly Bill No. 20—An act to amend section 23 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended;

Also: Assembly Bill No 40—An act to amend section 4238 of the Political Code, relating to compensation of county and township officers in counties of the ninth class,

Also: Assembly Bill No 42—An act to amend section 16x9 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the ninth class;

Also: Assembly Bill No 43—An act to amend section 19x9 of the Juvenile Court Law, relating to probation officers in counties of the ninth class;

Also: Assembly Bill No. 44—An act to add a new section to be numbered 9a9, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the ninth class;

And reports that the same have been correctly enrolled and presented the same to the Governor on this thirtieth day of March, 1933, at ten o'clock and thirty minutes a m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 57—An act to amend section 1315 of the Political Code, relating to electors of the President and Vice President of the United States;

Also: Assembly Bill No 506—An act to amend section 12 of Chapter 690, Statutes of 1913, entitled the Direct Primary Law, as amended, relating to direct primary elections;

Also: Assembly Bill No. 606—An act to confirm and validate the boundaries of school districts, high school districts and junior college districts of every kind and class;

Also: Assembly Bill No. 924—An act to amend the title and section 2 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations" approved May 31, 1917, as amended,

Also: Assembly Bill No. 1011—An act to amend sections 2 and 5 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the office of State Fire Marshal;

Also: Assembly Bill No. 1367—An act to amend section 43½ of the Workmen's Compensation, Insurance and Safety Act, relating to the revolving fund of the State Compensation Insurance Fund,

Also: Assembly Bill No. 1380—An act to amend section 429 of the Civil Code, relating to the funds from which corporations formed under the laws of this State having a capital stock and transacting fire, marine or inland navigation insurance business may make dividends;
And reports that the same have been correctly enrolled and presented the same to the Governor on this thirtieth day of March, 1933, at ten o'clock and thirty minutes a m

PATTERSON, Chairman

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1518—An act to amend section 5 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof" which became a law under constitutional provision without the Governor's approval (February 25, 1901), relating to the issuance of municipal improvement bonds; and declaring the urgency of this act and that this act shall take effect immediately;

Also, Assembly Bill No 1690—An act to add section 32 to the Land Settlement Act, ratifying and confirming the execution of a certain agreement between the Federal Land Bank of Berkeley, the Delhi National Farm Loan Association and the State of California, relating to the transfer of properties at the Delhi State Land Settlement to the Federal Land Bank at Berkeley, and the satisfaction of certain obligations of the State of California which said agreement was executed subject to the confirmation and ratification of the Legislature of the State of California;
And reports that the same have been correctly enrolled and presented the same to the Governor on this thirtieth day of March, 1933, at ten o'clock and thirty minutes a m

PATTERSON, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 416—An act to amend an act entitled "An act authorizing counties to construct, improve, maintain and repair streets lying in municipalities or to aid or assist by the appropriation of money and otherwise in establishing, laying out, opening, widening, extending, straightening, constructing, improving or altering streets or changing or separating the grades thereof within municipalities or in acquiring lands, rights of way or other property necessary therefor," approved April 30, 1923 (Statutes of 1923, page 123) by amending section 1 thereof to authorize aid in the payment of bonds and/or interest thereon—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 770—An act to add section 1a to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair competition;

Also: Assembly Bill No 1119—An act adding section 470a to the Political Code authorizing and empowering the Attorney General to prosecute or defend, when in his opinion the public interest so requires, any action involving title, possession or boundaries of any lands belonging to the State of California or in which it has any interest;

Also: Assembly Bill No. 2334—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 130—An act to amend the Road District Improvement Act of 1907, approved March 27, 1907, Statutes of 1907, page 806, as amended, by authorizing contributions to be made from public funds toward the payment of principal or interest on bonds issued under that act, and to provide for a repeal of said act with provision that said repeal shall not apply to existing proceedings instituted thereunder,

Also: Assembly Bill No. 132—An act to repeal an act entitled the "Improvement Bond Act of 1915," approved June 11, 1915, Statutes of 1915, page 1441, as amended, with the provision that any bonds issued under the provisions of said act shall not be affected by said repeal;

Also: Assembly Bill No. 133—An act to repeal an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities, for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved May 24, 1927, Statutes of 1927, page 1351, as amended, with the provision that such repeal shall not apply to any existing proceeding instituted under said act;

Also: Assembly Bill No. 134—An act to repeal an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, Statutes of 1885, page 147, as amended, with provision that said repeal shall not apply to existing proceedings under said act;

Also: Assembly Bill No. 135—An act to repeal the Acquisition and Improvement Act of 1925, approved May 23, 1925, Statutes of 1925, page 849, as amended with a provision that said repeal shall not apply to existing proceedings under said act;

Also: Assembly Bill No. 137—An act to repeal the provisions of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities, for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of said improvements," approved April 20, 1915, Statutes of 1915, page 99, as amended; and to provide for a repeal of said act with provision that said repeal shall not apply to existing proceedings under said act;

Also: Assembly Bill No. 138—An act to repeal an act entitled "An act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889, Statutes of 1889, page 70, as amended, with provision that said repeal shall not apply to existing proceedings under said act,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

MOTION TO RE-REFER.

Mr. Redwine moved that Assembly Bill No. 157 be withdrawn from Committee on Rules, and be referred to Committee on Judiciary.

The question being on referring Assembly Bill No. 157 to Committee on Judiciary.

Motion carried.

Assembly Bill No. 157 ordered re-referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 751—An act to amend sections 9, 14 and 15 of "The State Bar Act," relating to the Board of Governors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

Also.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2058—An act to amend section 1881 of the Code of Civil Procedure relating to confidential communications—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

WEST, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 767—An act to add a new section to the "Fair Trade Act" to be numbered 1½, relating to unfair competition—has had the same under consideration and respectfully reports the same back, and recommends that it do pass as amended

WEST, Chairman

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO March 30, 1933

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2271—An act to amend section 16x21 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-first class;

Also: Assembly Bill No. 2272—An act to amend section 4250 of the Political Code, relating to compensation of officers and employees in counties of the twenty-first class;

Also: Assembly Bill No. 2274—An act to amend section 2322x21 of the Political Code, relating to the office of the agricultural commissioner in counties of the twenty-first class;

Also: Assembly Bill No. 2275—An act to amend section 19x21 of the Juvenile Court Law, relating to probation officers in counties of the twenty-first class,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 598—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments collectible by the ad valorem method, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment;

Also: Assembly Bill No. 980—An act to provide for the acquisition, construction and operation of works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary and sanitation districts, also providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works, also providing for the establishment and collection of service rates or charges to pay for the expense of operating and maintaining such works; also providing for the use of such works by other cities, counties or districts;

Also: Assembly Bill No. 2092—An act to amend sections 25, 27, 62 and 63 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bills ordered referred to Committee on Rules.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1914—An act to allow unincorporated territory within a county to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection, custody and disbursement of taxes, for such purposes and to create a board of police commissioners—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

LEVEY, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 190—An act to amend sections 363, 365, 366, 368, 369, 370a and 373 of the Civil Code, all relating to corporations—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON ELECTIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933

MR SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 1301—An act to amend "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, by amending sections 1, 5, and 24 thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ALTER, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 1351—An act to amend section 4156b of the Political Code, prohibiting district attorneys of counties or cities and counties from defending or assisting in the defense of, or acting as counsel for, defendants in civil actions and proceedings, when the State or any county or city and county or municipality or other political subdivision of the State, is a party plaintiff, and to redesignate said section 4156b as section 4156c of the Political Code—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BROCK, Chairman

The above reported bill ordered referred to Committee on Rules.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 189—An act to amend sections 361, 362, 362a, 362b and 362c of the Civil Code, all relating to corporations—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman

The above reported bill ordered referred to Committee on Rules.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933

MR SPEAKER. Your Committee on County Government, to which was referred Assembly Bill No. 1721—*An act to amend the Political Code of the State of California* by adding thereto a new section to be numbered section 4041 26, relating to the issuance of warrants or certificates of indebtedness by boards of supervisors—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BROCK, Chairman

The above reported bill ordered referred to Committee on Rules.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 187—An act to amend sections 341, 342, 342a, 342b, 343, 346, 346a, 348 and 348b of the Civil Code, and to repeal sections 343a and 347 of the Civil Code, all relating to corporations—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman

The above reported bill ordered referred to Committee on Rules.
Also:

MR. SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No 192—An act to amend sections 405, 406, 406a, 408, 411 and 412 of the Civil Code, and to repeal section 409 of the Civil Code, all relating to foreign corporations—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.
Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 191—An act to amend sections 399, 399a, 400, 400a, 401, 401a, 401c, 402, 402a, 403, 403a, 403b, 403c, 403d, 404, 404a and 404b of the Civil Code, and to repeal section 401b of the Civil Code, all relating to winding up and dissolution of corporations—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.
Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 185—An act to amend sections 278, 290, 292, 293, 294, 295, 296, 300a, 300b, 301, 303, 304 305, 306, 307, 307a 308, 309, 311, 312, 313, 314, 315, 319, 320a and 320b of the Civil Code, to add a new section 381 to the Civil Code, and to repeal section 375 of the Civil Code, all relating to corporations—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.
Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 780—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10a, 11 and 12 of, and to add section 15 to, an act entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to contractors and the Contractors' License Bureau and declaring the same to be an urgency measure—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WEST, Chairman

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 186—An act to amend sections 326, 328, 328a, 328b, 328d, 328e, 330.6, 330.13, 330.24, 331, 332, 333, 334, 334a, 336 and 337 of the Civil Code, and to repeal section 587 of the Civil Code, all relating to corporations—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 188—An act to amend sections 355, 358 and 359 of the Civil Code, and to add a new section to the Civil Code to be numbered 356, all relating to corporations—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2165—An act to amend section 447 of the Code of Civil Procedure, relating to written instruments—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 222—An act to amend section 4286 of the Political Code, relating to the compensation of county and township officers and their deputies, assistants and employees, and of jurors in counties of the fifty-seventh class;

Also: Senate Bill No. 223—An act to amend section 16x51 of the Weights and Measures Act relating to the office of the sealer of weights and measures in counties of the fifty-first class;

Also: Senate Bill No. 224—An act to amend section 4280 of the Political Code, relating to the salaries and fees of officials in counties of the fifty-first class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman

The above reported bills ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 373—An act to add a new section to the Political Code to be numbered 661¼, relating to the powers of the Director of Finance—has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LEVEY, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1482—An act to amend section 1 of Chapter 389, Statutes of 1915, entitled "An act providing for the sale of certain State lands," as approved May 15, 1915, as amended, relating to State lands—has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LEVEY, Chairman

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No 1914—An act to allow unincorporated territory within a county to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection, custody and disbursement of taxes, for such purposes and to create a board of police commissioners;

Also: Assembly Bill No 598—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments collectible by the ad valorem method, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment;

Also: Assembly Bill No 980—An act to provide for the acquisition, construction and operation of works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary and sanitation districts, also providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of operating and maintaining such works; also providing for the use of such works by other cities, counties or districts;

Also: Assembly Bill No 2092—An act to amend sections 25, 27, 62 and 63 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds,

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted

ROBINSON, C RAY Chairman.

The above reported bills ordered to reprint.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 271, as amended by the Senate—An act to amend section 903 of the Penal Code, relating to grand jurors—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

WEST, Chairman

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 271?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 and 4, and insert in lieu thereof the following: '903. The following oath must be administered to each member of the grand jury "you, and each of you,"."

AMENDMENT NUMBER TWO

On page 1, line 9, of the printed bill, strike out "tryable", and insert in lieu thereof "triable".

The roll was called, and Senate amendments to Assembly Bill No. 271 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker Miller

James A. Nielsen, Rawls, Redwine, Riley, Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright and Mr. Speaker—54.
NOES—None.

The above reported bill ordered to enrollment.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Messrs. Cobb and Greene, and Miss Miller: Assembly Constitutional Amendment No. 98—Proposed amendment to Article VI of the Constitution, relative to a resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding a new section to Article VI to be known as section 8½, relating to the election of judges of the superior courts of certain counties, the terms of office of such judges, and the filling of vacancies in such offices.

Introduced, and referred to Committee on Constitutional Amendments.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 30, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 547—An act to repeal the Narcotic Rehabilitation Act, to provide for disposition of the property of the State Narcotic Hospital, and declaring the urgency therefor.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 547 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, March 30, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 271—An act to amend section 19x33 of the Juvenile Court Law, relating to probation officers in counties of the thirty-third class;

Also: Senate Bill No. 273—An act to amend section 2322x33 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-third class;

Also: Senate Bill No. 463—An act to amend section 14 of the Old Age Security Act of the State of California, relating to the protection, welfare and assistance of aged persons;

Also: Senate Bill No. 883—An act to repeal section 4.71 of the School Code, relating to claims against the State school book fund;

Also: Senate Bill No. 1174—An act to require the use of materials and supplies produced in the United States, in public works and for public purposes;

Also: Senate Bill No. 450—An act to add a new section to Chapter 4 of Division VI of the Agricultural Code, to be numbered 1217.5, relating to nonprofit cooperative marketing associations;

Also: Senate Bill No. 989—An act to amend sections 892 and 900 of the Agricultural Code, relating to field crops, the collection and disposition of fees in connection therewith;

Also: Senate Bill No. 992—An act to add a new section to be numbered 6¾ to an act entitled "The California Canned Fruit Standardization Act," approved May 23, 1925, as amended, relating to the regulation of the canned fruit industry.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 271 and 273 read first time, and referred to Committee on County Government.

Senate Bill No. 463 read first time, and referred to Committee on Social Service and Welfare.

Senate Bill No. 883 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1174 read first time, and referred to Committee on Conservation.

Senate Bill No. 450 read first time, and referred to Committee on Agriculture.

Senate Bills Nos. 989 and 992 read first time, and referred to Committee on Ways and Means.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1146—An act to amend section 17 of an act entitled the "Joint Highway District Act," relating to construction work.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1146 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, Knowland, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson and Mr. Speaker—57.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

HON. WILLARD E. BADHAM IN THE CHAIR.

At two o'clock p.m., Hon Willard E Badham, member of the Assembly from the Sixty-third Assembly District, in the chair

Assembly Bill No. 640—An act to amend section 1261 of the Political Code, relating to election supplies and records

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 640 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Powers, Rawls, Riley, Robinson, C. Ray; Rogers, Roland, Ross, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright and Mr Speaker—61

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 641—An act to amend section 1265 of the Political Code, relating to the disposal of election supplies and records.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 641 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor,

O'Donnell, Patterson, Powers, Rawls, Redwine, Roberts, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—62

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 642—An act to repeal section 1267 of the Political Code, relating to delivery of election returns by clerk to supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 642 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hofiman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Riley, Roberts, Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—67.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 643—An act to repeal section 1264a of the Political Code, relating to roster of voters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 643 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hofiman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meeker, Miller, Eleanor; Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Phillips, Powers, Rawls, Riley, Roberts, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 644—An act to repeal section 1266 of the Political Code, relating to destruction of ballots.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 644 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hofiman, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Riley, Roberts, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At two o'clock and twenty-five minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 645—An act to repeal section 1268 of the Political Code, relating to copy of register.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 645 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Ross, Scudder, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 175—An act to repeal "An act relating to stills and other devices for the manufacture or production of intoxicating liquor for beverage purposes, providing a penalty for the violation thereof, and repealing all inconsistent acts," approved April 29, 1927.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 175 passed by the following vote:

AYES—Anglim, Badham, Boyle, Burns, Callahan, Cassidy, Crist, Cronin, Crowley, Feigenbaum, Gilmore, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, King, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, Peterson, Powers, Rawls, Roberts, Rogers, Ross, Scudder, Sullivan, Thorp, Tournoux, Turner, West and Williamson—42

NOES—Alter, Bliss, Bowers, Brock, Chatters, Clowdsley, Cobb, Cottrell, Craig, Evans, Fisher, Greene, Hatch, Hoffman, Knowland, Latham, Martin, Meeker, Miller, Eleanor; Morgan, O'Donnell, Patterson, Phillips, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Stannard, Stream, Utt, Wright, Zion and Mr. Speaker—34.

Title read and approved.

Bill ordered transmitted to the Senate.

EXPLANATION OF VOTE

MR. SPEAKER: I was in my seat and voted "Aye" when my name was called on Assembly Bill No. 175. Evidently the Clerk did not hear my vote, and I find I am not recorded as voting for this measure. I desire that the record show I voted for this bill.

CLARE WOOLWINE.

Assembly Bill No. 1364—An act to permit the State Treasurer to accept a donation for the retirement of the California Olympiad bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1364 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoff-

man, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—76.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1863—An act to repeal sections 1121 to 1124, inclusive, and sections 1131 to 1133, inclusive, of the Agricultural Code, relating to the storage of eggs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1863 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Scudder Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 457—An act to amend sections 698, 702, 705, 708 and 711 of the Fish and Game Code, relating to fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 457 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 330—An act to amend sections 535 and 536 of the Fish and Game Code, and to add thereto sections 536.5, 536.6, 536.7, 536.8 and 536.9, relating to fish screens.

Bill read third time.

The question being on the passage of the bill.

SPECIAL ORDER SET.

On motion of Mr. Robinson, C. Ray, the consideration of Assembly Bill No. 330 was made a special order for Wednesday, April 5, 1933, at eleven o'clock a.m.

Assembly Bill No 699—An act to add a new section to the Political Code, to be numbered 473a, relating to the centralization in the Attorney General's office of all attorneys and legal advisers for State departments, divisions, commissions, bureaus, boards, offices, and institutions, and the reimbursement of the Attorney General's office for such services.

Bill read third time.

The question being on the passage of the bill.

SPECIAL ORDER SET.

On motion of Mr. Craig, the consideration of Assembly Bill No 699 was made a special order for Wednesday, April 5, 1933, at two o'clock p.m.

SECOND READING OF SENATE BILLS.

Senate Bill No. 634—An act to provide for the establishment of the coast line of the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after line 10, add the following:

"SEC 2 This act shall not be construed as defining or affecting property rights or property boundaries."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 493—An act to regulate the importation and keeping of wild birds and animals and providing a penalty for the violation of the provisions hereof.

Bill read second time, and ordered on file for third reading

THIRD READING OF SENATE BILLS

Senate Bill No 635—An act making an appropriation to meet a deficiency in the appropriation for subsidies of the Bureau of Tuberculosis of the Department of Public Health, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time

The question being on the passage of the bill.

MESSAGE FROM THE GOVERNOR

The following message from the Governor was received, read, and ordered printed in the Journal.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, March 30, 1933.

To the Honorable Members of the Assembly of the State of California.

Senate Bill No. 635 makes an appropriation to meet a deficiency in the appropriation for tuberculosis subsidies paid by the Department of Public Health and over which the Governor has no control

It is impossible to estimate this fixed charge against the general fund because the statutes specifically prescribe that there shall be paid to every county $3 per week for each person suffering from tuberculosis and maintained in a tuberculosis sanitarium.

As an example of how difficult it is to estimate these unlimited fixed charges may I point out to you that when the budget was compiled on January 1st of this year it appeared that in addition to the $740,000 appropriated by the last Legislature for

this biennial period it would require an additional amount of $210,000 to meet this uncontrollable expenditure. Subsequent to the compilation of the budget there was presented to the Department of Public Health over $130,000 of claims from counties dating back to 1930. Therefore, instead of the budget estimate of $210,000 as an additional requirement to meet these fixed charges, it will require for the rest of the biennial period $342,000.

This appropriation is not one for the general operation of government but is a direct grant to the counties of the State and an expenditure entirely without the control of the chief executive.

Under existing law it is my opinion that the appropriation necessary for such expenditure constitutes an emergency within the meaning of section 1 of Article IV of the Constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Bill read.

Urgency clause read.

The question being "Shall this section, setting forth the urgency features of this bill, be passed?"

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—65.

NOES—None.

THIRD READING OF SENATE BILL NUMBER SIX HUNDRED THIRTY-FIVE.

Senate Bill No. 635—An act making an appropriation to meet a deficiency in the appropriation for subsidies of the Bureau of Tuberculosis of the Department of Public Health, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 635 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 325—An act to add a new section to the Political Code, to be numbered 356a, relating to contracts between State agencies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 325 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Latham, Maloney, Martin, McBride, McCarthy, Meehan, Meeker,

Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—66.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 340—An act relating to the control and jurisdiction over, and disposition of certain State lands therein described.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 340 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Gilmore, Greene, Hallner, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor, Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—63.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 734—An act to repeal section 354 of the Political Code and to add a new section to be numbered 354, relating to biennial reports of departments and agencies of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 734 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—67.

NOES—Zion—1

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON CIVIL SERVICE.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933

MR. SPEAKER: Your Committee on Civil Service, to which was referred Assembly Bill No. 316—An act to amend section 27 of the "State Civil Service Act," relating to preference to veterans and the widows of veterans—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BOWERS, Chairman

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933.

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1356—An act to amend section 374b of the Penal Code, relating to the deposit of offensive matter on public highways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HOFFMAN, Chairman.

The above reported bill ordered on file for second reading.

ON MANUFACTURES

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933.

MR SPEAKER: Your Committee on Manufactures, to which was referred Assembly Bill No. 868—An act to amend section 10 of and to add a new section to be known as 1a, to an act entitled "An act to regulate the manufacture and sale of upholstered furniture, providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund"—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GILMORE, Chairman.

The above reported bill ordered on file for second reading.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1243—An act to add a new section to the "California Vehicle Act," to be numbered 151a, relating to the transportation of live animals on motor vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 334—An act to amend section 209 of the Penal Code, relating to the punishment of kidnapping,

Also: Assembly Bill No. 699—An act to add a new section to the Political Code, to be numbered 473a, relating to the centralization in the Attorney General's office of all attorneys and legal advisers for State departments, divisions, commissions, bureaus, boards, offices, and institutions, and the reimbursement of the Attorney General's office for such services;

And reports that the same have been correctly re-engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 201—An act to amend section 3.291 of the School Code, relating to the establishment of high schools,

Also: Assembly Bill No. 300—An act to amend section 4041.11 of the Political Code, relating to powers and duties of boards of supervisors;

Also Assembly Bill No. 388—An act to amend section 923 of the Penal Code, relating to grand juries;

Also: Assembly Bill No 557—An act to amend section 367 of the Code of Civil Procedure and to add a new section, numbered 367a, to said code, relating to parties in certain civil actions;

Also Assembly Bill No. 677—An act to amend section 537 of the Penal Code, relating to defrauding proprietors of hotels, inns, restaurants, boarding houses, lodging houses, apartment houses, or bungalow courts,

Also: Assembly Bill No 1002—An act regulating the practice of architecture, structural engineering, civil engineering, and land surveying by officers, or employees, of the State of California, or of any county, city and county, city, town, school district, road district, bridge district, sanitary district, water district, irrigation district, drainage district, levee district, reclamation district, utility district, or other improvement district of any kind, thereof, or any other political subdivision thereof, or of

any public corporation thereof which has the right to levy taxes, or assessments which may be collected as taxes, or of any public corporation thereof whose revenue is derived either in whole or in part from public funds which have been collected as taxes;
And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1185—An act to add two new sections to the Penal Code, to be numbered 405a and 405b, establishing the public offense of lynching, and providing penalties therefor;

Also: Assembly Bill No 1605—An act to add section 2349a to the Political Code, relating to navigable waters;

Also: Assembly Bill No. 1729—An act to amend sections 32 and 34 of the Joint Highway District Act, approved June 17, 1931;

Also: Assembly Bill No 2318—An act to amend sections 4, 5, 6, 7, 9, 11, and to add a new section numbered 17 to Chapter 598, Statutes 1913, entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the Board of Optometry and to the regulation of the practice of optometry and relating to the constitutionality of said act;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No 780—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10a, 11 and 12 of, and to add section 15 to, an act entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses, providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to contractors and the Contractors' License Bureau and declaring the same to be an urgency measure;

Also Assembly Bill No. 192—An act to amend sections 405, 406, 406a, 408, 411 and 412 of the Civil Code, and to repeal section 409 of the Civil Code, all relating to foreign corporations,

Also, Assembly Bill No 191—An act to amend sections 399, 399a, 400, 400a, 401, 401a, 401c, 402, 402a, 403, 403a, 403b, 403c, 403d, 404, 404a and 404b of the Civil Code, and to repeal section 401b of the Civil Code, all relating to winding up and dissolution of corporations;

Also Assembly Bill No. 190—An act to amend sections 363, 365, 366, 368, 369, 370a and 373 of the Civil Code, all relating to corporations;

Also: Assembly Bill No 189—An act to amend sections 361, 362, 362a, 362b and 362c of the Civil Code, all relating to corporations,

Also, Assembly Bill No 188—An act to amend sections 355, 358 and 359 of the Civil Code, and to add a new section to the Civil Code to be numbered 356, all relating to corporations;
Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

Also:

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No 187—An act to amend sections 341, 342, 342a, 342b, 343, 346, 346a, 348 and 348b of the Civil Code, and to repeal sections 343a and 347 of the Civil Code, all relating to corporations;

Also, Assembly Bill No. 186—An act to amend sections 326, 328, 328a, 328b, 328d, 328e, 330 6, 330 13, 330.24, 331, 332, 333, 334, 334a, 336 and 337 of the Civil Code, and to repeal section 587 of the Civil Code, all relating to corporations;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 185—An act to amend sections 278, 290, 292, 293, 294, 295, 296, 300a, 300b, 301, 303, 304, 305, 306, 307, 307a, 308, 309, 311, 312, 313, 314, 315, 319, 320a and 320b of the Civil Code, to add a new section 381 to the Civil Code, and to repeal section 375 of the Civil Code, all relating to corporations

Also: Assembly Bill No 2165—An act to amend section 447 of the Code of Civil Procedure, relating to written instruments;

Also: Assembly Bill No. 1721—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered section 4041 26, relating to the issuance of warrants or certificates of indebtedness by boards of supervisors;

Also: Assembly Bill No. 1351—An act to amend section 4156b of the Political Code, prohibiting district attorneys of counties or cities and counties from defending or assisting in the defense of, or acting as counsel for, defendants in civil actions and proceedings, when the State or any county or city and county or municipality or other political subdivision of the State, is a party plaintiff, and to redesignate said section 4156b as section 4156c of the Political Code;

Also: Assembly Bill No. 1301—An act to amend "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, by amending sections 1, 5, and 24 thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C RAY, Chairman.

The above reported bills ordered to reprint.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 543—An act making it unlawful for an attorney at law to employ any person who is not an attorney to solicit claims for personal injuries or for death, prohibiting any person not an attorney at law from soliciting such claims, limiting the use of written statements taken from an injured person, and providing the penalties therefor, also establishing presumptions as to certain settlements, compromises, releases, discharges and satisfactions as to contracts with attorneys—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman

The above reported bill ordered referred to Committee on Rules.

ADJOURNMENT.

At four o'clock and five minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m, Friday, March 31, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, March 31, 1933.

At ten o'clock a.m, pursuant to adjournment, the Assembly was called to order.

Hon. Walter J Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

Time, ten o'clock and five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Cottrell, Crist, Fisher, Grubbs, Jones, Kallam, King, Knowland, Martin, Meehan, Peterson, Phillips, Powers, Rawls, Robinson, C Ray; Robinson, Samuel E, Rogers, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Wright, Zion and Mr. Speaker—35.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and twelve minutes a m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

The roll of absentees was called.

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C Ray, Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—69.

The Speaker declared a quorum of the Assembly present.

PRAYER.

Prayer was offered by Rabbi Norman M Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVES OF ABSENCE

On motion of Mr. Zion, Mr Patterson was granted leave of absence for the day

On motion of Mr Badham, Messrs. Hatch and Riley were granted leaves of absence for the day

On motion of Mr. Lyon, Messrs. Hallner and Woolwine were granted leaves of absence for the day.

On motion of Mr. Roland, Mr. Hoffman was granted leave of absence for the day.

On motion of Mr. Maloney, Mr. Levey was granted leave of absence for the day

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker.

From Los Angeles Chamber of Commerce, opposed to Senate Bill No. 36, Assembly Constitutional Amendment No. 93, Assembly Bills Nos. 334, 2329, 1272, 1010, 1015, 2155, 454, 1999 and 1925, Senate Bill No. 706, Assembly Concurrent Resolution No. 31, Assembly Joint Resolution No. 8, Senate Bills Nos. 112 and 206, and favor the passage of Assembly Bills Nos. 1122, 1177, 823, 1430, 2311 and also favor passage of Senate Bill No. 499.

(Signed) A. G. ARNOLL, Secretary and General Manager.

Also:

By Mr. Speaker:

From Merchant Plumbers Association, Los Angeles, indorsing the 30-hour week and protesting passage of Assembly Bill No. 1813, indorsing the purpose of Assembly Bill No. 711 and urging further attention to the rebuilding program in the earthquake-stricken area as regards proper construction.

Also:

By Mr. Speaker:

From M. L. Paddon, Watsonville, California, protesting additional taxation of motor truck industry.

Also:

By Mr. Speaker:

From Thomas McQuiston, Raymond, California, protesting additional taxation of motor truck industry.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the following resolution unanimously adopted by the Assembly on Thursday, March 30, 1933, the Speaker appointed the following members as such select committee.

Messrs. Nielsen, Knowland, Cobb, Levey, Hornblower, Clowdsley, Robinson, C. Ray; Cronin, Greene, Peterson, McBride and Lyon.

RESOLUTION.

WHEREAS, The Governors' conference is a national organization composed of the Chief Executives of the States and Territories of the United States devoted to the purposes of the promotion of greater uniformity in State legislation, the attainment of greater efficiency in State administration, the solution of problems of mutual concern to the several States, and the preservation of the high ideals of Americanism and democracy, and

WHEREAS, It is the custom of the conference to meet annually at a time and place selected by the members at the preceding annual meeting; and

WHEREAS, The State of California is honored by the selection of this State as the place for holding the twenty-fifth annual Governors' conference, to assemble, it is understood, during the month of July of this year; and

WHEREAS, It is appropriate and befitting that this Commonwealth should accord to such an eminent and respected group, a reception and welcome consistent with their positions as representatives of the people of all the Commonwealths; now, therefore, be it

Resolved by the Assembly of the State of California, That the Legislature of this State does hereby join with the Governor of the State and with the mayors of the cities of Sacramento, San Francisco, and Los Angeles, the civic organizations of those cities, and the State in extending to the members of the conference a cordial welcome and does hereby assure the respected and honorable members of the conference that their visit to this Commonwealth is delightfully anticipated, and the people of this Commonwealth cherish the opportunity of being host to

such distinguished guests and proffer to them the facilities, courtesies, and hospitality of the State of California; and be it further

Resolved, That the Speaker of the Assembly appoint a committee of 12 members, which committee, acting with the advice and in conjunction with the Governor of this State, shall be authorized and empowered to plan a suitable itinerary and to make arrangements for accommodations for the members of the twenty-fifth annual Governors' conference during their stay in this State; and be it further

Resolved, That a true and correct copy of this resolution, signed by the Speaker of the Assembly, be forwarded by the Chief Clerk of the Assembly to the Governors of each and every State and Territory of the United States.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 543—An act making it unlawful for an attorney at law to employ any person who is not an attorney to solicit claims for personal injuries or for death, prohibiting any person not an attorney at law from soliciting such claims, limiting the use of written statements taken from an injured person, and providing the penalties therefor, also establishing presumptions as to certain settlements, compromises, releases, discharges and satisfactions as to contracts with attorneys—has had the same under consideration, and respectfully reports the same back, and recommends that it be reprinted

ROBINSON, C. RAY, Chairman

The above reported bill ordered to reprint.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 317—An act to amend sections 1, 5, 10, 11, 13 and 15 of, and to add new sections to be numbered 10a to 10g, inclusive, to "An act to regulate the sale, possession, distribution and use of habit forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929;

Also: Assembly Bill No. 318—An act to amend sections 1, 6, 7, 8a, 8c, 8d, 8e, 8f, 8g, 8½ and 9, to repeal sections 8 and 8b, and to add new sections to be numbered 7a, 8 and 8b, to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907;

Also, Assembly Bill No. 1172—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the disposition of the receipts thereunder;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 313—An act to amend sections 8 and 17 of the State Medical Practice Act, relating to certificates licensing the practice of medicine, drugless healing, and chiropody, and to penalties for violation of the provisions of the act;

Also: Assembly Bill No. 540—An act to amend section 3805a of the Political Code, relating to cancellation of assessments, certificates of sale and deeds;

And reports that the same has been correctly engrossed

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations to which was referred Assembly Bill No. 194—*An act to repeal the "Transportation District Act"*—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1057—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 5, 6, 7, 8, 10, 11 and 13½, all relating to the powers, government and management of metropolitan water districts, and the exclusion of area therefrom and declaring same an urgency measure,

Also: Assembly Bill No. 1305—An act to amend an act of the Legislature of the State of California entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, by amending sections 6, 10 and 12 thereof and relating to notice, assessment limitations, incidental expenses of proceedings and payment of portions of the cost from public funds,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1735—An act to amend sections 850, 851, 852, 852a, 852b, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 862a, 863, 864, 865, 867, 868, 870, 870a, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883, relating to organization, incorporation and government of cities of the sixth class—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON SOCIAL SERVICE AND WELFARE

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1933.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Senate Bill No. 176—An act to amend section 69 of the Civil Code, relating to marriage licenses—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

FISHER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Senate Bill No. 175—An act to amend section 60 of the Civil Code, relat-

ing to illegal and void marriages—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FISHER, Chairman

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 30, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 151—An act to add sections 8a, 27, 28, 29, 30, 31, 32, 33, and 34 to Chapter 310, Statutes of 1905, entitled "An act to provide for the formation of levee districts in the various counties of this State, and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, relating to levee districts;

Also, Assembly Bill No. 303—An act to repeal section 695 of the Political Code, relating to and abolishing the Bureau of Publications and Documents in the Department of Finance

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 30 1933

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 718—An act to add section 843 5 to the Fish and Game Code, relating to nets;

Also: Senate Bill No 336—An act to add a new section to be numbered 52¼ to an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission fund and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to the jurisdiction of the Railroad Commission over, and defining affiliated interests of, public utilities;

Also: Senate Bill No. 1034—An act to transfer the duties, powers, purposes, responsibilities and jurisdiction of the Department of Finance over and appertaining to the State burial grounds to the Division of Parks of the Department of Natural Resources of the State of California

J A BEEK, Secretary of Senate
By ARTHUR J SCHILDER, Assistant Secretary.

Senate Bill No. 718 read first time, and referred to Committee on Fish and Game

Senate Bill No. 336 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 1034 read first time, and referred to Committee on Ways and Means.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 416—An act to amend an act entitled "An act authorizing counties to construct, improve, maintain and repair streets lying in municipalities or to aid or assist by the appropriation of money and otherwise in establishing, laying out, opening, widening, extending, straightening, constructing, improving or altering streets or changing or separating the grades thereof within municipalities or in acquiring lands, rights of way or other property necessary therefor," approved

April 30, 1923 (Statutes of 1923, page 123) by amending section 1 thereof to authorize aid in the payment of bonds and/or interest thereon.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 770—An act to add section 1a to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair competition.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1119—An act adding section 470a to the Political Code authorizing and empowering the Attorney General to prosecute or defend, when in his opinion the public interest so requires, any action involving title, possession or boundaries of any lands belonging to the State of California or in which it has any interest.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2334—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 130—An act to amend the Road District Improvement Act of 1907, approved March 27, 1907, Statutes of 1907, page 806, as amended, by authorizing contributions to be made from public funds toward the payment of principal or interest on bonds issued under that act; and to provide for a repeal of said act with provision that said repeal shall not apply to existing proceedings instituted thereunder.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill, strike out the words "with provision", and insert in lieu thereof the following: ", and providing"

AMENDMENT NUMBER TWO.

In line 7 of the title of the printed bill, following the word "existing", insert the words "or authorized bonds and assessments or to existing".

AMENDMENT NUMBER THREE.

On page 1, lines 1 and 2, of the printed bill, strike out the words "to an act entitled".

AMENDMENT NUMBER FOUR.

On page 2, line 3, of the printed bill, following the word "from", insert the following "exercising all authority, power and jurisdiction and".

AMENDMENT NUMBER FIVE.

On page 2, line 6, of the printed bill, strike out the words "shall have been", and insert in lieu thereof the word "was".

AMENDMENT NUMBER SIX

On page 2, line 7, of the printed bill, strike out the period, and insert in lieu thereof the following: ", nor shall said repeal be applicable to or affect in any way

any bonds heretofore issued or authorized to be issued under said act or any assessment levied or required to be levied under said act; and for all purposes (except that no new proceeding can be begun thereunder after January 1, 1933) all of the authority, power and jurisdiction now conferred by said act and all of the provisions of said act are retained in full force and effect and all bonds issued under said act shall be fully paid and discharged."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 132—An act to repeal an act entitled the "Improvement Bond Act of 1915," approved June 11, 1915, Statutes of 1915, page 1441, as amended, with the provision that any bonds issued under the provisions of said act shall not be affected by said repeal.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the word "entitled", and insert in lieu thereof the word "called".

AMENDMENT NUMBER TWO

In line 3 of the title of the printed bill, following the word "that", insert the following: "pending proceedings and".

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the words "An act entitled the", and insert in lieu thereof the word "The".

AMENDMENT NUMBER FOUR

On page 1, line 4, of the printed bill, strike out the words "above entitled".

AMENDMENT NUMBER FIVE.

On page 1, line 11, of the printed bill, strike out the words "shall have been", and insert in lieu thereof the word "was".

AMENDMENT NUMBER SIX.

On page 1, line 12, of the printed bill, strike out the period, and insert in lieu thereof the following: ", nor shall said repeal be applicable to or affect in any way any bonds heretofore issued or authorized to be issued under said act or any assessment securing said bonds; and for all purposes (except that no new proceeding can be begun thereunder after January 1, 1933) all the authority, power and jurisdiction now conferred by said act and all the provisions of said act are retained in full force and effect until all bonds issued under said act and all assessments securing the same shall be fully paid and discharged."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 133—An act to repeal "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements." approved May 24, 1927, Statutes of 1927, page 1351, as amended, with the provision that such repeal shall not apply to any existing proceeding instituted under said act.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 9 of the title of the printed bill, following the word "to", insert the words "existing bonds or to".

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, strike out the words "shall have been", and insert in lieu thereof the word "was".

AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill, strike out the period following the figures "1933", and insert in lieu thereof the following: ", nor shall said repeal be applicable or affect in any way bonds heretofore issued or authorized to be issued under said act or any assessment levied or required to be levied under said act, and for all purposes (except that no new proceeding can be begun thereunder after January 1, 1933) all of the authority, power and jurisdiction now conferred by said act and all of the provisions of said act are retained in full force and effect until all bonds issued under said act shall be fully paid and discharged."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 134—An act to repeal an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, Statutes of 1885, page 147, as amended, with provision that said repeal shall not apply to existing proceedings under said act

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the last line of the title of the printed bill, following the word "proceedings", insert the words "or to existing bonds or assessments issued or levied under said act".

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, strike out the words "shall have been", and insert in lieu thereof the word "was"; in line 12, strike out the period, and insert in lieu thereof the following language: ", nor shall said repeal be applicable to or affect in any way any bonds heretofore issued or authorized to be issued under said act or any assessment levied or authorized to be levied under said act; and for all purposes (except that no new proceeding can be begun thereunder after January 1, 1933) all of the authority, power and jurisdiction now conferred by said act and all of the provisions of said act are retained in full force and effect until all bonds issued and all assessments levied under said act shall be fully paid and discharged."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 135—An act to repeal the Acquisition and Improvement Act of 1925, approved May 23, 1925, Statutes of 1925, page 849, as amended, with a provision that said repeal shall not apply to existing proceedings under said act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the words "with a provision", and insert in lieu thereof the following: "and providing".

AMENDMENT NUMBER TWO.

In line 4 of the title of the printed bill, after the word "existing", insert the following new matter "or authorized bonds and assessments or to existing".

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the words "An act entitled the", and insert in lieu thereof the word "The".

AMENDMENT NUMBER FOUR.

On page 1, line 4, of the printed bill, strike out the words "above entitled".

AMENDMENT NUMBER FIVE.

On page 1, line 7, of the printed bill, after the word "from", insert the following "exercising all authority, power and jurisdiction and".

AMENDMENT NUMBER SIX.

On page 1, line 10, of the printed bill, strike out the words "shall have been", and insert in lieu thereof the word "was".

AMENDMENT NUMBER SEVEN.

On page 1, line 11, of the printed bill, strike out the period, and insert in lieu thereof the following: ", nor shall said repeal be applicable to or affect in any way any bonds heretofore issued or authorized to be issued under said act or any assessment levied or required to be levied under said act; and for all purposes (except that no new proceeding can be begun thereunder after January 1, 1933) all of the authority, power and jurisdiction now conferred by said act and all of the provisions of said act are retained in full force and effect until all bonds issued under said act shall be fully paid and discharged"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 137—"An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of said improvements," approved April 20, 1915, Statutes 1915, page 99, as amended; and to provide for a repeal of said act with provisions that said repeal shall not apply to existing proceedings under said act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the last line of the title of the printed bill, following the word "existing", insert the following: "bonds or taxes or to existing".

AMENDMENT NUMBER TWO

On page 1, line 15, of the printed bill, strike out the words "shall have been", and insert in lieu thereof the word "was"; also in the same line, following the figures "1933", strike out the period, and insert in lieu of said period the following: ", nor shall said repeal be applicable to or affect in any way any bonds heretofore issued or authorized to be issued under said act or any tax levied or required to be levied under said act, and for all purposes (except that no new proceeding can be begun thereunder after January 1, 1933) all of the authority, power and jurisdiction now con-

ferred by said act and all of the provisions of said act are retained in full force and effect until all bonds issued under said act shall be fully paid and discharged."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 138—An act to repeal an act entitled "An act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889, Statutes of 1889, page 70, as amended, with provision that said repeal shall not apply to existing proceedings under said act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the last line of the title of the printed bill, strike out the period, and insert in lieu thereof the following language ", or to bonds or assessments issued or levied pursuant thereto"

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, strike out the words "shall have been", and insert in lieu thereof the word "was"; in line 14, strike out the period, and insert in lieu thereof the following language ", nor shall said repeal be applicable to or affect in any way any bonds heretofore issued or authorized to be issued pursuant to said act or any assessment levied or authorized to be levied under said act; and for all purposes (except that no new proceeding can be begun thereunder after January 1, 1933) all of the authority, power and jurisdiction now conferred by said act and all of the provisions of said act are retained in full force and effect until all bonds issued pursuant to said act and all assessments levied under said act shall be fully paid and discharged"

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 751—An act to amend sections 9, 14 and 15 of "The State Bar Act," relating to the Board of Governors.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 49, of the printed bill, after the period following "elected", insert the following: "One member of the board from State bar district 7 to be elected in 1933 for a three (3) year term, and any successor to said member, at the time of his election shall, and any such member from said district may, maintain his principal office for the practice of law outside of the city of Los Angeles."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 2058—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended in the Assembly March 24, 1933, strike out lines 4 to 10, both inclusive, and insert in lieu thereof the following "A clergyman, priest (or other practitioner of religious ministry) can not, without the consent of the person making the confession, be examined as to any confession made to him in his professional character in the course of discipline enjoined by the church to which he belongs."

Amendment adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 767—An act to add a new section to the "Fair Trade Act" to be numbered $1\frac{1}{2}$, relating to unfair competition.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out line 9, and insert in lieu thereof the following: "damaged thereby."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2271—An act to amend section 16x21 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-first class

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "amend", and insert in lieu thereof the following: "repeal".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out lines 2 and 3, and insert in lieu thereof the following "Act is hereby repealed"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2272—An act to amend section 4250 of the Political Code, relating to compensation of officers and employees in counties of the twenty-first class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, following line 6, insert the following:

"1 The county clerk, two thousand five hundred fifty dollars per annum, provided, that the county clerk shall have the power to appoint two deputies at a

salary of two thousand forty dollars each per annum, one deputy at a salary of one thousand six hundred twenty dollars per annum, one deputy at a salary of one thousand three hundred fifty dollars per annum, and also one deputy to serve only during such years as general elections may be held, at a salary of one thousand six hundred twenty dollars per annum, such deputies to be paid at the same time and in the same manner as other county officers are paid; provided, further, that the county clerk shall receive for compiling the great register, and for services in connection with elections, the additional sum of one thousand eighty dollars per annum; and provided, further, that he shall receive and deposit in the county treasury all such fees and commissions from whatever source derived, which now are, or hereafter may be, allowed by law.

2. The sheriff shall receive, as full compensation for all services required of him by law, the sum of three thousand five hundred seventy dollars per annum; provided, that the sheriff shall be allowed the amount of the actual and necessary expenses incurred by him in the performance of his official duties; and provided, that there shall be, and there hereby is, allowed to the sheriff one deputy, who shall be known as undersheriff, at a salary of two thousand three hundred fifty-two dollars per annum, one deputy at a salary of one thousand nine hundred eighty dollars per annum, and three deputies at a salary of one thousand eight hundred dollars each per annum: one deputy, to be deputy stenographer at a salary of seven hundred fifty dollars per annum. The deputies herein provided for shall be appointed by the sheriff, and shall be paid out of the county treasury in equal monthly installments, and in the same manner and at the same time as other county officials are paid. The sheriff shall pay into the county treasury at the close of each month all fees, mileage and per diems received by him as sheriff during the month, accompanied by a statement of the sources from which the same were received.

3. The recorder, two thousand five hundred fifty dollars per annum; provided, that there shall be, and there hereby is, allowed to the recorder one chief deputy, at a salary of one thousand six hundred twenty dollars per annum, and one additional deputy at a salary of one thousand three hundred fifty dollars per annum, provided, further, that the recorder may appoint such additional deputies as may be necessary to act as copyists, and who shall receive, as compensation for such services, the sum of six cents per folio for recording instruments or notices of all kinds, except maps and plats, and for making copies of any record; and provided, that the recorder shall pay into the county treasury all fees received by him in his official capacity from whatsoever source the same may be derived. The deputies herein provided for shall be appointed by the recorder, and shall be paid at the same time and in the same manner as other county officials are paid.

Provided, however, that if the photostat system of recordation be installed and put into effect in the said recorder's office, there shall be allowed to the recorder to be appointed by him, the following deputies only, to be paid at the time and in the manner as other county officials are paid, to wit: One chief deputy, at a salary of one thousand six hundred twenty dollars per annum, one indexing deputy at a salary of one thousand three hundred fifty dollars per annum; and three additional deputies, to serve as copyists and operators, at a salary of one thousand three hundred fifty dollars each per annum.

4. The county auditor, two thousand five hundred fifty dollars per annum; provided, that there shall be allowed to the auditor, to be appointed by him, one chief deputy, at a salary of one thousand seven hundred eighty-five dollars per annum; one deputy at a salary of one thousand six hundred twenty dollars per annum; two deputies at a salary of one thousand three hundred fifty dollars each per annum, and one deputy at a salary of one thousand two hundred forty-two dollars per annum: provided, further, that the auditor may appoint or employ such additional assistants as he may require, the aggregate compensation therefor not to exceed the sum of five hundred seventy dollars per year; the said deputies and assistants to be paid at the same time and in the same manner as other county officials are paid. The auditor shall pay into the county treasury all fees collected by him, from whatever source derived.

Provided, further, that in the event the county auditor shall serve as, and perform the duties of, the county purchasing agent, he shall receive, as full compensation for such services, the sum of eight hundred fifty-five dollars per annum.

5. The treasurer, two thousand five hundred fifty dollars per annum; provided, that the treasurer shall receive and deposit in the county treasury all such fees and commissions, from whatever source derived, which now are, or hereafter may be, allowed by law.

Provided, further, that from the time and in the event that said office is consolidated with that of tax collector, the holder of the said consolidated office of treasurer and tax collector shall receive a salary of three thousand sixty dollars per annum; that there shall be and is hereby allowed: One chief deputy at a salary of one thousand six hundred twenty dollars per annum; and one deputy at a salary of one thousand three hundred fifty dollars per annum; provided, further, that the holder of said consolidated office of treasurer and tax collector may appoint such additional assistants as he may require, at a salary not to exceed one hundred twelve dollars and fifty

cents per month each, the aggregate amount therefor not to exceed the sum of one thousand three hundred fifty dollars per annum

6. The tax collector, two thousand four hundred dollars per annum; provided, that there shall be allowed to the tax collector three deputies, to serve for periods of five months, three months, and two months, respectively, during each year, at a salary of ninety dollars each per month. The deputies herein provided for shall be appointed by the tax collector, and shall be paid at the same time and in the same manner as other county officials are paid; provided, that he shall receive the sum of no dollars per year from the time and in the event that said office is consolidated with that of treasurer The tax collector shall deposit in the county treasury all fees collected by him from whatever source derived

7. The assessor, three thousand five hundred seventy dollars per annum; provided, that there shall be allowed to the assessor one deputy at a salary of two thousand forty dollars per annum, one deputy at a salary of one thousand seven hundred eighty-five dollars per annum; one deputy at a salary of one thousand three hundred fifty dollars per annum; one assistant for a period of three months of each year at a salary of ninety dollars per month; four field deputy assessors, for not to exceed three months of each year, at a salary of one hundred seventy dollars each per month, and seven additional field deputy assessors for not to exceed two months of each year at a salary of one hundred seventy dollars each per month, but the aggregate amount which may be expended in any one year for all such field deputies shall not exceed four thousand four hundred twenty dollars. The deputies and assistants provided for herein shall be appointed by the assessor, and shall be paid at the same time, and in the same manner, as other officers are paid.

Provided, that in the event the assessor or any of his full time deputies shall engage in actual field work in assessing property, he or said deputies shall be allowed actual and necessary traveling expenses incurred in the discharge of official duties, but not to exceed the aggregate sum of one thousand three hundred fifty dollars in any one year; and provided, that the assessor shall deposit in the county treasury all fees by him received, from whatsoever source the same may be derived.

8 The district attorney, three thousand sixty dollars per annum; provided, that the district attorney shall be allowed the amount of his actual and necessary traveling and other expenses, when incurred in connection with the prosecution of criminals, within the county, provided, further, that the district attorney shall have the power to appoint two deputies, at a salary of two thousand forty dollars per annum each, the salary of each of such deputies to be paid at the same time and in the same manner as that of other county officers That in counties of this class there shall be and is hereby allowed to the district attorney, to be appointed by him, one stenographer at a salary of one thousand three hundred fifty dollars per annum and one stenographer at a salary of nine hundred fifty dollars per annum with the understanding that such stenographers, without extra compensation, shall take all depositions and statements and confessions of prisoners. Said deputies and stenographers are to be paid at the same time and in the same manner and out of the same fund as the salaries of other county officers are paid.

9 The coroner, one thousand three hundred fifty dollars per annum; provided, that the coroner shall be allowed the amount of his actual and necessary expenses when in the discharge of his official duties outside of the county seat, including mileage at the rate of seven cents for each mile necessarily traveled in going to and returning from each of such places where he may hold an inquest, together with an allowance of the sum of two dollars for summoning a jury. The coroner shall also be allowed two deputies, who shall act without compensation, except that they shall be allowed the amount of their traveling expenses for necessary travel outside of the county seat in the performance of their duties. The coroner shall be allowed one stenographer at a salary of eight hundred fifty-five dollars per annum, who shall render all stenographic services for the coroner, including the reporting of all coroner's inquests. The salary and allowances herein provided for shall be compensation in full for all services rendered by the coroner, provided, however, that when the coroner shall act as or in the place of the sheriff he shall be allowed the same fees that are allowed to the sheriff for like services.

10 The public administrator, one-half of all such fees as now are, or hereafter may be, allowed by law.

11. The superintendent of schools, two thousand eight hundred five dollars per annum, together with the amount of his actual traveling expenses when visiting schools of the county; provided, that the superintendent of schools shall have the power to appoint two deputies, one of whom shall receive a salary of one thousand seven hundred eighty-five dollars per annum, and the other a salary of one thousand six hundred twenty dollars per annum, the salary of each of such deputies to be paid at the same time and in the same manner as that of other county officers.

12. The surveyor, one thousand six hundred twenty dollars per annum for all work performed for the county, and in addition thereto he shall be allowed his actual and necessary traveling and other expenses in connection with field work, and the cost of preparing maps, plats, block books and tracings for the assessor when directed by him to do so; provided, however, that if the county surveyor shall be appointed

superintendent of permanent highways in the county, constructed under bond issue, pursuant to any statute in this State providing for the appointment of such superintendent, the surveyor shall receive the additional sum of two thousand five hundred fifty dollars per annum as compensation for his services as such superintendent of permanent highways.

13. The justices of the peace shall receive the following monthly salaries, respectively, to be paid each month as the salaries of the county officers are paid, which shall be in full for all services rendered by them: (1) In each township having a population of more than ten thousand the justice of the peace shall receive a salary of one hundred seventy dollars per month; (2) In each township having a population of more than five thousand and less than ten thousand, the justice of the peace shall receive a salary of one hundred thirty-five dollars per month; provided, however, that in each case where there are two or more justices of the peace in any such township, or where two or more offices of justice of the peace may be hereafter created in any such township, the salary of each of such justices of the peace shall be ninety dollars each per month, (3) In each township having a population of two thousand five hundred, but less than five thousand, sixty-one dollars and seventy-five cents per month; (4) In each township having a population of one thousand five hundred, but less than two thousand five hundred, fifty-seven dollars per month; (5) In each township having a population of one thousand, but less than one thousand five hundred, forty-two dollars and seventy-five cents per month; (6) In each township having a population of five hundred, but less than one thousand, thirty-three dollars and twenty-five cents per month; (7) And in each township having a population of less than five hundred, twenty-eight dollars and fifty cents per month. Each justice of the peace shall pay into the county treasury each month all fees and fines collected by him; and provided, further, that the county board of supervisors may, in its discretion, furnish and provide suitable offices for the transaction of the business of any one or more of the justices of the peace.

14. The constables shall receive the following monthly salaries, respectively, to be paid as the salaries of the county officers are paid, which shall be payment in full for all services rendered by them in all criminal cases or criminal matters: (1) In each township having a population of five thousand or more, ninety dollars per month; (2) In each township having a population of two thousand five hundred, but less than five thousand, forty-seven dollars and fifty cents per month; (3) In each township having a population of one thousand five hundred, but less than two thousand five hundred, forty-two dollars and seventy-five cents per month; (4) In each township having a population of one thousand, but less than one thousand five hundred, thirty-three dollars and twenty-five cents per month; (5) In each township having a population of five hundred, but less than one thousand, twenty-eight dollars and fifty cents per month; (6) And in each township having a population of less than five hundred, nineteen dollars per month; provided, that, in addition to the salary herein allowed, each constable shall be paid out of the treasury of the county for necessary traveling expenses in his own district, for the service of a warrant of arrest, or any other process in a criminal case, or other criminal matters, when such service is in fact made, both going and returning, seven cents per mile; for each mile traveled out of his county, both going and returning from the place of arrest in the service of process, seven cents per mile; and for transporting any person to the county jail, seven cents per mile each way. In addition to the monthly salary allowed him herein, each constable shall receive for his own use such fees in civil cases as now are or hereafter may be specified by law.

15. The supervisors, the sum of one thousand eighty dollars each per annum, and seven cents per mile for all distances actually traveled in the performance of his duty as road commissioner, not to exceed four hundred fifty dollars per annum, together with mileage, at the rate of seven cents per mile in going from his place of residence to the county seat and returning at each session of the board

16. In each county of this class, the official phonographic reporter of the superior court shall receive, for his services in reporting testimony and proceedings in court, and for the transcription thereof, such compensation and fees as now are, or hereafter may be, prescribed by law; provided, however, that when the court reporter is on duty in chambers in assisting the judge in his work, or is otherwise engaged therein, although not engaged in reporting testimony or proceedings in the court, he shall be allowed and shall receive, the sum of eight dollars per day

17 The county librarian shall receive a salary of one thousand seven hundred eighty-five dollars per annum.

18. In counties of the twenty-first class there shall be one probation officer, whose salary shall be two thousand five hundred fifty dollars per annum, and one deputy probation officer, whose salary shall be one thousand three hundred fifty dollars per annum; provided, that such probation officer or deputy probation officer may assume and perform other duties than those prescribed under the Juvenile Court Law, for and at the request and under the direction of the board of supervisors and shall be entitled to receive and retain such compensation for such duties as may be provided by the said board of supervisors

19. The sealer of weights and measures in counties of the twenty-first class shall receive a salary of one hundred seventy dollars per month and deputies shall receive four dollars per day for every day actually employed.

20. The population herein referred to in classifying townships for the purpose of regulating the compensation of justices of the peace and constables shall be the population found and determined by the next preceding federal census.

21 In counties of the twenty-first class, grand jurors and trial jurors in the superior court shall receive for each day's attendance three dollars, and for every mile actually traveled in attending court as such juror, in going only, fourteen cents

22 Allowance for mileage to any officer or employee of counties of this class is seven cents per mile for each mile actually and necessarily traveled in the performance of his duties, except where a different mileage is specified herein or where the board of supervisors allow a fixed sum per month for mileage

SEC 2 This act shall apply to present incumbents."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2274—An act to amend section 2322x21 of the Political Code, relating to the office of the agricultural commissioner in counties of the twenty-first class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following

"2322x21. In counties of the twenty-first class the commissioner shall receive a salary of two thousand five hundred fifty dollars per annum, provided, that in counties of this class there shall be allowed to the commissioner the following deputies, inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows

(a) One deputy county agricultural commissioner at a salary of one thousand seven hundred dollars per annum.

(b) The commissioner is also authorized and empowered to appoint not to exceed three inspectors at a salary of one hundred thirty-five dollars per month each during such time as actually employed and not to exceed two inspectors at a salary of one hundred twelve dollars and fifty cents per month each during the time such inspectors are actually employed, but the aggregate amount to be expended in any one year for all such inspectors shall not exceed the sum of six thousand dollars.

(c) One chief inspector of rodent control, at a salary of one hundred seventy dollars per month

(d) One clerk, at a salary of eight hundred fifty-five dollars per annum"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2275—An act to amend section 19x21 of the Juvenile Court Law, relating to probation officers in counties of the twenty-first class

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill strike out "amend section 19x21", and insert in lieu thereof the following: "repeal sections 19mm and 19x21".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following

"SECTION 1. Sections 19mm and 19x21 of the Juvenile Court Law are hereby repealed"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 598—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments collectible by the ad valorem method, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the words "collectible by the ad valorem", and in line 4 strike out the word "method" and in lieu thereof insert the words "levied wholly or partly in accordance with the assessed value of lands"

AMENDMENT NUMBER TWO.

In line 1 of the printed bill following the words "SECTION 1", insert the following language "The legislative body of any city or county or city and county of this State may, under and subject to the provisions of this act and with the consent of the electors of the district as hereinafter provided, fund or refund the outstanding bonds issued for any special assessment district, the bonds of which are payable by assessments levied wholly or partly in accordance with the assessed value of lands Proceedings under this act may be taken only if the indebtedness is refunded at a discount The interest rate on the refunding bonds must have one or more interest payments less than the interest rate on the bonds to be refunded The said legislative body may negotiate with the holders of bonds for such refunding and to aid in such refunding may appropriate moneys from the general fund, or any available fund of the city or county or city and county. Said legislative body may call an election under the provisions of this act and, in the event that the refunding of said indebtedness is authorized by the electors voting at such election, a reassessment shall be levied by said legislative body for the amount stated in the notice of election

SEC 2 Said legislative body shall, by resolution or ordinance, determine the total principal amount for which a reassessment shall be levied in the refunding proceeding and shall determine the term of any refunding bonds to be issued to represent any of the assessments included in such reassessment and the rate of interest of such bonds The rate of interest during the entire term of such bonds need not be the same, but different rates may be stated for one or more interest payments of such bonds If such different rates of interest are proposed, each rate and the time during which such rate shall be paid shall be designated in such resolution or ordinance Said ordinance or resolution shall also order the submission of the proposition of refunding the said outstanding indebtedness of such district and the levying of a reassessment for such refunding in the total principal amount proposed, to be submitted to the qualified electors of such district at an election to be held for the purpose of voting upon such proposition and shall fix the time of holding said election and provide for notice to be given thereof.

SEC 3. Notice of such election shall be given by publication once a day for at least seven (7) days in some newspaper published at least six (6) days a week in such city or county or city and county, or once a week for two (2) weeks in some newspaper published less than six (6) days a week in such city or county or city and county, and one insertion each week for two succeeding weeks shall be sufficient publication in such newspaper published less than six (6) days per week Such notice of election shall also be posted in three (3) public places within the district at least two (2) weeks prior to the election. The date of first publication and the date of posting must be at least fourteen (14) days prior to the date of holding such election In cities in which no newspaper is published, posting as herein required shall be sufficient notice of such election. No notice of such election, other than that herein required, need be given The notice of election shall state the total amount of the principal of the outstanding indebtedness to be refunded and the total amount of interest due and unpaid, the total principal amount of the reassessment proposed to be levied in such refunding proceedings, the term of the bonds to be issued to represent any unpaid reassessments, and the rate or rates of interest to be paid on said bonds. Said notice shall also state the date of such election, the hours between which the polls at such election will be open, the polling place or places within the district at which the election will be held, and the names of the election officers appointed to hold and conduct such election In

all particulars not recited in such notice, the election shall be held as provided by law for the holding of elections in the city or county or city and county the legislative body of which ordered the holding of such election. Said notice of election shall also state the proposed amount of the public contribution to be made in refunding the outstanding bonds of such district, if any such contribution be provided. The proposition to be voted upon shall be stated in the notice of election and upon the ballot in substantially the following form:

Shall the outstanding indebtedness of _____ district of the _____ (city or county) of _____, in the principal amount of _____ dollars ($_____) with $_____ interest thereon due and unpaid, be refunded by levying a reassessment in the total principal amount of _____ dollars ($_____) therefor, as provided in the Refunding Special Assessment Bond Act of 1933, and by appropriation of $_____ by the _____ (city or county) of _____; refunding bonds will be issued to represent unpaid reassessments, such refunding bonds to bear interest at the rate of _____ per cent per annum?

Said notice shall be signed by the clerk of the legislative body conducting the refunding proceedings. Any qualified elector residing within the district in which the election is to be held may vote at such election. If a majority of the qualified electors voting at such election vote in favor of such proposition, then the legislative body which ordered the holding of such election shall have jurisdiction to proceed to levy a reassessment upon the lands within the district in the total principal amount stated in such proposition and to proceed with such reassessment and refunding as in this act provided. No defect or irregularity in the resolution or ordinance calling the election or in the notice of election or ballot and no failure to publish or post such notice of election as provided in this act shall invalidate the election if reasonable notice has actually been given and if the defect or omission does not actually mislead the voters authorized to vote at such election.

SEC. 4. The legislative body which shall conduct the refunding and reassessment proceeding shall be the legislative body which ordered the bonds of the particular district which are to be refunded issued, provided, however, that if the district for which the bonds are to be refunded lies entirely within a municipality then the refunding and reassessment proceedings shall be conducted by the legislative body of such municipality, and if the district for which the bonds are to be refunded lies entirely within unincorporated territory of a county the legislative body of such county shall conduct such refunding and reassessment proceedings. It is the intent of this section that in all cases of incorporation of municipalities or annexation of territory to municipalities or consolidation of municipalities or exclusion of territory from municipalities or the dissolution of municipalities, the authority, powers, duties and obligations which would, under this act, have been vested in or imposed upon the legislative body which conducted the proceedings for the issuance of the bonds to be refunded, shall be and are vested in and shall be exercised by the legislative body which, by reason of such incorporation, annexation, consolidation, exclusion or dissolution, has jurisdiction at the time such refunding is begun over the territory of the assessment district. In any case in which the assessment district lies within two or more municipalities or partly within unincorporated territory of a county and partly within one or more municipalities, the legislative body which conducts the refunding proceedings shall obtain the consent of the legislative body or bodies of the other municipality or municipalities or county in which part of the district lies to the refunding of such bonds under this act. Such consent shall be expressed by resolution, a certified copy of which shall be filed with the legislative body which conducts the refunding proceedings prior to the date upon which the election mentioned in section 3 hereof is held.

SEC. 5. If the refunding proceedings are to be conducted by the legislative body of a city, said legislative body shall direct the city engineer or some other competent person who shall be designated "engineer of work," to prepare a diagram of the property included within the district upon which the reassessment shall be levied. If the refunding proceedings are to be conducted by the legislative body of a county, said legislative body shall direct the county surveyor to prepare such diagram. If in the original proceedings for the formation of said district and the issuance of bonds thereof, any lots, pieces or parcels of land therein were excepted from the levy of the special assessment tax to pay the principal and interest of said bonds, said lots, pieces or parcels of land shall be shown upon said diagram but no reassessment shall be levied thereon. Said diagram shall show each lot, piece or parcel of land in said district and the dimensions of each said lot, piece or parcel of land. When said diagram is completed the county surveyor, if the legislative body of the county conducts the refunding proceedings, or the superintendent of streets or engineer of work, if the legislative body of the city conducts the refunding proceedings, shall proceed to make the reassessment as herein provided.

SEC. 6. The total amount for which said reassessment shall be made shall not exceed the total principal amount of such reassessment as stated in the notice calling the election and in the proposition submitted upon the ballot but may be for a smaller amount. Said reassessment shall be made upon all such lots, pieces or parcels of land within the assessment district as are to be assessed under the original

proceedings to pay the principal and interest of the bonds issued thereunder. The total amount to be reassessed shall be apportioned upon the said lots, pieces and parcels of land in the manner hereinafter set forth, to wit:

To the total principal sum of the reassessment as stated in the notice of election shall be added the total sum of all of the amounts paid into the interest and sinking fund of such district upon assessments levied upon any lot, piece, or parcel of land to raise funds to pay the principal and/or interest of the bonds of said district which are to be refunded. The total amount of the two sums shall be apportioned as an assessment upon all such lots, pieces, or parcels of land within the assessment district as are to be assessed under the original proceeding to pay the principal and interest on the bonds issued thereunder. The person making the reassessment shall proceed to estimate upon the lots, pieces or parcels of land within the assessment district and, subject to the reassessment under the terms of this act, the benefits arising from the acquisition or improvement, or acquisition and improvement, for which the bonds to be refunded were issued and to be received by each such lot, piece or parcel of land, and shall thereupon assess upon and against the said lands the total amount of the two sums hereinbefore in this section mentioned and in so doing shall assess the said total amount upon the several lots, pieces or parcels of land in said assessment district subject to said reassessment in the manner following, to wit:

Upon each lot piece or parcel of land, respectively, in proportion to the estimated benefits received by each such lot, piece or parcel of land from the acquisition or improvement, or the acquisition and improvement, for which the bonds to be refunded were issued.

When said total amount has been assessed upon each of the lots, pieces or parcels of land to be reassessed there shall be deducted from the amount so assessed upon any lot, piece or parcel of land, any sum theretofore paid into the interest and sinking fund of the district upon an assessment levied upon any such lot, piece or parcel of land to pay the principal and interest on bonds of said district. In case any such lot, piece or parcel of land was a portion of a larger parcel of land for which a payment was made the portion of such payment to be deducted from the amount assessed against such smaller lot, piece or parcel of land shall be that proportion of such payment which the amount assessed against said smaller lot, piece or parcel of land bears to the total amount assessed against all of the parcels which comprised the said larger parcel of land. After all of the amounts of assessments paid have been deducted from the amounts assessed to each such lot, piece or parcel of land the amounts remaining assessed against each such lot, piece or parcel of land shall be termed reassessments and shall comprise the total reassessment and shall in total amount be the sum stated in the notice of election.

SEC. 7. The lots, pieces and parcels of land upon which such reassessment shall be levied shall include all parcels of land in the assessment district upon which an assessment would be levied to pay the principal and interest of the bonds issued in the original proceedings, and shall include all public property in such district which may lawfully be assessed under the provisions of the act under which the bonds to be refunded were issued, provided such public property was not omitted from the assessment district or exempted from the assessment if therein.

SEC 8. Said reassessment need not be in particular form but shall briefly refer to the district for which said reassessment is to be made by its number or other suitable designation and shall contain a brief reference to the original proceedings in which the bonds to be refunded were issued, and shall show the total amount of such reassessment. Such reassessment shall also show the amount of each reassessment against each lot, piece or parcel of land and the description thereof, and shall have attached thereto a map, plat or diagram showing the location of each lot, piece or parcel of land in the district, and each such lot, piece or parcel of land shall be numbered to correspond with the numbers of the reassessments. Said reassessment shall be filed with the clerk of the legislative body which conducts the refunding proceedings.

SEC 9 When said reassessment has been filed with the clerk, the legislative body shall direct said clerk to give notice of the filing of said reassessment and of the time and place when and where all persons interested in such reassessment will be heard by said legislative body. Said notice shall be in substantially the following form:

(Fill in blanks)

Notice of hearing on proposed reassessment for refunding of bonds of _____ district of _____ (city or county) of _____:

Notice is hereby given that a reassessment for the refunding of the bonds of the above entitled district has been filed with the clerk of the _____ (name of legislative body) of _____ (city or county) of _____ and may be examined by any person interested. The acquisition or improvement, or acquisition and improvement (use whichever of the foregoing words applies), to pay the costs and expenses of which said bonds were issued, is described in general terms as follows: (Here insert a statement in general terms of the location and extent of the work and improvement or acquisition or both, as stated in the resolution of intention in the original proceedings.)

The district of lands benefited by said acquisition or improvement, or acquisition and improvement (using the appropriate words), is described in general terms as follows: (Here insert a description in general terms of the district as shown upon the plat or diagram attached to the reassessment, excepting therefrom any lands not to be reassessed.)

Reference is hereby made to the diagram contained in said reassessment for the boundaries and extent of the said assessment district, and said diagram shall govern for all details as to the extent thereof. Said diagram shows each lot, piece or parcel of land reassessed and said reassessment shows the amount proposed to be reassessed upon each lot, piece or parcel of land.

Notice is further given that it is proposed to levy said reassessment for the refunding of the bonds of said district. The total amount of the proposed reassessment is the sum of $_____

Notice is further given that on the _____ day of _____, 19___ at the hour of _____ o'clock, ___ m. at the chambers of the _____ (designating legislative body) of the _____ (city or county) in the city of _____ is the time and place the said _____ (designating legislative body) will hold the hearing on said reassessment. Protests or objections to said reassessment or to any proceedings taken in the refunding of said bonds and the levying of a reassessment therefor or to any part of such proceedings or to any specific reassessment upon any ground whatsoever must be filed in writing with the clerk of _____ (designating legislative body) at or before the time of said hearing. Upon the confirmation and recording of said reassessment, the respective amounts reassessed shall be immediately due and payable. The reassessment proceedings are under and serial bonds shall be issued in the manner and form provided in (here set out the title of this act and its date of approval) to represent each reassessment remaining unpaid after the expiration of thirty days from the date of recording said reassessment. Said bonds shall bear interest at the rate (or rates) of _____ per cent from the date of recording of such reassessment and shall be payable in _____ installments extending over a period of _____ years from the second day of January next succeeding the fifteenth day of the next November following their date.

_____
Clerk of the (designate legislative body)
of (designate name of city or county).

SEC. 10. If the legislative body of a city is conducting the proceedings for such refunding, said notice shall be published by at least two insertions in a newspaper of general circulation printed and published in such city, and if there is no newspaper of general circulation published in such city, then in a newspaper published in the county in which said city lies. If the legislative body of a county is conducting such proceedings for refunding, said notice shall be published by at least two insertions in a newspaper of general circulation published in said county. Copies of such notice shall also be posted upon all open streets within the district of lands proposed to be reassessed. Such notices shall be not more than three hundred feet in distance apart and not less than three of such notices shall be posted. The heading upon such posted notices shall be in letters at least one-half inch in height. The posting and publication of such notices must be completed at least fifteen days prior to the date of hearing stated in such notice. The affidavits of publication and posting shall be filed in the office of the clerk of said legislative body.

SEC. 11. Protests or objections to the said reassessment or to any of the reassessments upon the respective lots, pieces or parcels of land reassessed or to any action or determination in the making of said reassessment or in the proceedings for said reassessment and refunding, including objections to the amounts of the reassessments, or to the validity or legality of any of the proceedings for said reassessment and refunding must be made in writing and filed with the clerk of said legislative body at or before the time fixed for the hearing on said reassessment. Such protests or objections may be made by any person interested in the reassessment and refunding proceedings. It is the intent of this section that protests or objections upon any ground whatsoever may be made as provided by this section. Such protests or objections need not be in any particular form, but if protest against or objection to the regularity or legality of the proceedings for the reassessment or refunding is made such protest must clearly set forth the particular alleged irregularities or invalidities. Any objection or protest upon any ground whatsoever not made at the time and in the manner hereinbefore provided shall be deemed to be waived voluntarily by any person who might have made such a protest or objection, and the proceedings for the said reassessment and refunding may not thereafter be attacked upon any ground not stated in an objection or protest so filed, and any landowner or any person otherwise interested in any lands within the said district or in the reassessment and refunding proceedings shall be estopped to attack the said reassessment and refunding proceedings upon any ground not stated in a protest filed by him in accordance with the provisions of this section. At the time fixed for the hearing any person interested may appear and be heard upon any of the matters set forth in his protest or objection. Protests and objections may be taken up in such order as the legislative body deems advisable and any evidence offered

thereon by any property owner or person otherwise interested in the proceedings for said reassessment and refunding shall be heard by said legislative body. Said legislative body may also hear any evidence offered in support of the said reassessment and refunding proceedings. The determination of said legislative body upon any of the matters presented in any of said protests or objections and upon all matters involved in said reassessment and refunding proceedings and upon the reassessment shall be final and conclusive. Said hearing may be adjourned from time to time by an order entered upon the minutes of the legislative body, provided that the hearing must be finally completed within sixty days from the date thereof stated in the published notice of hearing. At the said hearing said legislative body shall have power to revise, correct or modify the said reassessment in such manner as may be just and in accordance with the facts, and so that the assessment may be apportioned according to benefits. Said reassessment may be confirmed as filed or as revised, corrected or modified. Confirmation of said reassessment shall be made by resolution of the legislative body entered upon its minutes and such resolution shall declare the findings of said legislative body. If no changes are made in any of the matters contained in said reassessment, it shall be sufficient in said resolution to declare that said reassessment is confirmed, but if any changes are made such changes shall be mentioned in said resolution of confirmation and said resolution shall declare that the said reassessment as revised, corrected or modified by the said changes is confirmed. Said legislative body shall also have power at said hearing to correct any of its previous actions, determinations, resolutions or orders and any of the proceedings for the reassessment and refunding. Any resolution confirming the said reassessment as filed, or as revised, corrected or modified, shall also determine that the reassessment and refunding proceedings have been regularly and legally taken. The findings and determinations of said legislative body upon all matters herein mentioned and upon all matters in connection with said reassessment and refunding proceedings shall be final and conclusive upon all persons and in all actions or proceedings as to all matters expressly found and determined and as to the regularity and sufficiency of the reassessment and refunding proceedings, and said resolution confirming the said reassessment shall be conclusive evidence that said reassessment and all proceedings prior thereto are valid and sufficient. No defect in the form of such reassessment and no omission, failure or neglect of, or action or determination of any officer, body or person in the reassessment and refunding proceedings and no error in the amounts to be reassessed upon any of the lots, pieces or parcels of land shall invalidate the said reassessment or any of the reassessments therein contained, and each of the reassessments in said reassessment shall become a lien upon the property upon which the same is levied, notwithstanding any error, defect or omission therein or in any of the proceedings therefor and notwithstanding that the proceedings for the making of said reassessment are not in full conformity with the requirements of this statute, and any action or determination necessary or convenient in the making of said reassessment or reassessment proceedings not expressly set forth in this statute is hereby authorized and the same when made shall be valid and sufficient.

SEC. 12. If the refunding proceedings are conducted by the legislative body of a city, said reassessment as confirmed shall be recorded with the superintendent of streets of said city. If the refunding proceedings are conducted by the legislative body of a county, said reassessment as confirmed shall be recorded with the county surveyor of said county. When so recorded, the several amounts reassessed upon the lots, pieces or parcels of land in said reassessment shall be a lien thereon as of the date of such recordation. Such lien shall continue until said reassessment and all interest and penalties thereon are paid or until it is discharged of record. Such lien shall be subordinate to all special assessment liens imposed upon the same property prior to the date of such recordation, but the lien of said reassessment shall be superior to and have priority over all special assessment liens created against the same property subsequent to the date of such recordation. Any foreclosure of said reassessment lien or sale of property for said lien shall convey the said property to the purchaser free and clear of all encumbrances, except general taxes and special assessment liens imposed upon the same property which are by the terms of this section expressly made superior to said reassessment lien. From and after the date of the said recording of said reassessment all persons shall be deemed to have notice of the contents thereof. The amounts assessed in said reassessment shall be payable to the said superintendent of streets or county surveyor with whom said reassessment is recorded, and said superintendent of streets or county surveyor is authorized to receive the amount due upon any reassessment and give a good and sufficient discharge therefor, provided a bond has not been issued to represent such reassessment. The officer with whom said reassessment is recorded shall give notice by publication for ten days in a daily newspaper of general circulation printed and published in the county in which the lands reassessed lie or by three successive insertions in a weekly newspaper of general circulation printed in such county that said reassessment has been recorded in his office and that all sums assessed therein became due and payable upon the recordation of said reassessment, stating the date of such recordation

and that the payment of the said sums is to be made to him within thirty days after the date of such recordation. Said notice shall also contain a statement that for any reassessment not paid before the expiration of said thirty days a bond will issue in the manner and form provided in this act and shall state the period over which said bond or bonds shall extend and the rate of interest which shall be payable thereon. Notice shall also be given by mailing a post card to the owner of each lot, piece or parcel of land reassessed according to the name and address appearing on the last equalized assessment roll for county taxes prior thereto or as known to the superintendent or surveyor; provided that a failure of the superintendent or surveyor to give such notice by mailing or of the person addressed to receive the same shall not affect the validity of the proceedings or the validity of the lien of any reassessment or of any bond issued thereon. Upon payment of any reassessment, the superintendent of streets or the county surveyor with which the said reassessment is recorded shall mark upon the said reassessment note of the said payment and shall cancel the said reassessment, and upon request, said superintendent of streets or county surveyor shall also give a receipt to the person paying the said reassessment. Any reassessment upon public property shall be paid by the officer or board having charge of the disbursement of the funds of the owner of such property, and said reassessment shall be an enforceable obligation against the owner of or the governing body controlling the said property. If for any reason there are no moneys available for the payment of said reassessment, then the board or officer whose duty it is to levy taxes for the said owner of said public property shall include in the next tax levy an amount, in addition to moneys for all other purposes, sufficient to pay said reassessment and the interest thereon from the date the reassessment is recorded at the rate to be stated in the refunding bonds, and when the moneys received from said tax levy are available, said reassessment and such interest thereon shall be paid by the officer or board having charge of the disbursement of the funds of the owner of such land. Any reassesment upon public property not in use in the performance of a public function may be foreclosed in the manner provided in section 27 of the "Improvement Act of 1911" as amended; provided, however, that the notice to be given upon the tax bill need not be given or made and that such action may be brought at any time after thirty days after the recording of such reassessment and in any such foreclosure action the said reassessment and diagram with proof of nonpayment shall be prima facie evidence of the right of plaintiff to recover in the action. Said action shall be brought in the name of the city or county the legislative body of which levied said reassessment upon the request of any person entitled to any portion of the moneys to be derived from said reassessment. The person requesting that said foreclosure action be brought must advance the plaintiff's costs and expenses thereof and said action may be brought by any competent attorney appointed by the legislative body which levied said reassessment. In any case in which the reassessment is levied by the legislative body of a county, the same shall be foreclosed as hereinbefore provided, except that the various officers designated in said section 27 shall be the corresponding county officers as designated in the County Improvement Act of 1921 as amended. No refunding bond shall issue against public property, and the list of unpaid reassessments to be filed with the treasurer shall not include any unpaid reassessment upon public property.

SEC. 13. No action, suit or proceeding to set aside, cancel, avoid, annul or correct any reassessment hereunder or to review any of the proceedings, acts or determinations made in the proceedings for said reassessment and refunding or to question the validity of or enjoin the collection of said reassessment or any reassessment therein or to enjoin the issuance of any bond or bonds to represent the same shall be maintained by any person unless such action or actions shall have been commenced within sixty days after the date of recording of said reassessment, and thereafter all persons shall be barred from any such action, suit or proceeding or any defense of the invalidity of said reassessment or any of the reassessments therein contained or any bonds issued thereon.

SEC. 14. After the full expiration of thirty days from the date of recording said reassessment, the superintendent of streets, if the reassessment was recorded with him, shall make and certify to the city treasurer a complete list (except for reassessments upon public property) of all reassessments therein unpaid. If the reassessment was recorded with the county surveyor said county surveyor shall make and certify to the county treasurer a complete list (except for reassessment upon public property) of all reassessments therein unpaid. The principal of each of said unpaid reassessments on said list shall thereafter become due and payable to the treasurer with whom said list is filed in equal annual payments on the fifteenth day of each November succeeding the recordation of the reassessment until fully paid. The number of said annual payments shall correspond to the number of serial payments provided to be made on the principal of the bonds issued to represent said unpaid reassessments. The interest on said unpaid reassessments shall be payable on each fifteenth day of May and November succeeding the recordation of such reassessments, the last interest payment coming

due forty-five days before the last annual payment of the principal of the bonds issued to represent said unpaid reassessments. Said bonds and the interest thereon shall be paid at the office of the said treasurer, who shall keep a fund designated by the name of said bonds into which he shall place all sums paid him for the principal of said bonds and the interest thereon, together with all penalties thereon, and from which he shall disburse such sums upon the presentation of the interest and principal coupons, and under no circumstances shall said bonds or the interest thereon be paid out of any other fund. Said treasurer shall keep a register in his office which shall show the series number, date, amount, rate of interest, payee and indorsees of each bond and the number and amount of each coupon of principal or interest paid by him, and shall cancel and file each coupon so paid. An even annual proportion of the principal sum of each bond shall be payable by coupon on the second day of January every year after the fifteenth day of the next November following their date until the whole of said principal is paid.

SEC. 15. All moneys collected on the reassessments, all moneys in the interest and sinking fund of the district for which the bonds are refunded, and all refunding bonds shall be paid and delivered to the owners of the original bonds; provided, however, that prior to said payment and delivery or concurrently therewith, said bond owners must deliver up the unpaid refunded bonds for cancellation, and same shall forthwith be canceled. When the said payments are made and refunding bonds delivered all unpaid special assessment taxes levied to pay principal and interest of the bonds refunded and all penalties and interest thereon shall be deemed canceled and annulled, and the clerk of the legislative body which conducted such refunding proceeding, shall notify the proper city officials or the proper county officials or both as the case may be that the bonds of said district have been refunded and that said special assessment taxes, penalties and interest are canceled and annulled, and such officials shall thereupon proceed to make the necessary entries, showing the cancellation thereof.

SEC. 16. The said treasurer shall, at least fifteen days before each respective fifteenth day of May and November until the said reassessments be paid in full, mail, postage prepaid, to each owner of property described in said reassessment at his last known address as it appears upon the tax rolls of said city or county, as the case may be, a postal card notifying him of the amount due and the date when payment is due from him on said reassessment, and stating that said payment is subject to penalty if not paid on or prior to the due date of the coupons, provided that the failure of the said treasurer to mail said cards or the failure of the property owner to receive the same shall in nowise affect the validity of any penalty or invalidate any act or proceeding. Should any payment of principal of said unpaid assessments or of interest thereon be not paid on the date upon which the coupon or coupons representing it are payable, the said treasurer shall, after the close of business on said due date, add to the amount of principal or interest so delinquent a penalty of five per cent of the total amount of such delinquency, and at the beginning of business on the first day of each succeeding month, until such delinquent payment and all penalties thereon be fully paid, he shall add an additional penalty of one per cent of the amount of such delinquency, and said treasurer shall collect such penalties with and as a part of such delinquent payments.

SEC. 17. The treasurer shall, upon the filing of said list of unpaid assessments, make out, sign and issue a separate bond representing upon each lot, piece or parcel of land upon the list the amount of the reassessment against the same as thereon shown. If said lot, piece or parcel of land is described upon said assessment and diagram by its number or block or both, and is also designated by its number or block or both upon the official map of said municipality or upon any map on file in the office of the county recorder of the county in which said municipality is situated or for which the legislative body conducting the reassessment proceedings is the board of supervisors, then it shall be in said bond a sufficient description of said lot, piece or parcel of land to designate it by said number or block, or both, as it appears on said official or recorded map. Each of said bonds shall bear interest at the rate or rates stated in the notice of election from the date of the recording of the reassessment until the said bond is fully paid, and coupons for the various payments of interest on each of said bonds to the date of the maturity of such bonds shall be attached to each such bond. Said bonds shall be substantially in the following form:

district No. _____
of the _____ (city or county) of _____
refunding bond.
Series _____

No. _____ $_____

Under and by virtue of an act of the Legislature of the State of California entitled (here quote title of this act), I, out of the fund for the above designated district No. _____ of the _____ (city or county) of _____ refunding bond, series _____, will pay to _____, or order, the sum of _____ dollars ($_____), with

interest at the rate of _____ per cent per annum, all as is hereinafter specified, and at the office of the treasurer of the _____ of _____, State of California.

This bond is issued to represent a reassessment for the refunding of the indebtedness of the _____ district No _____ of the _____ (city or county) of _____. Said reassessment is recorded in the office of the _____ (county surveyor or superintendent of streets). Its amount is the amount assessed in said reassessment against the lot or parcel of land numbered therein, and in the diagram attached thereto, as number _____, and which now remains unpaid, but until paid, with accrued interest, is a lien upon the property affected thereby, as the same is described herein and in said recorded reassessment with its diagram, to wit, the lot or parcel of land in said _____ (city or county) of _____, State of California, described as follows:

This bond is payable exclusively from said fund and neither the _____ (city or county) nor any officer thereof is to be holden for payment otherwise of its principal or interest. The term of this bond is _____ years from the second day of January next succeeding the fifteenth day of the next November following its date, and at the expiration of said time the whole sum then unpaid shall be due and payable, but on the second day of January of each year following the fifteenth day of the next November, after its date, an even annual proportion of its whole amount is due and payable, upon presentation of the coupon therefor, until the whole is paid, with all accrued interest thereon at the rate of _____ per centum per annum.

The interest is payable semiannually, to wit, on the second days of January and July in each year hereafter, upon presentation of the coupons therefor, hereto attached, the first of which is for the interest from date to the next second day of _____, and thereafter the interest coupons are for semiannual interest.

It is hereby certified, recited and declared that all proceedings, acts and things required by law precedent to or in the issuance of this bond have been regularly had, done and performed and this bond is by law made conclusive evidence thereof.

This bond may be redeemed by the owner or any person interested in any lot or parcel of land described herein, in the manner provided in said act, at any time before maturity, and before commencement of proceedings for sale or foreclosure, upon payment to the _____ (city or county) treasurer, for the holder of this bond, of the amount then unpaid on the principal sum thereof, with interest thereon calculated up to the due date of the next maturing interest coupon, and all penalties accrued and unpaid, together with interest for six months at the rate named in said bond.

Should default be made in the annual payment upon the principal, or in any payment of interest from the owner of said lot or parcel of land, or anyone in his behalf, the holder of this bond is entitled to declare the whole unpaid amount to be due and payable, and to have said lot or parcel of land advertised and sold forthwith, in the manner provided by law, or the lien of the reassessment foreclosed. In case of such default, there shall be immediately added to such defaulted amount five per cent of the amount thereof, and on the first day of each month following such default there shall be added a further penalty of one per cent of such defaulted amount The _____ (city or county) shall be entitled to one-half the penalty first imposed, namely, two and one-half per cent, and the other two and one-half per cent and all subsequent penalties shall be paid to the holder of the bond along with and as a part of such defaulted payment

Dated at said _____ (city or county) of _____ this _____ day of _____, in the year one thousand nine hundred and _____.

_____

Treasurer of the _____ (city or county) of _____, State of California.

Said bonds shall be payable to the party to whom they issue, or order. Said bonds shall be dated as of the date of the recording of said reassessment and shall extend over a period not to exceed twenty-eight years from the second day of January next succeeding the fifteenth day of the next November following their date, and an even annual proportion of the principal sum of each bond shall be payable, by coupon, on the second day of January every year after the fifteenth day of the next November following their date, until the whole is paid, and the interest shall be payable semiannually, by coupon, on the second days of January and July, respectively, of each year after their date, at the rate or rates stated in the notice of election. Upon any of such bonds dated after the fourteenth day of May of any year and on or before the fourteenth day of the following November, the first interest coupon shall become due and payable on the second day of the next succeeding January, and upon such bonds dated after the fourteenth day of November of any year and on or before the fourteenth day of the following May, the first interest coupon on said bonds shall become due on the second day of the next succeeding July.

The said refunding bonds or any thereof shall be conclusive evidence of the regularity and validity of all of the proceedings for the issuance of such refunding bonds and the levying of the reassessment therefor and of the legality and validity of the lien of said reassessment.

SEC. 18. The treasurer shall, in addition to his other duties, keep a record of all bonds issued by him, of all payments on said bonds with the dates thereof, and of all penalties accruing thereon, and he shall report all payments of coupons or penalties upon said bonds with the dates thereof to the superintendent of streets or the county surveyor, as the case may be, who shall forthwith indorse the same upon the margin of the record of the reassessment to the credit of which the same are paid, and until paid the said reassessment with accrued interest thereon and penalties, if any, shall be and remain a lien upon the property affected thereby and shall have priority and superiority as hereinbefore defined in this act. Whenever payment either upon the principal or of the interest upon any bond issued hereunder has not been made when the same has become due, the holder of the bond may foreclose the said bond as herein provided, or may demand in writing that the treasurer proceed to advertise and sell the lot or parcel of land described in said bond as hereinafter provided. The owner of or any person interested in any lot, piece or parcel of land upon which a bond has been issued under the terms of this act may at any time before commencement of proceedings for sale or foreclosure, pay off such bond and discharge the land described in the bond from the lien of the reassessment by paying to the said treasurer for the holder of such bond the amount then unpaid on the principal sum thereof, with interest thereon calculated up to the due date of the next maturing interest coupon at the rate for that period named in the bond, and all penalties accrued and unpaid, together with interest for six months at the rate for the next six months period named in such bond. Upon such payment being made to the treasurer, he shall report the same to the superintendent of streets or the county surveyor, as the case may be, who shall forthwith mark paid on the margin of the record of the reassessment, the reassessment to represent which said bond was issued, and thereupon the lien of said reassessment shall cease and the treasurer shall forthwith notify the holder of the bond and call in the same. Said treasurer shall enter in his record of such bond the amount paid and the date of payment and upon the lien of the reassessment being extinguished, as aforesaid, shall cancel the said bond and file it in his office.

SEC. 19. It shall be the duty of the city treasurer one month prior to the date it is provided by law or by ordinance or charter of the municipality that taxes are due, or, in case taxes are collected by the county, for the city on or before the fourth Monday in September of each year to certify to the city tax collector, or, in case the city taxes are collected by the county, to the county tax collector, a list of the properties within said city upon which any payment either of principal or interest has not been paid when due upon any bond issued by said city treasurer under this act. The tax collector shall cause to be pasted or attached to or stamped or printed upon the tax bill or tax receipt a notice which shall in substance be as follows:

Notice of Delinquency.

There is a street improvement bond chargeable against this property, payment upon which is delinquent, which must be paid to the city treasurer without delay to avoid foreclosure.

In case the county collects city taxes, the notice herein provided to be attached to or pasted to the tax bill or tax receipt shall, if the county tax collector so requires, be prepared by the city treasurer and shall be forwarded to the county tax collector on or before the dates herein provided for forwarding said list, and the city treasurer shall, if the county tax collector so requires, stamp or attach said notices to the tax bill or receipt. If the refunding bonds are issued by the county treasurer, the county treasurer shall certify the list herein required to the proper tax collector and the notice shall show that payment is to be made to the county treasurer. In case the assessment district is partly within one or more cities and partly within unincorporated territory of the county or partly within two or more cities, the city or the county treasurer, whichever issued the refunding bonds, shall certify such delinquent list to the county tax collector who shall cause the said notice to be given.

SEC. 20. In the event of the nonpayment of any installment of the interest or principal and by way of a separate, distinct and cumulative remedy, the holder of any refunding bond upon which any payment either upon the principal or of the interest has become delinquent may, at any time after three months after the date it is provided by law or ordinance or charter of the city, the treasurer of which issued the bond, that taxes are due, or in case the bond was issued by the county treasurer or taxes are collected by the county for the city, at any time after four months next succeeding the fourth Monday of September, following the date of delinquency of principal or interest and prior to the expiration of four years after the due date of the last installment upon any bond or of the last principal coupon attached thereto, file and maintain a suit to foreclose the lien of the bond and recover the amount due thereon, provided, however, that suit may be brought at any time following the expiration of thirty days after the service of personal demand for payment as herein provided upon the owner of the premises. Such demand shall be served in the manner provided by law for the making of personal service of summons; if suit be brought costs for the service thereof shall be allowed in an amount equivalent to the fees prescribed by law for the service of summons. Said demand shall be in substantially the following form:

Demand for Payment of Street Improvement Bond

You are hereby notified that bond No _____ series No. _____ for an improvement in the _____ (city or county) of _____ is delinquent Unless the amount of the unpaid principal on said bond together with interest and penalties is paid to the _____ (city or county) treasurer on or before thirty days after the service on you of this demand, the date of such service being this _____ day of _____, 19___, the undersigned will institute suit to foreclose the lien of said bond in the manner prescribed by law.

The complaint in such suit shall be sufficient if a true copy of the bond be therein set forth and appropriate allegations be made therein regarding the payments made upon the principal and interest of such bond. If personal demand for payment be made as herein provided the complaint shall so allege Such suit shall be brought in the superior court within whose jurisdiction the city is by which the said bond has been issued or the superior court of the county, the treasurer of which issued the bond, and in case the owner of the lot, piece or parcel of land covered by said bond can not with due diligence be found, the service of summons in such action may be had in the manner prescribed in the codes and laws of this State The said bond, together with proof, either orally by the said treasurer of the said city or county or by a certificate signed by him showing the nonpayment of any of the principal or interest upon said bond, shall be prima facie evidence of the right of the plaintiff to recover in said action: provided, that if personal demand for payment be made proof of service of the demand as herein provided shall be required. The court in said suit shall have the power to adjudge and decree a lien against the lot or parcel of land covered by said bond and to cause said premises to be sold as in other cases of the sale of real estate by the process of said court to satisfy and discharge such bond and lien, and the amount of interest and penalties due shall be calculated in the same manner set forth in this act up to the date of the judgment On appeal, the appellate courts shall have the same power to adjudge and decree a lien and order such premises to be sold as is conferred on the court from which an appeal is taken. The court having jurisdiction of said cause shall also fix and allow a reasonable attorney's fee for the prosecution of said suit

The plaintiff in the suit may also recover the cost of any abstract or report of search of title procured in good faith, in order to determine ownership, such search to be by a reputable abstractor or title company, and such cost not to exceed five dollars per lot, and such abstract or report of search with affidavit of payment to be filed in the action.

Such premises, if sold, may be redeemed as in other cases Such action shall be governed and regulated by the provisions hereof, and also, when not in conflict herewith, by the codes of this State

A written notice of the pendency of any action for recovery on a bond shall be filed with the treasurer. After the filing of such notice the treasurer shall not receive any money on account of said bond and he shall have no authority to cancel the entries on said bond in his register or give a discharge of said bond without the written consent of the owner thereof until judgment has been rendered in such action or the same has been dismissed.

Should suit be brought for recovery on any bond prior to the time provided herein, the plaintiff shall not recover in such suit and the defendant in such suit shall be entitled to have and recover such attorney fees as the court may deem reasonable, in addition to all taxable costs.

SEC. 21. Whenever payment either upon the principal, or of the interest, upon any bond issued under this act has not been or shall not be made when the same has become, or shall become due, and the holder of the bond demands in writing that the treasurer proceed to advertise and sell the lot or parcel of land described in said bond as being that upon which the assessment represented by said bond was levied, then said treasurer shall proceed as provided in the next section.

SEC. 22. The treasurer shall publish by two insertions in a newspaper of general circulation, published in the city in which said bond was issued, or if no newspaper is published in said city, then in some newspaper having general circulation therein, a notice which shall be substantially (filling in all blanks) as indicated following, to wit: In the matter of district No. _____ of the _____ (city or county) of_____

Notice of sale of property delinquent for nonpayment of refunding bond No _____, series No _____, issued for an _____ (acquisition or improvement or acquisition and improvement). Default having been made in the payment of the following named coupons (here fill in date and amounts of the coupon or coupons which have not been paid) and the holder of said bond having demanded in writing that the city treasurer of the city of _____ proceed to advertise and sell the lot or parcel of land mentioned in the said bond. Now, therefore, I give notice that I will on the _____ day of _____, 193__, at the hour of _____ o'clock __m of said day, sell at public auction the lot or parcel of land mentioned in said bond, or so much thereof as may be necessary at (here state the place of sale, which shall be at the office of said treasurer or at some public place in said city) unless the amount due on said bond and the accrued interest thereon together with the cost of the publication of this notice are paid and that I will so sell the same to the person who will

take the least amount of said lot or parcel of land and pay the full amount of unpaid principal and interest on said bond, together with costs of publication. The lot or parcel of land mentioned in said bond and to be sold, is more particularly described, to wit. (here set forth the description of the lot or parcel of land as contained in the bond). The amount due on said bond up to the date of this notice is as follows Due on the principal thereof $_____ dollars, due on account of interest, $_____ dollars (here set forth the interest calculated and compounded semiannually up to the day on which the notice is dated at the interest rate or rates named in said bond upon the unpaid principal for the full period for which no interest has been paid), due on account of penalties, $_____ dollars. Total amount due on said bond (here set forth the total of the foregoing items).

In order to avoid this sale, payment of the total amount above named will be required, together with the cost of publications made before such payment and the additional interest accruing up to the date of payment.

In the event of sale, such sale will include interest in addition to the above total amount due accruing up to date of sale, the cost of publication of notice of sale, and one dollar for the issuing of certificate of sale The _____ (here name newspaper) is designated as the newspaper in which this notice shall be published.

Dated _____, 19__.

_____
Treasurer of the city of

_____.

The day named in the notice shall not be less than fifteen (15) days from the date of the first publication of the notice.

If the bond was issued by the county treasurer of a county, the county treasurer shall publish the aforesaid notice in some newspaper of general circulation published in the county, and wherever the words "city treasurer" or "treasurer of the city" appear in said notice, such words shall be changed to "county treasurer" and "treasurer of the county," and wherever the word "city" appears in such notice, the word "county" shall be substituted therefor.

SEC. 23. *An affidavit of the publisher of the newspaper in which the notice* was published, or of someone in behalf of said publisher, setting forth a copy of the publication and stating that the publication was made in the said newspaper on specified dates shall be filed with the city treasurer or the county treasurer, as the case may be, and shall be primary evidence of the due publication of the notice.

SEC. 24 The treasurer shall collect the sum of one dollar as hereinbefore mentioned for the issuance of the certificate of sale, which sum shall belong to, and be subject to the disposition of the city or county, as the case may be, any person interested in the lot or parcel of land described in the notice of sale may at any time prior to the sale, pay the whole amount of principal of said bond remaining unpaid, the interest thereon compounded semiannually up to the date of such payment, at the rate named in said bond upon such amount of said principal remaining unpaid for the whole period for which interest has not been paid, and all penalties which have accrued, together with the cost of the publication of the notice of sale; in such event the payment being made, the bond shall be canceled; but if such payment be not made, the sale shall be made as advertised, the lot or parcel described in the bond shall be sold to the purchaser who shall take the least amount of said lot or parcel and pay all of the sums specified in the notice of sale given by the treasurer In the event that through error or otherwise the total amount for which said sale shall be made is less than that which may be required by the provisions hereof, and the holder of the bond is the purchaser at the sale and elects to accept the certificate of sale hereinafter mentioned, or if he accepts from the treasurer such sum derived from said sale made to some other purchaser, then the fact that the sale may have been made for less than the amounts specified herein shall not affect or invalidate the sale, and such receipt of said certificate or said sum shall be a waiver on the part of the holder of said bond, and the said deficient amount of sale shall be the amount upon which redemption from the sale shall be calculated to all effects the same as if the sale had been made for the full amount authorized thereby.

SEC 25. The treasurer, before delivering any certificate, must, in a book kept in his office for that purpose, enter the date, number, and series of the bond, a description of the land sold corresponding with the description of the certificate, the date of sale, purchaser's name, the amount paid, regularly number the descriptions on the margin of the book, and put a corresponding number on each certificate Such book must be open to public inspection during office hours when not in actual use, and he shall enter on the record of the bonds the words: "Canceled by sale of the property," giving the date of such sale.

SEC. 26. Immediately on the sale, the purchaser shall become vested with a lien on the property, so sold to him, to the extent of his bid, and is only divested of such lien by the payment to the treasurer of the purchase money, including costs herein provided for, inclusive of moneys paid for taxes, street improvement assessments, or other tax or statutory lien or to redeem from sale as hereinafter specified, and

the fee of the recorder for recording the certificate of sale, with interest thereon at the rate of one per cent per month from the date of sale, the treasurer shall issue for each sale an original and a duplicate certificate of sale reciting therein the date, number and series of the bond under which the sale was made, describing the land sold, and giving the date of sale, purchaser's name, amount paid, and the number of the certificate. He shall deliver the original certificate to the purchaser and shall record the duplicate in the office of the recorder of the county in which the land sold is situated. At any time after delivery to him by the treasurer of said certificate of purchase the legal holder thereof may pay any general taxes, street improvement assessments, or any other tax or statutory lien upon the property described in said certificate of purchase which may be prior to his or redeem said property from any sale made in collection or enforcement of such general taxes, foreclosing street improvement assessments or other tax or statutory lien and the treasurer, upon production by the holder of said certificate of purchase of the official receipt for the amounts so paid by him shall make an indorsement upon said certificate of purchase showing that said receipts have been so produced stating the nature of the lien paid, and the amount thereof and he shall make a like entry upon the book as provided in section 25 of this act, and shall collect the amount thereof as a part of the amount represented by said certificate of purchase together with interest thereon at the same rate as provided in the certificate of purchase

SEC. 27. A redemption of the property sold may be made by the owner of the property, or any party in interest, within twelve months from the date of purchase, or at any time prior to the application for a deed, as hereinafter provided; redemption must be made in lawful money of the United States, and when made to the treasurer he must mark the word "Redeemed," the date and by whom redeemed on the margin of the book where the entry of the certificate is made, and credit the amount paid to the purchaser named in the certificate, and pay the same to such purchaser, or his assignee, upon the surrender of the certificate of sale, and upon satisfactory proof of an assignment thereof, if any

SEC. 28. If the property is not redeemed within the time allowed by section 27 hereof for its redemption, the treasurer, or his successor in office, upon application of the purchaser or his assignee, must make to said purchaser, or his assignee, a deed to the property, reciting in the deed, substantially, the matter contained in the certificate, and that no person has redeemed the property during the time allowed for its redemption; the treasurer shall be entitled to receive from the purchaser two dollars for making said deed, which shall be deposited in the city or county treasury, as the case may be, for the use of the city or county after payment has been made therefrom for the acknowledgment of said deed; provided, however, that the purchaser of the property, or his assignees, must, thirty days prior to the expiration of the time of the redemption, or thirty days before his application for a deed, serve upon the owner or agent of the property purchased, if named in such certificate and upon the party occupying the property, if the property is occupied, a written notice, stating that said property or a portion thereof, has been sold to satisfy the bond lien, the date of sale, the date, number, and series of the bond, the amount then due, and the time when the right of redemption will expire, or when the purchaser will apply for a deed, and the owner of the property shall have the right of redemption indefinitely, until such notice shall have been given and said deed applied for, upon the payment of the fees, penalties and costs in this act required. In case of unoccupied property, a similar notice must be posted in a conspicuous place upon the property at least thirty days before the expiration of the time for redemption, or thirty days before the purchaser applies for a deed; and no deed to the property sold, in accordance with the provisions of this act, shall be issued by the treasurer to the purchaser of such property, until such purchaser shall have filed with such treasurer an affidavit showing that the notice hereinbefore required to be given has been given as herein required, which said affidavit shall be filed and preserved by the said treasurer as other records kept by him in his office. Such purchaser shall be entitled to receive the sum of fifty cents for his service of such notice and the making of said affidavit, which sum of fifty cents shall be paid by the redemptioner at the time and in the same manner as the other sums, costs and fees are paid

SEC. 29. The deed, when duly acknowledged or proved, is primary evidence of the regularity of all proceedings theretofore had, and conveys to the grantee the absolute title to the lands described therein, as of the date of the expiration of the period for redemption, free of all encumbrances, except the lien for State, county and municipal taxes, and special assessments having priority thereover under the provisions of this act

SEC. 30. At any time within sixty days after the recording of the reassessment any person interested in any of the bonds to be refunded or in any of the lands reassessed may bring an action in the superior court of the county the legislative body of which conducted the reassessment proceedings, or the county in which the city the legislative body of which conducted the reassessment proceedings lies, to determine the validity or invalidity of such reassessment. Such action shall be in

the nature of a proceeding in rem and jurisdiction of all parties interested may be had by publication of summons for at least once a week for four weeks in some newspaper of general circulation published in the county where the action is pending, such paper to be designated by the court having jurisdiction of the proceedings. Said summons shall contain a general description of the boundaries of the district of the lands upon which said reassessment is levied. Jurisdiction shall be complete within ten days after the full publication of such summons in the manner herein provided. Anyone interested may at any time before the expiration of said ten days appear and by proper proceedings contest the validity of such reassessment or uphold the same. Such action shall be speedily tried and judgment rendered declaring such matter so contested either valid or invalid. Either party shall have the right to appeal to the Supreme Court at any time within thirty days after the rendition of such judgment, which appeal must be heard and determined within three months from the time of taking such appeal. The motion for a new trial of any such proceeding must be heard and determined within ten days from the filing of the notice of intention.

The court hearing the said proceeding, in inquiring into the regularity, legality or correctness of such reassessment, must disregard any error, irregularity or omission which does not affect the substantial rights of the parties to said action or proceeding. The rules of pleading and practice provided by the Code of Civil Procedure which are not inconsistent with the provisions of this act are applicable to the proceeding herein provided for. The costs of the legal proceedings provided for in this section may be allowed and apportioned between the parties or taxed to the losing party in the discretion of the court. After said reassessment has been recorded, it shall not be contested in any way other than at the time and in the manner specified in this section, and in any such action all findings, conclusions and determinations of the legislative body which conducted the reassessment proceedings shall be conclusive in the absence of actual fraud.

SEC. 31. One reassessment may be levied under the provisions of this act to refund the indebtedness of two or more districts. Such reassessment shall be levied under the foregoing provisions of this act except as in this section modified. Said districts need not be formed under the same act, but if formed under any act under which assessments are levied wholly or partly in accordance with the assessed value of the lands, may refund their indebtedness in one reassessment proceeding hereunder. The total amount of the reassessment shall be fixed by the legislative body and stated in the notice of election. All resolutions, ordinances or notices provided for in this act shall be changed so as to indicate the districts included in the refunding proceedings. The entire area of all of the districts shall constitute one precinct for the purposes of such election and all qualified electors residing in such area shall be entitled to vote at such election. If a majority of the voters voting at such election vote in favor of said reassessment, the legislative body shall be authorized to proceed with said reassessment as in this act provided. The reassessment shall be spread over all lands subject to assessment for the bonds refunded in the area comprising all of the districts. To the total sum of the reassessment shall be added the total sum of all assessments paid into the interest and sinking fund of any of the districts for the payment of principal and/or interest of any bonds of the same issue as the bonds to be refunded. The total amount thus ascertained shall be assessed against all of the lands in the area comprised by the districts in accordance with the benefits derived from the acquisitions or improvements or acquisitions and improvements to pay for which the said bonds to be refunded were issued. From the assessment thus made upon each lot, piece or parcel of land shall be deducted the amounts of such assessments levied upon such lot, piece or parcel of land to pay principal and/or interest of any bonds of the same issue as the bonds refunded as have been paid into the interest and sinking fund of any of said districts. The amounts remaining after such deductions have been made shall be and constitute the reassessments and the total amount of such reassessments shall be the total sum of the reassessment stated in the notice of election.

SEC. 32. This act and all of its provisions shall be liberally construed to the end that the purposes hereof may be made effective. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed this act irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases thereof be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 980—An act to provide for the acquisition, construction and operation of works for the collection, treatment, purifi-

cation and disposal of sewage by cities, counties, sanitary and sanitation districts; also providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of operating and maintaining such works, also providing for the use of such works by other cities, counties or districts.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to provide for the acquisition, construction, extension and operation of systems and works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary and sanitation districts, also providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of constructing, operating and maintaining such works, also providing for the use of such works by other cities, counties or districts, and declaring the urgency thereof."

AMENDMENT NUMBER TWO

On page 1, line 18, of the printed bill, strike out the semicolon following "be", and insert a period.

AMENDMENT NUMBER THREE

On page 1, line 18, of the printed bill, strike out "pro-"

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out all of line 19.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out all of lines 1, 2 and 3

AMENDMENT NUMBER SIX.

On page 2, line 42, of the printed bill, strike out "an ordinance", and insert in lieu thereof the following "a resolution".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, following line 51, add the following:

"(c) A general description of the district which would be served by the proposed works, and referring to a plat of such district, which shall govern for all details

(d) An estimate of the number and character of the places and properties which would be served by such works, including those ready for immediate service and those in expectancy.

(e) An estimate of the immediate revenue which would be received from the operation of such works, also of future revenues in expectancy.

(f) A statement that revenue bonds of the city, county or district, as the case may be, will be issued to cover the cost of such works

(g) A notice of the day, hour, and place when and where electors, property owners, or other interested persons may appear before the governing body and be heard as to any protests or objections they may have against the acquisition or construction of the proposed works and the issuance and sale of revenue bonds therefor. The time set for said hearing shall be not less than twenty days nor more than forty days after the adoption of said resolution."

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, strike out all of lines 1 to 32, inclusive, and insert in lieu thereof the following:

"SEC. 6 The governing body shall cause said resolution to be published twice in one or more newspapers published and circulated in such city, county or district, as the case may be. If no newspaper is published in such city or district, then the publication shall be made in some newspaper published in the county in which said city or district is located.

A copy of said resolution headed "Notice of sewer work" in letters not less than one inch in height shall be posted in said district along the main street therein or along the main line of said sewer Said notices shall be posted not less than three

hundred feet in distance apart, and not less than three notices shall be posted in any case. Both the posting and the publication shall be completed at least ten days before the time set for the hearing. Affidavits of publication and of posting shall be filed with the clerk or secretary of the governing body.

At the time set for the hearing, the governing body shall hear all persons or their representatives having any objections to the acquisition or construction of the works as proposed, also any suggestions that may be offered in the way of an amendment or modification of the proposition. The governing body may continue the hearing from time to time.

In case any written protests or objections are filed with the governing body, signed by more than one-half of the resident land owners therein, no further proceedings shall be taken in the matter for six months, and not then without the passage of a new resolution of intention.

The term "resident land owner" as used herein, shall mean those persons who reside in the district and have their homes therein; provided those persons buying their homes under bona fide contracts shall be deemed resident land owners."

SEC. 7. The cost of the acquisition or construction of the works for which revenue bonds may be issued hereunder, shall include the cost of all property, rights, easements and franchises deemed necessary or convenient therefor, engineering, clerical and legal expense, and all other expenses connected with or incident to the work in the operation and performance of the things herein required to be done.

In the operation of the works herein mentioned, every city, county or district shall have, besides the powers elsewhere in this act given, the following additional powers:

(a) To sell, or otherwise dispose of any water, sewage effluent, fertilizer or other by-products resulting from the operation of a sewerage system or sewage treatment or disposal plant, and to construct, maintain and operate such pipe lines and other works as may be necessary for such purposes.

(b) To construct, maintain and operate pipe lines or such other works as may be necessary to conserve and put to beneficial use any water or sewage effluent recovered from the operation of such sewerage system, plant or works by sale or disposition thereof for agricultural or industrial purposes, including irrigation, or by discharging or spreading such water or sewage effluent in such manner as to percolate into the underground gravels and replenish natural water resources.

(c) To exercise the power of eminent domain under the Constitution and laws of the State in so far as it may be necessary to carry out the provisions of this act."

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, strike out lines 36 to 39, inclusive, and in line 40, strike out "or district", and insert in lieu thereof the following: "use and maintenance of such works, to be paid by the person, firm or corporation leasing or occupying the building or premises served thereby".

AMENDMENT NUMBER TEN.

On page 3, line 46, of the printed bill, strike out "aforestated", and insert in lieu thereof the following: "hereinafter mentioned".

AMENDMENT NUMBER ELEVEN.

On page 4, line 24, of the printed bill, strike out "and".

AMENDMENT NUMBER TWELVE.

On page 4, line 25, of the printed bill, strike out "a reasonable attorney's fee".

AMENDMENT NUMBER THIRTEEN.

On page 4, line 33, of the printed bill, strike out the period following the word "concerned", and insert in lieu thereof a semicolon, and the following: "provided such rates or charges may only be imposed and collected from the users of such works or portion thereof as are actually constructed with money derived from the sale of such revenue bonds; provided further, however, that if the users of any works or portion thereof previously acquired and financed by other methods, receive any additional benefits from the construction or operation of the works or portion thereof subsequently constructed or acquired from the proceeds of revenue bonds, then and in that case, the governing body shall be empowered to impose reasonable rates or charges on the works previously acquired, but only sufficient to cover the value of such additional benefits.

SEC. 9. It shall be the duty of the governing body of such city, county or district to establish rates or charges which, beyond all reasonable doubt, will bring in sufficient money to meet the interest and principal on all outstanding revenue bonds as they fall due, in addition to the expense of operation.

Whenever it appears that the rates or charges imposed are insufficient to provide enough money to pay such principal and interest, in addition to the operating expenses, and the governing body neglects or refuses to fix adequate rates therefor, any bondholder may petition the superior court for a writ of mandate to compel the governing body to increase the rates or charges to such an extent as will make them sufficient to provide enough money for those purposes."

AMENDMENT NUMBER FOURTEEN.

On page 4, line 34, of the printed bill, strike out "SEC 9 The funds", and insert in lieu thereof the following: "The money".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 35, of the printed bill, after "charges", insert a comma and the following "together with any other revenues derived from the operation of such works,".

AMENDMENT NUMBER SIXTEEN.

On page 4 of the printed bill, strike out lines 42, 43 and 44, and insert in lieu thereof the following: "disposal works Any surplus moneys in such fund, after paying for the management, maintenance, operation and repair of such works, and after paying into the sinking fund for the payment of the bonds and the interest thereon as elsewhere in this act provided, the governing body of such city, county or district, as the case may be, may use such surplus moneys for extensions, or for the enlargement, replacement or betterment of such works.

Out of any surplus funds remaining, after providing for the requirements set forth in the preceding paragraph, the governing body of the city, county or district, as the case may be, may purchase in the open market its outstanding unmatured revenue bonds; provided that no bonds shall be so purchased at a price above par and accrued interest, plus an allowance of six months' interest from date of such purchase."

AMENDMENT NUMBER SEVENTEEN.

On page 5 of the printed bill, strike out lines 9 to 12, inclusive, and insert in lieu thereof the following: "All such bonds, except those of the last installment or one of each annual installment, shall be in multiples of one hundred dollars in such amounts as the governing body may determine, provided no bonds shall be of greater denomination than one thousand dollars."

AMENDMENT NUMBER EIGHTEEN

On page 5, line 13, of the printed bill, strike out "seven", and insert in lieu thereof the following: "six".

AMENDMENT NUMBER NINETEEN

On page 5, line 14, of the printed bill, strike out "7", and insert in lieu thereof the following: "6".

AMENDMENT NUMBER TWENTY.

On page 5, line 31, of the printed bill, strike out all of line 31, and insert in lieu thereof the following: "In the case of a city, the bonds shall be signed by the mayor if there be one; otherwise by the president or chairman of".

AMENDMENT NUMBER TWENTY-ONE

On page 6 of the printed bill, strike out lines 10 to 44, inclusive, and insert in lieu thereof the following:

"SEC 14 Any city, county or district issuing revenue bonds under the provisions of this act shall install and maintain a proper system of accounts, showing the amount of revenue received and the application of the same, and such city, county or district shall at least once a year cause such accounts to be properly audited by a competent auditor, and the report of such audit shall be open for inspection at all times to any taxpayer, user of the works or holder of the bonds issued under the provisions of this act, or any one acting for and on behalf of such taxpayer, user or bondholder. The treasurer of such city, county or district shall be custodian of the funds derived from income received from such works constructed or acquired under the provisions of this act, and shall give a proper surety bond for the faithful discharge of his duties as such custodian, which bond shall be fixed and approved by the governing body of such city, county or district The premium on such bonds shall be paid by such city, county or district as the case may be"

AMENDMENT NUMBER TWENTY-TWO

On page 6, line 45, of the printed bill, strike out "constituting", and insert in lieu thereof the following, "owning".

AMENDMENT NUMBER TWENTY-THREE

On page 7, line 28, of the printed bill, strike out the period following "contract", and insert in lieu thereof a semicolon and the following: "provided no rates or charges shall be imposed or collected from the users of such works or portions thereof except in cases where such works or portions thereof have been acquired by means of revenue bonds, and unless additional benefits will be derived by the users as a result of such contract In such case the rates or charges shall be only sufficient to cover the value of the additional benefits"

AMENDMENT NUMBER TWENTY-FOUR.

On page 7 of the printed bill, strike out lines 29 to 32, inclusive, and insert in lieu thereof the following:

"SEC 16 All works acquired or constructed under the provisions of this act where the expense involved exceeds five hundred dollars, shall be done by contract which shall be awarded to the lowest responsible bidder as in this act provided; provided further, in case the bonds herein authorized should be purchased by the Reconstruction Finance Corporation on condition or request that the governing body of the city, county or district, as the case may be, has the work performed by day labor instead of by contract, then and in that event, such governing body is hereby empowered to comply with such condition or request of the Reconstruction Finance Corporation respecting the employment of labor on such works, otherwise the provisions of this section shall be followed.

Before awarding any contract for the construction of such work, the governing body of such city, county or district shall cause a notice inviting sealed proposals for doing the same, and referring to the plans and specifications on file, to be published twice in a daily, semiweekly, or weekly newspaper, published and circulated in such city, county or district, and designated by the governing body for that purpose. In case there is no newspaper published in such city or district, then such notice shall be published in a newspaper in the county within which such city or district is located. The time fixed for receiving bids shall be not less than ten days from the first publication of said notice

All proposals or bids offered shall be accompanied by a check payable to the city, county or district, as the case may be, certified by a responsible bank, for an amount which shall be not less than ten per cent of the aggregate of the proposal. Said proposals or bids shall be delivered to the clerk or secretary of said governing body, as the case may be, and said governing body shall, in open session, publicly open, examine and declare the same; provided, however, that no proposal or bid shall be considered unless accompanied by said check. The governing body may reject any and all proposals or bids should it deem this for the public good, and shall reject all proposals other than the lowest regular responsible bidder, and may award the contract for said works to the lowest regular responsible bidder at the prices named in his bid. If the bids are rejected or no bids are received, the governing body may thereafter readvertise for proposals or bids as in the first instance without further proceedings

If the successful bidder fails, neglects or refuses to enter into the contract to perform said work within twenty days after written notice of such award has been mailed him, then the certified check accompanying his bid and the amount therein mentioned, shall be declared forfeited to said city, county or district, as the case may be, and shall be collected by it and paid into the general fund thereof.

All contractors shall, at the time of entering into the contract, execute a surety bond to the satisfaction and approval of the governing body of such city, county or district, in a sum not less than twenty-five per cent of the amount of the contract, conditioned for the faithful performance thereof.

The contract shall provide that the work must be commenced within twenty days after the contractor has received written notice from the clerk or secretary of the governing body that there is sufficient money or revenue bonds in the special fund provided to pay the contract price.

At the time of entering into the contract the contractor shall execute and deliver and file with the governing body a good and sufficient surety bond, in a sum not less than one-half the total amount payable by the terms of said contract, conditional upon the payment by the contractor or his or its subcontractor, for any and all materials, provisions, provender or other supplies or teams, or the use of implements or machinery used in, upon or about the performance of the work.

In all respects not otherwise provided for herein, said bond shall be in conformity with the requirements of the general law of the State regarding contractor's bonds for the benefit of laborers and material men, who shall have a first lien against any moneys or bonds due or about to become due the contractor.

All provisions of the codes and general laws relating to notice and the foreclosure of such liens shall be applicable hereto, provided that suit may be brought on such bond at any time within six months after the expiration of the period for the filing of verified claims

SEC. 17 As soon as possible after the signing of the contract, and after ascertaining the preliminary expenses incurred in the proceeding, the estimated expenses of supervision, and other incidental expenses, the governing body of such city, county or district shall make a determination, to be entered upon its minutes, of the estimated cost of the works, inclusive of the expenses aforementioned, and the amount of revenue bonds to be issued and sold therefor, whereupon said bonds shall be issued as herein provided.

Said revenue bonds, or any number thereof, except as otherwise provided herein shall be sold to the highest cash bidder, after advertising for bids, which advertisement shall be published at least twice in a newspaper published and circulated in said city, county or district, the first publication of which shall be at least ten days before bids are received It there be no newspaper published in said city or district, then such advertisement shall be published in the county in which such city or district is located, or said revenue bonds shall be sold in such other manner as the said governing body may determine. The proceeds of the sale of such revenue

bonds shall be paid into the special fund for the payment of such works and the incidental expenses aforementioned

Any bonds not sold at the expiration of fifteen days after the completion of the publication of the advertisement provided for herein shall be turned into the fund for the said works, and shall be deemed and treated as so much money in said fund, and shall upon final acceptance of said works be issued to and accepted by the contractor for the works, or his assigns, in payment of the contract price of said works, provided there is sufficient money in the said fund to pay all the incidental expenses aforementioned, which must be paid prior to doing of the work. Whenever in the proceedings revenue bonds are authorized under the provisions of this act, and at the expiration of fifteen days after completion of the publication of said advertisement, there is not sufficient money in the fund for said works to meet the incidental expenses, which must be paid prior to the construction of said works, the contractor shall advance to the fund for said works an amount sufficient to pay said incidental expenses, and receive therefor bonds in sufficient amount, at their par value, exclusive of any accrued interest thereon, to equal the amount so advanced by him. If the said contractor in such event fails, neglects or refuses for a period of ten days after written notice from the governing body that said fifteen days from the completion of the publication of said advertisement have expired, and that there is not sufficient money in said fund to pay said incidental expenses, to advance to said fund a sum sufficient for said purpose, the governing body of said city, county or district may, in its discretion, declare said contract forfeited, and said contractor shall thereupon lose all rights under said contract and shall have no claim for damages nor for anticipated profits thereunder.

Should the proceeds of the bonds for any reason be less than the cost of the works, additional bonds may in like manner be issued to provide for the amount of the deficit, provided said deficit does not exceed ten per cent of the amount of the original issuance. In such case said deficiency bonds shall be deemed to be the same in all respects as the original issue, and shall be entitled to payment, without preference or priority of the bonds first issued, and shall be disposed of in like manner.

All bonds issued under the authority of this act shall be legal investments for all trust funds and for the funds of all insurance companies, banks, both commercial and savings and trust companies, and for the State school funds, and whenever any moneys or funds may by law now or hereafter enacted be invested in bonds of cities, cities and counties, counties, or school districts, in the State of California, such moneys or funds may be invested in the bonds of the said political subdivision or public agency, and whenever bonds of cities, cities and counties, counties, or school districts may by any law now or hereafter enacted be issued as security for the performance of any act or as security for the deposit of public funds of the State or of any county, city and county, municipality, or other public corporation or political subdivision in any State or national bank or banks, bonds of the said political subdivision or public agency may be so used.

The bonds of the political subdivision or public agency to the same extent as bonds of any other municipality, shall also be legal for use by any State or national bank or banks in the State as security for public deposits, both active and inactive, in accordance with the provisions of that certain act entitled, "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, and any act or acts amendatory thereof.

SEC. 18. This act shall be deemed an additional and alternative method to those already provided for the acquisition, construction, extension and operation of the works referred to herein. It shall be liberally construed to promote the objects thereof.

No error, defect, irregularity, informality and no neglect or omission of any officer of any city, county or district in any proceedings taken hereunder, which does not affect the jurisdiction of the governing body to order the doing of the things proposed to be done, shall avoid or invalidate such proceedings or any bonds issued hereunder. The exclusive remedy of any person affected or aggrieved thereby shall be to the governing body as hereinbefore provided. The sole acts necessary and essential to confer jurisdiction upon such governing body for the construction or acquisition of such works, shall consist of the adoption of the resolution of intention therefor and the publication of the same as in this act provided.

If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SEC. 19. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall go into immediate effect.

The following is a statement of the facts constituting such necessity:
Unemployment has produced an alarming economic condition in the State of California. The adoption of this act will enable many cities, counties and districts of the State to finance the construction of sewer systems and works which otherwise *can not be financed at this time*. This *development and construction will furnish* employment to many persons now idle, and make them self-supporting, while at the same time nothing will be added to the tax burdens of the people. The furnishing of immediate employment is the most urgent question now before the Legislature."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2092—An act to amend sections 25, 27, 62 and 63 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out the first line of the title, and insert in lieu thereof the following: "An act to amend sections 25, 27, 28, 60, 62, 63, 65a, 66, and 68 of and to add two new sections to be numbered sections 76b and 76c, respectively, to an act entitled".

AMENDMENT NUMBER TWO.

On page 2, line 24, of the printed bill, after the word "statement," insert a period and strike out the remainder of line 24, together with all of lines 25, 26, and 27 of said page 2.

AMENDMENT NUMBER THREE.

On page 3, line 49, of the printed bill, strike out the blank space; also in line 52, on said page 3 of the printed bill, after the word "default," insert a comma and the following: "said attorney's fees shall be five dollars plus one dollar additional for each lot, piece, or parcel of land included in one action".

AMENDMENT NUMBER FOUR.

On page 4, line 2, of the printed bill, strike out the word "an", and insert in lieu thereof the word "a"; also in said line 2, in the blank space, insert the word "*reasonable*"; *also in said line 2, after the word "fee," insert a comma and* the following: "which in no event shall exceed fifteen dollars plus one dollar additional for each lot, piece, or parcel of land included in one action.".

AMENDMENT NUMBER FIVE.

On page 5, line 31, of the printed bill, at the end of said line 31, insert the following:

"SEC. 3. Section 28 of said act is hereby amended to read as follows:

Sec. 28. Whenever any assessment heretofore made or issued or filed or which may be hereafter made, issued or filed in the office of the clerk is or shall be void, or unenforceable, for any cause or if bonds shall have been, or shall be, issued to represent or be secured by any assessments and such issuance shall not have been, or shall not be effective through the curative provisions in relation thereto, or any curative act that may be passed by the Legislature in relation thereto to make *them valid and enforceable, then, in any of such events a reassessment therefor*

may be issued. The true intent and meaning of this section is to make the cost and expense of work or improvement made through an attempted compliance with this act, payable by the real estate benefited by such work or improvement by making a reassessment therefor.

Such power of reassessing embraces both a full and partial reassessment, and is not exhausted by a single attempted exercise thereof.

A reassessment shall be ordered under any one of four circumstances:

First—Where the owner or holder of any assessments, or bonds issued under this act to represent or be secured by assessments, or the person who would own or hold any such assessment or bonds if the same were issued, request the legislative body of the city in which the assessment has been or shall be made, filed or issued to order a reassessment. In such event if said legislative body be of the opinion that the assessment or bonds in question are not enforceable, it shall order the making and issuing of a reassessment covering only the assessments owned or held by the petitioner, or the assessments represented or secured by the bonds owned or held by such petitioner, or which would be owned or held by petitioner if issued.

Second—Whenever any court of competent jurisdiction in any suit to foreclose the lien of any assessment or to enforce the obligation of any bond issued to represent or be secured by any assessments issued under this act, has for any reason held such lien unenforceable, then it shall in and by its decree direct the making of a reassessment to cover the assessments involved in such suit.

Third—Whenever any court of competent jurisdiction in any suit to set aside the lien of any assessment or of any bond representing any assessment, or in any suit to quiet title against the lien of any such assessment, or bond, or in any suit to enjoin the making, filing, confirmation or issuance of any assessment or bond to pay for the cost and expenses of any work done hereunder, shall in its judgment decree such assessments or bonds to be void, or unenforceable, or shall enjoin the making, filing or issuance or confirmation of any such assessment or bond, then it shall in and by its decree direct the making of a reassessment to cover the assessments involved in such suit.

Fourth—Whenever any contractor or assignee of a contractor shall have done or performed any work or improvements pursuant to proceedings had and taken in attempted compliance with the provisions of this act, and whenever prior to the issuance of any assessment, any court of competent jurisdiction in any suit to invalidate the contract or any of such proceedings shall for any reason declare said contract or other proceedings to be invalid, then such court shall in and by its decree direct the making of a reassessment for the reasonable value of the work and improvement actually done and performed in good faith by the contractor, or such portion thereof as was of a kind that could lawfully have been ordered under the provisions of this act.

The *manner of making, issuing and enforcing* the reassessments shall be as follows:

The superintendent of streets shall, upon the entering of a decree of court directing a reassessment or upon the making of an order by the legislative body of the city directing a reassessment, proceed to make a reassessment in the following manner.

If *the reassessment be a partial one only, then it shall not be necessary for the* diagram to show any other lots than the ones covered by such partial reassessment. If it be a full reassessment, however, then it shall be upon the lots fronting on said work if the original assessment was one made on the front-foot plan; if the original assessment *was one made against a district, then the superintendent of streets* shall prepare and file with the reassessment a diagram showing the lots, pieces or parcels of land deemed by him to have been benefited by the work or improvement. The reassessment shall assess upon and against each of the lots, pieces or parcels of land *contained therein* an amount arrived at as follows:

The benefits derived, or to be derived by each of said lots, pieces or parcels of land from the work or improvement estimated as of the date of the filing in the clerk's office of the original assessment shall first be listed. Then there shall be added thereto *interest thereon from thirty days after the date of such filing of the original assessment* at the rate of seven per cent per annum, and the total sum shall constitute and be the amount of the proposed several assessments in such reassessment. The total of such reassessment, however, exclusive of interest, shall not exceed the cost and expenses of the work or improvement. Such assessment need not be in *any prescribed form*, but shall refer to the original assessment filed, give the date of filing of said original assessment and state that it is made pursuant to the order of the legislative body of the city or decree of the court, as the case may be, and shall be accompanied by a *diagram showing the lots to be reassessed and their relation to the work.* It shall then be presented to the legislative body, which shall fix a time for hearing before it. Such time must be at least twenty days after the reassessment is so presented. The city clerk shall then advertise the time of such hearing before the legislative body by *publishing a notice in the newspaper in which the notice of award of contract for the* improvement for which the assessment was made, was published unless the legislative body directs publication in some other paper. If the reassessment is to be against the lots fronting the improvement, this fact shall be stated in the notice. If the

reassessment is to be against the property in a district, then this fact shall be stated in the notice and a description of the district shall be set forth and the assessment diagram referred to for particulars. Such notice shall be published for five insertions, if the paper be a daily, or by two insertions if the paper be published less frequently. At the time fixed for said hearing, or at such time or times to which the same may be thereafter adjourned, the legislative body shall consider the objections to said reassessment and in its discretion informally direct the revision, correction or modification of such reassesssment in such manner as is most equitable to apportion to each lot, piece or parcel of land thereby benefited the amount of the actual benefits derived from said improvement. When such reassessment shall have been revised, or corrected or modified so as to comply with the judgment of said legislative body, then it shall pass a resolution confirming the reassessment. The street superintendent shall thereupon record the reassessment with a certificate at the end thereof by the city clerk, that it is the reassessment approved by the legislative body of the city. He shall also note opposite the several assessments in the original assessment that have been displaced by the reassessment the fact that the reassessment has been made, giving its date, and shall credit upon such reassessment all payments theretofore made upon the original assessment, or upon the bonds issued to represent the same, together with interest on such payments at the rate of seven per cent per annum from and after the date of such payments. Such reassessment shall be collectible and payable in the same manner as an original assessment and shall be enforceable by suit in the same manner provided in this act for enforcing an original assessment, and shall have the same weight in evidence In the event that bonds issued under or upon the security of the original assessment they shall also issue upon the reassessment for such sum as may be reassessed against the lots, pieces or parcels of land covered thereby. When the reassessment is recorded the original assessment shall be canceled by the street superintendent so far as it affects the particular assessments involved New bonds shall not be issued until the original bonds are delivered up to the city treasurer, who shall cancel the same The lien of such reassessment shall hold its relative rank as to other special assessment liens as of the date of filing of the original assessment.

In the event such work or improvement made in attempted compliance with this act, is fully completed to the satisfaction of the street superintendent or city engineer as the case may be, then it shall be the duty nevertheless of the proper officer to make and file an assessment for the costs and expenses thereof, so as to form the basis of a reassessment in the event such assessment should be unenforceable

SEC. 4 Section 60 of said act is hereby amended to read as follows:

Sec 60 Said serial bonds shall extend over a period not to exceed fourteen years from the second day of January next succeeding the next October fifteenth following their date, and an even annual proportion of the principal sum thereof shall be payable, by coupon on the second day of January every year after the next October fifteenth following their date, until the whole is paid The interest shall be payable semiannually, by coupon on the second days of January and July, respectively, of each year after their date, at the rate of not to exceed ten per cent per annum on all sums unpaid, until the whole of said principal and interest is paid, provided, however, that the first interest coupon on said bonds shall become due and payable on the second day of January next succeeding the October fifteenth or the second day of July next succeeding the April fifteenth, as the case may be, following their date

Said bonds and interest thereon shall be paid at the office of the city treasurer of said municipality who shall keep a fund designated by the name of said bonds, into which he shall place all sums paid him for the principal of said bonds and the interest thereon, together with all penalties thereon and from which he shall disburse such sums, upon the presentation of said coupons; and under no circumstances shall said bonds or the interest thereon be paid out of any other fund. Said city treasurer shall keep a register in his office, which shall show the series, number, date, amount rate of interest, payee and indorsees of each bond, and the number and amount of each coupon of principal or interest paid by him and shall cancel and file each coupon so paid.

The owner of or any person interested in any lot or parcel of land upon which a bond has been issued under the terms of this act may at any time before commencement of proceedings for sale pay off such bond and discharge the land described in the bond from the lien of the assessment, by paying to the city treasurer, for the holder of such bond, the amount then unpaid on the principal sum thereof, with interest thereon calculated up to the due date of the next maturing interest coupon at the rate named in the bond, and all penalties accrued and unpaid. Upon such payment being made to the city treasurer he shall report the same to the street superintendent, who shall forthwith mark paid on the margin of the record of the assessment, the assessment to represent which such bond was issued, and thereupon the lien of said assessment shall cease and the city treasurer shall forthwith notify the holder of the bond and call in the same The city treasurer shall enter in his record of such bond the amount paid and the date of payment, and upon the lien of the assessment being extinguished as aforesaid, shall cancel said bond and file it in his office.

The city treasurer is hereby authorized to accept payments of interest unaccompanied by payments of principal installments due; provided, however, the acceptance

of such interest payments shall not affect the delinquent status of any installments of principal."

AMENDMENT NUMBER SIX.

On page 5, line 32, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "5".

AMENDMENT NUMBER SEVEN.

On page 5, line 41, of the printed bill, after the word "succeeding," insert the following: "the October fifteenth following".

AMENDMENT NUMBER EIGHT.

On page 5, line 46, of the printed bill, strike out the words "and November", and insert in lieu thereof the word "next"; also in said line 46, after the word "succeeding," insert the following: "the April fifteenth or the fifteenth day of November next succeeding the October fifteenth, as the case may be, following".

AMENDMENT NUMBER NINE.

On page 6, line 5, of the printed bill, insert the word "one" in the blank space; also on page 6, line 9, of the printed bill, insert the word "one" in the blank space.

AMENDMENT NUMBER TEN.

On page 6, line 24, of the printed bill, strike out the figure "4", and insert in lieu thereof the figure "6".

AMENDMENT NUMBER ELEVEN.

On page 7, line 20, of the printed bill, between the words "the" and "fifteenth," insert the following: "next October"; also in said line 20, after the word "fifteenth," strike out the following: "day of the next November".

AMENDMENT NUMBER TWELVE.

On page 7, line 23, of the printed bill, between the words "the" and "fifteenth," insert the following: "next October"; also in said line 23, after the word "fifteenth," strike out the remainder of said line; also on page 7, line 24, of the printed bill, strike out the word "November" and the first comma.

AMENDMENT NUMBER THIRTEEN.

On page 7, line 41, of the printed bill, strike out the second comma, and insert in lieu thereof a period; also strike out the remainder of said line 41, together with all of line 42 on said page 7 of the printed bill.

AMENDMENT NUMBER FOURTEEN.

On page 7, line 48, of the printed bill, strike out the period at the end of said line, and insert in lieu thereof a semicolon and the following: "provided, however, that any bond may be reinstated after such default in the manner provided in said act."

AMENDMENT NUMBER FIFTEEN.

On page 7, line 50, of the printed bill, insert in the blank space the following: "five per cent".

AMENDMENT NUMBER SIXTEEN.

On page 8, line 1, of the printed bill, insert in the blank space the following: "one per cent".

AMENDMENT NUMBER SEVENTEEN.

On page 8, line 1, of the printed bill, after the period, strike out the printed matter therein contained down to and including all of line 3 on said page 8, and insert in lieu thereof the following: "The one per cent penalty first imposed and all subse-".

AMENDMENT NUMBER EIGHTEEN.

On page 8, line 8, of the printed bill, at the end of said line 8, insert the following:

"SEC. 7. Section 65a of said act is hereby amended to read as follows:

Sec. 65a. In the event of the division of any lot or parcel of land for which a bond has been issued pursuant to section 63 hereof into two or more separate lots or parcels of land, such bond may be surrendered and new bonds issued to the holder of the original bond in the manner hereinafter prescribed. When it is desired that such new bonds shall be issued, an application in writing signed by the owner of any interest in any of the lots or parcels into which the original lot or parcel has been divided shall be filed with the street superintendent. Such application shall indicate how the original lot or parcel has been divided, and request the street superintendent to apportion the amount remaining unpaid on said assessment in accordance with such division, and be accompanied by a fee of five dollars ($5) for each separate part or parcel of said original lot or parcel, which sums shall be deposited by said street superintendent in the city treasury. The street superintendent thereupon shall apportion to each separate part of said original lot or parcel of land the proportionate part of the amount remaining unpaid on said assessment that would have been levied thereon had such lot or parcel of land been so divided at the time the original assessment was made. When such determination has been made an

application signed by all persons owning an interest in the original lot or parcel of land and the holder of the original bond on such lot or parcel of land, may be filed with the city treasurer requesting that new bonds be issued for the amounts shown by the apportioned assessment in accordance with this section. Such application shall be accompanied by evidence satisfactory to said city treasurer that it is signed by every person owning any interest in said original lot or parcel of land and the holder of the original bond. When the city treasurer shall have ascertained that the application is signed by all the necessary persons he shall so advise the street superintendent who shall thereupon amend the recorded diagram and assessment to conform to such division and apportionment and assign new assessment numbers to each separate part of the original lot or parcel of land. The city treasurer shall add to each such apportioned amount a sum equal to five per cent thereof but in no event more than the sum of ten dollars ($10) and shall make and sign a new bond of the same form as the original bond, to represent each such apportioned amount. The amount of such bond shall be equal to the sum of such apportioned amount and the amount added thereto by the city treasurer as herein prescribed, and payable in installments at the respective dates of the payment of principal and interest of the original bond, the number of such installments to be equal to the number of unpaid installments on the original bond. Provided, however, that no new bond shall be issued when such apportioned amount shall be less than twenty-five dollars, in which event the said amount shall be paid to the city treasurer in cash for the benefit of the holder of the original bond at or prior to the time of filing the application last hereinabove mentioned. Upon the surrender of the original bond the city treasurer shall deliver to such bondholder or his agent or assigns the bonds issued for such apportioned assessments together with all payments of cash which may have been made pursuant hereto.

SEC. 8. Section 66 of said act is hereby amended to read as follows:

Sec. 66. The bonds so issued by said treasurer shall be payable to the party to whom they issue, or order, and shall be serial bonds, as is hereinbefore described, and shall bear interest at the rate specified in the resolution of intention to do said work. They shall have annual coupons attached thereto, payable in annual order, on the second day of January of every year after the next October fifteenth following the date of the bond, until all are paid, and each coupon shall be for an even annual proportion of the principal of the bond. They shall have semiannual interest coupons thereto attached, as set forth in section 60 hereof. The city treasurer shall, in addition to his other duties in the premises, keep a record of all bonds issued by him, of all payments on said bonds with the dates thereof and of all penalties accruing thereon; and he shall report all payments of coupons or penalties upon said bonds, with the dates thereof, to the street superintendent, who shall forthwith indorse the same upon the margin of the record of the assessment to the credit of which the same are paid, and said assessment shall be a first lien upon the property affected thereby until the bond issued for the payment thereof, and the accrued interest thereon and the penalties, if any, shall be fully paid according to the terms thereof. Said bonds, by their issuance, shall be conclusive evidence of the regularity of all proceedings thereto under this act.

SEC. 9. Section 68 of said act is hereby amended to read as follows:

The treasurer shall mail, postage prepaid, to the owner of any property to be sold for nonpayment of either principal or interest upon any delinquent bond at his last known address as shown upon the tax rolls of said city, or as filed in the office of the city clerk, a notice of sale. Said notice shall be substantially in the following form:

"Notice of Sale of Property Delinquent for Nonpayment of Street Improvement Bond.

You are hereby notified that bond _____, series _____, for an improvement in the city of _____ is delinquent. Unless the amount of the unpaid principal on said bond, together with interest and penalties, is paid to the city treasurer on or before six months after the mailing of this notice, the date of which being this _____ day of _____, 19___, the undersigned will institute proceedings to foreclose the lien of said bond in the manner prescribed by law."

provided that the failure of the property owner to receive such notice shall in no way affect the validity of such sale or invalidate any act or proceeding.

After the expiration of six months from the time of mailing such notice, the treasurer shall publish by two insertions in a newspaper of general circulation, published in the city in which said bond was issued, or if no newspaper is published in said city, then in some newspaper having general circulation therein, a notice which shall be substantially (filling in all blanks) as indicated following, to wit:

"Notice of Sale of Proper Delinquent for Nonpayment of Bond No. _____, Series No. _____, Issued for the Improvement of _____.

Default having been made in the payment of the following named coupons (here fill in date and amounts of the coupon or coupons which have not been paid) and the holder of said bond having demanded in writing that the city treasurer of the city of _____ proceed to advertise and sell the lot or parcel of land mentioned in the said bond. Now, therefore, I give notice that I will on the _____ day of _____, 19___, at the hour of _____ o'clock __m., of said day, sell at public auction the lot

or parcel of land mentioned in said bond, or so much thereof as may be necessary at (here state the place of sale, which shall be at the office of said treasurer or at some public place in said city) unless the amount due on said bond and the accrued interest thereon together with the cost of the publication of this notice are paid; and that I will so sell the same to the person who will take the least amount of said lot or parcel of land and pay the full amount of unpaid principal and interest on said bond, together with costs of publication. The lot or parcel of land mentioned in said bond and to be sold, is more particularly described, to wit: (here set forth the description of the lot or parcel of land as contained in the bond). The amount due on said bond up to the date of this notice is as follows: Due on the principal thereof, $_____ dollars; due on account of interest $_____ dollars (here set forth the interest calculated and compounded semiannually up to the date on which the notice is dated at the interest rate named in said bond upon the unpaid principal for the full period for which no interest has been paid) due on account of penalties $_____ dollars. Total amount due on said bond (here set forth the total of the foregoing items).

In order to avoid this sale, payment of the total amount above named will be required together with the cost of publications made before such payment and the additional interest accruing up to the date of payment. Bond may be reinstated upon payment of amounts due, interest, penalties, and fees, in the manner provided by law.

In the event of sale, such sale will include interest in addition to the above total amount due accruing up to date of sale, the cost of publication of notice of sale, and one dollar for the issuing of certificate of sale. The _____ (here name newspaper) is designated as the newspaper in which this notice shall be published.

Dated _____.

_____
Treasurer of the city of _____"

The day named in the notice shall not be less than fifteen (15) days from the date of the first publication of the notice.

SEC. 10. A new section to be numbered 76b is hereby added to said act to read as follows:

SEC. 76b. Whenever a bond shall be foreclosed through the superior court, the decree of foreclosure shall direct the county clerk to deliver the bond sued upon to the plaintiff or his attorney together with a memorandum setting forth the title and number of the action and the fact that said bond has been foreclosed. Thereupon it shall be the duty of the plaintiff or his attorney to deliver said bond and memorandum to the treasurer of the city which issued said bonds and he shall also pay to said treasurer the penalties due said city as set forth in section 63 hereof. It shall be the duty of the city treasurer to cancel said bond upon his records and deliver to the plaintiff or his attorney a receipt substantially in the following form:

"Certificate of Cancellation of Street Improvement Bond

Series (designating it), in the city of (naming it).

$_____/100 No._____

I, _____, treasurer of the city of _____ do hereby certify that I have received the above bond from _____ (plaintiff or attorney for plaintiff) in that certain foreclosure action entitled _____ vs _____, No _____ superior court of _____ County; together with the city's share of the penalties accrued by reason of the delinquency of said bond in the amount of $_____; and I have this date canceled said bond on my records pursuant to the order of court made in said case.

Dated at _____, this _____ day of _____ 19__.

_____
Treasurer of the city of _____

By _____
Deputy"

The county clerk shall not enter the judgment or decree of foreclosure in said action until the plaintiff or his attorney shall have delivered to him the certificate of cancellation hereinabove set forth.

SEC. 11. A new section to be numbered 76c is hereby added to said act to read as follows:

Notwithstanding any other provisions of this act, any owner of property or having an interest therein, at any time before sale of said property to enforce the lien thereon by reason of failure to make any payment upon the principal or of the interest upon any bond which has become delinquent and the cancellation of such bond, may apply to the treasurer for reinstatement of said bond. The treasurer shall reinstate any delinquent bond upon which suit has been commenced, or proceedings instituted to foreclose, upon the payment to him of all principal and interest coupons delinquent at the time of such reinstatement together with all penalties, cost of publication and notice of sale, costs of suit, cost of abstract or report of search of title, attorney fees as authorized by this act, and a reinstatement fee to be determined as follows: Five dollars if suit was commenced or proceedings instituted to foreclose less than six months from the time permitted by law, ten dollars after six months or less than one year, and if suit was not commenced or proceedings to foreclose instituted until one year or more from the time in which such

suit could have been commenced or such proceedings could have been instituted under the provisions of this act, a fee of fifteen dollars on bonds the face value of which do not exceed one hundred dollars and a fee of twenty-five dollars on bonds of over one hundred dollars.

The holder of any bond so reinstated shall be entitled to such reinstatement fees herein provided. Upon such payments the treasurer shall enter on the record of the bond the word "reinstated," giving the date thereof. Any bond so reinstatement shall have the same affect and status as the original bond, with the same rights as *to lien, payments, and foreclosure.*"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1914—An act to allow unincorporated territory within a county to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection, custody and disbursement of taxes, for such purposes and to create a board of police commissioners

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, lines 5 and 6, of the printed bill, strike out "fifty or more", and insert in lieu thereof the following: "fifty-one per cent or more of the".

AMENDMENT NUMBER TWO.

On page 2, line 17, of the printed bill, after "tax", insert the following: "sufficient to raise a sum not in excess of twenty-four hundred dollars per annum".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, after line 18, add the following: "Such tax shall be levied and collected in the same manner and by the same officers as in the case of county general property taxes."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 190—An act to amend sections 363, 365, 366, 368, 369, 370a and 373 of the Civil Code, all relating to corporations

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the comma following "363", insert the following: "364,".

AMENDMENT NUMBER TWO

On page 1, line 3, of the printed bill, after "dividends", insert a comma and the following: "purchases".

AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill, strike out "nor", and insert in lieu thereof the following: "or".

AMENDMENT NUMBER FOUR.

On page 1, line 15, of the printed bill, strike out "and to shareholders, and", also strike out lines 16 to 27, inclusive, and insert in lieu thereof the following: "or to its receiver, liquidator or trustee in bankruptcy for the benefit of the creditors of the corporation or any of them and of the shareholders and owners of shares at the time of such violation, for its debts and liabilities existing at the time of such violation, and for the full amount of any loss sustained by such holders and owners of shares other than shares upon which any such payment or distribution was made, in any such case not exceeding the amount of such unlawful dividends, purchase price, withdrawal or other distribution

Any judgment creditor of the corporation, or two or more such creditors, if the debt or claim arose prior to the time of such violation, may sue the corporation and any or all of its directors in one action and recover judgment for the amount due such creditors or claimants from the corporation against any or all of such directors guilty of any such violation, up to the amount of such unlawful dividends, purchase price, withdrawal or other distribution. An action against such directors for any such violation may be brought by the corporation or by its receiver, liquidator or trustee in bankruptcy for the benefit of all of such creditors and shareholders without the necessity of any prior judgment against the corporation for the recovery of the amount of such dividends, purchase price, withdrawal or other distribution as far as needed to satisfy its debts and liabilities and the full amount of loss sustained by such shareholders.

Any and all directors who satisfy a judgment or claim against the corporation or other liability under this section shall have a right of reimbursement and contribution against any and all shareholders who received any dividend, purchase price, withdrawal or distribution with knowledge that it was not authorized by this title, and such shareholders shall pay or contribute in proportion to the amounts received by them respectively, unless they have returned such amount to the corporation."

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out line 2, and insert in lieu thereof the following: "who satisfies more than his share of a claim asserted under or pursuant hereto".

AMENDMENT NUMBER SIX.

On page 2, line 5, of the printed bill, strike out "two or more", and insert in lieu thereof the following: "number of".

AMENDMENT NUMBER SEVEN

On page 2, line 16, of the printed bill, strike out "365", and insert in lieu thereof the following "364".

AMENDMENT NUMBER EIGHT

On page 2 of the printed bill, between lines 17 and 18, insert the following

"364. Improper dividends. Any shareholder or owner of shares who receives any dividend not authorized by this title shall be individually liable to the corporation for the amount so received by him in the event that the corporation is adjudged insolvent or bankrupt or is unable to meet its debts and liabilities as they mature within one year after the receipt of such dividend. Any number of shareholders may be sued in the same action."

AMENDMENT NUMBER NINE.

On page 2 of the printed bill, strike out lines 18 to 26, inclusive, and insert in lieu thereof the following:

"SEC. 3. Section 365 of the Civil Code is hereby amended to read as follows

365. Unauthorized sale of shares. When a corporation, in violation of any provision of this title, purchases shares issued by it, any shareholder or owner of shares who sells such shares *knowing that the corporation* is the purchaser shall be liable to the corporation or its receiver, liquidator or trustee in bankruptcy to the extent of the payments received therefor and for the unpaid balance of the subscription price due thereon, if any, in the event that within one year after such purchase the corporation is adjudged insolvent or bankrupt or is unable to meet its debts and liabilities as they mature."

AMENDMENT NUMBER TEN.

On page 2, line 27, of the printed bill, strike out "Sec. 3", and insert in lieu thereof the following: "Sec. 4".

AMENDMENT NUMBER ELEVEN

On page 2 of the printed bill, strike out lines 29 to 51, inclusive, and on page 3, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"366. Loans to and guaranties of the obligations of officers, shareholders or others. No corporation or any of its subsidiary corporations shall make any loan of money or property to or guarantee the obligation of (a) any director or officer of any such corporations, directly or indirectly, (b) or any person upon the security of the shares of any such corporations, provided that any such loan or guaranty may be made by the vote or written consent of the holders of two-thirds of the shares of all classes regardless of *limitations on voting rights*, other than the shares held by the benefited director, officer or shareholder.

If any such loan or guaranty be made without such vote or written consent of the shareholders, the directors, officer or officers of any such corporation who make it or assent thereto shall be jointly and severally liable to the corporation as guarantors for the repayment or return of the sum or value so loaned with interest thereon at the rate of six per cent per annum until paid, or for any liability upon such guaranty.

Any officer or director held liable under this section who satisfies any such liability shall be entitled to contribution from any other officer or director who participates in

authorizing, making or allowing any such loan or guaranty, and shall be subrogated to any and all rights of the corporation against the borrower or principal obligor.

The provisions of this section shall not apply to banks, building and loan associations or credit unions or to loans permitted under any statute regulating any special class of corporations."

AMENDMENT NUMBER TWELVE

On page 3, line 6, of the printed bill, strike out "Sec. 4", and insert in lieu thereof the following: "Sec. 5".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 20, of the printed bill, after "request", insert the following: "that such duty be performed".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 29, of the printed bill, strike out "remedy", and insert in lieu thereof the following: "penalty".

AMENDMENT NUMBER FIFTEEN.

On page 3 of the printed bill, between lines 36 and 37, insert the following: "If any officer of a corporation charged with the duty of entering a transfer of shares upon the books of the corporation and issuing a share certificate unreasonably neglects, fails or refuses to perform such duty after written request by any person entitled thereto, he shall be subject to a penalty of one hundred dollars and the further penalty of ten dollars for each day beginning five days after such request that such default shall continue, up to a maximum of five hundred dollars, to be paid to each such person aggrieved, which penalty shall be enforced by action and shall be in addition to all other remedies. Every director or other officer unreasonably causing such neglect, failure or refusal to make such entries upon the books of the corporation or to issue a certificate for shares to a person entitled thereto shall be subject to a like penalty."

AMENDMENT NUMBER SIXTEEN.

On page 3, line 37, of the printed bill, strike out "Sec. 5", and insert in lieu thereof the following: "Sec. 6"

AMENDMENT NUMBER SEVENTEEN.

On page 3 of the printed bill, strike out line 49, and insert in lieu thereof the following:

"(1) In the event that the requisite number of shareholders of a corporation"

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 1, of the printed bill, after "dation", insert the following: "at the meeting at which the same was approved".

AMENDMENT NUMBER NINETEEN.

On page 4, line 11, of the printed bill, after "corporation", insert the following: "or any transfer agent thereof".

AMENDMENT NUMBER TWENTY.

On page 4 of the printed bill, strike out lines 12 and 13, and insert in lieu thereof the following: "thirty days after the date on which the notice of the approval by the shareholders was mailed to the".

AMENDMENT NUMBER TWENTY-ONE

On page 4, line 18, of the printed bill, strike out "such day", and insert in lieu thereof the following: "the day before the vote of the shareholders approving the merger or consolidation".

AMENDMENT NUMBER TWENTY-TWO.

On page 4, line 28, of the printed bill, strike out "twenty", and insert in lieu thereof the following: "thirty"

AMENDMENT NUMBER TWENTY-THREE.

On page 4, line 32, of the printed bill, strike out "indicating".

AMENDMENT NUMBER TWENTY-FOUR.

On page 4, line 36, of the printed bill, strike out "Transferees"; also strike out lines 37 and 38.

AMENDMENT NUMBER TWENTY-FIVE

On page 5, line 2, of the printed bill, after the period following "determined", insert the following: "A dissenting shareholder may not withdraw his dissent or demand for payment unless the corporation by its board of directors shall consent thereto."

AMENDMENT NUMBER TWENTY-SIX.

On page 5, line 18, of the printed bill, strike out "is", and insert in lieu thereof the following: "be".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 5, line 36, of the printed bill, after "shareholder", insert the following: "if he first shall have complied with the conditions provided in paragraphs (2) and (3) of this section.".

AMENDMENT NUMBER TWENTY-EIGHT

On page 5 of the printed bill, strike out line 37, and insert in lieu thereof the following: "months after the date on which notice of the approval by the shareholders was".

AMENDMENT NUMBER TWENTY-NINE.

On page 5, line 38, of the printed bill, strike out "thereof".

AMENDMENT NUMBER THIRTY.

On page 5 line 40, of the printed bill, strike out "to request", and insert in lieu thereof the following: "praying".

AMENDMENT NUMBER THIRTY-ONE.

On page 5 of the printed bill, strike out line 42, and insert in lieu thereof the following: "may intervene in any pending action for the appraisal of any dissenting shares. If such complaint".

AMENDMENT NUMBER THIRTY-TWO

On page 5 of the printed bill, strike out line 44, and insert in lieu thereof the following: "dissenting shares the purchase price of which has not been".

AMENDMENT NUMBER THIRTY-THREE

On page 5, line 50 of the printed bill, strike out "proceeding", and insert in lieu thereof the following: "action".

AMENDMENT NUMBER THIRTY-FOUR.

On page 6 of the printed bill, strike out lines 7 and 8, and insert in lieu thereof the following:

"(8) On the trial of the action, the court shall determine whether".

AMENDMENT NUMBER THIRTY-FIVE.

On page 6, line 10, of the printed bill, after "shall", insert the following: "determine or shall".

AMENDMENT NUMBER THIRTY-SIX

On page 6, line 12, of the printed bill, strike out "shall forthwith", and insert in lieu thereof the following: "forthwith shall".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 6 of the printed bill, strike out lines 14 and 15, and insert in lieu thereof the following: "majority of them, shall make a report within the time fixed by the court, and shall file such".

AMENDMENT NUMBER THIRTY-EIGHT

On page 6, line 19, of the printed bill, strike out "shall".

AMENDMENT NUMBER THIRTY-NINE.

On page 6, line 20, of the printed bill, strike out "reasonable, and shall", and insert in lieu thereof the following: "reasonable and".

AMENDMENT NUMBER FORTY.

On page 6, line 22, of the printed bill, strike out "said shares", and insert in lieu thereof the following: "each share".

AMENDMENT NUMBER FORTY-ONE.

On page 6, line 25, of the printed bill, after "intervened", insert a comma

AMENDMENT NUMBER FORTY-TWO

On page 6, line 26, of the printed bill, strike out "demand for"; also strike out line 27, and insert in lieu thereof the following: "judgment was rendered."

AMENDMENT NUMBER FORTY-THREE

On page 6 of the printed bill, strike out line 28, and insert in lieu thereof the following

"(10) If such appraisers be not appointed, or a majority of them fail to".

AMENDMENT NUMBER FORTY-FOUR

On page 6, line 30, of the printed bill, strike out "shall not".

AMENDMENT NUMBER FORTY-FIVE.

On page 6 of the printed bill, strike out line 31, and insert in lieu thereof the following: "be not confirmed by the court, the court shall determine the fair market".

AMENDMENT NUMBER FORTY-SIX.

On page 6, line 41, of the printed bill, after "any", insert the following: "such".

AMENDMENT NUMBER FORTY-SEVEN.

On page 6 of the printed bill, strike out lines 43 to 47, inclusive, and insert in lieu thereof the following: "the shares described in the judgment. Any party shall".

AMENDMENT NUMBER FORTY-EIGHT.

On page 7, line 10, of the printed bill, strike out "proceedings", and insert in lieu thereof the following: "action".

AMENDMENT NUMBER FORTY-NINE.

On page 7, line 13, of the printed bill, strike out "shall materially".

AMENDMENT NUMBER FIFTY.

On page 7, line 17, of the printed bill, strike out "or otherwise determined".

AMENDMENT NUMBER FIFTY-ONE.

On page 7 of the printed bill, strike out lines 18 to 22, inclusive, and insert in lieu thereof the following: "of the certificates therefor unless provided otherwise by agreement"

AMENDMENT NUMBER FIFTY-TWO.

On page 7, lines 24 and 25, of the printed bill, strike out "or consent given".

AMENDMENT NUMBER FIFTY-THREE.

On page 7, line 26, of the printed bill, strike out the comma.

AMENDMENT NUMBER FIFTY-FOUR.

On page 7 of the printed bill, strike out lines 37 to 42, inclusive.

AMENDMENT NUMBER FIFTY-FIVE

On page 7, line 43, of the printed bill, strike out "(16)", and insert in lieu thereof the following: "(15)".

AMENDMENT NUMBER FIFTY-SIX

On page 7, line 44, of the printed bill, strike out "shall".

AMENDMENT NUMBER FIFTY-SEVEN

On page 7 of the printed bill, strike out line 45, and insert in lieu thereof the following: "the merger or consolidation entitling the dissenting shareholder to relief Upon abandonment of the merger or consolidation any dissenting shareholders who have initiated proceedings in good faith under this section shall be entitled to recover from the corporation all necessary expenses incurred in such proceedings and reasonable attorneys fees"

AMENDMENT NUMBER FIFTY-EIGHT.

On page 7, line 46, of the printed bill, strike out "(17)", and insert in lieu thereof the following: "(16)".

AMENDMENT NUMBER FIFTY-NINE.

On page 7 of the printed bill, strike out lines 50 to 52, inclusive, and on page 8, strike out lines 1 to 11, inclusive, and insert in lieu thereof the following:

"The rights and remedies of any shareholder at law or in equity to object to or litigate as to any such merger or consolidation shall be and are hereby limited to the right to receive the fair market value of his shares in the manner and upon the terms and conditions provided in this section, except actions to test whether the number of legal votes of shareholders required by statute to authorize or approve the proposed action of the corporation has been given.

If litigation be instituted to test the sufficiency or regularity of the votes of the shareholders in authorizing such merger or consolidation, the effect of the demand for compensation and any proceedings therefor shall be suspended"

AMENDMENT NUMBER SIXTY.

On page 8, line 12, of the printed bill, strike out "Sec. 6", and insert in lieu thereof the following: "Sec. 7".

AMENDMENT NUMBER SIXTY-ONE

On page 8, line 17, of the printed bill, strike out "purported", and insert in lieu thereof the following: "purporting".

AMENDMENT NUMBER SIXTY-TWO

On page 8, line 21, of the printed bill, strike out "certi-"; also strike out line 22, and insert in lieu thereof the following: "copies of such certified copies duly certified, shall be admitted in evi-".

AMENDMENT NUMBER SIXTY-THREE.

On page 8, line 28, of the printed bill, strike out "of".

AMENDMENT NUMBER SIXTY-FOUR.

On page 8, line 34, of the printed bill, after "corporation", insert the following: "held or".

AMENDMENT NUMBER SIXTY-FIVE.

On page 8, line 35, of the printed bill, strike out "corporate existence", and insert in lieu thereof the following: "incorporation".

AMENDMENT NUMBER SIXTY-SIX.

On page 8, line 36, of the printed bill, strike out the period and also strike out "In", and insert in lieu thereof the following: "in".

AMENDMENT NUMBER SIXTY-SEVEN.

On page 8, line 39, of the printed bill, strike out "Sec. 7", and insert in lieu thereof the following: "Sec. 8".

AMENDMENT NUMBER SIXTY-EIGHT.

On page 8, lines 43 and 44, of the printed bill, strike out "residing at a stated address", and insert in lieu thereof the following: "stating his residence or business address".

AMENDMENT NUMBER SIXTY-NINE.

On page 9 of the printed bill, strike out line 14, and insert in lieu thereof the following: "constitute personal service upon such corporation. Upon the receipt of such copy of process".

AMENDMENT NUMBER SEVENTY.

On page 9, line 15, of the printed bill, strike out "forthwith"

AMENDMENT NUMBER SEVENTY-ONE.

On page 9, line 17, of the printed bill, strike out "and shall forward", and insert in lieu thereof the following: "by forwarding".

AMENDMENT NUMBER SEVENTY-TWO.

On page 9, line 18, of the printed bill, strike out "a", and insert in lieu thereof the following: "such".

AMENDMENT NUMBER SEVENTY-THREE.

On page 9, line 20, of the printed bill, strike out "gives notice", and insert in lieu thereof the following "mails such copy"

AMENDMENT NUMBER SEVENTY-FOUR.

On page 9, line 23, of the printed bill, strike out "or any other law of this State", and insert in lieu thereof the following "title".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1301—An act to amend "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, by amending sections 1, 5, and 24 thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, amend the title to read:

"An act to amend sections 1, 5, and 24 of the Direct Primary Law, approved June 16, 1913, as amended, relating to party affiliation and party conventions"

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, strike out "Definitions."

AMENDMENT NUMBER THREE.

On page 2, line 50, of the printed bill, strike out "a", and substitute "the".

AMENDMENT NUMBER FOUR

On page 2, lines 51 and 52, of the printed bill, after the word "party", strike out ", if any, or, if there be none, then by such declaration as may be promulgated by the governing authority," and insert after the word "party", "next preceding such registration, or as promulgated by other constituted authority if not adopted by convention."

AMENDMENT NUMBER FIVE.

On page 3, line 5, of the printed bill, strike out "Qualification as Political Party."

AMENDMENT NUMBER SIX.

On page 3, line 45, of the printed bill, strike out "Construction"

AMENDMENT NUMBER SEVEN.

On page 3, lines 49 and 50, of the printed bill, strike out "Powers and Duties of Election Commissioners and Registrar of Voters."

AMENDMENT NUMBER EIGHT.

On page 4, line 10, of the printed bill, strike out "Method of Getting Name on Ballot."

AMENDMENT NUMBER NINE.

On page 4, line 33, of the printed bill, capitalize "Form for Appointment."

AMENDMENT NUMBER TEN.

On page 4, lines 42 and 43, of the printed bill, capitalize "Verification Deputies"

AMENDMENT NUMBER ELEVEN.

On page 5, line 3, of the printed bill, strike out "Additional Deputies"

AMENDMENT NUMBER TWELVE.

On page 5, line 9, of the printed bill, strike out "Appointment of Deputies by Sponsors"

AMENDMENT NUMBER THIRTEEN.

On page 5, line 38, of the printed bill, strike out "Form of Appointment."

AMENDMENT NUMBER FOURTEEN.

On page 6, line 5, of the printed bill, insert "of", after the word "office".

AMENDMENT NUMBER FIFTEEN.

On page 6, lines 6 and 7, of the printed bill, capitalize "Verification Deputies."

AMENDMENT NUMBER SIXTEEN.

On page 6, line 11, of the printed bill, insert "etc.", below blanks under "Residence".

AMENDMENT NUMBER SEVENTEEN.

On page 6, lines 23 and 24, of the printed bill, capitalize "Declaration for Candidacy".

AMENDMENT NUMBER EIGHTEEN.

On page 6, lines 47, 48, 49 and 50, of the printed bill, strike out after the word "party", ", and will support the platform of said party adopted by the State convention last held preceding the direct primary election at which I shall be a candidate."

AMENDMENT NUMBER NINETEEN.

On page 6, line 47, of the printed bill, insert a period after "party".

AMENDMENT NUMBER TWENTY.

On page 7, line 19, of the printed bill, strike out "Sponsors' declaration of candidacy."

AMENDMENT NUMBER TWENTY-ONE

On page 7, lines 23 and 24, of the printed bill, capitalize "Declaration of Candidacy by Sponsors"

AMENDMENT NUMBER TWENTY-TWO

On page 7, lines 49 and 50, of the printed bill, capitalize "Verification Deputy's Affidavit."

AMENDMENT NUMBER TWENTY-THREE

On page 7, line 52, of the printed bill, inclose "a" in parentheses.

AMENDMENT NUMBER TWENTY-FOUR.

On page 8, line 20, of the printed bill, strike out "Signatures"

AMENDMENT NUMBER TWENTY-FIVE.

On page 8, line 25, of the printed bill, strike out "Declaration of acceptance of nomination."

AMENDMENT NUMBER TWENTY-SIX

On page 8, lines 30 and 31, of the printed bill, capitalize "Declaration of Acceptance of Nomination."

AMENDMENT NUMBER TWENTY-SEVEN.

On page 9, lines 3, 4, 5 and 6, of the printed bill, strike out after the word "party", ", and will support the platform of the said party adopted by the State convention last held preceding the direct primary election at which I shall be a candidate."

AMENDMENT NUMBER TWENTY-EIGHT.

On page 9, line 3, of the printed bill, insert a period after "party".

AMENDMENT NUMBER TWENTY-NINE.

On page 9, line 23, of the printed bill, strike out "Filing of Declarations."

AMENDMENT NUMBER THIRTY

On page 9, line 36, of the printed bill, strike out "Nonpartisan Offices."

AMENDMENT NUMBER THIRTY-ONE.

On page 9, line 39, of the printed bill, strike out "Number of Sponsor Certificates"

AMENDMENT NUMBER THIRTY-TWO.

On page 10, line 13, of the printed bill, strike out "Qualifications of Sponsors."

AMENDMENT NUMBER THIRTY-THREE

On page 10, line 18, of the printed bill, strike out "Filing of Certificates and Declarations by Sponsors."

AMENDMENT NUMBER THIRTY-FOUR.

On page 10, line 27, of the printed bill, strike out "Verification of Signatures."

AMENDMENT NUMBER THIRTY-FIVE.

On page 10, line 47, of the printed bill, strike out "Nonpartisan Offices."

AMENDMENT NUMBER THIRTY-SIX.

On page 10, lines 50 and 51, of the printed bill, strike out "Delivery of Sponsor Certificates to County Clerk and Registrar."

AMENDMENT NUMBER THIRTY-SEVEN.

On page 11, line 19, of the printed bill, strike out "Sponsor's Certificate as to Qualification of Candidate."

AMENDMENT NUMBER THIRTY-EIGHT

On page 11, lines 23 and 24, of the printed bill, capitalize "Sponsor's Certificate."

AMENDMENT NUMBER THIRTY-NINE.

On page 11, lines 44 and 45, of the printed bill, capitalize "Verification Deputy's Affidavit."

AMENDMENT NUMBER FORTY

On page 11, line 47, of the printed bill, inclose "a" in parentheses.

AMENDMENT NUMBER FORTY-ONE.

On page 12, line 16, of the printed bill, strike out "Defects."

AMENDMENT NUMBER FORTY-TWO.

On page 12, line 21, of the printed bill, strike out "Preservation of Declarations and Certificates."

AMENDMENT NUMBER FORTY-THREE

On page 12, line 26, of the printed bill, strike out "Sponsors."

AMENDMENT NUMBER FORTY-FOUR.

On page 12, line 33, of the printed bill, strike out "Pamphlets Containing Declaration of Candidates, etc."

AMENDMENT NUMBER FORTY-FIVE.

On page 12, line 38, of the printed bill, add "s" after "declaration".

AMENDMENT NUMBER FORTY-SIX.

On page 12, line 42, of the printed bill, after "tors," insert "and".

AMENDMENT NUMBER FORTY-SEVEN

On page 12, line 42, of the printed bill, after "Assemblymen", insert a period, and strike out "and delegates to State convention"

AMENDMENT NUMBER FORTY-EIGHT.

On page 13, line 38, of the printed bill, strike out "Independent Nominations and Filing of Vacancies."

AMENDMENT NUMBER FORTY-NINE.

On page 14, line 10, of the printed bill, strike out "Filing Record"

AMENDMENT NUMBER FIFTY.

On page 14, line 14, of the printed bill, strike out "Construction of Section"

AMENDMENT NUMBER FIFTY-ONE.

On page 14, line 21, of the printed bill, strike out "Party Conventions Authorized."

AMENDMENT NUMBER FIFTY-TWO

On page 14, line 21, of the printed bill, add in strike-out type (strike-outs omitted from printed bill) as follows:

[Strike-out begins here.]

"1 Party conventions of delegates chosen as hereinafter provided may be held in this state for the purpose of promulgating platforms and transacting such other business of the party as is not inconsistent with the provisions of this act.

2 The state convention of each political party shall consist of one delegate for each of the following elective officials and the total number of delegates shall be the aggregate number of the following elective officials:

(a) The governor,
The lieutenant governor,
The treasurer,
The controller,
The attorney general,
The secretary of state,
All members of the state board of equalization,

(b) All senators and representatives in congress from California, and

(c) All members of the state legislature.

The state convention of each political party shall meet at Sacramento at ten o'clock of the morning of the third Thursday in September next following the date upon which the primary election preliminary to the general November election is held and shall be composed of the following delegates

(a) Each elective official hereinabove named who was nominated and elected as a candidate of such party and whose term of office extends beyond the eighth day of January next following the primary election, or the appointee or successor to fill a vacancy in the office of any such official. Each such delegate shall be known as a "hold over delegate."

(b) Each candidate of such party in whose behalf nomination papers were filed and who was nominated at the primary election by such political party for the office of each such elective official. Each such delegate shall be known as a "nominee delegate."

(c) One delegate appointed for each of the elective officials hereinabove named, not represented by a "hold over delegate" nor by a "nominee delegate," of such party. Each such delegate shall be chosen and appointed in the manner hereinafter provided in this section for filling vacancies in the state convention, and shall be known as an "appointive delegate"

Membership in the state convention shall not be granted to any party nominee for a congressional office, state office, or office of senator or assemblyman who has become such by reason of his name having been written on a ballot, and who has not had his name printed on the primary ballot by having had a nomination paper filed in his behalf, as provided in section 5 of this act; nor shall membership in such convention be granted to the nominee of any party if such nominee has not stated his affiliation with such party in his affidavit of registration used at such primary election; and, in every such case, a vacancy in the membership of such convention shall be deemed to exist; and any such vacancy thereby existing, or existing because no nomination for such office has been made, or for any other cause, shall be filled as hereinafter provided. Each candidate who has received the nomination of more than one party for a congressional, state, or legislative office shall procure from the registrar of voters or clerk of the county in which he resides, a certificate stating the party with which such candidate was affiliated thirty-five days before the date of the primary election, as shown by the affidavit of registration of such candidate in the office of such registrar of voters or clerk of the county; and this certificate shall be the credential of such candidate to membership in the convention of his party.

In the event that there is no "hold over delegate" nor "nominee delegate" of the party, as herein defined, for any of the elective offices hereinabove named, or in the event that any nominee be disqualified for membership in the convention for any reason herein stated, or in the event that any delegate dies prior to the convention then in every such case a vacancy shall be deemed to exist in the membership

of the state convention of the party and a delegate shall be chosen and appointed to fill such vacancy as follows:

(a) If the vacancy occurrs in a senatorial or assembly district situated wholly within the limits of a single county or city and county, by appointment by the newly elected county central committee of such party in such county or city and county.

(b) If the vacancy occurs in a senatorial or assembly district comprising two or more counties, by appointment by the newly elected county central committee of such party in the county wherein the disqualified or deceased delegate resided, if the vacancy is caused by disqualification or death, or wherein the "holdover delegate" or "nominee delegate" of the opposing party resides, if the vacancy is due to any other cause.

(c) If such vacancy occurs as to a delegate for a United States senator from California or as to a delegate for any of the state officials hereinabove named, by appointment by the state central committee of such party.

(d) If such vacancy occurs as to a delegate for any representative in congress from California, by appointment by the state central committee of such party of a qualified registered elector who resides within the congressional district to be so represented.

Such delegate so appointed shall present to the convention credentials signed by the chairman and the secretary of the committee making the appointment, and he shall file with the secretary of state not later than two o'clock of the afternoon of the convention, his appointment of three members of the state central committee, in writing signed and acknowledged in the form hereinafter prescribed.

As soon as practicable after the primary election the secretary of state shall prepare a list of the names of all delegates to the convention qualified under the provisions of this act, and the secretary of state shall thereupon send a notice by mail to each such delegate which shall inform the delegate that he is a delegate to the state convention, that the convention meets at Sacramento on the third Thursday in September of the then current year, that said delegate must appoint three qualified electors to be members of the state central committee, and that said appointment of three members of the state central committee must be made in writing in the form hereinafter prescribed, signed and acknowledged before a notary public or other officer authorized to administer oaths in this state and must be filed in the office of the secretary of state not later than two o'clock of the afternoon of the third Thursday in September of the then current year, and the secretary of state shall inclose with such notice one copy of the following form for appointment of members of the state central committee:

Appointment of Members of the State Central Committee Meeting at Sacramento in the Year 19__.

I _____, duly qualified as a delegate to the state convention at Sacramento in the year 19__ by virtue of my (appointment by the _____ central committee) (nomination) (election) (to the office of _____) (strike out part inapplicable) on the _____ day of _____, 19__ upon the _____ (party) ticket, do hereby appoint the following three electors residing within the district which I represent, who shall be members of the state central committee to meet at Sacramento on the second Saturday following the meeting of the state convention, in the year 19__, to wit:

Name	Post-office address
Name	Post-office address
Name	Post-office address

In witness whereof I have hereunto set my hand this _____ day of _____ 19__.

_____,
(Delegate)

Signed and acknowledged before me this _____ day of _____

_____,
(Notary Public)

The new state central committee shall consist of all delegates to the state convention, together with such members as are appointed in accordance with the provisions of this act. Each delegate to the state convention shall appoint three qualified electors which appointments when so made shall become absolute. Such appointments shall be made in writing signed and acknowledged by the delegate before a notary public or other officer authorized to administer oaths and delivered to the secretary of state not later than two o'clock of the afternoon of the third Thursday in September. The secretary of state shall deliver said appointments so received by him, to the permanent chairman of the state convention as soon as possible after said hour of two o'clock and he shall require the chairman's receipt therefor.

The convention shall be called to order at ten o'clock of the morning of the third Thursday in September by the retiring chairman of the State central com-

mittee and shall at once proceed to the election of a temporary chairman by roll call read from the alphabetical roll submitted by the Secretary of State, and shall likewise elect such other temporary officers as the convention may determine. The temporary chairman shall appoint a committee consisting of one delegate from each congressional district which shall serve as the committee on credentials of the convention, and shall appoint such other committees as the convention may direct." [End of strike-out.]

AMENDMENT NUMBER FIFTY-THREE.

On page 14, line 29, of the printed bill, strike out "any", and insert in lieu thereof "each".

AMENDMENT NUMBER FIFTY-FOUR

On page 14, line 33 of the printed bill, strike out "soliciting", and insert in lieu thereof "selecting".

AMENDMENT NUMBER FIFTY-FIVE

On page 14, line 48, of the printed bill, after the period after the word "committees", add "Where a county or city and county comprises more than one assembly district, delegates shall be selected from residents of each assembly district based upon the average vote as provided."

AMENDMENT NUMBER FIFTY-SIX.

On page 14, line 50, of the printed bill, strike out the words "ten days", after the word "within", and insert in lieu thereof "one week".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 14, line 52, of the printed bill, strike out the word "assembly", after the word "for", and insert in lieu thereof "a meeting".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 15, line 3, of the printed bill, after the word "time", insert ", not exceeding one week thereafter.".

AMENDMENT NUMBER FIFTY-NINE.

On page 15 of the printed bill, between lines 39 and 40, insert a paragraph:
"Only a voter registered as affiliated with a party shall be eligible to be a nominee of such party for United States Senator or Representative in Congress."

AMENDMENT NUMBER SIXTY

On page 15, line 40, of the printed bill, strike out "Adoption of State Platform."

AMENDMENT NUMBER SIXTY-ONE

On page 15, line 51, of the printed bill, strike out "Presidential Electors."

AMENDMENT NUMBER SIXTY-TWO

On page 16, line 9, of the printed bill, strike out "Election and Organization of State Central Committee."

AMENDMENT NUMBER SIXTY-THREE.

On page 16, lines 48, 49 and 50, of the printed bill, capitalize "Proxy for Attendance at the State Central Committee Meeting at Sacramento, in the Year 19__"

AMENDMENT NUMBER SIXTY-FOUR.

On page 17, line 29, of the printed bill, strike out "List of Members of Committee."

AMENDMENT NUMBER SIXTY-FIVE.

On page 17, line 42, of the printed bill, strike out "Roll call."

AMENDMENT NUMBER SIXTY-SIX.

On page 18, line 10, of the printed bill, strike out "Revocation of Proxies, etc."

AMENDMENT NUMBER SIXTY-SEVEN.

On page 18, line 24, of the printed bill, strike out "Executive committee of State central committee."

AMENDMENT NUMBER SIXTY-EIGHT.

On page 19, line 3, of the printed bill, strike out "County Central Committees."

AMENDMENT NUMBER SIXTY-NINE.

On page 19, line 15, of the printed bill, strike out "Composition of County Central Committee."

AMENDMENT NUMBER SEVENTY.

On page 20, line 1, of the printed bill, strike out "Election for County Central Committee."

AMENDMENT NUMBER SEVENTY-ONE.

On page 20, line 20, of the printed bill, strike out "Qualifications for County Central Committee."

AMENDMENT NUMBER SEVENTY-TWO.

On page 20, line 22, of the printed bill, insert after "committee", "or delegate to a convention".

AMENDMENT NUMBER SEVENTY-THREE.

On page 20, lines 23, 24, 25 and 26, of the printed bill, strike out ", and does not declare in writing that he will support the platform of the said party adopted by the State convention last held preceding the direct primary election at which he shall be a candidate,".

AMENDMENT NUMBER SEVENTY-FOUR

On page 20, line 27, of the printed bill, after the word "election", strike out ", which declaration shall be filed with the county clerk."

AMENDMENT NUMBER SEVENTY-FIVE.

On page 20, line 27, of the printed bill, insert a period after the word "election".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1351—An act to amend section 4156b of the Political Code, prohibiting district attorneys of counties or cities and counties from defending or assisting in the defense of, or acting as counsel for, defendants in civil actions and proceedings, when the State or any county or city and county or municipality or other political subdivision of the State, is a party plaintiff, and to redesignate said section 4156b as section 4156c of the Political Code.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In lines 5 and 6 of the title of the printed bill, strike out the words "or any county or city and county or municipality or other political subdivision of the State".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, strike out the word "civil", and insert in lieu thereof the words "eminent domain".

AMENDMENT NUMBER THREE.

On page 1, line 12, of the printed bill, strike out the words "of the government".

AMENDMENT NUMBER FOUR.

On page 1, lines 12, 13 and 14, of the printed bill, strike out the words "or any county or city and county or municipality or other political subdivision of the State.".

AMENDMENT NUMBER FIVE.

On page 1, line 14, of the printed bill, strike out the period after the word "plaintiff", and insert in lieu thereof a comma, and after the comma, add the words "in the county or city and county in which he holds such office, except when such county or city and county or any officer thereof, in his official capacity, is defendant."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 189—An act to amend sections 361, 362, 362a, 362b and 362c of the Civil Code, all relating to corporations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 4, of the printed bill, strike out the colon.

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out the semicolon, and insert in lieu thereof a comma.

AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill, strike out "may also", and insert in lieu thereof the following: "also may".

AMENDMENT NUMBER FOUR.

On page 1, line 16, of the printed bill, after "shares", insert a comma.

AMENDMENT NUMBER FIVE.

On page 1, line 25, of the printed bill, strike out "is", and insert in lieu thereof the following: "be".

AMENDMENT NUMBER SIX.

On page 1, line 27, of the printed bill, strike out "of incorpo-", also strike out line 28, and insert in lieu thereof the following: "of the new or consolidated corporation."

AMENDMENT NUMBER SEVEN.

On page 2, line 1, of the printed bill, strike out "is", and insert in lieu thereof the following "be".

AMENDMENT NUMBER EIGHT.

On page 2, lines 14 and 15, of the printed bill, strike out "mailed to the last known post-office address of", and insert in lieu thereof the following: "duly given to".

AMENDMENT NUMBER NINE.

On page 3, line 1, of the printed bill, strike out "or like"; also strike out line 2, and in line 3, strike out "corporation or corporations,".

AMENDMENT NUMBER TEN.

On page 3, line 16, of the printed bill, strike out "thereof", and insert in lieu thereof the following: "of said agreement".

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill, strike out line 19, and insert in lieu thereof the following: "erty. A copy of such agreement or of a certified copy thereof certified by any official having custody thereof".

AMENDMENT NUMBER TWELVE.

On page 3 of the printed bill, strike out line 46, and insert in lieu thereof the following: "which shall bind the consolidated or the surviving corporation, or the consolidated".

AMENDMENT NUMBER THIRTEEN.

On page 3 of the printed bill, between lines 48 and 49, insert the following: "The directors of the corporation may, in their discretion, abandon such merger or consolidation subject to the rights of third parties under any contracts relating thereto, without further action or approval by the shareholders of the corporation, at any time before the merger or consolidation has been completed."

AMENDMENT NUMBER FOURTEEN.

On page 4, line 15, of the printed bill, strike out "by the insertion", also strike out lines 16 and 17, and insert in lieu thereof the following: "or to state the authorized".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 18, of the printed bill, after "by-laws", insert the following: "or other lawful proceeding,".

AMENDMENT NUMBER SIXTEEN.

On page 4 of the printed bill, strike out line 41, and insert in lieu thereof the following: "number of shares constituting any series of any class or all classes or any".

AMENDMENT NUMBER SEVENTEEN.

On page 5 of the printed bill, between lines 2 and 3, insert the following:

"(11) To readopt and restore any provision of its articles which has been superseded or changed by any certificate, instrument or other proceeding pursuant to law."

AMENDMENT NUMBER EIGHTEEN

On page 5, line 3, of the printed bill, strike out "(11)", and insert in lieu thereof the following: "(12)".

AMENDMENT NUMBER NINETEEN.

On page 5, line 11, of the printed bill, strike out "out-", and also strike out line 12, and insert in lieu thereof the following: "par value shares or the number of shares".

AMENDMENT NUMBER TWENTY.

On page 5 of the printed bill, strike out lines 14 to 16, inclusive, and insert in lieu thereof the following: "tion.".

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 44, of the printed bill, strike out "is", and insert in lieu thereof the following: "be".

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 45, of the printed bill, strike out "issued", and insert in lieu thereof the following: "outstanding".

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 48, of the printed bill, after "approved", insert the following: "by resolution of the board of directors and".

AMENDMENT NUMBER TWENTY-FOUR.

On page 6, line 5, of the printed bill, strike out "is", and insert in lieu thereof the following: "be".

AMENDMENT NUMBER TWENTY-FIVE.

On page 6, line 12, of the printed bill, after "approved", insert the following: "by the resolution of the board of directors and".

AMENDMENT NUMBER TWENTY-SIX.

On page 6, line 13, of the printed bill, strike out "at least", and insert in lieu thereof the following: "more than".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 6, line 17, of the printed bill, strike out "proposed amended articles", and insert in lieu thereof the following: "amendment or amended articles".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 6, line 22, of the printed bill, strike out "so as".

AMENDMENT NUMBER TWENTY-NINE.

On page 7, line 1, of the printed bill, after "approved", insert the following: "or adopted".

AMENDMENT NUMBER THIRTY.

On page 7, line 2, of the printed bill, after "approval", insert the following: "or adoption"

AMENDMENT NUMBER THIRTY-ONE.

On page 7 of the printed bill, strike out lines 32 and 33, and insert in lieu thereof the following: "tificate and a copy of such amendment and the said certificate so filed, certified by the Secretary of State, shall be prima facie".

AMENDMENT NUMBER THIRTY-TWO.

On page 7 of the printed bill, strike out line 35, and insert in lieu thereof the following: "the adoption of such amendment."

AMENDMENT NUMBER THIRTY-THREE.

On page 7, line 38, of the printed bill, strike out "in", and insert in lieu thereof the following: "of".

AMENDMENT NUMBER THIRTY-FOUR.

On page 7 of the printed bill, strike out lines 43 to 46, inclusive, and insert in lieu thereof the following: "for a limited period, at any time prior to the expiration of its corporate existence, may extend the term of its existence by an amendment of its articles".

AMENDMENT NUMBER THIRTY-FIVE.

On page 8, line 2, of the printed bill, strike out "may be made", also strike out line 3, and insert in lieu thereof the following: "shall be executed and filed as required under section 362b, Civil Code, setting forth the proceedings by which the amendment was adopted."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1721—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered section 4041 26, relating to the issuance of warrants or certificates of indebtedness by boards of supervisors.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act providing for the issuance of registered warrants, establishing the priority in the payment of those issued for labor and services rendered, prescribing the notice of the date of payment and providing for the payment of such warrants."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 12, inclusive, and insert in lieu thereof the following:

"SECTION 1. Whenever the governing body of any political subdivision, public corporation or State agency of this State, formed or organized for the government of a portion of the State, decides that deferred payment of warrants is necessary for want of funds, such warrants shall be registered as hereinafter provided.

SEC. 2. The governing body shall notify the officer whose duty it is to issue warrants that funds are unavailable to pay the same.

SEC. 3 Thereupon such officer before issuing consecutively numbered warrants shall register the same by placing thereon the following:

1. The date of issuance;
2. The number,
3 Interest payable at five per cent per annum;
4. A statement denoting whether or not issued in payment of labor or services rendered,
5. Not paid for want of funds; and
6 Signature of registering officer or his authorized deputy

SEC. 4 Such officer shall keep a separate record of all warrants issued in payment for labor and services rendered.

SEC. 5 All warrants issued in payment of labor or services rendered shall be paid prior to any other claims out of any funds that may be made available under the provisions of the Constitution of this State.

SEC. 6. Whenever the treasurer (or any other officer with similar duties) deems that there are sufficient funds to pay warrants issued under the provisions of this act, he shall so report to the auditor (or any other officer with similar duties). Thereupon the auditor (or any other officer with similar duties) shall notify the treasurer (or any other officer with similar duties) of the numbers and amounts of the warrants, beginning with the lowest number of the warrants issued for labor or services rendered, to be paid in accordance with the provisions of this act, and the treasurer (or any other officer with similar duties) must give notice in some newspaper of general circulation published in the county or, if none is published therein, then by written notice posted upon the court house door, stating therein that he is ready to pay the warrants bearing such registered numbers. From the first publication or posting of such notice such warrants mentioned in the notice cease to draw interest

SEC 7 Should such warrants not be presented for payment within sixty days from the time the notice hereinbefore provided for is given, the money set aside for the payment of such warrants shall be expended by the governing body in accordance with law.

SEC. 8 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California and shall go into effect immediately. The following is a statement of the facts constituting such necessity: At the present time many of the State agencies are forced to register warrants due to insufficient funds to meet existing obligations, and due to abnormal delinquencies and curtailment of future revenues such registration will continue. Since industry is dependent upon funds derived through expenditures by governmental employees it is necessary that such funds remain liquid. It is also necessary that funds be made available for employees to purchase the necessities of life. To make these results possible salary warrants should be acceptable as collateral so their priority of payment over all other claims should take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 187—An act to amend sections 341, 342, 342a, 342b, 343, 346, 346a, 348 and 348b of the Civil Code, and to repeal sections 343a and 347 of the Civil Code, all relating to corporations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out line 2 of the title of the printed bill, and in line 3 strike out "and", and insert in lieu thereof the following: "348, 348a, and 348b of the Civil Code, and to repeal section".

AMENDMENT NUMBER TWO.

On page 2, line 12, of the printed bill, after "vote", insert the following: "and represent".

AMENDMENT NUMBER THREE.

On page 2, line 19, of the printed bill, after "of", insert the following: "its".

AMENDMENT NUMBER FOUR.

On page 2, line 29, of the printed bill, strike out "or", and insert in lieu thereof the following: "of".

AMENDMENT NUMBER FIVE.

On page 2, line 31, of the printed bill, strike out "cash", and insert in lieu thereof the following: "market".

AMENDMENT NUMBER SIX.

On page 2, line 35, of the printed bill, strike out the semicolon.

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out lines 42 to 47, inclusive, and insert in lieu thereof the following:

"(8) Subject to any limitations contained in its articles, out of earned surplus".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, after line 52, add the following: "Upon any purchase of such shares out of earned or paid-in surplus when authorized under this section, the earned or paid-in surplus shall be reduced by an amount equal to the purchase price of such shares, but the stated capital shall not be affected thereby."

AMENDMENT NUMBER NINE.

On page 3, line 4, of the printed bill, strike out the comma and "or in pur-", also strike out lines 5 and 6, and insert in lieu thereof a period.

AMENDMENT NUMBER TEN.

On page 3, line 14, of the printed bill, strike out "is", and insert in lieu thereof the following: "be".

AMENDMENT NUMBER ELEVEN

On page 3, line 23, of the printed bill, after "assumed", insert the following: "or guaranteed".

AMENDMENT NUMBER TWELVE

On page 3, line 29, of the printed bill, strike out "owns or holds a", also strike out line 30, and insert in lieu thereof the following: "is".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 42, of the printed bill, after 'surplus", insert the following: "pursuant to subdivisions (1) to (8), inclusive, of section 342, Civil Code, or out of paid-in surplus under subdivisions (1) to (5), inclusive, of section 342, Civil Code".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 49, of the printed bill, strike out "of this code", and insert in lieu thereof a comma and the following. "Civil Code, except that when a corporation acquires its shares by purchase or forfeiture upon which part of the agreed subscription price remains unpaid, the stated capital shall be reduced by the amount unpaid upon such shares without further proceedings".

AMENDMENT NUMBER FIFTEEN.

On page 3 of the printed bill, strike out lines 51 and 52, and also on page 4, line 1, strike out "stated capital", and insert in lieu thereof the following. "under subdivisions (1) to (5), inclusive, of section 342, Civil Code"

AMENDMENT NUMBER SIXTEEN.

On page 4, line 4, of the printed bill, strike out the comma, also strike out "which", and insert in lieu thereof a period and the following. "The amount of stated capital attributable to a share".

AMENDMENT NUMBER SEVENTEEN.

On page 4 of the printed bill, strike out lines 9 to 12, inclusive.

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 16, of the printed bill, after "reduced", insert the following: "by the amount of the purchase price thereof".

AMENDMENT NUMBER NINETEEN

On page 4, line 37, of the printed bill, strike out "voting purposes", and insert in lieu thereof the following: "any purpose".

AMENDMENT NUMBER TWENTY.

On page 4, line 41, of the printed bill, after "retired", insert the following: "and restored to the status of authorized and unissued shares".

AMENDMENT NUMBER TWENTY-ONE

On page 4, line 46, of the printed bill, strike out "reduce or".

AMENDMENT NUMBER TWENTY-TWO.

On page 4, line 47, of the printed bill, after "deficit", insert the following: "of net assets below the amount".

AMENDMENT NUMBER TWENTY-THREE

On page 4, line 51, of the printed bill, strike out the period, and insert in lieu thereof the following: "without proceedings under section 348, Civil Code."

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 4, of the printed bill, strike out "transfer, exchange", and insert in lieu thereof the following: "exchange, transfer".

AMENDMENT NUMBER TWENTY-FIVE

On page 5, line 11, of the printed bill, after "power", insert the following: "of such corporation".

AMENDMENT NUMBER TWENTY-SIX.

On page 5 of the printed bill, strike out line 13, and insert in lieu thereof the following: "tors, and before or after any such transfer or disposition. Such sale, lease, conveyance, exchange, transfer, or other disposition may"

AMENDMENT NUMBER TWENTY-SEVEN.

On page 5, line 23, of the printed bill, strike out "and", and insert in lieu thereof the following: "or".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 5, line 24, of the printed bill, after "class", insert the following: "or classes".

AMENDMENT NUMBER TWENTY-NINE.

On page 5, line 32, of the printed bill, strike out the parentheses.

AMENDMENT NUMBER THIRTY.

On page 5, line 35, of the printed bill, immediately before "period", insert the following: "accounting".

AMENDMENT NUMBER THIRTY-ONE.

On page 5, line 37, of the printed bill, strike out "and/or", and insert in lieu thereof the following: "or"

AMENDMENT NUMBER THIRTY-TWO.

On page 5, line 38, of the printed bill, after "capital", insert the following: "subject to the provisions of section 348b, Civil Code,".

AMENDMENT NUMBER THIRTY-THREE.

On page 5 of the printed bill, strike out lines 39 to 42, inclusive, and insert in lieu thereof the following: "entitled to preferential dividends, provided that notice shall be given to the shareholders receiving such dividends of the source thereof prior to or concurrently with the payment thereof."

AMENDMENT NUMBER THIRTY-FOUR.

On page 5, line 43, of the printed bill, strike out "has been impaired", and insert in lieu thereof the following: "amounts to less".

AMENDMENT NUMBER THIRTY-FIVE.

On page 5, line 45, of the printed bill, strike out "to an amount less"

AMENDMENT NUMBER THIRTY-SIX

On page 5, line 50, of the printed bill, strike out "or pay".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 6, line 2, of the printed bill, strike out the period, and insert in lieu thereof the following: "of the stated capital attributed to outstanding shares having liquidation preferences.".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 6, line 9, of the printed bill, strike out the parentheses.

AMENDMENT NUMBER THIRTY-NINE.

On page 6, line 12, of the printed bill, strike out the period, and insert in lieu thereof the following: "or unless the assets received are currently realizable in cash."

AMENDMENT NUMBER FORTY

On page 7 of the printed bill, strike out lines 11 to 15, inclusive, and insert in lieu thereof the following: "stated capital. Upon any such split-up or subdivision of shares into shares without par value, the shareholders shall be given notice of the book value of each share prior and subsequent thereto."

AMENDMENT NUMBER FORTY-ONE.

On page 7, line 30, of the printed bill, strike out "shares having par value", and insert in lieu thereof the following: "par value shares without liquidation preference".

AMENDMENT NUMBER FORTY-TWO.

On page 7, line 33, of the printed bill, after "shares", insert the following: "with or".

AMENDMENT NUMBER FORTY-THREE.

On page 7 of the printed bill, strike out lines 40 to 52, inclusive, also strike out all of pages 8 and 9, of the printed bill, and insert in lieu thereof the following: "including any reduction authorized upon retirement of shares, any surplus resulting therefrom shall be transferred to a reduction surplus account and assets in any amount or amounts not exceeding the amount of such surplus, subject to any limitations contained in the articles, may be distributed or withdrawn only as follows:

(1) If there be but one class of shares outstanding, a distribution pro rata in cash or in property to the shareholders may be made by the board of directors, or a purchase of any outstanding shares may be authorized by the vote or written consent of the holders of two-thirds of such shares other than those to be purchased.

(2) If there be more than one class of shares outstandinng, then with due regard to the relative priorities of the various classes of shares the board of directors may declare dividends on outstanding preferred shares subject to the conditions and restrictions imposed by law on the payment of dividends or may authorize the redemption or purchase of preferred shares subject to redemption at prices not exceeding the redemption price thereof; or may authorize the purchase of preferred shares not subject to redemption upon reasonable and nondiscriminatory terms not exceeding the lowest liquidation preference thereof.

No distribution or withdrawal of such reduction surplus may be made under the authority of this section unless the board of directors determine that by such distribution or withdrawal the corporation will not be rendered unable to satisfy its debts and liabilities when they fall due and that the assets of the corporation after such distribution or withdrawal taken at their fair present value will at least equal one and one-quarter times its debts and liabilities. No director shall be held liable to the corporation or any creditor or shareholder thereof for any determination made under this section if he acted in good faith and with reasonable care.

At least fourteen days before any distribution or withdrawal of such reduction surplus there shall be filed with the Secretary of State a certificate signed and acknowledged by the president or a vice president and also by the treasurer or an assistant treasurer of the corporation stating that the stated capital has been reduced, specifying the amounts from which and to which it has been reduced, the estimated amount of its debts and liabilities and the estimated fair present value of its assets, and stating that the board of directors has determined that by the proposed distribution or withdrawal of such surplus the corporation will not be rendered unable to satisfy its debts and liabilities when they fall due and that the assets of the corporation after such distribution or withdrawal taken at their fair present value will at least equal one and one-quarter times its debts and liabilities.

After such certificate is filed with the Secretary of State, a copy thereof certified by him shall be filed by the corporation in the office of the county clerk in the county in which the corporation has its principal office.

SEC. 9. Section 348a of the Civil Code is hereby amended to read as follows:

348a. Adjustment of shares to reduction Adjustment of outstanding par value shares to correspond with the stated capital of a corporation as reduced may be effected:

(1) By the voluntary exchange or substitution of par value shares of any class for a different number of shares of the same class or for the same or a different number of shares of another class of a different par value or without par value; or

(2) By the redemption, purchase and/or retirement of shares subject to redemption, purchase and/or retirement in accordance with the provisions of this title, or

(3) By the change of one or more classes of shares from shares having a specified par value into shares having a lesser specified par value or into shares without par value, pursuant to amendment of the articles.

(4) In any other way not repugnant to law

SEC. 10. Section 317 of the Civil Code is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 191—An act to amend sections 399, 399a, 400, 400a, 401, 401a, 401c, 402, 402a, 403, 403a, 403b, 403c, 403d, 404, 404a and 404b of the Civil Code, and to repeal section 401b of the Civil Code, all relating to winding up and dissolution of corporations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out "section", and insert in lieu thereof the following: "sections 343a and".

AMENDMENT NUMBER TWO.

In line 4 of the title of the printed bill, strike out "winding up and dissolution of"

AMENDMENT NUMBER THREE.

On page 2, line 34, of the printed bill, strike out the comma.

AMENDMENT NUMBER FOUR.

On page 2, line 35, of the printed bill, strike out the comma

AMENDMENT NUMBER FIVE.

On page 2, line 43, of the printed bill, strike out "terminate its business,".

AMENDMENT NUMBER SIX.

On page 2, line 44, of the printed bill, strike out parentheses.

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out line 46, and insert in lieu thereof the following, "power or of a majority of the members entitled to vote stating such election to wind up and dissolve."

AMENDMENT NUMBER EIGHT.

On page 3, line 10, of the printed bill, strike out the period, and insert in lieu thereof the following: "the corporation"

AMENDMENT NUMBER NINE.

On page 3, line 51, of the printed bill, immediately before "corporate", insert the following: "term of".

AMENDMENT NUMBER TEN.

On page 4, line 7, of the printed bill, strike out the period

AMENDMENT NUMBER ELEVEN.

On page 4, line 8, of the printed bill, after "of", insert the following: "the commencement of the proceeding for".

AMENDMENT NUMBER TWELVE.

On page 4, line 20, of the printed bill, after "members", insert the following: "or directors".

AMENDMENT NUMBER THIRTEEN.

On page 4 of the printed bill, strike out lines 21 to 27, inclusive, and insert in lieu thereof the following: "sent at any time prior to distribution of the assets and a certificate of such revocation shall be executed and filed in the same manner as the certificate of such election"

AMENDMENT NUMBER FOURTEEN.

On page 4, line 38, of the printed bill, after "directors", insert the following: "acting as a board".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 50, of the printed bill, after "sell", strike out the comma and insert the following: "at public or private sale,".

AMENDMENT NUMBER SIXTEEN.

On page 4, line 51, of the printed bill, strike out "at public or private sale,".

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 4, of the printed bill, after "exchange", insert the following "of all or substantially all of the assets of a corporation for profit in the process of winding up".

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 8, of the printed bill, after "by", insert the following: "the vote or written consent of"

AMENDMENT NUMBER NINETEEN.

On page 5, line 10 of the printed bill, strike out the period, and insert in lieu thereof a semicolon

AMENDMENT NUMBER TWENTY.

On page 5, line 32, of the printed bill, after "shareholders", insert the following: "and owners of shares".

AMENDMENT NUMBER TWENTY-ONE

On page 5 of the printed bill, strike out line 47, and insert in lieu thereof the following: "assumed or guaranteed in good faith by one or more financially responsible corporations or other".

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 48, of the printed bill, after "was", insert the following: "determined in good faith and with reasonable care by the board of directors to be".

AMENDMENT NUMBER TWENTY-THREE

On page 6 of the printed bill, strike out lines 10 to 52, inclusive, and also on page 7, strike out lines 1 to 20, inclusive, and insert in lieu thereof the following:

"401c. Distribution of securities or assets in kind. A plan of distribution among the shareholders and owners of shares, common and preferred, of a corporation in process of winding up, of the shares, obligations or securities of any other corporation, domestic or foreign, or assets other than money, may be adopted if such distribution be approved by a resolution of the directors and by the vote or written consent of holders of two-thirds of the shares of each class regardless of any limitation or restriction upon their voting power. Such distribution may be provided to be in complete or partial satisfaction of the rights of any of such shareholders upon distribution and liquidation of assets.

Such plan so approved shall be binding upon all the shareholders except as hereinafter provided. Notice of the adoption of such plan shall be given by mail within twenty days after its adoption to all holders of shares having a liquidation preference.

Shareholders having a liquidation preference who dissent from such plan of distribution shall be entitled to be paid the amount of such liquidation preference in cash if they file written demand for such payment with the corporation within thirty days after the date of mailing of the notice of the adoption of such plan of distribution, unless such plan of distribution be abandoned as hereinafter provided. Such demand shall state the number and class of the shares held of record by such shareholder in respect of which he claims payment.

In case any such dissent and demand for cash payment be filed, the directors of the corporation in their discretion may abandon such plan of distribution without further action or approval by the shareholders of the corporation and all shareholders shall then be entitled to distribution according to their rights and liquidation preferences in the process of winding up."

AMENDMENT NUMBER TWENTY-FOUR.

On page 7 of the printed bill, strike out lines 23 to 52, inclusive, and insert in lieu thereof the following:

"402. Liability of shareholders for improper distributions. Whenever in the process of winding up a corporation any distribution of assets has been made, otherwise than under an order of court, without prior payment or adequate provision for payment of any of the debts and liabilities of the corporation, any amount so improperly distributed to any shareholder or owner of shares may be recovered by the corporation or by its receiver, liquidator or trustee in bankruptcy. Any of such shareholders or owners may be joined as defendants in the same action or brought in on the motion of any other defendant.

Shareholders or owners of shares who satisfy any liability under this section shall have the right of ratable contribution from other distributees. Any shareholder or owner of shares who has been compelled to return to the corporation more than his ratable share of the amount needed to pay the debts and liabilities of the corporation may require that the corporation recover from any or all of the other distributees such proportion of the amounts received by them upon such improper distribution as to give contribution to those held liable under this section and make the distribution of the assets fair and ratable according to the respective rights and

preferences of the shares, after the payment or adequate provision for payment of all the debts and liabilities of the corporation."

AMENDMENT NUMBER TWENTY-FIVE.

On page 8 of the printed bill, strike out line 5, and insert in lieu thereof the following: "ing a copy thereof to an officer, director, or person having charge of its".

AMENDMENT NUMBER TWENTY-SIX.

On page 8, line 10, of the printed bill, after "to", insert the following: "the".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 8 of the printed bill, strike out lines 21 to 28, inclusive, and insert in lieu thereof the following:

"403 Supervision of court over winding up. If a corporation is in the process of voluntary winding up, the superior court in and for the county where the principal office of the corporation is located, upon the petition of the corporation or the holders of 5 per cent or more of the number of its outstanding shares or of three or more creditors, upon such notice to the corporation and to other persons interested in the corporation as shareholders or creditors as the court may order, shall have power to order and adjudge as to any or all matters in and for the winding up of the affairs of the corporation including.".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 8, line 32, of the printed bill, strike out "participating", and insert in lieu thereof the following: "participation".

AMENDMENT NUMBER TWENTY-NINE.

On page 8, line 36, of the printed bill strike out "ing", and insert in lieu thereof the following: "ion".

AMENDMENT NUMBER THIRTY.

On page 8, line 39, of the printed bill, strike out "or service".

AMENDMENT NUMBER THIRTY-ONE.

On page 8 of the printed bill, strike out line 40, and insert in lieu thereof the following: "to creditors unless it appear by affidavit that".

AMENDMENT NUMBER THIRTY-TWO.

On page 9, line 3, of the printed bill, after "county", strike out the comma and insert the following: "of the principal office,".

AMENDMENT NUMBER THIRTY-THREE

On page 9, line 5, of the printed bill, after "proofs", insert the following: "to the person, at the place and".

AMENDMENT NUMBER THIRTY-FOUR

On page 9, line 7, of the printed bill, after "creditor", insert the following: "or claimant".

AMENDMENT NUMBER THIRTY-FIVE.

On page 9 of the printed bill, strike out lines 9 to 13, inclusive, and insert in lieu thereof the following: "Holders of secured claims may prove for the whole debt in order to realize any deficiency. If such creditors fail to present their claims they shall be barred only as to any right to claim against the general assets for any deficiency in the amount realized on their security."

AMENDMENT NUMBER THIRTY-SIX.

On page 9, line 22, of the printed bill, strike out "to the court".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 9, line 27, of the printed bill, strike out "estate", and insert in lieu thereof the following: "corporation".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 9, line 28, of the printed bill, strike out "such", and insert in lieu thereof the following: "the".

AMENDMENT NUMBER THIRTY-NINE.

On page 9, line 31, of the printed bill, strike out "appear and".

AMENDMENT NUMBER FORTY.

On page 9, line 39, of the printed bill, after "the", insert the following: "written".

AMENDMENT NUMBER FORTY-ONE.

On page 9, line 40, of the printed bill, strike out the period, and insert in lieu thereof the following: "to the claimant."

AMENDMENT NUMBER FORTY-TWO.

On page 9, line 46, of the printed bill, strike out "making", and insert a period and the following: "The court may order the bringing in of".

AMENDMENT NUMBER FORTY-THREE

On page 10 of the printed bill, strike out line 14, and insert in lieu thereof the following: "caused, and may enjoin, for such time as it may consider proper, the reelection thereat of the directors so removed; or the court, in lieu of ordering an election may appoint a director to fill the vacancy caused by such removal. Any director so appointed by the court shall serve until the next annual meeting of shareholders or until his successor is elected or appointed."

AMENDMENT NUMBER FORTY-FOUR.

On page 10, line 24, of the printed bill, after "for", insert the following: "payment or satisfaction of".

AMENDMENT NUMBER FORTY-FIVE.

On page 10, line 51, of the printed bill, strike out "or written consent".

AMENDMENT NUMBER FORTY-SIX.

On page 11 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"403b. Determination, removal and appointment of directors and trustees. Upon the dis-".

AMENDMENT NUMBER FORTY-SEVEN.

On page 11, line 5, of the printed bill, strike out "dissolution by".

AMENDMENT NUMBER FORTY-EIGHT.

On page 11, line 12, of the printed bill, after "interest", insert a comma.

AMENDMENT NUMBER FORTY-NINE.

On page 11 of the printed bill, strike out line 47, and insert a period and the following. "The person so appointed shall be".

AMENDMENT NUMBER FIFTY

On page 11 of the printed bill, strike out lines 49 and 50, and insert in lieu thereof the following: "by those interested in the corporation as shareholders or creditors."

AMENDMENT NUMBER FIFTY-ONE.

On page 12, line 35, of the printed bill, strike out "a copy of".

AMENDMENT NUMBER FIFTY-TWO.

On page 13, line 12, of the printed bill, strike out the period, and insert in lieu thereof the following: "and the directors or trustees shall be discharged from their duties and liabilities."

AMENDMENT NUMBER FIFTY-THREE.

On page 13, lines 21 and 22, of the printed bill, strike out "board of directors", and insert in lieu thereof the following: "corporation".

AMENDMENT NUMBER FIFTY-FOUR.

On page 13 line 23, of the printed bill, strike out "some", and insert in lieu thereof the following. "a"

AMENDMENT NUMBER FIFTY-FIVE.

On page 13, lines 32 and 33, of the printed bill, strike out "at interest if possible,".

AMENDMENT NUMBER FIFTY-SIX.

On page 13, line 38, of the printed bill, strike out "appeared or have been found", and insert in lieu thereof the following: "made satisfactory proof of title".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 13, line 51, of the printed bill, strike out "deeds", and insert in lieu thereof the following. "deed".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 14, line 4, of the printed bill, strike out "making", and insert in lieu thereof the following: "entitled to".

AMENDMENT NUMBER FIFTY-NINE.

On page 14, line 9, of the printed bill, strike out "All", and insert in lieu thereof the following. "The amount of all".

AMENDMENT NUMBER SIXTY.

On page 14, line 20, of the printed bill, strike out "petition", and insert in lieu thereof the following: "complaint".

AMENDMENT NUMBER SIXTY-ONE

On page 14, line 21, of the printed bill, strike out "and", and insert in lieu thereof the following: "or".

AMENDMENT NUMBER SIXTY-TWO

On page 14, of the printed bill, strike out line 26, and insert in lieu thereof the following 'who have been record holders for a period of not less".

AMENDMENT NUMBER SIXTY-THREE.

On page 14, line 27, of the printed bill, strike out "thirty-five (35)", and insert in lieu thereof the following, "twenty-five'

AMENDMENT NUMBER SIXTY-FOUR.

On page 14, line 29, of the printed bill, strike out "(4)", and insert in lieu thereof the following: "(3)".

AMENDMENT NUMBER SIXTY-FIVE.

On page 14, line 31, of the printed bill, strike out "petition", and insert in lieu thereof the following: "complaint".

AMENDMENT NUMBER SIXTY-SIX.

On page 14, line 32, of the printed bill, strike out "and", and insert in lieu thereof the following: "or".

AMENDMENT NUMBER SIXTY-SEVEN.

On page 14 of the printed bill, strike out lines 36 to 44, inclusive, and insert in lieu thereof the following:

"(2) That a corporation has an even number of directors who are equally divided and can not agree as to the management of its affairs so that its business can not longer be conducted to advantage and there is danger that its property and business will be impaired and lost, and the holders of the voting shares of the corporation are so divided into factions that they can not agree upon or elect a board of directors consisting of an uneven number; or".

AMENDMENT NUMBER SIXTY-EIGHT.

On page 14, line 45, of the printed bill, strike out "(4)", and insert in lieu thereof the following. "(3)".

AMENDMENT NUMBER SIXTY-NINE.

On page 14 of the printed bill, strike out lines 46 and 47, and insert in lieu thereof the following: 'has terminated without extension of such period

In case of a deadlock in the board of directors as set forth in paragraph (2) of this section, a complaint may be filed by the holders of not less than fifteen per cent of the number of outstanding shares praying that the superior court of the county where the principal office of the corporation is located appoint an impartial person, who is neither a shareholder nor a creditor of the corporation, to act as a provisional director with all the rights and powers of a director, entitled to notice of the meetings of the board of directors and to vote at such meetings, until such time as the deadlock in the board of directors is broken or until he be removed by order of the court or by vote or written consent of the holders of a majority of the voting shares.

The relief by way of involuntary winding up or dissolution shall not be granted by the court, except under paragraph (3), unless no other method of relief or redress for the protection of the interest of the shareholders of the corporation is adequate under the circumstances."

AMENDMENT NUMBER SEVENTY.

On page 14 of the printed bill, strike out lines 51 and 52, and also on page 15, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following: "verified complaint for involuntary winding up or dissolution of a corporation a summons shall be issued and served on the corporation as in other civil actions."

AMENDMENT NUMBER SEVENTY-ONE

On page 15 of the printed bill, strike out lines 5 to 16, inclusive, and insert in lieu thereof the following "at any time prior to the trial of the action any shareholder or creditor may intervene therein."

AMENDMENT NUMBER SEVENTY-TWO.

On page 15, line 17, of the printed bill, strike out "principle", and insert in lieu thereof the following: "principal".

AMENDMENT NUMBER SEVENTY-THREE.

On page 15, lines 18 and 19, of the printed bill, strike out "petition and of the proceedings thereon", and insert in lieu thereof the following: "action".

AMENDMENT NUMBER SEVENTY-FOUR.

On page 15, line 35, of the printed bill, strike out "regular", and insert in lieu thereof the following. "executive"

AMENDMENT NUMBER SEVENTY-FIVE.

On page 15 of the printed bill, strike out lines 51 and 52, and insert in lieu thereof the following. "law by any act or default which under the law is a ground of forfeiture of corporate existence."

AMENDMENT NUMBER SEVENTY-SIX

On page 16 of the printed bill, strike out line 16, and insert in lieu thereof the following "subject to the supervision of the court and to its power to make orders as in case".

AMENDMENT NUMBER SEVENTY-SEVEN

On page 16, line 18, of the printed bill, strike out "Section", and insert in lieu thereof the following: "Sections 343a and".

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 192—An act to amend sections 405, 406, 406a, 408, 411 and 412 of the Civil Code, and to repeal section 409 of the Civil Code, all relating to foreign corporations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the title of the printed bill, in line 1 thereof, after the comma following "408", insert the following: "409,".

AMENDMENT NUMBER TWO.

In the title of the printed bill, in line 2 thereof, strike out the following, "and to repeal section 409 of the Civil Code,".

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, strike out "paper", and insert in lieu thereof the following "document".

AMENDMENT NUMBER FOUR.

On page 1, lines 11 and 12, of the printed bill, strike out "and any", and insert in lieu thereof the following: "or any special"

AMENDMENT NUMBER FIVE.

On page 1, lines 24 and 25, of the printed bill, strike out "of any part thereof", and insert in lieu thereof the following, "into English if the original be".

AMENDMENT NUMBER SIX.

On page 2, line 24, of the printed bill, strike out "orgnaized", and insert in lieu thereof the following, "organized".

AMENDMENT NUMBER SEVEN

On page 2, line 27, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "and a fee of five dollars for filing the statement required by this section."

AMENDMENT NUMBER EIGHT.

On page 2, line 37, of the printed bill, after "agent", strike out the comma.

AMENDMENT NUMBER NINE.

On page 2, line 40, of the printed bill, after "corporation", strike out the comma.

AMENDMENT NUMBER TEN.

On page 2, line 51, of the printed bill, strike out "herein", and insert in lieu thereof the following: "therein".

AMENDMENT NUMBER ELEVEN.

On page 3, line 29, of the printed bill, strike out "any person employed in his office", also strike out line 30, and insert in lieu thereof the following "an assistant or deputy secretary of state. A copy of such".

AMENDMENT NUMBER TWELVE.

On page 3, line 40, of the printed bill, after "corporation", insert the following, "to be".

AMENDMENT NUMBER THIRTEEN

On page 3, line 52, of the printed bill, strike out "copies", and insert in lieu thereof the following, "copy".

AMENDMENT NUMBER FOURTEEN

On page 4, line 1, of the printed bill, strike out the comma.

AMENDMENT NUMBER FIFTEEN.

On page 4 of the printed bill, between lines 9 and 10, insert the following:

"A foreign corporation which has transacted intrastate business in this State and has thereafter withdrawn from business in this State may be served with process in the manner provided in this section in any action brought in this State arising out of such business, whether or not it has ever complied with the requirements of section 405, Civil Code."

AMENDMENT NUMBER SIXTEEN.

On page 4, line 28, of the printed bill, strike out "or transaction", and insert in lieu thereof the following: "so transacted".

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 29, of the printed bill, after "State", insert a comma and the following: "commenced prior to compliance with this chapter".

AMENDMENT NUMBER EIGHTEEN.

On page 4, lines 29 and 30, of the printed bill, strike out "of this chapter", and insert in lieu thereof the following: "thereof".

AMENDMENT NUMBER NINETEEN.

On page 4, line 33, of the printed bill, strike out "file", and insert in lieu thereof the following: "have filed".

AMENDMENT NUMBER TWENTY.

On page 4, line 45, of the printed bill, after "proceeding", insert a comma and the following: "commenced prior to such filing,".

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 6, of the printed bill, strike out the comma.

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 8, of the printed bill, strike out the comma.

AMENDMENT NUMBER TWENTY-THREE

On page 5, line 28, of the printed bill, strike out "the", and insert in lieu thereof the following: "this".

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 29, of the printed bill, after "receiver", insert a comma and the following: "liquidator,".

AMENDMENT NUMBER TWENTY-FIVE

On page 5, line 30, of the printed bill, after "dividends", insert a comma and the following: "purchases of its shares,".

AMENDMENT NUMBER TWENTY-SIX

On page 5, line 31, of the printed bill, after "distributions", insert the following: "of assets,".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 5, line 36, of the printed bill, strike out "is hereby repealed.", and insert in lieu thereof the following: "is hereby amended to read as follows:

409. Any person who transacts intrastate business in this State on behalf of a foreign corporation which is not authorized to transact such business in this State, knowing that it is not so authorized, shall be guilty of a misdemeanor, and subject to a fine of not less than twenty-five dollars nor more than three hundred dollars."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 185—An act to amend sections 278, 290, 292, 293, 294, 295, 296, 300a, 300b, 301, 303, 304, 305, 306, 307, 307a, 308, 309, 311, 312, 313, 314, 315 319, 320a and 320b of the Civil Code, to add a new section 381 to the Civil Code, and to repeal section 375 of the Civil Code, all relating to corporations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, strike out "381", and insert in lieu thereof the following: "281".

AMENDMENT NUMBER TWO.

On page 2, line 27, of the printed bill, after "upon", insert the following: "voluntary or involuntary".

AMENDMENT NUMBER THREE.

On page 2, line 28, of the printed bill, strike out "liquidation", and insert in lieu thereof the following: "winding up".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 44 to 47, inclusive.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out lines 50 to 52, inclusive, and on page 3, strike out lines 1 to 22, inclusive, and insert in lieu thereof the following: "of other corporations, domestic or foreign, to elect a majority of the directors of another corporation, domestic or foreign, any of such corporations having controlling power shall be deemed to be a "holding corporation" in its relation to any corporation which it so controls, and any such corporation which is subject to such control shall be deemed to be a "subsidiary corporation" in its relation to any such controlling corporation."

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, strike out lines 28 to 36, inclusive, and insert in lieu thereof the following:

"281. Constitutionality. If any provision of this title, or the application thereof to existing corporations, or to foreign corporations, or to any class of shares or securities issued by any corporation, be held invalid as to any class of corporations, shares or securities or the rights of any class of persons therein, the remainder of this title or the application of any such provision to other classes of corporations now existing or subsequently created or to other classes of shares or securities shall not be affected thereby."

AMENDMENT NUMBER SEVEN.

On page 4, line 16, of the printed bill, strike out the comma.

AMENDMENT NUMBER EIGHT

On page 4, line 32, of the printed bill, strike out "of the by-laws", and insert in lieu thereof the following: "by a by-law duly adopted by the shareholders".

AMENDMENT NUMBER NINE.

On page 4, line 34, of the printed bill, strike out the period.

AMENDMENT NUMBER TEN.

On page 5, line 29, of the printed bill, after "State", insert a comma

AMENDMENT NUMBER ELEVEN

On page 5 of the printed bill, strike out line 31, and insert in lieu thereof the following: "property, except where certified copies have been"

AMENDMENT NUMBER TWELVE.

On page 5, line 32, of the printed bill, after "filed", insert the following "heretofore".

AMENDMENT NUMBER THIRTEEN.

On page 5 of the printed bill, strike out lines 40 to 46, inclusive, and insert in lieu thereof the following: "The only penalty for, or effect of, a failure to comply with the provision of this section is that a corporation can not maintain any action or proceeding in relation to such real property, its rents, issues or profits until such certified copy of its articles is filed in the county in which such property is located."

AMENDMENT NUMBER FOURTEEN

On page 6, line 7, of the printed bill, after the comma following 'preferences", insert the following: "rights,".

AMENDMENT NUMBER FIFTEEN.

On page 6, line 10, of the printed bill, after the comma following "rights, insert the following: "conversion, redemption and other rights,".

AMENDMENT NUMBER SIXTEEN.

On page 6 of the printed bill, strike out line 13, and insert in lieu thereof the following "same voting rights, conversion, redemption and other rights, preferences, privileges and restrictions There shall always be a class or series of shares outstanding which has complete voting rights except as limited or restricted by voting rights conferred on some other class or series of outstanding shares."

AMENDMENT NUMBER SEVENTEEN.

On page 6 of the printed bill, strike out lines 20 to 25, inclusive.

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 45, of the printed bill, strike out "Options", and insert in lieu thereof the following: "Option".

AMENDMENT NUMBER NINETEEN.

On page 6 of the printed bill, strike out line 50, and insert in lieu thereof the following: "gations, grant to the pur-"

AMENDMENT NUMBER TWENTY.

On page 7, line 12, of the printed bill, after "terms", insert the following: "and conditions".

AMENDMENT NUMBER TWENTY-ONE

On page 7, line 14, of the printed bill, strike out "subject to any provisions of", and insert in lieu thereof the following: "not fixed by".

AMENDMENT NUMBER TWENTY-TWO

On page 7, line 28, of the printed bill, after "rights", insert a comma and the following: "or at any later time,".

AMENDMENT NUMBER TWENTY-THREE.

On page 7 of the printed bill, strike out lines 36 to 38, inclusive.

AMENDMENT NUMBER TWENTY-FOUR.

On page 8 line 27, of the printed bill, strike out "paid in", and insert in lieu thereof the following: "paid-in".

AMENDMENT NUMBER TWENTY-FIVE.

On page 8, line 28, of the printed bill, immediately before "directors", insert the following: "board of".

AMENDMENT NUMBER TWENTY-SIX.

On page 8, line 43, of the printed bill, strike out "paid in", and insert in lieu thereof the following: "paid-in".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 9, line 13, of the printed bill, strike out "proceeding", and insert in lieu thereof the following: "proceedings".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 9 of the printed bill, strike out line 27.

AMENDMENT NUMBER TWENTY-NINE

On page 9, line 43, of the printed bill, strike out "and/or", and insert in lieu thereof the following: "or".

AMENDMENT NUMBER THIRTY

On page 9, line 46, of the printed bill, after "articles", insert the following: "or a by-law adopted by the shareholders".

AMENDMENT NUMBER THIRTY-ONE

On page 10, line 9, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "except as required under section 312, Civil Code."

AMENDMENT NUMBER THIRTY-TWO.

On page 10, line 19, of the printed bill, after "or", insert a comma and the following: "unless the articles provide otherwise.".

AMENDMENT NUMBER THIRTY-THREE.

On page 10 of the printed bill, strike out lines 21 and 22, and insert in lieu thereof a period.

AMENDMENT NUMBER THIRTY-FOUR.

On page 10, line 25, of the printed bill, strike out "at least", and insert in lieu thereof the following: "more than"

AMENDMENT NUMBER THIRTY-FIVE.

On page 10, line 26, of the printed bill, strike out "the adoption of".

AMENDMENT NUMBER THIRTY-SIX.

On page 11 of the printed bill, strike out line 1, and insert in lieu thereof the following: "for profit may provide in their articles or by-laws for the".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 11, line 19, of the printed bill, immediately before "prescribe", strike out "may".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 11, line 43, of the printed bill, strike out "Any succeeding", and insert in lieu thereof the following: "Succeeding".

AMENDMENT NUMBER THIRTY-NINE

On page 12 of the printed bill, strike out line 8, and insert in lieu thereof the following "holders at which any director or directors are elected to elect the full authorized number of directors to be voted for at that meeting"

AMENDMENT NUMBER FORTY

On page 12 of the printed bill, strike out line 11, and insert in lieu thereof the following: "unless it be provided otherwise in the articles or by-laws, and".

AMENDMENT NUMBER FORTY-ONE.

On page 12, line 13, of the printed bill, after "annual", insert the following: "or regular".

AMENDMENT NUMBER FORTY-TWO

On page 13, line 19, of the printed bill, strike out "mailing", and insert in lieu thereof the following: "addressing".

AMENDMENT NUMBER FORTY-THREE

On page 13, line 20, of the printed bill, strike out "addressed".

AMENDMENT NUMBER FORTY-FOUR.

On page 13, line 21, of the printed bill, strike out "adjournment", and insert in lieu thereof the following: "*the time and place of holding an adjourned meeting*".

AMENDMENT NUMBER FORTY-FIVE.

On page 13 of the printed bill, strike out lines 41 to 51, inclusive, and insert in lieu thereof the following:

"The by-laws may provide for the appointment by the board of directors of an executive committee and other committees and may authorize the board to delegate to the executive committee any of the powers and authority of the board in the management of the business and affairs of the corporation, except the power to declare dividends and to adopt, amend or repeal by-laws. Any such executive committee shall be composed of at least two or more directors."

AMENDMENT NUMBER FORTY-SIX.

On page 14, line 7, of the printed bill, immediately before "any", insert the following: "at".

AMENDMENT NUMBER FORTY-SEVEN

On page 14 of the printed bill, strike out lines 21 to 23, inclusive, and insert in lieu thereof the following: "torship and director's personal interest. Directors and officers shall exercise their powers in good faith, and with a view to the interests of the corporation. No contract or other trans-".

AMENDMENT NUMBER FORTY-EIGHT

On page 14, line 35, of the printed bill, after "committee", insert the following "and noted in the minutes.".

AMENDMENT NUMBER FORTY-NINE.

On page 15, lines 13 and 14, of the printed bill, strike out "subject to any requirements of this title as to notice", and insert in lieu thereof the following: "provided that written notice of the general nature of the business or proposal shall be given as in case of a special meeting, even though notice of regular or annual meetings be otherwise dispensed with, before action may be taken at such a meeting on:

(1) A proposal to sell, lease, convey, exchange, transfer or otherwise dispose of all or substantially all of the property or assets of the corporation except under section 344 of this title;

(2) A proposal to merge or consolidate with another corporation, domestic or foreign;

(3) A proposal to reduce the stated capital of the corporation;

(4) A proposal to amend the articles, except to extend the term of the corporate existence;

(5) A proposal to wind up and dissolve the corporation;

(6) A proposal to adopt a plan of distribution of shares, securities or any consideration other than money in the process of winding up."

AMENDMENT NUMBER FIFTY.

On page 15, line 25, of the printed bill, strike out the comma, and insert in lieu thereof the following "or by one or more shareholders holding not less than one-fifth of the voting power of the corporation".

AMENDMENT NUMBER FIFTY-ONE.

On page 15 of the printed bill, strike out line 34, and insert in lieu thereof the following, "that a meeting will be held at a time fixed by such officer,".

AMENDMENT NUMBER FIFTY-TWO

On page 16, line 1, of the printed bill, strike out "form", and insert in lieu thereof the following: "means".

AMENDMENT NUMBER FIFTY-THREE.

On page 16, line 5, of the printed bill, strike out "gives", and insert in lieu thereof the following, "give".

AMENDMENT NUMBER FIFTY-FOUR

On page 16, line 6, of the printed bill, strike out "form", and insert in lieu thereof the following: "means".

AMENDMENT NUMBER FIFTY-FIVE.

On page 16, line 21, of the printed bill, strike out "on adjournment", and insert in lieu thereof the following: 'the time and place of the adjourned meeting".

AMENDMENT NUMBER FIFTY-SIX

On page 16, line 22, of the printed bill, strike out "at an adjourned meeting", and insert in lieu thereof the following, "thereat".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 16, line 27, of the printed bill, strike out "application of', and insert in lieu thereof the following, "filing of an action therefor by".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 16 of the printed bill, strike out line 32, and insert in lieu thereof the following "shall have the power to try and determine the".

AMENDMENT NUMBER FIFTY-NINE.

On page 16, line 41, of the printed bill, strike out "meeting", and insert in lieu thereof the following: "election"

AMENDMENT NUMBER SIXTY.

On page 16 of the printed bill, strike out line 43, and insert in lieu thereof the following "to such office or may order a new election to be held or appointment to be made,'.

AMENDMENT NUMBER SIXTY-ONE

On page 16, line 51, of the printed bill, strike out the parentheses.

AMENDMENT NUMBER SIXTY-TWO

On page 17 of the printed bill, strike out lines 33 to 35, inclusive, and insert in lieu thereof the following, "be only one class of shares outstanding which is not divided into series, or if there be only one series of shares outstanding, no limitations or restrictions imposed on the voting rights of the shareholders shall be effective."

AMENDMENT NUMBER SIXTY-THREE.

On page 17, line 39, of the printed bill, strike out "by".

AMENDMENT NUMBER SIXTY-FOUR.

On page 17, line 40, of the printed bill, strike out the semicolon.

AMENDMENT NUMBER SIXTY-FIVE.

On page 17, line 45, of the printed bill, strike out the parentheses

AMENDMENT NUMBER SIXTY-SIX

On page 17 of the printed bill, strike out lines 46 to 50, inclusive, and insert in lieu thereof the following: "do so thereafter."

AMENDMENT NUMBER SIXTY-SEVEN.

On page 18 of the printed bill, strike out line 4, and insert in lieu thereof the following: "porations."

AMENDMENT NUMBER SIXTY-EIGHT.

On page 18, line 23, of the printed bill, strike out "specifically '.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 780—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10a, 11 and 12 of, and to add section 15 to, an act entitled "An act providing for the registration of contractors, and defining the term

contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses, and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to contractors and the Contractors' License Bureau and declaring the same to be an urgency measure.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 17, of the printed bill, strike out the word "Sole", and capitalize the letter "O", in the succeeding word "owners".

AMENDMENT NUMBER TWO.

On page 2, line 51, of the printed bill, insert a comma after the word "bid".

AMENDMENT NUMBER THREE.

On page 3, lines 23 and 24, of the printed bill, strike out ", and who shall hold office at the pleasure of,".

AMENDMENT NUMBER FOUR

On page 3, line 26, of the printed bill, strike out "positions of registrar,".

AMENDMENT NUMBER FIVE

On page 3, lines 26 and 27, of the printed bill, strike out "secretary, and two investigators are hereby declared to be exempt from", and insert in lieu thereof the following language: "and all other personnel shall be appointed in accordance with".

AMENDMENT NUMBER SIX.

On page 4, lines 22 to 26, inclusive, of the printed bill, strike out the comma in line 22, and insert a period in lieu thereof; and strike out the following language: "and not to exceed five per cent of said license fee and of any renewal fees may be expended by the registrar for publicity and educational purposes in connection with the administration of this act."

AMENDMENT NUMBER SEVEN.

On page 5, line 14, of the printed bill, strike out the word "ten", and insert in lieu thereof the word "five".

AMENDMENT NUMBER EIGHT

On page 5, lines 22 and 23, of the printed bill, after the word "occur", strike out the comma, and insert in lieu thereof a period, and strike out the following language: "on such forms as the registrar shall provide in such cases."

AMENDMENT NUMBER NINE.

On page 5, lines 23 to 34, inclusive, of the printed bill, strike out "When a change of personnel takes place in a copartnership, either by the withdrawal from or admission to same of one or more members, such copartnership shall not be required to apply for a new license but shall be required to report the change to the registrar and shall give the registrar such information with respect to new members as would be required in the case of an original application for a license; provided, that the registrar shall have power to suspend or revoke the license of such copartnership, after proper notice and hearing, upon proof that such new member or members do not possess the qualifications as to integrity required by section 5 of this act."

AMENDMENT NUMBER TEN.

On page 6, line 22, of the printed bill, between the word "licensee" and the word "hereunder", insert the following language: "or applicant".

AMENDMENT NUMBER ELEVEN.

On page 6 line 35, of the printed bill, between the words "respect," and "without", insert "and prejudicial to another."

AMENDMENT NUMBER TWELVE

On page 6, line 41, of the printed bill, strike out the word "code", and insert in lieu thereof the word "laws".

AMENDMENT NUMBER THIRTEEN.

On page 7, line 6, of the printed bill, before the word "any", insert the word "in".

AMENDMENT NUMBER FOURTEEN.

On page 7, line 6, of the printed bill, strike out the word "thereof;", and insert in lieu thereof the words "of such contract;"

AMENDMENT NUMBER FIFTEEN.

On page 7, line 20, of the printed bill, strike out the period after the word "injured.", and insert a semicolon.

AMENDMENT NUMBER SIXTEEN

On page 8, line 33, of the printed bill, after the word "decision", insert the following: ", provided that the registrar shall have the power to grant a stay of execution of such decision suspending or revoking a license, pending the filing by the licensee of a petition to the superior court for a writ of review or to the registrar for a rehearing, as hereinafter provided."

AMENDMENT NUMBER SEVENTEEN.

On page 10, line 32, of the printed bill, strike out the comma after the word "Procedure," and insert in lieu thereof a period.

AMENDMENT NUMBER EIGHTEEN

On page 10, line 32, of the printed bill, before the word "and," insert the following language: "The party desiring such review of the decision of the registrar shall file his petition therefor in the superior court within twenty days after service upon him of the registrar's decision, or, in case a rehearing has been applied for, within twenty days after service upon him of the order denying such application therefor, or within twenty days after service upon him of the registrar's decision upon rehearing,".

AMENDMENT NUMBER NINETEEN.

On page 10, line 34, of the printed bill, after the word "court," insert the following language: "but not less than one thousand dollars guaranteeing the compliance by the licensee with such specific conditions as may have been imposed upon him by the registrar's decision."

AMENDMENT NUMBER TWENTY.

On page 11, line 26, of the printed bill, strike out the following language "aids or abets or".

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 186—An act to amend sections 326, 328, 328a, 328b, 328d, 328e, 330.6, 330.13, 330.24, 331, 332, 333, 334, 334a, 336 and 337 of the Civil Code, and to repeal section 587 of the Civil Code, all relating to corporations.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In line 2 of the title of the printed bill, strike out "of", also strike out line 3, and insert in lieu thereof the following: "of, to repeal section 587 of, and to add a new section to be numbered 326b to, the Civil Code,"

AMENDMENT NUMBER TWO

On page 1, line 1, of the printed bill, strike out "27", and insert in lieu thereof the following: "1".

AMENDMENT NUMBER THREE.

On page 1, line 6 of the printed bill, strike out "registered", and insert in lieu thereof the following: "record"

AMENDMENT NUMBER FOUR

On page 1, line 15, of the printed bill, after "the", insert the following: "rights.".

AMENDMENT NUMBER FIVE

On page 1 of the printed bill, strike out line 21, and insert in lieu thereof the following: "for, or a statement that the board of directors has authority"

AMENDMENT NUMBER SIX.

On page 2, line 8, of the printed bill, after "or" insert the following: "to".

AMENDMENT NUMBER SEVEN

On page 2, line 9, of the printed bill, after "or", insert the following: "upon".

AMENDMENT NUMBER EIGHT.

On page 2, line 10, of the printed bill, after the comma following "assessable", insert the following: "or if assessments are collectible by personal action.".

AMENDMENT NUMBER NINE.

On page 2, line 42, of the printed bill, strike out "15", and insert in lieu thereof the following "2".

AMENDMENT NUMBER TEN.

On page 2, line 44, of the printed bill, strike out "genuineness of", and insert in lieu thereof the following: "right to".

AMENDMENT NUMBER ELEVEN.

On page 2, line 48, of the printed bill, strike out "entering", and insert in lieu thereof the following: "recording".

AMENDMENT NUMBER TWELVE.

On page 2 of the printed bill, strike out line 51, and insert in lieu thereof the following "and if there remain a reasonable doubt in respect thereto"

AMENDMENT NUMBER THIRTEEN.

On page 3 line 1, of the printed bill, strike out the parentheses

AMENDMENT NUMBER FOURTEEN.

On page 3, line 2, of the printed bill, strike out the parentheses

AMENDMENT NUMBER FIFTEEN.

On page 3, line 13, of the printed bill, strike out "regis-", also strike out line 14, and insert in lieu thereof the following: "recordation of the transfer or the issuance of a new certificate for shares"

AMENDMENT NUMBER SIXTEEN.

On page 3, line 17, of the printed bill, strike out "register", and insert in lieu thereof the following: "record".

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 18, of the printed bill, strike out the period, and insert in lieu thereof the following "or issue a new certificate for shares"

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 19 of the printed bill, strike out "2", and insert in lieu thereof the following: "3".

AMENDMENT NUMBER NINETEEN

On page 3, line 24, of the printed bill, strike out "registered", and insert in lieu thereof the following: "record".

AMENDMENT NUMBER TWENTY.

On page 3, line 26, of the printed bill, strike out "registered", and insert in lieu thereof the following "record".

AMENDMENT NUMBER TWENTY-ONE

On page 3, line 30, of the printed bill, strike out the parentheses

AMENDMENT NUMBER TWENTY-TWO

On page 3, line 31, of the printed bill, strike out the comma

AMENDMENT NUMBER TWENTY-THREE

On page 3, line 41, of the printed bill, after "and", insert the following: "the".

AMENDMENT NUMBER TWENTY-FOUR.

On page 3 of the printed bill, strike out line 46, and insert in lieu thereof the following: "liability by reason of the refusal to record the transfer, and issue a new certificate for shares"

AMENDMENT NUMBER TWENTY-FIVE.

On page 3, line 47, of the printed bill, after "days", insert the following: "after giving notice of his claim".

AMENDMENT NUMBER TWENTY-SIX.

On page 4, line 1, of the printed bill, strike out "make", and insert in lieu thereof the following: "record".

AMENDMENT NUMBER TWENTY-SEVEN

On page 4, line 2 of the printed bill, strike out the period, and insert in lieu thereof the following "and issue a new certificate for shares"

AMENDMENT NUMBER TWENTY-EIGHT.

On page 4, line 3, of the printed bill, strike out "3", and insert in lieu thereof the following: "4".

AMENDMENT NUMBER TWENTY-NINE.

On page 4, line 6, of the printed bill, strike out "of", and insert in lieu thereof the following, "issued by".

AMENDMENT NUMBER THIRTY

On page 4, line 18, of the printed bill, strike out "registering", and insert in lieu thereof the following: "recording".

AMENDMENT NUMBER THIRTY-ONE.

On page 4, line 19, of the printed bill, strike out "registration is made", and insert in lieu thereof the following, "this is done".

AMENDMENT NUMBER THIRTY-TWO.

On page 4 of the printed bill, strike out line 20, and insert in lieu thereof the following: "with actual knowledge of a breach of trust or the invalidity of the trust".

AMENDMENT NUMBER THIRTY-THREE

On page 4, line 23, of the printed bill, strike out "4", and insert in lieu thereof the following: "5".

AMENDMENT NUMBER THIRTY-FOUR.

On page 4, line 38 of the printed bill, strike out the comma following "order"; also strike out "given in pur-", and also strike out line 39, and insert in lieu thereof a period.

AMENDMENT NUMBER THIRTY-FIVE.

On page 4, line 43, of the printed bill, strike out "a", and insert in lieu thereof the following "shares or other"

AMENDMENT NUMBER THIRTY-SIX.

On page 4, line 48, of the printed bill, strike out "5", and insert in lieu thereof the following, "6".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 5 of the printed bill, strike out line 1, and insert in lieu thereof the following: "a minor or incompetent person in whose name shares are of".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 5, line 4, of the printed bill, strike out "competent"

AMENDMENT NUMBER THIRTY-NINE

On page 5, line 5, of the printed bill, strike out "shareholders", and insert in lieu thereof the following, "shareholder".

AMENDMENT NUMBER FORTY

On page 5, line 8, of the printed bill, strike out "6", and insert in lieu thereof the following, "7".

AMENDMENT NUMBER FORTY-ONE.

On page 5, line 19, of the printed bill, strike out the comma.

AMENDMENT NUMBER FORTY-TWO

On page 5, line 26, of the printed bill, strike out "7", and insert in lieu thereof the following: "8".

AMENDMENT NUMBER FORTY-THREE

On page 5, line 28, of the printed bill, strike out "where", and insert in lieu thereof the following: "when".

AMENDMENT NUMBER FORTY-FOUR

On page 5 of the printed bill, strike out line 30, and insert in lieu thereof the following, "tificate have been sold for a delinquent assessment or nonpay-".

AMENDMENT NUMBER FORTY-FIVE.

On page 5, line 33, of the printed bill, after the period insert the following "In case any part of the delinquent shares represented by an outstanding certificate are sold or forfeited by the corporation, such certificate must be surrendered to the corporation before the holder thereof shall be entitled to a new certificate for the unsold shares."

AMENDMENT NUMBER FORTY-SIX.

On page 5, line 34, of the printed bill, strike out "8", and insert in lieu thereof the following: "9".

AMENDMENT NUMBER FORTY-SEVEN.

On page 5 of the printed bill, strike out line 37, and insert in lieu thereof the following "ized for or engaged in the business of selling, distribut-".

AMENDMENT NUMBER FORTY-EIGHT

On page 5 of the printed bill, strike out line 39, and insert in lieu thereof the following: "for domestic use, may provide in its articles or by-laws".

AMENDMENT NUMBER FORTY-NINE.

On page 5, line 40, of the printed bill, strike out "only".

AMENDMENT NUMBER FIFTY.

On page 5 of the printed bill, strike out line 41, and insert in lieu thereof the following: "delivered only to owners of its shares and that such shares shall".

AMENDMENT NUMBER FIFTY-ONE.

On page 5, line 44, of the printed bill, strike out "shall be", and insert in lieu thereof the following: "is".

AMENDMENT NUMBER FIFTY-TWO.

On page 5, line 48, of the printed bill, strike out the parentheses

AMENDMENT NUMBER FIFTY-THREE

On page 6, line 1, of the printed bill, strike out "9", and insert in lieu thereof the following: "10".

AMENDMENT NUMBER FIFTY-FOUR

On page 6, line 8, of the printed bill, strike out the comma following "discretion".

AMENDMENT NUMBER FIFTY-FIVE.

On page 6 of the printed bill, strike out line 48, and insert in lieu thereof the following: "shall acquire the right to receive the same quantity of water as".

AMENDMENT NUMBER FIFTY-SIX

On page 7, line 1, of the printed bill, strike out "10", and insert in lieu thereof the following "11"

AMENDMENT NUMBER FIFTY-SEVEN

On page 7, line 6, of the printed bill, strike out the comma.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 7, line 10, of the printed bill, after "and", insert the following: "fix".

AMENDMENT NUMBER FIFTY-NINE.

On page 7, line 14, of the printed bill, after "sale", insert a comma.

AMENDMENT NUMBER SIXTY

On page 7, line 16, of the printed bill, strike out "11", and insert in lieu thereof the following: "12".

AMENDMENT NUMBER SIXTY-ONE

On page 7, line 23, of the printed bill, strike out "principal", and insert in lieu thereof the following: "principal".

AMENDMENT NUMBER SIXTY-TWO

On page 7, line 29, of the printed bill, strike out "in the meantime", and insert in lieu thereof the following: "prior to a delinquency".

AMENDMENT NUMBER SIXTY-THREE.

On page 7, line 36, of the printed bill, strike out "12", and insert in lieu thereof the following: "13".

AMENDMENT NUMBER SIXTY-FOUR.

On page 7, line 38, of the printed bill, strike out "personally".

AMENDMENT NUMBER SIXTY-FIVE.

On page 7, line 39, of the printed bill, strike out the comma, and insert in lieu thereof the following "personally".

AMENDMENT NUMBER SIXTY-SIX

On page 8, line 1, of the printed bill, strike out "13", and insert in lieu thereof the following "14".

AMENDMENT NUMBER SIXTY-SEVEN

On page 8, line 11, of the printed bill, strike out "14", and insert in lieu thereof the following: "15".

AMENDMENT NUMBER SIXTY-EIGHT.

On page 8, line 18, of the printed bill, strike out "shareholder", and insert in lieu thereof the following: "delinquent holder".

AMENDMENT NUMBER SIXTY-NINE.

On page 8, line 20, of the printed bill, strike out the semicolon; also strike out "it", and insert in lieu thereof a period and the following: "If".

AMENDMENT NUMBER SEVENTY

On page 8, line 35, of the printed bill, strike out the period, and insert in lieu thereof the following: "unless the remedy by action is expressly authorized in the original articles or by an amendment of the articles heretofore adopted, or by an amendment hereafter adopted by unanimous consent, and unless a statement of such remedy appears on the face of any share certificate hereafter issued"

AMENDMENT NUMBER SEVENTY-ONE.

On page 8, line 40, of the printed bill, strike out "15", and insert in lieu thereof the following: "16".

AMENDMENT NUMBER SEVENTY-TWO.

On page 9, line 2, of the printed bill, strike out "the corporation", and insert in lieu thereof the following: "neither the corporation nor the purchaser of such shares".

AMENDMENT NUMBER SEVENTY-THREE

On page 9, line 3 of the printed bill, strike out "no liability thereon to any", and insert in lieu thereof the following: "any liability thereon to any such"

AMENDMENT NUMBER SEVENTY-FOUR

On page 9, line 8, of the printed bill, strike out "16", and insert in lieu thereof the following: "17".

AMENDMENT NUMBER SEVENTY-FIVE.

On page 9 of the printed bill, after line 8, add the following

"SEC 18. A new section is hereby added to the Civil Code, to be numbered 326b, and to read as follows

326b Compulsory exchange of certificates. When the articles are amended in any way affecting the statements contained in the certificates for outstanding shares, or it becomes desirable for any reason, in the discretion of the board of directors, to cancel any outstanding certificates for shares and issue a new certificate therefor conforming to the rights of the holder, the board of directors may call upon any holders of outstanding certificates for shares to surrender and exchange them for new certificates within a reasonable time to be fixed by the board of directors.

Such order may provide that no holder of any such certificates so ordered to be surrendered shall be entitled to vote or to receive dividends or exercise any of the other rights of shareholders of record until he shall have complied with such order, but such order shall only operate to suspend such rights after notice and until compliance Such duty of surrender of any outstanding certificates may also be enforced by action at law"

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 188—An act to amend sections 355, 358 and 359 of the Civil Code, and to add a new section to the Civil Code to be numbered 356, all relating to corporations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the comma following "355", insert the following "357,"

AMENDMENT NUMBER TWO.

On page 1, lines 7 and 8, of the printed bill, strike out "doing business and having", and insert in lieu thereof the following: "keeping".

AMENDMENT NUMBER THREE.

On page 2, line 9, of the printed bill, after the period insert the following: "In the case of foreign corporations the right given by this section shall extend only to such books, records documents and properties of such corporations as are kept or located in this State."

AMENDMENT NUMBER FOUR

On page 2 of the printed bill, strike out lines 10 to 52, inclusive, also on page 3, strike out lines 1 to 12, inclusive, and insert in lieu thereof the following:

"SEC 3 Section 357 of the Civil Code is hereby amended to read as follows:

357. Investigation by order of court. Upon refusal of a lawful demand for inspection or upon petition of the holders of ten per cent (10%) of the issued and outstanding shares, the superior court of the county in which the principal office or in which the records are located may enforce the right of inspection with just and

proper conditions, or may appoint one or more competent inspectors or accountants to audit the books and records kept in the State, and to investigate the property, funds and affairs of any domestic corporation or any foreign corporation keeping records in this State and of any subsidiary corporation thereof, domestic or foreign, keeping records in this State, and to report thereon in such manner as the court may direct

It shall be the duty of all officers and agents of the corporation to produce to the inspectors or accountants so appointed all books and documents in their custody or power, under penalty of punishment for contempt of court

All expenses of the investigation or audit shall be defrayed by the applicant unless the court shall order them to be paid or shared by the corporation.

SEC. 4. Section 358 of the Civil Code is hereby amended to read as follows:

358 Annual report. The board of directors of every stock corporation shall cause to be sent to the shareholders not later than one hundred and twenty days after the close of the fiscal or calendar year, an annual report unless such report be expressly dispensed with in the by-laws.

Such annual report shall include a balance sheet as of such closing date, and a statement of income or profit and loss for the year ended on such closing date Such financial statement shall be prepared from the books and shall be in accordance therewith and shall be certified by the president, secretary, treasurer, or a public accountant, and shall be prepared in a form sanctioned by sound accounting practice for the particular kind of business carried on by the corporation.

Such balance sheet itself or comments accompanying it shall set forth (1) the bases employed in stating the valuation of the assets, (2) the amount of the surplus, the sources thereof and any changes therein during the past year; (3) the number of shares of each class of stock authorized and outstanding and the number of shares, if any, carried as treasury shares, the cost thereof and the source from which such cost was paid; (4) the amounts, if any, of loans or advances to or from officers, shareholders and employees.

Such statement of income or profit and loss shall be of such form as to disclose the amount of income or loss, in such classification as may be appropriate to the business of the corporation, and the additions thereto and deductions therefrom, setting forth in particular the amounts of depreciation, depletion, amortization, interest and extraordinary income or charges, whether or not included in operating income, and the amount and nature of income from subsidiary corporations

The balance sheet of a holding corporation may be either its separate balance sheet or a consolidated balance sheet of the holding corporation and its subsidiary corporations. If not consolidated, it shall show as separate items the aggregate amount of the investment in shares of subsidiary corporations, the aggregate indebtedness of the holding corporation to subsidiary corporations, the aggregate indebtedness of subsidiary corporations to the holding corporation, and how and in what amounts the profits or losses of subsidiary corporations have been taken into the accounts of the holding corporation. If consolidated, the balance sheet shall state or be accompanied by a statement of the name of each subsidiary corporation and shall be accompanied by a separate balance sheet of the holding corporation, which separate balance sheet shall contain the same information as though it were not accompanied by a consolidated balance sheet."

AMENDMENT NUMBER FIVE.

On page 3, line 13, of the printed bill, strike out "4", and insert in lieu thereof the following: "5".

AMENDMENT NUMBER SIX

On page 3, line 16, of the printed bill, strike out "five", and insert in lieu thereof the following: "ten".

AMENDMENT NUMBER SEVEN

On page 3, line 19, of the printed bill, strike out "officers", and insert in lieu thereof the following "secretary, an assistant secretary or treasurer".

AMENDMENT NUMBER EIGHT.

On page 3, line 22, of the printed bill, after "within", insert the following. "the preceding".

AMENDMENT NUMBER NINE.

On page 3, line 34 of the printed bill, after "delivered", insert the following: "or mailed".

AMENDMENT NUMBER TEN

On page 3, line 40, of the printed bill, strike out the comma.

AMENDMENT NUMBER ELEVEN.

On page 3, line 42, of the printed bill, strike out "in any one year", and insert in lieu thereof the following: "in any one period of six months".

AMENDMENT NUMBER TWELVE

On page 3, line 44, of the printed bill, after "and", insert the following: "mailing or".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 48, of the printed bill, strike out "latest", and insert in lieu thereof the following: "last annual, semiannual or quarterly".

AMENDMENT NUMBER FOURTEEN.

On page 3 of the printed bill, strike out line 50, and insert in lieu thereof the following: "certificate, if any, of the company's auditors on said statement and balance sheet".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2165—An act to amend section 447 of the Code of Civil Procedure, relating to written instruments.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "section 447", and insert in lieu thereof the following: "sections 447 and 448".

AMENDMENT NUMBER TWO.

After line 7 of the printed bill, insert the following:

"Whenever the plaintiff's claim is founded upon a written instrument or arises out of a contractual relationship evidenced by a writing or writings, a copy of such written instrument or instruments shall either be incorporated in the body of the pleading, or be attached as an exhibit and incorporated by proper reference; provided, however, that when such instrument is not in the possession of or available to the plaintiff, he may in lieu thereof aver such fact, and provided further, that the plaintiff, if he so elects, may file with the clerk such instrument as an exhibit and by proper reference aver that fact in the complaint, and thereupon said instrument thus filed with the clerk shall for all purposes be deemed to be incorporated in the plaintiff's complaint. On good cause shown, the court may otherwise order.

SEC. 2 Section 448 of the Code of Civil Procedure is hereby amended to read as follows:

448 When the defense to an action if founded upon a written instrument, and a copy thereof is contained in the answer, or is annexed thereto, the genuineness and *due execution of such instrument are deemed admitted, unless the plaintiff file with* the clerk, within ten (10) days after receiving a copy of the answer, an affidavit denying the same, and serve a copy thereof on the defendant.

Whenever the defendant's claim or defense is founded upon a written instrument or arises out of a contractual relationship evidenced by a writing or writings, then, unless the same have been set up in the plaintiff's complaint, a copy of such instrument or instruments shall either be incorporated in the body of the defendant's pleading, or be attached as an exhibit and incorporated by proper reference; provided, however, that when such instrument is not in the possession of or available to the defendant, he may in lieu thereof aver such fact; and provided, further, that the defendant, if he so elects, may file with the clerk such instrument as an exhibit and by proper reference aver that fact in his pleading, and thereupon said instrument thus filed with the clerk shall for all purposes be deemed to be incorporated in the defendant's pleading On good cause shown, the court may otherwise order"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1482—An act to amend section 1 of Chapter 389, Statutes of 1915, entitled "An act providing for the sale of certain State lands," as approved May 15, 1915, as amended, relating to State lands.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 316—An act to amend section 27 of the "State Civil Service Act," relating to preference to veterans and the widows of veterans.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1356—An act to amend section 374b of the Penal Code, relating to the deposit of offensive matter on public highways.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out from lines 3 to 10, inclusive, and insert in lieu thereof the following

"It shall be unlawful to place, deposit or dump, or cause to be placed, deposited or dumped, any garbage, swill, cans, bottles, papers, ashes, refuse, carcass of any dead animal, offal, trash or rubbish or any noisome, nauseous or offensive matter in or upon any public highway, including any portion of the right of way thereof Any person, firm or corporation violating the provisions of this section shall be guilty of a misdemeanor."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 868—An act to amend section 10 of and to add a new section to be known as 1a, to an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund."

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee·

AMENDMENT NUMBER ONE.

Strike out line 7 of the title of the printed bill, and insert in lieu thereof the following: "tion fund," approved May 10, 1927, as amended"

AMENDMENT NUMBER TWO

On page 2, line 18, of the printed bill, strike out "County and", and strike out all of lines 19 to 23, inclusive, and insert in lieu thereof the following: "Filthy or soiled articles of such upholstered furniture shall not be considered sterilized unless the fabric covering such upholstered furniture be replaced by clean and new covering and then subjected to sterilization"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1243—An act to add a new section to the "California Vehicle Act," to be numbered 151a, relating to the transportation of live animals on motor vehicles

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 3 of the title of the bill, and insert in lieu thereof the following

"An act to add a new section to the Vehicle Code to be numbered 696.5, relating to carrying animals on vehicles"

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 18, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Vehicle Code to be numbered section 696.5 and to read as follows:

696.5 Carrying Animals Outside Body of Vehicle.

No person shall drive a motor vehicle upon a highway with any animal riding outside the body of such vehicle unless such animal is protected by a framework firmly attached to the vehicle."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 543—An act making it unlawful for an attorney at law to employ any person who is not an attorney to solicit claims for personal injuries or for death, prohibiting any person not an attorney at law from soliciting such claims, limiting the use of written statements taken from an injured person, and providing the penalties therefor, also establishing presumptions as to certain settlements, compromises, releases, discharges and satisfactions as to contracts with attorneys.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 2 to 8, inclusive, of the title of the printed bill, and insert in lieu thereof the following: "any person to solicit law practice, prohibiting any person from soliciting law practice for hire and prescribing the penalty therefor; prohibiting the use of written statements taken from an injured person within thirty days after the injury, also making void certain settlements, compromises, releases and discharges, also written contracts with attorneys at law, unless approved by the court."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 12, inclusive, and insert in lieu thereof the following:

"SECTION 1. No attorney at law shall, through any runner, agent or person who is employed by him, solicit any person to employ such attorney to transact any kind of law practice and no attorney at law shall directly, or indirectly, give or promise to pay any such runner, agent or person any money, fee, commission or hire for such services."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 13 to 20, inclusive, and insert in lieu thereof the following:

"SEC. 2. It shall be unlawful for any person to solicit for money, fee, commission or hire, in any manner whatsoever, any kind of law practice for himself or any other person. Nothing in this act shall be construed to prevent any bona fide labor organization, or any member thereof from advising or securing advice from any member of such organization in regard to his rights."

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SEC. 3. (a) Any person violating sections 1 or 2 hereof shall be guilty of a misdemeanor."

AMENDMENT NUMBER FIVE.

On page 2, line 6, of the printed bill, after "any", insert the following: "written".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 250—An act to amend section 628a of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 250 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No 1021—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishments employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to occupations to which the act applies.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1021 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No 374—An act to provide for the construction and supervision of safe and sanitary low-cost dwellings and apartments, and for the rental or sale thereof at reasonable rates, and in connection therewith to authorize the incorporation and provide for the regulation of limited dividend housing corporations and prescribe the powers, rights and duties thereof; to regulate and limit the rate of return on securities to be issued by such corporations; to declare the urgency of this act and provide that it shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 374 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1192—An act to amend the California Districts Securities Commission Act by amending section 11 thereof relating to when a district may be declared insolvent, control thereof by the Districts Securities Commission, the ordering of refunding bonds of a district.

Bill read third time

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1192 was withdrawn from the file, and referred to Committee on Irrigation.

Assembly Bill No. 669—An act to amend sections 4130 and 4300c of the Political Code, relating to county recorders.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 669 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 663—An act to amend section 365d of the Political Code, relating to highways.

Bill read third time.

The question being on the passage of the bill

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 663 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 668—An act to amend section 4041.7 of the Political Code, relating to the powers and jurisdiction of boards of supervisors with respect to public roads.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 668 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 664—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on personal property for work, materials, supplies, feed, care, keep and services rendered.

Bill read third time.

The question being on the passage of the bill

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 664 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 672—An act to amend sections 2959, 2965 and 2966 of the Civil Code, relating to mortgages of personal property.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 672 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 667—An act to amend section 408 of the Political Code, relating to the Secretary of State.

Bill read third time

The question being on the passage of the bill

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No. 667 was withdrawn from the file, and referred to Committee on Rules

Assembly Bill No 662—An act to amend section 602 of the Penal Code, relating to trespass.

Bill read third time.

The question being on the passage of the bill

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 662 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 671—An act to amend section 409 of the Political Code, relating to the fees to be collected by the Secretary of State.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No. 671 was withdrawn from the file, and referred to Committee on Rules

Assembly Bill No 666—An act to regulate the transportation, care and handling of explosives.

Bill read third time

The question being on the passage of the bill

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No 666 was withdrawn from the file, and referred to Committee on Rules

Assembly Bill No 300—An act to amend section 4041.11 of the Political Code, relating to the maintenance, regulation and government of public pounds, the protection of sheep, the destruction of animals, weeds and insects injurious to plant life and the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 300 passed by the following vote.

AYES—Alter Badham, Bliss Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Gilmore, Greene, Grubbs, Hunt, Jones, King, Knowland Latham, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Peterson, Phillips, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt Wright and Mr. Speaker—49

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1729—An act to amend sections 32 and 34 of the Joint Highway District Act, approved June 17, 1931

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 1729 was withdrawn from the file and referred to Committee on Roads and Highways.

Assembly Bill No. 201—An act to amend section 3 291 of the School Code, relating to the establishment of high schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 201 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers Boyle Burns Cassidy, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Grubbs, Hunt Jones, King, Knowland Latham Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, James A, Morgan, O'Donnell, Peterson, Phillips, Powers, Rawls, Roberts, Robinson C Ray; Robinson, Samuel E, Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Wright and Mr Speaker—48.

NOES—Clowdsley and Redwine—2.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 388—An act to amend section 923 of the Penal Code, relating to grand juries.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 388 passed by the following vote:

AYES—Alter, Badham Bliss, Bowers, Boyle Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crowley, Evans, Field, Fisher, Gilmore, Greene, Grubbs, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor, Miller, James A, Morgan, Peterson, Phillips, Powers, Rawls, Redwine, Roberts Robinson C Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder Stannard, Stream, Sullivan, Tournoux, Utt, West, Wright, Zion and Mr. Speaker—56.

NOES—O'Donnell—1

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No 1185—An act to add two new sections to the Penal Code, to be numbered 405a and 405b, establishing the public offense of lynching, and providing penalties therefor.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 1185 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Dempster, Evans, Field, Fisher, Gilmore, Greene, Grubbs Hunt, Jones, King, Knowland Latham Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Morgan, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C Ray, Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream Sullivan, Thorp, Tournoux, Utt, West, Wright, Zion and Mr Speaker—57.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No 1138—An act to amend the Political Code by adding to Part IV, Title II, Chapter VIII of said code a new article to be numbered Article III, embracing sections 4222a to 4222l, inclu-

sive, amending section 2641 and repealing sections 2642, 2645 and 4222 of said code, thereby creating the office of county engineer, transferring to the county engineer all the powers and duties of the county surveyor and the powers and duties of other officers and employees of the county with respect to county roads, highways and bridges, and vesting in the county engineer additional powers and duties with respect to construction, improvement, maintenance and repair of county roads, highways and bridges, and to repeal the County Engineer Act.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During third reading of the bill, the following amendments were submitted by Mr. Powers:

AMENDMENT NUMBER ONE.

On page 5, line 2, of the printed bill, as amended, strike out "vesting in boards of".

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, strike out line 3, and in line 4, strike out "officers, and".

Amendments adopted.

Bill read, ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 1172—An act to amend section 1 of an act entitled "An act establishing certain additional State highways and classifying them as secondary highways," approved March 27, 1931, and to repeal an act entitled "An act establishing certain additional State highways and classifying them as secondary highways," approved April 1, 1931, relating to the State highway system and the addition and classification of certain highways.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 222—An act to amend section 4286 of the Political Code, relating to the compensation of county and township officers and their deputies, assistants and employees, and of jurors in counties of the fifty-seventh class.

Bill read second time, and ordered on file for third reading

Senate Bill No. 223—An act to amend section 16x51 of the Weights and Measures Act, relating to the office of the sealer of weights and measures in counties of the fifty-first class

Bill read second time, and ordered on file for third reading

Senate Bill No. 224—An act to amend section 4280 of the Political Code, relating to the salaries and fees of officials in counties of the fifty-first class.

Bill read second time, and ordered on file for third reading

Senate Bill No. 373—An act to add a new section to the Political Code to be numbered 661½, relating to the powers of the State Board of Control.

Bill read second time, and ordered on file for third reading

THIRD READING OF SENATE BILLS

Senate Bill No. 740—An act to amend section 4 of an act entitled "An act providing for the control and management of a tract of land owned by the State of California and situated in the county of Napa in said State," approved May 15, 1917, relating to State property in Napa County.

Bill read third time

The question being on the passage of the bill

The roll was called, and Senate Bill No. 740 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Craig, Crist, Crowley, Frazier, Gilmore, Greene, Hornblower, Hunt, Jones, King, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Peterson, Phillips, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Sullivan, Thorp, Tournoux, Utt, West, Wright, Zion and Mr. Speaker—51

NOES—Field—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 636—An act to amend section 4 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, as amended, relating to consolidation of elections

Bill read third time

The question being on the passage of the bill

The roll was called, and Senate Bill No 636 finally passed by the following vote:

AYES—Alter Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Frazier, Greene, Grubbs, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Peterson, Phillips, Rawls, Redwine, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, West, Wright, Zion and Mr. Speaker—56

NOES—None

Title read and approved

Bill ordered transmitted to the Senate

Senate Bill No 64—An act to amend section 384a of the Penal Code, relating to the protection of native trees, shrubs, ferns, herbs, bulbs, cacti and flowers.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 64 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Craig, Cronin, Dempster, Evans, Gilmore, Grubbs, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Peterson, Phillips, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Wright and Mr. Speaker—55.

NOES—Crist, Crowley and Meehan—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 493—An act to regulate the importation and keeping of wild birds and animals and providing a penalty for the violation of the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 493 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crist, Cronin, Crowley, Dempster, Evans, Field, Frazier, Greene, Grubbs, Hornblower, Jones, King, Knowland, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Wright and Mr. Speaker—55.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933.

MR SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 694—An act to amend section 73 of the California Irrigation District Act, relating to the liability of officers for violation of duties and of irrigation districts for the negligence of its directors, officers, agents or employees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933.

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No 1437—An act to provide for the inspection of warehouses where grain is stored for hire; for the sampling, examination and condemnation of infested grain and regulating the sale thereof; defining the powers and duties of the Director of Agriculture in regard thereto and prescribing penalties for violations of the provisions hereof;

Also: Assembly Bill No 2095—An act to amend the Agricultural Code, relating to inspection of farm products and the regulation of such inspection;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended

MEEKER, Chairman

The above reported bills ordered referred to Committee on Rules.

ON PUBLIC UTILITIES

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1933.

MR SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No 2138—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

LATHAM, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also.

MR SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No 2140—An act relating to the disposition of unpaid moneys deposited with

public utilities for metered service—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LATHAM, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON INSURANCE

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1933.

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1772—An act to add a new section to the Workmen's Compensation Insurance and Safety Act of 1917 to be known as section 26a—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

CRIST, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1933.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 525—An act to provide for the regulation and licensing of short wavelength radio receiving sets and the regulation of information rendered to police or other official radio broadcasting stations, to prescribe the duties of the California Highway Patrol in relation thereto, and to provide penalties for the violations thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1184—An act to amend sections 639 and 671 of the Vehicle Code, relating to sirens, horns, warning devices and lights on vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 897—An act to repeal Part I of Division II of the School Code, embracing sections 2.20 to 2.760, inclusive, to repeal Chapters I, II, III and IV of Part II of Division II of said code, embracing sections 2.770 to 2.1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2.10 to 2.281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-A, respectively, embracing sections 2.650 to 2.911, inclusive, to amend sections 4.181, 4.375, 4.773, 4.811, 4.812, 4.875, 4.895, 4.896, 4.898, 4.970, 6.470, and 6.471 to 6.477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4.769, 6.470–1, and 6.470–2, to repeal section 4.771 of said code, and to repeal certain acts, all relating to school districts and junior college districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROLAND, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1933.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 161—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and dis-

position of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923. Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used;

Also: Assembly Bill No 164—An act to amend section 159 of an act entitled the "California Vehicle Act," approved May 30, 1923, Statutes of 1923, page 517, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceedings,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 356—An act to amend section 3.122 of the School Code, relating to the age of admission of pupils to kindergartens,

Also: Assembly Bill No 1469—An act to amend section 5.743 of the School Code, relating to payment of salaries of employees of school districts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ROLAND, Chairman.

The above reported bills ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1933.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1171—An act to amend section 60 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to hearings—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CRIST, Chairman

The above reported bill ordered on file for second reading.

EXPLANATION OF VOTE.

SACRAMENTO, March 31, 1933.

MR SPEAKER: On Monday, March 27th, when the vote was taken on Assembly Bill No. 9, I was in my seat and voted "No". Please correct the Daily Journal

CHARLES W. GRUBBS.

I attest to the above

GEORGE B BOWERS, Seat Mate.
Seventy-eighth District.

ADJOURNMENT.

At eleven o'clock and forty minutes a.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, April 3, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, April 3, 1933.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—79.

Quorum present

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr. Hallner, Mr. Woolwine was granted leave of absence for the day.

GUEST ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Burns, Hon. John F. Quinn, former member of the Assembly, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Radio and Music Trades Association, Los Angeles, urging reduction of governmental expenses.
(Signed) J. GUILFOYLE, Secretary

Also:

By Mr. Speaker:

From California State Hotel Association, San Francisco, opposing Assembly Bill No. 250.
(Signed) JAMES H. McCABE, President.
E. W. CASON, Secretary.

Also:

By Mr. Speaker:

From Board of Control, Southern California Hotel Association, opposing Assembly Bill No. 250.
(Signed) H. E. MANWARING, Chairman.

Also:

By Mr. Speaker:

From California Northern Hotel Association, opposing Assembly Bill No. 250.
(Signed) FRED BARTHOLOMEW, President.

Also:

By Mr. Speaker:

From Executive Committee, Hotel Association, opposing Assembly Bill No. 250
(Signed) CARL STANLEY, President.
GEO. D. SMITH, Chairman.
JOHN F. SHEA, Secretary.

Also:

By Mr. Speaker:

From Fathers Forum, John Marshall Junior High School, urging maintaining of State support of public schools, responsibility of school boards to the people, preservation of perpetual school fund, free tuition in all grades and urge a broadening of the tax base, thus relieving the overburden of present taxation on real and common property.

(Signed) FATHERS FORUM.
HAROLD D. PADGETT, President.

L. S. BLODGETT, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 130—An act to amend the Road District Improvement Act of 1907, approved March 27, 1907, Statutes of 1907, page 806, as amended, by authorizing contributions to be made from public funds toward the payment of principal or interest on bonds issued under that act; and to provide for a repeal of said act, and providing that said repeal shall not apply to existing or authorized bonds and assessments or to existing proceedings instituted thereunder;

Also: Assembly Bill No. 132—An act to repeal an act called the "Improvement Bond Act of 1915," approved June 11, 1915, Statutes of 1915, page 1441, as amended, with the provision that pending proceedings and any bonds issued under the provisions of said act shall not be affected by said repeal.

Also: Assembly Bill No 134—An act to repeal an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, Statutes of 1885, page 147, as amended, with provision that said repeal shall not apply to existing proceedings or to existing bonds or assessments issued or levied under said act;

Also: Assembly Bill No. 135—An act to repeal the Acquisition and Improvement Act of 1925, approved May 23, 1925, Statutes of 1925, page 849, as amended, and providing that said repeal shall not apply to existing or authorized bonds and assessments or to existing proceedings under said act;

Also Assembly Bill No 137—An act to repeal the provisions of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of said improvements,' approved April 20, 1915, Statutes of 1915, page 99, as amended; and to provide for a repeal of said act with provision that said repeal shall not apply to existing bonds or taxes or to existing proceedings under said act;

Also: Assembly Bill No. 189—An act to amend sections 361, 362, 362a, 362b and 362c of the Civil Code, all relating to corporations;

And reports that the same have been correctly engrossed

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 191—An act to amend sections 399, 399a, 400, 400a, 401, 401a, 401c, 402, 402a, 403, 403a, 403b, 403c, 403d, 404, 404a and 404b of the Civil Code, and to repeal sections 343a and 401b of the Civil Code, all relating to corporations;

Also Assembly Bill No 192—An act to amend sections 405, 406, 406a, 408, 409, 411 and 412 of the Civil Code, all relating to foreign corporations;

Also: Assembly Bill No 543—An act making it unlawful for an attorney at law to employ any person to solicit law practice, prohibiting any person from soliciting law practice for hire and prescribing the penalty therefor, prohibiting the use of written statements taken from an injured person within thirty days after the injury; also making void certain settlements, compromises, releases and discharges, also written contracts with attorneys at law, unless approved by the court,

Also: Assembly Bill No 674—An act to establish the Vehicle Code and thereby to consolidate and revise the law relating to traffic on streets and highways and the registration, identification operation, driving, use, ownership, transfer, theft, embezzlement, destruction, molestation, unlawful entering and taking and driving, equipment, size, weight, loading and wrecking of vehicles used upon streets and highways and liens and mortgages on such vehicles and the licensing and regulation

of drivers of such vehicles and the civil liability of persons signing license applications of minors and the conduct and records of persons dealing with such vehicles and the civil liability arising from the ownership maintenance, use and operation of such vehicles and the financial responsibility of owners and operators of such vehicles and crimes connected with the use of such vehicles and the parties, procedure, presumptions, evidence and reports in relation to such crimes and the creation, organization, powers, duties, jurisdiction and maintenance of the Department of Motor Vehicles and its divisions in connection therewith and the collection, disposition and use of fees, fines and forfeitures in relation thereto and the limitations on the powers of local authorities over the aforesaid subject and to repeal certain specified provisions of law germane to the aforesaid subject,

Also: Assembly Bill No 751—An act to amend sections 9, 14 and 15 of "The State Bar Act," relating to the Board of Governors;

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1091—An act to amend sections 633a7, 633a16, 633a18, 633a24, 633a25, 633a27, and 633a31 of the Political Code, and to add a new section to said code, to be numbered 633a32, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors;

Also: Assembly Bill No 1243—An act to add a new section to the Vehicle Code to be numbered 696 5, relating to carrying animals on vehicles;

Also: Assembly Bill No 1356—An act to amend section 374b of the Penal Code, relating to the deposit of offensive matter on public highways,

Also: Assembly Bill No. 1721—An act providing for the issuance of registered warrants, establishing the priority in the payment of those issued for labor and services rendered, prescribing the notice of the date of payment and providing for the payment of such warrants;

Also Assembly Bill No 1914—An act to allow unincorporated territory within a county to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection, custody and disbursement of taxes, for such purposes and to create a Board of Police Commissioners;

Also Assembly Bill No. 2165—An act to amend sections 447 and 448 of the Code of Civil Procedure, relating to written instruments;

Also: Assembly Bill No. 2271—An act to repeal section 16x21 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-first class,

And reports that the same have been correctly engrossed

PATTERSON Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 316—An act to amend section 27 of the "State Civil Service Act," relating to preference to veterans and the widows of veterans;

Also: Assembly Bill No. 416—An act to amend an act entitled "An act authorizing counties to construct, improve, maintain and repair streets lying in municipalities or to aid or assist by the appropriation of money and otherwise in establishing, laying out, opening, widening, extending, straightening, constructing, improving or altering streets or changing or separating the grades thereof within municipalities or in acquiring lands, rights of way or other property necessary therefor," approved April 30, 1923 (Statutes of 1923, page 123) by amending section 1 thereof to authorize and in the payment of bonds and/or interest thereon,

Also: Assembly Bill No 536—An act to add section 459 to the Fish and Game Code, relating to birds, mammals, and fish kept for exhibition purposes,

Also. Assembly Bill No. 676—An act to amend section 1861a of the Civil Code, relating to liens of lessors of real property,

Also. Assembly Bill No. 925—An act to amend section 409 of the Political Code, relating to fees of the Secretary of State;

Also Assembly Bill No. 1119—An act adding section 470a to the Political Code authorizing and empowering the Attorney General to prosecute or defend, when in his opinion the public interest so requires, any action involving title, possession or

boundaries of any lands belonging to the State of California or in which it has any interest,
And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 319—An act to amend sections 3732, 3746, 3751, 3756, 3758, 3759, 3764, 3766, 3767, 3797, 3801, 3817, 3817a and 3897 of the Political Code, relating to the assessment and collection of taxes on real and personal property and the redemption thereof,

Also, Assembly Bill No. 1083—An act to amend sections 1, 2, 3, 6 and 14 of an act entitled "An act to define motor club service, and to define, license and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles and providing penalties for the violation thereof, and repealing all acts in conflict herewith," approved June 15, 1929, as amended, and to add thereto two new sections to be numbered sections 3 (a) and 17,

Also: Assembly Bill No. 1277—An act defining clinics and dispensaries, providing for the operation, conduct, maintenance examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act;

Also: Assembly Bill No. 1293—An act to amend section 925 of the Penal Code of the State of California, relating to grand juries;

Also: Assembly Bill No. 1309—An act to extend the time for the payment of taxes for the period of 60 days and declaring the urgency thereof,
And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1352—An act to revise an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any State structure, building, road, or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909,

Also: Assembly Bill No. 1482—An act to amend section 1 of Chapter 389, Statutes of 1915, entitled "An act providing for the sale of certain State lands," as approved May 15, 1915, as amended, relating to State lands;

Also: Assembly Bill No. 1595—An act to add a new section to the Political Code, to be numbered 3817b, authorizing the temporary suspension of penalties on delinquent taxes, and declaring the urgency hereof to take effect immediately;

Also: Assembly Bill No. 1785—An act to amend sections 1201, 1202 and 1203 of the Fish and Game Code, relating to quail;

Also: Assembly Bill No. 1916—An act to repeal Article 1 of, and to add a new article, to be numbered 1, to Chapter I of Part III of Division V of the School Code; to repeal Chapter III and Articles IV, V, Va and VII of Chapter VII of Part III of Division V of said code; to repeal Article II of, and to add new articles, to be numbered II and III, to Chapter VII of Part III of Division V of said code; and to repeal an act entitled "An act relating to the election of teachers in the public schools," approved May 23, 1929, all relating to the public school system;

Also: Assembly Bill No. 1974—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission,
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2332—An act to add sections 1263.5 and 1268.5 to the Agricultural Code, relating to slaughterers,

Also: Assembly Bill No. 2334—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately,

Also Assembly Bill No 2274—An act to amend section 2322x21 of the Political Code, relating to the office of the agricultural commissioner in counties of the twenty-first class;

Also Assembly Bill No 2275—An act to repeal sections 19mm and 19x21 of the Juvenile Court Law, relating to probation officers in counties of the twenty-first class;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 767—An act to add a new section to the "Fair Trade Act" to be numbered 1½, relating to unfair competition;

Also Assembly Bill No. 1351—An act to amend section 4156b of the Political Code, prohibiting district attorneys of counties or cities and counties from defending or assisting in the defense of, or acting as counsel for, defendants in civil actions and proceedings, when the State is a party plaintiff, and to redesignate said section 4156b as section 4156c of the Political Code;

Also Assembly Bill No. 2058—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications,

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON BUILDING AND LOAN ASSOCIATIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1933.

MR SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 1064—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors, to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising, to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees, to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1931 and acts amendatory thereof and supplemental thereto, Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent therewith," approved May 5, 1931, by amending section 1517, relating to investments authorized to be made by any borrowers' mutual building and loan association—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROBERTS, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER SACRAMENTO, April 3, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 2138—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof;

Also: Assembly Bill No. 2140—An act relating to the disposition of unpaid moneys deposited with public utilities for metered service;

Also: Assembly Bill No 1437—An act to provide for the inspection of warehouses where grain is stored for hire, for the sampling, examination and condemnation of infested grain and regulating the sale thereof; defining the powers and duties of the Director of Agriculture in regard thereto and prescribing penalties for violation of the provisions hereof;

Also: Assembly Bill No. 1735—An act to amend sections 850, 851, 852, 852a, 852b, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 862a, 863, 864, 865, 867, 868, 870, 870a, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883, relating to organization, incorporation and government of cities of the sixth class;

Also: Assembly Bill No. 1772—An act to add a new section to the Workmen's Compensation, Insurance and Safety Act of 1917 to be known as section 26a, relating to compensation,

Also: Assembly Bill No. 2095—An act to amend sections 893 and 898 of the Agricultural Code, relating to inspection of farm products and the regulation of such inspection;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 663—An act to amend section 365d of the Political Code, relating to highways,

Also: Assembly Bill No. 662—An act to amend section 602 of the Penal Code, relating to trespass,

Also: Assembly Bill No. 664—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on personal property for work, materials, supplies, feed, care, keep and services rendered,

Also: Assembly Bill No. 666—An act to regulate the transportation, care and handling of explosives;

Also: Assembly Bill No. 667—An act to amend section 408 of the Political Code, relating to the Secretary of State,

Also: Assembly Bill No. 668—An act to amend section 4041.7 of the Political Code, relating to the powers and jurisdiction of boards of supervisors with respect to public roads,

Also: Assembly Bill No. 669—An act to amend sections 4130 and 4300c of the Political Code, relating to county recorders;

Also: Assembly Bill No. 671—An act to amend section 409 of the Political Code, relating to the fees to be collected by the Secretary of State;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman

The above reported bills ordered placed on daily calendar.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 250—An act to amend sections 692, 693, 694, 695 and 696 of the Fish and Game Code, relating to striped bass;

Also: Assembly Bill No. 658—An act to add two new sections to the Penal Code, to be numbered 200 and 201, establishing the public offense of unlawfully causing death through operation of a motor vehicle and providing penalties therefor;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered placed on daily calendar.

SENATE MESSAGES

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 31, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 734—An act to repeal section 354 of the Political Code and to add a new section to be numbered 354, relating to biennial reports of departments and agencies of the State.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 30, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 340—An act relating

to the control and jurisdiction over, and disposition of certain State lands therein described.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 31, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 277—An act to amend section 429 of the Fish and Game Code, relating to license fees.

Also: Senate Bill No. 696—An act to amend section 137 of the Fish and Game Code, relating to fish and game districts;

Also: Senate Bill No. 135—An act to amend the Fish and Game Code by amending sections 651, 654, 659 and 692 thereof and by adding thereto sections 659.5 and 659.6, relating to salmon and striped bass;

Also: Senate Bill No. 528—An act to amend section 1272 of the Fish and Game Code, and to add thereto a new section to the Fish and Game Code to be numbered 1272.6, relating to deer;

Also: Senate Bill No. 713—An act to amend section 19x10 of the Juvenile Court Law, relating to the probation officer in counties of the tenth class;

Also: Senate Bill No. 714—An act to amend section 16x10 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the tenth class;

Also: Senate Bill No. 715—An act to amend section 2322x10 of the Political Code relating to the office of the agricultural commissioner in counties of the tenth class.

Also: Senate Bill No. 716—An act to amend section 4239 of the Political Code, relating to the compensation of county and township officers in counties of the tenth class;

Also: Senate Bill No. 717—An act to amend section 9a10 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in the counties of the tenth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 277, 696, 135 and 528 read first time, and referred to Committee on Fish and Game.

Senate Bills Nos. 713, 714, 715, 716 and 717 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, March 31, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 274—An act to amend section 4262 of the Political Code, relating to the compensation of the county and township officers in counties of the thirty-third class.

Also: Senate Bill No. 272—An act to amend section 16x33 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-third class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 274 and 272 read first time, and referred to Committee on County Government.

MOTION.

Mr. Robinson, C. Ray, moved that the Journals of Friday, March 17, 1933; Monday, March 20, 1933, Tuesday, March 21, 1933; Wednesday, March 22, 1933; Thursday, March 23, 1933, be approved as corrected by the Minute Clerk.

Motion carried.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 194—An act to repeal the "Transportation District Act."

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1057—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 5, 6, 7, 8, 10, 11 and 13¾, all relating to the powers, government and management of metropolitan water districts, and the exclusion of area therefrom, and declaring same an urgency measure.

COMMITTEE AMENDMENT.

During second reading of the bill the following amendment was submitted by the committee

AMENDMENT NUMBER ONE

On page 2, line 32, of the printed bill as amended immediately following the period in said line insert the following: Upon application of the district, accompanied by map or plat showing the location or proposed location of such works and/or facilities, the fee title to so much of such State lands as shall be found by the Chief of the Division of State Lands of the Department of Finance to be necessary or convenient to enable such district to construct or maintain its works and/or to establish or maintain its facilities, shall be conveyed to such district by patent executed by the Governor of the State of California, attested by the Secretary of State with the great seal of said State affixed, and countersigned by the Register of State Lands; if an easement or right of way only over such lands be sought by such district, such easement or right of way shall be evidenced by permit or grant executed by such Chief of the Division of State Lands, provided however that such district shall not be required to obtain such patent, permit or grant, but may, in the absence thereof, exercise all rights herein conferred, to the same extent as though such patent, permit or grant had been executed and delivered. In the event that the duties or titles of any of the officers herein mentioned shall be changed by lawful authority, the functions herein required to be performed shall be performed by the appropriate officer or officers of the State of California. No fee shall be exacted from such district for any patent, permit or grant so issued or for any service rendered hereunder."

Amendment adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1305—An act to amend an act of the Legislature of the State of California entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments, to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, by amending sections 6, 10 and 12 thereof and relating to notice, assessment limitations, incidental expenses of proceedings and payment of portions of the cost from public funds

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the word "and", and insert in lieu thereof the word "or"; and also on page 1, line 7, strike out the word "any", and insert in lieu thereof the word "each".

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, strike out the word "who"; and in line 10 on page 1, strike out the words "has filed his", and insert in lieu thereof the word "whose", on the same page, line 11, strike out the words "with said clerk or such notice may be", and insert in lieu thereof the words "is on file in the office of the city clerk."

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of lines 1 and 2, and the following language in line 3: "known to the clerk."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1735—An act to amend sections 850, 851, 852, 852a, 852b, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 862a, 863, 864, 865, 867, 868, 870, 870a, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883, relating to organization, incorporation and government of cities of the sixth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out line 4 of the title of the printed bill, and insert in lieu thereof the following: "879, 880, 882, 883, 884, 885 and 886, and to repeal section 881 of an act entitled".

AMENDMENT NUMBER TWO.

In line 7 of the title of the printed bill, strike out "18," and insert in lieu thereof the following: "13,".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 850 of the act cited in the title hereof is hereby amended to read as follows:

SEC. 850. Every municipal corporation of the sixth class shall be entitled the city of _____ (naming it), and by such name shall have perpetual succession, may sue and be sued in all courts and places, and in all proceedings whatever; shall have and use a common seal, alterable at the pleasure of the city council and may purchase, lease, receive, hold, and enjoy real and personal property, and control and dispose of the same for the common benefit. Whenever the term "city" is used in this act it shall be deemed to include in meaning and effect the words "or town".

SEC. 2. Section 851 of said act is hereby amended to read as follows:

SEC. 851. The government of such city shall be vested in

1. A city council composed of five members.
2. A city clerk.
3. A city treasurer.
4. A chief of police.
5. A city judge.
6. Such subordinate officers or employees as are hereinafter provided for.

SEC. 3. Section 852 of said act is hereby amended to read as follows:

SEC. 852. The members of the city council, the city clerk, and the city treasurer shall be elected by the qualified electors of said city at a general municipal election. Such a general municipal election shall be held therein on the second Monday in

April in each even numbered year Members of the city council and the city clerk and the city treasurer shall hold office for the period of four years from and after the Monday next succeeding the day of such election, and until their successors are elected and qualified The respective terms of the members of the first city council elected under the provisions of this section shall be determined as follows: The two members elected by the highest number of votes shall hold office for four years, and the three members elected by the lowest number of votes shall hold office for two years In the event that two or more persons should be elected by the same number of votes, the respective terms of each shall be decided by lot

The city council shall appoint the chief of police and the city judge; it may also, in its discretion, appoint a city attorney, a superintendent of streets, a civil engineer, a court clerk, and such other subordinate officers or employees as in its judgment may be deemed necessary The compensation of all appointive officers and employees may be fixed from time to time by the city council by resolution or ordinance, and said officers and employees shall hold office during the pleasure of said city council.

SEC 4 Section 852a of said act is hereby amended to read as follows:

SEC 852a The city council may at any time submit to the electors of any municipal or at any special election to be held for that purpose, an ordinance to divide the administration of the municipality into five departments and provide for the assignment of its several members to be the heads of such respective departments and to be appointed as the commissioners of such respective departments; provided, that if a department of public health be created the commissioner in charge may be given the powers and duties of the municipal board of health, and such health board be thereby abolished Such ordinances shall define the duties, powers and responsibilities of each commissioner and may require such commissioner to devote a specified number of hours of each business day to the performance of such duties, in which event such commissioner may receive a compensation, the amount of same to be fixed by said ordinance The city council may, by majority vote, subject to the provisions of this section assign its several members to be and appoint them as the respective commissioners of such several departments and may by like vote from time to time change such assignment and appointment It may assign employees to one or more departments, and may make such other rules and regulations as may be necessary or proper to the efficient and economical conduct of the business of the municipality The substance of the ordinance so proposed shall be printed on the ballots used at such election substantially as follows: "Shall the administration of the municipality be divided into five departments as follows:" (Insert the five departments of government proposed and briefly designate the powers and duties conferred upon each and the compensation each commissioner or head of department shall receive) "Yes" and "No" so printed in connection therewith that the voters may express their choice. The returns of the election shall be canvassed and declared as at other municipal elections, and if it appears that a majority of the votes cast at such election were in favor of the ordinance, such ordinance shall take effect and be in force on the tenth day thereafter

The city council may at any time submit to the electors at any municipal or special election, an ordinance providing for the establishment of the city manager form of government Such ordinance shall define the powers and duties of the city manager and may fix his compensation or amount of the minimum thereof. The substance of the ordinance so proposed shall be printed on the ballots used at such election substantially as follows. "Shall the city adopt the city manager form of government?" with the words "Yes" and "No" printed in connection therewith so that the voters may vote for or against such question. The returns of the election shall be canvassed and declared as at other municipal elections, and if it appears that a majority of the votes cast at such election were in favor of the ordinance, the same shall go into full force and effect on the tenth day thereafter Thereupon the city council shall, within sixty days thereafter appoint a city manager, who need not be a resident of the city at the time of his appointment. Upon his appointment the terms of the other subordinate officers theretofore appointed by the city council shall cease unless they be reappointed by the city manager who shall have the power to appoint and dismiss the chief of police city judge and other subordinate officers except the city clerk the city attorney and the city treasurer

The ordinances provided for in this section may be submitted directly by the people under the general laws providing for exercise of the initiative Any city adopting the commission plan or city manager plan of government as herein authorized may, by subsequent vote of the electors, abolish the same in the like manner as herein provided for their adoption

SEC 5 Section 852b of said act is hereby amended to read as follows:

SEC 852b. The city council may submit to the electors at any municipal election, or at a special election to be held for that purpose, the question as to whether the elective officers, or any of them, other than councilmen, shall be appointed by said city council, instead of being elected as provided in the preceding section The question so submitted shall be printed on the ballots used at such election substantially as follows "Shall the city council hereafter appoint the _____ (naming the offices) of the city of _____." with the words "Yes" and "No" so printed in con-

nection therewith that the voters may express their choice. The returns of the election shall be canvassed and declared as at other municipal elections, and if it appears that a majority of the votes cast on any such proposition were in favor of the appointment of such officers or any of them, then at the expiration of the terms of office of any such officials then in office, and on the occurrence of a vacancy in any such offices, such elective officers or any of them, for the appointment of whom such majority vote was so cast, shall thereafter be appointed by the city council and hold office during the pleasure of such city council

SEC. 6. Section 853 of said act is hereby amended to read as follows:

Sec. 853. The city clerk and the city treasurer shall respectively before entering upon the duties of their respective offices, each execute a bond in accordance with requirements of the provisions of the Political Code relating to bonds of public officers. The penal sum of such bond shall be such amount as may be fixed by the city council by ordinance adopted not less than thirty days prior to the election of such officials but the amount of such bond shall not, in the case of the city treasurer, in any event be less than one-fourth of the amount of the general taxes levied for such city in the year last expiring previous to the election of such city treasurer. The bond of the city treasurer shall cover the faithful performance by the city treasurer of the duties of his office and of his duties with respect to all moneys coming into his hands as such city treasurer under this act, or under the ordinances of said city, or under any law of the State of California. The city council shall have power to require bonds of any other officer or employee of the city in addition to those herein specified. All bonds when approved, shall be filed with the city clerk. Premiums upon said bonds, if executed by a surety company authorized to do business in the State of California, shall be paid by the city out of its general fund. All bonds shall be approved by the city council. All the provisions of any law of this State relating to the official bonds of officers shall apply to any bonds herein required or authorized, except as herein otherwise provided. Every officer of such city, before entering upon the duties of his office, shall take and file with the city clerk the oath of office required by the Constitution and the laws of the State.

SEC. 7. Section 854 of said act is hereby amended to read as follows:

Sec. 854. Any vacancy occurring in any of the offices provided for in this act shall be filled by appointment by the city council, but in the event of said city council failing to fill such vacancy by appointment within thirty days after such vacancy occurs, they must, if said office be an elective one, immediately after the expiration of said thirty days cause an election to be held to fill such vacancy; provided, however, that any person appointed or elected to fill such vacancy shall hold office only until the next regular election, at which time a person shall be elected to serve for the remainder of such unexpired term. In case a member of the city council absents himself from all regular meetings of the city council for a period of sixty days consecutively from and after the last regular city council meeting attended by said member, unless by permission of the city council, his office shall become vacant and the same shall be filled as in the case of other vacancies.

SEC. 8. Section 855 of said act is hereby amended to read as follows:

Sec. 855. The members of the city council shall receive no compensation whatever; provided, that in all such cities the question of whether the members of such city council or any of them shall receive any compensation for his services as such members and the amounts thereof, may be submitted to the qualified electors of such cities at any general election, and if a majority of such electors voting at such election shall vote in favor thereof, then such councilman or councilmen shall receive the compensation specified in the call submitting such question at such election; such compensation to begin at the beginning of the term of office of all members of the city council who take office subsequent to the canvass of the return of such election and the amount so fixed shall from such time be regularly charged against such city, payable as other salaries are paid. The compensation of any member of the city council appointed or elected to fill a vacancy shall be the same as that payable to such member whose office was vacated. No change in compensation shall apply to any member of the city council during his term of office. Such compensation may be increased or diminished at any general election thereafter, by submission of such question in the same manner and by the same vote as herein provided for the original creation of such compensation.

The city clerk and the city treasurer shall severally receive, at stated times, a compensation to be fixed by ordinance adopted by the city council, which compensation shall not be increased or diminished after their election or during their several terms of office. Nothing herein contained shall be construed to prevent the city council from fixing such several amounts of compensation in the first instance upon the incorporation of the city, during the term of office of any such officer after his election.

SEC. 9. Section 856 of said act is hereby amended to read as follows:

Sec. 856. All elections in such city shall be held in accordance with the general election laws of the State, applicable to cities of the sixth class, and no person shall be entitled to vote at such election unless he shall be a qualified elector of

the county, enrolled upon the great register thereof, and shall have resided in such city for at least forty days next preceding such election.

SEC. 10. Section 857 of said act is hereby amended to read as follows:

Sec. 857. No person shall be eligible to hold the office of councilman, city clerk, or city treasurer in such city unless he be a resident and elector therein, and shall have resided in such city for one year next preceding the date of his election.

SEC. 11. Section 858 of said act is hereby amended to read as follows:

Sec. 858. The city council shall meet on the Monday next succeeding the date of said general municipal election. Each newly elected member of the city council before entering upon his duties shall take the oath of office. At said meeting the city council shall choose one of its number to act as mayor. The city council shall hold regular meetings at least once in each month at such times as it shall fix by ordinance or resolution, and may adjourn any regular meeting to a date certain, which shall be specified in the order of adjournment, and when so adjourned, such adjourned meeting shall be a regular meeting for all purposes. Such adjourned meeting may likewise be adjourned and when so adjourned shall be a regular meeting for all purposes.

Special meetings may be called at any time by the mayor, or by three members of the city council, by written notice delivered personally to each member at least three hours before the time specified for the proposed meeting; provided, however, that any special meeting of the city council shall be a validly called special meeting, without the giving of such written notice, as above provided, if all members of the city council shall give their consent in writing to the holding of such meeting, and such consent is on file in the office of the city clerk at the time of holding such meeting. A telegraphic communication from a councilman consenting to the holding of the meeting shall be deemed to be a consent in writing, within the meaning of the terms as expressed in the foregoing sentence. At any special meeting the power of the city council to transact business shall be limited to matters referred to in such written notice or written consent; all meetings of the city council shall be held within the corporate limits of the city at such place as may be designated by ordinance and shall be public.

In the event that any order of adjournment of a regular meeting fails to state the hour at which any adjourned meeting is to be held, such adjourned meeting may be validly held on the day specified in the order of adjournment if held at the hour set forth in the ordinance or resolution prescribing the time for regular meetings.

SEC. 12. Section 859 of said act is hereby amended to read as follows:

Sec. 859. At any meeting of the city council a majority of said council shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time, and may compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance, and in the absence of all of the city council from any regular meeting or adjourned regular meeting the city clerk may declare the same postponed and adjourned to a stated day and hour, and must thereupon deliver or cause to be delivered personally to each member of the city council a written notice of such adjournment at least three hours before the time to which said regular or any adjourned regular meeting has been adjourned.

SEC. 13. Section 860 of said act is hereby amended to read as follows:

Sec. 860. The city council shall judge of the qualifications of its members and of all election returns, and determine contested elections of all city officers. It may establish rules for the conduct of its proceedings and punish any member or other person for disorderly behavior at any meeting. It shall cause the city clerk to keep a correct record of all its proceedings, and at the desire of any member, the city clerk shall call the roll and shall cause the ayes and noes taken on any question to be entered in the record journal.

SEC. 14. Section 861 of said act is hereby amended to read as follows:

Sec. 861. No ordinance of any kind, where an ordinance is required by law, and no resolution granting a franchise for any purpose, shall be passed by the city council on the day of its introduction nor within five days thereafter nor at any time other than a regular or adjourned regular meeting. Every such ordinance or resolution shall be read in full unless after the reading of the title thereof, the further reading thereof is waived by motion of the city council regularly made and adopted by unanimous vote. In the event that such ordinance or resolution is altered after its introduction, the same shall not be finally adopted except at a regular or adjourned regular meeting held not less than five days after the date upon which such ordinance or resolution was so altered. The correction of typographical or clerical errors shall not constitute the making of an alteration within the meaning of the foregoing sentence. No resolution or order for the payment of money shall be adopted or made at any other than a regular or adjourned regular meeting. No such ordinance or resolution, or any order for the payment of money, shall have any validity or effect unless passed by the votes of at least three members of the city council. No ordinance shall become effective until thirty days from and after the date of its final passage, except an ordinance calling or otherwise relating to an

election and except an ordinance for the immediate preservation of the public peace, health or safety, which contains a declaration of, and the facts constituting its urgency and is passed by a four-fifths vote of the city council, and except ordinances relating to street improvement proceedings and other ordinances governed by particular provisions of State law prescribing the manner of their passage and adoption

SEC. 15. Section 862 of said act is hereby amended to read as follows:

Sec. 862. The city council of said city shall have power

1 To pass ordinances not in conflict with the Constitution and laws of this State or of the United States

2 To purchase, lease, or receive such real estate situated inside or outside of the city limits and personal property as may be necessary or proper for municipal purposes, and to control, dispose of, and convey the same for the benefit of the city; provided, it shall not have power to sell or convey any portion of any water front

3. To contract for supplying the city with water for municipal purposes, or to acquire, construct, repair, and manage pumps aqueducts, reservoirs, or other works necessary or proper for supplying water for the use of such city or the inhabitants, or for irrigating purposes therein

4. To establish, build, and repair bridges, to acquire by purchase or otherwise lands for squares, parks, playgrounds and places within the city and to improve, equip and maintain the same; to establish, lay out, alter, keep open, improve, and repair streets, sidewalks, alleys, tunnels, and other public highways, and to drain, sprinkle, oil, and light the same; to remove all obstructions therefrom; to establish the grades thereof, to grade, pave, macadamize, gravel, and curb the same, in whole or in part, and to construct gutters, culverts, sidewalks, and crosswalks therein, or on any part thereof; to cause to be planted, set out, and cultivated, shade trees therein; and generally to manage and control all such highways, tunnels, and places; and in the exercise of the powers herein granted to expend, in its discretion, the ordinary annual income and revenue of the municipality in payments of the costs and expenses of the whole or any part of such work or improvement

4a. To acquire property required for the opening and laying out of any street, alley, lane or tunnel from the point where the continuity of such street, alley, lane or tunnel ceases, to the point where such street, alley, lane or tunnel again commences; to lay out and improve said street, alley, lane or tunnel; and to pay the cost and expense incurred in the acquisition of the required property out of the general fund of the city.

5. To construct, establish, and maintain drains and sewers

6 To provide fire engines and all other necessary and proper apparatus for the prevention and extinguishment of fires.

7. To impose on and collect from every male inhabitant between the ages of twenty-one and sixty years, an annual street poll tax, not exceeding two dollars; and no other road poll tax shall be collected within the limits of the city.

8. To impose and collect an annual license not exceeding two dollars on every male dog, and four dollars on every female dog owned or harbored within the limits of the city.

9. To levy and collect annually a property tax, which shall not, without the assent of two-thirds of the qualified electors of such city voting at an election to be held for that purpose exceed one dollar on each one hundred dollars; provided, however, that in cities which have constructed or may hereafter construct embankments, sea walls, or other works to protect such cities from overflow, said city council may levy and collect annually a property tax which shall not exceed twenty cents on each one hundred dollars, which, when collected, shall be kept in a separate fund and used for the construction and maintenance of embankments, sea walls, or other works to protect such city from overflow and for no other purpose

10. To license, for the purpose of revenue and regulation, all and every kind of business authorized by law and transacted and carried on in such city, and all shows, exhibitions, and lawful games carried on therein; to fix the rates of license tax upon the same, and to provide for the collection of the same by suit or otherwise.

11 To improve the rivers and streams flowing through such city or adjoining the same; to widen, straighten, and deepen the channels thereof, and to remove obstructions therefrom; to acquire and improve public mooring places for water craft; to improve the water front of the city including the ocean front thereof, and to build and construct breakwaters, jetties and sea wall; to construct and maintain embankments and other works, to protect such city from overflow; and to acquire, own, construct, maintain, and operate on any lands bordering on any navigable bay, lake, inlet, river, creek, slough, or arm of the sea within the corporate limits of such city or contiguous thereto, wharves, chutes, piers, breakwaters, bathhouses and life-saving stations.

12. To erect and maintain buildings for municipal purposes, and to acquire and maintain cemeteries, situated outside or inside of said city

13. To acquire, own, construct, maintain and operate bus lines, street railways, steam railway spur tracks, telephone and telegraph lines, gas and other works for light, power and heat; public libraries, museums, gymnasiums, parks, and baths and to grant franchises for the construction of public utilities as it may deem

proper, the laying of railroad tracks and the running of cars drawn by horses, steam, or other power thereon, and the laying of gas and water pipes in the public streets, and to permit the construction and maintenance of telegraph and telephone lines therein

14. To impose fines, penalties, and forfeitures for any and all violations of ordinances; and for any breach or violation of any ordinance; to fix the penalty by fine or imprisonment or both; but no such fine shall exceed three hundred dollars, nor the term of imprisonment exceed three months

15. To cause all persons imprisoned for violation of any ordinance to labor on the streets, or other public property, or works within the city.

16. To establish and maintain fire limits, and regulate building and construction and removal of buildings within the municipality.

16a. To regulate the construction of and the materials used in all buildings, chimneys, stacks and other structures; to regulate the erection, construction, reconstruction, conversion, repair or alteration of any building or buildings, as provided in section 84 of the State Housing Act; to prevent the erection and maintenance of insecure or unsafe building walls, chimneys, stacks, or other structures, and to provide for their summary abatement, destruction or removal; to provide for the abatement, destruction or removal of unsightly or partially destroyed buildings; to regulate the materials used in and the method of construction of foundations and foundation walls, the manner of construction and location of drains and sewers, the materials used in wiring buildings or other structures for the use of electricity for lighting, power, heat or other purposes and materials used for piping buildings or other structures for the purpose of supplying the same with water, gas or electricity, and the manner of so doing; to prohibit the construction of buildings and structures which do not conform to such regulations.

16b. To regulate the exhibition, posting or carrying of banners, placards, posters, cards, pictures, signs or advertisements in or on the street, or on or upon buildings, fences, billboards or other structures; or on or upon any pole in any sidewalk, alley, street, lane, court, park or other public place; to regulate the suspension of banners, flags, signs, advertisements, posters, pictures, or cards across or over any sidewalk, alley, street, lane, court, park, or other public place, or such suspension from fences, poles, houses, or other structures; to prohibit and prevent encroachments upon or obstruction in or to any sidewalks, street, alley, lane, court, park or other public place, and to provide for the removal of such encroachment or obstruction.

16c To compel the owner, lessee, or occupant of buildings, grounds, or lots to remove dirt, rubbish, weeds and rank growths from the sidewalk opposite thereto, and from the buildings or grounds, and on his default, after such notice as the city council may prescribe, to authorize the removal or destruction thereof by some officer of the city at the expense of such owner, lessee or occupant, and by such procedure as the city council may prescribe, to make such expense a lien upon such buildings or grounds.

17. To issue subpenas for the attendance of witnesses, or the production of books or other documents, for the purpose of producing evidence or testimony in any action or proceeding pending before the city council, which subpenas must be signed by the mayor, and attested by the city clerk and may be served in the same manner as subpenas are served in civil actions. Whenever any person duly subpenaed to appear and give evidence, or to produce any books or any documents as herein provided, shall neglect or refuse to appear, or to produce such books or documents, as required by such subpena, or shall refuse to testify before such city council, or to answer any questions which a majority thereof shall decide to be proper and pertinent, it shall be the duty of the mayor to report the fact to the judge of the superior court of the county, who shall thereupon issue an attachment in the form usual in the court of which he shall be judge, directed to the sheriff of the county where such witness was required to appear and testify commanding the said sheriff to attach such person, and forthwith bring him before the judge by whose order such attachment was issued. On the return of the attachment and the production of the body of the defendant, the said judge shall have jurisdiction of the matter, and the person charged may purge himself of the contempt in the same way, and the same proceedings shall be had, and the same penalties may be imposed, and the same punishment inflicted as in the case of a witness subpenaed to appear and give evidence on the trial of a civil cause before a superior court.

18. To expend such sum as the city council shall deem proper, not to exceed five per cent of the property tax levy in any one fiscal year, for music and promotion

19. To accept such contributions of money, each contribution to be at least fifty dollars ($50), as may be tendered it to be held in trust, the income from which to be used for the perpetual care and upkeep of a designated plot or plots in the local city and/or community cemetery, said contributions to be placed in the city treasury in a fund designated as the "cemetery fund" The city council shall appoint the city clerk or any competent resident of the city to administer said fund, the person so appointed to execute an official bond in the amount of a

sum prescribed by said city council, and to receive annually one dollar for each plot cared for, said expenditure to be made only from the income of said fund. Any moneys remaining in said fund after the expenditures for care and upkeep of the designated plot or plots and the payment to the person administering said fund shall be used in the care and upkeep of the roads, walks or other portions of the cemetery.

If the city should at any time disincorporate, the trust fund shall be turned over to the board of supervisors of the county within which the cemetery is located, in which event said board of supervisors shall act as trustees until such time as they may appoint some suitable organization to take charge of the fund

20. To do and perform any and all other acts and things necessary or proper to carry out the provisions of this act.

SEC. 16. Section 862a of said act is hereby amended to read as follows:

Sec. 862a. In any city of the sixth class the city council shall have power

(a) Upon a petition signed by fifteen per cent of the registered, qualified electors of the city, to submit to the electors of the city, the question whether a municipal hospital shall be established in said city: provided, that no municipal hospital has been already established therein. Said proposition may be submitted either at a general or special election and said election shall be conducted and the results thereof declared in conformity with the general election laws governing elections in cities of the sixth class. If a majority of the votes cast at said election are in favor of said proposition, the municipal hospital for said city shall be deemed established and shall be managed and conducted in accordance with the provisions of this section.

(b) To erect and maintain a municipal hospital whenever the same has been established as provided in subdivision (a) of this section.

(c) To prescribe rules for the government and management of any such hospital and the terms upon which patients may be admitted thereto.

(d) To appoint and fix the compensation of physicians, surgeons and other necessary officers and employees of such municipal hospital who shall hold their positions during the pleasure of the city council.

(e) To acquire any and all property, real or personal by purchase or donation, and construct and equip such buildings as the city council may deem necessary and suitable for the proper conduct of any such municipal hospital. In receiving any donation of money, the city may agree to pay the donor or donors interest upon the principal at a rate not exceeding seven per cent per annum, during the lifetime of the donors, or of any of them, or of the survivor, but not exceeding a period of forty years, and without repayment of the principal or any part thereof. In the case of the incurring of such indebtedness in favor of donors, the indebtedness shall be incurred and means for the payment thereof shall be provided in the manner prescribed by the provisions of the act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction and completion thereof," in effect February 25, 1901, as amended, so far as the same may be applicable, provided, however, that the ordinance calling the election shall not contain any statement as to bonds that are to be issued, but shall in general terms describe the proposed donation, the purpose for which it is to be used, and the terms upon which the same is to be made and accepted.

(f) To levy and collect annually a property tax for the maintenance of such municipal hospital and the interest charged on any donation accepted in accordance with the provisions of subdivision (e) of this section, and also for interest upon any bonded indebtedness created for the purchase or acquisition of any real or personal property for any such hospital, and the construction and equipment thereof, including a sinking fund for the payment of such bonds in the amount provided for in any such bond issue.

SEC. 17. Section 863 of said act is hereby amended to read as follows:

Sec. 863. The enacting clause of all ordinances shall be as follows: "The city council of the city of _____ does ordain as follows". Every ordinance must be signed by the mayor and attested by the city clerk. The city clerk shall cause such ordinance to be published within fifteen days after its passage at least once in a newspaper of general circulation published and circulated in such city, provided, that if there be no such newspaper published and circulated in such city, then all ordinances must be posted in at least three public places therein; provided further, that in all cities which have been incorporated less than one year, all ordinances may be either published or posted as aforesaid, as the city council may determine; and provided, further, that in no case shall the price charged for such publication of any ordinance exceed the customary rate charged by such newspaper for the publication of legal notices of a private character.

SEC. 18. Section 864 of said act is hereby amended to read as follows:

Sec. 864. All demands against such city shall be presented, in accordance with such regulations as the city council may by ordinance prescribe, provided, that the same are hereby required to be audited by the city council and upon the allowance of any such demand, the mayor shall draw a warrant upon the city treasurer for the same, which warrant shall be countersigned by the city clerk, and shall specify for what purpose the same is drawn, and out of what fund it is to be paid.

SEC. 19. Section 865 of said act is hereby amended to read as follows:

Sec. 865. The city council shall not incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year without the assent of two-thirds of the qualified electors of said city voting at an election to be held for that purpose, nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same; provided, however, anything to the contrary herein notwithstanding, when two or more propositions for incurring any indebtedness or liability are submitted at the same election, the votes cast for and against each proposition shall be counted separately, and when two-thirds of the qualified electors, voting on any one of such propositions, vote in favor thereof, such proposition shall be deemed adopted. When any order or demand is presented for approval and is not approved for want of funds and the amount of said order or demand does not exceed the income and revenue provided for the year in which the indebtedness was incurred, for which said order or demand was drawn, such city clerk must indorse thereon the words "not approved for want of funds," with the date of presentation and shall, in attestation thereof, affix his signature thereto; and shall number such indorsement and shall register said order or demand in the records of his office and shall thereupon deliver said order or demand to the claimant, or his order. From that time, such order or demand shall bear interest at the rate of six per cent per annum. Such orders or demands so registered, as herein provided, shall be paid in the order in which the same are registered.

SEC. 20. Section 867 of said act is hereby amended to read as follows:

Sec. 867. The violation of any ordinance of such city shall be deemed a misdemeanor, and may be prosecuted by the authorities of such city in the name of the people of the State of California, or may be redressed by civil action, at the option of said authorities. Any person sentenced to imprisonment for the violation of an ordinance may be imprisoned in the jail for such city; or if the city council by ordinance shall so prescribe, in the county jail of the county in which such city may be situated in which case the expense of such imprisonment shall be a charge in favor of such county and against such city.

SEC. 21. Section 868 of said act is hereby amended to read as follows:

Sec. 868. The city council shall have the power to declare what constitutes a nuisance, and to provide for the summary abatement of any nuisance at the expense of the persons creating, causing, committing or maintaining such nuisance, and shall have the power by ordinance to make the expense of abatement of nuisances a lien against the property on which a nuisance if maintained, as well as to make such expense a personal obligation against the owner of such property. Said city council shall also have power by ordinance to require and provide for the removal of grass, weeds and to make the cost thereof a lien or charge upon the abutting property or other obstructions from the sidewalks, parkings or streets and to make provision for the enforcement of such lien by the sale of property or otherwise; and said city council likewise shall have power by ordinance to require or provide for the removal from property, lands or lots of all weeds, rubbish or other material which may endanger or injure neighboring property or the health or welfare of residents of the vicinity, and to make the cost thereof a lien and charge upon such property, lands or lots and to make provision for the enforcement of such lien by the sale of such property, lands or lots or otherwise.

SEC. 22. Section 870 of said act is hereby amended to read as follows:

Sec. 870. Whenever it shall become necessary for the city to take or damage private property for the purpose of establishing, laying out, extending and widening streets and other public highways and places within the city, or for the purpose of rights of way for drains, sewers and aqueducts, and for the purpose of widening, straightening or diverting the channels of streams, or the improvement of water fronts, or the acquisition or maintenance of public harbors, or for any other purposes authorized by law the city council may direct proceedings to be taken therefor in accordance with any law applicable thereto.

SEC. 23. Section 870a of said act is hereby amended to read as follows:

Sec. 870a. Whenever the city council shall deem it necessary for the city to construct a bridge connecting the municipal corporation with an adjoining road district and it shall become necessary in constructing such bridge to take or damage private property within or without or within and without the corporate limits of said city or town, the city council of said city may, by resolution, declare the necessity thereof and direct and maintain proceedings for that purpose in accordance with any law applicable thereto.

SEC. 24. Section 871 of said act is hereby amended to read as follows:

Sec. 871. The city council shall have the power, and it shall be its duty, to provide by ordinance a system for the assessment, levy, and collection of all city taxes not inconsistent with the provisions of this chapter. Nothing herein shall prevent the city council from exercising the power granted by general laws of the State relative to the assessment and collection of taxes by county officers. All taxes

assessed, together with any percentage imposed for delinquency and the costs of collection, shall constitute liens on the property assessed; every tax upon personal property shall be a lien upon the real property of the owner thereof. The liens provided for in this section shall attach as of the first Monday in March of each year, and may be enforced by a sale of the real property affected, and the execution and delivery of all necessary certificates and deeds therefor, under such regulations as may be prescribed by ordinance, or by action in any court of competent jurisdiction to foreclose such liens, provided, that any property sold for such taxes shall be subject to redemption within five years and upon the terms provided or that may hereafter be provided for the redemption of property sold for State taxes. All deeds made upon any sale of property for taxes or special assessments under the provisions of this chapter shall have the same force and effect in evidence as in or may hereafter be provided by law for deeds for property sold for nonpayment of State taxes.

SEC. 25. Section 872 of said act is hereby amended to read as follows:

Sec. 872. Unless the city has availed itself or does hereafter avail itself, of the provisions of the general laws of the State relative to the assessment and collection of city taxes by county officers, the city council shall meet at its usual place of holding meetings on the second Monday of August of each year, and sit as a board of equalization, and shall continue in session from day to day until all the returns of the assessor have been rectified. It shall have power to hear complaints, and to correct, modify, or strike out any assessment made by the assessor, and may, of its own motion, raise any assessment, upon notice to the party whose assessment is to be raised. The corrected list for each tax shall be the assessment roll for said tax for said year. It shall be certified by the city clerk, who shall act as clerk of the board of equalization, as being the assessment roll for said tax, and shall be the assessment roll upon which said tax is to be levied in said year.

Notice shall be given of the time and place of sitting in such manner as may be prescribed by ordinance.

SEC. 26. Section 873 of said act is hereby amended to read as follows:

Sec. 873. Nothing in this chapter contained shall be construed to prevent any city having a bonded indebtedness, contracted under the laws heretofore or hereafter passed, from levying and collecting such taxes for the payment of such indebtedness, and the interest thereon, as are provided for in such laws, in addition to the taxes herein authorized to be levied and collected. All moneys received from licenses, street poll tax, and from fines, penalties, and forfeitures, shall be paid into the general fund, except as may be otherwise expressly provided by law.

SEC. 27. Section 874 of said act is hereby amended to read as follows:

Sec. 874. In the erection, improvement, and repair of all public buildings and works, in all street and sewer work, and in all work in or about streams, bays, or water fronts, or in or about embankments, or other works for protection against overflow, and in furnishing any supplies or materials for the same, when the expenditures required for the same exceed the sum of five hundred dollars, the same shall be done by contract, and shall be let to the lowest responsible bidder, after notice which shall consist of the publication of a notice inviting bids by two or more insertions thereof, not less than five days apart, in a newspaper of general circulation, printed and published in such city, or if there be no newspaper of general circulation printed and published therein, by posting copies of said notice inviting bids in at least three public places in said city, which places shall be those designated by ordinance as the places for posting of public notices, not less than ten days prior to the date set in the notice for the opening of bids. Such notice shall distinctly and specifically state the work contemplated to be done; provided, that the city council may reject any and all bids presented and readvertise, in its discretion; provided, further, after rejecting bids, the city council may declare and determine by a four-fifths vote of all its members that in its opinion the work in question may be performed more economically by day labor or the materials or supplies furnished at a lower price in the open market, and after the adoption of a resolution to this effect it may proceed to have the same done in the manner stated without further observance of the foregoing provisions of this section; and provided, further, that in case of a great public calamity such as an extraordinary fire, flood, storm, epidemic or other disaster, the city council may, by resolution passed by vote of four-fifths of all its members declare and determine that public interest and necessity demand the immediate expenditure of public money to safeguard life, health or property, and thereupon it may proceed to expend or enter into a contract involving the expenditure of any sum required in such emergency.

In the event that there is more than one newspaper of general circulation printed and published in such city the city council shall, annually, prior to the beginning of each fiscal year, publish a notice inviting bids, and, contract for the publication of all legal notices required to be published in a newspaper of general circulation printed and published in said city. Said contract shall include the printing and publishing of all such legal notices during the ensuing fiscal year. In the event there is only one newspaper of general circulation printed and published in said city, then the city council shall have the power to contract with such newspaper

for the printing and publishing of such legal notices without being required to advertise for bids therefor.

SEC. 28 Section 875 of said act is hereby amended to read as follows.

Sec. 875. The mayor shall preside at the meetings of the city council, and in case of his absence or inability to act, the city council shall appoint a mayor pro tempore, who shall serve only until such time as the mayor returns and is able to act, and who for such period shall have all of the powers and duties of the mayor. The mayor shall have the power to make or second any motion and to present and discuss any matters, notwithstanding the fact that the mayor is the presiding officer of the council In case of the absence of the city clerk, the deputy city clerk shall act If there be no deputy city clerk then the mayor shall appoint one of the members of the city council city clerk pro tempore. The mayor shall sign all warrants drawn on the city treasurer, and shall sign all written contracts and conveyances made or entered into by said city. The mayor shall have power to administer oaths and affirmations, to take affidavits and to testify the same under his hand. The mayor is authorized to acknowledge the execution of all instruments executed by said city that are required to be acknowledged

SEC. 29 Section 876 of said act is hereby amended to read as follows:

Sec 876 It shall be the duty of the city treasurer to receive and safely keep all moneys which shall come into his hands as city treasurer. He shall comply with all provisions of law governing the deposit and securing of public funds. He shall also comply with all of the provisions of the general laws of the State governing the handling of such trust funds as may come into his possession. He shall pay out moneys only on warrants signed by persons designated by law as the proper persons to sign warrants and not otherwise. He shall at regular intervals, at least once each month, submit to the city clerk a written report and accounting of all receipts, disbursements and fund balances, a copy of which report he shall file with the city council He shall perform such duties relative to the collection of city taxes and license fees as may be prescribed by ordinance.

The city treasurer may appoint a deputy, or deputies, for whose acts he and his bondsmen shall be responsible, such deputy, or deputies, shall hold office subject to the pleasure of the city treasurer and shall receive such compensation as may be provided by the city council.

SEC. 30 Section 877 of said act is hereby amended to read as follows:

Sec 877 Unless the city council has availed itself, or does hereafter avail itself, of the provision of the general laws of the State relative to the assessment and collection of city taxes by county officers, it shall be the duty of the assessor between the first Monday in March and the first day of August in each year, to make out a true list of all taxable property within the city The mode of making out said list, and proceedings relating thereto, shall be in conformity with the laws now in force regulating county assessors, except as the same may be otherwise provided in this act, or by ordinance Said list shall describe the property assessed, and the value thereof and shall contain all other matters required to be stated in such lists by county assessors Said assessor shall verify said list by his oath, and shall deposit the same with the city clerk on or before the first Monday of August of each year. *Said assessor and his deputy shall have power to administer all oaths and affirmations* necessary in the performance of his duty.

SEC 31 Section 878 of said act is hereby amended to read as follows:

Sec 878 It shall be the duty of the city clerk to keep a full, and true record of all the proceedings of the city council and of the board of equalization, in books that shall bear appropriate titles and be devoted exclusively to such purposes, respectively. Such books shall have a general index sufficiently comprehensive to enable a person readily to ascertain matters contained therein.

The city clerk shall be the accounting officer of the city and shall maintain such financial records as shall readily reflect the financial condition of the city, and he shall prepare a summary statement of receipts and disbursements by departments and funds, at the end of each fiscal year, including opening and closing fund balances in the treasury, which statement he shall present to the city council. The city clerk shall cause said statement to be published once in a newspaper of general circulation, printed and published within the city, and if there be no newspaper of general circulation printed and published therein, then he shall cause copies of such statement to be posted in three public places in said city. Said public places shall be those designated by ordinance as the places for posting of public notices. Said statement shall be printed, or posted, not later than one hundred and twenty days after the close of the fiscal year for which said report is compiled

The city clerk keep a book marked "Ordinances" into which he shall record all city ordinances with his certificate annexed to each of said ordinances stating the same to be a true and correct copy of an ordinance of said city, and giving the number of said ordinance, and stating that the same has been published or posted according to law Said record with said certificate shall be prima facie evidence of the contents of each ordinance and of the passage and publication of the same and shall be admissible as such evidence in any court or proceedings.

The official records of the city in the custody of the city clerk shall not be filed in any court proceeding or other action but shall be returned to the custody of the city clerk. Nothing herein contained shall be construed to prevent the proof of the passage and publication of ordinances in the usual way.

Unless the city council has availed itself, or does hereafter avail itself, of the provision of the general laws of the State relative to the assessment and collection of city taxes by county officers, the city clerk shall be ex officio assessor.

The city clerk shall be the custodian of the seal of the city. He shall perform such additional duties in relation to the issuance of licenses, the collection of license fees and taxes as may be prescribed by ordinance.

The city clerk may appoint a deputy, or deputies, for whose acts he and his bondsmen shall be responsible; such deputy, or deputies, shall hold office subject to the pleasure of the city clerk and shall receive such compensation as may be provided by the city council.

The city clerk and his deputy, or deputies, shall have power to administer oaths or affirmations, to take affidavits and depositions pertaining to the affairs and business of the city, which may be used in any court or proceedings in the State, and to certify the same.

SEC. 32. Section 879 of said act is hereby amended to read as follows:

Sec. 879. It shall be the duty of the city attorney to advise the city authorities and officers in all legal matters pertaining to the business of said city, to frame all ordinances and resolutions required by the city council, and perform such other legal services as said city council may require from time to time. Said city attorney shall receive such compensation as may be allowed by the city council.

SEC. 33. Section 880 of said act is hereby amended to read as follows:

Sec. 880. The department of police of said city shall be under the direction and control of the chief of police and for the suppression of any riot, public tumult, disturbance of the peace, or resistance against the laws or public authorities in the lawful exercise of their functions, he shall have the powers that are now or may hereafter be conferred upon sheriffs by laws of the State, and shall in all respects be entitled to the same protection, and his lawful orders shall be promptly executed by deputies, police officers, and watchmen in said city, and every citizen shall also lend his aid, when required for the arrest of offenders and maintenance of public order. He shall and is hereby authorized to, execute and return all process issued and directed to him by any legal authority. It shall be his duty to prosecute before the city court, all breaches or violations of or noncompliance with any ordinance which shall come to his knowledge. He shall have charge of the prison and prisoners, and of any chain gang which may be established by the city council. He shall for service of any process receive the same fees as constables, but his fees for services in any criminal action or proceedings upon process issued from the city court shall not be a charge against the county. He shall perform such services relative to the collection of taxes and license fees as may be prescribed by ordinance. He shall keep a record in which must be entered, forthwith and in detail, all fees for service of process, or other moneys collected by his department or paid to him in his official capacity, which record shall be open for public inspection during office hours. He shall deposit all moneys collected by his department, immediately, with the city treasurer, in such manner as may be required by ordinance. He shall file with the city clerk a detailed statement, at least once each month, of all moneys handled by him in his official capacity during such preceding month. He may appoint, subject to the approval of the city council, one or more police officers. He may also, with the concurrence of the mayor, when the same may be by them deemed necessary for the preservation of the public order, appoint additional police officers. He shall perform such other services as this act and the ordinances of the city council shall require.

SEC. 34. Section 881 of said act is hereby repealed.

SEC. 35. Section 882 of said act is hereby amended to read as follows:

Sec. 882. A city court is hereby established in such city, to be held by the city judge of said city. Such city court shall have jurisdiction, concurrently with the justice's court, of all civil and criminal actions arising within the corporate limits of *such city, and which might be tried in such justice's court. Except as in this section* otherwise provided, the rules of practice and mode of proceeding in said city court shall be the same as are or may be prescribed by law for justices' courts in like cases, and appeals may be taken to the superior court of the county in which such city may be situated, from all judgments of said city court, in like manner and with like effect as in cases of appeals from justices' courts.

SEC. 36. Section 883 of said act is hereby amended to read as follows:

Sec. 883. The city judge shall be judge of the city court, and shall have the powers and perform the duties of a magistrate.

He may administer and certify oaths of affirmation, and take and certify acknowledgments. A justice of the peace may, at the same time, hold the office of city judge.

SEC. 37. Section 884 of said act is hereby amended to read as follows:

Sec. 884. In all cases in which the city judge is a party, or in which he is interested, or when he is related to either party by consanguinity or affinity within *the third degree, or is otherwise disqualified,* or in case of sickness or inability to

act, the city judge may call in a justice of the peace, residing in the city to act in his place and stead; or if there be no justice of the peace residing in the city, or if all those so residing are likewise disqualified, then he may call in any justice of the peace residing in the county in which such city may be situated.

SEC. 38. Section 885 of said act is hereby amended to read as follows:

Sec. 885. All moneys belonging to or collected or received for the use of such city by any officer or employee thereof shall immediately be deposited into the treasury in such manner as the city council shall prescribe by ordinance, for the benefit of the funds to which such moneys respectively belong. Every officer or employee collecting or receiving any such moneys shall report to the city clerk for the same on the first Monday in each month or at such shorter intervals as may be prescribed by ordinance.

SEC. 39. Section 886 of said act is hereby amended to read as follows:

Sec. 886. No officer of such city shall be interested, directly or indirectly, in any contract with such city, or with any of the officers thereof in their official capacity, or in doing any work or furnishing any supplies for the use of such city, or its officers in their official capacity; and any claim for compensation for work done, or supplies or materials furnished, in which any such officer is interested, shall be void, and if audited and allowed shall not be paid by the city treasurer. Any wilful violation of the provisions of this section shall be a ground for removal from office, and shall be deemed a misdemeanor and punished as such."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1171—An act to amend section 60 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to hearings.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 356—An act to amend section 3 122 of the School Code, relating to the age of admission of pupils to kindergartens.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1469—An act to amend section 5 743 of the School Code, relating to payment of salaries of employees of school districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 161—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 20, of the printed bill, after the word "for", insert the word "the".

AMENDMENT NUMBER TWO.

On page 3, line 21, of the printed bill, before the word "principal", insert the following: "any portion of the".

AMENDMENT NUMBER THREE.

On page 3, line 21, of the printed bill, after the word "interest", insert the word "of".

AMENDMENT NUMBER FOUR.

On page 3, line 21, of the printed bill, after the comma insert the words "or for"

AMENDMENT NUMBER FIVE.

On page 3, line 21, of the printed bill, after the word "purchase", insert the following "at a discount".

AMENDMENT NUMBER SIX

On page 3, line 21, of the printed bill, before the word "bonds", insert the following: ", or for transfer to the interest and sinking fund for the discharge and payment of,".

AMENDMENT NUMBER SEVEN.

On page 3, line 22, of the printed bill, strike out the entire line.

AMENDMENT NUMBER EIGHT.

On page 3, line 23, of the printed bill, strike out the words "or of".

AMENDMENT NUMBER NINE.

On page 3, line 23, of the printed bill, after the word "district", insert the words "or districts".

AMENDMENT NUMBER TEN

On page 3, line 24, of the printed bill, strike out the words "ad valorem".

AMENDMENT NUMBER ELEVEN

On page 3, line 25, of the printed bill, after the word "assessments", insert the following: "(levied wholly or in part in accordance with the assessed value of lands)".

AMENDMENT NUMBER TWELVE

On page 3, line 27, of the printed bill, after the word "extending", insert "of,".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 27, of the printed bill, after the word "or", insert the word "for".

AMENDMENT NUMBER FOURTEEN

On page 3, line 28, of the printed bill, strike out the words "maintenance and", and insert in lieu thereof the words "improvement or".

AMENDMENT NUMBER FIFTEEN.

On page 3, line 29, of the printed bill, after the word "bridges", strike out the word "and", and insert in lieu thereof the word "or".

AMENDMENT NUMBER SIXTEEN.

On page 3, line 32, of the printed bill, strike out the word "herein".

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 32, of the printed bill, after the word "provided", insert the following "in the next preceding paragraph".

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 35, of the printed bill, after the word "the", insert the following: "acquisition of rights of way for which, or the".

AMENDMENT NUMBER NINETEEN.

On page 3, lines 35 and 36, of the printed bill, strike out the word "maintenance", and insert in lieu thereof the word "improvement".

AMENDMENT NUMBER TWENTY

On page 3, line 37, of the printed bill, strike out all the matter commencing with the comma in line 37, to the period in line 40.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 164—An act to amend section 159 of an act entitled the "California Vehicle Act," approved May 30, 1923, Statutes of 1923, page 517, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 20, of the printed bill, strike out the word "and", and insert in lieu thereof the following: ", improvement or".

AMENDMENT NUMBER TWO.

On page 2, line 21, of the printed bill, strike out the word "and", and insert in lieu thereof the word "or"

AMENDMENT NUMBER THREE.

On page 2, line 24, of the printed bill, strike out the word "and", and insert in lieu thereof the following: ", improvement or"

AMENDMENT NUMBER FOUR.

On page 2, line 25, of the printed bill strike out the word "and", and insert in lieu thereof the word "or"

AMENDMENT NUMBER FIVE.

On page 2, line 28, of the printed bill, strike out the word "and", and insert in lieu thereof the following: ", improvement or".

AMENDMENT NUMBER SIX.

On page 2, line 31, of the printed bill, after the word "for", insert the word "the"

AMENDMENT NUMBER SEVEN.

On page 2, line 31, of the printed bill, before the word "principal", insert the words "any portion of the"

AMENDMENT NUMBER EIGHT

On page 2, line 31, of the printed bill, strike out the word "upon", and insert in lieu thereof the word "of".

AMENDMENT NUMBER NINE.

On page 2, line 32, of the printed bill, before the word "redemption", insert the following: "or for the".

AMENDMENT NUMBER TEN

On page 2, line 32, of the printed bill after the word "redemption" strike out the comma

AMENDMENT NUMBER ELEVEN

On page 2, line 32, of the printed bill after the word "purchase", insert the following: "at a discount

AMENDMENT NUMBER TWELVE

On page 2, line 32, of the printed bill, before the word "bonds", insert the following: "" or for transfer to the interest and sinking fund for the discharge and payment of."

AMENDMENT NUMBER THIRTEEN.

On page 2, line 34, of the printed bill strike out the word "and", and insert in lieu thereof the following: ", improvement or"

AMENDMENT NUMBER FOURTEEN

On page 2, line 35, of the printed bill, strike out the word "and", and insert in lieu thereof the following: ", parks or".

AMENDMENT NUMBER FIFTEEN.

On page 2, line 40, of the printed bill, strike out the words "ad valorem"

AMENDMENT NUMBER SIXTEEN.

On page 2, line 40, of the printed bill, after the word "assessments", insert the following: "(levied wholly or partly in accordance with the assessed value of lands)".

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 40, of the printed bill, strike out the semicolon after the word "levied", and insert in lieu thereof the following: ", which bonds have been issued

in payment of, or the proceeds of which have been used for any of the above purposes,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 897—An act to repeal Part I of Division II of the School Code, embracing sections 2 20 to 2.760, inclusive, to repeal Chapters I, II, III and IV of Part II of Division II of said code, embracing sections 2.770 to 2 1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2.10 to 2.281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-A, respectively, embracing sections 2 650 to 2.911, inclusive, to amend sections 4.181, 4.375, 4.771, 4.773, 4 811, 4 812, 4.875, 4 895, 4.896, 4.898, 4.970, 6.470 and 6.471 to 6.477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4 769, 6.470-1 and 6.470-2, and to repeal certain acts, all relating to school districts and junior college districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 18, of the printed bill, as amended in Assembly March 27, 1933, after said line, insert the following:

"2.12. The State Department of Education shall conduct a survey in each county of this State for the purpose of determining whether the plan for the merger and consolidation of the elementary school districts and high school districts set forth in Articles II, III, IV and V of this chapter shall be recommended to the electors of the county, or whether another plan of merger and consolidation of such districts drafted by the State Department of Education should be so recommended.

In each county for which the State Department of Education recommends a plan of merger and consolidation of school districts differing in any respects from the plan set forth in Articles II, III, IV and V of this chapter, the county superintendent of schools shall call a special election to be held in each elementary district in the county on the sixteenth day of February, 1934, at which election the voters of the county shall vote on whether the plan recommended by the State Department of Education or the plan proposed by Articles II, III, IV and V of this chapter shall be adopted in the county. The election must be called by posting notices, signed by a majority of the governing board of the district in at least three public places in the district, not less than twenty days before the election If there is a newspaper of general circulation published in any county in which any part of the district is situated, the notice must be published therein at least once in each calendar week for three successive calendar weeks prior to the election. The plan receiving the highest number of votes cast at the election shall be put into effect in the county on July 1, 1934."

AMENDMENT NUMBER TWO.

On page 11, line 25, of the printed bill, as amended in Assembly March 27, 1933, after said line 25, insert the following:

"2.116. The permanent employees of any school district becoming a part of a merged and consolidated school district under the provisions of this part shall be, and are hereby declared to be, permanent employees of the merged and consolidated school district."

AMENDMENT NUMBER THREE.

On page 26, line 33, of the printed bill, as amended in the Assembly March 27, 1933, strike out the words "one year", and substitute in lieu thereof the following: "three years".

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1184—An act to amend sections 639 and 671 of the Vehicle Code, relating to sirens, horns, warning devices and lights on vehicles.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the figures "639", and insert in lieu thereof the following: '640".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the figures "639", and insert in lieu thereof the following: "640".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following.

"640. Regulations Governing the Color of Lights.

The fol-".

AMENDMENT NUMBER FOUR.

On page 1, line 8, of the printed bill, after the word "amber", add a comma.

AMENDMENT NUMBER FIVE.

On page 1, line 11, of the printed bill, after the word "duties", strike out the comma.

AMENDMENT NUMBER SIX.

On page 1, line 12, of the printed bill, strike out the word "lights", and insert the following: "light".

AMENDMENT NUMBER SEVEN.

On page 1, line 14, of the printed bill, after the word "vehicle", add a comma

AMENDMENT NUMBER EIGHT.

On page 1, line 15, of the printed bill, after the word "thereon", add a comma.

AMENDMENT NUMBER NINE.

On page 1, line 12, of the printed bill, after the word "thereof", strike out the comma.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 525—An act to provide for the regulation and licensing of short wave-length radio receiving sets and the regulation of information rendered to police or other official radio broadcasting stations, to prescribe the duties of the California Highway Patrol in relation thereto, and to provide penalties for the violations thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out lines 1 to 6, inclusive, of the title, and insert in lieu thereof the following:

"An act to add a new section to the Vehicle Code to be numbered section 680, relating to the maintenance and use of short wave radio receiving sets in vehicles."

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out lines 1 to 23, and strike out all of pages 2 and 3, and insert in lieu thereof the following:

"SECTION 1 A new section is hereby added to the Vehicle Code to be numbered section 680 and to read as follows:

680. Permit to Use Short Wave Radio Receiving Set.

(a) No person shall maintain or use in any vehicle any short wave radio receiving set capable of receiving any radio broadcast on any frequency above 1500 kilo-

cycles unless a special permit so to maintain and use such set has first been obtained by the then owner of said vehicle from the director.

(b) No person shall install or repair any such radio receiving set in any vehicle except where the owner of the vehicle requests such service and exhibits for inspection a valid permit issued under this section.

(c) The director is hereby authorized to issue a permit to the owner of a vehicle to maintain and use such a radio receiving set therein where it appears to the director that such set is necessary for scientific research or legitimate business enterprise. Application for such permit shall be made upon the appropriate form furnished by the director and shall be accompanied by a fee of three dollars. The director may revoke such permit if any improper or illegal use is made of the set in the vehicle for which issued.

(d) The director shall maintain a record of all such permits issued and of all such permits revoked.

(e) Any person violating the provisions of subdivision (a) or (b) of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail for not to exceed six months or by both such fine and imprisonment.

(f) The provisions of this section shall have no application to the maintenance or use of any such radio receiving set in a vehicle where the owner or operator of such vehicle is a public officer or employee and maintains or uses such set in the discharge of duties imposed or authorized by law."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1772—An act to add a new section to the Workmen's Compensation, Insurance and Safety Act of 1917 to be known as section 26a, relating to compensation

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out all of lines 11 to 17, inclusive, of the printed bill, and insert in lieu thereof the following: "If the injury and/or death of the employee is the proximate consequence of the act of a person other than the employer, the employer shall be entitled to recover from such person all moneys so paid to the injured employee and/or his dependents as salary, wage, pension or other emolument and in the recovery thereof, the employer shall be entitled to invoke all of the provisions of section 26 of this act."

AMENDMENT NUMBER TWO

On page 1, line 5, of the printed bill, following the word "thereof", insert the following: "and during the period of disability".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2140—An act relating to the disposition of unpaid moneys deposited with public utilities for metered service.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 1 and 2 of the title of the printed bill, and insert in lieu thereof the following:

"An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof."

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, and insert in lieu thereof the following

"SECTION 1. All amounts of money heretofore or hereafter deposited with, or collected by, any public utility for the purpose of guaranteeing payment for metered

or measured service distributed or supplied by such public utility, which have remained unclaimed for more than five years after the account guaranteed thereby has been settled, or after the service to the depositor has been discontinued, together with any interest due thereon, may be claimed by the State in escheat proceedings as provided herein

SEC. 2 Whenever the Attorney General shall be informed that any such moneys have remained unclaimed as aforesaid, he shall commence an action on behalf of the State of California in the superior court of the county of Sacramento in which shall be joined as parties the public utility which collected such moneys and all persons claiming any right, title or interest therein, which latter persons may be designated in the complaint as "all persons claiming any right, title or interest in the moneys described in this complaint" Any number of public utilities and claimants or public utilities or claimants may be included in one action.

SEC 3 Service of process in such action shall be made by delivery of a copy of the complaint and summons to the president, secretary or managing officer of each defendant public utility, and by publication of a copy of such summons for a period of four weeks in a newspaper of general circulation published in the county where the action is brought.

SEC 4 All moneys judicially determined to have escheated to the State under this section shall be disposed of in the following manner: One-half thereof shall be paid into the State treasury to the credit of the general fund, and the remaining one-half shall be paid into the general fund of the county in which such money was originally collected."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 2138—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "three", and insert in lieu thereof the following: "five"

AMENDMENT NUMBER TWO

On page 1, lines 15 and 16, of the printed bill, strike out "known to have a legal right to claim the same.", and insert in lieu thereof the following: "claiming any right, title or interest therein, which latter persons may be designated in the complaint as "all persons claiming any right, title or interest in the moneys described in this complaint" "

AMENDMENT NUMBER THREE

On page 1 of the printed bill, strike out lines 25 and 26 and strike out all of page 2 and page 3, and insert in lieu thereof the following:

"SEC. 4 All moneys judicially determined to have escheated to the State under this section shall be paid into the State treasury to the credit of the general fund"

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1437—An act to provide for the inspection of warehouses where grain is stored for hire; for the sampling, examination and condemnation of infested grain and regulating the sale thereof, defining the powers and duties of the Director of Agriculture in regard thereto and prescribing penalties for violations of the provisions hereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend the Agricultural Code by adding to Division VI thereof a new chapter to be numbered 5a and to include sections 1260 to 1260.6, inclusive, pertaining to the control of insect pests in grain warehouses."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of the bill after the enacting clause, and insert in lieu thereof the following:

"1260. As used in this chapter:

(a) "Warehouse" means every elevator, building, structure, or other protected enclosure within the State, in which any grain is or is to be regularly stored for the public.

(b) "Grain" means any cereal grain customarily handled in warehouses, either in bulk or sacks.

(c) "Warehouseman" means a person lawfully engaged in the business of storing grain for compensation.

(d) "Receipt" means a warehouse receipt.

1260.1. For the purpose of controlling insect pests of grain in public warehouses, the director is authorized:

(a) To investigate and regulate the storage and warehousing of grain.

(b) At any time, with or without application to him, and in order to determine its condition, to examine or cause to be examined any grain stored in warehouses.

(c) When, in his opinion, the extent of the infestation is such as to be a menace to other grain, to declare such infested grain a public nuisance and order its treatment or disposal.

(d) To prescribe, within the limitations of this chapter, the duties of warehousemen with respect to the care of grain stored in their warehouses.

(e) To enforce such rules and regulations hereunder as he deems necessary.

1260.15. It shall be unlawful to operate, conduct or maintain a public warehouse for grain storage without having registered such warehouse with the director. Such warehouseman shall pay a registration fee of ten dollars ($10) for each warehouse each year. If the warehouseman is licensed under the provisions of Chapter 5 of Division VI of the Agricultural Code, the registration fee shall be waived.

1260.2. The director at least once each month shall report to the State Controller the total amount of moneys collected for fees, penalties, judgments or otherwise, and at the same time shall pay into the State treasury the entire amount of such receipts, which shall be credited to the Department of Agriculture fund and expended in carrying out the provisions of this chapter.

1260.25. Each warehouseman conducting a warehouse under this chapter shall comply with all rules and regulations which may be promulgated by the director and carry out such orders which, in the opinion of the director, will control insect pests. Failure or refusal on the part of the warehouseman to conform with the requirements of this section will constitute grounds for prosecution under section 1260.55 hereof.

1260.3. If the insect infestation in, or on the premises of, any grain warehouse in the opinion of the director is of a degree as to threaten injury to any grain that is or may be stored therein, the director may declare said warehouse a public nuisance. Upon notification by the director to the warehouseman declaring such warehouse to be a nuisance, the warehouseman shall promptly carry out the instructions of the director to abate said nuisance.

1260.35. If the insect infestation in any stored lot of grain in the opinion of the director is of a degree as to threaten injury to other grain stored or to be stored in the warehouse, the director may declare said lot a public nuisance and order necessary treatment or disposal. Upon written notification by the director to the warehouseman and to the owner of record declaring such lot to be a nuisance, the warehouseman shall give such notice in writing to the owner of record as is reasonable and possible under the circumstances, to secure authorization for treating the grain, or to satisfy the warehouseman's lien upon such goods and to remove them from the warehouse, said notice to be for not less than ten days or more than thirty days. In the event of a failure of such person to satisfy the lien and to remove the goods within the time so specified, the warehouseman may sell the goods at public sale, or at private sale without advertising. If the warehouseman after a reasonable effort is unable to sell such goods, he may dispose of them in any manner, and shall incur no liability by reason thereof.

From the proceeds of such sale the warehouseman shall satisfy his lien, including the reasonable charge of notice, advertisement, and sale. The balance, if any, of such proceeds shall be held by the warehouseman, and delivered to the person to whom he would have been bound to deliver or justified in delivering the goods.

At any time before the goods are sold any person claiming a right of property or possession therein may pay the warehouseman the amount necessary to satisfy his lien and pay the reasonable expenses and liabilities incurred in serving notices and advertising and preparing for the sale up to the time of such payment. The warehouseman shall deliver the goods to the person making such payment if he is a person entitled, under the provisions of Statutes 1909, Chapter 290, as amended, to the possession of the goods on payment of charges thereon. Otherwise the warehouseman shall retain possession of the goods according to the terms of the original contract of deposit.

1260.4. After receipt of authorization for treatment from the owner of any grain, which has been declared a public nuisance by the director, the warehouseman shall proceed with such treatment as prescribed by the director. The cost of such treatment shall become a lien against such grain.

1260.45. The director shall from time to time make such rules and regulations as he may deem necessary for the efficient execution of the provisions of this chapter. The director and the commissioners of each county of the State, their deputies and inspectors, under the supervision and control of the director shall enforce this chapter.

1260.5. The director from time to time may publish the results of any investigations made under the provisions of this chapter.

1260.55. If any warehouseman fails or refuses to comply with the instructions of the director in respect to the abatement of a nuisance, the director shall notify the district attorney of the county in which the nuisance exists, of such failure or refusal, and upon receipt of said notice said district attorney shall bring an action in the name of the people of the State of California against said warehouseman for the abatement of the public nuisance specified in the notice furnished by the director.

1260.6. If any clause, sentence, paragraph, or part of this chapter shall for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2095—An act to amend sections 893 and 898 of the Agricultural Code, relating to inspection of farm products and the regulation of such inspection.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "act", and insert in lieu thereof the following: "chapter".

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, strike out the word "Director", and insert in lieu thereof the following: "director".

AMENDMENT NUMBER THREE.

On page 1, line 9, of the printed bill, strike out the word "Director", and insert in lieu thereof the following: "director".

AMENDMENT NUMBER FOUR.

On page 1, line 21, of the printed bill, strike out the words "Director of Agriculture", and insert in lieu thereof the following: "director".

AMENDMENT NUMBER FIVE.

On page 1, line 23, of the printed bill, strike out the word "act", and insert in lieu thereof the following: "chapter".

AMENDMENT NUMBER SIX.

On page 1, line 25, of the printed bill, strike out the words "Director of Agriculture", and insert in lieu thereof the following: "director".

AMENDMENT NUMBER SEVEN

On page 2, line 4 of the printed bill, strike out the words "Department of", and insert in lieu thereof the following: "department"

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, strike out all of line 5, and insert in lieu thereof the following: "agriculture under authority of this chapter to certify to the".

AMENDMENT NUMBER NINE.

On page 2, line 7, of the printed bill, strike out the word "Director", and insert in lieu thereof the following: "director".

AMENDMENT NUMBER TEN

On page 2 of the printed bill, strike out all of line 8, and insert in lieu thereof the following: "of agriculture, except as provided in section 899 of this chapter."

AMENDMENT NUMBER ELEVEN.

On page 2, line 14 of the printed bill, strike out the word "act", and insert in lieu thereof the following: "chapter"

AMENDMENT NUMBER TWELVE

On page 2, line 17, of the printed bill, strike out the word "act", and insert in lieu thereof the following: "chapter: Provided, that the provisions of this chapter shall not prohibit the establishment and use of commercially accepted standards and types applicable to malting barley."

AMENDMENT NUMBER THIRTEEN.

On page 2, line 29, of the printed bill, strike out the word "act", and insert in lieu thereof the following: "chapter"

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

SPECIAL ORDER SET

On motion of Mr. Cronin, the consideration of Assembly Bill No. 250 was made a special order for this day at two o'clock and thirty minutes p. m.

REQUEST TO USE ASSEMBLY CHAMBER.

Mr. Riley asked for, and was granted, the use of the Assembly Chamber for Tuesday evening, April 4, 1933, for the purpose of having the Committee on Revenue and Taxation consider Senate Constitutional Amendment No. 30.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to section 24 of Article IV of the Constitution of said State, relating to acts codifying, revising, consolidating, rearranging or repealing the law

Assembly Constitutional Amendment No. 31 read

The question being on the adoption of Assembly Constitutional Amendment No. 31.

The roll was called, and Assembly Constitutional Amendment No. 31 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robin-

son, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—67

NOES—None.

Title read and approved

Assembly Constitutional Amendment No. 31 ordered transmitted to the Senate

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 31

A resolution to propose to the people of the State of California an amendment to section 24 of Article IV of the Constitution of said State, relating to acts codifying, revising, consolidating, rearranging or repealing the law

Resolved by the Assembly, the Senate concurring That the Legislature of the State of California at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California, that section 24 of Article IV of the Constitution of said State be amended to read as follows:

Sec. 24. Every act shall embrace but one subject, which subject shall be expressed in its title. But if any subject shall be embraced in an act which shall not be expressed in its title, such act shall be void only as to so much thereof as shall not be expressed in its title. The foregoing requirements shall not apply to an act codifying, revising, consolidating, rearranging, or repealing the whole or any portion of the law of this State, if the act is submitted by a commission, commissioner or board constituted and authorized by law to prepare such codification, revision, consolidation, rearrangement, or repeal, whether such act is enacted as thus submitted or with changes therein made by the Legislature prior to enactment. No law shall be revised or amended by reference to its title, but in such case the act revised or section amended shall be reenacted and published at length as revised or amended; and all laws of the State of California, and all official writings, and the executive, legislative, and judicial proceedings, shall be conducted, preserved and published in no other than the English language.

Assembly Concurrent Resolution No. 45—Relative to the establishment of a free employment agency in the city of Oakland.

Assembly Concurrent Resolution No. 45 read

The question being on the adoption of Assembly Concurrent Resolution No. 45.

The roll was called, and Assembly Concurrent Resolution No. 45 adopted by the following vote:

AYES—Alter, Anglin, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson and Mr. Speaker—64.

NOES—None

Title read and approved.

Assembly Concurrent Resolution No. 45 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 45.

Relative to the establishment of a free employment agency in the city of Oakland

WHEREAS, In that certain area in the city of Oakland located west of Market Street and south of Twentieth Street there is contained a great industrial community and a large portion of the city's laborers, and

WHEREAS, The Legislature deems it advisable that the Commissioner of the Bureau of Labor Statistics establish a free employment agency in said district; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That it be recommended to the Commissioner of the Bureau of Labor Statistics that he, under the authority vested in him by an act entitled "An act to establish free employment bureaus under the control of the Commissioner of the Bureau of Labor Statistics and making an appropriation therefor," approved May 17, 1915, establish a free employment agency in the city of Oakland to be located

within the area lying west of Market Street and south of Twentieth Street; and be it further

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of the Assembly to the Commissioner of the Bureau of Labor Statistics.

Assembly Bill No 334—An act to amend section 209 of the Penal Code, relating to the punishment of kidnaping for purposes of extortion or robbery.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 334 passed by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—66.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Chatters gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 334 was this day passed.

Assembly Bill No. 670—An act to amend section 384 of the Penal Code, relating to fires

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 670 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A, Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson and Mr. Speaker—59.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No 665—An act to amend sections 576 and 599 of the Vehicle Code, relating to the operation of vehicles upon the highways.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 665 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine,

Riley, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—70.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 674—An act to establish the Vehicle Code and thereby to consolidate and revise the law relating to traffic on streets and highways and the registration, identification, operation, driving, use, ownership, transfer, theft, embezzlement, destruction, molestation, unlawful entering and taking and driving, equipment, size, weight, loading and wrecking of vehicles used upon streets and highways and liens and mortgages on such vehicles and the licensing and regulation of drivers of such vehicles and the civil liability of persons signing license application of minors and the conduct and records of persons dealing with such vehicles and the civil liability arising from the ownership, maintenance, use and operation of such vehicles and the financial responsibility of owners and operators of such vehicles and crimes connected with the use of such vehicles and the parties, procedure, presumptions, evidence and reports in relation to such crimes and the creation, organization, powers, duties, jurisdiction and maintenance of the Department of Motor Vehicles and its divisions in connection therewith and the collection, disposition and use of fees, fines and forfeitures in relation thereto and the limitations on the powers of local authorities over the aforesaid subject and to repeal certain specified provisions of law germane to the aforesaid subject

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 674 was withdrawn from the file, and referred to Committee on Ways and Means.

Assembly Bill No. 1172—An act to amend sections 1, 2, 3, 5, 6, 7, 10, 13, 13a, 14 and 16 of Chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, to add thereto a new section to be numbered 19, providing for a short title for said act, and to repeal Chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and

adopting those provisions, not inconsistent herewith, of an act entitled, "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended and approved May 23, 1925," as amended.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1172 was withdrawn from the file, and referred to Committee on Ways and Means.

Assembly Bill No. 1560—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act, approved May 30, 1921, and of any and all acts amendatory thereof or supplemental thereto, creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued, and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1934.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1560 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1182—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene, distillate or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for a license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for the violation of this act, and repealing all acts or parts of

acts inconsistent herewith," approved May 30, 1923, relating to expenditure of moneys received hereunder.

Bill read third time

The question being on the passage of the bill.

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No. 1182 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 177—An act to amend sections 822, 824, 829, and 1269a of the Penal Code and to add a new section thereto to be numbered section 815a, relating to bail in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 177 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—68

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At twelve o'clock p m., on motion of Mr. West, the Assembly was declared at recess until one o'clock and thirty minutes p m of this day.

REASSEMBLED

At one o'clock and thirty minutes p m., the Assembly reconvened Speaker Little in the chair.

Assistant Clerk Bernard reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1933

MR SPEAKER: Your Committee on State Grounds and Parks, to which was referred Assembly Bill No. 1336—An act transferring a parcel of State park land in Humboldt County from the Department of Natural Resources to the Department of Public Works to be used for State highway purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

FIELD, Chairman.

The above reported bill ordered on file for second reading.

ON UNIVERSITIES

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1933

MR SPEAKER: Your Committee on Universities, to which was referred Assembly Bill No. 810—An act providing for the deposit of county and city publications in the State Library and the University of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

MORGAN, Chairman.

The above reported bill ordered on file for second reading

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1933

MR SPEAKER. Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 159—An act to amend section 4041.7 of the Political Code, defining the powers of the board of supervisors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 313—An act to amend sections 8 and 17 of the State Medical Practice Act, relating to certificates licensing the practice of medicine, drugless healing, and chiropody, and to penalties for violation of the provisions of the act.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 313 was withdrawn from the file, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1352—An act to regulate contracts on behalf of the State in relation to the construction, repair, or improvement of any State structure, building, road, or other State improvement of any kind and to repeal an act entitled, "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any State structure, building, road, or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,' " approved March 22, 1909.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No. 1352 was withdrawn from the file, and referred to Committee on Ways and Means.

Assembly Bill No. 676—An act to amend section 1861a of the Civil Code, relating to liens of lessors of real property.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 676 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 1916—An act to repeal Articles IV, V, Va and VII of Chapter VII of Part III of Division V of the School Code, embracing sections 5.680 to 5.713, inclusive, relating to dismissal of school employees.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1916 was withdrawn from the file, and referred to Committee on Education.

Assembly Bill No 2332—An act to add section 3a to an act entitled "An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products, to provide for the revocation of produce dealers' license, to declare certain acts to be offenses and to fix the penalties therefor; and to repeal all conflicting acts or parts of acts," approved June 1, 1927, relating to slaughterers.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No. 2332 was withdrawn from the file, and referred to Committee on Live Stock and Dairies.

Assembly Bill No 1083—An act to amend sections 2, 3, 5, and 6 of an act entitled, "An act to define motor club service, and to define, license, and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles, and providing penalties for the violation thereof, and repealing all acts in conflict herewith," approved June 15, 1929.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 1083 was withdrawn from the file, and referred to Committee on Insurance.

Assembly Bill No 1091—An act to amend sections 633a, 633a4, 633a7, 633a16, 633a18, 633a24, 633a25, 633a27, 633a28, 633a29 and 633a31 of the Political Code, and to add three new sections to the Political Code, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors, numbered sections 633a32, 633a33 and 633a34.

Bill read third time

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1091 was withdrawn from the file, and referred to Committee on Insurance.

Assembly Bill No. 319—An act to amend sections 3746, 3751, 3756, 3814 and 3817 of the Political Code of California, relating to penalties for delinquencies in payment of taxes, and to redemption of property from tax sales, and to repeal sections 3815 and 3817a of said code

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 319 was withdrawn from the file, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1309—An act to amend sections 3746, 3751, 3756, 3817 and 3817a of the Political Code, relating to property tax, delinquency penalties and assessments.

Bill read third time

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1309 was withdrawn from the file, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1595—An act to provide for the payment of real property taxes heretofore delinquent, the redemption of such property and the restoration thereof to the assessment rolls.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No. 1595 was withdrawn from the file, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1277—An act defining clinics and dispensaries and providing for the operation, conduct, maintenance, and the examination and regulation thereof, and the issuance of permits therefor by the State Board of Public Health and the Director of Public Health.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No 1277 was withdrawn from the file, and referred to Committee on Medical and Dental Laws.

Assembly Bill No 1914—An act to allow unincorporated territory within a county to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection, custody and disbursement of taxes, for such purposes and to create a Board of Police Commissioners

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1914 was withdrawn from the file, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1351—An act to amend section 4156b of the Political Code, prohibiting district attorneys of counties or cities and counties from defending or assisting in the defense of, or acting as counsel for, defendants in civil actions and proceedings, when the State or any county or city and county or municipality or other political subdivision of the State, is a party plaintiff, and to redesignate said section 4156b as section 4156c of the Political Code.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 1351 was withdrawn from the file, and referred to Committee on County Government.

Assembly Bill No. 189—An act to amend sections 361, 362, 362a, 362b and 362c of the Civil Code, all relating to corporations.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 189 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 1721—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered section 4041 26, relating to the issuance of warrants or certificates of indebtedness by boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 1721 was withdrawn from the file, and referred to Committee on County Government

Assembly Bill No 191—An act to amend sections 399, 399a, 400, 400a, 401, 401a, 401c, 402, 402a, 403, 403a, 403b, 403c, 403d, 404, 404a and 404b of the Civil Code, and to repeal section 401b of the Civil Code, all relating to winding up and dissolution of corporations.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 191 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No 192—An act to amend sections 405, 406, 406a, 408, 411 and 412 of the Civil Code, and to repeal section 409 of the Civil Code, all relating to foreign corporations.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 192 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No 2165—An act to amend section 447 of the Code of Civil Procedure, relating to written instruments.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2165 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No 543—An act making it unlawful for an attorney at law to employ any person who is not an attorney to solicit claims for personal injuries or for death, prohibiting any person not an attor-

ney at law from soliciting such claims, limiting the use of written statements taken from an injured person, and providing the penalties therefor, also establishing presumptions as to certain settlements, compromises, releases, discharges and satisfactions as to contracts with attorneys.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 543 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 1605—An act to add section 2349a to the Political Code, relating to navigable waters.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1605 passed by the following vote:

AYES—Alter, Badham, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Peterson, Phillips, Powers, Rawls, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Staunard, Stream, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 540—An act to amend section 3805a of the Political Code, relating to cancellation of assessments, certificates of sale and deeds.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 540 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Hatch, Hoffman, Hunt, Jones, King, Latham, Levey, Maloney, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Peterson, Phillips, Powers, Robinson, Samuel E., Rogers, Roland, Ross, Stream, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 770—An act to add section 1a to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair competition

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 770 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 677—An act to amend section 537 of the Penal Code, relating to defrauding proprietors of hotels, inns, restaurants, boarding houses, lodging houses, apartment houses, or bungalow courts.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 677 passed by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Craig, Evans, Feigenbaum, Grubbs, Hatch, Hunt, Jones, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Wright and Mr. Speaker—51

NOES—Crist, Fisher, Hoffman, Latham and Zion—5.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No 2318—An act to amend sections 4, 5, 6, 7, 9, 11, and to add a new section numbered 17 to Chapter 598, Statutes 1913, entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act." approved June 16, 1913, relating to the Board of Optometry and to the regulation of the practice of optometry and relating to the constitutionality of said act

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2318 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Morgan, Nielsen, Peterson, Phillips, Powers, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Tournoux, Utt, West, Wright and Mr Speaker—50

NOES—Jones, King, Latham, Miller, Eleanor; O'Connor, Rawls, Stannard, Stream and Sullivan—9.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At two o'clock and twenty minutes p.m., the Assembly was declared at recess for the purpose of extending birthday felicitations to Hon.

Frank C. Jordan, Secretary of State, who today was celebrating his seventy-third birthday.

REASSEMBLED

At two o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

SECOND READING OF SENATE BILLS.

Senate Bill No. 176—An act to amend section 69 of the Civil Code, relating to marriage licenses.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 175—An act to amend section 60 of the Civil Code, relating to illegal and void marriages.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 694—An act to amend section 73 of the California Irrigation District Act, relating to the liability of officers for violation of duties and of irrigation districts for the negligence of its directors, officers, agents or employees.

Bill read second time, and ordered on file for third reading

SPECIAL ORDER.

The hour of two o'clock and thirty minutes p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO HUNDRED FIFTY.

Assembly Bill No. 250—An act to amend sections 692, 693, 694, 695 and 696 of the Fish and Game Code, relating to striped bass.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Anglim:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended, strike out lines 20 to 22, inclusive, and insert in lieu thereof the following:

"693. Not more than three hooks, artificial lures excepted, may be used on any line for the purpose of taking striped bass. Striped bass may be taken other than with hook and line in districts 12B and 12C between February 15th and May 15th."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, strike out lines 25 and 26, and insert in lieu thereof the following:

"694. No striped bass less than twelve inches in length may be taken. No striped bass less than 20 inches in length or over ten pounds in weight may be sold, purchased, or transported. Striped bass shall be measured from the tip of the snout to the extreme tip of the tail."

AMENDMENT NUMBER THREE.

On page 2, line 34, of the printed bill, as amended, strike out "or purchased.", and insert in lieu thereof a comma and the following: "purchased or transported between June 1st and February 14th."

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Lyon, Evans and Hoffman, the Speaker ordered a roll call taken on the adoption of the amendments to Assembly Bill No. 250

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr Anglim moved a call of the House.

Motion carried

Time, four o'clock and forty-five minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr Speaker—77.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1933

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1138—An act to amend the Political Code by adding to Part IV, Title II, Chapter VIII of said code a new article to be numbered Article III, embracing sections 4222a to 4222*l*, inclusive, amending section 2641 and repealing sections 2642, 2645 and 4222 of said code, thereby creating the office of county engineer, transferring to the county engineer all the powers and duties of the county surveyor and the powers and duties of other officers and employees of the county with respect to county roads, highways and bridges, and vesting in the county engineer additional powers and duties with respect to construction, improvement, maintenance and repair of county roads, highways and bridges, and to repeal the County Engineer Act—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 133—An act to repeal an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved May 24, 1927, Statutes of 1927, page 1351, as amended, with the provision that such repeal shall not apply to existing bonds or to any existing proceeding instituted under said act;

Also: Assembly Bill No. 138—An act to repeal an act entitled "An act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889, Statutes of 1889, page 70, as amended, with provision that said repeal shall not apply to existing proceedings under said act, or to bonds or assessments issued or levied pursuant thereto;

Also Assembly Bill No. 187—An act to amend sections 341, 342, 342a, 342b, 343, 346, 346a, 348, 348a, and 348b of the Civil Code, and to repeal section 347 of the Civil Code, all relating to corporations;

Also: Assembly Bill No 194—An act to repeal the "Transportation District Act";

Also: Assembly Bill No. 356—An act to amend section 3.122 of the School Code, relating to the age of admission of pupils to kindergartens;
And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 780—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10a, 11 and 12 of, and to add section 15 to, an act entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to contractors and the Contractors' License Bureau and declaring the same to be an urgency measure;

Also: Assembly Bill No. 868—An act to amend section 10 of and to add a new section to be known as 1a, to an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund," approved May 10, 1927, as amended;

Also: Assembly Bill No. 1171—An act to amend section 60 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to hearings;

Also: Assembly Bill No. 1301—An act to amend sections 1, 5, and 24 of the Direct Primary Law, approved June 16, 1913, as amended, relating to party affiliation and party conventions;

Also: Assembly Bill No. 1469—An act to amend section 5.743 of the School Code, relating to payment of salaries of employees of school districts;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 151—An act to add sections 8a, 27, 28, 29, 30, 31, 32, 33, and 34 to Chapter 310, Statutes of 1905, entitled "An act to provide for the formation of levee districts in the various counties of this State, and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, relating to levee districts;

Also: Assembly Bill No 271—An act to amend section 903 of the Penal Code, relating to grand jurors;

Also: Assembly Bill No. 303—An act to abolish the Bureau of Publications and Documents in the Department of Finance and to transfer to the State Printer all the powers and duties of said bureau;

Also: Assembly Bill No 310—An act to establish a Fish and Game Code, therein revising and consolidating the law relating to fish and game and other wild life, and repealing certain provisions of law therein specified;
And reports that the same have been correctly enrolled and presented the same to the Governor on this third day of April, 1933, at two o'clock and thirty minutes p m.

PATTERSON, Chairman.

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1933.

MR SPEAKER Your Committee on Education, to which was referred Assembly Bill No. 491—An act to add two new sections to the School Code, to be numbered 4.769 and 4 929, and to amend section 4 950 of said code, relating to the computation of average daily attendance in public schools;

Also: Assembly Bill No. 988—An act to amend section 4 770 of the School Code, relating to teacher units;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

ROLAND, Chairman.

The above reported bills ordered on file for second reading

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1933.

MR SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 2137—An act relating to the acquisition by municipalities of any public utility, and of any enterprise or undertaking convenient or necessary for the improvement and development of a municipality, and the payment therefor by revenue bonds, and for the sale or lease of such utility, enterprise or undertaking to any person, partnership or corporation—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LATHAM, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1933.

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No 374—An act to provide for the construction and supervision of safe and sanitary low-cost dwellings and apartments, and for the rental or sale thereof at reasonable rates, and in connection therewith to authorize the incorporation and provide for the regulation of limited dividend housing corporations and prescribe the powers, rights and duties thereof; to regulate and limit the rate of return on securities to be issued by such corporations; to declare the urgency of this act and provide that it shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 2, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 398—An act to repeal the act entitled "An act creating a game refuge within a certain fish and game district in El Dorado County, providing for the protection thereof and providing penalties for violations of this act," approved June 19, 1931;

Also Senate Bill No 679—An act to amend the Fish and Game Code of the State of California by adding thereto new sections numbered respectively 170 and 282, relating to the establishment and maintenance of a game refuge in the county of Monterey designated Monterey Peninsula Game Refuge;

Also, Senate Bill No. 735—An act to amend section 1204 and 1209 of the Fish and Game Code, relating to ducks and geese;

Also Senate Bill No. 489—An act to amend section 613 of the Fish and Game Code, relating to trout;

Also, Senate Bill No. 668—An act to amend sections 1035 and 1039 of the Fish and Game Code, relating to fish;

Also Senate Bill No. 780—An act to add section 798.6 to the Fish and Game Code, relating to abalones

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 398, 679, 735, 489, 668 and 780 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1933.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2316—An act to provide for a convention in the State of California to pass on the amendment to the Constitution of the United States for the repeal of the Eighteenth Amendment thereof and for the prohibition of the transportation and importation of intoxicating liquor into the States and Territories in violation of the laws thereof, proposed by the Congress for ratification by conventions in the several States, and to call a special election for the purpose of filling the offices of delegates to such convention

in this State—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Bill No. 2316 referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 258—An act to amend "The California Districts Securities Commission Act" approved June 19, 1931, by repealing section 11 thereof and adding a new section 11 thereto, providing that defaulting irrigation districts under certain circumstances shall be subject to said section and shall be under the control of The California District Securities Commission to the extent and for the time set forth; providing for the levy, and the manner of levy, of the annual assessment of such defaulting districts in an amount it will be reasonably possible for the lands to pay without exceeding a delinquency of fifteen per cent and for the allocation of the proceeds of said annual assessment, notwithstanding any other provisions of law governing said districts, limiting the operation of said section 11 until November 1, 1937, only, unless sooner repealed; and declaring same an emergency measure enacted under the police power—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Bill No. 258 referred to Committee on Irrigation.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Stannard: Assembly Joint Resolution No. 28—Relative to memorializing Congress to enact legislation providing for relief of California Indians.

Introduced, and referred to Committee on Federal Relations.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Badham asked for, and was granted, unanimous consent to have the rules suspended for the purpose of rescinding all actions, and expunging all records whereby Assembly Bill No. 770 was this day passed.

MOTION TO EXPUNGE RECORD.

Mr. Badham moved to rescind all actions and expunge all records relative to the passage of Assembly Bill No. 770 this day, by reason of the bill having been wrongfully explained.

The question being on the motion to rescind, and expunge the record relative to Assembly Bill No. 770.

Motion carried.

Assembly Bill No. 770 ordered placed on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 833—An act validating the formation, organization, reorganization and existence of joint highway districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 833 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam,

King, Knowland, Latham, Levey, Maloney, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 634—An act to provide for the establishment of the coast line of the State of California.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Senate Bill No. 634 was withdrawn from the file, and referred to Committee on Commerce and Navigation.

Senate Bill No. 457—An act to validate all proceedings for the formation of improvement districts within irrigation districts and all assessments heretofore made in any such improvement districts, to validate all warrants heretofore issued or to be issued, payable from the assessments levied in such improvement districts, and authorizing and directing the collection of the assessments in such improvement districts sufficient to pay the principal and interest of said warrants, validating and confirming all acts and proceedings of the board of directors of any irrigation district in connection with the acquisition and creation of improvement districts within irrigation districts, and the acquisition, construction, operation, maintenance and repair of improvements therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 457 finally passed by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 886—An act transferring from the appropriation contained in Chapter 400, Statutes of 1931, to the general fund an amount equal to the State's contributions to the State employees' retirement fund for employees of the California Toll Bridge Authority, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 22, 1933.

To the Honorable Members of the Assembly of the State of California

Senate Bill No. 886 makes an appropriation to reimburse the general fund for the State's contribution to the State employees' retirement fund to cover employees of the California Toll Bridge Authority

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of section 34 of Article IV of the Constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connell, O Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—71

NOES—None.

FURTHER CONSIDERATION OF SENATE BILL NUMBER EIGHT HUNDRED EIGHTY-SIX.

Senate Bill No. 886—An act transferring from the appropriation contained in Chapter 400, Statutes of 1931, to the general fund an amount equal to the State's contributions to the State employees' retirement fund for employees of the California Toll Bridge Authority, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 886 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin Crowley Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH

At five o'clock and twenty minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Anglim.

The roll of absentees was called, and the amendments to Assembly Bill No 250 were adopted by the following vote:

AYES—Alter, Anglim, Badham, Boyle, Brock, Callahan, Chatters, Craig, Dempster, Evans, Field, Frazier, Grubbs, Hallner, Hunt, Jones, King, Lyon, Maloney, Martin, McBride, McCarthy, Miller, Eleanor, Miller, James A., O'Connor, O'Donnell, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Tournoux, Turner, Utt and Wright—42

NOES—Bliss, Bowers, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Fisher, Gilmore, Greene, Hatch, Hoffman, Hornblower, Kallam, Knowland, Latham, Levey, Mayo, McMurray, Meehan, Meeker, Morgan, Nielsen, Patterson, Peterson, Robinson, C. Ray; Roland, Scudder, Thorp, West, Williamson, Zion and Mr. Speaker—37.

NOTICE OF RECONSIDERATION.

Mr. Fisher gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments to Assembly Bill No. 250 were this day adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1933.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No 251—An act to amend sections 1 and 2 of "An act prohibiting the issuance as payment for wages or any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

DEMPSTER, Chairman.

The above reported bill ordered re-referred to Committee on Rules.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1933

MR SPEAKER Your Committee on Rules, to which was referred Assembly Bill No 2137—An act giving the Insurance Commissioner power to limit payments or loans of funds of life insurance companies and to generally regulate such companies for the protection of policyholders during periods of extraordinary economic and financial conditions, defining the term "life insurance companies" as used herein, reciting the establishment of similar control and limitations in other States, and declaring the urgency thereof and that the same shall take effect immediately;

Also Assembly Bill No 251—An act to amend sections 1 and 2 of "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911,

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman

The above reported bills ordered to reprint.

ADJOURNMENT

At five o'clock and twenty-five minutes p.m., on motion of Mr. Meeker, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, April 4, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, April 4, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Peterson, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr Levey, Mr. Cronin was granted leave of absence for the day.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From A. H. Carpenter, San Joaquin County, relative to impeachment

Petition ordered referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1933

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 188—An act to amend sections 355, 357, 358 and 359 of the Civil Code, and to add a new section to the Civil Code to be numbered 356, all relating to corporations;

Also: Assembly Bill No 190—An act to amend sections 363, 364, 365, 366, 368, 369, 370a and 373 of the Civil Code, all relating to corporations;

Also, Assembly Bill No 980—An act to provide for the acquisition, construction, extension and operation of systems and works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary and sanitation districts; also providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of constructing, operating and maintaining such works; also providing for the use of such works by other cities, counties or districts, and declaring the urgency thereof;

Also: Assembly Bill No 2272—An act to amend section 4250 of the Political Code, relating to compensation of officers and employees in counties of the twenty-first class;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1933.

MR. SPEAKER: Your Committee on Conservation, to which was referred Senate Bill No 1174—*An act to require the use of materials and supplies produced in the*

United States, in public works and for public purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

EVANS, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 3, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2337—An act giving the Insurance Commissioner power to limit payments or loans of funds of life insurance companies and to generally regulate such companies for the protection of policyholders during periods of extraordinary economic and financial conditions, defining the term "life insurance companies" as used herein, reciting the establishment of similar control and limitations in other States, and declaring the urgency thereof and that the same shall take effect immediately.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 305—An act to add a new section, to be numbered 52a, to the "California Irrigation District Act," providing for the use of certain bonds and coupons in the payment of assessments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 282—An act to amend sections 10, 11, 12 and 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, approved May 21, 1915, as amended, relating to the practice of dentistry and the power of the dental board;

Also: Assembly Bill No. 283—An act to amend sections 6 and 14 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry and the power of the dental board;

Also: Assembly Bill No. 1076—An act to amend section 809 of the Agricultural Code, relating to the standardization of walnuts;

Also: Assembly Bill No. 1193—An act to amend section 792 of the Agricultural Code, relating to the standardization of avocados;

Also: Assembly Bill No. 659—An act to amend the title and sections 2 and 3 and to add a new section, to be numbered section 1¼, to an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employers or applicants for employment," approved April 20, 1917 (Statutes 1917, Chapter 108, as amended, Statutes 1927, Chapter 347, Statutes 1929, Chapter 559), by specifically including within its protection any security put up by the employee, or applicant for employment, for faithful performance and any money or property directly or indirectly turned over to the employer or prospective employer pursuant to the contract of employment, prohibiting investments and the sale of stock or an interest in a business in connection with the securing of a position and advertisements to this effect, and providing penalties for violation of the provisions thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1395—An act to

amend section 537 of the Code of Civil Procedure, relating to attachments—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1077—An act to amend section 782 of the Agricultural Code, relating to the powers of the director—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Agriculture.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1068—An act to amend section 805 of the Agricultural Code, relating to standardization of Oriental persimmons—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Agriculture.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 220—An act to amend section 1152 of the Fish and Game Code, relating to shooting at birds or mammals from vehicles or from public roads and highways.

Also: Senate Bill No. 252—An act to amend section 939 of the Code of Civil Procedure, relating to appeals.

Also: Senate Bill No. 301—An act providing for the deposit of all city and county publications in the State Library and the University of California;

Also: Senate Bill No. 124—An act to amend sections 3.480, 3.481 and 3.482 of the School Code, relating to tuition charges for adults;

Also: Senate Bill No. 515—An act to amend section 3.730 of the School Code, relating to physical education;

Also: Senate Bill No. 76—An act to amend section 1.272 of the School Code, relating to the powers and duties of attendance officers;

Also: Senate Bill No. 773—An act to amend sections 3.330 and 3.331 of the School Code, relating to the attendance of high school pupils residing in California upon high schools in adjoining States;

Also: Senate Bill No. 812—An act amending section 6.190a of the School Code, relating to the powers of school, high school and junior college districts;

Also: Senate Bill No. 650—An act to amend section 16.49 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the forty-ninth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 220 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 252 read first time, and referred to Committee on Judiciary.

Senate Bill No. 301 read first time, and referred to Committee on Universities.

Senate Bills Nos. 124, 515, 76, 773 and 812 read first time, and referred to Committee on Education.

Senate Bill No. 650 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1183—An act making an appropriation for the support of the Department of Finance, declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No 1183 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1182—An act making an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No 1182 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1181—An act making an appropriation to pay the cost of printing constitutional amendments for the 1932 election, declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No 1181 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No 21—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding a new section to Article IV thereof, to be numbered 1a, relating to budgets of offices, departments, institutions, boards, commissions, bureaus, or other agencies of the State created by initiative or referendum measures

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Constitutional Amendment No. 21 read, and referred to Committee on Constitutional Amendments

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Stream: Assembly Constitutional Amendment No. 99—Proposed amendment to Article XIII, section 9a of the Constitution, relative to taxation of improvements and interests in real property.

Introduced, and referred to Committee on Constitutional Amendments.

UNFINISHED BUSINESS.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Chatters moved that the vote whereby Assembly Bill No. 334 was passed, be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Badham, Bliss, Bowers, Boyle, Brock, Burns, Chatters, Clowdsley, Cottrell, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Rawls, Robinson, C. Ray; Rogers, Roland, Ross, Stannard, Sullivan, Tournoux, Turner, Woolwine and Mr. Speaker—43.

NOES—None.

CONSIDERATION OF ASSEMBLY BILL NUMBER THREE HUNDRED THIRTY-FOUR.

Assembly Bill No. 334—An act to amend section 209 of the Penal Code, relating to the punishment of kidnapping for purposes of extortion or robbery.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Chatters:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, as amended in the Assembly on March 29, 1933, after the word "kidnapping," strike out the following: "is or are murdered or".

Amendment adopted.

Bill read, ordered to reprint, engrossment, and third reading.

MOTION TO RECONSIDER.

Mr. Fisher moved that the consideration of his motion to reconsider the vote whereby amendments to Assembly Bill No. 250 were adopted be continued until the next legislative day.

POINT OF ORDER.

Mr Jones arose to the following point of order: Stating that reconsideration of amendments to a bill were out of order according to the Standing Rules of the Assembly.

RULING BY SPEAKER.

The Speaker ruled the point of order raised by Mr Jones not well taken, according to Robert's Rules of Order, page 158.

The question being on continuing reconsideration of Assembly Bill No. 250.

Motion carried.

Reconsideration of Assembly Bill No. 250 ordered continued until the next legislative day.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No 1064—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments,

loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees, to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent therewith," approved May 5, 1931, by amending section 15.17, relating to investments authorized to be made by any borrowers' mutual building and loan association.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 2, line 6, of the printed bill, after the phrase "metropolitan water district", insert "municipal utility district".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 810—An act providing for the deposit of county and city publications in the State Library and the University of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1336—An act transferring a parcel of State park land in Humboldt County from the Department of Natural Resources to the Department of Public Works to be used for State highway purposes.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 159—An act to amend section 4041.7 of the Political Code defining the powers of the board of supervisors.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 43, of the printed bill, after the word "purchase", insert the following: "or redeem at a discount".

AMENDMENT NUMBER TWO.

On page 2, line 43, of the printed bill, strike out the words "ad valorem".

AMENDMENT NUMBER THREE.

On page 2, line 44, of the printed bill, strike out the word "proceedings", and insert in lieu thereof the following: "for the payment of which special assessments (levied wholly or partly in accordance with the assessed value of lands) have been or are to be levied, the proceeds".

AMENDMENT NUMBER FOUR.

On page 2, line 45, of the printed bill, after the word "easements,", insert the word "or".

AMENDMENT NUMBER FIVE.

On page 2, line 46, of the printed bill, after the word "maintenance", insert the following ", improvement".

AMENDMENT NUMBER SIX

On page 2, line 47, of the printed bill, strike out the word "and" following the word "bridges,", and insert in lieu thereof the word "or".

AMENDMENT NUMBER SEVEN

On page 2, line 48, of the printed bill, strike out the comma following the word "thereof", and insert in lieu thereof the following: "and also to pay any portion of the principal or interest of, or to transfer to the interest and sinking fund for the discharge and payment of, any of said bonds."

AMENDMENT NUMBER EIGHT

On page 2, line 48, of the printed bill, strike out the following: "when said bonds are", and insert in lieu thereof the following: "Said bonds may be redeemed or".

AMENDMENT NUMBER NINE.

On page 2, line 50, of the printed bill, strike out the following: "pur-".

AMENDMENT NUMBER TEN.

On page 2, line 51, of the printed bill, strike out the following: "chase", and insert in lieu thereof the word "expenditures".

AMENDMENT NUMBER ELEVEN

On page 3, line 2, of the printed bill, strike out the following: "Statutes of 1923,"

AMENDMENT NUMBER TWELVE.

On page 3, line 3, of the printed bill, strike out the words "page 571, as amended.".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 3, of the printed bill, strike out the word "Statutes".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 4, of the printed bill, strike out the following: "of 1923, page 571, as amended.", and insert in lieu thereof the following: ", as said statutes are amended or shall hereafter be amended, or from any other statutory source providing for the disposition of motor vehicle fuel license taxes or motor vehicle registration license fees."

AMENDMENT NUMBER FIFTEEN.

On page 3, line 7, of the printed bill, after the comma which follows the word "Act", insert the following: "or any other statute which may provide for the disposition of motor vehicle fuel license taxes or motor vehicle registration license fees,".

AMENDMENT NUMBER SIXTEEN.

On page 3, line 11, of the printed bill, strike out the word "either", and insert in lieu thereof the word "any".

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 12, of the printed bill, after the word "that", insert the following: "the expenditure of".

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 12, of the printed bill, strike out the word "expended", and insert in lieu thereof the word "made".

AMENDMENT NUMBER NINETEEN.

On page 3, line 16, of the printed bill, after the word "maintain", insert the following: ", improve".

AMENDMENT NUMBER TWENTY.

On page 3, line 17, of the printed bill, strike out the word "and", and insert in lieu thereof the word "or".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 491—An act to add two new sections to the School Code, to be numbered 4.769 and 4.929, and to amend section 4.950 of said code, relating to the computation of average daily attendance in public schools.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, strike out "with"; also strike out line 16, and insert in lieu thereof a comma and the following: "for purposes of apportionment, with more than fifteen hours of attendance during any one calendar week."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 988—An act to amend section 4.770 of the School Code, relating to teacher units.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out all of lines 3 to 8, inclusive, and insert in lieu thereof the following:

"4.770. Teacher units shall be allowed to each elementary school district as herein provided:

1. One teacher unit for the first thirty-five units or fraction of thirty-five units of average daily attendance therein during the preceding school year, plus

2. One additional teacher unit for the next thirty-five or fraction of thirty-five, but not less than five, units of average daily attendance therein during the next preceding school year, plus

3. One additional teacher unit for each additional thirty-five or fraction of thirty-five, but not less than ten, units of average daily attendance therein during the next preceding school year.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2137—An act relating to the acquisition by municipalities of any public utility, and of any enterprise or undertaking convenient or necessary for the improvement and development of a municipality, and the payment therefor by revenue bonds, and for the sale or lease of such utility, enterprise or undertaking to any person, partnership or corporation.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the first line of the title of the printed bill, after the word "the", strike out the balance of the title, and insert the following: "construction, acquisition, operation and maintenance by municipalities of water supplies, and water works; electric light and power plants and distributing systems; natural or artificial gas plants, distributing systems and works; sand, gravel, stone, asphalt, cement and other plants, quarries, mills, and works used in producing or preparing materials for street construction; street car, bus or other transportation lines, tracks, equipments and buildings, and other factories, plants, equipments, material essential or convenient for establishing, operating, maintaining and activity in which they may be engaged, or may desire to engage in."

AMENDMENT NUMBER TWO

On page 1, line 1, of the printed bill, after the letter "I", insert the following: "Any incorporated city or town within the State be, and hereby is, authorized to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate lands and water works, within or without its limits, for the purpose of fur-

nishing such city or town, and the inhabitants thereof, and any other persons, with an ample supply of water for all purposes, public and private, including water power and other power derived therefrom, with full power to regulate and control the use, distribution and price thereof; to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate lands and electric light and power plants and distributing systems, within or without its limits, for the purpose of furnishing such city or town, and the inhabitants thereof, and any other persons with electric current for lighting, heating, cooking and all other purposes including that of power for industrial and other uses, public and private, with full authority to regulate and control the use, distribution and price thereof, together with the right to handle and sell, or lease, any motors, lamps, meters, transformers and equipment and accessories of any and every kind, necessary and convenient for the use, distribution and sale thereof, to authorize the construction of such plant or plants by others for the same purpose, and to purchase such electricity or power from either within or without the city or town for its own use, and for the purpose of selling to its inhabitants and to other persons doing business within or without the limits of such city or town, and to regulate and control the price thereof; to construct, condemn and purchase, purchase, acquire, add to, maintain lands and conduct and operate natural and artificial gas plants and distributing systems, within or without its limits, for the purpose of furnishing such city or town, and the inhabitants thereof, and any other persons, with natural or artificial gas, or any mixture of natural and artificial gas, for lighting, heating, cooking, and all other purposes, public and private, with full authority to regulate and control the use, distribution and price thereof, together with the right to handle and sell, or lease, any stoves, meters and other equipment and accessories of any and every kind, necessary or convenient for the use, distribution and sale thereof; to authorize the construction of such plant or plants by others for the same purpose, and to purchase such gas from either within or without the city or town for its own use, and for the purpose of selling to its inhabitants and to other persons doing business within such city or town, and to regulate and control the price thereof; to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate works, plants, quarries, lands, and all other facilities for the preparation and manufacture of all such sand, gravel, stone, asphalt cement and other materials which may be used in street constructions and maintenance, together with the right to use the same, and to fix the price of and sell the same for use in the construction of municipal improvements within such city or town, but not for any private use or purpose whatever; to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate or lease electric, cable and other railways within the limits of such city or town, and to purchase, acquire motor buses, motor trucks and any and all other forms and methods of transportation of freight and passengers, and engage in, carry on and operate the business of transporting and carrying freight and passengers by any method or combination of methods, with full authority to regulate and control the use and operation of vehicles or other agencies or transportation used for such business, and to fix, alter, regulate and control the fares and rates to be charged therefor, to construct, condemn, and purchase, purchase, acquire, add to, maintain, conduct and operate any and all other plants, factories, equipments, buildings and materials necessary or convenient for establishing and carrying on any industrial activity of any nature whatsoever, in which it may be engaged, or may desire to engage in, for the improvement, betterment and/or development of such city or town, or the inhabitants thereof.

SEC. 2. Whenever the city council, board of city trustees or other corporate authorities of such city or town shall deem it advisable that the city or town of which they are officers shall condemn, purchase, acquire or construct any utility, enterprise or undertaking mentioned in this act, or make any additions or betterments or extensions thereof, the city council, board of city trustees or other corporate authority shall provide therefor by ordinance, which shall specify and adopt the system or plan proposed, and declare the estimated cost thereof, as near as may be, and the same shall be submitted for ratification or rejection to the qualified voters of the city or town at a general or special election unless the estimated cost thereof shall not exceed two thousand dollars.

If a general indebtedness is to be incurred, the amount of such indebtedness and the terms thereof shall be included in the proposition to be submitted, to, and adopted by a majority of the qualified voters of such city or town voting at said election, or elections.

Two weeks' notice of any such election shall be given in a newspaper of general circulation, by publication in each issue of said newspaper during said time. Whenever a proposition has been adopted as aforesaid the city council, board of city trustees or other corporate authorities of such city or town shall have power and authority to proceed forthwith to purchase, construct and acquire by condemnation or otherwise, the utility, enterprise or undertaking contemplated, or to make additions, betterments and extensions thereof and thereto and to make payment therefor as hereinafter provided.

SEC. 3. Whenever the qualified voters of any such city or town or the corporate authorities thereof, shall adopt a proposition for any utility, enterprise or under-

taking as heretofore provided, or shall be authorized and empowered to exercise any of the powers conferred by this act, the city council, board of city trustees or other corporate municipal authority shall have power and authority to create a special fund or funds for the purpose of defraying the cost of such utility or enterprise or undertaking or addition, or additions, betterments or extensions thereto, from which special fund or funds the city council board of city trustees or other said corporate authority of such city of town may obligate and bind the city or town to set aside and pay a fixed proposition of the gross revenues of such utility or business, or any fixed amount out of and not exceeding a fixed proportion of such revenue, or a fixed amount without regard to any fixed proportion and to issue and sell bonds or warrants bearing interest not exceeding six per centum per annum, payable semiannually, executed in such manner and payable at such time or times and place or places as the city council, board of city trustees or other corporate authority or authorities of such city or town shall designate and determine, but such bonds or warrants and the interest thereon shall be payable only out of such special fund or funds In creating any such special fund or funds the city council, board of city trustees or other corporate authority or authorities shall have due regard to the cost of operation and maintenance of the plant or system as constructed or added to, and to any proportion or part of the revenue for the payment of bonds, warrants, or other indebtedness and shall not set aside into such special fund a greater amount or proportion of such revenue and proceeds than in its or their judgment shall be available over and above such cost of maintenance and operation, and the amount or proportion, if any, of the revenue so previously allocated or pledged And such bonds or warrants and the interest thereon issued against any such fund shall be a valid claim of the holder thereof only as against the said special fund and its fixed proportion or amount of the revenue to such fund, and shall not constitute an indebtedness of such city or town within the meaning of the constitutional provisions and limitations The said warrants or bonds shall not be a general or special indebtedness of or against the said city, town or municipality, but the said bonds or warrants and each and all of them until paid or redeemed shall be a first and special lien on and against the assets and corpus of the said utility, enterprise or undertaking so acquired or constructed and operated by said municipality, city or town, or its contractees Each such bond or warrant shall state upon its face that it is payable from a special fund, naming such fund, and the ordinance creating it together with the fact of its being a first lien as aforesaid Such bonds or warrants shall be sold in such manner as the city council, board of trustees or other corporate authority or authorities shall deem for the best interests of the city or town, and the said corporate authorities may provide in any contract for the construction and acquirement of the proposed improvement that payment therefor shall be made only in such bonds and warrants at par value thereof

The city council, board of trustees or other corporate authorities of such city or town may contract with any person firm or corporation to operate said utility or business for the city or town, and shall require such bond or other security or indemnity as may be deemed wise and best for the faithful and satisfactory performance of the usual duties of such utility enterprise or undertaking

When any such special fund shall have been created and any such obligation shall have been issued against the same, a fixed proportion, or a fixed amount without regard to any fixed proportion, of revenue shall be set aside and paid into such special fund as provided in the ordinance creating such fund, and in case any city or town shall fail to thus set aside and pay said fixed proportion, or fixed amount as aforesaid, the holder of any bond or warrant against any such special fund may bring suit or action against the city or town and compel such setting aside and payment"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 251—An act to amend sections 1 and 2 of "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following: "Section 1. No person, firm, association or corporation or".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 9, and insert in lieu thereof the following: "place of business in the State; and no person, firm, association".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out line 8, and insert in lieu thereof the following: "Sec 2. No person, firm, association, or corporation, or".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 557—An act to amend section 367 of the Code of Civil Procedure and to add a new section, numbered 367a, to said code, relating to parties in certain civil actions.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 557 was withdrawn from the file, and referred to Committee on Rules.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At ten o'clock and thirty-five minutes a.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

Assembly Bill No. 1002—An act regulating the practice of architecture, structural engineering, civil engineering, and land surveying by officers, or employees, of the State of California, or of any county, city and county, city, town, school district, road district, bridge district, sanitary district, water district, irrigation district, drainage district, levee district, reclamation district, utility district, or other improvement district of any kind, thereof, or any other political subdivision thereof, or of any public corporation thereof which has the right to levy taxes, or assessments which may be collected as taxes, or of any public corporation thereof whose revenue is derived either in whole or in part from public funds which have been collected as taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1002 passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Callahan, Cassidy, Clowdsley Cottrell, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, King, Knowland, Latham, Levey, Maloney, Martin, McBride, Meehan, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Phillips, Rawls, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Sullivan, Tournoux, Turner and Woolwine—44.

NOES—Bowers, Burns, Chatters, Mayo and Ross—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 925—An act to amend section 409 of the Political Code, relating to fees of the Secretary of State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 925 passed by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor, Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Robinson, C. Ray; Robinson, Samuel E, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Woolwine and Wright—58.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 1138—An act to amend the Political Code by adding to Part IV, Title II, Chapter VIII of said code a new article to be numbered Article III, embracing sections 4222a to 4222*l*, inclusive, amending section 2641 and repealing sections 2642, 2645 and 4222 of said code, thereby creating the office of county engineer, transferring to the county engineer all the powers and duties of the county surveyor and the powers and duties of other officers and employees of the county with respect to county roads, highways and bridges, and vesting in the county engineer additional powers and duties with respect to construction, improvement, maintenance and repair of county roads, highways and bridges, and to repeal the County Engineer Act.

Bill read third time

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Powers:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out lines 10 and 11, and insert in lieu thereof the following: "ment be a person experienced in the practice of civil engineering Before entering upon the dis-".

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1293—An act to amend section 925 of the Penal Code of the State of California, relating to grand juries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1293 passed by the following vote:

AYES—Alter, Badham Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A, Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—59.

NOES—Burns—1.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 536—An act to add section 459 to the Fish and Game Code, relating to birds, mammals, and fish kept for exhibition purposes.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Burns:

AMENDMENT NUMBER ONE

Strike out line 2 of the title of the printed bill, and insert in lieu thereof the following: to mammals kept in captivity'

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading.

THE SPEAKER IN THE CHAIR.

At ten o'clock and fifty-five minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 1785—An act to amend section 1177 of the Fish and Game Code, relating to pheasants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1785 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Robinson, C. Ray, Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wilhamson, Wright, Zion and Mr. Speaker—62

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1974—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Scudder moved a call of the House.

Motion carried.

Time, eleven o'clock and forty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Roberts, Robinson, Samuel E., Rogers,

Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—64.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

Assembly Bill No. 770—An act to add section 1a to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair competition.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 770 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—68.

NOES—Zion—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1119—An act adding section 470a to the Political Code, authorizing and empowering the Attorney General to prosecute or defend, when in his opinion the public interest so requires, any action involving title, possession or boundaries of any lands belonging to the State of California or in which it has any interest.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1119 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2334—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Latham, Levey, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—None.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED THIRTY-FOUR.

Assembly Bill No. 2334—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2334 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At twelve o'clock and eight minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Scudder.

The roll of absentees was called, and Assembly Bill No. 1974 was refused passage by the following vote:

AYES—Bliss, Bowers, Burns, Cassidy, Chatters, Clowdsley, Crist, Crowley, Dempster, Field, Fisher, Frazier, Gilmore, Kallam, Knowland, Martin, Mayo, Meehan, Meeker, Morgan, Nielsen, O'Donnell, Powers, Riley, Roberts, Robinson, C. Ray; Ross, Scudder, Stream, Thorp, West, Zion and Mr. Speaker—33.

NOES—Alter, Anglim, Badham, Boyle, Brock, Callahan, Cobb, Cottrell, Craig, Evans, Feigenbaum, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Latham, Levey, Lyon, Maloney, McBride, McCarthy, McMurray, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Robinson, Samuel E., Rogers, Roland, Stannard, Sullivan, Tournoux, Turner, Utt, Williamson, Woolwine and Wright—46.

NOTICE OF RECONSIDERATION.

Mr. Scudder gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1974 was this day refused passage.

Assembly Bill No. 130—An act to amend the Road District Improvement Act of 1907, approved March 27, 1907, Statutes of 1907, page 806,

as amended, by authorizing contributions to be made from public funds toward the payment of principal or interest on bonds issued under that act; and to provide for a repeal of said act with provision that said repeal shall not apply to existing proceedings instituted thereunder.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 130 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 132—An act to repeal an act entitled the "Improvement Bond Act of 1915," approved June 11, 1915, Statutes of 1915, page 1441, as amended, with the provision that any bonds issued under the provisions of said act shall not be affected by said repeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 132 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 133—An act to repeal an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved May 24, 1927, Statutes of 1927, page 1351, as amended, with the provision that such repeal shall not apply to any existing proceeding instituted under said act

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 133 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt,

Jones, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 134—An act to repeal an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, Statutes of 1885, page 147, as amended, with provision that said repeal shall not apply to existing proceedings under said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 134 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Fisher, Frazier, Greene, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McMurray, Meehan, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—62.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 135—An act to repeal the Acquisition and Improvement Act of 1925, approved May 23, 1925, Statutes of 1925, page 849, as amended, with a provision that said repeal shall not apply to existing proceedings under said act

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 135 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No. 137—An act to repeal the provisions of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of said improvements," approved April 20,

1915, Statutes of 1915, page 99, as amended; and to provide for a repeal of said act with provision that said repeal shall not apply to existing proceedings under said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 137 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 767—An act to add a new section to the "Fair Trade Act" to be numbered 1½, relating to unfair competition.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 767 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Frazier, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2271—An act to amend section 16x21 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2271 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2274—An act to amend section 2322x21 of the Political Code, relating to the office of the agricultural commissioner in counties of the twenty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2274 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2275—An act to amend section 19x21 of the Juvenile Court Law, relating to probation officers in counties of the twenty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2275 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Greene, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 980—An act to provide for the acquisition, construction and operation of works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary and sanitation districts; also providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of operating and maintaining such works; also providing for the use of such works by other cities, counties or districts.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 980 was withdrawn from the file, and referred to Committee on Municipal Corporations.

Assembly Bill No 190—An act to amend sections 363, 365, 366, 368, 369, 370a and 373 of the Civil Code, all relating to corporations.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 190 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No 1301—An act to amend "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, by amending sections 1, 5, and 24 thereof.

Bill read third time

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 1301 was withdrawn from the file, and referred to Committee on Elections.

Assembly Bill No. 187—An act to amend sections 341, 342, 342a, 342b, 345, 346, 346a, 348 and 348b of the Civil Code, and to repeal sections 343a and 347 of the Civil Code, all relating to corporations

Bill read third time

The question being on the passage of the bill

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 187 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No 780—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10a, 11 and 12 of, and to add section 15 to, an act entitled "An act providing for the registration of contractors, and defining the term contractors, providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to contractors and the Contractors' License Bureau and declaring the same to be an urgency measure.

Bill read third time.

The question being on the passage of the bill

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 780 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No 188—An act to amend sections 355, 358 and 359 of the Civil Code, and to add a new section to the Civil Code to be numbered 356, all relating to corporations.

Bill read third time

The question being on the passage of the bill.

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No. 188 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No 459—An act to amend the title and sections 1, 2, 3, 3a, 5, 6, 7, 8, 10, 13, 14, 15, 21, 22, 23, 24, 27 and 28 of an act entitled "An act regulating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State board therefor, providing penalties for violation thereof, and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof,' approved April 16, 1915, as amended," approved April 20, 1929, relating to and regulating funeral directors, embalmers and embalmers' apprentices

Bill read third time

The question being on the passage of the bill

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Messrs Cobb and Roberts:

AMENDMENT NUMBER ONE.

On page 4, line 47, of the printed amended bill, strike out the word "of", and insert in lieu thereof the word "or".

AMENDMENT NUMBER TWO

On page 7, line 15, of the printed amended bill, after the comma, strike out the rest of the line.

AMENDMENT NUMBER THREE.

On page 7, lines 16 and 17, of the printed amended bill, strike out the entire lines.

AMENDMENT NUMBER FOUR.

On page 7, line 18 of the printed amended bill, strike out the words "the duties of each,".

AMENDMENT NUMBER FIVE.

On page 7, line 22, of the printed amended bill, strike out the words 'general manager or corresponding", and insert in lieu thereof the word 'other".

AMENDMENT NUMBER SIX.

On page 7, line 23, of the printed amended bill, strike out the word 'and", and insert in lieu thereof the word "or".

AMENDMENT NUMBER SEVEN.

On page 10 of the printed bill, strike out lines 24 to 30, inclusive, and insert in lieu thereof the following:

"A funeral director's license may be assigned, after a showing as to the good character of the proposed assignee and said assignee shall have the right to renew such license. A fee of five dollars must accompany each application for assignment"

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Roberts asked for, and was granted, unanimous consent to take up Assembly Bill No. 459, at this time, without reference to print or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED FIFTY-NINE.

Assembly Bill No 459—An act to amend the title and sections 1, 2, 3, 3a, 5, 6, 7, 8, 10, 13, 14, 15, 21, 22, 23, 24, 27 and 28 of an act entitled "An act regulating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State

board therefor, providing penalties for violations thereof and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof,' approved April 16, 1915, as amended," approved April 20, 1929, relating to and regulating funeral directors, embalmers and embalmers' apprentices.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 459 passed by the following vote.

AYES—Alfer, Badham, Bliss, Boyle, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallinel, Hatch, Holman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeham, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—67.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1933

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 258, as amended by the Senate—An act to amend "The California Districts Securities Commission Act" approved June 19, 1931, by repealing section 11 thereof and adding a new section 11 thereto, providing that defaulting irrigation districts under certain circumstances shall be subject to said section and shall be under the control of The California Districts Securities Commission to the extent and for the time set forth; providing for the levy, and the manner of levy, of the annual assessment of such defaulting districts in an amount it will be reasonably possible for the lands to pay without exceeding a delinquency of 15 per cent and for the allocation of the proceeds of said annual assessment; notwithstanding any other provisions of law governing said districts, limiting the operation of said section 11 until November 1, 1937, only, unless sooner repealed; and declaring same an emergency measure enacted under the police power—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

FRAZIER, Chairman

The above reported bill ordered placed on daily calendar.

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1933

MR. SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the application for the position of stenographer and desires to submit the following resolution:

Resolved, That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, and the Controller is hereby directed to draw his warrant

in favor of the said person for the said respective amount, and the Treasurer is hereby directed to pay the same.

Commencing April 4, 1933

	Per day (Sundays excepted)
Margaret Flemming, Stenographer	$5 00

Resolved further, That the following named persons be stricken from the roll of the Assembly as of Saturday, April 1, 1933:

Margaret Baumberger, Stenographer	$5 00
Bernice Marsh, Stenographer	5 00

CRAIG, Chairman.

Report and resolution read.

The question being on the adoption of the report and resolution

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

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr Speaker—64

NOES—None.

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1933

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 7 of Article I thereof, relating to trial by jury;

Also: Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding two new sections to Article XIII thereof, to be numbered 11 and 12, relating to limitation of tax rates;

Also: Assembly Constitutional Amendment No. 73—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 6 of Article VI thereof, relating to superior courts,

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

FEIGENBAUM, Chairman.

Assembly Constitutional Amendments Nos. 20, 46 and 73 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No 67—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new section to Article XI thereof, to be numbered 8¾, relating to consolidation of counties, cities and counties, and cities—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

FEIGENBAUM, Chairman

Assembly Constitutional Amendment No 67 ordered on file for adoption.

ON UNEMPLOYMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1933

MR SPEAKER: Your Committee on Unemployment, to which was referred Assembly Joint Resolution No. 26—Relative to memorializing Congress to propose an amendment to the Constitution of the United States providing for economic planning and regulation—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

POWERS, Chairman.

Assembly Joint Resolution No. 26 ordered on file for adoption.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 471—An act to repeal section 3310 of the Political Code, relating to quarterly reports of auctioneers,

Also, Assembly Bill No. 1796—An act to amend section 1557 of the Penal Code, relating to the return to this State of fugitives from justice,

Also, Assembly Bill No. 1797—An act to amend section 288 of the Penal Code, relating to crimes against children;

Has had the same under consideration and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman

The above reported bills ordered on file for second reading.

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1506—An act to amend the title and section 1 of an act entitled "An act declaring the improved county road extending from Rio Vista to Lodi to be a State highway," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

GREENE, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 498—An act to provide for the alteration of county boundary lines and for the adjustment of county debts and liabilities when such boundaries are changed;

Also, Assembly Bill No. 1721—An act providing for the issuance of registered warrants, establishing the priority in the payment of those issued for labor and services rendered, prescribing the notice of the date of payment and providing for the payment of such warrants;

Also, Assembly Bill No. 1794—An act to add a new section to the Political Code, to be numbered 4041.26, relating to the purchase and sale of county property;

Has had the same under consideration and respectfully reports the same back, and recommends that they do pass as amended

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1986—An act to add a new section to the Probate Code, to be numbered 912, relating to claims against estates of insane persons;

Also: Assembly Bill No. 2211—An act providing for the subrogation of liens arising under the terms and provisions of section 1191a of the Code of Civil Procedure;

Has had the same under consideration and respectfully reports the same back, and recommends that they do pass as amended

WEST, Chairman.

The above reported bills ordered on file for second reading

ON ELECTIONS

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1933.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 35—An act to amend sections 5, 7, 23, 24 and 25 of the Direct Primary Law, prohibiting persons becoming candidates of more than one party—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

ALTER, Chairman.

The above reported bill ordered on file for second reading

Also:

MR SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 146—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

ALTER, Chairman

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL REVENUES AND EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1933.

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred Assembly Bill No. 716—An act to establish a "Public works penalty fund" of the Division of Labor Statistics and Law Enforcement of the State Department of Industrial Relations from penalties and fines assessed under the labor laws pertaining to public works, requiring the awarding body to transfer to the State Treasurer for said fund of the said division, at the time the progress payment from which the penalty has been withheld after full investigation, or the final payment, as the case may be, is made to the contractor on public works contracts, all penalties withheld under and by virtue of any of the labor laws pertaining to public works, requiring any court collecting criminal penalties or fines under these laws to likewise transmit same to the State Treasurer to be credited to the said fund and appropriating this money to the said division to be used generally in the enforcement of the said laws—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GRUBBS, Chairman.

The above reported bill ordered referred to Committee on Rules

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1728—An act to authorize the Department of Public Works to construct and maintain freeways, authorizing the cooperation of said department with any political subdivision of the State in constructing freeways, and providing for the acquisition of real property, or interest in real property, necessary for the construction thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GREENE, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 543—An act making it unlawful for an attorney at law to employ any person to solicit law practice; prohibiting any person from soliciting law practice for hire and prescribing the penalty therefor; prohibiting the use of written statements taken from an injured person within 30 days after the injury; also making void certain settlements, compromises, releases and discharges, also written contracts with attorneys at law, unless approved by the court—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman

The above reported bill ordered referred to Committee on Rules.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2049—An act relating to and providing for a moratorium in respect to the sale of farms, dwelling houses and outbuildings, whether on execution, under power of sale contained in a mortgage or deed of trust or in an action for the recovery of a debt or the enforcement of a right secured by mortgage or other lien, and declaring the urgency thereof, to take effect immediately—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman

The above reported bill ordered referred to Committee on Rules.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1933

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 6 of Article IX thereof, relating to taxation for school purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

FEIGENBAUM, Chairman.

Senate Constitutional Amendment No. 2 ordered on file for adoption. on file for adoption.

ON BANKING

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1933

MR SPEAKER: Your Committee on Banking, to which was referred Senate Bill No 756—An act to repeal section 300 of the Civil Code, relating to banks—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WILLIAMSON, Chairman

The above reported bill ordered on file for second reading.

ON AGRICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, April 4 1933

MR SPEAKER: Your Committee on Agriculture to which was referred Senate Bill No 82—An act to amend sections 1271 and 1272 of and to add a new section to be numbered 1272 5 to the Agricultural Code, relating to produce dealers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1933

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No 271—An act to amend section 19x33 of the Juvenile Court Law, relating to probation officers in counties of the thirty-third class,

Also: Senate Bill No 272—An act to amend section 16x33 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-third class;

Also: Senate Bill No 273—An act to amend section 2322x33 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-third class,

Also Senate Bill No 274—An act to amend section 4262 of the Political Code, relating to the compensation of the county and township officers in counties of the thirty-third class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

BROCK, Chairman

The above reported bills ordered on file for second reading.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO April 3, 1933.

MR SPEAKER Your Committee on Judiciary, to which was referred Senate Bill No 533—An act to amend the Probate Code by adding a new section thereto, to be numbered 1242, specifying the papers which shall constitute the judgment roll in probate—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

WEST, Chairman

The above reported bill ordered on file for second reading

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 776—An act to amend section 844 of the Probate Code, relating to leases of real property;

Also: Senate Bill No. 777—An act to amend section 920 5 of the Probate Code, relating to the deposit of money by trust companies;
Also: Senate Bill No. 804—An act to amend section 1557 of the Probate Code, relating to guardian and ward;
Also: Senate Bill No 1003—An act to amend sections 706, 736, 789, 790 and 791 of the Probate Code, relating to claims secured by liens,
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 2206—An act to add a new section to the Political Code, to be numbered 3637, relating to the Division of Architecture revolving fund—has had the same under consideration, and respectfully reports the same back without recommendation, as amended, and be re-referred to Committee on Ways and Means.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1875—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities—has had the same under consideration, and respectfully reports the same back without recommendation, as amended, and be re-referred to Committee on County Government.

WEST, Chairman

The above reported bill ordered referred to Committee on Rules.

ADJOURNMENT.

At one o'clock and fifteen minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, April 5, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, April 5, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names.

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—79.

Quorum present.

PRAYER

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL

During the reading of the Journal, on motion of Mr Crist, its further reading was dispensed with

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr Anglim, Mrs. E B. Bernier, teacher, and the following students of Vine Hill School of Martinez: Loyal Neal, Jean Tracy and Elizabeth Santos, eighth grade, Lowell Gwaltney, Cecil Amerine, Arvid Lundgren, Sammy Viglienzone, Arnold Brown, Dario Nardi, Delma De Martini and Clara Giannini, seventh grade; and Mr. and Mrs John Cadenasso, Mr. Anthony Magnaghi and Mr. Caesar Viglienzone, escorts, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of San Francisco delegation, Hon. W. J. Evatt, former member of this Assembly, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr Thorp, Erma B. Reese, principal, and William Welsh and 40 students of the Woods School at Woodbridge were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Evans, Mr Nels Gross of Los Angeles and Mr. T C Rogers of Monrovia were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr Chatters, Mr Alfred Elliot of Tulare, California, and Mrs Virginia Van Osdol of Exeter, California, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr Chatters, Messrs. Lee H. Clearman and John McWethy of Pomona College were extended the privilege of the floor of the Assembly for this day

Through the courtesy of Mr. Thorp, Mrs. Charles F. Smith, principal, and Miss Goldie Curry, teacher of the Harmony Grove School of San Joaquin County, and the Civic Club of that school, headed by Kathryn McDonald, its president, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. O'Donnell, Mr Lighty, instructor, and the students of United States history and economic classes of the Williams High School were extended the privilege of the floor of the Assembly for this day

Through the courtesy of Mr. Fisher, Miss Gladys Tayler and Mrs. J R Ferguson were extended the privilege of the floor of the Assembly for this day

PRESENTATION OF PETITION

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From H E. Curtis, Los Angeles, urging a basis of 50 per cent cash and 50 per cent in matured bonds or coupons as a fair program in payment of irrigation district assessments

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read.

ON RULES

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1933

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No 543—An act making it unlawful for an attorney at law to employ any person

to solicit law practice; prohibiting any person from soliciting law practice for hire and prescribing the penalty therefor; prohibiting the use of written statements taken from an injured person within 30 days after the injury; also making void certain settlements, compromises, releases and discharges, also written contracts with attorneys at law, unless approved by the court;

Also, Assembly Bill No. 716—An act to establish a "Public works penalty fund" of the Division of Labor Statistics and Law Enforcement of the State Department of Industrial Relations from penalties and fines assessed under the labor laws pertaining to public works, requiring the awarding body to transfer to the State Treasurer for said fund of the said division, at the time the progress payment from which the penalty has been withheld after full investigation, or the final payment, as the case may be, is made to the contractor on public works contracts, all penalties withheld under and by virtue of any of the labor laws pertaining to public works, requiring any court collecting criminal penalties or fines under these laws to likewise transmit same to the State Treasurer to be credited to the said fund and appropriating this money to the said division to be used generally in the enforcement of the said laws.

Also: Assembly Bill No. 1728—An act to authorize the Department of Public Works to construct and maintain freeways, authorizing the cooperation of said department with any political subdivision of the State in constructing freeways, and providing for the acquisition of real property, or interest in real property, necessary for the construction thereof.

Also: Assembly Bill No. 2049—An act relating to and providing for a moratorium in respect to the sale of farms, dwelling houses and outbuildings, whether on execution, under power of sale contained in a mortgage or deed of trust or in an action for the recovery of a debt or the enforcement of a right secured by mortgage or other lien, and declaring the urgency thereof, to take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No 20—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 7 of Article I thereof, relating to trial by jury;

Also, Assembly Constitutional Amendment No 46—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding two new sections to Article XIII thereof, to be numbered 1.1 and 1.2, relating to limitation of tax rates,

Also: Assembly Constitutional Amendment No 73—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 6 of Article VI thereof, relating to superior courts;

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

Assembly Constitutional Amendments Nos. 20, 46 and 73 ordered on file for adoption.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 164—An act to amend section 159 of an act entitled the "California Vehicle Act," approved May 30, 1923, Statutes of 1923, page 517, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding,

Also Assembly Bill No 185—An act to amend sections 278, 290, 292, 293, 294, 295, 296, 300a, 300b, 301, 303, 304, 305, 306, 307, 307a 308, 309, 311, 312, 313, 314, 315, 319, 320a and 320b of the Civil Code, to add a new section 281 to the Civil Code, and to repeal section 375 of the Civil Code, all relating to corporations;

Also Assembly Bill No 186—An act to amend sections 326, 328, 328a, 328b, 328d, 328e, 330 6, 330 13 330 24, 331, 332, 333, 334, 334a, 336 and 337 of, to repeal section 587 of, and to add a new section to be numbered 326b to, the Civil Code, all relating to corporations;

Also: Assembly Bill No 525—An act to add a new section to the Vehicle Code to be numbered section 680, relating to the maintenance and use of short wave radio receiving sets in vehicles,

Also Assembly Bill No 598—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment;
And reports that the same have been correctly engrossed

PATTERSON, Chairman

The above reported bills ordered on file for third reading.
Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 810—An act providing for the deposit of county and city publications in the State Library and the University of California;

Also: Assembly Bill No. 1184—An act to amend sections 640 and 671 of the Vehicle Code, relating to sirens, horns, warning devices and lights on vehicles,

Also Assembly Bill No. 1305—An act to amend an act of the Legislature of the State of California entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments, to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, by amending sections 6, 10 and 12 thereof and relating to notice, assessment limitations, incidental expenses of proceedings and payment of portions of the cost from public funds,

Also Assembly Bill No. 1336—An act transferring a parcel of State park land in Humboldt County from the Department of Natural Resources to the Department of Public Works to be used for State highway purposes;

Also: Assembly Bill No. 1437—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter to be numbered 5a and to include sections 1260 to 1260 6, inclusive, pertaining to the control of insect pests in grain warehouses;
And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.
Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2092—An act to amend sections 25, 27, 28, 60, 62, 63, 65a, 66, and 68 of and to add two new sections to be numbered sections 76b and 76c, respectively, to an act entitled "An act to provide for work in and upon public streets, avenues lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of article one of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds,

Also: Assembly Bill No. 2138—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof;

Also: Assembly Bill No 2140—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1057—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 5, 6, 7, 8, 10, 11 and 13¾, all relating to the powers, government and management of metropolitan water districts, and the exclusion of area therefrom, and declaring same an urgency measure.

Also Assembly Bill No. 2095—An act to amend sections 893 and 898 of the Agricultural Code, relating to inspection of farm products and the regulation of such inspection;

And reports that the same have been correctly re-engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read

SENATE CHAMBER, SACRAMENTO, April 4, 1933

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 15—Relative to memorializing and petitioning Congress to enact legislation which will facilitate the protection of sardines in the territorial waters of this State.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

Senate Joint Resolution No 15 read, and referred to Committee on Fish and Game

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on March 31, 1933, passed Senate Bill No 867—An act providing for the regulation, use, storage, and type of State-owned motor vehicles by the Board of Control and the placing of the State seal on each vehicle, relating to the use of publicly owned vehicles and providing a penalty for violation thereof

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

Senate Bill No 867 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 353—An act to amend section 927d of the Code of Civil Procedure, relating to small claims courts.

Also: Senate Bill No. 941—An act to amend section 4 of and to add sections 4a and 4b to the act entitled "An act to provide for the incorporation and organization and management of municipal water districts and to provide for the acquisition and construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, relating to municipal water districts and the officers thereof and further defining the powers and duties of each thereof;

Also, Senate Bill No 77—An act to amend sections 1 145 and 1 350 of the School Code, relating to part-time compulsory education;

Also Senate Bill No. 361—An act to add a new section to the School Code to be numbered 2.995, relating to powers and duties of boards;

Also: Senate Bill No 645—An act to amend section 4278 of the Political Code, relating to the compensation of county and township officers in counties of the forty-ninth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 353 read first time, and referred to Committee on Judiciary

Senate Bill No. 941 read first time, and referred to Committee on Municipal Corporations.

Senate Bills Nos. 77 and 361 read first time, and referred to Committee on Education.

Senate Bill No 645 read first time, and referred to Committee on County Government.

Also.

SENATE CHAMBER, SACRAMENTO, April 4, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 1873—An act to amend section 2322x6 of the Political Code, relating to the office of the agricultural commissioner in counties of the sixth class;

Also: Assembly Bill No 610—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Also: Assembly Bill No 1867—An act to repeal section 16x6 of the Weights and Measures Act and to add a new section thereto, to be numbered 16x6, relating to the sealer of weights and measures in counties of the sixth class;

Also: Assembly Bill No. 1868—An act to amend section 19x6 of the Juvenile Court Law, relating to the probation officer in counties of the sixth class;

Also: Assembly Bill No. 1869—An act to amend section 4235 of the Political Code, relating to compensation of county and township officers in counties of the sixth class.

J A BEEK, Secretary of Senate
By ARTHUR J SCHILDER, Assistant Secretary.

RECORD EXPUNGED

The above record of Assembly Bill No. 1869 ordered expunged on motion of Mr Meeker. (Journal of April 25, 1933, page 19)

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 306—An act to amend section 7 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expense thereof" approved May 23, 1923, relating to organization and management of fire protection districts—and respectfully requests your honorable body to concur in said amendments

J A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bill ordered referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1406—An act to repeal an act entitled "An act providing for the compilation of, printing, binding, publishing, and distribution of a legislative manual, State Blue Book or roster, repealing all conflicting acts," approved May 21, 1929;

Also: Assembly Bill No. 460—An act substituting for the existing Chapter 8 of Title II of Part IV, Division I, of the Civil Code of the State of California a new Chapter 8 of said Title II, Part IV, which shall supersede said existing Chapter 8, relating to mortgage insurance:

Also: Assembly Bill No 30—An act relating to grants of lands granted to cities and towns under the provisions of an act of Congress entitled "An act for the relief of the inhabitants of cities and towns upon the public lands, approved March 2, 1867, and procedure in relation to such land;

Also. Assembly Bill No. 31—An act to provide for restoration of recorded subdivision maps which are injured or destroyed by conflagration or other public calamity, or are lost or stolen;

Also: Assembly Bill No 2127—An act to amend section 1530 of the Probate Code and to add a new section to the Probate Code, to be numbered 1540, relating to exchange of property belonging to one subject to guardianship.

Also. Assembly Bill No 2128—An act to amend section 172b of the Civil Code, relating to exchange of community property when one spouse incompetent.

J A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1933.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 615—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class,

Also Assembly Bill No 605—An act to validate the formation, organization and existence of municipal improvement districts;

Also: Assembly Bill No. 607—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the principal and interest of such bonds;

Also: Assembly Bill No 614—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any acquisition and improvement district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also Assembly Bill No 618—An act to validate proceedings for the annexation, incorporation, and inclusion of territory by municipal corporations,

Also: Assembly Bill No. 619—An act to validate the organization and existence of municipal utility districts;

Also Assembly Bill No 2315—An act to add a new section to the Political Code to be numbered 3614, relating to exempting orphanages from taxation;

Also: Assembly Bill No. 1870—An act to amend section 9a6 of an act entitled, "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the sixth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1933

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 15—Relative to memorializing and petitioning Congress to adopt a national system of insurance to protect bank depositors in the national banks of the United States.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Joint Resolution No. 15 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 45—An act to amend section 2322x9 of the Political Code, relating to the office of agricultural commissioner in counties of the ninth class—and respectfully requests your honorable body to concur in said amendments.

J A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on County Government.

REQUEST FOR PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Mr Stannard:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 3631 of, and to add sections 2584, 2586, 2589, 2590 2607 and 2610 to, the Political Code, relating to the administration of certain bays, ports and harbors

Referred to Committee on Introduction of Bills

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS

ASSEMBLY CHAMBER SACRAMENTO, April 5, 1933.

MR SPEAKER Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act to amend section 3631 of, and to add sections 2584, 2586, 2589, 2590, 2607 and 2610 to, the Political Code, relating to the administration of certain bays, ports and harbors

HALLNER, Chairman

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Craig Crist, Crowley, Dempster, Evans Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C Ray, Robinson, Samuel E., Rogers Roland, Ross, Scudder, Stannard, Thorp, Tournoux, Turner, Williamson, Wright, Zion and Mr. Speaker—65

NOES—None

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Stannard: Assembly Bill No 2348—An act to amend section 3631 of, and to add sections 2584, 2586, 2589, 2590, 2607 and 2610 to, the Political Code, relating to the administration of certain bays, ports and harbors.

Bill read first time, and referred to Committee on Commerce and Navigation.

UNFINISHED BUSINESS.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Fisher moved that notice of his motion for reconsideration whereby Assembly Bill No 250 was refused passage be continued and made a special order for Thursday, April 6, 1933, at the hour of eleven o'clock a.m.

Motion carried

Assembly Bill No. 250 made special order for Thursday, April 6, 1933, at the hour of eleven o'clock a.m.

Assembly Bill No. 258—An act to amend "The California Districts Securities Commission Act" approved June 19, 1931, by repealing section 11 thereof and adding a new section 11 thereto, providing that defaulting irrigation districts under certain circumstances shall be subject to said section and shall be under the control of the California

Districts Securities Commission to the extent and for the time set forth; providing for the levy, and the manner of levy, of the annual assessment of such defaulting districts in an amount it will be reasonably possible for the lands to pay without exceeding a delinquency of 15 per cent and for the allocation of the proceeds of said annual assessment; notwithstanding any other provisions of law governing said districts; limiting the operation of said section 11 until November 1, 1937, only, unless sooner repealed; and declaring same an emergency measure enacted under the police power.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 258?

AMENDMENT NUMBER ONE.

In line 12 of the title of the printed bill, strike out the semicolon, and insert in lieu thereof a comma.

AMENDMENT NUMBER TWO.

In the title of the printed bill, strike out lines 13 to 15, inclusive, and insert in lieu thereof the following: "other provisions of law governing said districts; providing that said section shall remain in operation only until November 1, 1935, unless sooner repealed; and declaring same an".

AMENDMENT NUMBER THREE.

On page 3, line 2, of the printed bill, strike out the figures "1937", and insert in lieu thereof the following: "1935".

AMENDMENT NUMBER FOUR

On page 3, line 2, of the printed bill, strike out the figures "1937", and insert in lieu thereof the following: "1935".

AMENDMENT NUMBER FIVE.

In line 4 of the title of the printed bill, strike out the word "certain".

AMENDMENT NUMBER SIX.

In line 4 of the title of the printed bill, after the word "districts", insert the following: "under certain circumstances".

AMENDMENT NUMBER SEVEN.

In line 12 of the title of the printed bill, after the word "assessment", insert the following. "notwithstanding any other provisions of law governing said districts".

AMENDMENT NUMBER EIGHT.

In the title of the printed bill, commencing in line 12 of said title, strike out the following: "superseding the California Irrigation District Act and particularly section 39 thereof and any other law in conflict therewith to the extent set forth;".

AMENDMENT NUMBER NINE

In line 16 of the title of the printed bill, strike out the word "making", and insert in lieu thereof the word "declaring".

AMENDMENT NUMBER TEN.

On page 1, line 5, of the printed bill, after the word "Act", insert the following: "or any acts amendatory thereof or supplemental thereto".

AMENDMENT NUMBER ELEVEN.

On page 2, line 4, of the printed bill, after the word "unless", insert the following "and until".

AMENDMENT NUMBER TWELVE.

On page 2, line 8, of the printed bill, after the word "uncanceled", insert the following: "or unrefunded".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 23, of the printed bill, strike out the word "the".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 25, of the printed bill, strike out the words "at the time of each annual levy", and insert in lieu thereof the following: "approved by the District Securities Commission".

AMENDMENT NUMBER FIFTEEN.

On page 2, line 33, of the printed bill, strike out the word "production", and insert in lieu thereof the word "producing".

AMENDMENT NUMBER SIXTEEN.

On page 2 of the printed bill, commencing on line 34 thereof, strike out the following sentence: "Before the annual assessment is levied, the total amount thereof, as determined by the board of directors, must be approved by the commission as being the total amount it will be reasonably possible for the lands in the district taken as a whole to pay without exceeding a delinquency of fifteen per cent."

Amendments adopted.

The roll was called, and Senate amendments to Assembly Bill No. 258 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel D., Rogers, Ross, Thorp, Tournoux, Turner, West, Woolwine, Wright, Zion and Mr. Speaker—61.

NOES—Kallam, Roland, Williamson—3.

The above reported bill ordered to enrollment.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr Scudder moved that the vote whereby Assembly Bill No. 1974 was refused passage, be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Hornblower, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, Meehan, Meeker, Miller, Eleanor, Miller, James A, Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stream, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—57.

NOES—Brock, King and Stannard—3.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE HUNDRED SEVENTY-FOUR.

Assembly Bill No. 1974—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Scudder:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 23, and insert in lieu thereof the following: "posa, Madera, Inyo, Fresno, Tulare and Kings counties,".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 2 to 10, inclusive, and insert in lieu thereof the following: "counties;

e. One member from an area composed of Santa Barbara, Ventura, San Luis Obispo and Kern counties;

f. One member from an area composed of Los Angeles, San Bernardino, Riverside, Orange, San Diego and Imperial counties;

g. One member to be selected at large

SEC. 2 Of the seven members of the commission, one shall be selected as adequately qualified to represent the commercial fishing industry, and one shall be selected as adequately qualified to represent the agricultural industry."

MOTION TO RE-REFER.

Mr. Hornblower moved that Assembly Bill No. 1974 and amendments be withdrawn from the file, and ordered re-referred to Committee on Fish and Game.

The question being on re-referring Assembly Bill No 1974 to Committee on Fish and Game.

Motion carried.

Assembly Bill No. 1974 ordered re-referred to Committee on Fish and Game.

SPECIAL ORDER SET.

On motion of Mr. Zion, the consideration of Assembly Bill No. 330 was made a special order for Thursday, April 6, 1933, at two o'clock p m.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 471—An act to repeal section 3310 of the Political Code, relating to quarterly reports of auctioneers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1796—An act to amend section 1557 of the Penal Code, relating to the return to this State of fugitives from justice.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1797—An act to amend section 288 of the Penal Code, relating to crimes against children.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1506—An act to amend the title and section 1 of an act entitled "An act declaring the improved county road extending from Rio Vista to Lodi to be a State highway," approved June 3, 1921.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 498—An act to provide for the alteration of county boundary lines and for the adjustment of county debts and liabilities when such boundaries are changed

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 27, of the printed bill, after the word "held", strike out the words "in that portion of".

AMENDMENT NUMBER TWO.

On page 2, line 28, of the printed bill, after the word "filed", strike out the words "which is sought to be transferred to another county".

AMENDMENT NUMBER THREE.

On page 2, line 41, of the printed bill, after the word "voters", strike out the words "in the specific territory to be transferred to an adjoining county".

AMENDMENT NUMBER FOUR

On page 3, line 9, of the printed bill, after the word "cast", strike out the words "in the territory proposed to be annexed to the adjoining county".

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 1721—An act providing for the issuance of registered warrants, establishing the priority in the payment of those issued for labor and services rendered, prescribing the notice of the date of payment and providing for the payment of such warrants.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 37, of the printed bill, after the word "the", strike out the word "first".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1794—An act to add a new section to the Political Code, to be numbered 4041 26, relating to the purchase and sale of county property.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the words "purchase and sale of county", and also strike out all of line 3 of the title of the printed bill, and insert in lieu thereof the following: "disposition of county personal property which is not further required for public use"

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, strike out the words "board of supervisors", and insert in lieu thereof the following: "county".

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, strike out ", in the", and also strike out all of lines 5 to 10, inclusive, and insert in lieu thereof the following: 'permit any person, or permit or require the bidder, to submit at the time bids are received, an offer of trade-in allowance for, or an offer of purchase of, any county personal property designated in the notice, not further required for public use. The offer of a bidder shall be considered in determining the lowest bid and shall not be binding upon the bidder unless his bid is accepted; provided, however, that the county may reject all offers if it is to the advantage of the county to do so and bidders will be bound by their bids. County purchasing agents may, when purchasing personal property for which it is not necessary to advertise for bids, without the necessity of complying with the provisions of subdivision two (2) of section 4041 21 of this code, solicit and accept advantageous trade-in allowances for county personal property which has been previously determined by the board of supervisors to be not further required for public use."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1986—An act to add a new section to the Probate Code, to be numbered 912, relating to claims against estates of insane persons.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the word "Political", and insert in lieu thereof the word "Probate".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2211—An act providing for the subrogation of liens arising under the terms and provisions of section 1191a of the Code of Civil Procedure.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, and insert in lieu thereof the following: "An act to add a new section to the Code of Civil Procedure to be numbered 1191b, relating to subrogation of liens arising under section 1191a of said code"

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the words "Section 1", insert the following: "A new section is hereby added to the Code of Civil Procedure to be numbered 1191b and to read as follows:
1191b"

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1875—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, lines 1 and 2, of the printed bill, strike out "two thousand five hundred fifty", and insert in lieu thereof the following. "three thousand".

AMENDMENT NUMBER TWO.

On page 3, line 6, of the printed bill, immediately following the period in said line, insert the following: "Said justices of the peace shall devote their entire time to the affairs and duties of their courts, and shall not engage in the practice of law or act as attorney for any person".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2206—An act to add a new section to the Political Code, to be numbered 363*l*, relating to the Division of Architecture revolving fund

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, between lines 11 and 12, insert the following:
"The Division of Architecture shall file against the Division of Architecture revolving fund all claims covering expenditures incurred in connection with the con-

struction, improvements, or equipment of buildings, and improvement projects, and the State Controller shall draw his warrant therefor against said Division of Architecture's revolving fund."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 35—An act to amend sections 5, 7, 23, 24 and 25 of the Direct Primary Law, prohibiting persons becoming candidates of more than one party.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 2, line 2, of the printed bill, insert the word "of", after the word "county"

AMENDMENT NUMBER TWO.

On page 6, line 23, of the printed bill, insert the word "upon", after the word "called."

AMENDMENT NUMBER THREE.

On page 7, line 29, of the printed bill, delete the letter "s'" in the word "sponsors'."

AMENDMENT NUMBER FOUR.

On page 8, line 3, of the printed bill, change the word "or" to "of"

AMENDMENT NUMBER FIVE.

On page 8, line 4, of the printed bill, delete the letter "s'" in the word "sponsors'"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 146—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 1115 and 1142 of the Political Code, relating to the index to registration books and boards of election."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. Section 1115 of the Political Code is hereby amended to read as follows:

1115 Within ten days after the binding of said books by precincts the county clerk or registrar of voters shall prepare an index of each book, for county or city and county elections, said index to contain the names, addresses and political party as they appear in said books, and also a ruled space, in front of the name of the elector, within which to write the word "voted" for each elector who votes. Such names shall include Christian or given names, the middle name or initial, if any; and, if the name be that of a woman, the Christian name shall be preceded by the designation of "Miss" or "Mrs." as the case may be. The county clerk or registrar of voters shall have at least forty copies of said index printed for the use of said county, and he shall at the same time also have printed and shall furnish to the municipalities within said county, such additional number of copies thereof, not exceeding twenty, as the governing body of such municipalities shall by resolution require. The county clerk or registrar of voters shall furnish upon written or oral demand of every candidate, who is to be voted for in said county, city, or city and county or any political subdivision of said county, city, or city and county, or upon written demand of his campaign committee, one copy of a printed index of the registration, for such primary

and general elections in which said candidate will participate, at a cost of fifty cents per thousand names. All such moneys collected shall be deposited in the county treasury, to the credit of the general fund. The number of copies of said index necessary to be printed shall apply only to the index prepared for use at general elections. In counties where indexes are prepared for primary elections, a smaller number of such indexes may be printed. The county clerk or registrar of voters shall have bound together in one or more volumes, a general index of said books arranged alphabetically by precincts, and shall keep at least one copy of said general index in his office for public reference. The county clerk or registrar of voters shall furnish, free of charge, to the chairman of each county central committee, in said county, two copies of said general index. He shall also transmit one copy of said general index to the State Librarian at Sacramento.

SEC. 2. Section 1142 of the Political Code is hereby".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 716—An act to establish a "Public works penalty fund" of the Division of Labor Statistics and Law Enforcement of the State Department of Industrial Relations from penalties and fines assessed under the labor laws pertaining to public works, requiring the awarding body to transfer to the State Treasurer for said fund of the said division, at the time the progress payment from which the penalty has been withheld after full investigation, or the final payment, as the case may be, is made to the contractor on public works contracts, all penalties withheld under and by virtue of any of the labor laws pertaining to public works, requiring any court collecting criminal penalties or fines under these laws to likewise transmit same to the State Treasurer to be credited to the said fund and appropriating this money to the said division to be used generally in the enforcement of the said laws.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out all of the title except the words "An act", and insert in lieu of the matter stricken out the following: "requiring public awarding bodies or officers withholding penalties or forfeitures from contractors for violations by contractors or subcontractors of any public works labor acts carrying penalties or forfeitures from the contract payments to transfer such penalties or forfeitures to the State Treasurer to become a part of the general fund of the State ninety days after completion of the contract, unless suit is brought and formal notice of suit is given, requiring any court collecting criminal penalties or fines under such acts to likewise transmit same to the State Treasurer to become a part of the general fund of the State, providing for the temporary retention of such penalties or forfeitures by the public awarding body or officer pending litigation in cases where suit is brought and formal notice of such suit is given within ninety days after completion of the contract, limiting the time for action by the contractor or his assignee for the recovery of the said penalties or forfeitures to the said ninety-day period, making such suit the exclusive remedy of the contractor or his assignee with reference to such penalties or forfeitures and providing that suit shall be brought without permission from any State or other authority and be limited to the recovery of such penalties or forfeitures without prejudice to the contractor's or assignee's rights in regard to other matters affecting the contract but with the burden on the plaintiff to establish his right to the penalties or forfeitures withheld."

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out all of lines 1 to 8, inclusive, except the words "Section 1", and insert in lieu of the matter stricken out the following: "Every public awarding body or officer that withholds any penalty or forfeiture from any contract payment for failure of a contractor or subcontractor to comply with any of the labor laws on public works, or with any provision of the contract based on such labor laws, shall at the expiration of a ninety-day period after the completion of the contract, which shall be construed to mean the formal acceptance of the job, transfer any and all such penalties or forfeitures, whether withheld from a progress payment or final payment, to the State Treasurer to become a part of the general fund of the

State; provided, however, that in the event suit is brought against the said public awarding body or officer within the said ninety-day period and formal notice is given to the said public awarding body or officer within the said ninety-day period either by service of the summons or by registered mail, in which latter case the registered letter must actually be received within the said ninety-day period, the said penalties or forfeitures shall be retained by the said public awarding body or officer pending the outcome of the suit and be forwarded to the State Treasurer only in the event of a final court judgment against the contractor or his assignee, otherwise to be subject to any final judgment that may be obtained by the contractor or his assignee. The time for action by the contractor, or his assignee, for the recovery of the said penalties or forfeitures shall be limited to the said ninety-day period and such suit on the contract for alleged breach thereof in not making the payment or payments shall be the exclusive remedy of the contractor or his assignee with reference to such penalties or forfeitures. Such suit may be brought by the contractor, or his assignee, without permission from any State or other authority and shall be limited to the recovery of such penalties or forfeitures without prejudice to the contractor's or assignee's rights in regard to other matters affecting the contract. No other issues shall be presented to the court in such case and the burden shall be on the plaintiff to establish his right to the penalties or forfeitures withheld. In case the action was not commenced and actual notice thereof received by the public awarding body or officer within the said ninety-day period the action must be dismissed on motion of the said public awarding body or officer."

AMENDMENT NUMBER THREE.

On pages 1 and 2 of the printed bill, strike out all of sections 2 and 3 except the words "Sec. 2.", and insert in lieu of the matter stricken out the following: "Any court collecting any criminal fines or penalties under the criminal provisions of any of the labor laws pertaining to public works shall immediately transmit such fines or penalties to the State Treasurer to become a part of the general fund of the State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1728—An act to authorize the Department of Public Works to construct and maintain freeways, authorizing the cooperation of said department with any political subdivision of the State in constructing freeways, and providing for the acquisition of real property, or interest in real property, necessary for the construction thereof.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Amend the title of the printed bill to read as follows:

"An act to authorize the Department of Public Works to construct and maintain freeways, defining freeways, authorizing the cooperation of said department with any political subdivision of the State in constructing freeways, and providing for the acquisition of real property, or any interest in real property, necessary for the construction thereof or of improvements related thereto."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the words "SECTION 1.", and substitute the following:

"SECTION 1. The Department of Public Works is hereby authorized to lay out, adopt, establish, construct and maintain any portion of any State or highway as a freeway.

A freeway is hereby defined as a public highway over, from, or to which abutting landowners have no right of ingress or egress to or from their land, and over and across which such abutting landowners have no right to the free and uninterrupted flow of light and air.

SEC. 2. The Department of Public Works may acquire any interest in any real property, for the construction of any freeway, or the establishment of any portion of any existing State road or highway as a freeway, in the same manner as real property is acquired for State highway purposes, except that in case such acquisition is by proceedings in eminent domain, the resolution required by section 363h of the Political Code shall specify in addition to other requirements of law that the said real property is required for purposes of a freeway.

SEC. 3. In any proceeding in eminent domain brought for the purpose of condemning land for a freeway, the interest in said land thereby acquired by the State of California shall be a fee simple estate, subject only to a right of reversion to the person or persons legally entitled thereto in the event of the abandonment of such land by the State, or any agency of the State having jurisdiction thereover for highway purposes. By any purchase, donation, or dedication of land expressly made for purposes of a freeway, a like estate shall be deemed to be acquired by the State.

SEC. 4 Said department shall not construct fences inclosing such freeways other than wire fence, and shall not construct any fence over six feet in height; provided, however, that different types of fence may be constructed with the consent of the abutting landowner; and provided, further, that nothing in this section shall be construed as a limitation on the authority of said department in respect to the roadside planting of trees, hedges, or shrubs, and the erection of such signs and structures as are deemed necessary properly to direct or warn traffic.

SEC 5. The Department of Public Works shall provide for the intersection of such freeways by all existing county roads running into or across such freeway, except that any such county road may be closed at the point or points where it runs into or intersects such freeway if the consent of the board of supervisors, after approval by the county planning commission, if such there be, be first obtained

After the establishment of any freeway, no county road shall be constructed running into or intersecting such freeway, unless the plans and specifications therefor have first been submitted to, and approved in writing by, the State Highway Engineer.

SEC. 6 In the case of any freeway through a municipality, provision shall be made for access thereto from all existing streets of the municipality at such points as are designated by the legislative body of such municipality, after approval of the plans thereof by the city planning commission, if such there be; provided, however, that in the event plans and specifications are submitted to such planning commission or legislative body by the State Highway Engineer, and such planning commission or legislative body fails to designate such points within sixty days thereafter, such designation may be made by the State Highway Engineer.

After the establishment of any freeway through a municipality, no street shall be constructed running into or intersecting such freeway unless the plans and specifications therefor have first been submitted to, and approved in writing by the State Highway Engineer.

Nothing in this section contained shall be deemed to prohibit the closing of any street at the point where it runs into or intersects any such freeway by the proper municipal authorities in any manner provided by law.

SEC. 7. The terms "highway" and "State highway" as used in all statutes now in effect, where not inconsistent with the provisions of this act, shall be deemed to include freeway and freeways, and any freeway constructed under the provisions of this act shall be deemed a State highway in connection with all statutes appropriating funds for State highway purposes.

SEC 8. The Department of Public Works may enter into agreements with any city, county, city and county relative to division of costs in respect to freeways, or to the manner in which the same are to be constructed, established, or maintained, or in respect to the manner in which paralleling or intersecting streets or roads are to be laid out, widened, opened, extended, or improved, or other public improvements are to be constructed, established and maintained by such county, city and county, or city, in connection with the construction, establishment or maintenance of any such freeway.

SEC 9. In case any such agreement as is specified in section 8 hereof has been entered into for the construction, establishment or maintenance of any such freeway jointly, or for the construction, establishment, or maintenance of any such freeway and related public improvements, proceedings in eminent domain for the acquisition of real property, or interests therein, may be brought in the name of the people of the State of California, jointly by the Department of Public Works and any county, city and county, or city, which is a party to such agreement, for the acquisition of the real property necessary for the construction, establishment or maintenance of the public improvements provided for in such agreement, and, in case separate proceedings have been commenced by the parties to such agreement, the same may be consolidated. In any such proceeding, evidence of the entire plan of improvement shall be admissible for the purpose of determining the following: (1) all damages by reason of deprivation of right of access to any highway to be constructed, established, or maintained as a freeway; (2) the damages, if the property sought to be condemned constitutes part of a larger parcel, which will accrue to the portion not sought to be condemned by reason of its severance from the portion sought to be condemned, and by reason of the construction of the improvement in the manner proposed; (3) the benefits, if any, which will accrue to the portion not sought to be condemned, and to each estate or interest therein, by the construction of the improvement in the manner proposed.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 543—An act making it unlawful for an attorney at law to employ any person to solicit law practice; prohibiting any person from soliciting law practice for hire and prescribing the penalty therefor; prohibiting the use of written statements taken from an injured person within thirty days after the injury; also making void certain settlements, compromises, releases and discharges, also written contracts with attorneys at law, unless approved by the court.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE

Strike the entire title of the printed bill, and insert in lieu thereof the following:

"An act making it unlawful for any person to employ any other person to solicit law practice, prohibiting any person from soliciting such law practice, limiting the use of written statements taken from an injured person, and providing the penalties therefor, also establishing presumptions as to certain settlements, compromises, releases, discharges and satisfactions and contracts with attorneys, and providing a period of limitation on suits to set aside such contracts."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, following the enacting clause, strike out the entire bill, and insert in lieu thereof the following:

"SECTION 1. It shall be unlawful for any person to solicit for money, fee or *commission, in any manner whatsoever, any kind of law practice for himself or any* other person Nothing in this act shall be construed to prevent any bona fide labor organization or any member thereof from advising or securing advice from any member of such organization in regard to his rights.

SEC 2. (a) Any person who shall violate section 1 hereof shall be guilty of a misdemeanor and shall be punished as provided in the Penal Code.

(b) Any written statement secured from an injured person at any time within fifteen days after such injuries were sustained shall be presumably fraudulent for use in the trial of any action for damage for injuries sustained by such person or for *the death of such person*

(c) Any settlement, compromise, release, discharge or satisfaction of claims procured from any injured person within fifteen days after such injuries were sustained, and without order of court approving same, shall be presumptively fraudulent and shall be presumed to have been obtained by undue influence.

(d) Any contract employing an attorney and fixing a contingent fee or proportion of recovery as compensation for attorneys' services and procured from any injured person within fifteen days after injury sustained shall be presumptively fraudulent and shall be presumed to have been obtained by undue influence, unless said contract shall have been approved by order of court.

(e) Any action to set aside any of the foregoing contracts, settlements, compromises, releases, discharges or satisfaction of claims shall be brought within six (6) months after the same was made.

SEC 3 If any section or part of this act is held unconstitutional such decision shall not affect the validity of the remaining portions of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 2049—An act relating to and providing for a moratorium in respect to the sale of farms, dwelling houses and outbuildings, whether on execution, under power of sale contained in a mortgage or deed of trust or in an action for the recovery of a debt or the enforcement of a right secured by mortgage or other lien, and declaring the urgency thereof, to take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

Strike out line 3 of the title of the printed bill, and insert in lieu thereof the following: 'real property'.

AMENDMENT NUMBER TWO.

In line 8 of the title of the printed bill, after "mortgage", insert a comma and the following: "deed of trust".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill strike out lines 1 to 14, inclusive, and all of page 2, and insert in lieu thereof the following

"SECTION 1 For a period of two years after this act takes effect, no sale on execution, or under power of sale contained in any mortgage or deed of trust or by direction of court in an action for the recovery of a debt or the enforcement of a right secured by mortgage, deed of trust or other lien shall be made of any real property or of any interest therein

Any such sale held contrary to the provisions of this act or any deed given or executed pursuant to any such sale is void.

SEC. 2. Notwithstanding any provision of law or any obligation or agreement affected by the provisions of this act, the period of time during which proceedings must be instituted or a sale had on execution or under power contained in any mortgage or deed of trust or by direction of court in an action for the recovery of a debt or the enforcement of a right secured by mortgage, deed of trust or other lien is hereby extended for two years, and any such sale heretofore set for a date which occurs during the period of time mentioned in section 1 of this act may legally and effectually be postponed to a date subsequent to the expiration of said period of time The obligor or his successor in interest has not the right to waive any of the provisions or benefits of this act. Any such waiver by or for the obligor or his successor in interest is wholly null, void and ineffectual, whether executed heretofore or hereafter or before or after the event.

SEC 3 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution, and shall therefore take effect immediately The facts constituting such necessity are as follows:

Due to the existing economic crises and the proclamations of the President of the United States restricting the withdrawal of funds from the banks of the Nation, it is impossible for owners of such real property to obtain money with which to pay the obligations mentioned in this act. As a result unless this act takes immediate effect obligors or their successors in interest will lose such real property.

It is therefore necessary that this act go into effect immediately to curb the effects of the existing national and monetary crises.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

THE BUDGET REPORT OF THE COMMITTEE ON WAYS AND MEANS

To the Honorable Walter J. Little, Speaker,
and to the Members of the Assembly of the State of California.

Your Committee on Ways and Means, which has had under consideration Assembly Bill No. 675, being the Appropriation Bill for the 85th and 86th fiscal years, July 1, 1933, to June 30, 1935, has, concurrently with the filing of this report, reported the same to the members of the Assembly with the recommendation that it do pass as amended.

Your attention is invited to the fact that the budget as submitted by your Committee on Ways and Means, reduces the total expenditures for all purposes of government for the coming biennium, $42,169,423.90 as compared with the expenditures for the biennium closing June 30, 1933

An examination of the printed budget will disclose that the actual and estimated expenditures for the current biennium, in so far as the general fund is concerned, exclusive of fixed charges, is $68,519,685.22. The Governor, in the budget submitted to the Legislature, reduced these expenditures for the next biennium to $56,186,476 93, or a reduction of 18 per cent. The Committee on Ways and Means further reduced general fund controllable expenditures to a total of $45,261,793 79. This makes a total reduction over the current biennium of 33 94 per cent, or a total reduction of $23,257,891 43.

Actual and estimated expenditures from all funds and for all purposes for the fiscal years 1931–1933 totaled $283,159,040 21 The Governor, in his submitted budget to the Legislature, reduced this figure to $258,655,163 47, or a reduction of 8.65 per cent The Committee on Ways and Means further reduced the latter figure in the sum of $17,665,547.16, or a reduction of 6 24 per cent. The total reduction will equal 14.89 per cent of the whole

In other words, the total budget for the ensuing biennium will be $240,989,616.31.

The proposed amendments to the original bill are, in effect, a complete revision of the original bill itself. Because of the financial condition of the State, your committee felt incumbent upon it the effecting of drastic economies in almost every function of our government. Because of this and because of the fact that so many drastic changes have been made in the bill, we feel that for the information of the members of the Assembly and the heads of the divisions of the Government, affected by the bill, that we should point out where our economies have been recommended and effected.

It is probably superfluous to draw the attention of the members of the Assembly to the financial condition of the State The budget, as proposed by the Governor, calls for expenditures totalling $258,655,163.47, $115,963,322.75 of which is from special funds derived by way of a direct tax upon specific groups for specific purposes The remaining portion of the budget, or $142,691,840.75 is expended for general governmental activities. Of this latter figure $86,505,362 82 are fixed charges We can effect no economies in the Budget Bill in so far as fixed charges are concerned.

The income from direct taxes for specific purposes is sufficient to maintain satisfactorily the functions created by this direct taxation. Difficulty, however, arises in the maintenance of the activities dependent upon the ordinary and usual revenues of the State. Optimists predict a net State revenue for general fund purposes for the next biennium of approximately $93,000,000 However, the submitted budget calls for expenditures totaling $142,691,840 75 In other words, the State of California, under the proposed budget and based upon estimated revenues, is short about $50,000,000 To this amount must be added the estimated deficiency which will face us at the close of the present biennium, totaling $9,500,000.

The problem confronting the Legislature, therefore, is serious and upon it is vested the duty and responsibility of maintaining for the people of the State their normal governmental functions in such a fashion as will render to them the service to which they are entitled. Your committee has carefully considered every budget request and in almost every instance has recommended economies. No favoritism has been displayed towards any department, including those maintained by direct tax upon specific groups. We early came to the conclusion that the so-called self-sustaining departments should be treated in exactly the same manner as those departments which are dependent upon their existence from the general fund As a matter of fact, we felt that economies could be effected in the self-sustaining departments to a greater degree than in those maintained by the general fund for the reason that the plenty with which they had been endowed has, in many instances, resulted in excessive extravagance Not only that, but their curtailment can and should produce one of two alternatives, (1) the reduction of the direct tax to the specific group involved, or (2) the establishment of a surplus which could be diverted into the general fund

In connection with these special items there appears in the amended bill specific appropriations for certain functions dependent entirely for their existence upon this special tax. Due to precedence probably, no attempt has ever been made to limit the expenditures in these departments by specific appropriation bills. This is particularly true in the Department of Public Works, Division of Highways, and the Military and Veterans' Affairs, Veterans' Welfare Board, and in one or two other departments The committee is of the opinion that by making specific appropriations to these departments a legal limitation will be raised in such a manner as will preclude the expenditure of any greater amount than that indicated in the appropriation

At the very outset your committee was impressed with the fact that the cost of government was too high. In looking over the budget it appeared to us that the State's money was "nobody's money." We can hardly comprehend the fact that approximately $1,900,000 was proposed to be expended during the next biennium by way of traveling expenses; $650,000 for postage stamps; and $500,000 for a telephone bill. This latter item we believe to be greatly abused. Data in our possession indicates that the director of one of our departments incurred a long distance telephone bill in eight days, totaling $368.70, and that this same department in a period of one month expended $1.044 10 for long distance telephone calls alone.

Practically all of the departments in the State spend entirely too much money for printing. Reports and bulletins of every kind, character and color are widely distributed over this State. We are safe in our assumption when we assume that but few of our people read these reports. Few departments of the State are exempt from this criticism We believe that worthwhile economies could be effected in the elimination of the printing of these reports during this time of financial stress It is amazing to us that the matter should even need to be drawn to the attention

of the people directing our government. An interesting example of this type of distribution is the "California Highway and Public Works," a publication printed and distributed for the Division of Highways in the Department of Public Works. The records show that the average printing cost of this publication per quarter is $2,200. This figure does not include the cost of mailing, distribution and overhead expense connected with this publication.

Practically every department and subdivisions of departments requested replacements in automobiles for the next biennium. The total cost of these replacements, if allowed, would approximate $500,000. Your committee has been consistent in deleting from budget requests all appropriations for automobiles. We are of the opinion that the use of the automobiles by State employees has been greatly abused Automobiles should be pooled and employees should be permitted to use them for State purposes only. This would effect a considerable economy in the administration of our government

The committee is impressed with the fact that over a period of years many of the functions of the government have been located elsewhere than in Sacramento. We feel that the offices of the heads of all departments and divisions should be centralized at the Capitol and allow necessary branches to be established. The spreading of State offices indiscriminately over the State leads to confusion and decentralization. In addition it is estimated that thousands of dollars are expended by employees of these departments in traveling to and from Sacramento and in long distance telephone calls. We recommend appropriate legislation to curtail this growing evil.

The subject of education gave us the most trouble. In the first place, economies were difficult to effect to any large degree for the reason that a very substantial portion of the cost of education is fixed by statute and by the Constitution. The committee has no fault to find with the present contribution the State makes towards the maintenance and support of the elementary and high schools. We do feel, however, that adult education should not be a State charge. This specific branch of education should be left to the districts for decision for the reason that it is a district activity. The curtailment of this as a State function will result in a saving of approximately $1,250,000. We do believe, however, that the State should continue to contribute towards the maintenance of the so-called Americanization work performed in connection with adult education.

We feel that the time is rapidly coming when the people of the State must seriously consider the existing Old Age Security Act. During the coming biennium the State proposes to expend for the care of the needy aged $5,500,000. This figure has grown at an alarming rate and should it continue to increase in the future as it has in the past the State may be unable to meet its obligation under the terms of the act Whether abuses have arisen in its administration we are unable to say. However, we do feel that a limitation must be placed upon the amount expended for this purpose This limitation, however, must be accomplished with very efficient administration in order that only those entitled to receive its benefits shall be so benefited.

What we say concerning the administration of the Old Age Security Act is likewise applicable to the administration of all acts under the provisions of which aid is given to any group. In times of plenty no one criticizes money expended in the care of the unfortunate. No one criticizes it in times of financial stress but the people of the State have a right to expect that these funds will be meted out only to those entitled to receive them. We recommend legislation which will tighten up the administration of all of these funds

One of the larger items of expenditure is the amount expended in the care of tubercular patients The State's subsidy for the care of these patients is a fixed charge and is paid at the rate of $3 per patient per week. The amount appropriated for the coming biennium is $975,000. In all probability this will not be sufficient and the next Legislature will be faced with a deficit. Substantial amounts are paid to aliens within our borders and we feel that this is not a proper charge. Furthermore, we recommend that commencing at some future date the State's subsidy be reduced from $3 per patient per week to $2, said reduction to not apply to patients receiving the $3 per week subsidy at the time the law goes into effect. We are informed by the Chief of the Bureau of Tuberculosis that in her judgment this change will not increase the burden on the counties Such a reduction would probably result in county administrators being a little more cautious in the incurring of this obligation

We have recommended the elimination of all special attorneys except those employed in the Division of Contracts and Rights of Way, Division of State Lands, Division of Water Resources, Division of Labor Statistics and Law Enforcement, Secretary of State, Industrial Accident Commission, Railroad Commission, State Compensation Insurance Fund, Legislative Counsel Bureau, Department of Education and Inheritance Tax Department, and in line with our recommendation we have deleted from the appropriation bill all appropriations therefor. The budget listed forty-one attorneys with a biennial payroll of $261,200 This figure, of course, does not include additional stenographic or clerical help or office equipment for these

attorneys, including the amount expended by them for traveling about the State In addition to those who specifically appear in the budget there are many others whose names appear upon the payrolls of the State not as attorneys but in other capacities. This latter method, of course, is merely a means of getting the particular attorney on the payroll It is estimated that by centralization of substantially all of the attorneys under the head of the Attorney General, a substantial saving can be effected. As a matter of fact, we appropriate for this purpose $115,000 for the biennium. It can be seen at a glance that this effects real economy.

A very substantial portion of the cost of government is the amount expended for salaries and wages. In arriving at our economies we have taken into consideration salary economies which will be effected by a classification bill to be introduced by a subcommittee of the Committee on Ways and Means This committee made its report on March 13, 1933. The plan and schedule of salary reductions is clearly set forth in this report which appears on page 15 of the Assembly Daily Journal of March 13, 1933. We do not attempt to incorporate the salary report herein other than by reference thereto.

Many of the so-called self-supporting departments have built up large surpluses To a large extent these surpluses are frozen and it is the opinion of the committee that a certain portion of them should revert to the general fund at the end of each biennium.

For the information of the members of the Legislature and the heads of the various departments and divisions of the State, there follows a detailed itemization of the economies which we suggest. In this connection we wish to make clear that our recommendations are not conclusive. We indicate where, in our opinion, economies can be effected. Should the head of the department disagree with us, he is at liberty so to do. However, we have specifically limited the amount which he can expend and the duty then devolves upon him to distribute the economies in such a manner as in his discretion shall seem best For illustration: If we recommend the elimination of an assistant chief, and, say, two assistant secretaries, and the head of the department should feel that we have committed error in our recommendations, we will not complain provided he absorbs the amount involved in our recommendations in some other branch of his department We are not so much interested in the elimination of specific recommendations as in the ultimate objective namely, economy. We will follow the budget submitted by the Governor

LEGISLATIVE

On page 1 of the budget appears the appropriations for the maintenance, support, salaries and mileage of the Senate and Assembly Salaries and mileage are fixed by the Constitution and statutes respectively, as well as are many of the other contingent expenses of the Legislature. These are fixed charges and even though the item were eliminated from the Appropriation Bill, in all probability they would have to be paid. However, the committee feels that the Legislature should be consistent and that it should take immediate steps to reduce the salary of its members from $1,200 per annum to $1,000 per annum

The original Appropriation Bill appropriated $253,000 for legislative printing, binding, mailing and interim committees for the 51st session of the Legislature This has been deleted for the reason that the committee feels that each Legislature should pay its own way In other words, the 51st session should make its own appropriation for its own printing, binding, mailing, etc Should the present session see fit to create interim committees with power to expend, it is recommended that the resolution or act creating the committee carry with it the necessary appropriation.

There is appropriated for the support and maintenance of the Legislative Counsel Bureau (page 2 of the Budget) $51,138. Of this amount $31,025 is for salaries and wages. No economy has been recommended for this department other than its employees be reduced in salary in line with other departments of the State

JUDICIAL.

The Constitution of the State of California provides that "The judicial power of the State shall be vested in * * * a Supreme Court, District Courts of Appeal, superior courts, such municipal courts as may be established in any city or city and county, and such inferior courts as the Legislature may establish * * *"

The total appropriation for the maintenance of these courts for the next biennium is $2,459,935 Of this amount, $1,288,000 is the State's share in the salary of superior judges, which is figured on a basis of $4,000 per annum for each judge In so far as the State is concerned, the largest item of expense is salaries, most of which are fixed by statute The expense of maintenance of these courts has increased terrifically during the past 10 years. It is somewhat difficult to effect economies for the reason that the courts of this and other States have held that the creation of the court implies its inherent power to function This would seem to indicate that the court has the power to designate its personnel and establish the salaries thereof The committee feels that the presiding justices of the courts should insist, in the interests of economy, that their personnel be reduced in salary in con-

formity with similar amounts paid other State employees In addition we feel that statutory salaries should be reduced in the same degree.

(a) *Supreme Court of the State of California (Page 3 of Budget)*

This court is made up of one Chief Justice and seven Associate Justices, and a personnel of 32. For the biennium commencing July 1, 1923, this same court, with a personnel of 21, received for its support and maintenance $260,090 The Appropriation Bill for the coming biennium appropriates for its support and maintenance $400,080, most of which amount is made up in salaries as hereinbefore indicated. The committee is of the opinion, however, that economies can be effected in the items of materials and supplies and service and expense and equipment without handicapping the functions of the court We recommend that these items be reduced 20 per cent, thereby effecting a saving of $4,870. Our amended bill appropriates for the support and maintenance of this court $191,860

(b) *First District Court of Appeal (Page 4 of Budget).*

The original bill appropriates for the maintenance and support of this court $195,100, $188,100 of which is in salaries. Some economies can be effected in reducing the amount allowed for materials and supplies, service and expense and equipment, and we feel that a 20 per cent reduction of these items will not handicap the court. This court is a six-judge court employing 12 attaches This same court with the same number of attaches, for the biennium commencing July 1, 1923, operated efficiently for $144,422 All of the salaries of the attaches of the court, with the exception of the secretaries, are fixed by statute. It is interesting to note that even the porter of the court has a statutory salary of $1,800 per annum The committee is of the opinion that the statutes fixing these salaries should be amended to conform with the other salaries of the same grade for other State employees

Our amended bill provides for an appropriation of $193,700 for the support of this court.

(c) *Second District Court of Appeal (Page 5 of Budget).*

What has been said concerning the First District Court of Appeal applies substantially to this court. There is appropriated in the original bill for its support and maintenance $196,730 as against $139,608 for the biennium commencing July 1, 1923. We make the same recommendation as to salaries and other items of expense.

The amended bill appropriates for the support and maintenance of this court $192,010.

(d) *Third District Court of Appeal (Page 6 of Budget).*

The original bill appropriates for the support of this court $107,625 as against $76,376 in 1923. The court consists of three justices and an attache list of seven. This was also true in 1923. We have reduced the items requested for materials and supplies, service and expenses and equipment 20 per cent, appropriating in the amended bill for the support of this court $106,085

(e) *Fourth District Court of Appeal (Page 7 of Budget).*

The original bill appropriated for the support of this court $165,950. It maintains offices at San Diego, Fresno, and San Bernardino. Its personnel consists of three judges and ten attaches Ten thousand dollars per year is expended for traveling and $11,700 per year is expended for the maintenance of the offices of the court. It was inaugurated in 1929 and periodically travels within the boundaries of its jurisdiction

The committee is of the opinion that considerable economy can be effected in the items of materials and supplies, service and expense and equipment. These several items total for the biennium $50,250 Because of the large amount of travel and rent we recommend a reduction of 25 per cent or $12,562 50.

The amended bill appropriates for the support and maintenance of this court $153,387 50 which is still considerably larger than the Third District Court of Appeal.

(f) *Judicial Council (Page 8 of Budget).*

The Judicial Council found its way into our Constitution by a vote of the people in 1926. It was organized for the principal purpose of expediting the business of the court. The original bill appropriated $21,450 for its support and maintenance. The Appropriation Bill, as amended, appropriates $13,150 for its support and maintenance, or a reduction of $8,300 This reduction has been effected with the consent of the chairman of the Judicial Council and will enable him to function during the next two-year period. The chief function of the council has been to assign judges from one county to another, and to assign superior judges to sit on District Courts of Appeal. This practice has thrown back onto the counties involved an enormous additional expense for the maintenance of their local courts, particularly in Los Angeles County. Not only that, but the practice has deprived many of the counties of the State of their local judges. However, the Chief Justice of the Supreme Court, who is also the Chairman of the Judicial Council, has advised the chairman of your committee that the policy of the Judicial Council for the next two-year period would

be to not assign judges to superior courts, save and except in cases where such assignment was absolutely necessary due to local interests

(g) *Extra Compensation of Judges (Page 8 of Budget).*

Article VI, section 1a, delegates to the Chief Justice of the Supreme Court, acting as Chairman of the Judicial Council, the right to assign any judge to another court of a like or higher jurisdiction to assist a court or judge whose calendar is congested. The original bill appropriated $85,000 This sum we have reduced to $20,000 for the biennium. In addition, the Chief Justice has declared to the chairman of your committee that as a matter of policy, no judges will be transferred, during the next biennium, into Los Angeles County, either from outside superior courts or from municipal courts or from justices' courts. This will effect a substantial economy not only in the State but in the counties as well. The abuse of the discretion has, to a large degree, been directed at Los Angeles County

(h) *Superior Courts (Page 9 of Budget)*

A superior judge is a State officer elected in a political subdivision of the State and therefore a portion of his salary is paid from the general funds of the State Under the existing laws the State therefore pays towards the salary of each superior judge $4,000 annually. In view of the fact that the counties of the State are relieved to this extent, the committee is of the opinion that, while the reduction of such contribution would react to the benefit of the general fund, yet, on the other hand, it would become an additional charge to the local taxpayer. In other words, we feel that any reductions in these salary contributions would find their way back onto the already overburdened owner of real property. We, therefore, recommend that the State continue to pay towards the salaries of each superior judge in the State the sum of $4 000 annually.

EXECUTIVE.

(a) *Governor (Page 10 of Budget).*

The original Appropriation Bill appropriated for the support of the Governor and of the Governor's office $108,500 In addition, $10,000 is appropriated for special contingent expenses of the Governor's office (secret service) and $17,500 for the support of the Governor's residence. The committee is of the opinion that the Chief Executive should take the lead in our program of economy

We suggest that the amount appropriated for the support of the office be reduced from $108 500 per biennium to $95,000 per biennium, thereby effecting a saving of $13,500 In addition, we suggest that the secret service fund be reduced from $10,000 per biennium to $5,000, thereby effecting a further saving of $5,000, and that the support of the residence be reduced from $17,500 per biennium to $10,000, thereby effecting a saving of $7,500 The employees in the office and on the staff will, of course, be affected by whatever salary reduction schedule which is adopted.

Our amended bill, therefore, appropriates $95,000 for the support of the Governor and his office; $5,000 for the special contingent expenses of the Governor's office, and $10,000 for the support of the Governor's residence. Prior to 1932 no appropriation was made for the services of clerk nor was any appropriation made for postage. This practice commenced in 1932 and it is felt that in times of financial stringency we could well afford to revert to the original appropriation for salary purposes only, and in line with that thought the amended bill appropriates $8,000 only.

(b) *Attorney General (Page 13 of Budget).*

The Attorney General is one of the constitutional officers of the State, whose duty it is to prosecute or defend all cases to which the State is a party; to exercise supervisory powers over district attorneys in all matters pertaining to the duties of their offices, to give his opinion upon any questions of law relating to the respective offices, to the Legislature, the Governor, other officers of the State, and to any district attorney, and to institute suits in behalf of the State

The original bill appropriated for the support and maintenance of this department $314,930. This figure is not only for the maintenance of the department, but includes the salary of forty-seven employees, including the salary of the Attorney General himself The office has grown over a period of ten years from 23 employees with a budget request of $166 200 to its present status The budget request for the biennium commencing July 1, 1929, setting up 45 employees, including the Attorney General, was $286,000

The committee is of the opinion that economies can be effected in the operation of this department and recommends that the requested appropriation be reduced 20 per cent, thereby effecting a saving of $62,986. Discretion as to the disbursement of this economy is left to the Attorney General himself.

However, the budget for the Attorney General will be increased for the biennium That officer has submitted to the committee an estimate of $115,000 which, in his opinion, will be sufficient to employ the necessary additional deputies, clerical and stenographic help and office equipment to conduct the whole of the legal business of the State It is the opinion of the committee that this request is warranted and

there, therefore, appears in the amended bill an appropriation for this amount to be used as and when the Attorney General is authorized to do all of the legal work of this State. Should he not be so authorized by the Legislature this appropriation is to lapse and revert to the general fund.

(c) *State Controller (Page 15 of Budget)*

The Controller is the chief accounting and disbursing officer of the State He is responsible for authorizing all disbursement of State moneys and for the collection of all moneys due the State He supervises the assessment and collection of State inheritance taxes and is an ex officio member of the State Board of Equalization and State Board of Control

There is appropriated in the original bill for his support and maintenance $355,370. In addition, the Controller has requested that this appropriation be increased $111,270 for the purpose of making direct payment of State obligations from his office instead of following the practice which has been prevalent for a good many years.

The committee has decided to recommend an increase but in so doing believes that economies can be effected in the maintenance and operation of this particular State department. We recommend a 20 per cent reduction of the amount originally appropriated and the amount requested, after deducting any requests for automobiles, thereby appropriating $372,512. Discretion as to the disbursement of the economy is left to the Controller himself.

State Controller (Page 419 of Budget).

State Board of Equalization—Fuel Tax and Transportation Tax Division.

The chief activity of this function is the administration of the three cents per gallon gasoline tax. It makes complete studies of the distribution of such fuel by oil companies and checks are maintained with reference to the producers of natural gasoline and the producers of refined petroleum products so that evasions of the tax may be determined. Its activities are self-supported by appropriations from the motor vehicle fuel fund.

It is the opinion of the committee that this function can be operated far more economically than it now is We recommend the elimination of the following positions: Supervising Gas and Transportation Investigator; law clerk, and the item of temporary help, effecting a total saving of $9,200. We also recommend that no new positions be created for the next biennium, thereby effecting a saving of $40,800 We recommend that the proposed expenditures for materials and supplies as set forth on page 419 of the budget be reduced from $10,400 per biennium to $2,800 per biennium, and that the proposed expenditures for service and expense, appearing on the same page of the budget, be reduced from $30,575 per biennium, to $12,000 per biennium, thereby effecting a saving of $18,575. In addition we recommend that no new equipment or automobiles be purchased, thereby effecting a saving of $5,450 per biennium

Under the heading of Transportation Tax Division on page 420 of the budget, we recommend that the part-time executive secretary receive a basic salary of $4,000 in lieu of $5,100 per biennium, and that the gas and transportation tax auditors be reduced from five to three, thereby effecting a saving of $10,080 per biennium. Also, we recommend the elimination of the assistant to executive secretary and of the investigator and the elimination of all temporary help, thereby effecting a saving of $19,000.

The item of materials and supplies we found should be reduced from $3,950 per biennium to $2,400 per biennium, and the item of service and expense should be reduced from $20,400 per biennium to $12,000 per biennium. We also found that no new automobiles or new equipment are necessary and we recommend that this be eliminated, effecting a saving of $2,400 per biennium. In the original bill there is no appropriation for this specific function. We add a new item to the budget and specifically appropriate for the maintenance and support of this division the sum of $207,825

(d) *State Board of Equalization (Page 19 of Budget).*

This board is the tax assessing agency of the State. It also has certain supervisory powers and duties over county assessors. It has the responsibility of equalizing assessment rolls of any county so as to equalize assessment of property within the State It acts as a board of appeal for taxpayers protesting assessment of the bank and corporation franchise taxes. The original bill appropriated for the support and maintenance of this function $81,680, together with $20,000 for special items. The committee feels that the administrative costs of this department are far too high and for that reason has reduced them in the sum of $31,450. This reduction has been arrived at as follows: The executive secretary, who is a part-time officer and is also employed in the Fuel Tax and Transportation Tax Division of the board, has been reduced to $1,500 per annum. In addition we suggest the elimination of the porter, advisor to assessors, office supervisor, law clerk and temporary help. Under the heading "materials and supplies" we have reduced the automobile allowance to $1,000 the biennium, and cost of printing to $2,000 the biennium. Under the heading of

"service and expense" we have reduced the item of automobile from $1,000 to $600 the biennium telephone and telegraph from $1,100 to $500 the biennium, and traveling from $12,000 to $6,000 the biennium. The office equipment of $450 the biennium we deleted. The appropriation for special investigations has been reduced from $20,000 to $5,000 the biennium.

(e) *Tax Research Bureau (Page 21 of Budget).*

The original Appropriation Bill appropriated $90,000 for the support of this function. It was organized in 1931 for the purpose of making a general survey of the tax situation of this State. It has made its report and the committee feels that this department can be eliminated without seriously affecting the normal functions of government. The committee feels that a commission of some sort should be organized and created but is of the opinion that such organization should be created on a different basis than the present Tax Research Bureau. The committee recommends the creation of such a commission. However, the amended bill deletes in its entirety the appropriation for this function as it now exists.

(f) *Franchise Tax Commissioner (Page 23 of Budget).*

The duty of this office is to assess taxes on the net income of banks and general corporations doing business in the State of California. The original bill appropriated for the support of this function $149,340. The committee feels that economies could be effected in materials and supplies and service and expense. Therefore it has reduced item of materials and supplies from $8,700 the biennium to $7,700 the biennium. It has likewise reduced the item of service and expense from $13,300 the biennium to $12,000 the biennium.

(g) *Secretary of State (Page 25 of Budget).*

The original bill appropriated for the maintenance of this constitutional officer the sum of $170,770. The committee feels that economies in administration can be effected without injury to the department. It recommends that the original appropriation be reduced 20 per cent, leaving the economies to be distributed by the secretary. This item has been reduced to $136,616.

The committee has taken the position that during the next biennium no new automobiles should be purchased and it has therefore deleted the item of $750 for the purchase of a new automobile. This item has been deducted from the appropriation prior to taking the 20 per cent reduction.

Under an old statute the Secretary of State is charged with purchasing Supreme and Appellate Court reports for various officers of the State and Federal government. The original bill appropriated $18,000 for this purpose. This item has been deleted as it is felt that the divisions and persons receiving these reports can well afford to pay for them and that the people of the State of California should not be charged with this expense.

(h) *Board of Administration, State Employees' Retirement System (Page 28 of Budget).*

This department administers the State Employees' Retirement System and operates under the Director of Finance.

In view of the fact that funds are received in this department from contributions from all departments, and in view of the fact that it is maintained for a particular group who derives the sole benefits thereof, the committee is of the opinion that it should be entirely self-supporting.

The amended bill makes no appropriation whatever for this function.

(i) *State Treasurer (Page 29 of Budget)*

This officer is charged with the responsibility of all moneys and securities belonging to and entrusted to the keeping of the State.

There is appropriated in the original bill for his support and maintenance $90,020. Due to the proposed change in the drawing of warrants to be instituted by the Controller, the work of this department will be increased and the increase by the Controller will result in an increase in the request of the Treasurer. It is estimated that $21,000 will be needed for this increased service. However, the committee is of the opinion that economies can be effected without handicapping the functions and recommends that both the proposed increase and the amount requested be reduced 20 per cent. Discretion as to the distribution of the economies is left with the head of the department.

The amended bill appropriates for the support and maintenance of the State Treasurer and his office $88,816.

PUBLIC UTILITY REGULATION

(a) *Railroad Commission (Page 31 of Budget).*

This commission is established by the Constitution and is the body charged with the regulation of public utilities. The original bill called for an appropriation of $957,780. The committee feels that the appropriation to the commission can be

reduced 20 per cent without handicapping its functions. This has been done and the amount appropriated in the amended bill for the support of this function is $766,224. The committee makes no recommendation as to the distribution of the economy, feeling that the five commissioners are thoroughly capable of making the distribution.

DEPARTMENT OF AGRICULTURE.

(Page 36 of Budget)

The essential activities of this department are promoting and protecting the agricultural industry of the State, preventing the introduction and spread of injurious insect and animal pests, plant diseases and noxious weeds. It was created in 1919.

The original bill appropriated for its support and maintenance $4,108,387. Of this amount $2,649,163 is appropriated from the general fund and $1,459,224 from the special funds.

Subsequent to the formation of the budget and the introduction of the Budget Bill, there occurred a change in the management of the department. Mr. A. A. Brock of Orange County succeeded the then existing Director of Agriculture and is now the head of the department. Immediately he had been appointed and qualified Mr. Brock conferred with your committee and requested permission to submit to it a revised budget for the department. He informed us that in his opinion the original budget request was too high and that economies could be effected in the department without in any way handicapping its functions. We granted this request and in due course Mr. Brock did submit to us an entirely new budget for the Department of Agriculture.

However, the committee in studying this department, finds that many of the functions assigned to this department are of a special service nature, the benefits of which either largely accrue to those residing nearby the function, or to an extremely small proportion of the entire population and the people as a whole. In instances such as these the committee will recommend the deletion of the appropriation therefor, or the other alternative of making it self-supporting.

We shall discuss the various divisions as they appear in the printed budget and base all of our reductions upon these figures.

I. *Departmental Administration (Page 37 of Budget).*

The original bill appropriated for the maintenance and support of this department $229,930, which Mr. Brock reduced to $193,850. This is a reduction of less than 20 per cent and the committee is of the opinion that departmental administration can easily be reduced 20 per cent after eliminating all new automobiles requested, in the total sum of $4,500, without in any way handicapping the function. This will effect a saving of $46,758.

The committee further suggests the deletion of the amount requested for the maintenance and support of the Division of Fairs and Exhibits on page 39 of the budget, namely, $14,140. The essential function of this division is to prepare exhibits for the State, county and local fairs. In view of the fact that most of the counties in the State have suspended their fairs during the next biennium and no appropriation is made for the maintenance of the State Fair, it would seem that this function is no longer necessary. We, therefore, do not include it within the appropriation for administration overhead.

It will be noted that departmental administration, as set up in the printed budget, divides the department as follows: (a) Director and board; (2) accounts and disbursements; (3) general office; (4) statistics; and (5) fairs and exhibits. Our recommendations apply to all of these subdepartments.

The amended bill, therefore, provides for departmental administration the sum of $164,232.

II *Division of Animal Industry (Page 40 of Budget).*

This division is subdivided into (1) Live Stock Sanitary Service; (2) Bureau of Tuberculosis Control; (3) Bureau of Dairy Control; (4) Cattle Protection Service, and (5) Meat Inspection Service.

(1) Live Stock Sanitary Service (Page 40 of Budget).

The primary function of this service is the prevention, control and eradication of disease of live stock and poultry.

(a) *Administration (Page 40 of Budget).* Included within this service is the general administration of the Division of Animal Industry. The original bill appropriates for administration purposes $49,180. It is the opinion of the committee that economies can be effected in this administration and we suggest the deletion of any moneys for automobiles, thereby effecting a saving of $1,200, and we further suggest that after making the deduction for automobiles the entire amount be reduced 20 per cent or $9,596. The amended bill provides for the administration of this service $38,384.

(b) *Inspections (Page 40 of Budget).* The essential activity of this function is the supervision of operations of slaughtering and meat processing establishments.

The director, in his revised budget, reduced the original appropriation from $86,075 to $76,600, and we accept his recommendation, thereby effecting a saving of $9,475. Also an automobile at $1,000.

(c) *Meat supervision (Page 41 of Budget).* The essential activity of this division is the supervision of operations of slaughtering and meat processing establishments. The director in his revised budget requested $65,460 for the maintenance and support of this division for the next biennium. The actual inspection of meat is maintained by packers through contributions they make to the Department of Agriculture. This appropriation is allowed for supervision only and is a charge upon the general fund. Inasmuch as this service involves largely the guarantee of meat rather than public health, the meat packers might well be expected to pay the entire cost of this service, including the supervision. The committee recommends that the appropriation for this service be eliminated and that if the service is desired, active steps be taken by those interested to make it self-supporting. Our amended bill does not carry any appropriation for this service, thereby effecting a saving of $65,460.

(d) *Poultry Laboratory, Petaluma, and Poultry Pathological Laboratory, Los Angeles (Pages 41 and 42 of Budget).* The Poultry Laboratory at Petaluma was established in 1930, and the one at Los Angeles in 1927. Poultrymen bring diseased fowls to the laboratory for examination and are advised as to the method of their treatment and care.

The revised budget submitted by the director seeks a total appropriation of $24,180 for the biennium. The committee is of the opinion that the work of these laboratories is not such a service as renders benefits to the State as a whole, but merely to a special group. They are purely local in their nature and benefit only those residing nearby. We feel that in times of financial stress the State should not be called upon to bear this burden and suggest that if the persons desiring the service wish it continued, they should take immediate steps to make it self-supporting. The amended bill does not make any provision for the maintenance and continuance of this service.

(2) *Bureau of Tuberculosis Control (Page 43 of Budget).*

The essential activities of the bovine tuberculosis control program are as follows: Tuberculin testing of all cows supplying raw market milk; tuberculin testing of all dairy cattle in tuberculosis control areas, with payment of Federal and State indemnity for reactor cattle; control of the use of tuberculin, and approval of veterinarians to conduct tuberculin tests.

The printed budget calls for an appropriation of $377,565 for the support and maintenance of this department, including indemnities for animals destroyed. The committee is of the opinion that the financial condition of the State does not warrant the expenditure of this amount of money at this time and that drastic economies in the department can be had without seriously affecting the service.

The amended bill appropriates for the maintenance of this division $250,030, less $11,025, set up for new automobiles for the biennium, thereby effecting a saving of $138,560. This makes a total appropriation of $239,005.

(3) *Bureau of Dairy Control (Page 45 of Budget).*

The essential activity of this function is to administer the laws relating to dairies, dairy products, dairy products plants; and imitation dairy products; inspection of dairies, investigation of plant records, etc.

The original bill appropriated for the maintenance and support of this bureau, including administration, inspections and laboratories, $226,320. The committee is of the opinion that drastic economies can and should be effected and that these economies will in no way handicap the service of the function. We suggest that no new automobiles be purchased, thereby effecting a saving of $4,750.

The amended bill appropriates, therefore, for the maintenance of the department $126,320.

There is within this division a so-called bottle inspection service. The committee is of the opinion that in times of financial stress such a service is superfluous and should be entirely eliminated or made self-supporting.

(4) *Cattle Protection Service (Page 45 of Budget).*

The essential activities of this department are (a) the recordation of all brands used in branding cattle; (b) the inspection for brands and marks of all cattle offered for shipment or slaughter, and (c) the inspection of meat. All of the functions are self-supporting, the revenues being derived from a special tax on the industry.

There is appropriated in the original bill for the maintenance and support of this division $196,400, which does not include the amount appropriated for the meat inspection service. The committee is of the opinion that economies can be effected without handicapping the function, thereby reducing the taxes upon the special groups. We suggest that no new automobiles be purchased, thereby effecting a saving of $1,750, and that after making such reduction, the department be further reduced 20 per cent, thereby effecting a further saving of $3,893.

The amended bill appropriates for the maintenance and support of this division $155,720, exclusive of any appropriations for meat inspection service

(5) *Meat Inspection Service (Page 46 of Budget).*

This service inspects slaughtering houses and meat food processing establishments. There are 181 such establishments operating under direct State meat inspection

The original bill appropriates for the maintenance and support of this function $536,480 Mr. Brock in his revised budget reduces this amount to $487,488, thereby effecting a saving of $48,992. We accept the recommendation of the director and the amended bill, therefore, appropriates for the maintenance and support of this division $487,488.

III. *Division of Chemistry (Page 47 of Budget).*

The essential activities of this function are to enforce (1) Commercial Fertilizers Act, (2) Agricultural Minerals Act, (3) Fertilizer Salesmen's Act, (4) Economic Poison Act, and (5) Spray Residue Act Some revenue is obtained through licenses issued and it is to a certain extent self-supporting.

The original bill appropriates for its maintenance and support $125,635 for the biennium The committee suggests that no new automobiles be purchased, thereby effecting a saving of $2,200, and that after making such deduction the balance be reduced 20 per cent, thereby effecting a further saving of $24,687.

The amended bill appropriates for the maintenance and support of this division $98,748

IV *Division of Quarantine Administration (Page 48 of Budget).*

The essential activity of this division is the inspection of all nursery stock, plants, fruits, vegetables, and all ships, vehicles and other carriers of the same entering the State It is one of the most essential activities of the Department of Agriculture for the reason that it protects from outside dangers all of the agricultural products of the State.

The original bill requested for the support and maintenance of this division $482,684 for the biennium Mr Brock requests $479,584, a saving of $3,110 We suggest a further reduction of $3,600 set up for new automobiles, thereby effecting a total saving of $6,700.

The amended bill provides for the support and maintenance of this function $475,984.

V. *Division of Entomology and Pest Control (Page 51 of Budget)*

The original bill requested for the maintenance and support of this department $366,170. Mr. Brock, in his revised figures, requests $314,850. We accepted this request after striking out any moneys appropriated for new automobiles.

However, there are certain functions in the department, the appropriations for which we have eliminated for the reason that we feel they should be made self-sustaining. These departments are as follows:

(1) *Apiary Inspection Service (Page 52 of Budget).*

This activity was established in 1929 and its essential activities are to supervise, regulate and coordinate apiary inspection throughout the State; to inspect bees in counties where there is no apiary inspection official, etc. This service is in the nature of a specialty, affecting a very few and can easily be performed by county agricultural commissioners, without the aid of State supervision However, should interested persons desire it, it is suggested that they immediately inaugurate the necessary legislation to make it self-sustaining We do not provide for the maintenance of this division in our amended bill. This will effect a saving of $10,750.

(2) *General Entomology (Page 52 of Budget).*

The whole entomological service is interlocked. It supervises campaigns looking to the control of insect outbreaks where collective action is necessary It supplies fruit growers with timely information on pest control in order that the tolerance set by laws for grading fruit from the standpoint of insect injury may be met, etc.

The original bill appropriates for the support and maintenance of this division for the biennium $81,600 Mr. Brock, in his revised budget, requests $57,520 However, in his request he seeks a new automobile costing $1,000. We accept his recommendation after deducting the automobile.

(3) *Insect Control and Eradication (Page 53 of Budget)*

This department formulates and carries out programs looking to the eradication and destruction of insect pests new to or not widely distributed in the State. The original appropriation for its support and maintenance was $48,530. Mr Brock in his revised budget seeks $20,990. However, he seeks a new automobile costing $900 which we suggest be eliminated We, therefore, accept his recommendations and appropriate $20,090 for the support and maintenance of this division

(4) *Citrus White Fly Eradication (Page 54 of Budget)*

The essential activity of this department is the application of treatments to citrus white flies by means of fumigation and spray in order to effect complete destruction.

The original bill appropriated for its support and maintenance $54,210. The committee is of the opinion that this appropriation can be reduced 20 per cent without handicapping the service which it renders.

We provide in our amended bill for $43,368 for the support and maintenance of this division

(5) *Parlatoria Date Scale Eradication (Page 54 of Budget)*

This project seeks the eradication of this scale in the States of California and Arizona All palms in this State, in the date-growing sections, are inspected periodically and the infested palms are either cut down or the tops treated to destroy the scale.

The original bill appropriates for its support and maintenance $20,000 which we believe can be reduced 20 per cent without injury to the function. Our amended bill appropriates for the support and maintenance of this division $16,000.

(6) *Predatory Animal Control (Page 55 of Budget).*

The essential activity of this department is the eradication and control of predatory animals harmful to live stock, poultry, fruit and vegetables It is of distinct service to the rural areas

The original bill appropriated for its support and maintenance $27,000 for the biennium The director, in his revised budget, requests the same. However, he includes $500 for a new automobile which we delete.

The amended bill appropriates $26,500 for the function.

(7) *Rodent Control (Page 55 of Budget).*

The purpose of this function is to advise with and correlate rodent control field activity with agricultural commissioners This service is in the nature of a specialty, affecting but few, and to a large degree merely consists in cooperating with other departments in the various political subdivisions of the State We believe it can be eliminated with no danger to agriculture, thereby saving $24,640, the amount appropriated for its support and maintenance in the original bill

(8) *Plague Control (Page 55 of Budget)*

This function directs application of squirrel eradication measures on areas reported by Public Health to be plague infested

In times of economic disturbance, it can easily be suspended and we, therefore, make no appropriation, effecting a saving of $29,200.

(9) *Bureau of Plant Pathology (Page 57 of Budget)*

The essential activity of this department is the eradication of new plant diseases before they become permanently established

The original bill appropriated for its maintenance and support $27,790 The committee is of the opinion that it can be suspended during times of economic distress, without danger, thereby effecting a saving in that amount. Work of a similar character is being carried on by the Department of Agriculture in the University of California and the committee feels that this particular function should be taken up by it

The amended bill carries no appropriation for this function

(10) *Bureau of Nursery Service (Page 57 of Budget)*

This department correlates enforcement of nursery inspection laws It is one of the so-called self-sustaining functions.

There is appropriated in the original bill for its support and maintenance $42,450 In view of the fact that its functions are almost wholly duplicated by county horticultural commissioners, the committee is of the opinion that it can be suspended as a State service

Our amended bill makes no appropriation whatever for this service

VI. *Division of Plant Industry (Page 58 of Budget).*

(1) *Bureau of Field Crops (Page 58 of Budget).*

The original bill appropriated for the departmental administration of the Bureau of Field Crops $21,060. The director, in his revised budget, reduced this to $19,380 and the committee accepts his recommendation.

(2) *Grain Inspection Service (Page 58 of Budget).*

The essential activity of this function is the inspection of grain, rice and beans for the purpose of making available official grade certifications on which commercial transactions may be made on a basis of quality. The service is optional and, although a fee is charged, the revenue is not sufficient to support the cost of the service. This service is really of value only to those receiving it and is not of sufficient importance to the State as a whole to call for its support and maintenance out of the general fund If desired, it should be made entirely self-supporting

The amended bill does not make any provision for its maintenance, thereby effecting a saving of $47,460.

(3) *Seed Inspection Service (Page 59 of Budget).*

The essential function of this activity is to provide for the standardization of seeds by means of seed inspection, and the analysis of laboratory samples. It benefits a limited number of persons and, therefore, should not be maintained from the general fund of the State. The amended bill does not make any appropriation for the continuance of this function, thereby effecting a saving in the sum of $54,170.

(4) *Warehouse Inspection Service (Page 59 of Budget)*

The essential activity of this function is the licensing of agricultural warehouses upon application, custody of bonds, examination of records and stocks of licensed warehouses, thereby establishing a standing for warehouse receipts. It is apparent that this is a special service rendered for the benefit of a particular district and not of state-wide value. In view of that fact, the committee does not feel that general fund support can be justified in view of the present financial condition of the State. Our amended bill does not provide for its continuance, thereby effecting a saving of $37,280.

(5) *Hay Inspection Service (Page 60 of Budget).*

This function was established in 1929 for the purpose of establishing grading standards, certification as to grade, quality and condition, to contact growers in order to improve harvesting, and handling methods for the purpose of improving quality. In other words, the purpose of this special service is to facilitate the *marketing of hay by providing market standards*. The service is optional with the owner of the hay and is not rendered as a regulatory function. In view of the fact that it is not of special benefit to the State as a whole, the committee does not feel that it should be maintained from the general fund and therefore does not provide for it in the amended bill, effecting a saving of $18,210.

(6) *Cotton Grade and Staple Work (Page 60 of Budget).*

This function apparently consists of one employee who is drawing a total of $3,840 per biennium. It apparently affects a special industry and for that reason should be made self-sustaining along with the other services in this division. We have made no appropriation for it, thereby effecting a saving in that amount.

(7) *Bureau of Weeds and Weed Control (Page 60 of Budget)*

The essential activity of this function is to centralize weed information and correlate control activities.

There is appropriated in the original bill for the maintenance and support of this function $21,550 for the biennium.

The committee realizes the importance of this function but is of the opinion that it can be operated more economically. We recommend that no new automobiles be purchased during the next biennium, thereby effecting a saving of $1,200. In addition, and after deducting the amount for the purchase of the automobiles, we recommend a further reduction of 20 per cent or $4,070.

The amended bill appropriates for this function $16,280.

(8) *Bureau of Fruit and Vegetable Standardization (Page 61 of Budget)*

The essential activity of this function is the enforcement of the laws setting up minimum quality standards and grades for fresh fruits, apples, nuts and vegetables, with special regulations for apples. It also establishes standard containers, standard packs, and prevents deception in the marking or packing of these crops.

There is appropriated in the original bill for the support and maintenance of this department $99,970 for the biennium. The director, in his revised budget, seeks $72,400 for the same function, thereby effecting a saving of $27,570. The director, however, seeks a new automobile for $1,000. We accept the director's recommendation after deducting the automobile.

(9) *Ripe Olive Standardization (Page 61 of Budget).*

This is a new function and was established in 1931. The activity consists of the inspection of canned olives and requires the marking on the outside of the cans of produce which are of low grade.

The director, in his revised budget, seeks no appropriation for this service and we are happy to accept his recommendation.

(10) *Bureau of Shipping Point Inspection (Page 62 of Budget).*

This function is entirely optional with those who receive it and is completely self-supporting. It consists of the inspection of fruits and vegetables, generally at railroad cars as loaded, and in the field, packing-house, or cold storage plant. Fees are charged for this service.

The original bill appropriates for its support and maintenance $423,260, $13,100 of which is for the purchase of automobiles during the next biennium.

We recommend that no new automobiles be purchased in this department and that after making such deduction a further reduction of 20 per cent be made. This will effect a saving of $82,032

The amended bill appropriates for the maintenance of this division $328,128

VII *Division of Markets (Page 63 of Budget).*

The essential activity of this function is the rendering of advice and the supplying of facts and help for the purpose of improving marketing conditions in this State.

(1) *Organization, Development and Arbitration (Page 64 of Budget).*

There is appropriated in the original bill for the maintenance and support of this function $92,340 The director in his revised budget, seeks $77,020. We accept his recommendation with one exception. The chief of the division receives $15,000 per biennium, or $3,000 in excess of the salary of the Director of Agriculture This seems to us to be a poor policy and we, therefore, recommend that the chief of this division receive not in excess of $12,000 for the biennium

We accept the director's recommendation, allocating the amount indicated for the salary of the chief

(2) *Market News Service (Page 64 of Budget)*

The essential activity of this function is to serve as a source of current information on shipments, receipts, track holdings, unloads, price data, market conditions, and many other facts required in marketing, agricultural and live stock products

(a) *Supervisory and Operative (Page 64 of Budget)* In order to supervise and operate this particular function, there is appropriated in the original bill $74,800 for the biennium It is the opinion of the committee that this can be reduced 20 per cent, thereby effecting a saving of $14,960

Our amended bill appropriates for this service $58,400

(3) *Hay and Grain Reporting Service, San Francisco and Los Angeles (Page 65 of Budget)*

There is appropriated in the original bill for the support and maintenance of this service in Los Angeles and San Francisco, a total of $18,850

The committee is of the opinion that this can be operated successfully after receiving a reduction of 20 per cent, or $3,770 The amended bill appropriates for this function $14,680, after deleting automobiles.

(4) *Fruit and Vegetable Reporting Service San Francisco and Los Angeles (Page 66 of Budget).*

There is appropriated in the original bill for the support and maintenance of this service at both Los Angeles and San Francisco, $43,680 for the biennium

The Los Angeles service seeks a new automobile at $500 We deduct this and then reduce the balance 20 per cent or $8,636. It is the opinion of the committee that this function can be operated for that amount, thereby effecting a saving of $9,136.

(5) *Dairy and Poultry Products Reporting Service, San Francisco and Los Angeles (Page 67 of Budget).*

There is appropriated in the original bill for the support and maintenance of this service at both San Francisco and Los Angeles $8,860. We reduce this appropriation 20 per cent or $1,772. The amended bill makes an appropriation in this amount, namely, $7,088

(6) *Live Stock, Meat and Wool, San Francisco and Los Angeles (Page 67 of Budget)*

There is appropriated for the support and maintenance of this service $14,920 for the biennium.

The committee is of the opinion that the service can operate efficiently with a 20 per cent reduction or $2,984

The amended bill appropriates for the support of this function $11,936.

(7) *Field Stations (Page 68 of Budget).*

The original bill appropriated for the support and maintenance of this function $51,170 This includes new automobiles at $1,500. We do not allow the automobiles and recommend that after such deduction the appropriation be further reduced 20 per cent or $9,934.

The amended bill appropriates $39,736 for the support of this function

VIII. *Division of Market Enforcement (Page 69 of Budget)*

The essential activity of this department is to provide for growers of farm products adequate and direct remedy against the abuses practiced upon them by commercial merchants, shippers and other dealers in perishable commodities

(1) *Deciduous Fruit Dealers' Service (Page 69 of Budget).*

That portion of the service rendered to deciduous fruit dealers appropriates in the original bill for their support and maintenance $28,884. It will be noticed that the service rendered to the produce dealers is made self-supporting. The committee is of the opinion that the two should be treated alike and that Deciduous Fruit Dealers' Service should be made self-supporting.

In line with our recommendation we have deleted the appropriation in the amended bill.

(2) *Produce Dealers' Service (Page 70 of Budget)*

For the services rendered to produce dealers, which is self-sustaining, there is appropriated in the original bill for its support and maintenance for the biennium $32,624. This includes new automobiles in the sum of $1,050. We recommend that the item for automobiles be disallowed and that the balance be reduced 20 per cent, thereby effecting a saving of $6,314 80.

The amended bill appropriates for the support and maintenance of this function $25,259 20.

IX. *Division of Weights and Measures (Page 70 of Budget)*

(1) *Weights and Measures (Page 70 of Budget)*

The essential activity of this department is to enforce the Weights and Measures Act, Net Container Act, Public Weighmaster Act, the Bread Act and Hay Baling Act, and to cooperate in the enforcement of the numerous other acts where standards of weight are set up.

There is appropriated in the original bill for the support and maintenance of this division $26,170. This figure includes the purchase of an automobile at $1,000 which we delete. After such deletion we recommend that the appropriation be reduced 20 per cent or $5,034.

The amended bill appropriates $20,136 for this function.

(2) *Gasoline, Distillate and Oil Inspection Service (Page 71 of Budget).*

The essential activity of this function is to insure honest gallonage; to enforce the Gasoline and Oil Substitution Act requiring that gasolines and oils meet certain specifications.

There is appropriated in the original bill $25,940 for the support and maintenance of this function. In the opinion of the committee this service is of a specialized nature, rendered to a small majority, and should, if desired, be self-sustaining.

The amended bill makes no appropriation for this function.

(3) *Mattress and Upholstered Furniture Inspection Service (Page 71 of Budget).*

This function was established in 1929 and is for the purpose of enforcing labeling requirements for bedding and upholstered furniture products, requiring white label for new products and red label for secondhand or shoddy products. Inspections are conducted at factories, places of sale and at places of installation where large quantities are utilized. It is self-supporting.

The committee is of the opinion that this function properly belongs with the Department of Public Health instead of the Department of Agriculture. We recommend that it be transferred to the Department of Public Health.

The committee is also of the opinion that it is costing entirely too much money to operate the function and that those paying for the service should, in times of economic stress, be relieved of any additional direct taxation. We are of the further opinion that the function could be operated satisfactorily for 33⅓ per cent of the amount appropriated in the original bill. The original bill appropriates $154,970 and we reduce this to $100,613 33, after eliminating automobiles, thereby effecting a saving of $54,356 67.

DEPARTMENT OF FINANCE

(Page 77 of Budget)

The Department of Finance is a service department for other agencies of the State government and consists of six major items.

The original bill appropriated for the maintenance of this department $1,178,018 44. The committee felt that economies could be effected without handicapping the department and has therefore reduced the appropriation in the sum of $298,396. There is appropriated in the amended bill $879,622 44. The details of the reductions are as follows:

(a) *Departmental Administration.*

The committee feels that this department can, in times of financial stress, be administered more economically. It has therefore reduced the administration of this department 20 per cent, or $20,290. Discretion as to the distribution of this economy is left to the director.

(b) *Division of Budgets and Accounts (Page 78 of Budget).*

The function of this division is to prepare the various budgets and to devise, install and maintain a uniform system of accounts for every State agency and audit the same.

The committee is of the opinion that this department should, in the light of the financial condition of the State, be administered more economically. The original Budget Bill appropriated $138,310 for the administration of this division, and the committee has reduced this appropriation 20 per cent. The amount therefore allocated to this division is $110,648. Discretion as to the distribution of this economy is left to the director.

(c) *Division of Service and Supply (Page 78 of Budget).*

This division has administrative authority over the following bureaus, namely, the Bureau of Purchases, Buildings and Grounds, Printing, Publications and Documents, and Commerce. The committee is of the opinion that as an economy measure this function can be discontinued without seriously handicapping the normal functions of the government. The original Appropriation Bill appropriated $11,500 which sum is deleted in the amended bill.

(d) *Bureau of Purchases (Page 79 of Budget).*

This division is the purchasing agent of the State government. The original bill appropriated $159,510. However, the committee is of the opinion that this function can and should be operated more economically. Therefore, we have reduced the original appropriation 20 per cent or $31,902. Discretion as to the distribution of this economy is left to the director.

(e) *Bureau of Buildings and Grounds (Page 79 of Budget).*

The functions of this bureau are to maintain and operate all State-owned or rented buildings which are used for offices and which include the State Capitol, the Courts and Library Building, the State Office Building in Sacramento, the State Building and Compensation Insurance Fund Building in San Francisco, the State Building in Los Angeles, and Sutter's Fort Historical Museum. The original Appropriation Bill appropriated for this division $448,340 44 as follows: Administration, $14,100, Sacramento buildings, $472,485, San Francisco buildings, $288,250, Los Angeles building, $190,430; Sutter's Fort, $22,940; Executive Mansion, $18,840; State burial grounds, $350. This is a net figure after deducting all revenues.

The committee is of the opinion that this function can and should be operated more economically. Therefore, we have reduced the original appropriation 20 per cent, or $201,479, leaving to the discretion of the director the distribution of the economy. The amended bill, therefore, appropriates to this function for its maintenance and support during the next biennium the sum of $358,672 44.

(f) *Sutter's Fort (Page 81 of Budget).*

This institution is an historical park, located in the city of Sacramento.

There is appropriated in the original bill for its maintenance and support consisting chiefly of salaries, $22,940. For some unknown reason this museum is under the control of the Department of Finance. It is wholly unrelated in its duties and should be under the jurisdiction of the Division of Parks, Department of Natural Resources. The committee also feels that visitors visiting this museum should be compelled to pay an admission fee in an effort to make it, to some extent at least, self-supporting. Attention is also invited to the fact that there is located in the State Library materials of historical importance which might well be transferred to Sutter's Fort in order to make it more attractive for visitors. This latter change would open up considerable floor space in the State Library.

(g) *Bureau of Documents (Page 83 of Budget).*

This function was inaugurated by the 1931 Legislature with the thought in mind that it would be self-supporting through the sale of State bulletins and publications. This has not proven to be true but the committee feels that it does render a valuable service to the government. It checks and rechecks manuscripts printed for public distribution and in that fashion has indirectly saved the State a great deal of money in printing, etc. However, the committee feels that in the light of times this function should and could be operated more economically. The original bill makes no appropriation for its maintenance and support. However, it is estimated that its maintenance will create an expenditure of $19,690. We recommend to the director that this expenditure be reduced 20 per cent or $3,338. In line with this recommendation we have deducted said sum of $3,338.

(h) *Bureau of Commerce (Page 83 of Budget)*

This is a new function in our government. It was created in 1929 for the purpose of promoting foreign and domestic trade in California productions. It is felt by the committee that this function duplicates to a large extent the work of the United States Department of Commerce. While we recognize the fact that this bureau may have in some cases been of some assistance, we do not feel that it is essential to the carrying on of the normal functions of government. In other words, this committee feels that the deletion of this appropriation will not work a handicap upon the normal functions of the government or upon the people of this State. Therefore, and in line with our opinion, we have deleted the appropriation from the amended bill.

(i) *Division of Personnel and Organization (Page 84 of Budget).*

This function is charged with administering the provisions of the Civil Service Act. The original Appropriation Bill appropriated for its maintenance and support, during the next biennium, $198,520. The committee is impressed with the fact that the sum requested is too high and that the division can and should be operated more economically. Therefore, we have reduced the original bill by 49.6 per cent or $99,260. Discretion as to the distribution of this economy is left to the director.

(j) *Division of State Lands (Page 85 of Budget).*

This function has charge of the income, rentals and sales of all land owned by the State. The original bill appropriated for its maintenance and support $62,998. The committee feels that this department can and should be operated on a more economical basis. For example, the function has charged to it an attorney whose salary is, for the biennium, $9,600. In line with our general recommendation, we have deducted from the appropriation this salary. After such deduction we have made a further deduction of 20 per cent, appropriating to this function the sum of $42,718. Discretion as to the distribution of this economy is left to the director.

(k) *Division of Exhibits, State Agricultural Society (Page 88 of Budget).*

This function has administrative authority over the California State Fair which is held at Sacramento, and the county fair held at Los Angeles. There is appropriated in the original bill for the support and maintenance of the State Agricultural Society $433,935. While a State Fair is highly desirable in prosperous times, the committee is of the opinion that the present financial condition of the State does not warrant this expenditure during the ensuing biennium. Therefore, we have deleted this appropriation in the amended bill. However, the fair could still be held on a self-supporting basis. The State has a considerable investment in buildings, grounds, etc., which must be preserved. We, therefore, have appropriated for the purposes of preservation and maintenance during the next biennium $25,000.

We have also deleted from the original Appropriation Bill the $10,000 appropriated for encouragement of county fairs, and $10,000 for the support of the Second District Agricultural Association Fair (San Joaquin County) and an additional $20,000 for the support of the Los Angeles County Fair at Pomona. These figures appear under the heading "special items" on page 85 of the budget.

Commencing on page 89 of the budget we find appropriations for the Sixth District Agricultural Association totaling $68,827. This money is appropriated for the purpose of administering and maintaining the Permanent Exhibit Building at Exposition Park, Los Angeles. This building contains permanent exhibits showing the resources and industries of the entire State, which exhibits, of considerable value, are situated in the building and it is the opinion of the committee that it would cost almost as much to preserve the property should we close the exhibit as it would to maintain it for the public during the ensuing biennium. However, the committee feels that economies can be effected in the administration of the exhibits to the extent of 20 per cent of the appropriation. We have, therefore, reduced the appropriation in this amount, leaving for said function the sum of $55,061.60. Discretion as to the distribution of this economy is left to the director.

(l) *Permanent Improvements (Page 85 of Budget).*

The original bill appropriated $50,000 for permanent improvements in the State buildings at Los Angeles, Sacramento, and San Francisco. $20,000 is appropriated for partitions, sound-proofing and ventilation in the Los Angeles State Building. In view of the fact that this building has just been constructed at a considerable cost to the people, the committee is of the opinion that no additional expenditures should be made at this time. It feels that the tenants of this building can get along all right for the coming biennium. We, therefore, do not make any appropriation for this amount.

DEPARTMENT OF INDUSTRIAL RELATIONS

Six divisions constitute this department namely, Division of Industrial Accidents and Safety (Industrial Accident Commission), Division of Labor Statistics and Law Enforcement, Division of State Employment Agencies; Division of Industrial Welfare; Division of Immigration and Housing, and Division of Fire and Safety. The work is supervised by a director who under the law, is also chairman of the Industrial Accident Commission. The original bill appropriated for the support and maintenance of this department $1,831,994, of which $176,700 is from special funds. From the original appropriation the committee has deducted $620,717.39, $444,017.39 of which has been deducted from general fund items, and the whole $176,700 from special fund items. In other words, we deleted the whole of the special fund item.

The deductions have been made from the following divisions within the department in the amounts indicated and for the reasons stated as follows:

(a) *Departmental Administration (Page 94 of Budget).*

The original Appropriation Bill included within its appropriation for the departmental administration of the Department of Industrial Relations the sum of $35,740. The committee is of the opinion that economies can be effected in the purchase of

materials and supplies, service and expense, and new equipment. Accordingly, the item of materials and supplies has been reduced from $2,000 to $1,500, and item of service and expense has been reduced from $2,900 to $1,600. In addition, the committee has eliminated the item of $400 for new equipment. These economies reduce the cost of departmental administration by $2,200, leaving $31,540.

(b) Division of Industrial Accident and Safety (Page 95 of Budget).

This is the division commonly known as the Industrial Accident Commission, and has full jurisdiction over occupational injuries to employees. The original bill appropriated for the maintenance and support of this division $851,030, divided among its subdivisions as follows: Administration, $114,660; Accident Prevention, $300,540; Hearings and Compensation, $415,620; Statistics, $20,210. Deducting each subdivision in the order named, the committee recommends economies as follows:

Administration. The committee recommends that the basic salary of the secretary be reduced from $7,920 per biennium, to $6,000 per biennium, and that the basic salary of the senior information clerk be reduced from $4,080 per biennium, to $3,600 per biennium. In addition we recommend the elimination of the intermediate stenographer-clerk at $2,880 per biennium, and the elimination of the junior messenger at $1,680 per biennium.

We also recommend certain economies in materials and supplies, service and expense and new equipment as follows: That the items of materials and supplies be reduced from $10,150 per biennium to $7,000 the biennium, and the items of service and expense be reduced from $13,670 per biennium to $8,000 per biennium. We also recommend the deletion of any appropriation for new equipment.

In accordance with our recommendations we have deducted from the appropriation $17,380, leaving for the administrative expense of this division the sum of $97,280.

Accident Prevention. The chief function of this department is the enforcement of laws having to do with the safety and welfare of the worker. The committee feels that certain economies can be effected in this function without handicapping its purpose. Therefore, we recommend the elimination of the Assistant Chief of Bureau at $8,400 per biennium, the elimination of the assistant elevator inspector at $5,760 per biennium. We also recommend that five assistant boiler safety engineers be employed instead of six, thereby saving $5,400 per biennium; that the number of intermediate stenographer-clerks be reduced from four to three, thereby saving $2,730 per biennium, that the senior typist-clerks be reduced from two to one, thereby saving $3,120 per biennium; and that the intermediate file clerks be reduced from two to one, thereby saving $2,160 per biennium.

We also feel that economies can be effected in the items of materials and supplies, service and expense, and the purchase of new equipment, as follows, to wit: That the item of materials and supplies be reduced from $18,600 to $14,000, that the items of service and expense be reduced from $51,900 to $36,000; and that the $8,000 item for new equipment be deleted entirely.

In accordance with our recommendations, we have eliminated in the amended bill the sum of $56,070, leaving for this subdivision $244,470.

Hearings and Compensation. The chief function of this department is as follows: Collection of wages due workers and the hearings of disputes concerning the same. The committee feels that certain economies can be effected in this function without affecting its service, therefore we recommend that the number of referees be reduced from 17 to 14, thereby saving the sum of $20,054.25 per biennium; that the number of hearing reporters be reduced from 18 to 14, effecting a saving of $17,120 per biennium; that the number of assistant medical directors be reduced from three to two, thereby saving the sum of $6,280 per biennium; that the number of senior stenographer-clerks be reduced from seven to five, thereby saving the sum of $7,337.14 per biennium; that the number of intermediate stenographer-clerks be reduced from eight to six, thereby saving the sum of $5,760; that the number of intermediate typist-clerks be reduced from four to two, thereby saving the sum of $5,400 per biennium; that the number of junior typist-clerks be reduced from five to four, thereby saving the sum of $2,304 for the biennium; and that the number of intermediate transcribing machine operators be reduced from four to three, thereby saving the sum of $2,550 per biennium. In addition we recommend the elimination of the intermediate legal stenographer, costing $2,760 per biennium, the junior stenographer-clerk, costing $2,160 per biennium, and temporary help, costing $500 per biennium.

Furthermore, your committee feels that economies can be effected in the purchase of materials and supplies, service and expense and equipment. We, therefore, recommend that the item of materials and supplies be reduced from $9,400 per biennium to $7,000 per biennium, and that the item of service and expense be reduced from $36,960 per biennium, to $26,000 per biennium. We also recommend that the item of new equipment amounting to $1,800 per biennium, be deleted.

In accordance with our recommendation we have eliminated in the amended bill the sum of $87,385.39, leaving for this subdivision $328,234.61.

Statistics. The chief function of this division is the gathering of statistical data and information relating to employment, wages, cost of living, and earnings of work-

ers in the various industries in California. The committee feels that certain economies can be effected in this function without handicapping its purpose Therefore, we recommend the elimination of the junior clerk at $1,680 the biennium and the elimination of the intermediate clerk at $3.120 the biennium

We also feel that economies can be effected in the items of materials and supplies, service and expense, and in the purchase of new equipment. We recommend that the items of materials and supplies be reduced from $2.350 per biennium to $1,600 per biennium, and that the items of service and expense be reduced from $1,900 per biennium to $1,000 per biennium. We also recommend that no money be spent for automobiles or new equipment.

In accordance with our recommendation we have eliminated from the appropriation to this department the sum of $6.450 leaving for the maintenance and operation thereof the sum of $13,760.

(c) *Division of State Employment Agencies (Page 97 of Budget).*

This function was established by the Legislature in 1915 and was created for the purpose of establishing free employment agencies throughout the State. Its original purpose, however, was to protect the worker from private employment agencies which had rendered this type of service at a high cost to an employee seeking work. The division now maintains 15 permanent branch offices in the State and certain other temporary agencies. The original bill appropriated $196,460 for this division, $44,600 of which is for rental of agency buildings in various cities of the State The chief beneficiaries of the service are the localities wherein the agencies are situated, and the committee is of the opinion that these localities should supply the division rent free. If the locality does not see fit to do this it is recommended that the agency be closed However, we feel that at this particular time the agencies are needed and should be maintained. There are, however, in our opinion, certain economies which can be effected without curtailing this service. We feel that the items of materials and supplies can be reduced from $2,820 per biennium to $2,000 per biennium, and that the amount of service and expense can be reduced from $54,320 per biennium to $40,000 per biennium Furthermore, we feel that the division should purchase no new equipment or automobiles during the next biennium

In accordance with our recommendations, we have eliminated from the original appropriation for the maintenance and support of this division the sum of $17,140, leaving for its maintenance and operation the sum of $179,320.

(d) *Division of Immigration and Housing (Page 97 of Budget)*

This division was established in 1913 and its essential activities are working with immigrants resident in the State, law enforcement of the State Housing Act, Labor Camp Sanitation Act, and Auto Camp Act The work of this function is somewhat reduced for the reason that the United States government has curtailed immigration to a minimum and the Federal government maintains four branches of its Bureau of Immigration in this State.

In order to maintain the function and preserve its status during this time of distress, we recommend an appropriation of $75,000 for the biennium, leaving to the chief of the service discretion as to the distribution of this amount

(e) *Division of Labor Statistics and Law Enforcement (Page 98 of Budget)*

The function of this division is to enforce and administer the labor laws of the State, the enforcement and administration of which is not invested in any other office, board or commission. The division maintains 14 branch offices in the State and the original Appropriation Bill appropriated for its maintenance and support the sum of $352,064.

We feel that certain economies can be effected in this service without injuring the service rendered by it We, therefore, have taken a deduction of 25 per cent from the amount requested and leave to this department for its maintenance and operation during the next biennium the sum of $264,048 Discretion as to the distribution of these economies is left to the Director of Industrial Relations

(f) *Division of Industrial Welfare (Page 99 of Budget).*

This function was established in 1913 for the purpose of administering and enforcing the laws dealing with the employment of women and children The function parallels very closely the character of the work performed by the Division of Labor Statistics and Law Enforcement. The two divisions should be consolidated However, we are without authority to do this in the Budget Bill and therefore treat the matter from the economy standpoint only. We feel that the appropriation of $89,578 requested for the biennium, is too high and we have therefore reduced it from that amount to $53,724 This figure has been supplied us by the chief of the division, who has informed the committee that if this amount is appropriated, she can operate very efficiently.

(g) *Division of Fire Safety (Page 99 of Budget).*

The chief function of this division is the supervision of all dry-cleaning establishments using inflammable fluid for cleaning and spotting This division is one of the so-called self-supporting groups, its revenues being derived solely from cleaning

establishments. While its chief function is as indicated, its whole time is not spent in the observation of cleaning establishments. It is a new function, having been inaugurated in 1929, and while highly desirable is not, in the opinion of the committee, absolutely essential. Its maintenance is dependent upon a special tax levied upon a group really unable to pay.

We feel that the appropriation should be deleted and the amended bill does not make any mention whatever of this department and no appropriation is made therefor.

INSTITUTIONS.

(a) *Department of Institutions (Page 102 of Budget)*

This department is primarily concerned with the care, custody and treatment of the State's wards. The department is subdivided into divisions as follows: (1) That of the mentally sick; (2) Mentally deficient; (3) The State Narcotic Hospital at Spadra; (4) Correctional schools for juvenile delinquents, (5) The blind; and (6) Bureau of Juvenile Research.

Administration. At the head of this division is an office wherein is situated the administrative control of the agencies comprising the department. The department itself is headed by a director appointed by the Governor. The original Appropriation Bill appropriated for the administration of the department the sum of $111,320. The committee is of the opinion that economies can be effected in the administration of this department without handicapping its service either to the public or to the agencies under its control. We recommend as an economy measure the elimination of the traveling clerk receiving $3,600 the biennium, the San Francisco representative receiving $4,320 per biennium, and the public information assistant (part-time) receiving $1,800 per biennium. In addition we recommend that the intermediate stenographer-clerks be reduced from five to four, thereby effecting a saving of $2,784 per biennium. From the amount appropriated for the administration of the department we have, therefore, deducted the economies recommended and, in addition thereto and after said deductions, have made a further reduction of 20 per cent, leaving for said administration the sum of $79,053. While we have made certain recommendations as to the elimination of employments, the discretion as to the economies is vested in the director.

Field Supervision. Within the Department of Administration and yet separate from it, is the Division of Field Supervision. There is appropriated for its support and maintenance, in the original bill, the sum of $35,940. While the division in normal times would be highly desirable, we feel that in the interests of economy it should be suspended for the next two-year period at least. With this thought in mind we have recommended its deletion and have therefore deleted from the amended bill the appropriation therefor, save and except the sum of $9,000 to be used for the support and maintenance of one man and a stenographer for the collection of moneys due the State from friends, guardians and parents of wards under the jurisdiction of the State, with ability to pay.

Research and Psychiatric Supervision (Page 103 of Budget)

This division is under the direct jurisdiction and within the administrative functions of the department. The major portion of this function consists of the activities of a social service and placement coordinator, a new activity in the department and somewhat uncertain as to its results. In view of the fact that it is a new activity and one which can be suspended for the next two-year period in the interests of economy, we have deleted from the original Appropriation Bill all appropriations therefor, namely, $9,680.

(b) *Agnews State Hospital (Page 105 of Budget).*

This hospital is located near San Jose in Santa Clara County, and its essential activities are the care of the insane. For the support and maintenance of this institution there was appropriated in the original bill $1,401,782.

The institution is well managed with an average per capita cost of $231 annually per patient.

The Director of Institutions, subsequent to the submission of the printed budget, has indicated to your committee that an economy of $20,000 could be effected in this institution without any injury whatever.

The amended bill appropriates for the maintenance and support of this hospital $1,381,782.

The original bill appropriated for the construction of new ward buildings the sum of $360,000. This sum has been deleted from the amended bill for the reason that the committee has been informed that the institution, by accepting the maximum burden of population, can be operated satisfactorily and without injury to the public during the next biennium.

We point out the fact that economies will be effected in this institution in the reduction of salaries of its employees.

(c) *Mendocino State Hospital (Page 109 of Budget).*

This institution is located near Ukiah, Mendocino County, and is also for the care of the insane. The original appropriation bill appropriated $1,057,590 for the maintenance and support of this hospital.

The Director of Institutions, subsequent to the submission of the printed budget, has indicated to your committee that an economy of $17,880 could be effected in this institution without any injury whatever.

The amended bill appropriates for the maintenance and support of this hospital $1,039,710. We point out the fact that economies will be effected in this institution in the reduction of salaries for its employees.

(d) *Napa State Hospital (Page 115 of Budget).*

This institution is located near Napa, Napa County, and is also for the care of the insane. The original Appropriation Bill appropriated $1,362,650 for the maintenance and support of this hospital

The Director of Institutions, subsequent to the submission of the printed budget has indicated to your committee that an economy of $3,960 could be effected in this institution without any injury whatever.

The amended bill appropriates for the maintenance and support of this hospital $1,358,690. We point out the fact that economies will be effected in this institution in the reduction of salaries for its employees

(e) *New Hospital in Southern California (Page 135 of Budget)*

Recently the State of California purchased a plot of ground near Camarillo in Ventura County, for the purpose of erecting and constructing thereon a new hospital for the insane. The original bill appropriated for the construction of this proposed hospital, together with the equipment for the same and the necessary personnel to operate it, the sum of $972,905

The committee has made an investigation as to the necessity for the erection of this institution at this time and has come to the conclusion that it should be deferred for at least two years. Our recommendations are based upon two main grounds, (1) that the financial condition of the State does not warrant the expenditure of such a large sum of money for such a purpose at this time, and (2) by constructing at the Norwalk State Hospital one ward and at Patton State Hospital two wards, the natural increase of inmate population can be nicely cared for during the next biennium and longer.

There is now assigned to the new hospital site, a person carrying the title of "business manager" with a salary of $250 per month and with an assignment to him of an automobile. He has nothing to do and we are impressed with the fact that this is a terrible waste of money and should be stopped

We therefore have deleted this appropriation in the amended bill

(f) *Norwalk State Hospital (Page 119 of Budget).*

This institution is located near Whittier in Los Angeles County, and its principal function is the care of the insane It is a remarkably well-run institution and the appropriation therefor in the original budget, namely, $1,036,530 is, in the opinion of the committee, reasonable We therefore have appropriated in the amended bill a like amount.

In addition, we appropriate in the amended bill for the erection, construction and equipment of a new ward at this institution, the sum of $80,000, together with an additional sum of $50,600 for the maintenance of patients assigned to said ward and the necessary attendants to care for them.

We point out the fact that economies will be effected in this institution in the reduction of salaries for its employees

(g) *Patton State Hospital (Page 125 of Budget)*

This hospital is located near San Bernardino in San Bernardino County, and is also for the care of the insane. Like Norwalk State Hospital, it is remarkably well run The original bill appropriated $1,473,425 for the support and maintenance of this institution

The Director of Institutions, subsequent to the submission of the printed budget, has indicated to your committee that an economy of $21,840 could be effected in this institution without any injury whatever.

The amended bill appropriates for the maintenance and support of this hospital $1,451,585

In addition, we appropriate in the amended bill for the erection, construction and equipment of two new wards at this institution, the sum of $160,000, together with an additional sum of $101,200 for the maintenance of patients assigned to said wards and the necessary attendants to care for them

We point out the fact that economies will be effected in this institution in the reduction of salaries for the employees

(h) *Stockton State Hospital (Page 129 of Budget)*

This hospital is located near Stockton in San Joaquin County and is also for the care of the insane. The original bill appropriated for its maintenance and support during the next biennium $1,591,000

The Director of Institutions, subsequent to the submission of the printed budget, has indicated to your committee that an economy of $6,360 could be effected in this institution without any injury whatever.

The amended bill appropriates for the maintenance and support of this hospital $1,584,640

We point out the fact that economies will be effected in this institution in the reduction of salaries for its employees.

(i) *Sonoma State Home (Page 145 of Budget).*

This institution is located near Sonoma in Sonoma County. Its principal activity is the care of the mentally deficient and feeble-minded, both male and female, and no age limit.

The original bill appropriated for its care and maintenance the sum of $1,292,957. The committee is of the opinion that economies can be effected in the administration of this institution without affecting its service to the public. While these economies are not large, yet economies, though small, taken from the various divisions and departments of the government, will, in the aggregate, amount to a considerable sum of money.

In the administration of the hospital itself we feel that the items of materials and supplies and service and expense should be reduced, and that the appropriation for new equipment should be deleted. We recommend that the items of materials and supplies be reduced from $12,000 to $10,000 per biennium, thereby effecting a saving of $2,000, and the items of service and expense be reduced from $17,700 per biennium to $15,000 per biennium, thereby effecting a saving of $2,700. We recommend that the institution purchase no new equipment either in the office or an automobile, thereby reducing the requirements for that institution in the sum of $4,820

Under the heading of care and welfare (page 147 of budget) we recommend that materials and supplies be reduced from $28,400 to $24,000 the biennium, thereby effecting a saving of $4,400

Under the heading of maintenance and operation of plant on page 147 of the budget, we recommend that the institution mechanical handymen be reduced from three to two, thereby effecting a saving of $2,000, that institution painter helpers be reduced from two to one, thereby effecting a saving of $2,520; and that the assistant groundsmen and flower gardeners be reduced from two to one, thereby effecting a saving of $1,920. Under the same heading we believe the items of materials and supplies to be too high and recommend that it be reduced from $51,000 per biennium, to $44,000 per biennium, thereby effecting a saving of $7,000.

The institution maintains a farm which we believe is operating at too great an expense. We recommend that the pay roll be reduced from $41,668 per biennium to $36,000 per biennium, thereby effecting a saving of $5,668 per biennium. We believe that item of materials and supplies can be reduced and we recommend that this item be reduced from $50,000 per biennium to $40,000 per biennium, thereby effecting a saving of $10,000. The institution proposes to purchase new equipment, particularly a tractor. We feel that this is not needed at this time and that a minor allowance of $400 per biennium will be sufficient, thereby effecting a saving of $1,600.

The original bill appropriated for minor constructions, improvements, and equipment the sum of $28,500. We believe that in this respect economies can be effected and we therefore recommend the reduction of this amount to $20,000, thereby effecting a saving of $8,500

In line with our recommendations we have deducted from the original appropriation the economies recommended and have appropriated in the amended bill for the support and maintenance of said institution the sum of $1,219,829, and for minor repairs thereat the sum of $20,000

We point out the fact that further economies will be effected in this institution in the reduction of salaries for the employees.

(j) *Preston School of Industry (Page 155 of Budget).*

This institution is located near Ione in Amador County The principal activity of this function is the care of delinquent boys between the ages of 15 and 21, committed to the institution by the juvenile and criminal courts of the State.

The original bill appropriated for the support and maintenance of this institution for the ensuing biennium the sum of $824,128 We feel that certain economies can be effected in its management, operation and maintenance without handicapping the service it renders to the people.

In its actual administration we feel that the items of materials and supplies, service and expense and new equipment are too high We, therefore, recommend that materials and supplies be reduced from $14,400 per biennium to $10,000 per biennium, thereby effecting a saving of $4,400, that the items of service and expense be reduced from $11,300 per biennium, to $10,000 per biennium, thereby effecting a saving of $1,300, and that the purchase of new equipment be reduced from $6,000 per biennium to $3,000 per biennium, thereby effecting a saving of $3,000.

Under the heading of care and welfare, page 156 of budget, we recommend that the proposed new position be eliminated, thereby effecting a saving of $960. Under this same heading we recommend that the items of materials and supplies be reduced from $17,800 per biennium, to $15,800 per biennium, thereby effecting a saving of $2,000, and that the items of service and expense be reduced from $55,300 per

biennium, to $52,000 per biennium, thereby effecting a saving of $3,300. Under the heading of maintenance and operation of plant on page 157 of the budget, we found that the items of materials and supplies and service and expense are excessive. We recommend that the item of materials and supplies be reduced from $67,300 per biennium to $64,000 per biennium, thereby effecting a saving of $3,300, and that the item of service and expense be reduced from $9,400 per biennium to $8,000 per biennium, thereby effecting a saving of $1,400.

Under the heading of farming, page 158 of the budget, we recommend that the amount appropriated be reduced from $5,000 the biennium, to $2,000 the biennium, thereby effecting a saving of $3,000.

The original bill appropriates for minor construction the sum of $20,000. This we found to be unreasonable at the present time and we therefore recommend its reduction to $10,000, thereby saving a like amount.

In accordance with our recommendations there is appropriated in the amended bill the sum of $801,468 for the support and maintenance of said institution, together with the sum of $10,000 for the purpose of carrying out minor constructions.

We point out the fact that further economies will be effected in this institution in the reduction of salaries for the employees.

(k) *Ventura School for Girls (Page 161 of Budget).*

This institution is located in Ventura County and its principal function is the care of delinquent girls between the ages of 10 and 21, committed to it by the juvenile and criminal courts of the State.

The original bill appropriated $235,200 for its support and maintenance. Certain small economies can be effected without injuring its functions. The committee feels that in the administration of said institution the item of service and expense is too high and we therefore recommend its reduction from $3,840 per biennium to $3,000 per biennium, thereby effecting a saving of $840. We found that the institution is not in need of any new office equipment or a new automobile and we therefore recommend that this equipment be not purchased, thereby effecting a saving of $2,120.

The institution maintains a dairy which, in the opinion of the committee is unsatisfactory and uneconomical. The institution proposes to expend for its maintenance during the next two-year period the sum of $15,685. Sufficient milk for use in the institution can be purchased for $6,000 per biennium. We recommend that the operation of this dairy be discontinued and that an appropriation in the sum of $6,000 be retained for the purchase of milk, thereby effecting a saving of $9,635.

In line with our recommendations we have deducted in the amended bill the appropriations mentioned and there is appropriated for the maintenance and support of said institution the sum of $222,555.

The original bill appropriated $7,500 for minor construction in the institution. We found that this amount is not necessary and that the sum of $5,000 will be sufficient for the ensuing biennium. We have therefore reduced it to that amount, thereby effecting a saving of $2,500.

(l) *Whittier State School (Page 166 of Budget).*

This institution is located at Whittier in Los Angeles County. The function of this institution is the care of delinquent boys between the ages of 8 and 16, committed to it by the juvenile courts of the State.

The original bill appropriated for its support and maintenance the sum of $430,600. The committee feels that economies can be effected in this institution without in any way curtailing its functions.

Under the heading of administration on page 166 of the budget, we feel that the position of assistant superintendent can be eliminated, thereby effecting a saving of $5,640 per biennium. We feel that the items of materials and supplies and service and expense and care and welfare are too high and that materials and supplies can be reduced from $7,600 to $6,000, thereby effecting a saving of $1,600; and that service and service and expense can be reduced from $8,500 to $6,000, thereby effecting a saving of $2,500; and that care and welfare can be reduced from $16,000 to $15,000, thereby effecting a saving of $1,000.

This institution seeks $58,240 for the maintenance and operation of the plant. The committee recommends that this be reduced to $50,000 per biennium, thereby effecting a saving of $8,240.

The institution carries on farming activities and seeks for the next biennium the sum of $15,920 per biennium. The committee recommends that this be reduced to $14,000 per biennium, thereby effecting a saving of $1,920.

In line with our recommendations we have deducted from the original amount appropriated the sum of $20,900, thereby appropriating for its support and maintenance the sum of $409,700.

The original bill appropriated $15,000 for minor repairs and construction. This we feel to be too high and recommend that it be reduced to $5,000. In line with our recommendation we have appropriated in the amended bill that amount, thereby effecting a saving of $5,000.

We point out the fact that further economies will be effected in this institution in the reduction of salaries for the employees.

(m) *Bureau of Juvenile Research (Page 170 of Budget)*

The chief activity of this function is aiding in the prevention and correction of juvenile delinquency. The bureau was established originally in 1917 in a department of the Whittier State School. In 1923 it was discontinued as an economic measure In 1929 it was restored in its present form.

The work of the bureau consists largely in holding child guidance clinics in the various communities throughout the State with a view of diagnosing the problem of children and recommending to school authorities, parents and probation officers ways and means by which juvenile delinquency can be corrected. The original bill appropriated for the support and maintenance of this function the sum of $49,800. In times of prosperity this function is highly desirable. However, we feel that the financial condition of the State and the financial stress under which its people are struggling, does not warrant a very substantial appropriation at this time In order to merely protect the work it has already done, we recommend an appropriation of $15,000 for the biennium We further recommend that the director receive of this amount for his salary only $5,000 for the biennium, leaving for actual work $10,000

The amended bill appropriates therefore, $15,000, $5,000 of which is to be used for the director's salary.

(n) *Industrial Home for Adult Blind (Page 171 of Budget)*

This institution is located in Oakland and its chief activity is the providing of a home and employment for the blind who are without funds or means of subsistence

The original bill appropriates for the next biennium the sum of $153,236 for its support and maintenance. This figure includes $32,100 for field instruction and rehabilitation which is no part of the functions of the institution.

We are advised that the institution itself can be maintained for $145,000, which amount we appropriate for that purpose.

We delete entirely the amount appropriated for field instruction and rehabilitation, namely, $32,100, and recommend that this function be carried on by the Department of Education for the reason that it really comes under the head of Vocational Rehabilitation

(o) *Industrial Workshop for the Blind (Page 174 of Budget).*

This institution is located in Los Angeles and provides for 60 blind and nearly blind persons in the area in which it is located These persons are engaged in the manufacture of certain articles which are sold to the public, thereby making the institution to a certain extent self-supporting.

There is appropriated in the original bill for its support and maintenance during the next biennium, $45,400. The committee is of the opinion that no economies can be effected in this institution without working a hardship upon it and we therefore appropriate in the amended bill said sum of $45,400

We point out the fact that economies will be effected in this institution in the reduction of salaries for the employees.

(p) *Pacific Colony (Page 140 of Budget) and State Narcotic Hospital (Page 151 of Budget).*

Pacific Colony is an institution for the care and treatment of the feeble-minded, and is located near Pomona in Los Angeles County The State Narcotic Hospital is but three miles distant and is maintained for the care and treatment of narcotic addicts. At the present time there are approximately 74 patients at this hospital and the per capita cost is extremely high For some little time the committee considered the advisability of scrapping the hospital and distributing the patients among the other institutions in the State. However, the Director of Institutions submitted a plan whereby Pacific Colony and the hospital, because of their close proximity, could be operated under one superintendent with a consolidation in administrative overhead. In view of the fact that the State would be forced to care for the majority of the patients now in the hospital and at the same time be compelled to expend a rather substantial sum of money for the preservation of its investment at the hospital, the committee came to the conclusion that this plan would be more economical in fact than deleting the appropriation for the hospital

The original bill appropriated for the support and maintenance of Pacific Colony, $578,390, and for the State Narcotic Hospital $164,080 The total appropriation for the institutions combined is $742,470, which is the amount appropriated in the amended bill, less 20 per cent, or $148,494. Likewise, this is the amount recommended, by the Director of Institutions in his revised budget dealing with the combination.

INVESTMENT.

(a) *Division of Banking (Page 175 of Budget).*

The chief activity of this function is the administration and enforcement of the State Bank Act It is one of the so-called self-sustaining departments, its revenues being derived chiefly from its assessments on banks.

There is appropriated in the original bill for its maintenance and support $360,340. The committee is of the opinion that economies can be effected without handicapping its functions and yet at the same time relieve those assessed of special taxation We believe that savings can be effected in the administration of the department by eliminating the part-time Sacramento representative, the traveling clerk, the attorney, and all temporary help. This will effect a total saving per biennium of $17,800.

In addition we believe that the elimination of the supervising bank examiner, one senior bank examiner, and the assistant attorney in the Division of Enforcement of Banking Laws, and the assistant bond officer in the Certification of Bond Issues will not handicap the department. This will effect an additional saving of $33,185

Furthermore, we believe that after making these reductions a reduction of 20 per cent of the balance, or $61,871, can be effected.

The amended bill appropriates for the maintenance and support of this division $247,484.

(b) *Division of Building and Loan (Page 177 of Budget).*

The chief activities of this department are the administration of the building and loan laws of the State It is one of the so-called self-sustaining departments deriving its revenue directly from building and loan associations It is the opinion of the committee that certain economies can be effected in the administration of the department and we recommend the elimination of the attorneys, legal assistant, one senior stenographer-clerk, all new equipment, and one junior appraiser In addition we feel that a further economy of 20 per cent after making these deductions will not in any way handicap the functions of the department

The amended bill appropriates for the support and maintenance of this department $174,187.20.

(c) *Division of Corporations (Commissioner of Corporations) (Page 179 of Budget).*

This division is charged with administration of the Corporate Securities Act, Personal Property Broker Act, Industrial Loan Act, and the Trade Union Act.

In normal times the function is self-supporting and has yielded a surplus. The original bill appropriated for its maintenance and support the sum of $821,416 The committee is of the opinion that economies can be effected in this department without affecting the benefit it renders to the State. We recommend that the amount appropriated in the original bill be reduced 20 per cent after eliminating equipment amounting to $10,000 for the biennium, and temporary help under audits and investigations, amounting to $840 for the biennium, thereby effecting a saving of $162,115 20 In line with our recommendation there is appropriated in the amended bill for the maintenance and support of this division the sum of $648,460 80. Distribution of these economies is left with the Commissioner of Corporations

(d) *Division of Insurance (Insurance Commissioner) (Page 83 of Budget).*

This division administers the State Insurance Act and regulates the companies authorized to engage in the insurance business in this State Periodical examinations are made to determine the solvency of companies in compliance with the State law There is appropriated in the original bill for its support and maintenance $352,920.

The committee is of the opinion that this department should be compelled to operate within its revenues. These, for the next biennium, are estimated at $165,900. The department should not be permitted to seek new sources of revenue at this time.

We, therefore, in our amended bill appropriate for the support and maintenance of this division $165,900.

(e) *Division of Real Estate (Real Estate Commissioner) (Page 185 of Budget).*

The function of this department is the general supervision of persons engaged in the real estate business and in conducting examinations for real estate agents and generally supervising them It is supported by a tax upon those engaged in the business.

The original bill appropriates for its maintenance $284,646 The committee is of the opinion that this department can and should be operated more economically, particularly in view of the fact that those paying the tax are extremely hard pressed We feel that an appropriation of $200,000 is sufficient for the needs of the department and have, therefore, appropriated that amount, effecting a saving of $84,646 Discretion as to the distribution of the economy is left with the commissioner.

MILITARY AND VETERANS' AFFAIRS

(Page 189 of Budget).

This department consists of (1) the California National Guard, administered by the Adjutant General; (2) the Veterans' Home, administered by a superintendent; (3) the Woman's Relief Corps Home, administered by a superintendent; (4) the State Athletic Commission, and (5) the Veterans' Welfare Board, grouped together for the purpose of representation in the Governor's Council. There is no direct head over this department, the division within it acting upon its own authority.

(a)

There is appropriated in the original budget for the support of the Department of Military and Veterans' Affairs the sum of $14,000. This appropriation is for the salary of the office of Director of the Department of Military and Veterans' Affairs who, as has been stated, has no authority over the department. It also provides for service and expense items in the sum of $2,000 per biennium. The director's time and activities are also in the service of the Veterans' Welfare Board, which is self-supporting. The committee feels that the general fund should not stand this salary and that the Veterans' Welfare Board should pay it. In line with our thought in this respect we make no appropriation in the amended bill for the salary of this director or the service and expense incident thereto. We recommend that those interested in the department immediately introduce the necessary legislation which will provide that the director be paid by the department in which he is employed.

(b) *California National Guard (Page 191 of Budget).*

The California National Guard constitutes the military forces of the State.

There is appropriated for its support and maintenance during the ensuing biennium, including the maintenance of the office of the Adjutant General, and the maintenance of High School Cadets, the sum of $675,579. A rather careful investigation of this division of this department indicates that it is being operated efficiently and well and that any economy might curtail its service to the people of the State. Other than the item of salary reductions which will be applied to employees of the State as a whole, the committee feels that the appropriation should not be disturbed and we therefore appropriate in the amended bill the original amount called for.

(c) *Veterans' Home of California (Page 197 of Budget).*

This institution is located in Yountville in Napa County. It is maintained as a home for war veterans and the original bill appropriated for its support and maintenance from the general fund of the State the sum of $487,656. In addition the Federal government will allow approximately $3,000 towards its support for the next biennium, and the State Athletic Commission will provide substantial assistance in financing new construction.

The committee is of the opinion that the expense of the maintenance and operation of this home is, under present economic conditions, entirely too high. It is the custom of the institution to compensate members of the home for tasks performed. The original bill appropriates $100,596 for this purpose. The committee feels that this policy is entirely out of line with the necessity therefor and we therefore recommend that the amount appropriated for member employees be reduced 50 per cent, thereby effecting a saving of $50,298.

There is at the present time a band maintained at the institution for the apparent purpose of entertaining its members. This band consists of a bandmaster drawing a salary of $1,800 per biennium, together with room, board, maintenance, laundry, etc. There is also an assistant bandmaster drawing $1,200 per biennium and subsistence. In addition there are 17 musicians drawing a total of $18,204 and subsistence. We recommend the elimination of this band, with exception of the bandmaster. Should the institution be in need of music of this kind, it is suggested to the commandant that he proceed with the formation of a band made up of member players. We also recommend the elimination of temporary help under the heading of care and welfare, page 199 of the budget, thereby effecting a saving of $1,000.

An investigation of the budget discloses the fact that four members of the band are receiving a total of $4,320 per biennium for rendering music at the institution; that $720 per biennium is paid to members acting as pallbearers; that $180 per biennium is paid to the sergeant of the firing squad; and that $720 is paid to members of the firing squad. The committee is impressed with the fact that an appropriation for such a purpose seems ludicrous.

Returning to the item of administration on page 197 of the budget, we find that the items of materials and supplies and service and expense are, in the opinion of the committee, too high. We recommend that the item of materials and supplies be reduced from $6,100 the biennium to $4,000 the biennium, thereby effecting a saving of $2,100, and that the item of service and expense be reduced from $11,460 the biennium to $7,000 the biennium, thereby effecting a saving of

$4,460. We recommend that the purchase of new equipment be curtailed, thereby effecting a saving of $1,000.

Under the heading of maintenance and operation on page 200 of the budget, we feel that an economy can be effected in the item of materials and supplies. We recommend that this item be reduced from $10,950 to $10,000, thereby effecting a saving of $950.

The institution carries on limited farming activities. We feel that certain economies can be effected under the heading of materials and supplies on page 201 of the budget. We recommend that this item be reduced from $33,620 per biennium, to $30,000 per biennium, thereby effecting a saving of $3,620.

In line with our recommendations we have appropriated in the amendment thereof for the support and maintenance of this institution, $401,854.

(d) *Woman's Relief Corps (Page 203 of Budget).*

This institution is located near San Jose in Santa Clara County, and is for the care of the wives, mothers, and widows of veterans and also of nurses having served in the Civil War.

Other than application to the employees of this department of the salary scale, as applied to all State employees, we feel that no economy can be effected which would not handicap the functions of this department. In accordance therewith we have provided in the amended bill for an appropriation of $42,460 for the maintenance of this institution.

(e) *State Athletic Commission (Page 206 of Budget)*

This commission has been created by an initiative act and is for the purpose of regulating boxing and wrestling within the State. It is supported by license fees and a 5 per cent tax on gross receipts from exhibitions. The amount allowed for administration purposes is limited to $40,000 a year. The total amount thereof is requested in the budget and an appropriation therefor is provided in the original bill.

The committee feels that the Athletic Commission has abused this provision in the initiative act and that $80,000 per biennium is not needed for the maintenance and support of the function. After deducting administration expenses, the balance of the revenue is used for construction at the Veterans' Home at Yountville. A saving in administration expenses is, therefore, increased construction at Yountville. The committee is of the opinion that the administration of this function can be reduced 33⅓ per cent without in any way handicapping the service which it renders. We have reduced the appropriation by this amount and there is appropriated in the amended bill the sum of $53,333. Discretion as to the distribution of this economy is left to the commissioner.

NATURAL RESOURCES.

(Page 210 of Budget.)

The Department of Natural Resources was created by the Legislature in 1927 and is conducted under the control of a director. The director is the appointing power of all personnel of the department and the disbursing officer of all funds of the department. The department is divided into five main subdepartments, to wit, Oil and Gas, Mines, Fish and Game, Parks and Forestry. The Divisions of Oil and Gas and Fish and Game are entirely self-supporting. The original bill appropriated from the general funds of the State for the support and maintenance of the department $700,176 and from the special funds $2,901,008.

(a) *Departmental Administration (Page 211 of Budget).*

The original bill appropriates $41,130 for departmental administration. Charged in this is $12,000 per biennium for the salary of the Director of Natural Resources. We see no reason why this official should receive a salary as it appears that the position is solely for the purpose of creating a position in the Governor's Council. The department could easily be administered by a chief of one of the five divisions within the department without additional salary.

We recommend the deletion of the $12,000 for the director's salary and after such deletion, further recommend a reduction of 20 per cent, or $5,826, leaving for administration purposes the sum of $23,304.

(b) *Division of Fish and Game (Page 211 of Budget).*

The chief activity of this division is the conservation and propagation of game animals, birds and fish. The division is headed by a commission of three members and is in the direct charge of an executive officer. It is entirely self-supporting, obtaining its money from funds derived from the sale of hunting and fishing licenses, deer tag licenses, marketing fishermen's licenses, etc. The original bill appropriated from special funds, for the support of the division, $2,272,548. While it is true that the division is self-supporting, yet nevertheless the source of such support is, in fact, a tax upon the citizens of the State taking advantage of the activities of the department. The committee feels that considerable economy can be effected in the department without handicapping its service to the people of this State. Such economy will, in the opinion of the committee, reflect to the benefit of the users of the depart-

ment. The committee further feels that the mere fact that a function is self-sustaining is no reason why it should be eliminated from the economy program of the Legislature. We, therefore, make certain recommendations and in accordance with our recommendations make appropriations

Administration. On page 211 of the budget appears the proposed administrative expense of the division. The original bill appropriated $165,518 for such administration. Seven thousand two hundred dollars is sought for the services of an attorney and $1,000 for the services of temporary help. The committee recommends that the attorney be abolished and that no money be spent for temporary help.

The committee feels that the items of materials and supplies and service and expense are too high. We recommend that the cost of printing be reduced from $32,068 per biennium to $10,000 per biennium, thereby effecting a saving of $22,068, and that the item of service and expense on page 211 of the budget be reduced from $74,580 the biennium to $68,580 for the biennium, thereby effecting a saving of $6,000 In this connection we feel that a legal expense of $2,000 and a publicity expense of $1,000 is unwarranted at the present time. We also feel that the item of traveling should be reduced from $10,000 per biennium to $8,000 per biennium, and that the item of telephone and telegraph should be reduced from $9,000 per biennium to $8,000 per biennium, thereby effecting a saving of $1,000 In addition we recommend that no new automobiles be purchased, thereby saving the sum of $2,000 per biennium.

In line with our recommendations we have therefore appropriated in the amended bill the sum of $127,250 in lieu of $165,518.

Education and Research (Page 212 of Budget).

The chief function of this division is the scientific investigation of all diseases affecting game birds and animals, together with a compilation of statistics and the dissemination of data concerning game birds and animals. The original bill provided for its support and maintenance the sum of $57,500.

The committee is of the opinion that economies can be effected in this department and recommends the elimination of publicist at $7,200 per biennium, and a lecturer at $4,200 per biennium. After deducting this service the committee further recommends that the balance be reduced by 25 per cent, thereby effecting a saving of $9,220.

In line with our recommendations we are appropriating in the amended bill $34,575 in lieu of $57,500, thereby effecting a total saving of $22,925

Patrol and Law Enforcement (Page 213 of Budget).

The activity of this function is the enforcement of regulations relative to the protection of fish and game. The original bill appropriated for its support and maintenance $863,524. Like all other departments of the State, economies can be effected without handicapping its service. We see no need for the purchase of new automobiles at this time and recommend that they be not purchased, thereby effecting a saving to the taxpayers of $22,400 per biennium. In addition we recommend that after making such deductions from the total appropriation that it be reduced 25 per cent, thereby effecting a further saving of $210,281.

In line with our recommendation we have reduced the appropriation, the amended bill carrying an appropriation of $630,843 in lieu of $863,524, thereby effecting a saving of $232,681.

Commercial Fisheries (Page 214 of Budget).

The chief activity of this function is the enforcing of the laws and regulations pertaining to commercial fisheries. The original bill appropriated for its support and maintenance the sum of $153,264 We recommend that no new automobile be purchased, thereby effecting a saving of $500, and that after deducting said item the amount appropriated be reduced 25 per cent, thereby effecting a saving of $38,691.

In line with our recommendation the amended bill carries an appropriation for the support and maintenance of this division, the sum of $114,573

Fish Culture (Page 215 of Budget).

The principal function of this division is the maintenance of hatcheries and the propagation of trout and salmon for liberation in the waters of the State The original bill appropriated for its support and maintenance the sum of $623,280. However, we feel that this is entirely too much and that economies should be effected We feel that the division is not in need of a Construction Estimator and that the elimination of this position would effect a saving of $4,320 the biennium, and that with a little more work in the division the item of Temporary Help could be eliminated, thereby effecting a saving of $2,000. We feel that the items of Service and Expense on page 215 of the budget are too high and recommend that the traveling allowance be reduced from $28,000 the biennium to $24,000 per biennium, thereby effecting a saving of $4,000, that Light, Heat and Power be reduced from $4,500 per biennium to $4,000 per biennium, thereby effecting a saving of $500, that Fish Cars be reduced from $6,500 per biennium to $5,000 per biennium, thereby effecting a saving of $1,500 per biennium; and that Cooperative Research be reduced from $7,000 per biennium to $4,000 per biennium, thereby effecting a saving of

$3,000. In addition we feel that no new automobiles should be purchased, thereby effecting a saving of $8,000; that the erection of new hatcheries be reduced from $6,900 per biennium to $6,000 per biennium, thereby effecting a saving of $900.

After deducting the recommendations aforesaid, we recommend a further reduction of 25 per cent, thereby effecting a saving of $149,615.

In line with our recommendations we have deducted from the original bill the sum of $174,435, and have appropriated for its support and maintenance the sum of $448,845 for the ensuing biennium.

Hydraulics (Page 216 of Budget)

The chief activity of this department is the installation of fish ladders in lakes and streams. The original bill appropriated for this function $27,200 for the biennium. We recommend that traveling allowances be reduced from $5,640 per biennium to $4,000 per biennium, thereby effecting a saving of $1,640, and that the service and expense of automobiles be reduced from $1,680 per biennium to $600 per biennium, thereby effecting a saving of $1,080. After such deductions we recommend that the amount originally appropriated be reduced 25 per cent, thereby effecting an additional saving of $6,120. In line with our recommendations we have provided in the amended bill the amount of $18,360 for the support and maintenance of this department.

Game Propagation (Page 216 of Budget).

The original bill appropriated for this function the sum of $113,702 for the biennium. We recommend that traveling allowances be reduced from $7,000 per biennium to $5,000 per biennium, thereby effecting a saving of $2,000, and that the item of automobiles be eliminated, thereby effecting a saving of $2,000. After such deductions we recommend that the amount originally appropriated be reduced 25 per cent, thereby effecting an additional saving of $27,425.

In line with our recommendations we have appropriated in the amended bill the amount of $82,276.50 for the support and maintenance of this department.

Fish Rescue (Page 217 of Budget).

The function of this division is to rescue game and food fish from overflowed areas, irrigation ditches, reservoirs, and lakes and streams that are becoming dry. The original bill appropriated for its support and maintenance the sum of $18,260. We recommend that no new automobiles be purchased in this division, thereby effecting a saving of $260, and that after deducting that amount from amount appropriated, the same be reduced 25 per cent.

In line with our recommendations we have reduced the appropriation for this division from $18,260 to $13,500.

Game Refuges (Page 216 of Budget)

The function of this division is the operation of four refuges for migratory water fowl. The original bill appropriated for this service the sum of $193,380. We feel that seasonal temporary help can be reduced from $41,880 per biennium to $24,000 per biennium, thereby effecting a saving of $17,880, and that no new automobiles need be purchased during the next biennium, thereby effecting a saving of $2,400. Furthermore, we recommend that after the deduction of these items, the appropriation be reduced 25 per cent, thereby effecting a saving of $43,275.

In line with our recommendation we make in the amended bill an appropriation of $129,825 for this division.

Bureau of Licenses (Page 218 of Budget).

The function of this department is the supervision of the issuance of fish and game licenses. The department has inaugurated the practice of allowing commissions to agents for selling these licenses. There is appropriated, however, for the support of the division the sum of $57,920, and the committee feels that this can be reduced 25 per cent without affecting the service of the department, thereby effecting a saving of $14,480. We have, therefore, reduced in the amended bill the appropriation from $57,920 to $43,440.

Special Items (Page 226 of Budget).

(a) With reference to the Division of Fish and Game, we find in the original bill appropriations for special items. Among them is the appropriation of $10,000 for use in connection with the State Fair. Having eliminated this function temporarily, we likewise recommend the elimination of this appropriation. Therefore, the amended bill carries with it no appropriation for this function.

There is also appropriated in the original bill $56,110 to be used for additions and improvements to hatcheries. We feel that this amount of money is not necessary at this time and have therefore reduced the appropriation to $40,000, effecting a saving of $16,110.

(c) *Division of Oil and Gas (Page 219 of Budget).*

This division was established by the 1915 Legislature and is self-supported from the petroleum and gas fund which is maintained by a small annual assessment per

barrel of oil produced, and per 10,000 cubic feet of natural gas produced and sold. The principal function of the subdivision is to supervise the drilling operations and maintenance and abandonment of oil and gas wells in a manner which will protect the oil and gas deposits from waste and damage.

There is appropriated in the original bill for the support and maintenance of this function the sum of $413,250. The committee feels that economies can be effected without handicapping the function. We feel that the department is not in need of an attorney and that his elimination would effect a saving of $6,000 per biennium, and that the elimination of all temporary help would effect a saving of $500. We furthermore feel that the items of materials and supplies and service and expense are too high and recommend that the items of materials and supplies be reduced from $31,500 per biennium to $20,000 per biennium, thereby effecting a saving of $11,500, and that the items of service and expense be reduced from $115,250 per biennium to $72,000 per biennium, thereby effecting a saving of $43,250. We recommend that the purchase of new office equipment be reduced from $3,000 per biennium to $1,000 per biennium, thereby effecting a saving of $2,000, and that no new automobiles be purchased, thereby effecting a saving of $5,800 per biennium.

In line with our recommendations we have reduced the original appropriation bill from $413,250 to $344,200.

(d) *Division of Forestry (Page 220 of Budget).*

The essential activity of this division is the protection of the timber and watershed resources of the State. There is appropriated in the original bill for its support and maintenance the sum of $55,900. We feel that certain economies can be effected without handicapping its function, namely, the elimination of office equipment, thereby effecting a saving of $1,000, and after said reduction we recommend that the amount originally appropriated be reduced 20 per cent or $10,980. In line with our recommendation we have reduced the appropriation by that amount.

Forest Protection (Page 221 of Budget).

There is appropriated in the original bill for the maintenance and support of this division $193,610. Like many other departments in the State, we feel that it can be operated more economically and, therefore, recommend that the original appropriation be reduced 20 per cent thereby effecting a saving of $38,722. We leave to the head of the division discretion as to the distribution of the economy.

Our amended bill, therefore, appropriates for the maintenance and support of this division $154,888.

In addition there is appropriated in the original bill $9,000 for forestry investigation in cooperation with the United States. We have deleted this appropriation in the amended bill for the reason that we feel that such work can be suspended for a two-year period, particularly in view of the financial condition of the State at this time. However, we have increased the appropriation for fire trails, fire breaks and cooperative work with counties and other agencies from $82,500 to $100,000. This is a vital activity and such function assists greatly in relieving the unemployment condition now existing in the State.

(e) *Division of Parks (Page 223 of Budget).*

The function of this activity is the management and control of State parks. There is appropriated in the original bill for the maintenance of this function the sum of $279,046. Forty-four thousand five hundred ninety dollars is for administration and $234,456 for maintenance.

The committee feels that the administration item is too high and recommends that traveling allowances be reduced from $7,600 per biennium to $3,800 per biennium, thereby effecting a saving of $3,800; that postage be reduced from $350 per biennium to $200 per biennium, thereby effecting a saving of $150; that telephone and telegraph be reduced from $1,200 to $600 per biennium, thereby effecting a saving of $600; that no rentals be charged to said department, thereby effecting a saving of $2,220 per biennium; and that the service of automobiles be reduced from $500 per biennium to $250 per biennium, thereby effecting a saving of $250. In addition, we feel that no new office equipment is needed at this time, thereby effecting a saving of $200 per biennium.

Under the item of maintenance on page 223 of the budget, we feel that the salary of the district superintendent is too high and that it should be reduced from $6,240 per biennium to $4,800 per biennium, thereby effecting a saving of $1,440, and that the item of temporary help be reduced 50 per cent, thereby effecting a saving of $5,520 per biennium. We feel that the proposed new district superintendent in southern California should receive the same salary as the district superintendent now in office, thereby effecting a saving of $1,440.

Under the heading of materials and supplies, we feel that the automobile item should be reduced from $15,510 per biennium to $10,000 per biennium, thereby effecting a saving of $5,510; that the item of maintenance be reduced from $5,150 per biennium to $3,000 per biennium, thereby effecting a saving of $2,150, and that

the item denominated "general" be reduced from $3,560 to $1,780 per biennium, thereby effecting a saving of $1,780.

Under the heading of service and expense on page 224 of the budget, we feel that the item of automobile should be reduced from $6,380 per biennium to $4,000, thereby effecting a saving of $2,380; that traveling be reduced from $7,880 per biennium to $4,000 per biennium, thereby effecting a saving of $3,880, that postage be reduced from $500 per biennium to $250 per biennium, thereby effecting a saving of $250; that telephone and telegraph be reduced from $1,888 per biennium to $944 per biennium, thereby effecting a saving of $944; that freight, cartage and express be reduced from $400 per biennium to $200, thereby effecting a saving of $200. In addition we feel that no new automobile is necessary at this time, thereby effecting a saving of $3,900. In line with our recommendations we have provided in the amended bill for an appropriation amounting to $242,432.

There is also appropriated in the original bill the sum of $30,250 to be used in connection with the survey and acquisition of State park sites. We feel that this function can be suspended for a two-year period without injustice and have therefore deleted it in our amended bill.

The committee is of the opinion that a small entrance fee should be charged to persons visiting public parks. This practice is followed substantially by the United States government with considerable success. The department has no authority to do this at this time. However, should this operation be placed in vogue we specifically recommend that all fees in excess of the amount hereby appropriated for the maintenance of parks, be deposited to the general fund of the State for general fund purposes.

(t) *Division of Mines (Page 227 of Budget)*

The chief function of this division is to make, facilitate and encourage special studies of the mineral resources and mineral industries of the State. There is appropriated for its support and maintenance the sum of $131,690 per biennium.

The set-up calls for the employment of an ore buyer inspector, drawing a salary of $6,000 per biennium, whose duty it is to discourage the theft by employees of high-grade ore, the practice commonly referred to as "high-grading." This is a special service to a special group and the committee recommends that this position be abolished unless those receiving the service are willing to maintain it. Fees for this service are already collected but not in nearly a sufficient amount to maintain the function. One thousand two hundred dollars is appropriated for this purpose and it is deleted in the amended bill as not being sufficient to make the department self-supporting.

In addition we feel that this division is not entitled to a new automobile at this time and recommend that it be not purchased, thereby effecting a saving of $2,000.

After deducting these items from the total appropriation, we recommend a further reduction of 20 per cent, thereby effecting a saving of $24,498.

In line with our recommendations we have provided in the amended bill for an appropriation of $97,992 for the maintenance and support of this department.

There is also appropriated in the original bill $22,000 for the purpose of printing *geological maps and manuscripts*. We feel that this *practice* can be *eliminated* during the ensuing biennium and have therefore deleted it from the original Appropriation Bill.

PENOLOGY

(a) *Department of Penology (Page 229 of Budget).*

There is appropriated in the original bill for the support of the Department of Penology $9,200. The functions of this department are uncertain. We are unable to ascertain its essential activity. The director, so far as we have been able to ascertain, has no power although a member of the Governor's Council. It is our opinion that the position should be abolished and we have therefore not provided for it in the amended bill, thereby effecting a saving of $9,200.

(b) *California Crime Commission (Page 230 of Budget).*

This function was created by the 1925 Legislature. Its chief activity has been to study the subject of crime. The present financial condition of the government is such that we do not feel warranted in recommending the continuance of the appropriation. We, therefore, have not provided for it in the amended bill, thereby effecting a saving of $10,875.

(c) *Advisory Pardon Board (Page 231 of Budget).*

This board consists of the following members: Lieutenant Governor, Attorney General, Director of Penology, Warden of San Quentin Prison, and Warden of Folsom Prison. Its function is to study cases which are submitted to the Governor for pardon and to consult with and advise the Governor as to the issuance of such pardons.

The original bill appropriated for its maintenance and support $5,000. In view of the fact that it is merely advisory in nature and that the acceptance of its advice is not mandatory, we feel that its elimination would not work a serious

hardship on any one. In view of the financial condition of the government, it is our opinion that functions of this nature can and should be abolished.

In line with our recommendation the amended bill does not carry an appropriation for this service.

(d) *Arrest of Criminals Without the State (Page 232 of Budget).*

There is appropriated in the original bill for the purpose of apprehending criminals without the State and those who have left the confines of the State after the commitment of crime within the State, the sum of $110,000.

The committee is of the opinion that this amount should be reduced to $55,000 The practice of sending peace officers all over the United States and abroad for criminals can and should be greatly curtailed. Extradition should only be granted in cases where the crime warrants the expense. If careful attention is paid to this function the committee is of the opinion that it can be carried on nicely for the sum of $55,000, the amount appropriated in the amended bill.

(e) *Rewards Offered by Governor (Page 232 of Budget).*

There is appropriated in the original bill the sum of $2,500 to be used by the Governor in offering rewards for the apprehension of those accused of the commitment of crimes We do not provide for this in our amended bill as we deem it an economy which can be effected without serious injury to any one.

(f) *Criminal Identification and Investigation (Page 233 of Budget)*

The function of this department is to serve as a clearing-house of information of the crimes and criminals for the law enforcement officials of the State.

There is appropriated for its support and maintenance in the original bill the sum of $322,920. The division is efficiently and capably run but we feel that the amount of the appropriation can be reduced 15 per cent without effecting its service. The amended bill, in line with our recommendation, appropriates for the support and maintenance of this division the sum of $274,482.

(g) *Folsom State Prison (Page 236 of Budget).*

There is appropriated in the original bill for the support and maintenance of this prison, for the ensuing biennium, the sum of $1,475,620, which item includes $286,500 for proposed permanent improvements. The per capita cost of the operation of the prison is approximately $195 The inmates at the present time total approximately 3000

The committee is advised that this prison is remarkably well-run and economically operated. We feel, however, that the item of automobiles and garage should be reduced from $6,600 per biennium to $5,600 per biennium, thereby effecting a saving of $1,000, and that no new automobiles should be purchased during the next biennium and that the sum of $5,000 should be deducted from the appropriation. The personnel of the prison will, of course, be effected by the reduction in their salaries

The amended bill appropriates for this function $1,408,120.

The original bill appropriates for the erection and construction of a new cell block at this prison $200,000. Your committee is of the opinion that this should be deferred during the present biennium and the amended bill makes no appropriation for this new project.

In addition the original bill appropriated $61,500 for minor construction. We believe that this item can be reduced to $57,400 by reducing the cost of guard posts from $5,000 to $2,000; the cost of a lathe from $1,000 to $500; and the cost of six double garages from $1,200 to $600. The amended bill appropriates $57,400 for this type of construction.

(i) *San Quentin Prison (Page 241 of Budget).*

There is appropriated in the original bill for the maintenance and support of this prison $2,373,884, together with $45,000 for permanent improvements. The per capita cost for the maintenance of the prisoners in this institution is $220 per year for approximately 5000 prisoners. The committee feels that the per capita cost is too high.

The committee can not understand why the warden at this prison should receive $12,000 per biennium and the warden at Folsom Prison $10,000 per biennium. Likewise, we are unable to understand why the clerk to the Prison Board should receive $8,000 per biennium as against $5,400 per biennium for the clerk at Folsom. We recommend the elimination of the assistant clerk to the Prison Board, thereby effecting a saving of $4,200 per biennium, and the position of assistant secretary to the Warden, thereby effecting a saving of $3,960 per biennium. We feel that under the heading "administration," on page 241 of the budget, that the items of materials and supplies and service and expense are too high We recommend that materials and supplies be reduced from $55,000 per biennium to $46,000 per biennium, thereby effecting a saving of $9,000, and that the item of service and expense be reduced from $32,353 per biennium, to $25,000 per biennium, thereby effecting a saving of $7,353. We recommend that no new automobiles be purchased, thereby effecting a saving of

$500 per biennium, and that the purchase of new office equipment be reduced from $5,000 per biennium to $1,000 per biennium.

Under the heading of care and welfare on page 242 of the budget, there is appropriated for materials and supplies, service and expense and new equipment, the sum of $193,266. We recommend that this appropriation be reduced 10 per cent, thereby effecting a saving of $19,326.60.

Under the heading of maintenance and operation of plant on page 243 of the budget, there is appropriated for materials and supplies, service and expense and new equipment, the sum of $306,353. We recommend that this be reduced 10 per cent, thereby effecting a saving of $30,635.

There is appropriated for materials and supplies and new equipment for the maintenance of the farm the sum of $32,600. We likewise recommend that this be reduced by 10 per cent, thereby effecting a saving of $3,260.

Forty-five thousand dollars is sought for minor improvements and the committee is of the opinion that this can be reduced to $40,000 without injury.

In view of the fact that we are making an appropriation for the care of the women prisoners at Tehachapi, we have deleted from the original bill all women employees heretofore used in the women's ward. This effects a saving of $22,920. In addition we reduce the item of maintenance $27,600 for the support of the women.

In line with our recommendations we have therefore reduced in the amended bill, the appropriation for the maintenance and support of this prison to $2,236,530.

(j) *State Board of Prison Directors, Parole Department (Page 245 of Budget).*

The function of this department is to maintain a constant contact with prisoners on parole. The original bill appropriates for its support and maintenance $96,690. This appropriation includes the purchase of a new automobile at $1,600, and the purchase of new equipment for the 86th fiscal year totaling $500. We believe that this latter item should be reduced to $400 and that no new automobile should be purchased.

We have, therefore, reduced the original appropriation in the amended bill to $94,990.

(k) *Detective License Bureau (Page 247 of Budget).*

The function of this activity is to license private detectives. It is self-supporting and there is appropriated for its support and maintenance for the coming biennium $18,100. We believe that it can be operated efficiently for $16,000 and are therefore making an appropriation in the amended bill for that amount.

The committee is of the opinion that this function belongs to the Bureau of Criminal Identification and, therefore, recommends that the necessary legislation be introduced which will effect its transfer to that department.

(l) *California Institution for Women (Page 250 of Budget).*

This prison for women is located near Tehachapi in Kern County, and was constructed during the current biennium in order to segregate women prisoners from male prisoners.

The original bill appropriated for its support and maintenance the sum of $144,495, together with $10,000 for permanent improvements. At the present time women prisoners are incarcerated at San Quentin and total 137.

The Chairman of the Board of Prison Terms and Paroles, and the Warden of San Quentin State Prison appeared before your committee and testified that with an appropriation of $100,000 this institution could be maintained for the women prisoners for the next biennium. It was explained to the committee that San Quentin at the present time is vastly overcrowded and greatly in need of a hospital. The authorities at San Quentin propose to establish a hospital in the present women's quarters and to use the existing hospital for the elderly men incarcerated. The institution for women is to be operated under the supervision of the Warden of San Quentin and will really be one institution.

The committee has accepted the recommendations and there is appropriated in the amended bill $100,000 for the support and maintenance of this new institution.

(m) *Division of Narcotic Enforcement (Page 253 of Budget).*

The essential activity of this function is to enforce the laws regulating the sale, purchase and possession of drugs.

There is appropriated for the support and maintenance of this division for the ensuing biennium $183,140. The committee is of the opinion that this function largely duplicates the work of the Federal government and local authorities and that at this time of financial stress the function might well be suspended. However, occasions do arise when the service of this department is badly needed. We feel that an appropriation of $30,000 for the next two-year period will enable the division to maintain a small mobile unit which can be used in aiding local authorities throughout the State in stamping out this evil in their particular locality.

DEPARTMENT OF PROFESSIONAL AND VOCATIONAL STANDARDS.

(Page 256 of Budget.)

This department is made up of 13 boards, all of which are either professional or specialized in nature. The function of each of these agencies is more or less identical in nature but the powers, duties and responsibilities of each are regulated by its own creative act, the prime consideration being that of the health and safety of the public. The cost of the maintenance of the various boards composing the department is met by a tax upon the members of the various professions and vocations which the boards attempt to regulate. In the aggregate, there is levied a tax upon the various professions and vocations within the department, in addition to all taxes paid by them, the sum of $1,202,509.

A glance at the budget will disclose the fact that none of the boards have reduced their budgets materially since the last biennium. The committee is of the opinion that economies can and should be effected in this department and that the fact that the board is self-sustaining is no reason why economies should not be effected in this division as well as in all other departments of the State. Such economies will, in the opinion of the committee, react to the benefit of the professions and vocations within the jurisdiction of the board, for the reason that economies in their administration will reduce the indirect tax levied upon them.

The 13 boards making up this department are as follows: Board of Accountancy, Board of Architectural Examiners—Northern District, Board of Architectural Examiners—Southern District, Board of Barber Examiners, Board of Registration for Civil Engineers, Registrar of Contractors, Board of Cosmetology, Board of Dental Examiners, Board of Funeral Directors and Embalmers, Board of Medical Examiners, Board of Optometry, Board of Pharmacy, and Board of Examiners in Veterinary Medicine.

There appears in the budget, commencing on page 255, an itemization of the proposed expense for their operation and maintenance during the ensuing biennium. In addition, there appears on page 256 of the budget, an itemization of the administration cost of the department staff, as distinguished from the expense of the 13 boards themselves. We will discuss these boards in the order named above after having first disposed of the general administration cost of the departmental staff.

(a) *Administration (Page 256 of Budget).*

No specific appropriation is made in the original bill for the administration in the departmental staff in this function. This is due to the fact that each board is assessed for its proportion of these expenses. We recommend, however, that the services of the part-time attorney be eliminated, thereby effecting a saving to the other boards of $2,000 per biennium. It is the opinion of the committee that no budgetary control can be effected over these administration costs other than the salary reduction which will apply to all employees of the State.

(b) *State Board of Accountancy (Page 258 of Budget).*

There is appropriated in the original bill for the support and maintenance of this division for the ensuing biennium, $17,196. The committee is of the opinion that this board can function efficiently on 20 per cent less. Therefore, the amended bill appropriates for its support and maintenance $13,756.80.

(c) *State Board of Architectural Examiners, Northern District (Page 259 of Budget).*

There is appropriated in the original bill for the support and maintenance of this division for the ensuing biennium, $12,740.52. The committee is of the opinion that this board can function efficiently on 20 per cent less. Therefore, the amended bill appropriates for its support and maintenance $10,192.42.

(d) *Board of Architectural Examiners, Southern District (Page 261 of Budget).*

There is appropriated in the original bill for the support and maintenance of this division for the ensuing biennium, $13,493.72. The committee is of the opinion that this board can function efficiently on 20 per cent less. Therefore, the amended bill appropriates for its support and maintenance $10,794.98.

(e) *Board of Barber Examiners (Page 263 of Budget).*

There is appropriated in the original bill for the support and maintenance of this division for the ensuing biennium, $97,418.08. The committee is of the opinion that this board can function efficiently on 20 per cent less. Therefore, the amended bill appropriates for its support and maintenance $77,934.47.

(f) *Board of Registration for Civil Engineers (Page 265 of Budget)*

There is appropriated in the original bill for the support and maintenance of this division for the ensuing biennium, $51,757.78. The committee is of the opinion that this board can function efficiently on 20 per cent less. Therefore, the amended bill appropriates for its support and maintenance $41,406.23.

(g) *Registrar of Contractors (Page 267 of Budget).*

There is appropriated in the original bill for the support and maintenance of this division for the ensuing biennium, $314,990.56. The committee is of the opinion that this board can function efficiently on 25 per cent less. Therefore, the amended bill appropriates for its support and maintenance $236,242.92.

(h) *Board of Cosmetology (Page 271 of Budget)*

There is appropriated in the original bill for the support and maintenance of this division for the ensuing biennium, $134,560. The committee is of the opinion that this board can function efficiently on 33⅓ per cent less. Therefore, the amended bill appropriates for its support and maintenance $89,707.

(i) *Board of Dental Examiners (Page 273 of Budget)*

There is appropriated in the original bill for the support and maintenance of this division for the ensuing biennium, $66,815.96. The committee feels that it is unnecessary to employ an attorney at $6,000 per biennium, together with associate counsel service at $2,000 the biennium and therefore have deducted these items from the original appropriation. The committee further feels that after these deductions this board can function efficiently on 33⅓ per cent less. Therefore, the amended bill appropriates for its support and maintenance $39,210 64.

(j) *Board of Embalmers and Funeral Directors (Page 275 of Budget).*

There is appropriated in the original bill for the support and maintenance of this division for the ensuing biennium, $40 877 84 The committee is of the opinion that this board can function efficiently on 25 per cent less. Therefore, the amended bill appropriates for its support and maintenance $30,658.36.

(k) *Board of Medical Examiners (Page 277 of Budget).*

There is appropriated in the original bill for the support and maintenance of this division for the ensuing biennium, $119 353 76 The committee feels that the items of attorneys can be deducted, totaling $13,800, and that after said deductions the board can function efficiently on 33⅓ per cent less Therefore, the amended bill appropriates for its support and maintenance $70 369 17.

(l) *Board of Optometry (Page 281 of Budget).*

There is appropriated in the original bill for the support and maintenance of this division for the ensuing biennium, $11,379 92 The committee is of the opinion that this board can function efficiently on 20 per cent less Therefore, the amended bill appropriates for its support and maintenance $9,103 94

(m) *Board of Pharmacy (Page 282 of Budget).*

There is appropriated in the original bill for the support and maintenance of this division for the ensuing biennium, $111,927 92 The committee feels that it is unnecessary to employ an attorney at $3,600 the biennium, and that it is also unnecessary to purchase a new automobile for $1,200, and have, therefore, deducted these items from the original appropriation. The committee further feels that after these deductions this board can function efficiently on 20 per cent less Therefore, the amended bill appropriates for its support and maintenance $83,302 34.

(n) *Board of Veterinary Examiners (Page 285 of Budget).*

There is appropriated in the original bill for the support and maintenance of this division for the ensuing biennium, $4,960. The committee is of the opinion that this board can function efficiently on 10 per cent less. Therefore, the amended bill appropriates for its support and maintenance $4 464

(o) *Board of Chiropractic Examiners (Page 287 of Budget).*

This board has been created by an initiative act and is, therefore, not subject to inclusion within the department, although it is budgeted under the department The original bill appropriated for its support and maintenance the sum of $20,700 The committee feels that this board can function efficiently on 10 per cent less Therefore, the amended bill appropriates for its support and maintenance $18,6 0.

(p) *Board of Osteopathic Examiners (Page 289 of Budget)*

This board has been created by an initiative act and is, therefore, not subject to inclusion within the department, although it is budgeted under the department The original bill appropriated for its maintenance and support the sum of $13,770 The committee feels that this board can function efficiently on 10 per cent less Therefore, the amended bill appropriates for its support and maintenance $18,630

(q) *State Board of Pilot Commissioners (Page 291 of Budget).*

This board has control over the appointment and supervision of the pilots at San Francisco If is self-sustaining, its fees being derived from piloting vessels into the harbor There is no budgetary control over this expenditure whatever Not only that but the money derived from these fees is not deposited with the State Treasurer. The committee is of the opinion that this board performs a valuable

function but feels that section 2460 of the Political Code should either be repealed or amended in order that the money derived from piloting these vessels might be deposited with the State Treasurer and come under budgetary control

DEPARTMENT OF PUBLIC HEALTH.

(Page 295 of Budget.)

The essential activity of this function is the safeguarding of public health against all forms of attack The department is divided into numerous divisions, some of which are self-sustaining. There is appropriated in the original bill from the general funds of the State, for the support and maintenance of the department, $506,965, and from the special funds $217,050 In addition there is appropriated $975,000 by way of subsidies to hospitals throughout the State for tuberculosis patients This latter appropriation is calculated at $3 per bed per week.

The committee realizes the importance of this function to the people of the State, but is of the opinion that economies can and should be effected in its administration.

It will be noticed that the budget provides for the purchase of new automobiles in practically every division within this department, and we recommend that, like all other departments, the Department of Public Health purchase no new automobiles during the next biennium We feel, too, that the publicist at $6,600 per biennium can be eliminated After making the deductions just recommended, we recommend a further reduction of 20 per cent, leaving to the discretion of the director, however, the distribution of the economies recommended

The amended bill, therefore, appropriates from the general fund $395,012 and from the special fund $172,680 for the maintenance and support of this division The tuberculosis subsidy is a fixed charge and there is nothing we can do towards reducing it in the Appropriation Bill.

DEPARTMENT OF PUBLIC WORKS

(Page 308 of the Budget)

This department was created in 1927 and is divided into four main divisions, namely, (1) Division of Architecture; (2) Division of Ports; (3) Division of Water Resources, and (4) Division of Highways

In considering the budgetary items of this department we shall consider the three divisions first named and then separately consider the Division of Highways

(a) *Departmental Administration.*

These three divisions are headed by a departmental staff whose duty it is to administer the divisions. There is appropriated in the original bill for this departmental administration the sum of $83,220. The committee is of the opinion that economies can and should be effected in the administration of these activities. We recommend that the number of senior account clerks be reduced from four to two, thereby effecting a saving of $8,280 per biennium; that the items of materials and supplies on page 305 of the budget be reduced from $11,500 per biennium, to $11,000 per biennium, thereby effecting a saving of $500; and that the item of service and expense on the same page of the budget, be reduced from $17,000 to $10,000 per biennium, thereby effecting a saving of $7,000 In addition we feel that no new office equipment should be purchased, thereby effecting a saving of $200. This would leave for the support and maintenance of this function $67,240. However, 75 per cent of the work applies to the Divisions of Highways. We see no reason why the general fund should support any administration expense for the Highway Department, and we, therefore, reduce that amount 75 per cent.

In line with our recommendations the amended bill appropriates $16,810 for the support and maintenance of this division. We recommend that immediate steps be taken to divert sufficient funds from the Highway Department to take care of the balance.

(b) *Division of Architecture (Page 307 of Budget).*

The chief activity of this function is the publication of plans and specifications for the construction of all new buildings of a value of more than $1,000 It also superintends the construction of the buildings and supervises alterations and repairs on State buildings

There is appropriated in the original bill for the support and maintenance of this division the sum of $234,780.

It is estimated that the total building program for the next biennium will not exceed $1,500,000 The standard price throughout the State for the preparation of plans and specifications for the erection and construction of new buildings, together with the supervision thereof, approximates 6 per cent of the cost of the buildings. The committee feels that the State Division of Architecture should function on the same basis and we, therefore, recommend that this division be allowed 6 per cent of the estimated cost of the proposed new construction which will amount to $90,000 In view of the fact that the department must also supervise repairs and alterations, we recommend that it be allowed an additional $60,000

In line with our recommendation we have provided in the amended bill for an appropriation of $150,000 for the support and maintenance of this division.

(c) *Division of Ports (Page 207 of Budget).*

The essential activity of this function is regulating the erection and extension of wharves and piers and charges for tolls, wharfage or dockage thereon at the ports of Eureka and San Diego. The amount appropriated in the original bill for this function is as follows: The Port of Eureka $3,740 and the Bay of San Diego $2,600

The committee is of the opinion that the activities of this division do not sustain its maintenance or an appropriation therefor. We feel that economies can be effected by its entire elimination without injury to the welfare of the State. Therefore, no appropriation is provided for this service in the amended bill

(d) *Division of Water Resources (Page 307 of Budget).*

The essential activity of this function is the supervision and regulation of the development of the water resources of the State, as well as the conservation thereof.

The activity is headed by a departmental staff consisting of 15 employees and calling for a total appropriation of $150,450.

The committee is of the opinion that economies can and should be effected in the administration of this division. We recommend that the principal hydraulic engineers be reduced from two to one, thereby effecting a saving of $12,000; that the senior-stenographer clerks be reduced from two to one, thereby effecting a saving of $3,300; that the supervising hydraulic engineers be reduced from three to one, thereby effecting a saving of $18,800; furthermore, we recommend the elimination of the following positions: Administrative assistant, drawing $10,200 per biennium; attorneys, drawing the same amount; associate hydraulic engineer, drawing $6,360 per biennium; a supervising clerk, drawing $5,520 per biennium; intermediate clerk, drawing $3,000 per biennium; and junior messenger drawing $1,560 per biennium

In addition we recommend that the items of materials and supplies be reduced from $5,250 per biennium to $2,000 per biennium, thereby effecting a saving of $3,250, and that the item of service and expense be reduced from $26,700 per biennium to $10,000 per biennium, thereby effecting a saving of $16,700 Furthermore, we feel that no new office equipment or automobile should be purchased, effecting a further saving of $4,500

We have, therefore, provided in the amended bill for an appropriation of $55,060 for the support and maintenance of the departmental staff

(e) *Investigation of Streams and Stream Systems, etc. (Page 308 of Budget).*

The essential activity of this division is the supervision of the appropriation of water, adjudication of existing water rights, distribution of water, investigation of special water and water rights problem, ground water studies, and the work of the Sacramento-San Joaquin supervisor.

There is appropriated in the original bill for the support and maintenance of this division $231,150 We are of the opinion that rather drastic economies can be effected in the carrying out of this function without handicapping its service. We recommend that the supervising hydraulic engineers be reduced from two to one, thereby effecting a saving of $8,640; that the senior hydraulic engineers be reduced from six to four, thereby effecting a saving of $6,300; that the associate hydraulic engineers be reduced from six to two, thereby effecting a saving of $22,000; that the assistant hydraulic engineers be reduced from eleven to four, thereby effecting a saving of $17,805 48; that the junior hydraulic engineers be reduced from seven to two, thereby effecting a saving of $5,914.30; that the senior delineator be reduced from $5,520 per biennium, to $1,000 per biennium, thereby effecting a saving of $4,520; that the intermediate stenographer-clerks be reduced from five to two, thereby effecting a saving of $8,484; that the intermediate typist-clerks be reduced from two to one, thereby effecting a saving of $2,760; in addition we recommend the elimination of the following positions: title draftsman delineators; intermediate account clerk; junior clerk; junior file clerk; two water master assistants; together with laborers, consulting and special technical services, and temporary help. These total eliminations will effect a saving of $24,360

We further recommend that the item of materials and supplies on page 308 of the budget be reduced from $8,550 per biennium to $3,550 per biennium, thereby effecting a saving of $5,000 and that the items of service and expense on the same page of the budget be reduced from $43,720 per biennium to $22,000 per biennium, thereby effecting a saving of $21,720. Also we recommend that the purchase of new equipment and new automobiles be restricted to $1,000 per biennium, thereby effecting a saving of $3,900.

There is, therefore, appropriated in the amended bill for the support and maintenance of this division the sum of $99,746.22.

(f) *Supervision of Design and Construction of Dams (Page 309 of Budget).*

This activity is an outgrowth of the failure of the St. Francis Dam in Southern California Its essential activity is the investigation into the safety of and the approval of existing dams, together with the approval of the plans and specifications for proposed new dams

Although the division is partially self-sustained there is appropriated in the original bill for its support and maintenance the sum of $152,100.

Like all other divisions in this department, we feel that rather drastic economies can be effected without handicapping its functions. We recommend that the senior engineers hydraulic structure design be reduced from two to one, thereby effecting a saving of $7,500; that the senior engineers dam inspection be reduced from three to two, thereby effecting a saving of $8,320; that the associate engineers dam inspection be reduced from two to one, thereby effecting a saving of $6,720; that the junior engineers hydraulic structure design be reduced from two to one, thereby effecting a saving of $4,440. In addition we recommend the elimination of the associate hydraulic engineer water resources, the assistant engineer hydraulic structure design, together with all temporary laborers. These eliminations will effect a saving of $13,000. We further recommend that the item of consultation be reduced from $10,000 per biennium to $2,000 per biennium, thereby effecting a saving of $8,000.

We further recommend that the item of materials and supplies on page 209 of the budget be reduced from $2,000 per biennium to $1,000 per biennium, thereby effecting a saving of $1,000, and the item of service and expense on the same page be reduced from $26,700 per biennium to $10,000 per biennium, thereby effecting a saving of $16,700. We recommend the elimination of any appropriation for the purchase of new office equipment and automobiles, thereby effecting a saving of $5,000.

The amended bill therefore appropriates for the maintenance and support of this division $81,420.

(g) *Special Items (Pages 310–311 of Budget).*

There is set up certain appropriations for special functions in specific localities throughout the State. We shall treat them in the order in which they appear in the budget.

Snow Survey. This appropriation of $26,000 is for the purpose of conducting snow surveys in the Sierras for the purpose of obtaining reliable information on the relationship between the snowfall in the mountains and the potential water supply. It is carried on to a large degree in cooperation with the Federal government. In addition, private corporations are conducting substantially the same survey from year to year.

We do not make provision for this in the amended bill for the reason that the committee is of the opinion that it is not an essential activity and can be eliminated during the present economic condition of the State.

Stream Gaging, etc. This appropriation of $80,000 is for the purpose of measurement of streams and making an inventory of the stream flow and water resources of the State in cooperation with the Federal government. It is a matched appropriation. The committee is of the opinion that this function, while highly desirable, is not, strictly speaking, absolutely essential. We do feel that certain of this work should be done and have therefore reduced in the amended bill, the appropriation from $80,000 per biennium, to $50,000 per biennium.

Topographic Surveying. There is appropriated for this activity the sum of $30,000 to be used for the study of topographic surveying and mapping of the State, under horizontal and vertical control, and showing location of roads, buildings, etc. The committee places this function on the same category as that of stream gaging, although there is no Federal appropriation therefor. We feel that the structure of this function can be maintained by reducing the appropriation from $30,000 to $10,000.

Irrigation Investigations. This work consists of intensive irrigation investigation and the economic use of water for growing crops, together with studies on consumptive use and the requirements and intelligent application of irrigation water to secure best results under varying conditions.

The Federal government matches the State appropriation. The committee is of the opinion that this work can be curtailed during the next biennium in the interests of economy, and we therefore recommend the reduction of the appropriation from $13,700 to $5,000 per biennium.

Special Irrigation and Flood Control Studies. This work consists of the supervision of irrigation districts, water storage districts, conservation, drainage and resort districts. The committee is of the opinion that this function can be suspended during the ensuing biennium in the interests of economy. We therefore recommend that the appropriation of $26,000 for the support and maintenance thereof be not made.

Flood Gaging, etc. The essential activity of this particular function is channel rectification and bank protection of rivers and their tributaries throughout the State, other than the Sacramento River, in cooperation with other agencies.

There is appropriated for the function $37,400 and the committee is of the opinion that in the interests of economy this can and should be reduced to $18,000.

Maintenance, Operation and Emergency Protection. The essential activity of this function consists in the maintenance, operation and emergency protection of the Sacramento Flood Control Project. There is appropriated for this function $170,000,

and the committee is of the opinion that this appropriation can be reduced to $85,000 without handicapping its service.

Exploration, Investigation, etc. This is a new function and its essential activity consists of the determination of the erosion and silting rates and the survey of methods and areas for disposition of such materials. There is appropriated for this activity $107,100, and the committee is of the opinion that this can be reduced to $50,000.

Investigation of Water Resources in Cooperation with Ventura County. The essential activity of this work comprises the investigation of the water resources of Ventura County and the plan for their highest use. The appropriation is to be matched by the county. There is appropriated therefor the sum of $7,500 which we believe can be reduced to $5,000 and still carry on the work successfully.

Investigation of Water Resources in Cooperation with Monterey County. The function of this division is the same as that for Ventura County. We believe that the appropriation can be reduced from $2,500 to $1,500 and still carry on the work successfully.

Special Economic and Financial Studies, etc. The function of this division is correlating the work done by the State with investigations which have recently been made by the Federal government so that the State may be prepared to take advantage of financial assistance which may be made available by the Federal government. We believe that in the interests of economy this appropriation can be eliminated, thereby effecting a saving of $40,000.

San Diego River Flood Control Investigation. There is appropriated for the investigation of the San Diego River Flood Control $15,000, to be matched by the county of San Diego. It is a new function and while the committee is of the opinion that it is essential at this time, we believe that the work can be well done for $12,000.

Sacramento River Flood Control Project (Page 313 of Budget).

There is appropriated in the original bill for new construction and general administrative expense and overhead of the Reclamation Board Sacramento Flood Control Project, in cooperation with the Federal government and landowners $1,150,000. The courts have held the obligation of the State, in connection with this project, to be substantially a contractual obligation. To not appropriate it to them might be construed to indicate, on the part of the State, bad faith in its dealings with the Federal government. We are advised, however, that the project can be carried on successfully for the next biennium for $1,000,000 and we, therefore, make an appropriation in that amount.

(h) *Board of Harbor Commissioners, San Francisco (Page 315 of Budget).*

The principal function of this department is to provide, operate and maintain adequate vessels for handling the commerce of the Port of San Francisco. The harbor is owned and operated by the State under the management of the Board of State Harbor Commissioners, who are appointed by the Governor. In conjunction with the operation of the harbor, there is maintained the State Belt Railroad, which is also under the jurisdiction of the board. The function is self-sustaining, deriving its income from charges for tolls, docking, rentals, switching, etc. This income is sufficient, not only to pay the operating overhead, but also to pay the interest on outstanding bonds as well as providing for their redemption at maturity.

There is appropriated from the special fund items, for the support and maintenance of this function, $3,233,399 as well as $185,000 for the maintenance of fire boats and $150,000 for the construction and improvement of wharves, etc. The activities are divided into administration, maintenance and construction, together with the operation and maintenance of the Belt Railroad.

Administration (Page 315 of Budget). The committee is of the opinion that economies should be effected in the administration of the function. We recommend that the assistant secretary be eliminated, thereby saving biennially $7,200 and that after deducting this economy, the cost of administration be reduced 25 per cent, leaving for administration purposes the sum of $221,440.50.

Port Operation (Page 316 of Budget). There is appropriated in the original bill for port operation, the sum of $780,580. The committee is of the opinion that drastic economies can be effected in the operation of this port without injury to its welfare or to the welfare of the people. We recommend that the amount expended for wharfingers, sweepers and laborers be reduced from $213,744 per biennium, to $196,000 per biennium, thereby effecting a saving of $17,744; that the amount expended in the public welfare service be reduced from $20,568 per biennium, to $14,000 per biennium, thereby effecting a saving of $6,568; that the amount expended for automotive equipment be reduced from $16,300 to $12,000 per biennium, thereby effecting a saving of $4,300; and that the amount expended for the expense of the Ferry Building be reduced from $100,928 per biennium to $80,000 per biennium, thereby effecting a saving of $20,928. In addition we recommend that the items expended for service and expense be reduced from $355,600 per biennium to $291,000 per biennium, thereby effecting a saving of $64,600, as follows: That the amount appropriated for piers and wharves be reduced from $93,300 per biennium, to $66,000 per biennium; that

the amount appropriated for public welfare service be reduced from $49,000 per biennium, to $30,000 per biennium, that the amount appropriated for Ferry Building be reduced from $74,700 per biennium, to $60,000 per biennium, and that the amount appropriated for undistributed expense be reduced from $23,600 per biennium, to $20,000 per biennium.

Port Maintenance (Page 317 of Budget). The original bill provided for $1,525,862 for the maintenance of the port. We recommend that salaries and wages expended for this maintenance be reduced from $913,962 per biennium to $800,000 per biennium, *and that the amount expended for materials and supplies in the maintenance* of the port be reduced from $423,100 per biennium to $380,000 per biennium; that the amount expended for service and expense in the maintenance of the port be reduced from $168,100 per biennium to $150,000 per biennium. There is provided in the amended bill the sum of $1,350,700 for the maintenance of the port.

Belt Line Railroad (Page 318 of Budget). The original bill appropriated $624,503 for the maintenance of this railroad. The committee is of the opinion that drastic economies can and should be effected in the administration of this function. We found that its cost of operation can be reduced 25 per cent without in any way handicapping its function.

The amended bill appropriates for its support and maintenance $468,377.25.

(1) *Division of Highways (Page 430 of Budget).*

Although the largest item of expenditures for the maintenance and support of the State government is that coming under the budget for this department, no appropriation of any sort is set up in the Appropriation Bill. The maintenance and operation of this division during the coming biennium will cost the people of this State approximately $61,336,000.

For administration purposes alone, there will be a charge of $2,127,209.40.

The committee is of the opinion that rather drastic economies can and should be effected in the administration of this division and that the Budget Bill should specifically set forth a specific appropriation for maintenance and support. We, therefore, recommend, that the administration item be reduced 33⅓ per cent or $531,802.35, leaving to the head of the department discretion as to the distribution of these economies.

In line with our recommendations we are setting up a new and additional item in the Budget Bill specifically appropriating for the maintenance and support of this department, as distinguished by the erection, construction and maintenance of roads, the sum of $1,418,139.60.

DEPARTMENT OF SOCIAL WELFARE

(Page 321 of Budget).

This department, in 1927, succeeded the Department of Public Welfare which was established in 1925, which latter department succeeded the State Board of Charities and Corrections and Children's Aid under the State Board of Control. It is administered by a director and there is appropriated in the original bill for its support and maintenance $352,100.

Many, if not all of the functions of this department are desirable. However, most of them are nonessential and in times of economic distress can be suspended without seriously injuring the welfare of the State.

It is the opinion of the committee that the functions of this division can be administered for a great deal less than the amount asked for in the original Appropriation Bill. The amended bill carries with it an appropriation of $155,074 for the maintenance and support of this function. This figure is based upon the following suggested economies. The elimination of the deputy director, drawing $6,840 per biennium, the elimination of the Supervisor Research Statistics, drawing $4,800 per biennium; and the elimination of the secretary, drawing $3,120 per biennium. In addition we recommend that the senior stenographer-clerks be reduced from eight to four, thereby effecting a saving of $13,440, and that the intermediate stenographer-clerks be likewise reduced from eight to four, thereby effecting a saving of $11,340; and that the junior typist-clerks be reduced from four to two, thereby effecting a saving of $3,420.

We feel that the items of materials and supplies and service and expense, as set out on page 321 of the budget, are too high and we therefore recommend the reduction of the first item from $9,400 per biennium to $5,200 by reducing office from $3,700 per biennium to $2,000 per biennium, and printing from $5,000 per biennium to $2,500 per biennium, and the reduction of the second item from $31,590 per biennium to $20,240 per biennium, by reducing traveling from $9,700 per biennium to $4,850 per biennium; office from $5,800 per biennium to $2,900 per biennium; and telephone and telegraph from $7,200 per biennium to $3,600 per biennium. We feel that the purchase of new equipment should be limited to $600 for the biennium, instead of $2,600, thereby effecting a saving of $2,000.

For the administration of the welfare of this department, the original bill provided for $200,430. We suggest drastic economies as follows. The elimination

of three supervisors, with a saving of $20,600, the elimination of two district supervisors, with a saving of $10,920 the elimination of three assistant supervisors, with a saving of $9,120 per biennium; the elimination of all assistant agents, with a saving of $26,400; and the elimination of a complaint adjuster, with a saving of $4,800. In addition we feel that the agents should be reduced from twelve to six, thereby effecting a saving of $75,440.

We feel that the materials and supplies purchased for automobiles can be reduced 50 per cent, effecting a saving of $1,750, and that the item of service and expense on page 322 of the budget can be reduced from $56,170 to $22,084, thereby effecting a saving of $34,086. It is to be noted that in this item $52,000 will be spent for traveling alone. We do not see the need of new automobiles and therefore recommend the elimination of $3,600 for this purpose.

We appropriate in our amended bill for the support and maintenance of this division during the next biennium $155,075. We specifically point out to the director that the economies quoted are merely advisory and not mandatory. If, in the opinion of the director, our proposed eliminations of positions are not consistent with good management, she is at liberty to differ with us. However in our opinion this department can and should be efficiently managed on the amount allowed.

EDUCATION.

Probably no other function in the State government has given us as much concern as the subject of education. We realize the important position it has occupied in the development of our State. Occupying the position that it does, we also feel that in times of economic stress it should be the first in governmental functions to come to the rescue of the overburdened taxpayer. The people of this State have given cheerfully and gracefully to its support, maintenance and development, and we feel that education should now come to the rescue of its benefactors. With this thought in mind we have, where we have the power so to do, effected economies.

(a) *Department of Education (Page 339 of Budget)*

This department has the responsibility of exercising general control and supervision over the administration of the public school system of California, with the exception of the university. The original bill provides for its maintenance and support, including the support of the State Library, $736,682. It also has general control over disbursements of approximately $70,000,000 per biennium for the support of teachers' colleges, special schools, free textbooks, elementary and high school apportionment, junior colleges apportionment, and the teachers' permanent fund. The committee is of the opinion that the Department of Education can be maintained and operated for 32 per cent less, including salary reductions. With this the Superintendent of Education agrees.

The amended bill reduces the original appropriation 32 per cent and appropriates $500,943.76 for the support and maintenance of this function which also will include the support and maintenance of the State Library.

Printing School Laws (Page 345 of Budget).

There is appropriated in the original bill for the printing of the School Laws, the sum of $5,000. These books are distributed free and we are of the opinion that this practice should be discontinued. The amended bill, therefore, carries no appropriation whatever for the printing of School Laws.

(b) *Classes for Children with Defective Speech (Page 346 of Budget).*

There is appropriated in the original bill for this function the sum of $29,200. It is the opinion of the committee that this function should and can take the same reduction as is applied to the Department of Education, namely, 32 per cent. The amended bill, therefore, appropriates for the maintenance and support of classes for children with defective speech, the sum of $19,856.

(c) *Vocational Education (Page 350 of Budget).*

There is appropriated in the original bill for the administration of this function the sum of $239,033.92. It is our opinion that the administration expense of vocational education can be reduced 32 per cent and we therefore appropriate in the amended bill $162,543.07. This is a new item not appropriated in the original bill.

(d) *Vocational Rehabilitation (Page 353 of Budget)*

There is appropriated in the original bill for the administration of this function the sum of $271,780. It is our opinion that the administration expense of vocational rehabilitation can be reduced 32 per cent and we therefore appropriate in the amended bill $184,810.40. This is a new item not appropriated in the original bill.

California Polytechnic School at San Luis Obispo (Page 387 of Budget)

This school is located at San Luis Obispo. Its educational objectives are to provide vocational training in the fields of agriculture and industry. It has an enrollment of approximately 350 pupils and the original bill appropriated for its

support and maintenance $303,130. The committee is of the opinion that this institution is not needed in the field of industry However, the institution is now a part of the community life of the area in which it is located and can be of distinct service in the field of agriculture As a matter of fact the school was originally organized for that purpose We are advised that agricultural subjects, together with the necessary applied sciences, can be carried on for $150,000 per biennium. Our amended bill appropriates this amount for that purpose. Should it be deemed not advisable to continue the school in the field of agriculture only, we provide in the appropriation that it shall lapse and the school be abolished.

California Nautical School (Page 401 of Budget).

This school has for its objective the training of boys in science and the practice of navigation. Approximately 130 students are enrolled for the three-year course. They live aboard the S.S. California State, which is anchored off Tiburon in San Francisco Bay. Five months of the year are spent at sea. The school was inaugurated in 1929 during the prosperity period of the State. The type of education rendered is highly technical and is, strictly speaking, no part of the educational system of the State The report of the Carnegie Foundation Committee on Higher Education recommends the abolition of the school. We concur in this recommendation but feel that students who have not completed the course should be reimbursed their tuition fees

The amended bill makes no appropriation for the maintenance of this institution. An appropriation of $15,000 or so much thereof as needed, is made for the reimbursement made above.

Teachers' Colleges (Page 357 of Budget)

The question of teachers' colleges has presented a very difficult problem to your committee. There are seven of these institutions in the State of California, to wit: Chico, Fresno, Humboldt, San Diego, San Francisco, San Jose and Santa Barbara. The matter of effecting safe economies in these institutions is complicated by the fact that your committee can not determine just what place they presently occupy in the educational system of the State of California, and what their ultimate development is to be. In other words, it is not determined whether they should limit their activities strictly to the training of teachers on the basis of the old normal school, whether they are to be regional colleges giving a four-year liberal arts education, or whether they are to be in the nature of junior colleges to serve the regions in which they are located It is not the purpose of this report to determine their ultimate place in our educational system but merely to point out the impossibility of making intelligent, controllable appropriations for the seven State teachers' colleges from biennium to biennium, without it being determined just what the future educational policy with respect to these institutions is to be.

Your committee has seriously considered the closing of four of these institutions during this economic emergency, the first being Santa Barbara, which we feel should be turned over to that community as a junior college at the earliest date possible; San Francisco, a strictly community teachers' college and which could be adequately served by the University of California; Chico and Humboldt in the north, each apparently constructed because of territorial demands After consulting with the educational leaders of this State, your committee has favorably considered their request that all of the institutions be maintained on a reduced budget rather than that any be closed Your committee has, in fixing the allowances for these institutions yielded to the request of the educational directors in this respect

The question of fees has also been considered by your committee in order that some tuition charge for this higher education may help meet the serious financial emergency that the State is facing at the present time. Your committee reluctantly considered the charging of fees in these institutions as we appreciate that the students, as well as the citizens at large, are pressed for ready capital We must decide, however, between individual hardships and the necessary curtailment of State expenses made necessary by the reduced income of our State. It becomes a question of charging fees for this higher education or closing several of said colleges, a step that the educational directors desire to avoid. The committee has, therefore, decided that the colleges may optionally charge not to exceed $25 per semester as a tuition charge, which sum shall be credited to the respective teachers colleges and which they may use to meet their expenses during the biennium When it appears that some of the teachers' colleges already make a charge as high as $13 a semester, which money is returned to the general fund, it seems to be a fair suggestion that they be given the right to charge tuition as high as $25 a semester, retaining same for their own use.

It is the conclusion of the committee that a general cut of 25 per cent on the proposed budgets for teachers' colleges, permitting them to charge a tuition fee which they may retain is a satisfactory adjustment of the budgets of these institutions during the present economic strife If these suggestions are carried out, as proposed in the Budget Bill submitted, it will effect a saving in the operating costs of these seven institutions of $763,257 50 plus a further saving of $39,042 by postponing any permanent improvements.

Our recommendations with respect to each of the institutions follow:

(a) That with respect to the Chico State Teachers College it is recommended that a 25 per cent cut be applied to the requested budget of $338,450, making a saving of $84,612.50 in operating expenses, and allowing $253,837.50 in the budget. The committee has also decided that the requested allowance for permanent improvements at this institution, in the amount of $5,000 should be deleted and the improvements delayed temporarily, thus making an additional saving of this amount

(b) Fresno State Teachers College has a budget request of $537,750, in addition to permanent improvements in the amount of $6 000 which your committee has deleted, believing that these can be postponed at least for a two-year period. Applying the 25 per cent cut to the above request, we make a saving of $134,437.50 plus the $6,000 for permanent improvements.

(c) Humboldt State Teachers College has a request of $212,740, and applying a 25 per cent cut to this we effect a saving of $53,185 In addition we are deleting permanent improvements requested, in the sum of $18,042, thus making an additional saving of this amount

(d) San Diego Teachers College has a request for $481,840. Applying the 25 per cent cut to this amount will make a saving of $120,460, and in addition we have deleted the sum of $5,000 for permanent improvements which we feel can be postponed for at least two years, thus making an additional saving of $5,000

(e) San Francisco State Teachers College has a request for $503,290 Applying the 25 per cent cut to this amount will make a saving of $125,822 50, and in addition we have deleted the sum of $5,000 for permanent improvements, which we feel can be postponed for at least two years, thus making an additional saving of this amount.

(f) San Jose State Teachers College has a request for $675,670 Applying the 25 per cent cut to this amount will make a saving of $168,917 50 Although it is the policy of the committee to allow nothing in the way of permanent improvements during the coming biennium, this institution presents a problem that must be met. A Science Building on its campus has just been completed and can not be used unless it is equipped. This should be equipped during the summer of 1933 in order that it may be occupied at the opening of the fall quarter in September of 1933 The committee has, therefore, decided to leave in the budget the requested amount of $77 000 for permanent improvements, which has already been reduced by the Director of Finance from a requested amount tor new equipment of $115,550.

(g) Santa Barbara State Teachers College has a request for $303,290, and applying a 25 per cent cut to this, we effect a saving of $75,822 50.

Motor Vehicles (Page 422 of Budget).

This department is maintained for the purpose of enforcing the provisions of the Motor Vehicle Act and the registration of automobiles It is a new function Its activities have been carried out prior to 1931 by the Department of Public Works The department is classified as self-sustaining, although it is maintained by direct taxation upon people operating automobiles.

There is appropriated in the original bill for the support and maintenance of this function $6,737,500. This money is spent in carrying out the functions of the department and the committee feels that drastic economies can be effected without injuring its service to the people We recommend that this appropriation be reduced 25 per cent, leaving to the head of the division discretion as to the distribution of the economies The amended bill appropriates therefor the sum of $5,053,125, thereby effecting a saving of $1,684,375.

University of California (Page 404 of Budget).

The University of California is located at Berkeley and Los Angeles and maintains branches at Davis, La Jolla, Mt. Hamilton, Riverside and San Francisco

The original bill appropriated for its support and maintenance $12,594,232 49 In addition, prior Legislatures have created biennial appropriations totaling $794,450 In other words, the university will receive from these combined appropriations $13,388,682 49 In addition, $21,250 is appropriated for cooperation in forestry research with the California Forestry Experimental Station and other Federal agencies, bringing the total appropriated and unappropriated items to $13,409,932.49. However, it is estimated by the administration that it will receive, during the current biennium, approximately $6,590,587 73 from the Federal government, students' fees, endowment income, donations, etc It can be seen that the total cost for the support and maintenance of the University of California from all sources, as appears in the budget, is $20,000,520 22

The active administration of the university is under the direction of the Board of Regents and gives to the Legislature no control save and except the appropriation of money for its support and maintenance For this reason the Legislature can enact no legislation which would in any way regulate the salaries paid at the university If this schedule were applied it would effect a saving of approximately $1 650,800.

Without question, the University of California is the educational and cultural center of the State It is operated and managed by the educational deans of the

State. In times of economic disturbances such as these, the committee is of the opinion that the management of the university should be better qualified to absorb economies than any other State institution. It is well known that the people of this State have in times of prosperity given without question to their university and we feel that in times of stress, when the people of this State are struggling for their very existence, that the university should be first to come to the aid of the people.

We recommend that there be deducted from the appropriation to the university $1,388,682 49, leaving to the president and Board of Regents the discretion as to the distribution of this economy. Therefore, the amended bill appropriates for its support and maintenance the sum of $11,205,550.

We do not disturb the appropriation for Hastings College of Law and forestry research work.

The people of southern California are demanding that the university inaugurate in that institution a post-graduate course. The people of the southland do not feel it is incumbent upon them to send their students to Berkeley for this service. For that reason the committee recommends the appropriation, for the maintenance and support of a graduate school at the University of California at Los Angeles, the sum of $75,000 for the next biennium. However, should the Board of Regents refuse to inaugurate this school, the appropriation is to lapse.

Military and Veterans' Affairs. Veterans Welfare Board (Page 455 of Budget).

The essential activities of this board are confined to the administration of moneys loaned veterans for the purpose of homes and farms, under the act created in 1921. Money for its support is derived from the sale of bonds, the law providing that a specific portion might be used for administration purposes. Like other self-supporting departments, we feel that at this time economies can and should be effected.

The budget, at page 455, discloses a request of $357,040 for the administration of this function during the ensuing biennium. The committee feels that the cost of administration of this function is entirely too high. We recommend the elimination of the assistant executive secretary at $8,400 per biennium; the attorney at $6,000 per biennium, and the confidential secretary at $4,800 per biennium. In addition we feel that the salary of the district managers at $13,200 per biennium is unreasonable and that $12,000 per biennium would be sufficient. In addition we recommend that the items of materials and supplies be reduced from $24,600 to $16,000 per biennium, and that the items of service and expense be reduced from $86,000 to $60,000 per biennium, and that the item of equipment be reduced from $20,000 to $4,000 per biennium. After making these deductions, we recommend a further reduction of 20 per cent on the balance.

The original bill carries no appropriation for this function. However, we are of the opinion that it should be placed in the same category as other State functions and the amended bill therefore specifically appropriates for the maintenance and support of this division $229,312.

Emergency Fund (Page 325 of Budget).

The original bill appropriated as a fund to be used in case of emergency, $1,000,000. Two years ago the Legislature appropriated $1,500,000. An investigation of the allotments from the emergency fund as appears on page 325 of the budget discloses that a considerable portion of it was used for new construction and for the additional support of departments which were unable to operate within their budget allowances. It would seem to appear that such allowances do not come within the purview of an emergency. The committee is of the opinion that $500,000 would be sufficient to meet any reasonable emergency which might arise during the next biennium and has appropriated that sum in the amended bill.

MISCELLANEOUS

On page 324 of the budget appears certain miscellaneous items as follows:

Traveling Expenses, County Treasurers.

There is appropriated in the original bill the sum of $2,500 to cover the traveling expenses of county treasurers to Sacramento. In times of economic stress we feel that this function should be curtailed and we therefore have eliminated it in the amended bill.

Expenses of Conference of Governors in California.

There is appropriated in the original bill for the purpose of paying the visiting Governors' expenses while in California during midsummer, the sum of $9,000. The State of California is undoubtedly honored in having as its guests Governors of the various States of the Union. These Governors will visit Sacramento, San Francisco and Los Angeles and while we realize the distinction conferred upon us, we feel that the people of the State are not financially able to appropriate any money for this purpose at this time.

We, therefore, do not provide for it in the amended bill.

CONCLUSION.

There is attached hereto and made a part of this report (a) statement showing proposed reduction in controllable expenditures biennium 1931–1933 and biennium 1933–1935; (b) summary of budget reductions proposed by Assembly Committee on Ways and Means.

The attention of the members of the Assembly is directed to the attached exhibits for a detailed and concise recapitulation of the economies effected by your Committee on Ways and Means.

Respectfully submitted

COBB, Chairman.

ALTER.	KALLAM.
BADHAM	KNOWLAND
BLISS.	LATHAM.
BOWERS.	MARTIN
BOYLE.	MORGAN.
BROCK.	PHILLIPS
COTTRELL	RILEY
CRAIG.	ROBERTS.
FIELD	WRIGHT
JONES.	ZION.

Dated: Sacramento, California, April 4, 1933

STATEMENT SHOWING PROPOSED REDUCTION IN EXPENDITURES FOR BIENNIUM 1933–1935 AS COMPARED WITH BIENNIUM 1931–1933

	General fund controllable expenditures	Total expenditures all funds, all purposes
Actual and estimated expenditures 1931-1933, 83d and 84th fiscal years	$68,519,685 22	$283,159,040 21
Proposed expenditures for 1933-1935, 85th and 86th fiscal years as presented in Governor's Budget	56,186 476 93	258,655,163 47
Reduction proposed by Governor's Budget	$12,333,208 29	$24,503,876 74
Per cent of reduction proposed by Governor's Budget	18%	8 62%
Further reduction proposed by Assembly Ways and Means Committee	10,924,683 14	17,665,547 16
Total proposed reductions	$23,257,891 43	$42,169,423 90
Per cent of total reductions	33 94%	14 89%
Expenditures proposed by Assembly Ways and Means Committee for 1933-1935, 85th and 86th fiscal years	$45,261,793 79	$240,989,616 31

THIRD READING OF ASSEMBLY BILLS

Assembly Constitutional Amendment No. 67—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new section to Article XI thereof, to be numbered 8¾, relating to consolidation of counties, cities and counties, and cities.

Assembly Constitutional Amendment No 67 read.

COMMITTEE AMENDMENT.

During reading of Assembly Constitutional Amendment No. 67, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed measure, after the period in line 15 insert the following "But no such law shall take effect until, at a general election, it shall be submitted to the people of the counties, cities and counties or cities to be so merged or consolidated and shall have received a majority of all the votes cast for and against it at such election in each of the counties, cities and counties or cities proposed to be merged or consolidated"

Amendment adopted.

Assembly Constitutional Amendment No 67 ordered to reprint, engrossment, and on file for adoption

Assembly Joint Resolution No. 26—Relative to memorializing Congress to propose an amendment to the Constitution of the United States providing for economic planning and regulation.

Assembly Joint Resolution No. 26 read

COMMITTEE AMENDMENTS.

During reading of Assembly Joint Resolution No. 26, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed measure after "and", insert the following: "not fully attainable without".

AMENDMENT NUMBER TWO

On page 2 of the printed measure, between lines 9 and 10, insert the following: "*Resolved*, That the Legislature of California respectfully urges that pending the submission and adoption of such an amendment, the Congress provide for such economic planning and regulation as may be necessary and proper under present economic conditions and legally possible under the existing provisions of the Constitution, and be it further"

Amendments adopted

Assembly Joint Resolution No. 26 ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 317—An act to amend sections 1, 11 and 15 of "An act to regulate the sale, possession, distribution and use of habit-forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 317 passed by the following vote

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, Williamson, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 318—An act to amend sections 1, 7, 8a, 8c, 8d, 8e, 8f, 8g, 8½ and 9, to repeal sections 8 and 8b, and to add two new sections to be numbered 8 and 8b, to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 318 passed by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scud-

der, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—73.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 416—An act to amend an act entitled "An act authorizing counties to construct, improve, maintain and repair streets lying in municipalities or to aid or assist by the appropriation of money and otherwise in establishing, laying out, opening, widening, extending, straightening, constructing, improving or altering streets or changing or separating the grades thereof within municipalities or in acquiring lands, rights of way or other property necessary therefor," approved April 30, 1923 (Statutes of 1923, page 123) by amending section 1 thereof to authorize aid in the payment of bonds and/or interest thereon.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 416 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—66.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2058—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2058 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Rogers, Roland, Ross, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—62.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No 598—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments collectible by the ad valorem method, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and

to provide for the proceedings to test the validity of such refunding and reassessment.

Bill read third time

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 598 was withdrawn from the file, and referred to Committee on Municipal Corporations

Assembly Bill No. 2092—An act to amend sections 25, 27, 62 and 63 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 2092 was withdrawn from the file, and referred to Committee on Municipal Corporations.

Assembly Bill No. 185—An act to amend sections 278, 290, 292, 293, 294, 295, 296, 300a, 300b, 301, 303, 304, 305, 306, 307, 307a, 308, 309, 311, 312, 313, 314, 315, 319, 320a and 320b of the Civil Code, to add a new section 381 to the Civil Code, and to repeal section 375 of the Civil Code, all relating to corporations.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 185 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 186—An act to amend sections 326, 328, 328a, 328b, 328d, 328e, 330 6, 330 13, 330 24, 331, 332, 333, 334, 334a, 336 and 337 of the Civil Code, and to repeal section 587 of the Civil Code, all relating to corporations.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 186 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No 1482—An act to amend section 1 of Chapter 389, Statutes of 1915, entitled "An act providing for the sale of certain

State lands," as approved May 15, 1915, as amended, relating to State lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1482 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E. Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—62

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 316—An act to amend section 27 of the "State Civil Service Act," relating to preference to veterans and the widows of veterans.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr Cronin:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 17 to 21, inclusive.

Amendment adopted

REQUEST FOR UNANIMOUS CONSENT.

Mr Cronin asked for and was granted, unanimous consent to take up Assembly Bill No 316, at this time, without reference to printer or file, and that same be considered engrossed

CONSIDERATION OF ASSEMBLY BILL NUMBER THREE HUNDRED SIXTEEN.

Assembly Bill No 316—An act to amend section 27 of the "State Civil Service Act," relating to preference to veterans and the widows of veterans.

Bill read.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 316 passed by the following vote:

AYES—Badham, Bowers, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—60.

NOES—Brock, Hoffman and O'Connor—3

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 1356—An act to amend section 374b of the Penal Code, relating to the deposit of offensive matter on public highways.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1356 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 868—An act to amend section 10 of and to add a new section to be known as 1a, to an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund."

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 868 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Stream, Tournoux, Utt, West, Williamson, Wright and Mr. Speaker—59

NOES—Hallner and Sullivan—2

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1243—An act to add a new section to the "California Vehicle Act," to be numbered 151a, relating to the transportation of live animals on motor vehicles

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1243 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, McCarthy, McMurray, Meehan, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 194—An act to repeal the "Transportation District Act."

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 194 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—71.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1171—An act to amend section 60 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to hearings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1171 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—67.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Brock:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 10 of the Political Code, relating to holidays, to validate the acts of public officers made, done or performed on certain holidays and to declare that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 10 of the Political Code, relating to holidays, to validate the acts of public officers made, done or performed on certain holidays and to declare that this act shall take effect immediately.

HALLNER, Chairman

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—68

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr Brock: Assembly Bill No. 2349—An act to amend section 10 of the Political Code, relating to holidays, to validate the acts of public officers made, done or performed on certain holidays and to declare that this act shall take effect immediately.

Bill read first time, and referred to Committee on Judiciary.

By Mr McBride. Assembly Constitutional Amendment No. 100—Proposed amendment to Article XI, adding new section 2½a, of the Constitution, relative to voting.

Introduced, and referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON CIVIL SERVICE.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1933

MR SPEAKER: Your Committee on Civil Service, to which was referred Assembly Bill No. 2004—An act to add section 7½ to the State Civil Service Act, relating to the acceptance by county fire districts or municipalities of civil service provisions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BOWERS, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 674—An act to establish the Vehicle Code and thereby to consolidate and revise the law relating to traffic on streets and highways and the registration, identification, operation, driving, use, ownership, transfer, theft, embezzlement, destruction, molestation, unlawful entering and taking and driving, equipment, size, weight, loading and wrecking of vehicles used upon streets and highways and liens and mortgages on such vehicles and the licensing and regulation of drivers of such vehicles and the civil liability of persons signing license applications of minors and the conduct and records of persons dealing with such vehicles and the civil liability arising from the ownership, maintenance, use and operation of such vehicles and the financial responsibility of owners and operators of such vehicles and crimes connected with the use of such vehicles and the parties, procedure, presumptions, evidence and reports in relation to such crimes and the creation, organization, powers, duties, jurisdiction and maintenance of the Department of Motor Vehicles and its divisions in connection therewith and the collection, disposition and use of fees, fines and forfeitures in relation thereto and the limitations on the powers of local authorities over the aforesaid subject and to repeal certain specified provisions of law germane to the aforesaid subject—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COBB, Chairman

The above reported bill ordered on file for second reading.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1933

MR SPEAKER Your Committee on Conservation, to which was referred Assembly Bill No. 713—An act to amend the "Water Commission Act", approved June 16, 1913, by amending section 42 thereof, relating to the definition of terms stream, stream system, lake, or other body of water or water—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

EVANS, Chairman.

The above reported bill ordered on file for second reading.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No 2324—An act to amend the title and sections 1, 2, 3, 4, 6 and 7 of "An act to regulate the possession or transportation of any form of shell, cartridge or bomb containing or capable of emitting tear gas and providing penalties for violation thereof," approved May 28, 1931, and to add sections 2a and 2b of said act, relating to the possession, transportation and sale of tear gas shells, cartridges bombs or weapons—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933.

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 124—An act to amend section 261 of the Code of Civil Procedure, relating to superior court commissioners—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1442—An act authorizing and empowering the Department of Public Works of the State of California, the boards of supervisors of the counties thereof, and the legislative bodies of municipalities, to acquire the fee or other additional easements in highways which are already public highways, and for the acquisition, opening, widening, construction and improvement (or any of them) of which any assessment or tax has, within three (3) years prior to January 1, 1933, been levied upon the owners of property within any district found or declared by the legislative body creating such district to have been benefited thereby—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RAWLS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1449—An act to provide for the satisfaction of taxes and assessments, and tax and assessment liens against land and improvements in any public body organized under any law or ordinance by surrendering bonds, coupons, warrants, checks, or other evidences of indebtedness of the public body, defining "public bodies" as used herein and declaring the intent of the Legislature with respect hereto;

Also: Assembly Bill No. 2347—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

RAWLS, Chairman.

The above reported bills ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 820—An act to amend section 921 of the Political Code, relating to purchases and sales of county, State, township and city officers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933.

MR. SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No. 1013—An act to amend sections 16f, 21, 37, 55, 61, 96 and 105 and to add sections 25a and 59 to the Bank Act, defining and regulating the business of banking—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMSON, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 675—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman

The above reported bill ordered on file for second reading

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 210—An act providing for transfers in equal proportions from the State highway construction fund and the State highway maintenance fund to the general fund in the State treasury of amounts equal to the principal and interest due or accruing upon certain State bonds for highway purposes—has had the same under consideration, and respectfully reports the same back, without recommendation as amended.

GREENE, Chairman

The above reported bill ordered re-referred to Committee on Rules.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 133—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

RAWLS, Chairman.

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 342—An act to amend section 1030 of the Political Code, relating to office hours—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

LEVEY, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 557—An act to amend section 3 of "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933

MR SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 277—An act to amend section 429 of the Fish and Game Code, relating to license fees;

Also Senate Bill No 780—An act to add section 798 6 to the Fish and Game Code, relating to abalones;

Also: Senate Bill No 696—An act to amend section 137 of the Fish and Game Code, relating to fish and game districts;

Also Senate Bill No. 453—An act to repeal sections 1205, 1206, 1210, 1211 of the Fish and Game Code, relating to water fowl,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

ZION, Chairman.

The above reported bills ordered on file for second reading

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 5, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 20—An act to amend sections 1, 2, 3, 5, 10, 11, 12, 12a, 17, and 20a, to add section 11b, and to repeal sections 9a, 9b, 9c, and 9d, of Chapter 605, Statutes of 1919, known as the "California Real Estate Act," relating to real estate brokers and salesmen, subdivisions, and directory of real estate brokers and salesmen;

Also Senate Bill No. 1110—An act to amend section 630 of the Probate Code, relating to summary probate proceedings.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos 20 and 1110 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 460—An act to amend sections 54 and 55½ of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into six fish and game districts," approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 19, 1915," approved May 28, 1917, relating to fish and game district 12C, and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

Senate Bill No. 460 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1933

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 140—An act to repeal sections 9a, 9b, 9c and 9d of the California Real Estate Act, relating to real estate brokers' bonds

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on April 4, adopted as amended, Assembly Joint Resolution No. 24—Relative to memorializing the Congress of the United States to enact a two-year moratorium on foreclosures of real property mortgages and on sales under deed of trust on real property—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Joint Resolution No. 24 ordered referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1933.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 2342—An act relating to the safety of design and construction of public school buildings, providing for regulation and supervision of the construction, reconstruction or alteration of or addition to public school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on file.

RESOLUTION.

The following resolution was offered:

By Mr. Rawls:

April 5, 1933

We, the undersigned, move to withdraw Assembly Bill No 908, as amended March 3, 1933, from the Committee on Judiciary.

(Signed)

CECIL R. KING.
JAMES S. O'CONNOR
EDWARD CRAIG.
JAMES B UTT
FRANK W. WRIGHT.
ELEANOR MILLER.
HOBART R ALTER
P J. McMURRAY.
WM MOSELEY JONES
C. DON FIELD.
AUSTIN L. TOURNOUX.
H S. HALLNER.
G B. BOWERS.
W. E. BADHAM
CLIFFORD C ANGLIM
T. A. MALONEY.
JESSE M. MAYO.
RODNEY L TURNER.
S. E. ROBINSON.
FRANK J ROGERS.
FRANK G. MARTIN.
WALTER H. SULLIVAN.
IRA S. HATCH
BRUCE R. STANNARD.
JOHN PHILLIPS
CHAS. W. STREAM.
CHARLES A. HUNT.
JAMES M. CASSIDY.
ERNEST C. CROWLEY.
F. PETERSON
HENRY P. MEEHAN.
JOSEPH P. GILMORE.
HARRY B. RILEY.
H. J EVANS.
C C COTTRELL.
CHARLES W. FISHER.
WILLIAM F KNOWLAND.
J E FRAZIER.
J. H O'DONNELL
CLARE WOOLWINE.
CHAS. W. DEMPSTER.
ALBERT F. ROSS.
GEORGE R BLISS

The Speaker ordered Assembly Bill No. 908 placed on file.

MOTION TO PRINT.

On motion of Mr. Cobb, the Chief Clerk was instructed to have 500 additional copies printed of this day's Journal

RECESS.

At twelve o'clock and twenty minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.
Speaker Little in the chair.
Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 126—An act relating to and regulating the grazing of live stock on public lands of the United States in the State of California, protecting customary grazing uses thereon, making certain acts unlawful, and prescribing penalties and liabilities for violation of the act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ROBINSON, SAMUEL E, Chairman.

The above reported bill ordered on file for second reading.

ON BUILDING AND LOAN ASSOCIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933.

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 1427—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and part of acts inconsistent therewith," being Statutes of 1931, p. 483, as approved May 5, 1931, by amending the title and adding sections 6.09 and 13.20, repealing section 6.05 and amending sections 6.08, 13.11 and 13.12 so as to first require a day in court before the commissioner may take possession; require the commissioner to agree to reorganizations agreed upon by 60 per cent of the creditors of any seized association, and authorizing building and loan associations and their custodians, receivers, etc., to purchase certificates at less than par or to trade real estate for certificates—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ROBERTS, Chairman

The above reported bill ordered re-referred to Committee on Rules.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Crowley:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act relating to purchases of manufactured products by the State or by any political subdivision, district or municipality thereof and providing a penalty for the violation of the provisions hereof.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act relating to purchases of manufactured products by the State or by any political subdivision, district or municipality thereof and providing a penalty for the violation of the provisions hereof.

HALLNER, Chairman

The question being on the adoption of the report.

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielson, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Crowley: Assembly Bill No. 2350—An act relating to purchases of manufactured products by the State or by any political subdivision, district or municipality thereof and providing a penalty for the violation of the provisions hereof.

Bill read first time, and referred to Committee on Manufactures.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON REVENUE AND TAXATION

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2336—An act to authorize the counties, cities and counties, and municipalities to license and regulate the sale and disposition of beverages containing alcohol, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 210—An act providing for transfers in equal proportions from the State highway construction fund and the State highway maintenance fund to the general fund in the State treasury of amounts equal to the principal and interest due or accruing upon certain State bonds for highway purposes;

Also: Assembly Bill No. 1427—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors

and employees, to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising, to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees, to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and part of acts inconsistent therewith," being Statutes of 1931, p. 483, as approved May 5, 1931, by amending the title and adding sections 6 09 and 13 20, repealing section 6.05 and amending sections 6 08, 13.11 and 13 12 so as to first require a day in court before the commissioner may take possession, require the commissioner to agree to reorganizations agreed upon by sixty per cent of the creditors of any seized association, and authorizing building and loan associations and their custodians, receivers, etc, to purchase certificates at less than par or to trade real estate for certificates—has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman

The above reported bills ordered to reprint.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 282—An act to amend sections 10, 11, 12, and 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry and the power of the dental board;

Also: Assembly Bill No 283—An act to amend sections 6 and 14 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry and the power of the dental board;

Also: Assembly Bill No. 305—An act to add a new section, to be numbered 52a to "The California Irrigation District Act," providing for the use of certain bonds and coupons in the payment of assessments,

Also: Assembly Bill No. 659—An act to amend the title and sections 2 and 3 and to add a new section, to be numbered section 1¼, to an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment," approved April 20, 1917, by specifically including within its protection any security put up by the employee, or applicant for employment, for faithful performance and any money or property directly or indirectly turned over to the employer or prospective employer pursuant to the contract of employment, prohibiting investments and the sale of stock or an interest in a business in connection with the securing of a position and advertisements to this effect, and providing penalties for violation of the provisions thereof;

Also: Assembly Bill No. 1076—An act to amend section 809 of the Agricultural Code, relating the standardization of walnuts;

Also Assembly Bill No 1193—An act to amend section 792 of the Agricultural Code, relating to the standardization of avocados,

Also: Assembly Bill No. 2337—An act giving the Insurance Commissioner power to limit payments or loans of funds of life insurance companies and to generally regulate such companies for the protection of policyholders during periods of extraordinary economic and financial conditions, defining the term "life insurance companies" as used herein, reciting the establishment of similar control and limitations in other States, and declaring the urgency thereof and that the same shall take effect immediately;

And reports that the same have been correctly enrolled and presented the same to the Governor on this fifth day of April, 1933, at one o'clock and thirty minutes p.m.

PATTERSON, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 159—An act to amend section 4041.7 of the Political Code, defining the powers of the board of supervisors;

Also: Assembly Bill No. 161—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used;

Also: Assembly Bill No. 471—An act to repeal section 3310 of the Political Code, relating to quarterly reports of auctioneers;

Also: Assembly Bill No. 491—An act to add two new sections to the School Code, to be numbered 4.769 and 4.929, and to amend section 4 950 of said code, relating to the computation of average daily attendance in public schools;

Also: Assembly Bill No. 988—An act to amend section 4 770 of the School Code, relating to teacher units;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1064—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes, to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising, to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees, to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto, Chapter 133 of the Statutes of 1927, and all other acts and part of acts inconsistent therewith," approved May 5, 1931, by amending section 15 17 relating to investments authorized to be made by any borrowers' mutual building and loan association;

Also: Assembly Bill No 1506—An act to amend the title and section 1 of an act entitled "An act declaring the improved county road extending from Rio Vista to Lodi to be a State highway," approved June 3, 1921;

Also: Assembly Bill No. 1772—An act to add a new section to the Workmen's Compensation Insurance and Safety Act of 1917 to be known as section 26a, relating to compensation;

Also Assembly Bill No. 1796—An act to amend section 1557 of the Penal Code, relating to the return to this State of fugitives from justice,

Also Assembly Bill No. 1797—An act to amend section 288 of the Penal Code, relating to crimes against children;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 897—An act to repeal Part I of Division II of the School Code, embracing sections 2 20 to 2.760, inclusive, to repeal Chapters I, II, III and IV of Part II of Division II of said code, embracing sections 2.770 to 2 1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing

sections 2.10 to 2.281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-A, respectively, embracing sections 2.650 to 2.911, inclusive, to amend sections 4.181, 4.375, 4.771, 4.773, 4.811, 4.812, 4.875, 4.895, 4.896, 4.898, 4.970, 6.470 and 6.471 to 6.477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4.769, 6.470–1 and 6.470–2, and to repeal certain acts, all relating to school districts and junior college districts—and reports that the same has been correctly re-re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 5, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1027—An act to add a new article to Chapter 3 of Title I of Part III of the Political Code to be numbered Article XXI, embracing sections 720 to 725, inclusive, creating a board to be known as the Board of Finance to take the place of the Department of Finance, prescribing the duties, powers, responsibilities, authority and jurisdiction of the Board of Finance and providing for the membership thereof and their qualifications; providing for the transfer to the Board of Finance and the imposition on it of the duties, powers, responsibilities, authority and jurisdiction of the Department of Finance and the Director of Finance, as well as of the various divisions of the Department of Finance and the officers, agents and employees of the Department of Finance, providing for the abolishment of the Department of Finance and the Director of Finance and the various divisions of the Department of Finance and the various officers, agents and employees of the Department of Finance; providing for the expenditure and transfer of certain funds, and repealing all acts or parts of acts in conflict therewith;

Also: Senate Bill No. 1025—An act to amend sections 656 and 663 of the Political Code, relating to the Department of Finance and the State Board of Control.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills No. 1027 and 1025 read first time, and referred to Committee on Ways and Means.

SPECIAL ORDER.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER SIX HUNDRED NINETY-NINE.

Assembly Bill No. 699—An act to add a new section to the Political Code, to be numbered 473a, relating to the centralization in the Attorney General's office of all attorneys and legal advisers for State departments, divisions, commissions, bureaus, boards, offices, and institutions, and the reimbursement of the Attorney General's office for such services.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Hallner:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, after the word and comma "Enforcement," add the following: "Department of Professional and Vocational Standards and the divisions and boards thereunder,".

The question being on the adoption of the amendment.

MOTION TO RE-REFER.

Mr. Hornblower moved that Assembly Bill No 699 and the amendment be withdrawn from the file, and ordered re-referred to Committee on Governmental Efficiency and Economy.

The question being on re-referring Assembly Bill No. 699 to Committee on Governmental Efficiency and Economy.

WITHDRAWAL OF MOTION TO RE-REFER.

Mr. Hornblower, with the consent of his second, withdrew his motion to re-refer Assembly Bill No. 699 to Committee on Governmental Efficiency and Economy.

The question being on the adoption of the amendment submitted by Mr. Hallner.

REQUEST FOR ROLL CALL.

On request of Messrs. Cobb, Robinson, C. Ray, and Hoffman, the Speaker ordered a roll call taken on the adoption of the amendment to Assembly Bill No. 699.

The roll was called, and the amendment to Assembly Bill No. 699 was refused adoption by the following vote.

AYES—Callahan, Dempster, Hallner Hornblower, Hunt, McBride, Miller, Eleanor; and Sullivan—8.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72

FURTHER AMENDMENT TO ASSEMBLY BILL NUMBER SIX HUNDRED NINETY-NINE.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Ross:

AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed bill, as amended in the Assembly March 29, 1933, after the word "Department", insert a comma and the words "Division of Highways".

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL

On request of Messrs. Cobb, Robinson, C. Ray; and Morgan, the Speaker ordered a roll call taken on the adoption of the amendment to Assembly Bill No. 699.

The roll was called, and the amendment to Assembly Bill No. 699 was refused adoption by the following vote.

AYES—Anglim, Callahan, Dempster, Gilmore, Hornblower, Hunt, McMurray, Ross, Sullivan and Zion—10.

NOES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo McBride, McCarthy, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—66.

FURTHER AMENDMENT TO ASSEMBLY BILL NUMBER SIX HUNDRED NINETY-NINE.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed bill, after the comma following the word "Education", add the following: "Department of Motor Vehicles,".

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs. Knowland, Roland and Hoffman, the Speaker ordered a roll call taken on the adoption of the amendment to Assembly Bill No. 699.

The roll was called, and the amendment to Assembly Bill No. 699 was refused adoption by the following vote:

AYES—Callahan, Dempster, Gilmore, Hornblower, Hunt, Maloney, McMurray, Nielsen and Sullivan—9.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.

FURTHER AMENDMENT TO ASSEMBLY BILL NUMBER SIX HUNDRED NINETY-NINE.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, as amended, insert after the word "Investments", the following: "and the Division of Fish and Game in the Department of Natural Resources".

The question being on the adoption of the amendment.

The roll was called, and the amendment to Assembly Bill No. 699 was refused adoption by the following vote:

AYES—Callahan, Dempster, Hunt, Lyon and Sullivan—5.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—71.

NOTICE OF RECONSIDERATION.

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby the amendment, submitted by him, to Assembly Bill No. 699 was this day refused adoption.

POINT OF ORDER.

Mr. Cobb arose to the following point of order: Stating that reconsideration of amendments to a bill were out of order according to the Standing Rules of the Assembly.

RULING BY SPEAKER.

The Speaker ruled the point of order raised by Mr. Cobb not well taken, according to Robert's Rules of Order, page 158.

Mr. Cobb withdrew his point of order.

MOTION.

Mr. Cobb moved that the amendment submitted by Mr. Hornblower to Assembly Bill No. 699 be reconsidered at this time.

The question being on the motion of Mr. Cobb that reconsideration of the amendment to Assembly Bill No. 699 be reconsidered at this time.

ACTION DEFERRED.

Upon request of Mr. Williamson, action on the motion of Mr. Cobb was temporarily deferred.

FURTHER AMENDMENT TO ASSEMBLY BILL NUMBER SIX HUNDRED NINETY-NINE.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Woolwine:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as re-engrossed, strike out lines 4 to 10, inclusive, and insert in lieu thereof the following: "office or institution of the State, shall employ any legal adviser".

The question being on the adoption of the amendment.

MOTION TO LAY ON TABLE

Mr. Williamson moved that the amendment submitted by Mr. Woolwine be laid upon the table.

The question being on the motion to lay upon the table.

REQUEST FOR ROLL CALL.

On request of Messrs. Cobb, Rawls and Stream, the Speaker ordered a roll call taken on the motion to lay upon the table.

The roll was called, and the motion to lay upon the table lost by the following vote:

AYES—Callahan, Hallner, Hornblower, Hunt and Williamson—5.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—71.

The question being on the adoption of the amendment submitted by Mr. Woolwine.

REQUEST FOR ROLL CALL.

On request of Messrs. Cobb, Cottrell and Roland, the Speaker ordered a roll call taken on the adoption of the amendment to Assembly Bill No. 699.

The roll was called, and the amendment to Assembly Bill No. 699 was refused adoption by the following vote:

AYES—Callahan, Cassidy, Hallner, Hornblower, O'Connor, Ross, Stannard, Sullivan and Woolwine—9.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—64.

MOTION.

Mr. Cobb moved to reconsider, at this time, the vote whereby the amendment submitted by Mr. Hornblower to Assembly Bill No. 699 was refused adoption.

REQUEST FOR ROLL CALL.

On request of Messrs. Rawls, Stream and Evans, the Speaker ordered a roll call taken on the motion to reconsider the vote whereby amendment submitted by Mr. Hornblower to Assembly Bill No. 699 was refused adoption.

The roll was called, and the motion for reconsideration lost by the following vote:

AYES—Cassidy, Chatters, Hornblower and Ross—4.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—70.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Cobb, Knowland, Cottrell, Roland and Robinson, C. Ray, demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 699 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—73.

NOES—Hornblower and Woolwine—2.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr Jones gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 699 was this day passed.

RECESS.

At five o'clock p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until 8 o'clock p.m. of this day.

REASSEMBLED.

At 8 o'clock p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1159—An act to create a public corporation to be known as the "Naturopathic Association of California," to provide for its organization, government, membership and powers, to regulate the practice and licensing of naturopathic physicians, to create a Board of Governors and to provide for the appointment of a State Board of Naturopathic Examiners, and to provide penalties for violations hereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HOFFMAN, Chairman.

The above reported bill ordered re-referred to Committee on Rules.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 2313—An act to add the following mileage to the State highway system—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GREENE, Chairman.

The above reported bill ordered re-referred to Committee on Rules.

ON MEDICAL AND DENTAL LAWS

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1277—An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 313—An act to amend sections 8 and 17 of the State Medican Practice Act, relating to certificates licensing the practice of medicine, drugless healing, and chiropody, and to penalties for violation of the provisions of the act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1469—An act to amend section 5.743 of the School Code, relating to payment of salaries of employees of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1469 passed by the following vote:

AYES—Alter, Badham, Bliss, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Dempster, Feigenbaum, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, King, Latham, Levey, Lyon, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 164—An act to amend section 159 of an act entitled the California Vehicle Act, approved May 30, 1923, Statutes of 1923, page 517, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Lyon:

AMENDMENT NUMBER ONE

On page 2, line 51, of the printed bill, after the word "used.", insert the following "Before any such sums may be expended for the payment of any portion of the principal or interest of, or for the redemption, or purchase at a discount of, or for transfer to the interest and sinking fund for the discharge and payment of, bonds, the proceeds of which have been used for the acquisition of property or rights of way for the opening, widening or extending, or the construction, maintenance, improvement or repair of streets, bridges, roads, highways, parks or culverts within such county, city and county, or city, the board of supervisors of any such county, or city and county shall, be a resolution adopted by a four-fifths vote of the members thereof, determine that the streets, bridges, roads, highways, parks or culverts within such county, city and county, or city, for the acquisition of property or rights of way for which, or the construction, improvement or repair of which, as the case may be, said bonds were issued are of general county use. It is the intention of this provision that no such funds shall be expended for any of the purposes herein enumerated if the streets, bridges, roads, highways, parks or culverts are of only local use."

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1772—An act to add a new section to the Workmen's Compensation, Insurance and Safety Act of 1917 to be known as section 26a, relating to compensation.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1772 was withdrawn from the file, and re-referred to Committee on Insurance.

Assembly Bill No. 2140—An act relating to the disposition of unpaid moneys deposited with public utilities for metered service.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2140 was withdrawn from the file, and re-referred to Committee on Public Utilities.

Assembly Bill No. 2138—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2138 was withdrawn from the file, and re-referred to Committee on Public Utilities.

Assembly Bill No. 1437—An act to provide for the inspection of warehouses where grain is stored for hire; for the sampling, examination and condemnation of infested grain and regulating the sale thereof, defining the powers and duties of the Director of Agriculture in regard thereto and prescribing penalties for violations of the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1437 was withdrawn from the file, and re-referred to Committee on Agriculture.

Assembly Bill No. 2095—An act to amend sections 893 and 898 of the Agricultural Code, relating to inspection of farm products and the regulation of such inspection.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2095 was withdrawn from the file, and re-referred to Committee on Agriculture.

Assembly Bill No. 663—An act to amend section 365d of the Political Code, relating to highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 663 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Frazier, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Thorp, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—56.

NOES—Stream—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 662—An act to amend section 602 of the Penal Code, relating to trespass.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 662 passed by the following vote:

AYES—Alter, Badham, Bliss, Brock, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson and Mr. Speaker—60.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 664—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on personal property for work, materials, supplies, feed, care, keep and services rendered.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 664 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Fisher, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Turner, West, Williamson, Wright and Mr Speaker—57
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

ASSISTANT CLERK FITZSIMMONS READING.

Assembly Bill No. 666—An act to regulate the transportation, care and handling of explosives.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 666 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—62.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 667—An act to amend section 408 of the Political Code, relating to the Secretary of State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 667 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker,

Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—65.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 668—An act to amend section 4041.7 of the Political Code, relating to the powers and jurisdiction of boards of supervisors with respect to public roads.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 668 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—62.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At eight o'clock and fifty minutes p.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair

Assembly Bill No. 669—An act to amend sections 4130 and 4300c of the Political Code, relating to county recorders.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 669 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—58.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At nine o'clock and fifty-five minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 671—An act to amend section 409 of the Political Code, relating to the fees to be collected by the Secretary of State.
Bill read third time.
The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 671 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILLS.

Senate Bill No. 1174—An act to require the use of materials and supplies produced in the United States, in public works and for public purposes.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 756—An act to repeal section 300 of the Civil Code, relating to banks.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 776—An act to amend section 844 of the Probate Code, relating to leases of real property.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 777—An act to amend section 920.5 of the Probate Code, relating to the deposit of money by trust companies.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 804—An act to amend section 1557 of the Probate Code, relating to guardian and ward.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1003—An act to amend sections 706, 736, 789, 790 and 791 of the Probate Code, relating to claims secured by liens.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 82—An act to amend sections 1271 and 1272 of and to add a new section to be numbered 1272.5 to the Agricultural Code, relating to produce dealers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 271—An act to amend section 19x33 of the Juvenile Court Law, relating to probation officers in counties of the thirty-third class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 272—An act to amend section 16x33 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-third class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 273—An act to amend section 2322x33 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-third class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 274—An act to amend section 4262 of the Political Code, relating to the compensation of the county and township officers in counties of the thirty-third class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 533—An act to amend the Probate Code by adding a new section thereto, to be numbered 1242, specifying the papers which shall constitute the judgment roll in probate.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to add section 1242 to the Probate Code, relating to judgment rolls."

AMENDMENT NUMBER TWO.

On page 1, line 18, of the printed bill, strike out "judgement", and insert in lieu thereof the following: "judgment".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading

THIRD READING OF SENATE BILLS.

Senate Bill No. 491—An act to amend section 29 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," relating to the definition and regulation of the business of banking.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No 491 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—66

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 502—An act to repeal an act entitled "An act establishing the emergency permanent improvement fund and relating to the deposits of moneys therein and withdrawals therefrom" approved May 20, 1929, to transfer the moneys in the emergency permanent improvement fund to the general fund and to declare that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Senate Bill No. 502 was withdrawn from the file, and referred to Committee on Rules.

Senate Bill No. 1172—An act to amend section 1 of an act entitled "An act establishing certain additional State highways and classifying them as secondary highways," approved March 27, 1931, and to repeal an act entitled "An act establishing certain additional State highways and classifying them as secondary highways," approved April 1, 1931, relating to the State highway system and the addition and classification of certain highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1172 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—66

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 222—An act to amend section 4286 of the Political Code, relating to the compensation of county and township officers and their deputies, assistants and employees, and of jurors in counties of the fifty-seventh class

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 222 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Donnell, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 223—An act to amend section 16x51 of the Weights and Measures Act, relating to the office of the sealer of weights and measures in counties of the fifty-first class

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 223 finally passed by the following vote

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Evans, Field, Frazier, Greene, Hatch, Hoffman, Hunt, Jones, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson,

C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—61.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 224—An act to amend section 4280 of the Political Code, relating to the salaries and fees of officials in counties of the fifty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 224 finally passed by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hornblower, Hunt, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—66.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 176—An act to amend section 69 of the Civil Code, relating to marriage licenses.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 176 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Evans, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—63.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Senate Bill No. 175—An act to amend section 60 of the Civil Code, relating to illegal and void marriages.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 175 finally passed by the following vote

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson,

Samuel E. Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—66

NOES—Roberts—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 694—An act to amend section 73 of the California Irrigation District Act, relating to the liability of officers for violation of duties and of irrigation districts for the negligence of its directors, officers, agents or employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 694 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 6 of Article IX thereof, relating to taxation for school purposes.

Senate Constitutional Amendment No. 2 read.

The question being on the adoption of Senate Constitutional Amendment No. 2.

MOTION.

Mr. Robinson, C. Ray, moved that further consideration of Senate Constitutional Amendment No. 2 be deferred until the next legislative day.

The question being on deferring consideration on Senate Constitutional Amendment No. 2 until the next legislative day.

The roll was called, and the motion of Mr. Robinson, C. Ray, to defer consideration on Senate Constitutional Amendment No. 2 until the next legislative day, was lost by the following vote

AYES—Alter, Burns, Chatters, Clowdsley, Craig, Crist, Feigenbaum, Fisher, Frazier, Gilmore, Hatch, Hoffman, Jones, Knowland, Lyon, Maloney, Mayo, Meeker, O'Donnell, Phillips, Powers, Redwine, Robinson, C. Ray; Robinson, Samuel E., Ross, Thorp and Utt—27

NOES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Cobb, Cottrell, Cronin, Crowley, Dempster, Evans, Field, Greene, Grubbs, Hallner, Hornblower, Hunt, King, Latham, Levey, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Rawls, Riley, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—50

FURTHER CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER TWO.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, an amendment to the Constitution

of said State by amending section 6 of Article IX thereof, relating to taxation for school purposes.

Senate Constitutional Amendment No. 2 read.

FLOOR AMENDMENTS.

During reading of Senate Constitutional Amendment No 2, the following amendments were submitted by Mr. Bliss:

AMENDMENT NUMBER ONE

On page 2, line 10, of the printed bill, strike out the words "nor more than thirty dollars".

AMENDMENT NUMBER TWO.

On page 2, line 20, of the printed bill, strike out the words "nor more than sixty dollars".

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Robinson, C. Ray, Frazier and Hoffman, the Speaker ordered a roll call taken on the adoption of the amendments to Senate Constitutional Amendment No. 2.

The roll was called, and the amendments to Senate Constitutional Amendment No. 2 were refused adoption by the following vote:

AYES—Alter, Bliss, Brock, Burns, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Hoffman, Knowland, Maloney, Mayo, Meehan, Meeker, O'Donnell, Phillips, Powers, Robinson, C. Ray; Robinson, Samuel E., Ross, Scudder, Thorp, Utt and West—31

NOES—Anglim, Badham, Bowers, Boyle, Callahan, Cassidy, Cobb, Cronin, Dempster, Field, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Martin, McBride, McCarthy, McMurray, Miller, Eleanor Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, Williamson, Woolwine, Wright and Mr. Speaker—48

FURTHER CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER TWO.

Senate Constitutional Amendment No 2—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 6 of Article IX thereof, relating to taxation for school purposes.

Senate Constitutional Amendment No 2 read.

The question being on the adoption of Senate Constitutional Amendment No 2.

DEMAND FOR PREVIOUS QUESTION

Messrs. Badham, O'Connor, Tournoux, Rawls and Stream demanded the previous question.

The question being put Shall the main question be now put?

Demand sustained.

The question being on the adoption of Senate Constitutional Amendment No. 2.

The roll was called, and Senate Constitutional Amendment No. 2 was refused adoption by the following vote.

AYES—Alter, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Fisher, Frazier, Hatch, Hoffman, Kallam, Knowland, Mayo, Meeker, O'Donnell, Phillips, Powers, Robinson, C. Ray; Robinson, Samuel E., Ross, Scudder, Thorp, Utt and Mr Speaker—29.

NOES—Anglim, Badham, Bliss, Bowers, Boyle, Callahan, Cobb, Cronin, Dempster, Feigenbaum, Field, Gilmore, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, King, Latham Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, Patterson,

Peterson, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, West, Williamson, Woolwine and Wright—50

NOTICE OF RECONSIDERATION

Mr. Robinson, C. Ray, gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Constitutional Amendment No. 2 was this day refused adoption.

UNFINISHED BUSINESS.

Assembly Bill No. 2342—An act relating to the safety of design and construction of public school buildings, providing for regulation and supervision of the construction, reconstruction or alteration of or addition to public school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2342?

AMENDMENT NUMBER ONE

On page 2, line 24, of the printed bill, after the word "be", insert the following: "one-half of".

AMENDMENT NUMBER TWO.

On page 4, line 13, of the printed bill, after the word "building", add a comma.

AMENDMENT NUMBER THREE.

In line 2 of the title of the printed bill, after the word "regulation", insert the following: ", inspection".

AMENDMENT NUMBER FOUR

On page 1, line 4, of the printed bill, after the comma following the word "building", insert the following: "and for the inspection of existing school buildings,".

AMENDMENT NUMBER FIVE.

On page 1, line 11, of the printed bill, insert a comma after the word "to".

AMENDMENT NUMBER SIX

On page 2, line 9, of the printed bill, after the word "specifications", insert the following: ", and structural design computations,".

AMENDMENT NUMBER SEVEN

On page 2 of the printed bill, strike out lines 14 to 16 both inclusive, and insert in lieu thereof the following: "The first two hundred fifty thousand dollars, a fee of one-half of one per cent of the estimated cost and for all costs in excess of two hundred fifty thousand dollars a fee of one-fourth of one per cent, the minimum fee in any case to be fifty dollars If".

AMENDMENT NUMBER EIGHT

On page 2, line 26, of the printed bill, strike out the word "Upon", and strike out lines 27 and 28, and in line 29, strike out the following: "troller and the Treasurer."

AMENDMENT NUMBER NINE.

On page 2, line 32, of the printed bill, strike out the following: "an unex-", and strike out all of line 33, and in line 34 strike out the following "structural engineering", and insert in lieu thereof the following: "a valid certificate to use the title structural engineer under the law regulating the practice of civil engineering".

AMENDMENT NUMBER TEN.

On page 3, line 5, of the printed bill, after the word "work", insert the following: "and the inspector on the work".

AMENDMENT NUMBER ELEVEN

On page 3 of the printed bill, strike out lines 22 to 35, both inclusive, and insert in lieu thereof the following:

"SEC 7. The State Division of Architecture has full power and authority and it shall be its duty to make such inspection of such school buildings and of such work of construction, reconstruction, alteration or addition as in its judgment may be necessary or proper for the enforcement of the provisions of this act and the protection of the safety of the pupils, the teachers and the public, and the school district, county, city, city and county or other political subdivision within the jurisdiction of which any school building is constructed, reconstructed, altered or

added to, must provide for and require competent, adequate and continuous inspection during construction by an inspector satisfactory to the architect and/or structural engineer and the Division of Architecture, and under the direction of and responsible to the architect and/or structural engineer, for any and all such buildings and for any and all such work of construction, reconstruction, alteration or additions."

AMENDMENT NUMBER TWELVE.

On page 3 of the printed bill, after line 35, add a new section to read as follows:

"SEC. 8. Upon request of the board of trustees of any school district or at least ten per cent of the parents having pupils enrolled in said school district as certified to by the county superintendent of schools, the Division of Architecture shall make an examination and report on the structural condition of any public school building subject to the payment of the actual expenses incurred by said Division of Architecture, provided that payment of such expenses may be waived by the Division of Architecture on recommendation of the State Superintendent of Public Instruction when it appears to the latter that the financial condition of the school district in which such public school building is located is not such as to permit of the payment of such expenses."

AMENDMENT NUMBER THIRTEEN.

On page 3, line 36, of the printed bill, strike out the numeral "8", and insert in lieu thereof the numeral "9".

The roll was called, and Senate amendments to Assembly Bill No. 2342 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—73.

NOES—None.

The above reported bill ordered to enrollment.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2336—An act to authorize the counties, cities and counties, and municipalities to license and regulate the sale and disposition of beverages containing alcohol, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to regulate the manufacture, distribution and sale of certain beverages, to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide that this act shall take effect immediately."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1 and the balance of said bill on said page and following pages, and insert in lieu thereof the following

"SECTION 1. As used in this act:

(a) "Beverage" means and includes any beer, lager beer, ale, porter, wine, similar fermented malt or vinous liquor, and fruit juice, or other fermented beverage containing not less than one-half of one per cent and not more than three and two-tenths per cent of alcohol by weight.

(b) "Person" means and includes every natural person, partnership, association, company, corporation, organization, or manager, agent, servant, officer or employee of any of them

(c) "Manufacturer" means every person who, within the State of California, produces, brews, ferments or manufactures a beverage as herein defined, or who, in the case of a beverage produced, brewed, fermented or manufactured outside of the

State of California, is the first in possession thereof within the State after completion of the act of importation.

(d) "Sale" means and includes any sale, exchange, barter or other act whereby the title to a beverage is transferred for a consideration, from a manufacturer, "on sale" licensee or "off sale" licensee as herein defined, to any other person and the words "sell" or "sold" mean and include the act of making any such "sale".

(e) "On sale license" means and includes a license to sell beverages at retail for consumption only on the premises in respect to which the license is issued.

(f) "Off sale licensee" means and includes a license to sell beverages at retail in original packages for consumption only off the premises in respect to which the license is issued.

(g) "Package" and "original package" means and includes any container or receptacle used for holding or containing beverages, which container or receptacle is corked or sealed.

(h) "Corked" and "sealed" shall mean and include closed with any stub, stopper, or cap, whether made of cork, wood, glass, metal or other material.

(i) "Commissioner" means the Franchise Tax Commissioner of the State of California.

SEC. 2. Every person who engages in business as, or becomes, a manufacturer, as herein defined, shall make an application to the commissioner for a license to engage in such business or to become a manufacturer within the meaning of this act. The application shall be made on a form to be prescribed, prepared and furnished by the commissioner and shall be accompanied by a fee of one hundred dollars. If the application is made by a natural person it must be signed by him or if made by an association or partnership, by a member or partner thereof, or if made by a corporation, by an executive officer thereof or by some person authorized by the corporation to sign the application. All such applications must be made under oath by the person signing them.

SEC. 3. Upon payment of the application fee prescribed by section 2 hereof and filing with the commissioner a photostatic copy of a permit issued to the applicant under the laws of the United States of America, if such a permit be required under said laws, establish the right of the applicant to engage in said business, the commissioner shall issue to the applicant a license which shall not be assignable, shall be valid only for the person in whose name it is issued, and shall at all times be conspicuously displayed at the place or places of business for which it is issued

SEC. 4. All licenses issued under the provisions of section 3 hereof shall expire on the thirty-first day of December next succeeding the date upon which they are issued. Licenses issued hereunder must be renewed annually upon application made to the commissioner, in such form as it may prescribe. Any such application for renewal must be accompanied by the fee prescribed by section 2 hereof, and by a photostatic copy of a valid and effective permit issued under the laws of the United States of America as required by section 3 hereof. Upon such application, payment of said fee and filing of said photostatic copy the commissioner shall renew said license. Said application for renewal shall be filed not less than ten days nor more than sixty days before the first day of January of the year for which the license is to be issued.

SEC. 5. An excise tax is hereby imposed on all beverages sold by a manufacturer at the rate of sixty-two cents for every barrel containing not more than thirty-one gallons at a proportionate rate per gallon for any other quantity thereof in any other container of less capacity.

SEC 6. Every manufacturer shall render to the commissioner on or before the tenth day of each month a verified statement of quantity of beverage sold by such manufacturer during the preceding month. Such statement shall be in such form as the commissioner may prescribe, together with such other information as the commissioner may require and shall be accompanied with a remittance payable to the State Treasurer for the amount of tax due to the State for all beverages sold by the manufacturer during the next preceding month, said amount to be computed at the rate hereinabove described.

The commissioner may, at its option, provide by rule and regulation for the collection of said excise tax by the sale, affixing and cancellation of revenue stamps to be affixed to containers of said beverages upon the sale thereof by a manufacturer, and may prescribe the form and method of such affixing and cancellation. The monthly statement for which provision is herein made shall set forth the amounts of beverages sold to the holders of "on sale" and "off sale" licenses hereinafter mentioned and the names and addresses of all such purchasers and dates of sale All such statements shall constitute public records and shall be open to the inspection of the licensing boards hereinafter referred to and their duly authorized agents

SEC. 7. The commissioner may at any time within one year after said statement is due examine the books and records of any person required to make said statement, and such books and papers shall at all times be subject to the inspection of said commissioner or its representatives, during regular business hours To that end the board may appoint, exempt from the provisions of the Civil Service Act,

such auditors, investigators and other employees as may deem necessary to enforce its powers and perform its duties hereunder.

SEC. 8. Any person refusing to permit the board or any of its representatives to make the inspection for which provision is made in the preceding section or failing to keep books of account as may be prescribed by the commissioner or failing to preserve such books for the period for which they are to be opened to the inspection of the commissioner, and any person altering, canceling or obliterating entries in such books of account for the purpose of falsifying the records of sales of beverages made under this act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail not exceeding six months or by both such fine and imprisonment.

SEC. 9. Any manufacturer who fails to pay the excise tax herein prescribed at the time at which it is due shall be guilty of a misdemeanor and shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail not exceeding six months or by both such fine and imprisonment.

SEC. 10. The commissioner on five days' notice and after a hearing duly held shall have power to revoke or suspend the license of any manufacturer who fails or neglects to comply with any of the provisions of this act.

SEC. 11. None of the provisions of this act shall apply, or be construed to apply, to commerce with foreign nations or commerce with the several States, except in so far as the same may be permitted under the provisions of the Constitution and laws of the United States, nor shall the provisions hereof relative to the payment of an excise tax be construed to apply to beverage manufactured or sold within the State of California for purposes of export outside of said State. The provisions of this act relative to the payment of an excise tax shall be construed to apply to the sale of beverages within the State of California by a manufacturer as said term is defined by section 1 of this act after completion of the act of importation. The commissioner shall have the power to prescribe the form of report to be made to it monthly by a manufacturer, as said term is herein defined, relative to the total amount of beverages manufactured and the amount thereof manufactured or sold for purposes of export outside of said State, and may in person or by its representatives examine the books, records and accounts of every manufacturer to determine the amount manufactured or sold for purposes of export outside of said State.

SEC. 12. The commissioner shall administer all of the provisions of sections 1 to 11 inclusive of this act and to that end shall prescribe all necessary rules and regulations to carry out such provisions.

SEC. 13. Any person who sells beverages as a manufacturer, as said terms are herein defined, without having first obtained a license therefor or who violates any of the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail not exceeding six months or by both such fine and imprisonment.

SEC. 14. All moneys collected under the provisions of sections 2, 4 and 5 of this act and all fines and forfeitures imposed and collected for violation of any of the provisions of sections 8, 9 and 13 hereof shall be paid into the State treasury to the credit of the general fund. The commissioner shall from time to time and at least once in every month transfer and report all moneys collected by it hereunder to the State treasury.

SEC. 15. Every manufacturer as said term is defined by section 1b hereof who is the first in possession of a beverage produced, brewed, fermented or manufactured outside of the State of California after completion of the act of importation shall, at the time of the issuance to said manufacturer of a license by the commissioner file and deposit with the said commissioner a bond in such amount as said commissioner shall fix and determine, but not exceeding the sum of one thousand dollars. Said bond shall be payable to the State of California and shall be conditioned upon the faithful performance of all of the provisions hereof and payment to the State of California of all of the taxes and penalties hereof.

SEC. 16. Each common carrier which maintains a bona fide public eating place upon its boats, trains or other vehicles, and sells or serves beverages therein, shall first obtain a license from the commissioner which shall be limited to an "on sale" license and shall pay to the State of California such maximum license fee or tax as is prescribed by sections 18 and 20 of this act. Such fees and taxes shall be paid for each and every such separate bona fide public eating place maintained by such common carrier. The said "on sale" license shall not permit "off sale" privileges or "off sale" transactions by said common carrier or upon any of the boats, trains or vehicles operated by such common carrier.

SEC. 17. The board of supervisors of the several counties and cities and counties and the city councils, boards of trustees or other governing bodies of municipal corporations of this State, or such other official boards, officers or commissions as may now or hereafter be designated by their respective charters or ordinances, are hereby constituted licensing boards for the issuance of "on sale" and "off sale" licenses under this act.

SEC. 18. Any person, firm, corporation or association desiring a license for "on sale" or "off sale" retail sales shall make application to the licensing board having

jurisdiction of the territory within which such sales are proposed to be made. Such application shall be made upon forms to be prescribed by the licensing board and shall contain such information as the licensing board may prescribe and shall be accompanied by an annual license fee of fifty dollars in the case of an "on sale" license and ten dollars in the case of an "off sale" license, and a like sum shall be payable annually upon renewal of the license.

SEC. 19. "On sale" licenses shall be granted only to bona fide restaurants, public eating places, clubs, boarding houses and/or hotels. "On sale" licenses may serve beverages as herein defined, to bona fide guests and patrons only, to be consumed only with meals furnished in good faith at regular public tables, or at eating counters at which said guests and patrons are seated, or in the case of clubs and/or hotels, may be served in guests' rooms. "Off sale" licensees may sell beverages, as herein defined, in original packages for consumption off of the premises only. It shall constitute a misdemeanor, punishable in the manner hereinafter provided, to serve or make sales of beverages in violation of the manner herein prescribed and such violation shall constitute grounds for suspension or revocation of permit by the licensing board upon notice and hearing.

SEC. 20. Each holder of an "on sale" or "off sale" license shall pay to the county, city and county or municipal corporation within and by which said license is issued a tax of not to exceed fifty cents per barrel upon beverages sold by said licensee as fixed by ordinance, provided, however, the legislative body of the county, city and county, or municipal corporation within their respective jurisdictions may decrease but may not increase the amount of the maximum tax herein by this section authorized and may within said maximum limitation herein prescribed classify the various types of "on sale" and "off sale" licenses and within said maximum fix the tax applicable to each of said classifications; provided, however, any tax so fixed by such legislative body shall be uniform throughout the territory over which such body has jurisdiction. Said tax as fixed and prescribed shall be collected by the manufacturer from the "on sale" or "off sale" licensee at the time of the sale to said "on sale" or "off sale" licensee, and the same shall be remitted monthly by said manufacturer to the respective county, city and county or municipal corporation. The commissioner may, by rule and regulation, provide for the method and mode of collection and remittance of said tax as herein in this section provided. The legislative body of the county, city and county or municipal corporation within their respective jurisdictions may prescribe that said tax as fixed by their respective ordinances may be paid directly to the commissioner for remittance by said commissioner to said legislative body or to such officer of said county, city and county or municipal corporation as may be designated by said ordinances. This section shall be construed to provide for the levy of only one tax as to each "on sale" or "off sale" license in any county, or city and county. The rates hereinabove provided shall, in the case of beverages sold in containers of less than one barrel shall, be proportioned at the rate of thirty-one gallons as the equivalent of one barrel. Such tax shall be in lieu of any and all other taxes or fees imposed on account of "on sale" or "off sale" licenses, except the annual license fee application provided for in section 18. The holder of each "on sale" permit shall have and possess the right, without further payment of license fees or taxes, to exercise the rights of an "off sale" licensee and to make "off sale" transactions on the premises covered by the "on sale" license.

SEC. 21. Upon receipt of an application for a license and the application fee the licensing board shall thoroughly investigate and deny the application if:

(a) The applicant is not good moral character;

(b) The premises in respect to which the license is to be issued do not comply with the provisions of this act.

(c) The premises and equipment or the plans and specifications thereof in respect to which the license is to be issued are injurious to the public health and safety.

(d) The applicant has had a license forfeited, suspended or revoked under the provisions of this act.

(e) The applicant subsequent to the passage of this act and within one year prior to filing his application, has been convicted of a violation of any law concerning the manufacture, transportation or sale of liquor or has been convicted of a felony under the laws of this State, the United States or any State of the United States.

(f) The premises wherein said license is proposed to be exercised or the proposed sale of beer therein violates any building, zoning, health, safety or police ordinance or any law of the United States or of this State. The licensing board may consider any objections or protests to the issuance of licenses and the board may grant or refuse to grant the license applied for if the applicant does not comply with the provisions of this act or any rules or regulations of the local legislative body of such county, city and county, or municipal corporation not inconsistent with the provisions of this act, and shall issue said license if the application complies with the provisions hereof.

SEC. 22. Every license issued under this act shall set forth the name of the person to whom it is issued. If the license is issued under a fictitious name such license shall set forth in addition to said name, the name or names of each of the persons conducting the business under the fictitious name. The license shall also

specify the location by street and number of the premises or other designation sufficient to identify it in respect to which the license is issued.

Each license shall be signed by the licensee, shall be nontransferable, shall be posted in a conspicuous place in the premises in respect to which it was issued, and shall be exhibited to any representative of the licensing board or any peace officer.

Each license issued hereunder is separate and distinct and no person shall seek to exercise the privileges granted under any license other than the license he holds. A separate license shall be issued for each specific business and each location, and each license is applicable only to the premises in respect to which it is issued. The licensing board shall determine what constitutes a single store, business, premises or establishment with respect to the issuance of a license hereunder.

SEC. 23. The licensing board may upon its own motion and shall upon the verified complaint in writing of any person investigate the action of any licensee and shall have power to temporarily suspend or permanently revoke a license issued hereunder for any of the following acts or omissions:

(a) Misrepresentation of a material fact by the applicant in obtaining a license;

(b) If the licensee violates or causes or permits to be violated any of the provisions of this act;

(c) If the licensee commits any act which under this act would be sufficient ground for the denial of an application for a license; or

(d) If the licensee violates any of the rules and regulations of the local legislative body provided by subdivision (f) of section 21 hereof

Prior to the revocation or suspension of any license by a licensing board ten days' notice shall be given to the licensee by personal service or by registered mail directed to the licensee at his latest address of record. Licenses shall be suspended or revoked by the board, only upon notice as provided herein and upon a hearing at which the licensee may attend and show cause why his license should not be revoked. The determination of such board after such hearing shall be final and not subject to review.

SEC. 24. No manufacturer, producer, wholesaler or distributor of beverages, as said term is herein defined, nor any person who owns any interest in any such business shall have a direct or indirect interest in the business of any "off sale" or "on sale" retailer, nor in the furniture or fixtures thereof, nor shall any person enforce, guarantee or stand surety for a lease or any other obligation of any such retailer.

SEC. 25. It shall be a misdemeanor, punishable by fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment, to sell beverages, as said term is herein defined, to sell beverages, as said term is herein defined, to any person under the age of nineteen years.

SEC. 26. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SEC. 27. Nothing herein concerning "on sale" or "off sale" licenses shall be construed to prevent or prohibit any county, city and county, or municipal corporation from enacting by ordinance any law or laws prohibiting the sale of beverages as defined by this act, except that no such law or laws shall authorize or require the payment of any application fee, license fee, or tax in excess of the maximum provided in sections 18 and 20 of this act.

SEC 28. The provisions of this act shall become operative and applicable and shall be administered upon the occurrence of an event, which event shall be whenever the sale in California of beverages as defined herein is not prohibited by the laws of the United States.

SEC. 29. Inasmuch as this act provides for a levy of taxes, it shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately as a statute, but shall become operative, applicable and administerable upon the occurrence of the events, under the circumstances, in the manner, and to the extent provided in section 28 of this act."

The question being on the adoption of the amendments.

MOTION.

Mr. Lyon moved that Rule 50 of the Standing Rules of the Assembly, relative to that portion which denies an amendment to an amendment, be suspended.

Motion carried.

The question being on the adoption of the committee amendments.

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr Williamson asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Assembly Bill No. 2336 at this time, without reference to reprint or file, and that same be considered re-engrossed.

FURTHER AMENDMENTS.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Crist:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:
"An act to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide that this act shall take effect immediately."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1 and the balance of said bill on said page and following pages, and insert in lieu thereof the following:

"SECTION 1 As used in this act:

(a) "Beverage" means and includes any beer, lager beer, ale, porter, wine, similar fermented malt or vinous liquor, and fruit juice, or other fermented beverage containing not less than one-half of one per cent and not more than three and two-tenths per cent of alcohol by weight.

(b) "Person" means and includes every natural person, partnership, association, company, corporation, organization, or manager, agent, servant, officer or employee of any of them

(c) "Manufacturer" means every person who, within the State of California, produces, brews, ferments or manufactures a beverage as herein defined, or who, in the case of a beverage produced, brewed, fermented or manufactured outside of the State of California, is the first in possession thereof within the State after completion of the act of importation.

(d) "Sale" means and includes any sale, exchange, barter or other act whereby the title to a beverage is transferred for a consideration, from a manufacturer, "on sale" licensee or "off sale" licensee as herein defined, to any other person and the words "sell" or "sold" mean and include the act of making any such "sale."

(e) "On sale license" means and includes a license to sell beverages at retail for consumption only on the premises in respect to which the license is issued.

(f) "Off sale license" means and includes a license to sell beverages at retail in original packages for consumption only off the premises in respect to which the license is issued

(g) "Package" and "original package" means and includes any container or receptacle used for holding or containing beverages, which container or receptacle is corked or sealed.

(h) "Corked" and "sealed" shall mean and include closed with any stub, stopper, or cap, whether made of cork, wood, glass, metal or other material.

(i) "Commissioner" means the Franchise Tax Commissioner of the State of California.

SEC. 2. Every person who engaged in business as, or becomes, a manufacturer, as herein defined, shall make an application to the commissioner for a license to engage in such business or to become a manufacturer within the meaning of this act. The application shall be made on a form to be prescribed, prepared and furnished by the commissioner and shall be accompanied by a fee of one hundred dollars. If the application is made by a natural person, it must be signed by him, or if made by an association or partnership, by a member or partner thereof, or if made by a corporation, by an executive officer thereof or by some person authorized by the corporation to sign the application All such applications must be made under oath by the person signing them.

SEC. 3 Upon payment of the application fee prescribed by section 2 hereof and filing with the commissioner a photo-static copy of a permit issued to the applicant under the laws of the United States of America, if such a permit be required under said laws, to establish the right of the applicant to engage in said business, the commissioner shall issue to the applicant a license which shall not be assignable, shall be valid only for the person in whose name it is issued, and shall at all times be conspicuously displayed at the place or places of business for which it is issued

SEC 4. All licenses issued under the provisions of section 3 hereof shall expire on the thirty-first day of December next succeeding the date upon which they are issued Licenses issued hereunder must be renewed annually upon application made

to the commissioner, in such form as it may prescribe. Any such application for renewal must be accompanied by the fee prescribed by section 2 hereof, and by a photostatic copy of a valid and effective permit issued under the laws of the United States of America as required by section 3 hereof. Upon such application payment of said fee and filing of said photostatic copy the commissioner shall renew said license. Said application for renewal shall be filed not less than ten days nor more than sixty days before the first day of January of the year for which the license is to be issued.

SEC. 5. An excise tax is hereby imposed on all beverages sold by a manufacturer at the rate of sixty-two cents (62c) for every barrel containing not more than thirty-one gallons at a proportionate rate per gallon for any other quantity thereof in any other container of less capacity.

SEC. 6. Every manufacturer shall render to the commissioner on or before the tenth day of each month a verified statement of quantity of beverage sold by such manufacturer during the preceding month. Such statement shall be in such form as the commissioner may prescribe, together with such other information as the commissioner may require, and shall be accompanied with a remittance payable to the State Treasurer for the amount of tax due to the State for all beverages sold by the manufacturer during the next preceding month, said amount to be computed at the rate hereinabove described.

The commissioner may, at its option, provide by rule and regulation for the collection of said excise tax by the sale, affixing and cancellation of revenue stamps to be affixed to containers of said beverages upon the sale thereof by a manufacturer, and may prescribe the form and method of such affixing and cancellation. The monthly statement for which provision is herein made shall set forth the amounts of beverages sold to the holders of "on sale" and "off sale" licenses hereinafter mentioned and the names and addresses of all such purchasers and dates of sale. All such statements shall constitute public records and shall be open to the inspection of the licensing boards hereinafter referred to and their duly authorized agents.

SEC. 7. The commissioner may at any time within one year after said statement is due examine the books and records of any person required to make said statement, and such books and papers shall at all times be subject to the inspection of said commissioner or its representatives, during regular business hours. To that end the board may appoint, exempt from the provisions of the Civil Service Act, such auditors, investigators and other employees as may deem necessary to enforce its powers and perform its duties hereunder.

SEC. 8. Any person refusing to permit the commissioner or any of its representatives to make the inspection for which provision is made in the preceding section or failing to keep books of account as may be prescribed by the board or failing to preserve such books for the period for which they are to be opened to the inspection of the commissioner, and any person altering, canceling or obliterating entries in such books of account for the purpose of falsifying the records of sales of beverages made under this act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail not exceeding six months or by both such fine and imprisonment.

SEC. 9. Any manufacturer who fails to pay the excise tax herein prescribed at the time at which it is due shall be guilty of a misdemeanor and shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail not exceeding six months or by both such fine and imprisonment.

SEC. 10. The commissioner on five days' notice and after a hearing duly held shall have power to revoke or suspend the license of any manufacturer who fails or neglects to comply with any of the provisions of this act.

SEC. 11. None of the provisions of this act shall apply, or be construed to apply, to commerce with foreign nations or commerce with the several States, except in so far as the same may be permitted under the provisions of the Constitution and laws of the United States, nor shall the provisions hereof relative to the payment of an excise tax be construed to apply to beverage manufactured or sold within the State of California for purposes of export outside of said State. The provisions of this act relative to the payment of an excise tax shall be construed to apply to the sale of beverages within the State of California by a manufacturer as said term is defined by section 1 of this act after completion of the act of importation. The commissioner shall have the power to prescribe the form of report to be made it monthly by a manufacturer, as said term is herein defined, relative to the total amount of beverages manufactured and the amount thereof manufactured or sold for purposes of export outside of said State, and may in person or by its representatives examine the books, records and accounts of every manufacturer to determine the amount manufactured or sold for purposes of export outside of said State.

SEC. 12. The commissioner shall administer all of the provisions of sections 1 to 11, inclusive, of this act and to that end shall prescribe all necessary rules and regulations to carry out such provisions.

SEC. 13. Any person who sells beverages as a manufacturer, as said terms are herein defined, without having first obtained a license therefor or who violates any of the provisions of this act shall be guilty of a misdemeanor and shall be punished

by a fine not exceeding five hundred dollars or by imprisonment in the county jail not exceeding six months or by both such fine and imprisonment

SEC. 14. All moneys collected under the provisions of sections 2, 4 and 5 of this act and all fines and forfeitures imposed and collected for violation of any of the provisions of sections 8, 9 and 13 hereof shall be paid into the State treasury to the credit of the general fund The commissioner shall from time to time and at least once in every month transfer and report all moneys collected by it hereunder to the State treasury.

SEC. 15. Every manufacturer as said term is defined by section 1b hereof who is the first in possession of a beverage produced, brewed, fermented or manufactured outside of the State of California after completion of the act of importation shall, at the time of the issuance to said manufacturer of a license by the commissioner file and deposit with the said commissioner a bond in such amount as said commissioner shall fix and determine but not exceeding the sum of one thousand dollars Said bond shall be payable to the State of California and shall be conditioned upon the faithful performance of all of the provisions hereof and payment to the State of California of all of the taxes and penalties hereof

SEC. 16. Each common carrier which maintains a bona fide public eating place upon its boats, trains or other vehicles, and sells or serves beverages therein, shall first obtain a license from the commissioner which shall be limited to an "on sale" license and shall pay to the State of California a maximum annual license fee of fifty dollars for each and every such separate bona fide public eating place maintained by such common carrier. The said "on sale" license shall not permit "off sale" privileges or "off sale" transactions by said common carrier or upon any of the boats, trains, or vehicles operated by such common carrier.

SEC 17 It shall be a misdemeanor, punishable by fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment, to sell beverages, as said term is herein defined, to any person under the age of nineteen years.

SEC 18 If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional

SEC 19 The provisions of this act shall become operative and applicable and shall be administered upon the occurrence of an event, which event shall be whenever the sale in California of beverages as defined herein is not prohibited by the laws of the United States

SEC 20 Inasmuch as this act provides for a levy of taxes, it shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately as a statute, but shall become operative, applicable and administerable upon the occurrence of the events, under the circumstances, in the manner, and to the extent provided in section 19 of this act."

The question being on the adoption of the amendments.

MOTION TO RE-REFER.

Mr. Morgan moved that Assembly Bill No. 2336 be withdrawn from the file, and ordered re-referred to Committee on Revenue and Taxation

The question being on re-referring Assembly Bill No. 2336 to Committee on Revenue and Taxation.

MOTION TO AMEND

Mr. Hornblower moved, as an amendment, that Assembly Bill No 2336 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 2336 to Committee on Judiciary.

WITHDRAWAL OF AMENDMENT.

Mr Hornblower withdrew his motion to amend the motion of Mr. Morgan.

WITHDRAWAL OF MOTION TO RE-REFER.

Mr. Morgan also withdrew his motion, relative to re-referring Assembly Bill No. 2336 to Committee on Federal Relations

WITHDRAWAL OF AMENDMENTS.

Mr. Crist withdrew his amendments to Assembly Bill No. 2336.

Further consideration of Assembly Bill No. 2336 temporarily passed on file.

MOTION.

Mr. Feigenbaum moved that the rules be suspended and that Assembly Bill No. 1527 be withdrawn from Committee on Revenue and Taxation, and placed on file.

Motion carried.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND FIVE HUNDRED TWENTY-SEVEN.

Assembly Bill No 1527—An act to impose an excise tax on the manufacture and distribution of beer, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr Speaker—70.

NOES—Kallam—1

MOTION TO EXPUNGE RECORD.

Mr. Levey moved that the action be rescinded, and that the record whereby the urgency clause was adopted be expunged.

Motion lost.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Hornblower:

Resolved, That Assembly Bill No. 1527 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Gilmore, Greene, Grubbs, Hallner Hoffman, Hornblower, Hunt, Jones, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E.,

Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, West, Williamson and Mr. Speaker—63.

NOES—Chatters, Craig, Hatch, Kallam, Phillips, Riley, Utt and Woolwine—8.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1527.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND FIVE HUNDRED TWENTY-SEVEN.

Assembly Bill No. 1527—An act to impose an excise tax on the manufacture and distribution of beer, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately.

Bill read third time.

The question being on the passage of the bill.

RECESS.

At eleven o'clock and forty-five minutes p.m., on motion of Mr. Feigenbaum, the Assembly was declared at recess until eleven o'clock and fifty minutes p m. of this day.

REASSEMBLED

At eleven o'clock and fifty minutes p m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND FIVE HUNDRED TWENTY-SEVEN.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr Feigenbaum:

AMENDMENT NUMBER ONE

Strike out the word "beer" in line 2 of the title of the printed bill, as amended, and insert in lieu thereof "certain beverages".

AMENDMENT NUMBER TWO.

Strike out section 1a and section 1c of the printed bill, as amended, and insert in lieu thereof the following:

"(a) "Beverage" means and includes any beer, lager, beer, ale, porter, wine, similar fermented malt or vinous liquor, and fruit juice, or other fermented beverage containing not less than one-half of one per cent and not more than three and two-tenths per cent of alcohol by weight

(b) "Manufacturer" means every person who, within the State of California, produces, brews, ferments or manufactures a beverage as herein defined, or who, in the case of a beverage produced, brewed, fermented or manufactured outside of the State of California, is the first in possession thereof within the State after completion of the act of importation."

AMENDMENT NUMBER THREE.

Wherever the word "brewer" appears in the printed bill, as amended, strike out said word and insert in lieu thereof the word "manufacturer".

AMENDMENT NUMBER FOUR.

Wherever the word "beer" appears in said printed bill, as amended, strike out said word "beer", and insert in lieu thereof the word "beverage".

AMENDMENT NUMBER FIVE.

On page 15, line 34, of the printed bill, as amended, strike out the words "thirty-one", and insert in lieu thereof the words "sixty-two".

AMENDMENT NUMBER SIX.

On page 15, line 35, of the printed bill, as amended, strike out the words "one cent", and insert in lieu thereof the words "two cents".

AMENDMENT NUMBER SEVEN.

On page 14, line 47, of the printed bill, as amended, strike out the word "Commissioner", and in lieu thereof insert the word "Board"; strike out the words "Franchise Tax Commissioner", and in lieu thereof insert the words "State Board of Equalization", and strike out all of line 48.

AMENDMENT NUMBER EIGHT.

On page 14, line 50, of the printed bill, as amended, strike out the word "Franchise", and strike out the words "Tax Commissioner" in line 51, and in lieu thereof insert the word "Board".

AMENDMENT NUMBER NINE.

On page 15, line 2, of the printed bill, as amended, strike out the word "commissioner", and in lieu thereof insert the word "board".

AMENDMENT NUMBER TEN.

On page 15, line 10, of the printed bill, as amended, strike out the word "commissioner", and in lieu thereof insert the word "board".

AMENDMENT NUMBER ELEVEN.

On page 15, line 14, of the printed bill, as amended, strike out the word "commissioner", and in lieu thereof insert the word "board".

AMENDMENT NUMBER TWELVE.

On page 15, line 22, of the printed bill, as amended, strike out the word "commissioner", and in lieu thereof insert the word "board".

AMENDMENT NUMBER THIRTEEN.

On page 15, line 23, of the printed bill, as amended, strike out the word "he", and insert in lieu thereof the words "the board".

AMENDMENT NUMBER FOURTEEN.

On page 15, line 28, of the printed bill, as amended, strike out the word "commissioner", and insert in lieu thereof the word "board".

AMENDMENT NUMBER FIFTEEN.

On page 15, line 38, of the printed bill, as amended, strike out the word "commissioner", and insert in lieu thereof the word "board".

AMENDMENT NUMBER SIXTEEN.

On page 15, line 41, of the printed bill, as amended, strike out the word "commissioner", and insert in lieu thereof the word "board".

AMENDMENT NUMBER SEVENTEEN.

On page 15, line 42, of the printed bill, as amended, strike out the word "commissioner", and insert in lieu thereof the word "board".

AMENDMENT NUMBER EIGHTEEN.

On page 15, line 47, of the printed bill, as amended, strike out the word "commissioner", and insert in lieu thereof the word "board".

AMENDMENT NUMBER NINETEEN.

On page 15, line 50, of the printed bill, as amended, strike out the word "his", and insert in lieu thereof the words "the board's".

AMENDMENT NUMBER TWENTY.

On page 15, line 51, of the printed bill, as amended, strike out the word "his", and insert in lieu thereof the words "the board's".

AMENDMENT NUMBER TWENTY-ONE.

On page 16, line 1, of the printed bill, as amended, strike out the word "commissioner", and insert in lieu thereof the word "board".

AMENDMENT NUMBER TWENTY-TWO.

On page 16, line 2, of the printed bill, as amended, strike out the word "his", and insert in lieu thereof the words "the board's".

AMENDMENT NUMBER TWENTY-THREE.

On page 16, line 4, of the printed bill, as amended, strike out the word "commissioner", and insert in lieu thereof the word "board".

AMENDMENT NUMBER TWENTY-FOUR.

On page 16, line 6, of the printed bill, as amended, strike out the word "commission", and insert in lieu thereof the word "board".

AMENDMENT NUMBER TWENTY-FIVE.

On page 16, line 19, of the printed bill, as amended, strike out the word "commissioner", and insert in lieu thereof the word "board".

AMENDMENT NUMBER TWENTY-SIX.

On page 16, line 30, of the printed bill, as amended, strike out the word "Commissioner", and insert in lieu thereof the word "board".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 16 of the printed bill, as amended, strike out "com-", in line 42; strike out "missioner", in line 43, and insert in lieu thereof the word "board".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 16, line 44, of the printed bill, as amended, strike out the words "by him".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

MOTION TO PRINT.

On motion of Mr. Feigenbaum, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 1527.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED THIRTY-SIX.

Assembly Bill No. 2336—An act to authorize the counties, cities and counties, and municipalities to license and regulate the sale and disposition of beverages containing alcohol, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately.

Bill read.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Crist moved that Assembly Bill No 2336 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 2336 to Committee on Judiciary.

Mr. Crist withdrew his motion to refer Assembly Bill No 2336 to Committee on Judiciary.

Bill read.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Lyon:

AMENDMENT NUMBER ONE.

In line 1 of the title of the mimeographed bill, as amended, after "act", insert the following: "to levy an excise tax and".

AMENDMENT NUMBER TWO.

On page 12 of the mimeographed bill, as amended, strike out section 29, and insert in lieu thereof the following:

"SEC. 29 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety and shall, within the meaning of section 1 of Article IV of the Constitution of this State, take effect as a statute immediately, but shall become operative, applicable, and administrable upon the occurrence of the events, under the circumstances, in the manner, and to the extent elsewhere herein stated

The statement of the facts constituting the necessity hereof is as follows: The Congress of the United States may at any time authorize the manufacture and sale of beverages containing low percentages of alcohol It is essential to the peace, health, and safety of the people of this State that this act take effect immediately in the manner above provided in order that in the event the Congress of the United States authorizes the same there be provided an immediate method for the regulation

and control within this State of such manufacture and sale of beverages containing low percentages of alcohol."

AMENDMENT NUMBER THREE.

On page 6 of the mimeographed bill, as amended, in line 8 of section 16, after the words "common carrier.", add the following: "Where such eating places are in movable vehicles or watercraft the board shall estimate the average number thereof operated by the license holder in this State during the calendar year, and the license fees shall be payable on the basis of such average."

AMENDMENT NUMBER FOUR.

On page 2 of the typewritten Assembly amendments to Assembly Bill No. 2336, section 3, line 5, strike out the word "establish", and insert in lieu thereof the word "establishing".

AMENDMENT NUMBER FIVE.

On page 4 of the typewritten Assembly amendments to Assembly Bill No. 2336, commencing with the words "the monthly", in line 5 of said page, strike out all of the sentence commencing with the words "the monthly", down to and inclusive of the word "sale" in line 9 of said page.

AMENDMENT NUMBER SIX.

In section 1 of said bill, as amended in the Assembly April 5, 1933, strike out from subsection (i) thereof the words "'Commissioner' means the Franchise Tax Commissioner of the State of California", and insert in lieu thereof "'Board' means the State Board of Equalization of the State of California."

AMENDMENT NUMBER SEVEN

In all other sections of said bill, as amended in the Assembly on April 5, 1933, wherever the word "commissioner" occurs, strike out said word, and insert in lieu thereof the word "board".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

MOTION TO PRINT.

On motion of Mr. Lyon, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 2336.

SPECIAL ORDER SET.

On motion of Mr. Hornblower, the consideration of Assembly Bills Nos. 2336 and 1527 were made a special order for Thursday, April 6, 1933, at ten o'clock and thirty minutes a.m.

ADJOURNMENT.

At eleven o'clock and fifty-seven minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, April 6, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, April 6, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus.

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried

Time, ten o'clock and five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Bowers, Brock, Chatters, Cobb, Evans, Grubbs, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Eleanor; O'Donnell, Patterson, Peterson, Powers, Rawls, Roberts, Robinson, C. Ray, Robinson, Samuel E, Rogers, Ross, Stannard, Turner and Mr. Speaker—29.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and twelve minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Cobb.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—80

The Speaker declared a quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of the Hon. Walter J. Little, Speaker of the Assembly, Messrs Russ Columbo and Con Conrad were extended the privilege of the floor of the Assembly this day.

Through the courtesy of the San Francisco delegation, Professor George Malley, instructor, and the following members of the boxing team of the University of San Francisco: Norbet Meehan, son of Assemblyman Meehan; William Evans, Ray Nesbit, Frank Connolly, William Sullivan, Robert Kelly, George Paiva, Edward Hay and William Flynn were extended the privilege of the floor of the Assembly for this day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 251—An act to amend sections 1 and 2 of "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911;

Also: Assembly Bill No. 2137—An act relating to the construction, acquisition, operation and maintenance by municipalities of water supplies, and waterworks, electric light and power plants and distributing systems; natural or artificial gas plants, distributing systems and works; sand, gravel, stone, asphalt, cement and other plants, quarries, mills, and works used in producing or preparing materials for street construction; street car, bus or other transportation lines, tracks, equipments and buildings; and other factories, plants, equipments, material essential or convenient for establishing, operating, maintaining and activity in which they may be engaged, or may desire to engage in;

Also: Assembly Bill No. 1735—An act to amend sections 850, 851, 852, 852a, 852b, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862 862a, 863, 864, 865, 867, 868, 870, 870a, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 882, 883, 884, 885 and 886, and to repeal section 881 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to organization, incorporation and government of cities of the sixth class; And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 536—An act to add section 459 to the Fish and Game Code, relating to mammals kept in captivity—and reports that the same has been correctly re-engrossed

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER, Your Committee on Engrossment and Enrollment has examined Assembly Bill No 334—An act to amend section 209 of the Penal Code, relating to the punishment of kidnaping;

Also: Assembly Bill No. 1138—An act to amend the Political Code by adding to Part IV, Title II, Chapter VIII of said code a new article to be numbered Article III, embracing sections 4222a to 4222f, inclusive, amending section 2641 and repealing sections 2642, 2645 and 4222 of said code, thereby creating the office of county engineer, transferring to the county engineer all the powers and duties of the county surveyor and the powers and duties of other officers and employees of the county with respect to county roads, highways and bridges and vesting in the county engineer additional powers and duties with respect to construction, improvement, maintenance and repair of county roads, highways and bridges, and to repeal the County Engineer Act;

And reports that the same have been correctly re-re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON PUBLIC HEALTH AND QUARANTINE

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933.

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No 335—An act to amend section 42 of the "State Housing Act," relating to requirements for buildings—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HOFFMAN, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER, Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1342—An act to amend sections 6, 9, 10, 11, 12, 13, 14, 15, 16 and 20 of an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to power of the State Board of Public Health—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

HOFFMAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No 1038—An act to amend sections 7, 30 and 65 of the "State Housing Act," approved June 15, 1923, as amended, relating to the regulation of dwellings, apartment houses and hotels—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HOFFMAN, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933

MR. SPEAKER: Your Committee on Rules to which was referred Assembly Bill No. 2313—An act to add the following mileage to the State highway system;

Also: Assembly Bill No. 1159—An act to create a public corporation to be known as the "Naturopathic Association of California," to provide for its organization, government, membership and powers, to regulate the practice and licensing of Naturopathic Physicians, to create a board of governors and to provide for the appointment of a State Board of Naturopathic Examiners, and to provide penalties for violations hereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER SACRAMENTO, April 5, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 4, 1933, passed Assembly Bill No 838—An act to amend section 1 70 of the School Code, and to add a new section to said code, to be numbered 1.72, relating to transportation of school pupils.

J. A BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 2004—An act to add section 7½ to the State Civil Service Act, relating to the acceptance by county fire districts or municipalities of Civil Service provisions.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 674—An act to establish the Vehicle Code and thereby to consolidate and revise the law relating to traffic on streets and highways and the registration, identification, operation, driving, use, ownership, transfer, theft, embezzlement, destruction, molestation, unlawful entering and taking and driving, equipment, size, weight, loading and wrecking of vehicles used upon streets and highways and liens and mortgages on such vehicles and the licensing and regulation of drivers of such vehicles and the civil liability of persons signing license applications of minors and the conduct and records of persons dealing with such vehicles and the civil liability arising from the ownership, maintenance, use and operation of such vehicles and the financial responsibility of owners and operators of such vehicles and crimes connected with the use of such vehicles and the parties, procedure, presumptions, evidence and reports in relation to such crimes and the creation, organization, powers, duties, jurisdiction and maintenance of the Department of Motor Vehicles and its divisions in connec-

tion therewith and the collection, disposition and use of fees, fines and forfeitures in relation thereto and the limitations on the powers of local authorities over the aforesaid subject and to repeal certain specified provisions of law germane to the aforesaid subject.

Bill read second time, ordered to third reading.

Assembly Bill No. 713—An act to amend the "Water Commission Act," approved June 16, 1913, by amending section 42 thereof, relating to the definition of terms stream, stream system, lake, or other body of water or water.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2324—An act to amend the title and sections 1, 2, 3, 4, 6 and 7 of "An act to regulate the possession or transportation of any form of shell, cartridge or bomb containing or capable of emitting tear gas and providing penalties for violation thereof," approved May 28, 1931, and to add sections 2a and 2b of said act, relating to the possession, transportation and sale of tear gas shells, cartridges, bombs or weapons

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 124—An act to amend section 261 of the Code of Civil Procedure, relating to superior court commissioners.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1442—An act authorizing and empowering the Department of Public Works of the State of California, the boards of supervisors of the counties thereof, and the legislative bodies of municipalities, to acquire the fee or other additional easements in highways which are already public highways, and for the acquisition, opening, widening, construction and improvement (or any of them) of which any assessment or tax has, within three (3) years prior to January 1, 1933, been levied upon the owners of property within any district found or declared by the legislative body creating such district to have been benefited thereby.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1449—An act to provide for the satisfaction of taxes and assessments, and tax and assessment liens against land and improvements in any public body organized under any law or ordinance by surrendering bonds, coupons, warrants, checks, or other evidences of indebtedness of the public body, defining "public bodies" as used herein and declaring the intent of the Legislature with respect hereto.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the word "therein", insert the following, "to pay for any public improvement or for the acquisition of any property in connection with any public improvement or to pay the interest, principal or sinking fund of any bonds issued to pay therefor".

AMENDMENT NUMBER TWO

On page 1, line 11, of the printed bill, strike out the word "whether", and insert in lieu thereof the word "if".

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, strike out the word "not", and insert in lieu thereof the following: "to become due within sixty days thereafter".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2347—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, strike out "and include".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after line 20, insert the following: "who own property which comprises at least fifty per cent (50%) of the front feet of the property fronting on said street."

AMENDMENT NUMBER THREE.

On page 3, line 15, of the printed bill, after "and", insert the following: "may".

AMENDMENT NUMBER FOUR.

On page 3, line 16, of the printed bill, after "improvement", insert the following: "and to purchase the materials and employ the labor necessary therefor,".

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, after line 20, insert the following: "If the expenditures for such improvement authorized by this act exceed the sum of five hundred dollars, the city council may advertise for bids and proceed in accordance with the provisions of section 874 of "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883; or the city council may direct the city engineer to make such improvement in the manner provided in the first paragraph of this section."

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, strike out lines 26 to 28, inclusive, and insert in lieu thereof the following: "ment shall become a lien against the parcel of property of record so assessed as of the date of the filing with the city council of the petition for improvement of the street or parts of streets; provided that said lien shall be subject to the confirmation of said assessment by the city council, as hereinafter provided"

AMENDMENT NUMBER SEVEN.

On page 6 of the printed bill, after line 20, insert the following:

"SEC. 17 Nothing contained in this act shall be construed to supersede, limit or change any of the provisions of the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

AMENDMENT NUMBER EIGHT

On page 6, line 21, of the printed bill, strike out "17", and insert in lieu thereof the following: "18".

AMENDMENT NUMBER NINE.

On page 6, line 29, of the printed bill, strike out "18", and insert in lieu thereof the following: "19".

AMENDMENT NUMBER TEN

On page 2, line 11, of the printed bill, strike out "once", and insert in lieu thereof the following "twice".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 820—An act to amend section 921 of the Political Code, relating to purchases and sales of county, State, township and city officers.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 8 and 9, and insert in lieu thereof the following: "claim allowed in accordance with law."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1013—An act to amend sections 16f, 21, 37, 55, 61, 96 and 105 and to add sections 25a and 59 to the "Bank Act," defining and regulating the business of banking.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 1, of the title of the printed bill, after the numeral "37", insert the numeral "54", and after the numeral "96" insert comma and the numeral "104".

AMENDMENT NUMBER TWO.

On page 3, line 36, of the printed bill, strike out all of the words following the word "Any", and in line 37, strike out the word "mental".

AMENDMENT NUMBER THREE.

On page 4 of the printed bill, insert between lines 2 and 3, the following:

"SEC. 5. Section 54 of the Bank Act is hereby amended to read as follows.

Sec. 54. Unless the time be extended by the Superintendent of Banks in writing all real estate purchased by any bank at sales under pledges, mortgages or deeds of trust for its benefit for money loaned and such as may be conveyed to it by borrowers in satisfaction and discharge of loans made thereon and all other real estate owned or held by it, which is not necessary for carrying on its business, must be sold or exchanged for other real estate by such bank within five years after title thereto shall have vested in it by purchase or otherwise; provided, however, that no exchange of such real estate for other real estate shall be made unless and until written consent thereto shall first be given by the Superintendent of Banks; and provided, further, that any real estate so taken in exchange may be held for such period of time as the Superintendent of Banks may fix but not to exceed five years. Parcels of such real estate not sold or exchanged within said time may be purchased by any person wanting the same upon the conditions and proceedings following: The intending purchaser may file a petition in the superior court in and for the county wherein said real estate or any portion thereof is situated, upon the filing of such petition a citation shall be issued out of said court directed to the bank owning such real estate requiring such bank to show cause on a day certain which shall be not earlier than ten days after the service of such citation, why commissioners should not be appointed by said court for the purpose of appraising the value of the real estate described in the petition and of selling the same at public auction under the provisions of this section. If there shall be any liens or encumbrances of record against such real estate the person or persons holding such liens or encumbrances shall likewise be cited and the court shall in its final decree distribute the proceeds of such sale, if a sale thereof shall be made, according to the equities of the parties If it shall appear at the hearing of such petition that the real estate therein sought to be purchased is held by such bank in violation of the provisions of this section or of the Constitution of this State, the court shall appoint three commissioners to appraise the value thereof and sell the same at public auction at the county seat of the county wherein said real estate or any part thereof is located. Notice of which said sale shall be given to the bank owning said real estate and to any other persons interested therein as shown by the records of such county at least ten days before the date of such sale and shall be published once a week for three successive weeks in some newspaper published in the county where such real estate or any part thereof may be located, or if no newspaper shall be published in such county then in a newspaper published in some neighboring county. Such notice shall state the time and place of such sale and

shall describe the real estate to be sold with common certainty and state the value thereof as fixed by the appraisement of such commissioners and state that no bid less than such appraised value will be received therefor. No sale shall be made for an amount less than the appraised value of such real estate fixed by said commissioners, and in the event that no bid is received at such sale at least equal to said appraised value of said real estate no intending purchaser can institute the proceedings provided for in this section within one year thereafter. In case of any sale made under the provisions of this section and of the refusal of any bank owning such real estate or of any lienholder or encumbrancer to execute the conveyances or releases necessary or proper to vest the title of such bank, lienholder or encumbrancer in the purchaser thereof the court shall have power in such proceedings to direct said commissioners to execute such deeds, conveyances or releases upon the payment to them of the purchase price therefor The fees of such commissioners and cost of sale shall be fixed by the court, upon making such appointment, but the entire expense thereof shall not exceed one hundred dollars. The cost of any such proceedings shall be borne by the intending purchaser if no sale shall be made, but if a sale shall be made the costs of such proceedings shall be borne by the purchaser of the property and the person who filed the petition and advanced the costs of such proceedings shall be reimbursed in case he shall not become such purchaser. All sales hereunder shall be returned to the court having jurisdiction of the matter in the same manner as in the case of sales, by commissioners, of real estate on foreclosure of mortgages Nothing in this section contained shall be deemed to affect the power of the Superintendent of Banks to require the writing down of the value of the real estate held by any bank, at any time, when such writing down shall be proper."

AMENDMENT NUMBER FOUR.

On page 4, line 3, of the printed bill, strike out the numeral "5" following the word "Sec.", and insert in lieu thereof the numeral "6".

AMENDMENT NUMBER FIVE.

On page 4, line 18, of the printed bill, strike out the first word "and".

AMENDMENT NUMBER SIX.

On page 4, line 26, of the printed bill, strike out the numeral "6" following the word "Sec ", and insert in lieu thereof the numeral "7".

AMENDMENT NUMBER SEVEN

On page 4, line 28, of the printed bill, strike out the word "savings".

AMENDMENT NUMBER EIGHT

On page 4, line 32, of the printed bill, strike out the word "savings".

AMENDMENT NUMBER NINE.

On page 4, line 35, of the printed bill, strike out the word "savings"

AMENDMENT NUMBER TEN.

On page 4, line 39, of the printed bill, strike out the word "savings".

AMENDMENT NUMBER ELEVEN.

On page 4, line 50, of the printed bill, strike out the word "savings".

AMENDMENT NUMBER TWELVE

On page 5, line 1, of the printed bill, strike out the numeral "7" following the word "Sec.", and insert in lieu thereof the numeral "8".

AMENDMENT NUMBER THIRTEEN

On page 11, line 16, of the printed bill, strike out the numeral "8" following the word "Sec.", and insert in lieu thereof the numeral "9"

AMENDMENT NUMBER FOURTEEN

On page 12, line 2, of the printed bill, after the comma following the word "State", insert the words "metropolitan water district,".

AMENDMENT NUMBER FIFTEEN

On page 12 of the printed bill, between lines 45 and 46, insert the following:

"SEC 10. Section 104 of the Bank Act is hereby amended to read as follows:

Sec. 104. (a) Any trust company may issue participation certificates approved as to form by the Superintendent of Banks on a trust deed or mortgage and the debt secured thereby which is a legal investment for savings banks, and which is owned by such trust company or by any department of a departmental bank of which such trust company is a department, and said trust company shall issue said certificates to the department owning such trust deed or mortgage and debt, and the department owning and holding any such participation certificates may sell and transfer the same to any department of the bank or to any trust or trusts administered by it and be held therein, anything in this act to the contrary notwith-

standing Any trust company, the whole or any part of the capital stock of which is owned by a departmental bank, shall, for the purposes of this section, be deemed a department of such bank, and shall have the right to sell to such bank any such participation certificate and to buy from said bank any such certificate for itself or for any trust or trusts administered by it The amount of participation certificates issued and outstanding at any time shall not exceed the face value of the trust deed or morigage and debt upon which the same are predicated

(b) The full legal title in such trust deed or mortgage and debt (hereinafter referred to as security) shall be held by the trust company issuing such certificates as trustee of an express trust, with all powers necessary to extend, renew, enforce, collect and liquidate the same, acquire title to the property covered thereby either through foreclosure or by voluntary conveyance, manage, lease, sell (either for cash or upon deferred payments) exchange, or otherwise realize upon such security or property and distribute the net proceeds thereof All sums so realized shall, as and when received by said trustee, after payment of its compensation and all costs, charges and expenses, including brokers' commissions and advances for taxes and assessments, incurred or made in connection with the protection, administration and liquidation of said security or property, be distributed to the trusts or persons who are beneficiaries of said trust, as their interests may appear therein. The rights and interests therein of any such beneficiary failing to contribute on demand its or his pro rata of sums advanced expended or required by said trust company in the protection, administration or liquidation of such trust shall be subject to a lien for all sums, with legal interest thereon, advanced, expended or required for any of such purposes by such trustee or by any other beneficiary of such trust

(c) Such trust in said security or property shall continue in such trust company so long as any of said certificates are outstanding, irrespective of any distribution of said certificates from the trust in which the same are held No such security nor certificate therein shall be rendered ineligible for investment of trust funds by reason of the fact that any participation certificate has been so distributed

(d) The purpose of this amendment is to define and clarify the rights and obligations of trust companies and of all persons and trusts interested in participation certificates issued under subsection (a) of this section, whether heretofore or hereafter issued. If any provision herein shall be determined to be unconstitutional, such decision shall not affect the validity of the remaining portions of this amendment The Legislature hereby declares that it would have passed this amendment and each subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more of the other subsections, sentences, clauses or phrases be declared unconstitutional"

AMENDMENT NUMBER SIXTEEN.

On page 12, line 46, of the printed bill, strike out the numeral "9" following the word "Sec.", and insert in lieu thereof the numeral "11".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 675—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 2 of the printed bill, strike out all of lines 15 to 48, inclusive.

AMENDMENT NUMBER TWO.

Strike out all of pages 3 to 31, inclusive, of the printed bill.

AMENDMENT NUMBER THREE.

On page 82 of the printed bill, strike out all of lines 1 to 26, inclusive, and insert in lieu thereof the following:

LEGISLATIVE

Item 1—For mileage of Lieutenant Governor, Senators, and statutory officers of the Senate, two thousand five hundred dollars	$2,500.00
Item 2—For pay of the officers, clerks, and all other employees of Senate for the fifty-first session and interim committees thereof, thirty thousand dollars	$30,000 00
Item 3—For contingent expenses of Senate for fifty-first session and interim committees thereof, twenty thousand dollars	$20,000.00
Item 4—For pay of officers, clerks, and all other employees of Assembly for fifty-first session and interim committees thereof, thirty thousand dollars	$30,000.00
Item 5—For mileage of Assemblymen and statutory officers of the Assembly, four thousand three hundred dollars	$4,300.00
Item 6—For contingent expenses of the Assembly for fifty-first session and interim committees thereof, twenty thousand dollars	$20,000.00
Item 7—For legislative printing, binding, etc., for fifty-first session and legislative interim committees	Nothing
Item 8—For legislative mailing	Nothing
Item 9—For support of the Legislative Counsel Bureau, forty-seven thousand three hundred thirty-three and twenty-four one-hundredths dollars	$47,333.24
Item 10—For support of Supreme Court, three hundred four thousand one hundred fifty-eight and eight one-hundredths dollars	$304,158 08
Item 11—For support of the First District Court of Appeal, one hundred seventy thousand four hundred forty-eight and eight one-hundredths dollars	$170,448.08
Item 12—For support of the Second District Court of Appeal, one hundred seventy-three thousand three hundred sixteen and eight one-hundredths dollars	$173,316 08
Item 13—For support of the Third District Court of Appeal, ninety-two thousand three hundred eighty-five and eight one-hundredths dollars	$92,385 08
Item 14—For support of Fourth District Court of Appeal, one hundred thirty-eight thousand four hundred fifty-two and thirty one-hundredths dollars	$138,452.30
Item 15—For State's share of salaries of judges of superior courts, one million two hundred eighty-eight thousand dollars	$1,288,000 00
Item 16—For support of Judicial Council and for extra compensation and traveling expenses of judges assigned by the Judicial Council, twenty thousand four hundred fifty-six dollars	$20,456 00

EXECUTIVE.

Item 17—For support of the Governor and of the Governor's office (exempt from provisions of sections 433, 669 and 677a of the Political Code) ninety-five thousand dollars	$95,000 00
Item 18—For special contingent expenses (secret service), Governor's office (exempt from provisions of sections 433, 669, 677a of the Political Code), five thousand dollars	$5,000 00
Item 19—For support of the Governor's Residence (exempt from provisions of sections 433, 669 and 677a of the Political Code), ten thousand dollars	$10,000 00
Item 20—For salary and support of Lieutenant Governor, eight thousand dollars	$8 000 00

ADMINISTRATIVE.

Item 21—For support of Attorney General, two hundred fifty-one thousand nine hundred forty-four dollars	$251,944 00
Item 21½—For additional support of Attorney General, one hundred fifteen thousand dollars, to become available on the effective date of any act passed by the Legislature during the fiftieth session thereof centralizing in the Attorney General's office attorneys and legal advisors for State departments, divisions, commissions, bureaus, boards, offices, and institutions	$115,000 00
Item 22—For support of State Controller, three hundred seventy-two thousand five hundred twelve dollars	$372,512 00
Item 23—For support of motor vehicle fuel tax refund division, State Controller, seventy-six thousand six hundred twenty dollars, payable from motor vehicle fuel fund	*$76,620 00*
Item 24—For support of State Board of Equalization, forty-five thousand eight hundred ten and forty-nine one-hundredths dollars	$45,810.49

Item 25—For support of Fuel Tax Division and Transportation Tax Division, State Board of Equalization, two hundred seven thousand eight hundred twenty-five dollars, payable from motor vehicle fuel fund *$207,825.00*

Item 26—For special investigations, State Board of Equalization, five thousand dollars $5,000.00

Item 27—For support of Tax Research Bureau ..... Nothing

Item 28—For support of the Franchise Tax Commissioner, one hundred thirty-three thousand three hundred sixty-two and eighty-eight one-hundredths dollars $133,362.88

Item 29—For support of Secretary of State, one hundred thirty-six thousand sixteen dollars $136,016.00

Item 30—For support of Collection Agency License Division, Secretary of State, fifteen thousand eight hundred dollars, payable from collection agency license fund *$15,800.00*

Item 31—For printing constitutional amendments, Secretary of State's office, forty-five thousand dollars $45,000.00

Item 32—For purchasing Supreme and Appellate Court reports, Secretary of State ..... Nothing

Item 33—For support of Board of Administration of the State Employees' Retirement System ..... Nothing

Item 34—For support of State Treasurer, eighty-eight thousand eight hundred sixteen dollars $88,816.00

PUBLIC UTILITY REGULATION.

Item 35—For support of the Railroad Commission, seven hundred sixty-six thousand two hundred twenty-four dollars $766,224.00

AGRICULTURE

Item 36—For support of State Department of Agriculture and State Board of Agriculture, one million six hundred twenty-two thousand nine hundred seventy-eight and twenty-six one-hundredths dollars, provided that no money hereby appropriated shall be used for support of fairs and exhibits, meat inspection supervision, poultry pathological laboratories, apiary inspection service, rodent control, plague control, Bureau of Plant Pathology, grain inspection service, seed inspection service, warehouse inspection service, hay inspection service, cotton grade and staple work, ripe olive standardization service, deciduous fruit dealers service, gasoline, distillate and oil inspection service; and provided further that no salary in excess of six thousand dollars ($6,000) per year be paid to the Chief of the Division of Markets $1,622,978.26

Item 37—For support of the State Department of Agriculture, one million thirty-seven thousand four hundred sixty-seven and seventy-three one-hundredths dollars, provided that no money hereby appropriated shall be used for support of Bureau of Nursery Service payable from the Department of Agriculture fund *$1,037,467.73*

FINANCE.

Item 38—For support of Department of Finance, eight hundred twenty thousand eight hundred six and thirty-five one-hundredths dollars, provided that no money hereby appropriated shall be used for salary and expenses of Chief of the Division of Service and Supply, Bureau of Commerce, or Bureau of Publications and Documents $820,806.35

Item 39—For premiums for automobile liability insurance, Department of Finance, twenty-four thousand dollars $24,000.00

Item 40—For encouragement of county agricultural fairs, to be expended by the Department of Finance ..... Nothing

Item 41—For support of Second District Agricultural Association Fair (San Joaquin County) ..... Nothing

Item 42—For repairs, improvements and equipment of State Capitol and State Office Buildings, thirty thousand dollars $30,000.00

Item 43—For support of State Agricultural Society, Division of Exhibits of Department of Finance, twenty-five thousand dollars $25,000.00

Item 44—For support of Sixth District Agricultural Association, Division of Exhibits, Department of Finance, fifty-five thousand sixty-one and sixty one-hundredths dollars $55,061.60

Item 45—For support of Sixth District Agricultural Association Fair (Los Angeles County) Department of Finance ..... Nothing

INDUSTRIAL RELATIONS.

Item 46—For support of Department of Industrial Relations, one million two hundred eighty-seven thousand three hundred seventy-six and sixty-one one-hundredths dollars $1,287,376.61

Item 47—For support of Division of Industrial Fire Safety, Department of Industrial Relations, payable from clothes cleaning establishment fund ..... Nothing

INSTITUTIONS.

Item 48—For support of Department of Institutions seventy-two thousand five hundred three and eighty-nine one-hundredths dollars $72,503.89

Item 49—For deportation and transfer of insane, correctional school and other State hospital inmates, including salary of deportation agent, ninety-two thousand two hundred dollars $92,200 00

Item 50—For support of outpatient clinics, Department of Institutions, five thousand dollars $5,000 00

Item 51—For transportation of prisoners, insane, correctional school and other State hospital inmates, four hundred fifty thousand dollars $450 000 00

Item 52—For support of Agnews State Hospital, one million three hundred twenty-three thousand thirty-one and eight one-hundredths dollars $1,323,031 08

Item 53—For major construction, improvements, and equipment at Agnews State Hospital, including ward buildings for patients ..... Nothing

Item 54—For minor construction, improvements and equipment at Agnews State Hospital, twenty-two thousand five hundred dollars $22,500 00

Item 55—For support of Mendocino State Hospital, nine hundred ninety-five thousand fifty-five and sixty-seven one-hundredths dollars $995,055 67

Item 56—For minor construction, improvements, and equipment at Mendocino State Hospital, twenty-five thousand dollars $25,000 00

Item 57—For support of Napa State Hospital, one million two hundred ninety-four thousand six hundred eighty-four and seven one-hundredths dollars $1,294,684.07

Item 58—For minor construction, improvements, and equipment at Napa State Hospital, forty-five thousand dollars $45,000 00

Item 59—For support of Norwalk State Hospital, one million eighteen thousand, seven hundred forty-eight and ninety-five one-hundredths dollars $1,018,748.95

Item 59½—For major construction, improvements, and equipment, Norwalk State Hospital, including construction and equipment of ward building, eighty thousand dollars, which sum is hereby set aside and reappropriated from the appropriation for major construction and equipment at new State hospital in Southern California made by Chapter 27, Statutes of 1931 ..... $80,000 00

Item 60—For minor construction, improvements, and equipment at Norwalk State Hospital, twenty thousand dollars $20,000.00

Item 61—For support of Patton State Hospital, one million four hundred seventy-five thousand five hundred twenty-nine and thirteen one-hundredths dollars $1,475,529.13

Item 61½—For major construction, improvements and equipment, Patton State Hospital, including construction and equipment of ward buildings, one hundred sixty thousand dollars, which sum is hereby set aside and reappropriated from the appropriation for major construction and equipment at new State hospital in Southern California made by Chapter 27, Statutes of 1931 ..... $160,000.00

Item 62—For minor construction, improvements, and equipment at Patton State Hospital, ten thousand dollars $10 000 00

Item 63—For support of Stockton State Hospital, one million four hundred eighty-one thousand six hundred ninety-nine and sixty-one one-hundredths dollars $1,481,699 61

Item 64—For minor construction, improvements and equipment at Stockton State Hospital, thirty-three thousand dollars $33,000.00

Item 65—For support of new State Hospital in Southern California near Camarillo ..... Nothing

Item 66—For major and minor construction, improvements and equipment at new State Hospital in Southern California near Camarillo ..... Nothing

Item 67—For support of Pacific Colony and State Narcotic Hospital, five hundred sixty-four thousand and thirty-six one-hundredths dollars $564,000.36

Item 68—For minor construction, improvements and equipment at Pacific Colony and State Narcotic Hospital, twenty thousand dollars ---------- $20,000.00

Item 69—For support of Sonoma State Home, one million one hundred sixty-six thousand three hundred forty-five and fifty-three one-hundredths dollars ---------- $1,166,345 53

Item 70—For minor construction, improvements, and equipment at Sonoma State Home, twenty thousand dollars ---------- $20,000.00

Item 71 ---------- ----------

Item 72 ---------- ----------

Item 73—For support of Preston School of Industry, seven hundred sixty-seven thousand five hundred forty-eight and twenty-seven one-hundredths dollars ---------- $767,548.27

Item 74—For minor construction, improvements and equipment at Preston School of Industry, ten thousand dollars ---------- $10,000 00

Item 75—For support of Ventura School for Girls, two hundred twelve thousand sixty-four and twenty-six one-hundredths dollars ---------- $212,064 26

Item 76—For minor construction, improvements and equipment at Ventura School for Girls, five thousand dollars ---------- $5,000.00

Item 77—For support of Whittier State School, three hundred ninety thousand, seven hundred sixty-three and two one-hundredths dollars ---------- $390,763 02

Item 78—For minor construction, improvements and equipment at Whittier State School, five thousand dollars ---------- $5,000.00

Item 79—For support of California Bureau of Juvenile Research at Whittier State School, fifteen thousand dollars, of which not more than two thousand five hundred dollars ($2,500) per annum shall be paid as salary to the chief of the bureau ---------- $15,000.00

Item 80—For support of Industrial Home for the Adult Blind, one hundred six thousand one hundred eighty-nine and forty-seven one-hundredths dollars, provided that no money hereby appropriated shall be expended for salaries and expenses of field officers or teachers to teach handicrafts to the adult blind of the State who are not inmates of the home ---------- $106,189 47

Item 81—For minor construction, improvements and equipment at Industrial Home for the Adult Blind, three thousand dollars ---------- $3,000.00

Item 82—For support of Industrial Workshops for the Blind, Department of Institutions, forty-two thousand eight hundred eighty-seven and seventy-two one-hundredths dollars ---------- $42,887.72

INVESTMENT

Item 83—For support of Division of Banking, Department of Investment, two hundred forty-seven thousand four hundred eighty-four dollars, payable from the banking fund ---------- *$247,484 00*

Item 84—For support of Division of Building and Loan, Department of Investment, one hundred seventy-four thousand one hundred eighty-seven and twenty one-hundredths dollars, payable from the building and loan inspection fund ---------- *$174,187 20*

Item 85—For support of Division of Corporations, Department of Investment, six hundred forty-eight thousand four hundred sixty and eighty one-hundredths dollars, payable from the corporation fund ---------- *$648,460.80*

Item 86—For support of Division of Insurance, Department of Investment, one hundred sixty-five thousand nine hundred dollars, payable from the insurance fund ---------- *$165,900.00*

Item 87—For support of Division of Real Estate, Department of Investment, two hundred thousand dollars, payable from the real estate fund ---------- *$200,000.00*

Item 88—For support of California Districts Securities Commission, twenty-seven thousand eight hundred fifty dollars ---------- $27,850.00

MILITARY AND VETERANS' AFFAIRS.

Item 89—For support of the Department of Military and Veterans' Affairs ---------- Nothing

Item 90—For support of Adjutant General and the California National Guard, one hundred fifty-nine thousand six hundred fourteen and thirty-three one-hundredths dollars ---------- $159,614.33

Item 91—For minor construction, improvements, and equipment of armories, arsenals, stables, rifle ranges, and camp sites, Adjutant General and the California National Guard, twenty-five thousand dollars ---------- $25,000 00

Item 92—For allowances to organizations and rental of armories, California National Guard, four hundred sixty thousand dollars ---------- $460,000.00

Item 93—For maintenance of High School Cadets, fifteen thousand four hundred ninety-five dollars $15,495.00

Item 93½—For support (including all salaries and administrative expenses), Veterans' Welfare Board, two hundred twenty-nine thousand three hundred twelve dollars, payable from veterans' farm and home building fund *$229,312 00*

Item 94—For support of Veterans' Home of California, three hundred eighty-one thousand forty-nine and fifty one-hundredths dollars $381,049.50

Item 95—For minor construction, improvements, and equipment at Veterans' Home of California, six thousand fifty dollars, payable from the Athletic Commission fund *$6,050.00*

Item 96—For support of Woman's Relief Corps Home, forty thousand nine hundred nine and forty-five one-hundredths dollars $40,909 45

Item 97—For minor construction, Woman's Relief Corps Home, two thousand five hundred dollars $2,500.00

Item 98—For support of State Athletic Commission, fifty-three thousand three hundred thirty-three dollars, payable from Athletic Commission fund *$53,333 00*

NATURAL RESOURCES.

Item 99—For support of Department of Natural Resources, exclusive of Division of Fish and Game and Division of Oil and Gas, five hundred forty-nine thousand two hundred thirty-three and twenty-five one-hundredths dollars $549,233 25

Item 100—For support of Division of Fish and Game, Department of Natural Resources, one million six hundred thirty-eight thousand five hundred thirty-eight and nineteen one-hundredths dollars, payable from fish and game preservation fund *$1,638,538.19*

Item 101—For license commissions, Division of Fish and Game, Department of Natural Resources, one hundred thousand dollars, payable from fish and game preservation fund *$100,000.00*

Item 102—For purchase of game refuges and farms, Division of Fish and Game, Department of Natural Resources, ninety thousand dollars, payable from fish and game preservation fund *$90,000 00*

Item 103—For State Fair and other exhibits, Department of Natural Resources, ten thousand dollars, payable from fish and game preservation fund *$10,000 00*

Item 104—For construction, improvements, and equipment, Division of Fish and Game, Department of Natural Resources, fifty-six thousand one hundred ten dollars, payable from fish and game preservation fund *$56,110 00*

Item 105—For construction, improvements, and equipment, Division of Parks, Department of Natural Resources, forty thousand dollars $40,000.00

Item 106—For fire trails, breaks, and cooperative work with counties and other agencies, Department of Natural Resources, one hundred thousand dollars $100,000.00

Item 107—For fire suppression, Division of Forestry, Department of Natural Resources, one hundred fifty thousand dollars $150,000.00

Item 108—For investigating the effect of forest cover in the conservation of water and the prevention of erosion on watershed areas, Department of Natural Resources, Division of Forestry, to become available only in the event and at the times equal sums are available from the United States Forest Service or other interested agencies for the same purpose Nothing

Item 109—For expenses in connection with survey and acquisition of park sites, Department of Natural Resources Nothing

Item 110—For geological survey, and publishing of geological map, Division of Mines and Mining, Department of Natural Resources Nothing

Item 111—For support of Division of Oil and Gas, Department of Natural Resources, three hundred fifteen thousand two hundred one and ninety-seven one-hundredths dollars, payable from petroleum and gas fund *$315,201 97*

Item 112—For additional support, Division of Forestry, Department of Natural Resources, twenty-five thousand dollars, payable from State Board of Forestry fire prevention fund *$25,000.00*

Item 113—For expenses in connection with regulation of ore buying, Department of Natural Resources, Division of Mines Nothing

PENOLOGY.

Item 114—For support of Department of Penology Nothing

Item 115—For support of California Crime Commission, Department of Penology Nothing

Item 116—For support of Advisory Pardon Board Nothing

Item 117—For transportation and expense on account of arrest of criminals without the State, fifty-five thousand dollars_____ $55,000.00
Item 118—For rewards offered by the Governor_____ Nothing
Item 119—For support of Bureau of Criminal Identification and Investigation, two hundred fifty-eight thousand three hundred thirty-six dollars _____ $258,336.00
Item 120—For support of the State Prison at Folsom, one million one hundred fourteen thousand eight hundred forty-seven and thirty-three one-hundredths dollars_____ $1,114,847.33
Item 121—For major construction, improvements, and equipment at the State Prison at Folsom, twenty-five thousand dollars_____ $25,000.00
Item 122—For minor construction, improvements and equipment, State Prison at Folsom, fifty-seven thousand four hundred dollars____ $57,400.00
Item 123—For support of State Prison at San Quentin, two million one hundred thirty-eight thousand three hundred four and ninety-three one-hundredths dollars_____ $2,138,304.93
Item 124—For minor construction, improvements and equipment, State Prison at San Quentin, forty thousand dollars_____ $40,000.00
Item 125—For support of Parole Department, Board of Prison Directors, eighty-six thousand one hundred twenty-nine and eighty-nine one-hundredths dollars _____ $86,129.89
Item 126—For support of Detective License Bureau, Board of Prison Directors, sixteen thousand dollars, payable from private detective agencies contingent fund_____ *$16,000.00*
Item 127—For support of Board of Prison Terms and Paroles, thirty-four thousand dollars _____ $34,000.00
Item 128—For support of California Institution for Women, one hundred thousand dollars _____ $100,000.00
Item 129—For minor construction, improvements and equipment, California Institution for Women _____ Nothing
Item 130—For support, Division of Narcotic Enforcement, Department of Penology, thirty thousand dollars_____ $30,000.00

PROFESSIONAL AND VOCATIONAL STANDARDS.

Item 131—For support of State Board of Accountancy, thirteen thousand seven hundred fifty-six and eighty one-hundredths dollars, payable from Board of Accountancy fund_____ *$13,756.80*
Item 132—For support of the State Board of Architecture, Northern District, ten thousand one hundred ninety-two and forty-two one-hundredths dollars, payable from Board of Architecture, Northern District, fund _____ *$10,192.42*
Item 133—For support of State Board of Architecture, Southern District, ten thousand seven hundred ninety-four and ninety-eight one-hundredths dollars, payable from Board of Architecture, southern district, fund_____ *$10,794.98*
Item 134—For support of State Board of Barber Examiners, seventy-seven thousand nine hundred thirty-four and forty-seven one-hundredths dollars, payable from State Board of Barber Examiners' fund _____ *$77,934.47*
Item 135—For support of Board of Registration for Civil Engineers, forty-one thousand four hundred six and twenty-three one-hundredths dollars, payable from civil engineers' fund_____ *$41,406.23*
Item 136—For support of Registrar of Contractors, two hundred thirty-six thousand two hundred forty-two and ninety-two one-hundredths dollars, payable from contractors' license fund____ *$236,242.92*
Item 137—For support of State Board of Cosmetology, eighty-nine thousand seven hundred seven dollars, payable from Board of Cosmetology contingent fund_____ *$89,707.00*
Item 138—For support of Board of Dental Examiners, thirty-nine thousand two hundred ten and sixty-four one-hundredths dollars, payable from dentistry fund_____ *$39,210.64*
Item 139—For support of Board of Embalmers and Funeral Directors, thirty thousand six hundred fifty-eight and thirty-six one-hundredths dollars, payable from Embalmers and Funeral Directors fund_____ *$30,658.36*
Item 140—For support of State Board of Medical Examiners, seventy thousand three hundred sixty-nine and seventeen one-hundredths dollars, payable from Medical Examiners' contingent fund_____ *$70,369.17*
Item 141—For support of State Board of Optometry, nine thousand one hundred four and twelve one-hundredths dollars, payable from Board of Optometry fund_____ *$9,104.12*

Item 142—For support of State Board of Pharmacy, eighty-five thousand seven hundred two and thirty-four one-hundredths dollars, payable from Pharmacy Board contingent fund _____ *$85,702.34*

Item 143—For support of Board of Examiners in Veterinary Medicine, four thousand four hundred sixty-four dollars, payable from Veterinary Medicine Examiners' contingent fund _____ *$4,464 00*

Item 144—For support of Board of Chiropractic Examiners, eighteen thousand six hundred thirty dollars, payable from Chiropractic Examiners' fund _____ *$18,630.00*

Item 145—For support of State Board of Osteopathic Examiners, twelve thousand four hundred dollars, payable from Osteopathic Examiners' contingent fund _____ *$12,400 00*

PUBLIC HEALTH

Item 146—For support of Department of Public Health, exclusive of Bureau of Cannery Inspection and Bureau of Registration of Nurses, three hundred ninety-five thousand twelve dollars _____ $395,012 00

Item 147—For support of Bureau of Cannery Inspection, Department of Public Health, one hundred thirty-three thousand nine hundred twenty dollars, payable from cannery inspection fund _____ *$133,920 00*

Item 148—For support of Bureau of Registration of Nurses, Department of Public Health, thirty-eight thousand seven hundred sixty dollars, payable from nurses' examination and registration fund _____ *$38,760 00*

Item 149—For subsidies, Bureau of Tuberculosis, Department of Public Health, nine hundred seventy-five thousand dollars _____ $975,000 00

PUBLIC WORKS

Item 150—For pro rata support of Department of Public Works, exclusive of Division of Architecture, Division of Water Resources, Division of Highways, and Division of Contracts and Rights of Way, sixteen thousand eight hundred twelve and fifty one-hundredths dollars _____ $16,812 50

Item 151—For support of the Division of Architecture, Department of Public Works, one hundred fifty thousand dollars _____ $150,000.00

Item 152—For support of Division of Water Resources, Department of Public Works, two hundred thirty-six thousand two hundred twenty-six and twenty-two one-hundredths dollars _____ $236,226.22

Item 153—For stream gauging in cooperation with the hydraulic branch of the United States Geological Survey; topographic surveying and mapping in cooperation with the topographic branch of the United States Geological Survey; irrigation investigations in cooperation with the Agricultural Engineering Division, United States Department of Agriculture; special irrigation and flood control studies, economic studies relating to irrigation districts, investigation of irrigation district bond issues, and assistance to California Districts Securities Commission, flood gaugings and measurements, flood control investigations in connection with Sacramento Flood Control Project, investigation of flood channels and for emergency bank protection and rectification of river channels other than the Sacramento River and its tributaries, in cooperation with other agencies; exploration, investigation and preliminary plans in furtherance of a coordinated plan for the conservation, development and utilization of the water resources in southern California; investigation of water resources, in cooperation with Ventura County and Monterey County, and special economic and financial studies and analyses, investigations and surveys, and compilation of pertinent data relating to the State water plan, Division of Water Resources, Department of Public Works, one hundred fifty-nine thousand five hundred dollars _____ $159,500 00

Item 154—For maintenance, operation, and emergency protection of the Sacramento Flood Control Project, including the purposes contained in section 2, Chapter 774, Statutes of 1927, Department of Public Works, eighty-five thousand dollars _____ $85,000 00

Item 155—For channel rectification and bank protection on the Sacramento River and its tributaries, State Department of Public Works, in cooperation with the United States government, one hundred thousand dollars, said sum to become available to the United States government or its appropriate agency, in an amount not more than equal to the sum or sums appropriated and made available for said work by the United States government, and the State Controller is hereby authorized and directed, upon request and approval by the Department of Public Works and the State Board of Control, to draw his

warrants on the State treasury from time to time in amounts limited as aforesaid and in favor of the United States government or its appropriate agency having funds available, as aforesaid, and the State Treasurer is authorized and directed to pay such warrants $100,000 00

Item 156—For flood control investigation of the San Diego River and other streams in San Diego County in cooperation with San Diego County and other agencies, twelve thousand dollars, provided that the money hereby appropriated shall not become available for expenditure unless the sum of six thousand dollars ($6,000) from other than State revenues shall have been paid and deposited in trust with the State Treasurer on or before July 5, 1933, and a like sum of six thousand dollars ($6,000) on or before January 1, 1934, to match the sum herein appropriated for expenditure for the same purpose as that for which this appropriation is made. No money hereby appropriated shall become available for expenditure until at least the sum of six thousand dollars ($6,000) shall have been paid in trust with the State Treasurer by San Diego County $12,000 00

Item 157—For new construction, land, rights of way, easements, and general administrative operations and overhead, reclamation board pursuant to the provisions of chapter 176 of California Statutes of 1925, approving the modified report of the California Debris Commission, dated January 5, 1925, which said report was adopted by the United States in section 13 of that certain act of Congress entitled "An act for the control of floods on the Mississippi River and its tributaries, and for other purposes," approved May 15, 1928, and for any other purpose to further carry out the legislation contained in said chapter 176 of California Statutes of 1925, one million dollars $1,000,000 00

Item 158—For support of Board of State Harbor Commissioners, San Francisco, two million seven hundred six thousand nine hundred fifty-seven and seventy-five one-hundredths dollars, payable from San Francisco harbor improvement fund *$2,706,957.75*

Item 159—For maintenance of fire boats, Board of State Harbor Commissioners, San Francisco, one hundred eighty-five thousand dollars, payable from San Francisco harbor improvement fund *$185,000 00*

Item 160—For construction and improvements of wharves, piers, sheds, bridges, tracks, and other construction, improvements and equipment as needed, Board of State Harbor Commissioners, San Francisco, one hundred fifty thousand dollars, payable from San Francisco harbor improvement fund $150,000 00

SOCIAL WELFARE

Item 161—For support of Department of Social Welfare, one hundred forty-four thousand one hundred sixty-two and seventy-one one-hundredths dollars $144,162 71

Item 162—For transportation of dependent children to homes outside of the State, five hundred dollars $500 00

EDUCATION.

Item 163—For support of Department of Education, Superintendent of Public Instruction, and California State Historical Association, five hundred thousand nine hundred forty-three and seventy-six one-hundredths dollars $500,943 76

Item 164—For printing school laws, Department of Education ..... Nothing

Item 165—For classes for children with defective speech, and for education of handicapped individuals, Department of Education, nineteen thousand eight hundred fifty-six dollars $19,856.00

Item 166—For publishing, purchasing, and shipping free textbooks, Department of Education, six hundred eighty-one thousand one hundred eighty dollars $681,180 00

Item 167—For support of Chico State Teachers College, two hundred fifty-three thousand eight hundred thirty-seven and fifty one-hundredths dollars, and in addition thereto the amount of such fees as may otherwise be made available by law for the support of said teachers college $253,837 50

Item 168—For minor construction, improvements, and equipment, Chico State Teachers College ..... Nothing

Item 169—For support of Fresno State Teachers College, four hundred three thousand three hundred twelve and fifty one-hundredths dollars, and in addition thereto the amount of such fees as may otherwise be made available by law for the support of said teachers college $403,312 50

Item 170—For minor construction, improvements, and equipment, Fresno State Teachers College ---------- Nothing

Item 171—For support of Humboldt State Teachers College, one hundred fifty-nine thousand five hundred fifty-five dollars, and in addition thereto the amount of such fees as may otherwise be made available by law for the support of said teachers college--- $159,555 00

Item 172—For minor construction, improvements, and equipment, Humboldt State Teachers College ---------- Nothing

Item 173—For support of San Diego State Teachers College, three hundred sixty-one thousand three hundred eighty dollars, and in addition thereto the amount of such fees as may otherwise be made available by law for the support of said teachers college-- $361,380.00

Item 174—For minor construction, improvements, and equipment, San Diego State Teachers College ---------- Nothing

Item 175—For support of San Francisco State Teachers College, three hundred seventy-seven thousand four hundred sixty-seven and fifty one-hundredths dollars, and in addition thereto the amount of such fees as may otherwise be made available by law for the support of said teachers college ---------- $377,467.50

Item 176—For minor construction, improvements, and equipment, San Francisco State Teachers College ---------- Nothing

Item 177—For support of San Jose State Teachers College, five hundred six thousand seven hundred fifty-two and fifty one-hundredths dollars, and in addition thereto the amount of such fees as may otherwise be made available by law for the support of said teachers college ---------- $506,752 50

Item 178—For major construction, improvements, and equipment at San Jose State Teachers College, including completion and equipment of new science building, seventy-five thousand dollars------ $75,000 00

Item 179—For minor construction, improvements, and equipment, San Jose State Teachers College, two thousand dollars-------- $2,000 00

Item 180—For support of Santa Barbara State Teachers College, two hundred twenty-seven thousand four hundred sixty-seven and fifty one-hundredths dollars, and in addition thereto the amount of such fees as may otherwise be made available by law for the support of said teachers college---------- $227,467 50

Item 181—For support of California Polytechnic School, one hundred fifty thousand dollars---------- $150,000 00

Item 182—For minor construction, improvements, and equipment, California Polytechnic School, nine thousand five hundred dollars $9,500.00

Item 183—For support of California School for Blind at Berkeley, one hundred fifty thousand five hundred sixteen and twenty-one one-hundredths dollars ---------- $150,516 21

Item 184—For minor construction, improvements, and equipment, California School for Blind at Berkeley, five thousand dollars--- $5,000 00

Item 185—For readers for blind college students, California School for Blind at Berkeley, seven thousand two hundred dollars-------- $7,200 00

Item 186—For support of California School for Deaf at Berkeley, three hundred twenty-eight thousand seven hundred fifty-five and four one-hundredths dollars ---------- $328,755 04

Item 187—For minor construction, improvements, and equipment, California School for Deaf, six thousand six hundred dollars----- $6,600 00

Item 188—For expenses of deaf graduates attending Gallaudet College, California School for Deaf at Berkeley, eight thousand one hundred dollars ---------- $8,100 00

Item 189—For support of California Nautical School---------- Nothing

Item 189½—For reimbursement of tuition fees for students enrolled in the California Nautical School for courses not completed, fifteen thousand dollars ---------- $15,000 00

Item 190—For support of University of California, eleven million two hundred five thousand five hundred fifty dollars, provided, that not more than one-twentieth of such amount shall be expended during any one month and not more than one-half of such amount shall be expended during the eighty-fifth fiscal year---------- $11,205,550.00

Item 190½—For support of the graduate school at the University of California at Los Angeles, seventy-five thousand dollars-------- $75,000 00

Item 191—For cooperation in forestry research with California Forestry Experimental Station and other Federal agencies, University of California, twenty-one thousand two hundred fifty dollars ---------- $21,250 00

Item 192—For support of Hastings College of Law, fourteen thousand dollars ---------- $14,000.00

Item 193—For rent, Hastings College of Law, fourteen thousand four hundred dollars $14,400.00

Item 194—For apportionment to junior college districts in accordance with the provisions of Chapter 784, Statutes of 1931, one million two hundred twenty-three thousand six hundred forty dollars.. $1,223,640 00

Item 194A—For administrative supervision and teacher training in connection with vocational educational work of the Department of Education one hundred sixty-two thousand five hundred forty-three and seven one-hundredths dollars, payable out of the vocational education fund, provided, that no sum greater than this amount shall be paid out of said fund for such purpose *$162,543.07*

Item 194B—For administrative salaries and expenses in connection with vocational rehabilitation, Department of Education, payable out of the vocational rehabilitation fund, twenty-two thousand five hundred eighty-nine and sixty one-hundredths dollars, provided, that no sum greater than this amount shall be paid out of said fund for such purpose *$22,589 60*

MOTOR VEHICLES.

Item 195—For support of Department of Motor Vehicles, five million fifty-three thousand one hundred twenty-five dollars, payable from motor vehicle fund *$5,053,125 00*

HIGHWAYS.

Item 195½—For administration, Division of Highways and Division of Contracts and Rights of Way Department of Public Works, one million four hundred eighteen thousand one hundred thirty-nine and sixty one-hundredths dollars, payable from highway maintenance fund *$1,418,139 60*

MISCELLANEOUS

Item 196—For official advertising, three thousand dollars $3,000 00

Item 197—For premiums on official bonds, five thousand dollars $5,000.00

Item 198—For compensation benefits, State officers and employees, whose salaries are paid from the general fund of the State, or for premiums on insurance therefor, one hundred fifty thousand dollars $150,000 00

Item 199—For traveling expenses of county treasurers ..... Nothing

Item 200—For expenses of conferences of Governors in California to be expended by the Governor (exempt from the provisions of sections 433, 669, and 677a of the Political Code) ..... Nothing

EMERGENCIES.

Item 201—For emergency fund, five hundred thousand dollars $500,000 00

AMENDMENT NUMBER FOUR.

On page 33, line 32, of the printed bill, after the word "where", insert the following: "payment of compensation earned or."

AMENDMENT NUMBER FIVE

On page 34 of the printed bill, following line 29, insert the following:

"SEC. 8. Whenever the duties, powers, purposes, responsibilities and jurisdiction of any office, board, commission or other State agency are abolished by law the appropriation herein made for the support of such office, board, commission, or other State agency shall upon the effective date of the act abolishing such office, board, commission or other State agency revert to and become a part of the unexpended balance of the fund from which such appropriation was made."

AMENDMENT NUMBER SIX.

On page 34, line 30, of the printed bill, strike out the figure "8", and insert in lieu thereof the figure "9", and on page 34, line 34, strike out the figure "9", and insert in lieu thereof the figure "10".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

SPECIAL ORDER SET.

Mr. Cobb moved that consideration of Assembly Bill No. 675 be made a special order for Friday, April 7, 1933, at ten o'clock and thirty minutes a.m.

AMENDMENT TO MOTION.

Mr. Levey moved to amend the motion and have the consideration of Assembly Bill No. 675 made a special order for Monday, April 10, 1933, at two o'clock p.m

The question being on the adoption of the amendment by Mr Levey.

REQUEST FOR ROLL CALL.

On request of Messrs Levey, Anglim and Gilmore, the Speaker ordered a roll call taken on the amendment submitted by Mr Levey.

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

AYES—Anglim, Burns, Cassidy, Clowdsley, Crist, Crowley, Dempster, Feigenbaum, Gilmore, Hornblower, Hunt, Levey, Maloney, McMurray, Miller, James A, O'Connor, O'Donnell, Patterson, Robinson, Samuel E., Ross, Stannard and Williamson—22

NOES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Chatters, Cobb, Cottrell, Evans, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor, Nielsen, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—53

The question being on the motion of Mr. Cobb, that consideration of Assembly Bill No. 675 be made a special order of business for Friday, April 7, 1933, at the hour of ten o'clock and thirty minutes a m.

The roll was called, and the motion of Mr. Cobb that consideration of Assembly Bill No. 675 be made a special order for Friday, April 7, 1933, at ten o'clock and thirty minutes a m, carried by the following vote.

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Chatters, Cobb, Cottrell, Craig, Evans, Fisher, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor, Morgan, Nielsen, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—56

NOES—Anglim, Burns, Cassidy, Clowdsley, Crist, Crowley, Dempster, Feigenbaum, Gilmore, Hornblower, Levey, McMurray, Miller, James A, O'Connor, O'Donnell, Patterson, Robinson, Samuel E, Ross, Stannard and Williamson—20.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 210—An act providing for transfers in equal proportions from the State highway construction fund and the State highway maintenance fund to the general fund in the State treasury of amounts equal to the principal and interest due or accruing upon certain State bonds for highway purposes

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the title of the printed bill strike out the following "in equal proportions".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out lines 4, 5 and 6 of the title, and insert in lieu thereof the following: "treasury of an amount equal to that paid or that necessary to be paid during the eighty-third and eighty-fourth fiscal years for the principal and interest upon certain State bonds for highway purposes, and for the reimbursement of said highway funds from the general fund and providing that this act shall take effect immediately"

AMENDMENT NUMBER THREE

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SECTION 1. Upon the effective date of this act, the State Controller shall certify to the State Treasurer the amount of principal and interest paid or necessary to be paid during the eighty-third and eighty-fourth fiscal years on the bonds of the State issued under ".

AMENDMENT NUMBER FOUR

On page 1 of the printed bill, strike out lines 15 to 19, inclusive, and insert in lieu thereof the following "November 2, 1920.

The State Controller and the State Treasurer shall, on the thirtieth day of April, 1933, transfer from the State highway construction fund two-ninths, and from the State highway maintenance fund one-ninth, of the amount so certified by the Controller, and shall make like transfers on the thirty-first day of July, 1933, and on the thirty-first day of October, 1933."

AMENDMENT NUMBER FIVE

On page 1 of the printed bill, strike out line 22, and insert in lieu thereof the following: "tenance fund on any date upon which transfers are required to be made, such transfers shall".

AMENDMENT NUMBER SIX.

On page 1 of the printed bill after line 28 insert the following

"SEC. 3 During the year 1934 the State Controller and State Treasurer shall transfer from the general fund to the State highway construction fund and the State highway maintenance fund, respectively, the amounts transferred from each to the general fund in 1933. Said transfers in 1934 shall be made in the same amounts as, and on dates corresponding to those on which, the transfers in 1933 were made.

SEC. 4 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section one of Article IV of the Constitution and shall therefore go into immediate effect. The facts constituting such necessity are as follows

The general fund in the State treasury is depleted and a serious impairment of the functions of the State government is threatened The revenues of the State have fallen off and it is necessary that the general fund in the State treasury be augmented immediately. This bill will provide funds for the augmentation of the general fund in the State treasury."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 908—An act to declare a moratorium on foreclosure of mortgages and collection of interest thereon for a period of two years by directing courts of record to continue actions for foreclosure of mortgages until September 15, 1935, with certain exceptions, declaring all transfers of title to or any interest in real property for the purpose of securing the payment of any obligation to be mortgages, suspending all acts and parts of acts in conflict with this act, and declaring the urgency hereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1427—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following, to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and

the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations, and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto, Chapter 133 of the Statutes of 1927, and all other acts and part of acts inconsistent therewith," being Statutes of 1931, page 483, as approved May 5, 1931, by amending the title and adding sections 6.09 and 13.20, repealing section 6.05 and amending sections 6.08, 13.11 and 13.12 so as to first require a day in court before the commissioner may take possession; require the commissioner to agree to reorganizations agreed upon by sixty per cent of the creditors of any seized association, and authorizing building and loan associations and their custodians, receivers, etc., to purchase certificates at less than par or to trade real estate for certificates.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE

On page 4 of the printed bill, strike out all of lines 22 to 33, inclusive.

AMENDMENT NUMBER TWO.

On page 4, line 34, of the printed bill, strike out the figure "5", and insert in lieu thereof the figure "4".

AMENDMENT NUMBER THREE

On page 5, lines 12 and 13, of the printed bill, strike out "transact any business", and insert in lieu thereof "make any loans, incur any obligations".

AMENDMENT NUMBER FOUR.

On page 5 of the printed bill, at the end of line 15 thereof, after the word "delivered", insert the following: "immediately upon demand the Building and Loan Commissioner may place a deputy in each or any office of the association with authority to see that the foregoing provision of this act is complied with and if possession is not delivered".

AMENDMENT NUMBER FIVE.

On page 5, line 37, of the printed bill, strike out the figure "6", and insert in lieu thereof the figure "5".

AMENDMENT NUMBER SIX.

On page 5, line 43, of the printed bill, after the word "party", and before the period, insert the following: "upon such conditions as the court may deem equitable".

AMENDMENT NUMBER SEVEN.

On page 5, line 44, of the printed bill, strike out the figure "7", and insert in lieu thereof the figure "6".

AMENDMENT NUMBER EIGHT.

On page 5, line 48, of the printed bill strike out the word "not", and insert in lieu thereof the word "now", and strike out the word "now", and insert in lieu thereof the word "not".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 1159—An act to create a public corporation to be known as the "Naturopathic Association of California," to provide for

its organization, government, membership and powers, to regulate the practice and licensing of Naturopathic Physicians, to create a Board of Governors and to provide for the appointment of a State Board of Naturopathic Examiners, and to provide penalties for violations hereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 1, of the printed bill, strike out "may", and insert in lieu thereof the following: "shall".

AMENDMENT NUMBER TWO.

On page 1, line 23, of the printed bill, after the period, insert the following: "Thereafter all applicants for membership in the State association shall conform to the requirements of the rules and regulations of the State association."

AMENDMENT NUMBER THREE.

On page 2, line 18, of the printed bill, strike out "vice president", and insert in lieu thereof the following: "three vice presidents"

AMENDMENT NUMBER FOUR

On page 2, line 20, of the printed bill, after "members", insert a comma, and add the following: "except as hereinafter provided.".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out lines 26 to 33, inclusive, and insert in lieu thereof the following:

"SEC. 8. The temporary officers of the now existing Naturopathic Association of California shall enforce the requirements of section 9 of this act and for this purpose they shall preside at the first meeting which shall be held in the city of Sacramento within sixty days after the effective date of this act. They shall have all the powers vested in the Board of Governors herein until said board shall be elected and qualified."

AMENDMENT NUMBER SIX.

On page 2, line 46, of the printed bill, strike out the second "the", and insert in lieu thereof the following: "a".

AMENDMENT NUMBER SEVEN.

On page 2, line 50, of the printed bill, strike out "prescribe", and insert in lieu thereof the following "direct".

AMENDMENT NUMBER EIGHT

On page 2, line 51, of the printed bill, strike out "selected", and insert in lieu thereof the following: "elected".

AMENDMENT NUMBER NINE.

On page 3, line 1, of the printed bill, after "secretary", insert the following: "treasurer".

AMENDMENT NUMBER TEN.

On page 3, line 39, of the printed bill, after "Board", insert the following "of Governors"

AMENDMENT NUMBER ELEVEN.

On page 4, line 3, of the printed bill, strike out "one month", and insert in lieu thereof the following: "two months".

AMENDMENT NUMBER TWELVE.

On page 4, line 5, of the printed bill, strike out "two", and insert in lieu thereof the following: "three".

AMENDMENT NUMBER THIRTEEN.

On page 4, line 7, of the printed bill, strike out "two", and insert in lieu thereof the following: "three".

AMENDMENT NUMBER FOURTEEN

On page 4, line 9, of the printed bill, after "secretary", insert the following: "treasurer".

AMENDMENT NUMBER FIFTEEN.

On page 4 of the printed bill, strike out lines 10 and 11, and insert in lieu thereof the following: "Governors shall pay to the secretary treasurer of the State Board of Naturopathic Examiners one-half of the annual".

AMENDMENT NUMBER SIXTEEN.

On page 4, line 12, of the printed bill, strike out "($25)", and insert in lieu thereof the following: "(850)".

AMENDMENT NUMBER SEVENTEEN

On page 4, line 13, of the printed bill, after "secretary", insert the following: "treasurer".

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 21, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER NINETEEN.

On page 4, line 23, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER TWENTY.

On page 4, line 25, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 40, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER TWENTY-TWO

On page 4, line 46, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER TWENTY-THREE.

On page 4, line 47, of the printed bill, strike out "one year", and insert in lieu thereof the following: "six months".

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 3, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER TWENTY-FIVE

On page 5, line 9, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER TWENTY-SIX

On page 5, line 18, of the printed bill, after "diploma", insert the following: "or certificate".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 5, line 19, of the printed bill, strike out "existing under the laws of this State".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 5 of the printed bill, after line 28, insert the following: "(4) Persons who have attended a legally chartered school or college shall be given full credits for the basic and parallel subjects,".

AMENDMENT NUMBER TWENTY-NINE

On page 5, line 29, of the printed bill, strike out "(4)", and insert in lieu thereof the following "(5)".

AMENDMENT NUMBER THIRTY.

On page 5 line 33 of the printed bill strike out "thirty-two", and insert in lieu thereof the following "thirty-six".

AMENDMENT NUMBER THIRTY-ONE

On page 5 of the printed bill, strike out lines 34 and 35 and insert in lieu thereof the following "period of at least three semesters of not less than thirty-six weeks duration but not necessarily pursued continuously or consecutively, covering adequate and proper training"

AMENDMENT NUMBER THIRTY-TWO

On page 5, line 37 of the printed bill strike out "education", and insert in lieu thereof the following "educational

AMENDMENT NUMBER THIRTY-THIRD

On page 5, line 44, of the printed bill strike out "seventy", and insert in lieu thereof the following "seventy-five".

AMENDMENT NUMBER THIRTY-FOUR.

On page 5, line 48, of the printed bill, strike out "(1)", and insert in lieu thereof the following "(a)"

AMENDMENT NUMBER THIRTY-FIVE

On page 6, line 1, of the printed bill, strike out "(11)", and insert in lieu thereof the following "(b)"

AMENDMENT NUMBER THIRTY-SIX.

On page 6, line 26, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 6, line 32, of the printed bill, after "Board", insert the following: "of Governors"

AMENDMENT NUMBER THIRTY-EIGHT.

On page 6 line 36, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER THIRTY-NINE.

On page 7, line 3, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER FORTY.

On page 7, line 8, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER FORTY-ONE.

On page 7, line 12, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER FORTY-TWO

On page 7, line 14, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER FORTY-THREE.

On page 7, line 21, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER FORTY-FOUR

On page 7, line 24, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER FORTY-FIVE.

On page 7, line 37, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER FORTY-SIX.

On page 7, line 42, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER FORTY-SEVEN.

On page 8, line 18, of the printed bill after the period after "act", strike out "All applications for reinstatement"; also strike out lines 19 and 20.

AMENDMENT NUMBER FORTY-EIGHT

On page 8, line 32, of the printed bill, strike out "8", and insert in lieu thereof the following: "7".

AMENDMENT NUMBER FORTY-NINE

On page 9, line 6, of the printed bill, after "application", strike out "or".

AMENDMENT NUMBER FIFTY.

On page 9 of the printed bill, strike out lines 21 to 28, inclusive.

AMENDMENT NUMBER FIFTY-ONE

On page 9, line 29 of the printed bill, strike out "(7)", and insert in lieu thereof the following: "(6)".

AMENDMENT NUMBER FIFTY-TWO

On page 9, line 31, of the printed bill, strike out "(8)", and insert in lieu thereof the following: "(7)".

AMENDMENT NUMBER FIFTY-THREE

On page 9, line 34 of the printed bill, after "or", strike out "violations", and insert in lieu thereof the following: "violation".

AMENDMENT NUMBER FIFTY-FOUR

On page 9, line 42, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER FIFTY-FIVE.

On page 9 of the printed bill, strike line 43, and insert in lieu thereof the following: "paid to the secretary treasurer of the said board, who".

AMENDMENT NUMBER FIFTY-SIX.

On page 9 of the printed bill, after line 45, insert the following "be deposited in a bank or banks approved by the Board of Governors and shall".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 9 line 46, of the printed bill, strike out "board", and insert in lieu thereof the following: "secretary treasurer".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 10, line 4, of the printed bill, after "secretary", insert the following: "treasurer".

AMENDMENT NUMBER FIFTY-NINE.

On page 10, line 6, of the printed bill, strike out "treasury", and insert in lieu thereof the following: "funds".

AMENDMENT NUMBER SIXTY

On page 10, line 8, of the printed bill, strike out "Sec. 25.", and insert in lieu thereof the following: "Sec. 24."

AMENDMENT NUMBER SIXTY-ONE.

On page 10, line 9, of the printed bill, strike out "Board of Naturo-", also strike out line 10, and insert in lieu thereof the following: "State Board of Naturopathic Examiners of".

AMENDMENT NUMBER SIXTY-TWO

On page 10, line 12, of the printed bill, after "board", insert the following: "of examiners".

AMENDMENT NUMBER SIXTY-THREE.

On page 10, line 14, of the printed bill, after "board", insert the following: "of examiners".

AMENDMENT NUMBER SIXTY-FOUR.

On page 10, line 16, of the printed bill, after "board", insert the following: "of examiners".

AMENDMENT NUMBER SIXTY-FIVE

On page 10, line 19, of the printed bill, after "board", insert the following: "of examiners".

AMENDMENT NUMBER SIXTY-SIX

On page 10, line 23, of the printed bill, strike out "Naturopathic Board of Examiners", and insert in lieu thereof the following: "State Board of Naturopathic Examiners of California"

AMENDMENT NUMBER SIXTY-SEVEN.

On page 10, line 33, of the printed bill, after "board", insert the following: "of examiners".

AMENDMENT NUMBER SIXTY-EIGHT

On page 10, line 35, of the printed bill, after "board", insert the following: "of examiners".

AMENDMENT NUMBER SIXTY-NINE

On page 10, line 38, of the printed bill, after "board", insert the following: "of examiners".

AMENDMENT NUMBER SEVENTY

On page 10, line 52, of the printed bill, after "board", insert the following: "of examiners".

AMENDMENT NUMBER SEVENTY-ONE.

On page 10, line 37, of the printed bill, strike out "26", and insert in lieu thereof the following: "25".

AMENDMENT NUMBER SEVENTY-TWO.

On page 10, line 46, of the printed bill, strike out "27", and insert in lieu thereof the following "26".

AMENDMENT NUMBER SEVENTY-THREE.

On page 10, line 47, of the printed bill, strike out "37", and insert in lieu thereof the following: "36".

AMENDMENT NUMBER SEVENTY-FOUR

On page 10, line 51, of the printed bill, after "secretary", insert the following "treasurer".

AMENDMENT NUMBER SEVENTY-FIVE.

On page 11, line 3, of the printed bill, strike out "members", and insert in lieu thereof the following: "member".

AMENDMENT NUMBER SEVENTY-SIX.

On page 11, line 6, of the printed bill, after "board", insert the following "of examiners".

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 11, line 11, of the printed bill, after "secretary", insert the following: "treasurer".

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 11, line 14, of the printed bill, after "board", insert the following "of examiners".

AMENDMENT NUMBER SEVENTY-NINE

On page 11, line 18, of the printed bill, strike out "and practice".

AMENDMENT NUMBER EIGHTY.

On page 11 of the printed bill, strike out lines 19 and 20, and insert in lieu thereof the following: "any order relating to the granting of a license and to carry any motion or resolution other than a".

AMENDMENT NUMBER EIGHTY-ONE.

On page 11, line 25, of the printed bill, after "secretary", insert the following "treasurer".

AMENDMENT NUMBER EIGHTY-TWO

On page 11, line 30, of the printed bill, after "board", insert the following: "of examiners".

AMENDMENT NUMBER EIGHTY-THREE

On page 11, line 34, of the printed bill, after "secretary", insert the following: "treasurer".

AMENDMENT NUMBER EIGHTY-FOUR.

On page 11, line 38, of the printed bill, strike out "as the", and insert in lieu thereof the following: "of examiners as said"

AMENDMENT NUMBER EIGHTY-FIVE.

On page 11, line 42, of the printed bill, after "secretary", insert the following: "treasurer".

AMENDMENT NUMBER EIGHTY-SIX.

On page 11, line 45, of the printed bill, after "secretary", insert the following: "treasurer"

AMENDMENT NUMBER EIGHTY-SEVEN

On page 11, line 49, of the printed bill, after "secretary", insert the following "treasurer".

AMENDMENT NUMBER EIGHTY-EIGHT

On page 11, line 51, of the printed bill, after "secretary", insert the following: "treasurer".

AMENDMENT NUMBER EIGHTY-NINE

On page 12, line 7, of the printed bill, strike out "27a", and insert in lieu thereof the following: "26a".

AMENDMENT NUMBER NINETY

On page 12 of the printed bill, strike out lines 14 to 17, inclusive

AMENDMENT NUMBER NINETY-ONE

On page 12, line 20, of the printed bill, after "board", insert the following: "of examiners".

AMENDMENT NUMBER NINETY-TWO

On page 12 of the printed bill, strike out line 23, and insert in lieu thereof the following:

"SEC. 27. The Secretary-Treasurer of the Board of Examiners shall".

AMENDMENT NUMBER NINETY-THREE.

On page 12, line 26, of the printed bill, strike out the period, and insert the following "and a copy to the secretary-treasurer of the Board of Governors."

AMENDMENT NUMBER NINETY-FOUR.

On page 12, line 38, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER NINETY-FIVE

On page 12, line 40, of the printed bill, after "secretary", insert the following: "treasurer".

AMENDMENT NUMBER NINETY-SIX

On page 12, line 48, of the printed bill, after "board", insert the following "of examiners".

AMENDMENT NUMBER NINETY-SEVEN.

On page 12, line 51, of the printed bill, after "board" insert the following: "of examiners".

AMENDMENT NUMBER NINETY-EIGHT.

On page 12, line 52, of the printed bill, after "board", insert the following "of examiners".

AMENDMENT NUMBER NINETY-NINE.

On page 13, line 12, of the printed bill, after "board", insert the following: "of examiners".

AMENDMENT NUMBER ONE HUNDRED

On page 13, line 21, of the printed bill, after "must", insert the following: "hold".

AMENDMENT NUMBER ONE HUNDRED ONE

On page 13, line 25, of the printed bill, before "adopt", strike out "to".

AMENDMENT NUMBER ONE HUNDRED TWO.

On page 13, line 26, of the printed bill, strike out "and practice".

AMENDMENT NUMBER ONE HUNDRED THREE.

On page 13, line 30, of the printed bill, after "employees", insert a comma.

AMENDMENT NUMBER ONE HUNDRED FOUR

On page 13, line 32, of the printed bill, strike out "and practice".

AMENDMENT NUMBER ONE HUNDRED FIVE.

On page 13, line 40, of the printed bill, strike out "thereon", and insert in lieu thereof the following: "upon the back thereof".

AMENDMENT NUMBER ONE HUNDRD SIX.

On page 13, line 41, of the printed bill, after "Board", insert the following "of Governors".

AMENDMENT NUMBER ONE HUNDRED SEVEN.

On page 13 of the printed bill, strike out lines 46 and 47, and insert in lieu thereof the following: "This license was {revoked / suspended} by order of the Board of Governors of the Naturopathic Association of California on ------ day of ------ " Court".

AMENDMENT NUMBER ONE HUNDRED EIGHT.

On page 13 of the printed bill, after line 52, insert the following:

"SEC. 34. Said Board of Governors must refuse a certificate to any applicant guilty of unprofessional conduct On the filing with the secretary of a sworn complaint, charging the applicant with having been guilty of unprofessional conduct, the secretary must forthwith issue a citation, under a seal of the Board of Governors, and make the same returnable at the next regular session of said board, occurring at least thirty days next after filing the complaint Such citation shall notify the applicant when and where the charges of said unprofessional conduct will be heard, and that the applicant shall file his written answer, under oath, within twenty (20) days next after the service on him of said citation or that default will be taken against him and his application for a certificate refused The attendance of witnesses at such hearing may be compelled by subpenas issued by the secretary of the Board of Governers under its seal Said citation and said subpenas shall be served in accordance with the statutes of this State then in force as to the service of citation and subpenas generally, and all the provisions of the statutes of this State then in force relating to subpenas and to citations are hereby made applicable to the subpenas and citations provided for herein

Upon the secretary's certifying on the face thereof refusal of any person to obey a subpena citation to the superior court of the county in which the service was had, said court shall thereupon proceed to hear said matter in accordance with the statutes of this State then in force as to contempt for disobedience of process of the court and should said court find that the subpena or citation has been legally served, and that the party so served has wilfully disobeyed the same, it shall proceed to impose such penalty in cases of contempt of court In all cases of alleged unprofessional conduct arising under this act, depositions of witnesses may be taken, the same as in civil cases and all the provisions of the statutes of this State then in force as to taking of depositions are hereby made applicable to the taking of depositions under this act. If the applicant shall fail to file with the secretary of said board his answer, under oath, within twenty (20) days after service on him of said citation, or within such further time as the said board may allow and the charges on their face shall be deemed sufficient by the said board, default shall be entered against him, and his application refused. If the charges on their face be deemed sufficient by the said board, and issue be joined thereon by answer, the said board shall proceed to determine the matter, and to that end shall hear such proper evidence as may be adduced before it; and if it appear to the satisfaction of the said board that the applicant is guilty as charged, no certificate shall be issued to him Whenever any holder of a certificate herein provided for is guilty of unprofessional conduct, as the same is defined in this act, and the said unprofessional conduct has been brought to the attention of the said board granting said certificate, in the manner hereinafter provided or whenever a certificate has been procured by fraud or misrepresentation or issued was procured by fraud or misrepresentation or issued by mistake or the person holding such certificate is found to be practicing contrary to the provisions hereof and of this act, it shall be the duty of the said board and the board shall have power to suspend the right of the holder of said certificate to practice for a period not exceeding one year or to place the holder of said certificate

upon probation or suspend judgment in such cases or revoke his certificate, or take such other action in relation to the punishment of the holder of said certificate as in its discretion it may deem proper. In the event of such suspension, the holder of such certificate shall not be entitled to practice thereunder during the term of suspension; but, upon the expiration of the term of said suspension, he shall be reinstated by the said board and shall be entitled to resume his practice unless it shall be established to the satisfaction of the said board that said person so suspended from practice, has, during the term of such suspension, practiced in the State of California, in which event the said board shall revoke the certificate of such person. No such suspension or revocation shall be made unless such holder is cited to appear and the same proceedings are had as is hereinbefore provided in this section in case of refusal to issue certificates. Said secretary in all cases of suspension or revocation shall enter on his register the fact of such suspension or revocation, as the case may be and shall certify the fact of such suspension or revocation under the seal of the said board. The words "unprofessional conduct" as used in this act, are hereby declared to mean:

(a) To violate or attempt to violate, directly or indirectly, or to assist in or to abet the violation of or to conspire to violate any provision or term of this act.

(b) The employment of "cappers" or "steerers" or other persons in procuring practice for naturopathic physicians.

(c) The procuring or aiding or abetting or attempting or agreeing or offering to procure a criminal abortion.

(d) The wilful betraying of a professional secret.

(e) All advertising of naturopathic business which is intended or has a tendency to deceive the public or impose upon credulous or ignorant persons, and so be harmful or injurious to public morals or safety.

(f) The revocation by a sister State of a license or certificate by virtue of which one licensed to practice in California has authority to practice in said sister State.

(g) All advertising of any methods or of any means whereby the monthly periods of women can be regulated or the menses reestablished if suppressed.

(h) Conviction of a felony in which case the record of such conviction shall be conclusive evidence.

(i) Conviction of or cash compromise of a charge of violation of the Harrison Act regulating narcotics in which case the record of such conviction or compromise, as the case may be shall be conclusive evidence.

(j) Conviction of any offense involving moral turpitude in which case the record of such conviction shall be conclusive evidence.

(k) The purchase, sale or barter, or offering to purchase, sell or barter any naturopathic degree, or any degree diploma, certificate or transcript, made or purporting to be made pursuant to any laws regulating the license and registration of naturopaths under this act, or altering with fraudulent intent, in any material record a diploma, certificate or transcript, or the use of any such diploma certificate or transcript that has been purchased, fraudulently issued, counterfeited or materially altered.

(l) The impersonation or acting as proxy in any examination required under the Naturopathic Practice Act of any applicant for a certificate, provided for in the Naturopathic Practice Act.

(m) The adjudication of insanity by a superior court in which case the record of such adjudication or judgment or order of commitments shall be conclusive evidence; provided, however, that a licentiate whose license has been revoked for the foregoing cause may, upon restoration to or declaration of sanity, apply to the Board of Naturopathic Examiners for a restoration of his certificate (license).

(n) The procuring by fraud or misrepresentation of any certificate provided for in this act.

(o) Habitual intemperance or excessive use of narcotics.

(p) The impersonation of another licensed practitioner or permitting or allowing another person to use his certificate in the practice of naturopathy.

(q) The use by the holder of any certificate, in any sign or advertisement or announcement of his practice, of any fictitious name, or any name other than his own.

(r) Advertising, announcing, or stating, directly, indirectly, or in substance, by any sign, card newspaper, advertisement or other written or printed sign or advertisement, that the holder of such certificate or any other person, company, or association by which he is employed or in whose service he is, will cure or attempt to cure, or will treat any person or persons for any sexual weakness, sexual disease, for lost manhood, or sexual disorder, or any disease of the sexual organs, or being employed by, or being in the service of any person, firm, association, or corporation so advertising, announcing or stating.

(s) The use by the holder of any certificate of any letter, letters, word, words, or term or terms used either as prefix or affix or suffix indicating that such certificate holder is entitled to practice a system or mode of treating the sick or afflicted for which he was not licensed in the State of California.

(t) The use of the holder of any certificate provided for in this act, of the term of suffix "N.D." unless the said holder has been granted the degree of Doctor of Naturopathy after the completion of a full course of study as prescribed by an approved naturopathic school in accordance with the provisions of this act."

AMENDMENT NUMBER ONE HUNDRED NINE

On page 14, line 6, of the printed bill, after "diploma", insert the following: "or certificate".

AMENDMENT NUMBER ONE HUNDRED TEN.

On page 14, line 7, of the printed bill, strike out "existing under the laws of this State".

AMENDMENT NUMBER ONE HUNDRED ELEVEN.

On page 14, line 9, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER ONE HUNDRED TWELVE.

On page 14, line 11, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER ONE HUNDRED THIRTEEN.

On page 14 of the printed bill, strike out line 12, and insert in lieu thereof the following: "sentation of such proof and upon such investigation as the Board of Governors".

AMENDMENT NUMBER ONE HUNDRED FOURTEEN.

On page 14, line 13, of the printed bill, after "necessary", insert the following: "provided further, that each applicant present to the Board of Governors satisfactory evidence that he or she has completed before commencing the second year study in naturopathy a one year resident course in the subjects of chemistry, biology and physics, and".

AMENDMENT NUMBER ONE HUNDRED FIFTEEN.

On page 14 of the printed bill, strike out lines 21 to 41, inclusive, and insert in lieu thereof the following:

"Group	1.	Chemistry	145	
		Biology	145	
		Physics	145	
Group	2.	Anatomy	485	
		Histology	115	600
Group	3.	Physiology	200	200
Group	4.	Naturopathic Pathology, Bacteriology and Immunology	400	400
Group	5.	Toxicology, Hygiene, and Preventive Medicine	120	120
Group	6.	Biochemistry, Phytotherapy, and Dietetics	240	240
Group	7.	Minor Surgery	200	
		Anesthesiology	50	250
Group	8.	Diagnosis	400	400
Group	9.	Naturopathic Theory and Practice, Physiotherapy, Hydrotherapy, Electrotherapy, Mechanotherapy and Suggestive Therapy and Applied Psychology	500	
		Clinic	190	690
Group	10.	Gynecology	100	
		Obstetrics (including 15 bedside cases)	165	265
Total				3600 Hours

In the course of study herein outlined the hours required shall be actual work in the class room, laboratory, clinic, or hospital, and at least eighty per cent of actual attendance shall be required; provided, that the hours herein required in any subject need not exceed seventy-five per cent of the number specified, but that the total number of hours in all the subjects of each group shall not be less than the total number specified for such group."

AMENDMENT NUMBER ONE HUNDRED SIXTEEN

On page 14, line 48, of the printed bill, strike out "and", between the words "proof" and "of".

AMENDMENT NUMBER ONE HUNDRED SEVENTEEN.

On page 15, line 15, of the printed bill, strike out "each of the following", and insert in lieu thereof the following "not more than two of the following".

AMENDMENT NUMBER ONE HUNDRED EIGHTEEN.

On page 15, line 17, of the printed bill, strike out ", bacteriology, and pathology.", and insert in lieu thereof a period

AMENDMENT NUMBER ONE HUNDRED NINETEEN

On page 15 of the printed bill, strike out line 18, and insert in lieu thereof the following

"3. Naturopathic Pathology, bacteriology, and immunology."

AMENDMENT NUMBER ONE HUNDRED TWENTY.

On page 15 of the printed bill, strike out line 19, and insert in lieu thereof the following:

"4. Toxicology, Hygiene, and preventive medicine"

AMENDMENT NUMBER ONE HUNDRED TWENTY-ONE

On page 15, line 29, of the printed bill, strike out "examiners", and insert in lieu thereof "governors".

AMENDMENT NUMBER ONE HUNDRED TWENTY-TWO.

On page 15, line 30, of the printed bill, strike out "thirty", and insert in lieu thereof "fifteen".

AMENDMENT NUMBER ONE HUNDRED TWENTY-THREE

On page 15, line 36, of the printed bill, after the word "Board", insert the following: "of Governors".

AMENDMENT NUMBER ONE HUNDRED TWENTY-FOUR.

On page 15, line 41, of the printed bill, after the word "Board", insert the following: "of Governors".

AMENDMENT NUMBER ONE HUNDRED TWENTY-FIVE.

On page 15 of the printed bill, strike out line 47, and insert in lieu thereof the following: "tion 34 hereof, the Board of Governors may after a hearing, held and con-".

AMENDMENT NUMBER ONE HUNDRED TWENTY-SIX.

On page 15 of the printed bill, strike out lines 50 to 52, inclusive, and on page 16, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"SEC. 37. The board of examiners shall hold examinations on the first Tuesday following the second Monday of January and July of each year and at such other times and places as may be found necessary for the performance of their duties. The board of examiners may in its discretion appoint or designate any qualified and competent person or persons to give the whole or any portion of any examination as provided in this act, such person or persons need not be a member of the Board of Naturopathic Examiners and shall be designated as a commissioner on examination and shall be subject to the same rules and regulations and entitled to the same fee and remuneration as if a member of the board of examiners. The exami-".

AMENDMENT NUMBER ONE HUNDRED TWENTY-SEVEN.

On page 16, line 16, of the printed bill, after the period after "papers", insert the following. "Each applicant shall be notified within thirty days after taking such examination by the secretary treasurer of the State Board of Naturopathic Examiners the grades he has made in each subject of said examination."

AMENDMENT NUMBER ONE HUNDRED TWENTY-EIGHT

On page 16, line 21, of the printed bill, after "Board", insert the following: "of Governors".

AMENDMENT NUMBER ONE HUNDRED TWENTY-NINE.

On page 16, lines 38 and 39, of the printed bill, strike out "examiners", and insert in lieu thereof "governors".

AMENDMENT NUMBER ONE HUNDRED THIRTY.

On page 16, line 47, of the printed bill, strike out "one year", and insert in lieu thereof the following: "six months".

AMENDMENT NUMBER ONE HUNDRED THIRTY-ONE.

On page 16 of the printed bill, strike out lines 49 to 52, inclusive, and on page 17, strike out lines 1 to 22, inclusive, and insert in lieu thereof the following:

"SEC. 38. Naturopathic physicians licensed under this act shall have in the practice and conduct of their profession, all the rights, powers and privileges of any and all other practicing physicians of any school or class or division in the treatment of any and all diseases, injuries, deformities, or other mental or physical conditions, and shall have all the rights and privileges to sign any and all certificates or papers and such reports shall be accepted by the proper officers or departments and shall have equal rights with other physicians in any and all institutions supported wholly or in part by public funds, and to disability compensation and shall have the right to report and certify births and deaths.

SEC. 39. On and after the passage of this act, neither the Board of Medical Examiners of this State, nor any board of authority, except the board created by this act shall grant any naturopathic licenses or do any act relating to the practice or system or mode of naturopathic treatment of the sick or afflicted, all power and authority over the practice of naturopathy shall be vested exclusively in and be exercised by the State Board of Naturopathic Examiners and Board of Governors of the Naturopathic Association of California hereby established pursuant to the provisions of this act"

AMENDMENT NUMBER ONE HUNDRED THIRTY-TWO.

On page 17, line 23, of the printed bill, strike out "defined and".

AMENDMENT NUMBER ONE HUNDRED THIRTY-THREE

On page 17, line 26, of the printed bill, strike out "more especially defined in detail as".

AMENDMENT NUMBER ONE HUNDRED THIRTY-FOUR.

On page 17, line 29, of the printed bill, after "plants," insert the following: "oils,".

AMENDMENT NUMBER ONE HUNDRED THIRTY-FIVE.

On page 17 of the printed bill, strike out line 32, and insert in lieu thereof the following: "ual, mechanical, electrical instruments, appliances, X ray, or".

AMENDMENT NUMBER ONE HUNDRED THIRTY-SIX.

On page 17, line 33, of the printed bill, strike out "other".

AMENDMENT NUMBER ONE HUNDRED THIRTY-SEVEN.

On page 17, line 37, of the printed bill, strike out "natural", and insert in lieu thereof the following: "normal".

AMENDMENT NUMBER ONE HUNDRED THIRTY-EIGHT.

On page 17, line 39, of the printed bill, strike out "Sec. 39.", and insert in lieu thereof the following. "Sec. 39a."

AMENDMENT NUMBER ONE HUNDRED THIRTY-NINE.

On page 17, line 47, of the printed bill, strike out "examiners", and insert in lieu thereof the following: "governors".

AMENDMENT NUMBER ONE HUNDRED FORTY.

On page 17, line 48, of the printed bill, strike out "fifty", and insert in lieu thereof the following: "one hundred".

AMENDMENT NUMBER ONE HUNDRED FORTY-ONE

On page 18, line 2, of the printed bill, strike out "prior to the passage of this act", and insert in lieu thereof the following "next preceding the date upon which the act becomes effective".

AMENDMENT NUMBER ONE HUNDRED FORTY-TWO.

On page 18, line 5, of the printed bill, strike out "three", and insert in lieu thereof the following: "four".

AMENDMENT NUMBER ONE HUNDRED FORTY-THREE

On page 18, line 6, of the printed bill, strike out "massage", and insert in lieu thereof the following: "manipulation".

AMENDMENT NUMBER ONE HUNDRED FORTY-FOUR.

On page 18, line 12, of the printed bill, strike out "examiners", and insert in lieu thereof the following: "governors".

AMENDMENT NUMBER ONE HUNDRED FORTY-FIVE.

On page 18, line 16, of the printed bill, strike out "minor surgery", and insert in lieu thereof the following: "obstetrics".

AMENDMENT NUMBER ONE HUNDRED FORTY-SIX.

On page 18 of the printed bill, strike out lines 17 to 21, inclusive, and insert in lieu thereof the following: "minor surgery and anesthesiology. Any person eligible to".

AMENDMENT NUMBER ONE HUNDRED FORTY-SEVEN.

On page 18, line 23, of the printed bill, after "board", insert the following: "of governors".

AMENDMENT NUMBER ONE HUNDRED FORTY-EIGHT.

On page 18, line 25, of the printed bill, strike out "examiners", and insert in lieu thereof the following: "governors".

AMENDMENT NUMBER ONE HUNDRED FORTY-NINE.

On page 18, line 27, of the printed bill, strike out "obstetrics", and insert in lieu thereof the following: "minor surgery and anesthesiology".

AMENDMENT NUMBER ONE HUNDRED FIFTY.

On page 18 of the printed bill, strike out line 28, and insert in lieu thereof the following: "by the board of examiners embracing the subjects specified in group 7 of".

AMENDMENT NUMBER ONE HUNDRED FIFTY-ONE.

On page 18, line 35, of the printed bill, after "person", insert the following: "who is a member in good standing in the State association and".

AMENDMENT NUMBER ONE HUNDRED FIFTY-TWO.

On page 18, line 42, of the printed bill, after "$25.00", strike out the period, and insert in lieu thereof the following: "to the board of governors."

AMENDMENT NUMBER ONE HUNDRED FIFTY-THREE.

On page 18, line 43, of the printed bill, after "board", insert the following: "of governors".

AMENDMENT NUMBER ONE HUNDRED FIFTY-FOUR.

On page 18 of the printed bill, strike out line 48, and insert in lieu thereof the following:

"SEC. 43. Any person who is a member in good standing of the State association and who holds a diploma from a char-".

AMENDMENT NUMBER ONE HUNDRED FIFTY-FIVE.

On page 19, line 2, of the printed bill, after "board", insert the following: "of governors".

AMENDMENT NUMBER ONE HUNDRED FIFTY-SIX.

On page 19, line 4, of the printed bill, after "board", insert the following: "of examiners".

AMENDMENT NUMBER ONE HUNDRED FIFTY-SEVEN.

On page 19, line 7, of the printed bill, strike out "43", and insert in lieu thereof the following: "44".

AMENDMENT NUMBER ONE HUNDRED FIFTY-EIGHT.

On page 19 of the printed bill, strike out lines 12 and 13, and insert in lieu thereof the following: "construed as requiring any person licensed hereunder to".

AMENDMENT NUMBER ONE HUNDRED FIFTY-NINE.

On page 19 of the printed bill, strike out lines 17 and 18, and insert in lieu thereof the following: "hereunder, and if a person secures a license hereunder he shall not be prose-".

AMENDMENT NUMBER ONE HUNDRED SIXTY.

On page 19 of the printed bill, strike out line 20, and insert in lieu thereof the following: "secures a license under the State".

AMENDMENT NUMBER ONE HUNDRED SIXTY-ONE.

On page 19 of the printed bill, strike out lines 22 and 23, and insert in lieu thereof the following:

"SEC. 45. Naturopathic licentiates under this act, are hereby authorized to use any or all of the following terms "Doctor of Naturopathy" or its abbreviations "N.D." or "Naturopath" or "Naturopathic Physician" or any other term or terms or abbreviations relative to any special branch or branches of naturopathy, but none of these terms or any combination of them, shall be so used as to convey the idea that the physician, who uses it or them, practices anything other than naturopathy."

AMENDMENT NUMBER ONE HUNDRED SIXTY-TWO.

On page 19, line 24, of the printed bill, strike out "45", and insert in lieu thereof the following: "46".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2313—An act to add the following mileage to the State highway system.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title, and insert therefor the following:

"An act to amend sections 2, 3 and 5 and to add a section to be numbered 6 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, said amendments and new section relating to the allocation and expenditure of State highway funds, the construction, improvement and maintenance of State highways and the addition of certain highways to the State system."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the words "SECTION 1.", add the following: "Section 2 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 2. (a) All money now or hereafter in the State highway maintenance fund, all money now or hereafter in the State highway construction fund, and all money now or hereafter available under any law of this State for the acquisition of rights of way for, or the construction, maintenance, repair, widening, resurfacing or reconstruction of State highways, other than money authorized by law to be deposited in the State highway general fund, shall be allocated and expended as provided in this act

(b) The Department of Public Works is hereby authorized and directed to expend of all said money available each year in the State highway maintenance fund such proportion thereof as the California Highway Commission determines is necessary for general administration expenses and for maintenance of all traversable State highways. The term "maintenance" shall include the preservation and keeping of rights of way and each type of roadway, structure and facility in the safe and usable condition to which it has been improved or constructed but shall not include reconstruction or other improvement. Maintenance shall also include necessary provision for special safety conveniences and devices; general utility services such as roadside planting, also special or emergency maintenance or repair necessitated by accidents or by storms or other weather conditions, slides, settlements or other unusual or unexpected damage to a roadway, structure or facility.

(c) The Department of Public Works is hereby authorized and directed to expend any portion of said State highway maintenance fund which the California Highway Commission determines is not necessary for general administration expenses and for maintenance of all traversable State highways for the purposes, in the manner, and subject to the limitations provided in section 3 of this act, in respect to moneys in the State highway construction fund.

SEC. 2. Section 3 of said act is hereby amended to read as follows:

Sec. 3. (a) Fifty per cent of the annual amounts received in the State highway construction fund created by Chapter 795 of the Statutes of 1927 shall be allocated to and expended upon the primary State highways and the remaining fifty per cent of said fund shall be allocated to and expended upon the secondary State highways except as hereinafter provided.

(b) The money herein allocated to primary State highways and the amounts available therefor each year shall be expended by the Department of Public Works in acquiring necessary rights of way for and in constructing, reconstructing, widening or improving to standards justified by traffic requirements and on the most direct and practicable routes, as determined by the California Highway Commission, the primary State highways and the annual expenditures thereof shall be made within each group of counties enumerated in section 4 of this act in amounts which shall bear the same proportion to the total amount so available during the current year as the number of miles of primary State highways, within each group, bears to the total number of miles of primary State highways.

(c) The money herein allocated to secondary State highways and the amounts available each year shall be expended by the Department of Public Works in acquiring the necessary rights of way for and in constructing, reconstructing, widening or improving to standards justified by traffic requirements and on the most direct and practicable routes, as determined by the California Highway Commission, the secondary State highways in the State highway system and the total annual expenditures thereof shall be made one-half thereof in each of the groups of counties enumerated in section 4 of this act; provided, that not to exceed two per cent of the money so allocated to a particular group may be used and expended as State aid to joint highway districts within such group in accordance with the laws pertaining to the financing of highways within joint highway districts.

(d) In the event the California Highway Commission shall determine at any time that the money hereby allocated to the primary highways in either group of counties designated in this act is larger than necessary for the purpose of adequately meeting traffic requirements, then on the authorization of said commission the Department of Public Works may expend not more than fifty per cent of the money so allocated to the primary highways in such group of counties upon the secondary highways in such group of counties

Provided, further, that in the event the California Highway Commission shall determine at any time that the cost of constructing, reconstructing, widening or improving the primary highways in either group of counties designated in this act is greater than can be met by the money hereby allocated to such primary highways, then on the authorization of said commission the Department of Public Works may expend not more than fifty per cent of the money hereby allocated to the secondary highways in such group of counties upon the primary highways in such group of counties.

(e) As a further, flexible provision with respect to the expenditure of primary and secondary money it is further provided that the Department of Public Works in

acquiring necessary rights of way, constructing, reconstructing, widening, improving or maintaining routes within municipalities, as hereinafter provided, within a particular group of counties designated in this act, may, on the authorization of the California Highway Commission, expend for said purposes money allocated to either the primary or secondary highways in such group of counties

(f) Except as otherwise permitted hereunder, any annual or biennial balances remaining unexpended to the credit of any group of counties shall remain credited to the particular group of counties to which it is allocated, as above set forth.

(g) In apportioning the expenditures of money as required by this act, there shall be excluded from the computations of moneys expended any sums contributed by any city, city and county, county, or from any other source, to pay a portion of the cost of constructing, reconstructing, widening or improving any State road or highway

(h) When necessary in order to carry out the provisions of this act to prorate pay rolls or any other charges between the State highway maintenance fund and the State highway construction fund, the Division of Highways of the Department of Public Works is hereby authorized to present to the State Controller its written demands or schedules against either of said funds for the whole of such pay rolls or other charges and the State Controller shall draw his warrant or warrants for the same, and the State Treasurer shall pay the same, and said division is hereby authorized and directed to present with such written demands or schedules, or subsequently thereto, its written corrective demands or schedules to the State Controller in favor of the fund so drawn upon and against the fund not so drawn upon for the purpose of reimbursing the said fund first drawn upon in the amount chargeable against the second fund, and the State Controller shall certify to the State Treasurer the said amount, and the State Treasurer shall thereupon transfer the said amount from the reimbursing to the reimbursed fund.

SEC. 3 Section 5 of said act is hereby amended to read as follows:

Sec. 5 The California Highway Commission shall have jurisdiction and authority as provided in this section with respect to any State highway lying within any municipality as specifically described by law, also with respect to a State highway, the natural course of which runs or passes into or through any municipality or contiguous municipalities. Unless any such route or routes within a municipality is specifically described by law it shall be the duty of the Highway Commission to designate and to determine the location of connecting portions either through or around the municipality as the commission may determine will be of the greatest benefit to through traffic and the said commission shall determine such connecting portions with respect to all State highways, the natural course of which runs or passes into or through any municipality.

The Department of Public Works is hereby authorized to acquire the necessary land or rights of way by purchase, condemnation or donation for any said highway or the legislative body of the municipality may acquire the necessary land or rights of way by purchase, condemnation or donation and title to any said land or right of way may be taken in the name of the State or in the name of the municipality.

The minimum permissible width of right of way for all State highways shall be eighty feet, except as otherwise provided in section 2620 of the Political Code, and provided further that the Department of Public Works may maintain any traversible State highway having a lesser width of right of way but shall not expend any money thereon for construction, reconstruction, or other major improvement until the width of right of way is at least eighty feet.

The Department of Public Works is hereby authorized to construct, reconstruct, widen, otherwise improve or maintain any such highway within a municipality and upon the allocation of any funds by the California Highway Commission for any said purpose the Director of Public Works may as he shall deem expedient enter into a cooperative agreement with such municipality for the performance of any such work by the State or by such municipality or for the division of the cost thereof as between the State and such municipality. All work performed under the provisions of this section shall be approved by the Director of Public Works.

The Director of Public Works may delegate to any such municipality all or any part of the powers and jurisdiction vested by law in him or in the Department of Public Works over and in respect to all or any section of any such State highway within such municipality.

SEC. 4. Said act is hereby amended by adding thereto a new section to be numbered 6, to read as follows:

Sec. 6. The following named and described highways or routes are hereby declared to be and are hereby classified as secondary State highways and the Department of Public Works is hereby authorized and directed to lay out and construct said highways by the most direct and practicable routes, as determined by the California Highway Commission, between the termini stated herein, and to improve and maintain the same, subject to the provisions of this act as applicable:

DESCRIPTION.

State Highway Route 71 to State Highway Route 1 north of Smith River.
Etna Mills to Montague.
State Highway Route 28 at Alturas to State Highway Route 29.
State Highway Route 3 near Mt. Shasta to Lassen National Park.
State Highway Route 20 near Willow Creek to State Highway Route 46 near Weitchpec.
State Highway Route 1 to State Highway Route 20 north of Mad River.
Ferndale to State Highway Route 1 near Fernbridge.
State Highway Route 1 near Alton to State Highway Route 35 near Kuntz
State Highway Route 35 near Peanut to State Highway Route 20 near Douglas City.
State Highway Route 35 to State Highway Route 3 near Red Bluff.
State Highway Route 28 near Redding to Lassen National Park.
Lassen National Park to State Highway Route 29 at Mineral.
State Highway Route 29 near Deer Creek Pass to State Highway Route 21 near Indian Falls.
State Highway Route 3 near Chico to State Highway Route 29 near Deer Creek Meadows.
State Highway Route 21 near Blairsden to State Highway Route 38 near Truckee.
State Highway Route 25 at Downieville to Blairsden-Truckee Road near Sattley.
State Highway Route 37 near Colfax to State Highway Route 17 near Grass Valley.
State Highway Route 3 near Chico to State Highway Route 21 near Oroville.
State Highway Route 15 near Marysville to State Highway Route 21 near Oroville.
State Highway Route 15 near Colusa to State Highway Route 47 near Hamilton City.
Russian River near Jenner to Westport.
State Highway Route 49 near Middletown to State Highway Route 15 near Upper Lake via Lakeport.
State Highway Route 50 near Rumsey to State Highway Route 7 near Woodland.
State Highway Route 7 near Vacaville to State Highway Route 7 near Dunnigan.
State Highway Route 7 near Woodland to State Highway near Yuba City.
Woodland to Sacramento.
State Highway Route 3 near Lincoln to State Highway Route 17 near Newcastle.
State Highway Route 65 near Coloma to Marshall's Monument.
State Highway Route 11 near El Dorado to State Highway Route 11 near Placerville via Diamond Springs.
State Highway Route 23 near Woodfords to the California-Nevada State line.
State Highway Route 23 near Coleville to the California-Nevada State line.
State Highway Route 23 near Bridgeport to the California-Nevada State line via Walker River.
State Highway Route 11 near Perkins to State Highway Route 54 near Michigan Bar.
State Highway Route 4 near Stockton to State Highway Route 54 near Waite's Station.
State Highway Route 4 near Stockton to State Highway Route 65 near Mokelumne Hill.
State Highway Route 4 south of Sacramento to State Highway Route 3 near Ben Ali.
Walnut Creek-Stockton Road near Antioch to Sacramento.
State Highway Route 53 at Rio Vista via Ryer Island to Sacramento-Antioch Road.
State Highway Route 53 to State Highway Route 7 near Dixon.
State Highway Route 8 near Napa to Winters via Putah Creek.
Napa-Calistoga Road near Rutherford to Napa-Winters Road.
State Highway Route 8 near Napa to State Highway Route 49 near Calistoga.
Calistoga to State Highway Route 1 near Geyserville.
State Highway Route 8 to State Highway Route 7 through American Canyon.
State Highway Route 1 near Petaluma to State Highway Route 8 near Shellville.
Sebastopol to State Highway Route 1 near Santa Rosa.
Coast Road near Jenner to State Highway Route 1 near Cotati.
State Highway near southerly end of Marin Peninsula to the Marin-Sonoma County line via the Coast Route.
San Jose to Richmond (East Shore Highway).
Hayward, via Fourteenth Street in San Leandro, to Seventh and Cypress Streets in Oakland.
San Jose-Richmond East Shore Highway near Mt. Eden to State Highway Route 5 near Hayward.

State Highway Route 75 near Walnut Creek to State Highway Route 5 near Stockton via Antioch.
State Highway Route 11 near Hercules to the Walnut Creek-Antioch Road.
State Highway Route 75 near Walnut Creek to Livermore-San Jose Mission Road near Scotts Corners.
San Jose-Richmond East Shore Highway near Newark to Walnut Creek-Scotts Corners Road near Sunol.
State Highway Route 5 near Mission San Jose to State Highway Route 5 near Livermore.
State Highway Route 4 near Fresno to State Highway Route 5 near Tracy.
State Highway Route 4 near Stockton to State Highway Route 13 near Knights Ferry.
State Highway Route 4 near Manteca to State Highway Route 13 near Oakdale.
State Highway Route 40 near Moccasin Creek to State Highway Route 18 near Mariposa.
Fresno-Tracy West Side Highway to the Sonora-Mariposa Road via Modesto.
State Highway Route 23 near Mono Lake to State Highway Route 76 near Benton Station.
State Highway Route 23 near Rush Creek via June Lake to State Highway Route 23.
State Highway Route 23 to Mammoth Lakes.
State Highway Route 23 to Camp Sebrina.
Santa Cruz to San Francisco via Coast.
Coast Road near Half Moon Bay to State Highway Route 2 near San Mateo.
State Highway Route 55 to State Highway Route 2 near Menlo Park.
State Highway Route 2 near Mountain View to State Highway Route 5 near Milpitas.
State Highway Route 55 near Saratoga Gap to State Highway Route 5 near Los Gatos.
State Highway Route 68 near Sunnyvale to Los Gatos-Saratoga Gap Road
State Highway Route 5 near San Jose to Mount Hamilton.
Santa Cruz to State Highway Route 42 near Waterman Gap.
State Highway Route 56 near Carmel to Santa Cruz.
Coast Road near Watsonville to State Highway Route 2 in Santa Clara Valley via Hecker Pass.
State Highway Route 67 near Chittenden to the Coast Road near Watsonville.
Coast Road near Castroville to State Highway Route 2 near Prunedale.
State Highway Route 22 near San Juan Bautista to State Highway Route 2 near The Rocks
Monterey to State Highway Route 2 near Salinas.
State Highway Route 2 near Salinas to Coast Road near Castroville.
State Highway near Gilroy to State Highway Route 10 in Priest Valley.
State Highway Route 2 near Soledad to Pinnacles National Monument and Pinnacles National Monument to Hollister-Priest Valley Road in Bear Valley.
State Highway Route 32 west of Los Banos to Fresno-Tracy West Side Highway near Centinella.
Fresno-Tracy West Side Highway near Newman to State Highway Route 4 near Livingston.
State Highway Route 4 near Merced to Snelling.
State Highway Route 4 near Merced southerly to State Highway Route 32.
State Highway Route 4 near Fresno to Yosemite National Park.
State Highway Route 4 near Madera to Fresno-Yosemite Road.
Fresno-Tracy West Side Highway near Kerman to State Highway Route 4 near Madera.
Fresno-Yosemite Road at Shaw Avenue to Huntington Lake.
State Highway Route 4 near Fresno to General Grant National Park.
State Highway Route 31 to Death Valley and connection to California-Nevada State line
State Highway Route 23 near Lone Pine to Death Valley.
State Highway Route 4 near Tipton via Porterville and Camp Nelson to Quaking Aspen Meadows and from State Highway Route 23 near Lone Pine to Horseshoe Meadows.
State Highway Route 4 near Bakersfield to Fresno-General Grant National Park Road.
Orosi to Bakersfield-General Grant Park Road.
State Highway Route 4 near Kingsburg to State Highway Route 10 near Lemon Cove.
Tulare-Lindsay Road near Tulare to Orange Cove
Visalia to Woodlake
Corcoran to Lindsay via Tulare.
Hanford via Corcoran and Earlimart to Bakersfield-General Grant Park Road near Ducor.

State Highway Route 4 near Delano to Bakersfield-General Grant Park Road.
State Highway Route 56 near Moro to State Highway Route 4 near Fresno.
State Highway Route 2 near Santa Margarita to Moro-Fresno Road near Creston.
State Highway Route 2 near Santa Margarita to State Highway Route 4 near Bakersfield.
State Highway Route 57 near Maricopa to State Highway Route 10 near Coalinga.
Taft-Greenfield Road to State Highway Route 33 near Wasco.
Taft to State Highway Route 4 near Greenfield.
State Highway Route 4, via Brundage Lane and Oak Street to State Highway Route 4 near Beardsley School.
State Highway Route 4 near Bakersfield to State Highway Route 57 near Isabella via Glennville.
Arvin Road near Weed Patch to State Highway Route 57 near Loma Park.
State Highway Route 4 south of Bakersfield to State Highway Route 58 via Arvin.
Cummings Valley State Institution to State Highway Route 58 near Old Town.
State Highway Route 31 near Cajon Pass to State Highway Route 23 near Little Lake.
State Highway Route 58 west of Needles northerly to the California-Nevada State line
State Highway Route 64 near Blythe to State Highway Route 58 near Needles.
County line near Palo Verde to State Highway Route 64 near Blythe.
State Highway Route 2 near Arroyo Grande to State Highway Route 2 near San Luis Obispo.
State Highway Route 2 near Las Cruces via Lompoc and Guadalupe to State Highway Route 2 near Pismo.
Guadalupe to Sisquoc via Santa Maria.
Orcutt to State Highway Route 2 south of Santa Maria.
Harris to State Highway Route 2 near Los Alamos.
Surf to State Highway Route 80 near Santa Ynez
State Highway Route 80 to State Highway Route 2 via Foothill Road.
State Highway Route 2 near Montecito to State Highway Route 2 west of Santa Barbara via the Coast.
Santa Barbara to Rincon-Santa Paula Road near Ventura-Santa Barbara County line.
State Highway Route 2 near Rincon to State Highway Route 79 near Santa Paula.
State Highway Route 2 near Ventura to State Highway Route 57 in Cuyama Valley.
State Highway Route 2 near Carpinteria to the Carpinteria Beach State Park.
State Highway Route 2 near Montalvo to State Highway Route 4 near San Fernando.
The Montalvo-San Fernando Road near Saticoy to State Highway Route 79.
State Highway Route 2 near El Rio to Montalvo-San Fernando Road near Saticoy.
Hueneme to Montalvo-San Fernando Road near Somis via Oxnard and Camarillo.
State Highway Route 2 near Newbury Park to State Highway Route 79 near Fillmore.
State Highway Route 60 near Aliso Canyon to State Highway Route 2 near Triunfo.
State Highway Route 60 near Topanga Beach to Montalvo-San Fernando Road near Chatsworth.
State Highway Route 4 near Tunnel Station to State Highway Route 9 near San Fernando.
State Highway Route 4 near San Fernando to State Highway Route 60 near Mines Field.
Lankershim Boulevard from State Highway Route 2 near Universal City to State Highway Route 4.
State Highway Route 4 near Burbank to Dayton Avenue, Los Angeles, via Riverside Drive.
San Fernando Road to State Highway Route 9 via Verdugo Road.
State Highway Route 2 near Cahuenga Park to State Highway Route 4 near Burbank.
State Highway Route 4 near Glendale to State Highway Route 9 near Monrovia
State Highway Route 60 at Santa Monica to Colorado Boulevard near Eagle Rock.
State Highway Route 60 at Torrance via Hawthorne Avenue to Mines Field-San Fernando Road.
San Pedro to State Highway Route 9 near La Canada via Figueroa Street.
Los Angeles (Aliso Street) to State Highway Route 26 near Monterey Park via Ramona Boulevard.

Long Beach via Atlantic Boulevard to State Highway Route 26 near Monterey Park.

State Highway Route 60 near Long Beach to State Highway Route 9 near La Manda Park.

Long Beach-Santa Ana Road near Seal Beach via Santa Fe Springs to State Highway Route 26 near West Covina.

State Highway Route 60 near Huntington Beach to Whittier.

Huntington Beach-Whittier Road near Buena Park to State Highway Route 9 near Azusa.

Los Angeles, Boyle Avenue and 4th Street, to State Highway Route 19 near Walnut Station.

Los Angeles, Indiana and 3d Streets, to the Huntington Beach-Whittier Road near Santa Fe Springs.

State Highway Route 60 via Manchester Avenue to State Highway Route 2 near Miraflores.

State Highway Route 60 near El Segundo to Manchester-Miraflores Road near Norwalk.

State Highway Route 60 near Hermosa Beach to State Highway Route 43 in Santa Ana Canyon via Artesia Avenue.

Buena Park-Azusa Road near La Habra to State Highway Route 43 in Santa Ana Canyon via Brea.

Brea to State Highway Route 77 near Chino.

Cerritos Avenue to State Highway Route 43 near Olive via Anaheim.

Santa Ana to La Habra-Santa Ana Canyon Road near Yorba Linda.

State Highway Route 2 near Orange to Orange County Park.

Atlantic Avenue in Long Beach to State Highway Route 2 near Santa Ana via Westminster Avenue.

Los Angeles near Compton to State Highway Route 2 near El Toro.

State Highway Route 60 near Corona del Mar to Santa Ana via Main Street.

State Highway Route 60 near Laguna Beach to State Highway Route 2 near Irvine.

State Highway Route 2 near San Juan Capistrano to State Highway Route 77 near Lake Elsinore.

State Highway Route 23 near Palmdale to Swartout Valley.

State Highway Route 61 to State Highway Route 59 via Los Angeles County Park.

State Highway Route 31 near Cajon Pass to State Highway Route 43 near Big Bear Lake via Baldwin Lake.

State Highway Route 26 near Whitewater to the Cajon Pass-Baldwin Lake Road.

State Highway Route 31 near Cajon Pass to State Highway Route 43 via Lake Arrowhead

State Highway Route 43 near Mt. Anderson to the Cajon Pass-Lake Arrowhead Road.

State Highway Route 9 near San Dimas to State Highway Route 26 near Redlands via Highland Avenue.

State Highway Route 9 near Etiwanda to State Highway Route 31 in Cajon Canyon.

State Highway Route 31 near Verdemont to Highland Avenue, San Bernardino, via Little Mountain.

State Highway Route 26 near Redlands to State Highway Route 43 near Big Bear Lake via Barton Flats.

A highway around Big Bear Lake connecting State Highway Route 43.

State Highway Route 77 via Euclid Avenue to Highland Avenue in Upland.

State Highway Route 77 near Prado to State Highway Route 9 near San Bernardino.

State Highway Route 26 near Colton to State Highway Route 9 near San Bernardino via Mt. Vernon Avenue.

State Highway Route 78 near Perris to State Highway Route 26 near Indio.

Hemet to State Highway Route 19 near Moreno

State Highway Route 26 near Whitewater to Perris-Indio Road near Indian Wells.

State Highway Route 12 near Descanso to State Highway Route 77 near Temecula.

The Descanso-Temecula Road near Aguanga to Hemet

State Highway Route 2 near Oceanside to Descanso-Temecula Road near Lake Henshaw.

State Highway Route 2 near Oceanside to State Highway Route 77 near Vista.

State Highway Route 77 near Escondido to El Cajon-Santa Ysabel Road near Ramona.

State Highway Route 12 near El Cajon to the Descanso-Temecula Road near Santa Ysabel.

Julian to State Highway Route 26 near Kane Springs.

State Highway Route 2, Atlantic Street, San Diego, to Old Spanish Light House, Point Loma.
San Diego-Coronado Ferry in Coronado to State Highway Route 2 via Silver Strand.
State Highway Route 2 near San Diego to State Highway Route 12 west of Jacumba via Campo.
San Diego-Campo Road near Spring Valley to State Highway Route 12 near La Mesa.
State Highway Route 26 near Indio to State Highway Route 26 near Brawley via north shore of Salton Sea.
Calapatria to Brawley-Holtville Road.
State Highway Route 26 near Brawley to State Highway Route 27 near Holtville.
State Highway Route 26 east of El Centro to Brawley-Holtville Road near Brawley.
State Highway Route 27 near Holtville to Calexico-Midway Wells Road near Bonds Corners.
State Highway Route 26 near Calexico to State Highway Route 27 near Midway Wells.
State Highway Route 12 near Seeley to State Highway Route 26 near Calexico."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1277—An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill as amended, after "corporation", insert the following. "(a)".

AMENDMENT NUMBER TWO.

On page 2, line 4, of the printed bill, immediately before "for", insert the following: "(b), except in the case of governmental health officers or school employees performing the duties, respectively, of their office or employment,".

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, strike out line 30, and insert in lieu thereof the following:
"SEC. 5. All persons, firms, associations or corporations other".

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, between lines 47 and 48, insert the following: "The State Board of Public Health may designate any city, city and county, or county health officer his agent for the purpose of this section."

AMENDMENT NUMBER FIVE.

On page 5, line 43, of the printed bill, strike out "clinics and dis-"; also strike out lines 44 and 45, and in line 46, strike out "thereof", and insert in lieu thereof the following: "governmental clinics and dispensaries".

AMENDMENT NUMBER SIX.

On page 5, line 47, of the printed bill, strike out "twenty-five (25)", and insert in lieu thereof the following: "not less than five (5) dollars and not more than twenty-five (25)".

AMENDMENT NUMBER SEVEN.

On page 6 of the printed bill, strike out lines 4 to 12, inclusive, and insert in lieu thereof the following: "pensary fund, which fund is hereby created. All amounts paid into said fund are hereby".

AMENDMENT NUMBER EIGHT.

On page 6, line 17, of the printed bill, strike out "audited"; also strike out lines 18 to 20, inclusive, and insert in lieu thereof the following: "paid in accordance with the provisions of law. The State Board of".

AMENDMENT NUMBER NINE.

On page 6, line 22, of the printed bill, strike out "and"; also strike out lines 23 and 24, and insert in lieu thereof a period.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 313—An act to amend sections 8 and 17 of the State Medical Practice Act, relating to certificates licensing the practice of medicine, drugless healing, and chiropody, and to penalties for violation of the provisions of the act.

Bill read second time, ordered to engrossment, and third reading.

SPECIAL ORDER.

The hour of ten o'clock and thirty minutes a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Peterson asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Assembly Bill No. 2336, at this time, without reference to printer or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED THIRTY-SIX.

Assembly Bill No. 2336—An act to levy an excise tax and to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide that this act shall take effect immediately.

Bill read third time

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE.

On page 12 of the printed bill, as amended, strike out lines 19 to 21, inclusive, and insert in lieu thereof the following: "sions of this act.".

AMENDMENT NUMBER TWO.

On page 13 of the printed bill, as amended, strike out lines 6 to 8, inclusive.

AMENDMENT NUMBER THREE.

On page 13 of the printed bill, as amended, strike out lines 16 and 17 and insert in lieu thereof the following: "determination of such board after such hearing shall be subject to review by a court of competent jurisdiction."

AMENDMENT NUMBER FOUR.

On page 13 of the printed bill, as amended, strike out lines 39 to 46, inclusive.

AMENDMENT NUMBER FIVE.

On page 13, line 47, of the printed bill, as amended, strike out "28", and insert in lieu thereof the following: "27".

AMENDMENT NUMBER SIX.

On page 14, line 1, of the printed bill, as amended, strike out "29", and insert in lieu thereof the following: "28".

AMENDMENT NUMBER SEVEN

On page 14, line 17, of the printed bill, as amended, insert a comma after "regulation", and also after "regulation", insert the following: "taxation,".

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Hornblower, Lyon and Maloney, the Speaker ordered a roll call taken on the adoption of the amendments to Assembly Bill No. 2336.

The roll was called, and the amendments to Assembly Bill No. 2336 were adopted by the following vote:

AYES—Anglim, Badham, Boyle, Burns, Callahan, Cassidy, Cronin, Crowley, Dempster, Feigenbaum, Gilmore, Grubbs, Hallner, Hornblower, Hunt, Jones, King, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Rogers, Ross, Scudder, Stannard, Sullivan, Tournoux, West, Williamson and Woolwine—41.

NOES—Alter, Bliss, Bowers, Brock, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Field, Fisher, Frazier, Greene, Hatch, Hoffman, Kallam, Knowland, Latham, Martin, Meeker, Miller, Eleanor; Morgan, O'Donnell, Phillips, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Stream, Thorp, Turner, Utt, Wright, Zion and Mr. Speaker—38.

Further consideration of Assembly Bill No. 2336 was deferred until after recess.

RECESS.

At twelve o'clock and five minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until one o'clock and thirty minutes p.m of this day.

REASSEMBLED.

At one o'clock and thirty minutes p m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Bernard reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1527—An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately;

Also: Assembly Bill No. 2336—An act to levy an excise tax and to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide that this act shall take effect immediately;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 315—An act to define and limit the jurisdiction of courts sitting in equity, and for other purposes;

Also: Assembly Bill No. 1118—An act to amend sections 3, 4, 5, 6, 8 and 9 of, to add sections 1, 1a, 1b, 9a and 10 to, and to amend and renumber section 1 to be

section 1c of an act entitled "An act to regulate the practice of architecture," approved March 23, 1901;

Also: Assembly Bill No. 1378—An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; to provide for the manner of proving violations of this act in any trial thereof; and to repeal all acts or parts of acts in conflict with this act;

Also: Assembly Bill No. 1523—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to sessions of the superior court;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

WEST, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 76—An act to repeal section 4041b of the Political Code, relating to advisory board to county assessor—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BROCK, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 1607—An act to amend section 681a of the Code of Civil Procedure, relating to executions—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1926—An act to prohibit the operation by the State of tree nurseries and to sale by the State of tree nursery stock and to repeal an act entitled "An act providing for the establishment and maintenance of a State nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along highways and in public places, and making an appropriation therefor," approved May 15, 1917—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MEEKER, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1109—An act to amend section 19x11 of the "Juvenile Court Law," relating to probation officers in counties of the eleventh class;

Also: Assembly Bill No. 1110—An act to amend section 16x11 of the "Weights and Measures Act," relating to sealers of weights and measures in counties of the eleventh class;

Also: Assembly Bill No. 1111—An act to amend section 2322x11 of the Political Code, relating to the office of agricultural commissioner in counties of the eleventh class;

Also: Assembly Bill No. 1112—An act to amend section 4240 of the Political Code, relating to compensation of county and township officers in counties of the eleventh class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1370—An act to amend sections 4, 7, 9, 14 of and to add new sections to be numbered 8a, 15a and 15b to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to vital statistics—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1955—An act to amend section 4284 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-fifth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 2253—An act to amend sections 27 and 34 of an act entitled, "An act to make uniform the law of warehouse receipts," approved March 19, 1909, relating to duty of warehouseman in regard to stored goods—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1729—An act to amend sections 32 and 34 of the Joint Highway District Act, approved June 17, 1931—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

GREENE, Chairman.

The above reported bill ordered on file for third reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1395, as amended by the Senate—An act to amend section 537 of the Code of Civil Procedure, relating to attachments—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

WEST, Chairman.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1395?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 11 and 12, and insert in lieu thereof the following: "able in this State, and is not secured by any mortgage, deed of trust or lien upon real or personal property, or any pledge of personal prop-".

AMENDMENT NUMBER TWO.

On page 1, line 24, of the printed bill, strike out "cannot", and insert in lieu thereof "can not".

AMENDMENT NUMBER THREE.

On page 1, line 27, of the printed bill, strike out "cannot", and insert in lieu thereof "can not".

AMENDMENT NUMBER FOUR.

On page 2, line 3, of the printed bill, after "fraud", insert a comma.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, after line 11, insert the following:

"5. In an action by the State of California or any political subdivision thereof, for the collection of taxes due said State or political subdivision, or for the collection of any moneys due upon any obligation or penalty imposed by law."

The roll was called, and Senate amendments to Assembly Bill No. 1395 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Grubbs, Hoffman, Hunt, Jones, Kallam, King, Knowland, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—57.

NOES—None.

The above reported bill ordered to enrollment.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Roberts:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act relating to retirement systems covering county or township officers or employees or a portion of such employees.

Referred to Committee on Introduction of Bills.

By Mr. O'Connor:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 869 to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the use of park land for the erection of public buildings.

Referred to Committee on Introduction of Bills.

By Mr. Frazier:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as therein defined, providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr. Tournoux:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act relating to the acquisition on behalf of the State of a certain toll bridge, crossing the Carquinez Straits.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act relating to retirement systems covering county or township officers or employees or a portion of such employees.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows.

An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as therein defined, providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act relating to the acquisition on behalf of the State of a certain toll bridge, crossing the Carquinez Straits.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows

An act to add section 869 to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the use of park land for the erection of public buildings.

HALLNER, Chairman.

The question being on the adoption of the reports.

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

AYES—Alter, Badham, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Levey, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. O'Connor: Assembly Bill No. 2351—An act to add section 869 to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the use of park land for the erection of public buildings.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Frazier: Assembly Bill No. 2352—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as therein defined, providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Tournoux: Assembly Bill No. 2353—An act relating to the acquisition on behalf of the State of a certain toll bridge crossing the Carquinez Straits.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Roberts: Assembly Bill No. 2354—An act relating to retirement systems covering county or township officers or employees or a portion of such employees.

Bill read first time, and referred to Committee on Social Service and Welfare.

MOTION TO PRINT.

On motion of Mr. Grubbs, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 2351.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO HUNDRED FIFTY.
RECONSIDERATION WAIVED.

Mr. Fisher waived his notice to reconsider the vote whereby amendments to Assembly Bill No. 250 were adopted.

MOTION TO RE-REFER.

Mr. Fisher moved that Assembly Bill No. 250 be withdrawn from the file, and ordered re-referred to Committee on Fish and Game.

The question being on re-referring Assembly Bill No. 250 to Committee on Fish and Game.

Motion carried.

Assembly Bill No. 250 ordered re-referred to Committee on Fish and Game.

SPECIAL ORDER.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED THIRTY-SIX.
REQUEST FOR UNANIMOUS CONSENT.

Mr. Peterson asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Assembly Bill No. 2336, at this time, without reference to printer or file, and that same be considered engrossed.

Assembly Bill No. 2336—An act to levy an excise tax and to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Crist:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, as amended in the Assembly April 5, 1933, and insert in lieu thereof the following:

"An act to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe

penalties for the violation of this act and to provide that this act shall take effect immediately."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended in the Assembly April 5, 1933, strike out line 1, and the balance of said bill on said page, and following pages, and insert in lieu thereof the following:

"SECTION 1. As used in this act:

(a) "Beverage" means and includes any beer, lager beer, ale, porter, wine, similar fermented malt or vinous liquor, and fruit juice, or other fermented beverage containing not less than one-half of one per cent and not more than three and two-tenths per cent of alcohol by weight.

(b) "Person" means and includes every natural person, partnership, association, company, corporation, organization, or manager, agent, servant, officer or employee of any of them.

(c) "Manufacturer" means every person who, within the State of California, produces, brews, ferments or manufactures a beverage as herein defined, or who, in the case of a beverage produced, brewed, fermented or manufactured outside of the State of California, is the first in possession thereof within the State after completion of the act of importation.

(d) "Sale" means and includes any sale, exchange, barter or other act whereby the title to a beverage is transferred for a consideration, from a manufacturer, "on sale" licensee or "off sale" licensee as herein defined, to any other person and the words "sell" or "sold" mean and include the act of making any such "sale."

(e) "On sale license" means and includes a license to sell beverages at retail for consumption only on the premises in respect to which the license is issued.

(f) "Off sale license" means and includes a license to sell beverages at retail in original packages for consumption only off the premises in respect to which the license is issued.

(g) "Package" and "original package" means and includes any container or receptacle used for holding or containing beverages, which container or receptacle is corked or sealed.

(h) "Corked" and "sealed" shall mean and include closed with any stub, stopper, or cap, whether made of cork, wood, glass, metal or other material.

(i) "Commissioner" means the Franchise Tax Collector of the State of California.

SEC. 2. Every person who engaged in business as, or becomes, a manufacturer, as herein defined, shall make an application to the commissioner for a license to engage in such business or to become a manufacturer within the meaning of this act. The application shall be made on a form to be prescribed, prepared and furnished by the commissioner and shall be accompanied by a fee of one hundred dollars. If the application is made by a natural person, it must be signed by him, or if made by an association or partnership, by a member or partner thereof, or if made by a corporation, by an executive officer thereof or by some person authorized by the corporation to sign the application. All such applications must be made under oath by the person signing them.

SEC. 3. Upon payment of the application fee prescribed by section 2 hereof and filing with the commissioner a photostatic copy of a permit issued to the applicant under the laws of the United States of America, if such a permit be required under said laws, to establish the right of the applicant to engage in said business, the commissioner shall issue to the applicant a license which shall not be assignable, shall be valid only for the person in whose name it is issued, and shall at all times be conspicuously displayed at the place or places of business for which it is issued.

SEC. 4. All licenses issued under the provisions of section 3 hereof shall expire on the thirty-first day of December next succeeding the date upon which they are issued. Licenses issued hereunder must be renewed annually upon application made to the commissioner, in such form as it may prescribe. Any such application for renewal must be accompanied by the fee prescribed by section 2 hereof, and by a photostatic copy of a valid and effective permit issued under the laws of the United States of America as required by section 3 hereof. Upon such application, payment of said fee and filing of said photostatic copy the commissioner shall renew said license. Said application for renewal shall be filed not less than ten days nor more than sixty days before the first day of January of the year for which the license is to be issued.

SEC. 5. An excise tax is hereby imposed on all beverages sold by a manufacturer at the rate of sixty-two cents (62c) for every barrel containing not more than thirty-one gallons at a proportionate rate per gallon for any other quantity thereof in any other container of less capacity.

SEC. 6. Every manufacturer shall render to the commissioner on or before the tenth day of each month a verified statement of quantity of beverage sold by such manufacturer during the preceding month. Such statement shall be in such form as the commissioner may prescribe, together with such other information as the

commissioner may require, and shall be accompanied with a remittance payable to the State Treasurer for the amount of tax due to the State for all beverages sold by the manufacturer during the next preceding month, said amount to be computed at the rate hereinabove described.

The commissioner may, at its option, provide by rule and regulation for the collection of said excise tax by the sale, affixing and cancellation of revenue stamps to be affixed to containers of said beverages upon the sale thereof by a manufacturer, and may prescribe the form and method of such affixing and cancellation. The monthly statement for which provision is herein made shall set forth the amounts of beverages sold to the holders of "on sale" and "off sale" licenses hereinafter mentioned and the names and addresses of all such purchasers and dates of sale. All such statements shall constitute public records and shall be open to the inspection of the licensing boards hereinafter referred to and their duly authorized agents.

SEC. 7. The commissioner may at any time within one year after said statement is due examine the books and records of any person required to make said statement, and such books and papers shall at all times be subject to the inspection of said board or its representatives, during regular business hours. To that end the commissioner may appoint, exempt from the provisions of the Civil Service Act, such auditors, investigators and other employees as may deem necessary to enforce its powers and perform its duties hereunder.

SEC. 8. Any person refusing to permit the commissioner or any of its representatives to make the inspection for which provision is made in the preceding section or failing to keep books of account as may be prescribed by the commissioner or failing to preserve such books for the period for which they are to be opened to the inspection of the board, and any person altering, canceling or obliterating entries in such books of account for the purpose of falsifying the records of sales of beverages made under this act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail not exceeding six months or by both such fine and imprisonment.

SEC. 9. Any manufacturer who fails to pay the excise tax herein prescribed at the time at which it is due shall be guilty of a misdemeanor and shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail not exceeding six months or by both such fine and imprisonment.

SEC. 10. The commissioner on five days' notice and after a hearing duly held shall have power to revoke or suspend the license of any manufacturer who fails or neglects to comply with any of the provisions of this act.

SEC. 11. None of the provisions of this act shall apply, or be construed to apply, to commerce with foreign nations or commerce with the several States, except in so far as the same may be permitted under the provisions of the Constitution and laws of the United States, nor shall the provisions hereof relative to the payment of an excise tax be construed to apply to beverage manufactured or sold within the State of California for purposes of export outside of said State. The provisions of this act relative to the payment of an excise tax shall be construed to apply to the sale of beverages within the State of California by a manufacturer as said term is defined by section 1 of this act after completion of the act of importation. The commissioner shall have the power to prescribe the form of report to be made it monthly by a manufacturer, as said term is herein defined, relative to the total amount of beverages manufactured and the amount thereof manufactured or sold for purposes of export outside of said State, and may in person or by its representatives examine the books, records and accounts of every manufacturer to determine the amount manufactured or sold for purposes of export outside of said State.

SEC. 12. The commissioner shall administer all of the provisions of sections 1 to 11, inclusive, of this act and to that end shall prescribe all necessary rules and regulations to carry out such provisions.

SEC. 13. Any person who sells beverages as a manufacturer, as said terms are herein defined, without having first obtained a license therefor or who violates any of the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail not exceeding six months or by both such fine and imprisonment.

SEC. 14. All moneys collected under the provisions of sections 2, 4 and 5 of this act and all fines and forfeitures imposed and collected for violation of any of the provisions of sections 8, 9 and 13 hereof shall be paid into the State treasury to the credit of the general fund. The commissioner shall from time to time and at least once in every month transfer and report all moneys collected by it hereunder to the State treasury.

SEC. 15. Every manufacturer as said term is defined by section 1b hereof who is the first in possession of a beverage produced, brewed, fermented or manufactured outside of the State of California after completion of the act of importation shall, at the time of the issuance to said manufacturer of a license by the commissioner file and deposit with the said commissioner a bond in such amount as said commissioner shall fix and determine, but not exceeding the sum of one thousand dol-

lars. Said bond shall be payable to the State of California and shall be conditioned upon the faithful performance of all of the provisions hereof and payment to the State of California of all of the taxes and penalties hereof.

SEC 16. Each common carrier which maintains a bona fide public eating place upon its boats, trains or other vehicles, and sells or serves beverages therein, shall first obtain a license from the commissioner which shall be limited to an "on sale" license and shall pay to the State of California a maximum annual license fee of fifty dollars for each and every such separate bona fide public eating place maintained by such common carrier. The said "on sale" license shall not permit "off sale" privileges or "off sale" transactions by said common carrier or upon any of the boats, trains, or vehicles operated by such common carrier.

SEC. 17. It shall be a misdemeanor, punishable by fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment, to sell beverages, as said term is herein defined, to any person under the age of nineteen years.

SEC. 18. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SEC. 19. The provisions of this act shall become operative and applicable and shall be administered upon the occurrence of an event, which event shall be whenever the sale in California of beverages as defined herein is not prohibited by the laws of the United States.

SEC. 20. Inasmuch as this act provides for a levy of taxes, it shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately as a statute, but shall become operative, applicable and administrable upon the occurrence of the events, under the circumstances, in the manner, and to the extent provided in section 19 of this act."

The question being on the adoption of the amendments.

POINT OF ORDER.

Mr. Jones arose to the following point of order: Stating that the amendments of Mr. Crist were inconsistent.

RULING BY THE SPEAKER.

The Speaker ruled the point of order raised by Mr. Jones not well taken.

The question being on the adoption of the amendments submitted by Mr. Crist.

REQUEST FOR ROLL CALL.

On request of Messrs. Crist, Peterson and Williamson, the Speaker ordered a roll call taken on the adoption of the amendments submitted by Mr. Crist to Assembly Bill No. 2336.

The roll was called, and the amendments to Assembly Bill No. 2336 were refused adoption by the following vote:

AYES—Alter, Bliss, Bowers, Brock, Chatters, Cottrell, Craig, Crist, Fisher, Greene, Hatch, Latham, Martin, Miller, Eleanor; Morgan, Phillips, Robinson, C. Ray; Robinson, Samuel E., Roland, Stream, Utt, Wright and Zion—23.

NOES—Anglim, Badham, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cronin, Crowley, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, McBride, McCarthy, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Mr. Speaker—53.

MOTION TO DEFER ACTION.

Mr. Feigenbaum moved that further consideration of Assembly Bill No. 2336 be deferred until the hour of three o'clock and fifteen minutes p.m. of this day.

The question being on the motion to defer action on Assembly Bill No. 2336 until three o'clock and fifteen minutes p.m. of this day.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Lyon, Rawls, Robinson, Samuel E., Stream and Field demanded the previous question.

The question being put: Shall the main question be now put?

REQUEST FOR ROLL CALL.

On request of Messrs. Hornblower, Williamson and Clowdsley, the Speaker ordered a roll call taken on the demand for the previous question.

The roll was called, and the demand for the previous question was refused by the following vote:

AYES—Alter, Badham, Bliss, Burns, Chatters, Cobb, Dempster, Evans, Feigenbaum, Field, Frazier, Greene, Hallner, Hoffman, Kallam, Knowland, Latham, Lyon, Martin, Meeker, Morgan, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Turner and Woolwine—34.

NOES—Anglim, Bowers, Boyle, Brock, Callahan, Cassidy, Clowdsley, Cottrell, Craig, Crist, Cronin, Fisher, Gilmore, Grubbs, Hornblower, Hunt, Jones, King, Levey, Maloney, McBride, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Rogers, Stannard, Sullivan, Tournoux, Utt, West, Williamson, Zion and Mr. Speaker—37.

The question being on the motion to defer action on Assembly Bill No. 2336 until three o'clock and fifteen minutes p.m. of this day.

AMENDMENT TO MOTION.

Mr. Feigenbaum moved to amend his motion to defer action on Assembly Bill No. 2336 to the hour of three o'clock and thirty minutes p m. of this day.

The question being on the adoption of the amendment.

The roll was called, and the amendment submitted by Mr. Feigenbaum was refused adoption by the following vote:

AYES—Anglim, Boyle, Cassidy, Cottrell, Cronin, Crowley, Feigenbaum, Fisher, Grubbs, Hoffman, Hornblower, Hunt, Knowland, Levey, Maloney, McBride, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, O'Donnell, Roland, Sullivan, Tournoux, Williamson and Zion—27.

NOES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Crist, Evans, Field, Greene, Hallner, Hatch, Jones, Kallam, King, Latham, Lyon, Martin, McCarthy, Meeker, Miller, Eleanor; Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Thorp, Turner, Utt, West, Woolwine and Mr. Speaker—43.

The question being on the motion to defer action on Assembly Bill No. 2336 until three o'clock and fifteen minutes p.m. of this day.

POINT OF ORDER.

Mr. Bliss arose to the following point of order: Stating that the hour of three o'clock and fifteen minutes p.m. of this day has passed.

RULING BY THE SPEAKER.

The Speaker ruled the point of order well taken.

FURTHER AMENDMENTS TO ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED THIRTY-SIX.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Grubbs:

AMENDMENT NUMBER ONE.

On page 10 of the printed bill, as amended, in section 19, strike out lines 41 to 45, inclusive, and insert in lieu thereof the following: "and/or hotels. "On sale"

licensees may serve beverages as herein defined at tables or counters at which guests or patrons are seated, or in the case of clubs and/or hotels may".

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs Grubbs, Sullivan and Hornblower, the Speaker ordered a roll call taken on the amendment to Assembly Bill No. 2336.

The roll was called, and the amendment to Assembly Bill No. 2336 was refused adoption by the following vote:

AYES—Anglim, Boyle, Burns, Callahan, Cassidy, Crowley, Dempster, Gilmore, Grubbs, Hornblower, Hunt, Jones, King, Maloney, Mayo, McBride, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, Rogers, Stannard, Sullivan, Tournoux and Williamson—26.

NOES—Alter, Badham, Bliss, Bowers, Brock, Chatters, Clowdsley, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Knowland, Levey, Lyon, Martin, Meeker, Miller, Eleanor; Morgan, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Thorp, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—46.

FURTHER AMENDMENTS TO ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED THIRTY-SIX.

FLOOR AMENDMENT.

During reading of the bill the following amendment was submitted by Mr. Jones:

AMENDMENT NUMBER ONE.

On page 14 of the printed bill, as amended, after line 18, insert the following: "SEC. 29. The Legislature hereby declares that the matters contained herein are of state-wide interest and that by the enactment of this statute the State of California intends to and does hereby occupy the entire field of legislation upon the particular subject matters dealt with herein."

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs. Jones, Hornblower and O'Connor, the Speaker ordered a roll call taken on the adoption of the amendment to Assembly Bill No. 2336.

The roll was called, and the amendment to Assembly Bill No. 2336 was refused adoption by the following vote:

AYES—Anglim, Boyle, Callahan, Cassidy, Cronin, Feigenbaum, Gilmore, Grubbs, Hornblower, Hunt, Jones, King, Levey, Maloney, McBride, McMurray, Meehan, Miller, James A., O'Connor, Patterson, Rogers, Sullivan, Tournoux, Williamson and Woolwine—25.

NOES—Alter, Badham, Bliss, Bowers, Brock, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Field, Fisher, Greene, Hallner, Hatch, Kallam, Knowland, Lyon, Martin, Mayo, Meeker, Miller, Eleanor; Morgan, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Thorp, Turner, Utt, West, Zion and Mr. Speaker—44.

FURTHER AMENDMENTS TO ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED THIRTY-SIX.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. West:

AMENDMENT NUMBER ONE.

On page 8, line 27, of the printed bill, strike out the words "exempt from the provisions of the Civil Service", and insert in lieu thereof "in accordance with the provisions of the Civil Service".

AMENDMENT NUMBER TWO.

On page 8, line 28, of the printed bill, after the word "as", insert the word "it".

The question being on the adoption of the amendments.

Amendments adopted.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED THIRTY-SIX.

Assembly Bill No. 2336—An act to levy an excise tax and to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide that this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—67.

NOES—Brock, Craig and Utt—3.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED THIRTY-SIX.

Assembly Bill No. 2336—An act to levy an excise tax and to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2336 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—65

NOES—Alter, Brock, Craig, Hatch, Latham, Martin, Phillips, Stream and Utt—9.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2336 was this day passed.

SPECIAL ORDER.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND FIVE HUNDRED TWENTY-SEVEN.

Assembly Bill No. 1527—An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately.

Bill read.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, as amended, strike out the comma after the word "lager".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, after line 18, insert the following: "(c) "Sell" or "sale" or any form of said words means any sale, exchange, barter or other act whereby the title to beverage is transferred for a consideration from a manufacturer to any other person."

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended, after line 28, insert the following: "Every manufacturer who is the first in possession of a beverage produced, brewed, fermented or manufactured outside of this State after completion of the act of importation shall, at the time of the issuance to said manufacturer of a permit by the board, file and deposit with the said board a bond in such amount as said board shall fix and determine, but not to exceed the penal sum of one thousand dollars. Said bond shall be payable to the State of California and shall be conditioned upon the faithful performance of all of the provisions hereof and payment to the said State of California of all of the taxes and penalties hereof."

The question being on the adoption of the amendments.

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Assembly Bill No. 1527, at this time, without reference to printer or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND FIVE HUNDRED TWENTY-SEVEN.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1527 passed by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—64.

NOES—Alter, Brock, Chatters, Craig, Hatch, Martin, Phillips, Robinson, Samuel E., and Utt—9.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RECONSIDER.

Mr. Robinson, C. Ray, moved that the consideration of his motion to reconsider the vote whereby Senate Constitutional Amendment No. 2 was refused adoption, be continued until the next legislative day.

Motion carried.

RECONSIDERATION WAIVED.

Mr. Hornblower waived his notice to reconsider the vote whereby Assembly Bill No. 2336 was passed.

Assembly Bill No. 2336 ordered transmitted to the Senate.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At four o'clock and twelve minutes p.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

SPECIAL ORDER.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER THREE HUNDRED THIRTY.

Assembly Bill No. 330—An act to amend sections 535 and 536 of the Fish and Game Code, and to add thereto sections 536.5, 536.6, 536.7, 536.8 and 536.9, relating to fish screens.

Bill read third time.

The question being on the passage of the bill.

THE SPEAKER IN THE CHAIR.

At four o'clock and thirty-five minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Scudder:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 22 and 23, and insert in lieu thereof the following: "in sections 535, 536.5 and 536.6 to any person, firm or corporation, including publicly owned public utilities, engaged in producing, generating, transmitting,".

AMENDMENT NUMBER TWO.

On page 2, line 28, of the printed bill, strike out "private".

The question being on the adoption of the amendments.

Amendments refused adoption.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 330 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Frazier, Gilmore, Kallam, Knowland, Levey, Maloney, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Stannard, Thorp, Tournoux, Turner, Utt, Williamson, Wright, Zion and Mr. Speaker—44.

NOES—Bowers, Burns, Cottrell, Dempster, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Jones, King, Latham, Lyon, McCarthy, Nielsen, Redwine, Riley, Rogers, Scudder, Stream, Sullivan, West and Woolwine—24.

Title read and approved.

Bill ordered transmitted to the Senate.

LEAVE OF ABSENCE.

On motion of Mr. Cottrell, Mr. Crist was granted leave of absence for the balance of this legislative day.

RECESS.

At five o'clock and ten minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Bernard reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 76—An act to repeal section 4041b of the Political Code, relating to advisory board to county assessor;

Also: Assembly Bill No. 1607—An act to amend section 681a of the Code of Civil Procedure, relating to executions;

Also: Assembly Bill No. 1926—An act to prohibit the operation by the State of tree nurseries and to sale by the State of tree nursery stock and to repeal an act entitled "An act providing for the establishment and maintenance of a State nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along highways and in public places, and making an appropriation therefor," approved May 15, 1917;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 26—Relative to memorializing Congress to propose an amendment to the Constitution of the United States providing for economic planning and regulation—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2004—An act to add section 7½ to the State Civil Service Act, relating to the acceptance by county fire districts or municipalities of civil service provisions;

Also: Assembly Bill No. 2206—An act to add a new section to the Political Code, to be numbered 363*l*, relating to the Division of Architecture revolving fund;

Also: Assembly Bill No 2211—An act to add a new section to the Code of Civil Procedure to be numbered 1191b, relating to subrogation of liens arising under section 1191a of said code;

Also: Assembly Bill No. 2324—An act to amend the title and sections 1, 2, 3, 4, 6 and 7 of "An act to regulate the possession or transportation of any form of shell, cartridge or bomb containing or capable of emitting tear gas and providing penalties for violation thereof," approved May 28, 1931, and to add sections 2a and 2b of said act, relating to the possession, transportation and sale of tear gas shells, cartridges, bombs or weapons;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 124—An act to amend section 261 of the Code of Civil Procedure, relating to superior court commissioners;

Also: Assembly Bill No. 498—An act to provide for the alteration of county boundary lines and for the adjustment of county debts and liabilities when such boundaries are changed;

Also: Assembly Bill No. 713—An act to amend the "Water Commission Act," approved June 16, 1913, by amending section 42 thereof, relating to the definition of terms stream, stream system, lake, or other body of water or water;

Also: Assembly Bill No. 1442—An act authorizing and empowering the Department of Public Works of the State of California, the boards of supervisors of the counties thereof, and the legislative bodies of municipalities, to acquire the fee or other additional easements in highways which are already public highways, and for the acquisition, opening, widening, construction and improvement (or any of them) of which any assessment or tax has, within three (3) years prior to January 1, 1933, been levied upon the owners of property within any district found or declared by the legislative body creating such district to have been benefited thereby;

Also: Assembly Bill No. 1875—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities;

Also: Assembly Bill No. 1986—An act to add a new section to the Probate Code, to be numbered 912, relating to claims against estates of insane persons;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 543—An act making it unlawful for any person to employ any other person to solicit law practice, prohibiting any person from soliciting such law practice, limiting the use of written statements taken from an injured person, and providing the penalties therefor, also establishing presumptions as to certain settlements, compromises, releases, discharges and satisfactions and contracts with attorneys, and providing a period of limitation on suits to set aside such contracts;

Also: Assembly Bill No. 1721—An act providing for the issuance of registered warrants, establishing the priority in the payment of those issued for labor and services rendered, prescribing the notice of the date of payment and providing for the payment of such warrants;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 140—An act to repeal sections 9a, 9b, 9c, and 9d of the California Real Estate Act, relating to real estate brokers' bonds;

Also: Assembly Bill No. 460—An act to repeal sections 453aa, 453bb, 453cc, 453dd, 453ee, 453ff, 453gg and 453gg½ of the Civil Code of the State of California and to substitute therefor new sections of said Civil Code numbered 453 1, 453 2, 453 3, 453.4, 453 5, 453.6, 453 7, 453 8, 453.9, 453.10 and 453.11, all relating to mortgage insurance companies;

Also: Assembly Bill No. 607—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the principal and interest of such bonds;

Also: Assembly Bill No. 610—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Assembly Bill No. 614—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any acquisition and improvement district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

And reports that the same have been correctly enrolled and presented the same to the Governor on this sixth day of April, 1933, at three o'clock and thirty minutes p m.

PATTERSON, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1353—An act to add sections 363r, 363s, 363t, 363u, 363v, 363w, 363x, 363y, 363z, 363aa and 363bb to the Political Code, to amend section 363h of the Political Code, and to repeal sections 365, 365a, 365b, 365c, 365d, 365e, 365f, and 365m, all relating to State roads and highways, and the powers and duties of the Director of Public Works, Department of Public Works, and California Highway Commission in respect thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to be numbered 34a to Article IV, by amending section 12 of Article XI, by adding a new section to be numbered 20 to Article XI, by amending sections 14, 15 and 16, and by repealing sections 12½ and 18 of Article XIII, relating to taxation—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

RILEY, Chairman.

Senate Constitutional Amendment No. 30 ordered on file for adoption.

ON AVIATION AND AIRCRAFT.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR SPEAKER: Your Committee on Aviation and Aircraft, to which was referred Assembly Bill No 835—An act to amend section 4 of the California Air Navigation Act, relating to aircraft including aircraft used solely for pleasure and not for commercial purposes, and to add a new section thereto to be numbered 11½, relating to the responsibility of owners or operators of aircraft for injury to or death of a guest riding in such aircraft—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, JAMES A., Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 780—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10a, 11 and 12 of, and to add section 15 to, an act entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to contractors and the Contractors' License Bureau and declaring the same to be an urgency measure—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 981—An act to amend sections 21 and 23 of the Agricultural Code, relating to the Department of Agriculture;

Also Senate Bill No. 469—An act to amend section 1027 of the Penal Code, relating to alienists;

Also: Senate Bill No. 904—An act to amend section 269b of the Penal Code, relating to adultery;

Also: Senate Bill No. 392—An act to add a new section to the Penal Code to be numbered 496c, relating to buying, receiving, concealing or withholding stolen property, and prescribing penalties for violation of the provisions thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 981 read first time, and referred to Committee on Agriculture.

Senate Bills Nos. 469, 904 and 392 read first time, and referred to Committee on Crime Problems.

Also:

SENATE CHAMBER, SACRAMENTO, April 6, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1895—An act to amend sections 4, 5, and 10 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 771—An act to amend section 16 of the act known as the Act Concerning Cosmetology, relating to exemptions—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Public Health and Quarantine.

Also:

SENATE CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 814—An act to amend section 9 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provisions for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violation thereof," approved May 17, 1923, relating to elections;

Also: Assembly Bill No. 501—An act to amend section 19a of the California Irrigation District Act, relating to officers of irrigation districts;

Also: Assembly Bill No. 608—An act to validate bonds, including refunding bonds, or irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also Assembly Bill No. 22—An act to amend section 1322 of the Penal Code, relating to husband and wife.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 898—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to provide for the management and sale of lands belonging to the State," approved March 28, 1868, also an act entitled "An act to provide for the sale of certain lands belonging to the State," approved April

27, 1863, including any case wherein relief has been granted to a purchaser or purchasers under the provisions of an act entitled "An act for the relief of purchasers of State lands," approved March 27, 1872; provided that all taxes levied against the property during the thirty years next preceding the commencement of the action have been fully paid—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 812—An act to amend sections 3.174, 3.301, 3.302 and 3.306 of the School Code, relating to attendance of pupils in school districts other than those in which they reside;

Also: Assembly Bill No. 611—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 613—An act validating the formation, organization and existence of sanitary districts;

Also: Assembly Bill No. 616—An act to validate bonds of flood control districts and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest of such bonds;

Also: Assembly Bill No. 1058—An act to amend section 1158 of the Civil Code, relating to recordation of instruments or judgments affecting the title to or possession of real property;

Also: Assembly Bill No 245—An act to amend sections 3 and 5b of the Narcotic Rehabilitation Act, relating to drug addicts.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

RESOLUTION.

The following resolution was offered:

By Mr. Hallner:

Resolved, That Assembly Bill No. 309, as amended, be withdrawn from the Committee on Aviation and Aircraft.

Following signatures signed below:

H. S. HALLNER.
SAM M. GREENE.
BRUCE R. STANNARD.
GEO. B. BOWERS.
BROCK.
PHILLIPS.
COBB.
LYON.
MEEKER.
MARTIN.
WRIGHT.
ALTER.
KING.
CALLAHAN.
JAMES S. O'CONNOR.
JAMES B. UTT.
J. E FRAZIER.
CHAS. W. DEMPSTER.
MALONEY.
P. J. MCMURRAY.
JOHN T. RAWLS.
JAMES J. MCBRIDE.
CLIFFORD C. ANGLIM.
ELLIS E. PATTERSON.
EDGAR C. LEVEY.
ALBERT F. ROSS.
JESSE M. MAYO.
CHARLES A. HUNT.
FORD A. CHATTERS.
HENRY P. MEEHAN.
JOHN H. O'DONNELL.
JAMES M. CASSIDY.
CHARLES W. STREAM.
W. H. SULLIVAN.
EDWARD CRAIG.
WM. M. JONES.
C. KALLAM.
MELVYN I. CRONIN.
L. POWERS, JR.
S. E. ROBINSON.
FRANK LEE CRIST.
JAMES J. BOYLE.
F. PETERSON.
JOSEPH P. GILMORE.

The above reported bill ordered on file for second reading.

RECONSIDERATION WAIVED.

Mr. Jones waived his notice to reconsider the vote whereby Assembly Bill No. 699 was passed.

Assembly Bill No. 699 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 138—An act to repeal an act entitled "An act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889, Statutes of 1889, page 70, as amended, with provision that said repeal shall not apply to existing proceedings under said act.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 138 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 751—An act to amend sections 9, 14 and 15 of "The State Bar Act," relating to the Board of Governors.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 751 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1057—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 5, 6, 7, 8, 10, 11 and 13¼, all relating to the powers, government and management of metropolitan water districts, and the exclusion of area therefrom, and declaring same an urgency measure.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Utt moved a call of the House.

Motion carried.

Time, eight o'clock and twenty-two minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anglim, Badham, Chatters, Clowdsley, Cobb, Cottrell, Craig, Field, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Martin, Meeker, Miller, Eleanor; Phillips, Robinson, C. Ray; Rogers, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Woolwine, Wright and Mr. Speaker—34.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

SECOND READING OF SENATE BILLS.

Senate Bill No. 133—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, as amended in the Senate March 9, 1933, after the word "State," insert the words: "including all moneys collected by, or paid to the treasurer of any county, city and county, city, town, municipality, or other public corporation within the State, or other official having authority to collect or receive the same, for the payment of principal, interest or penalties of bonds required by law, ordinance or resolution, to be paid to, or collected by, such treasurer or other official,".

AMENDMENT NUMBER TWO.

On page 5, line 27, of the printed bill, as amended in the Senate March 9, 1933, after the word "bonds", at the end of the line, insert the following: ", notes".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 342—An act to amend section 1030 of the Political Code, relating to office hours.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "an", and insert in lieu thereof the following: "all of their".

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the word "office", and insert in lieu thereof the word "offices".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 557—An act to amend section 3 of "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, strike out "section 3", and insert in lieu thereof: "sections 1 and 3".

AMENDMENT NUMBER TWO.

In line 1 of the printed bill, strike out the figure "3", and insert in lieu thereof "1".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, after line 2, insert the following:

"Section 1. All moneys under the control of the State Treasurer belonging to or in the custody of the State, shall, so far as possible, be deposited by the State Treasurer to the credit of the State in such State or national bank or banks in the State as the Treasurer, with the approval of the Governor and State Controller, shall select for the safekeeping of such deposits, and any sum so deposited shall be deemed to be in the State treasury; provided, that the bank or banks in which such money is deposited shall furnish security as hereinafter provided; and provided, further, that such depository bank or banks be selected from those agreeing to pay the highest rate of interest for such deposits, as may be determined by bids to be submitted at such times and in such manner as the Treasurer shall direct; and provided, further, that such deposit shall not exceed the paid-up capital, exclusive of reserve and surplus, of any depository bank. Any and all bids may be rejected by the Treasurer, with the approval of the Governor and State Controller, and new bids asked for. The expense of transportation of moneys to and from the State treasury to such depositories shall be borne by such depositories and they shall handle, collect and pay all checks, drafts and other exchange without cost to the State. Said deposits, with interest thereon, shall be subject to withdrawal at any time upon the demand of the State Treasurer; provided, however, that the Treasurer may with the consent of the Governor and Controller deposit any part of such moneys for a definite term and may agree with any depositary bank or banks as to the period of time of any such deposit or deposits, but no such agreement shall provide for the deposit of any of said moneys for a longer period than one year; and, provided, further, that the State Treasurer is hereby authorized, under such conditions as he with the approval of the Governor, may fix, to deposit moneys in any bank or banks outside this State, necessary for the payment of the principal or interest of bonds, made payable outside of this State, at the place or places at which the same are payable.

SEC. 2. Section 3 of said act is hereby amended to read as follows:".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out all of lines 3 and 4, and the word "depositaries", in line 5, and insert in lieu thereof the following:

"SEC. 3. There shall be two classes of deposits; one class shall be known as inactive deposits, upon which interest shall be paid at not less than two per centum per annum; the other class shall be known as active deposits."

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, strike out the word "deposit" in line 14, and all of line 15, and down to and including the word "disbursements" in line 16, and insert in lieu thereof the following: "deposits at any one time shall not be in excess of the greatest total disbursements made by the State Treasurer during sixty consecutive days in the preceding twelve months."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 277—An act to amend section 429 of the Fish and Game Code, relating to license fees.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 780—An act to add section 798.6 to the Fish and Game Code, relating to abalones.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 696—An act to amend section 137 of the Fish and Game Code, relating to fish and game districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 453—An act to repeal sections 1205, 1206, 1210 and 1211 of the Fish and Game Code, relating to water fowl.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 126—An act relating to and regulating the grazing of live stock on public lands of the United States in the State of California, protecting customary grazing uses thereon, making certain acts unlawful, and prescribing penalties and liabilities for violation of the act.

Bill read second time, and ordered on file for third reading.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 6, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 1527—An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1305—An act to amend an act of the Legislature of the State of California entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, by amending sections 6, 10 and 12 thereof and relating to notice, assessment limitations, incidental expenses of proceedings and payment of portions of the cost from public funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1305 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Patterson, Peterson, Powers, Rawls, Redwine, Riley,

Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—61.
NOES—Hunt and O'Connor—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2272—An act to amend section 4250 of the Political Code, relating to compensation of officers and employees in counties of the twenty-first class.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Patterson:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out lines 20 to 23, and insert in lieu thereof the following: "dollars per annum; and provided, further, that he shall also receive and retain, for his own use and benefit, all such fees and commissions as now are, or which hereafter may be, allowed by law."

AMENDMENT NUMBER TWO.

On page 2, line 22, of the printed bill, as amended, strike out the words "five hundred fifty", and insert in lieu thereof the following: "four hundred".

AMENDMENT NUMBER THREE.

On page 2, line 24, of the printed bill, as amended, strike out the word "chief".

AMENDMENT NUMBER FOUR.

On page 2, lines 25, 26 and 27 of the printed bill, as amended, strike out the following: "thousand six hundred twenty dollars per annum; provided, further, that the recorder".

AMENDMENT NUMBER FIVE.

On page 3, lines 8 and 9, of the printed bill, as amended, strike out "five hundred seventy", and insert in lieu thereof the following: "seven hundred".

AMENDMENT NUMBER SIX.

On page 3, line 44, of the printed bill, as amended, strike out "he", and insert in lieu thereof the following: "the tax collector".

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, as amended, strike out lines 39 to 41, inclusive, and insert in lieu thereof the following: "collector one deputy at a salary of twelve hundred dollars per annum. The deputy".

AMENDMENT NUMBER EIGHT.

On page 4, line 34, of the printed bill, as amended, strike out "one", and insert in lieu thereof the following: "two".

AMENDMENT NUMBER NINE.

On page 4 of the printed bill, as amended, strike out lines 35 to 39, inclusive, and insert in lieu thereof the following: "raphers each at a salary of one thousand three hundred dollars per annum with the understanding that such stenographers, without extra compensation, shall take all depositions and statements and confessions of prisoners and take and transcribe all testimony at preliminary examinations and at coroners' inquests. Said".

AMENDMENT NUMBER TEN.

On page 5 of the printed bill, as amended, strike out lines 2 to 6, inclusive, and insert in lieu thereof the following: "the county seat in the performance of their duties. The salaries and allowances herein".

AMENDMENT NUMBER ELEVEN.

On page 5, line 12, of the printed bill, as amended, strike out "one-half of".

AMENDMENT NUMBER TWELVE.

On page 6, line 47, of the printed bill, as amended, strike out "eighty", and insert in lieu thereof the following: "two hundred".

AMENDMENT NUMBER THIRTEEN.

On page 7, line 16, of the printed bill, as amended, strike out "five", and insert in lieu thereof the following: "four".

AMENDMENT NUMBER FOURTEEN.

On page 7 of the printed bill, as amended, strike out lines 17 to 19, inclusive, and insert in lieu thereof the following: "dred dollars per annum; provided that such probation officer or deputy".

AMENDMENT NUMBER FIFTEEN.

On page 7 of the printed bill, as amended, strike out line 39, and insert in lieu thereof the following:

"22. Allowance for mileage to the sheriff or his deputies in counties of this class is ten cents per mile for each mile actually and necessarily traveled in the performance of his duties and allowance for mileage to any other officer or employee in".

Amendments adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 161—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Lyon:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the following: "section 13 of".

AMENDMENT NUMBER TWO.

In line 19 of the title of the printed bill, after "571," insert the following new matter: "as amended, by adding a new section thereto to be numbered 13½,".

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the words "Section 13 of an", and insert in lieu thereof the following: "A new section is hereby added to that certain".

AMENDMENT NUMBER FOUR.

On page 2, line 7, of the printed bill, strike out the following: "is hereby amended to", and insert in lieu thereof the following: "as amended, which section shall be numbered 13½ and shall".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out all of lines 9 to 52, both inclusive, and insert in lieu thereof the following:

"SEC. 13½. Notwithstanding the provisions of section 13 and in addition to the authority therein conferred for the expenditure of the funds therein mentioned the board of supervisors of any county, or city and county, may also in its discretion

expend any portion of said sums so received by such county, or city and county, for the payment of any portion of the principal or interest of, or for the redemption or purchase at a discount of, or for transfer to the interest and sinking fund for the discharge and payment of, bonds of a special assessment district or districts within said county, city and county, or any incorporated city therein, for the payment of which special assessments (levied wholly or partly in accordance with the assessed value of lands) have been or are to be levied, which bonds have been issued in payment of, or the proceeds of which have been used for the acquisition of rights of way for the opening, widening, straightening, extending of, establishing of, or for the construction, improvement or repair of streets, roads, highways, bridges or culverts within such county, or city and county, or any incorporated city therein.

Before any such sums may be expended for the purpose provided in the next preceding paragraph the board of supervisors of any such county, or city and county, shall, by a resolution adopted by a four-fifths vote of the members thereof, determine that the streets, roads, highways, bridges or culverts for the acquisition of rights of way for which, or the construction, improvement or repair of which, as the case may be, said bonds were issued are of general county use. It is the intention of this provision that no such funds shall be expended for any of the purposes herein enumerated if the streets, roads, highways, bridges or culverts are of only local use."

AMENDMENT NUMBER SIX

On page 3 of the printed bill, strike out all of lines 1 to 52, both inclusive.

AMENDMENT NUMBER SEVEN.

On page 4 of the printed bill, strike out all of lines 1 to 52, both inclusive.

AMENDMENT NUMBER EIGHT.

On page 5 of the printed bill, strike out all of lines 1 to 11, both inclusive.

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 897—An act to repeal Part I of Division II of the School Code, embracing sections 2.20 to 2.760, inclusive, to repeal Chapters I, II, III and IV of Part II of Division II of said code, embracing sections 2.770 to 2.1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2.10 to 2.281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-A, respectively, embracing sections 2.650 to 2.911, inclusive, to amend sections 4.181, 4.375, 4.771, 4.773, 4.811, 4.812, 4.875, 4.895, 4.896, 4.898, 4.970, 6.470 and 6.471 to 6.477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4.769, 6.470-1 and 6.470-2, and to repeal certain acts, all relating to school districts and junior college districts.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Phillips:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 24 to 47, inclusive, and insert in lieu thereof the following: "shall become effective as to any group of districts, or whether another plan of such merger and consolidation drafted by the State Department of Education should be recommended.

Wherever the State Department of Education recommends a plan of merger and consolidation of elementary school districts with high school districts, differing in any respects from the plan set forth in Articles II, III, IV and V of this chapter, the county superintendent of schools shall call a special election to be held in each elementary district in a high school district in the county, where such high school district would be affected differently under the plan recommended by the State Department of Education than under the provisions of Articles II, III, IV and V of this chapter. Such election shall be held on the sixteenth day of February, 1934 and at such election the voters of such districts shall vote on whether the plan recommended by the State Department of Education or the plan provided by Articles II, III, IV and V of this chapter as to such districts shall be effective therein. The election must be called by posting notices, signed by a majority of the governing

board of the district, in at least three public places in the district, not less than twenty days before the election If there is a newspaper of general circulation published in any county in which any part of the district is situated, the notice must be published therein at least once in each calendar week for three successive weeks prior to the election. The plan receiving the highest number of votes in the aggregate cast at the elections held in all such elementary districts in high school districts so affected shall be put into effect therein on July 1, 1934

In connection with such survey it shall be the duty of the department to give due consideration to any recommendations of the respective county superintendents of schools and the local school authorities. Every such county superintendent shall make such recommendations to the department in relation to such consolidations as he considers proper and in the public interest."

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 525—An act to provide for the regulation and licensing of short wave-length radio receiving sets and the regulation of information rendered to police or other official radio broadcasting stations, to prescribe the duties of the California Highway Patrol in relation thereto, and to provide penalties for the violations thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 525 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—66.

NOES—Hoffman and Woolwine—2.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 1064—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes, to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent there-

with," approved May 5, 1931, by amending section 15.17 relating to investments authorized to be made by any borrowers' mutual building and loan association.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1064 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 810—An act providing for the deposit of county and city publications in the State Library and the University of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 810 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crowley, Dempster, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1336—An act transferring a parcel of State park land in Humboldt County from the Department of Natural Resources to the Department of Public Works to be used for State highway purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1336 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. WILLIAM B HORNBLOWER IN THE CHAIR.

At nine o'clock and forty-seven minutes p.m., Hon. William B. Hornblower, member of the Assembly from the Twenty-third Assembly District, in the chair.

Assembly Bill No. 159—An act to amend section 4041.7 of the Political Code, defining the powers of the board of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 159 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—Burns and West—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 471—An act to repeal section 3310 of the Political Code, relating to quarterly reports of auctioneers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 471 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1796—An act to amend section 1557 of the Penal Code, relating to the return to this State of fugitives from justice.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1796 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1797—An act to amend section 288 of the Penal Code, relating to crimes against children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1797 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Phillips, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1506—An act to amend the title and section 1 of an act entitled "An act declaring the improved county road extending from Rio Vista to Lodi to be a State highway," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1506 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Latham, Levey, Maloney, Martin, Mayo, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 356—An act to amend section 3.122 of the School Code, relating to the age of admission of pupils to kindergartens.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Robinson, C. Ray:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out "5", and insert in lieu thereof "5½".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, strike out "5", and insert in lieu thereof "5½".

The question being on the adoption of the amendments.

Amendments refused adoption.

Bill read.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 356 passed by the following vote:

AYES—Alter, Anglim, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, Meehan, Meeker, Miller, James A., Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Turner, Utt, West, Woolwine, Wright, Zion and Mr Speaker—61.

NOES—Badham, Cronin, Dempster, Gilmore, Hornblower, Maloney, McCarthy, McMurray, Miller, Eleanor; Morgan, O'Connor, Roberts, Sullivan, Tournoux and Williamson—15.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS.

Senate Bill No. 1174—An act to require the use of materials and supplies produced in the United States, in public works and for public purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1174 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 776—An act to amend section 844 of the Probate Code, relating to leases of real property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 776 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—69

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 756—An act to repeal section 300 of the Civil Code, relating to banks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 756 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—68.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 777—An act to amend section 920.5 of the Probate Code, relating to the deposit of money by trust companies.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 777 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Jones, Kallam, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and five minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and six minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Utt.
The roll of absentees was called, and the urgency clause to Assembly Bill No. 1057 was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.
NOES—Hatch—1.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND FIFTY-SEVEN.

Assembly Bill No. 1057—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, pro-

viding for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 5, 6, 7, 8, 10, 11 and 13¾, all relating to the powers, government and management of metropolitan water districts, and the exclusion of area therefrom, and declaring same an urgency measure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1057 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ADJOURNMENT.

At eleven o'clock and fifteen minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, April 7, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, April 7, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with.

MOTION.

On motion of Mr. Lyon, the prayer this day offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly, was ordered printed in the Journal:

PRAYER BY CHAPLAIN OF THE ASSEMBLY.

Heavenly Father, Thou hast created this earth as a habitable place and in this wondrous setting hast Thou placed us that we may enjoy life.

Thou hast given us the earth and all its increase, fruit of the trees and the manifold products of the field, "wine that maketh glad the heart of man".

Thou Who hast endowed us with intelligence—grant that in all things we may exercise wisdom and discretion; grant that we may not abuse the gifts of thy beneficence; grant that our joy be not too riotous and our indulgence not too unrestrained. May our return to normalcy augur well for the present and the future of our great republic.

Guide Thou our footsteps in the path of moderation. Amen.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. West, Peter Kramer, principal of the Franklin Union High School of Franklin, California, and the following students: Elsie Hein, Vernon Miller, Yoshio Hamitani, Arnold Engel, Wesley Schmidt, Violet Schultz, Billy Stoecker, Jack Johanson, Glenn Colvard, Lavina Sprack, Christina Kolb, Wanda Stuart, Vera Miller, Edmund Kammerer, Irvin Schmidt, Norman Schultz, William Kolb, Frances Johnson, Lorine Schmidt, Clara Rau, Edmund Aldenger, Fred Pleines, Norman Sprack, William Bristol, Frank Simunich, Dolly Frey, Alma Schultz, Melvin Schmidt, Helen Schultz, Gus Vininga, Lester Sprack, Charlotte Smith, Mildred Waits, Frances Kneepel, Irvim Miller and Ayako Kurasaki were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From New Deal Democratic Club, Los Angeles, California, relative to protection of home owners and industries.

(Signed) F. R. SCHAEFER, Secretary.

Also:

By Mr. Speaker:

From H. J. Graham and others, protesting additional cuts in university budget.

Also:

By Mr. Speaker:

From Lucille Maxson, Ralph Putman, Alfred Heald, Lemuel Dunn and others, protesting additional cuts in university budget.

Also:

By Mr. Speaker:

From Property Owners Division of Los Angeles, favoring reduction of taxes.

MICHAEL F. O'DEA.

COMMUNICATION.

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

California State Legislature, Sacramento, California.

The family of Anton J. Cermak, Mayor of Chicago, acknowledges with deep appreciation your kind expression of sympathy.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 893—An act to provide for instruction in mining safety by the Department of Natural Resources—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar

ROBINSON, C. RAY, Chairman

The above reported bill ordered replaced on daily calendar.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1759—An act to amend sections 656 and 843 of the Fish and Game Code and to repeal section 863 thereof, relating to salmon and nets;

Also: Assembly Bill No. 1536—An act to add section 484 5 to Fish and Game Code, to amend section 665 and repeal sections 863 and 887 thereof, relating to sale of fish and the use of nets;

Also: Assembly Bill No. 333—An act to amend section 613 of the Fish and Game Code, relating to trout;

Has had the same under consideration, and respectfully reports the same back, and recommends that same do pass as amended.

ZION, Chairman.

The above reported bills ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1933.

MR. SPEAKER. Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1341—An act to amend section 2 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulations, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HOFFMAN, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 694—An act to amend the Fish and Game Code by amending the heading of Article 2, Chapter 4, Part 2, Division IV by adding sections 844.5 and 866 thereto, etc.—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ZION, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No 1722—An act to amend section 3888 of the Political Code of California, relating to the medium for the payment of taxes—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1527—An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take

effect as a statute immediately—and reports that the same has been correctly enrolled and presented the same to the Governor on this sixth day of April, 1933, at eleven o'clock and forty-five minutes p m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 67—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new section to Article XI thereof, to be numbered 8¼, relating to consolidation of counties, cities and counties, and cities—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Constitutional Amendment No. 67 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 35—An act to amend sections 5, 7, 23, 24 and 25 of the Direct Primary Law, prohibiting persons becoming candidates of more than one party;

Also: Assembly Bill No. 675—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 716—An act requiring public awarding bodies or officers withholding penalties or forfeitures from contractors for violations by contractors or subcontractors of any public works labor acts carrying penalties or forfeitures from the contract payments to transfer such penalties or forfeitures to the State Treasurer to become a part of the general fund of the State 90 days after completion of the contract, unless suit is brought and formal notice of suit is given, requiring any court collecting criminal penalties or fines under such acts to likewise transmit same to the State Treasurer to become a part of the general fund of the State, providing for the temporary retention of such penalties or forfeitures by the public awarding body or officer pending litigation in cases where suit is brought and formal notice of such suit is given within ninety days after completion of the contract, limiting the time for action by the contractor or his assignee for the recovery of the said penalties or forfeitures to the said ninety-day period, making such suit the exclusive remedy of the contractor or his assignee with reference to such penalties or forfeitures and providing that suit shall be brought without permission from any State or other authority and be limited to the recovery of such penalties or forfeitures without prejudice to the contractor's or assignee's rights in regard to other matters affecting the contract but with the burden on the plaintiff to establish his right to the penalties or forfeitures withheld;

Also: Assembly Bill No. 1728—An act to authorize the Department of Public Works to construct and maintain freeways, defining freeways, authorizing the cooperation of said department with any political subdivision of the State in constructing freeways, and providing for the acquisition of real property, or any interest in real property, necessary for the construction thereof or of improvements related thereto;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1794—An act to add a new section to the Political Code, to be numbered 4041.26, relating to the disposition of county personal property which is not further required for public use—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2049—An act relating to and providing for a moratorium in respect to the sale of real property whether on execution, under power of sale contained in a mortgage or deed of trust or in an action for the recovery of a debt or

the enforcement of a right secured by mortgage, deed of trust or other lien, and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No. 164—An act to amend section 159 of an act entitled the "California Vehicle Act," approved May 30, 1923, Statutes of 1923, page 517, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1933.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 771, as amended by the Senate—An act to amend section 16 of the act known as the "Act Concerning Cosmetology," relating to exemptions—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendment.

HOFFMAN, Chairman.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 771?

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, as amended March 24th, following the comma after the word "dentistry", strike out the word "pharmacies", and insert in lieu thereof the word "pharmacy".

The roll was called, and Senate amendment to Assembly Bill No. 771 was concurred in by the following vote:

AYES—Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, King, Knowland, Levey, Lyon, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—57.

NOES—None.

The above reported bill ordered to enrollment.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Robinson, C. Ray, moved that the consideration of his motion to reconsider the vote whereby Senate Constitutional Amendment No. 2 was refused adoption be continued until the next legislative day.

Motion carried.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1342—An act to amend sections 6, 9, 10, 11, 12, 13, 14, 15, 16 and 20 of an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to power of the State Board of Public Health.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 44, of the printed bill, strike out the comma following the word "chief", and strike out the words "Bureau of Laboratories", inserting in their place the words "of the laboratory of the State Department of Public Health".

AMENDMENT NUMBER TWO.

On page 2, line 45, of the printed bill, strike out the comma at the end of the line.

AMENDMENT NUMBER THREE.

On page 2, line 46, of the printed bill, insert a period after the word "found".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 47 and 48.

AMENDMENT NUMBER FIVE.

On page 3, line 4, of the printed bill, strike out the comma following the word "chief", and strike out the words "Bureau of Laboratories", inserting "of the laboratory of the State Department of Public Health".

AMENDMENT NUMBER SIX.

On page 3, line 8, of the printed bill, strike out the comma at the end of the line.

AMENDMENT NUMBER SEVEN.

On page 3, line 9, of the printed bill, strike out the words "Bureau of Food and Drug Inspections", and insert "of the laboratory of the State Department of Public Health".

AMENDMENT NUMBER EIGHT.

On page 3, line 15, of the printed bill, after the word "sellers", insert the following sentence: "The Chief of the Bureau of Food and Drug Inspections shall report at the same time on all activities of that bureau".

AMENDMENT NUMBER NINE.

On page 3, line 15, of the printed bill, add "s" to the word "report".

AMENDMENT NUMBER TEN.

On page 3, line 16, of the printed bill, add "s" to the word "part".

AMENDMENT NUMBER ELEVEN.

On page 3, line 17, of the printed bill, strike out the words "is already authorized by law to".

AMENDMENT NUMBER TWELVE.

On page 3, line 18, of the printed bill, add "s" to the word "make".

AMENDMENT NUMBER THIRTEEN.

On page 3, lines 25 and 26, of the printed bill, strike out the comma following the word "chief", and strike out the words "Bureau of Laboratories", inserting the words "of the laboratory of the State Department of Public Health".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 32, of the printed bill, restore the words "State board".

AMENDMENT NUMBER FIFTEEN.

On page 3, line 33, of the printed bill, restore the words "of health", following which insert ", a member thereof,".

AMENDMENT NUMBER SIXTEEN.

On page 3, line 33, of the printed bill, restore the words "or the secretary".

AMENDMENT NUMBER SEVENTEEN.

On page 3, lines 33 and 34, of the printed bill, strike out the words "Chief, Bureau of Food and Drug Inspections".

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 34, of the printed bill, strike out the word "the", and add "s" to the word "hearing".

AMENDMENT NUMBER NINETEEN.

On page 3, line 36, of the printed bill, following the word "health", insert "or the person or persons conducting same".

AMENDMENT NUMBER TWENTY.

On page 4, line 17, of the printed bill, following the phrase "sent to the", insert "Chief of the".

AMENDMENT NUMBER TWENTY-ONE.

On page 4 of the printed bill, strike out lines 20 to 25, inclusive.

AMENDMENT NUMBER TWENTY-TWO.

SEC. 11. Section 21 of the above entitled act is hereby amended to read as follows:

"No dealer shall be prosecuted under the provisions of this act when he can establish a guaranty signed by the wholesaler, jobber, manufacturer or other party

residing in the United States from whom he purchased such article, to the effect that the same is not adulterated or misbranded within the meaning of this act, such guaranty to be dated prior to the date of sale of said article. Such guaranty may be either general or special. A general guaranty shall guarantee without condition or restriction all of the products or articles produced, prepared, compounded, packed, distributed, or sold by the guarantor as not adulterated within the meaning of this act. A special guaranty shall guarantee in the same manner the particular articles listed in an invoice of the same, and shall be attached to or shall fully identify such invoice. Both said guaranties to afford protection must contain the name and address of the party or parties making the sales of such article to said dealer. If the guaranty be to the effect that such article is not adulterated or misbranded within the meaning of the National Pure Food Act, approved June 30, 1906, it shall be sufficient for all the purposes of this act and have the same force and effect as though it referred to this act, except that a guaranty referring to the said National Pure Food Act alone shall not be sufficient for the purpose of this act in any case where at any time the standard for the article concerned under this act is higher than the standard for a like article under said National Pure Food Act. In case the wholesaler, jobber, manufacturer or other party making such guaranty to said dealer resides without this State and it appears from the certificate of the director of the State laboratory that such article or articles were adulterated or misbranded, within the meaning of this act or the National Pure Food Act approved June 30, 1906, the district attorney must forthwith notify the Attorney General of the United States of such violation".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 335—An act to amend section 42 of the "State Housing Act," relating to requirements for buildings

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 20, inclusive, and insert in lieu thereof the following:

"Sec. 42. In every building hereafter erected, and in every existing building, all plumbing fixtures affecting the sanitary drainage system shall be properly trapped and vented and made sanitary in every particular. In no building hereafter erected and in no existing apartment house or hotel shall the space underneath any sink or wash-tray be so enclosed as to prevent ventilation or inspection thereof. Doors, panels or other closures may be provided around any or all sides of such space but no closure in the front of such space shall be nailed or otherwise permanently fixed in position and such front closure shall leave at least twenty per cent of the front area of such space available for ventilation. In no building hereafter erected and in no existing apartment house or hotel shall any water-closet, slop-sink, or lavatory be enclosed with woodwork, but the space under and around same must be left open, and all woodwork enclosing such plumbing fixture shall be removed and the floors and wall surfaces beneath and around such water-closet, slop-sink or lavatory shall be maintained in good repair, and if of wood, well painted with a light colored paint of sufficient body to make it nonabsorbent All wooden seats, attached to water-closet bowls, shall be varnished or enameled, or by some other method made nonabsorbent."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1038—An act to amend sections 7, 30 and 65 of the "State Housing Act," approved June 15, 1923, as amended, relating to the regulation of dwellings, apartment houses and hotels.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill, after the word "architect", insert the following: "and/or structural engineer".

AMENDMENT NUMBER TWO.

On page 2, line 15, of the printed bill, strike out the words "said act", and insert in lieu thereof the following: "the act regulating the practice of civil engineering".

AMENDMENT NUMBER THREE.

On page 2, line 18, of the printed bill, strike out the word "At", and insert in lieu thereof the following: "Within five days after".

AMENDMENT NUMBER FOUR.

On page 5, line 51, of the printed bill, after the word "provided", strike out the semicolon and all words thereafter, and insert in lieu thereof a period.

AMENDMENT NUMBER FIVE.

On page 6 of the printed bill, strike out lines 1 to 3, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1926—An act to prohibit the operation by the State of tree nurseries and to sale by the State of tree nursery stock and to repeal an act entitled "An act providing for the establishment and maintenance of a State nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along highways and in public places, and making an appropriation therefor," approved May 15, 1917.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 5 and 6, and insert in lieu thereof the following: "sold, transferred or otherwise disposed of by the State or any department, board, bureau or officer thereof. The provisions of this act shall not be deemed to prohibit the sale, transfer or disposal of nursery tree stock by any State department, board, bureau, or officer to any other State department, board, bureau, or officer."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 315—An act to define and limit the jurisdiction of courts sitting in equity, and for other purposes.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act relating to employers and employees, declaring public policy in respect to voluntary agreements between them, prohibiting certain agreements between them in respect to membership in employer organizations or in labor organizations, defining the rights, privileges and obligations of employers and employees in labor disputes, defining and limiting the jurisdiction of courts, including courts of equity, in cases involving or incident to or growing out of labor disputes, and prescribing means for enforcement of the provisions of the act."

AMENDMENT NUMBER TWO.

On page 2, line 31, of the printed bill, after "person", insert the following: "involved in a labor dispute".

AMENDMENT NUMBER THREE.

On page 5, line 41, of the printed bill, after "cases", insert the following: "involved or growing out of a labor dispute".

AMENDMENT NUMBER FOUR.

On page 6 of the printed bill, strike out lines 7 to 15, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1118—An act to amend sections 3, 4, 5, 6, 8 and 9 of, to add sections 1, 1a, 1b, 9a and 10 to, and to amend and renumber section 1 to be section 1c of an act entitled "An act to regulate the practice of architecture," approved March 23, 1901.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out lines 2 to 4, inclusive, and insert in lieu thereof the following: "to add sections 1, 1a, 9a, and 10 to, and to amend and renumber section 1 to be section 1b of an act entitled "An act to"."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 9 to 22, inclusive.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out line 1, and insert in lieu thereof the following: "SEC 2. A new section, to be numbered section 1a, is".

AMENDMENT NUMBER FOUR.

On page 2, line 4, of the printed bill, strike out "1b", and insert in lieu thereof the following: "1a".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out lines 11 to 15, inclusive, and insert in lieu thereof the following: "plural the singular, and words used in the present tense include the future tense and words in the future tense include the present tense.

(b) Words used in the masculine gender include the feminine.

(c) The term "political subdivision" shall include cities, cities and counties, and counties."

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out lines 45 to 48, inclusive, and insert in lieu thereof the following: "use in its fixed position, the construction or arrangement of which is regulated or governed by, or a permit to construct, erect, alter, or occupy is required by any building law; provided, however, that it is intended".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out lines 49 and 50, and insert in lieu thereof the following: "primarily that such structure be ordinarily occupied by human beings for worship,".

AMENDMENT NUMBER EIGHT.

On page 3, line 9, of the printed bill, strike out the word "architectural".

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, strike out lines 22 and 23, and insert in lieu thereof the following: "the building permit documents is the principal function of the architect;".

AMENDMENT NUMBER TEN.

On page 3 of the printed bill, at the end of line 25, strike out "archi", and at the beginning of line 26, strike out "tectural".

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill, strike out lines 36 to 41, both inclusive, and strike out in line 42 "Sec. 1c.", and insert in lieu thereof the following:

"(m) The phrase "practice architecture" shall mean the preparation and/or furnishing of building permit documents for or to others and for the directive supervision of the work for buildings costing in excess of five thousand dollars.

SEC. 3. Section 1 of said act, as it existed January 1, 1933, is hereby renumbered section 1b and amended to read as follows:

Sec. 1b."

AMENDMENT NUMBER TWELVE.

On page 4, line 44, of the printed bill, strike out the numeral "5", and insert in lieu thereof the numeral "4".

AMENDMENT NUMBER THIRTEEN.

On page 7, line 10, of the printed bill, strike out the numeral "6", and insert in lieu thereof the numeral "5".

AMENDMENT NUMBER FOURTEEN.

On page 7, line 29, of the printed bill, strike out the word "architectural".

AMENDMENT NUMBER FIFTEEN.

On page 7, line 42, of the printed bill, strike out the word "architectural".

AMENDMENT NUMBER SIXTEEN.

On page 8, line 1, of the printed bill, strike out the numeral "7", and insert in lieu thereof the numeral "6".

AMENDMENT NUMBER SEVENTEEN.

On page 9, line 14, of the printed bill, strike out the numeral "8", and insert in lieu thereof the numeral "7".

AMENDMENT NUMBER EIGHTEEN.

On page 10, line 13, of the printed bill, strike out the numeral "9", and insert in lieu thereof the numeral "8".

AMENDMENT NUMBER NINETEEN.

On page 11, line 23, of the printed bill, strike out the numeral "10", and insert in lieu thereof the numeral "9".

AMENDMENT NUMBER TWENTY.

On page 11 of the printed bill, strike out lines 50 to 52, both inclusive.

AMENDMENT NUMBER TWENTY-ONE

On page 12, line 1, of the printed bill, strike out the numeral "11", and insert in lieu thereof the numeral "10".

AMENDMENT NUMBER TWENTY-TWO.

On page 12, line 16, of the printed bill, strike out the words "word or".

AMENDMENT NUMBER TWENTY-THREE.

On page 12 of the printed bill, insert between lines 27 and 28, the following: "Any person who is registered as or who holds a valid unrevoked certificate or license to practice as, and practices under, the title "civil engineer," by authority of a law of this State governing or regulating the practice of civil engineering, and who is determined by the State Board of Registration for Civil Engineers to be qualified to design buildings."

AMENDMENT NUMBER TWENTY-FOUR.

On page 12, line 38, of the printed bill, strike out "12", and insert in lieu thereof "11".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1378—An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of

this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; to provide for the manner of proving violations of this act in any trial thereof; and to repeal all acts or parts of acts in conflict with this act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 6 of the printed bill, as amended, strike out lines 35 to 52, inclusive, and on page 7 of the printed bill, as amended, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following:

"The annual permit fees provided herein shall be as follows:

(a) For each sign—twenty-five cents ($0.25);

(b) For each advertising structure—one dollar ($1)."

AMENDMENT NUMBER TWO.

On page 8, line 39, of the printed bill, as amended, strike out "as collected", and insert in lieu thereof the following: "monthly".

AMENDMENT NUMBER THREE.

On page 4, line 6, of the printed bill, after the word "on", insert the following: "or affixed to".

AMENDMENT NUMBER FOUR.

On page 8 of the printed bill, as amended, strike out lines 47 to 49, inclusive, and insert in lieu thereof the following: "in favor of the person designated in such order. Payments for the expense of administer-".

AMENDMENT NUMBER FIVE.

On page 8, line 51, of the printed bill, as amended, add a period after the word "act", and strike out "and in the event such fees are insufficient to", and on page 9, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following: "Unbudgeted balances, over ten thousand dollars, if any, in such".

AMENDMENT NUMBER SIX.

On page 9 of the printed bill, as amended, strike out lines 36 to 38, inclusive.

AMENDMENT NUMBER SEVEN.

On page 11 of the printed bill, strike out all of lines 7 to 13, inclusive.

AMENDMENT NUMBER EIGHT.

On page 11 of the printed bill, strike out "(d)", and insert in lieu thereof "(c)".

AMENDMENT NUMBER NINE

On page 1, in the title of the printed bill, after the semicolon following the word "penalties", strike out the words "to provide for the manner of proving violations of this act in any trial thereof;".

AMENDMENT NUMBER TEN.

On page 8, line 41, of the printed bill, after the word "law", strike out the period, and in lieu thereof insert the following: "; provided, however, that of all fees collected by county clerks appointed by the director, twenty per cent thereof shall be retained by the county in which said fees are collected."

AMENDMENT NUMBER ELEVEN.

On page 9, line 25, of the printed bill, strike out lines 25 to 30, inclusive.

AMENDMENT NUMBER TWELVE.

On page 9, line 32, of the printed bill, strike out the letter "(f)", and in lieu thereof insert "(d)".

AMENDMENT NUMBER THIRTEEN.

On page 9, line 34, of the printed bill, strike out the letter "(g)", and in lieu thereof insert "(e)".

AMENDMENT NUMBER FOURTEEN.

On page 13, line 24, of the printed bill, after the word "misdemeanor", insert a period, and strike out the remainder of the sentence.

AMENDMENT NUMBER FIFTEEN.

On page 14 of the printed bill, strike out lines 2 to 35, inclusive.

AMENDMENT NUMBER SIXTEEN.

On page 14, line 36, of the printed bill, after the period, strike out the figures "23", and insert in lieu thereof the figures "22".

AMENDMENT NUMBER SEVENTEEN.

On page 14, line 45, of the printed bill, strike out the figures "24", and insert in lieu thereof the figures "23".

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 23, of the printed bill, strike out the entire line, and insert in lieu thereof the following: "than the territory within incorporated cities and towns, and incorporated cities and counties."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1523—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to sessions of the superior court.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, amend section 1, relating to section 73 of the Code of Civil Procedure, by inserting at the beginning of line 22, before the word "sessions", the word "regular".

AMENDMENT NUMBER TWO.

On page 2, line 48, of the printed bill, amend section 2, relating to section 142 of the Code of Civil Procedure, by inserting in line 48, between the words "three" and "sessions", the word "regular".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1607—An act to amend section 681a of the Code of Civil Procedure, relating to executions.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out line 2 and insert in lieu thereof the following: "relating to executions and to provide that this act shall take effect immediately."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, after line 9, insert the following:

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, and shall, within the meaning of section 1 of Article IV of the Constitution of this State, take effect immediately. The statement of facts constituting the necessity hereof is as follows:

Due to the present economic crisis many persons will be dispossessed of their homes and deprived of their property and livelihood unless immediate relief is given. Great economic hardship will thereby result to the people of this State and economic recovery will be further retarded. In order that relief be assured and hardship to the people of this State be prevented, this act must take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 76—An act to repeal section 4041b of the Political Code, relating to advisory board to county assessor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 4225 and 4225a of the Political Code, relating to the powers and duties of county health officers."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 4225 of the Political Code is hereby amended to read as follows:

4225. The board of supervisors shall appoint in each county, a health officer, who shall be deemed an employee and not a county officer, and whose duty it shall be to *enforce and observe, in the unincorporated territory of his county, all orders and* ordinances of the board of supervisors, pertaining to public health and sanitary matters, all orders, quarantine regulations, and rules prescribed by the State Board of Health, and all statutes relating to the public health and to vital statistics, and in the incorporated territory thereof, all orders, quarantine regulations, and rules prescribed by the State Board of Health, and all statutes relating to the public health. He shall give to the duties of his office such time and attention as may be necessary to secure general supervision of all matters pertaining to the health and sanitary condition of the county, and when so required by the board of supervisors he shall give all of his time to such duties. He shall be a graduate of a medical college of good standing and repute, shall hold office for a term of one year, and shall receive for his services such sum as may be determined by the board of supervisors.

Immediately after the appointment of such health officer they shall notify the secretary of the State Board of Health of such appointment and the name and address of such appointee.

The board of supervisors shall adopt orders and ordinances necessary for the preservation of the public health in the unincorporated territory of the county, not in conflict with general laws, and provide for the payment of all expenses incurred in enforcing the same

For any unincorporated town, when public necessity requires such action, the board of supervisors may appoint a special health officer who shall, in such town, under the supervision of the county health officer, exercise all necessary diligence in executing the ordinances, rules and regulations of the board of supervisors, or the State Board of Health, relating to health and sanitary matters. His term of office and compensation shall be fixed by the board of supervisors, and he shall receive as his compensation for services, unless in this title otherwise provided, not to exceed one hundred dollars in any one year

SEC. 2. Section 4225a of the Political Code is hereby amended to read as follows:

4225a. The board of supervisors of any county shall have power to contract with any incorporated city or town or chartered city within such county, and such incorporated city, town or chartered city therein, through its board of trustees, council or other legislative body, shall have power to contract with such county for the performance by health officers or other employees of county health departments of any or all functions relating to the enforcement in such city of all ordinances thereof relating to public health and sanitation, and the making of all inspections and the performance of all functions in connection therewith. Whenever such contract has been duly entered into, the county health officer and his deputies shall thereupon exercise the same powers and duties within such city or town or chartered city as are conferred upon health officers thereof by law. In any such contract the city, town or chartered city shall have power and authority to provide for the payment by such incorporated city or town or chartered city to the county of such consideration as may be agreed upon, the same to be paid to the county treasurer of the county, which compensation shall be payable at such times as shall be specified and shall be in an amount to repay such county for the entire cost to it of the services required under the terms of such contract to be performed for such city, as nearly as the same can be estimated or ascertained.

The board of supervisors of any county may contract with any incorporated city or town or chartered city within such county, through its board of trustees, council or other legislative body, to secure the performance by the health officer or other health department employees of such city, town or chartered city, in any unincorporated territory adjacent thereto, of any or all functions relating to public health. Payment for said services in such unincorporated territory shall be made by the county to the city treasurer of such city or town or chartered city.

Said contracts may further provide for the care and support, including medical attendance, of indigent sick, and for compensation therefor."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1109—An act to amend section 19x11 of the "Juvenile Court Law," relating to probation officers in counties of the eleventh class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out "four hundred twenty", and insert in lieu thereof the following: "two hundred forty".

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, strike out "seven hundred forty", and insert in lieu thereof the following: "five hundred".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1110—An act to amend section 16x11 of the "Weights and Measures Act," relating to sealers of weights and measures in counties of the eleventh class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after line 13, insert the following:

"The sealer of weights and measures and his deputies shall be allowed their actual and necessary traveling expenses incurred in the discharge of their official duties.

In counties of this class the sealer of weights and measures shall pay into the county treasury all fees and commissions or compensation received by him, or allowed to him in his official capacity, from any source, other than the official salary herein provided.

The provisions herein contained shall apply to the present incumbent, his deputies and clerk."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1111—An act to amend section 2322x11 of the Political Code, relating to the office of agricultural commissioner in counties of the eleventh class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 24, of the printed bill, strike out "three".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, after line 21, add the following:

"In counties of this class the agricultural commissioner shall pay into the county treasury all fees and commissions received by him, or allowed to him in his official capacity, from any source.

The provisions herein contained shall apply to the present incumbent, his deputies, inspectors and clerks."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1112—An act to amend section 4240 of the Political Code, relating to compensation of county and township officers in counties of the eleventh class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 7 to 27, inclusive, and strike out all of pages 2 to 11, inclusive, and insert in lieu thereof the following:

"1. The county clerk, three thousand six hundred dollars per annum; provided, that in counties of this class there shall be and there is hereby allowed to the county clerk, which said positions are hereby created, the following deputies, who shall be appointed by the county clerk of said county and shall be paid salaries as follows: One chief deputy at a salary of two thousand two hundred fifty dollars per annum, two deputies at a salary of one thousand nine hundred eighty dollars each per annum, three deputies at a salary of one thousand eight hundred ninety dollars each per annum, one deputy at a salary of one thousand six hundred eighty dollars per annum, and one deputy at a salary of one thousand six hundred twenty dollars per annum; provided that to comply with the terms of the Constitution in the permanent registration of voters, the county clerk in counties of this class shall be, and he is hereby allowed the following additional deputies, which positions are hereby created: One deputy at a salary of one thousand eight hundred ninety dollars per annum, three deputies each even numbered year at a salary of one thousand five hundred dollars each per annum, two deputies January first to March thirty-first, of each odd numbered year at a salary of one hundred and twenty-five dollars per month each;

Provided, further, the county clerk may appoint such number of registration deputies in any precinct as he may deem necessary for the convenient registration of voters in their respective precincts and that each of said deputies so appointed for such purposes shall receive as compensation therefor the sum of eight cents for each elector registered by each of said deputies, said compensation to be paid out of the general fund of the county on presentation and filing with the board of supervisors of said county the duly verified claim therefor approved by said county clerk. The deputies herein provided for shall be paid by such county at the same time and in the same manner and out of the same fund that the salary of the county clerk is paid.

In counties of this class the county clerk shall pay into the county treasury all fees and commissions or compensations received by him in his official capacity from any source, other than the official salary herein provided.

The provisions herein contained shall apply to the present incumbent, his deputies and assistants.

2. The sheriff, four thousand eight hundred dollars per annum. The sheriff shall also receive necessary expenses incurred in serving all papers whatsoever issued by any court together with all necessary expenses incurred in the pursuit of criminals; provided, that no constructive mileage shall be allowed. In counties of this class there shall be, and there is hereby allowed to the sheriff, which said positions are hereby created, the following deputies, who shall be appointed by the sheriff and shall be paid salaries as follows: One undersheriff at a salary of two thousand four hundred dollars per annum; two deputies at a salary of two thousand one hundred sixty dollars, each, per annum; two deputies at a salary of two thousand forty dollars, each, per annum; eight deputies at a salary of one thousand nine hundred twenty dollars, each, per annum; one deputy, who shall be a woman, at a salary of one thousand six hundred eighty dollars per annum, and one stenographer at a salary of twelve hundred dollars per annum. The deputies herein provided for shall be paid by said county at the same time and in the same manner and out of the same fund, that the salary of the sheriff is paid. In counties of this class the sheriff shall make no charge for the boarding of prisoners over and above the actual cost of materials. In counties of this class the sheriff shall pay into the county treasury all fees for mileage which are now, or which may hereafter be allowed by law together with all the fees and commissions or compensation received by him in serving all papers whatsoever issued by any court, other than the official salary herein provided.

The provisions herein contained shall apply to the present incumbent, his deputies, and assistants.

3. The recorder, three thousand six hundred dollars per annum; provided, that in counties of this class there shall be and there is hereby allowed to the recorder, which said positions are hereby created, the following deputies and copyists, who shall be appointed by the recorder of such county, and shall be paid salaries as follows:

One chief deputy recorder at a salary of one thousand eight hundred ninety dollars per annum, two deputies at a salary of one thousand six hundred twenty dollars each per annum; two copyists at a salary of one thousand three hundred fifty dollars each per annum; three copyists at a salary of one thousand two hundred dollars each per annum; and as many copyists as are necessary in his discretion, at a salary of eighty dollars per month; and whose compensation shall not exceed one thousand eight hundred dollars in the aggregate per annum for all copyists so employed; provided, that said copyists being eligible may also be appointed deputy recorders without further compensation. The compensation of such additional copyists shall be paid out of the general fund of said county at the rate of eighty dollars a month, and proper claims therefor shall be presented to and allowed by the board of supervisors.

The deputies and copyists herein provided for, other than additional copyists, shall be paid by said county at the same time, and in the same manner, and out of the same fund that the salary of the recorder is paid. In counties of this class the recorder shall pay into the county treasury all fees and commissions or compensations received by him, or allowed to him in his official capacity, from any source, other than the official salary herein provided.

The provisions herein contained shall apply to the present incumbent, his deputies, and copyists.

4 The auditor, three thousand six hundred dollars per annum, together with his necessary expenses incurred while traveling in the performance of his official duties; provided that in counties of this class there shall be, and there is hereby allowed to the auditor, which said positions are hereby created, the following deputies and assistants, who shall be appointed by the auditor of such county, and shall be paid salaries as follows: One chief deputy at a salary of two thousand four hundred dollars per annum; one deputy at a salary of two thousand one hundred thirty dollars per annum; three deputies at a salary of one thousand nine hundred eighty dollars each per annum; and two deputies at a salary of one thousand six hundred eighty dollars each per annum; and one deputy, at a salary of one thousand five hundred sixty dollars per annum; provided, further, that the auditor may appoint additional assistants each year, to be paid four dollars each, per diem, the total sum so expended not to exceed four thousand dollars in any one year. The deputies and assistants herein provided for shall be paid by said county at the same time, and in the same manner, and out of the same fund, as the salary of the auditor is paid. In counties of this class the auditor shall pay into the county treasury all fees and commissions or compensations received by him in his official capacity, other than the official salary herein provided. The provisions herein contained shall apply to the present incumbent, his deputies and assistants.

5. The treasurer, three thousand six hundred dollars per annum; provided, that in counties of this class there shall be and there is hereby allowed to the treasurer, which said positions are hereby created: one deputy, who shall be appointed by the treasurer of said county, and shall be paid a salary of two thousand four hundred dollars per annum, and one additional deputy whose salary shall be at the rate of one hundred fifty dollars per month; provided, the aggregate compensation for any one year as such additional deputy shall not exceed nine hundred dollars.

In counties of this class the treasurer shall pay into the county treasury all fees and commissions or compensation received by him, or allowed to him, in his official capacity, from any source, other than the official salary herein provided.

The provisions herein contained shall apply to the present incumbent and his deputies.

6 The tax and license collector, three thousand six hundred dollars per annum and his necessary expenses incurred while traveling outside of the county seat in the discharge of his official duties; provided that in counties of this class there shall be and there is hereby allowed to the tax and license collector, which said positions are hereby created, the following deputies and assistants, who shall be appointed by the tax and license collector of said county, and shall be paid salaries as follows: One chief deputy at a salary of two thousand one hundred sixty dollars per annum, one deputy at a salary of one thousand eight hundred ninety dollars per annum, two deputies at a salary of one thousand three hundred fifty dollars each per annum, and as many additional assistants as are necessary, in his discretion, at a salary of four dollars each per day. The total compensation of such additional assistants shall not exceed eleven thousand dollars in the aggregate in any fiscal year.

The deputies and assistants herein provided for shall be paid by said county at the same time and in the same manner and out of the same fund that the salary

of the tax and license collector is paid. The actual necessary traveling expenses of one deputy incurred in the discharge of his official duties shall be allowed and paid by the county.

In counties of this class the tax and license collector shall pay into the county treasury all fees and commissions or compensation received by him, or allowed to him in his official capacity, from any source, other than the official salary herein provided.

The provisions herein contained shall apply to the present incumbent, his deputies and assistants.

7. The assessor, four thousand five hundred dollars per annum and the actual and necessary expenses incurred by him in the performance of his official duties. In counties of this class there shall be, and there is hereby allowed to the assessor, the following deputies, whose positions are hereby created, who shall be appointed by the assessor, and who shall be paid salaries as follows: One chief deputy at a salary of two thousand one hundred sixty dollars per annum; two outside deputy assessors at a salary of two thousand one hundred sixty dollars each per annum, and actual necessary expenses; one deputy assessor at a salary of one thousand eight hundred dollars per annum, one deputy assessor at a salary of one thousand five hundred dollars per annum; one deputy assessor at a salary of one thousand three hundred fifty dollars per annum; six extra deputies, each of said deputies to be employed for a period not exceeding one hundred twenty days of each calendar year, at a salary of seven dollars each per day; ten extra deputies, each of said deputies to be employed for a period not exceeding one hundred twenty days of each calendar year, at a salary of six dollars each per day; and ten extra deputies, each of said deputies to be employed for a period not exceeding one hundred twenty days of each calendar year, at a salary of four dollars, each, per day; provided, that in addition to the deputies hereinabove named the assessor shall have power to appoint such additional deputy assessors, as he may require, at a compensation of six dollars each, per day, and such additional deputies as he may require, at a compensation of four dollars, each, per day, the combined total compensation of such additional deputy assessors not to exceed two thousand four hundred dollars per annum, in the aggregate, for all assistance so rendered by said additional deputies; provided, further, that the above salaries and compensation shall be in full payment for all services rendered by him as such assessor, and that no commission for the collection of State taxes or infirmary poll taxes, for road taxes or personal property taxes shall be retained by him, nor shall the assessor receive any compensation for making out the military roll of persons returned to him subject to military duty, as provided by section 1901 of the Political Code of the State of California, but that all fees and commissions or compensations received by him, or allowed to him, in his official capacity from any source, shall be paid into the county treasury, other than the official salary herein provided. The deputies herein provided for shall be paid at the same time, and in the same manner, and out of the same fund as the salary of the county assessor is paid. The provisions herein contained shall apply to the present incumbent and his deputies.

8. The district attorney, four thousand five hundred dollars per annum; provided, that in counties of this class there shall be, and there is hereby allowed to the district attorney, which said positions are hereby created, the following:

One assistant district attorney at a salary of three thousand six hundred dollars per annum; one deputy at a salary of three thousand two hundred forty dollars per annum; one deputy at a salary of three thousand two hundred forty dollars per annum; one stenographer at a salary of one thousand five hundred dollars per annum; one stenographer at a salary of one thousand two hundred dollars per annum; and one detective at a salary of two thousand forty dollars per annum.

The district attorney, assistant district attorney, and the deputy district attorneys shall devote their entire time during office hours to the work of the county and State, and are prohibited from engaging in private work within such office hours.

The assistant district attorney, deputies, detective, and stenographers, herein provided for shall be appointed by, and hold office at the pleasure of the district attorney, and shall be paid by said county at the same time, and in the same manner, and out of the same fund, that the salary of the district attorney is paid; provided, further, that the necessary traveling expenses of the detective shall constitute a county charge; and further provided, that the assistant district attorney herein provided for shall possess the powers of, and may perform the same duties attached by law to the office as his principal; provided, further, that no employee of the district attorney's office shall accept compensation by reason of services rendered in any action or proceedings wherein fees or per diem would constitute a charge against the county.

The district attorney, the assistant district attorney and deputies, in addition to the compensation herein provided for shall be allowed their necessary expenses incurred in the discharge of their official duties.

All fees and commissions or compensations received by the district attorney in his official capacity, from any sources, shall be paid into the county treasurer, other than the official salary herein provided.

The provisions herein contained shall apply to the present incumbent, his assistant, deputies and employees.

9. The coroner and public administrator, three thousand six hundred dollars per annum, and his actual necessary expenses in traveling outside of the county seat. He shall hold inquests as prescribed by Chapter II, Title XII, Part II, of the Penal Code. The coroner or other officer holding an inquest upon the body of a deceased person may subpena a physician or surgeon to inspect the body, or a chemist to make an analysis of the contents of the stomach or tissues of the body, or hold a post-mortem examination of the deceased and give his professional opinion as to the cause of death.

One reporter, which office is hereby created, at a salary of two thousand one hundred sixty dollars per annum, and his actual necessary expenses in traveling outside of the county seat, and one relief reporter for two weeks during the reporter's vacation at a salary of one hundred dollars for such two weeks, whose duty it shall be, when called upon by the coroner, to attend all inquests and take down in shorthand the testimony of all witnesses at such inquests; when such testimony is taken down by such reporter, his transcript thereof, duly certified to by him, shall constitute the depositions of the witnesses testifying at such inquests so reported by such reporter; the salary of said reporter herein provided for shall be paid by the county, in the same manner and at the same time, and out of the same fund as the salary of the coroner and public administrator is paid. Said reporter shall be appointed by the coroner and public administrator and shall hold office at the pleasure of the coroner and public administrator.

All fees and commissions or compensation collected by the coroner and public administrator in his official capacity shall be paid into the county treasury, other than the official salary herein provided.

The coroner may appoint as additional deputies as many as may be necessary, to serve without compensation.

The provisions herein contained shall apply to the present incumbent and his reporter.

10 The superintendent of schools, three thousand six hundred dollars per annum; provided, that in counties of this class there shall be and is hereby allowed to the superintendent of schools, which said positions are hereby created, the following deputies, who shall be appointed by the superintendent of schools of such county and shall be paid salaries as follows:

Four deputies at a salary of one thousand nine hundred eighty dollars each per annum. The deputies herein provided for shall be paid by said county, at the same time, and in the same manner, and out of the same fund that the salary of the superintendent of schools is paid.

In counties of this class, the superintendent of schools, and one deputy, shall receive their actual and necessary traveling expenses for visiting and examining schools and school property of the county, and in performing such other duties as are incident to the full discharge of the requirements of the office of superintendent of schools.

All fees and commissions or compensation received by the superintendent of schools in his official capacity shall be paid into the county treasury, other than the official salary herein provided.

The provisions herein contained shall apply to the present incumbent and his deputies.

11. The surveyor, three thousand six hundred dollars per annum; provided that in counties of this class there shall be, and there is hereby allowed to the surveyor, which said positions are hereby created, the following deputies, who shall be appointed by the surveyor: One chief deputy surveyor at a salary of two thousand seven hundred dollars per annum; two deputies at a salary of two thousand one hundred sixty dollars each per annum, one deputy at a salary of two thousand forty dollars per annum, and one deputy at a salary of one thousand five hundred dollars per annum In counties of this class the surveyor, his deputies and assistants shall receive their actual and necessary expenses incurred in the performance of all duties incident to the full discharge of the requirements of the office of surveyor. The deputies herein provided for shall be paid by the county at the same time, and in the same manner, and out of the same fund, as the salary of the surveyor is paid; provided further, that the surveyor and his deputies shall during the time they are holding office be, and they are hereby prohibited from engaging in private employment at surveying. The provisions herein contained shall apply to the present incumbent and his deputies. In counties of this class the county surveyor shall pay into the county treasury all fees and commissions or compensation received by him in his official capacity from any source, other than the official salary herein provided.

12. Supervisors, three thousand six hundred dollars per annum each, and actual and necessary expenses incurred in the performance of the duties of their office. The provisions herein contained shall apply to present incumbents.

13. In counties of this class the township officers shall consist of the following, and shall receive the following compensation, to wit:

Judicial township number one, estimated population one thousand five hundred sixty, one justice of the peace at a salary of nine hundred dollars per annum; one constable at a salary of nine hundred dollars per annum.

Judicial township number two, estimated population five thousand five hundred twenty-six, one justice of the peace at a salary of one thousand three hundred twenty dollars per annum; one constable at a salary of one thousand three hundred twenty dollars per annum.

Judicial township number three, estimated population nineteen thousand four hundred eighty-five, one justice of the peace at a salary of one thousand eight hundred dollars per annum; one constable at a salary of one thousand two hundred dollars per annum; and one clerk at a salary of nine hundred dollars per annum.

Judicial township number four, estimated population three thousand five hundred, one justice of the peace at a salary of one thousand eighty dollars per annum; one constable at a salary of one thousand eighty dollars per annum.

Judicial township number five, estimated population one thousand two hundred thirty, one justice of the peace at a salary of eight hundred forty dollars per annum; one constable at a salary of seven hundred twenty dollars per annum.

Judicial township number six, estimated population twenty thousand four hundred ninety-three, one justice of the peace at a salary of two thousand four hundred dollars per annum; one constable at a salary of one thousand three hundred twenty dollars per annum; and one clerk at a salary of one thousand two hundred dollars per annum.

Judicial township number seven, estimated population eighteen thousand four hundred fifty-three, one justice of the peace at a salary of one thousand eight hundred dollars per annum; one constable at a salary of one thousand three hundred twenty dollars per annum; and one clerk at a salary of one thousand two hundred dollars per annum.

Judicial township number eight, estimated population five thousand nine hundred four, one justice of the peace at a salary of one thousand eighty dollars per annum; one constable at a salary of nine hundred dollars per annum.

Judicial township number nine, estimated population five thousand eight hundred forty-four, one justice of the peace at a salary of one thousand eighty dollars per annum; one constable at a salary of one thousand two hundred dollars per annum.

Judicial township number ten, estimated population one thousand five hundred sixty, one justice of the peace, at a salary of nine hundred dollars per annum; one constable at a salary of nine hundred dollars per annum.

Judicial township number eleven, estimated population one thousand three hundred seventy-one, one justice of the peace at a salary of one thousand eighty dollars per annum; one constable at a salary of one thousand three hundred twenty dollars per annum.

Judicial township number twelve, estimated population one thousand five hundred twenty-one, one justice of the peace at a salary of four hundred eighty dollars per annum; one constable at a salary of seven hundred twenty dollars per annum.

Judicial township number thirteen, estimated population one thousand thirty-eight, one justice of the peace at a salary of four hundred eighty dollars per annum; one constable at a salary of four hundred eighty dollars per annum.

Judicial township number fourteen, estimated population two hundred, one justice of the peace at a salary of two hundred forty dollars per annum; one constable at a salary of two hundred forty dollars per annum.

Judicial township number fifteen, estimated population five thousand, one justice of the peace at a salary of one thousand eighty dollars per annum; one constable at a salary of one thousand eighty dollars per annum.

Salaries of the justices of the peace shall be in full compensation for all services rendered by them in both civil and criminal cases. Salaries of constables shall be in full compensation for all services rendered by them in criminal cases, and in addition to the monthly salaries herein allowed, each constable may receive and retain for his own use such fees as are now or may hereafter be allowed by law for all services rendered by him in civil cases, and shall also be allowed all necessary expenses actually incurred in arresting and conveying prisoners to court or to prison, which said expense shall be audited and allowed by the board of supervisors and paid out of the county treasury. The salaries of justices of the peace and constables shall be paid monthly by the county in the same manner that the salaries of county officers are paid. The provisions herein contained shall apply to present incumbents.

14. Jurors—In the superior court, jurors' fees and witnesses' fees shall be as follows:

For attending as a grand juror, for each day's actual attendance, per day, two dollars and ten cents per mile for each mile actually traveled in going only, and the judge of said court shall make an order directing the auditor to draw his warrant

in favor of such juror for said per diem and mileage and the treasurer shall pay the same.

For attending as a trial juror, for each day's actual attendance, per day, three dollars, and ten cents per mile for each mile actually traveled in going only, and the judge of said court shall make an order directing the auditor to draw his warrant in favor of such juror for said per diem and mileage, and the treasurer shall pay the same.

For attending as a trial juror in criminal cases in justice courts, two dollars per day, for each day of actual service as a juror, and the justice of said court shall make an order directing the auditor to draw his warrant in favor of such juror for said per diem and the treasurer shall pay the same

Witnesses—For attending as a witness in criminal cases in the superior court and before the grand jury, for each day's actual attendance, the sum of two dollars, and ten cents per mile for each mile actually traveled in going only, and the judge of said court shall make an order directing the auditor to draw his warrant in favor of such witness for said per diem and mileage and the treasurer shall pay the same; provided, however, that in criminal cases such per diem and mileage shall only be allowed on a showing to the court by the witness the same was necessary for the expenses of the witness in attending; and the court shall determine the necessity for the same, and may disallow any fees to a witness unnecessarily subpenaed.

15. The county librarian shall receive two thousand eight hundred twenty dollars per annum, together with his necessary traveling expenses incurred in the discharge of his duties as county librarian.

All fees and commissions or compensations received by the county librarian in his official capacity, from any sources, shall be paid into the county treasury, other than the official salary herein provided.

The provisions herein contained shall apply to the present incumbent.

16. Live stock inspector, one thousand two hundred dollars per annum together with his actual necessary traveling expenses incurred in the discharge of his official duties.

In counties of this class the live stock inspector shall pay into the county treasury all fees and commissions, or compensation received by him, or allowed to him in his official capacity, from whatever source, other than the official salary herein provided. The provisions herein contained shall apply to present incumbent.

17. Vacations—Each employee regularly employed in the service of the county who shall have been employed for a period of six months, but less than one year, shall be entitled to a vacation of one calendar week, each employee regularly employed in the service of the county for a period of one year or more shall be allowed a vacation of two calendar weeks; said vacations to be without loss of pay; the vacation period to be designated by the heads of the various departments of said county."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1370—An act to amend sections 4, 7, 9, 14 of and to add new sections to be numbered 8a, 15a and 15b to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to vital statistics.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after figure "7", insert figure "8".

AMENDMENT NUMBER TWO.

On page 4, lines 14 and 15, of the printed bill, strike out the words "funeral director", and substitute the word "undertaker".

AMENDMENT NUMBER THREE.

On page 4, line 25, of the printed bill, after the word "fact", insert the words "and cause".

AMENDMENT NUMBER FOUR.

On page 4, line 26, of the printed bill, strike out the words "shall state", and substitute therefor "it shall be stated".

AMENDMENT NUMBER FIVE.

On page 4, line 43, of the printed bill, after the word "deceased", strike out the comma and insert the following: "except in those cases where the attending physician is unable to state the cause of death or where a person has been killed or has committed suicide or his death is the result of an accident or where an injury is a contributing cause of death or where he has died under such circumstances as to afford a reasonable ground to suspect that his death has been caused by the criminal act of another,".

AMENDMENT NUMBER SIX.

On page 9 of the printed bill, following the end of section 7, a new section, section 8, is to be added:

"SEC. 8. Section 8 of said act is hereby amended to read as follows:

Sec. 8. In case of any death occurring without medical attendance, or continued absence of the attending physician or where the attending physician is unable to state the cause of death or where the deceased was killed or committed suicide or died as the result of an accident or under such circumstances as to afford a reasonable ground to suspect that his death was caused by the criminal act of another, the certificate of death shall be made by the coroner It shall be the duty of the physician, undertaker, or other person in charge of the body to notify the coroner or other proper official of such death for investigation and certification. And the coroner or other proper officer whose duty it is to hold an inquest on the body of any deceased person, and to make the certificate of death required for a burial permit, shall state in his certificate the name of the disease causing death, or if from external causes (1) the means of death; and (2) whether (probably) accidental, suicidal, or homicidal; and shall, in any case, furnish such information as may be required by the State Registrar in order properly to classify the death. In every case the certificate must contain as many facts required by this act as can be ascertained.

The coroner shall within three days after examining the body deliver the death certificate to the attending undertaker."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1955—An act to amend section 4284 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-fifth class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2253—An act to amend sections 27 and 34 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909, relating to duty of warehouseman in regard to stored goods.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1729—An act to amend sections 32 and 34 of the Joint Highway District Act, approved June 17, 1931.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1353—An act to add sections 363r, 363s, 363t, 363u, 363v, 363w, 363x, 363y, 363z, 363aa and 363bb to the Political Code, to amend section 363h of the Political Code, and to repeal sections 365, 365a, 365b, 365c, 365d, 365e, 365f, and 365m, all relating to State roads and highways, and the powers and duties of the Director of Public Works, Department of Public Works, and California Highway Commission in respect thereto.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 6, line 23, of the printed bill, as amended in Assembly on March 15, 1933, strike out the words "366bb", and insert in lieu thereof the following: "363bb".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 835—An act to amend section 4 of the California Air Navigation Act, relating to aircraft including aircraft used solely for pleasure and not for commercial purposes, and to add a new section thereto to be numbered 11½, relating to the responsibility of owners or operators of aircraft for injury to or death of a guest riding in such aircraft.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to add a new section to the California Air Navigation Act, to be numbered 11½, relating to the responsibility of owners or operators of aircraft for injury to or death of a guest riding in such aircraft."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 14, inclusive.

AMENDMENT NUMBER THREE

On page 1, line 15, of the printed bill, strike out the figure 2, and insert in lieu thereof the figure 1.

AMENDMENT NUMBER FOUR.

On page 1, line 15, of the printed bill, strike out the words "said act", and insert in lieu thereof the following: "the California Air Navigation Act,".

AMENDMENT NUMBER FIVE.

On page 2, line 7, of the printed bill, commencing with the word "If", strike out the remainder of said line 7, and all of lines 8 to 14, inclusive, of said page 2, and insert in lieu thereof the following: "This section shall not apply to any guest who is a minor".

AMENDMENT NUMBER SIX.

On page 2, line 19, of the printed bill, strike out the words "wilful misconduct", and insert in lieu thereof the words "gross negligence".

AMENDMENT NUMBER SEVEN.

On page 2, line 24, of the printed bill, strike out the words "wilful misconduct", and insert in lieu thereof the words "gross negligence".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 780—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10a, 11 and 12 of, and to add section 15 to, an act entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to contractors and the Contractors' License Bureau and declaring the same to be an urgency measure.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 19, of the printed bill, strike out the word "exclusive".

AMENDMENT NUMBER TWO.

On page 2, line 20, of the printed bill, strike out the words "or lease".

AMENDMENT NUMBER THREE.

On page 2, line 23, of the printed bill, strike out the word "fifty", and insert the words "one hundred" in lieu thereof.

AMENDMENT NUMBER FOUR.

On page 2, line 30, of the printed bill, strike out the word "fifty", and insert the words "one hundred" in lieu thereof.

AMENDMENT NUMBER FIVE.

On page 9, line 19, of the printed bill, strike out the word "Five", and insert in lieu thereof the word "ten".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 309—An act to amend section 42 of, and add sections $2\frac{3}{4}$ and $50\frac{3}{4}$ to, the Public Utilities Act, approved April 23, 1915, relating to aircraft and air transportation.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to add sections 1a and 1b to the California Air Navigation Act, relating to aircraft."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 24, inclusive, and all of pages 2 and 3, and insert in lieu thereof the following:

"SECTION 1 A new section is hereby added to the act cited in the title hereof to be numbered 1a and to read as follows:

Sec. 1a. No air transportation company shall hereafter operate or cause to be operated any aircraft carrying passengers for hire between fixed termini or over a regular route in this State, unless from the time such aircraft leaves the ground at one terminus until it lands at the other terminus there are at all times present on such aircraft one pilot and one copilot, both of whom hold valid and subsisting licenses qualifying them to act as pilots in interstate air commerce

SEC. 2 A new section is hereby added to the act cited in the title hereof to be number 1b and to read as follows:

Sec. 1b Every aircraft operated by an air transportation company must be equipped with a radio set over which messages may be both sent and received and

each such radio set must be approved by the Department of Commerce of the United States."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1735—An act to amend sections 850, 851, 852, 852a, 852b, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 862a, 863, 864, 865, 867, 868, 870, 870a, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883, relating to organization, incorporation and government of cities of the sixth class.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1735 was withdrawn from the file, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2137—An act relating to the acquisition by municipalities of any public utility, and of any enterprise or undertaking convenient or necessary for the improvement and development of a municipality, and the payment therefor by revenue bonds, and for the sale or lease of such utility, enterprise or undertaking to any person, partnership or corporation.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 2137 was withdrawn from the file, and referred to Committee on Public Utilities.

Assembly Bill No. 251—An act to amend sections 1 and 2 of "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 251 was withdrawn from the file, and referred to Committee on Labor and Capital.

Assembly Bill No. 1875—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1875 was withdrawn from the file, and referred to Committee on County Government.

Assembly Bill No. 2206—An act to add a new section to the Political Code, to be numbered 363*l*, relating to the Division of Architecture revolving fund.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2206 was withdrawn from the file, and referred to Committee on Ways and Means.

Assembly Bill No. 543—An act making it unlawful for an attorney at law to employ any person to solicit law practice; prohibiting any person from soliciting law practice for hire and prescribing the penalty therefor; prohibiting the use of written statements taken from an injured person within 30 days after the injury; also making void certain settlements, compromises, releases and discharges, also written contracts with attorneys at law, unless approved by the court.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 543 was withdrawn from the file, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 290—An act to amend sections 1, 3, 4, 7, 8, 9, 10, 11, 12, and to repeal sections 5 and 6 of an act entitled "An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license, to declare certain acts to be offenses and to fix the penalties therefor; and to repeal all conflicting acts or parts of acts," approved June 1, 1927, relating to the bonds and licenses provided for therein, and declaring the urgency thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MEEKER, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON OIL INDUSTRIES

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1619—An act to amend section 3 of Chapter 609, Statutes of 1931, entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products, defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining "gasoline" and prescribing specifications for products sold or offered for sale as "gasoline"; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of lubricating oil—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

BADHAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1618—An act to add a new section to be numbered 14a to Chapter 609, Statutes of 1931, entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining "gasoline" and prescribing specifications for products sold or offered for sale as "gasoline"; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to licensing of persons, firms, associations or corporations, installing and using motor vehicle fuel pumps—has had the same under consideration, and respectfully reports the same back, and recommends that the bill do pass as amended.

BADHAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 545—An act to amend section 3 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of lubricating oil—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

BADHAM, Chairman.

The above reported bill ordered on file for second reading.

THIRD READING OF SENATE BILLS.

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to be numbered 34a to Article IV, by amending section 12 of Article XI, by adding a new section to be numbered 20 to Article XI, by amending sections 14, 15 and 16, and by repealing sections 12½ and 18 of Article XIII, relating to taxation.

Senate Constitutional Amendment No. 30 read.

COMMITTEE AMENDMENTS.

During reading of Senate Constitutional Amendment No. 30, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 49, of the printed bill, after the words "irrigation districts", insert the words "county water districts,".

AMENDMENT NUMBER TWO.

On page 3, line 15, of the printed bill, after the words "irrigation districts", insert the words "county water districts,".

AMENDMENT NUMBER THREE.

On page 6 of the printed bill, add at the end of line 2, "provided, that gold bullion produced in the State of California through mining or dredging operations after this amendment to the Constitution becomes effective and the proceeds received by the producer of such bullion from the sale thereof, shall not be considered as taxable gross receipts under the provisions hereof"

AMENDMENT NUMBER FOUR.

On page 2, line 40, of the printed bill, strike out the word "thereof", and in lieu thereof insert the following: "of any such county, city and county, district or other political subdivision, or by a majority of the electors of any such municipality".

AMENDMENT NUMBER FIVE.

On page 2, line 49, of the printed bill, insert after the word "utilities", the following: "including publicly owned facilities operated for the promotion and accommodation of commerce and navigation."

AMENDMENT NUMBER SIX.

On page 2, line 52, of the printed bill, insert after the word "State", the following: "or to expenditures arising out of any gift, bequest or donation".

Amendments adopted.

Senate Constitutional Amendment No. 30 ordered to reprint, and on file for adoption.

SPECIAL ORDER.

The hour of ten o'clock and thirty minutes a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

MOTION.

Mr. Lyon moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bill No. 675.

IN COMMITTEE OF THE WHOLE.

Speaker Little in the chair.

MOTION.

Mr. Lyon moved that the Standing Rules of the Assembly be adopted as the rules to govern the action of the Committee of the Whole, except as to Mr. Cobb, Chairman of the Committee on Ways and Means; that we take up each item as the items appear in the Governor's budget from the front of the budget to the back; that each department shall be allowed not to exceed thirty minutes in connection with their department to be divided among the speakers as the department shall see fit; that all amendments to be offered must be offered at the time the affairs of the particular department are being considered.

Motion carried.

CONSIDERATION OF ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FIVE.

Assembly Bill No. 675—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

RECESS.

At twelve o'clock and five minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly, sitting as Committee of the Whole, was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly, sitting as a Committee of the Whole, reconvened.

Speaker Little in the chair.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FIVE.

AMENDMENTS TO ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FIVE.

The following amendments were submitted by Mr. Stream:

AMENDMENT NUMBER ONE.

On page 36, lines 2 and 3, of the printed bill, as amended, strike out "poultry pathological laboratories.".

AMENDMENT NUMBER TWO.

On page 36, line 5, of the printed bill, as amended, strike out "Bureau of Plant Pathology,".

The question being on the adoption of the amendments

REQUEST FOR ROLL CALL.

On request of Messrs. Lyon, Robinson, C. Ray, and Knowland, the Speaker ordered a roll call taken on the adoption of amendments to Assembly Bill No. 675.

The roll was called, and the amendments to Assembly Bill No. 675 were refused adoption by the following vote:

AYES—Burns, Cassidy, Cronin, Crowley, Dempster, Hornblower, King, McMurray, Meehan, Nielsen, O'Connor, O'Donnell, Robinson, Samuel E., Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner and Williamson—21.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Chatters, Clowdsley, Cobb, Cottrell, Craig, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Rogers, Roland, Ross, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—54.

MOTION.

Mr. Clowdsley moved that the committee do now rise and report in favor of the passage of Assembly Bill No. 675.

The question being on the motion to rise and report in favor of passage of Assembly Bill No. 675.

WITHDRAWAL OF MOTION.

Mr. Clowdsley withdrew his motion.

MOTION.

Mr. Feigenbaum moved that the committee do now rise and recommend that further consideration of Assembly Bill No. 675 be made a special order of business for Monday, April 10, 1933, at the hour of two o'clock p.m.

AMENDMENT TO MOTION.

Mr. Hornblower moved to amend the motion of Mr. Feigenbaum by inserting the following: That all actions of the Committee of the Whole shall be entered in the Journal.

AMENDMENT TO MOTION ACCEPTED.

Mr. Feigenbaum accepted the amendment submitted by Mr. Hornblower as part of his motion

The question being on the adoption of the motion by Mr. Feigenbaum.

REQUEST FOR ROLL CALL.

On request of Messrs. Cobb, Lyon and Roland, the Speaker ordered a roll call taken on the motion by Mr. Feigenbaum.

The roll was called, and the motion by Mr. Feigenbaum was refused adoption by the following vote:

AYES—Anglim, Bliss, Burns, Cassidy, Clowdsley, Cronin, Crowley, Dempster, Feigenbaum, Frazier, Gilmore, Hunt, Levey, Maloney, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Robinson, Samuel E., Rogers, Stannard, Sullivan, Tournoux and Williamson—27.

NOES—Alter, Badham, Bowers, Boyle, Brock, Callahan, Chatters, Cobb, Cottrell, Craig, Evans, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor, Morgan, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Ross, Scudder, Stream, Thorp, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—52.

MOTION.

Mr. Clowdsley moved that all actions of the Committee of the Whole shall be entered in the Journal of the Assembly.

Motion carried.

MOTION.

Mr. Robinson, Samuel E., moved that the committee do now rise, and report back with a favorable recommendation.

POINT OF ORDER.

Mr. Dempster rose to the following point of order: Stating that the motion of Mr. Robinson, Samuel E., that the committee rise and report back a favorable recommendation, included a double motion, and asked a division of the question; also that a motion to make a certain report is always debatable.

RULING BY SPEAKER.

The Speaker ruled the point of order not well taken.

The question being on the motion of Mr. Robinson, Samuel E.

REQUEST FOR ROLL CALL.

On request of Messrs Latham, Knowland and Craig, the Speaker ordered a roll call taken on the motion to report back a favorable recommendation.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Cobb, Cottrell, Craig, Evans, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Lyon, Martin, Mayo, Meeker, Miller, Eleanor; Morgan, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Stream, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—48.

NOES—Cassidy, Clowdsley, Cronin, Crowley, Dempster, Feigenbaum, Frazier, Gilmore, Hornblower, Hunt, Levey, Maloney, McBride, McCarthy, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rogers, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner and Williamson—30.

IN ASSEMBLY.

Speaker Little in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The following report of the Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

GENTLEMEN: Your Committee of the Whole, to which was referred for consideration Assembly Bill No. 675—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act

shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LITTLE, Chairman.

MOTION TO ADJOURN.

At three o'clock and fifty minutes p.m., Mr. Clowdsley moved that the Assembly do now adjourn until eleven o'clock a.m., Monday, April 10, 1933.

The question being on the motion to adjourn.

REQUEST FOR ROLL CALL.

On request of Messrs. West, Lyon and Bowers, the Speaker ordered a roll call taken on the motion to adjourn.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Lyon, Robinson, C. Ray, and West, the Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion for call of the House lost by the following vote:

AYES—Burns, Cassidy, Cronin, Crowley, Frazier, Hornblower, Levey, McBride, McMurray, Meehan, Miller, James A., Morgan, Nielsen, O'Connor, Robinson, Samuel E., Rogers and Woolwine—17.

NOES—Alter, Badham, Bliss, Bowers, Brock, Clowdsley, Cobb, Cottrell, Craig, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Wright and Zion—49.

The roll was called, and the motion by Mr. Clowdsley to adjourn until Monday, April 10, 1933, lost by the following vote:

AYES—Cassidy, Clowdsley, Cronin, Crowley, Dempster, Feigenbaum, Frazier, Gilmore, Hunt, Levey, O'Connor, O'Donnell, Robinson, Samuel E., Rogers and Sullivan—15.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Cobb, Cottrell, Craig, Evans, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—63.

THIRD READING OF ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FIVE.

Assembly Bill No. 675—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—66

NOES—None.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FIVE.

Assembly Bill No. 675—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

The following amendment was submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE.

On page 54 of the printed bill, strike out lines 18 to 22, inclusive, and insert in lieu thereof the following:

"Item 195—For support of Department of Motor Vehicles, six million seven hundred thirty-seven thousand five hundred dollars..... $6,737,500.00"

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs. West, Robinson, C. Ray, and Knowland, the Speaker ordered a roll call taken on the adoption of the amendment to Assembly Bill No. 675.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. O'Connor moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Knowland, Fisher and Roland, the Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion for call of the House lost by the following vote:

AYES—Anglim, Burns, Callahan, Cassidy, Clowdsley, Cronin, Dempster, Frazier, Hornblower, Hunt, Levey, Maloney, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, Peterson, Rawls, Robinson, Samuel E., Stannard, Sullivan, Thorp, Tournoux, Turner, Williamson and Mr. Speaker—27.

NOES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Chatters, Cobb, Cottrell, Craig, Evans, Feigenbaum, Field, Fisher, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Morgan, Phillips, Powers, Redwine, Roberts, Robinson, C. Ray, Rogers, Roland, Stream, Utt, West, Woolwine, Wright and Zion—43.

The roll was called, and the amendment submitted by Mr. Hornblower was refused adoption by the following vote:

AYES—Anglim, Burns, Cassidy, Cronin, Crowley, Dempster, Frazier, Hornblower, Hunt, King, Levey, Maloney, McBride, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Robinson, Samuel E., Stannard, Sullivan, Thorp, Tournoux, Turner and Williamson—27.

NOES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Lyon, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Morgan, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stream, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—48.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FIVE.

The question being on the passage of Assembly Bill No. 675.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Craig, Jones, Wright, Rawls and Alter demanded the previous question.

The question being put: Shall the main question be now put?

The roll was called, and the demand for previous question lost by the following vote:

AYES—Alter, Badham, Bowers, Boyle, Brock, Callahan, Cobb, Cottrell, Craig, Crist, Evans, Field, Fisher, Greene, Hoffman, Jones, Kallam, Knowland, Latham, Lyon, Martin, Meeker, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Stream, Utt, Woolwine, Wright and Zion—33.

NOES—Anglim, Bliss, Burns, Cassidy, Chatters, Clowdsley, Cronin, Crowley, Dempster, Feigenbaum, Frazier, Grubbs, Hornblower, Hunt, King, Levey, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., O'Donnell, Peterson, Powers, Robinson, Samuel E., Rogers, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson and Mr. Speaker—37.

FURTHER AMENDMENT TO ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FIVE.

The following amendment was submitted by Mr. Dempster:

AMENDMENT NUMBER ONE.

On page 50 of the printed bill, strike out lines 26 to 28, inclusive, and insert in lieu thereof the following: "Welfare, two hundred ninety-nine thousand five hundred dollars ..... $299,500.00"

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs. Robinson, C. Ray; Roland and Knowland, the Speaker ordered a roll call taken on the adoption of the amendment to Assembly Bill No. 675.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Dempster moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Cottrell, Knowland and Robinson, C. Ray, the Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion for call of the House lost by the following vote:

AYES—Boyle, Burns, Callahan, Cassidy, Clowdsley, Dempster, Frazier, Grubbs, Hallner, Hornblower, Hunt, McCarthy, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Robinson, Samuel E., Rogers, Sullivan, Tournoux, Turner, Williamson and Mr. Speaker—26.

NOES—Alter, Badham, Bowers, Chatters, Cobb, Cottrell, Craig, Evans, Feigenbaum, Field, Fisher, Greene, Hatch, Hoffman, Kallam, Knowland, Latham, Lyon, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Scudder, Stannard, Stream, Thorp, West, Woolwine, Wright and Zion—38.

The roll was called, and the amendment submitted by Mr. Dempster lost by the following vote:

AYES—Anglim, Burns, Callahan, Cassidy, Clowdsley, Cronin, Crowley, Dempster, Frazier, Hallner, Hornblower, Hunt, Levey, Maloney, McCarthy, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Robinson, Samuel E., Rogers, Stannard, Sullivan, Tournoux and Turner—28.

NOES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Chatters, Cobb, Cottrell, Craig, Crist, Evans, Field, Fisher, Greene, Grubbs, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Scudder, Stream, Thorp, West, Woolwine, Wright, Zion and Mr. Speaker—46.

RECESS.

At six o'clock and fifteen minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until eight o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At eight o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FIVE.

FURTHER AMENDMENT TO ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FIVE.

The following amendment was submitted by Mr. Dempster:

AMENDMENT NUMBER ONE.

On page 36, line 14, of the printed bill, strike out the words and figures "$6,000" and insert in lieu thereof the words and figures "$4,500".

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs. Knowland, Kallam and Lyon, the Speaker ordered a roll call taken on the adoption of the amendment to Assembly Bill No. 675.

The roll was called, and the amendment to Assembly Bill No. 675 was refused adoption by the following vote:

AYES—Cassidy, Dempster, Hunt, O'Donnell, Rogers, Sullivan and Tournoux—7.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Hallner, Hatch, Hoffman, Hornblower, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Morgan, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Scudder, Stannard, Stream, Thorp, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—60.

FURTHER AMENDMENT TO ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FIVE.

The following amendment was submitted by Mr. Cronin:

AMENDMENT NUMBER ONE.

On page 53, line 24, of the printed bill, after the word "year", insert the following: ", provided further, that university extension work shall not be subjected to a greater proportionate ratio of reduction than other departments of the university".

The question being on the adoption of the amendment.

Mr. Cronin withdrew his amendment.

FURTHER AMENDMENT TO ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FIVE.

The following amendment was submitted by Mr. Crowley:

AMENDMENT NUMBER ONE.

On page 40 of the printed bill, strike out lines 20 to 28, inclusive, and insert in lieu thereof the following: "the Adult Blind, one hundred and thirty-five thousand dollars ..... $135,000.00"

The question being on the adoption of the amendment.

Mr. Crowley withdrew his amendment.

FURTHER AMENDMENT TO ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FIVE.

The following amendment was submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE.

On page 50 of the printed bill, as amended, between lines 28 and 29, insert the following:

"Item 161a—To the Department of Social Welfare for aid to the needy aged, under the terms of the Old Age Security Act, five million five hundred thousand dollars, and for such other amount as may be necessary to pay the claims of the aged under the terms of said act ..... $5,500,000.00"

The question being on the adoption of the amendment.

Mr. Hornblower withdrew his amendment.

FURTHER AMENDMENT TO ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FIVE.

The following amendment was submitted by Messrs. O'Donnell and Frazier:

AMENDMENT NUMBER ONE.

On page 50 of the printed bill, strike out lines 25 to 28, inclusive, and insert in lieu thereof the following:

"Item 161. For support of Department of Social Welfare, two hundred thousand dollars ..... $200,000.00"

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs. Jones, Cobb and Tournoux, the Speaker ordered a roll call taken on the adoption of the amendment to Assembly Bill No. 675.

The roll was called, and the amendment to Assembly Bill No. 675 was refused adoption by the following vote:

AYES—Anglim, Callahan, Cassidy, Clowdsley, Cronin, Crowley, Dempster, Frazier, Hallner, Hornblower, Hunt, Lyon, Maloney, McCarthy, McMurray, Meehan, Nielsen, O'Donnell, Robinson, Samuel E., Rogers, Stannard, Thorp, Tournoux and Turner—24.

NOES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Chatters, Cobb, Cottrell, Crist, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Morgan, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley,

Roberts, Robinson, C. Ray; Roland, Scudder, Stream, Sullivan, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—50.

FURTHER AMENDMENT TO ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FIVE.

The following amendment was submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE.

On page 42 of the printed bill, as amended, strike out lines 42 to 47, inclusive

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs. Knowland, Williamson and Cottrell, the Speaker ordered a roll call taken on the adoption of the amendment to Assembly Bill No. 675.

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

AYES—Burns, Callahan, Cassidy, Cronin, Dempster, Frazier, Grubbs, Hornblower, Hunt, King, Maloney, McMurray, Meehan, Miller, James A., Nielsen, O'Donnell, Stannard, Sullivan, Tournoux, Turner and Williamson—26

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Lyon, Martin, Mayo, McBride, Meeker, Miller, Eleanor, Morgan, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Scudder, Stream, Thorp, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—51.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FIVE.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 675 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 557—An act to amend section 367 of the Code of Civil Procedure and to add a new section, numbered 367a, to said code, relating to parties in certain civil actions,

Also Assembly Bill No. 558—An act to amend section 3422 of the Civil Code, relating to injunctions;

Also: Assembly Bill No. 559—An act to amend section 526 of the Code of Civil Procedure, relating to injunctions;

Also: Assembly Bill No. 560—An act to amend sections 281 and 1209 of the Code of Civil Procedure, relating to contempt of court,

Also: Assembly Bill No. 751—An act to amend sections 9, 14 and 15 of "The State Bar Act," relating to the Board of Governors;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar

ROBINSON, C. RAY, Chairman.

The above reported bills ordered replaced on daily calendar.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1722—An act to amend section 3888 of the Political Code of California, relating to the medium for the payment of taxes;

Also Assembly Bill No. 694—An act to amend the Fish and Game Code by amending the heading of Article 2, Chapter 4, Part 2, Division IV, by adding sections 844.5 and 866 thereto, and by repealing section 929 thereof, relating to nets;

Also. Assembly Bill No. 290—An act to amend sections 1, 3, 4, 7, 8, 9, 10, 11, 12, and to repeal sections 5 and 6 of an act entitled "An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund, to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and to fix the penalties therefor; and to repeal all conflicting acts or parts of acts," approved June 1, 1927, relating to the bonds and licenses provided for therein, and declaring the urgency thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1309—An act to extend the time for the payment of taxes for the period of sixty days and declaring the urgency thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1955—An act to amend section 4284 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-fifth class;

Also: Assembly Bill No. 2253—An act to amend sections 27 and 34 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909, relating to duty of warehouseman in regard to stored goods;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2342—An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately—and reports that the same has been correctly enrolled and presented the same to the Governor on this seventh day of April, 1933, at ten o'clock and twenty-five minutes a.m.

PATTERSON, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 678—An act to repeal section 4353 of the School Code, relating to orders upon school district funds;

Also: Assembly Bill No. 805—An act to add a new section to the School Code, to be numbered 1 395, relating to the duties of employers of minors who are subject to compulsory continuation education;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ROLAND, Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 256—An act to add sections 3a, 3b, and 5a to, and to amend sections 5 and 7 of an act entitled, "The County Improvement Act of 1921," approved June 3, 1921, Statutes of 1921, page 1628, relating to the improvement of roads and highways within unincorporated territory of counties;

Also: Assembly Bill No. 598—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment;

Also: Assembly Bill No. 1443—An act to validate the organization and bonds of municipal improvement districts formed under the Municipal Improvement District Act of 1927 and providing for the levy of a tax to pay the same;

Also: Assembly Bill No. 2351—An act to add section 869 to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the use of park land for the erection of public buildings;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1400—An act to add a new section to the Public Utilities Act, to be numbered 50¾, relating to the punishment of passenger stage corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LATHAM, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 845—An act to repeal Chapter V, Part III, Division V of the School Code, relating to teachers institutes;

Also: Assembly Bill No. 1906—An act to add a new section to the School Code, to be numbered 5.27, relating to cooperative stores on the campuses of the State teachers colleges;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

ROLAND, Chairman

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No 257—An act to amend sections 60, 62, 63, 65a and 66 of an act entitled "Improvement Act of 1911," approved April 7, 1911, Statutes of 1911, page 730;

Also: Assembly Bill No. 980—An act to provide for the acquisition, construction, extension and operation of systems and works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary and sanitation dis-

tricts; also providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of constructing, operating and maintaining such works; also providing for the use of such works by other cities, counties or districts, and declaring the urgency thereof; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 2345—An act to add a new section to the School Code, to be numbered 4.57, relating to the support of junior colleges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

ROLAND, Chairman.

The above reported bill ordered referred to Committee on Ways and Means.

ON BUILDING AND LOAN ASSOCIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No 554—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 1 01, 3 02, 5.01, 6.01, 6 02, 6.03, 6.06, 6 07, 7 06, 8 07, 10 03, 12 08, and 15.16 thereof and by amending article numbered IX thereof, and by repealing section numbered 5.04 thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ROBERTS, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933

MR SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No. 334—An act to amend section 67 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission fund and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

LATHAM, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No 67—An act to amend section 857 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

LYON, Chairman.

The above reported bill ordered on file for second reading.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1244—An act to add a new section to the California Vehicle Act to be numbered 151b, relating to rendering assistance to domestic animals injured by a vehicle, conveying it to a veterinarian, and notifying the owner thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered referred to Committee on Rules.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 6, 1933, passed Senate Bill No. 408—An act to amend section 139 of the Civil Code, relating to alimony.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 408 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 5, 1933, passed Senate Bill No. 875—An act to add a new article to Chapter III of Title I of Part III of the Political Code to be numbered Article XXI, embracing sections 720 to 725, inclusive, creating a board to be known as the Board of Finance to take the place of the Department of Finance, prescribing the duties, powers, responsibilities, authority and jurisdiction of the Board of Finance and providing for the membership thereof and their qualifications; providing for the transfer to the Board of Finance and the imposition on it of the duties, powers, responsibilities, authority and jurisdiction of the Department of Finance and the Director of Finance, as well as of the various divisions of the Department of Finance and the officers, agents and employees of the Department of Finance, providing for the abolishment of the Department of Finance and the Director of Finance and the various divisions of the Department of Finance and the various officers, agents and employees of the Department of Finance; providing for the expenditure and transfer of certain funds, and repealing all acts or parts of acts in conflict therewith.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 875 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 666—An act to amend sections 4.161, 4.181 and 4.190 of the School Code, and to add a new section to said code, to be numbered 4.162, all relating to county school funds.

Also: Senate Bill No. 664—An act to amend section 737v of the Political Code, relating to the salary of the judge of the superior court in and for the county of Mariposa.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 666 read first time, and referred to Committee on Education.

Senate Bill No. 664 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 584—An act to amend section 3633 of the Political Code, relating to the assessment of property;

Also: Assembly Bill No. 553—An act to add a new section to the Political Code, to be numbered 3747a, relating to segregation of valuation of property on the assessment roll;

Also: Assembly Bill No. 11—An act to amend section 520 of the Penal Code, relating to the punishment of extortion in certain cases;

Also: Assembly Bill No. 1065—An act to amend an act entitled "An act providing for the designation of money in the State treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interests or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," approved June 10, 1913, as amended, by amending section 1, relating to the investment of surplus money in the State treasury;

Also: Assembly Bill No. 1066—An act to amend sections 671 and 672 of the Political Code, relating to investments to be made by the Director of Finance of school land funds and of estates of deceased persons' funds.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2199—An act to add a new section, to be numbered 73a, to the Code of Civil Procedure, relating to superior courts—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on April 6, 1933, passed as amended, Assembly Bill No. 393—An act to add a new section to the Penal Code to be numbered 904a, relating to grand juries—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Crime Problems.

RESOLUTION.

The following resolution was offered:

By Mr. Dempster:

Resolved, That Assembly Bill No. 246, relating to registered sanitarians, be withdrawn from Committee on Governmental Efficiency and Economy and placed on file, under the provision of Standing Rule No. 60

CHARLES W. DEMPSTER.
SAM M. GREENE.
H. S. HALLNER.
F. M. ROBERTS.
HARRY B. RILEY.
WILLARD E. BADHAM.
CHARLES W. STREAM.
AUSTIN L. TOURNOUX.
ELEANOR MILLER.
CHARLES W. LYON.
JOHN D. MCCARTHY.
FRANK J. ROGERS.
ALBERT F. ROSS.
RODNEY L. TURNER.
WM. MOSELEY JONES.
FRANK G. MARTIN.
CHARLES A. HUNT.
BERT V. CALLAHAN.
CECIL R. KING.
JAMES J. MCBRIDE.
KENT H. REDWINE.
WALTER H. SULLIVAN.
BRUCE R. STANNARD.
IRA S. HATCH.
JAMES J. BOYLE.
JAMES B. UTT.
EDWARD CRAIG.
JAMES S. O'CONNOR.
E. H. ZION.
FRANK W. WRIGHT.
JOHN T. RAWLS.
J. E. THORP.
H. J. EVANS.
FRANK LEE CRIST.
S. E. ROBINSON.
FORD A. CHATTERS.
JAMES M. CASSIDY.
JESSE M. MAYO.
P. J. MCMURRAY.
F. PETERSON.
C. W. GRUBBS.
E. C. CROWLEY.

The Speaker ordered Assembly Bill No. 246 placed on second reading calendar.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 7, 1933.

To the Members of the Assembly of the State of California.

GENTLEMEN: With the consent of the author, I herewith return without my signature Assembly Bill No. 362.

This bill affects section 1 of the act regulating private employment agencies. The amendment seeks to remove from the operation of the act managers of entertainers and performers receiving net salaries in excess of $200 per week in any engagement or contract of hire.

Inadvertently the amendment would effect a statutory change in the construction of the act to include managers of wrestlers, boxers, and other performers who apparently are not at present considered affected by the act.

Respectfully,

JAMES ROLPH, JR., Governor of California.

The Speaker ordered the above message placed on the unfinished business calendar.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 7, 1933.

To the Speaker and Members of the Assembly of the State of California.

I received today a letter from the President of the United States, which I transmit to you without delay. It concerns the national policy of oil conservation and California's part in it. The President's letter is accompanied by copies, transmitted herewith, of the unanimous report of three committees which met last week in Washington, comprising:

(1) Representatives of the Governors of oil-producing States;
(2) Independent producers; and
(3) Major companies,

supplemented by a resolution adopted at the conference of the Governors of 16 States who were represented at the meeting, and also by a report signed by the Independent Petroleum Association Opposed to Monopoly.

The President directs particular attention to the first two recommendations of the combined committees representing State Executives and the oil industry, namely, the temporary closing of all flush production and the immediate adoption of a conservation statute by States which have no law adequate to meet the existing emergency.

Two years ago our State Legislature passed, and I signed a restrictive bill which was intended to anticipate in this State the situation which is now recognized as one of national importance on account of conditions here, and in other oil-producing States. The measure was defeated on referendum. This may have been due to the fact that our proposed statute gave in substantial part the enforcement of oil restriction to representatives of the industry itself. In acting upon the President's message and the recommendations which accompanied it, you may wish to consider the advisability of giving to some such constitutional body as our Railroad Commission the power to limit and prorate production.

The present recognition by the executives of all the oil-producing States, by the industry at large, and by the President and his Secretary of the Interior, of the need for immediate action will, I think, commend itself to you and justify in no small measure the course proposed in this State two years ago.

If there were any doubt about the timeliness of the action taken then, it is now removed. Recognition will readily be given to critical conditions and to the need for exercising every effort not only to insure the success of the national plan but also to preserve one of the great industries of the State.

I leave to you the detail of the plan and the policy which you will adopt to meet our present need and the President's request, with every confidence that prompt and constructive action will be your response.

Respectfully,

JAMES ROLPH, JR., Governor of California.

(COPY)

THE WHITE HOUSE, WASHINGTON, April 1, 1933.

Hon. James Rolph, Jr., Governor of California,
Sacramento, California.

MY DEAR GOVERNOR ROLPH: I am sending you herewith for your consideration a report submitted to the Secretary of the Interior as the result of a three days' conference held in Washington the early part of this week on the oil situation and participated in by representatives of the Governors of seventeen of the oil-producing States. There were also present at the conference representatives of the independents in the industry as well as of the major oil and gas-producing agencies. The main report was drafted and unanimously adopted by a committee of fifteen, composed in equal parts of representatives of the Governors, of the major oil industries, and of the independents. When this report was finally submitted to the full conference, it received the affirmative votes of all the representatives of the Governors and of those representatives of the oil industries voting as set forth on page four of the report.

Together with the majority report just referred to, I enclose also for your information, a minority report adopted by a group of independents and subscribed by them in the name of "Independent Petroleum Association Opposed to Monopoly."

I further enclose a resolution adopted by the representatives of the Governors after the main report already referred to had been ratified.

To complete the record, I am sending also a final correction to the recommendations made by the committee of fifteen, which was handed to the Secretary of the Interior yesterday.

I especially direct your attention to paragraphs A-1 and A-2 of the recommendations of the committee of fifteen. It is obvious that the action proposed to be taken in these paragraphs is within the sole authority and jurisdiction of the interested States. The President of the United States has no authority to declare a moratorium such as is proposed and he might be regarded as infringing on the sovereignty of the States if he should make the suggestion contained in paragraph A-2.

There seems to be a widespread feeling that an emergency exists in the oil industry calling for action and it is hoped that the Governors of the States affected, after consultation with each other, will take action appropriate to meet it.

The committee of fifteen in paragraphs A-3 and A-4 recommend certain action on the part of the Federal government. I am of the opinion that the suggestion that the Congress pass legislation prohibiting the transportation in interstate and foreign commerce of any oil or the products thereof produced or manufactured in any State in violation of the laws thereof, is well considered. I am prepared to recommend such legislation to Congress as a contribution on the part of the national government toward the solution of the difficulties in which the oil industry finds itself.

I also approve of the recommendation in paragraph A-4 of this report.

The report of the Independent Petroleum Association Opposed to Monopoly recommends "the enactment of emergency legislation by Congress divorcing oil pipelines engaged in interstate commerce from other branches of the oil industry."

I am of the opinion that this is a reasonable request and that such legislation should be enacted at as early a date as possible.

There are other suggestions and recommendations made to the Secretary of the Interior as a result of the deliberations of the oil conference that on their face are fair and reasonable but which do not require immediate action. These recommendations can be taken up at a later date, perhaps after further conferences between the representatives of the States and of the industry and of the national government.

Very sincerely yours,

(Signed) FRANKLIN D. ROOSEVELT.

(COPY)

WASHINGTON, D. C., March 29, 1933.

The Honorable the Secretary of the Interior.

DEAR MR. SECRETARY: The three committees respectively representing (1) the Governors of the oil-producing States or their duly authorized delegates; (2) the oil and gas associations representing independent producers of oil and gas in the United States, and (3) the major oil- and gas-producing and importing companies, after conferring together, have unanimously agreed to recommend the following program to you, in order to meet the existing emergency in the oil and gas industry and to provide the basis for conservation and scientific future development of the oil and gas resources of our country:

A. To meet the existing emergency, the committee unanimously recommend:

1. That the President of the United States be requested to transmit this report to the Governors of California, Kansas, Oklahoma, Texas and New Mexico, and to call upon them immediately to close all flush pools in their respective States until the fifteenth day of April next, excepting wells producing more than 10 per cent of water, which would be damaged irreparably by a complete shutdown.

2. That the President of the United States be requested to call upon the Governors and Legislatures of the principal oil-producing States which have no adequate or no general conservancy statute to adopt such a statute immediately in order to further the conservation and scientific and more orderly development of the oil and gas resources of such States and in order to enable full cooperation toward those ends between all the principal producing States.

3. That the President of the United States be requested immediately to recommend to Congress the adoption of a law prohibiting the transportation in interstate and foreign commerce of any oil or the products thereof produced or manufactured in any State in violation of the laws thereof, and providing adequate penalties for violations of the said law.

4. That the President of the United States be requested (a) to require strict enforcement of the Federal gasoline tax and pipe line tax and vigorous prosecution of evaders thereof, so long as the said taxes remain in effect, and (b) to instruct the Bureau of Internal Revenue to ascertain, at the time of collecting the tax, the consignor, consignee, destination and quantity being shipped by each refinery, and (c) to instruct the said bureau to transmit the said information to the tax collecting authorities of those States into which the gasoline is to be moved.

5. That the President of the United States be requested fully to endorse the recommendations made herein and to appeal to the States, and to all those engaged in the oil and gas industry, faithfully to cooperate in the enforcement and observance of the said recommendations and in the limitation of production in harmony with a fair allocation of the national consumptive demand.

6. We further recommend that the President submit to Congress a request for emergency legislation authorizing him to appoint a personal representative to cooperate with the duly constituted authorities of the several oil-producing States in bringing about a compliance on the part of said States with the program covered by these recommendations, and to advise and cooperate with the industry in complying with that portion of the program recommended for action by the industry; such act of Congress to be effective during the emergency only, and whenever in the opinion of the President of the United States the emergency in the oil industry has passed, thereupon, by proclamation, the President may declare the emergency ended and the office, thereby created, abolished.

B. To provide a basis for conservation of the oil and gas resources of the United States and the scientific future development of the oil and gas industry therein, the committees are unanimously of the opinion:

1. That the Government of the United States can aid and assist in the following respects:

(a) By initiating a comprehensive and scientific study of the entire subject and publishing, as soon as possible, a report of the facts found, conclusions reached and recommendations made with reference thereto.

(b) By imposing an adequate competitive tariff on crude petroleum and the products thereof.

(c) By eliminating the tax on domestic refined products and the Federal pipe line tax.

(d) By vigorous prosecution for evasion of the Federal gasoline tax and pipe line tax if such taxes are to be continued.

(e) By permitting drilling on the public lands to be delayed.

(f) By limiting imports to the average for the last six months of 1932.

(g) By continuing the Federal Oil Conservation Board as an advisory body.

2. That the producing States can aid and assist in the following respects:

(a) By the enactment, where necessary, of adequate State laws under which conservation can be enforced.

(b) By the issuance of valid orders under such conservation statutes.

(c) By strict enforcement of the orders issued.

(d) By the equitable allocation of the allowed production as between pools.

(e) By limiting production of crude oil to the requirements of the consumer of refined products, or crude petroleum as such.

(f) By reaching an agreement with each other on the total market demand for crude petroleum and a proper allocation of this demand as between the producing States.

NOTE—Pending a more complete study of the subject, the production in the United States should for the time being be limited to 2,000,000 barrels per day, allocated as follows:

Texas	786,242 barrels
Oklahoma	417,690 barrels
Kansas	93,366 barrels
California	432,432 barrels
All other States	270,270 barrels

(g) By rigidly enforcing the gasoline tax laws so as to prevent tax evasion, by preventing the diversion of a tax from highway uses, and by a reduction of the tax wherever at all possible.

(h) By encouraging permissive unit operation under voluntary agreements.

3. That the industry can aid and assist in the following respects:

(a) By actively supporting governmental agencies in their efforts to make and enforce valid orders.

(b) By refraining from producing oil unlawfully and refusing to transport or purchase oil unlawfully produced.

(c) By marketing arrangements with limited areas conforming to the principle announced by the Supreme Court in the Appalachian Coals case.

(d) By diligent efforts to promote permissive unit operation under voluntary agreements.

(e) By avoiding excessive withdrawals from storage.

(f) By limiting drilling to the absolute minimum.

(g) By limiting imports to the average for the last six months of 1932.

C If the foregoing conservation program is to succeed, the committees respectfully submit that it must be based on a price for crude oil which will allow a margin of profit to the producer and a price for the refined products which will allow a margin of profit for the refinery and the retail dealer.

Respectfully submitted.

ALFRED M LANDON, Chairman (Kansas).

WM. H COOLEY (California).	WIRT FRANKLIN.
I. C. GRIMM (Ohio).	CHAS F. ROOSER
C. C. MCDONALD (Texas).	C. B. AMES.
CICERO I MURRAY (Oklahoma).	R. C HOLMES
T. H. BARTON.	K. R. KINGSBURY.
W J. BRUNDRED.	D J. MORAN
W N. DAVIS.	W C. TEAGLE.

Committee of Fifteen Representing Governors' Conference, and Major and Independent Oil Producers

On Monday morning, March 27, 1933, before the organization of the said committees and before the emergency measures recommended in subdivision A hereof were proposed, the representatives of oil and gas associations adopted, in meeting assembled, the principles and recommendations covered by subdivisions B and C hereof. The vote was as follows:

California Oil and Gas Association.....Not voting
Central Pennsylvania District Oil and Gas Association.....Yes
East Texas Land Association.....Yes
East Texas Producers and Royalty Owners Association.....Yes

General Mid-Continent Oil and Gas Association.....Yes
Independent Petroleum Association of America.....Yes
Independent Petroleum Association of Arkansas.....Yes
Independent Petroleum Association of California.....Not present
Independent Petroleum Association of Texas.....No
Mid-Continent Oil and Gas Association, Kansas-Oklahoma Division.....Yes
Mid-Continent Oil and Gas Association, Louisiana-Arkansas Division.....Yes
Mid-Continent Oil and Gas Association, Texas Division.....Yes
North Texas Oil and Gas Association.....Yes
Oil Producers Sales Agency of California.....Yes
Southeastern Ohio Oil and Gas Association.....Yes
Texas Oil and Gas Conservation Association.....Yes
West Central Texas Oil and Gas Association.....Yes
West Virginia Oil and Gas Association.....Yes
Middle District Producers Association (Pennsylvania).....Yes
American Petroleum Institute.....Yes

WASHINGTON, D. C., March 29, 1933.

Hon. Harold Ickes, Secretary of the Interior,
Washington, D. C.

DEAR SIR: The petroleum industry of the United States is in a more healthy condition than industry generally. It suffers, however, from certain ills, chief among which are monopolistic control, agreements in restraint of trade, price fixing agreements, unfair practices, burdensome taxation, false propaganda and excessive governmental regulation.

There is no overproduction of petroleum in the United States today.

True conservation of petroleum resources is desired. The duty and right of conserving the petroleum resources is a function of government exclusively vested in the several sovereign States. It can only be done through a reasonable exercise of the police power which was reserved to the States and never delegated to the national government.

To the end that a more wholesome condition of the industry, with the resultant good to the American people, may be brought about, we respectfully recommend the speedy accomplishment of the following definite measures of relief:

1. That appropriate action be taken to require the Interstate Commerce Commission to fix and enforce fair and reasonable rates to be charged by pipe line common carriers engaged in the transportation of petroleum in interstate commerce.
2. The enactment of emergency legislation by Congress, divorcing oil pipe lines engaged in interstate commerce from other branches of the oil industry.
3. That the Department of Justice be required immediately to investigate and vigorously prosecute violations of the antitrust laws to the end that combinations and agreements in restraint of trade, price fixing and other unfair practices affecting the petroleum industry may be effectively stopped.
4. The immediate enactment of laws by Congress making it unlawful for any person, firm or corporation wilfully to disseminate false information designed to influence public opinion.
5. That the Federal Oil Conservation Board be abolished.
6. That the American producer not only be permitted to, but be assisted by the agencies of the government, in capturing all of the world market for petroleum and its products possible.
7. That American oil companies be discouraged in the present practice of developing unregulated and uncontrolled foreign oil fields with cheap foreign labor which compete with regulated and controlled American production.
8. That Congress protect the American market from the importation of foreign oils by the imposition of a competitive tariff.
9. That the Federal government respect and not infringe upon the rights and duties of the sovereign States to regulate the production of petroleum within their respective borders.

Respectfully submitted.

INDEPENDENT PETROLEUM ASSOCIATION OPPOSED TO MONOPOLY.

The Governors' groups in the recent conference with the Secretary of the Interior, which yesterday agreed with him and with representatives of the industry, met again today and passed a resolution putting itself on record as favoring government cooperation but not government control of oil production.

The resolution follows:

RESOLUTION.

The conference of the Governors of the oil-producing States, or their representatives (16 States being represented), held at Washington, D. C., on March 27, 28 and 29, 1933, upon the call of the Hon. Harold L. Ickes, Secretary of the Interior,

to consider problems affecting the conservation of the petroleum natural resources of the Nation and of the States, recommends action of the general character as follows, but subject to the reservations made by the delegates from Texas and Arkansas:

1. We approve the action of our committee of five in joining in the resolutions adopted by the so-called committee of fifteen, a copy of which is hereto attached.

2 We recommend to each Governor of the oil-producing States the appointment of one or more representatives, who, under some name selected by themselves, shall continue the work of this conference, and who, to the extent desired by the representatives appointed by the President of the United States, shall cooperate with, or act jointly with, the said representative of the United States. We believe strongly in the policy of continuous cooperation between the Federal and State governments in the conservation of the petroleum resources of the Nation and States, with the purpose that neither the Federal government nor the States shall surrender or lose any of their powers, but that each shall so exercise its power as to further a common policy of conservation. The first meeting of said body should be held at Washington, D. C., as soon as authority from said Governors can be obtained.

3. We urge an immediate personal conference between the Governors of Oklahoma, Texas, California, Kansas, and Louisiana, to which may be invited the Governors of the other oil-producing States or their representatives, and the members of the conservancy bodies of such States, with the purpose of coordinating action by such States.

4. We urge frequent conferences between the responsible officials of the oil-producing States for the purpose of discussing policies affecting common problems.

TEXAS.

C. C McDONALD, Wichita Falls.
T. L WYNN, Athens.
D. J. HARRISON, Houston, Texas, Gulf Building.

CALIFORNIA.

WM. H. COOLEY, Bakersfield, Chairman California State Oil Compact Body.
RALPH B. LLOYD, President, Independent Oil Producers Association, 5410 Wilshire Boulevard

OKLAHOMA.

COL CICERO I. MURRAY, Perrine Building, Oklahoma City

KANSAS.

GOVERNOR ALFRED M. LANDON, Topeka.

LOUISIANA.

SCOTT HEYWOOD, Jennings.

WYOMING.

HON. JOHN B. KENDRICK, United States Senate.
JOSEPH O'MAHONEY, First Assistant Postmaster General, Washington.

PENNSYLVANIA.

RALPH T. ZOOK, Bradford.

NEW MEXICO.

J. D. ATWOOD, Roswell.
WM. J. BARKER, Santa Fe.
ALBERT T. WOODS, Artesia.

COLORADO.

WARWICK M. DOWNING, Equitable Building, Denver.

ARKANSAS.

JOHN W. OLVEY, Eldorado.

MONTANA.

THOS. S HOGAN, Midland, Texas.

NEW YORK.

DAVID H. NEWLAND, State Geologist, Albany.

OHIO.

IVRE C. GRIMM, Woodsfield.

WEST VIRGINIA.

A. S. HECK, Spencer.

ILLINOIS.

R. M. SHAW, State Senator, Lawrenceville.

RHODE ISLAND.

LEWIS D. PIERCE, Warwick.

(COPY)

PHILADELPHIA, PENNSYLVANIA, March 30, 1933.

Hon Harold Ickes, Secretary of the Interior Department.
Washington, D. C.

DEAR SIR: You will remember during the last conference you had with the committee of fifteen, representing (1) the Governors or their authorized delegates from oil producing States, (2) oil and gas associations of independent producers, (3) major oil and gas producing and importing companies, it was suggested by this committee that its original recommendations should be submitted to President Roosevelt, owing solely to the question as to whether the many duties of the Secretary of the Interior would permit his giving the time necessary to make completely effective the various recommendations of the committee.

In the haste to get the complete report before the conference paragraph 4 of the original recommendations of the committee of fifteen, and approved by the Governors or their authorized delegates, was inadvertently left out. This omission was not

noticed at the time the complete report was read by Governor Landon before the entire conference.

The paragraph to which I refer reads as follows:

"(4) (a) As a measure of true conservation it shall be recognized that the oil reserve in the settled production areas of the country shall be preserved."

This paragraph was accepted by the committee as a principle and affects approximately 275,000 or 300,000 of the 340,000 wells in the United States and is a vital part, therefore, of the recommendations.

I ask, therefore, that this explanatory letter, together with the original draft of the recommendations of the committee of fifteen be attached and made a part of the record.

Yours very truly,

W. J. BRUNDRED, Oil City, Pennsylvania.

ADJOURNMENT.

At eleven o'clock and fifteen minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, April 10, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, April 10, 1933.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Craig, Mr. Utt was granted leave of absence for the day.

On motion of Mr. Woolwine, Mr. McMurray was granted leave of absence for the day.

On motion of Mr. Gilmore, Mr. Cronin was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Messrs. Crist, Peterson and Maloney, Mr. H. A. Mason of Palo Alto, former Chief Clerk of the Assembly, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Crowley, Mr. Harry Runnion of Berkeley and Dr. Newel Perry of the Berkeley School for the Blind, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Gilmore, Miss Grace Sanchez of New York City was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Evans, J. M. Paige, secretary Pomona Chamber of Commerce, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kallam, Hon. George Radcliff of Sacramento, former member of the Legislature, and Mr. Radcliff's grandnephew, William Radcliff Laws of Berkeley, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Knowland, Messrs. Gus Wagner and George Daly of Alameda were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Robert H. Lamott, opposing any decrease in the budget for the University of California.

Also:

By Mr. Speaker:

From Mrs. V. Vodra, Los Angeles, opposing any decrease in the budget for University of California at Los Angeles.

Also:

By Mr. Speaker:

From Prudential Acceptance Corporation, Los Angeles, protesting against passage of Assembly Bill No. 2248.

Also:

By Mr. Speaker:

From Property Owners Division, Los Angeles, in favor of Assembly Bills Nos. 319, 450 and 54, also Assembly Constitutional Amendment No. 46 and Senate Bill No. 7.

(Signed) DAVID J. EVANS.
L. L. FARLEY.

Also:

By Mr. Speaker:

From Victor Stassi, Michael Bukwich, Marie Hugues and Mr. and Mrs. Benito Villegas of Los Angeles, favoring adoption of Assembly Constitutional Amendment No. 47.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1244—An act to add a new section to the California Vehicle Act to be numbered 151b, relating to rendering assistance to domestic animals injured by a vehicle, conveying it to a veterinarian, and notifying the owner thereof;

Also: Assembly Bill No. 554—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting

the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees, to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 1.01, 3.02, 5.01, 6.01, 6.02, 6.03, 6.06, 6.07, 7.06, 8.07, 10.03, 12.08, and 15.16 thereof and by amending article numbered IX thereof, and by repealing section numbered 5.04 thereof,

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 76—An act to amend sections 4225 and 4225a of the Political Code, relating to the powers and duties of county health officers;

Also: Assembly Bill No. 146—An act to amend sections 1115 and 1142 of the Political Code, relating to the index to registration books and boards of election;

Also: Assembly Bill No. 210—An act providing for transfers from the State highway construction fund and the State highway maintenance fund to the general fund in the State treasury of an amount equal to that paid or that necessary to be paid during the 83d and 84th fiscal years for the principal and interest upon certain State bonds for highway purposes, and for the reimbursement of said highway funds from the general fund and providing that this act shall take effect immediately;

Also: Assembly Bill No. 309—An act to add sections 1a and 1b to the California Air Navigation Act, relating to aircraft;

Also: Assembly Bill No. 335—An act to amend section 42 of the "State Housing Act," relating to requirements for buildings;

Also: Assembly Bill No. 820—An act to amend section 921 of the Political Code, relating to purchases and sales of county, State, township and city officers.

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 937—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16, and to add sections 17, 18, 19, 20, 21, 22, 23 and 24 to, an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," submitted by initiative and approved by electors November 4, 1924, relating to boxing and wrestling;

Also: Assembly Bill No. 1013—An act to amend sections 16f, 21, 37, 54, 55, 61, 96, 104 and 105 and to add sections 25a and 59 to the "Bank Act," defining and regulating the business of banking.

Also: Assembly Bill No. 1109—An act to amend section 19x11 of the "Juvenile Court Law," relating to probation officers in counties of the eleventh class;

Also. Assembly Bill No. 1110—An act to amend section 16x11 of the "Weights and Measures Act," relating to sealers of weights and measures in counties of the eleventh class,

Also: Assembly Bill No. 1111—An act to amend section 2322x11 of the Political Code, relating to the office of agricultural commissioner in counties of the eleventh class,

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1112—An act to amend section 4240 of the Political Code, relating to compensation of county and township officers in counties of the eleventh class;

Also: Assembly Bill No. 1370—An act to amend sections 4, 7, 8, 9, 14 of and to add new sections to be numbered 8a, 15a and 15b to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to vital statistics;

Also: Assembly Bill No. 1449—An act to provide for the satisfaction of taxes and assessments, and tax and assessment liens against land and improvements in any public body organized under any law or ordinance by surrendering bonds, coupons, warrants, checks, or other evidences of indebtedness of the public body, defining "public bodies" as used herein and declaring the intent of the Legislature with respect hereto;

Also: Assembly Bill No. 1607—An act to amend section 681a of the Code of Civil Procedure, relating to executions and to provide that this act shall take effect immediately;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1427—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees, to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations, and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and part of acts inconsistent therewith." being Statutes of 1931, p. 483, as approved May 5, 1931, by amending the title and adding sections 6.09 and 13.20, repealing section 6.05 and amending sections 6.08, 13.11 and 13.12 so as to first require a day in court before the commissioner may take possession; require the commissioner to agree to reorganizations agreed upon by 60 per cent of the creditors of any seized association, and authorizing building and loan associations and their custodians, receivers, etc., to purchase certificates at less than par or to trade real estate for certificates;

Also: Assembly Bill No. 1926—An act to prohibit the operation by the State of tree nurseries and to sale by the State of tree nursery stock and to repeal an act entitled "An act providing for the establishment and maintenance of a State nursery under the jurisdiction and management of the State Forester for the growing of

stock for reforestation and the planting of trees along highways and in public places, and making an appropriation therefor," approved May 15, 1917;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2313—An act to amend sections 2, 3 and 5 and to add a section to be numbered 6 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, said amendments and new section relating to the allocation and expenditure of State highway funds, the construction, improvement and maintenance of State highways and the addition of certain highways to the State system;

Also: Assembly Bill No. 2347—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 161—An act to amend an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, as amended, by adding a new section thereto to be numbered 13½, to provide for the uses and purposes to which the funds derived under said act may be used;

Also: Assembly Bill No. 250—An act to amend sections 692, 693, 694, 695 and 696 of the Fish and Game Code, relating to striped bass;

Also: Assembly Bill No. 780—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10a, 11 and 12 of, and to add section 15 to, an act entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to contractors and the Contractors' License Bureau and declaring the same to be an urgency measure;
And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 897—An act to repeal Part I of Division II of the School Code, embracing sections 2.20 to 2.760, inclusive, to repeal Chapters I, II, III and IV of Part II of Division II of said code, embracing sections 2.770 to 2.1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2.10 to 2.281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-A, respectively, embracing sections 2.650 to 2.911, inclusive, to amend sections 4.181, 4.375, 4.771, 4.773, 4.811, 4.812, 4.875, 4.895, 4.896, 4.898, 4.970, 6.470 and 6.471 to 6.477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4.769, 6.470-1 and 6.470-2, and to repeal certain acts, all relating to school districts

and junior college districts—and reports that the same has been correctly re-re-re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1277—An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act;

Also: Assembly Bill No. 1353—An act to add sections 363r, 363s, 363t, 363u, 363v, 363w, 363x, 363y, 363z, 363aa and 363bb to the Political Code, to amend section 363h of the Political Code, and to repeal sections 365, 365a, 365b, 365c, 365d, 365e, 365f, and 365m, all relating to State roads and highways, and the powers and duties of the Director of Public Works, Department of Public Works, and California Highway Commission in respect thereto;

Also: Assembly Bill No. 1378—An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act, to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

MOTION.

Mr. Robinson, C. Ray, moved that the Journals of Friday, March 24, 1933; Monday, March 27, 1933; Tuesday, March 28, 1933; Wednesday, March 29, 1933; Thursday, March 30, 1933; Friday, March 31, 1933, be approved as corrected by the Minute Clerk.

Motion carried.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Powers:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 47 of, and to add three new sections, to be numbered 2¾, 2¾, and 17a, to the Public Utilities Act, relating to the nature, organization, and operation of public utilities.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 47 of, and to add three new sections, to be numbered $2\frac{1}{4}$, $2\frac{7}{8}$, and 17a, to the Public Utilities Act, relating to the nature, organization, and operation of public utilities.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Williamson, Wright, Zion and Mr. Speaker—63.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Powers: Assembly Bill No. 2355—An act to amend section 47 of, and to add three new sections, to be numbered $2\frac{1}{4}$, $2\frac{7}{8}$, and 17a to the Public Utilities Act, relating to the nature, organization, and operation of public utilities.

Bill read first time, and referred to Committee on Public Utilities.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Robinson, C. Ray, moved that the consideration of his motion to reconsider the vote whereby Senate Constitutional Amendment No. 2 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Redwine moved that the consideration of the Governor's veto to Assembly Bill No. 362 be continued until the next legislative day.

Motion carried.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1759—An act to amend sections 656 and 843 of the Fish and Game Code, and to repeal section 863 thereof, relating to salmon and nets.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "section 863", and insert in lieu thereof the following: "sections 863 and 887".

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, strike out "Section 863", and insert in lieu thereof the following: "Sections 863 and 887".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, after line 17, insert the following:
"SEC. 4. This act shall go into effect on January 1, 1934."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1536—An act to add section 484 5 to the Fish and Game Code, to amend section 665, and to repeal sections 863 and 887 thereof, relating to the sale of fish and the use of nets.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "and 887", and insert in lieu thereof the following: "876, 887 and 942".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "the sale of fish and the use of nets.", and insert in lieu thereof the following: "fish and game."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 8 to 12, inclusive, and insert in lieu thereof the following:

"665. Salmon taken in districts 1, 1½, 2, 2½, 3, 5 and 12A and the Klamath River district may not be sold. In district 5 the bag limit is 2 per day between May 20th and December 31st. Not more than one daily bag limit may be possessed by any person during one day.

SEC. 3. Sections 863, 876, 887 and 942 of the Fish and Game Code are hereby repealed.

SEC. 4. This act shall not take effect until January 1, 1934."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 333—An act to amend section 613 of the Fish and Game Code, relating to trout.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"613. In districts 1½, 5 and in the Klamath River district, steelhead trout may be taken from May 30th to February 28th. The bag limit is 5 per day, irrespective of size, between November 1st and February 28th. Not more than one daily bag limit may be possessed by one person during one day."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1341—An act to amend section 2 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulations, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "section 2 of", and insert in lieu thereof the following: "sections 2, 4 and 6 of, and to add a new section to be numbered 4a to,".

AMENDMENT NUMBER TWO.

In line 5 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: "creating the Cannery Inspection Board and relating to the conduct of canneries."

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, insert after line 19, the following:

"SEC. 2. Section 4 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 4. There is hereby created the Cannery Inspection Board, to consist of five members. The five members shall be: the secretary of the State Board of Health, who shall act as chairman, the director of the Hooper Foundation for Medical Research, University of California, and three men experienced in, and with substantial investments in, and actively engaged in the canning industry at the time of their appointment, to be appointed by the State Board of Health. The said three appointive members shall hold office for a term of one year or until their successors are appointed. Members of said board shall serve without compensation. It shall be the duty of said board, subject to the approval of the State Board of Health, to estimate the cost of the inspections and examinations required to be made for each product subject to the provisions of this act, prior to the opening of the canning season of each such product having a canning season of less than three consecutive months and prior to each quarter for each such product having a canning season of more than three consecutive months. It shall also estimate the number of cases of each such product to be packed in such season or quarter, as the case may be, and shall determine from these two estimates the cost per thousand cases for such season or quarter of the inspection of each food product to be inspected and examined under the provisions of this act. In addition to the license fee required by section 2 of this act, each person, firm, company, organization, association or corporation in the State of California subject to the provisions of this act shall pay to the State Board of Health at the end of each quarter, or at the close of the canning season, where said canning season does not exceed three consecutive months, its pro rata share of the actual cost of examination and inspection as determined by the Cannery Inspection Board The State Board of Health prior to the end of each quarter or season may demand from any such person, firm, company, organization, association or corporation a cash deposit, or such other security for the payment of said pro rata share of the cost as the said board may deem necessary. All moneys received by the Board of Health under this section shall be deposited by it at least once each month in the State treasury to the credit of the cannery inspection fund. No food product subject to the inspection or examination provided in this act shall be shipped by the person, firm, company, organization, association or corporation packing the same until said person, firm, company, organization, association or corporation shall have paid its pro rata share of the cost of inspection of said food product or shall have furnished to the Board of Health a cash deposit or other security satisfactory to the Board of Health for the payment of its pro rata share of the cost of inspection The Board of Health may for the following cause or causes and none other suspend or revoke a license issued under this act:

The nonpayment of said pro rata share of the cost, or failure to comply with a demand for a cash deposit or other security by the holder of such a license.

SEC. 3. A new section is hereby added to the act cited in the title hereof to be numbered 4a and to read as follows:

Sec. 4a. Any product packed in violation of this act may be quarantined by the State Board of Health until laboratory examinations have established that said product meets the requirements of this act. It shall be the duty of the person, firm, company, organization, association or corporation who packed any such product to pay to the State Board of Health all reasonable costs of said laboratory examinations.

SEC. 4. Section 6 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 6. Any person, firm, company, organization, association or corporation, which does not obtain a license for the conduct of its plant or plants under the provisions of this act, or who operates after its license has been suspended or revoked, or which violates sections 4, 4a or 5 of this act, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than twenty-five (25) dollars, or more than five hundred (500) dollars, or shall be imprisoned in the county jail for a term not exceeding six months."

AMENDMENT NUMBER FOUR.

On page 1, line 6, of the printed bill, strike out the word "seventy-five", and insert the word "fifty".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 694—An act to amend the Fish and Game Code by amending the heading of Article 2, Chapter 4, Part 2, Division IV, by adding sections 844.5 and 866 thereto, and by repealing section 929 thereof, relating to nets.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 3 and 4 of the title of the printed bill, and insert in lieu thereof the following: "amending sections 736 and 738, by adding sections 844.5 and 866 thereto, and by repealing section 929 thereof, relating to fish and game."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. Section 736 of the Fish and Game Code is hereby amended to read as follows:

736. No yellow-fin tuna or blue-fin tuna weighing less than seven and one-half pounds or more than one hundred fifty pounds may be sold.

SEC. 2. Section 738 of the Fish and Game Code is hereby amended to read as follows:

738. Skipjack weighing less than four pounds may not be sold.

SEC. 3. Section 844.5 is hereby added to the Fish and".

AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, strike out "SEC. 2.", and insert in lieu thereof the following: "SEC. 4."

AMENDMENT NUMBER FOUR.

On page 1, line 9, of the printed bill, strike out "3", and insert in lieu thereof the following: "5".

AMENDMENT NUMBER FIVE.

On page 1, line 13, of the printed bill, strike out "4", and insert in lieu thereof the following: "6".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1722—An act to amend section 3888 of the Political Code of California, relating to the medium for the payment of taxes.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 3888 and 4081 of the Political Code, relating to claims in favor of and against counties."

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, after "warrants," insert the following: "vouchers".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, after line 9, insert the following:

"SEC. 2. Section 4081 of the Political Code is hereby amended to read as follows:

4081. Warrants drawn by order of the supervisors on the county treasury for the current expenses during each year must specify the liability for which they are drawn, and when they accrued, and must be paid in the order of presentation to the treasurer. If the fund is insufficient to pay any warrant, it must be registered, and thereafter paid in the order of registration. The treasurer, when authorized by the board of supervisors, shall exchange registered warrants for vouchers of such denominations and in such form as the board may direct. Each voucher shall bear a definite future date on which it is payable and unless such voucher is presented for

payment within six months after such maturity date it shall not be paid by any county officer. Such vouchers shall be numbered and a record of the vouchers and the amount thereof kept by the county treasurer. If, upon presentation of any voucher, there are not sufficient funds available for the payment thereof, the treasurer shall issue a new voucher and cancel the one presented. Such vouchers issued in exchange for previously issued vouchers shall be subject to the same provisions as for the original vouchers."

AMENDMENT NUMBER FOUR.

To the printed bill, add a new section to be numbered 2, to read as follows:

"SEC 2. This act is hereby declared to be an urgency measure, necessary for the immediate preservation of the public peace, health, and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall take effect immediately. The facts constituting such urgency are as follows: Certain counties within this State, on account of the fact that tax delinquencies for the year 1932 have reduced their incomes from taxes for the said year to the point that it has and will become necessary for such counties to make some arrangements for the payment of current obligations otherwise than by the payment of such obligations in money, have issued and will issue bonds, coupons, warrants, and certificates of indebtedness to the holders of wage, salary, and other claims against such counties. The said bonds, coupons, warrants, and certificates of indebtedness are not now redeemable in money, and will not be so redeemable for a period of approximately ninety days, until such time as tax collections for the year 1933, can be and are made. By rendering such bonds, coupons, warrants, and certificates of indebtedness, acceptable by such counties in payment of county taxes, there will be released for the purposes of business, within this State, moneys and credits aggregating many hundreds of thousands of dollars, and the credit of such counties will be maintained and strengthened, due to the fact that their bonds, coupons, warrants, and certificates of indebtedness will circulate freely and without discounting in all of the usual business channels in this State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 290—An act to amend sections 1, 3, 4, 7, 8, 9, 10, 11, 12, and to repeal sections 5 and 6 of an act entitled "An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and to fix the penalties therefor; and to repeal all conflicting acts or parts of acts," approved June 1, 1927, relating to the bonds and licenses provided for therein, and declaring the urgency thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 1261, 1263, 1264, 1265, 1267, 1268, 1269, 1270, 1271, 1272 and 1273, and to repeal section 1266 of the Agricultural Code, relating to dealers in farm products."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 1 following the period, and insert in lieu thereof the following: "Section 1261 of the Agricultural Code is".

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, strike out "Section 1", and insert in lieu thereof "1261".

AMENDMENT NUMBER FOUR.

On page 2, line 34, of the printed bill, strike out the period, and insert in lieu thereof the following: " ; provided, that any person licensed as a slaughterer under the provisions of Chapter 734, Statutes of 1929, approved June 7, 1929, as revised, shall not be required to obtain a license as a dealer under this act."

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out all of line 46 after the period, and insert in lieu thereof the following: "Section 1263 of said code is hereby amended to read as".

AMENDMENT NUMBER SIX.

On page 2, line 48, of the printed bill, strike out "Sec. 3", and insert in lieu thereof "1263".

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, strike out all of line 30 after the period, and all of lines 31 and 32.

AMENDMENT NUMBER EIGHT.

On page 4, line 7, of the printed bill, strike out "Fifty", and insert in lieu thereof "Twenty-five".

AMENDMENT NUMBER NINE.

On page 4, line 8, of the printed bill, strike out "Fifty", and insert in lieu thereof "Twenty-five".

AMENDMENT NUMBER TEN.

On page 4, line 9, of the printed bill, strike out "Fifty", and insert in lieu thereof "Twenty-five".

AMENDMENT NUMBER ELEVEN.

On page 4, line 10, of the printed bill, strike out "Ten dollars", and insert in lieu thereof "One dollar".

AMENDMENT NUMBER TWELVE.

On page 4 of the printed bill, strike out all of lines 11 and 12, and insert in lieu thereof the following: "person licensed as a slaughterer under the provisions of Article 3 of Chapter 1 of Division III of this code shall be entitled to be licensed as a commission merchant without payment of further fees."

AMENDMENT NUMBER THIRTEEN.

On page 4, line 21, of the printed bill, after the comma, insert the following: "without payment of further fee and".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 24, of the printed bill, strike out "4 of said act", and insert in lieu thereof "1264 of said code".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 26, of the printed bill, strike out "Sec. 4", and insert in lieu thereof "1264".

AMENDMENT NUMBER SIXTEEN.

On page 4, line 43, of the printed bill, strike out all matter following the period after "4", and insert in lieu thereof the following: "Section 1265 of said code is hereby amended to read as follows:

1265. Before any license is issued to any commission merchant, the applicant shall execute and deliver to the director a surety bond in the sum of five thousand dollars executed by the applicant as principal and by a surety company qualified and authorized to do business in this State as surety. Said bond shall be conditioned upon compliance with the provisions of the chapter and upon the faithful and honest handling of farm products in accordance with the terms of this chapter. Said bond shall be to the State in favor of every consignor of farm products. Any consignor of farm products claiming to be injured by the fraud, deceit or wilful negligence of any commission merchant may bring action upon said bond against both principal and surety in any court of competent jurisdiction to recover the damages caused by such fraud, deceit or wilful negligence, or the failure to comply with the provisions of this chapter. In case of failure by a commission merchant to pay consignor creditors for farm products received from said consignors to be sold, the director shall proceed forthwith to ascertain the names and addresses of all consignor creditors of such produce dealer, together with the amounts due and owing to them and each of them by such commission merchant, and shall request all such consignor creditors to file a verified statement of their respective claims with the director. Thereupon the director shall bring an action on the bond in behalf of said consignor creditors. Upon any action being commenced on said bond, the director may require the filing of a new bond and immediately upon the recovery in any action on such bond such commission merchant shall file a new bond and upon failure to file the same within ten days in either case, such failure shall constitute grounds for the suspension or revocation of his license."

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 44, of the printed bill, strike out "6 of said act", and insert in lieu thereof the following: "1266 of said code".

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 45, of the printed bill, strike out "7 of said act", and insert in lieu thereof "1267 of said code".

AMENDMENT NUMBER NINETEEN.

On page 4, line 47, of the printed bill, strike out "Sec. 7", and insert in lieu thereof "1267".

AMENDMENT NUMBER TWENTY.

On page 4 of the printed bill, strike out all of line 48 after the word "director", and all of lines 49 and 50.

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 51, of the printed bill, strike out "direct. The director".

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 21, of the printed bill, strike out "8 of said act", and insert in lieu thereof "1268 of said code".

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 23, of the printed bill, strike out "Sec. 8", and insert in lieu thereof "1268."

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 26, of the printed bill, strike out "and all transactions", and insert in lieu thereof "transaction".

AMENDMENT NUMBER TWENTY-FIVE.

On page 6 of the printed bill, strike out all of lines 10 to 31, both inclusive.

AMENDMENT NUMBER TWENTY-SIX.

On page 6 of the printed bill, strike out all of lines 32 to 52, both inclusive, and insert in lieu thereof the following:

"SEC. 8. Section 1269 of said code is hereby amended to read as follows:

1269. The director may refuse to grant a license and may revoke or suspend any license, as the case may require, when he is satisfied of the existence of any of the following facts:

(a) That fraudulent charges or returns have been made by the applicant, or licensee, for the handling, sale or storage of, or for rendering of any service in connection with the handling, sale or storage of any farm products.

(b) That the applicant, or licensee, has failed or refused to render a true account of sales, or to make a settlement thereon, or to pay for farm products received within the time and in the manner required by this chapter.

(c) That the applicant, or licensee, has made any false statement as to the condition, quality or quantity of farm products received, handled, sold or stored by him.

(d) That the applicant, or licensee, directly or indirectly, has purchased for his, or its own account farm products received by him upon consignment without prior authority from consignor together with price fixed by consignor or without promptly notifying the consignor of such purchase. This shall not prevent any commission merchant from taking to account of sales, in order to close the day's business, miscellaneous lots or parcels of farm products remaining unsold, if such commission merchant shall forthwith enter such transaction on his account of sales.

(e) That the applicant, or licensee, has intentionally made any false or misleading statement as to the conditions of the market for any farm products.

(f) That the applicant, or licensee, has made fictitious sales or has been guilty of collusion to defraud the producer.

(g) That a commission merchant to whom any consignment is made has reconsigned such consignment to another commission merchant for the purpose of receiving, collecting, or charging by such means more than one commission for making the sale therefor for the consignor, unless by consent of such consignor.

(h) That the licensee was intentionally guilty of fraud or deception in the procurement of such license.

(i) That the licensee or applicant has failed or refused to file with the director a schedule of his charges for services in connection with produce handled on account of or as an agent of another; that the applicant, or licensee has indulged in any unfair practice.

Previous violation by the applicant or by any person connected with him or it of any of the provisions of this act shall be good and sufficient ground for denial of a license."

AMENDMENT NUMBER TWENTY-SEVEN.

On page 7 of the printed bill, strike out all of lines 1 to 27, both inclusive.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 7, line 28, of the printed bill, strike out "10 of said act", and insert in lieu thereof "1270 of said code".

AMENDMENT NUMBER TWENTY-NINE.

On page 7, line 30, of the printed bill, strike out "10", and insert in lieu thereof "1270".

AMENDMENT NUMBER THIRTY.

On page 7 of the printed bill, strike out all of lines 44 to 52, both inclusive, and insert in lieu thereof the following:

"SEC. 10. Section 1271 of said code is hereby amended to read as follows:

1271. Every commission merchant, having received any farm products for sale as such commission merchant, shall promptly make and keep a correct record showing in detail the following with reference to the handling sale, or storage of such farm products.

(a) The name and address of the consignor.

(b) The date received.

(c) The condition and quantity upon arrival.

(d) Date of such sale for account of consignor.

(e) The price for which sold.

(f) An itemized statement of the charges to be paid by consignor in connection with the sale.

(g) A lot number or other identifying mark for each consignment, which number or mark shall appear on all sales tags and/or other essential records needed to show what the produce actually sold for.

(h) Any claim or claims which have been or may be filed by the commission merchant against any person for overcharges or for damages resulting from the injury or deterioration of such farm products by the act, neglect of failure of such person and such records shall be open to the inspection of the director and the consignor of farm products for whom such claim or claims are made."

AMENDMENT NUMBER THIRTY-ONE.

On page 8 of the printed bill, strike out all of lines 1 to 52, both inclusive, and insert in lieu thereof the following:

"SEC. 11. Section 1272 of said code is hereby amended to read as follows:

1272. Every produce dealer shall before the close of the next business day following the sale of any farm products consigned to him transmit or deliver to the owner or consignor of the farm products a true written account of such sale, showing the amount sold, the weight, the price, the date of sale, and such other facts as may be necessary to complete the account. Remittance in full of the amount realized from such sales, including all collections, overcharges and damages, less the agreed commission and other charges, shall be made to the consignor within ten days after receipt of the moneys by the dealer, unless otherwise agreed in writing. In the account the names and addresses of purchases need not be given, except as required in section 1271.

Every commission merchant shall retain a copy of all records covering each transaction, for a period of one year from the date thereof, which copy shall at all times be available for, and open to, the confidential inspection of the director and the consignor, or authorized representative of either. In the event of any dispute or disagreement between a consignor and a commission merchant arising at the time of delivery as to condition, quality, grade, pack, quantity or weight of any lot, shipment or consignment of farm products, the department shall furnish upon the payment of a reasonable fee therefor by the requesting party a certificate establishing the condition, quality, grade, pack, quantity, or weight of such lot, shipment or consignment. Such certificate shall be prima facie evidence in all courts of this State as to the recitals thereof. The burden of proof shall be upon the commission merchant to prove the correctness of his accounting as to any transaction which may be questioned.

Every dealer must pay for farm products delivered to him or it at the time and in the manner specified in the contract with the producer, but if no time is set by such contract, or at the time of said delivery, then within thirty days from the delivery or taking possession of such farm products."

AMENDMENT NUMBER THIRTY-TWO.

On page 9 of the printed bill, strike out all of lines 10 to 50, both inclusive, and insert in lieu thereof the following:

"SEC. 12. Section 1273 of said code is hereby amended to read as follows:

1273. Any person is guilty of a misdemeanor and is punishable by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year or by both who assumes or attempts to act as a commission merchant, dealer, broker or agent without a license, or who, being a commission merchant:

(a) Imposes false charges for handling or services in connection with farm products.

(b) Fails to account promptly, correctly, fully and properly and to make settlement therefor as herein provided.

(c) Intentionally makes false or misleading statement or statements as to market conditions.

(d) Makes fictitious sales or is guilty of collusion to defraud the producer.

(e) Directly or indirectly purchases for his own account, goods received by him upon consignment without prior authority from the consignor, or fails promptly to notify the consignor of such purchases, if any, on his own account. This clause does not prevent any commission merchant from taking to account of sales, in order to close the day's business, miscellaneous lots or parcels of farm products remaining unsold, if such commission merchant forthwith enters such transaction on his account of sales.

(f) Intentionally makes false statement or statements as to the grade, condition, markings, quality or quantity of goods shipped or packed in any manner.

(g) Fails to comply in every respect herewith. Civil suits and criminal prosecutions arising by virtue of any of the provisions of this chapter may be commenced and tried in either the county where the products were received by the commission merchant, or within the county in which the principal place of business of such commission merchant is located, or within the county in which the violation of this chapter occurred."

AMENDMENT NUMBER THIRTY-THREE.

On page 10 of the printed bill, strike out all of lines 1 to 19, both inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1619—An act to amend section 3 of Chapter 609, Statutes of 1931, entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of lubricating oil.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1618—An act to add a new section to be numbered 14a to Chapter 609, Statutes of 1931, entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures; and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to licensing of persons, firms, associations or corporations, installing and using motor vehicle fuel pumps.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 4, of the printed bill, strike out "one dollar and fifty cents ($1.50)", and insert in lieu thereof the following: "one dollar ($1)".

AMENDMENT NUMBER TWO.

On page 2, line 4, of the printed bill, after the word "dollar", strike out the words and figures "and fifty cents ($1.50)", and insert the following: "($1)".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 545—An act to amend section 3 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of lubricating oil.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the last line of the title of the printed bill, and insert in lieu thereof the following: "motor vehicle fuel and lubricating oil."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1309—An act to extend the time for the payment of taxes for the period of sixty days and declaring the urgency thereof.

Bill read second time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Greene asked for unanimous consent to take up Assembly Bill No. 1309, at this time, without reference to file, and that same be considered engrossed.

Mr. Hornblower objected to unanimous consent.

MOTION.

Mr. Greene moved that the rules be suspended for the purpose of considering Assembly Bill No. 1309 at this time.

WITHDRAWAL OF MOTION.

Mr. Greene withdrew his motion to suspend the rules.

Assembly Bill No 1309 ordered to engrossment.

SPECIAL ORDER SET.

On motion of Mr. Greene, the consideration of Assembly Bill No. 1309 was made a special order for Tuesday, April 10, 1933, at eleven o'clock a.m.

Assembly Bill No 678—An act to repeal section 4 353 of the School Code, relating to orders upon school district funds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 805—An act to add a new section to the School Code, to be numbered 1.395, relating to the duties of employers of minors who are subject to compulsory continuation education.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 256—An act to add sections 3a, 3b, and 5a to, and to amend sections 5 and 7 of an act entitled, "The County Improvement Act of 1921," approved June 3, 1921, Statutes of 1921, page 1628, relating to the improvement of roads and highways within unincorporated territory of counties.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 598—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1443—An act to validate the organization and bonds of municipal improvement districts formed under the Municipal Improvement District Act of 1927 and providing for the levy of a tax to pay the same.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2351—An act to add section 869 to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the use of park land for the erection of public buildings.

Bill read second time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Grubbs asked for, and was granted, unanimous consent to take up Assembly Bill No. 2351 at this time, without reference to print or file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Grubbs:

Resolved, That Assembly Bill No. 2351 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson,

Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson and Mr. Speaker—64.
NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2351.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED FIFTY-ONE.

Assembly Bill No. 2351—An act to add section 869 to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the use of park land for the erection of public buildings.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—70.
NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED FIFTY-ONE.

Assembly Bill No. 2351—An act to add section 869 to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the use of park land for the erection of public buildings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2351 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No 845—An act to repeal Chapters V and VI, Part III, Division V of the School Code, and to repeal Article III, Chapter I, Part V, Division II of the School Code, relating to teachers' institutes and conventions of principals and superintendents.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out the title, and insert in lieu thereof the following: "An act to repeal Chapter V, Part III, Division V of the School Code, relating to teachers' institutes."

AMENDMENT NUMBER TWO.

Strike out lines 1 to 4 of the printed bill, as amended, and insert in lieu thereof the following:

"SECTION 1. Chapter V of Part III, Division V of the School Code is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1906—An act to add a new section to the School Code to be numbered 5 27, relating to cooperative stores on the campuses of the State teachers colleges.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, after "sale of", insert the following: "books, materials and supplies as are required by the students in the classes of".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 11 to 18, inclusive, and insert in lieu thereof the following: "the college; provided, that any and all profits so derived, except as hereinafter provided, shall revert to the benefit of students attending such colleges.

Such cooperative stores shall semiannually in the months of December and June of each year pay to the State Treasurer as rental for such store space two per cent of the gross receipts. The rental so received by the State Treasurer shall in addition to any money appropriated for the teachers' college in which the particular store is located be available for expenditure by the Director of Education for said college in such manner as he sees fit."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1400—An act to add a new section to the Public Utilities Act, to be numbered 50¾, relating to the punishment of passenger stage corporations.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out "the punishment of".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 257—An act to amend sections 60, 62, 63, 65a and 66 of an act entitled "Improvement Act of 1911," approved April 7, 1911, Statutes of 1911, page 730.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, after the following: "July.", insert the following: "Said bonds and interest thereon shall be paid at the office of the city treasurer of said municipality, who shall keep a fund designated by the name of said bonds, into which he shall place all sums paid him for the principal of said bonds and the interest thereon, together with all penalties thereon, and from which he shall disburse such sums, upon the presentation of said coupons; and under no circumstances shall said bonds or the interest thereon be paid out of any other fund. Said city treasurer shall keep a register in his office, which shall show the series, number, date, amount, rate of interest, payee and indorsees of each bond, and the number and amount of each coupon of principal or interest paid by him and shall cancel and file each coupon so paid.

The owner of or any person interested in any lot or parcel of land upon which a bond has been issued under the terms of this act may at any time before commencement of proceedings for sale pay off such bond and discharge the land described in the bond from the lien of the assessment, by paying to the city treasurer, for the holder of such bond, the amount then unpaid on the principal sum thereof, with interest thereon calculated up to the due date of the next maturing interest coupon at the rate named in the bond, together with the amount of interest as shown on the next numbered interest coupon, and all penalties accrued and unpaid. Upon such payment being made to the city treasurer he shall report the same to the street superintendent, who shall forthwith mark paid on the margin of the record of the assessment, the assessment to represent which such bond was issued, and thereupon the lien of said assessment shall cease and the city treasurer shall forthwith notify the holder of the bond and call in the same. The city treasurer shall enter in his record of such bond the amount paid and the date of payment, and upon the lien of the assessment being extinguished as aforesaid, shall cancel said bond and file it in his office."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 980—An act to provide for the acquisition, construction, extension and operation of systems and works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary and sanitation districts, also providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of constructing, operating and maintaining such works; also providing for the use of such works by other cities, counties or districts, and declaring the urgency thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 4, lines 33 and 34, of the printed bill, strike out the following: "main street therein or along the main line of said sewer.", and insert in lieu thereof the following: "entire length of that street therein which, in the opinion of the governing body, is traversed by the largest number of people."

AMENDMENT NUMBER TWO.

On page 4, line 52, of the printed bill, after the word "and", strike out "have", and insert in lieu thereof the following: "own".

AMENDMENT NUMBER THREE.

On page 7, line 42, of the printed bill, after the word "within", strike out "250", and insert in lieu thereof the following: "100".

AMENDMENT NUMBER FOUR.

On page 13, line 5, of the printed bill, after the comma following the word "bidder", add the following: "for not less than their par value,".

AMENDMENT NUMBER FIVE.

On page 13, lines 50 and 51, of the printed bill, strike out "provided said deficit does not exceed ten per cent of the amount of the original issuance.", and insert in lieu thereof the following: "but not to exceed the amount necessary for completing the works according to the original plans and specifications."

AMENDMENT NUMBER SIX.

On page 15 of the printed bill, strike out all of lines 3 to 19, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 554—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 1.01, 3.02, 5.01, 6.01, 6.02, 6.03, 6.06, 6.07, 7.06, 8.07, 10.03, 12.08, and 15.16 thereof and by amending article numbered IX thereof, and by repealing section numbered 5.04 thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, and in lieu thereof insert the following:

"An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and

borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title sixteen of part four of division one of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 1 01, 3 02, 5 01, 6.01, 6 02, 6 03, 6.08, 7.06, 9 02, 9 04, to 9.12, both inclusive, 10.03, 10 05, 12 01, 12 08, 13 01, and 15 16 and adding new sections to be numbered 9.13, 9.14, 9.15, 9.16, 9.17 and 13.16a to said act, relating to building and loan associations."

AMENDMENT NUMBER TWO.

On page 7 of the printed bill, strike out all of line 39.

AMENDMENT NUMBER THREE.

On page 7, line 40, of the printed bill, strike out "SEC. 5.", and insert in lieu thereof "SEC. 4"

AMENDMENT NUMBER FOUR.

On page 9, line 52, of the printed bill, strike out "three", and insert in lieu thereof "five".

AMENDMENT NUMBER FIVE

On page 10, line 11, of the printed bill, strike out "two", and insert "four".

AMENDMENT NUMBER SIX.

On page 10, line 27, of the printed bill, strike out "ten", and insert "five".

AMENDMENT NUMBER SEVEN.

On page 10, line 41, of the printed bill, strike out "become", and insert "be".

AMENDMENT NUMBER EIGHT.

On page 11, line 3, of the printed bill, strike out "SEC 6", and insert "SEC. 5."

AMENDMENT NUMBER NINE.

On page 11, line 4, of the printed bill, after the word "follows", and before the colon, insert the following ": provided, however, that such amendment to said section 6.02 shall not take effect until the expiration or termination of the emergency period defined in section 6.02 of said act as amended by Chapter 31 of the Statutes of 1933".

AMENDMENT NUMBER TEN.

On page 11, line 27, of the printed bill, strike out "reasonable reserves", and insert "a reasonable fund".

AMENDMENT NUMBER ELEVEN.

On page 11, line 28, of the printed bill, after the word "insurance", insert the following: ", repairs, alterations".

AMENDMENT NUMBER TWELVE.

On page 11, line 29, of the printed bill, after the word "preserve", insert the following: "or to furnish or equip".

AMENDMENT NUMBER THIRTEEN.

On page 12 of the printed bill, strike out all of line 5.

AMENDMENT NUMBER FOURTEEN.

On page 12, line 27, of the printed bill, after the word "withdraw", and before the comma, insert the following: "and regardless of the nonpayment of any or all matured withdrawal claims".

AMENDMENT NUMBER FIFTEEN.

On page 15 of the printed bill, strike out lines 4 to 17, inclusive, and insert in lieu thereof the following: "The provisions of this act shall govern the withdrawal and other rights of the holders of all shares and investment certificates whether heretofore or hereafter issued, and whether or not withdrawal claims shall have heretofore been filed or shall have heretofore matured."

AMENDMENT NUMBER SIXTEEN.

On page 15, line 18, of the printed bill, strike out "SEC. 7.", and insert "SEC. 6."

AMENDMENT NUMBER SEVENTEEN.

On page 15, line 39, of the printed bill, after the word "of", insert "free money or".

AMENDMENT NUMBER EIGHTEEN.

On page 15, line 40, of the printed bill, strike out "fifty dollars per person", and insert in lieu thereof: "the amount per person permitted by section 6.02 of this act".

AMENDMENT NUMBER NINETEEN.

On page 15, line 42, of the printed bill, after the word "basis", insert the following: "(and, until the expiration or termination of the emergency period defined in section 6.02 of said act as amended by Chapter 31 of the Statutes of 1933, no association having matured withdrawal claims for the payment of any of which funds have not been set aside by the association)".

AMENDMENT NUMBER TWENTY.

On page 15, line 47, of the printed bill, after the word "that", insert the following: "after the expiration or termination of said emergency period".

AMENDMENT NUMBER TWENTY-ONE.

On page 16 of the printed bill, strike out all of lines 6 to 52, inclusive, and insert in lieu thereof the following:

"SEC. 7. Section 6.08 of said act is hereby amended to read as follows:

Sec. 6.08. Withdrawals from associations not issuing stock or investment certificates. The provisions of this section shall not be applicable to any association issuing stock or investment certificates, but shall be applicable to any association not issuing either stock or investment certificates in the event, but only in the event, its by-laws expressly provide that this section shall be applicable to such association. In such case, the provisions of the preceding sections of this article shall also be applicable to such associations, but only if and to the extent that they are not inconsistent with the provisions of this section. In all such associations, holders of free shares therein desiring to withdraw in whole or in part may do so by giving notice thereof in writing of the amount desired to be withdrawn. At all times the right of shareholders to receive payment of withdrawals shall be secondary and subsequent to the right of such association to pay and to provide a reasonable fund for the payment of the following: dividends on shares, taxes, assessments, insurance, amounts necessary to fulfill previous loan commitments, repairs, alterations, and other sums necessary to protect and preserve or to furnish or equip its properties and its interests in properties (including those on the security of which it holds loans); principal and interest on borrowings by such association; rent, compensation of officers, agents, salesmen and other employees, and other usual and ordinary operating expenses of such association.

While such association is on notice and subject to the foregoing provisions, not more than one-half of the net monthly receipts from assets then owned, in any one month, shall be applied to withdrawals for that month without the consent of the board of directors, and such payment shall continue until the value of all shares with respect to which notices of withdrawal are on file has been reduced to an amount less than three per cent of the value of all outstanding shares. No shareholders shall be permitted to withdraw whose shares are pledged to the association as security for a loan until such loan is fully paid. Whenever the demands of withdrawing shareholders exceed the money applicable to their payment, the notices of intention to withdraw must be registered in the order of filing and while such association is on notice payments thereon must be made in succession in the order that such notices were filed and registered. The remaining one-half of net receipts of such association may be used, in the discretion of the board of directors, for payment of withdrawals with respect to which notice has not been filed, subject to such limitations as the board of directors may fix, and for the operating expenses of the business and for making loans to members, or applied, in the discretion of the board of directors, to payment of withdrawals on notice. Such association shall at no time be on a pro rata basis, except as hereinafter provided.

All new investments by shareholders after such association is on notice, whether made upon shares already issued or upon new shares issued, shall have priority and shall have a prior right of withdrawal as against all other shareholders.

Whenever an application for withdrawal of free shares shall have been on file, or the payment of matured shares demanded, and either shall have remained unpaid for a period of one year, all the receipts of such association from dues, interest, premium, loans repaid, and the proceeds of all other investments, shall, after the payment of expenses and general indebtedness, be applied toward the payment of withdrawals and maturities; and the board of directors or the commissioner may direct that such payments shall be made upon a ratable and proportionate basis. Whenever such application or demands, whether heretofore or hereafter made, have been on file and remain unpaid in whole or in part for more than two years the commissioner may in his discretion forthwith take possession of the property and business of such association, and retain such possession until its affairs be finally liquidated in the manner provided by law for the liquidation of associations by him, or until such association may be allowed to resume business upon such conditions as may be approved by the commissioner."

AMENDMENT NUMBER TWENTY-TWO.

On page 17, line 1, of the printed bill, change "SEC. 10." to "SEC. 8"

AMENDMENT NUMBER TWENTY-THREE.

On page 18 of the printed bill, between lines 5 and 6, insert the following: "In the event no bid or offer shall be received equal to or more than the amount of such assessment and the expense of sale, then at the option of such association, such stock shall be declared forfeited to the association in satisfaction of such assessment and such expense, and shall have the status of authorized but unissued stock. Such stock shall not be reissued except in accordance with permit thereafter obtained from the commissioner pursuant to section 4.02 of this act. In case any stock shall be declared forfeited to the association as aforesaid the holders of such stock shall be subject to the stockholders' liability provided in sections 7.01, 7.02, 7.03 and 7.04 of this act if within sixty days thereafter the commissioner, or a receiver or trustee of the association appointed by any court, shall take possession of the property, business and assets of such association, or if at the time of such forfeiture such stockholders shall have had knowledge of impending failure of such association."

AMENDMENT NUMBER TWENTY-FOUR.

On page 18 of the printed bill, strike out lines 6 to 26, both inclusive.

AMENDMENT NUMBER TWENTY-FIVE.

On page 18, line 27, of the printed bill, strike out "Sec. 12. Article IX", and insert in lieu thereof "Sec. 9. Section 9.02".

AMENDMENT NUMBER TWENTY-SIX.

On page 18 of the printed bill, strike out lines 30 to 52, both inclusive.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 20 of the printed bill, strike out lines 10 to 36, both inclusive.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 20 of the printed bill, insert the following between lines 36 and 37:

"SEC. 10. All of Article IX of said act, except sections 9.01, 9.02 and 9.03, is hereby amended to read as follows:".

AMENDMENT NUMBER TWENTY-NINE.

On page 28, line 47, of the printed bill, strike out "SEC. 13.", and insert "SEC. 11.".

AMENDMENT NUMBER THIRTY.

On page 29 of the printed bill, after the period in line 2, insert the following: "Interest unpaid, although due or accrued, on debts owing to any association, shall not be included in calculation of its profits available for dividends; nor shall any association, except with the previous written consent of the commissioner, enter or at any time carry on its books any of its assets at a valuation exceeding its actual cost to such association."

AMENDMENT NUMBER THIRTY-ONE.

On page 29 of the printed bill, between lines 42 and 43, insert the following:

"SEC. 12. Section 10.05 of said act is hereby amended to read as follows:

Sec. 10.05. Annual Audit by Public Accountant. Each association, at least once in each year, shall cause its books and accounts to be audited at its own expense by a certified or other public accountant or firm of certified or other public accountants selected by such association and approved by the commissioner. Such annual audit shall cover the fiscal year unless the commissioner shall fix a different period which he may do in the case of any association. Each association shall furnish to the commissioner annually, within ninety days after the end of the period covered by such audit, two signed copies of the report of such public accountant or accountants showing the result of such audit and including a balance sheet of such association at the date of such audit and a statement of the income and expenses of such association during the year ending with the date of such audit, which balance sheet and statement of income and expenses shall be certified by such public accountant or accountants. The commissioner shall have power to prescribe the scope of such audit, and to require such accountant or accountants to furnish him with information additional to that contained in the report of such audit. A copy of each report furnished to the commissioner pursuant to this section shall be kept at each office of the commissioner, and shall be open to examination by any investor of the association in question, subject to section 13.01 of this act and to such reasonable regulations as the commissioner may prescribe. The audit required by this section shall be additional to, and shall not be in substitution for, the examination of associations by the commissioner or his deputies or examiners required by section 13.06 of this act.

SEC. 13. Section 12.01 of said act is hereby amended to read as follows:

Sec. 12.01. Restriction on Building and Loan Business. No person, firm, copartnership, association, company or society, either domestic or foreign, except a corporation, shall conduct or carry on in this state the business of accumulating the savings of its shareholders, stockholders, members or investors, and of loaning such

accumulations in the manner of building and loan associations; and no corporation shall conduct or carry on such business except in accordance with the provisions of this act. This act shall not apply to investment companies except in the case of investment companies which shall also be building and loan associations as defined in section 1.02 of this act."

AMENDMENT NUMBER THIRTY-TWO.

On page 30 of the printed bill, between lines 22 and 23, insert the following:

"SEC. 15. Sec. 13 01 of said act is hereby amended to read as follows:

Sec. 13 01 In General. The office of the Building and Loan Commissioner is hereby created, which office shall be a continuation of the office of Building and Loan Commissioner created by Chapter 354 of the Statutes of 1911. The Building and Loan Commissioner shall be appointed by the Governor and shall hold office at the pleasure of the Governor. He shall receive such compensation as shall be prescribed or authorized by law. Before entering upon the duties of his office, he shall take and subscribe an oath of office and execute an official bond in the penal sum of fifty thousand dollars, with sufficient surety or sureties as provided by law. The commissioner shall be charged with the administration and enforcement of this act, and of all other laws relating to or affecting the incorporation, organization, business, operation, merger, consolidation, dissolution or liquidation of associations subject to this act, and shall have and may exercise all of the powers necessary or convenient for such purposes. Except as otherwise expressly provided by this act, none of the records of the commissioner shall be deemed to be public documents nor be open to the inspection of the public, except any report made by any association to the commissioner and the annual report made by a public accountant or accountants. If in the judgment of the commissioner, the public welfare or the welfare of any association demands that any such report or any information therein contained be not made public he may in his discretion withhold such report or such information from inspection by the public or by any investor for such time as in his judgment is necessary.

SEC. 16. A new section numbered section 13 16a is hereby added to said act to read as follows:

Sec. 13.16a. Other Powers Upon Liquidation. The commissioner in his discretion may accept approved claims against any association in his possession for liquidation, based on investment certificates issued by such association and approved claims of general creditors against it in partial or full payment for real property of such association, with the approval of the court, after a hearing on such notice as the court shall prescribe. Claims received in payment pursuant to this section shall be accepted at their respective surrender values as estimated by the commissioner and fixed and determined by the court and all such claims shall thereafter be canceled.

The commissioner in his discretion may reduce the rate of interest to be paid on any loan held by any association in liquidation, to a rate not less than 7.2 per cent a year; and may renew, extend the time of payment of, reduce the amount of the monthly payments of, or rewrite any such loan; and may make additional advances for the purpose of preserving the security of any such loan."

AMENDMENT NUMBER THIRTY-THREE.

On page 30, line 23, of the printed bill, strike out "SEC. 15.", and insert "SEC. 17."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 1244—An act to add a new section to the California Vehicle Act to be numbered 151b, relating to rendering assistance to domestic animals injured by a vehicle, conveying it to a veterinarian, and notifying the owner thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 4 of the title, and insert in lieu thereof the following:

"An act to amend sections 481 and 482 of the Vehicle Code and to add a new section thereto to be numbered section 483.5, relating to the duty of the driver of a vehicle involved in an accident."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 10, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 481 of the Vehicle Code is hereby amended to read as follows:

481. Accident Involving Property Damage Only.

(a) The driver of any vehicle involved in an accident resulting only in damage to property shall immediately stop such vehicle at the scene of such accident and shall fulfill the requirements of section 482 (b) hereof and any person failing to stop or to comply with said requirements under such circumstances shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail for not to exceed six months or by a fine of not to exceed five hundred dollars or by both such fine and imprisonment

(b) This section shall have no application where the driver of a vehicle collides with any vehicle which is unattended nor where the driver of a vehicle strikes any domestic animal.

SEC. 2. Section 482 of the Vehicle Code is hereby amended to read as follows:

482. *Duty to Give Information and Render Aid.*

(a) The driver of any vehicle involved in an accident resulting in injury to or death of any person shall also give his name, address and the registration number of the vehicle he is driving and shall upon request and if available exhibit his operator's or chauffeur's license to the person struck or the driver or occupants of any vehicle collided with and shall render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying, of such person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person

(b) The driver of any vehicle involved in an accident resulting only in damage to property shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of his name and address and of the registration number of the vehicle he is driving and shall upon request and if available exhibit his operator's or chauffeur's license, except that when the driver of any vehicle collides with any vehicle which is unattended the provisions of section 483 hereof shall apply and when the driver of any vehicle strikes any domestic animal the provisions of section 483.5 hereof shall apply.

SEC. 3 A new section, to be numbered 483 5, is hereby added to the Vehicle Code to read as follows:

483.5. Duty Upon Striking Domestic Animal.

(a) The driver of any vehicle which strikes any domestic animal shall immediately stop and investigate and render to such animal all reasonable assistance including, if practical, the carrying, or the making of arrangements for the carrying, of such animal to a veterinarian for treatment and if it is impractical so to secure such treatment, such driver shall notify the local sheriff's office or police department within twenty-four hours of such accident.

(b) Any person violating the requirements of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail for not to exceed six months or by a fine of not to exceed five hundred dollars or by both such fine and imprisonment."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 246—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "registered sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Public Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates; prescribing the powers and duties of the State board; prescribing conditions under which the title "registered sanitarian" or the placing of the initials "R. S." may be used after the names of certificate holders; providing penalties for violations hereof; and

grounds for the suspension, cancellation, denial or revocation of such certificates of registration.

Bill read second time, ordered to engrossment, and third reading.

RECESS.

At twelve o'clock and ten minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 73—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 6 of Article VI thereof, relating to superior courts.

Assembly Constitutional Amendment No. 73 read.

The question being on the adoption of Assembly Constitutional Amendment No. 73.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Williamson moved a call of the House.

Motion carried.

Time, two o'clock and fifteen minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Roland, Ross, Scudder, Stream, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—59.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.
HON. ELEANOR MILLER IN THE CHAIR.

At two o'clock and fifteen minutes p.m., Hon. Eleanor Miller, member of the Assembly from the forty-seventh assembly district, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1138—An act to amend the Political Code by adding to Part IV, Title II, Chapter VIII of said code a new article to be numbered Article III, embracing sections 4222a to 4222*l*, inclusive, amending section 2641 and repealing sections 2642, 2643 and 4222 of said code, thereby creating the office of county engineer, transferring to the county engineer all the powers and duties of other officers and

employees of the county with respect to county roads, highways and bridges, and vesting in the county engineer additional powers and duties with respect to construction, improvement, maintenance and repair of county roads, highways and bridges, and to repeal the County Engineer Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1138 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Cassidy, Clowdsley, Cobb, Craig, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, West, Williamson, Woolwine and Mr. Speaker—60.

NOES—Boyle, Chatters, Cottrell, Crist, Crowley, Mayo, McBride, Turner and Wright—9.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and fifty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Riley.

The roll of absentees was called, and Assembly Constitutional Amendment No. 73 was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—68

NOES—Crowley, Lyon, Mayo and Ross—4.

Title read and approved.

Assembly Constitutional Amendment No. 73 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 73.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 6 of Article VI thereof, relating to superior courts

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the Constitution of said State be amended by amending section 6 of Article VI thereof, to read as follows:

Sec. 6. There shall be in each of the organized counties, or cities and counties, of the State, a superior court, for each of which at least one judge shall be elected by the qualified electors of the county, or city and county, at the general State election. There may be as many sessions of a superior court, at the same time, as there are judges elected, appointed or assigned thereto. The judgments, orders, and proceedings of any session of a superior court, held by any one or more of the judges sitting therein, shall be equally effectual as though all the judges of said court presided at such session.

The Legislature may create superior judicial districts by consolidating two or more counties into one district, and may provide that there shall be but one superior court in said district and one or more judges of said court, in which event the judge or judges of said court shall be elected by the qualified electors of said district at the general election.

For the purpose of electing judges of a superior court within any county having a population of more than one million inhabitants as determined by the last preceding census taken under the authority of the Congress of the United States, the Legislature may divide such county into judicial election districts, and may provide from time to time for the apportionment of the number of judges of the superior court of said county among said districts, in which event the number of judges apportioned to each district shall be elected from among the residents of said district by the qualified electors of such district at the general election.

EXPLANATION OF VOTE.

MR. SPEAKER: I desire to make this explanation in the Journal re the absence of my name on the roll call on Assembly Constitutional Amendment No. 73 when it came up for final passage today. In calling the absentees my name was skipped. I desire to indicate my approval of Assembly Constitutional Amendment No. 73

ASSEMBLYMAN CHATTERS.

Assembly Constitutional Amendment No. 67—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new section to Article XI thereof, to be numbered 8¾, relating to consolidation of counties, cities and counties, and cities.

Assembly Constitutional Amendment No. 67 read.

The question being on the adoption of Assembly Constitutional Amendment No 67.

The roll was called, and Assembly Constitutional Amendment No. 67 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.

NOES—Hunt—1.

Title read and approved.

Assembly Constitutional Amendment No. 67 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No 67.

A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new section to Article XI thereof, to be numbered 8¾, relating to consolidation of counties, cities and counties, and cities

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the Constitution of said State be amended by adding to Article XI thereof a new section to be numbered 8¾, and to read as follows:

Sec. 8¾. The Legislature is hereby authorized and empowered to enact all laws necessary to provide that any two or more counties, cities and counties, or cities, or any combination thereof, which counties, cities and counties, or cities, are contiguous or are included one within the territorial boundaries of the other, may merge and consolidate under one government in such manner as the Legislature shall prescribe.

But no such law shall take effect until, at a general election, it shall be submitted to the people of the counties, cities and counties or cities to be so merged or consolidated and shall have received a majority of all the votes cast for and against it at such election in each of the counties, cities and counties or cities proposed to be merged or consolidated

Assembly Bill No. 536—An act to amend an act entitled "An act authorizing counties to construct, improve, maintain and repair streets lying in municipalities or to aid or assist by the appropriation of money and otherwise in establishing, laying out, opening, widening, extending,

straightening, constructing, improving or altering streets or changing or separating the grades thereof, within municipalities or in acquiring lands, rights of way or other property necessary therefor," approved April 30, 1923 (Statutes 1923, page 123), by amending section 1 thereof to authorize aid in the payment of bonds and/or interest thereon.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 536 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1184—An act to amend sections 639 and 671 of the Vehicle Code, relating to sirens, horns, warning devices and lights on vehicles.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1184 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Dempster, Fisher, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Powers, Robinson, Samuel E., Ross, Stream, Thorp, Tournoux, West, Wright, Zion and Mr. Speaker—43.

NOES—Boyle, Brock, Craig, Crowley, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, Martin, McBride, Phillips, Rawls, Redwine, Riley, Stannard, Williamson and Woolwine—24.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At three o'clock and twenty minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 164—An act to amend section 159 of an act entitled the California Vehicle Act, approved May 30, 1923, Statutes of 1923, page 517, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 164 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Latham, Lyon, Martin, McBride, McCarthy, Meeker, Miller, Eleanor; Morgan, O'Connor, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson,

Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Woolwine, Wright and Mr. Speaker—56.

NOES—Anglim, Cottrell, Crist, Feigenbaum, Hornblower, Kallam, Knowland, Levey, Maloney, Meehan, Miller, James A., Nielsen, Patterson, Thorp, Turner, West and Williamson—17.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 374—An act to provide for the construction and supervision of safe and sanitary low-cost dwellings and apartments, and for the rental or sale thereof at reasonable rates, and in connection therewith to authorize the incorporation and provide for the regulation of limited dividend housing corporations and prescribe the powers, rights and duties thereof; to regulate and limit the rate of return on securities to be issued by such corporations; to declare the urgency of this act and provide that it shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Crowley, Dempster, Evans, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Levey, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Roland, Ross, Sullivan, Thorp, Tournoux, Turner, West, Wright, Zion and Mr. Speaker—55.

NOES—Brock, Cottrell, Craig, Crist, Feigenbaum, Field, Grubbs, Kallam, King, Latham, Lyon, McCarthy, Phillips, Rogers, Scudder, Stannard, Stream and Woolwine—18.

THIRD READING OF ASSEMBLY BILL NUMBER THREE HUNDRED SEVENTY-FOUR.

Assembly Bill No. 374—An act to provide for the construction and supervision of safe and sanitary low-cost dwellings and apartments, and for the rental or sale thereof at reasonable rates, and in connection therewith to authorize the incorporation and provide for the regulation of limited dividend housing corporations and prescribe the powers, rights and duties thereof; to regulate and limit the rate of return on securities to be issued by such corporations; to declare the urgency of this act and provide that it shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 374 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Fisher, Gilmore, Hallner, Hornblower, Hunt, Jones, Knowland, Levey, Lyon, Maloney, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Sullivan, Thorp, Tournoux, Turner, West, Wright, Zion and Mr. Speaker—53

NOES—Crist, Field, Grubbs, Hatch, Kallam, King, Latham, McBride, McCarthy, Phillips, Riley, Rogers, Stannard, Stream and Woolwine—15.

Title read and approved.

Bill ordered transmitted to the Senate.

RESOLUTION.

The following resolution was offered:

By Messrs. Clowdsley, McCarthy, Turner and Rogers:

ASSEMBLY RESOLUTION.

WHEREAS, Senate Constitutional Amendment No. 30, known as the "Riley Tax Plan," has passed the Senate and been reported out of the Assembly Committee on Revenue and Taxation, "do pass"; and

WHEREAS, Said constitutional amendment is on third reading file for passage within the course of a few days; and

WHEREAS, The members of the Assembly are desirous of securing all of the information, facts and figures which may shed light upon the merits of said constitutional amendment; and

WHEREAS, The Franchise Tax Commissioner and the State Board of Equalization and Controller of California have in their possession information concerning the business affairs of California corporations which information is of importance in relation to the effect of Constitutional Amendment No. 30, but which they are forbidden by law to divulge except to State officers upon the authorization of the Governor, and

WHEREAS, The Assembly is desirous of ascertaining such information from the Franchise Tax Commissioner and the State Board of Equalization and the Controller; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby requests the Governor of the State of California, Hon. James Rolph, Jr., pursuant to section 35 of the Bank and Corporation Franchise Tax Act, to authorize the Franchise Tax Commissioner and the State Board of Equalization and Controller to appear before the Assembly in executive session to answer such questions as may be asked them concerning any bank or corporation, or any group of banks or corporations of California, concerning which the desired information is available, for the purpose of determining the burden of taxation borne by any such corporation or group, and the effect thereon of Senate Constitutional Amendment No. 30, and be it further

Resolved, That the Clerk of the Assembly deliver a copy hereof to the Governor of this State.

Resolution read, and on motion adopted.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 674—An act to establish the Vehicle Code and thereby to consolidate and revise the law relating to traffic on streets and highways and the registration, identification, operation, driving, use, ownership, transfer, theft, embezzlement, destruction, molestation, unlawful entering and taking and driving, equipment, size, weight, loading and wrecking of vehicles used upon streets and highways and liens and mortgages on such vehicles and the licensing and regulation of drivers of such vehicles and the civil liability of persons signing license applications of minors and the conduct and records of persons dealing with such vehicles and the civil liability arising from the ownership, maintenance, use and operation of such vehicles and the financial responsibility of owners and operators of such vehicles and crimes connected with the use of such vehicles and the parties, procedure, presumptions, evidence and reports in relation to such crimes and the creation, organization, powers, duties, jurisdiction and maintenance of the Department of Motor Vehicles and its divisions in connection therewith and the collection, disposition and use of fees, fines and forfeitures in relation thereto and the limitations on the powers of local authorities over the aforesaid subject and to repeal certain specified provisions of law germane to the aforesaid subject.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Hornblower moved that Assembly Bill No. 674 be withdrawn from the file, and ordered re-referred to Committee on Motor Vehicles.

The question being on re-referring Assembly Bill No. 674 to Committee on Motor Vehicles.

Motion carried.

Assembly Bill No. 674 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 893—An act to provide for instruction in mining safety by the Department of Natural Resources.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Mayo moved that Assembly Bill No. 893 be withdrawn from the file, and ordered re-referred to Committee on Mines and Mining.

The question being on re-referring Assembly Bill No. 893 to Committee on Mines and Mining.

Motion carried.

Assembly Bill No. 893 ordered re-referred to Committee on Mines and Mining.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated.

By Messrs. Turner, McBride, Patterson and Bliss: Assembly Joint Resolution No. 29—Relative to memorializing Congress to enact legislation prohibiting the importation of crude petroleum and crude petroleum by-products.

Introduced, and referred to Committee on Oil Industries.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Phillips:

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same

Bureau of Purchases	$227 73
Western Union, telegrams	13 79
Cascade Towel Supply Co, towel service, February	7 28
Cascade Towel Supply Co, towel service, March	69 82
Department of Finance, prorate telephone service, March	25 34
The L H. Bennett Co., rental water coolers to May 1st	25 00
Frank P. Bruner, rental amplifier, inauguration ceremony	10 00

Also:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty (150) dollars, said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's office.

Resolutions ordered referred to Committee on Contingent Expenses.

REQUEST FOR PERMISSION TO USE THE ASSEMBLY CHAMBER.

Mr. Robinson, C. Ray, asked for, and was granted, permission to use the Assembly Chamber this evening for the purpose of hearing Hon.

James Rolph, Jr., Governor of the State of California, explain his position relating to Assembly Bill No. 258.

MOTION.

On motion of Mr. Crowley, the Chief Clerk was instructed to have printed 500 copies of Assembly Bill No. 2350.

MOTION TO RE-REFER.

Mr. Martin moved that Assembly Bills Nos. 249, 237, 23 and 152 be withdrawn from the Committee on Governmental Efficiency and Economy, and ordered re-referred to Committee on Revenue and Taxation.

The question being on re-referring Assembly Bills Nos. 249, 237, 23 and 152 to the Committee on Revenue and Taxation.

Motion carried.

Assembly Bills Nos. 249, 237, 23 and 152 ordered re-referred to Committee on Revenue and Taxation.

MOTION TO RE-REFER.

Mr. Hallner moved that Assembly Constitutional Amendment No. 11 be withdrawn from the Committee on Constitutional Amendments, and ordered re-referred to Committee on Elections

The question being on re-referring Assembly Constitutional Amendment No. 11 to the Committee on Elections.

Motion lost.

MOTION TO RE-REFER.

Mr. Martin moved that Assembly Bill No. 2083 be withdrawn from the Committee on Direct Legislation, and ordered re-referred to Committee on Elections.

The question being on re-referring Assembly Bill No. 2083 to Committee on Elections.

Motion carried.

Assembly Bill No. 2083 ordered re-referred to Committee on Elections.

REQUEST FOR PERMISSION TO USE THE ASSEMBLY CHAMBER.

Mr Sullivan asked for, and was granted, the use of the Assembly Chamber for Tuesday evening, April 11, 1933, for the purpose of considering bills before the Committee on Labor and Capital, providing the Assembly is not at that time in session.

ADJOURNMENT.

At four o'clock and forty minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, April 11, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, April 11, 1933.

At ten o'clock a m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Craig, Mr. Utt was granted leave of absence for the day.

On motion of Mr. Cassidy, Mr. Morgan was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Hoffman, Mr. George Jansen of Oakland was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Maloney, Mr. George C. Chalmers, Jr., Miss Alice Chalmers and Mrs. George Chalmers, Sr., were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Fisher, Major and Mrs. J. A. Habegger of Oakland were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cassidy, Mr. Maitland Henry, editor of Livermore Herald, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Brock, Elsa V. Blow, editor University of Southern California Trojan, Los Angeles, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented and ordered printed in the Journal:

By Mr. Speaker:

From Miss Jo Brown, Los Angeles, urging support of Assembly Constitutional Amendment No. 47.

Also:

By Mr. Speaker:

From council of city of Los Angeles, favoring adoption of revised budget.

(Signed) ROBERT DOMINGUEZ, City Clerk.

Also:

By Mr. Speaker:

From board of supervisors, county of Los Angeles, indorsing proposed purchase of a penitentiary site in southern California.

(Signed) MAME B. BEATTY, Deputy County Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 246—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "registered sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Public Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates; prescribing the powers and duties of the State board; prescribing conditions under which the title "registered sanitarian" or the placing of the initials "R. S." may be used after the names of certificate holders; providing penalties for violations hereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration;

Also: Assembly Bill No. 256—An act to add sections 3a, 3b, and 5a to, and to amend sections 5 and 7 of an act entitled, "The County Improvement Act of 1921," approved June 3, 1921, Statutes of 1921, page 1628, relating to the improvement of roads and highways within unincorporated territory of counties;

Also: Assembly Bill No 678—An act to repeal section 4.353 of the School Code, relating to orders upon school district funds;

Also: Assembly Bill No. 805—An act to add a new section to the School Code, to be numbered 1.395, relating to the duties of employers of minors who are subject to compulsory continuation education;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1159—An act to create a public corporation to be known as the "Naturopathic Association of California," to provide for its organization, government, membership and powers, to regulate the practice and licensing of naturopathic physicians, to create a Board of Governors and to provide for the appointment of a State Board of Naturopathic Examiners, and to provide penalties for violations hereof;

Also: Assembly Bill No 1443—An act to validate the organization and bonds of municipal improvement districts formed under the Municipal Improvement District Act of 1927 and providing for the levy of a tax to pay the same;

Also: Assembly Bill No. 1619—An act to amend section 3 of Chapter 609, Statutes of 1931, entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of lubricating oil;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 545—An act to amend section 3 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons

authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of motor vehicle fuel and lubricating oil;

Also: Assembly Bill No. 835—An act to add a new section to the California Air Navigation Act, to be numbered 11½, relating to the responsibility of owners or operators of aircraft for injury to or death of a guest riding in such aircraft;

Also: Assembly Bill No. 1118—An act to amend sections 3, 4, 5, 6, 8 and 9 of, to add sections 1, 1a, 9a, and 10 to, and to amend and renumber section 1 to be section 1b of an act entitled "An act to regulate the practice of architecture," approved March 23, 1901;

Also: Assembly Bill No. 2272—An act to amend section 4250 of the Political Code, relating to compensation of officers and employees in counties of the twenty-first class;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1038—An act to amend sections 7, 30 and 65 of the "State Housing Act," approved June 15, 1923, as amended, relating to the regulation of dwellings, apartment houses and hotels;

Also: Assembly Bill No. 1342—An act to amend sections 6, 9, 10, 11, 12, 13, 14, 15, 16 and 20 of an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to power of the State Board of Public Health;

Also: Assembly Bill No 1523—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to sessions of the superior court;

Also: Assembly Bill No. 1618—An act to add a new section to be numbered 14a to Chapter 609, Statutes of 1931, entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil, regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to licensing of persons, firms, associations or corporations, installing and using motor vehicle fuel pumps;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 15—Relative to memorializing and petitioning Congress to adopt a national system of insurance to protect bank depositors in the national banks of the United States—and reports that the same has been correctly enrolled and presented the same to the Governor on this tenth day of April, 1933, at four o'clock p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 11—An act to amend section 520 of the Penal Code, relating to the punishment of extortion in certain cases;

Also: Assembly Bill No. 22—An act to amend section 1322 of the Penal Code, relating to husband and wife;

Also: Assembly Bill No. 31—An act to provide for restoration of recorded maps which are injured, destroyed, or are lost or stolen;

Also: Assembly Bill No. 30—An act relating to grants of lands granted to cities and towns under the provisions of an act of Congress entitled "An act for the relief of the inhabitants of cities and towns upon the public lands," approved March 2, 1867, and procedure in relation to such land;

Also: Assembly Bill No. 245—An act to amend sections 3 and 5b of the "Narcotic Rehabilitation Act," relating to drug addicts;

Also: Assembly Bill No. 501—An act to amend section 19a of "The California Irrigation District Act," relating to officers of irrigation districts;
And reports that the same have been correctly enrolled and presented the same to the Governor on this tenth day of April, 1933, at four o'clock p m.

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 553—An act to add a new section to the Political Code, to be numbered 3747a, relating to segregation of valuation of property on the assessment roll;

Also: Assembly Bill No. 584—An act to amend section 3633 of the Political Code, relating to the assessment of property;

Also: Assembly Bill No. 605—An act to validate the formation, organization and existence of municipal improvement districts;

Also: Assembly Bill No. 608—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also. Assembly Bill No. 611—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 613—An act validating the formation, organization and existence of sanitary districts;

Also: Assembly Bill No. 615—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class;

Also: Assembly Bill No. 616—An act to validate bonds of flood control districts and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest of such bonds;

Also: Assembly Bill No. 618—An act to validate proceedings for the annexation, incorporation, and inclusion of territory by municipal corporations;
And reports that the same have been correctly enrolled and presented the same to the Governor on this tenth day of April, 1933, at four o'clock p m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 619—An act to validate the organization and existence of municipal utility districts;

Also: Assembly Bill No. 771—An act to amend section 16 of the act known as the "Act Concerning Cosmetology," relating to exemptions;

Also: Assembly Bill No 812—An act to amend section 3.174 of the School Code, relating to attendance of pupils in school districts other than those in which they reside;

Also: Assembly Bill No. 814—An act to amend section 9 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provisions for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, relating to elections;

Also Assembly Bill No. 838—An act to amend section 1.70 of the School Code, and to add two new sections to said code, to be numbered 1.72, and 1.73–1, relating to transportation of school pupils;

Also: Assembly Bill No. 1058—An act to amend section 1158 of the Civil Code, relating to recordation of instruments or judgments affecting the title to or possession of real property;
And reports that the same have been correctly enrolled and presented the same to the Governor on this tenth day of April, 1933, at four o'clock p.m.

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1065—An act to amend an act entitled "An act providing for the designation of money in the State treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," approved June 10, 1913, as amended, by amending section 1, relating to the investment of surplus money in the State treasury;

Also: Assembly Bill No. 1066—An act to amend sections 671 and 672 of the Political Code, relating to investments to be made by the Director of Finance of school land funds and of estates of deceased persons' funds;

Also: Assembly Bill No. 1395—An act to amend section 537 of the Code of Civil Procedure, relating to attachments;

Also: Assembly Bill No. 1406—An act to repeal an act entitled "An act providing for the compilation of, printing, binding, publishing, and distribution of a legislative manual, State Blue Book or roster, repealing all conflicting acts," approved May 21, 1929;

Also: Assembly Bill No. 1867—An act to repeal section 16x6 of the Weights and Measures Act and to add a new section thereto, to be numbered 16x6, relating to the sealer of weights and measures in counties of the sixth class;

Also: Assembly Bill No 1868—An act to amend section 19x6 of the Juvenile Court Law, relating to the probation officer in counties of the sixth class;

Also: Assembly Bill No. 1869—An act to amend section 4235 of the Political Code, relating to compensation of county and township officers in counties of the sixth class;

And reports that the same have been correctly enrolled and presented the same to the Governor on this tenth day of April, 1933, at four o'clock p m

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1870—An act to amend section 9a6 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the sixth class;

Also: Assembly Bill No 1873—An act to amend section 2322x6 of the Political Code, relating to the office of the agricultural commissioner in counties of the sixth class;

Also: Assembly Bill No. 2127—An act to amend section 1530 of the Probate Code and to add a new section to the Probate Code, to be numbered 1540, relating to exchange of property belonging to one subject to guardianship;

Also: Assembly Bill No. 2128—An act to amend section 172b of the Civil Code, relating to exchange of community property when one spouse incompetent;

Also: Assembly Bill No. 2315—An act to add a new section to the Political Code to be numbered 3614, relating to exempting orphanages from taxation;

And reports that the same have been correctly enrolled and presented the same to the Governor on this tenth day of April, 1933, at four o'clock p m.

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 258—An act to amend "The California Districts Securities Commission Act" approved June 19, 1931, by repealing section 11 thereof and adding a new section 11 thereto, providing that defaulting irrigation districts under certain circumstances shall be subject to said section and shall be under the control of The California Districts Securities Commission to the extent and for the time set forth; providing for the levy, and the manner of levy, of the annual assessment of such defaulting districts in an amount it will be reasonably possible for the lands to pay without exceeding a delinquency of fifteen per cent and for the allocation of the proceeds of said annual assessment, notwithstanding any other provisions of law governing said districts; providing that said section shall remain in operation only until November 1, 1935, unless sooner repealed; and declaring same an emergency measure enacted under the police power—and reports that the same has been correctly enrolled and presented the same to the Governor on this tenth day of April, 1933, at nine o'clock and fifteen minutes p m.

PATTERSON, Chairman.

ON UNIVERSITIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1933

MR. SPEAKER: Your Committee on Universities, to which was referred Assembly Bill No 2249—An act to repeal an act entitled "An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor, and to repeal an act approved February 14, 1887, entitled: 'An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor, and also to repeal an act approved February 27, 1897, entitled 'An act to provide additional support and maintenance, and for the acquisition of necessary property and improvements of the University of California

by the levy of a rate of taxation, and the creation of a fund therefor,'" approved March 20, 1909, and to provide for the transfer of moneys now in the State university fund to the general fund of the State treasury—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MORGAN, Chairman.

The above reported bill ordered on file for second reading.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1933.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 197—An act to amend section 1425 of the Penal Code, relating to the jurisdiction of justices' courts in criminal cases—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1933.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 1036—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said district," approved June 10, 1913, as amended, by amending sections numbered 3, 4, 5, 9, 10, 12, 15 and 26, and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit, Sections 3a and 3b, relating to voting in county water districts; section 22a, relating to levy of special assessments in county water districts; sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, relating to the optional levy and collection of taxes by county water districts through the district's own officers rather than with county taxes, section 52, relating to the raising and payment by a county water district of assessments levied by an irrigation district within which is included a part of the lands within such county water district; section 53, relating to use of district assessment roll and duties of district officers in connection with voting, and section 54, relating to short title of this act—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 18—Relative to the designation and appointment of John Steven McGroarty as Poet Laureate of California;

Also: Assembly Concurrent Resolution No. 8—Relative to John Steven McGroarty being given the honorary title of the Laurel Crowned Poet of California;

Also: Assembly Concurrent Resolution No. 9—Relative to bestowing of the title of Poet Laureate of California on John Steven McGroarty;

Also: Assembly Concurrent Resolution No. 11—Relative to the designation and appointment of Henry Herbert Knibbs as Poet Laureate of California;

Also: Assembly Concurrent Resolution No. 14—Relative to Roy Walter James being given the honorary title of the Laurel Crowned Poet of California;

Also: Assembly Concurrent Resolution No 16—Relating to the designation and appointment of Charles Keeler as Poet Laureate of California;

Also: Assembly Concurrent Resolution No. 40—Relative to the designation and appointment of Arthur A. Flakoll as Poet Laureate of California;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Assembly Concurrent Resolutions Nos. 18, 8, 9, 11, 14, 16 and 40 ordered on file for adoption.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1933.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 320—An act to amend the "Reclamation Board Act," approved December 24, 1911, as amended, by amending section 14 thereof relating to assessments and assessment lists of the Sacramento and San Joaquin Drainage District and providing when public officers shall not be entitled to fees, section 36 thereof relating to reapportionment of assessments on subdivided lands, and section 37a thereof relating to the application of moneys released, reimbursed, or appropriated under and pursuant to Chapter 176 California Statutes of 1925 and the War Department Appropriations Act of Congress of the United States for the fiscal year ending June 30, 1930, being Public Law No. 843, Seventieth Congress, approved February 28, 1929—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

STREAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 321—An act to amend an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin Drainage District based upon assessments levied by the Reclamation Board upon lands in said district," approved May 27, 1919, as amended by amending section 29 thereof relating to the maturity, calling and redemption of bonds of said district, section 42 thereof relating to the calling of installments to pay interest and principal on such bonds and to provide a sinking fund, section 50 thereof relating to the redemption of delinquent assessments and to deeds by the Reclamation Board where lands have not been redeemed and section 52 thereof relating to the investment of surplus moneys in the bond fund and to the cancellation of bonds purchased with such moneys—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

STREAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No 410—An act to amend Sacramento and San Joaquin Drainage District Refunding Act, approved May 26, 1927, as amended, by amending section 2 thereof, relating to the operation and maintenance of certain units of the flood control work within the Sacramento and San Joaquin drainage district—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 10, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1054—An act to amend an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, as amended, by amending section 1, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district or flood control district—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered re-referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No 325—An act to add

a new section to the Political Code, to be numbered 356a, relating to contracts between State agencies.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 2—Proposed amendment to Article IV of the Constitution, relative to a resolution proposing to the people of the State of California an amendment to the Constitution of said State by adding to Article IV thereof a new section to be numbered 31c, authorizing any city of the fifth or sixth class to acquire and hold stock in mutual water corporations.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Constitutional Amendment No. 2 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 540—An act to amend section 3805a of the Political Code, relating to cancellation of assessments, certificates of sale and deeds;

Also: Assembly Bill No. 894—An act to require security for the payment of wages of persons engaged in mining industry;

Also: Assembly Bill No. 1067—An act to amend an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911, by amending section 1, relating to the investment of moneys in the sinking funds of counties, cities and counties, incorporated cities and towns.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 1055—An act relating to the formation, organization and proceedings of metropolitan water districts; confirming the formation, organization and existence of such districts; establishing and validating the boundaries thereof; confirming the appointment of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken; confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof and all bonds heretofore authorized or issued by such districts and authorizing such bonds to be sold and delivered; providing for the levy and collection of a tax sufficient to pay the principal and interest of any such bonds; and declaring this act to be an urgency measure.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 25—Relative to memorializing and petitioning the President of the United States and Congress to accept the cemetery situated at Sawtelle as a national cemetery.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Joint Resolution No. 25 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1485—An act to amend an act entitled "An act relating to the use of the air and to make uniform the law with reference thereto; providing for the licensing of aircraft, airmen and air navigation facilities; providing,

in a certain contingency, for the creation of the Aeronautical Commission of California, prescribing its powers and duties and making an appropriation for its use; providing for the enforcement of the act and penalties for violations thereof and repealing acts in conflict therewith," approved June 18, 1929, by amending section 1 (e) defining the term "Federal license."

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1100—An act to add a new section to the Political Code, to be numbered 596c, prohibiting any person or corporation from acting as agent for or in any manner aiding in the solicitation or advertising of any insurance corporation or insurer unless such insurance corporation or insurer, shall have received a certificate of authority to transact business in this State and prescribing a penalty for violation thereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered re-referred to Committee on Insurance.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1127—An act to amend an act entitled "An act to require the Director of the Department of Natural Resources to register and mark buildings of historical interest or landmarks," approved April 24, 1931, by amending the title thereof and by amending section 2 and by adding a new section to be numbered section 3—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered re-referred to Committee on Roads and Highways.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 516—An act to provide for the inspection and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places; to declare the urgency thereof and provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 516 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 960—An act to amend section 1043 of the Agricultural Code, relating to fertilizing materials;

Also: Senate Bill No. 282—An act to amend section 1 of an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, defining personal property brokers.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 960 read first time, and referred to Committee on Agriculture.

Senate Bill No. 282 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 284—An act confirming and validating the formation or organization and existence of port districts, and declaring that this act shall take effect immediately;

Also: Senate Bill No 821—An act to amend section 16x24 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the twenty-fourth class;

Also, Senate Bill No. 824—An act to amend section 2322x24 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-fourth class;

Also: Senate Bill No 825—An act to amend section 4253 of the Political Code, relating to compensation of county and township officers in counties of the twenty-fourth class;

Also: Senate Bill No. 1178—An act to amend sections 2459, 2466 and 2466a of the Political Code, relating to pilots and rates of pilotage for the harbor of San Francisco;

Also: Senate Bill No 119—An act to add a new section to the Agricultural Code to be numbered 424, relating to the transportation of live stock;

Also: Senate Bill No. 757—An act to add a new section to the School Code to be numbered 5.27, relating to cooperative stores on the campuses of the State teachers colleges;

Also: Senate Bill No. 411—An act to amend section 3897 of the Political Code, relating to the sale of tax-deeded lands.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No 284 read first time, and referred to Committee on Commerce and Navigation

Senate Bills Nos. 821, 824 and 825 read first time, and referred to Committee on County Government.

Senate Bill No 1178 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 119 read first time, and referred to Committee on Live Stock and Dairies.

Senate Bill No. 757 read first time, and referred to Committee on Teachers Colleges.

Senate Bill No. 411 read first time, and referred to Committee on Revenue and Taxation.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 674—An act to regulate the conduct of pounds, prescribing the duties of persons in charge thereof or employed thereat, and regulating the disposition of animals impounded or sheltered therein.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 674 read first time, and referred to Committee on Public Health and Quarantine.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Robinson, C. Ray, moved that the consideration of his motion to reconsider the vote whereby Senate Constitutional Amendment No. 2 was refused adoption, be continued until the next legislative day.

Motion carried.

DAILY CALENDAR.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 161—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or

distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 161 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Latham, Lyon, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Rogers, Roland, Ross, Stannard, Stream, Tournoux, Turner, Woolwine and Mr Speaker—50.

NOES—Levey, Maloney, Nielsen and Williamson—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 491—An act to add two new sections to the School Code, to be numbered 4.769 and 4.929, and to amend section 4.950 of said code, relating to the computation of average daily attendance in public schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 491 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Ross, Stannard, Stream, Tournoux, Turner, Williamson, Woolwine and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 988—An act to amend section 4.770 of the School Code, relating to teacher units.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 988 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Cottrell, Crist, Cronin, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hoffman, Jones, Knowland, Latham, Levey, Lyon, Maloney,

Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, Patterson, Phillips, Rawls, Redwine, Riley, Robinson, C Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Williamson, Woolwine, Zion and Mr. Speaker—54.

NOES—Anglim, Crowley, Hunt, King, O'Connor and O'Donnell—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 334—An act to amend section 209 of the Penal Code, relating to the punishment of kidnaping for purposes of extortion or robbery.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 334 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Woolwine, Wright and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 498—An act to provide for the alteration of county boundary lines and for the adjustment of county debts and liabilities when such boundaries are changed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 498 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1721—An act providing for the issuance of registered warrants, establishing the priority in the payment of those issued for labor and services rendered, prescribing the notice of the date of payment and providing for the payment of such warrants.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans,

Feigenbaum, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Wilhamson, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND SEVEN HUNDRED TWENTY-ONE.

Assembly Bill No. 1721—An act providing for the issuance of registered warrants, establishing the priority in the payment of those issued for labor and services rendered, prescribing the notice of the date of payment and providing for the payment of such warrants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1721 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Latham, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Powers, Rawls, Redwine, Riley, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright, Zion and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1794—An act to add a new section to the Political Code, to be numbered 4041.26, relating to the purchase and sale of county property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1794 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE HUNDRED NINE.

Assembly Bill No. 1309—An act to extend the time for the payment of taxes for the period of sixty days and declaring the urgency thereof.

Bill read.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Greene:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, after the period, insert the following:
"In every case where, as a result of this extension, payments originally due on or before April 20, 1933, are made thereafter, within said period of sixty days, interest at the rate of three-fourths of one per cent per month shall be added thereto, for the period of time beginning on the first day from and after said date and ending with and including the date of payment."

Amendment read.

The question being on the adoption of the amendment.

Mr. Greene withdrew his amendment.

SPECIAL ORDER SET.

On motion of Mr. Greene, the further consideration of Assembly Bill No. 1309 was made a special order for Wednesday, April 12, 1933, at eleven o'clock a.m.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2211—An act providing for the subrogation of liens arising under the terms and provisions of section 1191a of the Code of Civil Procedure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2211 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.

NOES—Crist—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 716—An act to establish a "Public works penalty fund" of the Division of Labor Statistics and Law Enforcement of the State Department of Industrial Relations from penalties and fines assessed under the labor laws pertaining to public works, requiring the awarding body to transfer to the State Treasurer for said fund of the said division, at the time the progress payment from which the penalty has been withheld after full investigation, or the final payment, as the case may be, is made to the contractor on public works contracts, all penalties withheld under and by virtue of any of the labor laws pertaining to public works, requiring any court collecting criminal penalties or fines under these laws to likewise transmit same to the State Treasurer to be credited to the said fund and appropriating this money to the said division to be used generally in the enforcement of the said laws.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 716 was withdrawn from the file, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1728—An act to authorize the Department of Public Works to construct and maintain freeways, authorizing the cooperation of said department with any political subdivision of the State in constructing freeways, and providing for the acquisition of real property, or interest in real property, necessary for the construction thereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1728 was withdrawn from the file, and referred to Committee on Roads and Highways.

Assembly Bill No. 2049—An act relating to and providing for a moratorium in respect to the sale of farms, dwelling houses and outbuildings, whether on execution, under power of sale contained in a mortgage or deed of trust or in an action for the recovery of a debt or the enforcement of a right secured by mortgage or other lien, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2049 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 124—An act to amend section 261 of the Code of Civil Procedure, relating to superior court commissioners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 124 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Williamson, Woolwine, Wright, Zion and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2347—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Williamson, Woolwine, Wright and Mr. Speaker—67.

NOES—Hunt—1.

MOTION.

On motion of Mr. Greene, the further consideration of Assembly Bill No. 2347 was deferred until the hour of eleven o'clock of the next legislative day.

MOTION TO RE-REFER.

Mr. Hoffman moved that Senate Bill No. 674 be withdrawn from Committee on Public Health and Quarantine, and ordered re-referred to Committee on Municipal Corporations

The question being on re-referring Senate Bill No. 674 to Committee on Municipal Corporations.

Motion lost.

RECESS.

At twelve o'clock and ten minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

San Francisco Examiner—C. R. Lindner.

ARTHUR A. OHNIMUS, Chief Clerk.

MOTION.

On motion of Mr. Greene, the Chief Clerk was instructed to have printed 200 copies of Assembly Bill No. 2313.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1036—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said district," approved June 10, 1913, as amended, by amending sections numbered 3, 4, 5, 9, 10, 12, 15 and 26, and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: Sections 3a and 3b, relating to voting in county water districts; section 22a, relating to levy of special assessments in county water districts; sections 29, 30, 31, 32, 33,

34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, relating to the optional levy and collection of taxes by county water districts through the district's own officers rather than with county taxes; section 52, relating to the raising and payment by a county water district of assessments levied by an irrigation district within which is included a part of the lands within such county water district; section 53, relating to use of district assessment roll and duties of district officers in connection with voting, and section 54, relating to short title of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered to reprint.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 261—An act to amend section 110a of the Code of Civil Procedure, relating to salaries of justices of the peace in townships of thirty thousand population or more in counties of the first class, and the determination of such population—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

ON SOCIAL SERVICE AND WELFARE.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1933

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 2354—An act relating to retirement systems covering county or township officers or employees or a portion of such employees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1360—An act to provide for the care, management and protection of State roads and highways and the right of way thereof and providing penalties for the violation of the provisions thereof, and to repeal an act entitled "An act to provide for the care, management and protection of State highways and providing penalties for violations of the provisions of the act," approved May 20, 1915, Statutes of 1915, Chapter 400, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1361—An act to amend an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 2312—An act to amend section 102 of the Agricultural Code, relating to

charges or fees for certificates or inspections—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 660—An act to amend section 4307 of the Political Code, relating to county charges—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BROCK, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1173—An act to amend section 315 of the Agricultural Code, relating to meat inspection—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MEEKER, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1288—An act to amend sections 851, 861, 869, 870 and 871 and to repeal sections 853, 855, 856, 857, 858, 859, 862, 864, 865, 866, 867 and 868 of the Agricultural Code, relating to canned foods—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MEEKER, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1933

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2294—An act relating to and providing for a moratorium with respect to the requirement for the performance of prospecting work contained in certain State mineral permits other than those issued for prospecting for oil or gas, under the authority contained in Chapter 303, Statutes of California, 1921, as amended, and declaring the urgency thereof, to take effect immediately—has had the same under consideration, and respectfully reports the same back without recommendation, and that it be re-referred to Committee on Mines and Mining.

WEST, Chairman.

The above reported bill ordered re-referred to Committee on Mines and Mining.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 926—An act to amend section 291 of the Civil Code, relating to corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WEST, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 206—An act to empower and authorize the institution of a suit and/or action against the people of the State of California by former depositors of the Guaranty Building and Loan Association of Los Angeles, a domestic corporation organized and existing under the laws of the State of California, for the recovery of such sum or sums of money as may be found due and owing from the State of California to such depositors, bringing or instituting the action, by reason of the defalcations of one Beesemyer, and of men associated with him in the enterprise known and/or designated as the Guaranty Building and Loan Association;

Also: Assembly Bill No. 1245—An act to enable former bona fide depositors of the Guaranty Building and Loan Association of Los Angeles, a building and loan corporation, organized and existing under, and by virtue of, the laws of the State of California, and empowering and authorizing such former depositors of said association to institute an action against the people of the State of California for the recovery of such sum, or sums, of money as may be found due and owing by, or from, the said Guaranty Building and Loan Association of Los Angeles, and/or from the State of California, to such bona fide depositors, who shall, or may, bring or institute such action, or actions, by reason, and arising out of the defalcations, misappropriations, embezzlements, misapplications, or misuse, or any combination thereof, of the funds of said corporation by one Gilbert R. Beesemyer, and of those associated with him in the conduct and supervision of the said Guaranty Building and Loan Association of Los Angeles, and by reason of the negligence, malfeasance, or misfeasance or any combination thereof, of the officers, agents, or servants or of the State of California contributing to, aiding, or abetting, the said Gilbert R. Beesemyer, and others associated with him in the conduct of the affairs of the said Guaranty Building and Loan Association, and chargeable, or chargeable, under the laws of the State of California with supervision of the conduct and affairs of the said Guaranty Building and Loan Association, in such defalcations, misappropriations, embezzlements, misapplications, or misuse, or any of them;
Has had the same under consideration, and respectfully reports the same back without recommendation, and that they be re-referred to Committee on Ways and Means.

WEST, Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 409—An act to amend section 274 of the Code of Civil Procedure, relating to compensation of official reporters of the superior court;

Also: Assembly Bill No. 410—An act to amend section 4013 and section 4180 of the Political Code, relating to county officers and official reporters of the superior court;

Also: Assembly Bill No. 1014—An act to amend section 270 of, and to add three new sections to be numbered 270a, 270b and 270c, to the Code of Civil Procedure, relating to phonographic reporters for the superior court;

Also: Assembly Bill No. 1117—An act to amend the Code of Civil Procedure by adding thereto a new section to be numbered 270a, relating to appointment, qualification and compensation of official reporters and reporters pro tempore of the superior court in counties having a population of 900,000 or more;

Also: Assembly Bill No. 2006—An act to amend section 759 of the Political Code, relating to reporters for the District Court of Appeal;

Also: Assembly Bill No 2295—An act to add a new section to be numbered 270a to the Code of Civil Procedure, relating to official reporters;
Has had the same under consideration, and respectfully reports the same back without recommendation, and that they be re-referred to Committee on Governmental Efficiency and Economy.

WEST, Chairman.

The above reported bills ordered re-referred to Committee on Governmental Efficiency and Economy.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1045—An act to amend section 605 of the Probate Code, relating to the appointment of appraisers;

Also: Assembly Bill No. 2349—An act to amend section 10 of the Political Code, relating to holidays, to validate the acts of public officers made, done or performed on certain holidays and to declare that this act shall take effect immediately;

Also: Assembly Bill No. 543—An act making it unlawful for any person to employ any other person to solicit law practice, prohibiting any person from soliciting such law practice, limiting the use of written statements taken from an injured person, and providing the penalties therefor, also establishing presumptions as to certain settlements, compromises, releases, discharges and satisfactions and contracts with attorneys, and providing a period of limitation on suits to set aside such contracts;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

WEST, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 155—An act relating to the use and furnishing of stamps, coupons, tickets, can covers, bottle caps or other similar devices, for or with the sale of goods, wares or merchandise and the giving of gifts, premiums or bonuses in connection with or as part of the sale of goods, wares or merchandise and providing a penalty for violation thereof;

Also: Assembly Bill No. 2082—An act providing for the regulation and supervision of persons, firms or corporations engaging in the business as "bailee-repairers," and to prevent oppression of or advantage being taken in the employment of labor in such businesses, and to prevent fraud in the keeping or working upon of the property of the public; defining the duties of the Attorney General in regard thereto, and providing for the enforcement of said act and penalties for the violation thereof; and creating a State "Bailee-Repairers' Department" and the office of "Director of Bailments" and defining his duties and powers;

Also: Assembly Bill No 2084—An act to add five sections to the Probate Code, to be numbered 861, 862, 863, 864 and 865 for the purpose of authorizing executors and administrators under certain conditions to accept title to real property which is then subject to a mortgage or deed of trust securing an indebtedness which is an asset of an estate under administration, in satisfaction of such indebtedness, and in addition thereto to pay such further or other consideration as the court shall authorize and approve;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bills ordered referred to Committee on Rules.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 716—An act to repeal Article X of Chapter X of Title II of Part IV of the Political Code, embracing section 4239, and to add to Chapter X of Title II of Part IV thereof a new Article X, embracing sections 4239 and 4239a to 4239w, inclusive, relating to the compensation of county and township officers in counties of the tenth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 713—An act to repeal sections 19j and 19x10 of the Juvenile Court Law, relating to the probation officer in counties of the tenth class;

Also: Senate Bill No. 714—An act to repeal section 16x10 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the tenth class;

Also: Senate Bill No. 715—An act to repeal section 2322x10 of the Political Code, relating to the office of the agricultural commissioner in counties of the tenth class;

Also: Senate Bill No. 717—An act to repeal section 9a10 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to the county librarian in the counties of the tenth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 450—An act to add a new section to Chapter 4 of Division VI of the Agricultural Code, to be numbered 1217.5, relating to nonprofit cooperative market-

ing associations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. McCarthy:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to the Political Code to be numbered 844, relating to disqualification of candidate for office.

Referred to Committee on Introduction of Bills.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1013—An act to amend sections 16f, 21, 37, 55, 61, 96 and 105 and to add sections 25a and 59 to the "Bank Act," defining and regulating the business of banking.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Williamson:

AMENDMENT NUMBER ONE.

On page 14, line 26, of the printed bill, strike out the word "departmental".

AMENDMENT NUMBER TWO.

On page 15, line 13, of the printed bill, strike out the word "amendment", and insert in lieu thereof the word "section".

AMENDMENT NUMBER THREE.

On page 15, line 19, of the printed bill, strike out the word "amendment", and insert in lieu thereof the word "section".

AMENDMENT NUMBER FOUR.

On page 15, line 20, of the printed bill, strike out the word "passed", and insert in lieu thereof the word "enacted".

AMENDMENT NUMBER FIVE.

On page 15, line 20, of the printed bill, strike out the word "amendment", and insert in lieu thereof the word "section".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 210—An act providing for transfers in equal proportions from the State highway construction fund and the State highway maintenance fund to the general fund in the State treasury of amounts equal to the principal and interest due or accruing upon certain State bonds for highway purposes.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 210 was withdrawn from the file, and referred to Committee on Roads and Highways.

Assembly Bill No. 1427—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the

following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and part of acts inconsistent therewith." being Statutes of 1931, page 483, as approved May 5, 1931, by amending the title and adding sections 6.09 and 13.20, repealing section 6.05 and amending sections 6.08, 13.11 and 13.12 so as to first require a day in court before the commissioner may take possession; require the commissioner to agree to reorganizations agreed upon by 60 per cent of the creditors of any seized association, and authorizing building and loan associations and their custodians, receivers, etc., to purchase certificates at less than par or to trade real estate for certificates.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1427 was withdrawn from the file, and referred to Committee on Building and Loan Associations.

Assembly Bill No. 1159—An act to create a public corporation to be known as the "Naturopathic Association of California," to provide for its organization, government, membership and powers, to regulate the practice and licensing of naturopathic physicians, to create a board of governors and to provide for the appointment of a State Board of Naturopathic Examiners, and to provide penalties for violations hereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1159 was withdrawn from the file, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2313—An act to add the following mileage to the State highway system.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2313 was withdrawn from the file, and referred to Committee on Roads and Highways.

Assembly Bill No. 1926—An act to prohibit the operation by the State of tree nurseries and to sale by the State of tree nursery stock and to repeal an act entitled "An act providing for the establishment and maintenance of a State nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along highways and in public places, and making an appropriation therefor," approved May 15, 1917.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 1926 was withdrawn from the file, and referred to Committee on Agriculture.

Assembly Bill No. 1607—An act to amend section 681a of the Code of Civil Procedure, relating to executions.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1607 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 76—An act to repeal section 4041b of the Political Code, relating to advisory board to county assessor.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 76 was withdrawn from the file, and referred to Committee on County Government.

MOTION TO RE-REFER.

Mr. Jones moved that Assembly Bill No. 76 be withdrawn from Committee on County Government, and re-referred to Committee on Municipal Corporations.

The question being on re-referring Assembly Bill No. 76 to Committee on Municipal Corporations.

Motion carried.

Assembly Bill No. 76 ordered referred to Committee on Municipal Corporations.

Assembly Bill No. 1109—An act to amend section 19x11 of the "Juvenile Court Law," relating to probation officers in counties of the eleventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Asembly Bill No. 1109 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Gilmore, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, King,

Knowland, Latham, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Redwine, Roberts, Robinson, Samuel E., Rogers, Stannard, Stream, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—57.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1110—An act to amend section 16x11 of the "Weights and Measures Act," relating to sealers of weights and measures in counties of the eleventh class.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1110 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Gilmore, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C Ray; Rogers, Stannard, Stream, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—56.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1111—An act to amend section 2322x11 of the Political Code, relating to the office of the agricultural commissioner in counties of the eleventh class.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1111 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Gilmore, Grubbs, Hallner, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Nielsen, O'Connor, Patterson, Phillips, Redwine, Riley, Roberts, Rogers, Stannard, Stream, Tournoux, Turner, Williamson and Mr. Speaker—51.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

HON. RAY WILLIAMSON IN THE CHAIR.

At one o'clock and fifty-five minutes p.m., Hon. Ray Williamson, member of the Assembly from the Twenty-sixth Assembly District, in the chair.

Assembly Bill No. 1112—An act to amend section 4240 of the Political Code, relating to compensation of county and township officers in counties of the eleventh class.
Bill read third time.
The question being on the passage of the bill
The roll was called, and Assembly Bill No. 1112 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Gilmore, Greene, Hallner, Hornblower, Hunt, Jones, King,

Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Rogers, Stannard, Stream, Tournoux, Turner, Williamson, Zion and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1370—An act to amend sections 4, 7, 9, 14 of and to add new sections to be numbered 8a, 15a and 15b to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to vital statistics.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1370 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Phillips, Redwine, Riley, Roberts, Rogers, Stannard, Stream, Tournoux, Turner, West, Williamson and Wright—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 313—An act to amend sections 8 and 17 of the State Medical Practice Act, relating to certificates licensing the practice of medicine, drugless healing, and chiropody, and to penalties for violation of the provisions of the act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 313 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson and Zion—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 35—An act to amend sections 5, 7, 23, 24 and 25 of the Direct Primary Law, prohibiting persons becoming candidates of more than one party.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Greene:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, as amended, between lines 5 and 6, insert the following: "I have been a citizen of the United States for _____ years."

AMENDMENT NUMBER TWO.

On page 6 of the printed bill, as amended, between lines 11 and 12, insert the following: "I have been a citizen of the United States for _____ years."

AMENDMENT NUMBER THREE.

On page 9 of the printed bill, as amended, strike out all of lines 45 to 51, inclusive, and on page 10, strike out lines 1 to 43, inclusive.

AMENDMENT NUMBER FOUR.

On page 10, line 44, of the printed bill, as amended, strike out "(l)", and insert in lieu thereof the following: "(k)".

AMENDMENT NUMBER FIVE.

On page 11, line 15, of the printed bill, as amended, strike out "(m)", and insert in lieu thereof the following: "(l)".

AMENDMENT NUMBER SIX.

On page 11, line 19, of the printed bill, as amended, strike out "(n)", and insert in lieu thereof the following: "(m)".

AMENDMENT NUMBER SEVEN.

On page 11, line 26, of the printed bill, as amended, strike out "(o)", and insert in lieu thereof the following: "(n)".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2324—An act to amend the title and sections 1, 2, 3, 4, 6 and 7 of "An act to regulate the possession or transportation of any form of shell, cartridge or bomb containing or capable of emitting tear gas and providing penalties for violation thereof," approved May 28, 1931, and to add sections 2a and 2b of said act, relating to the possession, transportation and sale of tear gas shells, cartridges, bombs or weapons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2324 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—66.

NOES—Hunt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1353—An act to add sections 363r, 363s, 363t, 363u, 363v, 363w, 363x, 363y, 363z, 363aa and 363bb to the Political Code, to amend section 363h of the Political Code, and to repeal sections 365, 365a, 365b, 365c, 365d, 365e, 365f, and 365m, all relating to State roads and highways, and the powers and duties of the Director of Public Works, Department of Public Works, and California Highway Commission in respect thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1353 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—68.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1353 was this day passed.

Assembly Bill No. 820—An act to amend section 921 of the Political Code, relating to purchases and sales of county, State, township and city officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 820 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Fisher, Gilmore, Greene, Hallner, Hoffman, Hunt, Jones, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 2004—An act to add section 7½ to the State Civil Service Act, relating to the acceptance by county fire districts or municipalities of civil service provisions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2004 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Latham, Levey, Lyon, Maloney, Martin, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers,

Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson and Zion—61.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 598—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 598 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Lyon, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson and Wright—58.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At three o'clock and thirty minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 1729—An act to amend sections 32 and 34 of the Joint Highway District Act, approved June 17, 1931.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1729 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Jones, King, Knowland, Latham, Lyon, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Riley, Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—56.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 713—An act to amend the "Water Commission Act," approved June 16, 1913, by amending section 42 thereof, relating to the definition of terms stream, stream system, lake, or other body of water or water.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 713 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, West, Williamson, Zion and Mr. Speaker—56.

NOES—Clowdsley—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Clowdsley gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 713 was this day passed.

Assembly Bill No. 1378—An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; to provide for the manner of proving violations of this act in any trial thereof; and to repeal all acts or parts of acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1378 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Sullivan, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—62.

NOES—Hoffman, King and Zion—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 751—An act to amend sections 9, 14 and 15 of The State Bar Act, relating to the Board of Governors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 751 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Cobb, Cottrell, Crist, Cronin, Evans, Feigenbaum, Fisher, Gilmore, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E.,

Rogers, Roland, Stannard, Thorp, Tournoux, West, Williamson, Wright, Zion and Mr. Speaker—52.

NOES—Burns, Chatters, Clowdsley, Dempster and Sullivan—5.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Dempster gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 751 was this day passed.

Assembly Bill No. 897—An act to repeal Part I of Division II of the School Code, embracing sections 2.20 to 2.760, inclusive, to repeal Chapters I, II, III and IV of Part II of Division II of said Code, embracing sections 2.770 to 2.1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2.10 to 2.281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-A, respectively, embracing sections 2.650 to 2.911, inclusive, to amend sections 4.181, 4.375, 4.773, 4.811, 4.812, 4.875, 4.895, 4.896, 4.898, 4.970, 6.470, and 6.471 to 6.477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4.769, 6.470–1, and 6.470–2, to repeal section 4.771 of said code, and to repeal certain acts, all relating to school districts and junior college districts.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Feigenbaum:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, strike out lines 6 and 7, and insert in lieu thereof the following: "Except in the case of a city or town of the sixth class in which the total assessed valuation of the property therein which is taxable for school district purposes is shown by the county assessment roll to be less than forty-five million dollars, every city or incorporated town, unless subdivided by the legislative'.

AMENDMENT NUMBER TWO.

On page 9 of the printed bill, between lines 34 and 35, insert the following: "and a proper proportion, based on assessed valuations of the property of the separate district taxable for school district purposes to be determined from the latest county assessment rolls, of such funds belonging to each separate district a part of which has been merged and consolidated to form a single school district".

AMENDMENT NUMBER THREE.

On page 9, line 45, of the printed bill, strike out the period, and insert in lieu thereof the following: "lying within its boundaries."

AMENDMENT NUMBER FOUR.

On page 11, line 20, of the printed bill, after "districts", insert the following: "or parts thereof".

AMENDMENT NUMBER FIVE.

On page 11, line 23, of the printed bill, after "consolidating", insert the following: "and the district property of each district a part of which so merges and consolidates which property lies within a single school district".

AMENDMENT NUMBER SIX.

On page 11, line 37, of the printed bill, after "district", insert a comma and the following: "provided that where a part of a district has merged and consolidated a proper proportion, based on assessed valuations of the property of the separate district taxable for school district purposes to be determined from the last county assessment rolls, of such balance shall be so transferred".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

RECONSIDERATION WAIVED.

Mr. Clowdsley waived his notice to reconsider the vote whereby Assembly Bill No. 713 was passed.

Assembly Bill No. 713 ordered transmitted to the Senate.

SECOND READING OF SENATE BILLS.

Senate Bill No. 334—An act to amend section 67 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 67—An act to amend section 857 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the sixth class.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 373—An act to add a new section to the Political Code, to be numbered 661½, relating to the powers of the State Board of Control.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Senate Bill No. 373 was withdrawn from the file, and referred to Committee on Rules.

Senate Bill No. 1003—An act to amend sections 706, 736, 789, 790 and 791 of the Probate Code, relating to claims secured by liens.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1003 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hunt, Jones, King, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright and Zion—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 82—An act to amend sections 1271 and 1272 of and to add a new section to be numbered 1272.5 to the Agricultural Code, relating to produce dealers.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Chatters:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, strike out all of lines 1 to 17, both inclusive, and insert in lieu thereof the following:

"1272. Every produce dealer shall before the close of the next business day following the sale of any farm products consigned to him transmit or deliver to the owner or consignor of the farm products a true written account of such sale, showing the amount sold, the weight, the price, the date of sale, and such other facts as may be necessary to complete the account. Remittance in full of the amount realized from such sales, including all collections, overcharges and damages, less the agreed commission and other charges, shall be made to the consignor within ten days after receipt of the moneys by the dealer, unless otherwise agreed in writing. In the account the names and addresses of the purchasers need not be given, except as required in section 1271."

Amendment adopted.

Bill ordered to reprint, and on file for third reading.

Senate Bill No. 271—An act to amend section 19x33 of the Juvenile Court Law, relating to probation officers in counties of the thirty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 271 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright and Zion—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 272—An act to amend section 16x33 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 272 finally passed by the following vote:

AYES—Alter, Badham, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Fisher, Gilmore, Greene, Hallner, Hoffman, Hornblower, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, West, Williamson and Wright—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 273—An act to amend section 2322x33 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 273 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin,, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, West, Williamson and Wright—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 274—An act to amend section 4262 of the Political Code, relating to the compensation of the county and township officers in counties of the thirty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 274 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson and Wright—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 126—An act relating to and regulating the grazing of live stock on public lands of the United States in the State of California, protecting customary grazing uses thereon, making certain acts unlawful, and prescribing penalties and liabilities for violation of the act.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Bowers moved that Senate Bill No. 126 be withdrawn from the file, and ordered re-referred to Committee on Live Stock and Dairies.

The question being on re-referring Senate Bill No. 126 to the Committee on Live Stock and Dairies.

Motion lost.

Further consideration of Senate Bill No. 126 continued until the next legislative day.

Senate Bill No. 804—An act to amend section 1557 of the Probate Code, relating to guardian and ward.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 804 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Crist, Cronin, Evans, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 533—An act to amend the Probate Code by adding a new section thereto, to be numbered 1242, specifying the papers which shall constitute the judgment roll in probate.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 533 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Evans, Fisher, Frazier, Gilmore, Hatch, Hoffman, Jones, King, Latham, Levey, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, West, Williamson and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 453—An act to repeal sections 1205, 1206, 1210 and 1211 of the Fish and Game Code, relating to water fowl.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 453 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, West, Williamson, Wright, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 277—An act to amend section 429 of the Fish and Game Code, relating to license fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 277 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Craig, Cronin, Crowley, Evans, Field, Fisher, Gilmore, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, James A., Neilsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—57.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 780—An act to add section 798.6 to the Fish and Game Code, relating to abalones.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 780 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Wright, Zion and Mr. Speaker—59.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS.

Assembly Bill No. 362—An act to amend section 1 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, relating to the scope of the act.

CONSIDERATION OF THE GOVERNOR'S VETO.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

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

AYES—O'Connor—1.
NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Fisher, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Tournoux, Turner, West, Williamson, Wright, Zion and Mr Speaker—63.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read.

ON INTRODUCTION OF BILLS

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add a new section to the Political Code to be numbered 844, relating to disqualification of candidate for office.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Horublower, Hunt, Jones, King, Knowland, Latham, Levy, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, West, Williamson, Wright and Mr. Speaker.—53.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. McCarthy: Assembly Bill No. 2356—An act to add a new section to the Political Code to be numbered 844, relating to disqualification of candidates for office.

Bill read first time, and referred to Committee on Elections.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 929—An act to repeal an act entitled "An act making an appropriation for the mileage for members and officers of the Legislature, and declaring the urgency thereof." approved March 11, 1931;

Also: Assembly Bill No 948—An act to repeal section 2078 of the Political Code, relating to National Guard uniform and equipment allowances;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON GOVERNMENTAL REVENUES AND EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred Assembly Bill No. 716—An act requiring public awarding bodies or officers withholding penalties or forfeitures from contractors for violations by contractors or subcontractors of any public works labor acts carrying penalties or forfeitures from the contract payments to transfer such penalties or forfeitures to the State treasurer to become a part of the general fund of the State 90 days after completion of the contract, unless suit is brought and formal notice of suit is given, requiring any court collecting criminal penalties or fines under such acts to likewise transmit same to the State Treasurer to become a part of the general fund of the State, providing for the temporary retention of such penalties or forfeitures by the public awarding body or officer pending litigation in cases where suit is brought and formal notice of such suit is given within 90 days after completion of the contract, limiting the time for action by the contractor or his assignee for the recovery of the said penalties or forfeitures to the said 90-day period, making such suit the exclusive remedy of the contractor or his assignee with reference to such penalties or forfeitures and providing that suit shall be

brought without permission from any State or other authority and be limited to the recovery of such penalties or forfeitures without prejudice to the contractor's or assignee's rights in regard to other matters affecting the contract but with the burden on the plaintiff to establish his right to the penalties or forfeitures withheld—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GRUBBS, Chairman

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 396—An act to add a new section to the Political Code to be numbered 2610, relating to the power of the Director of Public Works to rescind or terminate leases of lands of Mission Bay;

Also: Assembly Bill No. 2200—An act to amend section 2295a of the Political Code, relating to reports and publications furnished to the State Library;

Also: Assembly Bill No. 2286—An act authorizing and empowering the Director of Finance to accept money from the estate of Emma Hotfilter for the purpose of erecting a fountain within the State Capitol grounds;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No. 1059—An act to amend sections 19, 20, 21a, 46, 57, 62, 65, 67, 83 and 96 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, relating to the business of banking—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMSON, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1938—An act to amend sections 3, 4 and 5 of an act entitled "An act relating to lakes and streams, the waters of which contain minerals in commercial quantities; withdrawing State lands within the meander lines thereof from sale; prescribing conditions for taking such minerals from said waters and lands, and providing for the leasing of lands uncovered by the recession of the waters of such lakes and streams," approved April 27, 1911, relating to the powers and duties of the State Controller with respect thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1610—An act to amend section 6 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs, and making an appropriation therefor," approved March 11, 1907—has had the same under consideration, and respectfully reports the same back without recommendation, and be referred to Committee on Agriculture.

COBB, Chairman.

The above reported bill ordered referred to Committee on Agriculture.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Joint Resolution No. 13—Relative to the Veterans' Home of California—has had

the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

COBB, Chairman

Senate Joint Resolution No. 13 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 137—An act to amend sections 1202a, 1572, 1576, and 1586, of the Penal Code, relating to the State prisons, establishing a female department thereof and transferring an appropriation therefor;

Also: Senate Bill No 382—An act to repeal an act entitled "An act to authorize justices of the District Court of Appeal for the Second Appellate District to provide proper rooms for the accommodation of the court and its officers and library, and declaring the expenses thereof to be an annual charge against the general fund in the State treasury," approved May 25, 1919;

Also: Senate Bill No 547—An act to consolidate the government and administration of the State Narcotic Hospital and Pacific Colony, and declaring the urgency thereof;

Also: Senate Bill No. 733—An act to add a new section to the Political Code to be known as 674a, relating to purchase and sale of bonds by the Director of the Department of Finance;

Also: Senate Bill No 866—An act to repeal an act entitled "An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance, prescribing the powers and duties of said officials in relation to such bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor," approved June 5, 1931;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 1011—An act to amend section 376a of the Political Code, relating to the office of Director of Penology:

Also: Senate Bill No. 1014—An act to repeal an act entitled "An act creating an Advisory Pardon Board; defining and prescribing the powers and duties thereof; and making an appropriation therefore," approved May 17, 1915, as amended, relating to Advisory Pardon Board;

Also: Senate Bill No. 1181—An act making an appropriation to pay the cost of printing constitutional amendments for the 1932 election, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Senate Bill No. 1183—An act making an appropriation for the support of the Department of Finance, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 3—An act to repeal an act entitled "An act concerning the completion of unfinished public buildings now in process of construction by this State, permitting alterations of and additions to the original plans for the construction thereof, and permitting the execution of contracts for the construction thereof and for the purchase of materials for use therein without publishing notice of such work and without calling for or receiving bids therefor, declaring the urgency thereof and providing that this act shall take effect immediately," approved April 9, 1931—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COBB, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 326—An act to amend section 689 of the Political Code, relating to the costs of janitor and maintenance service furnished by the Department of Finance;

Also: Senate Bill No. 327—An act to add section 675.2 to the Political Code, relating to the transfer of land between State agencies,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 16—An act to amend section 11 of an act entitled, "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to refunds of the tax therein authorized—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 11, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 19—Relative to approval by the President of the United States of a project for the completion of the John Muir Trail under the provisions of act of Congress approved March 31, 1933.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Joint Resolution No. 19 read first time, and referred to Committee on State Grounds and Parks.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 739—An act to repeal an act entitled "An act relative to and providing for the construction of flood control works on the Santa Ana River system and for prevention of floods and conserving of the flood waters of said river and its tributaries and making an appropriation therefor," approved June 8, 1931, and providing for the transfer of $100,000 of the unexpended appropriations by the State to carry out the purposes of said act to the unencumbered funds in the general fund in the State treasury and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 739 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Concurrent Resolution No. 17—Relative to recommending the calling of a convention for the revision of the Constitution of the State of

California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and the qualification, compensation, and manner of electing the delegates to such convention.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Concurrent Resolution No. 17 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 20—Relative to the sale of the annotated edition of the State Constitution.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Concurrent Resolution No. 20 read, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 9—Relative to memorializing Congress to adopt legislation with reference to manufacture of arms, munitions and implements of war.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Joint Resolution No. 9 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 585—An act to amend section 653d of the Penal Code, relating to rebating wages on public work, so as to specifically include within its terms any person who accepts or conspires to accept a rebate from those performing services under contractors and subcontractors doing public work.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 509—An act to amend an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended, by amending sections 2, 3, 4, 5, 6, 9, 11 and 14, relating to collection agencies;

Also: Senate Bill No. 1119—An act to repeal section 4.180, and amend sections 4 181 and 4.201 of the School Code, relating to elementary school funds;

Also: Senate Bill No. 50—An act to amend section 2322x30 of the Political Code, relating to the salaries of the agricultural commissioner and his deputies in counties of the thirtieth class;

Also: Senate Bill No. 216—An act to amend section 2322x34 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-fourth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 509 read first time, and referred to Committee on Judiciary.

Senate Bills Nos. 1119, 50 and 216 read first time, and referred to Committee on County Government.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 8—Relative to John Steven McGroarty being given the honorary title of the Laurel Crowned Poet of California;

Also: Assembly Concurrent Resolution No. 9—Relative to bestowing of the title of Poet Laureate of California on John Steven McGroarty;

Also: Assembly Concurrent Resolution No. 11—Relative to the designation and appointment of Henry Herbert Knibbs as Poet Laureate of California;

Also: Assembly Concurrent Resolution No. 14—Relative to Roy Walter James being given the honorary title of the Laurel Crowned Poet of California;

Also: Assembly Concurrent Resolution No 16—Relating to the designation and appointment of Charles Keeler as Poet Laureate of California;

Also: Assembly Concurrent Resolution No. 40—Relative to the designation and appointment of Arthur A. Flakoll as Poet Laureate of California;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 845—An act to repeal Chapter V, Part III, Division V of the School Code, relating to teachers' institutes;

Also: Assembly Bill No. 1906—An act to add a new section to the School Code to be numbered 5.27, relating to cooperative stores on the campuses of the State teachers colleges;

And reports that the same have been correctly re-re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 980—An act to provide for the acquisition, construction, extension and operation of systems and works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary and sanitation districts; also providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of constructing, operating and maintaining such works; also providing for the use of such works by other cities, counties or districts, and declaring the urgency thereof;

Also: Assembly Bill No. 1400—An act to add a new section to the Public Utilities Act, to be numbered 50¼, relating to passenger stage corporations;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Bill No. 2316 as amended by the Senate—An act to provide for a convention in the State of California to pass on the amendment to the Constitution of the United States for the repeal of the Eighteenth Amendment thereof and for the prohibition of the transportation and importation of intoxicating liquor into the States and Territories in violation of the laws thereof, proposed by the Congress for ratification by conventions in the several States, and to call a special election for the purpose of filling the offices of delegates to such convention in this State—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

FEIGENBAUM, Chairman.

Assembly Bill No. 2316 ordered placed on daily calendar.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1895 as amended by the Senate—An act to amend sections 4, 5, 10 and 11a of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

WEST, Chairman.

The above reported bill ordered placed on daily calendar.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 898 as amended by the Senate—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to provide for the management and sale of lands belonging to the State," approved March 28, 1868, also an act entitled "An act to provide for the sale of certain lands belonging to the State," approved April 27, 1863, including any case wherein relief has been granted to a purchaser or purchasers under the provisions of an act entitled "An act for the relief of purchasers of State lands," approved March 27, 1872; provided that all taxes levied against the property during the thirty years next preceding the commencement of the action have been fully paid—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments

WEST, Chairman

The above reported bill ordered placed on daily calendar.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Joint Resolution No. 24 as amended by the Senate—Relative to memorializing the Congress of the United States to enact a moratorium on foreclosures of real property mortgages and on sales under deeds of trust on real property—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

WEST, Chairman.

Assembly Joint Resolution No. 24 ordered placed on daily calendar.

MOTION.

On motion of Mr. Lyon, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 161.

ADJOURNMENT.

At four o'clock and forty minutes p m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a m., Wednesday, April 12, 1933.

LOUIS F. ERB, Minute Clerk

IN ASSEMBLY.

ASSEMBLY CHAMBER,

SACRAMENTO, Wednesday, April 12, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner,

Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Peterson, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. West, Brother Josephus, teacher, American History and Civics; Brother Conrad, vice principal and class moderator, and the following students of Christian Brothers School, Sacramento, California: Norman W. Allen, James D. Ash, Howard S. Barnes, Frank J. Carroll, Eugene L. Casey, Daniel R. Cate, John T. Domich, Harry S. Fenton, Joseph R. Fitzgerald, William E. Johnson, James M. Jefferson, William U. Keating, James J. Kelly, William A. Koewler, Victor Lewis, Lewis E. Maciel, Angelo A. Martinez, James D. Morrin, Richard J. Murphy, Martin T. McCann, LeRoy J. Nevis, Henry A Omnes, Irving O. Petersen, William F. Reichert, Frank A. Russell, Walter L. Sanderson, Noel E. Schwab, Alfred I. Scott, Anthony G Separovich, Yubi G. Separovich, Edward A. Stetson, William J. Stobener, William A. Sweet, Joseph T. Valine, William F. VanDyke and John C. VanHulten were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Lyon, Joseph M. Ough of Oakland was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Board of Supervisors, Los Angeles County, requesting Legislature to abide by and approve recommendations of grand jury as regards salaries of judges

(Signed) MAME B. BEATTY, Deputy Clerk.

Also:

By Mr. Speaker:

From Eva Prancevich, Rosy Mignot, G F Mignot of Los Angeles, urging support and passage of Assembly Constitutional Amendment No. 47.

Also:

By Mr. Speaker:

From G. A. Molinas, Los Angeles, urging support and passage of Assembly Constitutional Amendment No. 47.

COMMUNICATION.

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

LOS ANGELES, CALIFORNIA, April 7, 1933.

Mr. Arthur A. Ohnimus, Chief Clerk, California Legislature.

DEAR MR. OHNIMUS, MR. MALONEY, AND MEMBERS OF STATE ASSEMBLY: Today the memorial record of our recent deceased relative, Fred C. Hawes, was received by the family and myself.

Not only is it an object of great beauty, but one that will be treasured by us all, for time immemorial.

Above all else we treasure the deep feeling of sympathy and friendship that prompted the resolution for its making.

We all join in the warmest thanks possible, in appreciation.

Very sincerely,

MRS. H. E HAWES,
4042 W. 59th Place, Los Angeles, California.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No 18—Relative to the designation and appointment of John Steven McGroarty as Poet Laureate of California—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Concurrent Resolution No. 18 ordered on file for adoption. Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 257—An act to amend sections 60, 62, 63, 65a and 66 of an act entitled "Improvement Act of 1911," approved April 7, 1911, Statutes of 1911, page 730;

Also: Assembly Bill No 315—An act relating to employers and employees, declaring public policy in respect to voluntary agreements between them, prohibiting certain agreements between them in respect to membership in employer organizations or in labor organizations, defining the rights, privileges and obligations of employers and employees in labor disputes, defining and limiting the jurisdiction of courts, including courts of equity, in cases involving or incident to or growing out of labor disputes, and prescribing means for enforcement of the provisions of the act;

Also: Assembly Bill No. 333—An act to amend section 613 of the Fish and Game Code, relating to trout;

Also: Assembly Bill No. 1244—An act to amend sections 481 and 482 of the Vehicle Code and to add a new section thereto to be numbered section 483 5, relating to the duty of the driver of a vehicle involved in an accident;

Also: Assembly Bill No. 1341—An act to amend sections 2, 4 and 6 of, and to add a new section to be numbered 4a to, an act entitled "An act to regulate the conduct of canneries, to create a division of cannery inspection to carry on such regulations, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, creating the Cannery Inspection Board and relating to the conduct of canneries;

Also: Assembly Bill No. 1722—An act to amend sections 3888 and 4081 of the Political Code, relating to claims in favor of and against counties;

Also: Assembly Bill No. 1759—An act to amend sections 656 and 843 of the Fish and Game Code, and to repeal sections 863 and 887 thereof, relating to salmon and nets;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No 155—An act relating to the use and furnishing of stamps, coupons, tickets, can covers, bottle caps or other similar devices, for or with the sale of goods, wares or merchandise and the giving of gifts, premiums or bonuses in connection with or

as part of the sale of goods, wares or merchandise and providing a penalty for violation thereof;

Also Assembly Bill No. 660—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Assembly Bill No 1173—An act to amend section 315 of the Agricultural Code, relating to meat inspection;

Also: Assembly Bill No. 1288—An act to amend sections 851, 861, 869, 870 and 871 and to repeal sections 853, 855, 856, 857, 858, 859, 862, 864, 865, 866, 867 and 868 of the Agricultural Code, relating to canned foods.

Also: Assembly Bill No. 2082—An act providing for the regulation and supervision of persons, firms or corporations engaging in the business as "bailee-repairers," and to prevent oppression of or advantage being taken in the employment of labor in such businesses, and to prevent fraud in the keeping or working upon of the property of the public; defining the duties of the Attorney General in regard thereto, and providing for the enforcement of said act and penalties for the violation thereof; and creating a State "Bailee-Repairers' Department" and the office of "Director of Bailments" and defining his duties and powers;

Also: Assembly Bill No 2084—An act to add five sections to the Probate Code, to be numbered 861, 862, 863, 864 and 865 for the purpose of authorizing executors and administrators under certain conditions to accept title to real property which is then subject to a mortgage or deed of trust securing an indebtedness which is an asset of an estate under administration, in satisfaction of such indebtedness, and in addition thereto to pay such further or other consideration as the court shall authorize and approve;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Constitutional Amendment No 46—Proposed amendment to Article XIII, adding sections 11 and 12 of the Constitution, relative to limitation of tax rates;

Also, Assembly Constitutional Amendment No 20—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 7 of Article 1 thereof, relating to trial by jury;

Also: Assembly Bill No. 1141—An act to amend sections 453cc and 453ee of the Civil Code, relating to mortgage insurance companies; declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered replaced on daily calendar.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 2294—An act relating to and providing for a moratorium with respect to the requirement for the performance of prospecting work contained in certain State mineral permits other than those issued for prospecting for oil or gas, under the authority contained in Chapter 303, Statutes of California, 1921, as amended, and declaring the urgency thereof, to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MAYO, Chairman.

The above reported bill ordered on file for second reading.

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 2332—An act to add sections 1263 5 and 1268.5 to the Agricultural Code, relating to slaughterers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROBINSON, SAMUEL E., Chairman.

The above reported bill ordered on file for second reading.

ON MINES AND MINING

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 1944—An act to create a Hydraulic Mining Board; prescribing its powers and duties and providing for cooperation with Federal Debris Commission—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MAYO, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 119—An act to add a new section to the Agricultural Code to be numbered 424, relating to the transportation of live stock—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ROBINSON, SAMUEL E., Chairman.

The above reported bill ordered on file for second reading.

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolutions:

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Bureau of Purchases	$227 73
Western Union, telegrams	13 79
Cascade Towel Supply Co., towel service, February	7 28
Cascade Towel Supply Co., towel service, March	69 82
Department of Finance, prorate telephone service, March	25 34
Frank P. Bruner, rental amplifier, inauguration ceremony	10 00

Also:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty (150) dollars, said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's office.

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted as amended.

PHILLIPS, Chairman.

The question being on the adoption of the report and resolutions.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Cronin, Evans, Fisher, Gilmore, Greene, Grubbs, Hallner, Hoffman, Jones, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, O'Connor, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—56.

NOES—None.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Stream:

ASSEMBLY CHAMBER SACRAMENTO, April 12, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act relating to and providing for flood control of San Dieguito River and for the prevention of floods and conserving of the waters of said river, making an appropriation therefor and declaring that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act relating to and providing for flood control of San Dieguito River and for the prevention of floods and conserving of the waters of said river, making an appropriation therefor and declaring that this act shall take effect immediately.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Evans, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A. Morgan, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—61

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Stream: Assembly Bill No. 2357—An act relating to and providing for flood control on San Dieguito River and for the prevention of floods and conserving of the waters of said river, making an appropriation therefor and declaring that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

MOTION TO RE-REFER.

Mr. Roland moved that Senate Bill No. 1119 be withdrawn from Committee on County Government, and ordered re-referred to Committee on Governmental Efficiency and Economy.

The question being on re-referring Senate Bill No. 1119 to Committee on Governmental Efficiency and Economy.

The question being on the motion to re-refer.

REQUEST FOR ROLL CALL.

On request of Messrs. Robinson, C. Ray; Rogers and Lyon, the Speaker ordered a roll call taken on the motion to re-refer Senate Bill No. 1119 to Committee on Governmental Efficiency and Economy.

The roll was called, and the motion to re-refer Senate Bill No. 1119 lost by the following vote:

AYES—Morgan, Nielsen, O'Connor, Rogers, Roland, Stream, Thorp, Tournoux, Williamson and Woolwine—10.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Crist, Cronin, Evans, Field, Fisher, Kallam, King, Knowland, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Ross, Stannard, Turner, Utt, West, Wright, Zion and Mr. Speaker—45.

RESOLUTION.

The following resolution was offered:

By Mr. Sullivan:

WHEREAS, There has been considerable rumor and persistent charges and counter-charges that the administration of Reconstruction Finance Corporation funds for work relief in the county of Los Angeles has heretofore been conducted in a manner highly unsatisfactory; and

WHEREAS, It has been definitely charged that on numerous occasions various individuals have secured preferences in the receipt of the work relief furnished by these Reconstruction Finance Corporation funds due to their political activities in behalf of some who are responsible for the local Los Angeles County administration of said funds; now, therefore, be it

Resolved, That the California Legislature authorize an immediate investigation of the administration of the Reconstruction Finance Corporation funds in the county of Los Angeles and the connections, if any, between the administration of said funds and political activities of local county officers in said Los Angeles County.

The question being on the adoption of the resolution.

MOTION.

Mr. West moved that the resolution be referred to Committee on Rules.

The question being on the motion to refer.

Motion carried.

Resolution ordered referred to Committee on Rules.

UNFINISHED BUSINESS.

Assembly Joint Resolution No. 24—Relative to memorializing the Congress of the United States to enact a moratorium on foreclosures of real property mortgages and on sales under deeds of trust on real property.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 24?

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title of the printed resolution, strike out the words "two years".

AMENDMENT NUMBER TWO.

On page 1, line 23, of the printed resolution, strike out the words "for two years".

The roll was called, and Senate amendments to Assembly Joint Resolution No. 24 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Field, Fisher, Frazier, Grubbs, Hallner, Hunt, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—None.

Assembly Joint Resolution No. 24 ordered to enrollment.

Assembly Bill No. 2316—An act to provide for a convention in the State of California to pass on the amendment to the Constitution of the United States for the repeal of the Eighteenth Amendment thereof and for the prohibition of the transportation and importation of intoxicating liquor into the States and Territories in violation of the laws thereof, proposed by the Congress for ratification by conventions in the several

States, and to call a special election for the purpose of filling the offices of delegates to such convention in this State.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2316?

AMENDMENT NUMBER ONE.

On page 2, line 36, of the printed bill, after the word "petitions", insert the following. "Shall be certified in the same manner as initiative petitions and".

AMENDMENT NUMBER TWO.

In line 9 of the title of the printed bill, strike out the period in said line, and insert in lieu thereof a comma and the following: "and to provide that this act shall take effect immediately."

The roll was called, and Senate amendments to Assembly Bill No. 2316 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Hallner, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—Craig—1.

The above reported bill ordered to enrollment.

Assembly Bill No. 1895—An act to amend sections 4, 5, 10 and 11a of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1895?

AMENDMENT NUMBER ONE.

Strike out line 1 of the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 4, 5 and 10 of, and to add section 13 to, an act entitled "An"."

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, after line 9, insert the following:

"SEC. 4. A new section is hereby added to the act cited in the title hereof, to be numbered 13, and to read as follows:

Sec. 13 The Corporation Commissioner whenever it may appear that such action is necessary for the protection of the interests of the investment certificate holders, stockholders, investors or any other creditors of any industrial loan company or to protect such company itself which is organized and/or operating under this act or that such action is in the public interest, order such company or companies forthwith to suspend as herein set forth the payment in lawful money of the liabilities of such company or limit the payment of same in such manner as he may prescribe. Such order shall become effective upon receipt by such company of notice thereof and shall continue in full force and effect until rescinded or modified by the Corporation Commissioner in writing and delivered to the manager or executive officer thereof. Whenever in the judgment of the Corporation Commissioner the condition of any such company warrants such action, the liabilities, the payment of which have been so suspended, may be paid in lawful money by such company in whole or pro rata in part upon such terms and conditions as the Corporation Commissioner may prescribe.

Nothing herein contained shall affect the right of any such company to pay its current operating expenses and liabilities incurred during such period of suspension or limitation

After such order of suspension or limitation and until such order of suspension or limitation shall be rescinded, no assignment or hypothecation shall be made by such company of any indebtedness due to it from an investor without first crediting thereon the investment liability of the company to such investor-borrower.

The Corporation Commissioner is hereby authorized and empowered to prescribe such rules and regulations as he may deem necessary to carry out the provisions of this act.

Nothing herein contained shall be construed to limit the powers of the commissioner pursuant to this act or any other laws now in effect.

The authority herein contained is in addition to the other powers provided in this act and, in the discretion of the commissioner, may be exercised by him in conjunction therewith or independently thereof.

Whenever the commissioner shall believe from evidence satisfactory to him that any company, director, officer, agent or employee thereof has violated or is about to violate any of the provisions of this act, or any order, license, permit, decision, demand or requirement of the commissioner, or any part or provision thereof, he may bring an action in the name of the people of the State of California in the superior court of the State of California against such company, director, officer, agent or employee thereof to enjoin such company, director, officer, agent or employee thereof from continuing such violation or engaging therein or the attempt to violate said act or doing any act or acts in furtherance thereof. In said action an order or judgment may be entered awarding such preliminary or final injunction as may be proper."

AMENDMENT NUMBER THREE.

In the title of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following: "An act to amend sections 4, 5, 10 and 11a of an act entitled "An" "

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, strike out lines 11 to 13, inclusive, and insert in lieu thereof the following:

"SEC. 4. Section 11a of said act as added by Chapter 42, Statutes of 1933, is hereby amended to read as follows:

Sec. 11a. The Corporation Commissioner whenever it may".

The roll was called, and Senate amendments to Assembly Bill No. 1895 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Dempster, Evans, Field, Fisher, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—58.

NOES—Cottrell, Crist, McCarthy, Rogers and Stannard—5.

The above reported bill ordered to enrollment.

MOTION TO RECONSIDER.

Mr. Dempster moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 751 was passed, be continued until the next legislative day.

Motion carried.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 2249—An act to repeal an act entitled "An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor, and to repeal an act approved February 14, 1887, entitled: 'An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor, and also to repeal an act approved February 27, 1897 entitled 'An act to provide additional support and maintenance, and for the acquisition of necessary property and improvements of the University of California by the levy of a rate of taxation, and the creation of a fund therefor,'" approved March 20, 1909, and to provide for the transfer of moneys now in the State university fund to the general fund of the State treasury.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 197—An act to amend section 1425 of the Penal Code, relating to the jurisdiction of justices' courts in criminal cases.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1036—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said district," approved June 10, 1913, as amended, by amending sections numbered 3, 4, 5, 9, 10, 12, 15 and 26, and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: Sections 3a and 3b, relating to voting in county water districts; section 22a, relating to levy of special assessments in county water districts; sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, relating to the optional levy and collection of taxes by county water districts through the district's own officers rather than with county taxes; section 52, relating to the raising and payment by a county water district of assessments levied by an irrigation district within which is included a part of the land within such county water district; section 53, relating to use of district assessment roll and duties of district officers in connection with voting, and section 54, relating to short title of this act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, amend the title to read as follows:

"An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said district," approved June 10, 1913, as amended, by amending sections numbered 3, 4, 5, 9, 10, 12, 15 and 26, and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: Sections 3a and 3b, relating to voting in county water districts; section 22a, relating to levy of special assessments in county water districts; section 22b, relating to special rates of assessment in certain cases; section 22c, relating to assessing and collecting the cost of works in the manner provided in the "Improvement Act of 1911"; sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, relating to the optional levy and collection of taxes by county water districts through the district's own officers rather than with county taxes; section 52, relating to the raising and payment by a county water district of assessments levied by an irrigation district within which is included a part of the lands within such county water district; section 53, relating to use of district assessment roll and duties of district officers in connection with voting, and otherwise, and section 54, relating to short title of this act."

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, strike out lines 44 to 52, inclusive.

AMENDMENT NUMBER THREE.

On page 6 of the printed bill, strike out lines 1 to 6, inclusive.

AMENDMENT NUMBER FOUR.

On page 6, line 12, of the printed bill, strike out the words "by producing a proxy"; strike out line 13; and in line 14, strike out the first word "or".

AMENDMENT NUMBER FIVE.

On page 6, line 40, of the printed bill, strike out the words "in person or by proxy".

AMENDMENT NUMBER SIX.

On page 16, line 8, of the printed bill, after the word "amended", strike out the period and insert a semicolon, followed by the following words: "provided that in any such contract made between a county water district and the United States, the lands which may be charged with any taxes or assessments under such contract, shall be designated and described, and the contract shall not include any lands which are not susceptible of service with water from the water works or system contemplated under such contract. The proceedings for voting at an election upon a proposal to enter into such contract with the United States shall be had in so far as applicable in the manner provided in the case of the ordinary issuance of bonds by county water districts. Notwithstanding any provision of said act of May 5, 1917, as such act now exists or may hereafter be amended, or any other provision of this act or other law,".

AMENDMENT NUMBER SEVEN.

On page 16, line 9, of the printed bill, strike out the capital "W" of the first word, and insert a small "w", and attach this to the above.

AMENDMENT NUMBER EIGHT.

On page 16, line 16, of the printed bill, after the word "for", insert the words "construction, acquisition".

AMENDMENT NUMBER NINE.

On page 16, line 19, of the printed bill, after the word "tax", insert the words "or assessment, general or special".

AMENDMENT NUMBER TEN.

On page 16, line 22, of the printed bill, strike out the words "such district or in such", and insert in their place the word "the", and in the same line, strike out the three words "as may be", at the end of the line.

AMENDMENT NUMBER ELEVEN.

On page 16 of the printed bill, strike out all of line 23 and all of line 24 and in place of line 24 insert the following: "to be served with water under such contract as therein described or thereunder modified"

AMENDMENT NUMBER TWELVE.

On page 18, line 45, of the printed bill, following the word "amended", add the following sentence: "such assessment shall be levied on such portion or all of the district as may be designated by resolution of the board as benefited by such assessment."

AMENDMENT NUMBER THIRTEEN.

On page 18 of the printed bill, between lines 45 and 46, insert the following:

"SEC. 10a. A new section is hereby added to said act, as amended, to be numbered 22b and to read as follows:

Sec. 22b. Anyone having an interest in any land within the district may file with the secretary of the board of directors a verified petition, alleging that said land, or some described portion thereof, was prior to the acquisition or establishment of any water system or water works of the district serving the territory in which said land is situate irrigated from another system of works than said system of works of the district and has continued ever since to be exclusively so irrigated, and is entitled to a special rate of assessment, and praying the board to determine what proportion or part of the regular rates of assessment in the district should be used in levying assessments on the land described in the petition. The board shall set a time and place for the hearing of said petition, or of all of the petitions so filed if more than one has been filed, and shall cause notice thereof to be given in a newspaper published in the county wherein the office of the district is located. The notice shall state that a petition has been, or petitions have been presented to the board praying for a determination that certain lands described therein, but which need not be described in the notice, are entitled to a special rate or rates of assessment and giving the names of the petitioner, or petitioners, and the time and place set for the hearing. The board shall meet at the time and place so set and proceed in such order as it may deem proper, to hear the petition or petitions and shall hear all competent and relevant evidence offered in support of any petition or in opposition thereto, and may adjourn the hearing from time to time. A fee of ten dollars must be paid to the secretary before the filing of any such petition, and the money shall be applied to the cost of the publication of the notice and other expenses of the hearing. If there shall be any balance after the conclusion of the hearing, it shall be returned to the petitioner or divided among the petitioners contributing thereto in proportion to the respective areas described in their petitions. After the conclusion of the hearing, if the board shall find that any of the land described in any petition or petitions has been irrigated as alleged and is not and will not be so benefited by the operations of the district as to justify its assessment at the same rate as other lands in the district not so irrigated, which rate may be referred to as the regular rate of assessment, the board shall, in an order or resolution which shall

be entered in full upon its minutes, describe the land entitled to a special rate of assessment, or the respective parcels thereof if separate parcels are to be assessed, and shall determine and fix the proportion or part of the regular rate of assessment which shall be applied in levying assessments on said land, or on each parcel thereof if various parcels are found to be entitled to different special rates, in order that the assessments to be levied on said land may be in accordance with the benefits which it receives or will receive from the operations of the district. If the board shall determine that any land is entitled to a special rate of assessment, a certified copy of the order or resolution so determining shall be delivered to the county assessor, and thereafter, until notified of a change in such determination, he shall enter the land described therein separately on the assessment roll and so designate it that it may readily be distinguished from other land not entitled to a special rate. The determination of the board with respect to any land after a hearing as aforesaid shall not be changed unless the board, on petition of a party affected, shall consent to another hearing, or on its own motion shall cause notice to be served on the owner of the land to show cause why the determination should not be changed, in either of which cases another hearing shall be advertised and held as hereinabove provided.

SEC. 10b. A new section is hereby added to said act, as amended, to be numbered 22c, and to read as follows:

Sec. 22c. Whenever, in the opinion of the board of directors of any county water district, the public interest or convenience may require, said board is hereby authorized and empowered to order to be done in, under or upon the whole or any portion of any one or more of the streets, highways, public ways or public places of such district, or any property or rights of way owned by such district, any work or improvement for (a) wells, pumps, dams, reservoirs, storage tanks, channels, ditches, tunnels, conduits, pipes, hydrants, meters, and other appliances, for supplying or distributing an irrigation, domestic or other water supply, or (b) for pipes, hydrants and appliances for fire protection, and to provide that the cost thereof shall be assessed upon the lots and lands fronting on any such streets, highways, public ways or public places, or upon any district to be assessed therefor, which district need not be composed of lands contiguous to each other. Said work or improvement shall be done and the cost thereof be assessed and collected in accordance with the procedure and in pursuance of the provisions of that certain act of the Legislature of California known as the "Improvement Act of 1911", as heretofore or hereafter amended, and the provisions of said act are hereby adopted by reference for the purposes of this act; provided, that certain words used in said "Improvement Act of 1911" shall, for the purposes of this act, be construed as follows: The words "city" and "municipality" shall be construed as referring to "county water district"; and words "city council" as referring to the "board of directors" of the county water district: the word "mayor" as referring to the "president" of the board of directors of the county water district; the word "clerk" or "city clerk" as referring to the "secretary" of the county water district; the words "council chambers" as referring to the "office of the board of directors" of the county water district; the words "city treasurer" as referring to the "auditor" of the county water district: the words "superintendent of streets" or "street superintendent" and "city engineer" as referring to the "engineer" of the county water district; the term "right of way" shall mean any parcel of land through which a right of way has been granted to the county water district for any purpose; and all words relating to municipal officers and matters, as referring to the corresponding officers of county water districts and matters under this act; provided, that the board of directors of county water districts may appoint officers other than the engineer, without compensation, as the officer to perform any or all of the duties conferring upon the street superintendent or city engineer in said "Improvement Act of 1911"; provided, further, that said board may appoint an engineer of work, in which event the duties to be performed by the city engineer as set forth in said "Improvement Act of 1911" shall be performed by said engineer of work, whose compensation and expenses shall constitute an incidental expense in the cost of said work. Said board may provide that the work shall be done under his direction and to his satisfaction, and that the materials used shall comply with the specifications of and be to the satisfaction of such engineer of work, and may provide that he shall make and sign the assessment. The contract shall be entered into by the engineer, and the assessment and warrant, when confirmed, shall be recorded in the office of said engineer."

AMENDMENT NUMBER FOURTEEN.

On page 22, line 14, of the printed bill, strike out the words "and a tax sufficient for the"; also strike out lines 15 to 20, inclusive, and in their place insert the following: "a tax sufficient for the payment of all charges and expenditures in connection with construction, acquisition, operation and maintenance of any water system of the district, to be known as the "water tax" of the district, and a tax sufficient for the payment of all other claims and expenses, to be known as the "general tax" of the district. Said bond tax shall be levied upon such portion or all of the district benefited by said bonded debt, as stated by the board in its

resolution declaring the necessity of incurring such bonded debt; said water tax shall be levied on such portion or all of the district as is benefited by any such water system and as may be designated by resolution of the board, and said general tax shall be levied on all of the property within the district."

AMENDMENT NUMBER FIFTEEN.

On page 29, line 23, of the printed bill, following the words "personal property", insert the following: "included within such irrigation districts and".

AMENDMENT NUMBER SIXTEEN.

On page 29, line 49, of the printed bill, strike out the period, and insert in its place a comma, and add thereto the following: "and all references in this act to county officers and matters in respect to assessment, levy and collection of taxes and assessments shall be deemed to refer to the corresponding district officers and matters."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 261—An act to amend section 110a of the Code of Civil Procedure, relating to salaries of justices of the peace in townships of thirty thousand population or more in counties of the first class, and the determination of such population.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2354—An act relating to retirement systems covering county or township officers or employees or a portion of such employees.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1360—An act to provide for the care, management and protection of State roads and highways and the right of way thereof and providing penalties for the violation of the provisions thereof, and to repeal an act entitled "An act to provide for the care, management and protection of State highways and providing penalties for violations of the provisions of the act," approved May 20, 1915, Statutes of 1915, Chapter 400, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 6 of the printed bill, as amended in Assembly March 10, 1933, after line 18, add the following:

"SEC. 15. Nothing in this act is intended nor shall it be construed as limiting the powers and duties vested by law in the Railroad Commission of the State of California, and in the event of any conflict in jurisdiction, that of such Railroad Commission shall prevail."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1361—An act to amend an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and for the laying or placing

pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 31, of the printed bill, as amended in Assembly March 13, 1933, strike out the word "shall", and substitute therefor the word "may".

AMENDMENT NUMBER TWO.

On page 2, line 43, of the printed bill, as amended in Assembly March 13, 1933, after the word "will", insert the words "relocate or".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended in Assembly March 13, 1933, strike out all of lines 48 to 52, both inclusive, and insert in lieu thereof the following:

"SEC. 6. (a) Permittees may excavate openings in State roads or highways for purposes of making repairs in cases of emergency requiring immediate action, but in such cases the appropriate officer or other representative of the Division of Highways shall be promptly notified of any such action and such permittee shall forthwith replace such State road or highway in as good condition as before at his own expense.

(b) A city or town may, within its corporate limits, excavate a State road or highway without such permit in cases of emergency requiring immediate action, but in such cases such State road or highway shall be forthwith replaced in as good condition as before at the expense of such city or town.

(c) The Department of Public Works may, in its discretion, delegate to any incorporated city or town any or all of the powers, duties, and jurisdiction of said department under this act as to any State road or highway, or any part thereof, within any such municipality, and may likewise withdraw any such delegation of authority."

AMENDMENT NUMBER FOUR.

On page 3, line 7, of the printed bill, as amended in Assembly March 13, 1933, strike out the semicolon after the word "permit", and substitute therefor a period.

AMENDMENT NUMBER FIVE.

On page 3, line 7, of the printed bill, as amended in Assembly March 13, 1933, strike out all of the remainder of section 7, commencing with the word "provided", to and including line 12, and substitute in lieu thereof the following:

"No bond shall be required of any county, city and county, city, town, municipality, or other public or municipal corporation or governmental agency or political subdivision which is authorized by law to place, construct, establish or maintain any works or facilities in, along, upon, across, over or under any public highway, nor shall the application of any such county, city and county, city, town, municipality, or other public or municipal corporation or governmental agency or political subdivision for a permit be denied, and every such applicant shall be entitled as a matter of right to a permit, but shall otherwise be subject to the provisions of this act and shall be subject to all reasonable conditions and provisions made in any such permit by the said Department of Public Works"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2312—An act to amend section 102 of the Agricultural Code, relating to charges or fees for certificates or inspections.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 24 and 25, and insert in lieu thereof the following: "tion required by any law, regulation or requirement of the United States or of this State or by any ordinance, regulation or requirement of any county of this State. The schedule of fees established by the boards of supervisors for such certificates shall be based upon the approximate cost of the inspection made therefor and in no case shall the maximum charge for each certificate on any one consignment, shipment or bill of lading consisting of ten or less separate packages, parcels, boxes, crates or other containers on an inspection made at one time and place exceed twenty-five cents and in no other case fifty cents for each certificate except for certificates on truck load, car lot or field inspections."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 660—An act to amend section 4307 of the Political Code, relating to county charges.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 4300d and 4300*l* of the Political Code, relating to fees and charges of constables and marshals."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 28, inclusive, and on page 2, strike out lines 1 to 45, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 4300d of the Political Code is hereby amended to read as follows:

4300d. Except as otherwise in this title provided, constables and marshals shall be entitled to receive the same fees and shall make the same charges as is now provided for services rendered by the sheriff.

SEC 2. Section 4300*l* of the Political Code is hereby amended to read as follows:

4300*l*. The clerk of each municipal court, except as otherwise provided by law, shall charge for all services to be performed, the following fees:

For filing the complaint, or other first paper, four dollars, to include all proceedings before trial and all services to be performed in a judgment by default or for the trial of either a question of law or fact, and all proceedings subsequent thereto, including all affidavits, swearing witnesses and jury, entry of judgment, issuance of execution thereon, and supplementary proceedings thereto.

For the appearance of each defendant to be paid on filing the first paper on his behalf, if a demurrer, two dollars; otherwise one dollar.

For filing the papers transmitted from another court, and all proceedings thereon, five dollars.

When the venue in a case in a municipal court shall be changed, for making up and transmission of transcript and papers, one dollar, and a further sum equal to a fee for filing in the court to which venue is to be transferred; to be paid by the party making the motion for such change of venue at the time of filing the affidavit therefor.

For receiving and filing an abstract of judgment rendered by a justice or judge of another jurisdiction, and for subsequent services based thereon, five dollars.

For certificate and transmitting transcript and papers on appeal, one dollar.

For issuing a transcript of the docket, one dollar.

For issuing an abstract of judgment, fifty cents.

For taking an acknowledgment of any instrument, for each signature, fifty cents.

For administering an oath and certifying thereto, fifty cents.

For filing any notice of intention to move for a new trial of any cause, two dollars.

For preparing a first copy, other than a carbon copy, of any record, proceeding, or paper on file in his office, per folio, twelve cents.

For preparing a carbon copy of any record, proceeding or paper on file in his office, made at the time of preparing a first copy thereof, per folio, five cents.

For certifying a copy of any paper, record or proceeding on file in his office, fifty cents.

For comparing with the original on file in his office, the copy of any paper, record or proceeding by another and presented for his certificate, two cents per folio.

No fees shall be charged by the clerk for services rendered in any criminal action except for making or certifying to a copy of any filed paper, record of proceeding when not otherwise specified by law; nor shall any charge be made for any service to the United States of America or any officer thereof acting in his official capacity.

On the commencement in or removal to the municipal court of any municipality, of any civil action or proceeding, the clerk shall collect the sum of one dollar for the law library fund, and shall pay the same to the treasurer of his county, who shall keep the same in the law library fund designated in section 4190 of this code

Marshals of municipal courts, except as otherwise provided by law, shall charge and collect the fees provided in section 4300b, Political Code, except that for keeping property taken under legal process they shall collect the actual amount charged by any reputable warehouse or storage house for safely keeping and storing such property; but if such property shall be placed in the care of a keeper, the fee for such keeper shall be five dollars per day.

Sections 4292 to 4297, inclusive, and section 4305 of this code shall apply to officers of municipal courts and to the disposition of fees collected by such officers.

Witnesses in municipal courts, except as otherwise provided by law, shall be paid the fees provided to be paid to witnesses in the superior court in the county or city and county in which any such municipal court is situated

Jurors in municipal courts, except as otherwise provided by law, shall be paid the fees provided to be paid to trial jurors in the superior court in the county or city and county in which any such municipal court is situated.

Witnesses and jurors in criminal cases shall be paid by the county in the manner provided for the payment of such fees in the county or city and county in which any such municipal court is situated.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1173—An act to amend section 315 of the Agricultural Code, relating to meat inspection.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out "315", and insert in lieu thereof "307".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out "315", and insert in lieu thereof "307".

AMENDMENT NUMBER THREE

On page 1 of the printed bill, strike out all of lines 3 to 17, both inclusive, and insert in lieu thereof the following

"307. Nothing in this article shall prohibit:

(a) A live stock producer from slaughtering on his own premises animals that are the actual increase of his own herd for his own consumption or from disposing of the carcasses and products of the animals thus slaughtered, provided that they can be identified as such, and are sound, healthful, wholesome, and fit for human food, and are disposed of in his immediate locality, when cattle, sheep, swine or goats are slaughtered and disposed of in the vicinity where slaughtered there shall be attached to the meat thereof a statement signed by the slaughterer substantially as follows:

I hereby certify that the uninspected meat (or meat products as the case may be) to which this certificate is attached is from animals slaughtered by the undersigned, a farmer, on my own farm and that at the date hereof it is sound, healthful, wholesome, and fit for human food.

(b) A live stock producer from slaughtering calves, sheep and swine which are the actual increase of his own herd, if the calves, sheep and swine are accompanied by a certificate of ownership and offered for inspection at any point where inspection is maintained.

(3) The slaughter of animals of the bovine species in establishments which meet the sanitary requirements of the department and shipment thereof to counties where

State inspection or approved municipal or county inspection is maintained, and said animals so slaughtered shall there be inspected and the carcasses stamped

(d) Any butcher located in a remote section of a county in which the inspection provisions of this article are mandatory, when in the opinion of the director it is impractical or impossible to assign an inspector, may, upon written application, be granted an exemption certificate to be used in accordance with the regulations of the director; provided, that the meat of animals slaughtered under such exemptions shall be offered for sale only in the immediate locality where slaughtered.

The certificate must be renewed on the first day of January of each year and a renewal fee paid to the department.

Should facilities for inspection become available at any time, the director is empowered to withdraw such exemption certificate. The director is also empowered to withdraw such exemption certificate when the person to whom it has been issued has not complied with the rules and regulations governing the use thereof."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1288—An act to amend sections 851, 861, 869, 870 and 871 and to repeal sections 853, 855, 856, 857, 858, 859, 862, 864, 865, 866, 867 and 868 of the Agricultural Code, relating to canned foods.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out line 1 of the title of the printed bill, and insert in lieu thereof the following: "An act to amend the article heading of Article 1 of Chapter 3 of Division V of and to amend sections 851, 852 and 871 and to".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out the word "and", after the figure "867", and insert a comma.

AMENDMENT NUMBER THREE.

In line 3 of the title of the printed bill, after the figure "868", insert the following: ", 873, 874, 875, 879 and 881"

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, insert before line 1, the following:

"SECTION 1. The article heading of Article 1 of Chapter 3 of Division V of the Agricultural Code is hereby amended to read as follows:

Article 1. Canned fruit and vegetables."

AMENDMENT NUMBER FIVE

On page 1, line 1, of the printed bill, strike out "SECTION 1", and insert in lieu thereof the following: "SEC. 2."

AMENDMENT NUMBER SIX.

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert in lieu thereof the following: "container and requirements for marking of fruits and vegetables, including olives, packed in tin or glass containers."

AMENDMENT NUMBER SEVEN.

On page 1 of the printed bill, strike out lines 8 to 26, inclusive, and on page 2 of the printed bill, strike out lines 1 to 29, inclusive, and insert in lieu thereof the following:

"SEC. 3. Section 852 of the Agricultural Code is hereby amended to read as follows:

852. No fruits or vegetables which are unclean, immature, mouldy, overripe, infested with brown rot, scab, shot hole fungus, or other defects to the extent of rendering the product unwholesome, and no olives which are unclean, immature, mouldy, overripe, infested with fungus, rot or other defects to the extent of rendering the product unwholesome, or processed or artificially colored to the extent that the meat has been turned black, or the flavor been impaired, shall be canned, packed, shipped or sold within the State."

AMENDMENT NUMBER EIGHT.

On page 2, line 30, of the printed bill, strike out the figure "5", and insert in lieu thereof the figure "4".

AMENDMENT NUMBER NINE.

On page 2, line 42, of the printed bill, strike out the figure "6", and insert in lieu thereof the figure "5".

AMENDMENT NUMBER TEN.

On page 2, line 43, of the printed bill, strike out "and 868", and insert in lieu thereof the following: ", 868, 873, 874, 875, 879 and 881"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 926—An act to amend section 291 of the Civil Code, relating to corporations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1045—An act to amend section 605 of the Probate Code, relating to the appointment of appraisers.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out all of lines 10, 11 and 12.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2349—An act to amend section 10 of the Political Code, relating to holidays, to validate the acts of public officers made, done or performed on certain holidays and to declare that this act shall take effect immediately.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after the comma after "Armistice Day", insert the following: "twenty-fifth day of December,".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 155—An act relating to the use and furnishing of stamps, coupons, tickets, can covers, bottle caps or other similar devices, for or with the sale of goods, wares or merchandise and the giving of gifts, premiums or bonuses in connection with or as part of the sale of goods, wares or merchandise and providing a penalty for violation thereof.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 1, of the printed bill, strike out the following: "Every person, firm or corporation who shall use,".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 2 to 24, inclusive.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 1 to 10, inclusive, and insert in lieu thereof the following

"It shall be unlawful for any person, firm or corporation to issue, use, distribute, give away, sell or furnish coupons, certificates, cards, package labels, wrappers, can covers, bottle caps or other or similar devices which shall entitle the person holding or delivering or surrendering the same to have the same exchanged for or redeemed in goods, wares or merchandise free of charge or for less than the retail market price of said goods, wares or merchandise unless there shall be specified *in or upon such coupon, certificate, card, package, label, wrapper, can cover, bottle* cap or other or similar device, specifically or by class, the person or persons, firm or firms, corporation or corporation by whom or with whom such coupon, certificate, card, package label, wrapper, can cover, bottle cap or other or similar device is exchangeable or redeemable, and unless such persons, firm or corporation or persons, firms or corporations so specified shall be either

(a) The person, firm or corporation or persons, firms or corporations issuing, using, distributing, giving away, selling or furnishing such coupon, certificate, card, package label, wrapper, can cover, bottle cap or other or similar device; or

(b) A member or members of an association issuing, distributing, using, giving away, selling or furnishing such coupon, certificate, card, package label, wrapper, can cover, bottle cap or other or similar device; or

(c) A person, firm or corporation engaged in the business of issuing coupons, certificates, cards, package labels, wrappers, can covers, bottle caps or other or similar devices for use or distribution by itself or by other persons, firms or corporations."

AMENDMENT NUMBER FOUR.

On page 2, line 11, of the printed bill, strike out the numeral "4", and insert in lieu thereof the numeral "3".

AMENDMENT NUMBER FIVE.

On page 2, line 17, of the printed bill, strike out the numeral "5", and insert in lieu thereof the numeral "4".

AMENDMENT NUMBER SIX.

On page 2, line 13, of the printed bill, insert a period after the word "misdemeanor", and strike out the remainder of said line, and also all of lines 14, 15 and 16

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2082—An act providing for the regulation and supervision of persons, firms or corporations engaging in the business as "bailee-repairers," and to prevent oppression of or advantage being taken in the employment of labor in such businesses, and to prevent fraud in the keeping or working upon of the property of the public; defining the duties of the Attorney General in regard thereto, and providing for the enforcement of said act and penalties for the violation thereof; and creating a State "Bailee-Repairers' Department" and the office of "Director of Bailments" and defining his duties and powers.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"*An act providing for the regulation and supervision of persons, firms or corporations*, engaging in the business as "bailee-repairers," and to prevent fraud in the keeping or working upon of the property of the public; defining the duties of the Attorney General in regard thereto, and providing for the enforcement of said act and penalties for the violation thereof, and creating a State "Bailee-Repairers' Department" and the office of Registrar of Bailments, and defining his duties and powers."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 18, inclusive; also strike out pages 2 to 18, inclusive, of the printed bill, and insert in lieu thereof the following:

"SECTION 1. Declaration of Policy. It is hereby declared:

(a) That the business of "bailee-repairers" or "bailees" (as defined herein) is one of the chief industries of the State;

(b) That in most of the businesses engaged in by said bailee the principal ingredient of such businesses, and the products thereof, is that of labor, skill, service and repair materials.

(c) That the development and regulation of such businesses or industries is peculiarly important and necessary for the protection of the public welfare and for the advancement of public interest, to protect the public and its property while the same is in the keeping or under the control of bailees, and to protect the public from fraud and imposition with respect to the nature, character, extent and quality of the labor or material bestowed upon the property of the public while the same is in the keeping or under the control of bailees;

(d) That the business of bailees has now become a matter of general public concern and the same is hereby determined to be a business affected with a public interest;

(e) That the provisions of this act are applicable solely with respect to persons, firms or corporations engaging in the business of bailees, as the same is defined herein.

SEC. 2. This act shall be known as and may be cited as the "Bailee-Repairers' Act."

SEC. 3 Words used in this act in the present tense include the future as well as the present; words used in the masculine gender include the feminine and neuter, and the neuter, the masculine and feminine, the singular number includes the plural and the plural the singular; "writing" includes "printing" and "typewriting"; "oath" includes "affirmation"; the word "county" includes "city and county" and "territory" includes "district" and "zones". When used in this act, the following terms shall, unless the context otherwise indicates, have the following respective meaning

(a) The word "department" or "division" means and includes Department of "Bailee-Repairers" created by this act;

(b) The words "Registrar of Bailments" means Chief of the State Department of Bailee-Repairers, created by this act;

(c) The word "person" includes all domestic and foreign corporations, associations, syndicates, general stock companies and partnerships of every kind, and trustees acting under voluntary trusts expressly created by or declared in an instrument in writing the purpose of which is to carry out any business or to secure the payment or repayment of money, including a trust created or declared under and by virtue of a will, but shall not be deemed to include a trust declared and created under and by virtue of a judicial writ, order, decree of judgment; and the word "person" includes also individuals and agents;

(d) The words "bailors for repair or improvements" or "bailor" includes

(1) All persons, firms or corporations who shall deliver to a bailee (as hereinafter defined) any personal property for the purpose of bestowing, or on which there is bestowed, labor and material, service or repair material;

(2) All persons, firms or corporations who shall own or have any interest in any personal property for the purpose of bestowing or on which there is bestowed labor and material or labor or material or service or repair materials;

(3) Without limiting the general and comprehensive meaning of any word, phrase, clause, sentence, or portion of this act, but only for the purpose of greater clarity and greater certainty, it is intended that the word "bailor" shall include persons who have only an equitable interest or a right of possession in the property delivered to the bailee.

(e) The word "bailee-repairers" or "bailee" includes:

(1) All persons, firms and corporations, who shall hold themselves out as willing to receive or do bestow any labor and material, or labor or material, on personal property therein or thereon or therewith, intending to charge or charging compensation therefor, or for any part thereon, including so-called free-lance or independent salesmen, drivers, solicitors, or agents.

SEC 4. (a) It shall be unlawful for any person, firm or corporation to engage in the business, or act in the capacity, of a bailee, or for any person, firm or corporation to hold himself out as engaging in the business of a bailee within this State, without first registering (as hereinafter defined) and only during such time as such registration is not suspended or revoked by the Registrar of Bailments

(b) The provision of this act shall not apply to persons engaged in the business of bestowing labor and material, or labor or material, in, on, or in connection with, fixtures real but trade fixtures The provisions of this act shall not apply to any public or private warehouseman, or any public or private carrier of goods, nor to any pawnbroker or personal property loan broker, who bestows no labor or materials upon the property consigned to his care except as same may be directly necessary for the safe custody or transportation of said property.

SEC. 5. There is hereby created a State Bailee-Repairers' Department to be under the general supervision of the Department of Professional and Vocational Standards of the government of the State of California. The chief officer of such department shall be known as the Registrar of Bailments. He shall be appointed by the Governor, and no person shall be appointed to the office as Director of Bailments, or Deputy Director of Bailments, who shall not have been, for at least, five years, a person who was engaged in the business of bailee, or businesses related therewith, and not interested in or connected with any such business at the time of appointment. The Registrar of Bailments shall receive an annual salary of four thousand five hundred dollars to be paid monthly out of the funds in the hands of the State Treasurer collected from the application and enforcement of this act; said salary to be paid upon a warrant signed by the State Controller. The Registrar of Bailments shall within fifteen days from the time of his appointment take and subscribe to the constitutional oath of office, and file the same in the office of the Secretary of State, and execute to the people of the State of California a bond in the penal sum of ten thousand dollars, executed by two or more sureties, or by a surety company duly authorized to do business in this State, to be approved by the Governor of the State, for the faithful discharge of the duties of his office. The Registrar of Bailments shall establish such rules and regulations as may be reasonable or necessary to carry out the purposes and provisions of this act. The Registrar of Bailments may periodically issue bulletins containing matter relating to his department, and to the act, and the administration thereof, and on the radio in the State, which, in his opinion, will be most likely to disseminate such matter or information to bailees or the public. He shall employ three deputies, to wit: Deputy Registrar of Bailments for northern California, with headquarters at San Francisco, California, which district shall comprise the counties north of San Mateo, Santa Clara, Stanislaus, Calaveras and Alpine; Deputy Registrar of Bailments for central California, comprising the counties south of the counties in the district designated as northern California and north of the counties of Santa Barbara, Ventura, Los Angeles and San Bernardino, with headquarters in Sacramento; and Deputy Registrar of Bailments for southern California, with headquarters at Los Angeles, California, which district shall comprise all counties south of and including the counties of Ventura, Santa Barbara, Los Angeles and San Bernardino; together with such assistants, clerks, stenographers, accountants and other help and assistants as he may find necessary to discharge, in a proper manner, the duties imposed upon him by law. After qualifying as such neither the Registrar of Bailments, nor any of his deputies, clerks, assistants, nor any person under the Registrar of Bailments or in said department, shall be interested in any bailee business, firm, copartnership or corporation as officer, director, stockholder, member, agent or employee or otherwise, or act for any persons, firms, or corporations, under any bailee. All positions in this department to be given those who have had five or more years experience in bailee businesses Such deputies, assistants, and clerks and persons in the Department of Bailee-Repairers, shall perform such duties as the Registrar of Bailments shall assign to them. The Registrar of Bailments shall fix the compensation of such deputies, assistants, clerks and persons under him and in said department, and in no event shall any such compensation exceed for each person three thousand dollars yearly. Such compensation shall be paid monthly on a certificate of the Registrar of Bailments, or any of his deputies, and on a warrant of the Controller, out of the funds collected from the application and enforcement of this act in the hands of the State Treasurer. Each Deputy Registrar of Bailments after his appointment shall take and subscribe to the constitutional oath of office and file the same in the office of the Secretary of State

SEC 6 Offices; Civil Service Exemptions. The Registrar of Bailments shall have his principal office in the city of Sacramento or city of Los Angeles, or City and County of San Francisco, and may establish branch offices in the city of Los Angeles, in the City and County of San Francisco, and in the city of Sacramento In addition to exemptions authorized and prescribed by other provisions of law, the positions of the three deputies Registrar of Bailments and attorneys to be designated by the Registrar of Bailments shall be exempt from the provisions of the Civil Service Law, and all other persons under the Registrar of Bailments, including assistants, clerks and stenographers, shall be subject thereto, provided they have been but are not connected with bailee businesses as heretofore provided.

SEC 7 All fees charged and moneys collected under this act shall be paid by the Registrar of Bailments at least once a month, accompanied by a detailed statement thereof, into the treasury of the State to the credit of a fund to be known as the "bailee-repairers' fund" which fund is hereby created Fifty per cent of all moneys which shall be paid into the State treasury and credited to the "bailee-repairers' fund" are hereby appropriated to be used by the Registrar of Bailments in carrying out the provisions of this act, including the payment of the salaries of the Registrar of Bailments, and his deputies, clerks and assistants, and fifty per cent of all moneys so collected shall go to the general fund and all moneys saved out of fifty per cent annually allotted to bailee fund and not spent for bailee expenses shall go to the general fund The Controller shall draw his warrant on said fund from time to time in favor of the Registrar of Bailments for the amounts expended under his direction and the Treasurer shall pay the same; provided, however, that all of the expenditures of said Registrar of Bailments, including his

salary shall be paid only from the said fund. It shall be the duty of the Registrar of Bailments semiannually to certify under oath to the State Treasurer and the Secretary of the State the total amount of receipts and expenditures of the Registrar of Bailments for the six months preceding.

SEC 8. Seal. The Registrar of Bailments shall adopt seal with the words "Department of Bailee-Repairers, State of California" and such other device as he may desire engraved thereon, by which he shall authenticate the proceedings of his department. Copies of all records and papers in the office of the Bailee-Repairers Department, certified under the hand and seal of the Registrar of Bailments, or under the hand of any of his deputies, and seal of the department shall be received in evidence in all cases equally and with like effect as originals.

SEC 9 Attorney General. The Attorney General shall render to the Bailee-Repairers' Department opinions upon all questions of law relating to the construction or interpretation of this act or arising in the administration thereof, that may be submitted to him by the Registrar of Bailments, and shall act as his attorney in all actions and proceedings brought by or against him under or pursuant to any of the provisions of this act; provided, however, that should he deem it necessary, he may designate any attorney to render him or the department any opinion or service upon any question of law hereunder, or in connection with the administration of this act, or act as his attorney, in any actions or proceedings brought by or against him or his department. Such attorney's compensation and expenses shall be paid out of the bailee-repairers' fund.

SEC. 10. Registration. Within ninety days after the taking effect of this act, all existing bailees shall register with the Bailee-Repairers' Department, paying one dollar registration fee. Thereafter, before engaging in the business of bailee, all persons, firms and corporations shall register with the Bailee-Repairers' Department, including free-lance drivers, independent salesmen, solicitors or agents. Application for registration shall be made in writing to the Bailee-Repairers' Department, which application shall set forth the following information or such additional information as the Registrar of Bailments may request, viz:

(a) The name and address of the bailee, and the names and business and residence of the proprietor thereof: (1) If individuals, the names and addresses of all individuals; if a copartnership the names and addresses of all copartners; if a corporation, the names and addresses of all officers, directors, agents and managers thereof;

(b) The different addresses at which the bailee will maintain a shop, store, office, plant, warehouse or other headquarters for any department of its business.

(c) The application for registration shall be subscribed and sworn to by bailee himself if he is individually carrying on the business; by one of the copartners if a copartnership; by the president or secretary if a corporation;

(d) Every bailee shall be required to have and maintain a definite place of business in the State of California. With each change or abandonment of any place of business or branch or new ownership of registered business, the bailee shall immediately give written notification thereof to the Registrar of Bailment or to his deputy of the district wherein such change or abandoned location was established and before the opening of each new or additional business location or branch, the bailee shall immediately notify in writing the Registrar of Bailments or his deputy in the district wherein such new or additional business location is intended to be established.

(e) If a bailee has more than one place of business, he shall procure a certificate of registration for each place of business and pay therefor one dollar annually for each certificate, and post in a conspicuous place in each and every establishment or place of business his certificate of registration. Failure to properly post and show such certificate of registration and ownership shall be deemed a violation of this act. Immediately upon notification of the suspension or revocation of such cretificate, the bailee shall at once discontinue the posting or showing of such certificate, and upon request of the Registrar of Bailments, return and surrender the same and all copies thereof to him for cancellation.

SEC. 11. Violation of Act; Procedure. Whenever the Registrar of Bailments shall have reason to believe that any bailee has worked or is or may be working, in his opinion, an imposition or fraud upon the public or a violation of this act; or is engaging in unfair trade practices and if it shall appear to the Registrar of Bailments that a proceeding by him in respect thereof would be to the interest of the public, he shall issue and serve upon such bailee a complaint stating his charge in that respect and containing a notice of a hearing upon a day and at a place fixed therein, at least ten days after service of said complaint, and that service of said complaint may be made by personally serving the bailee, or any copartner or officer or managing agent or cashier or a corporation constituting such bailee, or by mailing a copy of such complaint to the bailee, or any partner or officer or managing agent thereof, at the business address of the bailee set forth in his application for registration, the said mailing to be done by enclosing a copy of said complaint in a registered, postage prepaid envelope. The bailee so complained of shall have the right to appear at the time and place so fixed, or any adjournment thereof, and show cause why an order should not be entered by the Registrar of Bailments requiring such bailee to

cease and desist from a violation of the law or regulations charged in said complaint. Such appearance by the bailee may be made in person or by representative or by mail. Any person, firm or corporation may make application and upon good cause being shown may be allowed by the Registrar of Bailments to intervene and appear in said proceeding by a representative or any person or by mail. If upon such hearing the Registrar of Bailments shall be of the opinion that the charge is altogether or to some substantial extent sustained; he shall make a report in writing in which it shall state his findings as to the facts, and shall issue and cause to be served on such bailee, an order requiring such bailee to cease and desist from continuance of such practices or conduct. Until and should a transcript of the record in such hearing be filed in a superior court of this State, as hereinafter provided, the Registrar of Bailments may at any time upon such notice and in such manner as he shall deem proper modify or set aside, in whole or in part, any report or any order made or issued under this section.

SEC. 12. Enforcement of Orders. If such person, firm or corporation fails or neglects to obey such order of the Registrar of Bailments while the same is in effect, the Registrar of Bailments may apply to the superior court of the State in and for the county of the residence or place of business of the bailee, or person, firm or corporation affected by such order, for the enforcement of said order, and shall certify and file with his application a transcript of the entire record in the proceeding or, if the Registrar of Bailments deems it sufficient, his abstract thereof, including all the testimony taken and his report and order. Upon such filing of the application and the transcript or abstract the court shall cause notice thereof to be served upon such person, firm or corporation affected and thereupon shall have jurisdiction of the proceeding and of the questions determined therein, and shall have power to make and enter upon the pleadings, testimony and proceedings set forth in such transcript or abstract, a decree affirming, modifying or setting aside the order of the Registrar of Bailments. The findings of the Registrar of Bailments as to the facts, if supported by testimony and a transcript thereof, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceedings before the Registrar of Bailments, the court may order such additional evidence to be taken before the Registrar of Bailments and to be adduced upon the hearing in such manner and upon such terms, including terms as to costs and conditions as to the court may seem proper. The Registrar of Bailments may modify his findings as to the facts or make new findings, by reason of the additional evidence so taken and he shall file such modified or new findings, which, if supported by testimony and a transcript thereof, shall be conclusive, and he shall also file his recommendation, if any, for the modification or setting aside of his original order with the return of such additional evidence. The judgment and decree of the court shall be final, except that the same shall be subject to review by the District Court of Appeal or Supreme Court upon certiorari, as provided by law.

SEC 13. Application to Set Aside Order. Any person, firm or corporation required by such order of the Registrar of Bailments to cease and desist may obtain a review of such order in said superior court by filing in the court a written verified petition praying that the order of the Registrar of Bailments be set aside. Such petition shall set forth the reasons and grounds of the relief requested. A copy of such petition, within thirty days from the entry of said cease and desist order, shall be served upon the Registrar of Bailments or his deputy in the district wherein arose the complaint or matter in question, and thereupon the Registrar of Bailments forthwith shall certify and file in the superior court a transcript of the record as hereinabove provided, and in the absence of the transcript, an abstract thereof. If a reporter's transcript is filed, the court shall have the same jurisdiction to affirm, set aside, or modify the order of the Registrar of Bailments, as in the case of an application of the Registrar of Bailments for the enforcement of his order and the findings of the Registrar of Bailments as to the facts if supported by substantial testimony, shall in like manner be conclusive. If no reporter's transcript is available or filed, and only an abstract of the evidence, offers of evidence, rulings, objections, and rulings thereon is filed the court shall hear the matter de novo.

SEC 14 Precedence; Effect of Order of Judgment. Such proceedings in the superior court shall be in every way expedited. No order of the Registrar of Bailments or judgment of the court to enforce the same, shall necessarily relieve or absolve any person, firm or corporation from any other penalty or liability under this act

SEC 15 Process; Service; Return. Complaints, orders and other processes of the Registrar of Bailments under this act may be served by anyone directed by the Registrar of Bailments, so to do, either (a) by delivering a copy thereof to the person to be served, or to a member of the partnership to be served, or to the president, secretary, or other officer or managing agent or cashier of the corporation to be served; or (b) by leaving a copy thereof at the principal office or place of business of such person, partnership or corporation; or; (c) by registering and mailing a copy thereof addressed to such person, partnership or corporation at his or its principal

office or place of business. The verified return by the person so serving said complaint, order or other process setting forth the manner of said service shall be proof of the same, and the return post-office receipt for said complaint, order, or other process registered and mailed as aforesaid shall be proof of the service of the same.

SEC. 16. The Registrar of Bailments shall have power only upon written complaints of ten or more bailors, bailees, or both.

(a) (Investigation of bailees) to gather and compile information concerning, and to investigate from time to time, the business, conduct, practices and management of any bailee and his dealings with or relations with or to others; and as to the standards and quality of the materials used in the business of the bailee,

(b) (Reports by bailees) to require, by general or special orders, bailees to file with him, in such form as he may prescribe, annual or special, or both annual and special, reports or answers in writing, to specific questions, and, if required by the Registrar of Bailments to have such information or answers under oath, furnishing to the Registrar of Bailments such information as he may require as to the bailee's conduct and manner of doing his work and bestowing labor and material, or labor or material, upon bailor's property, and as to its protection from damages. Provided, he shall not be compelled to divulge names of customers, secret trade processes or *methods for formulæ. Such reports shall be filed with the Registrar of Bailments,* within such reasonable period as he may prescribe, unless additional time be granted him in any case.

(c) (Publication of information; reports) to make public from time to time such portions of the information obtained by him hereunder, except trade secrets and names of customers or other information as he shall deem expedient as not in public interest, or in the interest of any bailee; and to submit therewith recommendations for additional legislation;

(d) (Investigations, and hearings to determine basic minimum costs only upon complaint of ten or more bailors bailees or both that sales of efficient service are being made under cost of production.) To investigate and to gather and compile information concerning trade conditions in the businesses of bailees, upon complaint of existing violations to ascertain the total minimum costs, in each of the said three districts, and in zones or portions constituting the jobs or work within the general classifications he may establish, and hold public hearings with respect to determining said basic minimum costs and thereafter to certify and publish, to the extent he may deem necessary, and advise all bailees affected, the said classifications of jobs or work in their respective lines of businesses and the minimum basis costs for each respective general classification of work or jobs It being again declared that after such determination by the Registrar of Bailments, it shall be unlawful for any bailee to receive, or for any bailor, following complaint and public hearing and investigation to determine costs and publication of same, to pay to any bailee, any price below the said determined minimum basic cost. Such minimum basic costs shall be an amount equivalent to the aggregate of the cost of labor, or repair, material, overhead and other costs to be contributed to such job or work. In determining said costs, profits or earnings shall not be included as a part of such minimum basic costs. The State of California does not undertake to guarantee that the labor or repair materials of other items used in arriving at actual costs are accordingly distributed. This distribution of cost items is left to general competition.

The Registrar of Bailments shall establish and maintain as part of his department a bureau to be known as the "Bureau of Costs." This bureau shall be in charge of a certified public accountant The said bureau, however, shall be under the supervision and direction of the Registrar of Bailments Said Bureau of Costs shall hold public hearings, from time to time as the Registrar of Bailments deems expedient, to take evidence as to said basic costs upon written complaint as herein provided for.

No discounts, gifts, rebates, premiums, free work or free services, duplicate work or duplicate services, or otherwise may be offered by any bailee, or received by any person, firm, or corporation, the effect of which shall be to reduce the said basic minimum costs.

On the verified petition of at least ten or more of the bailees engaged in the same kind of work or industry in any of said districts or established zones therein, public hearings as to cost adjustments to meet changing conditions in such kind of work or industry in such districts or zones may be had within ten days. Said hearings shall be held at the headquarters of the Registrar of Bailments or his deputy in the district affected, or upon such conditions and terms as may be imposed upon the petitioners at such other place or places as the Registrar of Bailments or his deputy may designate Or such public hearings for cost determination shall also be heard on petition of ten bailees.

SEC. 17. (a) Revocation or Suspension of Certificates of Registration The Registrar of Bailments may, upon his own motion, and shall upon the verified complaint in writing of any person, investigate the actions of any person, firm or corporation engaged in the business of a bailee within this State, and shall have the power to temporarily suspend or permanently revoke a certificate of registration issued under the provisions of this act, at any time, when the holder thereof within the *immediate preceding two years, while registered under this act, in performing or*

attempting to perform any of the acts mentioned herein, has been guilty of: (1) making any substantial misrepresentation with intent to deceive, or (2) making any false promises of a character likely to influence, persuade or induce, with intent to deceive, or (3) a continued and flagrant course of misrepresentation; or making or false promises through agents, servants or salesmen, or (4) any other conduct, whether of the same or a different character than hereinbefore specified, which constitutes fraud or fraudulent dealings.

(b) The Registrar of Bailments shall have power to suspend or revoke the certificate of registration of any person, firm or corporation under this act, who, within two years immediately preceding, has: (1) procured a certificate of registration under this act for himself, or any other person, by fraud, misrepresentation or deceit; (2) knowingly authorized, directed, connived at, or aided in the publication, advertisement, distribution or circulation of any substantially false statement of substantially false representation concerning his business as bailee to the public; (3) wilfully disregarded or violated any of the provisions of this act affecting the public's property.

SEC. 18. Whenever the Registrar of Bailments desires to proceed against a bailee under the provisions of section 17 of this act the procedure shall be that prescribed by section 11 of this act with respect to the filing and serving of a complaint, the appearance and answer thereto on the part of the bailee, the hearing on the charges the order or determination of the Registrar of Bailments thereon, the enforcement or modification thereof, and any review thereof.

SEC. 19. (a) Bailment Service Tax. On and after this act takes effect, there shall be levied, assessed, collected and paid a tax on each article bailed by the bailee to the State of California One-half of one per cent on all bailee charges for all bailee services rendered whether paid for by bailor or bailee.

(b) Every bailee who collects such tax under the preceding paragraph of this section shall make monthly returns, under oath, to the Registrar of Bailments upon forms furnished by the registrar and shall pay the taxes so collected to said Registrar of Bailments. The returns required under this section shall contain such information and be made at such times and in such manner as the Registrar of Bailments may prescribe. The tax shall without assessment or notice previously had or made, be due and payable to the Registrar of Bailments at the time so fixed for filing the return.

(c) Every bailee making a refund of any payment upon which a tax is due under this section may repay therewith the amount of the tax due on such payment and the amount so repaid may be credited against amounts included in any subsequent return.

(d) It shall be unlawful for any bailee required to pay such tax wilfully to fail, neglect, or refuse to pay it and upon conviction thereof, he shall be punished by a fine not to exceed fifty dollars or by imprisonment in a county jail not to exceed ninety days, or by both.

(e) It shall be unlawful for any bailee who has to pay such tax wilfully to fail, neglect or refuse to pay same to the Registrar of Bailments as required by this section, and upon conviction thereof, in addition to any other penalty therefor prescribed by this act, he shall be punished by a fine not to exceed fifty dollars or by imprisonment in a county jail not to exceed ninety days or by both.

(f) The bailee is liable for such tax under the provisions of this section, the same shall be a lien upon all property of such bailee, attaching at the time said receipts are paid to and received by such bailee, having the effect of an execution duly levied against all the property of said bailee, and remaining until the service tax is paid or the property sold in payment thereof. The amount of such service tax shall be paid on or before the tenth day of the first calendar month thereafter, and if not paid prior thereto, shall become delinquent at five o'clock in the afternoon of said day, and ten per cent penalty shall be added thereto for delinquency.

(g) Notice to Debtors, Etc In the event that any bailee is delinquent in the payment of service tax hereunder, the Registrar of Bailments may give notice of the amount of such delinquency by registered mail to all persons having in their possession, or under their control, any credits or other personal property belonging to such bailee, or owing any debts to such bailee, at the time of receipt by them of such notice, and thereafter any person so notified shall neither transfer nor make other disposition of such credits, other personal property or debts until the Registrar of Bailments shall have given his consent to a transfer or disposition, or until twenty days have elapsed from and after the receipt of such notice. All persons so notified must within five days after receipt of such notice advise the Registrar of Bailments of any and all such credits, other personal property or debts in their possession, under their control or owing by them, as the case may be.

(h) Collection of Service Tax If Delinquent; Seizure of Property; Notice of Intended Sale. Whenever any bailee shall be delinquent in the payment of license fee herein provided, the Registrar of Bailments or his duly authorized representative shall proceed forthwith to collect the license fee due from such bailee in the following manner. The Registrar of Bailments shall seize any property, real or personal, used by such bailee in the operation of his business, and thereafter sell at public auction such property so seized, or a sufficient portion thereof, to pay the fee due hereunder;

together with any penalty or penalties imposed hereby for such delinquency, and any and all costs that may have been incurred on account of such seizure and sale. Notice of such intended sale and the time and place thereof shall be given to such delinquent bailee in writing at least ten days before the date set for such sale by inclosing a form of such notice in an envelope addressed to said bailee at his last known place of business in this State, if any and depositing the same in the United States mail, postage prepaid and by publication for at least ten days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold; provided, however, that if there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county for said ten-day period. The said notice shall contain a description of the property to be sold, together with a statement of the amount of the fees, penalties and costs, the name of the bailee, and the further statement that, unless such fees, penalties and costs are paid on or before the time fixed in said notice for such sale, said property, or so much thereof as may be necessary, will be sold in accordance with law and said notice.

(i) At any such sale, the property shall be sold by said Registrar of Bailments, or his duly authorized agent, in accordance with law and said notice, and the Registrar of Bailments shall deliver to the purchaser a bill of sale for the personal property and a deed for any real property so sold, and such bill of sale or deed shall vest title in the purchaser. The unsold portion of any property so seized may be left at the place of sale at the risk of the bailee If, upon such sale, the moneys so received shall exceed the amount of all license fees, penalties and costs due the State from such bailee any such excess shall be returned to the bailee, and his receipt therefor obtained. If, for any reason, the receipt of such bailee shall not be available the Registrar of Bailments shall deposit such excess moneys with the State Treasurer, as trustee for such owner, subject to the order of such bailee, his heirs, successors or assigns.

(j) Remedies Cumulative It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken by the Registrar of Bailments, shall be, or construed to be, an election on the part of the State, or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act, or elsewhere.

SEC. 20. Estimating Service Tax. If any bailee shall fail, neglect or refuse to make to the Registrar of Bailments, the monthly return described in and required by section 19 of this act, the registrar may estimate the receipts of said bailee, on which the service tax provided for in said section 19 would be based and from such estimate may assess said tax thereon, adding thereto a penalty of fifteen per cent thereof, and said bailee shall be stopped from complaining of the amount of said tax. Such penalty shall be in lieu of the penalty for delinquency prescribed in subsection (b) of said section 19. Said penalty for failure to make return shall be a lien upon the property of the bailee and the collection thereof may be enforced to the extent, and by the procedure of said section 19.

SEC. 21. Effect of Refusal to File Statement. It shall be unlawful for any bailee to fail, neglect or refuse to make and file any statement required by this act in the manner or within the time therein provided, or to make any such statement false in any particular.

SEC 22. Penalty. If the service tax and such penalties as may have been incurred thereon chargeable to any bailee are not paid by the delinquent date specified in section 19 of this act, the Registrar of Bailments must cite such bailee to appear within ten days before him at an hour and place to be designated by him pursuant to the provisions of this act, and show cause why his certificate of registration under section 10 of this act should not be revoked as prescribed by sections 17 and 18 hereof.

SEC. 23. Deposit of Service Tax. All moneys received by the Registrar of Bailments in payment of service taxes under the provisions of this act shall be by him deposited in the State treasury and credited fifty per cent to the general fund and fifty per cent to the "bailee-repairers' fund" as the same is created by this act. Said moneys shall be subject to disbursement as provided by section 7 of this act.

SEC 24. Powers of Registrar of Bailments; Service of Process; Powers of Superior Court; Taking of Depositions; Right to Require Attendance of Witnesses. The Registrar of Bailments shall have power to administer oaths, certify to all official acts, and to issue subpenas and citations for the attendance of witnesses, or for the taking of depositions and for the production of books and papers.

SEC. 25. (a) The Registrar of Bailments shall have power to vest in any or all of his deputies and assistants and pro tempore assistants all power hereby vested in him under sections 11, 12, 16, 17, 18, 19, 20, 22, 24, 26, 31 and 33 hereof.

(b) Any pro tempore assistant shall not be subject to the Civil Service Law and he shall not receive any compensation for his services from the bailee-repairers' fund, except he is then an employee in the Department of Bailee-Repairers. Pro tempore assistants shall serve only for temporary periods or in special cases to assist the Registrar of Bailments in the effective and ready administration of this act.

(c) During the absence from the State of the Registrar of Bailments, or due to his inability to act the Registrar of Bailments may designate, for that temporary period, any of his deputies to act in his place and stead, and he may for such period, designate an interim deputy to act for the deputy who, for such period is acting for the Registrar of Bailments.

SEC 26. Keeping of Books and Records. Every bailee shall at all times keep and maintain a set of records on forms designated or accounts of his business, and same shall be so kept and maintained that they will show fully and accurately the cost of all labor, materials and supplies entering into any service performed or business done, which is subject to the provisions of this act.

Upon demand of said registrar, every bailee must furnish a statement under oath reflecting the contents of any records to be kept under this section or make and file in the office of the registrar, a report, in the form prescribed or upon forms furnished of such information as the registrar may require

SEC. 27 Certifying Record to District Attorney. Whenever, after an examination, investigation or hearing under this act, the Registrar of Bailments deems it of public interest or advantage, he may certify a record to the district attorney of the county in which the act or acts complained of examined or investigated occurred. The said district attorney, within fifteen days after receipt of such record, shall file a written statement at the office of the Registrar of Bailments, which said statement shall set forth the action taken upon such record, or if no action has been taken thereon, that fact, together with the reasons therefore must be stated.

SEC. 28. Whenever the Registrar of Bailments shall believe from evidence submitted or complaint made satisfactory to him, that any bailee has violated or is about to violate any of the provisions of this act, or any order, license, permit, decision, demand or requirement or any part or provision thereof, he may bring an action in the name of the people of the State of California, in the superior court of the State of California, against such bailee to enjoin such bailee from continuing such violation or engaging therein, or doing any act or acts in furtherance thereof. In said action an order or judgments may be entered, awarding such preliminary or final injunction as may be proper. Any person, firm or corporation or municipal or other corporation may bring such an action on the same grounds or for the same reasons and in such action seek also the recovery of damages In addition to any equitable relief, the aggrieved party shall be entitled to recover from the defendant three times the amount of the actual damages, if any, sustained.

The remedies granted by this section shall be in addition to any other redress, relief or penalties for any violation of the provisions of this act.

SEC. 29. (a) Penalties for Violation. Every officer, agent, or employee of any person, firm or corporation, and every other person who knowingly authorizes, directs, or aids in the violation of any of the provisions of this act, or knowingly violates or fails, omits, or neglects to obey, observe or comply with the provisions of this act, or with any order, permit, decision, demand or requirement or part or provision thereof and thereunder, or issued by the Registrar of Bailments, under the provisions of this act, is guilty of a misdemeanor for each single violation, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars, nor more than one thousand dollars

(b) Every officer, agent or employee of any person, firm or corporation, and every other person, who, in any application to the Registrar of Bailments, or in any proceeding before him, or in any examination, audit, or investigation by him, or under his authority, knowingly makes any false statement or representation, or who, with knowledge of falsity, files or causes to be filed in the office of the Registrar of Bailments any false statement or representation concerning such person, firm or corporation, is guilty of a public offense and upon conviction thereof, shall be punished by imprisonment in the State prison not exceeding one to ten years, or in a county jail not exceeding one year or by a fine not exceeding one thousand dollars or by both such fine and imprisonment.

SEC. 30 Illegal Contracts Void. Every contract, express or implied, in violation of any of the provisions of this act is declared to be an illegal and void contract, and no recovery thereon shall be had.

SEC. 31. Destruction of Records The Registrar of Bailments may, after two years from the date of filing and with the approval of the Department of Finance, destroy all applications, and certificates, together with the files and folders as the same have become useless or obsolete.

SEC. 32. Traveling Expenses. The Registrar of Bailments, his deputies, and all other persons under the Registrar of Bailments or engaged in any work on behalf of his department, shall be entitled to receive, in addition to their compensation, their necessary actual traveling expenses when away from their headquarters on department business. However, these are all expenses of this department and must come within its receipts as herein provided as the State of California is not liable under this act for payment of expenses not received from one-half of gross receipts of this legislation

SEC. 33. Trade Associations. Bailees may act together in trade associations, corporate or otherwise, with or without capital stock for the purposes, amongst other things, of: collectively studying, gathering information and knowledge, and

improving their service to the public, and to most satisfactorily consider and handle problems in their trade or business, and in their dealings with the public, including the gathering and dissemination of information as to the basic cost of their different jobs or work, in establishing and maintaining reasonable rules for the giving of credit, provided, however, that such such associations (a) are operated for the public benefit; (b) that they do not reach or attempt to reach any agreement or concerted action respecting prices, production, or the restraining of competition; (c) that no member of such association be allowed more than one vote because of the number of places of business in any particular territory covered by the association, the member may be interested in, or otherwise, or (d) such association is nonprofit and there is not any discrimination as to admitting or retaining of members or liability or benefit resulting from membership in such association; (e) all bailee trade associations shall advise the Registrar of Bailments of their names and addresses of their members, the names and addresses of their officers, directors, and managing agents and at the time of a substantial change of membership or officers, or managing agents, advise the Registrar of Bailments thereof, and in any event, shall annually advise him of the names and addresses of its membership, officers, directors, and managing agents and furnish such additional information as he may reasonably require; (f) the Registrar of Bailments shall cooperate with said associations to the end that they may most efficiently serve the public and the industries affected by such association.

SEC. 34. Constitutionality of Act. If any section, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more other sections, sentences, clauses or phrases may be declared unconstitutional. If any conflict shall arise between this act and any other act the former shall prevail."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2084—An act to add five sections to the Probate Code, to be numbered 861, 862, 863, 864 and 865 for the purpose of authorizing executors and administrators under certain conditions to accept title to real property which is then subject to a mortgage or deed of trust securing an indebtedness which is an asset of an estate under administration, in satisfaction of such indebtedness, and in addition thereto to pay such further or other consideration as the court shall authorize and approve.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the entire title of the printed bill, and insert in lieu thereof the following

"An act to add a new section to the Probate Code to be numbered 718.6, relating to the acceptance of a deed conveying property which is subject to a mortgage or deed of trust in lieu of foreclosure of the mortgage or sale under the deed of trust."

AMENDMENT NUMBER TWO.

Strike out all of the printed bill following the enacting clause, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Probate Code to be numbered 718.6 and to read as follows:

718.6. If it shall appear to be to the advantage of the estate for the executor or administrator to accept a deed of property which is subject to a mortgage or deed of trust, in lieu of foreclosure of the mortgage or sale under the deed of trust, the court may authorize, upon such terms and conditions as may be imposed by the court, the acceptance of such deed, conveying such property to the heirs or devisees of the decedent, subject to administration, upon the petition of the executor or

administrator or of any person interested in the estate, after notice of the hearing given for the period and in the manner required by section 1200 of this code."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 929—An act to repeal an act entitled "An act making an appropriation for the mileage for members and officers of the Legislature, and declaring the urgency thereof," approved March 11, 1931.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 948—An act to repeal section 2078 of the Political Code, relating to National Guard uniform and equipment allowances.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 716—An act requiring public awarding bodies or officers withholding penalties or forfeitures from contractors for violations by contractors or subcontractors of any public works labor acts carrying penalties or forfeitures from the contract payments to transfer such penalties or forfeitures to the State Treasurer to become a part of the general fund of the State 90 days after completion of the contract, unless suit is brought and formal notice of suit is given, requiring any court collecting criminal penalties or fines under such acts to likewise transmit same to the State Treasurer to become a part of the general fund of the State, providing for the temporary retention of such penalties or forfeitures by the public awarding body or officer pending litigation in cases where suit is brought and formal notice of such suit is given within 90 days after completion of the contract, limiting the time for action by the contractor or his assignee for the recovery of the said penalties or forfeitures to the said 90-day period, making such suit the exclusive remedy of the contractor or his assignee with reference to such penalties or forfeitures and providing that suit shall be brought without permission from any State or other authority and be limited to the recovery of such penalties or forfeitures without prejudice to the contractor's or assignee's rights in regard to other matters affecting the contract but with the burden on the plaintiff to establish his right to the penalties of forfeitures withheld.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 396—An act to add a new section to the Political Code to be numbered 2610, relating to the power of the Director of Public Works to rescind or terminate leases of lands of Mission Bay.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2200—An act to amend section 2295a of the Political Code, relating to reports and publications furnished to the State Library.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2286—An act authorizing and empowering the Director of Finance to accept money from the estate of Emma Hotfilter for the purpose of erecting a fountain within the State Capitol grounds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1059—An act to amend sections 19, 20, 21a, 46, 57, 62, 65, 67, 83 and 96 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, relating to the business of banking.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed bill, strike out the words "Three percentum", and insert in lieu thereof the following: "Three per centum".

AMENDMENT NUMBER TWO.

On page 2, line 7, of the printed bill, immediately following the word "municipalities,", strike out the following: "metropolitan water districts".

AMENDMENT NUMBER THREE.

On page 2, line 17, of the printed bill, immediately following the word "municipality,", strike out the following: "metropolitan water district".

AMENDMENT NUMBER FOUR.

On page 2, line 39, of the printed bill, after the word "provided", insert a comma.

AMENDMENT NUMBER FIVE.

On page 4, line 32, of the printed bill, after the word "provided", insert a comma.

AMENDMENT NUMBER SIX.

On page 4, line 49, of the printed bill, immediately following the words "and counties, cities", insert a comma.

AMENDMENT NUMBER SEVEN.

On page 4, lines 49 and 50, of the printed bill, after the word "municipalities.", strike out the words "metropolitan water districts".

AMENDMENT NUMBER EIGHT.

On page 4, line 52, of the printed bill, immediately after the words "State of California", insert the following: ", and may receive such moneys or funds on deposit, provided, however, that the total amount of moneys of the State of California, the counties, cities and counties, cities, towns, municipalities, and other public or municipal corporations of said State of California, and of any other governmental or political subdivision of the State of California".

AMENDMENT NUMBER NINE.

On page 5, line 3, of the printed bill, immediately following the word "provided", insert a comma.

AMENDMENT NUMBER TEN.

On page 5, lines 5 and 6, of the printed bill, immediately following the word "municipalities,", strike out the words "metropolitan water districts".

AMENDMENT NUMBER ELEVEN.

On page 6, line 3, of the printed bill, immediately following the word "district," in line 2, strike out the following: "metropolitan water district".

AMENDMENT NUMBER TWELVE.

On page 7, lines 10 and 11, of the printed bill, after the word "municipalities," strike out the following: "metropolitan water districts".

AMENDMENT NUMBER THIRTEEN.

On page 7, lines 17 and 18, of the printed bill, immediately following the word "municipalities," strike out the following: "metropolitan water districts".

AMENDMENT NUMBER FOURTEEN.

On page 7, line 23, of the printed bill, immediately following the word "provided", insert a comma.

AMENDMENT NUMBER FIFTEEN.

On page 7, line 26, of the printed bill, immediately following the word "municipalities," strike out the following: "metropolitan water districts".

AMENDMENT NUMBER SIXTEEN.

On page 7, lines 35 and 36, of the printed bill, immediately following the word "provided", insert a comma.

AMENDMENT NUMBER SEVENTEEN.

On page 10, line 6, of the printed bill, immediately following the word "accepted", strike out the comma.

AMENDMENT NUMBER EIGHTEEN.

On page 13, line 26, of the printed bill, immediately following the word "provided", insert a comma.

AMENDMENT NUMBER NINETEEN.

On page 15, line 18, of the printed bill, immediately following the word "nor", strike out the following: "(and)".

AMENDMENT NUMBER TWENTY.

On page 15, line 18, of the printed bill, immediately following the words "any corporation", strike out the following: "(of)".

AMENDMENT NUMBER TWENTY-ONE.

On page 15, line 25, of the printed bill, immediately following the words "is a member", insert a comma.

AMENDMENT NUMBER TWENTY-TWO.

On page 16, line 21, of the printed bill, immediately following the word and numerals "Section 96", strike out the following: "(b)".

AMENDMENT NUMBER TWENTY-THREE.

On page 17, lines 26 and 27, of the printed bill, immediately following the words "herein specified," strike out the word "the", and insert in lieu thereof the word "and".

AMENDMENT NUMBER TWENTY-FOUR.

On page 16 of the printed bill, strike out all of lines 21 to 52, inclusive, and strike out all of page 17.

AMENDMENT NUMBER TWENTY-FIVE.

On page 2, line 7, of the printed bill, after the word "districts", insert the following: ", irrigation districts".

AMENDMENT NUMBER TWENTY-SIX.

On page 2, line 17, of the printed bill, after the word "district", insert the following: ", irrigation district".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 4, line 50, of the printed bill, after the word "districts", insert the following: ", irrigation districts".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 5, line 6, of the printed bill, after the word "districts", insert the following: ", irrigation districts".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1938—An act to amend sections 3, 4 and 5 of an act entitled "An act relating to lakes and streams, the waters of which contain minerals in commercial quantities; withdrawing State lands within the meander lines thereof from sale; prescribing conditions for taking such minerals from said waters and lands, and providing for the leasing of lands uncovered by the recession of the waters of such lakes and streams," approved April 27, 1911, relating to the powers and duties of the State Controller with respect thereto.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 29, of the printed bill, strike out the following: "a check", and insert in lieu thereof the following: "an express or postal money order".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE HUNDRED NINE.

Assembly Bill No. 1309—An act to extend the time for the payment of taxes for the period of sixty days and declaring the urgency thereof.

Bill read.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Williamson:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to provide for the extension of time on certain events for the payment of property taxes becoming due on January 20, 1933, and delinquent on April 20, 1933, and to declare this act to be an urgency measure."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 4 to 12, inclusive, and insert in lieu thereof the following:

"SECTION 1. Whenever within a county or city and county there is danger of abnormal tax delinquency, or whenever a state of economic crisis exists by reason of which economic crisis taxpayers will be constrained to permit their property to become delinquent and thereby impair the maintenance and operation of the government of the county, or city and county, the board of supervisors of such county, or city and county, shall by resolution declare that a state of emergency exists.

On the declaration of such state or emergency, before April 20, 1933, by the board of supervisors of the county, or city and county, the provisions of this act hereinafter set forth shall immediately become operative and effective.

SEC. 2. On or before June 30, 1933, all unpaid property taxes which became due on January 20, 1933, and delinquent on April 20, 1933, may be paid to and shall be accepted by the tax collectors of the respective counties without payment of any additional penalty imposed thereon by the provisions of section 3756 of the Political Code. Upon the payment of taxes as provided for in this section the tax collector shall issue a receipt in full for the taxes so paid, and no person shall be charged with any additional penalty or interest on any such taxes so paid.

If said taxes are not paid on or before June 30, 1933, as hereinabove prescribed the penalties provided for in section 3756 of the Political Code shall be imposed and collected thereon in the manner prescribed in said section.

SEC. 3. The dates of all acts required to be done in respect to said taxes under the provisions of Title IX of Part III of the Political Code are hereby extended for the purposes of this act for a period of seventy days. This act shall not affect the provisions of said title of the Political Code with respect to any year subsequent to 1933."

AMENDMENT NUMBER THREE.

On page 1, line 13, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "4".

Amendments read.

The question being on the adoption of the amendments.

Mr. Williamson withdrew his amendments.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peter-

son, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—77.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE HUNDRED NINE.

Assembly Bill No. 1309—An act to extend the time for the payment of taxes for the period of sixty days and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1309 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At twelve o'clock and eight minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Bernard reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 355—An act to amend sections 3, 4, 5a and 15, and to repeal section 17 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, Statutes of 1911, page 1192, as amended;

Also: Assembly Bill No. 2092—An act to amend sections 25, 27, 28, 60, 62, 63, 65a, 66, and 68 of and to add two new sections to be numbered sections 76b and 76c, respectively, to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1756—An act to repeal section 1069 of the Fish and Game Code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 254—An act to amend sections 1, 2, 3, 6, and 7 of an act entitled "An act regulating the sale, offering for sale, possession or transportation of machine rifles, machine guns and submachine guns, and providing a penalty for the violation thereof," approved May 16, 1927—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 350—An act to amend sections 2 1500, 2.1501, 2 1502 and 2 1503 of the School Code, and to add a new section thereto, to be numbered 2.1505, relating to conventions of county and city superintendents;

Also: Assembly Bill No. 351—An act to repeal an act entitled "An act providing for annual conventions of secondary school principals," approved April 12, 1929, and to repeal sections 5.630 to 5.634, inclusive, of the School Code, and to add six new sections to said code, to be numbered 5.630, 5.631, 5.632, 5.633, 5 634 and 5 636, all relating to conventions of secondary school principals;

Also: Assembly Bill No. 1079—An act to add two new sections to the School Code, to be numbered 6.734 and 6.735, relating to cafeterias;

Also: Assembly Bill No. 1080—An act to add a new article to Chapter I of Part III of Division IV of the School Code, to be numbered Article Ib, comprising sections 4.280b to 4.284b, inclusive, relating to revolving funds for warehouse stock;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ROLAND, Chairman.

The above reported bills ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 2263—An act to amend section 602b of the Political Code, relating to workmen's compensation insurance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CRIST, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 2346—An act to repeal an act entitled "An act to create a Board of Harbor Commissioners for the port of San Jose on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees and to appropriate money to carry this act into effect," approved June 14, 1913—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 2118—An act to amend section 12 of the "Workmen's Compensation,

Insurance and Safety Act of 1917," approved May 23, 1917, relating to compensation and insurance of workmen;

Also: Assembly Bill No. 1102—An act to amend section 594 of the Political Code, defining and classifying insurance, and prescribing capital and other requirements of the various classes and limitations of classes permitted, and also requiring the stock of insurance companies to have a specified par value;

Also: Assembly Bill No 1083—An act to amend sections 2, 3, 5, and 6 of an act entitled "An act to define motor club service, and to define, license, and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles, and providing penalties for the violation thereof, and repealing all acts in conflict herewith," approved June 15, 1929;

Also: Assembly Bill No. 1791—An act to amend an act entitled "An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations," approved April 30, 1919, by adding section 1, section 4, section 2, section 4b; section 3, section 4c; section 4, section 4d; section 5, section 4e; section 6, section 4f, section 7, section 4g; section 8, section 4h; section 9, section 4i; section 10, section 4j; section 11, section 4k; section 12, section 4l, thereto;

Also: Assembly Bill No. 1167—An act to amend section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to proceedings after decision;

Also: Assembly Bill No. 1170—An act to amend section 14 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, relating to nonresident alien dependents, and to reassignment of a death benefit;

Also: Assembly Bill No. 248—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to and defining employees and excluding from the provisions of the act any person or persons engaged in any work or service under or in connection with any unemployment, relief, or charity project;

Also: Assembly Bill No. 1772—An act to add a new section to the Workmen's Compensation, Insurance and Safety Act of 1917 to be known as section 26a;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

CRIST, Chairman.

The above reported bills ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 217—An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MALONEY, Chairman

The above reported bill ordered on file for second reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Concurrent Resolution No. 15—Relative to General Pulaski's Memorial Day—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

PETERSON, Chairman.

Assembly Concurrent Resolution No. 15 ordered on file for adoption.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1428—An act authorizing the legislative body of a municipality to vacate, abandon and close any public street, highway, road, boulevard, avenue, lane or place, or any part thereof, and prescribing a procedure therefor;

Also: Assembly Bill No. 1735—An act to amend sections 850, 851, 852, 852a, 852b, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 862a, 863, 864, 865, 867, 868, 870, 870a, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 882, 883, 884, 885 and 886, and to repeal section 881 of an act entitled "An act to

provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to organization, incorporation and government of cities of the sixth class;

Also: Assembly Bill No. 76—An act to amend sections 4225 and 4225a of the Political Code, relating to the powers and duties of county health officers; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2145—An act to amend sections 93 to 95, inclusive, of the Vehicle Code, relating to members of the California Highway Patrol—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 373—An act to amend sections 657 and 666 of Fish and Game Code—has had the same under consideration, and respectfully reports the same back, and recommends that same do pass as amended.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2226—An act to amend section 779, to repeal sections 780, 781, 782 and 783 of, and to add a new section to be numbered 780 to, the Vehicle Code, relating to the motor vehicle fund and the disposition of moneys placed therein—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 2348—An act to amend section 363i of, and to add sections 2584, 2586, 2589, 2590, 2607 and 2610 to, the Political Code, relating to the administration of certain bays, ports and harbors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

MALONEY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 220—An act to add section 374c to the Penal Code, relating to shooting from public roads and highways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 634—An act to provide for the establishment of the coast

line of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 812, an act amending section 6.190a of the School Code, relating to the powers of school, high school and junior college districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROLAND, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 361—An act to add a new section to the School Code to be numbered 2.995, relating to powers and duties of boards;

Also: Senate Bill No. 372—An act to repeal sections 2.1391 to 2.1398, inclusive, of the School Code, and to repeal an act entitled "An act relating to the finances of the State Board of Education," approved May 4, 1929, and to add a new section to the School Code to be numbered 2.1391, all relating to powers and duties of State Board of Education;

Also: Senate Bill No. 381—An act to repeal section 6.390 of the School Code; to repeal section 6.390 of an act entitled "An act relating to the adoption of textbooks for use in the public high schools of the State and to the furnishing of such textbooks for the use of the pupils of such schools," approved June 5, 1929; and to add a new section to the School Code to be numbereed 6.390, relating to fees received for the listing of textbooks;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ROLAND, Chairman.

The above reported bills ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 217—An act to amend sections 4263, and 4263a to 4263s inclusive of the Political Code, relating to the compensation of county and township officers in counties of the thirty-fourth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 217 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 318—An act to amend section 36 of Chapter 266, Statutes of 1923, entitled the "California Vehicle Act," approved May 30, 1923, as amended, relating to applications for registration of vehicles;

Also: Senate Bill No. 154—An act to amend section 2322x29 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-ninth class;

Also: Senate Bill No. 158—An act to amend section 19x29 of the Juvenile Court Law, relating to probation officers in counties of the twenty-ninth class;

Also: Senate Bill No. 1022—An act to add section 10.5 to the State Civil Service Act, relating to examinations, creating the civil service examination fund and providing for the disposition of examination fees;

Also: Senate Bill No. 263—An act to add a new section to the Penal Code, to be numbered 487a, relating to the commission of a series of petit thefts by the same person;

Also: Senate Bill No. 400—An act to add a new section to the Political Code, to be numbered 3714b, relating to annual financial estimates from special tax and assessment districts;

Also: Senate Bill No. 264—An act to add a new section to the Penal Code, to be numbered 536c, relating to the handling of farm products on consignment.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 318 read first time, and referred to Committee on Motor Vehicles.

Senate Bills Nos. 154 and 158 read first time, and referred to Committee on County Government.

Senate Bill No. 1022 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 263 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 400 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 264 read first time, and referred to Committee on Agriculture.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: I am directed to request your honorable body to return to the Senate Assembly Concurrent Resolution No. 17—A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and the qualification, compensation, and manner of electing the delegates to such convention—transmitted to your honorable body on the eleventh through error.

Respectfully submitted.

J. A. BEEK, Secretary of Senate.

Assembly Concurrent Resolution No. 17 ordered re-referred to Senate.

RESOLUTION.

The following resolution was offered:

By Messrs. Williamson, Clowdsley, Brock, Callahan, Zion and Miss Miller, Eleanor:

WHEREAS, The practice among Christians of setting apart the hours from twelve to three on Good Friday for devotion, having obtained so largely in California, that it would seem but right not only to favor such hallowed practice, but also to give opportunity to all who desire to recall during these hours the mystery which Christians celebrate; be it

Resolved, That it is the sense of the Assembly of the State of California that recess be taken from twelve to three o'clock on Friday, April 14, 1933, to enable all who wish to participate in the exercises which mark these hours so notable in the world's history.

Resolution read, and on motion, unanimously adopted.

THIRD READING OF ASSEMBLY BILLS.

Assembly Joint Resolution No. 26—Relative to memorializing Congress to propose an amendment to the Constitution of the United States providing for economic planning and regulation.

Assembly Joint Resolution No. 26 read.

The question being on the adoption of Assembly Joint Resolution No. 26.

The roll was called, and Assembly Joint Resolution No. 26 adopted by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Cronin, Crowley, Dempster, Gilmore, Grubbs, Hallner, Hoffman,

Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Woolwine, Zion and Mr. Speaker—57.

NOES—Badham, Brock, Latham, Stannard, West and Williamson—6.

Title read and approved.

Assembly Joint Resolution No. 26 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 26.

Relative to memorializing Congress to propose an amendment to the Constitution of the United States providing for economic planning and regulation.

WHEREAS, Modern scientific use of natural power and machinery and efficient conduct of business and commerce, have brought about the production of commodities and rendition of services with a rapidly decreasing amount of human effort; and

WHEREAS, This condition has resulted in a great surplus of human labor and of available commodities and services; and

WHEREAS, There have ensued great unemployment, misery, suffering and crime, with the possibility of social and political disturbances of the gravest character; and

WHEREAS, Under the present unregulated system of conducting competitively for profit the production and commerce of the Nation, there exists no natural economic principle or factor which will in times of peace counteract the destructive tendency toward overproduction, unemployment and inadequate income to most of the employed; and

WHEREAS, It would appear that, with proper use and control of modern means of production and distribution, it would be possible for practically all persons to have and enjoy a fair share of material goods in return for services rendered; and

WHEREAS, Such use and control and appropriate economic planning are not feasible except through the direction and supervision of a single, centralized agency and not fully attainable without the removal of certain constitutional limitation; now, therefore, be it

Resolved, by the Assembly and Senate, jointly, That the Legislature of the State of California hereby memorializes the Congress to propose an amendment to the Constitution of the United States reading substantially as follows:

"The Congress, and the several States, by its authority and under its control, may regulate or provide for the regulation of hours of work, compensation for work, the production of commodities and the rendition of services, in such manner as shall be necessary and proper to foster orderly production and equitable distribution, to provide remunerative work for the maximum number of persons, to promote adequate compensation for work performed, and to safeguard the economic stability and welfare of the Nation"; and be it further

Resolved, That the Legislature of California respectfully urges that, pending the submission and adoption of such an amendment, the Congress provide for such economic planning and regulation as may be necessary and proper under present economic conditions and legally possible under the existing provisions of the Constitution; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed forthwith to transmit copies of this resolution to the President of the United States, and to the President of the Senate, the Speaker of the House of Representatives and each of the Senators and Representatives from California in the Congress of the United States.

Assembly Bill No. 1986—An act to add a new section to the Probate Code, to be numbered 912, relating to claims against estates of insane persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1986 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E.,

Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—65.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 146—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 146 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine and Mr. Speaker—63.
NOES—Bowers, Craig, Roland, Scudder, Utt, Williamson, Wright and Zion—8.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1442—An act authorizing and empowering the Department of Public Works of the State of California, the boards of supervisors of the counties thereof, and the legislative bodies of municipalities, to acquire the fee or other additional easements in highways which are already public highways, and for the acquisition, opening, widening, construction and improvement (or any of them) of which any assessment or tax has, within three (3) years prior to January 1, 1933, been levied upon the owners of property within any district found or declared by the legislative body creating such district to have been benefited thereby.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1442 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—63.
NOES—Dempster, Hunt and McCarthy—3.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1449—An act to provide for the satisfaction of taxes and assessments, and tax and assessment liens against land and improvements in any public body organized under any law or ordinance by surrendering bonds, coupons, warrants, checks, or other evidences

of indebtedness of the public body, defining "public bodies" as used herein and declaring the intent of the Legislature with respect hereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1449 passed by the following vote:

AYES—Alter, Anglin, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2347—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Martin:

AMENDMENT NUMBER ONE.

On page 6, line 32, of the printed bill, as amended, strike out "twenty-five", and insert in lieu thereof the following, "ten".

AMENDMENT NUMBER TWO.

On page 6, line 35, of the printed bill, as amended, strike out "twenty-five", and insert in lieu thereof the following: "ten".

AMENDMENT NUMBER THREE.

On page 7 of the printed bill, as amended, after line 9, add the following:

"SEC. 20. This act shall become ineffective and inoperative on and after May 1, 1934."

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1342—An act to amend sections 6, 9, 10, 11, 12, 13, 14, 15, 16 and 20 of an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to power of the State Board of Public Health.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Williamson:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "20", and insert "21".

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, restore the lines 18 and 19.

AMENDMENT NUMBER THREE.

On page 4, line 18, of the printed bill, strike out "20", and insert "21".

AMENDMENT NUMBER FOUR.

On page 4, line 24, of the printed bill, preceding the word "No", insert "Sec. 21".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1038—An act to amend sections 7, 30 and 65 of the "State Housing Act," approved June 15, 1923, as amended, relating to the regulation of dwellings, apartment houses and hotels.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1038 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Hatch, Hoffman, Hornblower, Hunt, Knowland, Latham, Levey, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Powers, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Thorp, Tournoux, Turner, Utt, West, Williamson and Mr. Speaker—53.

NOES—Crist, Grubbs, Hallner, King, Stannard and Stream—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1118—An act to amend sections 3, 4, 5, 6, 8 and 9 of, to add sections 1, 1a, 1b, 9a and 10 to, and to amend and renumber section 1 to be section 1c of an act entitled "An act to regulate the practice of architecture," approved March 23, 1901.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1118 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Rogers, Roland, Ross, Scudder, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—62.

NOES—Grubbs, Hunt, King, O'Donnell, Stannard, Stream and Sullivan—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1955—An act to amend section 4284 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1955 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy,

McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tourmoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At three o'clock and forty-five minutes p.m., on motion of Mr. Badham, the Speaker ordered the Assembly at recess for the purpose of being entertained by the members of the University of Southern California Band and Glee Club under direction of John T. Bodreai, instructor of band, and J. Arthur Lewis, director of men's chorus.

REASSEMBLED.

At four o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Bernard reading.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Messrs. Badham and Lyon, the following named officers and members of the Trojan Band and Trojan Male Chorus, J. Arthur Lewis, senior director of the Department of Musical Organizations; John T. Boudreau, instructor of Trojan Band; Aubrey E. Fraser, manager of tour, band and male chorus; Loring W. Carney, manager; Leslie W. Hoagland, assistant manager; Robert A. Burnight, assistant manager; Ona C. Conrad, librarian; John Richard Weber, assistant librarian; William Wyman, assistant librarian; William Dunn, instrument room manager; Robert Halley, assistant instrument room manager; Richard Huddleston, wardrobe manager, and Austin Snyder, assistant wardrobe manager.

Trojan Band—Loring W. Carney, manager, and the following members: Richard Huddleston, Austin Snyder, Marsten E. Jones, Frederick W. Robinson, Thomas Wright, William Wyman, Stanley Hayward, Armand Girola, La Von Urbanski, John R. Weber, Robert A. Burnight, Robert Pelzel, Robert McCaw, Frederick Davis, Frank N. Silva, Jr., Lloyd Cooper, Ellsworth Theno, Leslie W. Hoagland, Homer G. Buck, Morris Parness, Jay Munson, Philip Tilden, Tyler Coburn, R. F. Bartholomew, Robert Halley, Ona C. Conrad, William Dunn and John Heinz.

Trojan Male Chorus—Aubrey Fraser, manager; Tom Young, assistant manager; Bob Haugh, assistant manager, and the following members· Gilbert Kuhn, Robert Heinzman, Arthur Shepard, Judson Slonaker, Sylvain Goldman, Thomas Young, Aubrey Fraser, Richard Parker, George Millikan, George Dumpf, Leland Schmidt, James Fulton, Robert Haugh and Irving Baum, were extended the privilege of the floor of the Assembly for this day.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Robinson, C. Ray, moved that the consideration of his motion to reconsider the vote whereby Senate Constitutional Amendment No. 2 was refused adoption, be continued until the next legislative day.

Motion carried.

RECONSIDERATION WAIVED.

Mr. Hornblower waived his notice to reconsider the vote whereby Assembly Bill No. 1353 was passed.

Assembly Bill No. 1353 ordered transmitted to the Senate.

Assembly Bill No. 898—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to provide for the management and sale of lands belonging to the State," approved March 28, 1868, also an act entitled "An act to provide for the sale of certain lands belonging to the State," approved April 27, 1863, including any case wherein relief has been granted to a purchaser or purchasers under the provisions of an act entitled "An act for the relief of purchasers of State lands," approved March 27, 1872; provided that all taxes levied against the property during the thirty years next preceding the commencement of the action have been fully paid.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 898?

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, following the word "situated", strike out the comma and insert in lieu thereof a semicolon.

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, strike out the word "including", and insert in lieu thereof the following: "or in".

AMENDMENT NUMBER THREE.

On page 2, line 25, of the printed bill, strike out "Surveyor General", and insert in lieu thereof: "Governor".

The roll was called, and Senate amendments to Assembly Bill No. 898 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—61.

NOES—None.

The above reported bill ordered to enrollment.

NOTICE OF RECONSIDERATION.

Mr. Williamson gave notice that on the next legislative day he would move to reconsider the vote whereby Senate amendments to Assembly Bill No. 898 were this day concurred in.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 543—An act making it unlawful for any person to employ any other person to solicit law practice, prohibiting any person from soliciting such law practice, limiting the use of written statements taken from an injured person, and providing the penalties therefor, also establishing presumptions as to certain settlements, compromises, releases, discharges and satisfactions and contracts with attorneys, and providing a period of limitation on suits to set aside such contracts.

Bill read second time.

MOTION.

Mr. Cronin moved that further consideration of Assembly Bill No. 543 be continued until the next legislative day.

Motion carried.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Hatch:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation to pay the claim of Jack Goldson, Inc., a corporation, against the State of California.

Referred to Committee on Introduction of Bills.

By Mr. Redwine:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 14 of the Inheritance Tax Act, relating to the appointment and compensation of inheritance tax appraisers.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 14 of the Inheritance Tax Act, relating to the appointment and compensation of inheritance tax appraisers.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act making an appropriation to pay the claim of Jack Goldson, Inc., a corporation, against the State of California.

HALLNER, Chairman.

The question being on the adoption of the reports.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—71.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Hatch (by request): Assembly Bill No. 2358—An act making an appropriation to pay the claim of Jack Goldson, Inc., a corporation, against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Redwine (by request): Assembly Bill No. 2359—An act to amend section 14 of the Inheritance Tax Act, relating to the appointment and compensation of inheritance tax appraisers.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Rawls, Dempster and Stannard: Assembly Concurrent Resolution No. 46—Relative to the creation of a joint committee of the Assembly and Senate to investigate the affairs of closed banks in California.

Introduced, and referred to Committee on Banking.

By Mr. Riley: Assembly Constitutional Amendment No. 101—Proposed amendment to Article XIII, adding section 8a, of the Constitution, relative to taxation.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Riley asked for unanimous consent to have the rules suspended for the purpose of considering Assembly Constitutional Amendment No. 101, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Mr. Crist objected to the unanimous consent.

Assembly Constitutional Amendment No. 101 ordered referred to Committee on Constitutional Amendments.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1906—An act to add a new section to the School Code to be numbered 5.27, relating to cooperative stores on the campuses of the State teachers colleges.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Powers:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, as amended, after the words "for the", insert the following: "sale, purchase and/or exchange of".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out lines 11 to 19, inclusive, and insert in lieu thereof the following: "the classes of the college; provided, that any".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended, strike out lines 2 to 6, inclusive.

Amendments adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 554—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes;

to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 1.01, 3.02, 5.01, 6.01, 6.02, 6.03, 6.06, 6.07, 7.06, 8.07, 10.03, 12.08, and 15.16 thereof and by amending article numbered IX thereof, and by repealing section numbered 5.04 thereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 554 was withdrawn from the file, and referred to Committee on Building and Loan Associations.

Assembly Bill No. 694—An act to amend the Fish and Game Code by amending the heading of Article 2, Chapter 4, Part 2, Division IV, by adding sections 844.5 and 866 thereto, and by repealing section 929 thereof, relating to nets.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 694 was withdrawn from the file, and referred to Committee on Fish and Game.

Assembly Bill No. 290—An act to amend sections 1, 3, 4, 7, 8, 9, 10, 11, 12, and to repeal sections 5 and 6 of an act entitled "An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and to fix the penalties therefor; and to repeal all conflicting acts or parts of acts," approved June 1, 1927, relating to the bonds and licenses provided for therein, and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 290 was withdrawn from the file, and referred to Committee on Agriculture.

Assembly Bill No. 246—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "registered sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Public Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates; prescribing the powers and duties of the State board; prescribing conditions under which the title "registered sanitarian" or the placing of the initials "R. S." may be used after the names of certificate holders; providing penalties for violations hereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Dempster:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the title of the printed bill, strike out the word "Public".

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out the word "Public".

AMENDMENT NUMBER THREE.

On page 2, line 4, of the printed bill, strike out "has graduated from a high school or".

AMENDMENT NUMBER FOUR.

On page 2, line 7, of the printed bill, strike out the word "Public".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out lines 14 to 21, inclusive.

AMENDMENT NUMBER SIX.

On page 2, line 22, of the printed bill, strike out "Sec. 5", and insert in lieu thereof the following: "Sec. 4".

AMENDMENT NUMBER SEVEN.

On page 2, line 26, of the printed bill, strike out the word "Public".

AMENDMENT NUMBER EIGHT.

On page 2, line 33, of the printed bill, strike out "Sec. 6", and insert in lieu thereof the following: "Sec. 5".

AMENDMENT NUMBER NINE.

On page 2, line 33, of the printed bill, strike out the word "Public".

AMENDMENT NUMBER TEN.

On page 2, line 39, of the printed bill, strike out "Sec. 7", and insert in lieu thereof the following: "Sec. 6".

AMENDMENT NUMBER ELEVEN.

On page 2, line 40, of the printed bill, strike out the word "Public".

AMENDMENT NUMBER TWELVE.

On page 2, line 44, of the printed bill, strike out the word "Public".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 46, of the printed bill, strike out "Sec. 8", and insert in lieu thereof the following: "Sec. 7".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 47, of the printed bill, strike out the word "Public".

AMENDMENT NUMBER FIFTEEN.

On page 3, line 4, of the printed bill, strike out the word "Public".

AMENDMENT NUMBER SIXTEEN.

On page 3, line 7, of the printed bill, strike out the word "Public".

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 9, of the printed bill, strike out "Sec. 9", and insert in lieu thereof the following: "Sec. 8".

AMENDMENT NUMBER EIGHTEEN.

On page 3 of the printed bill, after line 30, insert the following:

"Nothing in this act shall be deemed as authorizing any person registered hereunder to engage in the practice of civil engineering in any of its branches, as defined in Chapter 801, Statutes of 1929, as amended."

AMENDMENT NUMBER NINETEEN.

On page 3, line 31, of the printed bill, strike out "Sec. 10.", and insert in lieu thereof the following: "Sec. 9."

AMENDMENT NUMBER TWENTY.

On page 3, line 41, of the printed bill, strike out "Sec. 11.", and insert in lieu thereof the following: "Sec. 10".

AMENDMENT NUMBER TWENTY-ONE.

On page 3, line 47, of the printed bill, strike out "Sec. 12.", and insert in lieu thereof the following: "Sec. 11".

AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 47, of the printed bill strike out the word "Public".

AMENDMENT NUMBER TWENTY-THREE.

On page 4, line 3, of the printed bill, strike out "Sec. 13.", and insert in lieu thereof the following: "Sec. 12".

AMENDMENT NUMBER TWENTY-FOUR.

On page 4, line 3, of the printed bill, strike out the word "Public".

AMENDMENT NUMBER TWENTY-FIVE.

On page 4, line 10, of the printed bill, strike out "Sec. 14", and insert in lieu thereof the following: "Sec. 13".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1722—An act to amend section 3888 of the Political Code of California, relating to the medium for the payment of taxes.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1722 was withdrawn from the file, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1244—An act to add a new section to the California Vehicle Act to be numbered 151b, relating to rendering assistance to domestic animals injured by a vehicle, conveying it to a veterinarian, and notifying the owner thereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1244 was withdrawn from the file, and referred to Committee on Motor Vehicles.

SECOND READING OF SENATE BILLS.

Senate Bill No. 320—An act to amend the "Reclamation Board Act," approved December 24, 1911, as amended, by amending section 14 thereof relating to assessments and assessment lists of the Sacramento and San Joaquin Drainage District and providing when public officers shall not be entitled to fees, section 36 thereof relating to reapportionment of assessments on subdivided lands, and section 37a thereof relating to the application of moneys released, reimbursed, or appropriated

under and pursuant to Chapter 176 California Statutes of 1925 and the War Department Appropriations Act of Congress of the United States for the fiscal year ending June 30, 1930, being Public Law No. 843, Seventieth Congress, approved February 28, 1929.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 410—An act to amend Sacramento and San Joaquin Drainage District Refunding Act, approved May 26, 1927, as amended, by amending section 2 thereof, relating to the operation and maintenance of certain units of the flood control work within the Sacramento and San Joaquin drainage district.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 321—An act to amend an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin Drainage District based upon assessments levied by the reclamation board upon lands in said district," approved May 27, 1919, as amended by amending section 29 thereof relating to the maturity, calling and redemption of bonds of said district, section 42 thereof relating to the calling of installments to pay interest and principal on such bonds and to provide a sinking fund, section 50 thereof relating to the redemption of delinquent assessments and to deeds by the reclamation board where lands have not been redeemed and section 52 thereof relating to the investment of surplus moneys in the bond fund and to the cancellation of bonds purchased with such moneys.

Bill read second time.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Clowdsley:

AMENDMENT NUMBER ONE.

In line 9 of the title of the printed bill, as amended in Senate March 22, 1933, after the comma following the word "fund", insert the following: "Section 45 thereof relating to sales for delinquent assessments,".

AMENDMENT NUMBER TWO.

On page 4, line 19, of the printed bill, as amended in Senate March 22, 1933, after the word "list", strike out the following: "two times, to wit:".

AMENDMENT NUMBER THREE.

On page 4, line 20, of the printed bill, as amended in Senate March 22, 1933, after the word "least", insert the following: "two times, to wit:".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 716—An act to repeal Article X of Chapter X of Title II of Part IV of the Political Code, embracing section 4239, and to add to Chapter X of Title II of Part IV thereof a new Article X, embracing sections 4239 and 4239a to 4239w, inclusive, relating to the compensation of county and township officers in counties of the tenth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 22, of the printed bill, as amended, strike out "calendar", and insert in lieu thereof the following: "fiscal".

AMENDMENT NUMBER TWO.

On page 6 of the printed bill, as amended, between lines 41 and 42, insert the following: "One secretary, one thousand three hundred fifty dollars ($1,350) per annum;".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 713—An act to repeal sections 19j and 19x10 of the Juvenile Court Law, relating to the probation officer in counties of the tenth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 714—An act to repeal section 16x10 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the tenth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 715—An act to repeal section 2322x10 of the Political Code, relating to the office of the agricultural commissioner in counties of the tenth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 450—An act to add a new section to Chapter 4 of Division VI of the Agricultural Code, to be numbered 1217.5, relating to nonprofit cooperative marketing associations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 137—An act to amend sections 1202a, 1572, 1576, and 1586, of the Penal Code, relating to the State prisons, establishing a female department thereof and transferring an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 547—An act to consolidate the government and administration of the State Narcotic Hospital and Pacific Colony, and declaring the urgency thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 733—An act to add a new section to the Political Code to be known as 674a, relating to purchase and sale of bonds by the Director of the Department of Finance.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 866—An act to repeal an act entitled "An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance; prescribing the powers and duties of said officials in relation to such bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor," approved June 5, 1931.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1011—An act to amend section 376a of the Political Code, relating to the office of Director of Penology.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 382—An act to repeal an act entitled "An act to authorize justices of the District Court of Appeal for the Second Appellate District to provide proper rooms for the accommodation of the court and its officers and library, and declaring the expenses thereof to be an annual charge against the general fund in the State treasury," approved May 25, 1919.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 717—An act to repeal section 9a10 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to the county librarian in the counties of the tenth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1014—An act to repeal an act entitled "An act creating an Advisory Pardon Board; defining and prescribing the powers and duties thereof; and making an appropriation therefor," approved May 17, 1915, as amended, relating to Advisory Pardon Board.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1181—An act making an appropriation to pay the cost of printing constitutional amendments for the 1932 election, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1183—An act making an appropriation for the support of the Department of Finance, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No 3—An act to repeal an act entitled "An act concerning the completion of unfinished public buildings now in process of construction by this State, permitting alterations of and additions to the original plans for the construction thereof, and permitting the execution of contracts for the construction thereof and for the purchase of materials for use therein without publishing notice of such work and without calling for or receiving bids therefor, declaring the urgency thereof and providing that this act shall take effect immediately," approved April 9, 1931.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 326—An act to amend section 689 of the Political Code, relating to the costs of janitor and maintenance service furnished by the Department of Finance.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, following line 27, add the following paragraph: "The State Department of Finance may file a claim against any appropriations made from special funds for the support or maintenance of any part or all of

the work and affairs of any State department, officer, board or commission for a pro rata share of the costs or services included within this section, and the State Controller shall draw his warrant in accordance with law upon such claim in favor of the State Department of Finance."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 327—An act to add section 675.2 to the Political Code, relating to the transfer of land between State agencies.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed bill, strike out the following: "if the transferee agency is one having".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 21 to 25, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON OIL INDUSTRIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Joint Resolution No. 29—Relative to memorializing Congress to enact legislation prohibiting the importation of crude petroleum and crude petroleum by-products—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

BADHAM, Chairman.

Assembly Joint Resolution No. 29 ordered on file for adoption.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was re-referred Assembly Bill No. 674—An act to establish the Vehicle Code and thereby to consolidate and revise the law relating to traffic on streets and highways and the registration, identification, operation, driving, use, ownership, transfer, theft, embezzlement, destruction, molestation, unlawful entering and taking and driving, equipment, size, weight, loading and wrecking of vehicles used upon streets and highways and liens and mortgages on such vehicles and the licensing and regulation of drivers of such vehicles and the civil liability of persons signing license applications of minors and the conduct and records of persons dealing with such vehicles and the civil liability arising from the ownership, maintenance, use and operation of such vehicles and the financial responsibility of owners and operators of such vehicles and crimes connected with the use of such vehicles and the parties, procedure, presumptions, evidence and reports in relation to such crimes and the creation, organization, powers, duties, jurisdiction and maintenance of the Department of Motor Vehicles and its divisions in connection therewith and the collection, disposition and use of fees, fines and forfeitures in relation thereto and the limitations on the powers of local authorities over the aforesaid subject and to repeal certain specified provisions of law germane to the aforesaid subject—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1757—An act to amend section 1068 of the Fish and Game

Code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 979—An act to add a new section to the Political Code, to be numbered 2161a, relating to State hospital buildings and grounds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

KNOWLAND, Chairman.

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 123—An act to amend section 204e of the Code of Civil Procedure, relating to the secretary and assistant secretaries of the superior court—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

LEVEY, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1312—An act to amend section 7 of that certain act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LEVEY, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1967—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LEVEY, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 197—An act to amend section 1425 of the Penal Code, relating to the jurisdiction of justices' courts in criminal cases;

Also: Assembly Bill No. 261—An act to amend section 110a of the Code of Civil Procedure, relating to salaries of justices of the peace in townships of thirty thousand population or more in counties of the first class, and the determination of such population;

Also: Assembly Bill No. 290—An act to amend sections 1261, 1263, 1264, 1265, 1267, 1268, 1269, 1270, 1271, 1272 and 1273, and to repeal section 1266 of the Agricultural Code, relating to dealers in farm products;

Also: Assembly Bill No. 396—An act to add a new section to the Political Code to be numbered 2610, relating to the power of the Director of Public Works to rescind or terminate leases of lands of Mission Bay;

Also: Assembly Bill No. 694—An act to amend the Fish and Game Code by amending the heading of Article 2, Chapter 4, Part 2, Division IV, by amending sections 736 and 738, by adding sections 844.5 and 866 thereto, and by repealing section 929 thereof, relating to fish and game;

Also: Assembly Bill No. 926—An act to amend section 291 of the Civil Code, relating to corporations;

Also: Assembly Bill No. 929—An act to repeal an act entitled "An act making an appropriation for the mileage for members and officers of the Legislature, and declaring the urgency thereof," approved March 11, 1931;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 554—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 1 01, 3 02, 5.01, 6.01, 6.02, 6.03, 6.08, 7.06, 9.02, 9 04, to 9 12, both inclusive, 10.03, 10 05, 12.01, 12.08, 13.01, and 15 16 and adding new sections to be numbered 9 13, 9.14, 9.15, 9.16, 9.17 and 13 16a to said act, relating to building and loan associations;

Also: Assembly Bill No. 948—An act to repeal section 2078 of the Political Code, relating to National Guard uniform and equipment allowances;

Also: Assembly Bill No. 1536—An act to add section 484.5 to the Fish and Game Code, to amend section 665, and to repeal sections 863, 876, 887 and 942 thereof, relating to fish and game;

Also: Assembly Bill No. 2200—An act to amend section 2295a of the Political Code, relating to reports and publications furnished to the State Library;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2286—An act authorizing and empowering the Director of Finance to accept money from the estate of Emma Hotfilter for the purpose of erecting a fountain within the State Capitol grounds;

Also: Assembly Bill No. 2354—An act relating to retirement systems covering county or township officers or employees or a portion of such employees;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 15—Relative to General Pulaski's Memorial Day—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Concurrent Resolution No. 15 ordered on file for adoption.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1944—An act to create a Hydraulic Mining Board; prescribing its powers and duties and providing for cooperation with Federal Debris Commission;

Also: Assembly Bill No. 2145—An act to amend sections 93 to 95, inclusive, of the Vehicle Code, relating to members of the California Highway Patrol;

Also: Assembly Bill No. 2226—An act to amend section 779, to repeal sections 780, 781, 782 and 783 of, and to add a new section to be numbered 780 to, the Vehicle Code, relating to the motor vehicle fund and the disposition of moneys placed therein;
Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 17—A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and the qualification, compensation, and manner of electing the delegates to such convention.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Concurrent Resolution No. 17 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 4—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interest in property;

Also: Assembly Bill No. 951—An act to amend section 1204 of the Code of Civil Procedure so as to give a preference to all wage claimants under a receivership;

Also: Assembly Bill No. 640—An act to amend section 1261 of the Political Code, relating to election supplies and records;

Also: Assembly Bill No. 641—An act to amend section 1265 of the Political Code, relating to the disposal of election supplies and records;

Also: Assembly Bill No. 642—An act to repeal section 1267 of the Political Code, relating to delivery of election returns by clerk of supervisors;

Also: Assembly Bill No. 643—An act to repeal section 1264a of the Political Code, relating to roster of voters;

Also: Assembly Bill No. 644—An act to repeal section 1266 of the Political Code, relating to destruction of ballots;

Also: Assembly Bill No. 645—An act to repeal section 1268 of the Political Code, relating to copy of register.

J. A. BEEK, Secretary of Senate.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 324—An act to add a new section to the Penal Code, to be numbered 653g, relating to employment on public work.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1218—An act to amend section 111 of the Penal Code, relating to a payment by the State of costs of certain criminal trials.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 437—An act to provide for the taxation of Massachusetts or business trusts—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Revenue and Taxation.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No 435—An act to amend sections 8, 14, and 19 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Revenue and Taxation.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1075—An act to amend section 798 of the Agricultural Code, relating to the standardization of dates—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Agriculture.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 436—An act to amend sections 5, 6, 12, 13, 20, 21, 25, 27, 29, 30, 31, and 33 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and

providing that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Revenue and Taxation.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 817—An act to amend section 28 of the General Cemetery Act, relating to the extension of time for the disinterment and removal of bodies from cemeteries—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1433—An act to amend section 1115 of the Political Code to provide for the printing of the index to registration of affidavits—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Elections.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 560—An act to provide for the establishment, maintenance and operation of unemployment relief camps.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 560 read first time, and referred to Committee on Unemployment.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 250—An act to add a new section to the Political Code, to be numbered 4056d, relating to powers and duties of board of supervisors with respect to county and township officers, deputies, assistants and employees.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 250 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of said State repealing sections 4 and 9 of Article XI thereof and amending section 5 of said article, relating to county government.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Constitutional Amendment No. 16 read, and referred to Committee on Constitutional Amendments.

COMMUNICATION.

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

STATE OF CALIFORNIA, THE ADJUTANT GENERAL'S OFFICE,
SACRAMENTO, April 12, 1933.

Hon. Walter J. Little, State Assembly, Sacramento, California.

MY DEAR MR. SPEAKER: The band of the first regiment, California High School Cadets of Dinuba, which is now on duty at the California High School Cadet encampment at the State Fair Grounds, will give a concert in the Rotunda of the Capitol at one o'clock and fifteen minutes p.m., on Thursday, April 13th.

It is respectfully requested that this information be conveyed through you to the members of the Assembly.

Very sincerely yours,

SETH E. HOWARD,
Brigadier General, C. N. G., The Adjutant General

LEAVE OF ABSENCE.

On motion of Mr. Williamson, Mr. Feigenbaum was granted leave of absence for the balance of this legislative day.

ADJOURNMENT.

At four o'clock and forty minutes p.m., on motion of Mr. Clowdsley, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, April 13, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, April 13, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallnet, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Lyon, Hon. Eddie Bryant, former member of the Legislature, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Lyon, Mrs. Herbert McDowell of Fresno, California, Mrs. Felix McGinnis and Miss Anita Nell McGinnis of Sacramento and Mr. James Bradley, London, England, Mr. David Sobel of Los Angeles and Mr. Ben S. McGlashan of Station KGFJ were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Maloney, Mr. Frank Havener, supervisor of the City and County of San Francisco, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Mr. and Mrs. B. F. Pepper, Los Angeles, urging support and passage of *Assembly Constitutional Amendment No. 47.*

Also:

By Mr. Speaker:

From Property Owners Division, Los Angeles, urging support of the legislative program of the Property Owners Division of Los Angeles Realty Board and of the associated realty boards of Los Angeles County.

(Signed) FLOYD D. JACKSON.

Also:

By Mr. Speaker:

From H. M. Irwin, Los Angeles, urging support of Assembly Constitutional Amendment No. 47.

Also:

By Mr. Speaker:

To the Members of the Legislature, State Capitol, Sacramento.

Resolution adopted by the board of supervisors of the City and County of San Francisco at the regular meeting Monday, April 3, 1933.

WHEREAS, The United States frigate Constitution, since its arrival in San Francisco, California, on March 24, 1933, has been visited each day by over 20,000 people, many of whom have come from distant cities in the Sacramento and San Joaquin valleys and in the State of Nevada; and

WHEREAS, Many thousands of people are engaged in business and different kinds of employment and can not afford the time to stand in line several hours before being able to gain admission, and hence have been unable to avail themselves of the privilege of visiting this famous vessel; and

WHEREAS, No event since the admission of California to the Union has developed the patriotic enthusiasm and determination of our citizens to as great an extent as has the visit of the Constitution; and

WHEREAS, There are hundreds of thousands of adults and of school children in northern and central California and Nevada who will be unable to avail themselves of an opportunity to visit this famous vessel during the limited time assigned by the present schedule for her stay at the ports of the San Francisco Bay District; therefore, by the board of supervisors of the City and County of San Francisco, State of California, in regular session assembled, this third day of April, 1933; be it

Resolved, That the Secretary of the Navy be and he is hereby respectfully requested to so alter the visiting schedule of the Constitution, that, upon her return to the port of San Francisco in August, 1933, said vessel will remain in the San Francisco Bay area for a period of not less than one year after her aforesaid return in August, 1933; be it further

Resolved, That copies of this resolution be sent to the President of the United States, the Secretary of the Navy, the Senators and Representatives from the States of California and Nevada, and the Governors of the States of California and Nevada, and that each and every one of said gentlemen be requested to do all within his power to bring about the stay of the Constitution at San Francisco Bay for the period hereinaforesaid.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 123—An act to amend section 204e of the Code of Civil Procedure, relating to the secretary and assistant secretaries of the superior court;

Also: Assembly Bill No. 1312—An act to amend section 737vv of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Solano;

Also: Assembly Bill No. 1967—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

ON CIVIL SERVICE.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Civil Service, to which was referred Assembly Bill No. 2125—An act to amend section 5 of the act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, relating to duties of the commission—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BOWERS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Civil Service, to which was referred Assembly Bill No 2290—An act to amend sections 5 and 13, and to add sections 13a and 13b to the "State Civil Service Act"—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BOWERS, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 29—Relative to memorializing Congress to enact legislation prohibiting the importation of crude petroleum and crude petroleum by-products—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Joint Resolution No. 29 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 35—An act to amend sections 5, 7, 23, 24 and 25 of the Direct Primary Law, prohibiting persons becoming candidates of more than one party;

Also: Assembly Bill No. 1013—An act to amend sections 16f, 21, 37, 54, 55, 61, 96, 104 and 105 and to add sections 25a and 59 to the "Bank Act," defining and regulating the business of banking;
And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Williamson moved that the consideration of his motion to reconsider the vote whereby Senate amendments to Assembly Bill No. 898 were concurred in, be continued until the next legislative day.

Motion carried.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 543—An act making it unlawful for any person to employ any other person to solicit law practice, prohibiting any person from soliciting such law practice, limiting the use of written statements taken from an injured person, and providing the penalties therefor, also establishing presumptions as to certain settlements, compromises, releases, discharges and satisfactions and contracts with attorneys, and providing a period of limitation on suits to set aside such contracts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, in the title of the printed bill, after the words "such law practice", strike out the words: "limiting the use of written statements taken from an injured person, and providing the penalties therefor, also establishing presumptions as to certain settlements, compromises, releases, discharges and satisfactions and", and insert in lieu thereof the following: "and providing the penalties therefor, and limiting".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines 36 to 46, inclusive.

AMENDMENT NUMBER THREE.

On page 2, line 47, of the printed bill, change "(d)", to "(b)".

AMENDMENT NUMBER FOUR.

On page 3, line 3, of the printed bill, change "(e)", to "(c)".

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, strike out all of line 4, and in line 5, strike out the words "of claims".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2294—An act relating to and providing for a moratorium with respect to the requirement for the performance of prospecting work contained in certain State mineral permits other than those issued for prospecting for oil or gas, under the authority contained in Chapter 303, Statutes of California, 1921, as amended, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2332—An act to add sections 1263 5 and 1268.5 to the Agricultural Code, relating to slaughterers.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, strike out "sections 1263.5 and 1268.5", and insert in lieu thereof the following: "section 1263.5".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, strike out lines 3 to 16, inclusive, and insert in lieu thereof the following:

"1263.5. Any person licensed as a slaughterer under the provisions of Article 3, Chapter 1, Division III of this code, shall be entitled to be licensed as a commission merchant without payment of further fees."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1944—An act to create a Hydraulic Mining Board; prescribing its powers and duties and providing for cooperation with Federal Debris Commission.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to create the California Mining and Development Board and to provide for the fostering and development of the mining industry of this State."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 29, inclusive, and insert in lieu thereof the following.

"SECTION 1. There is hereby created a board to be known as the California Mining and Development Board consisting of five persons, three of whom shall be appointed by the Governor in accordance with the following classification: One from a list of three names to be submitted by the California Farm Bureau Federation who shall be a resident of the Sacramento and San Joaquin Drainage District; one from a list of three names to be submitted by the State local sections of the American Institute of Mining Engineers; and one to be appointed at large. These together with the State Mineralogist and an official of the California Debris Commission, to be recommended by said commission, shall constitute the board.

SEC. 2. The term of office of the members of the board appointed by the Governor shall be four years and they shall hold office until the appointment and qualification of their successors, except that the first members appointed to the board shall at their first meeting so classify themselves by lot that one member shall hold office until January 15, 1935, one member until January 15, 1936, and one member until January 15, 1937. Vacancies occurring in the board shall be filled by appointment for the unexpired term of the member causing the vacancy, and each person appointed to fill such vacancy shall be appointed by the Governor from the same classification as the member of the board whose term such person is appointed to complete

SEC. 3. Each of the three members of the board appointed by the Governor shall receive a fee of twenty-five dollars per day for each day attending the meetings of the board or engaged upon the business of the board when authorized by resolution of the board. All members of the board shall receive all necessary expenses incurred in the performance of their duties.

SEC. 4. The California Mining and Development Board shall have its office at the city of Sacramento. The board shall elect one of its members as president, and may also elect another of its members as vice president who shall have the powers and perform the duties of the president during his absence or inability to act or at his request or when so authorized by the board. The regular meetings of said board shall be held at such times as shall be fixed by the board, and a majority of the board shall constitute a quorum, but no action of said board shall be effective unless the same shall be concurred in by a majority of the members thereof. Special meetings of the board may be called at any time by the president or by a

majority of the members upon notice by mail or telegraph to each member at his place of residence or business, and there received at least twenty-four hours before the hour fixed for such meeting. Any other meeting of the board, at its office, when all of the members are present, shall be considered a legal meeting at which any business may be transacted.

The board shall maintain a secretary in its office in Sacramento during regular office hours and may also employ such engineers, technical experts, clerical assistants, and such other employees that may be necessary to carry out the provisions of this act and shall set their compensation.

SEC. 5. (a) It shall be the duty of said Mining Board and it is hereby empowered and directed to make such investigations as the board may deem necessary or advisable to promote the mining of gold in the State of California so as to aid to the greatest extent possible the unemployment situation which now exists in the State and to benefit the State by the increased production of gold.

(b) It shall investigate the gold deposits in the State and the possibility of forming local improvement districts to embrace all properties which can be improved by one common system of works. Such improvement districts shall be formed in a manner similar to the formation of reclamation districts as provided in the Political Code.

(c) The board is hereby authorized to enforce any and all other laws relating to the mining industry of this State.

(d) It shall draft and prepare after public hearings an act to accomplish this purpose to be submitted to the Legislature of the State of California at its next meeting.

(e) It shall enter into negotiations with the Reconstruction Finance Corporation for the purpose of obtaining loans from the Reconstruction Finance Corporation for self-liquidating projects for the development of mines or mining areas in the State and may pledge any of its funds available to the Reconstruction Finance Corporation for a temporary loan until the formation of improvement districts have been authorized as provided in subdivision (b) of section 5

(f) It shall be authorized to develop water in the desert areas of the State so as to open up these areas and make them available for prospecting and the development of mining properties in these areas.

(g) It shall be empowered to call upon the State Engineer who is hereby directed to make available such data and surveys as may be in his records and to cooperate with the Mining Board in accumulation of the necessary data for complete investigation of mining possibilities in the State, provided that all additional expense entailed in the preparation of such data shall be paid for out of the funds of said Mining Board.

SEC. 6. There is hereby levied upon each person, firm, association or corporation licensed to engage in the business of milling, sampling, concentrating, reducing, refining, purchasing or receiving for sale any minerals under the provisions of Chapter 70, Statutes of 1925, the sum of ten cents on each fine ounce of gold milled, sampled, concentrated, reduced, refined, purchased or received for sale Said tax shall be collected by the board and all receipts therefrom shall be paid into the State treasury to the credit of the California Mining and Development Board fund, which fund is hereby created. All moneys in said fund are hereby appropriated to carry out the purposes of this act and shall be withdrawn from the State treasury in accordance with law.

SEC. 7. This act shall be known and cited as the California Mining and Development Act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2346—An act to repeal an act entitled "An act to create a Board of Harbor Commissioners for the port of San Jose on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees and to appropriate money to carry this act into effect," approved June 14, 1913.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2263—An act to amend section 602b of the Political Code, relating to workmen's compensation insurance.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 350—An act to amend sections 2.1500, 2.1501, 2.1502 and 2.1503 of the School Code, and to add a new section thereto, to be numbered 2.1505, relating to conventions of county and city superintendents.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 351—An act to repeal an act entitled "An act providing for annual conventions of secondary school principals," approved April 12, 1929, and to repeal sections 5.630 to 5.634, inclusive, of the School Code, and to add six new sections to said code, to be numbered 5.630, 5.631, 5.632, 5 633, 5.634 and 5.636, all relating to conventions of secondary school principals.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1079—An act to add two new sections to the School Code, to be numbered 6.734 and 6.735, relating to cafeterias.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1080—An act to add a new article to Chapter I of Part III of Division IV of the School Code, to be numbered Article Ib, comprising sections 4 280b to 4.284b, inclusive, relating to revolving funds for warehouse stock.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 254—An act to amend sections 1, 2, 3, 6, and 7 of an act entitled "An act regulating the sale, offering for sale, possession or transportation of machine rifles, machine guns and submachine guns, and providing a penalty for the violation thereof," approved May 16, 1927.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1756—An act to repeal section 1069 of the Fish and Game Code, relating to fish.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 355—An act to amend sections 3, 4, 5a and 15, and to repeal section 17 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, Statutes of 1911, page 1192, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2092—An act to amend sections 25, 27, 28, 60, 62, 63, 65a, 66, and 68 of and to add two new sections to be numbered sections 76b and 76c, respectively, to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for

the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2118—An act to amend section 12 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, relating to compensation and insurance of workmen.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 22, of the printed bill, after the words "one week", add the following words: "provided, that the earnings from employments other than the employment in which the injury occurred shall not be taken at a higher rate than the hourly rate paid at the time of the injury".

AMENDMENT NUMBER TWO.

On page 2, line 49, of the printed bill, after the word "week", delete the words "or is seasonal".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1102—An act to amend section 594 of the Political Code, defining and classifying insurance, and prescribing capital and other requirements of the various classes and limitations of classes permitted, and also requiring the stock of insurance companies to have a specified par value.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

On page 5, line 24, of the printed bill, after the word "dollars", insert a period.

AMENDMENT NUMBER TWO.

On page 5, line 24, of the printed bill, after the word "dollars", strike out the words "nor shall", and all of lines 25 to 30, both inclusive.

AMENDMENT NUMBER THREE.

On page 5, line 43, of the printed bill, before the word "sixth", insert "fifth,".

AMENDMENT NUMBER FOUR.

On page 5, line 48, of the printed bill, before the word "sixth", insert "fifth,".

AMENDMENT NUMBER FIVE.

On page 2, line 15, of the printed bill, strike out all matter after the word "insurance", to the word "against", in line 16.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1083—An act to amend sections 1, 2, 3, 6 and 14 of an act entitled "An act to define motor club service, and to define, license and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles and providing penalties for the violation thereof, and repealing

all acts in conflict herewith,'' approved June 15, 1929, as amended, and to add thereto two new sections to be numbered sections 3 (A) and 17.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

On page 5, line 29, of the printed bill, strike out the words "twenty-five", and substitute therefor the following: "one hundred".

AMENDMENT NUMBER TWO.

On page 5, line 43, of the printed bill, insert before the word "upon", the following: "A deposit of cash or securities, in lieu of such bond, shall be subject to the same conditions applying to the bond".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1791—An act to amend an act entitled ''An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations,'' approved April 30, 1919, by adding section 1, section 4a; section 2, section 4b; section 3, section 4c; section 4, section 4d; section 5, section 4e; section 6, section 4f; section 7, section 4g; section 8, section 4h; section 9, section 4i; section 10, section 4j; section 11, section 4k; and section 12, section 4l thereto.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

Strike out lines 4 to 8, both inclusive, of the title of the printed bill, and substitute in lieu thereof the following: "as amended, by adding thereto six new sections, to be numbered 5, 8a, 8b, 8c, 8d and 8e, respectively, and by amending section 6 thereof."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 22, both inclusive, and all of pages 2 and 3 thereof, and substitute in lieu thereof the following:

"SECTION 1. A new section numbered section 5 is hereby added to the act entitled "An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations," approved April 30, 1919, as amended, to read as follows:

Sec. 5. The rights and duties of the Insurance Commissioner with reference to foreign corporations and their assets shall be those heretofore exercised by and imposed upon ancillary receivers of foreign corporations in this State.

SEC. 2. Section 6 of said act is hereby amended to read as follows:

Sec 6. At any time during a proceeding under this act the court may issue such other injunctions or orders as may be deemed necessary to prevent interference with the Insurance Commissioner or the proceeding or waste of assets of the insurer, or the prosecution of any actions or proceedings, or the obtaining of preferences, judgments, attachments or other liens, or the making of any levy against the corporation or any of its assets.

SEC. 3. A new section is hereby added to said act to be numbered section 8a to read as follows:

Sec. 8a. (1) Upon the making of an order to liquidate the business of such corporation, the Insurance Commissioner shall cause to be published notice to its policyholders, creditors, stockholders, and all other persons interested in its assets, to file claims, with proper proofs thereof, against such corporation within six months after the date of first publication. Such notice must be published not less than once a week for four successive weeks. A copy of the notice, accompanied by an affidavit of due publication, and date of first publication, shall be filed with the clerk of said court within thirty days after the first publication.

(2) Such claim must set forth under oath the particulars thereof, the consideration therefor, the securities, if any, held therefor, the payments, if any, made thereon, that the sum claimed is justly owing from the insurer to the claimant, that there

is no offset to the claim, and such other data or supporting documents as the Insurance Commissioner may require.

(3) Unless such claim is filed in the manner and within the time herein provided it shall not be entitled to filing or allowance, and no action may be maintained thereon.

(4) The time limit for the filing of claims prescribed by this section shall apply to all proceedings now pending under this act in which proof of publication of notice to creditors to present their claims is on file with the clerk of said court and a period of at least six months from the first publication of said notice has elapsed.

SEC. 4. A new section is hereby added to said act to be numbered section 8b to read as follows:

Sec. 8b. (1) No contingent claim shall share in a distribution of the assets of a corporation which has been adjudged to be insolvent except where such claim becomes absolute against the insurer on or before the last day fixed for the filing of claims against the assets of the insurer, or where there is a surplus and the liquidation is thereafter conducted upon the basis that the insurer is solvent

(2) Where a corporation has been adjudged to be insolvent any person who has a cause of action against an assured of the corporation which is the subject of indemnity under a liability policy issued by the corporation shall have the right to file a claim in the liquidation proceeding, regardless of the fact that such claim may be contingent. Such a claim may be allowed provided (a) that it may be reasonably inferred from the proof presented upon such claim that such person would be able to obtain a judgment upon such cause of action against such insurer; (b) that such person shall furnish suitable proof that no further valid claims against such insurer arising out of his cause of action other than those already presented can be made unless for good cause shown the court in which the proceeding is pending shall otherwise direct; (c) that the total liability of such insurer to all claimants arising out of the same act of its assured shall be no greater than its total liability would be were it not in liquidation; (d) that no judgment taken by default, or by collusion, against such an assured shall be considered as evidence in the liquidation proceeding either of the liability of such assured to such person upon such cause of action or of the amount of damages to which such person is therein entitled

(3) No claim of any secured claimant shall be allowed in a sum exceeding the difference between the amount for which the claim is allowed and the value of the security, unless the claimant shall surrender his security to the Insurance Commissioner in which event the claim shall be allowed in the full amount for which the claim is valued Such claimant must elect to accept the security or to release it to the liquidator. The value of the security to be credited upon such claim shall be determined by an appraiser appointed by the liquidator and approved by the court.

SEC. 5. A new section is hereby added to said act to be numbered section 8c to read as follows:

Sec. 8c. When a claim is rejected by the liquidator written notice of rejection shall be given by registered mail, addressed to the claimant at the address furnished on his claim, and within thirty days after the mailing of said notice the claimant may present his claim, by way of an order to show cause, to the court in which the liquidation proceeding is pending

SEC. 6. A new section is hereby added to said act to be numbered section 8d to read as follows:

Sec. 8d. Claims filed in a proceeding under this act shall be given preference in the following order: 1. expense of administration; 2. claims having preference by the laws of the United States and by the laws of this State; 3. all other claims

SEC. 7. A new section is hereby added to said act to be numbered section 8e to read as follows:

Sec. 8e Every transfer made of property of such corporation, every lien created thereon, and every judgment suffered against such corporation, with the intent or effect of giving to any creditor of such corporation or of enabling him to obtain a greater percentage of his debt or preference over any other creditor of the same class, shall be voidable by the Insurance Commissioner if it occurs within four months prior to the commencement of a proceeding under this act for the adjudication of the insolvency or the hazardous financial condition of such corporation."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1167—An act to amend section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to proceedings after decision.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed bill, insert after the word "act", a comma and the following words: "except orders approving compromises and releases of settlements,".

AMENDMENT NUMBER TWO.

On page 1, line 26, of the printed bill, insert after the word "upon", the words "good cause appearing therefor,".

AMENDMENT NUMBER THREE.

On page 2, line 1, of the printed bill, after the word "therefor", strike out the following words: "new facts arising subsequently thereto,".

AMENDMENT NUMBER FOUR.

On page 2, line 9, of the printed bill, after the word "injury", insert a comma and the following words: "provided further, that the continuing jurisdiction given the Industrial Accident Commission shall not extend to a specific subject matter previously adjudicated."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1170—An act to amend section 14 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, relating to nonresident alien dependents, and to reassignment of a death benefit.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Amend the title of the printed bill by striking therefrom the words "nonresident alien dependents, and to".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, strike out the following: "Compensation under this act to alien dependent widows and children not residents of the United States, shall be sixty per cent of the amount provided in each case for residents; and the employer may at any time commute all future installments of compensation payable to alien dependents, not residents of the United States by paying to such alien dependents, the then value thereof, calculated in accordance with the provisions of section 28 of this act. Alien widowers, parents, brothers and sisters, not residents of the United States, shall not be entitled to any compensation."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 248—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to and defining employees and excluding from the provisions of the act any person or persons engaged in any work or service under or in connection with any unemployment, relief, or charity project.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, after the words "private sources", add the following words: "provided, that such person so employed in such work or service is not employed regularly or for five or more days during each week,".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1772—An act to add a new section to the Workmen's Compensation, Insurance and Safety Act of 1917 to be known as section 26a, relating to compensation.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, commencing with the word "If", strike out to and including line 11.

AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, strike out the word "the", following the word "If", and insert in lieu thereof the word "an", following the word "injury"; insert the word "to", following the word "or"; insert the word "the", following the word "of"; strike out the word "the", and insert in lieu thereof the word "an".

AMENDMENT NUMBER THREE.

On page 1, line 22, of the printed bill, strike out the word "so", following the word "employee", and insert the following: "during the period of his disability"; following the word "or", insert the word "to"; and following the word "dependents", insert the word "either".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 217—An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, as amended in the Assembly March 24, 1933, add the following section after line 8 of said page 4, to read as follows:

"SEC. 3. There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in the land granted by this act."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1428—An act authorizing the legislative body of a municipality to vacate, abandon and close any public street, highway,

road, boulevard, avenue, lane or place, or any part thereof, and prescribing a procedure therefor.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the word and figure "Section 1.", strike out all of the printed matter therein contained down to and including all of line 15, page 2, and insert in lieu thereof the following: "Whenever the public interest or convenience no longer requires the maintenance of any public street, highway, road, boulevard, avenue, lane or place, or any part thereof, the legislative body of any municipality shall have full power and authority to order the vacation, abandonment and closing thereof, within the boundaries of such municipality, under the proceedings hereinafter described. One or more streets, highways, roads, boulevards, avenues, lanes or places, or any portions thereof, may be included in one proceeding.

SEC. 2. Before ordering the vacation, abandonment and closing of any such street, highway, road, boulevard, avenue, lane or place, or any part thereof, which is authorized by section 1 of this act the legislative body shall pass a resolution declaring its intention to do so, referring to the street by its lawful or official name, or the name by which it is commonly known, which is proposed to be vacated, abandoned and closed and to the extent thereof. The said resolution shall be sufficient if it describes the street proposed to be vacated, abandoned and closed and refers to maps, plats and plans, or such of these as may be suitable and proper, approved by the legislative body, which shall be on file in the office of the city clerk or the city engineer, at the time of the passage of the said resolution, which said maps shall indicate the street to be vacated, abandoned and closed. Said maps shall govern for all details as to the extent and description of the street to be vacated, abandoned and closed.

Said resolution of intention shall also contain a notice of the day, hour and place when and where all persons having objections to, or claiming damages because of, the proposed vacation, abandonment and closing, may appear before the legislative body and show cause why said proposed vacation, abandonment and closing should not be carried out in accordance with said resolution and also claim damages by reason thereof; said time shall not be less than fifteen (15) nor more than sixty (60) days from the date of the passage of said resolution. The city clerk shall cause said resolution of intention to be published once in one or more newspapers published and circulated in said city. If no newspaper be published in said city, then the publication shall be made once in some newspaper published in the county in which said city is located. The legislative body may include in one proceeding, under one resolution of intention, the vacation, abandonment and closing any number of streets, highways, roads, boulevards, avenues, lanes or places, or portions thereof, contiguous or otherwise.

SEC. 3. After the adoption of the resolution of intention the street superintendent shall cause to be conspicuously posted upon all streets, highways, roads, boulevards, avenues, lanes or places, or portions thereof, proposed to be vacated, abandoned and closed, at not more than three hundred feet apart, but not less than three (3) in all, notices of the passage of said resolution. In every place all posting must be fully completed at least ten (10) days before the date set for hearing protests or objections as provided in section 2 hereof.

Said notices shall be headed "Notice of street vacation" in letters not less than one inch in length; and shall, in legible characters state the fact of the passage of the resolution of intention, its date, and briefly, the extent of the proposed vacation, abandonment and closing, and refer to the resolution of intention for further particulars. Said notice shall contain also a statement of the day, hour and place when and where any and all persons having objections to the proposed vacation, abandonment and closing, or claiming damages by reason thereof, may appear before the legislative body and show cause why said proposed vacation, abandonment and closing should not be carried out in accordance with said resolution; also a statement of the fact that the failure to file a claim within the time prescribed shall operate as a waiver of all claims and constitute a bar to any subsequent action looking either to a prevention of the vacation or the making of compensation.

SEC. 4. At any time not later than the hour set for hearing objections to the proposed vacation as provided in section 2 hereof, any owner of property affected by such proceedings may make written protest against the proposed vacation, abandonment and closing, or any portion thereof, or claim damages by reason thereof. Such protest must be in writing and must contain a description of the property in which each signer thereof is interested, sufficient to identify the same, and be delivered to the clerk of the city council, and no other protests or objec-

tions shall be considered. All claims for damages shall be filed with said clerk at any time not later than said hour showing the fact of ownership, the description and situation of the property and the estimated amount of damages which the property would sustain by the proposed vacation, abandonment and closing, if completed. Such claim shall be verified by the oath of the claimant or his agent. The failure to file a claim for damages within the time herein prescribed shall operate as a waiver of all claims and constitute a bar to any subsequent action looking either to a prevention of the proposed vacation, abandonment and closing or the making of compensation. At the time set for hearing protests the legislative body shall proceed to hear and pass upon all protests so made and its decision shall be final and conclusive; provided however, that when claims for damages are filed said claim shall be referred to a board of commissioners for a report and determination as hereinafter in this act provided. The legislative body may continue said hearings from time to time.

SEC. 5. If no protests or objections in writing have been delivered to the clerk up to the hour set for hearing provided in section 2 hereof, or when a protest shall have been found by said legislative body to be insufficient, or shall have been overruled, or when claims for damages, if any, shall have been heard, determined and paid, or denied, immediately thereupon the legislative body shall be deemed to acquire jurisdiction to order the proposed vacation, abandonment and closing, and the legislative body of such municipality may thereupon, by ordinance, vacate, abandon and close such public street, highway, road, boulevard, avenue, alley, lane or place or such part thereof as may be found to be unnecessary for present or prospective public use, and the public easement theretofore existing shall thereupon cease and determine and the title to the land previously subject thereto shall revert to the respective owners thereof free from such public easement. A certified copy of said ordinance attested by the clerk under the seal of the city shall be recorded in the office of the recorder of the county wherein such municipality is located.

SEC. 6. Whenever claims for damages are filed as provided in section 4 of this act the legislative body shall appoint three disinterested persons who shall constitute a board of commissioners in that regard, to determine the damages, if any, to be caused by said proposed improvement and to assess the same, and all costs and expenses for said proposed improvement upon the property benefited thereby The compensation of such persons shall be fixed by the legislative body and stated in the order of their appointment, which said order shall be spread upon the minutes of the legislative body; provided however, that any municipal officer or employee appointed as such commissioner shall serve without additional compensation; and provided however, that in all municipalities where there is a board of public works, created by its charter, or by law, such board shall constitute the board of commissioners in this section provided for, and shall perform the duties of such commissioners.

SEC. 7. Said commissioners shall proceed to view the proposed street, highway, road, boulevard, avenue, lane or place, or portion thereof, proposed to be vacated, abandoned and closed, the property claimed to be damaged by reason thereof, and the property benefited thereby, and may examine witnesses under oath, to be administered by any of them. Having viewed said property and the location of said street and considered the testimony presented, they shall proceed with all diligence to determine the amount of damages, if any, which will accrue to each parcel of land and to each separate estate or interest therein because of the proposed improvement. Said commissioners shall also determine the property to be benefited by said proposed improvement and the amount of benefits, if any, to accrue to each parcel of property and to each separate estate or interest therein because of the proposed improvement.

SEC 8. The commissioners shall, as soon as practicable, after determining what damage will be caused by said improvement, assess the total amount of all the incidental expenses of such improvement, which shall include the necessary costs and disbursements of the commissioners, the cost of making the assessment, and all expenses necessarily incurred by the city in connection with the said improvement, for maps, diagrams, plans, surveys and other matters incident thereto, upon the respective lots or parcels of land determined to be benefited by said improvement, in proportion to the benefits to be received by such lots or parcels of land, respectively, from said improvement, and shall make and file with the clerk of the legislative body a report in writing containing the following:

1. A schedule describing the lots and parcels of land belonging to each petitioner for damages and which will be damaged by said proposed improvement, stating the amount of damage to each lot and parcel and to each separate estate or interest therein as determined by the commissioners, and the name of the owner of each such lot and parcel of property or of any interest therein, if known, otherwise the statement that owner is unknown.

2 A diagram showing the property benefited by said improvement and also the dimensions of the respective lots and parcels of land so benefited and each of such lots and parcels of land shall be given a separate number in red ink upon said diagram.

3. A proposed assessment of the total amount of damages that will be caused by said improvement, as determined by the commissioners and the total amount of the

incidental expenses thereof as above specified upon the respective lots and parcels of land to be benefited in proportion to the benefits to be received by such lots and parcels of land, respectively, from said improvement. Said assessment shall refer to such lots and parcels of land upon the diagram by the red ink numbers thereof, and need contain no other description thereof, and shall show the names of the owners, if known, otherwise designating them as unknown; but no mistake in the name of the owner of any lot or parcel of land shall affect the validity of the assessment thereon.

SEC. 9. Upon the filing of the report provided in section 8 hereof, the clerk of the legislative body shall give notice of the filing of said report and of a time to be therein fixed by said clerk when all persons interested in said improvement, in the damages awarded, or in the assessment, will be heard by the legislative body. Such notice shall be posted for not less than five (5) days on or near the legislative chamber door, and in addition be published twice in a newspaper published in such city, and if there be none, then in some newspaper published in the county in which said city is located, the first of which publications shall not be less than fifteen (15) days before the time fixed for such hearing. Such notice shall also be given by mailing a notice at least fifteen (15) days prior to the time fixed for such hearing to the owner of each lot or parcel of land claimed to be damaged or which is to be assessed for such vacation, to his address as shown on the last equalized assessment roll for city taxes prior thereto, or as known to the clerk. The failure of the clerk to give such notice by mailing, or of the persons addressed to receive same, shall not affect the jurisdiction of the legislative body to proceed with the hearing noticed. Any person having or making any objection to the correctness of the report, shall, prior to the day fixed for the hearing on the report, appeal to the legislative body by briefly stating in writing the grounds of appeal. Upon such appeal, the legislative body may remedy and correct any error or informality in the proceedings and reverse or correct any of the acts or determinations of the commissioners, relative to said improvement; may confirm, amend, alter, modify or correct said report in such manner as to them shall seem just; and may instruct and direct said commissioners to correct said report in any particular. All the decisions and determinations of the legislative body upon notice and hearing as aforesaid, shall be final and conclusive, except as to the damages to be caused by said proposed improvement, upon all persons entitled to them under the provisions of this section, as to all errors, informalities and irregularities which said legislative body might have avoided, or have remedied during the progress of the proceedings, or which it can at that time remedy. Neither said report, nor any proceedings prior thereto, shall be held invalid by any court, for any errors, informalities or other defect in the same, where the resolution of intention of the legislative body to order the proposed improvement has actually been published as herein provided.

When no appeal is taken or when the orders and determinations of the legislative body upon appeal have been complied with, and the legislative body is satisfied with the correctness of said report, thereupon the legislative body shall forthwith confirm the proceedings and report, and the clerk shall transmit the diagram and assessment provided for in section 8 hereof, as finally confirmed, to the superintendent of streets. The superintendent of streets shall thereupon record such assessment and diagram in his office, in a suitable book to be kept for that purpose and append thereto his certificate of the date of such recording, and such record shall be the assessment roll. From the date of such recording all persons shall be deemed to have notice of the contents of such assessment roll and upon such recording the several assessments contained in such assessment roll shall become due and payable, and each of such assessments shall be a lien upon the property against which it is made, paramount to all other liens, except liens for State, county and municipal taxes; provided, however, that such lien shall be subordinate to all special assessment liens previously imposed upon the said property, but it shall have priority over all special assessment liens which may thereafter be created against the same property; and such liens shall only be discharged by payment of the assessment or by redemption of the land after sale for delinquency. The superintendent of streets shall, upon the recording of said assessment, give notice by publication for five days in a daily newspaper published and circulated in said city, or by two insertions in a weekly newspaper so published and circulated; or in case no such daily or weekly newspaper is so published and circulated in said city, then by posting such notice for four days in three public places in said city, that said assessment has been recorded in his office and that all sums assessed therein are due and payable immediately, and that payment of said sums must be made to him within thirty days after the date of the first publication or posting, which date shall be stated in the notice. Said notice shall also contain a statement that all assessments not paid before the expiration of the said thirty days shall become delinquent, and that thereupon five per cent upon the amount of each such assessment will be added thereto. When payment of any assessment is made the superintendent of streets shall mark opposite such assessment the word "paid," the date of payment, and the name of the person by or for whom the same is paid, and shall give a receipt therefor. Upon the expiration of said period of thirty days, all assessments then unpaid shall become delinquent, and

the superintendent of streets shall mark each such assessment "delinquent" on said assessment roll, and add five per cent to the amount thereof.

SEC. 10. The street superintendent, upon the recording of said assessment shall mail to each owner of real property within the assessment district at his last known address as same appears on the tax rolls of said city or on file in the office of the city clerk, or both, if said address is not the same on both records, a statement containing a designation by street number, or some other description of the property assessed sufficient to enable the owner to identify the same, the amount of the assessment, the date of the recordation of said assessment, the time and place of payment thereof, and the effect of failure to pay within such time. Said street superintendent also shall give notice by publication for ten days in a daily newspaper, published and circulated in said municipality, or by three successive insertions in a weekly newspaper, so published and so circulated, that said assessment has been recorded in his office, and that all sums assessed therein are due and payable immediately, and that the payment of said sums is to be made to him within thirty days after the date of recording said assessment, which date shall be stated in the notice. Said notice shall also contain a statement that all assessments not paid before the expiration of said thirty days will become delinquent, and that thereupon five per cent upon the amount of each such assessment will be added thereto. When payment for any assessment is made the street superintendent shall mark opposite such assessment the word, "Paid," the date of payment, and the name of the person by or for whom the same is paid, and shall if so requested, give receipt therefor. On the expiration of said period of thirty days, all assessments then unpaid, shall become delinquent, and the street superintendent shall certify such fact at the foot of said assessment roll, and mark each such assessment "Delinquent," and add five per cent to the amount of each assessment delinquent.

SEC. 11. The street superintendent shall, within ten days from the date of such delinquency, begin the publication of a list of the delinquent assessments, which list must contain a description of each parcel of property delinquent, and opposite or against each description, the name of the owner as stated in the assessment roll, and the amount of the assessment, penalty and costs due, including the cost of advertising, which last shall not exceed the sum of fifty cents for each lot, piece, or parcel of land, separately assessed. The street superintendent shall append to and publish with said delinquent list a notice that unless each assessment delinquent, together with the penalty and costs thereon, is paid, the property upon which such assessment is a lien, will be sold at public auction at a time and place to be specified in the notice. The publication must be made for a period of ten days, in some daily newspaper published and circulated in the municipality, or for three weeks in a weekly newspaper so published and circulated. The time of sale must not be less than five days, nor more than ten days, after the expiration of the period of publication of said list, and the place of sale must be in, or in front of, the office of the street superintendent.

SEC. 12. At any time after such delinquency, and prior to the sale of any piece of property assessed and delinquent, any person may pay the assessment on such piece of property, together with the penalty, and costs then due, including the cost of advertising, if such payment is made after the first publication of the list of delinquent assessments. The street superintendent shall thereupon mark such assessment "Paid," as hereinbefore provided.

SEC. 13. On the day fixed for the sale, the street superintendent must, at the hour of ten o'clock a.m. commence the sale of the property advertised, commencing at the head of the list, and continuing in numerical order of lots or parcels of land until all are sold; provided, that he may postpone or continue the sale from day to day until all the property is sold. Each lot, piece or parcel of land separately assessed must be offered for sale separately, and the person who will take the least quantity of land, and then and there pay the amount of the assessment, penalty, and costs due, including fifty cents to the street superintendent for a certificate of sale, shall become the purchaser. In case there is no purchaser, for any lot, piece or parcel of land so offered for sale, the same shall be struck off to the municipality, as purchaser, and the city council shall appropriate out of the general fund of the treasury, the amount required for such purchase, and shall order the city treasurer to place the same in the special fund for such improvement. No charge shall be made for the certificate of sale when the municipality is the purchaser.

SEC. 14. After making the sale, the street superintendent must execute, in duplicate, a certificate of sale setting forth a description of the property sold, the name of the owner thereof, as given on the assessment roll, that said property was sold for a delinquent assessment, (specifying the improvement for which the same was made), the amount for which such property was sold, the date of sale, the name of the purchaser, and the time when the purchaser will be entitled to a deed. The street superintendent must file one copy of such certificate in his office, and deliver the other to the purchaser, or if the municipality is the purchaser, to the clerk of the council, who shall file the same in his office. On the filing of the copy of such certificate in the office of the street superintendent, the lien of the assessment shall vest in the purchaser, and is only divested by a redemption of the property, as in

this act provided. The street superintendent shall also enter on the assessment roll, opposite the description of each piece of property offered for sale, a description of the part thereof sold, the amount for which the same was sold, the date of the sale, and the name of the purchaser.

SEC 15 A redemption of any parcel of property sold for a delinquent assessment may be made by any party in interest, at any time prior to the execution and delivery of a deed therefor, by paying to the street superintendent the amount for which the property was sold, and in addition thereto five per cent of the amount of said delinquent assessment with interest thereon at the rate of one per cent per month until paid, said interest to be computed from the date the assessment becomes delinquent and if such amount be not paid within six months thereafter, there shall be added thereto and additional penalty of five per cent of the principal amount due. When redemption is made, the street superintendent shall note that fact on the duplicate certificate of sale on file in his office, and deposit the amount paid with the city treasurer, who shall credit the purchaser named in the certificate of sale with the said amount, and pay the same to such purchaser, or his assignee, upon the surrender of the certificate of sale, and upon satisfactory proof of assignment thereof, if any. When the municipality is the purchaser, the treasurer shall notify the clerk of the council of the redemption, and such clerk shall thereupon cancel the certificate of sale on file in his office.

SEC. 16 At any time after the expiration of twelve months from the date of sale, the street superintendent must execute to the purchaser, or his assignee on his application, if such purchaser or assignee has complied with the provisions of this section, a deed of the property sold, in which shall be recited substantially the matters contained in the certificate, also any assignment thereof and the fact that no person has redeemed the property. The street superintendent shall receive from the applicant for a deed, one dollar for making such deed, unless the municipality is the purchaser, in which case no charge shall be made therefor. The purchaser or his assignee must, at least thirty days before he applies for a deed, serve upon the owner of the property, and upon the occupant of such property, if the same is occupied, a written notice, setting forth a description of the property, that said property has been sold for a delinquent assessment (specifying the improvement for which the same was made), the amount for which it was sold, the amount necessary to redeem at the time of giving notice, and the time when such purchaser or assignee will apply to the street superintendent for a deed. If the said owner can not be found, after due diligence, said notice must be posted in a conspicuous place upon said property, at least thirty days before the time stated therein, at which the application for a deed will be made. The person applying for a deed must file with the street superintendent an affidavit or affidavits showing that notice of such application has been given, as herein required, and if the notice was not served on the owner of the property personally, that due diligence was used to find said owner; which affidavit or affidavits must be filed by the street superintendent in his office. If redemption of the property is made after such affidavits are filed and more than eleven months from the date of sale, the person making such redemption must pay, in addition to the other amounts required, three dollars for the service of notice and the making of such affidavits, which amount shall be paid over to the purchaser or his assignee in the same manner as other sums paid for redemption. No deed for any property sold for delinquent assessment shall be made until the purchaser or his assignee has complied with all the provisions of this section, and filed the proper affidavits with the street superintendent.

SEC 17. The deed of the street superintendent shall be prima facie evidence of the truth of all matters recited therein, and of the regularity of all proceedings prior to the execution thereof, and of title in the grantee

SEC. 18. The funds collected by the superintendent of streets under the proceedings herein provided for, either upon voluntary payment or as the result of sales, shall be paid by said superintendent of streets as fast as collected to the treasurer of said city, who shall place the same in a special fund designated by the number or name of the proceedings, and payment shall be made out of said special fund only for the purposes provided for in this act. To expedite the making of any such improvement the legislative body may at any time transfer into said special fund out of any money in the general fund such sums as it may deem necessary, and the sums so transferred shall be deemed a loan to such special fund, and shall be repaid out of the proceeds of the assessments provided for in this act; provided, however, that the legislative body of any municipality may, in its discretion, order by resolution entered upon its minutes that the whole, or any part, of the costs and expenses of any of the work mentioned in this act shall be paid out of the treasury of the municipality from such fund as the legislative body may designate, and whenever a part of such cost and expenses is so ordered to be paid the commission in making up the assessment heretofore provided for such cost and expenses shall first deduct from the whole cost and expenses such part thereof as has been so ordered to be paid out of the municipal treasury, and shall assess the remainder of said costs and expenses pro-

portionately upon the lots, part of lots and lands within the district to be assessed for such work, and in the manner heretofore provided.

SEC. 19. When sufficient money is in the special fund devoted to the proposed improvement to pay the total amount of damages determined in said report or by the court, as hereinafter provided, or such parts thereof as have not been paid by offset against assessments, the said amounts shall be paid to the parties entitled thereto, or into court for their benefit; provided, however, that no payment shall be made except upon execution of a release to the city of all liability for damage by reason of such proposed improvement.

SEC. 20. If any owner of property that will be damaged by the proposed improvement shall fail or refuse to accept the amount awarded to him by the report provided for in section 8 hereof, the legislative body may cause proceedings to be brought against him in the name of the city, in the proper superior court, to have the amount of damage to such property determined. Such proceedings shall conform, as nearly as may be, to the provisions of the Code of Civil Procedure, regarding eminent domain; provided, however, that the plaintiff shall not be required to pay the amount of damages awarded within thirty days after judgment. In such proceeding the resolution of intention to order the improvement shall be conclusive evidence of the necessity of the same. If no such proceeding is brought against him any owner of property that is damaged by the proposed improvement may decline to accept the amount awarded him, if any, and bring an action against the city to recover the amount to which he claims to be entitled. Any such action must be brought within thirty days after the final completion of the improvement. If in such action he fails to recover more than the amount awarded to him by the report aforesaid, he shall not recover costs.

SEC. 21. If the first assessment for any improvement under this act fails to raise a sufficient amount of money to pay all costs, damages and expenses of the improvement, including any judgments rendered in the action and proceedings mentioned in section 20 and the costs and expenses of such action or proceedings, the legislative body may pay the deficit out of the general fund, or may order a supplemental assessment to raise such deficit, which shall be made and collected in the same manner, as nearly as may be, as the first assessment, and so on until sufficient money shall have been raised to pay for such improvement.

SEC. 22. The following words and phrases shall, where used in this act, have the following meaning:

1. The term "improvement" includes all vacations, abandonments and closings mentioned in section 1 of this act.

2. The terms "municipality," "city" includes every incorporated city, city and county or other corporation organized for municipal purposes.

3. The term "street superintendent" includes any officer or board whose duty it is by law to have the care or charge of streets, or the improvement thereof in any city. In any city where there is no street superintendent, or such board, the legislative body is hereby authorized to designate some other officer of the city, or other person, to perform the duties imposed by this act on the street superintendent, and all of the provisions hereof applicable to the street superintendent shall apply to the officer so designated.

4. The terms "owner," "any person interested," "property owner," "owner of property," or "person owning property," wherever used in this act shall be construed to include the person owning the fee, or the person in whom the legal title to real property appears, by deeds duly recorded in the county recorder's office of the county in which said city is situated, or any person in possession of real property, as the executor, administrator, trustee under an express trust, guardian or other legal representative of the owner, or any person in possession of real property under a written contract of purchase thereof duly recorded, or any person in possession of real property, as lessee thereof under a lease duly recorded.

5. The term "delinquency" as herein used shall mean delinquency in the payment of an assessment made under the provisions of this act, and the expression "time of delinquency" shall mean the time in this act fixed when assessments become delinquent.

SEC. 23. The provisions of this act shall be liberally construed to promote the objects thereof. This act may be designated as the "Street Closing Act of 1933." "

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1735—An act to amend sections 850, 851, 852, 852a, 852b, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 862a, 863, 864, 865, 867, 868, 870, 870a, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 882, 883, 884, 885 and 886, and to repeal section 881 of an act entitled "An act to provide for the organization, incorporation,

and government of municipal corporations," approved March 13, 1883, relating to organization, incorporation and government of cities of the sixth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 15 of the printed bill, insert after line 13, the following:

"SEC. 869. Whenever the city council or board of trustees shall deem it necessary and for the best interests of a city that land heretofore purchased by said city for park or other purposes should be used for the construction of a city hall or other public buildings or the creation of a civic center, said council or board of trustees may, by a four-fifths vote, adopt an ordinance declaring such necessity and providing for the erection of a city hall or other public building or buildings or the creation of a civic center thereon."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 76—An act to amend sections 4225 and 4225a of the Political Code, relating to the powers and duties of county health officers.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, as amended, strike out that portion of the paragraph beginning with the words "and in the incorporated", down to and including the word "health", in line 16, and insert in lieu thereof the following: "and, upon the council or other legislative body of any incorporated city or town or chartered city within such county consenting thereto by resolution or ordinance, it shall be the duty of said health officer to enforce and observe in such incorporated city or town or chartered city all orders, quarantine regulations and rules prescribed by the State Board of Health and all statutes relating to the public health."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 373—An act to amend sections 657 and 666 of the Fish and Game Code, and to add thereto a new section to be numbered 666 5, relating to salmon.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, insert at the end of the line the following: "In districts 8 and 9, not more than two salmon may be possessed by any person during one day, or sold, between September 16th and December 31st. And no salmon taken during said period in said districts may be sold."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2145—An act to amend sections 93 to 95, inclusive, of the Vehicle Code, relating to members of the California Highway Patrol.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "sections 93 to 95, inclusive," and insert in lieu thereof the following: "section 94".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, after the word and comma "Code," insert the following: "and to add a new section to said code to be numbered section 94.5,".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 1 to 18, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 94 of the Vehicle Code is hereby amended".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, after line 26, insert the following:

"All members and employees of the California Highway Patrol holding positions therein on August 15, 1932, except those members and employees who have since resigned or have been dismissed from service and except those members and employees other than investigators who hold positions exempt from civil service shall from and after the date upon which this code takes effect have permanent civil service status without examination or probation in the grade, class or rank according to the position held on said fifteenth day of August, 1932, and shall be rated as to efficiency by the Chief of the California Highway Patrol in accordance with the terms of the Civil Service Act."

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out lines 1 to 18, inclusive, and insert in lieu thereof the following:

"SEC. 2. A new section to be numbered section 94.5 is hereby added to the Vehicle Code to read as follows:

94.5. Retention of Civil Service Status Upon Abrogation of Position.

Whenever any civil service position of promotional grade is abolished, eliminated or made unnecessary, the member or employee of the California Highway Patrol holding such position shall thereupon be assigned to a position in the next immediate lower grade with the civil service standing, rank and salary of such lower grade and shall without further examination be given preference in a position of the same class and grade formerly held by such member or employee in the event such latter position is reestablished."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2226—An act to amend section 779, to repeal sections 780, 781, 782 and 783 of, and to add a new section to be numbered 780 to, the Vehicle Code, relating to the motor vehicle fund and the disposition of moneys placed therein.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the title of the printed bill, strike out "section 779," and insert in lieu thereof the following: "sections 777 and 778 and".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the title of the printed bill, before the figures "780", add the following: "779,".

AMENDMENT NUMBER THREE

On page 1, in lines 2 and 3 of the title of the printed bill, strike out ", and to add a new section to be 780 to,".

AMENDMENT NUMBER FOUR.

On page 1, line 1, of the printed bill, strike out the figures "779", and insert in lieu thereof the following: "777".

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, strike out lines 3 to 25, and all of page 2, and insert in lieu thereof the following:

"777. Appropriation for Maintenance of Department.

Fifty per cent of said motor vehicle fund or so much thereof as may be necessary, is hereby appropriated for the maintenance and support of the department. The moneys so appropriated shall be expended in accordance with law to defray all actual and necessary expenses of the department in administering and enforcing the provisions of this code and in enforcing any other laws regulating the operation of vehicles or the use of the highways.

SEC. 2. Section 778 of the Vehicle Code is hereby amended to read as follows:

778. Appropriation for the Counties.

(a) The remaining fifty per cent of said motor vehicle fund is hereby appropriated and shall be paid into the general fund of the counties of this State and the State Controller shall in the months of February and August of each year draw his warrants upon said fund in favor of the county treasurer of each county for the amount to which each said county is entitled hereunder Said payments shall be made to the counties in proportion to the number of vehicles registered in such counties as determined by the places of residence of the owners to whom the registration cards are issued

(b) In the event the actual domicile, residence or place of abode of an owner of any vehicle registered hereunder is in a county other than the county which the owner has designated as his place of residence in his application for registration and as shown by the records of the department, then the county auditor of the county receiving such funds from the State as hereinabove provided may draw his warrant in favor of the county wherein is located the actual domicile, residence or place of abode of such owner. Such warrant when so drawn shall be in such total sum as to cover all such vehicles as may properly be attributed to the latter county hereunder in order to secure payment to each county of sums in proportion to registration of vehicles therein according to the actual residences of the owners thereof.

SEC. 3. Sections 779, 780, 781, 782 and 783 of the Vehicle Code are hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 674—An act to establish the Vehicle Code and thereby to consolidate and revise the law relating to traffic on streets and highways and the registration, identification, operation, driving, use, ownership, transfer, theft, embezzlement, destruction, molestation, unlawful entering and taking and driving, equipment, size, weight, loading and wrecking of vehicles used upon streets and highways and liens and mortgages on such vehicles and the licensing and regulation of drivers of such vehicles and the civil liability of persons signing license applications of minors and the conduct and records of persons dealing with such vehicles and the civil liability arising from the ownership, maintenance, use and operation of such vehicles and the financial responsibility of owners and operators of such vehicles and crimes connected with the use of such vehicles and the parties, procedure, presumptions, evidence and reports in relation to such crimes and the creation, organization, powers, duties, jurisdiction and maintenance of the Department of Motor Vehicles and its divisions in connection therewith and the collection, disposition and use of fees, fines and forfeitures in relation thereto and the limitations on the powers of local authorities over the aforesaid subject and to repeal certain specified provisions of law germane to the aforesaid subject.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 137 of the printed bill, strike out all of lines 26 to 39, both inclusive, and insert in lieu thereof the following:

"There is hereby appropriated out of such motor vehicle fund all moneys received as chauffeurs' license fees and duplicate operators' and chauffeurs' license fees and all fees for the test of lamps, devices, lamp equipment and red reflectors under section 646 hereof and in addition thereto such portion of the remainder of such motor vehicle fund not exceeding in any registration year thirty-five per cent thereof as may be necessary for the maintenance of the Department of Motor Vehicles to be expended by the department in carrying out the provisions of this "code" and in enforcing any other laws regulating the operation of vehicles or the use of the highways. There shall be deducted from the sums which the department is allowed to expend hereunder such amount as may be allowed to said department in each calendar year under budget appropriation by the State Legislature. The department may draw, without at the time furnishing vouchers and itemized statements, sums not to exceed in the aggregate one hundred thousand dollars, said sums so drawn to be used as a revolving fund where cash advances are necessary At the close of each fiscal year the moneys so drawn must be accounted for and substantiated by vouchers and itemized statements submitted to and audited by the Department of Finance and by the Controller."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1757—An act to amend section 1068 of the Fish and Game Code, relating to fish.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "section", and insert in lieu thereof the following: "sections 1065 and".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. Section 1065 of the Fish and Game Code is hereby amended to read as follows:

1065. Sardines may be taken for use in a reduction plant, or by a packer, only in accordance with the provisions of this article, as follows: In districts 4, 4¾, 18, 19, 20, 20A, and 21 between November 1st and March 31st; elsewhere in the State between August 1st and February 15th. This section does not prohibit the taking of sardines for the purpose of salting, curing, smoking or drying or for the purpose of packing in cans commonly known as quarter pound or square cans less than ten ounces in net weight; provided, that in a ten ounce can, fish of a size of not less than eight fish to the can may be used, and there shall be added to the commonly known quarter pound can not less than one ounce of olive oil or a commercial salad oil, and a proportionately larger amount of such oil to the larger sizes of cans.

SEC. 2. Section 1068 of the Fish and Game Code is".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 979—An act to add a new section to the Political Code, to be numbered 2161a, relating to State hospital buildings and grounds.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 10 and 11, and insert in lieu thereof the following: "all persons who attempt to commit or have committed".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 13 to 15, inclusive, and insert in lieu thereof the following: "Any person who knowingly or wilfully violates the aforementioned rules and regulations may, upon the order of the medical director and superintendent, be ejected from the buildings and premises of the hospital."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 123—An act to amend section 204e of the Code of Civil Procedure, relating to the secretary and assistant secretaries of the superior court.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out line 1 of the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 204e of and to add sections 204f, 204g and 204h to the Code of Civil Procedure,".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 8 to 22, inclusive, and insert in lieu thereof the following: "On authorization of the judges in such a case the secretary shall have two assistant secretaries who shall assist also in the performance of the duties of jury commissioner. The salary of the secretary and assistants shall be paid out of the same fund that salaries of county officers are paid and shall be in the amounts as set forth in the following sections:

SEC 2 A new section is hereby added to the Code of Civil Procedure to be numbered 204f and to read as follows:

204f. In counties of the first class the salary of the secretary of the judges shall be five hundred dollars per month and the salary of one assistant, two hundred seventy-five dollars per month and the other, two hundred twenty-five dollars per month.

SEC 3. A new section is hereby added to the Political Code to be numbered 204g and to read as follows:

204g. In counties of the second class the salary of the secretary of the judges shall be six hundred dollars per month and the salary of one assistant three hundred dollars per month and the other assistant two hundred fifty dollars per month.

SEC. 4. A new section is hereby added to the Political Code to be numbered 204h and to read as follows:

204h. In all other counties the salary of the secretary of the judges shall be five hundred dollars per month and the salary of one assistant, two hundred seventy-five dollars per month and the other, two hundred twenty-five dollars per month."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1312—An act to amend section 737vv of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Solano.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out line 3 of the printed bill, and insert in lieu thereof the following:

"737vv The annual salary of the judge of the superior court in and for the county of Solano is six thousand five hundred dollars."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1967—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title, and in lieu thereof insert the following:

"An act to amend the title and sections 1, 2 and 3 and to add a new section to be numbered 2½ to an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, by providing that said wage rates shall apply only on the work at the job site, defining who shall determine the occupation of the laborer, workman or mechanic, providing a method of appeal from any and all decisions hereunder, and providing for the approval of certain wage rates by the State Board of Control."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, following the enacting clause, insert the following:

"SECTION 1. The title of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931 (Statutes 1931, Chapter 397), is hereby amended to read as follows:

An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, by providing that said wage rates shall apply only on the work at the job site, defining who shall determine the occupation of the laborer, workman or mechanic, providing a method of appeal from any and all decisions hereunder, and providing for the approval of certain wage rates by the State Board of Control."

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the first words "Section 1", and insert in lieu thereof the words "Section 2".

AMENDMENT NUMBER FOUR.

On page 2, line 10, of the printed bill, add the following:

"The term "occupation" as used herein shall mean those occupations incorporated and set forth in the advertisement for bids and in the proposal and contract forms by the awarding body and in the event of any question of the occupation of any laborer, workman or mechanic as therein set forth or of the work said laborer, workman or mechanic performs thereunder, the judgment and decision of said awarding body with reference thereto shall be final and conclusive."

AMENDMENT NUMBER FIVE.

On page 2, line 11, of the printed bill, strike out the words and figures "Sec. 2", and insert in lieu thereof the words and figures "Sec 3".

AMENDMENT NUMBER SIX.

On page 2, line 35, of the printed bill, strike out the words "one dollar", and restore the words "ten dollars".

AMENDMENT NUMBER SEVEN.

On page 2, line 41, of the printed bill, strike out all of line 41 following the word "effect", all of line 42, and to and including the figures "($200).", in line 43.

AMENDMENT NUMBER EIGHT.

On page 3, line 3, of the printed bill, following the word "body", insert the following words: "upon a verified complaint being duly filed by the Division of Labor Statistics and Law Enforcement of the State Department of Industrial Relations; and provided further, that any person or party aggrieved by the order of decision of said State Department of Industrial Relations or said awarding body or against whom any penalty or forfeiture has been imposed, may at any time after the rendering of said decision and within thirty days after receipt of written notice thereof from said State Department of Industrial Relations or said awarding body, submit said matter for trial and determination to a court of competent jurisdiction of the State of California in and for the county or city and county in which said violation occurred, by filing a complaint joining said State Department of Industrial Relations or said awarding body and any other persons or parties, officers or boards, interested therein or affected thereby as the defendants therein, and setting forth the facts and praying for a decision or determination by the court of any or all matters presented to or determined by said Division of Labor or said awarding body.

Said court shall have power and jurisdiction to determine all matters presented by said complaint upon a trial thereof and the judgment and decison of said court shall be binding upon all parties to said action, but said judgment of said court shall be subject to appeal of review in accordance with the provisions of law as to appeal from or review of judgments of said courts.

When any such complaint is filed with said court by any party aggrieved by any order or decision of the State Department of Industrial Relations or any awarding body declaring that any sum or amount shall be forfeited and withheld and retained from any sums due to said party, the person filing the complaint may file in said action a bond approved by and in a sum to be fixed by the court or by the judge thereon in favor of the awarding body and conditioned for the payment of any sum or amount which shall be finally determined to be forfeited and, upon the filing of such bond, any sums withheld or forfeited pursuant to said order or decision of said State Department of Industrial Relations or said awarding body shall be paid to the party filing said bond.".

AMENDMENT NUMBER NINE

On page 3 of the printed bill, following line 18, add the following new section:

"SEC. 4. A new section is hereby added to the act cited in the title hereof to be numbered 2½ and to read as follows:

Sec. 2½. Whenever, under the provisions of this act, the prevailing rate of wages is ascertained by any State department, officer, board, commissioner, or other agency of the State, such prevailing rate of wages shall be subject to the approval of the Board of Control before such prevailing rate is specified in any call for bids or otherwise published or set as provided, in this act."

AMENDMENT NUMBER TEN.

On page 3, line 19, of the printed bill, strike out the words "SEC. 3", and insert in lieu thereof the words "SEC. 5."

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill, beginning in line 28, restore the words "and to the Chief of the Division of Labor Statistics and Law Enforcement of the State Department of Industrial Relations, his deputies and agents."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

COMMUNICATION.

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

April 12, 1933.

Mr. Charles W. Lyon, Assemblyman, Fifty-ninth District,
State Capitol, Sacramento, California.

DEAR SIR: As a constituent and a voter in your district and a participant in the program presented before the Assembly on April 12, 1933, by the band and male chorus of the University of Southern California (the Trojan band), I would greatly appreciate you sending fifty copies of the Assembly Daily Journal for April 12th, in which is printed the list of names of the band and chorus appearing in the program.

It would greatly be appreciated by the boys in the organization. You may address them to the University of Southern California, Department of Musical Organizations, Los Angeles, California, in care of Loring W. Carney, manager of the Trojan Band. Thanking you in advance, I am,

Sincerely yours,

LORING W. CARNEY, Manager of the Trojan Band.

MOTION.

Mr. Lyon moved that the Chief Clerk be instructed to send fifty copies of the Assembly Journal of Wednesday, April 12, 1933, containing the program presented by the University of Southern California band and male chorus to Mr. Loring W. Carney, manager of the Trojan Band.

Motion carried.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding two new sections to Article XIII thereof, to be numbered 1.1 and 1.2, relating to limitation of tax rates.

Assembly Constitutional Amendment No. 46 read

MOTION TO RE-REFER.

Mr. Mayo moved that Assembly Constitutional Amendment No. 46 be withdrawn from the file, and ordered re-referred to Committee on Constitutional Amendments.

The question being on re-referring Assembly Constitutional Amendment No. 46 to Committee on Constitutional Amendments.

Motion carried.

Assembly Constitutional Amendment No. 46 ordered re-referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 15—Relative to General Pulaski's Memorial Day.

Assembly Concurrent Resolution No. 15 read.

The question being on the adoption of Assembly Concurrent Resolution No. 15.

The roll was called, and Assembly Concurrent Resolution No. 15 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, Williamson, Woolwine and Mr. Speaker—62.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 15 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 15.

Relative to General Pulaski's Memorial Day.

WHEREAS, The eleventh day of October, 1779, is the date in American history of the heroic death of Brigadier General Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Georgia; and

WHEREAS, The States of Indiana, Wisconsin, Michigan, Ohio, South Carolina, Pennsylvania, New York, Minnesota, Maryland, New Jersey, Illinois, Rhode Island, New Hampshire, Nebraska, Georgia, and other States of the Union have by legislative enactment designated October 11, 1929, to be "General Pulaski's Memorial Day"; and

WHEREAS, It is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the death of this great American hero of the Revolutionary War; therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Governor of the State of California is authorized and directed to issue a proclamation calling upon officials of the government to display the flag of the United States on all governmental buildings on October 11th of each year and inviting the people of the State of California to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski.

Assembly Bill No. 908—An act to declare a moratorium on foreclosure of mortgages and collection of interest thereon for a period of two years by directing courts of record to continue actions for foreclosure of mortgages until September 15, 1935, with certain exceptions, declaring all transfers of title to or any interest in real property for the purpose of securing the payment of any obligation to be mortgages, suspending all acts and parts of acts in conflict with this act, and declaring the urgency hereof.

Bill read third time.

The question being on the passage of the bill.

SPECIAL ORDER SET.

On motion of Mr. Rawls, the consideration of Assembly Bill No. 908 was made a special order for Tuesday, April 18, 1933, at two o'clock p m.

Assembly Bill No 335—An act to amend section 42 of the "State Housing Act," relating to requirements for buildings.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Morgan:

AMENDMENT NUMBER ONE.

On page 2, line 7, of the printed bill, after the words "after erected", strike out the words "and in no existing apartment house or hotel".

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, after the words "left open," strike out the words "and all woodwork enclosing such plumbing fixture", and in line 11, strike out the words "shall be removed".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2253—An act to amend sections 27 and 34 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909, relating to duty of warehouseman in regard to stored goods.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Frazier moved that Assembly Bill No. 2253 be withdrawn from the file, and ordered re-referred to Committee on Agriculture.

The question being on re-referring Assembly Bill No. 2253 to Committee on Agriculture.

Motion carried.

Assembly Bill No. 2253 ordered re-referred to Committee on Agriculture.

Assembly Bill No. 835—An act to amend section 4 of the California Air Navigation Act, relating to aircraft including aircraft used solely for pleasure and not for commercial purposes, and to add a new section thereto to be numbered 11½, relating to the responsibility of owners or operators of aircraft for injury to or death of a guest riding in such aircraft.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 835 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Cobb, Cronin, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Mayo, McMurray, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray, Roland, Ross, Scudder, Sullivan, Thorp, Turner, Zion and Mr. Speaker—51.

NOES—Cassidy, Clowdsley, Cottrell, Crist, Crowley, Hallner, Hatch, Hoffman, Latham, Martin, Meehan, Miller, Eleanor; Rawls, Robinson, Samuel E., Rogers Stannard, Stream, Tournoux, West, Williamson, Woolwine and Wright—21.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 780—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10a, 11 and 12 of, and to add section 15 to, an act entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses;

providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to contractors and the Contractors' License Bureau and declaring the same to be an urgency measure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 780 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McCarthy, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E, Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, Williamson, Wright, Zion and Mr Speaker—59.

NOES—Jones—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Maloney gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 780 was this day passed.

Assembly Bill No. 557—An act to amend section 367 of the Code of Civil Procedure and to add a new section, numbered 367a, to said code, relating to parties in certain civil actions.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Latham moved that Assembly Bill No. 557 be withdrawn from file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 557 to Committee on Judiciary.

Mr. Latham withdrew his motion to re-refer Assembly Bill No. 557.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Clowdsley moved a call of the House.

Motion lost.

The roll was called, and Assembly Bill No. 557 was refused passage by the following vote:

AYES—Anglim, Badham, Bliss, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Fisher, Gilmore, Hatch, Hornblower, Jones, Levey, Lyon, Mayo, McCarthy, Meehan, Miller, James A, O'Donnell, Powers, Redwine, Roberts, Robinson, C. Ray; Roland, Sullivan, Thorp, Tournoux, West, Williamson and Mr. Speaker—33.

NOES—Alter, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Craig, Evans, Field, Frazier, Greene, Grubbs, Hallner, Hoffman, Hunt, Kallam, King, Knowland, Latham, Martin, McBride, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, Samuel E, Rogers, Scudder, Stannard, Stream, Turner, Utt, Wright and Zion—43

NOTICE OF RECONSIDERATION.

Mr. Cronin gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 557 was this day refused passage.

RECESS.

At twelve o'clock and thirty-five minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.
Speaker Little in the chair.
Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 290—An act to amend sections 1261, 1263, 1264, 1265, 1267, 1268, 1269, 1270, 1271, 1272 and 1273, and to repeal section 1266 of the Agriculture Code, relating to dealers in farm products—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 897—An act to repeal Part I of Division II of the School Code, embracing sections 2 20 to 2 760, inclusive, to repeal Chapters I, II, III and IV of Part II of Division II of said code, embracing sections 2 770 to 2 1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2.10 to 2.281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-A, respectively, embracing sections 2 650 to 2 911, inclusive, to amend sections 4 181, 4 375, 4.771, 4.773, 4 811, 4.812, 4.875, 4 895, 4.896, 4.898, 4 970, 6 470 and 6.471 to 6 477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4.769, 6.470-1 and 6.470-2, and to repeal certain acts, all relating to school districts and junior college districts—and reports that the same has been correctly re-re-re-re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 819—An act to amend section 4039 of the Political Code, relating to records kept by the Board of Supervisors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 24—Relative to the designation and appointment of Milton S. Ray as Poet Laureate of California—has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 45 as amended by the Senate—An act to amend section 2322x9 of the Political Code, relating to the office of agricultural commissioner in counties of the ninth class—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do not concur in Senate amendments.

BROCK, Chairman.

The above reported bill ordered placed on daily calendar.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 286—An act to amend section 15c of the California Irrigation District Act, relating to the use and distribution of water and rules and regulations therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 25—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extensions of time in superior and inferior courts;

Also: Assembly Bill No. 264—An act to amend section 990 of the Penal Code, relating to time to plead in criminal prosecutions;

Also: Assembly Bill No. 366—An act to amend section 17 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to vacancies in the office of a judge of a municipal court

Also: Assembly Bill No. 637—An act to amend section 2287 of the Civil Code, relating to appointment of a trustee to fill a vacancy;

Also: Assembly Bill No. 854—An act to add a new section to the Civil Code to be numbered 712, relating to restrictions;

Also: Assembly Bill No. 953—An act to amend section 2.806 of the School Code, relating to duties of the district attorney;

Also: Assembly Bill No. 1230—An act to add Chapter III entitled "Property Held in Joint Tenancy" and section 270 therein to Division II of the Probate Code, relating to joint tenancy;

Also: Assembly Bill No. 1435—An act to add a new section to the Penal Code to be known as section 537i, relating to the defrauding of garage keepers;

Also: Assembly Bill No 1958—An act to amend section 1449 of the Penal Code, relating to time for pronouncing judgments in justices' and police courts;

Also: Assembly Bill No. 2053—An act to amend section 1181 of the Penal Code, relating to new trials;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman.

The above reported bills ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 2338—An act to add a new section to the Political Code to be numbered 3480d, relating to crediting on calls of installment of assessments made by reclamation districts amounts of outstanding bonds exchanged in refunding proceedings or otherwise canceled as provided by law, and to the redemption of property sold to reclamation districts for delinquent assessments and installments thereof, and to the sale by county treasurers of lands sold for delinquent assessments and installments thereof, and containing a provision declaring this act to be an urgency measure, stating the facts constituting such urgency and providing this act shall take effect imme-

diately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 923—An act to amend sections 3 and 9 of an act entitled "An act to establish a State Training School for Girls; to provide for the maintenance and management of the same, and to make an appropriation therefor," approved June 14, 1913;

Also: Assembly Bill No. 934—An act to add section 356a to the Political Code, relating to State officers or employees performing work or services for more than one State agency.

Also: Assembly Bill No 969—An act to amend section 664 of the Political Code, relating to the Board of Control;

Also. Assembly Bill No. 1802—An act to amend section 7 of and to add a new section to be numbered 8½ to "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to fees for the use of State park areas, and making an appropriation for the State park system;

Also: Assembly Bill No. 2000—An act to add a new section to the Political Code, to be numbered 363k, relating to the Department of Public Works;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2314—An act to amend section 3671d and to repeal sections 3671c and 3713 of the Political Code, relating to taxation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

HON. PERCY G. WEST IN THE CHAIR.

At two o'clock and five minutes p.m., Hon. Percy G. West, member of the Assembly from the Ninth Assembly District, in the chair.

ON LIBRARIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Libraries, to which was referred Assembly Bill No. 2270—An act to amend section 4191 of the Political Code, relating to the expenditure by boards of trustees of law libraries of surplus funds to acquire real property and erect a building thereon and to contribute from such funds to obtain adequate quarters in any building hereafter erected by the board of supervisors of the county in which such law library is maintained—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

UTT, Chairman.

The above reported bill ordered on file for second reading.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 253—An act to amend section 8 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of

being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917," approved June 13, 1923—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1385—An act to add a new section to the Probate Code, to be numbered section 1501a, providing that wage claims of not exceeding $200 each for work done within 90 days shall be preferred in the administration of the estates of minors and insane and incompetent persons, and paid promptly out of the first available assets of the estate as soon as their validity is established—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 1043—An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of water works systems by any political subdivision or public agency of the State authorized by law to own and operate such water works systems by the issuance of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; providing for the exchange or refunding of revenue bonds issued hereunder; making said bonds legal investments for trust funds and other funds of insurance companies, banks, cities, cities and counties, counties and school districts, and providing for the use of said bonds as security in certain cases and as security for the deposit of public funds; defining the terms political subdivisions and public agencies as included herein; and declaring the urgency of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1844—An act to amend section 4.85 and to repeal section 4.91 of the School Code, relating to the vocational education fund—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2214—An act to amend section 3764 of the Political Code, relating to delinquent tax lists and the publication thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1957—An act to add a new section to the Penal Code, to be numbered 1203a, relating to probation in courts having jurisdiction of misdemeanor cases;

Also: Assembly Bill No. 2054—An act to amend section 1089 of the Penal Code, relating to jurors;

Also. Assembly Bill No. 2099—An act to amend section 3051 of the Civil Code, relating to liens;

Also: Assembly Bill No. 2124—An act authorizing a suit against the State of California to quiet title against it to certain real property in the city of Newport Beach;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

WEST, Chairman.

The above reported bills ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1181—An act to amend section 3644 of the Political Code, relating to taxation of boats and vessels—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2078—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 210—An act providing for transfers from the State highway construction fund and the State highway maintenance fund to the general fund in the State treasury of an amount equal to that paid or that necessary to be paid during the 83d and 84th fiscal years for the principal and interest upon certain State bonds for highway purposes, and for the reimbursement of said highway funds from the general fund and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back without recommendation, as amended, and be referred to Committee on Ways and Means.

GREENE, Chairman.

The above reported bill ordered referred to Committee on Ways and Means.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1886—An act to amend sections _____ of the "Inheritance Tax Act"—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2352—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as therein defined, providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect

immediately—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bill ordered referred to Committee on Rules

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 804—An act to amend section 928 of the Penal Code, relating to duties of grand juries—has had the same under consideration, and respectfully reports the same back without recommendation, and be re-referred to Committee on Education.

WEST, Chairman

The above reported bill ordered re-referred to Committee on Education.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 975—An act to amend section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the organization of municipal courts in cities or cities and counties of the first and one-half class.

Also, Assembly Bill No 1007—An act to amend section 7 of an act entitled "An act authorizing the establishing of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts;

Has had the same under consideration, and respectfully reports the same back without recommendation, and be re-referred to Committee on Governmental Efficiency and Economy.

WEST, Chairman.

The above reported bills ordered re-referred to Committee on Governmental Efficiency and Economy.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 136—An act to amend section 331 of the Agricultural Code, relating to hides and brands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No 412—An act to repeal section 195 of the Agricultural Code, relating to exemption of cattle from dipping or treatment—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 50—An act to amend section 2322x30 of the Political Code, relating to the salaries of the agricultural commissioner and his deputies in counties of the thirtieth class;

Also, Senate Bill No. 821—An act to amend section 16x24 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the twenty-fourth class;

Also: Senate Bill No. 824—An act to amend section 2322x24 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-fourth class,

Also: Senate Bill No. 825—An act to amend section 4253 of the Political Code, relating to compensation of county and township officers in counties of the twenty fourth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 403—An act to amend section 2980 of the Civil Code, relating to recordation of interests in property—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 330—An act to repeal an act entitled "An act making an appropriation for the construction and completion, equipment, and furnishing of an addition to the State Office Building, at San Francisco, California," approved June 14, 1929;

Also: Senate Bill No. 341—An act to repeal section 4.121 of the School Code, relating to the audit by the State Board of Control of expenditures from the *vocational rehabilitation fund*;

Also: Senate Bill No. 883—An act to repeal section 4 71 of the School Code, relating to claims against the State school book fund;

Also: Senate Bill No. 884—An act transferring from the vocational rehabilitation fund to the general fund of the State the sum of $33 000;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 178—An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

THE SPEAKER IN THE CHAIR.

At two o'clock and fifteen minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No 121—An act to amend section 583 of the Code of Civil Procedure, relating to the dismissal of actions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1528—An act to provide for the creation of a commission to be known as the License Tax Commission, which shall or may issue licenses to manufacturers, purveyors, transporters and sellers of alcohol, spirits or beverages containing alcohol and to provide for the issuance of licenses to those who manufacture, sell, convey and transport alcohol, spirits or beverages containing alcohol, and to provide for the collection of taxes from those to whom licenses may or do issue and for the regulation of the sale of alcohol, spirits or beverages containing alcohol, and for the taxing of said sales, and for the collection of taxes upon sales and manufactures of alcohol, spirits or such beverages containing alcohol and for the appointment of commissioners to be known as License Tax Commissioners, and to appropriate money out of the funds collected for license taxes for the salaries and expenses of such commissioners, its agents and employees, and its offices and incidental expenses—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for, and was granted, unanimous consent to have Rules Nos. 71 and 91 suspended for the purpose of having amendments adopted to Assembly Bill No. 1528, at this time, without reference to printer or file, and that same be considered engrossed.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to control, license, and regulate, the manufacture, transportation, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; and to provide penalties for the violation hereof."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 14, inclusive; also strike out pages 2 to 5, inclusive, of the printed bill, and insert in lieu thereof the following:

"SECTION 1. In hotels, boarding houses, restaurants, cafeterias, and other public eating places, wines and beer may be served and consumed with meals furnished in good faith to the guests and patrons thereof, subject to the provisions of this act and other applicable provisions of law.

SEC. 2. Liquor contained in original packages may be sold in retail stores where such liquor is not consumed and is not sold to be consumed on the premises where sold, subject to the provisions of this act and other applicable provisions of law.

SEC. 3. No public saloon, public bar or barroom or other public drinking place where intoxicating liquors to be used for any purpose shall be kept, bought, sold, consumed or otherwise disposed of, shall ever be established, maintained or operated within this State.

SEC. 4. As used in this act:

(a) "Beer" means any beverage obtained by the alcoholic fermentation of any infusion or decoction of barley, malt, hops or any other similar product, or any combination thereof in water.

(b) "Wine" means any alcoholic beverage obtained by the fermentation of the natural content of fruits or other agricultural products containing sugar.

(c) "Alcohol" means the product of distillation of any fermented liquid, rectified either once or oftener, whatever may be the origin thereof, and includes synthetic ethyl alcohol and alcohol which is considered nonpotable under the Customs Laws of the United States.

(d) "Liquor" or "intoxicating liquor" means beer, wine, gin, whiskey, cordials, or rum, and every liquid or solid, patented or not, containing one-half of one per cent or more of alcohol by weight and capable of being consumed by a human being. Any liquid or solid containing beer or wine in combination with any other liquor shall not be construed to be beer or wine.

(e) "Package" or "original package" means any container or receptacle used for holding liquor, which container or receptacle is corked or sealed. "Corked" or "sealed" means closed with any stub, stopper, or cap whether made of cork, wood, glass, or metal.

(f) "To sell" or "sale" means and includes any of the following: To exchange, barter, possess, or traffic in; to solicit or receive an order for; to keep or expose for

sale; to serve with meals; to deliver for value or in any way other than gratuitously; to peddle; to possess with intent to sell; to possess or transport in contravention of this act; to traffic in for any consideration, promised or obtained directly or indirectly; to procure or allow to be procured for any reason.

(g) "Hotel" or "boarding house" means any establishment, provided with special space and accommodation, where, in consideration of payment, food, lodging, or both are habitually furnished to guests

(h) "Restaurant," "cafe," "cafeteria," or other "public eating place" means any establishment provided with special space and accommodation, where, in consideration of payment, food (without lodging) is habitually furnished to guests at tables.

(i) "Club" means a corporation created by competent authority, which is the owner, lessee or occupant of an establishment operated solely for objects of a national, social, patriotic, political, or athletic nature, or the like, but not for pecuniary gain, and the property as well as the advantages of which belong to all the members.

(j) "Retail liquor store" means an establishment where goods, wares and merchandise, and liquor in original packages, in quantities of not more than five gallons at one time, are sold.

(k) "Wholesale dealer" means a person licensed to sell liquor in original packages to retail liquor stores in quantities of not less than five gallons at one time but not to sell to the consumer or general public; provided that wholesale dealers may sell less than five gallons of beer to retail liquor stores.

(l) "Meal" means that quantity of food of such nature as is ordinarily consumed by an individual at regular intervals for the purpose of sustenance, in the following places:

(1) In any dining room of a hotel or boarding house operated for the accommodation and reception of travelers or guests and where meals are regularly served at tables, and in any guest room thereof when the guest has meals served therein

(2) In the dining room of a restaurant, cafe, cafeteria, or other public eating place which is equipped for the reception of travelers or guests and where meals are regularly served at tables.

(3) In the dining room or rooms of a club where meals are regularly served at tables to the members and their guests.

(4) In the dining room or rooms of a boat or in the dining car or cars of a train where meals are served at tables, provided that it be while passengers are being transported.

(m) "Brewery" means an establishment where beer is manufactured, brewed, prepared, bottled or barreled.

(n) "Winery" means an establishment where wine is manufactured, fermented, bottled or barreled, or in any way prepared.

(o) "Distillery" means an establishment where liquor other than wine or beer is manufactured, distilled, bottled, barreled, or in any way prepared.

(p) "Industrial alcohol license" means a license to sell for use in the trades, professions or industries, but not for human consumption.

(q) "Medicinal alcohol license" means a license to sell any liquor for use in the pharmaceutical or medical and dental profession in the manufacture of medicine or other allied products and for beverage purposes.

(r) "On sale license" means a license to sell beer or wine for consumption with meals only on the premises in respect to which the license is issued.

(s) "Off sale license" means a license to sell liquor in original packages in retail stores for consumption only off the premises in respect to which the license is issued.

(t) "Person" means natural person, partnership, association, company, corporation, organization or the manager, agent, servant, officer or employee of any of them.

(u) "County commissioner" means the county liquor control commissioner.

(v) "State commissioner" means the State Liquor Control Commissioner.

SEC. 5 There is hereby created the office of State Liquor Control Commissioner. Within ten days after this act becomes effective, the Governor shall appoint a suitable person as State Liquor Control Commissioner. The term of office of the State Liquor Control Commissioner is four years, or until his successor has been appointed and qualified, but he shall always be subject to removal at the pleasure of the Governor His salary shall be five thousand dollars per annum, payable in the same manner as other State officers are paid. Before entering upon his duties, he shall execute a bond to the State in the sum of ten thousand dollars conditioned upon the faithful performance of his duties.

SEC. 6 The State commissioner may appoint a deputy who shall have the same powers as the State commissioner. Such deputy shall receive a salary of three thousand five hundred dollars per annum, payable in the same manner as other State officers are paid He shall be at all times subject to removal at the pleasure of the State commissioner. The State commissioner may also appoint additional deputies, an attorney, inspectors, and employees from time to time at such salaries as he may fix.

The State commissioner, his deputies, and inspectors shall have all the powers of peace officers in enforcing the provisions of this act.

SEC. 7. The State commissioner and his deputies shall each be allowed their actual and necessary traveling and other expenses, and all necessary office expenses, to be approved in the same manner as other claims against the State.

The salaries and expenses of the office of State Liquor Control Commissioner shall be paid from the State liquor control fund, which fund is hereinafter created. The Controller is hereby directed to issue and the Treasurer to pay warrants on the State liquor control fund for all salaries and expenses of the State Liquor Control Commissioner's office which are incurred under the provisions of this act.

SEC. 8. The State commissioner or his deputy shall, at least once in every year, visit the several counties in the State and inspect the work of the county liquor control commissioners.

If the State commissioner finds that any county liquor control commissioner appointed under the provisions of this act, has refused or neglected to perform the duties of his office, is guilty of malfeasance in office, or is incompetent, he shall present to the board of supervisors having power to remove such county commissioner a written charge and accusation based upon and clearly stating the alleged offense or offenses of the county commissioner and request such board of supervisors to hear and determine the charge and accusation

Upon receipt of such charge and accusation, it shall be the duty of the board of supervisors with whom the same have been filed, to make an order setting the same for hearing at a time which shall not be less than ten, nor more than twenty days, from the date upon which such charge and accusation have been filed, and shall in such order fix the time and place for such hearing A copy of such charge and accusation, together with a copy of the order, shall be served upon the accused at least seven days prior to the time fixed for such hearing; provided, that, in the event he absents himself from his usual place of business, or office, such service may be made by depositing the copies in a conspicuous place therein, or by leaving the same at the last known place of residence of the accused, within the time above limited. At such hearing the accused shall have the right to be represented by counsel, if he so desires, and to produce witnesses and documentary evidence in his defense. If, upon such hearing, he be found guilty of malfeasance in office, or adjudged to be incompetent to perform his duties, the board of supervisors must forthwith remove him from office

If the county commissioner be found guilty of any other offenses under this act, he may be punished by removal or by suspension without pay for a period not exceeding thirty days, as the board of supervisors may determine

If the State commissioner has reason to believe that any county commissioner has committed or has aided or counseled the commission of any of the offenses specified in this act, the State commissioner may, in his discretion, present an accusation to the superior court of the county in which the accused is employed, which accusation shall thereupon be heard and determined by such court in the manner provided by law.

The remedies provided in this section are cumulative and shall in no wise detract from the right of the board of supervisors to remove any county commissioner at will and without cause.

SEC. 9. The State commissioner shall investigate conditions in the various counties of this State in respect to the enforcement of the provisions of this act and also in respect to the quantity of alcoholic beverages consumed in each county and in the State as a whole. He shall, for this purpose, furnish forms to the county commissioners, which forms shall be distributed by the county commissioners in their respective counties to each licensee under this act

The State commissioner shall annually report to the Governor, and shall, prior to each regular session, report to the Legislature the work of his office He shall make such recommendations in regard to legislation, and the administration of this and any other acts, the enforcement of which he is charged with, as he shall deem proper and necessary.

SEC 10 The State commissioner shall issue uniform instructions and make recommendations under the provisions of this act to the county commissioners, appointed under the provisions of this act, and such instructions and recommendations shall govern the procedure to be followed by the aforesaid officers in the discharge of their duties.

The State commissioner shall keep in his office a complete record of all acts done by him, a record of all prosecutions for violations of the provisions of this act, and the reports of the various county commissioners These records and reports shall always be open to inspection by the public.

SEC 11 The State commissioner shall hold meetings of the county commissioners annually for the purpose of discussing the problems arising under the administration and enforcement of this act. He may require annual reports from the county commissioners

SEC 12 The State commissioner shall have the power to administer oaths and issue subpenas for the attendance of witnesses and for the production of books, papers and documents, and he may promulgate rules and regulations necessary to

administer and enforce the provisions of this act. Said rules and regulations may be modified from time to time.

SEC. 13 There shall be the office of the county liquor control commissioner in each county.

SEC. 14. The county commissioner shall be appointed by the board of supervisors of the county, except that in counties governed under charters where a different method of appointment is prescribed, such method shall be followed. The term of office of the county commissioner shall be four years from and after his appointment and until his successor is appointed but he may be removed as hereinabove provided or at the will of the board of supervisors and without cause.

PRIOR to entering upon his duties the county commissioner shall file the oath of office prescribed for county officers and he shall execute an official bond conditioned upon the faithful performance of his duties in such amount as the board of supervisors may determine.

SEC. 15. The county commissioner may appoint deputy county commissioners, inspectors, clerks, and such other employees as may be necessary, all of whom shall serve at his pleasure.

SEC. 16. The salary and compensation provided for the county commissioner, deputy county commissioner, inspectors, clerks, and other employees, shall be paid out of the county liquor control fund in the county treasury in equal monthly installments, where the employment is by the year or by the month, in the same manner and at the same time as county officers are paid. The county commissioner, deputy county commissioners, and inspectors shall each be entitled to receive his traveling and incidental expenses necessarily incurred in the performance of his duty. Such expenses so incurred and all compensation earned by such officers or employees as shall not be employed by the year or by the month shall be a charge on the county liquor control fund, and the board of supervisors shall allow and pay the same in the same manner as other claims are allowed and paid.

SEC. 17. The board of supervisors shall provide a suitable office for the county commissioner and shall furnish and equip his office with all necessary furniture, supplies, and effects for the proper discharge of his duties It may also provide the county commissioner with all necessary field equipment for the proper discharge of the duties of his office All expenses ordered by the board of supervisors for such office, furniture, supplies effects and equipment shall be a charge on the county liquor control fund, and the board of supervisors shall allow and pay the same out of such fund in the county treasury.

SEC. 18 The county commissioner shall keep a record of his official doings and a record of all prosecutions for violation of the provisions of this act, and make an annual report to the board of supervisors on the general condition of liquor regulation and control in the county, with records of all licenses issued, suspended, forfeited, revoked, or renewed

The county commissioner shall keep a record of his official acts and make a monthly report to the board of supervisors if and when so required by said board.

SEC 19. The jurisdiction of a county commissioner shall extend over the entire territorial limits of the county appointing such commissioner.

SEC. 20. Except in counties governed under charters where different salaries are prescribed:

(a) In counties of the first to the tenth classes, inclusive, the county commissioner shall receive a salary of _____ dollars per annum, and shall be entitled to _____ deputy commissioners at a salary of _____ dollars each per annum, and _____ inspectors at a salary of _____ dollars each per annum;

(b) In counties of the eleventh to the twenty-first classes, inclusive, the county commissioner shall receive a salary of _____ dollars per annum, and shall be entitled to _____ deputy commissioners at a salary of _____ dollars each per annum, and _____ inspectors at a salary of _____ dollars each per annum;

(c) In counties of the twenty-second to the forty-fourth classes, inclusive, the county commissioner shall receive a salary of _____ dollars per annum, and shall be entitled to _____ deputy commissioners at a salary of _____ dollars each per annum, and _____ inspectors at a salary of _____ dollars each per annum;

(d) In counties of the forty-fifth to the fifty-eighth classes, inclusive, the county commissioner shall receive a salary of _____ dollars per annum, and shall be entitled to _____ deputy commissioners at a salary of _____ dollars each per annum, and _____ inspectors at a salary of _____ dollars each per annum.

SEC. 21. Application for any license must be made to the commissioner of the county in which the premises in respect to which the license is to be issued are situated. Application must be made on such form as the State commissioner shall prescribe and in accordance with such rules and regulations as he may adopt. The State commissioner may prescribe the information to be contained in such application, which shall also include the name and address of the applicant, and if a partnership, also the names and addresses of all the partners, and if a corporation, association, or other organization, also the names and addresses of the president, vice president, secretary, and managing officer or officers; together with all the other information deemed necessary by the county commissioner. Each application shall be accompanied by the license fee required herein for the particular license

for which application is made. If the application is denied such fee shall be returned to the applicant.

SEC 22. Upon receipt of an application for a license and the license fee the county commissioner shall thoroughly investigate and determine whether.

(a) The premises in respect to which the license is to be issued complies with the provisions of the law and the rules and regulations of the county commissioner;

(b) The premises and equipment or the plans and specifications thereof in respect to which the license is to be issued are proper and suitable for public use if such applicant is to sell liquor to the public;

(c) The applicant has had a license forfeited, suspended or revoked under the provisions of this act.

No license shall be granted to any applicant who fails to comply with the provisions of this section or who has within one year prior to filing his application violated any law concerning liquor or committed a felony under the laws of this State, the United States, or any State of the United States.

SEC. 23. The county commissioner may consider any objections or protests to the issuance of any licenses filed by any person with him, and the county commissioner may grant or refuse the license applied for if the applicant does not comply with the provisions of this act or the rules and regulations made in pursuance thereto

SEC. 24. Every license issued under this act shall set forth the name of the person to whom it is issued. If the license is issued under a fictitious name, such license shall set forth in addition to said name, the name or names of each of the persons conducting the business under the fictitious name The license shall also specify the location by street and number of the premises in respect to which the license is issued.

SEC. 25. Each license shall be signed by the licensee, shall be nontransferable, shall be posted in a conspicuous place in the premises in respect to which it was issued, and shall be exhibited to any duly authorized representative of the county or State commissioners whenever the same is requested.

SEC. 26. Each license issued under the provisions of this act is separate and distinct, and no person shall seek to exercise the privileges granted under any license other than the license he holds. A separate license shall be issued for each specific business and each location, and in said license the particular liquor which the applicant shall be authorized to sell shall be named and described. All licenses are applicable only to the premises in respect to which they are issued. The county commissioner shall determine what constitutes a single store, business, or establishment with respect to the issuance of a license hereunder, and his decision shall be conclusive

SEC. 27. Subject to the provisions and limitations of this act, the following are the types of licenses to be issued hereunder and the fees to be charged therefor:

(1) "On Sale" beer license	$50	per year
(2) "Off Sale" beer license	25	per year
(3) "On Sale" wine license	50	per year
(4) "Off Sale" wine license	25	per year
(5) "Off Sale" license for liquor other than beer or wine	100	per year
(6) Industrial alcohol license (under five gallons)	5	per year
(7) Industrial alcohol license (over five gallons)	50	per year
(8) Medicinal alcohol license	1	per year
(9) Wholesale dealer's license for liquor other than beer or wine	100	per year
(10) Wholesale dealer's license for beer and wine	10	per year
(11) Winery license	10	per year
(12) Brewery license	10	per year
(13) Distillery license	50	per year

SEC. 28. All licenses issued hereunder shall expire on the last day of December of each year.

All license fees are due and payable on or before the first day of January of each year and if not paid are delinquent on the fifteenth day of January next succeeding Application for annual licenses shall be made to the county commissioner upon forms prescribed by the State commissioner. Failure to pay the annual license fee on or before the fifteenth day of January automatically cancels and terminates the license. Upon payment to the county commissioner of the annual license fee and an additional amount equal to five per cent of the amount of the license fee the county commissioner shall renew the license for the then current year.

If any license is issued at any time during the year other than the first day of January, except delinquent licenses, the licensee shall pay a proportionate part of the annual fee for the remainder of that year, except that hotels operating as a summer resort for a period of six months or less shall pay one-half of the annual license fee mentioned in section 27

SEC 29. The county commissioner may upon his own motion and shall upon the verified complaint in writing of any person, investigate the action of any licensee

hereunder and shall have power to temporarily suspend or permanently revoke a license issued hereunder for any one of the following acts or omissions:

(a) Misrepresentation of a material fact by the applicant in obtaining a license hereunder;

(b) If the licensee violates or causes or permits to be violated any of the provisions of this act or any of the applicable rules or regulations of the county or State commissioner; or

(c) If the licensee commits any act which under section 22 of this act would be sufficient ground for the denial of an application for a license hereunder.

SEC. 30. Upon the filing with the county commissioner of a verified complaint charging the licensee with the commission within one year prior to the date of filing such complaint of any act which is cause for suspension or revocation of a license, the county commissioner must forthwith issue a citation directing the licensee within ten days after service of the citation upon him to appear by filing with the commissioner his verified answer to the complaint showing cause, if any he has, why his license should not be suspended or revoked. Service of the citation upon the licensee shall be fully effected by mailing a true copy thereof together with a true copy of the complaint by United States registered mail in a sealed envelope with postage fully prepaid thereon addressed to the licensee at his latest address of record in the office of the county commissioner Service of the citation shall be completed at the time of such deposit subject to the provisions of section 1013 of the Code of Civil Procedure of this State. Failure of the licensee to answer shall be deemed an admission by him of the commission of the act or acts charged in the complaint and thereupon the county commissioner shall have power forthwith to suspend or revoke the license

SEC. 31. *Upon filing of the answer the county commissioner* shall fix a time and place for the hearing and give the licensee and the complainant not less than five days notice thereof The notice may be served by depositing in the United States mail a true copy of the notice inclosed in a sealed envelope with postage thereon fully prepaid and addressed to the licensee and to the complainant, respectively, at their last known address With the notice to the complainant there shall be attached or inclosed a copy of the answer. If either party has appeared by counsel, the notice shall be given, in like manner, to counsel instead of to the party.

SEC. 32. Upon the hearing, the county commissioner shall hear all relevant and competent evidence offered by the complainant and by the licensee, and shall have power to continue the hearing from time to time as in his judgment may be necessary or proper. After the hearing is concluded and the matter submitted, the commissioner shall, within ten days after such submission, render his decision in writing suspending or revoking the license, or dismissing the complaint, with a brief statement of his reasons therefor He shall give to the complainant and the licensee, or their respective attorneys, notice of the decision, by mail, in the same manner as prescribed herein for the giving of notice of hearing The decision of the county commissioner suspending or revoking a license shall not take effect until ten days after such service of notice of the decision.

SEC. 33. Within ten days after such service of notice of the decision of the commissioner suspending or revoking a license, the licensee may apply for a rehearing by filing with the county commissioner his petition in writing therefor. Within five days after such filing the commissioner shall cause notice thereof to be served upon the complainant by mailing a copy of the petition for rehearing to the complainant in the same manner as herein prescribed for the giving of notice of hearing.

The filing of a petition for rehearing as to the commissioner's action in suspending or revoking a license suspends such action and permits the licensee to continue doing business as a licensee hereunder pending the granting or denial of the petition, and, if the petition be granted, pending the decision of the commissioner upon hearing.

In his order granting or denying a rehearing the commissioner shall set forth a statement of the particular grounds and reasons for his action on the petition and shall forthwith mail a copy of the order to the parties who have appeared in support of or in opposition to the petition for rehearing. If a rehearing is granted, the county commissioner shall set the matter for further hearing on due notice to the parties given in the same manner as prescribed herein for the giving of notice of an original hearing.

Within ten days after submission of the matter upon rehearing, the commissioner shall render his decision thereon, which is final and effective upon the rendition thereof.

SEC. 34. In any investigation, proceeding or hearing which under the provisions of this act he is empowered to *institute, conduct, or hold, the county* commissioner shall have the power to administer oaths, certify to official acts, issue subpenas for the attendance of witnesses and the production of books, papers, and records, and exercise all of the powers conferred upon the head of a State department by the provisions of section 353 of the Political Code.

SEC. 35. After suspension or revocation of a license, the commissioner shall have power to renew the same, in the sound discretion of the commissioner, upon a proper showing therefor.

SEC 36. The county commissioner is empowered to establish rules and regulations concerning the hours that persons licensed under this act may sell liquor, and such other rules and regulations as may be reasonable or necessary to fully carry out any of the provisions of this act

SEC 37. No person who owns any interest in any business or occupation in respect to which a winery, brewery or distillery license is issued or who is an officer, employee or agent thereof shall guarantee, endorse or stand surety for a lease or any obligation of any other person or persons engaged in selling liquor to the public; nor shall any of the above specified persons provide, whether by gift or otherwise, any equipment or fixtures for any person holding any license to sell liquor to the public

This section shall not apply to agencies or branch-bonded premises established by a manufacturer for convenience in filling orders or making deliveries.

SEC. 38. No State or county commissioner shall be employed in any way by any person licensed under this act; nor shall any State or county commissioner hold stock or other securities in any corporation licensed under this act; nor shall any State or county commissioner be connected or affiliated in any way with any person licensed under this act.

SEC 39. Every county commissioner, his deputies, and inspectors, in the performance of their official duties, shall have the same powers as are possessed by peace officers of this State

Any person who shall hinder or obstruct in any way the State commissioner or a county commissioner or their deputies or inspectors in the performance of their official duties, shall be guilty of a violation of this act.

SEC 40. The State commissioner or any county commissioner having knowledge of a violation of any of the provisions of this act, shall cause the violator to be prosecuted by the proper authorities.

SEC 41. All moneys collected for licenses issued by the county commissioner under the provisions of this act or for penalties or delinquency fees shall be paid into the county treasury Forty per cent of such moneys shall be paid into the State treasury to the credit of the "State liquor control fund," which is hereby created The balance of such moneys shall be placed in the "county liquor control fund" of the county where such moneys are collected. The moneys in such funds, or as much as may be necessary, are hereby appropriated to the use of the State and county commissioners, respectively, to be used in carrying out the provisions of this act and for the salaries and expenses of their respective offices

SEC 42 If on January 1st of any year there is a surplus in a county liquor control fund over and above the amount needed for the support of the office of the county commissioner, the board of supervisors may appropriate and transfer that surplus amount to the general fund in the county treasury.

SEC 43 No person shall conduct, maintain or operate any establishment, business, or premises, under or by virtue of a license issued under this act to, or issued in the name of, any other person.

No liquor shall be sold or served except by a licensee in accordance with the provisions of this act

No person shall transfer or attempt to transfer any license issued hereunder.

No person shall ever sell liquor under any circumstances to any person under the age of twenty-one years.

SEC 44 Any person who violates or fails to comply with any order, rule or regulation made under or pursuant to the provisions of this act by the State or county commissioner or who violates the terms or conditions of any license issued hereunder shall be liable for each such violation or noncompliance and shall be guilty of a misdemeanor punishable by a fine of not to exceed five hundred dollars or by imprisonment of not to exceed six months in the county jail or by both such fine and imprisonment

Such person is guilty of a separate offense for each and every day or for any portion of a day in which any such violation is committed, continued, or permitted by him and shall be punished for each such offense as provided herein.

SEC. 45. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more of the other sections, subsections, sentences, clauses or phrases be declared unconstitutional

SEC. 46. This act shall be cited as the "State Liquor Control Act."

SEC 47 If and when it shall become lawful under the Constitution and laws of the United States to manufacture, sell, purchase, possess, or transport intoxicating liquors for beverage purposes within the United States, this act shall take effect."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

MOTION.

On motion of Mr. Hornblower, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 1528.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 533—An act to add section 1242 to the Probate Code, relating to judgment rolls.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1115—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered re-referred to Committee on Public Morals.

Also:

SENATE CHAMBER, SACRAMENTO, April 13, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 153—An act to amend section 16x29 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-ninth class

Also: Senate Bill No. 157—An act to amend section 9a29 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to librarians in counties of the twenty-ninth class;

Also: Senate Bill No. 101—An act to amend section 795, 796 and 797 of the Agricultural Code, relating to the standardization of citrus fruits;

Also: Senate Bill No. 911—An act to provide for the classification of irrigation districts;

Also: Senate Bill No 65—An act relating to the redemption of property sold to irrigation districts for delinquent assessments;

Also Senate Bill No 675—An act to amend section 456 of the Fish and Game Code, relating to the shipment of fish and game.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 153 and 157 read first time, and referred to Committee on County Government.

Senate Bill No. 101 read first time, and referred to Committee on Agriculture.

Senate Bills Nos 911 and 65 read first time, and referred to Committee on Irrigation.

Senate Bill No. 675 read first time, and referred to Committee on Fish and Game.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented.

By Mr. Woolwine:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to authorize the incorporation and to provide for the organization, powers, duties, regulation, and liquidation of nonprofit corporations organized for the purpose of administering community land chests, to limit the use of the terms "land chest" and "community land chest" in corporate names, to prescribe penalties for the violation of the provisions of this act, and to declare the urgency of this act and to provide that it shall take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr. Alter:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for the contingent expenses of the Assembly at its fiftieth session, and declaring that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr. King:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act authorizing boards of supervisors to pay principal or interest, purchase or redeem, bonds the proceeds of which have been used for the acquisition, improvement or maintenance of parks within their respective counties or cities and counties.

Referred to Committee on Introduction of Bills.

RESOLUTION.

The following resolution was offered:

By Mr. Sullivan:

April 13, 1933.

Pursuant to the provisions of Rule No. 60 of the Assembly Standing Rules, we the undersigned, being a majority of the duly elected Assembly of this 50th session, hereby petition and respectfully request that Assembly Bill No. 781 be withdrawn from the Committee on Judiciary, and be placed on file for passage:

WALTER H. SULLIVAN.
CLARE WOOLWINE.
H. S. HALLNER.
RODNEY L. TURNER.
JAMES J. MCBRIDE.
JOHN D. MCCARTHY.
EDWARD CRAIG.
JAMES B. UTT.
JAMES S. O'CONNOR.
JAMES J. BOYLE.
CECIL R. KING.
WM. MOSELEY JONES.
AUSTIN L. TOURNOUX.
CHAS. W. DEMPSTER.
CHARLES A. HUNT.
JOHN H. O'DONNELL.
JAMES M. CASSIDY.
HENRY P. MEEHAN.
ERNEST C. CROWLEY.
T. A MALONEY.
CLIFFORD C. ANGLIM.
P. J. MCMURRAY.
JOHN PHILLIPS.
BRUCE R. STANNARD
JOHN T. RAWLS.
BERT V. CALLAHAN.
C. C. COTTRELL.
F. C. CLOWDSLEY.
FRANK J. ROGERS.
HOBART R. ALTER.
F. W. WRIGHT.
S E. ROBINSON.
E. H. ZION.
JOSEPH P GILMORE
ELLIS E. PATTERSON.
F. E PETERSON.
MICHAEL J. BURNS.
W. E. BADHAM.
ELEANOR MILLER.
GEO. B. BOWERS.
J. E. THORP.
C. W. GRUBBS.

Assembly Bill No. 781 ordered on file for second reading.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as representatives of the newspaper set opposite their names:

Pathfinder Union—James A. Metcalfe, Peter J. Lund.

ARTHUR A. OHNIMUS, Chief Clerk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933

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

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

Commencing April 12, 1933, and ending April 13, 1933—

Jimmie Healey, Page	$2 50
Peggy McBride, Page	2 50
Catherine McBride, Page	2 50
George Bliss, Page	2 50
Richard Little, Page	2 50
Walter Little, Jr., Page	2 50
Marvin Riley, Page	2 50
Kenneth Terry, Page	2 50
Bill Latham, Page	2 50
Ralph Bishop, Page	2 50
Jean Norton, Page	2 50
Johnnie Peter Redwine, Page	2 50
Carl Phillips, Page	2 50
Louise King, Page	2 50
Mildred Eberhard, Page	2 50
Peggy Lou Connolly, Page	2 50

Resolved, further, That the name of William Hind be stricken from the Assembly roll as of April 9, 1933; and

Resolved, further, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, and the Controller is hereby directed to draw his warrant in favor of the respective person for the said respective amount, and the Treasurer is hereby directed to pay the same.

Commencing April 10, 1933, to April 15, 1933, inclusive—

Edward J. Kelly, Assistant Sergeant-at-Arms	$5 00

CRAIG, Chairman

The question being on the adoption of the report and resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stream, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—Brock and Stannard—2

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act making an appropriation for the contingent expenses of the Assembly at its 50th session, and declaring that this act shall take effect immediately.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows.

An act authorizing boards of supervisors to pay principal or interest, purchase or redeem, bonds the proceeds of which have been used for the acquisition, improvement or maintenance of parks within their respective counties or cities and counties.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to authorize the incorporation and to provide for the organization, powers, duties, regulation, and liquidation of nonprofit corporations organized for the purpose of administering community land chests, to limit the use of the terms "land chest" and "community land chest" in corporate names, to prescribe penalties for the violation of the provisions of this act, and to declare the urgency of this act and to provide that it shall take effect immediately.

HALLNER, Chairman.

The question being on the adoption of the reports.

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—64.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Redwine: Assembly Constitutional Amendment No. 102—Proposed amendment to Article VI, section 7 of the Constitution, relative to the presiding judge of the superior court.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. King: Assembly Bill No. 2360—An act authorizing boards of supervisors to pay principal or interest, purchase or redeem, bonds the proceeds of which have been used for the acquisition, improvement or maintenance of parks within their respective counties or cities and counties.

Bill read first time, and referred to Committee on County Government.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 333—An act to amend section 613 of the Fish and Game Code, relating to trout.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 333 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Feigenbaum, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy,

McMurray, Meehan, Meeker, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1619—An act to amend section 3 of Chapter 609, Statutes of 1931, entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of lubricating oil.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1619 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Stannard, Stream, Tournoux, Turner, Utt, Williamson, Woolwine, Wright and Mr. Speaker—61.

NOES—Grubbs—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1618—An act to add a new section to be numbered 14a to Chapter 609, Statutes of 1931, entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to licensing of persons, firms, associations or corporations, installing and using motor vehicle fuel pumps.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Craig moved that Assembly Bill No. 1618 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 1618 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 1618 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 545—An act to amend section 3 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of lubricating oil.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 545 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, McBride, McCarthy, McMurray, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 256—An act to add sections 3a, 3b, and 5a to, and to amend sections 5 and 7 of an act entitled, "The County Improvement Act of 1921," approved June 3, 1921, Statutes of 1921, page 1628, relating to the improvement of roads and highways within unincorporated territory of counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 256 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Mayo, McCarthy, McMurray, Meehan, Mecker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Rogers, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At three o'clock and ten minutes p.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

Assembly Bill No. 1400—An act to add a new section to the Public Utilities Act, to be numbered 50¼, relating to the punishment of passenger stage corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1400 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Rogers, Stannard, Thorp, Tournoux, Turner, Utt, West, Williamson and Wright—61.

NOES—Burns—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 257—An act to amend sections 60, 62, 63, 65a and 66 of an act entitled "Improvement Act of 1911," approved April 7, 1911, Statutes of 1911, page 730.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 257 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Wright—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 16—An act to amend section 11 of an act entitled, "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to refunds of the tax therein authorized.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Hoffman:

AMENDMENT NUMBER ONE.

On page 1, lines 7 and 8, of the printed bill, strike out "also any person, firm, association or corporation", and insert in lieu thereof the following: "any employee of the United States government".

AMENDMENT NUMBER TWO.

On page 2, line 18, of the printed bill, after the period following "State", insert the following: "The term "employee" as hereinabove used shall have the same meaning as is now given to said term under the Workmen's Compensation, Insurance and Safety Act of 1917."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 980—An act to provide for the acquisition, construction, extension and operation of systems and works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary and sanitation districts; also providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of constructing, operating and maintaining such works; also providing for the use of such works by other cities, counties or districts, and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Utt moved that Assembly Bill No. 980 be withdrawn from the file, and referred to Committee on Municipal Corporations.

The question being on referring Assembly Bill No. 980 to Committee on Municipal Corporations.

Motion carried.

Assembly Bill No. 980 ordered referred to Committee on Municipal Corporations.

Assembly Bill No 261—An act to amend section 110a of the Code of Civil Procedure, relating to salaries of justices of the peace in townships of thirty thousand population or more in counties of the first class, and the determination of such population.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 261 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Powers, Rawls, Red-

wine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—62.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At three o'clock and twenty-two minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 2354—An act relating to retirement systems covering county or township officers or employees or a portion of such employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2354 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, Latham, Levey, Lyon, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Mr. Speaker—62.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 926—An act to amend section 291 of the Civil Code, relating to corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 926 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—66.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 396—An act to add a new section to the Political Code to be numbered 2610, relating to the power of the Director of Public Works to rescind or terminate leases of lands of Mission Bay.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 396 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Craig, Crist, Cronin, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson,

Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2200—An act to amend section 2295a of the Political Code, relating to reports and publications furnished to the State Library.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 2200 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—61.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2286—An act authorizing and empowering the Director of Finance to accept money from the estate of Emma Hotfilter for the purpose of erecting a fountain within the State Capitol grounds.
Bill read third time.
The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Knowland moved that Assembly Bill No. 2286 be withdrawn from the file, and referred to Committee on Ways and Means.
The question being on referring Assembly Bill No. 2286 to Committee on Ways and Means.
Motion carried.

Assembly Bill No. 2286 ordered referred to Committee on Ways and Means.

Assembly Bill No. 1141—An act to amend sections 453cc and 453ee of the Civil Code, relating to mortgage insurance companies; declaring the urgency thereof, and providing that this act shall take effect immediately.
Bill read third time.
The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Robinson, C. Ray:

AMENDMENT NUMBER ONE.

Strike out line 1 of the title of the printed bill, and insert in lieu thereof the following: "An act to add four new sections to the Civil Code, to be numbered 453ee½, 453.11, 453 12 and 453.13, all".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive; on page 2, strike out lines 1 to 51, inclusive; on page 3, strike out lines 1 to 52, inclusive; and on page 4, strike out lines 1 to 15, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Civil Code, to be numbered 453ee½ and to read as follows:

453ee½. In addition to the investments otherwise authorized by the provisions of this code, a mortgage insurance company may invest its capital, surplus, and accumulations in the purchase of, or loans upon, the stock issued by any Federal home loan bank or other similar Federal agency of which such mortgage insurance company may be eligible to become a member, and the bonds, debentures and notes issued by any Federal home loan bank or other similar Federal agency.

SEC. 2 A new section is hereby added to the Civil Code to be numbered section 453.11 and to read as follows:

453 11. In the event actions for the foreclosure of real estate mortgages, or sales on execution or under power of sale contained in any mortgage or deed of trust or by direction of court in an action for the recovery of a debt or for the enforcement of a right secured by a mortgage or other lien, shall be extended or postponed pursuant to or by any law of this State or of the United States, or by any order or ruling of any officer of this State or of the United States, or in the event the date when payment of either principal or interest shall become due under any note secured by a mortgage or deed of trust on real estate shall be extended or postponed pursuant to or by any law of this State or of the United States, or by any order or ruling of any officer of this State or of the United States, then and in any of such cases there shall be an extension for a like period of time of the date or dates upon which mortgage insurance companies are required to make any and all payments under and by reason of any and all policies of mortgage insurance or mortgage participation certificate then issued and outstanding.

SEC. 3. A new section is hereby added to the Civil Code to be numbered section 453.12 and to read as follows:

453.12. Any mortgage insurance company which shall have heretofore issued mortgage participation certificates in accordance with the provisions of the law of this State in force at the time of such issuance may, with the consent of the Insurance Commissioner, amend such certificates or may cancel and retire all or any part of such certificates presently outstanding and issue in exchange therefor other certificates representing a similar proportionate interest in the group of assets held in trust for the benefit of the holders of such presently outstanding mortgage participation certificates. The plan under which such amended certificates or such other certificates are to be issued, and the form of such amended certificates and such other certificates, shall be submitted to the Insurance Commissioner for his approval, and all such amended or new certificates and any agreement under which the same may be issued shall contain, notwithstanding anything in this code to the contrary, such terms and provisions as shall be approved or required by such commissioner. Any executor, administrator, guardian, trustee, insurance company, bank, banking institution or trust company, and any officer of the State of California, now holding one or more mortgage participation certificates as a legal investment or as a fund or deposit required by law to be made with the State of California, may consent to the amendment of such certificates or may exchange such certificates for other certificates issued as herein provided, and may hold such amended certificates or such other certificates as legal investments or as securities eligible for deposit with the State of California or with its officers or officials in the same manner and to the same extent as the particular mortgage participation certificates so amended, or the particular certificates in exchange for which such other certificates may be issued, are now held.

At any time during the emergency period, as hereinafter defined, if the holders of not less than seventy-five per cent in interest of all mortgage participation certificates outstanding under any trust indenture shall have consented in writing to the amendment of such certificates, or of any term, condition or covenant thereof, or to any amendment of the trust agreement under which the same are issued, then such amendments shall be fully effective as to such trust agreement and as to all mortgage participation certificates then outstanding thereunder and shall be binding on all holders of such certificates.

The term "emergency period" as used in this section shall mean the period commencing with the effective date of this section and ending September 1, 1935; provided that said emergency period may be terminated at any time prior to September 1, 1935, by order of the Insurance Commissioner.

SEC. 4. A new section is hereby added to the Civil Code to be numbered section 453 13 and to read as follows:

453.13 In all cases where a mortgage insurance company has issued mortgage participation certificates evidencing a share or interest or right to participate in a security or group of securities deposited with a depositary or trustee, the Insurance Commissioner may, by verified petition, apply to the superior court of the county in which the principal office of the mortgage insurance company affected by such petition is located, for an order requiring the depositary or trustee to show cause

why a conservator should not be appointed to take possession of all the property and assets held in such trust and to conserve, operate, manage, control or liquidate the same and distribute the avails thereof to the holders of the mortgage participation certificates which evidence an interest in such assets A similar petition may be made by any mortgage insurance company provided the holders of a majority in interest of the mortgage participation certificates issued under any trust affected by such petition shall have consented in writing to the filing of such petition and such consent is filed with such mortgage insurance company. A certified copy of the petition and of the order to show cause shall be served on the depositary or the trustee in the same manner as a summons is served in civil actions. The court may direct that a copy of the order to show cause shall be personally served upon any creditors having or claiming to have demands against the trust property, or any holders of participation certificates having an interest in the assets of such trust, or may direct that a copy of the order shall be published in such newspaper and for such time as the court may prescribe, or may require both such personal service and publication.

Said superior court shall have jurisdiction of said petition and of the proceedings thereon and may make all such orders as justice and equity shall require, including orders requiring the depositary or trustee to account, and orders for the discharge of the depositary or trustee, for the appointment of a conservator, for the winding up of the trust and the distribution of the trust property, and also orders providing for the presentation of claims and demands against the trust estate and the barring from participation of creditors and claimants failing to make claims and present proofs as required. Any notice required, other than notice to the depositary or trustee, may be given in such manner as the court may direct.

On the return day of such order to show cause, or on any day to which the hearing shall be continued, the court shall either deny the petition or appoint a competent person to act as conservator. In the petition for the appointment of such conservator the petitioner may nominate or recommend any person believed by such petitioner to be competent to act as conservator but such nomination or recommendation shall not be controlling on the court. If the court shall appoint a conservator it shall direct the conservator forthwith to take possession of all the property, real, personal and mixed, in such trust and thereupon the conservator shall be vested by operation of law with the title to all such property, including all the securities, contracts and rights of action of the depositary or trustee and of said mortgage insurance company pertaining to the trust property, as of the date of the order so appointing the conservator. The court shall further order that the depositary or trustee file its account and shall fix the date for the hearing of said account.

On the filing of such petition, or at any time thereafter, the court may in its discretion issue an injunction restraining the depositary or trustee, the mortgage insurance company, and the holders of participation certificates, and all other persons having or asserting claims or demands against the depositary or trustee or the trust property from taking any action or proceeding with respect to the securities or other properties in the trust without leave of court first had and obtained.

In all cases arising under the provisions of this section the conservator shall have and possess full power and right to deal with the property and assets held in such trust in his own name, as conservator, or in the name of the corporation or of the depositary or trustee, as the court may direct, and in addition to all powers and duties herein mentioned shall have and possess all the powers and duties of a receiver appointed upon the dissolution of a corporation.

In the management, operation or liquidation of the affairs of any trust hereunder the conservator, subject to the approval of the court and notwithstanding anything to the contrary contained in the trust indenture under which said trust is established, may sell or exchange any of the property or assets held in such trust upon such terms as he may deem advisable and in the best interests of the certificate holders thereunder. Sales of real property may be made for cash or for cash and/or notes secured by mortgage or deed of trust on the property sold and such sales may be made to the mortgage insurance company or to any other purchaser. Such conservator may, subject to the approval of the court, determine and prescribe the amount of interest and principal which may be paid out of the assets of such trust and the times of payment thereof, and may make, rescind or amend all such further rules, regulations and conditions relative to the operation, management or liquidation of such trust as he may deem advisable and in the best interests of the certificate holders.

If the conservator becomes satisfied that it may safely be done and that it would be in the interests of the certificate holders and the company, he may apply to the court for an order terminating the conservatorship and, upon the making of his account and its approval by the court, such conservatorship shall be terminated and the property and assets of the trust shall be returned to the depositary or trustee.

If the conservator at any time shall determine that such trust be wound up and the avails thereof distributed, he shall petition the court for an order for final winding up of the trust and distribution of the trust assets and, after notice served upon the depositary or trustee and the company, and upon such other parties as

the court shall direct, the court may order such final winding up of the trust and distribution of the trust assets. In winding up the affairs of any trust the conservator, subject to the approval of the court, may sell, exchange or dispose of all or any part of the securities in the trust to a corporation organized under the laws of this State for a consideration which may include shares of stock and/or other securities in such corporation, or participation certificates issued by a mortgage insurance company organized under the laws of this State, if such sale, exchange or other disposition has been approved by the consent in writing of the holders of participation certificates representing more than fifty per cent in value of the assets of such trust. The conservator may distribute such shares of stock, participation certificates or other consideration, or the proceeds thereof among the holders of participation certificates in the trust under liquidation in proportion to their several interests therein, as directed or confirmed by the court.

SEC. 5. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1, Article IV of the Constitution of the State of California and as such it shall take effect immediately. The following is a statement of the facts constituting such necessity: There exist throughout the United States economic conditions which have engendered financial disturbances requiring the immediate enactment of legislation which shall be immediately effective, protecting home owners and other property owners in this State whose property is subject to encumbrances in the form of mortgages or deeds of trust, and protecting investors in mortgage participation certificates. Many thousands of mortgages and deeds of trust have been assigned by mortgage insurance companies to trustees or depositaries and mortgage participation certificates evidencing shares or interests therein have been issued by mortgage insurance companies in accordance with the provisions of Chapter VIII of Division I, Part IV, Title II of this code. Because of dire financial distress many property owners are unable to meet the payments of principal and interest on such mortgages and deeds of trust and general liquidation of large numbers of trusts under which mortgage participation certificates have been issued is imminent. Such liquidation will result in the immediate loss of the homes of a large number of home owners in this State and will also result in the forced sale of a large amount of real property and will also result in serious loss to a large number of investors in mortgage participation certificates, all of which will cause further financial disturbances and will endanger the public peace, health and safety. It is therefore necessary to the preservation of the public peace, health and safety that provision be made immediately to prevent general liquidation of mortgage participation trusts with the attendant foreclosures and economic loss and distress by providing for the appointment of conservators to manage, operate or liquidate trusts under which mortgage participation certificates are issued and outstanding and by providing for the amendment of such trusts and such mortgage participation certificates, and by authorizing mortgage insurance companies to invest in the stock and securities issued by any Federal home loan bank or other similar Federal agency, all of which measures are authorized by this act."

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 845—An act to repeal Chapters V and VI, Part III, Division V of the School Code, and to repeal Article III, Chapter I, Part V, Division II of the School Code, relating to teachers' institutes and conventions of principals and superintendents.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Zion:

AMENDMENT NUMBER ONE.

In the title of the printed bill, as amended in Assembly April 10, 1933, strike out all of lines 1 to 3, inclusive, of the title and insert in lieu thereof the following:

"An act to amend sections 5.580, 5.581, 5.583, 5.586 and 5.587, of the School Code, to repeal section 5.584 thereof, and to repeal Article III, embracing sections 5.610 to 5.622, inclusive, of Chapter V of Part III of Division VII, thereof, all relating to teachers' institutes."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, as amended in Assembly April 10, 1933, strike out all of lines 1 to 6, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 5.580 of the School Code is hereby amended to read as follows:

5.580. The superintendent of schools of every county in which there are twenty or more school districts, and of every city and county, and of every city school district governed by a city board of education and employing seventy or more teachers may hold one teachers' institute in each even numbered year.

Any such institute must be held on Saturdays or in the evenings after the hours during which regular day schools of the county, city and county or city school district, if in session, are conducted.

The days upon which any teachers' institute prescribed or authorized by this section, and in which any school district participates, shall not be counted as part of the minimum number of days of actual teaching the schools of a district are required to be maintained in order to entitle the district to apportionments of State and county school funds.

SEC. 2. Section 5.581 of the School Code is hereby amended to read as follows:

5.581. In any county in which there are less than twenty school districts, the county superintendent may, in his discretion, hold one teachers' institute in each even numbered year.

SEC. 3. Section 5.583 of the School Code is hereby amended to read as follows:

5.583. In lieu of the institute of from three to five consecutive days which may be held in even numbered years, as provided in this article, the superintendent of any county in which there are twenty or more school districts, or of any city and county, or of any city school district governed by a city board of education and employing seventy or more teachers, may hold in even numbered years, at places in the county, or city and county, or city school district, chosen by the superintendent for their convenience and accessibility to teachers and patrons of neighboring schools, three or more series of local day or evening institutes which shall provide at each of the chosen places, not less than ten hours of institute work.

SEC. 4. Section 5.587 of the School Code is hereby amended to read as follows:

5.587. Each section of an institute must continue not less than three nor more than five days, except where the superintendent holds local institutes, as provided in this article.

SEC. 6. Section 5.586 of the School Code is hereby amended to read as follows:

5.586. Any institute held and conducted under the provisions of this article shall be conducted without any expense whatever to any county, city and county, or school district participating therein.

SEC. 6. Section 5.584 of the School Code is hereby repealed.

SEC. 7. Article III, embracing sections 5.610 to 5.622, inclusive, of Chapter V of Part III of Division V of the School Code is hereby repealed."

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Dempster moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 751 was passed, be made a special order for this evening.

Motion carried.

RECONSIDERATION WAIVED.

Mr. Williamson waived his notice to reconsider the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 898

Assembly Bill No. 898 ordered to enrollment.

RECONSIDERATION WAIVED.

Mr. Maloney waived his notice to reconsider the vote whereby Assembly Bill No. 780 was passed.

Assembly Bill No. 780 ordered transmitted to the Senate.

SPECIAL ORDER SET.

On motion of Mr. Robinson, C. Ray, the further consideration of Senate Constitutional Amendment No. 2 was made a special order for Tuesday, April 18, 1933, at three o'clock p.m.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Alter: Assembly Bill No. 2361—An act making an appropriation for the contingent expenses of the Assembly at its fiftieth session, and declaring that this act shall take effect immediately.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Alter asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Assembly Bill No. 2361, at this time, without reference to printer, committee or file, and that same be considered engrossed.

MESSAGE FROM THE GOVERNOR.

On this day, the following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, CALIFORNIA, April 13, 1933.

To the Honorable Members of the Assembly.

Assembly Bill No. 2361 makes an appropriation of $50,000 for the contingent expenses of the Assembly at its fiftieth session.

In my opinion Assembly Bill No. 2361 constitutes an emergency bill within the meaning of section 34 of Article IV of the State Constitution, consideration of which should not await final enactment of the budget bill, by reason of the fact that at present there is not sufficient money so appropriated for the purpose of paying the expenses of the Assembly at this session and it is imperative that this money be made immediately available.

I, therefore, recommend the passage of this bill as an emergency measure within the meaning of that term as used in section 34 of Article IV of the Constitution.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Alter:

Resolved, That Assembly Bill No. 2361 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Martin, Mayo, McCarthy, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Zion and Mr. Speaker—58.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2361.

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED SIXTY-ONE.

Assembly Bill No. 2361—An act making an appropriation for the contingent expenses of the Assembly at its fiftieth session, and declaring that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called. and the urgency clause adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—62.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED SIXTY-ONE.

Assembly Bill No. 2361—An act making an appropriation for the contingent expenses of the Assembly at its fiftieth session, and declaring that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2361 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Woolwine: Assembly Bill No. 2362—An act to authorize the incorporation and to provide for the organization, powers, duties, regulation, and liquidation of nonprofit corporations organized for the purpose of administering community land chests, to limit the use of the terms "land chest" and "community land chest" in corporate names, to prescribe penalties for the violation of the provisions of this act, and to declare the urgency of this act and to provide that it shall take effect immediately.

Bill read first time, and referred to Committee on Public Charities and Corrections.

RECESS.

At four o'clock and twelve minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No 2313—An act to amend sections 2, 3 and 5 and to add a section to be numbered 6 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, said amendments and new section relating to the allocation and expenditure of State highway funds, the construction, improvement and maintenance of State highways and the addition of certain highways to the State system—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 94—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 18 of Article XI thereof, relating to bonded indebtedness —has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

FEIGENBAUM, Chairman.

Assembly Constitutional Amendment No. 94 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to Article XX thereof to be numbered 23, relating to deficiency judgments—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

FEIGENBAUM, Chairman.

Assembly Constitutional Amendment No. 6 ordered on file for adoption.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1933.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 2094—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal Reclamation Laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contract," approved May 5, 1917, as amended, by amending the title and sections

7 and 8 thereof to authorize the division of districts into units and for fixing conditions upon inclusion of lands—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FRAZIER, Chairman.

The above reported bill ordered re-referred to Committee on Rules.

ON MANUFACTURES

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1933.

MR. SPEAKER: Your Committee on Manufactures, to which was referred Assembly Bill No 855—An act to add a new section to the Penal Code to be numbered 383c, relating to the labeling of foreign made goods—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GILMORE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Manufactures, to which was referred Assembly Bill No. 2350—An act relating to purchases of manufactured products by the State or by any political subdivision, district or municipality thereof and providing a penalty for the violation of the provisions hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GILMORE, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 24—Relative to the designation and appointment of Milton S. Ray as Poet Laureate of California—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Concurrent Resolution No 24 ordered on file for adoption.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1360—An act to provide for the care, management and protection of State roads and highways and the right of way thereof and providing penalties for the violation of the provisions thereof, and to repeal an act entitled "An act to provide for the care, management and protection of State highways and providing penalties for violations of the provisions of the act," approved May 20, 1915, Statutes of 1915, Chapter 400, as amended;

Also: Assembly Bill No 1361—An act to amend an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915, as amended;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 350—An act to amend sections 2.1500, 2.1501, 2.1502 and 2.1503 of the School Code, and to add a new section thereto, to be numbered 2 1505, relating to conventions of county and city superintendents;

Also: Assembly Bill No. 351—An act to repeal an act entitled "An act providing for annual conventions of secondary school principals," approved April 12, 1929, and to repeal sections 5.630 to 5.634, inclusive, of the School Code, and to add six new sections to said code, to be numbered 5 630, 5 631, 5.632, 5.633, 5.634 and 5.636, all relating to conventions of secondary school principals;

Also: Assembly Bill No. 660—An act to amend sections 4300d and 4300*l* of the Political Code, relating to fees and charges of constables and marshals;

Also: Assembly Bill No. 1045—An act to amend section 605 of the Probate Code relating to the appointment of appraisers;

Also: Assembly Bill No. 1079—An act to add two new sections to the School Code, to be numbered 6 734 and 6 735, relating to cafeterias;

Also: Assembly Bill No. 1288—An act to amend the article heading of Article 1 of Chapter 3 of Division V of and to amend sections 851, 852 and 871 and to repeal sections 853, 855, 856, 857, 858, 859, 862, 864, 865, 866, 867, 868, 873, 874, 875, 879 and 881 of the Agricultural Code, relating to canned foods;

Also: Assembly Bill No. 1756—An act to repeal section 1069 of the Fish and Game Code, relating to fish;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1938—An act to amend sections 3, 4 and 5 of an act entitled "An act relating to lakes and streams, the waters of which contain minerals in commercial quantities; withdrawing State lands within the meander lines thereof from sale; prescribing conditions for taking such minerals from said waters and lands, and providing for the leasing of lands uncovered by the recession of the waters of such lakes and streams," approved April 27, 1911, relating to the powers and duties of the State Controller with respect thereto;

Also: Assembly Bill No. 2084—An act to add a new section to the Probate Code to be numbered 718.6, relating to the acceptance of a deed conveying property which is subject to a mortgage or deed of trust in lieu of foreclosure of the mortgage or sale under the deed of trust;

Also: Assembly Bill No. 2249—An act to repeal an act entitled "An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor, and to repeal an act approved February 14, 1887, entitled: 'An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and also to repeal an act approved February 27, 1897, entitled 'An act to provide additional support and maintenance, and for the acquisition of necessary property and improvements of the University of California by the levy of a rate of taxation, and the creation of a fund therefor,'" approved March 20, 1909, and to provide for the transfer of moneys now in the State University fund to the general fund of the State treasury;

Also: Assembly Bill No. 2263—An act to amend section 602b of the Political Code, relating to workmen's compensation insurance;

Also: Assembly Bill No. 2312—An act to amend section 102 of the Agricultural Code, relating to charges or fees for certificates or inspections;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2346—An act to repeal an act entitled "An act to create a Board of Harbor Commissioners for the port of San Jose on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees and to appropriate money to carry this act into effect," approved June 14, 1913,

Also: Assembly Bill No. 2349—An act to amend section 10 of the Political Code, relating to holidays, to validate the acts of public officers made, done or performed on certain holidays and to declare that this act shall take effect immediately;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 1192—An act providing an in rem court proceeding for the purpose of determining the inability of an irrigation district refunding thereof, and of requiring the holders of outstanding bonds to meet its bonded or other indebtedness, and to

approve a plan for the funding or, warrants or other evidences of indebtedness to accept funding or refunding bonds in lieu thereof; making the decree therein binding upon all persons whether appearing in said proceeding or not; providing a method of procedure and declaring this act to be an urgency measure—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1362—An act to amend section 588b of the Penal Code relating to the breaking down, removal, injury or destruction of barriers or obstructions, the tearing down, removal or destruction of notices, or the extinguishing, removal, injury or destruction of warning lights or lanterns, on a State road or highway, and prescribing a penalty for the violation of such section—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GREENE, Chairman.

The above reported bill ordered referred to Committee on Rules.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 13, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No 2351—An act to add section 869 to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the use of park land for the erection of public buildings.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 997—An act to amend sections 814, 821, 828 and 829 of the Agricultural Code, relating to the standardization of lettuce and apples;

Also: Assembly Bill No. 998—An act to amend section 815 of the Agricultural Code, relating to the standardization of Persian melons, casabas, honeydew melons and watermelons;

Also: Assembly Bill No. 999—An act to amend section 811 of the Agricultural Code, relating to the standardization of cantaloupes

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 854—An act to amend sections 1 and 2 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payments thereof," approved May 31, 1927, as amended, relating to superior court stenographers and typists;

Also: Senate Bill No. 654—An act to amend section 19x12 of the Juvenile Court Law, relating to the probation officer in counties of the twelfth class;

Also: Senate Bill No. 655—An act to amend section 16x12 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the twelfth class;

Also: Senate Bill No. 653—An act to amend section 2322x12 of the Political Code, relating to the office of agricultural commissioner in counties of the twelfth class;

Also: Senate Bill No. 507—An act to amend section 166 of the Fish and Game Code, relating to the boundaries of fish and game district 4G.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 854 read first time, and referred to Committee on Judiciary.

Senate Bills Nos. 654, 655 and 653 read first time, and referred to Committee on County Government.

Senate Bill No. 507 read first time, and referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1886—An act to amend sections _____ of the "Inheritance Tax Act";

Also: Assembly Bill No. 2078—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons;

Also: Assembly Bill No. 2094—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal Reclamation Laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contract," approved May 5, 1917, as amended, by amending the title and sections 7 and 8 thereof to authorize the division of districts into units and for fixing conditions upon inclusion of lands;

Also: Assembly Bill No. 2352—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as therein defined, providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Senate Bill No. 373—An act to add a new section to the Political Code to be numbered 661½, relating to the powers of the State Board of Control;

Also: Senate Bill No. 502—An act to repeal an act entitled "An act establishing the emergency permanent improvement fund and relating to the deposits of moneys therein and withdrawals therefrom," approved May 20, 1929, to transfer the moneys in the emergency permanent improvement fund to the general fund and to declare that this act shall take effect immediately;

Has had the same under consideration and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered placed on daily calendar.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 246—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "registered sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates; prescribing the powers and duties of the State board; prescribing conditions under which the title "registered sanitarian" or the placing of the initials "R. S." may be used after the names

of certificate holders; providing penalties for violations hereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration;

Also: Assembly Bill No. 1342—An act to amend sections 6, 9, 10, 11, 12, 13, 14, 15, 16 and 21 of an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to power of the State Board of Public Health;

Also: Assembly Bill No 2347—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1906—An act to add a new section to the School Code to be numbered 5 27, relating to cooperative stores on the campuses of the State teachers colleges—and reports that the same has been correctly re-re-re-engrossed

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 155—An act relating to the use and furnishing of stamps, coupons, tickets, can covers, bottle caps or other similar devices, for or with the sale of goods, wares or merchandise and the giving of gifts, premiums or bonuses in connection with or as part of the sale of goods, wares or merchandise and providing a penalty for violation thereof;

Also: Assembly Bill No. 1080—An act to add a new article to Chapter I of Part III of Division IV of the School Code, to be numbered Article 1b, comprising sections 4.280b to 4.284b, inclusive, relating to revolving funds for warehouse stock;

Also: Assembly Bill No. 1173—An act to amend section 307 of the Agricultural Code, relating to meat inspection;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 54—An act to amend section 2924 of the Civil Code, relating to recording of notice of default and of sale under deeds of trust and mortgages with power of sale; and to add a new section to the Civil Code to be numbered 2924b, relating to giving of notice of recording of notice of default and of time and place of sale under deeds of trust or mortgage with power of sale, and to add a new section to the Civil Code numbered 2924c, relating to reinstatement of loans when due date of principal sum has been accelerated, and to add a new section to the Code of Civil Procedure to be numbered 580a, limiting amount of deficiency judgments and the time within which actions therefor may be commenced;

Also: Assembly Bill No. 59—An act amending section 537 of the Code of Civil Procedure, relating to actions in which a writ of attachment may issue;

Also: Assembly Bill No. 1381—An act to amend section 2924 of the Civil Code, and to add sections 2924b, 2924c, 2924d and 2924e to the Civil Code, all relating to mortgages and deeds of trust;

Also: Assembly Bill No. 1382—An act to amend section 2924 of the Civil Code, relating to notice of sale under provisions of a deed of trust or mortgage;

Also: Assembly Bill No. 1383—An act to amend section 726 of the Code of Civil Procedure and to add sections 725 and 726a to the Code of Civil Procedure, all relating to mortgages and deeds of trust;

Also: Assembly Bill No. 442—An act to amend section 726 of the Code of Civil Procedure, relating to foreclosure of mortgages;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bills ordered re-referred to Committee on Rules.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1115, as amended by the Senate—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

WRIGHT, Chairman.

The above reported bill ordered placed on daily calendar.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Hunt:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act limiting the number of cars in a train.

Referred to Committee on Introduction of Bills.

By Mr. Sullivan:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation to pay the claim of Effie Porter against the State of California.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act limiting the number of cars in a train.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act making an appropriation to pay the claim of Effie Porter against the State of California.

HALLNER, Chairman.

The question being on the adoption of the reports.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Badham moved a call of the House.

Motion carried.

Time, eight o'clock and twenty minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crowley, Feigenbaum, Fisher, Frazier, Greene, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—54.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2087—An act to amend section 92 of the Vehicle Code, relating to the method of making appointments—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2248—An act to amend section 46 of the California Vehicle Act, relating to manufacturers and dealers of and in vehicles—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered referred to Committee on Rules.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1277—An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1277 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1523—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to sessions of the superior court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1523 passed by the following vote:

AYES—Alter, Anglim, Badham, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hatch, Hornblower, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Ross, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eight o'clock and forty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Badham.

The roll of absentees was called, and the reports of the Committee on Introduction of Bills were adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Hunt: Assembly Bill No. 2363—An act limiting the number of cars in a train.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Sullivan: Assembly Bill No. 2364—An act making an appropriation to pay the claim of Effie Porter against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

UNFINISHED BUSINESS.

Assembly Bill No. 1115—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof: to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1115?

AMENDMENT NUMBER ONE.

On page 6, line 2, of the printed bill, as amended, after the word "length", strike out the period, and insert in lieu thereof the following: "to rodeos having horse races on tracks less than a mile in circumference or length."

AMENDMENT NUMBER TWO.

On page 7 of the printed bill, as amended March 30, 1933, strike out lines 1 to 15, inclusive, and insert in lieu thereof the following:

"SEC. 13. All fees, commissions and other moneys received by the board shall be paid into the State treasury immediately upon receipt of the same and credited to a special fund hereby created to be known as the "Fair and exposition fund." All moneys paid into said fund from time to time are hereby appropriated as follows: One hundred thousand dollars thereof for the support of the California State Fair;

ten per cent of the balance thereof for payment to and use of those certain citrus fruit fairs and expositions described and defined in section 94 of the Agricultural Code, said ten per cent to be apportioned between such citrus fruit fairs and expositions upon the basis of the population of the several counties in which such fairs and expositions, respectively, are held, and if only one such fair and exposition is held, then it shall receive all of said ten per cent; forty per cent thereof for the encouragement of county, district or combined county and district agricultural fairs (exclusive of such citrus fruit fairs and expositions), to be apportioned by and expended under the supervision of the State Department of Finance in the manner and for the purposes prescribed by section 92 of the Agricultural Code and other applicable provisions of law. The balance thereof shall be appropriated for the benefit of State institutions of learning, providing vocational training in agriculture, animal husbandry and kindred subjects, or for the relief of unemployment within the State of California, and the Legislature shall biennially allocate and apportion such balance to the institutions or organizations aforesaid as, in its judgment, may be proper."

AMENDMENT NUMBER THREE.

On page 5, lines 34 and 35, of the printed bill, as amended April 5, 1933, strike out the following: "to racing meets on tracks less than a mile in circumference or length".

AMENDMENT NUMBER FOUR.

On page 6, line 6, of the printed bill, as amended April 5, 1933, after the word "length", in said line, insert a comma and the following: "except that the board may in its discretion grant licenses to county fairs and to rodeos to conduct horse race meetings upon tracks less than one mile in circumference and/or length".

AMENDMENT NUMBER FIVE.

On page 7 of the printed bill, as amended April 5, 1933, strike out lines 1 to 15, inclusive.

AMENDMENT NUMBER SIX.

On page 7, line 19, of the printed bill, as amended April 5, 1933, strike out "All", also strike out all of line 20, and insert in lieu thereof the following: "It is the policy of the State that the moneys paid into said fund from time to time be allocated and".

AMENDMENT NUMBER SEVEN.

On page 7, line 29, of the printed bill, as amended April 5, 1933, strike out "it shall", and insert in lieu thereof the following: "that it".

AMENDMENT NUMBER EIGHT.

On page 7, line 36, of the printed bill, as amended April 5, 1933, strike out "The balance thereof shall", and insert in lieu thereof the following: "It is further the policy of the State that the balance of such moneys".

AMENDMENT NUMBER NINE.

On page 7, line 42, of the printed bill, as amended April 5, 1933, after the period in said line, insert the following: "But no appropriation is hereby made and none of such moneys shall by the provisions hereof be available for expenditure or use, the making of an appropriation or appropriations of such moneys or any thereof being left to subsequent action by the Legislature."

The roll was called, and Senate amendments to Assembly Bill No. 1115 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Boyle, Brock, Burns, Callahan, Cobb, Cottrell, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, King, Knowland, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Zion and Mr Speaker—55.

NOES—Cassidy, Clowdsley, Latham, Martin, Miller, Eleanor; Robinson, Samuel E., Utt and Wright—8.

The above reported bill ordered to enrollment.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Feigenbaum:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act imposing an excise tax upon sales of tangible personal property by retailers, providing the method and manner of levying, assessing, collecting and paying of such tax, providing for the issuance of permits to retailers, prescribing penalties for violations of the provisions of this act, and providing that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act imposing an excise tax upon sales of tangible personal property by retailers, providing the method and manner of levying, assessing, collecting and paying of such tax, providing for the issuance of permits to retailers, prescribing penalties for violations of the provisions of this act, and providing that this act shall take effect immediately.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Redwine, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Feigenbaum: Assembly Bill No. 2365—An act imposing an excise tax upon sales of tangible personal property by retailers, providing the method and manner of levying, assessing, collecting, and paying of such tax, providing for the issuance of permits to retailers, prescribing penalties for violations of the provisions of this act, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

SECOND READING OF SENATE BILLS.

Senate Bill No. 119—An act to add a new section to the Agricultural Code to be numbered 424, relating to the transportation of live stock.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 220—An act to add section 374c to the Penal Code, relating to shooting from public roads and highways.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 634—An act to provide for the establishment of the coast line of the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 812—An act amending section 6.190a of the School Code, relating to the powers of school, high school and junior college districts

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to add a new article, to be numbered III-A, to Chapter IV of Part I of Division VI of the School Code, embracing sections 6.190a to 6.194a, inclusive, and to repeal an act entitled "An act providing for the dedication of real property for street or highway purposes by governing boards of school districts," approved May 31, 1929, relating to the powers of school, high school and junior college districts."

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, strike out "give and grant", and insert in lieu thereof the following: "dedicate".

AMENDMENT NUMBER THREE

On page 1 of the printed bill, between the enacting clause and line 1, insert the following:

"SECTION 1. A new article, to be numbered III-A, is hereby added to Chapter IV of Part I of Division VI of the School Code, to read as follows:

Article III-A—Dedication of Real Property."

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, after line 13, add the following:

"Sec. 6.191a. Every such dedication shall be made in the following manner: Before ordering the dedication of any such property such governing body shall in regular open meeting by a two-thirds vote of all its members adopt a resolution declaring its intention to dedicate the same, which said resolution shall describe the property proposed to be dedicated in such manner as to identify it, and shall specify the purposes for which and the terms upon which it will be dedicated, and shall fix a time not less than ten days thereafter for a public meeting of said governing body to be held at its regular place of meeting for a public hearing upon the question of making such dedication.

Sec. 6.192a. Notice of adoption of said resolution and of the time and place of holding said meeting shall be given by posting copies of said resolution signed by the members of such board, or by a majority thereof, in three public places in the district not less than ten days before the date of said meeting, and by publishing such notice once not less than five days before the date, of said meeting in a newspaper of general circulation, published in the district, if any such newspaper is published therein, or, if there be no newspaper published in the district, then in a newspaper published in the county in which such district or any part thereof is situated and having a general circulation in the district.

Sec. 6.193a. At the time and place fixed in said resolution for the meeting of said governing body such public hearing shall be held and the said governing body may, except as may be otherwise provided, at the said meeting, or at any other meeting of the said governing body held within sixty days thereafter, unless a protest be entered as hereinafter provided in this article, adopt a resolution by a two-thirds vote of all its members authorizing and directing the president of said governing body, or any other presiding officer, or the secretary, or the members thereof, to execute a deed of dedication of the said property and to deliver the same, and upon the delivery and acceptance of such deed said dedication shall be fully effective.

Sec. 6.194a. If a petition protesting against the proposed dedication signed by at least ten per cent of the qualified electors of the district, as shown by the affidavit of one of the petitioners, be filed with said governing board at the meeting held at the time and place fixed in said resolution, the said governing board must, before taking any further action on the proposed dedication, submit the question of whether the proposed dedication should be made, to the superintendent of schools of the county having jurisdiction over the district, whose decision shall be final. Should the superintendent approve the proposed dedication, the board may proceed as hereinbefore in this article provided. Should the superintendent of schools not approve the proposed dedication, no further proceedings shall be had thereon."

Amendments adopted

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 361—An act to add a new section to the School Code to be numbered 2.995, relating to powers and duties of boards.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 372—An act to repeal sections 2.1391 to 2.1398, inclusive, of the School Code, and to repeal an act entitled "An act relating to the finances of the State Board of Education," approved May 4, 1929, and to add a new section to the School Code to be numbered 2.1391, all relating to powers and duties of State Board of Education.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 381—An act to repeal section 6.390 of the School Code; to repeal section 6.390 of an act entitled "An act relating to the adoption of textbooks for use in the public high schools of the State and to the furnishing of such textbooks for the use of the pupils of such schools," approved June 5, 1929; and to add a new section to the School Code to be numbered 6.390, relating to fees received for the listing of textbooks.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 442—An act to amend section 726 of the Code of Civil Procedure, relating to foreclosure of mortgages;

Also: Assembly Bill No. 1382—An act to amend section 726 of the Code of Civil Procedure and to add sections 725 and 726a to the Code of Civil Procedure, all relating to mortgages and deeds of trust;

Also: Assembly Bill No. 1383—An act to amend section 2924 of the Civil Code, relating to notice of sale under provisions of a deed of trust or mortgage;

Also: Assembly Bill No. 1381—An act to amend section 2924 of the Civil Code and to add sections 2924b, 2924c, 2924d and 2924e to the Civil Code, all relating to mortgages and deeds of trust;

Also: Assembly Bill No. 59—An act amending section 537 of the Code of Civil Procedure, relating to actions in which a writ of attachment may issue;

Also: Assembly Bill No. 54—An act to amend section 2924 of the Civil Code, relating to recording of notice of default and of sale under deeds of trust and mortgages with power of sale; and to add a new section to the Civil Code to be numbered 2924b, relating to giving of notice of recording of notice of default and of time and place of sale under deeds of trust or mortgage with power of sale, and to add a new section to the Civil Code numbered 2924c, relating to reinstatement of loans when due date of principal sum has been accelerated; and to add a new section to the Code of Civil Procedure to be numbered 580a, limiting amount of deficiency judgments and the time within which actions therefor may be commenced

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. West asked for, and was granted, unanimous consent to have the rules suspended for the purpose of adopting amendments to Assembly Bills Nos. 442, 1382, 1383, 1381, 59 and 54, at this time, without reference to reprint or file, and that same be considered engrossed.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 442—An act to amend section 726 of the Code of Civil Procedure, relating to foreclosure of mortgages.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 24 to 28, inclusive, and on page 2, strike out lines 1 to 12, inclusive, and insert in lieu thereof the following: "Upon

the application of either party made at least ten days before the time of trial the court shall, and upon its own motion the court at any time may, appoint one of the inheritance tax appraisers provided for by law to appraise the property or the interest therein sold as of the time of sale Such appraiser shall file his appraisal with the clerk and the same shall be admissible in evidence Such appraiser shall take and subscribe an oath to be attached to the appraisal that he has truly, honestly and impartially appraised the property to the best of his knowledge and ability. Any appraiser so appointed may be called and examined as a witness by any party or by the court itself. The court must fix the compensation of such appraiser, not to exceed five dollars per day, and expenses for the time actually engaged in such appraisal, which may be taxed and allowed in like manner as other costs. Thereupon the court may render a money judgment against the defendant or defendants personally liable for the debt for not more than the amount by which the entire amount of the indebtedness due at the time of sale exceeded the fair market value of the real property or interest therein sold at the time of sale with interest thereon from the date of the sale; provided, however, that in no event shall the amount of said judgment, exclusive of interest after the date of sale, exceed the difference between the amount for which the property was sold and the entire amount of the indebtedness secured by said deed of trust or mortgage."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1383—An act to amend section 726 of the Code of Civil Procedure and to add sections 725 and 726a to the Code of Civil Procedure, all relating to mortgages and deeds of trust.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, of the title and insert in lieu thereof the following:

"An act to add two new sections to the Code of Civil Procedure to be numbered sections 725 and 725a, relating to mortgages and deeds of trust."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and all of pages 2 and 3, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Code of Civil Procedure to be numbered section 725 and to read as follows

725. No action shall be brought on an obligation hereafter incurred for the payment of which a deed of trust or mortgage with power of sale upon real property or any interest therein was given as security until such security is first exhausted in the manner provided or permitted by law unless such real property or interest therein has become valueless.

SEC 2. A new section is hereby added to the Code of Civil Procedure to be numbered section 725a and to read as follows:

725a. The beneficiary or the trustee named in a deed of trust upon real property or any interest therein to secure a debt or other obligation, shall have the right to bring suit to foreclose the same in the manner and subject to the provisions, rights and remedies relating to the foreclosure of a mortgage upon such property."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1381—An act to amend section 2924 of the Civil Code and to add sections 2924b, 2924c, 2924d and 2924e to the Civil Code, all relating to mortgages and deeds of trust.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, of the title, and insert in lieu thereof the following:

"An act to add section 2924½ to the Civil Code, relating to mortgages and deeds of trust and to declare the urgency thereof and that this act shall go into immediate effect."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and all of pages 2 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section to be numbered section 2924½ is hereby added to the Civil Code, to read as follows:

2924½. In view of the economic emergency now existing, from the date upon which this act becomes effective until September 1, 1935, no power of sale under a mortgage or deed of trust on real property shall be exercised after the breach of the obligation for which such mortgage or deed of trust is security until, (a) the trustee, mortgagee, or beneficiary, shall first file for record, in the office of the recorder of each county wherein the mortgaged or trust property or some part or parcel thereof is situated, a notice of default, identifying the mortgage or deed of trust by stating the name or names of the trustor or trustors and by giving the book and page where the same is recorded or a description of the mortgaged or trust property and containing a statement that a breach of the obligation for which such mortgage or deed of trust is security has occurred, and setting forth the nature of such breach and of his election to sell or cause to be sold such property to satisfy the obligation; (b) not more than twelve months shall thereafter elapse except where the trustee, mortgagee or beneficiary shall, by instrument in writing delivered to the mortgagor or trustor on record in the counties where is or could be recorded the mortgage or deed of trust, waive all right to a judgment for any deficiency which may remain after the exercise of the power of sale, in which event not less than three months shall thereafter elapse, and (c) the mortgagee, trustee or other person authorized to make the sale shall give notice of sale, stating the time and place thereof, in the manner and for a time not less than that required by law for sales of real property upon execution. Sale under any notice of default must be made within fifteen months after the recordation thereof; provided, that the time during which any such sale may be restrained by court order shall not be included in said fifteen months' period. Nothing herein shall be deemed to prohibit the recording of successive notices of default for the same or subsequent defaults.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution and shall therefore go into immediate effect.

A statement of the facts constituting such necessity is as follows: The existing economic crisis and the prevailing scarcity of money has made it impossible in most cases for home, farm and other owners of real property, subject to mortgages and deeds of trust, to prevent defaults and subsequent foreclosures to the detriment of the public welfare. The added time to meet such defaults will enable many to save their homes, farms and other such real property and thereby serve the best interests of the State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1382—An act to amend section 2924 of the Civil Code, relating to notice of sale under provisions of a deed of trust or mortgage.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, of the title, and insert in lieu thereof the following:

"An act to add a new section to the Code of Civil Procedure to be numbered section 580a, relating to deficiency judgments after exercise of the powers of sale under a mortgage or deed of trust."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and all of page 2, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Code of Civil Procedure to be numbered section 580a, and to read as follows:

580a. Whenever a money judgment is sought for the balance due upon an obligation for the payment of which a deed of trust or mortgage with power of sale upon real property or any interest therein was given as security, following the exercise of the power of sale in such deed of trust or mortgage, the plaintiff shall set forth in his complaint the entire amount of the indebtedness which was secured by said deed of trust or mortgage at the time of sale, the amount for which such real property or interest therein was sold and the fair market value thereof at the date of sale and the date of such sale. Upon the application of either party made at least ten days before the time of trial the court shall, and upon its own motion the court at any time may, appoint one of the inheritance tax appraisers provided for by law to appraise the property or the interest therein sold as of the time of sale. Such appraiser shall file his appraisal with the clerk and the same shall be admissible in evidence. Such appraiser shall take and subscribe an oath to be attached to the appraisal that he has truly, honestly and impartially appraised the property to the best of his knowledge and ability. Any appraiser so appointed may be called and examined as a witness by any party or by the court itself. The court must fix the compensation of such appraiser, not to exceed five dollars per day, and expenses for the time actually engaged in such appraisal, which may be taxed and allowed in like manner as other costs. The court may render judgment for not more than the amount by which the entire amount of the indebtedness due at the time of sale exceeded the fair market value of the real property or interest therein sold at the time of sale with interest thereon from the date of the sale; provided, however, that in no event shall the amount of said judgment, exclusive of interest after the date of sale, exceed the difference between the amount for which the property was sold and the entire amount of the indebtedness secured by said deed of trust or mortgage."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 59—An act amending section 537 of the Code of Civil Procedure, relating to actions in which a writ of attachment may issue.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 3 of the title, and insert in lieu thereof the following:

"An act to add a new section to the Civil Code, to be numbered section 2924c, relating to obligations secured by deed of trust or mortgage."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 26, and all of page 2, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Civil Code to be numbered 2924c and to read as follows:

2924c. Whenever all or a portion of the principal sum of any obligation secured by deed of trust or mortgage on real property hereafter executed has, prior to the maturity date thereof or of the last installment thereof fixed in such obligation become due or been declared due by reason of default in payment of interest or of any installment of principal, or by reason of failure of trustor or mortgagor to pay, in accordance with the terms of such obligation or of such deed of trust or mortgage, taxes, assessments, premiums for insurance or advances made by beneficiary or mortgagee in accordance with the terms of such obligation or of such deed of trust or mortgage, the trustor or mortgagor or his successor in interest in the mortgaged or trust property at any time prior to the entry of a decree of foreclosure or the exercise of any power of sale under such mortgage or deed of trust, may pay to the beneficiary or the mortgagee or their successors in interest, respectively, the entire amount then due under the terms of such deed of trust or mortgage and the obligation secured thereby, including fees, costs and expenses actually incurred in enforcing the terms of such obligation, deed of trust or mortgage not exceeding in any event ten dollars plus one-fourth of one per cent of the unpaid principal sum, and

thereby cure the default theretofore existing, and thereupon, all proceedings theretofore had or instituted shall be dismissed or discontinued and the obligation and the deed of trust or mortgage shall be reinstated and shall be and remain in force and effect, the same as if no such acceleration of maturity had occurred. The provisions of this section shall not apply to bonds or other evidences of indebtedness authorized or permitted to be issued by the Commissioner of Corporations or made by a public utility subject to the provisions of the Public Utilities Act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 54—An act to amend section 2924 of the Civil Code, relating to recording of notice of default and of sale under deeds of trust and mortgages with power of sale; and to add a new section to the Civil Code to be numbered 2924b, relating to giving of notice of recording of notice of default and of time and place of sale under deeds of trust or mortgage with power of sale; and to add a new section to the Civil Code numbered 2924c, relating to reinstatement of loans when due date of principal sum has been accelerated; and to add a new section to the Code of Civil Procedure to be numbered 580a, limiting amount of deficiency judgments and the time within which actions therefor may be commenced.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 13, inclusive, of the title, and insert in lieu thereof the following:

"An act to amend section 2924 of the Civil Code and to add a new section thereto, to be numbered 2924b, all relating to mortgages and deeds of trust."

AMENDMENT NUMBER TWO.

On page 2, line 6, of the printed bill, strike out the second word "the", and insert in lieu thereof the following: "each".

AMENDMENT NUMBER THREE.

On page 2, line 7, of the printed bill, after "part", add the following: "or parcel".

AMENDMENT NUMBER FOUR.

On page 2, line 9, of the printed bill, strike out first word "and", and insert in lieu thereof the following: "by stating the name or names of the trustor or trustees and by".

AMENDMENT NUMBER FIVE.

On page 2, lines 10 and 11, of the printed bill, after "recorded", add the following: "or a description of the mortgaged or trust property".

AMENDMENT NUMBER SIX.

On page 2, line 13, of the printed bill, after "occurred," add the following: "and setting forth the nature of such breach".

AMENDMENT NUMBER SEVEN.

On page 2, line 30, of the printed bill, strike out "hereafter executed", and insert in lieu thereof the following: "upon real property".

AMENDMENT NUMBER EIGHT.

On page 2, line 34, of the printed bill, after "recordation", add the following: "or registration".

AMENDMENT NUMBER NINE.

On page 2, line 36, of the printed bill, strike out the second word "the", and insert in lieu thereof the following: "any".

AMENDMENT NUMBER TEN.

On page 2, line 42, of the printed bill, strike out "record", and insert in lieu thereof the following: "recordation or registration".

AMENDMENT NUMBER ELEVEN.

On page 2, line 43, of the printed bill, after "recorder's", add the following: "or registrar's".

AMENDMENT NUMBER TWELVE.

On page 2, line 48, of the printed bill, strike out "with".

AMENDMENT NUMBER THIRTEEN.

On page 2 of the printed bill, strike out line 49, and on page 3, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following:
"records of _____ County, (or filed for record with recorder's serial number _____, or registered under registrar's number _____, _____ County) executed by _____ as trustor (or mortgagor) in which _____ is named as beneficiary (or mortgagee) and _____ as trustee be mailed to
_____ at _____
Name Address
_____
Signature".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 12, of the printed bill, after "referred", add the following: "to".

AMENDMENT NUMBER FIFTEEN.

On page 3, line 14, of the printed bill, after "stantially", add the following: "in".

AMENDMENT NUMBER SIXTEEN.

On page 3, line 20, of the printed bill, after "envelope", add the following: "registered and with".

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 22, of the printed bill, after "person", add the following: "whose name and address are set forth in a duly recorded request therefor and".

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 22, of the printed bill, strike out "whose", and insert the following: "which".

AMENDMENT NUMBER NINETEEN.

On page 3, line 26, of the printed bill, after "before", add the following: "the date of".

AMENDMENT NUMBER TWENTY.

On page 3, line 28, of the printed bill, after "envelope," add the following: "registered and with".

AMENDMENT NUMBER TWENTY-ONE

On page 3, line 30, of the printed bill, strike out "who has," and insert in lieu thereof the following: "whose name and address are set forth in a request therefor recorded".

AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 31, of the printed bill, strike out "recorded a request therefor,".

AMENDMENT NUMBER TWENTY-THREE.

On page 3, line 47, of the printed bill, after "evidence", add the following: "thereof".

AMENDMENT NUMBER TWENTY-FOUR.

On page 4, line 2, of the printed bill, strike out "property, deed of trust, trust", and insert in lieu thereof the following: "the property described in the deed of trust".

AMENDMENT NUMBER TWENTY-FIVE.

On page 4 of the printed bill, strike out lines 4 to 52, inclusive, and all of page 5.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

HON. THOMAS A. MALONEY IN THE CHAIR.

At nine o'clock and twenty-five minutes p.m., Hon. Thomas A. Maloney, member of the Assembly from the Twentieth Assembly District, in the chair.

THIRD READING OF SENATE BILLS.

Senate Bill No. 133—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corpora-

tion within this State, and to repeal all acts or parts of acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 133 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Dempster, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 342—An act to amend section 1030 of the Political Code, relating to office hours.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 342 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Brock, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crowley, Dempster, Fisher, Frazier Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—57.

NOES—Anglim, Cronin, Gilmore and McMurray—4.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Cronin gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 342 was this day passed.

Senate Bill No 557—An act to amend section 3 of "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 557 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Cronin, Crowley, Dempster, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West and Wright—57.

NOES—Clowdsley, Kallam, Powers and Zion—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 696—An act to amend section 137 of the Fish and Game Code, relating to fish and game districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 696 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cronin, Crowley, Dempster, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Wright and Zion—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 126—An act relating to and regulating the grazing of live stock on public lands of the United States in the State of California, protecting customary grazing uses thereon, making certain acts unlawful, and prescribing penalties and liabilities for violation of the act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 126 finally passed by the following vote:

AYES—Anglim, Badham, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crist, Cronin, Crowley, Dempster, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Lyon, Maloney, Martin, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Wright and Zion—55.

NOES—Latham—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Latham gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 126 was this day passed.

THE SPEAKER IN THE CHAIR.

At ten o'clock and two minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Senate Bill No. 67—An act to amend section 857 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 67 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crist, Cronin, Crowley, Dempster, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson,

Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Wright, Zion and Mr. Speaker—58.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 320—An act to amend the "Reclamation Board Act," approved December 24, 1911, as amended, by amending section 14 thereof relating to assessments and assessment lists of the Sacramento and San Joaquin Drainage District and providing when public officers shall not be entitled to fees, section 36 thereof relating to reapportionment of assessments on subdivided lands, and section 37a thereof relating to the application of moneys released, reimbursed, or appropriated under and pursuant to Chapter 176, California Statutes of 1925 and the War Department Appropriations Act of Congress of the United States for the fiscal year ending June 30, 1930, being Public Law No. 843, Seventieth Congress, approved February 28, 1929.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 320 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crist, Cronin, Crowley, Dempster, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—57.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 410—An act to amend Sacramento and San Joaquin Drainage District Refunding Act, approved May 26, 1927, as amended, by amending section 2 thereof, relating to the operation and maintenance of certain units of the flood control work within the Sacramento and San Joaquin drainage district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 410 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crist, Cronin, Crowley, Dempster, Fisher, Gilmore, Hallner, Hatch, Hornblower, Jones, King, Latham, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—52.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 713—An act to repeal sections 19j and 19x10 of the Juvenile Court Law, relating to the probation officer in counties of the tenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 713 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crist, Cronin, Crowley, Dempster, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Kallam, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 714—An act to repeal section 16x10 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the tenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 714 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crist, Cronin, Crowley, Dempster, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 715—An act to repeal section 2322x10 of the Political Code, relating to the office of the agricultural commissioner in counties of the tenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 715 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hornblower, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 717—An act to repeal section 9a10 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to the county librarian in the counties of the tenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 717 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux Turner, Utt, West, Zion and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 450—An act to add a new section to Chapter 4 of Division VI of the Agricultural Code, to be numbered 1217.5, relating to nonprofit cooperative marketing associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 450 finally passed by the following vote:

AYES—Alter, Anglim Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 137—An act to amend sections 1202a, 1572, 1576, and 1586, of the Penal Code, relating to the State prisons, establishing a female department thereof and transferring an appropriation therefor.

Bill read.

The question being on the passage of the bill.

MESSAGE FROM THE GOVERNOR.

On this day, the following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 13, 1933.

To the Members of the Assembly of the State of California.

I hereby recommend as an urgency measure the passage of Senate Bill No. 137, providing for the transfer of female prisoners from San Quentin Prison to the California Institution for Women.

The reason for the urgency of this bill is that San Quentin Prison lacks, at the present time, proper quarters and space to adequately care for the number of prisoners confined therein. The removal of female prisoners to the California Institution for Women, as provided in this bill, will relieve the congested condition at San Quentin Prison and make available additional space to give proper care and hospitalization to prisoners therein.

With my compliments,

Very respectfully,

JAMES ROLPH, JR., Governor of California.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—64.

NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE HUNDRED THIRTY-SEVEN.

Senate Bill No. 137—An act to amend sections 1202a, 1572, 1576, and 1586, of the Penal Code, relating to the State prisons, establishing a female department thereof and transferring an appropriation therefor.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 137 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Wright and Mr. Speaker—57

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK FITZSIMMONS READING.

Senate Bill No. 382—An act to repeal an act entitled "An act to authorize justices of the District Court of Appeal for the Second Appellate District to provide proper rooms for the accommodation of the court and its officers and library, and declaring the expenses thereof to be an annual charge against the general fund in the State treasury," approved May 25, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 382 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Dempster, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—55.

NOES—Hunt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 733—An act to add a new section to the Political Code to be known as 674a, relating to purchase and sale of bonds by the Director of the Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 733 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Wright and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1181—An act making an appropriation to pay the cost of printing constitutional amendments for the 1932 election, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read.

MESSAGE FROM THE GOVERNOR.

On this day, the following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 30, 1933.

To the Honorable Members of the Assembly of the State of California.

Senate Bill No. 1181 makes an appropriation of $18,701.44 to pay the cost of printing constitutional amendments for the 1932 election.

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of section 34 of Article IV of the Constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—60.

NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED EIGHTY-ONE.

Senate Bill No. 1181—An act making an appropriation to pay the cost of printing constitutional amendments for the 1932 election, declar-

ing the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1181 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1183—An act making an appropriation for the support of the Department of Finance, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 30, 1933.

To the Honorable Members of the Assembly of the State of California.

Senate Bill No. 1183 makes an appropriation of $243,079.81 for the support of the Department of Finance to meet an emergency on account of closing of the California National Bank at Sacramento.

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of section 34 of Article IV of the Constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Badham, Bliss, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Frazier, Gilmore, Greene, Grubbs, Hatch, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Lyon, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—55.

NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED EIGHTY-THREE.

Senate Bill No. 1183—An act making an appropriation for the support of the Department of Finance, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1183 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—59.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 3—An act to repeal an act entitled "An act concerning the completion of unfinished public buildings now in process of construction by this State, permitting alterations of and additions to the original plans for the construction thereof, and permitting the execution of contracts for the construction thereof and for the purchase of materials for use therein without publishing notice of such work and without calling for or receiving bids therefor, declaring the urgency thereof and providing that this act shall take effect immediately," approved April 9, 1931.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 3 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—59.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

RECONSIDERATION WAIVED.

Mr. Latham waived his notice to reconsider the vote whereby Senate Bill No. 126 was passed.

Senate Bill No 126 ordered transmitted to the Senate.

Senate Bill No. 1014—An act to repeal an act entitled "An act creating an Advisory Pardon Board; defining and prescribing the powers and duties thereof; and making an appropriation therefore," approved May 17, 1915, as amended, relating to Advisory Pardon Board.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 1014 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Crist, Crowley, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley,

Robinson, Samuel E., Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—55.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Messrs. Hallner and Lyon: Assembly Joint Resolution No. 29—Relative to requesting the Secretary of Commerce to promulgate rules regarding the operation of aircraft.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for unanimous consent to have the rules suspended for the purpose of considering Assembly Joint Resolution No 29, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Mr. Knowland objected to unanimous consent

Assembly Joint Resolution No 29 ordered referred to Committee on Aviation and Aircraft.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1933

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No 672—An act to amend sections 2959, 2965 and 2966 of the Civil Code, relating to mortgages of personal property—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

RESOLUTION.

The following resolution was offered:

By Messrs. McMurray and Callahan:

WHEREAS, During this present session of the Legislature the correspondence for the members has been unusually heavy owing to the existing social and economic condition now prevailing in our State; and

WHEREAS, This enormous amount of mail has caused the work in the Stenographic Room to be very heavy, and the hours put in by the attaches have far exceeded the regulation eight hours per day, many of them giving their services not only for the full eight-hour day, but for the night committees as well; now, therefore, be it

Resolved, That we, the undersigned, do petition this body that the attaches be put on a seven-day per week basis for the remainder of the session; and be it further

Resolved, That additional attaches be placed if so needed, to take care of the abundance of correspondence

The question being on the adoption of the resolution.

MOTION.

Mr. Wright moved action on the above resolution be deferred until Monday, April 17, 1933

The question being on the motion to defer action on resolution.

The roll was called, and the motion to defer action on resolution carried by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Dempster, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—56.

NOES—Hunt—1.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes p.m., on motion of Mr. Clowdsley, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, April 14, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, April 14, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—58.

Quorum present.

PRAYER

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Martin, Mr. Field was granted leave of absence for the day.

On motion of Mr. Miller, James A., Mr. Anglim was granted leave of absence for the day.

On motion of Mr. Cronin, Mr. Williamson was granted leave of absence for the day.

On motion of Mr. Hallner, Mr. Woolwine was granted leave of absence for the day.

On motion of Mr. Morgan, Mr. Roland was granted leave of absence for the day.

On motion of Mr. Clowdsley, Mr. Feigenbaum was granted leave of absence for the day.

On motion of Mr. O'Connor, Mr. Boyle was granted leave of absence for the day.

On motion of Mr. Utt, Mr. Craig was granted leave of absence for the day.

On motion of Mr Meeker, Mr. Robinson, C. Ray, was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Chatters, Mr and Mrs. E. M. Peckenpaugh were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Lyon, Miss Jacqueline Morris, daughter of former Assemblyman Clarence W. Morris of San Francisco, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hornblower, Mr. J. Dale Gentry of San Bernardino was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Grubbs, Messrs. Mark Paschall and Al Brigantino of Los Angeles were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. O'Donnell, Mrs. E. M. Barkley, principal; Mr. Norman Eckleyan, Mr. Stanton Gray, teachers, and the following students of Hamilton City High School: Lydia Kues, Edna Winters, Wesley Farrah, Bill Wainwright, Pat Neff, Wilfie Porter, Frank Hayman, Merle Ferry, Ben Maas, Laurence Willbanks, Pheleita Porter, Pauline Caldwell, Phyllis Kingsley, Eugene Raposa, Roy McMartin, Momoyo Fujita, Edna Herfi, Pearl Nelson, Doris Hamby, Billy Schuster, Merle Thompson, Francis Parnell, Granville Wilson, Waldo Warkentin, Ernest Warkentin, Jemima Holopeter, Violet Dawson and Don North were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Exchange Club of Bakersfield, opposed to any reduction in the appropriation for California Highway Patrol.

(Signed) FRED E. BORTON,
J. R. DORSEY,
WALTER OSBORN,
Committee on Resolutions.

Also:

By Mr. Speaker:

From California State Council of Izaak Walton League, Fullerton, California, opposed to recommendations of Committee on Ways and Means, relative to the Division of Fish and Game.

(Signed) CHAS. P. TEEVIN, President.
GEORGE SLOOP, Secretary.

Also:

By Mr. Speaker:

From Chas Seymour, San Francisco, pertaining to Blue Sky Laws.

Also:

By Mr. Speaker:

From Midtown Development Association, Los Angeles, opposed to secret paroles and in favor of the McColl bill.

Also:

By Mr. Speaker:

From E. B. Goodman, El Centro, California, relative to Fact-Finding Committee.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to Article XX thereof to be numbered XXIII, relating to deficiency judgments—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1036—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said district," approved June 10, 1913, as amended, by amending sections numbered 3, 4, 5, 9, 10, 12, 15 and 26, and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: sections 3a and 3b, relating to voting in county water districts; section 22a, relating to levy of special assessments in county water districts; section 22b, relating to special rates of assessment in certain cases, section 22c, relating to assessing and collecting the cost of works in the manner provided in the "Improvement Act of 1911"; sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, relating to the optional levy and collection of taxes by county water districts through the district's own officers rather than with county taxes, section 52, relating to the raising and payment by a county water district of assessments levied by an irrigation district within which is included a part of the lands within such county water district, section 53, relating to use of district assessment roll and duties of district officers in connection with voting, and otherwise, and section 54, relating to short title of this act;

Also: Assembly Bill No. 2082—An act providing for the regulation and supervision of persons, firms or corporations, engaging in the business as "bailee-repairers," and to prevent fraud in the keeping or working upon of the property of the public; defining the duties of the Attorney General in regard thereto, and providing for the enforcement of said act and penalties for the violation thereof; and creating a State 'Bailee-Repairers' Department" and the office of Registrar of Bailments, and defining his duties and powers;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

UNFINISHED BUSINESS.

Assembly Bill No. 45—An act to amend section 2322x9 of the Political Code, relating to the office of agricultural commissioner in counties of the ninth class.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 45?

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after "hundred", strike out the word "forty".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 45 by the following vote:

AYES—Lyon and McBride—2.
NOES—Alter, Badham, Bliss, Bowers, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Grubbs, Hallner, Hatch, Jones, King, Latham, Levey, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—48.

MOTION TO RECONSIDER.

Mr. Dempster moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 751 was passed, be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Crist moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 342 was passed, be continued until the next legislative day.

Motion carried.

REQUEST.

Mr. Dempster asked for, and was granted, the privilege of being excused for the balance of this legislative day.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 2125—An act to amend section 5 of the act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, relating to duties of the commission.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out line 1 of the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 5, 9, 10, 11 and 12 of the act entitled "An act to pro-".

AMENDMENT NUMBER TWO.

In the last line of the title of the printed bill, after "commission", and before the period, insert the following: "and the examination and qualification of applicants."

AMENDMENT NUMBER THREE.

On page 2, line 13, of the printed bill, after "promulgate", insert the following: ", publish".

AMENDMENT NUMBER FOUR.

On page 5 of the printed bill, following line 7, insert the following:

"SEC. 2. Section 9 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 9. The commission may establish eligible lists of the following types, and certification therefrom shall be made in the following order of precedence: Departmental lay-off, promotional, general lay-off and open competitive. Subject to the special provisions in this act as to laborers, appointments shall be made to all

positions that are not filled by reinstatement, transfer, demotion or reduction, under the provisions of this act and the rules in pursuance thereof, by the appointing power: Said appointing power shall notify the commission of any vacancy to be filled, stating the duties of the position. If a departmental lay-off list exists for the class or grade to which the position belongs, the commission shall certify the name and address of the person standing highest on said list, and the appointing power shall appoint the person so certified. If no departmental lay-off list exists for the class or grade to which the position belongs, the commission shall certify to the appointing power the names and addresses of the three persons standing highest on the existing eligible lists for the class or grade, in the order of precedence of such lists as set forth in this section. In case there be less than three names on such eligible lists, the commission shall certify the number thereon; and the appointing power shall fill the position by appointment of one of the persons certified by the commission therefor. The term of eligibility shall be fixed for each eligible list at not less than one year, provided the name of any permanent Civil Service employee shall not be removed from a departmental lay-off list within three years and/or from a general lay-off list within one year from the date of lay-off, but may be so removed thereafter. When no eligible list exists for the specific class or grade for which certification is requested, appointment shall be made from the first three eligibles on an appropriate eligible list who possess the required qualifications of the position to be filled, unless in the opinion of the commission, no eligibles on such list are qualified to perform the duties of said position. New eligible lists shall be created for a stated position or a group of positions only when there is no appropriate list from which appointments may be made. Separate eligible lists may be established for localities and/or for men and/or women when the best interests of the State will be served by such division. No person shall be appointed under any title not appropriate to the duties to be performed, and no person shall be assigned to perform the duties of any other position than that which he legally holds, except by consent of the commission. All appointments shall be for probationary periods to be fixed by the commission but the probationary period for any class or grade shall not exceed one year. Unless such appointee shall have been dismissed within such probationary period by the appointing power, for reasons stated in writing and filed with the commission, his appointment shall become permanent subject to the provisions of this act as to removals, suspensions, and changes. Upon written application and with the approval of the commission, discharged probationers may be restored to the list of eligibles for certification under such limitations as the commission may prescribe.

SEC. 3. Section 10 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 10. The examinations shall be practical in their character, and shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of the positions they seek. The commission shall establish by rule the procedure governing the conduct of examinations. Any competitor may appeal to the commission for a review of his examination papers, presenting his reasons therefor, provided such appeal is made in writing within thirty days after receiving notice of the results of the examination. The decision of the commission in such appeals shall be final and not subject to review by any court, unless action is commenced within ninety (90) days from the date of such decision. Applicants for positions in unskilled trades and occupations may, in the discretion of the commission, be rated solely on experience and physical qualifications which may be determined by such evidence and in such manner as the commission may direct; and such applicants may be submitted to such further tests as the commission may require. The commission shall prepare lists of preliminary requirements and subjects of examinations for the several positons, and shall advertise such examinations in such manner as, in the discretion of the commission, the needs of the service may require. The assembled portion of any examination must be conducted at all designated examination points on the same calendar day and the commission shall designate the time and place of all examinations. The commission, except as may be otherwise provided in the case of laborers, shall require an applicant to file in its office, in accordance with its rules and regulations, a reasonable length of time before the date of examination, a formal application signed in his own handwriting. Blank forms of such application shall be furnished by said commission without charge to all persons requesting the same. The commission may require in connection with applications, including laborers, such certificates of citizens, physicians, public officers or others having knowledge of the applicant, as the good of the service may require. Every applicant must be a citizen of the United States on the date of the examination. The commission may establish such physical standards as it deems necessary for any position, and may require of any applicant or eligible satisfactory proof of the possession of such qualifications at any time prior to the date of appointment. The commission may refuse to examine, or after examination to certify as eligible, anyone who is found to lack any of the established preliminary requirements for the examination or position for which he applies; or who is physically so disabled as to be rendered unfit to perform the duties of the

position to which he seeks appointment, or who is addicted to the habitual use of intoxicating beverages to excess; or who has been guilty of a crime or of infamous or notoriously disgraceful conduct; or who has been dismissed from the public service for delinquency or misconduct; or who has intentionally made a false statement of any material facts, or practiced, or attempted to practice any deception or fraud in his application, in his examination, or in securing his eligibility. Any person appointed to a position under the provisions of this act who has secured his place on the eligible list through fraud shall be removed by the commission from his position and shall not thereafter be eligible for examination for any position under the provisions of this act except by unanimous permission of the commission. When the position to be filled involves fiduciary responsibility, the appointing power may require the appointee to furnish a reasonable bond or other security, and shall notify the commission of the amount and necessary details thereof.

SEC. 4. Section 11 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 11. When in the opinion of the commission there is no appropriate eligible list from which a position may be filled, the commission may authorize the appointing power to fill such position by temporary appointment, provided that after July 1, 1934, no such temporary appointment shall continue for a longer period than six months.

SEC. 5. Section 12 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 12. The commission shall establish rules and regulations under which emergency appointments may be made when those on the eligible lists are not immediately available. No such emergency appointment shall be allowed for a period in excess of fifteen calendar days The commission may prescribe by rule the conditions under which employees may be transferred to positions other than those to which they are regularly appointed whenever emergencies exist in which the work of any agency may be expedited by such transfers; provided, that no such transfer shall be effective for more than fifteen working days in any calendar month."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2290—An act to amend sections 5 and 13, and to add sections 13a and 13b to the "State Civil Service Act."

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, strike out all of lines 50, 51 and 52, and on page 6, strike out all of lines 1 to 12, inclusive, and insert in lieu thereof the following: "permanent positions in a lower grade in the same class shall be allowed additional credit of one and one-half points for each twelve months of such employment, which points must be cumulative for the total period of such employment."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 819—An act to amend section 4039 of the Political Code, relating to records kept by the board of supervisors.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 290—An act to amend sections 1261, 1263, 1264, 1265, 1267, 1268, 1269, 1270, 1271, 1272 and 1273, and to repeal section 1266 of the Agricultural Code, relating to dealers in farm products.

Bill read.

MOTION.

On motion of Mr Phillips, further consideration of Assembly Bill No. 290 was deferred until the next legislative day.

Assembly Bill No. 25—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extensions of time in superior and inferior courts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 264—An act to amend section 990 of the Penal Code, relating to time to plead in criminal prosecutions

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 366—An act to amend section 17 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to vacancies in the office of a judge of a municipal court.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 637—An act to amend section 2287 of the Civil Code, relating to appointment of a trustee to fill a vacancy.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 854—An act to add a new section to the Civil Code to be numbered 712, relating to restrictions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 953—An act to amend section 2.806 of the School Code, relating to duties of the district attorney.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1230—An act to add Chapter III entitled "Property Held in Joint Tenancy" and section 270 therein to Division II of the Probate Code, relating to joint tenancy.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1435—An act to add a new section to the Penal Code to be known as section 537i, relating to the defrauding of garage keepers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1958—An act to amend section 1449 of the Penal Code, relating to time for pronouncing judgments in justices' and police courts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 2053—An act to amend section 1181 of the Penal Code, relating to new trials.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 286—An act to amend section 15c of the California Irrigation District Act, relating to the use and distribution of water and rules and regulations therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2338—An act to add a new section to the Political Code to be numbered 3480d, relating to crediting on calls of installment

of assessments made by reclamation districts amounts of outstanding bonds exchanged in refunding proceedings or otherwise canceled as provided by law, and to the redemption of property sold to reclamation districts for delinquent assessments and installments thereof, and to the sale by county treasurers of lands sold for delinquent assessments and installments thereof, and containing a provision declaring this act to be an urgency measure, stating the facts constituting such urgency and providing this act shall take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 923—An act to amend sections 3 and 9 of an act entitled "An act to establish a State Training School for Girls; to provide for the maintenance and management of the same, and to make an appropriation therefor," approved June 14, 1913.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 934—An act to add section 356a to the Political Code, relating to State officers or employees performing work or services for more than one State agency.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 969—An act to amend section 664 of the Political Code, relating to the Board of Control.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1802—An act to amend section 7 of and to add a new section to be numbered 8½ to "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to fees for the use of State park areas, and making an appropriation for the State park system.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2000—An act to add a new section to the Political Code, to be numbered 363k, relating to the Department of Public Works.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2314—An act to amend section 3671d and to repeal sections 3671c and 3713 of the Political Code, relating to taxation.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2214—An act to amend section 3764 of the Political Code, relating to delinquent tax lists and the publication thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1043—An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of waterworks systems by any political subdivision or public agency of the State authorized by law to own and operate such waterworks systems by the issuance of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in

case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; providing for the exchange or refunding of revenue bonds issued hereunder; making said bonds legal investments for trust funds and other funds of insurance companies, banks, cities, cities and counties, counties and school districts, and providing for the use of said bonds as security in certain cases and as security for the deposit of public funds; defining the terms political subdivisions and public agencies as included herein; and declaring the urgency of this act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, in line 21 of the title of the printed bill, strike out the semicolon and the last word "and", and strike out all of line 22 of said title.

AMENDMENT NUMBER TWO.

On page 2, line 12, of the printed bill, after the word "subdivision", insert a comma and the words "public corporations."

AMENDMENT NUMBER THREE.

On page 3, line 17, of the printed bill, after the word "overruled", strike out the words "and/or", and insert in lieu thereof the word "and".

AMENDMENT NUMBER FOUR.

On page 5, line 32, of the printed bill, strike out the words "and maintain, repair and", and insert in lieu thereof the following: "; or for any or".

AMENDMENT NUMBER FIVE.

On page 5, line 33, of the printed bill, strike out the word "purchases", and insert in lieu thereof the word "purposes".

AMENDMENT NUMBER SIX.

On page 6 of the printed bill, strike out all of lines 48 to 52, inclusive.

AMENDMENT NUMBER SEVEN.

On page 7 of the printed bill, strike out all of lines 1 to 40, both inclusive.

AMENDMENT NUMBER EIGHT.

On page 7, line 41, of the printed bill, strike out the figures "13", and insert in lieu thereof the figure "12".

AMENDMENT NUMBER NINE.

On page 8, line 5, of the printed bill, strike out the figure "14", and insert in lieu thereof the figure "13".

AMENDMENT NUMBER TEN.

On page 8, line 8, of the printed bill, strike out the figure "15", and insert in lieu thereof the figure "14".

AMENDMENT NUMBER ELEVEN.

On page 8, line 43, of the printed bill, strike out the figure "16", and insert in lieu thereof the figure "15".

AMENDMENT NUMBER TWELVE.

On page 9, line 18, of the printed bill, after the word "election", insert the following: "or after the expiration of ninety (90) days from the date of the ordinance providing for the issuance of said revenue bonds should no election be held,".

AMENDMENT NUMBER THIRTEEN.

On page 9, line 37, of the printed bill, strike out the figure "17", and insert in lieu thereof the figure "16".

AMENDMENT NUMBER FOURTEEN.

Strike out all of page 10 of the printed bill.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1385—An act to add a new section to the Probate Code, to be numbered section 1501a, providing that wage claims of not exceeding two hundred dollars each for work done within ninety days shall be preferred in the administration of the estates of minors and insane and incompetent persons, and paid promptly out of the first available assets of the estate as soon as their validity is established.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, lines 3 and 4, of the printed bill, strike out the following: "pay promptly, out of the first available assets of the estate," and insert in lieu thereof the words "promptly pay".

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, strike out the words "promptly out of the first available assets of the estate", and insert in lieu thereof the following: ", as provided in this section,".

AMENDMENT NUMBER THREE.

At the end of the printed bill, add a new paragraph reading as follows:

"Nothing in this section contained shall be construed to require the payment of such preferred labor claims if the assets available are insufficient, in the opinion of the court, to provide for the reasonable current needs of the ward and the wife and/or minor children of the ward; provided, however, that all wages earned within thirty days prior to the date of the filing of the petition for the appointment of the guardian shall be paid out of the first available assets."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 253—An act to amend section 8 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917," approved June 13, 1923.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, as amended, strike out "twenty-one", and insert in lieu thereof the following: "eighteen".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, immediately following line 16, insert the following:

"Nothing contained herein shall be deemed to require a person employed as a bank messenger or a student attending a regular military academy when employed or attending as such to secure a license under the provisions of this act and nothing contained herein shall be deemed to apply to such persons."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2270—An act to amend section 4191 of the Political Code, relating to the expenditure by boards of trustees of law libraries of surplus funds to acquire real property and erect a building thereon and to contribute from such funds to obtain adequate quarters in any building hereafter erected by the board of supervisors of the county in which such law library is maintained.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, after "funds", insert the following: "in excess of ten thousand dollars".

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, after "funds", insert the following: "in excess of ten thousand dollars".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1844—An act to amend section 4.85 and to repeal section 4.91 of the School Code, relating to the vocational education fund.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "appropriated", insert the following: "without reference to fiscal years".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, between lines 6 and 7, insert the following:

"Any unexpended balances in said fund which have not been required to match funds received from the Federal government shall at the close of each biennial period be credited to the general fund. The State Department of Education shall certify to the State Controller the amount of such unexpended balances whereupon the State Controller and the State Treasurer shall transfer such balances from the vocational education fund to the general fund

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1957—An act to add a new section to the Penal Code, to be numbered 1203a, relating to probation in courts having jurisdiction of misdemeanor cases.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 and 4, and insert in lieu thereof the following:

"1203a. In all counties and cities and counties the courts".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2054—An act to amend section 1089 of the Penal Code, relating to jurors.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out the word "jurors", and insert in lieu thereof the following: "the selection of alternate jurors and the rights and duties of alternate jurors."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 2 to 6, both inclusive, and insert in lieu thereof the following: "and upon final submission of the case to the jury such alternate jurors shall be kept in the custody of the sheriff and shall not be discharged until the original jurors are discharged, except as hereinafter provided.

If at any time, whether before or after the final submission of the case to the jury, a juror die or become ill, so as to be unable to perform his duty, or if a juror requests a discharge and good cause appears therefor, the court may order".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2099—An act to amend section 3051 of the Civil Code, relating to liens.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 8 to 11, inclusive, and insert in lieu thereof the following: "reason of such fraud, trick or device, and may claim the delivery thereof as against such person under the provisions of".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2124—An act authorizing a suit against the State of California to quiet title against it to certain real property in the city of Newport Beach.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, strike out "a certain lot, the ownership of which is claimed", and all of lines 3 and 4, and insert in lieu thereof the following: "all that certain real property situated in the city of Newport Beach, county of Orange, State of California, described as follows: Lot twenty (20) in block one hundred twenty-seven (127) of "Lake tract, Newport Beach," as shown on a map recorded in Book 4, page 13 of Miscellaneous Maps, Records of Orange County, California,".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1181—An act to amend section 3644 of the Political Code, relating to taxation of boats and vessels.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 4 to 10, inclusive, and insert in lieu thereof the following: "below, shall be assessed and their taxes paid only in".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, at the end of line 15, insert the following: "Vessels regularly engaged in transporting passengers or cargo between two or more ports must be assessed and the taxes thereon paid only in the county or city and county where the same are registered, enrolled, or licensed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2078—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 19, of the printed bill, as amended, strike out the period following the word "conviction", and insert the following: "; provided, further, that nothing in this act shall affect any of the provisions of the Medical Practice Act or the power or authority conferred by law on the Board of Medical Examiners therein."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2352—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as therein defined, providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed bill, after the comma after the word "law", strike out the remainder of line 18, and all of lines 19, 20, and 21, and insert in lieu thereof the following: "there is hereby imposed and assessed an excise tax of twelve cents per pound on all oleomargarine sold, offered or exposed for sale, or exchange in the State of California containing any fat or oil ingredient other than any one or more of the following: oleo oil, oleo stock, oleo stearine from cattle, neutral lard from hogs, sheep fat, cottonseed oil, peanut oil, corn oil, or milk fat".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1886—An act to amend sections ------ of the "Inheritance Tax Act."

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 11 of the Inheritance Tax Act, relating to the modification or reversal of orders made by the superior court regarding the payment of inheritance taxes."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 11 of the act cited in the title hereof is hereby amended to read as follows:

SEC. 11. (1) If any debts shall be proved against the estate of a decedent after the payment of any legacy or distributive share thereof, from which any such tax has been deducted or upon which it has been paid by the person entitled to such legacy or distributive share, and such person is required by order of the superior court having jurisdiction, on notice to the State Controller, to refund the amount of such debts or any part thereof an equitable proportion of the tax shall be repaid to him by the executor, administrator or trustee, if the tax has not been paid to the county treasurer, or if such tax has been paid to such county treasurer, such officer shall refund out of any inheritance tax moneys in his hands or custody such equitable proportion of the tax and credit himself with the same in the account required to be rendered by him under this act.

(2) Where it shall be proved to the satisfaction of the superior court that deductions for debts were allowed upon the appraisal since proved to have been erroneously allowed, it shall be lawful for such superior court to enter an order assessing the tax upon the amount wrongfully and erroneously deducted.

(3) If, after the payment of any tax in pursuance of an order fixing such tax, made by the superior court having jurisdiction, such order be modified or reversed by the superior court having jurisdiction within two years from and after the date of entry of the order fixing the tax, or be modified or reversed at any time on an appeal taken therefrom within the time allowed by law on due notice to the State Controller, the county treasurer shall refund to the executor, administrator, trustee, person or persons by whom such tax was paid, the amount of any moneys paid or deposited on account of such tax in excess of the amount of tax fixed by the order modified or reversed, out of any inheritance tax moneys in his hands or custody, and credit himself with the same in the account required to be rendered by him to the Controller on his semi-annual settlement; but no application for such refund shall be made after one year from such reversal or modification, unless an appeal shall be taken therefrom, in which case no such application shall be made after one year from the final determination on such appeal or of an appeal taken therefrom, and the representatives of the estate, legatees, devisees or distributees entitled to any refund under this section shall not be entitled to any interest upon such refund, and the State Controller shall deduct from the fees allowed by this act to the county treasurer the amount theretofore allowed him upon such overpayment. Notwithstanding the foregoing, any superior court of the State of California, which had jurisdiction to fix the inheritance tax under this act or any prior act of the Legislature,

shall have power to modify the same or reverse any order fixing the tax when it is made to appear that the amount of any such inheritance tax as fixed by the said court was erroneous, excessive or determined contrary to the provisions of law, providing such application for modification or reversal be filed on or before January 1, 1934. Upon any order so modifying, correcting or reversing a previous order fixing the tax becoming final, the amount of the refund of tax, if any, shall be paid in the same manner as herein provided in this act.

(4) When any amount of said tax shall have been erroneously paid, the superior court having jurisdiction, on application after notice to the State Controller, and on satisfactory proof to it, shall by order require the county treasurer to refund and pay to the executor, administrator, trustee, person or persons who had paid any such tax in error the amount of such tax so erroneously paid; provided, that all applications for such repayment of such tax so erroneously paid shall be made within one year of the date of the entry of the order fixing tax or of the decree of final distribution of the estate. Such refund shall be made by said treasurer out of any inheritance tax moneys in his hands or custody and he shall credit himself with the same in the account required to be rendered by him to the Controller on semiannual settlement; and the State Controller shall deduct from the fees allowed by this act to the county treasurer the amount theretofore allowed him upon such erroneous payment.

(5) This section, as amended, shall apply to appeals and proceedings now pending and taxes heretofore paid in relation to which the period of one year from such reversal or modification has not expired when this section, as amended, takes effect."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 781—An act to amend sections 692, 702, and 726 of, and to add sections 725, 725a, and 725b to the Code of Civil Procedure, relating to trust deeds and mortgages, and to repeal sections 2920, 2924, 2924a, and 2932 of the Civil Code.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2313—An act to amend sections 2, 3 and 5 and to add a section to be numbered 6 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, said amendments and new section relating to the allocation and expenditure of State highway funds, the construction, improvement and maintenance of State highways and the addition of certain highways to the State system.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 6, line 9, of the printed bill, strike out the figures and words: "15 near Colusa", and insert in lieu thereof: "45 near Glenn".

AMENDMENT NUMBER TWO.

On page 6 of the printed bill, insert between lines 10 and 11, the following: "State Highway Route 15 near Sycamore to Woodland-Yuba City Road near Knights Landing."

AMENDMENT NUMBER THREE.

On page 6, lines 46 and 47, of the printed bill, strike out in line 46, the word "Putah", and in line 47 the word "Creek", and substitute in lieu thereof: "Wooden and Berryessa Valleys".

AMENDMENT NUMBER FOUR.

On page 6, line 49, of the printed bill, strike out the period following the word "Road", and insert in lieu thereof: "via Sage Canyon."

AMENDMENT NUMBER FIVE.

On page 8, line 42, of the printed bill, strike out the words "Quaking Aspen Meadows", and insert in lieu thereof: "Little Kern River".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2094—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal Reclamation Laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contract," approved May 5, 1917, as amended, by amending the title and sections 7 and 8 thereof to authorize the division of districts into units and for fixing conditions upon inclusion of lands.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 15 and 16 of the title, and insert in lieu thereof the following: "tions 7 and 8 thereof, and adding a new section to be designated section 11, to authorize the division of districts into units, for fixing conditions upon inclusion of lands and for the borrowing or procuring of money by irrigation districts from the United States or any agency thereof."

AMENDMENT NUMBER TWO.

On page 2, line 3, of the printed bill, after the word "district", strike out the period, and insert in lieu thereof the following: "; to provide for the borrowing or procuring of money from the United States or any agency thereof and the entering into contracts, and for the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof."

AMENDMENT NUMBER THREE.

On page 2, line 4, of the printed bill, strike out the figure "7", and insert in lieu thereof the figure "1".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, after line 5, insert the following:

"Section 1. In addition to the powers with which irrigation districts have been vested under the act approved March 31, 1897, designated the California Irrigation District Act, and acts amendatory thereof or supplementary thereto, and acts of or to which said act is amendatory or supplementary, irrigation districts heretofore or hereafter organized under said acts shall have the following powers: To cooperate with and contract with the United States under the Federal Reclamation Act of June 17, 1902, and all acts amendatory thereof or supplementary thereto, or any other act of Congress heretofore or hereafter enacted authorizing or permitting such cooperation, for the purposes of construction of works, whether for irrigation or drainage, or both, or for the acquisition, purchase, extension, operation or maintenance of constructed works, or for a water supply, or for the assumption as principal or guarantor of indebtedness to the United States on account of district lands; also to borrow or procure money from the United States or any agency thereof for the purpose of construction, reconstruction, replacement, betterment, maintenance or operation of the works of the district or the financing or refinancing of the obligations of the district or the funding or refunding or purchase of the bonds of the district or for any of the purposes of the district authorized by law.

SEC. 3. Section 7 of said act is hereby amended to read as follows:"

AMENDMENT NUMBER FIVE.

On page 2, line 25, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "4".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, after line 49, insert the following:

"SEC. 5. A new section is hereby added to be numbered section 11 and to read as follows:

Sec. 11. Notwithstanding anything to the contrary in this act contained any irrigation district may borrow or procure money from the United States or any agency thereof for the purpose of construction, reconstruction, replacement, betterment, maintenance or operation of the works of the district or the financing or refinancing of the obligations of the district or the funding or refunding or purchase of the bonds of the district, or for any of the other purposes of the district authorized by this act or the California Irrigation District Act. As evidence of such loan or loans and the obligation of such district to repay the same to said United States or any agency thereof, the board of directors of any such irrigation district may make and enter into, and such board is hereby authorized and empowered for and on behalf of such irrigation district, to make and enter into any contract or agreement with said United States or any agency thereof as may be required by said United States or agency or the laws of the United States, as a condition or requirement to the making of such loan or loans. Such district may, if so required by said United States or agency, and the board of directors of any such district is hereby authorized and empowered for and on behalf of such district, to issue bonds or other evidence of indebtedness of such district in such form and containing such terms and conditions and payable in such manner and from such source or sources of income and/or revenue as said United States or said agency may require, and may obligate and bind such district for the payment of such bonds or other evidence of indebtedness according to the terms thereof notwithstanding any law or enactment limiting the right of assessment on lands or the levying of tolls or other charges for the use of water, electricity or other sources of revenue or income of such district. Such bonds may be serial or sinking fund bonds and may be made callable *either by number or by lot and may be made payable to bearer or to the United* States or any agency thereof and shall be in the form and issued in the manner, except as herein otherwise specifically provided, substantially as provided for in the California Irrigation District Act, for the form and issuance of funding and refunding bonds of irrigation districts, save and except that bonds authorized and issued under the provisions of this act need not be submitted to or authorized by a vote of the electors of such district, but may be so authorized and issued upon the unanimous vote of the directors of such district, and the action of such board of directors in the authorization and issuance of such bonds shall have the same force and effect and shall be as binding upon such district as though such bonds were authorized and issued by a vote of the electors of said district as in the said California Irrigation District Act provided."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 855—An act to add a new section to the Penal Code to be numbered 383c, relating to the labeling of foreign made goods.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2350—An act relating to purchases of manufactured products by the State or by any political subdivision, district or municipality thereof and providing a penalty for the violation of the provisions hereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, lines 14 and 15, of the printed bill, strike out "giving details as", and insert in lieu thereof the following: "giving such details as are specified in advance by the purchasing authority, with relation".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1192—An act to amend the California Districts Securities Commission Act by amending section 11 thereof, relating to when a district may be declared insolvent, control thereof by the Districts Securities Commission, the ordering of refunding bonds of a district.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, strike out lines 1 to 13 of the title of the printed bill, as amended, (including lines already in strike-out), and insert in lieu thereof the following: "An act providing an in rem court proceeding for the purpose of determining the inability of an irrigation district to meet its bonded or other indebtedness, and to approve a plan for the compromise payment or satisfaction, funding or refunding thereof and of requiring the holders of outstanding bonds, warrants or other evidences of indebtedness to accept such compromise payment or satisfaction, funding or refunding bonds in".

AMENDMENT NUMBER TWO.

On page 3, line 10, of the printed bill, as amended, after the words "plan of", add the following: "compromise payment or satisfaction or".

AMENDMENT NUMBER THREE.

On page 3, line 14, of the printed bill, as amended, after the words "to be", add the following: "so paid, satisfied,".

AMENDMENT NUMBER FOUR.

On page 3, line 16, of the printed bill, as amended, after the word "if", add the following: "such payment or satisfaction or".

AMENDMENT NUMBER FIVE.

On page 3, line 20, of the printed bill, as amended, after the words "to be", add the following: "paid, satisfied or".

AMENDMENT NUMBER SIX.

On page 3, line 25, of the printed bill, as amended, after the word "of", add the following: "compromise payment or satisfaction,".

AMENDMENT NUMBER SEVEN.

On page 3, line 30, of the printed bill, as amended, after the word "of", add the following: "compromise payment or satisfaction,".

AMENDMENT NUMBER EIGHT.

On page 3, line 33, of the printed bill, as amended, after the words "plan of", add the following: "compromise payment or satisfaction or".

AMENDMENT NUMBER NINE.

On page 3, line 36, of the printed bill, as amended, after the words "to be", add the following: "paid, satisfied, or".

AMENDMENT NUMBER TEN.

On page 3, line 37, of the printed bill, after "that", add the following: "such payment, satisfaction or".

AMENDMENT NUMBER ELEVEN.

On page 4, line 6, of the printed bill, as amended, after the word "San Francisco", add the following: ", Oakland".

AMENDMENT NUMBER TWELVE.

On page 4, line 18, of the printed bill, as amended, after the words "plan of", add the following: "compromise payment or satisfaction or".

AMENDMENT NUMBER THIRTEEN.

On page 4, line 26, of the printed bill, as amended, after the word "being", add the following: "so paid, satisfied or".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 27, of the printed bill, as amended, strike out the words: "funding or refunding".

AMENDMENT NUMBER FIFTEEN.

On page 4 of the printed bill, as amended, between lines 28 and 29, add the following: "pay the money agreed in compromise payment or satisfaction thereof or"

AMENDMENT NUMBER SIXTEEN.

On page 4, line 33, of the printed bill, as amended, after the word "deposit", add the following: "the money agreed in compromise payment or satisfaction thereof or".

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 41, of the printed bill, as amended, after the word "deposited", add the following: "money or".

AMENDMENT NUMBER EIGHTEEN.

On page 5 of the printed bill, as amended, strike out lines 5 to 7, inclusive, and insert in lieu thereof the following: "within the time allowed by law."

AMENDMENT NUMBER NINETEEN.

On page 5, line 8, of the printed bill, as amended, after the first word "The", add the following: "Supreme".

AMENDMENT NUMBER TWENTY.

On page 5, line 26, of the printed bill, as amended, after "process of", add the following: "devising ways and means for the compromise payment or satisfaction thereof or".

AMENDMENT NUMBER TWENTY-ONE

On page 5, lines 32 and 33, of the printed bill, as amended, strike out "funding or refunding".

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 35, of the printed bill, as amended, strike out "funding or refunding".

AMENDMENT NUMBER TWENTY-THREE.

On page 3, line 12, of the printed bill, as amended, after the word "by", add the following: "The California District Securities Commission and".

AMENDMENT NUMBER TWENTY-FOUR.

On page 3, line 34, of the printed bill, as amended, after the word "by", add the following: "The California District Securities Commission and".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1362—An act to amend section 588b of the Penal Code, relating to the breaking down, removal, injury or destruction of barriers or obstructions, the tearing down, removal or destruction of notices, or the extinguishing, removal, injury or destruction of warning lights or lanterns, on a State road or highway, and prescribing a penalty for the violation of such section.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the words "588b.", insert the following: "Any person who wilfully breaks down, removes, injures, or destroys any barrier or obstruction erected or placed in or upon any road or highway by the authorities in charge thereof, or by any authorized contractor engaged in the construction or maintenance thereof, or who tears down, defaces, removes, or destroys any warnings, notices, or directional signs erected, placed or posted in, upon, or adjacent to any road or highway, or who extinguishes, removes, injures, or destroys any warning light or lantern, or reflectorized warning or directional sign, erected, placed or maintained by any such authority in, upon or adjacent to any such road or highway, shall be guilty of a misdemeanor."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2087—An act to amend section 92 of the Vehicle Code, relating to the method of making appointments.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the figures "92", and insert in lieu thereof the figures "97".

AMENDMENT NUMBER TWO.

Strike out all of line 2 of the title of the printed bill, and insert in lieu thereof the following: "workmen's compensation for members of the California Highway Patrol."

AMENDMENT NUMBER THREE.

Strike out all of line 1 of the printed bill following the period, and all of lines 2 and 3, and insert in lieu thereof the following: "Section 97 of the Vehicle Code is hereby amended to read as follows:

97. Workmen's Compensation.

(a) For the purpose of determining the scope of employment of any member of the California Highway Patrol under the Workmen's Compensation Act, any such member shall be deemed to be on duty and acting within the scope of his employment when actually exercising any of the powers or performing any of the duties imposed or authorized by law at any time during the twenty-four hours of the day.

(b) Notwithstanding any other provision of this code or of any other law, any member of the California Highway Patrol incapacitated for duty as a result of any injury sustained in the course of and arising out of his employment as such member, shall be entitled to receive, in addition to any compensation to which he shall be entitled under the Workmen's Compensation Insurance and Safety Act, that portion of his monthly salary which remains after deducting therefrom the amount allowed him as compensation under the provisions of said Workmen's Compensation Insurance and Safety Act other than the amount allowed under said act for medical, surgical and hospital expense. The period for which the additional compensation herein provided shall be paid to such member shall in no event exceed six months in any one year."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2248—An act to amend section 46 of the California Vehicle Act, relating to manufacturers and dealers of and in vehicles.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 and 2 of the title, and insert in lieu thereof the following:

"An act to add a new chapter to Title III of the Vehicle Code, to be numbered Chapter IV-A, relating to sales of vehicles by manufacturers and dealers."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 28, inclusive, and strike out all of pages 2 and 3, and insert in lieu thereof the following:

"SECTION 1. A new chapter is hereby added to Title III of the Vehicle Code, to be numbered Chapter IV-A, and to read as follows:

CHAPTER IV-A.

SALES OF VEHICLES BY MANUFACTURERS AND DEALERS.

209. Sales of Vehicles by Manufacturers and Dealers.

(a) No manufacturer or dealer shall charge, receive or collect for the transfer to any person of the title or any interest in or to any vehicle of a type subject to registration hereunder any money or thing of value over and above the marked, advertised or listed sales price of such vehicle.

(b) Any contract made by a manufacturer or dealer in connection with any such transfer shall be void and of no force or effect either in law or in equity if any such money or thing of value is included therein.

(c) Every such contract must state all security or indemnity taken to secure the performance thereof.

(d) This section shall not prohibit a charge of lawful interest on said marked, advertised or listed sales price but no such interest shall be collected, deducted or received until it has accrued and no such interest shall be collected or received on any portion of said sales price which has been paid.

(e) This section shall not prohibit a manufacturer or dealer from requiring or issuing, or acting as broker in securing, insurance on any such vehicle so transferred, but the premium thereon must not be included in said marked, advertised or listed sales price nor shall such premium be included in any contract hereinbefore mentioned.

(f) Any manufacturer or dealer who shall violate any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished for a first offense by a fine of not less than twenty-five dollars nor more than three hundred dollars or by imprisonment in the county jail for not more than six months or by both such fine and imprisonment and for each subsequent offense by a fine of not less than one hundred dollars or by imprisonment in the county jail for not less than six months or by both such fine and imprisonment."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 94—Proposed amendment to Article XI, section 18 of the Constitution, relative to bonded indebtedness.

COMMITTEE AMENDMENTS.

During reading of Assembly Constitutional Amendment No. 94, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed measure, after the word "by", strike out the word "amending", and insert in place thereof "adding thereto a new".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed measure, after the word "section", insert "to be numbered".

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed measure, after the numeral "18", add ".1".

AMENDMENT NUMBER FOUR.

On page 1, line 6, of the printed measure, after the numeral "18", insert ".1".

AMENDMENT NUMBER FIVE.

On page 1, line 7, of the printed measure, strike out the word "amended", and insert in lieu thereof the word "added".

AMENDMENT NUMBER SIX.

On page 1, line 8, of the printed measure, after the numeral "18", add ".1".

AMENDMENT NUMBER SEVEN.

On page 1, line 8, of the printed measure, strike out the balance of the line, and all of the balance of page 1 of the printed measure, also on page 2, lines 1 to 5, and on page 2, line 6, strike out "ship: and", and insert in lieu thereof "anything to the contrary in this Constitution notwithstanding, any county, city and county, city, town, irrigation district, metropolitan water district, or municipal utility district of this State may incur indebtedness and issue bonds for the purpose of extending, improving and bettering any existing public utility system or works owned and operated by any of the public corporations above enumerated with the assent of a majority of the qualified electors thereof, voting at an election to be held for that purpose, provided, the legislative body of such county, city and county, city, town, irrigation district, metropolitan water district or municipal utility district, has previously determined by ordinance or resolution that the revenues derived from the operation of the public utility to be extended, improved or bettered, after making adequate provision for the payment therefrom at maturity of interest and principal on any and all indebtedness incurred on behalf of said utility, will be sufficient to provide for the operation and maintenance of such utility and necessary replacements and repairs.".

AMENDMENT NUMBER EIGHT.

On page 2, line 15, of the printed measure, after the word "adopted", strike out all the remaining amendment, and insert the following: "Provided further that any

such county, city and county, city, town, irrigation district, metropolitan water district, or municipal utility district may incur indebtedness and issue bonds for the purpose of extending improving and bettering such existing public utilities owned and operated by such county, city and county, city, town, irrigation district, metropolitan water district, or municipal utility district and pledge to the payment thereof the revenues derived from the operation of such existing utilities and the extensions and betterments thereof and no election shall be necessary where any such indebtedness shall be payable solely out of the revenues derived from the operation of the public utility for the benefit of which such indebtedness was incurred and bonds issued."

Amendments adopted.

Assembly Constitutional Amendment No. 94 ordered to reprint, engrossment, and on file for adoption.

Assembly Concurrent Resolution No. 8—Relative to John Steven McGroarty being given the honorary title of the Laurel Crowned Poet of California.

Assembly Concurrent Resolution No. 8 read.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Concurrent Resolution No. 8 was withdrawn from the file, and referred to Committee on Rules.

Assembly Concurrent Resolution No. 9—Relative to bestowing of the title of Poet Laureate of California on John Steven McGroarty.

Assembly Concurrent Resolution No. 9 read.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Concurrent Resolution No. 9 was withdrawn from the file, and referred to Committee on Rules.

Assembly Concurrent Resolution No. 11—Relative to the designation and appointment of Henry Herbert Knibbs as Poet Laureate of California.

Assembly Concurrent Resolution No. 11 read.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Concurrent Resolution No. 11 was withdrawn from the file, and referred to Committee on Rules.

Assembly Concurrent Resolution No. 40—Relative to the designation and appointment of Arthur A. Flakoll as Poet Laureate of California.

Assembly Concurrent Resolution No. 40 read.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Concurrent Resolution No. 40 was withdrawn from the file, and referred to Committee on Rules.

Assembly Concurrent Resolution No. 14—Relative to Roy Walter James being given the honorary title of the Laurel Crowned Poet of California.

Assembly Concurrent Resolution No. 14 read.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Concurrent Resolution No. 14 was withdrawn from the file, and referred to Committee on Rules.

Assembly Concurrent Resolution No. 16—Relative to the designation and appointment of Charles Keeler as Poet Laureate of California.

Assembly Concurrent Resolution No. 16 read.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Concurrent Resolution No. 16 was withdrawn from the file, and referred to Committee on Rules.

Assembly Joint Resolution No. 29—Relative to memorializing Congress to enact legislation prohibiting the importation of crude petroleum and crude petroleum by-products.

Assembly Joint Resolution No. 29 read.

The question being on the adoption of Assembly Joint Resolution No. 29.

The roll was called, and Assembly Joint Resolution No. 29 adopted by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Grubbs, Hallner, Hatch, Jones, King, Latham, Levey, Lyon, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, Samuel E., Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—47.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 29 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 29.

Relative to memorializing Congress to enact legislation prohibiting the importation of crude petroleum and crude petroleum by-products.

WHEREAS, The oil industry not only of this State but of other States in the United States has found it necessary to curtail production of crude petroleum and the by-products thereof; and

WHEREAS, The petroleum industry is one of the major industries of California and is vital to the welfare of this State and its citizens; and

WHEREAS, One of the reasons it has been necessary to so curtail the production in this State, thereby preventing many of our citizens from obtaining a livelihood, is that crude petroleum and crude petroleum products are being imported into this country; and

WHEREAS, The prohibition of such importation would foster the petroleum industry in this State and, by furnishing employment to thousands of our citizens, thereby substantially contribute to the termination of the present economic depression; and

WHEREAS, The Honorable Henry E. Stubbs has introduced in the Congress of the United States a measure numbered H. R. 4544 which will forbid the importation of crude petroleum and crude petroleum by-products, which measure has been referred to the Committee on Ways and Means in the House of Representatives of the Congress of the United States; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California most respectfully urges the Congress of the United States to enact H. R. 4544; and be it further

Resolved, That His Excellency the Governor of the State of California be requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the chairman of the Committee on Ways and Means of the House of Representatives, and to the Senators and Representatives from California in Congress.

Assembly Bill No. 2272—An act to amend section 4250 of the Political Code, relating to compensation of officers and employees in counties of the twenty-first class.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2272 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 309—An act to amend section 42 of, and add sections 2¾ and 50¼ to, the Public Utilities Act, approved April 23, 1915, relating to aircraft and air transportation.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 309 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 558—An act to amend section 3422 of the Civil Code, relating to injunctions.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 558 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 559—An act to amend section 526 of the Code of Civil Procedure, relating to injunctions.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 559 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 560—An act to amend sections 281 and 1209 of the Code of Civil Procedure, relating to contempt of court.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 560 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1759—An act to amend sections 656 and 843 of the Fish and Game Code, and to repeal section 863 thereof, relating to salmon and nets.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1759 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1536—An act to add section 484.5 to the Fish and Game Code, to amend section 665, and to repeal sections 863 and 887 thereof, relating to the sale of fish and the use of nets.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1536 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 678—An act to repeal section 4.353 of the School Code, relating to orders upon school district funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 678 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crowley, Evans, Gilmore, Grubbs, Hallner, Hatch, Jones, King, Latham, Levey, Lyon, Maloney, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Riley, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Wright and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 805—An act to add a new section to the School Code, to be numbered 1.395, relating to the duties of employers of minors who are subject to compulsory continuation education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 805 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Evans, Gilmore, Grubbs, Hallner, Hatch, Jones, King, Latham, Lyon, Maloney, Mayo, Meehan, Meeker, Miller, Eleanor, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, Samuel E., Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Wright and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1443—An act to validate the organization and bonds of municipal improvement districts formed under the Municipal Improvement District Act of 1927 and providing for the levy of a tax to pay the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1443 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, King, Latham, Levey, Lyon, Mayo, McBride, Meehan, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At eleven o'clock a.m., the Assembly was declared at recess for the purpose of being addressed by the Honorable Fred S. Balzar, Governor of the State of Nevada.

REASSEMBLED

At eleven o'clock and five minutes a m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 2249—An act to repeal an act entitled "An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor, and to repeal an act approved February 14, 1887, entitled: 'An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and also to repeal an act approved February 27, 1897, entitled 'An act to provide additional support and maintenance, and for the acquisition of necessary property and improvements of the University of California by the levy of a rate of taxation, and the creation of a fund therefor,' " approved March 20, 1909, and to provide for the transfer of moneys now in the State University fund to the general fund of the State treasury.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2249 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Gilmore, Grubbs, Hallner, Hornblower, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2312—An act to amend section 102 of the Agricultural Code, relating to charges or fees for certificates or inspections

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2312 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Peterson, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—49.

NOES—None.

Title read.

AMENDMENT TO TITLE.

During reading of the title, the following amendment was submitted by Mr. Sullivan:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as engrossed, strike out "or", and insert in lieu thereof the following: "of".

Amendment adopted.

Title read as amended, and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 660—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 660 was withdrawn from the file, and referred to Committee on County Government.

Assembly Bill No. 1173—An act to amend section 315 of the Agricultural Code, relating to meat inspection.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No. 1173 was withdrawn from the file, and referred to Committee on Agriculture.

Assembly Bill No. 1288—An act to amend sections 851, 861, 869, 870 and 871 and to repeal sections 853, 855, 856, 857, 858, 859, 862, 864, 865, 866, 867 and 868 of the Agricultural Code, relating to canned foods.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1288 was withdrawn from the file, and referred to Committee on Agriculture.

Assembly Bill No. 155—An act relating to the use and furnishing of stamps, coupons, tickets, can covers, bottle caps or other similar devices, for or with the sale of goods, wares or merchandise and the giving of gifts, premiums or bonuses in connection with or as part of the sale of goods, wares or merchandise and providing a penalty for violation thereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 155 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 929—An act to repeal an act entitled "An act making an appropriation for the mileage for members and officers of the Legislature, and declaring the urgency thereof," approved March 11, 1931.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 929 passed by the following vote:

AYES—Badham, Bliss, Bowers, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Gilmore, Hatch, Kallam, King, Latham, Maloney, Martin, Mayo, McMurray, Meeker, Miller, Eleanor; Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Red-

wine, Riley, Robinson, Samuel E., Stannard, Stream, Thorp, Tournoux, Turner, Utt, Wright and Mr. Speaker—44.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 948—An act to repeal section 2078 of the Political Code, relating to National Guard uniform and equipment allowances.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 948 was refused passage by the following vote:

AYES—Badham, Brock, Chatters, Clowdsley, Cobb, Cottrell, Crist, Kallam, King, Knowland, Maloney, Mayo, Meehan, Meeker, Morgan, Peterson, Powers, Redwine, Robinson, Samuel E., Utt, Wright and Mr. Speaker—22.
NOES—Alter, Bliss, Bowers, Cassidy, Cronin, Crowley, Evans, Gilmore, Greene, Grubbs, Latham, Martin, McBride, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Riley, Stannard, Stream, Sullivan, Tournoux, Turner and West—28.

NOTICE OF RECONSIDERATION.

Mr. Knowland gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 948 was this day refused passage.

Assembly Bill No. 2346—An act to repeal an act entitled "An act to create a Board of Harbor Commissioners for the port of San Jose on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees and to appropriate money to carry this act into effect," approved June 14, 1913.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 2346 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Gilmore, Hatch, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, Meehan, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—47.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2263—An act to amend section 602b of the Political Code, relating to workmen's compensation insurance.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 2263 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Cassidy, Chatters, Cobb, Cottrell, Crist, Crowley, Evans, Gilmore, Greene, Grubbs, Hallner, Hatch, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell,

Patterson, Peterson, Rawls, Redwine, Riley, Robinson, Samuel E., Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1080—An act to add a new article to Chapter I of Part III of Division IV of the School Code, to be numbered Article Ib, comprising sections 4.280b to 4.284b, inclusive, relating to revolving funds for warehouse stock.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1080 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Rawls, Redwine, Robinson, Samuel E., Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1756—An act to repeal section 1069 of the Fish and Game Code, relating to fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1756 passed by the following vote:

AYES—Alter, Badham, Bliss, Brock, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Gilmore, Grubbs, Hatch, Hornblower, Kallam, Knowland, Levey, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—48.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 672—An act to amend sections 2959, 2965 and 2966 of the Civil Code, relating to mortgages of personal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 672 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Gilmore, Hatch, Hornblower, Kallam, King, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Rawls, Redwine, Riley, Scudder, Stannard, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—47.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1938—An act to amend sections 3, 4 and 5 of an act entitled "An act relating to lakes and streams, the waters of which contain minerals in commercial quantities; withdrawing State lands within the meander lines thereof from sale; prescribing conditions for taking such minerals from said waters and lands, and providing for the leasing of lands uncovered by the recession of the waters of such lakes and streams," approved April 27, 1911, relating to the powers and duties of the State Controller with respect thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1938 passed by the following vote:

AYES—Badham, Bliss, Bowers, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Evans, Frazier, Gilmore, Greene, Grubbs, Hatch, Hornblower, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Rawls, Redwine, Riley, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 350—An act to amend sections 2 1500, 2.1501, 2.1502 and 2.1503 of the School Code, and to add a new section thereto, to be numbered 2 1505, relating to conventions of county and city superintendents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 350 passed by the following vote:

AYES—Badham, Bliss, Bowers, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Evans, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, West, Wright and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 351—An act to repeal an act entitled "An act providing for annual conventions of secondary school principals," approved April 12, 1929, and to repeal sections 5.630 to 5.634, inclusive, of the School Code, and to add six new sections to said code, to be numbered 5.630, 5.631, 5.632, 5.633, 5.634 and 5.636, all relating to conventions of secondary school principals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 351 passed by the following vote:

AYES—Badham, Bliss, Bowers, Cassidy, Chatters, Cobb, Cottrell, Crist, Evans, Frazier, Gilmore, Greene, Hallner, Hatch, Hornblower, Hunt, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls,

Redwine, Riley, Robinson, Samuel E., Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—48.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

RESOLUTION.

The following resolution was offered:

We, the undersigned, move to withdraw Assembly Bill No. 2341 from the Committee on Public Utilities:
(Signed)

MAURICE S. MEEKER.
C. RAY ROBINSON.
LAWRENCE COBB.
F. C. CLOWDSLEY.
S. E. ROBINSON.
P. G. WEST.
M. J. BURNS.
JESSE M. MAYO.
THOMAS A. MALONEY.
J. E. THORP.
HOBART R. ALTER.
JOHN T. RAWLS.
RODNEY L. TURNER.
BERT V. CALLAHAN.
FRANK J. ROGERS.
JAMES S. O'CONNOR.
WM. MOSELEY JONES.
FORD A. CHATTERS.
E. H. ZION.
HARRY B. RILEY.
BRUCE R. STANNARD.
JOHN D. MCCARTHY.
JAMES M. CASSIDY.
HENRY P. MEEHAN.
ALBERT F. ROSS.
GEORGE R. BLISS.
F. PETERSON
CECIL R. KING.
AUSTIN L. TOURNOUX.
ELEANOR MILLER.
WALTER H. SULLIVAN.
H. S. HALLNER.
GEO. B. BOWERS.
L. POWERS, JR.
JOHN H. O'DONNELL.
JOHN PHILLIPS.
CHARLES W. STREAM.
ELLIS E. PATTERSON.
KENT H. REDWINE.
FRANK G. MARTIN.
ROY J. NEILSEN.
P. J. MCMURRAY.
MELVYN I. CRONIN.

Assembly Bill No. 2341 ordered on file for second reading.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 14, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 1309—An act to extend the time for the payment of taxes for the period of 60 days and declaring the urgency thereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Greene asked for, and was granted, unanimous consent to have the rules suspended for the purpose of concurring in Senate amendments to Assembly Bill No. 1309, at this time.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1309?

AMENDMENT NUMBER ONE.

On page 1, lines 11 and 12, of the printed bill, as amended, strike out the words "for a period of sixty days.", and insert in lieu thereof the following: "to and including June 20, 1933."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after line 12, insert the following paragraph:

"None of the provisions of this act shall apply to or in, nor to taxes or payment of taxes of any consolidated city and county operating under a freeholder charter adopted under the provisions of section 8 of Article XI of the State Constitution, which charter prohibits the drawing of any warrant against any fund of the city and county in which there is an insufficient unencumbered balance for the payment thereof. Provided, the legislative body of any such consolidated city and county

shall by resolution provide for the payment of the tax mentioned herein in installments, the first of which said installments shall not exceed fifty per cent of the said tax, and the last of which said installments shall be payable not later than June 20, 1933 and the penalties now provided by law for the nonpayment of a second installment of taxes shall attach to each such installment for the nonpayment thereof. If the exception in this paragraph expressed be declared unconstitutional by final judgment of a court of competent jurisdiction, such decision shall not affect the validity of any of the other provisions of this act."

The roll was called, and Senate amendments to Assembly Bill No. 1309 were concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Crowley, Evans, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—57.

NOES—None.

The above reported bill ordered to enrollment.

RESOLUTION.

The following resolution was offered:

By Mr. Lyon:

Resolved, That the Stenographers of the Assembly, including the Chief Stenographer, be excused with pay on Saturday, April 15, 1933.

Resolution read, and on motion adopted.

MOTION TO RECONSIDER.

Mr. Cronin moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 557 was refused passage, be continued until the next legislative day.

Motion carried.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON TEACHERS COLLEGES

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1933.

MR SPEAKER: Your Committee on Teachers Colleges, to which was referred Assembly Bill No. 1746—An act providing for the conveyance to the city of Santa Barbara of real property belonging to the State of California on condition that the city of Santa Barbara in exchange therefor convey to the State of California real property belonging to the city of Santa Barbara—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BLISS, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1933.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1776—An act to repeal "An act relating to senior rights of members of paid police departments of counties, cities and counties, cities, or towns," approved February 23, 1907, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 912—An act to amend section 6.3 of the School Code, relating to the improvement of public streets and places by school boards;

Also: Assembly Bill No. 803—An act to add a new section to be numbered 5.408 to the School Code, relating to the exchange of teachers with foreign countries; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ROLAND, Chairman.

The above reported bills ordered on file for second reading.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1933.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 893—An act to provide for instruction in mining safety by the Department of Natural Resources—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means.

MAYO, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1933.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1091—An act to amend sections 633a7, 633a16, 633a18, 633a24, 633a25, 633a27, and 633a31 of the Political Code, and to add a new section to said code, to be numbered 633a32, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CRIST, Chairman.

The above reported bill ordered on file for second reading.

ON TEACHERS COLLEGES.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1933.

MR. SPEAKER: Your Committee on Teachers Colleges, to which was referred Assembly Bill No. 1747—An act to authorize and empower the State Director of Education, with the approval of the State Director of Finance, to sell and convey the lands and buildings now being used by the State Teachers College of Santa Barbara, and from the proceeds of such sale to improve the site for said school, acquired by the State in 1932, to erect and construct upon such site buildings and other structures and improvements necessary and proper for said school, to purchase furniture, fixtures, apparatus, and other things necessary for said school, and to rent such temporary buildings and grounds as may be necessary for the use of said school until the completion of the new school buildings—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BLISS, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 980—An act to provide for the acquisition, construction, extension and operation of systems and works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary and sanitation districts; also providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of constructing, operating and maintaining such works; also providing for the use of such works by other cities, counties or districts, and declaring the urgency thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

ON TEACHERS COLLEGES.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1933.

MR. SPEAKER: Your Committee on Teachers Colleges, to which was referred Assembly Bill No. 1223—An act to amend sections 5.1, 5.2, 5.20, 5.21, 5.23, 5.25,

5.26, 5.40, 5.44, 5.60, 5.61, 5.62, 5.70, 5.80, 5.84, 5.86, 5.87, 5.88, 5.89, 5.90, 5.91, 5.92, 5.93, 5.100, 5.101, 5.102, 5.103, 5.104, 5.105, 5.110 and 5.112 of the School Code, and to repeal Article II of Chapter I of Part I of Division V thereof, embracing section 5.10, all relating to the organization, government, and control of State teachers colleges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BLISS, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1933.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1738—An act to amend section 2319b of the Political Code of the State of California, relating to the duties of the State Commissioner of Horticulture—has had the same under consideration, and respectfully reports the same back, and recommends that same be re-referred to the Committee on Agriculture.

LATHAM, Chairman.

The above reported bill ordered re-referred to Committee on Agriculture.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1933.

MR SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 76—An act to amend section 1.272 of the School Code, relating to the powers and duties of attendance officers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ROLAND, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1933.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No. 791—An act to amend section 60 of the Public Utilities Act, relating to complaints and procedure in respect thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LATHAM, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 941—An act to amend sections 4, 5, and 6 of, and to add sections 4a and 4b to the act entitled "An act to provide for the incorporation and organization and management of municipal water districts and to provide for the acquisition and construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, relating to municipal water districts and the officers thereof and further defining the powers and duties of each thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1933.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No. 335—An act to amend section 68 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission fund and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended—has had the same

under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LATHAM, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 17—A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and the qualification, compensation, and manner of electing the delegates to such convention—and reports that the same has been correctly enrolled and presented the same to the Governor on this fourteenth day of April, 1933, at eleven o'clock and forty minutes a.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 2—A resolution proposing to the people of the State of California an amendment to the Constitution of said State by adding to Article IV thereof a new section to be numbered 31c, authorizing any city of the fifth or sixth class to acquire and hold stock in mutual water corporations—and reports that the same has been correctly enrolled and presented the same to the Governor on this fourteenth day of April, 1933, at eleven o'clock and forty minutes a.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 9—Relative to memorializing Congress to adopt legislation with reference to manufacture of arms, munitions and implements of war;

Also: Assembly Joint Resolution No. 24—Relative to memorializing the Congress of the United States to enact a moratorium on foreclosures of real property mortgages and on sales under deeds of trust on real property;

Also: Assembly Joint Resolution No. 25—Relative to memorializing and petitioning the President of the United States and Congress to accept the cemetery situated at Sawtelle as a national cemetery;

And reports that the same have been correctly enrolled and presented the same to the Governor on this fourteenth day of April, 1933, at eleven o'clock and forty minutes a.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 4—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property;

Also: Assembly Bill No. 324—An act to add a new section to the Penal Code, to be numbered 653g, relating to employment on public work;

Also: Assembly Bill No. 540—An act to amend section 3805a of the Political Code, relating to cancellation of assessments, certificates of sale and deeds;

Also: Assembly Bill No. 585—An act to amend section 653d of the Penal Code, relating to rebating wages on public work, so as to specifically include within its terms any person who accepts or conspires to accept a rebate from those performing services under contractors and subcontractors doing public work;

Also: Assembly Bill No. 640—An act to amend section 1261 of the Political Code, relating to election supplies and records;

Also: Assembly Bill No. 641—An act to amend section 1265 of the Political Code, relating to the disposal of election supplies and records;

Also: Assembly Bill No. 642—An act to repeal section 1267 of the Political Code, relating to delivery of election returns by clerk to supervisors;

And reports that the same have been correctly enrolled and presented the same to the Governor on this fourteenth day of April, 1933, at eleven o'clock and forty minutes a.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 643—An act to repeal section 1264a of the Political Code, relating to roster of voters;

Also: Assembly Bill No. 644—An act to repeal section 1266 of the Political Code, relating to destruction of ballots;

Also: Assembly Bill No. 645—An act to repeal section 1268 of the Political Code, relating to copy of register;

Also: Assembly Bill No. 894—An act to require security for the payment of wages of persons engaged in the mining industry;

Also: Assembly Bill No. 951—An act to amend section 1204 of the Code of Civil Procedure so as to give a preference to all wage claimants under a receivership;

Also: Assembly Bill No. 1055—An act relating to the formation, organization and proceedings of metropolitan water districts; confirming the formation, organization and existence of such districts; establishing and validating the boundaries thereof; confirming the appointment of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken; confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof and all bonds heretofore authorized or issued by such districts and authorizing such bonds to be sold and delivered; providing for the levy and collection of a tax sufficient to pay the principal and interest of any such bonds; and declaring this act to be an urgency measure;

And reports that the same have been correctly enrolled and presented the same to the Governor on this fourteenth day of April, 1933, at eleven o'clock and forty minutes a.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1067—An act to amend an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911, by amending section 1, relating to the investment of moneys in the sinking funds of counties, cities and counties, incorporated cities and towns;

Also: Assembly Bill No. 1218—An act to amend section 111 of the Penal Code, relating to a payment by the State of costs of certain criminal trials;

Also: Assembly Bill No. 1485—An act to amend an act entitled "An act relating to the use of the air and to make uniform the law with reference thereto, providing for the licensing of aircraft, airmen and air navigation facilities; providing, in a certain contingency, for the creation of the Aeronautical Commission of California, prescribing its powers and duties and making an appropriation for its use, providing for the enforcement of the act and penalties for violations thereof and repealing acts in conflict therewith," approved June 18, 1929, by amending section 1 defining the term "Federal license";

Also: Assembly Bill No. 1895—An act to amend sections 4, 5, 10 and 11a of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies;

And reports that the same have been correctly enrolled and presented the same to the Governor on this fourteenth day of April, 1933, at eleven o'clock and forty minutes a.m.

PATTERSON, Chairman.

MOTION TO RE-REFER.

Mr. O'Connor moved that Assembly Bill No. 339 be withdrawn from Committee on Judiciary, and referred to Committee on Labor and Capital.

The question being on referring Assembly Bill No. 339 to Committee on Labor and Capital.

Motion carried.

Assembly Bill No. 339 ordered referred to Committee on Labor and Capital.

ADJOURNMENT.

At eleven o'clock and fifty-eight minutes a.m., on motion of Mr. Clowdsley, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Monday, April 17, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, April 17, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus.

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

Time, ten o'clock and three minutes a m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Badham, Bowers, Brock, Callahan, Chatters, Cottrell, Craig, Dempster, Evans, Greene, Hatch, Hunt, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McMurray, Meeker, O'Connor, Peterson, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Thorp, Tournoux, Utt, Zion and Mr. Speaker—36.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and ten minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Meeker.

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

Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Dempster, Evans, Greene, Grubbs, Hatch, Hornblower, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Wright, Zion and Mr. Speaker—55.

The Speaker declared a quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Thorp, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. O'Donnell, Mr. Frazier was granted leave of absence for the day.

On motion of Mr. Wright, Miss Eleanor Miller was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Roland, Henry Weber, deputy county clerk, Alameda County, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Roland, J. Dimond, deputy county clerk, Alameda County, in charge of registration, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Grubbs, Miss Margaret Fuller of San Francisco was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Anglim, Mr. George Morrison of Richmond was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Northern Federation of Civic Organizations, San Francisco, opposing the submission of any constitutional amendment by the present session of the Legislature, within a period of less than four months for the people's consideration.

Also:

By Mr. Speaker:

From Victor J. Sprauer, M.D., Los Angeles, protesting against the closing of branch offices of the Division of Motor Vehicles.

Also:

By Mr. Speaker:

From Dr. Willard G. Stark, Los Angeles, protesting against the closing of branch offices of the Division of Motor Vehicles.

Also:

By Mr. Speaker:

From J. Johnson, Los Angeles, urging support of Assembly Constitutional Amendment No. 47.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 76—An act to amend sections 4225 and 4225a of the Political Code, relating to the powers and duties of county health officers;

Also, Assembly Bill No 217—An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island;

Also: Assembly Bill No. 335—An act to amend section 42 of the "State Housing Act," relating to requirements for buildings;

Also: Assembly Bill No. 674—An act to establish the Vehicle Code and thereby to consolidate and revise the law relating to traffic on streets and highways and the registration, identification, operation, driving, use, ownership, transfer, theft, embezzlement, destruction, molestation, unlawful entering and taking and driving, equipment, size, weight, loading and wrecking of vehicles used upon streets and highways and liens and mortgages on such vehicles and the licensing and regulation of drivers of such vehicles and the civil liability of persons signing license applications of minors and the conduct and records of persons dealing with such vehicles and the civil liability arising from the ownership, maintenance, use and operation of such

vehicles and the financial responsibility of owners and operators of such vehicles and crimes connected with the use of such vehicles and the parties, procedure, presumptions, evidence and reports in relation to such crimes and the creation, organization, powers, duties, jurisdiction and maintenance of the Department of Motor Vehicles and its divisions in connection therewith and the collection, disposition and use of fees, fines and forfeitures in relation thereto and the limitations on the powers of local authorities over the aforesaid subject and to repeal certain specified provisions of law germane to the aforesaid subject;
And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1083—An act to amend sections 1, 2, 3, 6 and 14 of an act entitled "An act to define motor club service, and to define, license and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles and providing penalties for the violation thereof, and repealing all acts in conflict herewith," approved June 15, 1929, as amended, and to add thereto two new sections to be numbered sections 3(a) and 17;

Also: Assembly Bill No. 1102—An act to amend section 594 of the Political Code, defining and classifying insurance, and prescribing capital and other requirements of the various classes and limitations of classes permitted, and also requiring the stock of insurance companies to have a specified par value;

Also: Assembly Bill No. 1141—An act to add four new sections to the Civil Code, to be numbered 453ee½, 453 11, 453 12 and 453 13, all relating to mortgage insurance companies; declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1735—An act to amend sections 850, 851, 852, 852a, 852b, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 862a, 863, 864, 865, 867, 868, 870, 870a, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 882, 883, 884, 885 and 886, and to repeal section 881 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to organization, incorporation and government of cities of the sixth class;

Also: Assembly Bill No. 1772—An act to add a new section to the Workmen's Compensation, Insurance and Safety Act of 1917 to be known as section 26a, relating to compensation;

Also: Assembly Bill No. 2332—An act to add section 1263.5 to the Agricultural Code, relating to slaughterers;
And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 253—An act to amend section 8 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases, to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917," approved June 13, 1923;

Also: Assembly Bill No. 2078—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons;
And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 953—An act to amend section 2806 of the School Code, relating to duties of the district attorney;

Also: Assembly Bill No. 979—An act to add a new section to the Political Code, to be numbered 2161a, relating to State hospital buildings and grounds;

Also: Assembly Bill No. 1059—An act to amend sections 19, 20, 21a, 46, 57, 62, 65, 67, 83 and 96 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, relating to the business of banking;

Also: Assembly Bill No. 1170—An act to amend section 14 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, relating to reassignment of a death benefit;

Also Assembly Bill No. 1167—An act to amend section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to proceedings after decision;

Also: Assembly Bill No 1230—An act to add Chapter III entitled "Property Held in Joint Tenancy" and section 270 therein to Division II of the Probate Code, relating to joint tenancy;

Also: Assembly Bill No. 1312—An act to amend section 737vv of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Solano,

Also: Assembly Bill No. 1382—An act to add a new section to the Code of Civil Procedure to be numbered section 580a, relating to deficiency judgments after exercise of the powers of sale under a mortgage or deed of trust;

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1383—An act to add two new sections to the Code of Civil Procedure to be numbered sections 725 and 725a, relating to mortgages and deeds of trust;

Also: Assembly Bill No. 1435—An act to add a new section to the Penal Code to be known as section 537i, relating to the defrauding of garage keepers,

Also. Assembly Bill No. 1528—An act to control, license, and regulate, the manufacture, transportation, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; and to provide penalties for the violation hereof;

Also: Assembly Bill No. 1757—An act to amend sections 1065 and 1068 of the Fish and Game Code, relating to fish;

Also: Assembly Bill No. 1802—An act to amend section 7 of and to add a new section to be numbered 8½ to "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to fees for the use of State park areas, and making an appropriation for the State park system;

Also: Assembly Bill No. 1958—An act to amend section 1449 of the Penal Code, relating to time for pronouncing judgments in justices' and police courts;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1967—An act to amend the title and sections 1, 2 and 3 and to add a new section to be numbered 2½ to an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, by providing that said wage rates shall apply only on the

work at the job site, defining who shall determine the occupation of the laborer, workman or mechanic, providing a method of appeal from any and all decisions hereunder, and providing for the approval of certain wage rates by the State Board of Control;

Also. Assembly Bill No. 2000—An act to add a new section to the Political Code, to be numbered 363k, relating to the Department of Public Works;

Also: Assembly Bill No 2053—An act to amend section 1181 of the Penal Code, relating to new trials;

Also. Assembly Bill No 2118—An act to amend section 12 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, relating to compensation and insurance of workmen;

Also: Assembly Bill No. 2145—An act to amend section 94 of the Vehicle Code, and to add a new section to said code to be numbered section 94 5, relating to members of the California Highway Patrol;

Also: Assembly Bill No. 2214—An act to amend section 3764 of the Political Code, relating to delinquent tax lists and the publication thereof;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2226—An act to amend sections 777 and 778 and to repeal sections 779, 780, 781, 782 and 783 of the Vehicle Code, relating to the motor vehicle fund and the disposition of moneys placed therein;

Also: Assembly Bill No. 2314—An act to amend section 3671d and to repeal sections 3671c and 3713 of the Political Code, relating to taxation;

Also: Assembly Bill No. 2338—An act to add a new section to the Political Code to be numbered 3480d, relating to crediting on calls of installment of assessments made by reclamation districts amounts of outstanding bonds exchanged in refunding proceedings or otherwise canceled as provided by law, and to the redemption of property sold to reclamation districts for delinquent assessments and installments thereof, and to the sale by county treasurers of lands sold for delinquent assessments and installments thereof, and containing a provision declaring this act to be an urgency measure, stating the facts constituting such urgency and providing this act shall take effect immediately;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 25—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extensions of time in superior and inferior courts;

Also: Assembly Bill No. 123—An act to amend section 204e of and to add sections 204f, 204g and 204h to the Code of Civil Procedure, relating to the secretary and assistant secretaries of the superior court;

Also: Assembly Bill No. 248—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to and defining employees and excluding from the provisions of the act any person or persons engaged in any work or service under or in connection with any unemployment, relief, or charity project;

Also: Assembly Bill No. 264—An act to amend section 990 of the Penal Code, relating to time to plead in criminal prosecutions;

Also: Assembly Bill No 373—An act to amend sections 657 and 666 of the Fish and Game Code, and to add thereto a new section to be numbered 666.5, relating to salmon;

Also: Assembly Bill No. 286—An act to amend section 15c of the California Irrigation District Act, relating to the use and distribution of water and rules and regulations therefor;

Also: Assembly Bill No 355—An act to amend sections 3, 4, 5a and 15, and to repeal section 17 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, Statutes of 1911, page 1192, as amended;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No 366—An act to amend section 17 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to vacancies in the office of a judge of a municipal court;

Also Assembly Bill No. 781—An act to amend sections 692, 702, and 726 of, and to add sections 725, 725a, and 725b to the Code of Civil Procedure, relating to trust deeds and mortgages, and to repeal sections 2920, 2924, 2924a, and 2932 of the Civil Code;

Also: Assembly Bill No. 819—An act to amend section 4039 of the Political Code, relating to records kept by the board of supervisors;

Also: Assembly Bill No. 854—An act to add a new section to the Civil Code to be numbered 712, relating to restrictions;

Also: Assembly Bill No. 855—An act to add a new section to the Penal Code to be numbered 383c, relating to the labeling of foreign made goods;

Also: Assembly Bill No. 923—An act to amend sections 3 and 9 of an act entitled "An act to establish a State Training School for Girls; to provide for the maintenance and management of the same, and to make an appropriation therefor," approved June 14, 1913;

Also: Assembly Bill No. 934—An act to add section 356a to the Political Code, relating to State officers or employees performing work or services for more than one State agency;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 543—An act making it unlawful for any person to employ any other person to solicit law practice, prohibiting any person from soliciting such law practice, and providing the penalties therefor, and limiting contracts with attorneys, and providing a period of limitation on suits to set aside such contracts—and reports that the same has been correctly re-re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 845—An act to amend sections 5 580, 5 581, 5 583, 5.586 and 5.587, of the School Code, to repeal section 5.584 thereof, and to repeal Article III, embracing sections 5 610 to 5 622, inclusive, of Chapter V of Part III of Division VII thereof, all relating to teachers' institutes—and reports that the same has been correctly re-re-re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 54—An act to amend section 2924 of the Civil Code and to add a new section thereto, to be numbered 2924b, all relating to mortgages and deeds of trust;

Also: Assembly Bill No. 59—An act to add a new section to the Civil Code, to be numbered section 2924c, relating to obligations secured by deed of trust or mortgage;

Also: Assembly Bill No. 442—An act to amend section 726 of the Code of Civil Procedure, relating to foreclosure of mortgages;

Also: Assembly Bill No. 1181—An act to amend section 3644 of the Political Code, relating to taxation of boats and vessels;

Also: Assembly Bill No. 1362—An act to amend section 588b of the Penal Code, relating to the breaking down, removal, injury or destruction of barriers or obstructions, the tearing down, removal or destruction of notices, or the extinguishing, removal, injury, or destruction of warning lights or lanterns, on a State road or highway, and prescribing a penalty for the violation of such section;

Also: Assembly Bill No. 1381—An act to add section 2924½ to the Civil Code, relating to mortgages and deeds of trust and to declare the urgency thereof and that this act shall go into immediate effect.
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1385—An act to add a new section to the Probate Code, to be numbered section 1501a, providing that wage claims of not exceeding two hundred dollars each for work done within ninety days shall be preferred in the administration of the estates of minors and insane and incompetent persons, and paid promptly out of the first available assets of the estate as soon as their validity is established;

Also: Assembly Bill No. 1844—An act to amend section 4.85 and to repeal section 4.91 of the School Code, relating to the vocational education fund;

Also: Assembly Bill No. 1944—An act to create the California Mining and Development Board and to provide for the fostering and development of the mining industry of this State;

Also: Assembly Bill No. 1957—An act to add a new section to the Penal Code, to be numbered 1203a, relating to probation in courts having jurisdiction of misdemeanor cases;

Also: Assembly Bill No. 2054—An act to amend section 1089 of the Penal Code, relating to the selection of alternate jurors and the rights and duties of alternate jurors;

Also: Assembly Bill No. 2087—An act to amend section 97 of the Vehicle Code, relating to workmen's compensation for members of the California Highway Patrol;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2099—An act to amend section 3051 of the Civil Code, relating to liens;

Also: Assembly Bill No. 2124—An act authorizing a suit against the State of California to quiet title against it to certain real property in the city of Newport Beach;

Also: Assembly Bill No. 2125—An act to amend sections 5, 9, 10, 11 and 12 of the act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, relating to duties of the commission and the examination and qualification of applicants;

Also: Assembly Bill No. 2248—An act to add a new chapter to Title III of the Vehicle Code, to be numbered Chapter IV-A, relating to sales of vehicles by manufacturers and dealers;

Also: Assembly Bill No. 2270—An act to amend section 4191 of the Political Code, relating to the expenditure by boards of trustees of law libraries of surplus funds to acquire real property and erect a building thereon and to contribute from such funds to obtain adequate quarters in any building hereafter erected by the board of supervisors of the county in which such law library is maintained.
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2290—An act to amend sections 5 and 13, and to add sections 13a and 13b to the "State Civil Service Act";

Also: Assembly Bill No. 2350—An act relating to purchases of manufactured products by the State or by any political subdivision, district or municipality thereof and providing a penalty for the violation of the provisions hereof;

Also: Assembly Bill No. 2352—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as therein defined, providing

a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 14, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 475—An act to amend sections 7, 8, 10, 11, 12, 16, 18½ and 19 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, relating to county fire insurance companies;

Also: Senate Bill No. 51—An act to amend section 4014 of the Political Code, relating to township officers;

Also Senate Bill No. 156—An act to amend section 4258 of the Political Code, relating to compensation of county and township officers in counties of the twenty-ninth class;

Also: Senate Bill No. 504—An act to amend sections 4041.5, 4041.6, 4041.17 and 4041.18 of the Political Code of California and to add six new sections to said code to be numbered 4041.4 (2a), 4041.7 (a), and 4041.29 to 4041.32, both inclusive, relating to powers of boards of supervisors;

Also: Senate Bill No. 505—An act to amend section 4088 of the Political Code of the State of California, relating to the issuance of bonds for certain purposes.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 475 read first time, and referred to Committee on Insurance.

Senate Bills Nos. 51 and 156 read first time, and referred to Committee on County Government.

Senate Bills Nos. 504 and 505 read first time, and referred to Committee on Conservation.

MOTION.

Mr. Robinson, C. Ray, moved that the Journals of Monday, April 3, 1933; Tuesday, April 4, 1933; Wednesday, April 5, 1933; Thursday, April 6, 1933; Friday, April 7, 1933 be approved as corrected by the Minute Clerk.

Motion carried.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Knowland moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 948 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Dempster moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 751 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Cronin moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 557 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Cronin moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 342 was passed be continued until the next legislative day.

Motion carried.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Evans:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 5.650, 5.653 and 5.661 of the School Code, relating to permanent employees.

Referred to Committee on Introduction of Bills.

By Mr. Bowers:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act granting certain tidelands and submerged lands of the State of California to the city of San Diego upon certain trusts and conditions.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act to amend sections 5.650, 5 653 and 5.661 of the School Code, relating to permanent employees.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act granting certain tidelands and submerged lands of the State of California to the city of San Diego upon certain trusts and conditions.

HALLNER, Chairman.

The question being on the adoption of the reports.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

Time, ten o'clock and twenty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Dempster, Evans, Greene, Grubbs, Hatch, Hornblower, Hunt, Kallam, King, Knowland, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Stream,

Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Wright, Zion and Mr. Speaker—53.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 290—An act to amend sections 1261, 1263, 1264, 1265, 1267, 1268, 1269, 1270, 1271, 1272 and 1273, and to repeal section 1266 of the Agricultural Code, relating to dealers in farm products.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2341—An act to reduce the rates and charges of gas and electrical corporations furnishing heat, light and power to the public, empowering and directing the Railroad Commission to administer and enforce the reduction, and declaring this act to be an urgency measure.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 12 to 24, inclusive, and insert in lieu thereof, the following:

"SEC. 3. The Legislature hereby declares that a public emergency now exists which requires the passage of this act as an urgency measure in the exercise of the police power of the State, and as necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California and for that reason shall go into effect immediately. The following is a statement of facts constituting such necessity

The services rendered to the public by gas and electric public utility corporations are so necessary and essential in the ordinary domestic and commercial life of the people of the State that their deprivation of these services would endanger the public peace, health, safety and welfare. The use of electricity and gas for heat, power and light has become such an integral part of our present economic system that an inability to obtain such services at reasonable rates not only seriously disturbs and renders more difficult the everyday existence of the people of the State but also hampers and obstructs many commercial and agricultural enterprises in their operations which provide opportunities for gainful employment for many citizens of the State. Many people in the State are being deprived of these essential and necessary services because of their inability to pay present rates and charges and this inability results in a definite clogging of the wheels of commerce. The present rates and charges of gas and electric public utilities return to them net earnings substantially in excess of those now being enjoyed by investments in other business undertakings in this State which are attended by corresponding risks and uncertainties and the reductions in rates and charges provided in this act will do no more than bring the earnings of these favored public utilities to the level of those received by such comparable investments and more in accord with the prevailing general economic level and will result in just and reasonable rates and charges during the present emergency.

The people of this State, owing to the prevailing depression, are unable to provide themselves with adequate substitute services. It is necessary for the immediate preservation of the public peace and welfare that the present situation be corrected without delay and the reduction in the rates and charges for these essential services provided in this act will adequately serve this purpose."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines 1 to 10, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1746—An act providing for the conveyance to the city of Santa Barbara of real property belonging to the State of California on condition that the city of Santa Barbara in exchange therefor convey to the State of California real property belonging to the city of Santa Barbara.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1776—An act to repeal "An act relating to senior rights of members of paid police departments of counties, cities and counties, cities, or towns," approved February 23, 1907, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 912—An act to amend section 6.3 of the School Code, relating to the improvement of public streets and places by school boards.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 803—An act to add a new section to be numbered 5.408 to the School Code, relating to the exchange of teachers with foreign countries.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 893—An act to provide for instruction in mining safety by the Department of Natural Resources.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:
"An act to amend section 373b of the Political Code, relating to the Department of Natural Resources."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 13, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 373b of the Political Code is hereby amended to read as follows:

373b. The Division of Mines shall be administered through a chief who shall be appointed by the Director of Natural Resources upon the nomination of the State Mining Board; the chief to be a technically trained mining engineer and to be known as the State Mineralogist; such chief shall receive a salary of six thousand dollars per annum. General policies for the guidance of the Division of Mines shall be determined by a board to be known as the State Mining Board, which shall consist of five members appointed by and holding office at the pleasure of the Governor. The members of said board shall receive no salary but shall be allowed their necessary and actual expenses incurred in the discharge of the duties imposed upon them by law."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1091—An act to amend sections 633a7, 633a16, 633a18, 633a24, 633a25, 633a27, and 633a31 of the Political Code, and to add a new section to said code, to be numbered 633a32, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 8 of the title of the printed bill, as amended, after the comma following "633a27", insert the following: "633a28, 633a29,".

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, as amended, strike out line 16, and insert in lieu thereof the following: "original annual license to an insurance broker, ten dollars; for issuing each renewal of annual license to an insurance broker, five dollars; for issuing".

AMENDMENT NUMBER THREE.

On page 3, line 17, of the printed bill, as amended, strike out "one dollar", and insert in lieu thereof the following: "two dollars".

AMENDMENT NUMBER FOUR.

On page 4, line 13, of the printed bill, as amended, strike out "agent or".

AMENDMENT NUMBER FIVE.

On page 4, line 15, of the printed bill, as amended, strike out "agent or".

AMENDMENT NUMBER SIX.

On page 4, line 16, of the printed bill, as amended, immediately before "restrictions", insert the following: "and".

AMENDMENT NUMBER SEVEN

On page 4, lines 18 and 19, of the printed bill, as amended, strike out "twenty-five", and insert in lieu thereof the following: "one hundred".

AMENDMENT NUMBER EIGHT.

On page 5 of the printed bill, as amended, preceding line 26, insert the following:

SEC. 7. Section 633a28 of the Political Code is hereby amended to read as follows:

633a28. Any notice required to be given by the provisions of sections 633 to 633a32, inclusive, of this code, may be given by mailing notice, postage prepaid, addressed to the person to be notified, at his residence or place of business. The affidavit of the person mailing the notice shall be prima facie evidence that the notice was mailed.

SEC. 8. Section 633a29 of the Political Code is hereby amended to read as follows:

633a29. (1) Nothing in sections 633 to 633a32, inclusive, of this code, shall be construed to apply to, refer to, or affect:

(a) Employees of a title insurance company or persons or corporations engaged in the business of examining, certifying, or abstracting titles when no commission is paid such employees, persons or corporations for soliciting, negotiating or effecting contracts of insurance;

(b) Mortgage insurance companies or their solicitors or agents;

(c) Fraternal benefit societies or their solicitors or agents;

(d) Reciprocal or interinsurance exchanges, or their attorneys, solicitors, agents or employees, except as provided by an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as 'The Reciprocal or Interinsurance Act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled, "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee" approved December 24, 1911,' approved May 26, 1917, as amended," approved June 3, 1921;

(e) Any company or association licensed to transact life insurance, or life, health and accident insurance, or the agents, solicitors or employees of any such company or association, or agents licensed under the provisions of section 633aa of the Political Code, or

(f) Surplus line brokers.

(2) The provisions of said sections shall not be construed to prohibit a broker licensed thereunder from soliciting or negotiating contracts of life insurance and receiving a commission therefor."

AMENDMENT NUMBER NINE.

On page 5, line 26, of the printed bill, as amended, strike out "SEC. 7.", and insert in lieu thereof the following: "SEC. 9."

AMENDMENT NUMBER TEN.

On page 5, line 32, of the printed bill, as amended, strike out "SEC. 8.", and insert in lieu thereof the following: "SEC. 10."

AMENDMENT NUMBER ELEVEN.

On page 5, line 44, of the printed bill, as amended, strike out "605.", and insert in lieu thereof the following: "633a7."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1747—An act to authorize and empower the State Director of Education, with the approval of the State Director of Finance, to sell and convey the lands and buildings now being used by the State Teachers College of Santa Barbara, and from the proceeds of such sale to improve the site for said school, acquired by the State in 1932, to erect and construct upon such site buildings and other structures and improvements necessary and proper for said school, to purchase furniture, fixtures, apparatus, and other things necessary for said school, and to rent such temporary buildings and grounds as may be necessary for the use of said school until the completion of the new school buildings.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the name "Santa Barbara", insert the following: "other than the site of the said teachers college acquired by the State in 1932 and improvements thereon."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 980—An act to provide for the acquisition, construction, extension and operation of systems and works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary and sanitation districts; also providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of constructing, operating and maintaining such works; also providing for the use of such works by other cities, counties or districts, and declaring the urgency thereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee.

AMENDMENT NUMBER ONE.

On page 12 of the printed bill, after line 38, insert the following:

"SEC. 19. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall go into effect immediately.

The following is a statement of the facts constituting such necessity:

Unemployment has produced an alarming economic condition in the State of California. The adoption of this act will enable many cities, counties and districts

of the State to finance the construction of sewer systems and works which otherwise can not be financed at this time. This development and construction will furnish employment to many persons now idle, and make them self-supporting, while at the same time nothing will be added to the tax burdens of the people. The furnishing of immediate employment is the most urgent question now before the Legislature."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1223—An act to amend sections 5.1, 5.2, 5.20, 5.21, 5.23, 5.25, 5.26, 5.40, 5.44, 5 60, 5.61, 5.62, 5.70, 5.80, 5 84, 5.86, 5.87, 5.88, 5.89, 5.90, 5.91, 5.92, 5.93, 5.100, 5.101, 5.102, 5.103, 5.104, 5.105, 5.110 and 5.112 of the School Code, and to repeal Article II of Chapter I of Part I of Division V thereof, embracing section 5.10, all relating to the organization, government, and control of State teachers colleges.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the figures "5.1," add the following: "5.10, 5.120, 5 133, 5.134, 5.180, 5 181, 5.182,".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, after the figures "5.44," add the following: "5.540,".

AMENDMENT NUMBER THREE.

In line 4 of the title of the printed bill, strike out "and to repeal", also strike out lines 5, 6 and 7 of the title, and insert in lieu thereof the following: "designating teachers colleges as State colleges and relating to their organization, functions, government, and control."

AMENDMENT NUMBER FOUR

On page 1 of the printed bill, between lines 5 and 6, insert the following:

"SEC. 1a. Section 5.10 of the School Code is hereby amended to read as follows:

Sec. 5.10. The State colleges in this code enumerated shall have for their objects the education of teachers for the public schools of the State and such other educational functions as may be assigned to them by the Director of Education with the approval of the State Board of Education.

SEC. 1b. Section 5.120 of the School Code is hereby amended to read as follows:

5.120. The State Board of Education shall grant the appropriate credential to holders of diplomas of graduation from teacher-training curricula granted by State colleges upon presentation of such diploma.

SEC. 1c. Section 5 133 of the School Code is hereby amended to read as follows:

5.133. For the general elementary credentials, the same number of years of collegiate training required at the time for graduation from the teacher-training curricula of a State college, including the professional training prescribed by the State Board of Education

SEC 1d. Section 5.134 of the School Code is hereby amended to read as follows:

5.134. For the kindergarten-primary credential, the same number of years of collegiate training required at the time for graduation from the teacher-training curricula of a State college, including the professional training prescribed by the State Board of Education.

SEC 1e. Section 5.180 of the School Code is hereby amended to read as follows:

5.180. A diploma of graduation granted by a State college, when accompanied by a credential issued by the State Board of Education, shall entitle the holder thereof to a certificate corresponding in grade to the grade of the diploma from any county, or city and county, board of education in the State.

SEC. 1f. Section 5 181 of the School Code is hereby amended to read as follows:

5.181. Upon presentation to any county, or city and county board of education of a diploma from a State college of this State, accompanied by the credential hereinbefore provided for, such board of education shall without fee grant the holder of such diploma and credential a certificate corresponding in grade to the grade of the diploma.

SEC. 1g. Section 5.182 of the School Code is hereby amended to read as follows:

5.182. A diploma of graduation from any State college in this State, when accompanied by a document granted by the faculty of the State University on or before the thirtieth day of June, 1903, showing that the holder of such diploma has successfully completed the course of instruction in said university prescribed for

students who are graduates of a State college of this State, shall entitle such holder to a high school certificate authorizing the holder to teach in any elementary school and in any high school in the State."

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, between lines 12 and 13, add the following:

"SEC. 9a. Section 5.540 of the School Code is hereby amended to read as follows:

5 540. No person shall be employed in a position requiring certification qualifications until his or her certificate has been filed or credential registered with the county superintendent of schools having jurisdiction over the district employing such person.

When any person so employed is the holder of a California State teachers college diploma or a diploma of graduation from the teacher-training curriculum of any State college of this State, accompanied by the certificate of the State Board of Education, as provided elsewhere in this part, an educational or life diploma of California, the superintendent of schools of the county, upon presentation thereof to him, shall record the name of said holder in a book provided for that purpose in his office, and the holder of said diploma shall thereupon be absolved from the provisions of this section."

AMENDMENT NUMBER SIX.

On page 4 of the printed bill, strike out lines 5 and 6, and insert in lieu thereof the following: "maintain courses of instruction in teacher-training curricula and in such other curricula as may be approved by said board leading to a baccalaureate degree, and to".

AMENDMENT NUMBER SEVEN.

On page 6 of the printed bill, strike out lines 18 and 19.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 2347—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Martin:

AMENDMENT NUMBER ONE.

On page 6 of the printed bill, as amended, after line 40, insert the following:

"No action or proceedings for the improvement of any street in any municipality shall be taken under the provisions of this act when there exists or is outstanding any assessment whatsoever for street improvement against the property abutting said street for which the improvement is proposed."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, after line 13, insert the following:

"The city council shall not adopt said resolution of intention unless there are available to pay the entire cost of labor on the proposed improvement, funds obtained for such purpose from the Reconstruction Finance Corporation or other Federal agency or from a charitable or relief organization or funds made available by the State for unemployment relief."

AMENDMENT NUMBER THREE

On page 3, line 36, of the printed bill, as amended, after "thereof", insert a comma and the following: "exclusive of any and all costs of labor on the improvement,".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1036—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition

of all property necessary therefor, and also to provide for the distribution and sale of water by said district," approved June 10, 1913, as amended, by amending sections numbered 3, 4, 5, 9, 10, 12, 15 and 26, and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: Sections 3a and 3b, relating to voting in county water districts; section 22a, relating to levy of special assessments in county water districts; sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, relating to the optional levy and collection of taxes by county water districts through the district's own officers rather than with county taxes; section 52, relating to the raising and payment by a county water district of assessments levied by an irrigation district within which is included a part of the lands within such county water district; section 53, relating to use of district assessment roll and duties of district officers in connection with voting, and section 54, relating to short title of this act.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1036 was withdrawn from the file, and referred to Committee on Irrigation.

Assembly Bill No. 2082—An act providing for the regulation and supervision of persons, firms or corporations engaging in the business as "bailee-repairers," and to prevent oppression of or advantage being taken in the employment of labor in such businesses, and to prevent fraud in the keeping or working upon of the property of the public; defining the duties of the Attorney General in regard thereto, and providing for the enforcement of said act and penalties for the violation thereof; and creating a State "Bailee-Repairers' Department" and the office of "Director of Bailments" and defining his duties and powers.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2082 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 1944—An act to create a Hydraulic Mining Board; prescribing its powers and duties and providing for cooperation with Federal Debris Commission.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1944 was withdrawn from the file, and referred to Committee on Mines and Mining.

Assembly Bill No. 2145—An act to amend sections 93 to 95, inclusive, of the Vehicle Code, relating to members of the California Highway Patrol.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2145 was withdrawn from the file, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2226—An act to amend section 779, to repeal sections 780, 781, 782 and 783 of, and to add a new section to be numbered 780 to, the Vehicle Code, relating to the motor vehicle fund and the disposition of moneys placed therein.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2226 was withdrawn from the file, and referred to Committee on Motor Vehicles.

Assembly Bill No. 123—An act to amend section 204e of the Code of Civil Procedure, relating to the secretary and assistant secretaries of the superior court.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 123 was withdrawn from the file, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1312—An act to amend section 737vv of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Solano.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1312 was withdrawn from the file, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1967—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1967 was withdrawn from the file, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1528—An act to provide for the creation of a commission to be known as the License Tax Commission, which shall or may issue licenses to manufacturers, purveyors, transporters and sellers of alcohol, spirits or beverages containing alcohol and to provide for the issuance of licenses to those who manufacture, sell, convey and transport alcohol, spirits or beverages containing alcohol, and to provide for the collection of taxes from those to whom licenses may or do issue and for the regulation of the sale of alcohol, spirits or beverages containing alcohol, and for the taxing of said sales, and for the collection of taxes upon sales and manufactures of alcohol, spirits or such beverages containing alcohol and for the appointment of commissioners to be known as License Tax Commissioners, and to appropriate money out of the funds collected for license taxes for the salaries and expenses of such commissioners, its agents and employees, and its offices and incidental expenses.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1528 was withdrawn from the file, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 442—An act to amend section 726 of the Code of Civil Procedure, relating to foreclosure of mortgages.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 442 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 1383—An act to amend section 726 of the Code of Civil Procedure and to add sections 725 and 726a to the Code of Civil Procedure, all relating to mortgages and deeds of trust.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1383 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 1382—An act to amend section 2924 of the Civil Code, relating to notice of sale under provisions of a deed of trust or mortgage.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No. 1382 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 1381—An act to amend section 2924 of the Civil Code and to add sections 2924b, 2924c, 2924d and 2924e to the Civil Code, all relating to mortgages and deeds of trust.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1381 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 59—An act amending section 537 of the Code of Civil Procedure, relating to actions in which a writ of attachment may issue.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 59 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 54—An act to amend section 2924 of the Civil Code, relating to recording of notice of default and of sale under deeds of trust and mortgages with power of sale; and to add a new section to the Civil Code to be numbered 2924b, relating to giving of notice of recording of notice of default and of time and place of sale under deeds of trust or mortgage with power of sale; and to add a new section to the Civil Code numbered 2924c, relating to reinstatement of loans when due date of principal sum has been accelerated; and to add a new section to the Code of Civil Procedure to be numbered 580a, limiting amount of deficiency judgments and the time within which actions therefor may be commenced.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 54 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 2352—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as therein defined, providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately.

Bill read third time

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2352 was withdrawn from the file, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1362—An act to amend section 588b of the Penal Code, relating to the breaking down, removal, injury or destruction of barriers or obstructions, the tearing down, removal or destruction of notices, or the extinguishing, removal, injury or destruction of warning

lights or lanterns, on a State road or highway, and prescribing a penalty for the violation of such section.

Bill read third time.

The question being on the passage of the bill

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1362 was withdrawn from the file, and referred to Committee on Roads and Highways.

Assembly Bill No. 2087—An act to amend section 92 of the Vehicle Code, relating to the method of making appointments.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2087 was withdrawn from the file, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2248—An act to amend section 46 of the California Vehicle Act, relating to manufacturers and dealers of and in vehicles.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2248 was withdrawn from the file, and referred to Committee on Motor Vehicles.

SPECIAL ORDER SET.

On motion of Mr. Greene, the consideration of Assembly Bill No. 35 was made a special order for this day at two o'clock p.m.

SECOND READING OF SENATE BILLS.

Senate Bill No. 136—An act to amend section 331 of the Agricultural Code, relating to hides and brands.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 412—An act to repeal section 195 of the Agricultural Code, relating to exemption of cattle from dipping or treatment.

Bill read second time, and ordered on file for third reading.

Senate Bill No 50—An act to amend section 2322x30 of the Political Code, relating to the salaries of the agricultural commissioner and his deputies in counties of the thirtieth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 821—An act to amend section 16x24 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the twenty-fourth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 824—An act to amend section 2322x24 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-fourth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 825—An act to amend section 4253 of the Political Code, relating to compensation of county and township officers in counties of the twenty-fourth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No 403—An act to amend section 2980 of the Civil Code, relating to recordation of interests in property.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 330—An act to repeal an act entitled "An act making an appropriation for the construction and completion, equipment, and furnishing of an addition to the State Office Building, at San Francisco, California," approved June 14, 1929.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 341—An act to repeal section 4.121 of the School Code, relating to the audit by the State Board of Control of expenditures from the vocational rehabilitation fund.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 883—An act to repeal section 4.71 of the School Code, relating to claims against the State school book fund.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 884—An act transferring from the vocational rehabilitation fund to the general fund of the State the sum of $33,000.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 178—An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 121—An act to amend section 583 of the Code of Civil Procedure, relating to the dismissal of actions.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out the word "defendant", and in lieu thereof insert the word "plaintiff".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 76—An act to amend section 1.272 of the School Code, relating to the powers and duties of attendance officers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 791—An act to amend section 60 of the Public Utilities Act, relating to complaints and procedure in respect thereto.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 941—An act to amend sections 4, 5, and 6 of, and to add sections 4a and 4b to the act entitled "An act to provide for the incorporation and organization and management of municipal water

districts and to provide for the acquisition and construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, relating to municipal water districts and the officers thereof and further defining the powers and duties of each thereof.

FLOOR AMENDMENT.

During second reading of the bill, the following amendment was submitted by Mr. Scudder:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, as amended March 31, 1933, strike out lines 3 and 4.

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 335—An act to amend section 68 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, as amended, strike out lines 49 to 52, inclusive, and on page 4 of the printed bill, as amended, strike out lines 1 to 10, inclusive.

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and forty-seven minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

The roll of absentees was called, and the reports of the Committee on Introduction of Bills were adopted by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—64.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Evans: Assembly Bill No. 2366—An act to amend sections 5.650, 5.653 and 5.661 of the School Code, relating to permanent employees.

Bill read first time, and referred to Committee on Education.

By Mr. Bowers: Assembly Bill No. 2367—An act granting certain tidelands and submerged lands of the State of California to the city of San Diego upon certain trusts and conditions.

Bill read first time, and referred to Committee on Commerce and Navigation.

THIRD READING OF SENATE BILLS.

Senate Bill No. 334—An act to amend section 67 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 334 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 321—An act to amend an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin Drainage District based upon assessments levied by the Reclamation Board upon lands in said district," approved May 27, 1919, as amended by amending section 29 thereof relating to the maturity, calling and redemption of bonds of said district, section 42 thereof relating to the calling of installments to pay interest and principal on such bonds and to provide a sinking fund, section 45 thereof relating to sales for delinquent assessments, section 50 thereof relating to the redemption of delinquent assessments and to deeds by the Reclamation Board where lands have not been redeemed and section 52 thereof relating to the

investment of surplus moneys in the bond fund and to the cancellation of bonds purchased with such moneys.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 321 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 716—An act to repeal Article X of Chapter X of Title II of Part IV of the Political Code, embracing section 4239, and to add to Chapter X of Title II of Part IV thereof a new Article X, embracing sections 4239 and 4239a to 4239w, inclusive, relating to the compensation of county and township officers in counties of the tenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 716 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 547—An act to consolidate the government and administration of the State Narcotic Hospital and Pacific Colony, and declaring the urgency thereof.

Bill read

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson,

C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—67.
NOES—King—1.

THIRD READING OF SENATE BILL NUMBER FIVE HUNDRED FORTY-SEVEN.

Senate Bill No. 547—An act to consolidate the government and administration of the State Narcotic Hospital and Pacific Colony, and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 547 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—66.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 326—An act to amend section 689 of the Political Code, relating to the costs of janitor and maintenance service furnished by the Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 326 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—67.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 327—An act to add section 675.2 to the Political Code, relating to the transfer of land between State agencies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 327 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—68.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 220—An act to add section 374c to the Penal Code, relating to shooting from public roads and highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 220 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 812—An act amending section 6 190a of the School Code, relating to the powers of school, high school and junior college districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 812 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 361—An act to add a new section to the School Code to be numbered 2.995, relating to powers and duties of boards.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No 361 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—71.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 897—An act to repeal Part I of Division II of the School Code, embracing sections 2.20 to 2.760, inclusive, to repeal Chapters I, II, III and IV of Part II of Division II of said code, embracing sections 2.770 to 2.1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2.10 to 2.281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-A, respectively, embracing sections 2.650 to 2.911, inclusive, to amend sections 4.181, 4.375, 4.771, 4.773, 4.811, 4.812, 4.875, 4.895, 4.896, 4.898, 4.970, 6.470 and 6.471 to 6.477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4.769, 6.470-1 and 6.470-2, and to repeal certain acts, all relating to school districts and junior college districts.

Bill read third time.

The question being on the passage of the bill.

MOTION.

On motion of Mr. Robinson, C. Ray, the further consideration of Assembly Bill No. 897 was deferred until after recess.

RECESS.

At twelve o'clock and thirty minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Bernard reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 803—An act to add a new section to be numbered 5.408 to the School Code, relating to the exchange of teachers with foreign countries;

Also: Assembly Bill No. 912—An act to amend section 6.3 of the School Code, relating to the improvement of public streets and places by school boards;

Also: Assembly Bill No. 1428—An act authorizing the legislative body of a municipality to vacate, abandon and close any public street, highway, road, boulevard, avenue, lane or place, or any part thereof, and prescribing a procedure therefor;

Also: Assembly Bill No. 1746—An act providing for the conveyance to the city of Santa Barbara of real property belonging to the State of California on condition that the city of Santa Barbara in exchange therefor convey to the State of California real property belonging to the city of Santa Barbara;

Also: Assembly Bill No. 1776—An act to repeal "An act relating to senior rights of members of paid police departments of counties, cities and counties, cities, or towns," approved February 23, 1907, as amended;

Also: Assembly Bill No. 1791—An act to amend an act entitled "An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations," approved April 30, 1919, as amended, by adding thereto six new sections, to be numbered 5, 8a, 8b, 8c, 8d and 8e, respectively, and by amending section 6 thereof;

Also: Assembly Bill No. 1886—An act to amend section 11 of the Inheritance Tax Act, relating to the modification or reversal of orders made by the superior court regarding the payment of inheritance taxes;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2094—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal Reclamation Laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contract," approved May 5, 1917, as amended, by amending the title and sections 7 and 8 thereof, and adding a new section to be designated section 11, to authorize the division of districts into units, for fixing conditions upon inclusion of lands and for the borrowing or procuring of money by irrigation districts from the United States or any agency thereof—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 16—An act to amend section 11 of an act entitled, "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to refunds of the tax therein authorized;

Also: Assembly Bill No. 1192—An act providing an in rem court proceeding for the purpose of determining the inability of an irrigation district to meet its bonded or other indebtedness, and to approve a plan for the compromise payment or satisfaction, funding or refunding thereof and of requiring the holders of outstanding bonds, warrants or other evidences of indebtedness to accept such compromise payment or satisfaction, funding or refunding bonds in other evidences of indebtedness to accept funding or refunding bonds in lieu thereof making the decree therein binding upon all persons whether appearing in said proceeding or not; providing a method of procedure and declaring this act to be an urgency measure

Also: Assembly Bill No. 2313—An act to amend sections 2, 3 and 5 and to add a section to be numbered 6 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, said amendments and new section relating to the allocation and expenditure of State highway funds, the construction, improvement and maintenance of State highways and the addition of certain highways to the State system;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933

MR. SPEAKER Your Committee on Education to which was referred Assembly Bill No. 911—An act to add a new section to the School Code to be numbered section 6 231, providing for the payment of deposits by pupils in the public schools;

Also: Assembly Bill No. 1142—An act to amend sections 5 160, 5 161 and 5 162 of the School Code, relating to teachers' certificates;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

ROLAND, Chairman.

The above reported bills ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 2272—An act to amend section 4250 of the Political Code, relating to compensation of officers and employees in counties of the twenty-first class—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered replaced on daily calendar.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 898—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to provide for the management and sale of lands belonging to the State," approved March 28, 1868, also an act entitled "An act to provide for the sale of certain lands belonging to the State," approved April 27, 1863, including any case wherein relief has been granted to a purchaser or purchasers under the provisions of an act entitled "An act for the relief of purchasers of State lands," approved March 27, 1872; provided that all taxes levied against the property during the 30 years next preceding the commencement of the action have been fully paid;

Also: Assembly Bill No. 997—An act to amend sections 814, 821, 828 and 829 of the Agricultural Code, relating to the standardization of lettuce and apples;

Also: Assembly Bill No. 998—An act to amend section 815 of the Agricultural Code, relating to the standardization of Persian melons, casabas, honeydew melons and watermelons,

Also: Assembly Bill No. 999—An act to amend section 811 of the Agricultural Code, relating to the standardization of cantaloupes;

Also: Assembly Bill No. 1309—An act to extend the time for the payment of taxes for the period of 60 days and declaring the urgency thereof;

And reports that the same have been correctly enrolled and presented the same to the Governor on this seventeenth day of April, 1933, at eleven o'clock a m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2316—An act to provide for a convention in the State of California to pass on the amendment to the Constitution of the United States for the repeal of the Eighteenth Amendment thereof and for the prohibition of the transportation and importation of intoxicating liquor into the States and Territories in violation of the laws thereof, proposed by the Congress for ratification by conventions in the several States, and to call a special election for the purpose of filling the offices of delegates to such convention in this State, and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 2351—An act to add section 869 to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the use of park land for the erection of public buildings;

And reports that the same have been correctly enrolled and presented the same to the Governor on this seventeenth day of April, 1933, at eleven o'clock a m

PATTERSON, Chairman.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 17, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 133—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 557—An act to amend section 3 of "An act to authorize and control the deposit in banks of money

belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 965—An act to amend section 1106 of the Political Code, relating to registration of electors and conduct of elections;

Also: Senate Bill No. 967—An act to amend section 1083 of and to add section 1083a to the Political Code, relating to qualifications of electors;

Also: Senate Bill No. 310—An act to amend section 4252 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-third class;

Also: Senate Bill No. 657—An act to amend section 4241 of the Political Code, relating to the compensation of county and township officers in counties of the twelfth class;

Also: Senate Bill No. 195—An act to amend section 307 of the Agricultural Code, relating to meat inspection;

Also: Senate Bill No. 935—An act to add section 9.03a to the Building and Loan Association Act, relating to the powers of building and loan associations;

Also: Senate Bill No. 359—An act to amend sections 4 and 5 of the act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, relating to officers of such districts

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 965 and 967 read first time, and referred to Committee on Elections.

Senate Bills Nos. 310 and 657 read first time, and referred to Committee on County Government.

Senate Bill No. 195 read first time, and referred to Committee on Live Stock and Dairies.

Senate Bill No. 935 read first time, and referred to Committee on Building and Loan Associations.

Senate Bill No. 359 read first time, and referred to Committee on Public Health and Quarantine.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Wright:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new chapter to be numbered Chapter VI to Part II of Division II of the School Code, embracing sections 2.1181 to 2.1189, inclusive, 2.1189a, and 2.1189b, all relating to recall of members of governing boards of school districts.

Referred to Committee on Introduction of Bills.

By Mr. Utt:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act providing for the licensing and regulation of the business of growing and marketing Valencia oranges; creating the California Valencia Orange Marketing Control Board in connection therewith; and prescribing penalties for the violation of the provisions hereof.

Referred to Committee on Introduction of Bills.

By Mr. Robinson, Samuel E.:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 564 of the Code of Civil Procedure, and to add a new section thereto to be numbered 547a, relating to civil actions.

Referred to Committee on Introduction of Bills.

By Mr. Phillips:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of contiguous territory thereto owned by the incorporated town or city desiring the annexation of the same, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government and municipal control of the annexed territory.

Referred to Committee on Introduction of Bills.

By Mr. O'Connor:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1 of, and to add section 1a to, an act entitled "An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and power lines, telephone and telegraph lines, and sewers and appurtenances thereof, across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined," approved May 2, 1923, relating to municipal corporations.

Referred to Committee on Introduction of Bills.

By Mr. Nielsen:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 852 of, and to add sections 852a and 852b to, the Political Code, relating to the location of certain State offices and the residence of certain State officers in the city of Sacramento.

Referred to Committee on Introduction of Bills.

By Mr. Craig:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act prohibiting the bringing in, sale and distribution in this State of crude petroleum oil illegally produced and of gasoline, distillates, kerosene, gas oil or other motor fuel extracted, manufactured, distilled or compounded, in whole or in part, from crude petroleum oil or gas illegally produced; providing for certificates to be filed with the State Superintendent of Weights and Measures, Department of Agriculture, at the time of bringing into this State of any crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, certifying that such crude petroleum oil was not illegally produced or that such gasoline, distillate, kerosene, gas oil or other motor fuel was not extracted, manufactured, distilled or compounded from oil or gas illegally produced, and providing for a permit for taking delivery of such crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, and the fee to be paid therefor, and prescribing penalties for violations of this act.

Referred to Committee on Introduction of Bills.

MOTION TO RE-REFER.

Mr. Grubbs moved that Assembly Bill No. 1998 be withdrawn from Committee on Public Health and Quarantine, and re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 1998 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 1998 ordered re-referred to Committee on Ways and Means.

MOTION TO RE-REFER.

Mr. Hoffman moved that Assembly Bill No. 1418 be withdrawn from Committee on Public Health and Quarantine, and re-referred to Committee on Manufactures.

The question being on re-referring Assembly Bill No. 1418 to Committee on Manufactures.

Motion carried.

Assembly Bill No. 1418 ordered re-referred to Committee on Manufactures.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER EIGHT HUNDRED NINETY-SEVEN.

Assembly Bill No. 897—An act to repeal Part I of Division II of the School Code, embracing sections 2.20 to 2.760, inclusive, to repeal Chapters I, II, III and IV of Part II of Division II of said code, embracing sections 2.770 to 2.1110, inclusive, to add a new part to Division II of said code, to be numbered Part I, embracing sections 2.10 to 2.281, inclusive, to add five new chapters to Part II of Division II of said code, to be numbered Chapters I, II, III, IV and IV-A, respectively, embracing sections 2.650 to 2.911, inclusive, to amend sections 4.181, 4.375, 4.773, 4.811, 4.812, 4.875, 4.895, 4.896, 4.898, 4.970 6.470, and 6.471 to 6.477, inclusive, of said code, to add four new sections to said code, to be numbered 9, 4.769, 6.470-1, and 6.470-2, to repeal section 4.771 of said code, and to repeal certain acts, all relating to school districts and junior college districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 897 was refused passage by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Callahan, Clowdsley, Cobb, Cottrell, Cronin, Dempster, Feigenbaum, Field, Fisher, Hallner, Hoffman, Hornblower, Knowland, Levey, Lyon, Meehan, Rawls, Redwine, Roberts, Roland, Ross, Williamson, Woolwine and Mr. Speaker—28.

NOES—Anglim, Brock, Burns, Cassidy, Chatters, Craig, Crist, Crowley, Evans, Gilmore, Greene, Hatch, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Zion—45.

NOTICE OF RECONSIDERATION.

Mr. Hoffman gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 897 was this day refused passage.

SPECIAL ORDER.

The hour having arrived, the special order heretofore set was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER THIRTY-FIVE.

Assembly Bill No. 35—An act to amend sections 5, 7, 23, 24 and 25 of the Direct Primary Law, prohibiting persons becoming candidates of more than one party.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Hoffman:

AMENDMENT NUMBER ONE.

On page 11, line 26, of the printed bill, as amended, after "person", insert a comma and the following: "except a candidate for the office of State Assemblyman or State Senator."

AMENDMENT NUMBER TWO.

On page 12 of the printed bill, as amended, following line 14, insert the following:

"8. When a candidate for nomination for State Assemblyman or State Senator is proposed for nomination by more than one political party, he must pay a separate filing fee for each party in which he is proposed for nomination; or if, having filed a declaration for one party, he is nominated by another party by having his name written on a primary election ballot, he must pay the same filing fee for such other party nomination that would have been required if his declaration for such other party had been filed; otherwise his name shall not be printed on the general election ballot as the nominee of such other party."

AMENDMENT NUMBER THREE.

On page 12, line 24, of the printed bill, as amended, strike out the period following "act", and insert a semicolon and the following: "provided, that no candidate for the nomination for a State Senator or Assemblyman who fails to receive the highest number of votes for the nomination of the political party with which he was affiliated thirty-five days before the date of the primary election as ascertained by the Secretary of State from the affidavit of registration of such candidate in the office of the county clerk of the county in which such candidate resides, shall be entitled to be the candidate of any other political party."

AMENDMENT NUMBER FOUR.

On page 15, line 43, of the printed bill, as amended, after the period following "provided", insert the following: "Every candidate for the office of State Assemblyman or State Senator who has received the nomination of more than one party for such office shall procure from the registrar of voters, or clerk of the county in which he resides, a certificate stating the party with which such candidate was affiliated thirty-five days before the date of the primary election as shown by the affidavit of registration of such candidate in the office of such registrar of voters or clerk of the county; and this certificate shall be the credential of such candidate to membership in the convention of his party."

AMENDMENT NUMBER FIVE.

On page 23 of the printed bill, as amended, strike out lines 4 to 6, inclusive, and insert in lieu thereof the following, "cause shall not be filled except in the following cases:

(1) By reason of the death of a candidate occurring at least twenty-five days before the date of the next ensuing November election;

(2) By reason of the disqualification of a candidate for State Senator or State Assemblyman occurring on account of the failure of such candidate to secure the nomination in his own party as required by section 23 of this act."

AMENDMENT NUMBER SIX.

On page 23, line 8, of the printed bill, as amended, after the comma following "date", insert the following: "or because of the disqualification of a candidate for State Senator or State Assemblyman imposed by section 23 of this act.".

AMENDMENT NUMBER SEVEN.

On page 23, lines 21 and 22, of the printed bill, as amended, strike out "this section by reason of the death of a candidate", and insert in lieu thereof the following: "the provision of subdivision (1) of this section".

AMENDMENT NUMBER EIGHT.

On page 23, line 24, of the printed bill, as amended, strike out the period following "election", and insert in lieu thereof a comma and the following: "and a vacancy authorized to be filled by the provisions of subdivision (2) of this section shall be

filed with the officer with whom a nomination paper for the office of State Senator or State Assemblyman may be filed at least thirty-five days before the day of election."

The question being on the adoption of the amendments.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Fisher, Crist, Robinson, Samuel E., Evans and Stream demanded the previous question.

The question being: Shall the main question be now put?

REQUEST FOR ROLL CALL.

On request of Messrs. Gilmore, Hornblower and Maloney, the Speaker ordered a roll call taken on the demand for the previous question.

The roll was called, and the demand for the previous question lost by the following vote:

AYES—Alter, Badham, Bowers, Cobb, Cottrell, Crist, Evans, Fisher, Hoffman, Redwine, Riley, Robinson, Samuel E., and Stream—13.

NOES—Anglim, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Cronin, Crowley, Dempster, Feigenbaum, Field, Gilmore, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—61.

The question being on the adoption of the amendments submitted by Mr. Hoffman.

REQUEST FOR ROLL CALL.

On request of Messrs. Greene, Hoffman and Jones, the Speaker ordered a roll call taken on the adoption of the amendments.

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

AYES—Bliss, Brock, Chatters, Cobb, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Gilmore, Hoffman, Hornblower, Levey, Maloney, Mayo, McBride, Meeker, Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Robinson, C. Ray; Roland, West, Williamson, Woolwine and Zion—31.

NOES—Alter, Anglim, Badham, Bowers, Boyle, Callahan, Cassidy, Clowdsley, Craig, Dempster, Evans, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, McCarthy, McMurray, Meehan, O'Connor, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, Wright and Mr. Speaker—44.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 35 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Callahan, Cassidy, Clowdsley, Cobb, Craig, Dempster, Evans, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, McCarthy, McMurray, Meehan, O'Connor, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, Wright and Mr. Speaker—48.

NOES—Bliss, Chatters, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Gilmore, Hoffman, Hornblower, Levey, Maloney, Mayo, McBride, Meeker, Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Robinson, C. Ray; Thorp, West, Williamson, Woolwine and Zion—28.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Mayo gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 35 was this day passed.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 17, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 21—Approving an amendment to the charter of the city of Vallejo, a municipal corporation in the county of Solano, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the fourth day of April, 1933.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crowley asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Senate Concurrent Resolution No. 21, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWENTY-ONE.

Senate Concurrent Resolution No. 21—Approving an amendment to the charter of the city of Vallejo, a municipal corporation in the county of Solano, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the fourth day of April, 1933.

Senate Concurrent Resolution No 21 read.

The question being on the adoption of Senate Concurrent Resolution No 21.

The roll was called, and Senate Concurrent Resolution No. 21 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Marron, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 21 ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced:

By Mr. Riley: Assembly Concurrent Resolution No. 47—Relative to approving twelve certain amendments to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of April, 1933.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Riley asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Assembly Concurrent Resolution No. 47, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FORTY-SEVEN.

Assembly Concurrent Resolution No. 47—Relative to approving twelve certain amendments to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of April, 1933.

Assembly Concurrent Resolution No. 47 read.

The question being on the adoption of Assembly Concurrent Resolution No. 47.

The roll was called, and Assembly Concurrent Resolution No. 47 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tourneux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 47 ordered transmitted to the Senate.

MOTION TO PRINT.

On motion of Mr. Greene, the Chief Clerk was instructed to have 200 additional copies of Assembly Bill No. 1309 printed.

MOTION TO RE-REFER.

Mr. Robinson, C. Ray, moved that Senate Bill No. 178 be withdrawn from the file, and ordered re-referred to Committee on Revenue and Taxation.

The question being on re-referring Senate Bill No. 178 to Committee on Revenue and Taxation.

Motion carried.

Senate Bill No. 178 ordered re-referred to Committee on Revenue and Taxation.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 2349—An act to amend section 10 of the Political Code, relating to holidays, to validate the acts of public officers made, done or performed on certain holidays and to declare that this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Robinson, C. Ray;

Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.
NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED FORTY-NINE.

Assembly Bill No. 2349—An act to amend section 10 of the Political Code, relating to holidays, to validate the acts of public officers made, done or performed on certain holidays and to declare that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2349 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of contiguous territory thereto owned by the incorporated town or city desiring the annexation of the same, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government and municipal control of the annexed territory.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 1 of, and to add section 1a to, an act entitled "An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and power lines, telephone and telegraph lines, and sewers and appurtenances thereof, across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined," approved May 2, 1923, relating to municipal corporations.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 564 of the Code of Civil Procedure, and to add a new section thereto to be numbered 547a, relating to civil actions.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 852 of, and to add sections 852a and 852b to, the Political Code, relating to the location of certain State offices and the residence of certain State officers in the city of Sacramento.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act providing for the licensing and regulation of the business of growing and marketing Valencia oranges; creating the California Valencia Orange Marketing Control Board in connection therewith; and prescribing penalties for the violation of the provisions hereof.

HALLNER, Chairman.

Also:

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add a new chapter to be numbered Chapter VI to Part II of Division II of the School Code, embracing sections 2.1181 to 2.1189, inclusive, 2.1189a, and 2.1189b, all relating to recall of members of governing boards of school districts.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act prohibiting the bringing in, sale and distribution in this State of crude petroleum oil illegally produced and of gasoline, distillates, kerosene, gas oil or other motor fuel extracted, manufactured, distilled or compounded, in whole or in part, from crude petroleum oil or gas illegally produced; providing for certificates to be filed with the State Superintendent of Weights and Measures, Department of Agriculture, at the time of bringing into this State of any crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, certifying that such crude petroleum oil was not illegally produced or that such gasoline, distillate, kerosene, gas oil or other motor fuel was not extracted, manufactured, distilled or compounded from oil or gas illegally produced, and providing for a permit for taking delivery of such crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, and the fee to be paid therefor, and prescribing penalties for violations of this act.

HALLNER, Chairman.

The question being on the adoption of the reports.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stanward, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—63.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Phillips: Assembly Bill No. 2368—An act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of contiguous territory thereto owned by the incorporated town or city desiring the annexation of the same, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government and municipal control of the annexed territory.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. O'Connor: Assembly Bill No. 2369—An act to amend section 1 of, and to add section 1a to, an act entitled "An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and power lines, telephone and telegraph lines, and sewers and appurtenances thereof, across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined," approved May 2, 1923, relating to municipal corporations.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Nielsen: Assembly Bill No. 2370—An act to amend section 852 of, and to add sections 852a and 852b to, the Political Code, relating to the location of certain State offices and the residence of certain State officers in the city of Sacramento.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Robinson, Samuel E: Assembly Bill No. 2371—An act to amend section 564 of the Code of Civil Procedure, and to add a new section thereto to be numbered 547a, relating to civil actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Utt: Assembly Bill No. 2372—An act providing for the licensing and regulation of the business of growing and marketing Valencia oranges; creating the California Valencia Orange Marketing Control Board in connection therewith; and prescribing penalties for the violation of the provisions hereof.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Wright: Assembly Bill No. 2373—An act to add a new chapter to be numbered Chapter VI to Part II of Division II of the School Code, embracing sections 2.1181 to 2.1189, inclusive, 2.1189a, and 2.1189b, all relating to recall of members of governing boards of school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Craig: Assembly Bill No. 2374—An act prohibiting the bringing in, sale and distribution in this State of crude petroleum oil illegally produced and of gasoline, distillate, kerosene, gas oil or other motor fuel extracted, manufactured, distilled or compounded, in whole or in part, from crude petroleum oil or gas illegally produced; providing for certificates to be filed with the State Superintendent of Weights and Measures, Department of Agriculture, at the time of bringing into this State of any crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, certifying that such crude petroleum oil was not illegally produced or that such gasoline, distillate, kerosene, gas oil or other motor fuel was not extracted, manufactured, distilled or compounded from oil or gas illegally produced, and providing for a permit for taking delivery of such crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, and the fee to be paid therefor, and prescribing penalties for violations of this act.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Bliss: Assembly Constitutional Amendment No. 103—Proposed amendment to Article VI, section 17 of the Constitution, relative to judicial offices.

Introduced, and referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933.

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 2103—An act to provide for the conservation of the water and power resources of this State and to prevent the development thereof unless economically advantageous to the people of this State—has had the same under consideration, and respectfully reports the same back, without recommendation, as amended.

EVANS, Chairman.

The above reported bill ordered re-referred to Committee on Rules.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2019—An act to amend section 927h, of the Code of Civil Procedure, relating to pleadings in small claims courts;

Also: Assembly Bill No. 2020—An act to add a new section to the Code of Civil Procedure to be numbered 927v, relating to issue of process from small claims court;

Also: Assembly Bill No. 2021—An act to add a new section to the Code of Civil Procedure, to be numbered 927u, relating to consolidation of small claims actions with actions pending in other courts;

Also: Assembly Bill No. 2035—An act to add a new section to the Code of Civil Procedure, to be numbered 110b, relating to justice's courts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

WEST, Chairman.

The above reported bills ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 138—An act to repeal an act entitled "An act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889, Statutes of 1889, page 70, as amended, with provision that said repeal shall not apply to existing proceedings under said act, or to bonds or assessments issued or levied pursuant thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

Also:

MR SPEAKER: Your Committee on Rules, to which was referred Senate Bill No. 531—An act to amend sections 2, 6, 7, 9, 14 and 18 of the "Act Concerning Cosmetology"—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 2103—An act to amend section 15 of an act entitled "The Water Com-

mission Act," relating to the use of unappropriated water—has had the same under consideration, and respectfully reports the same back, and recommends that it be reprinted.

ROBINSON, C. RAY, *Chairman.*

The above reported bill ordered to reprint.

ADJOURNMENT.

At five o'clock and twenty-five minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, April 18, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, April 18, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Fiegenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Utt, Mr. Craig was granted leave of absence for the day.

On motion of Mr. Wright, Miss Miller, Eleanor, was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. West, Mrs. Knoll, teacher of the high eighth grade of Fremont School, and the following students: Virginia Attfield, Betty Bell, Dorothy Bell, Mary Jane Doty, Irene Elliott, Mildred Essex, Lily Fell, Doris Gray, Grace Johnson, Barbara Keehner, Barbara Kelly, Alice Leoni, Annie Levy, Beatrice Martin, Clara Morrison, Tennessee Parke, Helen Shamp, Ruth Stephens, Elsie Symons, Chester Barr, James Edwards, Charles Morrison, Eugene de Hermida, Emmitt Tucker, Charles (Sonny) Worden and Lew Warden; and Mrs.

Kirby, teacher of low eighth grade, and the following students: Alice Andrews, Cecilia Ball, Janice Blumberg, Marjorie Blumberg, Alice Cox, Mary Ena Fulmer, Beth Houston, Mary Joseph, Jean McNair, Jean Nicolaus, Laura Strutz, Helen Swanson, Constance Wiese, Firmin Ball, James Brown, Billie Cole, Edward Domich, Jackson Doyle, Arthur Elliott, Lavon Elmasian, Ray Fraser, Calvin Hull, Edgar Knickerbocker, Harold Koenig, David Lee, Charles Manley, Roy Meyers, Leslie Morrison, Harry Niehaus, Jack Tuttle and William Welch were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Fifty-seventh Legislature, State of Michigan, a concurrent resolution urging the United States Congress to reflate the dollar.

(Signed) DON W. CANFIELD, Secretary of Senate.
N. F GREY, Clerk of the House of Representatives.

Also:

By Mr. Speaker:

From Frank Montello, San Diego, urging support of Assembly Constitutional Amendment No. 47.

Also:

By Mr. Speaker:

From E. Morris, San Pedro, relative to reduction of taxes.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 969—An act to amend section 664 of the Political Code, relating to the Board of Control;

Also: Assembly Bill No. 1043—An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of waterworks systems by any political subdivision or public agency of the State authorized by law to own and operate such waterworks systems by the issuance of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; providing for the exchange or refunding of revenue bonds issued hereunder; making said bonds legal investments for trust funds and other funds of insurance companies, banks, cities, cities and counties, counties and school districts, and providing for the use of said bonds as security in certain cases and as security for the deposit of public funds; defining the terms political subdivisions and public agencies as included herein;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1115—An act to provide for the regulation and licensing of horse

racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act—and reports that the same has been correctly enrolled and presented the same to the Governor on this eighteenth day of April, 1933, at nine o'clock and forty-five minutes a.m.

PATTERSON, Chairman.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 17, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 86—An act to amend sections 3746, 3751, 3756, 3817 and 3817a of the Political Code, relating to property tax delinquencies, penalties and redemptions, and to declare that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 86 read first time, and referred to Committee on Revenue and Taxation.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 280—An act to amend section 5 of an act entitled "An act providing for the supervision of dams by the Department of Public Works through the State Engineer for the purpose of safeguarding life and property, defining powers and duties concerning the supervision of dams, providing for the enforcement of said supervision and providing penalties for violations thereof and making an appropriation therefor," approved June 10, 1929, relating to plans and specifications for new dams;

Also: Senate Bill No. 918—An act to amend section 801 of the Fish and Game Code, relating to abalones;

Also: Senate Bill No. 767—An act to amend sections 1 and 5 of an act entitled "An act to regulate motor boats of less than fifteen gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation thereof," approved June 19, 1931, relating to motor boat regulation;

Also: Senate Bill No. 1135—An act to repeal sections 162 to 165, inclusive, of the Agricultural Code, relating to deer-tight fences;

Also: Senate Bill No. 979—An act to amend section 361 of the Political Code, relating to the Director of Agriculture;

Also: Senate Bill No. 526—An act to amend sections 4.270, 4.271, 4.274, and 4.275 of the School Code, relating to the establishment, government, maintenance and operation of the public school system.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 280 and 918 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 767 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 1135 read first time, and referred to Committee on Agriculture.

Senate Bill No. 979 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 526 read first time, and referred to Committee on Education.

RESOLUTION.

The following resolution was offered:

By Mr. Stream:

April 17, 1933.

We, the undersigned, move to withdraw Assembly Bill No. 692 from the Committee on Municipal Corporations, and that the same be forthwith placed upon the file.

JESSE M. MAYO.
BRUCE R. STANNARD.
PERCY G. WEST.
ROY J. NIELSEN.
ELLIS E. PATTERSON.
E. H. ZION.
J. E. THORP.
L. POWERS, JR.
MICHAEL J. BURNS.
JAMES S. O'CONNOR.
CECIL R. KING.
WM. MOSELEY JONES.
AUSTIN L. TOURNOUX.
KENT H. REDWINE.
JOHN T. RAWLS.
MAURICE MEEKER.
S. E. ROBINSON.
HOBART R. ALTER.
WALTER H. SULLIVAN.
RODNEY L. TURNER.
JOHN D. MCCARTHY.
JAMES J. MCBRIDE.
FRANK J. ROGERS.
IRA S. HATCH.
JOHN PHILLIPS.
GEO. B. BOWERS.
FRANK W. WRIGHT.
FRANK G. MARTIN.
F. M. ROBERTS.
JAMES M. CASSIDY.
HENRY P. MEEHAN.
FORD A. CHATTERS.
JOHN H. O'DONNELL.
CHARLES A. HUNT.
CHAS. W. DEMPSTER.
BERT V. CALLAHAN.
F. C. CLOWDSLEY.
C. C. COTTRELL.
W. E. BADHAM.
ERNEST C. CROWLEY.
CHARLES W. STREAM.
EDGAR C. LEVEY.

Assembly Bill No. 692 ordered on file for second reading.

MOTION TO RE-REFER.

Mr. Robinson, Samuel E., moved that Assembly Bill No. 195 be withdrawn from Committee on Live Stock and Dairies, and ordered re-referred to Committee on Agriculture.

The question being on re-referring Assembly Bill No. 195 to Committee on Agriculture.

Motion carried.

Assembly Bill No. 195 ordered re-referred to Committee on Agriculture.

UNFINISHED BUSINESS.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Dempster moved that the vote whereby Assembly Bill No. 751 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Burns, Dempster, Hunt, Jones, Maloney, McBride, McCarthy, Meehan, Meeker, Powers, Robinson, Samuel E., and Rogers—12.

NOES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Feigenbaum, Field, Fisher, Greene, Hallner, Hatch, Hoffman, Knowland, Latham, Lyon, Martin, McMurray, Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—48.

Assembly Bill No. 751 ordered transmitted to the Senate.

MOTION TO RECONSIDER.

Mr. Knowland moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 948 was refused passage be continued until the next legislative day.

Motion carried.

RECONSIDERATION WAIVED.

Mr. Mayo waived his notice to reconsider the vote whereby Assembly Bill No. 35 was passed.

Assembly Bill No. 35 ordered transmitted to the Senate.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 911—An act to add a new section to the School Code to be numbered section 6.231, providing for the payment of deposits by pupils in the public schools.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the following: "textbooks,".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, strike out the following: "textbooks,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1142—An act to amend sections 5.160, 5.161 and 5.162 of the School Code, relating to teachers' certificates.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, strike out the following: "sections 5.160, 5.161 and 5.162", and insert in lieu thereof the following: "section 5.162".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 9, inclusive.

AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, strike out the following: "SEC. 3", and insert in lieu thereof the following. "SECTION 1."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2103—An act to amend section 15 of an act entitled "The Water Commission Act," relating to the use of unappropriated water.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out the title of the printed bill, and insert in lieu thereof the following:
"An act to provide for the conservation of the water and power resources of this State and to prevent the development thereof unless economically advantageous to the people of this State."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 21, inclusive, and insert in lieu thereof the following:

"SECTION 1. As used in this act:

(a) "Securities," as used in section 2, means any stock, stock certificate, bonds, notes or other evidence of indebtedness, whether secured by a lien upon real property or not;

(b) "Water project" means any construction, improvement, or development whereby water is impounded by dams or other means for the purpose of irrigation, sale, or the production or sale of electric power.

SEC. 2. The Railroad Commission shall not issue any order authorizing the issuance of securities by any public utility for the purchase or development of any water project when there is available to such public utility a more economical site for the appropriation or storage of water which will produce substantially the same amount of water or electric power at a lower cost and less capital outlay per unit of water stored or per unit of electrical power produced.

SEC. 3. In determining the value of a water project of a public utility for the purpose of determining the rates and charges for the services rendered by such public utility, the Railroad Commission shall determine the value of such water project to be not greater than such value would be for any other similar water project or projects which could have been purchased or developed by such public utility at less cost and capital outlay per unit of water stored or per unit of electrical power produced.

SEC. 4. The District Securities Commission shall not approve the issuance of bonds by any irrigation district for the purchase or development of any water project when there is available a more economical site for the appropriation and storage of water which will produce substantially the same amount of water or electrical power at a lower cost and less capital outlay per unit of water stored or per unit of electrical power produced.

SEC. 5 The State Engineer shall not approve the water project of any irrigation district when a more economical site is available for the appropriation and storage of water which will produce substantially the same amount of water or electrical power at a lower cost and less capital outlay per unit of water stored or per unit of electrical power produced. Said irrigation district shall not proceed with such appropriation and storage without the consent of the State Engineer

SEC. 6. When there is a proposed appropriation of water for any water project within the meaning of this act, the State Engineer shall investigate and determine the dam site or appropriation site most advantageous and suited to economical storage or diversion of water. His decision concerning which of several sites for the appropriation or storage of water which will produce substantially the same amount of water or electrical power at a lower cost and less capital outlay per unit of water stored or per unit of electrical power produced shall be final unless changed by the Water Conservation Commission.

SEC. 7. The Water Conservation Commission is hereby created to consist of the Chairman of the State Water Commission, the Engineer of the Railroad Commission, and the State Engineer, all acting ex officio.

Said commission shall review the decision of the State Engineer made under section 6 hereof on written objection thereto being filed with said commission. Said commission shall in a hearing held not later than thirty days after said objection is filed review all the facts and receive any additional facts or information relative to the decision of the State Engineer and the subject matter mentioned in section 6 hereof.

The decision of the commission affirming, modifying or reversing the decision of the State Engineer shall be rendered within thirty days after said hearing and shall be final as to all questions of fact."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2019—An act to amend section 927h, of the Code of Civil Procedure, relating to pleadings in small claims courts

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 1 and 2 of the title of the printed bill, and insert in lieu thereof the following:

"An act to amend section 117h of the Code of Civil Procedure, relating to small claims courts."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out "927h", and insert in lieu thereof the following: "117h".

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, strike out "927h", and insert in lieu thereof the following: "117h".

AMENDMENT NUMBER FOUR.

On page 2, line 4, of the printed bill, strike out "Los Angeles", and insert in lieu thereof the following: "----------".

AMENDMENT NUMBER FIVE.

On page 2, line 16, of the printed bill, strike out the period, and insert in lieu thereof the following: "(Clerk or notary public)".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2020—An act to add a new section to the Code of Civil Procedure to be numbered 927v, relating to issue of process from small claims court.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out line 2 of the title of the printed bill, and insert in lieu thereof the following: "to be numbered 117ha, relating to".

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out "927v", and insert in lieu thereof the following: "117ha".

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, strike out "927v", and insert in lieu thereof the following: "117ha".

AMENDMENT NUMBER FOUR.

On page 1, line 5, of the printed bill, strike out "Chapter IX of Title XI", and insert in lieu thereof the following: "Title IX".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2021—An act to add a new section to the Code of Civil Procedure, to be numbered 927u, relating to consolidation of small claims actions with actions pending in other courts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "927u", and insert in lieu thereof the following: "117r".

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out "927u", and insert in lieu thereof the following: "117r".

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, strike out "927u", and insert in lieu thereof the following: "117r".

AMENDMENT NUMBER FOUR.

On page 1, line 5, of the printed bill, after the comma insert the following: "but of a nature which would be subject to counterclaim or cross-complaint in such action under the rules of pleading and practice governing the superior court,".

AMENDMENT NUMBER FIVE.

On page 1, line 11, of the printed bill, strike out ", and", and insert in lieu thereof a period and the following: "He shall".

AMENDMENT NUMBER SIX.

On page 1, line 13, of the printed bill, after "for", insert the following: "a".

AMENDMENT NUMBER SEVEN.

On page 1, lines 15 and 16, of the printed bill, strike out ", and thereupon", and insert in lieu thereof a period and the following. "Thereupon".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2035—An act to add a new section to the Code of Civil Procedure, to be numbered 110b, relating to justice's courts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 1 and 2 of the title of the printed bill, and insert in lieu thereof the following:

"An act to amend section 81 of the Code of Civil Procedure, relating to justices' courts."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 81 of the Code of Civil Procedure is hereby amended to read as follows:

81. Justices' courts in cities, towns and judicial townships, having a population of thirty thousand or more, shall be known, and may be designated, as "justices' courts of Class A."

Justices' courts in cities, towns and judicial townships having a population of less than thirty thousand shall be known, and may be designated, as "justices' courts of Class B."

For the purpose of determining the jurisdiction of any justice's court therein, the population of a judicial township shall be deemed to".

AMENDMENT NUMBER THREE

On page 1, line 13, of the printed bill, strike out the comma, and insert in lieu thereof a semicolon

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 14 and 15, and insert in lieu thereof the following. "to be as shown by the last preceding census taken under the direction of the Congress of the United States"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Concurrent Resolution No. 24—Relative to the designation and appointment of Milton S. Ray as Poet Laureate of California.

Assembly Concurrent Resolution No 24 read.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Concurrent Resolution No 24 was withdrawn from the file, and referred to Committee on Rules

Assembly Bill No. 1013—An act to amend sections 16f, 21, 37, 54, 55, 61, 96, 104 and 105 and to add sections 25a and 59 to the "Bank Act," defining and regulating the business of banking

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1013 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Morgan, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Wright, Zion and Mr. Speaker—60.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1342—An act to amend sections 6, 9, 10, 11, 12, 13, 14, 15, 16 and 20 of an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to power of the State Board of Public Health.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1342 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—62.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 335—An act to amend section 42 of the "State Housing Act," relating to requirements for buildings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 335 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hatch, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—59.
NOES—Hunt and Stannard—2

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 845—An act to repeal Chapter V, Part III, Division V of the School Code, relating to teachers' institutes

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 845 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—64.

NOES—O'Connor—1.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1906—An act to add a new section to the School Code, to be numbered 5.27, relating to cooperative stores on the campuses of the State Teachers Colleges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1906 passed by the following vote:

AYES—Alter, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Crist, Cronin, Dempster, Evans, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meeker, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West and Mr Speaker—58.

NOES—Field, Hunt, McMurray and Williamson—4.

Title read and approved.

Bill ordered transmitted to the Senate.

EXPLANATION OF VOTE.

MR. SPEAKER: When the vote on Assembly Bill No. 1906 was taken I was on the phone talking with Los Angeles. I desire to be recorded as voting "Aye."

Yours truly,

AUSTIN L. TOURNOUX.

HON. ALBERT F. ROSS IN THE CHAIR.

At eleven o'clock and twenty minutes a.m., Hon. Albert F. Ross, member of the Assembly from the Second Assembly District, in the chair.

Assembly Bill No. 246—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "registered sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Public Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates, prescribing the powers and duties of the State board; prescribing conditions under which the title "registered sanitarian" or the placing of the initials "R. S." may be used after the names of certificate holders; providing penalties for violation thereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 246 refused passage by the following vote:

AYES—Bowers, Boyle, Burns, Callahan, Cobb, Cottrell, Crowley, Dempster, Evans, Greene, Hallner, Hunt, Jones, Levey, Lyon, Martin, McBride, Meehan, O'Connor, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stream, Thorp, Tournoux and Turner—30.

NOES—Alter, Bliss, Brock, Cassidy, Chatters, Clowdsley, Cronin, Feigenbaum, Field, Grubbs, Hatch, Hoffman, Hornblower, Kallam, King, Knowland, Latham, McMurray, Meeker, Miller, James A., Morgan, O'Donnell, Patterson, Robinson, C. Ray; Roland, Stannard, Sullivan, Utt, West, Williamson, Wright and Zion—33.

NOTICE OF RECONSIDERATION.

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 246 was this day refused passage.

Assembly Bill No. 1360—An act to provide for the care, management and protection of State roads and highways and the right of way thereof and providing penalties for the violation of the provisions thereof, and to repeal an act entitled "An act to provide for the care, management and protection of State highways and providing penalties for violations of the provisions of the act," approved May 20, 1915, Statutes of 1915, Chapter 400, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1360 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crowley, Dempster, Evans, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1361—An act to amend an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and for the laying or placing of pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1361 passed by the following vote:

AYES—Alter, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Evans, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney,

Martin, Mayo, McBride, McMurray, Meehan, Meeker, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1141—An act to amend sections 453cc and 453ee of the Civil Code, relating to mortgage insurance companies; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—65.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FORTY-ONE.

Assembly Bill No. 1141—An act to amend sections 453cc and 453ee of the Civil Code, relating to mortgage insurance companies; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1141 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and fifty minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 47—Relative to approving

twelve certain amendments to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of April, 1933.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Concurrent Resolution No. 47 ordered to enrollment.

MOTION TO PRINT.

On motion of Mr. Riley, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Concurrent Resolution No. 47.

SPECIAL ORDER SET.

On motion of Mr. Hoffman, the consideration of Assembly Bill No. 897 was made a special order for this day at one o'clock and forty-five minutes p.m.

RESOLUTION.

The following resolution, introduced by Messrs. McMurray and Callahan on Thursday, April 13, 1933, and action at that time deferred, was taken up for consideration:

RESOLUTION.

WHEREAS, During this present session of the Legislature the correspondence for the members has been unusually heavy owing to the existing social and economic condition now prevailing in our State; and

WHEREAS, This enormous amount of mail has caused the work in the Stenographic Room to be very heavy, and the hours put in by the attaches have far exceeded the regulation eight hours per day, many of them giving their services not only for the full eight-hour day, but for the night committees as well; now, therefore, be it

Resolved, That we, the undersigned, do petition this body that the attaches be put on a seven-day per week basis for the remainder of the session; and be it further

Resolved, That additional attaches be placed if so needed, to take care of the abundance of correspondence.

The question being on the adoption of the resolution.

MOTION.

Mr. Maloney moved that the resolution be referred to the Committee on Attaches and that the committee be requested to present to the Assembly on Thursday, April 20, 1933, a full and complete report of the financial condition of the attache fund.

Motion carried.

RECESS.

At twelve o'clock and twenty minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Zion:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to extend the time of the payment of taxes and special assessments to or for cities, counties, cities and counties, districts and other public corporations for

the period of sixty days and declaring the urgency thereof and providing same shall take effect immediately.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER. Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to extend the time of the payment of taxes and special assessments to or for cities, counties, cities and counties, all districts and other public corporations for the period of sixty days and declaring the urgency thereof and providing same shall take effect immediately.

HALLNER, Chairman.

The question being on the adoption of the report.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Zion moved a call of the House.

Motion carried

Time, one o'clock and forty minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Boyle, Brock, Burns, Cassidy, Clowdsley, Crist, Cronin, Field, Grubbs, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—47.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER THE CALL OF THE HOUSE BY UNANIMOUS CONSENT.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2199 as amended by the Senate—An act to add a new section, to be numbered 73a, to the Code of Civil Procedure, relating to superior courts—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

WEST, Chairman.

The above reported bill ordered placed on daily calendar.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 1433 as amended by the Senate—An act to amend section 1115 of the Political Code to provide for the printing of the index to registration affidavits—has

had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

ALTER, Chairman.

The above reported bill ordered placed on daily calendar.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1077 as amended by the Senate—An act to amend section 782 of the Agricultural Code, relating to the powers of the director—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

MEEKER, Chairman.

The above reported bill ordered placed on daily calendar.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1075 as amended by the Senate—An act to amend section 798 of the Agricultural Code, relating to the standardization of dates—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

MEEKER, Chairman.

The above reported bill ordered placed on daily calendar.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1068 as amended by the Senate—An act to amend section 805 of the Agricultural Code, relating to the standardization of oriental persimmons—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

MEEKER, Chairman.

The above reported bill ordered placed on daily calendar.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 185—An act to amend sections 278, 290, 292, 293, 294, 295, 296, 300a, 300b, 301, 303, 304, 305, 306, 307, 307a, 308, 309, 311, 312, 313, 314, 315, 319, 320a and 320b of the Civil Code, to add a new section 281 to the Civil Code, and to repeal section 375 of the Civil Code, all relating to corporations;

Also, Assembly Bill No. 186—An act to amend sections 326, 328, 328a, 328b, 328d, 328e, 330.6, 330.13, 330.24, 331, 332, 333, 334, 334a, 336 and 337 of, to repeal section 587 of, and to add a new section to be numbered 326b to, the Civil Code, all relating to corporations;

Also: Assembly Bill No. 187—An act to amend sections 341, 342, 342a, 342b, 343, 346, 346a, 348, 348a and 348b of the Civil Code, and to repeal section 347 of the Civil Code, all relating to corporations;

Also: Assembly Bill No. 188—An act to amend sections 355, 357, 358 and 359 of the Civil Code, and to add a new section to the Civil Code to be numbered 356, all relating to corporations;

Also: Assembly Bill No. 189—An act to amend sections 361, 362, 362a, 362b and 362c of the Civil Code, all relating to corporations;

Also: Assembly Bill No. 190—An act to amend sections 363, 364, 365, 366, 368, 369, 370a and 373 of the Civil Code, all relating to corporations;

Also: Assembly Bill No. 191—An act to amend sections 399, 399a, 400, 400a, 401, 401a, 401c, 402, 402a, 403, 403a, 403b, 403c, 403d, 404, 404a and 404b of the Civil Code, and to repeal sections 343a and 401b of the Civil Code, all relating to corporations;

Also: Assembly Bill No. 192—An act to amend sections 405, 406, 406a, 408, 409, 411 and 412 of the Civil Code, all relating to foreign corporations;

Also: Assembly Bill No. 847—An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled "An act to define the duties of and to license land surveyors," approved March 16, 1907;

Also: Assembly Bill No. 2339—An act to amend section 362c of the Civil Code, relating to the extension of the term of corporate existence;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman

The above reported bills ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 2253—An act to amend sections 27 and 34 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909, relating to duty of warehouseman in regard to stored goods—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1288—An act to amend the article heading of Article 1 of Chapter 3 of Division V of and to amend sections 851, 852 and 871 and to repeal sections 853, 855, 856, 857, 858, 859, 862, 864, 865, 866, 867, 868, 873, 874, 875, 879 and 881 of the Agricultural Code, relating to canned foods—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1362—An act to amend section 588b of the Penal Code, relating to the breaking down, removal, injury or destruction of barriers or obstructions, the tearing down, removal or destruction of notices, or the extinguishing, removal, injury or destruction of warning lights or lanterns, on a State road or highway, and prescribing a penalty for the violation of such section—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2343—An act to add a new section to the Penal Code, to be numbered 537f, relating to the sale and offering for sale of rebuilt storage batteries—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman

The above reported bill ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 180—An act to amend section 1197 of the Political Code, relating to election ballots—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ALTER, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 711—An act defining building loans, providing for the recording before beginning of construction of a detailed statement of the actual terms and conditions and true consideration thereof verified upon the oath of the borrower and forbidding the recording of a false statement or procuring the recording thereof, and

providing for penalties and consequences of the violation of the terms of this act, and providing for clearing the record of abandoned building loans—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1545—An act to amend sections 691, 692, 693, 694, 695, 696, 865, 880 and 881 of Fish and Game Code—has had the same under consideration, and respectfully reports the same back with recommendation it do pass, as amended.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON OIL INDUSTRIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1416—An act to amend an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, as amended, by amending section 12 thereof and by adding a new section thereto to be numbered "26," relating to cooperative or unit plans of development or operation on oil and gas permits or leases of State lands, solely or in conjunction with lands not belonging to the State forming part of the same pool or field, and to delegate to the Chief of the Division of State Lands the power to change, with the consent of permittees and lessees, provisions of permits and leases of State lands included in any such cooperative or unit plan, and to join in any such cooperative or unit plan on behalf of the State—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BADHAM, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 2083—An act to amend sections 1, 5, 7, 10, 12, 13, 24, and 25 of the Direct Primary Law, approved June 16, 1913, as amended, relating to primary elections, providing for party conventions in the State and various political units thereof, and the powers and duties of the same, for the choosing of delegates to such conventions, method of choosing members of the party county central committee and State central committee and the powers and duties of the same—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ALTER, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 976—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class—has had the same under consideration, and respectfully reports the same back without recommendation, and be re-referred to Committee on Governmental Efficiency and Economy.

COBB, Chairman.

The above reported bill ordered re-referred to Committee on Governmental Efficiency and Economy.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 653—An act to amend section 2322x12 of the Political Code, relating to the office of agricultural commissioner in counties of the twelfth class;

Also. Senate Bill No. 654—An act to amend section 19x12 of the Juvenile Court Law, relating to the probation officer in counties of the twelfth class;

Also: Senate Bill No. 655—An act to amend section 16x12 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the twelfth class;

Also: Senate Bill No. 657—An act to amend section 4241 of the Political Code, relating to the compensation of county and township officers in counties of the twelfth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933.

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 20—An act to amend sections 1, 2, 3, 5, 10, 11, 12, 12a, 17, and 20a, of Chapter 605, Statutes of 1919, known as the "California Real Estate Act," relating to real estate brokers and salesmen, subdivisions, and directory of real estate brokers and salesmen;

Also: Senate Bill No. 282—An act to amend section 1 of an act entitled "An act to define personal property brokers and regulate their charges and business." approved April 16, 1909, defining personal property brokers;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman.

The above reported bills ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No 781—An act to amend section 1105 of the Agricultural Code, relating to eggs—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 177—An act to amend section 1145 of the Agricultural Code, relating to imported egg products—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 958—An act to prevent the propagation by the production of seed of that certain plant known as Sorghum Halepense otherwise known as Johnson Grass," approved March 30, 1903—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 957—An act to repeal "An act providing for the protection of the vineyards of the State against Phylloxera by regulating the transportation within the State of grapevines or parts thereof for use as fuel," approved May 11, 1913—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 956—An act to repeal "An act to control the spread of the walnut codling moth, to regulate the movement of and treatment of shipment of walnuts, sacks, trays, and other orchard appliances into or from any premises or districts known to be infested with walnut codling moth, and to confer power on the Director of Agriculture to prescribe rules and regulations for such or other control of said pest, and to provide a penalty for the violation thereof," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 955—An act to repeal "An act to regulate the distribution of date palms and date palm offshoots and to hold the same in quarantine under the supervision of the State Commissioner of Horticulture until they are free from Marlatt scale (Phoenicococcus marlatti) and Blanchard scale (Parlalatoria blanchardii) when introduced from, or grown in, any infested locality within this State or from other States, or if of foreign introduction, after they have been released by the Federal Horticultural Board, and to fix a penalty for violation of this act," approved April 1, 1915—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No. 1173—An act declaring the bridge across the Sacramento River near the town of Meridian, between the counties of Sutter and Colusa, to be a part of the State highway system for maintenance purposes and providing for the relinquishment of jurisdiction over said bridge by the State to said counties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 960—An act to amend sections 1011, 1022, 1030, 1036, 1038 and 1043 of the Agricultural Code, and to renumber Article 4 of Chapter 7, Division V thereof, relating to agricultural chemicals and commercial feeding stuffs—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Lyon: Assembly Constitutional Amendment No. 104—Proposed amendment to Article XIII, adding section 19 of the Constitution, relative to payment of State highway bonds.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Lyon: Assembly Constitutional Amendment No. 105—Proposed amendment to Article XIII, adding section 20 of the Constitution, relative to payment of State highway bonds.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Lyon: Assembly Constitutional Amendment No. 106—Proposed amendment to Article XIII, adding section 21 of the Constitution, relative to motor vehicle fuel license taxes.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Lyon: Assembly Constitutional Amendment No. 107—Proposed amendment to Article XIII, adding section 22 of the Constitution, relative to motor vehicle fuel license taxes.

Introduced, and referred to Committee on Constitutional Amendments.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Thorp:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to the Agricultural Code, to be numbered 234.5, relating to bovine tuberculosis.

Referred to Committee on Introduction of Bills.

By Mr. McMurray:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 4 of an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor and also provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, relating to bridge and highway districts.

Referred to Committee on Introduction of Bills.

By Mr. Scudder:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making appropriation for the payment of indemnity for cattle slaughtered on account of tuberculosis in accordance with the provisions of Article 3, Chapter 3, Division II of the Agricultural Code.

Referred to Committee on Introduction of Bills.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At one o'clock and fifty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Zion.

The roll of absentees was called, and the report of the Committee on Introduction of Bills was adopted by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—63.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Zion: Assembly Bill No. 2375—An act to extend the time for the payment of taxes and special assessments to or for cities, counties, cities and counties, all districts, and other public corporations, for the period of 60 days, and declaring the urgency thereof, and providing same shall take effect immediately.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Zion asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Assembly Bill No. 2375, at this time.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Zion:

Resolved, That Assembly Bill No. 2375 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Mayo, McCarthy, Meehan, Meeker, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—56.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2375.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED SEVENTY-FIVE.

Assembly Bill No. 2375—An act to extend the time for the payment of taxes and special assessments to or for cities, counties, cities and counties, all districts, and other public corporations, for the period of 60 days, and declaring the urgency thereof, and providing same shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McCarthy, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—64.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED SEVENTY-FIVE.

Assembly Bill No. 2375—An act to extend the time for the payment of taxes and special assessments to or for cities, counties, cities and counties, all districts, and other public corporations, for the period of 60 days, and declaring the urgency thereof, and providing same shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2375 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—63.

NOES—Jones—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Jones gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2375 was this day passed.

UNFINISHED BUSINESS.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Hoffman moved that the vote whereby Assembly Bill No. 897 was refused passage be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Bliss, Bowers, Callahan, Clowdsley, Cobb, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hallner, Hoffman, Knowland, Lyon, Maloney, McMurray, Meehan, Rawls, Redwine, Roberts, Rogers, Williamson and Mr. Speaker—24.

NOES—Alter, Anglim, Badham, Boyle, Brock, Burns, Cassidy, Cottrell, Crist, Cronin, Crowley, Frazier, Greene, Hatch, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Martin, Mayo, McBride, McCarthy, Meeker, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Robinson, C Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Zion—47.

SPECIAL ORDER.

The hour having arrived, the special order heretofore set was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED EIGHT.

Assembly Bill No. 908—An act to declare a moratorium on foreclosure of mortgages and collection of interest thereon for a period of two years.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Rawls:

AMENDMENT NUMBER ONE

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to prohibit until January 1, 1934, sales under certain mortgages and deeds of trust for default in the payment of the principal sum of obligations secured thereby, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency hereof."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 15, inclusive, also strike out all of pages 2 and 3, and insert in lieu thereof the following:

"SECTION 1. Until January 1, 1934 no sale shall be made under any power of sale contained in any mortgage or deed of trust upon real property heretofore executed, nor shall any sale be made under any final decree of foreclosure rendered in any action to foreclose a mortgage upon real property heretofore executed in any case in which the only default in the performance of the obligation for which said mortgage or deed of trust was given as security consists solely of the failure to pay when due the principal sum of such obligation

SEC. 2. In all cases in which the time within which an action upon any obligation founded upon a written instrument secured by a mortgage or deed of trust upon real property may be commenced would expire by virtue of section 337 of the Code of Civil Procedure during the period extending between the date upon which this act takes effect and the first day of January, 1934, such time is hereby extended so as not to expire until March 1, 1934.

SEC. 3. Any sale of real property under a deed of trust or mortgage with power of sale made in violation of this act shall be voidable, except as against a bona fide purchaser or encumbrancer for value, at the instance of the record owner of such real property at the time of such sale, provided that any action to avoid such sale or any deed executed pursuant thereto must be brought within one year of the date of such sale.

SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: A severe economic depression exists throughout the State, rendering many of its citizens unable to pay the principal sum of their debts or to otherwise refinance their loans. As a result thereof, through foreclosure actions, they are being deprived of their property."

Amendments adopted.

MOTION.

Mr. Rawls moved that the rules be suspended for the purpose of considering Assembly Bill No. 908 at this time.

The question being on the motion of Mr. Rawls to suspend the rules.

Mr. Rawls withdrew his motion.

Assembly Bill No. 908 ordered to reprint, engrossment, and third reading.

MOTION TO PRINT.

On motion of Mr. Rawls, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 908.

SPECIAL ORDER.

The hour having arrived, the special order heretofore set was taken up for consideration.

RECONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER TWO.

In compliance with his notice given on a previous day, Mr. Robinson, C. Ray, moved that the vote whereby Senate Constitutional Amendment No. 2 was refused adoption be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hoffman, Hornblower, Jones, Kallam, Knowland, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Donnell, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Utt, West, Wright, Zion and Mr. Speaker—55.

NOES—Callahan, Cobb, Cronin, Dempster, Field, Hallner, Hunt, King, Latham, Lyon, McBride, McCarthy, Morgan, O'Connor, Patterson, Peterson, Sullivan, Tournoux and Turner—19.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER TWO.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 6 of Article IX thereof, relating to taxation for school purposes.

Senate Constitutional Amendment No. 2 read.

MOTION TO RE-REFER.

Mr. Feigenbaum moved that Senate Constitutional Amendment No. 2 be withdrawn from the file, and ordered re-referred to Committee on Constitutional Amendments.

The question being on re-referring Senate Constitutional Amendment No. 2 to Committee on Constitutional Amendments.

Motion carried.

Senate Constitutional Amendment No. 2 ordered re-referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add a new section to the Agricultural Code, to be numbered 234 5, relating to bovine tuberculosis.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act making appropriation for the payment of indemnity for cattle slaughtered on account of tuberculosis in accordance with the provisions of Article 3, Chapter 3, Division II of the Agricultural Code.

HALLNER, Chairman.

Also:

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 4 of an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor and also provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, relating to bridge and highway districts.

HALLNER, Chairman.

The question being on the adoption of the reports.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan, Mecker, Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—63.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Thorp: Assembly Bill No. 2376—An act to add a new section to the Agricultural Code, to be numbered 234.5, relating to bovine tuberculosis.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Scudder: Assembly Bill No. 2377—An act making appropriation for the payment of indemnity for cattle slaughtered on account of tuberculosis in accordance with the provisions of Article 3, Chapter 3, Division II of the Agricultural Code.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. McMurray: Assembly Bill No. 2378—An act to amend section 4 of an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, relating to bridge and highway districts.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Robinson, C. Ray: Assembly Constitutional Amendment No. 108—Proposed amendment to Article IV, by adding section 1a, of the Constitution, relative to the time of taking effect of acts passed at the fiftieth regular session of the Legislature.

Introduced, and referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 306 as amended by the Senate—An act to amend sections 38, 41, 43 and 46 of the California Irrigation District Act, relating to irrigation district assessment penalties—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

BROCK, Chairman.

The above reported bill ordered placed on daily calendar.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1223—An act to amend sections 5.1, 5.10, 5.120, 5.133, 5.134, 5.180, 5.181, 5.182, 5.2, 5.20, 5 21, 5.23, 5 25, 5.26, 5.40, 5.44, 5.540, 5.60, 5.61, 5.62, 5.70, 5.80, 5.84, 5.86, 5.87, 5.88, 5 89, 5.90, 5 91, 5.92, 5.93, 5.100, 5.101, 5.102, 5.103, 5 104, 5.105, 5.110 and 5.112 of the School Code, designating teachers colleges as State colleges and relating to their organization, functions, government, and control,

Also: Assembly Bill No. 1747—An act to authorize and empower the State Director of Education, with the approval of the State Director of Finance, to sell and convey the lands and buildings now being used by the State Teachers College of Santa Barbara, and from the proceeds of such sale to improve the site for said school, acquired by the State in 1932, to erect and construct upon such site buildings and other structures and improvements necessary and proper for said school, to purchase furniture, fixtures, apparatus, and other things necessary for said school, and to rent such temporary buildings and grounds as may be necessary for the use of said school until the completion of the new school buildings;

Also: Assembly Bill No. 2341—An act to reduce the rates and charges of gas and electrical corporations furnishing heat, light and power to the public, empowering and directing the Railroad Commission to administer and enforce the reduction, and declaring this act to be an urgency measure;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 893—An act to amend section 373b of the Political Code, relating to the Department of Natural Resources—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 980—An act to provide for the acquisition, construction, extension and operation of systems and works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary and sanitation districts; also providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of constructing, operating and maintaining such works; also providing for the use of such works by other cities, counties or districts, and declaring the urgency thereof;

Also: Assembly Bill No. 2347—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements;

And reports that the same have been correctly re-re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 308—An act to amend section 9 of "An act to provide for the formation, management, alteration of boundaries, and dissolution of sewer maintenance districts in unincorporated territory of counties, defining the powers of such districts and providing for the levy and collection of taxes to defray the expenses thereof," approved May 19, 1927, Statutes of 1927, page 1088;

Also: Assembly Bill No. 724—An act to amend section 4082 of the Political Code, to provide for exempting certain claimants for duplicate warrants from the requirement to file a bond;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2134—An act adding a new section to the Political Code, to be numbered 4041.26 thereof, relating to the jurisdiction and powers of boards of supervisors;

Also: Assembly Bill No. 2195—An act to amend section 19x16 of the Juvenile Court Law, relating to the probation officer in counties of the sixteenth class;

Also: Assembly Bill No. 687—An act to amend section 4273 of the Political Code, relating to compensation of county and township officers in counties of the forty-fourth class;

Also: Assembly Bill No. 688—An act to amend section 2322x44 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fourth class;

Also: Assembly Bill No. 691—An act to amend section 19x44 of the Juvenile Court Law, relating to probation officers in counties of the forty-fourth class;

Also: Assembly Bill No. 2196—An act to amend section 2322x16 of the Political Code, relating to the office of the agricultural commissioner in counties of the sixteenth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1228—An act to amend section 1461 of the Probate Code, relating to guardians of insane and other incompetent persons—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2190—An act to amend section 4223 of the Political Code, relating to county hospitals—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

BROCK, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 645—An act to amend section 4278 of the Political Code, relating to the compensation of county and township officers in counties of the forty-ninth class;

Also: Senate Bill No. 649—An act to amend section 4277 of the Political Code, relating to the compensation of county and township officers and jurors in counties of the forty-eighth class;

Also: Senate Bill No. 650—An act to amend section 16x49 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the forty-ninth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 153—An act to amend section 16x29 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-ninth class;

Also: Senate Bill No 154—An act to amend section 2322x29 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-ninth class;

Also: Senate Bill No. 157—An act to amend section 9a29 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to librarians in counties of the twenty-ninth class;

Also: Senate Bill No. 158—An act to amend section 19x29 of the Juvenile Court Law, relating to probation officers in counties of the twenty-ninth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 196—An act to amend section 4265 of the Political Code, relating to compensation of county and township officers in counties of the thirty-sixth class;

Also: Senate Bill No. 197—An act to amend section 4269 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the fortieth class;

Also: Senate Bill No. 198—An act to amend section 2322x36 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-sixth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 660—An act to amend section 4274 of the Political Code, relating to compensation of county and township officers in counties of the forty-fifth class;

Also: Senate Bill No 661—An act to amend section 2322x45 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fifth class;

Also: Senate Bill No. 665—An act to amend section 9a54 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the fifty-fourth class;

Also: Senate Bill No 250—An act to add a new section to the Political Code to be numbered 4056d, relating to powers and duties of board of supervisors with respect to county and township officers, deputies, assistants and employees;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 156—An act to amend section 4258 of the Political Code, relating to compensation of county and township officers in counties of the twenty-ninth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Mr. Meehan:

April 18, 1933.

We, the undersigned members of the Assembly, do hereby petition that Assembly Constitutional Amendment No. 5 be taken from Committee on Constitutional Amendments and be placed upon the floor of the Assembly.

HENRY P. MEEHAN.
CHARLES W. FISHER.
J. E. FRAZIER.
CHARLES W. DEMPSTER.
ERNEST C. CROWLEY.
JAMES M. CASSIDY.
FORD A. CHATTERS.
MICHAEL J. BURNS.
JOHN H. O'DONNELL.
CHARLES A. HUNT.
JESSE M. MAYO.
P. J. MCMURRAY.
ELLIS E. PATTERSON.
F. C. CLOWDSLEY.
GEORGE R. BLISS.
J. E. THORP.
E. H. ZION.
JAMES J. BOYLE.
WM. MOSELEY JONES.
CECIL R. KING.
AUSTIN L. TOURNOUX.
S. E. ROBINSON.
JOHN T. RAWLS.
BERT V. CALLAHAN.
JOHN D. MCCARTHY.
RODNEY L. TURNER.
FRANK J. ROGERS.
BRUCE R. STANNARD.
CHARLES W. STREAM.
SAM M. GREENE.
H. S. HALLNER.
WALTER H. SULLIVAN.
F. M. ROBERTS.
JAMES S. O'CONNOR.
THOMAS A. MALONEY.
CLIFFORD C. ANGLIM.
ALBERT F. ROSS.
F. PETERSON.
JOHN H. O'DONNELL.
CHARLES W. LYON.
MELVYN I. CRONIN.

Assembly Consttiutional Amendment No 5 ordered placed on daily calendar

MOTION TO PRINT.

On motion of Mr. Zion, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 2375.

MOTION.

Mr. Meeker moved that when the Assembly adjourns this day, it do so out of respect to the memory of L. H. Storgaard, associate editor of the Pacific Rural Press.

SPECIAL ORDER SET.

On motion of Mr. Lyon, the consideration of Senate Constitutional Amendment No. 30 was made a special order for Thursday, April 20, 1933, at eleven o'clock a.m.

RECESS.

At four o'clock and five minutes p.m., on motion of Mr. West, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 711—An act defining building loans, providing for the recording before beginning of construction of a detailed statement of the actual terms and conditions and true consideration thereof verified upon the oath of the borrower and forbidding the recording of a false statement or procuring the recording thereof, and

providing for penalties and consequences of the violation of the terms of this act, and providing for clearing the record of abandoned building loans;

Also: Assembly Bill No. 1416—An act to amend an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts and parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, as amended, by amending section 12 thereof and by adding a new section thereto to be numbered "26," relating to cooperative or unit plans of development or operation on oil and gas permits or leases of State lands, solely or in conjunction with lands not belonging to the State forming part of the same pool or field, and to delegate to the Chief of the Division of State Lands the power to change, with the consent of permittees and lessees, provisions of permits and leases of State lands included in any such cooperative or unit plan, and to join in any such cooperative or unit plan on behalf of the State;

Also: Assembly Bill No. 1545—An act to amend sections 691, 692, 693, 694, 695, 696, 865, 880 and 881 of the Fish and Game Code, and to repeal section 719 thereof, relating to striped bass and shad;

Also: Assembly Bill No. 2083—An act to amend sections 1, 5, 7, 10, 12, 13, 24, and 25 of the Direct Primary Law, approved June 16, 1913, as amended, relating to primary elections, providing for party conventions in the State and various political units thereof, and the powers and duties of the same, for the choosing of delegates to such conventions, method of choosing members of the party county central committee and State central committee and the powers and duties of the same;

Also: Assembly Bill No. 2190—An act to amend section 4223 of the Political Code, relating to county hospitals;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

Also:

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1182—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene, distillate or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for a license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for the violation of this act, and repealing all acts or parts of acts inconsistent herewith," approved May 30, 1923, relating to expenditure of moneys received hereunder;

Also: Assembly Bill No. 1341—An act to amend sections 2, 4 and 6 of, and to add a new section to be numbered 4a to, an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulations, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, creating the Cannery Inspection Board and relating to the conduct of canneries;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered replaced on daily calendar.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to be numbered 34a to Article IV, by amending section 12 of Article XI, by adding a new section to be numbered 20 to Article XI, by amending sections 14, 15 and 16, and by repealing sections 12½ and 18 of Article XIII, relating to taxation—has had

the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

Senate Constitutional Amendment No. 30 ordered replaced on daily calendar.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 716—An act requiring public awarding bodies or officers withholding penalties or forfeitures from contractors for violations by contractors or subcontractors of any public works labor acts carrying penalties or forfeitures from the contract payments to transfer such penalties or forfeitures to the State Treasurer to become a part of the general fund of the State 90 days after completion of the contract, unless suit is brought and formal notice of suit is given, requiring any court collecting criminal penalties or fines under such acts to likewise transmit same to the State Treasurer to become a part of the general fund of the State, providing for the temporary retention of such penalties or forfeitures by the public awarding body or officer pending litigation in cases where suit is brought and formal notice of such suit is given within 90 days after completion of the contract, limiting the time for action by the contractor or his assignee for the recovery of the said penalties or forfeitures to the said 90-day period, making such suit the exclusive remedy of the contractor or his assignee with reference to such penalties or forfeitures and providing that suit shall be brought without permission from any State or other authority and be limited to the recovery of such penalties or forfeitures without prejudice to the contractor's or assignee's rights in regard to other matters affecting the contract but with the burden on the plaintiff to establish his right to the penalties or forfeitures withheld;

Also: Assembly Bill No. 873—An act to amend section 1182 of the Penal Code, and to add a new section thereto, to be numbered 1183, relating to new trials;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered replaced on daily calendar.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1079—An act to add two new sections to the School Code, to be numbered 6.734 and 6.735, relating to cafeterias.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1079 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Callahan, Chatters, Cottrell, Crist, Dempster, Evans, Field, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Maloney, Mayo, McBride, McMurray, Meehan, Meeker, Patterson, Peterson, Phillips, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Tournoux, Turner, West, Wright, Zion and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 254—An act to amend section 3 of an act entitled "An act regulating the sale, offering for sale, possession or transportation of machine rifles, machine guns and submachine guns, and providing a penalty for the violation thereof," approved May 16, 1927.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 254 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Burns, Callahan, Chatters, Clowdsley, Cottrell, Crist, Dempster, Evans, Feigenbaum, Field, Greene, Hatch, Hunt, Jones, Knowland, Latham, Maloney, Mayo, McBride, Meehan, Meeker, O'Connor, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson,

Samuel E., Rogers, Ross, Stannard, Tournoux, Turner, West, Wright, Zion and Mr. Speaker—43.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No. 355—An act to amend sections 3, 4, 5a and 15, and to repeal section 17 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, Statutes of 1911, page 1192, as amended.

Bill read third time
The question being on the passage of the bill.
The roll was called, and Assembly Bill No 355 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Crist, Dempster, Evans, Feigenbaum, Grubbs, Hatch, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Meeker, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Ross, Stannard, Tournoux, Turner, West, Wright and Mr. Speaker—45.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Asssembly Bill No. 2092—An act to amend sections 25, 27, 28, 60, 62, 63, 65a, 66, and 68 of and to add two new sections to be numbered sections 76b and 76c, respectively, to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds.

Bill read third time.
The question being on the passage of the bill
The roll was called, and Assembly Bill No. 2092 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Chatters, Clowdsley, Cobb, Cottrell, Crist, Dempster, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hornblower, Hunt, Jones, King, Lyon, Maloney, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., O'Connor, Peterson, Phillips, Powers, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Stannard, Sullivan, Tournoux, Turner, West, Wright and Mr. Speaker—47.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2118—An act to amend section 12 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, relating to compensation and insurance of workmen.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2118 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Chatters, Clowdsley, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, King, Knowland, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., O'Connor, O'Donnell, Peterson, Phillips, Powers Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Sullivan, Tournoux, Turner, West, Zion and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 248—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to and defining employees and excluding from the provisions of the act any person or persons engaged in any work or service under or in connection with any unemployment, relief, or charity project.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 248 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Chatters, Clowdsley, Cobb, Cottrell, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Hallner, Hatch, Hornblower, Kallam, Knowland, Latham, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, James A., Nielsen, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Ross, Sullivan, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—46.

NOES—Boyle, Gilmore, Hunt, Jones, King, McCarthy, O'Connor, Rogers and Stannard—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1772—An act to add a new section to the Workmen's Compensation, Insurance and Safety Act of 1917 to be known as section 26a, relating to compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1772 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Chatters, Clowdsley, Cobb, Crist, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Hunt, Kallam, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Sullivan, Tournoux, Utt, West, Wright and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 217—An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 217 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Burns, Chatters, Clowdsley, Cobb, Cottrell, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Hallner, Hatch, Hornblower, Hunt, Kallam, King, Lyon, Maloney, Martin, McCarthy, McMurray, Meeker, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Ross, Stannard, Sullivan, Tournoux, Turner, Utt, Wright, Zion and Mr. Speaker—49.

NOES—Fisher, Knowland, Latham and Roland—4.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Fisher gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 217 was this day passed.

Assembly Bill No. 1735—An act to amend sections 850, 851, 852, 852a, 852b, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 862a, 863, 864, 865, 867, 868, 870, 870a, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 882, 883, 884, 885 and 886, and to repeal section 881 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to organization, incorporation and government of cities of the sixth class.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Riley:

AMENDMENT NUMBER ONE.

In line 5 of the title of the printed bill, as amended, after the comma following "886", insert the following: "to add section 869,".

AMENDMENT NUMBER TWO.

On page 15 of the printed bill, as amended, strike out lines 10 to 18, inclusive, and insert in lieu thereof the following:

"SEC. 21a. A new section is hereby added to said act to be numbered 869 and to read as follows:

Sec. 869. Whenever the city council or board of trustees shall deem it necessary and for the best interests of a city that land heretofore purchased by said city for park or other purposes should be used for the construction of a city hall or other public buildings or the creation of a civic center, said council or board of trustees may, by a four-fifths vote, adopt an ordinance declaring such necessity and providing for the erection of a city hall or other public building or buildings or the creation of a civic center thereon."

AMENDMENT NUMBER THREE.

On page 4, line 40, of the printed bill, as amended, after "clerk", insert the following: "except the bond of the clerk, which shall be filed with the mayor."

AMENDMENT NUMBER FOUR.

On page 20, line 7, of the printed bill, as amended, strike out the comma, and also strike out "the collection of license fees and taxes".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 373—An act to amend sections 657 and 666 of the Fish and Game Code, and to add thereto a new section to be numbered 666.5, relating to salmon.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 373 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Burns, Clowdsley, Cobb, Cottrell, Crist, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, McCarthy, Meehan, Meeker, O'Connor, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Sullivan, Tournoux, Utt, West, Wright and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 674—An act to establish the Vehicle Code and thereby to consolidate and revise the law relating to traffic on streets and highways and the registration, identification, operation, driving, use, ownership, transfer, theft, embezzlement, destruction, molestation, unlawful entering and taking and driving, equipment, size, weight, loading and wrecking of vehicles used upon streets and highways and liens and mortgages on such vehicles and the licensing and regulation of drivers of such vehicles and the civil liability of persons signing license applications of minors and the conduct and records of persons dealing with such vehicles and the civil liability arising from the ownership, maintenance, use and operation of such vehicles and the financial responsibility of owners and operators of such vehicles and crimes connected with the use of such vehicles and the parties, procedure, presumptions, evidence and reports in relation to such crimes and the creation, organization, powers, duties, jurisdiction and maintenance of the Department of Motor Vehicles and its divisions in connection therewith and the collection, disposition and use of fees, fines and forfeitures in relation thereto and the limitations on the powers of local authorities over the aforesaid subject and to repeal certain specified provisions of law germane to the aforesaid subject.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Lyon:

AMENDMENT NUMBER ONE.

On page 135, line 27, of the printed bill, strike out all of lines 27 to 32, inclusive, and insert in lieu thereof the following:

"(c) The board of supervisors of any county, or city and county, may also in its discretion expend any portion of such sums so received by such county, or city and county, for the payment of any portion of the principal or interest of, or for the redemption or purchase at a discount of, or for transfer to the interest and sinking fund for the discharge and payment of, bonds, the proceeds of which have been

used for the acquisition of property or of rights of way for the establishing, opening, widening or extending, or the construction, maintenance, improvement or repair of streets, bridges, roads, highways, parks or culverts within such county, city and county, or city, whether said bonds are those of the county, city and county, or any incorporated city therein, or of a special assessment district within such county, city and county, or city, for the payment of which special assessments (levied wholly or partly in accordance with the assessed value of lands) have been or are to be levied, which bonds have been issued in payment of, or the proceeds of which have been used for any of the above purposes; provided, however, that the proceeds received from any and all bonds purchased under the provisions of this section shall be used exclusively for the purposes for which the funds derived under this act may be used. Before any such sums may be expended for the payment of any portion of the principal or interest of, or for the redemption, or purchase at a discount of, or for transfer to the interest and sinking fund for the discharge and payment of, bonds, the proceeds of which have been used for the acquisition of property or rights of way for the establishing, opening, widening or extending, or the construction, maintenance, improvement or repair of streets, bridges, roads, highways, parks or culverts within such county, city and county, or city, the board of supervisors of any such county, or city and county shall, by a resolution adopted by a four-fifths vote of the members thereof, determine that the streets, bridges, roads, highways, parks or culverts within such county, city and county, or city, for the acquisition of property or rights of way for which, or the construction, improvement or repair of which, as the case may be, said bonds were issued are of general county use. It is the intention of this provision that no such funds shall be expended for any of the purposes herein enumerated if the streets, bridges, roads, highways, parks or culverts are of only local use."

Amendment adopted.

FURTHER AMENDMENTS TO ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FOUR.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Knowland:

AMENDMENT NUMBER ONE.

On page 9 of the printed bill, strike out lines 49 to 51, inclusive.

AMENDMENT NUMBER TWO.

On page 10, line 1, of the printed bill, strike out "(3)", and insert in lieu thereof the following: ("2").

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Knowland, Crist and Jones, the Speaker ordered a roll call taken on the adoption of the amendments submitted by Mr. Knowland.

The roll was called, and the amendments to Assembly Bill No. 674 were adopted by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Feigenbaum, Field, Fisher, Grubbs, Hallner, Jones, Kallam, King, Knowland, Latham, Martin, McCarthy, Meehan, Meeker, O'Connor, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Sullivan, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—42.

NOES—Anglim, Burns, Chatters, Evans, Frazier, Gilmore, Hatch, Hornblower, Hunt, Lyon, Maloney, Mayo, McBride, McMurray, Miller, James A., O'Donnell, Peterson, Powers, Robinson, Samuel E., Ross, Stannard and Williamson—22.

FURTHER AMENDMENTS TO ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FOUR.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Zion:

AMENDMENT NUMBER ONE.

On page 28, line 40, of the printed, amended bill, in section 195, after the comma following the word "hereunder", insert the words "or any interest therein".

AMENDMENT NUMBER TWO.

On page 29, line 6, of the printed, amended bill, after the word "code", strike out the period, inserting in lieu thereof a comma, and the following words: "provided, however, that if the mortgagor is not the legal owner at the time of the execution of said mortgage, then the certificate of ownership must be deposited with the department by the holder of the certificate when the mortgagor becomes the legal owner, and provided, further, that a motor vehicle, or the interest of mortgagor therein, shall be subject to the lien of but one mortgage".

The question being on the adoption of the amendments.

Amendments adopted.

FURTHER AMENDMENT TO ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FOUR.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Powers:

AMENDMENT NUMBER ONE.

On page 61, line 7, of the printed bill, after "intoxication", insert a comma and the following: "gross negligence".

The question being on the adoption of the amendment.

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for unanimous consent to have the rules suspended, for the purpose of considering Assembly Bill No. 674, at this time.

Mr. Hallner objected to unanimous consent.

MOTION.

Mr. Hornblower moved that the rules be suspended, and that Assembly Bill No. 674 be considered at this time.

The question being on the motion to suspend the rules, and consider Assembly Bill No 674 at this time.

The roll was called, and the motion to suspend the rules was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, O. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Tournoux, Turner, West, Wright, Zion and Mr. Speaker—61.

NOES—Hallner—1.

MESSAGE FROM THE GOVERNOR.

On this day, the following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, CALIFORNIA, March 30, 1933.

To the Honorable Members of the Assembly.

Assembly Bill No. 674 establishes a Vehicle Code and consolidates and revises the law relating to the subject of vehicles.

In my opinion Assembly Bill No. 674 constitutes an emergency bill within the meaning of section 34 of Article IV of the State Constitution, consideration of which should not await final enactment of the budget bill, in view of the confusion and expense which may be avoided by early consideration of this measure in the light of other legislative measures pending designed to effect substantive changes in the Vehicle Code, if adopted.

I, therefore, recommend the passage of this bill as an emergency measure within the meaning of that term as used in section 34 of Article IV of the Constitution.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FOUR.

Assembly Bill No. 674—An act to establish the Vehicle Code and thereby to consolidate and revise the law relating to traffic on streets and highways and the registration, identification, operation, driving, use, ownership, transfer, theft, embezzlement, destruction, molestation, unlawful entering and taking and driving, equipment, size, weight, loading and wrecking of vehicles used upon streets and highways and liens and mortgages on such vehicles and the licensing and regulation of drivers of such vehicles and the civil liability of persons signing license application of minors and the conduct and records of persons dealing with such vehicles and the civil liability arising from the ownership, maintenance, use and operation of such vehicles and the financial responsibility of owners and operators of such vehicles and crimes connected with the use of such vehicles and the parties, procedure, presumptions, evidence and reports in relation to such crimes and the creation, organization, powers, duties, jurisdiction and maintenance of the Department of Motor Vehicles and its divisions in connection therewith and the collection, disposition and use of fees, fines and forfeitures in relation thereto and the limitations on the powers of local authorities over the aforesaid subject and to repeal certain specified provisions of law germane to the aforesaid subject.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 674 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Tournoux, Turner, West, Williamson, Wright, Zion and Mr Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At ten o'clock p.m., Hon F C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

Assembly Bill No. 1757—An act to amend section 1068 of the Fish and Game Code, relating to fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1757 passed by the following vote:

AYES—Badham, Bowers, Boyle, Brock, Callahan, Chatters, Clowdsley, Cottrell, Crist, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, Patter-

son, Peterson, Powers, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stream, Sullivan, Tournoux, Turner, Williamson and Mr. Speaker—50.

NOES—Alter, Hallner, Kallam and Stannard—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2125—An act to amend section 5 of the act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, relating to duties of the commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2125 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Callahan, Chatters, Clowdsley, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Hatch, Hoffman, Hunt, Knowland, Latham, Levey, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Tournoux, Turner, Williamson and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At ten o'clock and ten minutes p. m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 979—An act to add a new section to the Political Code, to be numbered 2161a, relating to State Hospital buildings and grounds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 979 passed by the following vote:

AYES—Alter, Badham, Bowers, Boyle, Brock, Callahan, Chatters, Clowdsley, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Grubbs, Hatch, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Tournoux, Turner, Williamson and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 819—An act to amend section 4039 of the Political Code, relating to records kept by the board of supervisors.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 819 passed by the following vote:

AYES—Alter, Badham, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Evans, Feigenbaum, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Jones, Knowland, Latham, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stream, Sullivan, Tournoux, Williamson and Mr. Speaker—50

NOES—Dempster and Hunt—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 953—An act to amend section 2.806 of the School Code, relating to duties of the district attorney.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 953 passed by the following vote:

AYES—Alter, Badham, Boyle, Callahan, Cassidy, Chatters, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Tournoux, Turner, Williamson and Mr. Speaker—49

NOES—Clowdsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 854—An act to add a new section to the Civil Code to be numbered 712, relating to restrictions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 854 passed by the following vote:

AYES—Alter, Badham, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Dempster, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stream, Sullivan, Tournoux, Turner, Williamson and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 286—An act to amend section 15c of the California Irrigation District Act, relating to the use and distribution of water and rules and regulations therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 286 passed by the following vote:

AYES—Alter, Badham, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Dempster, Feigenbaum, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Levey, Maloney, Martin, McCarthy, Meehan, Meeker, Miller, James A., Morgan, Nielsen, Phillips, Redwine, Riley,

Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Tournoux, Turner, Williamson and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1802—An act to amend section 7 of and to add a new section to be numbered 8½ to "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to fees for the use of State park areas, and making an appropriation for the State park system.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1802 passed by the following vote:

AYES—Alter, Badham, Boyle, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, James A., O'Connor, O'Donnell, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stream, Sullivan, Tournoux, Turner, Williamson and Mr. Speaker—44.

NOES—Cassidy, Crist, Dempster, Feigenbaum, Grubbs, Morgan, Nielsen, Roland and Stannard—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2314—An act to amend section 3671d and to repeal sections 3671c and 3713 of the Political Code, relating to taxation.

Bill read.

The question being on the passage of the bill.

MOTION FOR SPECIAL ORDER.

Mr. Clowdsley moved that consideration of Assembly Bill No. 2314 be made a special order for Friday, April 21, 1933, at two o'clock p.m.

The question being on the motion to have Assembly Bill No. 2314 made a special order for Friday, April 21, 1933.

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

AYES—Anglim, Boyle, Cassidy, Chatters, Clowdsley, Feigenbaum, Gilmore, Hoffman, Levey, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, Powers, Rawls, Rogers, Roland, Tournoux, Turner and Williamson—25.

NOES—Alter, Badham, Bowers, Brock, Burns, Callahan, Cobb, Cottrell, Crist, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hallner, Jones, Knowland, Latham, Lyon, Martin, Meeker, Morgan, O'Donnell, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Stannard, Stream, Sullivan, Wright and Mr. Speaker—35.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED FOURTEEN.

Assembly Bill No. 2314—An act to amend section 3671d and to repeal sections 3671c and 3713 of the Political Code, relating to taxation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2314 passed by the following vote:

AYES—Alter, Badham, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Lyon, Martin, Mayo, McBride, Meehan, Meeker, Morgan, Nielsen, O'Donnell, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Wright and Mr. Speaker—48

NOES—Anglim, Bowers, Boyle, Chatters, Clowdsley, Gilmore, Levey, Maloney, McCarthy, McMurray, O'Connor, Powers, Tournoux, Turner and Williamson—15.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Williamson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2314 was this day passed.

Assembly Bill No. 2214—An act to amend section 3764 of the Political Code, relating to delinquent tax lists and the publication thereof.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Ross moved that Assembly Bill No. 2214 be withdrawn from the file, and ordered re-referred to Committee on Revenue and Taxation.

The question being on re-referring Assembly Bill No. 2214 to Committee on Revenue and Taxation.

Motion carried.

Assembly Bill No. 2214 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1385—An act to add a new section to the Probate Code, to be numbered section 1501a, providing that wage claims of not exceeding $200 each for work done within 90 days shall be preferred in the administration of the estates of minors and insane and incompetent persons, and paid promptly out of the first available assets of the estate as soon as their validity is established.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1385 passed by the following vote:

AYES—Alter, Anglim, Badham, Boyle, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—59

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 253—An act to amend section 8 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for

registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917," approved June 13, 1923.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Dempster moved that Assembly Bill No. 253 be withdrawn from the file, and ordered re-referred to Committee on Crime Problems.

The question being on re-referring Assembly Bill No. 253 to Committee on Crime Problems.

Motion carried.

Assembly Bill No. 253 ordered re-referred to Committee on Crime Problems.

Assembly Bill No. 2270—An act to amend section 4191 of the Political Code, relating to the expenditure by boards of trustees of law libraries of surplus funds to acquire real property and erect a building thereon and to contribute from such funds to obtain adequate quarters in any building hereafter erected by the board of supervisors of the county in which such law library is maintained.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2270 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stream, Sullivan, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1844—An act to amend section 4.85 and to repeal section 4.91 of the School Code, relating to the vocational education fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1844 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Morgan, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine,

Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—60.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1957—An act to add a new section to the Penal Code, to be numbered 1203a, relating to probation in courts having jurisdiction of misdemeanor cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1957 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Morgan, Nielsen, O'Connor, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—62.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2054—An act to amend section 1089 of the Penal Code, relating to jurors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2054 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Evans, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Morgan, Nielsen, Patterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Stannard, Stream, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—56.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2099—An act to amend section 3051 of the Civil Code, relating to liens.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 2099 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Nielsen, Patterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Stannard, Stream, Tournoux, West, Williamson, Wright, Zion and Mr. Speaker—52.
NOES—Hallner and Hunt—2.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No. 2078—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2078 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 1886—An act to amend sections ------ of the "Inheritance Tax Act."

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1886 was withdrawn from the file, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 781—An act to amend sections 692, 702, and 726 of, and to add sections 725, 725a, and 725b to the Code of Civil Procedure, relating to trust deeds and mortgages, and to repeal sections 2920, 2924, 2924a, and 2932 of the Civil Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Sullivan moved a call of the House.

Motion carried.

Time, eleven o'clock and forty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—63.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.
THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2313—An act to amend sections 2, 3 and 5 and to add a section to be numbered 6 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State high-

ways," approved May 26, 1927, said amendments and new section relating to the allocation and expenditure of State highway funds, the construction, improvement and maintenance of State highways and the addition of certain highways to the State system.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Greene:

AMENDMENT NUMBER ONE

On page 11, line 12, of the printed bill, strike out the words "Santa Ana", preceding the word "to", and insert in lieu thereof "State Highway Route 43".

AMENDMENT NUMBER TWO.

On page 11, line 13, of the printed bill, strike out the period after the word "Linda", and insert in lieu thereof: "via Grand Avenue and Glassell Avenue."

AMENDMENT NUMBER THREE.

On page 11, lines 17 and 18, of the printed bill, strike out all of lines 17 and 18, and insert in lieu thereof the following:

"Seal Beach-Santa Fe Springs Road to State Highway Route 2 near Orange County Hospital.

State Highway Route 2 near Orange County Hospital northerly to Hermosa Beach-Santa Ana Canyon Road

State Highway Route 2 near Orange County Hospital to Main Street, Santa Ana, via Santa Ana Boulevard."

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2094—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal reclamation laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contract," approved May 5, 1917, as amended, by amending the title and sections 7 and 8 thereof to authorize the division of districts into units and for fixing conditions upon inclusion of lands.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2094 was withdrawn from the file, and referred to Committee on Irrigation.

Assembly Bill No. 2350—An act relating to purchases of manufactured products by the State or by any political subdivision, district or municipality thereof and providing a penalty for the violation of the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2350 passed by the following vote:

AYES—Alter, Anglim, Badham, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crowley, Dempster, Frazier, Gilmore, Grubbs, Hoffman, Hornblower, Hunt, Jones, King, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Riley, Robinson, Samuel E., Roland, Stannard, Stream, Tournoux, Turner, West, Williamson and Mr. Speaker—45.

NOES—Brock, Cottrell, Crist, Field, Fisher, Hatch, Knowland, Latham, Redwine and Wright—10.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Phillips gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2350 was this day passed.

Assembly Bill No. 1192—An act to amend the California Districts Securities Commission Act by amending section 11 thereof, relating to when a district may be declared insolvent, control thereof by the Districts Securities Commission, the ordering of refunding bonds of a district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1192 passed by the following vote:

AYES—Alter, Anglim, Badham, Boyle, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Latham, Lyon, Maloney, Martin, Mayo, Meeker, Nielsen, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Sullivan, Tournoux, Turner, West, Wright and Mr. Speaker—45.

NOES—Dempster, Hornblower and O'Connor—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 290—An act to amend sections 1261, 1263, 1264, 1265, 1267, 1268, 1269, 1270, 1271, 1272 and 1273, and to repeal section 1266 of the Agricultural Code, relating to dealers in farm products.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Phillips:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, as amended April 10, 1933, in the last line of the title, strike out the period, and insert in lieu thereof the following ", and declaring the urgency thereof."

AMENDMENT NUMBER TWO.

On page 2, lines 25 and 26, of the printed bill, as amended April 10, 1933, strike out "Chapter 734, Statutes of 1929, approved June 7, 1929, as revised", and insert in lieu thereof the following: "Article 3 of Chapter 1 of Division III of this code".

AMENDMENT NUMBER THREE.

On page 2, line 27, of the printed bill, as amended April 10, 1933, strike out the word "act", and insert in lieu thereof the word "chapter".

AMENDMENT NUMBER FOUR.

On page 2, line 41, of the printed bill, as amended April 10, 1933, strike out all of the line, and insert in lieu thereof the following: "1263. No".

AMENDMENT NUMBER FIVE.

On page 2, line 42, of the printed bill, as amended April 10, 1933, strike out the comma after the word "person".

AMENDMENT NUMBER SIX.

On page 2, line 44, of the printed bill, as amended April 10, 1933, strike out the word "act", and insert in lieu thereof the word "chapter".

AMENDMENT NUMBER SEVEN.

On page 4, line 6, of the printed bill, as amended April 10, 1933, strike out "be deemed to be also licensed", and insert in lieu thereof the following: ", upon application, be licensed also".

AMENDMENT NUMBER EIGHT.

On page 4, line 8, of the printed bill, as amended April 10, 1933, after the word "shall", insert the word "thereupon".

AMENDMENT NUMBER NINE.

On page 4, line 8, of the printed bill, as amended April 10, 1933, strike out the word "act", and insert in lieu thereof the word "chapter".

AMENDMENT NUMBER TEN.

On page 4, line 15, of the printed bill, as amended April 10, 1933, strike out the word "act", and insert in lieu thereof the word "chapter".

AMENDMENT NUMBER ELEVEN.

On page 4, line 23, of the printed bill, as amended April 10, 1933, strike out the word "act", and insert in lieu thereof the word "chapter".

AMENDMENT NUMBER TWELVE.

On page 4, lines 25 and 26, of the printed bill, as amended April 10, 1933, strike out the words "and penalties".

AMENDMENT NUMBER THIRTEEN.

On page 4 of the printed bill, as amended April 10, 1933, strike out all of line 28, and insert in lieu thereof the following: "the Department of Agriculture fund and expended in carrying out the provisions of this chapter."

AMENDMENT NUMBER FOURTEEN.

On page 4 of the printed bill, as amended April 10, 1933, strike out all of lines 29, 30 and 31.

AMENDMENT NUMBER FIFTEEN.

On page 5, line 1, of the printed bill, as amended April 10, 1933, strike out the words "produce dealer", and insert in lieu thereof the following: "commission merchant".

AMENDMENT NUMBER SIXTEEN.

On page 5, line 18, of the printed bill, as amended April 10, 1933, strike out the word "act", and insert in lieu thereof the word "chapter".

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 49, of the printed bill, as amended April 10, 1933, strike out ", and/or", and insert in lieu thereof a semicolon.

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 10, of the printed bill, as amended April 10, 1933, strike out the word "dealer", and insert in lieu thereof the word "person".

AMENDMENT NUMBER NINETEEN.

On page 8, line 37, of the printed bill, as amended April 10, 1933, strike out the word "act", and insert in lieu thereof the word "chapter".

AMENDMENT NUMBER TWENTY.

On page 8, line 44, of the printed bill, as amended April 10, 1933, strike out the word "act", and insert in lieu thereof the word "chapter".

AMENDMENT NUMBER TWENTY-ONE.

On page 11, line 28, of the printed bill, as amended April 10, 1933, strike out the words "Every produce dealer", and insert in lieu thereof the following: "When requested by his consignor, a commission merchant".

AMENDMENT NUMBER TWENTY-TWO.

On page 11, line 31, of the printed bill, as amended April 10, 1933, strike out the word "account", and insert in lieu thereof the word "report".

AMENDMENT NUMBER TWENTY-THREE.

On page 11, line 32, of the printed bill, as amended April 10, 1933, strike out ", the weight, the price, the date of", and insert in lieu thereof the following: "and the selling price."

AMENDMENT NUMBER TWENTY-FOUR.

On page 11 of the printed bill, as amended April 10, 1933, strike out all of line 33, and from line 34 the following: "account."

AMENDMENT NUMBER TWENTY-FIVE.

On page 11 of the printed bill, as amended April 10, 1933, after the comma in line 36, insert the following: "together with a complete account of sales,".

AMENDMENT NUMBER TWENTY-SIX.

On page 11, line 38, of the printed bill, as amended April 10, 1933, strike out the word "dealer", and insert in lieu thereof "commission merchant".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 13 of the printed bill, as amended April 10, 1933, after line 11, add the following:

"SEC. 13. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution and shall, therefore, go into immediate effect. The facts constituting such necessity are as follows:

It is imperative at the earliest possible date to provide adequate funds for the administration and enforcement of the act hereby amended, the present funds therefor being insufficient, and the amendments will accomplish this purpose. Furthermore, certain agricultural crops, the products of which are within the purview of the provisions of the Agricultural Code hereby amended, will shortly mature and be ready for harvest, and, unless State supervision is exercised over the handling and sale of said crops, the effect will be detrimental to a great number of the producers of said crops and will jeopardize an economic position which is already precarious. The immediate effectiveness of State supervision is necessary to prevent such evil results.

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1776—An act to repeal "An act relating to senior rights of members of paid police departments of counties, cities and counties, cities, or towns," approved February 23, 1907, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1776 passed by the following vote:

AYES—Alter, Anglim, Badham, Boyle, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Nielsen, O'Connor, Patterson, Powers, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, West, Wright and Mr. Speaker—51.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1776 was this day passed.

Assembly Bill No. 912—An act to amend section 6 3 of the School Code, relating to the improvement of public streets and places by school boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 912 passed by the following vote:

AYES—Alter, Anglim, Badham, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field,

Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Stannard, Stream, Sullivan, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 138—An act to repeal an act entitled "An act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889, Statutes of 1889, page 70, as amended, with provision that said repeal shall not apply to existing proceedings under said act, or to bonds or assessments issued or levied pursuant thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 138 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Morgan, Neilsen, O'Donnell, Patterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RECONSIDER.

Mr. Cronin moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 557 was refused passage, be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Cronin moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 342 was passed, be continued until the next legislative day.

Motion carried.

Assembly Bill No. 1428—An act authorizing the legislative body of a municipality to vacate, abandon and close any public street, highway, road, boulevard, avenue, lane or place, or any part thereof, and prescribing a procedure therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1428 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson,

C. Ray; Robinson, Samuel E., Roland, Stannard, Stream, Tournoux, West, Williamson, Wright and Mr. Speaker—55.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 637—An act to amend section 2287 of the Civil Code, relating to appointment of a trustee to fill a vacancy

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 637 passed by the following vote:

AYES—Alter, Anglim, Badham, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Knowland, Latham, Maloney, Martin, McCarthy, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Tournoux, Turner, West, Williamson, Zion and Mr. Speaker—51.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1958—An act to amend section 1449 of the Penal Code, relating to time for pronouncing judgments in justices' and police courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1958 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Knowland, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Tournoux, Turner, West, Wright, Zion and Mr. Speaker—49.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2053—An act to amend section 1181 of the Penal Code, relating to new trials.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2053 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Callahan, Cassidy, Chatters, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Morgan, Patterson, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Stannard, Stream, Tournoux, Turner, West, Williamson, Zion and Mr. Speaker—51.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

MOTION.

At eleven o'clock and fifty minutes p.m, Mr. Morgan moved that further proceedings under the call of the House be dispensed with.

Motion lost.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2290—An act to amend sections 5 and 13, and to add sections 13a and 13b to the "State Civil Service Act."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2290 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—52.

NOES—Stannard—1.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and fifty-four minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Frazier.

The roll of absentees was called, and Assembly Bill No. 781 was passed by the following vote:

AYES—Anglim, Badham, Boyle, Burns, Callahan, Cassidy, Crowley, Dempster, Frazier, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Stannard, Sullivan, Tournoux, Turner and Woolwine—41.

NOES—Alter, Bowers, Brock, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hoffman, Knowland, Latham, Martin, Redwine, Robinson, C. Ray; Roland, Stream, West, Williamson, Wright, Zion and Mr. Speaker—28.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Williamson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 781 was this day passed.

Assembly Bill No. 2294—An act relating to and providing for a moratorium with respect to the requirement for the performance of prospecting work contained in certain State mineral permits other than those issued for prospecting for oil or gas, under the authority contained in Chapter 303, Statutes of California, 1921, as amended, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2294 passed by the following vote:

AYES—Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Dempster, Evans, Field, Fisher, Fra-

zier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, McMurray, Meehan, Meeker, Nielsen, O'Donnell, Phillips, Powers, Rawls, Riley, Roland, Stream, Sullivan, Tournoux, Turner and Williamson—46.

NOES—Cottrell, Crist, McBride, Morgan, Redwine, Stannard and Wright—7.

POINT OF ORDER.

Mr. Greene arose to the following point of order: Stating that the subject matter of Assembly Bill No. 2294 had been changed.

RULING BY THE SPEAKER.

The Speaker ruled the point of order not well taken, as Assembly Bill No. 2294 had been passed by the Assembly, and the vote announced.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND TWO HUNDRED NINETY-FOUR.

Assembly Bill No. 2294—An act relating to and providing for a moratorium with respect to the requirement for the performance of prospecting work contained in certain State mineral permits other than those issued for prospecting for oil or gas, under the authority contained in Chapter 303, Statutes of California, 1921, as amended, and declaring the urgency thereof, to take effect immediately.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

MOTION.

Mr. Greene moved that the Assembly adjourn until ten o'clock a.m., Wednesday, April 19, 1933.

Motion lost.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Nielsen, O'Connor, O'Donnell, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Stream, Sullivan, Tournoux, Williamson, Zion and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ADJOURNMENT.

At eleven o'clock and fifty-eight minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, April 19, 1933, out of respect to the memory of L. H. Storgaard, associate editor of The Pacific Rural Press.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, April 19, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus.

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. Peterson moved a call of the House.

Motion carried.

Time, ten o'clock and five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Badham, Bliss, Burns, Evans, Frazier, Grubbs, Hallner, Hoffman, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Morgan, O'Connor, Patterson, Peterson, Rawls, Riley, Robinson, C. Ray; Ross, Stannard, Turner, Utt, Williamson, Wright and Mr. Speaker—29.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and ten minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hoffman, Hornblower, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Zion, its further reading was dispensed with.

MOTION.

On motion of Mr. Martin, the prayer offered this day by Rabbi Norman M. Goldburg, Chaplain of the Assembly, was ordered printed in the Journal:

PRAYER.

God, our King, we thank Thee for the privilege of participation in this important legislative session.

Give us zeal—but may we not become over-zealous; make us earnest but not so earnest that we lose our sense of proportion. Give us the courage to voice our

convictions in a forthright manner, but may our opponents find us amiable and just at all times.

Give us breadth of vision that we may respect every man's sincere conviction and view sympathetically the point of view which differs from our own.

Make us to realize that unanimity of opinion and identical viewpoint (far from being desirable) must lead invariably to spiritual stagnation and retrogression while honest difference of opinion and intellectual conflict are the signs of progress and development.

May we not be alarmed by controversy nor dismayed by refutation or rebuttal—rather, may the warmth of debate and the divergence of thought we encounter here strengthen us and give us inspiration to complete the work which lies before us. Amen.

LEAVE OF ABSENCE.

On motion of Mr. Wright, Miss Miller, Eleanor, was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. West, Miss Johnson, teacher of the Newton Booth School of Sacramento, and the following pupils: Gordon Stevens, Albert Winkelman, Victor Harvey, Victor Mathews, Peter Pitalo, Roe Snyder, Marion Schmidt, Arnold Rau, Arnold Gularte, J. C. Griffith, Jess Fassett, Edward Epling, Louis Larison, Kenneth Heffron, Fred Marshall, Carleton Martyr, Billy Nuttall, Thomas Orr, Byron Vandenberg, Rosemarie Miller, Jennie Amorfini, Roberta Golding, Lucy Greer, Queenie Holland, Madeline Jurach, Frances Larison, Perlmarie Manford, Clofia Marino, Dorothy Normington, Betty Moon, Billie Jane Ripley, Jeanette Rohr, Laura Schiro, Iona Sydenstricker and Marjorie Vesey were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Feigenbaum, Mr. Arthur B Martin of Piedmont was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Patterson:

SUPERIOR OIL COMPANY,
LOS ANGELES, CALIFORNIA, April 14, 1933.

Hon. James Rolph, Jr., Governor of California,
The Capitol, Sacramento, California

DEAR SIR: Pursuant to my appointment by you to represent the independent oil interests of California as one of a delegation of three members representing the Governor of California at the conference of Governors of oil-producing States, called for Monday, March 27, 1933, I proceeded to Washington and was present when the conference assembled.

There was only one Governor at the "Governors' conference" This was Governor Landon of Kansas. The other delegates from the different States were largely made up of spokesmen for the major oil companies, only a very few representatives of independents or of the public in general being present. It was evident from the rapid, automatic organization of the conference that the whole program of the conference had been carefully worked out in advance, and the delegates thoughtfully relieved of any effort in this connection.

Governor Landon was appointed chairman of the meeting, and immediately thereafter took a prepared address from his pocket, and read it to the meeting. Mr. Edward S. Rochester was present and appeared to have in hand the details of the meeting. Rochester was secretary and manager of the Federal Oil Conservation Board, during the past eight years, and was formerly executive secretary to Attorney General Daugherty during the Harding administration

It is perhaps significant in connection with this conference to note that the Federal Oil Conservation Board was abolished by President Roosevelt during our stay in Washington, and Secretary-Manager Rochester was separated from the government service These actions followed representations by independent oil operators in Washington

With reference to Governor Landon, the only Governor present at the meeting, it was revealed that the Governor was a brother-in-law of the president of two important mid-western Standard Oil subsidiaries. This latter fact may have, of course, been merely a coincidence.

Governor Landon appointed a committee of five from the "Governors' conference" to act with a committee of five from the major oil company group, and a like number from a meeting of alleged independents, called together by President Wirt Franklin of the Independent Petroleum Association of America. This committee of fifteen adopted a set of resolutions prepared by a subcommittee of six, which was headed by Walter C. Teagle, president of the Standard Oil Company of New Jersey. These resolutions were submitted to the Secretary of the Interior and the President of the United States, but were not acted upon favorably by the President, excepting in some matters of minor consequence.

A group of actual independent oil operators representing California, Texas, Oklahoma and various other States, met simultaneously but separately from the "Governors' conference." and submitted the different set of resolutions to the Secretary of the Interior and President of the United States. Among the recommendations made by the independent committee was one urging that interstate pipe lines be separated in operations and ownership from producing companies, and this important recommendation was adopted by the President

The above is a brief summary of events occurring in connection with the "Governors' conference" and other meetings growing out of the conference

Yours very truly,

W. M. KECK.

Also:

By Mr. Patterson:

To the California Legislature, Sacramento, California.

The undersigned taxpaying farmers and citizens of San Luis Obispo County protest the passing of Assembly Bill No. 897. It is headed "A Mandatory Consolidation and Merger of School Districts."

We protest any bill which will increase our costs, either directly or indirectly. We prefer reduction or elimination of State services to any new licenses, fees, assessments or taxes.

So far as the farmers are concerned, the money with which to pay increased costs does not exist. That fact makes it unnecessary to discuss the merits or desirability of many public services at this time.

We respectfully petition you to balance the budget by cutting costs—not by increasing taxes.

R. A. Ernst, Paso Robles; A. G. Holsinger, Creston; Carnello Aguayo, Creston; Hubert Karan, Paso Robles; Louis L. Spivak, Creston; George Bednar, Creston; Emile Bedenar, Creston; Joe Schlyel, Creston; A. Keyser, Creston; Arthur Chicano, Creston; D. F. Ambrose, Creston; R. W. Ferrari, Creston; E. M. Holzinger, Creston; John J. Ryan, Creston; Virgil Smith, Paso Robles; Mrs. A. B. Ernst, Paso Robles; Mrs. Alice Dalla, Creston; R. T. Hond, Creston; Mrs. Minnie Smith, Paso Robles; John Ernst, Paso Robles; August Karan, Paso Robles; A. O. Malmberg, Paso Robles; Carl Smith, Paso Robles; John O'Donovan, Creston; J. R. Matney, Creston; Sam Wray, Creston; Mrs. Fay Tuley, San Miguel; Mrs. Doris Freeman, San Miguel; Mrs. Merle Tuley, Paso Robles; Mrs. Chris Hirschler, San Miguel; Mrs. E. Beatrice Burge, San Miguel; Mrs. C. C. Heer, San Miguel; Mrs Myrtle C. Bridge, San Miguel; Mrs. Jessie M. Tuley, San Miguel; Mrs. Olga Hambly, Paso Robles; Bella R. Ellis, San Miguel; Mrs. Sarah Ellis, San Miguel; Mrs. C. E. Range, San Miguel; Mrs Alice Thralls, San Miguel; Mrs. Harriette Carptenter, San Miguel; Julia M. Brainard, San Miguel; Mrs. L. Dodd, San Miguel; Mrs. Paul L. Smith, San Miguel; Clarence T. Rougert, San Miguel; S Thelma Rougert, San Miguel; R. Holland, Santa Maria; Alice M. Durham, Paso Robles; H. H. Durham, Parkfield; Mrs. H. D. Brown, Adelaida; Mrs Antone Brod, Creston; J. M. Brod, Creston; James Symons, Templeton; Jas. H. Truesdale, Paso Robles; O. L Bigsby, Paso Robles; C. F. Hoffman, San Miguel; H. C. Hurst, Paso Robles; R. L. Turner, Paso Robles; L. Lauridsen, Paso Robles; J. S. Shetler, Paso Robles; D. F. Ambrose, Creston; Mrs D. F. Ambrose, Creston; Mary A. Billings, Paso Robles; Geo. E. Wells, San Miguel; Mrs. Geo. E. Wells, San Miguel; John Levene, San Miguel; T. R Brooksher, Paso Robles; J. H. Stanley, San Miguel; Earl I. Colt, Paso Robles; R. M. Morley, Paso Robles; S. A. Donaldson, San Miguel; Robt. R. Work, San Miguel; Mrs. L. M. Jespersen, Paso Robles; Lester Jespersen, Paso Robles; Fred Schowalter, San Miguel; Paul L. Smith, San Miguel; Homer B. Stewart, San Miguel; T. W. Hambly,

San Miguel; Wm. Sinclair, San Miguel; Austin Foley, San Miguel; Mary E. Sinclair, San Miguel; Elizabeth Schowalter, San Miguel; Clarissa S. Farnell, San Miguel; Amelia Dodd, San Miguel; Emelie Hambly, San Miguel; Ann Abbott, San Miguel; Alfred Mills, San Miguel; Emma S. Borchert, San Miguel; Mrs. Eva M. Mills, San Miguel; H. B. Morgan, Templeton; C. C. Heer, San Miguel; J. T. Tuley, San Miguel; Fred Crowfoot, San Miguel; Warren Hambly, San Miguel; Edwin Borchert, San Miguel; Wilhelm Dunning, San Miguel; Harry Borchert, San Miguel; Mrs. Ann Abbott, San Miguel; M. I. Tuley, San Miguel; Ray J. Farnell, San Miguel; Otto Goevs, Paso Robles; Gus Wiebe, Paso Robles; Otto Hege, Paso Robles; Chris Hirschler, San Miguel; H H. Lichte, Paso Robles; Wm. Leisy, Paso Robles; John C. Neufeld, Paso Robles; Hugo H. Hege, Paso Robles; Geo E. Withrow, San Miguel; Anita Neufeld, Paso Robles; W. Ray Tuley, San Miguel; Leonard Buechler, San Luis Obispo; M. A. Bridge, San Miguel; Phil Sinclair, San Miguel; E. W. Thralls, San Miguel; Max Von Dollen, San Miguel; Martha Quenzer, San Miguel; Ethel M. Montgomery, Paso Robles; Elizabeth Haynes, Paso Robles; Mrs. Fay Tuley, San Miguel; Joe Freeman, Paso Robles; Mrs. Addie Freeman, Paso Robles; M. H Freeman, Paso Robles; J. E. Freeman, Paso Robles; Mrs Bertha Freeman, Paso Robles; Martin Petersen, Paso Robles; Mrs. Effie M. Petersen, Paso Robles; Alice A. Ernst, Paso Robles; L. Olson, Paso Robles; Mrs. Juanita Reynolds, Paso Robles; Chas. Reynolds, Paso Robles, L. R. Erickson, Paso Robles; Ellen M. Erickson, Paso Robles, Martin Svendsen, Paso Robles; Ejner Svendsen, Paso Robles, Anna Svendsen, Paso Robles; W. J. O'Neill, Paso Robles; Mr. W. W. Wakeman, Paso Robles; Mrs. W. W. Wakeman, Paso Robles; Mrs. Chas. A. Johnson, Paso Robles; Mr. Chas. A. Johnson, Paso Robles; Arthur McCann, Paso Robles; Mrs. C. L Roeder, Paso Robles; Mr. C. L. Roeder, Paso Robles; Esther E. Tuley, Paso Robles; Ord G. Foley, Paso Robles; Malcolm Sinclair, Paso Robles; Thelma Hillman, Paso Robles; C. D. Hillman, Jr., Paso Robles; C E. Harry, Paso Robles; H. B. McWilliams, San Miguel; Lena A McWilliams, San Miguel; Verna M. Harry, Paso Robles; F. De Rosa, Paso Robles; H. De Rosa, Paso Robles; J. F. Wasson, Paso Robles; Emma L. Wasson, Paso Robles; S. S. Martin, Paso Robles; Grace B. Martin, Paso Robles; Mrs. Maria Seiler, San Miguel; Johnnie Von Dollen, San Miguel; J. R Sweeney, San Miguel; Austin Foley, San Miguel; Geo. Swan, San Miguel; T. E Fragge, San Miguel; Harold F. Simms, San Miguel; E. H. Oaley, San Miguel; A. H. Dunlap, San Miguel; C. G. Machadn, San Miguel; J. E. Dodd, Adelaida; Mrs. Pauline Dodd, Adelaida; J. C. Diller, Paso Robles, L. G. Tabing, Lompoc; W. L. Robbins, Paso Robles; Mrs. G. R Spalding, Paso Robles; S V. Saddler, Paso Robles.

Also:

By Mr. Patterson:

The undersigned taxpaying farmers and citizens of San Luis Obispo County protest the passing of Assembly Bill No. 897. It is headed "A Mandatory Consolidation and Merger of School Districts."

Fred Schowalter, San Miguel; Paul L Smith, San Miguel; Homer B. Sturart, San Miguel; J. W. Hambly, San Miguel; Wm. Sinclair, San Miguel; Austin Foley, San Miguel; Mary E Sinclair, San Miguel; Elizabeth Schowalter, San Miguel; Clarissa S. Farnell, San Miguel; Amelia Dodd, San Miguel; Emelie Hambly, San Miguel; Ann Abbott, San Miguel; Alfred Mills, San Miguel; Mrs Eva M. Mills, San Miguel; H B. Morgan, Templeton, C C Heer, San Miguel; J. T. Tuley, San Miguel; Fred Crowfoot, San Miguel; Warren Hambly, San Miguel; Edwin Borchert, San Miguel Mrs Fay Tuley, San Miguel; Wilhelm Henning, San Miguel; Harvey Borchert, San Miguel; Emma S. Borchert, San Miguel, Mrs Ann Abbott, San Miguel; M I. Tuley, San Miguel, Ray J. Farnell, San Miguel; Gus Wiebe, Paso Robles; Otto Goevs, Paso Robles; Otto Hege, Paso Robles; Chris Hirschler, San Miguel; Hugo H Liehte, San Miguel; Wm Leisy, Paso Robles; John C Neufeld, Paso Robles; Hugo H. Hege, Paso Robles; Geo E. Withrow, Paso Robles; Anita Neufeld, Paso Robles, W. Ray Tuley, San Miguel; Leonard Buechler, San Luis Obispo; M. A Bridge, San Miguel, Phil Sinclair, San Miguel; E W. Thralls, San Miguel; Max Von Dollen, San Miguel; Bertha Von Dollen, San Miguel, Martha Quenzer, San Miguel; Ethel M Montgomery, Paso Robles, Elizabeth Haynes, Paso Robles; Jeo Freeman, Paso Robles, Mrs. Addie

Freeman, Paso Robles; M. H. Freeman, Paso Robles; P. E Freeman, Paso Robles; Mrs. Bertha Freeman, Paso Robles: Martin Petersen, Paso Robles; Mrs Effie M Petersen, Paso Robles. Alice A. Ernst, Paso Robles, L. Olson, Paso Robles; Mrs. Juanita Reynolds, Paso Robles; Chas Reynolds, Paso Robles: L. R. Erickson, Paso Robles: Ellen M. Erickson, Paso Robles; Martin Svendsen, Paso Robles; Ejner Svendsen, Paso Robles; Anna Svendsen, Paso Robles; W. J O'Neill, Paso Robles; Mrs C L. Roeder, Paso Robles. Arthur McCann, Paso Robles: C. L Roeder, Paso Robles. Mrs. Chas A. Johnson, Paso Robles: Chas A Johnson, Paso Robles: W. W. Wakeman, Paso Robles; Mrs. W. W. Wakeman, Paso Robles.

Also:

By Mr. Patterson:

We, the undersigned, citizens, taxpayers and legal voters of the State of California, respectfully petition your honorable body to immediately enact such legislation as shall relieve debtors from the unjust and usurious practice of having deficiency judgments heaped upon them in addition to the loss of their property in foreclosure proceedings; also, to provide some form of moratorium in the foreclosure of mortgages and trust deeds, to the end that the debtor class, which is so large a taxpaying class in this State may have opportunity to rehabilitate themselves, which is, indeed, the salvation of our State and Nation.

And your petitioners will ever pray, etc.

John C. Hamm, Temple City; Lillian F. Payne, Temple City, George W. Lawyer, South Pasadena; Christopher C. Sutton, South Pasadena; Mrs. Lenore Rannow, South Pasadena Robt S Payne, Temple City, Jas. S Medearis, Temple City; W. J. Husong, Temple City: Frances A. Husong, Temple City; Lucia K. Hamm, Temple City: Addie E. Brown, South Pasadena.

Also:

By Mr. Patterson:

PASO ROBLES, CALIFORNIA, April 6, 1933.

We, the undersigned taxpayers of Paso Robles, are hereby making a demand on your honorable bodies to give us (the State) drastic cuts in all forms of State governmental expenses. We demand that all departments be cut absolutely to the very bone. The conditions of the State are such that an immediate reduction and a drastic one is absolutely a necessity at this time. We want reduced taxes.

Will D. Forbes, M. J. Hoon, C. E. Hanson, J. C. Shetler, J. C. Sander, F. M. Hickam, C. W. Lammon, Frank A. Marston, F. B. DeMontvelle, C. C. Thompson, W. C. Henderson, J. Janny, J. W. Brown, Wm. Johnson, B. H. Dauit, C. A. Holst, A. A. Bay, Henry E. Jarman, T. O. Wair, D. W. Lyle, Tom Stemar, Mrs. J. M. P. Hewsm, W. T. Gahon, Mrs. G. Ellis Wiest, Quincy Moore, D. H. Orcutt, Alex Webster, R. C. Heaton, H P. Clemons, R. J. Williams, W. B. Noyes, J. Colyer, W. T. Sykes, A. J. Beaty, J P. Brush, John Hurley, C. F. Iversen, Wm A. Claassen, Jr.

COMMUNICATION.

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

By Mr. Crowley:

VALLEJO CHAMBER OF COMMERCE
VALLEJO, CALIFORNIA, April 14, 1933.

Assemblyman Ernest C. Crowley.
State Assembly, Sacramento, California.

DEAR SIR: The United States' most famous warship, the Constitution, will be in Vallejo from April 26th to May 2d for the purpose of allowing the public to board and to inspect this historical old craft.

In behalf of the city of Vallejo, the Vallejo Chamber of Commerce hopes that you will avail yourself of the opportunity of inspecting this famous monument of American sea-power during its stay here.

Visiting hours are from ten o'clock a.m. to five o'clock p.m. daily, and, due to the large number of people contemplating visiting Old Ironsides, reservations are being made by various organizations and parties to prevent overcrowding.

If you are contemplating visiting the frigate, would you be so kind as to make a reservation through Lieutenant J. G. Atkins, U. S. N., Aide to the Commandant of Mare Island Navy Yard? He will communicate with you as to the best time and date for visiting, should you be bringing a large party of friends. No charges or formalities are involved.

Trusting that you will avail yourself of the opportunity to see this 135-year-old fighting craft, I am

Very truly yours,

F. W. BIRCHMORE, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 94—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding thereto a new section to be numbered 18.1 of Article XI thereof, relating to bonded indebtedness—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Constitutional Amendment No. 94 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to section 22 of Article XII of the Constitution of the State of California, relating to the Railroad Commission—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Constitutional Amendment No. 5 ordered on file for adoption.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 1944—An act to create the California Mining and Development Board and to provide for the fostering and development of the mining industry of this State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MAYO, Chairman.

The above reported bill ordered on file for second reading.

ON UNEMPLOYMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No. 2320—An act to provide means for the immediate relief and public employment for the unemployed and indigent citizens and residents of California—has had the same under consideration, and respectfully reports the same back without recommendation.

POWERS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No. 878—An act providing for a system of unemployment reserves and compensation, making an appropriation therefor, and prescribing penalties in connection therewith—has had the same under consideration, and respectfully reports the same back, without recommendation, as amended, and be re-referred to Committee on Ways and Means.

POWERS, Chairman.

The above reported bill ordered re-referred to Committee on Rules.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 17, 1933, passed Senate Bill No. 442—An act to repeal the California Nautical School Act and to provide for the disposition of the property of said school.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 442 read first time, and referred to Committee on Ways and Means.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Williamson: Assembly Constitutional Amendment No. 109—Proposed amendment to Article XIII, adding section 5, of the Constitution, relative to taxation.

Referred to Committee on Constitutional Amendments.

UNFINISHED BUSINESS.

Assembly Bill No. 1068—An act to amend section 805 of the Agricultural Code, relating to the standardization of oriental persimmons.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1068?

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out the comma, and insert in lieu thereof the words "at least".

AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, strike out the word "twenty-five".

The roll was called, and Senate amendments to Assembly Bill No. 1068 were concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Evans, Feigenbaum, Fisher, Frazier, Grubbs, Hoffman, Kallam, Latham, Maloney, Martin, McBride, McCarthy, Meeker, Miller, James A., Morgan, Patterson, Peterson, Phillips, Rawls, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—47.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1075—An act to amend section 798 of the Agricultural Code, relating to the standardization of dates.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1075?

AMENDMENT NUMBER ONE.

On page 2 of the printed amended bill, after line 5, insert the following:

"Dates which are being delivered to any person in the State for the purpose of grading, packing or reconditioning, or which are being held in storage for such purposes, are exempt from the provisions of this section."

The roll was called, and Senate amendment to Assembly Bill No. 1075 was concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cobb, Crist, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Kallam, King, Latham, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream,

Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—51.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1077—An act to amend section 782 of the Agricultural Code, relating to the powers of the director.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1077?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out all of lines 14, 15 and 16, and the word "taken" in line 17, and insert in lieu thereof the following: "The director may prescribe methods of selecting samples of lots or containers of fruits, nut and vegetables, which shall be reasonably calculated to produce by such sampling fair representations of the entire lots or containers sampled".

The roll was called, and Senate amendment to Assembly Bill No. 1077 was concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, James A., O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—53.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1433—An act to amend section 1115 of the Political Code to provide for the printing of the index to registration affidavits.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1433?

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, following the comma after the word "space," strike out all of line 8 and line 9 down to and including the word "voted", and in lieu thereof insert "to the left of and in front of the name of the elector, within which to write, in figures, the line number designating the position of the name of such voter on the roster of voters".

The roll was called, and Senate amendment to Assembly Bill No. 1433 was concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cobb, Craig, Dempster, Evans, Feigenbaum, Fisher, Grubbs, Hatch, Hoffman, Hornblower, Kallam, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, James A., Morgan, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson and Mr. Speaker—48.
NOES—None.

The above reported bill ordered to enrollment

Assembly Bill No 2199—An act to add a new section, to be numbered 73a, to the Code of Civil Procedure, relating to superior courts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2199?

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the comma following the word "clerk", add the following: "and one court reporter".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 6, and insert in lieu thereof the following: "judge and clerk, or deputy clerk, and one court reporter of".

The roll was called, and Senate amendments to Assembly Bill No. 2199 were concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Crowley, Dempster, Evans, Feigenbaum, Frazier, Greene, Grubbs, Hallner, Hoffman, Hornblower, Kallam, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, James A., Patterson, Peterson, Rawls, Riley, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—50.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No 306—An act to amend sections 5 and 7 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, relating to organization and management of fire protection districts

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 306?

AMENDMENT NUMBER ONE.

Strike out line 1 of the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 5 and 7 of an act entitled "An act to".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 5 of the act cited in the title hereof is hereby amended to read as follows

Sec 5. The board of supervisors of any county wherein any county fire protection district is established shall be the governing body thereof and shall have power to make and enforce all rules and regulations necessary for the administration and government of such district and for the furnishing of fire protection thereto and for the elimination of fire hazards therein; to appoint agents and employees for such district sufficient to maintain and operate the property acquired for the purposes of the district and to police the district; to clear any or all town lots, homesites, villa lots or lands immediately adjacent thereto within the district of dry grass, weeds, stubble, brush, rubbish, litter or other inflammable material; to acquire real or personal property needful for the purposes of said district and to dispose of the same when no longer needed; to construct any needed structures; to accept donations or contributions of any kind or nature which are made to the fire protection district and to expend donated or contributed funds in furtherance of the purposes of this act; and to perform all other acts necessary or proper to accomplish the purposes of this act, and not inconsistent with the provisions thereof.

SEC. 2. Section 7 of the act cited in the title hereof is hereby amended to read as follows:"

The roll was called, and Senate amendments to Assembly Bill No. 306 were concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cobb, Craig, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Latham, Maloney, Martin, McBride, Meeker, Miller, James A., O'Connor, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson and Mr. Speaker—52.

NOES—None.

The above reported bill ordered to enrollment.

MOTION TO RECONSIDER.

Mr. Fisher moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 217 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Williamson moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2314 was passed be continued until the next legislative day.

Motion carried.

RECONSIDERATION WAIVED.

Mr. Phillips waived his notice to reconsider the vote whereby Assembly Bill No. 2350 was passed.

Assembly Bill No. 2350 ordered transmitted to the Senate.

RECONSIDERATION WAIVED.

Mr. Knowland waived his notice to reconsider the vote whereby Assembly Bill No. 948 was refused passage.

MOTION TO RECONSIDER.

Mr. Lyon moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 246 was refused passage be continued until the next legislative day.

Motion carried.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 692—An act to add a new section to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, to be numbered 862b, relating to cities of the sixth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out the semicolon and "to", and strike out all of lines 18 to 22, inclusive, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 185—An act to amend sections 278, 290, 292, 293, 294, 295, 296, 300a, 300b, 301, 303, 304, 305, 306, 307, 307a, 308, 309, 311, 312, 313, 314, 315, 319, 320a and 320b of the Civil Code, to add a new section 281 to the Civil Code, and to repeal section 375 of the Civil Code, all relating to corporations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 186—An act to amend sections 326, 328, 328a, 328b, 328d, 328e, 330.6, 330.13, 330.24, 331, 332, 333, 334, 334a, 336 and 337 of, to repeal section 587 of, and to add a new section to be numbered 326b to, the Civil Code, all relating to corporations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 187—An act to amend sections 341, 342, 342a, 342b, 343, 346, 346a, 348 and 348b of the Civil Code, and to repeal sections 343a and 347 of the Civil Code, all relating to corporations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 188—An act to amend sections 355, 357, 358 and 359 of the Civil Code, and to add a new section to the Civil Code to be numbered 356, all relating to corporations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 189—An act to amend sections 361, 362, 362a, 362b and 362c of the Civil Code, all relating to corporations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 190—An act to amend sections 363, 365, 366, 368, 369, 370a and 373 of the Civil Code, all relating to corporations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 191—An act to amend sections 399, 399a, 400, 400a, 401, 401a, 401c, 402, 402a, 403, 403a, 403b, 403c, 403d, 404, 404a and 404b of the Civil Code, and to repeal sections 343a and 401b of the Civil Code, all relating to corporations

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 192—An act to amend sections 405, 406, 406a, 408, 409, 411 and 412 of the Civil Code, all relating to foreign corporations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 847—An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled "An act to define the duties of and to license land surveyors," approved March 16, 1907.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2339—An act to amend section 362c of the Civil Code, relating to the extension of the term of corporate existence.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2253—An act to amend sections 27 and 34 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909, relating to duty of warehouseman in regard to stored goods.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1288—An act to amend the article heading of Article 1 of Chapter 3 of Division V of and to amend sections 851, 852 and 871 and to repeal sections 853, 855, 856, 857, 858, 859, 862, 864, 865, 866, 867, 868, 873, 874, 875, 879 and 881 of the Agricultural Code, relating to canned foods.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1362—An act to amend section 588b of the Penal Code, relating to the breaking down, removal, injury or destruction of barriers or obstructions, the tearing down, removal or destruction of

notices, or the extinguishing, removal, injury or destruction of warning lights or lanterns, on a State road or highway, and prescribing a penalty for the violation of such section.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2343—An act to add a new section to the Penal Code, to be numbered 537f, relating to the sale and offering for sale of rebuilt storage batteries.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the words "in part of", add the word "a".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, after the word "container", insert a comma, followed by the words "or used plate or".

AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, strike out the word "printed", and insert in lieu thereof the word "branded".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 180—An act to amend section 1197 of the Political Code, relating to election ballots.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 7, line 11, of the printed bill, before the word "fold", insert a parenthesis.

AMENDMENT NUMBER TWO.

On page 8, line 26, of the printed bill, strike out "Instructions to Voters", and insert in lieu thereof the following:

"INSTRUCTIONS TO VOTERS".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 711—An act defining building loans, providing for the recording before beginning of construction of a detailed statement of the actual terms and conditions and true consideration thereof verified upon the oath of the borrower and forbidding the recording of a false statement or procuring the recording thereof, and providing for penalties and consequences of the violation of the terms of this act, and providing for clearing the record of abandoned building loans.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, lines 9 and 10, of the printed bill, strike out "or who shall conspire with another to make such false statement or to file the same".

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out lines 17 to 19, inclusive, and insert in lieu thereof the following: "a building loan as herein defined."

AMENDMENT NUMBER THREE.

On page 3, line 3, of the printed bill, strike out the period following the word "dollars", and insert in lieu thereof a comma and the following: **"nor in the case of** any building loan transaction undertaken to be made by any corporation or association conducting a banking business or that of a building and loan association".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1545—An act to amend sections 691, 692, 693, 694, 695, 696, 865, 880 and 881 of the Fish and Game Code, and to repeal section 719 thereof, relating to striped bass and shad.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 691, 692, 693, 694, 695, 696, 720, 860, 861, 862, 865, 879, 880, 881, 882 and 972 of the Fish and Game Code, and to repeal sections 719, 903 and 904 thereof, relating to fish and game."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after the period in line 4, insert the following: "Striped bass taken with hook and line may not be sold."

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out line 12, and insert in lieu thereof the following:

"SEC. 8. Section 720 of the Fish and Game Code is hereby amended to read as follows:

720. Between June 1st and February 14th, the bag limit on shad is five per day, and between said dates, not more than one daily bag limit may be possessed during one day.

SEC. 9. Section 860 of the Fish and Game Code is hereby amended to read as follows:

860. In district 12B, salmon may be taken with nets between August 1st and September 16th, and between February 15th and June 15th, with nets allowed to be used in said districts.

SEC. 10. Section 861 of the Fish and Game Code is hereby amended to read as follows:

861. In district 12C, salmon may be taken with nets between February 15th and June 15th, with nets allowed to be used in said district

SEC. 11. Section 862 of the Fish and Game Code is hereby amended to read as follows:

862. In districts 12B and 12C, the meshes of all nets used for the purpose of taking salmon must be at least 5½ inches in length In said districts between May 16th and June 15th such meshes must be at least 7½ inches in length.

SEC. 12. Section 865 of the Fish and Game Code is hereby".

AMENDMENT NUMBER FOUR.

On page 2, line 18, of the printed bill, after "shad", insert a comma.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out line 27, and insert in lieu thereof the following:

"SEC. 13. Section 879 of the Fish and Game Code is hereby amended to read as follows:

879. In district 12, drift gill nets may be used, subject to the following restrictions:

(a) They may be used to take herring, smelt and other small fish.

(b) The cork line must not be submerged more than two fathoms below the surface of the water, the lines attaching the buoys or floats to the cork line must not be more than two fathoms in length, and the points of attachment of said lines on the cork line must not be more than ten fathoms apart.

(c) The length of meshes must not exceed two and one-half inches in length The meshes of any gill net must be approximately the same size.

(d) They may not be used where any part of the net is nearer than three hundred feet to the point where the surface of the water joins the land.

SEC. 14. Section 880 of the Fish and Game Code is hereby".

AMENDMENT NUMBER SIX.

On page 2, line 31, of the printed bill, after "shad", insert a comma.

AMENDMENT NUMBER SEVEN.

On page 2, line 46, of the printed bill, strike out "10", and insert in lieu thereof the following: "15".

AMENDMENT NUMBER EIGHT.

On page 2, line 50, of the printed bill, after "shad", insert a comma.

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, after line 11, insert the following:

"SEC. 16. Section 882 of the Fish and Game Code is hereby amended to read as follows:

882. In district 13, drift gill nets may be used to take herring, smelt and other small fish, subject to the following restrictions:

(a) The cork line must not be submerged more than two fathoms below the surface of the water, the lines attaching the buoys or floats to the cork line must not be more than two fathoms in length, and the points of attachment of said lines on the cork line must not be more than ten fathoms apart.

(b) The length of the meshes must not exceed two and one-half inches in length. The meshes must be approximately the same size.

(c) They may not be used where any part of the net is nearer than three hundred feet to the point where the surface of the water joins the land

SEC. 17. Sections 903 and 904 of the Fish and Game Code are hereby repealed.

SEC. 18. Section 972 of the Fish and Game Code is hereby amended to read as follows:

972. Troll lines or hand lines having not more than two hooks (plugs excepted) may be used in any district, and troll lines with more than two hooks may be used in districts 6, 7, 10, 11, 15, 16, 17, 18, 19 and 19A for the purpose of taking salmon or tuna."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1416—An act to amend an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, as amended, by amending section 12 thereof and by adding a new section thereto to be numbered "26," relating to cooperative or unit plans of development or operation on oil and gas permits or leases of State lands, solely or in conjunction with lands not belonging to the State forming part of the same pool or field, and to delegate to the Chief of the Division of State Lands the power to change, with the consent of permittees and lessees, provisions of permits and leases of State lands included in any such cooperative or unit plan, and to join in any such cooperative or unit plan on behalf of the State.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after "amend", insert the following: "sections 5 and 12 and to add section 26 to".

AMENDMENT NUMBER TWO.

Strike out lines 12 to 22, inclusive, of the title of the printed bill, and insert in lieu thereof the following: "1921, relating to leasing of State lands and the taking of minerals or petroleum products therefrom."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 1 to 8, inclusive, and on page 2, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 5 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 5. Upon establishing to the satisfaction of the surveyor general that valuable deposits of oil or gas have been discovered within the limits of the land embraced in any permit, the permittee shall be entitled to a lease for one-fourth of the land embraced in the prospecting permit; provided, that the permittee shall be granted a lease for as much as one hundred sixty acres of said lands, if there be that number of acres within the permit. The area to be selected by the permittee shall be in compact form and if surveyed, to be described by the legal subdivision of the public land surveys; if unsurveyed, to be surveyed by the surveyor general at the expense of the applicant for lease in accordance with rules and regulations to be prescribed by the surveyor general, and the lands leased shall be conformed to and taken in accordance with the legal subdivisions of such surveys; deposits made to cover expense of survey shall be deemed appropriated for that purpose, and any excess deposit may be repaid to the person or persons making such deposits or their legal representative. Such lease shall be for a term of twenty years upon a royalty of five per centum in amount or value of the production and the annual payment in advance of a rental of one dollar per acre, the rental paid for any one year to be credited against the royalties as they accrue for that year, with the right of renewal as prescribed in section 8 hereof. The permittee shall also be entitled to a preference right to a lease for the remainder of the land in his prospecting permit at a royalty of not less than twelve and one-half per centum in amount or value of the production, and under such other conditions as are fixed for oil or gas leases in this act, the bonus and royalty to be determined by competitive bidding or fixed by such other method as the surveyor general may by regulations prescribe; provided, that the surveyor general shall have the right to reject any and all bids. Whenever any permit or lease shall have been included within any cooperative or unit plan of development under the provisions of section 26 of this act the Chief of the Division of State Lands shall amend the terms of any such permit or lease so as to provide that the percentage of royalty therein reserved to the State shall be applied against the share of total production from any such cooperative or unit plan to which any such permit or lease shall be entitled under the terms of the agreement under which such cooperative or unit plan of development is formed.

SEC. 2. Section 12 of said act is hereby amended to read as follows:".

AMENDMENT NUMBER FOUR.

On page 2, line 19, of the printed bill, strike out "said minerals", and insert in lieu thereof the following: "minerals leased hereunder".

AMENDMENT NUMBER FIVE.

On page 3, line 6, of the printed bill, strike out "SEC 2.", and insert in lieu thereof the following: "SEC. 3."

AMENDMENT NUMBER SIX.

On page 3, line 30, of the printed bill, strike out the period following "thereon", and insert a comma and add the following: "provided, however, that no permit which is not adjacent to another permit or lease upon which oil or gas has been found in valuable quantities shall be included in any such cooperative or unit plan of development or operation.

SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution and shall, therefore, go into immediate effect. The facts constituting the necessity are as follows.

Under the present law the drilling operations conducted along our public beaches are such as to cause pollution of the water along the beach. The result is that not

only the public enjoyment of the beach lands and the waters adjacent thereto is impaired, but the public health is endangered To remedy this situation, it is imperative that this act take immediate effect."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2083—An act to amend sections 1, 5, 7, 10, 12, 13, 24, and 25 of the Direct Primary Law, approved June 16, 1913, as amended, relating to primary elections, providing for party conventions in the State and various political units thereof, and the powers and duties of the same, for the choosing of delegates to such conventions, method of choosing members of the party county central committee and State central committee and the powers and duties of the same.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 9 of the printed bill, strike out lines 19, 20 and 21, and insert in lieu thereof the following "a single county or any political subdivision thereof. In the case of every candidate to be voted for at the".

AMENDMENT NUMBER TWO.

On page 21, line 16, of the printed bill, strike out the word "resignation", and insert in lieu thereof the word "registration".

AMENDMENT NUMBER THREE.

On page 21, line 38, of the printed bill, after the figure "1198", insert the following: ", 1199".

AMENDMENT NUMBER FOUR.

On page 22, lines 16 and 17, of the printed bill, strike out the following: ", Senatorial District".

AMENDMENT NUMBER FIVE.

On page 22, line 32, of the printed bill, after the word "party", insert the following: "(or in case it should fail to act then under the auspices of the State central committee)".

AMENDMENT NUMBER SIX.

On page 22, line 36, of the printed bill, after the word "seven p m.", insert the following: "The registrar of voters, the county clerk or other public official having charge of the great register of voters shall furnish to the county central committee of each party a list of the registered voters of that party in each precinct."

AMENDMENT NUMBER SEVEN.

On page 23, line 11, of the printed bill, strike out the word "may", at the end of the line, and strike out all of line 12.

AMENDMENT NUMBER EIGHT.

On page 23 of the printed bill, strike out all of lines 39 to 47, both inclusive.

AMENDMENT NUMBER NINE.

On page 23, line 48, of the printed bill, strike out the numeral "6", and insert in lieu thereof the numeral "5".

AMENDMENT NUMBER TEN.

On page 24, line 22, of the printed bill, strike out the numeral "7", and insert in lieu thereof the numeral "6".

AMENDMENT NUMBER ELEVEN.

On page 24, line 41, of the printed bill, strike out the numeral "8", and insert in lieu thereof the numeral "7".

AMENDMENT NUMBER TWELVE.

On page 24, line 46, of the printed bill strike out the numeral "9", and insert in lieu thereof the numeral "8".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 308—An act to amend section 9 of "An act to provide for the formation, management, alteration of boundaries, and dissolution of sewer maintenance districts in unincorporated territory of counties, defining the powers of such districts and providing for the levy and collection of taxes to defray the expenses thereof," approved May 19, 1927, Statutes of 1927, page 1088.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 724—An act to amend section 4082 of the Political Code, to provide for exempting certain claimants for duplicate warrants from the requirement to file a bond.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2134—An act adding a new section to the Political Code, to be numbered 4041.26 thereof, relating to the jurisdiction and powers of boards of supervisors.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the figures "4041.26", and substitute therefor "4041.33".

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out the figures "4041.26", and substitute therefor "4041.33".

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, strike out the figures "4041.26", and substitute therefor "4041.33".

AMENDMENT NUMBER FOUR.

On page 1, line 9, of the printed bill, strike out the words "matters involving the preservation of public peace," and substitute therefor the words "the prevention of fires and to the conservation of natural resources,".

AMENDMENT NUMBER FIVE.

On page 1, line 10, of the printed bill, strike out the entire line.

AMENDMENT NUMBER SIX.

On page 1, line 11, of the printed bill, strike out the words "eradication of matters detrimental thereto,".

AMENDMENT NUMBER SEVEN.

On page 1, line 19, of the printed bill, strike out the words "circulars, handbills, bulletins,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2195—An act to amend section 19x16 of the Juvenile Court Law, relating to the probation officer in counties of the sixteenth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 5, and insert in lieu thereof the following: "two thousand one hundred dollars per year; one assistant probation officer".

AMENDMENT NUMBER TWO.

On page 1, lines 6 and 7, of the printed bill, strike out "_____ dollars per month", and insert in lieu thereof the following: "one thousand eight hundred dollars per year".

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, strike out "_____ dollars per month", and insert in lieu thereof the following: "one thousand two hundred dollars per year".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 687—An act to amend section 4273 of the Political Code, relating to compensation of county and township officers in counties of the forty-fourth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"4273. In counties of the forty-fourth class the county officers shall receive as compensation for the services required of them by law, or by virtue of their offices, the following salaries, to wit:

1. County Clerk. The county clerk, two thousand dollars per annum; provided, that in counties of this class there shall be, and there is hereby allowed the county clerk, one deputy clerk, who shall be appointed by the county clerk, and shall be paid salary as follows: The sum of one thousand dollars per annum, which shall be paid by said county in equal monthly installments at the time and in the same manner and out of the same fund as the salary of the clerk is paid; provided, that the county clerk shall appoint as many deputy registration clerks as may be necessary for the convenient registration of voters of the county, which deputy registration clerks in all places in said county other than at the county seat shall receive as compensation for their services the sum of eight cents per name for each and every voter registered by them, said compensation to be paid out of the general fund of the county on the presentation of filing with the board of supervisors of the county a duly verified claim therefor, approved by the county clerk.

2. Recorder. The recorder shall receive a salary of one thousand five hundred dollars per annum, and in addition to his salary fifty per cent of all fees collected by him as such recorder.

3. Sheriff. The sheriff shall receive three thousand dollars per annum, and the fees or commissions for the service of all papers issued by any court of the State outside of his county, also his traveling expenses in the execution of a warrant outside of his county issued by a magistrate or court of his county; provided, that in counties of this class the sheriff is hereby allowed one undersheriff and three deputies, who shall be appointed by the sheriff, the undersheriff shall receive a salary of one thousand five hundred dollars per annum, and each of the other three deputies shall receive a salary of one thousand two hundred dollars per annum which shall be paid by the county in equal monthly installments at the time and in the same manner and out of the same funds as the salary of the sheriff is paid.

4. The auditor, two thousand dollars per annum; provided, that in counties of this class the auditor is hereby allowed one deputy, who shall be appointed by the auditor and who shall receive a salary of nine hundred dollars per annum, which shall be paid by the county in equal monthly installments, at the time and in the same manner and out of the same fund as the salary of the auditor is paid.

5. The treasurer, one thousand eight hundred dollars per annum, which shall be in full for all services rendered by him; and he shall pay all fees collected by him into the treasury of the county, in the manner provided by law.

6. The tax collector, two thousand four hundred dollars per annum

7. The assessor, two thousand four hundred dollars per annum.

8. The district attorney, two thousand four hundred dollars per annum; provided, that in counties of this class the district attorney is hereby allowed a clerk or stenographer, who shall be appointed by the district attorney, and who shall receive a salary of six hundred dollars per annum, which shall be paid by the county at the same time and in the same manner and out of the same fund as the salary of the district attorney is paid.

9. The coroner, such fees as are now, or may hereafter be allowed by law.

10 The public administrator, such fees as are now, or may hereafter be allowed by law.

11. The superintendent of schools, two thousand dollars per annum and traveling expenses while visiting and examining schools and school properties of the county and in performing such other duties as are incident to the full discharge of the requirements of the office of the superintendent of schools, and who shall serve as secretary of the county board of education without compensation; provided, (a), that in counties of this class the superintendent of schools is hereby allowed one deputy who shall receive a salary of nine hundred dollars per annum.

12. The surveyor, one thousand two hundred dollars per annum, which shall be in full for all services required of him by the superior court or by the board of supervisors, and as ex officio county recorder; provided, that he shall be entitled to receive from the county his actual and necessary traveling expenses incurred in the performance of any order of the court or board of supervisors; for all other services the fees allowed by law.

13. Justices of the peace shall receive the following monthly salaries, to be paid each month, and in the same manner and out of the same fund as county officers are paid, which shall be in full for all services rendered by them; in townships having a population of two thousand five hundred or more, one hundred dollars per month; provided, that in townships having a population of two thousand five hundred or more, justices of the peace shall be paid their necessary traveling expenses in the performance of their official duties; and provided, that in townships having a population of two thousand five hundred or more, the board of supervisors shall furnish and maintain at the expense of the county suitable offices for the justices thereof. All fees collected by the justices of the peace shall be paid into the county treasury at the end of each month. For the purposes of this section, the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the Federal census taken in the year 1920

14. Constables shall receive the following monthly salaries, to be paid each month, and in the same manner and out of the same fund as county officers are paid; also their necessary traveling expenses incurred while in the performance of their official duties, which shall be in full for all services rendered by them in criminal cases: in townships having a population of more than two thousand five hundred, seventy-five dollars per month. In addition to the compensation received in criminal cases, each constable shall receive and retain for his own use such fees as now or may hereafter be allowed by law for all services performed by him in civil actions; provided, however, in counties of this class constables are required to devote all of their time to the duties of their office. For the purposes of this section, the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the Federal census taken in the year 1920.

15. Supervisors shall receive one hundred twenty-five dollars per month. Supervisors shall also receive their necessary expenses when the performance of duty as supervisor or road commissioner takes them out of the county.

16. The official reporter, such fees as are now provided by law.

17. Assistants to surveyor. The board of supervisors in counties of this class may, by resolution, authorize the county surveyor to employ such assistants as may be necessary to perform such work as may be ordered by the board of supervisors or prescribed by law, and fix the compensation of such assistants and their actual necessary traveling expenses while in the field; such compensation and expenses to be allowed and paid as county charges.

18. Grand and trial jurors of the superior court shall each receive for each day's attendance the sum of three dollars per day, and for each mile actually traveled in attending court, twenty cents per mile one way only.

19. There is created for counties of the forty-fourth class, a county librarian, who shall be appointed by the board of supervisors for a term of four years and shall receive a salary of one thousand five hundred dollars per annum, to be paid at the time and in the manner as other county officers.

20. The following provisions of this act, in relation to compensation, deputies, fees and expenses, to wit: subdivisions 1 to 19, inclusive, are intended to affect present incumbents."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 688—An act to amend section 2322x44 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fourth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"2322x44. In counties of the forty-fourth class, the commissioner shall receive a salary of one thousand eight hundred dollars per annum; provided, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies and inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county agricultural commissioner at a compensation of five dollars per diem, during the time actually employed, but the aggregate amount which may be expended in any year for such deputy shall not exceed one thousand five hundred dollars.

(b) The commissioner is also authorized and empowered to appoint not to exceed three inspectors at a compensation of three dollars and fifty cents per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed two thousand dollars."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 691—An act to amend section 19x44 of the Juvenile Court Law, relating to probation officers in counties of the forty-fourth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"Sec. 19x44. In counties of the forty-fourth class there shall be one probation officer whose salary shall be fifty dollars per month."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2196—An act to amend section 2322x16 of the Political Code, relating to the office of the agricultural commissioner in counties of the sixteenth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, insert in the blank space in said line the following: "three thousand five hundred".

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, insert after the word "provided," the following: "beginning January 1, 1935, the agricultural commissioner shall receive a salary of three thousand eight hundred dollars per annum; and provided further,".

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, insert in the blank space in said line the following: "two thousand four hundred dollars".

AMENDMENT NUMBER FOUR

On page 1, line 14, of the printed bill, insert in the blank space in said line the following: "two thousand one hundred sixty dollars".

AMENDMENT NUMBER FIVE.

On page 1, line 15, of the printed bill, strike out "_____ hundred", and insert in lieu thereof the following: "one thousand nine hundred forty-four".

AMENDMENT NUMBER SIX

On page 1, line 17, of the printed bill, insert in the blank space in said line, the following: "one thousand five hundred sixty-six".

AMENDMENT NUMBER SEVEN.

On page 1, line 18, of the printed bill, insert in the blank space in said line, the following: "one thousand three hundred fifty".

AMENDMENT NUMBER EIGHT.

On page 1, line 21, of the printed bill, insert in the blank space in said line the following: "eleven thousand six hundred sixty-four".

AMENDMENT NUMBER NINE.

On page 1, line 23, of the printed bill, insert in the blank space in said line the following. "one thousand five hundred sixty-six".

AMENDMENT NUMBER TEN.

On page 1, line 24, of the printed bill, insert in the blank space in said line the following: "four hundred fifty".

AMENDMENT NUMBER ELEVEN.

On page 1, line 27, of the printed bill, insert in the blank space in said line the following "two thousand sixteen".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1228—An act to amend section 1461 of the Probate Code, relating to guardians of insane and other incompetent persons.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 12, inclusive, and insert in lieu thereof the following:

"1461. When it appears necessary or convenient, the superior court of the county in which an insane or incompetent person resides, or is temporarily domiciled, or in which a nonresident insane or incompetent person has estate, may appoint a guardian for his person and estate, or person or estate. The appointment may be made upon the petition of a relative or friend on behalf of the insane or incompetent person. Thereupon the clerk shall set the same for hearing by the court and shall cause personal notice to be given to the alleged insane or incompetent person in the same manner as is provided for the service of summons in any civil action There must be".

AMENDMENT NUMBER TWO.

On page 1, line 20, of the printed bill, strike out "that", and insert in lieu thereof the following: "the".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2190—An act to amend section 4223 of the Political Code, relating to county hospitals.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, as amended in the Assembly March 10, 1933, and insert in lieu thereof the following

"An act to amend section 4223 of the Political Code, and to add to Article I, Chapter IX, Title II, Part IV of the Political Code eleven new sections, to be numbered 4223a to 4223k, inclusive, all relating to defining and providing for county hospitals; defining indigent sick, dependent poor, and other persons entitled to admission to and treatment at or by county hospitals or branches or departments or clinics thereof; prescribing conditions for admission to and treatment at or by county hospitals or branches or departments or clinics thereof; providing for the recovery of the reasonable cost of services rendered therein in certain cases, that books, records and accounts be kept for the determination of said and other costs, that periodic reports be made by the board of supervisors of admissions to and the conduct and operation of the county hospital and any branch or department or clinic thereof, and for the approval thereof by the auditor of the county or city and county; and prescribing the powers and duties of the board of supervisors, the auditor, and the district attorney in relation to the conduct and operation of county hospitals and any branch or department or clinic thereof, and penalties for the violation of this act; and repealing all laws in conflict herewith."

AMENDMENT NUMBER TWO.

Strike out lines 3 to 21 of the printed bill, as amended in the Assembly March 10, 1933, and insert in lieu thereof the following:

"4223. The board of supervisors in each county may establish and maintain a county hospital, and prescribe reasonable rules and regulations for the government and management thereof; and appoint the necessary officers and employees thereof, and a suitable graduate in medicine who shall act as county physician, all of whom shall hold office during the pleasure of the board. The words "county hospital" as used in this article shall include the county hospital of the county or city and county, and all branches, departments and clinics thereof, and the word "county" shall include city and county.

SEC. 2. A new section to be numbered section 4223a is hereby added to the Political Code, and to read as follows

4223a. Except as expressly provided in section 4223i, no persons other than lawful residents of the county, who are indigent sick or dependent poor persons as hereinafter defined, and persons who by express provision of law are entitled to care and treatment therein, to wit: Persons who are psychopaths, narcotic addicts or habitual inebriates temporarily in custody, persons in the active stages of tuberculosis, physically defective or physically handicapped persons under eighteen years of age, the parents or guardians of whom are not financially able to secure proper care or treatment for them, and such cases of emergency as are prescribed by law, shall be admitted to the county hospital, or be given or receive care or treatment or hospital or medical or surgical or other service therein or therefrom.

SEC. 3. A new section to be numbered section 4223b is hereby added to the Political Code, and to read as follows:

4223b. Within the meaning of this article, an indigent sick or dependent poor person of a county, is a person who is in need of medical or surgical or hospital care, treatment or services and is without sufficient property, means, credit or other resources wherewith to pay for or obtain the same elsewhere in such county, and who has no relative legally liable for his support who possesses sufficient property, means, credit or other resources wherewith to procure such care and treatment and services for him. Any person who is unable, himself, or by a relative or relatives legally liable for his support, to pay for or obtain proper and necessary medical or surgical or hospital care or treatment or services for himself elsewhere than in the county hospital, without depriving of the common necessaries of life, either himself or the members of his family dependent upon him, or such relative or relatives or the members of any such relatives' respective families who are dependent upon them, shall be deemed to be an indigent sick or dependent poor person within the meaning of this section.

SEC. 4. A new section to be numbered section 4223c is hereby added to the Political Code, and to read as follows:

4223c. Whether or not an applicant for admission to or for care or treatment at or by a county hospital, as an indigent sick or dependent poor person, is such a person within the meaning of this article, shall be determined at the time such applicant applies for admission to or treatment at or by a county hospital, by the board of supervisors or by such committee or person or society as it may authorize to make such determination. The determination shall be based upon the assets, means, credit or resources of the applicant or of his relative, or relatives, legally liable for his support, as the case may be, considered in relation to the nature of

the illness or injury from which the applicant is suffering at the time of his application and the probable length of time that he will be incapacitated thereby.

SEC. 5. A new section to be numbered section 4223d is hereby added to the Political Code, and to read as follows:

4223d Every person making application for admission to or treatment at or by a county hospital, if no emergency exists, and in case of emergency, as soon as may be after admission thereto, shall sign and deliver to the county physician or such committee or person or society as the board of supervisors shall designate, a written application for admission to or care or treatment by or at such hospital upon forms prepared therefor and printed by the board of supervisors as a part of the expense of maintaining and operating the county hospital, wherein, among other things, he shall set forth his name, address, the length of time that he has been a lawful resident of the State and of the county, whether he claims to be an indigent sick or dependent poor person, the names and residences of his relatives, if any, legally liable for his support living within the State, an itemized statement of his assets, means and resources, and of the assets, means and resources of any relative legally liable for his support so far as known to him, and the nature of the illness or injury or emergency from which the applicant is suffering at the time of said application; and, in the event of injury, the name and address of every person negligently causing such injury, and of all witnesses to the accident, so far as known to applicant. Said application shall be verified by the oath of the applicant, or of any of applicant's relatives on his behalf, and the person so designated to receive such statement is hereby authorized to administer the oath to such verification It shall be the duty of the superintendent or other person in charge of such hospital to keep a duplicate copy of such statement on file at the hospital and to file a duplicate copy in the office of the auditor of the county within thirty-six hours after the same is taken, and it shall be the duty of the board of supervisors to investigate every such application at its next succeeding meeting after such application is filed, and to keep the records thereof; and, if such investigation establishes that such applicant is not entitled to admission to or treatment at or by such hospital, the application shall be disapproved; and if, by reason of emergency or by reason of misrepresentation or concealment of any material fact required to be disclosed in said written application under the provisions hereof, any person not entitled thereto shall have been admitted into or treated at or by a county hospital, such treatment upon discovery of any such misrepresentation or concealment, or upon the disapproval of such application, shall be discontinued as soon as is compatible with safety to such person's life or limb and he shall be discharged from said hospital.

SEC. 6. A new section to be numbered section 4223e is hereby added to the Political Code, and to read as follows:

4223e It shall be the duty of the board of supervisors of each county to file in the office of the county auditor within ten (10) days after the first Monday of each month an itemized and detailed written report showing; the number of each of the following classes of persons who have received care and maintenance, hospital, medical, surgical or other services in or at or from the county hospital, during the preceding month; indigent sick and dependent poor persons, persons who are psychopaths or narcotic addicts or habitual inebriates temporarily in custody, persons in the active stages of tuberculosis, physically defective or physically handicapped persons under eighteen years of age whose parents or guardians were not financially able to secure proper care or treatment for them, and such cases of emergency as are prescribed by law; the names and addresses of each of said persons of said classes; the number of days of hospital services rendered and all expenditures made in furnishing care and treatment, hospital, medical, surgical or other services to said persons; the records of the investigation made of each person applying as an indigent sick or dependent poor person or by reason of dependency, destitution or indigence, and the findings, determination and action of the board of supervisors in granting admission to each thereof to the county hospital or any branch, or department or clinic thereof. Said report shall be verified by the oath of the county physician and shall be submitted to and filed with and in the office of the auditor of the county, for his approval or disapproval and approved or disapproved by him in whole or in part within thirty (30) days after the filing thereof. Any person, the grounds for whose admission to and care and treatment at or by the county hospital are disapproved by the auditor, shall be discharged therefrom, as soon as it compatible with safety to the life and limb of such person.

SEC. 7. A new section to be numbered section 4223f is hereby added to the Political Code, and to read as follows:

4223f Upon the discharge of any person from a county hospital by reason of misrepresentation or concealment in procuring admission thereto or care or treatment therein, thereat or thereby, or upon the disapproval of the admission of any person to or his care or treatment at or by the county hospital, by the board of supervisors or the auditor, or in the case of any person discharged after admission in an emergency, it shall be the duty of the board of supervisors forthwith to give notice of such disapproval or such discharge and the reasons therefor, to the district attorney

of such county, and it shall thereupon be the duty of such district attorney to commence and prosecute an action to recover from such person or any relative or relatives legally liable for his support, the reasonable cost of any care or treatment or hospital or medical or surgical or other service rendered to such person by such county. Such actions shall be brought in the name of the county, and shall be prosecuted in the same manner as other actions for the recovery of money in this State. All moneys derived in accordance with the provisions of this article shall be paid into the general fund of the county.

SEC. 8. A new section to be numbered section 4223g is hereby added to the Political Code, and to read as follows:

4223g. Any person who shall obtain admission to a county hospital or procure care or treatment or hospital, medical, surgical or other services therein or therefrom, by means of any wilful misrepresentation or concealment of any material fact, in his application or otherwise, and any other person who shall aid, encourage or abet him in so doing, and any county officer or employee, including the officers and employees of said county hospital, who shall knowingly admit to a county hospital or permit the treatment at, by or in a county hospital, or the rendering of any hospital, medical, surgical or other services to, any person who is not legally entitled to be admitted to such county hospital and to receive treatment and care therein or therefrom, under the provisions of this section, or under the provisions of any other law of the State of California which expressly provides for the admission to or the care or treatment of persons in county hospitals, shall be guilty of a misdemeanor.

SEC. 9. A new section to be numbered section 4223h is hereby added to the Political Code, and to read as follows:

4223h. Any county that has furnished to any person care, treatment, hospital, medical, surgical or other services at or by a county hospital, for or on account of any injury suffered by reason of the negligence of any person or persons, shall have a cause of action against such person or persons, and shall be subrogated to the right of such injured person or his heirs or personal representatives, to commence, maintain and prosecute an action for damages for such injury or death, for the recovery of the reasonable cost of such care, treatment, hospital, medical, surgical or other services; said action may be commenced, maintained and prosecuted by intervention in the same action which said person, his heirs or personal representatives may commence for such damages, or in a separate action therefor and said action shall be prosecuted in the name of the county; and in any such case the county through the board of supervisors or the district attorney, shall notify, in writing, any such person or persons whose negligence is claimed to have caused such injury or death, of the claim of the county for the repayment of the reasonable cost of such care treatment, hospital, medical, surgical and other services. No release or settlement of any claim for damages for personal injuries or death or any such person shall be valid without the written consent of the board of supervisors and the district attorney, and it shall be the duty of the board of supervisors to notify the district attorney of all such claims for damages asserted by or in favor of any injured person so admitted to a county hospital either in case of an emergency, or as an indigent sick or dependent poor person, and the duty of the district attorney, unless the reasonable cost of said services is paid to the county, to commence and prosecute the action herein provided, and to secure satisfaction of any judgment obtained thereby. All sums of money so recovered shall be paid into the general fund of the county.

SEC. 10. A new section to be numbered section 4223i is hereby added to the Political Code, and to read as follows:

4223i. In any county where there is no hospital other than the county hospital, the county hospital shall be open to any resident of the county and to his attending physician, if he be a graduate in medicine, and such resident shall be entitled to receive hospital and nursing service therein under such reasonable rules and regulations as may be prescribed by the board of supervisors, and shall pay the reasonable cost of such services therein, which reasonable cost shall be determined by the board of supervisors, with the approval of the auditor of the county. Every such resident of the county (other than an indigent sick or dependent poor person, or a person of one of the classes hereinabove specified, expressly entitled by law to admittance to and care and treatment and service in the county hospital), admitted to and receiving hospital service in such a county hospital under the conditions and circumstances in this article set forth, shall be attended by such a personal attending physician, and the attendance, care and service rendered to such person by his said attending physician shall be rendered at the cost and expense of the patient only.

SEC. 11. A new section to be numbered section 4223j is hereby added to the Political Code, and to read as follows:

4223j. The boards of supervisors in their respective counties shall cause proper books of account to be set up and kept, which shall reflect accurately in monthly statements the cost of the maintenance and operation of the county hospital, and the average per diem cost per patient of the hospital service for patients, including nursing, board, use of surgery, appliances, and equipment and all other items comprising hospital service, and depreciation, repairs to buildings and equipment.

SEC. 12. A new section to be numbered section 4223k is hereby added to the Political Code, and to read as follows:

4223k. If any paragraph, subsection, subdivision, sentence, clause or phrase of this act is, for any reason, held to be unconstitutional, such decision shall not affect

the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each paragraph, subsection, subdivision, sentence, clause or phrase thereof irrespective of the fact that any one or more paragraphs, subsections, subdivisions, sentences, clauses or phrases is declared unconstitutional. Nothing in this act contained shall affect or be construed to affect the establishment and maintenance by the board of supervisors of places of quarantine or isolation. All acts and all parts of acts in conflict with this act are hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

MOTION.

In accordance with the resolution presented by Mr. Clowdsley on Monday, April 10, 1933, and adopted by the House, Mr. Lyon moved that Senate Constitutional Amendment No. 30 be made a special order for Thursday, April 20, 1933, at the hour of ten o'clock and thirty minutes a.m., and that at that time the Assembly sit in executive session, also that the Chief Clerk be instructed to invite the Controller, members of State Board of Equalization and Franchise Tax Commissioners to be present and answer such questions as may be asked them concerning any bank or corporation, or any group of banks or corporations of California, concerning which the desired information is available, for the purpose of determining the burden of taxation borne by any such corporation or group, and the effect thereon of Senate Constitutional Amendment No. 30.

Motion carried.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 6—Proposed amendment to Article XX, adding section 23, of the Constitution, relative to deficiency judgments.

Assembly Constitutional Amendment No. 6 read.

The question being on the adoption of Assembly Constitutional Amendment No. 6.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Powers moved a call of the House.

Motion carried.

Time, eleven o'clock and thirty-two minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, Meeker, Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—64.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.
THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2347—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2347 passed by the following vote:

AYES—Alter, Anglim, Badham, Boyle, Brock, Callahan, Cassidy, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Field, Frazier, Greene, Hallner, Hoffman, Hornblower, Hunt, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, Meeker, Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—50.

NOES—Bliss, Bowers, Clowdsley, Grubbs, Jones, Kallam, Rawls, Stannard, Sullivan and Woolwine—10.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1059—An act to amend sections 19, 20, 21a, 46, 57, 62, 65, 67, 83 and 96 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, relating to the business of banking.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1059 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crowley, Dempster, Evans, Feigenbaum, Field, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Latham, Lyon, Maloney, Mayo, Meehan, Meeker, Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—57.

NOES—Crist—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1083—An act to amend sections 1, 2, 3, 6 and 14 of an act entitled "An act to define motor club service, and to define, license and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles and providing penalties for the violation thereof, and repealing all acts in conflict herewith," approved June 15, 1929, as amended, and to add thereto two new sections to be numbered sections 3 (a) and 17.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1083 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, Meeker, Morgan, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland,

Ross, Scudder, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—56.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 25—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extensions of time in superior and inferior courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 25 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, O'Connor, Patterson, Peterson, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—62.
NOES—Kallam—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 366—An act to amend section 17 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to vacancies in the office of a judge of a municipal court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 366 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Morgan, O'Connor, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Zion—61.
NOES—Mr. Speaker—1.

Title read and approved.
Bill ordered transmitted to the Senate.

EXPLANATION OF VOTE.

April 19, 1933.

MR SPEAKER: During the roll call on the passage of Assembly Bill No. 366, I registered a "No" vote, but through some misunderstanding was recorded as voting "Aye." The vote was announced before I had opportunity to correct same.

FORD A. CHATTERS.

Assembly Bill No. 2338—An act to add a new section to the Political Code to be numbered 3480d, relating to crediting on calls of installment of assessments made by reclamation districts amounts of outstanding bonds exchanged in refunding proceedings or otherwise canceled as pro-

vided by law, and to the redemption of property sold to reclamation districts for delinquent assessments and installments thereof, and to the sale by county treasurers of lands sold for delinquent assessments and installments thereof, and containing a provision declaring this act to be an urgency measure, stating the facts constituting such urgency and providing this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Morgan, Nielsen, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED THIRTY-EIGHT.

Assembly Bill No. 2338—An act to add a new section to the Political Code to be numbered 3480d, relating to crediting on calls of installment of assessments made by reclamation districts amounts of outstanding bonds exchanged in refunding proceedings or otherwise canceled as provided by law, and to the redemption of property sold to reclamation districts for delinquent assessments and installments thereof, and to the sale by county treasurers of lands sold for delinquent assessments and installments thereof, and containing a provision declaring this act to be an urgency measure, stating the facts constituting such urgency and providing this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2338 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Nielsen, O'Connor, Peterson, Phillips, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 923—An act to amend sections 3 and 9 of an act entitled "An act to establish a State Training School for Girls; to provide for the maintenance and management of the same, and to make an appropriation therefor," approved June 14, 1913

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 923 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Field, Fisher, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, O'Connor, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—57.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 934—An act to add section 356a to the Political Code, relating to State officers or employees performing work or services for more than one State agency.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 934 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—62.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2124—An act authorizing a suit against the State of California to quiet title against it to certain real property in the city of Newport Beach.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2124 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—66.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At twelve o'clock and thirty-eight minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Patterson.

The roll of absentees was called, and Assembly Constitutional Amendment No. 6 was refused adoption by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Craig, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, Samuel E., Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Woolwine and Zion—50.

NOES—Alter, Brock, Chatters, Clowdsley, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Greene, Hoffman, Kallam, Knowland, Latham, Levey, Martin, Morgan, Redwine, Roberts, Robinson, C. Ray; Roland, Ross, Scudder, Utt, West, Williamson, Wright and Mr. Speaker—28.

NOTICE OF RECONSIDERATION.

Mr. Rawls gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was this day refused adoption.

RECESS.

At twelve o'clock and forty-five minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At two o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 47—Approving twelve certain amendments to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of April, 1933—and reports that the same has been correctly enrolled and presented the same to the Governor on this nineteenth day of April, 1933, at twelve o'clock and five minutes p.m.

PATTERSON, Chairman.

Assembly Concurrent Resolution No. 47 ordered on file for adoption.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1054, as amended by the Senate—An act to amend an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, as amended, by amending section 1, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district or flood control district—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

LYON, Chairman.

The above reported bill ordered placed on daily calendar.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1200—An act to repeal sections 1120 to 1140 inclusive of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the

property and funds thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COBB, Chairman.

The above reported bill ordered on file for second reading.

ON MANUFACTURES.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Manufactures, to which was referred Assembly Bill No 423—An act to add section 679b to the Penal Code, relating to goods, wares, and merchandise manufactured, produced, or mined by convicts or prisoners, and prescribing penalties for violation of the provisions thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GILMORE, Chairman.

The above reported bill ordered on file for second reading.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was re-referred Assembly Bill No. 2226—An act to amend sections 777 and 778 and to repeal sections 779, 780, 781, 782 and 783 of the Vehicle Code, relating to the motor vehicle fund and the disposition of moneys placed therein—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

HORNBLOWER, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 1430—An act to amend section 68 of the Agricultural Code, relating to the duties of county live stock inspector—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROBINSON, SAMUEL E, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 2311—An act to amend section 4149a of the Political Code, relating to the duties of county live stock inspector—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROBINSON, SAMUEL E., Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2106—An act to amend section 4272 of the Political Code, relating to the compensation of county and township officers in counties of the forty-third class:

Also: Assembly Bill No 429—An act to amend section 19x52 of the Juvenile Court Law, relating to probation officers in counties of the fifty-second class;

Also: Assembly Bill No 430—An act to amend section 4281 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-second class;

Also: Assembly Bill No. 431—An act to amend section 2322x52 of the Political Code, relating to the office of the agricultural commissioner in counties of the fifty-second class;

Has has the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 599—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Road District Improvement Act of 1907, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment;

Also: Assembly Bill No. 1622—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending section 6, relating to the powers and duties of the board of directors;

Also: Assembly Bill No. 2073—An act to amend section 1 of an act entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, relating to the refunding of indebtedness of any incorporated city or town other than cities of the first class or of any department, board or special fund thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1559—An act to create the State Advisory Commission on Indian Affairs, to prescribe its membership and its powers and duties, and to make an appropriation therefor;

Also: Assembly Bill No. 1973—An act to provide for the sale of, and granting authority to, and authorizing the State Director of Finance and/or the Department of Finance, to grant, convey and sell by deed, or by any other proper legal conveyance, all the right, title and interest of the State of California, in and to the abandoned channel of Petaluma Creek or River in the city of Petaluma, county of Sonoma, State of California, lying north of Washington Street in said city, to property owners whose lands abut thereon;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 902—An act to amend sections 38 and 47 of the Workmen's Compensation, Insurance and Safety Act, relating to workmen's compensation insurance issued by the State Compensation Fund—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRIST, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1340—An act to amend sections 6, 9, 10, 13, 14, 15, 16, 20, 21 and 22 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907—has had

the same under consideration, and respectfully reports the same back without recommendation, as amended.

COBB, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 2325—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by adding a new section thereto to be numbered section 28, relating to the dissolution of said municipal utility districts or the withdrawal of certain territory therefrom—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1044—An act to amend sections 3, 4, 6, 7, and 8 of the "General Cemetery Act," approved June 19, 1931, relating to cemetery corporations—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Concurrent Resolution No. 20—Relative to the sale of the annotated edition of the State Constitution—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted, as amended.

COBB, Chairman.

Senate Concurrent Resolution No. 20 ordered on file for adoption.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 526—An act to amend sections 4.270, 4.271, 4.274, and 4.275 of the School Code, relating to the establishment, government, maintenance and operation of the public school system;

Also, Senate Bill No. 276—An act to add a new section to the School Code, to be numbered 3.10–1, relating to the education of Indian children;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

ROLAND, Chairman.

The above reported bills ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 1035—An act to transfer the duties, powers, purposes, responsibilities and jurisdiction of the Department of Finance over and appertaining to Sutter's Fort to the Division of Parks of the Department of Natural Resources of the State of California, charging the said Division of Parks with the administration thereof and the execution of the laws concerning the same, authorizing the employment of employees, abolishing certain offices and positions, authorizing the expenditure of certain funds, and repealing all acts or parts of acts inconsistent therewith;

Also, Senate Bill No. 1104—An act to amend section 7 of an act entitled "An act to promote the development of the California canned fruit industry and to prevent deception in the packing and sale of canned fruit by establishing and defining certain standards for canned fruit of the varieties herein named, defining the powers

and duties of the Director of the Department of Agriculture in relation hereto, including the collection of fees, creating a Board of Appeal and defining its powers and duties in relation hereto and fixing the compensation of the members thereof, prescribing penalties for violations hereof and making an appropriation to carry out the provisions hereof," approved May 23, 1925, relating to powers of the Director of Public Health;

Also: Senate Bill No. 1117—An act to abolish the Division of Research and Statistics in the Department of Education;

Also: Senate Bill No. 1182—An act making an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Insurance, to which was referred Senate Bill No. 475—An act to amend sections 7, 8, 10, 11, 12, 16, 18½ and 19 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, relating to county fire insurance companies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CRIST, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 982—An act to add a new section to be numbered section 8¼ to an act entitled "California Ripe Olive Standardization Act," approved May 11, 1931, relating to the regulation of the canned olive industry;

Also: Senate Bill No. 992—An act to add a new section to be numbered 6¾ to an act entitled "The California Canned Fruit Standardization Act," approved May 23, 1925, as amended, relating to the regulation of the canned fruit industry;

Also: Senate Bill No. 1009—An act to repeal an act entitled "An act to establish a State prison; creating a commission to select and purchase a suitable site therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved June 4, 1929;

Also: Senate Bill No. 1034—An act to transfer the duties, powers, purposes, responsibilities and jurisdiction of the Department of Finance over and appertaining to the State burial grounds to the Division of Parks of the Department of Natural Resources of the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 548—An act to amend section 2187 of the Political Code, relating to the transfer of inmates between State institutions;

Also: Senate Bill No. 551—An act to amend section 12 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897, as amended;

Also: Senate Bill No. 744—An act to repeal section 2.1420 of the School Code, relating to printing and distribution of school laws;

Also: Senate Bill No. 980—An act to repeal an act entitled "The State Fish Exchange Act" approved June 1, 1917, as amended, relating to the regulation of the business of buying and selling fish, and providing for the disposition of moneys received in relation thereto;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 742—An act to amend section 6.273 of the School Code, relating to textbooks;

Also: Senate Bill No. 1022—An act to add section 10.5 to the State Civil Service Act, relating to examinations, creating the civil service examination fund and providing for the disposition of examination fees;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 676—An act to amend section 68 of the Agricultural Code, relating to county live stock inspectors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROBINSON, SAMUEL E., Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 178—An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bill ordered referred to Committee on Rules.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2361—An act making an appropriation for the contingent expenses of the Assembly at its fiftieth session, and declaring that this act shall take effect immediately.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 343—An act to amend section 7 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved May 24, 1927, Statutes of 1927, page 1351, and relating to bonds to be issued;

Also: Senate Bill No. 954—An act to amend section 810 of the Fish and Game Code, relating to clams;

Also: Senate Bill No. 892—An act to amend an act entitled "An act to aid commerce and navigation by authorizing certain improvements in and about Islais Creek and as a means thereof creating a reclamation district to be called and known as the 'Islais Creek Reclamation District,' fixing the boundaries thereof, providing for the management and control thereof, vesting certain powers therein, and authorizing a method for the reclamation of the lands of said district; and to aid

or assist such works of reclamation, granting to the City and County of San Francisco and its successors any title of the State in and to any public highways lying in said district with certain reservations; and dissolving any reclamation district wholly situate within the boundaries of said Islais Creek Reclamation District," approved April 6, 1925;

Also: Senate Bill No 477—An act to amend sections 2 and 5 of an act entitled "An act providing for the supervision of dams by the Department of Public Works through the State Engineer for the purpose of safeguarding life and property, defining powers and duties concerning the supervision of dams, providing for the enforcement of said supervision and providing penalties for violations thereof and making an appropriation therefor," approved June 10, 1929, relating to the definition of the word "dam" as used in said act and to filing fees charged thereunder

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 343 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 954 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 892 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 477 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 331—An act to amend the Political Code by amending sections 3456, 3457, 3466, 3480 and 3480b, and by repealing section 3480c, all relating to reclamation districts, and containing a provision declaring this act to be an emergency measure, stating the facts constituting such emergency and providing this act shall take effect immediately upon its passage.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 331 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1181—An act to amend section 3644 of the Political Code, relating to taxation of boats and vessels.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Bliss:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, as amended in Assembly April 14, 1933, strike out "except ferry boats and".

AMENDMENT NUMBER TWO.

On page 1, line 18, of the printed bill, as amended in Assembly April 14, 1933, after "ports", insert ", except ferry boats,".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1746—An act providing for the conveyance to the city of Santa Barbara of real property belonging to the State of California on condition that the city of Santa Barbara in exchange therefor convey to the State of California real property belonging to the city of Santa Barbara.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1746 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 803—An act to add a new section to be numbered 5.408 to the School Code, relating to the exchange of teachers with foreign countries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 803 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Gilmore, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—61.

NOES—Grubbs, Stannard and Stream—3.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At three o'clock and five minutes p.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

Assembly Bill No 893—An act to provide for instruction in mining safety by the Department of Natural Resources.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 893 was withdrawn from the file, and referred to Committee on Ways and Means.

Assembly Bill No. 1747—An act to authorize and empower the State Director of Education, with the approval of the State Director of Finance, to sell and convey the lands and buildings now being used by the State Teachers College of Santa Barbara, and from the proceeds of such sale to improve the site for said school, acquired by the State in 1932, to erect and construct upon such site buildings and other structures and improvements necessary and proper for said school, to purchase furniture, fixtures, apparatus, and other things necessary for said school, and to rent such temporary buildings and grounds as may be

necessary for the use of said school until the completion of the new school buildings.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1747 was withdrawn from the file, and referred to Committee on Ways and Means.

THE SPEAKER IN THE CHAIR.

At three o'clock and eight minutes p m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 980—An act to provide for the acquisition, construction, extension and operation of systems and works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary and sanitation districts; also providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of constructing, operating and maintaining such works; also providing for the use of such works by other cities, counties or districts, and declaring the urgency thereof.

Bill read.

Urgency clause read.

The question being. Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Jones, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—60.

NOES—Burns, Hunt, King, McCarthy, Rogers, Stannard and Sullivan—7.

THIRD READING OF ASSEMBLY BILL NUMBER NINE HUNDRED EIGHTY.

Assembly Bill No. 980—An act to provide for the acquisition, construction and operation of works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary, and sanitation districts; also providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of operating and maintaining such works; also providing for the use of such works by other cities, counties or districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 980 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roland, Ross, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—59.

NOES—Burns, Hoffman, King, McCarthy, Rogers, Stannard and Sullivan—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2272—An act to amend section 4250 of the Political Code, relating to compensation of officers and employees in counties of the twenty-first class.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Patterson:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended in Assembly on April 6, 1933, strike out lines 15 and 16, and insert in lieu thereof the following: "annum; one deputy, to be a stenographer, who may be employed for not exceeding two hundred fifty days in each year, at a salary of three dollars per diem. The deputies herein".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended in Assembly on April 6, 1933, strike out lines 25 to 41, inclusive, and insert in lieu thereof the following:

"The recorder, two thousand four hundred dollars per annum; provided, that there shall be and there hereby is, allowed to the recorder one deputy at a salary of one thousand three hundred fifty dollars per annum; provided, further, that the recorder may appoint as many copyists as is necessary, who shall receive, as compensation for such services, the sum of seven cents per folio for copying and comparing all instruments or notices of all kinds; and for making copies of any records, except maps and plats. The deputy and copyists herein provided for shall be appointed by the recorder, and shall be paid at the time and in the same manner as other county officials are paid. The said copyists may be appointed deputies without extra compensation.

AMENDMENT NUMBER THREE.

On page 3, line 14, of the printed bill, as amended in Assembly on April 6, 1933, after the period after the word "paid", strike out the remainder of the line, and strike out all of lines 15 and 16.

AMENDMENT NUMBER FOUR.

On page 3, line 22, of the printed bill, as amended in Assembly on April 6, 1933, strike out the semicolon after the word "annum", and insert in lieu thereof a period; strike out the balance of line 22, and all of lines 23, 24 and 25.

AMENDMENT NUMBER FIVE.

On page 3, line 41, of the printed bill, as amended in Assembly on April 6, 1933, after the word "annum", strike out the semicolon, and insert in lieu thereof a comma; strike out the balance of line 41, all of lines 42 to 51, inclusive; on page 4, strike out lines 1 and 2, and insert in lieu thereof the following: "per annum, and such assistants as shall be required, and who shall receive for his or their services, three dollars per diem each; provided, however, that the aggregate pay of such assistants shall not exceed one thousand dollars per annum The assistants and deputy herein provided for shall be appointed by the tax collector and shall be paid at the same time and in the same manner as other county officers are paid. From the time and in the event that the office of tax collector is consolidated with that of the treasurer, the tax collector shall receive no compensation"

AMENDMENT NUMBER SIX.

On page 4, line 46, of the printed bill, as amended in Assembly on April 6, 1933, after the word "one thousand", strike out the word "three", and insert in lieu thereof the word "five".

AMENDMENT NUMBER SEVEN.

On page 6, line 6, of the printed bill, as amended in Assembly on April 6, 1933, strike out the words "thirty-five", and insert in lieu thereof the word "seventy".

AMENDMENT NUMBER EIGHT.

On page 7, line 28, of the printed bill, as amended in Assembly on April 6, 1933, strike out the word "four", and insert in lieu thereof the word "one"; on page 7, line 32, after the semicolon after the word "annum", insert the following: "The probation officer shall be allowed one deputy at one thousand dollars per annum."

AMENDMENT NUMBER NINE.

On page 7, line 8, of the printed bill, as amended in Assembly on April 6, 1933, strike out the word "eighty-two"; in line 9, strike out the word "hundred"; in line 8, after the words "one thousand", insert the word "eighty-two."

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1182—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casinghead gasoline, kerosene, distillate or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for a license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for the violation of this act, and repealing all acts or parts of acts inconsistent herewith," approved May 30, 1923, relating to expenditure of moneys received hereunder.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1182 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Ross, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—59.

NOES—Dempster, Hunt and O'Donnell—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1341—An act to amend sections 2, 4 and 6 of, and to add a new section to be numbered 4a to, an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulations, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, creating the Cannery Inspection Board and relating to the conduct of canneries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1341 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Gilmore, Hallner, Hoffman, Hunt, Jones, King, Levey, Lyon, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Rawls, Redwine, Riley, Ross, Scudder, Thorp, Tournoux, Turner, Utt, West, Williamson and Woolwine—53.

NOES—Greene, Grubbs, McCarthy, Rogers, Stannard, Stream and Sullivan—7.

Title read.

AMENDMENT TO TITLE.

During reading of the title, Mr. Williamson submitted the following amendment:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the entire title, and insert in lieu thereof the following:

"An act to amend sections 2, 4, and 6 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulations, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, and to add a new section to be numbered 4a, creating the Cannery Inspection Board and relating to the conduct of canneries".

Amendment adopted.

Title read as amended, and approved.

NOTICE OF RECONSIDERATION.

Mr. Williamson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1341 was this day passed.

Assembly Bill No. 716—An act requiring public awarding bodies or officers withholding penalties or forfeitures from contractors for violations by contractors or subcontractors of any public works labor acts carrying penalties or forfeitures from the contract payments to transfer such penalties or forfeitures to the State Treasurer to become a part of the general fund of the State 90 days after completion of the contract, unless suit is brought and formal notice of suit is given, requiring any court collecting criminal penalties or fines under such acts to likewise transmit same to the State Treasurer to become a part of the general fund of the State, providing for the temporary retention of such penalties or forfeitures by the public awarding body or officer pending litigation in cases where suit is brought and formal notice of such suit is given within 90 days after completion of the contract, limiting the time for action by the contractor or his assignee for the recovery of the said penalties or forfeitures to the said ninety-day period, making such suit the exclusive remedy of the contractor or his assignee with reference to such penalties or forfeitures and providing that suit shall be brought without permission from any State or other authority and be limited to the recovery of such penalties or forfeitures without prejudice to the contractor's or assignee's rights in regard to other matters affecting the contract but with the burden on the plaintiff to establish his right to the penalties or forfeitures withheld.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 716 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Mr. Speaker—56.

NOES—Crist, Field, Greene, McCarthy, Phillips and Redwine—6.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION WAIVED.

Mr. Hornblower waived his notice to reconsider the vote whereby Assembly Bill No. 1776 was passed.

Assembly Bill No. 1776 ordered transmitted to the Senate.

MOTION TO RECONSIDER.

Mr. Cronin moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 557 was refused passage be continued until the next legislative day.

Motion carried.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Williamson moved that the vote whereby Assembly Bill No. 781 was passed be reconsidered.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Williamson moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. O'Connor, Badham and Morgan, the Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion for call of the House carried by the following vote:

AYES—Alter, Bowers, Brock, Burns, Chatters, Clowdsley, Cobb, Cronin, Evans, Feigenbaum, Field, Fisher, Greene, Hornblower, Kallam, Knowland, Latham, Levey, Lyon, Martin, Morgan, Peterson, Powers, Redwine, Robinson, C. Ray; Roland, Thorp, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—34.

NOES—Anglim, Badham, Bliss, Boyle, Cassidy, Craig, Crowley, Dempster, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hunt, Jones, King, McBride, McCarthy, McMurray, Meehan, Meeker, O'Connor, O'Donnell, Patterson, Phillips, Riley, Robinson, Samuel E., Rogers, Scudder, Stannard, Sullivan, Tournoux and Turner—33.

Time, four o'clock and fifty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Rogers, Roland, Ross, Stannard, Sullivan,

Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Cronin moved that the vote whereby Senate Bill No. 342 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Feigenbaum, Fisher, Gilmore, Grubbs, Hallner, Hornblower, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray, Roland, Ross, Scudder, Stream, Thorp, Tournoux, West, Williamson, Wright, Zion and Mr. Speaker—52.

NOES—None.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED FORTY-TWO.

Senate Bill No. 342—An act to amend section 1030 of the Political Code, relating to office hours.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Cronin:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, as amended in the Assembly on April 6, 1933, after the word "officer", and before the word "shall", insert the following: "except the State Compensation Insurance Fund,".

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cronin asked for, and was granted, unanimous consent to take up Senate Bill No. 342, at this time, without reference to printer or file, and that same be considered engrossed.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED FORTY-TWO.

Senate Bill No. 342—An act to amend section 1030 of the Political Code, relating to office hours.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 342 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Gilmore, Hallner, Hatch, Hornblower, King, Latham, Lyon, Maloney, Martin, Mayo, Meehan, Meeker, Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

RESOLUTION.

The following resolution was offered:

By Mr. Dempster:

WHEREAS, It appears to this Legislature that the rates now charged by the Los Angeles Railway Company and by the Southern California Telephone and Telegraph Company are excessive; and

WHEREAS, Such companies have taken advantage of the current spirit of economic depression by materially reducing the salaries of employees and in many instances reducing the number on the pay roll without a corresponding reduction in rates; and

WHEREAS, Such excessive rates are now permitted and sanctioned by the Railroad Commission of this State in violation of their duty owed to the public; now, therefore, be it

Resolved by the Assembly of the State of California, That the Railroad Commission be, and it is hereby requested to immediately institute all necessary proceedings to compel said Los Angeles Railway Company to reduce its rate to a 5 cent fare, and in the case of Southern California Telephone and Telegraph Company to immediately reduce its rates to an amount commensurate with all other depressed prices and charges caused by the present economic condition; and, be it further

Resolved, That the Chief Clerk of the Assembly is directed to forward a copy of this resolution to each member of the Railroad Commission of this State.

REQUEST FOR ROLL CALL.

On request of Messrs. Dempster, O'Connor and Meehan, the Speaker ordered a roll call taken on the adoption of the resolution.

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

AYES—Anglim, Bowers, Burns, Callahan, Cassidy, Crist, Dempster, Frazier, Gilmore, Grubbs, Hornblower, Hunt, Jones, King, Levey, Maloney, McCarthy, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Rawls, Riley, Robinson, C. Ray; Rogers, Ross, Stannard, Stream, Sullivan, Tournoux, Utt and West—35.

NOES—Alter, Bliss, Boyle, Brock, Chatters, Clowdsley, Cobb, Cottrell, Feigenbaum, Field, Fisher, Hallner, Hatch, Kallam, Knowland, Latham, Martin, Morgan, Redwine, Roberts, Roland, Scudder, Thorp, Williamson, Woolwine, Wright, Zion and Mr. Speaker—28.

NOTICE OF RECONSIDERATION.

Mr. Dempster gave notice that on the next legislative day he would move to reconsider the vote whereby the resolution introduced by him, relative to railway and telephone rates, was this day adopted.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 2375—An act to extend the time for the payment of taxes and special assessments to or for cities, counties, cities and counties, all districts, and other public corporations, for the period of sixty days, and declaring the urgency thereof, and providing same shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2375?

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "corporation", insert letter "s".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, after the comma after word "delinquent", insert the following words: "and prior to October 1, 1933,".

AMENDMENT NUMBER THREE

On page 1, line 12, of the printed bill, after word "county", insert a comma.

The roll was called, and Senate amendments to Assembly Bill No. 2375 were concurred in by the following vote:

AYES—Alter, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Donnell, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Ross, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—59.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1197—An act relating to revenue bonds issued by the California Toll Bridge Authority and authorizing counties, cities and counties, and the cities to purchase the same, this act to take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Senate Bill No. 1197, at this time, without reference to committee or file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Hornblower:

Resolved, That Senate Bill No. 1197 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Callahan, Cassidy, Chatters, Cobb, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—63.
NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1197.

SECOND READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED NINETY-SEVEN.

Senate Bill No. 1197—An act relating to revenue bonds issued by the California Toll Bridge Authority and authorizing counties, cities and

counties, and the cities to purchase the same, this act to take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—62.

NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED NINETY-SEVEN.

Senate Bill No. 1197—An act relating to revenue bonds issued by the California Toll Bridge Authority and authorizing counties, cities and counties, and the cities to purchase the same, this act to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1197 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At five o'clock and forty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Williamson.

The roll of absentees was called, and the motion for reconsideration of Assembly Bill No. 781 was lost by the following vote:

AYES—Alter, Bowers, Brock, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Greene, Hallner, Hatch, Hoffman, Kallam, Knowland, Latham, Levey, Martin, Miller, James A., Morgan, Nielsen, Redwine, Roberts, Robinson, C. Ray; Roland, Stream, Thorp, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—38.

NOES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Craig, Crowley, Dempster, Frazier, Gilmore, Grubbs, Hornblower, Hunt, Jones, King, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Sullivan, Tournoux and Turner—41.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2341—An act to reduce the rates and charges of gas and electrical corporations furnishing heat, light and power to the public, empowering and directing the Railroad Commission to administer and enforce the reduction, and declaring this act to be an urgency measure.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Robinson, C. Ray:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, as amended April 17, 1933, strike out the period, and insert in lieu thereof the following: "; provided, that in no event shall the rate of return earned by any such public utility corporation upon the value of the property which it employs in the service of the public be reduced by such discount to a rate of return of less than three and one-half per cent per annum."

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading.

MOTION TO PRINT.

On motion of Mr. Robinson, C. Ray, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 2341.

Assembly Bill No. 543—An act making it unlawful for any person to employ any other person to solicit law practice, prohibiting any person from soliciting such law practice, limiting the use of written statements taken from an injured person, and providing the penalties therefor, also establishing presumptions as to certain settlements, compromises, releases, discharges and satisfactions and contracts with attorneys, and providing a period of limitation on suits to set aside such contracts.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Powers:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, as amended, after the comma following "practice", insert the following: "limiting the use of written statements taken from an injured person,".

AMENDMENT NUMBER TWO.

In line 8 of the title of the printed bill, as amended, after the comma following "therefor", insert the following: "also establishing presumptions as to certain settlements, compromises, releases, discharges and satisfactions".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended, after line 10, insert the following:

"(b) Any written statement secured from an injured person at any time within fifteen days after such injuries were sustained shall be inadmissible for use in the trial of any action for damage for injuries sustained by such person or for the death of such person.

(c) Any settlement, compromise, release, discharge or satisfaction of claims procured from any injured person within fifteen days after such injuries were sustained, and without order of a superior or municipal court approving the same, which order may be granted ex parte, shall be presumptively fraudulent and shall be presumed to have been obtained by undue influence. No fee shall be charged for any such order."

AMENDMENT NUMBER FOUR.

On page 2, line 7, of the printed bill, as amended, strike out "(b)", at the beginning of said line, and insert in lieu thereof the following: "(d)".

AMENDMENT NUMBER FIVE.

On page 2, line 14, of the printed bill, as amended, strike out "(c)", appearing at the beginning of said line, and insert in lieu thereof the following: "(e)".

Amendments adopted

Bill ordered to reprint, engrossment, and third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Chatters:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend Chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, as amended, by amending section 1 thereof relating to appropriation of waters by the State Department of Finance

Referred to Committee on Introduction of Bills.

By Miss Miller, Eleanor:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to repeal sections 605 and 609 of the Probate Code and to add two new sections thereto to be numbered 605 and 609, relating to the appointment and fees of appraisers.

Referred to Committee on Introduction of Bills.

By Mr. Hunt:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 623 of the Political Code, relating to the filing of bonds by insurance companies and reciting the conditions of such bonds.

Referred to Committee on Introduction of Bills.

By Mr. *Gilmore*:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to the Political Code, to be numbered 623a, to provide for the protection of beneficiaries of insurance, policies and contracts against the default or insolvency of insurance or surety companies, reciprocal or interinsurance exchanges or associations issuing such insurance policies and contracts by requiring the giving of security therefor.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add a new section to the Political Code, to be numbered 623a, to provide for the protection of beneficiaries of insurance, policies and contracts against the default or insolvency of insurance or surety companies, reciprocal or inter-insurance exchanges or associations issuing such insurance policies and contracts by requiring the giving of security therefor.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 623 of the Political Code, relating to the filing of bonds by insurance companies and reciting the conditions of such bonds.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend Chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, as amended, by amending section 1 thereof, relating to appropriation of waters by the State Department of Finance.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to repeal sections 605 and 609 of the Probate Code and to add two new sections thereto to be numbered 605 and 609, relating to the appointment and fees of appraisers.

HALLNER, Chairman.

The question being on the adoption of the reports.

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Miss Miller, Eleanor: Assembly Bill No. 2379—An act to repeal sections 605 and 609 of the Probate Code and to add two new sections thereto to be numbered 605 and 609, relating to the appointment and fees of appraisers.

Bill read first time, and ordered referred to Committee on Judiciary.

By Mr. Chatters: Assembly Bill No. 2380—An act to amend Chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or

State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, as amended, by amending section 1 thereof relating to appropriation of waters by the State Department of Finance.

Bill read first time, and ordered referred to Committee on Irrigation.

By Mr. Gilmore: Assembly Bill No. 2381—An act to add a new section to the Political Code, to be numbered 623a, to provide for the protection of beneficiaries of insurance policies and contracts against the default or insolvency of insurance or surety companies, reciprocal or interinsurance exchanges or associations issuing such insurance policies and contracts by requiring the giving of security therefor.

Bill read first time, and ordered referred to Committee on Insurance.

By Mr. Hunt: Assembly Bill No. 2382—An act to amend section 623 of the Political Code, relating to the filing of bonds by insurance companies, and reciting the conditions of such bonds.

Bill read first time, and ordered referred to Committee on Insurance.

SPECIAL ORDER.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY.

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to be numbered 34a to Article IV, by amending section 12 of Article XI, by adding a new section to be numbered 20 to Article XI, by amending sections 14, 15 and 16, and by repealing sections 12½ and 18 of Article XIII, relating to taxation.

Senate Constitutional Amendment No. 30 read.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Lyon:

AMENDMENT NUMBER ONE.

On page 2, line 37, of the printed measure, after the word "expenditures", insert the following: ", other than expenditures to pay interest and redemption charges on bonds heretofore or hereafter issued,".

AMENDMENT NUMBER TWO.

On page 2, line 41, of the printed measure, after the word "expenditures", insert the following: ", other than expenditures to pay interest and redemption charges on bonds heretofore or hereafter issued,".

AMENDMENT NUMBER THREE.

On page 3, line 19, of the printed measure, strike out the words "provided for in", and in lieu thereof insert the word "of"; strike out the word "budget", and in lieu thereof insert the words "for any year, except expenditures for permanent improvements and retirement of bonded debt and payment of interest thereon,".

AMENDMENT NUMBER FOUR.

On page 3, line 20, of the printed measure, strike out the word "therein".

AMENDMENT NUMBER FIVE.

On page 3, line 28, of the printed measure, strike out the period after the word "property", and add the following: "; provided, however, that for the purposes of this paragraph and of section 15 of Article XIII of this Constitution, all expenditures for the current support and maintenance of the public schools within any county or city and county, other than expenditures for acquisition of land or for

the construction or repair of school buildings, shall be deemed expenditures of the county or city and county, and all expenditures, other than the above mentioned expenditures for the current support and maintenance of the public schools, of any municipality, district, or other political subdivision lying wholly or partially within any county or city and county, and all expenditures for municipal as distinguished from county purposes in the case of a city and county, shall not be deemed to be expenditures of the county or city and county."

AMENDMENT NUMBER SIX.

On page 5, line 51, of the printed measure, insert after the comma following the word "associations", the following: "firms, copartnerships, joint adventures, estates, trusts, business trusts, receivers, syndicates,".

AMENDMENT NUMBER SEVEN.

On page 6, between lines 9 and 10, of the printed measure, add the following paragraph:

"In pursuance of the power to grant exemptions from the taxes for which provision is made in this section, the Legislature may provide that the tax shall be assessed upon the gross receipts from but one sale or transfer of foodstuffs or such other things as may be prescribed by law, and may graduate exemptions allowed to individuals according to the number of persons dependent upon such individuals for support, or otherwise."

AMENDMENT NUMBER EIGHT.

On page 6, line 15, of the printed measure, after the word "meeting", insert the word "their"; strike out the words "for which provision is"; in line 16 strike out the words "made in their budgets".

AMENDMENT NUMBER NINE.

On page 6, line 19, of the printed measure, strike out the period after the word "property", and add the following: ", except such taxes as may be levied for permanent improvements and retirement of bonded debt and payment of interest thereof."

Amendments adopted.

Senate Constitutional Amendment No. 30 ordered to reprint, and on file for adoption.

MOTION TO PRINT.

On motion of Mr. Lyon, the Chief Clerk was instructed to have a rush order placed on the printing of Senate Constitutional Amendment No. 30.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 24—Approving the charter of the county of Fresno, State of California, which was submitted to the qualified electors of the said county and voted for and ratified by them at a special election held therein on the tenth day of April, 1933.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Powers asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 24 at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWENTY-FOUR.

Senate Concurrent Resolution No. 24—Approving the charter of the county of Fresno, State of California, which was submitted to the qualified electors of the said county and voted for and ratified by them at a special election held therein on the tenth day of April, 1933.

Senate Concurrent Resolution No. 24 read.

The question being on the adoption of Senate Concurrent Resolution No. 24.

The roll was called, and Senate Concurrent Resolution No. 24 adopted by the following vote:

AYES—Alter, Bliss, Boyle, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Kallam, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—55.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 24 ordered transmitted to the Senate.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1191—An act making an appropriation for contingent expenses of the Senate for the fiftieth session of the Legislature, and declaring that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cobb asked for, and was granted, unanimous consent to take up Senate Bill No. 1191, at this time, without reference to committee or file, and that same be considered engrossed.

MESSAGE FROM THE GOVERNOR.

On this day, the following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 14, 1933.

To the Honorable Members of the Senate and Assembly.

Senate Bill No. 1191 makes an appropriation of $50,000 for the contingent expenses of the Senate for the fiftieth session of the Legislature.

In my opinion Senate Bill No. 1191 constitutes an emergency bill within the meaning of section 34 of Article IV of the State Constitution, consideration of which should not await final enactment of the budget bill, by reason of the fact that at present there is not sufficient money appropriated for the purpose of paying the expenses of the Senate at this session and it is imperative that this money be made immediately available.

I, therefore, recommend the passage of this bill as an emergency measure within the meaning of that term as used in section 34 of Article IV of the Constitution.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Cobb:

Resolved, That Senate Bill No. 1191 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Field, Frazier, Greene, Hallner,

Hatch, Hunt, Jones, Kallam, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—58.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1191.

SECOND READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED NINETY-ONE.

Senate Bill No. 1191—An act making an appropriation for contingent expenses of the Senate for the fiftieth session of the Legislature, and declaring that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Frazier, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, Knowland, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Ross, Stannard, Stream, Sullivan, Tournoux, Utt, West, Wright, Zion and Mr. Speaker—54.

NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED NINETY-ONE.

Senate Bill No. 1191—An act making an appropriation for contingent expenses of the Senate for the fiftieth session of the Legislature, and declaring that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

Time, six o'clock and thirty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Field, Fisher, Grubbs, Hatch, Hornblower, Hunt, Jones, Kallam, Knowland, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, James A., O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Ross, Stannard, Stream, Tournoux, Utt, West, Wright, Zion and Mr. Speaker—51.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.
REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 315—An act relating to employers and employees, declaring public policy in respect to voluntary agreements between them, prohibiting certain agreements between them in respect to membership in employer organizations or in labor organizations, defining the rights, privileges and obligations of employers and employees in labor disputes, defining and limiting the jurisdiction of courts, including courts of equity, in cases involving or incident to or growing out of labor disputes, and prescribing means for enforcement of the provisions of the act;

Also: Assembly Bill No. 1045—An act to amend section 605 of the Probate Code, relating to the appointment of appraisers;

Has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered replaced on daily calendar.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 437 as amended by the Senate—An act to provide for the taxation of Massachusetts or business trusts—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

RILEY, Chairman.

The above reported bill ordered placed on daily calendar.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 435 as amended by the Senate—An act to amend sections 8, 14 and 19 of Chapter XIII, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

RILEY, Chairman.

The above reported bill ordered placed on daily calendar.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 436 as amended by the Senate—An act to amend sections 4, 5, 6, 12, 13, 20, 21, 25, 26, 27, 29, 30, 31 and 33 of Chapter XIII, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do not concur in said amendments.

RILEY, Chairman.

The above reported bill ordered placed on daily calendar.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 308—An act to amend section 9 of "An act to provide for the formation, management, alteration of boundaries, and dissolution of sewer maintenance districts in unincorporated territory of counties, defining the powers of such districts and providing for the levy and collection of taxes to defray the expenses thereof," approved May 19, 1927, Statutes of 1927, page 1088;

Also: Assembly Bill No. 724—An act to amend section 4082 of the Political Code, to provide for exempting certain claimants for duplicate warrants from the requirement to file a bond;

Also: Assembly Bill No. 847—An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled "An act to define the duties of and to license land surveyors" approved March 16, 1907;

Also: Assembly Bill No. 2339—An act to amend section 362c of the Civil Code, relating to the extension of the term of corporate existence;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 908—An act to prohibit until January 1, 1934, sales under certain mortgages and deeds of trust for default in the payment of the principal sum of obligations secured thereby, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency hereof;

Also: Assembly Bill No. 1091—An act to amend sections 633a7, 633a16, 633a18, 633a24, 63 'a25, 633a27, 633a28, 633a29, and 633a31 of the Political Code, and to add a new section to said code, to be numbered 633a32, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1933.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 25—A resolution proposing to the people of the State of California an amendment of section 19 of Article XI of the Constitution of the State of California, relating to municipal ownership of public utilities;

Also: Assembly Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 24 of Article I thereof, relating to the right of suffrage;

Also: Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1a of Article XIII thereof, relating to exemption of educational institutions from taxation;

Also: Assembly Constitutional Amendment No 101—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XIII thereof a new section, to be numbered 8a, relating to taxation;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

FEIGENBAUM, Chairman.

The above reported constitutional amendments ordered on file for adoption.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Concurrent Resolution No. 32—Relative to Owens Valley as a site for a junior State prison—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

WOOLWINE, Chairman.

Assembly Concurrent Resolution No. 32 ordered on file for adoption.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1933.

MR. SPEAKER. Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 3—Amending section 23 of Article IV of the Constitution of California, relating to compensation of members of the Legislature;

Also: Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 3, 4, 5 and 23, of Article IV of the Constitution, relating to the legislative department;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted as amended.

FEIGENBAUM, Chairman.

The above reported constitutional amendments ordered on file for adoption.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1312—An act to amend section 737vv of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Solano—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 10—An act to amend section 737s of the Political Code, relating to salaries of judges of the superior court, Los Angeles County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 537—An act to add a new section, to be numbered 2b, to an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,' approved March 22, 1909," relating to bids for contracts for public work—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 116—An act to amend section 737*ll* of the Political Code, relating to salaries of the judges of the superior court of the City and County of San Francisco—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At six o'clock and forty-seven minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

The roll of absentees was called, and Senate Bill No. 1191 was finally passed by the following vote:

AYES—Alter, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore,

Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, James A., O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Stannard, Stream, Tournoux, Utt, West, Wright, Zion and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1078—An act to amend sections 4.371, 4.373, 4 375, 4 376, and 4 377 of the School Code, and to add two new sections to the School Code, to be numbered 4.378 and 4.379, all relating to district taxes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROLAND, Chairman.

The above reported bill ordered on file for second reading.

HON. C. RAY ROBINSON IN THE CHAIR.

At six o'clock and fifty-five minutes p m. Hon. C. Ray Robinson, member of the Assembly from the Thirty-third Assembly District, in the chair.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1—An act to amend section 737a of the Political Code, relating to the salaries of judges of the Superior Court, Alameda County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 689—An act to amend section 737f of the Political Code, relating to the superior judge in and for the county of Colusa;

Also: Assembly Bill No. 1788—An act to amend section 737ss of the Political Code, relating to the compensation of the judge of the superior court of Shasta County;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LEVEY, Chairman.

The above reported bills ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 408—An act regulating and restricting the sale of goods, wares and merchandise manufactured, produced or mined by convicts or prisoners or in penal or reformatory institutions and prescribing penalties for violation of the provisions hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WOOLWINE, Chairman.

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 2291—An act to add a new article, to be numbered VIII, consisting of sections 2.1471 to 2.1473, inclusive, to Chapter II of Part V of Division II of the School Code, relating to the State Commission

for the Blind—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

LEVEY, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON REVENUE AND TAXATION

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 407—An act to amend sections 3638a, 3716, 3717, 3718, 3746, 3756, and 3820 of the Political Code, relating to taxes on improvements and personal property secured by real property—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON BUILDING AND LOAN ASSOCIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 1427—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and part of acts inconsistent therewith." being Statutes of 1931, page 483, as approved May 5, 1931, by amending the title and adding sections 6.09 and 13.20, repealing section 6.05 and amending sections 6.08, 13.11 and 13.12 so as to first require a day in court before the commissioner may take possession; require the commissioner to agree to reorganizations agreed upon by 60 per cent of the creditors of any seized association, and authorizing building and loan associations and their custodians, receivers, etc., to purchase certificates at less than par or to trade real estate for certificates—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ROBERTS, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1933

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 700—An act to prescribe salaries and salary classifications for the several offices and positions in the executive department of the government of the State of California—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

COBB, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 476—An act to amend sections 3804 and 3819 of the Political Code, relating to refund of taxes, penalties and costs illegally collected—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 664—An act to amend section 737v of the Political Code, relating to the salary of the judge of the superior court in and for the county of Mariposa—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 867—An act providing for the regulation, use, storage, and type of state-owned motor vehicles by the Board of Control and the placing of the State seal on each vehicle, relating to the use of publicly owned vehicles and providing a penalty for violation thereof;

Also: Senate Bill No. 888—An act to amend an act entitled "An act providing for the erection and maintenance of a monument to the memory of Chief Solano, to be erected in Solano County, and making appropriation therefor," approved June 19, 1931, and declaring the urgency of this act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred Senate Joint Resolution No. 19—Relative to approval by the President of the United States of a project for the completion of the John Muir Trail under the provisions of act of Congress approved March 31, 1933—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

FIELD, Chairman

Senate Joint Resolution No. 19 ordered on file for adoption.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 700—An act to prescribe salaries and salary classifications for the several offices and positions in the executive department of the government of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be reprinted

ROBINSON, C. RAY, Chairman

The above reported bill ordered to reprint.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 45—An act to amend section 2322x9 of the Political Code, relating to the office of agricultural commissioner in counties of the ninth class—and appointed Senators Edwards, Pierovich and Snyder as a Committee on Free Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Craig, Utt and Robinson, Samuel E., as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 45.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 414—An act to amend sections 2436, 2439, 2440, 2457, 2458, 2459, 2460, 2465, 2466a and 2468 of the Political Code, to repeal sections 2467 and 2470 of said code and to add section 2457a to said code, relating to the pilotage of vessels to, from and within ports and bays of the State of California;

Also: Senate Bill No. 606—An act to amend section 4 of an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purposes of this act," approved June 10, 1915, relating to the salary of attorney.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 414 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 606 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 131—An act to amend section 16x14 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the fourteenth class;

Also: Senate Bill No. 129—An act to amend section 2322x14 of the Political Code, relating to the office of agricultural commissioner in counties of the fourteenth class;

Also: Senate Bill No. 130—An act to amend section 19x14 of the Juvenile Court Law, relating to the salaries of the probation officer and assistants in counties of the fourteenth class;

Also: Senate Bill No. 1193—An act to require the use of materials and supplies substantially produced in the United States, in public works and for public purposes;

Also: Senate Bill No 451—An act to amend section 1177 and to add a new section number 1203.5 to the Fish and Game Code, relating to the protection of game;

Also: Senate Bill No 111—An act to amend sections 860, 861 and 870 of the Agricultural Code, relating to the standardization of canned foods;

Also: Senate Bill No. 1189—An act to amend sections 112 and 274c of the Code of Civil Procedure, and to repeal sections 831h, 835a, 900b, and 982a, of the Code of Civil Procedure, all relating to courts of justice and certain officers connected therewith.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 131, 129 and 130 read first time, and referred to Committee on County Government.

Senate Bill No. 1193 read first time, and referred to Committee on Conservation.

Senate Bill No. 451 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 111 read first time, and referred to Committee on Agriculture.

Senate Bill No. 1189 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 701—An act providing for the recall of officers of cities of the second and one-fourth class,

Also: Senate Bill No. 1111—An act to amend section 14 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to death benefits under the provisions of said act;

Also: Senate Bill No. 1042—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to workmen's compensation;

Also: Senate Bill No. 435—An act to repeal sections 2.1500 to 2.1504, inclusive, of the School Code, relating to conventions of city and county school superintendents;

Also: Senate Bill No. 439—An act to repeal sections 5.630 to 5 634, inclusive, of the School Code and to repeal an act entitled "An act providing for annual conventions of secondary school principals," approved April 12, 1929, relating to secondary school principals' conventions;

Also: Senate Bill No. 433—An act to repeal sections 4 873 and 4.894 of the School Code, relating to apportionment of State and county moneys to high school districts;

Also: Senate Bill No. 440—An act to repeal Chapter V of Part III of Division V of the School Code, embracing sections 5.580 to 5 622, inclusive, relating to teachers' institutions;

Also: Senate Bill No. 1149—An act to amend section 373 of the Political Code, relating to the Department of Natural Resources.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 701 read first time, and referreed to Committee on Municipal Corporations.

Senate Bills Nos. 1111 and 1042 read first time, and referred to Committee on Insurance.

Senate Bills Nos. 435, 439, 433, 440 and 1149 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 357—An act to amend the title of and sections 4, 9, 15, 27, 28, 35, 38, 38a, 40, 44, 49, 58, 68, 79, 83, 88, 91, 100, 104, 108 and 109 of, to add sections 38b and 109a to, and to repeal sections 69 to 74, inclusive, of an act entitled "An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor, approved June 9, 1931, relating to retirement systems covering governmental employees in this State;

Also: Senate Bill No. 1065—An act to amend the Water Commission Act, approved June 16, 1913, as amended, by amending section 32 thereof, relating to costs incurred by the State Water Commission in performing the duties prescribed in sections 26 to 36, both inclusive, of said act;

Also: Senate Bill No. 638—An act to amend section 19x39 of the Juvenile Court Law, relating to the probation officer in counties of the thirty-ninth class;

Also: Senate Bill No. 639—An act to amend section 2322x39 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-ninth class;

Also: Senate Bill No. 640—An act to amend sections 4268 and 4268a of the Political Code, relating to the compensation of county and township officers in counties of the thirty-ninth class;

Also: Senate Bill No. 644—An act to amend section 9mm of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the thirty-ninth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 357 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1065 read first time, and referred to Committee on Ways and Means.

Senate Bills Nos. 638, 639 and 640 read first time, and referred to Committee on County Government.

Senate Bill No. 644 read first time, and referred to Committee on Libraries.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1116—An act to amend sections 4.780, 4.781, 4.785, 4.786, 4.830, 4.832, 4.870, 4.877 and 4.940 of the School Code, and to repeal section 2 of an act entitled "An act providing for the establishment and maintenance of 24-hour elementary schools by county school districts with the approval of the State Board of Education, providing for the admission to such schools and providing for the government, control, conduct and support thereof," approved June 19, 1929, relating to apportionment of State moneys for school purposes:

Also: Senate Bill No. 1010—An act to repeal an act entitled "An act creating the office of Chief of the Division of Narcotic Enforcement, providing for appointment to, powers and duties of such office, making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to provide for the establishment and maintenance of a Division of Narcotic Enforcement under the direction and control of the State Board of Pharmacy,' approved May 17, 1927," approved April 30, 1929, and to transfer to the State Board of Pharmacy all powers, duties and functions of the Chief of the Division of Narcotic Enforcement;

Also: Senate Bill No. 811—An act to amend sections 10 and 15 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities and upon property and rights of way owned by municipalities and for the laying out, opening, extending, widening, straightening or acquiring in whole or in part of public streets, squares, lanes, alleys, easements, courts and places within municipalities, to provide for the collection of such assessments, the sale of the property affected thereby, and for the payment of the bonds so issued," approved June 11, 1915, as amended, relating to bonds.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 1116 and 1010 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 811 read first time, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 2336—An act to levy an excise tax and to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Revenue and Taxation.

RESOLUTION.

The following resolution was offered:

By Messrs. Maloney, Jones, Cottrell and Hunt:

WHEREAS, The fiftieth session of the Legislature of the State of California is now coming to a close; and

WHEREAS, It is essential that the members of the Assembly remain in session each day until the business of the file is completed; and

WHEREAS, Many members of this Assembly do, on all occasions, see fit to leave the Assembly Chamber while many important bills are on file for consideration; and

WHEREAS, This procedure is not at all fair to those members who continually stay to complete the work of this Assembly; now, therefore, be it

Resolved, That the members of the Assembly be earnestly requested to cooperate with the Speaker of the Assembly in a manner that will be most beneficial, in the best interest of their constituents; and be it further

Resolved, That we pledge ourselves, in the interest of efficiency and good legislation, to remain as long as it is humanly possible to do so while the Assembly is in session.

(Signed) MALONEY.
JONES.
COTTRELL.
HUNT.

Resolution read, and on motion adopted.

MOTION.

On motion of Mr. Maloney, the Chief Clerk was instructed to have 80 copies of the above resolution printed and a copy placed on the desk of each Assemblyman.

ADJOURNMENT.

At seven o'clock and five minutes p.m., on motion of Mr. Miller, James A., the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, April 20, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, April 20, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Petersen, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Alter, Supervisor and Mrs. C. E. Grier of Upland, California, San Bernardino County, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cronin, Mrs. E. A. Benson of San Francisco, second vice president, State Congress of Parent-Teachers Association, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cronin, Mrs. George Pomeroy of San Francisco and Mrs E. T. Eheleben of San Francisco, State officers,

Parent-Teachers Association, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cronin, Mrs. Richard Simms of San Francisco, State officer of Parent-Teachers Association, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Messrs. Hornblower and Maloney, Mr. Meyer Rosenberg of San Francisco was extended the privilege of the floor of the Assembly for this day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1555—An act to amend section 237 of the Political Code, relating to officers and employees of the Senate and Assembly;

Also: Assembly Bill No. 1556—An act to amend section 253 of the Political Code, relating to the duties of Secretary of the Senate and Chief Clerk of the Assembly;

Also: Assembly Bill No. 1557—An act to amend section 245 of the Political Code, relating to officers, employees and attaches of the Senate;

Also: Assembly Bill No. 1558—An act to amend section 246 of the Political Code, relating to officers, employees and attaches of the Assembly;

Also: Assembly Bill No. 1554—An act to repeal section 269 of the Political Code, relating to compensation of officers and employees of the Legislature;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No 1692—An act to amend sections ------ of an act entitled "An act;

Also: Assembly Bill No. 1691—An act to amend sections ------ of an act entitled "An act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 911—An act to add a new section to the School Code to be numbered section 6.231, providing for the payment of deposits by pupils in the public schools;

Also: Assembly Bill No. 2019—An act to amend section 117h of the Code of Civil Procedure, relating to small claims courts;

Also: Assembly Bill No 2021—An act to add a new section to the Code of Civil Procedure, to be numbered 117r, relating to consolidation of small claims actions with actions pending in other courts;

Also: Assembly Bill No. 2020—An act to add a new section to the Code of Civil Procedure to be numbered 117ha, relating to small claims court;

Also: Assembly Bill No. 2035—An act to amend section 81 of the Code of Civil Procedure, relating to justices' courts;

Also: Assembly Bill No. 2103—An act to provide for the conservation of the water and power resources of this State and to prevent the development thereof unless economically advantageous to the people of this State;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 407—An act to amend sections 3638a, 3716, 3717, 3718, 3746, 3756, and 3820 of the Political Code, relating to taxes on improvements and personal property secured by real property;

Also: Assembly Bill No. 1044—An act to amend sections 3, 4, 6, 7, and 8 of the "General Cemetery Act," approved June 19, 1931, relating to cemetery corporations;

Also: Assembly Bill No. 2291—An act to add a new article, to be numbered VIII, consisting of sections 2.1471 to 2.1473, inclusive, to Chapter II of Part V of Division II of the School Code, relating to the State Commission for the Blind;

Also: Assembly Bill No. 2325—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by adding a new section thereto to be numbered section 28, relating to the dissolution of said municipal utility districts or the withdrawal of certain territory therefrom;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 878—An act providing for a system of unemployment reserves and compensation, making an appropriation therefor, and prescribing penalties in connection therewith;

Also: Assembly Bill No. 902—An act to amend sections 38 and 47 of the Workmen's Compensation, Insurance and Safety Act, relating to workmen's compensation insurance issued by the State Compensation Fund;

Also: Assembly Bill No. 1340—An act to amend sections 6, 9, 10, 13, 14, 15, 16, 20, 21 and 22 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907;

Also: Assembly Bill No. 1427—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees, to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent therewith," being Statutes of 1931, page 483, as approved May 5, 1931, by amending the title and adding sections 6.09 and 13.20, repealing section 6.05 and amending sections 6.08, 13.11 and 13.12 so as to first require a day in court before the commissioner may take possession; require the commissioner to agree to reorganizations agreed upon by sixty per cent of the creditors of any seized association, and authorizing building and loan associations and their custodians, receivers, etc., to purchase certificates at less than par or to trade real estate for certificates;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Senate Bill No. 178—An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department—has had the same under consideration, and respectfully reports the same back, and recommends that it be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered to reprint.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2375—An act to extend the time for the payment of taxes and special assessments to or for cities, counties, cities and counties, all districts, and other public corporations, for the period of sixty days, and declaring the urgency thereof, and providing same shall take effect immediately—and reports that the same has been correctly enrolled and presented the same to the Governor on this nineteenth day of April, 1933, at ten o'clock and fifteen minutes p.m.

PATTERSON, Chairman.

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the application for the position of Assistant Sergeant-at-Arms of the Assembly and desires to submit the following resolution:

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the said person for the said amount, and the Treasurer is hereby directed to pay the same:

Commencing April 14, 1933—	Per day (Sundays excepted)
Al Razeto	$5 00

CRAIG, Chairman.

The question being on the adoption of the report and resolution.

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

AYES—Alter, Anglim, Badham, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Latham, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Tournoux, Turner, Wright and Mr. Speaker—57.

NOES—None.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 19 passed Senate Bill No. 454—An act to amend sections 847, 886, 927 and 1060 of the Fish and Game Code and to add thereto sections 481.5, 493.5, 744, 744.5, 842.5, 842.6, 867, 868, 927.5, 1000, 1001, 1064.5 and 1065.5 and to repeal section 714 thereof, relating to fish and game.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 454 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 19, 1933, passed Senate Bill No. 691—An act to amend sections 2, 3, 4, 5, 6 and 13 of and to add a new section 15 to an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known

as 'The Reciprocal or Interinsurance Act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee," approved December 24, 1911,' approved May 26, 1917, as amended," approved June 3, 1921.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 691 read first time, and referred to Committee on Insurance.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY.

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending sections 6 and 6½ of Article IX, sections 14, 15 and 16 of Article XIII, by adding a new section to be numbered 20 to Article XI and by repealing sections 12½ and 18 of Article XIII, relating to taxation and the support of the public school system.

Senate Constitutional Amendment No 30 read.

MOTION.

Mr. Clowdsley moved that the Assembly resolve itself into Committee of the Whole for the purpose of considering Senate Constitutional Amendment No. 30 at this time.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Assemblyman Harry B. Riley in the chair.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY.

MOTION.

Mr. Clowdsley moved that the Committee of the Whole go into executive session.

Motion carried.

IN EXECUTIVE SESSION.

RECESS.

At twelve o'clock p.m., on motion of Mr. Robinson, C. Ray, the Assembly, sitting as a Committee of the Whole, was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m , the Assembly, sitting as a Committee of the Whole, reconvened.

Assemblyman Harry B. Riley in the chair.

MOTION.

At three o'clock and fifteen minutes p.m., Mr. Hornblower moved that the committee do now rise.

Motion carried.

IN ASSEMBLY.

Speaker Little in the chair.

MOTION.

At three o'clock and seventeen minutes p.m., Mr. Clowdsley moved that the Assembly resolve itself into Committee of the Whole for the purpose of considering Senate Constitutional Amendment No. 30.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Little in the chair.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY.

MOTION.

Mr. Clowdsley moved that the committee do now rise.

Motion carried.

IN ASSEMBLY.

Speaker Little in the chair.

MOTION FOR SPECIAL ORDER.

Mr. Lyon moved that consideration of Senate Constitutional Amendment No. 30 be made a special order for this evening at eight o'clock p.m.

Mr. Lyon withdrew his motion.

RECESS.

At four o'clock and two minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Bernard reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1735—An act to amend sections 850, 851, 852, 852a, 852b, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 862a, 863, 864, 865, 867, 868, 870, 870a, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 882, 883, 884, 885 and 886, to add section 869, and to repeal section 881 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to organization, incorporation and government of cities of the sixth class—and reports that the same has been correctly re-re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2341—An act to reduce the rates and charges of gas and electrical corporations furnishing heat, light and power to the public, empowering and directing the Railroad Commission to administer and enforce the reduction, and declaring this act to be an urgency measure—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1142—An act to amend section 5.162 of the School Code, relating to teachers' certificates;

Also: Assembly Bill No. 1228—An act to amend section 1461 of the Probate Code, relating to guardians of insane and other incompetent persons;

Also: Assembly Bill No. 2343—An act to add a new section to the Penal Code, to be numbered 537f, relating to the sale and offering for sale of rebuilt storage batteries;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 25—A resolution proposing to the people of the State of California an amendment of section 19 of Article XI of the Constitution of the State of California, relating to municipal ownership of public utilities;

Also: Assembly Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constiution of said State by amending section 24 of Article I thereof, relating to the right of suffrage;

Also: Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1a of Article XIII thereof, relating to exemption of educational institutions from taxation;

Also: Assembly Constitutional Amendment No. 101—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XIII thereof a new section, to be numbered 8a, relating to taxation;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported constitutional amendments ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1075—An act to amend section 798 of the Agricultural Code, relating to the standardization of dates;

Also: Assembly Bill No. 1077—An act to amend section 782 of the Agricultural Code, relating to the powers of the director;

Also: Assembly Bill No. 1433—An act to amend section 1115 of the Political Code to provide for the printing of the index to registration affidavits;

Also: Assembly Bill No. 2199—An act to add a new section, to be numbered 73a, to the Code of Civil Procedure, relating to superior courts;

Also: Assembly Bill No. 2361—An act making an appropriation for the contingent expenses of the Assembly at its fiftieth session, and declaring that this act shall take effect immediately;

And reports that the same have been correctly enrolled and presented the same to the Governor on this twentieth day of April, 1933, at five o'clock and forty-five minutes p.m.

PATTERSON, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 817, as amended by the Senate—An act to amend section 28 of The General Cemetery Act, relating to the extension of time for the disinterment and removal of bodies from cemeteries—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

WEST, Chairman.

The above reported bill ordered placed on daily calendar.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1127, as amended by the Senate—An act to amend an act entitled "An act to require the Director of the Department of Natural Resources to register

and mark buildings of historical interest or landmarks," approved April 24, 1931, by amending the title thereof, and by amending section 2 and by adding a new section to be numbered section 3—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

GREENE, Chairman.

The above reported bill ordered placed on daily calendar.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 2230—An act to amend section 799 of the Fish and Game Code, relating to abalones—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 7—An act to amend sections 41, 43, 45, 46 and 47 of the California Irrigation District Act, relating to delinquent assessment penalties and redemptions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 291—An act to amend section 4143 of the Political Code, relating to the duties of county coroners and to the employment by such coroners of clerks and stenographers and providing for their compensation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 58—An act to amend section 337 of the Code of Civil Procedure, relating to the time within which actions upon any contract, obligation or liability founded upon an instrument in writing may be commenced;

Also: Assembly Bill No. 155—An act relating to the use and furnishing of stamps, coupons, tickets, can covers, bottle caps or other similar devices, for or with the sale of goods, wares or merchandise and the giving of gifts, premiums or bonuses in connection with or as part of the sale of goods, wares or merchandise and providing a penalty for violation thereof;

Also. Assembly Bill No 442—An act to amend section 726 of the Code of Civil Procedure, relating to foreclosure of mortgages;

Also: Assembly Bill No 1381—An act to add section 2924¼ to the Civil Code, relating to mortgages and deeds of trust and to declare the urgency thereof and that this act shall go into immediate effect,

Also: Assembly Bill No. 1382—An act to add a new section to the Code of Civil Procedure to be numbered section 580a, relating to deficiency judgments after exercise of the powers of sale under a mortgage or deed of trust;

Also: Assembly Bill No 1383—An act to add two new sections to the Code of Civil Procedure to be numbered sections 725 and 725a, relating to mortgages and deeds of trust;

Also Assembly Bill No. 1417—An act to amend section 1161 of the Code of Civil Procedure relating to unlawful detainer;

Also. Assembly Bill No. 1501—An act to amend section 956 of the Code of Civil Procedure, relating to what may be reviewed on appeal from judgment;

Also. Assembly Bill No 2078—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons;

Also: Assembly Bill No. 2084—An act to add a new section to the Probate Code to be numbered 718.6, relating to the acceptance of a deed conveying property which is subject to a mortgage or deed of trust in lieu of foreclosure of the mortgage or sale under the deed of trust;

Also: Assembly Bill No. 2210—An act to amend sections 1333 and 1567 of the Penal Code, relating to production of prisoners in court;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman.

The above reported bills ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1483—An act to add a new section to the Political Code to be numbered 3444, relating to the administration of ungranted tide and submerged lands, beds of navigable channels, streams, rivers, creeks, lakes, bays and inlets, of the State of California, by the Division of State Lands, and empowering and authorizing the Director of Finance, through the Division of State Lands, to eject trespassers from such lands by appropriate action in the courts of this State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No 694—An act to amend the Fish and Game Code by amending the heading of Article 2, Chapter 4, Part 2, Division IV, by amending sections 736 and 738, by adding sections 844.5 and 866 thereto, and by repealing section 929 thereof, relating to fish and game—has had the same under consideration, and respectfully reports the same back, and recommends that same do pass as amended.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No 216—An act to add a new section to the Fish and Game Code, to be numbered 282, relating to the speed of motor vehicles in fish and game district 1G—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933

MR SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 1434—An act to amend section 61a of the California Irrigation District Act, relating to warrants of irrigation districts; providing for certain extensions of time for the payment of warrants; authorizing agreements for the payment of warrants or any portion thereof from time to time or at a fixed time; authorizing the allocation of specified funds or any amount thereof for the payment of warrants and validating and legalizing all warrants heretofore issued and outstanding—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 1036—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribu-

tion and sale of water by said district," approved June 10, 1913, as amended, by amending sections numbered 3, 4, 5, 9, 10, 12, 15 and 26, and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit sections 3a and 3b, relating to voting in county water districts; section 22a, relating to levy of special assessments in county water districts; section 22b, relating to special rates of assessment in certain cases; section 22c, relating to assessing and collecting the cost of works in the manner provided in the "Improvement Act of 1911"; sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, relating to the optional levy and collection of taxes by county water districts through the district's own officers rather than with county taxes; section 52, relating to the raising and payment by a county water district of assessments levied by an irrigation district within which is included a part of the lands within such county water district; section 53, relating to use of district assessment roll and duties of district officers in connection with voting, and otherwise, and section 54, relating to short title of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 1035—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness, providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district," approved June 21, 1923, as amended, by amending sections numbered 8a, 23 and 28o thereof, relating to irrigation district bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 502—An act to amend section 4242 of the Political Code, relating to the compensation of county and township officers in counties of the thirteenth class;

Also: Assembly Bill No. 503—An act to amend section 19x13 of the Juvenile Court Law, relating to probation officers in counties of the thirteenth class;

Also: Assembly Bill No. 505—An act to amend section 2322x13 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirteenth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1567—An act to amend section 4246 of the Political Code, relating to compensation of county and township officers in counties of the seventeenth class;

Also: Assembly Bill No 2360—An act authorizing boards of supervisors to pay principal or interest, purchase or redeem, bonds the proceeds of which have been used for the acquisition, improvement or maintenance of parks within their respective counties or cities and counties;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER. Your Committee on Judiciary, to which was referred Assembly Bill No. 853—An act to amend sections 3, 4, 5, 6, 7, 9, 9a, 9b, 9c, 9d, 11, 11a, 12, 12a, 13, 14, 15, 16, 19, 20a and 20b of the "California Real Estate Act," and to add new sections to be numbered 3a, 3b, 3c, 3d, 3e, 12b, 13a and 13b, relating to the Division of Real Estate—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 268—An act to amend section 1187 of the Code of Civil Procedure, relating to mechanics' liens;

Also: Assembly Bill No. 2215—An act to amend sections 1425 and 1462 of the Penal Code, relating to criminal jurisdiction of justices' courts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

WEST, Chairman.

The above reported bills ordered on file for second reading.

ON COMMERCE AND NAVIGATION

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 2367—An act granting certain tidelands and submerged lands of the State of California to the city of San Diego upon certain trusts and conditions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MALONEY, Chairman

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1016—An act to amend section 1060 of the Fish and Game Code, to add thereto sections 481.5, 744, 842.5, 846.5, 867, 1063.5, 1064.5, 1065.5, and to repeal sections 714, and 1066 to 1071 inclusive, relating to fish and game—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ZION, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2082—An act providing for the regulation and supervision of persons, firms or corporations engaging in the business as "bailee-repairers," and to prevent oppression of or advantage being taken in the employment of labor in such businesses, and to prevent fraud in the keeping or working upon of the property of

the public; defining the duties of the Attorney General in regard thereto, and providing for the enforcement of said act and penalties for the violation thereof; and creating a State "Bailee-Repairers' Department" and the office of "Director of Bailments" and defining his duties and powers—has had the same under consideration, and respectfully reports the same back without recommendation, and that it be referred to Committee on Ways and Means.

WEST, Chairman.

The above reported bill ordered referred to Committee on Ways and Means.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 101—An act to amend sections 795, 796 and 797 of the Agricultural Code, relating to the standardization of citrus fruits—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 195—An act to amend section 307 of the Agricultural Code, relating to meat inspection—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 310—An act to amend section 4252 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-third class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BROCK, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 311—An act to amend section 2322x23 of the Political Code relating to the office of the agricultural commissioner in counties of the twenty-third class;

Also: Senate Bill No. 313—An act to amend section 16x23 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the twenty-third class;

Also: Senate Bill No. 315—An act to amend section 9a23 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems, approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the twenty-third class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 294—An act to provide for the registration and protection of the names and insignia of fraternal associations, and to prohibit the wearing, exhibition, display, or use of the same by any person not entitled to wear, exhibit, display or use the same; and fixing a penalty for the violation thereof;

Also: Senate Bill No. 408—An act to amend section 139 of the Civil Code, relating to alimony;

Also: Senate Bill No. 684—An act to amend section 461 of the Penal Code, relating to punishment for burglary;

Also: Senate Bill No. 685—An act to amend section 245 of the Penal Code, relating to the penalty for assault with deadly weapon;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 507—An act to amend section 166 of the Fish and Game Code, relating to the boundaries of fish and game district 4G—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 1178—An act to amend section 2466 of the Political Code, relating to pilots and rates of pilotage for the harbor of San Francisco;

Also: Senate Bill No. 767—An act to amend section 1 and to repeal section 5 of an act entitled "An act to regulate motor boats of less than fifteen gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation thereof," approved June 19, 1931, relating to motor boat regulation;

Also: Senate Bill No. 414—An act to amend sections 2436, 2439, 2440, 2457, 2458, 2459, 2460, 2465, 2466a, and 2468 of the Political Code, to amend section 2467 of said code and to add section 2457a to said code, relating to the pilotage of vessels to, from and within ports and bays of the State of California;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MALONEY, Chairman.

The above reported bills ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 8—Relative to John Steven McGroarty being given the honorary title of the Laurel Crowned Poet of California;

Also: Assembly Concurrent Resolution No. 9—Relative to bestowing of the title of Poet Laureate of California on John Steven McGroarty;

Also: Assembly Concurrent Resolution No. 11—Relative to the designation and appointment of Henry Herbert Knibbs as Poet Laureate of California;

Also: Assembly Concurrent Resolution No. 14—Relative to Roy Walter James being given the honorary title of the Laurel Crowned Poet of California;

Also: Assembly Concurrent Resolution No. 16—Relating to the designation and appointment of Charles Keeler as Poet Laureate of California;

Also: Assembly Concurrent Resolution No. 18—Relative to the designation and appointment of John Steven McGroarty as Poet Laureate of California;

Also: Assembly Concurrent Resolution No. 24—Relative to the designation and appointment of Milton S. Ray as Poet Laureate of California;

Also: Assembly Concurrent Resolution No. 40—Relative to the designation and appointment of Arthur A. Flakoll as Poet Laureate of California;
Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported Assembly concurrent resolutions ordered placed on daily calendar.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 22—Relative to a recess to be taken by the fiftieth session of the Legislature;

Also: Senate Concurrent Resolution No. 23—Relative to special joint rules for the fiftieth session of the Legislature.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Concurrent Resolutions Nos. 22 and 23 read, and referred to Committee on Rules.

Also:

SENATE CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 19, 1933, passed Senate Bill No. 459—An act providing for the supervision and regulation of for-hire vessels other than common carrier vessels operating between points exclusively on the inland waters of the State of California; defining for-hire vessels and providing for the supervision and regulation thereof by the Railroad Commission; and providing for the enforcement of the provisions of this act and for the punishment of the violations thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 459 read first time, and referred to Committee on Public Utilities.

Also:

SENATE CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1050—An act to repeal section 2633 of the Political Code, relating to the beautification of highways;

Also: Senate Bill No. 736—An act to amend section 432 of the Fish and Game Code, relating to licenses.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 1050 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 736 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, April 20, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 719—An act to amend section 611 of, and to add section 611.5 to, the Fish and Game Code, relating to trout;

Also: Senate Bill No. 1184—An act to limit the liability of airmen and persons liable for their conduct in flying any aircraft to any guest riding therein or thereon;

Also: Senate Bill No. 1036—An act to add section 73a to the California Irrigation District Act, relating to the procedure by which property owners may be relieved from obligations of the district;

Also: Senate Bill No. 128—An act amending section 4243 of the Political Code, relating to salaries and compensation of officers in counties of the fourteenth class;

Also: Senate Bill No. 801—An act to amend section 1 and section 2 of Chapter 729, Statutes of 1909, as amended, so as to provide for the creation of a county board of forestry by the board of supervisors, in which a county planning commission has been created, said county board of forestry to have exclusive charge and control of all shade and ornamental trees, hedges, lawns, shrubs and flowers, growing or to be grown upon the public roads, highways, grounds and property in the county and to serve without compensation, the members consisting of the members of any county planning commission theretofore created pursuant to law;

Also: Senate Bill No. 948—An act to amend section 14 of the California Terminal Weighing Act, relating to the fees collected thereunder;

Also: Senate Bill No. 959—An act to amend sections 18 and 20 of and to repeal section 19 of the State Fish Exchange Act, relating to the fees received thereunder.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 719 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 1184 read first time, and referred to Committee on Aviation and Aircraft.

Senate Bill No. 1036 read first time, and referred to Committee on Irrigation.

Senate Bills Nos 128 and 801 read first time, and referred to Committee on County Government.

Senate Bill No. 948 read first time, and referred to Committee on Agriculture.

Senate Bill No. 959 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1177—An act to add a new section to the Agricultural Code, to be numbered 830.5, relating to the transportation of fruits, nuts and vegetables—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered re-referred to Committee on Agriculture.

RESOLUTION.

The following resolution was offered:

By Mr. Crist:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: We, the undersigned members of the Assembly, hereby move that Assembly Bill No. 507 be withdrawn from the Committee on Public Morals.

ELLIS E. PATTERSON.
EUGENE W. ROLAND.
GEORGE R. BLISS.
E. H. ZION.
J. E. THORP.
EDWARD CRAIG.
W. E. BADHAM.
W. W. HOFFMAN.
HOBART R. ALTER.
FRANK G. MARTIN.
JOHN T. RAWLS.
J. S. O'CONNOR.
JAMES J. BOYLE.
C. RAY ROBINSON.
MAURICE MEEKER.
JAMES J. MCBRIDE.
RODNEY L. TURNER.
F. M. ROBERTS.
C. C. COTTRELL.
FRANK LEE CRIST.
F. C. CLOWDSLEY.
FORD A. CHATTERS.
JESSE M. MAYO.
ALBERT F. ROSS.
JAMES B. UTT.
CHAS. W. DEMPSTER.
J. E. FRAZIER.
JOHN H. O'DONNELL.
HARRY B. RILEY.
S. E. ROBINSON.
JOHN D. MCCARTHY.
SAM M. GREENE.
LAWRENCE COBB.
FRANK W. WRIGHT.
JOHN PHILLIPS.
P. G. WEST.
L. POWERS, JR.
WM. MOSELEY JONES.
A. E. BROCK.
CHARLES W. STREAM.
ALBERT H. MORGAN, JR.

Assembly Bill No. 507 ordered on file for second reading.

MOTION.

Mr. Fisher moved that the Assembly take up the question of Poet Laureate, at this time.

Motion carried.

MOTION.

Mr. Cottrell moved that sponsor of each candidate for Poet Laureate be limited to ten minutes each.

Motion carried.

MOTION.

Mr. Robinson, C. Ray, moved that the Assembly resolve itself in Committee of the Whole for the purpose of considering the selection of a Poet Laureate.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Assemblyman C. Ray Robinson in the chair.

CONSIDERATION OF THE SELECTION OF POET LAUREATE.

MOTION.

Mr. Cottrell moved that the committee do now rise, and report in favor of John Steven McGroarty as Poet Laureate.

Motion carried.

IN ASSEMBLY.

Speaker Little in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of the Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

GENTLEMEN: Your Committee of the Whole, to which was referred for consideration Assembly Concurrent Resolution No. 18—Relative to the designation and appointment of John Steven McGroarty as Poet Laureate of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LITTLE, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Greene asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 18 at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER EIGHTEEN.

Assembly Concurrent Resolution No. 18—Relative to the designation and appointment of John Steven McGroarty as Poet Laureate of California.

Assembly Concurrent Resolution No. 18 read.

The question being on the adoption of Assembly Concurrent Resolution No. 18.

The roll was called, and Assembly Concurrent Resolution No. 18 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—73.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 18 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 18.

Relative to the designation and appointment of John Steven McGroarty as poet laureate of California.

WHEREAS, John Steven McGroarty, one of California's most beloved citizens, has through many years helped to preserve the tradition, history and romance of this Golden State and the poetry thereof; and

WHEREAS, It is a fitting custom that this State recognize with the honorary office of poet laureate some person well qualified to express in verse the life and hopes and aspirations of the people of this State; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That John Steven McGroarty be and he is hereby designated and appointed poet laureate of California.

FURTHER CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY.

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to be numbered 34a to Article IV, by amending section 12 of Article XI, by adding a new section to be numbered 20 to Article XI, by amending sections 14, 15 and 16, and by repealing sections 12½ and 18 of Article XIII, relating to taxation.

Senate Constitutional Amendment No. 30 read.

The question being on the adoption of Senate Constitutional Amendment No. 30.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Williamson:

AMENDMENT NUMBER ONE.

On page 3, line 15, of the printed bill, after the word "of", insert "any city or city and county operating under a freeholders charter adopted pursuant to the provisions of Article XI of the Constitution,".

AMENDMENT NUMBER TWO.

On page 6, line 16, of the printed bill, after the word "Municipality", add the following: "or any department or agency thereof,".

Amendments refused adoption.

The question being on the adoption of Senate Constitutional Amendment No. 30.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hallner moved a call of the House.

Motion carried.

Time, ten o'clock and twenty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, West, Williamson, Wright, Zion and Mr. Speaker—73.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Cronin moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 557 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Williamson moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2314 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Lyon moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 246 was refused passage be continued until the next legislative day.

Motion carried.

RECONSIDERATION WAIVED.

Mr. Williamson waived his notice to reconsider the vote whereby Assembly Bill No. 1341 was passed.

Assembly Bill No. 1341 ordered transmitted to the Senate.

Assembly Bill No. 1054—An act to amend an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, as amended, by amending section 1, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district or flood control district.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1054?

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, after the word "district", insert a comma, and add the following: "county water district".

The roll was called, and Senate amendment to Assembly Bill No. 1054 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, West, Williamson, Wright, Zion and Mr. Speaker—65.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 437—An act to provide for the taxation of Massachusetts or business trusts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 437?

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed engrossed bill, strike out the numeral "2", and in lieu thereof insert the numeral "4".

AMENDMENT NUMBER TWO.

On page 2, line 17, of the printed engrossed bill, strike out the words "creators or subscribers to", and in lieu thereof insert the words "beneficiaries of".

The roll was called, and Senate amendments to Assembly Bill No. 437 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, West, Williamson, Wright, Zion and Mr. Speaker—58.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 435—An act to amend sections 8, 14 and 19 of Chapter XIII, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 435?

AMENDMENT NUMBER ONE.

On page 1 of the printed engrossed bill, strike out that portion of line 15 following the word "equity" commencing with the semicolon, and in lieu thereof insert a period; strike out all of lines 16 to 23, both inclusive.

AMENDMENT NUMBER TWO.

On page 2 of the printed engrossed bill, strike out lines 1 and 2.

AMENDMENT NUMBER THREE.

On page 3 of the printed engrossed bill, strike out that portion of line 17 thereof following the word "property", commencing with the comma, and strike out that portion of line 18 thereof preceding the word "shall".

AMENDMENT NUMBER FOUR.

On page 3, line 19, of the printed engrossed bill, strike out the period, and in lieu thereof insert the following: ", which are, for the purposes of this subsection, hereby referred to and incorporated with the same force and effect as though fully set forth herein."

AMENDMENT NUMBER FIVE.

On page 3 of the printed engrossed bill, strike out lines 20 to 47, both inclusive.

AMENDMENT NUMBER SIX.

On page 3, line 17, of the printed bill, after the word "property", insert the words "and the amount of depletion allowable".

The roll was called, and Senate amendments to Assembly Bill No. 435 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Hallner, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Donnell, Peterson, Phillips,

Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Stannard, Stream, Thorp, Tournoux, Williamson, Zion and Mr. Speaker—58.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 436—An act to amend sections 4, 5, 6, 12, 13, 20, 21, 25, 26, 27, 29, 30, 31 and 33 of Chapter XIII, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 436?

AMENDMENT NUMBER ONE.

On page 1 of the printed engrossed bill, line 1 of the title, insert the numeral "4," after the word "sections", and insert the numeral "26," after the numeral "25,".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed engrossed bill, strike out the numeral "5", and in lieu thereof insert the numeral "4".

AMENDMENT NUMBER THREE.

On page 1 of the printed engrossed bill, insert the following between lines 5 and 6.

Sec. 4. Every financial, mercantile, manufacturing and business corporation doing business within the limits of this State, of the classes referred to in subdivision 2 (a) of section 16 of Article XIII of the Constitution of this State, shall annually pay to the State, for the privilege of exercising its corporate franchises within this State, a tax according to or measured by its net income, to be computed, in the manner hereinafter provided, at the rate of four per centum upon the basis of its net income for the next preceding fiscal or calendar year.

Each such corporation shall be entitled to an offset against said franchise tax, in the manner hereinafter provided, in the amount of taxes paid upon its real and personal property to any county, city and county, city, town, or other political subdivision of the State, but the total offset shall not exceed seventy-five per centum of the said franchise tax, and in no case shall the taxpayer be entitled to offset more than ten per centum of its said real property taxes.

In any event, each such corporation shall pay annually to the State, for the said privilege, a minimum tax of twenty-five dollars.

Every corporation subject to be taxed pursuant to subdivision (d) of section 14 of Article XIII of the Constitution of this State, and not otherwise taxed in pursuance of this section, shall pay annually to the State a tax of twenty-five dollars in lieu of the tax on its general corporate franchise under the provisions of said subdivision (d).

The provisions of this section shall not apply to any corporation organized for religious, charitable, social, fraternal or civic purposes if its organization or activities result in no financial or pecuniary gain or profit to the stockholders or members thereof.

Any corporation organized to hold the stock or bonds of any other corporation or corporations, and not trading in such stock or bonds or other securities held, and engaging in no other activities than the receipt and disbursement of dividends from such stock or interest from such bonds, shall not be considered a financial, mercantile, manufacturing or business corporation or a corporation doing business in this State for the purposes of this act.

Taxes under this section and under section 1 and 2 of this act shall accrue on the first day after the close of the 'taxable year,' as defined in section 11 hereof.

The tax on any bank or corporation for a period beginning in one calendar year (hereinafter in this section called 'first calendar year') and ending in the following calendar year (hereinafter in this section called 'second calendar year') where the law applicable to the computation of taxes for calendar year banks or corporations for the second calendar year is different from the law applicable to computation of taxes for calendar year banks or corporations for the first calendar year, shall be the sum of: (1) the same proportion of a tax for the entire period, determined under the law applicable to the first calendar year and at the rates for such year, which the portion of such period falling within the first year is of the entire period; and (2) the same proportion of a tax for the entire period, determined under the law applicable to the second calendar year and at the rates for such year, which the portion of such period falling within the second calendar year is of the entire period

Any tax that has been paid under the law applicable to the first calendar year if in excess of the tax imposed by this section shall be refunded or credited to the bank or corporation as provided in section 27. Any tax in addition to that paid under the law applicable to the first calendar year made necessary by this section shall be immediately due and payable upon notice and demand from the commissioner

SEC. 2. Section 5 of said act is hereby amended to read as follows:".

AMENDMENT NUMBER FOUR.

On page 1, line 18, of the printed engrossed bill, strike out the numeral "2"; and in lieu thereof insert the numeral "3".

AMENDMENT NUMBER FIVE.

On page 2, line 31, of the printed engrossed bill, strike out the numeral "3", and in lieu thereof insert the numeral "4".

AMENDMENT NUMBER SIX.

On page 3, line 31, of the printed engrossed bill, strike out the numeral "4", and in lieu thereof insert the numeral "5".

AMENDMENT NUMBER SEVEN.

On page 5, line 27, of the printed engrossed bill, insert the words "real and", after the word "of".

AMENDMENT NUMBER EIGHT.

On page 5, line 28, of the printed engrossed bill, strike out the words "such of"

AMENDMENT NUMBER NINE.

On page 5, line 29, of the printed engrossed bill, insert the words "banks or" after the word "merged", and strike out the words "as are financial corporations,".

AMENDMENT NUMBER TEN.

On page 6 of the printed engrossed bill, strike out that portion of line 12 following the word "business.", commencing with the word "Said", and strike out that portion of line 13 preceding the word "One-".

AMENDMENT NUMBER ELEVEN.

On page 6, line 24, of the printed engrossed bill, strike out the numeral "5", and in lieu thereof insert the numeral "6".

AMENDMENT NUMBER TWELVE.

On page 6, line 39, of the printed engrossed bill, strike out the numeral "6", and in lieu thereof insert the numeral "7".

AMENDMENT NUMBER THIRTEEN.

On page 6, line 48, of the printed engrossed bill, strike out the numeral "7", and in lieu thereof insert the numeral "8".

AMENDMENT NUMBER FOURTEEN.

On page 7 of the printed engrossed bill, after line 52, add the following:

"SEC. 9. Section 26 of said act is hereby amended to read as follows:

Sec. 26. A corporation subject to the tax herein provided for shall receive an offset against said tax, subject to the limitations provided in section 4 hereof, for real and personal property taxes paid upon its property to any county, city and county, city, town or other political subdivision of the State during the taxable year. Every bank and banking association subject to the tax herein provided for shall receive an offset against said tax, subject to the limitations provided in section 3 hereof, for taxes paid upon its real property during the taxable year to any county, city and county, city, town, or other political subdivision of the State. At the time of payment of the first installment of tax under the provisions of section 23 of this act, each taxpayer claiming an offset against the tax shall submit to the commissioner evidence in such form as he shall prescribe in support of such claims.

Where a consolidated return has been made under section 14 hereof the offset allowable against the tax liability of the consolidated group may include said property taxes paid during said period by all corporations which are included in the consolidated group, subject to the limitations of section 4 hereof

If a bank or corporation in paying the tax provided for in this act desires to claim an offset in the computation of its tax, the four per centum rate shall be applied to such offset and the amount so computed shall be added to and included in the tax of the bank or corporation.

If any real or personal property taxes are at any time refunded to any bank or corporation taxable under this act and said bank or corporation has been allowed an offset for such taxes against any tax imposed under this act, said bank or corporation shall report that fact to the commissioner and shall pay a tax not subject to offset in an amount equivalent to any offset which has been allowed against any tax at any time imposed under this act on account of such refunded real or personal property taxes."

AMENDMENT NUMBER FIFTEEN.

On page 8, line 1, of the printed engrossed bill, strike out the numeral "8", and in lieu thereof insert the numeral "10".

AMENDMENT NUMBER SIXTEEN.

On page 9, line 23, of the printed engrossed bill, strike out the numeral "9", and in lieu thereof insert the numeral "11".

AMENDMENT NUMBER SEVENTEEN.

On page 9, line 43, of the printed engrossed bill, after the word "terminated", add the following: ", nor shall the Secretary of State file any certificate of the surrender by a foreign corporation of its right to do intrastate business in this State".

AMENDMENT NUMBER EIGHTEEN.

On page 9, line 45, of the printed engrossed bill, strike out the numeral "10", and in lieu thereof insert the numeral "12".

AMENDMENT NUMBER NINETEEN.

On page 11, line 30, of the printed engrossed bill, strike out the numeral "11", and in lieu thereof insert the numeral "13".

AMENDMENT NUMBER TWENTY.

On page 13, line 13, of the printed engrossed bill, strike out the numeral "12", and in lieu thereof insert the numeral "14".

AMENDMENT NUMBER TWENTY-ONE.

On page 14, line 10, of the printed engrossed bill, strike out the numeral "13", and in lieu thereof insert the numeral "15".

AMENDMENT NUMBER TWENTY-TWO.

On page 14, line 17, of the printed engrossed bill, strike out the numeral "14", and in lieu thereof insert the numeral "16".

AMENDMENT NUMBER TWENTY-THREE.

On page 14, line 25, of the printed engrossed bill, strike out the numeral "15", and in lieu thereof insert the numeral "17".

The roll was called, and Senate amendments to Assembly Bill No. 436 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, C. Ray; Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—56.

NOES—None.

The above reported bill ordered to enrollment.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Dempster moved that the vote whereby the resolution introduced by him, and adopted on April 19, 1933, appearing on page 46 of the Journal, be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—60.

NOES—Alter—1.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1944—An act to create the California Mining and Development Board and to provide for the fostering and development of the mining industry of this State.

Bill read second time.

MOTION TO RE-REFER.

Mr. McCarthy moved that Assembly Bill No. 1944 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 1944 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 1944 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 2320—An act to provide means for the immediate relief and public employment for the unemployed and indigent citizens and residents of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 878—An act providing for a system of unemployment reserves and compensation, making an appropriation therefor, and prescribing penalties in connection therewith.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 5 to 7, inclusive, and insert in lieu thereof the following:

"(a) "Chief" means the Chief of the Division of Unemployment Reserves and Compensation created in section 16 of this act."

AMENDMENT NUMBER TWO.

On page 2, line 50, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER THREE.

On page 3, line 21, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FOUR.

On page 4, line 5, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FIVE.

On page 4, line 12, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER SIX.

On page 4, line 25, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER SEVEN.

On page 4, line 42, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER EIGHT.

On page 5, line 1, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER NINE.

On page 5, line 7, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TEN.

On page 5, line 31, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER ELEVEN.

On page 6, line 3, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TWELVE.

On page 6, line 27, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER THIRTEEN.

On page 8, line 34, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FOURTEEN.

On page 9, line 11, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FIFTEEN.

On page 9, line 20, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER SIXTEEN.

On page 9, line 21, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER SEVENTEEN.

On page 9, line 26, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER EIGHTEEN.

On page 9, line 29, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER NINETEEN.

On page 9, line 52, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TWENTY.

On page 10, line 2, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TWENTY-ONE.

On page 10, line 9, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TWENTY-TWO.

On page 10, line 23, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TWENTY-THREE.

On page 10, line 26, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TWENTY-FOUR.

On page 10, line 34, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TWENTY-FIVE.

On page 10, line 40, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TWENTY-SIX.

On page 10, line 46, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 12, line 32, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 12, line 36, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TWENTY-NINE.

On page 12, line 41, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER THIRTY.

On page 12, line 44, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER THIRTY-ONE.

On page 12, line 45, of the printed bill, after "mission", insert the following: "and to the provisions of the State Civil Service Act".

AMENDMENT NUMBER THIRTY-TWO.

On page 12, line 49, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER THIRTY-THREE.

On page 12, line 52, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER THIRTY-FOUR.

On page 13, line 3, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER THIRTY-FIVE.

On page 13, line 7, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER THIRTY-SIX.

On page 13, line 13, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 13, line 15, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 13, line 20, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER THIRTY-NINE.

On page 13 of the printed bill, strike out lines 28 to 36, inclusive, and insert in lieu thereof the following: "the provisions of this act, there is hereby created within the Department of Industrial Relations, a Division of Unemployment Reserves and Compensation, which shall be in charge of a chief. The chief of this division shall be appointed by the commission, subject to the provisions of the State Civil Service Act. The compensation of the chief shall be determined by the commission, subject to the provisions of the State Civil Service Act."

AMENDMENT NUMBER FORTY.

On page 13, line 39, of the printed bill, after "director", insert the following: "of the Department of Industrial Relations".

AMENDMENT NUMBER FORTY-ONE.

On page 14, line 2, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FORTY-TWO.

On page 14, line 13, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FORTY-THREE.

On page 14, line 15, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FORTY-FOUR.

On page 14, line 18, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FORTY-FIVE.

On page 14, line 24, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FORTY-SIX.

On page 14, line 45, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FORTY-SEVEN.

On page 14, line 51, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FORTY-EIGHT.

On page 15, line 2, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FORTY-NINE.

On page 15, line 15, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FIFTY.

On page 15, line 18, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FIFTY-ONE.

On page 15, line 20, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FIFTY-TWO.

On page 15, line 22, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FIFTY-THREE.

On page 15, line 28, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FIFTY-FOUR.

On page 15, line 32, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FIFTY-FIVE.

On page 15, line 34, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FIFTY-SIX.

On page 15, line 36, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 15, line 37, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 15, line 48, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FIFTY-NINE.

On page 16, line 24, of the printed bill, strike out "director", and insert in lieu thereof "chief".

AMENDMENT NUMBER SIXTY.

On page 16, line 26, of the printed bill, strike out "director", and insert in lieu thereof "chief".

AMENDMENT NUMBER SIXTY-ONE.

On page 16, line 41, of the printed bill, strike out "director", and insert in lieu thereof "chief".

AMENDMENT NUMBER SIXTY-TWO.

On page 16, line 44, of the printed bill, strike out "director", and insert in lieu thereof "chief".

AMENDMENT NUMBER SIXTY-THREE.

On page 17, line 1, of the printed bill, strike out "director", and insert in lieu thereof "chief".

AMENDMENT NUMBER SIXTY-FOUR.

On page 17, line 4, of the printed bill, strike out "director", and insert in lieu thereof "chief".

AMENDMENT NUMBER SIXTY-FIVE.

On page 17 of the printed bill, strike out line 7, and insert in lieu thereof the following: "to the chief, and shall daily be paid over by the chief".

AMENDMENT NUMBER SIXTY-SIX.

On page 17, line 10, of the printed bill, strike out "director", and insert in lieu thereof "chief".

AMENDMENT NUMBER SIXTY-SEVEN.

On page 17, line 14, of the printed bill, strike out "director", and insert in lieu thereof "chief".

AMENDMENT NUMBER SIXTY-EIGHT.

On page 17, line 29, of the printed bill, strike out "director", and insert in lieu thereof "chief".

AMENDMENT NUMBER SIXTY-NINE.

On page 17, line 36, of the printed bill, strike out "director", and insert in lieu thereof "chief".

AMENDMENT NUMBER SEVENTY.

On page 17, line 44, of the printed bill, strike out "director", and insert in lieu thereof "chief".

AMENDMENT NUMBER SEVENTY-ONE.

On page 17 of the printed bill, strike out lines 49 to 51, inclusive, and on page 18 strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SEC. 21. Payment of Contributions. (1) Contributions to the fund and to the administration fund shall accrue and shall become payable by each employer and employee then subject to this act in accordance with its provisions on the first day of the month succeeding the expiration of sixty days after the date of publication by the Division of Labor Statistics and Law Enforcement of the Department of Industrial Relations of the finding of fact, as established by the statistics of employment and pay rolls in California manufacturing establishments in its possession, or as published regularly in a publication issued or authorized by the department, that the number of factory employees in the State has increased by not less than twenty per centum as compared with the number of such employees in June, 1932. Thereafter contributions shall accrue and become payable by any employer and employee on and after the date on which they become newly subject to this act."

AMENDMENT NUMBER SEVENTY-TWO.

On page 18, line 6, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER SEVENTY-THREE.

On page 18, line 8, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER SEVENTY-FOUR.

On page 18, line 38, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER SEVENTY-FIVE.

On page 18, line 42, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER SEVENTY-SIX.

On page 18, line 43, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 19, line 13, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 19, line 16, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER SEVENTY-NINE.

On page 19, line 20, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER EIGHTY.

On page 19 of the printed bill, between lines 21 and 22, insert the following:

"SEC. 25a. The chief is hereby authorized and empowered, with the approval of the commission, to withdraw from the unemployment reserve fund, without at the time presenting vouchers and itemized statements, a sum not to exceed in the aggregate fifty thousand dollars to be used as a cash revolving fund and for such use to be deposited in such banks and under such conditions as he may determine with the approval of the commission. The Controller is hereby authorized to draw his warrants in favor of the commission for the amounts so withdrawn, and the Treasurer is authorized and directed to pay the same. Such revolving fund may be withdrawn at any time after thirty days prior to the date when the requirements to pay unemployment benefits become effective. At any time when the payments out of the unemployment reserve fund in any month exceed the sum of fifty thousand dollars, the chief may withdraw as a revolving fund an amount equal to the sum of such payments to be used as a revolving fund thereafter, subject to subsequent increase in like manner.

SEC. 25b. The chief is hereby authorized and empowered, with the approval of the commission, to withdraw from the unemployment administration fund, without at the time presenting vouchers and itemized statements, a sum not to exceed in the aggregate twenty-five thousand dollars to be used as a cash revolving fund and for such use to be deposited in such banks, under such conditions as may be determined by the chief, with the approval of the commission. The Controller is hereby authorized to draw his warrants in favor of the commission for the amounts so withdrawn, and the Treasurer is authorized and directed to pay the same. The withdrawal herein authorized may be made at any time from and after the publication of the finding of facts referred to in section 21 of this act. At any time when the payments out of the unemployment administration fund in any month exceed the sum of twenty-five thousand dollars, the chief may withdraw as a revolving fund an amount equal to the sum of such payments to be used as a revolving fund thereafter, subject to subsequent increase in like manner."

AMENDMENT NUMBER EIGHTY-ONE.

On page 19, line 27, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER EIGHTY-TWO.

On page 19, line 29, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER EIGHTY-THREE.

On page 19, line 41, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER EIGHTY-FOUR.

On page 20, line 16, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER EIGHTY-FIVE.

On page 20, line 18, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER EIGHTY-SIX.

On page 21, line 7, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 21, line 16, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 21, line 18, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER EIGHTY-NINE.

On page 21, line 32, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER NINETY.

On page 21, line 34, of the printed bill, strike out "director", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER NINETY-ONE.

On page 21, line 51, of the printed bill, strike out "July 1, 1937.", and insert in lieu thereof the following: "twenty-four calendar months from the date contributions to the fund and to the administration fund shall accrue and become payable as provided in section 21 of this act."

AMENDMENT NUMBER NINETY-TWO.

On page 22 of the printed bill, strike out lines 5 to 10, inclusive, and insert in lieu thereof the following: "to the administration fund shall become effective as provided in section 21 of this act, and that the requirements to pay unemployment benefits shall become effective after the expiration of twelve months from the date contributions to the fund and to the administration fund shall accrue and become payable as provided in section 21 of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1200—An act to repeal sections 1120 to 1140 inclusive of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 423—An act to add section 679b to the Penal Code, relating to goods, wares, and merchandise manufactured, produced, or mined by convicts or prisoners, and prescribing penalties for violation of the provisions thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1430—An act to amend section 68 of the Agricultural Code, relating to the duties of county live stock inspector.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend section 4a of an act entitled "An act to protect domestic live stock from contagious and infectious diseases, to prescribe the duties of officials to carry into effect the provisions of this act, to provide for the appointment of a veterinarian, and to repeal an act entitled 'An act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this act, and to provide an appropriation therefor,' approved March 18, 1889, as amended," relating to infectious diseases of animals; to declare the urgency thereof and provide that this act shall take effect immediately."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 18, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 4a of the act cited in the title hereof is hereby amended to read as follows:

4a Whenever any of the destructive infectious diseases of animals known as foot and mouth disease, rinderpest, surra, or contagious pleuropneumonia or any other infectious diseases of animals considered by the director to be detrimental to the welfare of the animal industry are discovered in the State of California it shall be the duty of the Director of Agriculture to take suitable measures to suppress the same promptly and to prevent the spread thereof; and for this purpose the said director is hereby empowered and it shall be his duty to ascertain, fix and proclaim the boundaries of a quarantine district or area wherein such disease exists or has existed and to establish, proclaim and maintain a quarantine of such district or area and of all animals therein, and to forbid, prevent or restrict the movement of all animals from or into such district or area or from place to place therein, during the existence of such quarantine. He is hereby further authorized and empowered, whenever in his judgment such action shall be necessary to make such quarantine effective, to regulate, restrict or restrain the movements of persons, vehicles, farm equipment, farm and dairy products and other materials from or into such quarantine district or area, or from place to place therein, during the existence of such quarantine; provided, however, that, under such precautions and safeguards as he shall deem proper, he may authorize the continuance of traffic over and along any roads or highways traversing such quarantined district or area and may impose as a condition thereto that no person or vehicle permitted to travel on any such road or highway shall depart from such road or highway while within such quarantined district or area. He is also hereby further authorized and empowered to order all animals within such quarantined district or area to be detained for purposes of examination or inspection at any place or places specified by him in such order, and to cause to be destroyed all animals which may be found therein affected with any such disease, and of all animals found therein which have been so exposed thereto as to be dangerous to themselves or other animals, and to require a proper disposal to be made of the hides and carcasses of all animals so destroyed. He is also hereby further authorized and empowered to prescribe, promulgate and enforce all necessary rules and regulations for cleaning and disinfecting any premises where such disease exists or has existed, and such other regulations as he may deem necessary to eradicate such disease and to prevent the dissemination thereof.

When, however, any animals or property are destroyed under the provisions of this section the owner thereof shall be paid for same an amount of money to be determined by appraisers hereinafter provided for; provided, however, that the payment for said animals or property by the State of California shall be conditioned on the government of the United States sharing equally in said payment. The value of such animals or property prior to their destruction shall be determined by an appraiser appointed by the Director of Agriculture who shall make the appraisement in cooperation with an appraiser appointed by the Chief of the Bureau of Animal Industry of the United States Department of Agriculture.

SEC. 2. This act is hereby declared to be an urgency measure, necessary for the immediate preservation of public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall take effect immediately. The following is a statement of the facts constituting such urgency:

There did appear in California early in March, 1933, a contagious disease affecting hogs, sufficiently serious as to require, after concurrence in decision with the Federal Bureau of Animal Industry, the slaughter of the infected animals in order to protect the welfare of the live stock industry of the State.

Because the particular disease is not specifically mentioned in the act cited in the title of this measure, it becomes necessary to require proper extension of authority in order that the animals may be slaughtered and the owners thereof properly indemnified in the event that such disease shall again appear. The urgency is necessary in order to govern the period between the effective date of this act and the time when the Agricultural Code, Chapter 25, Statutes of 1933, or amendments thereto, can become effective."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2311—An act to amend section 4149a of the Political Code, relating to the duties of county live stock inspector.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title and insert in lieu thereof the following:

"An act to add a new section to be numbered 9a to an act entitled "An act in relation to the control and eradication of bovine tuberculosis; to provide an appropriation for the purposes of this act; to prescribe penalties for violation of the provisions hereof, and to repeal certain acts therein specified," approved June 19, 1931, providing for the withdrawal of counties from tuberculosis control areas; to declare the urgency thereof and provide that this act shall take effect immediately."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 22, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the act cited in the title hereof to be numbered 9a and to read as follows:

Sec. 9a. The Department of Agriculture may withdraw one or more counties from within a tuberculosis control area from such an area when the funds available for indemnity and administration are not sufficient to continue the work under the provisions of this act.

SEC. 2. This act is hereby declared to be an urgency measure, necessary for the immediate preservation of public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall take effect immediately. The following is a statement of the facts constituting such urgency:

There exists at the present time within California certain tuberculosis control areas established pursuant to the provisions of the act cited in the title hereof, which areas, in consequence of the reduction in funds available for this work, must be correspondingly reduced. The provisions of the bovine tuberculosis law are mandatory with reference to indemnification for slaughtered reactors when these are encountered through inspection and test in an established tuberculosis control area. It is vital to the welfare of the State that areas be withdrawn when the work can not be continued in order not to interfere with less drastic tuberculosis

suppressive measures under authority of other laws. It therefore becomes imperative that an authority be given to the Department of Agriculture such as is contained within the proposed new section and to govern conditions requiring this emergency legislation until such time as the provisions of the Agricultural Code, Chapter 25, Statutes of 1933, or acts amendatory thereof, become effective."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2106—An act to amend section 4272 of the Political Code, relating to the compensation of county and township officers in counties of the forty-third class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"4272. In counties of the forty-third class the county officers shall receive as compensation for the services required of them by law or by virtue of their offices the following salaries, fees and expenses, to wit:

1. The county clerk, three thousand dollars per annum, and there is hereby allowed to the county clerk one deputy, which office is hereby created, to be appointed by him, at a salary of one thousand eight hundred dollars per annum, to be paid at the same time and in the same manner as the salaries of other officers are paid; provided that in each year in which a new and complete or supplemental registration of voters is required by law to be made, the said county clerk shall receive the sum of ten cents for each elector registered, which amount shall be allowed by the board of supervisors at the close of registration preceding a general or primary election and paid from the general fund of the county

2. The sheriff, three thousand dollars per annum. There is hereby allowed to the sheriff two deputies, to be appointed by him, at a salary of one thousand five hundred dollars per annum, each. The sheriff shall also receive for his own use, for serving all papers issued from justices' courts, the same fees as are now or may be hereafter allowed by law to constables for like services.

3. The recorder, three thousand two hundred dollars per annum.

4. The auditor, eight hundred dollars per annum.

5. The treasurer, two thousand five hundred dollars per annum; and provided, that in counties of this class the treasurer may appoint a deputy treasurer, which office of deputy treasurer is hereby created, and said deputy treasurer shall receive as compensation for such service, the sum of one thousand three hundred twenty dollars per annum, to be paid out of the county treasury in equal monthly installments, at the same time and in the same manner and out of the same fund as the salary of the treasurer is paid.

6. The tax collector, six hundred fifty dollars per annum.

7. The assessor, five thousand five hundred dollars per annum; he may also appoint one deputy assessor for four months of each year at a salary of one hundred twenty-five dollars per month, and one deputy assessor for five months of each year at a salary of one hundred twenty-five dollars per month. All fees or commissions which may heretofore have been collected, or which may hereafter be collected, under the provisions of law and which have heretofore been allowed the county assessor for his own benefit shall hereafter be paid to the county treasurer to be deposited in the general fund of the county. The provisions of this subsection relating to the appointment of the two deputy assessors by the county assessor do not increase the compensation of a county officer and shall take effect ninety-one days after the final adjournment of the 1927 session of the Legislature.

8. The district attorney, two thousand five hundred dollars per annum; and the district attorney may appoint one deputy, at a salary of six hundred dollars per annum. The deputy district attorney shall hold office at the pleasure of the district attorney. The salary of such deputy shall be paid monthly and in the same manner as salaries of county officers are now paid; and in counties of this class the district attorney is allowed and may appoint one clerk, which office is hereby created. The salary of said clerk is fixed at six hundred dollars per annum payable at the same time and in the same manner and out of the same fund as the salaries of the county officers are paid.

9. The coroner, such fees as are now or may be hereafter allowed by law

10. The public administrator, four hundred dollars per annum. From the time and in the event that the office of public administrator is consolidated with that of the district attorney, the public administrator shall receive no compensation.

11. The superintendent of schools, two thousand seven hundred dollars per annum; and he shall receive and retain for his own use the sum of five dollars per diem for each and every day he attends the meetings of the county board of education, and shall also be allowed his actual and necessary traveling expenses in visiting the schools of the county.

12. The surveyor, fifteen dollars per day when engaged in county work. He shall also receive his actual and necessary expenses when at work in the field

13. Each member of the board of supervisors shall receive for his services the sum of nine hundred dollars per annum, and the actual expenses incurred in attendance and for traveling to and from his residence to the county seat at any regular or special session of the board, and that one-twelfth of the annual salary shall be paid at the close of each monthly session of the board; and provided, further, they shall be reimbursed for necessary expenses actually incurred by attending any special session of the board. The road commissioner shall be reimbursed for all traveling, personal and other necessary expenses incurred while actually engaged in the performance of his duty upon the roads; such allowance not to exceed the sum of five dollars for each day so actually engaged, and the total amount of such allowance not to exceed the sum of three hundred dollars per annum.

14. For the purpose of regulating the compensation of justices of the peace and constables, townships in this class of counties are hereby classified according to their population, as shown by the Federal Census of 1920, as follows: Townships having a population of four thousand and more shall belong to and be known as townships of the first class; townships having a population of two thousand five hundred and less than four thousand shall belong to and be known as townships of the second class; townships having a population of one thousand and less than two thousand five hundred shall belong to and be known as townships of the third class; townships having a population of less than one thousand shall belong to and be known as townships of the fourth class. Justices of the peace shall receive the following salaries: In townships of the first class, the sum of one thousand two hundred dollars per annum, and he may retain for his own use such fees collected in civil actions as are now or hereafter allowed by law; in townships of the second class, the sum of one thousand two hundred dollars per annum; in townships of the third class, the sum of one thousand two hundred dollars per annum, in townships of the fourth class, the sum of sixty dollars per annum; payable monthly and in the same manner as salaries of county officers are paid, and shall be in full for all services, provided, further, that justices of the peace shall, before receiving their monthly salary file with the auditor a statement of all fees and fines received, together with the treasurer's receipt for the same. All fees and fines collected by justices of the peace shall be turned over to the county treasurer of said county; provided, that all fines collected for city offenses shall be turned over to the city treasurer of the city where the offense shall have been committed.

15. The constables: (a) For all services rendered by them in civil cases, they may receive and retain for their own use such fees as now or hereafter may be allowed by law, and (b) For all services rendered by them in criminal cases they shall be allowed all necessary expenses actually incurred in arresting and conveying prisoners to the county jail, which said expenses shall be audited and allowed by the board of supervisors and paid out of the county treasury, and in addition constables in townships of the first class shall be allowed a salary of four hundred eighty dollars per annum; in townships of the second class, four hundred eighty dollars per annum; in townships of the third class, one thousand eighty dollars per annum, in townships of the fourth class, such fees as are now or may be hereafter allowed by law.

16. In counties of this class, the official shorthand reporter of the superior court shall receive the sum of one thousand five hundred dollars per annum as compensation for his services rendered in the reporting of criminal cases in both the superior court and the justices' courts in the county of Nevada. Said salary to be paid in monthly installments at the same time and in the same manner as other county officers' salaries are paid. For the transcription of his notes he shall receive the fees now or hereafter authorized by law. In civil cases he shall receive the fees now or hereafter authorized by law.

When it shall be necessary for such reporter to travel away from the county seat in the performance of his duty he shall receive his actual and necessary traveling and personal expenses, to be allowed and paid by the board of supervisors as are other county charges.

SEC. 2. This act shall apply to incumbents."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 429—An act to amend section 19x52 of the Juvenile Court Law, relating to probation officers in counties of the fifty-second class.

COMMITTEE AMENDMENT.

During second reading of the bill; the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"Sec. 19x52. In counties of the fifty-second class there shall be one probation officer whose salary shall be one dollar per annum."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 430—An act to amend section 4281 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-second class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following.

"4281. In counties of the fifty-second class the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. The county clerk, one thousand three hundred fifty dollars per annum. The county clerk may appoint such number of registration deputies as may be necessary for the purpose of registering electors. Each of such deputies shall be paid the sum of ten cents per name for each person legally registered by him.

2. The sheriff, three thousand one hundred fifty dollars per annum; provided, that in counties of this class there shall be one deputy at a salary of one thousand dollars per annum, and a jailer at fifty dollars per month, to be paid out of the county treasury; provided, the sheriff shall also receive for his own use and benefit his necessary expenses in all criminal cases, to be allowed as other county charges are allowed by law; and, provided further, that the sheriff shall also receive for his own use and benefit the mileage, fees and commission for all services of all papers whatsoever issued by any court of the State.

3. The recorder, one thousand three hundred fifty dollars per annum. In counties of this class the recorder may appoint a copyist for service in his office, which office of copyist for the county recorder is hereby created, and said copyist shall receive as compensation for his services the sum of nine hundred dollars per annum, to be paid out of the county treasury in equal monthly installments in the same manner and at the same time as other county officers are paid.

4. The auditor, nine hundred dollars per annum. In counties of this class the auditor may appoint a copyist for service in his office, which office of copyist for the county auditor is hereby created, and said copyist shall receive as compensation for his services the sum of nine hundred dollars per annum to be paid out of the county treasury in equal monthly installments in the same manner and at the same time as other county officers are paid.

5. The treasurer, one thousand three hundred fifty dollars per annum.

6. The tax collector, one thousand eighty dollars per annum and ten per cent of all licenses collected by him; and a deputy, at a salary of nine hundred dollars per annum to be paid out of the county treasury.

7. The assessor, two thousand two hundred fifty dollars per annum and two deputies at a salary of five dollars each per day for not more than one hundred days in any one year, and two deputies additional, at a salary of five dollars each per day for not more than fifty days in any one year; such deputies to be paid out of the county treasury. The above-named deputies shall each be allowed his actual and necessary traveling expenses, not to exceed in the aggregate one thousand dollars per annum, incurred in the assessment of real and personal property and in the collection of personal property taxes.

8. The district attorney, one thousand eight hundred dollars per annum and necessary traveling expenses to be allowed by the board of supervisors.

9. The coroner, such fees as are now or may be hereafter allowed by law.

10. The public administrator, such fees as are now or may be hereafter allowed by law.

11. The superintendent of schools, two thousand two hundred fifty dollars per annum, and actual traveling expenses when visiting the schools of his county.

12. The surveyor, the sum of ten dollars per day for all services performed by him by virtue of his office and his necessary traveling expenses when performing official work in the field, such compensation and expenses to be allowed by, and paid on the order of, the board of supervisors; provided, he shall be given all work for the county in which the county employs a surveyor or civil engineer.

13. In counties of this class, the township officers shall receive the following compensations, to wit: In townships having a population of over four thousand, justices of the peace shall receive a monthly salary of sixty dollars per month, and constables a monthly salary of sixty-five dollars per month. The above-named salaries shall be in full compensation for all services of said justices of the peace and constables in criminal cases, but said justices of the peace and constables may retain for their own use the fees allowed by law in civil cases.

In townships having a population of more than two thousand seven hundred, and not exceeding four thousand, justices of the peace shall receive a monthly salary of thirty dollars per month, and constables a monthly salary of forty dollars per month. The above-named salaries shall be in full compensation for all services of said justices of the peace and constables in criminal cases, but said justices of the peace and constables may retain for their own use the fees allowed by law in civil cases.

In townships having a population of more than one thousand nine hundred and less than two thousand seven hundred, justices of the peace shall receive a monthly salary of twenty-five dollars per month and constables a monthly salary of thirty-five dollars per month. The above-named salaries shall be in full compensation for all services of said justices of the peace and constables in criminal cases, but said justices of the peace and constables may retain for their own use the fees allowed by law in civil cases.

In townships having a population of less than one thousand nine hundred, justices of the peace shall receive a monthly salary of twenty dollars per month and constables a monthly salary of twenty-five dollars per month. The above-named salaries shall be in full compensation for all services of said justices of the peace and constables in criminal cases, but said justices of the peace and constables may retain for their own use the fees allowed by law in civil cases; provided, that where a constable shall be required to travel outside of his own township, in serving or executing a warrant of arrest or any other paper in a criminal case, he shall be allowed, in addition to the salary hereinbefore provided, his actual expenses incurred in serving or executing the same, to be allowed by the board of supervisors; for transporting prisoners to the county jail, the actual expenses of such transportation; and, provided further, that for the purpose of this subdivision, the population of the several townships shall be ascertained by multiplying the number of registered voters at the last general election of each township, by five. In addition to the above salaries allowed said justices of the peace and constables, for their services in criminal cases, they may retain for their own use the fees allowed by law in civil cases.

14. Each supervisor, one thousand one hundred eighty dollars per annum, in full payment for services as member of the board of supervisors, as member of the board of equalization and as road commissioner, and twenty cents per mile, going only, in traveling from his residence to the county seat at each session of the board. Each supervisor shall also receive his necessary and actual itemized traveling expenses when traveling outside the county of Calaveras by order of the board on business connected with his office; said traveling expenses not to exceed one hundred dollars per year per supervisor.

15. For attending as a grand juror, or a trial juror in criminal and civil cases in the superior court, for each day's attendance, three dollars; for each mile actually traveled one way as such grand juror, or trial juror, in the superior court, under summons or order of the court, twenty-five cents. The county clerk shall certify to the auditor the number of days' attendance, and the number of miles traveled by each juror and the auditor shall then draw his warrant therefor and the treasurer shall pay the same.

16. The county librarian, one thousand six hundred twenty dollars per annum.

SEC. 2. This act shall not apply to incumbents."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 431—An act to amend section 2322x52 of the Political Code, relating to the office of the agricultural commissioner in counties of the fifty-second class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"2322x52. In counties of the fifty-second class the commissioner shall receive a salary of one dollar per annum."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 599—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Road District Improvement Act of 1907, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the word "improvement", and insert in lieu thereof the word "assessment."

AMENDMENT NUMBER TWO.

In the title of the printed bill, strike out line 3 and the figures "1907", in line 4, and insert in lieu thereof the following language: "formed under laws of the State of California where the bonds are payable from assessments levied in whole or in part in accordance with the assessed value of the lands in the district,".

AMENDMENT NUMBER THREE.

In the last line of the title of the printed bill, strike out the period and insert in lieu thereof: ", and to provide for contributions of public funds to assist in such refunding."

AMENDMENT NUMBER FOUR.

On page 1, line 1, of the printed bill, following the words "Section 1.", insert the following language: "The legislative body of any city or county or city and county of this State may, under and subject to the provisions of this act and with the consent of the electors of the district hereinafter provided, fund or refund the outstanding bonds issued for any special assessment district the bonds of which are payable by assessments levied wholly or partly in accordance with the assessed value of the lands in the district. Proceedings under this act may be taken only if the outstanding indebtedness is refunded at a discount. The interest rate on the refunding bonds during any one year may not exceed the interest rate upon the outstanding bonds to be refunded but must have one or more interest payments less than the interest rate on the outstanding bonds to be refunded. Said legislative body may negotiate with the holders of bonds for the refunding thereof and may assist in such refunding by the appropriation for the payment of outstanding bonds or interest thereon of moneys from the general fund or any available fund of the city or county or city and county. Said legislative body may call an election under the provisions of this act and in the event that the refunding of said indebtedness is authorized by the electors voting at such election, may issue refunding bonds as provided in this act.

SEC. 2. Said legislative body shall, by resolution or ordinance, determine the total principal amount for which refunding bonds shall be issued in the refunding

proceeding, and shall determine the term such refunding bonds or any thereof shall run and the rate or rates of interest to be paid thereon. All bonds issued under the provisions of this act shall mature in not more than thirty years from the date of issue thereof. The earliest maturity of the principal of said bonds may be not more than five years from the date of issue thereof. The rate of interest during the entire term of such bonds need not be the same, but different rates may be stated for one or more interest payments of such bonds. If such different rates of interest are proposed, each rate and the time during which such rate shall be paid shall be stated in said resolution or ordinance. Said ordinance or resolution shall also order the submission of the proposition of refunding the outstanding indebtedness of such district to be submitted to the qualified electors of such district at an election to be held for the purpose of voting on such proposition and shall fix the time of holding such election and provide for notice to be given thereof.

SEC. 3. Notice of such election shall be given by publication once a day for at least seven (7) days in some newspaper published at least six (6) days a week in such city or county or city and county or once a week for two (2) weeks in some newspaper published less than six (6) days a week in such city or county or city and county, and one insertion each week for two (2) succeeding weeks shall be sufficient publication in such newspaper published less than six (6) days a week. Such notice of election shall also be posted in three (3) public places within the district at least two (2) weeks prior to the election. The date of such first publication and the date of posting need not be the same but must be at least fourteen (14) days prior to the date of holding such election. In cities in which no newspaper is published, posting as herein required shall be sufficient notice of such election. No notice of such election other than that herein required need be given and the provisions of this act relating to the notice of election are exclusive and controlling. The notice of election shall state the total amount of the outstanding indebtedness to be refunded and shall state the amount of the principal of the bonds included therein and the amount of due and unpaid interest included therein as of the date the election is to be held, the total principal amount of the proposed refunding bonds, the term of such bonds and any thereof and the rate or rates of interest to be paid thereon. Said notice shall also state the date of such election, the hours between which the polls at such election will be open, the polling place or places within the district at which the election will be held and the names of the election officers appointed to hold and conduct such election. Said legislative body may establish one or more precincts for the purposes of such election. In all particulars not recited in such notice, the election shall be held as provided by law for the holding of elections in the city or county or city and county the legislative body of which ordered the holding of such election. Said notice of election shall also state the proposed amount of public contribution to be made in refunding the outstanding bonds of such district, if any such contribution be provided. The proposition to be voted upon shall be stated in the notice of election and upon the ballot in substantially the following form:

Shall the outstanding indebtedness of _____ District of the _____ (city or county) of _____, in amount of _____ dollars ($_____) consisting of $_____ principal and $_____ due and unpaid interest be refunded by the issuance of refunding bonds of such district in the total principal amount of _____ dollars ($_____) and by the appropriation of _____ dollars ($_____) by the _____ (city or county) of _____, such refunding bonds to bear interest at the rate of _____ per cent per annum?

Said notice shall be signed by the clerk of the legislative body conducting the refunding proceedings. Any qualified elector within the district in which the election is to be held may vote at such election. If a majority of qualified electors voting at such election vote in favor of such proposition, then the legislative body which ordered the holding of such election shall have jurisdiction to proceed with such refunding as in this act provided. No defect or irregularity in the resolution or ordinance calling the election or in the notice of election or ballot and no failure to publish or post such notice of election as provided in this act shall invalidate the election if reasonable notice thereof has been given and if the defect or omission does not actually mislead the voters authorized to vote at such election.

SEC. 4. The legislative body which shall conduct the refunding proceeding shall be the legislative body which ordered the bonds of the particular district which are to be refunded issued; provided, however, that if the district for which the bonds are to be refunded lies entirely within a municipality, then the refunding proceedings shall be conducted by the legislative body of such municipality, and if the district for which the bonds are to be refunded lies entirely within unincorporated territory of a county, the legislative body of such county shall conduct such refunding proceedings. It is the intent of this section that in all cases of incorporation of municipalities or annexation of territory to municipalities or consolidation of municipalities or exclusion of territory from municipalities or the dissolution of municipalities, the authority, powers, duties and obligations which would under this act have been vested in or imposed upon the legislative body which conducted the proceedings for the issuance of bonds to be refunded, shall be and are vested

in and shall be exercised by the legislative body which by reason of such incorporation, annexation, consolidation, exclusion or dissolution has jurisdiction at the time such refunding is begun over the territory of the assessment district. In any case in which the assessment district lies within two or more municipalities or partly within unincorporated territory of a county and partly within one or more municipalities, the legislative body which conducts the refunding proceedings shall obtain the consent of the legislative body or bodies of the other municipality or municipalities or county in which part of the district lies to the refunding of such bonds under this act. Such consent shall be expressed by resolution, a certified copy of which shall be filed with the legislative body which conducts the refunding proceedings prior to the date upon which the election mentioned in section 3 hereof is held.

SEC. 5 All bonds issued under this act shall be issued in such denominations as the legislative body of the city or county, as the case may be, may determine, except that no bonds shall be of less denomination than one hundred dollars ($100) nor of a greater denomination than one thousand dollars ($1,000), and shall be payable on the day and at the place or places fixed in such bonds and with interest at the rate specified in the bonds, which interest shall be payable semiannually. Said bonds shall be signed by the executive of the municipality or county, as the case may be, or by such other officer thereof as the legislative body of the city or county, as the case may be, shall by resolution adopted by a vote of two-thirds of all of its members authorize and designate for that purpose, and shall also be signed by the treasurer of the city or county and shall be countersigned by the clerk of the city or county. The coupons of said bonds shall be numbered consecutively and signed by the treasurer. In case any of such officers whose signatures or countersignatures appear on the bonds or coupons shall cease to be such officer before the delivery of such bonds, such signatures or countersignatures shall, nevertheless, be valid and sufficient for all purposes the same as if they had remained in office until the delivery of the bonds

The legislative body shall determine the form of such refunding bonds and shall fix the date of issue thereof. The date of issue of any refunding bond authorized under this act shall be deemed to be the apparent date of the said bond appearing on the face thereof.

The legislative body may exchange such refunding bonds for the bonds of the district which are to be refunded upon such terms and conditions and at such time or times as it may deem for the public interest. No refunding bonds shall be delivered to the holders of outstanding bonds, except upon the surrender for cancellation by such holders of such outstanding bonds, and upon the surrender of any of such outstanding bonds the same shall forthwith be canceled by the treasurer. Any city or county, or city and county, is authorized to file a petition under any bankruptcy laws of the United States of America now or hereafter enacted for any district the bonds of which are authorized to be refunded under this act.

Notwithstanding that the proceedings for the issuance of said refunding bonds may not be in full conformity with the requirements of this statute, the said refunding bonds, when issued, shall be valid and sufficient and any action or determination necessary or convenient in the proceedings for the issuance of said refunding bonds not expressly set forth in this statute is hereby authorized and the same, when made, shall be valid and sufficient.

SEC. 6. Refunding bonds issued hereunder shall be paid from funds raised by special assessments levied as herein provided. Special assessments to provide funds for the payment of such refunding bonds shall be levied at the same time and in the same manner and by the same persons as special assessments to provide funds to pay the bonds which are refunded would have been levied; and said special assessments shall be levied, collected and enforced in all respects in accordance with the laws (notwithstanding that the said laws may have been repealed in whole or in part) which provided for the special assessments to pay the principal and interest of the bonds which are refunded, except as herein otherwise expressly provided. The annual levy of assessment to pay the refunding bonds shall be sufficient to pay such principal and interest of said bonds as has become payable and for payment of which no special assessment has been levied, and to pay the principal and interest of bonds which will become payable before the proceeds of another tax levy can be made available for the payment of said principal and interest, and, in addition to such amounts for principal and interest, shall include five per cent of such amounts to provide for anticipated delinquencies.

In case of delinquency in the payment of any assessment levied to provide funds to pay any refunding bonds issued hereunder, the lands assessed shall be sold for such assessment in the manner provided by the statute under which the bonds refunded were issued, except that the assessment sale shall be separate from the sale for general taxes, and the right of redemption from said assessment sale shall exist for a period of two years only. At the expiration of two years from the date of sale, whether such sale was made to a bidder at public sale or to the State by operation of law and declaration of the tax collector or in any other manner, the right of redemption shall cease.

As a further, additional and separate remedy which may be exercised at any time after delinquency and prior to the expiration of four years from the due date of the last maturing bond, in the event any assessment or installment thereof upon any parcel of land becomes delinquent, the legislative body of the city or county which issued the refunding bonds shall, upon request of the holder of any refunding bond, order said assessment to be foreclosed by suit brought in the superior court of the county in which the land lies. The court shall have the power to adjudge and decree a lien against the lot or parcel of land covered by the assessment for the amount of the judgment and to order said premises to be sold on execution as in other cases of the sale of real estate by the process of said court. Redemption from said sale may be made at any time within two years from the date of sale in the same manner as redemption from any sale of real estate by process of court. The costs shall be fixed and allowed by the court and shall include a reasonable attorney's fee, interest, penalties and other charges provided by law, and, when so fixed and allowed by the court, shall be included in the judgment. The foreclosure suit shall be governed and regulated by the provisions hereof and also, where not in conflict herewith, by the codes of this State. On appeal the Appellate Court shall have the same power to adjudge and decree a lien and order such premises to be sold on execution as is herein provided for the superior court.

Such foreclosure action shall be brought in the name of the city or county. The complaint may be brief and include substantially only the following allegations with reference to the assessment sought to be collected: That on a date stated the refunding bonds were ordered to be issued; that certain property, describing it, was assessed a stated amount in a certain year for the payment of the principal and interest of said bonds; that on a date stated the installment of assessment due was not paid and has not been paid, and that the city council or board of supervisors, as the case may be, has directed the action to foreclose. A certified copy of the entry in the assessment book showing the property assessed and the amount of the assessment shall be prima facie evidence of the validity of said assessment and of plaintiff's right to recover in the action.

SEC. 7. At any time within sixty days after the date of issue of the refunding bonds any person interested in any of the bonds to be refunded, or in any of the lands reassessed, may bring an action in the superior court of the county in which the assessment district lies to determine the validity or invalidity of such refunding bonds. Such action shall be in the nature of a proceeding in rem and jurisdiction of all parties interested may be had by publication of summons for at least once a week for four weeks in some newspaper of general circulation published in the county where the action is pending, such paper to be designated by the court having jurisdiction of the proceeding. Said summons shall contain a general description of the boundaries of the district for which the refunded bonds are issued. Jurisdiction shall be complete within ten days after the full publication of such summons in the manner herein provided. Any one interested may at any time before the expiration of said ten days appear and bring proper proceedings contesting the validity of such refunding bonds. Such action shall be speedily tried and judgment rendered declaring the bonds so contested either valid or invalid. Either party shall have the right to appeal to the Supreme Court at any time within thirty days after the rendition of such judgment. Such appeal must be heard and determined within three months from the time of taking same. The motion for a new trial of any such proceeding must be heard and determined within ten days from the filing of the notice of intention.

The court hearing the said proceeding in inquiring into the regularity and legality of said refunding bonds must disregard any error, irregularity or omission which does not affect the substantial rights of the parties to said action or proceeding. The rules of pleading and practice provided by the Code of Civil Procedure, which are not inconsistent with the provisions of this act, are applicable to the proceeding herein provided. The costs of the legal proceeding provided in this section may be allowed and apportioned between the parties or taxed to the losing parties in the discretion of the court. After said refunding bonds have been ordered issued the validity thereof shall not be contested in any way other than at the time and in the manner specified in this section, and in any such action all findings, conclusions and determinations of the legislative body which directed the issuance of the refunding bonds shall be conclusive in the absence of actual fraud. In case no action is brought hereunder within the sixty day period, thereafter all persons whatsoever shall be barred in any action, suit or proceeding from pleading, asserting or claiming that the said refunding bonds or any thereof are invalid or that any of the proceedings for the issuance of said bonds are invalid or defective in any respect.

SEC. 8 If any refunding bond issued hereunder is held illegal or invalid in any action, suit or proceeding upon any ground which would apply to the entire issue of refunding bonds, then the unpaid bonds refunded remain in full force and effect, and if said unpaid bonds have been canceled or destroyed, the treasurer of the city or county which conducted the invalid refunding or reassessment proceeding shall issue new bonds of the same tenor, force and effect as such canceled or destroyed unpaid bonds. And all of the provisions of the act under which the original bonds

were issued (notwithstanding that said act may have been repealed subsequent to the issuance of such bonds) relative to the payment of the bonds issued thereunder and the levy, collection and enforcement of taxes or special assessment taxes therefor shall apply to such unpaid bonds and to any bonds issued to replace such unpaid bonds Until all unpaid bonds which might be refunded hereunder have been fully paid or have been legally refunded, it shall be and remain the duty of the legislative body empowered and directed to levy the special assessment taxes for the payment of such bonds to proceed under the provisions of the act under which said bonds were issued to levy the said special assessment taxes provided in said act in accordance with the provisions of said act.

SEC. 9 This act shall in nowise affect any other act or acts now existing or which may hereafter be passed covering the same subject matter, nor apply to any proceedings thereunder, but is intended to and does provide an alternative system for the refunding of bonds, and, when in the discretion of any legislative body proceedings are commenced under this act, the provisions of this act only shall apply thereto. This act and all of its provisions shall be liberally construed to the end that the purposes hereof may be made effective. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed this act irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases thereof be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1622—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending section 6, relating to the powers and duties of the board of directors

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to provide for the classification of metropolitan water districts"

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 15, inclusive; also strike out all of pages 2 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. All metropolitan water districts organized and existing under the Metropolitan Water District Act are hereby classified as follows:

1. Those districts the boundaries of which embrace a population of more than one million shall constitute the first class.

2. Those districts the boundaries of which embrace a population of more than five hundred thousand and not more than one million shall constitute the second class.

3. Those districts the boundaries of which embrace a population of more than one hundred thousand and not more than five hundred thousand shall constitute the third class

4 Those districts the boundaries of which embrace a population of one hundred thousand or less shall constitute the fourth class.

SEC. 2. For the purposes of this act in determining the population embraced within the boundaries of any district, the Federal census taken in 1930 shall be used as a basis."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2073—An act to amend section 1 of an act entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, relating to the refunding of indebtedness of any incorporated city or town other than cities of the first class or of any department, board or special fund thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 19, of the printed bill, strike out the word "and", and substitute the words "at or before maturity and to".

AMENDMENT NUMBER TWO.

On page 2, line 8, of the printed bill, after the word "of", add the word "the".

AMENDMENT NUMBER THREE.

On page 2, line 13, of the printed bill, after the word "payable", strike out the period, and substitute a comma. Following the comma add the following words: "or may be exchanged for the outstanding evidences of indebtedness as hereinafter provided."

AMENDMENT NUMBER FOUR.

On page 2, line 13, of the printed bill, strike out the words "such sale", and add the following words: "any such sale for cash".

AMENDMENT NUMBER FIVE.

On page 2, line 27, of the printed bill, at the beginning of said line, strike out the word "liabilty", and substitute in lieu thereof the word "liability".

AMENDMENT NUMBER SIX.

On page 2, line 34, of the printed bill, after the word "fund", add the words "or refund".

AMENDMENT NUMBER SEVEN.

On page 2, line 35, of the printed bill, strike out the words "two-thirds", and substitute the words "such manner".

AMENDMENT NUMBER EIGHT.

On page 2, line 37, of the printed bill, after the word "purpose", strike out the period and substitute a comma, and following the comma add the following: "as may be required by the Constitution of this State."

AMENDMENT NUMBER NINE.

On page 2, line 48, of the printed bill, after the word "issued", strike out the period and substitute a comma, and add the following words: "or such bonds may be exchanged at the par value thereof, for evidence of indebtedness at the par value thereof, to be refunded thereby, subject to adjustment of accrued interest to the date of exchange."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1559—An act to create the State Advisory Commission on Indian Affairs, to prescribe its membership and its powers and duties, and to make an appropriation therefor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out line 3 of the title of the printed bill, and insert in lieu thereof the following: "duties."

AMENDMENT NUMBER TWO.

On page 1, lines 6 and 7, of the printed bill, strike out "inspection", and insert in lieu thereof the following: "extension".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 12 to 17, inclusive.

AMENDMENT NUMBER FOUR.

On page 1, line 10, of the printed bill, after the word "services", strike out the comma and everything thereafter to and including the word "act", in line 14.

AMENDMENT NUMBER FIVE.

On page 2, line 7, of the printed bill, strike out the word "Legislature", and insert in lieu thereof "Governor", and in line 8, after the word "session", insert "of the Legislature".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1973—An act to provide for the sale of, and granting authority to, and authorizing the State Director of Finance and/or the Department of Finance, to grant, convey and sell by deed, or by any other proper legal conveyance, all the right, title and interest of the State of California, in and to the abandoned channel of Petaluma Creek or River in the city of Petaluma, county of Sonoma, State of California, lying north of Washington Street in said city, to property owners whose lands abut thereon.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following

"An act authorizing the State Director of Finance to grant, convey, and sell by deed, or any other proper legal conveyance, all the right, title and interest of the State of California, in and to the abandoned channel of Petaluma Creek or river in the city of Petaluma, county of Sonoma, State of California, lying north of Washington Street in said city, to property owners whose lands abut thereon, or to persons occupying said land"

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 21, inclusive, and also strike out all of pages 2 and 3, and insert in lieu thereof the following

"SECTION 1 The Director of Finance is hereby authorized and empowered to sell and dispose of, upon such conditions as to price and terms of sale as the Director of Finance may deem to be most advantageous to the State, all the lands under and of the abandoned channel of Petaluma Creek in the city of Petaluma, county of Sonoma, State of California, lying north of Washington Street in said city, and more particularly described as follows

Commencing at the northeast corner of Main and Washington Streets in the city of Petaluma, being the southwest corner of lot 371, according to the Stratton survey of the city of Petaluma, as said lot and streets are shown upon the official map thereof on file in the office of the county recorder of Sonoma County, California, thence N 67° 40′ E. 168 0 feet; thence N 15° 50′ W 102 7 feet, thence N 8° 35′ E 89 9 feet; thence N 85° 00′ E. 74 15 feet to the point of beginning of the tract of land to be herein described, thence N 85° 00′ E 196 85 feet; thence N 74° 30′ E. 100 0 feet; thence N 28° 45′ W 70 0 feet; thence N 58° 00′ W 457 4 feet to the common easterly corner of lots numbered 381 and 382 of the Stratton survey hereinabove referred to; thence N 84° 05′ W 393 3 feet; thence N 22° 00′ W 327 6 feet; thence N 43° 15′ E 111 0 feet; thence S 76° 30′ E 300.0 feet, thence N 76° 45′ E 250 0 feet, thence N. 0° 52′ E 55 74 feet, thence N 55° 00′ W 100 0 feet; thence N 85° 00′ W 300 0 feet; thence N 23° 00′ W 90 0 feet; thence N 26° 15′ E 323 0 feet; thence N 13° 02′ E. 133 84 feet; thence N 10° 00′ W. 79 5 feet to a point on the south line of Bridge Street at the northeast corner of lot 515 of said Stratton survey, thence N 89° 49′ E 50 0 feet to a point on the westerly line of block 28, as the same is delineated and so designated upon that certain map entitled "Map of East Petaluma", etc, filed October 20, 1857 in the office of the county recorder of Sonoma County, California, in Liber 3 of Maps, page 28; thence S. 3° 38′ E 164 0 feet, thence S 27° 35′ W 339 0 feet; thence S 11° 00′ E 58 0 feet, thence S 89° 40′ E 203 3 feet; thence S 73° 45′ E 113 0 feet, thence S 45° 10′ E 142 0 feet; thence S. 4° 15′ W 76 3 feet; thence S 67° 15′ W 168 0 feet; thence S 81° 30′ W. 167 8 feet; thence N 76° 45′ W. 257 0 feet; thence S 38° 45′ W 54 5 feet, thence S 15° 35′ E 206 0 feet; thence S 42° 30′ E 90 0 feet, thence N. 86° 00′ E 231 3 feet; thence S 79° 13′ E 173 3 feet, thence S 57° 45′ E 329 4 feet, thence S. 44°

25′ E. 179 0 feet, thence S. 18° 40′ W. 108 3 feet, thence S. 63° 15′ W. 77 2 feet; thence S. 84° 00′ W 113 7 feet; thence N 81° 25′ W 121 5 feet, thence S. 33° 11′ W. 17 17 feet, thence N. 22° 20′ W. 17 3 feet, thence N. 5° 02′ E. 37 35 feet, more or less to the point of beginning.

Saving and excepting therefrom that portion now in use as a channel or canal and particularly described as follows· Commencing at a point on the north line of lot 375 according to the Stratton survey of the city of Petaluma, and distant thereon N 71° 17′ E. 273 0 feet from the northwest corner thereof; thence N. 5° 02′ E. 273 6 feet to the point of beginning of the tract of land to be herein described; being a point on the easterly line of lot 380 per the Stratton survey and distant thereon S. 58° E 111.24 feet from the common easterly corner of lots 381 and 382 per said Stratton survey; thence N. 28° 32′ W. 130 97 feet; thence S 79° 13′ E 43 69 feet, thence S 57° 45′ E 93.65 feet; thence S. 1° 31′ E 92 63 feet; thence N 58° 00′ W. 67 32 feet to the point of beginning.

SEC. 2 The owners of land abutting upon said lands of, and under said abandoned channel of Petaluma Creek, shall be preferred purchasers for a period of six (6) months following the date upon which the Director of Finance shall give notice by publication in one or more newspapers of general circulation published in said county that he has determined the price and conditions of sale of said parcels of land, such publication to be made for not less than five consecutive days In the event said parcels of land shall remain unsold at the end of said six (6) months period, the Director of Finance shall thereupon proceed to offer the same for sale, and to sell the same, after giving notice of such sale, at public auction, to the highest bidder for cash, in the manner prescribed by section 1274 of the Code of Civil Procedure; provided that no bid which is less than the sum determined by the Director of Finance to be the value of the parcels for which it is offered shall be accepted. The Director of Finance is hereby authorized to execute on behalf of the State such deed or other conveyance as may be necessary to pass title to the purchaser or purchasers of such parcels, reserving to the State of California one-sixteenth of all coal, oil, gas and other mineral deposits contained in said lands, as provided by an act of the Legislature approved May 25, 1931—Chapter 303, Statutes of California, 1921.

SEC 3. The names of the said owners of land so abutting upon and/or occupying said abandoned channel of Petaluma Creek or river, and the description of the respective lands or land of said abandoned channel so abutting upon and adjoining his, her, their, or its respective lands, are hereinafter set out and described as follows, viz

(a) Description No. 1.
to
Owner M. Lerer, also known as Meyer Lerer.

Description Located in the city of Petaluma, county of Sonoma, State of California, and described as follows

Commencing at the point of intersection of the easterly line of Main Street and the northerly line of Washington Street, being the most southerly corner of lot 371 as shown and designated upon the official map of the city of Petaluma, as made by Jas. T. Stratton and on file in the office of the county recorder of Sonoma County; thence N. 67° 40′ E. 168 0 feet; thence N. 71° 38′ E. 111.64 feet; thence N. 22° 20′ W. 131 55 feet to the point of beginning of the tract of land to be herein described, thence N. 5° 02′ E. 37.35 feet; thence N. 85° 00′ E. 196 85 feet; thence N. 74° 30′ E 45 20 feet, thence S. 22° 20′ E 69.47 feet; thence S 63° 15′ W. 22 58 feet; thence S. 84° 00′ W. 80 75 feet; thence N. 22° 20′ W. 47 10 feet, thence S 86° 46′ W. 52.91 feet; thence S 22° 20′ E. 44.14 feet; thence N 81° 25′ W. 58 28 feet, thence N. 22° 20′ W. 21.94 feet; thence S. 75° 46′ W. 50.50 feet to the point of beginning Containing 12,593 square feet.

(b) Description No. 2.
to
Owner: J. M. Gutermute

Description Located in the city of Petaluma, county of Sonoma, State of California, and described as follows

Commencing at the point of intersection of the easterly line of Main Street and the northerly line of Washington Street, being the most southerly corner of lot 371, as shown and designated upon the official map of the city of Petaluma, as made by Jas T. Stratton and on file in the office of the county recorder of Sonoma County, thence N. 67° 40′ E. 168.0 feet; thence N 71° 38′ E. 111.64 feet; thence N. 22° 20′ W. 131 55 feet to the point of beginning of the tract of land to be herein described; thence N. 75° 46′ E. 50 50 feet; thence S. 22° 20′ E. 21 94 feet, thence N. 81° 25′ W. 41 79 feet, thence S. 33° 11′ W. 17 17 feet; thence N. 22° 20′ W. 17 30 feet to the point of beginning. Containing 651 square feet.

(c) Description No. 3.
to
Owner· Geo M. Baker, also written George M. Baker.

Description Located in the city of Petaluma, county of Sonoma, State of California, and described as follows:

Commencing at the point of intersection of the easterly line of Main Street with the northerly line of Washington Street, being the most southerly corner of lot 371 as shown and designated upon the official map of the city of Petaluma as made by Jas T. Stratton, and on file in the office of the county recorder of Sonoma County; thence N. 67° 40′ E 168 0 feet; thence N. 71° 38′ E. 111.64 feet, thence N. 67° 40′ E. 100.0 feet; thence N. 22°

20' W. 72 56 feet to the point of beginning of the tract of land to be herein described; thence N. 22° 20' W 44.14 feet; thence N. 86° 46' E. 52 91 feet; thence S. 22° 20' E 47 10 feet; thence S. 84° 00' W. 32.95 feet; thence N. 81° 25' W. 21.43 feet to the point of beginning. Containing 2,370 square feet.

(d) Description No. 4.

to

Owner. A. Baum and A Moncharch, also known as Abraham Moncharsh, P. R. Moncharsh and Anna Moncharsh

Description· Located in the city of Petaluma, county of Sonoma, State of California, and described as follows:

Commencing at the point of intersection of the easterly line of Main Street with the northerly line of Washington Street, being the most southerly corner of lot 371 as shown and designated upon the official map of the city of Petaluma made by Jas. T. Stratton and on file in the office of the county recorder of Sonoma County, thence N. 67° 40' E. 168.0 feet; thence N. 71° 38' E 111 64 feet, thence N. 67° 40' E 250 0 feet; thence N. 22° 20' W. 31.32 feet to the point of beginning of the tract of land to be herein described; thence N. 22° 20' W. 69 47 feet; thence N 74° 30' E 46 33 feet, thence S. 22° 20' E. 60 41 feet; thence S. 63° 15' W 1.00 feet, thence N. 22° 20' W. 25 21 feet, thence S 67° 40' W. 20 0 feet; thence S 22° 20' E 26 75 feet, thence S 63° 15' W. 25 07 feet to the point of beginning. Containing 2,468 square feet.

(e) Description No. 5.

to

Owner· Foung Yet How

Description. Located in the city of Petaluma, county of Sonoma, State of California, and described as follows.

Commencing at the point of intersection of the easterly line of Main Street with the northerly line of Washington Street, being the most southerly corner of lot 371 as shown and designated upon the official map of the city of Petaluma as made by Jas. T. Stratton and on file in the office of the county recorder of Sonoma County; thence N. 67° 40' E 168.0 feet; thence N 71° 38' E. 111.64 feet, thence N. 67° 40' E 275 0 feet, thence N 22° 20' W. 33.25 feet to the point of beginning of the tract of land to be herein described; thence N 22° 20' W 26.75 feet, thence N. 67° 40' E. 20.0 feet, thence S. 22° 20' E. 25.21 feet; thence S. 63° 15' W 20 06 feet to the point of beginning. Containing 519 square feet.

(f) Description No 6.

to

Owner: A. Baum and S. Moncharsh.

Description: Located in the city of Petaluma, county of Sonoma, State of California, and described as follows.

Commencing at the point of intersection of the easterly line of Main Street with the northerly line of Washington Street, being the most southerly corner of lot 371 as shown and designated upon the official map of the city of Petaluma as made by Jas. T Stratton and on file in the office of the county recorder of Sonoma County, thence N 67° 40' E. 168.0 feet; thence N. 71° 38' E. 111 64 feet; thence N 67° 40' E 296 0 feet; thence N 22° 20' W. 34.87 feet to the point of beginning of the tract of land to be herein described; thence N. 22° 20' W 60 41 feet, thence N 74° 30' E 8 47 feet, thence N. 28° 45' W. 20 87 feet; thence N 67° 40' E 56 98 feet; thence S. 22° 20' E 16 69 feet; thence S 18° 40' W. 83 33 feet, thence S. 63° 15' W 8 49 feet to the point of beginning Containing 3,156 square feet.

(g) Description No. 6A.

to

Owner The city of Petaluma.

Description Located in the city of Petaluma, county of Sonoma, State of California, being a portion of Grey Street, and described as follows

Commencing at the point of intersection of the easterly line of Main Street with the northerly line of Washington Street, being the most southerly corner of lot 371 as shown and designated upon the official map of the city of Petaluma as made by Jas T Stratton and on file in the office of the county recorder of Sonoma County, thence N 67° 40' E 168 0 feet; thence N. 71° 38' E. 111 64 feet, thence N 67° 40' E 359.0 feet, thence N 22° 20' W. 98.31 feet to the point of beginning of the tract of land to be herein described, thence N. 22° 20' W 59 21 feet, thence S 44° 25' E. 43 57 feet, thence S 18° 40' W. 24 97 feet to the point of beginning. Containing 669 square feet.

(h) Description No 7

to

Owner: M Lehrer, also known as Meyer Lerer

Description Located in the city of Petaluma, county of Sonoma, State of California, and described as follows

Commencing at the point of intersection of the easterly line of Main Street with the northerly line of Washington Street, being the most southerly corner of lot 371 as shown and designated upon the official map of the city of Petaluma made by Jas T. Stratton and on file in the office of the county recorder of Sonoma County; thence N. 67° 40' E

168 0 feet; thence N 71° 38′ E 111 64 feet; thence N 67° 40′ E. 359 0 feet, thence N. 22° 20′ W 115 00 feet to the point of beginning of the tract of land to be herein described; thence S 67° 40′ W 56 98 feet; thence N. 28° 45′ W 49 13 feet, thence N. 58° 00′ W. 203 53 feet; thence N 67° 40′ E 49 93 feet, thence S 72° 03′ E 122 08 feet, thence S. 44° 25′ E. 99 79 feet; thence S 22° 20′ E 42 52 feet to the point of beginning Containing 14,588 square feet.

(i) Description No 8

to

Owner: Camm & Hedges Co , a corporation

Description Located in the city of Petaluma, county of Sonoma, State of California, and described as follows

Commencing at the point of intersection of the easterly line of Main Street with the northerly line of Washington Street, being the most southerly corner of Lot 371 as shown and designated upon the official map of the city of Petaluma made by Jas T. Stratton and on file in the office of the county recorder of Sonoma County; thence N 67° 40′ E. 168 0 feet; thence N. 71° 38′ E 111 64 feet, thence N. 67° 40′ E 359 0 feet; thence N. 22° 20′ W. 157 52 feet; thence N. 44° 25′ W 99 79 feet to the point of beginning of the tract of land to be herein described; thence N 72° 03′ W. 122 08 feet; thence S 67° 40′ W 49 93 feet; thence N 58° 00′ W 75 31 feet; thence N 1° 31′ E. 92 63 feet, thence S. 57° 45′ E 235 75 feet; thence S 44° 25′ E. 35 64 feet to the point of beginning. Containing 12,208 square feet.

(j) Description No. 9

to

Owner Coulson Poultry and Stock Food Company, a corporation.

Description. Located in the city of Petaluma, county of Sonoma, State of California, and described as follows

Commencing at the point of intersection of the easterly line of Main Street with the northerly line of Washington Street, being the most southerly corner of lot 371 as shown and designated upon the official map of the city of Petaluma as made by Jas. T. Stratton and on file in the office of the county recorder of Sonoma County, thence N 67° 40′ E 168 0 feet, thence N. 15° 50′ W. 102 7 feet, thence N 8° 35′ E 89 9 feet; thence N 85° 00′ E 271 0 feet, thence N 74° 30′ E. 100 0 feet; thence N 28° 45′ W. 70 0 feet; thence N 58° 00′ W 457 4 feet to the point of beginning of the tract of land to be herein described; thence N 84° 05′ W. 70 67 feet, thence N. 65° 50′ E. 113 32 feet; thence S 28° 32′ E 128 11 feet; thence N 58° 00′ W 111 24 feet to the point of beginning. Containing 5519 square feet.

(k) Description No. 10

to

Owner. Geo P. McNear

Description: Located in the city of Petaluma, county of Sonoma, State of California, and described as follows

Commencing at the point of intersection of the easterly line of Main Street with the northerly line of Washington Street, being the most southerly corner of lot 371 as shown and designated upon the official map of the city of Petaluma made by Jas. T. Stratton and on file in the office of the county recorder of Sonoma County, thence N. 67° 40′ E 168 0 feet; thence N 15° 50′ W 102 7 feet; thence N. 8° 35′ E 89 9 feet; thence N. 85° 00′ E. 271 0 feet; thence N 74° 30′ E. 100 0 feet; thence N. 28° 45′ W. 70 0 feet; thence N. 58° 00′ W. 457.4 feet, thence N. 84° 05′ W. 70 67 feet to the point of beginning of the tract of land to be herein described; thence N. 84° 05′ W. 322.63 feet; thence N. 22° 00′ W. 305 36 feet; thence N. 67° 56′ E. 25 51 feet; thence N. 43° 15′ E. 65.20 feet; thence S. 80° 02′ E. 300 00 feet, thence N. 79° 47′ E 192 70 feet; thence S 3° 00′ W 8 95 feet; thence S. 67° 15′ W. 42 90 feet; thence S 81° 30′ W. 167 80 feet; thence N. 76° 45′ W. 257 0 feet; thence S. 38° 45′ W. 54 50 feet; thence S 15° 35′ E. 206 0 feet; thence S. 42° 30′ E 90 00 feet; thence N 86° 00′ E 231.3 feet; thence S 79° 13′ E. 129.61 feet; thence S 28° 32′ E. 2 86 feet; thence S. 65° 50′ W. 113 32 feet to the point of beginning. Containing 41,250 square feet

(l) Description No. 11

to

Owner. J. F. Jones, also known as Joseph F. Jones.

Description Located in the city of Petaluma, county of Sonoma, State of California, and described as follows:

Commencing at the point of intersection of the easterly line of Main Street with the northerly line of Washington Street; being the most southerly corner of lot 371 as shown and designated upon the official map of the city of Petaluma, made by Jas. T. Stratton and on file in the office of the county recorder of Sonoma County; thence N. 67° 40′ E. 168.0 feet; thence N. 15° 50′ W. 102 7 feet; thence N. 8° 35′ E 89.9 feet; thence N. 35° 00′ E. 271.0 feet; thence N. 74° 30′ E. 100 0 feet; thence N. 28° 45′ W 70 0 feet; thence N. 58° 00′ W. 457.4 feet; thence N 84° 05′ W. 393 3 feet; thence N. 22° 00′ W. 327.6 feet to the point of beginning of the tract of land to be herein described; thence N. 43° 15′ E. 96.66 feet; thence S. 17° 01′ E 35 49 feet, thence S 43° 15′ W 65 20 feet; thence S. 67° 56′ W. 25 51 feet; thence N. 22° 00′ W. 22 24 feet to the point of beginning. Containing 2779 square feet.

(m) Description No 12
to
Owner: M H Gordon, also known as M. H. Gordan,
James F Parker and Lillie M. Parker

Description Located in the city of Petaluma, county of Sonoma, State of California, and described as follows

Commencing at the point of intersection of the easterly line of Main Street with the northerly line of Washington Street being the most southerly corner of lot 371 as shown and designated upon the official map of the city of Petaluma, made by Jas T Stratton and on file in the office of the county recorder of Sonoma County, thence N 67° 40' E 168 0 feet, thence N 15° 50' W. 102 7 feet, thence N. 8° 35' E 89 9 feet, thence N. 85° 00' E 271 0 feet; thence N 74° 30' E 100 0 feet; thence N 28° 45' W 70 0 feet; thence N. 58° 00' W. 457 4 feet, thence N 84° 05' W 393 3 feet; thence N 22° 00' W. 327 6 feet; thence N. 43° 15' E 96 66 feet to the point of beginning of the tract of land to be herein described; thence N 43° 15' E 14 34 feet, thence S 76° 30' E 300 0 feet, thence N 76° 45' E 201.3 feet, thence S 3° 00' W 37 83 feet, thence S 79° 47' W 192 70 feet; thence N. 80° 02' W. 300 0 feet; thence N 17° 01' W 35 49 feet to the point of beginning Containing 16,486 square feet

(n) Description No 13
to
Owner M H. Gordon, also known as M H Gordan,
James F Parker and Lillie M Parker

Description. Located in the city of Petaluma, county of Sonoma, State of California, and described as follows

Commencing at the point of intersection of the easterly line of Main Street with the northerly line of Washington Street, being the most southerly corner of lot 371 as shown and designated upon the official map of the city of Petaluma, made by Jas T. Stratton and on file in the office of the county recorder of Sonoma County, thence N. 67° 40' E 168 0 feet; thence N. 15° 50' W 102 7 feet, thence N. 8° 35' E 89 9 feet, thence N 85° 00' E. 271 0 feet; thence N 74° 30' E 100 0 feet; thence N 28° 45' W 70 0 feet; thence N. 58° 00' W. 457 4 feet, thence N 84° 05' W 393 3 feet, thence N. 22° 00' W. 327 6 feet, thence N. 43° 15' E 111 0 feet, thence S. 76° 30' E 300 0 feet; thence N. 76° 45' E. 250 0 feet, thence N 0° 52' E 55 74 feet to the point of beginning of the tract of land to be herein described; thence N 55° 00' W. 100 0 feet, thence N 85° 00' W. 300 0 feet, thence N 23° 00' W 90 0 feet; thence N 26° 15' E 70 5 feet, thence N 76° 07' E 27 26 feet, thence S. 26° 53' W. 58 77 feet, thence S 18° 18' E 73 61 feet, thence S. 86° 53' E 251 46 feet; thence S 73° 45' E 56 49 feet; thence S 51° 47' E 74 04 feet; thence S 3° 00' W 38 46 feet to the point of beginning. Containing 17,823 square feet

(o) Description No. 14.
to
Owner Christian H Beck, sometimes known as and called Christian Hansen Beck, sometimes known as and called C. H Beck

Description Located in the city of Petaluma, county of Sonoma, State of California, and described as follows

Commencing at the point of intersection of the easterly line of Main Street with the northerly line of Washington Street, being the most southerly corner of lot 371 as shown and designated upon the official map of the city of Petaluma, made by Jas T. Stratton and on file in the office of the county recorder of Sonoma County, thence N 67° 40' E. 168 0 feet; thence N. 15° 50' W. 102 7 feet; thence N 8° 35' E 89 9 feet; thence N 85° 00' E 271 0 feet; thence N 74° 30' E 100 0 feet; thence N 28° 45' W. 70.0 feet; thence N. 58° 00' W. 457 4 feet; thence N 84° 05' W 393 3 feet, thence N. 22° 00' W. 327 6 feet; thence N 43° 15' E 111 0 feet; thence S 76° 30' E 300 0 feet; thence N 76° 45' E. 250 0 feet; thence N. 0° 52' E 55.74 feet, thence N. 3° 00' E 38 46 feet to the point of beginning of the tract of land to be herein described; thence N 51° 47' W. 74 04 feet; thence N. 73° 45' W 56 49 feet; thence N 86° 53' W 251 46 feet; thence N 18° 18' W. 73 61 feet; thence N 26° 53' E. 174 48 feet; thence S 48° 41' E 22 60 feet; thence S 27° 35' W. 139.36 feet; thence S 11° 00' E. 58 0 feet; thence S 89° 40' E 203 3 feet; thence S. 73° 45' E 113 0 feet, thence S 45° 10' E 48 57 feet, thence S. 3° 00' W. 38.46 feet to the point of beginning Containing 18,107 square feet

(p) Description No 15
to
Owners John T Merritt, an undivided one-third interest;
Ida J. Benson, an undivided one-third interest;
Jessie Spencer, an undivided one-sixth interest; and
Bert Merritt, an undivided one-sixth interest.

Description Located in the city of Petaluma, county of Sonoma, State of California, and described as follows

Commencing at the point of intersection of the easterly line of Main Street with the northerly line of Washington Street, being the most southerly corner of lot 371, as shown and designated upon the official map of the city of Petaluma made by Jas. T Stratton and on file in the office of the county recorder of Sonoma County; thence N. 67° 40' E. 168 0 feet; thence N. 15° 50' W. 102 7 feet; thence N 8° 35' E 89 9 feet; thence N. 85° 00' E 271 0 feet; thence N. 74° 30' E. 100 0 feet; thence N 28° 45' W 70 0 feet; thence N 58° 00' W. 457.4 feet, thence N. 84° 05' W. 393.3 feet; thence N 22° 00' W. 327 6 feet;

thence N. 43° 15′ E. 111 0 feet; thence S 76° 30′ E. 300 0 feet, thence N 76° 45′ E 250 0 feet; thence N 0° 52′ E. 55.74 feet; thence N 55° 00′ W. 100 0 feet; thence N. 85° 00′ W. 300 0 feet; thence N. 23° 00′ W 90 0 feet; thence N. 26° 15′ E 70 5 feet to the point of beginning of the tract of land to be herein described; thence N 26° 15′ E 138 5 feet, thence N. 75° 30′ E 0 93 feet; thence S 48° 41′ E. 22 49 feet; thence S 26° 53′ W 115 71 feet; thence S. 76° 07′ W. 27 26 feet to the point of beginning. Containing 2729 square feet

(q) Description No. 16.
to
Owner. Petaluma and Santa Rosa Railroad Company, a corporation

Description: Located in the city of Petaluma, county of Sonoma, State of California, and described as follows·

Commencing at the point of intersection of the easterly line of Main Street with the northerly line of Washington Street, being the most southerly corner of lot 371 as shown and designated upon the official map of the city of Petaluma, made by Jas T. Stratton and on file in the office of the county recorder of Sonoma County; thence N 67° 40′ E. 168 0 feet, thence N. 15° 50′ W. 102 7 feet; thence N 8° 35′ E. 89 9 feet; thence N. 85° 00′ E. 271.0 feet; thence N. 74° 30′ E. 100.0 feet; thence N 28° 45′ W. 70 0 feet, thence N. 58° 00′ W. 457.4 feet; thence N. 84° 05′ W. 393.3 feet; thence N. 22° 00′ W. 327 6 feet, thence N. 43° 15′ E. 111.0 feet; thence S. 76° 30′ E. 300.0 feet; thence N. 76° 45′ E 250 0 feet; thence N 0° 52′ E. 55.74 feet, thence N. 55° 00′ W. 100 0 feet, thence N. 85° 00′ W 300.0 feet; thence N. 23° 00′ W. 90.0 feet, thence N. 26° 15′ E 209 0 feet to the point of beginning of the tract of land to be herein described; thence N. 26° 15′ E. 52 58 feet, thence S. 61° 20′ E. 45 72 feet; thence S 27° 35′ W. 61.77 feet, thence N. 48° 41′ W. 45 09 feet; thence S. 75° 30′ W. 0 93 feet to the point of beginning. Containing 2565 square feet.

(r) Description No. 17.
to
Owner: Christian H. Beck, sometimes known as and called Christian Hansen Beck, sometimes known as and called C H Beck.

Description: Located in the city of Petaluma, county of Sonoma, State of California, and described as follows.

Commencing at the point of intersection of the easterly line of Main Street with the northerly line of Washington Street, being the most southerly corner of lot 371 as shown and designated upon the official map of the city of Petaluma, made by Jas T Stratton and on file in the office of the county recorder of Sonoma County; thence N. 67° 40′ E. 168 0 feet; thence N. 15° 50′ W. 102 7 feet; thence N 8° 35′ E 89 9 feet, thence N 85° 00′ E. 271.0 feet; thence N. 74° 30′ E 100 0 feet, thence N 28° 45′ W 70.0 feet, thence N. 58° 00′ W. 457.4 feet; thence N. 84° 05′ W 393.3 feet; thence N. 22° 00′ W. 327.6 feet; thence N. 43° 15′ E. 111 0 feet, thence S 76° 30′ E 300 0 feet; thence N 76° 45′ E 250 0 feet; thence N. 0° 52′ E. 55.74 feet; thence N. 55° 00′ W. 100.0 feet, thence N 85° 00′ W 300.0 feet; thence N. 23° 00′ W. 90.0 feet; thence N 26° 15′ E. 261 58 feet to the point of beginning of the tract of land to be herein described; thence N 26° 15′ E 61.42 feet; thence N. 13° 02′ E. 133 84 feet, thence N. 10° 00′ W. 79 5 feet, thence N 89° 49′ E. 50 0 feet, thence S 3° 38′ E 164 0 feet, thence S. 27° 35′ W. 137 87 feet; thence N. 61° 20′ W. 45 72 feet to the point of beginning. Containing 14,301 square feet "

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 902—An act to amend sections 38 and 47 of the Workmen's Compensation, Insurance and Safety Act, relating to workmen's compensation insurance issued by the State Compensation Fund.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title to the printed bill, and insert in lieu thereof the following

"An act to amend section 19 of the "Workmen's Compensation Insurance and Safety Act of 1917," approved May 23, 1917, relating to compensation and insurance of workmen."

AMENDMENT NUMBER TWO.

Strike out all of the printed bill, and insert in lieu thereof the following:

"*The people of the State of California do enact as follows·*

SECTION 1. Section 19 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 19. (a) No pleadings, other than the application and answer, shall be required. The hearing on the application may be adjourned from time to time

and from place to place in the discretion of the commission or commissioner or referee holding such hearing. Either party shall have the right to be present at any hearing, in person or by attorney or by any other agent, and to present such testimony as shall be pertinent under the pleadings, but the commission may, with or without notice to either party, cause testimony to be taken, or inspection of the premises where the injury occurred to be made, or the timebooks and pay roll of the employer to be examined by any commissioner or referee appointed by the commission, and may from time to time direct any employee claiming compensation to be examined by a regular physician; the testimony so taken and the results of any such inspection or examination to be reported to the commission for its consideration.

(b) The parties to a controversy may stipulate the facts relative thereto in writing and file such stipulation with the commission. The commission may thereupon make its findings and award based upon such stipulation, or may in its discretion set the matter down for hearing and take such further testimony or make such further investigations as may be necessary to enable it to completely determine the matter in controversy.

(c) The commission may receive as evidence, either at or subsequent to a hearing, and use as proof of any fact in dispute, the following matters, in addition to sworn testimony presented in open hearing:

(1) Reports of attending or examining physicians.

(2) Reports of special investigators appointed by the commission or a commissioner or referee to investigate and report upon any scientific or medical question.

(3) Reports of employers containing copies of time sheets, book accounts, reports and other records, properly authenticated.

(4) Properly authenticated copies of hospital records of the case of the injured employee.

(5) All publications of the commission

(6) All official publications of State and United States governments.

(7) Excerpts from expert testimony received by the commission upon similar issues of scientific fact in other cases and the prior decisions of the commission upon such issues; provided, however, that transcripts of all testimony taken without notice and copies of all reports and other matters other than reports of attending or examining physicians added to the record, otherwise than during the course of an open hearing, be served upon the parties to the proceeding, and opportunity be given to produce testimony in explanation or rebuttal before decision is rendered; and provided further, that reports of attending or examining physicians be served upon the parties to the proceeding and opportunity given to rebut or explain such reports through the filing of other medical reports within five days after service of said reports, or within such further time as the commission may allow.

(8) In addition to all matters of which courts generally take judicial cognizance, the commission shall take judicial cognizance of all documents and of copies thereof filed with the Insurance Commissioner of the State of California by insurance companies affecting or pertaining to their obligations (as principal, surety or otherwise) to pay or render benefits under this act, and of all surety and/or guaranty bonds filed with the commission; and any such document may be incorporated into the formal record in any proceeding by appropriate order without notice and by reference only, except that it must be set forth in full in the commission's record as certified to a District or the Supreme Court following a petition for writ of review.

(9) The commission shall have continuing jurisdiction without limit of time to join, and to define the obligations of, and to issue appropriate orders affecting companies which have assumed or agreed to assume, as principal, surety, or otherwise, all or part of the obligations under this act, of any originally obligated insurance company or self-insurer; anything in this act to the contrary notwithstanding.

(10) If any section, subsection, subdivision, sentence, clause or phrase of this amendment is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the amendment.

(d) The burden of proof lies upon the party holding the affirmative of the issue. The following are affirmative defenses, and the burden of proof shall rest upon the employer to establish them:

(1) That an injured person claiming to be an employee is an independent contractor or otherwise excluded from the protection of this act, where there is proof that such injured person was at the time of his injury actually performing service for the alleged employer.

(2) Intoxication of an employee causing his injury.

(3) Wilful misconduct of an employee causing his injury.

(4) Aggravation of disability by unreasonable conduct of the employee.

(5) Prejudice to the employer by failure of the employee to give notice, as required by section fifteen.

(e) Where it is represented to the commission, either before or after the filing of an application, that an employee has died as a result of injuries sustained in the course of his employment, the commission may require an autopsy, and the report of the physician performing such autopsy may be received in evidence in any

proceedings theretofore or thereafter brought. If at the time such autopsy is requested the body of such employee be in the custody of the coroner, the coroner must, upon the request of the commission or of any party interested, afford reasonable opportunity for the attendance of any physician named by the commission at any autopsy ordered by him. If the coroner should not require, or shall have already performed such autopsy, he shall permit an autopsy or reexamination to be performed by physicians named by the commission. No fee shall be charged by the coroner for any service, arrangement or permission given by him.

If the body is not in the custody of the coroner, the commission shall have authority to authorize the performance of such autopsy and the exhumation of the body for such purpose if necessary. If the dependents, or a majority thereof, of any such deceased employee, shall refuse to allow the performance of such autopsy, such autopsy shall not be held; but upon the hearing of any application for compensation it shall be a disputable presumption that the injury or death was not due to causes entitling the claimants to benefits under this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1340—An act to amend sections 6, 9, 10, 13, 14, 15, 16, 20, 21 and 22 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, following the word "sections", insert the figure "3,".

AMENDMENT NUMBER TWO.

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

AMENDMENT NUMBER THREE.

In line 2 of the title of the printed bill, following the figure "22", insert "and 25".

AMENDMENT NUMBER FOUR.

In the last line of the title of the printed bill, strike out the period, and insert the following: "as amended 1909, 1911, 1915, 1917, 1919, 1927 and 1929".

AMENDMENT NUMBER FIVE.

On page 2, line 19, of the printed bill, insert after the word "promulgated", the following: "or to be promulgated".

AMENDMENT NUMBER SIX.

On page 2, line 20, of the printed bill, following the word "agriculture", insert "or by the State Board of Public Health".

AMENDMENT NUMBER SEVEN.

On page 2, line 23, of the printed bill, following the word "agriculture", insert "or by the State Board of Public Health".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, strike out lines 25 to 31, inclusive, and insert in lieu thereof the following:

"Eighth. If it be canned tomatoes and be labeled "solid pack", and the tomatoes are not select tomatoes; or are neither whole nor in fairly large pieces; or are not of uniformly good red color; or are not practically free from pieces of skin, cores, blemishes and other defects; or do not possess the typical flavor of naturally ripened tomatoes; or score less than a total of eighty-five points for all factors, or less than eighteen points for color, or if more than two of the other factors be within the range of fifteen to seventeen points, or if any factor fall below fifteen points, when scored according to the scoring system defined by the United States standards for grades for canned tomatoes, effective January 16, 1933, as issued by the United States Department of Agriculture, Bureau of Agricultural Economics on January 16, 1933, and as prescribed and promulgated by the Secretary of the United States Department of Agriculture, January 16, 1933."

AMENDMENT NUMBER NINE.

On page 3, lines 12, 13 and 14, of the printed bill, strike out "be a graduate pharmaceutical chemist and who shall have a knowledge of the fundamentals of canning technology and canning problems in general", and insert the following: "have such qualifications as shall be required by said board and".

AMENDMENT NUMBER TEN.

On page 3, line 15, of the printed bill, following the word "duties", strike out the words "required by this act and".

AMENDMENT NUMBER ELEVEN.

On page 3, line 24, of the printed bill, strike out "by the said director of", and insert "by the chief of/".

AMENDMENT NUMBER TWELVE.

On page 3, line 24, of the printed bill, restore the word "or".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 25, of the printed bill, restore the words "under his supervision".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 47, of the printed bill, strike out the words "said director", and insert the words "it shall be found at".

AMENDMENT NUMBER FIFTEEN.

On page 3, line 47, of the printed bill, strike out the words "shall find".

AMENDMENT NUMBER SIXTEEN.

On page 4, line 1, of the printed bill, strike out the words "bureau of laboratories", and insert "laboratory of the State Department of Public Health".

AMENDMENT NUMBER SEVENTEEN.

On page 4, lines 10 and 11, of the printed bill, strike out the words "Bureau of Food and Drug Inspections", and insert the words "laboratory of the State Department of Public Health".

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 17, of the printed bill, following the word "sellers", insert the following: "The Chief of the Bureau of Food and Drug Inspections shall report at the same time on all activities of that bureau".

AMENDMENT NUMBER NINETEEN.

On page 4, line 17, of the printed bill, add "s" to the word "report".

AMENDMENT NUMBER TWENTY.

On page 4, line 18, of the printed bill, add "s" to the word "part".

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 20, of the printed bill, strike out the words "is already authorized by law to".

AMENDMENT NUMBER TWENTY-TWO.

On page 4, line 20, of the printed bill, add "s" to the word "make".

AMENDMENT NUMBER TWENTY-THREE.

On page 4, line 34, of the printed bill, following the word "before", insert "the State Board of Public Health, a member thereof, or its secretary".

AMENDMENT NUMBER TWENTY-FOUR.

On page 4, lines 35 and 36, of the printed bill, strike out the words "the Chief of the Bureau of Food and Drug Inspections".

AMENDMENT NUMBER TWENTY-FIVE.

On page 4, line 37, of the printed bill, following the word "health", insert "or the person, or persons, conducting the same".

AMENDMENT NUMBER TWENTY-SIX

On page 5, line 26, of the printed bill, following the word "from", insert "the State Board of Public Health, its secretary, or".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 5, line 27, of the printed bill, strike out the period, and insert the following: ", who shall *report immediately to the secretary of the State Board of* Public Health all actions relating to the seizure of such articles of food and their release".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 5 of the printed bill, strike out lines 31 to 35, inclusive.

AMENDMENT NUMBER TWENTY-NINE

On page 6, line 16, of the printed bill, following the phrase "the certificate of the", insert the words "chief of the"

AMENDMENT NUMBER THIRTY.

SEC. 10. Section 3, of the above entitled act, is hereby amended to read as follows:

"The standard of purity of food and liquor shall be not less than that proclaimed by the Secretary of the United States Department of Agriculture, the food inspection decisions, and the service and regulatory announcements of the Bureau of Chemistry, United States Department of Agriculture or such other bureau, department, division or administration of said United States Department of Agriculture as may from time to time hereafter have and exercise the powers, functions and duties heretofore and now vested in and exercised by said Bureau of Chemistry, United States Department of Agriculture and/or by the State Board of Public Health. Nothing in this section contained shall authorize or permit any adulteration of any food or liquor because the standard of purity of such food or liquor has not been proclaimed by the Secretary of Agriculture, United States Department of Agriculture or by the State Board of Public Health"

AMENDMENT NUMBER THIRTY-ONE.

SEC. 11. Section 25 of the above entitled act is hereby amended to read as follows:

"If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2325—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by adding a new section thereto to be numbered section 28, relating to the dissolution of said municipal utility districts or the withdrawal of certain territory therefrom.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 7 of the title of the printed bill, strike out all of the title after the word "adding", and insert in lieu thereof the following: "two new sections thereto to be numbered, respectively, section 28 relating to the dissolution of such municipal utility districts, and section 29 relating to the withdrawal of certain territory therefrom."

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, strike out all the balance of the bill after the word "Sec. 28", and insert in lieu thereof the following:

"The board of directors of any district which operates no works or properties, or whose exterior boundaries are coincident with the boundaries of a single city or town, may call an election at any time for the purpose of submitting to the qualified electors of said district the question of whether the district shall be dissolved; and the said board of directors must, upon the filing with the secretary of such district of a petition signed by qualified electors of said district, equal in number to not less than twenty-five per cent of the votes cast within said district at the general State election next preceding, asking that the question of dissolution of the district be submitted to a vote of the electors of the district, call such election. Such election for the purpose of submitting to the qualified electors of the district the question of whether or not the district shall be dissolved shall be held within sixty days next succeeding the date on which the petition was filed. Notice of any election for dissolution, whether called because of the filing of such petition or ordered by the board of

directors without petition, shall be published once a week for two weeks prior to the date fixed for said election in a newspaper of general circulation printed and published in said district or in case there is no newspaper of general circulation printed and published in said district notice of the election shall be given by posting written notices thereof in three public places for a period of at least fourteen days prior to the date set for the election. The ballots for said election shall contain substantially the instructions required to be printed on ballots for use at general State and county elections and in addition thereto shall appear the following:

Shall the (giving the name thereof) 'municipal utility district' be dissolved?	YES
	NO

Said election in all matters pertaining thereto not otherwise provided for herein, shall be held and conducted and the result thereof ascertained, determined and declared in accordance with the general election laws of the State so far as the same may be applicable, except that no other notice of the election other than that hereinabove provided for need be given and no sample ballots need be sent to the electors. If upon a canvass of such election it shall be found that a majority of all votes cast at said election were cast in favor of the dissolution said dissolution shall be deemed to have been carried and approved by the electors. The board of directors of said district shall meet on Monday next succeeding the day of election at the hour of eight o'clock p.m. and canvass the votes cast thereat. Upon dissolution of any district whose boundaries are coincident with the corporate limits of any incorporated city or town, the district property wherever situated shall vest absolutely in the incorporated city or town and upon the dissolution of any district operating no works or properties and whose boundaries extend beyond the boundaries of a single city or town the property of the district wherever situated shall vest in the county in which the whole or greater portion of said district is situated.

If at the time of such dissolution there be any outstanding indebtedness of such district the legislative authority of such incorporated city or town, where the limits of the district lie wholly within the corporate limits of an incorporated city or town, and in all other cases the board of supervisors of the county in which the whole or greater portion of said district is situated are hereby constituted, ex officio, the board of directors, of such district, for the purpose only for the levy and collection of taxes for the payment of the indebtedness of the district existing at the time of the dissolution thereof and the interest thereon. And it is hereby made obligatory upon such board or legislative authority to levy such taxes and perform such other acts as may be necessary in order to raise the money necessary for the payment of such indebtedness and the interest thereon. In the event that the proposition for dissolution fails to carry no subsequent election for the dissolution of said district shall be called until after the expiration of one year from the date of such prior election.

SEC. 2. The above entitled act is amended by adding a new section thereto to be numbered section 29 and to read as follows:

Sec. 29. Any territory contained within any municipal utility district not operating any utility and not included within the boundaries of any incorporated city or town and not benefited in any manner by such district or its continued inclusion therein may be excluded therefrom by order of the board of directors of such municipal utility district upon the verified petition of the owner or owners in fee of lands whose assessed value with improvements is in excess of one-half of the assessed value of all the lands with improvements held in private ownership in such territory sought to be excluded. Said petition shall describe the territory sought to be excluded and shall set forth that such territory is not benefited in any manner by said municipal utility district or its continued inclusion therein, and shall pray that such territory be excluded from such district. The petition shall be filed with the secretary of the municipal utility district and shall be accompanied by a deposit with such secretary of the sum of one hundred dollars to meet the expenses of advertising and other costs incident to the proceedings for the exclusion of such territory, including the cost of recording a certified copy of the order hereinafter provided for, any unconsumed balance to be returned to the petitioner or petitioners. Upon the filing of such petition with the secretary of such municipal utility district he shall cause the same to be set for hearing at a regular or adjourned regular meeting of the board of directors of such district and shall cause a notice of the filing thereof to be published once a week for at least two weeks in some newspaper of general circulation printed and published within said district, and if there is no newspaper of general circulation printed and published in such district notice of the election shall be given by posting written notices thereof in three public places for a period of at least fourteen days prior to the date set for the election. Such notice shall also state the date of the filing of such petition and that the same will come on for hearing before the board of directors of the district and shall state the time and place of the hearing thereof. The property to be excluded may or may not be specifically described in said notice, but if not

described the notice shall refer to the petition on file with the secretary for a particular description of the property sought to be excluded.

Any landowner or taxpayer within the district shall have the right to appear at said hearing either in behalf of or in opposition to the granting of said petition.

Such petition shall come on for hearing before the board of directors of the district at the time and place specified in the notice of hearing. If upon such hearing the board of directors determines that it is for the best interests of the district that the lands mentioned in the petition or some portion thereof be excluded from the district, or if it appears that such lands, or some portion thereof, will not be benefited by their continued inclusion in the district, then the board of directors shall make an order that such lands, or such portion thereof as the board may determine, be excluded from the district, such order to describe specifically the lands so excluded. A copy of such order of exclusion certified to by the secretary of the district shall be recorded in the office of the county recorder of the county in which said lands are situated, and the record of such certified copy shall be prima facie evidence of the exclusion from the district of the lands purporting to be excluded thereby. From and after the making of such order and the record thereof the lands so excluded shall no longer be included in the district but such order of exclusion shall not invalidate in any manner any taxes or assessments theretofore levied or assessed against the lands so excluded nor relieve the property so excluded from any outstanding bonds which are a lien thereon at the time of exclusion, nor from any taxes to pay the principal or interest thereof."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1044—An act to amend sections 3, 4, 6, 7, and 8 of the "General Cemetery Act," approved June 19, 1931, relating to cemetery corporations.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee.

AMENDMENT NUMBER ONE

On page 2, line 11, of the printed bill, after the period following "Columbarium", insert the following: "Any copartnership, firm, trust, association, or individual now engaging in or transacting any of the businesses necessary or incident to the conduct of a cemetery, mausoleum, columbarium or crematory and columbarium within the State of California, shall within six months after the effective date of this act incorporate said businesses, and any corporation now engaged in or transacting any of the businesses necessary or incident to the conduct of a cemetery, mausoleum, columbarium or crematory and columbarium within the State of California, the articles of which do not limit its corporate powers as is herein provided, shall within six months of the effective date of this act amend its charter and/or articles of incorporation, limiting the corporate powers of said corporation to the operation and maintenance of a cemetery, mausoleum, columbarium or crematory and columbarium. Nothing contained in this act shall be construed to prevent or restrict in any way any religious, fraternal or labor corporation, association or organization from owning, possessing or operating a cemetery for the interment of its members."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1312—An act to amend section 737vv of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Solano.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 10—An act to amend section 737s of the Political Code, relating to salaries of judges of the superior court, Los Angeles County.

Bill read second time.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. McCarthy:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out "nine", and insert in lieu thereof the following "eight".

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs. Clowdsley, Roland and Field, the Speaker ordered a roll call taken on the adoption of the amendment.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cottrell, Crist, Dempster, Evans, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, McBride, McCarthy, Meeker, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Wright and Zion—49.

NOES—Callahan, Chatters, Cobb, Cronin, Crowley, Feigenbaum, Gilmore, Hornblower, Levey, Maloney, Mayo, McMurray, Meehan, Miller, James A., Morgan, Patterson, Redwine, Robinson, C. Ray; Williamson and Mr. Speaker—20.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 537—An act to add a new section, to be numbered 2b, to an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,' approved March 22, 1909," relating to bids for contracts for public work.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 116—An act to amend section 737*ll* of the Political Code, relating to salaries of the judges of the superior court of the City and County of San Francisco.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

In line 5 of the printed bill, strike out the word "eight", and insert in lieu thereof the word "nine".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1078—An act to amend sections 4.371, 4.373, 4.375, 4.376 and 4.377 of the School Code, and to add two new sections to the School Code, to be numbered 4.378 and 4.379, all relating to district taxes.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the following: "4.375,".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 16 to 26, inclusive, and on page 2 of the printed bill, strike out all of lines 1 to 12, inclusive.

AMENDMENT NUMBER THREE.

On page 2, line 13, of the printed bill, strike out the following: "Sec. 4", and insert in lieu thereof "Sec. 3".

AMENDMENT NUMBER FOUR.

On page 2, line 36, of the printed bill, strike out the following: "Sec. 5", and insert in lieu thereof "Sec. 4".

AMENDMENT NUMBER FIVE.

On page 2, line 49, of the printed bill, strike out the following: "Sec. 6", and insert in lieu thereof "Sec. 5".

AMENDMENT NUMBER SIX.

On page 3, line 9, of the printed bill, strike out the following: "Sec. 7", and insert in lieu thereof "Sec. 6".

AMENDMENT NUMBER SEVEN.

On page 3, line 16, of the printed bill, strike out the word "may", and insert in lieu thereof the word "shall".

AMENDMENT NUMBER EIGHT.

On page 3, line 17, of the printed bill, strike out the following: "A copy"; also strike out all of lines 18 to 20, inclusive, and in line 21, strike out the word "following", and insert in lieu thereof the following: "The resolution shall be submitted to the county superintendent of schools. If the resolution is approved by the county superintendent of schools it shall, if it involves a sum in excess of one thousand dollars, be published in the same manner as the budget of the school district concerned is published. Upon the approval of said resolution and, where its publication is required, following its".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1—An act to amend section 737a of the Political Code, relating to the salaries of judges of the superior court, Alameda County.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

In line 5 of the printed bill, strike out the word "eight", and insert in lieu thereof the word "nine".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 408—An act regulating and restricting the sale of goods, wares and merchandise manufactured, produced or mined by convicts or prisoners or in penal or reformatory institutions and prescribing penalties for violation of the provisions hereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, following the word "prisoners", insert the following words in parentheses. "(except convicts or prisoners on parole or probation)"; and on page 1, line 9, between the word "or", and the words "in any", at the end of said line 9, insert the following words: "manufactured, produced or mined wholly or in part".

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, following the word "State", and before the comma, insert the following words: "by convicts or prisoners or in any penal and/or reformatory institution."

AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, after the period following the number "2", strike out the balance of the line, and in place thereof insert the following words: "No person or corporation may sell, expose for sale or offer"; and on page 1, line 20, after the word "prisoners", insert the following words in parentheses "(except convicts or prisoners on parole or probation)"; and on page 1, line 21, before the word "in", insert the following words: "manufactured, produced or mined wholly or in part"; and on page 1, line 22, after the word "law", strike out the comma, substitute a semicolon and then following the substituted semicolon and before the words "is guilty", insert the following words: "and any person or corporation violating any provision of this section".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 689—An act to amend section 737f of the Political Code, relating to the superior judge in and for the county of Colusa.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"737f. The annual salary of the judge of the superior court in and for the county of Colusa is five thousand dollars."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1788—An act to amend section 737ss of the Political Code, relating to the compensation of the judge of the superior court of Shasta County.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, add the letter "s", to the word "section".

AMENDMENT NUMBER TWO.

After the figures "737ss", in the title of the printed bill, insert the following: ", 737uu and 737r".

AMENDMENT NUMBER THREE.

In line 2 of the title of the printed bill, add the letter "s", to the word "judge".

AMENDMENT NUMBER FOUR.

In line 3 of the title of the printed bill, strike out the period, and insert in lieu thereof a comma, and the following: "Siskiyou County and Lassen County".

AMENDMENT NUMBER FIVE.

At the end of the printed bill, add the following:

"SEC. 2. Section 737uu of the Political Code is hereby amended to read as follows:

737uu. The annual salary of the judge of the superior court in and for the county of Siskiyou is five thousand five hundred dollars.

SEC. 3. Section 737r of the Political Code is hereby amended to read as follows:

737r. The annual salary of the judge of the superior court in and for the county of Lassen is five thousand dollars."

AMENDMENT NUMBER SIX.

In line 4 of the printed bill, strike out the word "thousand", and insert in lieu thereof the words "five thousand five hundred".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2291—An act to add a new article, to be numbered VIII, consisting of sections 2.1471 to 2.1473, inclusive, to Chapter II of Part V of Division II of the School Code, relating to the State Commission for the Blind.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend section 2207c of, and to add sections 2208 and 2209 to, the Political Code, relating to the State Commission for the Blind and the field officers thereof."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive; also strike out page 2, and insert in lieu thereof the following:

"SECTION 1. Section 2207c of the Political Code is hereby amended to read as follows:

2207c. The board of directors has power:

1. To make by-laws for its government and the government and direction of the home, and prescribe conditions for the admission of applicants thereto, and the admission pursuant to such conditions, having regard to an equitable representation from each county of the State;

2. To designate the trades which must be regularly taught in the institution;

3. To elect a general superintendent and all subordinate officers and employees, and to determine the number thereof when not fixed by this chapter;

4. To elect a physician, not a member of the board, whose salary must not exceed one thousand two hundred dollars per annum;

5. To elect a secretary, whose salary must not exceed six hundred dollars per annum, who must give bond in the sum of five thousand dollars;

6. To prescribe in particular the duties of the superintendent, physician, and secretary;

7. To purchase, from time to time, such materials as may be suitable to the requirements of the manufacturing and other departments of the home, to audit the bills therefor, and to forward them to the State Board of Examiners;

8. To fix the market price of all wares manufactured in the home, and of all wares manufactured elsewhere by nonresident beneficiaries, and to provide for and regulate the sale of all such manufactured wares;

9. To fix the compensation of common laborers and of all other employees in the home, whose wages are not herein established;

10. To grade and fix the price of skilled and unskilled labor and the amount of work required in the various departments to constitute a day's labor, and to permit the inmates to work at piecework;

11. To authorize work to be let out to blind people, so that such beneficiaries as in their judgment may require it, may receive it at their residence, and for such piecework to pay liberal prices, so as to yield, as near as possible, the compensation of resident laborers; but in no case, to incur any indebtedness for labor contracts

with the beneficiaries, resident or otherwise, when there is not sufficient money on hand to pay the same;

12. To take, receive, manage, and invest all moneys or property hereafter bequeathed or donated to said home, in accordance with the wishes of the testator or donor; or if no conditions are attached to the bequests or donations, then to invest such moneys or proceeds of property for the best interests of the home. If any donation or bequest is trammeled with any religious conditions of a sectarian character, or conditioned in any manner antagonistic to the provisions of this chapter, or in conflict with any necessary rule or regulation of the home, the board may refuse to accept such donation or bequest, and is hereby authorized to reject the same. Donations or bequests may be received by the State Treasurer, or by the president of the board of directors; but no donation or bequest accompanied by any condition must be received until it has been ordered approved and received by the board, and notice thereof given by the secretary to the State Controller. Any bequest or donation received or collected by the president of the board must be immediately paid over by him to the State Treasurer, and at the same time the president must forward to the State Controller a statement thereabout, verified by his oath. All moneys received by the State Treasurer must be placed to the credit of the "Fund of the Industrial Home of Adult Blind." The investment of funds by the board can be made only in the same manner as the approval of claims, subject likewise to the action of the State Board of Examiners thereon.

13. To discharge from the home any inmate thereof, whenever in the discretion of the board such discharge is in furtherance of the primary object of the home, to give instruction in a trade or trades to the greatest possible number of the blind of the State to enable them to become self-supporting and to effect an equitable geographical distribution of the benefits of the home

SEC. 2. A new section is hereby added to the Political Code to be numbered 2208 and to read as follows:

2208. The State Commission for the Blind is hereby created in the Department of Institutions, to consist of three members, as follows: The superintendent of the State Industrial Home for the Blind acting ex officio, and two other members appointed by the Director of Institutions with approval of the Governor. The two members appointed by the Governor shall be representative blind citizens of this State who have been identified with work for the blind in this State and who are men of professional standing or wide business experience. One of such appointive members of the commission shall be a resident of the southern part of the State and one shall be a resident of the northern part thereof. The members of the commission shall receive no compensation for their services in relation to their membership in the commission.

SEC 3. A new section is hereby added to the Political Code to be numbered 2209 and to read as follows:

2209. The State Commission for the Blind shall have power to appoint field officers or teachers to teach handicrafts to the adult blind of the State who are not inmates of the Industrial Home of the Adult Blind and to give them such other instruction as may ameliorate their condition, and to prescribe the duties and fix the compensation of such field officers and teachers who shall be under the direction and supervision of the commission. Field officers or teachers appointed under section 2207c of this code shall be transferred to this commission without loss of their civil service rating.

SEC. 4. The sum of thirty thousand four hundred twenty-six dollars appropriated to the Industrial Home for the Blind for the purpose of employing and paying the expenses of field officers and teachers appointed by said home for the fiscal years 1933-1935 as found in Chapter ------, Statutes of 1933, is hereby transferred to the State Commission for the Blind in the Department of Institutions."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 407—An act to amend sections 3638a, 3716, 3717, 3718, 3746, 3756, and 3820 of the Political Code, relating to taxes on improvements and personal property secured by real property.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 3638a, 3717 and 3787 of, and to add section 3716a to, the Political Code, relating to the lien of taxes secured by real property."

AMENDMENT NUMBER TWO.

On page 1, line 20, of the printed bill, strike out "act", and insert in lieu thereof the following: "section".

AMENDMENT NUMBER THREE.

On page 1, line 22, of the printed bill, after "property", strike out "; except that such", strike out all of lines 23 to 25, inclusive, and insert in lieu thereof the following: ", subject, however, to all prior existing valid liens of record."

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 12 to 29, inclusive.

AMENDMENT NUMBER FIVE.

On page 2, line 30, of the printed bill, strike out "Sec. 3", and insert in lieu thereof the following: "Sec. 2".

AMENDMENT NUMBER SIX.

On page 2, line 34, of the printed bill, strike out "; except", and strike out all of lines 35 to 38, inclusive, and insert in lieu thereof the following: ". subject, however, to all prior existing valid liens of record."

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out lines 39 to 52, inclusive; on page 3, strike out lines 1 to 51, inclusive; and on page 4, strike out lines 1 to 27, inclusive, and insert in lieu thereof the following:

"SEC. 3. Section 3787 of the Political Code is hereby amended to read as follows:

3787. Such deed, duly acknowledged or proved, is (except as against actual fraud) conclusive evidence of the regularity of all other proceedings, from the assessment of the assessor, inclusive, up to the execution of the deed. Such deed conveys to the State the absolute title to the property described therein, free of all encumbrances, except any lien which was a valid existing lien of record prior to the date upon which the lien for the delinquent taxes attached, and except any lien for taxes levied for municipal, or for irrigation, reclamation, protection, flood control, public utility or other district purposes, or for special assessments which are collected on tax rolls, and except any lien or assessment for other amounts which by law are collected upon tax rolls by or for account of municipalities, and except interest and penalties on the same, and other amounts which would be paid municipalities or for their account in the event of redemption of such property from sales for such taxes, assessments or other amounts, and except when the land is owned by the United States or this State, in which case it is prima facie evidence of the right of possession accrued as of the date of the deed to the State but without prejudice to the lien for such other taxes or assessments or amounts or to the claim of the municipality for such interest, penalties and other amounts.

SEC. 4. A new section is hereby added to the Political Code, to be numbered 3716a and to read as follows:

3716a. A mortgage, deed of trust or other specific lien on real property shall take precedence over the lien of any taxes other than taxes upon the property subject to the lien of such mortgage, deed of trust or other specific lien."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1427—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees;

to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and part of acts inconsistent therewith," being Statutes of 1931, page 483, as approved May 5, 1931, by amending the title and adding sections 6.09 and 13.20, repealing section 6.05 and amending sections 6.08, 13.11 and 13.12 so as to first require a day in court before the commissioner may take possession; require the commissioner to agree to reorganizations agreed upon by sixty per cent of the creditors of any seized association, and authorizing building and loan associations and their custodians, receivers, etc., to purchase certificates at less than par or to trade real estate for certificates.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 29 to 33, inclusive, of the title of the printed bill, as amended, and insert in lieu thereof the following: "amending the title and adding section 13.20, providing for reorganizations agreed upon by sixty-six and two-thirds".

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, as amended, strike out lines 9 to 52, inclusive; on page 4, strike out lines 1 to 52, inclusive; on page 5, strike out lines 1 to 52, inclusive; and on page 6, strike out lines 1 to 41, inclusive; and insert in lieu thereof the following:

"SEC. 2 Article XIII of said act is hereby amended by adding thereto a new section to be numbered 13.20 and to read as follows:

13.20. Whenever the creditors of an association, not in custody of the commissioner, having sixty-six and two-thirds per cent in amount of the valid claims representing primary obligations of the association, together with sixty-six and two-thirds per cent of amount represented by membership shares thereof, together with the board of directors of the association, or the holders of sixty-six and two-thirds per cent or more of the capital stock of the association, or whenever the creditors of an association, now or hereafter in custody of the commissioner, having sixty-six and two-thirds per cent in amount of all claims based upon obligations of the association, together with sixty-six and two-thirds per cent of amount represented by membership shares, together with the board of directors of the association or the holders of in excess of sixty-six and two-thirds per cent of the capital stock of the association, shall have agreed in writing to a plan of reorganization and shall have created and empowered a corporation, association, governing body, committee, board of trustees or directors to act for them, they shall, through said corporation, association, governing body, committee, board of trustees or directors, so notify the commissioner and the association and it or he if the association's assets be then in his custody, must within fifteen days thereafter turn over thereto all, or the proportionate part, of the assets of the association depending upon the procedure followed by the creditors and association or stockholders to be chosen by them from the procedures hereinafter permitted. The parties to such an agreement may elect to take over either their proportionate share of the assets of the association and to leave with the commissioner or to deliver to him the balance for liquidation by him as provided in this act or to take all of the assets thereof. In the event of the former, no bond shall be required by the commissioner, and in the event of the former, the segregation of assets shall be determined by agreement with the commissioner. If the creditors and the association or stockholders are unable to agree with the commissioner as to which assets are to be taken by them as their proportionate share, they may petition the superior court of the county in which the principal place of business of the association is located, for an order determining and partitioning the assets to be taken and those to be left with or delivered to the commissioner. In the event that the creditors shall determine to take all of the assets, the Building and Loan Commissioner, as a prerequisite to the delivery thereof to the corporation, association, governing body, committee, board of trustees or directors, shall require a bond in an amount equal to the then value of the proportionate share of the total assets of the creditors and stockholders not joining in or consenting to the reorganization (if it appears to him that any interest remains for the stockholders),

which bond shall be executed by a surety company authorized to do such business in the State of California and when executed shall be deposited with the Controller of the State of California. The condition of said bond shall be that the corporation, association, governing body, committee, board of trustees or directors receiving the portion of the assets held for the nonconsenting creditors and stockholders will faithfully liquidate such portion with care and diligence for the benefit of such nonconsenting creditors and stockholders. For such service to the nonconsenting creditors and stockholders no charge may be made except for salaries, rental and sales agents' commissions, expenses fixed by laws and expenses of sale. In no case must the nonconsenting creditors or stockholders be charged with any reorganization expense. The corporation, association, governing body, committee, board of trustees or directors, taking delivery of assets, shall at the time of taking the same have complied, or shall show to the commissioner ability to comply, with all the laws in the State of California having to do with the maintenance of the type of corporation, association or organization that is intended in any reorganization plan agreed upon as aforesaid."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 700—An act to prescribe salaries and salary classifications for the several offices and positions in the executive department of the government of the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 3 of the title, and insert in lieu thereof the following:

"An act relating to State officers and employees in the executive branch of the State government and the classification of, certification or authorization and appointment to, and allocation within, State executive positions and the fixing of salary ranges therefor and graduated emergency salary reductions, and creating the State Personnel Board and prescribing its powers, purposes, duties and jurisdiction."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and all of page 2 and insert in lieu thereof the following:

"SECTION 1. There is hereby created the State Personnel Board. Said board shall be composed of the State Controller, Director of Finance and the Legislative Counsel, each of whom shall serve as a member of said board without extra compensation therefor.

SEC. 2. Subject to the provisions of section 3 hereof, all State executive positions and the salary range of each such position per month unless otherwise indicated, except as otherwise prescribed by the Constitution, are hereby classified as follows:

Department of Agriculture.

Position	Salary range of position			
Director, Department of Agriculture				$500
Chief accounting officer		$300	$325	350
Administrative assistant, Department of Agriculture		250	270	290
Radio information assistant		250	270	290
Agricultural information assistant	$200	215	230	245
Traveling assistant to the director, Department of Agriculture	130	140	150	160
Senior field crop estimator	200	215	230	245
Junior field crop estimator	$150	160	170	180	190
Truck crop estimator	200	215	230	245
Agricultural statistician		375	400	425
Secretary, Department of Agriculture	200	215	230	245
Chief, Division of Animal Industry	400	425	450	475
Assistant Chief, Division of Animal Industry		300	325	350
Supervisor of poultry disease control work		250	270	290
Supervising veterinary live stock inspector		250	270	290
Veterinary meat inspector	160	170	180	190
Assistant meat inspector	110	120	130	140
Supervisor of cattle protection service	200	215	230	245
Supervising hide and brand inspector	160	170	180	190
Hide and brand inspector		130	140	150

Position	Salary range of position			
Assistant supervisor of dairy service	$200	$215	$230	$245
Tuberculosis control, guardian		120	130	140
Laboratory technician, Division of Animal Industry		130	140	150
Laboratory assistant, Division of Animal Industry	95	105	115	125
Supervisor of dairy service		250	270	290
Supervising dairy inspector	200	215	230	245
Senior dairy inspector	160	170	180	190
Junior dairy inspector		130	140	150
Senior market milk specialist	160	170	180	190
Market milk marketing specialist	160	170	180	190
Dairy manufacturing specialist	160	170	180	190
Supervising chemist, Bureau of Dairy Control		250	270	290
Dairy bacteriologist	200	215	230	245
Chief, Division of Chemistry		325	350	375
Senior chemist	200	215	230	245
Junior chemist	160	170	180	190
District inspector of economic poisons and fertilizers, Grade 2		190	205	220
District inspector of economic poisons and fertilizers, Grade 1	160	170	180	190
Inspector of economic poisons and fertilizers		130	140	150
Auditor of fertilizer companies	160	170	180	190
Associate chief, Division of Quarantine Administration		300	325	350
Chief plant quarantine officer		325	350	375
Assistant to chief plant quarantine officer	160	170	180	190
Supervising border quarantine officer	200	215	230	245
Supervising maritime quarantine officer		250	270	290
Senior maritime quarantine inspector	200	215	230	245
Intermediate maritime quarantine inspector	150	160	170	180
Senior border quarantine inspector	150	160	170	180
Junior quarantine inspector		100	110	120
Associate quarantine entomologist	200	215	230	245
Junior quarantine entomologist	130	140	150	160
Ship guard, quarantine service		110	120	130
Supervisor of entomology		350	375	400
Supervising entomologist		250	270	290
Associate entomologist, pest control work	200	215	230	245
Assistant entomologist, pest control work	160	170	180	190
Assistant laboratory entomologist	160	170	180	190
Entomological laboratory helper	85	95	105	115
Junior entomologist, regulatory work		130	140	150
Entomological field inspector		100	110	120
Spray operator, pest control work, per hour				60¢
Nozzleman, pest control work, per hour				50¢
Laborer, per hour				45¢
Supervising date scale inspector	160	170	180	190
Senior date scale inspector		130	140	150
Intermediate date scale inspector		100	110	120
Supervising predatory animal hunter and trapper		130	140	150
Predatory animal hunter and trapper		100	110	120
Chief, Division of Plant Industry	400	425	450	475
Chief, Bureau of Weed Control	200	215	230	245
Assistant weed control officer	160	170	180	190
Chief, Bureau of Field Crops		375	400	425
Chief, Bureau of Fruit and Vegetable Standardization		300	325	350
Assistant Chief, Bureau of Fruit and Vegetable Standardization		250	270	290
Supervising fruit and vegetable standardization inspector	200	215	230	245
Senior fruit and vegetable standardization inspector	160	170	180	190
Junior fruit and vegetable standardization inspector		130	140	150
Chief, Bureau of Shipping Point Inspection		375	400	425
Assistant Chief, Bureau of Shipping Point Inspection		285	300	315
Field supervisor, fruit and vegetable certification		250	270	290
Supervising fruit and vegetable certification inspector	200	215	230	245
Supervising dried fruit certification inspector	200	215	230	245
Senior fruit and vegetable certification inspector	160	170	180	190
Junior fruit and vegetable certification inspector		130	140	150
Supervising canned fruit inspector	200	215	230	245
Superintendent, State Fish Exchange	200	215	230	245
Supervisor, southern district, State Fish Exchange	160	170	180	190
Fish Marketing specialist	140	150	160	170
Fish exchange inspector		130	140	150
Chief, Division of Markets		400	425	450
Assistant Chief, Division of Markets		300	325	350

Position	Salary range of position			
Supervisor of marketing information service		$300	$325	$350
Cooperative marketing specialist		250	270	290
Cooperative marketing assistant	$160	170	180	190
Marketing assistant	100	110	120	130
Supervising dairy and poultry products marketing specialist		250	270	290
Assistant fruit and vegetable marketing specialist	160	170	180	190
Assistant dried fruits and nuts marketing specialist	160	170	180	190
Assistant live stock and animal products marketing specialist	160	170	180	190
Senior dairy and poultry products marketing specialist	200	215	230	245
Senior fruit and vegetable marketing specialist	200	215	230	245
Senior hay, grain, and feed marketing specialist	200	215	230	245
Senior live stock and animal products marketing specialist	200	215	230	245
Junior fruit and vegetable marketing specialist		130	140	150
Junior live stock and animal products marketing specialist		130	140	150
Dressed poultry and edible products inspector	160	170	180	190
Supervising butter grader	185	200	215	230
Radio engineer	200	215	230	245
Radio operator		130	140	150
Radio operator and assistant marketing specialist	160	170	180	190
Supervising telegrapher	160	170	180	190
Telegrapher		140	150	160
Chief, Division of Market Enforcement		300	325	350
Agricultural transportation clerk		100	110	120
District supervisor, Division of Market Enforcement	185	200	215	230
Supervisor of complaint investigations, Division of Market Enforcement		250	270	290
Complaint investigator	160	170	180	190
Chief, Division of Weights and Measures	275	300	325	350
Administrative assistant, Division of Weights and Measures		250	270	290
Assistant to Chief, Division of Weights and Measures	200	215	230	245
Supervising investigator, Division of Weights and Measures	200	215	230	245
Petroleum products chemist	140	150	160	170
Weighing and measuring equipment inspector		130	140	150
Supervising furniture and mattress inspector	160	170	180	190
Furniture and mattress inspector		130	140	150
Librarian, Department of Agriculture		125	135	145
Laboratory assistant	95	105	115	125
Laboratory helper	70	75	80	85	90
Attorney General's Office.				
Attorney General				500
Chief Deputy Attorney General		400	425	450
Assistant Attorney General		400	425	450
Deputy Attorney General	300	325	350	375
Assistant Deputy Attorney General	200	220	240	260	280
State Board of Equalization.				
Board member (who shall not be subject to any graduated emergency salary reduction)				133 33
Executive secretary, State Board of Equalization		375	400	425
Assistant to executive secretary	200	215	230	245
Supervising gasoline and transportation tax auditor			255	275
Gasoline and transportation tax auditor	200	215	230	245
Supervising gasoline and transportation tax investigator	160	170	180	190
Gasoline and transportation tax investigator	130	140	150	160
State Controller's Office.				
State Controller				416.66
First Deputy State Controller		425	450	475
Second Deputy State Controller		375	400	425
Inheritance tax attorney		300	325	350
Associate inheritance tax attorney		250	270	290
Assistant inheritance tax attorney	200	215	230	245
Inheritance tax investigator		130	140	150
Supervisor of control accounts, State Controller's office		285	300	315
Bookkeeper, State Controller's office	170	180	190	200
Financial data compiler	160	170	180	190
Redemption tax assistant	140	150	160	170
Redemption tax supervisor		180	195	210
Supervisor, franchise tax sections, State Controller's office	200	215	230	245

Position	Salary range of position			
Supervisor of disbursements, State Controller's office		$180	$195	$210
Supervisor, motor vehicle fuel tax work	$160	170	180	190
Assistant supervisor, motor vehicle fuel tax work		130	140	150
Supervising claim auditor		180	195	210
Senior claim auditor	140	150	160	170
Junior claim auditor	80	85	90	95
Check writing machine operator	95	100	105	110
Janitor and messenger, State Controller's office	85	95	105	115
California Crime Commission.				
Secretary, California Crime Commission		180	195	210
Department of Education.				
Director, Department of Education				416 66
Administrative assistant, Department of Education	200	215	230	245
Deputy director, Department of Education			375	400
Assistant to executive secretary, State Board of Education	160	170	180	190
Administrative advisor, Department of Education	200	215	230	245
Assistant Superintendent of Public Instruction		250	270	290
Chief accounting officer, Department of Education		250	270	290
Chief, Division of Research and Statistics		300	325	350
Assistant Chief, Division of Research and Statistics	200	215	230	245
Chief, Division of Teacher Training and Certification	200	215	230	245
Chief, Division of Adult and Continuation Education		300	325	350
Chief, Bureau of Immigration Education	160	170	180	190
Chief, Bureau of Parental Education, part time (State's proportional part of)		250	270	290
Assistant Chief, Bureau of Parental Education	200	215	230	245
Chief, Bureau of Migratory Education and Attendance		250	270	290
Chief, Division of Elementary Education and Rural Schools		300	325	350
Assistant Chief, Division of Elementary Education and Rural Schools	200	215	230	245
Chief, Division of Secondary Education		300	325	350
Chief, Bureau of Business Education		250	270	290
Chief, Bureau of Agricultural Education		250	270	290
Chief, Bureau of Physical Education for Girls		250	270	290
Chief, Division of Health and Physical Education		250	270	290
Research and Technical Advisor, State teachers' colleges	200	215	230	245
Director, California Historical Association, part time				150
Supervisor, Bureau of Correction of Speech Defects	200	215	230	245
Chief, Bureau of Correction of Speech Defects (State's proportional part of)		250	270	290
Chief, Bureau of Mental Hygiene (State's proportional part of)		250	270	290
Chief, Division of Textbooks and Publications		250	270	290
Chief, Bureau of State Printed Textbooks	140	150	160	170
Assistant to the secretary, Teachers Retirement Board			170	180
Chief, Bureau of Vocational Rehabilitation		250	270	290
Supervisor of vocational rehabilitation	200	215	230	245
Rehabilitation training officer	160	170	180	190
Chief, Bureau of Trade Industry		250	270	290
Chief, Bureau of Home Making		250	270	290
Local supervisor, homemaking	200	215	230	245
Local supervisor, agriculture	200	215	230	245
Local supervisor, Bureau of Trades and Industrial Education	200	215	230	245
Regional supervisor, Bureau of Agricultural Education		250	270	290
Assistant director and supervisor, Bureau of Trades and Industrial Education	200	215	230	245
Supervisor of classes, Bureau of Trades and Industrial Education		250	270	290
Specialist, Bureau of Trades and Industrial Education	200	215	230	245
Specialist, Bureau of Agricultural Education	200	215	230	245
Assistant supervisor of classes, Bureau of Trades and Industrial Education	200	215	230	245
Instructor in homemaking	160	170	180	190
Senior clerk, agriculture (State's proportional part of)	130	140	150	160
Stenographer, agriculture	80	85	90	95
Apprentice teacher (part time) (State's proportional part of)		130	140	150
Instructor in fire training	200	215	230	245

Division of Libraries.

Position	Salary range of position			
State Librarian				$416.66
Assistant State Librarian		$300	$325	350
County library organizer	$180	190	200	210
Supervising law and legislative reference librarian	190	205	220	235
Supervising reference librarian	190	205	220	235
Supervising California section librarian	180	190	200	210
Supervising government document librarian	180	190	200	210
Supervising catalog librarian	180	190	200	210
Supervising order librarian	180	190	200	210
Supervising Sutro branch librarian	160	170	180	190
Senior periodicals section librarian	150	160	170	180
Prints section librarian	150	160	170	180
Editorial librarian	150	160	170	180
Newspaper index librarian		120	130	140
Senior California section librarian	150	160	170	180
Senior catalog librarian	150	160	170	180
Senior government documents librarian	150	160	170	180
Senior reference librarian	150	160	170	180
Senior circulation librarian	150	160	170	180
Senior law and legislative reference librarian	150	160	170	180
Junior librarian		125	135	145
Home teacher of the blind, State Library		130	140	150
Supervisor of library crafts	180	190	200	210
Library utility man and truck driver	100	105	110	115
Book finisher		90	100	110
Book repairer	70	75	80	85	90
Intermediate shipping clerk	95	105	115	125
Junior shipping clerk	70	75	80	85	90
Library museum attendant	75	80	85	90
Senior library aid		95	105	115
Junior library aid	70	75	80	85	90
Library page		65	70	75

California Polytechnic School.

President		400	425	450
Vice president		No salary		
Director of agricultural education		250	270	290
Director of industrial education		250	270	290
Agricultural project clerk, California Polytechnic School	95	105	115	125
Printing instructor	160	170	180	190
Instructor, California Polytechnic School	200	215	230	245
Coordinator	200	215	230	245
Supervisor, library (State's proportional part of)		125	135	145
Superintendent of farm, buildings, and grounds	140	150	160	170
Superintendent of heat, light, power and water house	150	160	170	180
Power house operator	85	95	105	115
Repairman		140	150	160
Repairmen, supervisor of student janitors, California Polytechnic School				83 33
Student janitors, per hour				25¢
Student labor, per hour				25c
Farm foreman and mechanic, California Polytechnic School	110	120	130	140
Dairy herdsman		130	140	150
Beef herdsman		130	140	150

Humboldt State Teachers College.

President			450	475
Physician, part time				75
Registrar	210	215	230	245
Librarian, Humboldt Teachers College	160	170	180	190
Secretary		100	110	120
Financial secretary	140	150	160	170
Clerical assistant	70	75	80	85	90
Gardener	85	95	105	115

San Francisco State Teachers College

President, San Francisco Teachers College		450	475	500
Vice president		375	400	425
Principal, training school		250	270	290
Dean of men		250	270	290
Assistant registrar	100	110	120	130
Recorder	140	150	160	170

Position	Salary range of position			
Stenographer		$100	$110	$120
Personnel secretary		130	140	150
Clerk	$70 $75	80	85	90
Reader, per hour				25c
Engineman and janitor		130	140	150
Fresno State Teachers College.				
President				500
Dean of women	200	215	230	245
Assistant dean of women	160	170	180	190
Registrar and director of equipment	200	215	230	245
Assistant registrar	80	85	90	95
Chico State Teachers College.				
President			450	475
Vice president, dean of college, and professor of geology		375	400	425
Dean of women—part time (State's proportional part of)	200	215	230	245
Dean of men—part time (State's proportional part of)		250	270	290
Registrar	200	215	230	245
Secretary to president		100	110	120
Financial secretary		140	150	160
Assistant registrar and assistant to financial secretary	80	85	90	95
Professor of education and director of teacher training		300	325	350
Librarian		200	215	230
Assistant librarian		125	135	145
Library assistant		90	100	110
Laboratory assistant, per hour				25c
Physical education locker room assistant, per hour				25c
Telephone operator and stenographer	80 90	100	110	120
Secretary of appointment office and teachers training		100	110	120
Superintendent of maintenance and operation		140	150	160
Director of research and graduate service				115
Janitor and night watchman	85	95	105	115
Engineer and assistant gardener	85	95	105	115
Caretaker, summer school	85	95	105	115
Medical examiner, per day				10
Secretary to president		100	110	120
Recorder	95	105	115	125
Financial secretary	100	110	120	130
Secretary-typist		115	125	135
Office assistant to dean of women	70 75	80	85	90
Office assistant		95	105	115
Professor and dean of lower division		300	325	350
Demonstration teacher	160	170	180	190
Lecturer				
Assistant (in music)—part time				75
Librarian		200	215	230
Assistant librarian		125	135	145
Superintendent of building		140	150	160
Plant mechanic	110	120	130	140
Plant mechanic and carpenter		140	150	160
Janitor and night watchman	85	95	105	115
Matron	75	80	85	90
Head gardener	85	95	105	115
Student assistant, per hour				25c
San Diego State Teachers College.				
President		450	475	500
Professor and vice president		375	400	425
Assistant professor and dean of men		300	325	350
Dean of education		300	325	350
Placement secretary	140	150	160	170
Secretary to registrar		100	110	120
Secretary, training school	80	85	90	95
Secretary to dean (State's proportional part of)	80	85	90	95
Secretary, registrar's office (State's proportional part of)	80	85	90	95
Secretary, placement office (State's proportional part of)	80	85	90	95
Assistant secretary		100	110	120
Telephone operator	80 90	100	110	120
Medical examiner, San Diego Teachers College, part time				45¢
Laboratory assistant, per hour				25¢
Librarian, San Diego Teachers College		200	215	230

Position	Salary range of position			
Night watchman	$85	$95	$105	$115
Superintendent of grounds		105	115	125
Engineer	150	160	170	180
Stationary engineman		130	140	150
Student help, per hour				25¢
Professor (head of department)		300	325	350
Associate professor		250	270	290
Assistant professor	200	215	230	245
Instructor	160	170	180	190
School for the Deaf.				
Superintendent, School for the Deaf				300
Business manager, School for the Deaf	200	215	230	245
Institution storekeeper and groundsman	90	100	110	120
Supervising teacher, School for the Deaf	200	215	230	245
Dean of boys, School for the Deaf	200	215	230	245
Dean of girls, School for the Deaf	160	170	180	190
Teacher, School for the Deaf—140	150	160	170	180
Teacher of printing	150	160	170	180
Teacher of art	150	160	170	180
Teacher of cabinet making	150	160	170	180
Teacher of sloyd	150	160	170	180
Teacher of shoe repairing, School for the Deaf		140	150	160
Teacher of domestic science	150	160	170	180
Teacher of barbering, part time				30
Instructor in baking, School for the Deaf	140	150	160	170
Landscape architect and instructor in horticulture	150	160	170	180
Dining room and kitchen supervisor		130	140	150
Kitchen helper, School for the Deaf		80	85	90
Waitress, School for the Deaf	75	80	85	90
Student waiter, School for the Deaf, per hour				35¢
Student waitress, School for the Deaf, per hour				25¢
Janitor, School for the Deaf	85	95	105	115
Janitress, School for the Deaf	75	80	85	90
Housemother, School for the Deaf	85	90	95	100
Night housemother, School for the Deaf	85	90	95	100
Boys' counsellor, School for the Deaf	100	110	120	130
Physician, Schools for the Deaf and Blind, part time				100
Dentist, School for the Deaf, part time				50
Aurist and oculist, part time				50
Supervising nurse, School for the Deaf		130	140	150
Hospital cook and relief nurse, School for the Deaf	80	85	90	95
Placement officer, School for the Deaf	160	170	180	190
Laborer, School for the Deaf	85	90	95	100
School for the Blind				
Superintendent, School for the Blind				300
Secretary to institution superintendent, Grade 1	160	170	180	190
Director of advanced studies		250	270	290
Assistant director of physical activities, School for the Blind, per hour				50c
Primary teacher	140	150	160	170
Elementary teacher	150	160	170	180
High school teacher	150	160	170	180
Adjustment class teacher	150	160	170	180
Teacher of violin	130	140	150	160
Teacher of music	130	140	150	160
Supervising teacher of music	150	160	170	180
Teacher of singing	130	140	150	160
Teacher of industrial arts	150	160	170	180
Accompanist for chorus, School for the Blind, per hour				50c
Teacher of typewriting	130	140	150	160
Teacher of home economics	150	160	170	180
Supervisor of boys, School for the Blind (part time, State's proportional part of)	150	160	170	180
Braille librarian, School for the Blind (part time, State's proportional part of)	130	140	150	160
Housemother, School for the Blind	85	90	95	100
Director of girls, School for the Blind	90	100	110	120
State Department of Finance				
Director, Department of Finance				$33 33
Deputy director, Department of Finance		450	475	500

Position	Salary range of position			
Principal organization technician and coordinator, Department of Finance		$375	$400	$425
Superintendent of accounts		450	475	500
Assistant superintendent of accounts		375	400	425
Principal accountant, Department of Finance		300	325	350
Senior accountant, Department of Finance		250	270	290
Semisenior accountant, Department of Finance		200	215	230
Junior accountant, Department of Finance, Grade 2		160	170	180
Junior accountant, Department of Finance, Grade 1		130	140	150
Property auditor, Department of Finance		200	215	230
State purchasing agent		450	475	500
Assistant State purchasing agent		300	325	350
Senior buyer		250	270	290
Junior buyer	$175	$190	205	220	235
Storekeeper			180	195	210
Chief, Bureau of Buildings and Grounds			325	350	375
State landscape gardener			250	270	290
Greenhouse man			140	150	160
Flower gardener			140	150	160
Tree surgeon			150	160	170
Groundsman and flower gardener		85	95	105	115
Electrician			170	180	190
Painter			140	150	160
Plumber			140	150	160
Office equipment repairman			140	150	160
Carpenter foreman			170	180	190
Mechanical handyman	100	110	120	130	140
Power lawnmower operator		85	95	105	115
Chief engineer		150	160	170	180
Stationary engineman			130	140	150
Stationary fireman		85	95	105	115
District building manager		200	215	230	245
Custodian, State Capitol Building				150	160
Custodian, Sutter's Fort				130	140
Head janitor				120	130
Carpenter helper			110	120	130
Janitor		85	95	105	115
Janitress		75	80	85	90
State police captain			170	185	200
State policeman			140	150	160
Elevator operator		85	95	105	115
Curator, Indian Exhibit			160	170	180
Curator, Sutter's Fort			160	170	180
Museum assistant	95	100	105	110	115
Laborer		85	90	95	100
Garageman			100	110	120
Matron, Los Angeles State Building		75	80	85	90
Watchman, Sixth District Agricultural Association		85	95	105	115
Watchman		85	95	105	115
Labor foreman			110	120	130
Chief, Bureau of Publications and Documents			250	270	290
Publications Distributor, Bureau of Publications and Documents		160	170	180	190
Civil Service Commissioner					
Chief, Division of Personnel and Organization			450	475	500
Principal personnel examiner			325	350	375
Senior personnel examiner			250	270	290
Associate personnel examiner		200	215	230	245
Assistant personnel examiner		160	170	180	190
Junior personnel examiner			130	140	150
Principal personnel technician			375	400	425
Senior personnel technician			250	270	290
Associate personnel technician		200	215	230	245
Assistant personnel technician		160	170	180	190
Junior personnel technician			130	140	150
Chief, Division of State Lands					416 66
Attorney and assistant chief, Division of State Lands			375	400	425
Engineer, Division of State Lands		200	215	230	245
Petroleum products inspector		160	170	180	190
Supervising land title abstractor		200	215	230	245
Land title abstractor		160	170	180	190
Marine structural engineer			300	325	350
Chief accounting officer, Department of Finance		200	215	230	245

Position	Salary range of position			
Statistical draftsman-clerk		$130	$140	$150
Stenographer and calculating machine operator		100	110	120
Employment list clerk	$95 $100	105	110	115
Supervising test checker		100	110	120
Test checker, per hour				35c
Chief examination proctor, per hour				60c
State Printer				416 66
Plant superintendent, State Printing Plant	275	300	325	350
Composing room foreman		255	270	285
Press room foreman		240	255	270
Assistant press room foreman		200	215	230
Assistant job room foreman		205	220	235
Job room foreman		240	255	270
Chief accounting officer, Bureau of Printing	200	215	230	245
Supervising copy editor	200	215	230	245
The graduated emergency salary reduction does not apply to the hourly rates hereinafter contained in the Bureau of Printing.				
Compositor, per hour				1.06
Apprentice compositor—				
First year, per hour				30c
Second year, per hour				50c
Third year, per hour				65c
Fourth year, per hour				75c
Fifth year, per hour				80c
Linotype operator, per hour				1.06
Linotype machinist, per hour				1.14
Supervising monotype keyboard operator, per hour				1.14
Monotype keyboard operator, per hour				1.06
Vertical pressman, per hour				1.06
Platen pressman, per hour				.99
Cylinder pressman, per hour				1 06
Apprentice pressman—				
First year, per hour				30c
Second year, per hour				50c
Third year, per hour				65c
Fourth year, per hour				75c
Fifth year, per hour				80c
Monotype assembler, per hour				1.12
Monotype caster operator, per hour				1.12
Bindery forelady, per hour				1.06
Journeywoman bookbinder, per hour				.52
Journeyman bookbinder, per hour				1.06
Apprentice bindery worker (female)—				
First year, per hour				25c
Second year, per hour				35c
Third year, per hour				40c
Apprentice bookbinder (male)—				
First year, per hour				30c
Second year, per hour				50c
Third year, per hour				65c
Fourth year, per hour				75c
Fifth year, per hour				80c
Proofreader, per hour				1.06
Copyholder, per hour				.52
Two-color press feeder, per hour				1 06
Steel die and copper-plate engraver, per hour				1 06
Porter, per hour	.463	.516	.571	.625
Metal man, per hour				.75
Printing plant machinist		170	180	190
Printing material storekeeper		150	160	170
Copyholder typist	95	100	105	110
Receiving clerk	85	95	105	115
Rubber stamp maker, per hour				50c
Franchise Tax Commission.				
Franchise Tax Commissioner		450	475	500
Assistant Franchise Tax Commissioner		300	325	350
Senior franchise tax auditor	175 190	205	220	235
Junior franchise tax auditor	130	140	150	160
Franchise tax counsel (attorney)	200	215	230	245

Governor's Office.

Position	Salary range of position			
Governor (no graduated emergency salary reduction deduction)				$833.33
Secretary to the Governor				416.67
Chauffeur		$120	$130	140

Board of State Harbor Commissioners.

President, Board of State Harbor Commissioners (part time)				416.66
State Harbor Commissioner (part time)				250 00
Administrative assistant and secretary, Board of State Harbor Commissioners		375	400	425
Assistant secretary, Board of State Harbor Commissioners		250	270	290
Attorney, Board of State Harbor Commissioners (State's proportional part of)		375	400	425
Assistant attorney, Board of State Harbor Commissioners (State's proportional part of)	$140	150	160	170
Inspector of leasing rights, Board of State Harbor Commissioners	150	160	170	180
Assistant traffic manager, Board of State Harbor Commissioners	200	215	230	245
Traffic manager, Board of State Harbor Commissioners		275	295	315
Chief accounting officer, Board of State Harbor Commissioners		250	270	290
Accountant, Board of State Harbor Commissioners	220	235	250	265
Publicity director, Board of State Harbor Commissioners	200	215	230	245
Wharfinger	175	190	205	220
Assistant to chief wharfinger	200	215	230	245
Chief wharfinger		300	325	250
Principal harbor engineer	525	550	575	600
Supervising harbor engineer		375	400	425
Senior harbor engineer		300	325	350
Associate harbor engineer		250	270	290
Assistant harbor engineer	200	215	230	245
Senior testing engineer		300	325	350
Senior architectural draftsman		250	270	290
Junior structural engineering draftsman	160	170	180	190
Associate engineer, general construction		250	270	290
Assistant engineer, general construction	200	215	230	245
Junior engineer, general construction	160	170	180	190
Senior land and construction surveyor	200	215	230	245
Junior land and construction surveyor	160	170	180	190
Supervisor of refrigeration terminal, Board of State Harbor Commissioners		250	270	290
Refrigeration engineman	150	160	170	180
Custodian of Ferry Building	150	160	170	180
Assistant to custodian of Ferry Building		110	120	130
Marine watchman	95	105	115	125
Supervising women's rest room attendant		100	110	120
Dock and street sweeper	85	90	95	100
Superintendent of tugs and dredges, Board of State Harbor Commissioners		250	270	290
Tugboat captain	200	215	230	245
Marine engineman	170	180	190	200
Head dredge leverman		180	190	200
Dredge leverman	150	160	170	180
Marine fireman		130	140	150
Deckhand		130	140	150
Superintendent of harbor maintenance and repair		250	270	290
Chief electrician, Board of State Harbor Commissioners		250	270	290

The graduated emergency salary reductions shall not apply to the per diem rates in the Board of State Harbor Commissioners, hereinafter contained:

Assistant chief electrician, Board of State Harbor Commissioners, per day				9.10
Electrician, per day				8.10
Electrician helper, per day				5.85
Electrician and cable splicer, per day				8.10
Blacksmith, per day				8.10
Blacksmith helper, per day				5.85
Stationary engineman		130	140	150
Superintendent of pile drivers		250	270	290
Piledriver engineman, per day				9.00
Piledriver foreman, per day				9.00
Fireman, per day				8.10

Position	Salary range of position			
Dock repairman, per day				$5.40
Painter foreman, per day				9.00
Painter helper, per day				5.40
Paint spray operator, per day				5.85
Painter, per day				8 10
Scaler, per day				5 85
Glazier, per day				8.10
Carpenter helper, per day				5.40
Carpenter, per day				8.10
Carpenter foreman, per day				9.00
Machinist helper, per day				5.76
Machinist, per day				7.20
Plumber helper, per day				5.40
Plumber, per day				8.55
Hod carrier, per day				5.85
Plasterer, per day				8.10
Mason helper, per day				5.40
Steel rolling door repairman helper, per day				4 90
Steel rolling door repairman, per day				5.76
Millman, per day				6.75
Roofer helper, per day				4.90
Roofer, per day				7.20
Tinner helper, per day				5.85
Tinner, per day				8.10
Tinner foreman, per day				9.00
Paver, per day				7 50
Paver foreman		$170	$180	190
Rammer, per day				6.66
Road roller engineman, per day				9 00
Automobile driver	$100	105	110	115
Automobile mechanic, per day				6.75
Garageman, per day				4 90
Department of Industrial Relations.				
Director, Department of Industrial Relations				500
Chief accounting officer, Department of Industrial Relations	200	215	230	245
Industrial Accident Commissioner				375
Attorney, Industrial Accident Commission		250	270	290
Assistant attorney, Industrial Accident Commission	160	170	180	190
Secretary, Industrial Accident Commission		250	270	290
Assistant secretary, Industrial Accident Commission	200	215	230	245
Chief, Bureau of Industrial Accident Prevention		375	400	425
Supervising boiler safety engineer and inspector		250	270	290
Assistant boiler safety engineer and inspector	200	215	230	245
Supervising electrical safety engineer and inspector		250	270	290
Assistant electrical safety engineer and inspector	200	215	230	245
Supervising elevator safety engineer and inspector		250	270	290
Supervising mine safety engineer and inspector		250	270	290
Assistant mine safety engineer and inspector	200	215	230	245
Supervising construction safety engineer and inspector		250	270	290
Assistant construction safety engineer and inspector	200	215	230	245
Assistant mechanical safety engineer and inspector	200	215	230	245
Junior mechanical safety engineer and inspector	160	170	180	190
Lumber and shipbuilding safety engineer and inspector	225	240	255	270
Motor boat safety engineer and inspector	200	215	230	245
Petroleum safety engineer and inspector		250	270	290
Senior elevator inspector	200	215	230	245
Senior construction inspector	200	215	230	245
Chief, Compensation Bureau, Industrial Accident Commission		300	325	350
Assistant chief, Compensation Bureau, Industrial Accident Commission			280	300
Referee, Industrial Accident Commission	225	240	255	270
Medical Director, Industrial Accident Commission			375	400
Assistant Medical Director, Industrial Accident Commission		(State's proportional part of) 300	325	350
Medical Examiner, Industrial Accident Commission		(State's proportional part of) 250	270	290
Permanent disability ratings expert		(State's proportional part of) 250	270	290
Chief, Division of Industrial Welfare		280	300	320
Los Angeles representative, Division of Industrial Welfare	160	170	180	190
Office assistant, Division of Industrial Welfare		140	150	160
Intermediate industrial welfare agent	130	140	150	160
Senior pay roll auditor, Division of Industrial Welfare	140	150	160	170

Position	Salary range of position			
Junior pay roll auditor, Division of Industrial Welfare		$110	$120	$130
Chief, Division of Housing and Sanitation		300	325	350
Assistant Chief, Division of Housing and Sanitation		250	270	290
Branch office manager, Division of Housing and Sanitation		180	190	200
Supervising camp inspector		235	255	275
Senior camp inspector	$190	205	220	235
Junior camp inspector	140	150	160	170
Housing inspector	200	215	230	245
Chief, Division of State Employment Agencies		280	300	320
Manager, branch State Employment Agencies	160	170	180	190
Placement clerk, State Employment Agencies		130	140	150
Chief, Division of Labor Statistics and Law Enforcement		375	400	425
Assistant attorney, Division of Labor Statistics and Law Enforcement		250	270	290
Attorney, Division of Labor Statistics and Law Enforcement		300	325	350
Employment complaint investigator	200	215	230	245
Statistician, Division of Labor Statistics and Law Enforcement		300	325	350
Assistant employment complaint investigator	160	170	180	190
Private employment complaint investigator	140	150	160	170
Supervisor of Los Angeles office, Division of Labor Statistics and Law Enforcement		250	270	290
Secretary, Division of Labor Statistics and Law Enforcement		180	195	210
Supervising labor statistics clerk		180	195	210
Senior statistical clerk	140	150	160	170
Junior statistician		130	140	150
Supervising hearing reporter		180	190	200
Interpreter	130	140	150	160
Information clerk and Spanish interpreter		130	140	150
Intermediate stenographer-clerk and interpreter		110	120	130
State Compensation Insurance Fund.				
Manager, State Compensation Insurance Fund				625
Executive secretary, State Compensation Insurance Fund		375	400	425
Assistant executive secretary, State Compensation Insurance Fund		300	325	350
Medical director, State Compensation Insurance Fund			450	475
District medical director, State Compensation Insurance Fund		375	400	425
Assistant medical director, State Compensation Insurance Fund		300	325	350
Chief counsel, State Compensation Insurance Fund		375	400	425
Consulting attorney, State Compensation Insurance Fund, part time				250
Senior attorney, State Compensation Insurance Fund	215	235	255	275
Comptroller-actuary, State Compensation Insurance Fund		300	325	350
Consulting actuary, State Compensation Insurance Fund, part time				100
Assistant comptroller, State Compensation Insurance Fund	200	215	230	245
Cashier and credit manager, State Compensation Insurance Fund	200	215	230	245
Superintendent of claims, State Compensation Insurance Fund		350	375	400
Assistant superintendent of claims, State Compensation Insurance Fund		275	300	325
Supervising compensation claim examiner, State Compensation Insurance Fund	200	215	230	245
Senior compensation claim examiner, State Compensation Insurance Fund	160	170	180	190
Supervising compensation claim investigator, State Compensation Insurance Fund	200	215	230	245
Compensation claim investigator, State Compensation Insurance Fund	150	160	170	180
Junior compensation claim examiner and investigator, State Compensation Insurance Fund100	110	120	130	140
Supervising compensation claim auditor, State Compensation Insurance Fund		180	195	210
Compensation claim auditor, State Compensation Insurance Fund	120	130	140	150
Junior compensation statistician, State Compensation Insurance Fund		130	140	150
Supervising coverage clerk, Grade 3		180	195	210

Position	Salary range of position			
Compensation coverage clerk	$95	$105	$115	$125
Assistant superintendent of underwriting	200	215	230	245
Senior underwriter $140	150	160	170	180
Junior underwriter	100	110	120	130
Executive special agent, State Compensation Insurance Fund	200	215	230	245
Special agent, State Compensation Insurance Fund 140	150	160	170	180
Supervising pay roll auditor, Grade 3, State Compensation Insurance Fund		250	270	290
Senior pay roll auditor, State Compensation Insurance Fund	190	205	220	235
Intermediate pay roll auditor, State Compensation Insurance Fund 140	150	160	170	180
Junior pay roll auditor, State Compensation Insurance Fund	100	110	120	130
District supervising engineer and inspector	200	215	230	245
Senior safety engineer and inspector	200	215	230	245
Junior safety engineer and inspector	160	170	180	190

Department of Institutions.

Medical director and superintendent, Agnews State Hospital	333 33 plus maintenance
Medical director and superintendent, Mendocino State Hospital	333.33 plus maintenance
Medical director and superintendent, Napa State Hospital	333 33 plus maintenance
Medical director and superintendent, State Narcotic Hospital	416.66 plus maintenance
Medical director and superintendent, Norwalk State Hospital	375.00 plus maintenance
Medical director and superintendent, Pacific Colony	333 33 plus maintenance
Medical director and superintendent, Patton State Hospital	416 66 plus maintenance
Medical director and superintendent, Sonoma State Home	375 00 plus maintenance
Medical director and superintendent, Stockton State Hospital	333.33 plus maintenance
Superintendent, Preston School of Industry	333 33 plus maintenance
Superintendent, Whittier State School	333 33 plus maintenance
Superintendent, Ventura School for Girls	300.00 plus maintenance
Superintendent, Industrial Home for the Adult Blind	333.33 plus maintenance
Assistant medical director	220 240 260 plus maintenance
Assistant superintendent, Preston School of Industry	220 240 260 plus maintenance
Physician and psychiatrist 170	180 190 200 210 plus maintenance
Physician and internist 170	180 190 200 210 plus maintenance
Physician and surgeon 170	180 190 200 210 plus maintenance
Physician, eye, ear, nose and throat 170	180 190 200 210 plus maintenance
Physician, Industrial Home for Adult Blind 170	180 190 200 210 (Part time, plus State's proportional part of)
Physician, Preston School of Industry 170	180 190 200 210 (Part time, plus State's proportional part of)
Physician, Ventura School for Girls 170	180 190 200 210 plus maintenance
Physician, part time 170	180 190 200 210 plus maintenance
Clinical director 170	180 190 200 210 plus maintenance
Pathologist, serologist, and biochemist 170	180 190 200 210 plus maintenance
Biochemist 170	180 190 200 210 plus maintenance
Dentist 170	180 190 200 210 plus maintenance
Interne	60

Position	Salary range of position			
	less maintenance			
Institution business manager, grade 3	$175	$200	$225	$250
	plus maintenance			
Institution business manager, grade 2	150	170	190	210
	plus maintenance			
Institution business manager, grade 1	130	140	160	175
	plus maintenance			
Assistant to institution business manager		105	115	125
	plus maintenance			
Business manager, Industrial Workshop for the Blind 185	200	215	230	245
Administration.				
Director, Department of Institutions				500
Administrative assistant and secretary, Department of Institutions		350	375	400
Chief accounting officer, Department of Institutions		300	325	350
Supervisor of institution collections		200	225	250
Supervising deportation officer		250	270	290
Consulting psychiatrist, part time				200
Researcher in institution parole and placement work	130	140	150	160
Institution farm advisor, part time				25
Public information editor, Department of Institutions	200	215	230	245
Personnel clerk, Department of Institutions	160	170	180	190
Institutions.				
Secretary to institution superintendent, grade 2	200	215	230	245
Secretary to institution superintendent, grade 1	160	170	180	190
Institution bookkeeper, grade 3	170	180	190	200
Institution bookkeeper, grade 2	155	165	175	185
Institution bookkeeper, grade 1	140	150	160	170
Institution storekeeper, grade 2	140	150	160	170
Institution storekeeper, grade 1	110	120	130	140
Institution telephone operator 80	90	100	110	120
Institution messenger 85	90	95	100	105
Supervising social service worker	200	215	230	245
Psychiatric social service worker	160	170	180	190
Senior social service worker	160	170	180	190
Junior social service worker		130	140	150
Institution parole officer	160	170	180	190
Parole officer, State Narcotic Hospital	160	170	180	190
Pharmacist	160	170	180	190
Pathological laboratory assistant and embalmer, Stockton State Hospital		140	150	160
Medical laboratory technician		140	150	160
Assistant medical laboratory technician		100	110	120
Supervising nurse	160	170	180	190
Surgical nurse		130	140	150
Graduate nurse		120	130	140
Nurse and relief cook, Sonoma State Home		95	105	115
Undergraduate nurse		95	105	115
Practical nurse		95	105	115
Dental nurse		95	105	115
Occupational therapist		130	140	150
Hydrotherapist	100	110	120	130
Occupational therapy aid		95	105	115
Supervisor of hospital attendants	150	160	170	180
Assistant supervisor of hospital attendants			130	140
Charge hospital attendant				110
Custodial hospital attendant 90	95	100	105	110
Hospital attendant 85	90	95	100	105
Institution dietitian	140	150	160	170
Supervising institution cook	140	150	160	170
Institution cook	100	110	120	130
Institution cottage cook		90	100	110
Institution superintendent's cook	80	90	100	110
Institution kitchen helper	75	80	85	90
Kitchen helper	75	80	85	90
Institution baker		130	140	150
Assistant institution baker		100	110	120
Institution canning man		140	150	160
Institution canning assistant		100	110	120

Position	Salary range of position			
Institution meat cutter		$100	$110	$120
Institution butcher		100	110	120
Institution waiter	$75	80	85	90
Institution waitress	75	80	85	90
Supervising institution housekeeper			100	110
Institution housekeeper	75	80	85	90
Institution housemaid	80	85	90	95
Institution laundry supervisor		130	140	150
Institution laundry assistant		95	105	115
Institution laundry helper		80	85	90
Institution seamstress		100	110	120
Assistant institution seamstress		85	90	95
Institution tailor		120	130	140
Institution shoemaker, Grade 2		130	140	150
Institution shoemaker, Grade 1	90	100	110	120
Chief institution engineer, Grade 2	170	180	190	200
Chief institution engineer, Grade 1	150	160	170	180
Institution stationary engineman		130	140	150
Institution stationary fireman	85	95	105	115
Institution electrician		140	150	160
Institution electrician helper		110	120	130
Institution mechanical handyman	100	110	120	130	140
Supervising institution carpenter		160	170	180
Institution maintenance and construction carpenter		140	150	160
Institution maintenance repairman		100	110	120
Institution plumber		140	150	160
Institution plumber helper		110	120	130
Institution plasterer, Stockton State Hospital		140	150	160
Institution painter		140	150	160
Institution painter helper		110	120	130
Institution mason		140	150	160
Institution steamfitter		140	150	160
Institution bricklayer, Preston School of Industry		140	150	160
Institution mattress maker and upholsterer		120	130	140
Institution tinner		140	150	160
Institution tinner and canning man		140	150	160
Institution machinist		150	160	170
Institution blacksmith		140	150	160
Institution automobile mechanic		140	150	160
Assistant institution automobile mechanic		110	120	130
Institution head farmer, Grade 2	170	180	190	200
Institution head farmer, Grade 1	140	150	160	170
Institution farm foreman		105	115	125
Institution farmhand	85	90	95	100
Institution orchardman	115	125	135	145
Assistant institution orchardman		90	100	110
Institution vegetable gardener		115	125	135
Assistant institution vegetable gardener		85	95	105
Institution hog ranch operator	105	115	125	135
Institution poultryman	105	115	125	135
Institution power equipment operator-laborer	100	105	110	115
Institution dairyman		130	140	150
Assistant institution dairyman		100	110	120
Milking machine operator		95	105	115
Institution milker	85	90	95	100
Institution laborer	85	90	95	100
Institution groundsman and flower gardener		105	115	125
Assistant institution groundsman and flower gardener	85	90	95	100
Institution watchman	85	95	105	115
Director of educational activities, Correctional School for Boys		255	275	295
Principal, Preston School of Industry	160	170	180	190
Instructor in physical education, Correctional School for Boys		150	160	170
Director of physical education, Correctional School for Boys	160	170	180	190
Night school supervisor and teacher, Correctional School for Boys		150	160	170
Instructor in music and expression, Correctional School for Boys	140	150	160	170
Bandmaster, Correctional School for Boys	140	150	160	170
High school teacher, Correctional School for Boys	140	150	160	170
Elementary teacher, Correctional School for Boys		130	140	150
Librarian, Correctional School for Boys	100	110	120	130

Position	Salary range of position			
Chaplain, Preston School of Industry (part time, State's proportional part of)	$160	$170	$180	$190
Chaplain, Whittier State School	160	170	180	190
Instructor of deficient delinquents, Preston School of Industry		130	140	150
Military instructor, Preston School of Industry		150	160	170
Teacher-clerk, Preston School of Industry		130	140	150
Parole instructor, Correctional School for Boys	80	85	90	95
Instructor in tailoring, Correctional School for Boys		150	160	170
Instructor in printing, Correctional School for Boys		150	160	170
Instructor in carpentry, Correctional School for Boys		150	160	170
Instructor in electricity, Correctional School for Boys		150	160	170
Instructor in auto mechanics, Correctional School for Boys		150	160	170
Instructor in sheet metal work, Correctional School for Boys		150	160	170
Instructor in mill and cabinet work, Correctional School for Boys		150	160	170
Instructor in aviation, Correctional School for Boys		150	160	170
Instructor in masonry, Correctional School for Boys		150	160	170
Instructor in painting, Correctional School for Boys		150	160	170
Instructor in plumbing, Correctional School for Boys		150	160	170
Chief engineer and instructor in electricity, Correctional School for Boys		150	160	170
Instructor in cooking, Correctional School for Boys	140	150	160	170
Instructor in forge work, Correctional School for Boys (part time, State's proportional part of)		150	160	170
Instructor in shoemaking, Correctional School for Boys		150	160	170
Placement supervisor, Correctional School for Boys	200	215	230	245
Placement officer, Correctional School for Boys	160	170	180	190
Head group supervisor, Correctional School for Boys	170	180	190	200
Assistant head group supervisor, Correctional School for Boys			150	160
Segregation group supervisor, Correctional School for Boys	110	120	130	140
Receiving officer and inspector, Correctional School for Boys	110	120	130	140
Transportation officer-clerk, Preston School of Industry	110	120	130	140
Dinngroom supervisor, Correctional School for Boys	110	120	130	140
Officers' dinngroom supervisor, Correctional School for Boys	110	120	130	140
Group supervisor, Correctional School for Boys	110	120	130	140
Cottage group supervisor, Correctional School for Boys (includes services of incumbent's wife)	125	135	145	155
Night dormitory supervisor, Correctional School for Boys		95	105	115
Officer group supervisor, Correctional School for Boys		100	110	120
Mail censor, Correctional School for Boys	95	105	115	125
Housemother and cook, Correctional School for Boys		90	100	110
Housemother, Correctional School for Boys	75	80	85	90
Barber, Correctional School for Boys		110	120	130
Bureau of Juvenile Research.				
Chief, Bureau of Juvenile Research		375	400	425
Child psychiatrist		300	325	350
Senior clinical psychologist	200	215	230	245
Junior clinical psychologist	160	170	180	190
Ventura.				
Principal and psychologist, Ventura School for Girls	180	190	200	210
Supervising household arts teacher, Ventura School for Girls		150	160	170
Teacher of weaving, Ventura School for Girls		130	140	150
Teacher of sewing, Ventura School for Girls		130	140	150
Commercial teacher, Ventura School for Girls		130	140	150
Teacher, Ventura School for Girls		130	140	150
Teacher and gymnasium instructor, Ventura School for Girls		130	140	150
Music teacher, Ventura School for Girls, part time (State's proportional part of)		130	140	150
Placement officer, Ventura School for Girls	160	170	180	190
Head group supervisor, Ventura School for Girls	160	170	180	190
Kitchen group supervisor, Ventura School for Girls	100	110	120	130
Laundry group supervisor, Ventura School for Girls	110	120	130	140
Group supervisor, Ventura School for Girls	110	120	130	140
Housemother, Ventura School for Girls		100	110	120
Chief institution engineer, Ventura School for Girls	150	160	170	180
State Narcotic Hospital.				
Supervisor of guards, State Narcotic Hospital		140	150	160
Narcotic hospital attendant and supervising guard			130	140
Guard, State Narcotic Hospital		110	120	130

Position	Salary range of position			
Institution for the Feeble-minded.				
Psychologist and education director, Institution for the Feeble-minded	$200	$215	$230	$245
Teaching principal, Institution for the Feeble-minded	160	170	180	190
Elementary teacher, Institution for the Feeble-minded		130	140	150
Kindergarten teacher, Institution for the Feeble-minded		130	140	150
Sloyd teacher, Institution for the Feeble-minded		130	140	150
Teacher of physical education, Institution for the Feeble-minded		130	140	150
Teacher of domestic science, Institution for the Feeble-minded		130	140	150
Teacher of arts and crafts, Institution for the Feeble-minded		130	140	150
Teacher of music, Institution for the Feeble-minded		130	140	150
Junior psychologist		130	140	150
Industrial Home for the Adult Blind.				
Industrial Workshop for the Blind.				
Broomshop foreman		150	160	170
Assistant broomshop foreman		120	130	140
Broomshop assistant (inmate)	75	80	85	90
Salesman, Industrial Home for the Adult Blind		100	110	120
Instructor in handicrafts	130	140	150	160
Assistant instructor in handicrafts		100	110	120
Reader for the blind, part-time				15
Salesman, Industrial Workshop for the Blind		130	140	150
Storekeeper, Industrial Workshop for the Blind	80	85	90	95
Intermediate account clerk, Industrial Workshop for the Blind	100	110	120	130
Handyman, Industrial Workshop for the Blind	110	120	130	140
Department of Investments.				
Real Estate.				
Chief, Division of Real Estate				500
Assistant chief, Division of Real Estate		300	325	350
Supervisor of Los Angeles office, Division of Real Estate		250	270	290
Supervisor, branch office, Division of Real Estate	200	215	230	245
Investigator, Division of Real Estate	160	170	180	190
Corporations.				
Chief, Division of Corporations				625
Executive assistant commissioner, Division of Corporations		375	400	425
Assistant commissioner, Los Angeles office, Division of Corporations	350	375	400	425
Assistant Commissioner of Corporations	350	375	400	425
Assistant executive secretary, Division of Corporations		300	325	350
Senior Deputy Commissioner of Corporations—265	285	305	325	345
Junior Deputy Commissioner of Corporations—185	200	215	230	245
Mining and petroleum engineer, Division of Corporations		250	270	290
Chief field investigator, Division of Corporations		350	375	400
Senior field investigator, Division of Corporations	200	220	240	260
District corporation auditor		250	270	290
Junior corporation auditor		140	150	160
Senior corporation auditor—185	200	215	230	245
Supervising corporation clerk, Grade 1			170	180
Secretary, Division of Corporations		350	375	400
Banking.				
Superintendent of Banks				833.33
Assistant Superintendent of Banks		425	450	475
Chief, bond certification work		425	450	475
Assistant bond examiner		300	325	350
Supervision of Los Angeles office, Division of Banking		425	450	475
Statistician and analyst		290	310	330
Analyst and senior bank examiner		325	350	375
Chief bank examiner			400	425
Senior bank examiner		260	280	300
Semisenior bank examiner	200	215	230	245
Junior bank examiner	160	170	180	190
Building and Loan Supervision.				
Chief, Division of Building and Loan Supervision				500
Assistant Chief, Division of Building and Loan Supervision	325	350	375	400
Building and loan researcher	200	215	230	245
Building and loan legal assistant		130	140	150
Supervising building and loan examiner		300	325	350

Position	Salary range of position			
Senior building and loan examiner		$250	$270	$290
Semisenior building and loan examiner	$160	170	180	190
Junior building and loan examiner		130	140	150
Supervising building and loan appraiser		250	270	290
Senior building and loan appraiser	200	215	230	245
Junior building and loan appraiser	160	170	180	190
Insurance.				
Chief, Division of Insurance				500
Assistant Insurance Commissioner		300	325	350
Supervising insurance examiner		375	400	425
Principal insurance examiner		300	325	350
Senior insurance examiner		250	270	290
Junior insurance examiner		130	140	150
Insurance claim investigator		250	270	290
Senior insurance license investigator	150	160	170	180
Junior insurance license investigator	110	120	130	140
Senior policy examiner	200	215	230	245
Insurance analyst and law interpreter	200	215	230	245
Securities evaluator, Division of Insurance	200	215	230	245
Insurance statistician	200	215	230	245
Consulting actuary (part time)				200
Junior actuary, Division of Insurance		130	140	150
Public relations officer, Division of Insurance	120	130	140	150
Insurance auditor	140	150	160	170
Legislative Counsel Bureau.				
Legislative Counsel and secretary, California Code Commission				500
Deputy, Legislative Counsel Bureau		250	270	290
Legal researcher, Legislative Counsel Bureau	200	215	230	245
Office supervisor, Legislative Counsel Bureau	160	170	180	190	200
Assistant office supervisor, Legislative Counsel Bureau		130	140	150
Statute reviser				200
Assistant statute reviser				200
Veterans' Welfare Board.				
Director, Department of Military and Veterans' Affairs, Stat.				500
Supervisor of educational aid to veterans' dependents		140	150	160
Secretary, Veterans' Welfare Board		375	400	425
Assistant secretary, Veterans' Welfare Board		300	325	350
Assistant to chairman, Veterans' Welfare Board	170	180	190	200
District manager, Veterans' Welfare Board		230	250	270
District agricultural supervisor, Veterans' Welfare Board	200	215	230	245
Property inspector, Veterans' Welfare Board	170	185	200	215
Chief accounting officer, Veterans' Welfare Board		285	300	315
Bookkeeper, Grade 2	170	180	190	200
Supervisor of collection work, Veterans' Welfare Board	160	170	180	190
Veterans' social welfare worker (State's proportional part of)	160	170	180	190
Stenographer and escrow clerk, Veterans' Welfare Board		100	110	120
Secretary, Women's Relief Corps (part time)				50
Treasurer, Women's Relief Corps Home				50
Superintendent, Women's Relief Corps Home	150	160	170	180
Veterans' Home of California.				
Commandant, Veterans' Home				500
Treasurer, Veterans' Home	200	215	230	245
Secretary, Veterans' Home	140	150	160	170
Quartermaster, Veterans' Home	200	215	230	245
Post Quartermaster-Sergeant, Veterans' Home		120	130	140
Junior stock clerk (member)	22.50	25.00	27.50	30.00
Junior clerk (member)	17.50	20.00	22.50	25.00
Intermediate clerk (member)	30.00	35.00	40 00	45.00
Institution messenger (member)	25.00	27.50	30.00	32.50	35.00
Commandant's orderly, Veterans' Home (member)	17.50	20.00	22.50	25 00	27.50
(civilian)	70.00	75.00	80 00	85 00	90.00
Telephone operator and information clerk, Veterans' Home (member)	22.50	27.50	32 50	37 50	42.50
(civilian)	80.00	90.00	100	110	120
Institution power equipment operator-laborer (member)	32 50	35.00	37.50	40 00
Institution cook (member)	32.50	37.50	42.50	47.50
Institution kitchen helper (member)	20.00	22.50	25.00	27.50

Position		Salary range of position			
Vegetable man and sergeant in charge of quarters, Veterans' Home	(member)	$20 00	$22.50	$25.00	$27.50
	(civilian)	75.00	80.00	85.00	90.00
Stores clerk	(member)	22.50	25.00	27.50	30.00
	(civilian)	80.00	85.00	90.00	95.00
Institution laundry assistant	(member)		30.00	35.00	40.00
	(civilian)		95.00	105	115
Adjutant, Veterans' Home		200	215	230	245
Sergeant, major and senior clerk, Veterans' Home		95	105	115	125
Battalion sergeant major	(member)		30	35	40
Company captain, Veterans' Home	(member)			30	35
First Sergeant, Veterans' Home	(member)			15	20
Captain of the Guard, Veterans' Home			120	125	130
Sergeant of the Guard, Veterans' Home	(member)			30	35
Member of the Guard, Veterans' Home	(member)			20	25
Bugler, Veterans' Home	(civilian)			50	60
Fatigue Sergeant, Veterans' Home	(member)			30	35
Hospital attendant, Veterans' Home	(member) 25.00	27.50	30.00	32.50	35.00
	(civilian) 85.00	90.00	95.00	100	105
Surgeon, Veterans' Home				450	475
First assistant surgeon, Veterans' Home		325	350	375	400
Assistant surgeon, Veterans' Home	235	255	275	295	315
Laboratory technician, Veterans' Home			140	150	160
Surgical nurse and undertaker, Veterans' Home			130	140	150
Bandmaster, Veterans' Home			100	110	120
Assistant bandmaster, Veterans' Home				75	80
Musician, Veterans' Home	(member)			17 50	20 00
	(civilian)			70.00	75 00
Musician and reader to the blind, part time					25.00
Color sergeant, Veterans' Home (member, per month)					6.00
Custodian, Veterans' Home (member)				20 00	25.00
Messenger and janitor, Veterans' Home (member)				20.00	25.00
Chaplain and recreational director		160	170	180	190
Pallbearer, Veterans' Home (member, per month)					5 00
Sergeant, firing squad, Veterans' Home (member, per month)					7.50
Member of firing squad, Veterans' Home (member, per month)					5.00
Cemetery man, Veterans' Home (member)				35 00	40 00
Hospital barber, Veterans' Home (member)			15.00	20.00	25.00
Baggagemaster, Veterans' Home (member)				10.00	15 00
Institution maintenance and construction carpenter (member)				40	50
Institution painter (member)				40	50
Institution plumber (member)				40	50
Institution plumber helper (member)				25	30
Institution tinner (member)				40	50
Institution laborer (member)				25	30
Groundsman, Veterans' Home (member)					15
Institution stationary fireman (member)				25	30
Institution farmhand (member)				25	30
Adjutant General's Office.					
Adjutant General					416 66
Executive officer		160	170	180	190
Finance auditor		200	215	230	245
Property auditor		200	215	230	245
Instructor of cadets		160	170	180	190
Superintendent of air field, Griffith Park		160	170	180	190
Finance clerk-stenographer		130	140	150	160
United States property officer, part time					100
Superintendent of San Luis Obispo Camp			175	190	205
Armory superintendent		160	170	180	190
Watchman, air field		85	95	105	115
Mail clerk messenger					65
Arsenal storekeeper				140	150
Assistant arsenal storekeeper				120	130
Laborer, arsenal		85	90	95	100
Caretaker, North Sacramento stables		95	105	115	125
Caretaker, Capitola Camp					50

Department of Motor Vehicles.
Division of Registration.

Position	Salary range of position			
				No salary
Director, Department of Motor Vehicles				
Secretary to director	$140	$150	$160	$170
Attorney, Department of Motor Vehicles		250	270	290
Chief accounting officer, Department of Motor Vehicles		300	325	350
Assistant to chief accounting officer, Department of Motor Vehicles	140	150	160	170
Registrar, Division of Registration				416 66
Investigator, Division of Registration	130	140	150	160
Supervisor of personnel and supplies, Division of Registration		300	325	350
Assistant supervisor of personnel and supplies, Division of Registration	200	215	230	245
Personnel clerk, Division of Registration	140	150	160	170
Supervisor of branch offices, Division of Registration	200	215	230	245
Los Angeles office manager, Division of Registration		275	300	325
San Francisco office manager, Division of Registration		250	275	300
Branch office manager, Division of Registration, Grade 2	200	215	230	245
Branch office manager, Division of Registration, Grade 1		185	200	215
Supervisor, Bureau of Drivers' Licenses		270	285	300
Assistant supervisor, Southern District, Bureau of Drivers' Licenses		185	200	215
Assistant supervisor, Central District, Bureau of Drivers' Licenses		185	200	215
Motor vehicle drivers' licenses examiner	130	140	150	160
Automobile engine verifier		115	125	135
Floorman, Division of Registration	95	100	105	110
Senior nonresident registration clerk, Division of Registration			160	170
Junior nonresident registration clerk, Division of Registration		130	140	150
Supervising cashier clerk		180	195	210
Supervising property clerk	140	150	160	170
Senior cashier clerk		140	150	160
Assistant cashier clerk	100	110	120	130
Senior cashier clerk and section leader		150	160	170
Assistant cashier clerk and section leader	110	120	130	140
Intermediate account clerk and section leader	110	120	130	140
Junior account clerk and section leader	90	95	100	105
Senior clerk and section leader	140	150	160	170
Intermediate clerk and section leader, Grade 2	110	120	130	140
Intermediate clerk and section leader, Grade 1	105	115	125	135
Junior clerk and section leader, Grade 2	85	95	105	115
Junior clerk and section leader, Grade 1 80	85	90	95	100
Intermediate typist clerk and section leader, Grade 2		110	120	130
Intermediate typist clerk and section leader, Grade 1		105	115	125
Junior typist clerk and section leader, Grade 2 85	90	95	100	105
Junior typist clerk and section leader, Grade 1 80	85	90	95	100
Senior file clerk and section leader		120	130	140
Junior file clerk and section leader	80	85	90	95
Intermediate stock clerk and section leader, Grade 2	110	120	130	140
Intermediate shipping clerk and section leader, Grade 2	105	115	125	135
Duplicating machine operator and section leader	75	80	85	90
Cabinet maker	140	150	160	170
Mechanical handyman 100	110	120	130	140
Light power equipment operator laborer	100	105	110	115
Women's rest room attendant	75	80	85	90
Janitor and information clerk	85	95	105	115

California Highway Patrol.

Chief, California Highway Patrol				600
Secretary to the chief, California Highway Patrol	170	180	190	200
Assistant chief, California Highway Patrol		350	375	400
Supervising inspector, Bureau of Field Officers' Activities and Equipment		270	285	300
Assistant supervising inspector, Bureau of Field Officers' Activities and Equipment			250	260
Supervising inspector, Bureau of Auto Thefts and Investigation		270	285	300
Supervising inspector, Bureau of Safety Education and Statistics		270	285	300
Supervising inspector, Bureau of Brakes and Commercial Vehicles		270	285	300

Position		Salary range of position			
Supervising inspector, Bureau of Vehicle Lights			$270	$285	$300
Supervising inspector, Bureau of Communications			270	285	300
Assistant supervising inspector, Bureau of Brakes and Commercial Vehicles				250	260
Assistant supervising inspector, Bureau of Communications				250	260
District inspector, California Highway Patrol				250	260
District inspector, Los Angeles district, California Highway Patrol			270	285	300
Inspector, California Highway Patrol			210	220	230
Inspector, Bureau of Brakes and Commercial Vehicles			210	220	230
Investigator, California Highway Patrol				180	Flat
Squad captain, California Highway Patrol, Grade 1			200	210	220
Squad captain, California Highway Patrol, Grade 2			210	220	230
Squad captain, California Highway Patrol, Grade 3			220	230	240
State traffic officer		$160	170	180	190
Quartermaster, California Highway Patrol Training School		160	170	180	190
Statistician, Bureau of Safety Education and Statistics			250	270	290
Assistant statistician, Bureau of Safety Education and Statistics		160	170	180	190
Desk sergeant, California Highway Patrol		140	150	160	170
Warrant clerk		130	140	150	160
Intermediate traffic clerk		95	100	105	110
Senior traffic clerk			115	125	135
Assistant to supervising inspector, Bureau of Auto Thefts and Investigation			100	110	120
Department of Natural Resources.					
Administration.					
Chief accounting officer, department of Natural Resources			300	325	350
Division of Fish and Game.					
Chief, Division of Fish and Game			425	450	475
Assistant chief, Division of Fish and Game			250	270	290
Attorney, Division of Fish and Game			250	270	290
Cashier, Division of Fish and Game			210	225	240
Chief, Bureau of Education and Research			250	270	290
Pathologist, Division of Fish and Game		200	215	230	245
Fish and game toxicologist		200	215	230	245
Economic bird and animal zoologist		200	215	230	245
Librarian, Division of Fish and Game		130	140	150	160
Chief fish and game patrol officer			300	325	350
Assistant chief fish and game patrol officer		200	215	230	245
Fish and game patrol captain		170	180	190	200
Fish and game warden	120	130	140	150	160
Fish planting assistant			95	105	115
Supervisor of fisheries patrol and fish cannery inspection		200	215	230	245
Supervising fish warden and fish cannery inspector		160	170	180	190
Fish cannery inspector			110	120	130
Captain and fish warden, fish patrol boat		160	170	180	190
Marine engineman and fish warden, fish patrol boat		130	140	150	160
Marine engineman		130	140	150	160
Mate and fish warden, fish patrol boat			120	130	140
Radio operator and deckhand			120	130	140
Fish warden, Bureau of Commercial Fisheries	120	130	140	150	160
Ship's cook			100	110	120
Assistant chief, Bureau of Commercial Fisheries		200	215	230	245
Field Inspector, Bureau of Commercial Fisheries		160	170	180	190
Fish cannery auditor		200	215	230	245
Director, State Fisheries Laboratory			250	270	290
Consulting fisheries researcher (part time), per day					5 00
Senior fisheries researcher	150	160	170	180	190
Junior fisheries researcher	100	110	120	130	140
Supervising fisheries researcher		200	215	230	245
Statistician, Bureau of Commercial Fisheries		140	150	160	170
Chief, Bureau of Fish Culture		275	300	325	350
Assistant to chief, Bureau of Fish Culture		200	215	230	245
Fish cultural researcher					350
Fish hatchery superintendent			185	200	215
Fish hatchery foreman		150	160	170	180
Fish hatchery man			120	130	140
Fish hatchery assistant		90	100	110	120

Position	Salary range of position			
Fish hatcheries inspector		$170	$185	$200
Biological surveyor	$170	185	200	215
Fish distributing car supervisor		130	140	150
Caretaker, Bureau of Fish Culture	85	95	105	115
Chief, Bureau of Hydraulics		275	300	325
Assistant hydraulic engineer	200	215	230	245
Chief, Bureau of State Game Propagation		250	270	290
Game bird trapper and exhibitor		120	130	140
Superintendent, State game farm 150	160	170	180	190
Game bird breeder		90	100	110
Game farm cook 90	95	100	105	110
Supervisor of fish rescue work	170	180	190	200
Fish rescue foreman	130	140	150	160
Supervisor of game refuge work		250	270	290
Bird and animal economist	140	150	160	170
Game refuge supervisor	130	140	150	160
Game refuge assistant	85	90	95	100
Camp cook	100	110	120	130
Lion hunter		90	100	110
Predatory animal hunter and trapper	80	90	100	110
Division of Forestry.				
Chief, Division of Forestry		375	400	425
Assistant chief, Division of Forestry		300	325	350
Chief district forester		250	270	290
State district forester	200	215	230	245
Forest technician	200	215	230	245
State district forest ranger	170	180	190	200
State forest examiner	150	160	170	180
State forest ranger	130	140	150	160
Assistant State forest ranger		100	110	120
Investigator, Division of Forestry		140	150	160
Forest fire chief, Southern California		185	200	215
State fire lookout	85	90	95	100
State fire truckdriver	100	105	110	115
State forest patrolman	90	100	110	120
State nurseryman, Division of Forestry	160	170	180	190
Assistant State nurseryman, Division of Forestry		100	110	120
Assistant secretary to State Emergency Fire Committee	140	150	160	170
Assistant commissary steward, Division of Forestry		100	110	120
Telephone operator, Division of Forestry, part time				20
Division of Parks.				
Chief, Division of Parks	325	350	375	400
Assistant chief, Division of Parks		250	270	290
Investigating officer, State Park Commission		300	325	350
Secretary, State Park Commission	160	170	180	190
District park superintendent	200	215	230	245
Superintendent of State park construction work		250	270	290
State park warden		130	140	150
Assistant State park warden		100	110	120
State park custodian	85	95	105	115
Custodian, historical building		50	60	70
Division of Mines.				
Chief, Division of Mines			450	475
Supervising geologist		300	325	350
District mining engineer, grade 2		250	270	290
Mineral technologist	200	215	230	245
Assistant mining engineer	160	170	180	190
Junior mining engineer		130	140	150
Supervising geological draftsman	200	215	230	245
Geological clerk		120	130	140
Division of Oil and Gas.				
Chief, Division of Oil and Gas			450	475
Assistant Chief, Division of Oil and Gas		375	400	425
District petroleum engineer, Division of Oil and Gas, grade 2		300	325	350
District petroleum engineer, Division of Oil and Gas, grade 1		250	270	290
Investigator of oil field conditions, Department of Natural Resources	200	215	230	245
Petroleum engineer and inspector	160	170	180	190
Petroleum engineer	200	215	230	245
Senior geological draftsman	160	170	180	190

Position	Salary range of position			
Junior geological draftsman	$120	$130	$140	$150
Petroleum record clerk	140	150	160	170
Guard and janitor		110	120	130
Department of Penology.				
Division of Pardons and Commutations—Advisory Pardon Board.				
Secretary, Advisory Pardon Board	130	140	150	160
Detective License Department—State Board of Prison Directors.				
Secretary, enforcement officer, and clerk	200	215	230	245
Confidential stenographer		130	140	150
Board of Prison Directors—Paroles.				
Parole officer		300	325	350
Deputy parole officer	150	160	170	180
Chief deputy	200	215	230	245
Deputy	150	160	170	180
Board of Prison Terms and Paroles.				
Chairman of board				500
Board member				416 66
Folsom.				
Warden				416 66
Secretary to the warden	160	170	180	190
Chief accounting officer	200	215	230	245
Clerk	200	215	230	245
Assistant clerk	140	150	160	170
Record clerk	130	140	150	160
Mail clerk	110	120	130	140
Commissaire	200	215	230	245
Assistant commissaire	110	120	130	140
Physician	325	350	375	400
Assistant physician	235	255	275	295	315
Dentist	235	255	275	295	315
Assistant dentist	175	190	205	220
Dental interne				60
Occulist (part time)				50
Educational director		120	130	140
Clergyman (part time)				50
Carpenter		140	150	160
Electrician		140	150	160
Blacksmith		140	150	160
Locomotive engineer		130	140	150
Stone cutter		140	150	160
Farmer	150	160	170	180
Dairyman		130	140	150
Laundryman		130	140	150
Foreman, shoe and tailor shops		130	140	150
Foreman, quarries		140	150	160
Captain of the guard and yard	215	230	245	260
Lieutenant of yard			160	170
Turnkey			160	170
Assistant turnkey			130	140
Sergeant of watch			140	150
Gate keeper			130	140
Armorer			130	140
Guard			125	135
Mess steward		150	160	170
Assistant mess steward			130	140
San Quentin.				
Warden				500
Prison board clerk		300	325	350
Secretary to prison board clerk	140	150	160	170
Assistant prison board clerk	160	170	180	190
Secretary to the warden		180	190	200
Assistant secretary to the warden	140	150	160	170
Chief accounting officer	200	215	230	245
Commissaire	200	215	230	245
Assistant commissaire	110	120	130	140
Shipping clerk and warehouse clerk	130	140	150	160
Resident physician	325	350	375	400
Assistant resident physician	235	255	275	295	315
Resident dentist	235	255	275	295	315
Assistant resident dentist, part time				50

Position	Salary range of position			
Psychiatrist	$150	$160	$170	$180
Educational director	200	215	230	245
Assistant educational director	160	170	180	190
Visiting chaplain, part time				50
Prison electrician		170	180	190
Prison engineer		170	180	190
Master mechanic		170	180	190
Fire chief		130	140	150
Prison camp inspector		140	150	160
Clothing factory superintendent		180	190	200
Furniture factory superintendent		180	190	200
Laundry superintendent	140	150	160	170
Factory foreman	140	150	160	170
Farm foreman	150	160	170	180
Road foreman		140	150	160
Jute mill superintendent		250	270	290
Sack salesman		180	190	200
Carder and spinner	170	180	190	200
Head spinner	170	180	190	200
Sack inspector	110	120	130	140
Cloth inspector	110	120	130	140
Jute mill inspector	110	120	130	140
Factory inspector—fire	110	120	130	140
Night watchman			130	140
Watchman, jute mill			130	140
Captain of yard		215	230	245
Lieutenant of yard			160	170
Sergeant of yard			140	150
Captain of guard			180	190
Lieutenant of guard			160	170
Turnkey		140	150	160
Assistant turnkey			130	140
Sergeant of watch			140	150
Gate keeper			130	140
Armorer			130	140
Matron			140	150
Assistant matron			120	130
Guard			125	135
Mess steward		150	160	170
Assistant mess steward			130	140
President, State Board of Pilot Commissioners				
Member, State Board of Pilot Commissioners				
Secretary, State Board of Pilot Commissioners	140	150	160	170
Department of Professional and Vocational Standards				
Director, Department of Professional and Vocational Standards				416 66
Assistant Director, Department of Professional and Vocational Standards		350	375	400
Chief Accounting Officer, Department of Professional and Vocational Standards		250	270	290
Secretary, Board of Accountancy	200	215	230	245
Architectural investigator		140	150	160
Member, Board of Barber Examiners		250	270	290
Secretary, Board of Barber Examiners		250	270	290
Assistant secretary, Board of Barber Examiners	160	170	180	190
Barber inspector		140	150	160
Board member, Board of Registration of Civil Engineers, per day				10 00
Secretary, Board of Registration of Civil Engineers		250	270	290
Assistant secretary, Board of Registration of Civil Engineers	160	170	180	190
District supervisor, Registrar of Contractors	200	215	230	245
Inspector, Registrar of Contractors	160	170	180	190
Classification clerk, Registrar of Contractors		130	140	150
Secretary, Board of Cosmetology	200	215	230	245
Inspector, schools of cosmetology		140	150	160
Supervising cosmetology inspector		170	180	190
Board member, Board of Cosmetology, per day				10.00
Cosmetology inspector		140	150	160
Board member, Board of Dental Examiners, per day				10 00
Secretary, Board of Dental Examiners		250	270	290
Inspector, Board of Dental Examiners		150	160	170
Board member, Board of Embalmers and Funeral Directors, per day				10.00

Position	Salary range of position			
Secretary, Board of Embalmers and Funeral Directors	$160	$170	$180	$190
Inspector, Board of Embalmers and Funeral Directors		140	150	160
Board member, board of Medical Examiners, per day				10.00
Secretary-treasurer, Board of Medical Examiners		250	270	290
Inspector, Board of Medical Examiners		150	160	170
Board member, Board of Optometry, per day				10 00
Secretary, Board of Optometry, part time				100
Board member, Board of Pharmacy, per day				10.00
Secretary, Board of Pharmacy		250	270	290
Inspector, Board of Pharmacy		150	160	170
Board member, Board of Veterinary Medical Examiners, per day				10.00
Inspector, Board of Veterinary Medical Examiners		140	150	160
Secretary, Board of Chiropractic Examiners, part time				83 33
President, Board of Chiropractic Examiners, per day				10.00
Vice president, Board of Chiropractic Examiners, per day				10.00
Inspector, Board of Chiropractic Examiners (State's proportional part of)		140	150	160
Member, Board of Chiropractic Examiners, per day				10.00
Secretary, Board of Osteopathic Examiners, part time				125
Member, Board of Osteopathic Examiners, per day				10 00
Director, Department of Public Health				500
Assistant to the director, Department of Public Health	130	140	150	160
Chief, Bureau of Laboratories		325	350	375
Chief, Bureau of Child Hygiene		275	300	325
Chief, Bureau of Tuberculosis		275	300	325
Chief, Bureau of Food and Drug Inspection		275	300	325
Chief, Bureau of Sanitary Engineering		275	300	325
Chief, Bureau of Sanitary Inspections		250	270	290
Chief, Bureau of Vital Statistics	200	215	230	245
Chief, Bureau of Registration of Nurses	200	215	230	245
Pediatrician, Bureau of Child Hygiene	200	215	230	245
Supervising bacteriologist	200	215	230	245
Bacteriologist	160	170	180	190
Senior epidemiologist		300	325	350
Junior epidemiologist, bacteriology	160	170	180	190
Bacteriologist-chemist	200	215	230	245
Senior chemist	200	215	230	245
Junior chemist	160	170	180	190
Laboratory assistant	95	105	115	125
Laboratory helper	70	75	80	85 90
Senior sanitary engineer		300	325	350
Junior sanitary engineer	160	170	180	190
Food and drug inspector	150	160	170	180
Supervising cannery inspector	190	205	220	235
Cannery inspector	140	150	160	170
Sanitary inspector	140	150	160	170
Rodent control officer, Department of Public Health	110	120	130	140
Field worker, Bureau of Tuberculosis	150	160	170	180
Inspector, schools of nursing	170	180	190	200
Public health nurse		150	160	170
Supervising morbidity statistician	200	215	230	245
Chief accounting officer, Department of Public Health	200	215	230	245
Junior epidemiologist	200	215	230	245
Examination clerk, Department of Public Health, per hour				60c
Examination proctor, Department of Public Health, per hour			35c	40c
Examination grader, Department of Public Health, per hour			35c	40c
Examiner in bacteriology, per day				10
Department of Public Works.				
Director, Department of Public Works				10,000
Deputy Director, Department of Public Works		450	475	
Assistant Deputy Director, Department of Public Works		250	270	290
Comptroller, Department of Public Works		375	400	425
Disbursing officer, Department of Public Works	200	215	230	245
Supervising clerk and secretary, Department of Public Works 185	200	215	230	245
Supervising account clerk, grade 2		210	225	240
Chief, Division of Highways				10,000
Administrative assistant, Bay Bridge		250	270	290
Principal highway engineer		450	475	500

Position	Salary range of position			
Staff highway engineer		$375	$400	$425
Senior highway engineer		300	325	350
Associate highway engineer		250	270	290
Highway locating engineer		250	270	290
Assistant highway engineer	$200	215	230	245
Junior highway engineer	160	170	180	190
Highway engineering draftsman	160	170	180	190
Title draftsman-delineator	160	170	180	190
Associate architectural draftsman	200	215	230	245
Assistant structural engineering draftsman		130	140	150
Assistant to highway district maintenance engineer	200	215	230	245
Senior blueprinter		130	140	150
Junior blueprinter			90	100
Senior engineering office aid		130	140	150
Senior engineering field aid		130	140	150
Junior engineering office aid			110	120
Junior engineering field aid			110	120
Under engineering aid			90	100
Student engineering aid	0	25	50	75
Engineer of design, Bay Bridge				1,000
Bridge engineer, San Francisco-Oakland Bay Bridge				1,000
Chief engineer (California Toll Bridge Authority)				625
Assistant engineer of Bay Bridge Design, substructure		375	400	425
Staff bridge engineer	375	400	425	
Supervising bridge designing engineer			350	375
Senior bridge designing engineer			300	325
Senior bridge field engineer			300	325
Associate bridge designing engineer		250	270	290
Associate bridge construction engineer		250	270	290
Assistant bridge designing engineer	200	215	230	245
Assistant bridge construction engineer	200	215	230	245
Junior bridge designing engineer	160	170	180	190
Junior bridge construction engineer	160	170	180	190
Junior engineer, general construction	160	170	180	190
Senior physical testing engineer		300	325	350
Senior chemical testing engineer		300	325	350
Associate chemical testing engineer		250	270	290
Associate steel and metal testing engineer		250	270	290
Assistant asphalt testing engineer	200	215	230	245
Assistant concrete and cement testing engineer	200	215	230	245
Assistant physical testing engineer	200	215	230	245
Junior chemical testing engineer	160	170	180	190
Junior physical testing engineer	160	170	180	190
Senior physical laboratory aid		130	140	150
Senior chemical laboratory aid		130	140	150
Junior physical laboratory aid			110	120
Junior chemical laboratory aid			110	120
Physical laboratory assistant			90	100
Attorney, California Highway Commission		375	400	425
Chief, Division of Contracts and Rights of Way		450	475	500
General right of way agent		260	280	300
District right of way agent		230	250	270
Assistant district right of way agent	170	185	200	215
Condemnation investigator		230	250	270
Title searcher		115	125	135
Sergeant		150	160	170
Camp guard		120	130	140
Highway construction superintendent		250	270	290
Highway maintenance superintendent	200	215	230	245
Senior highway district equipment superintendent		250	270	290
Junior highway construction crew foreman		150	160	170
Senior highway construction crew foreman		180	190	200
Highway bridge maintenance foreman		180	190	200
Highway maintenance foreman	160	170	180	190
Highway maintenance leadingman		120	130	140
Heavy truck driver	100	105	110	115
Heavy tractor operator			115	120
Highway equipment operator-laborer	100	105	110	115
Supervisor of prison road camps	200	215	230	245
Assistant supervisor of prison road camps	140	150	160	170
Public park promoter	200	215	230	245

Position	Salary range of position			
Secretary to Chief, Division of Highways	$200	$215	$230	$245
Secretary, California Highway Commission		350	375	400
Central accounting officer, Division of Highways		250	270	290
Personnel clerk, Division of Highways	160	170	180	190
Press photographer		140	150	160
Highway statistician	200	215	230	245
Purchase and requisition clerk	175	190	205	220	235
Assistant permit clerk	130	140	150	160
Minutes clerk, Division of Highways		130	140	150
Timekeeper clerk	140	150	160	170
Commissary clerk	140	150	160	170
Machine parts storekeeper	140	150	160	170
Assistant machine parts storekeeper	100	110	120	130
Senior highway equipment clerk		140	150	160
Warehouse clerk and handyman	100	110	120	130
Janitor	85	95	105	115
Highway tree trimmer	85	90	95	100
Highway nurseryman			130	140
Highway grader operator	100	105	110	115
Light power shovel operator	130	140	150	160
Heavy power shovel operator (no graduated emergency salary reduction)	$9.00 day			
Power shovel oiler		85	95	105
Junior bridge tender, part time		85	90	95
Intermediate bridge tender		110	120	130
Senior bridge tender		130	140	150
Traffic stripe painter	100	105	110	115
Electrician lineman		140	150	160
Light power equipment operator-laborer	100	105	110	115
Highway road laborer	85	90	95	100
Highway tree maintenance foreman		150	160	170
Arboriculturist		180	190	200
Groundsman and flower gardener	85	95	105	115
Powderman		100	105	110
Driller		100	105	110
Carpenter		140	150	160
Carpenter helper		110	120	130
Tool sharpener		120	130	140
Blacksmith		140	150	160
Blacksmith helper		110	120	130
Watchman	85	95	105	115
Camp cook		110	120	130
Second cook	80	85	90	95	100
Mason		140	150	160
Mason helper		110	120	130
Launchman pilot		140	150	160
Highway headquarters shop superintendent		300	325	350
Senior highway equipment engineer		300	325	350
Associate highway equipment engineer		250	270	290
Junior highway district equipment engineer	160	170	180	190
Principal highway equipment engineer		450	475	500
Highway mechanic foreman		180	190	200
Heavy equipment mechanic		140	150	160
Machinist		150	160	170
Fusion welder		140	150	160
Automobile mechanic		140	150	160
Automobile body worker		140	150	160
Supervising automobile painter		170	180	190
Automobile painter		140	150	160
Painter helper		110	120	130
Automobile trimmer		140	150	160
Automobile trimmer helper		110	120	130
Automobile electrician		150	160	170
Highway equipment repair shop helper		110	120	130
Highway equipment cleaner and car washer		85	95	105
Highway shop cleaner		85	95	105
Highway shop laborer		85	95	105
Chief, Division of Architecture (Stat.)				416 66
Assistant chief, Division of Architecture		375	400	425
Administrative assistant, Division of Architecture		375	400	425
Principal structural engineer		375	400	425

Position	Salary range of position			
Principal engineer, general construction		$375	$400	$425
Principal mechanical and electrical engineer		375	400	425
Senior architectural designer		300	325	350
Supervising structural engineer		300	325	350
Supervising engineer, general construction		300	325	350
Supervising mechanical and electrical engineer		300	325	350
Supervising estimator of building construction		300	325	350
Supervising contracts and building specification writer		300	325	350
Structural engineering designer		300	325	350
Supervising architectural draftsman		300	325	350
Senior architectural draftsman		250	270	290
Senior engineer, general construction		250	270	290
Senior electrical engineer		250	270	290
Associate engineer, general construction	$200	215	230	245
Associate civil engineer	200	215	230	245
Estimator of building construction	200	215	230	245
Building specification writer	200	215	230	245
Associate civil engineer	200	215	230	245
Associate mechanical engineering draftsman	200	215	230	245
Associate structural engineering draftsman	200	215	230	245
Associate architectural draftsman	200	215	230	245
Senior structural engineering draftsman		250	270	290
Associate architectural draftsman	200	215	230	245
Junior structural engineering draftsman	160	170	180	190
Junior architectural draftsman	160	170	180	190
Junior electrical engineering draftsman	160	170	180	190
Civil engineering draftsman	160	170	180	190
Junior physical testing engineer	160	170	180	190
Architectural office aid		130	140	150
Under engineering aid			90	100
Maker of miniature mechanical sets		140	150	160
Building construction crew foreman		170	180	190
Cement finisher		140	150	160
Concrete mixer operator		140	150	160
Division of Water Resources.				
State engineer, Division of Water Resources				625
Principal engineer, design and construction of dams		450	475	500
Principal hydraulic engineer, water resources		450	475	500
Principal hydraulic engineer, water rights		450	475	500
Principal hydraulic engineer, flood control and reclamation		375	400	425
Supervising hydraulic engineer, water rights		375	400	425
Supervising hydraulic engineer, water resources		375	400	425
Supervising hydraulic engineer, irrigation districts		375	400	425
Senior hydraulic engineer, water resources		300	325	350
Senior hydraulic engineer, water rights		300	325	350
Senior engineer of hydraulic structural design		300	325	350
Senior engineer of dam inspection		300	325	350
Senior engineer-geologist		300	325	350
Associate hydraulic engineer, water resources		250	270	290
Associate hydraulic enginer water rights		250	270	290
Associate hydraulic engineer, water resources and usage		250	270	290
Associate engineer of hydraulic structure design		250	270	290
Associate engineer of dam inspection		250	270	290
Assistant hydraulic engineer, water resources	200	215	230	245
Assistant engineer-geologist	200	215	230	245
Assistant engineer of hydraulic structure design	200	215	230	245
Junior hydraulic engineer, water resources	160	170	180	190
Junior engineer of hydraulic structural design	160	170	180	190
Junior hydraulic engineer	160	170	180	190
Junior engineer-geologist	160	170	180	190
Junior engineering field aid			110	120
Senior delineator	200	215	230	245
Title draftsman-delineator	160	170	180	190
Supervising hydraulic engineering draftsman-computer	200	215	230	245
Hydraulic engineer draftsman-computer	160	170	180	190
Senior engineering office aid		130	140	150
Supervising foreman, flood control construction and maintenance	160	170	180	190
River construction foreman	160	170	180	190
Launchman pilot		140	150	160
Foreman, flood control construction and maintenance		130	140	150

Position	Salary range of position			
Subforeman, flood control construction and maintenance		$90	$100	$110
Flood control maintenance and construction man		90	100	110
Water masters assistant	$85	90	95	100
Precipitation observer and gage reader	90	100	110	120
Dinkey driver			115	130
Railroad Commission.				
Secretary				416.66
San Francisco office supervisor		180	195	200
Los Angeles office supervisor			170	180
Recorder	200	215	230	245
Chief engineer		450	475	500
Assistant engineer	200	215	230	245
Associate engineer		250	270	290
Appraisal engineer		275	300	325
Junior engineer	160	170	180	190
Evaluation engineer		300	325	350
Transportation engineer		300	325	350
Senior mechanical engineer		300	325	350
Gas and electric engineer		300	325	350
Hydraulic engineer		300	325	350
Telephone and telegraph engineer		300	325	350
Inspector, transportation division	140	150	160	170
Assistant safety engineer	200	215	230	245
Senior safety engineer		250	270	290
Rate expert	325	350	375	400
Assistant rate expert	200	215	230	245
Finance expert		450	475	500
Bond analyst		250	270	290
Semisenior accountant	160	170	180	190
Senior accountant	200	215	230	245
Principal accountant		250	270	290
Assistant chief, auto stage department	200	215	230	245
Assistant safety engineer	200	215	230	245
Director of Research, auto stage department	325	350	375	400
Chief clerk		180	195	210
Docket clerk		180	195	210
Attorney		450	475	500
Assistant attorney	200	215	230	245
Examiner in charge of Los Angeles office	300	325	350	375
Junior examiner		230	250	270
Senior examiner	300	325	350	375
California District Securities Commission.				
Commissioners—				
Executive secretary, District Securities Commission		350	375	400
Assistant secretary, District Securities Commission		180	195	210
Hearing reporter and statistical clerk	150	160	170	180
Reclamation Board.				
Chief engineer and general manager, Reclamation Board, part time (State's proportionate part of)		375	400	425
Senior hydraulic engineer, Water Resources		300	325	350
Associate hydraulic engineer		250	270	290
Chief accounting officer, Reclamation Board	200	215	230	245
Assistant civil engineer, Reclamation Board	200	215	230	245
Assessment clerk	130	140	150	160
Secretary of State's Office.				
Secretary of State				416.67
Assistant Secretary of State		375	400	425
Assistant to Secretary of State	200	215	230	245
Corporation counsel, Secretary of State's office	200	215	230	245
Corporation registrar, Secretary of State's office	130	140	150	160
Collection agencies investigator flat				250
Collection agency license examiner	130	140	150	160
Statistician, Secretary of State's office	140	150	160	170
Supervising incorporation examiner, Secretary of State's office			170	180
Corporation record searcher	130	140	150	160
Incorporation examiner, Secretary of State's office	130	140	150	160
Notarial examiner, Secretary of State's office	130	140	150	160
Trademark examiner, Secretary of State's office			170	180

Position	Salary range of position			
Archivist, Secretary of State's office		$130	$140	$150
Archivist and shipper, Secretary of State's office	$140	150	160	170
Bookkeeper, Secretary of State's office	140	150	160	170
Department of Social Welfare.				
Director, Department of Social Welfare				333.33
Secretary to director	140	150	160	170
Administrative assistant, Department of Social Welfare	140	150	160	170
Chief accounting officer, Department of Social Welfare	200	215	230	245
Supervisor of adoption work	200	215	230	245
Supervisor of aid to needy blind	200	215	230	245
Supervisor of aid to needy children	200	215	230	245
Supervisor of probation work	200	215	230	245
District supervisor, Department of Social Welfare, Grade 1		185	200	215
District supervisor, Department of Social Welfare, Grade 2		200	215	230
Secretary, Board of Social Welfare	200	215	230	245
Assistant to supervisor of aid to blind		100	110	120
Assistant to supervisor of probation work		100	110	120
Assistant to district supervisor, Department of Social Welfare		100	110	120
Social welfare agent	150	160	170	180
Assistant social welfare agent		90	100	110
State Treasurer's Office.				
State Treasurer				416.66
Deputy State Treasurer				375
Cashier, State Treasurer's office		195	210	225
Bond officer		180	195	210
Bond deposit officer		180	195	210
Assistant bond deposit officer	140	150	160	170
Security vault officer	160	170	180	190
Guard, State Treasurer's office			120	130
Guard and janitor	85	95	105	115
Chief teller		180	195	210
Teller	140	150	160	170
General Clerical Classes.				
Supervising account clerk, Grade 2		210	225	240
Supervising account clerk, Grade 1		180	195	210
Senior account clerk	140	150	160	170
Intermediate account clerk	100	110	120	130
Junior account clerk	80	85	90	95
Supervising audit clerk, Grade 1		180	195	210
Senior audit clerk	140	150	160	170
Intermediate audit clerk	100	110	120	130
Junior audit clerk	80	85	90	95
Bookkeeper, Grade 2	170	180	190	200
Bookkeeper, Grade 1	140	150	160	170
Supervising clerk, Grade 2		180	190	200
Supervising clerk, Grade 1			170	180
Senior clerk	130	140	150	160
Intermediate clerk	95	105	115	125
Junior clerk	75	80	85	90
Supervising file clerk, Grade 3			160	170
Supervising file clerk, Grade 2			150	160
Supervising file clerk, Grade 1			140	150
Senior file clerk		110	120	130
Intermediate file clerk	90	95	100	105
Junior file clerk	70	75	80	85
Supervising hearing reporter			190	200
Hearing reporter	150	160	170	180
Senior stock clerk	140	150	160	170
Intermediate stock clerk	100	110	120	130
Junior stock clerk	80	85	90	95
Traveling clerk	120	130	140	150
Supervising typist clerk, Grade 1			140	150
Senior typist clerk		115	125	135
Intermediate typist clerk	95	100	105	110
Junior typist clerk	75	80	85	90
Adding machine operator	80	85	90	95
Supervising addressograph operator			100	110
Addressograph operator	75	80	85	90	95
Supervising billing machine operator		100	110	120

Position	Salary range of position			
Billing machine operator	$80	$85	$90	$95
Supervising bookkeeping machine operator			140	150
Bookkeeping machine operator	90	100	110	120 130
Supervising calculating machine operator			130	140
Calculating machine operator	80	90	100	110 120
Supervising duplicating machine operator		90	100	110 120
Duplicating machine operator			70	75 80
Key punch operator		75	80	85 90
Supervising multi-color press operator		160	170	180 190
Multi-color press operator		90	100	110 120
Photocopying machine operator		100	110	120 130
Radio engineer		200	215	230 245
Radio operator			130	140 150
Senior information clerk		120	130	140 150
Intermediate information clerk		95	100	105 110
Junior information clerk		75	80	85 90
Information clerk and Spanish interpreter			130	140 150
Law clerk		140	150	160 170
Senior legislative clerk		130	140	150 160
Junior legislative clerk		95	105	115 125
Senior messenger		90	100	110 120
Junior messenger				65
Senior office equipment operator			110	120 130
Intermediate office equipment operator			90	95 100
Secretary-stenographer		140	150	160 170
Supervising stenographer-clerk, Grade 1				160 170
Senior stenographer-clerk			130	140 150
Intermediate stenographer-clerk			100	110 120
Intermediate stenographer-clerk and interpreter			110	120 130
Junior stenographer-clerk		80	85	90 95
Senior legal stenographer			135	145 155
Intermediate legal stenographer			105	115 125
Senior shipping clerk		140	150	160 170
Intermediate shipping clerk		95	105	115 125
Junior shipping clerk		80	85	90 95
Supervising statistical clerk, Grade 1			180	195 210
Senior statistical clerk		140	150	160 170
Intermediate statistical clerk		100	110	120 130
Junior statistical clerk		80	85	90 95
Supervising tabulating machine operator				125 135
Tabulating machine operator		85	95	105 115
Supervising telegrapher		160	170	180 190
Telegrapher			140	150 160
Supervising telephone operator and information clerk				130 140
Telephone operator and information clerk	80	90	100	110 120
Telephone operator and stenographer			100	110 120
Teletypewriter operator			100	110 120
Senior transcribing machine operator				130 140
Intermediate transcribing machine operator			100	110 120
Junior transcribing machine operator		75	80	85 90

No officer or employee receiving a per hour or per diem compensation shall be allowed to work over time except in case of emergency, and in such event such officer or employee shall receive time and one half for over time

SEC. 3. Said board shall have power, when it determines by unanimous vote in view of emergencies then existing or facts showing that unless the above schedule is reclassified in given particulars it will operate detrimentally to the welfare and best interests of the State:

(1) To add to said list of positions and fix the salary ranges of each added position; (2) to eliminate unnecessary positions in said list; (3) to revise the salary range for a given position whether fixed under this or the last preceding section; (4) to consolidate positions under one or more State executive departments, boards, offices or commissions.

SEC. 4. Every State executive officer and employee, whose compensation is not otherwise provided for by the Constitution, shall be subject to said salary range for the position which he holds; and subject to the provisions hereinafter contained, the salary of each such officer and employee shall be fixed within the range of salary for the position which he holds as follows:

(1) Whenever an executive officer or employee is receiving on the date this act becomes effective a higher salary, whether fixed by statute or otherwise, than the highest salary within the salary range of the position which he then holds, he shall hereafter receive said highest salary within the salary range of such position.

(2) Whenever an executive officer or employee is receiving on the date this act becomes effective a lower salary, whether fixed by statute or otherwise, than the lowest salary within the salary range of the position which he then holds, he shall hereafter receive said lowest salary within the salary range of such position.

(3) Whenever an executive officer or employee is receiving on the date this act becomes effective a salary within the salary range of the position which he then holds, he shall hereafter continue to receive such salary.

(4) Whenever an executive officer or employee is hereafter appointed to a given position, he shall receive the lowest salary within the salary range of the position to which he is appointed.

SEC. 5. Hereafter the certification or authorization and the appointment of any executive officer or employee to a given position and the allocation of such officers and employees from one position to another, except where the power of appointment or election is provided for by the Constitution, and except where the power of appointment to a particular position is by express statutory provision vested in the Legislature or the Governor or subject by express statutory provision to the Governor's approval and except one person under each State executive department holding a position to be selected by the head thereof and having a confidential relation to said head, shall be subject to the approval of said board to determine that a proper, qualified person has been appointed to any given position, and hereafter no such certification, authorization, appointment or allocation of such an officer or employee shall be effective until such approval is secured and with respect to consolidated positions under more than one State executive department, board, office or commission, said board shall have the power of appointment thereto and shall fix the sum which each department, board, office or commission affected by such consolidation shall contribute to the salary of each person appointed to such a consolidated position.

SEC 6. No State executive officer or employee holding a position when this act becomes effective and no such officer or employee hereafter appointed shall, until July 1, 1935, receive any increase or decrease in salary as hereinbefore fixed, except that the board shall have power either to raise or lower a particular salary, within the salary range of the position which such officer or employee then holds, when it determines by unanimous vote in view of emergencies then existing or facts showing that unless such salary is revised it will operate detrimentally to the welfare and best interests of the State.

SEC. 7. The salary of every State executive officer and employee fixed as hereinbefore specified except as otherwise hereinbefore provided, shall be subject to the following graduated emergency salary reductions for the period beginning on the effective date of this act and ending July 1, 1935:

The salary of each officer or employee who receives more than one hundred (100) dollars per month, but not more than one hundred fifty (150) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, and twelve and one-half (12½) per centum of the additional fifty (50) dollars or fractional part thereof, but in no event shall such reduction lower the salary of such officer or employee below one hundred (100) dollars.

The salary of each officer or employee who receives more than one hundred fifty (150) dollars per month, but not more than two hundred (200) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, twelve and one-half (12½) per centum of the next fifty (50) dollars, and fifteen (15) per centum of the additional fifty (50) dollars or fractional part thereof

The salary of each officer or employee who receives more than two hundred (200) dollars per month, but not more than two hundred fifty (250) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, twelve and one-half (12½) per centum of the next fifty (50) dollars, fifteen (15) per centum of the next fifty (50) dollars, and seventeen and one-half (17½) per centum of the additional fifty (50) dollars or fractional part thereof.

The salary of each officer or employee who receives more than two hundred fifty (250) dollars per month, but not more than three hundred (300) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, twelve and one-half (12½) per centum of the next fifty (50) dollars, fifteen (15) per centum of the next fifty (50) dollars, seventeen and one-half (17½) per centum of the next fifty (50) dollars, and twenty (20) per centum of the additional fifty (50) dollars or fractional part thereof.

The salary of each officer or employee who receives more than three hundred (300) dollars per month, but not more than three hundred fifty (350) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, twelve and one-half (12½) per centum of the next fifty (50) dollars, fifteen (15) per centum of the next fifty (50) dollars, seventeen and one-half (17½) per centum of the next fifty (50) dollars, twenty (20) per centum of the next fifty (50) dollars, and twenty-three (23) per centum of the additional fifty (50) dollars or fractional part thereof.

The salary of each officer or employee who receives more than three hundred fifty (350) dollars per month, but not more than four hundred (400) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars,

twelve and one-half (12½) per centum of the next fifty (50) dollars, fifteen (15) per centum of the next fifty (50) dollars, seventeen and one-half (17½) per centum of the next fifty (50) dollars, twenty (20) per centum of the next fifty (50) dollars, twenty-three (23) per centum of the next fifty (50) dollars, and twenty-five (25) per centum of the additional fifty (50) dollars or fractional part thereof.

The salary of each officer or employee who receives more than four hundred (400) dollars per month, but not more than four hundred fifty (450) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, twelve and one-half (12½) per centum of the next fifty (50) dollars, fifteen (15) per centum of the next fifty (50) dollars, seventeen and one-half (17½) per centum of the next fifty (50) dollars, twenty (20) per centum of the next fifty (50) dollars, twenty-three (23) per centum of the next fifty (50) dollars, twenty-five (25) per centum of the next fifty (50) dollars, and twenty-seven (27) per centum of the additional fifty (50) dollars or fractional part thereof.

The salary of each officer or employee who receives more than four hundred fifty (450) dollars per month, but not more than five hundred (500) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, twelve and one-half (12½) per centum of the next fifty (50) dollars, fifteen (15) per centum of the next fifty (50) dollars, seventeen and one-half (17½) per centum of the next fifty (50) dollars, twenty (20) per centum of the next fifty (50) dollars, twenty-three (23) per centum of the next fifty (50) dollars, twenty-five (25) per centum of the next fifty (50) dollars, twenty-seven (27) per centum of the next fifty (50) dollars, and thirty (30) per centum of the additional fifty (50) dollars or fractional part thereof.

The salary of each officer or employee who receives more than five hundred (500) dollars per month, but not more than nine hundred (900) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, twelve and one-half (12½) per centum on the next fifty (50) dollars, fifteen (15) per centum of the next fifty (50) dollars, seventeen and one-half (17½) per centum of the next fifty (50) dollars, twenty (20) per centum of the next fifty (50) dollars, twenty-three (23) per centum of the next fifty (50) dollars, twenty-five (25) per centum of the next fifty (50) dollars, twenty-seven (27) per centum of the next fifty (50) dollars, thirty (30) per centum of the next fifty (50) dollars, and forty (40) per centum of the additional four hundred (400) dollars or fractional part thereof

The salary of each officer or employee who receives more than nine hundred (900) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, twelve and one-half (12½) per centum of the next fifty (50) dollars, fifteen (15) per centum of the next fifty (50) dollars, seventeen and one-half (17½) per centum of the next fifty (50) dollars, twenty (20) per centum of the next fifty (50) dollars, twenty-three (23) per centum of the next fifty (50) dollars, twenty-five (25) per centum of the next fifty (50) dollars, twenty-seven (27) per centum of the next fifty (50) dollars, thirty (30) per centum of the next fifty (50) dollars, forty (40) per centum of the next four hundred (400) dollars, and fifty (50) per centum of any additional amount.

This section shall have no application and shall be null and void after July 1, 1935.

SEC. 8. Whenever any State executive officer or employee is paid a portion of his salary for the position which he holds from sources other than this State, the salary range for such position shall be predicated upon the basis of his salary received from all sources and the graduated emergency salary reduction shall be taken on the salary so fixed for such officer or employee within the salary range of such position. The State shall pay the difference between the final total salary so determined for such officer or employee less the amount received from sources other than this State, save that the board shall readjust either or both the salary range for such position and the graduated salary reduction where the person holding such position has Federal Civil Service status or where unless such adjustment is made no or a lesser amount will be received from said sources other than this State.

SEC. 8a. Whenever any State executive officer or employee is paid a portion of his salary in maintenance rather than money the reasonable value of such maintenance shall be determined by said board and the value of such maintenance so determined shall be included in fixing the total salary of such officer or employee in the manner hereinbefore provided

SEC. 9. Every State executive officer and employee shall, after holding a position for six months, but not oftener than once each year, have a vacation of one week with pay, and may take, without loss of status, a vacation of two weeks, without compensation for said additional week.

SEC. 10. Every State executive officer and employee now or hereafter entitled to sick leave shall be entitled to one-half his regular pay while on such sick leave to which he is so entitled.

SEC. 11. Said board shall have power for the purpose of administering and enforcing the provision of this act or of any other law committed to its administration:

(1) To audit all pay rolls submitted to the State Controller;

(2) To maintain a State roster; and

(3) To make all necessary rules and regulations.

SEC. 12. The Division of Personnel and Organization, Department of Finance or any department, board, office or commission succeeding to the duties of said division shall give such expert, technical and clerical assistance and shall permit inspection and make such transfer of its files and records to said board as may be necessary to enable said board adequately to administer and enforce this act, and said division or such successors thereof shall continue to perform the duties and jurisdiction now or hereafter vested by law in said division or such successor subject to review and approval by said board in so far as the compensation of State executive officers and employees is concerned and no classification of, allocation within, or certification or authorization or appointment to, State executive positions made by said division or its successor shall be effective until approved by said board.

SEC 13. This act shall have no application to the legislative or judicial branches of the State government nor to necessary traveling expenses incurred by any such officer or employee in the performance of his duties.

SEC. 14. All acts and parts of acts in so far as the same are in conflict herewith are hereby superseded and to that extent repealed.

SEC 15. If any section, subsection, paragraph, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses or phrases be declared unconstitutional."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 3—Amending section 23 of Article IV of the Constitution of California, relating to compensation of members of the Legislature.

Assembly Constitutional Amendment No. 3 read.

COMMITTEE AMENDMENT.

During reading of Assembly Constitutional Amendment No. 3, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed measure, after the word "thousand", insert: "and eighty".

Amendment adopted.

Assembly Constitutional Amendment No 3 ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 3, 4, 5 and 23, of Article IV of the Constitution, relating to the Legislative Department.

Assembly Constitutional Amendment No 26 read.

COMMITTEE AMENDMENT.

During reading of Assembly Constitutional Amendment No. 26, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed measure, strike out the hyphenated word "odd-numbered", and insert in lieu thereof the hyphenated word "even-numbered".

Amendment adopted.

Assembly Constitutional Amendment No. 26 ordered to reprint, engrossment, and on file for adoption.

Assembly Concurrent Resolution No. 32—Relative to Owens Valley as a site for a Junior State Prison.

Assembly Concurrent Resolution No. 32 read.

COMMITTEE AMENDMENTS.

During reading of Assembly Concurrent Resolution No. 32, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed resolution, insert after the semicolon after "prison", the following: "now, therefore, be it".

AMENDMENT NUMBER TWO.

On page 1 of the printed resolution, strike out lines 7 to 9, inclusive.

Amendments adopted.

Assembly Concurrent Resolution No. 32 ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 2103—An act to amend section 15 of an act entitled "The Water Commission Act," relating to the use of unappropriated water.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Mayo moved that Assembly Bill No. 2103 be withdrawn from the file, and ordered re-referred to Committee on Conservation.

The question being on re-referring Assembly Bill No. 2103 to Committee on Conservation.

Motion carried.

Assembly Bill No. 2103 ordered re-referred to Committee on Conservation.

Assembly Bill No. 847—An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled "An act to define the duties of and to license land surveyors" approved March 16, 1907.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Zion:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, after line 12, insert the following:

"SEC. 1a. Land surveying within the meaning and intent of this act shall comprise the surveying of areas for their correct determination and description and for conveyancing, or for the establishment or reestablishment of land boundaries or for the platting of lands and subdivisions thereof."

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, after "act", insert the following: "and said board is hereby authorized to make and enforce such rules and regulations as may be necessary to carry out the provisions of this act".

AMENDMENT NUMBER THREE

On page 1, line 23, of the printed bill, strike out "secretary of the board", and insert in lieu thereof the following:

"Department of Professional and Vocational Standards".

AMENDMENT NUMBER FOUR.

On page 3, line 4, of the printed bill, strike out "three", and insert in lieu thereof the following: "five".

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, strike out lines 12 to 16, inclusive, and insert in lieu thereof the following: "by said board shall be accepted as the equivalent of four years of such prac-".

AMENDMENT NUMBER SIX.

On page 3, line 21, of the printed bill, strike out "two", and insert in lieu thereof the following: "four".

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, strike out lines 49 to 52, inclusive, and on page 4, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"(b) The board may, upon application therefor, and the payment of a fee of ten ($10) dollars, issue a license as provided for herein, to any person who holds a certificate of qualification as a land surveyor issued to him by proper authority of the National Council of State Boards of Engineering Examiners, or of the National Bureau of Engineering Registration, or of any State or Territory or possession of the United States, or of any other country, provided that the requirements for license under which said Certificate of Qualification or Registration was issued do not conflict with the provisions of this act and are of a standard not lower than that specified in section 5 of this act."

AMENDMENT NUMBER EIGHT.

On page 5, line 30, of the printed bill, strike out "may", and insert in lieu thereof the following: "shall".

AMENDMENT NUMBER NINE

On page 5, line 36, of the printed bill, after "record", insert the following: "or when it is delivered by the licensee as a formal or final document".

AMENDMENT NUMBER TEN.

On page 6 of the printed bill, strike out lines 51 and 52, and on page 7 strike out line 1, and insert in lieu thereof the following: "of the survey shall have been recorded under the provisions of that act commonly known as".

AMENDMENT NUMBER ELEVEN.

On page 7 of the printed bill, after line 3, insert the following: "Provided further, that during the time that a subdivision map is actually under preparation under the provisions of said "Subdivision Map Act", the sixty-day period above provided shall be extended, not to exceed one year from the completion of the survey, and if such map shall not have been then so recorded under the provisions of said "Subdivision Map Act", a record of the survey shall be filed at once under the provisions of this act."

AMENDMENT NUMBER TWELVE.

On page 7, line 4, of the printed bill, strike out "Each", and insert in lieu thereof the following: "Prior to the filing thereof, each".

AMENDMENT NUMBER THIRTEEN.

On page 7, line 14, of the printed bill, strike out "thereupon transmit such map", and insert in lieu thereof the following: "indorse on the map a statement of his examination thereof and transmit it".

AMENDMENT NUMBER FOURTEEN.

On page 7, line 17, of the printed bill, after "hereof.", insert the following: "If the matters appearing on the map can not be agreed upon by the surveyor and the county surveyor, an explanation of the matters involved in such disagreement shall be indorsed on the map and it shall be so transmitted to the county recorder for filing."

AMENDMENT NUMBER FIFTEEN.

On page 7, line 47, of the printed bill, strike out "It shall be unlawful for any", and insert in lieu thereof the following: "any".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No 653—An act to amend section 2322x12 of the Political Code, relating to the office of agricultural commissioner in counties of the twelfth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No 654—An act to amend section 19x12 of the Juvenile Court Law, relating to the probation officer in counties of the twelfth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 655—An act to amend section 16x12 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the twelfth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 657—An act to amend section 4241 of the Political Code, relating to the compensation of county and township officers in counties of the twelfth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 20—An act to amend sections 1, 2, 3, 5, 10, 11, 12, 12a, 17, and 20a, of Chapter 605, Statutes of 1919, known as the "California Real Estate Act," relating to real estate brokers and salesmen, subdivisions, and directory of real estate brokers and salesmen.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 282—An act to amend section 1 of an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, defining personal property brokers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 781—An act to amend section 1105 of the Agricultural Code, relating to eggs.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 177—An act to amend section 1145 of the Agricultural Code, relating to imported egg products.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 958—An act to repeal "An act to prevent the propagation by the production of seed of that certain plant known as Sorghum Halepense otherwise known as Johnson grass," approved March 30, 1903

Bill read second time, and ordered on file for third reading.

Senate Bill No. 957—An act to repeal "An act providing for the protection of the vineyards of the State against Phylloxera by regulating the transportation within the State of grapevines or parts thereof for use as fuel," approved May 11, 1913.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 956—An act to repeal "An act to control the spread of the walnut codling moth, to regulate the movement of and treatment of shipment of walnuts, sacks, trays, and other orchard appliances into or from any premises or districts known to be infested with walnut codling moth, and to confer power on the Director of Agriculture to pre-

scribe rules and regulations for such or other control of said pest, and to provide a penalty for the violation thereof," approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 955—An act to repeal "An act to regulate the distribution of date palms and date palm offshoots and to hold the same in quarantine under the supervision of the State Commissioner of Horticulture until they are free from Marlatt scale (Phoenicococcus marlatti) and Blanchard scale (Parlalatoria blanchardii) when introduced from, or grown in, any infested locality within this State or from other States, or if of foreign introduction, after they have been released by the Federal Horticultural Board, and to fix a penalty for violation of this act," approved April 1, 1915.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1173—An act declaring the bridge across the Sacramento River near the town of Meridian, between the counties of Sutter and Colusa, to be a part of the State highway system for maintenance purposes and providing for the relinquishment of jurisdiction over said bridge by the State to said counties.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 960—An act to amend sections 1011, 1022, 1030, 1036, 1038 and 1043 of the Agricultural Code, and to renumber Article 4 of Chapter 7, Division V thereof, relating to agricultural chemicals and commercial feeding stuffs.

COMMITTEE AMENDMENTS.

During reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "and 1043", and insert in lieu thereof a comma and the following: "1043 and 1071".

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, after line 23, insert the following:

"SEC. 8. Section 1071 of the Agricultural Code is hereby amended to read as follows

1071. Every manufacturer of, importer of, or dealer in any economic poison, except dealers or agents selling economic poison which has been registered by the manufacturer or wholesaler thereof, and persons selling raw material to manufacturers of economic poisons, before the same is offered for sale, shall obtain a license from the department. The annual fee is fifty dollars, payable to the director. Persons manufacturing an economic poison intended to be used in households or their immediate environment which does not exceed a total retail value of five hundred dollars per annum shall pay an annual license fee of ten dollars to the director. County, State, and Federal officers or employees selling economic poison at cost shall not be required to pay a license fee. Each applicant for a license shall also file a statement of the brands, trade-marks, and kinds of economic poisons intended to be manufactured or sold, the correct name and percentage of each active ingredient and the total percentage of inert ingredients contained therein. In lieu of the statement of the correct names and percentages of the active and inert ingredients there may be delivered to the director a representative sample of not less than one pound of each economic poison desired to be registered.

Additions or corrections to the above statement or new samples may be submitted at any time without additional charge. When any manufacturer, importer, or dealer in economic poisons has complied with this article and the rules and regulations provided for therein and applies for registration of economic poisons, and for a license, the director shall register each economic poison sought to be registered and issue a license to the applicant authorizing the manufacture and sale of economic poison in the State. All licenses and registrations expire on June 30th of each year.

It shall be unlawful to manufacture, deliver, or sell, any economic poison without a license or which is not registered and described as required by this article."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 645—An act to amend section 4278 of the Political Code, relating to the compensation of county and township officers in counties of the forty-ninth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 649—An act to amend section 4277 of the Political Code, relating to the compensation of county and township officers and jurors in counties of the forty-eighth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 650—An act to amend section 16x49 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the forty-ninth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 153—An act to amend section 16x29 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-ninth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 154—An act to amend section 2322x29 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-ninth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 157—An act to amend section 9a29 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to librarians in counties of the twenty-ninth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 158—An act to amend section 19x29 of the Juvenile Court Law, relating to probation officers in counties of the twenty-ninth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 196—An act to amend section 4265 of the Political Code, relating to compensation of county and township officers in counties of the thirty-sixth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 197—An act to amend section 4269 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the fortieth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 198—An act to amend section 2322x36 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-sixth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 660—An act to amend section 4274 of the Political Code, relating to compensation of county and township officers in counties of the forty-fifth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 661—An act to amend section 2322x45 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fifth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 665—An act to amend section 9a54 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the fifty-fourth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 250—An act to add a new section to the Political Code to be numbered 4056d, relating to powers and duties of board of supervisors with respect to county and township officers, deputies, assistants and employees.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Craig:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out lines 13 to 15, inclusive, and insert in lieu thereof the following: "attorneys, grand and trial jurors, and auditors, all laws or parts of laws now in force establishing, regulat-".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 156—An act to amend section 4258 of the Political Code, relating to compensation of county and township officers in counties of the twenty-ninth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 32, of the printed engrossed bill, strike out the word "five", and insert in lieu thereof "six".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 526—An act to amend sections 4.270, 4.271, 4.274 and 4.275 of the School Code, relating to the establishment, government, maintenance and operation of the public school system.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 276—An act to add a new section to the School Code, to be numbered 3.10-1, and to amend sections 3.11 and 3.13 thereof, all relating to the education of Indian children.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1035—An act to transfer the duties, powers, purposes, responsibilities and jurisdiction of the Department of Finance over and appertaining to Sutter's Fort to the Division of Parks of the Department of Natural Resources of the State of California, charging the said Division of Parks with the administration thereof and the execution of the laws concerning the same, authorizing the employment of employees, abolishing certain offices and positions, authorizing the expenditure of certain funds, and repealing all acts or parts of acts inconsistent therewith.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1104—An act to amend section 7 of an act entitled "An act to promote the development of the California canned fruit industry and to prevent deception in the packing and sale of canned fruit by establishing and defining certain standards for canned fruit of the varieties herein named, defining the powers and duties of the Director of the Department of Agriculture in relation hereto, including the collection of fees, creating a Board of Appeal and defining its powers and duties in relation hereto and fixing the compensation of the members thereof, prescribing penalties for violations hereof and making an appropriation to carry out the provisions hereof," approved May 23, 1925, relating to powers of the Director of Public Health.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1117—An act to abolish the Division of Research and Statistics in the Department of Education.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1182—An act making an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 475—An act to amend sections 7, 8, 10, 11, 12, 16, 18½ and 19 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, relating to county fire insurance companies.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 982—An act to add a new section to be numbered section 8½ to an act entitled "California Ripe Olive Standardization Act," approved May 11, 1931, relating to the regulation of the canned olive industry.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 992—An act to add a new section to be numbered 6¾ to an act entitled "The California Canned Fruit Standardization Act," approved May 23, 1925, as amended, relating to the regulation of the canned fruit industry.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1009—An act to repeal an act entitled "An act to establish a State prison; creating a commission to select and purchase a suitable site therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved June 4, 1929.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1034—An act to transfer the duties, powers, purposes, responsibilities and jurisdiction of the Department of Finance over and appertaining to the State Burial Grounds to the Division of Parks of the Department of Natural Resources of the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 548—An act to amend section 2187 of the Political Code, relating to the transfer of inmates between State institutions.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 551—An act to amend section 12 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897, as amended

Bill read second time, and ordered on file for third reading.

Senate Bill No. 744—An act to repeal section 2.1420 of the School Code, relating to printing and distribution of school laws

Bill read second time, and ordered on file for third reading.

Senate Bill No. 980—An act to repeal an act entitled "The State Fish Exchange Act," approved June 1, 1917, as amended, relating to the regulation of the business of buying and selling fish, and providing for the disposition of moneys received in relation thereto.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 742—An act to amend section 6.273 of the School Code, relating to textbooks.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the word "five", and insert in lieu thereof the word "six".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 1022—An act to add section 10.5 to the State Civil Service Act, relating to examinations, creating the civil service examination fund and providing for the disposition of examination fees.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 8 to 24, both inclusive, and insert in lieu thereof the following: "An examination fee shall be charged for each application for civil service examinations, said fee to be paid to the Division of Personnel and Organization at the time of filing said application. The fee charged for each application shall be determined on a basis of the minimum monthly salary for the position applied for, according to the following table, and said application fee shall be published by the commission on the official bulletin announcing the examination.

Minimum monthly salary	Fee
Under $100	$1 00
$100 to $199	$2 00
$200 to $299	$3 00
$300 to $399	$5 00
Over $400	$10 00

All examination fees collected by the division shall be deposited in the State treasury to the credit of the "Civil Service fund," which fund is hereby created and out of which fund the division may pay without regard to fiscal years any and all expenses of said division. Upon proper claims filed in accordance with law the State Controller shall draw his warrant against such fund."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 676—An act to amend section 68 of the Agricultural Code, relating to county live stock inspectors.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, immediately before the word "and", insert the words "poultry and rabbits".

AMENDMENT NUMBER TWO.

On page 2, line 7, of the printed bill, after the period, add the following: "He shall attend such meetings as shall be deemed necessary and advisable by the board of supervisors."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 178—An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the word "by", insert the following: "appropriate notation of said department or by".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, after line 6, add the following paragraphs:

"SEC. 5. Whenever a dealer duly registered as such with said department shall acquire any vehicle which, at the time of such acquisition, is registered with said department for the current calendar year and on the certificate of registration for which there is no appropriate notation of tax clearance by said department nor indorsement of such clearance as provided by section 2 of this act, said dealer may file with the assessor of the county within which the transferor of such vehicle

resides, a notice in duplicate in such form as the State Board of Equalization shall prescribe, advising of the date of such acquisition, the name and address of the registered owner on such date, the description of the vehicle and such other information as said board may require. It shall be the duty of the assessor immediately upon receipt of such notice to indorse his acknowledgment of such receipt on one copy thereof and return such copy to the dealer who may present the copy of the notice so indorsed to the Department of Motor Vehicles in place and instead of the tax clearance certificate or certificates required on the reverse side of the registration car under the terms of section 1 of this act, and the same shall be accepted by said department in lieu thereof.

In the event that any such dealer shall fail to give such notice to the assessor within ten days from and after acquisition of any such vehicle, the said dealer must secure the certificate or certificates of tax clearance otherwise required under the terms of this act.

SEC. 6. This act shall take effect from and after noon of the first Monday in March of the year 1934."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 476—An act to amend sections 3804 and 3819 of the Political Code, relating to refund of taxes, penalties and costs illegally collected.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 664—An act to amend section 737v of the Political Code, relating to the salary of the judge of the superior court in and for the county of Mariposa.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 867—An act providing for the regulation, use, storage, and type of State-owned motor vehicles by the Board of Control and the placing of the State seal on each vehicle, relating to the use of publicly owned vehicles and providing a penalty for violation thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

AMENDMENT NUMBER TWO.

On page 2, line 7, of the printed bill, after the word "report", strike out the comma, and also the words "either signed or unsigned,".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 888—An act to amend an act entitled "An act providing for the erection and maintenance of a monument to the memory of Chief Solano, to be erected in Solano County, and making appropriation therefor," approved June 19, 1931, and declaring the urgency of this act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, in line 1 of the title, strike out the word "amend", and insert in lieu thereof the word "repeal".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out all of the lines from 1 to 24, inclusive, and insert in lieu thereof the following: "The act cited in the title hereof is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Concurrent Resolution No 20—Relative to the sale of the annotated edition of the State Constitution.

Senate Concurrent Resolution No. 20 read.

COMMITTEE AMENDMENTS.

During reading of Senate Concurrent Resolution No. 20, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed resolution, strike out the word "fifteen", and insert in lieu thereof the word "twenty".

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed resolution, strike out the word "five", and insert in lieu thereof the word "one".

Amendments adopted.

Senate Concurrent Resolution No. 20 ordered to reprint, and on file for adoption.

Senate Bill No. 82—An act to amend sections 1271 and 1272 of and to add a new section to be numbered 1272.5 to the Agricultural Code, relating to produce dealers.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Chatters:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 12 to 41, inclusive, and insert in lieu thereof the following:

"1272. The money returns, if any, collections, or damages received by said produce dealer from said persons for and on behalf of consignor or consignors of farm products by reason of said overcharges, damages, or deterioration shall forthwith be paid to the consignor of farm products, less charges for collection thereof in accordance with the schedule of charges filed under section 1216. A copy of record and account of sales of farm products together with remittances in full of the amount realized by such sales, less the agreed commission and other charges, shall be delivered to the consignor upon the consummation of the sale together with all moneys received in payment for any consignment of farm products, less the agreed commission and other charges, within ten days after receipt of said moneys by said dealers, unless otherwise agreed in writing. In the account the names and addresses of the purchasers need not be given, except as required in section 1271."

Amendment adopted.

Bill ordered to reprint, and on file for third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and forty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Williamson.

The roll of absentees was called, and Senate Constitutional Amendment No. 30 was refused adoption by the following vote:

AYES—Alter, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Crowley, Dempster, Evans, Fisher, Frazier, Greene, Hallner, Hoffman, Jones, Kallam, Latham, Lyon, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Thorp, West, Wright and Zion—41.

NOES—Anglim, Badham, Boyle, Callahan, Clowdsley, Cobb, Cottrell, Crist, Cronin, Feigenbaum, Field, Gilmore, Grubbs, Hatch, Hornblower, Hunt, King, Knowland, Levey, Maloney, McCarthy, McMurray, Meehan, Miller, James A., Morgan, O'Connor, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Sullivan, Tournoux, Turner, Williamson and Mr. Speaker—36.

EXPLANATION OF VOTE.

April 20, 1933.

I am opposed to Senate Constitutional Amendment No. 30, but I voted "aye" so that the people of California might have an opportunity to decide for themselves.

G. B. BOWERS.

NOTICE OF RECONSIDERATION.

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Constitutional Amendment No. 30 was this day refused adoption.

UNFINISHED BUSINESS—(RESUMED).

MOTION TO RECONSIDER.

Mr. Rawls moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was refused adoption be continued until the next legislative day.

Motion carried.

RECONSIDERATION WAIVED.

Mr. Fisher waived his notice to reconsider the vote whereby Assembly Bill No. 217 was passed.

Assembly Bill No. 217 ordered transmitted to the Senate.

SPECIAL ORDER SET.

On motion of Mr. Dempster, the consideration of Assembly Constitutional Amendment No. 47 was made a special order for Friday, April 21, 1933, at eleven o'clock a.m.

ADJOURNMENT.

At eleven o'clock and fifty minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, April 21, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, April 21, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney,

Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr. Cassidy, Mr. Knowland was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Fisher, Mrs. Loyd R. Miller of Santa Cruz was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Miss Eleanor Miller, Robert T. McFarlane, of Fremont Presbyterian Church, Sacramento, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Brock, Hon. J. J. Prendergast, former Assemblyman from San Bernardino County, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From city council, City of Los Angeles, urging the maintenance of our State Highway Patrol.

Also:

By Mr. Speaker:

From Mr. and Mrs. Gysonn, Mrs. J. Cano, Mrs. S. Solezzi and Joseph P. Matas, urging support of Assembly Constitutional Amendment No 47

Also:

By Mr. Speaker:

From California Library Association, Oakland, urging some permanent solution to the taxpayers' problems.

COMMUNICATION.

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

COUNTY OF LOS ANGELES, BOARD OF SUPERVISORS.

LOS ANGELES, April 6, 1933.

Honorable State Legislature, State of California,
Sacramento, California.

GENTLEMEN: The communication of your secretary submitting a copy of Senate Concurrent Resolution No. 18, expressing the sympathy of the Legislature for injury wrought in southern California by the earthquake, was presented to the board of

supervisors of the county of Los Angeles and I was directed to express to your honorable body the appreciation of the board for the sympathy of the Legislature.

Very truly yours,

MAME B. BEATTY,
Chief Clerk, Board of Supervisors.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 711—An act defining building loans, providing for the recording before beginning of construction of a detailed statement of the actual terms and conditions and true consideration thereof verified upon the oath of the borrower and forbidding the recording of a false statement or procuring the recording thereof, and providing for penalties and consequences of the violation of the terms of this act, and providing for clearing the record of abandoned building loans;

Also: Assembly Bill No. 688—An act to amend section 2322x44 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fourth class;

Also: Assembly Bill No. 691—An act to amend section 19x44 of the Juvenile Court Law, relating to probation officers in counties of the forty-fourth class;

Also: Assembly Bill No 1416—An act to amend sections 5 and 12 and to add section 26 to an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, relating to leasing of State lands and the taking of minerals or petroleum products therefrom;

Also: Assembly Bill No. 1545—An act to amend sections 691, 692, 693, 694, 695, 696, 720, 860, 861, 862, 865, 879, 880, 881, 882 and 972 of the Fish and Game Code, and to repeal sections 719, 903 and 904 thereof, relating to fish and game;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2134—An act adding a new section to the Political Code, to be numbered 4041 33 thereof, relating to the jurisdiction and powers of boards of supervisors;

Also: Assembly Bill No. 2195—An act to amend section 19x16 of the Juvenile Court Law, relating to the probation officer in counties of the sixteenth class;

Also: Assembly Bill No. 2196—An act to amend section 2322x16 of the Political Code, relating to the office of the agricultural commissioner in counties of the sixteenth class;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 290—An act to amend sections 1261, 1263, 1264, 1265, 1267, 1268, 1269, 1270, 1271, 1272 and 1273, and to repeal section 1266 of the Agricultural Code, relating to dealers in farm products, and declaring the urgency thereof;

Also: Assembly Bill No. 1181—An act to amend section 3644 of the Political Code, relating to taxation of boats and vessels;

Also: Assembly Bill No. 2190—An act to amend section 4223 of the Political Code, and to add to Article I, Chapter IX, Title II, Part IV of the Political Code eleven new sections, to be numbered 4223a to 4223k, inclusive, all relating to defining and providing for county hospitals; defining indigent sick, dependent poor, and other persons entitled to admission to and treatment at or by county hospitals or branches or departments or clinics thereof; prescribing conditions for admission to and treatment at or by county hospitals or branches or departments or clinics thereof; providing for the recovery of the reasonable cost of services rendered therein in certain cases, that books, records and accounts be kept for the determination of said and

other costs, that periodic reports be made by the board of supervisors of admissions to and the conduct and operation of the county hospital and any branch or department or clinic thereof, and for the approval thereof by the auditor of the county or city and county; and prescribing the powers and duties of the board of supervisors, the auditor, and the district attorney in relation to the conduct and operation of county hospitals and any branch or department or clinic thereof, and penalties for the violation of this act; and repealing all laws in conflict herewith;
And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2272—An act to amend section 4250 of the Political Code, relating to compensation of officers and employees in counties of the twenty-first class—and reports that the same has been correctly re-re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 543—An act making it unlawful for any person to employ any other person to solicit law practice, prohibiting any person from soliciting such law practice, limiting the use of written statements taken from an injured person, and providing the penalties therefor, also establishing presumptions as to certain settlements, compromises, releases, discharges and satisfactions and limiting contracts with attorneys, and providing a period of limitation on suits to set aside such contracts—and reports that the same has been correctly re-re-re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 30—Relative to hiring of special attorneys—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LYON, Chairman.

Assembly Concurrent Resolution No. 30 ordered on file for adoption.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 54—An act to amend section 2924 of the Civil Code and to add a new section thereto, to be numbered 2924b, all relating to mortgages and deeds of trust;

Also: Assembly Bill No. 59—An act to add a new section to the Civil Code, to be numbered section 2924c, relating to obligations secured by deed of trust or mortgage;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

WEST, Chairman.

The above reported bills ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1019—An act to amend the Political Code by amending subsection 3 of section 690.10 thereof, relating to the removal of certain structures upon the swamp, overflowed, marsh, tide or submerged lands of this State—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MALONEY, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Engrossed Senate Bill No. 65—An act relating to the redemption of property sold to irrigation districts for delinquent assessments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 460—An act to amend sections 54 and 55½ of an act to divide the State of California into fish and game districts, etc.—has had the same under consideration, and respectfully reports the same back, and recommends that same do pass as amended.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1016—An act to amend section 1060 of the Fish and Game Code, to add thereto sections 481.5, 744, 842.5, 846.5, 867, 1063.5, 1064.5, 1065.5, and to repeal sections 714, and 1066 to 1071 inclusive, relating to fish and game;

Also: Assembly Bill No. 853—An act to amend sections 3, 4, 5, 6, 7, 9, 9a, 9b, 9c, 9d, 11, 11a, 12, 12a, 13, 14, 15, 16, 19, 20a and 20b of the "California Real Estate Act," and to add new sections to be numbered 3a, 3b, 3c, 3d, 3e, 12b, 13a and 13b, relating to the Division of Real Estate;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

MESSAGE FROM THE GOVERNOR.

On this day, the following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 19, 1933.

To the Honorable Members of the Assembly of the State of California.

I am attaching hereto for your information a copy of a letter I have received from Mr. Hiram Bingham, president of the National Aeronautic Association at Washington, D. C., recommending that gasoline used for aviation purposes be exempted from taxation of gasoline.

With my compliments and best wishes,

Very sincerely yours,

JAMES ROLPH, JR., Governor of California.

(COPY.)

Hiram Bingham, President.
Amelia Earhart, Vice President.

NATIONAL AERONAUTIC ASSOCIATION,
WASHINGTON, April 10, 1933.

Hon. James Rolph, Jr.,
Governor for the State of California,
Sacramento, California.

YOUR EXCELLENCY: I have the honor to submit to you the following resolution, adopted by the board of governors of the National Aeronautic Association at a recent meeting:

"*Be it resolved by the board of governors of the National Aeronautic Association,* That the president of the association be and hereby is requested to immediately communicate with the Governors of the several States, pointing out that under existing conditions the taxation of gasoline used for aviation purposes is placing an undue burden upon the industry, and requesting the

Governors of the various States which do not exempt gasoline used for aeronautical purposes, to take such executive or legislative action as may be necessary to effect this exemption."

It will be greatly appreciated if you will transmit this resolution to the aviation committee of the Legislature with such recommendations as you may care to make.

With best wishes,

Cordially yours,

(Signed) HIRAM BINGHAM, President.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Badham:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 3369 of the Civil Code, relating to specific and preventive relief.

Referred to Committee on Introduction of Bills.

Also:

By Mr. Badham:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 654a of the Penal Code, prohibiting false advertising and the misleading use of comparative prices.

Referred to Committee on Introduction of Bills.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Alter:

WHEREAS, The State of California is dependent solely upon the Marin Municipal Water District for water for San Quentin Prison; and

WHEREAS, The charge for said water appears to us to be excessive, and the reason appears to us to be that a pay roll of salaried officers and employees is being maintained which is out of all proportion to the volume of business being transacted by this district; and

WHEREAS, It has been called to our attention that this excessive cost of water is interfering with the development of Marin County; now, therefore, be it

Resolved, That the Assembly of the State of California, representing said State as one of the principal users of water from this district, do hereby protest against said inefficiencies and do hereby request the officials of the Marin Municipal Water District to remedy this condition; and be it further

Resolved, That a copy of this resolution be transmitted to the directors of the district.

The question being on the adoption of the resolution.

Resolution adopted.

By Mr. Tournoux:

WHEREAS, our genial and beloved associate, Albert F. Ross, member of the Assembly from the Second Assembly District, has received from His Excellency, The Honorable James Rolph, Jr., Governor of California, a commission of appointment as judge of the superior court of the State of California, in and for the county of Shasta; and

WHEREAS, We sincerely regret the loss to us of the benefit of his presence and participation as a member of the Assembly, but realize and desire appropriately to give expression to our realization of the fact that in the new field of his activities our associate will continue to serve the public in another department of the government of the State; now, therefore, be it

Resolved by the Assembly of the State of California, That we hereby extend our felicitations and sincere best wishes to our associate, Albert F. Ross, in his new work, and to the Governor and to the State for the selection and enlistment of a

man who has in the highest degree all those qualities of training, experience and temperament that eminently befit him to serve in a judicial capacity.

AUSTIN L. TOURNOUX.
P. J. MCMURRAY.
EDGAR C. LEVEY.
ROY J. NIELSEN.
MELVYN I. CRONIN.
KENT H. REDWINE.
C. DON FIELD.
CECIL R. KING.
WM. MOSELEY JONES.
EDWARD CRAIG.
JAMES B. UTT.
MAURICE MEEKER.
JOHN D. MCCARTHY.
JAMES J. MCBRIDE.
HOBART R. ALTER.
GEO. B. BOWERS.
CLARE WOOLWINE.
WALTER H SULLIVAN.
SAM M. GREENE.
H. J. EVANS.
F. C. CLOWDSLEY.
CHARLES W. FISHER.
WILLIAM W. HOFFMAN.
JAMES J. BOYLE.
J. E FRAZIER.
CHARLES W. DEMPSTER.
FORD A. CHATTERS
E. V. LATHAM.
JAMES A. MILLER.
CLIFFORD C. ANGLIM.
WM. B. HORNBLOWER
T. A MALONEY.
WILLIAM F. KNOWLAND.
WILLARD E. BADHAM.
BERT V. CALLAHAN.
JAMES S. O'CONNOR.
RODNEY L. TURNER.
IRA S HATCH.
FRANK G. MARTIN.
FRANK J. ROGERS.
A. E. BROCK.
BRUCE R. STANNARD.
JOHN PHILLIPS.
CHAS. W. GRUBBS.
JOHN T. RAWLS.
SAMUEL E. ROBINSON.
PERCY G. WEST.
J. E. THORP.
EUGENE W. ROLAND.
JAMES M. CASSIDY.
ALBERT H. MORGAN, JR.
JOHN H. O'DONNELL.
CHARLES A. HUNT.
WALTER J. LITTLE.

Resolution unanimously adopted.

By Mr. Robinson, C. Ray:

Resolved by the Assembly of the State of California,

1. That Rule No. 60 of the Standing Rules of the Assembly be amended to read as follows:

60. A motion to withdraw a bill from one committee and re-refer it to another committee may be made during the regular order of business. Such motion shall only be debatable as to the propriety of such reference, and shall be decided by a majority vote of the members present.

A motion to withdraw and strike from the calendar any bill requires a majority vote of all members elected to the Assembly. Such bill shall not be acted upon during the session.

2. That Rule No. 69 of the Standing Rules of the Assembly be amended to read as follows:

69. Committees shall act upon all bills, constitutional amendments and resolutions referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith and the chairman of each committee is charged with the observance of this rule, provided that the Assembly may at any time, by a majority vote of all its members, recall a bill, constitutional amendment or resolution from any committee. The argument on the motion to recall a bill, constitutional amendment or resolution from any committee shall be limited to ten minutes for the proponents of the motion and ten minutes for the opponents of the motion.

3. That Rule No. 79 of the Standing Rules of the Assembly be amended to read as follows:

79. Any Assembly bill, constitutional amendment or resolution amended by the Senate shall be ordered by the Speaker placed upon the unfinished business calendar. No Senate amendment shall be concurred in except by an affirmative recorded vote of a majority of all members elected to the Assembly, nor unless the author of the Assembly bill or some other member of the Assembly in his absence shall fully explain the purport and substance of the Senate amendments. When Senate amendments to such bill are so concurred in it shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence.

Resolution ordered printed in the Journal.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Rawls moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Lyon moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 246 was refused passage be continued until the next legislative day.

Motion carried.

Assembly Bill No. 817—An act to amend section 28 of The General Cemetery Act, relating to the extension of time for the disinterment and removal of bodies from cemeteries.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 817?

AMENDMENT NUMBER ONE.

On page 2, line 22, of the printed bill, after the word "this", add the word "amendatory".

AMENDMENT NUMBER TWO.

On page 2, line 42, of the printed bill, after the word "this", add the word "amendatory".

The roll was called, and Senate amendments to Assembly Bill No. 817 were concurred in by the following vote:

AYES—Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Morgan, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Stannard, Stream, Tournoux, Turner, Woolwine, Wright and Mr. Speaker—51.

NOES—None.

The above reported bill ordered to enrollment.

MOTION TO RECONSIDER.

Mr. Lyon moved that the consideration of his motion to reconsider the vote whereby Senate Constitutional Amendment No. 30 was refused adoption, be continued until the next legislative day.

Motion carried.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1692—An act to amend sections _____ of an act entitled "An act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 3866 and 3871 and to repeal section 3876 of the Political Code, relating to expenses of county treasurer in settling accounts with the Controller."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 3866 of the Political Code is hereby amended to read as follows:

3866. The treasurers of all of the counties and cities and counties of this State must, between the fifteenth and thirtieth days of December and May of each year, settle in full with the Controller of State and pay over to the Treasurer of State all funds belonging to the State which have come into their hands as county treasurers before the close of business on and including the last day of the month prior to the month of settlement. If, in the opinion of the Controller of State, it appears from the report of the county auditor that sufficient taxes or other revenues have not been collected to make it for the interest of the State that a settlement should be made, the Controller shall defer the settlement until the next regular settlement. No mileage, fees or commissions shall be allowed any officer for any deferred settlement; provided, that in case any settlement is so deferred, the county auditor in his next report to the Controller of State shall include therein all moneys required to be reported since the date of his last report upon which a settlement was made.

SEC. 2. Section 3871 of the Political Code is hereby amended to read as follows:

3871. In the settlement, the Controller must deduct the State's portion of the repayments made under section 3824, the State's portion of all amounts refunded under section 3804, and any other amounts due the county, or city and county.

SEC. 3. Section 3876 of the Political Code is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1691—An act to amend sections _____ of an act entitled "An act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend section 10 of an act entitled "An act to authorize and control the deposits in banks of moneys belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1933, relating to the deposit of money belonging to or in the custody of the State."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 10 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 10. All moneys belonging to or in the custody of the State under the control of any officer or employee of the State, other than the State Treasurer, may be deposited as active deposits in such State or national bank or banks in this State and under such conditions as the State Director of Finance may fix; provided, this section shall not be construed to repeal or amend any provision of law *now requiring officers or employees to make daily, weekly or monthly settlements.* Any bank receiving deposit under the provisions of this section shall be required to deposit with the State Treasurer such security as is hereinbefore provided in the case of active depositaries."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1555—An act to amend section 237 of the Political Code, relating to officers and employees of the Senate and Assembly.

Bill read second time. ordered to engrossment, and third reading.

Assembly Bill No. 1556—An act to amend section 253 of the Political Code, relating to the duties of Secretary of the Senate and Chief Clerk of the Assembly.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1557—An act to amend section 245 of the Political Code, relating to officers, employees and attaches of the Senate.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1558—An act to amend section 246 of the Political Code, relating to officers, employees and attaches of the Assembly.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1554—An act to repeal section 269 of the Political Code, relating to compensation of officers and employees of the Legislature.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2230—An act to amend section 799 of the Fish and Game Code, relating to abalones.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 7—An act to amend sections 41, 43, 45, 46 and 47 of the California Irrigation District Act, relating to delinquent assessment penalties and redemptions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 291—An act to amend section 4143 of the Political Code, relating to the duties of county coroners and to the employment by such coroners of clerks and stenographers and providing for their compensation.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 58—An act to amend section 337 of the Code of Civil Procedure, relating to the time within which actions upon any contract, obligation or liability founded upon an instrument in writing may be commenced.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 155—An act relating to the use and furnishing of stamps, coupons, tickets, can covers, bottle caps or other similar devices, for or with the sale of goods, wares or merchandise and the giving of gifts, premiums or bonuses in connection with or as part of the sale of goods, wares or merchandise and providing a penalty for violation thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 442—An act to amend section 726 of the Code of Civil Procedure, relating to foreclosure of mortgages.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1381—An act to add section 2924½ to the Civil Code, relating to mortgages and deeds of trust and to declare the urgency thereof and that this act shall go into immediate effect.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1382—An act to add a new section to the Code of Civil Procedure to be numbered section 580a, relating to deficiency judgments after exercise of the powers of sale under a mortgage or deed of trust.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1383—An act to add two new sections to the Code of Civil Procedure to be numbered sections 725 and 725a, relating to mortgages and deeds of trust.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1417—An act to amend section 1161 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1501—An act to amend section 956 of the Code of Civil Procedure, relating to what may be reviewed on appeal from judgment.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2078—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2084—An act to add a new section to the Probate Code to be numbered 718.6, relating to the acceptance of a deed conveying property which is subject to a mortgage or deed of trust in lieu of foreclosure of the mortgage or sale under the deed of trust.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2210—An act to amend sections 1333 and 1567 of the Penal Code, relating to production of prisoners in court.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1483—An act to add a new section to the Political Code to be numbered 3444, relating to the administration of ungranted tide and submerged lands, beds of navigable channels, streams, rivers, creeks, lakes, bays and inlets, of the State of California, by the Division of State Lands, and empowering and authorizing the Director of Finance, through the Division of State Lands, to eject trespassers from such lands by appropriate action in the courts of this State.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 694—An act to amend the Fish and Game Code by amending the heading of Article 2, Chapter 4, Part 2, Division IV, by amending sections 736 and 738, by adding sections 844.5 and 866 thereto, and by repealing section 929 thereof, relating to fish and game.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, after "amend", insert the following: "sections 736 and 738 of".

AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill, as amended, strike out "by amending the", and all of lines 2 to 6, inclusive, and in line 7, strike out "929 thereof".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended, strike out lines 10 to 23, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 216—An act to add a new section to the Fish and Game Code, to be numbered 282, relating to the speed of motor vehicles in Fish and Game District 1G.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 and 4, and insert in lieu thereof the following:

"282. In those areas in which deer abound, it is unlawful between sunset and sunrise to operate a motor vehicle upon a highway at a speed in excess of twenty-five miles per hour. Any area contiguous to a game refuge where deer abound and where deer travel upon or cross over or are likely so to do, any public highway shall be considered an area where deer abound for the purpose of this act."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1434—An act to amend section 61a of the California Irrigation District Act, relating to warrants of irrigation districts; providing for certain extensions of time for the payment of warrants; authorizing agreements for the payment of warrants or any portion thereof from time to time or at a fixed time; authorizing the allocation of specified funds or any amount thereof for the payment of warrants and validating and legalizing all warrants heretofore issued and outstanding.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee

AMENDMENT NUMBER ONE.

On page 1, line 7, of the title of the printed bill, after the word "warrants", insert a period.

AMENDMENT NUMBER TWO.

On page 1, lines 7, 8 and 9 of the title of the printed bill, strike out the following: "and validating and legalizing all warrants heretofore issued and outstanding."

AMENDMENT NUMBER THREE.

Beginning on page 2 of the printed bill, strike out all of line 28, and all the remainder of the bill, and insert in lieu thereof the following: "No action or proceeding shall be maintained to enforce the payment of any such warrant or to require the levy of assessment therefor unless such action or proceeding be commenced within four years from the date of the original presentation of such warrant to the treasurer for payment; provided, however, that the board of directors is hereby authorized, subject to the consent of the California Districts Securities Commission to enter into agreement, either individually or collectively, with the holder or holders of any such warrant or warrants, fixing the time and method of, provision for and allocation of funds for the payment thereof and may by such agreement, waive, as therein set out, or otherwise waive, the time of commencing any action or proceeding thereon."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1036—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribu-

tion and sale of water by said district," approved June 10, 1913, as amended, by amending sections numbered 3, 4, 5, 9, 10, 12, 15 and 26, and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: sections 3a and 3b, relating to voting in county water districts; section 22a, relating to levy of special assessments in county water districts; section 22b, relating to special rates of assessment in certain cases; section 22c, relating to assessing and collecting the cost of works in the manner provided in the "Improvement Act of 1911"; sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, relating to the optional levy and collection of taxes by county water districts through the district's own officers rather than with county taxes; section 52, relating to the raising and payment by a county water district of assessments levied by an irrigation district within which is included a part of the lands within such county water district; section 53, relating to use of district assessment roll and duties of district officers in connection with voting, and otherwise, and section 54, relating to short title of this act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 8, line 13, of the printed bill, as amended, strike out the word "with", and insert in lieu thereof the word "until".

AMENDMENT NUMBER TWO.

On page 11, line 33, of the printed bill, as amended, strike out the words "to be published in the proclamation"; also strike out lines 34 to 36, inclusive; also, in line 37, strike out the words "municipal water district is located", and insert in lieu of the foregoing the following: "to be published in a proclamation calling an election at least once a week for two successive weeks next before the day of the election, in some newspaper of general circulation published in the county water district and designated by the board of directors of the county water district. In case there is no newspaper of general circulation published in the district, such board of directors may designate any newspaper of general circulation published in the county."

AMENDMENT NUMBER THREE.

On page 16, line 1, of the printed bill, as amended, insert between the words "provided" and "that", the following: "that if any section, subsection, sentence, clause or phrase of said act of May 5, 1917, is for any reason held to be unconstitutional, such decision shall not affect the validity of the adoption by reference herein of the remaining portions of said act of May 5, 1917, and the Legislature hereby declares that it would have referred to and incorporated by reference in this act the provisions of said act of May 5, 1917, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases of said act of May 5, 1917, be declared unconstitutional; and provided further,".

AMENDMENT NUMBER FOUR.

On page 18, line 51, of the printed bill, as amended, before the word "such", insert a colon.

AMENDMENT NUMBER FIVE.

On page 16, line 40, of the printed bill, as amended, strike out the syllable "Con-"; also strike out lines 41 to 46, inclusive, and insert in lieu thereof the following: "The board of directors of the district may, but shall not be required to, cause to be performed or carried out construction or other work by contract or by the district, under its own superintendence in any manner authorized as to irrigation districts in section 53 of the California Irrigation District Act, as now existing or as hereafter amended."

AMENDMENT NUMBER SIX.

On page 18, line 51, of the printed bill, as amended, before the word "such", insert a colon.

AMENDMENT NUMBER SEVEN.

On page 21, line 52, of the printed bill, as amended, strike out the comma, and insert in lieu thereof a period; also strike out the words "nor shall such inclusion be made"; on page 22, strike out lines 1, 2 and 3; also in line 4, strike out the words "inclusion be made."

AMENDMENT NUMBER EIGHT.

On page 8 of the printed bill, as amended, strike out lines 1 to 5, inclusive; also, in line 6, strike out the words "water district."

AMENDMENT NUMBER NINE.

On page 8, line 6, of the printed bill, as amended, strike out the words "elected or appointed".

AMENDMENT NUMBER TEN.

On page 8, line 7, of the printed bill, as amended, strike out the words "or appointment and"; in line 8, strike out the word "qualification".

AMENDMENT NUMBER ELEVEN.

On page 8, line 17, of the printed bill, as amended, strike out the words "The term of office"; strike out lines 18 to 21, inclusive.

AMENDMENT NUMBER TWELVE.

On page 8, line 22, of the printed bill, as amended, strike out the words "who are"; in line 23, strike out the word "elected".

AMENDMENT NUMBER THIRTEEN.

On page 8 of the printed bill, as amended, strike out lines 36 to 39, inclusive.

AMENDMENT NUMBER FOURTEEN.

On page 1 of the printed bill, as amended, the title of said act is hereby amended to read as follows:

"An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by amending sections numbered 4, 5, 9, 10, 12, and 26, and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: Section 22a, relating to levy of special assessments, in county water districts; section 22b, relating to special rates of assessment in certain cases; section 22c, relating to assessing and collecting the cost of works in the manner provided in the "Improvement Act of 1911"; sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, relating to the optional levy and collection of taxes by county water districts through the district's own officers rather than with county taxes; section 52, relating to the raising and payment by a county water district of assessments levied by an irrigation district within which is included a part of the lands within such county water district; and section 54, relating to short title of this act."

AMENDMENT NUMBER FIFTEEN.

Strike out section 1 of said printed bill, as amended.

AMENDMENT NUMBER SIXTEEN.

Strike out section 2 of said printed bill, as amended.

AMENDMENT NUMBER SEVENTEEN.

Strike out section 3 of said printed bill, as amended.

AMENDMENT NUMBER EIGHTEEN.

Strike out section 9 of said printed bill, as amended.

AMENDMENT NUMBER NINETEEN.

Strike out section 36 of said printed bill, as amended.

AMENDMENT NUMBER TWENTY.

Renumber the remaining sections of said printed bill, as amended, as follows, to wit: Renumber section 4 as section 1; renumber section 5 as section 2; renumber section 6 as section 3; renumber section 7 as section 4; renumber section 8 as section 5; renumber section 10 as section 6; renumber section 10a as section 7; renumber section 10b as section 8; renumber section 11 as section 9; renumber section 12 as section 10; renumber section 13 as section 11; renumber section 14 as section 12; renumber section 15 as section 13; renumber section 16 as section 14; renumber section 17 as section 15; renumber section 18 as section 16; renumber section 19 as section 17; renumber section 20 as section 18; renumber section 21 as section 19; renumber section 22 as section 20; renumber section 23 as section 21; renumber section 24 as section 22; renumber section 25 as section 23; renumber section 26 as section 24; renumber section 27 as section 25; renumber section 28

as section 26; renumber section 29 as section 27; renumber section 30 as section 28; renumber section 31 as section 29; renumber section 32 as section 30; renumber section 33 as section 31; renumber section 34 as section 32; renumber section 35 as section 33; renumber section 37 as section 34."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1035—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district," approved June 21, 1923, as amended, by amending sections numbered 8a, 23 and 28o thereof, relating to irrigation district bonds.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, and insert in lieu thereof the following:

"An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as "Palo Verde Irrigation District," for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint

Levee District of Riverside and Imperial Counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district." approved June 21, 1923, as amended, by amending sections numbered 8a, 23 and 28o, thereof."

AMENDMENT NUMBER TWO.

On page 3, line 25, of the printed bill, strike out the word "Election", and insert in lieu thereof the word "Elections".

AMENDMENT NUMBER THREE.

On page 3, line 25, of the printed bill, strike out the word "Par.", and insert in lieu thereof the words "Par and on Approval of Plan for Payment or Compromise."

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, between lines 35 and 36, insert the following paragraph:

"If said irrigation district shall be in default in payment of any money due by reason of its bonds, warrants, or other evidences of indebtedness, and if a plan of compromise, payment or satisfaction or funding or refunding any bonds, warrants or other evidences of indebtedness of said district shall have been approved by the board of trustees of said district, the board may call a special election to submit such plan to the qualified voters of the district. Such election shall be held, and notice shall be given in the same manner provided herein in the case of special elections to authorize the issuance of bonds; or the board may submit the plan to the voters at any election held by said district, but in such event the notice of election shall specify that such proposed plan shall be submitted at such election, and state that copies of such plan and of any agreements related thereto are available to voters at the office of the district; at the election, the proposal shall be stated in substantially the following form: "Shall the board of trustees of the Palo Verde Irrigation District be authorized to carry into effect that plan heretofore approved by said board for the compromise, payment, satisfaction, or funding or refunding of bonds, warrants or other evidences of indebtedness of said district" followed by the words "Yes" or "No." If at least two-thirds of the legal votes cast at such election are "Yes," then the board of trustees shall be authorized and empowered to carry into effect said plan and to enter into and execute any and all contracts or agreements provided for in such plan so submitted, and shall be authorized and empowered to make and execute any deeds, conveyances, leases, options, mortgages, trust deeds and contracts of sale of any or all property, real, personal or mixed, owned by or thereafter acquired by said district, provided for in such plan so submitted. If less than two-thirds of the legal votes cast shall be "Yes," the result shall be recorded, and the plan shall not be effective."

AMENDMENT NUMBER FIVE.

On page 5 of the printed bill, strike out all of lines 20 to 39, both inclusive, and insert in lieu thereof the following:

"When any plan for compromise, payment or satisfaction or funding or refunding of any bonds, warrants or other evidences of indebtedness of said district shall have been approved at an election as provided in section 23 of this act, and such plan shall provide therefor, property deeded to the district for delinquent taxes may be leased for a term not exceeding ten years and the district as a part of such lease, or otherwise, may give options to purchase such property. The rentals under any lease, and the purchase price in any such option agreement or in any contract of sale, may be made payable in bonds and/or coupons of the Palo Verde drainage district, Palo Verde irrigation district, Palo Verde joint levee district of Riverside and Imperial counties, California, and/or bonds and coupons heretofore issued by Palo Verde Mutual Water Company. If any sentence, clause or phrase of this sec-

tion is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this section."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 502—An act to amend section 4242 of the Political Code, relating to the compensation of county and township officers in counties of the thirteenth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"4242. In counties of the thirteenth class, the county and township officers shall receive as full compensation for the services required of them by law or by virtue of their office, the following salaries:

1. Clerk. The county clerk, four thousand three hundred seventy-five dollars ($4,375) per annum; provided, that in counties of this class, there shall be, and there is hereby allowed to the county clerk, the following clerks, deputies, and employees, who shall be appointed by the county clerk, and shall be paid salaries as follows: one chief deputy at a salary of one hundred ninety-six and 87/100 dollars ($196.87) per month; two court room deputies at a salary of one hundred seventy-five dollars ($175) each per month; one office deputy at a salary of one hundred fifty-three and 12/100 dollars ($153.12) per month; two office deputies at a salary of one hundred thirty-one and 25/100 dollars ($131.25) each per month; one office deputy at a salary of one hundred twenty dollars ($120) per month; provided, however, that said deputyship shall be eliminated on and after the first day of January, 1935; and one office stenographer, at a salary of one hundred twenty-two and 50/100 dollars ($122.50) per month; provided, further, that in any year when a general election is to be held, or the compilation of a registration of voters is required by law, or supplements to be made thereto, the county clerk shall receive as expenses for compiling such registration of voters, and making supplements thereto, and work incidental to election, the sum of seven and one-half cents (7½¢) for each name registered or appearing on the great register for each general election, to be paid upon filing and presentation of duly verified claims therefor, by the county clerk, with the board of supervisors of said county, and provided, further, that in any year when a registration of voters is required by law, or supplements to be made thereto, the said county clerk may appoint such number of registration deputies as may be necessary for the registration of voters in their respective precincts, each of said deputies to receive the sum of ten cents (10¢) per name for each elector registered by him; said registration deputies to be paid for their services on the presentation and filing with the board of supervisors of said county a duly verified claim therefor, on the general fund of said county; after proper allowance of said claim by said board of supervisors; the salary of the deputies, clerks, and employees herein provided for, shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the county clerk is paid; provided, further, that the compensation for registration of electors, and compilation of the registration of voters, and supplements thereto, as herein provided for, shall not be paid in monthly installments, but shall be paid after proper allowance of verified claims therefor by the board of supervisors of said county.

2. Sheriff. The sheriff five thousand dollars ($5,000) per annum. All mileage for service of papers in civil actions, arising either inside or outside the county, excepting actions in which the county is interested. All fees for service of papers in civil actions. All expenses incurred in criminal cases, and mileage in criminal cases for each mile actually and necessarily traveled by automobile, six and one-half cents (6½¢) per mile; provided, that in counties of this class there shall be and there is hereby allowed to the sheriff the following deputies, clerks, and employees, who shall be appointed by the sheriff, and shall be paid salaries as follows: one undersheriff, at a salary of two hundred eighteen and 75/100 dollars ($218.75) per month; one deputy sheriff at a salary of one hundred ninety-six and 87/100 dollars ($196.87) per month; two deputy sheriffs at a salary of one hundred seventy-five dollars ($175) per month each; one deputy sheriff to act in criminal cases at a salary of one hundred seventy-five dollars ($175) per month; one deputy sheriff to act as a day jailer, at a salary of one hundred fifty-three and 12/100 dollars ($153.12) per month; one deputy sheriff to act

as night jailer, at a salary of one hundred fifty-three and 12/100 dollars ($153.12) per month; two deputy sheriffs to act as bailiffs at a salary of one hundred sixty-one and 88/100 dollars ($161.88) per month each; two deputy sheriffs at a salary of one hundred forty dollars ($140) per month each; one stenographer to the sheriff at a salary of one hundred thirty-one and 25/100 dollars ($131.25) per month, one stenographer to the sheriff at a salary of one hundred twenty-two and 50/100 dollars ($122.50) per month; one stenographer to the sheriff at a salary of one hundred nine and 38/100 dollars ($109.38) per month; one clerk for identification bureau, at a salary of seventy-five dollars ($75) per month; provided, however, that said clerk for the identification bureau shall be eliminated on and after January 1, 1935; one jail matron, at a salary of ninety dollars ($90) per month. Provided, further, that the sheriff may employ from one to five persons to act as deputy sheriffs at a salary of four and 50/100 dollars ($4.50) per day, each, when, in the judgment of the sheriff, such deputies are necessary; provided, however, that the total amount of the compensation for such additional deputies to be paid per diem, shall not in any fiscal year exceed the total sum of one thousand three hundred twelve and 50/100 dollars ($1,312 50); provided, further, that the compensation of said last-mentioned deputies shall be paid upon presentation of duly verified claims filed with the board of supervisors of said county in the same manner that other claims are filed and paid. The salaries of the deputies, clerks, and employees herein provided for shall be paid by the county in monthly installments, at the same time, and in the same manner, and out of the same fund as the salary of the sheriff is paid.

3. Recorder. The recorder, three thousand five hundred dollars ($3,500) per annum; provided, that in counties of this class there shall be and there is hereby allowed to the recorder the following deputies, clerks, and employees who shall be appointed by the county recorder and shall be paid salaries as follows: one chief deputy at a salary of one hundred ninety-six and 87/100 dollars ($196.87) per month; one deputy at a salary of one hundred fifty-three and 12/100 dollars ($153.12) per month; two index clerks at a salary of one hundred eighteen and 12/100 dollars ($118.12) per month each; two copyists at a salary of one hundred eighteen and 18/100 dollars ($118.12) per month each; two copyists at a salary of one hundred eighteen and 12/100 dollars ($118 12) per month each; provided, however, that on and after January 1, 1935, said latter two copyists shall work one-half time, and such copyists as the county recorder shall appoint at a salary of three and 50/100 dollars ($3.50) per day each. Provided, however, that the total salaries on a per diem basis paid to said last named copyists shall not exceed the sum of three thousand dollars ($3,000) per annum, and such last named copyists employed on a per diem basis shall be paid for their services on the presentation and filing with the board of supervisors of said county their duly verified claims therefor from the same fund as the salary of the county recorder is paid The salaries of the other deputies, clerks, and employees herein provided for shall be paid by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the county recorder is paid.

4. Auditor. The auditor, three thousand five hundred dollars ($3,500) per annum; provided, that in counties of this class there shall be and there is hereby allowed to the auditor the following deputies, clerks, and employees who shall be appointed by the county auditor and who shall be paid salaries as follows: one deputy auditor at a salary of two hundred forty and 62/100 dollars ($240.62) per month; one deputy auditor at a salary of one hundred ninety-six and 87/100 dollars ($196.87) per month, two clerks at a salary of one hundred eighteen and 13/100 dollars ($118.13) per month each; one clerk at a salary of one hundred nine and 37/100 dollars ($109.37) per month; one clerk at a salary of one hundred dollars ($100) per month; provided, further, that said auditor is hereby allowed such clerks and employees as he may deem necessary and appoint them at a salary of five dollars ($5) per day each, and such additional clerks and employees at a salary of four dollars ($4) per day each, and such additional clerks and employees at a salary of three dollars ($3) per day each; provided, however, that the total amount of salaries and compensation paid to such clerks and employees on a per diem basis shall not exceed the total sum of one thousand three hundred twelve and 50/100 dollars ($1,312.50) per annum; provided, further, that such clerks and employees employed on a per diem basis shall be paid for their service out of the same fund as the auditor is paid upon filing with the board of supervisors of said county their duly verified claims for the sums due them. The salaries of the deputies and employees hereinabove provided for shall be paid by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the auditor is paid; provided, further, that should contemplated legislation be passed requiring the payment and collection of county taxes in four installments instead of two, or provided that the State Board of Equalization shall require an equalization of the taxes of this county with other counties in the State, then the auditor shall be allowed such additional clerks and employees as he may deem necessary and appoint the same at at a salary of five dollars ($5) per day; and such additional clerks and employees at a salary of four dollars ($4) per day each,

and such additional clerks and employees at a salary of three dollars ($3) per day each; provided, however, that the total amount of the salaries and compensation paid to such clerks and employees on a per diem basis shall not exceed the total sum of an additional one thousand dollars ($1,000) per annum; provided, further, that such clerks and employees just referred to shall be paid for their services out of the same fund as the auditor is paid upon their filing with the board of supervisors of said county their duly verified claims for the sums due them.

5. Treasurer. The treasurer, three thousand five hundred dollars ($3,500) per annum; provided, that in counties of this class there shall be and there is hereby allowed to the treasurer one deputy treasurer who shall be appointed by the treasurer and who shall receive a salary of one hundred seventy-five dollars ($175) per month, said salary to be paid in monthly installments at the same time and in the same manner and out of the same fund as the salary of the treasurer is paid; provided, further, that the said treasurer is hereby allowed such additional clerks and employees as he may deem necessary to appoint at a salary of four dollars ($4) per day each; provided, however, that the total amount of salary and compensation paid to such clerks and employees on a per diem basis shall not exceed the total of six hundred dollars ($600) per annum; and provided, further, that such clerks and employees shall be paid for their services out of the same fund as the salary of the treasurer is paid upon filing with the board of supervisors of said county their duly verified claims for the sums due them; provided, however, that the bond of the treasurer and his deputy shall be executed with a reliable bonding and surety company, and that the premiums on said bonds and the same having been duly approved, shall be a charge against the county and payable out of the general fund upon the presentation and filing of duly verified claims therefor with the board of supervisors; provided, further, that the sums allowed herein to the treasurer shall be in full compensation for all work and labor done by the treasurer in his capacity as such and all fees otherwise allowed him by statute shall be paid by him into the county treasury and shall not be retained by him for his own use and benefit.

6. Tax Collector. The tax collector, three thousand five hundred dollars ($3,500) per annum; provided, that in counties of this class there shall be and there hereby is allowed to the tax collector the following clerks, deputies, and employees who shall be appointed by the tax collector and shall be paid salaries as follows: One deputy tax collector at a salary of one hundred ninety-six and 87/100 dollars ($196.87) per month. One deputy tax collector at a salary of one hundred fifty-three and 12/100 dollars ($153.12) per annum per month; one clerk at a salary of one hundred thirty-one and 25/100 dollars ($131.25) per month; one clerk at a salary of one hundred eighteen and 12/100 dollars ($118.12) per month; one stenographer at a salary of one hundred nine and 38/100 dollars ($109.38) per month, and such copyists as the tax collector may appoint at a salary of three and 50/100 dollars ($3.50) per day each, and such clerks as the tax collector may appoint at a salary of four dollars per day each; provided, however, that the total amount of salary and compensation paid to such copyists and clerks shall not exceed the sum of three thousand five hundred dollars ($3,500) per annum, and such copyists and clerks shall be paid for their services on presenting and filing with the board of supervisors of said county their duly verified claims therefor. The salaries of the deputies, clerks, and employees herein provided for shall be paid by said county in monthly installments at the same time, in the same manner, and out of the same fund as the salary of the tax collector is paid, provided, however, that the compensation of such copyists and clerks shall be paid upon the presenting and filing of the claims with the board of supervisors as hereinabove provided. It is also provided that in the event the Legislature requires the collection of taxes in four installments instead of two per annum, then the said tax collector is allowed such clerks and assistants as he may deem necessary at a salary of four dollars ($4) per day, provided, however, that the total amount of salary and compensation paid to such clerks, and assistants shall not exceed the additional sum of one thousand five hundred dollars ($1,500) per annum; provided, however, that the compensation of such additional clerks and assistants be paid on presenting and filing of claims for such services with the board of supervisors as hereinbefore provided.

7. District Attorney. The district attorney, five thousand dollars ($5,000) per annum; provided, however, that in the event the Legislature passes an act adding a new section to the Code of Civil Procedure prohibiting private practice of law by district attorneys, that the salary of the district attorney shall be and the same hereby is fixed at six thousand dollars ($6,000) per annum; provided, however, that in counties of this class there shall be and there hereby is allowed to the district attorney the following clerks, deputies, and employees who shall be appointed by the district attorney, who shall hold office at the pleasure of the district attorney, and shall be paid salaries as follows: One chief deputy district attorney at a salary of two hundred sixty-two and 50/100 dollars ($262.50) per month; two deputy district attorneys at a salary of one hundred ninety-six and 87/100 dollars ($196.87) per month each; one detective who shall assist the district attorney in

the detection of crime and prosecution of criminal cases, whose salary is hereby fixed at the sum of two hundred eighteen and 75/100 dollars ($218.75) per month; and one stenographer to the district attorney at a salary of one hundred twenty-six and 87/100 dollars ($126 87) per month, whose duty it shall be to do general stenographic work for the district attorney and qualify as a stenographer to the district attorney to report all statements of witnesses and defendants requested by the district attorney at no further compensation than herein designated, said stenographer to transcribe into longhand for the same compensation all of said reports upon the request of the district attorney; three stenographers to the district attorney at a salary of one hundred nine and 38/100 dollars ($109.38) per month each. The salaries of the deputies, clerks, and employees as herein provided shall be paid by the said county in monthly installments at the same time, in the same manner, and out of the same fund as the salary of the district attorney is paid. The district attorney and his deputies shall be allowed six and one-half cents (6½¢) per mile, without any constructive mileage for his expenses of traveling necessarily done by automobile, and his actual traveling expenses when he travels by rail.

8. Superintendent of Schools. The superintendent of schools, four thousand three hundred seventy-five dollars ($4,375) per annum; provided, that in counties of this class there shall be and there hereby is allowed to the superintendent of schools the following deputies, clerks, and employees who shall be appointed by the superintendent of schools and who shall be paid salaries as follows: One deputy superintendent of schools who shall be paid a salary of one hundred seventy-five dollars ($175) per month; one field deputy superintendent of schools to assist the superintendent in the discharge of his duty in visiting and examining schools as provided by law and it shall be the duty of said field deputy superintendent to make written report of his examination to be transmitted by the superintendent of schools to each trustee of all districts so examined, which said field deputy shall receive a salary of two hundred sixty-two and 50/100 dollars ($262 50) per month; one deputy superintendent of schools who shall receive a salary of one hundred fifty-three and 12/100 dollars ($153.12) per month, and one deputy superintendent of schools who shall receive a salary of one hundred dollars ($100) per month. The salaries of the deputies provided for shall be paid by said county in monthly installments at the same time, in the same manner, and out of the same fund as the salary of the superintendent of schools is paid. The superintendent of schools and his deputies shall be allowed six and one-half cents (6½¢) per mile, without any constructive mileage for his expenses of traveling necessarily done by automobile, and his actual traveling expenses when he travels by rail.

9. Assessor. The assessor, five thousand dollars ($5,000) per annum; provided, that in counties of this class there shall be and there hereby is allowed to the assessor the following deputies, clerks, and employees who shall be appointed by the assessor and shall be paid salaries as follows: One deputy assessor at a salary of two hundred eighteen and 75/100 dollars ($218.75) per month; one improvement valuation deputy assessor at a salary of one hundred ninety-six and 87/100 dollars ($196.87) per month; one deputy assessor at a salary of one hundred fifty-seven and 50/100 dollars ($157.50) per month; one transfer deputy assessor at a salary of one hundred thirty-one and 25/100 dollars ($131.25) per month; four field deputy assessors to hold office not to exceed five months each in any one year, at a salary of one hundred forty-four and 37/100 dollars ($144.37) per month; one stenographer at a salary of one hundred nine and 38/100 dollars ($109.38) per month and such additional deputy assessors at a salary of ten dollars ($10) per day each, and such additional deputy assessors at a salary of six dollars ($6) per day each, and such additional clerks at a salary of four dollars ($4) per day each, and such additional coypists at a salary of three and 50/100 dollars ($3.50) per day each, and such additional copyists at a salary of three and no/100 dollars ($3) per day each as the assessor may appoint; provided, however, that the total compensation of said additional deputy assessors, clerks, and copyists shall not exceed the sum of eight thousand four hundred dollars ($8,400) per annum. The salaries of the deputies, clerks, and employees shall be paid for their services in monthly installments at the same time, in the same manner, and out of the same fund as the salary of the assessor is paid; provided, however, that the compensation of said additional deputy assessors, clerks, and copyists shall be paid out of the same fund as the salary of the assessor is paid upon the presentation and filing of verified claims with the board of supervisors as hereinbefore provided; provided, however, that in counties of this class the assessor shall receive no compensation or commission for collection of personal property taxes; nor shall such assessor receive any compensation or commission for making out the military roll of persons returned by him as subject to military duty as provided by section 1901 of the Political Code; provided, further, that in counties of this class the assessor is hereby authorized to contract with an abstract and title company for copies of transcript of recorded instruments affecting titles at a compensation of forty dollars ($40) per annum.

10. Coroner. The coroner, such fees as are now and may hereafter be allowed by law; provided, however, that in counties of this class the coroner shall be allowed for

general services in holding an inquest the sum of ten dollars ($10), and there shall be and there is hereby allowed to the coroner one stenographer, whose duty it shall be to act as reporter and take down in shorthand and transcribe into longhand the testimony of the witnesses at all inquests. Said stenographer to the coroner shall be appointed by the coroner and be paid a salary of one hundred nine and 38/100 dollars ($109.38) per month, which salary shall be paid by said county in monthly installments at the same time, in the same manner, and out of the same fund as the salary of the county officers is paid. All subpenas or processes issued by said coroner may be served by any peace officer and fees for such services shall be paid as provided by law. The coroner shall be allowed six and one-half cents (6½¢) per mile, without any constructive mileage for his expenses of traveling necessarily done by automobile, and his actual traveling expenses when he travels by rail.

11. Public Administrator. The public administrator, such fees as are now or may hereafter be allowed by law.

12. Surveyor. The surveyor, five thousand dollars ($5,000) per annum; provided, that in counties of this class there shall be and there is hereby allowed to the surveyor the following deputies and employees who shall be appointed by the surveyor and hold office at his pleasure, to wit: one deputy surveyor at a salary of two hundred sixty-two and 50/100 dollars ($262 50) per month; one deputy surveyor at a salary of two hundred eighteen and 75/100 dollars ($218.75) per month; one stenographer at a salary of one hundred nine and 38/100 dollars ($109 38) per month. The salaries of the deputies and the stenographer herein provided for shall be paid by the said county at the same time, in the same manner, and out of the same fund as the salary of the surveyor is paid. In addition to the deputies and the stenographer herein provided for, the surveyor shall be allowed the following engineers and employees: three engineers at a salary of seven and 50/100 dollars ($7.50) per day each; one instrument man at a salary of six and 50/100 dollars ($6.50) per day each; two draftsmen at a salary of six and 50/100 dollars ($6 50) per day each; four chainmen at a salary of four and 50/100 dollars ($4.50) per day each; provided, however, that the total compensation for said engineers and employees shall not exceed the sum of fourteen thousand four hundred dollars ($14,400) per annum; and provided, further, that the compensation of said engineers and employees shall be paid by the county on the presentation and filing of claims therefor with the board of supervisors as hereinbefore provided, said payment to be made from the same fund as the salary of the surveyor is paid. The surveyor and his deputies shall be allowed six and one-half cents (6½¢) per mile, without any constructive mileage for his expenses of traveling necessarily done by automobile, and his actual traveling expenses when he travels by rail.

13. Classification of Townships. The population of the several judicial townships for the purpose of fixing the compensation of township officers shall be ascertained and declared by the board of supervisors in the month of July, 1934, and in the month of July every four years thereafter, as follows: Said board shall by order at a regular meeting determine the population of each township to be three (3) times the registration of legal voters on file July 1st of said year in each township, and every four years thereafter succeeding, and it shall declare this sum to be the population of each township. Said townships shall further be classified as follows:

Class 1. Townships having a population of more than twenty thousand;

Class 2. Townships having a population of from ten thousand one to twenty thousand;

Class 3. Townships having a population of from seven thousand one to ten thousand;

Class 4. Townships having a population of from four thousand one to seven thousand;

Class 5. Townships having a population of from two thousand one to four thousand;

Class 6. Townships having a population of from one thousand one to two thousand;

Class 7 Townships having a population of less than one thousand.

14. Justices of the Peace. Justices of the peace shall receive the following monthly salaries, to be paid each month as the salaries of county officers are paid, which shall be in full for all services rendered by them in criminal cases, and shall receive the following compensation per month, according to the classification hereinabove designated:

(1) In townships of the first class, the sum of three hundred six and 25/100 dollars ($306.25) per month for wages, and the further sum of sixty-one and 25/100 dollars ($61.25) per month for expenses necessarily incurred in the conduct of said office.

(2) In townships of the second class, the sum of one hundred fifty-three and 75/100 dollars ($153.75) per month for wages, and the further sum of thirty-one and 50/100 dollars ($31.50) per month for expenses necessarily incurred in the conduct of said office.

(3) In townships of the third class, the sum of one hundred fifty-three and 75/100 dollars ($153.75) per month for wages, and the further sum of thirty-one and

50/100 dollars ($31.50) per month for expenses necessarily incurred in the conduct of said office.

(4) In townships of the fourth class, the sum of one hundred thirty-one and 25/100 dollars ($131.25) per month for wages, and the further sum of twenty-six and 25/100 dollars ($26.25) per month for expenses necessarily incurred in the conduct of said office.

(5) In townships of the fifth class, the sum of one hundred ten dollars ($110) per month for wages, and the further sum of twenty-two dollars ($22) per month for expenses necessarily incurred in the conduct of said office.

(6) In townships of the sixth class, the sum of forty dollars ($40) per month for wages, and the further sum of eight dollars ($8) per month for expenses necessarily incurred in the conduct of said office.

(7) In townships of the seventh class, the sum of fifteen dollars ($15) per month for wages, and the further sum of three dollars ($3) per month for expenses necessarily incurred in the conduct of said office.

(8) Each justice of the peace must pay into the county once a month all fines and fees collected by him in criminal and civil cases and the auditor must withhold warrants for salaries until a certified statement has been filed with him of all criminal and civil cases tried or filed and fines and fees collected and paid into the county treasury.

15. Constable. Constables shall receive the following salaries to be paid each month as salaries of county officers are paid, which shall be in full for all services rendered by them in criminal cases and shall receive the following compensation per month, according to the classification hereinbefore designated:

(1) In townships of the first class, the sum of one hundred fifty-seven and 50/100 dollars ($157.50) per month as salary, and the further sum of thirty-nine and 50/100 dollars ($39 50) per month for expenses necessarily incurred in the conduct of his office.

(2) In townships of the second class, the sum of one hundred fifty-seven and 50/100 dollars ($157.50) per month as salary, and the further sum of thirty-nine and 50/100 dollars ($39.50) per month for expenses necessarily incurred in the conduct of his office.

(3) In townships of the third class, the sum of one hundred fifty-seven and 50/100 dollars ($157.50) per month as salary, and the further sum of thirty-nine and 50/100 dollars ($39.50) per month for expenses necessarily incurred in the conduct of his office.

(4) In townships of the fourth class, the sum of one hundred fifty-seven and 50/100 dollars ($157.50) per month as salary, and the further sum of thirty-nine and 50/100 dollars ($39.50) per month for expenses necessarily incurred in the conduct of his office.

(5) In townships of the fifth class, the sum of one hundred fifty-seven and 50/100 dollars ($157.50) per month as salary.

(6) In townships of the sixth class, the sum of ninety dollars ($90) per month as salary.

(7) In townships of the seventh class, the sum of twenty-five dollars ($25) per month as salary.

It is further hereby provided that should the board of supervisors deem it wise to combine one or more judicial townships, that constables in the enlarged township shall have the same number of deputies as there were constables in the judicial districts eliminated by the consolidation. Said deputies under such consolidated form shall receive the same rate of pay as is herein listed for the class as determined by the population within the territorial limits of their respective districts, as said districts existed at the time of the consolidation. At the time that the board of supervisors, as hereinbefore provided, determines the population of the respective townships, said board shall make a finding in the same manner determining the population of said district of said consolidated township for purposes of fixing the compensation of said deputy constables herein provided, according to class.

Fees. For serving a coroner's subpena the same fees and mileage as are now or may hereafter be allowed by law for the service of a subpena issued out of a justice court; for summoning a coroner's jury the same fees as are now or may be hereafter allowed for summoning a jury in a civil action in the justice court; for transporting prisoners to the county jail the expenses for such transportation In addition to the monthly salary allowed him herein, each constable may receive for his own use in civil cases the fees allowed by law.

16. Supervisors. Each member of the board of supervisors, two thousand four hundred dollars ($2,400) per annum for personal service performed by him as supervisor, member of the board of equalization and road commissioner. Each supervisor shall also receive as expenses as supervisor and road commissioner, six and one-half cents (6½c) per mile each way traveling to and from his residence while engaged in the performance of the duties of supervision of public roads as commissioner or other business of the county, said expenses not to exceed three

hundred dollars ($300) per annum, while traveling within the county of Contra Costa, and in addition thereto shall be allowed at the rate of six and one-half cents (6½¢) per mile for actual miles traveled without the county of Contra Costa as compensation for the performance of county business outside said county

17. Bonds. The bonds of county officers, their assistants, deputies, and employees, such as required by law to be furnished when executed with a reliable bond and surety company, the cost of said bond when duly approved shall be a charge against the county, payable out of the general fund

18. Sealer. The sealer of weights and measures, two thousand one hundred dollars ($2,100) per annum; provided, that in counties of this class there shall be and there is hereby allowed to the sealer of weights and measures one deputy who shall be paid a salary as follows: one hundred thirty-one and 25/100 dollars ($131.25) per month The salary of the sealer of weights and measures and deputy herein provided for shall be paid for by said county at the same time, in the same manner, and from the same fund as the salary of other county officers are paid; provided, further, that the sealer of weights and measures and his deputy shall receive in addition to their salaries herein provided mileage actually traveled in the performance of their duties at the rate of six and one-half cents (6½¢) per mile, which said claim for said mileage shall be presented as other claims to the board of supervisors and shall be paid out of the general fund of the county upon allowance by said board of supervisors.

19. County Librarian. County librarian, two thousand six hundred twenty-five dollars ($2.625) dollars per annum; provided that the salary of the county librarian shall be paid by the said county in monthly installments at the same time, in the same manner, and from the same fund as the salaries of other county officers are paid; provided, further, that verified claims of the county librarian for traveling expenses necessarily and actually incurred in the performance of the duties of the office shall be presented and filed with the board of supervisors each month for the amount claimed during the preceding month. The county librarian shall be allowed six and one-half cents (6½¢) per mile, without any constructive mileage for his expenses of traveling necessarily done by automobile, and his actual traveling expenses when he travels by rail.

20. Officials, Deputies, and Employees. It is also herein provided that no official, deputy, or employee drawing pay as a county official, deputy, or employee is permitted to draw wages, pay, or compensation for said county in any other capacity.

21. Allowance for Actual and Necessary Expenses. Actual, reasonable, and necessary expenses shall be allowed all the officers of the county in the discharge of their official duties. Detailed expense accounts must be rendered on the first day of each month for the expenses incurred in the previous month. For traveling necessarily done by automobile, an officer shall be allowed mileage at the rate of six and one-half cents (6½¢) per mile, without any constructive mileage, except as herein otherwise provided. All claims for use and cost of operation of any automobile furnished to or supplied by any official, deputy, or employee for the performance of his official duties must be filed in the name of the registered owner and shall state make, license number of vehicle, and the date used, and the number of miles claimed to have been traveled. Said claim shall be accompanied by verified statement of the official, deputy, or employee who used the vehicle in which he shall state the purpose of the trip, the destination, and that the distance set forth in the claim was the distance actually and necessarily traveled by him in the performance of his official duties.

22. Invalidity. If any section or part of a section of this act proves to be invalid it shall not be held to invalidate or impair the validity of any section or part of section unless it clearly appears that such other section or part of a section is dependent for its operation upon the section or part of section so held invalid."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 503—An act to amend section 19x13 of the Juvenile Court Law, relating to probation officers in counties of the thirteenth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"Sec. 19x13. In counties of the thirteenth class there shall be one probation officer whose salary shall be two hundred eighteen and 75/100 dollars per month and

one stenographer whose salary shall be one hundred nine and 38/100 dollars per month.

The probation officer shall be allowed six and one-half cents (6½c) per mile, without any constructive mileage for his expenses of traveling necessarily done by automobile, and his actual traveling expenses when he travels by rail."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 505—An act to amend section 2322x13 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirteenth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"2322x13. In counties of the thirteenth class the commissioner shall receive a compensation of two thousand six hundred twenty-five dollars ($2,625) per annum; provided, that in counties of this class there shall be and there is hereby allowed to the commissioner the following inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One standardization inspector at a salary of five dollars per diem during the term actually employed; and four rodent inspectors at a salary of four and 50/100 dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed eight thousand dollars

(b) The commissioner is also authorized and empowered to appoint not to exceed one clerk at a salary of one hundred dollars ($100) per month

(c) All mileage actually traveled by the commissioner and inspectors in the performance of their duties shall be paid for at the rate of six and one-half (6½) cents per mile, computed on the basis of actual mileage traveled."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1567—An act to amend section 4246 of the Political Code, relating to compensation of county and township officers in counties of the seventeenth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, after the semicolon following "annum", insert the following: "and one deputy clerk for general clerical election duties at a salary of one thousand five hundred thirty dollars per annum; and one or more outside deputies for the purpose of registering the electors, who shall receive a compensation of ten cents for each elector legally registered by them,".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 17 to 19, inclusive, and insert in lieu thereof the following: "two thousand dollars per annum, and seven deputy sheriffs at a salary of one thousand eight hundred dollars per annum each; as many special deputies as".

AMENDMENT NUMBER THREE.

On page 4, line 41, of the printed bill, strike out the period following "law", and insert a comma and add the following: "with the exception that the assistant and deputy district attorney may engage in uncontested civil litigation."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2360—An act authorizing boards of supervisors to pay principal or interest, purchase or redeem, bonds the proceeds of which have been used for the acquisition, improvement or maintenance of parks within their respective counties or cities and counties.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, after the word "of", appearing after the word "provisions", strike out the following: "Chapter 267 of Statutes of 1923," and insert in lieu thereof the following: "that certain act of the Legislature known as the Motor Vehicle Fuel License Tax Act, the California Vehicle Act, as said statutes are amended or shall hereafter be amended, or from any other statutory source providing for the disposition of motor vehicle fuel license taxes or motor vehicle registration license fees,".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 853—An act to amend sections 3, 4, 5, 6, 7, 9, 9a, 9b, 9c, 9d, 11, 11a, 12, 12a, 13, 14, 15, 16, 19, 20a and 20b of the "California Real Estate Act," and to add new sections to be numbered 3a, 3b, 3c, 3d, 3e, 12b, 13a and 13b, relating to the Division of Real Estate.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 1 and 2 of the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 11a, 12, 12a, 13, 14, 15, 16, 17, 19, 20a and 20b of the "Cali-".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. Section 1 of the act cited in the title hereof is hereby amended to read as follows:

Section 1. It shall be unlawful for any person, copartnership or corporation to engage in the business, act in the capacity of, advertise or assume to act as a real estate broker or a real estate salesman within this State without first obtaining a license from the State Real Estate Department.

SEC. 2. Section 2 of said act is hereby amended to read as follows:

Sec. 2. A real estate broker within the meaning of this act is a person, copartnership or corporation who, for a compensation, sells or offers for sale, buys, or offers to buy, lists, or solicits for prospective purchasers, or negotiates the purchase or sale or exchange of real estate, or who, for compensation, negotiates loans on real estate, leases, or offers to lease, or negotiates the sale, purchase, or exchange of leases, rents, or places for rent, or collects rent from real estate, or improvements thereon, for another or others. A real estate salesman within the meaning of this act is one who for a compensation is employed by a licensed broker to sell, or offer for sale, or to list, or to buy, or to offer to buy, or to negotiate the purchase or sale or exchange of real estate, or to solicit for prospective purchasers of real estate, or to negotiate a loan on real estate, or to lease, or to negotiate the sale, purchase or exchange of leases, or offer to lease, rent or place for rent, any real estate, or

improvements thereon. The provisions of this act, except as to sections 20a and 20b, shall not apply to anyone who shall directly perform any of the acts aforesaid with reference to his own property or, in case of corporations, through their regular officers receiving no special compensation therefor perform any of the acts aforesaid with reference to their, to wit, said corporations, own property; nor shall the provisions of this act apply to persons holding a duly executed power of attorney from the owner, nor shall this act be construed to include in any way the services rendered by an attorney at law in performing his duties as such attorney at law; nor shall it be held to include any receiver, trustee in bankruptcy, or any person acting under order of any court, nor to a trustee selling under a deed of trust. One act, for a compensation of buying or selling real estate of or for another, or offering for another to buy or sell or exchange real estate, or negotiating the purchase or sale or exchange of, or listing or soliciting prospective purchasers of real estate, or negotiating a loan on or leasing or renting or placing for rent real estate, or collecting rent therefrom shall constitute the person, copartnership or corporation making such offer, sale or purchase, exchange or lease, or negotiating said loan, or so renting or placing for rent or collecting said rent or listing or soliciting, a real estate broker or salesman within the meaning of this act.

When a lease or leasing is referred to in this section, it shall be held to include any lease, whether such lease be the sole transaction involved, or the principal or an incidental part of the transaction involved.

SEC. 3. Section 3 of said act is hereby amended to read as follows:".

AMENDMENT NUMBER THREE.

On page 2, line 38, of the printed bill, strike out "fifteen", and insert in lieu thereof the following: "ten".

AMENDMENT NUMBER FOUR.

On page 2, line 41, of the printed bill, after "compensation", insert a comma and the following: "over and above necessary traveling expenses,".

AMENDMENT NUMBER FIVE.

On page 3, line 3, of the printed bill, strike out "2", and insert in lieu thereof the following: "4".

AMENDMENT NUMBER SIX.

On page 3, line 12, of the printed bill, after the period, insert the following: "The term of office of each commissioner shall expire on the fifteenth day of January of the year of expiration."

AMENDMENT NUMBER SEVEN.

On page 3, line 17, of the printed bill, strike out "a member of", and insert in lieu thereof the following: "the representative of the Real Estate Commission in".

AMENDMENT NUMBER EIGHT.

On page 3, line 24, of the printed bill, strike out "3", and insert in lieu thereof the following: "5".

AMENDMENT NUMBER NINE.

On page 3, line 43, of the printed bill, strike out "4", and insert in lieu thereof the following: "6".

AMENDMENT NUMBER TEN.

On page 4 of the printed bill, strike out lines 7 to 16, inclusive, and insert in lieu thereof the following: "on the warrant of the Controller out of the State treasury. Each deputy shall, after his appointment, take or subscribe to the constitutional oath of office and file the same in the office of the Secretary of State.

SEC. 7. A new section is hereby added to said act, to be".

AMENDMENT NUMBER ELEVEN.

On page 4, line 39, of the printed bill, strike out "6", and insert in lieu thereof the following: "8".

AMENDMENT NUMBER TWELVE.

On page 4, line 46, of the printed bill, strike out "7", and insert in lieu thereof the following: "9".

AMENDMENT NUMBER THIRTEEN.

On page 5, line 4, of the printed bill, strike out "three", and insert in lieu thereof the following: "two".

AMENDMENT NUMBER FOURTEEN.

On page 5, line 7, of the printed bill, strike out "8", and insert in lieu thereof the following: "10".

AMENDMENT NUMBER FIFTEEN.

On page 5, line 25, of the printed bill, strike out "salaries", and insert in lieu thereof the following: "compensation".

AMENDMENT NUMBER SIXTEEN.

On page 5, line 42, of the printed bill, strike out "9", and insert in lieu thereof the following: "11".

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 3, of the printed bill, strike out "10", and insert in lieu thereof the following: "12".

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 13, of the printed bill, strike out "11", and insert in lieu thereof the following: "13".

AMENDMENT NUMBER NINETEEN.

On page 7 of the printed bill, strike out lines 42 to 52, inclusive, all of page 8, and lines 1 to 12, inclusive, on page 9, and insert in lieu thereof the following:

"SEC. 14. Section 10 of said act is hereby amended to read as follows:

Sec. 10. License fees shall be as follows:

(1) For an original broker's license the fee shall be five dollars together with an examination fee of fifteen dollars which examination fee shall cover all examinations prior to the issuance of such original broker's license. For a renewal broker's license the annual fee shall be five dollars. For the purpose of this section, an original broker's license is defined to be one issued to a person, copartnership or corporation who did not have a broker's license on December 31st of the year previous to the year for which the license is issued. For the purpose of this section, a renewal broker's license is defined to be one issued to a person, copartnership or corporation who did have a broker's license unrevoked and unsuspended on December 31st of the year previous to the year for which such renewal license is issued. If the licensee be a corporation, the license issued to it shall entitle the president thereof, on behalf of such corporation, to engage in the business of real estate broker within the meaning of this act without the payment of any further fee. For each officer other than the president of a licensed corporation, through whom it shall engage in the business of real estate broker, within the meaning of this act, the annual fee shall be two dollars in addition to the fee paid by said corporation. If the licensee be a copartnership, the license issued to it shall entitle one member only of said copartnership to engage on behalf of such copartnership in the business of real estate broker within the meaning of this act, said member to be designated in the application of such copartnership for a license. For each other member of such copartnership who on behalf of such copartnership engages in the business of real estate broker within the meaning of this act the annual fee shall be two dollars in addition to the fee paid by said copartnership.

(2) For an original salesman's license the annual fee shall be two dollars, together with an examination fee of three dollars, which examination fee shall cover all examinations prior to the issuance of an original salesman's license. An original salesman's license is defined to be one issued to a person who did not have a salesman's or a broker's license either individually or as an officer of a corporation, or as a member of a copartnership, on December 31st of the year previous to the year for which the salesman's license is issued. For the purpose of this section a renewal salesman's license is defined to be one issued to a person who had a salesman's or a broker's license either individually or as an officer of a corporation, or as a member of a copartnership, on December 31st of the year previous to the year for which the salesman's license is issued.

(3) For a renewal salesman's license the annual fee shall be two dollars.

(4) For a branch office broker's license the fee shall be one dollar.

(5) For change of name or of address of licensee on the records of the department the fee shall be one dollar.

(6) The fee for transfer of a salesman's license on change of employer shall be one dollar.

(7) For a duplicate license the fee shall be one dollar

(8) For reinstatement of a license within the calendar year the fee shall be one dollar.

The fee for all licenses shall at all periods of the year be the same as above provided. All license fees herein provided for shall be payable in advance of issuing the licenses and all examination fees shall be payable before taking the examination All licenses shall expire on December 31st of each year at midnight

SEC. 15. Section 11 of the said act is hereby amended to read".

AMENDMENT NUMBER TWENTY.

On page 9, line 34, of the printed bill, strike out "17", and insert in lieu thereof "16".

AMENDMENT NUMBER TWENTY-ONE

On page 9, line 44, of the printed bill, strike out "18", and insert in lieu thereof "17".

AMENDMENT NUMBER TWENTY-TWO.

On page 10 of the printed bill, after line 12, insert the following:

"(5) Has commingled the money and other property of his principal with his own, or".

AMENDMENT NUMBER TWENTY-THREE.

On page 10, line 13, of the printed bill, strike out "(5)", and insert in lieu thereof "(6)".

AMENDMENT NUMBER TWENTY-FOUR.

On page 10, line 19, of the printed bill, strike out "(6)", and insert in lieu thereof "(7)".

AMENDMENT NUMBER TWENTY-FIVE.

On page 10, line 21, of the printed bill, strike out "(7)", and insert in lieu thereof "(8)".

AMENDMENT NUMBER TWENTY-SIX

On page 10, line 24, of the printed bill, strike out "(8)", and insert in lieu thereof "(9)".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 10, line 29, of the printed bill, strike out "(9)", and insert in lieu thereof "(10)".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 10, line 31, of the printed bill, strike out "(10)", and insert in lieu thereof "(11)".

AMENDMENT NUMBER TWENTY-NINE.

On page 10, line 33, of the printed bill, strike out "19", and insert in lieu thereof "18".

AMENDMENT NUMBER THIRTY.

On page 11, line 38, of the printed bill, strike out "20", and insert in lieu thereof "19".

AMENDMENT NUMBER THIRTY-ONE.

On page 12, line 8, of the printed bill, strike out "21", and insert in lieu thereof "20".

AMENDMENT NUMBER THIRTY-TWO.

On page 13, line 23, of the printed bill, strike out "22", and insert in lieu thereof "21".

AMENDMENT NUMBER THIRTY-THREE.

On page 14, line 7, of the printed bill, strike out "23", and insert in lieu thereof "22".

AMENDMENT NUMBER THIRTY-FOUR.

On page 14, line 20, of the printed bill, strike out "24", and insert in lieu thereof "23".

AMENDMENT NUMBER THIRTY-FIVE

On page 14, line 27, of the printed bill, strike out "25", and insert in lieu thereof "24".

AMENDMENT NUMBER THIRTY-SIX.

On page 14, line 36, of the printed bill, strike out "26", and insert in lieu thereof "25".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 14 of the printed bill, after line 45, insert the following.

"SEC 26 Section 17 of said act is hereby amended to read as follows:

Sec. 17. Any person or corporation acting as a real estate broker or real estate salesman within the meaning of this act without a license or who advertises using words indicating that such person or corporation is a real estate broker without being so licensed as herein provided shall, upon conviction thereof, if a person, be punished by a fine of not to exceed five hundred dollars, or by imprisonment in the county jail for a term not to exceed six months, or by both such fine and imprisonment in the discretion of the court; or if a corporation, be punished by a fine of not to exceed five thousand dollars"

AMENDMENT NUMBER THIRTY-EIGHT.

On page 15 of the printed bill, strike out lines 3 to 51, and on page 16, lines 1 to 41, and insert in lieu thereof the following:

"Sec. 20a. Prior to the time when subdivided lands shall be offered for sale or lease, the owner, his agent, or subdivider, shall notify the Real Estate Commission in writing of his intention to sell such offering. Such notice of intention shall contain the following information: The name and address of the owner; name and address of subdivider; legal description and area of land; a true statement of the condition of the title to the land, particularly including all encumbrances thereon, the terms and conditions on which it is intended to dispose of such land, together with copies of any contracts intended to be used and such other information as the owner, his agent, or subdivider, may desire to present.

After receiving such a statement the Real Estate Commission may require such additional information concerning the project as he deems necessary, and for which purpose he shall be empowered to prepare a questionnaire for the owner, his agent, or subdivider, to answer.

The Real Estate Commission at the expense of the owner, his agent, or subdivider, may investigate any subdivision being offered for sale or lease in this State at the time of the adoption of this act, or at any future time, and shall make public his findings thereon. The total cost of such examination shall be borne by the owner, his agent, or subdivider, of the project on the basis of actual costs to the Real Estate Department An initial fee of fifty dollars ($50) shall accompany the answered questionnaire.

When an inspection is to be made of subdivided lands, situated outside the State of California, being offered for sale or lease in this State, the questionnaire shall be accompanied by the filing fee, together with an amount equivalent to five cents (5¢) a mile for each mile going and returning, estimated by the Real Estate Commission to be traveled by railroad from Sacramento to the location of the project, and an amount estimated to be necessary to cover the additional expenses of such inspection, not to exceed ten dollars ($10) a day for each day consumed in the examination of the project.

When an inspection is to be made of subdivided lands, situated within this State, being offered for sale or lease, and not to be used for residential or for business purposes, the questionnaire shall be accompanied by the filing fee, together with an amount estimated by the Real Estate Commission to be necessary to cover the actual expenses of such inspection, not to exceed ten dollars ($10) a day for each day consumed in the examination of the project

If the subdivided lands are situated in this State, and are to be offered for sale or lease for residential and/or for business purposes, the questionnaire shall be accompanied by the filing fee only.

When the Real Estate Department makes an examination of any subdivision, the Real Estate Commission shall make a public report thereon, and is hereby authorized to publish said report. An order prohibiting the sale and/or lease of the property in this State may be issued by the Real Estate Commission if the examination of the project shows that the sale and/or lease thereof would constitute misrepresentation to or deceit or fraud of the purchasers of lots or parcels in such subdivision.

Before such order of prohibition shall be issued by the commissioner, a hearing shall be held by the department, and the same procedure shall be followed as provided in sections 12, 12a, and 13 of this act, and an order of the commissioner made pursuant hereto, shall be subject to review in accordance with the provisions of Chapter I, Title I, Part III, of the Code of Civil Procedure.

It shall be unlawful for the owner, his agent, or subdivider, of the project, after it is submitted to the Real Estate Department, to materially change the set-up of such offering without first notifying the Real Estate Department in writing of such intended change.

In case the lands to be subdivided shall be subject to a lien or encumbrance securing or evidencing the payment of money other than taxes or assessments levied by public authority, or in case the interest of the owner, his agent, or subdivider, be held under option or contract of purchase or in trust, it shall be unlawful to sell any land in such subdivision unless provision exists in such lien, encumbrance, option, contract or trust agreement, or in a valid supplementary agreement enabling the vendor to deliver, title to each parcel sold free of such lien, encumbrance, option, contract or trust agreement, upon completion of all payments and performance of all the terms and provisions required to be made and/or performed by the vendee under the agreement of sale. Certified or verified copies of documents containing such provisions shall be filed with the Real Estate Department prior to the sale of any part of the subdivision.

No lien, encumbrance, option, contract or trust agreement existing on the ninety-first day after the adjournment of the 1931 session of the Legislature, and no extension, renewal or refinancing of any such existing lien, encumbrance, option, contract or trust agreement shall be affected by any amendment to this section adopted at such session

For the purpose of this act the words "subdivided lands" and "subdivision" are hereby defined as land or lands divided or proposed to be divided for the purpose of sale or lease, whether immediate or future, into five or more lots or parcels."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 268—An act to amend section 1187 of the Code of Civil Procedure, relating to mechanics' liens.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 20, of the printed bill, strike out "But such filing shall be with-"; also strike out lines 21 to 23, inclusive, and the words "known address" in line 24, and insert in lieu thereof the following: "But such filing shall be without effect unless within five days from the time of the recording of the claim of lien a copy of said claim of lien is deposited in the mail, postage prepaid, in an envelope registered and addressed to the owner or reputed owner named in the claim of lien at his last known address, or if no address be known, then in care of the county clerk of the county in which the property or some part thereof is located."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2215—An act to amend sections 1425 and 1462 of the Penal Code, relating to criminal jurisdiction of justices' courts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 4 to 6, inclusive, of the printed bill, and insert in lieu thereof the following.

"1 Justices' courts of Class A shall have jurisdiction, exclusive of that of any municipal court established in the county, in all criminal cases".

AMENDMENT NUMBER TWO.

Strike out lines 9 and 10 of the printed bill, and insert in lieu thereof the following:

"2. Justices' courts of Class B shall have jurisdiction in all criminal cases".

AMENDMENT NUMBER THREE.

In lines 27 and 28 of the printed bill, strike out "exclusive jurisdiction of such cases", and insert in lieu thereof the following: "jurisdiction of such cases, exclusive of that of any municipal court established in the county".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2367—An act granting certain tidelands and submerged lands of the State of California to the city of San Diego upon certain trusts and conditions.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 12 to 22, inclusive, and insert in lieu thereof the following: "held by said city, and by its successors. Nothing in this act shall be deemed or construed to grant any of the tidelands of Mission Bay or of its entrance, or to in any way affect the act of June 15, 1929, providing for a State park on Mission Bay."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1016—An act to amend section 1060 of the Fish and Game Code, to add thereto sections 481.5, 744, 842.5, 846.5, 867,

1063.5, 1064.5, 1065 5, and to repeal sections 714, and 1066 to 1071 inclusive, relating to fish and game.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 1060 of the Fish and Game Code, and to add thereto sections 481.5, 1064.5 and 1065.5, relating to fish and game."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and all of pages 2 and 3, and insert in lieu thereof the following.

"SECTION 1. A new section is hereby added to the Fish and Game Code, to be numbered 481.5 and to read as follows:

481 5. No person shall use, possess or operate in this State or in the waters thereof any fishing boat or other vessel equipped with, or whereon there is located, any net, tackle or other appliance for the taking of sardines which does deliver, or has during that calendar year delivered, any sardines which are caught by the use of and taken aboard such boat or vessel to any vessel or floating reduction plant located upon the waters of this State or upon the high seas or to any place other than within this State unless a permit authorizing the same shall have been issued by the commission.

Any person found guilty of a violation of this section shall be guilty of a misdemeanor and shall forfeit his commercial fishing license, and his tackle and appurtenances shall be forfeited.

SEC 2. Section 1060 of the Fish and Game Code is hereby amended to read as follows:

1060. (a) "Reduction plant" means any plant used in the reduction of fish into fish flour, fish meal, fish scrap, fertilizer, fish oil or other fishery products or by-products, and includes any vessel, barge or other floating plant so engaged in the reduction of sardines, whether located at times upon the waters of this State or upon the high seas, which vessel, barge or floating plant is operated out of or leaves from, or discharges or delivers any of such fishery products or by-products at any port or place in this State.

(b) "Packer" means any person canning fish or preserving fish by the common methods of drying, salting, pickling or smoking.

(c) "Fish offal" means the heads, viscera, and other parts of fish taken off in preparation for canning or preserving.

SEC. 3. A new section is hereby added to the Fish and Game Code, to be numbered 1064.5 and to read as follows:

1064.5. It is unlawful to bring ashore any fish flour, fish meal, fish scrap, fertilizer, fish oil, or other fisheries products or by-products produced from sardines by a reduction plant operating upon the waters of the Pacific Ocean, unless such fishery products were manufactured in accordance with the provisions of this article.

SEC 4. A new section is hereby added to the Fish and Game Code, to be numbered 1065 5 and to read as follows:

1065.5. Except as hereafter provided, it is unlawful to use in a reduction plant any whole food fish other than sardines Persons engaged in preserving sardines by the common methods of drying, salting, smoking or pickling may use in a reduction plant or by reduction process such sardines, or fish delivered mixed with sardines, as are unfit for drying, salting, smoking or pickling, which are not intentionally taken into the plant in a condition unfit for processing for human consumption."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 507—An act to limit the hours during which racing may be conducted within this State.

Bill read second time.

MOTION TO RE-REFER.

Mr. Lyon moved that Assembly Bill No. 507 be withdrawn from the file, and ordered re-referred to Committee on Crime Problems.

The question being on re-referring Assembly Bill No. 507 to Committee on Crime Problems.

Motion carried.

Assembly Bill No. 507 ordered re-referred to Committee on Crime Problems.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 94—Proposed amendment to Article XI, section 18 of the Constitution, relative to bonded indebtedness.

Assembly Constitutional Amendment No. 94 read.

The question being on the adoption of Assembly Constitutional Amendment No. 94.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hunt moved a call of the House.

Motion carried.

Time, eleven o'clock and forty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and forty-two minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hunt.

The roll of absentees was called, and Assembly Constitutional Amendment No. 94 was refused adoption by the following vote:

AYES—Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Dempster, Gilmore, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, King, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Rogers, Sullivan, Thorp, Tournoux, Turner, Williamson and Zion—39.

NOES—Alter, Anglim, Badham, Bowers, Cobb, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Hatch, Hoffman, Latham, Lyon, McBride, Meeker, Morgan, Phillips, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Utt, Woolwine, Wright and Mr. Speaker—34.

NOTICE OF RECONSIDERATION.

Mr. Hunt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 94 was this day refused adoption

SPECIAL ORDER.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NUMBER FORTY-SEVEN.

Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1a of Article XIII thereof, relating to exemption of educational institutions from taxation.

Assembly Constitutional Amendment No. 47 read.

The question being on the adoption of Assembly Constitutional Amendment No. 47.

The roll was called, and Assembly Constitutional Amendment No. 47 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr Speaker—71.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 47 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 47.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1a of Article XIII thereof, relating to exemption of educational institutions from taxation.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the Constitution of said State be amended by amending section 1a of Article XIII thereof to read as follows:

Sec 1a. Any educational institution of collegiate grade, within the State of California, not conducted for profit, shall hold exempt from taxation its buildings and equipment, its grounds within which its buildings are located, not exceeding one hundred acres in area, its securities and income used exclusively for the purposes of education. Any private educational institution of less than collegiate grade, within the State of California, not conducted for profit, shall hold exempt from taxation its buildings and equipment, its grounds within which its buildings are located, not exceeding ten acres in area, its securities and income used exclusively for the purposes of education.

EXPLANATION OF VOTE.

I was in Yuba City on a case when the vote was taken on Assembly Constitutional Amendment No. 47. After careful consideration of the measure, had I been in attendance I would have voted for it.

P. G. WEST.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to section 22 of Article XII of the Constitution of the State of California, relating to the Railroad Commission.

Assembly Constitutional Amendment No. 5 read.

The question being on the adoption of Assembly Constitutional Amendment No. 5.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Meehan moved a call of the House.

Motion carried.

Time, eleven o'clock and fifty-five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At twelve o'clock and five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Meehan.

The roll of absentees was called, and Assembly Constitutional Amendment No. 5 was refused adoption by the following vote:

AYES—Anglim, Bliss, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crowley, Dempster, Frazier, Gilmore, Grubbs, Hornblower, Hunt, Jones, King, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Riley, Robinson, Samuel E., Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Woolwine and Zion—42.

NOES—Alter, Badham, Bowers, Brock, Cobb, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Hallner, Hatch, Hoffman, Latham, Levey, Lyon, Martin, Miller, Eleanor; Miller, James A., Morgan, Phillips, Redwine, Roberts, Robinson, C. Ray; Roland, Scudder, Utt, West, Williamson, Wright and Mr. Speaker—33.

RECESS.

At twelve o'clock and eight minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 434—An act to amend sections 1, 2, 3, 4, 23, and 26 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," and to add thereto a new section to be numbered 4a, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately—

has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1137—An act to amend section 4264 of the Political Code, relating to the compensation of county and township officers in counties of the thirty-fifth class;

Also: Assembly Bill No. 1940—An act to amend sections 4255 and 4255a of the Political Code, relating to the salaries and fees of county officers in counties of the twenty-sixth class;

Also: Assembly Bill No. 1941—An act to amend section 19x26 of the Juvenile Court Law, relating to the probation officer in counties of the twenty-sixth class;

Also: Assembly Bill No. 1942—An act to amend section 16x26 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the twenty-sixth class;

Also: Assembly Bill No. 1943—An act to amend section 2322x26 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-sixth class;

Also: Assembly Bill No. 2017—An act to amend section 737x of the Political Code, relating to the compensation of judges of the superior court, Merced County; Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered replaced on daily calendar.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 27—Relative to memorializing the Congress of the United States to adopt legislation imposing a tariff on rubber—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

PETERSON, Chairman.

Assembly Joint Resolution No. 27 ordered on file for adoption.

ON PUBLIC CHARITIES AND CORRECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred Assembly Bill No. 2362—An act to authorize the incorporation and to provide for the organization, powers, duties, regulation, and liquidation of non-profit corporations organized for the purpose of administering community land chests, to limit the use of the terms "land chest" and "community land chest" in corporate names, to prescribe penalties for the violation of the provisions of this act, and to declare the urgency of this act and to provide that it shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MARTIN, Chairman.

The above reported bill ordered on file for second reading.

ON SOCIAL SERVICE AND WELFARE.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 1174—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Assembly Bill No. 1727—An act to add a new section to be numbered section 6a to an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, relating to ownership of real estate by indigent, incompetent, and incapacitated persons;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FISHER, Chairman.

The above reported bills ordered on file for second reading.

ON BUILDING AND LOAN ASSOCIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 554—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 1.01, 3.02, 5.01, 6.01, 6.02, 6.03, 6.08, 7.06, 9.02, 9.04 to 9.12, both inclusive, 10.03, 10.05, 12.01, 12.08, 13.01, and 15.16 and adding new sections to be numbered 9.13, 9.14, 9.15, 9.16, 9.17 and 13.16a to said act, relating to building and loan associations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROBERTS, Chairman

The above reported bill ordered on file for second reading

ON PUBLIC UTILITIES

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 549—An act to add sections 85 and 85½ to the Public Utilities Act, relating to assessing the salaries and expenses of the Railroad Commission to public utilities and disbursements from the Railroad Commission fund—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LATHAM, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1094—An act to amend section 611 of the Political Code, relating to reports required of insurance companies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CRIST, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1265—An act to add a new section to the Code of Civil Procedure to be numbered 329, relating to the limitation of the time within which actions for the foreclosure of street improvement assessment liens against real property may be commenced, when the assessments are made payable in installments pursuant to bonds

or other written obligations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 147—An act to amend section 483 of the Penal Code, relating to the sale of evidences of right of passage on a common carrier to person not entitled to use of same—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LATHAM, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 6 of Article IX thereof, relating to taxation for school purposes —has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FEIGENBAUM, Chairman.

Assembly Constitutional Amendment No. 63 ordered referred to Committee on Rules.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1591—An act to amend section 6 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, relating to fraternal benefit societies—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRIST, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1249—An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act;

Also: Assembly Bill No. 2138—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LATHAM, Chairman.

The above reported bills ordered referred to Committee on Rules.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1216—An act providing for a system of unemployment reserves and compensation, making an appropriation therefor and prescribing penalties in connection therewith;

Also: Assembly Bill No. 1910—An act providing for Social Unemployment Insurance to all workers who are unemployed or unable to work because of sickness, injury, maternity or old age;

Also: Assembly Bill No. 2233—An act to add forty-four new sections to the Political Code, to be numbered 364k to 364k43, inclusive, to amend section 364a of

said code, and to repeal certain acts inconsistent herewith, all relating to a system of unemployment relief insurance, reserves, and compensation for the State of California, and making an appropriation therefor;
Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to Committee on Ways and Means.

CRIST, Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 18—Relative to memorializing the Congress of the United States to adopt legislation protecting and fostering the rubber industry of the United States—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

PETERSON, Chairman.

Senate Joint Resolution No. 18 ordered on file for adoption.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 22—Relative to a recess to be taken by the fiftieth session of the Legislature;
Also: Senate Concurrent Resolution No. 23—Relative to special Joint Rules for the fiftieth session of the Legislature;
Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

ROBINSON, C. RAY, Chairman.

Senate Concurrent Resolutions Nos. 22 and 23 ordered on file for adoption.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No. 459—An act providing for the supervision and regulation of for-hire vessels other than common carrier vessels, operating between points exclusively on the inland waters of the State of California; defining for-hire vessels and providing for the supervision and regulation thereof by the Railroad Commission; and providing for the enforcement of the provisions of this act and for the punishment of the violations thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LATHAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No. 1168—An act to add three new sections, to be numbered 51a, 51b, and 51c, to an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LATHAM, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Insurance, to which was referred Senate Bill No. 691—An act to amend sections 2, 3, 4, 5, 6 and 13 of and to add a new section 15 to an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as 'The Reciprocal or Interinsurance

Act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee," approved December 24, 1911,' approved May 26, 1917, as amended," approved June 3, 1921;

Also. Senate Bill No. 1042—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to workmen's compensation;

Also: Senate Bill No. 1111—An act to amend section 14 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to death benefits under the provisions of said act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CRIST, Chairman.

The above reported bills ordered on file for second reading.

ON BUILDING AND LOAN ASSOCIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Senate Bill No. 935—An act to add section 13.16a to the Building and Loan Association Act, relating to the powers of building and loan associations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ROBERTS, Chairman.

The above reported bill ordered on file for second reading.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Conservation, to which was referred Senate Bill No. 1193—An act to require the use of materials and supplies substantially produced in the United States, in public works and for public purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

EVANS, Chairman.

The above reported bill ordered on file for second reading.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 3369 of the Civil Code, relating to specific and preventive relief.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 654a of the Penal Code, prohibiting false advertising and the misleading use of comparative prices.

HALLNER, Chairman.

The question being on the adoption of the reports.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Latham moved a call of the House.

Motion carried.

Time, one o'clock and forty-two minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Chatters, Clowdsley, Cottrell, Cronin, Crowley, Feigenbaum, Grubbs, Hoffman, Kallam, King, Latham, Maloney, Mayo, McBride, McMurray, Miller, Eleanor; Nielsen, O'Donnell, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Thorp, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—31.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

SECOND READING OF SENATE BILLS.

Senate Bill No. 101—An act to amend sections 795, 796 and 797 of the Agricultural Code, relating to the standardization of citrus fruits.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 195—An act to amend section 307 of the Agricultural Code, relating to meat inspection.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, as amended April 11, 1933, strike out the words "the actual increase", and insert in lieu thereof the following: "a part".

AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, as amended April 11, 1933, strike out the words "live stock producer", and insert in lieu thereof the following: "cattle raiser or dairyman".

AMENDMENT NUMBER THREE.

On page 1, line 20, of the printed bill, as amended April 11, 1933, after the word "calves", strike out the following: ", sheep and swine", and insert in lieu thereof the following: "under the age of eight months".

AMENDMENT NUMBER FOUR.

On page 1, line 21, of the printed bill, as amended April 11, 1933, strike out the following: ", sheep and swine".

AMENDMENT NUMBER FIVE.

On page 1, line 23, of the printed bill, as amended April 11, 1933, after the word "maintained", insert the following: "in accordance with regulations issued by the director".

AMENDMENT NUMBER SIX.

On page 2, line 1, of the printed bill, as amended April 11, 1933, after the word "species", insert the following: "under the age of eight months".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 310—An act to amend section 4252 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-third class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 5, line 36, of the printed bill, as amended in the Senate April 14, 1933, after the comma after the word "county", add the following: "Together with their

actual traveling and other necessary expenses incurred while engaged in work for the county,".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 311—An act to amend section 2322x23 of the Political Code, relating to the office of the agricultural commissioner in counties of the twenty-third class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 313—An act to amend section 16x23 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the twenty-third class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 315—An act to amend section 9a23 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems, approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the twenty-third class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 294—An act to provide for the registration and protection of the names and insignia of fraternal associations, and to prohibit the wearing, exhibition, display, or use of the same by any person not entitled to wear, exhibit, display or use the same; and fixing a penalty for the violation thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 408—An act to amend section 139 of the Civil Code, relating to alimony.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 684—An act to amend section 461 of the Penal Code, relating to punishment for burglary.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 685—An act to amend section 245 of the Penal Code, relating to the penalty for assault with deadly weapon.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 507—An act to amend section 166 of the Fish and Game Code, relating to the boundaries of fish and game district 4g.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1178—An act to amend section 2466 of the Political Code, relating to pilots and rates of pilotage for the harbor of San Francisco.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 2466 of the Political Code, relating to pilots and rates of pilotage through the Golden Gate into and out of the bays of San Francisco, San Pablo and Suisun."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 767—An act to amend sections 1 and 5 of an act entitled "An act to regulate motor boats of less than fifteen gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation thereof," approved June 19, 1931, relating to motor boat regulation.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In lines 1 and 2 of the title of the printed bill, strike out the words "Section 1 and to repeal section", and insert in lieu thereof the following: "Sections 1 and".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 19 and 20, and insert in lieu thereof the following:

"SEC. 2 Section 5 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 5. This act shall not apply to any ferryboat the property of a corporation or person operating under a certificate of public convenience and necessity issued by the Railroad Commission of the State of California."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 414—An act to amend sections 2436, 2439, 2440, 2457, 2458, 2459, 2460, 2465, 2466a, and 2468 of the Political Code, to amend section 2467 of said code and to add section 2457a to said code, relating to the pilotage of vessels to, from and within ports and bays of the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 24, of the printed amended bill, strike out the word "three", and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Concurrent Resolution No. 9—Relative to bestowing of the title of Poet Laureate of California on John Steven McGroarty.

Assembly Concurrent Resolution No. 9 read.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Concurrent Resolution No. 9 was withdrawn from the file, and referred to Committee on Rules.

Assembly Concurrent Resolution No. 11—Relative to the designation and appointment of Henry Herbert Knibbs as Poet Laureate of California.

Assembly Concurrent Resolution No. 11 read.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Concurrent Resolution No. 11 was withdrawn from the file, and referred to Committee on Rules.

Assembly Concurrent Resolution No. 24—Relative to the designation and appointment of Milton S. Ray as Poet Laureate of California.

Assembly Concurrent Resolution No. 24 read.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Concurrent Resolution No. 24 was withdrawn from the file, and referred to Committee on Rules.

Assembly Concurrent Resolution No. 14—Relative to Roy Walter James being given the honorary title of the Laurel Crowned Poet of California.

Assembly Concurrent Resolution No. 14 read.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Concurrent Resolution No. 14 was withdrawn from the file, and referred to Committee on Rules.

Assembly Concurrent Resolution No. 40—Relative to the designation and appointment of Arthur A. Flakoll as Poet Laureate of California.

Assembly Concurrent Resolution No. 40 read.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Concurrent Resolution No. 40 was withdrawn from the file, and referred to Committee on Rules.

Assembly Concurrent Resolution No. 8—Relative to John Steven McGroarty being given the honorary title of the Poet Laureate of California.

Assembly Concurrent Resolution No. 8 read.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Concurrent Resolution No. 8 was withdrawn from the file, and referred to Committee on Rules.

Assembly Concurrent Resolution No. 16—Relating to the designation and appointment of Charles Keeler as Poet Laureate of California.

Assembly Concurrent Resolution No. 16 read.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Concurrent Resolution No. 16 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 16—An act to amend section 11 of an act entitled, "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor

vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to refunds of the tax therein authorized.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 16 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1735—An act to amend sections 850, 851, 852, 852a, 852b, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 862a, 863, 864, 865, 867, 868, 870, 870a, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 882, 883, 884, 885 and 886, and to repeal section 881 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to organization, incorporation and government of cities of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1735 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Callahan, Cassidy, Chatters, Clowdsley, Crist, Cronin, Crowley, Evans, Feigenbaum, Gilmore, Hatch, Hoffman, Hunt, Jones, Kallam, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Phillips, Rawls, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 76—An act to amend sections 4225 and 4225a of the Political Code, relating to the powers and duties of county health officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 76 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Grubbs, Hoffman, Hunt, Jones, King, Latham, Levey, Maloney, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Robinson, Samuel E., Roland, Ross, Scudder, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—46.

NOES—Cottrell, Crist, Hatch, Kallam, Martin, Riley and Stannard—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 264—An act to amend section 990 of the Penal Code, relating to time to plead in criminal prosecutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 264 passed by the following vote:

AYES—Anglim, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Gilmore, Hallner, Hunt, Jones, Kallam, King, Latham, Levey, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Tournoux, West, Williamson, Woolwine, Wright and Mr. Speaker—44.

NOES—Fisher, Grubbs, Hatch, Hoffman, Roland, Scudder and Stannard—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1230—An act to add Chapter III entitled "Property Held in Joint Tenancy" and section 270 therein to Division II of the Probate Code, relating to joint tenancy.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Crist moved that Assembly Bill No. 1230 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 1230 to Committee on Judiciary.

Motion carried.

Assembly Bill No. 1230 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 855—An act to add a new section to the Penal Code to be numbered 383c, relating to the labeling of foreign made goods.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 855 passed by the following vote:

AYES—Alter, Anglim, Bliss, Burns, Callahan, Cassidy, Chatters, Cobb, Craig, Cronin, Crowley, Dempster, Field, Frazier, Gilmore, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, King, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Peterson, Rawls, Robinson, C. Ray; Rogers, Ross, Stream, Tournoux, Turner, Woolwine and Mr. Speaker—43.

NOES—Bowers, Brock, Cottrell, Crist, Evans, Feigenbaum, Fisher, Hatch, Hoffman, Latham, Levey, Miller, James A., Patterson, Phillips, Redwine, Riley, Robinson, Samuel E., Roland, Scudder, Stannard, Thorp, Utt, West, Williamson and Wright—25.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and thirty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Latham.

The roll of absentees was called, and the reports of the Committee on Introduction of Bills were adopted by the following vote:

AYES—Alter, Anglim, Bliss, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore,

Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Badham: Assembly Bill No. 2383—An act to amend section 3369 of the Civil Code, relating to specific and preventive relief.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Badham: Assembly Bill No. 2384—An act to amend section 654a of the Penal Code, prohibiting false advertising and the misleading use of comparative prices.

Bill read first time, and referred to Committee on Judiciary.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2341—An act to reduce the rates and charges of gas and electrical corporations furnishing heat, light and power to the public, empowering and directing the Railroad Commission to administer and enforce the reduction, and declaring this act to be an urgency measure.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

Time, three o'clock and fifty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—74.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

SPECIAL ORDER SET.

On motion of Mr. Powers, the consideration of Assembly Bill No. 1223 was made a special order for this evening at the hour of eight o'clock and thirty minutes p.m.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 911—An act to add a new section to the School Code to be numbered section 6.231, providing for the payment of deposits by pupils in the public schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 911 refused passage by the following vote:

AYES—Alter, Anglim, Badham, Callahan, Chatters, Cobb, Crist, Dempster, Evans, Feigenbaum, Field, Frazier, Grubbs, Hatch, Hoffman, Kallam, King, Latham, Lyon, McCarthy, Meeker, Miller, Eleanor; Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Scudder, Tournoux, Utt, Williamson and Mr. Speaker—34.

NOES—Bliss, Bowers, Brock, Burns, Cassidy, Clowdsley, Cottrell, Craig, Crowley, Fisher, Gilmore, Hallner, Hornblower, Hunt, Jones, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Turner, West, Woolwine and Wright—40.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At four o'clock and ten minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

The roll of absentees was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

Time, four o'clock and twelve minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—75.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 6 of Article IX thereof, relating to taxation for school purposes—has had the same

under consideration, and respectfully reports the same back, and recommends that it be reprinted.

ROBINSON, C. RAY, Chairman.

Assembly Constitutional Amendment No. 63 ordered to reprint.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1249—An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act;

Also: Assembly Bill No. 1591—An act to amend section 6 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, relating to fraternal benefit societies;

Also: Assembly Bill No. 2138—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof;

Also: Assembly Bill No. 1019—An act to amend the Political Code by amending subsection 3 of section 690 10 thereof, relating to the removal of certain structures upon the swamp, overflowed, marsh, tide or submerged lands of this State;

Also: Assembly Bill No. 828—An act to add a new section to the California Vehicle Act, approved May 30, 1923, as amended, to be numbered 94½, relating to the operation and equipment of motor vehicles operated upon public highways;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 30—Relative to hiring of special attorneys—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Concurrent Resolution No. 30 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2313—An act to amend sections 2, 3 and 5 and to add a section to be numbered 6 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, said amendments and new section relating to the allocation and expenditure of State highway funds, the construction, improvement and maintenance of State highways and the addition of certain highways to the State system—and reports that the same has been correctly re-re-engrossed.

PATTERSON, Chairman

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 7—An act to amend sections 41, 43, 45, 46 and 47 of the California Irrigation District Act, relating to delinquent assessment penalties and redemptions;

Also: Assembly Bill No. 291—An act to amend section 4143 of the Political Code, relating to the duties of county coroners and to the employment by such coroners of clerks and stenographers and providing for their compensation;

Also: Assembly Bill No. 423—An act to add section 679b to the Penal Code, relating to goods, wares, and merchandise manufactured, produced, or mined by convicts or prisoners, and prescribing penalties for violation of the provisions thereof;

Also: Assembly Bill No. 537—An act to add a new section, to be numbered 2b, to an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and

buildings, approved March 28, 1876,' approved March 22, 1909," relating to bids for contracts for public work;

Also: Assembly Bill No. 1417—An act to amend section 1161 of the Code of Civil Procedure, relating to unlawful detainer;

Also: Assembly Bill No. 1483—An act to add a new section to the Political Code to be numbered 3444, relating to the administration of ungranted tide and submerged lands, beds of navigable channels, streams, rivers, creeks, lakes, bays and inlets, of the State of California, by the Division of State Lands, and empowering and authorizing the Director of Finance, through the Division of State Lands, to eject trespassers from such lands by appropriate action in the courts of the State;

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1501—An act to amend section 956 of the Code of Civil Procedure, relating to what may be reviewed on appeal from judgment;

Also: Assembly Bill No. 1554—An act to repeal section 269 of the Political Code, relating to compensation of officers and employees of the Legislature;

Also: Assembly Bill No. 1555—An act to amend section 237 of the Political Code, relating to officers and employees of the Senate and Assembly;

Also: Assembly Bill No. 1556—An act to amend section 253 of the Political Code, relating to the duties of Secretary of the Senate and Chief Clerk of the Assembly;

Also: Assembly Bill No. 1557—An act to amend section 245 of the Political Code, relating to officers, employees and attaches of the Senate;

Also: Assembly Bill No. 1558—An act to amend section 246 of the Political Code, relating to officers, employees and attaches of the Assembly;

Also: Assembly Bill No 2230—An act to amend section 799 of the Fish and Game Code, relating to abalones;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1747—An act to authorize and empower the State Director of Education, with the approval of the State Director of Finance, to sell and convey the lands and buildings now being used by the State Teachers College of Santa Barbara, and from the proceeds of such sale to improve the site for said school, acquired by the State in 1932, to erect and construct upon such site buildings and other structures and improvements necessary and proper for said school, to purchase furniture, fixtures, apparatus, and other things necessary for said school, and to rent such temporary buildings and grounds as may be necessary for the use of said school until the completion of the new school buildings—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COBB, Chairman.

The above reported bill ordered on file for second reading.

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred Assembly Bill No. 941—An act to provide for the charging of fees for admission to Sutter's Fort, and for the disposition of such fees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1352—An act to revise an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any State structure, building, road, or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf

of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909;

Also: Assembly Bill No. 1719—An act to secure payment of claims of persons employed by contractors upon public works and claims of persons who furnish materials, supplies, teams, vehicles, implements or machinery used or consumed by such contractors in the performance of such works, prescribing the duties of certain public officers in respect thereto, and providing for the manner and procedure of the enforcement of such claims, and to repeal an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919;

Also: Assembly Bill No. 1998—An act to transfer to the Department of Public Health the duty of inspecting auto camps,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred Assembly Bill No. 2207—An act to repeal sections 716 to 719, inclusive, and to add section 716 to the Political Code, relating to the Capitol Building and grounds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC CHARITIES AND CORRECTIONS

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred Assembly Bill No. 404—An act to amend section 224 of the Civil Code, relating to the adoption of children—has had the same under consideration, and respectfully reports the same back, and recommends that the bill do pass as amended.

MARTIN, Chairman.

The above reported bill ordered on file for second reading.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 828—An act to add a new section to the California Vehicle Act, approved May 30, 1923, as amended, to be numbered 94½, relating to the operation and equipment of motor vehicles operated upon public highways—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 989—An act to amend sections 892 and 900 of the Agricultural Code, relating to field crops, the collection and disposition of fees in connection therewith;

Also: Senate Bill No. 1006—An act to amend section 1239 of the Agricultural Code, relating to warehouses, the collection and disposition of fees therefrom; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 318—An act to amend section 36 of Chapter 266, Statutes of 1923,

entitled the "California Vehicle Act," approved May 30, 1923, as amended, relating to applications for registration of vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 569—An act to authorize the investigation of the financial condition of, and granting financial aid to, assessment districts organized under the "Acquisition and Improvement Act of 1925" or the "Road District Improvement Act of 1907".

Also: Assembly Bill No. 1116—An act relating to governmental units known as districts, and providing a procedure for the organization, operation, financing, government, consolidation and dissolution of such districts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1186—An act to amend section 852 of, and to add sections 852a and 852b to, the Political Code, relating to the location of certain State offices and the residence of certain State officers in the city of Sacramento.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 1186 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 327—An act to add section 675.2 to the Political Code, relating to the transfer of land between State agencies.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 699—An act to add a new section to the Political Code, to be numbered 473a, relating to the centralization in the Attorney General's office of all attorneys and legal advisers for State departments, divisions, commissions, bureaus, boards, offices, and institutions, and the reimbursement of the Attorney General's office for such services—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 9—An act to amend sections 41, 42, 43, 45 and 46 of the California Irrigation District Act, and to repeal section 44 of said act, all relating to delinquent assessments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 9 read first time, and referred to Committee on Irrigation.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1195—An act making an appropriation to meet a deficiency in the appropriation for the support of the State Board of Equalization for the 83d and 84th fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 1195 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 25—Approving an amendment to the charter of the city of Tulare, a municipal corporation in the county of Tulare, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the eighteenth day of March, 1933;

Also: Senate Concurrent Resolution No. 26—Relative to an advisory committee to study and recommend procedure or regulatory and service agencies of county, State, and Federal governments pertaining to wild life conservation and administration and the relationships of pest control thereto.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At four o'clock and twenty minutes p.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

Senate Concurrent Resolution No. 25 read.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Chatters asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 25, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWENTY-FIVE.

Senate Concurrent Resolution No. 25—Approving an amendment to the charter of the city of Tulare, a municipal corporation in the county of Tulare, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the eighteenth day of March, 1933.

The question being on the adoption of Senate Concurrent Resolution No. 25.

The roll was called, and Senate Concurrent Resolution No. 25 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, Latham, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Nielsen, O'Connor, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright and Mr. Speaker—57.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 25 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 26 read first time, and referred to Committee on Rules.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 28—Approving certain amendments to the charter of the City and County of San Francisco, State of California, voted for and ratified by the qualified electors of said city and county at a special election held therein on the eleventh day of April, 1933.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Concurrent Resolution No. 28 read first time, and referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 448—An act to amend section 3897 of the Political Code, and to add a new section to said code, to be numbered 3897c, relating to the purchase of tax delinquent property deeded to the State prior to January 1, 1932—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 596—An act to amend sections 3649 and 3672 of the Political Code, relating to the assessment, equalization and taxation of personal property escaping assessment between the first Monday of March and the first Monday of July—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

THE SPEAKER IN THE CHAIR.

At four o'clock and thirty minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

MESSAGE FROM THE LIEUTENANT GOVERNOR.

The following message from the Lieutenant Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, OFFICE OF LIEUTENANT GOVERNOR,
SACRAMENTO, CALIFORNIA, April 21, 1933.

Hon. Walter J. Little,
Speaker of the Assembly,
Sacramento, California.

DEAR WALTER: The Senate this afternoon adopted the following resolution:

"*Be it resolved by the Senate of the State of California*, That the President of the Senate is hereby respectfully requested to appoint a committee of seven Senators to confer on tax legislation with a like committee from the Assembly to be appointed by the Speaker of the Assembly."

I am sending you this resolution with the hope that you and the Assembly will find it agreeable to cooperate as set out in the resolution Under the authority granted in the resolution I have appointed the following as the committee of seven Senators:

Senator Fellom, Chairman.
Senator Breed, Chairman, Committee on Rules.
Senator Bush, Chairman, Fact-Finding Committee.
Senator Duval, Chairman, Committee on Revenue and Taxation.
Senator Ingels, Chairman, Committee on Governmental Efficiency.
Senator Sharkey, Chairman, Finance Committee.
Senator Swing, Chairman, Judiciary Committee.

With cordial greetings, I am

Very sincerely yours, FRANK F. MERRIAM.

RESOLUTION.

The following resolution was offered:

By Mr. Cobb:

Be it resolved by the Assembly of the State of California, That the Speaker of confer on tax legislation with a like committee from the Senate to be appointed by the President of the Senate.

The question being on the adoption of the resolution.

Resolution adopted.

MOTION TO PRINT.

On motion of Mr. Brock, the Chief Clerk was instructed to have 200 copies of Assembly Constitutional Amendment No. 2 printed.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1142—An act to amend sections 5.160, 5.161 and 5.162 of the School Code, relating to teachers' certificates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1142 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, Latham, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Rogers, Roland, Ross, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson and Mr. Speaker—58.

NOES—Stannard—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2019—An act to amend section 927h, of the Code of Civil Procedure, relating to pleadings in small claims courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2019 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2020—An act to add a new section to the Code of Civil Procedure to be numbered 927v, relating to issue of process from small claims court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2020 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Martin, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2021—An act to add a new section to the Code of Civil Procedure, to be numbered 927u, relating to consolidation of small claims actions with actions pending in other courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2021 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Latham, Lyon, Martin, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Wright and Mr. Speaker—61

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At four o'clock and forty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

The roll of absentees was called, and the urgency clause to Assembly Bill No. 2341 was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Cobb, Craig, Crist, Crowley, Dempster, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, Latham, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West and Wright—54.

NOES—Brock, Clowdsley, Cottrell, Cronin, Evans, Feigenbaum, Fisher, Hoffman, Hornblower, King, Lyon, Maloney, McCarthy, McMurray, Meehan, Miller, James A., Morgan, Roland, Stannard, Williamson, Woolwine and Mr. Speaker—22.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED FORTY-ONE.

Assembly Bill No. 2341—An act to reduce the rates and charges of gas and electrical corporations furnishing heat, light and power to the public, empowering and directing the Railroad Commission to administer and enforce the reduction, and declaring this act to be an urgency measure.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Field:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended April 19, 1933, after the word "of", insert the following: "telephone,".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, as amended April 19, 1933, after the word "furnishing", insert the following: "telephone service,".

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, as amended April 19, 1933, after the word "all", insert the following: "telephone,".

AMENDMENT NUMBER FOUR.

On page 2, line 2, of the printed bill, as amended April 19, 1933, after the word "by", insert the following: "telephone,".

AMENDMENT NUMBER FIVE.

On page 2, line 7, of the printed bill, as amended April 19, 1933, after the word "light", insert the following: "and telephones for communication purposes".

AMENDMENT NUMBER SIX.

On page 2, line 18, of the printed bill, as amended April 19, 1933, after the word "of", insert the following: "telephone,".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

COMMUNICATION.

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

By Mr. O'Connor:

SUNLAND, CALIFORNIA, April 21, 1933.

Hon. James S. O'Connor,
Assembly Chamber, State Capitol,
Sacramento, California.

Let me thank you and through you express my thanks to the members of the Assembly who have brought the great honor to me and your district. I shall cherish each of your names in my heart.

JOHN STEVEN McGROARTY.

RECESS.

At four o'clock and fifty-eight minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MOTOR VEHICLES

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 417—An act to amend the "California Vehicle Act," approved May 30, 1923, as amended, by amending section 45¼ thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 2363—An act limiting the number of cars in a train—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DEMPSTER, Chairman.

The above reported bill ordered on file for second reading.

THIRD READING OF SENATE BILLS.

Senate Concurrent Resolution No. 22—Relative to a recess to be taken by the fiftieth session of the Legislature.

Senate Concurrent Resolution No. 22 read.

The question being on the adoption of Senate Concurrent Resolution No. 22.

MOTION.

Mr. Kallam moved that Senate Concurrent Resolution No. 22 be referred to Committee on Rules.

AMENDMENT TO MOTION.

Mr. Maloney moved, as an amendment to the motion, that Senate Concurrent Resolution No. 22 be continued, and made a special order for Wednesday, April 26, 1933, at the hour of eleven o'clock a.m.

The question being on the amendment to the motion by Mr. Maloney that Senate Concurrent Resolution No. 22 be made a special order.

Mr. Maloney withdrew his motion.

The question being on the motion of Mr. Kallam, that Senate Concurrent Resolution No. 22 be referred to the Committee on Rules.

Motion carried.

Senate Concurrent Resolution No. 22 ordered referred to Committee on Rules.

SPECIAL ORDER.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED TWENTY-THREE.

Assembly Bill No. 1223—An act to amend sections 5.1, 5.2, 5.20, 5.21, 5.23, 5.25, 5.26, 5.40, 5.44, 5.60, 5.61, 5.62, 5.70, 5.80, 5.84, 5.86, 5.87, 5.88, 5.89, 5.90, 5.91, 5.92, 5.93, 5.100, 5.101, 5.102, 5.103, 5.104, 5.105, 5.110 and 5.112 of the School Code, and to repeal Article II of Chapter I of Part I of Division V thereof, embracing section 5.10, all relating to the organization, government, and control of State teachers colleges.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Powers moved a call of the House.

Motion carried.

Time, ten o'clock and fifty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—73.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO. April 21, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 28—Approving certain amendments to the charter of the City and County of San Francisco, State of California, voted for and ratified by the qualified electors of said city and county at a special election held therein on the eleventh day of April, 1933—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LYON, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Senate Concurrent Resolution No. 28, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWENTY-EIGHT.

Senate Concurrent Resolution No. 28—Approving certain amendments to the charter of the City and County of San Francisco, State of California, voted for and ratified by the qualified electors of said city and county at a special election held therein on the eleventh day of April, 1933.

Senate Concurrent Resolution No. 28 read.

The question being on the adoption of Senate Concurrent Resolution No. 28.

The roll was called, and Senate Concurrent Resolution No. 28 adopted by the following vote:

AYES—Anglim, Badham, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Hunt, Kallam, King, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—53.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 28 ordered transmitted to the Senate.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 393, as amended by the Senate April 5, 1933—An act to add a new

section to the Penal Code to be numbered 904a, relating to grand juries—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do not concur in said amendments.

MILLER, ELEANOR, Chairman.

The above reported bill ordered placed on daily calendar.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 311—An act to amend section 1381 of the Penal Code, relating to the time of trial of prisoners on charge other than that for which imprisoned—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

ON SOLDIERS AND SAILORS AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No. 2309—An act to amend section 3 of the California Veterans' Welfare Act, approved May 30, 1921, as amended, relating to veterans and the Veterans' Welfare Board—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

NIELSEN, Chairman.

The above reported bill ordered on file for second reading.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 603—An act to amend section 653c of the Penal Code, relating to investigation of and decision on complaints of alleged violations of requirements on hours of labor on public works—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 111—An act to add a new section to the Penal Code to be numbered 146c, relating to badges or other insignia of authority of fire departments and providing penalties for the violation hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 253—An act to amend section 8 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917," approved June 13, 1923—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MILLER, ELEANOR, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON SOLDIERS AND SAILORS AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No. 1564—An act to amend section 15 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contest," approved by electors, November 4, 1924, relating to disposition of moneys collected hereunder;

Also: Assembly Bill No 1599—An act to provide for the establishment of a State Home for War Mothers, to provide for the government thereof and to make an appropriation therefor;

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

NIELSEN, Chairman

The above reported bills ordered referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Concurrent Resolution No. 13—Relative to reports of the department encampment and the annual convention of the United Spanish-American War Veterans and the Disabled American Veterans of the World War of the Department of California, respectively—has had the same under consideration, and respectfully reports the same back without recommendation, and be re-referred to Committee on Ways and Means.

NIELSEN, Chairman.

Assembly Concurrent Resolution No. 13 ordered referred to Committee on Ways and Means.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Senate Bill No. 855—An act to amend section 107 of the Penal Code, relating to punishment for escape of a prisoner—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Messrs. Bliss, Clowdsley and Knowland: Assembly Concurrent Resolution No. 48—Relative to fees and other charges in State parks, and their use for maintenance and improvement purposes.

Introduced, and referred to Committee on State Grounds and Parks.

HON. WILLIAM B. HORNBLOWER IN THE CHAIR.

At eleven o'clock and five minutes p.m., Hon. William B. Hornblower, member of the Assembly from the Twenty-third Assembly District, in the chair.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up his motion for reconsideration of Senate Constitutional Amendment No. 30, which was this day continued until the next legislative day.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Lyon moved that the vote whereby Senate Constitutional Amendment No. 30 was refused adoption be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—69.

NOES—None.

Senate Constitutional Amendment No. 30 ordered on file.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and twenty minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 2035—An act to add a new section to the Code of Civil Procedure, to be numbered 110b, relating to justice's courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2035 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Wright—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 908—An act to prohibit until January 1, 1934, sales under certain mortgages and deeds of trust for default in the payment of the principal sum of obligations secured thereby, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency hereof.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Peterson:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended, after "mortgages", insert a comma and the following: "contracts of sale,".

AMENDMENT NUMBER TWO.

On page 3, line 28, of the printed bill, as amended, after "executed", insert a comma and the following: "nor shall there be forfeited any right of the vendee to conveyance under any contract of sale of real property, heretofore executed and under which payment for the property is made by installments with the condition that the land shall be conveyed to the purchaser after payment of a certain amount has been made,".

AMENDMENT NUMBER THREE

On page 3, line 30, of the printed bill, as amended, after "security", insert a comma and the following: "or which is embodied in said contract of sale,".

AMENDMENT NUMBER FOUR.

On page 3, line 31, of the printed bill, as amended, after "sum", insert a comma and the following: "or installments of the principal sum,".

The question being on the adoption of the amendments.

Amendments refused adoption.

FURTHER AMENDMENTS TO ASSEMBLY BILL NUMBER NINE HUNDRED EIGHT.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Dempster:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, in line 11 of the title, after "brought," insert the following: "to prohibit judgments against guarantors of obligation secured by mortgages or deeds of trust in cases in which sales thereunder are prohibited by this act."

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, as amended, between lines 46 and 47, insert the following:

"SEC. 4. Until January 1, 1934, no judgment shall be rendered against any guarantor of any obligation secured by a mortgage or deed of trust because of any default in the payment of the principal sum of such obligation, in any case in which a sale under such mortgage or deed of trust is prohibited by this act."

AMENDMENT NUMBER THREE.

On page 3, line 47, of the printed bill, as amended, strike out "Sec. 4", and insert in lieu thereof the following: "Sec. 5".

The question being on the adoption of the amendments.

Amendments refused adoption.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Thorp, Tournoux, Utt, West, Woolwine and Wright—55.

NOES—Boyle, Crist, Kallam, Stream, Sullivan and Mr. Speaker—6.

Further consideration of Assembly Bill No. 908 continued.

Assembly Bill No. 185—An act to amend sections 278, 290, 292, 293, 294, 295, 296, 300a, 300b, 301, 303, 304, 305, 306, 307, 307a, 308, 309, 311, 312, 313, 314, 315, 319, 320a and 320b of the Civil Code, to add a new section 281 to the Civil Code, and to repeal section 375 of the Civil Code, all relating to corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 185 passed by the following vote:

AYES—Anglim, Badham, Bliss, Boyle Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 186—An act to amend sections 326, 328, 328a, 328b, 328e, 330.6, 330.13, 330.24, 331, 332, 333, 334, 334a, 336 and 337 of, to repeal section 587 of, and to add a new section to be numbered 326b to, the Civil Code, all relating to corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 186 passed by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 187—An act to amend sections 341, 342, 342a, 342b, 343, 346, 346a, 348 and 348b of the Civil Code, and to repeal sections 343a and 347 of the Civil Code, all relating to corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 187 passed by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 188—An act to amend sections 355, 357, 358 and 359 of the Civil Code, and to add a new section to the Civil Code to be numbered 356, all relating to corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 188 passed by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 189—An act to amend sections 361, 362, 362a, 362b and 362c of the Civil Code, all relating to corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 189 passed by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 190—An act to amend sections 363, 365, 366, 368, 369, 370a and 373 of the Civil Code, all relating to corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 190 passed by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 191—An act to amend sections 399, 399a, 400, 400a, 401, 401a, 401c, 402, 402a, 403, 403a, 403b, 403c, 403d, 404, 404a and

404b of the Civil Code, and to repeal sections 343a and 401b of the Civil Code, all relating to corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 191 passed by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 192—An act to amend sections 405, 406, 406a, 408, 409, 411 and 412 of the Civil Code, all relating to foreign corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 192 passed by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2339—An act to amend section 362c of the Civil Code, relating to the extension of the term of corporate existence.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2339 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and forty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Powers.

The roll of absentees was called, and Assembly Bill No. 1223 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Chatters, Cottrell, Crist, Dempster, Frazier, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, King, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West and Woolwine—42.

NOES—Badham, Brock, Cassidy, Clowdsley, Cobb, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Hoffman, Hornblower, Knowland, Latham, Lyon, Maloney, McMurray, Meehan, Miller, James A., Morgan, O'Donnell, Rawls, Redwine, Riley, Roberts, Roland, Utt, Williamson, Wright and Mr. Speaker—33.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Knowland gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1223 was this day passed.

ASSISTANT CLERK BERNARD READING.

MOTION TO PRINT.

On motion of Mr. Bliss, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 570.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 908—An act to prohibit until January 1, 1934, sales under certain mortgages and deeds of trust for default in the payment of the principal sum of obligations secured thereby, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 908 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—66.

NOES—Kallam, Powers, Stream and Tournoux—4.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RECONSIDER.

Mr. Cronin moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 557 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Williamson moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2314 was passed be continued until the next legislative day.

Motion carried.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the resolution introduced by Mr. Cobb and adopted by the Assembly this day, relative to appointment of a committee on tax problems, to meet with a like committee from the Senate, the Speaker appointed Messrs. Riley (chairman), Clowdsley, Cobb, Feigenbaum, Knowland, Lyon and Scudder as such select committee.

ADJOURNMENT.

At eleven o'clock and fifty-eight minutes p.m., on motion of Mr. Clowdsley, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Saturday, April 22, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Saturday, April 22, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus.

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. Frazier moved a call of the House.

Motion carried.

Time, ten o'clock and five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Badham, Bowers, Boyle, Brock, Cassidy, Clowdsley, Cottrell, Craig, Crist, Evans, Fisher, Frazier, Hatch, Hoffman, Knowland, Latham, Maloney, Martin, McBride, Meehan, Miller, James A., O'Connor, Peterson, Powers, Rawls, Redwine, Rogers, Roland, Stream, Thorp, Williamson, Woolwine and Wright—34.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and ten minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Williamson

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr Speaker—72.

The Speaker pro tempore declared a quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Miller, James A., its further reading was dispensed with.

HON. RAY WILLIAMSON IN THE CHAIR.

At ten o'clock and fifteen minutes a.m., Hon. Ray Williamson, member of the Assembly from the Twenty-sixth Assembly District, in the chair.

LEAVES OF ABSENCE.

On motion of Mr. Hunt, Mr. Dempster was granted leave of absence for the day.

On motion of Mr. Meeker, Mr. Robinson, C. Ray, was granted leave of absence for the day.

GUEST ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Meeker, Lorena Goff Donsted of Fresno, California, was extended the privilege of the floor of the Assembly for this day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1933.

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 253—An act to amend section 8 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917," approved June 13, 1923—has had the same under consideration, and respectfully reports the same back, and recommends that it be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered to reprint.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 58—An act to amend section 337 of the Code of Civil Procedure, relating to the time within which actions upon any contract, obligation or liability founded upon an instrument in writing may be commenced;

Also: Assembly Bill No. 687—An act to amend section 4273 of the Political Code, relating to compensation of county and township officers in counties of the forty-fourth class;

Also: Assembly Bill No. 692—An act to add a new section to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, to be numbered 862b, relating to cities of the sixth class;

Also: Assembly Bill No. 2083—An act to amend sections 1, 5, 7, 10, 12, 13, 24, and 25 of the Direct Primary Law, approved June 16, 1913, as amended, relating to primary elections, providing for party conventions in the State and various political units thereof, and the powers and duties of the same, for the choosing of delegates to such conventions, method of choosing members of the party county central committee and State central committee and the powers and duties of the same;

Also: Assembly Bill No. 2210—An act to amend sections 1333 and 1567 of the Penal Code, relating to production of prisoners in court;

Also: Assembly Bill No. 2320—An act to provide means for the immediate relief and public employment for the unemployed and indigent citizens and residents of California;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON OIL INDUSTRIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 2374—An act prohibiting the bringing in, sale and distribution in this State of crude petroleum oil illegally produced and of gasoline, distillates, kerosene, gas oil or other motor fuel extracted, manufactured, distilled or compounded, in whole or in part, from crude petroleum oil or gas illegally produced; providing for certificates to be filed with the State Superintendent of Weights and Measures, Department of Agriculture, at the time of bringing into this State of any crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, certifying that such crude petroleum oil was not illegally produced or that such gasoline, distillate, kerosene, gas oil or other motor fuel was not extracted, manufactured, distilled or compounded from oil or gas illegally produced, and providing for a permit for taking delivery of such crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, and the fee to be paid therefor, and prescribing penalties for violations of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BADHAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 570—An act to regulate drilling or operating any well for petroleum oil or gas within 300 feet of any publicly owned land—has had the same under consideration, and respectfully reports the same back without recommendation as amended.

BADHAM, Chairman

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 933—An act to amend section 10 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BADHAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 36—An act to amend section 1 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon

application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the status of unincorporated territory—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BADHAM, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 716—An act to amend section 4239 of the Political Code, relating to the compensation of county and township officers in counties of the tenth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 20, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 321—An act to amend an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin Drainage District based upon assessments levied by the Reclamation Board upon lands in said district," approved May 27, 1919, as amended, by amending section 29 thereof, relating to the maturity, calling and redemption of bonds of said district, section 42 thereof, relating to the calling of installments to pay interest and principal on such bonds and to provide a sinking fund, section 50 thereof, relating to the redemption of delinquent assessments and to deeds by the Reclamation Board where lands have not been redeemed and section 52 thereof, relating to the investment of surplus moneys in the bond fund and to the cancellation of bonds purchased with such moneys.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Stream:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for the control and conservation of flood waters in San Diego County.

Referred to Committee on Introduction of Bills.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Rawls moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was refused adoption, be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Williamson moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2314 was passed, be continued until the next legislative day.

Motion carried.

Assembly Bill No 393—An act to add a new section to the Penal Code to be numbered 904a, relating to grand juries.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 393?

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after "officers", insert the following: ", except the foreman,".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 393 by the following vote:

AYES—None.

NOES—Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Cottrell, Craig, Crist, Evans, Fisher, Frazier, Grubbs, Hatch, Hoffman, Hunt, Maloney, Martin, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Utt, Williamson and Wright—43.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 54—An act to amend section 2924 of the Civil Code and to add a new section thereto, to be numbered 2924b, all relating to mortgages and deeds of trust

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 12, of the printed bill, strike out the word "each", and insert in lieu thereof the word "the".

AMENDMENT NUMBER TWO.

On page 2, line 12, of the printed bill, strike out the word "the", last appearing in said line and insert in lieu thereof the word "each".

AMENDMENT NUMBER THREE.

On page 2, line 16, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "trustors".

AMENDMENT NUMBER FOUR.

On page 2, line 43, of the printed bill, strike out the word "any", and insert in lieu thereof the word "the".

AMENDMENT NUMBER FIVE.

On page 2, line 44, of the printed bill, strike out the word "the", and insert in lieu thereof the word "any".

AMENDMENT NUMBER SIX.

On page 3, line 51, of the printed bill, following the word "provided", insert a comma.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 59—An act to add a new section to the Civil Code, to be numbered section 2924c, relating to obligations secured by deed of trust or mortgage.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 2, line 22, of the printed bill, following the word "time", insert the following: "within three months of the recording of the notice of default under such deed of trust or mortgage if the power of sale therein is exercised, or, otherwise".

AMENDMENT NUMBER TWO.

On page 2, line 23, of the printed bill, strike out the following: "or the exercise of any".

AMENDMENT NUMBER THREE.

On page 2, line 24, of the printed bill, strike out the following: "power of sale under such mortgage or deed of trust".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out all of lines 42, 43, 44, 45, 46 and 47.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1019—An act to amend the Political Code by amending subsection 3 of section 690.10 thereof, relating to the removal of certain structures upon the swamp, overflowed, marsh, tide or submerged lands of this State.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend section 690.10 of the Political Code, relating to rights in and to, and structures on, or partly on, swamp, overflowed, marsh, tide- or submerged lands, and making an appropriation therefor."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out "Subsection 3 of section", and insert in lieu thereof the following. "Section".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 3 to 7, inclusive, and insert in lieu thereof the following:

"690.10. (1) The Department of Finance through the Chief of the Division of State Lands is hereby authorized, upon written application of the littoral owner, to grant authority to any owner of the littoral lands, to construct, alter or maintain, groins, jetties, seawalls, breakwaters, and/or bulkheads upon, across or over any of the swamp, overflowed, marsh, tide- or submerged lands of this State bordering upon such littoral lands if at the time of construction or alteration the same do not unreasonably interfere with the uses and purposes reserved to the people of the State and is hereby authorized, empowered and directed to make and establish reasonable rules and regulations with reference to such applications and the location, type, character, design, size and manner under which said structures may be constructed, altered or maintained, and to take suitable measures to enforce such rules and regulations and to fix and collect reasonable fees not exceeding the actual cost thereof for the filing and examination of each application therefor, and for the performance of such other duties as may be required under the provisions of this act. Said department shall also in a similar manner, have power to remove, require to be removed, repaired or altered and to regulate the type, character, design, size, and maintenance of structures mentioned herein and existing at the time this section goes into effect, and to make reasonable rules and regulations in reference thereto. Should any accretions be caused or occasioned by any such structure authorized hereunder no fence, building or other structure of any kind other than the structure herein authorized and appliances for the protection of life shall be permitted or suffered to be erected or maintained either by the State, any political subdivision thereof or municipality or by any one claiming under or through them upon any such accretions, belonging to others than the littoral owner to the end that all such accretions shall at all times be and remain an unobstructed and open beach, except as provided in subsection 4. If by reason of any grant to any municipality, political subdivision or district, or by reason of any charter of any city, city and county, or county, any of the powers and duties which are granted to or imposed upon the Department of Finance in relation to lands described in this section, can not be exercised by said department within any municipality, political subdivision or district, or any portion thereof, then such powers and duties are to that extent granted to and imposed upon such municipality, political subdivision or district, to be exercised and performed by, or under the authority of, the legislative or other governing body of such municipality, political subdivision or district; but where any such lands have been granted to any municipality or other governmental agency in trust or for limited purposes or upon conditions, nothing herein contained shall be deemed to

affect such trusts or purposes or to extend such trusts or purposes or to modify or affect such conditions. The authority to be granted under this section shall not obviate the necessity of the obtaining by the applicant of permission from the War Department of the government of the United States of America to construct, alter or maintain the structures herein authorized.

(2) Nothing in this section shall be construed as abridging any right of the State to erect, maintain or remove the protective structures herein mentioned, upon, across or over any of the swamp, overflowed, marsh, tide or submerged lands of this State.

(3) The Department of Finance through the Chief of the Division of State Lands, may establish the ordinary high water mark of such lands, either by arbitration or action to quiet title, whenever it is deemed expedient or necessary.

(4) In any case where, after the establishment of such high water mark, it is found that any structures other than those mentioned in subsections 1, 2 and 3 are on or partly on such lands owned by the State, and such structures have been erected prior to August 14, 1931, the person who has erected such structure or structures or his successor in interest may, within one year of such determination, apply to the Chief of the Division of State Lands of the Department of Finance for a lease of so much of such lands as is necessary to the purpose of such structure or structures. During such year, and thereafter during the pendency of such application, no proceedings shall be commenced or carried on for the purpose of removing any such structure or structures or interfering with the use thereof.

(5) Such application shall be in writing and verified by the applicant, or if it be a corporation, by an officer thereof, and shall set forth the name and address of the applicant and shall contain the description of the land which the applicant desires to lease, accompanied by a plat of survey thereof, and a statement of the term for which a lease is desired by the applicant. Said application must be accompanied by a filing fee of ten dollars. If, upon an examination of the description of the land sought to be leased, or the plat of survey thereof accompanying said application, it shall appear to the Chief of the Division of State Lands that said description or plat of survey is insufficient, he shall forthwith, at the expense of the applicant, survey or cause to be surveyed the land so sought to be leased. Within thirty days after the filing of any such application, or within thirty days after the completion of a survey made pursuant to this section, the Chief of the Division of State Lands shall forthwith appraise said land and determine and establish a reasonable annual rental for such land as unimproved, and in the determination of which rental the Chief of the Division of State Lands shall be controlled and guided by the values or rentals of lands of like character and similarly situated. The Chief of the Division of State Lands shall then prepare, in duplicate, a lease of such land from the State of California to the applicant. Such lease shall be granted for a period not to exceed five years from and after the date of such application and shall contain such other terms and conditions as in the opinion of the Chief of the Division of State Lands are for the best interests of the State. Such lease when so prepared shall be forthwith signed in duplicate in the name and on the behalf of the State of California by the Director of Finance, and when the same shall have been so signed the Chief of the Division of State Lands shall give notice by registered mail to the applicant at his, or its, address as stated in the application, that such lease is ready in the office of the Division of State Lands for execution by and delivery to the applicant. Within thirty days after the mailing of such notice the applicant shall sign such lease, in duplicate, as lessee, and pay to the State of California the installment of rental which by the terms of such lease is to be paid on or before its delivery, and the Chief of the Division of State Lands shall deliver one of such executed copies to the applicant and file the other thereof in the Division of State Lands. If the applicant shall fail to sign such lease, in duplicate, and make such annual payment of rental within thirty days after the mailing to the applicant of the notice herein provided for that such lease is ready for signature by and delivery to the applicant, the applicant shall be deemed to have waived the privilege to obtain a lease under the provisions of this act, and the Chief of the Division of State Lands shall forthwith report all the facts in connection with the applicant's occupation, as well as the occupation by other persons in such cases of such lands to the Attorney General who is authorized to commence an action in a court of competent jurisdiction in the county wherein such lands or any portion thereof are located to eject the applicant, or applicant's assignee or successor, or such other persons, from such land.

(6) The Department of Finance through the Chief of the Division of State Lands, may grant the privilege of depositing material upon or removing or extracting material from such lands owned by the State, upon such terms and conditions and for such consideration which in the opinion of the Director of Finance will be for the best interests of the State.

(7) The powers herein granted to the Department of Finance as to leasing or granting of rights or privileges with relation to such lands owned by the State are hereby conferred upon the counties and cities to which such lands have been granted.

(8) The Department of Finance through the Chief of the Division of State Lands is hereby authorized to cooperate with the Beach Erosion Board of the United States government, and out of any appropriation for the purposes of this section to expend such moneys as are necessary for cooperative work with such board.

SEC. 2. The sum of twenty-five thousand dollars ($25,000) is hereby appropriated to be expended by the Department of Finance in accordance with law for the purposes of this act during the eighty-fifth and eighty-sixth fiscal years."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2362—An act to authorize the incorporation and to provide for the organization, powers, duties, regulation, and liquidation of nonprofit corporations organized for the purpose of administering community land chests, to limit the use of the terms "land chest" and "community land chest" in corporate names, to prescribe penalties for the violation of the provisions of this act, and to declare the urgency of this act and to provide that it shall take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1174—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1727—An act to add a new section to be numbered section 6a to an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, relating to ownership of real estate by indigent, incompetent, and incapacitated persons.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 554—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections

numbered 1.01, 3.02, 5.01, 6 01, 6 02, 6 03, 6 08, 7.06, 9.02, 9.04, to 9.12, both inclusive, 10.03, 10.05, 12.01, 12.08, 13.01, and 15 16 and adding new sections to be numbered 9.13, 9.14, 9.15, 9.16, 9.17 and 13.16a to said act, relating to building and loan associations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, and in lieu thereof insert the following:

"An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 1 01, 3.02, 5.01, 6.01, 6.02, 6.03, 6.08, 7.06, 9.02, 9.04 to 9.12, both inclusive, 10.03, 10 05, 12.01, 13 01, and 15.16, by repealing section numbered 12.08 thereof, and by adding new sections to be numbered 9.13, 9.14, 9.15, 9.16, 9.17, 13.16a and 13.20 to said act, all relating to building and loan associations."

AMENDMENT NUMBER TWO.

On page 11 of the printed bill, between lines 31 and 32, insert the following:

"SEC. 5. Section 6.02 of said act is hereby amended to read as follows for the emergency period as hereafter in said section 6.02 defined:

Sec. 6.02. Limitation on Withdrawals. The term "matured withdrawal claims," as used in this article, shall include each and all of the following, to wit, (1) the value of all shares or investment certificates or parts thereof, in respect of which valid notices of intention to withdraw shall be on file, matured and unpaid, including notices of intention to withdraw by defaulting shareholders pursuant to section 3.05 of this act, as well as notices of withdrawal generally pursuant to section 6.01 of this act; (2) the value of all shares which shall have matured pursuant to section 3 03 of this act and which shall be unpaid; (3) the value of all investment certificates in respect of which the holders, pursuant to section 5.07 of this act but subject to section 6 02 of this act, shall be entitled to receive the redemption price, but which shall be unpaid; and (4) the value of all definite term investment certificates which shall have reached the expressed date of their maturity but which shall be unpaid.

Regardless of whether or not an association is on notice or on a pro rata basis, its obligation to pay matured withdrawal claims, and the right of shareholders and certificate holders to receive payment of matured withdrawal claims, shall be secondary and subsequent to the right of such association to pay, and to provide reasonable reserves for the payment of, the following: taxes, assessments, insurance, repairs, alterations and other sums necessary to protect and preserve or to furnish or equip its properties and its interest in properties (including those on the security of which it holds loans); principal and interest on borrowings by such association, otherwise than through the issuance of investment certificates; interest on investment certificates and dividends on shares; rent, compensation of officers, agents, salesmen and other employees, and other usual and ordinary operating expenses of such association; and commitments on its incomplete loans or investments; provided, however, that an association on notice or on a pro rata basis shall not pay any dividends on its stock or distribute any profits to its stockholders or make any loans or investments, except loans or investments pursuant to its obligations incurred before it became an association on notice, and except loans expressly permitted by section 9.01 of this act; provided further, that an association on notice and not on a pro rata basis may with the prior consent of the commissioner, and an association not on notice and not

on a pro rata basis may without the necessity of obtaining the consent of the commissioner, in lieu of paying matured withdrawal claims, make or purchase loans or investments not exceeding the principal amount of moneys borrowed by such association from a Federal home loan bank, or other similar Federal agency, and not theretofore repaid; and provided further, that an association which is either on notice or on a pro rata basis may with the prior consent of the commissioner, and an association which is neither on notice nor on a pro rata basis may without the necessity of obtaining the consent of the commissioner, in lieu of paying matured withdrawal claims, invest in stock issued by any Federal home loan bank or other Federal agency of which such association may be eligible to be a member. Moreover, regardless of whether or not an association is on notice or on a pro rata basis, its obligation to pay matured withdrawal claims, and the right of shareholders and certificate holders to receive payment of matured withdrawal claims, shall be limited to payments from its cash on hand or in bank, proceeds from sale of investments and loans and other cash receipts of such association; and shall be further limited to payments pursuant to the subsequent provisions of this section. The cash, proceeds and other receipts aforesaid which shall remain after deducting therefrom all payments, reserves, loans and investments above-mentioned in this paragraph, are hereafter in this section 6 02 called the "available funds."

The term "free money," as hereafter used in this section 6.02, is hereby defined as that part of the available funds which may be used at the option of the association to pay any or all withdrawals without requiring notice of intention to withdraw or before the maturity of a notice of intention to withdraw and regardless of the nonpayment of any or all matured withdrawal claims, or to pay any or all definite term investment certificates before the expressed date of maturity subject to such adjustment of interest, if any, as may be provided in such certificates, or for the purpose of making loans or investments, or for any other purpose not prohibited by law.

If the association is neither on notice nor on a pro rata basis, and if there are no matured withdrawal claims (excepting claims for the payment of which funds have been set aside by the association) then all of the available funds shall be free money.

If there are matured withdrawal claims (for the payment of any of which funds have not been set aside by the association), then not to exceed twenty-five per cent of the available funds shall be free money (but in such case no part of such free money shall be used to pay dividends on stock or be distributed as profits to stockholders), and all the remainder shall be applied to the payment of withdrawals. The commissioner is hereby authorized, in the case of any or all associations, to reduce the amount of such free money from twenty-five per cent of the available funds to such smaller per cent of the available funds as he may from time to time prescribe, and in such case all the remainder shall be applied to the payment of withdrawals. Whether or not the commissioner shall have reduced such amount of free money such remainder of the available funds shall be applied (regardless of whether or not the association is on notice or on a pro rata basis) at such times as the commissioner shall prescribe to the payment of matured withdrawal claims as follows:

First: To all matured withdrawal claims in respect of investment certificates until all sums payable thereon are paid and, as between several holders thereof, pro rata according to the unpaid principal thereof at the time of each such payment.

Second: To all matured withdrawal claims in respect of shares until all sums payable thereon are paid and, as between the several holders thereof, pro rata according to the unpaid value thereof at the time of each such payment.

Every association (whether or not it is on notice or on a pro rata basis) shall, from available funds, and subject to such rules and regulations as the commissioner may prescribe, pay in each month, with or without requiring notice of intention to withdraw, and regardless of the nonpayment of any or all matured withdrawal claims, to any one or more of its shareholders or certificate holders who shall request such payment, not to exceed whichever of the two following amounts shall be the greater (1) twenty-five dollars per person, or (2) one per cent of the value of such person's shares or investment certificates (in addition to any free money which may be applied to the payment of withdrawals); and withdrawals may be made at any time from pledged shares and investment certificates, whether or not the association is on notice or on a pro rata basis, and without notice; provided, the full amounts of such withdrawals shall be used to pay the indebtedness for which such shares or investment certificates are pledged, or any part thereof; and provided further, that in the case of loans upon the mutual plan, such withdrawals without notice shall be permitted only at the option of the association unless the entire indebtedness shall be simultaneously paid.

If in any accounting period an association has not used as free money the full amounts which such association is permitted by this section 6 02 to use for such purposes, then (unless the commissioner shall otherwise order in the case of such association) the amounts not so used shall be available to the association in any subsequent period for such purpose until such amounts shall have been so used, in addition to the amounts which would otherwise be available for such purpose in such subsequent period.

No association shall make any contract waiving in any manner any of the provisions of this section and, if any such contract shall be so made, such contract shall be void.

The provisions of this act shall govern, during the existence of the emergency period as hereinafter defined and only during such period, the withdrawal and other rights of the holders of all shares and investment certificates whether heretofore or hereafter issued, and whether or not withdrawal claims shall have heretofore been filed or shall have heretofore matured

The term "emergency period" as used in this section 6.02 shall mean the period commencing with the effective date of this section 6.02 as amended and ending September 1, 1935; provided, however, that said emergency period may be terminated at any time prior to September 1, 1935, by order of the commissioner."

AMENDMENT NUMBER THREE.

On page 11, line 32, of the printed bill, strike out "SEC 5.", and insert in lieu thereof "SEC. 5a "

AMENDMENT NUMBER FOUR.

On page 11, line 36, of the printed bill, after the figures "1933", strike out the period, and insert in lieu thereof a colon.

AMENDMENT NUMBER FIVE.

On page 30 of the printed bill, strike out all of lines 36 to 52, inclusive, and on page 31, strike out all of lines 1 to 15, inclusive, and insert in lieu thereof the following:

"SEC 14. Section 12.08 of said act is hereby repealed "

AMENDMENT NUMBER SIX

On page 31 of the printed bill, between lines 15 and 16 insert the following:

"SEC. 15. Section 13 01 of said act is hereby amended to read as follows:".

AMENDMENT NUMBER SEVEN.

On page 31, line 49, of the printed bill, after the word 'certificates", insert the following: ", or on shares in the case of any association in which shareholders shall have heretofore been granted the right and option by the association to exchange their shares for investment certificates of equal value,".

AMENDMENT NUMBER EIGHT.

On page 32 of the printed bill, between lines 12 and 13, insert the following:

"SEC. 17. A new section numbered section 13.20 is hereby added to said act to read as follows:

Sec. 13.20. Whenever the holders of seventy-five per cent in value of the outstanding investment certificates of an association, which association is not in the custody of the commissioner, together with the holders of seventy-five per cent in value of the outstanding shares of such association, together with either the board of directors or the holders of seventy-five per cent of the capital stock of such association, shall have agreed in writing to a plan of reorganization and shall have created and empowered a corporation or reorganization committee to act for them, they shall through such corporation or reorganization committee so notify the commissioner. Within fifteen days thereafter the commissioner shall give notice to each certificate holder, shareholder and stockholder in such association in the manner provided in section 8.08 of this act for notice by an association, which notice shall state that application has been made for reorganization and separation of assets. Thirty days after the mailing of such notices, the commissioner shall begin the segregation of assets of such association and within a reasonable time thereafter deliver to the corporation or reorganization committee, empowered to act for consenting investment certificate holders, shareholders and stockholders, their proportionate share of the assets of such association and the commissioner shall retain such assets as may fully protect all nonconsenting certificate holders, shareholders and stockholders and shall preserve to such nonconsenting certificate holders, shareholders and stockholders any rights, preferences or priorities expressed in the Building and Loan Association Act. If the nonconsenting certificate holders, shareholders and stockholders, and the corporation or reorganization committee herein referred to, are unable to agree with the commissioner as to which assets are to be delivered to the corporation or reorganization committee, or as to those assets constituting the proportionate share of nonconsenting certificate holders, shareholders and stockholders, the commissioner shall then petition the superior court of the county in which the principal place of business of the association is located for an order to determine the assets to be taken by the corporation or reorganization committee and those assets to be retained by the association. All costs of reorganization shall be paid by those consenting to such reorganization and no charge shall be made against those not consenting."

AMENDMENT NUMBER NINE.

On page 32, line 13, of the printed bill, strike out "SEC. 17.", and in lieu thereof insert "SEC. 18."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 549—An act to add sections 85 and 85½ to the Public Utilities Act, relating to assessing the salaries and expenses of the Railroad Commission to public utilities and disbursements from the Railroad Commission fund.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after "act to", insert the following: "amend section 43 of, and".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. Section 43 of the act cited in the title hereof is hereby amended to read as follows:

43. (a) No public road, highway or street shall hereafter be constructed across the track of any railroad corporation at grade, nor shall the track of any railroad corporation be constructed across a public road, highway or street at grade, nor shall the track of any railroad corporation be constructed across the track of any other railroad or street railroad corporation at grade, nor shall the track of a street railroad corporation be constructed across the track of a railroad corporation at grade, without having first secured the permission of the commission; provided, that this subsection shall not apply to the replacement of lawfully existing tracks. The commission shall have the right to refuse its permission or to grant it upon such terms and conditions as it may prescribe.

(b) The commission shall have the exclusive power to determine and prescribe the manner, including the particular point of crossing, and the terms of installation, operation, maintenance, use and protection of each crossing of one railroad by another railroad or street railroad, and of a street railroad by a railroad and of each crossing of a public or publicly used road or highway by a railroad or street railroad and of a street by a railroad or vice versa, subject to the provisions of section 2694 of the Political Code so far as applicable, and to alter, relocate or abolish by physical closing any such crossing heretofore or hereafter established, and to require, where in its judgment it would be practicable, a separation of grades at any such crossing heretofore or hereafter established and to prescribe the terms upon which such separation shall be made and the proportions in which the expense of the construction, alteration, relocation or abolition of such crossings or the separation of such grades shall be divided between the railroad or street railroad corporations affected or between such corporations and the State, county, municipality or other political subdivision affected. It shall be the duty of each corporation and political subdivision to which any of the expense is apportioned to pay from the funds available therefor in its treasury the amount apportioned to it at the time and to the parties specified by the order of the commission and if the same is not paid in accordance with the commission's order the corporation or political subdivision entitled thereto under the commission's order shall have the right to sue therefor in any court of competent jurisdiction. If no such funds are available as aforesaid, it shall be the duty of the appropriate boards, officers and employees intrusted with the levy and collection of the taxes or assessments of such political subdivision to do all acts necessary to include in the next succeeding tax or assessment levy the amount due and to collect the same, whereupon the amount due shall be paid over to the corporation or corporations, the State, political subdivision, or political subdivisions entitled thereto under the commission's order. The commission shall have the power by order to designate the State, certain of said corporations, and political subdivisions, affected, to do all or specified portions of the acts required by any order of the commission made under the provisions of this subsection, and to prescribe the manner and the time within which the parties so designated shall be paid or reimbursed by the other corporations, the State and political subdivisions among which the expense of the work has been apportioned by the commission.

If the legislative body of the political subdivision deems that special benefits will accrue from the separation of grades to a district or districts within such political

subdivision, and has made a finding to such effect and that the cost thereof other than the portion to be paid by the railroad, interurban railroad or street railroad involved should be paid in whole by such district or districts or partly by such district or districts and partly by such political subdivision, then the commission shall have power to provide that such proportion of the total cost of such separation of grades including the acquisition of property, the damage to property or an interest therein as shall not be payable by the owners of the railroad, interurban railroad or street railroad involved, may be assessed upon a district or districts within such political subdivision or that a part thereof may be paid by such district and a part by such political subdivision in accordance with the finding of the legislative body of such political subdvision and that the physical work of making such grade separation as well as the proceedings for letting contracts therefor, collecting and enforcing the assessments and making payment for damages and for the acquisition of property shall be done through the agency of such political subdivision in accordance with such statutory methods as may be provided. Power shall be given in and by the order of the commission to the officers of the political subdivision to enter upon so much of the right of way of the railroad, interurban railroad or street railroad as may be necessary to effect the physical grade separation.

If any order of the commission heretofore or hereafter made shall provide for the payment of a portion of the cost of any such grade separation by such political subdivision without authorizing the assessment of the same or any part thereof upon a benefited district, then the legislative body of such political subdivision may at any time thereafter apply to the commission to have such order modified in accordance with any finding made by such legislative body and the commission shall thereupon have the same power to make a new or modified order as if such application had been made to it before the making of such order.

(c) 1. The commission shall have power in accordance with the procedure provided in this subsection to fix the just compensation to be paid for property or any interest in or to property to be taken or damaged in the separation of grades at any crossing specified in subsection (b) hereof, or for property or any interest in or to property to be taken or damaged in the construction, alteration or relocation, under the order or with the approval of the commission, of elevated tracks or subways for any railroad or street railroad over or under any public road, street, highway or private right of way, or of any public road, street or highway over or under the tracks of any railroad corporation or street railroad corporation: and upon the payment of the just compensation so fixed to make a final order of condemnation as hereinafter provided

2. Proceedings under subsection (c) hereof may be commenced by order on the commission's own motion or by a petition filed by the State, county, city and county, incorporated city or town, other political subdivision, railroad corporation, or street railroad corporation affected. Any proceeding commenced under this subsection may be made a part of any proceeding commenced under subsection (b) hereof. Said petition shall set forth the name and interest of the petitioner, and said order on the commission's own motion and said petition shall set forth a statement of the purpose of the proceedings and the use for which property or interest in or to property is sought to be taken, a description of each piece of land or other property or interest in or to property sought to be taken, and whether the same includes the whole or only a part of an entire parcel or tract or piece of property or interest in or to property and the names and addresses of all owners and claimants thereof, if known, or a statement that they are unknown, and a statement of each railroad corporation, the State and political subdivision which in the opinion of the commission or the petitioner has an interest in the proceeding. Said petition shall pray that the commission fix the just compensation to be paid for the acquisition of or damage to the property and interest in or to property specified in the petition, that the commission designate the party or parties to the proceeding who shall pay such compensation and the owners and claimants of the property and interest in or to property condemned to whom such compensation shall be paid and that the commission make its final order of condemnation; provided, that when the proceeding is commenced by order on the commission's own motion said matters shall be included in the statement of the purpose of the proceeding. Said petition shall be duly verified and at the time the same is filed with the commission the petitioner shall also file the additional copies thereof equal in number to three or more than the number of owners and claimants named in the petition

3. Upon the filing of said petition with the commission or the making of said order on the commission's own motion, the commission shall make its order specifying the nature of the proceeding, containing a general description of the property and interest in or to property to be condemned, and directing the owners and claimants and the railroad corporations, street railroad corporations, and governmental authorities in interest named in said petition or order on the commission's own motion, who shall also be named in said order to show cause, to appear before the commission at a time and place specified in said order, to show cause, if any they have, why the commission should not proceed after hearing to fix the just compensation to be paid for the acquisition of or damage to the property and interest in or to property specified

in said petition or order on the commission's own motion, to designate the party or parties to the proceeding who shall pay such compensation and the owners and claimants to whom such compensation shall be paid and to make its final order of condemnation. Said order to show cause shall direct the secretary of the commission to serve or cause to be served upon each said owner and claimant, railroad corporation, street railroad corporation and governmental authority in interest a copy of said order certified under the seal of the commission to which shall be attached a true and correct copy of the petition or order on the commission's own motion; provided, that when the proceeding is commenced by order on the commission's own motion said order to show cause may be incorporated in said order on the commission's own motion.

Personal service shall be made in accordance with the provisions of the Code of Civil Procedure of the State of California; provided, that service may also be made by depositing a copy of said order to show cause certified under seal of the commission with a true copy of the petition or order on the commission's own motion attached thereto or made a part thereof in the United States mail, inclosed in a sealed envelope, registered, with postage prepaid, addressed to each owner or claimant, railroad corporation, street railroad corporation and governmental authority in interest named in said petition or order on the commission's own motion.

If any owner or claimant named in the petition, or order on the commission's own motion resides out of the State or has departed from the State or can not after due diligence be found within the State, or conceals himself to avoid service, or is a corporation having no managing or business agent, cashier or secretary or other officer upon whom summons may be served, who, after due diligence, can not be found within the state, and the fact appears by affidavit to the satisfaction of the commission, and it also appears by such affidavit or by the petition or order on the commission's own motion that a cause of action exists against such owner or claimant on whom service is to be made and that he is a necessary or proper party to the proceeding, the commission may make an order that the service be made on such owner or claimant by publication of the commission's said order to show cause. Said order of the commission shall direct that the publication be made in a newspaper to be designated by the commission as likely to give notice to the owner or claimant to be served, and for such time as the commission may find to be reasonable, at least once a week, but publication against an owner or claimant residing out of the State or absent therefrom shall not be less than two months. If the address of any owner or claimant as stated in the petition or order on the commission's own motion is out of the State, the secretary of the commission shall within fifteen days after the making and filing of said order to show cause, deposit or cause to be deposited a copy of said order to show cause certified under the seal of the commission, with a true and correct copy of the petition or order on the commission's own motion attached thereto or made part thereof, in the United States mail, inclosed in a sealed envelope, registered, with postage prepaid, addressed to such owner or claimant at the address specified in the petition or order on the commission's own motion. Personal service of a copy of the order to show cause and of the petition or order on the commission's own motion out of the State is equivalent to publication and deposit in the United States mail.

Within ten days prior to the time set for the first hearing on the petition or order on the commission's own motion, which time shall be not less than thirty days after the filing of said petition or the making of said order on the commission's own motion, the secretary shall serve or cause to be served upon the petitioner a written notice of such hearing, specifying the time and place at which such hearing shall be had. In all respects not in this paragraph otherwise provided, service and the proof of service shall be made as provided by the Code of Civil Procedure of the State of California. Upon the completion or service upon the petitioner or upon any owner or claimant, railroad corporation, street railroad corporation or governmental authority in interest named in the petition or order on the commission's own motion, the commission shall have full and complete jurisdiction in so far as such petitioner, owner or claimant, railroad corporation, street railroad corporation, or governmental authority in interest is concerned, to make each finding hereinafter referred to, to fix the just compensation to be paid for the acquisition of or damage to any property or interest in or to property specified in the petition or order on the commission's own motion, to designate the party or parties to the proceeding who shall pay such compensation and the owner or claimant to whom such compensation shall be paid and to make its final order of condemnation. The failure to make such service upon any person alleging that he is an owner or claimant or party in interest but not named in the petition or order on the commission's own motion or to acquire jurisdiction over such person shall in no way affect the jurisdiction of the commission over owners and claimants and parties in interest on whom service has been made as in this paragraph provided

The commission shall have power at any time subsequent to the filing of the petition, and prior to making and filing its finding of just compensation, to authorize the amendment of the petition, or in case the proceeding is by order on the com-

mission's own motion to amend said order, by altering or modifying the description of said property, or interest in or to property, or by adding to or deducting from said property or interest in or to property, or by bringing in any additional party or parties and in each other respect including each jurisdictional allegation.

4. At the time and place specified in said order to show cause, or at such other time and place as, for good cause, may be otherwise ordered by the commission, the commission shall proceed to a hearing upon the petition or order on the commission's own motion. When the proceeding has been submitted the commission shall make and file its finding upon the question whether the use to which the property or interest in or to property is to be applied is a use authorized by law and whether the taking is necessary to such use, and shall make and file its written finding and fixing the just compensation to be paid for said property or interest in or to property, provided, that if the commission finds that severance damages should be paid, the just compensation for such damages shall be found and stated separately. Said just compensation shall be fixed by the commission as of the day on which the petition was filed or the order on the commission's own motion was made. The commission shall also make its order designating the party or parties to the proceeding who shall pay the just compensation so fixed, or any portion thereof, the amounts in which it shall be paid, the times at which it shall be paid, the property or interest in or to property for which it shall be paid, and the owners and claimants of such property or interest in or to property to whom it shall be paid. The commission may prescribe any other terms or conditions with reference to the payment of such compensation as to the commission may seem proper, including a provision that the money due be paid to the commission to be distributed to the parties entitled thereto The party or parties whom the commission may designate to pay such compensation or any part thereof shall thereupon become liable therefor, and may be sued in any court of competent jurisdiction by the party or parties entitled to such compensation as provided in the commission's order; provided, that in cases in which the order of the commission authorizing any work to be done under the provisions of this section is permissive in character and not mandatory, the commission may prescribe the time within which the party receiving such permission must elect to proceed and notify the commission thereof, and only in the event such party elects to proceed and so notifies the commission shall any liability arise in such cases to pay the just compensation or any part thereof under the provisions of this subsection. When any political subdivision of the state is designated by the commission to pay such compensation or any portion thereof the same shall be collectible in the manner provided in subsection (b) hereof for the collection of expenses apportioned by the commission to political subdivisions of the State.

5. When the just compensation has been paid in accordance with the commission's order made under the provisions of this subsection for property or interest in or to property, the commission shall make its final order of condemnation which must describe the property or interest in or to property condemned and the purpose of such condemnation. A copy of said order certified under the seal of the commission shall thereupon be filed in the office of the recorder of the county in which the property or interest in or to property therein described is situated, and thereupon the property or interest in or to property described therein shall vest in the parties and for the purposes specified in said order.

6 The finding of the commission on the question of the necessity for the taking and the finding, fixing the just compensation to be paid for any property or interest in or to property under the provisions of this subsection shall be final and shall not be subject to modification, alteration, reversal or review by any court of this State. The provisions of this act with reference to rehearing and review shall be applicable to the findings of the commission made and filed under the provisions of this section. Petitions for rehearing must be filed within twenty days from the date of making and filing the finding as to which a rehearing is desired. If a finding of the commission made and filed under the provisions of this section is set aside by the Supreme Court of the State of California, the matter shall be referred back to the commission for further action in a proceeding before the commission, and the commission shall have the right, on taking further action, to consider the entire testimony theretofore taken in the proceeding before the commission as well as such further testimony, if any, as may be presented in connection with such further action.

7. The procedure provided in this section shall be alternative and cumulative and not exclusive to the right to pursue any other procedure now or hereafter establishing providing for the acquisition under eminent domain proceedings of property or interest in or to property.

8 The Legislature hereby declares that subsection (c) hereof is enacted as a germane and cognate part of and as an aid to the jurisdiction of the Railroad Commission in the supervision and regulation of railroad and street railroad corporations.

9. Nothing in this section shall be construed to entitle any owner or claimant of property and interest in or to property to receive damages when the right to receive

such damages does not exist under the laws of this State apart from the provisions of this section.

(d) The Legislature hereby declares that subsections (a) and (b) hereof are, and each of them is, enacted as germane and cognate parts of and as aids to the jurisdiction vested in the Railroad Commission for the supervision, regulation and control of railroad and street railroad corporations in this State, and the Legislature hereby further declares that the authority and jurisdiction thus vested in the Railroad Commission involve matters of state-wide importance and concern and have been enacted in aid of the health, safety and welfare of the people of this State.

SEC. 2. A new section is hereby added to the act cited".

AMENDMENT NUMBER THREE.

On page 2, line 36, of the printed bill, strike out "SEC 2.", and insert in lieu thereof the following: "SEC. 3."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1094—An act to amend section 611 of the Political Code, relating to reports required of insurance companies.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 and 2 of the title, and insert in lieu thereof the following:

"An act to amend section 606 of the Political Code, relating to reports and accountings of moneys received by the Insurance Commissioner"

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 28, inclusive, and strike out all of page 2, and insert in lieu thereof the following:

"SECTION 1. Section 606 of the Political Code is hereby amended to read as follows:

606. All moneys received by the commissioner for fees, fines, penalties, taxes, or from similar sources, and belonging to the State shall be accounted for and reported monthly by the commissioner to the State Controller and at the same time shall be remitted to the State Treasurer to the credit of the insurance fund, which fund is hereby created, provided, that unless otherwise provided by law, none of the moneys received by the commissioner or coming into his possession under or pursuant to the provisions of section 597 of the Political Code or of the act entitled "An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations," approved April 30, 1919, or from other similar sources, shall be deposited in the State treasury. The unencumbered balance in the insurance fund on June 30th of each year shall revert to and become a part of the general fund of the State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1265—An act to add a new section to the Code of Civil Procedure to be numbered 329, relating to the limitation of the time within which actions for the foreclosure of street improvement assessment liens against real property may be commenced, when the assessments are made payable in installments pursuant to bonds or other written obligations.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 9 and 10, and insert in lieu thereof the following: "within two years after the date when the last of such installments becomes due."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 147—An act to amend section 483 of the Penal Code, relating to the sale of evidences of right of passage on a common carrier to person not entitled to use of same.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, as amended March 13, 1933, strike out the words "or give".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, as amended March 13, 1933, after the word "carrier", insert the following: "which by the terms thereof, or by the terms of the tariff under which it is issued, is nontransferable,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1591—An act to amend section 6 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, relating to fraternal benefit societies.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 3 of the title of the printed bill, and insert in lieu thereof the following:

"An act relating to payment of death benefits by fraternal societies and lodges."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and on page 2 strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1. Whenever any fraternal society or lodge pays benefits contingent on the death of the member, beneficiaries other than the following relatives by blood, marriage or adoption shall be paid only the excess of the amount of the benefits over the expense of burial of the member: Spouse, relative by blood to the fourth degree, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepchildren, children by legal adoption, and parents by legal adoption.

SEC. 2. Any fraternal society or lodge making any payment in violation of the provisions of this act shall thereby become liable for the expense of burial of the member to the extent of the amount paid in violation thereof."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1249—An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing

thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "officers", insert the following: "commission agents".

AMENDMENT NUMBER TWO.

On page 1, line 18, of the printed bill, after the word "officer", insert the following: "commission agent".

AMENDMENT NUMBER THREE.

On page 1, line 19, of the printed bill, strike out the word "an", and insert in lieu thereof the following: "a commission agent or".

AMENDMENT NUMBER FOUR.

On page 2, line 40, of the printed bill, strike out the word "salaried", and insert in lieu thereof the following: "commission agent or".

AMENDMENT NUMBER FIVE.

On page 2, line 41, of the printed bill, strike out the word "salaried", and insert in lieu thereof the words "commission agent or".

AMENDMENT NUMBER SIX.

On page 3, line 34, of the printed bill, strike out the words and figures "five dollars ($5)", and insert in lieu thereof the following: "one dollar ($1)".

AMENDMENT NUMBER SEVEN.

On page 3, line 52, of the printed bill, strike out the period and insert in lieu thereof the words: "; provided, however, that if any corporation, copartnership, or person of which applicant is an officer, member, commission agent or employee, as the case may be, shall join in applicant's application as provided in section 3 hereof, applicant shall be deemed to have complied with the provisions of this section if applicant shall provide, or there shall, theretofore, have been filed with the Railroad Commission, a good and sufficient bond in a sum to be fixed by the Railroad Commission, not exceeding twenty-five thousand dollars ($25,000), executed by the corporation, copartnership, or person, joining in such application, as principal, and by some solvent surety company, authorized to do business in the State of California, as surety, payable to the State of California, and/or any person, or persons, for, or to whom, any officer, member, commission agent or employee of said principal, licensed under the provisions of this act may, or shall, furnish or provide transportation, conditioned: (1) upon the faithful performance, by the motor carrier or motor carriers for whom any officer, member, commission agent or employee of said principal is licensed to act, of the contract or agreement of transportation negotiated by the licensee, and (2) the honest and faithful performance, by any such officer, member, commission agent or employee so licensed, of any undertaking as a licensed motor carrier transportation agent under this act."

AMENDMENT NUMBER EIGHT.

On page 2, line 22, of the printed bill, after the word "municipality;", insert the following: "nor to transportation over a route wholly or partly within a national park where such transportation is sold in conjunction with or as part of a rail trip;".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2138—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out "metered or measured".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 8 to 12, inclusive, and insert in lieu thereof the following: "interest due thereon, which escheat to the State

SEC. 2. Within sixty days from and after the effective date of this act, and on or before the first day of March of each year thereafter, each public utility having such unclaimed deposits shall file with the Railroad Commission and the Attorney General a verified report showing all amounts of money so held by it and which have been unclaimed for five years or more, segregated as to the counties in which the same were collected. Said report shall contain such additional information as may be required by said Railroad Commission, but the names of the depositors and the dates of deposit need not be shown unless required by said Railroad Commission.

SEC 3. At any time after filing of said reports the Attorney General shall commence an action in the name of the State of Cali-".

AMENDMENT NUMBER TWO.

On page 1, line 22, of the printed bill, strike out "SEC. 3", and insert in lieu thereof the following: "SEC. 4".

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, strike out lines 24 to 26, inclusive, and insert in lieu thereof the following:

"SEC. 5. Upon the trial the court must hear all parties who have appeared therein and if it appears that the moneys or any part thereof have remained unclaimed as hereinabove stated and still remain unclaimed by the depositors thereof, the court must render judgment in favor of the plaintiff declaring that such unclaimed moneys have escheated to the State and commanding the defendant public utilities to pay the same to the State Treasurer in lawful money of the United States of America.

SEC. 6. All moneys judicially determined to have escheated to the State under the provisions of this act shall be disposed of in the following manner:

One-half thereof shall be paid to the State Treasurer and deposited by him in the general fund, and the remaining one-half shall be paid to the county treasurers of the respective counties wherein said moneys were originally collected, and shall by such treasurers be credited to the general fund. After judgment of escheat said moneys shall not be the subject of any claim against the State, any county, or the public utility paying the same."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1747—An act to authorize and empower the State Director of Education, with the approval of the State Director of Finance, to sell and convey the lands and buildings now being used by the State Teachers College of Santa Barbara, and from the proceeds of such sale to improve the site for said school, acquired by the State in 1932, to erect and construct upon such site buildings and other structures and improvements necessary and proper for said school, to purchase furniture, fixtures, apparatus, and other things necessary for said school, and to rent such temporary buildings and grounds as may be necessary for the use of said school until the completion of the new school buildings.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 941—An act to provide for the charging of fees for admission to Sutter's Fort, and for the disposition of such fees.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1352—An act to regulate contracts on behalf of the State in relation to the construction, repair, or improvement of any State structure, building, road, or other State improvement of any kind

and to repeal an act entitled, "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any State structure, building, road, or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,' " approved March 22, 1909.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 8, line 4, of the printed bill, as amended March 29, 1933, after the word "kind", insert the following: "other than work done directly by any public utility company pursuant to order of the Railroad Commission or other public authority, whether or not done under public supervision or direction, or paid for wholly or in part out of public funds, and".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1719—An act to secure payment of claims of persons employed by contractors upon public works and claims of persons who furnish materials, supplies, teams, vehicles, implements or machinery used or consumed by such contractors in the performance of such works, prescribing the duties of certain public officers in respect thereto, and providing for the manner and procedure of the enforcement of such claims, and to repeal an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 8, of the printed bill, after the word "contract", insert the words "for public work".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 25, 26, 27 and 28, and insert in lieu thereof the following: "price is more than five million dollars a bond in the sum".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1998—An act to transfer to the Department of Public Health the duty of inspecting auto camps.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 2, 3, 4, 5, 13 and 14 of an act entitled "An act to regulate the construction and maintenance of auto camps in unincorporated areas;

to provide for the inspection and supervision of the same; to provide for the abatement thereof in certain cases; to provide penalties for the violation of the provisions hereof and to repeal Chapter 615, Statutes of 1929, entitled 'An act to regulate the construction and maintenance of auto camps in unincorporated areas, to provide for the inspection and supervision of same and to provide penalties for the violation of the provisions thereof,' approved May 31, 1929," approved April 24, 1931, relating to the powers and duties of the Division of Immigration and Housing, Department of Industrial Relations with respect to auto camps and the fees to be paid by such camps."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 19, inclusive, and insert in lieu thereof the following:

"SECTION 1 Section 2 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 2. It shall be unlawful for any person, firm or corporation to commence the operation or construction of an auto camp or to construct additional buildings or tents or reconstruct or move buildings or tents in an existing auto camp unless such person, firm or corporation shall first make application in writing to the Division of Immigration and Housing, Department of Industrial Relations, and obtain a permit therefor. Such application shall be accompanied by a description of the grounds upon which said auto camp is to be constructed or reconstructed or upon which new buildings or tents are to be erected in an existing auto camp, together with plans and specifications of the proposed construction or reconstruction of such buildings or tents and a description of the water supply, ground drainage, and method of sewage disposal.

SEC. 2. Section 3 of said act is hereby amended to read as follows:

Sec. 3. After the filing of such application, accompanied by plans and specifications as aforesaid, an inspector of the Division of Immigration and Housing, Department of Industrial Relations, shall make an inspection and if, in the opinion of the Division of Immigration and Housing, the place selected for such auto camp is satisfactory for such purpose and if the plans and specifications of the proposed construction, reconstruction, alteration or moving meet the requirements of this act, the Division of Immigration and Housing shall issue to said applicant or applicants a permit for such work.

SEC. 3. Section 4 of said act is hereby amended to read as follows:

Sec. 4. For the purpose of defraying expenses of inspection, checking of plans and other incidental costs, the application referred to shall be accompanied by a fee of twenty-five dollars, which fee shall be paid to the Division of Immigration and Housing, Department of Industrial Relations; provided, however, that in the case of any addition, alteration, or repair to buildings, tents or equipment in any auto camp heretofore erected, such application need not be accompanied by any fee. The person, firm or corporation maintaining any auto camp shall pay to the Division of Immigration and Housing, Department of Industrial Relations, on October 1st of each year an annual license fee of twelve dollars; provided, however, that in the case of auto camps operated not more than six months in the year, such annual license fee shall be six dollars. Upon payment of the annual license fee, or of the initial fee of twenty-five dollars, as above provided for, such person, firm or corporation shall receive from the Division of Immigration and Housing a license or certificate authorizing the maintenance and operation of such auto camp, until the date when the next annual license fee becomes due. Such license or certificate must be displayed in a conspicuous place in the auto camp. All moneys received by said division hereunder shall be reported at the end of each month to the State Controller and at the same time deposited with the State Treasurer who shall place the same to the credit of the "auto camp fund" which fund is hereby created in the State treasury. Such fund shall be expended by said division in accordance with law to defray all actual and necessary expenses of said division in administering and enforcing the provisions hereof.

SEC. 4. Section 5 of said act is hereby amended to read as follows:

Sec. 5. Every living room, sleeping room or kitchen in every building hereafter erected in any auto camp must be provided with windows of an area equal to one-eighth of the floor area of such room and in no event shall the aggregate area of such windows be less than twelve square feet. Every bath or toilet room in any such building shall have a window of at least three square feet in area.

All such windows must abut upon a street, or a yard or court, which yard or court shall be of adequate dimensions and shall be open and unobstructed to the sky; provided, that bath or toilet room windows may open into a vent shaft eighteen inches in its least dimension and be open unobstructed to the sky.

All required windows may be measured the full width of the sash and must be arranged so that at least one-half of their aggregate area may be opened unobstructed; provided, that French windows or doors, if arranged to open and glazed to give the areas of opening and glass required for windows in rooms, may be used in lieu of windows therein; provided, however, that windows required by this act for rooms in auto camp buildings hereafter erected may open through roofed porches,

not exceeding six feet in depth, the side and ends of which porches must abut a street, yard or court as aforesaid, and such porches must be designed and constructed with the side and ends open and unobstructed at least seventy-five per cent, measured between the floor and the under side of roof, and such porches shall have a ceiling height of not less than seven feet, provided that nothing herein shall be construed to prohibit the required open and unobstructed side and ends of such porches from being covered with metal screening of at least sixteen (16) mesh. Under shelters for cars said window area may be counted as required window area if shelters are not over eighteen feet in length and with a minimum height of eight feet above the ground; provided further, that the window area equals one-sixth of the floor area in the room and is so constructed to give light and ventilation. This paragraph does not apply to any existing building to be remodeled, added to or moved.

SEC. 5. Section 13 of said act is hereby amended to read as follows:

Sec. 13. An auto camp which is within the provision of this act and the operation of which constitutes a nuisance shall be abated by proper action brought for that purpose by the district attorney as provided in the Political Code, in the superior court of the county in which said auto camp, or the greater portion thereof, is situated, unless such nuisance is remedied within five days or within such longer period of time as may be allowed by the Division of Immigration and Housing, after a written notice has been given by the Division of Immigration and Housing to the owner or operator thereof.

Within the meaning of this section "a nuisance" embraces the following: Public nuisance as known at common law or in equity jurisprudence; whatever is dangerous to human life or detrimental to health; the overcrowding with occupants of any room; insufficient ventilation or illumination of any room; inadequate or insanitary sewage or plumbing facilities, or underlines, and whatever renders air, food or drink unwholesome or detrimental to the health of human beings.

When, in a proceeding brought under the provisions of this act to abate the operation of an auto camp, it is proved that the owner or operator of said camp has been previously convicted of the violation of a provision of this act and such offense is a nuisance within the meaning of this section, and that said owner or operator, from and after the date of conviction thereof, has failed and still fails to remedy the condition of such auto camp, which constituted the offense of which he was convicted, and the continuance of such offense is the basis for the abatement proceeding, the proof of these facts is sufficient to cause the operation of said camp to be abated.

SEC. 6. Section 14 of said act is hereby amended to read as follows:

Sec. 14. This act and all of the provisions thereof shall apply only to unincorporated areas of the State of California.

It shall be the duty of the Division of Immigration and Housing, Department of Industrial Relations, to enforce all the provisions of this act pertaining to the construction, reconstruction, alteration, moving, maintenance, sanitation, ventilation, use and occupancy of all such auto camps and buildings, tents or structures located therein and for the purpose of securing enforcement of this act the officers and agents of said Division of Immigration and Housing shall have the right and are hereby empowered to enter upon the premises of and inspect all auto camps now operating or which may be hereafter constructed or operated, and all accommodations connected therewith.

SEC. 7. The enforcement of the act cited in the title hereof is hereby vested in the Division of Immigration and Housing, Department of Industrial Relations, and whenever the term "Division of Housing and Sanitation, Department of Industrial Relations" is used in said act, the same shall be construed to mean the Division of Immigration and Housing, Department of Industrial Relations, and all books, records, documents and other property, real, personal or mixed, heretofore held or used by said Division of Housing and Sanitation shall upon the date this act becomes effective be transferred to and vested in said Division of Immigration and Housing for the purpose of administering said act cited in the title hereof."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 404—An act to amend section 224 of the Civil Code, relating to the adoption of children.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, after the comma after "Code", insert the following: "and to add a new section to said code, to be numbered 227a,".

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, after the comma after "so", insert the following: "wilfully".

AMENDMENT NUMBER THREE.

On page 1, line 9, of the printed bill, after "adoption", and before the semicolon, insert a comma and the following: "but only after the father has been personally served with a copy of a citation requiring him to appear at the time and place set for the appearance in court under section 227 of this code; if the father can not be located for personal service, the same may be made by publication as provided for the publication of summons in section 413 of this code."

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, after line 22, insert the following:

"SEC. 2. A new section is hereby added to the Civil Code to be numbered 227a, and to read as follows:

227a. The probation officer in the county in which the action for adoption is pending shall make an investigation of each case of adoption. No order of adoption shall be issued by the court until after favorable recommendation thereon is made by such officer."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2207—An act to repeal sections 716 to 719, inclusive, and to add section 716 to the Political Code, relating to the Capitol building and grounds.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 6, of the printed bill, strike out the word "building", and insert in lieu thereof "buildings".

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, strike out "capitol", and insert in lieu thereof "State".

AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, strike out "building", and insert in lieu thereof "buildings".

AMENDMENT NUMBER FOUR.

On page 1, line 12, of the printed bill, strike out "building", and insert in lieu thereof "buildings".

AMENDMENT NUMBER FIVE

On page 1, line 15, of the printed bill, strike out "building", and insert in lieu thereof "buildings".

AMENDMENT NUMBER SIX.

On page 1, line 16, of the printed bill, strike out "capitol", and insert in lieu thereof "State".

AMENDMENT NUMBER SEVEN

On page 1, line 18, of the printed bill, after the word "officers", strike out the period, and add the following: "in all parts of this State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 828—An act to add a new section to the California Vehicle Act, approved May 30, 1923, as amended, to be numbered 94½,

relating to the operation and equipment of motor vehicles operated upon public highways.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 4 of the title of the printed bill, and insert in lieu thereof the following:

"An act to add a new section to the Vehicle Code, to be numbered section 674.5, relating to the equipment of vehicles."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 10, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Vehicle Code to be numbered section 674.5 and to read as follows:

674.5. Bumpers and Identification Plates.

(a) No person shall operate on any highway any motor vehicle unless such vehicle is equipped with a front bumper, which bumper has attached thereto a device which will release when such vehicle is in motion an identification plate whenever such vehicle collides with any substantial object. Such plate shall be of metal, three inches by three and one-half inches in dimensions and shall have stamped thereon the registration number of such vehicle.

(b) Such identification plate shall be issued by the department at the time of issuing license plates for any motor vehicle upon payment of twenty-five cents.

(c) Any person violating any of the provisions of subdivision (a) of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not exceeding five hundred dollars or by imprisonment in the county jail for not exceeding six months or by both such fine and imprisonment.

SEC. 2. This act shall take effect February 1, 1934."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 448—An act to amend section 3897 of the Political Code, and to add a new section to said code, to be numbered 3897c, relating to the purchase of tax delinquent property deeded to the State prior to January 1, 1932

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 596—An act to amend sections 3649 and 3672 of the Political Code, relating to the assessment, equalization and taxation of personal property escaping assessment between the first Monday of March and the first Monday of July.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the word "personal".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, strike out the word "personal".

AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill, strike out the word "personal".

AMENDMENT NUMBER FOUR.

On page 1, line 12, of the printed bill, strike out the word "such", and insert in lieu thereof the word "personal".

AMENDMENT NUMBER FIVE.

On page 1, line 22, of the printed bill, strike out the word "three", and insert in lieu thereof the word "two".

AMENDMENT NUMBER SIX.

On page 1, line 23, of the printed bill, after the word "authority", strike out the following "and duty".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 569—An act to authorize the investigation of the financial condition of, and granting financial aid to, assessment districts organized under the "Acquisition and Improvement Act of 1925" or the "Road District Improvement Act of 1907."

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 31, of the printed bill, after "than", insert the following: "eighty".

AMENDMENT NUMBER TWO.

On page 2, line 32, of the printed bill, after "least", insert the following: "eighty".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1116—An act relating to governmental units known as districts, and providing a procedure for the organization, operation, financing, government, consolidation and dissolution of such districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the following: "financing,".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 4, and insert in lieu thereof the following: "procedure for the organization, operation, government, consolidation and dissolution of".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, between lines 15 and 16, insert the following:

"(b) "Governing body" means that board or body in a district which bears to the district a relation equivalent to a board of directors thereof;".

AMENDMENT NUMBER FOUR.

On page 1, line 16, of the printed bill, strike out "(b)", and insert in lieu thereof the following: "(c)".

AMENDMENT NUMBER FIVE.

On page 1, line 18, of the printed bill, strike out "(c)", and insert in lieu thereof the following: "(d)".

AMENDMENT NUMBER SIX.

On page 1, line 23, of the printed bill, strike out "(d)", and insert in lieu thereof the following: "(e)".

AMENDMENT NUMBER SEVEN.

On page 1 of the printed bill, strike out lines 25 to 27, inclusive, and insert in lieu thereof the following:

"(f) "Owner" *means joint owner, co-owner, guardian, executor, administrator or* other person holding property in a trust capacity under appointment of court."

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, strike out lines 8 to 11, inclusive, and insert in lieu thereof the following: "be commenced by petition, when a petition is authorized or required by the principal act, addressed to and filed with the supervising

authority, and signed by the requisite number of qualified petitioners as prescribed by the principal act."

AMENDMENT NUMBER NINE.

On page 2 of the printed bill, strike out lines 26 to 52, inclusive; also strike out all of page 3, and on page 4, strike out lines 1 to 36, inclusive, and insert in lieu thereof the following: "the principal act, citing it by name;

(d) Describe generally the nature of the proposed project; and

(e) Comply with such additional requirements as may be imposed by the principal act.

Sec. 106. Upon presentation and filing of the petition the supervising authority shall fix a time and place for the hearing of the petition. The hearing shall not be less than twenty days nor more than forty days after such presentation and filing.

Sec. 107. The hearing may be continued from time to time, not exceeding three months in all, to enable the project to be investigated and a report made thereon if such investigation and report is required under the provisions of the principal act.

Chapter II. Final Hearing and Formation."

AMENDMENT NUMBER TEN.

On page 4 of the printed bill, strike out lines 38 to 40, inclusive, and insert in lieu thereof the following:

"Sec. 151. The supervising authority shall fix the time and place for the final hearing on the petition and shall order the clerk of the super-".

AMENDMENT NUMBER ELEVEN.

On page 4 of the printed bill, strike out lines 44 to 47, inclusive, and insert in lieu thereof the following: "(b) State that the petition is available for inspection at the office of the clerk of the supervising authority;".

AMENDMENT NUMBER TWELVE.

On page 4, line 50, of the printed bill, strike out the following: "written".

AMENDMENT NUMBER THIRTEEN.

On page 5 of the printed bill, strike out lines 4 to 51, inclusive, and on page 6, strike out lines 1 to 22, inclusive, and insert in lieu thereof the following:

"Sec. 153. Notice of such final hearing shall be given by the clerk of the supervising authority by publication as hereinafter provided.

Sec. 154. The supervising authority shall not be deprived of jurisdiction to proceed with the hearing, nor shall any action on the petition be invalidated for clerical error in the published notice.

Sec. 155. If it appears that the notice given has been defective in any material respect, the supervising authority shall set another time for the hearing and cause notice again to be published.

Sec. 156. If the supervising authority shall determine that the petition does not comply with the requirements of law, the matter may be dismissed without prejudice to the right to present a new petition covering the same matter. A finding by the supervising authority in favor of genuineness and sufficiency of the petition and notice is final and conclusive against all persons except the State of California in a proceeding brought by the Attorney General within one year of the date of the making of the order establishing and describing the boundaries of the district.

Sec. 157. At the hearing protest may be made orally or in writing by any person interested in the formation of the proposed district. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the supervising authority on or before the time fixed for the final hearing. The hearing may be continued from time to time not exceeding sixty days.

Sec. 158. At the hearing any owner of land in the proposed district may present to the supervising authority a request in writing for exclusion of such land, or any part thereof, and any owner of land outside the proposed district may present to the supervising authority a request in writing for inclusion of such land in the proposed district.

Sec. 159. The proceeding shall terminate, if prior to the time the supervising authority finally determines the district shall be formed, written protests against the formation of the district are filed with the clerk of the supervising authority by the requisite number of qualified protestants as prescribed in the principal act.

Sec. 160. The supervising authority shall order the proceedings terminated when such protests are received. No petition or other proceedings for the formation of the same district for the same project shall be considered by the supervising authority until after the expiration of one year from the date of the order of termination made pursuant to this section."

AMENDMENT NUMBER FOURTEEN.

On page 6, line 28, of the printed bill, strike out the following: "con-".

AMENDMENT NUMBER FIFTEEN.

On page 6, line 29, of the printed bill, strike out the following: "tiguous".

AMENDMENT NUMBER SIXTEEN.

On page 6 of the printed bill, strike out lines 37 and 38, and insert in lieu thereof the following: "person who has filed with him his name and address and description of land in which".

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 41, of the printed bill, after "objections", insert the following: "to such inclusion".

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 48, of the printed bill, after "days", insert the following: "after the adoption".

AMENDMENT NUMBER NINETEEN.

On page 7, line 10, of the printed bill, after "meeting", insert the following: "following the election".

AMENDMENT NUMBER TWENTY.

On page 7 of the printed bill strike out lines 23 to 28, inclusive, and insert in lieu thereof the following: "lution, and shall file a certified copy of the same with the Secretary of State. Thereupon the organization of the district shall be complete.

Sec. 167. The governing body of the district may institute and maintain a proceeding, in the superior court in and for the county where the greater portion of the land of the district is situated, to determine the legality of the existence of such district.

Sec. 168. The complaint in such proceeding shall set forth the name of the district, its boundaries, the date of its organization, and shall contain a prayer that it be adjudged a legal district formed under the provisions of the principal act (citing it).

Sec. 169. The summons in such proceeding shall be served by publishing a copy thereof for three weeks in a newspaper of general circulation, published in each county where any part of the land of said district is situated.

Sec. 170. Within thirty days after the last publication of the summons any person who may be interested may appear and answer the complaint. The answer must set forth the facts relied upon to show the asserted invalidity of the district.

Sec. 171. If no answer is filed the court must render judgment as prayed for in the complaint. If an answer is filed the court shall proceed as in any civil case.

Sec. 172. This proceeding is hereby declared to be a proceeding in rem and the judgment rendered therein shall be conclusive against all persons whomsoever and against the State of California."

AMENDMENT NUMBER TWENTY-ONE.

On page 7 of the printed bill, strike out lines 37 to 40, inclusive, and insert in lieu thereof the following: "circulated within the district, or if there is no such newspaper of general circulation published in the district, then in the newspaper of general circulation published nearest thereto."

AMENDMENT NUMBER TWENTY-TWO

On page 7 of the printed bill, strike out line 42, and insert in lieu thereof the following: "shall be published three times, to wit, once a week for three successive weeks".

AMENDMENT NUMBER TWENTY-THREE.

On page 7 of the printed bill, strike out lines 49 to 52, inclusive, and on page 8 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"Sec. 204. If a district is situated in a county in which no newspaper of general circulation is published, the notice shall be posted in three public places in the district with the same effect as if published."

AMENDMENT NUMBER TWENTY-FOUR.

On page 8, line 27, of the printed bill, after "held", insert the following. "unless otherwise provided in the principal act".

AMENDMENT NUMBER TWENTY-FIVE.

On page 8 of the printed bill, strike out lines 38 to 41, inclusive, and insert in lieu thereof the following:

"Sec. 231. Qualification of electors shall be determined by the provisions of the principal act."

AMENDMENT NUMBER TWENTY-SIX.

On page 8 of the printed bill, strike out lines 45 to 48, inclusive, and insert in lieu thereof the following:

"(a) Appoint for each precinct an election board consisting".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 9, line 1, of the printed bill, strike out "(c)", and insert in lieu thereof "(b)".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 9 of the printed bill, strike out lines 4 and 5, and insert in lieu thereof the following:

"(c) Prescribe the manner of voting and the form of ballot to be used."

AMENDMENT NUMBER TWENTY-NINE.

On page 9 of the printed bill, strike out lines 6 to 8, inclusive, and insert in lieu thereof the following.

"Sec. 233. Within ten days after the adoption of the resolution the secretary of the governing body shall cause copies of the resolution to be posted in three public places in each election precinct. The posting of the resolution".

AMENDMENT NUMBER THIRTY.

On page 9, line 16, of the printed bill, strike out the following: "recited in the resolution".

AMENDMENT NUMBER THIRTY-ONE

On page 9, line 17, of the printed bill, strike out the following: "or otherwise".

AMENDMENT NUMBER THIRTY-TWO.

On page 9 of the printed bill, strike out lines 35 to 40, inclusive, and insert in lieu thereof the following:

"Sec. 238. The governing body must meet at the usual place of meeting on the first Monday after such election to canvass the returns. If at the time of the meeting the returns from each precinct in the district in which polls were open have been received, the governing body must then and there proceed to canvass the returns; but if all the returns have not been received the canvass must be postponed from day to day until all the returns have been received, or until six postponements have been had. The canvass must be made in public by opening the returns, estimating the vote of the district for each person voted for, and declaring the result thereof

Sec. 239. Not less than twenty days before the election any ten or more qualified electors, as determined by the principal act, may file with the governing body a petition, requesting that certain persons, specified in such petition, be placed on the ballot as candidates for the office named in the petition The names proposed by petition so filed, and no others, shall be printed on the ballot, but there shall be sufficient blank spaces provided in which electors may write other names if they so desire."

AMENDMENT NUMBER THIRTY-THREE.

On page 9 of the printed bill, strike out lines 41 to 52, inclusive, and also strike out all of pages 10 to 13, inclusive, and on page 14, strike out lines 1 to 37, inclusive.

AMENDMENT NUMBER THIRTY-FOUR

On page 14, line 39, of the printed bill, strike out "V", and insert in lieu thereof "III".

AMENDMENT NUMBER THIRTY-FIVE

On page 14 of the printed bill, strike out lines 47 to 50, inclusive, and insert in lieu thereof the following: "governing body, signed by the requisite number of qualified petitioners as determined by the principal act, praying for annexation to, or exclusion from the".

AMENDMENT NUMBER THIRTY-SIX.

On page 15 of the printed bill, strike out lines 4 to 7, inclusive, and insert in lieu thereof the following. "sion"

AMENDMENT NUMBER THIRTY-SEVEN.

On page 15 of the printed bill, strike out lines 8 and 9, and insert in lieu thereof the following: "Sec 504. Upon filing of the petition, the governing body shall fix a time and place for the hearing".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 15, line 21, of the printed bill, strike out the following: "in writing".

AMENDMENT NUMBER THIRTY-NINE.

On page 15, line 22, of the printed bill, strike out "supervising authority", and insert in lieu thereof the following: "governing body".

AMENDMENT NUMBER FORTY

On page 15, line 28, of the printed bill, strike out "supervising authority", and insert in lieu thereof the following: "governing body".

AMENDMENT NUMBER FORTY-ONE.

On page 15, line 30, of the printed bill, strike out "supervising authority", and insert in lieu thereof the following: "governing body".

AMENDMENT NUMBER FORTY-TWO.

On page 15, line 33, of the printed bill, strike out "supervising authority", and insert in lieu thereof the following: "governing body".

AMENDMENT NUMBER FORTY-THREE.

On page 15 of the printed bill, strike out lines 38 to 43, inclusive, and insert in lieu thereof the following: "made to the governing body by the requisite number of petitioners as prescribed by the principal act, an election shall be called to decide whether or not such proposed annexation to, or exclusion from the district shall take place."

AMENDMENT NUMBER FORTY-FOUR.

On page 15 of the printed bill, strike out lines 49 to 52, inclusive, and insert in lieu thereof the following: "in the district favors annexation, or exclusion, as the case may be, the governing body shall by resolution declare the territory annexed or excluded and shall describe the altered boundaries of the district."

AMENDMENT NUMBER FORTY-FIVE.

On page 16 of the printed bill, strike out lines 2 to 4, inclusive, and insert in lieu thereof the following: "changed shall be entered in the minutes of the governing body and a certified copy thereof shall be filed in the office of the county recorder of each".

AMENDMENT NUMBER FORTY-SIX.

On page 16 of the printed bill, strike out lines 6 to 13, inclusive, and insert in lieu thereof the following "Sec. 513 The exclusion of territory from any district shall".

AMENDMENT NUMBER FORTY-SEVEN

On page 16 of the printed bill, strike out lines 16 to 20, inclusive, and insert in lieu thereof the following: "exclusion was made. The governing body of a district may require that the owners of any land annexed thereto shall pay a sum equal to the amount of the taxes or assessments which the owners or their grantors would have been required to pay if the annexed land had been included in the district at the time of its formation"

AMENDMENT NUMBER FORTY-EIGHT.

On page 16, line 22, of the printed bill, strike out "VI ", and insert in lieu thereof the following: "IV."

AMENDMENT NUMBER FORTY-NINE

On page 17 of the printed bill, strike oue lines 18 to 22, inclusive, and insert in lieu thereof the following: "nated, and shall file a certified copy of the resolution with the Secretary of State From and after the filing of such resolution the territory within such district shall be"

AMENDMENT NUMBER FIFTY

On page 17 of the printed bill, strike out lines 30 to 34, inclusive, and insert in lieu thereof the following:

"Sec. 626. Upon the filing of a petition with the governing body signed by the number of qualified electors as is required to sign a petition for the formation of the district, the governing body must submit the question of dissolution of any district to the electors thereof."

AMENDMENT NUMBER FIFTY-ONE

On page 17 of the printed bill, strike out line 37, and insert in lieu thereof the following: "Sec. 628. The".

AMENDMENT NUMBER FIFTY-TWO

On page 17, line 42, of the printed bill, strike out "supervising authority", and insert in lieu thereof the following: "governing body".

AMENDMENT NUMBER FIFTY-THREE

On page 17 of the printed bill, strike out lines 44 to 50, inclusive, and on page 18, strike out line 1, and insert in lieu thereof the following:

"Sec. 630. The governing body shall cause a certified copy of the resolution to be recorded in the office of the county recorder of each of the counties in which any portion of the district is situated and shall file a certified copy of the same with the Secretary of State. Thereupon the district shall be deemed dissolved for all purposes".

AMENDMENT NUMBER FIFTY-FOUR.

On page 18 of the printed bill, strike out lines 3 to 4, and insert in lieu thereof the following:

"Sec. 631. Upon dissolution the right, title and interest to property owned or controlled by the district, situate within the corporate limits of any municipality,

shall vest absolutely in such municipality, and if situate without the corporate limits of the municipality, it shall vest in the county in which the property is situated."

AMENDMENT NUMBER FIFTY-FIVE.

On page 18 of the printed bill, strike out lines 8 to 11, inclusive, and insert in lieu thereof the following: "acts as may be necessary to wind up the affairs of the districts and to raise money for the payment of any outstanding indebtedness."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 417—An act to amend the "California Vehicle Act," approved May 30, 1923, as amended, by amending section 45¼ thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

"An act to amend sections 195, 196 and 197 of the Vehicle Code, relating to chattel mortgages on vehicles."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and all of page 2, and insert in lieu thereof the following:

"SEC. 1. Section 195 of the Vehicle Code is hereby amended to read as follows:

195. Chattel Mortgagee to Register as Legal Owner

No chattel mortgage on any vehicle registered hereunder, irrespective of whether such registration was effected prior or subsequent to the execution of such mortgage, is valid as against creditors or subsequent purchasers or encumbrancers until the mortgagee named therein or his assignee or successor in interest is registered as legal owner under this code.

SEC. 2 Section 196 of the Vehicle Code is hereby amended to read as follows:

196. Application for Registration.

The mortgagee in any such chattel mortgage or his assignee or successor in interest may obtain registration as legal owner by depositing with the department a copy of said mortgage with an attached certificate of a notary public stating that the same is a true and correct copy of the original and, if the person making such deposit is not the mortgagee named in said mortgage, such further evidence as the department may require showing that such person is the owner and holder of said mortgage, accompanied by a properly indorsed certificate of ownership to the vehicle described in such mortgage if such vehicle is then registered hereunder or, if said vehicle is not so registered, by an application in usual form for an original registration, and upon payment of the fees as provided in this code

SEC. 3. Section 197 of the Vehicle Code is hereby amended to read as follows:

197. Registration Effective to Give Notice.

When application by the mortgagee in any such chattel mortgage or his assignee or successor in interest has been made as hereinbefore provided and the department has received a copy of the chattel mortgage with said attached certificate and other required evidence and has registered such mortgagee or his assignee or successor in interest as legal owner upon the records of the department at its office in Sacramento, such filing and registration shall give constructive notice of said mortgage and its contents to creditors and subsequent purchasers and encumbrancers but such mortgaged vehicle shall be subject to a lien as provided in Title VIII hereof."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2363—An act limiting the number of cars in a train.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, strike out the period following the word "train", and insert in lieu thereof a comma and the following: "and prescribing penalties for violation thereof."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 311—An act to amend section 1381 of the Penal Code, relating to the time of trial of prisoners on charge other than that for which imprisoned.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2309—An act to amend section 3 of the California Veterans' Welfare Act, approved May 30, 1921, as amended, relating to veterans and the Veterans' Welfare Board.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 603—An act to amend section 653c of the Penal Code, relating to investigation of and decision on complaints of alleged violation of requirements on hours of labor on public works.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 111—An act to add a new section to the Penal Code to be numbered 146c, relating to badges or other insignia of authority of fire departments and providing penalties for the violation hereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "or a person who is a member of a regularly organized volunteer fire department."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 253—An act to amend section 8 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon

the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917," approved June 13, 1923.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to add section 398 to the Penal Code, relating to the use or possession of firearms by children sixteen years or under and prescribing penalties for violation of the provisions thereof."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 10, inclusive, and on page 2, strike out lines 1 to 21, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section, numbered 398, is hereby added to the Penal Code, to read as follows:

398. Any person is guilty of a misdemeanor who (a) sells, gives or delivers to any child of the age of sixteen years, or under, any gun, pistol, rifle, revolver or other firearm, loaded or unloaded, or (b) whether as parent, relative, guardian or otherwise, having the care, custody or control of such a child, permits or suffers the child to use or to have in his possession or control any such firearm, unless such child uses or operates such firearm in the immediate presence and under the direction of the parent, relative, guardian or other person having the care, custody or control of such child.

The provisions of this section shall have no application to children in military academies and schools or engaged as bank messengers or public officers or employees or to children using firearms within territory located at a distance of five miles or more from the nearest boundary of the nearest incorporated city."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 6 of Article IX thereof, relating to taxation for school purposes.

Assembly Constitutional Amendment No. 63 read.

COMMITTEE AMENDMENTS.

During reading of Assembly Constitutional Amendment No. 63, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 19, of the printed measure, strike out "Pupils of the age of twenty-", and all of lines 20 to 25, inclusive, on said page, and insert in lieu thereof the following: "Pupils of the age of twenty-one or over shall be excluded in computing such average daily attendance excepting illiterates, and foreign-born persons in classes created for the purpose of Americanization; provided, however, that nothing herein shall prevent governing boards of school districts from levying a special tax for the education of persons over twenty-one years of age. Governing boards of school districts may in their discretion charge a fee to defray the cost of providing instruction and necessary incidental supplies for such adult pupils as are not included in computing the average daily attendance in such districts."

AMENDMENT NUMBER TWO.

On page 2, line 6, of the printed measure, strike out "pupils of the age of", and all of lines 7 to 12, inclusive, on said page, and insert in lieu thereof the following: "Pupils of the age of twenty-one or over shall be excluded in computing such average daily attendance, excepting illiterates, and foreign-born persons in classes created for the purpose of Americanization; provided, however, that nothing herein shall prevent governing boards of school districts from levying a special tax for the education of persons over twenty-one years of age. Governing boards of school districts may in their discretion charge a fee to defray the cost of providing instruc-

tion and necessary incidental supplies for such adult pupils as are not included in computing the average daily attendance in such districts."

AMENDMENT NUMBER THREE.

On page 2, line 26, of the printed measure, strike out "pupils of the age of twenty-one or over shall be", and all of lines 27 to 31, inclusive, and insert in lieu thereof the following: "Pupils of the age of twenty-one or over shall be excluded in computing such average daily attendance, excepting illiterates, and foreign-born persons in classes created for the purpose of Americanization; provided, however, that nothing herein shall prevent governing boards of school districts from levying a special tax for the education of persons over twenty-one years of age. Governing boards of school districts may in their discretion charge a fee to defray the cost of providing instruction and necessary incidental supplies for such adult pupils as are not included in computing the average daily attendance in such district."

AMENDMENT NUMBER FOUR.

On page 2 of the printed measure, strike out lines 45 to 50, inclusive, and insert in lieu thereof the following. "Pupils of the age of twenty-one or over shall be excluded in computing such average daily attendance, excepting illiterates, and foreign-born persons in classes created for the purpose of Americanization; provided, however, that nothing herein shall prevent governing boards of school districts from levying a special tax for the education of persons over twenty-one years of age. Governing boards of school districts may in their discretion charge a fee to defray the cost of providing instruction and necessary incidental supplies for such adult pupils as are not included in computing the average daily attendance in such districts."

AMENDMENT NUMBER FIVE.

On page 3, line 6, of the printed measure, strike out "sixty", and insert in lieu thereof the following: "thirty".

AMENDMENT NUMBER SIX.

On page 3 of the printed measure, strike out lines 9 to 17, inclusive.

AMENDMENT NUMBER SEVEN.

On page 2, line 22, of the printed measure, strike out the word "nor".

AMENDMENT NUMBER EIGHT.

On page 2, line 23, of the printed measure, strike out the words "more than twenty-four".

AMENDMENT NUMBER NINE.

On page 2, line 41, of the printed measure, strike out the words "nor more".

AMENDMENT NUMBER TEN.

On page 2, line 42, of the printed measure, strike out the words "than forty-eight".

Amendments adopted.

Assembly Constitutional Amendment No. 63 ordered to reprint, engrossment, and on file for adoption.

Assembly Concurrent Resolution No. 30—Relative to hiring of special attorneys.

Assembly Concurrent Resolution No. 30 read.

The question being on the adoption of Assembly Concurrent Resolution No. 30.

The roll was called, and Assembly Concurrent Resolution No. 30 adopted by the following vote:

AYES—Alter, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Cottrell, Crist, Dempster, Evans, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Nielsen, O'Connor, Patterson, Phillips, Rawls, Redwine, Roberts, Robinson, Samuel E., Rogers, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Wright—47.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 30 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 30.

Relative to hiring of special attorneys.

WHEREAS, During this period of economic stress it will be necessary that all departments of the State and its political subdivisions and public and municipal corporations use all possible means to accomplish economies in government; and

WHEREAS, Certain functions of government may be properly consolidated to accomplish this purpose; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That it is recommended to the board of supervisors of Los Angeles County and to the mayor and council of the city of Los Angeles that no special attorneys, engineers and appraisers be employed in connection with any improvement work when the regular and permanent employees of the county or city could satisfactorily perform the same services.

Assembly Joint Resolution No. 27—Relative to memorializing the Congress of the United States to adopt legislation imposing a tariff on rubber.

Assembly Joint Resolution No. 27 read.

COMMITTEE AMENDMENTS.

During reading of Assembly Joint Resolution No. 27, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out line 3 of the title of the printed measure, and insert in lieu thereof the following: "providing for government use of American grown rubber".

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed measure, strike out "all in".

AMENDMENT NUMBER THREE.

On page 2 of the printed measure, strike out lines 8 to 12, inclusive, and insert in lieu thereof the following: "require a great many years; and".

AMENDMENT NUMBER FOUR.

On page 2 of the printed measure, strike out lines 29 to 33, inclusive, and insert in lieu thereof the following: "products are included; now, therefore, be it".

AMENDMENT NUMBER FIVE.

On page 2 of the printed measure, strike out line 38, and insert in lieu thereof the following: "providing that in all government contracts requiring the consumption or use of rubber the contract shall specify the rubber to be used must be raised within the territorial limits of the United States or territories".

Amendments adopted.

Assembly Joint Resolution No. 27 ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 969—An act to amend section 664 of the Political Code, relating to the Board of Control.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 969 passed by the following vote:

AYES—Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Wright—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At ten o'clock and fifty-eight minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 1043—An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of water works systems by any political subdivision or public agency of the State authorized by law to own and operate such water works systems by the issuance of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; providing for the exchange or refunding of revenue bonds issued hereunder; making said bonds legal investments for trust funds and other funds of insurance companies, banks, cities, cities and counties, counties and school districts, and providing for the use of said bonds as security in certain cases and as security for the deposit of public funds; defining the terms political subdivisions and public agencies as included herein; and declaring the urgency of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1043 passed by the following vote:

AYES—Alter, Badham, Bowers, Brock, Burns, Cassidy, Chatters, Cobb, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hunt, Kallam, King, Knowland, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson and Mr. Speaker—52.

NOES—Craig, Hoffman, Riley, Robinson, Samuel E., Roland, Stannard and Wright—7.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At eleven o'clock and thirty minutes a.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

UNFINISHED BUSINESS—(RESUMED).

MOTION.

Mr. Knowland moved that further consideration of Assembly Bill No. 1223, now on the unfinished business calendar, be made a special order for Monday, April 24, 1933, at the hour of two o'clock p.m.

The question being on the motion to continue the reconsideration and make it a special order.

Motion carried.

SPECIAL ORDER SET.

On motion of Mr. Knowland, the consideration of Assembly Bill No. 1223 was made a special order for Monday, April 24, 1933, at two o'clock p.m.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and forty minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 1181—An act to amend section 3644 of the Political Code, relating to taxation of boats and vessels.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1181 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Cobb, Cronin, Evans, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2272—An act to amend section 4250 of the Political Code, relating to compensation of officers and employees in counties of the twenty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2272 passed by the following vote:

AYES—Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Craig, Cronin, Crowley, Evans, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Tournoux, Turner, Utt, Woolwine and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to have the rules suspended for the purpose of withdrawing Senate Bill No. 1195 from the Committee on Ways and Means, and placing same on daily calendar.

Senate Bill No. 1195 ordered placed on daily calendar.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 18, 1933.

To the Honorable Members of the Assembly of the State of California.

GENTLEMEN: Senate Bill No. 1195 makes an appropriation to meet a deficiency in the appropriation for support of the State Board of Equalization for the 83d and 84th fiscal years.

This deficiency has arisen by reason of the circumstance that administration of a beverage excise tax effective April 6, 1933, has been placed in the hands of the

State Board of Equalization without any provision for meeting the expenses incident upon adequate enforcement of such a law.

In my opinion, the appropriation necessary for such expenditure during the remainder of the 84th fiscal year constitutes an emergency within the meaning of Article IV, section 34 of the Constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Lyon:

Resolved, That Senate Bill No. 1195 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Evans, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—62.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1195.

SECOND READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED NINETY-FIVE.

Senate Bill No. 1195—An act making an appropriation to meet a deficiency in the appropriation for the support of the State Board of Equalization for the eighty-third and eighty-fourth fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Evans, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, West, Woolwine and Mr. Speaker—58.

NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED NINETY-FIVE.

Senate Bill No. 1195—An act making an appropriation to meet a deficiency in the appropriation for the support of the State Board of Equalization for the eighty-third and eighty-fourth fiscal years, declar-

ing the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1195 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West and Woolwine—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS.

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to be numbered 34a to Article IV, by amending section 12 of Article XI, by adding a new section to be numbered 20 to Article XI, by amending sections 14, 15 and 16, and by repealing sections 12½ and 18 of Article XIII, relating to taxation.

Senate Constitutional Amendment No. 30 read third time.

The question being on the adoption of Senate Constitutional Amendment No. 30.

FLOOR AMENDMENTS.

During reading of Senate Constitutional Amendment No. 30, the following amendments were submitted by Mr. Lyon:

AMENDMENT NUMBER ONE.

On page 2, line 25, of the printed measure, strike out the period after the word "property", and insert in lieu thereof the following: "according to the value thereof; provided, however, that in no event shall more than twenty-five per cent of the total appropriations from all funds of the State be raised by means of such taxes."

AMENDMENT NUMBER TWO.

On page 6 of the printed measure, strike out lines 13 to 51, both inclusive, and on page 7, strike out lines 1 to 11, both inclusive, and insert in lieu thereof the following paragraph:

"SEC. 15. The Legislature shall provide for the raising of revenue by any form of taxation not prohibited by this Constitution in amounts sufficient to meet the expenditures of this State not otherwise provided for and in amounts sufficient to apportion, and shall apportion, to each county or city and county of this State, an amount equal to the amount of its expenditures which may be derived from taxes levied by such county or city and county upon real and personal property, except such taxes as may be levied for permanent improvements and retirement of bonded debt and payment of interest thereon; provided, however, that no tax shall be levied by the Legislature in pursuance of this section upon property in proportion to the value thereof in excess of the limitation for which provision is made in section 34a of Article IV of this Constitution with reference to taxes for State purposes on real and personal property and further provided that no taxes upon property in proportion to the value thereof shall be levied in pursuance of this section for the support of any county or city and county government."

Amendments adopted.

Senate Constitutional Amendment No. 30 ordered to reprint, and on file for adoption

Senate Bill No. 1035—An act to transfer the duties, powers, purposes, responsibilities and jurisdiction of the Department of Finance over and appertaining to Sutter's Fort to the Division of Parks of the Department of Natural Resources of the State of California, charging the said Division of Parks with the administration thereof and the execution of the laws concerning the same, authorizing the employment of employees, abolishing certain offices and positions, authorizing the expenditure of certain funds, and repealing all acts or parts of acts inconsistent therewith.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. West:

AMENDMENT NUMBER ONE

In line 10 of the title of the printed bill, after the word "therewith", insert the following: "and making an appropriation."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 18 to 22, inclusive, and insert in lieu thereof the following:

"SEC. 4. There is hereby reappropriated from the appropriation for the support of the Department of Finance for the eighty-fifth and eighty-sixth fiscal years the sum of eighteen thousand three hundred fifty dollars for the support of the Department of Natural Resources."

Amendments adopted.

Bill ordered to reprint, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1933.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2336 as amended by the Senate—An act to levy an excise tax and to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

RILEY, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Peterson asked for unanimous consent to take up Assembly Bill No. 2336 for the purpose of concurring in the Senate amendments.

Mr. Maloney objected to the unanimous consent.

Assembly Bill No. 2336 ordered placed on daily calendar.

RECESS.

At twelve o'clock and fifteen minutes p.m., on motion of Mr. Clowdsley, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1571—An act to validate the organization and incorporation of municipal corporations;

Also: Assembly Bill No. 1733—An act to amend sections 8 and 11 of an act entitled "An act to provide for the maintenance by municipalities of lighting systems along public streets, alleys and other public places and for the lighting thereof by electric current, gas or other illuminating agent; and for the assessment of the cost and expense thereof upon the property benefited and the manner of collecting such assessments," approved May 16, 1919, as amended, relating to penalties levied thereunder;

Also: Assembly Bill No. 2368—An act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of contiguous territory thereto owned by the incorporated town or city desiring the annexation of the same, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government and municipal control of the annexed territory;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1933.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 1154—An act to amend section 9 of an act entitled "An act to authorize and regulate the employment of prisoners in the State prisons of this State and to provide for the disposition of the products of their skill and labor," approved February 23, 1911, relating to products exempt from the provisions of that act and specifically providing that jute and jute products shall after a certain time be governed by the provisions of said act, and to repeal all laws inconsistent with said act as so amended—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WOOLWINE, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2309—An act to amend section 3 of the California Veterans' Welfare Act, approved May 30, 1921, as amended, relating to veterans and the Veterans' Welfare Board;

Also: Assembly Bill No. 2362—An act to authorize the incorporation and to provide for the organization, powers, duties, regulation, and liquidation of nonprofit corporations organized for the purpose of administering community land chests, to limit the use of the terms "land chest" and "community land chest" in corporate names, to prescribe penalties for the violation of the provisions of this act, and to declare the urgency of this act and to provide that it shall take effect immediately; And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 311—An act to amend section 1381 of the Penal Code, relating to the time of trial of prisoners on charge other than that for which imprisoned;

Also: Assembly Bill No. 448—An act to amend section 3897 of the Political Code, and to add a new section to said code, to be numbered 3897c, relating to the purchase of tax delinquent property deeded to the State prior to January 1, 1932;

Also: Assembly Bill No. 603—An act to amend section 653c of the Penal Code, relating to investigation of and decision on complaints of alleged violations of requirements on hours of labor on public works;

Also: Assembly Bill No. 941—An act to provide for the charging of fees for admission to Sutter's Fort, and for the disposition of such fees:
Also: Assembly Bill No. 1174—An act to amend section 4307 of the Political Code, relating to county charges;
Also: Assembly Bill No. 1727—An act to add a new section to be numbered section 6a to an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, relating to ownership of real estate by indigent, incompetent, and incapacitated persons;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 306—An act to amend sections 5 and 7 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expense thereof," approved May 23, 1923, relating to organization and management of fire protection districts;
Also: Assembly Bill No. 435—An act to amend sections 8, 14 and 19 of Chapter XIII, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Contstitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately;
Also: Assembly Bill No 436—An act to amend sections 4, 5, 6, 12, 13, 20, 21, 25, 26, 27, 29, 30, 31 and 33 of Chapter XIII, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations, and providing that this act shall take effect immediately;
Also: Assembly Bill No. 817—An act to amend section 28 of The General Cemetery Act, relating to the extension of time for the disinterment and removal of bodies from cemeteries:
Also: Assembly Bill No. 1054—An act to amend an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, as amended, by amending section 1, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district or flood control district;
And reports that the same have been correctly enrolled and presented the same to the Governor on this twenty-second day of April, 1933, at twelve o'clock and fifteen minutes p m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1068—An act to amend section 805 of the Agricultural Code, relating to the standardization of oriental persimmons—and reports that the same has been correctly enrolled and presented the same to the Governor on this twenty-second day of April, 1933, at twelve o'clock and fifteen minutes p.m.

PATTERSON, Chairman.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 22, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 203—An act to amend sections 691 to 697, inclusive, of the Fish and Game Code, relating to striped bass;
Also: Senate Bill No. 771—An act to amend section 274 of the Code of Civil Procedure, relating to the fees of phonographic reporters;
Also: Senate Bill No. 1188—An act to declare a moratorium on the collection of judgments rendered under section 36c of the Water Commission Act for costs and for unpaid assessments taxed as costs in such judgments;
Also: Senate Bill No. 1196—An act to amend sections 23, 24, 28, 30, 31, 34, 36, 38, 42, 44, 48 and 51, and to add new sections numbered 31a, 51a and 51b, to an act entitled "An act providing for the incorporation of public utility districts

in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory;

Also: Senate Bill No. 520—An act to repeal an act entitled "An act to provide for the appointment and election of one additional judge for the county of Humboldt," approved March 8, 1895.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 203 read first time, and referred to Committee on Fish and Game.

Senate Bills Nos. 771 and 1188 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1196 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 520 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 545—An act to amend section 4290 and to repeal sections 4175 and 4176 of the Political Code, relating to fees and salaries of sheriffs;

Also: Senate Bill No. 283—An act to amend an act entitled "An act to provide for the creation, organization, and government of port districts; to enumerate the powers thereof; to authorize the incurring of indebtedness, the issuance of bonds and the levy and collection of taxes by such district; to authorize municipal corporations in such districts to surrender and transfer certain municipal powers and to grant certain municipal property to such districts for the purpose of carrying out the objects and purposes of this act," approved June 18, 1931, (Statutes of 1931, Chapter 1028) by amending the title thereof and by adding a new section thereto to be numbered section 6 (a), relating to and prescribing additional rights and powers to mortgage, pledge and hypothecate properties of port districts; and by adding a new section thereto to be numbered section 13 (a), relating to the incurring of certain bonded indebtedness, prescribing the method of procedure for the incurring of such indebtedness, providing for the allocation, pledge and hypothecation of revenues for self-liquidating projects, and authorizing the borrowing of money from and the incurring of indebtedness to the United States of America or any of its departments, agencies or instrumentalities, including the Reconstruction Finance Corporation;

Also: Senate Bill No. 695—An act to amend sections 1357, 1358, 1359, 1360, 1361 and 1362 of the Political Code, relating to elections and absent voting;

Also: Senate Bill No. 749—An act to amend section 3771 of the Political Code, relating to the sale to the State of properties for nonpayment of taxes, penalties and costs;

Also: Senate Bill No. 270—An act to amend section 737w of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Mendocino.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 545 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 283 read first time, and referred to Committe on Commerce and Navigation.

Senate Bill No. 695 read first time, and referred to Committe on Elections.

Senate Bill No. 749 read first time, and referred to Committe on Revenue and Taxation.

Senate Bill No. 270 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 569—An act relating to the redemption and sale of property sold to a county treasurer, as trustee of a reclamation district, for delinquent assessments and installments thereof, and relating to the voting of lands owned by the county treasurer, as trustee of a reclamation district, and by a reclamation district, and for the redemption of lands by a holder of a bond issued upon said assessments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 569 read first time, and referred to Committee on Revenue and Taxation.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 672—An act authorizing the Industrial Accident Commission to purchase certain real property, and the building known as the H. S. Burke Building located thereon, situated in the City and County of San Francisco on the northerly side of McAllister Street between Polk Street and Van Ness Avenue for offices for the State Compensation Insurance Fund, making an appropriation therefor to be paid from the funds of the State Compensation Insurance Fund, providing for the terms and conditions upon which such purchase is to be made, authorizing the subletting of a part or parts of said building, declaring the urgency of this act and providing that the same shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 672 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 29—Approving a certain amendment to the charter of the city of Chico, county of Butte, State of California, voted for and ratified by the electors of said city of Chico at a general municipal election held therein on the tenth day of April, 1933.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Concurrent Resolution No. 29 read, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 300—An act to provide emergency unemployment relief through State loans in aid of counties and municipalities administering such relief; providing for the issue of bonds, and making appropriations for such purposes and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 300 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVI thereof a new section to be numbered 9, relating to loans to counties and municipalities for unemployment relief.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Constitutional Amendment No. 41 read, and referred to Committee on Ways and Means.

UNFINISHED BUSINESS.

Assembly Bill No. 1127—An act to amend an act entitled "An act to require the Director of the Department of Natural Resources to register and mark buildings of historical interest or landmarks," approved April 24, 1931, by amending the title thereof, and by amending section 2 and by adding a new section to be numbered section 3, relating to historical buildings and landmarks.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1127?

AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "relating to historical buildings and landmarks."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 3 to 5, inclusive, and insert in lieu thereof the following: "An act relating to historical buildings and landmarks and to the acceptance thereof and the powers, duties and jurisdiction of the Department of Natural Resources in connection therewith."

AMENDMENT NUMBER THREE.

On page 2, line 12, of the printed bill, after the word "shall", insert the following: "either".

AMENDMENT NUMBER FOUR.

On page 2, line 13, of the printed bill, strike out the word "or", and insert in lieu thereof the following: "and".

AMENDMENT NUMBER FIVE.

On page 2, line 15, of the printed bill, strike out the period at the end of the sentence, and insert in lieu thereof the following: "or shall include this information upon the durable plaque mentioned in section 2 hereof."

The roll was called, and Senate amendments to Assembly Bill No. 1127 were concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Field, Gilmore, Grubbs, Hoffman, Kallam, Knowland, Latham, Maloney, Martin, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Peterson, Rawls, Riley, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—42

NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1362—An act to amend section 588b of the Penal Code, relating to the breaking down, removal, injury or destruction of barriers or obstructions, the tearing down, removal or destruction of notices, or the extinguishing, removal, injury or destruction of warning lights or lanterns, on a State road or highway, and prescribing a penalty for the violation of such section.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1362 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Cronin, Field, Frazier, Gilmore, Grubbs, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Peterson, Riley, Roberts, Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2343—An act to add a new section to the Penal Code, to be numbered 537f, relating to the sale and offering for sale of rebuilt storage batteries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2343 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Field, Frazier, Gilmore, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Peterson, Phillips, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 180—An act to amend section 1197 of the Political Code, relating to election ballots.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Miss Miller, Eleanor, moved that Assembly Bill No. 180 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 180 to the Committee on Judiciary.

Motion carried.

Assembly Bill No. 180 ordered re-referred to Committee on Judiciary.

SPECIAL ORDER SET.

On motion of Mr. Scudder, the consideration of Assembly Bill No. 1545 was made a special order for Monday, April 24, 1933, at three o'clock p.m.

Assembly Bill No. 1288—An act to amend the article heading of Article 1 of Chapter 3 of Division V of and to amend sections 851, 852 and 871 and to repeal sections 853, 855, 856, 857, 858, 859, 862, 864, 865, 866, 867, 868, 873, 874, 875, 879 and 881 of the Agricultural Code, relating to canned foods.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1288 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cobb, Cottrell, Cronin, Crowley, Field, Gilmore, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Maloney, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., O'Donnell, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, West, Woolwine and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 308—An act to amend section 9 of "An act to provide for the formation, management, alteration of boundaries, and dissolution of sewer maintenance districts in unincorporated territory

of counties, defining the powers of such districts and providing for the levy and collection of taxes to defray the expenses thereof," approved May 19, 1927, Statutes of 1927, page 1088.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 308 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 724—An act to amend section 4082 of the Political Code, to provide for exempting certain claimants for duplicate warrants from the requirement to file a bond.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 724 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2134—An act adding a new section to the Political Code, to be numbered 4041.26 thereof, relating to the jurisdiction and powers of boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2134 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Chatters, Cobb, Cottrell, Cronin, Crowley, Field, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—46.

NOES—Burns, Cassidy, Clowdsley, Hoffman, Knowland and Stannard—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2195—An act to amend section 19x16 of the Juvenile Court Law, relating to the probation officer in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Bliss:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after "per year;", insert: "one assistant probation officer whose salary shall be one thousand five hundred dollars per year;".

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 688—An act to amend section 2322x44 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 688 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 691—An act to amend section 19x44 of the Juvenile Court Law, relating to probation officers in counties of the forty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 691 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2196—An act to amend section 2322x16 of the Political Code, relating to the office of the agricultural commissioner in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2196 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Field, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peter-

son, Phillips, Rawls, Riley, Roberts, Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2190—An act to amend section 4223 of the Political Code, relating to county hospitals.
Bill read third time.
The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2190 was withdrawn from the file, and referred to Committee on County Government.

Assembly Bill No. 2083—An act to amend sections 1, 5, 7, 10, 12, 13, 24, and 25 of the Direct Primary Law, approved June 16, 1913, as amended, relating to primary elections, providing for party conventions in the State and various political units thereof, and the powers and duties of the same, for the choosing of delegates to such conventions, method of choosing members of the party county central committee and State central committee and the powers and duties of the same.
Bill read third time.
The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2083 was withdrawn from the file, and referred to Committee on Elections.

Assembly Bill No. 1045—An act to amend section 605 of the Probate Code, relating to the appointment of appraisers.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1045 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Maloney, Martin, Mayo, Meeker, Miller, James A., Peterson, Rawls, Riley, Roberts Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—45.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1312—An act to amend section 737vv of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Solano.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1312 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Field, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Peterson,

Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—51.
NOES—Brock—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 442—An act to amend section 726 of the Code of Civil Procedure, relating to foreclosure of mortgages.
Bill read third time.
The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Cronin:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, following the word "one", insert the following: "form of".

AMENDMENT NUMBER TWO.

On page 2, line 40, of the printed bill, strike out the following: "deed of trust or".

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cronin asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Assembly Bill No. 442, at this time, without reference to printer or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED FORTY-TWO.

Assembly Bill No. 442—An act to amend section 726 of the Code of Civil Procedure, relating to foreclosure of mortgages.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 442 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Riley, Robinson, Samuel E., Rogers, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—51.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No. 1417—An act to amend section 1161 of the Code of Civil Procedure, relating to unlawful detainer.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1417 passed by the following vote:

AYES—Alter, Anglim, Bowers, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Field, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Maloney, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Peterson, Rawls, Riley, Roberts, Rogers,

Scudder, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—44.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1501—An act to amend section 956 of the Code of Civil Procedure, relating to what may be reviewed on appeal from judgment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1501 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Field, Frazier, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—53.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2084—An act to add a new section to the Probate Code to be numbered 718.6, relating to the acceptance of a deed conveying property which is subject to a mortgage or deed of trust in lieu of foreclosure of the mortgage or sale under the deed of trust.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2084 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cronin, Crowley, Field, Frazier, Gilmore, Grubbs, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1483—An act to add a new section to the Political Code to be numbered 3444, relating to the administration of ungranted tide and submerged lands, beds of navigable channels, streams, rivers, creeks, lakes, bays and inlets, of the State of California, by the Division of State Lands, and empowering and authorizing the Director of Finance, through the Division of State Lands, to eject trespassers from such lands by appropriate action in the courts of this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1483 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Powers, Rawls,

Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stream, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—49.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 291—An act to amend section 4143 of the Political Code, relating to the duties of county coroners and to the employment by such coroners of clerks and stenographers and providing for their compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 291 passed by the following vote:

AYES—Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Phillips, Powers, Rawls, Riley, Robinson, Samuel E., Rogers, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—50.
NOES—Stannard—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2000—An act to add a new section to the Political Code, to be numbered 363k, relating to the Department of Public Works.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2000 passed by the following vote:

AYES—Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Powers, Rawls, Riley, Robinson, Samuel E., Rogers, Scudder, Stream, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1435—An act to add a new section to the Penal Code to be known as section 537i, relating to the defrauding of garage keepers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1435 passed by the following vote:

AYES—Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cobb, Cronin, Crowley, Field, Frazier, Gilmore, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—48.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Lyon moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 246 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Cronin moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 557 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Hunt moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 94 was refused adoption be continued until the next legislative day.

Motion carried.

SECOND READING OF SENATE BILLS.

Senate Bill No. 65—An act relating to the redemption of property sold to irrigation districts for delinquent assessments.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, following the word "act", insert "or the provisions of the Palo Verde Irrigation District Act, as amended".

AMENDMENT NUMBER TWO.

On page 1, line 20, of the printed bill, following the word "act", insert "nor any of the provisions of the Palo Verde Irrigation District Act, as amended."

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, strike out "the California Irrigation District Act", and insert "law".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 460—An act to amend sections 54 and 55½ of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into six fish and game districts," approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 19, 1915," approved May 28, 1917, relating to fish and game district 12C, and declaring the urgency thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out line 9 of the title of the printed bill, as amended, and insert in lieu thereof the following: "1917, relating to fish and game districts 12A and 12C and the protection of fish in said districts, and declaring".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out lines 6 and 7, and insert in lieu thereof the following: "include all the waters of the Sacramento River flowing between a point three miles below the mouth".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended, strike out lines 15 and 16, and insert in lieu thereof the following: "at Rio Vista and a point three miles below the mouth of the Feather River, excluding that portion of the Sacramento River between the M Street Bridge and a point three miles above the mouth of the American River; and the main channel of Steamboat Slough".

AMENDMENT NUMBER FOUR.

On page 2, line 14, of the printed bill, as amended, after the period, insert the following: "The provisions of this code relating to district 12A apply to that portion of the Sacramento River excluded from district 12C."

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out line 15, and insert in lieu thereof the following:

"SEC. 3. In that portion of the Sacramento River in district 12C above the M Street Bridge at Sacramento, in which gill nets may be used, the mesh of said gill nets shall not be less than 7½ inches in length.

SEC. 4. The provisions of this act shall terminate on July 1, 1935.

SEC. 5. This act is hereby declared to be an urgency".

Amendments adopted

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 459—An act providing for the supervision and regulation of for-hire vessels other than common carrier vessels, operating between points exclusively on the inland waters of the State of California; defining for-hire vessels and providing for the supervision and regulation thereof by the Railroad Commission; and providing for the enforcement of the provisions of this act and for the punishment of the violations thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1168—An act to add three new sections, to be numbered 51a, 51b, and 51c, to an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 691—An act to amend sections 2, 3, 4, 5, 6 and 13 of and to add a new section 15 to an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as 'The Reciprocal or Interinsurance Act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee," approved

December 24, 1911,' approved May 26, 1917, as amended,'' approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1042—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to workmen's compensation.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1111—An act to amend section 14 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to death benefits under the provisions of said act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 935—An act to add section 13.16a to the Building and Loan Association Act, relating to the powers of building and loan associations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1193—An act to require the use of materials and supplies substantially produced in the United States, in public works and for public purposes.

Bill read.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Frazier:

AMENDMENT NUMBER ONE

On page 1, line 15, of the printed bill, following the word "or", insert the word "so".

AMENDMENT NUMBER TWO.

On page 1, line 24, of the printed bill, following the word "or", insert the word "so".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, following line 10, insert the following:

"SEC. 6. This act shall not apply if articles, materials, or supplies of the class or kind to be used or the articles, materials, or supplies from which they are manufactured are not mined, produced, or manufactured, as the case may be, in the United States."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 989—An act to amend sections 892 and 900 of the Agricultural Code, relating to field crops, the collection and disposition of fees in connection therewith.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 24, of the printed bill, strike out the word "article", and insert in lieu thereof the word "chapter".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines 16 and 17, and insert in lieu thereof the following: "fund. There is hereby appropriated out of any moneys in the State treasury, not otherwise appropriated, the sum of ten thousand dollars, which shall be placed to the credit of the Department of Agriculture fund for use as a revolving fund to carry out the provisions of this chapter until such time as the revenue derived from collected fees shall be sufficient to pay the costs thereof. After January 1, 1934, five per centum of the collected fees shall be paid quarterly

into the general fund of the State treasury until such time as an amount equivalent to that herein appropriated has been repaid."

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of lines 18 to 27, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 1006—An act to amend section 1239 of the Agricultural Code, relating to warehouses, the collection and disposition of fees therefrom.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 24 and 25, and insert in lieu thereof the following: "of Agriculture fund. There is hereby appropriated, out of any moneys in the State treasury not otherwise appropriated, the sum of ten thousand dollars, which shall be placed to the credit of the Department of Agriculture fund and used to carry out the provisions of this chapter until such time as the revenue derived from collected fees shall be sufficient to pay the costs thereof. After July 1, 1934, five per centum of the collected fees shall be paid quarterly into the general fund of the State treasury until such time as an amount equivalent to that herein appropriated has been repaid."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines 1 to 7, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 318—An act to amend section 36 of Chapter 266, Statutes of 1923, entitled the "California Vehicle Act," approved May 30, 1923, as amended, relating to applications for registration of vehicles.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, in lines 1, 2 and 3 of the title of the printed bill, strike out "36 of Chapter 266, Statutes of 1923, entitled the "California Vehicle Act," approved May 30, 1923, as amended", and insert in lieu thereof the following: "143 of the Vehicle Code".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, and all of page 2, and insert in lieu thereof the following:

"SECTION 1. Section 143 of the Vehicle Code is hereby amended to read as follows:

143. Application for Registration.

Application for the original registration of a vehicle of a type required to be registered hereunder shall be made by the owner to the department upon the appropriate form furnished by it, and every such application shall bear the signature of the owner written with pen and ink and shall contain:

(1) The name and address of the owner, and of the legal owner if any;

(2) The name of the county in which the owner resides;

(3) A description of the vehicle including, in so far as the hereinafter specified data may exist with respect to a given vehicle, the make, model, type of body, the number of cylinders, the serial number of the vehicle, the motor or other number of the vehicle, and the date first sold by a manufacturer or dealer to a consumer; and

(4) Such further information as may reasonably be required by the department to enable it to determine whether the vehicle is lawfully entitled to registration."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 855—An act to amend section 107 of the Penal Code, relating to punishment for escape of a prisoner.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 866—An act to repeal an act entitled "An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance; prescribing the powers and duties of said officials in relation to such bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor," approved June 5, 1931.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Senate Bill No. 866 was withdrawn from the file, and referred to Committee on Rules.

Senate Bill No. 1011—An act to amend section 376a of the Political Code, relating to the office of Director of Penology.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Senate Bill No. 1011 was withdrawn from the file, and referred to Committee on Rules.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At three o'clock and fifty-two minutes p.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

Senate Bill No. 372—An act to repeal sections 2.1391 to 2.1398, inclusive, of the School Code, and to repeal an act entitled "An act relating to the finances of the State Board of Education," approved May 4, 1929, and to add a new section to the School Code to be numbered 2.1391, all relating to powers and duties of State Board of Education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 372 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Burns, Cassidy, Chatters, Clowdsley, Cobb, Crowley, Field, Grubbs, Hatch, Hoffman, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, Samuel E.

Rogers, Stannard, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—43.
NOES—Sullivan—1.

Title read and approved.
Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At four o'clock and one minute p.m., Hon Walter J. Little, Speaker of the Assembly, in the chair.

Senate Bill No. 381—An act to repeal section 6.390 of the School Code; to repeal section 6.390 of an act entitled "An act relating to the adoption of textbooks for use in the public high schools of the State and to the furnishing of such textbooks for the use of the pupils of such schools," approved June 5, 1929; and to add a new section to the School Code to be numbered 6.390, relating to fees received for the listing of textbooks.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 381 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Crowley, Field, Frazier, Grubbs, Hatch, Hoffman, Kallam, King, Knowland, Latham, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Roberts, Robinson, Samuel E., Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—47.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 136—An act to amend section 331 of the Agricultural Code, relating to hides and brands.
Bill read third time.
The question being on the passage of the bill.

FLOOR AMENDMENT

During reading of the bill, the following amendment was submitted by Mr. Turner:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out lines 9, 10, and 11 in full, and insert in lieu thereof, the following: "Inspectors, when designated by the director, shall have full power, without warrant, to arrest any person violating any provision of this article and to take such person before any court having jurisdiction of the offense."

Amendment adopted.
Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 412—An act to repeal section 195 of the Agricultural Code, relating to exemption of cattle from dipping or treatment.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 412 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Crowley, Field, Grubbs, Hatch, Hoffman, Kallam, King, Latham, Martin, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor,

O'Donnell, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 20—Relative to the sale of the annotated edition of the State Constitution.

Senate Concurrent Resolution No. 20 read.

The question being on the adoption of Senate Concurrent Resolution No. 20.

The roll was called, and Senate Concurrent Resolution No. 20 adopted by the following vote:

AYES—Alter, Anglim, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Crowley, Field, Frazier, Grubbs, Hoffman, Kallam, Knowland, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—44.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 20 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 20.

Relative to the sale of the annotated edition of the State Constitution.

Resolved by the Senate, the Assembly concurring, That the annotated edition of the State Constitution published in 1933 under the authority of Senate Concurrent Resolution No. 21 of 1931, shall be distributed and sold as follows.

Copies shall be distributed free of charge as follows:

To each member of the Senate and Assembly, fifteen copies;

To the Secretary of the Senate and Chief Clerk of the Assembly for use of their respective houses, twenty copies each;

To the Governor and each elective State officer, five copies each;

To the director of each State department, one copies each;

To the editor and compiler, fifteen copies;

To the Justices of the Supreme Court, the Justices of the District Courts of Appeal and the judges of the superior courts, one copy each;

To the district attorney of each county, one copy;

To the State Library, sixty copies;

To each county law library, one copy;

To the Library of Congress, ten copies;

To the Governors of the States and Territories of the United States, one copy each;

To the city attorneys, upon request, one copy each;

To each free public library within the State of California, one copy each upon request;

The remaining copies shall be sold under the direction of the Secretary of the Senate and the Chief Clerk of the Assembly at $3.50 per volume, the proceeds thereof to be returned to the legislative printing fund.

Senate Bill No. 50—An act to amend section 2322x30 of the Political Code, relating to the salaries of the agricultural commissioner and his deputies in counties of the thirtieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 50 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Crowley, Field, Frazier, Grubbs, Hoffman, Kallam, Knowland, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder,

Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—44.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 821—An act to amend section 16x24 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the twenty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 821 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Crowley, Field, Frazier, Grubbs, Hoffman, Kallam, Knowland, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—44.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 824—An act to amend section 2322x24 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 824 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Crowley, Field, Frazier, Grubbs, Hoffman, Kallam, Knowland, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—44.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 825—An act to amend section 4253 of the Political Code, relating to compensation of county and township officers in counties of the twenty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 825 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Crowley, Field, Frazier, Grubbs, Hoffman, Kallam, Knowland, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—44.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 330—An act to repeal an act entitled "An act making an appropriation for the construction and completion, equipment, and furnishing of an addition to the State Office Building, at San Francisco, California," approved June 14, 1929.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 330 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Brock, Burns, Chatters, Clowdsley, Cobb, Crowley, Field, Frazier, Grubbs, Hatch, Hoffman, Kallam, King, Knowland, Latham, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stream, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—43.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 119—An act to add a new section to the Agricultural Code to be numbered 424, relating to the transportation of live stock.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 119 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Field, Frazier, Grubbs, Hatch, Hoffman, Kallam, King, Knowland, Latham, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Rawls, Riley, Roberts, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—42.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 76—An act to amend section 1.272 of the School Code, relating to the powers and duties of attendance officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 76 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Crowley, Field, Grubbs, Hatch, Kallam, King, Knowland, Latham, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Rawls, Riley, Robinson, Samuel E., Rogers, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—42.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 791—An act to amend section 60 of the Public Utilities Act, relating to complaints and procedure in respect thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 791 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Crowley, Field, Frazier, Grubbs, Hatch, Hoffman, Kallam, King, Knowland, Latham, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Miller,

James A., Morgan, Nielsen, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Wright and Mr. Speaker—46.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 649—An act to amend section 4277 of the Political Code, relating to the compensation of county and township officers and jurors in counties of the forty-eighth class.
Bill read third time.
The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Mayo:

AMENDMENT NUMBER ONE.

On page 2, line 20, of the printed bill, as amended, strike out "license collector", and insert in lieu thereof the following: "license collector, said percentage to be paid by claim and allowed by the board of supervisors as other claims are allowed and paid".

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, as amended, after line 14, insert the following: "In the event the office of sealer of weights and measures is consolidated with that of agricultural commissioner, the holder of said consolidated office shall receive a salary of one thousand eight hundred dollars per annum."

Amendments adopted.
Bill read second time, ordered to reprint, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 854—An act to amend section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, as amended, relating to superior court stenographers and typists—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 570—An act to regulate drilling or operating any well for petroleum oil or gas within 300 feet of any publicly owned land—has had the same under consideration, and respectfully reports the same back with recommendation that it be reprinted.

CLOWDSLEY, Vice Chairman.

The above reported bill ordered to reprint.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Bliss asked for, and was granted, unanimous consent to have the rules suspended for the purpose of having amendments to Assembly Bill No. 570 adopted.

CONSIDERATION OF ASSEMBLY BILL NUMBER FIVE HUNDRED SEVENTY.

Assembly Bill No. 570—An act to regulate drilling or operating any well for petroleum oil or gas within 300 feet of any publicly owned land.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to authorize the Chief of the Division of State Lands of the Department of Finance to make investigations to determine whether oil or gas wells extend upon certain lands owned by the State of California, to authorize the Attorney General to obtain an order from the court to survey any such wells as to deviation from the vertical and direction of such deviation, to authorize the Chief of the Division of State Lands to make such survey, to make such survey prima facie evidence of trespass upon any such state-owned lands, and to provide for an injunction, an accounting, and damages to the State on account of any such trespass."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and insert in lieu thereof the following:

"SECTION 1. Whenever it appears to the Chief of the Division of State Lands of the Department of Finance that the bottom of any oil or gas well heretofore or hereafter drilled, is upon lands owned by the State of California, on which lands drilling for oil or gas or other hydrocarbons is prohibited by law, he shall make or cause to be made an investigation, and if it appears to him from such investigation that any such well extends into and upon such lands owned by the State of California, he shall file his findings with a court of competent jurisdiction of the county in which the land or any portion thereof on which any such well is drilled, and shall file a copy of such report with the Attorney General of California.

Upon the receipt of a copy of such report, the Attorney General of California is hereby authorized to apply to such court for an order to have such well surveyed to determine whether the bottom of such well actually extends upon such lands owned by the State of California. The court shall, if it finds there is probable cause that the bottom of any such well reported by the Chief of the Division of State Lands in the manner herein provided is upon such lands owned by the State of California, issue its order upon the application of the Attorney General to have any such well surveyed to determine the deviation from the vertical and the direction of such deviation.

The Chief of the Division, upon receipt of such order, shall cause to be made a survey of any such well which survey shall likewise be filed with such court and a copy of the same with the Attorney General of California. If such report of survey shows that the bottom of any such well is upon such lands owned by the State of California, such report shall constitute prima facie evidence thereof, and upon the finding by such court that the bottom of any such well is upon such lands of the State of California, the Attorney General shall be entitled to a permanent injunction to restrain further operation of any such well, and shall be entitled to an accounting and judgment for all damages suffered by the State of California by reason thereof.

The Attorney General may bring such action in the name of the people of the State of California or the Chief of the Division of State Lands. Any petition and/or application need not be verified and no bond shall be required from the State of California or from any officer of the State of California in any proceeding instituted hereunder. Any such action may be brought against the owner of the lands upon which any such well is drilled, the lessee of lands upon which any such well is situated, and any person, firm, association or corporation operating such well, or against any or all of them.

In the event judgment is obtained for the plaintiff or petitioner in any such action, all costs, and all expenses of investigation and survey shall be charged against the defendant or defendants."

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 1 to 5, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

LEAVES OF ABSENCE.

On motion of Mr. Cobb, Mr. Greene was granted leave of absence for the balance of this legislative day.

On motion of Mr. Bliss, Mr. Zion was granted leave of absence for the balance of this legislative day.

ADJOURNMENT.

At four o'clock and forty minutes p.m., on motion of Mr. Clowdsley, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Monday, April 24, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, April 24, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Meeker, its further reading was dispensed with.

MOTION.

On motion of Mr. Maloney, the prayer offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly, was ordered printed in the Journal.

PRAYER.

Heavenly Father, Thou art a guide to the perplexed. Thy instruction sustains us in the hour of trial; the knowledge of Thy ways enheartens us in the hour of temptation.

We thank Thee that Thou hast implanted within us the desire to know Thee—to fathom the mysteries of Thy creation—to understand the world in which we live.

At the beginning of this week, dedicated to education, we pray Thy guidance, O Father.

Give us ambition that we may be eager to study and learn. Give us the desire to master the knowledge required to make us competent in our various undertakings.

Make us impatient with half-truths and intolerant of slipshod methods.

Give us patience that no task, however difficult, may discourage or dismay us, and strength that we may hurdle every obstacle in the way before us. Imbue us with pride that we halt not till the knowledge we are seeking is truly ours and the goal which beckons is finally reached.

And when formal education is completed, O Father, may we not become complacent and contented. Rather may each new day find us adding additional knowledge and information to our stores and discovering new goals toward which we may aspire.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 3—Amending section 23 of Article IV of the Constitution of California, relating to compensation of members of the Legislature;

Also: Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 3, 4, 5 and 23, of Article IV of the Constitution, relating to the Legislative Department;

Also: Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 6 of Article IX thereof, relating to taxation for school purposes;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported constitutional amendments ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 32—Relative to Owens Valley as a site for a Junior State Prison—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1—An act to amend section 737a of the Political Code, relating to the salaries of judges of the superior court, Alameda County;

Also: Assembly Bill No. 10—An act to amend section 737s of the Political Code, relating to salaries of judges of the superior court, Los Angeles County;

Also: Assembly Bill No. 111—An act to add a new section to the Penal Code to be numbered 146c, relating to badges or other insignia of authority of fire departments and providing penalties for the violation hereof;

Also: Assembly Bill No. 116—An act to amend section 737*ll* of the Political Code, relating to salaries of the judges of the superior court of the City and County of San Francisco;

Also: Assembly Bill No. 216—An act to add a new section to the Fish and Game Code, to be numbered 282, relating to the speed of motor vehicles in fish and game district 1G;

Also: Assembly Bill No. 268—An act to amend section 1187 of the Code of Civil Procedure, relating to mechanics' liens;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 404—An act to amend section 224 of the Civil Code, and to add a new section to said code, to be numbered 227a, relating to the adoption of children;

Also: Assembly Bill No. 407—An act to amend sections 3638a, 3717 and 3787 of, and to add section 3716a to, the Political Code, relating to the lien of taxes secured by real property;

Also: Assembly Bill No. 408—An act regulating and restricting the sale of goods, wares and merchandise manufactured, produced or mined by convicts or prisoners or in penal or reformatory institutions and prescribing penalties for violation of the provisions hereof;

Also: Assembly Bill No. 417—An act to amend sections 195, 196 and 197 of the Vehicle Code, relating to chattel mortgages on vehicles;

Also: Assembly Bill No. 429—An act to amend section 19x52 of the Juvenile Court Law, relating to probation officers in counties of the fifty-second class;

Also: Assembly Bill No. 430—An act to amend section 4281 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-second class;

Also: Assembly Bill No. 431—An act to amend section 2322x52 of the Political Code, relating to the office of the agricultural commissioner in counties of the fifty-second class;

Also: Assembly Bill No. 502—An act to amend section 4242 of the Political Code, relating to the compensation of county and township officers in counties of the thirteenth class;

Also: Assembly Bill No. 503—An act to amend section 19x13 of the Juvenile Court Law, relating to probation officers in counties of the thirteenth class;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 505—An act to amend section 2322x13 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirteenth class;

Also: Assembly Bill No. 549—An act to amend section 43 of, and add sections 85 and 85½ to the Public Utilities Act, relating to assessing the salaries and expenses of the Railroad Commission to public utilities and disbursements from the Railroad Commission fund;

Also: Assembly Bill No. 569—An act to authorize the investigation of the financial condition of, and granting financial aid to, assessment districts organized under the "Acquisition and Improvement Act of 1925" or the "Road District Improvement Act of 1907";

Also: Assembly Bill No. 570—An act to authorize the Chief of the Division of State Lands of the Department of Finance to make investigations to determine whether oil or gas wells extend upon certain lands owned by the State of California, to authorize the Attorney General to obtain an order from the court to survey any such wells as to deviation from the vertical and direction of such deviation, to authorize the Chief of the Division of State Lands to make such survey, to make such survey prima facie evidence of trespass upon any such State-owned lands, and to provide for an injunction, an accounting, and damages to the State on account of any such trespass;

Also: Assembly Bill No. 596—An act to amend sections 3649 and 3672 of the Political Code, relating to the assessment, equalization and taxation of property escaping assessment between the first Monday of March and the first Monday of July;

Also: Assembly Bill No. 599—An act to provide for the refunding of the indebtedness represented by bonds of special assessment districts formed under laws of the State of California where the bonds are payable from assessments levied in whole or in part in accordance with the assessed value of the lands in the district, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 689—An act to amend section 737f of the Political Code, relating to the superior judge in and for the county of Colusa;

Also: Assembly Bill No. 828—An act to add a new section to the Vehicle Code, to be numbered section 674.5, relating to the equipment of vehicles;

Also: Assembly Bill No. 902—An act to amend section 19 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, relating to compensation and insurance of workmen;

Also: Assembly Bill No. 1016—An act to amend section 1060 of the Fish and Game Code, and to add thereto sections 481.5, 1064.5 and 1065.5, relating to fish and game;

Also: Assembly Bill No. 1019—An act to amend section 690 10 of the Political Code, relating to rights in and to, and structures on, or partly on, swamp, overflowed, marsh, tide- or submerged lands, and making an appropriation therefor:

Also: Assembly Bill No. 1078—An act to amend sections 4.371, 4.373, 4.376 and 4.377 of the School Code, and to add two new sections to the School Code, to be numbered 4.378 and 4.379, all relating to district taxes;

Also: Assembly Bill No. 1094—An act to amend section 606 of the Political Code, relating to reports and accountings of moneys received by the Insurance Commissioner;

Also: Assembly Bill No. 1249—An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1035—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial Counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable lowlands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district," approved June 21, 1923, as amended, by amending sections numbered 8a, 23 and 28o, thereof;

Also: Assembly Bill No. 1265—An act to add a new section to the Code of Civil Procedure to be numbered 329, relating to the limitation of the time within which actions for the foreclosure of street improvement assessment liens against real property may be commenced, when the assessments are made payable in installments pursuant to bonds or other written obligations;

Also: Assembly Bill No. 1340—An act to amend sections 3, 6, 9, 10, 13, 14, 15, 16, 20, 21, 22 and 25 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended 1909, 1911, 1915, 1917, 1919, 1927 and 1929;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1719—An act to secure payment of claims of persons employed by contractors upon public works and claims of persons who furnish materials, supplies, teams, vehicles, implements or machinery used or consumed by such

contractors in the performance of such works, prescribing the duties of certain public officers in respect thereto, and providing for the manner and procedure of the enforcement of such claims, and to repeal an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919;

Also: Assembly Bill No. 1788—An act to amend sections 737ss, 737uu and 737r of the Political Code, relating to the compensation of the judges of the superior court of Shasta County, Siskiyou County and Lassen County;

Also: Assembly Bill No. 1973—An act authorizing the State Director of Finance to grant, convey, and sell by deed, or any other proper legal conveyance, all the right, title and interest of the State of California, in and to the abandoned channel of Petaluma Creek or River in the city of Petaluma, county of Sonoma, State of California, lying north of Washington Street in said city, to property owners whose lands abut thereon, or to persons occupying said land;

Also: Assembly Bill No. 1998—An act to amend sections 2, 3, 4, 5, 13 and 14 of an act entitled "An act to regulate the construction and maintenance of auto camps in unincorporated areas; to provide for the inspection and supervision of the same; to provide for the abatement thereof in certain cases; to provide penalties for the violation of the provisions hereof and to repeal Chapter 615, Statutes of 1929, entitled 'An act to regulate the construction and maintenance of auto camps in unincorporated areas, to provide for the inspection and supervision of same and to provide penalties for the violation of the provisions thereof,' approved May 31, 1929," approved April 24, 1931, relating to the powers and duties of the Division of Immigration and Housing, Department of Industrial Relations with respect to auto camps and the fees to be paid by such camps,

Also: Assembly Bill No. 2073—An act to amend section 1 of an act entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, relating to the refunding of indebtedness of any incorporated city or town other than cities of the first class or of any department, board or special fund thereof;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1430—An act to amend section 4a of an act entitled "An act to protect domestic live stock from contagious and infectious diseases, to prescribe the duties of officials to carry into effect the provisions of this act, to provide for the appointment of a veterinarian, and to repeal an act entitled 'An act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this act, and to provide an appropriation therefor,' approved March 18, 1889, as amended," relating to infectious diseases of animals; to declare the urgency thereof and provide that this act shall take effect immediately;

Also: Assembly Bill No. 1434—An act to amend section 61a of the California Irrigation District Act, relating to warrants of irrigation districts; providing for certain extensions of time for the payment of warrants; authorizing agreements for the payment of warrants or any portion thereof from time to time or at a fixed time; authorizing the allocation of specified funds or any amount thereof for the payment of warrants;

Also: Assembly Bill No. 1567—An act to amend section 4246 of the Political Code, relating to compensation of county and township officers in counties of the seventeenth class;

Also: Assembly Bill No. 1591—An act relating to payment of death benefits by fraternal societies and lodges;

Also: Assembly Bill No. 1622—An act to provide for the classification of metropolitan water districts;

Also: Assembly Bill No. 1691—An act to amend section 10 of an act entitled "An act to authorize and control the deposits in banks of moneys belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1933, relating to the deposit of money belonging to or in the custody of the State;

Also: Assembly Bill No. 1692—An act to amend sections 3866 and 3871 and to repeal section 3876 of the Political Code, relating to expenses of county treasurer in settling accounts with the Controller;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2207—An act to repeal sections 716 to 719, inclusive, and to add section 716 to the Political Code, relating to the Capitol building and grounds;

Also: Assembly Bill No. 2215—An act to amend sections 1425 and 1462 of the Penal Code, relating to criminal jurisdiction of justices' courts;

Also: Assembly Bill No. 2291—An act to amend section 2207c of, and to add sections 2208 and 2209 to, the Political Code, relating to the State Commission for the Blind and the field officers thereof;

Also: Assembly Bill No. 2325—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by adding two new sections thereto to be numbered, respectively, section 28 relating to the dissolution of such municipal utility districts, and section 29 relating to the withdrawal of certain territory therefrom;

Also: Assembly Bill No 2311—An act to add a new section to be numbered 9a to an act entitled "An act in relation to the control and eradication of bovine tuberculosis; to provide an appropriation for the purposes of this act; to prescribe penalties for violation of the provisions hereof, and to repeal certain acts therein specified," approved June 19, 1931, providing for the withdrawal of counties from tuberculosis control areas; to declare the urgency thereof and provide that this act shall take effect immediately;

Also Assembly Bill No. 2360—An act authorizing boards of supervisors to pay principal or interest, purchase or redeem, bonds the proceeds of which have been used for the acquisition, improvement or maintenance of parks within their respective counties or cities and counties;

Also: Assembly Bill No. 2363—An act limiting the number of cars in a train, and prescribing penalties for violations thereof;

Also: Assembly Bill No. 2367—An act granting certain tidelands and submerged lands of the State of California to the city of San Diego upon certain trusts and conditions;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 54—An act to amend section 2924 of the Civil Code and to add a new section thereto, to be numbered 2924b, all relating to mortgages and deeds of trust;

Also: Assembly Bill No. 59—An act to add a new section to the Civil Code, to be numbered section 2924c, relating to obligations secured by deed of trust or mortgage;

Also: Assembly Bill No. 147—An act to amend section 483 of the Penal Code, relating to the sale of evidences of right of passage on a common carrier to person not entitled to use of same;

Also: Assembly Bill No. 694—An act to amend sections 736 and 738 of the Fish and Game Code, relating to fish and game;

Also: Assembly Bill No. 847—An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled "An act to define the duties of and to license land surveyors," approved March 16, 1907;

Also: Assembly Bill No. 1044—An act to amend sections 3, 4, 6, 7, and 8 of the "General Cemetery Act," approved June 19, 1931, relating to cemetery corporations;

Also: Assembly Bill No. 1352—An act to revise an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any State structure, building, road, or other State

improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909;

Also: Assembly Bill No. 2341—An act to reduce the rates and charges of telephone, gas and electrical corporations furnishing telephone service, heat, light and power to the public, empowering and directing the Railroad Commission to administer and enforce the reduction, and declaring this act to be an urgency measure;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1427—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and part of acts inconsistent therewith," being Statutes of 1931, p. 483, as approved May 5, 1931, by amending the title and adding section 13.20, providing for reorganizations agreed upon by sixty-six and two-thirds per cent of the creditors of any seized association, and authorizing building and loan associations and their custodians, receivers, etc., to purchase certificates at less than par or to trade real estate for certificates—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 554—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 1.01, 3.02, 5.01, 6.01, 6.02, 6.03, 6.08, 7.06, 9.02, 9.04 to 9.12, both inclusive, 10.03, 10.05, 12.01, 13.01, and 15.16, by repealing section numbered 12.08 thereof, and by adding new sections to be numbered 9.13, 9.14, 9.15, 9.16, 9.17, 13.16a and 13.20 to said act, all relating to building and loan associations—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 253—An act to add section 398 to the Penal Code, relating to the use or possession of firearms by children 16 years or under and prescribing penalties for violation of the provisions thereof—and reports that the same has been correctly re-re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 27—Relative to memorializing the Congress of the United States to adopt legislation providing for government use of American grown rubber—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Joint Resolution No. 27 ordered on file for adoption.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1154—An act to amend section 9 of an act entitled "An act to authorize and regulate the employment of prisoners in the State prisons of this State and to provide for the disposition of the products of their skill and labor," approved February 23, 1911, relating to products exempt from the provisions of that act and specifically providing that jute and jute products shall after a certain time be governed by the provisions of said act, and to repeal all laws inconsistent with said act as so amended—has had the same under consideration, and respectfully reports the same back, and recommends that it be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered to reprint.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. West:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 2322x7, 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236n, 4236o, 4236p, 4236q, of the Political Code, relating to the compensation of county officers in counties of the seventh class.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows

An act to amend sections 2322x7, 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236n, 4236o, 4236p, 4236q, of the Political Code, relating to compensation of county officers in counties of the seventh class.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act making an appropriation for the control and conservation of flood waters in San Diego County.

HALLNER, Chairman.

The question being on the adoption of the reports.

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

AYES—Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—62.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. West: Assembly Bill No. 2385—An act to amend sections 2322x7, 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236n, 4236o, 4236p, and 4236q of the Political Code, relating to the compensation of county officers in counties of the seventh class.

Bill read first time, and referred to Committee on County Government.

By Mr. Stream: Assembly Bill No. 2386—An act making an appropriation for the control and conservation of flood waters in San Diego County.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Cobb and Maloney: Assembly Joint Resolution No. 31—Relative to the use of granite in Federal construction projects.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cobb asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 31, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-ONE.

Assembly Joint Resolution No. 31—Relative to the use of granite in Federal construction projects.

Assembly Joint Resolution No. 31 read.

The question being on the adoption of Assembly Joint Resolution No. 31.

The roll was called, and Assembly Joint Resolution No. 31 adopted by the following vote:

AYES—Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Zion and Mr. Speaker—59.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 31 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 31.

Relative to the use of granite in Federal construction projects.

WHEREAS, California is one of the leading granite producing States of the Union; and

WHEREAS, It is desirable that permanent public buildings should be constructed of dignified, durable and beautiful materials; and

WHEREAS, The benefits of Federal construction should not be confined to any one State or locality by the specification and general use of a material produced almost exclusively within the borders of such a State; and

WHEREAS, Granite is readily available in any of twenty-one States while the production of limestone is largely confined to the State of Indiana; and

WHEREAS, It is apparent from its general use in all sections of the country that undue favoritism has been shown Indiana limestone in Federal construction with resulting aggravation of serious unemployment conditions in the granite producing States; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the members of the Senate and House of Representatives from the State of California be and are hereby urged to secure proper consideration for the use of granite in Federal construction projects; and be it further

Resolved, That the Chief Clerk of the Assembly be, and he is hereby directed to send copies of this resolution to each member of the Senate and House of Representatives from the State of California.

MOTION.

Mr. Robinson, C. Ray, moved that the Journals of Monday, April 10, 1933; Tuesday, April. 11, 1933; Wednesday, April 12, 1933, be approved as corrected by the Minute Clerk.

Motion carried.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1933

MR SPEAKER: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 22—Relative to a recess to be taken by the fiftieth session of the Legislature—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

CLOWDSLEY, Vice Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to suspend the rules for the purpose of considering Senate Concurrent Resolution No. 22, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWENTY-TWO.

Senate Concurrent Resolution No. 22—Relative to a recess to be taken by the fiftieth session of the Legislature.

COMMITTEE AMENDMENT.

During reading of Senate Concurrent Resolution No. 22, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

In line 15 of the printed bill, strike out the word "fifth", and insert in lieu thereof the word "twelfth".

The question being on the adoption of the amendment.

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 22, at this time, without reference to printer or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWENTY-TWO.

Senate Concurrent Resolution No. 22—Relative to a recess to be taken by the fiftieth session of the Legislature.

Senate Concurrent Resolution No. 22 read.

The question being on the adoption of Senate Concurrent Resolution No. 22.

Senate Concurrent Resolution No. 22 adopted.

Senate Concurrent Resolution No. 22 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 22.

Relative to a recess to be taken by the fiftieth session of the Legislature.

WHEREAS, It is necessary to submit to a vote of the people certain measures of importance to the welfare of the State; and

WHEREAS, The result of the submission to the people of such measures may make certain legislation necessary in order to carry into effect the wishes of the people as demonstrated by the results of such election; and

WHEREAS, There is legislation pending which would call such an election during the month of June, 1933; and

WHEREAS, Members of the Legislature, if given the opportunity, could be of service to the people of the State by going into their respective communities and explaining the measures to be voted upon; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the fiftieth session of the Legislature recess at four o'clock p.m. on the fifth day of May, 1933, to reconvene at eleven o'clock a.m. on the seventeenth day of July, 1933.

RESOLUTION.

The following resolution was offered:

By Mr. Lyon:

Resolved by the Assembly of the State of California, That the Standing Rules of Assembly be amended to read as follows:

26. No member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, except that the author of a bill or resolution, or the mover of a question, shall have the right to close the debate thereon. No member shall be allowed to speak more than five minutes to open and five minutes to close the debate thereon.

This rule can only be suspended by a two-thirds affirmative vote of all members elected to the Assembly, or by unanimous vote; be it further

Resolved, That Rule 91 of the Standing Rules of Assembly be and it is hereby repealed.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for unanimous consent to take up the resolution, at this time, without reference to committee.

Mr. Hornblower objected to the unanimous consent.

The Speaker ordered the resolution referred to the Committee on Rules.

EXPLANATION OF VOTE.

To the Speaker and Clerk.

The record and Journal of April 19, 1933, on page 31, shows my vote to be "Yes" on Assembly Constitutional Amendment No. 6. As a matter of fact I voted "No," and I desire this explanation to appear in the Journal.

E. H. ZION.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Rawls moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was refused adoption be continued until the next legislative day.

Motion carried.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Cronin moved that the vote whereby Assembly Bill No. 557 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Sullivan, Thorp, Tournoux, West, Zion and Mr. Speaker—48

NOES—Alter, Bowers, Brock, Chatters, Craig, Evans, Greene, Hallner, Latham, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, Stannard, Stream, Turner, Woolwine and Wright—20.

The above reported bill ordered on file.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Lyon moved that the vote whereby Assembly Bill No. 246 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Cobb, Cottrell, Cronin, Crowley, Dempster, Evans, Field, Frazier, Gilmore, Greene, Hallner, Hornblower, Hunt, Jones, Kallam, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Ross, Stream, Sullivan, Thorp, Tournoux, West, Woolwine, Wright and Mr. Speaker—51.

NOES—Brock, Clowdsley, Hoffman, Nielsen, Patterson, Scudder and Stannard—7.

The above reported bill ordered on file

Assembly Bill No. 2336—An act to levy an excise tax and to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2336?

AMENDMENT NUMBER ONE.

On page 13 of the printed bill, as amended in the Assembly April 6, 1933, after section 26, insert the following:

"SEC. 26a. Nothing herein concerning "on sale" or "off sale" licenses shall be construed to prevent or prohibit any county, city and county, or municipal corporation from enacting by ordinance any law or laws prohibiting the sale of beverages as defined by this act, except that no such law or laws shall authorize or require the payment of any application fee, license fee, or tax in excess of the maximum provided in sections 18 and 20 of this act."

AMENDMENT NUMBER TWO.

On page 11, line 2, of the printed bill, as amended in the Assembly April 6, 1933, after the period, insert the following:

"Any person violating any of the provisions of sections 16 to 25 inclusive of this act, or selling beverages without obtaining the permits for sale thereof as required by section 18 hereof, or failing to pay the license fees provided by sections 18 and 20 hereof, shall be guilty of a misdemeanor, and shall be punishable by fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment."

AMENDMENT NUMBER THREE.

On page 8, line 27, of the printed bill, as amended in the Assembly April 6, 1933, strike out the words "in accordance with", and insert in lieu thereof the words "exempt from".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended, strike out lines 34 to 36, inclusive, and insert in lieu thereof the following: "Before granting any licenses authorizing any person to engage in business as a manufacturer".

AMENDMENT NUMBER FIVE.

On page 9, line 33, of the printed bill, as amended, strike out "reasonable", and insert in lieu thereof the following: "reasonably".

AMENDMENT NUMBER SIX.

On page 9, line 34, of the printed bill, as amended, strike out "the", and insert in lieu thereof the following: "and".

AMENDMENT NUMBER SEVEN.

On page 9, line 35, of the printed bill, as amended, after the word "number", strike out "of", and insert in lieu thereof the following: "in".

AMENDMENT NUMBER EIGHT.

On page 9, line 39, of the printed bill, as amended, after the comma after the word "State", strike out "said", and insert in lieu thereof the following: "such".

AMENDMENT NUMBER NINE.

On page 10, line 12, of the printed bill, as amended, strike out the comma after the word "person", and strike out "firm, corporation or association".

AMENDMENT NUMBER TEN.

On page 11, line 35, of the printed bill, as amended, strike out the period after the word "county", and insert in lieu thereof the following: "and shall further be construed to provide that such tax may not be levied or collected by more than one county, city and county or municipal corporation upon any one container or quantity of such beverage."

AMENDMENT NUMBER ELEVEN.

On page 11, line 41, of the printed bill, as amended, strike out "application".

AMENDMENT NUMBER TWELVE.

On page 11, line 47, of the printed bill, as amended, strike out "application", and insert in lieu thereof the following: "licensee".

AMENDMENT NUMBER THIRTEEN.

On page 11, line 49, of the printed bill, as amended, after the word "not", insert "of".

AMENDMENT NUMBER FOURTEEN.

On page 12, line 13, of the printed bill, as amended, strike out "beer", and insert in lieu thereof the following: "beverages".

AMENDMENT NUMBER FIFTEEN.

On page 13 of the printed bill, as amended, strike out line 3, and insert in lieu thereof the following: "a licensee."

AMENDMENT NUMBER SIXTEEN.

On page 13 of the printed bill, as amended, strike out lines 13 to 19, inclusive, and insert in lieu thereof the following:

"SEC. 24. No manufacturer of beverages nor any officer, director or employee of such manufacturer, nor any person who owns any interest in the business of such manufacturer, shall acquire, hold or have any interest either direct or indirect in the business of any "on sale" licensee nor in the furniture and fixtures of the premises wherein the business of such licensee is conducted, nor shall any such person indorse, guarantee, or stand surety for a lease or any other obligation of any such licensee."

AMENDMENT NUMBER SEVENTEEN.

On page 13, line 33, of the printed bill, as amended, strike out "SEC. 26a", and insert in lieu thereof the following: "SEC 27"

AMENDMENT NUMBER EIGHTEEN.

On page 13 of the printed bill, as amended, after line 40, insert the following:

"SEC. 28. Every license for the manufacture, importation, or sale of beverages issued pursuant to this act, shall entitle the holder of such license to advertise the sale of such beverages in any newspaper, periodical, or magazine printed outside of the State of California or printed within any county, city and county, or municipal corporation in this State, which has a board empowered to issue or which does issue licenses for the sale of such beverages. It shall not be unlawful for any such newspaper, periodical or magazine, or any edition or issue thereof, to be purchased, sold, circulated or distributed anywhere within this State by reason of the fact that it contains any advertisement concerning beverages."

AMENDMENT NUMBER NINETEEN.

On page 13, line 41, of the printed bill, as amended, strike out "SEC. 27", and insert in lieu thereof the following: "SEC. 29".

AMENDMENT NUMBER TWENTY.

On page 13, line 46, of the printed bill, as amended, strike out "SEC. 28", and insert in lieu thereof the following: "SEC. 30".

AMENDMENT NUMBER TWENTY-ONE.

On page 10, line 37, of the printed bill, as amended, strike out the comma following the word "only", and insert in lieu thereof a period; also strike out the balance of line 37 following said period; also strike out all of lines 38, 39 and 40, and all of line 41 down to and inclusive of the word "rooms".

AMENDMENT NUMBER TWENTY-TWO.

On page 6, line 44, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "Controller".

AMENDMENT NUMBER TWENTY-THREE.

On page 9, line 35, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "to be consumed only with meals furnished in good faith at regular public tables, or at eating counters at which said guests and patrons are seated, or in the case of clubs and/or hotels, may be served in guests' rooms."

AMENDMENT NUMBER TWENTY-FOUR.

On page 2, lines 15 and 16, of the printed bill, as amended, insert a new subdivision to be known as subdivision (j) to read as follows:

"(j) "Premises" as used in subdivision (e) hereof shall, when applied to drive-in eating places, include the stand from which meals are served and the grounds immediately surrounding such stands on and from which meals are served, in the usual and ordinary course of such business."

AMENDMENT NUMBER TWENTY-FIVE.

On page 2, line 4, of the printed bill, as amended, strike out the word "licensee", and in lieu thereof insert the word "license".

AMENDMENT NUMBER TWENTY-SIX

On page 2, line 7, of the printed bill, as amended, strike out the words "and 'original package' ".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 2 of the printed bill, as amended, between lines 28 and 29, add the following paragraphs:

"Before granting any license authorizing any person, other than one who produces, brews, ferments or manufactures beverage in this State, to engage in business as a manufacturer the board must require such person to file with said board, in such form as shall be prescribed by said board, a bond duly executed by such person as principal, and a corporation such as is mentioned in section 1056 of the Code of Civil Procedure in this State, as surety, payable to the people of the State of California, conditioned upon faithful performance of all of the requirements of this act and expressly providing for the payment of all excise taxes, penalties and other obligations of such person, arising out of this act.

The total amount of the bond or bonds required of any such manufacturer shall be fixed by the board and may be increased or reduced by said board at any time subject to the limitations herein provided. In fixing the total amount of the bond or bonds required of any such manufacturer, the board must require a bond or bonds equivalent in total amount to one and one-half times his estimated monthly excise tax determined in such manner as said board may deem proper; provided, that the total amount of the bond or bonds required of any such manufacturer shall never be less than five hundred dollars."

AMENDMENT NUMBER TWENTY-EIGHT.

On page 3 of the printed bill, as amended, at the end of line 5, add the following:

"Said excise tax shall not be construed to be in whole or in part, in addition to the excise tax imposed by Chapter 51 of the Statutes of 1933, approved April 6, 1933."

AMENDMENT NUMBER TWENTY-NINE.

On page 3 of the printed bill, as amended, between lines 5 and 6, insert the following paragraph:

"It shall be presumed, for the purposes of this act, that all beverage produced, brewed, fermented or manufactured outside of this State and imported into this State by any manufacturer or delivered to such manufacturer here, has been sold by such manufacturer unless he shall establish to the satisfaction of the board that such beverage is still in the ownership and possession of such manufacturer, or, prior to the termination of such ownership or possession, has been lost through evapora-

tion, leakage, spillage or destruction by the elements. Nothing in this act shall be construed as requiring the payment to the State of the excise tax specified in this section upon more than one sale of the same beverage."

AMENDMENT NUMBER THIRTY.

On page 3, line 9, of the printed bill, as amended, after the word "preceding", insert the word "calendar".

AMENDMENT NUMBER THIRTY-ONE.

On page 3, line 11, of the printed bill, as amended, insert a period after the word "require"; strike out the remainder of said line and all of lines 12 to 15, both inclusive, and add the following paragraphs:

"If any manufacturer shall fail, neglect or refuse to file said report, the board must note such failure, neglect or refusal upon the tax roll hereinafter described, and must estimate the amount of beverage sold by said manufacturer, assessing the excise tax thereon and said manufacturer shall be estopped from complaining of the amount of said estimate.

The board shall, on or before the twenty-second day of May, 1933, and on or before the twenty-second day of each calendar month thereafter, assess the excise tax due hereunder, and prepare and complete an assessment roll showing the amount of the excise assessed against each manufacturer and immediately deliver said assessment roll to the State Controller.

Excise taxes herein required to be paid shall be payable in monthly installments to the State Controller for the month ending April 30, 1933, and for each and every calendar month thereafter. The amount of such excise tax for each month shall be paid on or before the first day of the second calendar month thereafter, and if not paid prior thereto, shall become delinquent at five o'clock in the afternoon of said day, and ten per cent penalty shall be added thereto for delinquency."

AMENDMENT NUMBER THIRTY-TWO.

On page 3 of the printed bill, as amended, between lines 32 and 33, add the following paragraph:

"If any examinations or investigations made by the board shall disclose that any reports of manufacturers theretofore filed with said board by said manufacturers pursuant to the requirements of this act, have shown incorrectly the amount of beverage sold or the excise tax accruing thereon, said board shall have the power, and is hereby authorized, to make such changes in subsequent assessments of said manufacturers under this act as it may deem necessary to correct the errors disclosed by its examination of the records of said manufacturers or its investigations in pursuance of its powers hereunder."

AMENDMENT NUMBER THIRTY-THREE.

On page 4 of the printed bill, as amended, strike out all of lines 3 to 22, both inclusive, and in lieu thereof insert the following:

"SEC. 11. The provisions of this act relative to the payment of an excise tax shall apply to the sale of beverages within the State of California by a manufacturer as said term is defined by section 1 of this act after completion of the act of importation. None of the provisions of this act shall apply, or be construed to apply, to commerce with foreign nations or commerce with the several States, except in so far as the same may be permitted under the provisions of the Constitution and laws of the United States, nor to any beverage exported from this State, but every manufacturer shall be required to report such exports to the board in such detail as the board may require, otherwise the exemption herein granted shall be null and void and such beverage shall be considered sold in this State subject fully to the provisions of this act.

In support of any exemption from excise taxes claimed under this section on account of the exportation of beverages every manufacturer must execute an export certificate in such form as shall be prescribed, prepared and furnished by the board containing a sworn statement made by some person having knowledge of the fact of such exportation that the beverage has been exported from this State, and giving such detail with reference to shipment as said board may require. All exportation certificates must be completed and on file in the office of the board within thirty days after the close of the calendar month in which the shipments were made and no certificate not completed and filed within such period shall be recognized for any purpose by the State or any agency thereof. The board may demand of any manufacturer such additional data as are deemed necessary by said board in support of any such certificate and failure to supply such data will constitute a waiver of all right to exemption claimed by virtue of said certificate."

AMENDMENT NUMBER THIRTY-FOUR.

On page 4, line 42, of the printed bill, as amended, following the word "violations", insert the following: "are".

AMENDMENT NUMBER THIRTY-FIVE.

On page 4, line 42, of the printed bill, as amended, following the word "police", insert the following: ", city, or municipal".

AMENDMENT NUMBER THIRTY-SIX.

On page 4 of the printed bill, as amended, lines 48 to 52, and on page 5, lines 1 to 7, strike out all of section 15, and insert in lieu thereof the following:

"SEC. 15. The excise tax required to be paid by this act shall constitute a lien upon, and shall have the effect of, an execution duly levied against, any and all property of the manufacturer attaching at the time of the sale subject to said excise tax, and remaining until the excise tax is paid or the property sold in payment thereof. The lien created by the provisions of this act shall be paramount to all private liens or encumbrances whatever.

In the event that any manufacturer is delinquent in the payment of the excise tax herein provided for, the Controller shall notify the board forthwith and may give notice of the amount of such delinquency by registered mail to all persons having in their possession, or under their control, any credits or other personal property belonging to such manufacturer, or owing any debts to such manufacturer, at the time of receipt by them of such notice, and thereafter any person so notified shall neither transfer nor make other disposition of such credits, other personal property or debts until the board shall have consented to a transfer or disposition, or until twenty days shall have elapsed from and after the receipt of such notice. All persons so notified must, within five days after receipt of such notice, advise the Controller of any and all such credits, other personal property or debts, in their possession, under their control or owing by them, as the case may be.

Whenever any manufacturer shall be delinquent in the payment of the excise tax herein provided for, the Controller or his duly authorized representative shall proceed forthwith to collect the excise tax due from such manufacturer in the following manner: The Controller shall seize any property, real or personal, subject to the lien of said excise tax, and thereafter sell at public auction such property so seized, or a sufficient portion thereof, to pay the excise tax due hereunder, together with any penalty or penalties imposed hereby for such delinquency, and any and all costs that may have been incurred on account of such seizure and sale. Notice of such intended sale and the time and place thereof, shall be given to such delinquent manufacturer and to all persons appearing of record to have an interest in such property, in writing at least ten days before the date set for such sale by enclosing such notice in an envelope addressed to said manufacturer at his last known residence or place of business in this State if any, and, in the case of any person appearing of record to have an interest in such property, addressed to such person at the last known place of residence, if any, and depositing the same in the United States mail, postage prepaid, and by publication for at least ten days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold; provided, however, that if there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county for said ten day period. The said notice shall contain a description of the property to be sold, together with a statement of the amount of the excise taxes, penalties and costs, the name of the manufacturer and the further statement that, unless such excise taxes, penalties and costs are paid on or before the time fixed in said notice for such sale, said property, or so much thereof as may be necessary, will be sold in accordance with law and said notice.

At any such sale, the property shall be sold by the Controller or by his duly authorized agent in accordance with law and said notice, and the Controller shall deliver to the purchaser a bill of sale for the personal property, and a deed for any real property so sold, and such bill of sale or deed shall vest title in the purchaser. The unsold portion of any property so seized may be left at the place of sale at the risk of the manufacturer. If, upon any such sale, the moneys so received shall exceed the amount of all license taxes, penalties and costs due the State from such manufacturer, any such excess shall be returned to the manufacturer, and his receipt therefor obtained; provided, however, that if any person having an interest in or lien upon the property has filed with the Controller prior to any such sale notice of such interest or lien said Controller shall withhold any such excess pending a determination of the rights of the respective parties thereto by a court of competent jurisdiction. If, for any reason, the receipt of such manufacturer shall not be available, the Controller shall deposit such excess moneys with the State Treasurer, as trustee for such owner, subject to the order of such manufacturer, his heirs, successors or assigns.

The Controller must also immediately transmit notice of such delinquency to the Attorney General who shall at once proceed to collect all sums due to the State from any such manufacturer hereunder by bringing suit against the necessary parties to effect forfeiture of the bond or bonds of the manufacturer, reducing any deficiency to judgment against the manufacturer.

It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken by the board, Controller or Attorney General shall

be or be construed to be an election on the part of the State or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act.

In any suit brought to enforce the rights of the State hereunder the assessment roll prepared by the board pursuant to section 6 of this act, or a copy of so much thereof as is applicable in such suit, duly certified by the Controller showing unpaid excise taxes assessed against any manufacturer, shall be prima facie evidence of the assessment of the excise tax, the delinquency thereof, the amount of the excise tax, penalties and costs due and unpaid to the State, that the manufacturer is indebted to the people of the State of California in the amount of such excise tax and penalties therein appearing unpaid and that all the forms of law in relation to the assessment and levy of such excise tax have been fully complied with by all persons required to perform administrative duties under this act."

AMENDMENT NUMBER THIRTY-SEVEN.

On page 5 of the printed bill, as amended, strike out all of lines 8 to 25, inclusive, and insert in lieu thereof the following:

"SEC. 16. On application to the said Board of Equalization and pursuant to such regulations as from time to time it may prescribe, the board shall issue permits to sell and furnish the beverages defined in section 1 (a) hereof on the trains, vehicles or boats of common carriers. Said board shall charge and collect therefor, and pay into the general fund of the State, permit fees which are hereinafter fixed in amounts hereby found to be reasonable required to defray the expenses of issuing the supervising such permits. Such permit fees shall be based on the average number of actual operation of each class of operating units, namely, trains, vehicles and boats operated under such permit during the calendar year and upon which such beverages are sold, furnished or offered for sale within said State, said average to be ascertained by the board under such regulations as it may prescribe. Such permit fee shall be: for each train or vehicle of said average number the sum of twelve dollars and for each boat of said average number the sum of fifty dollars. The said permit shall authorize only the sale or furnishing of such beverages on such train, vehicle or boat to a bona fide passenger or employee or person then actually being transported on said train, vehicle or boat, for consumption only on such train, vehicle or boat. Said permit shall not authorize "off sale" privileges or transactions nor shall it authorize "on sale" privileges at any fixed place of business such as a hotel, restaurant, eating house or station. The issuance of said permit shall preclude and supersede the levy, requirement or assessment of any license or permit by any county, city and county, or municipal corporation for all or any of the privileges conferred by the "on sale" permit authorized by this section."

AMENDMENT NUMBER THIRTY-EIGHT.

On page 5, line 40, of the printed bill, as amended, after the word "prescribe", strike out the balance of said line, and all of lines 41, 42, 43 and 44 to and including the word "license", on said line 44, and insert in lieu thereof the following: "and shall be accompanied by a license fee not exceeding the rate of fifty dollars per annum in the case of an "on sale" license and not exceeding the rate of ten dollars per annum in the case of an "off sale" license. The amount, method and period of payment thereof shall be fixed by ordinance. "On sale" licenses operating for a period of six months or less shall pay a proportionate amount of the license fee, which shall not in any event be less than twenty-five per cent of the annual rate".

AMENDMENT NUMBER THIRTY-NINE.

On page 5, line 44, of the printed bill, as amended, strike out from and including the word "Provided", to and including the word "holder", in line 48.

AMENDMENT NUMBER FORTY.

On page 6, line 34, of the printed bill, as amended, commencing with the word "said", strike out all of said line 34, to and including the word "provided", in line 41.

AMENDMENT NUMBER FORTY-ONE.

On page 6, line 44, of the printed bill, as amended, strike out the word "may", and insert in lieu thereof the word "shall", and in line 45, strike out the words "the board for remittance by said board to".

AMENDMENT NUMBER FORTY-TWO.

On page 7, line 12, of the printed bill, as amended, insert after the semicolon, the word "or".

AMENDMENT NUMBER FORTY-THREE.

On page 7, line 14, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "; or,".

AMENDMENT NUMBER FORTY-FOUR.

On page 7, line 17, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "; or,".

AMENDMENT NUMBER FORTY-FIVE.

On page 7, line 19, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "; or,".

AMENDMENT NUMBER FORTY-SIX.

On page 7, line 25, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "; or,".

AMENDMENT NUMBER FORTY-SEVEN.

On page 4, line 35, of the printed bill, following the word "act", strike out all of the balance of the line, and all of line 36 to and including the word "hereof" in line 37.

AMENDMENT NUMBER FORTY-EIGHT.

On page 4, line 38, of the printed bill, following the period, insert the following: "All fines and forfeitures imposed and collected for the violation of any of the provisions of sections 8, 9 and 13 hereof, shall be paid into the county treasury to the credit of the general fund of the county where the violation occurs, except in cases wherein violations tried in police courts, in which instance the fines and forfeitures herein mentioned shall be paid into the city treasury."

AMENDMENT NUMBER FORTY-NINE.

On page 5, line 16, of the printed bill, as amended in Senate April 6, 1933, after the word "carrier", add the following: "Such common carrier shall not be required to obtain any other license nor pay any other tax or license fee than those provided for in this section."

AMENDMENT NUMBER FIFTY.

On page 5, line 35, of the printed bill, as amended in Senate April 6, 1933, after the word "license", add the following: "Provided that the "on sale" license fee for common carrier movable vehicles shall be twenty dollars for each of such vehicles based on the number thereof operated during the calendar year by the license holder."

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Peterson moved a call of the House.

Motion carried.

Time, eleven o'clock and fifty-eight minutes a m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—73.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF SENATE BILLS.

Senate Bill No. 414—An act to amend sections 2436, 2439, 2440, 2457, 2458, 2459, 2460, 2465, 2466a, and 2468 of the Political Code, to amend section 2467 of said code and to add section 2457a to said code, relating to the pilotage of vessels to, from and within ports and bays of the State of California.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Lyon:

AMENDMENT NUMBER ONE

On page 2, line 17, of the printed bill, after the word "tent", strike out the words "master marines", and insert in lieu thereof the following: "ship masters or nautical men".

Amendment adopted.

Bill ordered to reprint, and on file for third reading.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 2374—An act prohibiting the bringing in, sale and distribution in this State of crude petroleum oil illegally produced and of gasoline, distillates, kerosene, gas oil or other motor fuel extracted, manufactured, distilled or compounded, in whole or in part, from crude petroleum oil or gas illegally produced; providing for certificates to be filed with the State Superintendent of Weights and Measures, Department of Agriculture, at the time of bringing into this State of any crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, certifying that such crude petroleum oil was not illegally produced or that such gasoline, distillate, kerosene, gas oil or other motor fuel was not extracted, manufactured, distilled or compounded from oil or gas illegally produced, and providing for a permit for taking delivery of such crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, and the fee to be paid therefor, and prescribing penalties for violations of this act.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 933—An act to amend section 10 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended.

Bill read second time.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 933 was withdrawn from the file, and referred to Committee on Oil Industries.

Assembly Bill No. 36—An act to amend section 1 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring

the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the status of unincorporated territory

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, lines 39 and 40, of the printed bill, strike out "means and includes", and insert in lieu thereof the following: "in addition to their ordinary meaning may, at the discretion of the board of supervisors, be deemed to include".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, after line 42, add the following: "The boundaries of such areas shall be fixed and determined by the board of supervisors, and the board of supervisors shall allocate to such areas such amounts as would be allocated to an incorporated city of the same population or having therein the same number of vehicle registrations, in accordance with the provisions of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1571—An act to validate the organization and incorporation of municipal corporations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1733—An act to amend sections 8 and 11 of an act entitled "An act to provide for the maintenance by municipalities of lighting systems along public streets, alleys and other public places and for the lighting thereof by electric current, gas or other illuminating agent; and for the assessment of the cost and expense thereof upon the property benefited and the manner of collecting such assessments," approved May 16, 1919, as amended, relating to penalties levied thereunder.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2368—An act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of contiguous territory thereto owned by the incorporated town or city desiring the annexation of the same, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government and municipal control of the annexed territory.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1154—An act to amend section 9 of an act entitled "An act to authorize and regulate the employment of prisoners in the State prisons of this State and to provide for the disposition of the

products of their skill and labor," approved February 23, 1911, relating to products exempt from the provisions of that act and specifically providing that jute and jute products shall after a certain time be governed by the provisions of said act, and to repeal all laws inconsistent with said act as so amended

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, before line 1, but following the words "The people of the State of California do enact as follows", insert the following words:

"SECTION 1. Section 1 of the act cited in the title hereof is hereby amended to read as follows:

Section 1. The State Board of Prison Directors are hereby authorized and empowered to cause the prisoners in the State prisons of this State to be employed in the production and manufacture of such articles, materials, and supplies as are now, or may hereafter be needed by the State for use or consumption in any custodial institution maintained wholly by the State, but no articles, materials or supplies shall be so produced or manufactured or, if so produced or manufactured, shall be sold or offered for sale except for use or consumption in some one of the public institutions as above described and limited.

The State Board of Prison Directors are further authorized and empowered to purchase, install and equip such machinery, tools, supplies, materials and equipment as may be necessary to carry out the provisions of this act."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 3 to 14, both inclusive.

AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill, after the abbreviation "Sec.", strike out the figure "3", and substitute the figure "2".

AMENDMENT NUMBER FOUR.

On page 1, in line 1 of the title of the printed bill, strike out the figure "9", and in lieu thereof insert the figure "1"; in line 5 of the title, after the word "to", insert the words "the use of", and in the same line, strike out the words "exempt from", and in lieu thereof insert the words "covered by"; in line 6 of said title, strike out the words "and specifically providing that jute"; and on the same page strike out lines 7, 8 and 9 of said title.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 38—Proposed amendment to Article I, section 24, of the Constitution, relative to the right of suffrage.

Assembly Constitutional Amendment No. 38 read.

The question being on the adoption of Assembly Constitutional Amendment No. 38.

The roll was called, and Assembly Constitutional Amendment No. 38 was refused adoption by the following vote:

AYES—Badham, Cobb, Craig, Crowley, Evans, Field, Frazier, Hallner, Hatch, Hoffman, Jones, Latham, Lyon, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Ross, Stream, Utt, Woolwine and Mr. Speaker—24.

NOES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Feigenbaum, Gilmore, Greene, Hunt, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Wright and Zion—47.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At twelve o'clock and thirty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Peterson.

The roll of absentees was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2336 by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Chatters, Clowdsley, Cobb, Craig, Crist, Evans, Field, Frazier, Greene, Hallner, Hatch, Kallam, Knowland, Latham, Lyon, Martin, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—45.

NOES—Anglim, Boyle, Burns, Callahan, Cassidy, Cottrell, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Gilmore, Grubbs, Hoffman, Hornblower, Hunt, Jones, King, Levey, Maloney, Mayo, McBride, McMurray, Miller, James A., Nielsen, O'Connor, Roberts, Rogers, Ross, Stannard, Sullivan, Thorp, Tournoux and Turner—34.

The above reported bill ordered to enrollment.

EXPLANATION OF VOTE.

I desire to announce to the Assembly that on Assembly Bill No. 2336 I voted "Yes," but had I had the correct information I would have voted "No."

HENRY P. MEEHAN.

RECESS.

At twelve o'clock and thirty-five minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Bernard reading.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON DIRECT LEGISLATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: Your Committee on Direct Legislation, to which was referred Assembly Bill No. 777—An act to amend sections 1, 3, 4, 5, 10, 12, 13 and 23 of the Direct Primary Law, relating to the time of holding primary elections—has had the same under consideration, and respectfully reports the same back without recommendation.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 47—An act to amend section 737p of the Political Code, relating to the salary of the superior judge of the county of Kings;

Also: Senate Bill No. 255—An act to amend section 737tt of the Political Code, relating to the compensation of the judge of the superior court, Sierra County;

Also: Senate Bill No. 256—An act to amend section 737ee of the Political Code, relating to the compensation of the judge of the superior court, Placer County.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 47, 255 and 256 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 218—An act to amend section 737bb of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Napa;

Also: Senate Bill No. 658—An act to amend section 737gg of the Political Code, relating to the compensation of the judge of the superior court, Riverside County;

Also: Senate Bill No. 399—An act to provide the procedure for the formation of certain special tax and assessment districts and providing certain restrictions and limitations thereon;

Also: Senate Bill No. 257—An act to amend section 737cc of the Political Code, relating to the compensation of the judge of the superior court, Nevada County;

Also: Senate Bill No. 783—An act to amend section 737bbb of the Political Code, relating to salaries of judges of the superior court in and for the county of Tulare;

Also: Senate Bill No. 915—An act to amend section 2322x50 of the Political Code, relating to the office of agricultural commissioner in counties of the fiftieth class;

Also: Senate Bill No. 916—An act to amend section 737q of the Political Code, relating to the salaries of judges of the superior courts;

Also: Senate Bill No. 917—An act to amend section 4279 of the Political Code, relating to compensation of county and township officers in counties of the fiftieth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos 218 and 658 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 399 read first time, and referred to Committee on Revenue and Taxation.

Senate Bills Nos. 257 and 783 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 915 read first time, and referred to Committee on County Government.

Senate Bill No. 916 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 917 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed as a case of urgency, Senate Bill No. 839—An act relating to the operation of motor vehicles used in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 839 read first time, and referred to Committee on Motor Vehicles.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XI thereof a new section, to be numbered 7¾, relating to consolidation of political subdivisions.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Constitutional Amendment No. 34 read, and referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 48—Proposed amendment to Article I, section 14 of the Constitution, relative to eminent domain.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Constitutional Amendment No. 48 read, and referred to Committee on Constitutional Amendments.

RESOLUTION.

The following resolution was offered:

By Mr. Crowley:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1933.

We, the undersigned members of the Assembly, hereby move that Assembly Bill No. 1804 be withdrawn from the Committee on Public Morals.

ERNEST C. CROWLEY.
HENRY P. MEEHAN.
CHARLES A. HUNT.
THOMAS A. MALONEY.
ALBERT F. ROSS.
MELVYN I. CRONIN.
F. PETERSON.
ELLIS E. PATTERSON.
GEORGE R. BLISS.
E. H. ZION.
WILLIAM F. KNOWLAND.
P. J. MCMURRAY.
MICHAEL J. BURNS
JOHN D. MCCARTHY.
JOHN H. O'DONNELL.
J. E. FRAZIER.
JAMES M. CASSIDY.
JAMES S. O'CONNOR.
JAMES J. BOYLE
C. RAY ROBINSON.
WM. MOSELEY JONES.
AUSTIN L. TOURNOUX.
BERT V. CALLAHAN.
RODNEY L. TURNER.
JAMES J. MCBRIDE.
WALTER H. SULLIVAN.
CHAS. W. GRUBBS.
H. S. HALLNER.
JOHN T. RAWLS.
S. E. ROBINSON.
WM. B. HORNBLOWER.
CHAS. W. DEMPSTER.
L. POWERS, JR.
JESSE M. MAYO.
FRANK J. ROGERS.
EDGAR C. LEVEY.
CLIFF ANGLIM.
CECIL R. KING
BRUCE R. STANNARD.
JOSEPH P. GILMORE.
F. C. CLOWDSLEY.

Assembly Bill No. 1804 ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Martin:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 928 of the Penal Code, relating to grand juries.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 928 of the Penal Code, relating to grand juries.

HALLNER, Chairman.

The question being on the adoption of the report.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hoffman moved a call of the House.

Motion carried.

Time, two o'clock and twelve minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Grubbs, Hallner, Hatch, Hoffman, Hunt, Knowland, Latham, Maloney, Mayo, McMurray, Meehan, Morgan, O'Connor, O'Donnell, Peterson, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Thorp, Utt, West, Williamson, Zion and Mr. Speaker—43.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1167—An act to amend section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to proceedings after decision;

Also: Assembly Bill No. 1170—An act to amend section 14 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, relating to reassignment of a death benefit;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered replaced on daily calendar.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1036—An act to provide for the incorporation and organization and management of, county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts." approved June 10, 1913, as amended, by amending sections numbered 4, 5, 9, 10, 12, and 26, and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: section 22a, relating to levy of special assessments, in county water districts; section 22b, relating to special rates of assessment in certain cases; section 22c, relating to assessing and collecting the cost of works in the manner provided in the "Improvement Act of 1911"; sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, relating to the optional levy and collection of taxes by county water districts through the district's own officers rather than with county taxes; section 52, relating to the raising and payment by a county water district of assessments levied by an irrigation district within which is included a part of the lands within such county water district; and section 54, relating to short title of this act;

Also: Assembly Bill No. 2138—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof;

Also: Assembly Bill No. 2195—An act to amend section 19x16 of the Juvenile Court Law, relating to the probation officer in counties of the sixteenth class;
And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 853—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 11a, 12, 12a, 13, 14, 15, 16, 17, 19, 20a and 20b of the "California Real Estate Act," and to add new sections to be numbered 3a, 3b, 3c, 3d, 3e, 12b, 13a and 13b, relating to the Division of Real Estate;

Also: Assembly Bill No. 1571—An act to validate the organization and incorporation of municipal corporations;

Also: Assembly Bill No. 1733—An act to amend sections 8 and 11 of an act entitled "An act to provide for the maintenance by municipalities of lighting systems along public streets, alleys and other public places and for the lighting thereof by electric current, gas or other illuminating agent; and for the assessment of the cost and expense thereof upon the property benefited and the manner of collecting such assessments," approved May 16, 1919, as amended, relating to penalties levied thereunder;

Also: Assembly Bill No. 2106—An act to amend section 4272 of the Political Code, relating to the compensation of county and township officers in counties of the forty-third class;

Also: Assembly Bill No. 2368—An act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of contiguous territory thereto owned by the incorporated town or city desiring the annexation of the same, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government and municipal control of the annexed territory;

Also: Assembly Bill No. 2374—An act prohibiting the bringing in, sale and distribution in this State of crude petroleum oil illegally produced and of gasoline, distillates, kerosene, gas oil or other motor fuel extracted, manufactured, distilled or compounded, in whole or in part, from crude petroleum oil or gas illegally produced; providing for certificates to be filed with the State Superintendent of Weights and Measures, Department of Agriculture, at the time of bringing into this State of any crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, certifying that such crude petroleum oil was not illegally produced or that such gasoline, distillate, kerosene, gas oil or other motor fuel was not extracted, manufactured, distilled or compounded from oil or gas illegally produced, and providing for a permit for taking delivery of such crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, and the fee to be paid therefor, and prescribing penalties for violations of this act;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON SOLDIERS AND SAILORS AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No. 2135—An act to amend section 12 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897, as amended—has had the same under consideration and respectfully reports the same back, and recommends that it do pass as amended.

NIELSEN, Chairman.

The above reported bill ordered on file for second reading.

ON FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 45—An act to amend section 2322x9 of the Political Code, relating to the office of agricultural commissioner in counties of the ninth class—reports that it has met a like committee of the Senate, consisting of Senators Edwards, Pierovich and Snyder, and reports that the Committee on Free Conference has agreed to recom-

mend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 12 and 13, of the printed bill, as amended, strike out the words "for bacteriological work".

AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, as amended, after the semicolon following the word "employed", insert the following: "two inspectors at a monthly salary of one hundred seventeen dollars each during the time actually employed;".

AMENDMENT NUMBER THREE.

On page 1, line 22, of the printed bill, as amended, strike out the word "five".

AMENDMENT NUMBER FOUR.

On page 1, line 23, of the printed bill, as amended, strike out the words "thirty-three hundred", and insert in lieu thereof the following. "thirty thousand three hundred thirty-three".

UTT,
CRAIG,
ROBINSON, SAMUEL E,
Assembly Committee on Free Conference.

EDWARDS,
PIEROVICH,
SNYDER,
Senate Committee on Free Conference.

The question being on the adoption of the report and amendments.

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

AYES—Alter, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—57.

NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 6 of Article IX thereof, relating to taxation for school purposes.

Assembly Constitutional Amendment No. 63 read.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Constitutional Amendment No. 63 was withdrawn from the file, and referred to Committee on Constitutional Amendments.

Assembly Bill No. 1091—An act to amend sections 633a7, 633a16, 633a18, 633a24, 633a25, 633a27, and 633a31 of the Political Code, and to add a new section to said code, to be numbered 633a32, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1091 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 692—An act to add a new section to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, to be numbered 862b, relating to cities of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 692 passed by the following vote:

AYES—Alter, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Crist, Crowley, Dempster, Fisher, Grubbs, Hallner, Hatch, Hoffman, Hunt, King, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Stannard, Stream, Thorp, Tournoux, Turner and West—44.

NOES—Clowdsley, Evans, Feigenbaum, Kallam, Latham, Morgan, Peterson, Robinson, C. Ray; Roland, Ross, Wright and Mr. Speaker—12.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 687—An act to amend section 4273 of the Political Code, relating to compensation of county and township officers in counties of the forty-fourth class.

Bill read.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. O'Donnell:

AMENDMENT NUMBER ONE.

On page 2, line 31, of the printed bill, as amended, after "annum", insert a comma and the following: "which shall be in full for all services rendered by him and he shall pay all fees collected by him into the treasury of the county in the manner provided by law."

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up Assembly Bill No. 687 at this time, without reference to printer or file, and that same be considered engrossed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 687 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Powers, Rawls, Riley, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1200—An act to repeal sections 1120 to 1140 inclusive of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1200 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 902—An act to amend sections 38 and 47 of the Workmen's Compensation, Insurance and Safety Act, relating to workmen's compensation insurance issued by the State Compensation Fund.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 902 was withdrawn from the file, and referred to Committee on Insurance.

Assembly Bill No. 1340—An act to amend sections 6, 9, 10, 13, 14, 15, 16, 20, 21 and 22 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1340 was withdrawn from the file, and referred to Committee on Ways and Means.

Assembly Bill No. 2325—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by adding a new section thereto to be numbered section 28, relating to the dissolution of said municipal utility districts or the withdrawal of certain territory therefrom.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2325 was withdrawn from the file, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1044—An act to amend sections 3, 4, 6, 7, and 8 of the "General Cemetery Act," approved June 19, 1931, relating to cemetery corporations.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1044 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 2291—An act to add a new article, to be numbered VIII, consisting of sections 2.1471 to 2.1473, inclusive, to Chapter II of Part V of Division II of the School Code, relating to the State Commission for the Blind.

Bill read third time.

The question being on the passage of the bill

WITHDRAWAL OF BILL

By order of the Speaker, Assembly Bill No. 2291 was withdrawn from the file, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 407—An act to amend sections 3638a, 3716, 3717, 3718, 3746, 3756, and 3820 of the Political Code, relating to taxes on improvements and personal property secured by real property.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 407 was withdrawn from the file, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1427—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and part of acts inconsistent therewith," being Statutes of 1931, page 483, as approved May 5, 1931, by amending the title and adding sections 6.09 and 13 20, repealing section 6 05 and amending sections 6.08, 13.11 and 13.12 so as to first require a day in court before the commissioner may take possession; require the commissioner to agree to reorganizations agreed upon by sixty per cent of the creditors of any seized

association, and authorizing building and loan associations and their custodians, receivers, etc., to purchase certificates at less than par or to trade real estate for certificates.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1427 was withdrawn from the file, and referred to Committee on Building and Loan Associations.

Assembly Bill No. 1555—An act to amend section 237 of the Political Code, relating to officers and employees of the Senate and Assembly.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1555 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—63.

NOES—Hunt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and forty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hoffman.

The roll of absentees was called, and the report of the Committee on Introduction of Bills was adopted by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Martin: Assembly Bill No. 2387—An act to amend section 928 of the Penal Code, relating to grand juries.

Bill read first time, and referred to Committee on Judiciary.

SPECIAL ORDER.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED TWENTY-THREE.

Assembly Bill No. 1223—An act to amend sections 5.1, 5.10, 5.120, 5.133, 5.134, 5.180, 5.181, 5.182, 5.2, 5.20, 5.21, 5.23, 5.25, 5.26, 5.40,

5.44, 5.540, 5.60, 5.61, 5.62, 5.70, 5.80, 5.84, 5.86, 5.87, 5.88, 5.89, 5.90, 5.91, 5.92, 5.93, 5.100, 5.101, 5.102, 5 103, 5.104, 5.105, 5.110 and 5.112 of the School Code, designating teachers colleges as State colleges and relating to their organization, functions, government, and control.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Knowland moved that the vote whereby Assembly Bill No. 1223 was passed be reconsidered.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Knowland moved a call of the House.

Motion carried.

Time, three o'clock and one minute p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1556—An act to amend section 253 of the Political Code, relating to the duties of Secretary of the Senate and Chief Clerk of the Assembly.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1556 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—57

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1557—An act to amend section 245 of the Political Code, relating to officers, employees and attaches of the Senate.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1557 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Jones, Kallam, Latham, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Peterson, Phillips, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 853—An act to amend sections 3, 4, 5, 6, 7, 9, 9a, 9b, 9c, 9d, 11, 11a, 12, 12a, 13, 14, 15, 16, 19, 20a and 20b of the "California Real Estate Act," and to add new sections to be numbered 3a, 3b, 3c, 3d, 3e, 12b, 13a and 13b, relating to the Division of Real Estate.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 853 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 1558—An act to amend section 246 of the Political Code, relating to officers, employees and attaches of the Assembly.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1558 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1554—An act to repeal section 269 of the Political Code, relating to compensation of officers and employees of the Legislature.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1554 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Kallam, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland,

Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.
NOES—Chatters, Hornblower, Hunt, Jones, Maloney and Tournoux—6.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2230—An act to amend section 799 of the Fish and Game Code, relating to abalones.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2230 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.
NOES—Hornblower—1.

Title read and approved.
Bill ordered transmitted to the Senate.

RECESS.

At three o'clock and twenty-five minutes p.m, the Assembly was declared at recess for the purpose of being addressed by Hon. Morley Griswold, Lieutenant Governor of Nevada.

REASSEMBLED.

At three o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 7—An act to amend sections 41, 43, 45, 46 and 47 of the California Irrigation District Act, relating to delinquent assessment penalties and redemptions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 7 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—66.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At three o'clock and forty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Knowland.

The roll of absentees was called, and Assembly Bill No. 1223 was reconsidered by the following vote:

AYES—Anglim, Badham, Brock, Callahan, Cassidy, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Knowland, Latham, Levey, Lyon, Maloney, McBride, McMurray, Meehan, Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Rawls, Redwine, Roberts, Roland, Scudder, Utt, Williamson and Mr. Speaker—42.

NOES—Alter, Bliss, Bowers, Boyle, Burns, Chatters, Clowdsley, Cottrell, Crist, Hatch, Hunt, Jones, Kallam, King, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, Phillips, Powers, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine, Wright and Zion—38.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Knowland asked for, and was granted, unanimous consent to take up Assembly Bill No. 1223, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED TWENTY-THREE.

Assembly Bill No. 1223—An act to amend sections 5.1, 5.10, 5.120, 5.133, 5.134, 5 180, 5.181, 5 182, 5.2, 5.20, 5.21, 5.23, 5.25, 5.26, 5.40, 5.44, 5.540, 5.60, 5.61, 5.62, 5.70, 5.80, 5.84, 5.86, 5.87, 5.88, 5.89, 5.90, 5.91, 5 92, 5.93, 5.100, 5.101, 5.102, 5.103, 5 104, 5.105, 5 110 and 5.112 of the School Code, designating teachers colleges as State colleges and relating to their organization, functions, government, and control.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1223 was refused passage by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Chatters, Cottrell, Crist, Dempster, Frazier, Grubbs, Hoffman, Hunt, Jones, Kallam, King, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, Phillips, Powers, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Woolwine and Zion—39.

NOES—Badham, Brock, Cassidy, Clowdsley, Cobb, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hornblower, Knowland, Latham, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Roland, Ross, Scudder, Utt, Williamson, Wright and Mr. Speaker—40.

HON. EDGAR C. LEVEY IN THE CHAIR.

At four o'clock and twenty-five minutes p.m., Hon. Edgar C. Levey, member of the Assembly from the Twenty-eighth Assembly District, in the chair.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 699—An act to add a new section to the Political Code, to be numbered 473a, relating to the centralization in the Attorney General's office of all attorneys and legal advisers for State departments, divisions, commissions, bureaus, boards, offices, and institutions, and the reimbursement of the Attorney General's office for such services—has had the same under consideration, and respectfully reports the same back, and recommends that the Assembly concur in said amendments.

LEVEY, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Craig asked for, and was granted, unanimous consent to take up Assembly Bill No. 699, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER SIX HUNDRED NINETY-NINE.

Assembly Bill No. 699—An act to add a new section to the Political Code, to be numbered 473a, relating to the centralization in the Attorney General's office of all attorneys and legal advisers for State departments, divisions, commissions, bureaus, boards, offices, and institutions, and the reimbursement of the Attorney General's office for such services.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 699?

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed re-engrossed bill, strike out all of the line after the word "Way".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed re-engrossed bill, strike out the words "of Water Resources."

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed re-engrossed bill, strike out the words "Secretary of State."

AMENDMENT NUMBER FOUR.

On page 1, line 9, of the printed re-engrossed bill, strike out the words "Department of Education."

The roll was called, and Senate amendments to Assembly Bill No. 699 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Kallam, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Sullivan, Tournoux, Turner, Utt, West and Woolwine—55.

NOES—Callahan, Hornblower, Hunt, Jones, O'Connor and Williamson—6.

The above reported bill ordered to enrollment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 29—Relative to approving a certain amendment to the charter of the city of Chico, county of Butte, State of California, voted for and ratified by the electors of said city of Chico at a general municipal election held therein on the tenth day of April, 1933—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LYON, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Frazier asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 29, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWENTY-NINE.

Senate Concurrent Resolution No. 29—Approving a certain amendment to the charter of the city of Chico, county of Butte, State of California, voted for and ratified by the electors of said city of Chico at a general municipal election held therein on the tenth day of April, 1933.

Senate Concurrent Resolution No. 29 read.

The question being on the adoption of Senate Concurrent Resolution No. 29.

The roll was called, and Senate Concurrent Resolution No. 29 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Maloney, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson and Woolwine—56.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 29 ordered transmitted to the Senate.

NOTICE OF RECONSIDERATION.

Mr. Powers gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1223 was this day refused passage.

POINT OF ORDER.

Mr. Fisher arose to the following point of order: Stating that Assembly Bill No. 1223 had been previously reconsidered.

RULING BY SPEAKER.

The Speaker ruled the point of order well taken, stating that no question can be twice reconsidered unless it was materially amended after its first reconsideration (Robert's Rules of Order, page 158).

SPECIAL ORDER SET.

On motion of Mr. Lyon, the consideration of Senate Constitutional Amendment No. 30 was made a special order for Wednesday, April 26, 1933, at ten o'clock and thirty minutes p.m.

MOTION TO RE-REFER.

Mr. Grubbs moved that Assembly Bill No. 1215 be withdrawn from Committee on Agriculture, and referred to Committee on Exhibitions and Fairs.

The question being on re-referring Assembly Bill No. 1215 to Committee on Exhibitions and Fairs.

Motion carried.

Assembly Bill No. 1215 ordered referred to Committee on Exhibitions and Fairs.

MOTION TO RECONSIDER.

Mr. Williamson moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2314 was passed be continued until the next legislative day.

Motion carried.

SPECIAL ORDER SET.

On motion of Mr. Scudder, the consideration of Assembly Bill No. 1545 was made a special order for Tuesday, April 25, 1933, at eleven o'clock a.m.

ADJOURNMENT.

At four o'clock and forty-five minutes p.m., on motion of Mr. Robinson, C. Ray, Hon. Edgar C. Levey declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, April 25, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, April 25, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus.

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. Cottrell moved a call of the House.

Motion carried.

Time, ten o'clock and ten minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Bliss, Burns, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Fisher, Greene, Hallner, Hatch, Hoffman, Jones, King, Knowland, Latham, Maloney, Martin, Meehan, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Peterson, Rawls, Redwine, Ross, Scudder, Stannard, Stream, Tournoux and Mr. Speaker—34.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and fourteen minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Cottrell.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of the San Francisco delegation, Mesdames E. L. Bowes, R. Schwartz, Lucy E. Smart, E. Sutton and Misses F. T. Cohen, Belle Leile, Bernice Gillies, Alice Mason, Margeret Manson, Evelyn F. Arnold, and Ida Hill-Katzoff, members of the San Francisco Center of California League of Women Voters, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Phillips, Mrs. Leonard Joseph Difani of Riverside, California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of the San Francisco delegation, Mr. Lionel B. Feigenbaum of San Francisco was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Parent-Teacher Organization of Alameda and Contra Costa counties, protesting any reduction of educational appropriation.
(Signed) MRS. W. R. WOODS.

Also:

By Mr. Speaker:

From National Defense League, Los Angeles, urging legislation to make it unlawful to represent oneself as being an Indian if not so.
(Signed) JOHN F. GOLDNER, Secretary-Treasurer.

Also:

By Mr. Speaker:

From council of city of Los Angeles, urging adoption of Assembly Constitutional Amendment No. 47.
(Signed) ROBT. DOMINGUEZ, City Clerk.

Also:

By Mr. Speaker:

From Board of Supervisors, county of Los Angeles, endorsing Senate Bill No. 84.
(Signed) MAME B. BEATTY, Deputy Clerk.

Also:

By Mr. Speaker:

From city of Lynwood, California, opposing Assembly Bill No. 675.
(Signed) FRED J. DAVIES, Mayor, City of Lynwood.

Also:

By Mr. Speaker:

From Board of Supervisors, county of Los Angeles, favoring Assembly Bill No. 1172, and opposing Senate Bill No. 563.
(Signed) MAME B. BEATTY, Deputy Clerk

By Mr. Hunt:

Mr. Charles A. Hunt, State Assembly,
State Capitol, Sacramento, California.

We, the undersigned, ask you to vote favorably on Bill No. 2363, which comes to a vote on Monday, April 24, 1933.

(Signed) CLYDE A. FISHER, Chairman,
Railroad Men's Progressive Association; Member, B. R. T. Lodge No. 74 and O. R. C. 638.

And the voters of the Forty-fifth Assembly District.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 180—An act to amend section 1197 of the Political Code, relating to election ballots;

Also: Assembly Bill No. 700—An act relating to State officers and employees in the executive branch of the State government and the classification of, certification or authorization and appointment to, and allocation within, State executive positions and the fixing of salary ranges therefor and graduated emergency salary reductions, and creating the State Personnel Board and prescribing its powers, purposes, duties and jurisdiction;

Also: Assembly Bill No. 1559—An act to create the State Advisory Commission on Indian Affairs, to prescribe its membership and its powers and duties;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 2103—An act to provide for the conservation of the water and power resources of this State and to prevent the development thereof unless economically advantageous to the people of this State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

EVANS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 823—An act to amend section 15 of the "Los Angeles County Flood Control Act," relating to the responsibility of bidders upon public work—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

EVANS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Conservation, to which was referred Senate Bill No. 505—An act to amend section 4088 of the Political Code of the State of California, relating to the issuance of bonds for certain purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

EVANS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Conservation, to which was referred Senate Bill No. 504—An act to amend sections 4041.5, 4041.6, 4041.17 and 4041.18 of the Political Code of California and to add six new sections to said code to be numbered 4041.4 (2a), 4041.7 (a), and 4041.29 to 4041.32 both inclusive, relating to

powers of boards of supervisors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

EVANS, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1210—An act to add section 113 to the California Irrigation District Act, relating to actions and proceedings against an irrigation district or the board of directors thereof, brought by the holders of bonds of the district;

Also: Assembly Bill No. 318—An act to amend sections 1, 7, 8a, 8c, 8d, 8e, 8f, 8g, 8½ and 9, to repeal sections 8 and 8b, and to add two new sections to be numbered 8 and 8b, to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907;

Also: Assembly Bill No. 1356—An act to amend section 374b of the Penal Code, relating to the deposit of offensive matter on public highways.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 868—An act to amend section 10 of and to add a new section to be known as 1a, to an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund," approved May 10, 1927, as amended.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 317—An act to amend sections 1, 5, 10, 11, 13 and 15 of, and to add new sections to be numbered 10a to 10g, inclusive, to "An act to regulate the sale, possession, distribution and use of habit forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Medical and Dental Laws.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 20—Relative to approval by the President of the United States of a project for the conservation of the waters of Yosemite Creek and the preservation of Yosemite Falls in Yosemite National Park, under the provisions of act of Congress approved March 31, 1933.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Joint Resolution No. 20 read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1192—An act to amend section 4283 of the Political Code, relating to compensation of county officers in counties of the fifty-fourth class;

Also: Senate Bill No. 553—An act to add sections 974 to 974c inclusive to Title VI, Chapter I, of Part II of the Penal Code, relating to the examination of persons charged with crime;

Also: Senate Bill No. 555—An act to add section 1203a to the Penal Code, relating to probation;

Also: Senate Bill No. 732—An act to provide for the organization and conduct of nonprofit cooperative associations to engage in the marketing, handling and distribution of fish and fishery products.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 1192 read first time, and referred to Committee on County Government.

Senate Bills Nos. 553 and 555 read first time, and referred to Committee on Judiciary.

Senate Bill No. 732 read first time, and referred to Committee on Agriculture.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. O'Donnell:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend the Political Code by adding a new section thereto to be numbered 3497a, providing that defaulting reclamation districts under certain circumstances shall be subject to said section and shall be under the control of the California Districts Securities Commission to the extent and for the time set forth therein; providing for the manner of calling assessments and the making of calls for payments of warrants, of interest and of principal of bonds, or other indebtedness of such defaulting districts in an amount it will be reasonably possible for the lands to pay without exceeding a delinquency of fifteen per cent, notwithstanding any other provisions of law governing said districts; limiting the operation of said section 3493a until November 1, 1937, only, unless sooner repealed; and declaring the same an emergency measure enacted under the police power.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend the Political Code by adding a new section thereto to be numbered 3497a, providing that defaulting reclamation districts under certain circumstances shall be subject to said section and shall be under the control of the California Districts Securities Commission to the extent and for the time set forth therein; providing for the manner of calling assessments and the making of calls for payments of warrants, of interest and of principal of bonds, or other indebtedness of such defaulting districts in an amount it will be reasonably possible for the lands to pay without exceeding a delinquency of fifteen per cent, notwithstanding any other provisions of law governing said districts; limiting the operation of said section 3493a until November 1, 1937, only, unless sooner repealed; and declaring the same an emergency measure enacted under the police power.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Peterson, Phillips, Powers, Rawls,

Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—63.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. O'Donnell: Assembly Bill No. 2388—An act to amend the Political Code by adding a new section thereto to be numbered 3497a, providing that defaulting reclamation districts under certain circumstances shall be subject to said section and shall be under the control of the California Districts Securities Commission to the extent and for the time set forth therein; providing for the manner of calling assessments and the making of calls for payments of warrants, of interest and of principal of bonds, or other indebtedness of such defaulting districts in an amount it will be reasonably possible for the lands to pay without exceeding a delinquency of fifteen per cent, notwithstanding any other provisions of law governing said districts; limiting the operation of said section 3493a until November 1, 1937, only, unless sooner repealed; and declaring the same an emergency measure enacted under the police power.

Bill read first time, and referred to Committee on Irrigation.

MOTION TO RE-REFER.

Mr. Robinson, C. Ray, moved that Senate Bill No. 178 be withdrawn from the file, and ordered re-referred to Committee on Revenue and Taxation.

The question being on re-referring Senate Bill No. 178 to Committee on Revenue and Taxation.

Motion carried.

Senate Bill No. 178 ordered re-referred to Committee on Revenue and Taxation.

RESOLUTION.

The following resolution was offered:

By Mr. O'Connor:

April 22, 1933.

We, the undersigned, move to withdraw Assembly Bill No. 2369 from the Committee on Municipal Corporations, and that the same be forthwith placed upon the file.

JAMES S. O'CONNOR.
JAMES J. BOYLE.
FRANK J. ROGERS.
RODNEY L. TURNER.
J. E. FRAZIER.
BERT V. CALLAHAN.
JOHN D. MCCARTHY.
JAMES M. CASSIDY.
WM. MOSELEY JONES.
AUSTIN L. TOURNOUX.
ERNEST C. CROWLEY.
CHARLES W. DEMPSTER.
JOHN H O'DONNELL.
HENRY P. MEEHAN.
CECIL R. KING.
FRANK G. MARTIN.
WALTER H. SULLIVAN.
KENT H. REDWINE.
CLARE WOOLWINE.
CHARLES A. HUNT.
H. S. HALLNER.
C. W. LYON.
CHARLES W. STREAM.
JESSE M. MAYO.
ALBERT F. ROSS.
T. A. MALONEY.
MICHAEL J. BURNS.
P. J. MCMURRAY.
ELLIS E. PATTERSON.
JOSEPH P. GILMORE.
GEORGE R. BLISS.
MELVIN I. CRONIN.
JAMES J. MCBRIDE.
E. H. ZION.
JOHN T. RAWLS.
SAMUEL E. ROBINSON.
P. G. WEST.
ROY J. NIELSEN.
L. POWERS, JR.
ELEANOR MILLER.
F. M. ROBERTS.

Assembly Bill No. 2369 ordered on file for second reading.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Rawls moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was refused adoption be continued until the next legislative day.

Motion carried.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Williamson moved that the vote whereby Assembly Bill No. 2314 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Bowers, Boyle, Callahan, Chatters, Crist, Cronin, Fisher, Maloney, McBride, McMurray, Meehan, Tournoux, Turner and Williamson—14.

NOES—Alter, Anglim, Badham, Bliss, Brock, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Crowley, Dempster, Evans, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Latham, Lyon, Martin, Mayo, Meeker, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Utt, West, Woolwine, Wright and Mr. Speaker—53.

Assembly Bill No. 2314 ordered transmitted to the Senate.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 777—An act to amend sections 1, 3, 4, 5, 10, 12, 13, and 23 of the Direct Primary Law, relating to the time of holding primary elections.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1804—An act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain State buildings and grounds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2135—An act to amend section 12 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 8 of the title of the printed bill, strike out "as amended.", and insert in lieu thereof the following: "relating to admissions to the Veterans' Home."

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, after "period of", insert the following: "six".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, after line 16, insert the following:

"The board may make such additional rules and regulations governing the admission of applicants and may prescribe the conditions precedent upon which they may

enter, and the conditions upon which they may remain, as in its judgment may be deemed just and proper and for the best interests of the home."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 101—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XIII thereof a new section, to be numbered 8a, relating to taxation.

Assembly Constitutional Amendment No. 101 read.

The question being on the adoption of Assembly Constitutional Amendment No. 101.

The roll was called, and Assembly Constitutional Amendment No. 101 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—62.

NOES—Crist and Robinson, Samuel E.—2.

Title read and approved.

Assembly Constitutional Amendment No 101 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 101.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XIII thereof a new section, to be numbered 8a, relating to taxation.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California, at its fiftieth session, commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting in favor thereof, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding to Article XIII thereof a new section, to be numbered 8a, to read as follows:

Sec. 9a. Notwithstanding anything in this Constitution otherwise providing, every taxpayer in the county of Los Angeles and in the county of Orange, who at twelve o'clock meridian on the first Monday of March, 1933, was the owner, or had in his possession, or under his control, any property which was thereafter damaged or destroyed by the earthquake of March 10, 1933, or any other earthquake or earthquakes occurring thereafter, and prior to the first Monday of July, 1933, shall make and deliver to the county assessor a statement, under oath, setting forth specifically all such real and personal property, according to its condition and value after said damage or destruction, rather than according to its condition and value at twelve o'clock meridian on the first Monday of March of said year; and the county assessors of said counties, regardless of whether or not such statement of such damaged or destroyed property is made, shall assess the same according to its condition and value after said damage or destruction, rather than according to its condition and value at twelve o'clock meridian on the first Monday of March of said year. The provisions of this section shall be self-executing.

Assembly Constitutional Amendment No. 3—Proposed amendment to Article IV of the Constitution, relative to amending section 23 of Article IV of the Constitution of California, relating to compensation of members of the Legislature.

Assembly Constitutional Amendment No. 3 read.

The question being on the adoption of Assembly Constitutional Amendment No. 3.

MOTION.

Mr. Greene moved that consideration of Assembly Constitutional Amendment No. 3 be made a special order for Wednesday, April 26, 1933, at two o'clock p.m.

The question being on the motion to set Assembly Constitutional Amendment No. 3 as a special order.

The roll was called, and the motion to set Assembly Constitutional Amendment No. 3 as a special order lost by the following vote:

AYES—Bowers, Cassidy, Chatters, Evans, Greene, Meeker and Redwine—7.

NOES—Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

FURTHER CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NUMBER THREE.

Assembly Constitutional Amendment No. 3—Amending section 23 of Article IV of the Constitution of California, relating to compensation of members of the Legislature.

Assembly Constitutional Amendment No 3 read.

The question being on the adoption of Assembly Constitutional Amendment No. 3.

The roll was called, and Assembly Constitutional Amendment No. 3 was refused adoption by the following vote:

AYES—Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Field, Fisher, Greene, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Martin, Meehan, Meeker, Nielsen, Patterson, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Thorp, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—41.

NOES—Anglim, Badham, Boyle, Callahan, Cronin, Crowley, Feigenbaum, Frazier, Gilmore, Grubbs, Hallner, Hornblower, King, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Peterson, Phillips, Roberts, Robinson, Samuel E., Scudder, Stannard, Stream, Sullivan, Tournoux, Turner and Williamson—35.

SPECIAL ORDER.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND FIVE HUNDRED FORTY-FIVE.

Assembly Bill No. 1545—An act to amend sections 691, 692, 693, 694, 695, 696, 865, 880 and 881 of the Fish and Game Code, and to repeal section 719 thereof, relating to striped bass and shad.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Scudder:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended, strike out "862,".

AMENDMENT NUMBER TWO.

In line 4 of the title of the printed bill, as amended, after the comma following "719", insert the following: "862,".

AMENDMENT NUMBER THREE.

On page 2, line 11, of the printed bill, as amended, strike out "June 1st and February 15th", and insert in lieu thereof the following: "May 26th and February 14th".

AMENDMENT NUMBER FOUR.

On page 2, line 11, of the printed bill, as amended, after the period, insert the following: "No striped bass may be sold or purchased except those which are incidentally taken with shad."

AMENDMENT NUMBER FIVE.

On page 2, line 24, of the printed bill, as amended, strike out "February", and insert in lieu thereof the following: "November".

AMENDMENT NUMBER SIX.

On page 2, line 25, of the printed bill, as amended, strike out "districts", and insert in lieu thereof the following: "district".

AMENDMENT NUMBER SEVEN.

On page 2, line 29, of the printed bill, as amended, strike out "February", and insert in lieu thereof the following: "November".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, as amended, strike out lines 32 to 36, inclusive, and insert in lieu thereof the following: "repealed."

AMENDMENT NUMBER NINE.

On page 2, line 37, of the printed bill, as amended, strike out "12", and insert in lieu thereof the following: "11".

AMENDMENT NUMBER TEN.

On page 2, line 44, of the printed bill, as amended, after "sloughs", insert a period and strike out lines 45 to 47, inclusive.

AMENDMENT NUMBER ELEVEN.

On page 2, line 51, of the printed bill, as amended, strike out "13", and insert in lieu thereof the following: "12".

AMENDMENT NUMBER TWELVE.

On page 3, line 16, of the printed bill, as amended, strike out "14", and insert in lieu thereof the following: "13".

AMENDMENT NUMBER THIRTEEN.

On page 3 of the printed bill, as amended, strike out lines 19 to 22, inclusive, and insert in lieu thereof the following: "the restrictions contained in this chapter, and the following restrictions:

(a) The cork line must not be submerged more than two fath-".

AMENDMENT NUMBER FOURTEEN.

On page 3 of the printed bill, as amended, strike out lines 27 to 31, inclusive, and insert in lieu thereof the following:

"(b) The meshes of any gill net must be at least seven and one-half inches in length, except that between February 15th and May 15th the meshes of such nets may be five and one-half inches in length. The meshes must be".

AMENDMENT NUMBER FIFTEEN.

On page 3, line 34, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "14".

AMENDMENT NUMBER SIXTEEN.

On page 3 of the printed bill, as amended, strike out lines 37 to 40, inclusive, and insert in lieu thereof the following: "the restrictions contained in this chapter, and the following restrictions:

(a) The cork line must not be submerged more than two fath-".

AMENDMENT NUMBER SEVENTEEN.

On page 3 of the printed bill, as amended, strike out lines 45 to 49, inclusive, and insert in lieu thereof the following:

"(b) The meshes of any gill net must be at least seven and one-half inches in length, except that between February 15th and May 15th the meshes of such nets may be five and one-half inches in length. The meshes must be approximately the same".

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 1, of the printed bill, as amended, strike out "16", and insert in lieu thereof the following: "15".

AMENDMENT NUMBER NINETEEN.

On page 4, line 16, of the printed bill, as amended, strike out "17", and insert in lieu thereof the following: "16".

AMENDMENT NUMBER TWENTY.

On page 4, line 18, of the printed bill, as amended, strike out "18", and insert in lieu thereof the following: "17".

The question being on the adoption of the amendments.

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 1545, as amended, at this time, without reference to committee, printer or file, and that same be considered engrossed

Assembly Bill No. 1545—An act to amend sections 691, 692, 693, 694, 695, 696, 720, 860, 861, 862, 865, 879, 880, 881, 882 and 972 of the Fish and Game Code, and to repeal sections 719, 903 and 904 thereof, relating to fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1545 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Redwine, Riley, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Woolwine, Wright and Mr. Speaker—56.

NOES—Grubbs, Hunt, King, Lyon, McCarthy and Sullivan—6

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 26—Proposed amendment to Article IV, sections 3, 4, 5 and 23 of the Constitution, relative to the legislative department.

Assembly Constitutional Amendment No. 26 read.

The question being on the adoption of Assembly Constitutional Amendment No. 26.

The roll was called, and Assembly Constitutional Amendment No. 26 was refused adoption by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Dempster, Evans, Field, Fisher, Frazier, Hallner, Hoffman, Hunt, Jones, King, Knowland, Latham, Lyon, Martin, Meehan, Miller, Eleanor; Nielsen, O'Donnell, Patterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stream, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—47.

NOES—Bliss, Boyle, Callahan, Crist, Cronin, Crowley, Feigenbaum, Gilmore, Greene, Grubbs, Hatch, Hornblower, Kallam, Levey, Maloney, Mayo, McCarthy, McMurray, Miller, James A., Morgan, O'Connor, Peterson, Roland, Stannard, Sullivan, Thorp and Williamson—27.

NOTICE OF RECONSIDERATION.

Mr. Woolwine gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 26 was this day refused adoption.

EXPLANATION OF VOTE ON ASSEMBLY CONSTITUTIONAL AMENDMENT NUMBER TWENTY-SIX.

April 25, 1933.

I voted "No" upon this amendment for the reason that the terms of Assemblymen are lengthened to four years. The theory of having Assemblymen and Congressmen elected every two years is so that they may represent the will of the people.

This amendment violates that principle. I have previously voted for and believe the people should have the right to vote for salary cuts of legislators.

FRANK LEE CRIST.

Assembly Concurrent Resolution No. 32—Relative to Owens Valley as a site for a Junior State Prison.

Assembly Concurrent Resolution No. 32 read.

The question being on the adoption of Assembly Concurrent Resolution No. 32.

The roll was called, and Assembly Concurrent Resolution No. 32 was refused adoption by the following vote:

AYES—Anglim, Badham, Boyle, Cassidy, Chatters, Clowdsley, Cronin, Dempster, Evans, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Stream, West and Woolwine—37.

NOES—Alter, Bliss, Bowers, Brock, Callahan, Cottrell, Crist, Fisher, Hoffman, Kallam, Knowland, Latham, Roland, Scudder, Stannard, Thorp, Tournoux, Turner, Utt, Williamson, Wright and Mr. Speaker—22.

RECESS.

At twelve o'clock and five minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 771—An act to amend section 274 of the Code of Civil Procedure, relating to the fees of phonographic reporters—has had the same under consideration, and respectfully reports the same back without recommendation, and that it be re-referred to Committee on Governmental Efficiency and Economy.

WEST, Chairman.

The above reported bill ordered re-referred to Committee on Governmental Efficiency and Economy.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 1232—An act for the improvement of the election laws of the State; providing for the investigation of the methods and conditions of voting and the laws pertaining thereto, to determine more simple, economic and uniform methods of conducting elections, and to report to the Legislature, and providing for the expenses of carrying out the provisions therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Ways and Means.

ALTER, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 2083—An act to amend sections 1, 5, 7, 10, 12, 13, 24, and 25 of the Direct Primary Law, approved June 16, 1913, as amended, relating to primary elections, providing for party conventions in the State and various political units thereof, and the powers and duties of the same, for the choosing of delegates to such conventions, method of choosing members of the party county central committee and State central committee and the powers and duties of the same—has had the same under consideration, and respectfully reports the same back without recommendation.

ALTER, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 873—An act to amend section 1182 of the Penal Code, and to add a new section thereto, to be numbered 1183, relating to new trials—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No. 1477—An act to amend section 10 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act," approved May 24, 1927, relating to the deposit of public funds,

Also: Assembly Bill No. 2136—An act to add a new section to the Bank Act, to be numbered 136½, relating to powers of trustees or receivers of closed banks;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WILLIAMSON, Chairman.

The above reported bills ordered on file for second reading.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1321—An act to add a new section to the Penal Code, to be numbered 654d, relating to advertisements of drugs or medicines—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 509—An act to amend an act entitled, "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended, by amending sections 2, 3, 4, 5, 6, 9, 11, 14 and by adding a new section to be numbered 15, relating to collection agencies—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1613—An act to amend 1305, 1306, 1307 of the Penal Code, relating to bail, the forfeiture and enforcement of bail, and the disposal of forfeited bail

moneys—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1315—An act to amend sections 692 and 694 of the Code of Civil Procedure, relating to notices of sale under execution and power of sale and to the conduct of such sale;

Also: Assembly Bill No. 1391—An act to amend section 19 of the Juvenile Court Law, relating to referees in counties of the first class and third class, and authorizing the boards of supervisors in such counties to fix the compensation for such referees;

Also: Assembly Bill No. 1970—An act to amend section 3052 of the Civil Code, relating to sale of property by a lienholder;

Also: Assembly Bill No. 2328—An act to amend section 609 of the Probate Code, relating to the compensation of appraisers;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

WEST, Chairman.

The above reported bills ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 2175—An act to amend section 681 of the Penal Code, relating to punishment and treatment of persons in State, county and city institutions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WOOLWINE, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 205—An act to add section 542c to the Code of Civil Procedure, relating to dissolution of attachments;

Also: Assembly Bill No. 262—An act to amend section 860 of the Penal Code, relating to preliminary examination in criminal prosecutions;

Also: Assembly Bill No. 2384—An act to amend section 654a of the Penal Code, prohibiting false advertising and the misleading use of comparative prices;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 252—An act to amend section 939 of the Code of Civil Procedure, relating to appeals;

Also: Senate Bill No. 1188—An act to declare a moratorium on the collection of judgments rendered pursuant to the provisions of sections 25 to 36f, both inclusive, of the Water Commission Act for costs or for unpaid assessments taxed as costs in such judgments, and suspending the accrual of interest upon such judgments during the period of such moratorium;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman.

The above reported bills ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 226—An act to amend section 802 of the Agricultural Code, relating to the

standardization of grapes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 2372—An act providing for the licensing and regulation of the business of growing and marketing Valencia oranges; creating the California Valencia Orange Marketing Control Board in connection therewith; and prescribing penalties for the violation of the provisions hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 973—An act to amend sections 307 and 316 of the Agricultural Code, relating to meat inspection—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Agriculture, to which was referred Assembly Bill No. 1157—An act to amend section 120 of the Agricultural Code, relating to nursery stock—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1926—An act to prohibit the operation by the State of tree nurseries and to sale by the State of tree nursery stock and to repeal an act entitled "An act providing for the establishment and maintenance of a State nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along highways and in public places, and making an appropriation therefor," approved May 15, 1917—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 948—An act to amend section 14 of the California Terminal Weighing Act, relating to the fees collected thereunder;

Also: Senate Bill No. 981—An act to amend section 41 of the Agricultural Code, relating to the State Board of Agriculture;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MEEKER, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1225—An act to amend section 4261 of the Political Code, relating to compensation of county and township officers in counties of the thirty-second class;

Also: Assembly Bill No. 1233—An act to amend section 2322x32 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-second class;

Also: Assembly Bill No. 1237—An act to amend section 16x32 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the thirty-second class;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 216—An act to amend section 2322x34 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-fourth class;

Also: Senate Bill No. 217—An act to amend sections 4263a, 4263b, 4263c, 4263d, 4263e, 4263f, 4263g, 4263h, 4263k, 4263*l*, 4263m, 4263o, 4263p and 4263q of the Political Code, relating to the compensation of county and township officers in counties of the thirty-fourth class;
Has had the same under consideration and respectfully reports the same back, and recommends that they do pass as amended.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1627—An act to amend section 2322x53 of the Political Code, relating to the office of the agricultural commissioner in counties of the fifty-third class;

Also: Assembly Bill No. 1234—An act to amend section 19x32 of the Juvenile Court Law, relating to probation officers in counties of the thirty-second class;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1201—An act to amend section 4095 of the Political Code, relating to the duties of county auditors;

Also Assembly Bill No. 1626—An act to amend section 4282 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-third class;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1198—An act to appropriate and transfer funds to the "State employees' retirement fund" from moneys allocated and payable to the county of Los Angeles from the "Motor vehicle fund" to cover deficiencies in the "State employees' retirement fund" arising out of the transfer of the Los Angeles County motor patrol to the California Highway Patrol;

Also: Assembly Bill No. 1621—An act transferring from the highway maintenance fund to the general fund an amount equal to the interest due upon moneys paid from the general fund pursuant to the provisions of Chapter 400, Statutes of 1931;

Also: Assembly Bill No. 1928—An act making an appropriation to pay the claim of Continental Oil Company against the State of California;

Also: Assembly Bill No. 1930—An act making an appropriation to pay the claim of California Union Insurance Company against the State of California;

Also: Assembly Bill No. 1933—An act making an appropriation to pay the claim of the Barber Asphalt Company against the State of California;

Also: Assembly Bill No. 1934—An act making an appropriation to pay the claim of the Federal Mutual Liability Insurance Company against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 300—An act to provide emergency unemployment relief through State loans in aid of counties and municipalities administering such relief; providing for the issue of bonds, and making appropriations for such purposes and declaring the urgency thereof;

Also: Senate Bill No. 672—An act making an appropriation for the Department of Finance to purchase certain real property situate in the City and County of San Francisco to accommodate offices of certain State agencies, authorizing the renting, leasing, and selling of said property, providing for the disposition of moneys received from the rent or lease or sale of said property, providing for insuring of said property, declaring the urgency of this act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVI thereof a new section to be numbered 9, relating to loans to counties and municipalities for unemployment relief—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

COBB, Chairman.

Senate Constitutional Amendment No. 41 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1935—An act making an appropriation to pay the claim of the Associated Indemnity Company against the State of California;

Also: Assembly Bill No. 1948—An act to provide for the payment of the proportionate share of bonded indebtedness levied against property subsequently acquired by the State or a political subdivision thereof for public purposes;

Also: Assembly Bill No. 1985—An act making an appropriation to reimburse the general fund for moneys advanced from the emergency fund for the support of the fuel tax for the Motor Vehicle Fuel Tax Refund Division of the State Controller and the Fuel Tax Division of the State Board of Equalization;

Also: Assembly Bill No. 2206—An act to add a new section to the Political Code, to be numbered 363*l*, relating to the Division of Architecture revolving fund;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 437—An act to provide for the taxation of Massachusetts or business trusts, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 699—An act to add a new section to the Political Code, to be numbered 473a, relating to the centralization in the Attorney General's office of all attorneys and legal advisers for State departments, divisions, commissions, bureaus, boards, offices, and institutions, and the reimbursement of the Attorney General's office for such services;

Also: Assembly Bill No. 1127—An act to amend an act entitled "An act to require the Director of the Department of Natural Resources to register and mark buildings of historical interest or landmarks," approved April 24, 1931, by amending the title thereof, and by amending section 2 and by adding a new section to be numbered section 3, relating to historical buildings and landmarks;

And reports that the same have been correctly enrolled and presented the same to the Governor on this twenty-fifth day of April, 1933, at eleven o'clock a.m.

PATTERSON, Chairman.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 317—An act to amend sections 1, 5, 10, 11, 13 and 15 of, and to add new sections to be numbered 1a to 1d, inclusive, and 10a to 10g, inclusive, to "An act to regulate the sale, possession, distribution and use of habit forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929—has had the same under consideration, and respectfully reports the same back, and recommends that the Assembly do concur in said amendments.

CRONIN, Chairman.

The above reported bill ordered placed on daily calendar.

MESSAGE FROM THE GOVERNOR.

On this day, the following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 21, 1933.

To the Honorable Members of the Assembly,
California State Legislature, Sacramento, California.

SIRS: I herewith return, without my signature, Assembly Bill No. 1869. Assembly Bill No. 1869 is a county government bill of Fresno County.

The history of the Assembly shows that this bill was amended in the Senate on April 3d, was passed by the Senate on April 4th and returned to the Assembly, but that the Assembly never concurred in the Senate amendments.

I have also received a letter from the district attorney's office of Fresno County, informing me that Assembly Bill No. 1869 is unnecessary, as Fresno County has recently adopted a charter, governing all the matters included in the bill.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

MOTION TO RESCIND.

Mr. Meeker moved that the action of the Speaker in ordering Assembly Bill No. 1869 to enrollment be rescinded, and the record thereof, as found on page 6 of the Assembly Journal of April 5, 1933, be expunged.

Motion carried by unanimous vote.

Assembly Bill No. 1869 ordered referred to Committee on County Government.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Crist:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 506b of the Penal Code, relating to embezzlement by insurance agent, broker or solicitor.

Referred to Committee on Introduction of Bills.

By Mr. Robinson, Samuel E.:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 234.25 to the Agricultural Code, relating to tuberculosis control.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 506b of the Penal Code, relating to embezzlement by insurance agent, broker or solicitor.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add section 234.25 to the Agricultural Code, relating to tuberculosis control.

HALLNER, Chairman.

The question being on the adoption of the reports.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, O'Donnell, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—64.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Crist: Assembly Bill No. 2389—An act to amend section 506b of the Penal Code, relating to embezzlement by insurance agent, broker, or solicitor.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robinson, Samuel E.: Assembly Bill No. 2390—An act to add section 234.25 to the Agricultural Code, relating to tuberculosis control.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Powers: Assembly Joint Resolution No. 32—Relative to memorializing the Director of the Emergency Conservation Work of the Federal government to provide for the return to the State of enrollment of men employed in California on Federal emergency conservation work.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Powers asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Assembly Joint Resolution No. 32, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-TWO.

Assembly Joint Resolution No. 32—Relative to memorializing the Director of the Emergency Conservation Work of the Federal government to provide for the return to the State of enrollment of men employed in California on Federal emergency conservation work.

Assembly Joint Resolution No. 32 read.

The question being on the adoption of Assembly Joint Resolution No. 32.

The roll was called, and Assembly Joint Resolution No. 32 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hunt, Jones, King, Knowland, Levey, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Robinson, Samuel E., Rogers, Roland, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 32 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 32.

Relative to memorializing the Director of the Emergency Conservation Work of the Federal government to provide for the return to the State of enrollment of men employed in California on Federal emergency conservation work.

WHEREAS, The Federal government under the provisions of the emergency conservation work program now being put into effect is about to provide employment for many thousands of men in the State of California; and

WHEREAS, According to press reports some thirty-three thousand men will be employed in California, over twenty thousand of which will be transported to this State from other States; and

WHEREAS, California is already seriously burdened with persons in indigent circumstances who are nonresidents of this State; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Director of Emergency Conservation Work is hereby urged and requested not to transport men into the State of California for the purpose of providing employment for them under the provisions of the emergency conservation work program now being put into effect without at the same time providing that all nonresident men who are thus transported and who may voluntarily resign or be discharged prior to completion of their six months' enrollment period will be transported from this State to the State in which they enrolled and were assigned to work in California in the same way that provision has been made for transporting such nonresident men back to the State of enrollment upon completion of the six months' enrollment period; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of the resolution forthwith to the Director of Emergency Conservation Work and to each member of the California Congressional delegation at Washington, D. C.

RESOLUTION.

The following resolution was offered:

By Mr. Woolwine:

WHEREAS, It appears that the laws of this State regulating boxing and wrestling contests and exhibitions are such that a revision thereof is necessary and advisable; and

WHEREAS, For the proper consideration of any program of proposed legislation in respect to this subject it is necessary that the Legislature be furnished with data in respect thereto; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker appoint a committee of three, which committee shall, during the fiftieth session and the period between the adjournment of this Legislature and the date upon which the next Legislature shall convene, investigate and study the conditions under which boxing and wrestling contests or exhibitions are conducted or held and regulation in respect thereto; and be it further

Resolved, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to. Said committee, the chairman thereof, and each of the members with the consent of the chairman is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpenas and to compel the attendance of witnesses; to procure testimony and to administer oaths. All of the provisions of Article VIII of Chapter II of Title I of Part III, of the Political Code, relative to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee and the members thereof as herein provided; and be it further

Resolved, That said committee shall submit a report to the fifty-first session of the Legislature upon its convening in the year 1935, with recommendations as to changes which should properly be made in the laws of this State in respect to the regulation and supervision of boxing and wrestling contests and matters related thereto.

Resolution referred to Committee on Public Morals.

THIRD READING OF ASSEMBLY BILLS.

Assembly Joint Resolution No. 27—Relative to memorializing the Congress of the United States to adopt legislation imposing a tariff on rubber.

Assembly Joint Resolution No. 27 read.

The question being on the adoption of Assembly Joint Resolution No. 27.

The roll was called, and Assembly Joint Resolution No. 27 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Hunt, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Stream, Sullivan, Tournoux, Utt, West, Williamson, Woolwine and Mr. Speaker—59.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 27 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 27.

Relative to memorializing the Congress of the United States to adopt legislation imposing a tariff on rubber.

WHEREAS, One of the greatest needs of this Nation is immediate relief of unemployment, both agricultural and industrial, and normally functioning private industry offers the most desirable employment opportunities; and

WHEREAS, It has been fully demonstrated and proven that a large portion of the rubber consumed in the United States could and would be produced in the United States if the industry was properly assisted and protected; and

WHEREAS, It has been proven by, first, the experimental and, second, the actual production of rubber on a commercial scale in the Salinas Valley, California, that rubber can be produced in the United States practically at the same all in cost as the plantation rubber produced in foreign countries; and

WHEREAS, The production of rubber used in the United States would necessitate the use of thousands of acres of land now producing competitive crops that are actually not bringing the producers the cost of production but are serving to produce an overproduction of various crops, thereby lessening the profits to all concerned; and

WHEREAS, This development would put into production thousands of acres that are not now producing anything, thereby giving agricultural employment to thousands of people; and

WHEREAS, The milling of the rubber would require the construction of many mills, thereby giving the different industries involved in producing materials for such factory construction, employment and the actual operation of said mills would give employment to large numbers of industrial workers; and

WHEREAS, The value of producing such an article as rubber within the territorial limits of the United States from a standpoint of war insurance, and from the standpoint of actual value to the country in case of war, is perhaps of greater consideration than any other; and

WHEREAS, The development of acreage sufficient to take care of all the needs of rubber for this country would undoubtedly require a great many years; and the tariff protection of such an industry would produce considerable sums of money; and

WHEREAS, The government of the United States is being deprived of vast customs revenue which are so vitally needed at this time; and

WHEREAS, There are several thousand of acres of Guayule rubber in the Salinas and Santa Maria valleys, which is ready to be harvested and made into rubber but which is not being harvested due to the present price of rubber; and

WHEREAS, There are nurseries containing seedlings ready to be planted which take four years growth to produce rubber which are also not being used; and

WHEREAS, There is a danger of losing, not only these thousands of acres of mature rubber and the seedlings ready to plant, but of losing the entire development to this country which has taken twenty or more years to develop, together with the expenditure of four million dollars, to bring it to its present state of development; and

WHEREAS, The immediate need is a clause in government supply bills requiring the purchase of rubber grown in the United States, in the same manner that other American products are included; and

WHEREAS, A tariff protecting this industry would gradually put thousands of unemployed Americans to work and make profitable thousands of acres at present unprofitable; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully urges and memorializes the Congress of the United States, now in special session, to enact legislation imposing a tariff on rubber; and be it further

Resolved, That the Legislature of the State of California requests the honorable Senators and Representatives in the Congress of the United States to use every honorable means to secure the adoption of such legislation; and be it further

Resolved, That the Governor is respectfully requested to send copies of this resolution to the President of the United States and to the Senators and Representatives of the State of California in Congress; and be it further

Resolved, That the Governor is respectfully requested to send copies of this resolution to the Governors of all the States of the United States, requesting that the Legislatures of all the States pass and present similar memorials to Congress.

Assembly Bill No. 543—An act making it unlawful for any person to employ any other person to solicit law practice, prohibiting any person from soliciting such law practice, and providing the penalties therefor, and limiting contracts with attorneys, and providing a period of limitation on suits to set aside such contracts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 543 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Callahan, Cassidy, Chatters, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Gilmore, Grubbs, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, Patterson, Rawls, Riley, Robinson, Samuel E., Rogers, Roland, Sullivan, Thorp, Tournoux, West, Williamson and Mr. Speaker—49.

NOES—Alter, Craig, Feigenbaum, Hallner, Kallam, Peterson, Redwine, Stream, Utt and Woolwine—10.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2313—An act to amend sections 2, 3 and 5 and to add a section to be numbered 6 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, said amendments and new section relating to the allocation and expenditure of State highway funds, the construction, improvement and maintenance of State highways and the addition of certain highways to the State system.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2313 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 290—An act to amend sections 1261, 1263, 1264, 1265, 1267, 1268, 1269, 1270, 1271, 1272 and 1273, and to repeal section 1266 of the Agricultural Code, relating to dealers in farm products.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Gilmore, Greene, Hallner, Hatch, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—57.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO HUNDRED NINETY.

Assembly Bill No. 290—An act to amend sections 1261, 1263, 1264, 1265, 1267, 1268, 1269, 1270, 1271, 1272 and 1273, and to repeal section 1266 of the Agricultural Code, relating to dealers in farm products.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 290 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2195—An act to amend section 19x16 of the Juvenile Court Law, relating to the probation officer in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2195 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 423—An act to add section 679b to the Penal Code, relating to goods, wares, and merchandise manufactured, produced, or

mined by convicts or prisoners, and prescribing penalties for violation of the provisions thereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 423 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 1430—An act to amend section 68 of the Agricultural Code, relating to the duties of county live stock inspector.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Badham, Bliss, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—58.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND FOUR HUNDRED THIRTY.

Assembly Bill No. 1430—An act to amend section 68 of the Agricultural Code, relating to the duties of county live stock inspector.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1430 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Zion and Mr. Speaker—64.

NOES—Cassidy and King—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2311—An act to amend section 4149a of the Political Code, relating to the duties of county live stock inspector.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor,

Patterson, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—56.

NOES—Cassidy and Scudder—2.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At three o'clock and twenty minutes p.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

Assembly Bill No. 2106—An act to amend section 4272 of the Political Code, relating to the compensation of county and township officers in counties of the forty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2106 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Phillips, Powers, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson and Wright—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 429—An act to amend section 19x52 of the Juvenile Court Law, relating to probation officers in counties of the fifty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 429 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Phillips, Powers, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson and Wright—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 430—An act to amend section 4281 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 430 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Phillips, Powers,

Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson and Wright—59.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 431—An act to amend section 2322x52 of the Political Code, relating to the office of the agricultural commissioner in counties of the fifty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 431 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Field, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, King, Latham, Levey, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, James A., O'Connor, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Rogers, Scudder, Thorp, Tournoux, Turner, West, Williamson, Wright and Zion—48.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 599—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Road District Improvement Act of 1907, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 599 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor Patterson, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson and Wright—60.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 2073—An act to amend section 1 of an act entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, relating to the refunding of indebtedness of any incorporated city or

town other than cities of the first class or of any department, board or special fund thereof.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. McCarthy:

AMENDMENT NUMBER ONE.

On page 2, line 39, of the printed bill, after the word "such", strike out the word "manner", and substitute in lieu thereof the word "number".

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 116—An act to amend section 737*ll* of the Political Code, relating to salaries of the judges of the superior court of the City and County of San Francisco.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 116 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Crowley, Evans, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Latham, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Patterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Thorp, Tournoux, Turner, Utt, West, Williamson and Zion—51.

NOES—O'Connor, Phillips and Woolwine—3.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At three o'clock and fifty-five minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 1078—An act to amend sections 4.371, 4.373, 4.375, 4.376 and 4.377 of the School Code, and to add two new sections to the School Code, to be numbered 4.378 and 4.379, all relating to district taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1078 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Thorp, Tournoux, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST TO USE ASSEMBLY CHAMBER.

On motion of Mr. Craig, the use of the Assembly Chamber was granted to the Committee on Ways and Means for Friday, April 28, 1933, at eight o'clock p.m.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1950—An act establishing an additional State highway from Shaver's Summit on State Highway Route 64 to State Highway Route 26 near Indio and classifying the same as a primary State highway—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GREENE, Chairman.

MOTION TO RE-REFER.

Mr. Greene moved that Assembly Bill No. 1950 be withdrawn from the file, and ordered re-referred to Committee on Roads and Highways.

The question being on re-referring Assembly Bill No. 1950 to the Committee on Roads and Highways.

Motion carried.

Assembly Bill No. 1950 ordered re-referred to Committee on Roads and Highways.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1931—An act making an appropriation to pay the claim of Sumner Mallory against the State of California;

Also: Assembly Bill No. 1932—An act making an appropriation to pay the claim of Jess Mallory against the State of California;

Also: Assembly Bill No 2002—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system;

Also: Assembly Bill No. 2246—An act relating to the care and treatment of feeble-minded children and making available for use therefor the buildings and grounds at the State Narcotic Hospital;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 660—An act to amend sections 4300d and 4300*l* of the Political Code, relating to fees and charges of constables and marshals—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 919—An act to add a new section to the Political Code, to be numbered 542 5, relating to expenditures for the printing or publishing of books, pamphlets, reports, compilations, synopses and other documents;

Also Assembly Bill No. 921—An act to amend sections 410 and 782 and repeal section 781 of the Political Code, relating to the bound volumes of Decisions of the Supreme Court and District Courts of Appeal;

Also: Assembly Bill No. 703—An act to prescribe salaries and salary classifications for the several offices and positions in the Judicial Department of the government of the State of California;

Also: Senate Bill No. 1027—An act to amend sections 1 and 2 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended, vesting administration of said act in the State Board of Control, abolishing the Civil Service Commission and transferring all of the powers, duties, jurisdiction and responsibilities of said commission to said State Board of Control;

Has had the same under consideration, and respectfully reports the same back *without recommendation, as amended.*

COBB, Chairman.

The above reported bills ordered referred to Committee on Rules.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 36—An act to amend section 1 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the status of unincorporated territory;

Also: Assembly Bill No. 777—An act to amend sections 1, 3, 4, 5, 10, 12, 13 and 23 of the Direct Primary Law, relating to the time of holding primary elections;

Also: Assembly Bill No. 878—An act providing for a system of unemployment reserves and compensation, making an appropriation therefor, and prescribing penalties in connection therewith;

Also: Assembly Bill No. 1116—An act relating to governmental units known as districts, and providing a procedure for the organization, operation, government, consolidation and dissolution of such districts;

Also: Assembly Bill No. 1154—An act to amend section 1 of an act entitled "An act to authorize and regulate the employment of prisoners in the State prisons of this State and to provide for the disposition of the products of their skill and labor," approved February 23, 1911, relating to the use of products covered by the provisions of that act;

Also: Assembly Bill No. 1804—An act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain State buildings and grounds;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON LIBRARIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Libraries, to which was referred Senate Bill No. 644—An act to amend section 9mm of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the thirty-ninth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

UTT, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 206—An act to amend section 9a38 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act.' " approved February 25, 1911, as amended, relating to librarians in counties of the thirty-eighth class;

Also: Senate Bill No. 915—An act to amend section 2322x50 of the Political Code, relating to the office of agricultural commissioner in counties of the fiftieth class;

Also: Senate Bill No. 917—An act to amend section 4279 of the Political Code, relating to compensation of county and township officers in counties of the fiftieth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman

The above reported bills ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 15—An act to add a new section to the Fish and Game Code, to be numbered 791.5, relating to crabs.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1119—An act adding section 470a to the Political Code authorizing and empowering the Attorney General to prosecute or defend, when in his opinion the public interest so requires, any action involving title, possession or boundaries of any lands belonging to the State of California or in which it has any interest;

Also: Assembly Bill No. 1148—An act to add a new section to the Civil Code to be numbered 3342, relating to liability of public officers, agents, and employees, under unconstitutional statutes;

Also: Assembly Bill No. 459—An act to amend the title and sections 1, 2, 3, 3a, 5, 6, 7, 8, 10, 13, 14, 15, 21, 22, 23, 24, 27 and 28 of an act entitled "An act regulating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State board therefor, providing penalties for violations thereof, and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof,' approved April 16, 1915, as amended," approved April 20, 1929, relating to and regulating funeral directors, embalmers and embalmers' apprentices;

Also: Assembly Bill No. 1344—An act to add a new section to the Political Code to be known as section 373k, authorizing the Director of Natural Resources to grant easements for public highways over State park lands on terms and conditions to be prescribed by the State Park Commission;

Also: Assembly Bill No. 1146—An act to amend section 17 of an act entitled the "Joint Highway District Act," relating to construction work;

Also: Assembly Bill No. 913—An act granting to the city of San Mateo the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and grant franchises and leases thereon, and regulating the management, use and control thereof, and authorizing suits against said city and the State to quiet title to any such lands, and regulating the procedure therein and conditions under which said suits may be brought.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding a new section to Article IX thereof, to be numbered 16, relating to teacher-tenure.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Constitutional Amendment No. 47 read, and referred to Committee on Constitutional Amendments

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 1038—An act to amend an act entitled "An act to provide for the establishment of official master plans and the appointment of planning commissions in cities, cities and counties, and counties; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and composition thereof; prescribing the powers and duties of such commissions; providing for the transfer thereto of the powers and duties of other planning commissions; providing for the preparation, adoption and recordation of precise street plans; providing for the control of the construction of buildings within the lines of streets shown on such precise street plans; providing for the levy of a special tax for the support of a planning commission and other acts pursuant to this act and making certain expenditures legal charges against the funds of cities, cities and counties, and counties and regional planning commissions; providing for the establishment by cities, cities and counties, and counties, of regional planning commissions, including two or more cities, cities and counties, or counties, or a portion or portions thereof, or both; making certain acts, misdemeanors; and repealing other acts in conflict herewith," approved June 17, 1929, by amending the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 11 and 12 thereof; and by repealing sections 13, 14, 14a, 14b, 15 and 16 thereof; and by adding a new section thereto, to be designated as section 13, relating to the acquisition of land, rights of way, easements and rights in land; and by renumbering section 17 of said act as section 14 and amending the same; and by renumbering section 18 of said act as section 15 and amending the same; and by renumbering sections 19 and 20 of said act, respectively, as sections 16 and 17 thereof, respectively.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No 1038 read first time, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 416—An act to amend sections 2, 4, 5, 6, 7, 10, 16, 22, 23 and 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sale of securities, and the prevention of fraud in the sale of securities.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 416 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1543—An act to amend section 2349 of the Political Code, relating to navigable streams and public

waterways—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Commerce and Navigation.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 45—An act to amend section 2322x9 of the Political Code, relating to the office of agricultural commissioner in counties of the ninth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

RECESS.

At four o'clock and fifteen minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until eight o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At eight o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1613—An act to amend 1305, 1306, 1307 of the Penal Code, relating to bail, the forfeiture and enforcement of bail, and the disposal of forfeited bail moneys—has had the same under consideration, and respectfully reports the same back, and recommends that it be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered to reprint.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Senate Bill No. 509—An act to amend an act entitled, "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended, by amending sections 2, 3, 4, 5, 6, 9, 11, 14 and by adding a new section to be numbered 15, relating to collection agencies—has had the same under consideration, and respectfully reports the same back, and recommends that it be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered to reprint.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 16—An act to amend section 11 of an act entitled, "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation

of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to refunds of the tax therein authorized—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No. 125—An act to amend section 120 of the Bank Act, relating to the Superintendent of Banks—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Governmental Efficiency and Economy.

WILLIAMSON, Chairman.

The above reported bill ordered referred to Committee on Governmental Efficiency and Economy.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 722—An act to add a new section to be numbered 14a to the "State Civil Service Act," relating to the abolition or discontinuance of positions—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Civil Service.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 393—An act to add a new section to the Penal Code to be numbered 904a, relating to grand juries—and appointed Senators McKinley, Snyder and Hulse, as a Committee on Free Conference to meet a like Committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Martin, Stream and Phillips as a Committee on Free Conference to meet with a like committee from the Senate for the consideration of Assembly Bill No. 393.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2229—An act to repeal section 954 of the Fish and Game Code, relating to nets;

Also: Assembly Bill No. 177—An act to amend sections 822, 824, 829, and 1269a of the Penal Code and to add a new section thereto to be numbered section 815a, relating to bail in criminal cases;

Also: Assembly Bill No. 29—An act to add section 698.5 to the Fish and Game Code, relating to the protection of fish;

Also: Assembly Bill No. 2330—An act to amend sections 605g, 605h, 605i and 605j of the Civil Code, relating to corporations sole.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1502—An act to add a new section to be numbered 726a to the Code of Civil Procedure, relating to actions to enforce obligations secured by mortgage on real property situated outside of California—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Judiciary.

REQUEST FOR PERMISSION TO INTRODUCE BILLS.

The following request for permission to introduce bills was presented:

By Mr. Riley:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bills, the titles of which read as follows:

An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately;

Also: An act making an appropriation to pay the claim of the State Adjutant General against the State of California.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately.

Also: An act making an appropriation to pay the claim of the State Adjutant General against the State of California.

HALLNER, Chairman.

The question being on the adoption of the report.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

Time, eight o'clock and forty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Chatters, Clowdsley, Crist, Hatch, Latham, McBride, Miller, James A., Morgan, Roberts, Robinson, C. Ray; Ross, Stannard, Williamson and Mr. Speaker—14.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 700—An act to prescribe salaries and salary classifications for the several offices and positions in the executive department of the government of the State of California.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 700 was withdrawn from the file, and referred to Committee on Ways and Means.

Assembly Bill No. 1016—An act to amend section 1060 of the Fish and Game Code, to add thereto sections 481.5, 744, 842.5, 846.5, 867, 1063.5, 1064.5, 1065.5, and to repeal sections 714, and 1066 to 1071 inclusive, relating to fish and game.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1016 was withdrawn from the file, and referred to Committee on Fish and Game.

Assembly Bill No. 1019—An act to amend the Political Code by amending subsection 3 of section 690.10 thereof, relating to the removal of certain structures upon the swamp, overflowed, marsh, tide or submerged lands of this State.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1019 was withdrawn from the file, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1591—An act to amend section 6 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, relating to fraternal benefit societies.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1591 was withdrawn from the file, and referred to Committee on Insurance.

Assembly Bill No. 1249—An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5,

1931, and all acts or parts of acts inconsistent with the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1249 was withdrawn from the file, and referred to Committee on Public Utilities.

Assembly Bill No. 2138—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2138 was withdrawn from the file, and referred to Committee on Public Utilities.

Assembly Bill No. 828—An act to add a new section to the California Vehicle Act, approved May 30, 1923, as amended, to be numbered 94½, relating to the operation and equipment of motor vehicles operated upon public highways.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 828 was withdrawn from the file, and referred to Committee on Motor Vehicles.

Assembly Bill No. 253—An act to amend section 8 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917," approved June 13, 1923.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 253 was withdrawn from the file, and referred to Committee on Crime Problems.

Assembly Bill No. 570—An act to regulate drilling or operating any well for petroleum oil or gas within 300 feet of any publicly owned land.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 570 was withdrawn from the file, and referred to Committee on Oil Industries.

SECOND READING OF SENATE BILLS.

Senate Bill No. 854—An act to amend section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, as amended, relating to superior court stenographers and typists.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1788—An act to amend section 737ss of the Political Code, relating to the compensation of the judge of the superior court of Shasta County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1788 passed by the following vote:

AYES—Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Dempster, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Latham, Levey, Maloney, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2078—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2078 passed by the following vote:

AYES—Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crist, Cronin, Dempster, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, King, Latham, Levey, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; Nielsen, O'Connor, Patterson, Peterson, Rawls, Roberts, Robinson, C. Ray; Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, West and Mr. Speaker—43.

NOES—Boyle, Cottrell, Crowley, Fisher, Hoffman, Roland, Williamson and Wright—8.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2210—An act to amend sections 1333 and 1567 of the Penal Code, relating to production of prisoners in court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2210 passed by the following vote:

AYES—Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 694—An act to amend the Fish and Game Code by amending the heading of Article 2, Chapter 4, Part 2, Division IV, by amending sections 736 and 738, by adding sections 844.5 and 866 thereto, and by repealing section 929 thereof, relating to fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 694 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1434—An act to amend section 61a of the California Irrigation District Act, relating to warrants of irrigation districts; providing for certain extensions of time for the payment of warrants; authorizing agreements for the payment of warrants or any portion thereof from time to time or at a fixed time; authorizing the allocation of specified funds or any amount thereof for the payment of warrants and validating and legalizing all warrants heretofore issued and outstanding.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1434 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Rogers, Roland, Ross, Scudder,

Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1567—An act to amend section 4246 of the Political Code, relating to compensation of county and township officers in counties of the seventeenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1567 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2360—An act authorizing boards of supervisors to pay principal or interest, purchase or redeem, bonds the proceeds of which have been used for the acquisition, improvement or maintenance of parks within their respective counties or cities and counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2360 passed by the following vote:

AYES—Alter, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—63.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

The roll of absentees was called, and the report of the Committee on Introduction of Bills was adopted by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.
NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Riley: Assembly Bill No 2391—An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Riley: Assembly Bill No. 2392—An act making an appropriation to pay the claim of the State Adjutant General against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

EXPLANATION OF VOTE.

April 25, 1933.

Mr. Speaker and Members of the Assembly.

I desire to enter this explanation of my recorded vote on Assembly Bill No. 1223, recorded in the Journal of April 24, 1933. I am recorded as voting for the bill, but voted against said bill, and the clerk incorrectly recorded me as voting for said bill.

WILLIAM W. HOFFMAN,
Assemblyman, Fifteenth District

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 268—An act to amend section 1187 of the Code of Civil Procedure, relating to mechanics' liens.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 268 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stream, Tournoux, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2215—An act to amend sections 1425 and 1462 of the Penal Code, relating to criminal jurisdiction of justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2215 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Latham, Levey, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2367—An act granting certain tidelands and submerged lands of the State of California to the city of San Diego upon certain trusts and conditions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2367 passed by the following vote:

AYES—Alter, Badham, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Gilmore, Greene, Grubbs, Hatch, Hornblower, Jones, Latham, Levey, Maloney, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, Williamson, Woolwine and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1137—An act to amend section 4264 of the Political Code, relating to the compensation of county and township officers in counties of the thirty-fifth class.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Robinson, C. Ray:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, after line 38, insert the following:

"20. In counties of the thirty-fifth class, the live stock inspector shall receive a salary of nine hundred dollars per annum."

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Robinson, C. Ray, asked for, and was granted, unanimous consent to take up Assembly Bill No. 1137, at this time, without reference to printer or file, and that same be considered engrossed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1137 passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1940—An act to amend sections 4255 and 4255a of the Political Code, relating to the salaries and fees of county officers in counties of the twenty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1940 passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine and Mr. Speaker—64.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1941—An act to amend section 19x26 of the Juvenile Court Law, relating to the probation officer in counties of the twenty-sixth class.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1941 passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine and Mr. Speaker—64.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1942—An act to amend section 16x26 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the twenty-sixth class.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1942 passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine and Mr. Speaker—64.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1943—An act to amend section 2322x26 of the Political Code, relating to the office of Agricultural Commissioner in counties of the twenty-sixth class.

Bill read third time.
The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1943 passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine and Mr. Speaker—64.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2017—An act to amend section 737x of the Political Code, relating to the compensation of judges of the superior court, Merced County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2017 passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, Latham, Lyon, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine and Mr. Speaker—57.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 434—An act to amend sections 1, 2, 3, 4, 23, and 26 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," and to add thereto a new section to be numbered 4a, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine and Mr. Speaker—61.
NOES—None.

HON. ROY J. NIELSEN IN THE CHAIR.

At ten o'clock and thirty-five minutes p.m., Hon. Roy J. Nielsen, member of the Assembly from the Eighth Assembly District, in the chair.

THIRD READING OF ASSEMBLY BILL NUMBER FOUR HUNDRED THIRTY-FOUR.

Assembly Bill No. 434—An act to amend sections 1, 2, 3, 4, 23, and 26 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," and to add thereto a new section to be numbered 4a, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 434 passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 54—An act to amend section 2924 of the Civil Code and to add a new section thereto, to be numbered 2924b, all relating to mortgages and deeds of trust.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 54 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Dempster, Evans, Feigenbaum, Gilmore, Greene, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1174—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1174 passed by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Brock, Callahan, Chatters, Clowdsley, Cottrell, Crist, Cronin, Dempster, Feigenbaum, Gilmore, Greene, Hatch, Hoffman, Hunt, Jones, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 554—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 1.01, 3.02, 5 01, 6.01, 6.02, 6.03, 6 08, 7.06, 9.02, 9.04 to 9.12, both inclusive, 10.03, 10.05, 12 01, 12.08, 13.01, and 15.16 and adding new sections to be numbered 9 13, 9 14, 9.15, 9.16, 9 17 and 13.16a to said act, relating to building and loan associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 554 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Gilmore, Greene, Grubbs, Hoffman, Hunt, Jones, Kallam, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Ross, Stream, Thorp, Tournoux, Utt, Williamson, Woolwine and Mr. Speaker—51.

NOES—McCarthy, O'Connor and Rogers—3.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and twenty minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 549—An act to add sections 85 and 85½ to the Public Utilities Act, relating to assessing the salaries and expenses of the Railroad Commission to public utilities and disbursements from the Railroad Commission fund.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Crist:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out lines 1 to 5 of the title, and insert in lieu thereof the following: "An act to amend section 43 of the Public Utilities Act, relating to the powers, duties and jurisdiction of the Railroad Commission".

AMENDMENT NUMBER TWO.

On page 8 of the printed bill, as amended, strike out lines 41 to 52, inclusive, and all of pages 9 and 10.

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crist asked for, and was granted, unanimous consent to take up Assembly Bill No. 549, at this time, without reference to printer or file, and that same be considered engrossed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 549 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Callahan, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Dempster, Feigenbaum, Frazier, Gilmore, Greene, Grubbs, Hoffman, Hunt, Jones, Kallam, Latham, Levey, Lyon, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Powers, Redwine, Roberts, Robinson, Samuel E., Roland, Ross, Thorp, Tournoux, Utt, Williamson and Mr. Speaker—46.

NOES—McCarthy, O'Connor, O'Donnell, Riley, Rogers, Stannard and Stream—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 147—An act to amend section 483 of the Penal Code, relating to the sale of evidences of right of passage on a common carrier to person not entitled to use of same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 147 was refused passage by the following vote:

AYES—Badham, Bliss, Chatters, Cobb, Craig, Evans, Feigenbaum, Frazier, Greene, Hoffman, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, Peterson, Roberts, Robinson, Samuel E., Roland, Ross, Utt and Mr. Speaker—29.

NOES—Alter, Boyle, Clowdsley, Cronin, Gilmore, Grubbs, Hatch, Hunt, McCarthy, Nielsen, O'Connor, O'Donnell, Phillips, Powers, Redwine, Riley, Rogers, Stannard, Stream, Thorp, Tournoux, Turner and Williamson—23.

NOTICE OF RECONSIDERATION.

Mr. Utt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 147 was this day refused passage.

Assembly Bill No. 1352—An act to revise an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any State structure, building, road, or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State

in relation to erections and buildings, approved March 28, 1876,' " approved March 22, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1352 passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Greene, Grubbs, Hoffman, Hunt, Jones, Kallam, Latham, Levey, Lyon, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Utt, Williamson and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1719—An act to secure payment of claims of persons employed by contractors upon public works and claims of persons who furnish materials, supplies, teams, vehicles, implements or machinery used or consumed by such contractors in the performance of such works, prescribing the duties of certain public officers in respect thereto, and providing for the manner and procedure of the enforcement of such claims, and to repeal an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1719 passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Greene, Hoffman, Hunt, Jones, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Ross, Stannard, Stream, Thorp, Tournoux, Utt, Williamson and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 404—An act to amend section 224 of the Civil Code, relating to the adoption of children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 404 passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Levey, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers,

Roland, Ross, Stannard, Stream, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—55.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2207—An act to repeal sections 716 to 719, inclusive, and to add section 716 to the Political Code, relating to the Capitol building and grounds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2207 passed by the following vote:

AYES—Alter, Badham, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—62.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 878—An act providing for a system of unemployment reserves and compensation, making an appropriation therefor, and prescribing penalties in connection therewith.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 878 was withdrawn from the file, and referred to Committee on Ways and Means.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Ross:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 4460 of the Political Code, relating to newspapers of general circulation.

Referred to Committee on Introduction of Bills.

By Mr. Bliss:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 4460 of the Political Code, relating to newspapers of general circulation.

HALLNER, Chairman.

The question being on the adoption of the reports.

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

AYES—Alter, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Wright and Mr. Speaker—68.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Ross: Assembly Bill No. 2393—An act to amend section 4460 of the Political Code, relating to newspapers of general circulation.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bliss: Assembly Bill No. 2394—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act.

Bill read first time, and referred to Committee on Public Utilities.

By Messrs. O'Connor, Williamson, Hunt, Zion, Bliss, Boyle, Callahan, Patterson, McCarthy, Tournoux, Miller, Eleanor; Dempster and Powers: Assembly Constitutional Amendment No. 110—Proposed amendment to Article XI of the Constitution, relative to bonded indebtedness.

Introduced, and referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 806—An act to add a new section to the School Code, to be numbered 2.1428, relating to examination of records of school districts—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ROLAND, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 683—An act to repeal section 2.801 of the School Code, relating to the liability of governing boards of school districts for injuries to pupils—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ROLAND, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 680—An act to amend section 2.21 of the School Code, relating to the attendance of pupils from one school district in the schools of another school district—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ROLAND, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1933.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1069—An act to amend sections 452c, 452f and 453 of the Civil Code, providing for the maintenance of minimum membership of mutual benefit and life associations; notification to Insurance Commissioner in event membership shall not equal minimum requirement, or submit to revocation of certificate of authority and duty to liquidate and dissolve or merge or reinsure its business under the supervision of said commissioner; prescribing exemption of certain association from provisions of this chapter; relating to the formation and operation of mutual benefit and life associations, the collection of dues and assessments from members and the payment of benefits to nominees of decedent and also prescribing rules and regulations regarding the investments of such associations; and adding a new section to the Civil Code to be numbered 452g, relating to the licensing of all agents and solicitors for such associations and prescribing the fee therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CRIST, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1806—An act to add to the School Code new sections to be numbered 2.1112, 2.1113, 2.1114, 2.1115, 2.1116, 2.1117, 2.1118, and 2.1119; and to amend School Code sections 4.375 and 4.970; relating to public schools, school districts, the powers and duties of the governing boards of school districts, and the authorizing of any elementary district to permit the governing board of the high school district within which any such elementary district is located, to manage, operate and control the elementary schools within such elementary district together with the high schools of the high school district as a single school district system—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ROLAND, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 839—An act relating to the operation of motor vehicles used in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman

The above reported bill ordered on file for second reading.

ON SOLDIERS AND SAILORS AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Concurrent Resolution No. 37—Relating to rewriting veterans' contracts for purchase of land in certain cases—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

NIELSEN, Chairman.

Assembly Concurrent Resolution No. 37 ordered on file for adoption.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 181—An act to repeal an act entitled "An act defining criminal syndicalism and sabotage, prescribing certain acts and matters in connection therewith and in pursuance thereof and providing penalties and punishments therefor," approved April 30, 1919—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1226—An act to amend section 8 of, and to add section 17 to, an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to personal property brokers and the licensing of such brokers and exemptions from said act—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 7 of Article I thereof, relating to trial by jury—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

Assembly Constitutional Amendment No. 20 ordered placed on daily calendar.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2336—An act to levy an excise tax and to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide that this act shall take effect immediately—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-fifth day of April, 1933, at five o'clock p.m.

PATTERSON, Chairman.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Powers:

April, 1933.

MR. SPEAKER: We, the undersigned members of the Assembly, hereby move that Senate Bill No. 336 be withdrawn from the Committee on Public Utilities.

HENRY P. MEEHAN.
JOHN H. O'DONNELL.
CHAS. W. DEMPSTER.
CHARLES A. HUNT.
ALBERT F. ROSS.
JOHN D. MCCARTHY.
BERT V. CALLAHAN.
JAMES J. MCBRIDE.
RODNEY L. TURNER.
FRANK J. ROGERS.
F. M. ROBERTS.
WALTER H. SULLIVAN.
BRUCE R. STANNARD.
SAM M. GREENE.
MAURICE MEEKER.
CHARLES W. STREAM.
HOBART R. ALTER.
C. R. KALLAM.
FRANK G. MARTIN.
ELEANOR MILLER.
JAMES J. BOYLE.
JAMES S. O'CONNOR.
AUSTIN L. TOURNOUX.
WM. MOSELEY JONES.
C. C. COTTRELL.
F. C. CLOWDSLEY.
JOSEPH P. GILMORE.
MELVYN I. CRONIN.
CLIFFORD C. ANGLIM.
GEORGE R. BLISS.
FRANK LEE CRIST.
J. E. THORP.
ROY J. NIELSEN.
JAMES M. CASSIDY.
LUCIUS POWERS, JR.
FORD A. CHATTERS.
MICHAEL J. BURNS.
JESSE M. MAYO.
ELLIS E. PATTERSON.
P. G. WEST.
S. E. ROBINSON.
JOHN T. RAWLS.
H. S. HALLNER.
E. H. ZION.
P. J. MCMURRAY.

Senate Bill No. 336 ordered on file for second reading.

Also:

By Mr. Powers:

ASSEMBLY CHAMBER, SACRAMENTO, April, 1933.

MR. SPEAKER: We, the undersigned members of the Assembly, hereby move that Assembly Bill No. 2355 be withdrawn from the Committee on Public Utilities.

HENRY P. MEEHAN.
JOHN H. O'DONNELL.
CHAS. W. DEMPSTER.
CHARLES A. HUNT.
ALBERT F. ROSS.
JOHN D. MCCARTHY.
BERT V. CALLAHAN.
JAMES J. MCBRIDE.
RODNEY L. TURNER.
FRANK J. ROGERS.
F. M. ROBERTS.
WALTER H. SULLIVAN.
BRUCE R. STANNARD.
MAURICE MEEKER.
C. RAY ROBINSON.
CHARLES W. STREAM.
HOBART R. ALTER.
C. R. KALLAM.
FRANK G. MARTIN.
ELEANOR MILLER.
AUSTIN L. TOURNOUX.
JAMES J. BOYLE.
JAMES S. O'CONNOR.
WM. MOSELEY JONES.
C. C COTTRELL.
F. C. CLOWDSLEY.
JOSEPH P. GILMORE.
MELVYN I. CRONIN.
CLIFFORD C. ANGLIM.
J. E. FRAZIER.
GEORGE R. BLISS.
FRANK LEE CRIST.
J. E. THORP.
ROY J. NIELSEN.
JAMES M. CASSIDY.
LUCIUS POWERS, JR.
MICHAEL J. BURNS.
JESSE M. MAYO.
ELLIS E. PATTERSON.
P. G. WEST.
S. E. ROBINSON.
JOHN T. RAWLS.
H. S. HALLNER.
E. H. ZION.
P. J. MCMURRAY.

Assembly Bill No. 2355 ordered on file for second reading.

Also:

By Mr. Lyon:

ASSEMBLY SUBSTITUTE RESOLUTION FOR ASSEMBLY RESOLUTION INTRODUCED BY MR. LYON APRIL 24, 1933.

Resolved by the Assembly of the State of California, That the Standing Rules of Assembly be amended to read as follows:

26. No member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding nor for more than five minutes, except that the author of a bill or resolution, or the mover of a question, shall have the right to close the debate thereon. No member shall be allowed to speak more than ten minutes to open and five minutes to close the debate thereon. No member shall be allowed to give to another the time hereby allotted to such member.

This rule can only be suspended by a two-thirds affirmative vote of all members elected to the Assembly, or by unanimous vote; be it further

Resolved, That Rule No. 91 of the Standing Rules of Assembly be and it is hereby repealed.

Resolution ordered printed in the Daily Journal.

ADJOURNMENT.

At eleven o'clock and fifty-eight minutes p.m., on motion of Mr. Williamson, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, April 26, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, April 26, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus.

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. Hoffman moved a call of the House

Motion carried.

Time, ten o'clock and four minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Boyle, Craig, Crowley, Feigenbaum, Fisher, Greene, Hoffman, Latham, Martin, Mayo, Meehan, Meeker, Morgan, O'Donnell, Patterson, Peterson, Robinson, C. Ray; Ross, Wright, Zion and Mr. Speaker—22

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and eighteen minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fishe , Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon,

Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Zion, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Rawls, Mr. Galla-Rini of San Francisco was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Thorp, Mr. W. A. Stouffer, principal; Mr. Leonard McKaig, instructor; Mr. Stanley Hawthorne, instructor; Jay Bonnet, winner of the State oratorical contest, and members of the civics class of the Ripon High School were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. West, Lloyd C. Sweetman, instructor, and the following students of Social Study Class from the Sacramento High School: George Archinal, George Beach, John Brennan, Lois Briar, Eleanore Cohun, Marian Hodnett, Marie Johnson, Theresa Jones, Wilbert Jorz, Yuriko Kaihara, Lawrence Kime, Renaldo Massa, Robert Modell, Isabel Montaner, John Murray, William Royston, Grace Sakata, Donal Scudder, Austin Smith, Elmore Zapffe, Melvin Zaretsky, Robert H. Lantz, Ruth E. Robinson, Grace LaVonn Allan, Beryl Doan, Donnarae Whealy, Doris Runyon, Helen Maxwell, Myrtle Meyer, Ardath Edrington, Mildred McKern, Lola Jean McKellips, Dorothy Perry, Margaret Heath, George Dobbins, Louis Ban, Gladys Jacinto, Flora Rogers, Norman Kauffman, Manley Dodge, Glendon Lowry, Albert Jurasin, Joseph Andrade, Edward Anselmo and Steven Aplin were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Anglim, Messrs. Roy Spencer and Robert Gibson of Walnut Creek were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From H. A. Sweet, Turlock, California, in regard to Assembly Bill No 1528.

Also:

By Mr Speaker:

From F P McAdams, Coalinga, California, favoring Assembly Constitutional Amendment No 47.

COMMUNICATION.

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

MARIN MUNICIPAL WATER DISTRICT,
SAN RAFAEL, CALIFORNIA, April 24, 1933.

Mr. Arthur A. Ohnimus, Chief Clerk,
California Legislature, Sacramento, California.

DEAR SIR: We have your letter of April 22, 1933, relative to our charges for water service furnished to San Quentin Prison and I beg to advise you that the communication will be presented to our board of directors at their next regular meeting which will be held on May 16, 1933.

As soon as possible thereafter, you will be advised as to whatever action may be taken in regard to the matter.

Yours truly,

MARIN MUNICIPAL WATER DISTRICT
By JOHN BURT, General Manager.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 20, 1933.

To the Members of the Assembly.

I am attaching hereto, for the information of the members of the Legislature, a copy of a resolution received by me from the Honorable J. Oliver Brison, city clerk of Long Beach, California, expressing the appreciation of the citizens of Long Beach for the helpfulness of all who participated in the emergency relief work immediately following the earthquake on March 10, 1933.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

(COPY.)

RESOLUTION.

WHEREAS, On the tenth day of March, 1933, at five o'clock and fifty-five minutes p m., the city of Long Beach, California, as well as surrounding cities, received a sudden, violent shock caused by an earthquake resulting in considerable damage and some loss of life;

WHEREAS, The relief activity as to health, sanitation, public safety and rehabilitation was brought immediately into action by individuals and organizations and it is fitting and necessary, therefore, to attempt by mere words and phraseology of sentences to thank, sincerely, for their services the various organizations and units throughout the city, State and Nation; therefore, be it

Resolved, That the officials of the city of Long Beach, as well as the citizens, will appreciate for all time to come, the unselfish services of all who participated in the emergency relief work immediately following this severe catastrophe; be it further

Resolved, That the city manager of the city of Long Beach be instructed to send copies of this resolution to all departments of the city of Long Beach, Admiral Leigh, Secretary of the Navy, all veterans' posts, all auxiliary veterans' units, all cities that participated, KFOX, KGER, Associated Telephone Company, Southern California Edison Company, Los Angeles County, Orange County and the entire State of California.

(Signed) J. OLIVER BRISON, City Clerk.
[SEAL]

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 24, 1933.

To the Honorable Members of the Assembly of the California State Legislature.

I have the honor to transmit herewith a copy of a letter dated April 14, 1933, which I have received from Mr. W. M. Keck of the Superior Oil Company, Ninth Floor Edison Building, Los Angeles, California, a member of the delegation representing the Governor of California at the conference of Governors of oil-producing States, called for Monday, March 27, 1933, for your information.

With my compliments and every good wish,

Very sincerely yours,

JAMES ROLPH, JR., Governor of California.

(COPY.)

SUPERIOR OIL COMPANY,
LOS ANGELES, CALIFORNIA, April 14, 1933.

Hon. James Rolph, Jr., Governor of California,
The Capitol, Sacramento, California.

DEAR SIR: Pursuant to my appointment by you to represent the independent oil interests of California as one of a delegation of three members representing the Governor of California at the conference of Governors of oil-producing States, called for Monday, March 27, 1933, I proceeded to Washington and was present when the conference assembled.

There was only one Governor at the "Governors' conference." This was Governor Landon of Kansas. The other delegates from the different States were largely made up of spokesmen for the major oil companies, only a very few representatives of independents or of the public in general being present. It was evident from the rapid, automatic organization of the conference that the whole program of the conference had been carefully worked out in advance, and the delegates thoughtfully relieved of any effort in this connection.

Governor Landon was appointed chairman of the meeting and immediately thereafter took a prepared address from his pocket, and read it to the meeting. Mr. Edward S. Rochester was present and appeared to have in hand the details of the meeting. Rochester was secretary and manager of the Federal Oil Conservation Board, during the past eight years, and was formerly executive secretary to Attorney General Daugherty during the Harding administration.

It is perhaps significant in connection with this conference to note that the Federal Oil Conservation Board was abolished by President Roosevelt during our stay in Washington, and Secretary-Manager Rochester was separated from the government service. These actions followed representations by independent oil operators in Washington.

With reference to Governor Landon, the only Governor present at the meeting, it was revealed that the Governor was a brother-in-law of the president of two important mid-western Standard Oil subsidiaries. This latter fact may have, of course, been merely a coincidence

Governor Landon appointed a committee of five from the "Governors' conference" to act with a committee of five from the major oil company group, and a like number from a meeting of alleged independents, called together by President Wirt Franklin of the Independent Petroleum Association of America. This committee of fifteen adopted a set of resolutions prepared by a subcommittee of six, which was headed by Walter C. Teagle, president of the Standard Oil Company of New Jersey. These resolutions were submitted to the Secretary of the Interior and the President of the United States, but were not acted upon favorably by the President, excepting in some matters of minor consequence.

A group of actual independent oil operators representing California, Texas, Oklahoma and various other States, met simultaneously but separately from the "Governors' conference," and submitted a different set of resolutions to the Secretary of the Interior and President of the United States Among the recommendations made by the independent committee was one urging that interstate pipe lines be separated in operations and ownership from producing companies, and this important recommendation was adopted by the President.

The above is a brief summary of events occurring in connection with the "Governors' conference," and other meetings growing out of the conference.

Yours very truly,
(Signed) W. M. KECK.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1177 as amended by the Senate—An act to add a new section to the Agricultural Code, to be numbered 830.5, relating to the transportation of fruits, nuts and vegetables—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

MEEKER, Chairman

The above reported bill ordered placed on daily calendar.

Also:

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1217—An act to amend section 312 of the Agricultural Code relating to meat inspection;

Also: Assembly Bill No 1610—An act to amend section 6 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs, and making an appropriation therefor," approved March 11, 1907,
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MEEKER, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 572—An act to amend section 2322x20 of the Political Code, relating to the salary of the agricultural commissioner, his deputies and inspectors in counties of the twentieth class;

Also. Assembly Bill No. 575—An act to amend section 4249 of the Political Code, relating to compensation of county and township officers in counties of the twentieth class, approved May 11, 1931;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1215—An act to repeal Articles 1 and 2 of Chapter 1 of Division III of the Agricultural Code embracing sections 301 to 317 inclusive, and sections 321 to 324 inclusive, relating to meat—has had the same under consideration, and respectfully reports the same back without recommendation, and be re-referred to Committee on Exhibitions and Fairs.

MEEKER, Chairman

The above reported bill ordered re-referred to Committee on Exhibitions and Fairs.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 131—An act to amend section 16x14 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the fourteenth class;

Also: Senate Bill No. 128—An act amending section 4243 of the Political Code, relating to salaries and compensation of officers in counties of the fourteenth class,

Also Senate Bill No. 130—An act to amend section 19x14 of the Juvenile Court Law, relating to the salaries of the probation officer and assistants in counties of the fourteenth class;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 732—An act to provide for the organization and conduct of nonprofit cooperative associations to engage in the marketing, handling, and distribution of fish and fishery products—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 129—An act to amend section 2322x14 of the Political Code, relating to the office of agricultural commissioner in counties of the fourteenth class—has

had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 875—An act to add a new article to Chapter III of Title I of Part III of the Political Code to be numbered Article XXI, embracing sections 720 to 724f, inclusive, creating a board to be known as the Board of Control to take the place of the Department of Finance, prescribing the duties, powers, responsibilities, authority and jurisdiction of the Board of Control and providing for the membership thereof and their qualifications; providing for the transfer to the Board of Control and the imposition on it of the duties, powers, responsibilities, authority and jurisdiction of the Department of Finance and the Director of Finance, as well as of the various divisions of the Department of Finance and the officers, agents and employees of the Department of Finance; providing for the abolishment of the Department of Finance and the Director of Finance and the various divisions of the Department of Finance and the various officers, agents and employees of the Department of Finance; providing for the expenditure and transfer of certain funds, and repealing all acts or parts of acts in conflict therewith—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

COBB, Chairman.

The above reported bill ordered re-referred to Committee on Rules.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1613—An act to amend 1305, 1306, 1307 of the Penal Code, relating to bail, the forfeiture and enforcement of bail, and the disposal of forfeited bail moneys;

Also Assembly Bill No 660—An act to amend sections 4300*l* and 4300*l* of the Political Code, relating to fees and charges of constables and marshals;

Also: Assembly Bill No 919—An act to add a new section to the Political Code, to be numbered 542.5, relating to expenditures for the printing or publishing of books, pamphlets, reports, compilations, synopses and other documents;

Also: Assembly Bill No. 921—An act to amend sections 410 and 782 and repeal section 781 of the Political Code, relating to the bound volumes of Decisions of the Supreme Court and District Courts of Appeal;

Also: Assembly Bill No. 703—An act to prescribe salaries and salary classifications for the several offices and positions in the Judicial Department of the government of the State of California;

Also: Assembly Bill No. 806—An act to add a new section to the School Code, to be numbered 2 1428, relating to examination of records of school districts;

Also: Assembly Bill No. 683—An act to repeal section 2.801 of the School Code, relating to the liability of governing boards of school districts for injuries to pupils; Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C RAY, Chairman.

The above reported bills ordered to reprint.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Senate Bill No. 509—An act to amend an act entitled, "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended, by amending sections 2, 3, 4, 5, 6, 9, 11, 14 and by adding a new section to be numbered 15, relating to collection agencies;

Also: Senate Bill No. 1027—An act to amend sections 1 and 2 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended, vesting administration of said act in the State Board of Control, abolishing the Civil Service

Commission and transferring all of the powers, duties, jurisdiction and responsibilities of said commission to said State Board of Control;
Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 680—An act to amend section 2.21 of the School Code, relating to the attendance of pupils from one school district in the schools of another school district;

Also: Assembly Bill No. 1806—An act to add to the School Code new sections to be numbered 2.1112, 2.1113, 2.1114, 2.1115, 2.1116, 2.1117, 2.1118, and 2.1119; and to amend School Code sections 4.375 and 4.970; relating to public schools, school districts, the powers and duties of the governing boards of school districts, and the authorizing of any elementary district to permit the governing board of the high school district within which any such elementary district is located, to manage, operate and control the elementary schools within such elementary district together with the high schools of the high school district as a single school district system;

Also: Assembly Bill No. 1226—An act to amend section 8 of, and to add section 17 to, an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to personal property brokers and the licensing of such brokers and exemptions from said act;
Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Thorp:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend the Agricultural Code by adding thereto Article 4, embracing sections 380 to 380.55, inclusive, to Chapter 1, Division III, relating to marks and brands, and by adding to Chapter 6, Division IV thereof, section 679, relating to associations.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend the Agricultural Code by adding thereto Article 4, embracing sections 380 to 380.55, inclusive, to Chapter 1, Division III, relating to marks and brands, and by adding to Chapter 6, Division IV thereof, section 679, relating to associations.

HALLNER, Chairman.

The question being on the adoption of the report.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

Time, ten o'clock and thirty-five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, King, Latham, Levey, Lyon, Martin, Mayo, McCarthy, Meehan, Meeker, Morgan, O'Connor, Patterson, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, West, Williamson, Woolwine, Wright and Mr. Speaker—53.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 2103—An act to provide for the conservation of the water and power resources of this State and to prevent the development thereof unless economically advantageous to the people of this State.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 823—An act to amend section 15 of the "Los Angeles County Flood Control Act," relating to the responsibility of bidders upon public work.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "section 15 of".

AMENDMENT NUMBER TWO.

In lines 2 and 3 of the title of the printed bill, strike out the words "relating to the responsibility of bidders upon public work.", and insert in lieu thereof the following: "by adding thereto a new section to be numbered 17a, relating to rights of way across public lands of the State."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of lines 1 to 27, all of lines 1 to 52 on page 2, and all of lines 1 to 9 on page 3, and insert in lieu thereof the following:

"SECTION 1. The Los Angeles County Flood Control Act is hereby amended by adding thereto a new section numbered 17a, to read as follows:

Sec. 17a. There is hereby granted to Los Angeles County flood control district the right of way for the location, construction and maintenance of flood control channels, ditches, waterways, conduits, canals, jetties, embankments, and protective works in, over and across public lands of the State of California, not otherwise disposed of or in use, not in any case exceeding in length or width that which is necessary for the construction of such works and adjuncts or for the protection thereof. Whenever any selection of a right of way for such works or adjuncts thereto is made by the district the board of supervisors thereof must transmit to the Surveyor General, the Controller of the State, and the recorder of the county in which the selected lands situated, a plat of the lands so selected, giving the extent thereof and the uses for which the same is claimed or desired, duly verified to be correct. If the Surveyor General shall approve the selection so made he shall endorse his approval upon the plat and issue to the district a permit to use such right of way and lands."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2369—An act to amend section 1 of, and to add section 1a to, an act entitled "An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and power lines, telephone and telegraph lines, and sewers and appurtenances thereof, across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined," approved May 2, 1923, relating to municipal corporations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2083—An act to amend sections 1, 5, 7, 10, 12, 13, 24, and 25 of the Direct Primary Law, approved June 16, 1913, as amended, relating to primary elections, providing for party conventions in the State and various political units thereof, and the powers and duties of the same, for the choosing of delegates to such conventions, method of choosing members of the party county central committee and State central committee and the powers and duties of the same.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1477—An act to amend section 10 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act," approved May 24, 1927, relating to the deposit of public funds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2136—An act to add a new section to the Bank Act, to be numbered 136½, relating to powers of trustees or receivers of closed banks.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1321—An act to add a new section to the Penal Code, to be numbered 654d, relating to advertisements of drugs or medicines.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out "Any", and insert in lieu thereof the following: "It shall be unlawful for any".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, strike out "who".

AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, strike out "makes", and insert in lieu thereof the following: "to make".

AMENDMENT NUMBER FOUR.

On page 1, line 6, of the printed bill, strike out "disseminates", and insert in lieu thereof the following: "disseminate".

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, strike out lines 10 to 12, inclusive, and insert in lieu thereof the following: "the remedying of bodily ills thereby, which is untrue or misleading to the public. Each announcement by any person, firm, corpora-

tion or association which violates the provisions of this section is punishable by a fine of not more than one thousand dollars or six months' imprisonment in the county jail, or both."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1613—An act to amend 1305, 1306, 1307 of the Penal Code, relating to bail, the forfeiture and enforcement of bail, and the disposal of forfeited bail moneys.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 10 to 18, inclusive, and insert in lieu thereof the following: "forfeited, subject to the provisions of section 1306 of this code."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 25 to 27, inclusive, and on page 2 strike out lines 1 to 7, inclusive, and insert in lieu thereof the following: "same has not been set aside, nor the penal sum of said bond deposited in cash with the clerk of such court prior to the expiration of said ninety days, it shall enter a summary judgment against each bondsman named in such bond in the".

AMENDMENT NUMBER THREE.

On page 2, line 12, of the printed bill, after the comma following "aside", insert the following: "nor the penal sum of said bond deposited in cash with the clerk of such court prior to the expiration of said ninety days,".

AMENDMENT NUMBER FOUR.

On page 2, of the printed bill, strike out lines 20 to 25, inclusive, and insert in lieu thereof the following: "shall be so filed shall forthwith enter a summary judgment against each bondsman named in such".

AMENDMENT NUMBER FIVE.

On page 2, line 27, of the printed bill, after the period following "himself", insert the following: "If the penal sum of said bond is deposited in cash with the clerk of such court prior to the expiration of ninety days after such forfeiture, all proceedings to enforce the said bond or to procure or enter judgment thereon shall be thereby stayed for a period of one year from the date of such deposit."

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out lines 29 and 30, and insert in lieu thereof the following: "default of the defendant shall release the bail bond or undertaking."

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out lines 39 to 52, inclusive, and on page 3, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"Such money so deposited with the clerk of any court shall by such clerk be deposited in a bail bond trust fund in the treasury of the city and county, or county, depending upon the jurisdiction of said court in which said county is, and shall be properly designated with the title and number of the criminal action out of which such judgment arose. If at any time within one year after such deposit defendant in the criminal action is returned into custody, the amount of money deposited less all charges refunded from the pursuit, capture and return of the defendant, including rewards paid, shall be repaid from said bail bond trust fund to the bail provided that the bail filed with his application for refund under the provisions of this section an affidavit that the absence of the defendant was not with his connivance. Such redelivery and repayment is hereby made a proper charge against such trust fund account in the treasury of any city, city and county, or county."

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, strike out lines 15 to 17, inclusive, and insert in lieu thereof the following:

"If the defendant is not so returned within one year after such deposit by the bail, nor the said forfeiture set aside prior to that date, a summary judgment shall be entered and proceedings shall thereupon be had as hereinabove provided to be had at the expiration of ninety days after forfeiture of bond where deposit of the penal

sum of the bond so forfeited is not made in cash by the bail prior to the expiration of such ninety days."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1315—An act to amend sections 692 and 694 of the Code of Civil Procedure, relating to notices of sale under execution and power of sale and to the conduct of such sale.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out "Here-".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out "after executed".

AMENDMENT NUMBER THREE.

On page 1, line 20, of the printed bill, strike out "for", and insert in lieu thereof the following: "at least".

AMENDMENT NUMBER FOUR.

On page 1, line 20, of the printed bill, following the word "days", insert the following: "before date of sale".

AMENDMENT NUMBER FIVE.

On page 1, line 24, of the printed bill, strike out "the same period", and insert in lieu thereof the following: "twenty days".

AMENDMENT NUMBER SIX.

On page 1, line 26, of the printed bill, strike out "the", and insert in lieu thereof the following: "any".

AMENDMENT NUMBER SEVEN.

On page 1, line 26, of the printed bill, following the word "part", insert the following: "or parcel".

AMENDMENT NUMBER EIGHT.

On page 1, line 27, of the printed bill, following the word "part", insert the following: "or parcel".

AMENDMENT NUMBER NINE.

On page 2, line 2, of the printed bill, strike out "the", and insert "any".

AMENDMENT NUMBER TEN.

On page 2, line 2, of the printed bill, following the word "property", insert "or some part or parcel thereof".

AMENDMENT NUMBER ELEVEN.

On page 2, line 4, of the printed bill, strike out "the", and insert "any such".

AMENDMENT NUMBER TWELVE.

On page 2, line 8, of the printed bill, strike out "the", and insert the following: "a".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 20, of the printed bill, strike out "heretofore or hereafter executed".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 20, of the printed bill, strike out "here-".

AMENDMENT NUMBER FIFTEEN.

On page 2, line 21, of the printed bill, strike out "tofore".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1391—An act to amend section 19 of the Juvenile Court Law, relating to referees in counties of the first class and third

class, and authorizing the boards of supervisors in such counties to fix the compensation for such referees.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, after the period insert the following: "In counties of the third class the boards of supervisors shall fix the compensation for at least one referee".

AMENDMENT NUMBER TWO.

On page 1, line 22, of the printed bill, strike out "provided, however," and also strike out all of line 23, and on page 2, strike out all of line 1, and in line 2, strike out the word "referee".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1970—An act to amend section 3052 of the Civil Code, relating to sale of property by a lienholder.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 and 2 of the title, and insert in lieu thereof the following:

"An act to amend section 428 of the Vehicle Code, relating to garage, repair shop and service station keepers' liens."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 28, inclusive, and all of page 2, and insert in lieu thereof the following:

"SECTION 1. Section 428 of the Vehicle Code is hereby amended to read as follows:

428. Notice of Sale.

Prior to any such sale said lienholder must give notice thereof as follows:

(a) Where the vehicle subject to the lien is appraised at a value not exceeding twenty-five dollars by an officer or employee of the department upon application of the lienholder, a fifteen days' previous notice of the time and place of such sale by posting such notice in three public places in the city or township where such sale is to be held.

(b) In all other cases:

(1) A ten days' previous notice of the time and place of such sale by registered mail to the owner and any legal owner of the vehicle if such vehicle is registered in this State and the address of the owner and any legal owner is known or ascertainable from the records of the department; and

(2) A ten days' previous notice of the time and place of such sale by publication of such notice in a newspaper of general circulation printed and published in the county where such sale is to be held or if there is no such newspaper in said county then by posting such notice for a like time in three public places in the city or township where such sale is to be held."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2328—An act to amend section 609 of the Probate Code, relating to the compensation of appraisers.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, strike out "For the first $5,000 a", and all of lines 12 and 13, inclusive, and insert in lieu thereof the following: "For the first five thousand dollars or fraction thereof, a fee of five dollars; for the next four hundred ninety-five thousand dollars a fee of one-tenth of one per cent thereof; for all over five hundred thousand dollars a fee of one-twentieth of one per cent thereof. In addition to the fee herein provided each appraiser is entitled to receive his actual and necessary expenses, to be allowed by the court; and he must file, with the inventory, a verified account of his disbursements."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2175—An act to amend section 681 of the Penal Code, relating to punishment and treatment of persons in State, county and city institutions.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after "cruel", insert a comma and the following: "corporal".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 205—An act to add section 542c to the Code of Civil Procedure, relating to dissolution of attachments.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 262—An act to amend section 860 of the Penal Code, relating to preliminary examination in criminal prosecutions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2384—An act to amend section 654a of the Penal Code, prohibiting false advertising and the misleading use of comparative prices.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2372—An act providing for the licensing and regulation of the business of growing and marketing Valencia oranges; creating the California Valencia Orange Marketing Control Board in connection therewith; and prescribing penalties for the violation of the provisions hereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 973—An act to amend sections 307 and 316 of the Agricultural Code, relating to meat inspection.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out the following: "sections 307 and", and insert in lieu thereof the word "section".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 23, inclusive.

AMENDMENT NUMBER THREE.

On page 1, line 24, of the printed bill, strike out the following: "Sec. 2.", and insert in lieu thereof "Section 1."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1157—An act to amend section 120 of the Agricultural Code, relating to nursery stock.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 5, 6 and 7, and insert in lieu thereof the following: "director. Such license for the fiscal year shall be issued upon".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1926—An act to prohibit the operation by the State of tree nurseries and to sale by the State of tree nursery stock and to repeal an act entitled "An act providing for the establishment and maintenance of a State nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along highways and in public places, and making an appropriation therefor," approved May 15, 1917.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to restrict the operation by the State of tree nurseries and to limit the sale by the State of tree nursery stock."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 13 and 14.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1235—An act to amend section 4261 of the Political Code, relating to compensation of county and township officers in counties of the thirty-second class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"4261. In counties of the thirty-second class the county officers shall receive as compensation for the services required of them by law or by virtue of their office, the following salaries, to wit:

1. The county clerk, three thousand dollars per annum, and when a new great register of voters is required by law to be made, he shall receive his actual expense in making said register and the index thereto, and ten cents per name for every name registered. In counties of this class the county clerk may appoint one deputy county clerk at a salary of one thousand six hundred and eighty dollars per annum and one typist at a salary of nine hundred dollars per annum, which offices are hereby created and said salaries fixed, to be paid out of the county treasury at the same time, in the same manner and out of the same fund as salaries of county officers are paid. It is hereby found as a fact that the salary provided for in this subsection does not work an increase in compensation and it is intended that the same shall apply immediately to the present incumbent.

2. The sheriff, three thousand six hundred dollars per annum. The sheriff shall be allowed his actual and necessary traveling expenses incurred in pursuing criminals and his actual and necessary traveling expenses incurred in the investigation of crimes committed in his jurisdiction. The mileage herein allowed the sheriff shall not exceed fifteen cents per mile one way when such travel can be made by rail; in other cases such mileage shall not exceed sixteen cents per mile one way. In counties of this class the sheriff may appoint one deputy sheriff at a salary of one thousand five hundred dollars per annum, which office is hereby created and salary fixed to be paid out of the county treasury at the same time, in the same manner and out of the same fund as salaries of county officers are paid.

3. The recorder, two thousand eight hundred dollars per annum. In counties of this class the recorder may appoint one typist at a salary of nine hundred dollars per annum, which office is hereby created, payable at the same time and out of the same fund as salaries of county officers are paid.

4. The auditor, one thousand nine hundred dollars per annum and in lieu of fees heretofore paid him under the provisions of section 4099a of the Political Code, he shall receive an additional sum of five hundred dollars per annum as compensation for the extra duties imposed by said section 4099a. In counties of this class the auditor may appoint one deputy at a salary of two thousand one hundred dollars per annum, which office is hereby created and salary fixed, to be paid out of the county treasury at the same time, in the same manner and out of the same fund as salaries of county officers are paid. In counties of this class the auditor shall be allowed to employ clerical assistance when needed, at not to exceed four hundred fifty dollars in any one year.

5. The treasurer, two thousand dollars per annum. In counties of this class the treasurer may appoint one deputy treasurer at a salary of nine hundred dollars per annum, to be paid out of the county treasury at the same time, in the same manner and out of the same fund as salaries of county officers are paid

6. The tax collector, two thousand four hundred dollars per annum. In counties of this class, the tax collector shall be allowed to employ clerical assistance when needed, at not to exceed eight hundred dollars in any one year.

7. The assessor, three thousand five hundred dollars per annum, and his actual and necessary traveling expenses when engaged in assessing the property of his county; provided, such traveling expenses shall not in any one year exceed the sum of three hundred dollars.

8. The district attorney, three thousand dollars per annum. In counties of this class, the district attorney may appoint a deputy district attorney, which office of deputy district attorney is hereby created and said deputy district attorney shall receive as compensation for all services performed as such, the sum of one thousand five hundred dollars per annum, to be paid out of the county treasury in equal monthly installments, at the same time, in the same manner and out of the same fund that the salaries of county officers are paid. The district attorney may also appoint a clerk, which office of clerk to the district attorney is hereby created and said clerk shall receive as compensation for all services performed as such, the sum of one thousand two hundred dollars per annum, to be paid out of the county treasury in equal monthly installments, at the same time, in the same manner and out of the same fund that the salaries of the county officers are paid

9. The coroner, such fees as are now or may be hereafter allowed by law.

10. The public administrator, such fees as are now or may be allowed by law.

11. The superintendent of schools, one thousand eight hundred dollars per annum, and actual traveling expenses when visiting the schools of this county. In counties

of this class the secretary of the county board of education shall receive the sum of three hundred dollars per annum, said salary to be paid by said county in monthly installments at the same time, and in the same manner and out of the same fund as the salary of the superintendent of schools. The compensation of the secretary of the county board of education of this county hereby provided is in lieu of the fees heretofore allowed under the provisions of section 1770 of this code. It is hereby found as a fact that the salary provided for in this section does not work an increase in compensation and it is intended that the same shall apply immediately to the present incumbent In counties of this class the superintendent of schools may appoint one deputy superintendent of schools at a salary of one thousand two hundred dollars per annum, which office is hereby created and salary fixed, to be paid out of the county treasury at the same time, in the same manner and out of the same fund as the salary of the superintendent of schools.

12. The county surveyor, one thousand five hundred dollars per annum, he to furnish all necessary instruments; but transportation charges for field work shall be allowed him. He shall not be required to perform county work more than two-thirds of the working days in any month, except on payment of fees now allowed by law

13. Justices of the peace, the following salaries to be paid each month as county officers are paid, which shall be in full for all services rendered by them as such justices of the peace; in townships having a population of five thousand and more, one hundred dollars; in townships having a population of two thousand five hundred and less than five thousand, sixty-five dollars; in townships having a population of one thousand five hundred and less than two thousand five hundred, forty dollars; in townships having a population of one thousand and less than one thousand five hundred, twenty-five dollars; in townships having a population of less than one thousand, ten dollars. Each justice must pay into the county treasury, once a month, all fees and all fines collected by him. In all townships having a population of less than five thousand, if there be more than one justice, the compensation or salary allowed herein shall be equally divided between them so that the sum total of their compensation shall not exceed the salary allowed herein for a single justice in such township.

14. Constables, the following salaries, which shall be paid monthly as salaries of county officers are paid, and shall be in full for services rendered by them in criminal cases, to wit: In townships having a population of two thousand five hundred or more, seventy dollars, in townships having a population of one thousand five hundred and less than two thousand five hundred, forty-five dollars; in townships having a population of one thousand and less than one thousand five hundred, thirty dollars; in townships having a population of less than one thousand, fifteen dollars. In addition to the monthly salary allowed herein, each constable may receive and retain for his own use, such fees as are now or may hereafter be allowed by law for all the services performed by him in civil actions. In all townships having a population of less than two thousand five hundred, if there be more than one constable, the compensation herein allowed shall be equally divided between them, so that the sum total of their monthly compensation shall not exceed the salary allowed herein for a single constable in each township. The board of supervisors shall, during each and every year, ascertain and determine the population of the several townships of the county for the purpose of ascertaining the compensation of township officers regulated by this section in proportion to their duties.

In addition to the fees and expenses allowed by law as set forth in section 4300d of the Political Code, constables shall be allowed the necessary and actual traveling expenses incurred by them in the investigation of a felony committed within the township of which they are officers, and the necessary and actual traveling expenses incurred by them in pursuing criminals charged with the commission of a felony.

15. Each supervisor, one thousand two hundred dollars per annum, for all services performed by him as supervisor, member of the board of equalization and road commissioner.

15a. County librarian, one thousand eight hundred dollars per annum.

16. Grand jurors and trial jurors in the superior court in civil and criminal cases, shall receive as compensation for each day's attendance, per day, three dollars and trial jurors for each mile actually and necessarily traveled in attendance as such in going only, per mile, twenty-five cents; and grand jurors for each mile actually and necessarily traveled in attendance as such in going only, per mile, fifteen cents.

17. Deputies. It is hereby found and declared that all deputies, assistants, and other subordinate officers provided for herein are additional deputies and assistants necessary and proper to be allowed to the incumbent principals and shall be effective at once during their present term of office."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1233—An act to amend section 2322x32 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-second class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"2322x32. In counties of the thirty-second class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; provided that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputy, inspector and stenographer to be appointed by said commissioner which positions are hereby created and the salaries are hereby fixed as follows, to wit:

(a) One deputy county agricultural commissioner at a salary of one thousand eight hundred dollars per annum.

(b) The commissioner is also authorized and empowered to appoint one inspector at a monthly salary not to exceed one hundred twenty-five dollars during the time actually employed but the aggregate amount which may be spent in any year for such inspector shall not exceed one thousand five hundred dollars.

(c) The commissioner is also authorized and empowered to appoint one stenographer at a monthly salary not to exceed one hundred dollars per month, during the time actually employed, but the aggregate amount which may be expended in any year for such stenographer shall not exceed one thousand two hundred dollars."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1237—An act to amend section 16x32 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the thirty-second class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"Sec. 16x32. The sealer of weights and measures in counties of the thirty-second class shall receive a salary of one hundred twenty-five dollars per month."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1627—An act to amend section 2322x53 of the Political Code, relating to the office of the agricultural commissioner in counties of the fifty-third class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1234—An act to amend section 19x32 of the Juvenile Court Law, relating to probation officers in counties of the thirty-second class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1201—An act to amend section 4095 of the Political Code, relating to the duties of county auditors.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "4095", and insert in lieu thereof the following: "4095a".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, after "auditors", insert the following: "and treasurers".

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "4095", and insert in lieu thereof the following: "4095a".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 13, inclusive, and insert in lieu thereof the following:

"4095a. The county auditor and county treasurer may destroy any county claim, salary warrant, school warrant or any other paper or papers issued as a voucher where a permanent record has been made in books covering the items for which the voucher or paper has been issued, and which voucher or paper is more than five years old; provided, however, that nothing herein contained shall be construed to permit or authorize the destruction of any record involving the title to real property, or that has become a record of any court of law."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1626—An act to amend section 4282 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-third class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 25 to 27, inclusive, and on page 2, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following: "annum; and provided, further, that from the time".

AMENDMENT NUMBER TWO.

On page 2, line 15, of the printed bill, strike out "month", and insert in lieu thereof the following: "year".

AMENDMENT NUMBER THREE.

On page 2, line 27, of the printed bill, strike out "fifty dollars per month", and insert in lieu thereof the following: "three hundred dollars per annum".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1198—An act to appropriate and transfer funds to the "State employees' retirement fund" from moneys allocated and payable to the county of Los Angeles from the "Motor vehicle fund" to cover deficiencies in the "State employees' retirement fund" arising out of the transfer of the Los Angeles County motor patrol to the California Highway Patrol.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1621—An act transferring from the highway maintenance fund to the general fund an amount equal to the interest

due upon moneys paid from the general fund pursuant to the provisions of Chapter 400, Statutes of 1931.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1928—An act making an appropriation to pay the claim of Continental Oil Company against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1930—An act making an appropriation to pay the claim of California Union Insurance Company against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1933—An act making an appropriation to pay the claim of the Barber Asphalt Company against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1934—An act making an appropriation to pay the claim of the Federal Mutual Liability Insurance Company against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1935—An act making an appropriation to pay the claim of the Associated Indemnity Company against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1948—An act to provide for the payment of the proportionate share of bonded indebtedness levied against property subsequently acquired by the State or a political subdivision thereof for public purposes.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1985—An act making an appropriation to reimburse the general fund for moneys advanced from the emergency fund for the support of the fuel tax for the Motor Vehicle Fuel Tax Refund Division of the State Controller and the Fuel Tax Division of the State Board of Equalization.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2206—An act to add a new section to the Political Code, to be numbered 363*l*, relating to the Division of Architecture revolving fund.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1931—An act making an appropriation to pay the claim of Sumner Mallory against the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, lines 1 and 2, of the printed bill, strike out the following: "two thousand five hundred dollars ($2,500)", and insert in lieu thereof the following: "seven thousand three hundred thirty-three and 30/100 dollars ($7,333.30)".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1932—An act making an appropriation to pay the claim of Jess Mallory against the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, lines 1 and 2, of the printed bill, strike out the following: "two thousand five hundred dollars ($2,500)", and insert in lieu thereof the following: "seven thousand three hundred thirty-three and 30/100 dollars ($7,333.30)".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2002—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, lines 12 and 13, of the printed bill, strike out the following: "who shall place the same to the credit of the general fund of the State", and insert in lieu thereof the following: "and shall be used in augmentation of the appropriation made for such agency".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, following line 13, insert the following:

"The State's teletype system shall be used exclusively for the public business of the State, counties, cities and counties, or political subdivisions of the State, and no office in which teletype equipment connected with the State's teletype system is installed shall transmit over the State's teletype system any messages which are not in conformity herewith."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2246—An act relating to the care and treatment of feeble-minded children and making available for use therefor the buildings and grounds at the State Narcotic Hospital.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after "children", insert the following: "in the Pacific Colony".

AMENDMENT NUMBER TWO.

In line 5 of the printed bill, after "institutions", add the following: "to be added to the equipment of the Pacific Colony and".

AMENDMENT NUMBER THREE.

Following line 7 of the printed bill, insert the following:

"SEC. 2. No person shall be committed to the Pacific Colony unless with the addition of the person committed at least fifteen per cent of the inmates of said Pacific Colony are composed of children of the age of twelve years or under."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 660—An act to amend sections 4300d and 4300*l* of the Political Code, relating to fees and charges of constables and marshals.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in Assembly April 12, 1933, strike out the letter "s", on the end of the word "sections", and strike out the words "4300D and".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, as amended in Assembly April 12, 1933, after the words, "relating to", strike out the rest of the title, and insert in lieu thereof the following: "municipal court fees".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended in Assembly April 12, 1933, strike out lines 51 and 52, lines 1, 2, 3, and 4 on page 3.

AMENDMENT NUMBER FOUR.

On page 3, line 5, of the printed bill, as amended in Assembly April 12, 1933, strike out the figure "2", after the word "Section", and insert in lieu thereof the figure "1".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 919—An act to add a new section to the Political Code, to be numbered 542.5, relating to expenditures for the printing or publishing of books, pamphlets, reports, compilations, synopses and other documents.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, lines 4, 5, 6, and 7, of the printed bill, strike out the following: "for the expenses of the Senate or Assembly, and no moneys now or hereafter appropriated from said general fund for the support or maintenance of any State department, board, commission or officer".

AMENDMENT NUMBER TWO.

On page 1, lines 12 and 13, of the printed bill, strike out the following: "and maintained in whole by moneys not appropriated from said general fund.", and insert in lieu thereof the words "from special funds."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 921—An act to amend sections 410 and 782 and repeal section 781 of the Political Code, relating to the bound volumes of Decisions of the Supreme Court and District Courts of Appeal.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the figure "410", insert a comma, and the following: "780".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, after the word "relating", insert the following: "to the laws, resolutions and Journals of the Legislature and".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of lines 9 and 10.

AMENDMENT NUMBER FOUR.

On page 1, line 20, of the printed bill, strike out the figure "6", and insert in lieu thereof the figure "3".

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, strike out all of lines 23 to 25, inclusive.

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out all of lines 3 to 12, inclusive.

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, following line 12, insert the following: "All other copies of the laws, resolutions and Journals shall be sold by such price as may be fixed by the Department of Finance.

SEC. 2. Section 780 of the Political Code is hereby amended to read as follows:

780. The contract must require the publisher to print and publish each volume in the style required by section 777 within sixty days from the time at which the manuscript is delivered by the reporter to sell copies to the State at the price fixed in the contract and to keep on hand and for sale at the price stipulated in the contract, a sufficient number of each volume to supply all demands for six years from the publication thereof, and to give bonds for the fulfilment of the terms of the contract, in the sum of ten thousand dollars."

AMENDMENT NUMBER EIGHT.

On page 2, line 28, of the printed bill, strike out the figure "2", and insert in lieu thereof the figure "3".

AMENDMENT NUMBER NINE.

On page 2, line 29, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "4".

AMENDMENT NUMBER TEN.

On page 2 of the printed bill, following line 43, insert the following: "The Secretary of State may sell at not less than the cost thereof copies of the bound volumes of the Decisions of the Supreme Court, and of the District Courts of Appeal as may have been purchased under the provisions of section 780 of the Political Code."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 703—An act to prescribe salaries and salary classifications for the several offices and positions in the Judicial Department of the government of the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 3 of the title, and insert in lieu thereof the following:

"An act relating to State officers and employees in the judicial branch of the State government and the classification of, certification or authorization and appointment to, and allocation within, State judicial positions and the fixing of salary ranges therefor and graduated emergency salary reductions, and vesting the administration of this act in the State Personnel Board."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and all of page 2, and insert in lieu thereof the following:

"SECTION 1. This act shall be administered and enforced by the State Personnel Board hereinafter referred to as the board.

SEC. 2. Subject to the provisions of section 3 hereof, all State judicial positions and the salary range of each such position per month unless otherwise indicated are hereby classified as follows:

SEC. 2a.

Courts.

Clerk of Supreme Court and secretary, Judicial Council	$350	$375	$400	$425	$450
Deputy clerk, Supreme Court			180	195	210
Phonographic reporter	180	195	210	225	
Executive secretary, Supreme Court			180	195	210
Reporter of decisions, part time			300	325	350
Assistant reporter of decisions	200	215	230	245	
Clerk to reporter of decisions	130	140	150	160	
Secretary to reporter of decisions			100	110	120
Chief law secretary, Supreme Court	375	400	425	450	
Special law secretary, Supreme Court			300	325	350
Law secretary, Supreme Court	200	215	230	245	
Mechanical handyman	110	120	130	140	
Librarian, Supreme Court	200	215	230	245	
Bailiff			120	130	140
Janitor	85	95	105	115	
Senior legal stenographer			135	145	155

SEC. 2b.

Court of Appeal.

Clerk, District Court of Appeal			250	270	290
Deputy clerk, District Court of Appeal			180	195	210
Phonographic reporter and ex officio secretary to Justice			180	195	210
Secretary to Justice, District Court of Appeal	160	170	180	190	
Librarian and acting bailiff, District Court of Appeal	120	130	140	150	
Bailiff and messenger			120	130	140
Caretaker, District Court of Appeal	85	95	105	115	

SEC. 2c.

Judicial Council.

First assistant secretary			180	195	210
Second assistant secretary	140	150	160	170	
Third assistant secretary			100	110	120

SEC. 3. Said board shall have power, when it determines by unanimous vote in view of emergencies then existing or facts showing that unless the above schedule is reclassified in given particulars it will operate detrimentally to the welfare and best interests of the State:

(1) To add to said list of positions and fix the salary ranges of each added position; (2) to eliminate unnecessary positions in said list; (3) to revise the salary range for a given position whether fixed under this or the last preceding section; (4) to consolidate positions under one or more State judicial offices:

SEC. 4. Every State judicial officer and employee, shall be subject to said salary range for the position which he holds; and subject to the provisions hereinafter contained, the salary of each such officer and employee shall be fixed within the range of salary for the position which he holds as follows:

(1) Whenever a judicial officer or employee is receiving on the date this act becomes effective a higher salary, whether fixed by statute or otherwise, than the highest salary within the salary range of the position which he then holds, he shall hereafter receive said highest salary within the salary range of such position.

(2) Whenever a judicial officer or employee is receiving on the date this act becomes effective a lower salary whether fixed by statute or otherwise, than the lowest salary within the salary range of the position which he then holds, he shall hereafter receive said lowest salary within the salary range of such position.

(3) Whenever a judicial officer or employee is receiving on the date this act becomes effective a salary within the salary range of the position which he then holds, he shall hereafter continue to receive such salary.

(4) Whenever a judicial officer or employee is hereafter appointed to a given position, he shall receive the lowest salary within the salary range of the position to which he is appointed.

SEC. 5. Hereafter the certification or authorization and appointment of any officer as employee to a given position and the allocation of such officers and employees from one position to another, except where the power of appointment is provided for by the Constitution, and except one person under each State judicial office holding a position to be selected by the head thereof and having a confidential relation to the head, shall be subject to the approval of said board to determine that a proper, qualified person has been appointed to any given position, and hereafter no such certification, authorization, appointment or allocation of such an officer or employee shall be effective until such approval is secured and with respect to consolidated positions under more than one State judicial offices, said board shall have the power of appointment thereto and shall fix the sum which each such office effected by such consolidation shall contribute to the salary of each person appointed to such a consolidated position.

SEC. 6. No State judicial officer or employee holding a position when this act becomes effective and no such officer or employee hereafter appointed shall, until July 1, 1935, receive any increase or decrease in salary as hereinbefore fixed, except

that the board shall have power either to raise or lower a particular salary, within the salary range of the position which such officer or employee then holds, when it determines by unanimous vote in view of the emergencies then existing or facts showing that unless such salary is revised it will operate detrimentally to the welfare and best interests of the State.

SEC. 7. The salary of every State judicial officer and employee fixed as hereinbefore specified shall be subject to the following graduated emergency salary reductions from the date upon which this act becomes effective to July 1, 1935:

The salary of each officer or employee who receives more than one hundred (100) dollars per month, but not more than one hundred fifty (150) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, and twelve and one-half (12½) per centum of the additional fifty (50) dollars or fractional part thereof, but in no event shall such reduction lower the salary of such officer or employee below one hundred (100) dollars.

The salary of each officer or employee who receives more than one hundred fifty (150) dollars per month, but not more than two hundred (200) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, twelve and one-half (12½) per centum of the next fifty (50) dollars, and fifteen (15) per centum of the additional fifty (50) dollars or fractional part thereof.

The salary of each officer or employee who receives more than two hundred (200) dollars per month, but not more than two hundred fifty (250) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, twelve and one-half (12½) per centum of the next fifty (50) dollars, fifteen (15) per centum of the next fifty (50) dollars, and seventeen and one-half (17½) per centum of the additional fifty (50) dollars or fractional part thereof.

The salary of each officer or employee who receives more than two hundred fifty (250) dollars per month, but not more than three hundred (300) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, twelve and one-half (12½) per centum of the next fifty (50) dollars, fifteen (15) per centum of the next fifty (50) dollars, seventeen and one-half (17½) per centum of the next fifty (50) dollars, and twenty (20) per centum of the additional fifty (50) dollars or fractional part thereof.

The salary of each officer or employee who receives more than three hundred (300) dollars per month, but not more than three hundred fifty (350) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, twelve and one-half (12½) per centum of the next fifty (50) dollars, fifteen (15) per centum of the next fifty (50) dollars, seventeen and one-half (17½) per centum of the next fifty (50) dollars, twenty (20) per centum of the next fifty (50) dollars, and twenty-three (23) per centum of the additional fifty (50) dollars or fractional part thereof.

The salary of each officer or employee who receives more than three hundred fifty (350) dollars per month, but not more than four hundred (400) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, twelve and one-half (12½) per centum of the next fifty (50) dollars, fifteen (15) per centum of the next fifty (50) dollars, seventeen and one-half (17½) per centum of the next fifty (50) dollars, twenty (20) per centum of the next fifty (50) dollars, twenty-three (23) per centum of the next fifty (50) dollars, and twenty-five (25) per centum of the additional fifty (50) dollars or fractional part thereof.

The salary of each officer or employee who receives more than four hundred (400) dollars per month, but not more than four hundred fifty (450) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, twelve and one-half (12½) per centum of the next fifty (50) dollars, fifteen (15) per centum of the next fifty (50) dollars, seventeen and one-half (17½) per centum of the next fifty (50) dollars, twenty (20) per centum of the next fifty (50) dollars, twenty-three (23) per centum of the next fifty (50) dollars, twenty-five (25) per centum of the next fifty (50) dollars, and twenty-seven (27) per centum of the additional fifty (50) dollars or fractional part thereof.

The salary of each officer or employee who receives more than four hundred fifty (450) dollars per month, but not more than five hundred (500) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, twelve and one-half (12½) per centum of the next fifty (50) dollars, fifteen (15) per centum of the next fifty (50) dollars, seventeen and one-half (17½) per centum of the next fifty (50) dollars, twenty (20) per centum of the next fifty (50) dollars, twenty-three (23) per centum of the next fifty (50) dollars, twenty-five (25) per centum of the next fifty (50) dollars, twenty-seven (27) per centum of the next fifty (50) dollars, and thirty (30) per centum of the additional fifty (50) dollars or fractional part thereof.

The salary of each officer or employee who receives more than five hundred (500) dollars per month, but not more than nine hundred (900) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, twelve and one half (12½) per centum of the next fifty (50) dollars, fifteen (15) per centum of the next fifty (50) dollars, seventeen and one-half (17½) per centum of the next fifty (50) dollars, twenty (20) per centum of the next fifty (50) dollars, twenty-three (23) per centum of the next fifty (50) dollars, twenty-five (25) per

centum of the next fifty (50) dollars, twenty-seven (27) per centum of the next fifty (50) dollars, thirty (30) per centum of the next fifty (50) dollars, and forty (40) per centum of the additional four hundred (400) dollars or fractional part thereof.

The salary of each officer or employee who receives more than nine hundred (900) dollars per month shall be reduced five (5) per centum of the first one hundred (100) dollars, twelve and one-half (12½) per centum of the next fifty (50) dollars, fifteen (15) per centum of the next fifty (50) dollars, seventeen and one-half (17½) per centum of the next fifty (50) dollars, twenty (20) per centum of the next fifty (50) dollars, twenty-three (23) per centum of the next fifty (50) dollars, twenty-five (25) per centum of the next fifty (50) dollars, twenty-seven (27) per centum of the next fifty (50) dollars, thirty (30) per centum of the next fifty (50) dollars, forty (40) per centum of the next four hundred (400) dollars, and fifty (50) per centum of any additional amount.

This section shall have no application and shall be null and void after July 1, 1935.

SEC. 8. Whenever any State judicial officer or employee is paid a portion of his salary for the position which he holds from sources other than from the general fund of this State, the salary range for such position shall be predicated upon the basis of his salary received from all sources and the graduated emergency salary reduction shall be taken on the salary so fixed for such officer or employee within the salary range of such position. The State shall pay the difference between the final total salary so determined for such officer or employee less the amount received from sources other than from the general fund of this State, save that the board shall readjust either or both the salary range for such position and the graduated salary reduction where unless such adjustment is made no or a lesser amount will be received from said sources other than from the general fund of this State.

SEC. 9. Every State judicial officer and employee shall, after holding a position for six months, but not oftener than once each year, have a vacation of one week with pay, and may take, without loss of status, a vacation of two weeks, without compensation for said additional week.

SEC. 10. Every State judicial officer and employee nor or hereafter entitled to sick leave shall be entitled to one-half his regular pay while on such sick leave to which he is so entitled.

SEC. 11. Said board shall have power for the purpose of administering and enforcing the provision of this act or of any other law committed to its administration:

(1) To audit all pay rolls submitted to the State Controller;

(2) To maintain a State roster; and

(3) To make all necessary rules and regulations.

SEC. 12. The Division of Personnel and Organization, Department of Finance or any department, board, office or commission succeeding to the duties of said division shall give such expert, technical and clerical assistance and shall permit inspection and make such transfer to its files and records to said board as may be necessary to enable said board adequately to administer and enforce this act, and said division or such successors thereof shall continue to perform the duties and jurisdiction now or hereafter vested by law in said division or such successor subject to review and approval by said board in so far as the compensation of State judicial officers and employees is concerned and no classification of, allocation within, or certification or authorization or appointment to. State judicial positions made by said division or its successor shall be effective until approved by said board.

SEC. 13. This act shall have no application to the legislative or executive branches of the State government nor to necessary traveling expenses incurred by any such officer or employee in the performance of his duties.

SEC. 14. All acts and parts of acts in so far as the same are in conflict herewith are hereby superseded and to that extent repealed.

SEC. 15. If any section, subsection, paragraph, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses or phrases be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 806—An act to add a new section to the School Code, to be numbered 2.1428, relating to examination of records of school districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In lines 2 and 3 of the title of the printed bill, strike out "of records of school districts", and insert in lieu thereof the following: "and audit of and report concerning the books, records and accounts of school districts by the State Department of Education and terminating the authority heretofore vested in the grand jury in that regard."

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, after the period add the following:

"Henceforth, the grand jury shall be without power to make examination of or report as to the books, records or accounts of any city board of education, all such powers and duties in respect thereto being hereby vested in the State Department of Education."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 683—An act to repeal section 2.801 of the School Code, relating to the liability of governing boards of school districts for injuries to pupils.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the word "repeal", and insert in lieu thereof the word "amend."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 2.801 of the School Code is hereby amended to read as follows:

2.801. Boards of school trustees, high school boards, junior college boards, and boards of education, are liable as such in the name of the district for any judgment against the district on account of injury to person or property arising because of the dangerous or defective condition of public school buildings, grounds, works and property in all cases where the governing board of such school district, or other board, officer or person having authority to remedy such condition had knowledge or notice of the defective or dangerous condition of any such public school building, grounds, works or property, and failed or neglected, for a reasonable time after acquiring such knowledge or receiving such notice, to either remedy such condition or take such action as may be reasonably necessary to protect the public against such dangerous or defective condition."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 680—An act to amend section 2 21 of the School Code, relating to the attendance of pupils from one school district in the schools of another school district.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, insert the following:

"The privilege of attending school in a district other than that in which the pupil resides shall be subject to the discretion of the governing boards of the districts of residence and of proposed attendance to refuse to allow the proposed attendance

of such pupil, and to the power of such boards to enter into a voluntary contract agreeing upon the tuition to be paid for such attendance; provided, that if the governing boards do not agree to allow such pupil to attend school in a district other than that of his residence, the parent or guardian of such pupil may appeal to the county superintendent and his decision in the matter shall be final. After a contract for such purpose has been entered into by the two boards, the approval thereof by the county superintendent, or his permission to the pupil to attend, shall not be necessary."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1069—An act to amend sections 452c, 452f and 453 of the Civil Code providing for the maintenance of minimum membership of mutual benefit and life associations; notification to Insurance Commissioner in event membership shall not equal minimum requirement, or submit to revocation of certificate of authority and duty to liquidate and dissolve or merge or reinsure its business under the supervision of said commissioner; prescribing exemption of certain association from provisions of this chapter; relating to the formation and operation of mutual benefit and life associations, the collection of dues and assessments from members and the payment of benefits to nominees of decedent and also prescribing rules and regulations regarding the investments of such associations; and adding a new section to the Civil Code to be numbered 452g, relating to the licensing of all agents and solicitors for such associations and prescribing the fee therefor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to add four new sections to the Civil Code, to be numbered 453h1 to 453h4, inclusive, all relating to life, health, accident, and annuity or endowment insurance on the assessment plan."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 13, also strike out all of page 2, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Civil Code to be numbered section 453h1 and to read as follows:

453h1. Any officer or director of a domestic corporation doing the business of insurance on the assessment plan under the provisions of this chapter, or any other person, may advance to such corporation any sum of money for the purpose of promoting or conserving its business or to enable it to comply with the requirements of the laws of this or any other State; and the return of such money, together with such interest thereon as may have been agreed upon, not exceeding eight per cent per annum, shall be payable only out of the surplus remaining after providing for all required reserves and other liabilities, whether required by the laws of this State or of any other State in which the corporation does business, and shall not otherwise be a liability or claim against the corporation or any of its assets. No commission or promotion expenses shall be paid in connection with the advance of any such money to the corporation, and the amount of such advance shall be reported in each annual statement. When any such corporation discontinues business, after the payment of or provision for all liabilities, the balance in this fund must be returned to such person, or, if the advance is repaid, to the corporation, or disposed of as may be determined by the superior court of the county in which is its principal place of business.

SEC. 2. A new section is hereby added to the Civil Code to be numbered section 453h2 and to read as follows:

453h2. Any domestic corporation subject to the provisions of this chapter and possessed of admitted assets equal to at least two hundred thousand dollars in excess of all liabilities may, at its option, without reincorporation, elect to operate as a mutual legal reserve company. Corporations doing business of the sixth, eighth, ninth and tenth classes defined in section 594 of the Political Code, in addition to life insurance, must have fifty thousand dollars of admitted assets in excess of all liabilities, in order

to enable such corporation to do the eighth, ninth and tenth classes of insurance, and must also have apart from assets required to do other classes of insurance, fifty thousand dollars of admitted assets in excess of all liabilities to do the sixth class of insurance.

SEC 3 A new section is hereby added to the Civil Code to be numbered section 453h3 and to read as follows:

453h3. Upon a two-thirds majority vote of its directors, or of the officers, by whatever name known, who serve in the same capacity, with relation to it, as directors of a stock corporation, such corporation may amend its articles and by-laws in such manner as to transform itself into a mutual legal reserve insurer, with the name by which it is then known, or such other name as the directors, or the officers in such capacity, determine. Such amendment must thereupon be confirmed or asserted to by a majority of the total number of members together with the policy holders

Upon so doing, and upon procuring from the insurance commissioner a certificate of authority to transact business in this State as a mutual legal reserve insurer it may do the classes of business in this State permitted by such certificate and which it is entitled to do by virtue of assets held as required by section 453h2.

The corporation need not include in its policies thereafter executed the provisions required by this chapter, but shall be subject as to all its subsequent business to the tests of solvency provided for life insurance companies, accident and health insurance companies, or both such companies, as the nature of its business may require, and shall also be subject to all other provisions of law relating to such companies. But such election shall not affect the rights or obligations of the company or its members on any policy or certificate theretofore executed.

SEC 4. A new section is hereby added to the Civil Code to be numbered section 453h4 and to read as follows:

453h4. Every company subject to the provisions of this act shall maintain on its books separate accounts for the money received and the disbursements of its funds for its life, disability, and general business. The accounts shall show the amounts received from initiation fees, dues, premiums, interest, assessments and general income according to class of business."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1806—An act to add to the School Code new sections to be numbered 2.1112, 2.1113, 2.1114, 2.1115, 2.1116, 2.1117, 2.1118, and 2.1119, and to amend School Code sections 4.375 and 4.970; relating to public schools, school districts, the powers and duties of the governing boards of school districts, and the authorizing of any elementary district to permit the governing board of the high school district within which any such elementary district is located, to manage, operate and control the elementary schools within such elementary district together with the high schools of the high school district as a single school district system.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, in the title of the printed bill, strike out the comma after the figures "2.1117", and insert the word "and" in lieu thereof; and after the figure "2.1118", strike out the following: "and 2.1119", and in the same line strike out the following: "4.375 and".

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, beginning with the word "any", strike out all printed matter thereafter in section 1, and insert in lieu thereof the following: "all expenses of the election shall be paid by the high school district".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of lines 4 and 5, and the word "schools", at the beginning of line 6, and insert in lieu thereof the following: "each and every elementary school district".

AMENDMENT NUMBER FOUR.

On page 2, line 9, of the printed bill, strike out the word "thereupon", and insert in lieu thereof "on the first day of July next succeeding".

AMENDMENT NUMBER FIVE.

On page 2, line 12, of the printed bill, beginning with the words "within which", strike out all printed matter thereafter in section 2.

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out lines 17 to 25, inclusive, and insert in lieu thereof the following:

"2.1114. Whenever in this State the existing boundaries of an elementary school district are coterminous with the boundaries of a high school district and both districts have a governing board with the same personnel, upon the unanimous vote of such governing board to that affect it shall thereupon acquire jurisdiction to maintain and operate the elementary schools within such district as a part of a single school district system."

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, at lines 31 and 32, strike out the words "boards of education or boards of school trustees", and insert in lieu thereof the words "governing boards".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, at line 37, after the word "system", strike out all printed matter in section 4.

AMENDMENT NUMBER NINE.

On page 3, line 2, of the printed bill, omit the words, "except its outstanding bonded indebtedness".

AMENDMENT NUMBER TEN.

On page 3, line 6, of the printed bill, after the word "contracts", insert "and any present existing tenure status".

AMENDMENT NUMBER ELEVEN.

On page 3, line 8, of the printed bill, following the first comma, strike out all printed matter thereafter in section 5.

AMENDMENT NUMBER TWELVE.

On page 3, line 18, of the printed bill, after the comma following the word "thereof", insert the word "and".

AMENDMENT NUMBER THIRTEEN.

On page 3, lines 20 and 21, of the printed bill, omit the words "and the levy of taxes for and payment of any outstanding bonded indebtedness of each of such districts".

AMENDMENT NUMBER FOURTEEN.

On page 3 of the printed bill, beginning with line 27, strike out all portions of the printed bill following such line on pages 3, 4 and 5, inclusive, and insert in lieu thereof the following:

"SEC. 7. A new section is hereby added to the School Code to be numbered 2.1118 to read as follows:

2.1118. The maximum rate of district tax which may be levied in any one year for any high school district the governing board of which is authorized to maintain high schools and elementary schools as a single district system therein must not exceed the total of the combined district rates of tax provided elsewhere in this code for any elementary school district and a high school district. The proceeds of such taxes may be used in the discretion of the governing board without a vote of the district for building, capital outlay, maintenance, or any other purpose authorized by this code.

SEC. 8. Section 4.970 of the School Code is hereby amended to read as follows:

4.970. The total amount of bonds issued shall not exceed five per cent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located; provided, however, that any high school district the governing board of which is authorized to maintain and operate its high and elementary schools as a single system may issue bonds up to the total amount of eight per cent of the taxable property of such district."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 181—An act to repeal an act entitled "An act defining criminal syndicalism and sabotage, prescribing certain acts and matters in connection therewith and in pursuance thereof and providing penalties and punishments therefor," approved April 30, 1919.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "repeal", and insert in lieu thereof the following: "amend section 2 of".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out "The" immediately preceding the word "act", and insert in lieu thereof the following: "Section 2 of the".

AMENDMENT NUMBER THREE.

On page 1, line 2, of the printed bill, strike out "repealed", and insert in lieu thereof the following: "amended to read as follows:

SEC. 2. Any person who:

1. By spoken or written words or personal conduct advocates, teaches or aids and abets criminal syndicalism or the duty, necessity or propriety of committing crime, sabotage, violence or any unlawful method of terrorism as a means of accomplishing a change in industrial ownership or control, or effecting any political change; or

2. Wilfully and deliberately by spoken or written words justifies or attempts to justify criminal syndicalism or the commission or attempt to commit crime, sabotage, violence or unlawful methods of terrorism with intent to approve, advocate or further the doctrine of criminal syndicalism; or

3. Prints, publishes, edits, issues or circulates or publicly displays any book, paper, pamphlet, document, poster or written or printed matter in any other form, containing or carrying written or printed advocacy, teaching, or aid and abetment of, or advising, criminal syndicalism, or

4. Wilfully by personal act or conduct, practices or commits any act advised, advocated, taught or aided and abetted by the doctrine or precept of criminal syndicalism, with intent to accomplish a change in industrial ownership or control, or effecting any political change;

Is guilty of a felony and punishable by imprisonment in the State prison not less than one nor more than fourteen years."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1226—An act to amend section 8 of, and to add section 17 to, an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to personal property brokers and the licensing of such brokers and exemptions from said act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 6, inclusive, of the title, and insert in lieu thereof the following:

"An act relating to the regulation under the jurisdiction of the Commissioner of Corporations of personal property brokers, unsecured money lenders, salary buyers, brokers, agents and employees in such transactions, and agents for principals in such transactions, and the licensing of those so engaged, and fixing the penalties for violation thereof and to repeal that certain act entitled, "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 20, and all of page 2, and insert in lieu thereof the following:

"SECTION 1. This act shall be known as the "Personal Property Brokers Act."

SEC. 2. The following words have in this act the signification attached to them in this section, unless otherwise apparent from the context:

(1) The word "commissioner" means the Commissioner of Corporations of the State of California, or any deputy, investigator, auditor or any other person employed by him.

(2) The term "personal property broker" as used in this act includes all who are engaged in the business of lending money or credit without security or upon the endorsement of a comaker, guarantor or surety, or in which transaction there is taken in the name of the lender of the funds or credit, or in any other name, in whole or in part as security for such loan, any contract or obligation involving the forfeiture of rights in or to personal property, the use and possession of which property is retained by other than the mortgagee or lender; or lien on, assignment of, purchase of or power of attorney relative to wages, salary, earnings, income or commission.

(3) The word "broker" as used in this act shall be deemed to include all except agents as herein defined, who are engaged in the business as agent of the borrower, or otherwise, in negotiating, for a compensation, a loan to be made by a personal property broker.

(4) The word "agent" as used in this act shall be deemed to include all except brokers as herein defined who are engaged in the business, directly or indirectly, of soliciting, advertising for, negotiating for, or procuring, for a compensation loans for a "personal property broker" or a "broker" as herein defined. Provided, however, that the word "agent" as herein defined shall not include employees of a "personal property broker" or a "broker" regularly employed by such "personal property broker" or "broker" at the particular location specified in the license of such "personal property broker" or "broker."

SEC. 3. All who are engaged in the business of making payments in money, credit, goods or things in action as a consideration, in whole or in part, for any sale, assignment or order for the payment of wages, salary, commissions or other compensation for services, whether earned or to be earned, shall be deemed subject to the provisions of this act as a personal property broker.

SEC. 4. (a) This act shall not apply to any person, association, copartnership, trust or corporation doing business under any law of this State or of the United States relating to banks, trust companies, building and loan associations, industrial loan companies, credit unions or licensed pawnbrokers.

(b) Nothing contained in this act shall apply to any of the following:

1. Any nonprofit cooperative association organized under Title XXIII of Part IV of Division I of the Civil Code as said title existed at any time prior to the effective date of this amendment or under Chapter 4 of Division VI of the Agricultural Code, in loaning or advancing money in connection with any activity mentioned therein;

2. Any corporation, association, syndicate, joint stock company or partnership engaged exclusively in the business of marketing agricultural, horticultural, viticultural, dairy, live stock, poultry and bee products on a cooperative nonprofit basis in loaning or advancing money to the members thereof or in connection with any such business; or

3. Any corporation securing money or credit from any Federal intermediate credit bank organized and existing pursuant to the provisions of an act of Congress entitled "Agricultural Credits Act of 1923," as amended, in loaning or advancing money or credit so secured.

(c) This act shall not apply to bona fide conditional contracts of sale involving the disposition of personal property, where such form of sales agreement is used not for the purpose of evading this act.

SEC. 5. No personal property broker, broker or agent, as herein defined, shall engage in such business in this State unless and until application shall have been made to the Commissioner of Corporations as herein provided, for a license and said license shall have been issued authorizing said applicant to act as such personal property broker, broker or agent.

SEC. 6. Applications for licenses shall be in writing and verified under oath, in such form as may be prescribed by the commissioner.

SEC. 7. Every personal property broker and every broker, at the time of filing such application, shall deposit with the commissioner a bond, satisfactory to said commissioner, in which the applicant shall be the obligor, in the aggregate sum of one thousand dollars, with one or more sureties, which shall be subject to the approval of the commissioner.

Such bond shall run to the State of California for the use thereof, and to any person or persons who may have a cause of action against the obligor of said bond under the provisions of this act, and shall furthermore be conditioned that said obligor will faithfully conform to and abide by the provisions of this act and all of the rules and regulations made by the commissioner thereunder, and will pay to the

State and to such person or persons any and all amounts which may become due or owing to the State or to such person or persons from said obligor under and by virtue of the provisions of this act. The total aggregate liability, however, on said bond shall be limited to the payment of one thousand dollars.

SEC. 8. (a) Upon the filing of such application for such personal property broker's license and the acceptance of such bond and the payment of the filing fee hereinafter provided, the commissioner shall, if he finds that the financial responsibility, experience, character, business reputation and general fitness of the applicant and the members thereof, if the applicant be a copartnership or association, and the trustees thereof, if the applicant be a trust, and of the officers, directors and employees thereof, if the applicant be a corporation, are such as to command the confidence of the community and to warrant the belief that the business proposed to be conducted will be operated honestly and fairly within the purposes of this act, thereupon issue and deliver a license to the applicant to engage in business in accordance with the provisions of this act at the location set forth in said license, which license shall be effective until the thirty-first day of December next after its issuance, unless sooner suspended or revoked as hereinafter provided.

(b) Upon the filing of such application for a broker's license or agent's license, and the acceptance of such bond in the case of a broker, and the payment of the filing fee hereinafter provided, the commissioner shall, if he finds that the experience, character, business reputation and general fitness of the applicant and the members thereof, if the applicant be a copartnership or association, and the trustees thereof, if the applicant be a trust, and the officers, directors and employees thereof if the applicant be a corporation, are such as to warrant the belief that the business proposed to be conducted will be operated honestly and fairly within the purposes of this act, thereupon issue and deliver a license to the applicant to engage in business in accordance with the provisions of this act, which license shall be effective until the thirty-first day of December next after its issuance, unless sooner suspended or revoked as herein provided.

SEC. 9. The commissioner shall require a bond, satisfactory in form, security and amount as herein provided, for each personal property broker license, and brokers license, and bonds for additional locations, as in the sound discretion of the commissioner are required adequately to protect the State and the public dealing with such licensees.

SEC. 10. No license issued by the commissioner hereunder shall either be transferable or assignable.

SEC. 11. The commissioner may, from time to time, amend or alter, either upon his own motion, without payment of any fee therefor, or upon application of the licensee and the payment of the fee hereinafter provided, any license theretofore issued by him.

SEC. 12. Each personal property broker's license and broker's license shall authorize a licensee to engage in business at the particular location designated in the application and set forth in the license. For each additional location at which business is conducted, either as a personal property broker or as a broker, as provided herein, a separate license is required upon the payment of the fee hereinafter provided

The commissioner shall not have the power to issue duplicate licenses except as provided in section 21, subdivision 7, hereof.

SEC 13. (a) All written instruments utilized by licensees, evidencing loan or credit transactions or fixing contractual rights between the borrower and lender, as regulated by this act shall first be submitted to the Commissioner of Corporations and approved by him prior to their use by licensees and shall be subject to the rules and regulations established by the Commissioner of Corporations for the operation of said licensees.

(b) No licensee shall issue, circulate or publish any advertisement concerning his business without first submitting a written copy thereof to the commissioner and receiving approval thereof.

SEC. 14. The commissioner may, upon reasonable notice to the licensee, stating the contemplated action and in general terms the grounds therefor, and upon reasonable opportunity to be heard, suspend or revoke any license issued hereunder, if he shall find, in the case of a personal property broker, that said licensee has failed to maintain in effect the bond or bonds required under the provisions of this act, or in the case of any licensee, a failure to comply with any demand, ruling or requirement of the commissioner; or that the licensee has violated any provision of this act or any rule or regulation of the commissioner; or that any fact or condition exists which if it had existed at the time of the original application for such license, would have warranted the commissioner in refusing the original issuance of such license

SEC. 15 · Every order, decision, permit or other official act of the commissioner shall be subject to review, in accordance with the provisions of Chapter I of Title I of Part III of the Code of Civil Procedure Upon such review, the burden of proof shall lie upon the appellant, and the court shall receive and consider any

pertinent evidence, whether oral or documentary, concerning the action of the commissioner under review, but shall be limited to a consideration and determination of the question whether there has been an abuse of discretion on the part of the commissioner in making such order, decision, finding, requirement or rule.

SEC. 16. For the purpose of discovering violations of this act, or securing information required by him hereunder, the commissioner may, at any time, either personally or by any deputy, investigator or auditor designated by him, investigate the loans and business, and examine the books, accounts, records and files used therein of every licensee, and of every person, copartnership, trust, association and corporation who or which shall be engaged in said business, whether such person, copartnership, trust, association or corporation shall act or claim to act under or without the authority of this act, and for such purposes the commissioner and his representatives shall have free access to the offices and places of business, books, accounts, records, papers, files, safes and vaults of all such persons, copartners, trustees, associations and corporations. The commissioner and all persons duly designated by him shall have authority and power to administer oaths and to take the testimony of any witnesses and to issue subpenas requiring the attendance upon any examination, investigation or hearing in any part of the State of witnesses and the production of books, documents and other things under their control. All of the provisions of Chapter II of Title III of Part IV of the Code of Civil Procedure, relating to the means of production of evidence out of court shall be applicable to any examination, investigation or hearing under this act. The authority to make or conduct any such examination, investigation or hearing, including the authority to administer oaths and to subpena witnesses, and to take their testimony may be delegated by the commissioner to any deputy, investigator or auditor appointed by him for that purpose. Such appointment shall be made by an instrument in writing, signed by the commissioner over his official seal, and upon such examination, investigation, or hearing the same shall be produced by such deputy, investigator or auditor at any time upon demand therefor.

SEC. 17. Whenever, after an examination, investigation or hearing under this act, the commissioner deems it of public interest or advantage, he may certify a record to the district attorney of the county in which the act or acts complained of, examined or investigated occurred. The district attorney of such county within ninety days after receipt of such record shall file a written statement at the Sacramento office of the commissioner, which said statement shall set forth the action taken upon such record, or if no action has been taken upon such record that fact, together with the reasons therefor, must be stated.

SEC. 18. The commissioner may charge and collect for any examination, audit or investigation, the actual amount of the salary or other compensation paid to the person or persons making the examination, audit or investigation, plus the actual amount of expenses reasonably incurred in the performance of said work.

SEC. 19. The licensee shall keep and use in his business such books, accounts and records as will properly enable the commissioner to determine whether such licensee is complying with the provisions of this act and with all rules and regulations made by the commissioner hereunder. Every licensee shall preserve such books, accounts and records for at least two years after making the final entry on any loan recorded therein. Every licensee shall annually, on or before the fifteenth day of March, file a report with the commissioner giving such reasonable and relevant information as the commissioner may require concerning the business and operations during the preceding calendar year of each licensee within the State, which report shall be under oath and in the form prescribed by the commissioner.

SEC. 20. The commissioner shall establish such rules and regulations as he may deem reasonable or necessary for the execution of the provisions of this act.

SEC. 21. The commissioner shall charge and collect the following fees:

1. For filing an original or a renewal application for a personal property broker's license, one hundred dollars.

2. For filing an original or renewal application for a broker's license, fifty dollars.

3. For filing an original or renewal application for an agent's license, ten dollars.

4. For filing an application to amend or alter any license theretofore issued by said commissioner, ten dollars.

5. For filing an original or renewal application for each additional location for personal property broker, twenty-five dollars.

6. For filing an original or renewal application for each additional location for broker, twenty-five dollars.

7. For filing application for duplicate of license lost, stolen or destroyed, upon a satisfactory showing of such loss, theft or destruction, ten dollars.

SEC. 22. All who are engaged in business as personal property brokers, brokers or agents as herein defined, either directly as principal or indirectly as agent, employee, manager, fiduciary, representative or in any other capacity, without applying for and receiving the license herein required, are guilty of a misdemeanor, punishable by imprisonment in a county jail for not less than three months and not exceeding twelve months, or by a fine of not less than two hundred fifty dollars and not exceeding one thousand dollars, or by both.

SEC. 23. All fees charged and collected under this act shall be paid at least once each week, accompanied by a detailed statement thereof, into the treasury of the State to the credit of the fund known as the "Corporation Commission fund."

All moneys paid to the commissioner, as in this act provided, shall be paid by him into the State treasury and credited to the Corporation Commission fund, and all such moneys are hereby appropriated to be used by the commissioner in carrying out the provisions of this act; and the Comptroller shall draw his warrant on said fund from time to time in favor of the commissioner for the amounts expended under his direction, and the Treasurer shall pay the same. The commissioner may, with the consent of the Board of Control, withdraw from said fund a sum not exceeding one thousand five hundred dollars ($1,500), to be used as a revolving fund where cash advances are necessary, and the commissioner must account for such sums so withdrawn for said revolving fund at any time upon demand of the Board of Control.

SEC. 24. Any personal property broker or broker as herein defined having a license in effect under Chapter 634, Statutes of 1909 as amended, shall notwithstanding this amendment thereto be deemed to have a license as a personal property broker or broker for the calendar year 1933 only to operate as such personal property broker or broker at the particular location specified in such license, provided that such license may be suspended or revoked for cause in the manner and on the grounds specified herein. Such licensees however, shall be required forthwith to apply for and secure licenses for additional locations, if any are being operated, in accordance with this act as amended.

SEC. 25. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SEC. 26. That certain act entitled, "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2355—An act to amend section 47 of, and to add three new sections, to be numbered 2¾, 2¾, and 17a to the Public Utilities Act, relating to the nature, organization, and operation of public utilities.

Bill read second time, ordered to engrossment, and third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and thirty-five minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Lyon.

The roll of absentees was called, and the report of the Committee on Introduction of Bills was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—77.

NOES—None.

SPECIAL ORDER.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY.

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to be numbered 34a to

Article IV, by amending section 12 of Article XI, by adding a new section to be numbered 20 to Article XI, by amending sections 14, 15 and 16, and by repealing sections 12½ and 18 of Article XIII, relating to taxation.

Senate Constitutional Amendment No. 30 read.

The question being on the adoption of Senate Constitutional Amendment No. 30.

MOTION.

Mr. Cobb moved that further consideration of Senate Constitutional Amendment No. 30 be made a special order for Monday, May 1, 1933, at two o'clock and thirty minutes p.m.

The question being on the motion to set Senate Constitutional Amendment No. 30 as a special order.

Mr. Cobb withdrew his motion to set Senate Constitutional Amendment No. 30 a special order for Monday, at two o'clock and thirty minutes p.m.

FURTHER CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY.

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to be numbered 34a to Article IV, by amending section 12 of Article XI, by adding a new section to be numbered 20 to Article XI, by amending sections 14, 15 and 16, and by repealing sections 12½ and 18 of Article XIII, relating to taxation.

Senate Constitutional Amendment No. 30 read.

The question being on the adoption of Senate Constitutional Amendment No. 30.

FLOOR AMENDMENT.

During reading of Senate Constitutional Amendment No. 30, the following amendment was submitted by Mr. McCarthy:

AMENDMENT NUMBER ONE.

On page 7 of the printed measure, as amended April 22, 1933, after the period in line 34, insert the following

"Nothing herein contained shall authorize, or be construed to authorize the Legislature to tax any of the receipts or revenues of any county, city and county, municipality, irrigation district or other district, public corporation or political subdivision of this State."

The question being on the adoption of the amendment.

Amendment refused adoption.

FURTHER FLOOR AMENDMENTS.

During reading of Senate Constitutional Amendment No. 30, the following amendments were submitted by Mr. King:

AMENDMENT NUMBER ONE.

Strike out line 7 of the title of the printed measure, as amended, and insert in lieu thereof the following: "and 16, by adding a new section to be numbered 10a, and by repealing sections 12½ and 18 of article".

AMENDMENT NUMBER TWO.

On page 4 of the printed measure, as amended, between lines 12 and 13, insert the following:

"Fourth—That a new section to be numbered 10a be added to Article XIII to read as follows:

Sec. 10a. The dwelling house in which the owner resides, together with the necessary outbuildings and the land, not to exceed one acre, upon which they are

situated, is exempt from taxation to the amount of two thousand five hundred dollars of the value thereof. This exemption does not apply to the property of any person who either owns property to the amount of five thousand dollars or more or whose spouse owns property to the amount of five thousand dollars or more."

AMENDMENT NUMBER THREE.

On page 4, line 13, of the printed measure, as amended, strike out "Fourth", and insert in lieu thereof the following: "Fifth".

AMENDMENT NUMBER FOUR.

On page 6, line 17, of the printed measure, as amended, strike out "Fifth", and insert in lieu thereof the following: "Sixth".

AMENDMENT NUMBER FIVE.

On page 7, line 35, of the printed measure, as amended, strike out "Sixth", and insert in lieu thereof the following: "Seventh".

AMENDMENT NUMBER SIX.

On page 8, line 6, of the printed measure, as amended, strike out "Seventh", and insert in lieu thereof the following: "Eighth".

AMENDMENT NUMBER SEVEN.

On page 8, line 8, of the printed measure, as amended, strike out "Eighth", and insert in lieu thereof the following: "Ninth".

The question being on the adoption of the amendments.

Amendments refused adoption.

RECESS.

At twelve o'clock and thirty-five minutes p.m., on motion of Mr. Craig, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR SPEAKER: Your Committee on Fish and Game, to which referred Senate Joint Resolution No 15—Relative to memorializing and petitioning Congress to enact legislation—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

ZION, Chairman.

Senate Joint Resolution No. 15 ordered on file for adoption.

Also:

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1760—An act to amend section 797 of the Fish and Game Code;

Also: Assembly Bill No. 1509—An act to amend section 67 of the Fish and Game Code;

Also: Assembly Bill No. 1510—An act to amend section 65 of the Fish and Game Code;

Also: Assembly Bill No. 1488—An act to amend section 589 of the Penal Code;

Also: Assembly Bill No. 1974—An act to amend section 10 of the Fish and Game Code;

Has had the same under consideration, and respectfully reports the same back, and recommends that same do pass as amended.

ZION, Chairman.

The above reported bills ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 4—A resolution to propose to

the people of the State of California an amendment to the Constitution of the State by adding a new section to Article IV thereof, to be numbered 25½, relating to the practice of chiropractic—has had the same under consideration, and respectfully reports the same back, without recommendation as amended.

FEIGENBAUM, Chairman.

Assembly Constitutional Amendment No. 4 ordered referred to Committee on Rules.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 2378—An act to amend section 4 of an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, relating to bridge and highway districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman.

The above reported bill ordered referred to Committee on Rules.

Also:

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 284—An act confirming and validating the formation or organization and existence of port districts, and declaring that this act shall take effect immediately;

Also: Senate Bill No 283—An act to amend an act entitled "An act to provide for the creation, organization, and government of port districts; to enumerate the powers thereof; to authorize the incurring of indebtedness, the issuance of bonds and the levy and collection of taxes by such district; to authorize municipal corporations in such districts to surrender and transfer certain municipal powers and to grant certain municipal property to such districts for the purpose of carrying out the objects and purposes of this act," approved June 18, 1931 (Statutes of 1931, Chapter 1028), by amending the title thereof and by adding a new section thereto to be numbered section 13 (a), relating to the incurring of certain bonded indebtedness, prescribing the method of procedure for the incurring of such indebtedness, providing for the allocation, pledge and hypothecation of revenues for self-liquidating projects, and authorizing the borrowing of money from and the incurring of indebtedness to the United States of America or any of its departments, agencies or instrumentalities, including the Reconstruction Finance Corporation;

Has had the same under consideration, and respectfully reports the same back, and recommends that same do pass.

MALONEY, Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 735—An act to amend sections 1204-1209 of Fish and Game Code;

Also: Senate Bill No. 675—An act to amend section 456 of the Fish and Game Code;

Has had the same under consideration, and respectfully reports the same back, and recommends that same do pass as amended.

ZION, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 954—An act to add section 807.5 to Fish and Game Code:

Also: Senate Bill No. 451—An act to amend section 1177, etc, of Fish and Game Code;

Also: Senate Bill No. 719—An act to amend section 611, etc., of Fish and Game Code;

Also: Senate Bill No. 668—An act to amend sections 1035 and 1039 of Fish and Game Code;

Also: Senate Bill No. 516—An act to provide inspection, etc., of aviaries, etc;
Also: Senate Bill No. 718—An act to add section 843.5 to Fish and Game Code;
Also: Senate Bill No. 679—An act to amend Fish and Game Code, etc.;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ZION, Chairman.

The above reported bills ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 477—An act to amend section 5 of an act entitled "An act providing for the supervision of dams by the Department of Public Works through the State Engineer for the purpose of safeguarding life and property, defining powers and duties concerning the supervision of dams, providing for the enforcement of said supervision and providing penalties for violations thereof and making an appropriation therefor," approved June 10, 1929, relating to filing fees charged thereunder;

Also: Senate Bill No. 357—An act to amend the title of and sections 4, 9, 15, 27, 28, 35, 38, 38a, 40, 44, 49, 58, 68, 79, 83, 88, 91, 100, 104, 108, and 109 of, to add sections 38b and 109a to, and to repeal sections 69 to 74, inclusive, of an act entitled "An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor, approved June 9, 1931, relating to retirement systems covering governmental employees in this State;

Has had the same under consideration, and respectfully reports the same back, and recommends that the same do pass.

LEVEY, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1628—An act to amend section 737h of the Political Code, relating to the salary of the judge of the superior court in and for the county of Del Norte—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 666—An act to amend sections 4.161, 4.181 and 4.190 of the School Code, and to add a new section to said code, to be numbered 4.162, all relating to county school funds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROLAND, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 2373—An act to add a new chapter to be numbered Chapter VI to Part II of Division II of the School Code, embracing sections 2.1181 to 2.1189, inclusive, 2.1189a, and 2.1189b, all relating to recall of members of governing boards of school districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ROLAND, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 900—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation provided under said act—

has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CRIST, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 2333—An act to amend section 1 of an act entitled "An act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, as amended, relating to the procedure necessary for such disincorporation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER Your Committee on Insurance, to which was referred Assembly Bill No 1082—An act to amend section 1, subsection (b) of section 4, subsection (b) of section 5, section 8 and subsection (a) of section 13 of an act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as "the reciprocal or interinsurance act of the State of California," and repealing the act entitled "An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled 'An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee,' approved December 24, 1911," approved May 26, 1917, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CRIST, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 5 of Article XI thereof, relating to county government;

Also: Assembly Constitutional Amendment No. 79—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XX thereof, a new section to be numbered 22, relating to legal rate of interest;

Also: Assembly Constitutional Amendment No. 65—A resolution proposing to the people of the State of California an amendment of sections 2, 23, and 34 of Article IV, and of section 9 of Article V of the Constitution of the State of California, all relating to sessions of the Legislature, and procedure therein;

Also: Assembly Constitutional Amendment No. 107—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XIII thereof a new section to be numbered 22, relating to motor vehicle fuel license taxes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted as amended.

FEIGENBAUM, Chairman.

The above reported Assembly constitutional amendments ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 112—Proposed amendment to Article XIII, adding section 19a to the Constitution, relative to motor vehicle fuel license taxes;

Also: Assembly Constitutional Amendment No. 111—Proposed amendment to Article XIII, adding section 19c to the Constitution, relative to motor vehicle fuel license taxes;

Also: Assembly Constitutional Amendment No. 98—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding a new section to Article VI to be known as section 8½, relating to

the election of judges of the superior courts of certain counties, the terms of office of such judges, and the filling of vacancies in such offices;

Also: Assembly Constitutional Amendment No. 104—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof a new section to be numbered 19, relating to payment of State highway bonds;

Also: Assembly Constitutional Amendment No. 105—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XIII thereof a new section to be numbered 20, relating to payment of State highway bonds;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

FEIGENBAUM, Chairman.

The above reported Assembly Constitutional amendments ordered on file for adoption.

ON SOLDIERS AND SAILORS AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No. 1737—An act to establish a Military Code, thereby revising and consolidating the law relating to the armed forces of the State, and to repeal certain acts and parts of acts therein specified—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

NIELSEN, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Concurrent Resolution No. 22 —Relative to a recess to be taken by the fiftieth session of the Legislature.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 524—An act to amend section 8 of the Juvenile Court Law, relating to juvenile courts and the wards thereof;

Also: Senate Bill No. 1200—An act to provide for the incorporation and supervision of limited dividend corporations for the purpose of protecting and developing forest and other renewable natural resources;

Also: Senate Bill No. 523—An act to amend sections 3a, 7, and 13 of the Juvenile Court Law, relating to juvenile courts and wards thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 524, 1200 and 523 read first time, and referred to Committee on Judiciary.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Thorp: Assembly Bill No. 2395—An act to amend the Agricultural Code by adding thereto Article 4, embracing sections 380 to 380 55, inclusive, to Chapter 1, Division III, relating to marks and brands.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Craig: Assembly Constitutional Amendment No. 111—Proposed amendment to Article XIII, adding section 19c, of the Constitution, relative to motor vehicle fuel license taxes.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Craig. Assembly Constitutional Amendment No. 112—Proposed amendment to Article XIII, adding section 19a, of the Constitution, relative to motor vehicle fuel license taxes.

Introduced, and referred to Committee on Constitutional Amendments.

MESSAGE FROM THE GOVERNOR.

On this day, the following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 26, 1933.

To the Honorable Members of the Assembly of the State of California.

Nearly a month ago I issued a proclamation urging the people of the State to set apart and recognize, by proper ceremonies and do honor to the President of the United States on Sunday, April 30th, to be set apart as President's Day.

I respectfully call this to your attention because I am sure that you will desire to appoint a small committee to prepare ceremonies appropriate for the occasion and to do honor to the President.

I respectfully suggest that a short program be arranged in the Assembly Chamber at two o'clock in the afternoon with a short prayer and address to be delivered by someone selected by your honorable body.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

RESOLUTION.

The following resolution was offered:

By Mr. Turner:

RESOLUTION

WHEREAS, On account of the financial necessities of the State of California, numerous bills are now pending in this Legislature which propose to divert moneys from the so-called gasoline tax funds and from certain other State revenues, for purposes other than those now prescribed by law; and

WHEREAS, There are conflicting opinions as to whether or not such diversion of moneys would result in retarding the necessary and vital functions of the Division of Highways of the Department of Public Works; and

WHEREAS, No definite study has recently been made by the Legislature of the State of California of the general operations of the said Division of Highways of the Department of Public Works to determine the aforesaid matters; and

WHEREAS, Such a study would be of great value and timely assistance to the members of the Legislature in acting judiciously upon the subject of the aforesaid proposed diversions; now, therefore, be it

Resolved, That a committee of three members of the Assembly be appointed on a committee of the Assembly to be known as The State Highways Inquiry Committee The members of said committee shall be appointed by the Speaker of the Assembly. Such committee is empowered to adopt such rules as may be necessary or advisable to enable it to expeditiously carry out and perform the duties and powers herein imposed upon it; and be it

Resolved, That the said The State Highways Inquiry Committee be and is hereby empowered and directed to make thorough study of the general operations and practices of the Division of Highways of the Department of Public Works, and of the effect that the above mentioned proposed diversion or diversions of gasoline tax moneys or other State revenues would have upon the State's highway program, and of the possibilities for economy in the administration and operation of the Division of Highways of the Department of Public Works, and of any other collateral matters pertinent to the study which will establish facts to serve as guidance for sound legislation; and be it

Resolved, That the said The State Highways Inquiry Committee be and it is hereby authorized and empowered to do and perform any and all things necessary or proper to make the full and complete study as herein directed; and to do and perform each and all other things necessary or proper to secure all the information which said committee shall deem necessary, proper or advisable to enable the Legislature to act advisedly and judiciously upon the various matters concerning the above mentioned proposed diversions; and be it

Resolved, That the State Highway Engineer, the Director of Public Works, the members of the State Highway Commission and all subordinates thereof shall give and furnish to such committee, upon request, such information, records and documents as the said committee shall deem necessary or proper for the purposes aforesaid; that said committee is authorized and empowered to summon and subpena

witnesses, require the production of persons, books, reports, maps, plans, documents, records and papers of every kind to issue subpenas and to take all necessary means to insure the attendance of witnesses and to procure testimony; that the members of the said committee are, and each of them is, hereby authorized to administer oaths; that all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code of this State, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution, and the said committee shall have the power therein specified; that the Sergeant-at-Arms of the Assembly is hereby authorized and directed to serve any and all subpenas and orders or other process that may be issued by the committee when directed so to do by the chairman thereof, and do and perform any other service required of him by the said committee; that the said committee be and it is given leave and authority to sit during the sessions of the Assembly and/or during any recess, at such times, place or places as the committee may determine; that said committee may, at its discretion, hold public or executive meetings, as it may deem necessary or desirable; and be it

Resolved, That the said The State Highways Inquiry Committee report as speedily as possible to the Assembly its findings and recommendations concerning the study which it is by this resolution authorized to make.

Resolution referred to Committee on Roads and Highways.

FURTHER CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY.

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to be numbered 34a to Article IV, by amending section 12 of Article XI, by adding a new section to be numbered 20 to Article XI, by amending sections 14, 15 and 16, and by repealing sections 12½ and 18 of Article XIII, relating to taxation.

Senate Constitutional Amendment No. 30 read

The question being on the adoption of Senate Constitutional Amendment No. 30.

FLOOR AMENDMENT.

During reading of Senate Constitutional Amendment No. 30, the following amendment was submitted by Mr. Robinson, Samuel E.:

AMENDMENT NUMBER ONE.

On page 2, line 25, of the printed measure, as amended, strike out "fifty", and insert in lieu thereof the following: "twenty-five".

The question being on the adoption of the amendment.

Amendment refused adoption.

The question being on the adoption of Senate Constitutional Amendment No. 30.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Lyon moved a call of the House.

Motion carried.

Time, four o'clock and five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor;

Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—78.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

MOTION.

At four o'clock and eight minutes p.m., Mr. Feigenbaum moved that further proceedings under the call of the House be dispensed with.

Motion lost.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for unanimous consent to take up Senate Bill No. 839, at this time, without reference to file.

Mr. Hallner objected to unanimous consent.

MOTION.

Mr. Hornblower moved that the Standing Rules of the Assembly be suspended for the purpose of considering Senate Bill No. 839, at this time.

The roll was called, and the motion to consider Senate Bill No. 839, at this time, was carried by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Gilmore, Greene, Hoffman, Hornblower, Jones, King, Latham, Levey, Maloney, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Roberts, Rogers, Roland, Stannard, Sullivan, Thorp, Tournoux, Utt, Williamson and Mr. Speaker—45.

NOES—Hallner, McCarthy and Riley—3.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Hornblower:

Resolved, That Senate Bill No. 839 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second, and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hornblower, Hunt, Jones, King, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Thorp, Tournoux, Utt, West, Williamson and Mr. Speaker—56.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 839.

SECOND READING OF SENATE BILL NUMBER EIGHT HUNDRED THIRTY-NINE.

Senate Bill No. 839—An act relating to the operation of motor vehicles used in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, James A., O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Thorp, Tournoux, Utt, West, Williamson and Mr. Speaker—55.

NOES—Stannard and Stream—2.

THIRD READING OF SENATE BILL NUMBER EIGHT HUNDRED THIRTY-NINE.

Senate Bill No. 839—An act relating to the operation of motor vehicles used in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 839 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McMurray, Meehan, Miller, James A., O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILLS.

Senate Bill No. 505—An act to amend section 4088 of the Political Code of the State of California, relating to the issuance of bonds for certain purposes.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 504—An act to amend sections 4041 5, 4041.6, 4041.17 and 4041.18 of the Political Code of California and to add six new sections to said code to be numbered 4041.4 (2a), 4041.7 (a), and 4041.29 to 4041.32 both inclusive, relating to powers of boards of supervisors.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the title of the printed bill, strike out "4041.7 (a)", and insert in lieu thereof the following: "4041.7a".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 509—An act to amend an act entitled, "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended, by amending sections 2, 3, 4, 5, 6, 9, 11, 14 and by adding a new section to be numbered 15, relating to collection agencies.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 7 of the title of the printed bill, insert "7", after the comma following "6".

AMENDMENT NUMBER TWO.

On page 2, line 13, of the printed bill, following the word "business", insert a comma and the following: "nor a merchant owned nonprofit credit association".

AMENDMENT NUMBER THREE.

On page 4 of the printed bill, following line 16, insert the following:

"SEC. 6. Section 7 of said act is hereby amended to read as follows:

Sec. 7. Upon removal from any location as stated in any license issued hereunder, the licensee shall, within thirty days thereafter, deposit said license with the Secretary of State, accompanying same with written notification of such removal, and the Secretary of State shall note said removal upon the face of the license, and shall enter in his records, in an appropriate place therefor, a notation of such removal and shall thereupon return said license.

Upon a change in the name or the ownership personnel of any collection agency, other than a corporation, the license issued to it shall forthwith become void and its right to conduct business thereunder shall terminate.

If any branch office or branch offices are opened after a license has been issued, a license certificate may be secured for such branch office or branch offices from the Secretary of State upon application in writing and payment of the fee specified for branch office certificates as provided in section 6 of this act."

AMENDMENT NUMBER FOUR.

On page 4, line 17, of the printed bill, strike out "6", and insert in lieu thereof the following: "7".

AMENDMENT NUMBER FIVE.

On page 4, line 35, of the printed bill, strike out "7", and insert in lieu thereof the following: "8".

AMENDMENT NUMBER SIX.

On page 6, line 3, of the printed bill, strike out "8", and insert in lieu thereof the following: "9".

AMENDMENT NUMBER SEVEN.

On page 6, line 8, of the printed bill, strike out "9", and insert in lieu thereof the following: "10".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 252—An act to amend section 939 of the Code of Civil Procedure, relating to appeals.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1188—An act to declare a moratorium on the collection of judgments rendered pursuant to the provisions of sections 25 to 36f, both inclusive, of the Water Commission Act for costs or for unpaid assessments taxed as costs in such judgments, and suspending the accrual of interest upon such judgments during the period of such moratorium.

Bill read second time, and ordered on file for third reading

Senate Bill No. 226—An act to amend section 802 of the Agricultural Code, relating to the standardization of grapes.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, strike out the word "eighteen", and insert in lieu thereof the following: "nineteen".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 948—An act to amend section 14 of the California Terminal Weighing Act relating to the fees collected thereunder.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 981—An act to amend section 41 of the Agricultural Code, relating to the State Board of Agriculture.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 216—An act to amend section 2322x34 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-fourth class.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 5, of the printed bill, strike out "forty", and insert in lieu thereof the following: "one hundred".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, strike out "five", and insert in lieu thereof the following: "four".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 217—An act to amend sections 4263a, 4263b, 4263c, 4263d, 4263e, 4263f, 4263g, 4263h, 4263k, 4263*l*, 4263m, 4263o, 4263p and 4263q of the Political Code, relating to the compensation of county and township officers in counties of the thirty-fourth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the comma following "4263H", insert the following: "4263I,".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out "two thousand eight hundred", and insert in lieu thereof the following: "three thousand".

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, strike out "six", and in line 9, strike out "hundred twenty", and insert in lieu thereof the following: "eight hundred".

AMENDMENT NUMBER FOUR.

On page 2, line 16, of the printed bill, strike out "three thousand six hundred", and insert in lieu thereof the following: "four thousand".

AMENDMENT NUMBER FIVE.

On page 2, line 20, of the printed bill, strike out "forty", and insert in lieu thereof the following: "two hundred eighty".

AMENDMENT NUMBER SIX.

On page 3, line 17, of the printed bill, strike out "four", and in line 18, strike out "and one-half", and insert in lieu thereof the following: "five".

AMENDMENT NUMBER SEVEN.

On page 3, line 33, of the printed bill, strike out "forty", and insert in lieu thereof the following: "four hundred".

AMENDMENT NUMBER EIGHT.

On page 3, line 37, of the printed bill, strike out "three hundred fifty", and insert in lieu thereof the following: "five hundred".

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, strike out lines 43 to 51, inclusive, and on page 4, strike out lines 1 and 2.

AMENDMENT NUMBER TEN.

On page 4 of the printed bill, strike out lines 5 and 6, and insert in lieu thereof the following:

"4263e. The county treasurer, two thousand four hundred dollars per annum. The treasurer may appoint a deputy for not to exceed twelve days in any one year, at a salary of five dollars per day. All fees, commissions or other com-".

AMENDMENT NUMBER ELEVEN.

On page 4, line 13, of the printed bill, strike out "forty", and insert in lieu thereof the following: "two hundred eighty".

AMENDMENT NUMBER TWELVE.

On page 4 of the printed bill, strike out lines 21 to 30, inclusive, and insert in lieu thereof the following: "same fund as salaries of county officers are paid."

AMENDMENT NUMBER THIRTEEN.

On page 4, line 38, of the printed bill, strike out "two thousand eight hundred eighty", and insert in lieu thereof the following: "three thousand".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 43, of the printed bill, strike out "seven hundred eighty-", and in line 44, strike out "five", and insert in lieu thereof the following: "eight hundred".

AMENDMENT NUMBER FIFTEEN.

On page 5, line 7, of the printed bill, strike out "four dollars and fifty cents", and insert in lieu thereof the following: "five dollars".

AMENDMENT NUMBER SIXTEEN.

On page 5, line 17, of the printed bill, strike out "seven dollars", and insert in lieu thereof the following: "six dollars and fifty cents".

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 37, of the printed bill, strike out "one hundred", and in line 38, strike out "twenty-five", and insert in lieu thereof the following: "four hundred".

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 43, of the printed bill, strike out "three hundred fifty", and insert in lieu thereof the following: "two hundred".

AMENDMENT NUMBER NINETEEN.

On page 6 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"SEC. 9. Section 4263i of the Political Code is hereby amended to read as follows:

4263i. The coroner, nine hundred dollars per annum. In counties of this class the coroner shall be allowed as traveling expenses, such mileage as the board of supervisors shall deem proper, which mileage is hereby declared to be a proper legal charge against the county. All fees, commissions or other compensations allowed by law to the coroner in other counties of other classes as a part of his compensation shall be paid into the county treasury, and no part thereof shall be retained by him as a part of his compensation.

SEC. 9a. Section 4263k of the Political Code is hereby".

AMENDMENT NUMBER TWENTY.

On page 6, line 5, of the printed bill, strike out "one thousand eight", and in line 6, strike out "hundred", and insert in lieu thereof the following: "two thousand".

AMENDMENT NUMBER TWENTY-ONE.

On page 6, line 12, of the printed bill, strike out "eighty", and insert in lieu thereof the following: "two hundred".

AMENDMENT NUMBER TWENTY-TWO.

On page 6, line 18, of the printed bill, strike out "nine hundred", and insert in lieu thereof the following: "one thousand".

AMENDMENT NUMBER TWENTY-THREE

On page 6 of the printed bill, strike out lines 25 to 39, inclusive, and insert in lieu thereof the following: "him or them to prepare the same; provided, further,".

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 14, of the printed bill, strike out "twenty", and insert in lieu thereof the following: "eighty".

AMENDMENT NUMBER TWENTY-FIVE.

On page 7, line 23, of the printed bill, strike out "thirty-five", and insert in lieu thereof the following: "fifty".

AMENDMENT NUMBER TWENTY-SIX.

On page 7, line 38, of the printed bill, strike out "ninety", and insert in lieu thereof the following: "one hundred".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 8, line 2, of the printed bill, strike out "eighty", and insert in lieu thereof the following: "two hundred".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 300—An act to provide emergency unemployment relief through State loans in aid of counties and municipalities administering such relief; providing for the issue of bonds, and making appropriations for such purposes and declaring the urgency thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No 672—An act making an appropriation for the Department of Finance to purchase certain real property situate in the City and County of San Francisco to accommodate offices of certain State agencies, authorizing the renting, leasing, and selling of said property, providing for the disposition of moneys received from the rent or lease or sale of said property, providing for insuring of said property, declaring the urgency of this act, and providing that the same shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1027—An act to amend sections 1 and 2 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended, vesting administration of said act in the State Board of Control, abolishing the Civil Service Commission and transferring all of the powers, duties, jurisdiction and responsibilities of said commission to said State Board of Control.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 15 of the title of the printed bill, strike out the words "State Board of Control", and insert in lieu thereof the words "State Personnel Board".

AMENDMENT NUMBER TWO.

In line 19 of the title of the printed bill, strike out the words "State Board of Control", and insert in lieu thereof the words "State Personnel Board".

AMENDMENT NUMBER THREE.

On page 2, line 13, of the printed bill, strike out the words "'State Board of Control'", and insert in lieu thereof the words "'State Personnel Board'".

AMENDMENT NUMBER FOUR.

On page 2, lines 14 and 15, of the printed bill, strike out the words "State Board of Control", and insert in lieu thereof the words "State Personnel Board".

AMENDMENT NUMBER FIVE.

On page 2, line 37, of the printed bill, strike out the words "The State Board of Control", and insert in lieu thereof the following: "The State Personnel Board shall be composed of the State Controller, the Director of Finance, and the Legislative Council, which board".

AMENDMENT NUMBER SIX.

On page 2, line 46, of the printed bill, strike out the words "State Board of Control", and insert in lieu thereof the words "State Personnel Board".

AMENDMENT NUMBER SEVEN.

On page 2, lines 47 and 48, of the printed bill, strike out the words "State Board of Control", and insert in lieu thereof the words "State Personnel Board".

AMENDMENT NUMBER EIGHT.

On page 2, line 52, of the printed bill, strike out the words "State Board of Control", and insert in lieu thereof the words "State Personnel Board".

AMENDMENT NUMBER NINE.

On page 3, line 6, of the printed bill, strike out the words "State Board of Control", and insert in lieu thereof the words "State Personnel Board".

AMENDMENT NUMBER TEN.

On page 3, line 8, of the printed bill, strike out the words "State Board of Control", and insert in lieu thereof the words "State Personnel Board".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 644—An act to repeal section 9mm of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the thirty-ninth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 206—An act to amend section 9a38 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act.'" approved February 25, 1911, as amended, relating to librarians in counties of the thirty-eighth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 915—An act to amend section 2322x50 of the Political Code, relating to the office of agricultural commissioner in counties of the fiftieth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 917—An act to amend section 4279 of the Political Code, relating to compensation of county and township officers in counties of the fiftieth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 336—An act to add a new section to be numbered 52¼ to an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to the jurisdiction of the Railroad Commission over and defining affiliated interests of public utilities.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Concurrent Resolution No. 23—Relative to special Joint Rules for the fiftieth session of the Legislature.

Senate Concurrent Resolution No. 23 read.

FLOOR AMENDMENTS.

During reading of Senate Concurrent Resolution No. 23, the following amendments were submitted by Mr. Robinson, C. Ray:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed measure, strike out the semicolon and the balance of the line, and insert in lieu thereof the word "and".

AMENDMENT NUMBER TWO.

On page 1, after line 4, of the printed measure, insert the following new paragraph: "WHEREAS, This resolution was amended in the Assembly providing for a recess of the Legislature from May 12th until the seventeenth day of July, 1933, now therefore be it".

AMENDMENT NUMBER THREE.

On page 1, line 14, of the printed measure, strike out "April 24th", and insert in lieu thereof "May 1st".

AMENDMENT NUMBER FOUR.

On page 1, line 17, of the printed measure, strike out the numeral "1", and insert in lieu thereof the numeral "8".

AMENDMENT NUMBER FIVE.

On page 1, line 23, of the printed measure, strike out the word "fifth", and insert in lieu thereof the word "twelfth".

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Robinson, C. Ray, asked for unanimous consent to take up Senate Concurrent Resolution No. 23, at this time, without reference to file.

Mr. Hornblower objected to unanimous consent.

Senate Concurrent Resolution No. 23 ordered to reprint, and on file for adoption.

Senate Joint Resolution No. 18—Relative to memorializing the Congress of the United States to adopt legislation protecting and fostering the rubber industry of the United States.

Senate Joint Resolution No. 18 read.

The question being on the adoption of Senate Joint Resolution No. 18.

The roll was called, and Senate Joint Resolution No. 18 adopted by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Woolwine and Wright—56.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 18 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 18.

Relative to memorializing the Congress of the United States to adopt legislation protecting and fostering the rubber industry of the United States

WHEREAS, One of the greatest needs of this Nation is immediate relief of unemployment, both agricultural and industrial, and normally functioning private industry offers the most desirable employment opportunities; and

WHEREAS, It has been fully demonstrated and proven that a large portion of the rubber consumed in the United States could and would be produced in the United States if the industry was properly assisted and protected; and

WHEREAS, The production of rubber used in the United States would necessitate the use of thousands of acres of land now producing competitive crops that are actually not bringing the producers the cost of production but are serving to produce an overproduction of various crops thereby lessening the profits to all concerned; and

WHEREAS, The milling of the rubber would require the construction of many mills, thereby giving the different industries involved in producing materials for such factory construction, employment and the actual operation of said mills would give employment to large numbers of industrial workers; and

WHEREAS, The government of the United States is being deprived of vast customs revenue which are so vitally needed at this time; and

WHEREAS, There are several thousands of acres of Guayule rubber in the Salinas and Santa Maria valleys, which is ready to be harvested and made into rubber but which is not being harvested due to the present price of rubber; and

WHEREAS, The immediate need is a clause in government supply bills requiring the purchase of rubber grown in the United States, in the same manner that other American products are included; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California respectfully urges and memorializes the Congress of the United States, now in special session, to enact legislation imposing a tariff on rubber and to include in the government supply bills a requirement that rubber purchased be grown in the United States; and be it further

Resolved, That the Legislature of the State of California requests the honorable Senators and Representatives in the Congress of the United States to use every honorable means to secure the adoption of such legislation; and be it further

Resolved, That the Governor is respectfully requested to send copies of this resolution to the President of the United States and to the Senators and Representatives of the State of California in Congress, and be it further

Resolved, That the Governor is respectfully requested to send copies of this resolution to the Governors of all the States of the United States, requesting that the Legislature of all the States pass and present similar memorials to Congress.

UNFINISHED BUSINESS.

Assembly Bill No. 317—An act to amend sections 1, 5, 10, 11, 13 and 15 of, and to add new sections to be numbered 1a to 1d, inclusive, and 10a to 10g, inclusive, to "An act to regulate the sale, possession, distribution and use of habit forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 317?

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title of the printed bill, as amended, after "numbered", insert the following: "1a to 1d, inclusive, and".

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, as amended, between lines 5 and 6, insert the following:

"SEC. 1½. Sections 1a, 1b, 1c and 1d are hereby added to said act to read as follows:".

The roll was called, and Senate amendments to Assembly Bill No. 317 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Lyon, Martin, McBride, McCarthy, Meeker, Miller, Eleanor; Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson and Mr. Speaker—55.

NOES—None.

The above reported bill ordered to enrollment.

RECONSIDERATION WAIVED.

Mr. Rawls waived his notice to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was refused adoption.

RECONSIDERATION WAIVED.

Mr. Stream waived his notice to reconsider the vote whereby Assembly Bill No 1430 was passed.

Assembly Bill No. 1430 ordered transmitted to the Senate.

MOTION TO RECONSIDER.

Mr. Utt moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 147 was refused passage be continued until the next legislative day.

Motion carried.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Joint Resolution No. 19—Relative to approval by the President of the United States of a project for the completion of the John Muir Trail under the provisions of act of Congress approved March 31, 1933.

Senate Joint Resolution No. 19 read.

The question being on the adoption of Senate Joint Resolution No. 19.

The roll was called, and Senate Joint Resolution No. 19 adopted by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier,

Gilmore, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine and Mr. Speaker—58.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 19 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 19.

Relative to approval by the President of the United States of a project for the completion of the John Muir Trail under the provisions of Act of Congress approved March 31, 1933.

WHEREAS, The seventy-third Congress of the United States of America at its first session adopted on March 31, 1933, an act entitled "An act for the relief of unemployment through the performance of useful public work, and for other purposes," under which the President of the United States is authorized to select projects qualifying for construction in accordance with the purpose of the act; and

WHEREAS, The State of California, in cooperation with the United States government, has for a number of years been constructing a memorial trail, known as the John Muir Trail, along the Sierra Nevada range in Yosemite and Sequoia National Parks, and in the Sierra and Sequoia National Forests; and

WHEREAS, This project, being useful for fire protection purposes, public enjoyment and general utilization of these government reservations, is considered well qualified for adoption under the act; and

WHEREAS, The construction work on this project is of such character as to utilize a maximum amount of unskilled labor, in proportion to total expenditures, and is of an ideal nature to afford employment to large numbers of men in conformity with the intention of the act approved by the President of the United States on March 31, 1933; and

WHEREAS, The project is at present in such a state of incompletion as to be only partially useful, and it would be highly desirable that the said John Muir Trail be completed between Yosemite and Sequoia National Parks, and be extended from Yosemite National Park to Lake Tahoe, in El Dorado National Forest, on the north, and be extended southerly from Sequoia National Park, through the Kern River Canyon, to connect with the national forest road system of Sequoia National Forest; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, at the fiftieth session of the California Legislature, commencing on the second day of January, 1933, a majority of all the members elected to each house of said Legislature voting in favor thereof, That the President of the United States be respectfully requested to adopt the John Muir Trail as a unit in the program under said Emergency Unemployment Relief Act, and cause said project, together with said extensions and incidental facilities necessary to the safety and protection of the users thereof, to be completed during the current calendar year.

Resolved, further, that certified copies of the foregoing resolution be forwarded by the Governor of the State of California to the President of the United States, to the Secretary of the United States Department of Agriculture, and to each of the Senators and Representatives of the State of California in Congress.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1154—An act to amend section 9 of an act entitled "An act to authorize and regulate the employment of prisoners in the State prisons of this State and to provide for the disposition of the products of their skill and labor," approved February 23, 1911, relating to products exempt from the provisions of that act and specifically providing that jute and jute products shall after a certain time be governed by the provisions of said act, and to repeal all laws inconsistent with said act as so amended.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1154 was withdrawn from the file, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 246—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "registered sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates; prescribing the powers and duties of the State board; prescribing conditions under which the title "registered sanitarian" or the placing of the initials "R. S." may be used after the names of certificate holders; providing penalties for violations hereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Dempster:

AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill, after "Board of", insert the following: "Public".

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, after "Board of", insert the following. "Public".

AMENDMENT NUMBER THREE.

On page 2, line 5, of the printed bill, after "Board of", insert the following: "Public".

AMENDMENT NUMBER FOUR.

On page 2, line 7, of the printed bill, after "Board of", insert the following: "Public".

AMENDMENT NUMBER FIVE.

On page 2, line 26, of the printed bill, after "Board of", insert the following: "Public".

AMENDMENT NUMBER SIX.

On page 2, line 34, of the printed bill, after "Board of", insert the following: "Public".

AMENDMENT NUMBER SEVEN.

On page 2, line 42, of the printed bill, after "Board of", insert the following: "Public".

AMENDMENT NUMBER EIGHT.

On page 2, line 46, of the printed bill, after "Board of", insert the following: "Public".

AMENDMENT NUMBER NINE.

On page 2, line 50, of the printed bill, after "of", insert the following: "Public".

AMENDMENT NUMBER TEN.

On page 3, line 6, of the printed bill, after "Board of", insert the following: "Public".

AMENDMENT NUMBER ELEVEN.

On page 3, line 9, of the printed bill, after "Board of", insert the following: "Public".

AMENDMENT NUMBER TWELVE.

On page 3 of the printed bill, strike out line 15, and insert in lieu thereof the following: "county, or other political subdivision thereof, except a city and county operating under a freeholders' charter, adopted under the provisions of section 8 of Article XI of the State Constitution.".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 39, of the printed bill, after "Board of", insert the following: "Public".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 1, of the printed bill, after "Board of", insert the following: "Public".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 10, of the printed bill, after "of", insert the following: "Public".

Amendments adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 777—An act to amend sections 1, 3, 4, 5, 10, 12, 13 and 23 of the Direct Primary Law, relating to the time of holding primary elections.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Martin:

AMENDMENT NUMBER ONE.

On page 13 of the printed bill, strike out lines 21 to 52, inclusive, and on page 14, strike out lines 1 to 25, inclusive.

AMENDMENT NUMBER TWO.

On page 14, line 26, of the printed bill, strike out the letter "(*l*)", and insert in lieu thereof the letter "(k)".

AMENDMENT NUMBER THREE.

On page 14, line 50, of the printed bill, strike out the letter "(m)", and insert in lieu thereof the letter "(*l*)".

AMENDMENT NUMBER FOUR.

On page 15, line 3, of the printed bill, strike out the letter "(n)", and insert in lieu thereof the letter "(m)".

Amendments adopted.

Bill read, ordered to reprint, engrossment, and third reading.

UNFINISHED BUSINESS—(RESUMED).

MOTION TO RECONSIDER.

Mr. Woolwine moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 26 was refused adoption be continued until the next legislative day.

Motion carried.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Cobb: Assembly Constitutional Amendment No. 113—Proposed amendment to Article VI of the Constitution, relative to the Judicial Department of the State government.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Scudder: Assembly Concurrent Resolution No. 49—Relative to directing the Department of Public Works to investigate taking over the toll road in Marin County approaching Muir Woods.

Introduced, and referred to Committee on Roads and Highways.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 1978—An act to amend sections 621 and 622 of the Agricultural

Code, relating to dairies and dairy products—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROBINSON, SAMUEL E., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 2376—An act to add a new section to the Agricultural Code, to be numbered 234.5, relating to bovine tuberculosis—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ROBINSON, SAMUEL E., Chairman.

The above reported bill ordered on file for second reading.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 112—An act to add a new section to the Penal Code to be numbered 146b, relating to badges and other insignia of authority of sheriffs, chiefs of police, constables, or peace officers, and providing penalties for the violation hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 582—An act to amend section 761 of the Vehicle Code, relating to penalties for violations of certain provisions of the code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Motor Vehicles.

MILLER, ELEANOR, Chairman.

The above reported bill ordered re-referred to Committee on Motor Vehicles.

Also:

MR SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 26—An act to amend section 1272 of the Penal Code, relating to bail after conviction and pending appeal—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 1017—An act to add a new section to the Penal Code, to be numbered 1193a, relating to terms of imprisonment—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 367—An act to add section 146b to the Penal Code, relating to unlawful acts by public officers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 265—An act to amend section 1203 of the Penal Code, relating

to recommendations of probation officers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 75—An act to repeal "An act making it a misdemeanor to sell or exchange property under the representation, advertisement, notice or inducement that an unidentified, unknown, unselected, or chance prize, premium or premium-gift, or that a stamp, trading-stamp, coupon or other like device entitling the holder to receive such a prize, premium or premium-gift, or that the redemption of such a stamp, trading-stamp, coupon or other like device so given is to be part of the transaction, or to sell or exchange any trading-stamp, stamp, coupon, or other like device to aid such sale or exchange, as aforesaid, and providing a penalty therefor," approved March 7, 1905—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MILLER, ELEANOR, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON BUILDING AND LOAN ASSOCIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 1427—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, to provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and part of acts inconsistent therewith," being Statutes 1931, page 483, as approved May 5, 1931, by amending the title and adding sections 6.09 and 13.20, repealing section 6.05 and amending sections 6.08, 13.11 and 13.12 so as to first require a day in court before the commissioner may take possession; require the commissioner to agree to reorganizations agreed upon by sixty per cent of the creditors of any seized association, and authorizing building and loan associations and their custodians, receivers, etc., to purchase certificates at less than par or to trade real estate for certificates—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ROBERTS, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 352—An act to amend section 1262 of the Agricultural Code, relating to produce dealers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ROBINSON, SAMUEL E., Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1543, as amended by the Senate—An act to amend section 2349 of the Political Code, relating to navigable streams and public water

ways—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

MALONEY, Chairman.

The above reported bill ordered placed on daily calendar.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 205—An act to add section 542c to the Code of Civil Procedure, relating to dissolution of attachments;

Also: Assembly Bill No. 262—An act to amend section 860 of the Penal Code, relating to preliminary examination in criminal prosecutions,

Also: Assembly Bill No. 1198—An act to appropriate and transfer funds to the "State employees' retirement fund" from moneys allocated and payable to the county of Los Angeles from the "Motor vehicle fund" to cover deficiencies in the "State employees' retirement fund" arising out of the transfer of the Los Angeles County motor patrol to the California Highway Patrol;

Also: Assembly Bill No. 1234—An act to amend section 19x32 of the Juvenile Court Law, relating to probation officers in counties of the thirty-second class;

Also: Assembly Bill No. 1477—An act to amend section 10 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act," approved May 24, 1927, relating to the deposit of public funds;

Also: Assembly Bill No. 1621—An act transferring from the highway maintenance fund to the general fund an amount equal to the interest due upon moneys paid from the general fund pursuant to the provisions of Chapter 400, Statutes of 1931;

Also: Assembly Bill No. 1627—An act to amend section 2322x53 of the Political Code, relating to the office of the agricultural commissioner in counties of the fifty-third class;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1928—An act making an appropriation to pay the claim of Continental Oil Company against the State of California;

Also: Assembly Bill No. 1930—An act making an appropriation to pay the claim of California Union Insurance Company against the State of California;

Also: Assembly Bill No. 1933—An act making an appropriation to pay the claim of the Barber Asphalt Company against the State of California;

Also: Assembly Bill No. 1935—An act making an appropriation to pay the claim of the Associated Indemnity Company against the State of California;

Also: Assembly Bill No. 1948—An act to provide for the payment of the proportionate share of bonded indebtedness levied against property subsequently acquired by the State or a political subdivision thereof for public purposes;

Also: Assembly Bill No. 1985—An act making an appropriation to reimburse the general fund for moneys advanced from the emergency fund for the support of the fuel tax for the Motor Vehicle Fuel Tax Refund Division of the State Controller and the Fuel Tax Division of the State Board of Equalization;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2135—An act to amend section 12 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897, relating to admissions to the Veterans' Home;

Also: Assembly Bill No. 2369—An act to amend section 1 of, and to add section 1a to, an act entitled "An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains

and conduits, electric light and power lines, telephone and telegraph lines, and sewers and appurtenances thereof, across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined," approved May 2, 1923, relating to municipal corporations,

Also: Assembly Bill No. 2372—An act providing for the licensing and regulation of the business of growing and marketing Valencia oranges; creating the California Valencia Orange Marketing Control Board in connection therewith; and prescribing penalties for the violation of the provisions hereof;

Also: Assembly Bill No 2384—An act to amend section 654a of the Penal Code, prohibiting false advertising and the misleading use of comparative prices;

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 37—Relating to rewriting veterans' contracts for purchase of land in certain cases—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Concurrent Resolution No. 37 ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2073—An act to amend section 1 of an act entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, relating to the refunding of indebtedness of any incorporated city or town other than cities of the first class or of any department, board or special fund thereof—and reports that the same has been correctly re-engrossed

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 26, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 199—An act to amend section 737zz of the Political Code, relating to the superior judge in and for the county of Tehama;

Also: Senate Bill No. 200—An act to amend section 737k of the Political Code, relating to the superior judge in and for the county of Glenn.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 199 and 200 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1060—An act to amend section 453ee of the Civil Code, relating to investments authorized to be made by mortgage insurance companies—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered re-referred to Committee on Insurance.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 322—An act

authorizing the purchase of outstanding bonds issued pursuant to the provisions of the act, entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works, and public utilities; for the issuance, sale, and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended, from sinking funds, the cancellation thereof, and providing the procedure therefor—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered re-referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 767—An act to add a new section to the Fair Trade Act to be numbered 1½, relating to unfair competition;

Also: Assembly Bill No. 769—An act to add section 1c to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair trade practice;

Also: Assembly Bill No. 391—An act to amend sections 2 and 7 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting government and municipal control of such annexed territory," approved June 11, 1913, relating to the annexation of territory to municipal corporations;

Also: Assembly Bill No. 380—An act to amend section 1255a of the Code of Civil Procedure, relating to the abandonment of condemnation proceedings;

Also: Assembly Bill No. 737—An act to add section 4½ to an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893, as amended, relating to the issuance of bonds;

Also: Assembly Bill No. 740—An act to add section 25½ to an act entitled the "Street Improvement Act of 1913," relating to the issuance of bonds.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 741—An act to add section 4a to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended, relating to the issuance of bonds;

Also: Assembly Bill No. 742—An act to add section 5½ to an act entitled the Grade Separation Act of 1927, relating to the issuance of bonds;

Also: Assembly Bill No. 744—An act to add section 63a to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the issuance of bonds;

Also: Assembly Bill No. 1125—An act to amend section 623 of the Political Code, relating to bonds required of insurance companies to insure payment of taxes;

Also: Assembly Bill No. 931—An act to amend sections 4.960 and 4.975 of the School Code, relating to school district bonds and the application of proceeds therefrom;

Also: Assembly Bill No. 988—An act to amend section 4.770 of the School Code, relating to teacher units;

Also · Assembly Bill No. 820—An act to amend section 921 of the Political Code, relating to purchases and sales of county, State, township and city officers.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1804—An act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain State buildings and grounds.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Crowley:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out "one-half", and insert in lieu thereof the following: "one".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, after line 10, add the following:

"3. Except within the distances of the grounds belonging to the University of California at Berkeley or the University Farm at Davis, or within the limits of the grounds adjacent and belonging thereto, or within the State Capitol or the limits of the grounds adjacent and belonging thereto, as mentioned in subdivision 1 of this section, the provisions hereof shall not apply to the sale, gift, or exposing or offering for sale of beer, lager beer, ale, porter, wine, similar fermented malt or vinous liquor or fruit juice containing one-half of one per cent or more of alcohol by volume and not more than three and two-tenths per cent of alcohol by weight."

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

RESOLUTION.

The following resolution was offered:

By Mr. Tournoux:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: We, the undersigned members of the Assembly, hereby move that Assembly Bill No. 1044 be withdrawn from the Committee on Judiciary.

AUSTIN L. TOURNOUX.
JOSEPH P. GILMORE.
JAMES J. BOYLE.
JAMES S. O'CONNOR.
FRANK G. MARTIN.
CHARLES W. STREAM.
MAURICE MEEKER.
RODNEY L. TURNER.
HOBART R. ALTER.
FRANK ROGERS.
F. M. ROBERTS.
WM. B. HORNBLOWER.
BRUCE R. STANNARD.
JESSE M. MAYO.
HERBERT S. HALLNER
P. J. MCMURRAY.
CLARE WOOLWINE.
J. E. FRAZIER.
JOHN D. MCCARTHY.
JOHN H. O'DONNELL.
CHARLES W. DEMPSTER.
CHARLES A. HUNT.
WALTER H. SULLIVAN.
E. H. ZION.
BERT V. CALLAHAN.
HENRY P. MEEHAN.
ERNEST C. CROWLEY.
ALBERT F. ROSS.
J. A. MALONEY.
CLIFFORD C. ANGLIM.
MICHAEL J. BURNS.
JAMES M. CASSIDY.
CECIL R. KING.
WM. MOSELEY JONES.
JAMES J. MCBRIDE.
C. RAY ROBINSON.
W. E. BADHAM.
HARRY B. RILEY.
C. W. GRUBBS.
G. B. BOWERS.
GEORGE R. BLISS.
MELVYN I. CRONIN.
ELLIS E. PATTERSON.
JOHN T. RAWLS.
S. E. ROBINSON.
JOHN PHILLIPS.
ELEANOR MILLER.

Assembly Bill No. 1044 ordered on file for second reading.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At five o'clock and ten minutes p.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the application for the two positions set forth below and desires to submit the following resolution:

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

	Per day (Sundays excepted)
Commencing April 24, 1933—	
Ralph Bishop, Page	$2 50
Commencing April 24, 1933, to April 29, inclusive—	
Billy Badham, Page	$2 50

CRAIG, Chairman.

The question being on the adoption of the report and resolution.

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Wright—71.

NOES—None.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 180—An act to amend section 1197 of the Political Code, relating to election ballots.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 180 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Latham, Levey, Lyon, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Tournoux, Turner, West, Williamson, Woolwine and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At five o'clock and twenty minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At five o'clock and twenty-two minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Lyon.

The roll of absentees was called, and Senate Constitutional Amendment No 30 was refused adoption by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Latham, Lyon, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Turner, Utt, Wright and Zion—52.

NOES—Badham, Boyle, Callahan, Cobb, Cronin, Feigenbaum, Field, Gilmore, Hornblower, Hunt, King, Knowland, Levey, Maloney, McCarthy, McMurray, Miller, James A., O'Connor, Redwine, Riley, Roberts, Robinson, C. Ray; Sullivan, Tournoux, West, Williamson, Woolwine and Mr. Speaker—28.

MOTION TO PRINT.

On motion of Miss Miller, Eleanor, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No 1806

NOTICE OF RECONSIDERATION.

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Constitutional Amendment No 30 was this day refused adoption.

ADJOURNMENT.

At five o'clock and thirty minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a. m., Thursday, April 27, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, April 27, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus.

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. Crist moved a call of the House.

Motion carried.

Time, ten o'clock and five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Bliss, Boyle, Cassidy, Crist, Dempster, Evans, Kallam, Latham, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Patterson, Riley, Stannard, Stream, Sullivan, Thorp, West, Zion and Mr. Speaker—22.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

HON. MAURICE S. MEEKER IN THE CHAIR.

At ten o'clock and ten minutes a.m., Hon. Maurice S. Meeker, member of the Assembly from the Thirty-seventh Assembly District, in the chair.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and fifteen minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

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

Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—70.

The Speaker declared a quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Stream, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Williamson, Mrs. Frank Crist and Frank Lee Crist, Junior, wife and son of Representative Crist of Palo Alto, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. McMurray, Mr. George Lovejoy was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the council of the city of Los Angeles, relative to Assembly Bill No. 1595

(Signed) ROBT. DOMINGUEZ, City Clerk.

Also:

By Mr. Speaker:

From Miss E S. Bickley, 1462 Twelfth Avenue, San Francisco, California, favoring Assembly Bill No. 908.

Also:

By Mr. Speaker:

From Investors Pacific States Saving and Loan Company, opposing any more restrictions on withdrawals

(Signed) JOHN MARTIN.
MABEL LARSEN.
339 Hearst Avenue, San Francisco, California.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 315—An act relating to employers and employees, declaring public policy in respect to voluntary agreements between them, prohibiting certain agreements between them in respect to membership in employer organizations or in labor organizations, defining the rights, privileges and obligations of employers and employees in labor disputes, defining and limiting the jurisdiction of courts, including courts of equity, in cases involving or incident to or growing out of labor disputes, and prescribing means for enforcement of the provisions of the act—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No 892—An act to add section 11a to an act entitled "An act to aid commerce and navigation by authorizing certain improvements in and about Islais Creek and as a means thereof creating a reclamation district to be called and known as the 'Islais Creek Reclamation District,' fixing the boundaries thereof, providing for the management and control thereof, vesting certain powers therein, and authorizing a method for the reclamation of the lands of said district, and to aid or assist such works of reclamation, granting to the City and County of San Francisco and its successors any title of the State in or to any public highways lying in said district with certain reservations; and dissolving any reclamation district wholly situate within the boundaries of said Islais Creek Reclamation District," approved April 6, 1925, relating to delinquent installments of assessments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 331—An act to amend the Political Code by amending sections 3456, 3457, 3466, 3480 and 3480b, and by repealing section 3480c, all relating to reclamation districts, and containing a provision declaring this act to be an emergency measure stating the facts constituting such emergency and providing this act shall take effect immediately upon its passage—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1217—An act to amend section 312 of the Agricultural Code, relating to meat inspection.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 27, of the printed bill, following the word "establishment", insert the words "under State inspection".

AMENDMENT NUMBER TWO.

On page 1, line 27, of the printed bill, strike out the word "the".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of lines 1 and 2, and the words "retirement fund.", in line 3, and insert in lieu thereof the following: "a sum equal

to the total salaries and premiums on account of workmen's compensation insurance made to or on the account of all the inspectors in such establishment."

AMENDMENT NUMBER FOUR.

On page 2, line 5, of the printed bill, following the word "salaries", insert the following: "and premiums on account of workmen's compensation insurance".

AMENDMENT NUMBER FIVE.

On page 2, line 5, of the printed bill, following the word "inspectors", insert a period.

AMENDMENT NUMBER SIX.

On page 2, line 8, of the printed bill, following the word "advance", insert a period.

AMENDMENT NUMBER SEVEN.

On page 2, line 10, of the printed bill, following the word "establishment", insert the words "under State inspection".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1610—An act to amend section 6 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs, and making an appropriation therefor," approved March 11, 1907.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, at the end of line 16, strike out the period, and insert in lieu thereof a semicolon and the following: "and in case of poultry: if they have been kept or packed in cold storage, or otherwise preserved, they must be so indicated by written or printed label or placard plainly designating such fact when offered or exposed for sale."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 572—An act to amend section 2322x20 of the Political Code, relating to the salary of the agricultural commissioner, his deputies and inspectors in counties of the twentieth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out "nine", and insert in lieu thereof the following: "six".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, strike out "three", and in line 12 of the printed bill, strike out "thousand", and insert in lieu thereof the following: "two thousand seven hundred".

AMENDMENT NUMBER THREE.

On page 1, line 13, of the printed bill, strike out "seven", and insert in lieu thereof the following: "four".

AMENDMENT NUMBER FOUR.

On page 1, line 15, of the printed bill, strike out "seven", and insert in lieu thereof the following: "one".

AMENDMENT NUMBER FIVE.

On page 1, line 19, of the printed bill, strike out "nine hundred twenty", and insert in lieu thereof the following: "eight hundred".

AMENDMENT NUMBER SIX

On page 1, line 21, of the printed bill, strike out "eighty", and insert in lieu thereof the following: "twenty".

AMENDMENT NUMBER SEVEN.

On page 1, line 25, of the printed bill, strike out "twenty-one thousand two hundred forty", and insert in lieu thereof the following: "twenty thousand two hundred".

AMENDMENT NUMBER EIGHT.

On page 1, line 27, of the printed bill, strike out "forty", and insert in lieu thereof the following: "twenty-five".

AMENDMENT NUMBER NINE.

On page 2, line 1, of the printed bill, strike out "four", and insert in lieu thereof the following: "three".

AMENDMENT NUMBER TEN.

On page 2 of the printed bill, strike out lines 3 to 8, inclusive, and insert in lieu thereof the following: "one hundred dollars each during the time actually employed."

AMENDMENT NUMBER ELEVEN.

On page 2, line 11, of the printed bill, strike out "six hundred twenty", and insert in lieu thereof the following: "five hundred".

AMENDMENT NUMBER TWELVE.

On page 2, line 12, of the printed bill, strike out "three hundred twenty", and insert in lieu thereof the following: "two hundred".

AMENDMENT NUMBER THIRTEEN.

On page 2 of the printed bill, after line 15, insert the following:

"(e) Deputies and employees shall be allowed five cents per mile for each mile actually and necessarily traveled in the performance of their official duties, when such traveling is done in motor vehicles not owned by the county."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 575—An act to amend section 4249 of the Political Code, relating to compensation of county and township officers in counties of the twentieth class, approved May 11, 1931.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out "four thousand", and insert in lieu thereof the following: "three thousand six hundred".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, strike out "seven", and insert in lieu thereof the following: "four".

AMENDMENT NUMBER THREE.

On page 1, line 25, of the printed bill, strike out "ten", and insert in lieu thereof the following: "eight".

AMENDMENT NUMBER FOUR.

On page 2, line 10, of the printed bill, after the period, add the following: "All fees, commissions and perquisites collected by the clerk from whatever source received shall belong to the county and shall be paid by the clerk into the county treasury."

AMENDMENT NUMBER FIVE.

On page 2, line 11, of the printed bill, strike out "five thousand", and insert in lieu thereof the following: "four thousand five hundred".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out lines 16 to 20, inclusive, and insert in lieu thereof the following: "of three thousand dollars per annum; one deputy sheriff at a salary of two thousand seven hundred dollars per annum; one deputy

sheriff at a salary of two thousand two hundred fifty dollars per annum; six deputy sheriffs at a salary of two thousand one hundred sixty dollars each per annum; one deputy sheriff at a salary of one thousand six hundred dollars per annum, who".

AMENDMENT NUMBER SEVEN.

On page 2, line 23, of the printed bill, strike out "two hundred", and insert in lieu thereof the following: "three hundred fifty".

AMENDMENT NUMBER EIGHT.

On page 2, line 26, of the printed bill, strike out "five hundred", and insert in lieu thereof the following: "three hundred fifty".

AMENDMENT NUMBER NINE.

On page 2, line 28, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following: "one deputy, who shall be matron, who shall receive a salary of one thousand three hundred fifty dollars per annum."

AMENDMENT NUMBER TEN.

On page 2, line 41, of the printed bill, strike out "four thou-", and in line 42, strike out "sand", and insert in lieu thereof the following: "three thousand six hundred".

AMENDMENT NUMBER ELEVEN.

On page 2, line 49, of the printed bill, strike out "two thousand one", and insert in lieu thereof the following: "one thousand eight".

AMENDMENT NUMBER TWELVE.

On page 2, line 51, of the printed bill, strike out "eight", and insert in lieu thereof the following: "five".

AMENDMENT NUMBER THIRTEEN.

On page 3 of the printed bill, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following: "one thousand two hundred dollars per annum The salaries of the deputies here-".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 10, of the printed bill, strike out "six", and insert in lieu thereof the following: "five".

AMENDMENT NUMBER FIFTEEN.

On page 3, line 11, of the printed bill, strike out "six", and insert in lieu thereof the following: "five".

AMENDMENT NUMBER SIXTEEN.

On page 3, line 20, of the printed bill, strike out "five", and insert in lieu thereof the following: "six".

AMENDMENT NUMBER SEVENTEEN.

On page 3 of the printed bill, strike out lines 23 to 26, inclusive, and insert in lieu thereof the following: "one thousand eight hundred dollars per annum; two deputies who shall be appointed by the auditor and who shall be paid a salary of one thousand five hundred dollars each per annum; two deputies, who shall be appointed by the auditor".

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 27, of the printed bill, strike out "five", and insert in lieu thereof the following: "two".

AMENDMENT NUMBER NINETEEN.

On page 3, line 32, of the printed bill, strike out "one", and insert in lieu thereof the following: "two".

AMENDMENT NUMBER TWENTY.

On page 3, line 34, of the printed bill, after the period, insert the following: "All fees, commissions, and perquisites collected by the auditor from whatever source received, shall belong to said county and shall be paid by the auditor into the county treasury."

AMENDMENT NUMBER TWENTY-ONE.

On page 3, line 36, of the printed bill, after "sand", insert the following: "six hundred".

AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 39, of the printed bill, strike out "two thousand four", and insert in lieu thereof the following: "one thousand eight".

AMENDMENT NUMBER TWENTY-THREE.

On page 3, line 45, of the printed bill, strike out "two", and insert in lieu thereof the following: "four".

AMENDMENT NUMBER TWENTY-FOUR.

On page 3, line 47, of the printed bill, strike out "four thousand", and insert in lieu thereof the following: "three thousand six hundred".

AMENDMENT NUMBER TWENTY-FIVE.

On page 4 of the printed bill, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following: "two thousand one hundred dollars per annum, two field deputies, who shall receive a salary of one thousand eight hundred dollars each per annum, and said deputies shall receive not to exceed".

AMENDMENT NUMBER TWENTY-SIX.

On page 4, line 7, of the printed bill, strike out "three", and insert in lieu thereof the following: "four".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 4, line 8, of the printed bill, strike out "five", and insert in lieu thereof the following: "two".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 4 of the printed bill, strike out lines 18 to 22, inclusive, and insert in lieu thereof the following: "county. The county assessor may also appoint: one deputy for six months in each year at a compensation of eighty-five dollars per month; two deputies for five months in each year at a compensation of eighty-five dollars per month; six deputies for four months in each year at a compensation of one hundred dollars per month; two deputies for three months in each year at a compensation of eighty-five dollars per month; provided, that said deputies, unless transportation is pro-".

AMENDMENT NUMBER TWENTY-NINE.

On page 4, line 34, of the printed bill, after "sand", insert the following: "six hundred".

AMENDMENT NUMBER THIRTY.

On page 4, line 37, of the printed bill, strike out "two thousand four", and insert in lieu thereof the following: "one thousand eight".

AMENDMENT NUMBER THIRTY-ONE.

On page 4, line 43, of the printed bill, after the period, insert the following: "All fees, commissions, and perquisites collected by the treasurer from whatever source received, shall belong to said county and shall be paid by the treasurer into the county treasury."

AMENDMENT NUMBER THIRTY-TWO.

On page 4, line 45, of the printed bill, strike out "eight hundred", and insert in lieu thereof the following: "three hundred fifty".

AMENDMENT NUMBER THIRTY-THREE.

On page 4 of the printed bill, strike out lines 49 to 52, inclusive, and on page 5, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following: "sand dollars per annum; two deputies to be appointed by the district attorney, who shall receive a salary of two thousand four hundred dollars each per annum; one stenographer, to be appointed by the district attorney, and who shall receive a salary of one thousand six hundred twenty dollars per annum; one stenographer, to be appointed by the district attorney, and who shall receive a salary of one thousand five hundred dollars per annum; and one stenographer, to be appointed by the district attorney who shall receive a salary of one thousand three hundred fifty dollars".

AMENDMENT NUMBER THIRTY-FOUR.

On page 5, line 18, of the printed bill, strike out "four thousand", and insert in lieu thereof the following: "three thousand six hundred".

AMENDMENT NUMBER THIRTY-FIVE.

On page 5, line 29, of the printed bill, strike out "two thousand one", and insert in lieu thereof the following: "one thousand eight".

AMENDMENT NUMBER THIRTY-SIX.

On page 5, line 32, of the printed bill, strike out "five hundred", and insert in lieu thereof the following: "three hundred fifty".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 5, line 39, of the printed bill, after the period, insert the following: "All fees, commissions, and perquisites collected by the superintendent of schools from whatever source received, shall belong to said county and shall be paid by the superintendent of schools into the county treasury."

AMENDMENT NUMBER THIRTY-EIGHT.

On page 5, line 40, of the printed bill, strike out "two thou-", and on page 5, line 41, strike out "sand five", and insert in lieu thereof the following: "three thousand six".

AMENDMENT NUMBER THIRTY-NINE.

On page 5, line 51, of the printed bill, strike out "three thou-", and in line 52, strike out "sand", and insert in lieu thereof the following: "two thousand seven hundred".

AMENDMENT NUMBER FORTY.

On page 6, line 1, of the printed bill, strike out "seven", and insert in lieu thereof the following: "four".

AMENDMENT NUMBER FORTY-ONE.

On page 6, line 3, of the printed bill, strike out "four", and insert in lieu thereof the following: "one".

AMENDMENT NUMBER FORTY-TWO.

On page 6, line 5, of the printed bill, strike out "eight", and insert in lieu thereof the following: "five".

AMENDMENT NUMBER FORTY-THREE.

On page 6, line 6, of the printed bill, strike out "five hundred", and insert in lieu thereof the following: "three hundred fifty".

AMENDMENT NUMBER FORTY-FOUR

On page 6, line 26, of the printed bill, strike out "twenty", and in line 27, strike out "five", and insert in lieu thereof the following: "two and 50/100".

AMENDMENT NUMBER FORTY-FIVE.

On page 6, line 28, of the printed bill, strike out "fifty", and insert in lieu thereof the following: "thirty-five".

AMENDMENT NUMBER FORTY-SIX.

On page 6, line 30, of the printed bill, strike out "eighty", and insert in lieu thereof the following: "seventy-two".

AMENDMENT NUMBER FORTY-SEVEN.

On page 6, line 32, of the printed bill, strike out "forty", and insert in lieu thereof the following: "thirty-six".

AMENDMENT NUMBER FORTY-EIGHT.

On page 6, line 33, of the printed bill, strike out "twenty", and insert in lieu thereof the following: "eighteen".

AMENDMENT NUMBER FORTY-NINE.

On page 7, line 3, of the printed bill, strike out "twenty-five", and insert in lieu thereof the following: "twelve and 50/100".

AMENDMENT NUMBER FIFTY.

On page 7, line 5, of the printed bill, strike out "eighty", and insert in lieu thereof the following: "seventy-two".

AMENDMENT NUMBER FIFTY-ONE.

On page 7, line 6, of the printed bill, strike out "sev-", and in line 7, strike out "enty", and insert in lieu thereof the following: "sixty-three".

AMENDMENT NUMBER FIFTY-TWO

On page 7, line 8, of the printed bill, strike out "seventy-five", and insert in lieu thereof the following: "sixty-seven and 50/100"

AMENDMENT NUMBER FIFTY-THREE

On page 7, line 10, of the printed bill, strike out "twenty-five", and insert in lieu thereof the following: "twenty-two and 50/100".

AMENDMENT NUMBER FIFTY-FOUR.

On page 7, line 30, of the printed bill, strike out "four hundred", and insert in lieu thereof the following: "one hundred sixty".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1760—An act to amend section 797 of the Fish and Game Code, relating to abalones.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"797. Except as otherwise provided in this section, abalone meat may not be transported out of the State. Abalone shells, or abalone meal or abalone flakes made from abalone offal may be transported out of the State under permit of, and in accordance with regulations of, the commission."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1509—An act to amend section 67 of the Fish and Game Code, relating to fish and game districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "section 67", and insert in lieu thereof the following: "sections 67 and 68".

AMENDMENT NUMBER TWO.

On page 1 line 7, of the printed bill, strike out "Kern"; on page 1, after line 7, insert the following

"SEC. 2. Section 68 of the Fish and Game Code is hereby amended to read as follows:

68. District 4. The following shall constitute fish and game district 4: Those portions of the following counties not included in other districts: Los Angeles, San Bernardino, Riverside, Orange, San Luis Obispo, Santa Barbara, Ventura and Kern."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1510—An act to amend section 65 of the Fish and Game Code, relating to fish and game districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 65, 612 and 1272 of the Fish and Game Code and to add thereto sections 66.5 and 1271.5, relating to fish and game."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after line 5, insert the following:

"SEC 2. A new section is hereby added to the Fish and Game Code to be numbered 66 5, and to read as follows:

66.5. District 2¾. The following shall constitute fish and game district 2¾. Those portions of the following counties not included in other districts: Glenn County, those portions of Colusa and Lake counties lying north of the Ukiah-Lake Tahoe Highway; those portions of Mendocino County lying north of the Ukiah-Lake Tahoe Highway and east of the Redwood Highway.

SEC. 3. Section 612 of the Fish and Game Code is hereby amended to read as follows:

612 In the Russian, Napa and Navarro rivers, and in those portions of Eel River in districts 2 and 2¾, and in tidewater in districts 2, 3 and 15, steelhead trout may be taken from May 1st to February 28th. The bag limit is three fish per day, irrespective of size, between November 1st and February 28th.

SEC. 4. A new section is hereby added to the Fish and Game Code to be numbered 1271 5, and to read as follows:

1271.5. In districts 2¾, 4 and 4¾, deer may be taken between August 16th and September 15th.

SEC. 5. Section 1272 of the Fish and Game Code is hereby amended to read as follows:

1272 In districts 1, 1¾, 4½, 23, 24 and 25, deer may be taken between September 16th and October 15th."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1488—An act to amend section 599f of the Penal Code, relating to the protection of elk.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 1250, 1252, 1293 and 1310 of the Fish and Game Code, relating to mammals."

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 1250 of the Fish and Game Code is hereby amended to read as follows:

1250. It is unlawful to take or possess the following mammals, or any part thereof: female deer, spotted fawn, spike buck, antelope, mountain sheep, Sierra hare (Lepus campestris sierrae), tree squirrel, sea otter, and, in district 1¾, forked-horn deer.

SEC. 2. Section 1252 of the Fish and Game Code is hereby amended to read as follows:

1252. Except as permitted by this code, it is unlawful to take or possess any elk or beaver, or any part thereof

SEC. 3. Section 1293 of the Fish and Game Code is hereby amended to read as follows:

1293. Any owner or tenant of land upon which there are growing or harvested crops, whether cultivated or uncultivated, which are being damaged or destroyed or are in danger of being damaged or destroyed by deer, elk or beaver, may apply to the commission for a permit to kill such mammals. The commission, upon satisfactory evidence of such damage or destruction, actual or threatened, shall issue a revocable permit for the taking of such mammals under regulations promulgated by the commission. Mammals so taken shall not be sold, nor shipped from the premises on which they are taken, except under instructions from the commission.

SEC 4. Section 1310 of the Fish and Game Code is hereby amended to read as follows:

1310. The following are fur-bearing mammals: black bear, brown bear, ringtailed cat, coon, pine marten, fisher, wolverine, mink, skunk, river otter, grey fox, cross fox, silver fox, red fox, kitfox, and muskrat."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1974—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out lines 8 to 26, inclusive, and on page 2, strike out lines 1 to 10, inclusive, and insert in lieu thereof the following: "of three members appointed by the Governor. The term of one of the members first appointed shall expire on January 15, 1935, and the terms of two of the

members first appointed shall expire on January 15, 1937. Except as herein provided all members of the commission shall serve for four years. Vacancies shall be filled for the unexpired term."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2378—An act to amend section 4 of an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, relating to bridge and highway districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1628—An act to amend section 737h of the Political Code, relating to the salary of the judge of the superior court in and for the county of Del Norte.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2373—An act to add a new chapter to be numbered Chapter VI to Part II of Division II of the School Code, embracing sections 2.1181 to 2.1189, inclusive, 2.1189a, and 2.1189b, all relating to recall of members of governing boards of school districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 900—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation provided under said act.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2333—An act to amend section 1 of an act entitled "An act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, as amended, relating to the procedure necessary for such disincorporation.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out "ten", and insert in lieu thereof the following: "twenty".

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, strike out "shown by the vote cast at", and insert in lieu thereof the following: "of the date of".

AMENDMENT NUMBER THREE.

On page 1, line 9, of the printed bill, strike out "municipal", and insert in lieu thereof the following: "general State".

AMENDMENT NUMBER FOUR.

On page 1, line 10, of the printed bill, strike out "held", and all the balance of the line, and all of line 11 down to and including the word "corporation".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1082—An act to amend section 1, subsection (b) of section 4, subsection (b) of section 5, section 8 and subsection (a) of section 13 of an act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as "the reciprocal or interinsurance act of the State of California," and repealing the act entitled "An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled 'An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee,' approved December 24, 1911," approved May 26, 1917, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 3, inclusive, of the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 1 of an act entitled "An act providing for the organization and".

AMENDMENT NUMBER TWO.

Strike out line 13 of the title of the printed bill, and insert in lieu thereof the following: "as amended," approved June 3, 1921, relating to reciprocal or interinsurance exchanges."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, between the enacting clause and line 1, insert the following:

"SECTION 1. Section 1 of the act cited in the title hereof is hereby amended to read as follows:".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 12 to 17, inclusive, also strike out all of page 2, and all of page 3.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1737—An act to establish a Military Code, thereby revising and consolidating the law relating to the armed forces of the State, and to repeal certain acts and parts of acts therein specified.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out line 2, and insert in lieu thereof the following: "solidating the law relating to the armed forces and the militia of the State and to the administration of military and veterans' affairs,".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 7 to 16, inclusive, and insert in lieu thereof the following: "are hereby adopted as a part of this code, so far as the same are applicable and not modified by this code. Offenses committed while on duty may be tried and punished by a court-martial lawfully appointed, after such duty has terminated, and if found guilty the accused shall be punished according to the Articles of War and the rules and regulations governing the United States Army, and within the limits prescribed by Federal law for courts-martial in the National Guard, and within the limits prescribed by this code. In any case in which the offense charged is also made an offense by the civil law of this State, the officer whose duty it is to approve such charge may, in his discretion, order the person charged to be turned over to the civil authorities for trial.

Whenever reference is made in the Articles of War to the military service or to the Army of the United States, such reference shall be deemed to include the military service of this State. The intent of this code and all acts of this State affecting

the military forces is to conform to all acts and regulations of the United States affecting the same subjects, and all acts of this State shall be construed to effect this purpose.

3. Federal Laws and Regulations. All acts of the Congress of the United States relating to the control, administration and government of the United States Army, as defined by the National Defense Act as amended, and relating to the control, administration and government of the United States Navy together with the rules and regulations for the government of the National Guard and Naval Reserve or Naval Militia, so far as the same are not inconsistent with rights reserved to this State and guaranteed under the Constitution of this State, constitute the rules and regulations for the government of the militia."

AMENDMENT NUMBER THREE.

On page 1, line 17, of the printed bill, strike out "3.", and insert in lieu thereof the following: "4."

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 6 to 11, inclusive.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out lines 17 to 19, inclusive, and insert in lieu thereof the following: "ization, or to drill or parade with arms, except such organizations as may be licensed under the provisions of this code. Students in educational".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out lines 23 to 28, inclusive, and insert in lieu thereof the following: "instructor. Members of benevolent or social organizations may wear swords or carry guns which have been rendered incapable of use as firearms.

Any person violating any of the provisions of".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out lines 30 to 32, inclusive, and insert in lieu thereof the following:

"6. Penalties. Unless another penalty is specifically provided, any act or omission declared to be a misdemeanor by this code shall be punishable by imprisonment in the county jail not to exceed six months or by fine not to exceed five hundred dollars or by both.

7. Construction. The provisions of this code, so far as they are substantially the same as existing statutes, must be construed as continuations thereof, and not as new enactments. This code shall not impair any privilege granted or right acquired under any of the laws of this State prior to the date it takes effect.

8. Titles and Headings Division, part, chapter, article, section, or subdivision headings or titles contained in this code shall not be deemed to govern or limit the scope or meaning of the divisions, parts, chapters, articles, sections, or subdivisions to which they are affixed."

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, strike out line 34, and insert in lieu thereof the following:

"DIVISION I—ADMINISTRATION.

11. The Department. There is in the State government a Department of Military and Veterans' Affairs.

12. The Director. The department shall be conducted by an executive officer known as the Director of Military and Veterans' Affairs. The director shall be appointed by and hold office at the pleasure of the Governor and shall receive a salary of six thousand dollars per annum and all his actual and necessary traveling expenses incurred in the performance of his duties. He shall be a member of the Governor's Council. He shall have only such powers and duties, and such jurisdiction and control over the divisions of the department, as may be vested in him or authorized by law or by any division of the department.

13. Bond. Before entering upon the duties of his office, he shall execute an official bond to the State of California in the penal sum of twenty-five thousand dollars conditioned upon the faithful performance of his duties.

14. The Divisions. For the purpose of administration, the department shall be forthwith organized by the director in such manner as he shall deem necessary and proper to conduct the work of the department and shall be divided into four divisions as follows:

(a) Military Affairs. The Division of Military Affairs which shall include the National Guard and Naval Militia, and shall be administered by The Adjutant General, who shall also be known as chief of the division;

(b) Veterans' Welfare. The Division of Veterans' Welfare, which shall be administered by the Veterans' Welfare Board, the chairman of said board being the chief of the division;

(c) Veterans' Homes. The Division of Veterans' Homes, which shall be administered by the board of directors of the Veterans' Home of California and the

board of directors of the Woman's Relief Corps Home of California, the chief of the division to be appointed by and hold office at the pleasure of the board of directors of the Veterans' Home of California;

(d) Athletics. The Division of Athletics, which shall be administered by the State Athletic Commission of California, the chief of the division to be appointed by, receive such salary as shall be fixed by, and hold office at the pleasure of said commission.

15. Bonds and Expenses of Chiefs. A chief of each division shall receive his actual and necessary traveling expenses incurred in the performance of his duties. Before entering upon the duties of his office, each chief of division shall execute an official bond to the State of California in the penal sum of ten thousand dollars, conditioned upon the faithful performance of his duties, unless by other provisions of law an official bond to the State is required of such person in the capacity of a State officer performing functions similar to those performed by him as such chief. The premiums upon all official bonds shall be paid by the State out of moneys made available by law for the use of the department.

16. Divisional Activities. Each division shall furnish to any other division of the department, upon request therefor approved by the director, such assistance as it may render without detriment to the administration of such division, including the deputizing of agents, representatives, and inspectors and the temporary reassignment of employees, when the same may tend to eliminate overlapping, duplication or expense.

17. Rules and Regulations. The department shall make and promulgate rules and regulations which tend to eliminate overlapping and duplication of the activities of the several divisions.

18. Meetings. Upon the call of the director, and at least once a month, there shall be a meeting of the department attended by the director and the chief of each division. At each meeting there shall be presented for consideration all problems involving possible duplication of service, overlapping of functions, or conflicting jurisdiction upon the part of any of the divisions, and all suggestions as to correlation of the activities of the several divisions.

19. General Provisions. In so far as the same may be consistent with the provisions of this division, the provisions of sections 348, 353, 355 and 356 of the Political Code, as added at the forty-fourth session of the Legislature, shall govern and apply to the conduct of the department the same as if such sections were herein set forth at length. Wherever in said sections the term "head of the department" or similar designation occurs, it shall for the purpose of this division mean the Director of Military and Veterans' Affairs.

20. Construction. Nothing contained in this division is intended, nor shall it be construed, as infringing upon or interfering with the powers, duties, responsibilities or jurisdiction of the Veterans' Welfare Board, The Adjutant General, the board of directors of the Veterans' Home of California, the board of directors of the Woman's Relief Corps Home of California, or the State Athletic Commission, as defined by other provisions of law.

DIVISION II—THE MILITIA OF THE STATE."

AMENDMENT NUMBER NINE

On page 2 of the printed bill, strike out lines 39 to 41, inclusive, and insert in lieu thereof the following:

"31. Designation and Division of the Militia. The militia of the State shall be divided into three parts: The National Guard, the Naval Militia—which two shall constitute the active militia—and the unorganized militia. The unorganized militia shall consist of all persons liable to service in the militia, but not members of the National Guard or the Naval Militia of the State.

32. Persons Subject to Military Duty. The militia of the State shall consist of all able-bodied male citizens and all other able-bodied males who have declared".

AMENDMENT NUMBER TEN.

On page 2, line 43, of the printed bill, after the comma after "forty-five", insert the following: "and".

AMENDMENT NUMBER ELEVEN.

On page 2 of the printed bill, strike out lines 48 and 49, and insert in lieu thereof the following: "United States or of this State.

33. Enrollment. Whenever the governor deems it".

AMENDMENT NUMBER TWELVE.

On page 3, line 5, of the printed bill, strike out "13.", and insert in lieu thereof the following:

"34."

AMENDMENT NUMBER THIRTEEN.

On page 3, line 7, of the printed bill, strike out "shall".

AMENDMENT NUMBER FOURTEEN.

On page 3 of the printed bill, strike out line 9, and insert in lieu thereof the following:

"35. Exemptions from Military Duty. The following".

AMENDMENT NUMBER FIFTEEN.

On page 3 of the printed bill, strike out lines 31 to 38, inclusive, and insert in lieu thereof the following:

"36. Joint Service. When the National Guard and".

AMENDMENT NUMBER SIXTEEN.

On page 3 of the printed bill, strike out lines 42 to 45, inclusive, and insert in lieu thereof the following:

"37. Active Duty of Unorganized Militia. Whenever it is necessary to call out any portion of the unorganized militia for active duty in case of insurrection, invasion, tumult, riot, breach of the peace, or public calamity or catastrophe, or other emer-".

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 51, of the printed bill, strike out "18.", and insert in lieu thereof the following:

"38."

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 11, of the printed bill, strike out "or", and insert in lieu thereof the following: "of".

AMENDMENT NUMBER NINETEEN.

On page 4 of the printed bill, strike out line 13, and insert in lieu thereof the following:

"39. Refusal to Rendezvous. Every member".

AMENDMENT NUMBER TWENTY.

On page 4, line 26, of the printed bill, strike out "21.", and insert in lieu thereof the following:

"51."

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 29, of the printed bill, strike out "22.", and insert in lieu thereof the following:

"52."

AMENDMENT NUMBER TWENTY-TWO.

On page 4 of the printed bill, after line 32, add the following:

"Said staff may also include the following personal Aides de Camp: five Aides de Camp who may be appointed by the Governor and who shall have the rank of Lieutenant Colonel, and one Naval Aide with the rank of Commander. Such appointments by the Governor shall operate as a commission of said Aides de Camp."

AMENDMENT NUMBER TWENTY-THREE.

On page 4 of the printed bill, strike out lines 33 to 39, inclusive, and insert in lieu thereof the following:

"53. Proclamation of State of Insurrection. Whenever the Governor is satisfied that the execution of civil or criminal process has been forcibly resisted by bodies of men, or that any conspiracy or combination exists to resist by force the execution of such process, or that the officers of any county or".

AMENDMENT NUMBER TWENTY-FOUR.

On page 4 of the printed bill, strike out lines 51 and 52, and insert in lieu thereof the following:

"54. Emergencies. In case of war, insurrection, rebellion, invasion, tumult, riot, public calamity or catastrophe, or other".

AMENDMENT NUMBER TWENTY-FIVE.

On page 5, line 12, of the printed bill, after the words "United States", strike out the semicolon, and insert in lieu thereof the following: "or that there has occurred a public calamity or catastrophe for which aid to the civil authorities is required;".

AMENDMENT NUMBER TWENTY-SIX.

On page 5 of the printed bill, strike out lines 18 to 47, inclusive, and insert in lieu thereof the following: "as may be necessary.

55. Retention of Designations. During the absence of organizations of the National Guard or Naval Militia in the service of the United States, their State or Federal designations shall not be given to new organizations.

56. Rules and Regulations. The Governor is hereby author".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 6 of the printed bill, strike out line 2, and insert in lieu thereof the following:

"61 Duties. The Adjutant Gen".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 6, line 5, of the printed bill, strike out "title", and insert in lieu thereof the following: "code".

AMENDMENT NUMBER TWENTY-NINE

On page 6, line 9, of the printed bill, strike out "32. He", and insert in lieu thereof the following:

"62. Register. The Adjutant General".

AMENDMENT NUMBER THIRTY.

On page 6, line 16, of the printed bill, strike out "33. He", and insert in lieu thereof the following:

"63. Publications. The Adjutant General".

AMENDMENT NUMBER THIRTY-ONE.

On page 6, line 23, of the printed bill, strike out "34. He", and insert in lieu thereof the following:

"64. Stationery. The Adjutant General".

AMENDMENT NUMBER THIRTY-TWO.

On page 6, line 27, of the printed bill, strike out "35.", and insert in lieu thereof the following:

"65. Seal."

AMENDMENT NUMBER THIRTY-THREE.

On page 6, line 31, of the printed bill, strike out "36.", and insert in lieu thereof the following:

"66. Field Service Plans."

AMENDMENT NUMBER THIRTY-FOUR.

On page 6, line 33, of the printed bill, strike out "of the State".

AMENDMENT NUMBER THIRTY-FIVE.

On page 6 of the printed bill, strike out lines 38 to 42, inclusive, and insert in lieu thereof the following: "required by the War Department of the United States. Said estimate shall furnish the details and shall be made out in the form required by instructions from the Secretary of War or the Secretary of the Navy.

67. Exhibitions. The Adjutant General may exhibit, at such times and places as he may see fit, the equipment, animals and property of the National Guard or Naval Militia and may give demonstrations thereof with the aid of such personnel as may be selected therefor. All expense in relation thereto shall be paid from State funds.

68. Care of Arms. The Adjutant General shall attend to the care, preservation, transportation,".

AMENDMENT NUMBER THIRTY-SIX.

On page 6, line 47, of the printed bill, strike out the comma after the word "State".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 7, line 19, of the printed bill, strike out "38. He", and insert in lieu thereof the following:

"69. Accounts. The Adjutant General".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 7, line 25, of the printed bill, strike out "39. He", and insert in lieu thereof the following:

"70. Issuance of Property. The Adjutant General".

AMENDMENT NUMBER THIRTY-NINE.

On page 8 of the printed bill, strike out lines 7 to 13, inclusive, and insert in lieu thereof the following: "and quality specified in such agreement or contract.

71. Medical Services. The Adjutant General may, in the event of an emergency".

AMENDMENT NUMBER FORTY.

On page 8, line 19, of the printed bill, strike out "41.", and insert in lieu thereof the following:

"72. Commissions."

AMENDMENT NUMBER FORTY-ONE.

On page 8, line 21, of the printed bill, strike out "42 He", and insert in lieu thereof the following:

"73. Returns and Reports. The Adjutant General".

AMENDMENT NUMBER FORTY-TWO.

On page 8, line 24, of the printed bill, strike out "43.", and insert in lieu thereof the following:

"74. Absence."

AMENDMENT NUMBER FORTY-THREE.

On page 8 of the printed bill, strike out lines 31 to 37, inclusive, and insert in lieu thereof the following: "absence or inability.

75. Emergencies. In case of insurrection, invasion, tumult, riot, breaches of the peace, public calamity or catastrophe, or imminent danger thereof, or in the event any emergency in which all or any part of the active militia is actively engaged in service upon".

AMENDMENT NUMBER FORTY-FOUR.

On page 8 of the printed bill, strike out line 42, and insert in lieu thereof the following:

"76. Office Organization. The Adjutant General's".

AMENDMENT NUMBER FORTY-FIVE.

On page 9 of the printed bill, strike out line 13, and insert in lieu thereof the following:

"77. Duties of Office. The duties of the officers of The Adjutant General's office shall be such as prescribed by law and regulations and shall conform as closely as practicable to the duties prescribed by orders and regulations of the War Department for like officers in the United States Army.

78. Salaries. The salary of the".

AMENDMENT NUMBER FORTY-SIX.

On page 9, line 20, of the printed bill, strike out "47.", and insert in lieu thereof the following:

"79."

AMENDMENT NUMBER FORTY-SEVEN.

On page 9, line 40, of the printed bill, strike out "different", and insert in lieu thereof the following: "several".

AMENDMENT NUMBER FORTY-EIGHT.

On page 9 of the printed bill, strike out line 46, and insert in lieu thereof the following:

"80. Audit of Claims. The Adjutant".

AMENDMENT NUMBER FORTY-NINE.

On page 9 of the printed bill, strike out lines 50 to 52, inclusive; also on page 10, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"81. Duties of Controller and Treasurer. The State Controller shall draw his warrant for any amount approved and allowed as provided in this code, and the State Treasurer shall pay the same out of the appropriation for military purposes, if not otherwise provided.

82. Claims Exempt. Claims audited and allowed as provided in this article are exempt from the provisions of law relating to the audit and allowance of claims by the Board of Control or Department of Finance."

AMENDMENT NUMBER FIFTY.

On page 10 of the printed bill, strike out lines 8 to 34, inclusive, and insert in lieu thereof the following:

"91. State Flag. The Bear Flag is hereby selected and adopted as the State flag of California. Its length shall be one and one-half times its width; the upper five-sixths of the width thereof shall be a white field and the lower sixth a red stripe; there shall appear in the".

AMENDMENT NUMBER FIFTY-ONE.

On page 10 of the printed bill, strike out lines 42 and 43, and insert in lieu thereof the following:

"92. Definition of Flag. "Flag," as used in this code, includes every flag, standard,".

AMENDMENT NUMBER FIFTY-TWO.

On page 10 of the printed bill, strike out lines 50 to 52, inclusive; also on page 11 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"93. Representations of Flags. No provision of this code or of any statute of this State which makes unlawful the use of the flag of the United States or of this State or of any picture or representation thereof shall".

AMENDMENT NUMBER FIFTY-THREE.

On page 11 of the printed bill, strike out lines 8 to 15, inclusive, and insert in lieu thereof the following: "correspondence, on which is printed, painted, or placed a flag with no design or writing thereon and not connected with any advertisement.

94. Desecration of Flags. Any person who, in any manner for exhibition or display, places or causes to appear any word, figure, mark, picture, design, drawing, or any advertisement of any nature, upon any flag of the United States or of this State; or who exposes to public view any such".

AMENDMENT NUMBER FIFTY-FOUR.

On page 11, line 19, of the printed bill, strike out "nature, or whoever", and insert in lieu thereof the following: "nature; or who".

AMENDMENT NUMBER FIFTY-FIVE.

On page 11 of the printed bill, strike out lines 27 to 30, inclusive, and insert in lieu thereof the following: "tinguish the article or substance on which so placed; or who publicly mutilates, defaces, defiles or tramples any such flag is guilty of a misdemeanor.

95. Certain Banners Prohibited. Any person who displays".

AMENDMENT NUMBER FIFTY-SIX.

On page 11 of the printed bill, strike out lines 40 to 43, inclusive, and insert in lieu thereof the following:

"Article 1—Membership.

101. Composition. The National Guard shall consist of general officers of the line, the several".

AMENDMENT NUMBER FIFTY-SEVEN

On page 11, line 50, of the printed bill, strike out "shall have power to", and insert in lieu thereof the following: "may".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 12 of the printed bill, strike out line 3, and insert in lieu thereof the following: "will be thereby increased. The Governor may also change".

AMENDMENT NUMBER FIFTY-NINE.

On page 12, line 13, of the printed bill, strike out "82.", and insert in lieu thereof the following:

"102."

AMENDMENT NUMBER SIXTY.

On page 12, line 17, of the printed bill, strike out "83 ", and insert in lieu thereof the following:

"103."

AMENDMENT NUMBER SIXTY-ONE.

On page 12 of the printed bill, strike out lines 26 and 27, and insert in lieu thereof the following:

"111. Commission and Oath. All officers shall be commissioned by the Governor. All appointments of officers shall be made and all vacancies shall be filled as in the manner provided by the laws and regulations of the United States Army and Navy."

AMENDMENT NUMBER SIXTY-TWO.

On page 12 of the printed bill, strike out line 34, and insert in lieu thereof the the following:

"112. Qualifications. Persons to".

AMENDMENT NUMBER SIXTY-THREE

On page 12, line 43, of the printed bill, strike out "93. Bonds of Officers.", and insert in lieu thereof the following:

"113. Bonds."

AMENDMENT NUMBER SIXTY-FOUR.

On page 12, line 46, of the printed bill, strike out "for", and insert in lieu thereof the following: "against".

AMENDMENT NUMBER SIXTY-FIVE.

On page 13 of the printed bill, strike out lines 2 to 4, inclusive, and insert in lieu thereof the following: "into an agreement conditioned in like terms and for the same purpose with a qualified surety company to bond all officers of the militia without specifically naming the same. Said".

AMENDMENT NUMBER SIXTY-SIX.

On page 13, line 17, of the printed bill, strike out "94. Rank of Officers.", and insert in lieu thereof the following:

"114. Rank."

AMENDMENT NUMBER SIXTY-SEVEN.

On page 13, line 25, of the printed bill, strike out "95.", and insert in lieu thereof the following:

"115."

AMENDMENT NUMBER SIXTY-EIGHT.

On page 13 of the printed bill, strike out lines 29 to 38, inclusive, and insert in lieu thereof the following:

"(b) After Fifteen Years' Service. Any officer who has served as a commissioned officer for fifteen years in the military service of the State, or for fifteen years in the naval service of the State, or fifteen years partly in one and partly in the other, may upon his own application, in the discretion of the Governor, be retired and placed upon the retired list with an increase in rank of one grade above that held by him on the date of his application. Service as a commissioned officer in the military or naval or military and naval service of the United States in time of war, not exceeding five years in all, shall be considered as State service in computing length of State service for the purposes of this section."

AMENDMENT NUMBER SIXTY-NINE.

On page 13, line 48, of the printed bill, strike out "determine, provided; that any", and insert in lieu thereof the following: "determine. Any".

AMENDMENT NUMBER SEVENTY.

On page 15, lines 1 and 2, of the printed bill, strike out "discretion; provided, that officers", and insert in lieu thereof the following: "discretion. Officers".

AMENDMENT NUMBER SEVENTY-ONE.

On page 14 of the printed bill, strike out line 8, and insert in lieu thereof the following:

"116. Separation from the Service. The provi-".

AMENDMENT NUMBER SEVENTY-TWO.

On page 14 of the printed bill, strike out line 12, and insert in lieu thereof the following:

"(a) Causes for Separation. The commission of".

AMENDMENT NUMBER SEVENTY-THREE.

On page 14, line 42, of the printed bill, strike out "shall be deemed", and insert in lieu thereof the following: "is found to be".

AMENDMENT NUMBER SEVENTY-FOUR.

On page 14, line 48, of the printed bill, strike out "shall", and insert in lieu thereof the following: "may".

AMENDMENT NUMBER SEVENTY-FIVE.

On page 14 of the printed bill, strike out lines 50 to 52, inclusive, and insert in lieu thereof the following: "tence has been approved by the Governor.

117. Separation as Bar to Reentry and Public Office. No officer who has".

AMENDMENT NUMBER SEVENTY-SIX.

On page 15, line 5, of the printed bill, strike out "except", and insert in lieu thereof the following: "unless".

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 15 of the printed bill, strike out lines 10 to 19, inclusive, and insert in lieu thereof the following:

"118. Arms and Equipment. Every commissioned officer".

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 15, line 22, of the printed bill, strike out "99.", and insert in lieu thereof the following:

"119."

AMENDMENT NUMBER SEVENTY-NINE.

On page 15 of the printed bill, strike out lines 34 and 35, and insert in lieu thereof the following:

"131. Enlistments. The qualifications for enlistment and reenlistment in the militia and the term and the form of oath shall".

AMENDMENT NUMBER EIGHTY.

On page 15, line 37, of the printed bill, strike out "the State of California", and insert in lieu thereof the following: "this State".

AMENDMENT NUMBER EIGHTY-ONE.

On page 15, line 41, of the printed bill, strike out "112.", and insert in lieu thereof the following:

"132."

AMENDMENT NUMBER EIGHTY-TWO.

On page 15, lines 43 and 44, of the printed bill, strike out "the State of California", and insert in lieu thereof the following: "this State".

AMENDMENT NUMBER EIGHTY-THREE.

On page 15 of the printed bill, strike out lines 46 to 49, inclusive, and insert in lieu thereof the following: "oaths by the regulations or laws of the United States or of this State. Any wilfully false statement so sworn to shall be perjury.

133. Noncommissioned and Petty Officers. Appointments".

AMENDMENT NUMBER EIGHTY-FOUR.

On page 16, line 9, of the printed bill, strike out the commas after the words "laws" and "regulations.".

AMENDMENT NUMBER EIGHTY-FIVE.

On page 16, line 10, of the printed bill, strike out "shall have", and insert in lieu thereof the following: "has".

AMENDMENT NUMBER EIGHTY-SIX.

On page 16, line 12, of the printed bill, strike out "114.", and insert in lieu thereof the following:
"134."

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 16, line 16, of the printed bill, strike out "115.", and insert in lieu thereof the following:
"135."

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 16 of the printed bill, strike out lines 21 to 33, inclusive, and insert in lieu thereof the following:
"136. Retirement After Fifteen Years' Service. Any enlisted man who has served fifteen years in the military service of the State, or fifteen years in the naval service of the State, or fifteen years partly in one and partly in the other, may upon his own application, in the discretion of the Governor, be retired and placed on the retired list in the grade and rank held by him on the date of application. Service in the military or naval or military and naval service of the United States in time of war, not exceeding five years, shall be considered as State service in computing length of State service for the purposes of this section
137. Retirement for Age. When an enlisted man of the National Guard or Naval Militia is sixty-four years of age, he shall be retired from active service or discharged.
138. Active Duty After Retirement."

AMENDMENT NUMBER EIGHTY-NINE.

On page 16 of the printed bill, strike out line 38, and insert in lieu thereof the following:
"139. Separation From the Service The".

AMENDMENT NUMBER NINETY.

On page 16 of the printed bill, strike out line 43, and insert in lieu thereof the following:
"140. Causes for Discharge. (a) The following shall be".

AMENDMENT NUMBER NINETY-ONE.

On page 17, line 2, of the printed bill, strike out "for".

AMENDMENT NUMBER NINETY-TWO.

On page 17, line 3, of the printed bill, strike out "shall deem", and insert in lieu thereof the following: "deems".

AMENDMENT NUMBER NINETY-THREE.

On page 17, line 6, of the printed bill, strike out "paragraph 1", and insert in lieu thereof the following: "subdivision (a)".

AMENDMENT NUMBER NINETY-FOUR.

On page 17, line 15, of the printed bill, strike out "121.", and insert in lieu thereof the following:
"141."

AMENDMENT NUMBER NINETY-FIVE.

On page 17 of the printed bill, strike out line 22, and insert in lieu thereof the following:
"142. Removal From the Rolls. With the express authority".

AMENDMENT NUMBER NINETY-SIX.

On page 17, line 27, of the printed bill, strike out "123.", and insert in lieu thereof the following:
"143."

AMENDMENT NUMBER NINETY-SEVEN.

On page 17, line 30, of the printed bill, strike out "124.", and insert in lieu thereof the following.
"144."

AMENDMENT NUMBER NINETY-EIGHT.

On page 17 of the printed bill, strike out line 46, and insert in lieu thereof the following:
"145. Time Lost. All time lost while".

AMENDMENT NUMBER NINETY-NINE.

On page 17 of the printed bill, after line 49, add the following:

"146. Separation as Bar to Reentry and Public Office. No enlisted man who has been separated from the military or naval service of this State under conditions other than honorable shall be permitted to enter again the military or naval service of the State; nor shall any enlisted man who has been dishonorably discharged from the military or naval service of the State be eligible for appointment or election to, or to hold any office of trust or emolument in this State, unless the offense be pardoned by the Governor."

AMENDMENT NUMBER ONE HUNDRED.

On page 18, line 3, of the printed bill, strike out "141.", and insert in lieu thereof the following:

"161."

AMENDMENT NUMBER ONE HUNDRED ONE.

On page 18 of the printed bill, strike out lines 10 and 11, and insert in lieu thereof the following:

"162. Custom and Usage. All matters relating to the organization, discipline, and".

AMENDMENT NUMBER ONE HUNDRED TWO.

On page 18, line 16, of the printed bill, strike out "143.", and insert in lieu thereof the following:

"163."

AMENDMENT NUMBER ONE HUNDRED THREE.

On page 18 of the printed bill, strike out lines 27 and 28, and insert in lieu thereof the following:

"164. Disobedience of Orders. Any officer or enlisted man of the National Guard or Naval Militia who wilfully fails to attend any parade or encampment, or who neglects or refuses to obey the lawful command of his superior officer on any day of parade or encampment, or who fails to perform such military duty as may be lawfully required of him, or who uses disrespectful language toward his superior officer or commits any act of insubordination, is guilty of a misdemeanor.

165. Armed Force in Emergencies. When an armed force is called out for the purpose of".

AMENDMENT NUMBER ONE HUNDRED FOUR.

On page 18, line 31, of the printed bill, strike out "officers", and insert in lieu thereof the following: "officer".

AMENDMENT NUMBER ONE HUNDRED FIVE.

On page 18, line 37, of the printed bill, strike out "officers", and insert in lieu thereof the following. "officer".

AMENDMENT NUMBER ONE HUNDRED SIX.

On page 18 of the printed bill, strike out lines 39 and 40, and insert in lieu thereof the following:

"166. Conduct of Troops. Whenever any portion of the National Guard is called into".

AMENDMENT NUMBER ONE HUNDRED SEVEN.

On page 18, line 48, of the printed bill, strike out "has been", and insert in lieu thereof the following: "is".

AMENDMENT NUMBER ONE HUNDRED EIGHT.

On page 19, line 1, of the printed bill, strike out "146.", and insert in lieu thereof the following:

"167."

AMENDMENT NUMBER ONE HUNDRED NINE.

On page 19 of the printed bill, strike out lines 16 and 17, and insert in lieu thereof the following: "or imminent danger thereof or in cases of public calamity or catastrophe

168. Warning for Duty. Orders for duty may be oral,".

AMENDMENT NUMBER ONE HUNDRED TEN.

On page 19, line 41, of the printed bill, strike out "as".

AMENDMENT NUMBER ONE HUNDRED ELEVEN.

On page 19 of the printed bill, strike out line 43, and insert in lieu thereof the following: "return were present and testified."

AMENDMENT NUMBER ONE HUNDRED TWELVE.

On page 19, line 47, of the printed bill, strike out "148.", and insert in lieu thereof the following:

"169."

AMENDMENT NUMBER ONE HUNDRED THIRTEEN.

On page 20 of the printed bill, strike out line 6, and insert in lieu thereof the following:

"170 Service Outside the State"

AMENDMENT NUMBER ONE HUNDRED FOURTEEN.

On page 20, line 16, of the printed bill, after the word "either", strike out "or".

AMENDMENT NUMBER ONE HUNDRED FIFTEEN.

On page 20, line 18, of the printed bill, strike out "150.", and insert in lieu thereof the following:

"171."

AMENDMENT NUMBER ONE HUNDRED SIXTEEN.

On page 20, line 25, of the printed bill, strike out "151.", and insert in lieu thereof the following:

"172."

AMENDMENT NUMBER ONE HUNDRED SEVENTEEN.

On page 20, line 39, of the printed bill, strike out "171.", and insert in lieu thereof the following:

"191."

AMENDMENT NUMBER ONE HUNDRED EIGHTEEN.

On page 20 of the printed bill, strike out lines 45 to 47, inclusive, and insert in lieu thereof the following:

"192. Exemption from Tax and Jury Duty. Every member of the active militia shall be exempt from road tax and head tax of every description, from jury duty (including service on coroners' juries) and from service on any posse comitatus, provided he shall".

AMENDMENT NUMBER ONE HUNDRED NINETEEN.

On page 20, line 51, of the printed bill, strike out "The"; also on page 21, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"193. Relief from Civil or Criminal Liability. Members of the Militia in the active service of the State shall not be liable civilly or criminally for any act or".

AMENDMENT NUMBER ONE HUNDRED TWENTY.

On page 21 of the printed bill, strike out lines 15 to 17, inclusive, and insert in lieu thereof the following "the action or proceeding to file security in an amount of not less than one hundred dollars, to be fixed by the court, for the payment of costs that may be awarded to the defendant"

AMENDMENT NUMBER ONE HUNDRED TWENTY-ONE.

On page 21 of the printed bill, strike out lines 21 and 22, and insert in lieu thereof the following. "shall recover treble costs. It shall be the duty of the Attorney General or one of the judge advocates".

AMENDMENT NUMBER ONE HUNDRED TWENTY-TWO.

On page 21 of the printed bill, strike out line 27, and insert in lieu thereof the following:

"194. Discrimination Forbidden. No person shall".

AMENDMENT NUMBER ONE HUNDRED TWENTY-THREE.

On page 21 of the printed bill, strike out lines 45 to 49, inclusive, and insert in lieu thereof the following "of this section shall be guilty of a misdemeanor.

195. Absence of Public Officers on Military or Naval Duty. Every officer and employee of the State, or of any county, city and county, or municipal corporation thereof, or of any school district, irrigation district, water district, or other district, who is a member of the National Guard or".

AMENDMENT NUMBER ONE HUNDRED TWENTY-FOUR.

On page 22, line 15, of the printed bill, strike out "176.", and insert in lieu thereof the following:

"196."

AMENDMENT NUMBER ONE HUNDRED TWENTY-FIVE.

On page 22 of the printed bill, strike out lines 23 to 27, inclusive, and insert in lieu thereof the following: "Any person who hinders, delays, or obstructs any portion of the militia parading or performing any military duty, or who attempts so to do, shall be guilty of a misdemeanor.

197. Casualties. In all".

AMENDMENT NUMBER ONE HUNDRED TWENTY-SIX.

On page 22 of the printed bill, strike out lines 29 and 30, and insert in lieu thereof the following: "Guard or Naval Militia of this State not in active service is wounded, injured,".

AMENDMENT NUMBER ONE HUNDRED TWENTY-SEVEN.

On page 22 of the printed bill, strike out lines 34 to 36, inclusive, and insert in lieu thereof the following: "the State, in accordance with the provisions of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended."

AMENDMENT NUMBER ONE HUNDRED TWENTY-EIGHT.

On page 22, line 38, of the printed bill, strike out "of California.", and insert in lieu thereof a period.

AMENDMENT NUMBER ONE HUNDRED TWENTY-NINE.

On page 22 of the printed bill, strike out lines 43 to 47, inclusive, and insert in lieu thereof the following: "commencement of such disability; but such compensation shall in no case exceed the maximum prescribed in said Workmen's Compensation, Insurance and Safety Act of 1917, as amended.

198. Determination of Benefits. In the determination of the benefits to be awarded any member of the militia or his dependents".

AMENDMENT NUMBER ONE HUNDRED THIRTY.

On page 22 of the printed bill, strike out line 51, and insert in lieu thereof the following: "two hundred dollars. Any injury".

AMENDMENT NUMBER ONE HUNDRED THIRTY-ONE.

On page 23 of the printed bill, strike out lines 2 to 6, inclusive, and insert in lieu thereof the following: "obedience of lawful orders by the injured or deceased member of the militia.

199. Exemptions from Tolls. When an emergency has been declared to exist by the Governor and during the continuance thereof, any person belonging to the military or naval".

AMENDMENT NUMBER ONE HUNDRED THIRTY-TWO.

On page 23 of the printed bill, strike out lines 13 to 32, inclusive, and insert in lieu thereof the following:

"200. Arrest of Trespassers and Disturbers. The commanding officer may place under arrest any person who trespasses upon any camp ground, parade ground, armory, or other place devoted to military duty, or who in any way or manner interrupts or molests the orderly discharge of military duty, or who disturbs or prevents the passage of troops going to or returning from any duty."

AMENDMENT NUMBER ONE HUNDRED THIRTY-THREE.

On page 23, line 35, of the printed bill, strike out "191.", and insert in lieu thereof the following:

"211. Pay and Allowances."

AMENDMENT NUMBER ONE HUNDRED THIRTY-FOUR.

On page 23 of the printed bill, strike out lines 39 to 42, inclusive, and insert in lieu thereof the following: "receive two dollars per day. No pay shall be allowed officers or enlisted men for duty at camps of instruction, drills, or parades.

212. Allowances for Equipment. To assist in uniforming and".

AMENDMENT NUMBER ONE HUNDRED THIRTY-FIVE.

On page 23, line 48, of the printed bill, strike out "during such period of service".

AMENDMENT NUMBER ONE HUNDRED THIRTY-SIX.

On page 23 of the printed bill, strike out lines 50 and 51, and insert in lieu thereof the following: "period of service bears to a year.

213. Traveling Expenses. Whenever an officer of the".

AMENDMENT NUMBER ONE HUNDRED THIRTY-SEVEN.

On page 24 of the printed bill, strike out line 13, and insert in lieu thereof the following:

"214. Military Organization Allowances."

AMENDMENT NUMBER ONE HUNDRED THIRTY-EIGHT.

On page 25, line 15, of the printed bill, strike out "201.", and insert in lieu thereof the following:

"221."

AMENDMENT NUMBER ONE HUNDRED THIRTY-NINE.

On page 25, line 22, of the printed bill, strike out "202.", and insert in lieu thereof the following:

"222."

AMENDMENT NUMBER ONE HUNDRED FORTY.

On page 25, line 37, of the printed bill, strike out "than", and insert in lieu thereof the following: "then".

AMENDMENT NUMBER ONE HUNDRED FORTY-ONE.

On page 26 of the printed bill, strike out line 11, and insert in lieu thereof the following:

"223. Transportation of Arms. The transportation of".

AMENDMENT NUMBER ONE HUNDRED FORTY-TWO.

On page 26 of the printed bill, strike out line 12, and insert in lieu thereof the following: 'arms, equipment, and military stores issued to troops or".

AMENDMENT NUMBER ONE HUNDRED FORTY-THREE.

On page 26 of the printed bill, strike out line 15, and insert in lieu thereof the following: "direction of the Governor. Vouchers for such transpor-".

AMENDMENT NUMBER ONE HUNDRED FORTY-FOUR.

On page 26 of the printed bill, strike out lines 19 and 20, and insert in lieu thereof the following:

"224. Property Returns. All property purchased".

AMENDMENT NUMBER ONE HUNDRED FORTY-FIVE.

On page 26, line 25, of the printed bill, strike out "205.", and insert in lieu thereof the following:

"225."

AMENDMENT NUMBER ONE HUNDRED FORTY-SIX.

On page 26 of the printed bill, strike out lines 33 and 34, and insert in lieu thereof the following:

"226. Conversion of Military Property. Any".

AMENDMENT NUMBER ONE HUNDRED FORTY-SEVEN.

On page 26 of the printed bill, strike out lines 42 and 43, and insert in lieu thereof the following:

"227. Unlawful Wearing of Uniforms. Any person, other than an officer or enlisted man of the National Guard or Naval Militia of this State, or".

AMENDMENT NUMBER ONE HUNDRED FORTY-EIGHT.

On page 26 of the printed bill, strike out lines 49 and 50, and insert in lieu thereof the following: "thereto, within the bounds of this State, is guilty of a misdemeanor, and is".

AMENDMENT NUMBER ONE HUNDRED FORTY-NINE.

On page 27 of the printed bill, strike out lines 2 to 8, inclusive, and insert in lieu thereof the following: "ment Nothing in this section shall prohibit persons of the theatrical profession from wearing such uniform in any playhouse or theater while actually engaged in following said profession, nor prohibit the uniform rank of civic societies from parading or traveling in a body or assembling in a lodge room. Whenever the National".

AMENDMENT NUMBER ONE HUNDRED FIFTY.

On page 27, line 13, of the printed bill, strike out "207.", and insert in lieu thereof the following:

"228."

AMENDMENT NUMBER ONE HUNDRED FIFTY-ONE

On page 27, line 18, of the printed bill, strike out "208.", and insert in lieu thereof the following:

"229."

AMENDMENT NUMBER ONE HUNDRED FIFTY-TWO.

On page 27 of the printed bill, strike out lines 22 to 32, inclusive, and insert in lieu thereof the following: "instead of arms of the United States No military organization provided for by the Constitution and laws of this State and receiving State support shall, while under arms, either for ceremony or duty, carry any device, banner or flag of any State or Nation, except that of the United States or of this State.

CHAPTER II—ARMORIES.

241. Definition of Armory. "Armory," whenever used in this chapter, shall include any building or portion".

AMENDMENT NUMBER ONE HUNDRED FIFTY-THREE.

On page 27, line 35, of the printed bill, strike out "212.", and insert in lieu thereof the following.

"242."

AMENDMENT NUMBER ONE HUNDRED FIFTY-FOUR.

On page 27 of the printed bill, strike out lines 41 and 42, and insert in lieu thereof the following:

"243. Armory Boards. For the control and management of the armories, The Adjutant General may cause to".

AMENDMENT NUMBER ONE HUNDRED FIFTY-FIVE.

On page 27, line 51, of the printed bill, after "audit", insert the following: "the"

AMENDMENT NUMBER ONE HUNDRED FIFTY-SIX.

On page 28, line 1, of the printed bill, strike out "214.", and insert in lieu thereof the following:

"244."

AMENDMENT NUMBER ONE HUNDRED FIFTY-SEVEN.

On page 28 of the printed bill, strike out lines 11 to 22, inclusive, and insert in lieu thereof the following. "purchase or lease real estate for armory purposes. It shall be the duty of the Department of Public Works, upon request of The Adjutant General, to furnish the plans, estimates and specifications for all armories and to supervise the erection and construction thereof.

245. Rentals. The Adjutant General may, in his discretion, pay the rental of any armory leased by him, or such portion of the rental thereof, as he may see fit, from the funds under his control, and may charge the organizations using said armory.

246. Eminent Domain. Under the provisions of the Code of Civil Procedure relating to eminent domain, The Adjutant General, in the name of the people of the State of California, with the approval of the Department of Finance, is hereby authorized to condemn any property necessary for armory purposes. Armories are hereby declared to be public uses.

Prior to the commencement of condemnation proceedings, The Adjutant General shall declare in writing that the public interest and necessity require the purchase or acquisition of the property by the State. Upon filing with the Department of Finance, said declaration shall be prima facie evidence (a) of the public necessity for the acquisition of such property; (b) that such property is necessary therefor; and (c) that such property is planned or located in the manner which will be most compatible with the greatest good and the least private injury.

247. Donations and Dedications. The Adjutant General is hereby authorized to receive by donation or dedication any property which may be used for armory purposes."

AMENDMENT NUMBER ONE HUNDRED FIFTY-EIGHT.

On page 28, line 26, of the printed bill, strike out "231.", and insert in lieu thereof the following:

"251."

AMENDMENT NUMBER ONE HUNDRED FIFTY-NINE.

On page 28 of the printed bill, strike out lines 40 to 43, inclusive, and insert in lieu thereof the following:

"252. Courts of Inquiry. Courts of inquiry shall consist of at least three officers and may be ordered by the Governor to examine into the nature of any transaction of or accusation or imputation against any officer or enlisted man. Such".

AMENDMENT NUMBER ONE HUNDRED SIXTY.

On page 29 of the printed bill, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"253. Appointment of Courts-Martial. (a) General courts-martial may be convened by the President of the United States or the Governor. (b) Special courts-martial may be appointed by the commanding officer of a".

AMENDMENT NUMBER ONE HUNDRED SIXTY-ONE.

On page 29, in line 10, of the printed bill, strike out "and summary court".

AMENDMENT NUMBER ONE HUNDRED SIXTY-TWO.

On page 29, line 14, of the printed bill, strike out "234. Jurisdiction.", and insert in lieu thereof the following:

"254. Jurisdiction of General Courts-Martial."

AMENDMENT NUMBER ONE HUNDRED SIXTY-THREE.

On page 29, line 36, of the printed bill, strike out "235.", and insert in lieu thereof the following:

"255. Jurisdiction of Special Courts-Martial."

AMENDMENT NUMBER ONE HUNDRED SIXTY-FOUR.

On page 29, line 46, of the printed bill, insert a comma after the word "discharge".

AMENDMENT NUMBER ONE HUNDRED SIXTY-FIVE.

On page 29, line 48, of the printed bill, insert a comma after the word "ranks".

AMENDMENT NUMBER ONE HUNDRED SIXTY-SIX.

On page 30, line 5, of the printed bill, strike out "236.", and insert in lieu thereof the following:

"256. Jurisdiction of Summary Courts-Martial."

AMENDMENT NUMBER ONE HUNDRED SIXTY-SEVEN.

On page 30, line 20, of the printed bill, strike out "237.", and insert in lieu thereof the following:

"257."

AMENDMENT NUMBER ONE HUNDRED SIXTY-EIGHT.

On page 30 of the printed bill, strike out lines 23 and 24, and insert in lieu thereof the following:

"258 Powers of Military Courts. Each military court shall have the same power to compel".

AMENDMENT NUMBER ONE HUNDRED SIXTY-NINE.

On page 30 of the printed bill, strike out lines 33 and 34, and insert in lieu thereof the following: "duced at the trial to the same extent as such superior court. Commissions and subpenas may be issued by the".

AMENDMENT NUMBER ONE HUNDRED SEVENTY.

On page 30, line 50, of the printed bill, strike out "subpena", and insert in lieu thereof the following: "subpenas".

AMENDMENT NUMBER ONE HUNDRED SEVENTY-ONE.

On page 31 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"259. Process and Mandates."

AMENDMENT NUMBER ONE HUNDRED SEVENTY-TWO.

On page 31 of the printed bill, strike out lines 4 and 5, and insert in lieu thereof the following: "carry into full effect the powers vested in such courts. Such process or mandates may be directed to the sheriff of any".

AMENDMENT NUMBER ONE HUNDRED SEVENTY-THREE.

On page 31 of the printed bill, strike out line 12, and insert in lieu thereof the following: "warden of any jail shall".

AMENDMENT NUMBER ONE HUNDRED SEVENTY-FOUR.

On page 31 of the printed bill, strike out lines 23 and 24, and insert in lieu thereof the following:

"260. Service of Charges. When an officer or enlisted man is placed under arrest for the pur-".

AMENDMENT NUMBER ONE HUNDRED SEVENTY-FIVE.

On page 31 of the printed bill, strike out lines 42 and 43, and insert in lieu thereof the following: "261. Trial after Separation from Service. A person who has been separated from the".

AMENDMENT NUMBER ONE HUNDRED SEVENTY-SIX.

On page 31, line 47, of the printed bill, strike out "242.", and insert in lieu thereof the following:

"262."

AMENDMENT NUMBER ONE HUNDRED SEVENTY-SEVEN.

On page 32, line 1, of the printed bill, strike out "243.", and insert in lieu thereof the following:

"263."

AMENDMENT NUMBER ONE HUNDRED SEVENTY-EIGHT.

On page 32, line 5, of the printed bill, strike out the comma after the word "penalties".

AMENDMENT NUMBER ONE HUNDRED SEVENTY-NINE.

On page 32 of the printed bill, strike out lines 7 and 8, and insert in lieu thereof the following: "warrant under his hand directed to any sheriff or constable of the county, commanding him to levy and collect such fines,".

AMENDMENT NUMBER ONE HUNDRED EIGHTY.

On page 32, line 18, of the printed bill, strike out "244.", and insert in lieu thereof the following:

"264."

AMENDMENT NUMBER ONE HUNDRED EIGHTY-ONE.

On page 32 of the printed bill, strike out lines 28 to 32, inclusive, and insert in lieu thereof the following "the city, county, or city and county in which said court sits, there to be confined for a period not to exceed three days.

265. Military Offense Also a Civil Offense. When the military offense charged is also".

AMENDMENT NUMBER ONE HUNDRED EIGHTY-TWO.

On page 32 of the printed bill, strike out line 36, and insert in lieu thereof the following:

"266. Trial of Felonies. Whenever any person in the".

AMENDMENT NUMBER ONE HUNDRED EIGHTY-THREE.

On page 32, line 45, of the printed bill, strike out "247.", and insert in lieu thereof the following:

"267."

AMENDMENT NUMBER ONE HUNDRED EIGHTY-FOUR.

On page 33 of the printed bill, strike out lines 3 to 9, inclusive, and insert in lieu thereof the following:

"281. Organization. The organization of the Naval Militia shall conform generally to the provisions of the laws of the United States When organized, the Naval Militia shall consist of such number of deck and engineer divisions, companies of marines, aeronautic and such other organizations as the Governor may, from time to time, prescribe, in conformity with the requirements of the Navy Department. The Naval Militia shall be located throughout the State at the discretion of the Gov-".

AMENDMENT NUMBER ONE HUNDRED EIGHTY-FIVE.

On page 33 of the printed bill, strike out lines 12 to 16, inclusive, and insert in lieu thereof the following "meaning and effect as "company" when used in this code in connection with infantry. The word "battalion" as used in this code in connection with the Naval Militia shall have the same meaning and effect as "battalion" when used in this code in connection with infantry. The several".

AMENDMENT NUMBER ONE HUNDRED EIGHTY-SIX.

On page 33 of the printed bill, strike out line 20, and insert in lieu thereof the following.

"282. Federal Laws and Regulations"

AMENDMENT NUMBER ONE HUNDRED EIGHTY-SEVEN.

On page 33, line 30, of the printed bill, strike out "253.", and insert in lieu thereof the following:

"283."

AMENDMENT NUMBER ONE HUNDRED EIGHTY-EIGHT.

On page 33, line 39, of the printed bill, strike out "254.", and insert in lieu thereof the following:

"284."

AMENDMENT NUMBER ONE HUNDRED EIGHTY-NINE.

On page 33, line 42, of the printed bill, strike out "shall have reached", and insert in lieu thereof the following: "reach".

AMENDMENT NUMBER ONE HUNDRED NINETY.

On page 33, line 46, of the printed bill, strike out "255.", and insert in lieu thereof the following.

"285."

AMENDMENT NUMBER ONE HUNDRED NINETY-ONE.

On page 33, line 49, of the printed bill, strike out "will", and insert in lieu thereof the following: "shall".

AMENDMENT NUMBER ONE HUNDRED NINETY-TWO.

On page 34, line 2, of the printed bill, strike out "256.", and insert in lieu thereof the following:

"286."

AMENDMENT NUMBER ONE HUNDRED NINETY-THREE.

On page 34 of the printed bill, strike out lines 4 to 10, inclusive, and insert in lieu thereof the following: "personnel, the commanding officer of the Naval Militia shall recommend not to exceed three candidates to The Adjutant General who shall cause such candidates to be examined. The candidate receiving the highest rating in such examination shall be recommended by The Adjutant General to the Governor for commission.

287. Warrant Officers. The chief warrant".

AMENDMENT NUMBER ONE HUNDRED NINETY-FOUR.

On page 34 of the printed bill, strike out lines 23 to 37, inclusive, and insert in lieu thereof the following:

"288. Discipline and Exercise. The system of discipline and exercise shall conform to that of the Navy of the United States as now or hereafter prescribed by Congress, as prescribed by the provisions of this code relating to the National Guard, and as prescribed by the Secretary of the Navy for the guidance of the Naval Militia. The Governor may alter, divide, annex, consolidate, and disband the Naval Militia or any portion thereof whenever in his judgment the efficiency of the State forces shall thereby be increased. He may also make rules and regulations for the use, government, and instruction of the Naval Militia. Such rules and".

AMENDMENT NUMBER ONE HUNDRED NINETY-FIVE.

On page 34, line 41, of the printed bill, strike out "259.", and insert in lieu thereof the following:
"289."

AMENDMENT NUMBER ONE HUNDRED NINETY-SIX.

On page 34, line 46, of the printed bill, strike out "260.", and insert in lieu thereof the following:
"290."

AMENDMENT NUMBER ONE HUNDRED NINETY-SEVEN.

On page 34 of the printed bill, strike out line 52; also on page 35, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following: "the provisions of this code relating to military courts. The proceedings shall be reviewed and sentence executed as provided in this code. Vessels lent by the United States to this State for the use".

AMENDMENT NUMBER ONE HUNDRED NINETY-EIGHT.

On page 35, line 8, of the printed bill, strike out "261.", and insert in lieu thereof the following:
"291."

AMENDMENT NUMBER ONE HUNDRED NINETY-NINE.

On page 35 of the printed bill, strike out line 23, and insert in lieu thereof the following:

"DIVISION III—CADET AND VOLUNTARY ORGANIZATIONS."

AMENDMENT NUMBER TWO HUNDRED.

On page 35, line 27, of the printed bill, strike out "271.", and insert in lieu thereof the following:
"311. Organization."

AMENDMENT NUMBER TWO HUNDRED ONE.

On page 35 of the printed bill, strike out lines 37 to 40, inclusive, and insert in lieu thereof the following:
"312. Officers of Companies. Said companies shall each have one captain, one first lieutenant, and one second lieutenant appointed and commissioned by The Adjutant General upon the recommendation of the commandant of".

AMENDMENT NUMBER TWO HUNDRED TWO.

On page 35, line 44, of the printed bill, strike out "of California," and insert in lieu thereof a comma.

AMENDMENT NUMBER TWO HUNDRED THREE.

On page 35 of the printed bill, strike out line 47, and insert in lieu thereof the following:
"313. Cadet Officers. In case any high".

AMENDMENT NUMBER TWO HUNDRED FOUR.

On page 35, line 52, of the printed bill, strike out ", State of California,".

AMENDMENT NUMBER TWO HUNDRED FIVE.

On page 36 of the printed bill, strike out lines 9 to 13, inclusive, and insert in lieu thereof the following: "for similar organizations of the National Guard.
314. Cancellation of Commissions. Any commissioned officer or noncommissioned officer may have his commission or warrant canceled, and be reduced to the ranks, upon the recommendation of the principal of the high school, for deficiency".

AMENDMENT NUMBER TWO HUNDRED SIX.

On page 36, line 17, of the printed bill, strike out "275.", and insert in lieu thereof the following:
"315."

AMENDMENT NUMBER TWO HUNDRED SEVEN.

On page 36 of the printed bill, strike out lines 20 and 21, and insert in lieu thereof the following:
"316. Drill Regulations. Said High School Cadets shall drill in accordance with the".

AMENDMENT NUMBER TWO HUNDRED EIGHT.

On page 36, line 24, of the printed bill, strike out "277.", and insert in lieu thereof the following:
"317."

AMENDMENT NUMBER TWO HUNDRED NINE.

On page 36, line 31, of the printed bill, strike out "278.", and insert in lieu thereof the following:
"318."

AMENDMENT NUMBER TWO HUNDRED TEN.

On page 36, line 35, of the printed bill, strike out ", State of California,".

AMENDMENT NUMBER TWO HUNDRED ELEVEN.

On page 36 of the printed bill, strike out lines 37 to 41, inclusive, and insert in lieu thereof the following:

"319. Target Practice. Target practice shall constitute a part of the instruction to be given to said cadets, and The Adjutant General shall purchase and supply to each of said high schools a sufficient number of Springfield or other efficient rifles for field target work and".

AMENDMENT NUMBER TWO HUNDRED TWELVE.

On page 36 of the printed bill, strike out lines 46 to 51, inclusive, and insert in lieu thereof the following: "Guard or Naval Militia detailed by The Adjutant General. The expenditures therefor may be paid out of the moneys appropriated for the maintenance of the said High School Cadets.

320. *Detail of National Guard Officers. When necessary, The Adjutant General*".

AMENDMENT NUMBER TWO HUNDRED THIRTEEN.

On page 37, line 1, of the printed bill, strike out the comma after the word "Militia".

AMENDMENT NUMBER TWO HUNDRED FOURTEEN.

On page 37, line 6, of the printed bill, strike out "281.", and insert in lieu thereof the following:

"321."

AMENDMENT NUMBER TWO HUNDRED FIFTEEN

On page 37, line 11, of the printed bill, strike out "282.", and insert in lieu thereof the following:

"322."

AMENDMENT NUMBER TWO HUNDRED SIXTEEN.

On page 37, line 14, of the printed bill, strike out ", State of California,".

AMENDMENT NUMBER TWO HUNDRED SEVENTEEN

On page 37 of the printed bill, strike out line 26, and insert in lieu thereof the following:

"323. Responsibility for Public Property. The".

AMENDMENT NUMBER TWO HUNDRED EIGHTEEN.

On page 37 of the printed bill, strike out lines 30 and 31, and insert in lieu thereof the following:

"324. Drill Regulations. The Adjutant General shall provide suit-".

AMENDMENT NUMBER TWO HUNDRED NINETEEN.

On page 37 of the printed bill, strike out lines 35 to 37, inclusive, and insert in lieu thereof the following:

"325. Commandant of Cadets Upon recommendation of The Adjutant General and with the approval of the school board having".

AMENDMENT NUMBER TWO HUNDRED TWENTY.

On page 37, line 52, of the printed bill, strike out "of California".

AMENDMENT NUMBER TWO HUNDRED TWENTY-ONE.

On page 38 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"326. Cooperation by School Authorities."

AMENDMENT NUMBER TWO HUNDRED TWENTY-TWO.

On page 38 of the printed bill, strike out lines 6 to 9, inclusive, and insert in lieu thereof the following: "Superintendent of Public Instruction is hereby authorized, empowered, and directed to facilitate the purposes of this code by cooperating with The Adjutant General."

AMENDMENT NUMBER TWO HUNDRED TWENTY-THREE.

On page 38 of the printed bill, strike out line 13, and insert in lieu thereof the following: "341. Military Instructors. When".

AMENDMENT NUMBER TWO HUNDRED TWENTY-FOUR.

On page 38 of the printed bill, strike out lines 21 to 23, inclusive, and insert in lieu thereof the following: "academy, may be commissioned in the National Guard with the rank of Major or lower rank. Such officer shall exercise no authority or command except".

AMENDMENT NUMBER TWO HUNDRED TWENTY-FIVE

On page 38 of the printed bill, strike out lines 30 to 33, inclusive, and insert in lieu thereof the following:

"361. License by the Governor. The Governor may issue licenses to bodies of men to organize, drill, and bear arms as military companies or organizations. Whenever any such body of men associate themselves".

AMENDMENT NUMBER TWO HUNDRED TWENTY-SIX.

On page 38, line 36, of the printed bill, strike out "of this State".

AMENDMENT NUMBER TWO HUNDRED TWENTY-SEVEN.

On page 38 of the printed bill, strike out line 39, and insert in lieu thereof the following: "oath of the commanding officer thereof. The muster roll".

AMENDMENT NUMBER TWO HUNDRED TWENTY-EIGHT.

On page 38, line 44, of the printed bill, strike out "shall designate," and insert in lieu thereof the following: "designates,".

AMENDMENT NUMBER TWO HUNDRED TWENTY-NINE.

On page 38 of the printed bill, strike out line 46, and insert in lieu thereof the following: "Governor designates. Each".

AMENDMENT NUMBER TWO HUNDRED THIRTY.

On page 38 of the printed bill, strike out line 52; also on page 39, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following: "employed in administering the same.

362. Active Service. Whenever the Governor, in his judgment, deems it necessary for the public safety, he may call any such military company or organization into active service of the State for the causes and purposes for which he may call the National Guard into active service. Such".

AMENDMENT NUMBER TWO HUNDRED THIRTY-ONE.

On page 39 of the printed bill, strike out lines 8 to 13, inclusive, and insert in lieu thereof the following: "as the Governor designates, and shall enter the active service of the State and obey all lawful orders and commands issued by the Governor or any officer placed in command by his orders, in the same manner as if such military company or organization were a part of the National Guard. The members of such military company or organization".

AMENDMENT NUMBER TWO HUNDRED THIRTY-TWO.

On page 39 of the printed bill, strike out lines 22 to 25, inclusive, and insert in lieu thereof the following: "National Guard.

364. Students Exempt. Students in educational institutions in which military science is a part of the course of instruction shall be exempt from the provisions of this part of this code."

AMENDMENT NUMBER TWO HUNDRED THIRTY-THREE.

On page 39, line 27, of the printed bill, strike out "III", and insert in lieu thereof the following: "IV".

AMENDMENT NUMBER TWO HUNDRED THIRTY-FOUR.

On page 39 of the printed bill, strike out line 31, and insert in lieu thereof the following:

"381. Decorations. The following decorations".

AMENDMENT NUMBER TWO HUNDRED THIRTY-FIVE.

On page 39 of the printed bill, strike out line 42, and insert in lieu thereof the following:

"382. Award of Decorations. (a) A Medal".

AMENDMENT NUMBER TWO HUNDRED THIRTY-SIX.

On page 40, line 20, of the printed bill, strike out "323.", and insert in lieu thereof the following:

"383."

AMENDMENT NUMBER TWO HUNDRED THIRTY-SEVEN.

On page 40 of the printed bill, strike out line 25, and insert in lieu thereof the following:

"384. Additional Awards. No more than".

AMENDMENT NUMBER TWO HUNDRED THIRTY-EIGHT.

On page 40, line 32, of the printed bill, strike out "325.", and insert in lieu thereof the following:

"385."

AMENDMENT NUMBER TWO HUNDRED THIRTY-NINE.

On page 40 of the printed bill, strike out lines 36 to 42, inclusive, and insert in lieu thereof the following:

"386. Wearing of Decorations. Decorations authorized by this code and decorations, medals, badges, ribbons, and insignia authorized by the regulations of the United States pertaining to the National Guard and Naval Militia may be worn by

officers and enlisted men in accordance with such regulations. No other decorations, medals, badges, ribbons, or insignia may be worn.

387. Rules and Regulations. The Adjutant General is authorized to make from time to time rules, regulations and orders not inconsistent herewith which he may deem necessary to carry into effect the provisions of this division."

AMENDMENT NUMBER TWO HUNDRED FORTY.

On page 40, line 44, of the printed bill, strike out "IV", and insert in lieu thereof the following: "X".

AMENDMENT NUMBER TWO HUNDRED FORTY-ONE.

On page 40, line 46, of the printed bill, strike out "341.", and insert in lieu thereof the following:

"601."

AMENDMENT NUMBER TWO HUNDRED FORTY-TWO.

On page 41 of the printed bill, strike out lines 4 to 11, inclusive, and insert in lieu thereof the following:

"1851	105	422
1862	296	362
1862	363	483
1863–64	353	396
1871–72	118	121
1877–78	488	758
1891	176	258
1893	49	62
1893	106	123
1899	112	148
1911	9	6
1911	159	325
1911	361	635
1913	467	890
1919	241	380
1929	120	204
1929	264	568
1929	660	1105

Political Code.

Sections
342
374 to 374g"

AMENDMENT NUMBER TWO HUNDRED FORTY-THREE.

On page 41 of the printed bill, after line 22, insert the following:

"652
653"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1978—An act to amend sections 621 and 622 of the Agricultural Code, relating to dairies and dairy products.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend section 510 of the Agricultural Code relating to dairies and dairy products."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out "621", and insert in lieu thereof "510."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 3 to 28, inclusive, and insert in lieu thereof the following:

"510. Ice cream and ice milk are frozen products and shall be made with pure, sweet milk, cream, skim milk, evaporated or condensed milk, evaporated or condensed

skim milk, dry milk, dry skim milk, milk fat, or wholesome sweet butter made from sweet cream or any combination of any such products, with or without sweetening, clean wholesome eggs or egg products, and with or without the use of harmless flavoring and coloring Ice cream shall contain not less than ten per cent of milk fat, and ice milk not less than four per cent of milk fat, nor more than six-tenths of one per cent of pure and harmless edible stabilizer, approved by the director. Neither ice cream nor ice milk, when sold by the manufacturer, shall contain more than one hundred fifty thousand bacteria per gram. Ice cream shall contain not less than one and six-tenths pounds of total food solids per gallon. Ice milk shall contain not less than one and three-tenths pounds of total food solids per gallon. Any frozen product containing milk products and made in semblance of ice milk but containing less milk fat than ice milk shall be designated as a sherbet and shall contain not less than thirty-five hundredths (0.35) of one per centum of acid as determined by titrating with standard alkali and expressed as lactic acid. Frozen products which do not contain any milk fat or milk products are designated as ices. The manufacture and sale of sherbets shall otherwise conform to all laws, rules and regulations pertaining to ice milk except those pertaining to the food solid content for ice milk or to the display of signs required for the sale of ice milk. All manufacturers of ice cream or ice milk who use butter, eggs or egg products in their manufacture shall first secure from the department a permit to do so. Said permit shall be issued subject to the rules and regulations made by the director, and may be revoked for violation thereof, after hearing."

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 1 to 15, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2376—An act to add a new section to the Agricultural Code, to be numbered 234.5, relating to bovine tuberculosis.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 112—An act to add a new section to the Penal Code to be numbered 146b, relating to badges and other insignia of authority of sheriffs, chiefs of police, constables, or peace officers, and providing penalties for the violation hereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after line 10, add the following:

"Nothing herein contained shall be construed to prohibit the issuing or wearing of badges by employees of uniformed patrol agencies duly licensed and operating under the laws of this State"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 26—An act to amend section 1272 of the Penal Code, relating to bail after conviction and pending appeal.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee·

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 4 to 6, inclusive, and insert in lieu thereof the following: "appeal. After conviction of an offense other than homicide a defendant who has not previously been convicted of a felony and who has appealed

may be admitted to bail as a matter of right. In all other cases a defendant who has appealed may be admitted to bail in the discretion of the court."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1017—An act to add a new section to the Penal Code, to be numbered 1193a, relating to terms of imprisonment.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 367—An act to add section 146b to the Penal Code, relating to unlawful acts by public officers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 265—An act to amend section 1203 of the Penal Code, relating to recommendations of probation officers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 75—An act to repeal "An act making it a misdemeanor to sell or exchange property under the representation, advertisement, notice or inducement that an unidentified, unknown, unselected, or chance prize, premium or premium-gift, or that a stamp, trading-stamp, coupon or other like device entitling the holder to receive such a prize, premium or premium-gift, or that the redemption of such a stamp, trading-stamp, coupon or other like device so given is to be part of the transaction, or to sell or exchange any trading-stamp, stamp, coupon, or other like device to aid such sale or exchange, as aforesaid, and providing a penalty therefor," approved March 7, 1905.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend the Agricultural Code by adding to Division VI thereof a new chapter numbered 8, embracing sections 1299 to 1299.6, inclusive, relating to the licensing and regulation of traveling merchants and providing penalties for the violation thereof."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. A new chapter is hereby added to Division VI of the Agricultural Code to embrace sections 1299 to 1299.6, inclusive, and to read as follows:

Chapter 8. Traveling Merchants.

1299. The term "traveling merchant," as used in this chapter shall mean any person, whether acting for himself or as agent or representative of any other person, firm or corporation, who peddles, sells, or offers for sale any vegetables, butter, eggs, cheese, poultry, live stock, dressed meats, fish, shell fish, game, cut flowers, berries, fruits, nuts or any perishable foodstuffs exhibited for the purpose of sale in or on any wagon, auto truck, or other vehicle on any street or highway or on any vacant or uninclosed premises, except "produce dealers" as defined in section 1261 of this code; and further excepting any person, firm or corporation having a regular and fixed place of business within the State.

1299.1. For the purposes of this chapter, a fixed place of business is hereby defined to be the premises occupied for the exclusive use of one business only, and regularly kept open for that purpose, with a competent person in exclusive attendance for the purpose of attending to said business for not less than six hours per day for at least five days in each and every week and which has been so maintained and established for not less than ninety days prior to the effective date of this chapter, or which premises so used for said business may hereafter be acquired by the owner of such business either by the ownership of said premises or by a bona fide lease thereon for a period of not less than six months thence next ensuing.

1299.2. All traveling merchants shall, prior to commencing business, secure an annual license from the director, and shall pay therefor the sum of two hundred and fifty dollars ($250) for each year. Such license shall authorize the holder thereof to transact business as a traveling merchant for a period of twelve (12) months from and after the date of issuance of said license. Before such license shall be issued, the person required to procure the same shall file a written application with the director in such form and containing such information as the director may prescribe.

1299.3. Any grower or producer of any of the products mentioned in section 1299 of this chapter may procure a license as traveling merchant with respect to the sale of such products produced or grown by him without the payment of any license fee, provided that such grower or producer shall, with his application for such license, file with the director an affidavit setting forth his name and address, the approximate amount and variety of produce he proposes to sell, the place where such produce is grown or produced and that such produce was actually grown or produced by him, and such other information as the director may require.

1299.4. This chapter shall not apply to traveling merchants while engaged in business exclusively in any city or city and county organized and existing under a freeholder's charter and authorized to make and enforce all laws and regulations in respect to municipal affairs, provided such city or city and county shall have adopted an ordinance for the regulation and licensing of peddlers of the products mentioned in section 1299 of this chapter, and while such ordinance is in effect.

1299.5. Any violation of this chapter or any falsification or misrepresentation of facts contained in any application or affidavit filed under the provisions of sections 1312 and 1299.3 of this chapter shall constitute a misdemeanor, punishable by fine not in excess of five hundred dollars ($500) or imprisonment in the county jail not in excess of one (1) year, or both.

1299.6. All license fees collected under the provisions of this chapter shall be paid into the Department of Agriculture fund."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1427—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent therewith," being Statutes of 1931, page 483, as approved May 5, 1931, by amending the title and adding section 13.20, providing for reorganizations agreed upon by sixty-six and two-thirds per cent of the creditors of any seized association, and authorizing building and loan associations and their custodians, receivers, etc., to purchase certificates at less than par or to trade real estate for certificates.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 5, of the title of the printed bill, as amended in the Assembly on April 20, 1933, strike out "13.20", and insert in lieu thereof "13.21".

AMENDMENT NUMBER TWO.

On page 2, line 6, of the title of the printed bill, as amended in the Assembly on April 20, 1933, strike out "sixty-six and two-thirds", and insert in lieu thereof "eighty-five".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended in the Assembly on April 20, 1933, strike out all of line 7 of the title, beginning with the word "seize", and all of lines 8, 9 and 10 of the title, and insert in lieu thereof "association in custody".

AMENDMENT NUMBER FOUR.

On page 6, line 37, of the printed bill, as amended in the Assembly on April 20, 1933, strike out "13.20", and insert in lieu thereof "13.21".

AMENDMENT NUMBER FIVE.

On page 6 of the printed bill, as amended in the Assembly on April 20, 1933, strike out lines 39 to 52, inclusive, and all of page 7 and page 8, and insert in lieu thereof the following:

"Sec. 13.21. Whenever the holders of eighty-five per cent in value of the outstanding investment certificates of an association, which is in the custody of the commissioner, together with the holders of seventy-five per cent in value of the outstanding shares of such association, together with either the board of directors or the holders of seventy-five per cent of the capital stock of such association, shall have agreed in writing to a plan of reorganization and shall have created and empowered a corporation or reorganization committee to act for them, they shall through such corporation or reorganization committee so notify the commissioner. Within fifteen days thereafter the commissioner shall give notice to each certificate holder, shareholder and stockholder in such association in the manner provided in section 8.08 of this act for notice by an association, which notice shall state that an application has been made for reorganization and separation of assets. Thirty days after the mailing of such notices, the commissioner shall begin the segregation of assets of such association and within a reasonable time thereafter deliver to the corporation or reorganization committee, empowered to act for consenting investment certificate holders, shareholders and stockholders, their proportionate share of the assets of such association, and the commissioner shall retain such assets as may fully protect all nonconsenting certificate holders, shareholders and stockholders, and shall preserve to such nonconsenting certificate holders, shareholders and stockholders, any rights, preferences or priorities accruing to them under the provisions of this act. If the corporation or reorganization committee herein referred to are unable to agree with the commissioner as to which assets are to be delivered to it or as to which assets are to constitute the proportionate share of the nonconsenting certificate holders, shareholders, and stockholders, the commissioner or the corporation or reorganization committee shall then petition the superior court of the county in which the principal place of business of the association is located for an order to determine the assets to be taken by the corporation or reorganization committee and those assets to be retained by the commissioner for the association. All costs of any reorganization expended or incurred by any reorganization committee or corporation shall be paid by those consenting to such reorganization and no charge shall be made against any certificate holder, shareholder, or stockholder, not consenting thereto."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1044—An act to amend sections 3, 4, 6, 7, and 8 of the "General Cemetery Act," approved June 19, 1931, relating to cemetery corporations.

Bill read second time, ordered to engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to Article IV thereof, to be numbered 25¼, relating to the practice of chiropractic.

Assembly Constitutional Amendment No. 4 read.

COMMITTEE AMENDMENTS.

During reading of Assembly Constitutional Amendment No. 4, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed measure, strike out line 23, and insert in lieu thereof the following: "one thousand dollars to not exceeding three thousand six hun-".

AMENDMENT NUMBER TWO.

On page 1 of the printed measure, strike out line 26, and on page 2 strike out lines 1 to 9, inclusive, and insert in lieu thereof the following: "in section 4 of said act that the board shall have power to investigate and approve chiropractic schools or colleges which meet the standard and comply with said act, and to disapprove and refuse to recognize those that do not so comply; to employ an assistant secretary, a chief inspector, inspectors, and such clerks as the board may deem necessary, whose salaries shall be fixed by the board subject to the approval of the Director of Finance, and whose duties shall be prescribed by the board; said assistant secretary and chief inspector".

AMENDMENT NUMBER THREE.

On page 3, line 9, of the printed measure, strike out "ten", and insert in lieu thereof the following: "six".

Amendments adopted.

Assembly Constitutional Amendment No. 4 ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 5 of Article XI thereof, relating to county government.

Assembly Constitutional Amendment No. 58 read.

COMMITTEE AMENDMENTS.

During reading of Assembly Constitutional Amendment No. 58, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In lines 3 and 4 of the title of the printed measure, strike out "amending section 5 of", and insert in lieu thereof the following: "adding section 5a to".

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed measure, strike out "amending section 5 of", and insert in lieu thereof the following: "adding section 5a to".

AMENDMENT NUMBER THREE.

On page 1 of the printed measure, strike out lines 9 to 26.

AMENDMENT NUMBER FOUR.

On page 1, line 27, of the printed measure, immediately before "notwithstanding", insert the following: "Sec. 5a."

Amendments adopted.

Assembly Constitutional Amendment No. 58 ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 79—A resolution to propose to the people of the State of California, an amendment to the

Constitution of said State by adding to Article XX thereof, a new section to be numbered 22, relating to legal rate of interest.

Assembly Constitutional Amendment No. 79 read.

COMMITTEE AMENDMENT.

During reading of Assembly Constitutional Amendment No. 79, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed measure, strike out lines 12 to 17, inclusive, and insert in lieu thereof the following: "be seven per cent per annum but it shall be competent for the parties to any loan or forebearance of any money, goods or things in action to contract in writing for a rate of interest not exceeding ten per cent per annum.

No person, association, copartnership or corporation shall be charging any fee, bonus, commission, discount or other compensation receive from a borrower more than ten per cent per annum upon any loan or forebearance of any money, goods or things in action; but this latter restriction shall have no application to any corporation incorporated in the manner prescribed in and operating under that certain act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision." approved May 18, 1917, as amended, or any corporation incorporated in the manner prescribed in and operating under that certain act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision." approved March 31, 1927, as amended or any duly licensed pawnbroker or personal property broker, or any bank as defined in and operating under that certain act known as the "Bank Act," approved March 1, 1909, as amended, or any bank created and operating under and pursuant to any laws of this State or of the United States of America or any nonprofit cooperative association organized under Chapter 4 of Division VI of the Agricultural Code in loaning or advancing money in connection with any activity mentioned in said title or any corporation, association, syndicate, joint stock company, or partnership engaged exclusively in the business of marketing agricultural, horticultural, viticultural, dairy, live stock, poultry and bee products on a cooperative nonprofit basis in loaning or advancing money to the members thereof or in connection with any such business or any corporation securing money or credit from any Federal intermediate credit bank, organized and existing pursuant to the provisions of an act of Congress entitled "Agricultural Credits Act of 1923," as amended in loaning or advancing credit so secured, nor shall any such charge of any said exempted classes of persons be considered in any action or for any purpose as increasing or affecting or as connected with the rate of interest hereinbefore fixed. The Legislature may from time to time prescribe the maximum rate per annum of, or provide for the supervision, or the filing of a schedule of, or in any manner fix, regulate or limit, the fees, bonus, commissions, discounts or other compensation which all or any of the said exempted classes of persons may charge or receive from a borrower in connection with any loan or forebearance of any money, goods or things in action.

The provisions of this section shall supersede all provisions of this constitution and laws enacted thereunder in conflict therewith."

Amendment adopted.

Assembly Constitutional Amendment No. 79 ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 65—A resolution proposing to the people of the State of California an amendment of sections 2, 23, and 34 of Article IV, and of section 9 of Article V of the Constitution of the State of California, all relating to sessions of the Legislature, and procedure therein.

Assembly Constitutional Amendment No. 65 read.

COMMITTEE AMENDMENTS.

During reading of Assembly Constitutional Amendment No. 65, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed measure, strike out "thirty", and insert in lieu thereof the following: "sixty".

AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed measure, strike out "two", and insert in lieu thereof the following: "three".

AMENDMENT NUMBER THREE.

On page 1, line 22, of the printed measure, after the period, insert the following: "Every bill introduced shall within ninety days from and after the date on which the recess is taken be so amended as to completely in the body thereof state the purpose of the bill and the means by which it is to be accomplished. Such amendment shall be offered by the member introducing the bill to the chief secretarial officer of the house in which it is introduced or to some assistant selected by such officer for the purpose and shall thereupon be printed on order of such officer."

AMENDMENT NUMBER FOUR.

On page 2 of the printed measure, strike out lines 9 to 11, inclusive, and insert in lieu thereof the following:

"34. The Governor shall at least ten days before the date of convening of each regular session of the Legislature cause to be transmitted by registered mail or some other means of transmission by means of which the delivery thereof will be acknowledged or will be shown by the person or agency making the delivery, to each person certified to him by the Secretary of State as entitled to sit as a member of the Legislature for the forthcoming session, with an explanatory message,".

AMENDMENT NUMBER FIVE.

On page 2 of the printed measure, between lines 25 and 26, insert the following: "The Governor shall also submit to the Legislature within ten days of the reconvening of the regular session after the recess, in a special message, a general statement of the condition of the finances and revenues of the State together with such changes in the estimates contained in the budget as may to him seem advisable."

Amendments adopted.

Assembly Constitutional Amendment No. 65 ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 107—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XIII thereof a new section to be numbered 22, relating to motor vehicle fuel license taxes.

Assembly Constitutional Amendment No. 107 read.

COMMITTEE AMENDMENT.

During reading of Assembly Constitutional Amendment No. 107, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed measure, after the comma following "Public Works", insert the following: "and the amounts necessary for the maintenance and operation of said bridge as required by Chapter 9, Statutes of 1933,".

Amendment adopted.

Assembly Constitutional Amendment No. 107 ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 2341—An act to reduce the rates and charges of gas and electrical corporations furnishing heat, light and power to the public, empowering and directing the Railroad Commission to administer and enforce the reduction, and declaring this act to be an urgency measure.

Bill read third time.

The question being on the passage of the bill.

SPECIAL ORDER SET.

On motion of Mr. Robinson, C. Ray, the consideration of Assembly Bill No. 2341 was made a special order for this day, at two o'clock and thirty minutes p.m.

Assembly Bill No. 1228—An act to amend section 1461 of the Probate Code, relating to guardians of insane and other incompetent persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1228 passed by the following vote:

AYES—Alter, Badham, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Craig, Crist, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, O'Donnell, Peterson, Powers, Rawls, Robinson, C. Ray; Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Utt, Williamson and Wright—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1622—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending section 6, relating to the powers and duties of the Board of Directors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1622 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Craig, Crist, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Kallam, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Peterson, Rawls, Robinson, C. Ray; Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson and Wright—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 408—An act regulating and restricting the sale of goods, wares and merchandise manufactured, produced or mined by convicts or prisoners or in penal or reformatory institutions and prescribing penalties for violation of the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 408 passed by the following vote:

AYES—Alter, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Crist, Evans, Feigenbaum, Field, Gilmore, Hallner, Hatch, Hoffman, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Donnell, Patterson, Peterson, Rawls, Redwine,

Roberts, Robinson, C. Ray: Rogers, Roland, Ross, Stannard, Thorp, Tournoux, Turner, Utt, Williamson and Wright—45.
NOES—Greene and Jones—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 689—An act to amend section 737f of the Political Code, relating to the superior judge in and for the county of Colusa.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 689 passed by the following vote:

AYES—Alter, Badham, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Crist, Evans, Field, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Roberts, Robinson, C. Ray; Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson and Wright—47.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 155—An act relating to the use and furnishing of stamps, coupons, tickets, can covers, bottle caps or other similar devices, for or with the sale of goods, wares or merchandise and the giving of gifts, premiums or bonuses in connection with or as part of the sale of goods, wares or merchandise and providing a penalty for violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 155 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Craig, Dempster, Evans, Field, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, King, Latham, Levey, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Thorp, Turner, Utt, Woolwine and Wright—48.
NOES—Williamson—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1094—An act to amend section 611 of the Political Code, relating to reports required of insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1094 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Craig, Crist, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Roberts, Robinson, C. Ray;

Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Williamson and Woolwine—53.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1747—An act to authorize and empower the State Director of Education, with the approval of the State Director of Finance, to sell and convey the lands and buildings now being used by the State Teachers College of Santa Barbara, and from the proceeds of such sale to improve the site for said school, acquired by the State in 1932, to erect and construct upon such site buildings and other structures and improvements necessary and proper for said school, to purchase furniture, fixtures, apparatus, and other things necessary for said school, and to rent such temporary buildings and grounds as may be necessary for the use of said school until the completion of the new school buildings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1747 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Craig, Crist, Dempster, Evans, Feigenbaum, Field, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Williamson, Woolwine and Mr. Speaker—55.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and fifteen minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 596—An act to amend sections 3649 and 3672 of the Political Code, relating to the assessment, equalization and taxation of personal property escaping assessment between the first Monday of March and the first Monday of July.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 596 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Gilmore, Hallner, Hatch, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—58.
NOES—Dempster and O'Connor—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 569—An act to authorize the investigation of the financial condition of, and granting financial aid to, assessment districts organized under the "Acquisition and Improvement Act of 1925" or the "Road District Improvement Act of 1907."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 569 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, Patterson, Peterson, Rawls, Riley, Robinson, Samuel E, Rogers, Scudder, Stannard, Stream, Turnoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 311—An act to amend section 1381 of the Penal Code, relating to the time of trial of prisoners on charge other than that for which imprisoned.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 311 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 2309—An act to amend section 3 of the California Veterans' Welfare Act, approved May 30, 1921, as amended, relating to veterans and the Veterans' Welfare Board.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2309 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Latham, Levey, Lyon, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James, A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 603—An act to amend section 653c of the Penal Code, relating to investigation of and decision on complaints of alleged violations of requirements on hours of labor on public works.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 603 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 111—An act to add a new section to the Penal Code to be numbered 146c, relating to badges or other insignia of authority of fire departments and providing penalties for the violation hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 111 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Thorp, Tournoux, Utt, West, Williamson, Zion and Mr. Speaker—55.

NOES—Peterson, Scudder, Stream, Woolwine and Wright—5.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Robinson, C. Ray, gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 111 was this day passed.

RECESS.

At twelve o'clock m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Bernard reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1089—An act to amend section 1056 of the Code of Civil Procedure, relating to sureties on undertakings or bonds, prescribing the amount of capital stock required

and regulating the formation or admission of corporations to transact such business in this State, placing such corporations under the jurisdiction of the Insurance Commissioner, providing for examination and prescribing the duties of the said Insurance Commissioner in connection therewith;

Also: Assembly Bill No. 1091—An act to amend sections 633a7, 633a16, 633a18, 633a24, 633a25, 633a27, 633a28, 633a29, and 633a31 of the Political Code, and to add a new section to said code, to be numbered 6 3a32, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors;

Also: Assembly Bill No. 1098—An act to amend section 602 of the Political Code, relating to insurance;

Also: Assembly Bill No. 1102—An act to amend section 594 of the Political Code, defining and classifying insurance, and prescribing capital and other requirements of the various classes and limitations of classes permitted, and also requiring the stock of insurance companies to have a specified par value;

Also: Assembly Bill No. 1791—An act to amend an act entitled "An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations," approved April 30, 1919, as amended, by adding thereto six new sections, to be numbered 5, 8a, 8b, 8c, 8d and 8e, respectively, and by amending section 6 thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered placed on daily calendar.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR SPEAKER. Your Committee on Roads and Highways, to which was referred Assembly Concurrent Resolution No. 49—Relative to directing the Department of Public Works to investigate taking over the toll road in Marin County approaching Muir Woods—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

GREENE, Chairman.

Assembly Concurrent Resolution No. 49 ordered on file for adoption.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1936—An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1016—An act to amend section 1060 of the Fish and Game Code, and to add thereto sections 481.5, 1064.5 and 1065 5, relating to fish and game;

Also: Assembly Bill No. 800—An act to amend section 634 of the Penal Code, relating to protection of fish and game;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

ZION, Chairman.

The above reported bills ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1945—An act to enable the State Department of Agriculture to cooperate with counties of this State to provide lands and implements with which needy and unemployed persons may raise farm products—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MEEKER, Chairman.

The above reported bill ordered referred to Committee on Rules

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 111—An act to amend sections 860, 861 and 870 of the Agricultural Code, relating to the standardization of canned foods;

Also Senate Bill No. 1135—An act to repeal sections 162 to 165, inclusive, of the Agricultural Code, relating to deer-tight fences;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MEEKER, Chairman.

The above reported bills ordered on file for second reading.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 26, 1933, passed, as a case of urgency, Senate Bill No. 753—An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 753 read first time, and referred to Committee on Revenue and Taxation.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Jones:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to control, license and regulate, the manufacture, transportation, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation hereof.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to control, license and regulate, the manufacture, transportation, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation hereof.

HALLNER, Chairman.

The question being on the adoption of the report.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Nielsen moved a call of the House.

Motion carried.

Time, one o'clock and forty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Bliss, Brock, Callahan, Chatters, Clowdsley, Crowley, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hatch, Hunt, Jones, Kallam, Latham, Levey, Maloney, Martin, Mayo, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Rawls, Robinson, C. Ray; Rogers, Ross, Scudder, Stannard, Stream, Thorp, Turner, Williamson, Wright and Mr. Speaker—41.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

COMMUNICATION.

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

SAN FRANCISCO, April 26, 1933.

Hon. Edgar C. Levey,
State Capitol,
Sacramento, California.

MY DEAR MR. LEVEY: Will you kindly convey to the Honorable Walter J. Little, Speaker, and to the honorable members of the Assembly my sincere appreciation for the kindness shown and the courtesies extended to Mrs. Ray on her recent visit to Sacramento.

I also wish to express my sincere thanks to those members who supported me for the appointment of Poet Laureate of California. It is very gratifying to me to learn that so many members of the Assembly had such confidence in my ability as a writer of verse, and I hope that at some time I may have the privilege of thanking them personally.

Sincerely,

MILTON S. RAY.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 36—An act to amend section 1 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the status of unincorporated territory.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 36 passed by the following vote:

AYES—Alter, Bliss, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Hoffman, Hunt, Jones, Kallam, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Robinson, C. Ray; Rogers, Roland, Scudder, Sullivan, Thorp, Tournoux, Utt, Williamson, Wright and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1571—An act to validate the organization and incorporation of municipal corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1571 passed by the following vote:

AYES—Alter, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Wright and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2135—An act to amend section 12 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for the United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897, relating to admissions to the Veterans' Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2135 passed by the following vote:

AYES—Alter, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 873—An act to amend section 1182 of the Penal Code, and to add a new section thereto, to be numbered 1183, relating to new trials.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 873 passed by the following vote:

AYES—Alter, Bliss, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E.,

Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, Williamson, Wright and Mr. Speaker—55.
NOES—Feigenbaum and Roland—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2136—An act to add a new section to the Bank Act, to be numbered 136½, relating to powers of trustees or receivers of closed banks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2136 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—66.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

EXPLANATION OF VOTE.

April 27, 1933.

I observe that I was recorded "No" on Assembly Bill No. 116, Journal of Tuesday, April 25, 1933. This should have been "Aye."

JOHN P. PHILLIPS,
Seventy-sixth Assembly District.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and fifteen minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Jones.

The roll of absentees was called, and the report of the Committee on Introduction of Bills was adopted by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—69.
NOES—None.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2384—An act to amend section 654a of the Penal Code, prohibiting false advertising and the misleading use of comparative prices.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2384 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Crist, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, McBride, McMurray, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, C. Ray; Robinson,

Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson and Mr. Speaker—58.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2372—An act providing for the licensing and regulation of the business of growing and marketing Valencia oranges; creating the California Valencia Orange Marketing Control Board in connection therewith; and prescribing penalties for the violation of the provisions hereof.
Bill read third time.
The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Utt moved that Assembly Bill No. 2372 be withdrawn from the file, and ordered re-referred to Committee on Rules.
The question being on re-referring Assembly Bill No. 2372 to Committee on Rules.
Motion carried.
Assembly Bill No. 2372 ordered re-referred to Committee on Rules.

Assembly Bill No. 1627—An act to amend section 2322x53 of the Political Code, relating to the office of the agricultural commissioner in counties of the fifty-third class.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1627 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Utt, Williamson and Mr. Speaker—61.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1621—An act transferring from the highway maintenance fund to the general fund an amount equal to the interest due upon moneys paid from the general fund pursuant to the provisions of Chapter 400, Statutes of 1931.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1621 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson,

Peterson, Phillips, Rawls, Roberts, Robinson, C. Ray; Rogers, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Utt, Williamson, Wright and Mr. Speaker—60.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1948—An act to provide for the payment of the proportionate share of bonded indebtedness levied against property subsequently acquired by the State or a political subdivision thereof for public purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1948 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Wright and Mr. Speaker—63.
NOES—Clowdsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Rawls: Assembly Constitutional Amendment No. 114—Proposed amendment to Article XX, adding section 23 of the Constitution, relative to deficiency judgments.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Jones: Assembly Bill No. 2396—An act to control, license and regulate, the manufacture, transportation, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation hereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

MOTION.

On motion of Mr. Jones, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 2396.

SPECIAL ORDER.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED FORTY-ONE.

Assembly Bill No. 2341—An act to reduce the rates and charges of telephone, gas and electrical corporations furnishing telephone service, heat, light and power to the public, empowering and directing the Rail-

road Commission to administer and enforce the reduction, and declaring this act to be an urgency measure.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Cottrell:

AMENDMENT NUMBER ONE.

In the first line of the title of the printed bill, as amended, after the word "of", and before the word "telephone", insert the following: "all certificated public carriers, water companies furnishing water service to the public,".

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, as amended, after the word "all", insert the following: "certificated public carriers, water companies serving water service to the public,"

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Robinson, C. Ray; Meeker and Lyon, the Speaker ordered a roll call taken on the adoption of the amendments.

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

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Greene, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Nielsen, Patterson, Peterson, Phillips, Rawls, Riley, Rogers, Ross, Stannard, Sullivan, Tournoux, Utt, West, Williamson, Woolwine and Zion—49.

NOES—Anglim, Bowers, Chatters, Cronin, Crowley, Frazier, Gilmore, Grubbs, Meeker, Miller, Eleanor; O'Donnell, Roberts, Robinson, C. Ray; Robinson, Samuel E., Scudder, Stream, Thorp, Wright and Mr. Speaker—19.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Robinson, C. Ray, asked for unanimous consent to take up Assembly Bill No. 2341, at this time, without reference to printer or file, and that same be considered engrossed.

Mr. Robinson, C. Ray, withdrew his request for unanimous consent.

Bill ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2206—An act to add a new section to the Political Code, to be numbered 363*l*, relating to the Division of Architecture revolving fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2206 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, King, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Phillips, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 315—An act relating to employers and employees, declaring public policy in respect to voluntary agreements between them, prohibiting certain agreements between them in respect to membership in employer organizations or in labor organizations, defining the rights, privileges and obligations of employers and employees in labor disputes, defining and limiting the jurisdiction of courts, including courts of equity, in cases involving or incident to or growing out of labor disputes, and prescribing means for enforcement of the provisions of the act.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Frazier:

AMENDMENT NUMBER ONE.

Strike out the title of the printed, amended bill, and insert in lieu thereof the following:

"An act to declare provisions in contracts of employment whereby either party undertakes not to join, become or remain a member of a labor union or of any organization of employers or undertakes in such event to withdraw from the contract of employment, to be against public policy and void"

AMENDMENT NUMBER TWO.

On page 1 of the printed, amended bill, strike out all of lines 1 to 11, inclusive, and also all of pages 2, 3, 4, 5, 6 and 7, and insert in lieu thereof the following:

"SECTION 1. Every undertaking or promise hereafter made, whether written or oral, express or implied, constituting, or contained in, any contract or agreement of hiring or employment between any individual, firm, company, association, or corporation, and any employee or prospective employee of the same, whereby (a) either party to such contract or agreement undertakes or promises not to join, become, or remain, a member of any labor organization or of any organization of employers, or (b) either party to such contract or agreement undertakes or promises that he will withdraw from the employment relation in the event that he joins, becomes or remains, a member of any labor organization or of any organization of employers, is hereby declared to be contrary to public policy and wholly void."

The question being on the adoption of the amendments.

MOTION TO RE-REFER.

Mr. Crist moved that Assembly Bill No. 315 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 315 to Committee on Judiciary.

Mr. Crist withdrew his motion to re-refer.

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Cronin, Levey and Gilmore, the Speaker ordered a roll call taken on the adoption of the amendments.

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

AYES—Badham, Craig, Evans, Frazier, Latham, Lyon, Riley and Utt—8.

NOES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Rawls, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—63.

Bill read.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 315 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—64.

NOES—Badham, Craig, Evans, Frazier, Latham, Lyon, Morgan and Mr. Speaker—8.

Title read and approved.

Bill ordered transmitted to the Senate.

RESOLUTION.

The following resolution was offered:

By Mr. Robinson, C. Ray:

ASSEMBLY RESOLUTION.

Resolved by the Assembly of the State of California, That Rule 26 of the Standing Rules of Assembly be amended to read as follows:

26. No member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, except that the author of a bill or resolution, or the mover of a question, shall have the right to close the debate thereon. No member shall be allowed to speak more than ten minutes to open and five minutes to close the debate thereon, and no member other than the author or the mover of the question shall be allowed to speak more than five minutes thereon. No member shall yield the time for which he is entitled to speak to any other member.

This rule can only be suspended by a two-thirds affirmative vote of all members elected to the Assembly, or by unanimous vote; and be it further

Resolved, That Rule 79 of the Standing Rules of Assembly be amended to read as follows:

79. No Senate amendment of an Assembly bill shall be concurred in except by an affirmative recorded vote of a majority of all members elected to the Assembly. When Senate amendments to such bill are so concurred in it shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence; and be it further

Resolved, That Rule 91 of the Standing Rules of Assembly be and it is hereby repealed.

REQUEST FOR UNANIMOUS CONSENT.

Mr Robinson, C. Ray, asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering the resolution, at this time, without reference to committee.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

MOTION TO PRINT.

On motion of Mr. Turner, the Chief Clerk was instructed to have printed 250 copies of the resolution offered by Mr. Turner on Wednesday, April 26, 1933, and appearing on pages 43 and 44 of the Assembly Daily Journal.

MOTION TO RECONSIDER.

Mr. Lyon moved that the consideration of his motion to reconsider the vote whereby Senate Constitutional Amendment No. 30 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RE-REFER.

Mr. Martin moved that Assembly Bill No. 1426 be withdrawn from Committee on Revenue and Taxation, and ordered referred to Committee on Municipal Corporations.

The question being on referring Assembly Bill No. 1426 to Committee on Municipal Corporations.

Motion carried.

Assembly Bill No. 1426 ordered referred to Committee on Municipal Corporations.

RECESS.

At four o'clock and seven minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Bernard reading.

MOTION TO RECONSIDER.

Mr. Woolwine moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 26 was refused adoption be continued until the next legislative day.

Motion carried.

LEAVES OF ABSENCE.

On motion of Mr. Meeker, Mr. Robinson, C. Ray, was granted leave of absence for the balance of this legislative day.

On motion of Mr. Anglim, Mr. Miller, James A., was granted leave of absence for the balance of this legislative day.

HON. WILLIAM W. HOFFMAN IN THE CHAIR.

At eight o'clock and five minutes p.m., Hon. William W. Hoffman, member of the Assembly from the Fifteenth Assembly District, in the chair.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 98—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding a new section to Article VI to be known as section 8½, relating to the election of judges of the superior courts of certain counties, the terms of office of such judges, and the filling of vacancies in such offices;

Also: Assembly Constitutional Amendment No. 104—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof a new section to be numbered 19, relating to payment of State highway bonds;

Also: Assembly Constitutional Amendment No. 105—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XIII thereof a new section to be numbered 20, relating to payment of State highway bonds;

Also: Assembly Constitutional Amendment No. 111—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XIII thereof a new section to be numbered 19c, relating to motor vehicle fuel license taxes;

Also: Assembly Constitutional Amendment No. 112—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XIII thereof a new section to be numbered 19a, relating to motor vehicle fuel license taxes;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported constitutional amendments ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 49—Relative to directing the Department of Public Works to investigate taking over the toll road in Marin County approaching Muir Woods—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 660—An act to amend section 4300½ of the Political Code, relating to municipal court fees—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 181—An act to amend section 2 of an act entitled "An act defining criminal syndicalism and sabotage, prescribing certain acts and matters in connection therewith and in pursuance thereof and providing penalties and punishments therefor," approved April 30, 1919;

Also: Assembly Bill No. 367—An act to add section 146b to the Penal Code, relating to unlawful acts by public officers;

Also: Assembly Bill No. 680—An act to amend section 2.21 of the School Code, relating to the attendance of pupils from one school district in the schools of another school district;

Also: Assembly Bill No. 683—An act to amend section 2.801 of the School Code, relating to the liability of governing boards of school districts for injuries to pupils;

Also: Assembly Bill No. 806—An act to add a new section to the School Code, to be numbered 2.1428, relating to examination and audit of and report concerning the books, records and accounts of school districts by the State Department of Education and terminating the authority heretofore vested in the grand jury in that regard;

Also: Assembly Bill No. 823—An act to amend the "Los Angeles County Flood Control Act," by adding thereto a new section to be numbered 17a, relating to rights of way across public lands of the State;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 919—An act to add a new section to the Political Code, to be numbered 542.5, relating to expenditures for the printing or publishing of books, pamphlets, reports, compilations, synopses and other documents;

Also: Assembly Bill No. 973—An act to amend section 316 of the Agricultural Code, relating to meat inspection;

Also: Assembly Bill No. 1017—An act to add a new section to the Penal Code, to be numbered 1193a, relating to terms of imprisonment;

Also: Assembly Bill No. 1069—An act to add four new sections to the Civil Code, to be numbered 453h1 to 453h4, inclusive, all relating to life, health, accident, and annuity or endowment insurance on the assessment plan;

Also: Assembly Bill No. 1157—An act to amend section 120 of the Agricultural Code, relating to nursery stock;

Also: Assembly Bill No. 1806—An act to add to the School Code new sections to be numbered 2.1112, 2.1113, 2.1114, 2.1115, 2.1116, 2.1117 and 2.1118, and to amend School Code section 4.970, relating to public schools, school districts, the powers and duties of the governing boards of schools districts, and the authorizing of any elementary district to permit the governing board of the high school district within which any such elementary district is located, to manage, operate and control the elementary schools within such elementary district together with the high schools of the high school district as a single school district system;

Also: Assembly Bill No. 2246—An act relating to the care and treatment of feeble-minded children in the Pacific Colony and making available for use therefor the buildings and grounds at the State Narcotic Hospital;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 75—An act to repeal "An act making it a misdemeanor to sell or exchange property under the representation, advertisement, notice or inducement that an unidentified, unknown, unselected, or chance prize, premium or premium-gift, or that a stamp, trading-stamp, coupon or other like device entitling the holder to receive such a prize, premium or premium-gift, or that the redemption of such a stamp, trading-stamp, coupon or other like device so given is to be part of the transaction, or to sell or exchange any trading-stamp, stamp, coupon, or other like device to aid such sale or exchange, as aforesaid, and providing a penalty therefor," approved March 7, 1905;

Also: Assembly Bill No. 1427—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and part of acts inconsistent therewith," being Statutes of 1931, page 483, as approved May 5, 1931, by amending the title and adding section 13.20, providing for reorganizations agreed upon by sixty-six and two-thirds per cent of the creditors of any seized association, and authorizing building and loan associations and their custodians, receivers, etc., to purchase certificates at less than par or to trade real estate for certificates;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to Article IV thereof, to be numbered 25½, relating to the practice of chiropractic;

Also: Senate Bill No. 875—An act to add a new article to Chapter III of Title I of Part III of the Political Code to be numbered Article XXI, embracing sections 720 to 724f, inclusive, creating a board to be known as the Board of Control to take the place of the Department of Finance, prescribing the duties, powers, responsibilities, authority and jurisdiction of the Board of Control and providing for the membership thereof and their qualifications; providing for the transfer to

the Board of Control and the imposition on it of the duties, powers, responsibilities, authority and jurisdiction of the Department of Finance and the Director of Finance, as well as of the various divisions of the Department of Finance and the officers, agents and employees of the Department of Finance; providing for the abolishment of the Department of Finance and the Director of Finance and the various divisions of the Department of Finance and the various officers, agents and employees of the Department of Finance; providing for the expenditure and transfer of certain funds, and repealing all acts or parts of acts in conflict therewith;
Has had the same under consideration, and respectfully reports the same back, and recommends that they be reprinted.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered to reprint.

ON CIVIL SERVICE.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Civil Service, to which was referred Assembly Bill No. 722, as amended by the Senate—An act to add a new section to be numbered 14a to the "State Civil Service Act," relating to the abolition or discontinuance of positions—has had the same under consideration, and respectfully reports the same back, and recommends that the Assembly do concur in said amendments.

BOWERS, Chairman.

The above reported bill ordered placed on daily calendar.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1869, as amended by the Senate—An act to amend section 4235 of the Political Code, relating to compensation of county and township officers in counties of the sixth class—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do not concur in said amendments.

BROCK, Chairman.

The above reported bill ordered placed on daily calendar.

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred Assembly Concurrent Resolution No. 48—Relative to fees and other charges in State parks, and their use for maintenance and improvement purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

FIELD, Chairman.

Assembly Concurrent Resolution No. 48 ordered on file for adoption.

ON CIVIL SERVICE.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Civil Service, to which was referred Assembly Bill No. 1310—An act to amend sections 2, 3 and 14 of, and to add section 3a to, the State Civil Service Act, and to repeal section 686 of the Political Code, relating to the administration of said act, defining the powers and duties of the Civil Service Commission and transferring to said commission the powers, duties, functions and responsibilities of the Division of Personnel and Organization and the Department of Finance in relation to the administration of said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BOWERS, Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2352—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as therein defined, providing a penalty for a violation of the provisions thereof and declaring that this act shall

take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 523—An act to amend section 1 of an act entitled "An act authorizing counties to declare noxious or dangerous weeds growing upon the streets or sidewalks or upon private property in counties, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same, and providing that such cost shall constitute special assessments, and providing for the enforcement and collection of such special assessments," approved May 24, 1929, relating to the powers of supervisors to declare the existence of a public nuisance;

Also: Assembly Bill No. 1351—An act to amend section 4156b of the Political Code, prohibiting district attorneys of counties or cities and counties from defending or assisting in the defense of, or acting as counsel for, defendants in civil actions and proceedings, when the State is a party plaintiff, and to redesignate said section 4156b as section 4156c of the Political Code;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2385—An act to amend sections 2322x7, 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236n, 4236o, 4236p and 4236q of the Political Code, relating to the compensation of county officers in counties of the seventh class;

Also: Assembly Bill No. 1888—An act to amend section 3714 of the Political Code, relating to county and district budgets and county expenditures;

Also: Assembly Bill No. 1875—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 2388—An act to amend the Political Code by adding a new section thereto to be numbered 3493a, providing that defaulting reclamation districts under certain circumstances shall be subject to said section and shall be under the control of the California Districts Securities Commission to the extent and for the time set forth therein; providing for the manner of calling assessments and the making of calls for payments of warrants, of interest and of principal of bonds, or other indebtedness of such defaulting districts in an amount it will be reasonably possible for the lands to pay without exceeding a delinquency of 15 per cent, notwithstanding any other provisions of law governing said district; limiting the operation of said section 3493a until November 1, 1935, only, unless sooner repealed; and declaring the same an emergency measure enacted under the police power—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 2380—An act to amend Chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general

or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, as amended, by amending section 1 thereof, relating to appropriation of waters by the State Department of Finance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No 319—An act to amend sections 3732, 3746, 3751, 3756, 3758, 3759, 3764, 3766, 3767, 3797, 3801, 3817, 3817a, and 3897 of the Political Code, relating to the assessment and collection of taxes on real and personal property and the redemption thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 822—An act to add a new section to the Political Code, to be numbered 3817b, authorizing the temporary suspension of penalties on delinquent taxes—has had the same under consideration, and respectfully reports the same back,,and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 289—An act to permit any water users' association organized under the laws of the State of California to levy unequal assessments upon its capital stock in the event of contract with the United States under the provisions of the National Reclamation Laws—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 655—An act to amend section 55 of the California Irrigation District Act, relating to rates of toll or charges for water—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1990—An act to provide a permit to be issued to any person, firm, corporation or association manufacturing or distributing alcoholic beverage; to impose an excise tax upon the manufacture and distribution of such alcoholic beverage; to provide methods and penalties for the enforcement of the tax; and to credit the revenues derived therefrom to the general fund of the State and providing when this act shall become effective—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No 9—An act to amend sections 41, 42, 43, 45 and 46 of the California Irrigation District Act, and to repeal section 44 of said act, all relating to delinquent assess-

ments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 1036—An act to add section 73a to the California Irrigation District Act, relating to the procedure by which property owners may be relieved from obligations of the district—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 638—An act to amend section 19x39 of the Juvenile Court Law, relating to the probation officer in counties of the thirty-ninth class;

Also: Senate Bill No. 639—An act to amend section 2322x39 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-ninth class; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 178—An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 640—An act to amend section 4268 and to repeal section 4268a of the Political Code, relating to the compensation of county and township officers in counties of the thirty-ninth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 658—An act to amend section 737gg of the Political Code, relating to the compensation of the judge of the superior court, Riverside County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 400—An act to add a new section to the Political Code, to be numbered 3714b, relating to annual financial estimates from special tax and assessment

districts—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Concurrent Resolution No. 37—Relating to rewriting veterans' contracts for purchase of land in certain cases.

Assembly Concurrent Resolution No. 37 read.

The question being on the adoption of Assembly Concurrent Resolution No. 37.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Knowland moved a call of the House.

Motion carried.

Time, eight o'clock and twenty-three minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Brock, Callahan, Crowley, Fisher, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Lyon, Martin, McCarthy, McMurray, Meehan, Miller, Eleanor; O'Connor, Peterson, Phillips, Powers, Redwine, Robinson, Samuel E., Rogers, Ross, Stream and Williamson—29.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

SECOND READING OF SENATE BILLS.

Senate Bill No. 131—An act to amend section 16x14 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the fourteenth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 128—An act amending section 4243 of the Political Code, relating to salaries and compensation of officers in counties of the fourteenth class.

Bill read second time.

FLOOR AMENDMENTS.

During second reading of the bill, the following amendments were submitted by Mr. Brock:

AMENDMENT NUMBER ONE.

On page 4, line 29, of the printed bill, after the period following the word "annum", insert the following: "the district attorney, his assistant and deputies shall not be required to devote full time to the duties of the office, providing the duties of the office are promptly and efficiently discharged."

AMENDMENT NUMBER TWO.

On page 3, line 18, of the printed bill, following the word "by", strike out the words "sections 4099 and", in strikeout type, and insert in lieu thereof the following: "sections 4049a and".

AMENDMENT NUMBER THREE.

On page 4, line 11, of the printed bill, following the word "the", strike out "um", and insert in lieu thereof the following: "sum".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading:

Senate Bill No. 130—An act to amend section 19x14 of the Juvenile Court Law, relating to the salaries of the probation officer and assistants in counties of the fourteenth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 732—An act to provide for the organization and conduct of nonprofit cooperative associations to engage in the marketing, handling, and distribution of fish and fishery products.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 129—An act to amend section 2322x14 of the Political Code, relating to the office of agricultural commissioner in counties of the fourteenth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 4, of the printed bill, after the word "deputies", insert the words "or inspectors."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 875—An act to add a new article to Chapter III of Title I of Part III of the Political Code to be numbered Article XXI, embracing sections 720 to 724f, inclusive, creating a board to be known as the Board of Control to take the place of the Department of Finance, prescribing the duties, powers, responsibilities, authority and jurisdiction of the Board of Control and providing for the membership thereof and their qualifications; providing for the transfer to the Board of Control and the imposition on it of the duties, powers, responsibilities, authority and jurisdiction of the Department of Finance and the Director of Finance, as well as of the various divisions of the Department of Finance and the officers, agents and employees of the Department of Finance: providing for the abolishment of the Department of Finance and the Director of Finance and the various divisions of the Department of Finance and the various officers, agents and employees of the Department of Finance; providing for the expenditure and transfer of certain funds, and repealing all acts or parts of acts in conflict therewith.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of subsection 720, commencing in line 5 and ending on line 20, page 2, and insert in place thereof the following:

"720. A department of the government of the State of California to be known as the Board of Control is hereby created. The board shall consist of the State

Controller, the Legislative Counsel and the Director of the Budget. The office of the Director of the Budget is hereby created superseding the office of the Director of Finance and the office of the Director of Finance is hereby abolished. The Director of the Budget shall be appointed by the Governor within ten days after this act shall take effect and shall serve and hold office at the pleasure of the Governor. The salary of the Director of the Budget shall be five thousand dollars per annum to be paid at the same time and in the same manner as the salaries of other State officers. Before entering upon the discharge of his duties, the Director of the Budget shall execute an official bond to the State of California in the penal sum of fifty thousand dollars, conditioned for the faithful performance of his duties. The Controller and Legislative Counsel and Director of the Budget shall serve as members of the Board of Control without other or further compensation than that attached to and payable on account of their duties as State Controller, Legislative Counsel and Director of the Budget, respectively, but they shall be entitled to their necessary traveling expenses when engaged on official business of the Board of Control."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 284—An act confirming and validating the formation or organization and existence of port districts, and declaring that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 283—An act to amend an act entitled "An act to provide for the creation, organization, and government of port districts; to enumerate the powers thereof; to authorize the incurring of indebtedness, the issuance of bonds and the levy and collection of taxes by such district; to authorize municipal corporations in such districts to surrender and transfer certain municipal powers and to grant certain municipal property to such districts for the purpose of carrying out the objects and purposes of this act," approved June 18, 1931 (Statutes of 1931, Chapter 1028), by amending the title thereof and by adding a new section thereto to be numbered section 13 (a), relating to the incurring of certain bonded indebtedness, prescribing the method of procedure for the incurring of such indebtedness, providing for the allocation, pledge and hypothecation of revenues for self-liquidating projects, and authorizing the borrowing of money from and the incurring of indebtedness to the United States of America or any of its departments, agencies or instrumentalities, including the Reconstruction Finance Corporation.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 735—An act to amend sections 1204 and 1209 of the Fish and Game Code, relating to ducks and geese.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out "one daily bag limit", and insert in lieu thereof the following: "two daily bag limits".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 675—An act to amend section 456 of the Fish and Game Code, relating to the shipment of fish and game.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, as amended, strike out "No", and insert in lieu thereof the following: "Except in districts 1½, 5, and the Klamath River district, no".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 954—An act to add section 807.5 to the Fish and Game Code, relating to clams.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 451—An act to amend section 1177 and to add a new section number 1203.5 to the Fish and Game Code, relating to the protection of game.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 719—An act to amend section 611 of, and to add section 611.5 to, the Fish and Game Code, relating to trout.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 668—An act to amend sections 1035 and 1039 of the Fish and Game Code, relating to fish.

Bill read second time, and ordered on file for third reading.

THE SPEAKER IN THE CHAIR.

At eight o'clock and thirty minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Senate Bill No. 516—An act to provide for the inspection and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places; to declare the urgency thereof and provide that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 718—An act to add section 843.5 to the Fish and Game Code, relating to nets.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 679—An act to amend the Fish and Game Code of the State of California by adding thereto new sections numbered respectively 170 and 282, relating to the establishment and maintenance of a game refuge in the county of Monterey designated Monterey Peninsula Game Refuge.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 477—An act to amend sections 2 and 5 of an act entitled "An act providing for the supervision of dams by the Department of Public Works through the State Engineer for the purpose of safeguarding life and property, defining powers and duties concerning

the supervision of dams, providing for the enforcement of said supervision and providing penalties for violations thereof and making an appropriation therefor," approved June 10, 1929, relating to the definition of the word "dam" as used in said act and to filing fees charged thereunder.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 357—An act to amend the title of and sections 4, 9, 15, 27, 28, 35, 38, 38a, 40, 44, 49, 58, 68, 79, 83, 88, 91, 100, 104, 108, and 109 of, to add sections 38b, 84a, and 109a to, and to repeal sections 69 to 74, inclusive, of an act entitled "An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor, approved June 9, 1931, relating to retirement systems covering governmental employees in this State.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 666—An act to amend sections 4.161, 4.181 and 4.190 of the School Code, and to add a new section to said code, to be numbered 4.162, all relating to county school funds.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, after the word "pupils," strike out the comma, and insert in lieu thereof a period.

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, after the word "pupils," strike out the word "to", and insert in lieu thereof the word "To".

AMENDMENT NUMBER THREE.

On page 2, line 26, of the printed bill, after the word "be", insert the word "so".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 352—An act to amend section 1262 of the Agricultural Code, relating to produce dealers.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1559—An act to create the State Advisory Commission on Indian Affairs, to prescribe its membership and its powers and duties, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Nielsen:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out line 18, and insert in lieu thereof the following:

"SEC. 2. The commission, in cooperation with the authorized representatives of the United States Commissioner of Indian Affairs, shall have authority to investigate the health, home, economic and social conditions and educational advan-"

AMENDMENT NUMBER TWO

On page 2 of the printed bill, as amended, strike out lines 13 to 18, inclusive.

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 58—An act to amend section 337 of the Code of Civil Procedure, relating to the time within which actions upon any contract, obligation or liability founded upon an instrument in writing may be commenced.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 58 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Eleanor; Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Zion and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1382—An act to add a new section to the Code of Civil Procedure to be numbered section 580a, relating to deficiency judgments after exercise of the powers of sale under a mortgage or deed of trust.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1382 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Ross, Scudder, Stannard, Stream, Thorp, Turner, West, Williamson, Zion and Mr. Speaker—55.

NOES—Rogers—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1383—An act to add two new sections to the Code of Civil Procedure to be numbered sections 725 and 725a, relating to mortgages and deeds of trust.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1383 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; O'Connor, Patterson, Peterson, Phillips, Powers, Redwine,

Riley, Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Thorp, Turner, West, Williamson, Zion and Mr. Speaker—58.
NOES—Rogers and Sullivan—2.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eight o'clock and fifty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Knowland.

The roll of absentees was called, and Assembly Concurrent Resolution No. 37 was adopted by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Zion and Mr. Speaker—66.
NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 37 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 37.

Relating to rewriting veterans' contracts for purchase of land in certain cases

WHEREAS, Numerous veterans who have purchased property from the Veterans' Welfare Board are now delinquent in their payments, and will be unable to make future monthly payments, due to financial embarrassment caused by the general prevailing economic depression; and

WHEREAS, Many of these veterans have invested in the homes thus purchased their life savings, and foreclosure by the Veterans' Welfare Board would result in the loss of these savings; and

WHEREAS, *This Legislature deems it advisable that veterans purchasing property* under contract from the Veterans' Welfare Board be given opportunity to prevent such loss; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That it be recommended to the Veterans' Welfare Board that in each case in which a veteran has paid the sum of one thousand dollars on the purchase price of his home or upon the contract and upon the taxes, assessments or improvements upon said property, upon a written request from said purchaser, the contract may be rewritten in such a manner that the payments required under said contract may be met by the purchaser and thereafter the board, at its option, make such other extensions as said board may deem equitable and just under the circumstances; and be it further

Resolved, That a copy of this resolution be by the Chief Clerk of the Assembly forwarded to each member of the Veterans' Welfare Board.

Assembly Bill No. 1381—An act to add section 2924½ to the Civil Code, relating to mortgages and deeds of trust and to declare the urgency thereof and that this act shall go into immediate effect.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Fisher, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine,

Riley, Roberts, Robinson, Samuel E., Roland, Ross, Scudder, Thorp, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—58.

NOES—Crist, Greene, Jones, King, McCarthy, O'Connor, Rogers, Stannard, Stream, Sullivan and Tournoux—11.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE HUNDRED EIGHTY-ONE.

Assembly Bill No. 1381—An act to add section 2924½ to the Civil Code, relating to mortgages and deeds of trust and to declare the urgency thereof and that this act shall go into immediate effect.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1381 passed by the following vote:

AYES—Anglim, Bliss, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Evans, Feigenbaum, Fisher, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Ross, Scudder, Thorp, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—55.

NOES—Brock, Crist, Greene, Jones, King, McCarthy, O'Connor, Rogers, Stannard, Stream, Sullivan and Tournoux—12.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Sullivan gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1381 was this day passed.

Assembly Bill No. 1036—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said district," approved June 10, 1913, as amended, by amending sections numbered 3, 4, 5, 9, 10, 12, 15 and 26, and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: sections 3a and 3b, relating to voting in county water districts; section 22a, relating to levy of special assessments in county water districts; section 22b, relating to special rates of assessment in certain cases; section 22c, relating to assessing and collecting the cost of works in the manner provided in the "Improvement Act of 1911"; sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, relating to the optional levy and collection of taxes by county water districts through the district's own officers rather than with county taxes; section 52, relating to the raising and payment by a county water district of assessments levied by an irrigation district within which is included a part of the lands within such county water district; section 53, relating to use of district assessment roll and duties of district officers in connection with voting, and otherwise, and section 54, relating to short title of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1036 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Feigenbaum, Fisher, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1035—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district," approved June 21, 1923, as amended, by amending sections numbered 8a, 23 and 28o thereof, relating to irrigation district bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1035 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher,

Frazier, Gilmore, Grubbs, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—65

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 847—An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled "An act to define the duties of and to license land surveyors," approved March 16, 1907.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 847 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Ross, Scudder, Stream, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—65.

NOES—King—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1691—An act to amend sections ------ of an act entitled "An act.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Cobb moved that Assembly Bill No. 1691 be withdrawn from the file, and ordered re-referred to Committee on Rules.

The question being on re-referring Assembly Bill No. 1691 to the Committee on Rules.

Motion carried.

Assembly Bill No. 1691 ordered re-referred to Committee on Rules.

Assembly Bill No. 1692—An act to amend sections 3866 and 3871 and to repeal section 3876 of the Political Code, relating to expenses of county treasurer in settling accounts with the Controller.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Cobb moved that Assembly Bill No. 1692 be withdrawn from the file, and ordered re-referred to Committee on Rules.

The question being on re-referring Assembly Bill No. 1692 to the Committee on Rules.

Motion carried.

Assembly Bill No. 1692 ordered re-referred to Committee on Rules.

Assembly Bill No. 502—An act to amend section 4242 of the Political Code, relating to the compensation of county and township officers in counties of the thirteenth class.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Anglim:

AMENDMENT NUMBER ONE.

On page 8, line 27, of the printed bill, as amended, strike out "annum", and insert in lieu thereof the following: "month".

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Anglim asked for, and was granted, unanimous consent to have Rule 71 suspended for the purpose of considering Assembly Bill No. 502, at this time, without reference to printer or file, and that same be considered engrossed.

Bill read.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 502 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 503—An act to amend section 19x13 of the Juvenile Court Law, relating to probation officers in counties of the thirteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 503 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 505—An act to amend section 2322x13 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirteenth class.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 505 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—74

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 59—An act to add a new section to the Civil Code, to be numbered section 2924c, relating to obligations secured by deed of trust or mortgage.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 59 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr Speaker—72.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No 941—An act to provide for the charging of fees for admission to Sutter's Fort, and for the disposition of such fees.

Bill read third time

The question being on the passage of the bill

MOTION TO RE-REFER.

Mr. Wright moved that Assembly Bill No. 941 be withdrawn from the file, and ordered re-referred to Committee on State Grounds and Parks.

The question being on re-referring Assembly Bill No 941 to the Committee on State Grounds and Parks.

Motion carried.

Assembly Bill No. 941 ordered re-referred to Committee on State Grounds and Parks

Assembly Bill No. 448—An act to amend section 3897 of the Political Code, and to add a new section to said code, to be numbered 3897c,

relating to the purchase of tax delinquent property deeded to the State prior to January 1, 1932.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 448 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 417—An act to amend the "California Vehicle Act," approved May 30, 1923, as amended, by amending section 45½ thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 417 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2363—An act limiting the number of cars in a train.

Bill read third time.

The question being on the passage of the bill.

SPECIAL ORDER SET.

Mr. Crist moved that consideration of Assembly Bill No. 2363 be made a special order for Monday, May 1, 1933, at two o'clock p.m.

The question being on the motion to set Assembly Bill No. 2363 as a special order.

Mr. Crist withdrew his motion.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hunt moved a call of the House.

Motion carried.

Time, eleven o'clock and ten minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Mecker, Miller, Eleanor; Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—74.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2374—An act prohibiting the bringing in, sale and distribution in this State of crude petroleum oil illegally produced and of gasoline, distillates, kerosene, gas oil or other motor fuel extracted, manufactured, distilled or compounded, in whole or in part, from crude petroleum oil or gas illegally produced; providing for certificates to be filed with the State Superintendent of Weights and Measures, Department of Agriculture, at the time of bringing into this State of any crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, certifying that such crude petroleum oil was not illegally produced or that such gasoline, distillate, kerosene, gas oil or other motor fuel was not extracted, manufactured, distilled or compounded from oil or gas illegally produced, and providing for a permit for taking delivery of such crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, and the fee to be paid therefor, and prescribing penalties for violations of this act.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Craig:

AMENDMENT NUMBER ONE.

On page 4, line 15, of the printed bill, strike out all of lines 11 to 15, inclusive, and insert in lieu thereof the following:

"SEC. 8. The provisions of this act shall not apply to:

(a) Gasoline or other motor fuel used in internal combustion engines brought into this State in motor vehicles for their own operation in quantities ordinarily carried in the fuel tanks of like vehicles.

(b) Common carriers performing in good faith their duties as common carriers.

(c) Railroads which bring into this State any crude petroleum oil, gasoline, distillate, kerosene, gas oil, or other motor fuel for their own use or for the use of their subsidiary companies and not for sale or redistribution to the public."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines 51 and 52, and insert in lieu thereof the following: "shall be paid into the Department of Agriculture fund."

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Craig asked for, and was granted, unanimous consent to take up Assembly Bill No. 2374, at this time, without reference to printer or file, and that same be considered engrossed.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2374 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—57.

NOES—Crist, Fisher, Hoffman, Jones, Kallam, Knowland and Roland—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2368—An act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of contiguous territory thereto owned by the incorporated town or city desiring the annexation of the same, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government and municipal control of the annexed territory.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2368 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Morgan, Neilsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—66.

NOES—Hatch—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2369—An act to amend section 1 of, and to add section 1a to, an act entitled "An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and power lines, telephone and telegraph lines, and sewers and appurtenances thereof, across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined," approved May 2, 1923, relating to municipal corporations.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Grubbs:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, after the word "works", insert the following: "of necessity".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, after the word "afford", insert the following: "the greatest".

AMENDMENT NUMBER THREE.

On page 2, line 35, of the printed bill, after the word "court", strike out the rest of line 35, and strike out lines 36, 37 and 38, and insert in lieu thereof the following: "shall first inquire into the public necessity for the use as it is proposed to be established and upon satisfactory evidence of the public convenience and necessity of such use shall determine and adjudicate the terms and conditions to which such use of the said street, avenue, alley or highway shall be subject, and the location thereof, after determining and taking into full account the effect upon the municipality against which such suit is brought of the use proposed to be established,".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 43 to 51, inclusive.

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Grubbs, Phillips and Brock, the Speaker ordered a roll call taken on the adoption of the amendments.

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

AYES—Alter, Brock, Cassidy, Clowdsley, Cottrell, Crist, Evans, Field, Fisher, Greene, Grubbs, Hoffman, Knowland, Latham, Martin, Morgan, Peterson, Phillips, Riley, Robinson, Samuel E., Roland, Stannard, Stream, Sullivan, Thorp, Utt, Wright and Mr. Speaker—28.

NOES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Chatters, Cronin, Crowley, Dempster, Frazier, Gilmore, Hallner, Hornblower, Hunt, Kallam, King, Levey, Maloney, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, Patterson, Powers, Rawls, Redwine, Roberts, Rogers, Scudder, Tournoux, Turner, West and Zion—38.

FURTHER AMENDMENT TO ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED SIXTY-NINE.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. O'Connor:

AMENDMENT NUMBER ONE.

On page 2, line 49, of the printed bill, after the word "time", strike out the word "of".

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. O'Connor asked for unanimous consent to take up Assembly Bill No. 2369, at this time, without reference to printer or file, and that same be considered engrossed.

Mr. Grubbs objected to unanimous consent.

Bill read, ordered to reprint, engrossment, and third reading.

UNFINISHED BUSINESS—(RESUMED).

MOTION TO RECONSIDER.

Mr. Utt moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 147 was refused passage be continued until the next legislative day.

Motion carried.

Assembly Bill No. 1543—An act to amend section 2349 of the Political Code, relating to navigable streams and public waterways.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1543?

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, as amended, strike out lines 29 to 31, inclusive, and "further", in line 32, and insert, in line 33, after "infringe", the following: "existing mining rights or".

AMENDMENT NUMBER TWO.

On page 3, line 34, of the printed bill, as amended, strike out "except for", and insert in lieu thereof the following: "otherwise than by being made subject to".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended, strike out all of lines 30 to 33, both inclusive, and insert in lieu thereof the following: "Johnson's Creek from its mouth at San".

The roll was called, and Senate amendments to Assembly Bill No. 1543 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—64.

NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2073—An act to amend section 1 of an act entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, relating to the refunding of indebtedness of any incorporated city or town other than cities of the first class or of any department, board or special fund thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2073 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and forty-five minutes p.m., further proceedings under call of the House were dispensed with, on motion of Mr. Wright.

The roll of absentees was called, and Assembly Bill No. 2363 was refused passage by the following vote:

AYES—Anglim, Bliss, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cronin, Crowley, Dempster, Gilmore, Hallner, Hornblower, Hunt, Jones, King, Levey, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; Nielsen, O'Connor, Patterson, Rawls, Rogers, Scudder, Sullivan, Tournoux, Turner, West and Williamson—34.

NOES—Alter, Badham, Brock, Chatters, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Kallam, Knowland, Latham, Lyon, Martin, McBride, Meeker, Morgan, Peterson, Phillips,

Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Ross, Stannard, Stream, Thorp, Utt, Wright, Zion and Mr. Speaker—41.

NOTICE OF RECONSIDERATION.

Mr. Hunt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2363 was this day refused passage.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1613—An act to amend 1305, 1306, 1307 of the Penal Code, relating to bail, the forfeiture and enforcement of bail, and the disposal of forfeited bail moneys.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1613 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 660—An act to amend sections 4300d and 4300*l* of the Political Code, relating to fees and charges of constables and marshals.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 660 was withdrawn from the file, and referred to Committee on County Government.

Assembly Bill No. 919—An act to add a new section to the Political Code, to be numbered 542.5, relating to expenditures for the printing or publishing of books, pamphlets, reports, compilations, synopses and other documents.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 919 was withdrawn from the file, and referred to Committee on Ways and Means.

Assembly Bill No. 921—An act to amend sections 410 and 782 and repeal section 781 of the Political Code, relating to the bound volumes of Decisions of the Supreme Court and District Courts of Appeal.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 921 was withdrawn from the file, and referred to Committee on Ways and Means.

Assembly Bill No. 806—An act to add a new section to the School Code, to be numbered 2.1428, relating to examination of records of school districts.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 806 was withdrawn from the file, and referred to Committee on Education.

Assembly Bill No. 683—An act to repeal section 2.801 of the School Code, relating to the liability of governing boards of school districts for injuries to pupils.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 683 was withdrawn from the file, and referred to Committee on Education.

Assembly Bill No. 680—An act to amend section 2.21 of the School Code, relating to the attendance of pupils from one school district in the schools of another school district.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 680 was withdrawn from the file, and referred to Committee on Education.

Assembly Bill No. 1806—An act to add to the School Code new sections to be numbered 2.1112, 2.1113, 2.1114, 2.1115, 2.1116, 2.1117, 2.1118, and 2.1119; and to amend School Code sections 4.375 and 4.970; relating to public schools, school districts, the powers and duties of the governing boards of school districts, and the authorizing of any elementary district to permit the governing board of the high school district within which any such elementary district is located, to manage, operate and control the elementary schools within such elementary district together with the high schools of the high school district as a single school district system.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1806 was withdrawn from the file, and referred to Committee on Education.

Assembly Bill No. 1226—An act to amend section 8 of, and to add section 17 to, an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to personal property brokers and the licensing of such brokers and exemptions from said act.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1226 was withdrawn from the file, and referred to Committee on Judiciary.

MOTION TO PRINT.

On motion of Mr. O'Connor, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 2369.

THIRD READING OF SENATE BILLS

Senate Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVI thereof a new section to be numbered 9, relating to loans to counties and municipalities for unemployment relief.

Senate Constitutional Amendment No. 41 read.

The question being on the adoption of Senate Constitutional Amendment No. 41.

The roll was called, and Senate Constitutional Amendment No. 41 was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—68.

NOES—None.

Title read and approved.

Senate Constitutional Amendment No. 41 ordered transmitted to the Senate.

SENATE CONSTITUTIONAL AMENDMENT No. 41.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVI thereof a new section to be numbered 9, relating to loans to counties and municipalities for unemployment relief.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of said State be amended by adding to Article XVI thereof a new section to be numbered 9, and to read as follows:

Sec 9. The issuance and sale of bonds of the State of California and the use and disposition of the proceeds of the sale of said bonds, all as provided in the Unemployment Relief Bond Act of 1933 as passed by the Senate and Assembly at the fiftieth session of the Legislature and approved by the Governor, authorizing the issuance and sale of said bonds in the sum of twenty million dollars for the purpose of providing a fund to be used and disbursed for the purpose of loans to counties and municipalities for unemployment relief, is hereby authorized and directed, and the said Unemployment Relief Bond Act of 1933 is hereby approved, adopted, legalized, ratified, validated and made fully and completely effective. All provisions of this section shall be self-executing and shall not require any legislative action in furtherance thereof, but this shall not prevent such legislative action. Nothing in this Constitution contained shall be a limitation upon the provisions of this section.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 20, 1933.

To the Honorable Members of the Assembly of the State of California.

Senate Bill No. 300 provides for the issuance of bonds to make available funds for the making of loans to counties and municipalities for unemployment relief.

In my opinion, Senate Bill No. 300 constitutes an emergency bill within the meaning of section 34 of Article IV of the State Constitution, the consideration of which should not await final enactment of the budget bill, in order that, if the act

is approved, arrangements may be made as soon as possible for placing it before the electors of this State for their approval.

I, therefore, recommend the passage of this bill as an emergency measure within the meaning of that term as used in section 34 of Article IV of the Constitution.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Senate Bill No. 300—An act to provide emergency unemployment relief through State loans in aid of counties and municipalities administering such relief; providing for the issue of bonds, and making appropriations for such purposes and declaring the urgency thereof.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—68.

NOES—None.

THIRD READING OF SENATE BILL NUMBER THREE HUNDRED.

Senate Bill No. 300—An act to provide emergency unemployment relief through State loans in aid of counties and municipalities administering such relief; providing for the issue of bonds, and making appropriations for such purposes and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 300 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS—(RESUMED).

Assembly Bill No. 1177—An act to add a new section to the Agricultural Code, to be numbered 830.5, relating to the transportation of fruits, nuts and vegetables.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1177?

AMENDMENT NUMBER ONE.

In line 21 of the printed amended bill, after the word "carrier", insert the following: "operating over a regular route or between fixed termini and".

The roll was called, and Senate amendment to Assembly Bill No. 1177 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Hatch, Hornblower, Kallam, King, Knowland, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Eleanor; Nielsen, Patterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Zion and Mr. Speaker—49.

NOES—None.

The above reported bill ordered to enrollment.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 274—An act to amend section 4262 of the Political Code, relating to the compensation of the county and township officers in counties of the thirty-third class—passed by the Senate on March 31, 1933, by the Assembly on April 11, 1933, and enrolled by the Senate on April 14, 1933, which message reads as follows:

"STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 25, 1933.

To the Honorable Members of the Senate of the State of California.

I herewith return without my signature Senate Bill No. 274.

Senate Bill No. 274 is a county government bill fixing salaries of the officials and employees of Mendocino County. The bill makes drastic cuts in salaries of the officials and employees of Mendocino County. I believe in economy in both State and local government, but Senate Bill No. 274 reduces in some instances the salaries of employees by 50 per cent. Some positions paying $1,800 and $1,500 per year at the present time, are by the bill reduced to $900 per year or $75 per month.

I do not believe that it is the intention of this Legislature to incorporate in county government bills salaries that can not be considered a living wage. In my opinion this Senate Bill No. 274 does. Senate Bill No. 274 further reduces the salary of the deputy superintendent of schools from $1,200 per year to $900 per year, or a reduction from $100 per month to $75 per month. Surely if the deputy superintendent of schools in any county of the State is only worth $75 per month, he or she should be raised to the position of the janitor, but to reduce the deputy superintendent of schools from $100 per month to $75 per month is not much of a recommendation for the ability of the deputy superintendent of schools to have deputy charge of the educational responsibility of the children of the county.

Furthermore, although I have communicated with the members of the board of supervisors, I have received no recommendation from them approving this bill.

For the reasons given herein I respectfully disapprove this bill.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California."

The President of the Senate put the question: Shall Senate Bill No. 274 become a law notwithstanding the objections of the Governor? Whereupon, the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California, that in so far as the Senate is concerned this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No. 274 is transmitted herewith for your consideration.

Respectfully submitted.

J. A. BEEK, Secretary of Senate.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 272—An act to amend section 16x33 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-third class—passed by

the Senate on March 31, 1933, by the Assembly on April 11, 1933, and enrolled by the Senate on April 14, 1933, which message reads as follows:

"STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 25, 1933.

To the Honorable Members of the Senate of the State of California

I herewith return without my signature Senate Bill No. 272.

This bill amends the salary of the sealer of weights and measures of Mendocino County and lowers the salary of that official from $150 to $100 per month.

In my opinion this reduction is too drastic. I am confident the taxpayers of Mendocino County, like the taxpayers of any county in the State, have a heart for their employees and are not in favor of cutting their salaries below a uniform percentage of their present salaries.

Furthermore, although I have communicated with the members of the board of supervisors, I have received no recommendation from them approving this bill.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California."

The President of the Senate put the question: Shall Senate Bill No. 272 become a law notwithstanding the objections of the Governor? Whereupon, the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California, that in so far as the Senate is concerned, this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No. 272 is transmitted herewith for your consideration.

Respectfully submitted.

J. A. BEEK, Secretary of Senate.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 273—An act to amend section 2322x33 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-third class—passed by the Senate on March 30, 1933, by the Assembly on April 11, 1933, and enrolled by the Senate on April 14, 1933, which message reads as follows:

"STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, April 25, 1933.

To the Honorable Members of the Senate of the State of California.

I herewith return without my signature Senate Bill No. 273.

This bill reduces the salary of the agricultural commissioner of Mendocino County from $2,100 to $1,200 a year.

In my opinion this reduction is too drastic. I am confident the taxpayers of Mendocino County, like the taxpayers of any county in the State, have a heart for their employees and are not in favor of cutting their salaries below a uniform percentage of their present salaries.

Furthermore, although I have communicated with the members of the board of supervisors, I have received no recommendation from them approving this bill.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California."

The President of the Senate put the question: Shall Senate Bill No. 273 become a law notwithstanding the objections of the Governor? Whereupon, the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California, that in so far as the Senate is concerned, this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No. 273 is transmitted herewith for your consideration.

Respectfully submitted.

J. A. BEEK, Secretary of Senate.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2252—An act to amend section 3 of an act entitled "An act to require owners of forest lands to provide a fire patrol therefor," approved June 6, 1923, relating to forest land fire patrols:

Also: Assembly Bill No. 325—An act to add section 4a to an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, Statutes of 1923, page 431, providing for the disposition of funds collected from districts illegally formed.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2354—An act relating to retirement systems covering county or township officers or employees or a portion of such employees—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Social Service and Welfare.

Also:

SENATE CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1280—An act to amend sections 452a, 452b, 452c, 452d, 452e, 452f, 452g, and 453 of the Civil Code, all relating to mutual benefit and life insurance associations—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Insurance.

Also:

SENATE CHAMBER, SACRAMENTO. April 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 497—An act to amend sections 30, 52, 101, 105, 108, 111, 118, 119, 139, 205, 240, 247, 272, 458, 471, 485, 486, 626, 671, 781, 911, 1244, and 1246 of the Agricultural Code, and to add two new sections to said code to be numbered 16 and 234 5, relating to plant and animal industry and the products thereof:

Also: Senate Bill No. 583—An act amending sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37 and 38 of an act entitled "An act requiring the recording of maps of subdivisions of land in certain cases; prescribing the conditions on which such maps may be recorded; authorizing the execution of contracts secured by bond for the placing of improvements on streets, highways, and ways dedicated thereby; authorizing cities, cities and counties and counties to adopt by ordinance subdivision regulations in addition to those provided hereby; prohibiting any attempt to place other requirements for the recording of such maps; prohibiting the selling, or offering or contracting to sell any subdivision or portion thereof by reference to any map other than a recorded map; making certain acts misdemeanors; and repealing earlier acts in conflict therewith," approved June 17, 1929, and adding thereto a new section to be designated section 13a;

Also: Senate Bill No. 702—An act to amend section 1168 of the Penal Code, relating to sentences, imprisonments and paroles of prisoners;

Also: Senate Bill No. 1018—An act to amend section 19x18 of the Juvenile Court Law, relating to the probation officer in counties of the eighteenth class;

Also: Senate Bill No. 1019—An act to amend section 2322x18 of the Political Code, relating to the office of Agricultural Commissioner in counties of the eighteenth class;

Also: Senate Bill No. 762—An act to amend section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of Coronado, in furtherance of navigation, commerce and fisheries, and providing for the government, management and control thereof," approved April 27, 1923, relating to tidelands in San Diego Bay.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 497 read first time, and referred to Committee on Agriculture.

Senate Bill No. 583 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 702 read first time, and referred to Committee on Prisons and Reformatories.

Senate Bills Nos. 1018 and 1019 read first time, and referred to Committee on County Government.

Senate Bill No. 762 read first time, and referred to Committee on Commerce and Navigation.

ADJOURNMENT.

At eleven o'clock and fifty-eight minutes p.m., on motion of Mr. Clowdsley, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, April 28, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, April 28, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus.

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. Crist moved a call of the House.

Motion carried.

Time, ten o'clock and five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Crist, Greene, Hatch, Hoffman, Hunt, Martin, Mayo, McBride, Meeker, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Stannard, Stream, Thorp, Turner, West and Mr. Speaker—31.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

HON. C. C. COTTRELL IN THE CHAIR.

At ten o'clock and ten minutes a.m., Hon. C. C. Cottrell, member of the Assembly from the Thirty-first Assembly District, in the chair.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and fifteen minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Crist.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor;

Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—78.

The Speaker declared a quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Roland, Mr. and Mrs. Louis Spencer of Oakland were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Chatters, Mr. M. A. Tenvey of Lindsay, California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Meehan, Charles Morehead and George Sheldon of Oakland were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Messrs. Clowdsley and Thorp, Mrs. C. Rawlins Andreza, Mr. and Mrs. F. S. Thornton, Mr. and Mrs. J. P. Snead, escorts, and the following student members of California Scholarship Federation of Escalon High School: Evelyn Erickson, Junette Andersen, Minnie Franceschetti, Gertrude Snead, Evelyn Miller, George Rawlins, Doris Lundquist, Mabel Rydquist, Eleanor Hewitt, Eva Lundquist, Carolyn Nelson, Helen Pitts, Geraldine Barton, June Hamilton, Warren Moorehead, Doris Quick and Edith Anderson were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Chatters, Mr. and Mrs. Ralph Mitchell of Eugene, Oregon, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Zion, the following students of eighth grade of Empire Union Grammar School, Evelyn Mae Beekley, Marion Cupp, Evelyn DeSeelhorst, Albert Everett, J. M. Fitzgerald, Carrol Frick, Roy Goodman, Neva Hammer, Chester Hanchett, Florine Harding, Marie Harms, Bob Hollingsworth, Russell Johnson, Melvin Jones, Jess Lee, Audra Lewis, Ellen Shirk, Velma Sise, Harold Stanley, LeRoy Wach, Charles Waltz, Sydney Webb, Aram Zakarian, Charles Lindsay, Norman McCoy, Carl Mothersell, Etta Mae Ramsey, Floyd Rariden, Barbara Raynor, Bruno Romano, Hazel Royer, Robert Secrest, Walter Shields and Bruce Shirk; accompanied by Robert A. Hill, principal; Mrs. Thelma Pugh, teacher; Mrs. J. B. Shirk, parent, and L. D. Dunagan, driver; were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. McMurray, Mr. George Reilly of San Francisco was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cronin, Miss Marie McMurray and Mr. Harold Eason of San Francisco were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From M. C. Mulligan, Los Angeles, California, opposing Assembly Bill No. 908.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 921—An act to amend sections 410, 780 and 782 and repeal section 781 of the Political Code, relating to the laws, resolutions and Journals of the Legislature and to the bound volumes of Decisions of the Supreme Court and District Courts of Appeal;

Also: Assembly Bill No. 1201—An act to amend section 4095a of the Political Code, relating to the duties of county auditors and treasurers;

Also: Assembly Bill No. 1226—An act relating to the regulation under the jurisdiction of the Commissioner of Corporations of personal property brokers, unsecured money lenders, salary buyers, brokers, agents and employees in such transactions, and agents for principals in such transactions, and the licensing of those so engaged, and fixing the penalties for violation thereof and to repeal that certain act entitled, "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended;

Also: Assembly Bill No. 1233—An act to amend section 2322x32 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-second class;

Also: Assembly Bill No. 1237—An act to amend section 16x32 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the thirty-second class;

Also: Assembly Bill No. 1315—An act to amend sections 692 and 694 of the Code of Civil Procedure, relating to notices of sale under execution and power of sale and to the conduct of such sale;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1321—An act to add a new section to the Penal Code, to be numbered 654d, relating to advertisements of drugs or medicines;

Also: Assembly Bill No. 1391—An act to amend section 19 of the Juvenile Court Law, relating to referees in counties of the first class and third class, and authorizing the boards of supervisors in such counties to fix the compensation for such referees;

Also: Assembly Bill No. 1613—An act to amend 1305, 1306, 1307 of the Penal Code, relating to bail, the forfeiture and enforcement of bail, and the disposal of forfeited bail moneys;

Also: Assembly Bill No. 1628—An act to amend section 737h of the Political Code, relating to the salary of the judge of the superior court in and for the county of Del Norte;

Also: Assembly Bill No. 1931—An act making an appropriation to pay the claim of Sumner Mallory against the State of California:

Also: Assembly Bill No. 1932—An act making an appropriation to pay the claim of Jess Mallory against the State of California;

Also: Assembly Bill No. 1934—An act making an appropriation to pay the claim of the Federal Mutual Liability Insurance Company against the State of California;

Also: Assembly Bill No. 1970—An act to amend section 428 of the Vehicle Code, relating to garage, repair shop and service station keepers' liens;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2002—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system;

Also: Assembly Bill No. 2175—An act to amend section 681 of the Penal Code, relating to punishment and treatment of persons in State, county and city institutions;

Also: Assembly Bill No. 2328—An act to amend section 609 of the Probate Code, relating to the compensation of appraisers;

Also: Assembly Bill No. 2373—An act to add a new chapter to be numbered Chapter VI to Part II of Division II of the School Code, embracing sections 2.1181 to 2.1189, inclusive, 2.1189a, and 2.1189b, all relating to recall of members of governing boards of school districts;

Also: Assembly Bill No. 2376—An act to add a new section to the Agricultural Code, to be numbered 234.5, relating to bovine tuberculosis;

Also: Assembly Bill No. 2378—An act to amend section 4 of an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts, and for the annexation of additional territory thereto," approved May 25, 1923, relating to bridge and highway districts;

Also: Assembly Bill No. 265—An act to amend section 1203 of the Penal Code, relating to recommendations of probation officers;

Also: Assembly Bill No. 2355—An act to amend section 47 of, and to add three new sections, to be numbered 2¾, 2¾, and 17a to the Public Utilities Act, relating to the nature, organization, and operation of public utilities;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1926—An act to restrict the operation by the State of tree nurseries and to limit the sale by the State of tree nursery stock—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 15—An act to add a new section to the Fish and Game Code, to be numbered 791.5, relating to crabs;

Also: Assembly Bill No. 29—An act to add section 698.5 to the Fish and Game Code, relating to the protection of fish;

Also: Assembly Bill No. 177—An act to amend sections 822, 824, 829, and 1269a of the Penal Code and to add a new section thereto to be numbered section 815a, relating to bail in criminal cases;

Also: Assembly Bill No. 318—An act to amend sections 1, 6, 7, 8a, 8c, 8d, 8e, 8f, 8g, 8¼ and 9, to repeal sections 8 and 8b, and to add new sections to be numbered 7a, 8 and 8b, to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907;

Also: Assembly Bill No. 459—An act to amend the title and sections 1, 2, 3, 3a, 5, 6, 7, 8, 10, 13, 14, 15, 21, 22, 23, 24, 27 and 28 of an act entitled "An act regulating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State board therefor, providing penalties for violations thereof, and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof,' approved April 16, 1915, as amended," approved April 20, 1929, relating to and regulating funeral directors, embalmers and embalmers' apprentices;

And reports that the same have been correctly enrolled and presented the same to the Governor on this twenty-seventh day of April, 1933, at five o'clock p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 913—An act granting to the city of San Mateo the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and grant franchises and leases thereon, and regulating the management, use and control thereof, and authorizing suits against said city and the State

to quiet title to any such lands, and regulating the procedure therein and conditions under which said suits may be brought;

Also: Assembly Bill No. 1119—An act adding section 470a to the Political Code, authorizing and empowering the Attorney General to prosecute or defend, when in his opinion the public interest so requires, any action involving title, possession or boundaries of any lands belonging to the State of California or in which it has any interest;

Also: Assembly Bill No. 1146—An act to amend section 17 of an act entitled the "Joint Highway District Act," relating to construction works;

Also: Assembly Bill No. 1148—An act to add a new section to the Civil Code to be numbered 3342, relating to liability of public officers, agents, and employees, under unconstitutional statutes;

Also: Assembly Bill No. 1210—An act to add section 113 to the California Irrigation District Act. relating to actions and proceedings against an irrigation district or the board of directors thereof, brought by the holders of bonds of the district;

Also: Assembly Bill No. 1344—An act to add a new section to the Political Code to be known as section 373k, authorizing the Director of Natural Resources to grant easements for public highways over State park lands on terms and conditions to be prescribed by the State Park Commission;

And reports that the same have been correctly enrolled and presented the same to the Governor on this twenty-seventh day of April, 1933, at five o'clock p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1356—An act to amend section 374b of the Penal Code, relating to the deposit of offensive matter on public highways;

Also: Assembly Bill No. 2229—An act to repeal section 954 of the Fish and Game Code, relating to nets;

Also: Assembly Bill No. 2330—An act to amend sections 605g, 605h, 605i and 605j of the Civil Code, relating to corporations sole;

And reports that the same have been correctly enrolled and presented the same to the Governor on this twenty-seventh day of April, 1933, at five o'clock p.m.

PATTERSON, Chairman.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 423—An act to add section 679b to the Penal Code, relating to goods, wares, and merchandise manufactured, produced, or mined by convicts or prisoners, and prescribing penalties for violation of the provisions thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 123—An act to amend section 204e of the Code of Civil Procedure, relating to the secretary and assistant secretaries of the superior court;

Also: Assembly Bill No. 1236—An act to amend section 737eee of the Political Code, relating to the superior judge in and for the county of Yolo;

Also: Assembly Bill No. 504—An act to amend section 737g of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Contra Costa;

Also: Assembly Bill No. 2273—An act to amend section 737aa of the Political Code, relating to compensation of the judge of the superior court in and for the county of Monterey;

Also: Assembly Bill No. 850—An act to amend section 737xx of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Stanislaus;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LEVEY, Chairman.

The above reported bills ordered on file for second reading.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 2159—An act to amend section 605d of the Civil Code, relating to nonprofit

corporations—has had the same under consideration, and respectfully reports the same back without recommendations, as amended.

HATCH, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2190—An act to amend section 4223 of the Political Code, and to add to Article I, Chapter IX, Title II, Part IV of the Political Code eleven new sections, to be numbered 4223a to 4223k, inclusive, all relating to defining and providing for county hospitals; defining indigent sick, dependent poor, and other persons entitled to admission to and treatment at or by county hospitals or branches or departments or clinics thereof; prescribing conditions for admission to and treatment at or by county hospitals or branches or departments or clinics thereof; providing for the recovery of the reasonable cost of services rendered therein in certain cases, that books, records and accounts be kept for the determination of said and other costs, that periodic reports be made by the board of supervisors of admissions to and the conduct and operation of the county hospital and any branch or department or clinic thereof, and for the approval thereof by the auditor of the county or city and county; and prescribing the powers and duties of the board of supervisors; the auditor, and the district attorney in relation to the conduct and operation of county hospitals and any branch or department or clinic thereof, and penalties for the violation of this act; and repealing all laws in conflict herewith—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BROCK, Chairman.

The above reported bill ordered referred to Committee on Rules.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 253—An act to add section 398 to the Penal Code, relating to the use or possession of firearms by children 16 years or under and prescribing penalties for violation of the provisions thereof—has had the same under consideration, and respectfully reports the same back without recommendation.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 24—An act to amend section 10 of the Public Utilities Act, approved April 23, 1915, relating to the salaries of Railroad Commissioners;

Also: Assembly Bill No. 122—An act to amend sections 360b, 360c, 361, 363, 363a, 364, 364b, 366, 372a, 373, 374a, 377a, and 655 of the Political Code, relating to salaries of public officers of the State of California;

Also: Assembly Bill No. 126—An act to amend section 21 of the Corporate Securities Act, relating to the Commissioner of Corporations;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to Committee on Ways and Means.

LEVEY, Chairman.

The above reported bills ordered referred to Committee on Ways and Means.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 323—An act to amend sections 1, 2, 3, 4, 7, 11, 12, 13, 15 and 17 and to repeal section 3½ of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the practice of pharmacy

—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HOFFMAN, Chairman.

The above reported bill ordered on file for second reading.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Corporations, to which was referred Senate Bill No 134—An act to amend section 331 of the Civil Code, relating to corporations —has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HATCH, Chairman.

The above reported bill ordered on file for second reading.

LEAVES OF ABSENCE.

On motion of Mr. Meeker, Mr. Robinson, C. Ray, was granted leave of absence for the day.

On motion of Mr. King, Mr. Grubbs was granted leave of absence for the day.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 969—An act to amend section 664 of the Political Code, relating to the Board of Control.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Callahan:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to repeal an act known as Chapter 213, Statutes 1917, as amended.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to repeal an act known as Chapter 213, Statutes 1917, as amended.

HALLNER, Chairman.

The question being on the adoption of the report.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hallner moved a call of the House.

Motion carried.

Time, ten o'clock and thirty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Evans, Field, Frazier, Hallner, Hatch, Hoffman, Hunt, Jones, Latham, Levey, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Robinson, Samuel E., Ross, Stannard, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Zion—47.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1936—An act making an appropriation to pay the claim of the Chief Accounting Officer of the Department of Finance against the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, lines 1 and 2, of the printed bill, strike out the following: "nineteen thousand eight hundred sixty-three dollars and one cent ($19,863.01)", and insert in lieu thereof the following: "forty-eight thousand seven hundred sixty-four dollars and sixty-three cents ($48,764.63)".

AMENDMENT NUMBER TWO.

On page 1, lines 6 and 7, of the printed bill, strike out the following: "nineteen thousand five hundred thirty-eight dollars and one cent ($19,538.01)", and insert in lieu thereof the following: "forty-eight thousand seven hundred sixty-four dollars and sixty-three cents ($48,764.63)".

AMENDMENT NUMBER THREE.

On page 1, lines 8 and 9, of the printed bill, strike out the following: "eight thousand eight hundred seventy-one dollars and sixty cents ($8,871.60)", and insert in lieu thereof the following: "thirty-five thousand three hundred seventy-two dollars and sixteen cents ($35,372.16)".

AMENDMENT NUMBER FOUR.

On page 1, lines 10 and 11, of the printed bill, strike out the following: "eight thousand thirty-four dollars and thirty-eight cents ($8,034.38)", and insert in lieu thereof the following: "nine thousand three hundred four dollars and thirteen cents ($9,304.13)".

AMENDMENT NUMBER FIVE.

On page 1, lines 12 and 13, of the printed bill, strike out the following: "two thousand two hundred fifty-five dollars and twenty-eight cents ($2,255.28)", and insert in lieu thereof the following: "two thousand two hundred ninety-nine dollars and eleven cents ($2,299.11)".

AMENDMENT NUMBER SIX.

On page 1, lines 22 and 23, of the printed bill, strike out the following: "and three hundred twenty dollars ($325.00)", and insert in lieu thereof the following: "one thousand three hundred fifty dollars and forty-nine cents ($1,350.49)".

AMENDMENT NUMBER SEVEN.

On page 1, line 24, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following: "fifty-four dollars and eighty-four cents ($54.84) out of any money in the motor vehicle fund in the State treasury; and seven dollars and fifteen cents ($7.15) out of any money in the Board of Medical Examiners contingent fund in the State treasury."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1016—An act to amend section 1060 of the Fish and Game Code, and to add thereto sections 481.5, 1064.5 and 1065.5, relating to fish and game.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 18, of the printed bill, as amended, after "caught", insert the following: "at any place".

AMENDMENT NUMBER TWO.

On page 3, line 35, of the printed bill, as amended, strike out the comma and "or", and insert in lieu thereof the following: "and".

AMENDMENT NUMBER THREE.

On page 4 of the printed bill, as amended, strike out lines 5 to 11, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 800—An act to amend section 634 of the Penal Code, relating to the protection of fish and game.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to add section 660.5 to the Fish and Game Code, relating to the protection of fish."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 27, and strike out all of pages 2, 3 and 4 and insert in lieu thereof the following:

"SECTION 1. Section 660.5 is hereby added to the Fish and Game Code to read as follows:

660.5. In districts 15, 16, 17, 18, not more than two salmon may be taken or possessed by any person during one day, between July 1st and August 31st, and no salmon taken during said period in said districts may be sold. The size limit is as provided in section 661 of this code."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1945—An act to enable the State Department of Agriculture to cooperate with counties of this State to provide lands and implements with which needy and unemployed persons may raise farm products.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to provide for the organization and management of horticultural improvement districts and to provide for the development of lands included therein for the planting, caring for, and maturing of orchards thereon and for the acquisition of all property necessary therefor; to provide for the management of such districts and also to provide for the issuance and payments of bonds for such districts, for the levying of taxes and the collection of charges by said districts and for the annexation of additional territory thereto."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1. A horticultural development district may be organized and managed as herein expressly provided and may exercise the powers herein granted, or necessarily implied.

SEC. 2. Whenever the holders of title, or evidences of title, of lands similarly situated and similar in soil and located under similar climatic conditions so as to be adapted to the raising of any particular horticultural product, and which have at some time been planted thereto, desire to develop and improve the same into bearing orchards they may present to the board of supervisors of the county in which the lands, or the greater part thereof, are situated, at a regular meeting of the board, a petition setting forth that they propose to form a district consisting of the lands described in said petition for the purpose of replanting said lands to a particularly therein described horticultural product. Said lands need not be contiguous. Said petition must also set forth the following:

(a) A description of each tract of land that will become a part of the proposed district.

(b) The total number of acres of said district.

(c) The names of each and every owner of record of the real property described in said petition.

(d) The county or counties in which proposed district lies, or if in more than one county, the number of acres of said district in each county.

(e) The particular horticultural product proposed to be developed in said district

SEC. 3. The petition must be verified by the affidavit of one of the petitioners, it must be published for two weeks preceding the hearing thereof in some newspaper of general circulation published in the county in which the greater part of the lands are situated, together with a notice of the time when said petition will be presented to the board of supervisors; an affidavit of publication must be filed with such publication.

SEC. 4. If the board of supervisors find on the hearing of the petition that its statements are correct, they must make an order approving the same.

The owner of any land situated similarly to the other lands in said proposed district and of similar soil and under like climatic conditions and which has heretofore been planted to said horticultural development, who is not one of the signers to said petition may appear at said hearing before said board of supervisors and file his verified written petition, describing his land, stating that the same are similar to the lands proposed to be organized into said district and praying that said lands so described be included within the boundaries of said district. If it shall appear that the statements of said petition are correct, the lands so described shall be included in the district.

The board of supervisors may grant further continuances by order entered upon its minutes to the end that a full hearing may be had. Upon the final hearing of said matter the board may make an order approving the said petition as originally presented or in modified form by either excluding lands originally described in said proposed district or adding lands thereto that have filed a petition as in this section set forth. Said order shall in addition to approving said petition either as presented originally, or as modified, state that said horticultural development district is thereby organized and said order shall be endorsed upon or attached to the petition and be signed by the chairman for attestation by the clerk of the board

SEC. 5. After the formation of the district the board of supervisors of the county where the greater part of the district is situated, upon application of one or more landowners of the district, must call an election in compliance with section 7 of this act, at which election there must be elected, and in pursuance with the provisions of said section, five (5) persons who shall be both landowners and residents within said district who shall constitute, when elected and qualified, the board of trustees of the district for the management of the affairs therein, and who shall hold office for two (2) years next succeeding their election, and until their successors are elected and qualified.

SEC. 6. The board of trustees must keep an office in the county in which said district is created and which county shall have jurisdiction over said district and its officers.

SEC. 7. Election of Trustees. In each horticultural development district in this State, there shall be an election every two years, held at such time and place, in or near the district, and after such notice as the board of supervisors shall direct; provided, that the notice shall not be less than one month, and at such election each bona fide owner of lands in the district shall be entitled to vote in person or by proxy, and shall have right to cast one vote for each one dollar's worth of real estate owned by him or her in the district, the value thereof to be determined from the next preceding assessment roll of the county, and a majority of the votes cast at such election shall elect. In all elections for trustees every owner of real estate shall have the right to cumulate his or her votes, and give one candidate as many votes as the number of trustees to be elected multiplied by the number of dollars'

worth of real estate owned by him or her shall equal, or to distribute them on the same principle among as many candidates as he shall think fit.

Supervisors to Appoint Time and Place of Election. The board of supervisors to which the petition for the formation of the district was presented shall, upon the application of any landholder in the district, appoint a time and place for holding such election, which election shall be held within sixty days from the time of such application; the place shall in all cases be in or near the district. Notice of such election shall be given by publication for not less than one month in a newspaper in each county in which any portion of the lands of the district are situate, if any newspaper is published therein, and if not, then in a newspaper having general circulation in such county.

Terms of Office of Trustees. The trustees shall hold office until their successors are elected under the provisions of this section.

Officers of Election. For the purpose of such election the board of supervisors of the county in which the whole or the larger part of the lands of any district are situate, must appoint from the landholders of the district one inspector and two judges of election, who shall constitute a board of election for such district; but in case the board of supervisors fail to appoint, or the persons appointed fail to attend at the time and place appointed for the election, the voters present at the time and place of opening the polls may appoint the board, or supply the place of an absent member thereof. Each member of the board must, upon entering upon his duties, be sworn to a faithful performance thereof by some officer authorized to administer oaths. The board of election must canvass the votes cast and issue certificates of election to the persons elected, and must place the ballots, when canvassed, in an envelope and forward the same, sealed, to the clerk of the board of supervisors.

Challenge of Votes. Any legally qualified voter may challenge any vote, and the board of election shall determine, by the oath of the parties or otherwise, as they may think proper, whether or not the person challenged is entitled to vote, and in case of challenge, either one of the board of election is hereby authorized to administer oaths.

The polls shall be open from ten a.m. until four p.m.

In case of vacancy in the board of trustees, the board of supervisors shall, by appointment, fill such vacancy.

SEC. 8. From and after the election of said trustees said district shall be deemed organized and shall have power to sue and be sued.

The trustees of any horticultural development district may commence a proceeding in the superior court of the county where the greater portion of the district is situated to determine the legality of the existence of such district. The complaint in such proceeding shall describe the district by number and the land constituting the same, and shall contain a prayer that such district be adjudged a legal horticultural development district. Summons in such proceeding shall be served by publishing a copy thereof for four (4) weeks in some newspaper of general circulation published in every county where any part of said district is situated. Within thirty (30) days after the last publication of such summons any person who may be interested may appear and answer said complaint, in which answer the facts relied upon to show the invalidity of the district shall be set forth. If no answer be filed the court must render judgment as prayed for in the complaint. If any answer shall be filed, the court shall thereafter proceed as in any civil case but no district shall be adjudged invalid when it appears that such district has for five years prior to the commencement of such proceeding been prosecuting or maintaining the object for which it was organized in good faith.

That the proceeding under this section is described to be a proceeding in rem and the judgment rendered therein shall be conclusive against all persons whomsoever and against the State of California.

No proceeding in quo warranto, or any similar action or proceeding shall be maintained in the name of the people of the State of California against any horticultural development district that shall have continuously for five years next preceding the commencement of such proceeding been acting as such and prosecuting or maintaining its works of development in good faith.

SEC. 9. Said board of trustees shall have power and duties as follows, to wit:

(a) Office and Records. To keep an office in the county having jurisdiction over said district, and the books, maps, papers, records, contracts and all documents pertaining to the affairs of the district must be open for inspection at all reasonable times to any person interested.

(b) To elect one of its members president of said board of trustees.

(c) To elect one of its members or any other person secretary of said board of trustees. It shall be the duty of the secretary to have charge of the office of the board of trustees and to keep the minutes of all meetings and to attest all documents requiring the signature of the president and to keep true and accurate accounts of all expenditures made in behalf of said district. All accounts and all contracts that may be made by said board of trustees shall be open to the inspection of the board of supervisors of any county within which any portion of said land of said district lies and to every person interested.

(d) To employ engineers, attorneys and others for the purpose of assisting the trustees in the carrying on of the works and development of the district.

(e) To commence proceedings in the superior court of the county where the greater portion of the district is situated to determine the legality of the district in the manner that section 8 of this act provides.

(f) To draft a plan for the development to orchards of lands within the district and to file said plan of development with the board of supervisors of the county within the greater portion of the land of said district is situated.

(g) To perform such duties with respect to the raising of moneys by taxes upon the lands in said district and by the selling of the fruit crop for which said district was created and retaining a portion thereof for the expenses of said district and retirement of the bonds as set forth in section 23 of this act.

(h) To perform such duties with respect to the calling of bond election and the issuance of bonds as is provided in section 21 of this act.

(i) To exercise a general supervision and complete control over the planting, maintenance and development of the orchards on the lands within the district, and, generally, over the affairs of the district.

(j) To provide a seal which will contain the number of the district and the county in which the lands or the greater portion thereof is situated, and all documents requiring the approval by the board of trustees shall hereafter bear the seal of the district.

(k) To adopt by-laws not inconsistent with the laws of California for the management and control of the district.

(l) To do and perform all acts and things which said trustees may deem advisable, necessary or convenient for planting, developing, maintaining or operating the horticultural development of lands therein or accomplishing the purpose for which said district was formed.

(m) The several members of the board of trustees shall be entitled to receive such compensation for services actually and necessarily performed as may be fixed in said by-laws and shall be reimbursed for such expenditures as they may necessarily incur in their performance as such trustees.

SEC. 9. The board of supervisors of the county wherein the greater portion of the land of said district lies shall have jurisdiction over all affairs of such district and all references herein to the board of supervisors shall mean the board of supervisors of the county within which the greater portion of the lands of said district are situated.

SEC. 10. The board of trustees of such horticultural development district must report to the board of supervisors by filing with the county clerk of the said county plans for the works of development of the lands within said district, together with the estimates of the costs of the contemplated works of the district, including incidental expenses, maintenance and caring for trees to be planted in pursuance of any such plan or plans of horticultural development

The term "horticultural development" as used in this act shall include the removal of dead orchards, preparing and planting any lands to the same crop, caring for the same and bringing them to maturity and productivity.

Upon receipt of such plan of development the clerk of the board of supervisors shall immediately set a date when the said board of supervisors shall hold a meeting for considering objections, if any, to said plans. All such hearings of the said board of supervisors shall be held not less than twenty nor more than sixty days after the said plan is filed with the clerk of said board. Notice of said hearing before the said board of supervisors shall be given by said clerk by publishing a notice of said hearing for two weeks in some newspaper of general circulation published within said district, or if there be no such newspaper so published, then in the county seat of the county having jurisdiction over said district. Said notice shall be substantially in the following form:

"Notice to the Land Owners of Horticultural District No. _____.

Notice is hereby given to the land owners of horticultural district No. _____ that there has been filed with the county clerk of the county of _____ original (or amendatory, supplemental or additional) plans for the development of said district; that the said board of supervisors will hold a meeting at its office in the city of _____, county of _____, State of California, on the _____ day of _____, 19__, at _____ o'clock __ m., at which time any interested partly may appear and object to said plans."

At said hearing the said board shall hear such evidence as may be offered with respect to said plans, and thereafter shall approve, modify, amend or reject the said plans. The said board shall have power to continue or adjourn the said hearing from time to time and shall have authority to cause such investigation and a report of said plans to be made by any other competent authority if said board shall deem it necessary.

When the said board of supervisors shall have taken action approving, modifying or rejecting any such plan at a hearing as herein provided, such action shall be final and thereafter the sufficiency of such plans shall not be subject to attack either before the said board of supervisors or in any court; providing, however, that nothing herein contained shall prevent the board of trustees of any district

from at any time filing with the county clerk of the county having jurisdiction over said district any amendatory, additional or supplemental plan of horticultural development. In the event any such amendatory, additional or supplemental plan of development is filed with the said clerk of said board the same proceeding shall be held and with like effect with respect to said amendatory, additional or supplemental plan as is herein provided for the original plan.

Thereupon, either after approving said original plan, or after approving any amendatory, additional or supplemental plan of development the said supervisors must appoint three (3) commissioners who shall have no interest in any real estate within said district, each of whom, before entering upon his duties shall make and subscribe an oath that he is not in any manner interested in any real estate within said district, direct or indirectly, and that he will perform the duties of a commissioner to the best of his ability. Said commissioners must view and assess upon the lands within the said district the said sum estimated and shall apportion the same according to the benefits that will accrue to each tract of land in the district, respectively, by reason of expenditures of said sums of money and shall estimate the same in lawful money of the United States of America. The same must be collected and paid into the county treasury as hereinafter provided and paid to the credit of the district and paid out for the works of the developments by warrants of the trustees approved by the board of supervisors or, if bonds of such district have been issued upon said assessment the said treasurer shall set the same apart as a separate fund for the purpose of paying the principal and interest of such bonds and shall not pay any part of the sums received from said assessment for any other purpose than the paying of the principal and interest of such bonds.

SEC. 11. Except as herein otherwise provided all warrants drawn by the trustees must be substantially the following form:

"No. _____ $_____

Office of the Board of Trustees of Horticultural District No. _____.

The treasurer of _____ County will pay to the order of _____ out of horticultural development district No. _____ fund the sum of _____ dollars for _____ allowed by the board of trustees of said horticultural development district No _____.

Dated _____, 19__.

_____
Trustees.

Attest: _____
Secretary."

Warrants drawn by the trustees must be presented to the treasurer of the county and if they are not paid on presentation such endorsement must be made thereon and they must be registered and bear interest from their date at the rate of seven per cent per annum and such warrants are, and shall be, considered as contracts in writing for the payment of money, and the period subscribed for the commencement of an action based upon said warrants, or connected therewith is and shall be the term of four years from the date of said warrants, unless said warrants are payable by their terms at a future date, in which event the said term of four years can not commence until the maturity of said warrants: provided, however, that all warrants shall be approved by the board of supervisors before the same shall be paid, or registered, by the county treasurer.

All warrants shall be paid by the county treasurer strictly in the order in which they have been registered, except warrants that are by their term payable at a future date and such warrants shall be considered as being registered as of the date of their maturity, if actually registered at or prior to maturity, otherwise as of the date of actual registration. The board of trustees may extend any warrant by endorsement thereon for an additional period of four years from the date of such extension.

If the original assessment is insufficient to provide for the complete development of the lands of the district, or if further assessment will from time to time be required to provide future maintenance, caring for, and further development of the orchards of said district, the trustees may file with the clerk of the board of supervisors an additional and supplemental plan of horticultural development and a statement of the work done, or to be done, and its estimated costs, and the same proceeding shall be had thereon as provided in section 11 of this act for the original plan of horticultural development

SEC. 13. The commissioners appointed by the board of supervisors must make a list of charges assessed against each tract of land and if there be any error or mistake in the description of the lands, or in the name of the owner, or if any land that should have been assessed shall or should be omitted from the list or if there is an error or a mistake in any other respect, the commissioners may amend or correct the same at any time before the list shall have been approved by the board of supervisors as hereinafter provided.

The list must contain,

1. A description of each tract assessed by legal subdivisions or other boundaries, sufficient to identify the same.

2. The number of acres in each tract.
3. The names of the owners of each tract if known, if unknown, that fact; but no mistake or any error in the name of the owner, or supposed owner, of the property assessed and no mistake in any other particular shall render the assessment thereof invalid
4. The amount of the charge assessed against each tract.

Said list when completed shall be filed with the clerk of the board of supervisors. The board of supervisors shall appoint a time when it shall meet for the purpose of hearing objections to such assessment and notice of such hearing shall be given by publication for two times, to wit: Once a week for two successive weeks in some newspaper of general circulation published in said county.

At any time before the date of such hearing any person interested in any land upon which any charge has been assessed may file a written objection to such assessment, stating the grounds of such objection, which said statement shall be verified by the affidavit of such person, or some other person who is familiar with the facts. At said hearing the board of supervisors shall hear such evidence as may be offered in support of said written objection and may approve, modify or amend said assessment in any particular, or may make a reapportionment of the entire assessment.

If the amount of any assessment sum on said list shall be changed the board of supervisors shall set a day for hearing the objection to said assessment as changed and shall give notice of such hearing in the same manner as the original hearing to the assessment. At such hearing, objections in writing may be made by any person interested, and the board of supervisors shall proceed to hear the same in the same manner as the original hearing. If the amount of any assessment shall again be changed, the board of supervisors shall proceed as before to give notice and to hear objections thereto and shall proceed in similar manner until the amount of each assessment shall be finally fixed and approved.

The board of supervisors shall then make an order approving said assessment and shall endorse such order upon said assessment list, which said endorsement shall be filed by the chairman of the said board of supervisors and attested by the clerk thereof and such decision of said board of supervisors shall be final and thereafter said assessment list shall be conclusive evidence that the said assessment has been made and levied according to law, except in an action commenced as hereinafter provided. The list shall be prepared in duplicate, one original thereof being retained in the office of the district and the second original thereof shall then be filed with the county treasurer or if the district is situated in more than one county, then the second original list must be filed in the county where the greater portion of the land of said district is situated, and copies thereof, certified by the treasurer, must be filed with the treasurer of each of the other counties.

No objection to such assessment shall be considered by the board of supervisors or allowed in any other action or proceeding unless such objection shall have been made in writing to the board of supervisors as above specified.

Any person aggrieved by the decision of the board of supervisors may commence an action in the superior court of the county in which the greater portion of said district is situated to have said assessment corrected, modified or annulled Said action must be commenced within thirty (30) days after said assessment list has been filed with the county treasurer. If said action shall not be commenced within thirty days no action or defense shall thereafter be maintained in attacking the legality of said assessment in any respect.

SEC. 14. When the board of supervisors shall have finally taken action modifying or approving any assessment liens as provided in section 13 of this act, the charges assessed thereby upon tracts of land in the county shall constitute a lien thereon and shall impart notice thereof to all persons and shall be superior to all other liens and encumbrances except State and county and municipal taxes or any taxes or assessments of irrigation, conservation or water storage districts.

Said assessment shall be collected as provided in section 18 of this act.

SEC. 15. The said second original assessment list must remain in the office of the county treasurer and for a period of thirty days said assessment shall not bear interest, and as long as bonds have not been authorized and sold on the basis of said assessment, any landowner may pay in lawful money of the United States or approved warrants of the district, the whole or any part, both principal and interest, of said assessment on any tract of land. If any bonds shall have been authorized before payment on said assessment, but shall not have been sold, the amount to be sold shall be reduced by the amount paid on the principal of said assessment The reduction shall be only in the latest maturities; and such changes and cancellations shall be made by the county treasurer in the unsold bonds as shall be necessary to accomplish said reduction. Whenever the district is situated in more than one county the county treasurer in each county wherein any of the lands assessed are situated, shall report to the county treasurer of the main county all payments made of assessments on all tracts of lands, whether in cash or warrants, immediately upon such payments be made.

SEC 16. At the end of said period of thirty days all unpaid assessments shall thereafter bear interest at the rate of seven per cent per annum. Thereafter all unpaid assessments and accrued interest shall be collected as hereinafter set forth.

SEC. 17. In all cases in which an assessment shall have been levied or shall hereafter be levied for horticultural purposes upon the lands embraced within any horticultural district now or hereafter formed or created, is thereafter adjudged invalid by any court of competent jurisdiction, or shall be adjudged invalid as to any tract or tracts of land, within said district, or if, for any reason, any tract or tracts of land within such district shall not have been charged with said assessment a new assessment on the lands of the district may be levied for the purpose of raising the amount for which said invalid assessment was levied and any further sum then required or found necessary, and such tract or tracts of land shall be charged in any such subsequent assessment with such proportion of the former assessment as the benefits derived by said land from the horticultural product for which said former assessment was levied bears to the whole amount of said former assessment; or a subsequent reassessment of such tract or tracts of land may be made separately for the purpose of charging said land with its proper proportion of the costs of horticultural development; provided, that in case any assessment that has been heretofore or shall hereafter be levied for horticultural development upon the lands embraced within any horticultural district is so adjudged to be invalid either as a whole or as to any tract upon which it may have been levied, and any landowner of the district shall have paid the amount or any portion of the amount assessed in said assessment or any tract of land before said assessment shall have been or shall be so adjudged invalid, the amount paid by said landowner together with the legal interest thereon from the date of such payment shall be a credit, and shall be credited by the treasurer of the county where the assessment list is filed on any subsequent assessment on the tract of land on which said invalid assessment was paid, and be applied in satisfaction pro tanto of any such subsequent assessment hereafter levied on the said tract. Such subsequent assessment or reassessment shall be made by commissioners appointed by the board of supervisors of the county as provided in section 13 of this act, and shall be made and approved in the same manner as other assessments.

SEC. 18. Assessments shall be collected as follows:

The board of trustees shall collect said assessment in separate installments, of such amount and at such time, respectively, as the board from time to time in its discretion by order entered in its minutes as may direct. Upon making such order the secretary shall also enter in the minutes of the board a notice in substantially the following form:

"Installment Notice of Horticultural Development District No. ------

Notice is hereby given that at a meeting of the board of trustees of horticultural development district No. ------ held on the ------ day of ------, 19--, an installment of ------ per cent was ordered paid within sixty days from date thereof to the county treasurer of the county of ------. Any installment which shall remain unpaid on the ------ day of ------ will be delinquent, together with the accrued interest thereon."

The notice must be personally served on each landowner in the district, or in lieu of such personal service, must be sent through the mail addressed to such owner at his place of residence, if known, or entered upon the assessment roll of the county, and if not known, at the place where the principal office of the district is situated, or by publication two times, to wit: Once a week for two weeks successively in some newspaper of general circulation published in the county seat of the county where the greater portion of said district is situated. Whenever the district is situated in more than one county the county treasurer of each county wherein any of the lands assessed are situated shall immediately follow the expiration of said period of sixty days report to the county treasurer of the main county all payment made of assessments on each tract of land respectively, and shall also report all tracts which are delinquent as hereinafter provided, together with the delinquencies thereon.

If any such installment shall remain unpaid at the expiration of the sixty days from the date of the order, then the said installment shall become delinquent together with the accrued interest thereon and a penalty of ten per cent on the amount of said installment and interest shall be added thereto and collected for the use of the district.

SEC. 19. Immediately after the said installment has become delinquent, the county treasurer of the main county must publish in each county where such delinquencies exist, a list in one notice of all said delinquencies in such county at least two times, to wit: Once a week for two weeks in some newspaper of general circulation published in said county. Said notice shall contain a description of the property assessed, as described in the assessment list or by reference to number as set forth in said assessment list on file in the office of the county treasurer (stating the date and time said list was so filed) or by other appropriate reference thereto sufficient to identify the same, and shall refer to said list for further particulars. Said notice shall also contain the name of the person to whom it is assessed, or a statement that it is assessed to unknown owners, if such is the fact; the amount of the delinquent installment, interest and penalty thereon calculated to the date of call and a notice that the property assessed will be sold by the county treasurer of the main county on the date therein stated, in front of the courthouse of said county to pay the amount of said installment with accrued interest and penalty. The date

of said sale shall be not less than ten days after the date of the last publication of said notice. And at said time stated in said notice, or such other time to which said sale may have been postponed, the said county treasurer must sell said property to the highest bidder for lawful money of the United States. Out of the proceeds of said sale the county treasurer shall place the amount due on said property as shown in said notice in the proper funds of said district and shall pay to the owner of said property any surplus remaining. The county treasurer may postpone said sale from time to time for not less than ten or more than thirty days at any one time by a written notice posted at the place of sale.

If no bid is made for said property equal to the amount due thereon, then county treasurer of the main county shall bid in and sell said property to himself and his successors in office as trustee for the district, and said property shall be struck off to him for said amount. A certificate of such sale shall be executed by the county treasurer to the purchaser, or to the county treasurer, if the property shall have been struck off to him, and said certificate of sale shall be filed in the office of the county recorder of said county. Any person interested in said property may redeem the same at any time within three years after the date of said sale, by paying to the county treasurer the amount for which said property was sold, and interest on the said sums at the rate of seven per cent per annum from the date of said sale. Upon such redemption a certificate of redemption shall be issued by the county treasurer to the party so redeeming which said certificate shall be filed in the office of the county recorder. If no redemption shall be made within said one year the purchaser, upon demand and surrender by him, of certificate of purchase, or the county treasurer if said property shall have been sold to him shall be entitled to a deed executed by said county treasurer and the effect of such deed shall be to convey said property free of all liens and encumbrances excepting State, county and municipal taxes and any prior or subsequent district assessment and any taxes or assessment of irrigation, conservation or water storage districts.

Any parcel of land bid in and purchased by a county treasurer as aforesaid, as trustee of the district, may be sold and conveyed by him or his successors in office, at any time after the expiration of said redemption period at public or private sale, and with or without notice, to any person paying him the amount for which said parcel was bid in by said county treasurer at delinquent sale, with interest thereon at the rate of seven per cent per annum, compounded yearly from the date of said delinquent sale together with any call that has been made upon any prior or subsequent assessment; and the deed executed by the county treasurer in pursuance of such sale shall convey said property free of all liens and encumbrances except State, county and municipal taxes and any prior or subsequent district assessment and any taxes or assessments of irrigation, conservation or water storage districts. After the lapse of one year from and after the expiration of the period for redemption such parcel may be sold as in section 20 of this act provided.

SEC. 20. After the lapse of one year from and after the expiration of the period of redemption of any land sold to the district, or county treasurer as trustee for the district, either pursuant to the provisions of section 19 and 21 of this act the county treasurer of the main county, when and as directed by the board of trustees of the district, may in their discretion then sell any land remaining unsold, to the highest bidder for cash at the front door of the courthouse of the main county of the district after giving previous notice of such sale, and the time and place of holding the same, by publication thereof in some newspaper published in the county in which the land to be sold or some portion thereof is situated for two times, to wit: Once a week for two successive weeks It shall be sufficient to describe said land in said notice by reference number as set forth in the assessment lists to which reference shall be made in said notice, and to the date and time of filing same, for further particulars. The trustees of the district shall have the right to reject any and all bids and no bid shall be accepted for an amount less than such price as shall be approved by them. No parcel shall be sold for an amount less than the fair market value thereof as such value shall be ascertained by the board of trustees. One or more parcels of such land may be included in the same notice and sold severally at the time and place set forth in said notice. Upon such last mentioned sale being made as herein provided, the said county treasurer shall execute a deed to the purchaser conveying the land sold, upon payment of the price bid, which deed shall have the effect of conveying title to the land sold to the purchaser free of encumbrance, except district assessment (including the unpaid balance of said assessment for the delinquency of which said property was sold) which upon the date of the sale herein provided had not been called, any exception as may be otherwise provided by law, and such deed duly executed and acknowledged shall be prima facie evidence that all the proceedings for the levy and collection of the delinquent assessment for which said land was sold, and all of the proceeds for the sale of said land have been duly and regularly taken, and all notices required to be given or published have been so duly given and published for the time and manner required by law.

Where any land has been sold for a delinquent assessment, pursuant to the provisions of sections 19 or 21 of this act for a delinquent assessment or installment of the same and no redemption has been made and the time for redemption has

expired, the district shall have the right to the possession of the land so sold and unredeemed and the board of trustees shall have the right to bring and maintain any and all actions in equity or law in connection with said land and the protection of the district's rights therein to the same extent as any other owner; and the costs and expenses for such action or actions shall be a charge against the district. The board of trustees shall also have the right to expend funds of the district in such amounts that may from time to time be necessary for the purpose of retiring any and all liens against such land superior to the title of the county treasurer therein.

The trustees of the district shall have the management and control of, and right to lease out to a tenant or tenants for such reasonable rental and upon such terms as such trustees may deem advisable, any and all lands in the district which have been sold to the county treasurer, as trustee, for delinquent assessments, where the time for redemption has expired and said lands remain unsold and to receive and collect the rental for the same. All rentals collected or moneys received by the trustees of the district from such lease of lands or for the use or occupation of such land may be applied by them to the payment of the incidental expenses of holding and leasing said lands and to the payment of any other incidental expenses of, or legal charge against the district; provided, however, that all rentals collected or moneys received from lease of land sold to the county treasurer as trustee of the district pursuant to the provisions of sections 19 or 20 of this act or for the use or occupation of such land, less the incidental expenses of leasing or holding the same, shall in the event said district shall be in default for interest or principal payments or any of said bonds issued by said district, be deposited in said county treasury of the main county, to the credit of the bond fund of the district. An amount equal to the revenues derived from each tract by reason of the leasing, use or occupation thereof, less the incidental expenses of leasing and holding same, shall be credited by the county treasurer on the assessment lists against the delinquent charges on said tract.

The provisions hereof shall apply to all lands heretofore sold for delinquency to a district or to the county treasurer, as trustee as well as to future sales under assessments whether heretofore or hereafter to be, levied.

SEC. 21. Whenever in any horticultural development district an assessment has been levied and assessed upon the lands of said district and remains unpaid in whole or in part, where, in the judgment and opinion of the board of trustees of said district, it would be for the best interest of said district to issue bonds for the purpose of obtaining money to pay the costs of horticultural development therein, the indebtedness of the district or any other legal charge, the board of trustees of such district shall by order enter upon the records of said board, order a special election to be held at some place in said district to be designated by said board of trustees, at which said special election shall be submitted to the owners of said district the question of whether or not bonds of said district shall be issued in an amount equal to the amount of such assessment, or the part of such assessment remaining unpaid, which said amount shall be entered by said board of trustees in its record and stated by them in the order for such special election.

For all purposes of this article relating to signing petitions and by-laws and voting at any election of horticultural development districts the equalized assessment roll for the year last preceding, in each county wherein any land of the district is situated shall be sufficient evidence of ownership and of value of lands in the district as hereinafter provided. Guardians, executors, administrators and other persons holding land in a trust capacity under appointment of court may sign such petitions or by-laws or may vote without obtaining special authority therefor.

Notice of such special election must be given by the board of trustees by posting notice thereof in at least three public places in the district at least twenty-one days prior thereto, and also by publication for the same length of time in some newspaper of general circulation published in each county in which any portion of said district may be situated; and such notice must specify the time and place of holding such election, the aggregate face value of bonds proposed to be issued and the names of three landholders of the district to act as a board of election. Affidavits of the publication and posting of such notice must be filed with the county clerk of the county in which said district or the greater part thereof is situated (herein designated as the main county), together with a copy of said order calling the election, certified by the president of the board of trustees.

Who May Vote. At such election each owner of lands in the district shall be entitled to vote in person or by proxy and shall have the right to cast one vote for each dollar's worth of real estate owned by him in the district, such value and ownership thereof to be determined from the next preceding assessment roll of the county or counties in which lands of said district are situate, and the board of trustees of the district shall, prior to the election cause to be prepared and certified by the proper officer and furnished to the board of election a true and correct copy of the said next preceding assessment roll of the said county or counties, which said certified roll shall be used by the said board of election in determining the number

of votes each voter is entitled to cast. Executors, administrators, special administrators and guardians may cast the votes of the estates represented by them.

Proxies. Ballots. No person shall vote by proxy at such election unless authority to cast such vote shall be evidenced by an instrument in writing, duly acknowledged and certified in the same manner as grants of real property and filed with the board of election. The ballots cast at such election shall contain the words: "Bonds —Yes" or the words "Bonds—No", and also the name of the person casting the ballot with the number of votes cast by him. A list of the ballots cast shall be made by the board of election, containing the name of each voter, and, if the ballot be cast by proxy, the name of the person casting it, and the number of votes cast by each and whether the same be cast for or against the issuing of the bonds.

Election Officers. Canvass of Votes. Contest. If any person appointed as a member of the board of election shall fail to attend the opening of the polls, the voters then present may appoint in his place any landholder of the district. Each member of such board of election, must, before entering upon his duties take and subscribe an official oath, which oath may be administered by an officer authorized *to administer oaths or by any landholder in the district.* The polls shall be kept open from ten o'clock a.m of the day of election until four o'clock p.m. At the close of the polls the board of election shall at once proceed to canvass the votes and declare the results and shall forward a certificate showing such result and the number of votes cast for and against the issuing of bonds, to the county clerk of the main county and shall deliver a duplicate thereof to the board of trustees of the district, and shall also deliver to the said county clerk of the main county all ballots cast at such election and all documents and papers used at such election. Any person interested may contest such election within twenty days after such filing of said certificate with the said county clerk by bringing suit in the superior court of the main county; otherwise the declaration of the result by the board of election shall be final and conclusive.

Issue of Bonds. If two-thirds of the votes cast at such election are in favor of the issuance of bonds, the board of trustees of the district shall cause bonds in the amount stated in the order for the election to be executed and delivered, together with the assessment list, to the treasurer of said main county. Said bonds shall be of the denomination of not less than one hundred dollars nor more than one thousand dollars each; they shall be signed by the president of the board of trustees of the district and attested by the county auditor of said main county and shall be numbered consecutively in the order of their maturity, and shall bear interest at a rate not to exceed six per cent per annum, payable semiannually on the first day of January and the first day of July in each year at the office of said county treasurer upon the presentation of the proper coupons therefor. Coupons for each installment of interest shall be attached to said bonds and shall bear the facsimile signature of the county auditor. The principal of said bonds shall be made payable on the first day of July, or the first day of January, and in such years as the trustees may prescribe, but said bonds shall be payable serially within not more than thirty years from their date in the manner following, to wit:

(1) Not less than five per centum of the aggregate face value of bonds issued shall be payable within ten years from their date.

(2) Not less than five per centum of the aggregate face value of bonds remaining unpaid at the end of ten years shall be payable each year beginning with the eleventh year from their date, until the whole amount of said bonds has been paid. Said bonds shall be substantially in the following form:

Form of bonds.

United States of America
State of California
County of _____

No._____ $_____

Horticultural Development District No._____

Horticultural Development District No._____, for value received hereby acknowledges itself indebted to and promises to pay to the holder hereof at the office of the treasurer of said county, in the State of California, on the first day of _____, 19__, the sum of $_____, in lawful money of the United States of America, with interest thereon in like lawful money from date hereof until paid, at the rate of _____ per cent, per annum, payable at the office of said treasurer semiannually on the first day of January, and the first day of July in each year on presentation and surrender of the interest coupons hereto attached.

This bond is one of a series of _____ bonds of like tenor and effect, except as to denomination and maturity, numbered from _____ to _____ inclusive, amounting in the aggregate to _____ dollars, issued in accordance with section 21 of this act pursuant to an election held in said horticultural district on the _____ day of _____, 19___, authorizing its issuance, and is based upon and secured by an assessment levied on the lands in said district, and filed in the office of the county treasurer of said county of _____ on the _____ day of _____, 19___, and the said horticultural development district does hereby certify and declare that said election was duly called and held upon due notice, and the result thereof was duly

canvassed and ascertained, in pursuance of and in strict conformity with the laws of the State of California applicable thereto, and that all of the acts and conditions and things required by law to be done, precedent to and in the issue of said bonds have been done and have been performed in regular and in due form and in strict accordance with the provisions of the law authorizing the issuance of horticultural bonds.

In testimony whereof, the said district, by its board of trustees, has caused this bond to be signed by the president of said board and attested by the auditor of said county of _____ with his seal of office affixed this _____ day of_____, 19___.

_____
President of said Board.

Attest:
Auditor of the County of _____,
State of California.

(Interest coupons, form of.) And the interest coupons may be substantially in the following form:

No._____ $_____

The county treasurer of _____ County, California, will pay to the holder hereof on the _____ day of _____, 19___, at his office in said county of _____ the sum of $_____ in lawful money of the United States out of the funds of horticultural development district No. _____ for interest on bonds of said district numbered _____.

_____
County Auditor.

Sale of Bonds. The treasurer of said main county shall place the bonds prepared pursuant to this act to the credit of the district. Thereafter when directed by resolution of the trustees of the district, the treasurer of said county may sell the whole or any designated number of said bonds for the best price obtainable therefor, but in no event for less than ninety per cent of the face value of said bonds and the accrued interest thereon. Before making a sale of said bonds, notice shall be given by the said county treasurer by publication at least once a week for two weeks in a newspaper of general circulation published in said main county, that he will sell a specified amount of said bonds, and stating the day, hour and place of such sale, and asking sealed proposals for the purchase of said bonds, or any part thereof. At the time appointed the county treasurer shall open the bids and award the bonds to the highest responsible bidder. He may, and upon written request of a majority of the trustees must, reject any and all bids. Any sale by the county treasurer and delivery of the bonds thereunder shall be conclusive evidence in favor of the purchase and all subsequent holders of the bonds that such sale was made upon due authority and notice. The proceeds of sale of said bonds shall be placed in the county treasury to the credit of said district, and a proper record of such transaction shall be made upon the books of said county treasurer.

Action to Test Legality. At any time within thirty days after said bonds shall have been delivered to the treasurer of the county, an action may be commenced in the superior court of said main county by the trustees of said horticultural district in its name against the lands in said district and all persons owning the same or interested therein, to have it determined that said bonds are a legal obligation of such horticultural district, and in the event no such action is brought then the same may be commenced by any landowner in the district within thirty days thereafter. It shall be sufficient to describe said lands as all lands in the district (naming it) without a more specific description. The summons shall be published once a week for two weeks in some newspaper of general circulation published in the county where the action is pending. Within thirty days after the first publication of summons any owner of land in such district, or any person interested, may appear and answer the complaint, which answer shall set forth the facts relied upon to show the invalidity of said bonds. The default of all defendants not so appearing may be entered. Such action shall be given precedence in hearing and trial over all other civil actions in such court, and judgment rendered declaring such matter so contested either valid or invalid. Any party not in default may have the right to appear to the Supreme Court within thirty days after the entry of judgment. Judgment for the plaintiff in such proceedings shall be considered as a judgment in rem and shall be conclusive against said district and against all lands therein and all owners thereof and other interested persons.

Warrants. The board of trustees of said district may draw warrants upon said county treasurer against the funds provided by sale of bonds, which said warrants shall be approved by the board of supervisors of said main county.

Bond Fund. All moneys collected by any county treasurer upon any assessment upon which bonds shall have been issued, including all moneys derived from sale of land for delinquent installments, or from redemption thereof, or from sale of lands bought by the treasurer at any such sale, shall be by such treasurer forthwith paid into the main county treasury and shall be credited to the bond fund of such horticultural district, and used exclusively for the payment of principal and interest

of said bonds issued on such assessment, and of the principal and interest of any refunding bonds issued thereon.

Bonds as Legal Investment. The bonds of horticultural districts issued pursuant to this act which have been investigated and certified by any officer of this State now or hereafter authorized to make such investigation and certification and by the authority of which certification are declared to be legal for investments by savings banks of this State may be lawfully purchased, or received in pledge for loans by savings banks, trust companies, insurance companies, guardians, executors, administrators and special administrators, or by any public officer or officers of this State or of any county, city or city and county or other municipal or corporate body within this State having or holding funds which they are allowed by law to invest or loan.

Election Prior to Assessment. If the trustees deem it advisable they may order a special election to be held prior to making any assessment, to determine whether or not bonds shall be issued for an amount to be stated in the order for such election, but no bonds shall, in such instance, be issued until an assessment for the amount of the bonds authorized at such election shall have been made and filed with the county treasurer.

Additional Assessment. The lien of any unpaid assessment upon which bonds shall have been issued shall continue until all said bonds, and any refunding bonds which may be issued, shall have been paid in full, and if for any reason any part of such principal or interest of said bonds, or of refunding bonds shall remain unpaid after enforcement of said assessment in this article provided, the board of supervisors of the main county shall order an additional or supplemental assessment to be made as provided in section 25 sufficient to pay such unpaid principal and interest; which additional or supplemental assessment shall be enforced and collected in the same manner as the original assessment.

Additional Bonds. If any district having authorized the issuance of a series of bonds shall issue an additional series of bonds based on another assessment, the dates of maturity of such additional series of bonds shall be such that the latest maturities thereof shall not exceed thirty years and the earliest maturity of bonds of such additional series shall be later than the latest maturity of bonds of any earlier series, excepting refunding bonds. All provisions of this section relative to the original issue of bonds shall apply to such additional series of bonds so far as applicable.

Bonds of Different Denominations. Any district which has issued bonds of different denominations, may, by an order entered in its minutes, upon request of holders thereof, and upon the deposit of the bonds issued and outstanding with the board of trustees, issue to the holders of such deposited bonds, bonds of the district in the same form but in different denominations, but having the same aggregate face value and maturity. Such bonds shall be executed by all persons who are required by law to execute the original bonds for which such exchange is made, and the said bonds so deposited shall be thereupon canceled by the treasurer of the main county and the board of trustees of the district.

Warrants as Payment of Bonds. Upon a sale of any of the bonds provided herein (excepting refunding bonds) the county treasurer of the main county is hereby authorized to accept in payment for said bonds, either in whole or in part, outstanding warrants of such district at their face value, together with the accrued interest thereon.

Interest on Unpaid Installments. Where bonds of the district have been authorized to be issued on such assessments all unpaid assessments shall bear interest at the rate of seven per cent per annum from the date of the bonds originally issued thereon until such bonds and any refunding bonds issued thereon shall have been fully paid and discharged, and the interest due at any time on said unpaid assessment shall be called without calling any installment of the said assessment. The word installment as used in this section shall be construed as applying to interest as well as the principal as the case may be.

Estimate of Amount to Pay Interest and Principal. At least ninety days before any interest date of the bonds, including refunding bonds, the county treasurer of the main county shall estimate the amount of money necessary to pay interest and principal maturing on such interest date after crediting thereon the funds in the treasury applicable to the payment thereof, and shall add thereto fifteen per cent of such aggregate sum to cover possible delinquencies, and said county treasurer shall thereupon cause to be published two times, to wit: Once a week for two weeks in some newspaper of general circulation published in each county in which any of the district may be situate a notice substantially in the following form:

Form of Notice. (Name of horticultural development district.) Notice is hereby given that an installment of assessment (describing it) of $------, being ------ per cent is payable within thirty days from (date) by all assessed landowners of said district in the county of (name of county) to the treasurer of said county. All or

any part of said installment which shall remain unpaid on the (day fixed) will be delinquent, together with ten per cent of such installment added as penalty.

Dated (date).

(Signed)_____
Treasurer of _____ County.

Delinquent Installments. If no newspaper is published in said county, such publication shall be made in a newspaper published in an adjoining county. If any part of such installment or any interest thereon shall remain unpaid at the expiration of thirty days from the date of said notice, it shall become delinquent and ten per cent of the unpaid amount of said installment shall be added thereto and collected by said treasurer.

Delinquency List. When any installment shall have become delinquent, said treasurer shall publish two times, to wit: Once a week for two weeks in a newspaper of general circulation in each county in which any portion of the said delinquent land may lie (or if an adjoining county) a notice of all said delinquencies. Said notice shall contain a description of each parcel of land assessed in the district whereon such installment is delinquent, as such description appears on the assessment list or by reference number as set forth in said assessment list on file in the office of the county treasurer (stating the date and time said list was so filed) or by other appropriate reference thereto sufficient to identify the same, and shall refer to said list for further particulars. Said list shall also contain the name of the person to whom it is assessed, to unknown owners if such is the fact; the amount of the installment delinquent on such parcel, the amount of said penalty thereon, and a notice that each of said parcels will be sold at public auction by said county treasurer in front of the courthouse of said main county, at a special day and hour which shall not be less than thirty days nor more than sixty days from the date of delinquency, to pay said delinquent installment, with penalty.

Sale for Delinquent Installments. At the time stated in said notice, the county treasurer shall sell each parcel of land described in said notice to the highest bidder, unless prior thereto he shall have received payment in full of said delinquent installment together with such penalty. No bid for any parcel shall be accepted less than the aggregate sum then due on said installment thereon, with penalty and such sale shall be made for cash (except the treasurer may receive from any purchaser at their face value in lieu of cash, bonds, of said district or their interest coupons, issued on said assessment and then matured or to mature within sixty days after such sale). Any bond or coupon so received in payment shall be by the treasurer forthwith canceled and filed in his office. If the entire amount of any such bond or coupon tendered in payment shall not be required to complete payment of the purchase money, the treasurer shall indorse thereon as paid, the amount of such purchase money credited thereon.

Sale to Treasurer. If no bid is made for any parcel at such sale equal to the amount of the installment and delinquent thereon, with penalty, the treasurer shall bid in and sell said parcel to himself and his successors in office, as trustee of the district, as purchaser, for the amount of said installment, interest and penalty.

Certificate of Sale. The treasurer shall execute to each purchaser, including himself as trustee, a certificate of sale and a duplicate thereof shall be filed in the county recorder's office.

Redemption. Any person interested in the said property may redeem the same at any time within one year after the date of sale, by paying to the county treasurer for such purchaser a sum equal to the purchase price stated in the certificate, with interest thereon at the rate of seven per cent per annum from the date of sale to such redemption.

Deed to Purchaser. If no redemption shall be made within one year, the treasurer upon demand and surrender of such certificate of purchase, shall execute to the purchaser, his heirs or assigns, or to himself as trustee of the district if the property shall have been sold to him, a deed of conveyance of the parcel of land described in such certificate, which deed shall convey to the grantee therein named the said land free and clear of all encumbrances, except State, county and municipal taxes, and any taxes or assessments of irrigation, conservation or water storage districts, and except any portion of any reclamation assessment remaining unpaid at the date of said sale; each installment whereof may be called and collected as herein provided, except that no parcel sold and conveyed to the county treasurer as trustee of the district shall thereafter be subject to sale by the treasurer for delinquent installments. Every deed by a county treasurer purporting to be executed under this section shall be prima facie evidence of the truth of the matters therein recited, and of ownership by the grantee of the lands therein described.

Credit to Bond Fund. The treasurer shall credit to the bond fund of the district all money collected by him by sale or otherwise, upon assessment against which bonds shall have been issued, including interest and penalties and he shall likewise credit to said fund the amounts of purchase money paid in bonds or coupons on sales made for said assessment. The treasurer shall charge to the general fund

of the district, or to its bond fund if he has no money to the credit of its general fund the expense of publication of notices and of recording certificates of sale.

Sale of Lands Purchased by Treasurer. Any parcel of land bid in and purchased by a treasurer as aforesaid, as trustee of the district, may be sold and conveyed by him or his sucessor in office at any time after the expiration of said redemption period of one year, at public or private sale and with or without notice to any person paying him the amount for which said parcel was bid in by said treasurer at delinquent sale, with interest thereon at the rate of seven per cent per annum, compounded yearly, from the date of said delinquent sale, and also the amount of all subsequent installments then delinquent, with accrued interest and penalties thereon. Such payment may be made either in cash or in matured bonds and coupons issued on said assessment, taken at their face value, and the treasurer shall execute a deed to such purchaser upon such sale, conveying said property free of encumbrance except State, county and municipal taxes, and the unpaid balance of said assessment. After the lapse of one year from and after the expiration of the period of redemption, such parcel may be sold as in section 21 of this act provided. Any balance remaining in such bond fund, after payment in full of the principal and interest of all outstanding bonds of the district, shall be by the treasurer transferred to the general fund of the district.

Application of Section. The provision of this section, as hereby amended, shall apply to all sales for delinquencies, and the proceedings had in connection therewith, on all assessments.

Voting After Change of Ownership. In the event that ownership of any property in the district is changed after the making of the last assessment roll for the district, the owner thereof shall be entitled to vote thereon upon production of the original or of certified copy of the record thereof in the office of the county recorder of the county in which the property is situate Any person not legally qualified to vote who shall make any false statement in respect to this right to vote shall incur all of the penalties provided in the Penal Code of the State of California for persons illegally voting at elections.

Bonds as Payment on Assessment. Any landowner of the district who shall desire at any time to lessen or remove the lien upon his land of any assessment on which bonds have been issued may deliver to the county treasurer for cancellation any bonds payable out of said assessment, and the treasurer shall credit against the assessment on his land the principal and accrued interest on said bonds.

Calling and Retiring Bonds. The board of trustees in their discretion, may provide at any time before sale of bonds that said bonds shall be callable at face value in the manner provided by law at any interest payment date together with accrued interest thereon, and either with or without a premium to be specified by said board and inserted in said bonds; and the method of calling and retiring said bonds shall be as follows:

Order Calling Bonds. Not less than ninety days before any interest payment date the trustees, by a two-thirds vote, may adopt an order calling bonds of the district, in any amount, for payment on such date. The order shall specify the maturities of the bonds called, commencing with the earliest maturities. If less than all bonds of any maturity are called then the trustees, by a drawing shall ascertain the bonds to be called in such maturity and the order shall designate the number of the bonds so drawn. A certified copy of the order shall be delivered to the county treasurer and he shall add the principal of said bonds, with any premium provided by the terms thereof, to the amount which he is required to collect for payment of the next maturing interest coupons. In his notice of call of assessment the county treasurer shall specify the amount which is included for payment of principal of bonds and premium. Bonds shall be paid in order of presentation.

Notice of Call. Not less than once a week for four weeks prior to the date on which bonds are called for payment the county treasurer, in a newspaper of general circulation printed and published in the main county, shall publish a notice wherein he shall set forth said order of the trustees and shall notify all holders of said bonds to present the same for payment on the date specified and that whenever, on or after such date, funds are received by him for payment of said bonds with any said premium all interest thereon shall cease.

Cancellation of Proceedings. If within one year after any issue of bonds is deposited with the county treasurer, none of such bonds shall have been sold, or if within one year from the date of the election authorizing the issuance of bonds, none of the bonds have been deposited with the county treasurer, the board of trustees, in their discretion, may by an order enter in their minutes cancel all proceedings taken in connection with such bond issue. A certified copy of such order shall be filed with the county treasurer of such county wherein lands affected by the assessment on which said bonds were based are situated. The county treasurer with whom said bonds have been deposited shall thereupon cancel said bonds together with all coupons attached thereto. Such cancellation shall not affect the validity of the assessment upon which said bonds were issued, and the board of trustees may call for the payment of such assessment, or any part thereof, in such installments from time to time as they shall determine and as provided in section 18 of this act, or, in their discretion, and either before or after any installment of said

assessment shall have been paid, they may cause bonds to be authorized and issued upon the unpaid portion of such assessment after proceedings therefor shall have been taken in the manner hereinabove in this section provided.

Cancellation of Unsold Bonds. In case a portion of any issue of bonds remains unsold after the lapse of one year after the same shall have been deposited with the county treasurer or have not been deposited with the county treasurer within one year after the date of the election authorizing their issuance the board of trustees may in their discretion likewise, by an order enter on their minutes cancel said portion of said bonds so remaining unsold or not so deposited with the county treasurer and all proceedings in relation thereto; and a certified copy of such order shall likewise be filed with the county treasurer in each county wherein the lands affected by the assessment on which said bonds are based are situated.

Assessments Covered by Unsold Bonds. The county treasurer with whom said bonds have been deposited shall thereupon cancel the same together with all coupons attached thereto. In case a portion only of any bond issue shall have been canceled as above provided the board of trustees shall call in and order paid the portion of the assessment represented by the bonds canceled, in such installment or installments as the said board shall determine, and as provided in section 18 of this act, and the amount collected shall be deposited in the county treasury and paid out on warrants of the district in the order of their registration drawn in payment of the cost of the works, repairs, maintenance, charges or incidental expenses of the district, for the payment of which the said assessment upon which said bonds were issued was levied.

Limit on Call of Such Assessment. Provided, that where a portion of the bonds based on such assessment have been sold are outstanding and remain unpaid in whole or in part only such portion of said assessment shall be so called in or order paid as above provided for the payment of warrants issued in payment of the costs of the works of the district, maintenance or repairs as will leave sufficient of said assessment on said land uncalled as will meet and pay the principal and interest of said bonds as and when due and payable.

SEC. 22. Notwithstanding anything to the contrary in this act contained, if, in the judgment of the board of trustees, it is desirable that the principal and/or interest of any bonds issued pursuant to the act, or any part of principal or interest shall be payable from the proceeds or any part thereof or any sales of horticultural produce raised on the lands in said district, or from any other source, or sources, of payments to the then existing assessment the board of trustees may so provide by resolution adopted at any time prior to the final retirement of such bonds. Notwithstanding such order of the board of trustees, however, the county treasurer shall make the estimate provided for in the preceding section and shall retain the sum so collected in a special fund to be designated as bond redemption fund of horticultural development district No. _____ and there shall always remain in said fund a sufficient fund to make the next ensuing payment of any principal or interest in the event such payment of principal or interest are paid by income or other sources available to the trustees of the district other than said assessment.

The board of trustees in the event such resolution is adopted, for the payment of either principal or interest of said bonds, shall retain from the sums of money that they shall receive from the sale of horticultural produce of said district as in section 23 provided a sufficient sum to pay the installment of either principal or interest, or both, next ensuing of said bonds and shall deliver to the county treasurer such sum at least sixty days prior to the date upon which the sum of principal or interest are payable, in which event the county treasurer shall retain such sums as have been collected on said assessment as provided in this section of this act in the bond redemption fund herein provided for. The following year the said treasurer shall make no estimate of the amount required for the ensuing payment of principal or interest unless the requirement of interest or principal payment shall be greater than the sum in such bond redemption fund, in which event said treasurer shall estimate the amount of such difference in order to collect a sufficient sum between the amount on hand and the required sum plus fifteen per cent of the amount required, and shall collect such sum as in section 21 of this act provided. In the event the revenues from other sources are sufficient to pay such payment of principal or interest such amount collected by the treasurer shall be added to the redemption fund and retained therein for future payments of principal and interest of said bonds and in each year thereafter until the final maturity of all bonds, the said treasurer shall make such call as may be necessary to make up the difference between the sum in his possession and the amount required to pay the next ensuing installment of principal and interest of said bonds, plus the sum of fifteen per cent on such amount.

SEC. 23. All horticultural produce raised in said district shall be sold through and in the name of the trustees of said district and all sums of money received in payment therefor shall be paid to the trustees of said district, who shall use said money for the following purposes.

(1) If they have adopted a resolution to pay the principal and interest of such bonds from sources other than said assessment they must retain from the sale price of such horticultural produce a percentage thereof sufficient to equal the next ensuing payment of principal and interest of said bonds and may then deduct such sum as

may be necessary to carry on ordinary operating expenses of said district as provided in section 24 of this act, which said latter designated sum shall be deposited in the revolving fund of said district and payable by order of the board of trustees of such district, or by such person as may be designated by them as hereinafter provided.

(2) The balance of said money so received from the sale of horticultural produce shall be delivered to the owner of the respective lands upon which the same was grown and to whom the same is due. For this last purpose the board of trustees shall keep careful record of all horticultural produce delivered to them, which records shall contain a statement of the name of the landowner delivering the same or the tenant or lessee of the landowner, the lands upon which grown, the amount and kind of produce and the sale price thereof.

SEC 24. The board of trustees of such district shall create a revolving fund out of the price received from the sale of horticultural produce of said district for each cropping year. Said revolving fund shall be created by order of the board of trustees, stating the estimate of the amount to be required for the conducting of the affairs of the district during the next ensuing year and such percentage of the sum of money received from the sale of such horticultural product shall be by them retained to equal the amount so estimated. Said revolving fund shall be used in the payment of all expenses of the district, if the said revolving fund is created, and may be deposited in any bank. Said fund may be drawn either by check signed by a majority of said board or by check drawn by any person designated by the board of trustees of said district by resolution duly adopted by them. If said resolution is adopted by said board of trustees, a certified copy thereof shall be filed with the bank or banks in which said revolving fund is deposited.

SEC. 25. Supplemental Assessment. In the event that any bonds shall sell for less than par, or the amount of the bonds issued shall for any reason fail to equal the amount of the assessment upon which the same is based, or the sale price of said bonds shall fail to pay off the said assessment in full then and in that event an additional and supplemental assessment may be spread and levied in the same manner as provided in this act for the spreading of the original assessment and shall be collected likewise.

SEC. 26. Any vacancy in the board of trustees caused by the resignation, death or removal from the State may be filled by the board of supervisors of the main county upon the application of any person or persons owning land in the district.

SEC. 27. A horticultural development district may be dissolved by either of the following methods.

When the said district has completed its work of horticultural development and has paid off and retired all outstanding bonds, warrants, liens, assessments and claims, the owners of a majority of the lands in said district may file with the board of supervisors of the main county a petition praying for the dissolution of said district. Said petition must contain the following:

(1) A description of all of the lands in the district.

(2) A statement that all bonds, claims, warrants, liens and every charge of every kind and character have been paid and that there is no outstanding indebtedness in said district.

(3) That the works of the horticultural development have been completed.

Said petition must be filed with the clerk of the board of supervisors of the main county, who shall thereupon set a date for the hearing thereof and shall give notice for four weeks preceding the hearing thereof in some newspaper of general circulation published in the county in which the greater part of the lands are situated, which notice shall be substantially in the following form:

"Notice of Hearing of Petition for the Dissolution of the Horticultural Development District No. _____.

Notice is hereby given that a petition has been filed with the board of supervisors of the county of _____, State of California, praying for the dissolution of the horticultural development district No. _____. Said petition will be heard by the board of supervisors of said county on the _____ day of _____, 19__, at its office in the city of _____, county of _____, State of California, at which time any person interested may appear and show cause why such district should not be dissolved.

_____
Clerk of Board of Supervisors."

If the board of supervisors find on the hearing of the petition that its statements are correct they must make an order dissolving the district. If they find that there are unpaid bonds, warrants, liens, assessments or any other unpaid claims of any kind or character against said district they shall continue the hearing from time to time in order to give the trustees of the district time within which to raise the sum of money to pay off such existing indebtedness of the district, but the said supervisors shall not lose jurisdiction over the hearing of said petition so long as they continue said hearing from time to time to definite stated dates. If it appears at any date so set by continuation that the indebtedness of the district has been paid

off since the last adjournment or postponement, then the said supervisors shall make such order dissolving said district.

Said order shall be certified to by the clerk of the board of supervisors and a certified copy thereof shall be recorded in each county where any lands of said district shall be located and upon such recording said district shall be dissolved.

An action may be brought by the Attorney General in the name of the people of this State upon his own information or upon the complaint of a private party, for the dissolution of the horticultural development district for nonusers of its corporate powers. In such action, the complaint and summons must be served personally upon a majority of the trustees of such district.

In any such action when service of the summons has been made upon the defendant and the defendant has appeared or default has been entered the court, upon application of any party shall thereupon enter an order fixing a date for the hearing, which shall not be less than sixty days from the date of the order. Said order shall also direct the clerk to give all persons interested in said district, either as owners of land in said district or creditors of said district, or otherwise, notice requiring them to be and appear on the day fixed for the hearing of said cause, if any they have, why the district named in the complaint as defendant should not be dissolved. The court shall order the notice to be served by publication in some newspaper of general circulation published in the county where the greater portion of said lands of said district lies for a period of not less than twenty days.

On the date fixed for the hearing or some later date to which the same may be continued, the court may proceed with the hearing, due proof having been first made of the service of the notice by publication for the length of time required by the order. Any person interested in the district that is defendant, shall, upon showing his interest, be allowed to file his answer or objection to the dissolution, and shall from the filing of said answer or objections become a party defendant and be entitled to all the rights of a defendant in any civil action. If upon the trial of any such action it be determined by the court:

(1) That the trustees have not within five years prior thereto exercised any of the powers of the district or performed any of the duties of a trustee.

(2) That the said district is not in debt, or if in debt, that all claims be barred by the statutes of limitations, the court shall then enter a decree dissolving the district, or make such further order as may be deemed necessary to protect the rights of all parties interested.

SEC. 28. This act is hereby declared to be an urgency act within the meaning of section 1 of Article IV of the Constitution necessary for the immediate preservation of the public health and safety and shall take effect immediately. The facts constituting said urgency are as follows:

That throughout the entire north half of the State in December, 1932, the citrus orchards were destroyed by an unprecedented frost and that a vast number of people of the State of California are entirely dependent upon the restoration of said citrus groves and that unless the same is done immediately, through the provisions of this act, a large portion of the population will be reduced to almost destitute circumstances and it is essential to the public health, peace and safety that this act be adopted in order that financial assistance may be had for the restoration of the said destroyed citrus groves and that this act will aid materially in accomplishing this necessary result."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1310—An act to amend sections 2, 3 and 14 of, and to add section 3a to, the State Civil Service Act, and to repeal section 686 of the Political Code, relating to the administration of said act, defining the powers and duties of the Civil Service Commission and transferring to said commission the powers, duties, functions and responsibilities of the Division of Personnel and Organization and the Department of Finance in relation to the administration of said act.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2352—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as therein defined, providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 523—An act to amend section 1 of an act entitled "An act authorizing counties to declare noxious or dangerous weeds growing upon the streets or sidewalks or upon private property in counties, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same, and providing that such cost shall constitute special assessments, and providing for the enforcement and collection of such special assessments," approved May 24, 1929, relating to the powers of supervisors to declare the existence of a public nuisance.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1351—An act to amend section 5146b of the Political Code, prohibiting district attorneys of counties or cities and counties from defending or assisting in the defense of, or acting as counsel for, defendants in civil actions and proceedings, when the State is a party plaintiff, and to redesignate said section 4156b as section 4156c of the Political Code.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2385—An act to amend sections 2322x7, 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236n, 4236o, 4236p and 4236q of the Political Code, relating to the compensation of county officers in counties of the seventh class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1888—An act to amend section 3714 of the Political Code, relating to county and district budgets and county expenditures.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1875—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2388—An act to amend the Political Code by adding a new section thereto to be numbered 3493a, providing that defaulting reclamation districts under certain circumstances shall be subject to said section and shall be under the control of the California Districts Securities Commission to the extent and for the time set forth therein; providing for the manner of calling assessments and the making of calls for payments of warrants, of interest and of principal of bonds, or other indebtedness of such defaulting districts in an amount it will be reasonably possible for the lands to pay without exceeding a delinquency of 15 per cent, notwithstanding any other provisions of law governing said districts; limiting the operation of said section 3493a until November 1, 1935, only, unless sooner repealed; and declaring the same an emergency measure enacted under the police power.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2380—An act to amend Chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to

release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, as amended, by amending section 1 thereof, relating to appropriation of waters by the State Department of Finance.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 319—An act to amend sections 3732, 3746, 3751, 3756, 3758, 3759, 3764, 3766, 3767, 3797, 3801, 3817, 3817a, and 3897 of the Political Code, relating to the assessment and collection of taxes on real and personal property and the redemption thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 5, line 42, of the printed bill, as amended, strike out "tenth day of October," and insert in lieu thereof the following: "first day of November".

AMENDMENT NUMBER TWO.

On page 5, line 43, of the printed bill, as amended, strike out "first", and insert in lieu thereof the following: "thirtieth".

AMENDMENT NUMBER THREE.

On page 5, line 46, of the printed bill, as amended, strike out "fifteenth", and insert in lieu thereof the following: "tenth".

AMENDMENT NUMBER FOUR.

On page 5 of the printed bill, as amended, strike out line 47, and insert in lieu thereof the following: "January and will be delinquent on the thirty-first day of Janu".

AMENDMENT NUMBER FIVE.

On page 5, line 51, of the printed bill, as amended, strike out "first", and insert in lieu thereof the following: "tenth".

AMENDMENT NUMBER SIX.

On page 5, line 52, of the printed bill, as amended, strike out "first day of April", and insert in lieu thereof the following. "thirty-first day of March,".

AMENDMENT NUMBER SEVEN.

On page 6, line 3, of the printed bill, as amended, strike out "fifteenth", and insert in lieu thereof the following: "first".

AMENDMENT NUMBER EIGHT.

On page 6, line 4, of the printed bill, as amended, strike out "fifteenth day of June", and insert in lieu thereof the following: "twentieth day of May,".

AMENDMENT NUMBER NINE.

On page 6 of the printed bill, as amended, strike out line 7, and in line 8, strike out "June fifteenth", and insert in lieu thereof the following: "that when November thirtieth, January thirty-first, March thirty-first or May twentieth,".

AMENDMENT NUMBER TEN.

On page 6, line 36, of the printed bill, as amended, strike out "first", and insert in lieu thereof the following: "thirtieth".

AMENDMENT NUMBER ELEVEN.

On page 6, line 39, of the printed bill, as amended, strike out "fifteenth", and insert in lieu thereof the following: "thirty-first".

AMENDMENT NUMBER TWELVE.

On page 6, line 43, of the printed bill, as amended, strike out "first day of April", and insert in lieu thereof the following · "thirty-first day of March".

AMENDMENT NUMBER THIRTEEN.

On page 6, line 47, of the printed bill, as amended, strike out "fifteenth day of June", and insert in lieu thereof the following: "twentieth day of May".

AMENDMENT NUMBER FOURTEEN.

On page 7 of the printed bill, as amended, strike out lines 5 and 6, and insert in lieu thereof the following: "that if the thirtieth day of November, the thirty-first day of January, the thirty-first day of March or the twentieth day of May falls".

AMENDMENT NUMBER FIFTEEN.

On page 7 of the printed bill, as amended, strike out lines 11 and 12, and insert in lieu thereof the following:

"3758. On the fifteenth day of December, the fifteenth day of February and the fifteenth day of April, of each".

AMENDMENT NUMBER SIXTEEN.

On page 7, line 24, of the printed bill, as amended, strike out "first day of July", and insert in lieu thereof the following: "fourth day of June".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 822—An act to add a new section to the Political Code, to be numbered 3817b, authorizing the temporary suspension of penalties on delinquent taxes.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, and insert in lieu thereof the following:

"An act relating to penalties for nonpayment of taxes for the fiscal year 1932–1933, relating to the publication of the delinquent list and addenda thereto, relating to the period of redemption and the sale of property delinquent in the payment of such taxes, extending the time for the performance of all acts and duties of public officials with relation thereto, declaring the urgency of this act and providing that it shall take effect immediately."

AMENDMENT NUMBER TWO.

Strike out all of the printed bill following the enacting clause, and insert in lieu thereof the following:

"SECTION 1. Notwithstanding the provisions of sections 3764 and 3771, and other provisions of the Political Code, the time of publication of the delinquent list and the time of sale for delinquency in the payment of either that installment of taxes for the fiscal year 1932–1933 which became delinquent December 5, 1932, or that installment of taxes which became payable January 20, 1933, or both such installments, and the time of performance of duties of any officer charged with the collection of such taxes, shall be extended and postponed for a period of sixty-one days. In all other particulars, all sales to the State for delinquency in payment of taxes for the fiscal year 1932–1933 shall be held and conducted in the manner prescribed in said code.

SEC. 2. If either or both of the installments of such taxes are not paid on or before June 20, 1933, said property may be redeemed by paying to the county treasurer taxes, penalties, interest and costs as provided by said code, in all respects as though the time of payment and sale had not been extended.

SEC. 3. Notwithstanding the provisions of sections 3764 and 3771a of said code, the time of publications of the addenda to the delinquent tax list and of the notice of sale of all properties which were sold to the State for delinquent taxes in the year 1928 on which taxes remain unpaid, and also the time of such sale, is hereby extended and postponed for a period of sixty-one days.

SEC. 4. Notwithstanding the provisions of section 3764 of said code, sales of property sold to the State for delinquency in payment of taxes for the fiscal year 1932–1933 shall be made in the year 1938, at the same time and in the same manner as if no extension of time or postponement of sale to the State, in accordance with the terms of this act, had been made. The words "five years" as used in said section 3764 shall be construed to mean and include the period of time that will elapse between the actual date of such sale in the year 1933 and the time fixed by law for the sale by the State of such property in the year 1938.

SEC. 5. The provisions of this act, as far as they may be applicable, shall apply also to those cities, counties, cities and counties, and other political subdivisions and to the acts of the public officials thereof, in any case in which the date or dates of payment and delinquency of taxes and the time for performing acts or duties by public officials in relation thereto, was extended by Chapter 103 of the Statutes of 1933.

SEC. 6. This act is hereby declared to be an urgency measure within the meaning of section 1 of Article IV of the Constitution, necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately.

The facts constituting such a necessity are as follows:

Whereas, Because of economic conditions existing throughout the State the Legislature has extended the time for the payment of taxes, it is necessary to define and prescribe the duties of public officials charged with the collection of taxes in connection with the computation of penalties, publication of delinquent taxes and sale of property for delinquent taxes. It is necessary that these duties be clearly defined, to the end that the extension granted by the Legislature be made operative and to prevent confusion and uncertainty as to the duties of public officials in relation thereto and to protect the rights of taxpayers. To these ends, it is necessary that this act shall take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 289—An act to permit any water users' association organized under the laws of the State of California to levy unequal assessments upon its capital stock in the event of contract with the United States under the provisions of the National Reclamation Laws.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to provide for the impounding and utilization of the waters of the American River for flood control, river flow control and equation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; authorizing the State Department of Finance to acquire for the State property useful in connection therewith; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto; authorizing the leasing of property of the State for any one or more of such uses and specifying certain terms and conditions to which said lease shall be subject."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 16, inclusive, and insert in lieu thereof the following:

"SECTION 1. It is the purpose of this act to provide for the development of a unit in a general program looking towards the conservation, development, utilization, and regulation of the water resources of the State for the purposes of flood control, river flow control and equation, domestic use, irrigation, reclamation, power development, and other public uses.

SEC. 2. The State Department of Finance is hereby empowered to acquire for the State of California land determined by the State Engineer to be necessary for the construction, operation and maintenance of a dam or dams on the American River or its tributaries at a site or sites to be selected by the State Engineer which dam may be constructed to create a reservoir or reservoirs to impound and utilize the waters of the river for the purposes of flood control, river flow control and equation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses.

SEC. 3. The State Department of Finance is further empowered, in its discretion, to lease for a good and proper consideration to any one or more private persons, firms or corporations, or to any political subdivision or subdivisions of the State, land now owned by the State as a part of Folsom Prison property, and other lands on or adjacent to the American River that the State now owns or may be hereafter acquired, or any part of said land or lands, as the site or sites for the construction of the dam or dams mentioned or described in section 2 of this act, also for

storage area, for the purpose of constructing, operating and maintaining said dam or dams as a part of a reservoir or reservoirs and its necessary complementary works for impounding the waters of said American River and of a capacity and construction adequate, as determined by the State Engineer or other expert adviser that shall be empowered by the State Department of Finance so to determine, to efficiently, economically and safely carry out the purpose or purposes of such reservoir or reservoirs as set out in sections 1 and 2 of this act; provided, that no such lease or leases shall be executed except upon the condition that the State of California shall at the time of such execution or prior thereto acquire satisfactory title in fee simple to all of the lands which may constitute the whole of the site of said dam or dams.

SEC. 4. Any lease executed under the authority of this act shall be for a period not to exceed fifty years, and shall be for such consideration and upon such conditions as may be determined by the State Department of Finance; provided, however, that in addition to any other provisions such lease or leases shall contain in substance the following:

(a) The lessee or lessees shall acquire within a period of time specified in the lease or leases such other land as may be necessary to complete said reservoir and its complementary works as may be determined by the State Department of Finance as necessary for the purpose of said reservoir or reservoirs and its complementary works hereinabove stated in this act. The plans and specifications for such works and their construction, operation and maintenance shall be subject to the approval of the State officers authorized by law to approve and supervise such works and their operation; provided, that the final approval of the adequacy of said reservoir or reservoirs and works for said purposes shall rest with the State Department of Finance. The lessee or lessees shall undertake to operate said works efficiently, economically, and continuously for and during the period of the lease in conformity with the provisions thereof and with the laws of the State. Said lease shall contain such appropriate provisions for termination, forfeiture and possession, in the event of noncompliance by the lessee with the terms thereof, as may be deemed advisable by the State Department of Finance for the proper and necessary protection of the State. Said lessee or lessees shall not sell, transfer, or assign such lease or any rights or privileges thereunder except as therein provided:

(b) That the production, generation, transmission, delivery or furnishing of electricity for light, heat or power and the diversion, development, storage, supply and distribution, sale of furnishing of water for irrigation, municipal, domestic or other beneficial use, through or incident to the use of said dams, reservoirs, or complementary works, at wholesale or retail, shall be subject to regulation by the Railroad Commission of the State of California as to service and rates and in all other respects as to the furnishing of similar service or the delivery of a similar commodity by a privately owned public utility;

(c) That the works and improvements constructed on said leased lands and other property useful in connection with said project, or such of said works, improvements or property as may be specified in said lease, may be acquired by the State of California or any of said political subdivisions at such time, in such manner, for such compensation, and subject to such conditions as may be specified in said lease. Said lease, in the discretion of the State Department of Finance, may provide for the operation of said works and property by the lessee after the termination of said lease, pending the acquisition of such works, improvements or property, or any thereof, by the State or said political subdivisions.

SEC. 5. It shall be the duty of the State Engineer and other State officers to render expert assistance to the State Department of Finance in the determination of questions of an engineering or other nature.

SEC. 6. The term political subdivision, as used in this act, is hereby defined to mean and include any municipal corporation, city, county, city and county, public board, municipal utility district, public utility district, irrigation district, water district, flood control district, reclamation district, lighting district or other public corporation or quasi public corporation having authority to contract for the purchase, sale or use of water, water power or electric energy, but shall not include any privately owned public utility.

SEC. 7. Any lease entered into under the powers conferred by this act shall be executed on or before December 31, 1937."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 655—An act to amend section 55 of the California Irrigation District Act, relating to rates of toll or charges for water.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to add a new section to the California Irrigation District Act, to be numbered 15a, relating to the use and distribution of water."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and strike out all of page 2 of the printed bill, and insert in lieu thereof the following:

"SECTION 1. A new section, to be numbered 15a, is hereby added to the act cited in the title hereof, to read as follows:

Sec. 15a. The board of directors, when they deem it advisable for the best interests of the district, may refuse to deliver water for the irrigation of crops when the seepage from such irrigation would damage adjacent lands; or it may require, as a condition precedent to the delivery of water, the construction of adequate drainage facilities to prevent damage to adjacent lands. The board shall have power to make the necessary rules and regulations to carry out the provisions of this act.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall go into effect immediately. The following is a statement of the facts constituting such necessity:

In certain irrigation districts at the present time large quantities of water are being held on land for a long period of time for the purpose of raising and maturing crops. Such water seeps and percolates to the adjacent land, forming stagnant pools thereon, which are a menace to health, injuring growing crops and causing the lands to become unfit for cultivation and habitation. This act enables the board of directors of an irrigation district to remedy such conditions and should go into effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1990—An act to provide a permit to be issued to any person, firm, corporation or association manufacturing or distributing alcoholic beverage; to impose an excise tax upon the manufacture and distribution of such alcoholic beverage; to provide methods and penalties for the enforcement of the tax; and to credit the revenues derived therefrom to the general fund of the State and providing when this act shall become effective.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, as amended, and insert in lieu thereof the following:

"An act to amend section 5 of an act entitled "An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately," approved April 6, 1933, relating to taxation of beverages, and to declare that this act shall take effect immediately."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out lines 1 to 22, inclusive; also strike out pages 2 to 5, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 5 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 5. An excise tax is hereby imposed on all beverage sold by a manufacturer, as said term is herein defined, at the rate of one dollar for every barrel containing not more than thirty-one gallons and at a like rate for any other quantity thereof.

SEC. 2. Inasmuch as this act provides for a levy of taxes it shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 892—An act to add section 11a to an act entitled "An act to aid commerce and navigation by authorizing certain improvements in and about Islais Creek and as a means thereof creating a reclamation district to be called and known as the 'Islais Creek Reclamation District,' fixing the boundaries thereof, providing for the management and control thereof, vesting certain powers therein, and authorizing a method for the reclamation of the lands of said district; and to aid or assist such works of reclamation, granting to the City and County of San Francisco and its successors any title of the State in or to any public highways lying in said district with certain reservations; and dissolving any reclamation district wholly situate within the boundaries of said Islais Creek Reclamation District," approved April 6, 1925, relating to delinquent installments of assessments.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 331—An act to amend the Political Code by amending sections 3456, 3457, 3466, 3480 and 3480b, and by repealing section 3480c, all relating to reclamation districts, and containing a provision declaring this act to be an emergency measure stating the facts constituting such emergency and providing this act shall take effect immediately upon its passage.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 111—An act to amend sections 860, 861 and 870 of the Agricultural Code, relating to the standardization of canned foods.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1135—An act to repeal sections 162 to 165, inclusive, of the Agricultural Code, relating to deer-tight fences.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 9—An act to amend sections 41, 42, 43, 45 and 46 of the California Irrigation District Act, and to repeal section 44 of said act, all relating to delinquent assessments.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1036—An act to add section 73a to the California Irrigation District Act, relating to the procedure by which property owners may be relieved from obligations of the district.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 638—An act to amend section 19x39 of the Juvenile Court Law, relating to the probation officer in counties of the thirty-ninth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 639—An act to amend section 2322x39 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-ninth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 178—An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 640—An act to amend section 4268 and to repeal section 4268a of the Political Code, relating to the compensation of county and township officers in counties of the thirty-ninth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, as amended, after the period in line 2, insert the following: "The sheriff is hereby allowed additional deputies, the pay of which shall not in any one year exceed the sum of five hundred dollars."

AMENDMENT NUMBER TWO.

On page 8 of the printed bill, as amended, strike out lines 9 to 11, inclusive, and insert in lieu thereof the following: "deputies shall be appointed by the sheriff."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 658—An act to amend section 737gg of the Political Code, relating to the compensation of the judge of the superior court, Riverside County.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out the title and insert in lieu thereof the following:

"An act to amend sections 737gg and 737jj of the Political Code, relating to the compensation of judges of the superior court."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after line 5, insert the following:

"SEC. 2. Section 737jj of the Political Code is hereby amended to read as follows:

737jj. The annual salary of each of the judges of the superior court in and for the county of San Bernardino is six thousand dollars."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 400—An act to add a new section to the Political Code, to be numbered 3714b, relating to annual financial estimates from special tax and assessment districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after "irrigation districts", insert the following: ", revenue producing utility districts".

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, strike out "the", and insert in lieu thereof the following: "any".

AMENDMENT NUMBER THREE.

On page 2, line 11, of the printed bill, after the comma after "supervisors", insert the following: "whether or not such taxes or assessments appear on the regular county assessment roll,".

AMENDMENT NUMBER FOUR.

On page 2, line 15, of the printed bill, after "purposes", insert the following: "whether or not such taxes or assessments appear on the regular county assessment roll,".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, after line 17, add the following:

"The term "revenue producing utility districts," as used herein, means districts formed for the construction, operation, and maintenance of utilities from which revenue is customarily or may be derived by charges, rates or rentals imposed or collected from users, consumers, or customers thereof, together with such work, facilities and appliances as are used or useful in connection therewith or incidental thereto."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

SPECIAL ORDER SET.

On motion of Mr. Rawls, the consideration of Assembly Bill No. 10 was made a special order for this day, May 4, 1933, at two o'clock and thirty minutes p.m.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 2103—An act to provide for the conservation of the water and power resources of this State and to prevent the development thereof unless economically advantageous to the people of this State.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Mayo:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, of the title, and insert in lieu thereof the following:

"An act to provide for the conservation, regulation and beneficial use of the water and water power resources of this State."

AMENDMENT NUMBER TWO.

On page 2, line 21, of the printed bill, as amended, after the second word "be", add the following: "or would have been".

AMENDMENT NUMBER THREE.

On page 2, line 22, of the printed bill, as amended, after the word "could", add the following: "be or could".

AMENDMENT NUMBER FOUR.

On page 2, line 43, of the printed bill, as amended, strike out "within the meaning of this act", and insert in lieu thereof the following: "of any irrigation district".

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, as amended, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SEC. 7. The Water Conservation Commission is hereby created to consist of the State Engineer, the Chief Engineer of the Railroad Commission, and the Chief Engineer of the State Reclamation Board."

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 823—An act to amend section 15 of the "Los Angeles County Flood Control Act," relating to the responsibility of bidders upon public work.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Greene:

AMENDMENT NUMBER ONE.

On page 3, line 25, of the printed bill, as amended April 26, 1933, after the words "which the selected lands", insert the word "are" before the word "situated".

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1477—An act to amend section 10 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act," approved May 24, 1927, relating to the deposit of public funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1477 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Crowley, Evans, Field, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, King, Latham, Levey, Maloney, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Roberts, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Zion—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1315—An act to amend sections 692 and 694 of the Code of Civil Procedure, relating to notices of sale under execution and power of sale and to the conduct of such sale.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Hatch moved that Assembly Bill No. 1315 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 1315 to the Committee on Judiciary.

Motion carried.

Assembly Bill No. 1315 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1970—An act to amend section 3052 of the Civil Code, relating to sale of property by a lienholder.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1970 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Crist, Crowley, Evans, Field, Gilmore, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Robinson, Samuel E., Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Zion—51.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and fifteen minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 2175—An act to amend section 681 of the Penal Code, relating to punishment and treatment of persons in State, county and city institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2175 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Riley, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—60.
NOES—Brock and Zion—2.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and thirty-five minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Patterson.

The roll of absentees was called, and the report of the Committee on Introduction of Bills was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—71.
NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Callahan: Assembly Bill No. 2397—An act to repeal an act known as Chapter 213, Statutes 1917, as amended, relating to trucks.

Bill read first time, and referred to Committee on Motor Vehicles.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 205—An act to add section 542c to the Code of Civil Procedure, relating to dissolution of attachments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 205 passed by the following vote:

AYES—Alter, Anglim, Bliss, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Gilmore, Greene, Hatch, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Powers, Rawls, Redwine, Riley, Rogers, Roland, Stannard, Stream, Tournoux, Turner, Woolwine, Wright, Zion and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2328—An act to amend section 609 of the Probate Code, relating to the compensation of appraisers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2328 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Gilmore, Hallner, Hatch, Hornblower, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—62.

NOES—Cassidy, Fisher, Greene, Hunt, Knowland, O'Donnell and Redwine—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 262—An act to amend section 860 of the Penal Code, relating to preliminary examination in criminal prosecutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 262 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Gilmore, Greene, Hallner, Hatch, Hornblower, Jones, Kallam, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Ross, Stream, Sullivan, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—54.

NOES—Chatters, Clowdsley, Cottrell, Crist, Feigenbaum, Fisher, Hoffman, Hunt, Knowland, Meeker, Miller, Eleanor; Morgan, O'Donnell, Patterson, Robinson, Samuel E., Roland, Scudder, Stannard and Thorp—19.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 973—An act to amend sections 307 and 316 of the Agricultural Code, relating to meat inspection.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 973 was refused passage by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Field, Kallam, Lyon, Martin, McBride, McCarthy, Meeker, Miller, James A., Morgan, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Ross, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—35.

NOES—Alter, Boyle, Brock, Cobb, Cronin, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Latham, Levey, Maloney, McMurray, Meehan, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rogers, Roland, Stream, Thorp, Tournoux, Turner and Williamson—37.

MOTION TO RE-REFER.

Mr. West moved that Senate Bill No. 583 be withdrawn from Committee on Municipal Corporations, and referred to Committee on Judiciary.

The question being on referring Senate Bill No. 583 to Committee on Judiciary.

Motion carried.

Senate Bill No. 583 ordered referred to Committee on Judiciary.

RECESS.

At twelve o'clock and ten minutes p.m., on motion of Mr. Clowdsley the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1021—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to occupations to which the act applies—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1060 as amended by the Senate—An act to amend section 453ee of the Civil Code, relating to investments authorized to be made by mortgage insurance companies—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

CRIST, Chairman.

The above reported bill ordered placed on daily calendar.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1754—An act to amend section 423 of the Fish and Game Code, relating to hunting and sporting fishing licenses—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1249—An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LATHAM, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 2389—An act to amend section 506b of the Penal Code, relating to embezzlement by insurance agent, broker, or solicitor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CRIST, Chairman.

The above reported bill ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 809—An act to amend the title, sections 12, 16, 23, 23a and to repeal sections 12a, 12b and 12c, and to add section 16a to an act entitled "An act to promote the drainage of wet, swamp, and overflowed lands or lands otherwise needing surface or underground drainage or protection from storm water overflow, and to promote the public health in the communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof," approved May 18, 1919, Statutes 1919, page 731, as amended, with the provision that the repeal of sections 12a, 12b and 12c shall not affect existing proceedings under said act, and to provide for the advancing of maturity of bonds issued under said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

ON MANUFACTURES.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Manufactures, to which was referred Assembly Bill No. 1224—An act to regulate the conduct of commercial manufacturers of jams, jellies, marmalades and preserves, to carry on such regulation, to provide rules regulating the proper sanitation, and adopt standards and definitions for preserves, marmalades, jellies and jams—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GILMORE, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1993—An act to amend sections 1095 and 1104 of the Fish and Game Code and to add thereto section 1096.5, relating to records and reports—has had the

same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1595—An act to add a new section to the Political Code, to be numbered 3817b, authorizing the temporary suspension of penalties on delinquent taxes, and declaring the urgency hereof to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 25, 1933.

To the Members of the Assembly of the California State Legislature.

Attached hereto is a copy of a letter dated April 18, 1933, from the Honorable R. A. Gray, Secretary of the State of Florida, together with a copy of house memorial of the Florida Legislature of 1925, which apparently was never mailed to the Governor; and I am sending the same to you for your information and such action as is deemed advisable in the premises.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

(COPY.)

OFFICE OF THE SECRETARY OF STATE, STATE OF FLORIDA,
TALLAHASSEE, April 18, 1933.

Hon. James Rolph, Jr.,
Governor, State of California,
Sacramento, California.

DEAR GOVERNOR: I enclose you herewith a copy of a certain House Memorial of the Florida Legislature of 1925 which I am advised has not heretofore been mailed to the Governor of each State as directed in the memorial.

Respectfully yours,
(Signed) R. A. GRAY, Secretary of State.

(COPY.)

LEGISLATURE OF FLORIDA, SESSION OF 1925.

HOUSE MEMORIAL NUMBER ONE.

Memorializing the Interstate Commerce Commission for the relief of those engaged in agriculture and horticulture.

WHEREAS, Agriculture and horticulture are the basic industries of the State of Florida, employing the greatest number of its people, and engaging the largest amount of its capital, and the success and prosperity of these industries are essential to the welfare and development of the State; and

WHEREAS, Conditions now existing not only in this State, but in other States dependent upon agriculture, are militating to such extent against these great and necessary industries as to drive from the farm and orchard those who have been engaged in this great work, and to force them to seek employment in other lines of industry, and as a result leaving thousands of fertile acres unoccupied and uncultivated; and

WHEREAS, The low prices received by the farmer and horticulturist for his products, and the high freights he is compelled to pay, have so reduced the returns from his labor that he is compelled to mortgage his farm to raise the necessary funds to operate it, and is denied many of the conveniences and some of the necessities of life for himself and family; and

WHEREAS, The charges for transportation, refrigeration, storage and demurrage enter largely into the business of moving and marketing crops, and constitute a large element in the cost of supplying the consumer with the fruits of the earth; and the laborer engaged in the transportation is paid greatly increased wages, while the farmer's return is growing less; and while the transportation companies are in a position to exact their freight and secure a profit on their great and frequently exces-

sive capitalization, the producer is ground between the upper and nether millstones of the transportation corporation, and the broker who sells his perishable product; and

WHEREAS, The transportation companies are protected by the government from the effect of competition, so that they may receive a reasonable return for the services rendered and on the capital invested, the grower and producer of the fruits of the earth, in view of the perishable nature of the product of his industry, when he seeks a market is practically compelled to accept the price fixed by the purchaser; and

WHEREAS, By a reduction of rates on perishables and food stuffs, encouragement would be given the farmer to increase his production, and the volume of business for the transportation companies from this class of freights would be greatly increased, and what would be lost in the decreased rate would be more than gained by the increased volume of shipment; now, therefore, be it

Resolved by the Legislature of the State of Florida, That the Interstate Commerce Commission be and is hereby memorialized to take such action in fixing and regulating rates in interstate transportation, that the rates on agricultural and horticultural products may be reduced so that they will not exceed the rates which prevailed prior to the World War; and that the demurrage regulations may be so modified and amended as to grant to shippers and receivers of such commodities further time for loading and storage before demurrage is charged, because of the difficulties of handling and delivering farm products.

Resolved, That the Senators and Representatives in Congress from the State of Florida be requested to take such action with reference to this memorial as may be appropriate, with a view of obtaining for it proper consideration by the Interstate Commerce Commission; and if present legislation is inadequate to secure the relief sought, that they take the necessary action to procure the passage of such a law; and be it further

Resolved, That the Railroad Commissioners of the State of Florida be requested to take such action as may be appropriate to aid in the bringing about the accomplishment of the objects of this memorial.

Resolved, That the Secretary of the State, be and he is hereby directed to mail a copy of this memorial certified under the Great Seal of State to the Interstate Commerce Commission, to each of the Senators and Representatives in Congress from the State of Florida, and to the Governor of each State of the United States; and that the Governors of the several States be requested to call this memorial to the attention of the Legislature of his State at its next session; and to invite cooperation in order to secure the much needed relief sought by this memorial.

Approved: April 24, 1925.

State of Florida }
Office Secretary of State. } ss.

I, R. A. Gray, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of House Memorial No. 1 of the Florida Legislature, Session 1925.

Given under my hand and the Great Seal of the State of Florida, at Tallahassee, the capital, this the fifth day of April, A.D. 1933.

[SEAL] R. A. GRAY, Secretary of State.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 24, 1933.

To the Honorable Members of the Assembly of the California State Legislature.

I have the honor to transmit herewith a copy of a letter from Mr. William B. McLean, Secretary of the State of Colorado, together with a copy of Senate Joint Memorial No. 6, passed by the Senate of the Colorado State Legislature, for your information.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

(COPY.)

STATE OF COLORADO, SENATE CHAMBER,
DENVER, April 19, 1933.

Hon. James Rolph, Jr.,
Governor of California,
Sacramento, California.

DEAR SIR: The Senate of the 29th General Assembly of the State of Colorado has adopted Senate Joint Memorial No. 6.

I am enclosing herewith a certified copy of the above memorial, as directed by this Senate.

Respectfully yours,
(Signed) WILLIAM B. McLEAN, Secretary of the Senate.

By Senators Herrin, Knous, Sanders, Peiffer, Ehrhart, Smith, Hill, Rumbaugh, Houston, Nelson, Manly, Unfug.

SENATE JOINT MEMORIAL NUMBER SIX.

A memorial memorializing the Congress of the United States to include adequate appropriations for the continued efficient maintenance of supervision of oil, gas, coal and nonmetallic minerals operations by the Mineral Leasing Division of the United States Geological Survey.

WHEREAS, The Congress of the United States on February 25, 1920 (41 Stat. 437), on June 4, 1920 (41 Stat. 812) and March 4, 1923 (42 Stat. 1448), and under special agreement by the United States passed certain laws regulating production of oil, gas, coal, and nonmetallic minerals on the public domain; and

WHEREAS, One of the provisions of the act of February 25, 1920 provides that ten per centum (10%) of all moneys collected as royalties, bonuses and rentals shall be paid into the treasury of the United States and credited as miscellaneous receipts, and that thirty-seven and one-half per centum (37½%) shall be paid by the Secretary of the Treasury after the expiration of the fiscal year to the State within the boundaries of which the leased lands or deposits are or were located, and that fifty-two and one-half per centum (52½%) shall be paid into, reserved, and appropriated as a part of a reclamation fund created by an act of Congress approved June 17, 1902; and,

WHEREAS, The State of Colorado and other western States own a large number of tracts of land within and adjacent to the lands of the United States, and which said lands are in grave danger of being damaged by reason of the improper drilling, mining and producing operations, and lack of efficient supervision in the event the said Mineral Leasing Division of the United States Geological Survey is rendered less efficient by reason of the appropriation of insufficient funds by the Congress of the United States for continuing efficient and proper field supervision of said operations, and thereby both the National and State governments will suffer by reason of the lack of careful drilling and mining operations and production by irresponsible and careless operators; and

WHEREAS, The said Mineral Leasing Division is one of the few agencies of our government which is self-supporting and which uses only approximately five per centum (5%) of the money collected by the government in its supervisory operations; now, therefore, be it

Resolved, By the Twenty-ninth General Assembly of the State of Colorado that the General Assembly hereby urge and request that the Congress of the United States of America make the appropriations for the Mineral Leasing Division of the Geological Survey sufficient to enable the said division to function efficiently for the protection of the oil, gas, coal and nonmetallic mineral resources of the western States of the United States, which States are vitally interested both directly and indirectly in the conservation of our oil, gas, coal and nonmetallic mineral resources; be it further

Resolved, That copies of this memorial be sent to the President of the United States, the Honorable Franklin D. Roosevelt, the Vice President of the United States, the Secretary of the Interior of the United States, the Speaker of the House of Representatives of the United States, the Director of the Budget of the United States, to the United States Senators and Representatives of the State of Colorado, and to the Governors of the several western States.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1343—An act to add a new section to the Political Code, to be numbered 363dd, authorizing the Director of Public Works to enter into agreements for the construction, maintenance, and use of State highway bridges jointly by the public and private owners.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1233—An act to amend section 2322x32 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1233 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Chatters, Clowdsley, Cottrell, Crowley, Evans, Fisher, Greene, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Levey, Mayo, McCarthy, McMurray, Meehan, Nielsen, O'Connor, O'Donnell, Phillips, Powers, Rawls, Riley, Robinson, Samuel E, Rogers, Ross, Stream, Thorp, Turner, West, Williamson, Wright, Zion and Mr. Speaker—43.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1237—An act to amend section 16x32 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the thirty-second class.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1237 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Chatters, Clowdsley, Cottrell, Crowley, Evans, Fisher, Greene, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Levey, Mayo, McCarthy, McMurray, Meehan, Nielsen, O'Connor, O'Donnell, Phillips, Powers, Rawls, Riley, Robinson, Samuel E., Rogers, Ross, Stream, Thorp, Turner, West, Williamson, Wright, Zion and Mr. Speaker—43.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1234—An act to amend section 19x32 of the Juvenile Court Law, relating to probation officers in counties of the thirty-second class.
Bill read third time.
The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. O'Donnell moved that Assembly Bill No. 1234 be withdrawn from the file, and ordered re-referred to Committee on County Government.
The question being on re-referring Assembly Bill No. 1234 to Committee on County Government.
Motion carried.
Assembly Bill No. 1234 ordered re-referred to Committee on County Government.

Assembly Bill No. 1628—An act to amend section 737h of the Political Code, relating to the salary of the judge of the superior court in and for the county of Del Norte.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1628 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Chatters, Clowdsley, Cottrell, Crist, Crowley, Evans, Field, Greene, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Maloney, Mayo, McCarthy, McMurray, Meehan, Nielsen, O'Connor, O'Donnell, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland,

Ross, Stream, Thorp, Turner, West, Williamson, Wright, Zion and Mr. Speaker—45.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2376—An act to add a new section to the Agricultural Code, to be numbered 234.5, relating to bovine tuberculosis.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 2376 passed by the following vote:

AYES—Alter, Anglim, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Greene, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McMurray, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Rawls, Redwine, Rogers Roland, Ross, Scudder, Stannard, Stream, Thorp, Turner, West, Williamson, Wright, Zion and Mr. Speaker—45.
NOES—Hunt—1.

Title read and approved.
Bill ordered transmitted to the Senate.

NOTICE OF RECONSIDERATION.

Mr. Badham gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 973 was this day refused passage.

LEAVE OF ABSENCE.

On motion of Mr. Anglim, Mr. Miller, James A., was granted leave of absence for the balance of this legislative day.

UNFINISHED BUSINESS.

Assembly Bill No. 722—An act to add a new section to be numbered 14a to the "State Civil Service Act," relating to the abolition or discontinuance of positions.
The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 722?

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the words "Sec. 14a.", insert the following: "Whenever it is necessary because of lack of work or lack of funds, or whenever it is advisable in the interests of economy, to reduce the staff of any department or agency in the State service, the appointing power may with the approval of the commission lay off employees according to the procedure set forth in this act and the rules and regulations thereunder. The duties performed by the employee or employees so laid off may be assigned to any other permanent civil service employee or employees in the department or agency, who in the opinion of the commission are qualified to perform such duties regardless of the specific classification or grade to which such employees are allocated. Any action brought against the appointing power or the Civil Service Commission by an employee laid off must be brought and served within one year, but in the event of such action said employee can not be compensated for the time subsequent to the date of lay-off unless such action is filed and served within ninety days from the date of lay-off."

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, after the word "funds," and before the word "then", insert the following: "or in the interests of economy,".

AMENDMENT NUMBER THREE.

On page 1, line 14, of the printed bill, after the word "of", and before the word "service", insert the word "State".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 18, 19 and 20, and insert in lieu thereof the following. "considered as perfect; provided, however, that if a rating

of less than seventy per cent for efficiency is given to an employee the employee or the commission may compel the appointing authority to prefer charges against said employee for inefficiency in accordance with".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out lines 8, 9, 10, 11, and line 12 up to and including the period only, and insert in lieu thereof the following: "laid off or demoted shall be placed upon the departmental lay-off list for the grade from which they were laid off or demoted, and also upon the general lay-off list for such positions as, in the opinion of the commission, the employees are qualified and entitled to hold. The order of names on all lay-off lists shall be the relative order of combined scores for seniority and efficiency."

AMENDMENT NUMBER SIX.

On page 2, line 20, of the printed bill, after the word "grade.", insert the following: "All employees compensated on a monthly basis who are to be laid off or demoted under the provisions of this act shall be given fifteen days notice of such lay off or demotion prior to the effective date thereof."

The roll was called, and Senate amendments to Assembly Bill No. 722 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Clowdsley, Cobb, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, West, Williamson, Wright, Zion and Mr. Speaker—53.

NOES—Cottrell—1.

The above reported bill ordered to enrollment.

MOTION TO RECONSIDER.

Mr. Hunt moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2363 was refused passage be made a special order for Wednesday, May 3, 1933, at three o'clock p.m.

Motion carried.

Assembly Bill No. 1869—An act to amend section 4235 of the Political Code, relating to compensation of county and township officers in counties of the sixth class.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1869?

AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill, strike out the word "even", and insert therein the word "odd".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 1869 by the following vote:

AYES—Riley and Zion—2.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Greene, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—56.

CONSIDERATION OF GOVERNOR'S VETO ON SENATE BILL NUMBER TWO HUNDRED SEVENTY-FOUR.

Senate Bill No. 274—An act to amend section 4262 of the Political Code, relating to the compensation of the county and township officers in counties of the thirty-third class.

The Speaker of the Assembly put the question: Shall Senate Bill No. 274 become a law notwithstanding the veto of the Governor?

The roll was called, and the Assembly refused to sustain the veto of the Governor by the following vote:

AYES—Alter, Badham, Bliss, Brock, Burns, Cassidy, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—61.

NOES—Bowers, Boyle, Chatters, Kallam, Meehan, Stream and Tournoux—7.

Whereupon, the Assembly decided by a two-thirds vote, as required by section 16 of Article IV of the Constitution of the State of California, that in so far as the Assembly is concerned this bill shall become a law notwithstanding the veto of the Governor.

Senate Bill No. 274 transmitted to the Senate.

CONSIDERATION OF GOVERNOR'S VETO ON SENATE BILL NUMBER TWO HUNDRED SEVENTY-TWO.

Senate Bill No. 272—An act to amend section 16x33 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-third class.

The Speaker of the Assembly put the question: Shall Senate Bill No. 272 become a law notwithstanding the veto of the Governor?

The roll was called, and the Assembly refused to sustain the veto of the Governor by the following vote:

AYES—Alter, Badham, Bliss, Brock, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—61.

NOES—Bowers, Boyle, Chatters, Kallam, Meehan and Tournoux—6.

Whereupon, the Assembly decided by a two-thirds vote, as required by section 16 of Article IV of the Constitution of the State of California, that in so far as the Assembly is concerned, this bill shall become a law notwithstanding the veto of the Governor.

Senate Bill No. 272 transmitted to the Senate.

CONSIDERATION OF GOVERNOR'S VETO ON SENATE BILL NUMBER TWO HUNDRED SEVENTY-THREE.

Senate Bill No. 273—An act to amend section 2322x33 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-third class.

The Speaker of the Assembly put the question: Shall Senate Bill No. 273 become a law notwithstanding the veto of the Governor?

The roll was called, and the Assembly refused to sustain the veto of the Governor by the following vote:

AYES—Alter, Badham, Bliss, Brock, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—Bowers, Chatters, Kallam, Meehan and Tournoux—5.

Whereupon, the Assembly decided by a two-thirds vote, as required by section 16 of Article IV of the Constitution of the State of California, that in so far as the Assembly is concerned this bill shall become a law notwithstanding the veto of the Governor.

Senate Bill No. 273 transmitted to the Senate.

HON. EDWARD CRAIG IN THE CHAIR.

At two o'clock and fifty-five minutes p.m., Hon. Edward Craig, member of the Assembly from the Seventy-fifth Assembly District, in the chair.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Woolwine moved that the vote whereby Assembly Constitutional Amendment No. 26 was refused adoption be reconsidered.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Woolwine moved a call of the House.

Motion carried.

Time, three o'clock p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—67.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

RECONSIDERATION WAIVED.

Mr. Sullivan waived his notice to reconsider the vote whereby Assembly Bill No. 1381 was passed.

Assembly Bill No. 1381 ordered transmitted to the Senate.

MOTION TO RECONSIDER.

Mr. Lyon moved that the consideration of his motion to reconsider the vote whereby Senate Constitutional Amendment No. 30 was refused adoption be made special order for Monday, May 1, 1933, at three o'clock p.m.

Motion carried.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2311—An act to amend section 4149a of the Political Code, relating to the duties of county live stock inspector.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2311 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, King, Knowland, Latham, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Zion—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At three o'clock and twenty-seven minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Woolwine.

The roll of absentees was called, and Assembly Constitutional Amendment No. 26 was reconsidered by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Dempster, Evans, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Rogers, Ross, Stream, Sullivan, Thorp, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—58.

NOES—Bliss, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Gilmore, Levey, Mayo, McBride, McCarthy, O'Connor, Robinson, Samuel E., Scudder, Stannard, Tournoux and Williamson—17.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NUMBER TWENTY-SIX.

Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 3, 4, 5 and 23, of Article IV of the Constitution, relating to the Legislative Department.

Assembly Constitutional Amendment No. 26 read.

The question being on the adoption of Assembly Constitutional Amendment No. 26.

FLOOR AMENDMENT.

During reading of Assembly Constitutional Amendment No. 26, the following amendment was submitted by Mr. Lyon:

AMENDMENT NUMBER ONE.

On page 2, line 23, of the printed measure, strike out the word "seventy-five", and insert in lieu thereof the word "ninety".

The question being on the adoption of the amendment.

Amendment adopted.

Assembly Constitutional Amendment No. 26 ordered to reprint, engrossment, and on file for adoption.

THE SPEAKER IN THE CHAIR.

At three o'clock and forty-five minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

SPECIAL ORDER.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER TEN.

Assembly Bill No. 10—An act to amend section 737s of the Political Code, relating to salaries of judges of the superior court, Los Angeles County.

Bill read.

The question being on the passage of the bill.

MOTION.

Mr. Lyon moved that further consideration of Assembly Bill No. 10 be made a special order for Tuesday, May 2, 1933, at the hour of eleven o'clock a.m.

The question being on the motion to set Assembly Bill No. 10 a special order.

The roll was called, and the motion to set Assembly Bill No. 10 a special order for Tuesday, May 2, 1933, lost by the following vote:

AYES—Anglim, Badham, Boyle, Callahan, Cobb, Cottrell, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Gilmore, Hoffman, Knowland, Latham, Lyon, Maloney, McBride, Meehan, Morgan, Peterson, Redwine, Roberts, Roland, Ross, Scudder, Stannard, Stream, Williamson, Woolwine and Mr. Speaker—32.

NOES—Alter, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Craig, Crowley, Dempster, Frazier, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, King, Martin, McCarthy, McMurray, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Phillips, Rawls, Riley, Robinson, Samuel E., Rogers, Sullivan, Thorp, Tournoux, Turner, Utt, Wright and Zion—39.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER TEN.

Assembly Bill No. 10—An act to amend section 737s of the Political Code, relating to salaries of judges of the superior court, Los Angeles County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 10 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright and Zion—70.

NOES—Dempster and Mr. Speaker—2.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At four o'clock and twenty-five minutes p.m., the Assembly was declared at recess for the purpose of being addressed by Matthew Murphy, first consul sent to America by the Irish Free State.

REASSEMBLED.

At four o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Kelly reading.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read, and ordered printed in the Journal:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, CALIFORNIA, April 28, 1933.

To the Honorable Members of the Assembly of the State of California.

I have this day vetoed Assembly Bill No. 1115 which was designed to legitimate, regulate and tax, pari-mutuel betting on horse races.

While there was in my mind a doubt respecting the constitutionality of Assembly Bill No. 1115, I am advised by the Attorney General that it can not be concluded that the measure violates any provision of the Constitution and I defer to his opinion. In any event I prefer to veto the bill on moral and social rather than legal grounds, and on the additional and equally firm ground that since the people have expressed themselves twice against race track gambling, the Governor and the Legislature should abide by the people's decision.

Racing, of course, is not prohibited by law. This bill deals only with gambling, although much of the argument in support of the bill assumes that the breeding and raising of thoroughbred horses can not flourish without gambling. As much as I love horses, if it be true that the race horse is only an implement of gambling like a roulette wheel or a dice box, and if I must choose between the welfare of the horse on one side and the welfare of human beings on the other, I stand with the home against the stable.

But no such dilemma is presented by this bill. All the talk about the vast sums that will be invested in California in the development of the horse, if this bill be enacted, is just clatter raised to distract attention from the one significant fact that the bill would bring back to California, with the law's permission, the sordid, baneful, infecting, vice of race track gambling.

I have been accused on many occasions of erring on the side of liberality. But there is a point beyond which liberality may not go. I know the majority of the people of this State who remember California's experience with race track gambling in times past can never forget the attendant improvidence and crime which brought poverty, shame, and misery to the innocent as well as the guilty before race track gambling was happily outlawed by the Legislature in response to imperative popular demand.

I am not unmindful of the fact that betting on horse races is going on publicly and on a large scale. Many publications print daily not only the entries, the results, the odds, and the volume of betting at race tracks but they make and publish their own "handicaps" and "tips" in competition with the betting ring "touts." Without this aid illegal race track gambling could not flourish.

Because of that condition many good citizens question whether it would not be wiser to accept and legalize the existing condition and thereby subject gambling to some measure of control for the protection of the public and the relief of the taxpayers. From a practical aspect that argument is cogent. If the question were purely political or economic that argument might prevail with me. Indeed, it has delayed my decision. But I do not believe that toleration or support of illicit race track gambling will continue indefinitely; and, in any event, race track gambling presents a moral issue outweighing practical considerations and for that reason it must remain an outlaw. On a moral question, especially one of that magnitude, there can be no compromise.

Twice the people of California have voted against it, once in 1926 by a majority of 300,000 votes and again, only last November by a majority of 52,000. It is immaterial that this measure differs in details from those that were rejected by the electorate. The people voted on the moral issue, against the practice of race track gambling, and not on the terms of any specific measure. The decision of the people should stand until they themselves recall it at the ballot box. It is not for the Governor or for the Legislature to override the people. Let the proponents of the measure take it to the electorate by initiative or in any other way.

Financial benefits to the State from a tax on the volume of money wagered at race tracks can not balance the broken lives, the ruined homes, the welter of crime and sorrow that race track betting leaves in its wake. If we adopt a policy of financing State government in whole or in part by gambling why stop at the race tracks? Why not in that case establish a State lottery or publicly owned and operated casinos and thus from the enormous profits of such enterprises give the taxpayer substantial relief?

If the State can not suppress race track gambling at least the State can and should refrain from sanctioning vice and going into partnership with gamblers.

Respectfully returned, without my approval,

JAMES ROLPH, JR., Governor of California.

MOTION.

Mr. Woolwine moved that the consideration of the Governor's veto on Assembly Bill No. 1115 be made a special order for Wednesday, May 3, 1933, at the hour of two o'clock p.m.

Motion carried.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1—An act to amend section 737a of the Political Code, relating to the salaries of judges of the superior court, Alameda County.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Messrs. Cassidy and Knowland.

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "nine", and insert in lieu thereof the word "eight".

The question being on the adoption of the amendment.

POINT OF ORDER.

Mr. Hornblower raised the following point of order: Stating that the amendment by Messrs. Cassidy and Knowland was out of order.

RULING BY SPEAKER.

The Speaker ruled the point of order well taken.

Mr. Cassidy withdrew his amendment.

FURTHER AMENDMENT FROM THE FLOOR.

During reading of the bill, the following amendment was submitted by Messrs. Cassidy and Knowland:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the words "nine thousand dollars", and insert in lieu thereof the words "eight thousand four hundred dollars".

The question being on the adoption of the amendment.

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cassidy asked for, and was granted, unanimous consent to take up Assembly Bill No. 1, at this time, without reference to printer or file, and that same be considered engrossed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland,

Ross, Stream, Sullivan, Thorp, Turner, West, Williamson, Wright, Zion and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RESOLUTION.

The following resolution was offered:

By Mr. Hallner:

ASSEMBLY RESOLUTION.

WHEREAS, This Assembly has deemed it necessary to adopt an amendment to its rules to limit the number of minutes its members may address the Assembly; and

WHEREAS, This Assembly seriously regrets the necessity of these amendments which will tend to stem the flow of logic and wisdom which would otherwise flow from its members unchecked and unlimited; and

WHEREAS, This Assembly in view of this necessity and these amendments is desirous of conserving to each member the full time allocated and at the same time preventing any member from taking more than the full time allocated; and

WHEREAS, This Assembly realizes and appreciates the arduous burden that will be placed upon its Speaker in fairly and justly enforcing these rules; now, therefore, be it

Resolved by the Assembly of the State of California, That it is only fit and proper that this Assembly take action to in some degree lighten the burden of its Speaker and to assure to itself the full measure of the time allotted to each member; and be it further

Resolved, That to this end this Assembly herewith presents to its Speaker a "stop watch" and respectfully urges that it be used by him constantly and continuously in enabling him to properly enforce the rules herein mentioned and amended and in the manner herein enumerated, namely and to wit: That each member get his full measure, but no more.

HALLNER.	RILEY.
FEIGENBAUM.	ROBERTS.
LYON.	BADHAM.
MALONEY.	MAYO.
GREENE.	HORNBLOWER.
REDWINE.	ANGLIM.
CRONIN.	EVANS.
FIELD.	MEEHAN.
WILLIAMSON.	TOURNOUX.
MCBRIDE.	CALLAHAN.
MCMURRAY.	CRAIG.
WOOLWINE.	ROSS.
SULLIVAN.	LATHAM.
TURNER.	PHILLIPS.

Resolution unanimously adopted.

UNFINISHED BUSINESS.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Utt moved that the vote whereby Assembly Bill No. 147 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Burns, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hoffman, Hornblower, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, Miller, Eleanor; Morgan, Nielsen, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Utt, West, Williamson, Wright and Mr. Speaker—49.

NOES—Bowers, Callahan, Clowdsley, Crowley, Dempster, Fisher, Greene, Hatch, Hunt, Jones, King, McBride, McMurray, O'Connor, O'Donnell, Phillips, Stannard, Turner and Zion—19.

Assembly Bill No. 147 ordered placed on daily calendar.

THIRD READING OF SENATE BILLS.

Senate Bill No. 1193—An act to require the use of materials and supplies substantially produced in the United States, in public works and for public purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1193 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Maloney, Martin, McBride, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stream, Sullivan, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Greene:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the replacement and for reconstruction of public school buildings wholly or partially destroyed by earthquakes since January, 1933, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide for the replacement and for reconstruction of public school buildings wholly or partially destroyed by earthquakes since January, 1933, declaring the urgency thereof and providing that this act shall take effect immediately.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Mr. Greene: Assembly Bill No. 2398—An act to provide for the replacement and for reconstruction of public school buildings wholly or partially destroyed by earthquakes since January, 1933, declaring

the urgency thereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Judiciary.

MOTION TO PRINT.

On motion of Mr. Greene, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 2398.

UNFINISHED BUSINESS—(RESUMED).

MOTION TO RECONSIDER.

Mr. Hornblower moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 111 was passed, be continued until the next legislative day.

Motion carried.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 322, as amended by the Senate—An act authorizing the purchase of outstanding bonds issued pursuant to the provisions of the act, entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works, and public utilities; for the issuance, sale, and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended, from sinking funds, the cancellation thereof, and providing the procedure therefor—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

LYON, Chairman.

The above reported bill ordered placed on daily calendar.

ON SOCIAL SERVICE AND WELFARE.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 2354, as amended by the Senate—An act relating to retirement systems covering county or township officers or employees or a portion of such employees—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

FISHER, Chairman.

The above reported bill ordered placed on daily calendar.

ON PUBLIC CHARITIES AND CORRECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred Assembly Bill No. 1010—An act providing for an investigation, study and report on the various aspects of old age or retirement insurance, with respect to the feasibility of adopting such a system in this State, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Ways and Means.

MARTIN, Chairman.

The above reported bill ordered referred to Committee on Ways and Means.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 48—Relative to fees and other charges in State parks, and their use for maintenance and improvement purposes—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Concurrent Resolution No. 48 ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding section 5a to Article XI thereof, relating to county government;

Also: Assembly Constitutional Amendment No. 79—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XX thereof, a new section to be numbered 22, relating to legal rate of interest;

Also: Assembly Constitutional Amendment No. 107—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XIII thereof a new section to be numbered 22, relating to motor vehicle fuel license taxes;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported Assembly constitutional amendments ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 703—An act relating to State officers and employees in the judicial branch of the State government and the classification of, certification or authorization and appointment to, and allocation within, State judicial positions and the fixing of salary ranges therefor and graduated emergency salary reductions, and vesting the administration of this act in the State Personnel Board;

Also: Assembly Bill No. 1235—An act to amend section 4261 of the Political Code, relating to compensation of county and township officers in counties of the thirty-second class;

Also: Assembly Bill No. 1310—An act to amend sections 2, 3 and 14 of, and to add section 3a to, the State Civil Service Act, and to repeal section 686 of the Political Code, relating to the administration of said act, defining the powers and duties of the Civil Service Commission and transferring to said commission the powers, duties, functions and responsibilities of the Division of Personnel and Organization and the Department of Finance in relation to the administration of said act;

Also: Assembly Bill No 1488—An act to amend sections 1250, 1252, 1293 and 1310 of the Fish and Game Code, relating to mammals;

Also: Assembly Bill No. 1509—An act to amend sections 67 and 68 of the Fish and Game Code, relating to fish and game districts;

Also: Assembly Bill No. 1510—An act to amend sections 65, 612 and 1272 of the Fish and Game Code and to add thereto sections 66 5 and 1271.5, relating to fish and game;

Also: Assembly Bill No. 1626—An act to amend section 4282 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-third class;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1888—An act to amend section 3714 of the Political Code, relating to county and district budgets and county expenditures;

Also: Assembly Bill No. 1978—An act to amend section 510 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 2333—An act to amend section 1 of an act entitled "An act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, as amended, relating to the procedure necessary for such disincorporation;

Also: Assembly Bill No. 2380—An act to amend Chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the devel-

opment of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, as amended, by amending section 1 thereof, relating to appropriation of waters by the State Department of Finance;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1804—An act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain State buildings and grounds;

Also: Assembly Bill No. 1974—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission;
And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 246—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "registered sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Public Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates; prescribing the powers and duties of the State board; prescribing conditions under which the title "registered sanitarian" or the placing of the initials "R. S." may be used after the names of certificate holders; providing penalties for violations hereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration—and reports that the same has been correctly re-re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 26—An act to amend section 1272 of the Penal Code, relating to bail after conviction and pending appeal;

Also: Assembly Bill No. 75—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter numbered 8, embracing sections 1299 to 1299.6, inclusive, relating to the licensing and regulation of traveling merchants and providing penalties for the violation thereof;

Also: Assembly Bill No. 112—An act to add a new section to the Penal Code to be numbered 146b, relating to badges and other insignia of authority of sheriffs, chiefs of police, constables, or peace officers, and providing penalties for the violation hereof;

Also: Assembly Bill No. 523—An act to amend section 1 of an act entitled "An act authorizing counties to declare noxious or dangerous weeds growing upon the streets or sidewalks or upon private property in counties, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same, and providing that such cost shall constitute special assessments, and providing for the enforcement and collection of such special assessments," approved May 24, 1929, relating to the power of supervisors to declare the existence of a public nuisance;

Also: Assembly Bill No. 572—An act to amend section 2322x20 of the Political Code, relating to the salary of the agricultural commissioner, his deputies and inspectors in counties of the twentieth class;

Also: Assembly Bill No. 575—An act to amend section 4249 of the Political Code, relating to compensation of county and township officers in counties of the twentieth class, approved May 11, 1931;

Also: Assembly Bill No. 900—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation provided under said act;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1082—An act to amend section 1 of an act entitled, "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as 'The Reciprocal or Interinsurance Act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee," approved December 24, 1911,'" approved May 26, 1917, as amended," approved June 3, 1921, relating to reciprocal or interinsurance exchanges;

Also: Assembly Bill No. 1217—An act to amend section 312 of the Agricultural Code, relating to meat inspection;

Also: Assembly Bill No. 1610—An act to amend section 6 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs, and making an appropriation therefor," approved March 11, 1907;

Also: Assembly Bill No. 1760—An act to amend section 797 of the Fish and Game Code, relating to abalones;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 45—An act to amend section 2322x9 of the Political Code, relating to the office of agricultural commissioner in counties of the ninth class;

Also: Assembly Bill No. 317—An act to amend sections 1, 5, 10, 11, 13 and 15 of, and to add new sections to be numbered 1a to 1d, inclusive, and 10a to 10g, inclusive, to "An act to regulate the sale, possession, distribution and use of habit forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929;

Also: Assembly Bill No. 380—An act to amend section 1255a of the Code of Civil Procedure, relating to the abandonment of condemnation proceedings;

Also: Assembly Bill No. 391—An act to amend sections 2 and 7 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting government and municipal control of such annexed territory," approved June 11, 1913, relating to the annexation of territory to municipal corporations;

Also: Assembly Bill No. 737—An act to add section 4½ to an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893, as amended, relating to the issuance of bonds;

Also: Assembly Bill No. 740—An act to add section 25½ to an act entitled the "Street Improvement Act of 1913," relating to the issuance of bonds;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-eighth day of April, 1933, at two o'clock p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 741—An act to add section 4a to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended, relating to the issuance of bonds;

Also: Assembly Bill No. 742—An act to add section 5½ to an act entitled the "Grade Separation Act of 1927," relating to the issuance of bonds;

Also: Assembly Bill No. 744—An act to add section 63a to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments

for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the issuance of bonds;

Also: Assembly Bill No. 767—An act to add a new section to the "Fair Trade Act" to be numbered 1½, relating to unfair competition;

Also: Assembly Bill No. 769—An act to add section 1c to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair trade practice;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-eighth day of April, 1933, at two o'clock p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 931—An act to amend sections 4.960 and 4.975 of the School Code, relating to school district bonds and the application of proceeds therefrom;

Also: Assembly Bill No. 988—An act to amend section 4.770 of the School Code, relating to teacher units;

Also: Assembly Bill No. 1125—An act to amend section 623 of the Political Code, relating to bonds required of insurance companies to insure payment of taxes;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-eighth day of April, 1933, at two o'clock p.m.

PATTERSON, Chairman.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 698—An act to amend sections 3746, 3451, 3756, 3759, 3817 and 3817a, of the Political Code, and to add a new section to said code to be numbered 3817b, relating to property tax delinquencies and redemptions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 379—An act to provide for the use of matured bonds or matured interest coupons of districts formed under the provisions of the "Acquisition and Improvement Act of 1925" or the "Road District Improvement Act of 1907" in the payment of assessment taxes levied upon land within said districts;

Also: Assembly Bill No. 2325—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by adding two new sections thereto to be numbered, respectively, section 28 relating to the dissolution of such municipal utility districts, and section 29 relating to the withdrawal of certain territory therefrom;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 339—An act providing that any person, firm, association, or corporation, agent, superintendent or manager thereof, employing special agents, detectives or so-called spotters, before disciplining or discharging any employee upon a report by such special agent, detective or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof, and repealing an act entitled "An act providing that any public service corporation, agent, superintendent, or manager thereof, employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters,

give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof," approved April 14, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that same do pass.

DEMPSTER, Chairman.

The above reported bill ordered on file for second reading.

ON SOCIAL SERVICE AND WELFARE.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 1778—An act to provide for the aid and relief of indigents—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 1851—An act to amend section 2253 of the Political Code, relating to limitation of enrollment of pupils in the California School for the Blind—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2145—An act to amend section 94 of the Vehicle Code, and to add a new section to said code to be numbered 94 5, relating to members of the California Highway Patrol—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1114—An act to provide for the organization, incorporation and government of metropolitan park and playground districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the interest and principal thereon—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 1038—An act to amend an act entitled "An act to provide for the establishment of official master plans and the appointment of planning commissions in cities, cities and counties, and counties; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and composition thereof; prescribing the powers and duties of such commissions; providing for the transfer thereto of the powers and duties of other planning commissions; providing for the preparation, adoption and recordation of precise street plans; providing for the control of the construction of buildings within the lines of streets shown on such precise street plans; providing for the levy of a special tax for the support of a planning commission and other acts pursuant to this act and making certain expenditures legal charges against the funds of cities, cities and counties, and counties and regional planning commissions; providing for the establishment by cities, cities and counties, and counties, of regional planning commissions, including two or more cities, cities and counties, or counties, or a portion or portions thereof, or both; making certain acts misdemeanors; and repealing other acts in conflict herewith," approved June 17, 1929, by amending the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 11 and 12 thereof; and by repealing sections 13, 14, 14a, 14b, 15 and 16

thereof; and by renumbering section 17 of said act as section 13 and amending the same; and by renumbering section 18 of said act as section 14 and amending the same; and by renumbering sections 19 and 20 of said act, respectively, as sections 15 and 16 thereof, respectively—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

LYON, Chairman.

The above reported bill ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1044—An act to amend sections 3, 4, 6, 7, and 8 of the "General Cemetery Act," approved June 19, 1931, relating to cemetery corporations.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended, strike out lines 20 to 52, inclusive; also strike out pages 3 and 4.

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading.

ADJOURNMENT.

At five o'clock and thirty-five minutes p.m., on motion of Mr. Clowdsley, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Saturday, April 29, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Saturday, April 29, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus.

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. Crist moved a call of the House.

Motion carried.

Time, ten o'clock and ten minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bowers, Boyle, Burns, Callahan, Chatters, Craig, Crist, Evans, Field, Fisher, Hatch, Latham, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; O'Connor, Patterson, Rawls, Robinson, Samuel E., Ross, Stannard, Stream, Thorp, Turner, Utt, West and Mr. Speaker—34.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and twenty minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Clowdsley.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—64.

The Speaker declared a quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Meeker, Mr. Robinson, C. Ray, was granted leave of absence for the day.

On motion of Mr. Riley, Mr. Feigenbaum was granted leave of absence for the day.

On motion of Mr. O'Connor, Mr. Hunt was granted leave of absence for the day.

On motion of Mr. Knowland, Mr. Hoffman was granted leave of absence for the day.

On motion of Mr. Cassidy, Mr. Morgan was granted leave of absence for the day.

On motion of Mr. O'Connor, Mr. Dempster was granted leave of absence for the day.

On motion of Mr. Anglim, Mr. Miller, James A., was granted leave of absence for the day.

On motion of Mr. Hallner, Mr. Woolwine was granted leave of absence for the day.

On motion of Mr. Boyle, Mr. King was granted leave of absence for the day.

GUEST ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Chatters, Mr. M. A. Jenvey of Lindsay, California, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Rice W. Means Camp No. 102, United Spanish War Veterans, Whittier, California, protesting foreclosure proceedings against small home owners.

(Signed) S. R. LUNDY, Commander.

Also:

By Mr. Speaker:

From Federated American Patriotic Societies, Incorporated, Los Angeles, protesting the act of exempting educational institutions from taxation.

(Signed) CHAS. OHLSON, President.

Also:

By Mr. Speaker:

From T. J. and Ida Mulligan, Los Angeles, in opposition to Assembly Bill No. 908 as relates to investors.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1933.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1280, as amended by the Senate—An act to amend sections 452a, 452c, 452d, 452f, and 453 of the Civil Code, all relating to mutual benefit and life associations—has had the same under consideration, and respectfully reports the same back without recommendation.

CRIST, Chairman.

The above reported bill ordered placed on daily calendar.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to Article IV thereof, to be numbered 25¼, relating to the practice of chiropractic;

Also: Assembly Constitutional Amendment No. 65—A resolution proposing to the people of the State of California an amendment of sections 2, 23, and 34 of Article IV, and of section 9 of Article V of the Constitution of the State of California, all relating to sessions of the Legislature, and procedure therein;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported constitutional amendments ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2385—An act to amend sections 2322x7, 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236n, 4236o, 4236p and 4236q of the Political Code, relating to the compensation of county officers in counties of the seventh class;

Also: Assembly Bill No. 2388—An act to amend the Political Code by adding a new section thereto to be numbered 3493a, providing that defaulting reclamation districts under certain circumstances shall be subject to said section and shall be under the control of the California Districts Securities Commission to the extent and for the time set forth therein; providing for the manner of calling assessments and the making of calls for payments of warrants, of interest and of principal of bonds, or other indebtedness of such defaulting districts in an amount it will be reasonably possible for the lands to pay without exceeding a delinquency of fifteen per cent, notwithstanding any other provisions of law governing said districts; limiting the operation of said section 3493a until November 1, 1935, only, unless sooner repealed; and declaring the same an emergency measure enacted under the police power;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 777—An act to amend sections 1, 3, 4, 5, 10, 12, 13 and 23 of the Direct Primary Law, relating to the time of holding primary elections:

Also: Assembly Bill No. 1016—An act to amend section 1060 of the Fish and Game Code, and to add thereto sections 481.5, 1064.5 and 1065.5, relating to fish and game;

Also: Assembly Bill No. 2369—An act to amend section 1 of, and to add section 1a to, an act entitled "An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and power lines, telephone and telegraph lines, and sewers and appurtenances thereof, across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined," approved May 2, 1923, relating to municipal corporations;

Also: Assembly Bill No. 1559—An act to create the State Advisory Commission on Indian Affairs, to prescribe its membership and its powers and duties;

Also: Assembly Bill No. 2103—An act to provide for the conservation, regulation and beneficial use of the water and water power resources of this State;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1427—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and part of acts inconsistent therewith," being Statutes of 1931, page 483, as approved May 5, 1931, by amending the title and adding section 13 21, providing for reorganizations agreed upon by eighty-five per cent of the creditors of any association in custody;

Also: Assembly Bill No. 2341—An act to reduce the rates and charges of all certificated public carriers, water companies furnishing water service to the public, telephone, gas and electrical corporations furnishing telephone service, heat, light and power to the public, empowering and directing the Railroad Commission to administer and enforce the reduction, and declaring this act to be an urgency measure;

And reports that the same have been correctly re-re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 28, 1933.

To the Honorable Members of the Assembly of the California Legislature.

I am attaching hereto for your information a copy of a prayer composed by Mr. Wendell D. Thatcher of 925 North Magnolia Street, Burbank, California, who suggests that the same be offered on President's Day, April 30, 1933.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

PROCLAMATION OF PRAYER.

Our gracious and Heavenly Father, may I, in my humble way beseech You to bestow Your richest blessings on our President of the United States—Franklin Delano Roosevelt—for his graciousness and loving-kindness to us, his people.

May You be his constant guide, dear Heavenly Father, to guard him and protect him from all harm.

Give him strength, spiritually and physically and mentally for the arduous ordeals of the morrow. And give him peace and understanding, instill him with generous wisdom toward us, his children of this Nation.

We lift our voice as one in multitudes of the millions of thanksgiving for his courageous spirit.

And Heavenly Father be with his dear wife and give her the strength to stand by his side in the hour of stress and strain.

And this is our most humble prayer expressing our faith and love and appreciation for our God-inspired President of these United States—Franklin Delano Roosevelt.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 28, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 24—An act to amend section 4245 of the Political Code, relating to salaries and fees of all officers in counties of the sixteenth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 24 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 168—An act relating to the revenues and expenditures of irrigation districts of the first class and providing for the budgeting of such expenditures.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 168 read first time, and referred to Committee on Irrigation.

UNFINISHED BUSINESS.

Assembly Bill No. 322—An act authorizing the purchase of outstanding bonds issued pursuant to the provisions of the act, entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works, and public utilities; for the issuance, sale, and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements" approved April 20, 1915, as amended, from sinking funds, the cancellation thereof, and providing the procedure therefor.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 322?

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, and insert in lieu thereof the following:

"An act authorizing the purchase of outstanding bonds issued pursuant to the provisions of the act, entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works, and public utilities; for the issuance, sale, and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements" approved April 20, 1915, as amended, from sinking funds, the cancellation thereof, and providing the procedure therefor."

AMENDMENT NUMBER TWO

On page 1, line 1, of the printed bill, following the period, strike out all of the printed matter therein contained to and including the figure "11½" in line 3 on said page 1.

AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, strike out the word "hereunder", and insert in lieu thereof the following: "Pursuant to the provisions of the act entitled "An

act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works, and public utilities; for the issuance, sale, and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended."

AMENDMENT NUMBER FOUR.

On page 1, line 9, of the printed bill, after the comma, insert the following: "or by reason of the fact that the acquisition or construction of the public improvements, works, or public utilities for which said bonds were voted is no longer required by the public interests, convenience, and necessity,".

AMENDMENT NUMBER FIVE.

On page 1, line 18, of the printed bill, strike out the word "herein", and insert in lieu thereof the word "therein."

The roll was called, and Senate amendments to Assembly Bill No. 322 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Evans, Fisher, Greene, Grubbs, Hallner, Hatch, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Wright and Mr. Speaker—53.

NOES—None.

The above reported bill ordered to enrollment.

MOTION TO RECONSIDER.

Mr. Badham moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 973 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Lyon moved that the consideration of his motion to reconsider the vote whereby Senate Constitutional Amendment No. 30 was refused adoption be continued until the next legislative day.

Motion carried.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 123—An act to amend section 204e of and to add sections 204f, 204g and 204h to the Code of Civil Procedure, relating to the secretary and assistant secretaries of the superior court.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended, in lines 12 and 13, strike out "Political Code", and insert in lieu thereof the following: "Code of Civil Procedure".

AMENDMENT NUMBER TWO.

On page 2, lines 19 and 20, of the printed bill, as amended, strike out "Political Code", and insert in lieu thereof the following: "Code of Civil Procedure".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1236—An act to amend section 737eee of the Political Code, relating to the superior judge in and for the county of Yolo.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"737eee. The annual salary of the judge of the superior court in and for the county of Yolo is six thousand dollars."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 504—An act to amend section 737g of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Contra Costa.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"737g. The annual salary of each of the judges of the superior court in and for the county of Contra Costa is seven thousand dollars; provided, however, that if the Legislature reclassifies counties and under said classification based upon population said class shall contain a compensation less than seven thousand dollars, the annual salary of each of the judges of the superior court in and for the county of Contra Costa shall be the sums as established by classification based upon population."

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out "judge", and insert in lieu thereof the following: "judges".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2273—An act to amend section 737aa of the Political Code, relating to compensation of the judge of the superior court in and for the county of Monterey.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"737aa. The annual salary of the judge of the superior court in and for the county of Monterey is seven thousand four hundred dollars."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 850—An act to amend section 737xx of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Stanislaus.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

In line 5 of the printed bill, strike out the words "nine hundred and ninety-nine".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2159—An act to amend section 605d of the Civil Code, relating to nonprofit corporations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to add section 605d½ to the Civil Code, relating to nonprofit, nonstock corporations."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and on page 2, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"605d½. Unless the articles provide otherwise the vote for, consent to or approval of an amendment of the articles, or the sale or disposition of all or substantially all of the assets, or the winding up and dissolution of a nonprofit corporation which is not authorized to issue or has not issued shares of stock and which does not charge membership dues or fees of its members, may be given by a majority of the members having voting power who are present at any regular or special meeting of the members after notice of the time and place and general purposes of the meeting has been duly given."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2190—An act to amend section 4223 of the Political Code, and to add to Article I, Chapter IX, Title II, Part IV of the Political Code eleven new sections, to be numbered 4223a to 4223k, inclusive, all relating to defining and providing for county hospitals; defining indigent sick, dependent poor, and other persons entitled to admission to and treatment at or by county hospitals or branches or departments or clinics thereof; prescribing conditions for admission to and treatment at or by county hospitals or branches or departments or clinics thereof; providing for the recovery of the reasonable cost of services rendered therein in certain cases, that books, records and accounts be kept for the determination of said and other costs, that periodic reports be made by the board of supervisors of admissions to and the conduct and operation of the county hospital and any branch or department or clinic thereof, and for the approval thereof by the auditor of the county or city and county; and prescribing the powers and duties of the board of supervisors; the auditor, and the district attorney in relation to the conduct and operation of county hospitals and any branch or department or clinic thereof, and penalties for the violation of this act; and repealing all laws in conflict herewith.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 17, of the printed bill, as amended in Assembly April 19, 1933, after "them", insert "or without depriving him or them of property used to provide him or them, respectively, with the common necessaries of life,".

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, as amended in Assembly April 19, 1933, strike out line 28, and insert in lieu thereof the following: "by such county.

If at any time within the period limited by the laws of the State of California for the commencement of an action to recover, therefor, any person who shall have been theretofore admitted to a county hospital as an indigent sick or dependent poor person and who, as such person, received care or treatment or medical, surgical, hospital or other service in or from said hospital, becomes the owner of property sufficient to enable him to pay the reasonable cost of such care or treatment or medical, surgical, hospital or other service received by him in or from such hospital, without depriving himself or his family dependent upon him of the common necessaries of life, he shall be liable to pay the reasonable cost thereof, and it shall be the duty of the district attorney to commence and prosecute an action against him therefor. The actions mentioned in this section shall be brought in the name".

AMENDMENT NUMBER THREE.

On page 6 of the printed bill, as amended in Assembly April 19, 1933, strike out line 41, and insert in lieu thereof the following: "be a graduate in medicine. The county hospital shall also be open to any resident of the county and to his attending physician, if he be authorized to practice in the county hospital under its rules and regulations, if such resident resides within fifty miles of such county hospital and has applied for and been refused admittance to, or treatment by, each and all other hospitals located within fifty miles of the residence of such person, and produces authentic written evidence of such refusal. Every such resident admitted to and receiving hospital service in such a county hospital under the conditions and circumstances in this article set forth shall be entitled".

AMENDMENT NUMBER FOUR.

On page 7, line 16, of the printed bill, as amended in Assembly April 19, 1933, after "equipment.", insert the following: "Such books of account may be set up and kept by the several boards of supervisors in accordance with rules and regulations promulgated by the State Department of Institutions, and it shall be the duty of the State Department of Institutions to establish such rules and regulations and to effect such changes therein as may from time to time seem advisable."

AMENDMENT NUMBER FIVE.

On page 7, line 19, of the printed bill, as amended in Assembly April 19, 1933, after the comma following the word "paragraph", insert the word "section,".

AMENDMENT NUMBER SIX.

On page 7, line 23, of the printed bill, as amended in Assembly April 19, 1933, after the comma following the word "paragraph", insert the word "section,".

AMENDMENT NUMBER SEVEN.

On page 7, line 25, of the printed bill, as amended in Assembly April 19, 1933, after the comma following the word "paragraph", insert the word "section,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 253—An act to add section 398 to the Penal Code, relating to the use or possession of firearms by children 16 years or under and prescribing penalties for violation of the provisions thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1754—An act to amend section 423 of the Fish and Game Code, relating to hunting and sporting fishing licenses.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1249—An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2389—An act to amend section 506b of the Penal Code, relating to theft by an insurance agent, broker, or solicitor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 809—An act to amend the title, sections 12, 16, 23, 23a and to repeal sections 12a, 12b and 12c, and to add section 16a to an act entitled "An act to promote the drainage of wet, swamp, and overflowed lands or lands otherwise needing surface or underground drainage or protection from storm water overflow, and to promote the public health in the communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof," approved May 18, 1919, Statutes 1919, page 731, as amended, with the provision that the repeal of sections 12a, 12b and 12c shall not affect existing proceedings under said act, and to provide for the advancing of maturity of bonds issued under said act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 12 of the title of the printed bill, after the word "proceedings", insert the words "or to existing bonds or assessments issued or levied".

AMENDMENT NUMBER TWO.

On page 5, line 33, of the printed bill, after the word "from", insert the following: "exercising all authority, power and jurisdiction and".

AMENDMENT NUMBER THREE.

On page 5, line 35, of the printed bill, strike out the words "shall have been", and insert in lieu thereof the word "was".

AMENDMENT NUMBER FOUR.

On page 5, line 36, of the printed bill, strike out the period, and insert in lieu thereof the following: ", nor shall said repeal be applicable or affect in any way any bonds heretofore issued or authorized to be issued under said act or any assessment levied or required to be levied under said act; and for all purposes (except that no new proceeding can be begun thereunder after January 1, 1933) all of the authority, power and jurisdiction now conferred by said act and all of the provisions of said act are retained in full force and effect until all bonds issued under said act shall be fully paid and discharged."

AMENDMENT NUMBER FIVE.

On page 5, line 41, of the printed bill, after the word "from", insert the following: "exercising all authority, power and jurisdiction and".

AMENDMENT NUMBER SIX.

On page 5, line 44, of the printed bill, strike out the words "shall have been", and insert in lieu thereof the word "was".

AMENDMENT NUMBER SEVEN.

On page 5, line 44, of the printed bill, strike out the period, and insert in lieu thereof the following: ", nor shall said repeal be applicable or affect in any way any bonds heretofore issued or authorized to be issued under said act or any assessment

levied or required to be levied under said act; and for all purposes (except that no new proceeding can be begun thereunder after January 1, 1933) all of the authority, power and jurisdiction now conferred by said act and all of the provisions of said act are retained in full force and effect until all bonds issued under said act shall be fully paid and discharged."

AMENDMENT NUMBER EIGHT.

On page 5, line 49, of the printed bill, after the word "from", insert the following: "exercising all authority, power and jurisdiction and".

AMENDMENT NUMBER NINE.

On page 5, line 51, of the printed bill, strike out the words "shall have been", and insert in lieu thereof the word "was".

AMENDMENT NUMBER TEN.

On page 5, line 52, of the printed bill, strike out the period, and insert in lieu thereof the following: ", nor shall said repeal be applicable or affect in any way any bonds heretofore issued or authorized to be issued under said act or any assessment levied or required to be levied under said act; and for all purposes (except that no new proceeding can be begun thereunder after January 1, 1933) all of the authority, power and jurisdiction now conferred by said act and all of the provisions of said act are retained in full force and effect until all bonds issued under said act shall be fully paid and discharged."

AMENDMENT NUMBER ELEVEN.

On page 5, line 27, of the printed bill, strike out the word "treasurer", and insert in lieu thereof the words "tax collector".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1224—An act to regulate the conduct of commercial manufacturers of jams, jellies, marmalades and preserves, to carry on such regulation, to provide rules regulating the proper sanitation, and adopt standards and definitions for preserves, marmalades, jellies and jams.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following: "provided, however, that individuals who may manufacture such products in domestic domiciles do not come within the provisions of this act."

AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following: "provided, that when the State Board of Public Health shall determine upon a standard, grade and/or definition, it shall first submit it to an advisory committee consisting of three representatives of the State Board of Public Health, three representatives from the industry, and two representatives from allied industries, all to be appointed by the State Board of Public Health. If a majority of the committee and the State Board of Public Health approve such definition, grade and/or standard, the State Board of Public Health shall forthwith establish and promulgate such definition, grade and/or standard and it shall be effective on a date prescribed by the State Board of Public Health, but in no case earlier than thirty days from the date of its promulgation. The State Board of Public Health is empowered to revise such definitions, grades and/or standards promulgated by it in the same manner as provided herein for the establishment of original definitions, grades and/or standards."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of lines 22 to 26, inclusive, and on page 2, strike out all of lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SEC. 4. No person shall sell jams, jellies, preserves or marmalades within this State unless such products conform to the standards that are promulgated by the State Board of Public Health under section 3 hereof. Violation of this section shall

constitute a misdemeanor punishable as provided in section 5 of this act, except that nothing in this section shall be in conflict with section 1 hereof."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1595—An act to add a new section to the Political Code, to be numbered 3817b, authorizing the temporary suspension of penalties on delinquent taxes, and declaring the urgency hereof to take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, as amended, and insert in lieu thereof the following:

"An act to add sections 3817b and 3817c to the Political Code, relating to the redemption of property sold to the State for delinquent taxes and authorizing suits to quiet title against the State of California for such property."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, strike out lines 6 to 26, inclusive, and insert in lieu thereof the following:

"In all cases where real estate has been sold to the State on or before August 1, 1932, for delinquent taxes, and the State has not disposed of the same, the person whose estate has been sold, his heirs, executors, administrators, or other successors in interest, shall have the right to redeem such real estate by paying to the county treasurer of the county wherein the real estate may be situated the amount of taxes for which said property was sold, together with the amount of all other taxes assessed which were delinquent prior to August 1, 1932, as shown on the delinquent assessment rolls in the permanent custody of the county auditor, or if not so assessed, the county auditor shall compute the amount of the tax for such year not assessed upon the value of the property as assessed in the year nearest to the time of such redemption at the tax rate for the year so not assessed, with interest at the rate of seven per cent per annum from the first day of July of each of said years respectively, to the time of such redemption.

The provisions of this section shall be deemed to allow a person to redeem real estate free from the payment of any costs, interest, penalties for delinquency or redemption penalties which may have accrued against said real estate prior to the effective date of this act.

SEC. 2. A new section is hereby added to the Political Code to be numbered 3817c and to read as follows:

3817c. In any case where real property is redeemed after it has been sold to the State for delinquent taxes where real property deeded to the State for delinquent taxes has been purchased from the State, any person who has redeemed the same or purchased the same from the State and any other person claiming any interest in such real property through such person is hereby authorized to bring suit against the State of California in any court of competent jurisdiction of said State to quiet title to said real property or any portion thereof and to prosecute the same to final judgment."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1993—An act to amend sections 1095 and 1104 of the Fish and Game Code and to add thereto section 1096.5, relating to records and reports.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, and following the word "sections", insert the following: "1094,".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, following the enacting clause, insert the following: "SECTION 1. Section 1094 of the Fish and Game Code is hereby amended to read as follows:

1094. The original copy of the receipt must be delivered to the fisherman at the time of the purchase or receipt of the fish; the duplicate copy must be kept by the dealer or person receiving the fish; and the triplicate copy must be delivered to the commission on or before the first and sixteenth day of each month."

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the figure "1", and insert in lieu thereof the figure "2".

AMENDMENT NUMBER FOUR.

On page 1, line 7, of the printed bill, strike out the figure "2", and insert in lieu thereof the figure "3".

AMENDMENT NUMBER FIVE.

On page 1, line 18, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "4".

AMENDMENT NUMBER SIX.

On page 1 of the printed bill, strike out the word "are", at the end of line 21, and strike out lines 22 to 31, inclusive, and insert in lieu thereof the following: ", and the information contained therein shall be confidential and the records shall not be public records, and in so far as possible, the information contained in the records shall be compiled or published as summaries, so as not to disclose the individual record or business of any person, firm or corporation."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 339—An act providing that any person, firm, association, or corporation, agent, superintendent or manager thereof, employing special agents, detectives or so-called spotters, before disciplining or discharging any employee upon a report by such special agent, detective or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof, and repealing an act entitled "An act providing that any public service corporation, agent, superintendent, or manager thereof, employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof," approved April 14, 1915, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 379—An act to provide for the use of matured bonds or matured interest coupons of districts formed under the provisions of the "Acquisition and Improvement Act of 1925" or the "Road District Improvement Act of 1907" in the payment of assessment taxes levied upon land within said districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2325—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by adding two new sections thereto to be numbered, respectively, section 28 relating to the dissolu-

tion of such municipal utility districts, and section 29 relating to the withdrawal of certain territory therefrom.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 698—An act to amend sections 3746, 3451, 3756, 3759, 3817 and 3817a, of the Political Code, and to add a new section to said code to be numbered 3817b, relating to property tax delinquencies and redemptions.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:
"An act to add sections 3817b and 3817c to the Political Code, relating to property sold to the State for delinquent taxes."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive; strike out pages 2 to 5, inclusive; and on page 6 of the printed bill, strike out lines 1 to 25, inclusive.

AMENDMENT NUMBER THREE.

On page 6, line 26, of the printed bill, strike out "Sec. 7", and insert in lieu thereof the following: "Section 1".

AMENDMENT NUMBER FOUR.

On page 6 of the printed bill, strike out lines 32 to 38, inclusive, and insert in lieu thereof the following: "of the same, and who has not redeemed said property, may file with the tax collector of the county a written notice that he elects to take advantage of the provisions of this section. The tax collector shall deliver to such person a dated acknowledgment of receipt of such notice. If the notice has been filed with the tax collector on or before said first Monday in January, the tax collector shall thereupon compute the aggregate amount of taxes, costs, interest, penalties for".

AMENDMENT NUMBER FIVE.

On page 6, line 47, of the printed bill, after "the", insert the following: "taxes,".

AMENDMENT NUMBER SIX.

On page 7 of the printed bill, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following:
"The first installment shall be payable on or before March 1, 1934, at the places and in the manner provided for the payment of real property taxes. The second and each remaining installment shall be payable respectively on or before the first day of March in each succeeding year thereafter."

AMENDMENT NUMBER SEVEN.

On page 7 of the printed bill, strike out lines 10 to 12, inclusive, and insert in lieu thereof the following: "after the expiration of ten years from and after March 1, 1934".

AMENDMENT NUMBER EIGHT.

On page 7, line 15, of the printed bill, strike out "will", and insert in lieu thereof the following: "shall".

AMENDMENT NUMBER NINE.

On page 7, line 23, of the printed bill, strike out "ten", and insert in lieu thereof the following: "six".

AMENDMENT NUMBER TEN.

On page 7 of the printed bill, strike out line 38, and insert in lieu thereof the following: "Sections 3746, 3751, 3756, 3759, 3817, 3817a and other pertinent provisions of this code shall apply to".

AMENDMENT NUMBER ELEVEN.

On page 7 of the printed bill, after line 42, insert the following:
"As used in this section, "person" means any person, his heirs, executors, administrators, or successors in interest.
SEC. 2. A new section is hereby added to the Political Code, to be numbered 3817c and to read as follows:
3817c. Any person who has redeemed real property which has been sold or deeded to the State for delinquent taxes, or any person who has purchased from the State real property which has been sold or deeded to the State for delinquent taxes, is hereby authorized to bring suit against the State of California in a court of compe-

tent jurisdiction of said State in the county in which the real property is situated in order to quiet title to said real property or any portion thereof and to prosecute the same to final judgment.

As used in this section, "person" means any person, his heirs, executors, administrators, or successors in interest."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1778—An act to provide for the aid and relief of indigents.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out line 1 of the printed bill, and insert in lieu thereof the following:

"SECTION 1. Every county and every city and county shall aid and relieve all able-bodied indigent persons and those indigents incapacitated by age, disease or accident, when such indigent persons are residents of the county, and are not supported and relieved by their relatives or friends or by public or private institutions. Work may be required of an able-bodied indigent as a condition of relief. Such work shall be created for the purpose of keeping the indigent from idleness and assisting in his rehabilitation and the preservation of his self-respect.

SEC. 2. If any indigent has living within this State a spouse, parent or adult child, and such kindred or any of them, or any group of them have sufficient financial ability to support said indigent, such indigent shall not be eligible for aid under this act, except such emergency aid as may be extended hereunder pending a determination of responsibility for his support. Upon failure of such kindred to support the indigent, the county may extend aid and such kindred in the order above named and to the extent of such ability shall reimburse the county or city and county for support of such indigent by paying to such county or city and county the sums per month or per day fixed by the board of supervisors for such aid. In any case where such kindred are unable to pay the entire charge for such support, they shall reimburse the county to such an extent as may be determined under the provisions of this section.

The board of supervisors shall, in the case of aid granted by institutional care, fix a reasonable charge therefor, which shall be the measure of reimbursement to the county, and the existence of the order fixing the charge shall constitute prima facie evidence of its reasonableness.

SEC. 3. Upon failure on the part of the kindred, referred to in section 2 hereof, to perform their duty to support the indigent, the board of supervisors shall request the district attorney of the county to proceed against such kindred in the order of their responsibility for support. Upon such request the district attorney shall promptly commence and prosecute proceedings for the ascertainment and enforcement of the liability and responsibility of the kindred.

SEC. 4. Such proceedings shall be begun by filing in the name of the county a petition verified in the manner of a complaint praying that the responsibility and liability of the named kindred be ascertained, and that an order be made accordingly. The provisions of Titles I to IX, inclusive, of Part II of the Code of Civil Procedure shall apply to the proceedings in such action and the court shall therein determine the liability, if any, of each of the kindred for such support. The court shall, in such action, ascertain the financial ability of the defendants and each of them, and unless it finds that a defendant is unable to pay any sum for support, either because of lack of sufficient funds or because such payment would result in the probability of said defendant becoming at some future time a public charge, the court shall order each defendant to pay to the county or city and county a proper proportion, if any, of his liability for the support of the indigent. In no case where any one or more of the kindred has or have sufficient financial ability to support the indigent shall a relative beyond him or them in the order named in section 2 be ordered to pay any portion of the support. The order of the court shall specify that a given sum shall be payable monthly in advance to the board of supervisors or its designated social agency for the entire or partial maintenance of the defendant's indigent relative in accordance with the defendant's financial ability.

SEC. 5. In any case where a person so ordered to make such payments fails so to do, the court may by order require him to show cause for such failure and may otherwise enforce its order to make such payments by such order or orders as in its discretion it from time to time deems necessary, and such order or orders may be modified, altered or revoked at the discretion of the court.

SEC 6. The board of supervisors of any county or city and county may establish its own policies with reference to the amount of property, if any, a person shall be permitted to have while receiving public assistance, to the end that in so far as it is possible an applicant for public relief shall be required to apply his own property to his support.

SEC. 7. In any case where a person for the support of whom public moneys have been expended acquires property, the county shall have a claim against such person to the amount of a reasonable charge for moneys so expended and such claim shall be enforced by action against such person by the district attorney of the county on request of the board of supervisors. In a proper case therefor the district attorney shall apply to the proper court for the appointment of a guardian of the person or estate, or both, of the indigent. The support out of public funds of such indigent shall be deemed a ground for sale or encumbering of his property under the provisions of section 1530 of the Probate Code.

No fee shall be charged by any public officer for the filing of any such petition or for any official act done or necessary in the course thereof, except that a county employee acting as such a guardian shall be entitled to such costs therefor as will reimburse him in full for moneys advanced by him in such guardianship.

Where a county officer or employee is appointed and acts as such a guardian, the board of supervisors may by resolution order that expenses necessary in the conduct of the guardianship and any necessary premiums on the bond of the guardian shall be advanced by the county or city and county to such guardian, and such expenses shall be a charge against the county or city and county, but the county or city and county shall be reimbursed out of any funds or property of the estate of the ward.

SEC. 8. From the proceeds of a sale or encumbrance of the property of such ward, or from such funds as may be collected from the property of the ward, there shall be paid to the county or city and county the expense of the support of the ward prior to collection, together with the subsequent expense of such support.

SEC 9. As a condition to the grant or continuation of aid to an indigent the board of supervisors may require as security for the moneys so expended that the applicant transfer or grant to it such property or interest in property as the applicant may have, or such portion thereof or estate therein or lien thereon as the board may specify. Such property shall be managed by the board of supervisors and the net income thereof shall be applied to the reimbursement of the county for the aid granted and any surplus in excess of such reimbursement shall be paid to the indigent. In the case of any estate, interest, or lien in such property held by the board, or any right of management transferred thereto, the board shall have all the powers of an attorney in fact for the indigent as to such estate, interest, or lien and may sell, lease or transfer the same, defend and prosecute all suits concerning it, pay all just claims against it and be reimbursed out of the proceeds, and do all things necessary for the protection, preservation and management thereof. Any such estate, interest or lien shall be held by the board subject to the claim of the county for reimbursement for aid granted to the applicant or for moneys expended in its management, preservation or protection, and such reimbursement shall constitute a preferred claim against such estate, interest or lien.

SEC 10. (a) Subject to the provisions of this chapter, a person, in order to be entitled to aid, must be a resident of the State of California and of the county wherein application is made In determining the place of residence for purposes of relief the following rules are to be observed:

1. It is the place where one remains when not called elsewhere for labor or other special or temporary purpose, and to which he returns in seasons of repose.

2 The residence of the father, while he has legal custody of the minor, or in case he has not such legal custody, the residence of the mother while she remains unmarried and has the legal custody of the minor, is the residence of the unmarried minor child, and the residence of an orphan is that of the last deceased person who had his legal custody. The residence of a dependent child who has been declared free from the custody and control of his parent or parents, by order of the juvenile court, is not changed by change of the residence of the parent or parents.

3. The residence of the husband is the residence of the wife.

4. A person shall be deemed a resident of the State of California within the meaning of this act:

A. Who shall have lived continuously in the State for a period of three years with the intent to make it his home.

B. Who during the three-year period aforementioned shall not have received any public or private relief or support from friends, charitable organizations or relatives other than from legally responsible relatives; but the time spent in a public institution or on parole therefrom shall not be counted in determining the matter of residence in this or another State.

C. Who has not lost his residence by remaining away from this State for an uninterrupted period of one year, except in the case of one called elsewhere for labor or other special or temporary purpose.

(b) A person who is a resident of California within the meaning of this act shall be deemed a lawful resident of the county wherein he applies for aid if he has resided therein continuously for one year immediately preceding his application for assistance. In case the applicant has no such residence, the county wherein he last resided continuously for one year immediately preceding his application shall be responsible for his support. In case the applicant has no such year's residence within three years preceding application, that county shall be responsible for his support wherein he was present for the longest time during the said three-year period. But the time spent in a public institution or on parole therefrom or in a private charitable institution shall not in any case be counted in determining the matter of county residence.

(c) Every county or city and county may give such emergency relief to dependent nonresidents as the respective boards of supervisors may deem necessary.

(d) A county may incur all necessary expenses in transporting a nonresident indigent to another State or county when information at hand reasonably tends to show that such person has a legal residence in such State or county, unless other funds are available for such purpose.

(e) Whenever the respective boards of supervisors deem it best for the welfare of a family or in the public interest that an indigent remain in a county not responsible for his support, the county responsible for the support of the indigent may agree to support such indigent in the county not so responsible; provided, however, that no such indigent may in this manner be deemed to have acquired a residence in said nonresponsible county. Such agreement shall be made by the responsible county with the nonresponsible county, and a record or copy thereof shall be sent to and filed in the office of the State Department of Social Welfare.

(f) In case of a dispute between counties as to the responsibility for an indigent, either county may submit the dispute to the State Department of Social Welfare. The decision of the department thereon shall be final.

SEC. 11. It shall be the duty of the board of supervisors of every county and every city and county as a whole, or by committee or by such person or society as it may authorize, to investigate every application for relief from the funds of such county or city and county, to supervise by periodic visitation every person receiving such relief, to devise ways and means for bringing persons unable to maintain themselves to self-support and to keep full and complete records of such investigation, supervision, relief and rehabilitation as shall be prescribed by the State Department of Social Welfare. Such records shall be confidential and shall not be open to examination or inspection except by a board or an officer of the State or the county charged with the supervision or direction of such relief or with the control or expenditure of funds applicable to such relief or by the grand jury of such county; provided, however, that any citizen shall be entitled to demand and receive from the board, officer, committee, person or society having custody of such records a statement of the amount, character and value of the relief received by any person.

SEC. 12. Every person, firm or corporation, or the officers or agents thereof, bringing into or assisting in bringing into the State of California any indigent person as described in this act, who is not a resident of the State of California, knowing him to be an indigent person, shall be guilty of a misdemeanor.

SEC. 13. An act entitled "An act to provide for the maintenance and support, in certain cases of indigent, incompetent and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, is hereby repealed."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1851—An act to amend section 2253 of the Political Code, relating to limitation of enrollment of pupils in the California School for the Blind.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to exempt homes, schools and workshops for the blind from the requirement of furnishing bonds with bids."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following:

"SECTION 1. The Industrial Home for the Adult Blind, the California School for the Blind, and the industrial workshops for the blind maintained by the Department of Institutions, are hereby authorized to submit bids upon contracts to supply cities, counties, cities and counties, districts, or other public corporations of this State, with materials and supplies without accompanying said bid with a bond or other security for performance.

SEC. 2. Bids so submitted shall be received on the same basis and accorded the same consideration as if they were accompanied by a bond or other security."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2145—An act to amend section 94 of the Vehicle Code, and to add a new section to said code to be numbered section 94.5, relating to members of the California Highway Patrol.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 93, 94 and 95 of the Vehicle Code, relating to members of the California Highway Patrol."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 19 to 25, inclusive, and strike out all of page 2, and insert in lieu thereof the following:

"SECTION 1. Section 93 of the Vehicle Code is hereby amended to read as follows:

93. Permanent Ratings and Promotions.

(a) Every assistant chief, deputy chief, supervising inspector, assistant supervising inspector, district inspector, captain, sergeant, traffic officer and traffic clerk duly appointed hereunder, must serve a probationary period of one year and if, upon the expiration thereof, he retains his position, he shall acquire permanent civil service status. All such officers shall be rated as to efficiency by the Chief of the California Highway Patrol in accordance with the civil service laws.

(b) All appointments to the grades of assistant chief, deputy chief, supervising inspector, assistant supervising inspector, district inspector, captain and sergeant shall be made from eligible lists resulting from promotional examinations.

(c) No officer shall be a candidate for promotional examination until he has served the probationary period of one year in a lower grade, provided that any officer holding a position under temporary authorization on January 1, 1933, who has had permanent civil service status in any lower grade or any officer who now holds and for more than one year prior to the effective date of this enactment has continuously held a position under temporary authorization, although having no civil service status may be a candidate for promotional examination for his present position.

(d) For the purposes of recruiting, the grade of assistant supervising inspector shall be considered on a par with that of district inspector, and the grade of sergeant shall be considered on a par with that of traffic officer.

SEC. 2. Section 94 of the Vehicle Code is hereby amended to read as follows:

94. Assignment to Position of Lower Grade.

Whenever any civil service position of promotional grade is abolished, eliminated, or made unnecessary, the member of the California Highway Patrol holding such position shall, upon the termination of such position, be assigned to a position in the next lower grade with the civil service standing, rank, and salary of such lower grade. The specific position to which such officer shall be assigned in the next lower grade shall be that occupied by the officer in said lower grade having the lowest efficiency rating. Any officer so assigned to a position in a lower grade shall, without further examination, be given preference for a position of the same or equal grade to the one he formerly held, should the abolished position or position of equal grade be reestablished or established.

SEC. 3. Section 95 of the Vehicle Code is hereby amended to read as follows:

95. Specialized Positions.

Such specialized positions as shall be designated by the Chief of the California Highway Patrol with the approval of the director and the Civil Service Commission, shall be filled from open competitive examinations held pursuant to the civil service laws."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1114—An act to provide for the organization, incorporation and government of metropolitan park and playground districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the interest and principal thereon.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act providing for the incorporation, government, and management of metropolitan park districts including therein city and county territory, for the purpose of acquiring, improving, and maintaining parks, playgrounds, beaches, parkways, scenic drives, boulevards and other facilities for public recreation: providing for the management and government of such districts; authorizing such districts to incur bonded indebtedness and to levy and collect taxes to pay the principal and interest on bonds and for carrying out the purposes of this act; and providing for the powers of such districts; and imposing certain duties and functions in connection with such districts upon certain county officers."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 13, and insert in lieu thereof the following:

"SECTION 1. Metropolitan Park Districts. A metropolitan park district may be created as herein provided, and when so created may exercise the powers herein granted. A municipality, together with one or more other municipalities and/or any parcel or parcels of city or county territory, whether in the same or different counties, may so organize and incorporate, provided that all the territory in such proposed district must be contiguous.

SEC. 2. Procedure, Petition by Electors. The procedure for organizing and creating a metropolitan park district under the provisions of this act is as follows:

Whenever the people of such proposed metropolitan park district shall desire to organize such a district, their petition shall request the creation and maintenance of a metropolitan park district, and shall describe the exterior boundaries of the proposed district, and said petition shall be signed by at least five thousand electors residing within the territory proposed to be included in said district, and shall be presented to the board of supervisors of the county containing the largest area within the proposed district. A petition may consist of any number of separate instruments, all of which together shall constitute one petition, but each instrument shall contain the affidavit of the party who circulated it, certifying that each name signed thereto is the true signature of the person whose name it purports to be. Every elector signing any such petition shall write his address opposite his signature. The clerk of the board of supervisors of said county having the largest area within the proposed district, shall proceed to check and verify the signatures to such petition, and to certify the result of such examination to said board of supervisors. If said petition contains names of electors residing in another county than the one having the largest area within the proposed district, and does not contain the requisite number of signatures of electors residing in the county having the largest area within the proposed district, then a duplicate original of such petition shall be filed with the board of supervisors of such other county, and the clerk of the board of supervisors of such other county shall likewise check and verify the signatures to such petition, and certify the result to the board of supervisors of such other county, and thereupon copies of the clerk's certificates shall be transmitted to each county affected. If said petition contains sufficient signatures of electors residing in the county having the largest area within the proposed district, but the petition includes, nevertheless, land within another county or other counties, then the clerk of the board of supervisors of the county having the largest area within the proposed district shall transmit a certified copy

of said petition and of his certificate to the board of supervisors of such other county or counties.

If the clerk's certificate or certificates indicate that the petition has been properly signed, the board of supervisors of the county or counties not having the largest area within the proposed district, shall, by resolution, fix a time and place for a hearing upon the question whether the territory described within the boundaries of such county will be benefited and should be included in the proposed metropolitan park district. Notice of such hearing, specifying the time and place, shall be published twice in a newspaper of general circulation in the county conducting such hearing, the first publication to be at least ten days before the day of said hearing. Such hearing may be continued from time to time, but not exceeding four weeks in all. At the conclusion of such hearing, the board of supervisors conducting the same shall pass a resolution, either approving in whole or in part the inclusion within the proposed metropolitan park district of the territory within their county described in said petition, or disapproving the same; and if they approve it in part only, they shall in such resolution describe the territory in their county as to the inclusion of which they approve, and they shall thereupon cause a certified copy of said resolution to be immediately transmitted to the clerk of the board of supervisors of the county having the largest area within the proposed district

The board of supervisors of said county having the largest area within the proposed district, shall then, by resolution, fix a time and place for a hearing upon the question whether the petition should be granted and further proceedings taken under this act, and whether the property described in the petition will be benefited and should be included in the proposed metropolitan park district. Notice of such hearing, specifying the time and place, shall be published twice in a newspaper of general circulation in the county conducting such hearing, the first publication to be at least ten days before the day of said hearing. Said hearing may be continued from time to time, but not exceeding four weeks in all. At the conclusion of such hearing, the board of supervisors conducting the same shall pass a resolution, either approving the said petition in whole or in part, or denying the same; provided, that, if they approve it in part only, they shall describe in such resolution the territory proposed to be included in said metropolitan park district; and provided, further, that they shall not include in said description any territory, the inclusion of which has not been approved by the board of supervisors of the county in which the same is located.

Where all the territory described in the petition is located entirely within one county, the board of supervisors of said county shall, after the same has been checked and certified by the clerk, proceed in the first instance as provided hereinabove for the county having the largest area within the proposed district.

SEC. 3. Election. The board of supervisors of the county having the largest area within the proposed district, shall, after the hearing provided for in section 2 hereof, if said petition has been approved in whole or in part, have jurisdiction to proceed further with the calling of an election within the boundaries of said proposed district as described in said resolution passed at the conclusion of said hearing, and shall, either as a part of the same resolution or by a later resolution, call an election within said proposed district for the purpose of determining whether the said proposed district shall be created and established, also for the purpose of electing the first board of directors therefor in case the same is created.

SEC. 4. Division of District Into Wards. Before calling said election the board of supervisors shall divide the proposed district into five wards or subdistricts, the boundaries of which shall be so drawn that each shall contain approximately an equal number of electors, as nearly as may be. The municipalities and any other territory included in the proposed district may be divided for the purpose of establishing the boundaries of said wards or subdistricts, provided no election precinct shall be divided therefor.

SEC. 5. Notice of Election. Ballot. Canvass of Results. Upon establishing the wards as aforestated, the board of supervisors of said county shall give notice of an election to be held within the proposed district for the purpose of determining whether the same shall be created and established, also for the purpose of electing directors if established. Said notice shall state the name of the proposed district, and describe the boundaries thereof; it shall also describe the boundaries of the wards or subdistricts provided for the purpose of electing directors. Said notice shall be published once a week for at least three weeks before the day of said election in each municipality included in the proposed district. In case no newspaper of general circulation is published in any of the municipalities included therein said notice shall be posted for at least three weeks in not less than three public places in each of such municipalities. In case unincorporated territory is included therein said notice shall be posted for a like period in at least three public places in such unincorporated territory.

The ballot for said election shall contain such instructions as are required by law to be printed thereon, and in addition thereto shall appear thereon the following:

Shall the (giving the name thereof) metropolitan park district be created and established?	Yes	
	No	

Said ballots shall also contain the names of the persons nominated in each ward to serve as a member of the board of directors from such ward, showing separately each ward and its nominees. Any person may be nominated for the office of director upon written petition of fifty or more qualified electors of the ward or subdistrict in which such person resides.

(a) General Laws to Govern. Said election, including the nomination and election of directors and all matters pertaining thereto not otherwise provided for herein, shall be held and conducted and the result thereof ascertained, determined and declared in accordance with the general election laws of the State, as nearly as may be, and no person shall be entitled to vote at said election unless he or she be a qualified elector of the territory included in the proposed district. Said election may be held on the same day as any other State, county or city election and be consolidated therewith.

(b) Canvass of Votes. The election returns of said election shall be forwarded to the board of supervisors of the county having the largest area within the proposed district, and said board of supervisors shall meet on Monday next succeeding the day of said election, and canvass the votes cast thereat, and shall order and declare said district created and established; provided, that a majority of those who shall have voted on the proposition shall vote in favor of the creation of said district. In case it appears from said canvass that a majority of the electors voting at such election shall have voted against the formation of the district, the proceedings shall fail entirely, and in that case there shall be no similar proceedings instituted within said territory within six (6) months from the date of said election.

No person shall be entitled to serve as a director unless he be a resident and elector of the district as finally determined, and any vacancies on the board of directors caused by the elimination of territory shall be filled by the remaining directors, in which case ward lines may be disregarded in their appointments thereof. Said board of supervisors shall also canvass the returns of the election with respect to the persons voted for as directors, and shall declare the persons receiving the highest number of votes, for each ward, respectively, to be duly elected as directors of said district, providing they are residents and electors thereof as finally determined.

(c) Declaration of Result, Cost of Election. The board of supervisors of said county shall cause a certified copy of said order declaring said district created and established, declaring the result of such election, and describing the boundaries of the district, to be recorded with the county recorder of each county in which any portion of the district is situated and to be filed in the office of the Secretary of State of California, from and after which the creation and establishment of said metropolitan park district shall be deemed complete, and the persons elected as directors thereof shall enter immediately upon their official duties after qualifying according to law. Said directors shall hold their respective offices only until the first Monday after the first day of January next following the next general election as provided by section 1041 of the Political Code, and until their successors are elected and qualified.

The board of supervisors calling the election shall make all provision for the holding thereof throughout the entire district as proposed, and shall pay the cost thereof. In case a special election is held exclusively on the proposition of organizing such a district, the expenditure therefor shall be reimbursed to the county which called the election by means of a special tax on all the taxable property within the municipalities and unincorporated territory which was proposed to be included in the district, which tax shall be added to the next county tax bills by the proper officials of the counties involved, respectively.

(d) Informality Not to Invalidate Proceedings. No informality in any proceeding or in the conduct of said election, not substantially affecting adversely the legal rights of any person, shall be held to invalidate the incorporation of any metropolitan park district, and any proceedings wherein the validity of such incorporation is attacked shall be commenced within three months from the date of filing the aforesaid order with the Secretary of State; otherwise, such incorporation and the legal existence of said metropolitan park district shall be held to be valid, and in every respect legal and incontestable.

SEC 6. Board of Directors of District. The government of every metropolitan park district so created and established shall be vested in a board of five directors, one from each of the wards or subdistricts hereinafter mentioned, together with the other officers hereinafter mentioned. Said directors shall be residents and electors of the respective wards or subdistricts from which they are respectively nominated.

They shall be elected at large, and every qualified elector in the proposed district may vote for all of the directors to be elected.

SEC. 7. Subsequent Elections. Term of Directors. Except as otherwise provided herein, all subsequent elections and nominations of candidates for directors to be elected thereat shall be held and conducted in accordance with the general election laws of the State as near as they may be applicable.

Notice of election shall be given by publication once a day for at least seven days in one or more newspapers of general circulation published and circulated at least six days a week in such district, or once a week for two weeks in some newspaper published less than six days a week in such district; and one insertion each week for two succeeding weeks shall be a sufficient publication in such newspaper published less than six days per week. In districts where no such newspaper is published, such notice shall be posted in three public places therein for two succeeding weeks. No other notice of such election need be given. Said notice shall refer to the wards as previously established by resolution or ordinance of the board of directors.

The board of directors shall in the notice, ordinance or resolution calling an election consolidate the same with the election to be held at the same time in the respective counties wherein the district is located and shall authorize the respective boards of supervisors to canvass the returns of such district election and certify the result of said canvass to the directors of said district and it shall be the duty of the board or boards of supervisors to so consolidate said election, canvass such returns and cause the result thereof to be properly certified to the board of directors of said district.

Such election shall be held in all respects as if there were only one election, and only one ticket or ballot shall be used thereat. Nomination papers shall be circulated throughout the district. A nomination paper containing the name of the candidate to be nominated, with such other information as may be required herein, shall be signed by electors residing within the district equal in number to at least one per cent of the entire vote cast at the last preceding general election within the district.

Except as otherwise provided herein the provisions of section 1188 of the Political Code and of sections 5, 6 and 10 of the Direct Primary Law as the latter existed in 1926 shall substantially govern as to the manner of appointment of verification deputies, the form of nomination papers and the securing of signatures thereto and fastening together of sections of the nomination paper containing such signatures, the filing of the candidate's affidavit, the payment of filing fees and all other things necessary to get the name of the candidate upon the ballot; provided, however, that verification deputies may obtain signatures to the nomination paper of any candidate at any time not more than sixty-five days nor less than forty days prior to such election, and all nomination papers shall be filed with the secretary of the district not more than sixty days nor less than thirty-five days before the day of election and shall be examined by him. Said election shall be consolidated with the general election as to territory which is the same and the secretary of the district shall certify the names of all candidates to be placed upon the ballot to the county clerk or county clerks within the territory affected by such consolidation at least twenty-five days prior to the date of said election. Upon the filing of a sufficient nomination paper and affidavit by any candidate the name of such candidate shall go upon the ballot at the ensuing general election. Upon receipt of the returns of the canvass by the respective boards of supervisors the directors of the district shall meet and determine results of the election and declare the candidate or candidates elected.

The secretary of the district shall issue certificates of election signed by him and duly authenticated immediately following the determination of the result of the election by the directors of the district.

The oath of office must be taken, subscribed and filed with the secretary of the district within thirty days after the officer has notice of his election or appointment or before the expiration of fifteen days before the commencement of his term of office. No other filing is required.

Of the directors elected at the next general State election following the election at which the district is created, those three elected by the highest vote shall hold office for four years, and the other two for two years, and until their successors are elected and qualified. Thereafter, at each biennial general election provided for under section 1041 of the Political Code, a number of directors corresponding to the number whose term of office expires shall be elected for the term of four years. The terms of such officers shall commence on the first Monday after the first day of January next following their election.

SEC. 8. Fixing Boundaries of Wards. The board of directors shall have authority by resolution or ordinance to fix the boundaries of the wards or subdistricts for the purpose of electing directors therefrom, after the first election creating and establishing the district. Such wards shall be established in ample time prior to each biennial general election to permit candidates for the position of directors to circulate nominating papers.

SEC. 9. President of Board. Meetings. Appointment of Directors. The board of directors shall choose one of its members president, and another vice president, who shall be authorized to act for the president during his absence or disability, and shall provide for the time and place of holding its meetings, which shall be held at least once each month. All legislative sessions of the board of directors, whether regular or special, shall be open to the public. A majority of the board of directors shall constitute a quorum for the transaction of business.

The board of directors shall establish rules for its proceedings and may provide by ordinance or resolution that each of its members shall receive for each attendance at the meetings of the board the sum of ten dollars. They shall not receive any other compensation, and no director shall receive pay for more than two meetings in any one calendar month. The board of directors shall fill all vacancies on the board, including those caused by the death or resignation of a member; provided, however, that whenever a vacancy shall exist for thirty days the Governor shall fill such vacancy. The person appointed to fill any such vacancy shall hold office for the remainder of the unexpired term of his predecessor.

SEC. 10. Functions of Board. Appointed Officials. The board of directors shall constitute the legislative body of such district and determine all questions of policy.

Said board may, in its discretion, appoint a general manager, a superintendent, an accountant, a secretary, a treasurer, an attorney, and such other subordinate officers as they deem necessary, and fix their compensation and duties, which appointees shall hold office during the pleasure of the said board; they shall give such bonds and in such amounts as the board of directors may require. Said board may consolidate any of said offices in one and the same person. Said board may also provide for an assistant to any officer of the district, which assistant, when appointed by the board may perform any and all acts that his principal may perform, when authorized so to do by the board

The board of directors may from time to time contract for or employ any professional services required by the district, or by the board, or any officers of the district.

SEC. 11. Powers of District. Any metropolitan park district organized and established as herein provided shall have power:

1. Perpetual Succession. To have perpetual succession.

2. Sue and Be Sued. To sue and be sued, except as otherwise provided herein or by law, in all actions and proceedings in all courts or tribunals of competent jurisdiction.

3. Adopt Seal. To adopt a seal and alter it at pleasure.

4. Hold Property. To take by grant, appropriation, purchase, gift, devise, condemnation, or lease, and to hold, use, enjoy, and to lease or dispose of real and personal property of every kind, and rights in such real and personal property, within or without the district, necessary to the full exercise of its powers; provided, however, that no such district may validly convey any interest in any real property actually dedicated and used for park purposes without the consent of a majority of the voters of said metropolitan park district voting at a special election to be called by said board and held for said purpose; except that such consent need not first be obtained before a valid lease of any such property may be made for a period not exceeding ten years, and also except that such consent need not first be obtained before a valid transfer of any such property may be made, in case the Legislature shall by joint resolution authorize such transfer after a resolution of intention has been adopted by at least a two-thirds vote of said board of directors of such metropolitan park district, specifically describing the property sought to be conveyed.

5. Plan, Adopt, Lay Out, and Control Park System. To plan, adopt, lay out, plant and/or otherwise improve, to extend, control, operate, and maintain a system of public parks, playgrounds, beaches, parkways, scenic drives, boulevards and other facilities for public recreation for the use and enjoyment of all the inhabitants of said district, and to select, designate, and/or acquire land, and/or rights in land, within or without said district, to be used and appropriated for such purposes; to cause such parkways, scenic drives and/or boulevards to be opened, altered, widened, extended, graded, or regraded, paved or repaved, planted or replanted, repaired and/or otherwise improved, and to do all other things necessary or convenient to carry out the purposes of this act; provided, however, that nothing herein contained shall be deemed to authorize or empower the board of directors of any metropolitan park district to interfere with any control of any existing public park, playground, beach, parkway, scenic drive, boulevard, or other public property, owned or controlled by any municipality or county in said district, unless upon the consent of the city council of such municipality, or board of supervisors of such county if the same is in unincorporated territory, and upon such terms as may be mutually agreed upon between the board of directors of the district and said city council or board of supervisors.

6. Right of Eminent Domain. To have and exercise the right of eminent domain, in the manner provided by law for the condemnation of private property for public use. To take any property necessary or convenient to accomplish the purposes of this act, whether such property be already devoted to the same use or otherwise. In the proceedings relative to the exercise of such right, the district shall have the same rights, powers, and privileges as a municipal corporation.

7. Make Contracts. To make contracts, to employ labor, and to do all acts necessary for the full exercise of the powers herein granted.

8. To Borrow Money. To borrow money and incur indebtedness, and to issue bonds or other evidence of indebtedness in the manner herein provided; provided, however, that no district shall incur any funded indebtedness except in accordance with the provisions of section 19 hereof.

9. Levy and Collect Taxes. To levy and collect, or cause to be levied and collected, taxes to carry out any of the objects or purposes of this act, provided that such tax levied for any one fiscal year shall not exceed five cents on each hundred dollars of the assessed value of all real and personal property within such metropolitan park district, exclusive of any tax levied to meet the bonded indebtedness of said district and interest thereon.

10. Make Contributions Toward Acquisitions and Improvements Not Made By District. To contribute money, in such amounts as the board of directors may by resolution find to be proper, to the California State Park Commission or to any municipality, county or other public corporation, district or agency for the purpose of assisting in the acquisition of lands within or without the district for the purposes specified in subdivision 5 of this section and/or for improving the same in the manner specified in said subdivision 5, whenever in the judgment of said board of directors such acquisition or improvement is so located and planned as to be of benefit to the said district.

SEC. 12. Action Only By Ordinance or Resolution. The board of directors shall act only by ordinance or resolution. The ayes and noes shall be taken upon the passage of all ordinances or resolutions, and entered upon the journal of the proceedings of the board of directors. No ordinance or resolution shall be passed or become effective without the affirmative votes of at least a majority of all of the members of the board of directors. The enacting clause of all ordinances passed by the board shall be in these words: "Be it ordained by the board of directors of ------ metropolitan park district." All resolutions and ordinances shall be signed by the president of the board of directors, and attested by the secretary, and all ordinances shall be published once within thirty days after the adoption thereof, in a newspaper of general circulation printed, published, and circulated in said metropolitan park district

SEC 13 Duties and Powers of Officers. The president shall preside over all meetings of the board of directors. He shall sign all contracts and conveyances on behalf of the district after the same have been approved by the board of directors, and he shall perform such other duties as may be imposed upon him by the board of directors. In the absence of the president, or in the event of his inability to act, the vice president shall perform all the powers and duties of the president with the same force and effect as if performed by the president. If both the president and vice president are absent or unable to act the board of directors may select a president pro tempore who shall perform all the powers and duties of the president with the same force and effect as if performed by the president.

The district manager shall have the following administrative and executive functions, powers and duties delegated to and vested in him: He shall have power and it shall be his duty (a) to see that the provisions of this act and all ordinances and regulations of the district are enforced; (b) to exercise supervision and control over all departments and offices of said district; (c) to attend all meetings of the board of directors unless excused therefrom by the board; (d) to submit to the board of directors for adoption such measures, ordinances and regulations as he shall deem necessary or expedient; (e) to see that all terms and conditions imposed in favor of the district or its inhabitants in any contract are faithfully kept and performed, and to call to the attention of the board of directors and to the police department any violations thereof; (f) to bind the district without advertising and without written contract for the payment of supplies, labor or other valuable consideration furnished to the district in amounts not exceeding five hundred dollars; provided, however, that any and all purchases shall be reported to the board of directors at its next regular meeting thereafter; (g) to prepare and submit to the board of directors the annual budget; and to perform such other duties as may be imposed upon him by the board of directors.

The superintendent shall, subject to such restrictions as the board of directors may impose, have full charge of the construction of the improvements and of the maintenance and operation of all property of the district He shall report from time to time as requested by the board of directors, and shall perform such other duties as may be imposed upon him by this act or by the board of directors.

The secretary shall countersign all contracts and conveyances on behalf of the district, and shall affix the seal thereto, and he shall perform such other duties as may be imposed upon him by the board of directors or by the provisions of this act. He shall give his full time during office hours to the affairs of the district, and shall act as the secretary of the board of directors, and shall keep a record of its proceedings.

The treasurer shall be the custodian of the funds of the district, and shall make payments only upon warrants which have been approved by the board of directors and duly and regularly signed by the president of the board of directors, and attested

by the secretary; provided, however, that the board of directors may by ordinance authorize such warrants to be signed by some other officer specified therein instead of the president. The treasurer shall keep an account of all receipts and disbursements, and deposit all moneys received by him in a depository or depositories selected by the board of directors of the district.

The accountant shall be charged with the duty of installing and maintaining a system of auditing and accounting, which shall completely and at all times show the financial condition of the district. He shall draw all warrants to pay demands made against the district when such demands have been first approved by a majority of the board of directors at a meeting thereof, and shall perform such other duties as may be imposed upon him by this act or by the board of directors.

The board of directors, at its first meeting in January of each year, shall render and immediately cause to be published at least once, in a newspaper of general circulation printed and published in the district, a verified statement of the financial condition of the district, showing particularly the receipts and disbursements of the last preceding year, together with the source of such receipts and the purpose of such disbursements.

SEC. 14. Oath. Bond. The directors of the district, before assuming the duties of their office, shall take and subscribe an official oath, and file the same in the office of the board of directors. Such official oath shall be in the form provided by law for official oaths of county officers.

SEC. 15. Appointees. Office. The board of directors may appoint, employ or contract for the services of such attorneys, consultants, advisers and other experts as they shall deem necessary, and shall authorize the appointment or employment by the district manager, the superintendent, the secretary, the treasurer, and the accountant, respectively, of such assistants, deputies, and other appointees and employees as may be deemed necessary by said board to carry out the purposes of this act, and said board shall determine the duties and compensation, or basis of compensation, of all such persons.

Said board shall have a suitable office in the district where its maps, plans, documents, records, and accounts shall be kept, subject at all reasonable times and under reasonable regulations to public inspection.

SEC. 16. Control and Regulation of Parks, etc. Said board of directors shall have power, and it shall be its duty, to superintend, control, and make available to all of the inhabitants of said district, subject to such rules and regulations as it shall prescribe, any and all public parks, playgrounds, beaches, parkways, scenic drives, boulevards and other facilities for public recreation belonging to or under its control; to regulate, restrain, and control the kind of vehicles, and the time and conditions of travel or parking on such public parks, playgrounds, beaches, parkways, scenic drives, boulevards and other facilities for public recreation; to employ a suitable police force to make all rules and regulations for the government and use of all the lands under its care, as hereinafter more specifically provided; and, in general, to do all acts needful for the proper execution of the powers and duties granted to and imposed upon said board by the provisions of this act, and to manage and control the business and affairs of the district.

Said board of directors shall have power to adopt rules and regulations and shall cause such rules and regulations made by it from time to time to be posted upon park or other property of the district to which they apply and shall cause the same to be published at least once in some newspaper published in the county or counties within which said district is in whole or in part situated, and such posting and publication shall be sufficient notice to all persons. The sworn affidavit of the district manager, superintendent, or the secretary that such rules and regulations have been posted and published as herein provided shall be prima facie evidence thereof. A copy of such rules and regulations, attested by any member of the board or by its secretary shall be prima facie evidence that said rules and regulations have been made by the board of directors as provided by law.

Any violation of any rule or regulation lawfully made by said board of directors shall constitute a misdemeanor and shall be punishable by a fine not exceeding five hundred dollars, or by imprisonment in a county jail not exceeding six months, or by both. Any justice of the peace within any township lying wholly or in part within said metropolitan park district, or any municipal court which may be established within such metropolitan park district, shall have jurisdiction of all prosecutions under this act and for violations of any ordinances, rules and regulations adopted by said board of directors of any metropolitan park district.

The police appointed or employed by any such board of directors, in accordance with the provisions of this act, shall have, within the district in which they are appointed or employed, all the powers of police officers of municipal corporations except the power of serving and executing civil process.

Said board of directors shall have authority to acquire, construct, improve, maintain, and operate golf courses, bath houses, boat houses, tennis courts, gymnasiums, and other special amusements and forms of recreation, and to acquire, construct, or complete any and all buildings, structures, waterways, lakes, equipment and other facilities necessary or convenient therefor; and it shall have authority to fix and collect fees for the use by the public of any boats, bathing

suits, lockers, golf courses, tennis courts, or other special facilities, services, or equipment.

In the event that any land or property owned by the district, or any interest therein, in the opinion of the board of directors of the district, becomes unnecessary for the purposes of the metropolitan park district, said board is authorized and empowered, subject to the provisions of section 9 hereof, to sell such lands or property, or any interest therein; or to lease the same, for nonpark purposes, for a period not to exceed ten years; and when, in the judgment of said board, such land or property is temporarily unnecessary for park purposes, the same may be leased, for nonpark purposes, for a term not to exceed ten years, with an express provision in such lease that should the board of directors by ordinance determine to use such lands for park or other district purposes, such lease should thereby be terminated. The proceeds of any such sale or lease of lands or property, or any interest therein, shall be used and applied to such of the purposes of the district as the board of directors shall by resolution determine.

Whenever it shall, in the opinion of the board of directors of the district, become necessary or advisable to acquire or construct any works, structures, or embankments, in order to protect the property of said district from damage by flood or storm waters, the board of directors of said district shall have power to acquire or construct such works, structures, or embankments. If, in the opinion of said board of directors, such works, structures, or embankments are necessary or advisable not only to protect the property of said district, but other property not owned by the district as well, the board of directors of said district may enter into contract with any flood control district or other municipal or public corporation, and may grant rights of way, for such period of time as the board of directors shall determine, over the property of said metropolitan park district to such flood control district or other municipal or public corporation, whereby such flood control district or other municipal or public corporation shall be authorized and permitted to construct such works, structures, or embankments.

The legal title to all property acquired by the district under the provisions of this act shall immediately and by operation of law vest in such district, and shall be held by such district in trust for, and is hereby dedicated and set apart for, the uses and purposes set forth in this act The said board of directors is hereby authorized and empowered to hold, use, acquire, manage, occupy, and possess said property, as herein provided. The said board is hereby authorized and empowered to take conveyances or other assurances for all property acquired by it under the provisions of this act in the name of such metropolitan park district, to and for the uses and purposes herein expressed, and to institute and maintain any and all actions and proceedings, suits at law or in equity, necessary or proper in order to fully carry out the provisions of this act, or to enforce, maintain, protect or preserve any and all rights, privileges, and immunities created by this act, or acquired in pursuance thereof, and in all courts, actions, suits, or proceedings the said board may sue, appear, and defend, in person or by attorneys and in the name of such metropolitan park district.

SEC. 17. Condemnation Proceedings. In case of condemnation proceedings, the board shall proceed, in the name of the district, under the provisions of Title VII. Part III of the Code of Civil Procedure of this State, which said provisions are hereby made applicable for that purpose, and it is hereby declared that the use of the property which may be condemned, taken, or appropriated under the provisions of this act, is a public use, subject to regulation and control of the State in the manner prescribed by law

SEC 18. Directors or Officers Must Not Be Interested in Contract. No director or any other officer named in this act shall in any manner be interested, directly or indirectly, in any contract awarded or to be awarded by the board of directors, or in the profits to be derived therefrom, and, for any violation of this provision, such director or officer shall be deemed guilty of a misdemeanor, and such conviction shall work a forfeiture of his office, and he shall be punished by a fine, not exceeding five hundred dollars, or by imprisonment in the county jail, not exceeding six months, or by both such fine and imprisonment.

SEC 19. District May Issue Bonds, Not in Excess of Five Per Cent, Under Provisions of Municipal Bond Act. For the purpose of acquiring, constructing, or completing any improvement or improvements authorized hereunder, or for the purpose of acquiring any land or property necessary or useful therefor, the board of directors of any metropolitan park district may incur an indebtedness not in excess of five per cent, of the assessed valuation of the real and personal property situated therein, and may issue bonds therefor under and in full compliance with the provisions of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof." The provisions of said act as the same may exist from time to time and so far as they may be applicable, shall govern all metropolitan park district bond issues, and the board of directors of each metropolitan park district shall be deemed and held to be the legislative branch of the district, and authorized to do all acts and things which may be done by the legislative branch of cities, towns, and municipal corporations in the incurring of indebtedness and the issuance and sale of bonds; provided, however, that taxes for the payment of said

bonds shall be levied and collected in the manner in this act provided. The bonds issued under the provisions of this section shall be signed by the president of the board of directors and the treasurer of the district, and countersigned by the secretary. The coupons shall be signed by the treasurer. In case any of such officers whose signatures appear on the bonds or coupons issued under the provisions of this section, shall cease to be such officers before the delivery of such bonds to the purchaser, such signatures or countersignatures shall, nevertheless, be valid and sufficient for all purposes, the same as if such officers had remained in office until the delivery of the bonds.

SEC. 20. Bonds to Be Paid by Annual Tax Levy. For the purpose of paying all sums coming due for principal and interest on all bonds of any metropolitan park district, there shall be levied and collected each year in the manner hereinafter in this act provided, a tax sufficient to pay the annual interest on such bonds and, also, such part of the principal thereof as shall become due before the time for fixing the next general tax levy; provided, however, that if the maturity of the indebtedness created by the issue of bonds be made to begin more than one year after the date of the issuance of such bonds, such tax shall be levied and collected at the time and in the manner aforesaid annually each year, sufficient to pay the interest on such indebtedness as it falls due, and, also, to constitute a sinking fund for the payment of the principal thereof on or before maturity The taxes in this section required to be levied and collected, shall be in addition to all other taxes levied for metropolitan park district purposes, and shall be collected at the same time and in the same manner as other metropolitan park district taxes are collected, and be used for no other purpose than the payment of said bonds and accruing interest.

SEC. 21. Levy and Collection of Taxes. On or before the second Monday in August of each year, the county auditor of each county in which any portion of a metropolitan park district is located, must transmit to the board of directors of such district and to the board of supervisors of each county in which such district is located, a statement in writing showing the total value of all real and personal property within such district and within his respective county, which value shall be ascertained from the assessment books of such county as equalized and corrected by the board of supervisors of such county. The board of directors of such metropolitan park district shall, on or before the last Tuesday of August of each year, cause to be prepared and submitted to the board of supervisors of each county in which any portion of said metropolitan park district is located, a detailed statement showing separately the estimated amount of money that will be required for the payment of principal and interest upon bonds of such district before the time for fixing the next general tax levy, and, also, the estimated amount of money that will be required for the operation, maintenance, upkeep, and repair of the parks, playgrounds, parkways, scenic drives and boulevards, and property of the district, and to defray the expenses of administering the affairs of the district. The board of supervisors of each county in which any part of such metropolitan park district is located, shall thereupon at the time of making the general tax levy in each year, levy a tax upon all the real and personal property within such district and within their respective county at a rate sufficient to meet the proportion of taxes necessary to be raised in the county for the purpose of paying the principal and interest of the bonds of the district and all other requirements of the district as shown by the estimate of the board of directors of the district. The amount of such taxes to be raised in each county shall be in the same proportion as the assessed valuation of the taxable property in the district within such county is to the assessed valuation of all property in the district Such taxes shall be assessed, levied, and collected at the same time and in the same manner as other county taxes are assessed, levied, and collected, and shall be deposited when collected with the treasurer of the metropolitan park district.

SEC. 22. Annexation of Territory. The boundaries of any metropolitan park district may be altered and new territory annexed thereto, incorporated and included therein, and made a part thereof, upon proceedings being had and taken as hereinafter in this act provided. The board of directors of any such district, upon receiving a written petition therefor, signed by fifty (50) qualified electors in the territory, whether city or county territory, proposed to be annexed, and which territory is described in said petition and is contiguous to said district, and upon having the sufficiency of the signatures certified by the secretary of the district, must set the same for a hearing. Notice of such hearing, specifying the time and place, shall be published twice in a newspaper of general circulation in the county where such territory so to be annexed lies, and, likewise, in a newspaper of general circulation in the county having the largest area in the district, the first publication in each case to be at least ten days before the day of said hearing. At the conclusion of said hearing, the board of directors of said district shall pass a resolution, either approving the said petition in whole or in part, or denying the same; provided, that, if it approves it in part only, it shall describe in said resolution the territory proposed to be annexed to said district. If said petition has been approved in whole or in part, the board of directors shall thereupon proceed further with the calling of an election in the territory then proposed to be annexed, as described in said resolution passed at the conclusion of said hearing, and shall, either as a part of said resolution or by a later

resolution, call said election and submit to the electors residing in the territory proposed to be annexed, the question whether such territory shall be annexed to, incorporated in, and made a part of such metropolitan park district; and said resolution may provide for precincts, and shall designate the polling places and election officers in each precinct. Whenever any metropolitan park district to which it is proposed to annex territory under the provisions of this act, shall have incurred or authorized the incurring of any bonded indebtedness for the acquisition, construction, or completion of any district improvement or improvements, the petition and notice of hearing may specify this fact, and, in that case, such resolution may submit to the electors residing in the territory proposed to be annexed to such metropolitan park district, the question whether such new territory shall be annexed to, incorporated in, and made a part of said metropolitan park district, and the property therein be, after such annexation, subject to taxation, equally with the property within such metropolitan park district, to pay a specified portion of such bonded indebtedness of such metropolitan park district, outstanding at the date of said petition or theretofore authorized.

Notice of Election. Such board of directors is hereby empowered, and it shall be its duty, to cause notice to be given of such election by the publication of a notice thereof in a newspaper of general circulation, printed and published in the county or counties in which the territory so proposed to be annexed is situated, at least once a week for a period of four successive weeks next preceding the date of such election. Such notice shall distinctly state the date of such election and the proposition to be submitted, to wit: That it is proposed to annex to, incorporate in, and make a part of such metropolitan park district, the territory sought to be annexed, specifically describing the boundaries thereof. In addition to said description, such territory shall also be designated by some appropriate name or other words of identification by which such territory may be referred to and indicated upon the ballots to be used at any election at which the question of such annexation is submitted, as in this act provided. The electors in such territory shall be directed by such notice to vote upon such question in the manner hereinafter set forth in this section. Whenever the resolution calling such election also submits to the electors in the territory proposed to be annexed, the question whether after annexation the property therein shall be subject to taxation for the bonded indebtedness of the district then outstanding or theretofore authorized, such notice shall, in addition, state that after such annexation the property therein shall be subject to taxation, equally with the property within such metropolitan park district, to pay such specified bonded indebtedness of such metropolitan park district outstanding at the date of said petition or theretofore authorized, and to be represented by bonds of such metropolitan park district thereafter to be issued. The said notice shall, in general terms, specify the improvement or improvements for which such indebtedness was so incurred or authorized, and state the amount or amounts of such indebtedness already incurred, and the amount or amounts of such indebtedness theretofore authorized and to be represented by bonds thereafter to be issued, and the maximum rate of interest payable or to be payable on such indebtedness. Said notice shall designate the voting precinct or precincts, and the place or places at which the polls will be open, and shall designate the election officers, to consist of two judges and one inspector, each of whom shall be a qualified elector of the voting precinct in which he is appointed to act as an officer of such election. If none are so appointed, or if those appointed are not present at the time for opening the polls, the electors present may appoint them, and they shall conduct the election.

Consolidation of Election. Said election may be consolidated with, or held separately on the same day as, any other State, county or city election, as provided in section 5 (a) hereof, and in case of consolidation the resolution calling the election and the notice thereof need not state or designate the precincts, polling places, or election officers, but may provide such alternative matters as are specified in said section 5 (a).

Ballots. Upon the ballots to be used at such election, there shall be printed, if applicable, a concise statement of the bonded indebtedness of the metropolitan park district for the payment of which the property in the territory to be annexed will be subject to taxation, equally with the property within such metropolitan park district, together with such instructions as are required by law to be printed thereon, and, in addition thereto, shall appear the following:

Shall (giving the name or other designation of the territory proposed to be annexed, as stated in the notice of election) be annexed to the ---------- metropolitan park district?	Yes	
	No	

If any elector shall stamp a cross (+) in the voting square after the printed word "Yes," the vote of such elector shall be counted in favor of the annexation of the territory referred to in such proposition to the metropolitan park district named

therein, and the taxation of the property in such territory to be annexed for the bonded indebtedness of the district therein specified; and if an elector shall stamp a cross (+) in the voting square after the printed word "No," the vote of such elector shall be counted against such annexation.

Count of Ballots. The judges and inspector of such election for each polling place shall, immediately on the closing of the polls, count the ballots, make up, certify, and seal the ballots, and tally sheets of the ballots, cast at their respective polling places, doing so, as nearly as practicable, in the manner provided in the laws of this State relating to general elections; and they shall thereupon deliver the ballots and tally sheets, and return to and deposit the same with the secretary of such metropolitan park district.

Canvass of Returns. Such board of directors shall, on the first Monday after said election, canvass said returns. Immediately upon the completion of such canvass, said board of directors shall adopt a resolution, stating the proposition submitted and showing the whole number of votes cast thereon in the territory proposed to be annexed, the number of votes cast therein in favor of annexation, and the number of votes cast therein against annexation.

SEC. 23. Should Majority Favor, Annexation Complete. If it should appear from the canvass of the returns of the election held in the territory proposed to be annexed to any metropolitan park district, as provided in section 22 of this act, that a majority of all the votes cast in such outside territory on the question of such annexation are in favor of annexation, such board of directors may, by resolution containing a description of the territory so annexed, approve such annexation within sixty days from the date of the holding of such election, and the secretary shall cause a certified copy of said resolution to be recorded with the county recorder of the county where said annexation territory is located, and shall file with the Secretary of State a certified copy of the same. From and after the date of said recording and the said filing of said document in the office of the Secretary of State, the annexation of such territory so proposed to be annexed and described therein, shall be deemed to be, and shall be, complete, and, thenceforth, such annexed territory shall be, to all intents and purposes, a part of such metropolitan park district, and shall be subject to taxation for all district purposes for the fiscal year following the first Monday in March after such annexation and thereafter; provided, that no property in such annexed territory shall ever be taxed to pay any portion of any indebtedness or liability of such metropolitan park district contracted prior to or existing at the time of such annexation, except that the property within such annexed territory shall be taxed to pay the bonded indebtedness specified in said notice, provided for by section 22 hereof, equally with the property within such district as it existed prior to such annexation.

SEC. 24. Bonds Legal Investment for Trust Funds, etc. The bonds of any metropolitan park district issued pursuant to this act, shall be legal investments for all trust funds, and for the funds of all insurance companies, banks, both commercial and savings, and trust companies, and for the State school funds, and whenever any money or funds may, by law now or hereafter enacted, be invested in bonds of cities, cities and counties, counties or school districts in the State of California, such money or funds may be invested in the said bonds of said district issued in accordance with the provisions of this act; and whenever bonds of cities, cities and counties, counties, school districts, or municipalities may, by any law now or hereafter enacted, be used as security for the performance of any act, such bonds of said district may be so used.

SEC. 25. Value of Bonds. All bonds issued by any metropolitan park district under the provisions of this act, are hereby given the same force, value, and use as bonds issued by any municipality in this State, and shall be free and exempt from all taxation within the State of California.

SEC. 26. Recall of Officers. Every director of any metropolitan park district shall be subject to recall by the voters of such metropolitan park district in accordance with the recall provisions of the general laws of the State with reference to county officers.

SEC. 27. Additional Powers of Board of Directors. All matters and things necessary for the proper administration of the affairs of said district which are not provided for in this act shall be provided for by the board of directors of the district.

SEC. 28. Contracts, Advertising for Bids. All contracts for furnishing materials or supplies, or for constructing any building, structure, or improvement, when the expenditures will exceed the sum of five hundred dollars, shall be let to the lowest responsible bidder, after notice inviting bids, published in a newspaper in the district at least one week before the time of receiving such bids; provided, that the board of directors may reject all bids and readvertise, or by a four-fifths vote elect to purchase the materials or supplies in the open market, or to construct the building, structure, or improvement by force account.

SEC. 29. Construction of Act. This act shall be liberally construed to promote the objects thereof, and to carry out its intents and purposes.

SEC. 30. Constitutionality. In case any section, subsection, sentence, clause, or phrase of the act, is for any reason held to be unconstitutional, or invalid, such

decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

SEC. 31. Urgency Measure. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California and shall take effect immediately. The facts constituting such a necessity are as follows: Various metropolitan regions exist within the State of California where the congestion of population has increased with great rapidity and no proper provisions have been made for adequate park and playground facilities and for property rights assuring an adequate approach to the beaches. That due to this condition, children are, in many instances, forced to conduct their outdoor play in the streets where their life and health are endangered by heavy traffic, and the public will soon be prevented from using the beaches for swimming or recreation, unless immediate steps are taken to preserve the permanent access to such beaches. That the lack of park and playground facilities and proper access to the beaches and other facilities for public recreation and outdoor exercise will, unless taken care of promptly, become a general menace to life and health. That this act is necessary to afford the means of combined action in these matters by the different communities in the metropolitan regions.

SEC. 32. Validating Organization. All districts which may have been created and established under this act, prior to the actual taking effect of the same, and which have been authorized by the affirmative vote, at an election held for that purpose, of a majority of the electors voting upon the proposition of the creation and establishment of such a district, are hereby declared to be legally and duly formed, created, established and existing metropolitan park districts; and all proceedings taken under this act, prior to the actual taking effect of the same, leading up to the creation or establishment of any metropolitan park district are hereby legalized, ratified and confirmed and declared to be valid to all intents and purposes, provided only that the creation and establishment of such district has been or shall be approved by a majority of the electors voting upon the proposition of the creation and establishment of such district."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to Article IV thereof, to be numbered 25¼, relating to the practice of chiropractic.

Assembly Constitutional Amendment No. 4 read.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Constitutional Amendment No. 4 was withdrawn from the file, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 5 of Article XI thereof, relating to county government.

Assembly Constitutional Amendment No. 58 read.

The question being on the adoption of Assembly Constitutional Amendment No. 58.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Crist moved a call of the House.

Motion carried.

Time, ten o'clock and fifty-five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Evans, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—54.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Bliss.

The roll of absentees was called, and Assembly Constitutional Amendment No. 58 was refused adoption by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Evans, Fisher, Greene, Grubbs, Hallner, Hatch, Jones, Latham, Lyon, Martin, Meeker, Miller, Eleanor; O'Connor, Patterson, Phillips, Rawls, Riley, Robinson, Samuel E., Rogers, Roland, Ross, Tournoux, West, Wright and Mr. Speaker—34.

NOES—Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Frazier, Kallam, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, O'Donnell, Redwine, Stannard, Stream, Thorp, Turner and Utt—21.

NOTICE OF RECONSIDERATION.

Mr. Bliss gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 58 was this day refused adoption.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At eleven o'clock and two minutes a.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

Assembly Concurrent Resolution No. 48—Relative to fees and other charges in State parks, and their use for maintenance and improvement purposes.

Assembly Concurrent Resolution No. 48 read.

The question being on the adoption of Assembly Concurrent Resolution No. 48.

The roll was called, and Assembly Concurrent Resolution No. 48 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Chatters, Clowdsley, Cottrell, Crowley, Evans, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, Knowland, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; O'Donnell, Rawls, Redwine, Riley, Rogers, Roland, Ross, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—45.

NOES—Cassidy, Nielsen, Stannard and Stream—4.

Title read and approved.

Assembly Concurrent Resolution No. 48 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 48.

Relative to fees and other charges in State parks, and their use for maintenance and improvement purposes.

WHEREAS, The State of California through legislative action and by vote of its people in approving the State park bond issue of 1927 has preserved in a system of State parks fifty-six areas of scenic beauty, recreational value and historic interest, comprising 278,730 acres and representing an investment of $12,500,000, more than half of which was contributed by individuals and communities; and

WHEREAS, These parks, numbering among them natural wonders that are world-famous, like the Coast Redwoods, the Big Trees of the Sierra, Point Lobos, and the matchless beaches of southern California, constitute one of our greatest assets since with our system of highways they are the basis of the tourist industry which brings millions of dollars annually into California; in addition to providing health-giving recreation and inspiration to our citizens—over 5,500,000 people having used these parks in the year 1932; and

WHEREAS, Since the budget was made up for the present biennium the number of State parks has increased two hundred per cent, the investment five hundred per cent, and the acreage fifteen hundred per cent; and

WHEREAS, The present appropriation for the coming biennium provides merely for the minimum of sanitary convenience as required by the State Board of Health and the essential protection of the State's large investment in parks, and does not provide for urgently needed developments; now, therefore, be it

Resolved, That the Assembly, and the Senate concurring, approves the principle of the establishment by the State Park Commission of a schedule of moderate fees to be collected from users of State parks and State park facilities, as provided in Assembly Bill No. 1802, the proceeds from this and other sources to be placed in a State park maintenance fund and used for park maintenance and improvements—recognizing that since the taxpayers of the entire State and private contributors have met the first cost, it is reasonable to expect that those who enjoy special use of the parks should, through a system of moderate fees, bear at least a part of the expense of upkeep and development.

Assembly Bill No. 1391—An act to amend section 19 of the Juvenile Court Law, relating to referees in counties of the first class and third class, and authorizing the boards of supervisors in such counties to fix the compensation for such referees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1391 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Fisher, Frazier, Greene, Hallner, Hatch, Hornblower, Jones, Kallam, Latham, Lyon, Maloney, Martin, McBride, Meehan, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West and Wright—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1235—An act to amend section 4261 of the Political Code, relating to compensation of county and township officers in counties of the thirty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1235 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crowley, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, Latham, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Phillips, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Ross, Scudder,

Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West and Wright—55.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1201—An act to amend section 4095 of the Political Code, relating to the duties of county auditors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1201 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Evans, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, Latham, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Phillips, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West and Wright—51.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1626—An act to amend section 4282 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1626 passed by the following vote:

AYES—Alter, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Evans, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Jones, Kallam, Latham, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West and Wright—49.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1069—An act to amend sections 452c, 452f and 453 of the Civil Code providing for the maintenance of minimum membership of mutual benefit and life associations; notification to Insurance Commissioner in event membership shall not equal minimum requirement, or submit to revocation of certificate of authority and duty to liquidate and dissolve or merge or reinsure its business under the supervision of said commissioner; prescribing exemption of certain association from provisions of this chapter; relating to the formation and operation of mutual benefit and life associations, the collection of dues and assessments from members and the payment of benefits to nominees of decedent and also prescribing rules and regulations regarding the investments of such associations; and adding a new section to the Civil Code to be numbered 452g, relating to the licensing of all agents and solicitors for such associations and prescribing the fee therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1069 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crowley, Evans, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, Latham, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Phillips, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Utt, West and Wright—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1217—An act to amend section 312 of the Agricultural Code, relating to meat inspection.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1217 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hornblower, Jones, Kallam, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; O'Connor, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Thorp, Tournoux, Utt, West and Wright—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and thirty-five minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 181—An act to repeal an act entitled "An act defining criminal syndicalism and sabotage, prescribing certain acts and matters in connection therewith and in pursuance thereof and providing penalties and punishments therefor," approved April 30, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 181 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Evans, Frazier, Gilmore, Grubbs, Hallner, Hornblower, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Stream gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 181 was this day passed.

Assembly Bill No. 572—An act to amend section 2322x20 of the Political Code, relating to the salary of the agricultural commissioner, his deputies and inspectors in counties of the twentieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 572 passed by the following vote:

AYES—Alter, Anglim, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Cronin, Crowley, Evans, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, Latham, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Rawls, Redwine, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 575—An act to amend section 4249 of the Political Code, relating to compensation of county and township officers in counties of the twentieth class, approved May 11, 1931.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 575 passed by the following vote:

AYES—Alter, Anglim, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Cronin, Crowley, Evans, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, Latham, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Rawls, Redwine, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1509—An act to amend section 67 of the Fish and Game Code, relating to fish and game districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1509 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crowley, Evans, Field, Fisher, Gilmore, Greene, Grubbs, Hatch, Hornblower, Jones, Latham, Lyon, Maloney, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Wright and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1510—An act to amend section 65 of the Fish and Game Code, relating to fish and game districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1510 passed by the following vote:

AYES—Alter, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Latham, Lyon, Martin, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Wright and Mr. Speaker—51.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1488—An act to amend section 599f of the Penal Code, relating to the protection of elk.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1488 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Jones, Latham, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, West, Wright and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

REPORT OF JOINT LEGISLATIVE TAX COMMITTEE.

The following report of the Joint Legislative Tax Committee was received, and ordered printed in the Journal:

REPORT OF JOINT LEGISLATIVE TAX COMMITTEE.

To the Members of the Senate and Assembly.

Pursuant to the terms of Senate Resolution No. ------ and Assembly Resolution No. ------, we have made a comprehensive study of the numerous suggested sources of additional revenue in order to provide relief for real estate through a lowering of the direct property taxes and to effect a balancing of the budget of the State.

We hesitate to suggest additional taxes at this time and would not do so except for the urgent necessity of balancing the State budget in order to avoid a State ad valorem tax to meet the deficit which is facing us.

We believe that the budget should not be balanced merely through raising additional revenues but very definitely through effecting every possible economy. We call attention to the fact that the budget for 1933–1935 as passed by the Assembly has reduced State expenditures by approximately $40,000,000 below the 1931–1933 expenditures. It is the opinion of the committee that the Legislature should effect further and substantial reductions in governmental expenditures before it adopts the new taxes suggested in this report. Measures now pending before the Legislature will make possible not only further and substantial cuts in State expenditures but further economies in the cost of local government. In the judgment of the committee these economy measures should be carefully considered and many of them enacted into law. The best method of providing relief for the taxpayer generally and for real estate in particular is not to shift the cost of the burden of government so much as it is to reduce this cost.

We are of the opinion that it is not advisable at the present moment to make any more radical changes in the system of State taxation than are absolutely necessary. Any such proposed changes have necessarily had combined with them the levying of transaction, turnover, gross sales, gross income or other broad-base taxes. We have felt that it was advisable to obtain some experience in this State from the operation of a somewhat limited tax of the aforementioned type before effecting any radical change.

We believe, however, that the attention of the people has been directed to the tax problems of the State and we are therefore of the belief that they should be afforded the present opportunity of voting on the question of the repeal of the so-called "Amend-

ment Number One." To effect such a repeal will further, however, increase the sum that must be raised from new sources of revenue and we are therefore of the opinion that such repeal, if voted by the people, should not be made effective until after the meeting of the Legislature in January, 1935. At that time the Legislature can prescribe such sources of revenue as it may deem advisable for the purpose of supplying the necessary funds for the support of the State government through a general ad valorem tax or otherwise.

We believe that the right of the Legislature to levy such a general ad valorem should, however, be limited so that not more than twenty-five per cent of the total appropriations for the support of the State should be raised by any such general ad valorem. This will, we believe, accomplish effective limitation on real estate taxes in so far as the support of the State is concerned. We therefore recommend that a constitutional amendment be presented to the people at the ensuing special election providing for the following:

(a) A repeal of Amendment Number One, the so-called separation of source method of taxation, so that utility properties shall be taxed in exactly the same manner as all other property. This will obviate the recurring question of equalization. This repeal is not to apply to insurance companies, in view of the fact that the accepted method of taxing this type of corporation throughout the United States is a tax based upon gross premiums.

(b) An amendment to section 16 of Article XIII to provide that utility companies which are to be treated in the same manner as all other corporations, shall be required to pay a certain percentage of their net income pursuant to the Bank and Corporation Franchise Tax Act.

(c) A limitation on any general ad valorem tax levied for State purposes, providing that not more than twenty-five per cent of the total appropriations for the support of the State shall be raised by such general ad valorem tax.

STATE SUPPORT.

It is estimated that after effecting budget economies in the neighborhood of $12,000,000, the revenue for the ensuing biennium will fall short of necessary expenditures by approximately $41,500,000. In addition to that deficit attention must be called to a carry-over deficit from the current biennium of approximately $10,000,000.

The following additional sources of revenue are recommended:

1. *Beverage Tax.* There has already been enacted an excise tax for State purposes in the amount of 62 cents per barrel on beer. It is estimated that this will produce during the biennium ---------- $2,500,000 00
2. *Inheritance Tax Amendment.* The present inheritance tax statute provides for an exemption for widows in the sum of $50,000 plus all of the community property. This results in an inheritance tax exemption in excess of $100,000 in the average case. The reduction of the $50,000 exemption to $25,000, which, with the community property exemption, will result in an exemption for the average family in excess of $50,000, will produce during the ensuing biennium additional revenue in the amount of approximately---------- $1,500,000 00
3. *Bank and Corporation Franchise Tax Act.* A measure has been introduced to equalize taxes levied under this act. It is proposed to do away with real property and personal property offsets in order to equalize the tax on corporations This will result in a raising of the corporate rate from the approximate burden of 1.89 per cent to 2 per cent. The tax on banks will be raised in order to give effect to the burden met by other corporations through their paying personal property taxes, this rate in no event, however, to exceed 7 per cent. It is estimated that the equalization of the bank tax and the corporation tax will produce during the biennium approximately ---------- $2,000,000 00
4. *Reversion of Unexpended Appropriations to the General Fund* ---------- $750,000 00
5. *Highway Bond Interest and Redemption (1931–1933).* It is proposed to reimburse the general fund for an expenditure incurred during the current biennium in the payment of interest and the redemption of bonds issued for highway purposes by a transfer from the gasoline tax fund to the general fund in the amount of---------- $8,779,750 00
6. *Highway Bond Interest and Redemption (1933–1935).* It is proposed to transfer from the gasoline tax fund to the general fund to meet the payment of bond interest and the redemption of the highway bonds still outstanding during the ensuing biennium the sum of---------- $8,449,326 00

7. *Gas and Electric Companies—Telephone and Telegraph Companies.* It is proposed to raise the rate of the gross receipts tax on these corporations, the rate on gas and electric companies to be raised from 7.5 per cent to 9 per cent and upon telephone and telegraph companies from 5.5 per cent to 5.75 per cent. This will more nearly equalize the burden of taxation borne by these corporations with the burden carried by common property after the relief hereinafter proposed to be granted. This tax rate increase will, of course, only continue until such time as Amendment Number One is repealed. The raise can be made effective immediately in order to be applied to the receipts of these companies for the year 1932 and will produce additional revenue during the biennium in the sum of---------- $6,000,000 00

8. *Automobile License Plate.* It is proposed to impose a surcharge of $1 per year on the automobile registration fee, raising it from $3 to $4, the additional revenue to be paid into the general fund The license plate fee in the State of California is one of the lowest of any State in the country. This temporary emergency surcharge will be in effect only during the ensuing biennium and will produce additional revenue in the sum of---------- $4,000,000 00

9. *Gas and Electric Companies—Telephone and Telegraph Companies—Consumers' Surcharge.* It is proposed to levy a 2 per cent consumer sales tax upon the consumption of electricity and gas and the use of the services of the telephone and telegraph companies. By effecting this tax in the manner proposed, it will be borne by all customers of all utility companies, whether publicly or privately owned. This will place consumers of these services on the same basis as consumers of other products and will produce additional revenue during the biennium in the sum of---------- $10,000,000 00

Total ---------- $43,979,076 00

It can be noted that the aforementioned emergency levies, diversions and equalizations will produce sufficient revenue to not only meet the anticipated deficit for the ensuing biennium but that it will likewise produce sufficient to meet part of the deficit which will be carried over from the current biennium. In this way we will have preserved for the relief of real estate all new fields of taxation as yet not used in California, until we can obtain some definite results from the administration of a sales tax in California.

RELIEF OF COMMON PROPERTY TAXATION.

(1) The adoption of the proposed constitutional amendment to effect a repeal of "Amendment Number One" will return to the county tax rolls taxable property assessed at a value in excess of the sum of $1,338,000,000, subject, of course, to the resultant State ad valorem, the same to be limited as above set forth.

(2) It is proposed to levy a 2 per cent consumers' retail sales tax, the revenue from which will be allocated to the counties in order to meet the requirements of section 6 of Article IX, requiring a county tax sufficient to raise $30 per a. d. a. for the elementary schools and $60 per a. d. a. for the high schools. The proposed tax will yield approximately $75,000,000 during the biennium, sufficient to take care of the county school tax. In order to carry out this proposal it will be necessary to amend the Constitution to do away with the matching requirement and to make certain that the funds transferred to the counties are actually expended in lieu of the county tax. Appended hereto is a table to show the present county elementary and high school tax which will be obviated by the transfer of these funds from the State.

(3) A measure will be introduced to provide for the printing upon local tax bills of not only the tax rate for the current year but likewise the tax rate for the preceding year, so that a quick comparison may be made by all taxpayers. In addition thereto, the tax collector will be directed to set forth on the tax receipt the additional tax rate which would have been levied to meet the county a. d. a. charge, which will be absorbed by the transfer of the funds raised from the 2 per cent consumers' sales tax to the counties.

(4) A measure will be introduced to limit the power of county boards of supervisors to levy taxes to a rate which will raise not more than the amount raised during the preceding calendar year for general county purposes, less the amount

received by the counties from the State for the county a. d. a. charge (but exclusive, however, of charges for interest and redemption of bonds and special district taxes). It is believed that the power of four-fifths of the supervisors to exceed this amount will be sufficient to take care of any emergency. It is likewise believed that the mandate directing them not to levy any additional taxes, at least during the next two years, will, coupled with the matter required to be set forth on the tax receipts, be sufficient to curb extravagance on the part of local governing boards. It is not believed advisable at this time to try to establish any arbitrary limit upon the amount of governmental costs that can be met out of direct taxes. So to do would merely increase the amount which must be met by other sources of taxation. It is thought advisable to await the result of the 2 per cent consumers' sales tax before taking this step.

We recommend that, by amendment to the Constitution, the Legislature be granted power to limit the amount of taxes that may be imposed upon real and personal property after the effective date of the repeal of Amendment Number One.

(5) The Legislature has the authority under Article XIII, section 11 of the Constitution to levy an income tax. Additional revenue of approximately $20,000,000 could be realized from this source.

In closing, we wish to call attention to another proposal before the Legislature. This measure provides for a substantial cut in the power of school district trustees to levy taxes for school district purposes. This will effect very substantial economies and resulting reductions in local tax rates. It is estimated that the 2 per cent consumers' sales tax, together with the school district tax rate reduction, will reduce direct property taxes in excess of $110,000,000 during the succeeding biennium. It should further be noted that real estate is further protected as against any ad valorem for State purposes.

RALPH E. SWING.
B. J. FEIGENBAUM.
B. R. INGELS.
HARRY B. RILEY.
WALTER H. DUVAL.
DAVID F. BUSH.
WILLIAM F. KNOWLAND.
LAWRENCE COBB.
F. C. CLOWDSLEY.
CHARLES W. LYON.
WM. R. SHARKEY.

MINORITY REPORT.

Objection is made by the undersigned to Items 5 and 6 for the following reasons:

Motor vehicles as a type of property are subject to personal property tax for local governmental offices and the sole reason for gasoline tax is to provide a continuing fund for maintenance, improvement and construction of streets and highways. It is wrong in principle and amounts to double taxation to divert any of the gasoline tax money to the general fund of the State.

Item 5 proposes to immediately divert $8,779,750 from the gas tax to make up the deficiency for the present biennium. It appears that all gasoline tax revenues accruing to July 1, 1933, are already either spent or obligated by contracts for highway purposes. Therefore, it is not possible to divert said amount. To divert approximately $17,000,000 from the gas tax, accruing during the next two years, would seriously jeopardize the proper maintenance and necessary improvement of State highways and might jeopardize the appropriation heretofore made for the San Francisco Bay Bridge project. The diversion of approximately $17,000,000 will also prevent the proposed relief to local property contained in the measures to add to the State system 6,600 miles of major county roads and through routes in cities and providing for the expenditure of not less than ½ cent within cities by the State Department of Public Works.

Item 6, covering gas tax diversion for 1933-1935, the same general objections hold good. Further, should any such proposal be adopted, there should be specific provision that the same should be in the form of a temporary loan and be repaid out of the general revenues.

A. H. BREED.
HUBERT B. SCUDDER.

MINORITY REPORT.

While I am in accord with most of the recommendations of this report, there are certain specific recommendations and conclusions that I reserve the right to dissent from.

ROY FELLOM.

CALIFORNIA STATE DEPARTMENT OF EDUCATION, DIVISION OF RESEARCH AND STATISTICS. STATE LIBRARY AND COURTS BUILDING.

SACRAMENTO, April 27, 1933.

General County Tax Rates for Elementary and High School Purposes, 1931–1932.

Counties.	Elementary schools.	High schools.
Alameda	$0.3543	$0.3052
Alpine	------	.195
Amador	.54	.40
Butte	.46	.35
Calaveras	.51	.29
Colusa	.30	.23
Contra Costa	.45	.26
Del Norte	.45	.48
El Dorado	.43	.51
Fresno	.48	.375
Glenn	.31	.2175
Humboldt	.4281	.2552
Imperial	.71	.38
Inyo	.29	.26
Kern	.35	.17
Kings	.38	.21
Lake	.46	.47
Lassen	.36	.35
Los Angeles	.262	.192
Madera	.428	.230
Marin	.42	.54
Mariposa	.56	.70
Mendocino	.602	.469
Merced	.605	.345
Modoc	.47	.32
Mono	.43	.03
Monterey	.49	.235
Napa	.46	.30
Nevada	.80	.58
Orange	.28	.35
Placer	.62	.52
Plumas	.12	.26
Riverside	.61	.39
Sacramento	.55	.436
San Benito	.48	.75
San Bernardino	.72	.43
San Diego	.385	.264
San Francisco	.16	.13
San Joaquin	.43	.26
San Luis Obispo	.41	.28
San Mateo	.72	.53
Santa Barbara	.53	.21
Santa Clara	.51	.348
Santa Cruz	.64	.432
Shasta	.61	.33
Sierra	.36	.62
Siskiyou	.66	.51
Solano	.47	.36
Sonoma	.62	.43
Stanislaus	.42	.27
Sutter	.391	.30
Tehama	.37	.27
Trinity	.60	.40
Tulare	.62	.40
Tuolumne	.57	.39
Ventura	.376	.211
Yolo	.443	.332
Yuba	.38	.38

RECESS.

At twelve o'clock and five minutes p.m., on motion of Mr. Clowdsley, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 977—An act to amend section 131 and to repeal section 132 of the Civil Code, relating to divorces;

Also: Assembly Bill No. 405—An act to amend section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses or furnished bungalow courts;

Also: Assembly Bill No. 1240—An act to add a new section to Chapter VI of Title XIV of Part IV of Division III of the Civil Code to be known as section 3045, covering the lien of an attorney at law;

Also: Assembly Bill No. 1226—An act relating to the regulation under the jurisdiction of the Commissioner of Corporations of personal property brokers, unsecured money lenders, salary buyers, brokers, agents and employees in such transactions, and agents for principals in such transactions, and the licensing of those so engaged, and fixing the penalties for violation thereof and to repeal that certain act entitled, "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 195—An act to amend section 73 of the Code of Civil Procedure, relating to sessions of the superior courts;

Also: Assembly Bill No. 1208—An act to amend section 526 of the Code of Civil Procedure, relating to injunctions;

Also: Assembly Bill No. 2043—An act to amend section 1491 of the Penal Code, relating to bail upon habeas corpus proceedings;

Also: Assembly Bill No. 2111—An act to amend section 16 of an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, relating to disposition of fees and moneys;

Also: Assembly Bill No. 2051—An act to amend section 375 of the Penal Code, relating to offensive substances;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

WEST, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2371—An act to amend section 564 of the Code of Civil Procedure, and to add a new section thereto to be numbered 547a, relating to civil actions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WEST, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 196—An act to amend section 142 of the Code of Civil Procedure, relating to sessions of the superior court—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WEST, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1502 as amended by the Senate—An act to add a new section to be numbered 726a to the Code of Civil Procedure, relating to actions to enforce obligations secured by mortgage on real or personal property situated outside of California—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly do concur in said amendments.

WEST, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 416—An act to amend sections 2, 4, 5, 6, 7, 10, 16, 22, 23 and 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sale of securities, and the prevention of fraud in the sale of securities;

Also: Senate Bill No. 1189—An act to amend sections 112 and 274c of the Code of Civil Procedure, and to repeal sections 831h, 835a, 900b, and 982a of the Code of Civil Procedure, all relating to courts of justice and certain officers connected therewith;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman.

The above reported bills ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 29, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1 of Article XIII thereof, relating to taxation.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Constitutional Amendment No. 8 read first time, and referred to Committee on Constitutional Amendments.

SENATE CHAMBER, SACRAMENTO, April 29, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Concurrent Resolution No. 20—Relative to the sale of the annotated edition of the State Constitution—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Concurrent Resolution No. 20 ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 402—An act to amend sections 2 and 4 of an act entitled "An act relating to the liabilities and damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi-public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931, relating to suits against such officers and defining terms used in the act:

Also: Senate Bill No. 1046—An act to amend section 953a of the Code of Civil Procedure, relating to appeals;

Also: Senate Bill No. 1017—An act to amend section 737m of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Imperial;

Also: Senate Bill No. 349—An act to amend section 4260 of the Political Code, relating to the compensation of county and township officers in counties of the thirty-first class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 402 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 1046 read first time, and referred to Committee on Judiciary.

Senate Bills Nos. 1017 and 349 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 380—An act granting to the City and County of San Francisco certain land within the limits of Lewis Street in the City and County of San Francisco, State of California;

Also: Senate Bill No. 1101—An act to amend sections 375, 375a, 375b, 375c and 375d of the Political Code, relating to the Department of Investment;

Also: Senate Bill No. 350—An act to amend sections 79 and 81 of the Fish and Game Code, relating to fish and game districts;

Also: Senate Bill No. 1155—An act to add a new section to the Political Code to be numbered 597a, relating to the Division of Insurance in the Department of Investment.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 380 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1101 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 350 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 1155 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 268—An act relating to irrigation districts of the first class;

Also: Senate Bill No. 912—An act relating to irrigation districts of the first class and providing for the organization, operation and powers thereof;

Also: Senate Bill No. 712—An act to amend section 737mm and 737hh of the Political Code, relating to the compensation of the judges of the superior court in and for the county of San Joaquin and the county of Sacramento;

Also: Senate Bill No. 567—An act to amend an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," (Chapter 1020, Statutes of 1931), to repeal sections 51 to 54 inclusive, and to add new sections to be numbered 51 to 78 inclusive, relating to exclusion of lands from water conservation districts and to improvement districts within water conservation districts;

Also: Senate Bill No. 97—An act to provide for the payment of special assessment taxes levied in districts organized under the provisions of the Acquisition and Improvement Act of 1925 with bonds or coupons of such district;

Also: Senate Bill No. 1165—An act to add section 135b to the Bank Act, defining and regulating the business of banking;

Also: Senate Bill No. 837—An act to add a new section to the California Irrigation District Act to be numbered 48b, relating to lands within an irrigation district.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 268 and 912 read first time, and referred to Committee on Irrigation.

Senate Bill No. 712 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 567 read first time, and referred to Committee on Conservation.

Senate Bill No. 97 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 1165 read first time, and referred to Committee on Banking.

Senate Bill No. 837 read first time, and referred to Committee on Irrigation.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1045—An act to amend section 605 of the Probate Code, relating to the appointment of appraisers.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Stannard:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the postponement of the collection of assessments levied to pay principal or interest due on bonds issued under the authority of the Acquisition and Improvement Act of 1925 during the existence of an economic emergency.

Referred to Committee on Introduction of Bills.

By Mr. Kallam:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act establishing a certain additional State highway and classifying it as a secondary highway.

Referred to Committee on Introduction of Bills.

SECOND READING OF SENATE BILLS.

Senate Bill No. 134—An act to amend section 331 of the Civil Code, relating to corporations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 323—An act to amend sections 1, 2, 3, 4, 7, 11, 12, 13, 15, and 17 and to repeal section 3½ of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the practice of pharmacy.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 13 to 23, inclusive, and on page 2, strike out lines 1 and 2, and insert in lieu thereof the following: "charge of a registered pharmacist. No registered assistant shall conduct a pharmacy."

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out lines 19 and 20, and insert in lieu thereof the following: "classes of persons: Class one, class two, class three, class four and class five."

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, strike out lines 31 to 35, inclusive, and insert in lieu thereof the following: "been registered as an assistant pharmacist in this State for a period of not less than one year and who shall have graduated from a school or college of pharmacy or department of pharmacy of a university recognized by the California State Board of Pharmacy."

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, strike out lines 19 to 30, inclusive, and insert in lieu thereof the following: "Registration as a licentiate in pharmacy shall".

AMENDMENT NUMBER FIVE.

On page 4 of the printed bill, after line 39, insert the following:

"Class Four. Registration as a licentiate in pharmacy shall be granted to any person otherwise qualified as provided in section 2 hereof, who shall be registered as an assistant pharmacist in the State of California, prior to January 1, 1928, who shall have passed a written examination to the satisfaction of the California State Board of Pharmacy, who shall have had five years of pharmaceutical experience as defined by section 3 of this act, who shall have been registered as an assistant pharmacist for a period of two years prior to his or her application for examination as a licentiate in pharmacy.

Class Five. Registration as a licentiate in pharmacy shall be granted to any person otherwise qualified as provided in section 2 hereof, who shall be registered as an apprentice in pharmacy before the passage of this act, who shall have passed a written examination to the satisfaction of the California State Board of Pharmacy, who shall have had five years of pharmaceutical experience as defined by section 3 of this act, who shall have been registered as an assistant pharmacist in the State of California for a period of two years prior to his or her application for examination as a licentiate in pharmacy."

AMENDMENT NUMBER SIX.

On page 5 of the printed bill, strike out lines 31 and 32, and insert in lieu thereof the following: "of persons: Class A and Class B."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 1038—An act to amend an act entitled "An act to provide for the establishment of official master plans and the appointment of planning commissions in cities, cities and counties, and counties; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and composition thereof; prescribing the powers and duties of such commissions; providing for the transfer thereto of the powers and duties of other planning commissions; providing for the preparation, adoption and recordation of precise street plans; providing for the control of the construction of buildings within the lines of streets shown on such precise street plans; providing for the levy of a special tax for the support of a planning commission and other acts pursuant to this act and making certain expenditures legal charges against the funds of cities, cities and counties, and counties and regional planning commissions; providing for the establishment by cities, cities and counties, and counties, of regional planning commissions, including two or more cities, cities and counties, or counties, or a portion or por-

tions thereof, or both; making certain acts, misdemeanors; and repealing other acts in conflict herewith," approved June 17, 1929, by amending the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 11 and 12 thereof; and by repealing sections 13, 14, 14a, 14b, 15 and 16 thereof; and by renumbering section 17 of said act as section 13 and amending the same; and by renumbering section 18 of said act as section 14 and amending the same; and by renumbering sections 19 and 20 of said act, respectively, as sections 15 and 16 thereof, respectively.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, strike out all of line 38, and insert in lieu thereof the following: "quire. All persons employed by the commission shall be bona fide residents of the county in which they are employed. The expenditures of the commission, exclusive of gifts".

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, strike out all of lines 13, 14, 15, 16 and 17, and insert in lieu thereof the following: "officio members and members of its staff, may attend hearings upon matters affecting the master plan or any part thereof when held within the county, and the reasonable traveling expenses inci".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 875—An act to add a new article to Chapter III of Title I of Part III of the Political Code to be numbered Article XXI, embracing sections 720 to 724f, inclusive, creating a board to be known as the Board of Control to take the place of the Department of Finance, prescribing the duties, powers, responsibilities, authority and jurisdiction of the Board of Control and providing for the membership thereof and their qualifications; providing for the transfer to the Board of Control and the imposition on it of the duties, powers, responsibilities, authority and jurisdiction of the Department of Finance and the Director of Finance, as well as of the various divisions of the Department of Finance and the officers, agents and employees of the Department of Finance; providing for the abolishment of the Department of Finance and the Director of Finance and the various divisions of the Department of Finance and the various officers, agents and employees of the Department of Finance; providing for the expenditure and transfer of certain funds, and repealing all acts or parts of acts in conflict therewith.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Senate Bill No. 875 was withdrawn from the file, and referred to Committee on Ways and Means.

Senate Bill No. 1027—An act to amend sections 1 and 2 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to pre-

scribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended, vesting administration of said act in the State Board of Control, abolishing the Civil Service Commission and transferring all of the powers, duties, jurisdiction and responsibilities of said commission to said State Board of Control.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Senate Bill No. 1027 was withdrawn from the file, and referred to Committee on Ways and Means.

Senate Bill No. 509—An act to amend an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended, by amending sections 2, 3, 4, 5, 6, 9, 11, 14 and by adding a new section to be numbered 15, relating to collection agencies.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Senate Bill No. 509 was withdrawn from the file, and referred to Committee on Judiciary.

LEAVES OF ABSENCE.

On motion of Miss Miller, Eleanor, Mr. Fisher was granted leave of absence for the balance of this legislative day.

On motion of Mr. Patterson, Messrs. Levey, Cronin and Gilmore were granted leave of absence for the balance of this legislative day.

On motion of Mr. Greene, Mr. Hallner was granted leave of absence for the balance of this legislative day.

On motion of Mr. Crowley, Mr. Meehan was granted leave of absence for the balance of this legislative day.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 75—An act to repeal "An act making it a misdemeanor to sell or exchange property under the representation, advertisement, notice or inducement that an unidentified, unknown, unselected, or chance prize, premium or premium-gift, or that a stamp, trading-stamp, coupon or other like device entitling the holder to receive such a prize, premium or premium-gift, or that the redemption of such a stamp, trading-stamp, coupon or other like device so given is to be part of the transaction, or to sell or exchange any trading-stamp, stamp, coupon, or other like device to aid such sale or exchange, as aforesaid, and providing a penalty therefor," approved March 7, 1905.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 75 was withdrawn from the file, and referred to Committee on Crime Problems.

Assembly Bill No. 1427—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and part of acts inconsistent therewith," being Statutes of 1931, page 483, as approved May 5, 1931, by amending the title and adding section 13.20, providing for reorganizations agreed upon by 66⅔ per cent of the creditors of any seized association, and authorizing building and loan associations and their custodians, receivers, etc., to purchase certificates at less than par or to trade real estate for certificates.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1427 was withdrawn from the file, and referred to Committee on Building and Loan Associations.

Assembly Bill No. 703—An act relating to State officers and employees in the judicial branch of the State government and the classification of, certification or authorization and appointment to, and allocation within, State judicial positions and the fixing of salary ranges therefor and graduated emergency salary reductions, and vesting the administration of this act in the State Personnel Board.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 703 was withdrawn from the file, and referred to Committee on Ways and Means.

Assembly Bill No. 1733—An act to amend sections 8 and 11 of an act entitled "An act to provide for the maintenance by municipalities of lighting systems along public streets, alleys and other public places and for the lighting thereof by electric current, gas or other illuminating

agent; and for the assessment of the cost and expense thereof upon the property benefited and the manner of collecting such assessments," approved May 16, 1919, as amended, relating to penalties levied thereunder.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Riley:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 22 to 32, inclusive, and insert in lieu thereof the following: "plus a penalty of five per cent of the amount for which the property was sold, and plus additional penalties of one per cent of said amount. Said one per cent penalties shall be added on the first day of each month following the date of the sale of said property. Said redemption money shall be distributed by the tax collector as follows: One-half of said five per cent penalty to the city; and one-half of said five per cent penalty and all of the one per cent monthly penalties to the person holding the original certificate".

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2333—An act to amend section 1 of an act entitled "An act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, as amended, relating to the procedure necessary for such disincorporation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2333 passed by the following vote:

AYES—Alter, Anglim, Badham, Boyle, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crowley, Evans, Field, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Redwine, Riley, Robinson, Samuel E., Roland, Ross, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—45.

NOES—Bliss and Stannard—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1351—An act to amend section 4156b of the Political Code, prohibiting district attorneys of counties or cities and counties from defending or assisting in the defense of, or acting as counsel for, defendants in civil actions and proceedings, when the State is a party plaintiff, and to redesignate said section 4156b as section 4156c of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1351 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crowley, Evans, Field, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley,

Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—51.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1875—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1875 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cobb, Cottrell, Craig, Crowley, Evans, Field, Greene, Grubbs, Hatch, Jones, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, Patterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—45.
NOES—Cassidy—1.

Title read and approved.
Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS.

Assembly Bill No. 1060—An act to amend section 453ee of the Civil Code, relating to investments authorized to be made by mortgage insurance companies.
The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1060?

AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, after the comma following the words "metropolitan water district", add the following: "municipal utility district".

The roll was called, and Senate amendment to Assembly Bill No. 1060 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Cobb, Cottrell, Craig, Crowley, Evans, Field, Greene, Grubbs, Jones, Kallam, Knowland, Latham, Mayo, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—47.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 2354—An act relating to retirement systems covering county or township officers or employees or a portion of such employees.
The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2354?

AMENDMENT NUMBER ONE.

In line 8 of the printed bill, after the word "system", strike out the period, and insert the following: ", together with accumulated interest thereon."

The roll was called, and Senate amendment to Assembly Bill No. 2354 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Crowley, Evans, Field, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson,

Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Wright and Mr. Speaker—48.
NOES—None.

The above reported bill ordered to enrollment.

MOTION TO RECONSIDER.

Mr. West moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 111 was passed be continued until the next legislative day.

Motion carried.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 136—An act to amend section 331 of the Agricultural Code, relating to hides and brands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 136 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Clowdsley, Cobb, Craig, Evans, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt and Mr. Speaker—45.
NOES—Field, Roland and West—3.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. West gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 136 was this day passed.

Senate Bill No. 403—An act to amend section 2980 of the Civil Code, relating to recordation of interests in property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 403 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Craig, Crowley, Evans, Field, Greene, Hatch, Jones, Kallam, Latham, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—49.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 341—An act to repeal section 4 121 of the School Code, relating to the audit by the State Board of Control of expenditures from the vocational rehabilitation fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 341 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Craig, Crowley, Evans, Field, Greene, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen,

O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Rogers, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Wright and Mr. Speaker—45.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 121—An act to amend section 583 of the Code of Civil Procedure, relating to the dismissal of actions.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 121 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Craig, Crowley, Evans, Field, Greene, Grubbs, Hatch, Jones, Kallam, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Ross, Stream, Sullivan, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—46.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 941—An act to amend section 4 of and to add sections 4a and 4b to the act entitled "An act to provide for the incorporation and organization and management of municipal water districts and to provide for the acquisition and construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, relating to municipal water districts and the officers thereof and further defining the powers and duties of each thereof.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 941 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Crowley, Evans, Field, Greene, Grubbs, Hatch, Jones, Kallam, Latham, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Donnell, Patterson Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—47.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 653—An act to amend section 2322x12 of the Political Code, relating to the office of agricultural commissioner in counties of the twelfth class.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 653 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Crowley, Evans, Field, Greene, Grubbs, Hatch, Jones, Kallam, Latham, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Donnell, Patterson Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers,

Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—47.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 654—An act to amend section 19x12 of the Juvenile Court Law, relating to the probation officer in counties of the twelfth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 654 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Crowley, Evans, Field, Greene, Grubbs, Hatch, Jones, Kallam, Latham, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Donnell, Patterson Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—47.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 655—An act to amend section 16x12 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the twelfth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 655 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Crowley, Evans, Field, Greene, Grubbs, Hatch, Jones, Kallam, Latham, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor, Nielsen, O'Donnell, Patterson Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—47.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 657—An act to amend section 4241 of the Political Code, relating to the compensation of county and township officers in counties of the twelfth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 657 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Crowley, Evans, Field, Greene, Grubbs, Hatch, Jones, Kallam, Latham, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—47.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 282—An act to amend section 1 of an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, defining personal property brokers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 282 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 781—An act to amend section 1105 of the Agricultural Code, relating to eggs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 781 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Craig, Crowley, Field, Frazier, Grubbs, Hatch, Jones, Kallam, Latham, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 177—An act to amend section 1145 of the Agricultural Code, relating to imported egg products.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 177 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Craig, Crowley, Field, Frazier, Grubbs, Hatch, Jones, Kallam, Latham, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 958—An act to repeal "An act to prevent the propagation by the production of seed of that certain plant known as Sorghum Halepense, otherwise known as Johnson Grass," approved March 30, 1903.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 958 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 957—An act to repeal "An act providing for the protection of the vineyards of the State against Phylloxera by regulating the transportation within the State of grapevines or parts thereof for use as fuel," approved May 11, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 957 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 956—An act to repeal "An act to control the spread of the walnut codling moth, to regulate the movement of and treatment of shipment of walnuts, sacks, trays, and other orchard appliances into or from any premises or districts known to be infested with walnut codling moth, and to confer power on the Director of Agriculture to prescribe rules and regulations for such or other control of said pest, and to provide a penalty for the violation thereof," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 956 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 955—An act to repeal "An act to regulate the distribution of date palms and date palm offshoots and to hold the same in quarantine under the supervision of the State Commissioner of Horticulture until they are free from Marlatt scale (Phoenicococcus marlatti) and Blanchard scale (Parlalatoria blanchardii) when introduced

from, or grown in, any infested locality within this State or from other States, or if of foreign introduction, after they have been released by the Federal Horticultural Board, and to fix a penalty for violation of this act," approved April 1, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 955 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1173—An act declaring the bridge across the Sacramento River near the town of Meridian, between the counties of Sutter and Colusa, to be a part of the State highway system for maintenance purposes and providing for the relinquishment of jurisdiction over said bridge by the State to said counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1173 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 960—An act to amend sections 1011, 1022, 1030, 1036, 1038 and 1043 of the Agricultural Code, and to renumber Article 4 of Chapter 7, Division V thereof, relating to agricultural chemicals and commercial feeding stuffs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 960 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 645—An act to amend section 4278 of the Political Code, relating to the compensation of county and township officers in counties of the forty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 645 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 649—An act to amend section 4277 of the Political Code, relating to the compensation of county and township officers in counties of the forty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 649 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 650—An act to amend section 16x49 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the forty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 650 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 153—An act to amend section 16x29 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 153 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 154—An act to amend section 2322x29 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 154 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 158—An act to amend section 19x29 of the Juvenile Court Law, relating to probation officers in counties of the twenty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 158 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 660—An act to amend section 4274 of the Political Code, relating to compensation of county and township officers in counties of the forty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 660 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts,

Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 661—An act to amend section 2322x45 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 661 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 665—An act to amend section 9a54 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the fifty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 665 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

HON. EDWARD CRAIG IN THE CHAIR.

At three o'clock and thirty-five minutes p.m., Hon. Edward Craig, member of the Assembly from the Seventy-fifth Assembly District, in the chair.

Senate Bill No. 276—An act to add a new section to the School Code, to be numbered 3.10–1, and to amend sections 3.11 and 3.13 thereof, all relating to the education of Indian children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 276 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At three o'clock and forty-five minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Senate Bill No. 1104—An act to amend section 7 of an act entitled "An act to promote the development of the California canned fruit industry and to prevent deception in the packing and sale of canned fruit by establishing and defining certain standards for canned fruit of the varieties herein named, defining the powers and duties of the Director of the Department of Agriculture in relation hereto, including the collection of fees, creating a Board of Appeal and defining its powers and duties in relation hereto and fixing the compensation of the members thereof, prescribing penalties for violations hereof and making an appropriation to carry out the provisions hereof," approved May 23, 1925, relating to powers of the Director of Public Health.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1104 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—50.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Brock gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1104 was this day passed.

Senate Bill No. 982—An act to add a new section to be numbered section 8½ to an act entitled "California Ripe Olive Standardization Act," approved May 11, 1931, relating to the regulation of the canned olive industry.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. McBride:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 872 and 878 of, and to add a new section to be numbered 883 to, the Agricultural Code, all relating to the regulation of canned foods and the canned food industry."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 872 of the Agricultural Code is hereby amended to read as follows:

872. The director shall enforce this chapter and for that purpose may:

(a) Enter and inspect every place within the State where canned fruits and/or vegetables, including olives, are canned, stored, shipped, delivered for shipment, or sold, and to inspect all fruits and/or vegetables, including olives, and containers found in any such place.

(b) Seize and retain possession of any canned olives or canned fruits and/or vegetables packed, shipped, delivered for shipment, or sold in violation of any of the provisions of this chapter, and hold same pending the order of the court.

(c) Cause to be instituted and to be prosecuted in the superior court of any county of the State in which may be found canned olives or canned fruits and/or vegetables which are packed, shipped, delivered for shipment, or sold, in violation of any of the provisions of this chapter, an action for the condemnation of canned olives or canned fruits and/or vegetables as provided in an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended.

SEC. 2. Section 878 of the Agricultural Code is hereby amended to read as follows:

878. Any person, firm, company or corporation violating any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than five dollars nor more than five hundred dollars, or shall be imprisoned in the county jail for a term not exceeding six months, or by both such fine and imprisonment. Whenever the State Board of Public Health shall find after investigation and examination that any canned fruits and/or vegetables, including olives, found in the possession of any person, firm, company or corporation are misbranded or mislabeled within the meaning of this chapter, he may seize such canned fruits and/or vegetables, including olives, and tag the same "quarantined," and said canned fruits and/or vegetables, including olives, shall not thereafter be sold, offered for sale, removed or otherwise disposed of pending hearing and final disposition as provided in an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended.

Canned fruits and/or vegetables, including olives, found to be mislabeled or misbranded within the meaning of this chapter may, by order of any court or judge, be seized and destroyed.

One-half of all fines collected by any court or judge, for the violations of the provisions of this chapter shall be paid to the State Treasurer for credit to the general fund of the State.

SEC. 3. A new section is hereby added to the Agricultural Code to be numbered 883 and to read as follows:

883. The Director of the Department of Public Health shall be charged with the enforcement of the provisions of this chapter and for that purpose shall have all the powers heretofore conferred upon the Director of Agriculture. Wherever in this chapter the term "Director of Agriculture" shall appear it shall be deemed to mean the Director of the Department of Public Health."

Amendments adopted.

Bill ordered to reprint, and on file for third reading.

Senate Bill No. 992—An act to add a new section to be numbered 6¾ to an act entitled "The California Canned Fruit Standardization Act,"

approved May 23, 1925 as amended, relating to the regulation of the canned fruit industry.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. McBride:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, and insert in lieu thereof the following:

"An act to add a new section to the Agricultural Code to be numbered 883, relating to the regulation of canned foods and the canned food industry."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Agricultural Code to be numbered 883 and to read as follows:".

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, strike out the figure "6¾", and insert in lieu thereof the figure "883".

AMENDMENT NUMBER FOUR.

On page 1, line 5, of the printed bill, strike out the word "act", and insert in lieu thereof the following: "chapter".

AMENDMENT NUMBER FIVE.

On page 1, line 7, of the printed bill, strike out the word "act", and insert in lieu thereof "chapter".

Amendments adopted.

Bill ordered to reprint, and on file for third reading.

Senate Bill No. 676—An act to amend section 68 of the Agricultural Code, relating to county live stock inspectors.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Robinson, Samuel E.:

AMENDMENT NUMBER ONE.

On page 1, lines 6 and 7, of the printed bill, strike out "one hundred", and insert in lieu thereof the following: "a salary fixed by the board of supervisors of the county, not exceeding one hundred twenty-five".

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Turner asked for, and was granted, unanimous consent to take up Senate Bill No. 676, at this time, without reference to printer or file, and that same be considered engrossed.

CONSIDERATION OF SENATE BILL NUMBER SIX HUNDRED SEVENTY-SIX.

Senate Bill No. 676—An act to amend section 4149 of the Political Code, relating to the office and compensation of the county live stock inspector.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 676 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Jones, Kallam, Knowland, Latham, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Roberts, Robinson, Samuel E., Rogers, Ross, Stream, Tournoux, Turner, Utt, West and Mr. Speaker—43.
NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Robinson, Samuel E., gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No 676 was this day passed.

Senate Bill No. 475—An act to amend sections 7, 8, 10, 11, 12, 16, 18½ and 19 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, relating to county fire insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 475 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Jones, Kallam, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—45.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 664—An act to amend section 737v of the Political Code, relating to the salary of the judge of the superior court in and for the county of Mariposa.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 664 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—49.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 101—An act to amend sections 795, 796 and 797 of the Agricultural Code, relating to the standardization of citrus fruits.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Chatters:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 14 to 26, inclusive, and insert in lieu thereof the following: "fruit is not serious unless (a) it causes a drying or desiccation in twenty per cent or more of the exposed pulp as shown on a transverse cut through the center or (b) it causes, before the drying process develops, a water-soaked appearance, or evidence of previous water-soaking, or the presence of crystals or crystalline deposit, on the two surface membranes of each of two or more segments as shown on the separation of two or more segments of a section, which section shall not be less than one inch or more than one and one-half inches in thickness, obtained from the central portion of the fruit by cutting off a portion of each end—such evidence of freezing injury to show for the entire length but not necessarily the entire area of the surface membranes."

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out all of lines 23 and 24, and insert in lieu thereof the following: "unless, before picking, they have attained at least twenty-five per cent of characteristic color. In view of differences in".

AMENDMENT NUMBER THREE.

On page 4 of the printed bill, strike out all of lines 8 and 9, and insert in lieu thereof the following: "tion), and unless, before picking, they have attained at least twenty-five per cent of characteristic color. Grapefruit which".

AMENDMENT NUMBER FOUR.

On page 4, line 22, of the printed bill, strike out the words "of color and".

AMENDMENT NUMBER FIVE.

On page 4 of the printed bill, strike out all of lines 29 and 30, and insert in lieu thereof the following: "crystallization), and has attained, before picking, at least twenty-five per cent of characteristic yellow color. In the".

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Alter asked for, and was granted, unanimous consent to take up Senate Bill No. 101, at this time, without reference to printer or file, and that the same be considered engrossed.

Senate Bill No. 101—An act to amend sections 795, 796 and 797 of the Agricultural Code, relating to the standardization of citrus fruits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 101 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK BERNARD READING.

Senate Bill No. 310—An act to amend section 4252 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Scudder:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, after the word "deputy", strike out the words "which office is hereby created," and add the word "and".

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Brock asked for, and was granted, unanimous consent to take up Senate Bill No. 310, at this time, without reference to printer or file, and that same be considered engrossed.

Senate Bill No 310—An act to amend section 4252 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 310 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 311—An act to amend section 2322x23 of the Political Code, relating to the office of the agricultural commissioner in counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 311 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 313—An act to amend section 16x23 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 313 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Jones, Kallam, Know-

land, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—49.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 315—An act to amend section 9a23 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems, approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the twenty-third class.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 315 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—49.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 294—An act to provide for the registration and protection of the names and insignia of fraternal associations, and to prohibit the wearing, exhibition, display, or use of the same by any person not entitled to wear, exhibit, display or use the same; and fixing a penalty for the violation thereof.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 294 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—49.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 408—An act to amend section 139 of the Civil Code, relating to alimony.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 408 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen,

O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—49.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 507—An act to amend section 166 of the Fish and Game Code, relating to the boundaries of fish and game district 4g.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 507 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Roberts, Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—44.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

LEAVES OF ABSENCE.

On motion of Mr. O'Donnell, Messrs. Chatters, Williamson and Powers were granted leaves of absence for the balance of this legislative day.

SPECIAL ORDER SET.

On motion of Mr. West, the consideration of Senate Bill No. 672 was made a special order for Monday, May 1, 1933, at eleven o'clock and thirty minutes a.m.

Senate Bill No. 1178—An act to amend section 2466 of the Political Code, relating to pilots and rates of pilotage for the harbor of San Francisco.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1178 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Latham, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Robinson, Samuel E., Rogers, Ross, Stream, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—41.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 1168—An act to add three new sections, to be numbered 51a, 51b, and 51c, to an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties

and functions in connection with such districts upon certain county officers,'' approved May 31, 1921, relating to public utility districts in unincorporated territory.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1168 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Latham, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Robinson, Samuel E., Rogers, Ross, Stream, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—41.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK FITZSIMMONS READING.

Senate Bill No. 1042—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to workmen's compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1042 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Latham, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Robinson, Samuel E., Rogers, Ross, Stream, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—41.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 935—An act to add section 13.16a to the Building and Loan Association Act, relating to the powers of building and loan associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 935 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Latham, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Robinson, Samuel E., Rogers, Ross, Stream, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—41.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 855—An act to amend section 107 of the Penal Code, relating to punishment for escape of a prisoner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 855 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Latham, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Robinson, Samuel E., Rogers, Ross, Stream, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—41.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 854—An act to amend section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, as amended, relating to superior court stenographers and typists.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 854 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Donnell, Patterson, Phillips, Rawls, Redwine, Roberts, Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—46.
NOES—O'Connor—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 505—An act to amend section 4088 of the Political Code of the State of California, relating to the issuance of bonds for certain purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 505 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Roberts, Robinson, Samuel E., Ross, Stream, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—44.
NOES—Rogers—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 504—An act to amend section 4041.5, 4041.6, 4041.17 and 4041.18 of the Political Code of California and to add six new sections to said code to be numbered 4041.4 (2a), 4041.7 (a), and 4041.29 to 4041.32 both inclusive, relating to powers of boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 504 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Kallam, Knowland,

Latham, Martin, McBride, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Roberts, Robinson, Samuel E., Rogers, Ross, Stream, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—42.

NOES—Jones and McCarthy—2.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. McCarthy gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 504 was this day passed.

Senate Bill No. 459—An act providing for the supervision and regulation of for-hire vessels other than common carrier vessels, operating between points exclusively on the inland waters of the State of California; defining for-hire vessels and providing for the supervision and regulation thereof by the Railroad Commission; and providing for the enforcement of the provisions of this act and for the punishment of the violations thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 459 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Latham, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Roberts, Robinson, Samuel E., Ross, Scudder, Stream, Tournoux, Turner, Utt, West and Mr. Speaker—43.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Nielsen gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 459 was this day passed.

Senate Bill No. 917—An act to amend section 4279 of the Political Code, relating to compensation of county and township officers in counties of the fiftieth class.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Crowley:

AMENDMENT NUMBER ONE.

On page 3, line 8, of the printed bill, strike out "three hundred seventy-five", and insert in lieu thereof the following: "six hundred".

AMENDMENT NUMBER TWO.

On page 3, line 25, of the printed bill, strike out "six", and insert in lieu thereof the following: "ten".

AMENDMENT NUMBER THREE.

On page 3, line 42, of the printed bill, strike out "six", and insert in lieu thereof the following: "ten".

AMENDMENT NUMBER FOUR.

On page 3, line 52, of the printed bill, strike out "six", and insert in lieu thereof the following: "ten".

AMENDMENT NUMBER FIVE.

On page 4, line 15, of the printed bill, strike out "six", and insert in lieu thereof the following: "ten".

AMENDMENT NUMBER SIX.

On page 4, line 18, of the printed bill, strike out "six", and insert in lieu thereof the following: "ten".

AMENDMENT NUMBER SEVEN.

On page 4, line 21, of the printed bill, strike out "three", and insert in lieu thereof the following: "five".

AMENDMENT NUMBER EIGHT.

On page 4, line 23, of the printed bill, strike out "two", and insert in lieu thereof the following: "three".

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Bill No. 917, at this time, without reference to printer or file.

Senate Bill No. 917—An act to amend section 4279 of the Political Code, relating to compensation of county and township officers in counties of the fiftieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 917 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Craig, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, Latham, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Roberts, Robinson, Samuel E., Ross, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO PRINT.

On motion of Mr. Grubbs, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 2219.

REQUEST FOR UNANIMOUS CONSENT.

Mr. West asked for, and was granted, unanimous consent to consider Assembly Bills Nos. 405, 977, 1226 and 1240, at this time, for the purpose of adopting amendments.

Assembly Bill No. 405—An act to amend section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses or furnished bungalow courts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the comma following the word "guests", insert the following: "and upon all the right title and interest of their tenants or guests in and to all property in the possession of such tenants or guests".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 10 to 12, inclusive, and insert in lieu thereof the following: "expended for them, at their request, and for the costs of".

AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill, strike out the following: ", and it shall be lawful for".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 16 to 20, inclusive.

AMENDMENT NUMBER FIVE.

On page 1, line 21, of the printed bill, strike out the following: "court; and unless", and insert in lieu thereof the following: ". Unless".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 977—An act to amend section 131 and to repeal section 132 of the Civil Code, relating to divorces.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title of the printed bill, after "Code", add the following: "and to add a new section to said code to be numbered section 131a, all".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after line 12, add the following:

"SEC. 3. Section 131a is hereby added to the Civil Code to read as follows:

131a. (a) Every divorce granted or obtained outside of the United States shall be invalid unless one of the parties to the marriage involved was actually physically present in such jurisdiction when such divorce was granted and had prior thereto established a residence therein pursuant to the laws thereof.

(b) No record or evidence of any divorce granted or obtained outside of the United States shall be offered or received in evidence in any judicial proceeding in this State unless the party offering the same into evidence shall first establish that one of the parties to the marriage involved was actually physically present in such jurisdiction when such divorce was granted and had prior thereto established a residence therein pursuant to the laws thereof.

(c) This section shall have no application in any criminal prosecution against any person for obtaining money or value under trick, fraud, device or false pretenses in relation to any such divorce."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1226—An act to amend section 8 of, and to add section 17 to, an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to personal property brokers and the licensing of such brokers and exemptions from said act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 1 to 16 inclusive of, and to add sections 17 to 25 inclusive to "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to the regulation under the jurisdiction of the Commissioner of Corporations of personal property brokers, unsecured money lenders, salary buyers, brokers and employees in such transactions, and the licensing of those so engaged, and fixing the penalties for violation thereof"

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, between lines 49 and 50, insert the following:
"Section 1 of the act cited in the title hereof is amended to read as follows:".

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, preceding line 1, insert the following.
"Section 2 of said act is amended to read as follows:".

AMENDMENT NUMBER FOUR.

On page 3, line 9, of the printed bill, after the word "money", strike out the words "or credit".

AMENDMENT NUMBER FIVE.

On page 3, line 11, of the printed bill, after the word "lender", strike out the words "of the funds or credit".

AMENDMENT NUMBER SIX.

On page 3, line 20, of the printed bill, after the word "all", strike out the words "except agents as herein defined,".

AMENDMENT NUMBER SEVEN.

Beginning with "(4)" line 24, strike out all of lines 24 to 34, inclusive, and in lieu thereof insert the following:
"(4) The term "personal property broker" and the word "broker" as herein defined shall not include employees of the "personal property broker" or a "broker" regularly employed by such "personal property broker" or "broker" at the particular location specified in the license of such "personal property broker" or "broker"."

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, between lines 34 and 35, insert the following:
"Section 3 of said act is amended to read as follows:".

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, between lines 41 and 42, insert the following:
"Section 4 of said act is amended to read as follows:".

AMENDMENT NUMBER TEN.

On page 4 of the printed bill, between lines 18 and 19, insert the following:
"Section 5 of said act is amended to read as follows:".

AMENDMENT NUMBER ELEVEN.

On page 4, line 19, of the printed bill, after the word "broker", strike out the comma and the words "broker or agent", and in lieu thereof insert the words "or broker".

AMENDMENT NUMBER TWELVE.

On page 4, line 24, of the printed bill, following the word "broker", strike out the comma and the words "broker or agent", and insert in lieu thereof the words "or broker".

AMENDMENT NUMBER THIRTEEN.

On page 4 of the printed bill, between lines 24 and 25, insert the following:
"Section 6 of said act is amended to read as follows:".

AMENDMENT NUMBER FOURTEEN.

On page 4 of the printed bill, between lines 27 and 28, insert the following:
"Section 7 of said act is amended to read as follows:".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 30, of the printed bill, after the word "commissioner", and before the word "a", insert the words "and thereafter maintain".

AMENDMENT NUMBER SIXTEEN.

On page 4 of the printed bill, between lines 45 and 46, insert the following:
"Section 8 of said act is amended to read as follows:".

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 49, of the printed bill, after the word "the", strike out the words "financial respon-", and in line 50 strike out the word "sibility,".

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 1, of the printed bill, after the word "officers", strike out the comma, and insert in lieu thereof the word "and".

AMENDMENT NUMBER NINETEEN.

On page 5, line 2, of the printed bill, strike out the words "and employees".

AMENDMENT NUMBER TWENTY.

On page 5, line 2, of the printed bill, after the word "corporation", strike out the comma, and insert in lieu thereof a semicolon and the following words: "and employees of any applicant,".

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 11, of the printed bill, strike out the word "inafter", and insert in lieu thereof the word "in".

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 13, of the printed bill, after the word "license", strike out the words "or agent's license, and".

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 14, of the printed bill, strike out the following: "in the case of a broker,".

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 19, of the printed bill, after the word "officers", strike out the comma, and insert in lieu thereof the word "and", and after the word "directors", strike out the word "and".

AMENDMENT NUMBER TWENTY-FIVE.

On page 5, line 20, of the printed bill, strike out the word "employees", and following the word "thereof", insert a comma, and after the comma following the word "corporation", insert the following words: "and employees of any applicant".

AMENDMENT NUMBER TWENTY-SIX.

On page 5, line 21, of the printed bill, after the words "as to", insert the following: "command the confidence of the community and to".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 5, line 24, of the printed bill, after the word "business", insert the words "as a broker at the location set forth in said license".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 5 of the printed bill, between lines 27 and 28, insert the following: "Section 9 of said act is amended to read as follows:".

AMENDMENT NUMBER TWENTY-NINE.

On page 5, line 30, of the printed bill, following the comma after the word "license", insert the words "as in this act provided and may require".

AMENDMENT NUMBER THIRTY.

On page 5, line 31, of the printed bill, strike out the word "and".

AMENDMENT NUMBER THIRTY-ONE.

On page 5 of the printed bill, between lines 33 and 34, insert the following: "Section 10 of said act is amended to read as follows:".

AMENDMENT NUMBER THIRTY-TWO.

On page 5 of the printed bill, between lines 35 and 36, insert the following: "Section 11 of said act is amended to read as follows:".

AMENDMENT NUMBER THIRTY-THREE.

On page 5, line 37, of the printed bill, after the comma following the word "motion", strike out the words "without payment of any".

AMENDMENT NUMBER THIRTY-FOUR.

On page 5, line 38, of the printed bill, strike out the words "fee therefor," and following the word "licensee", strike out the words "and the pay-".

AMENDMENT NUMBER THIRTY-FIVE.

On page 5, line 39, of the printed bill, strike out the words "ment of the fee hereinafter provided," and insert in lieu thereof the following words: "without any fee therefor".

AMENDMENT NUMBER THIRTY-SIX.

On page 5 of the printed bill, between lines 40 and 41, insert the following: "Section 12 of said act is amended to read as follows:".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 5, line 47, of the printed bill, after the word "fee", strike out the word "hereinafter", and insert in lieu thereof the word "herein".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 5, line 48, of the printed bill, after the word "commissioner", strike out the words "shall not have the power to", and insert in lieu thereof the word "may".

AMENDMENT NUMBER THIRTY-NINE.

On page 5, line 49, of the printed bill, following the word "licenses", strike out the word "except", and following the word "subdivision", strike out "7", and insert in lieu thereof "5".

AMENDMENT NUMBER FORTY.

On page 5 of the printed bill, between lines 49 and 50, insert the following: "Section 13 of said act is amended to read as follows:".

AMENDMENT NUMBER FORTY-ONE.

On page 5, line 50, of the printed bill, after "(a)", strike out the word "All", and insert in lieu thereof "Sample copies of".

AMENDMENT NUMBER FORTY-TWO.

On page 5, line 52, of the printed bill, after the word "rights", strike out the words "between the borrower and lender,".

AMENDMENT NUMBER FORTY-THREE.

On page 6 of the printed bill, strike out lines 6, 7, 8 and 9, and insert in lieu thereof the following:

"(b) The commissioner may require any licensee to submit and secure the approval of advertising".

AMENDMENT NUMBER FORTY-FOUR.

On page 6 of the printed bill, between lines 9 and 10, insert the following: "Section 14 of said act is amended to read as follows:".

AMENDMENT NUMBER FORTY-FIVE.

On page 6, line 14, of the printed bill, after the word "find", strike out the following: ", in the case of a personal property broker,".

AMENDMENT NUMBER FORTY-SIX.

On page 6, line 16, of the printed bill, after the word "or", strike out the words "in the case of any".

AMENDMENT NUMBER FORTY-SEVEN.

On page 6, line 17, of the printed bill, strike out the entire line.

AMENDMENT NUMBER FORTY-EIGHT.

On page 6, line 18, of the printed bill, strike out the following: "requirement of the commissioner; or".

AMENDMENT NUMBER FORTY-NINE.

On page 6 of the printed bill, between lines 23 and 24, insert the following: "Section 15 of said act is amended to read as follows:".

AMENDMENT NUMBER FIFTY.

On page 6, line 24, of the printed bill, after the word "decision", strike out the word "permit", and insert in lieu thereof the word "license".

AMENDMENT NUMBER FIFTY-ONE.

On page 6 of the printed bill, between lines 34 and 35, insert the following: "Section 16 of said act is amended to read as follows:".

AMENDMENT NUMBER FIFTY-TWO.

On page 6, line 44, of the printed bill, after the words "claim to act", insert the following: "as principal or agent".

AMENDMENT NUMBER FIFTY-THREE.

On page 7, line 3, of the printed bill, after the word "chapter", strike out the word "one", and insert in lieu thereof the word "two".

AMENDMENT NUMBER FIFTY-FOUR.

On page 7 of the printed bill, strike out lines 17 to 27, inclusive.

AMENDMENT NUMBER FIFTY-FIVE.

On page 7 of the printed bill, between lines 27 and 28, insert the following: "Said act is amended by adding the following section".

AMENDMENT NUMBER FIFTY-SIX.

On page 7, line 28, of the printed bill, strike out "18", and insert in lieu thereof "17".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 7, line 34, of the printed bill, strike out "19", and insert in lieu thereof "18".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 7, line 41, of the printed bill, after the word "therein", strike out the following: "Every licensee shall annually, on or before the".

AMENDMENT NUMBER FIFTY-NINE.

On page 7, line 42, of the printed bill, beginning with the word "fifteenth", strike out all of lines 42, 43, 44, 45, 46 and 47.

AMENDMENT NUMBER SIXTY.

On page 7 of the printed bill, between lines 47 and 48, insert the following: "Said act is amended by adding the following section".

AMENDMENT NUMBER SIXTY-ONE.

On page 7, line 48, of the printed bill, strike out "20", and insert in lieu thereof "19".

AMENDMENT NUMBER SIXTY-TWO.

On page 7 of the printed bill, between lines 50 and 51, insert the following: "Said act is amended by adding the following section".

AMENDMENT NUMBER SIXTY-THREE.

On page 7, line 51, of the printed bill, strike out "21", and insert in lieu thereof "20".

AMENDMENT NUMBER SIXTY-FOUR.

On page 8, line 4, of the printed bill, after the word "license", strike out "$50", and insert in lieu thereof the following: "$25".

AMENDMENT NUMBER SIXTY-FIVE.

On page 8, line 5, of the printed bill, beginning with "3", strike out all of lines 5, 6, 7 and 8.

AMENDMENT NUMBER SIXTY-SIX.

On page 8, line 9, of the printed bill, strike out "5", and insert in lieu thereof "3".

AMENDMENT NUMBER SIXTY-SEVEN.

On page 8, line 11, of the printed bill, strike out "6", and insert in lieu thereof "4".

AMENDMENT NUMBER SIXTY-EIGHT.

On page 8, line 13, of the printed bill, strike out "7", and insert in lieu thereof "5".

AMENDMENT NUMBER SIXTY-NINE.

On page 8 of the printed bill, between lines 15 and 16, insert the following: "Said act is amended by adding the following section".

AMENDMENT NUMBER SEVENTY.

On page 8, line 16, of the printed bill, strike out "22", and insert in lieu thereof "21", and strike out the word "are", and insert in lieu thereof the words "shall be".

AMENDMENT NUMBER SEVENTY-ONE.

On page 8, line 17, of the printed bill, after the comma following the word "brokers", strike out the words "brokers or agents", and insert in lieu thereof "or brokers".

AMENDMENT NUMBER SEVENTY-TWO.

On page 8, line 19, of the printed bill, after the comma following the word "capacity", insert the following words: "or at any unlicensed location,".

AMENDMENT NUMBER SEVENTY-THREE.

On page 8 of the printed bill, between lines 24 and 25, insert the following: "Said act is amended by adding the following section".

AMENDMENT NUMBER SEVENTY-FOUR.

On page 8, line 25, of the printed bill, strike out "23", and insert in lieu thereof "22".

AMENDMENT NUMBER SEVENTY-FIVE.

On page 8 of the printed bill, between lines 43 and 44, insert the following: "Said act is amended by adding the following section".

AMENDMENT NUMBER SEVENTY-SIX.

On page 8, line 44, of the printed bill, strike out "24", and insert in lieu thereof "23".

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 9 of the printed bill, between lines 3 and 4, insert the following: "Said act is amended by adding the following section".

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 9, line 4, of the printed bill, strike out "25", and insert in lieu thereof thereof "24".

AMENDMENT NUMBER SEVENTY-NINE.

On page 9 of the printed bill, strike out all of lines 12, 13, 14 and 15.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1240—An act to add a new section to Chapter VI of Title XIV of Part IV of Division III of the Civil Code to be known as section 3045, covering the lien of an attorney at law.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 12, inclusive, and insert in lieu thereof the following:

"3045. From the commencement of an action or special proceeding before any court, commission, bureau or board, or the service of an answer, cross-complaint or counterclaim, the attorney who appears for the party has a lien upon his client's cause of action, claim, cross-complaint or counterclaim, which attaches to a verdict, report, decision, judgment, or final order in his client's favor, and the proceeds thereof in whosoever hands they may come; and the lien can not be affected by any settlement between the parties before or after judgment or final order. The provisions of this code section shall be cumulative and in addition to any other right or remedy which an attorney and counselor at law has for the recovery of compensation due him for services rendered, and shall be liberally construed to the end that an attorney and counselor at law shall have secured to him compensation for services rendered."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 558—An act to amend section 3422 of the Civil Code, relating to injunctions;

Also: Assembly Bill No. 559—An act to amend section 526 of the Code of Civil Procedure, relating to injunctions;

Also: Assembly Bill No. 560—An act to amend sections 281 and 1209 of the Code of Civil Procedure, relating to contempt of court;

Also: Assembly Bill No. 2362—An act to authorize the incorporation and to provide for the organization, powers, duties, regulation, and liquidation of nonprofit corporations organized for the purpose of administering community land chests, to limit the use of the terms "land chest" and "community land chest" in corporate names, to prescribe penalties for the violation of the provisions of this act, and to declare the urgency of this act and to provide that it shall take effect immediately;

Also: Assembly Bill No. 2313—An act to amend sections 2, 3 and 5 and to add a section to be numbered 6 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, said amendments and new section relating to the allocation and expenditure of State highway funds, the construction, improvement and maintenance of State highways and the addition of certain highways to the State system;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered placed on daily calendar.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2219—An act to provide a system for the exchange of private lands in national forests for lands of the United States located outside of national forests—has had the same under consideration, and respectfully reports the same back, without recommendation, as amended

COBB, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 210—An act providing for transfers from the State highway construction fund and the State highway maintenance fund to the general fund in the State treasury of an amount equal to that paid or that necessary to be paid during the eighty-third and eighty-fourth fiscal years for the principal and interest upon certain State bonds for highway purposes, and for the reimbursement of said highway funds from the general fund and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1172—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the disposition of the receipts thereunder;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

COBB, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1340—An act to amend sections 6, 9, 10, 13, 14, 15, 16, 20, 21 and 22 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2348—An act to amend section 363i of, and to add sections 2584, 2586, 2589, 2590, 2607 and 2610 to, the Political Code, relating to the administration of certain bays, ports and harbors—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

COBB, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 878—An act providing for a system of unemployment reserves and compensation, making an appropriation therefor, and prescribing penalties in connection therewith—has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 41—An act to amend section 737dd of the Political Code, relating to the annual salary of judges of the superior court in and for the county of Orange;
Also: Assembly Bill No. 1337—An act to amend section 692 of the Political Code, relating to the approval of contracts by the Director of Finance;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 289—An act to provide for the impounding and utilization of the waters of the American River for flood control, river flow control and equation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; authorizing the State Department of Finance to acquire for the State property useful in connection therewith; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto; authorizing the leasing of property of the State for any one or more of such uses and specifying certain terms and conditions to which said lease shall be subject;
Also: Assembly Bill No. 339—An act providing that any person, firm, association, or corporation, agent, superintendent or manager thereof, employing special agents, detectives or so-called spotters, before disciplining or discharging any employee upon a report by such special agent, detective or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof, and repealing an act entitled "An act providing that any public service corporation, agent, superintendent, or manager thereof, employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof," approved April 14, 1915, as amended;
Also: Assembly Bill No. 379—An act to provide for the use of matured bonds or matured interest coupons of districts formed under the provisions of the "Acquisition and Improvement Act of 1925" or the "Road District Improvement Act of 1907" in the payment of assessment taxes levied upon land within said districts;
Also: Assembly Bill No. 800—An act to add section 660.5 to the Fish and Game Code, relating to the protection of fish;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.
Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 822—An act relating to penalties for nonpayment of taxes for the fiscal year 1932–1933, relating to the publication of the delinquent list and addenda thereto, relating to the period of redemption and the sale of property delinquent in the payment of such taxes, extending the time for the performance of all acts and duties of public officials with relation thereto, declaring the urgency of this act and providing that it shall take effect immediately;
Also: Assembly Bill No. 1754—An act to amend section 423 of the Fish and Game Code, relating to hunting and sporting fishing licenses;
Also: Assembly Bill No. 1936—An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California;
Also: Assembly Bill No. 2389—An act to amend section 506b of the Penal Code, relating to theft by an insurance agent, broker, or solicitor;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading
Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 26—A resolution to propose to the people

of the State of California, an amendment to the Constitution of said State by amending sections 3, 4, 5 and 23, of Article IV of the Constitution, relating to the legislative department—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 319—An act to amend sections 3732, 3746, 3751, 3756, 3758, 3759, 3764, 3766, 3767, 3797, 3801, 3817, 3817a, and 3897 of the Political Code, relating to the assessment and collection of taxes on real and personal property and the redemption thereof;

Also: Assembly Bill No. 823—An act to amend the "Los Angeles County Flood Control Act," by adding thereto a new section to be numbered 17a, relating to rights of way across public lands of the State;

Also: Assembly Bill No. 1990—An act to amend section 5 of an act entitled "An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately," approved April 6, 1933, relating to taxation of beverages, and to declare that this act shall take effect immediately;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER Your Committee on Judiciary, to which was referred Senate Bill No. 509—*An act to amend an act entitled, "An act to define collection agencies; to* provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended, by amending sections 2, 3, 4, 5, 6, 7, 9, 11, 14 and by adding a new section to be numbered 15, relating to collection agencies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 29, 1933.

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1020—An act to amend section 4247 of the Political Code, relating to the compensation of county and township officers in counties of the eighteenth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 1020 read first time, and referred to Committee on County Government.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Boyle:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act regulating competition in business, providing for the organization of trade associations as defined herein, authorizing the Corporation Commissioner of the State of California to issue permits for the operation thereof, and defining and prohibiting destructive competition.

Referred to Committee on Introduction of Bills.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Messrs. Powers, Patterson, Frazier, Stream, Chatters, Meeker and Jones: Assembly Constitutional Amendment No. 115—Proposed amendment to Article IX of the Constitution, by repealing section 2 and amending section 7 thereof, and amending section 10 of Article XXII thereof, relating to education.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Riley: Assembly Constitutional Amendment No. 116—Proposed amendment to Article XIII, adding section 8a of the Constitution, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

RECONSIDERATION WAIVED.

Mr. Robinson, Samuel E., waived his notice to reconsider the vote whereby Senate Bill No. 676 was passed.

Senate Bill No. 676 ordered transmitted to the Senate.

RESOLUTION.

The following resolution was offered:

By Mr. Bliss:

ASSEMBLY CHAMBER, SACRAMENTO, CALIFORNIA, April ___, 1933.

MR. SPEAKER: We, the undersigned members of the Assembly, request that Assembly Bill No. 2394 be withdrawn from the Committee on Public Utilities.

GEORGE R. BLISS.
C. DON FIELD.
E. H. ZION.
ELLIS E. PATTERSON.
L. POWERS, JR.
F. PETERSON.
MICHAEL J. BURNS.
ERNEST C. CROWLEY.
HENRY P. MEEHAN.
JOHN H O'DONNELL.
JAMES M. CASSIDY.
FRANK LEE CRIST.
J. E. THORP.
CHARLES A. HUNT.
JOHN D. MCCARTHY.
CECIL R. KENG.
WM. MOSELEY JONES.
JAMES J. BOYLE.
EDWARD CRAIG.
J. B. UTT.
RODNEY L. TURNER.
FRANK G. MARTIN.
JESSE M. MAYO.
C. C. COTTRELL.
CLIFFORD R. KALLAM.
BERT V. CALLAHAN.
H. S. HALLNER.
FRANK J. ROGERS.
JOHN T. RAWLS.
AUSTIN L. TOURNOUX.
WILLIAM W. HOFFMAN.
P. J. MCMURRAY.
T. A. MALONEY.
CECIL R. KING
WALTER H. SULLIVAN.
ALBERT F. ROSS.
JOHN PHILLIPS
GEO. B. BOWERS.
BRUCE R. STANNARD.
KENT H. REDWINE.
HARRY B. RILEY.

Assembly Bill No. 2394 ordered on file for second reading.

RECONSIDERATION WAIVED.

Mr. Nielsen waived his notice to reconsider the vote whereby Senate Bill No. 459 was passed.

Senate Bill No. 459 ordered transmitted to the Senate.

MOTION TO PRINT.

On motion of Mr. Stannard, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 2348.

ADJOURNMENT.

At five o'clock and ten minutes p.m., on motion of Mr. West, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Monday, May 1, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, May 1, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus.

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. Fisher moved a call of the House.

Motion carried.

Time, ten o'clock and five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Burns, Chatters, Cottrell, Feigenbaum, Fisher, Frazier, Hallner, Hatch, Kallam, Knowland, Latham, Maloney, Mayo, McBride, Miller, James A., O'Donnell, Peterson, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Ross, Scudder, Thorp, Zion and Mr. Speaker—27.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and fifteen minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—78.

The Speaker declared a quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. O'Connor, Messrs. Dempster and Hunt were granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Hoffman, Rev. W. Paul Reagor and Mrs. Reagor of Oakland, California, were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Henry A. Stahl, Los Angeles, regarding irrigation district classification, as affecting Imperial County.

Also:

By Mr. Speaker:

From city of San Clemente, California, in opposition to Senate Bill No. 1201.
(Signed) THOS. F. MURPHINE, Mayor.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 809—An act to amend the title, sections 12, 16, 23, 23a and to repeal sections 12a, 12b and 12c, and to add section 16a to an act entitled "An act to promote the drainange of wet, swamp, and overflowed lands or lands otherwise needing surface or underground drainage or protection from storm water overflow, and to promote the public health in the communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof," approved May 18, 1919, Statutes 1919, page 731, as amended, with the provision that the repeal of sections 12a, 12b and 12c shall not affect existing proceedings or to existing bonds or assessments issued or levied under said act, and to provide for the advancing of maturity of bonds issued under said act;

Also: Assembly Bill No. 1114—An act providing for the incorporation, government, and management of metropolitan park districts including therein city and county territory, for the purpose of acquiring, improving, and maintaining parks, playgrounds, beaches, parkways, scenic drives, boulevards and other facilities for public recreation; providing for the management and government of such districts; authorizing such districts to incur bonded indebtedness and to levy and collect taxes to pay the principal and interest on bonds and for carrying out the purposes of this act; and providing for the powers of such districts; and imposing certain duties and functions in connection with such districts upon certain county officers;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1226—An act to amend sections 1 to 16 inclusive of, and to add sections 17 to 25 inclusive to "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to the regulation under the jurisdiction of the Commissioner of Corporations of personal property brokers, unsecured money lenders, salary buyers, brokers and employees in such transactions, and the licensing of those so engaged, and fixing the penalties for violation thereof—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 123—An act to amend section 204e of and to add sections 204f, 204g and 204h to the Code of Civil Procedure, relating to the secretary and assistant secretaries of the superior court;

Also: Assembly Bill No. 1733—An act to amend sections 8 and 11 of an act entitled "An act to provide for the maintenance by municipalities of lighting systems along public streets, alleys and other public places and for the lighting thereof by electric current, gas or other illuminating agent; and for the assessment of the cost and expense thereof upon the property benefited and the manner of collecting such assessments," approved May 16, 1919, as amended, relating to penalties levied thereunder;

Also: Assembly Bill No. 2145—An act to amend sections 93, 94 and 95 of the Vehicle Code, relating to members of the California Highway Patrol;

Also: Assembly Bill No. 2190—An act to amend section 4223 of the Political Code, and to add to Article I, Chapter 9, Title 2, Part 4 of the Political Code eleven new sections, to be numbered 4223a to 4223k, inclusive, all relating to defining and providing for county hospitals; defining indigent sick, dependent poor, and other persons entitled to admission to and treatment at or by county hospitals or branches or departments or clinics thereof; prescribing conditions for admission to and treatment at or by county hospitals or branches or departments or clinics thereof; providing for the recovery of the reasonable cost of services rendered therein in certain cases, that books, records and accounts be kept for the determination of said and other costs, that periodic reports be made by the board of supervisors of admissions to and the conduct and operation of the county hospital and any branch or department or clinic thereof, and for the approval thereof by the auditor of the county or city and county; and prescribing the powers and duties of the board of supervisors; the auditor, and the district attorney in relation to the conduct and operation of county hospitals and any branch or department or clinic thereof, and penalties for the violation of this act; and repealing all laws in conflict herewith; And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1044—An act to amend sections 3, 4, 6, 7, and 8 of the "General Cemetery Act," approved June 19, 1931, relating to cemetery corporations—and reports that the same has been correctly re-re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 405—An act to amend section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses or furnished bungalow courts;

Also: Assembly Bill No. 504—An act to amend section 737g of the Political Code, relating to the compensation of the judges of the superior court in and for the county of Contra Costa;

Also: Assembly Bill No. 655—An act to add a new section to the California Irrigation District Act, to be numbered 15a, relating to the use and distribution of water;

Also: Assembly Bill No. 698—An act to add sections 3817b and 3817c to the Political Code, relating to property sold to the State for delinquent taxes;

Also: Assembly Bill No. 850—An act to amend section 737xx of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Stanislaus;

Also: Assembly Bill No. 977—An act to amend section 131 and to repeal section 132 of the Civil Code, and to add a new section to the said code to be numbered section 131a, all relating to divorces;

Also: Assembly Bill No. 1224—An act to regulate the conduct of commercial manufacturers of jams, jellies, marmalades and preserves, to carry on such regulation, to provide rules regulating the proper sanitation, and adopt standards and definitions for preserves, marmalades, jellies and jams;

Also: Assembly Bill No. 1236—An act to amend section 737eee of the Political Code, relating to the superior judge in and for the county of Yolo;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1240—An act to add a new section to Chapter VI of Title XIV of Part IV of Division III of the Civil Code to be known as section 3045, covering the lien of an attorney at law;

Also: Assembly Bill No. 1778—An act to provide for the aid and relief of indigents;

Also: Assembly Bill No. 1851—An act to exempt homes, schools and workshops for the blind from the requirement of furnishing bonds with bids;

Also: Assembly Bill No. 1945—An act to provide for the organization and management of horticultural improvement districts and to provide for the development of lands included therein for the planting, caring for, and maturing of orchards thereon and for the acquisition of all property necessary therefor; to provide for the management of such districts and also to provide for the issuance and payments of bonds for such districts, for the levying of taxes and the collection of charges by said districts and for the annexation of additional territory thereto;

Also: Assembly Bill No. 1993—An act to amend sections 1094, 1095 and 1104 of the Fish and Game Code and to add thereto section 1096.5, relating to records and reports;

Also: Assembly Bill No. 2159—An act to add section 605d½ to the Civil Code, relating to nonprofit, nonstock corporations;

Also: Assembly Bill No. 2273—An act to amend section 737aa of the Political Code, relating to compensation of the judge of the superior court in and for the county of Monterey;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

HON. EDWARD CRAIG IN THE CHAIR.

At ten o'clock and twenty-five minutes a.m., Hon. Edward Craig, member of the Assembly from the Seventy-fifth Assembly District, in the chair.

ON INTRODUCTION OF BILLS

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1933.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide for the postponement of the collection of assessments levied to pay principal or interest due on bonds issued under the authority of the Acquisition and Improvement Act of 1925 during the existence of an economic emergency.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act establishing a certain additional State highway and classifying it as a secondary highway.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act regulating competition in business, providing for the organization of trade associations as defined herein, authorizing the Corporation Commissioner of the State of California to issue permits for the operation thereof, and defining and prohibiting destructive competition.

HALLNER, Chairman.

The question being on the adoption of the reports.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Cottrell moved a call of the House.

Motion carried.

Time, ten o'clock and thirty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Craig, Cronin, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Powers Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Woolwine and Wright—52.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

COMMUNICATION.

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

April 27, 1933.

Mr. Speaker and Members of the Assembly

Pursuant to the resolution adopted January 25, 1933 (page 33, Assembly Daily Journal), in regard to the administration or suggested changes of the Bovine Tuberculosis Law, we are pleased to submit the following report:

The Legislature passed the Bovine Tuberculosis Law at its last session, appropriating $415,000 for the purpose of carrying out the provisions of the act, which provided for the establishment of tuberculosis control areas by proclamation of the Director of Agriculture with the payment of indemnity for cattle reacting to the tuberculin test within such control areas.

This legislative action permitted California to join in a nation-wide county area program which started in the middle west in 1921. California was the forty-sixth State to join in this important undertaking.

Active work in this State started in September, 1931. The program provided for is cooperative between the State and Federal governments, each sharing in indemnity payments on a 50-50 basis.

Under the provisions of the law the Director of Agriculture established on August 15, 1931, 20 counties as tuberculosis-control areas, as follows: Butte, Del Norte, Kern, Lake, Lassen, Los Angeles, Mendocino, Modoc, Orange, Plumas, San Diego, San Francisco, San Mateo, Santa Clara, Santa Cruz, Shasta, Siskiyou, Tehama, Trinity and Ventura. In October and November, 1932, the following six additional counties were declared tuberculosis-control areas: Santa Barbara, San Bernardino, Riverside, San Joaquin, Alameda and Marin.

The work under the Federal-State plan is considerably more comprehensive than anything hitherto undertaken in this State, involving many and varied problems, such as the cleaning and disinfection of the premises, regulating the importation of cattle into control areas, the appraisal and marketing of reactors, and the replacement of diseased cattle with healthy stock.

The Bovine Tuberculosis Law provides that all dairy cattle and certain beef cattle within tuberculosis-control area shall be tested by Federal or State veterinarians. It further requires that all cattle reacting to the test shall be branded with the letter "T" on the left jaw, shall be appraised by the owner and a Federal or State representative as to their value, and shall be slaughtered within 30 days of appraisal in an establishment maintaining Federal, State, or State-approved city or county meat inspection service. The State and Federal governments each pay the owner one-third of the difference between the amount of the appraisal and the proceeds received from the salvage of reactors.

One of the problems encountered in the tuberculosis control work, in addition to the disposal of tuberculosis cattle, has to do with the elimination of

existing infection on premises and the prevention of new sources of infection being introduced. The first is accomplished by means of enforcing a rigid program of cleaning and disinfection of all premises where reactors are found. The Bovine Tuberculosis Law provides that no indemnity will be paid for any reacting animals until the premises where such animals have been are cleaned and disinfected in a manner approved by an agent of the Federal or State Department of Agriculture.

The prevention of new tuberculosis infection being introduced into the control areas is exercised through the restrictions governing the importation of cattle into such areas. It is required that all cattle entering a tuberculosis-control area shall be accompanied by tuberculin test certificate acceptable to the Department of Agriculture, issued by a duly authorized veterinarian, showing such cattle to have negatively passed a tuberculin test applied within 60 days before entering from another State, or 30 days if they are within the State prior to the shipping of such cattle, and indicating that the entire herd or herds from which the cattle originated are tuberculin tested, and that the number of reactors does not exceed 10 per cent of the total number of the herd.

Cattle imported into control areas are required to be held under supervision and to be retested within 30 to 90 days after arrival. No indemnity is allowed for cattle imported into control areas which react within 90 days of arrival into the area.

Four hundred fifteen thousand nine hundred thirty-seven tests have been conducted in 17,993 herds in which 28,214 reactors were found, since the work started under the control area plan, September 14, 1931, to March 1, 1933.

SUGGESTED CHANGES IN LAW.

As stated heretofore, California was the forty-sixth State to undertake the work on the county area indemnity basis. This situation permitted taking advantage of the experiences of others in the various States which had been operating under such a plan for a number of years.

In the preparation of the present law the statutes of other States were studied and those parts which had proved effective and could be put into practical operation in California were included.

As a result of the operation of the law since September, 1931, it has been found that little change is indicated to improve the law.

The present wording of the provisions pertaining to the retesting of cattle entering tuberculosis-control areas should be changed so as to permit the test any time within 90 days instead of within 30 to 90 days after arrival. As it is now should a test be conducted on import animals prior to 30 days, the State would probably be liable for indemnity for any reactors. Frequently it is more convenient to owners to test prior to 30 days, also the checking of imported cattle could be expedited and the expense of this phase of the work reduced.

The words "30 to", section 240, paragraph (b) of the Agricultural Code should be deleted.

The words "from 30 to", in section 247, paragraph (b) of the Agricultural Code should be deleted.

APPROPRIATION FOR INDEMNITY.

The printed and revised budgets of this department include an item of $100,000 for indemnity for the next biennium. It is estimated that this amount will permit the maintenance of the work in 23 of the 26 counties now included in tuberculosis-control areas. To continue the program in San Joaquin, Alameda and Marin counties will require $200,000 additional indemnity.

It appears that there are but two courses of action open with respect to these three counties: (1) Either the $200,000 indemnity appropriation must be made available if the work is to be continued; or (2) legislation permitting the withdrawal of these three counties from tuberculosis-control areas should be enacted. The director does not have the power to withdraw counties from control areas under the present act. To continue these counties under the control area plan without the advantage of indemnity would work a hardship on the dairymen therein and might jeopardize the entire program. Tuberculin testing of raw milk herds now conducted in counties outside of control areas under the provisions of the Pure Milk Law would not be available for these three counties since the control area tuberculin testing provisions of the Bovine Tuberculosis Law supersede the pure milk tuberculin testing in control areas.

Should it not be possible to continue the indemnity program in these three counties, withdrawal from the control area plan would permit continuance of the tuberculin testing of raw milk herds under the Pure Milk Law, which does not provide for indemnity.

NEED FOR BOVINE TUBERCULOSIS CONTROL.

Tuberculosis control is undertaken from the standpoint of the economic and public health factors involved. The health departments regulating the milk

supply of the principal metropolitan areas in this State have established regulations requiring that all market milk, whether raw or pasteurized, shall be obtained from nonreacting tuberculin-tested cows. Consideration is also being given to including market cream. The consumer of dairy products is asking more and more why, if it is necessary that pasteurized milk and cream be obtained from cattle free from tuberculosis, is it not equally necessary that butter, cheese, evaporated milk and ice cream be obtained from such sources.

The producer of milk and cream for use in the manufacture of the various dairy products in California has for the most part considered the problem of tuberculosis eradication to be rather remote, yet competition and consumers' preference have placed the problem at his very doorstep, and thus a situation has been created which the dairy industry of California can not safely ignore. It should be borne in mind that in spite of the fact that dairying in California is a $150,000,000 industry, 25 per cent of the butter, 75 per cent of the cheese, and a considerable amount of evaporated milk consumed in this State is imported, which places the surrounding States in direct competition with the dairy industry of California.

Idaho has recently been established as a modified accredited area and that State is one of the principal importers of dairy products into California. The other important importers of dairy products are Washington, Oregon and Nevada. The tuberculosis eradication program is well under way in each of these States. The entire State of Nevada is a tuberculosis modified accredited area; in Washington 36, or 92 per cent, of the counties in that State have eradicated tuberculosis from their herds; in Oregon 12, or 33 per cent, of the counties in that State have also been established as modified accredited areas.

When dairy products imported into the State are labeled as having been obtained from nonreacting tuberculin-tested cows in competition with our own products which may not be so labeled, there can be little doubt as to the consumers' preference in the matter.

In interpreting public sentiment on the subject, or the consumers' viewpoint, we have the election of two years ago, at which time the question of legalizing the payment of indemnity for tuberculous cattle was voted on by the people and passed by a great majority.

Since the appointment of Mr. A. A. Brock as Director of the Department of Agriculture there have been several changes made in the policies and personnel of this activity, and it is expected that the work will be conducted more efficiently, at reduced cost of administration.

As a part of the general reorganization of the Division of Animal Industry, the Bureau of Tuberculosis Control has been abolished and the position of chief discontinued. This work is to be continued as a unit in the live stock and poultry disease control service. The chief appraiser and six quarantine guardians were released from service on March 1, 1933, and it is not intended that these positions be refilled. The work formerly done by these employees will be conducted by the veterinarians, in addition to their regular duties.

In conclusion the committee feels and recommends that this Legislature do everything economically possible to not only maintain the present enforcement but proceed with the ultimate view in mind to rid California of Bovine Tuberculosis.

EDWARD CRAIG, Chairman.
C. RAY ROBINSON.
HUBERT B. SCUDDER.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Bliss moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 58 was refused adoption be continued until the next legislative day.

Motion carried.

RECONSIDERATION WAIVED.

Mr. Stream waived his notice to reconsider the vote whereby Assembly Bill No. 181 was passed.

Assembly Bill No. 181 ordered transmitted to the Senate.

Assembly Bill No. 1502—An act to add a new section to be numbered 726a to the Code of Civil Procedure, relating to actions to enforce obligations secured by mortgage on real or personal property situated outside of California.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1502?

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, after the word "real", insert the words "or personal".

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, after the word "real", insert the words "or personal".

The roll was called, and Senate amendments to Assembly Bill No. 1502 were concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Chatters, Craig, Cronin, Evans, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—56.

NOES—None.

The above reported bill ordered to enrollment.

RECONSIDERATION WAIVED.

Mr. Brock waived his notice to reconsider the vote whereby Senate Bill No. 1104 was passed.

Senate Bill No. 1104 ordered transmitted to the Senate.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 195—An act to amend section 73 of the Code of Civil Procedure, relating to sessions of the superior courts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following: "An act to add a new section to the Code of Civil Procedure, to be numbered 73b,".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 28, inclusive, and on page 2, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Code of Civil Procedure, to be numbered 73b, and to read as follows:

73b. In addition to the sessions of superior courts provided for in sections 73 and 142 of this code, or any amendment of either of said sections, at least one session of the superior court shall be held in each city containing a population of not less than twenty thousand as ascertained by the last preceding census taken under the authority of the Congress of the United States, or the Legislature of the State of California, wherein the city hall is not less than thirty miles distant from the side of the county courthouse."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1208—An act to amend section 526 of the Code of Civil Procedure, relating to injunctions.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 25, of the printed bill, strike out the period at the end of said line, and insert in lieu thereof a semicolon.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, between lines 25 and 26, insert the following:

"8. To stay or prevent the construction or destruction of any public improvement upon the ground that such construction or destruction has or will result in damage to private property, when the construction or destruction of such public improvement has been ordered by the State, or a county, or a municipal corporation, or a drainage, irrigation, levee, or reclamation district, and until the aforesaid State political subdivision thereof, or district has commenced an action in eminent domain and has given such security in the way of money deposited as the court, in which such proceedings are pending, may direct to secure the payment of just compensation to the owners of property as provided in Article I, section 14 of the Constitution."

AMENDMENT NUMBER THREE.

On page 2, line 26, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 27 to 38, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2043—An act to amend section 1491 of the Penal Code, relating to bail upon habeas corpus proceedings.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out the word "appeal", and insert in lieu thereof the word "bail".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, after the word "another", insert the following: "but the prisoner does not stand convicted of any offense,".

AMENDMENT NUMBER THREE.

On page 1, line 12, of the printed bill, after the word "immediately", strike out the period, and insert in lieu thereof the following: "if no bail has theretofore been fixed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2111—An act to amend section 16 of an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, relating to disposition of fees and moneys.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the word "each", strike out the word "month", and insert in lieu thereof the word "week".

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, strike out the word "general", and insert in lieu thereof the words "Corporation Commission".

AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, following the word "Controller", insert the following words: "All moneys paid to the commissioner, as in this act provided, shall be paid by him into the State treasury and credited to the Corporation Commission fund, and all such moneys are hereby appropriated to be used by the commissioner in carrying out the provisions of this act; and the Controller shall draw his warrant on said fund from time to time in favor of the commissioner for the amounts expended under his direction, and the Treasurer shall pay the same."

AMENDMENT NUMBER FOUR.

On page 2, line 8, of the printed bill, strike out the words "general fund of the State", and insert in lieu thereof the words "Corporation Commission fund".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THE SPEAKER IN THE CHAIR.

At ten o'clock and forty-five minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 2051—An act to amend section 375 of the Penal Code, relating to offensive substances.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after "375", insert a comma and the following: "as added by Chapter 798, Statutes of 1931,".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after "375", insert a comma and the following: "as added by Chapter 798, Statutes of 1931,".

AMENDMENT NUMBER THREE.

On page 1, line 19, of the printed bill, strike out "Every", and insert in lieu thereof the following: "Any".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 20 to 23, inclusive, and insert in lieu thereof the following: "hereof shall be punished by imprisonment in the county jail for not less than three months and not more than one year, or by a fine of not less than five hundred dollars and not more than two thousand dollars, or by both such fine and imprisonment.

(4) Any person who, in violating any of the provisions of subdivision (1) of this section, wilfully employs or uses any liquid, gaseous or solid substance which may produce serious illness or permanent injury through being vaporized or otherwise disbursed in the air or who, in violating any of the provisions of subdivision (1) of this section, wilfully employs or uses any tear gas, mustard gas or any of the combinations or compounds thereof, or wilfully employs or uses acid or explosives, shall be guilty of a felony and shall be punished by imprisonment in the State prison for not less than one year and not more than five years".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2371—An act to amend section 564 of the Code of Civil Procedure, and to add a new section thereto to be numbered 547a, relating to civil actions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 196—An act to amend section 142 of the Code of Civil Procedure, relating to sessions of the superior court.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2219—An act to provide a system for the exchange of private lands in national forests for lands of the United States located outside of national forests.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to add section 3410 to the Political Code, relating to exchange of private lands in national forests for lands of the United States located outside national forests."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after "Section 1", insert the following: "A new section is hereby added to the Political Code, to be numbered 3410, and to read as follows:

3410. Any person now owning any piece or parcel of land situated within the sixteenth and thirty-sixth sections granted to the State for the use of the public schools and which is also located within a national forest, by application to the Chief of the Division of State Lands, may have said lands exchanged by the Chief of the Division of State Lands for public lands of the United States situated outside the boundaries of a national forest, as hereinafter provided. Said application to the Chief of the Division of State Lands shall be accompanied by a guarantee of title or policy of title insurance issued by a reputable title company doing business in this State, and shall also be accompanied by an amount of money sufficient to pay all fees and charges in connection therewith as set forth in section 3406 of this code The Chief of the Division of State Lands, upon receipt of said application, if he is satisfied that the applicant has good and sufficient title to the lands to be exchanged, may accept, on the part of the State of California, title to the said lands and shall thereupon proceed to exchange said lands in the name of the State of California for lands located outside of the national forest as provided in this article. When the Chief of the Division of State Lands has accomplished the exchange of property as herein provided, a patent for the new lands thus acquired shall be issued to the applicant as provided in sections 3519 to 3523, inclusive, of this code. The applicant shall pay therefor a sum equal to one-half of the original purchase price of the school lands which have been exchanged in addition to any sums required to be paid as fees in connection with such exchange."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 210—An act providing for transfers from the State highway construction fund and the State highway maintenance fund to the general fund in the State treasury of an amount equal to that paid or that necessary to be paid during the 83d and 84th fiscal years for the principal and interest upon certain State bonds for highway purposes, and for the reimbursement of said highway funds from the general fund and providing that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, as amended, and insert in lieu thereof the following:

"An act providing for transfers from the State highway construction fund and the State highway maintenance fund to the general fund in the State treasury of an amount equal to that paid or that necessary to be paid during the eighty-third, eighty-fourth, eighty-fifth, and eighty-sixth fiscal years for the principal and interest upon certain State bonds for highway purposes, and providing that this act shall take effect immediately."

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, as amended, strike out "eighty-third and eighty-fourth", and insert in lieu thereof the following: "eighty-third, eighty-fourth, eighty-fifth, and eighty-sixth".

AMENDMENT NUMBER THREE.

On page 2, line 12, of the printed bill, as amended, after "transfer", insert the following: "to the general fund in the State treasury".

AMENDMENT NUMBER FOUR.

On page 2, line 14, of the printed bill, as amended, strike out "so".

AMENDMENT NUMBER FIVE.

On page 2, line 15, of the printed bill, as amended, after "Controller", insert the following: "as paid or necessary to be paid on said bonds during the eighty-third and eighty-fourth fiscal years".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, as amended, between lines 17 and 18, insert the following:

"The State Controller and the State Treasurer shall, on the thirty-first day of January, the thirtieth day of April, the thirty-first day of July and the thirty-first day of October of the year 1934, and on the thirty-first day of January and the thirtieth day of April of the year 1935, transfer to the general fund in the State treasury from the State highway construction fund one-ninth, and from the State highway maintenance fund one-eighteenth, of the amount certified by the Controller as paid or necessary to be paid on said bonds during the eighty-fifth and eighty-sixth fiscal years.

In the event that the State highway construction fund or the State highway maintenance fund is or are abolished before April 30, 1935, the transfers directed to be made from said funds by this act shall be made to the general fund from the fund or funds which succeed to and into which the moneys of said State highway construction fund and said State highway maintenance fund are transferred at the time said funds are abolished."

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, as amended, strike out lines 19 to 35, inclusive, and insert in lieu thereof the following: "fund or funds from which such transfers are to be made on any date upon which such transfers are required to be made, such transfers shall be made into the general fund as soon thereafter as there are sufficient moneys in the fund or funds from which the transfers are to be made."

AMENDMENT NUMBER EIGHT.

On page 2, line 36, of the printed bill, as amended, strike out "Sec. 4", and insert in lieu thereof the following: "Sec. 3".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1172—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the disposition of the receipts thereunder.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 15, line 43, of the printed bill, as amended, after the word "counties", insert the following: "and cities and counties".

AMENDMENT NUMBER TWO.

On page 15, line 44, of the printed bill, as amended, after the word "counties", insert the following: "and cities and counties".

AMENDMENT NUMBER THREE.

On page 15, line 45, of the printed bill, as amended, after "ties", insert the following: "and cities and counties".

AMENDMENT NUMBER FOUR.

On page 15, line 46, of the printed bill, as amended, after the word "counties", insert the following: "and cities and counties".

AMENDMENT NUMBER FIVE.

On page 15, line 51, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "and cities and counties."

AMENDMENT NUMBER SIX.

On page 16, line 1, of the printed bill, as amended, after the word "county", insert the following: "and city and county".

AMENDMENT NUMBER SEVEN.

On page 16, line 4, of the printed bill, as amended, after the word "counties", insert the following: "and cities and counties".

AMENDMENT NUMBER EIGHT.

On page 16, line 6, of the printed bill, as amended, after the word "counties", insert the following: "and cities and counties".

AMENDMENT NUMBER NINE.

On page 16, line 8, of the printed bill, as amended, after the word "counties", insert the following: "and cities and counties".

AMENDMENT NUMBER TEN.

On page 16, line 10, of the printed bill, as amended, after the word "county", insert the following: "or city and county".

AMENDMENT NUMBER ELEVEN.

On page 16, line 12, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "or city and county."

AMENDMENT NUMBER TWELVE.

On page 16, line 13, of the printed bill, as amended, after the word "county", insert the following: "or city and county".

AMENDMENT NUMBER THIRTEEN.

On page 16, line 15, of the printed bill, as amended, after the word "county", insert the following: "or city and county".

AMENDMENT NUMBER FOURTEEN.

On page 16, line 17, of the printed bill, as amended, strike out the word "therein", and insert in lieu thereof the word "wherein".

AMENDMENT NUMBER FIFTEEN.

On page 16, line 42, of the printed bill, as amended, after the word "county", insert the following: "or city and county".

AMENDMENT NUMBER SIXTEEN.

On page 16, line 45, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "or city and county."

AMENDMENT NUMBER SEVENTEEN.

On page 16, line 52, of the printed bill, as amended, after the word "county", insert the following: "and city and county".

AMENDMENT NUMBER EIGHTEEN.

On page 17, line 1, of the printed bill, as amended, after the word "county", insert the following: "and city and county".

AMENDMENT NUMBER NINETEEN.

On page 17, line 2, of the printed bill, as amended, after the word "county", insert the following: "or city and county".

AMENDMENT NUMBER TWENTY.

On page 17, line 6, of the printed bill, as amended, after the word "county", insert the following: "and city and county".

AMENDMENT NUMBER TWENTY-ONE.

On page 17, line 7, of the printed bill, as amended, after the word "county's", insert the following: "or city and county's".

AMENDMENT NUMBER TWENTY-TWO.

On page 17, line 17, of the printed bill, as amended, after the word "county", insert the following: "or city and county".

AMENDMENT NUMBER TWENTY-THREE.

On page 17, line 19, of the printed bill, as amended, strike out the word "one-quarter", and insert in lieu thereof the word "one-half".

AMENDMENT NUMBER TWENTY-FOUR.

On page 17, line 23, of the printed bill, as amended, strike out the word "municipal".

AMENDMENT NUMBER TWENTY-FIVE.

On page 17, line 24, of the printed bill, as amended, strike out the words "street fund", and insert in lieu thereof the following: "city and county street and highway fund".

AMENDMENT NUMBER TWENTY-SIX.

On page 17 of the printed bill, as amended, strike out all of lines 25 to 40, inclusive, and insert in lieu thereof the following. "The moneys in said "city and county street and highway fund" shall be allocated to all of the counties, and cities and counties of this State in the proportion that the registration of vehicles in each of such counties, and cities and counties bears to the total number of vehicles registered in this State, and shall be expended by the State Department of Public Works as hereinafter in this section provided.

The State Department of Public Works shall allocate and expend all revenue in said "city and county street and highway fund," as hereinafter in this section provided, in the incorporated and charter cities of each county in the proportion that the total population in all such cities of such county bears to the total population in such county, and the balance of such allocation shall be expended in the unincorporated territory of such county.

That portion of the allocation to each county that is to be expended in the incorporated and charter cities of such county shall be expended in each such city in the proportion that the population in each such city bears to the total population in all such cities in such county.

The allocation to any city and county and that portion of the allocation to each county that is to be expended in unincorporated territory shall be expended for the acquisition of rights of way for, or the construction, or maintenance, or improvement of roads, streets, or highways, other than State highways, within such county or city and county as may be agreed upon by the State Department of Public Works and the board of supervisors of such county or city and county.

That portion of the allocation to each county that is to be expended in the incorporated and charter cities of such county shall first be expended for the acquisition of rights of way for, or the construction, or maintenance, or improvement of State highways, or portion thereof, within such cities."

AMENDMENT NUMBER TWENTY-SEVEN.

On page 17, line 41, of the printed bill, as amended, strike out the words "allocated to", and insert in lieu thereof the following: "to be expended within".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 17 of the printed bill, as amended, between lines 49 and 50, add the following paragraph:

"For the purpose of this section the population in each county, city and county, and city is declared to be that determined by the last preceding Federal census."

AMENDMENT NUMBER TWENTY-NINE.

On page 17, line 47, of the printed bill, as amended, after the word "importance", insert the following: ", other than State highways,".

AMENDMENT NUMBER THIRTY.

On page 17, line 50, of the printed bill, as amended, strike out the words "within an incorporated".

AMENDMENT NUMBER THIRTY-ONE.

On page 17, line 51, of the printed bill, as amended, strike out the words "or charter city", and insert in lieu thereof the following: "from said "city and county street and highway fund"; and after the word "authorized", insert a comma

AMENDMENT NUMBER THIRTY-TWO.

On page 18, line 2, of the printed bill, as amended, after the word "such", insert the following: "county, or city and county, or".

AMENDMENT NUMBER THIRTY-THREE.

On page 18, line 3, of the printed bill, as amended, after the word "such", insert the following: "county, or city and county, or".

AMENDMENT NUMBER THIRTY-FOUR.

On page 18, line 6, of the printed bill, as amended, after the word "any", insert the following: "county, or city and county, or".

AMENDMENT NUMBER THIRTY-FIVE.

On page 18, line 9, of the printed bill, as amended, after the word "such", insert the following: "county, or city and county, or".

AMENDMENT NUMBER THIRTY-SIX.

On page 18, line 13, of the printed bill, as amended, after the word "any", insert the following: "county, or city and county, or".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 18, line 15, of the printed bill, as amended, after the word "such", insert the following: "county, or city and county, or".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 18, line 17, of the printed bill, as amended, after the word "such", insert the following: "county, or city and county, or".

AMENDMENT NUMBER THIRTY-NINE.

On page 18, line 18, of the printed bill, as amended, strike out the words "municipal street fund", and insert in lieu thereof the following: "city and county street and highway fund".

AMENDMENT NUMBER FORTY.

On page 18, line 41, of the printed bill, as amended, after the word "money", insert the word "drawn".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1340—An act to amend sections 3, 6, 9, 10, 13, 14, 15, 16, 20, 21, 22 and 25 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended 1909, 1911, 1915, 1917, 1919, 1927 and 1929.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, lines 22 and 23, of the printed bill, as amended in Assembly April 20, 1933, strike out the following: "or by the State Board of Public Health."

AMENDMENT NUMBER TWO.

On page 2, lines 25 and 26, of the printed bill, as amended in Assembly April 20, 1933, strike out the following: "or by the State Board of Public Health."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2348—An act to amend section 363i of, and to add sections 2584, 2586, 2589, 2590, 2607 and 2610 to, the Political Code, relating to the administration of certain bays, ports and harbors.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "2584," and in line 2 of the title, strike out "2607".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 17 to 40, inclusive.

AMENDMENT NUMBER THREE.

On page 2, line 41, of the printed bill, strike out "3", and insert in lieu thereof the following: "2".

AMENDMENT NUMBER FOUR.

On page 2, line 49, of the printed bill, strike out "4", and insert in lieu thereof the following: "3".

AMENDMENT NUMBER FIVE.

On page 3, line 6, of the printed bill, strike out "5", and insert in lieu thereof the following: "4".

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, strike out lines 18 to 44, inclusive.

AMENDMENT NUMBER SEVEN.

On page 3, line 45, of the printed bill, strike out "7", and insert in lieu thereof the following: "5".

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, strike out lines 48 to 51, inclusive, and insert in lieu thereof the following: "of San Diego is hereby reestablished and created. The members of said board shall be appointed by the Governor from the membership of the city of San Diego harbor commission and they shall serve without compensation. Said board shall perform the powers, duties, purposes, responsibilities and jurisdiction as in this article provided, but the board shall not employ any engineers, attorneys or other employees for this purpose. All powers, duties, purposes, respon-".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 878—An act providing for a system of unemployment reserves and compensation, making an appropriation therefor, and prescribing penalties in connection therewith.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 41—An act to amend section 737dd of the Political Code, relating to the annual salary of judges of the superior court in and for the county of Orange.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1337—An act to amend section 692 of the Political Code, relating to the approval of contracts by the Director of Finance.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2394—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act.

Bill read second time, ordered to engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 2246—An act relating to the care and treatment of feeble-minded children and making available for use therefor the buildings and grounds at the State Narcotic Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2246 passed by the following vote:

AYES—Badham, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Evans, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Latham, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1559—An act to create the State Advisory Commission on Indian Affairs, to prescribe its membership and its powers and duties, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1559 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Kallam, King, Latham, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—59.

NOES—Hoffman—1.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and twenty minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

The roll of absentees was called, and the report of the Committee on Introduction of Bills was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 777—An act to amend sections 1, 3, 4, 5, 10, 12, 13 and 23 of the Direct Primary Law, relating to the time of holding primary elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 777 was refused passage by the following vote:

AYES—Alter, Badham, Latham, Martin, Miller, Eleanor; O'Donnell, Phillips, Rawls, Redwine, Robinson, C. Ray; Rogers and Mr. Speaker—12.

NOES—Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, James A. Nielsen, O'Connor, Patterson, Peterson, Riley, Robinson, Samuel E., Roland, Ross, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Wright—53.

SPECIAL ORDER.

The hour of eleven o'clock and thirty minutes a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF SENATE BILL NUMBER SIX HUNDRED SEVENTY-TWO.

Senate Bill No. 672—An act making an appropriation for the Department of Finance to purchase certain real property situate in the City and County of San Francisco to accommodate offices of certain State agencies, authorizing the renting, leasing, and selling of said property, providing for the disposition of moneys received from the rent or lease or sale of said property, providing for insuring of said property, declaring the urgency of this act, and providing that the same shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—65.

NOES—None.

THIRD READING OF SENATE BILL NUMBER SIX HUNDRED SEVENTY-TWO.

Senate Bill No. 672—An act making an appropriation for the Department of Finance to purchase certain real property situate in the City and County of San Francisco to accommodate offices of certain State agencies, authorizing the renting, leasing, and selling of said property, providing for the disposition of moneys received from the rent or lease or sale of said property, providing for insuring of said property, declaring the urgency of this act, and providing that the same shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 672 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray,

Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 823—An act to amend the "Los Angeles County Flood Control Act," by adding thereto a new section to be numbered 17a, relating to rights of way across public lands of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 823 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, West, Williamson, Woolwine, Wright and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1321—An act to add a new section to the Penal Code, to be numbered 654d, relating to advertisements of drugs or medicines.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1321 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Latham, Martin, Mayo, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1157—An act to amend section 120 of the Agricultural Code, relating to nursery stock.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1157 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson,

Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—64.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1926—An act to prohibit the operation by the State of tree nurseries and to sale by the State of tree nursery stock and to repeal an act entitled "An act providing for the establishment and maintenance of a State nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along highways and in public places, and making an appropriation therefor," approved May 15, 1917.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1926 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Evans, Feigenbaum, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Latham, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Ross, Thorp, Tournoux, Turner, Utt, Woolwine and Mr. Speaker—47.
NOES—Fisher, O'Donnell, Roland, Stannard and West—5.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1610—An act to amend section 6 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a State Laboratory for foods, liquors and drugs, and making an appropriation therefor," approved March 11, 1907.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1610 passed by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Lyon, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—61.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

RECESS.

At twelve o'clock and three minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 723—An act to amend sections 4.320, 4.321, and 4.322, and repeal sections 4.323 to 4.334, both inclusive, of the School Code, all relating to school warrants registered for want of funds;

Also: Assembly Bill No. 2366—An act to amend sections 5.650, 5.653 and 5.661 of the School Code, relating to permanent employees;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

ROLAND, Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 852—An act to amend section 990 of the Fish and Game Code, relating to commercial fishing licenses—has had the same under consideration, and respectfully reports the same back, and recommends that same do pass as amended.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 811—An act to amend sections 4.362, 4.366, 4.370, 4.371, 4.373 and 4.383 of the School Code, to repeal sections 4.363, 4.364 and 4.365 of said code, and to add three new sections to said code, to be numbered 4.363, 4.364 and 4.365, respectively, all relating to school district budgets—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ROLAND, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1806—An act to add to the School Code new sections, to be numbered 2.1112, 2.1113, 2.1114, 2.1115, 2.1116, 2.1117, 2.1118 and 2.1119; and to amend School Code sections 4.375 and 4.970; relating to public schools, school districts, the powers and duties of the governing boards of school districts, and the authorizing of any elementary district to permit the governing board of the high school district within which any such elementary district is located, to manage, operate and control the elementary schools within such elementary district together with the high schools of the high school district as a single school district system—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROLAND, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 676—An act to amend section 68 of the Agricultural Code, relating to county live stock inspectors.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1178—An act to amend section 2466 of the Political Code, relating to pilots and rates of pilotage through the Golden Gate into and out of the bays of San Francisco, San Pablo and Suisun.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 649—An act to amend section 4277 of the Political Code, relating to the compensation of county and township officers and jurors in counties of the forty-eighth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 941—An act to amend sections 4, 5, and 6 of, and to add sections 4a and 4b to the act entitled "An act to provide for the incorporation and organization and management of municipal water districts and to provide for the acquisition and construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, relating to municipal water districts and the officers thereof and further defining the powers and duties of each thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 121—An act to amend section 583 of the Code of Civil Procedure, relating to the dismissal of actions.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 101—An act to amend sections 795, 796 and 797 of the Agricultural Code, relating to the standardization of citrus fruits.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 310—An act to amend section 4252 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-third class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 491—An act to add two new sections to the School Code, to be numbered 4.769 and 4.929, and to amend section 4.950 of said code, relating to the computation of average daily attendance in public schools.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 200—An act to

repeal section 710, as added by Chapter 263, Statutes of 1903, and as amended by Chapter 634, Statutes of 1929, of the Code of Civil Procedure, and to add a new section to be numbered 709a to the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 549—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended;

Also: Senate Bill No. 810—An act to amend section 4039 of the Political Code, relating to records of county boards of supervisors;

Also: Senate Bill No. 54—An act to add a new article to Chapter 7 of Part III of Division V of the School Code, to be numbered Article III, comprising sections 5.670 and 5.671, relating to change of employment of permanent employees;

Also: Senate Bill No. 993—An act to add a new section to be numbered 51a to an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purpose of this act," approved June 10, 1915, as amended, relating to support of the division for the supervision of petroleum and gas in the Department of Natural Resources;

Also: Senate Bill No. 375—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of and to add new sections to be numbered sections 5a and 9a to that certain act entitled "An act to license and regulate the business of private detectives and detective agencies, and to repeal the act entitled 'An act to license and regulate the business of private detectives and detective agencies,' approved June 7, 1915," approved June 3, 1927, relating to the regulation of detectives, investigators and detective agencies;

Also: Senate Bill No. 202—An act to amend sections 612 and 613 of the Fish and Game Code, relating to trout.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 549 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 810 read first time, and referred to Committee on County Government.

Senate Bill No. 54 read first time, and referred to Committee on Education.

Senate Bill No. 993 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 375 read first time, and referred to Committee on Judiciary.

Senate Bill No. 202 read first time, and referred to Committee on Fish and Game.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Meeker:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to enable irrigation districts to negotiate settlements of controversies involving alleged damage to the water rights of land within such districts, in cases where the State of California holds a tax title to any land in such district.

Referred to Committee on Introduction of Bills.

By Mr. Kallam:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 1, 2, 3, 4, 13, 23 and 26 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," and to add thereto a new section to be numbered 4a, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Kallam: Assembly Bill No. 2399—An act establishing a certain additional State highway and classifying it as a secondary highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Boyle: Assembly Bill No. 2400—An act regulating competition in business, providing for the organization of trade associations as defined herein, authorizing the Corporation Commissioner of the State of California to issue permits for the operation thereof, and defining and prohibiting destructive competition.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Stannard: Assembly Bill No. 2401—An act to provide for the postponement of the collection of assessments levied to pay principal or interest due on bonds issued under the authority of the Acquisition and Improvement Act of 1925 during the existence of an economic emergency.

Bill read first time, and referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 700—An act relating to State officers and employees in the executive branch of the State government and the classification of, certification or authorization and appointment to, and allocation within, State executive positions and the fixing of salary ranges therefor and graduated emergency salary reductions, and creating the State Personnel Board and prescribing its powers, purposes, duties and jurisdiction—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Field asked for, and was granted, unanimous consent to take up Assembly Bill No. 700, at this time, for the purpose of adopting amendments.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED.

Assembly Bill No. 700—An act to prescribe salaries and salary classifications for the several offices and positions in the Executive Department of the government of the State of California.

COMMITTEE AMENDMENTS.

During reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended in Assembly on April 20, 1933, strike out lines 47, 49 and 50.

AMENDMENT NUMBER TWO.

On page 3, line 5, of the printed bill, as amended, strike out "400 425".

AMENDMENT NUMBER THREE.

On page 3, between lines 11 and 12, of the printed bill, as amended, insert the following:

"Veterinary live stock inspector	200	215	230	245
Supervisor of Meat Inspection Service		300	325	350
Assistant Supervisor of Meat Inspection Service		250	270	290
Supervising veterinary meat inspector	200	215	230	245".

AMENDMENT NUMBER FOUR.

On page 3, line 17, of the printed bill, as amended, strike out "200 215 230 245", and insert in lieu thereof "250 270 290".

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, as amended, strike out all of line 18.

AMENDMENT NUMBER SIX.

On page 3, line 23, of the printed bill, as amended, strike out "250 270 290", and insert in lieu thereof "300 325 350".

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, as amended, between lines 33 and 34, insert the following: "Supervising chemist ..... 250 270".

AMENDMENT NUMBER EIGHT.

On page 4, line 5, of the printed bill, as amended, strike out "100 110 120", and insert in lieu thereof "120 130 140".

AMENDMENT NUMBER NINE.

On page 4, line 9, of the printed bill, as amended, strike out "350 375 400", and insert in lieu thereof "325 350 375".

AMENDMENT NUMBER TEN.

On page 4, line 26, of the printed bill, as amended, strike out "Intermediate", and insert in lieu thereof "Junior".

AMENDMENT NUMBER ELEVEN.

On page 4 of the printed bill, as amended, strike out lines 30, 31 and 32.

AMENDMENT NUMBER TWELVE.

On page 4 of the printed bill, as amended, between lines 43 and 44, insert the following:

"Supervisor of seed analysis and inspection		250	270	290
Senior seed analyst	160	170	180	190
Junior seed analyst		130	140	150
Senior seed inspector	160	170	180	190
Laboratory helper, per hour				40¢
Supervising warehouse inspector	200	215	230	245
Warehouse inspector	160	170	180	190
Supervisor of grain inspection		250	270	290
Supervising grain inspector	200	215	230	245
Senior grain inspector	160	170	180	190
Junior grain inspector		130	140	150

Senior hay inspector	160	170	180	190
Junior hay inspector		130	140	150
Live stock pathologist		250	270	290
Supervisor of plant pathology		300	325	350
Associate plant pathologist	200	215	230	245
Supervisor of rodent, plague and weed control		300	325	350
Field supervisor of rodent control work	200	215	230	245
Field supervisor of weed control work	200	215	230	245
Field assistant, rodent control		115	125	135
Chief, Bureau of Nursery Service		250	270	290
Nursery inspector	160	170	180	190
Senior petroleum products inspector	160	170	180	190
Junior petroleum products inspector		130	140	150".

AMENDMENT NUMBER THIRTEEN.

On page 5 of the printed bill, as amended, strike out lines 9, 10, 11, 12 and 13.

AMENDMENT NUMBER FOURTEEN.

On page 5, line 18, of the printed bill, as amended, strike out the word "Cooperative".

AMENDMENT NUMBER FIFTEEN.

On page 5, line 19, of the printed bill, as amended, strike out "Cooperative marketing assistant", and insert in lieu thereof "Assistant marketing specialist".

AMENDMENT NUMBER SIXTEEN.

On page 6, line 6, of the printed bill, as amended, after the word "Investigator", insert ", Division of Market Enforcement".

AMENDMENT NUMBER SEVENTEEN.

On page 6 of the printed bill, as amended, strike out lines 27, 28, 29, 30 and 31, and insert in lieu thereof the following:

"Attorney General (no graduated emergency salary reduction deduction)				500
Assistant Attorney General		400	425	450
Chief Deputy Attorney General		400	425	450
Deputy Attorney General (in charge of office)		400	425	450
Deputy Attorney General (Grade 3)		325	350	375
Deputy Attorney General (Grade 2)		250	275	300
Deputy Attorney General (Grade 1)	200	215	230	245
Phonographic reporter, Attorney General's office			185	200
Law secretary to Attorney General				175
Law secretary, Attorney General's office			160	170".

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 37, of the printed bill, as amended, strike out "133.33", and insert in lieu thereof "333.33".

AMENDMENT NUMBER NINETEEN.

On page 6 of the printed bill, as amended, between lines 40 and 41, insert the following:

"Office supervisor, Board of Equalization		185	200	215
Office auditor, Board of Equalization	170	180	190	200".

AMENDMENT NUMBER TWENTY.

On page 7, line 4, of the printed bill, as amended, after the word "Controller", insert the following: "(No graduated salary reduction deduction)".

AMENDMENT NUMBER TWENTY-ONE.

On page 7, line 5, of the printed bill, as amended, strike out "425 450 475", and insert in lieu thereof "375 400 425 450".

AMENDMENT NUMBER TWENTY-TWO.

On page 7, line 6, of the printed bill, as amended, strike out "375 400 425", and insert in lieu thereof "325 350 375".

AMENDMENT NUMBER TWENTY-THREE.

On page 7, line 39, of the printed bill, as amended, after the word "Education", insert the following: "(No graduated salary reduction deduction)".

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 47, of the printed bill, as amended, strike out "200 215 230 245", and insert in lieu thereof "250 270 290".

AMENDMENT NUMBER TWENTY-FIVE.

On page 8 of the printed bill, as amended, between lines 30 and 31, insert the following:

"Chief, Division of Schoolhouse Planning		300	325	350
Assistant Chief, Division of Schoolhouse Planning	200	215	230	245
School architect, Division of Schoolhouse Planning	200	215	230	245".

AMENDMENT NUMBER TWENTY-SIX.

On page 8, line 45, of the printed bill, as amended, strike out "140 150 160 170", and insert in lieu thereof "180 195 210".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 9 of the printed bill, as amended, strike out all of line 3, and insert in lieu thereof the following:

"Assistant Executive Officer for Commission for Vocational Education, and Chief, Bureau of Trades and Industrial Education	300	325	350".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 9 of the printed bill, as amended, strike out lines 7 and 8.

AMENDMENT NUMBER TWENTY-NINE.

On page 9, line 10, of the printed bill, as amended, strike out "250 270 290", and insert in lieu thereof "200 215 230 245".

AMENDMENT NUMBER THIRTY.

On page 9 of the printed bill, as amended, strike out lines 11, 12 and 13, and insert in lieu thereof the following:

"Supervisor of Teacher Training, Trades and Industrial Education	250	270	290".

AMENDMENT NUMBER THIRTY-ONE.

On page 9 of the printed bill, as amended, strike out lines 16 and 17, and insert in lieu thereof the following:

"Supervisor of Teacher Training, Statistics and Research	185	200	215".

AMENDMENT NUMBER THIRTY-TWO.

On page 10, line 8, of the printed bill, as amended, before "130", insert "120".

AMENDMENT NUMBER THIRTY-THREE.

On page 10 of the printed bill, as amended, between lines 9 and 10, insert the following:

"Library Printer and Photo-copyist	120	130	140	150".

AMENDMENT NUMBER THIRTY-FOUR.

On page 10 of the printed bill, as amended, strike out all of lines 13 and 14.

AMENDMENT NUMBER THIRTY-FIVE.

Strike out all of pages 11, 12 and page 13 up to and including line 18 of the printed bill, as amended, and insert in lieu thereof the following:

"Chico State Teachers College

President, Chico State Teachers' College			450	475
Vice president, dean of college and professor of geology		375	400	425
Secretary to president		100	110	120
Dean of women (Proportional part of)	200	215	230	245
Dean of men (Proportional part of)		250	270	290
Assistant registrar and assistant to financial secretary	100	110	120	130
Professor of education and director of teacher training		300	325	350
Physical education locker room assistant		25c	30c	35c
Secretary of appointment office and teacher training		100	110	120
Superintendent of maintenance and operation		140	150	160
Director of research and graduate service, part time				115
Janitor and night watchman	85	95	105	115
Engineer and assistant janitor	85	95	105	115
Caretaker, summer school	85	95	105	115
Medical examiner, part time				80

Humboldt State Teachers College.

President, Humboldt State Teachers College			450	475
Physician, part time				75
Librarian, Humboldt State Teachers College	160	170	180	190
Secretary		100	110	120
Clerical assistant	70 75	80	85	90

Fresno State Teachers College.				
President, Fresno State Teachers College		450	475	500
Dean of women	200	215	230	245
Assistant dean of women	160	170	180	190
Registrar and director of equipment	200	215	230	245
Secretary to president		100	110	120
Recorder	95	105	115	125
Secretary-typist		115	125	135
Office assistant to dean of women (Proportional part of)—70	75	80	85	90
Office assistant		95	105	115
Professor and dean of lower division		300	325	350
Superintendent of building		140	150	160
Plant mechanic	110	120	130	140
Plant mechanic and carpenter		140	150	160
Janitor and night watchman	85	95	105	115
Matron	75	80	85	90
President, San Francisco State Teachers College		450	475	500
Vice president and dean, San Francisco State Teachers College		375	400	425
Principal, training school		250	270	290
Dean of women	200	215	230	245
Dean of men		250	270	290
Recorder	140	150	160	170
Personnel secretary		130	140	150
Stenographer		100	110	120
Clerk—70	75	80	85	90
Reader, hour				25c
Engineman and janitor		130	140	150
San Diego State Teachers College.				
President, San Diego State Teachers College		450	475	500
Professor and vice president		375	400	425
Associate professor and dean of men		300	325	350
Dean of education		300	325	350
Placement secretary	140	150	160	170
Secretary to registrar		100	110	120
Secretary, training school	80	85	90	95
Secretary to dean (Proportional part of)	80	85	90	95
Secretary, registrar's office (Proportional part of)	80	85	90	95
Secretary, placement office (Proportional part of)	80	85	90	95
Assistant secretary		100	110	120
Medical examiner, part time				45
Superintendent of buildings		140	150	160
Night watchman	85	95	105	115
Matron	75	80	85	90
Superintendent of grounds		105	115	125
Engineer	150	160	170	180
Santa Barbara State Teachers College.				
President, Santa Barbara State Teachers College			450	475
Dean of women	200	215	230	245
Assistant to dean of women, part time				50
School physician, part time				60
Assistant to financial secretary	80	85	90	95
President's secretary	140	150	160	170
Registrar's secretary		100	110	120
Assistant to Principal of Elementary School, part time				40
Supervisor and instructor, part time, yearly				100
Librarian, Santa Barbara State Teachers College	160	170	180	190
Engineer and repairman		130	140	150
San Jose State Teachers College.				
President, San Jose State Teachers College		450	475	500
Vice president		375	400	425
Dean of women	200	215	230	245
Dean of men (Proportional part of)		250	270	290
Medical advisor, part time				250
President's secretary	140	150	160	170
Assistant financial secretary	80	85	90	95
Appointment secretary	160	170	180	190
Educational secretary	100	110	120	130

Clerk	70	75	80	85	90
Supervisor, part time					50
Superintendent of buildings and grounds			140	150	160
General Classes.					
Professor (head of department)			300	325	350
Associate professor			250	270	290
Assistant professor	200		215	230	245
Instructor	160		170	180	190
Registrar	200		215	230	245
Assistant registrar	100		110	120	130
Financial secretary, Grade 2	140		150	160	170
Financial secretary, Grade 1	100		110	120	130
Librarian			200	215	230
Assistant librarian			125	135	145
Library assistant			90	100	110
Student assistant			25c	30c	35c
Children's librarian	150		160	170	180
Reference librarian	150		160	170	180
Cataloguer	150		160	170	180
Superintendent of schools and supervisor of teacher training (Chico), part time					33.33
Watchman and janitor (San Francisco), part time	85		95	105	115".

AMENDMENT NUMBER THIRTY-SIX.

On page 15, line 26, of the printed bill, as amended, after the word "Electrician", insert the word "foreman".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 15 of the printed bill, as amended, strike out lines 27 and 28, and insert in lieu thereof the following:

"Painter foreman	170	180	190
Plumber foreman	170	180	190".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 16 of the printed bill, as amended, strike out all of lines 6 and 7.

AMENDMENT NUMBER THIRTY-NINE.

On page 16, line 10, of the printed bill, as amended, after the word "Commissioner", add "No salary".

AMENDMENT NUMBER FORTY.

On page 16, line 36, of the printed bill, as amended, strike out "115".

AMENDMENT NUMBER FORTY-ONE.

On page 16 of the printed bill, as amended, between lines 47 and 48, insert the following:

"Bindery foreman	240	255	270".

AMENDMENT NUMBER FORTY-TWO.

On page 16, line 48, of the printed bill, as amended, strike out "200 215 230", and insert in lieu thereof "1.14".

AMENDMENT NUMBER FORTY-THREE.

On page 16, line 49, of the printed bill, as amended, strike out "205 220 235", and insert in lieu thereof "1.14".

AMENDMENT NUMBER FORTY-FOUR.

On page 17, line 13, of the printed bill, as amended, strike out ".80", and insert in lieu thereof ".85".

AMENDMENT NUMBER FORTY-FIVE.

On page 17 of the printed bill, as amended, between lines 15 and 16, insert the following:

"Linotype machinist operator 1.12".

AMENDMENT NUMBER FORTY-SIX.

On page 17, line 24, of the printed bill, as amended, strike out ".30 .50 .65 .75 .80", and insert in lieu thereof ".77 .84 .89 .97".

AMENDMENT NUMBER FORTY-SEVEN.

On page 17, line 28, of the printed bill, as amended, strike out ".52", and insert in lieu thereof ".54".

AMENDMENT NUMBER FORTY-SEVEN-A.

On page 17, line 37, of the printed bill, as amended, strike out ".80", and insert in lieu thereof ".85".

AMENDMENT NUMBER FORTY-SEVEN-B.

On page 17, line 41, of the printed bill, as amended, strike out "1.06", and insert in lieu thereof ".83."

AMENDMENT NUMBER FORTY-SEVEN-C.

On page 17 of the printed bill, as amended, after line 49, insert the following:
"Apprentice rubber stamp maker ..... .35 .40".

AMENDMENT NUMBER FORTY-EIGHT.

On page 18, line 8 of the printed bill, as amended, strike out "Counsel (attorney)", and insert in lieu thereof "Adviser".

AMENDMENT NUMBER FORTY-NINE.

On page 19 of the printed bill, as amended, between lines 23 and 24, insert the following:
"Women's rest room attendant ..... 75 80 85 90".

AMENDMENT NUMBER FIFTY.

On page 19 of the printed bill, as amended, strike out line 28, and insert in lieu thereof the following:

"Tugboat captain of steam tugs				245
Tugboat captain of gas or diesel engine tugs	170	180	190	200".

AMENDMENT NUMBER FIFTY-ONE.

On page 19, line 29, of the printed bill, as amended, strike out "170 180 190 200", and insert in lieu thereof "220".

AMENDMENT NUMBER FIFTY-TWO.

On page 19, between lines 47 and 48, of the printed bill, as amended, insert the following:
"Blacksmith foreman ..... 170 180 190".

AMENDMENT NUMBER FIFTY-THREE.

On page 20 of the printed bill, as amended, strike out all of line 4.

AMENDMENT NUMBER FIFTY-FOUR.

On page 20, line 11, of the printed bill, as amended, strike out the word "helper", and insert in lieu thereof the word "apprentice".

AMENDMENT NUMBER FIFTY-FIVE.

On page 20, between lines 20 and 21, of the printed bill, as amended, insert the following:

"Lather, channel iron	7.20
Lather	6.12".

AMENDMENT NUMBER FIFTY-SIX.

On page 20 of the printed bill, as amended, between lines 35 and 36, insert the following:

STATE BELT RAILROAD.

Engineman and yardman shall receive a per diem rate of pay equal to the rate received for similar service by employees of the standard railroads within the State, plus 5 per cent."

Superintendent, State Belt Railroad			350	375
Assistant superintendent, State Belt Railroad		250	270	290
Chief clerk, State Belt Railroad		180	190	200
Master mechanic, State Belt Railroad	200	215	230	245
Roadmaster, State Belt Railroad		170	180	190
Assistant yardmaster, State Belt Railroad, per day				7.49
Yardmaster, State Belt Railroad, per day				8.34
Yard checker, per day				6.29
Car inspector, per day				5.40
Locomotive engineman, per day				6 93
Locomotive fireman, per day				5 46
Locomotive machinist, per day				7.20
Locomotive hostler, per day				5.75
Switch engineer foreman, per day				6.78
Switchman, per day				6.29
Boilermaker helper, per day				5.75
Boilermaker, per day				7.20
Fusion welder, per day				5.76
Coppersmith, per day				7.20
Sectionman, per day				4.95".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 20, line 43, of the printed bill, as amended, strike out "375", and insert in lieu thereof "416.66".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 20, line 48, of the printed bill, as amended, before the word "Secretary", insert the word "Executive".

AMENDMENT NUMBER FIFTY-NINE.

On page 20, line 49, of the printed bill, as amended, strike out "250 270 290", and insert in lieu thereof "285 300 315".

AMENDMENT NUMBER SIXTY.

On page 21, line 39, of the printed bill, as amended, after "270", add "295".

AMENDMENT NUMBER SIXTY-ONE.

On page 21, line 50, of the printed bill, as amended, strike out "280 300 320", and insert in lieu thereof "333.33".

AMENDMENT NUMBER SIXTY-TWO.

On page 22, line 35, of the printed bill, as amended, after "190", add "200".

AMENDMENT NUMBER SIXTY-THREE.

On page 23, line 7, of the printed bill, as amended, after "425", add "450".

AMENDMENT NUMBER SIXTY-FOUR.

On page 25 of the printed bill, as amended, between lines 20 and 21, insert the following:

"Assistant medical director and superintendent, State Narcotic Hospital (plus maintenance) ---------- 210 230 250".

AMENDMENT NUMBER SIXTY-FIVE.

On page 25, line 22, of the printed bill, as amended, strike out "220 240 260", and insert in lieu thereof "210 230 250".

AMENDMENT NUMBER SIXTY-SIX.

On page 25 of the printed bill, as amended, between lines 23 and 24, insert the following:

"Assistant superintendent, Whittier State School (plus maintenance) ---------- 210 230 250".

AMENDMENT NUMBER SIXTY-SEVEN.

On page 26 of the printed bill, as amended, strike out lines 12, 13, and 14, and insert in lieu thereof the following:

"Secretary to institution superintendent, grade 2 (plus maintenance) ---------- 160 170 180 190
Secretary to institution superintendent, grade 1 (plus maintenance) ---------- 130 140 150 160".

AMENDMENT NUMBER SIXTY-EIGHT.

On page 26 of the printed bill, as amended, strike out lines 38, 39, 40, and 41.

AMENDMENT NUMBER SIXTY-NINE.

On page 26 of the printed bill, as amended, between lines 47 and 48, insert the following:

"Assistant to institution business manager ---------- 105 115 125".

AMENDMENT NUMBER SEVENTY.

On page 30, line 10, of the printed bill, as amended, strike out the words "Forge work", and insert in lieu thereof the word "Blacksmithing".

AMENDMENT NUMBER SEVENTY-ONE.

On page 30, line 35, of the printed bill, as amended, strike out the word "Officer", and insert in lieu thereof the word "Cottage".

AMENDMENT NUMBER SEVENTY-TWO.

On page 30, line 40, of the printed bill, as amended, strike out the word "Officer", and insert in lieu thereof the word "Office".

AMENDMENT NUMBER SEVENTY-THREE.

On page 31, line 11, of the printed bill, as amended, strike out the words "and psychologist".

AMENDMENT NUMBER SEVENTY-FOUR.

On page 32, line 25, of the printed bill, as amended, strike out "75 80 85 90", and insert in lieu thereof "45 50".

AMENDMENT NUMBER SEVENTY-FIVE.

On page 32 of the printed bill, as amended, between lines 30 and 31, insert the following:

"Supervising field worker, Industrial Home for the Adult Blind	160	170	180
Field worker, Industrial Home for the Adult Blind	130	140	150".

AMENDMENT NUMBER SEVENTY-SIX.

On page 32 of the printed bill, as amended, between lines 38 and 39, insert the following:

"Maintenance repair man, Industrial Home for the Adult Blind	90	100	110".

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 32 of the printed bill, as amended, after line 49, add the following:

"Chief farm land investigator		245	260	275
Farm land investigator	185	200	215	230
Hearing officer, Division of Real Estate	200	215	230	245".

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 33, line 6, of the printed bill, as amended, before "375", insert "350".

AMENDMENT NUMBER SEVENTY-NINE.

On page 34, line 38, of the printed bill, as amended, after the word "Commission", insert "(No graduated salary reduction deduction)"; on page 34, line 38, of the printed bill, as amended, strike out "500", and insert in lieu thereof "333.33".

AMENDMENT NUMBER SEVENTY-NINE-A.

On page 35, line 3, of the printed bill, as amended, strike out "140 150 160", and insert in lieu thereof "160 170 180 190".

AMENDMENT NUMBER EIGHTY.

On page 35, line 20, of the printed bill, as amended, strike out "160 170 180 190", and insert in lieu thereof "140 150 160".

AMENDMENT NUMBER EIGHTY-ONE.

On page 35, line 33, of the printed bill, as amended, strike out "500", and insert in lieu thereof "(plus maintenance) 350".

AMENDMENT NUMBER EIGHTY-TWO.

On page 35 of the printed bill, as amended, after line 52, add

"Chief engineer, Veterans' Home	200	215	230".

AMENDMENT NUMBER EIGHTY-THREE.

On page 36, line 18, of the printed bill, as amended, strike out "30 35", and insert in lieu thereof "35 flat".

AMENDMENT NUMBER EIGHTY-FOUR.

On page 36, line 19, of the printed bill, as amended, strike out "15 20", and insert in lieu thereof "20 flat".

AMENDMENT NUMBER EIGHTY-FIVE

On page 36, line 21, of the printed bill, as amended, strike out "30 35", and insert in lieu thereof "40 flat".

AMENDMENT NUMBER EIGHTY-SIX.

On page 36, line 22, of the printed bill, as amended, strike out "20 25", and insert in lieu thereof "30 flat".

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 36, line 24, of the printed bill, as amended, strike out "30 35", and insert in lieu thereof "50 flat".

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 36, line 28, of the printed bill, as amended, before "450", insert "425".

AMENDMENT NUMBER EIGHTY-NINE.

On page 37 of the printed bill, as amended, between lines 11 and 12, insert the following:

"Head waitress	95	105".

AMENDMENT NUMBER NINETY

On page 39, line 25, of the printed bill, as amended, before the word "Secretary", insert the word "Executive".

AMENDMENT NUMBER NINETY-ONE.

On page 39, line 26, of the printed bill, as amended, strike out "170 180 190 200", and insert in lieu thereof "200 215 230 245".

AMENDMENT NUMBER NINETY-TWO.

On page 39, line 33, of the printed bill, as amended, strike out "250 260", and insert in lieu thereof "220 240 260".

AMENDMENT NUMBER NINETY-THREE.

On page 39, line 45, of the printed bill, as amended, strike out "250 260", and insert in lieu thereof "220 240 260".

AMENDMENT NUMBER NINETY-FOUR.

On page 39, line 47, of the printed bill, as amended, strike out "250 260", and insert in lieu thereof "220 240 260".

AMENDMENT NUMBER NINETY-FIVE.

On page 39, line 49, of the printed bill, as amended, strike out "250 260", and insert in lieu thereof "220 240 260".

AMENDMENT NUMBER NINETY-SIX.

On page 40 of the printed bill, as amended, strike out lines 6 and 7.

AMENDMENT NUMBER NINETY-SEVEN.

On page 40, line 9, of the printed bill, as amended, strike out "Grade 2", and insert in lieu thereof "Grade 1".

AMENDMENT NUMBER NINETY-EIGHT.

On page 40, line 11, of the printed bill, as amended, strike out "Grade 3", and insert in lieu thereof "Grade 2".

AMENDMENT NUMBER NINETY-NINE.

On page 40 of the printed bill, as amended, between lines 11 and 12, insert the following:
"(Not less than fifty-eight squad captains)".

AMENDMENT NUMBER ONE HUNDRED.

On page 40, line 12, of the printed bill, as amended, after the word "Officer", add "(Not less than four hundred twenty-five)", and after "190", add "200".

AMENDMENT NUMBER ONE HUNDRED ONE.

On page 40, line 14, of the printed bill, as amended, after "100", add "200".

AMENDMENT NUMBER ONE HUNDRED TWO.

On page 40 of the printed bill, as amended, between lines 30 and 31, insert the following:
"Director, Department of Natural Resources---------- 500".

AMENDMENT NUMBER ONE HUNDRED THREE.

On page 41 of the printed bill, as amended, between lines 18 and 19, insert the following:
"Chief, Bureau of Commercial Fisheries---------- 275 300 325".

AMENDMENT NUMBER ONE HUNDRED FOUR.

On page 41 of the printed bill, as amended, after line 52, add the following:
"Maintenance and construction carpenter---------- 140 150 160
Construction estimator ---------- 160 170 180 190".

AMENDMENT NUMBER ONE HUNDRED FIVE.

On page 42 of the printed bill, as amended, between lines 9 and 10, insert the following:
"Assistant bird and animal economist---------- 100 110 120 130
Game refuge guard---------- 30 flat".

AMENDMENT NUMBER ONE HUNDRED SIX.

On page 43 of the printed bill, as amended, between lines 11 and 12, insert the following:
"Ore buyer's inspector---------- 200 215 230 245".

AMENDMENT NUMBER ONE HUNDRED SEVEN.

On page 44 of the printed bill, as amended, between lines 6 and 7, insert the following:

"Division of Criminal Identification and Investigation.

Chief, Division of Criminal Identification and Investigation		375	400	425
Investigator, Division of Criminal Identification and Investigation	230	245	260	275
Statistician, Division of Criminal Identification and Investigation		250	270	290
Supervising fingerprint technician	200	215	230	245
Intermediate fingerprint technician	110	120	130	140
Junior fingerprint technician	75	85	95	105
Senior modus-operandi technician	230	245	260	275
Junior modus-operandi technician	150	160	170	180
Junior handwriting technician	130	140	150	160
Chemist and ballistics expert	160	170	180	190

Division of Narcotic Enforcement.

Chief, Division of Narcotic Enforcement		375	400	425
Inspector, Division of Narcotic Enforcement	160	170	180	190
Chemist		130	140	150
Docket investigator		90	100	110
Intermediate court clerk	95	100	105	110

California Institution for Women.

Secretary, board of trustees, California Institution for Women, part time_____100".

AMENDMENT NUMBER ONE HUNDRED EIGHT.

On page 44, line 13, of the printed bill, as amended, strike out "140 150 160 170", and insert in lieu thereof "160 170 180 190".

AMENDMENT NUMBER ONE HUNDRED NINE.

On page 44, line 18, of the printed bill, as amended, strike out "400".

AMENDMENT NUMBER ONE HUNDRED TEN.

On page 44, line 19, of the printed bill, as amended, strike out "235 255 275 295 315", and insert in lieu thereof "150 175".

AMENDMENT NUMBER ONE HUNDRED ELEVEN.

On page 44, line 20, of the printed bill, as amended, strike out "235 255 275 295 315", and insert in lieu thereof "150 175".

AMENDMENT NUMBER ONE HUNDRED TWELVE.

On page 44, line 21, of the printed bill, as amended, strike out "175 190 205 220", and insert in lieu thereof "150 175".

AMENDMENT NUMBER ONE HUNDRED THIRTEEN.

On page 44, line 33, of the printed bill, as amended, strike out "130 140".

AMENDMENT NUMBER ONE HUNDRED FOURTEEN.

On page 44, line 34, of the printed bill, as amended, strike out "130 140".

AMENDMENT NUMBER ONE HUNDRED FIFTEEN.

On page 44, line 36, of the printed bill, as amended, strike out "215 230 245 260", and insert in lieu thereof "245 260 275 290".

AMENDMENT NUMBER ONE HUNDRED SIXTEEN.

On page 44, line 39, of the printed bill, as amended, strike out "130 140", and insert in lieu thereof "135 140 145".

AMENDMENT NUMBER ONE HUNDRED SEVENTEEN.

On page 44, line 40, of the printed bill, as amended, strike out "140 150", and insert in lieu thereof "150 160".

AMENDMENT NUMBER ONE HUNDRED EIGHTEEN.

On page 44, line 41, of the printed bill, as amended, strike out "130 140", and insert in lieu thereof "135 140 145".

AMENDMENT NUMBER ONE HUNDRED NINETEEN

On page 44, line 42, of the printed bill, as amended, strike out "130 140", and insert in lieu thereof "135 140 145".

AMENDMENT NUMBER ONE HUNDRED TWENTY.

On page 44, line 43, of the printed bill, as amended, strike out "125 135", and insert in lieu thereof "130 135 140".

AMENDMENT NUMBER ONE HUNDRED TWENTY-ONE.

On page 44, line 45, of the printed bill, as amended, strike out "130 140", and insert in lieu thereof "135 140 145".

AMENDMENT NUMBER ONE HUNDRED TWENTY-TWO.

On page 44, line 50, of the printed bill, as amended, strike out "300 325 350", and insert in lieu thereof "325 350 375".

AMENDMENT NUMBER ONE HUNDRED TWENTY-THREE.

On page 45, line 8, of the printed bill, as amended, strike out "400".

AMENDMENT NUMBER ONE HUNDRED TWENTY-FOUR.

On page 45, line 9, of the printed bill, as amended, strike out "235 255 275 295 315", and insert in lieu thereof "150 175".

AMENDMENT NUMBER ONE HUNDRED TWENTY-FIVE.

On page 45, line 10, of the printed bill, as amended, strike out "235 255 275 295 315", and insert in lieu thereof "150 175".

AMENDMENT NUMBER ONE HUNDERD TWENTY-SIX.

On page 45, line 43, of the printed bill, as amended, strike out "130 140", and insert in lieu thereof "135 140 145".

AMENDMENT NUMBER ONE HUNDRED TWENTY-SEVEN.

On page 45, line 44, of the printed bill, as amended, strike out "140 150", and insert in lieu thereof "150 160".

AMENDMENT NUMBER ONE HUNDRED TWENTY-EIGHT.

On page 45, line 45, of the printed bill, as amended, strike out "130 140", and insert in lieu thereof "135 140 145".

AMENDMENT NUMBER ONE HUNDRED TWENTY-NINE.

On page 45, line 46, of the printed bill, as amended, strike out "130 140", and insert in lieu thereof "135 140 145".

AMENDMENT NUMBER ONE HUNDRED THIRTY.

On page 45, line 49, of the printed bill, as amended, strike out "125 135", and insert in lieu thereof "130 135 140".

AMENDMENT NUMBER ONE HUNDRED THIRTY-ONE.

On page 45, line 51, of the printed bill, as amended, strike out "130 140", and insert in lieu thereof "135 140 145".

AMENDMENT NUMBER ONE HUNDRED THIRTY-TWO.

On page 47 of the printed bill, as amended, between lines 30 and 31, insert the following heading:

"Department of Public Health".

AMENDMENT NUMBER ONE HUNDRED THIRTY-THREE.

On page 47, line 34, of the printed bill, as amended, strike out "130 140 150 160", and insert in lieu thereof "170 180 190 200".

AMENDMENT NUMBER ONE HUNDRED THIRTY-FOUR.

On page 47, line 40, of the printed bill, as amended, strike out "275 300 325", and insert in lieu thereof "325 350 375".

AMENDMENT NUMBER ONE HUNDRED THIRTY-FIVE.

On page 48, line 30, of the printed bill, as amended, strike out "10,000", and insert in lieu thereof "833.33".

AMENDMENT NUMBER ONE HUNDRED THIRTY-SIX.

On page 48, line 34, of the printed bill, as amended, strike out "250 270 290", and insert in lieu thereof "300 325 350".

AMENDMENT NUMBER ONE HUNDRED THIRTY-SEVEN.

On page 48, line 40, of the printed bill, as amended, strike out "185 200 215 230 245", and insert in lieu thereof "215 230 245 260".

AMENDMENT NUMBER ONE HUNDRED THIRTY-EIGHT.

On page 48, line 42, of the printed bill, as amended, strike out "10,000", and insert in lieu thereof "833.33".

AMENDMENT NUMBER ONE HUNDRED THIRTY-NINE.

On page 48, line 44, of the printed bill, as amended, after "500", insert "525".

AMENDMENT NUMBER ONE HUNDRED FORTY.

On page 49 of the printed bill, as amended, between lines 21 and 22, insert the following:

"Principal bridge engineer_____ 450 475 500 525".

AMENDMENT NUMBER ONE HUNDRED FORTY-ONE.

On page 50, line 3, of the printed bill, as amended, strike out "450 475 500", and insert in lieu thereof "550 575 600 625".

AMENDMENT NUMBER ONE HUNDRED FORTY-TWO.

On page 50, line 21, of the printed bill, as amended, after "140", add "150".

AMENDMENT NUMBER ONE HUNDRED FORTY-THREE.

On page 50, line 48, of the printed bill, as amended, strike out "85 90 95 100", and insert in lieu thereof "85 95 105 115".

AMENDMENT NUMBER ONE HUNDRED FORTY-FOUR.

On page 51, line 4, of the printed bill, as amended, strike out "85 95 105", and insert in lieu thereof "5 40 day".

AMENDMENT NUMBER ONE HUNDRED FORTY-FIVE.

On page 51, line 16, of the printed bill, as amended, before the word "Powderman", insert the word "Maintenance".

AMENDMENT NUMBER ONE HUNDRED FORTY-SIX.

On page 51 of the printed bill, as amended, between lines 16 and 17, insert the following:

"Construction powderman ---------- 120 130 140".

AMENDMENT NUMBER ONE HUNDRED FORTY-SEVEN.

On page 51, line 39, of the printed bill, as amended, after "170", add "180".

AMENDMENT NUMBER ONE HUNDRED FORTY-EIGHT.

On page 52 of the printed bill, as amended, between lines 26 and 27, insert the following:

"Junior mechanical engineering draftsman---------- 160 170 180 190".

AMENDMENT NUMBER ONE HUNDRED FORTY-NINE.

On page 52 of the printed bill, as amended, strike out lines 34 and 42.

AMENDMENT NUMBER ONE HUNDRED FIFTY

On page 53, line 11, of the printed bill, as amended, after "500", add "525".

AMENDMENT NUMBER ONE HUNDRED FIFTY-ONE.

On page 53, line 13, of the printed bill, as amended, after "500", add "525".

AMENDMENT NUMBER ONE HUNDRED FIFTY-TWO.

On page 53, line 15, of the printed bill, as amended, after "500", add "525".

AMENDMENT NUMBER ONE HUNDRED FIFTY-THREE

On page 53 of the printed bill, as amended, between lines 17 and 18, insert the following:

"Attorney, Division of Water Resources ---------- 375 400 425
Administrative assistant Division of Water Resources---- 375 400 425".

AMENDMENT NUMBER ONE HUNDRED FIFTY-FOUR.

On page 54 of the printed bill, as amended, between lines 24 and 25, insert the following:

"Railroad Commissioner ---------- 666.66".

AMENDMENT NUMBER ONE HUNDRED FIFTY-FIVE.

On page 54, line 25, of the printed bill, as amended, before the word "Secretary", insert the word "Executive".

AMENDMENT NUMBER ONE HUNDRED FIFTY-SIX.

On page 54 of the printed bill, as amended, strike out all of line 26, and insert in lieu thereof the following:

"Assistant executive secretary, San Francisco office------- 200 215 230 245".

AMENDMENT NUMBER ONE HUNDRED FIFTY-SEVEN.

On page 54, line 27, of the printed bill, as amended, strike out "Los Angeles office supervisor", and insert in lieu thereof "Assistant executive secretary, Los Angeles office".

AMENDMENT NUMBER ONE HUNDRED FIFTY-EIGHT.

On page 54, line 36, of the printed bill, as amended, strike out the word "Mechanical", and insert in lieu thereof the word "Safety".

AMENDMENT NUMBER ONE HUNDRED FIFTY-NINE.

On page 54, line 42, of the printed bill, as amended, strike out the word "Senior", and insert in lieu thereof the word "Associate".

AMENDMENT NUMBER ONE HUNDRED SIXTY.

On page 55, lines 2 and 3, of the printed bill, as amended, strike out the words ", Auto Stage Department", and insert in lieu thereof the words "Railroad Commission".

AMENDMENT NUMBER ONE HUNDRED SIXTY-ONE.

On page 55 of the printed bill, as amended, between lines 6 and 7, insert the following:
"Principal assistant attorney---------- 300 325 350".

AMENDMENT NUMBER ONE HUNDRED SIXTY-TWO.

On page 55, line 35, of the printed bill, as amended, strike out "130 140 150 160", and insert in lieu thereof "150 160 170 180".

AMENDMENT NUMBER ONE HUNDRED SIXTY-THREE.

On page 55, line 39, of the printed bill, as amended, after the word "State", insert the following: "(No graduated salary reduction deduction)".

AMENDMENT NUMBER ONE HUNDRED SIXTY-FOUR.

On page 55, line 40, of the printed bill, as amended, after "425", add "450".

AMENDMENT NUMBER ONE HUNDRED SIXTY-FIVE.

On page 55 of the printed bill, as amended, strike out all of line 41, and insert in lieu thereof the following:
"Deputy Secretary of State---------- 325 350 375".

AMENDMENT NUMBER ONE HUNDRED SIXTY-SIX.

On page 55, line 43, of the printed bill, as amended, strike out "200 215 230 245", and insert in lieu thereof "250 270 290".

AMENDMENT NUMBER ONE HUNDRED SIXTY-SEVEN.

On page 55, line 45, of the printed bill, as amended, strike out "130 140 150 160", and insert in lieu thereof "200 215 230 245".

AMENDMENT NUMBER ONE HUNDRED SIXTY-EIGHT

On page 55, line 48, of the printed bill, as amended, strike out "130 140 150 160", and insert in lieu thereof "160 170 180 190".

AMENDMENT NUMBER ONE HUNDRED SIXTY-NINE.

On page 55, line 49, of the printed bill, as amended, strike out "140 150 160 170", and insert in lieu thereof "160 170 180 190".

AMENDMENT NUMBER ONE HUNDRED SEVENTY.

On page 55, line 51, of the printed bill, as amended, strike out "170 180", and insert in lieu thereof "160 170 180 190".

AMENDMENT NUMBER ONE HUNDRED SEVENTY-ONE.

On page 55 of the printed bill, as amended, strike out all of line 52.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-TWO.

On page 56, line 3, of the printed bill, as amended, strike out "130 140 150 160", and insert in lieu thereof "150 160 170 180".

AMENDMENT NUMBER ONE HUNDRED SEVENTY-THREE.

On page 56, line 5, of the printed bill, as amended, strike out "130 140 150 160", and insert in lieu thereof "140 150 160 170".

AMENDMENT NUMBER ONE HUNDRED SEVENTY-FOUR.

On page 56, line 8, of the printed bill, as amended, strike out "130 140 150", and insert in lieu thereof "160 170 180 190".

AMENDMENT NUMBER ONE HUNDRED SEVENTY-FIVE.

On page 56, line 11, of the printed bill, as amended, strike out "140 150 160 170", and insert in lieu thereof "150 160 170 180".

AMENDMENT NUMBER ONE HUNDRED SEVENTY-SIX.

On page 56, line 40, of the printed bill, as amended, after the word "Treasurer", insert the following: "(No graduated salary reduction deduction)".

AMENDMENT NUMBER ONE HUNDRED SEVENTY-SEVEN.

On page 56, line 41, of the printed bill, as amended, strike out "375", and insert in lieu thereof "375 400 425 450".

AMENDMENT NUMBER ONE HUNDRED SEVENTY-EIGHT.

On page 56, line 42, of the printed bill, as amended, strike out "195 210 225", and insert in lieu thereof "225 250 275".

AMENDMENT NUMBER ONE HUNDRED SEVENTY-NINE.

On page 56, line 43, of the printed bill, as amended, strike out "180 195 210", and insert in lieu thereof "200 225 250".

AMENDMENT NUMBER ONE HUNDRED EIGHTY.

On page 56, line 44, of the printed bill, as amended, strike out "180 195 210", and insert in lieu thereof "200 225 250".

AMENDMENT NUMBER ONE HUNDRED EIGHTY-ONE.

On page 56, line 45, of the printed bill, as amended, strike out "140 150 160 170", and insert in lieu thereof "150 160 170 180".

AMENDMENT NUMBER ONE HUNDRED EIGHTY-TWO.

On page 56, line 46, of the printed bill, as amended, strike out "160 170 180 190", and insert in lieu thereof "185 200 215".

AMENDMENT NUMBER ONE HUNDRED EIGHTY-THREE.

On page 56, line 47, of the printed bill, as amended, after "130", add "140".

AMENDMENT NUMBER ONE HUNDRED EIGHTY-FOUR.

On page 56, line 49, of the printed bill, as amended, strike out "180 195 210", and insert in lieu thereof "200 225 250".

AMENDMENT NUMBER ONE HUNDRED EIGHTY-FIVE.

On page 56, line 50, of the printed bill, as amended, strike out "170".

AMENDMENT NUMBER ONE HUNDRED EIGHTY-SIX

On page 63 of the printed bill, as amended, strike out all of line 11, and insert in lieu thereof the following:

"(1) To audit, or cause to be audited, all pay rolls submitted to the State Controller and to certify the same in writing as true and correct and that the several amounts of the salaries therein set forth as due to the respective officers and employees therein mentioned as being respectively entitled to the same, are due and payable to such respective officers and employees in accordance with law and the provisions of this act: whereupon the State Controller is hereby authorized, with or without further audit as he may elect, upon the receipt of any such pay roll, duly certified as aforesaid, to draw warrants for such salaries in accordance with such pay roll and pursuant thereto;".

AMENDMENT NUMBER ONE HUNDRED EIGHTY-SEVEN.

On page 63 of the printed bill, as amended, between lines 28 and 29, insert the following:

"SEC. 12a. A part-time employee shall receive that part of the salary, established by this act for the class or grade, that is proportional to the amount of time necessary to perform the duties of such part-time position."

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

MOTION TO RE-REFER.

Mr. Meeker moved that Assembly Bill No. 1122 be withdrawn from the file, and ordered re-referred to Committee on Agriculture.

The question being on re-referring Assembly Bill No. 1122 to Committee on Agriculture.

Motion carried.

Assembly Bill No. 1122 ordered re-referred to Committee on Agriculture.

MOTION.

Mr. Bliss moved the adoption of the following petition, supplementing a name necessary to complete a petition for the withdrawal of Assembly Bill No. 2394 from Committee on Public Utilities, this action being necessary owing to a duplication of names in the original petition presented, and appearing on page 84 of the Journal of Saturday, April 29, 1933.

Motion carried.

PETITION SUPPLEMENTING A NAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I, the undersigned member of the Assembly, request that Bill No. 2394 be withdrawn from the Committee on Public Utilities.

J. E. FRAZIER.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 2103—An act to provide for the conservation, regulation and beneficial use of the water and water power resources of this State.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2103 was withdrawn from the file, and referred to Committee on Conservation.

Assembly Bill No. 1945—An act to enable the State Department of Agriculture to cooperate with counties of this State to provide lands and implements with which needy and unemployed persons may raise farm products.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1945 was withdrawn from the file, and referred to Committee on Agriculture.

Assembly Bill No. 1990—An act to provide a permit to be issued to any person, firm, corporation or association manufacturing or distributing alcoholic beverage; to impose an excise tax upon the manufacture and distribution of such alcoholic beverage; to provide methods and penalties for the enforcement of the tax; and to credit the revenues derived therefrom to the general fund of the State and providing when this act shall become effective.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1990 was withdrawn from the file, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2159—An act to amend section 605d of the Civil Code, relating to nonprofit corporations.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2159 was withdrawn from the file, and referred to Committee on Corporations.

Assembly Bill No. 2190—An act to amend section 4223 of the Political Code, and to add to Article I, Chapter 9, Title II, Part IV of the Political Code eleven new sections, to be numbered 4223a to 4223k, inclusive, all relating to defining and providing for county hospitals; defining indigent sick; dependent poor, and other persons entitled to admission to and treatment at or by county hospitals or branches or departments or

clinics thereof; prescribing conditions for admission to and treatment at or by county hospitals or branches or departments or clinics thereof; providing for the recovery of the reasonable cost of services rendered therein in certain cases, that books, records and accounts be kept for the determination of said and other costs, that periodic reports be made by the board of supervisors of admissions to and the conduct and operation of the county hospital and any branch or department or clinic thereof, and for the approval thereof by the auditor of the county or city and county; and prescribing the powers and duties of the board of supervisors; the auditor, and the district attorney in relation to the conduct and operation of county hospitals and any branch or department or clinic thereof, and penalties for the violation of this act; and repealing all laws in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2190 was withdrawn from the file, and referred to Committee on County Government.

Assembly Bill No. 2145—An act to amend section 94 of the Vehicle Code, and to add a new section to said code to be numbered section 94.5, relating to members of the California Highway Patrol.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2145 was withdrawn from the file, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1114—An act to provide for the organization, incorporation and government of metropolitan park and playground districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the interest and principal thereon.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1114 was withdrawn from the file, and referred to Committee on Municipal Corporations.

Assembly Bill No. 977—An act to amend section 131 and to repeal section 132 of the Civil Code, relating to divorces.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 977 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 405—An act to amend section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses or furnished bungalow courts.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 405 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 1240—An act to add a new section to Chapter 6 of Title XIV of Part IV of Division III of the Civil Code to be known as section 3045, covering the lien of an attorney at law.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1240 was withdrawn from the file, and referred to Committee on Judiciary.

SECOND READING OF SENATE BILLS.

Senate Bill No. 416—An act to amend sections 2, 4, 5, 6, 7, 10, 16, 22, 23 and 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sale of securities, and the prevention of fraud in the sale of securities.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1189—An act to amend sections 112 and 274c of the Code of Civil Procedure, and to repeal sections 831h, 835a, 900b, and 982a, of the Code of Civil Procedure, all relating to courts of justice and certain officers connected therewith.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 509—An act to amend an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended, by amending sections 2, 3, 4, 5, 6, 9, 11 and 14, relating to collection agencies.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill, insert "10," after the comma following "9".

AMENDMENT NUMBER TWO.

On page 2, line 34, of the printed bill, strike out "two thousand dollars", and insert in lieu thereof "one thousand dollars".

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, strike out all of lines 2, 3 and 4, and insert in lieu thereof the following: "actions or special proceedings. The aggregate liability of the surety for any and all claims which may arise under such bond shall in no event exceed the amount of the penalty of such bond."

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, following line 47, insert the following:

"SEC. 8. Section 10 of said act is hereby amended to read as follows:

Sec. 10. No action shall be brought upon any bond hereinbefore required to be given and filed, after the expiration of one year from the revocation or expiration of the license issued thereunder. From and after the expiration of said period of one year, all liability of the surety upon the said bond shall cease; provided, no action shall have been commenced upon said bond before the expiration of the said period."

AMENDMENT NUMBER FIVE.

On page 4, line 48, of the printed bill, strike out "8", and insert in lieu thereof the following: "9".

AMENDMENT NUMBER SIX.

On page 6, line 15, of the printed bill, strike out "9", and insert in lieu thereof the following: "10".

AMENDMENT NUMBER SEVEN.

On page 6, line 20, of the printed bill, strike out "10", and insert in lieu thereof the following: "11".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1226—An act relating to the regulation under the jurisdiction of the Commissioner of Corporations of personal property brokers, unsecured money lenders, salary buyers, brokers, agents and employees in such transactions, and agents for principals in such transactions, and the licensing of those so engaged, and fixing the penalties for violation thereof and to repeal that certain act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1226 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 1760—An act to amend section 797 of the Fish and Game Code, relating to abalones.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Rawls:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out lines 8 and 9, and insert in lieu thereof the following: "shells may not be transported out of the State. Abalone meal or abalone flakes made from abalone offal may".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, as amended, after the period, insert the following: "Articles manufactured from abalone shells may be transported out of the State as a finished product."

Amendments refused adoption.

Bill read.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Rawls moved that Assembly Bill No. 1760 be withdrawn from the file, and ordered re-referred to Committee on Fish and Game.

The question being on re-referring Assembly Bill No. 1760 to Committee on Fish and Game.

Motion lost.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1760 passed by the following vote:

AYES—Alter, Bliss, Bowers, Burns, Cassidy, Chatters, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Kallam, Knowland, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Redwine, Robinson, C. Ray; Roland, Ross, Scudder, Stannard, Thorp, Tournoux, Utt, West, Williamson, Woolwine and Zion—46.

NOES—Badham, Boyle, Brock, Callahan, Clowdsley, Cobb, Craig, Evans, Fisher, Greene, Hatch, Jones, King, McBride, McCarthy, O'Connor, Rawls, Riley, Robinson, Samuel E., Rogers, Stream and Mr. Speaker—22.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Rawls gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1760 was this day passed.

Assembly Bill No. 1974—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1974 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Kallam, Knowland, Martin, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—58.

NOES—Burns, Hornblower, Jones, King, Maloney and O'Connor—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2378—An act to amend section 4 of an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, relating to bridge and highway districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

Motion carried.

Time, three o'clock and twelve minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At three o'clock and twenty minutes p.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

Assembly Bill No. 1082—An act to amend section 1, subsection (b) of section 4, subsection (b) of section 5, section 8 and subsection (a) of section 13 of an act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as "the reciprocal or interinsurance act of the State of California," and repealing the act entitled "An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled 'An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee,' approved December 24, 1911," approved May 26, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1082 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Evans, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine and Wright—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 112—An act to add a new section to the Penal Code to be numbered 146b, relating to badges and other insignia of authority of sheriffs, chiefs of police, constables, or peace officers, and providing penalties for the violation hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 112 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Feigenbaum, Fisher, Gilmore, Greene,

Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Williamson, Woolwine and Wright—55.

NOES—Callahan, Field, Peterson, Redwine, Ross and Tournoux—6.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At three o'clock and thirty-two minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hornblower.

The roll of absentees was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Maloney moved a call of the House.

Motion lost.

The roll was called, and Assembly Bill No. 2378 was refused passage by the following vote:

AYES—Anglim, Badham, Bowers, Boyle, Callahan, Cobb, Cronin, Feigenbaum, Gilmore, Grubbs, Hallner, Hornblower, Jones, King, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Robinson, Samuel E., Rogers, Ross, Stannard, Sullivan, Tournoux, Turner, Utt, Williamson, Woolwine and Mr. Speaker—40.

NOES—Alter, Bliss, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Evans, Field, Fisher, Frazier, Greene, Hatch, Hoffman, Kallam, Knowland, Latham, Mayo, Meehan, Meeker, Miller, Eleanor; O'Donnell, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Scudder, Stream, Thorp, West, Wright and Zion—37.

THE SPEAKER IN THE CHAIR.

At three o'clock and forty minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

NOTICE OF RECONSIDERATION.

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2378 was this day refused passage.

Assembly Bill No. 367—An act to add section 146b to the Penal Code, relating to unlawful acts by public officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 367 was refused passage by the following vote:

AYES—Cassidy, Cobb, Greene, Jones, King, Latham, Lyon, O'Connor, Rawls, Robinson, C. Ray; Rogers, Thorp, Woolwine and Mr. Speaker—14.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Hatch, Hoffman, Kallam, Knowland, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, West and Wright—47.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Lyon moved that the vote whereby Senate Constitutional Amendment No. 30 was refused adoption be reconsidered.

The roll was called, and Senate Constitutional Amendment No. 30 was reconsidered by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Mecker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72.

NOES—None.

REPORT OF SELECT COMMITTEE.

The following report of the select committee to consider tax problems was read, and ordered printed in the Journal:

To the Senate and the Assembly.

The committee appointed pursuant to the terms of the resolutions adopted by the Senate and Assembly, respectively, to consider tax problems and plans for balancing the budget, and to make recommendations concerning the same, did, on the twenty-ninth day of April, 1933, file its report setting forth, among other things, that a proposed constitutional amendment should be submitted to the people providing:

(a) For the repeal of "Amendment Number One," so-called;

(b) The restoration to the local tax rolls of public utility property of the value and excess of $1,338,000,000;

(c) The relief to real property by the absorption by the State of the counties' share of maintaining elementary and secondary schools; the funds for such purpose to be provided from the revenues derived from a two-cent retail sales tax;

(d) A tax limitation on real and personal property of not to exceed 25 per cent of all revenues for State purposes, and

(e) The limitation of the power of boards of supervisors in expenditures.

Because of the careful consideration heretofore given in the drafting of proposed Constitutional Amendment No. 30, now pending in the Assembly, it is believed that that proposed amendment offers the best vehicle for carrying into effect the committee's recommendations.

The plan embodied in proposed Constitutional Amendment No. 30, when amended in the particulars hereinafter mentioned, will furnish for the State a well considered tax system which will eliminate many of the present evils, and will furnish immediate and effective relief to real property.

By the amendments proposed, and those heretofore made to Senate Constitutional Amendment No. 30, practically all of the objections to such proposal have been eliminated. It is no longer proposed in said amendment to levy a gross receipts tax, as therein originally proposed, but in lieu thereof a 2 per cent sales tax now authorized by the Constitution is to be levied by the Legislature. It is necessary, however, to have a constitutional amendment in order that the money derived from this tax be used to absorb the counties' share of maintaining elementary and secondary schools. Such an amendment should be operative at once

Because of the difficulties involved in changing from one tax system to another, it is deemed desirable to defer the operative date of the repeal of "Amendment Number One," so-called, for two years, and to require the public utilities to pay additional taxes during that period, for maintaining the State government. This will obviate the necessity for an immediate ad valorem tax, and will enable the State to obtain experience in the administration of the new form of taxes, and to give consideration to and work out complete and detailed plans for the obtaining of revenues from new sources in order that complete and full relief be given to real property. The proposed amendments to Senate Constitutional Amendment No. 30, which we recommend, have been carefully drafted and considered, and should be immediately adopted by the Assembly.

We recommend that such amendments be submitted forthwith and that Senate Constitutional Amendment No 30, as amended, be immediately adopted, and that the Senate concur in such amendments and that the measure be submitted to the people at a special election to be immediately called for such purpose

Respectfully submitted.

CHARLES W. LYON.
RALPH E. SWING.
WALTER H. DUVAL.
WM. R. SHARKEY.
ROY FELLOM
(With reservations already filed).
R. R. INGELS.
DAVID F. BUSH
HARRY B. RILEY
B. J. FEIGENBAUM.
WILLIAM F. KNOWLAND.
LAWRENCE COBB.

The undersigned have signed the above report and indorse the adoption of the amendments to be proposed today to Senate Constitutional Amendment No. 30. We believe that this measure, with these amendments, will accomplish the purposes set forth in our original report, and for which we have worked. We believe that pyramiding of taxes is avoided as is any immediate radical change in our tax system. We further believe that the additional moneys which must be raised to comply with the terms of Senate Constitutional Amendment No. 30 as now amended, can be raised in the manner set forth in the report previously filed. We feel, however, that we should call attention to three particular matters:

1 We believe the amendment to section 16 of Article XIII unnecessarily changes a section which has already been often construed by the courts We do not think this necessary, but the change being only one in verbiage we trust that it will not cause any difficulty.

2. The 5 per cent limitation on increased State expenditures, as drawn, will, we feel, merely result in a race to pass special appropriation bills. We believe this, likewise, inadvisable, but again relatively unimportant

3. The 5 per cent limitation on increased county expenditures we believe points the attention of local governing officials in the wrong direction.

LAWRENCE COBB.
WILLIAM F. KNOWLAND.
B. J. FEIGENBAUM.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY.

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to be numbered 34a to Article IV, by amending section 12 of Article XI, by adding a new section to be numbered 20 to Article XI, by amending sections 14, 15 and 16, and by repealing sections 12½ and 18 of Article XIII, relating to taxation.

Senate Constitutional Amendment No. 30 read.

The question being on the adoption of Senate Constitutional Amendment No. 30.

FLOOR AMENDMENTS.

During reading of Senate Constitutional Amendment No. 30, the following amendments were submitted by Mr. Lyon:

AMENDMENT NUMBER ONE.

On page 2, lines 17 and 18, of the printed measure, as amended, strike out the following: "and later approved by the Governor,".

AMENDMENT NUMBER TWO.

On page 2, line 25, of the printed measure, as amended, strike out the word "fifty", and insert in lieu thereof the word "twenty-five"; in line 26, strike out the words "the general fund", and insert in lieu thereof the words "all funds"; in line 28, strike out the semicolon after the word "thereof", and insert in lieu thereof a period; strike out all of the remainder of line 28, and all of lines 29 and 30.

AMENDMENT NUMBER THREE.

On page 3, line 3, of the printed measure, as amended, after the word "two-thirds", insert the word "vote".

AMENDMENT NUMBER FOUR.

On page 3, line 5, of the printed measure, as amended, after the word "majority", insert the word "vote".

AMENDMENT NUMBER FIVE.

On page 3, lines 18 and 19, of the printed measure, as amended, strike out the words "The Legislature may further restrict such expenditures", and insert in lieu thereof "The limitations imposed in this paragraph shall be effective until June 30, 1935, but the Legislature may impose thereafter the same limitations for such period or periods as it may determine".

AMENDMENT NUMBER SIX.

On page 3 of the printed measure, as amended, strike out all of lines 28 to 50, and on page 4, strike out all of lines 1 to 10, and insert in lieu thereof the following paragraph:

"On and after January 1, 1935, the Legislature shall have power, by two-thirds vote of all the members elected to each of the two houses, to limit the amount of taxes

which may be imposed upon real and personal property according to the value thereof for county or city and county purposes."

AMENDMENT NUMBER SEVEN.

On page 4 of the printed measure, as amended, strike out all that portion of line 27 following "treaty"; strike out all of lines 28, 29 and 30, and all that portion of line 31 preceding the word "shall".

AMENDMENT NUMBER EIGHT.

On page 5, line 9, of the printed measure, as amended, strike out the word "No", and insert in lieu thereof the words "The total"; in line 12, after the word "shall" insert the word "not".

AMENDMENT NUMBER NINE.

On page 7, line 16, of the printed measure, as amended, after the numeral "15", insert the following sentence: "Out of the revenue from State taxes for which provision is made in this article, together with all other State revenues, there shall first be set apart the moneys to be applied by the State to the support of the public school system and the State university."

AMENDMENT NUMBER TEN.

On page 7, line 21, of the printed measure, as amended, after the words "equal to the", insert the word "entire"; strike out the words "of its"; strike out all of lines 22 to 25, both inclusive; and strike out the word "thereon", in line 26, and insert in lieu thereof the following: "required to be raised by each such county or city and county respectively under the provisions of section 6 of Article XI of this Constitution.

If the Legislature limits the amount of revenue which may be raised from taxes upon the real and personal property according to the value thereof in pursuance of its power so to do under section 20 of Article XI of this Constitution, then the Legislature shall provide for the raising of revenue by any form of taxation not prohibited by this Constitution in amounts sufficient to apportion and shall apportion to each county and city and county an amount equal to the deficiency in the revenues thereof resulting from such limitation, as such deficiency shall be determined by law."

AMENDMENT NUMBER ELEVEN.

On page 7 of the printed measure, as amended, between lines 34 and 35, add the following paragraph:

"No injunction or writ of mandate or other legal or equitable process shall ever issue in any suit, action or proceeding in any court against this State, or any officer thereof, to prevent or enjoin the collection of any tax levied under the provisions of this article; but after payment thereof action may be maintained to recover, with interest, in such manner as may be provided by law, any tax claimed to have been illegally collected."

AMENDMENT NUMBER TWELVE.

On page 7, line 49, of the printed measure, as amended, strike out the letter "(a)".

AMENDMENT NUMBER THIRTEEN.

On page 8 of the printed measure, as amended, strike out all of lines 1 and 2, and in line 3, strike out the numeral "4", and insert in lieu thereof the numeral "3".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 45, of the printed measure, as amended, strike out the period, insert a semicolon, and add the following: "Provided further that no excise, or income tax or any other form of tax or license charge shall be levied or assessed upon or collected from the companies, or any of them, mentioned in the first paragraph of this section, in any manner or form, different from, or at a higher rate than that imposed upon or collected from mercantile, manufacturing and business corporations, doing business within this State."

AMENDMENT NUMBER FIFTEEN.

On page 1, line 7, of the title of the printed measure, as amended, after the comma following the numeral "16", insert the following: "by adding three new sections to be numbered 14½, 15½ and 16½,".

AMENDMENT NUMBER SIXTEEN.

On page 8 of the printed measure, as amended, after line 14, add the following paragraphs:

"Ninth—That a new section, to be numbered 14½, be added to Article XIII, to read as follows:

Sec. 14½. The provisions of section 14 of this article as they read on May 1, 1933, shall remain fully operative to and including December 31, 1934, notwithstanding any other provision in this Constitution. From and after January 1, 1935, said provisions shall no longer be of any force and effect, provided, however, that any taxes assessed in pursuance thereof, prior to said date, shall remain fully collectible.

Tenth—That a new section, to be numbered 15½, be added to Article XIII, to read as follows:

Sec. 15½. The provisions of section 15 of this article as they read on May 1, 1933, shall remain operative for the purpose of the assessment and collection of State taxes as therein contemplated to and including December 31, 1934, but nothing in this section shall be construed as making inoperative the provisions of said section as amended subsequent to said date, in so far as they relate to other matters. From and after January 1, 1935, the provisions of section 15 of this article as they read on May 1, 1933, shall no longer be of any force and effect; provided, however, that nothing herein contained shall be construed to affect the collection or distribution of taxes assessed under said section prior to January 1, 1935.

Eleventh—That a new section to be numbered 16½ be added to Article XIII, to read as follows:

Sec. 16½. The provisions of paragraph 4 of section 16 of this article, as they read on May 1, 1933, shall remain operative to and including December 31, 1934, notwithstanding any other provision in this Constitution. From and after January 1, 1935, the provisions of said paragraph 4 shall no longer be of any force and effect; provided, however, that all taxes assessed thereunder, prior to January 1, 1935, shall remain fully collectible."

MOTION.

Mr. Lyon moved that Amendments Numbers One, Two, Three, Four, Five, Six, Seven, Eight, Nine, Ten, Eleven, Twelve, Thirteen, Fifteen and Sixteen be adopted.

The question being on the adoption of Amendments Numbers One, Two, Three, Four, Five, Six, Seven, Eight, Nine, Ten, Eleven, Twelve, Thirteen, Fifteen and Sixteen.

Amendments adopted.

The question being on the adoption of Amendment Number Fourteen.

REQUEST FOR ROLL CALL.

On request of Messrs. Lyon, West and Robinson, C. Ray, the Speaker ordered a roll call taken on the adoption of Amendment Number Fourteen.

The roll was called, and Amendment Number Fourteen was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Frazier, Grubbs, Hallner, Hatch, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, Meeker, Morgan, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Ross, Scudder, Stream, Thorp, West, Woolwine, Wright, Zion and Mr. Speaker—44.

NOES—Boyle, Cassidy, Chatters, Clowdsley, Cronin, Crowley, Fisher, Gilmore, Hoffman, Hornblower, Jones, King, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Powers, Rawls, Rogers, Roland, Stannard, Sullivan, Tournoux, Turner and Williamson—30.

FURTHER AMENDMENT TO SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY.

FLOOR AMENDMENT.

During reading of Senate Constitutional Amendment No. 30, the following amendment was submitted by Mr. McCarthy:

AMENDMENT NUMBER ONE.

On page 7 of the printed measure, as amended April 22, 1933, after the period in line 34, insert the following: "Nothing herein contained shall authorize, or be construed to authorize the Legislature to tax any of the receipts or revenues of any county, city and county, municipality, or any department or agency thereof or any irrigation district, public corporation or political subdivision of this State."

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs. Lyon, King and Robinson, Samuel E., the Speaker ordered a roll call taken on the adoption of the amendment submitted by Mr. McCarthy.

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

AYES—Boyle, Burns, Callahan, Cassidy, Cronin, Crowley, Field, Gilmore, Grubbs, Hornblower, Jones, King, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Rawls, Redwine, Riley, Rogers, Stannard, Sullivan, Tournoux, Williamson, Woolwine and Zion—34.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Kallam, Knowland, Latham, Lyon, Mayo, Meehan, Meeker, O'Donnell, Peterson, Phillips, Powers, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Stream, Thorp, Turner, West, Wright and Mr. Speaker—41.

FURTHER AMENDMENT TO SENATE CONSITITUTIONAL AMENDMENT NUMBER THIRTY.

FLOOR AMENDMENTS.

During reading of Senate Constitutional Amendment No. 30, the following amendments were submitted by Mr. McCarthy:

AMENDMENT NUMBER ONE.

On page 2 of the printed measure, as amended April 22, 1933, strike out all of lines 31 to 41, inclusive.

AMENDMENT NUMBER TWO.

On page 2, line 42, of the printed measure, as amended, strike out the word "Third", and insert in lieu thereof the following: "Second."

AMENDMENT NUMBER THREE.

On page 4, line 13, of the printed measure, as amended, strike out the word "Fourth", and insert in lieu thereof the following: "Third."

AMENDMENT NUMBER FOUR.

On page 6, line 17, of the printed measure, as amended, strike out the word "Fifth", and insert in lieu thereof the following: "Fourth."

AMENDMENT NUMBER FIVE.

On page 7, line 35, of the printed measure, as amended, strike out the word "Sixth", and insert in lieu thereof the following: "Fifth."

AMENDMENT NUMBER SIX.

On page 8, line 6, of the printed measure, as amended, strike out the word "Seventh", and insert in lieu thereof the following: "Sixth."

AMENDMENT NUMBER SEVEN.

On page 8, line 8, of the printed measure, as amended, strike out the word "Eighth", and insert in lieu thereof the following: "Seventh."

The question being on the adoption of the amendments.

Amendments refused adoption.

FURTHER AMENDMENT TO SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY.

FLOOR AMENDMENT.

During reading of Senate Constitutional Amendment No. 30, the following amendment was submitted by Mr. Cassidy:

AMENDMENT NUMBER ONE.

On page 2 of the printed measure, as amended April 22, 1933, after line 41, insert the following:

"SEC. 12½. The Legislature shall have no power to impose any tax upon any of the receipts or revenues of any municipality, public corporation or district which has the power to levy or collect a tax upon real property, or upon the receipts or revenues of any department or agency of such municipality, public corporation or district."

The question being on the adoption of the amendment.

Amendment refused adoption.

Senate Constitutional Amendment No. 30, as amended, ordered to reprint and on file for adoption.

SPECIAL ORDER SET.

Mr. Lyon moved that consideration of Senate Constitutional Amendment No. 30 be made a special order for Tuesday, May 2, 1933, at two o'clock and thirty minutes p.m.

Motion carried.

MOTION TO RE-REFER.

Mr. Craig moved that Senate Bill No. 400 be withdrawn from the file, and ordered re-referred to Committee on Revenue and Taxation.

The question being on re-referring Senate Bill No. 400 to the Committee on Revenue and Taxation.

Motion carried.

Senate Bill No. 400 ordered re-referred to Committee on Revenue and Taxation.

RECESS.

At five o'clock and forty minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m , the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1933

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 309—An act to add sections 1a and 1b to the California Air Navigation Act, relating to aircraft;

Also: Assembly Bill No. 1727—An act to add a new section to be numbered section 6a to an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, relating to ownership of real estate by indigent, incompetent, and incapacitated persons;

Also: Assembly Bill No. 557—An act to amend section 367 of the Code of Civil Procedure and to add a new section, numbered 367a, to said code, relating to parties in certain civil actions;

Also: Senate Bill No. 373—An act to add a new section to the Political Code, to be numbered 661½, relating to the powers of the State Board of Control;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered placed on daily calendar.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1998—An act to amend sections 2, 3, 4, 5, 13 and 14 of an act entitled "An act to regulate the construction and maintenance of auto camps in unincorporated areas; to provide for the inspection and supervision of the same; to provide for the abatement thereof in certain cases; to provide penalties for the violation of the provisions hereof and to repeal Chapter 615, Statutes of 1929, entitled 'An act to regulate the construction and maintenance of auto camps in unincorporated areas, to provide for the inspection and supervision of same and to provide penalties for the violation of the provisions thereof,' approved May 31, 1929," approved April 24, 1931, relating to the powers and duties of the Division of Immigration and Housing, Department of Industrial Relations with respect to auto camps and the fees to be

paid by such camps—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 1262—An act to amend section 5 of an act entitled "An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor," approved May 28, 1931, relating to report to the Governor—has had the same under consideration, and respectfully reports the same back with the recommendation that it do pass.

WOOLWINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 1154—An act to amend section 1 of an act entitled "An act to authorize and regulate the employment of prisoners in the State prisons of this State and to provide for the disposition of the products of their skill and labor," approved February 23, 1911, relating to the use of products covered by the provisions of that act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WOOLWINE, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1841—An act to amend sections 2176, 2180, 2181 and 2182 of the Political Code, and to repeal section 2197 of said code, relating to the support of insane persons and inebriates—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1933.

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 322—An act authorizing the purchase of outstanding bonds issued pursuant to the provisions of the act, entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works, and public utilities; for the issuance, sale, and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements" approved April 20, 1915, as amended, from sinking funds, the cancellation thereof, and providing the procedure therefor;

Also: Assembly Bill No. 325—An act to add section 4a to an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, Statutes of 1923, page 431, providing for the disposition of funds collected from districts illegally formed;

Also: Assembly Bill No. 722—An act to add a new section to be numbered 14a to the "State Civil Service Act," relating to the abolition or discontinuance of positions;

Also: Assembly Bill No 820—An act to amend section 921 of the Political Code, relating to purchases and sales by county, State, township and city officers;

Also: Assembly Bill No. 969—An act to amend section 664 of the Political Code, relating to the Board of Control;

Also: Assembly Bill No. 1045—An act to amend section 605 of the Probate Code, relating to the appointment of appraisers;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this first day of May, 1933, at two o'clock.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 196—An act to amend section 142 of the Code of Civil Procedure, relating to sessions of the superior court;

Also: Assembly Bill No. 1337—An act to amend section 692 of the Political Code, relating to the approval of contracts by the Director of Finance;

Also: Assembly Bill No. 2371—An act to amend section 564 of the Code of Civil Procedure, and to add a new section thereto to be numbered 547a, relating to civil action:

Also: Assembly Bill No. 2394—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1060—An act to amend section 453ee of the Civil Code, relating to investments authorized to be made by mortgage insurance companies;

Also: Assembly Bill No. 1177—An act to add a new section to the Agricultural Code, to be numbered 830 5, relating to the transportation of fruits, nuts and vegetables;

Also: Assembly Bill No. 1343—An act to add a new section to the Political Code, to be numbered 363dd, authorizing the Director of Public Works to enter into agreements for the construction, maintenance, and use of State highway bridges jointly by the public and private owners;

Also: Assembly Bill No. 1543—An act to amend section 2349 of the Political Code, relating to navigable streams and public waterways;

Also: Assembly Bill No 2252—An act to amend section 3 of an act entitled "An act to require owners of forest lands to provide a fire patrol therefor," approved June 6, 1923, relating to forest land fire patrols;

Also: Assembly Bill No. 2354—An act relating to retirement systems covering county or township officers or employees or a portion of such employees;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this first day of May, 1933, at two o'clock.

PATTERSON, Chairman.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Concurrent Resolution No 26—Relative to the creation of a joint committee of the Senate and the Assembly to investigate any and all matters relating to prisons and reformatories—has had the same under consideration, and respectfully reports the same back without recommendation, and be referred to Committee on Ways and Means.

WOOLWINE, Chairman.

Assembly Concurrent Resolution No. 26 ordered re-referred to Committee on Ways and Means.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER SACRAMENTO, May 1, 1933.

MR. SPEAKER: Your Committee on Public Morals, to which was referred the following resolution by Mr. Woolwine:

WHEREAS, It appears that the laws of this State regulating boxing and wrestling contests and exhibitions are such that a revision thereof is necessary and advisable; and

WHEREAS, For the proper consideration of any program of proposed legislation in respect to this subject it is necessary that the Legislature be furnished with data in respect thereto; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker appoint a committee of three, which committee shall, during the fiftieth session and the period between the adjournment of this Legislature and the date upon which the next Legislature shall convene, investigate and study the conditions under which boxing and wrestling contests or exhibitions are conducted or held and regulation in respect thereto; and be it further

Resolved, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein

referred to. Said committee, the chairman thereof, and each of the members with the consent of the chairman is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpenas and to compel the attendance of witnesses; to procure testimony and to administer oaths. All of the provisions of Article VIII of Chapter II of Title I of Part III, of the Political Code, relative to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee and the members thereof as herein provided; and be it further

Resolved, That said committee shall submit a report to the fifty-first session of the Legislature upon its convening in the year 1935, with recommendations as to changes which should properly be made in the laws of this State in respect to the regulation and supervision of boxing and wrestling contests and matters related thereto.

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

WRIGHT, *Chairman*.

The above reported resolution ordered on file for adoption.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 917—An act to amend section 4279 of the Political Code, relating to compensation of county and township officers in counties of the fiftieth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1193—An act to require the use of materials and supplies substantially produced in the United States, in public works and for public purposes.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended, Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1 of Article XVI thereof, relating to incurrence and retirement of bonded indebtedness by the State—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Constitutional Amendment No. 33 ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1256—An act to amend section 1230 of the Fish and Game Code, and to add a new section to the Fish and Game Code to be numbered 1340.5, relating to predatory mammals and rodents—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2301—An act to

amend section 660 of the Fish and Game Code, relating to salmon—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 333—An act to amend section 613 of the Fish and Game Code, relating to trout—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1755—An act to add a new section to the Fish and Game Code to be numbered 20, relating to powers and duties—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1254—An act to add a new section to the Fish and Game Code, to be numbered 488.5, relating to fish hatcheries—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1358—An act to add a new section to the Political Code to be numbered 353ee, authorizing the closing of State highways during storms or during construction and maintenance operations, and to repeal section 588b of the Penal Code—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1353—An act to add sections 363r, 363s, 363t, 363u, 363v, 363w, 363x, 363y, 363z, 363aa and 363bb to the Political Code, to amend section 363h, of the Political Code, and to repeal sections 365, 365a, 365b, 365c, 365d, 365e, 365f, and 365m, all relating to State roads and highways, and the powers and duties of the Director of Public Works, Department of Public Works, and California Highway Commission in respect thereto—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2097—An act to

amend sections 828 and 829 and to add a new section to the Agricultural Code, to be numbered 810 5, relating to the standardization of lettuce and asparagus—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1753—An act to add a new section to the Fish and Game Code, to be numbered 459, relating to other regulations—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1163—An act to add a new section to the Fish and Game Code, to be numbered 1323, relating to muskrats;

Also: Assembly Bill No. 1257—An act to amend section 1177 of the Fish and Game Code and to add thereto a new section to be numbered 1203 5, relating to game;

Also: Assembly Bill No. 1260—An act to amend section 489 of the Fish and Game Code, relating to the taking of fish near spawn-taking stations;

Also: Assembly Bill No. 1526—An act to amend section 379 of the Fish and Game Code, relating to Federal preserves.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1109—An act to amend section 19x11 of the Juvenile Court Law, relating to probation officers in counties of the eleventh class;

Also. Assembly Bill No. 1110—An act to amend section 16x11 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the eleventh class;

Also: Assembly Bill No. 1111—An act to amend section 2322x11 of the Political Code, relating to the office of agricultural commissioner in counties of the eleventh class;

Also: Assembly Bill No. 1112—An act to amend section 4240 of the Political Code, relating to compensation of county and township officers in counties of the eleventh class;

Also: Assembly Bill No. 754—An act to amend section 338 of the Code of Civil Procedure, relating to limitations of sections;

Also: Assembly Bill No. 1147—An act to add a new section to the Agricultural Code, to be numbered 62.5, relating to county agricultural commissioners;

Also: Assembly Bill No. 1982—An act to amend section 459 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 1983—An act to amend section 476 of the Agricultural Code, relating to dairies and dairy products.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1359—An act to amend section 588c of the Penal Code, relating to the injury, defacement or removal of monuments or stakes placed, erected or used by the Department of Public Works, its officers or employees, on or along any State road or highway, or in connection with State road or highway work, and prescribing a penalty for the violation of such section;

Also: Assembly Bill No. 1506—An act to amend the title and section 1 of an act entitled "An act declaring the improved county road extending from Rio Vista to Lodi to be a State highway," approved June 3, 1921;

Also: Assembly Bill No. 1729—An act to amend sections 32 and 34 of the Joint Highway District Act, approved June 17, 1931;

Also: Assembly Bill No. 2346—An act to repeal an act entitled "An act to create a board of harbor commissioners for the port of San Jose on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees and to appropriate money to carry this act into effect," approved June 14, 1913;

Also: Assembly Bill No. 536—An act to add section 459 to the Fish and Game Code, relating to mammals kept in captivity;

Also: Assembly Bill No. 1761—An act to amend section 250 of the Fish and Game Code, relating to clam preserves;

Also: Assembly Bill No. 1769—An act to amend section 730 of the Fish and Game Code, relating to halibut;

Also: Assembly Bill No. 1763—An act to amend sections 76, 808, 809 and 810 of the Fish and Game Code and to add thereto section 808.5, relating to fish and game.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Patterson:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 10 of and to add a new section to be known as 1a, to an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund," approved May 10, 1927, as amended.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend sections 1, 2, 3, 4, 13, 23 and 26 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes", and to add thereto a new section to be numbered 4a, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to enable irrigation districts to negotiate settlements of controversies involving alleged damage to the water rights of land within such districts, in cases where the State of California holds a tax title to any land in such district.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 10 of and to add a new section to be known as 1a, to an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manu-

facturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund," approved May 10, 1927, as amended.

HALLNER, Chairman.

The question being on the adoption of the report.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

Time, eight o'clock and twelve minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anglim, Boyle, Burns, Cassidy, Chatters, Crowley, Evans, Feigenbaum, Greene, Grubbs, Hatch, Hoffman, Levey, Mayo, McBride, McMurray, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Peterson, Powers, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Thorp, Turner, Utt, Williamson and Mr. Speaker—34.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eight o'clock and forty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Woolwine.

The roll of absentees was called, and the report of the Committee on Introduction of Bills was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

ASSISTANT CLERK FITZSIMMONS READING.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Meeker: Assembly Bill No. 2402—An act to enable irrigation districts to negotiate settlements of controversies involving alleged damage to the water rights of land within such districts, in cases where the State of California holds a tax title to any land in such district.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Patterson: Assembly Bill No. 2403—An act to amend section 10 of and to add a new section to be known as 1a, to an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture:

and creating the upholstered furniture inspection fund," approved May 10, 1927, as amended, relating to furniture.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Burns: Assembly Bill No. 2404—An act to amend sections 1, 2, 3, 4, 13, 23, and 26 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," and to add thereto a new section to be numbered 4a, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately

Bill read first time, and referred to Committee on Banking.

By Mr. Woolwine: Assembly Constitutional Amendment No. 117—A proposed amendment to section 18, Article VI of the Constitution, relative to the eligibility of judges to become candidates for judicial office.

Introduced, and referred to Committee on Constitutional Amendments.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 265—An act to amend section 1203 of the Penal Code, relating to recommendations of probation officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 265 refused passage by the following vote:

AYES—Badham, Callahan, Cassidy, Cobb, Field, Hallner, Jones, Latham, Lyon, McCarthy, Rawls, Robinson, C. Ray; Ross, Woolwine and Mr. Speaker—15.

NOES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Gilmore, Greene, Hatch, Hoffman, Hornblower, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Robinson, Samuel E., Rogers, Stream, Tournoux, West, Williamson and Wright—51.

LEAVE OF ABSENCE.

On motion of Mr. Powers, Mr. Scudder was granted leave of absence for the balance of this legislative day.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 1044, at this time.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND FORTY-FOUR.

Assembly Bill No. 1044—An act to amend sections 3, 4, 6, 7, and 8 of the "General Cemetery Act," approved June 19, 1931, relating to cemetery corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1044 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan,

Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Williamson, Woolwine, Wright and Zion—61.

NOES—Field, Fisher, Kallam, Knowland, Lyon, Nielsen, Redwine, Robinson, Samuel E., Roland, Ross, Utt, West and Mr. Speaker—13.

AMENDMENT TO TITLE.

During reading of the title, the following amendment was submitted by Mr. Roberts:

AMENDMENT NUMBER ONE.

In the title of the printed bill, after the word "sections", and the figures "3" and "4", strike out the figures "6", "7", and "8".

Amendment adopted.

Title read as amended, and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2355—An act to amend section 47 of, and to add three new sections, to be numbered $2\frac{3}{4}$, $2\frac{7}{8}$, and 17a to the Public Utilities Act, relating to the nature, organization, and operation of public utilities.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Powers:

AMENDMENT NUMBER ONE.

Strike out lines 1 and 2 of the title of the printed bill, and in line 3 of the title, strike out "relating to the nature," and insert in lieu thereof the following: "An act to add two new sections, to be numbered $17\frac{1}{2}$a and $17\frac{1}{2}$b to the Public Utilities Act, relating to the".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 28, inclusive, also strike out pages 2 to 8, inclusive, and on page 9 strike out lines 1 to 35, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Public Utilities Act, to be numbered $17\frac{1}{2}$a and to read as follows:

Sec $17\frac{1}{2}$a. In the fixation of reasonable rates to be charged by public utilities subject to regulation by the Railroad Commission, no compensation or salary of any officer or employee shall be allowed as an operating expense of any particular public utility unless said public utility demonstrates to the satisfaction of the commission that said compensation or salary is reasonable. The burden of proof as to the reasonableness of such compensation shall be upon the public utility affected.

SEC. 2. A new section is hereby added to the Public Utilities Act, to be numbered $17\frac{1}{2}$b and to read as follows:

Sec. $17\frac{1}{2}$b"

AMENDMENT NUMBER THREE.

On page 9, line 45, of the printed bill, after the period in said line, insert the following: "Notwithstanding anything in this section contained, a public utility may charge against the expenses of operation any reasonable contribution, approved by the commission, made to any organization formed for the purpose of state or local development or improvement and receiving or entitled to receive contributions from the State, counties or cities, which contributions from such public utility shall be a benefit to such public utility."

Amendments adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1089—An act to amend section 1056 of the Code of Civil Procedure relating to sureties on undertakings or bonds, prescribing the amount of capital stock required and regulating the forma-

tion or admission of corporations to transact such business in this State, placing such corporations under the jurisdiction of the Insurance Commissioner, providing for examination and prescribing the duties of the said Insurance Commissioner in connection therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1089 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Cronin, Evans, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1098—An act to amend section 602 of the Political Code, relating to insurance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1098 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Cronin, Evans, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1102—An act to amend section 594 of the Political Code, defining and classifying insurance, and prescribing capital and other requirements of the various classes and limitations of classes permitted, and also requiring the stock of insurance companies to have a specified par value.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1102 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1791—An act to amend an act entitled "An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations," approved April 30, 1919, as amended, by adding thereto six new sections, to be numbered 5, 8a, 8b, 8c, 8d and 8e, respectively, and by amending section 6 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1791 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 423—An act to add section 679b to the Penal Code, relating to goods, wares, and merchandise manufactured, produced, or mined by convicts or prisoners, and prescribing penalties for violation of the provisions thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 423 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, Knowland, Latham, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, Samuel E., Roland, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Wright, Zion and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 800—An act to amend section 634 of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 800 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, Knowland, Latham, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2352—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as therein defined, providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

POINT OF ORDER.

Mr. Feigenbaum arose to the following point of order: Stating that Assembly Bill No. 2352 should be referred to the Committee on Ways and Means in accordance with Rule No. 64 as it carries an appropriation.

RULING BY SPEAKER.

The Speaker ruled the point of order well taken.

MOTION TO RE-REFER.

Mr. Feigenbaum moved that Assembly Bill No. 2352 be withdrawn from the file, and referred to Committee on Ways and Means.

The question being on referring Assembly Bill No. 2352 to the Committee on Ways and Means.

REQUEST FOR ROLL CALL.

On request of Messrs. Robinson, C. Ray; Lyon and Rawls, the Speaker ordered a roll call taken on the motion to refer Assembly Bill No. 2352 to Committee on Ways and Means.

The roll was called, and the motion to refer Assembly Bill No. 2352 to Committee on Ways and Means lost by the following vote:

AYES—Badham, Cottrell, Cronin, Evans, Feigenbaum, Field, Gilmore, Hornblower, Kallam, Knowland, Latham, Maloney, Stannard, Stream and Williamson—15.

NOES—Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crowley Frazier, Greene, Grubbs, Hatch, Jones, King, Lyon, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Sullivan, Thorp, Tournoux, Turner, Utt, Woolwine, Wright, Zion and Mr. Speaker—42.

POINT OF ORDER.

Mr. Hornblower arose to the following point of order: Stating that in accordance with Rule No. 64, Assembly Bill No. 2352 should be referred to Committee on Ways and Means.

RULING BY SPEAKER.

The Speaker ruled the point of order well taken, stating that acts providing for tax levies or appropriations for the usual current expenses of the State and urgency measures necessary for the immediate preservation of the public peace, health and safety should be considered by the Committee on Ways and Means.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2352 was withdrawn from the file, and referred to Committee on Ways and Means.

Assembly Bill No. 523—An act to amend section 1 of an act entitled "An act authorizing counties to declare noxious or dangerous weeds growing upon the streets or sidewalks or upon private property in counties, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance

exists for the cost of abating the same, and providing that such cost shall constitute special assessments, and providing for the enforcement and collection of such special assessments," approved May 24, 1929, relating to the powers of supervisors to declare the existence of a public nuisance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 523 passed by the following vote:

AYES—Alter, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Evans, Feigenbaum, Field, Gilmore, Hallner, Hatch, Hornblower, Kallam, King, Knowland, Latham, Levey, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Zion and Mr. Speaker—50.

NOES—Grubbs, Hoffman, Stannard and Stream—4.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. MAURICE S. MEEKER IN THE CHAIR.

At ten o'clock and fifty-eight minutes p.m., Hon. Maurice S. Meeker, member of the Assembly from the Thirty-seventh Assembly District, in the chair.

Assembly Bill No. 1888—An act to amend section 3714 of the Political Code, relating to county and district budgets and county expenditures.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1888 refused passage by the following vote:

AYES—Badham, Bowers, Chatters, Evans, Gilmore, Grubbs, Hallner, Levey, Lyon, Martin, Meeker, Nielsen, Phillips, Rawls, Robinson, Samuel E., Ross, Stannard, Thorp, Woolwine, Zion and Mr. Speaker—21.

NOES—Alter, Anglim, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Crist, Feigenbaum, Field, Fisher, Hatch, Hoffman, Hornblower, Jones, Knowland, Latham, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Redwine, Riley, Roland, Stream, Tournoux, Turner, Williamson and Wright—38

NOTICE OF RECONSIDERATION.

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1888 was this day refused passage.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and five minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 2380—An act to amend Chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the

utilization or conservation of the water resources of the State," approved April 29, 1927, as amended, by amending section 1 thereof, relating to appropriation of waters by the State Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2380 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—61.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1754—An act to amend section 423 of the Fish and Game Code, relating to hunting and sporting fishing licenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1754 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2389—An act to amend section 506b of the Penal Code, relating to theft by an insurance agent, broker, or solicitor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2389 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—63.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK BERNARD READING.

Assembly Bill No. 379—An act to provide for the use of matured bonds or matured interest coupons of districts formed under the pro-

visions of the "Acquisition and Improvement Act of 1925" or the "Road District Improvement Act of 1907" in the payment of assessment taxes levied upon land within said districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 379 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2325—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by adding two new sections thereto to be numbered, respectively, section 28, relating to the dissolution of such municipal utility districts, and section 29, relating to the withdrawal of certain territory therefrom.

Bill read third time.

The question being on the passage of the bill.

The roll was called. and Assembly Bill No. 2325 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2362—An act to authorize the incorporation and to provide for the organization, powers, duties, regulation, and liquidation of nonprofit corporations organized for the purpose of administering community land chests, to limit the use of the terms "land chest" and "community land chest" in corporate names, to prescribe penalties for the violation of the provisions of this act, and to declare the urgency of this act and to provide that it shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—64.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED SIXTY-TWO.

Assembly Bill No. 2362—An act to authorize the incorporation and to provide for the organization, powers, duties, regulation, and liquidation of nonprofit corporations organized for the purpose of administering community land chests, to limit the use of the terms "land chest" and "community land chest" in corporate names, to prescribe penalties for the violation of the provisions of this act, and to declare the urgency of this act and to provide that it shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2362 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—59.

NOES—King, McCarthy and O'Connor—3.

Title read and approved.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Badham moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 973 was refused passage be continued until the next legislative day.

Motion carried.

RECONSIDERATION WAIVED.

Mr. Hornblower waived his notice to reconsider the vote whereby Assembly Bill No. 111 was passed.

Assembly Bill No. 111 ordered transmitted to the Senate.

MOTION TO RECONSIDER

Mr. West moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 136 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. McCarthy moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 504 was passed be continued until the next legislative day.

Motion carried.

Assembly Bill No. 1280—An act to amend sections 452a, 452c, 452d, 452f, and 453 of the Civil Code, all relating to mutual benefit and life associations.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1280?

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended, strike out lines 36, on page 2 thereof, to line 50, on page 3 thereof, both inclusive, and insert in lieu thereof the following:

"453. Each association provided for in this chapter may, on the death of a member, levy an assessment on the surviving members of not to exceed three dollars for each one thousand dollars of insurance or fraction thereof carried by such member, and collect the same and pay the benefits provided for in the contract of insurance issued to such deceased member, to the nominee of such decedent and the residue, if any, from the proceeds of such assessments shall be deposited in the emergency mortality fund of the association as provided herein. Such association may also provide for the payment of annual dues by members, which annual dues, exclusive of initial membership fee payable in the first policy year, shall not exceed in the aggregate a sum equal to twelve dollars per one thousand dollars or fraction thereof of insurance written, but no member shall be subject to the payment of any annual dues in excess of that established upon the issuance of the policy held by the member. The association may make such by-laws not inconsistent with the laws of the State as may be necessary for its government and the transaction of its business; may by its name sue and be sued, loan such funds as it may have on hand; and own sufficient real estate for its business purposes and such as it may be necessary to purchase on foreclosure of its mortgages.

Each association governed by the provisions of this chapter may, in addition to other assessments authorized by the provisions of the chapter, levy assessments and collect same, for the purpose of creating and maintaining an emergency mortality fund; provided, however, that no such assessment shall exceed three dollars for each one thousand dollars of insurance or fraction thereof carried by such member. Such emergency mortality fund may be used for its collection, payment of policy claims, inspections, taxes, professional services, reinsurance and expenses incidental thereto, but no such payment shall be made out of such fund for the payment of any death claim to an amount in excess of the net proceeds of the last preceding assessment. Notwithstanding the payment of any death claims, the association may, in addition to the special assessment above authorized, levy an assessment in the same manner as though for the payment of such claims, but the proceeds thereof shall be paid into said fund to replenish it for the loss arising out of the payment of such claims. Each association governed by the provisions of this chapter may provide for the payment of premiums in advance of stipulated amounts at periodic intervals. That portion of such advance premiums which constitute payment or part payment for mortality purposes, must as to each member, be carried as a trust fund in the name of such member on the books of the association. Amounts chargeable to the member as they become due shall be deducted from such trust funds for policy claims and/or the replenishment or creation of the emergency mortality fund. Any unused portion of such trust fund, paid by such member, shall be the credit balance as to such member subject to the terms of the policy held by such member.

The limitation of annual dues hereinbefore provided shall not apply to associations heretofore organized and incorporated and now existing under the provisions of an act of the Legislature of the State of California, approved March 28, 1874, as amended, entitled "An act relating to mutual benefit and relief associations."

The roll was called, and Senate amendment to Assembly Bill No. 1280 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—62.

NOES—None.

The above reported bill ordered to enrollment.

Senate Concurrent Resolution No. 20—Relative to the sale of the annotated edition of the State Constitution.

The question being put: Shall the Assembly recede from Assembly amendments to Senate Concurrent Resolution No. 20?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Concurrent Resolution No. 20 by the following vote:

AYES—Rawls—1.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Woolwine, Wright, Zion and Mr. Speaker—59.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Cottrell, Utt and Woolwine as a Committee on Free Conference to meet with a like committee from the Senate for the consideration of Senate Concurrent Resolution No. 20.

THIRD READING OF SENATE BILLS.

Senate Concurrent Resolution No. 23—Relative to special joint rules for the fiftieth session of the Legislature.

Senate Concurrent Resolution No. 23 read.

The question being on the adoption of Senate Concurrent Resolution No. 23.

The roll was called, and Senate Concurrent Resolution No. 23 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Woolwine, Wright, Zion and Mr. Speaker—62.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 23 ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Cassidy moved that Senate Bill No. 400 be withdrawn from the file, and ordered re-referred to Committee on Revenue and Taxation.

The question being on re-referring Senate Bill No. 400 to the Committee on Revenue and Taxation.

Motion carried.

Senate Bill No. 400 ordered re-referred to Committee on Revenue and Taxation.

MOTION TO RE-REFER.

Mr. Meeker moved that Assembly Bill No 562 be withdrawn from the Committee on Ways and Means and referred to Committee on County Government.

The question being on referring Assembly Bill No. 562 to the Committee on County Government.

Motion carried.

Senate Bill No. 562 ordered referred to Committee on County Government.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 352—An act to amend section 1262 of the Agricultural Code, relating to produce dealers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 352 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cronin, Evans, Field, Frazier, Grubbs, Hallner, Hatch, Hornblower, Jones, King, Knowland, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Stannard, Stream, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 336—An act to add a new section to be numbered 52¼ to an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to the jurisdiction of the Railroad Commission over and defining affiliated interests of public utilities.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Powers:

AMENDMENT NUMBER ONE.

On page 2, line 10, of the printed bill, strike out "fifty", and insert in lieu thereof the following: "ten".

AMENDMENT NUMBER TWO.

On page 2, line 19, of the printed bill, strike out "fifty", and insert in lieu thereof the following: "ten".

Amendments adopted.

Bill ordered to reprint, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 202—An act to amend section 1032 of the Political Code, relating to the inspection of public records;

Also: Assembly Bill No. 454—An act to declare provisions in contracts of employment whereby either party undertakes not to join, become or remain a member of a labor union or of any organization of employers or undertakes in such event to withdraw from the contract of employment, to be against public policy and void;

Also: Assembly Bill No. 2393—An act to amend section 4460 of the Political Code, relating to newspapers of general circulation;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2398—An act to provide for the replacement and for reconstruction of public school buildings wholly or partially destroyed by earthquakes since January, 1933, declaring the urgency thereof and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1805—An act to regulate the practice of auctioneering and to license, regulate and supervise persons engaged in the business of or acting as auctioneers—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 2094—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal Reclamation Laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contract," approved May 5, 1917, as amended, by amending the title and section 1 thereof, and adding a new section to be designated section 11, to authorize the borrowing or procuring of money by irrigation districts from the United States or any agency thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ADJOURNMENT.

At eleven o'clock and fifty-nine minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m, Tuesday, May 2, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, May 2, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr. O'Connor, Messrs. Dempster and Hunt were granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Nielsen, Mr. Becker, principal, and the following students of the Folsom School: Georgia Horn, Maxine Lovelace, La Verna Kybers, Violet Duggin, Georgia Stevens, Albert Tucher, Catherine Lemon, Alice Walton, John Farshon, Catherine Lynch, Everett Handy, Francis Bunker, Alma Morton, Geraldine Durham, Edwin McKeirnan, Maraget Zerlang, Lloyd Stuartd, Walter Biggs, Jack McDonald, Verla Burnett, Roland Varnum, Jack Gwinn, Geraldine Swingle, Wanda Henry, Arthur Tracy, Robert Biggs, Glenn Shelden, Albert McWilliams and Celia Henry were extended the privilege of the floor of the Assembly for this day.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Clowdsley:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend the Agricultural Code, by adding to Division IV a new chapter to be numbered 9, embracing sections 710 to 722, inclusive, relating to the regulation and control of the sale of milk and milk products and the fixing of the prices thereof and creating the Milk Control Board in connection therewith.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend the Agricultural Code, by adding to Division IV a new chapter to be numbered 9, embracing sections 710 to 722, inclusive, relating to the regulation and control of the sale of milk and milk products and the fixing of the prices thereof and creating the Milk Control Board in connection therewith.

HALLNER, Chairman.

The question being on the adoption of the report.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

Time, ten o'clock and twenty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crowley, Evans, Feigenbaum, Fisher, Grubbs, Hallner, Hatch, Hoffman, Jones, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—55.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Bliss moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 58 was refused adoption be continued until the next legislative day.

Motion carried.

Assembly Bill No. 2097—An act to amend sections 790, 828 and 829 and to add a new section to the Agricultural Code, to be numbered 810.5, relating to the standardization of lettuce and asparagus.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2097?

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed amended bill, directly after the word "of", insert the following: "lettuce and".

AMENDMENT NUMBER TWO.

On page 5, line 16, of the printed amended bill, strike out the word "lettuce".

AMENDMENT NUMBER THREE.

On page 5 of the printed amended bill, between lines 16 and 17, insert the following:

"45A	Standard Lettuce Crate	13¾	17½	21⅛
45B	Standard Lettuce Crate	13	17½	21⅛".

AMENDMENT NUMBER FOUR.

On page 5, line 21, of the printed amended bill, strike out the word "showing", and insert in lieu thereof the following: "shown".

AMENDMENT NUMBER FIVE.

On page 5 of the printed amended bill, strike out all of lines 25 and 26, and insert in lieu thereof the following:

"Standard containers numbers 45A and 45B, when lidded, shall have a lid not over twenty-five and one-fourth inches in length. The inside length shown hereinabove for the standard containers numbers 45, 45A, 45B and 46, shall be a minimum length, with".

AMENDMENT NUMBER SIX.

On page 7, line 20, of the printed amended bill, strike out "number 45", and insert in lieu thereof the following: "numbers 45A and 45B".

AMENDMENT NUMBER SEVEN.

On page 7, line 25, of the printed amended bill, strike out "number 45", and insert in lieu thereof the following: "numbers 45A and 45B".

AMENDMENT NUMBER EIGHT.

On page 3, line 19, of the printed bill, strike out the words "this section", and insert in lieu thereof the words "section 829".

AMENDMENT NUMBER NINE.

On page 5, line 12, of the printed bill, strike out the words "this container", and insert in lieu thereof the words "these containers".

AMENDMENT NUMBER TEN.

On page 7, line 6, of the printed bill, strike out the word "on", and insert in lieu thereof the word "and".

The roll was called, and Senate amendments to Assembly Bill No. 2097 were concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Crowley, Evans, Feigenbaum, Fisher, Grubbs, Hatch, Hoffman, Jones, Kallam, Latham, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—54.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1353—An act to add sections 363r, 363s, 363t, 363u, 363v, 363w, 363x, 363y, 363z, 363aa and 363bb to the Political Code, to amend section 363h of the Political Code, and to repeal sections 365, 365a, 365b, 365c, 365d, 365e, 365f, and 365m, all relating to State roads and highways, and the powers and duties of the Director of Public Works, Department of Public Works, and California Highway Commission in respect thereto.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1353?

AMENDMENT NUMBER ONE.

On page 3, line 18, of the printed bill, as amended in the Assembly on April 7, 1933, after the period following the word "structure", strike out all the balance of said line 18, and strike out all of lines 19, 20, 21, 22, 23 and 24 on said page 3.

The roll was called, and Senate amendment to Assembly Bill No. 1353 was concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—62.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1358—An act to add two new sections to the Political Code, to be numbered 363ee and 363ff, relating to the powers and duties of the Director of Public Works.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1358?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in the Assembly March 10, 1933, strike out all of the title, and insert in lieu thereof the following:

"An act to add two new sections to the Political Code, to be numbered 363ee and 363ff, relating to the powers and duties of the Director of Public Works."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended in the Assembly March 10, 1933, after line 43, and at the end of section 1, add the following:

"SEC. 2. A new section is hereby added to the Political Code, to be numbered 363ff, to read as follows:

363ff. (a) Whenever the Director of Public Works shall determine that any lands, or rights in land, heretofore or hereafter acquired by the State of California for highway uses and purposes are no longer necessary for such uses or purposes he is hereby authorized to negotiate the sale and to sell or to exchange such lands and rights in land, in such manner and upon such terms and conditions as may be approved by the California Highway Commission. The conveyance of any such lands and rights in land shall be executed on behalf of the State of California by the Director of Public Works. Whenever such lands, or rights in land, are conveyed for a consideration, the purchase price thereof shall be paid into the State treasury to the credit of such fund or funds available to the Department of Public Works for highway purposes, as the California Highway Commission may determine.

(b) Such lands, or rights in land, may likewise be exchanged for other lands, rights in land, easements, or rights of way, needed or necessary for State highway uses and purposes, either as whole or part consideration therefor.

(c) Lands, or rights in land, title to which has passed to and has been accepted on behalf of the State by the Department of Public Works for highway purposes, inadvertently or by mistake, may be reconveyed to the person or persons entitled thereto. The reconveyance of any such lands, or rights in land, shall be executed on behalf of the State of California by the Director of Public Works; provided, that any consideration received therefor by the grantor from the State of California or otherwise shall first be refunded or reconveyed to the State, or to the political subdivision, or whoever may be entitled thereto."

The roll was called, and Senate amendments to Assembly Bill No. 1358 were concurred in by the following vote:

AYES—Alter, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—60.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 333—An act to amend section 613 of the Fish and Game Code, relating to trout.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 333?

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "other regulations", and insert in lieu thereof the following: "the importation of birds and mammals or parts thereof".

The roll was called, and Senate amendment to Assembly Bill No. 333 was concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Evans, Feigenbaum, Frazier, Gilmore,

Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—63.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 2301—An act to amend sections 658 and 660 of the Fish and Game Code, relating to salmon.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2301?

AMENDMENT NUMBER ONE.

Strike out line 1 of the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 658 and 660 of the Fish and".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. Section 658 of the Fish and Game Code is hereby amended to read as follows:

658. In districts 10 and 11 salmon may be taken with hook and line between May 1st and August 30th. There is no bag limit. The size limit is as provided in section 661 of this code.

SEC. 2. Section 660 of the Fish and Game Code is".

The roll was called, and Senate amendments to Assembly Bill No. 2301 were concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Latham, Levey, Lyon, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—64.

NOES—None.

The above reported bill ordered to enrollment.

RECONSIDERATION WAIVED.

Mr. Lyon waived his notice to reconsider the vote whereby Assembly Bill No. 1888 was refused passage.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. West moved that the vote whereby Senate Bill No. 136 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—66.

NOES—None.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED THIRTY-SIX.

Senate Bill No. 136—An act to amend section 331 of the Agricultural Code, relating to hides and brands.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. West moved that Senate Bill No. 136 be withdrawn from the file, and ordered re-referred to Committee on Agriculture.

The question being on re-referring Senate Bill No. 136 to Committee on Agriculture.

Motion carried.

Senate Bill No. 136 ordered re-referred to Committee on Agriculture.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 723—An act to amend sections 4.320, 4.321, and 4.322, and repeal sections 4.323 to 4.334, both inclusive, of the School Code, all relating to school warrants registered for want of funds.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out the word "six", and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2366—An act to amend sections 5.650, 5.653 and 5.661 of the School Code, relating to permanent employees.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the words "or utterances", and all of lines 8, 9 and 10, and insert in lieu thereof the following: ", participation in any meeting of or holding membership in any organization or society advocating the commission of acts of criminal syndicalism as defined in Chapter 188, Statutes of 1919. dis-".

AMENDMENT NUMBER TWO.

On page 1, line 22, of the printed bill, insert a comma after the word "utterances", and strike out all of lines 23, 24 and 25, and in line 26, strike out the word "means", and insert in lieu thereof the following: "participation in any meeting of or holding membership in any organization or society advocating the commission of acts of criminal syndicalism as defined in Chapter 188, Statutes of 1919,".

AMENDMENT NUMBER THREE.

On page 2, line 17, of the printed bill, strike out the words "or utterances criti-", and all of lines 18 and 19, and the words "change except by lawful means", in line 20, and insert in lieu thereof the following: "participation in any meeting of or holding membership in any organization or society advocating the commission of acts of criminal syndicalism as defined in Chapter 188, Statutes of 1919,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Senate Bill No. 811—An act to amend sections 10 and 15 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities and upon property and rights of way owned by municipalities and for the laying out, opening, extending, widening, straightening or acquiring in whole or in part of public streets, squares, lanes, alleys, easements, courts and places within municipalities, to provide for the collection of such assessments, the sale of the property affected thereby, and for the payment of the bonds so issued," approved June 11, 1915, as amended, relating to bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1806—An act to add to the School Code new sections to be numbered 2.1112, 2.1113, 2.1114, 2.1115, 2.1116, 2.1117 and 2.1118, and to amend School Code sections 4.970, relating to public schools, school districts, the powers and duties of the governing boards of school districts, and the authorizing of any elementary district to permit the governing board of the high school district within which any such elementary district is located, to manage, operate and control the elementary schools within such elementary district together with the high schools of the high school district as a single school district system.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out lines 11 to 14, inclusive, and insert in lieu thereof the following: "trict system. Such election shall be called, held and conducted as nearly as may be practicable in the manner provided by law for conducting elections for school trustees of elementary school districts. The ballot used shall contain the question "Shall the high school board of this district have power to operate and maintain the high and elementary schools within this district as a single school system," or words of similar import, followed by two voting squares, one containing the word "Yes" and the other the word "No". Each voter shall stamp or print a cross after the answer he desires to give."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, strike out lines 46 and 47, and insert in lieu thereof the following: "provisions of law applicable to the State school system."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 852—An act to amend section 990 of the Fish and Game Code, relating to commercial fishing licenses.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 9 to 11, inclusive, and insert in lieu thereof the following: "A commercial fishing license may be issued only to a

person who has continuously resided within the United States for a period of one year immediately prior to the time".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1262—An act to amend section 5 of an act entitled "An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor," approved May 28, 1931, relating to report to the Governor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1841—An act to amend sections 2176, 2180, 2181, and 2182 of the Political Code, and to repeal section 2197 of said code, relating to the support of insane persons and inebriates.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the figures "2176," and strike out the following in said line: "2181, and 2182".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out the following: "and to repeal section 2197 of said code,".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of lines 1 to 27, inclusive.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out all of lines 1 to 21, inclusive.

AMENDMENT NUMBER FIVE.

On page 2, line 22, of the printed bill, strike out the following: "Sec. 2", and insert in lieu thereof the following: "Section 1".

AMENDMENT NUMBER SIX.

On page 2, line 27, of the printed bill, strike out the following: "the actual cost thereof as may be".

AMENDMENT NUMBER SEVEN.

On page 2, line 30, of the printed bill, after the word "advance", insert a semicolon and the following: "provided, however, the medical superintendent of a State hospital for the insane shall, on the order of the Director of Institutions, reduce or remit the amount to be paid by the estate or the relatives, as the case may be, liable for the care, support, and maintenance of any insane person committed thereto and confined therein, on satisfactory proof that said estate or said relatives, as the case may be, are unable to pay the cost of such care, support, and maintenance. If any insane person die at any time, while his estate is liable for his care, support, and maintenance and other expenses at a State hospital, the claim for such amount as may be due, may be presented to the executor or administrator of his estate, and paid in the same manner as are other debts and claims against the estate of a deceased person."

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, strike out all of lines 44 to 52, inclusive.

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, strike out all of lines 1 to 49, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1154—An act to amend section 1 of an act entitled "An act to authorize and regulate the employment of prisoners in the State prisons of this State and to provide for the disposition of the products of their skill and labor," approved February 23, 1911, relating to the use of products covered by the provisions of that act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed, amended bill, in line 1 of the title, strike out the figure "1", and insert in lieu thereof the figure "3".

AMENDMENT NUMBER TWO.

On page 1 of the printed, amended bill, in line 5 of the title, strike out the words "relating to the use of products," and the balance of said title, and insert in lieu thereof the following: "by adding a provision thereto relating to the purchase or use of goods, wares and merchandise manufactured, produced or mined by convicts or prisoners."

AMENDMENT NUMBER THREE.

On page 1, line 9, of the printed, amended bill, strike out the entire line, and the balance of the bill, and insert in lieu thereof the following:

"SEC. 3. After the passage of this act all articles, materials and supplies, herein authorized to be produced or manufactured, shall be purchased from the State prisons of this State, and at the prices fixed in the manner herein provided, except such articles, materials, and supplies as the State prisons are unable to furnish; provided however that on and after January 19, 1934, no goods, wares or merchandise, manufactured, produced or mined, wholly or in part, by convicts or prisoners, except convicts or prisoners on parole or probation, or in any penal and/or reformatory institutions, and except commodities manufactured in Federal penal and correctional institutions for use by the Federal government, shall be purchased or used by this State or any agency thereof, or by any county, city, district, or political subdivision, or by any officer, employee or agency thereof, except such as may be manufactured, produced or mined, wholly or in part, in the State prisons of this State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 202—An act to amend section 1032 of the Political Code, relating to the inspection of public records.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 454—An act to declare provisions in contracts of employment whereby either party undertakes not to join, become or remain a member of a labor union or of any organization of employers or undertakes in such event to withdraw from the contract of employment, to be against public policy and void.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2393—An act to amend section 4460 of the Political Code, relating to newspapers of general circulation.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2398—An act to provide for the replacement and for reconstruction of public school buildings wholly or partially destroyed by earthquakes since January, 1933, declaring the urgency thereof and providing that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the following: "and for reconstruction", and insert in lieu thereof the following: "and/or the reconstruction in whole or in part".

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the first word "or", and insert in lieu thereof the following: "and/or".

AMENDMENT NUMBER THREE.

On page 1, line 24, of the printed bill, strike out the word "provide", and insert in lieu thereof a comma.

AMENDMENT NUMBER FOUR.

On page 2, line 1, of the printed bill, strike out the following: "for the replacement of the", and insert in lieu thereof the following: "replace or".

AMENDMENT NUMBER FIVE.

On page 2, line 2, of the printed bill, strike out the following: "whole or partial reconstruction of", and insert in lieu thereof the following: "wholly or partially reconstruct".

AMENDMENT NUMBER SIX.

On page 2, line 3, of the printed bill, strike out the following: "districts of the State", and insert in lieu thereof the following: "district".

AMENDMENT NUMBER SEVEN.

On page 2, line 5, of the printed bill, after the semicolon, insert the following: "(2a) to have prepared all necessary plans and specifications for all public school buildings constructed or wholly or partially reconstructed under the provisions of this act;".

AMENDMENT NUMBER EIGHT.

On page 2, line 10, of the printed bill, after the semicolon, insert the following: "(4a) to rent any building or portion of a building constructed or reconstructed under the provisions of this act to the school district wherein such building or portion of the building is located as hereinafter provided;".

AMENDMENT NUMBER NINE.

On page 2, line 12, of the printed bill, strike out the word "State", and insert in lieu thereof the following: "board of schoolhouse reconstruction".

AMENDMENT NUMBER TEN.

On page 2, line 15, of the printed bill, strike out the word "board", and insert in lieu thereof the following: "board of schoolhouse reconstruction".

AMENDMENT NUMBER ELEVEN.

On page 2, line 34, of the printed bill, after the word "building", insert the following: "in any school district".

AMENDMENT NUMBER TWELVE.

On page 2 of the printed bill, strike out all of lines 37 to 44, inclusive, and insert in lieu thereof the following: "shall fix the powers, duties, responsibilities and liabilities thereunder of the governing board of said school district and the said board of schoolhouse reconstruction."

AMENDMENT NUMBER THIRTEEN.

On page 3 of the printed bill, strike out all of lines 3 to 7, inclusive, and insert in lieu thereof the following: "The governing board of any school district which has entered into an agreement to pay rentals to the board of schoolhouse reconstruction under the provisions of this act must include in the budget of the said school district for any school year during which the agreement is in effect, an amount sufficient to pay such rental as may become due the said board of schoolhouse reconstruction during such school year. The amount included in the budget of such school district for the payment of such rental shall not be used for any other purpose than the payment of such rental."

AMENDMENT NUMBER FOURTEEN.

On page 3, line 9, of the printed bill, strike out the word "annually".

AMENDMENT NUMBER FIFTEEN.

On page 3, line 10, of the printed bill, after the word "and", insert the following: "when due".

AMENDMENT NUMBER SIXTEEN.

On page 3, line 23, of the printed bill, strike out the word "in", and insert in lieu thereof the word "for".

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 27, of the printed bill, strike out the word "in", and insert in lieu thereof the word "for".

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 33, of the printed bill, after the word "district", insert the following: "in the name of the State".

AMENDMENT NUMBER NINETEEN.

On page 3, line 47, of the printed bill, after the word "else", insert the following: "the said board shall".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1805—An act to regulate the practice of auctioneering and to license, regulate and supervise persons engaged in the business of or acting as auctioneers.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the printed bill, after "SECTION 1.", insert the following: "An auctioneer within the meaning of this act is one who conducts a public competitive sale of property for a commission, fee or other compensation

SEC. 2. It shall be unlawful for any person to engage in the business of or to act as an auctioneer without first having obtained a license therefor as hereinafter provided. Each applicant for a license must file his application with the Department of Professional and Vocational Standards, which application shall be in such form and require the answers to such questions as said department may prescribe, each application shall be accompanied by a license fee of three hundred dollars. Upon receipt of the application and the license fee, the Director of Professional and Vocational Standards shall issue to the applicant a license authorizing him to engage in the business of, or to act as, an auctioneer within this State for a period of one year from the date of issuance of such license.

SEC. 3. Any person, firm or corporation violating any of the provisions of this act is guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not to exceed five hundred dollars or by imprisonment in the county jail for a period of not to exceed six months or by both such fine and imprisonment."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2094—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal reclamation laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contract," approved May 5, 1917, as amended, by amending the title and sections 7 and 8 thereof, and adding a new section to be designated section 11, to authorize the division of districts into units, for fixing conditions upon inclu-

sion of lands and for the borrowing or procuring of money by irrigation districts from the United States or any agency thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, lines 14 and 17, of the title of the printed bill, as amended, strike out the words and figures: "and sections 7 and 8", and insert in lieu thereof the following: "section 1".

AMENDMENT NUMBER TWO.

On page 1, line 19, of the title of the printed bill, as amended, after the word "authorize", strike out the remainder of said line, and all of lines 20 and 21, to and including the word "for".

AMENDMENT NUMBER THREE.

On page 2, line 7, of the printed bill, as amended, after the word "payments", strike out the remainder of said line, and all of line 8 to and including the word "inclusion".

AMENDMENT NUMBER FOUR.

On page 2, line 24, of the printed bill, as amended, strike out the word "with".

AMENDMENT NUMBER FIVE.

On page 2, line 36, of the printed bill, as amended, after the word "of", strike out the remainder of said line, and all of lines 37 and 38 to and including the words "or the".

AMENDMENT NUMBER SIX.

On page 2, line 42, of the printed bill, as amended, after the abbreviation and figure "Sec. 3.", strike out the remainder of line 42, and all of the remainder of the section on pages 2 and 3, and insert in lieu thereof the following: "A new section is hereby added to said act, to be numbered section 11 and to read as follows:

Sec. 11. In addition to other powers in this act conferred, irrigation districts shall have authority to borrow or procure money from the United States or any agency thereof, for the purpose of financing or refinancing of the obligations of the district or the funding or refunding or purchase of the bonds of the district, or for any of the other purposes of the district authorized by the California Irrigation District Act, or acts amendatory thereof or supplementary thereto. As evidence of such loan or loans and the obligations of such district to repay the same to the United States or any agency thereof, any irrigation district, upon being authorized so to do as provided by section 3 of this act as hereinafter in this section modified, may make and enter into contract or contracts with the United States or any agency thereof, as a condition or requirement to the making of such loan or loans. Such district may issue bonds of such district as may be required by the contract last above provided for or without such contract, containing such terms and conditions and payable in such manner and from such source or sources of income and/or revenue as may be agreed upon between the district and the United States or agency and may obligate and bind the district for the payment of such bonds according to the terms thereof. Such bonds may be serial or sinking fund bonds and may be made callable either by number or by lot and may be made payable to bearer or to the United States or any agency thereof and shall be in the form and authorized and issued in the manner substantially as provided for in the California Irrigation District Act, for the form and issuance of funding and refunding bonds of irrigation districts. Notwithstanding any provision of this act, a proposal to enter into and execute any contract with the United States or any agency thereof as provided for by this section need not be submitted to the State Engineer and a majority vote shall be sufficient to authorize the execution thereof, and the notice of election and ballot need contain only the information required in the case of ordinary bond election and that a proposal to enter into such contract and to issue bonds, if any, may be voted upon together as a single proposition."

AMENDMENT NUMBER SEVEN.

On page 3, line 11, of the printed bill, as amended, strike out the abbreviation and figure "Sec. 4.", and all of the remainder of the section.

AMENDMENT NUMBER EIGHT.

On page 3, line 36, of the printed bill, as amended, strike out the abbreviation and figure "Sec. 11.", and all of the remainder of said section on pages 3 and 4.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 41—An act to amend section 737dd of the Political Code, relating to the annual salary of judges of the superior court in and for the county of Orange.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 41 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1998—An act to amend sections 2, 3, 4, 5, 13 and 14 of an act entitled "An act to regulate the construction and maintenance of auto camps in unincorporated areas; to provide for the inspection and supervision of the same, to provide for the abatement thereof in certain cases; to provide penalties for the violation of the provisions hereof and to repeal Chapter 615, Statutes of 1929, entitled 'An act to regulate the construction and maintenance of auto camps in unincorporated areas, to provide for the inspection and supervision of same and to provide penalties for the violation of the provisions thereof,' approved May 31, 1929," approved April 24, 1931, relating to the powers and duties of the Division of Immigration and Housing, Department of Industrial Relations with respect to auto camps and the fees to be paid by such camps.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1998 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—58.

NOES—Cassidy, Stannard and Stream—3.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and two minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

The roll of absentees was called, and the report of the Committee on Introduction of Bills was adopted by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones,

King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—68.

NOES—None.

HON. GEORGE R. BLISS IN THE CHAIR.

At eleven o'clock and ten minutes a.m., Hon. George R. Bliss, member of the Assembly from the Thirty-ninth Assembly District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 7 of Article I thereof, relating to trial by jury.

Assembly Constitutional Amendment No. 20 read.

The question being on the adoption of Assembly Constitutional Amendment No. 20.

The roll was called, and Assembly Constitutional Amendment No. 20 was refused adoption by the following vote:

AYES—Alter, Bliss, Bowers, Brock, Chatters, Clowdsley, Cottrell, Crist, Evans, Fisher, Hatch, Latham, Miller, Eleanor; Phillips, Roberts, Robinson, Samuel E., Roland, Ross and Tournoux—19.

NOES—Anglim, Badham, Boyle, Burns, Cassidy, Cobb, Craig, Crowley, Feigenbaum, Gilmore, Greene, Grubbs, Hoffman, Hornblower, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Stannard, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine and Wright—47.

Assembly Constitutional Amendment No. 79—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XX thereof, a new section to be numbered 22, relating to legal rate of interest.

Assembly Constitutional Amendment No. 79 read.

The question being on the adoption of Assembly Constitutional Amendment No. 79.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Constitutional Amendment No. 79 was withdrawn from the file, and referred to Committee on Rules.

Assembly Constitutional Amendment No. 65—A resolution proposing to the people of the State of California an amendment of sections 2, 23, and 34 of Article IV, and of section 9 of Article V of the Constitution of the State of California, all relating to sessions of the Legislature, and procedure therein.

Assembly Constitutional Amendment No. 65 read.

The question being on the adoption of Assembly Constitutional Amendment No. 65.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Roberts moved a call of the House.

Motion carried.

Time, eleven o'clock and forty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright and Mr. Speaker—64.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and forty-eight minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Concurrent Resolution No. 49—Relative to directing the Department of Public Works to investigate taking over the toll road in Marin County approaching Muir Woods.

Assembly Concurrent Resolution No. 49 read.

The question being on the adoption of Assembly Concurrent Resolution No. 49.

The roll was called, and Assembly Concurrent Resolution No. 49 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 49 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 49.

Relative to directing the Department of Public Works to investigate taking over the toll road in Marin County approaching Muir Woods.

WHEREAS, The United States government maintains the Muir Woods in Marin County as a national park; and

WHEREAS, Thousands of the citizens of the State of California and of other States visit said park annually; and

WHEREAS, The only highway leading to and from said park is privately owned and is a toll road; and

WHEREAS, The existence of a toll road is of great inconvenience to the people of the State of California and tends to deprive great numbers of people from the advantages of the park maintained by the Federal government; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That the Department of Public Works be and it is hereby requested to investigate the possibilities of taking over said toll road or building a State highway into said park, and to report its findings to the 1935 session of the Legislature.

Assembly Bill No. 1733—An act to amend sections 8 and 11 of an act entitled "An act to provide for the maintenance by municipalities of lighting systems along public streets, alleys and other public places

and for the lighting thereof by electric current, gas or other illuminating agent; and for the assessment of the cost and expense thereof upon the property benefited and the manner of collecting such assessments," approved May 16, 1919, as amended, relating to penalties levied thereunder.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1733 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 900—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation provided under said act.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. O'Connor:

AMENDMENT NUMBER ONE.

On page 2, line 10, of the printed bill, after the period, insert the following: "In treating patients under this section chiropractors are confined to the treatment of cases which properly come within the scope of chiropractic treatment as defined in the initiative law licensing chiropractors."

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2385—An act to amend sections 2322x7, 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236n, 4236o, 4236p and 4236q of the Political Code, relating to the compensation of county officers in counties of the seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2385 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Jones, Kallam, King, Knowland, Lyon, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Robinson, Samuel E., moved that Assembly Bill No. 2390 be withdrawn from the Committee on Agriculture, and referred to Committee on Live Stock and Dairies.

The question being on referring Assembly Bill No. 2390 to the Committee on Live Stock and Dairies.

Motion carried.

Assembly Bill No. 2390 ordered referred to Committee on Live Stock and Dairies.

MOTION TO RE-REFER.

Mr. Gilmore moved that Assembly Bill No. 2403 be withdrawn from the Committee on Public Health and Quarantine, and referred to Committee on Manufactures.

The question being on referring Assembly Bill No. 2403 to the Committee on Manufactures.

Motion carried.

Assembly Bill No. 2403 ordered referred to Committee on Manufactures.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At twelve o'clock and three minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Roberts

The roll of absentees was called, and Assembly Constitutional Amendment No. 65 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crowley, Evans, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stream, Thorp, Tournoux, Turner, Utt, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—Craig, Crist, Cronin, Feigenbaum, Gilmore, Levey, Martin, Robinson, Samuel E., West and Williamson—10.

Title read and approved.

Assembly Constitutional Amendment No. 65 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 65.

A resolution proposing to the people of the State of California an amendment of sections 2, 23, and 34 of Article IV, and of section 9 of Article V of the Constitution of the State of California, all relating to sessions of the Legislature, and procedure therein.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the second day of January, 1933, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California:

1. That section 2 of Article IV of the Constitution of the State of California be amended to read as follows:

Sec. 2. The sessions of the Legislature shall be biennial, unless the Governor shall, in the interim, convene the Legislature, by proclamation, in extraordinary session. All sessions, other than extraordinary, shall commence at twelve o'clock m., on the first Monday after the fifteenth day of January next succeeding the election of its members, and shall continue in session for a period not exceeding sixty days thereafter; whereupon a recess of both houses must be taken until the first Monday after the fifteenth day of the next succeeding January. On the reassembling of the Legislature, no bill shall be introduced in either house without the consent of three-fourths of the members thereof, nor shall more than three bills be introduced by any one member after such reassembling. Every bill introduced shall within ninety days from and after the date on which the recess is taken be so amended as to completely in the body thereof state the purpose of the bill and

the means by which it is to be accomplished. Such amendment shall be offered by the member introducing the bill to the chief secretarial officer of the house in which it is introduced or to some assistant selected by such officer for the purpose and shall thereupon be printed on order of such officer.

2. That section 23 of Article IV of said Constitution be amended to read as follows:

Sec. 23. The members of the Legislature shall receive for their services the sum of one hundred dollars each for each month of the term for which they are elected, to be paid at such times as may be provided by law and mileage to be fixed by law, all paid out of the State treasury, such mileage not to exceed five cents per mile.

3. That section 34 of Article IV of said Constitution be amended to read as follows:

34. The Governor shall at least ten days before the date of convening of each regular session of the Legislature cause to be transmitted by registered mail or some other means of transmission by means of which the delivery thereof will be acknowledged or will be shown by the person or agency making the delivery, to each person certified to him by the Secretary of State as entitled to sit as a member of the Legislature for the forthcoming session, with an explanatory message, a budget containing a complete plan and itemized statement of all proposed expenditures of the State provided by existing laws or recommended by him, and of all its institutions, departments, boards, bureaus, commissions, officers, employees and other agencies, and of all estimated revenues, for each fiscal year of the ensuing biennial period; together with a comparison, as to each item of revenues and expenditures, with the actual revenues and expenditures for the first fiscal year of the existing biennial period and the actual and estimated revenues and expenditures for the second fiscal year thereof. If the proposed expenditures for the ensuing biennial period shall exceed the estimated revenues therefor, the Governor shall recommend the sources from which the additional revenue shall be provided.

The Governor shall also submit to the Legislature within ten days of the reconvening of the regular session after the recess, in a special message, a general statement of the condition of the finances and revenues of the State together with such changes in the estimates contained in the budget as may to him seem advisable.

The Governor, and also the Governor-elect, shall have the power to require any institution, department, board, bureau, commission, officer, employee or other agency to furnish him with any information which he may deem necessary in connection with the budget or to assist him in its preparation.

The budget shall be accompanied by an appropriation bill covering the proposed expenditures, to be known as the budget bill. The budget bill shall be introduced immediately into each house of the Legislature by the respective chairmen of the committees having to do with appropriations, and shall be subject to all the provisions of section 15 of this article. The Governor may at any time amend or supplement the budget and propose amendments to the budget bill before or after its enactment, and each such amendment shall be referred in each house to the committee to which the budget bill was originally referred. Until the budget bill has been finally enacted, neither house shall place upon final passage any other appropriation bill, except emergency bill recommended by the Governor, bills providing for investigations and hearings by committees during the recess, or appropriations for the salaries, mileage and expenses of the Senate and Assembly. No bill making an appropriation of money, except the budget bill, shall contain more than one item of appropriation, and that for one single and certain purpose to be therein expressed.

In any appropriation bill passed by the Legislature, the Governor may reduce or eliminate any one or more items of appropriation of money while approving other portions of the bill, whereupon the effect of such action and the further procedure shall be as provided in section 16 of this article. Section 29 of this article is hereby repealed. In case of conflict between this section and any other portion of this Constitution, the provisions of this section shall govern, except that any item of appropriation in the budget act, other than for the usual current expenses of the State, shall be subject to the referendum. The Legislature shall enact all laws necessary or desirable to carry out the purposes of this section, and may enact additional provisions not inconsistent herewith.

5. That section 9 of Article V of said Constitution be amended to read as follows:

Sec. 9. He may on extraordinary occasions, convene the Legislature by proclamation, stating the purposes for which he has convened it. The proclamation may require such session to be held during a period when the Legislature is not in regular session, or during the recess of the regular session. When so convened it shall have no power to legislate on any subjects other than those specified in the proclamation, but may provide for the expenses of the session, and other matters incidental thereto.

RECESS.

At twelve o'clock and six minutes p.m., on motion of Mr. West, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1167—An act to amend section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to proceedings after decision;

Also: Assembly Bill No. 1170—An act to amend section 14 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, relating to reassignment of a death benefit;

Also: Assembly Bill No. 2083—An act to amend sections 1, 5, 7, 10, 12, 13, 24, and 25 of the Direct Primary Law, approved June 16, 1913, as amended, relating to primary elections, providing for party conventions in the State and various political units thereof, and the powers and duties of the same, for the choosing of delegates to such conventions, method of choosing members of the party county central committee and State central committee and the powers and duties of the same;

Also: Assembly Bill No. 2373—An act to add a new chapter to be numbered Chapter VI to Part II of Division II of the School Code, embracing sections 2.1181 to 2.1189, inclusive, 2.1189a, and 2.1189b, all relating to recall of members of governing boards of school districts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered placed on daily calendar.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 660—An act to amend section 4300*l* of the Political Code, relating to municipal court fees;

Also: Assembly Bill No. 1771—An act to amend section 4110 of the Political Code, relating to presentation and payment of warrants by the county treasurer and the duties of the auditor in relation thereto;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1945—An act to provide for the organization and management of horticultural improvement districts and to provide for the development of lands included therein for the planting, caring for, and maturing of orchards thereon and for the acquisition of all property necessary therefor; to provide for the management of such districts and also to provide for the issuance and payments of bonds for such districts, for the levying of taxes and the collection of charges by said districts and for the annexation of additional territory thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1495—An act to amend an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison, authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, relating to convict labor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1883—An act relating to streets, avenues, lanes, roads and highways in, through or across the premises of State institutions and other lands of the State, and placing the same under the jurisdiction of the State Department of Public Works—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 2395—An act to amend the Agricultural Code by adding thereto Article 4, embracing sections 380 to 380.55, inclusive, to Chapter I, Division III, relating to marks and brands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1122—An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; providing for the powers, duties and authority of said commission and the members thereof; providing for the institution of prorate programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1635—An act to repeal an act entitled "An act;

Also. Assembly Bill No. 1693—An act to amend sections ------ of an act entitled "An act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered on file for second reading.

ON EXHIBITIONS AND FAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred Assembly Bill No. 1215—An act to amend section 92 of the Agricultural Code, relating to exhibitions and fairs which exhibit animals raised to produce meat—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

THORP, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2302—An act to add 23 new sections to the Political Code, to be numbered 4248 and 4248a to 4248v, inclusive, and to repeal sections 2322x19 and 4248 of said code, section 19x19 of the Juvenile Court Law, and section 16x19 of the Weights and Measures Act, relating to compensation of county and township officers in counties of the nineteenth class;

Also: Assembly Bill No. 562—An act creating a State Board of Tax Lands and defining its powers and duties and making an appropriation in aid of its operations; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 810—An act to amend section 4039 of the Political Code, relating to records of county boards of supervisors;

Also: Senate Bill No. 349—An act to amend sections 2322x31 and 4260 of the Political Code, relating to the compensation of county and township officers in counties of the thirty-first class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 1192—An act to amend section 4283 of the Political Code, relating to compensation of county officers in counties of the fifty-fourth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 497—An act to amend sections 30, 52, 101, 105, 108, 111, 118, 119, 139, 205, 240, 247, 272, 458, 471, 485, 486, 626, 671, 781, 911, 1244, and 1246 of the Agricultural Code, and to add two new sections to said code to be numbered 16 and 234.5, relating to plant and animal industry and the products thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Banking, to which was referred Senate Bill No. 1165—An act to add section 135b to the Bank Act, defining and regulating the business of banking—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WILLIAMSON, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to Article IV thereof, to be numbered 25¼, relating to the practice of chiropractic;

Also: Assembly Constitutional Amendment No. 64—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 5 of Article XI thereof and adding to said article a new section to be numbered 5.5, relating to the government of counties;

Also: Assembly Constitutional Amendment No. 85—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 5 of Article XI thereof, relating to the compensation, election and appointment of county officers;

Also: Assembly Constitutional Amendment No. 108—A resolution to propose to the people of the State of California an amendment to Article IV of the Constitution of said State by adding to said article a new section, to be numbered section 1a, relating to the time of taking effect of acts passed at the fiftieth regular session of the Legislature;

Also: Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of said State repealing sections 4 and 9 of Article XI thereof and amending section 5 of said article, relating to county government;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

FEIGENBAUM, Chairman.

The above reported constitutional amendments ordered on file for adoption.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 29, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 675—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Clowdsley: Assembly Bill No. 2405—An act to amend the Agricultural Code, by adding to Division IV a new chapter to be numbered 9, embracing sections 710 to 722, inclusive, relating to the regulation and control of the sale of milk and milk products and the fixing of the prices thereof and creating the Milk Control Board in connection therewith.

Bill read first time, and referred to Committee on Live Stock and Dairies.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 2388—An act to amend the Political Code by adding a new section thereto to be numbered 3493a, providing that defaulting reclamation districts under certain circumstances shall be subject to said section and shall be under the control of the California Districts

Securities Commission to the extent and for the time set forth therein; providing for the manner of calling assessments and the making of calls for payments of warrants, of interest and of principal of bonds, or other indebtedness of such defaulting districts in an amount it will be reasonably possible for the lands to pay without exceeding a delinquency of 15 per cent, notwithstanding any other provisions of law governing said districts; limiting the operation of said section 3493a until November 1, 1935, only, unless sooner repealed; and declaring the same an emergency measure enacted under the police power.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Evans, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, King, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Morgan, O'Connor, D'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stannard, Stream, Thorp, Turner, Utt, West, Woolwine and Mr. Speaker—55.

NOES—Feigenbaum, Roland and Williamson—3.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED EIGHTY-EIGHT.

Assembly Bill No. 2388—An act to amend the Political Code by adding a new section thereto to be numbered 3497a providing that defaulting reclamation districts under certain circumstances shall be subject to said section and shall be under the control of the California districts securities commission to the extent and for the time set forth therein; providing for the manner of calling assessments and the making of calls for payments of warrants, of interest and of principal of bonds, or other indebtedness of such defaulting districts in an amount it will be reasonably possible for the lands to pay without exceeding a delinquency of fifteen per cent, notwithstanding any other provisions of law governing said districts; limiting the operation of said section 3493a until November 1, 1937, only, unless sooner repealed; and declaring the same an emergency measure enacted under the police power.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2388 passed by the following vote:

AYES—Alter, Bliss, Bowers, Boyle, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—59.

NOES—Feigenbaum, Hoffman, Roland and Williamson—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 289—An act to permit any water users' association organized under the laws of the State of California to levy unequal assessments upon its capital stock in the event of contract with the United States under the provisions of the National Reclamation Laws.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 289 passed by the following vote:

AYES—Alter, Bliss, Boyle, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hatch, Hoffman, Jones, Kallam, King, Levey, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1016—An act to amend section 1060 of the Fish and Game Code, and to add thereto sections 481.5, 1064.5 and 1065.5, relating to fish and game.

Bill read third time.

The question being on the passage of the bill.

MOTION.

Mr. Rawls moved that the rule governing the time limit on debate be suspended.

The question being on the motion to suspend rule.

The roll was called, and the motion of Mr. Rawls to suspend the rule lost by the following vote:

AYES—Badham, Bliss, Bowers, Boyle, Burns, Callahan, Chatters, Clowdsley, Crowley, Feigenbaum, Fisher, Gilmore, Hornblower, Jones, Kallam, King, Latham, Lyon, Maloney, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Williamson and Wright—42.

NOES—Brock, Cassidy, Cobb, Craig, Crist, Evans, Field, Hallner, Hatch, Hoffman, Knowland, Levey, Martin, Mayo, Meeker, Morgan, Peterson, Phillips, Redwine, Roberts, Utt, West, Woolwine and Zion—24.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1016 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Chatters, Cobb, Cottrell, Craig, Cronin, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, Latham, Lyon, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Nielsen, Patterson, Peterson, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Sullivan, Utt, West, Woolwine, Wright and Mr. Speaker—46.

NOES—Bowers, Boyle, Cassidy, Crowley, Hornblower, King, Knowland, Levey, Maloney, McMurray, Miller, James A., O'Connor, O'Donnell, Powers, Rawls, Robinson, Samuel E., Ross, Stream, Thorp and Tournoux—20.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1016 was this day passed.

Assembly Bill No. 655—An act to add a new section to the California Irrigation District Act, to be numbered 15a, relating to the use and distribution of water.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—62.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER SIX HUNDRED FIFTY-FIVE.

Assembly Bill No. 655—An act to add a new section to the California Irrigation District Act, to be numbered 15a, relating to the use and distribution of water.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 655 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to be numbered 34a to Article IV, by amending section 12 of Article XI, by adding a new section to be numbered 20 to Article XI, by amending sections 14, 15 and 16, and by repealing sections 12½ and 18 of Article XIII, relating to taxation.

Senate Constitutional Amendment No. 30 read.

FLOOR AMENDMENT.

During reading of Senate Constitutional Amendment No. 30, the following amendment was submitted by Mr. Lyon:

AMENDMENT NUMBER ONE.

On page 6, line 48, of the printed measure, as amended in Assembly May 1, 1933, strike out the numeral "XI", and insert in lieu thereof the numeral "IX"; after

the word "Constitution", insert the following: "; provided, however, that all sums so apportioned shall be considered as though derived from county and city and county school taxes for the support of county and city and county government and not money provided by the State within the meaning of said section, nor shall any revenues so apportioned be regarded as appropriations from the funds of the State within the meaning of section 34a of Article IV of this Constitution".

The question being on the adoption of the amendment.

Amendment adopted.

FURTHER AMENDMENT TO SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY.

FLOOR AMENDMENT.

During reading of Senate Constitutional Amendment No. 30, the following amendment was submitted by Mr. Knowland:

AMENDMENT NUMBER ONE.

On page 7 of the printed measure, as amended May 1, 1933, after line 22, insert the following:

"The Legislature shall have no power to impose any tax upon any of the receipts or revenues of any municipality, public corporation or district which has the power to levy or collect a tax upon real property, or upon the receipts or revenues of any department or agency of such municipality, public corporation or district; provided, however, nothing contained in this section shall prohibit the imposition of a tax upon the consumers receiving public utility service from any publicly owned public utility."

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs. Knowland, Lyon and West, the Speaker ordered a roll call taken on the adoption of the amendment.

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

AYES—Bliss, Boyle, Burns, Cassidy, Cobb, Cottrell, Feigenbaum, Field, Fisher, Hoffman, King, Knowland, Maloney, Martin, McCarthy, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Stannard, West, Williamson, Woolwine, Wright and Mr. Speaker—31

NOES—Alter, Anglim, Badham, Bowers, Brock, Chatters, Clowdsley, Craig, Cronin, Crowley, Evans, Frazier, Gilmore, Greene, Hatch, Hornblower, Jones, Kallam, Latham, Levey, Lyon, Mayo, McBride, McMurray, Meeker, O'Donnell, Peterson, Phillips, Powers, Rawls, Roberts, Robinson, Samuel E., Ross, Stream, Thorp, Tournoux, Turner and Utt—38.

HON. C. RAY ROBINSON IN THE CHAIR.

At three o'clock and forty-five minutes p.m., Hon. C. Ray Robinson, member of the Assembly from the Thirty-third Assembly District, in the chair.

FURTHER AMENDMENTS TO SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY.

FLOOR AMENDMENTS.

During reading of Senate Constitutional Amendment No. 30, the following amendments were submitted by Messrs. Cassidy and King:

AMENDMENT NUMBER ONE.

On page 1, lines 7 and 8, of the title of the printed measure, as amended, strike out "three new sections to be numbered", and insert in lieu thereof the following: "four new sections to be numbered 1c,".

AMENDMENT NUMBER TWO.

On page 2 of the printed measure, as amended, strike out lines 25 to 28, inclusive.

AMENDMENT NUMBER THREE.

On page 8 of the printed measure, as amended, after line 35, insert the following:

"Twelfth—That a new section to be numbered 1c be added to Article XIII to read as follows:

Sec. 1c. The dwelling house in which the owner resides, together with the necessary outbuildings and the land, regardless of the amount, upon which they are situated, is exempt from taxation for State and county purposes to the amount of three thousand five hundred dollars of the value thereof."

The question being on the adoption of the amendments.

Amendments refused adoption.

FURTHER AMENDMENTS TO SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY.

FLOOR AMENDMENTS.

During reading of Senate Constitutional Amendment No. 30, the following amendments were submitted by Mr. King:

AMENDMENT NUMBER ONE.

In line 7 of the title of the printed measure, as amended, strike out "three", and insert in lieu thereof the following: "four".

AMENDMENT NUMBER TWO.

In line 8 of the title of the printed measure, as amended, after "numbered", insert the following: "10½,".

AMENDMENT NUMBER THREE.

On page 4 of the printed measure, as amended, following line 18, insert the following:

"Fourth—That a new section, to be numbered 10½, be added to Article XIII, to read as follows:

Sec. 10½. The dwelling house in which the owner resides together with the necessary outbuildings and the land not to exceed one acre upon which they are situated is exempt from taxation to the amount of one thousand five hundred dollars of the value thereof. This exemption does not apply to the property of any person who either owns property to the amount of five thousand dollars or more or whose spouse owns property to the amount of five thousand dollars or more."

AMENDMENT NUMBER FOUR.

On page 4, line 19, of the printed measure, as amended, strike out "Fourth", and insert in lieu thereof the following: "Fifth".

AMENDMENT NUMBER FIVE.

On page 6, line 30, of the printed measure, as amended, strike out "Fifth", and insert in lieu thereof the following: "Sixth".

AMENDMENT NUMBER SIX.

On page 7, line 23, of the printed measure, as amended, strike out "Sixth", and insert in lieu thereof the following: "Seventh".

AMENDMENT NUMBER SEVEN.

On page 7, line 46, of the printed measure, as amended, strike out "Seventh", and insert in lieu thereof the following: "Eighth".

AMENDMENT NUMBER EIGHT.

On page 7, line 48, of the printed measure, as amended, strike out "Eighth", and insert in lieu thereof the following: "Ninth".

AMENDMENT NUMBER NINE.

On page 8, line 3, of the printed measure, as amended, strike out "Ninth", and insert in lieu thereof the following: "Tenth".

AMENDMENT NUMBER TEN.

On page 8, line 12, of the printed measure, as amended, strike out "Tenth", and insert in lieu thereof the following: "Eleventh".

AMENDMENT NUMBER ELEVEN.

On page 8, line 26, of the printed measure, as amended, strike out "Eleventh", and insert in lieu thereof the following: "Twelfth".

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. King, O'Connor and Boyle, the Speaker ordered a roll call taken on the adoption of the amendments.

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

AYES—Boyle, Burns, Cassidy, Clowdsley, Crowley, Field, Jones, King, McCarthy, McMurray, O'Connor, Rogers, Stannard, Tournoux and Turner—15.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Chatters, Cottrell, Craig, Cronin, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Kallam, Knowland, Latham, Levey, Lyon, Martin, McBride, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stream, Thorp, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—51.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Senate Constitutional Amendment No. 30, at this time.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY.

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to be numbered 34a to Article IV, by amending section 12 of Article XI, by adding a new section to be numbered 20 to Article XI, by amending sections 14, 15 and 16, by adding three new sections to be numbered 14½, 15½ and 16½, and by repealing sections 12½ and 18 of Article XIII, relating to taxation.

Senate Constitutional Amendment No. 30 read.

The question being on the adoption of Senate Constitutional Amendment No. 30.

The roll was called, and Senate Constitutional Amendment No. 30 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—67.

NOES—Boyle, Cassidy, Field, King, McCarthy, Miller, Eleanor; O'Connor, Rogers, Tournoux and Williamson—10.

Title read and approved.

Senate Constitutional Amendment No. 30 ordered transmitted to the Senate.

SENATE CONSTITUTIONAL AMENDMENT No. 30.

A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to be numbered 34a to Article IV, by amending section 12 of Article XI, by adding a new section to be numbered 20 to Article XI, by amending sections 14, 15 and 16, by adding three new sections to be numbered 14½, 15½ and 16½, and by repealing sections 12½ and 18 of Article XIII, relating to taxation.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its fiftieth regular session, commencing on the second day of January, 1933, two-thirds of all the members elected to each of the houses thereof voting in favor hereof, hereby proposes to the people of the State of California that the Constitution of said State be amended as follows:

First—That a new section to be numbered 34a, be added to Article IV, to read as follows:

Sec 34a. Appropriations from the general fund of the State for any biennium, exclusive of appropriations for the support of the public school system, shall not exceed by more than five per centum the appropriations from such fund, exclusive of such public school appropriations, for the preceding biennium unless two-thirds of all the members elected to each house of the Legislature vote in favor thereof, provided, that no amount appropriated in excess of such five per centum shall become

a part of the base for determining the maximum appropriation for a succeeding biennium. Should the appropriations in the budget act for any biennium exceed the limitations herein prescribed, and such budget act be not passed by such two-thirds vote, the several items of appropriation therein shall be deemed reduced by that percentage which the excess amount of appropriation bears to the total appropriation. Should the prescribed limit for any biennium be exceeded by reason of any other appropriation or appropriations from the general fund, then the appropriation first passed by the Legislature without such two-thirds vote, which exceeds such prescribed limitation, shall be deemed reduced by the amount of such excess, and all other subsequent appropriations from the general fund not passed by such two-thirds vote shall be void Nothing herein contained shall prevent the Governor from vetoing any bills or reducing any appropriation therein or any appropriation reduced as herein provided.

Not more than twenty-five per cent of the total appropriations from all funds of the State shall be raised by means of taxes on real and personal property according to the value thereof.

Second—That section 12 of Article XI be amended to read as follows

Sec. 12. Except as otherwise provided in this Constitution, the Legislature shall have no power to impose taxes upon counties, cities, towns or other public or municipal corporations, or upon the inhabitants or property thereof, for county, city, town, or other municipal purposes, but may, by general laws, vest in the corporate authorities thereof the power to assess and collect taxes for such purposes.

All property subject to taxation shall be assessed for taxation at its full cash value.

Third—That a new section, to be numbered 20, be added to Article XI, to read as follows:

Sec 20. The expenditures, other than expenditures to pay interest and redemption charges on bonds heretofore or hereafter issued, of any county, city and county, municipality, district or other political subdivision of this State, whether or not operating under freeholders charters, shall not in any year exceed by more than five per centum the expenditures, other than expenditures to pay interest and redemption charges on bonds heretofore or hereafter issued, of such county, city and county, municipality, district or other political subdivision for the preceding year unless previously authorized by two-thirds vote of the qualified electors of any such county, city and county, district or other political subdivision, or by a majority vote of the electors of any such municipality voting at an election held for that purpose or unless previously authorized by the State Board of Equalization in such manner as may be provided by law; provided that no amount expended in excess of such five per centum shall become a part of the base for determining the maximum expenditure for a succeeding year, provided further, however, that any county, city and county, municipality, district, or other political subdivision of this State that decreases the amount of its expenditures in any year or years may increase, in any subsequent year or years, the amount of its expenditures by the amount, or any fraction thereof, so reduced, or by an amount not more than five per centum of the amount expended in the year immediately preceding. The limitations imposed in this paragraph shall be effective until June 30, 1935 but the Legislature may impose thereafter the same limitations for such period or periods as it may determine; provided, however, that the limitation upon expenditures imposed or authorized by this section shall not apply to expenditures by or on behalf of publicly owned public utilities, including publicly owned facilities operated for the promotion and accommodation of commerce and navigation, irrigation districts, county water districts reclamation districts, municipal utility districts or metropolitan water districts organized or existing under the laws of this State or to expenditures arising out of any gift, bequest or donation

On and after January 1, 1935, the Legislature shall have power, by two-thirds vote of all the members elected to each of the two houses, to limit the amount of taxes which may be imposed upon real and personal property according to the value thereof for county or city and county purposes.

The Legislature shall pass all laws necessary to carry into effect the provisions of this section.

Fourth—That section 14 of Article XIII be amended to read as follows:

Sec. 14 All pipe lines, flumes, canals, ditches and aqueducts not entirely within the limits of any one county, and all property, other than franchises, owned or used by (1) railroad companies including street railways, herein defined to include interurban electric railways, whether operating in one or more counties, (2) sleeping car, dining car, drawing-room car, and palace car companies, refrigerator, oil, stock, fruit and other car-loaning and other car companies operating upon the railroads in the State, (3) companies doing express business on any railroad, steamboat, vessel or stage line in this State, (4) telegraph and telephone companies, (5) companies engaged in the transmission or sale of gas or electricity, shall be assessed annually by the State Board of Equalization, at the actual value of such property

All property so assessed by said board shall be subject to taxation to the same extent and in the same manner as other property.

All companies herein mentioned and their franchises, other than insurance companies and their franchises, shall be taxed in the same manner and at the same rates

as mercantile, manufacturing and business corporations and their franchises are taxed pursuant to section 16 of this article; provided, that nothing herein shall be construed to release any company mentioned in this section from the payment of any amount agreed to be paid or required by law to be paid for any special privilege or franchise granted by any political subdivision or municipality of this State; provided further, that no excise, or income tax or any other form of tax or license charge shall be levied or assessed upon or collected from the companies, or any of them, mentioned in the first paragraph of this section, in any manner or form, different from, or at a higher rate than that imposed upon or collected from mercantile, manufacturing and business corporations doing business within this State.

The Legislature shall have the power to provide for the assessment, levy and collection of taxes upon all forms of tangible personal property, all notes, debentures, shares of capital stock, bonds, solvent credits, deeds of trust, mortgages, and any legal or equitable interest therein, not exempt from taxation under the provisions of this Constitution, in such manner, and at such rates, as may be provided by law, and in pursuance of the exercise of such power the Legislature, two-thirds of all of the members elected to each of the two houses voting in favor thereof, may classify any and all kinds of personal property for the purposes of assessment and taxation in a manner and at a rate or rates in proportion to value different from any other property in this State subject to taxation and may exempt entirely from taxation any or all forms, types or classes of personal property.

The total tax imposed on notes, debentures, shares of capital stock, bonds, solvent credits, deeds of trust, mortgages and any legal or equitable interest therein in pursuance of the provisions of this section shall not be at a rate in excess of four-tenths of one per cent of the actual value of such property and no tax burden shall be imposed upon any personal property either tangible or intangible which shall exceed the tax burden on real property in the same taxing jurisdiction in proportion to the actual value of such property.

Every insurance company or association doing business in this State shall annually pay to the State a tax, assessed by the State Board of Equalization, of two and six-tenths per centum upon the amount of the gross premiums other than gross premiums from ocean marine insurance, received upon its business done in this State, less return premiums and reinsurance in companies or associations authorized to do business in this State; provided, that there shall be deducted from said two and six-tenths per centum upon the gross premiums the amount of any taxes paid by such companies on real estate owned by them in this State. This tax shall be in lieu of all other taxes and licenses, State, county, and municipal, upon such companies or their property, except taxes upon their real estate; provided, that when by the laws of any other State or country, any taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, are imposed on insurance companies, of the State, doing business in such other State or country, or upon their agents therein, in excess of such taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, imposed upon insurance companies of such other State or country so long as such laws continue in force, the same obligations and prohibitions of whatsoever kind may be imposed by the Legislature upon insurance companies of such other State or country doing business in this State.

Every insurer transacting the business of ocean marine insurance in this State shall annually pay to the State a tax, assessed by the State Board of Equalization, measured by that proportion of the underwriting profit of such insurer from such insurance written in the United States, which the gross premiums of the insurer from such insurance written in this State bear to the gross premiums of said insurer from such insurance written within the United States, at the rate of five per centum, which tax shall be in lieu of all other taxes and licenses, State, county and municipal, upon such insurer, except taxes upon real estate, and such other taxes as may be assessed or levied against such insurer on account of any other class of insurance written by it. The Legislature shall define the terms "ocean marine insurance" and "underwriting profit," shall provide for the assessment, levy, collection, and enforcement of said tax.

The Legislature, two-thirds of all the members elected to each of the two houses voting in favor thereof, may by law change the rate or rates of taxes herein imposed upon insurance companies.

The word "companies" as used in this section shall include persons, partnerships, joint stock associations, companies and corporations

Nothing herein contained shall be construed to subject to assessment and taxation property which is exempt from taxation under other provisions of this Constitution.

Fifth—That section 15 of Article XIII be amended to read as follows:

Sec. 15 Out of the revenue from State taxes for which provision is made in this article, together with all other State revenues, there shall first be set apart the moneys to be applied by the State to the support of the public school system and the State university. The Legislature shall provide for the raising of revenue by any form of taxation not prohibited by this Constitution in amounts sufficient to meet the expenditures of this State not otherwise provided for and in amounts sufficient to apportion, and shall apportion, to each county or city and county of this State,

an amount equal to the entire amount required to be raised by each such county or city and county respectively under the provisions of section 6 of Article IX of this Constitution; provided, however, that all sums so apportioned shall be considered as though derived from county and city and county school taxes for the support of county and city and county government and not money provided by the State within the meaning of said section, nor shall any revenues so apportioned be regarded as appropriations from the funds of the State within the meaning of section 34a of Article IV of this Constitution.

If the Legislature limits the amount of revenue which may be raised from taxes upon the real and personal property according to the value thereof in pursuance of its power so to do under section 20 of Article XI of this Constitution, then the Legislature shall provide for the raising of revenue by any form of taxation not prohibited by this Constitution in amounts sufficient to apportion and shall apportion to each county and city and county an amount equal to the deficiency in the revenues thereof resulting from such limitation, as such deficiency shall be determined by law; provided, however, that no tax shall be levied by the Legislature in pursuance of this section upon property in proportion to the value thereof in excess of the limitation for which provision is made in section 34a of Article IV of this Constitution with reference to taxes for State purposes on real and personal property and further provided that no taxes upon property in proportion to the value thereof shall be levied in pursuance of this section for the support of any county or city and county government.

No injunction or writ of mandate or other legal or equitable process shall ever issue in any suit, action or proceeding in any court against this State, or any officer thereof, to prevent or enjoin the collection of any tax levied under the provisions of this article; but after payment thereof action may be maintained to recover, with interest, in such manner as may be provided by law, any tax claimed to have been illegally collected.

Sixth—That section 16 of Article XIII be amended to read as follows:

Sec. 16. 1. (a) Banks, including national banking associations, located within the limits of this State, shall annually pay to the State a tax according to or measured by their net income, which shall be in lieu of all other taxes and licenses, State, county and municipal, upon such banks, or the shares thereof, except taxes upon their real property, at the rate to be provided by law.

(b) The Legislature may provide by law for any other form of taxation now or hereafter permitted by the Congress of the United States respecting national banking associations; provided, that such form of taxation shall apply to all banks located within the limits of this State.

2. The Legislature may provide by law for the taxation of corporations, their franchises, or any other franchises, by any method not prohibited by this Constitution or the Constitution or laws of the United States.

3. Any tax imposed pursuant to this section must be under an act passed by not less than two-thirds vote of all the members elected to each of the two houses of the Legislature.

Seventh—That sections 12½ and 18 of Article XIII be repealed.

Eighth—That all laws now in effect under which taxes are levied or imposed shall be continued in effect until altered or repealed by the Legislature; provided, however, that immediately upon adoption of the foregoing constitutional amendments it shall be the duty of the Legislature to pass all laws necessary to carry into effect the provisions of said amendments and to repeal or amend all laws inconsistent therewith.

Ninth—That a new section, to be numbered 14½, be added to Article XIII, to read as follows:

Sec. 14½. The provisions of section 14 of this article as they read on May 1, 1933, shall remain fully operative to and including December 31, 1934, notwithstanding any other provision in this Constitution. From and after January 1, 1935, said provisions shall no longer be of any force and effect; provided, however, that any taxes assessed in pursuance thereof, prior to said date, shall remain fully collectible.

Tenth—That a new section, to be numbered 15½, be added to Article XIII, to read as follows:

Sec. 15½. The provisions of section 15 of this article as they read on May 1, 1933, shall remain operative for the purpose of the assessment and collection of State taxes as therein contemplated to and including December 31, 1934, but nothing in this section shall be construed as making inoperative the provisions of said section as amended subsequent to said date, in so far as they relate to other matters. From and after January 1, 1935, the provisions of section 15 of this article as they read on May 1, 1933, shall no longer be of any force and effect; provided, however, that nothing herein contained shall be construed to affect the collection or distribution of taxes assessed under said section prior to January 1, 1935.

Eleventh—That a new section to be numbered 16½ be added to Article XIII, to read as follows:

Sec. 16½. The provisions of paragraph 4 of section 16 of this article, as they read on May 1, 1933, shall remain operative to and including December 31, 1934, notwithstanding any other provision in this Constitution. From and after January 1, 1935, the provisions of said paragraph 4 shall no longer be of any force and

effect; provided, however, that all taxes assessed thereunder, prior to January 1, 1935, shall remain fully collectible.

SPECIAL ORDER SET.

On motion of Mr. Craig, the consideration of Assembly Bill No. 700 was made a special order for Thursday, May 4, 1933, at two o'clock and thirty minutes p.m.

RECESS.

At four o'clock and twenty minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 210—An act providing for transfers from the State highway construction fund and the State highway maintenance fund to the general fund in the State treasury of an amount equal to that paid or that necessary to be paid during the 83d, 84th, 85th, and 86th fiscal years for the principal and interest upon certain State bonds for highway purposes, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1340—An act to amend sections 3, 6, 9, 10, 13, 14, 15, 16, 20, 21, 22 and 25 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended 1909, 1911, 1915, 1917, 1919, 1927 and 1929;

Also Assembly Bill No. 1595—An act to add sections 3817b and 3817c to the Political Code, relating to the redemption of property sold to the State for delinquent taxes and authorizing suits to quiet title against the State of California for such property;

Also: Assembly Bill No. 2355—An act to add two new sections, to be numbered 17½a and 17½b to the Public Utilities Act, relating to the organization, and operation of public utilities;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No 1277—An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act;

Also: Assembly Bill No. 1560—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act, approved May 30, 1921, and of any and all acts amendatory thereof or supplemental thereto, creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of

such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1934;
Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered placed on daily calendar.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 195—An act to add a new section to the Code of Civil Procedure, to be numbered 73b, relating to sessions of the superior courts;

Also: Assembly Bill No. 202—An act to amend section 1032 of the Political Code, relating to the inspection of public records;

Also: Assembly Bill No. 454—An act to declare provisions in contracts of employment whereby either party undertakes not to join, become or remain a member of a labor union or of any organization of employers or undertakes in such event to withdraw from the contract of employment, to be against public policy and void;

Also: Assembly Bill No. 811—An act to amend sections 4.362, 4.366, 4.370, 4 371, 4.373 and 4.383 of the School Code, to repeal sections 4.363, 4.364 and 4.365 of said code, and to add three new sections to said code, to be numbered 4 363, 4.364 and 4.365, respectively, all relating to school district budgets;

Also. Assembly Bill No. 1208—An act to amend section 526 of the Code of Civil Procedure, relating to injunctions;

Also: Assembly Bill No. 1262—An act to amend section 5 of an act entitled "An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor," approved May 28, 1931, relating to report to the Governor;

Also: Assembly Bill No. 1737—An act to establish a Military Code, thereby revising and consolidating the law relating to the armed forces and the militia of the State and to the administration of military and veterans' affairs, and to repeal certain acts and parts of acts therein specified;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2043—An act to amend section 1491 of the Penal Code, relating to bail upon habeas corpus proceedings;

Also: Assembly Bill No. 2051—An act to amend section 375, as added by Chapter 798, Statutes of 1931, of the Penal Code, relating to offensive substances;

Also: Assembly Bill No 2111—An act to amend section 16 of an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, relating to disposition of fees and moneys;

Also: Assembly Bill No. 2219—An act to add section 3410 to the Political Code, relating to exchange of private lands in national forests for lands of the United States located outside national forests;

Also: Assembly Bill No. 2348—An act to amend section 3631 of, and to add sections 2586, 2589, 2590 and 2610 to, the Political Code, relating to the administration of certain bays, ports and harbors;

Also: Assembly Bill No. 2393—An act to amend section 4460 of the Political Code relating to newspapers of general circulation;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 64—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 5 of Article XI thereof and adding to said article a new section to be numbered 5.5, relating to the government of counties;

Also: Assembly Constitutional Amendment No. 85—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State

by amending section 5 of Article XI thereof, relating to the compensation, election and appointment of county officers;

Also: Assembly Constitutional Amendment No. 108—A resolution to propose to the people of the State of California an amendment to Article IV of the Constitution of said State by adding to said article a new section, to be numbered section 1a, relating to the time of taking effect of acts passed at the fiftieth regular session of the Legislature;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported Assembly Constitutional Amendments ordered on file for adoption.

ON HOSPITALS AND ASYLUMS

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 255—An act to amend section 2192 of the Political Code, requiring counties to pay the State only for the actual time that feeble-minded are inmates of the State home—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KNOWLAND, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 827—An act to amend section 2145 of the Political Code, relating to State institutions for persons mentally defective—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KNOWLAND, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 2391—An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately—has had the same under consideration, and respectfully reports the same back, and recommends that the same do pass as amended.

HOFFMAN, Chairman.

The above reported bill ordered on file for second reading.

ON CIVIL SERVICE.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Civil Service, to which was referred Assembly Bill No. 2068—An act to amend section 10 of the "State Civil Service Act," relating to examinations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BOWERS, Chairman.

The above reported bill ordered on file for second reading.

ON OIL INDUSTRIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1933.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1416—An act to amend sections 5 and 12 and to add section 26 to an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, relating to leasing of State lands and the taking of minerals or petroleum products therefrom—has had the same under

consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BADHAM, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1226—An act to amend sections 1 to 16 inclusive of, and to add sections 17 to 25 inclusive to "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to the regulation under the jurisdiction of the Commissioner of Corporations of personal property brokers, unsecured money lenders, salary buyers, brokers and employees in such transactions, and the licensing of those so engaged, and fixing the penalties for violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 197—An act to amend section 1425 of the Penal Code, relating to the jurisdiction of justices' courts in criminal cases—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2082—An act providing for the regulation and supervision of persons, firms or corporations engaging in the business as "bailee-repairers" and to prevent oppression of or advantage being taken in the employment of labor in such business, and to prevent fraud in the keeping or working upon the property of the public; defining the duties of the Attorney General in regard thereto, and providing for the enforcement of said act and penalties for the violation thereof; and creating a State "Bailee-Repairers' Department" and the office of "Director of Bailments" and defining his duties and powers—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

COBB, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 1118—An act to add a new section to the School Code, to be numbered 5.94, relating to the State teachers colleges in which summer sessions may be held—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman.

The above reported bill ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 702—An act to amend section 1168 of the Penal Code, relating to sentences, imprisonments and paroles of prisoners—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WOOLWINE, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1572—An act to amend section 948 of the Political Code, relating to bonds of State officials and employees—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1364—An act to permit the State Treasurer to accept a donation for the retirement of the California Olympiad bonds—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 480—An act to provide for the organization and operation of placer mining districts;

Also: Senate Bill No. 93—An act to provide for the redemption, without payment of penalties or interest, of real property sold to the State for delinquent taxes prior to the expiration of two years from and after the effective date hereof;

Also: Senate Bill No. 242—An act to amend sections 2.676 and 2.680 of the School Code, and to repeal section 2.677 thereof, all relating to elections for the formation of junior college districts;

Also: Senate Bill No. 882—An act to amend section 5a of the Reclamation Board Act, relating to the executive officer of the reclamation board;

Also: Senate Bill No. 643—An act to amend section 737ff of the Political Code, relating to the compensation of the judge of the superior court, Plumas County.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 480 read first time, and referred to Committee on Mines and Mining.

Senate Bill No. 93 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 242 read first time, and referred to Committee on Education.

Senate Bill No. 882 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 643 read first time, and referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Hoffman:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to establish certain secondary State highways and provide for their construction, improvement and maintenance.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to establish certain secondary State highways and provide for their construction, improvement and maintenance.

HALLNER, Chairman.

The question being on the adoption of the report.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Grubbs moved a call of the House.

Motion carried.

Time, eight o'clock and twenty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anglim, Clowdsley, Cottrell, Greene, Grubbs, Hallner, Latham, McMurray, Meehan, Miller, James A., O'Connor, Roberts, Ross, Stannard, Tournoux, Turner and Mr. Speaker—17.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

UNFINISHED BUSINESS.

Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1 of Article XVI thereof, relating to incurrence and retirement of bonded indebtedness by the State.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 33?

AMENDMENT NUMBER ONE.

On page 2, line 11, of the printed measure, as amended, after the word "than", strike out the remainder of the line, and all of lines 12, 13, 14, 15 and to and including the word "exceed", in line 16.

AMENDMENT NUMBER TWO.

On page 2, line 18, of the printed measure, as amended, following the period, strike out the remainder of the line, and all of lines 19, 20, 21, and to and including the period in line 22.

AMENDMENT NUMBER THREE.

On page 2, line 28, of the printed measure, as amended, after the word "not", strike out the remainder of the line, and all of lines 29, 30, and the word "be", in line 31.

AMENDMENT NUMBER FOUR.

On page 2, line 31, of the printed measure, as amended, strike out the word "ten", and insert in lieu thereof the word "fifteen".

AMENDMENT NUMBER FIVE.

On page 2, line 40, of the printed measure, as amended, strike out the word "shall", and insert in lieu thereof the words "may at the option of the State".

AMENDMENT NUMBER SIX.

On page 2, line 47, of the printed measure, as amended, following the comma, strike out the remainder of the line, and all of lines 48, 49, and the word "refunded", and the comma following said word in line 50.

The roll was called, and Senate amendments to Assembly Constitutional Amendment No. 33 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Ross, Stannard, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—56.

NOES—None.

Assembly Constitutional Amendment No. 33 ordered to enrollment.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eight o'clock and fifty-eight minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Badham.

The roll of absentees was called, and the report of the Committee on Introduction of Bills was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Ross, Scudder, Stannard, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Hoffman: Assembly Bill No. 2406—An act to establish certain secondary State highways and provide for their construction, improvement and maintenance.

Bill read first time, and referred to Committee on Roads and Highways.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 393—An act to add a new section to the Penal Code, to be numbered 904a, relating to grand juries—reports that it has met a like committee of the Senate, consisting of Senators McKinley, Snyder and Hulse, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, as amended, and insert in lieu thereof the following: "An act to amend section 904 of the Penal Code, relating to grand juries."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 904 of the Penal Code is hereby amended to read as follows:".

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, as amended, strike out "904a", and insert in lieu thereof the following: "904".

MARTIN,
STREAM,
PHILLIPS,
Assembly Committee on Free Conference.

HULSE,
SNYDER,
McKINLEY,
Senate Committee on Free Conference.

The question being on the adoption of the report and amendments.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, Meehan, Meeker, Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Rawls, Riley, Roberts, Robinson, C. Ray; Rogers, Ross, Scudder, Stannard, Tournoux, Turner, Utt, Williamson, Wright and Mr. Speaker—53.

NOES—None.

The above reported bill ordered to enrollment.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Badham moved that the vote whereby Assembly Bill No. 973 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Burns, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Greene, Grubbs, Hallner, Hatch, Kallam, Knowland, Latham, Lyon, Martin, Mayo, McBride, McMurray, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Ross, Scudder, Stannard, Tournoux, Utt, West, Wright, Zion and Mr. Speaker—44.

NOES—Anglim, Fisher, Gilmore, Hornblower, Jones, King, Maloney, Meehan, Miller, James A., O'Connor, O'Donnell and Williamson—12.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED SEVENTY-THREE.

Assembly Bill No. 973—An act to amend section 316 of the Agricultural Code, relating to meat inspection.

Bill read.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Badham moved that Assembly Bill No. 973 be withdrawn from the file, and ordered re-referred to Committee on Public Health and Quarantine.

The question being on re-referring Assembly Bill No. 973 to the Committee on Public Health and Quarantine.

Motion carried.

Assembly Bill No. 973 ordered re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 200—An act to amend section 710, as added by Chapter 263, Statutes of 1903 and as amended by Chapter 634, Statutes of 1929, of the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 200?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 8 to 14, inclusive, and insert in lieu thereof the following: "officer or employee of any county, city and county, city or other municipal or public corporation therein whether such elective or other officer or employee receive a statutory or other salary or wage, or against any elective or other officer or employee of the State, except such elective officers of the State whose salaries are fixed by the Constitution of the State of California may be enforced as follows: A duly authenticated".

AMENDMENT NUMBER TWO.

On page 2, line 9, of the printed bill, after "draw", insert the following: "and deliver".

AMENDMENT NUMBER THREE.

On page 2, line 21, of the printed bill, after "of", insert the following: "said warrant or".

AMENDMENT NUMBER FOUR.

On page 2, line 22, of the printed bill, after "not", insert the following: "within five days after such receipt claimed and shown by affidavit of the judgment debtor filed in said court as exempt from execution and by said court found to be".

The roll was called, and Senate amendments to Assembly Bill No. 200 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, James A., O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Scudder, Stannard, Tournoux, Utt, Williamson, Wright, Zion and Mr. Speaker—49.

NOES—None.

The above reported bill ordered to enrollment.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Rawls moved that the vote whereby Assembly Bill No. 1760 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1760 was refused reconsideration by the following vote:

AYES—Clowdsley, Cobb, Craig, Feigenbaum, Fisher, Frazier, Greene, Jones, King, Knowland, Martin, Mayo, McMurray, Meehan, Meeker, Rawls, Riley, Robinson, C. Ray, Rogers, Stannard, Williamson and Mr. Speaker—22.

NOES—Anglim, Bliss, Bowers, Burns, Cottrell, Crist, Crowley, Evans, Field, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Kallam, Latham, Maloney, McBride, Miller, James A., Patterson, Peterson, Phillips, Redwine, Ross, Scudder, Tournoux, Utt, West and Zion—29.

Assembly Bill No. 1760 ordered transmitted to the Senate

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Hornblower moved that the vote whereby Assembly Bill No. 2378 was refused passage be reconsidered.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

Motion carried.

Time, ten o'clock and twelve minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—73.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

Assembly Bill No. 1256—An act to amend section 1230 of the Fish and Game Code, and to add a new section to the Fish and Game Code to be numbered 1340.5, relating to predatory mammals and rodents.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1256?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 19, strike out the words "muskrats (genus Ondatra),".

The roll was called, and Senate amendment to Assembly Bill No. 1256 was concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James, A., O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—60.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1753—An act to add a new section to the Fish and Game Code, to be numbered 459, relating to the importation of birds and mammals or parts thereof.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1753?

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "other regulations", and insert in lieu thereof the following: "the importation of birds and mammals or parts thereof".

The roll was called, and Senate amendment to Assembly Bill No. 1753 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—65.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1254—An act to add a new section to the Fish and Game Code, to be numbered 488.5, relating to fish hatcheries.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1254?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 and 4, and insert in lieu thereof the following:

"488.5. Except under permit of the commission, it is unlawful to carry on any fish cultural operations on any stream above the point where water is".

The roll was called, and Senate amendment to Assembly Bill No. 1254 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—65.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1755—An act to add a new section to the Fish and Game Code, to be numbered 20, relating to powers and duties of the Fish and Game Commission.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1755?

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: "of the Fish and Game Commission."

The roll was called, and Senate amendment to Assembly Bill No. 1755 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—65.

NOES—None.

The above reported bill ordered to enrollment.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. McCarthy moved that the vote whereby Senate Bill No. 504 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Bliss, Boyle, Burns, Callahan, Cassidy, Clowdsley, Crowley, Fisher, Gilmore, Grubbs, Hornblower, Jones, Kallam, King, Levey, Maloney, McCarthy, McMurray, Meehan, Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Rawls, Robinson, Samuel E., Rogers, Roland, Stannard, Sullivan, Tournoux, Turner and Williamson—33.

NOES—Alter, Anglim, Badham, Bowers, Brock, Chatters, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Frazier, Greene, Hallner, Hatch, Hoffman, Lyon, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Morgan, Nielsen, Phillips, Red-

wine, Riley, Roberts, Scudder, Stream, Thorp, Utt, West, Wright, Zion and Mr. Speaker—38.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and two minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hornblower.

The roll of absentees was called, and Assembly Bill No. 2378 was refused reconsideration by the following vote:

AYES—Anglim, Bliss, Bowers, Boyle, Callahan, Evans, Feigenbaum, Gilmore, Grubbs, Hornblower, Jones, Levey, Lyon, Maloney, McCarthy, McMurray, Miller, James A., O'Connor, Patterson, Peterson, Rawls, Riley, Rogers, Stannard, Thorp, Tournoux, Turner, Williamson, Woolwine and Mr. Speaker—30.

NOES—Alter, Badham, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Kallam, King, Knowland, Latham, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Phillips, Powers, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stream, Sullivan, Utt, West, Wright and Zion—47.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1337—An act to amend section 692 of the Political Code, relating to the approval of contracts by the Director of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1337 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Levey, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 107—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XIII thereof a new section to be numbered 22, relating to motor vehicle fuel license taxes.

Assembly Constitutional Amendment No. 107 read.

The question being on the adoption of Assembly Constitutional Amendment No. 107.

The roll was called, and Assembly Constitutional Amendment No. 107 was refused adoption by the following vote:

AYES—Badham, Bowers, Cottrell, Craig, Frazier, King, McBride, Rawls, Redwine and Utt—10.

NOES—Alter, Anglim, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—57.

Assembly Constitutional Amendment No. 112—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XIII thereof a new section to be numbered 19a, relating to motor vehicle fuel license taxes.

Assembly Constitutional Amendment No. 112 read.

The question being on the adoption of Assembly Constitutional Amendment No. 112.

MOTION TO RE-REFER.

Mr. Williamson moved that Assembly Constitutional Amendment No. 112 be withdrawn from the file, and ordered re-referred to Committee on Constitutional Amendments.

The question being on re-referring Assembly Constitutional Amendment No. 112 to the Committee on Constitutional Amendments.

MOTION TO LAY ON TABLE.

Mr. Hornblower moved that Assembly Constitutional Amendment No. 112 be laid on the table.

The question being on the motion to lay Assembly Constitutional Amendment No. 112 on the table.

Motion carried.

Assembly Constitutional Amendment No. 111—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XIII thereof a new section to be numbered 19c, relating to motor vehicle fuel license taxes.

Assembly Constitutional Amendment No. 111 read.

The question being on the adoption of Assembly Constitutional Amendment No. 111.

MOTION TO LAY ON TABLE.

Mr. Hornblower moved that Assembly Constitutional Amendment No. 111 be laid on the table.

The question being on the motion to lay Assembly Constitutional Amendment No. 111 on the table.

Motion carried.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At eleven o'clock and forty minutes p.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly in the chair.

Assembly Constitutional Amendment No. 104—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof a new section to be numbered 19, relating to payment of State highway bonds.

Assembly Constitutional Amendment No. 104 read.

The question being on the adoption of Assembly Constitutional Amendment No. 104.

MOTION TO LAY ON TABLE.

Mr. Hornblower moved that Assembly Constitutional Amendment No. 104 be laid on the table.

The question being on the motion to lay Assembly Constitutional Amendment No. 104 on the table.

Motion carried.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and forty-five minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Constitutional Amendment No. 105—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XIII thereof a new section to be numbered 20, relating to payment of State highway bonds.

Assembly Constitutional Amendment No. 105 read.

The question being on the adoption of Assembly Constitutional Amendment No. 105.

MOTION TO LAY ON TABLE.

Mr. Powers moved that Assembly Constitutional Amendment No. 105 be laid on the table.

The question being on the motion to lay Assembly Constitutional Amendment No. 105 on the table.

Motion carried.

Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 3, 4, 5 and 23, of Article IV of the Constitution, relating to the Legislative Department.

Assembly Constitutional Amendment No. 26 read.

The question being on the adoption of Assembly Constitutional Amendment No. 26.

The roll was called and Assembly Constitutional Amendment No. 26 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Evans, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hoffman, Hornblower, Jones, King, Knowland, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Ross, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—60.

NOES—Crist, Crowley, Feigenbaum, Gilmore, Kallam, Levey, Mayo, Miller, Eleanor; Robinson, Samuel E., Roland, Stannard and Williamson—12.

Title read and approved.

Assembly Constitutional Amendment No. 26 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 26.

A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 3, 4, 5 and 23, of Article IV of the Constitution, relating to the legislative department.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that sections 3, 4, 5 and 23 of Article IV of the Constitution of said State be amended to read as follows:

Sec. 3. Members of the Assembly shall be elected for a term of four years except that those chosen from the even-numbered Assembly districts at the next general election after this amendment takes effect shall serve a term of two years. Thereafter one-half of the members of the Assembly shall be chosen biennially, and their term of office shall be four years; and each election shall be on the first Tuesday after the first Monday in November, unless otherwise ordered by the Legislature.

Sec. 4. Senators shall be chosen for a term of six years, at the same time and places as members of the Assembly, and no person shall be a member of the Senate or Assembly who has not been a citizen and inhabitant of the State three years, and of the district for which he shall be chosen one year, next before his election.

Sec. 5. The Senate shall consist of forty members, and the Assembly of eighty members, to be elected by districts, numbered as hereinafter provided. The Senatorial districts of the State are hereby divided into three classes as follows:

Class one is composed of Senatorial districts numbers one, four, seven, ten, thirteen, sixteen, nineteen, twenty-two, twenty-five, twenty-eight, thirty-one, thirty-four, thirty-seven and forty;

Class two is composed of Senatorial districts numbers two, five, eight, eleven, fourteen, seventeen, twenty, twenty-three, twenty-six, twenty-nine, thirty-two, thirty-five and thirty-eight; and

Class three is composed of Senatorial districts numbers three, six, nine, twelve, fifteen, eighteen, twenty-one, twenty-four, twenty-seven, thirty, thirty-three, thirty-six and thirty-nine. Of the Senators elected or in office at the next general election after this amendment takes effect those chosen from Senatorial districts in class one shall serve for a two-year term thereafter, those chosen from the Senatorial districts in class two for a four-year term thereafter, and those chosen from the Senatorial districts in class three for a six-year term thereafter.

Sec. 23. The members of the Legislature shall receive for their services the sum of ninety dollars each for each month of the term for which they are elected, to be paid monthly in the even-numbered years and to be paid during the regular legislative session in the odd-numbered years at such times as may be provided by law and mileage to be fixed by law, all paid out of the State treasury, such mileage not to exceed five cents per mile.

Assembly Bill No. 1804—An act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain State buildings and grounds.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. O'Donnell:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended, strike out lines 12 and 13, and insert in lieu thereof the following: "the University of California at Berkeley or within the limits of the grounds adjacent".

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs. Chatters, Meehan and Burns, the Speaker ordered a roll call taken on the adoption of the amendment.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

Motion carried.

Time, eleven o'clock and forty-six minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—68.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.
MOTION TO RE-REFER.

Mr. Badham moved that Senate Bill No. 606 be withdrawn from Committee on Ways and Means, and ordered re-referred to Committee on Oil Industries.

The question being on re-referring Senate Bill No. 606 to Committee on Oil Industries.

Motion carried.

Senate Bill No. 606 ordered re-referred to Committee on Oil Industries.

ASSISTANT CLERK BERNARD READING.
THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 246—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "registered sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates; prescribing the powers and duties of the State board; prescribing conditions under which the title "registered sanitarian" or the placing of the initials "R. S." may be used after the names of certificate holders; providing penalties for violations hereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 246 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cobb, Craig, Crowley, Evans, Field, Frazier, Gilmore, Greene, Hatch, Hoffman, Hornblower, Jones, King, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Ross, Stream, Thorp, Tournoux and Woolwine—45.

NOES—Anglim, Brock, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Feigenbaum, Fisher, Grubbs, Hallner, Kallam, Knowland, Levey, Meeker, Morgan, Nielsen, Patterson, Phillips, Robinson, Samuel E., Roland, Scudder, Stannard, Turner, Utt, West, Williamson and Mr. Speaker—28.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER THE CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and forty-eight minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hornblower.

The roll of absentees was called, and the amendment to Assembly Bill No. 1804 was adopted by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Cobb, Crowley, Feigenbaum, Frazier, Gilmore, Grubbs, Hallner, Hornblower, Jones, Kallam, King, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Powers, Rawls, Redwine, Robin-

son, C. Ray; Rogers, Ross, Scudder, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Mr. Speaker—45.

NOES—Alter, Bowers, Brock, Chatters, Clowdsley, Cottrell, Craig, Crist, Evans, Field, Fisher, Greene, Hatch, Hoffman, Knowland, Martin, Meeker, Miller, Eleanor; Morgan, Patterson, Phillips, Riley, Roberts, Robinson, Samuel E., Roland, Stannard, Stream and Utt—28.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crowley asked for, and was granted, unanimous consent to take up Assembly Bill No. 1804 at this time, without reference to printer or file, and that same be considered engrossed.

Assembly Bill No. 1804—An act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alchoholic liquors within or contiguous to certain State buildings and grounds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1804 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Crowley, Feigenbaum, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, James A., O'Connor, O'Donnell, Peterson, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Rogers, Ross, Scudder, Stannard, Thorp, Tournoux, West, Williamson, Woolwine and Mr. Speaker—49.

NOES—Alter, Brock, Chatters, Cottrell, Craig, Crist, Evans, Field, Fisher, Hatch, Martin, Meeker, Miller, Eleanor; Morgan, Nielsen, Patterson, Phillips, Riley, Robinson, Samuel E., Roland, Stream and Utt—22.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1978—An act to amend sections 621 and 622 of the Agricultural Code, relating to dairies and dairy products.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1978 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—69

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 147—An act to amend section 483 of the Penal Code, relating to the sale of evidences of right of passage on a common carrier to person not entitled to use of same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 147 refused passage by the following vote:

AYES—Anglim, Badham, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Hallner, Hoffman, Hornblower, Knowland, Levey, Lyon, Maloney, Martin, Mayo,

Meeker, Miller, James A., Morgan, Nielsen, Patterson, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Ross, Scudder, Thorp, Utt, West, Woolwine and Mr. Speaker—35.

NOES—Alter, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crowley, Fisher, Gilmore, Hatch, Jones, Kallam, King, McBride, McCarthy, McMurray, Miller, Eleanor; O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Rogers, Stannard, Stream, Tournoux, Turner and Williamson—33.

Assembly Bill No. 123—An act to amend section 204e of and to add sections 204f, 204g and 204h to the Code of Civil Procedure, relating to the secretary and assistant secretaries of the superior court.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Woolwine:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out ", 204g and 204h", and insert in lieu thereof the following: "and 204g".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 7 to 11, inclusive.

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1236—An act to amend section 737eee of the Political Code, relating to the superior judge in and for the county of Yolo.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1236 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 504—An act to amend section 737g of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Contra Costa.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 504 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson,

C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—67.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2273—An act to amend section 737aa of the Political Code, relating to compensation of the judge of the superior court in and for the county of Monterey.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2273 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—67.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 809—An act to amend the title, sections 12, 16, 23, 23a and to repeal sections 12a, 12b and 12c, and to add section 16a to an act entitled "An act to promote the drainage of wet, swamp, and overflowed lands or lands otherwise needing surface or underground drainage or protection from storm water overflow, and to promote the public health in the communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof," approved May 18, 1919, Statutes 1919, page 731, as amended, with the provision that the repeal of sections 12a, 12b and 12c shall not affect existing proceedings under said act, and to provide for the advancing of maturity of bonds issued under said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 809 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Hallner, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Lyon, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—52.
NOES—McCarthy, O'Connor, Rogers and Williamson—4.

Title read and approved.
Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Lyon moved that Assembly Bill No. 1224 be withdrawn from the file, and ordered re-referred to Committee on Manufacturing.

The question being on re-referring Assembly Bill No. 1224 to the Committee on Manufacturing.

Motion carried.

Assembly Bill No. 1224 ordered re-referred to Committee on Manufacturing.

Assembly Bill No. 1993—An act to amend sections 1095 and 1104 of the Fish and Game Code and to add thereto section 1096.5, relating to records and reports.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1993 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—62.

NOES—Patterson—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1778—An act to provide for the aid and relief of indigents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1778 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Knowland, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Ross, Scudder, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—62.

NOES—Stannard—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1851—An act to amend section 2253 of the Political Code, relating to limitation of enrollment of pupils in the California School for the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1851 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E.,

Rogers, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—64.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

HON. C. RAY ROBINSON IN THE CHAIR.

At eleven o'clock and fifty minutes p.m., Hon. C. Ray Robinson, member of the Assembly from the Thirty-third Assembly District, in the chair.

Assembly Bill No. 2371—An act to amend section 564 of the Code of Civil Procedure, and to add a new section thereto to be numbered 547a, relating to civil actions.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 2371 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson and Woolwine—63.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and fifty-two minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 195—An act to amend section 73 of the Code of Civil Procedure, relating to sessions of the superior courts.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 195 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Cassidy, Chatters, Clowdsley, Cobb, Craig, Evans, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Kallam, Knowland, Lyon, Maloney, Martin, Mayo, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt and West—47.
NOES—Boyle, Callahan, Grubbs, Jones, King, McCarthy, O'Connor, Woolwine and Mr. Speaker—9.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 196—An act to amend section 142 of the Code of Civil Procedure, relating to sessions of the superior court.
Bill read third time.
The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 196 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Evans, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Kallam, King, Knowland, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller Eleanor; Miller, James A., Nielsen, Patterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt and West—49.

NOES—Jones, McCarthy, O'Connor, Powers, Rogers, Woolwine and Mr. Speaker—7.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS.

Senate Bill No. 1036—An act to add section 73a to the California Irrigation District Act, relating to the procedure by which property owners may be relieved from obligations of the district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1036 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Kallam, King, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Woolwine and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 335—An act to amend section 68 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission Fund and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Feigenbaum:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, strike out "section", and insert in lieu thereof the following: "sections 67 and".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out lines 1 to 12, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 67 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 67. Within thirty days after the application for a rehearing is denied, or, if the application is granted, then within thirty days after the rendition of the

decision on rehearing, the applicant may apply to the Supreme Court of this State for a writ of certiorari or review (hereinafter referred to as a writ of review) for the purpose of having the lawfulness of the original order or decision or the order or decision on rehearing inquired into and determined. Such writ shall be made returnable not later than thirty days after the date of the issuance thereof, and shall direct the commission to certify its record in the case to the court. On the return day, the cause shall be heard by the Supreme Court, unless for a good reason shown the same be continued. No new or additional evidence may be introduced in the Supreme Court, but the cause shall be heard on the record of the commission as certified to by it. The review shall not be extended further than to determine whether the commission has regularly pursued its authority, including a determination of whether the order or decision under review violates any right of the petitioner under the Constitution of the United States or of the State of California. The findings and conclusions of the commission on questions of fact shall be final and shall not be subject to review except as hereinafter provided; such questions of fact shall include ultimate facts and the findings and conclusions of the commission on reasonableness and discrimination. The commission and each party to the action or proceeding before the commission shall have the right to appear in the review proceeding. Upon the hearing the Supreme Court shall enter judgment either affirming or setting aside the order or decision of the commission. The provisions of the Code of Civil Procedure of this State relating to writs of review shall, so far as applicable and not in conflict with the provisions of this act, apply to proceedings instituted in the Supreme Court under the provisions of this section No court of this State (except the Supreme Court to the extent herein specified) shall have jurisdiction to review, reverse, correct or annul any order or decision of the commission or to suspend or delay the execution or operation thereof, or to enjoin, restrain or interfere with the commission in the performance of its official duties; provided, that the writ of mandamus shall lie from the Supreme Court to the commission in all proper cases.

In any proceeding wherein the validity of any order or decision is challenged on the ground that it violates any right of petitioner under the Constitution of the United States, the Supreme Court shall exercise an independent judgment on the law and the facts, and the findings or conclusions of the commission material to the determination of the said constitutional question shall not be final.

SEC. 2. Section 68 of said act is hereby".

Amendments adopted.

Bill ordered to reprint, and on file for third reading.

Senate Bill No. 157—An act to amend section 9a29 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to librarians in counties of the twenty-ninth class.

Bill read third time.

The question being on the passage of the bill

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Ross:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, as amended in the Senate, April 12, 1933, after the period following the word "annum", strike out the remainder of the bill.

Amendment adopted.

Bill ordered to reprint, and on file for third reading.

Senate Bill No. 156—An act to amend section 4258 of the Political Code, relating to compensation of county and township officers in counties of the twenty-ninth class.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted.

AMENDMENT NUMBER ONE.

On page 5, line 10, of the printed bill, as amended in the Assembly April 21, 1933, strike out the words "one thousand nine hundred eighty", and insert in lieu thereof the following: "two thousand one hundred".

Amendment adopted.

Bill ordered to reprint, and on file for third reading.

Senate Bill No. 414—An act to amend sections 2436, 2439 and 2468 of the Political Code, relating to pilotage of vessels through any part of the high seas.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Knowland:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, as amended, after the comma after "Suisun", insert the following: "and the ports of Los Angeles, San Diego and Long Beach,".

Amendment adopted.

Bill ordered to reprint, and on file for third reading.

Senate Bill No. 65—An act relating to the redemption of property sold to irrigation districts for delinquent assessments.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, as amended, after the comma following "1933", insert the following: "for".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out lines 11 to 17, inclusive, and insert in lieu thereof the following: "District Act, as amended, redeem the same by the payment in four equal annual installments plus seven per cent interest on all unpaid assessments from the date of sale to the date of redemption The first installment to be paid on or before March 1, 1934, and each succeeding installment on or before March 1st of the year in which such installment is due. No other amount shall be required to be paid in order to effect such redemption either by way of penalties for delinquencies, redemption penalties or costs. This act is not intended to repeal or modify any".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended, after line 21, insert the following:

"SEC. 2. In the event that such property is not redeemed in accordance with section 1 of this act such property can be redeemed only in accordance with the provisions of law which would govern the redemption of such property but for the provisions of this act, and any moneys paid pursuant to the provisions of section 1 of this act shall be credited on the amount necessary for redemption

SEC. 3. This act shall not be construed to affect taxes accruing after April 1, 1933, on any property subject to the provisions of this act."

AMENDMENT NUMBER FOUR.

On page 1, line 22, of the printed bill, strike out "SEC 2", and insert in lieu thereof the following: "SEC. 4."

Amendments adopted.

Bill ordered to reprint, and on file for third reading.

Senate Bill No. 9—An act to amend sections 41, 42, 43, 45 and 46 of the California Irrigation District Act, and to repeal section 44 of said act, all relating to delinquent assessments.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Robinson, C. Ray:

AMENDMENT NUMBER ONE.

On page 4, line 10, of the printed bill, as amended, strike out "three", and insert in lieu thereof the following: "four".

Amendment adopted.

Bill ordered to reprint, and on file for third reading.

MOTION TO PRINT.

On motion of Mr. Feigenbaum, the Chief Clerk was instructed to have a rush order placed on the printing of Senate Bill No. 335.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Concurrent Resolution No. 41—Relative to the establishment of the twenty-eighth day of August, 1934, as "Junipero Serra Day.";

Also: Assembly Concurrent Resolution No. 42—Relative to the establishment of the year 1934 as "Junipero Serra Year.";

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

ROLAND, Chairman.

The above reported assembly concurrent resolutions ordered on file for adoption.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 2401—An act to provide for the postponement of the collection of assessments levied to pay principal or interest due on bonds issued under the authority of the Acquisition and Improvement Act of 1925 during the existence of an economic emergency—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2241—An act providing for the levying, collecting and paying of an income tax on individuals for unemployment relief—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2365—An act imposing an excise tax upon sales of tangible personal property by retailers, providing the method and manner of levying, assessing, collecting and paying of such tax, providing for the issuance of permits to

retailers, prescribing penalties for violations of the provisions of this act, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 600—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Municipal Improvement District Act of 1927, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment;

Also: Assembly Bill No. 601—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Acquisition and Improvement Act of 1925, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment;

Also: Assembly Bill No 160—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used;

Also: Assembly Bill No. 162—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used;

Also: Assembly Bill No 163—An act to amend section 159 of the "California Vehicle Act," approved May 30, 1923, Statutes of 1923, page 517, to provide that the funds derived under said act may be used for contributions to special assessment improvement proceedings;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1533—An act to repeal Article I of Chapter VI of Part II of Division VI of the School Code, embracing sections 6.470 to 6.479, inclusive, to repeal an act entitled "An act to provide for the purchase of school supplies for school districts and defining the powers and duties of superintendents of schools of counties and other officers in relation thereto," approved May 31, 1929, and to add a new article to Chapter VI of Part II of Division VI of the School Code, to be numbered Article I, embracing sec-

tions 6.470 to 6.479, inclusive, all relating to the purchase of apparatus and supplies —has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROLAND, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 354—An act to amend section 5.500 of the School Code, relating to teachers' tenure—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ROLAND, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1229—An act to amend sections 5.400, 5.420, 5.500, 5.503, 5.510, 5.520, 5.521, 5.650, 5.651, 5.652, 5.653, 5.654, 5.655, 5.657, 5.658, 5.660, 5.663, 5.664, 5.681, 5.691, and 5.710, and repealing sections 5.404, 5.504 and 5.682, and adding new sections to be numbered 5.505, 5.506, 5.507, 5.666 and 5.711½ of the School Code of the State of California, relating to the employment, classification, dismissal and suspension of employees requiring certification qualifications—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ROLAND, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 203—An act to amend section 692 of the Fish and Game Code and to add thereto section 691.5, relating to striped bass;

Also: Senate Bill No. 350—An act to amend sections 79 and 81 of the Fish and Game Code and to add thereto a new section to be numbered 881.5, relating to fish and game;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ZION, Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 194—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class;

Also: Senate Bill No. 343—An act to amend sections 7 and 8 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved May 24, 1927, Statutes of 1927, p. 1351, and relating to bonds to be issued, and providing for abandonment of proceedings and payment of the expenses thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 918—An act to amend section 801 of the Fish and Game Code, relating to abalones;

Also: Senate Bill No. 280—An act to add section 520.5 to the Fish and Game Code, relating to dams;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

ZION, Chairman

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 549—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. King: Assembly Constitutional Amendment No. 118—Proposed amendment to Article IV of the Constitution, relative to compensation of members of the Legislature.

Introduced, and referred to Committee on Constitutional Amendments.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented.

By Mr. Boyle:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 47a to the Public Utilities Act, relating to the valuation of property to be used for the purpose of establishing rates to be charged by public utilities.

Referred to Committee on Introduction of Bills.

By Mr. Meehan:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 24½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time, for such purposes, and to create a Board of Fire Commissioners," approved March 4, 1891, relating to inclusion of outlying territory within the fire limits of unincorporated towns and villages.

Referred to Committee on Introduction of Bills.

By Mr. Turner:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 365e½ to the Political Code relating to powers and duties of the California Highway Commission in respect to construction or repair of highways.

Referred to Committee on Introduction of Bills.

ADJOURNMENT.

At eleven o'clock and fifty-nine minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock and thirty minutes a.m., Wednesday, May 3, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, May 3, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Nielsen, Mr. Carl Smith of Truckee, California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr Anglim, Mr. Forrest Bailey of Walnut Creek, California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nielsen, social science and history classes of St. Joseph's Academy of Sacramento were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr Anglim, R. Henderson and Melba Fitzpatrick, instructors in charge, and the following students of junior and senior classes of Alhambra Union High School: Sam Alie, Charles Anderson, Helen Archibald, Ivan Jeans, Jean Barnett, George Barkeley, Lena Bartolini, Chester Bartolomei, Jeanette Beard, Frank Bellato, William Belon, Yolanda Bergamini, Mario Bergamini, Ruth Bellinger, Eva Bollentini, Richard Boyd, Dorothy Bradley, Norman Bradley, Gwendolyn Brunner, Monis Buchanan, Melio Cerri, Katherine Bulger, Phyllis Butcher, Doris Burdine, George Butt, Elizabeth Cattesal, Joe Constanza, Kenneth Coveney, Doris Dailey, Donald Douglas, Kathleen Davidson, Annie Da Corti, David Davis, Melvin Dutra, Seldon Del Monte, Lea Martini, Willie Delavati, Sena De Rose, Lucille Davis, Tom Freschi, Clyde Frisholtz, Antoinette Fino, Viola Richards, Gladys Knapp, Gordon White, Richard Woods, Angelina Ferrari, Erwin Gilbert, John Griffith, Avis Georgerini, Janet Green, Jack Graham, Louis Gardella, Madeline Hix, Bernard Hoey, Gordon Johnson, William Joost, Vernon Jolley, Gladys Knudsen, Jerry Kelleher, Anton Kraintz, Mary Kraintz, Jack Kennedy, John Leeper, Josephine Little, William

Merrill, Katherine Mason, Charlotto Mellican, Oliver Moore, Muriel Marvin, Ruth Marvin, Steve Stimac, Eva Chamberlain, Elwin Wanaka, Ruth Winslow, Oral Mettier, Margaret Miller, Arvella Moore, Alvena Mignani, Ted Meyer, Brigie Mederia, Harold Newman, Archer Nippren, Tina Olmeda, John Pagliero, Madeline Pagliero, Arthur Price, Walter Pilgrim, Muriel Rodgers, August Rhalves, Marjorie Richburg, Elinor Sears, Arthur Susini, Gilman Shelley, Annie Sincich, Louis Sharp, Wilma Jean Sweetzer, Phillip Tormey, Alvin Viera and William Wheeler were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From University Christian Church members, Los Angeles, sustaining the Governor's veto of Assembly Bill No. 1115.

(Signed) REV. H. E. KNOTT, Pastor.

Also:

By Mr. Speaker:

From Mrs. Rosa E. Bugg, Los Angeles, favoring Assembly Constitutional Amendment No 46, Assembly Bills Nos. 319, 450 and 54 and Senate Bill No. 7.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 2100—An act to provide for the examination and licensing of hoisting engineers employed in mines in this State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MAYO, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1019—An act to amend section 690.10 of the Political Code, relating to rights in and to, and structures on, or partly on, swamp, overflowed, marsh, tide- or submerged lands, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

MALONEY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Senate Bill No. 480—An act to provide for the organization, operation, financing, government and dissolution of placer mining districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MAYO, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 762—An act to amend section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of Coronado, in furtherance of navigation, commerce and fisheries, and providing for the government, management and control thereof," approved April 27, 1923, relating to tidelands in San Diego Bay—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 1872—An act to amend section 737 of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Fresno.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 713—An act to amend the Water Commission Act, approved July 16, 1913, by amending section 42 thereof, relating to the definition of terms stream, stream system, lake, or other body of water or water;

Also: Assembly Bill No. 1523—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to sessions of the superior court,

Also: Assembly Bill No. 106—An act to repeal "An act relating to fishing in the waters of this State," approved April 23, 1880;

Also: Assembly Bill No. 466—An act to repeal "An act for the protection of the Antwerp messenger or homing pigeon," approved February 26, 1897;

Also: Assembly Bill No. 1336—An act transferring a parcel of State park land in Humboldt County from the Department of Natural Resources to the Department of Public Works to be used for State highway purposes;

Also: Assembly Bill No. 2312—An act to amend section 102 of the Agricultural Code, relating to charges or fees for certificates or inspections.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2334—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 1752—An act to add a new section to the Fish and Game Code, to be numbered 950 5, relating to Chinese shrimp nets;

Also: Assembly Bill No. 2324—An act to amend the title and sections 1, 2, 3, 4, 6 and 7 of "An act to regulate the possession or transportation of any form of shell, cartridge or bomb containing or capable of emitting tear gas and providing penalties for violation thereof," approved May 28, 1931, and to add sections 2a and 2b of said act, relating to the possession, transportation and sale of tear gas shells, cartridges, bombs or weapons;

Also: Assembly Bill No. 1815—An act to amend section 29 of the California Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation insurance;

Also: Assembly Bill No. 1087—An act to amend section 23 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended, relating to the filing of annual statements and prescribing the fee therefor, and to repeal section 30 of said act relating to taxation;

Also: Assembly Bill No. 1095—An act to repeal section 608 of the Political Code, relating to transfers of actions or special proceedings by foreign insurance companies doing business in this State.

Also: Assembly Bill No. 2263—An act to amend section 602b of the Political Code, relating to workmen's compensation insurance

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1408—An act to amend section 16 of an act entitled "An act to provide for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903;

Also: Assembly Bill No. 1411—An act to amend section 10 of the Street Improvement Act of 1913, relating to street improvements;

Also: Assembly Bill No. 1415—An act to amend section 13 of the Grade Separation Act of 1927, relating to the separation of grades;

Also: Assembly Bill No. 230—An act to repeal the "Tree Planting Act of 1913";

Also: Assembly Bill No. 231—An act to repeal "An act to provide for the laying out, opening, extending, widening, strightening, diverting, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities or cities and cities and counties of forty thousand inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 23, 1893;

Also: Assembly Bill No. 232—An act to repeal "An act empowering the legislative body of any city or municipal corporation to abandon proceedings taken under an act entitled 'An act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby,' approved April 21, 1909, and referred to as the 'Street Improvement Act of 1909,'" approved June 8, 1915.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 129—An act to repeal an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893, Statutes 1893, page 33, as amended, with provision that any bonds issued under the provisions of said act shall not be affected by said repeal;

Also: Assembly Bill No. 134—An act to repeal an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, Statutes of 1885, page 147, as amended, with provision that said repeal shall not apply to existing proceedings or to existing bonds or assessments issued or levied under said act;

Also: Assembly Bill No. 135—An act to repeal the Acquisition and Improvement Act of 1925, approved May 23, 1925, Statutes of 1925, page 849, as amended, and providing that said repeal shall not apply to existing or authorized bonds and assessments or to existing proceedings under said act;

Also: Assembly Bill No. 137—An act to repeal the provisions of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of said improvements," approved April 20, 1915, Statutes of 1915, page 99, as amended; and to provide for a repeal of said act with provision that said repeal shall not apply to existing bonds or taxes or to existing proceedings under said act:

Also: Assembly Bill No. 228—An act to repeal "An act to provide for the planting, maintenance and care of shade trees upon streets, lanes, alleys, courts and places within municipalities, and of hedges upon the lines thereof, also, for the eradication of certain weeds within city limits," approved March 11, 1893:

Also: Assembly Bill No. 229—An act to repeal the "Tree Planting Act of 1915."

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1400—An act to add a new section to the Public Utilities Act, to be numbered 50¼, relating to passenger State corporations;

Also: Assembly Bill No. 1794—An act to add a new section to the Political Code, to be numbered 4041.26, relating to the disposition of county personal property which is not further required for public use;

Also: Assembly Bill No. 1866—An act to amend section 4099a of the Political Code, relating to orphan aid;

Also: Assembly Bill No. 1871—An act to repeal section 4041c of the Political Code, and to add a new section thereto to be numbered 4041c, relating to county officers.

Also: Assembly Bill No. 1863—An act to repeal sections 1121 to 1124, inclusive, and sections 1131 to 1133, inclusive, of the Agricultural Code, relating to the storage of eggs;

Also: Assembly Bill No. 1925—An act to amend section 124 of the Agricultural Code, relating to quarantine and pest control;

Also: Assembly Bill No. 335—An act to amend section 42 of the State Housing Act, relating to requirements for buildings;

Also: Assembly Bill No. 2318—An act to amend sections 4, 5, 6, 7, 8, 9, 11 and to add a new section numbered 17, to Chapter 598, Statutes 1913, entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the Board of Optometry and to the regulation of the practice of optometry and relating to the constitutionality of said act.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 978—An act authorizing the Governor to make conveyances of certain parcels of real property to the original grantors thereof or their successors or assigns, if and when the interest of the United States in said parcels is conveyed or released to the State of California, which said parcels were acquired pursuant to the provisions of the Statutes of California for 1927, Chapter 142, particularly the paragraph commencing on the bottom of page 271 and which were conveyed, pursuant to the provisions of the Statutes of California, Chapter 517, to the United States of America, for temporary use as spoil disposal areas, in connection with the construction of that certain project approved by an act of Congress which was approved by the President of the United States, on January 21, 1927, which said act provided for the deepening and rectification of the San Joaquin River and Stockton Channel in accordance with the plan laid down in House Document No. 554, sixty-eighth Congress, second session;

Also: Assembly Bill No. 1800—An act to amend section 1205 of the Penal Code, relating to the payment of fines;

Also: Assembly Bill No. 1355—An act to amend sections 587 and 1515 of the Probate Code, relating to the dedication of real property by executors, administrators and guardians;

Also: Assembly Bill No. 2124—An act authorizing a suit against the State of California to quiet title against it to certain real property in the city of Newport Beach;

Also: Assembly Bill No. 622—An act to add a new section to the Civil Code to be numbered 85, relating to legitimacy;

Also: Assembly Bill No. 629—An act to amend sections 780 and 782 of the Probate Code, relating to sales of real property by executors and administrators.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 4—Relative to memorializing Congress to enact the Ludlow Unemployment Bill.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

Assembly Joint Resolution No. 4 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1482—An act to amend section 1 of Chapter 389, Statutes of 1915, entitled "An act providing for the sale of certain State lands," as approved May 15, 1915, as amended, relating to State lands—and respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1750—An act to add a new section to the Fish and Game Code, to be numbered 738.5, relating to smelt—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 1, 1933, passed Assembly Bill No. 2211—An act to add a new section to the Code of Civil Procedure to be numbered 1191b, relating to subrogation of liens arising under section 1191a of said code.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1407—An act to amend section 79b of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to improvements

of municipalities—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 133—An act to repeal an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved May 24, 1927, Statutes of 1927, page 1351, as amended, with the provision that such repeal shall not apply to existing bonds or to any existing proceeding instituted under said act—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 829—An act to amend section 585 of the Agricultural Code, relating to dairies and dairy products—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1288—An act to amend the article heading of Article 1 of Chapter 3 of Division V of and to amend sections 851, 852 and 871 and to repeal sections 853, 855, 856, 857, 858, 859, 862, 864, 865, 866, 867, 868, 873, 874, 875, 879 and 881 of the Agricultural Code, relating to canned foods—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1799—An act to amend section 1446 of the Penal Code, relating to the payment of fines—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 1141—An act to add four new sections to the Civil Code, to be numbered 453ee¼, 453.11, 453.12 and 453.13, all relating to mortgage insurance companies; declaring the urgency thereof, and providing that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1338—An act to add a new section to the Political Code to be numbered 363cc, authorizing the filing for record of State highway maps and prescribing the duties of county recorders with relation thereto—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 1869—An act to amend section 4235 of the Political Code, relating to compensation of county and township officers in counties of the sixth class—and appointed Senators Hays, Powers and Parkman as a Committee on Free Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 326—An act to amend section 689 of the Political Code, relating to the costs of janitor and maintenance service furnished by the Department of Finance—and requests that your honorable body recede therefrom.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add section 365½ to the Political Code relating to powers and duties of the California Highway Commission in respect to construction or repair of highways.

HALLNER, Chairman

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 24½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time, for such purposes, and to create a Board of Fire Commissioners," approved March 4, 1891, relating to inclusion of outlying territory within the fire limits of unincorporated towns and villages.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add section 47a to the Public Utilities Act, relating to the valuation of property to be used for the purpose of establishing rates to be charged by public utilities.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cottrell, Craig, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hatch, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Meehan: Assembly Bill No. 2407—An act to amend section 24½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time, for such purposes, and to create a board of fire commissioners," approved March 4, 1891, relating to inclusion of outlying territory within the fire limits of unincorporated towns and villages.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Turner: Assembly Bill No. 2408—An act to add section 365e½ to the Political Code, relating to powers and duties of the California Highway Commission in respect to construction or repair of highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Boyle: Assembly Bill No. 2409—An act to add section 47a to the Public Utilities Act, relating to the valuation of property to be used for the purpose of establishing rates to be charged by public utilities.

Bill read first time, and referred to Committee on Public Utilities.

RESOLUTION.

The following resolution was offered:

By Miss Miller, Eleanor:

May 2, 1933.

We, the undersigned, respectfully request the withdrawal of Assembly Bill No. 711 from the Committee on Judiciary:

ELEANOR MILLER.
P. G. WEST.
F. C. CLOWDSLEY.
J. E. THORP.
FRANK G. MARTIN.
LAWRENCE COBB.
HOBART R. ALTER.
FRANK W. WRIGHT.
AUSTIN L. TOURNOUX.
S. E. ROBINSON.
H. J. EVANS.
CHARLES W. LYON.
CECIL R. KING.
JAMES S. O'CONNOR.
JAMES J. BOYLE.
JAMES B. UTT.
JOHN T. RAWLS.
WILLIAM MOSELEY JONES.
C. DON FIELDS.
JOHN PHILLIPS.
W. E. BADHAM.
CHARLES W. STREAM.
MAURICE MEEKER.
JOHN D. MCCARTHY.
FRANK J. ROGERS.
J. E. FRAZIER.
JOHN H. O'DONNELL.
JAMES M. CASSIDY.
MICHAEL J. BURNS.
ALBERT F. ROSS.
FORD A. CHATTERS.
JESSE M. MAYO.
HENRY P. MEEHAN.
L. POWERS, JR.
HARRY B. RILEY.
E. H. ZION.
HENRY P. MEEHAN.
JAMES J. MCBRIDE.
BERT V. CALLAHAN.
RODNEY L. TURNER.
C. W. GRUBBS.

Assembly Bill No. 711 ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Mr. Rawls:

ASSEMBLY RESOLUTION.

WHEREAS, It is established that immediately prior to the closing of the California Trust and Savings Bank, sums of money therein were withdrawn by persons having an interest in the bank, and who were acquainted with its financial condition; and,

WHEREAS, The names of such persons and the amounts so withdrawn have not been ascertained; now, therefore, be it

Resolved by the Assembly of the State of California, That the Sacramento County grand jury is requested to investigate and ascertain the names of such persons, and the amounts so withdrawn, to the end that such further proceedings may be taken as the ends of justice require.

The question being on the adoption of the resolution.

Resolution ordered referred to Committee on Judiciary.

MOTION TO RE-REFER.

Mr. Bliss moved that Assembly Bill No. 1019 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 1019 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 1019 ordered re-referred to Committee on Ways and Means.

MOTION TO RE-REFER.

Mr. Nielsen moved that Assembly Bills Nos. 1277 and 1560 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bills Nos. 1277 and 1560 to Committee on Ways and Means.

Motion carried.

Assembly Bills Nos. 1277 and 1560 ordered re-referred to Committee on Ways and Means.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Bliss moved that the consideration of his motion to reconsider the vote whereby Assembly Concurrent Resolution No. 58 was refused adoption be continued until the next legislative day.

Motion carried.

Assembly Bill No. 1572—An act to amend section 948 of the Political Code, relating to bonds of State officials and employees.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1572?

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the following: "Unless otherwise prescribed by law, the", and insert in lieu thereof the word "The".

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, strike out the following: "filed and recorded in the office of", and insert in lieu thereof the following: "forwarded to".

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, after the word "Finance", insert the following: "for recordation. Upon such recordation the State Department of Finance shall forward said bonds to the Secretary of State where the same shall be filed."

The roll was called, and Senate amendments to Assembly Bill No. 1572 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Mr. Speaker—60.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1364—An act to permit the State Treasurer to accept a donation for the retirement of the California Olympiad bonds.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1364?

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after "retirement", insert the following: "or purchase".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after line 11, insert the following:

"SEC 2 In the event the State Board of Control decides it is for the best interests of the State, the Department of Finance shall, on the order of the State Board of Control, specifying the amount of money to be expended, use the moneys mentioned in section 1 to the amount specified by the Board of Control to purchase Olympiad bonds issued under an act of the Legislature passed in 1927. The Department of Finance shall purchase said bonds at not more than the par value thereof Until the State Board of Control decides it is for the best interests of the State to proceed as provided in this section, the provisions of section 1 hereof shall maintain and be fully operative.

SEC 3. After the purchase of Olympiad bonds as provided in section 2 hereof, said bonds shall be delivered by the Department of Finance to the State Treasurer who shall cancel and destroy the same. The State Treasurer shall thereupon deliver the numbers of said canceled and destroyed bonds to the Department of Finance and the State Board of Control."

The roll was called, and Senate amendments to Assembly Bill No. 1364 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Nielsen, O'Connor, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—58.

NOES—None.

The above reported bill ordered to enrollment.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 660—An act to amend section 4300*l* of the Political Code, relating to municipal court fees.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1771—An act to amend section 4110 of the Political Code, relating to presentation and payment of warrants by the county treasurer and the duties of the auditor in relation thereto.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1945—An act to provide for the organization and management of horticultural improvement districts and to provide for the development of lands included therein for the planting, caring for,

and maturing of orchards thereon and for the acquisition of all property necessary therefor; to provide for the management of such districts and also to provide for the issuance and payments of bonds for such districts, for the levying of taxes and the collection of charges by said districts and for the annexation of additional territory thereto.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1883—An act relating to streets, avenues, lanes, roads and highways in, through or across the premises of State institutions and other lands of the State, and placing the same under the jurisdiction of the State Department of Public Works.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title, and insert in lieu thereof the following:

"An act authorizing counties, cities and counties, and cities to relinquish jurisdiction over roads and highways in State parks to the authority charged by law with the management and control of such parks and providing for the construction, reconstruction, and maintenance of such roads and highways by the Department of Public Works."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 6, both inclusive, and insert in lieu thereof the following:

"SECTION 1. The board of supervisors or governing body of any county, city and county, or city within which any State park forming a part of the State park system has been or may hereafter be established, is authorized to relinquish any road, highway, or trail, or portion thereof, or rights of way therefor, existing within any such park, and under the jurisdiction of such county, city and county, or city, to the authority charged by law with the management and control of such park, and thereupon jurisdiction over any such road, highway, or trail shall vest in said park authority, upon the acceptance by it of such road, highway, or trail, or such rights of way.

SEC. 2. Relinquishment to the park authority of any road, highway, or trail, or rights of way, as herein provided, shall be by resolution of the board or governing body having jurisdiction spread upon its minutes, after such notice and hearing as it shall determine. A certified copy of such resolution, with the acceptance of the park authority endorsed thereon, may be recorded in the office of the county recorder in which such road, highway, or trail is located and shall be filed with the park authority.

SEC. 3. Whenever jurisdiction over any road or highway within a State park has been relinquished to the park authority, the Department of Public Works is authorized to construct, reconstruct, and maintain such road or highway and to expend therefor any funds provided by law for such purposes; provided, that any construction, reconstruction, or maintenance of roads or highways within State parks shall be subject to the approval of the park authority. Nothing in this section shall be construed to limit the general authority of the Department of Public Works to construct, reconstruct, and maintain roads and highways in State parks, subject to the approval of the official or officials charged with the management and control of such parks, which authority is hereby specifically conferred upon said department.

SEC. 4. This act shall not affect nor shall it be construed as a limitation in any respect of the jurisdiction, possession, and control of the Department of Public Works over any road or highway which has been or which may hereafter be designated a State highway and made a part of the State highway system, irrespective of the fact that such road or highway, or portion thereof, may be located within a State park."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1495—An act to amend section 1 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of

such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, relating to convict labor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2395—An act to amend the Agricultural Code by adding thereto Article 4, embracing sections 380 to 380.4, inclusive, to Chapter 1, Division III, relating to marks and brands, and by adding to Chapter 6, Division IV thereof, section 679, relating to associations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out the following: ", and by adding to Chapter 6, Division IV thereof, section 679, relating to associations".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines 28 to 31, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1122—An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; providing for the powers, duties and authority of said commission and the members thereof; providing for the institution of prorate programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 7 of the title of the printed, engrossed bill, strike out "providing for", and insert in lieu thereof "prescribing".

AMENDMENT NUMBER TWO.

In line 9 of the title of the printed, engrossed bill, strike out "prorate", and insert in lieu thereof "proration".

AMENDMENT NUMBER THREE.

On page 2, line 22, of the printed, engrossed bill, strike out the words "prorating program", and insert in lieu thereof the following: "program of market proration".

AMENDMENT NUMBER FOUR.

On page 2, line 24, of the printed, engrossed bill, strike out "The", immediately following the parenthesis and insert in lieu thereof "the".

AMENDMENT NUMBER FIVE.

On page 2, line 26, of the printed, engrossed bill, strike out "The", immediately following the parenthesis, and insert in lieu thereof "the".

AMENDMENT NUMBER SIX.

On page 2, line 29, of the printed, engrossed bill, strike out "The", immediately following the parenthesis and insert in lieu thereof "the".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed, engrossed bill, strike out all of line 30, following the word "transaction", and all of line 31, and insert in lieu thereof the following: "in which the producer loses physical possession of the commodity."

AMENDMENT NUMBER EIGHT.

On page 2 of the printed, engrossed bill, after line 31, insert the following:

"(h) the term "producing factor" means the unit of production specified in the petition.

(i) the term "owner" means the person entitled to dispose of commodities for marketing purposes.

(j) the term "proration" means the uniform percentage of their total production which all producers may harvest and/or prepare for market.

(k) the singular includes the plural."

AMENDMENT NUMBER NINE.

On page 2 of the printed, engrossed bill, strike out all of line 38 after the period, all of line 39, and all of line 40 before the period, and insert in lieu thereof the following: "Three of said members shall be neither producers nor handlers of agricultural commodities but shall be appointed, two to represent consumers generally and one to represent consumers of agricultural commodities for processing purposes."

AMENDMENT NUMBER TEN.

On page 3, line 6, of the printed, engrossed bill, after the word "secretary", insert the following: "and such other personnel as may be necessary to carry out its duties."

AMENDMENT NUMBER ELEVEN.

On page 3, line 7, of the printed, engrossed bill, strike out the word "him", and insert in lieu thereof "them".

AMENDMENT NUMBER TWELVE.

On page 3, line 7, of the printed, engrossed bill, strike out the word "his", and insert in lieu thereof "their".

AMENDMENT NUMBER THIRTEEN.

On page 4, line 4, of the printed, engrossed bill, strike out the word "prorating".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 5, of the printed, engrossed bill, after the syllable "gram", insert "of prorated marketing".

AMENDMENT NUMBER FIFTEEN.

On page 4 of the printed, engrossed bill, strike out all of lines 10, 11, 12, 13 and 14, and insert in lieu thereof the following: "signed by two-thirds or more in number of the producers within the proposed zone of the commodity as to which it is proposed to institute a prorating program and by the owners of two-thirds or more in number of the producing factors of said commodity in said proposed zone, the number of signers".

AMENDMENT NUMBER SIXTEEN.

On page 4 of the printed, engrossed bill, strike out all of lines 21 to 30, inclusive, and insert in lieu thereof the following:

"3 A request that an election be called in said zone for the purpose of submitting to the qualified producers therein the proposition of instituting a program of proration; provided that, if the petition is signed by the owners of two-thirds or more of the producing factors and two-thirds or more of the producers of the commodity concerned, as hereinbefore specified, it need not contain a request for an election.

There shall also be filed with said petition a good and sufficient undertaking to be approved by the commission, in double the amount of the probable cost of conducting the hearing of the petition by the commission, conditioned that the sureties will pay all such costs in case the petition be denied."

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 6, of the printed, engrossed bill, strike out the words "or amount of production", and insert in lieu thereof the following: "and by the owners of the required number of producing factors."

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 12, of the printed, engrossed bill, strike out "unit of pro-", and all of lines 13 and 14, and insert in lieu thereof the following: "producing factor which it is determined in the manner hereinafter specified he may be expected to utilize for production purposes in the ensuing season."

AMENDMENT NUMBER NINETEEN.

On page 6 of the printed, engrossed bill, strike out all of line 24, following the word "proposed", all of line 25, and, in line 26, the following: "ing conditions".

AMENDMENT NUMBER TWENTY.

On page 7 of the printed, engrossed bill, strike out all of lines 23 to 36, inclusive, and insert in lieu thereof the following:

"SEC. 16. On the second Monday succeeding such election, the commission shall proceed to canvass the votes cast thereat, and if upon such canvass it appears that two-thirds or more of the producing factors in the proposed zone as shown by the lists prepared by the Agricultural Commissioner, voted in favor of the institution of a proration program, the commission shall declare such a program adopted. In order instituting a proration program, whether on petition or after election, the commission shall define the zone affected, and shall designate it by some title indicative of the commodity concerned."

AMENDMENT NUMBER TWENTY-ONE

On page 7, line 46, of the printed, engrossed bill, after the word "proration", insert the word "program".

AMENDMENT NUMBER TWENTY-TWO.

On page 8, line 2, of the printed, engrossed bill, strike out the word "proration", and insert in lieu thereof the word "program".

AMENDMENT NUMBER TWENTY-THREE.

On page 8, line 2, of the printed, engrossed bill, after the word "committee", insert the following: ": provided further, that in the case of commodities, the bulk of which is processed before consumption, one of the producer members of said program committee shall be a processor".

AMENDMENT NUMBER TWENTY-FOUR.

On page 8 of the printed, engrossed bill, after line 13, insert the following: "The program committee shall appoint an agent, approved by the commission, who shall administer the proration program in the zone on behalf of the commission. Such agent shall appoint such deputy agents and other assistants as may be necessary to properly direct the program."

AMENDMENT NUMBER TWENTY-FIVE.

On page 8, line 14, of the printed, engrossed bill, strike out the word "prorating", and insert in lieu thereof the word "program".

AMENDMENT NUMBER TWENTY-SIX.

On page 8, line 42, of the printed, engrossed bill, strike out the word "market", and insert in lieu thereof the word "disposal."

AMENDMENT NUMBER TWENTY-SEVEN.

On page 8, line 45, of the printed, engrossed bill, after the word "harvested", insert the following: "prepared for market".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 8, line 46, of the printed, engrossed bill, strike out the word "without", and insert in lieu thereof the following: "unless and until".

AMENDMENT NUMBER TWENTY-NINE.

On page 8, line 50, of the printed, engrossed bill, after the word "commodity", insert the following: "produced in an established proration zone."

AMENDMENT NUMBER THIRTY.

On page 9 of the printed, engrossed bill, strike out all of lines 3 to 13, inclusive, and insert in lieu thereof the following:

"SEC. 21. The agent under each zone program shall collect for each certificate issued to the producers, a reasonable and proportional fee to be fixed by the program committee so calculated as to produce the expenses of the administration of the program, the costs of the institution of the program, and a proper proportion of the cost of the maintenance of the commission which shall not be less than ten per cent of the fees collected for certificates, but may be such percentage in excess of ten per cent as may be determined by the program committee. All such fees shall be paid monthly by the commission into the State treasury to the credit of the "Agricultural Prorate Commission fund" which fund is hereby created."

AMENDMENT NUMBER THIRTY-ONE.

On page 9, line 25, of the printed, engrossed bill, after the period, insert the following: "All information obtained by the commission shall be confidential and shall not be disclosed except when required in a judicial proceeding."

AMENDMENT NUMBER THIRTY-TWO.

On page 10 of the printed, engrossed bill, strike out all of lines 10 to 15, inclusive

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

MOTION TO PRINT.

On motion of Mr. Meeker, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 1122.

Assembly Bill No. 1635—An act to repeal an act entitled "An act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, following the last word "act", insert the following: "to repeal "An act making an appropriation to pay the claims for services, subsistence, supplies, transportation and other expenses of the National Guard of California called into service by order of the Governor in the months of March and April, 1933, to take effect immediately," approved March 14, 1933"

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out all of lines 3 to 5, inclusive

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1693—An act to amend sections _____ of an act entitled "An act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, strike out "sections", and insert in lieu thereof the following: "section 24½".

AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill, after "act", as it appears at the end of said line insert the following: "to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time, for such purposes, and to create a board of fire commissioners," approved March 4, 1881, relating to inclusion of outlying territory within the fire limits of unincorporated towns and villages."

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, in the blank space following "Section", insert the following: "24½".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 7, inclusive, and insert in lieu thereof the following:

"Sec. 24½. Territory contiguous to any unincorporated town or village and being in the same county as such town or village may be included in the fire limits thereof in the manner following: A petition signed by the owners of real property in such contiguous territory, which real property represents at least fifteen per cent of the total assessed valuation of said contiguous territory, as shown by the last equalized assessment book of the county in which such town or village is located ritory and the assessed valuation thereof as shown by such last equalized assessment book, and showing the amount of real property owned by each of the petitioners

and the assessed valuation thereof, as shown by the last equalized assessment book of the county in which said real property is situated, and stating that such territory is not within the fire limits of any other unincorporated town or village, and asking that such territory be included in the fire limits of such unincorporated town or village, which said petition shall also be signed by the board of fire commissioners of such unincorporated town or village, shall be presented to the board of supervisors of the county, in which such unincorporated town or village is located. The petition must be verified by the affidavit of one of the petitioners and must be published at least two weeks preceding the hearing thereof, by the board of supervisors, in a newspaper of general circulation published in the county in which the unincorporated town or village is located, together with a notice stating the time when such petition will be presented to the board of supervisors and that all persons interested therein may appear and be heard. At such time the board of supervisors shall hear the petition, and any person interested therein and may adjourn such hearing from time to time. Upon the hearing of the petition the board of supervisors shall have the power to determine whether or not it is for the best interests of such unincorporated town or village and of such contiguous territory that said territory be included in the fire limits of such town or village and such board of supervisors shall have the power to modify the boundaries of such contiguous territory proposed to be included in the fire limits of the unincorporated town or village as set forth in the petition; provided, however, that the board of supervisors shall not modify the boundaries of such contiguous territory proposed to be included in the unincorporated town or village as set forth in said petition so as to exclude therefrom any real property which will be benefited by inclusion in the fire limits of such unincorporated town or village, nor shall any real property which will not in the judgment of the board of fire commissioners, be benefited by inclusion in the fire limits of such unincorporated town or village, be included within the boundaries of the territory proposed to be included; provided, however, that the board of supervisors of said county shall not include within the fire limits of the unincorporated town or village any areas of land not subdivided or any lots or parcels of property containing more than five acres of land each, if the owners thereof file objections to the inclusion of any such land within a district with said board. If the board of supervisors upon final hearing shall determine that it is for the best interests of such unincorporated town or village and the territory proposed to be included therein that such territory be included, it shall make an order including such contiguous territory within the fire limits of the unincorporated town or village which order shall describe the exterior boundaries of such contiguous territory."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1215—An act to repeal Articles 1 and 2 of chapter 1 of Division III of the Agricultural Code, embracing sections 301 to 317 inclusive, and sections 321 to 324 inclusive, relating to meat.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 92 of the Agricultural Code, relating to exhibitions and fairs which exhibit animals raised to produce meat."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 92 of the Agricultural Code is hereby amended to read as follows:

92. Any money appropriated by the State for the encouragement of county, district or combined county and district agricultural fairs shall be expended under the supervision of the State Department of Finance for premiums for agricultural, horticultural and live stock exhibits only. The Department of Finance shall apportion the money appropriated for the various agricultural fairs on the basis of the amount which each fair actually paid in premiums for agricultural, horticultural and live stock exhibits in the preceding year. The secretary of any such fair desiring to share in any such appropriation shall file with the Department of Finance on or before August 1st, of each year, a sworn statement setting forth the actual amount paid for premiums by such fair held in the preceding year. No

allotment from the appropriation herein provided shall be made for more than one fair in any one year in any county or district, except that where a fair or exposition, the primary purpose of which is to develop the meat food industry by exhibition of animals raised to produce meat, has been given for five years or more in a county or district, the district may give such a fair or exposition in addition to the regular agricultural fair, and such additional fair may receive an allotment. The fact that one county joins with another county, or with several others, or that one district combines with one or more districts, or that one district contracts with a county or county fair association, to hold an agricultural fair shall not bar it from receiving a proper proportion of the moneys herein appropriated. No fair for which a separate appropriation is made by the State shall participate in the apportionment of any money appropriated for the encouragement of county and district agricultural fairs."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2302—An act to add 23 new sections to the Political Code, to be numbered 4248 and 4248a to 4248v, inclusive, and to repeal sections 2322x19 and 4248 of said code, section 19x19 of the Juvenile Court Law, and section 16x19 of the Weights and Measures Act, relating to compensation of county and township officers in counties of the nineteenth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out the words, "without registration fees".

AMENDMENT NUMBER TWO.

On page 2, line 1, of the printed bill, strike out the following: beginning with the word "The", to and including the word "county", in line 3.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out the following: beginning with the word "all", in line 8, to and including the word "deputies", in line 11, and insert in lieu thereof, the following: "All fees and commissions received by the county clerk shall be paid by him into the general fund of the county."

AMENDMENT NUMBER FOUR.

On page 1, line 18, of the printed bill, strike out the words "seven hundred forty", and insert in lieu thereof "six hundred eighty".

AMENDMENT NUMBER FIVE.

On page 1, line 20, of the printed bill, strike out the words "seven hundred forty", and insert the words "six hundred eighty", and in line 21, on page 1, strike out the words "two hundred", and insert the word "eighty".

AMENDMENT NUMBER SIX.

On page 2, line 21, of the printed bill, strike out the word "four", and insert in lieu thereof the word "three"; in line 22, strike out "eight hundred", and insert in lieu thereof the words "seven hundred forty"; in line 24, strike out the words "eight hundred forty", and insert in lieu thereof "four hundred twenty".

AMENDMENT NUMBER SEVEN.

On page 2, line 24, of the printed bill, after the word "installments", strike out the period and insert the words "but said deputy shall be on duty but half time"; in line 28, strike out the words "four dollars", and insert in lieu thereof the words "three dollars fifty cents"; in line 30, strike out the words "four dollars", and insert in lieu thereof the words "three dollars fifty cents".

AMENDMENT NUMBER EIGHT.

On page 3, line 7, of the printed bill, strike out the words "one thousand", and in lieu thereof insert the words "four hundred".

AMENDMENT NUMBER NINE.

On page 3, line 12, of the printed bill, strike out the word "four", and insert the word "five"; in line 13, strike out the following: beginning with the word "and", to and including the word "law", in line 14.

AMENDMENT NUMBER TEN.

On page 3, line 17, of the printed bill, strike out the word "four", and insert in lieu thereof the word "five", and strike out the following: beginning with the word "and", following the word "annum", in line 18, to and including the word "law", in line 19, and in line 21, strike out the words "two thousand one", and insert in lieu thereof the words "one thousand eight".

AMENDMENT NUMBER ELEVEN.

On page 3, line 36, of the printed bill, strike out the word "five", and insert in lieu thereof the word "four".

AMENDMENT NUMBER TWELVE.

On page 3, line 47, of the printed bill, strike out the words "seven hundred forty", and insert in lieu thereof the words "six hundred eighty".

AMENDMENT NUMBER THIRTEEN.

On page 4, line 6, of the printed bill, strike out the word "three", and insert in lieu thereof the word "two".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 10, of the printed bill, strike out the words "four thousand one", and insert in lieu thereof the words "three thousand five".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 24, of the printed bill, strike out the word "three", and insert in lieu thereof the word "two"; in line 25, strike out the word "fifty".

AMENDMENT NUMBER SIXTEEN.

On page 8 of the printed bill, strike out the following: beginning with line 14, to and including line 27.

AMENDMENT NUMBER SEVENTEEN.

On page 8, line 31, of the printed bill, strike out the word "fifty".

AMENDMENT NUMBER EIGHTEEN.

On page 8, line 42, of the printed bill, strike out the words "one thousand eight", and insert in lieu thereof the words "two thousand five".

AMENDMENT NUMBER NINETEEN.

On page 9, line 2, of the printed bill, strike out the words "seventy-four and", and also strike out all of line 3, and insert in lieu thereof the words "seventy-five dollars per month."

AMENDMENT NUMBER TWENTY.

On page 9, line 11, of the printed bill, strike out the words "one thousand", and insert in lieu thereof the words "seven hundred".

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 38, of the printed bill, strike out the word "fifty", in line 41, strike out the following: beginning with the word "He", to and including the word "education", in line 43, and also strike out the following: beginning in line 47, with the word "one", to and including the word "month", in line 49.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 562—An act creating a State Board of Tax Lands and defining its powers and duties and making an appropriation in aid of its operations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:
"An act to amend section 3897 of and to add section 3774 to the Political Code, relating to the holding, leasing and sale of lands to which the State or any political

subdivision or agency of the State holds title through sale and deed on account of delinquent taxes or assessments."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and strike out all of pages 2, 3, 4, 5, and 6 and insert in lieu thereof the following.

"SECTION 1. Section 3897 of the Political Code of the State of California is hereby amended to read as follows.

3897. Except when otherwise disposed of as provided in section 3897a and 3897b of this code, whenever the State shall have become the owner of any property sold for taxes and the deed to the State has been filed with the Controller as provided in section 3785, the tax collector of the county, or city and county, in which said land is located shall sell at public auction to the highest bidder for cash in lawful money of the United States the property or any part thereof when directed by the board of supervisors of his county in the manner following:

He must give notice of such sale by publication once in some newspaper published in the county or city and county, or if there be no newspaper published therein, then by posting a notice in three conspicuous places in the county or city and county, one of which shall be in the United States post office nearest the land, in addition to the notice conspicuously posted on the land itself, three weeks prior to the sale. Such notices must state specifically the place and the day and hour of sale and shall contain a description of the property to be sold and shall also contain the name of the person to whom the property was assessed, for each year on which there may be delinquent taxes against said property or any part thereof. It shall be the duty of the tax collector to mail within five days, after the publication of said notice of sale a copy of said notice, postage thereon prepaid and registered, to the party to whom the land was last assessed nearest before the sale, at his last known post-office address, and shall also mail a copy of said notice, postage prepaid, to the Controller and clerk or secretary of the governing board of each political subdivision or taxing agency having the right to levy taxes or assessments on the land involved.

All moneys received on account of any such sales shall be immediately transmitted by the tax collector to the county treasurer together with a report showing the amount of costs which the county has expended on account of the making of such sale, showing the total sums received for individual parcels, which parcels shall be identified in said report by year, page and number of delinquency roll, and a duplicate thereof shall be filed with the county auditor. The amount of expenses so reported shall be deposited in the county general fund and the balance shall be deposited in the delinquent tax sale trust fund.

Upon the receipt of said duplicate report the auditor shall mail a copy thereof to the State Controller and to the secretary or clerk of the governing board of each political subdivision capable under the law of levying taxes or assessments upon the land covered by such sale, and shall inclose therewith a notice describing such land, and that claims on the amount received from the sale thereof must be made within a period of six months from the date of the mailing of such notices.

Upon the receipt of such notices it shall be the duty of the State Controller and the governing board of any political subdivision having taxes levied upon the land described in said notices to forward a claim thereon to the county auditor setting forth the amount of the tax or assessment first delinquent levied on such land, by, and still unpaid to, the political subdivision or district for which said claim is being made. On the first meeting day of the board of supervisors following the expiration of six months from the date of mailing such notices, as aforesaid, by said county auditor, the county auditor shall present all such claims received by him to the said board of supervisors and the board of supervisors, if it allows such claims, shall order the money received from the sale of each parcel of land to be divided pro rata among the taxing agencies having filed claims in accordance with the proportion which such first delinquent tax or assessment bears to the total of all such taxes or assessments first delinquent in each district or political subdivision involved, and the auditor shall draw and mail warrants on said delinquent tax sale trust fund in accordance with said order. If the board of supervisors dispute the correctness of any such claim, the money received from the sale of the individual parcel or parcels involved in such disputed claim shall remain in said trust fund until the settlement of said claim by agreement of the governing boards or officers of the various taxing agencies or by judgment of a court of competent jurisdiction.

A deed given by the tax collector upon a sale made as in this section provided shall convey title to the purchaser free and clear of all liens, taxes, assessments or encumbrances of any kind or character whatsoever levied or assessed or liened on the property so conveyed prior to the date of such sale, and, except as against actual fraud, such deed duly acknowledged shall be conclusive evidence of the regularity of all proceedings from the assessment of the assessor to and including the execution of such deed.

No action, suit or proceeding to set aside, cancel, or question the validity of any proceedings instituted under the provisions of this section shall be instituted or maintained unless the same shall have been commenced within six months after the date of the execution of the deed of the tax collector and thereafter all persons shall

be barred from commencing or prosecuting any such action or maintaining any defense in any action based upon the alleged invalidity or alleged irregularity in such proceeding. The burden of proof in any such action or proceeding shall be upon the plaintiff to show invalidity of taxes, assessments, or sales of which he complains.

If no other taxing agencies, except State and county, or city and county, are involved the amount received from the sale shall be distributed as provided in section 3898.

Any deed given under this section shall be subject to any lease theretofore given under the provisions of section 3773a.

SEC. 2. A new section is hereby added to the Political Code to be numbered 3774, and to read as follows:

3774. Whenever land shall have been deeded to the State as provided by section 3785 of this code and shall also have been deeded to a political subdivision or State taxing agency on account of delinquent taxes or assessments and lies within the confines of an irrigation district actually delivering water to lands within such district, such irrigation district shall have the sole right of possession and shall make such provision for the rental, lease or cultivation of such lands as in the opinion of its board of directors is proper. If any such land lies within a municipality the right of possession shall be in the municipality and the duty for providing for the rental and care of the property shall rest in the governing board of said municipality. If any such land lies in neither an irrigation district or a municipality, the right of possession thereof shall rest in the county in which it is located and the duty of providing for the rental and care of the property shall rest upon the board of supervisors of said county. Any rental or lease executed as aforesaid by any of said agencies shall not exceed the period of one year, and the deed given, as provided by section 3897 of this code, shall be subject to any such lease or rental made prior to the date of such deed, as provided in this section.

Any agency providing for such lease or rental shall keep a strict account of all expenses involved in each individual parcel and the cost of furnishing water by an irrigation district shall be included in such expenses and the net proceeds derived from any agency by reason of rental, lease or cultivation of any such land, after deducting costs of operation, shall be deposited in a fund to be known as "tax land operation trust fund."

On or before the first day of January of each year it shall be the duty of the auditor, or other official acting in that capacity, of the taxing agency lawfully in possession of any such land to notify the State Controller or governing board of any political subdivision which has the right to levy taxes or assessments upon such land of the net amount on hand arising from such lease, rental or cultivation of each individual parcel, by United States mail, postage prepaid. Upon the receipt of such notice it shall be the duty of the State Controller or the governing board of any political subdivision having taxes or assessments levied upon such property to cause a claim to be filed with the auditor, or other officer in that position, of the political subdivision from which said notice was received setting forth the amount of taxes or assessments first levied by it and still unpaid on the parcel for which claim is made.

Upon the expiration of six months from the date of mailing such notices it shall be the duty of the auditor, or other officer in that position, of each political subdivision having sent such notices to present all such claims to his governing board, which board if it allows such claims, shall forthwith order said auditor, or other officer in that position, to draw his warrant in favor of claimants pro rata in accordance with the proportion which each claim bears to the total first years taxes or assessments levied by and still unpaid to each and all political subdivisions, including the State of California. If the governing board receiving said claims should dispute the same or any thereof all of the money in said trust fund from the particular parcel involved in the claim disputed shall remain in said trust fund until the possession thereof is settled by agreement or by order of a court of competent jurisdiction.

As used in sections 3774 and 3897 the term "political subdivision" includes a city, city and county, irrigation district and any district formed or organized for the management, government or operation of a part or portion of the State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 255—An act to amend section 2192 of the Political Code, requiring counties to pay the State only for the actual time that feeble-minded are inmates of the State home.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 827—An act to amend section 2145 of the Political Code, relating to State institutions for persons mentally defective.

Bill read second time.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. McBride:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 26 and 27, and insert in lieu thereof the following: "ment of the insane committed thereto as prescribed by law."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2391—An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 19, 20, 21, 22, 23, 24, 25 and 26.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2068—An act to amend section 10 of the "State Civil Service Act," relating to examinations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "amend section 10 of", and insert in lieu thereof the following: "add section 10.5 to".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 10.5 is hereby added to the State Civil Service Act to read as follows:

Sec. 10.5. The following fees shall be charged each applicant for examination: For positions providing a maximum monthly salary of one hundred dollars, one dollar; for positions providing a maximum monthly salary over one hundred dollars and less than three hundred dollars, one per cent of the first month's salary; for positions providing a maximum monthly salary of three hundred dollars per month or over, two per cent of the first month's salary; provided, however, no fee shall be charged exceeding ten dollars. All examination fees collected by the division shall be deposited in the State treasury to the credit of the "civil service examination fund," which fund is hereby created and out of which fund the division may pay without regard to fiscal years all expenses incurred in connection with the examination of persons for civil service positions. Upon proper claims filed in accordance with law the State Controller shall draw his warrant against such fund."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1416—An act to amend sections 5 and 12 and to add section 26 to an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administrating this act," as approved May 25, 1921, relating to leasing of State lands and the taking of minerals or petroleum products therefrom.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 1 and 2 of the title of the printed bill, as amended April 19, 1933, and insert the following: "An act to amend section 12 of an act entitled "An act to reserve all minerals" ".

AMENDMENT NUMBER TWO.

In the last line of the title of the printed bill, as amended April 19, 1933, strike out the period, and insert a comma and the following: "and declaring the urgency thereof."

AMENDMENT NUMBER THREE.

Strike out all of pages 2 and 3 of the printed bill, as amended April 19, 1933, and the lines 1 to 31, inclusive, on page 4, and insert in lieu thereof the following:

"SECTION 1. Section 12 of said act is hereby amended to read as follows:

Sec. 12. No person, association or corporation shall take or hold, either directly or indirectly, under the terms of this act, permits or leases exceeding in aggregate acreage six hundred forty acres for each of the minerals reserved to the State under the terms of this act; and no person, association or corporation shall take or hold at any one time any interest or interests as a member of an association or associations, or as a stockholder of a corporation or corporations holding a permit or permits, lease or leases, under the provisions hereof, which, together with the area embraced in any direct holding of a permit or permits, lease or leases, under this act, or which, together with any other interest or interests, as a member of an association or associations, or as a stockholder of a corporation or corporations holding a permit or permits, lease or leases, under the provisions hereof, for any kind of said minerals leased hereunder, exceeds in the aggregate an amount equivalent to the maximum number of acres of the respective kinds of minerals allowed to any one permittee or lessee under this act. Any interest held in violation of this act shall be forfeited to the State of California by appropriate proceedings for that purpose in the superior court for the county in which the property, or some part thereof, is located, except that any ownership or interest forbidden in this act which may be acquired by descent, will, judgment, or decree may be held for two years and not longer after its acquisition. Nothing herein contained shall be construed to limit or to prevent any number of permittees or lessees under the provisions of this act from combining their several interests so far as may be necessary for the purposes of constructing and carrying on the business of a refinery, or of establishing and constructing as a common carrier a pipe line or lines of railroads to be operated and used by them jointly in the transportation of oil from their several wells, or from the wells of other lessees under this act, or the transportation of coal. And provided further, that for the purpose of more properly conserving the natural resources of any single oil or gas pool or field, permittees and lessees thereof and their representatives may unite with each other jointly or separately, or jointly or separately with others owning or operating lands not belonging to the State, in collectively adopting and operating under a cooperative or unit plan of development or operation of said pool or field, whenever determined and certified by the Surveyor General to be necessary or advisable in the public interest, and the Surveyor General is thereunto authorized in his discretion, with the consent of the holders of leases or permits involved, to establish, alter, change and revoke, drilling, and producing requirements of such leases or permits, and to make such regulations with reference to such leases and permits with like consent on the part of the lessee or lessees and permittees in connection with the institution and operation of any such cooperative or unit plan as he may deem necessary or proper to secure the proper protection of the interest of the State of California; and further

provided, that when any permit immediately adjacent to another permit or lease upon which valuable deposits of oil or gas have been discovered, and in good standing and not expired on January 1, 1933, has been included, with the approval of the Surveyor General, in a unit plan of development or operation under this section, the Surveyor General may issue a lease for the area of the permit so included in said plan without further proof of discovery, upon such royalty requirements as may appear to him to be to the best interests of the State, but not to exceed a royalty of twelve and one-half (12½) per centum; and provided further, that the Surveyor General is hereby authorized, on such conditions as he may prescribe, to approve operating, drilling or development contracts made by one or more permittees or lessees in oil or gas leases or permits with one or more persons, associations, or corporations, whenever in his discretion and regardless of acreage limitations, provided for in this section, the conservation of natural products or the public convenience or necessity may require it, or the interests of the State of California may be best subserved thereby; and provided further, that whenever it appears to the Surveyor General that wells now drilled upon private lands are draining oil or gas from lands owned by the State of California upon which drilling is now prohibited by law, the Surveyor General is hereby authorized and empowered on behalf of the State of California to negotiate in the name of and on behalf of the State of California, agreements whereby the State of California shall be compensated for such drainage; and provided further, that, if any of lands or deposits leased under the provisions of this act shall be subleased, trusteed, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever, so that they form part of, or are in anywise controlled by any combination in the form of an unlawful trust, with consent of lessee, or form the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, phosphate, oil, oil shale, gas, or sodium entered into by the lessee, or any agreement or understanding, written, verbal, or otherwise to which such lessee shall be a party, of which his or its output is to be or become the subject, to control the price or prices thereof or of any holding of such lands by any individual, partnership, association, corporation, or control in excess of the amounts of lands provided in this act, the lease thereof shall be forfeited by appropriate court proceedings."

AMENDMENT NUMBER FOUR.

On page 4, line 32, of the printed bill, as amended April 19, 1933, change "Sec. 4.", to "Sec. 2."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1226—An act to amend sections 1 to 16, inclusive of, and to add sections 17 to 25 inclusive to "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to the regulation under the jurisdiction of the Commissioner of Corporations of personal property brokers, unsecured money lenders, salary buyers, brokers and employees in such transactions, and the licensing of those so engaged, and fixing the penalties for violation thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "25", and insert in lieu thereof "24".

AMENDMENT NUMBER TWO.

In line 9 of the title of the printed bill, strike out the words "unsecured money lenders,".

AMENDMENT NUMBER THREE.

In line 10 of the title of the printed bill, strike out the words "salary buyers,".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out all of lines 8 to 18, inclusive, and in lieu thereof insert the following words:

"(2) The term "personal property broker", as used in this act, includes all who are engaged in the business of lending money and taking in the name of the lender, or in any other name, in whole or in part, as security for such loan, any contract

or obligation involving the forfeiture of rights in or to personal property, the use and possession of which property is retained by other than the mortgagee or lender, or all who are engaged in the business of lending money and taking in the name of the lender, or in any other name, in whole or in part as security for such loan, any lien on, assignment of, or power of attorney relative to wages, salary, earnings, income or commission."

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out all of lines 41, 42, 43, 44, 45, 46 and 47, and insert in lieu thereof the following words:

"SEC. 3. As used in this act the term "conditional contracts of sale" shall include flooring contracts."

AMENDMENT NUMBER SIX.

On page 3, line 24, of the printed bill, following the word "act", insert the following words: "This act shall not apply to bona fide loans secured by deposits, with or for the lender, of notes and/or chattel mortgages."

AMENDMENT NUMBER SEVEN.

On page 4, line 13, of the printed bill, following the word "corporation", strike out the semicolon, and insert in lieu thereof a comma.

AMENDMENT NUMBER EIGHT.

On page 4, line 43, of the printed bill, following the word "property", strike out the words: "broker license and brokers license", and insert in lieu thereof the following words: "broker's license and broker's license".

AMENDMENT NUMBER NINE.

On page 5, line 3, of the printed bill, following the word "motion", strike out the comma.

AMENDMENT NUMBER TEN.

On page 5, line 16, of the printed bill, following the word "section", strike out "21", and insert in lieu thereof "20".

AMENDMENT NUMBER ELEVEN.

On page 7 of the printed bill, between lines 7 and 8, insert the following words: "Said act is amended by adding the following section:".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2082—An act providing for the regulation and supervision of persons, firms or corporations, engaging in the business as "bailee-repairers," and to prevent fraud in the keeping or working upon of the property of the public; defining the duties of the Attorney General in regard thereto, and providing for the enforcement of said act and penalties for the violation thereof; and creating a State "Bailee-Repairers' Department" and the office of Registrar of Bailments, and defining his duties and powers.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the title of the printed bill, as amended, after "repairers," insert the following: "as follows: shoe repairers, carpet and rug cleaners, garment cleaners, curtain cleaners, hat renovators, dyers, launderers and mattress renovators;".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the title of the printed bill, as amended, after "public", insert the following: "in these lines".

AMENDMENT NUMBER THREE.

On page 19, line 8, of the printed bill, as amended, after "bailees", insert the following: "as hereinafter defined".

AMENDMENT NUMBER FOUR.

On page 19, line 51, of the printed bill, as amended, strike out the semicolon, and insert in lieu thereof the following: "by bailee-repairers as hereinafter defined;".

AMENDMENT NUMBER FIVE.

On page 20 of the printed bill, as amended, strike out lines 8 to 14, inclusive, and insert in lieu thereof the following:

"(1) All persons, firms and corporations engaged in the business of and holding themselves out as willing to engage in the business of: shoe repairers, carpet and rug cleaners, curtain cleaners, garment cleaners, dyers, hat renovators, launderers, and mattress renovators, including so-called free lance or independent salesmen, drivers, solicitors or agents."

AMENDMENT NUMBER SIX.

On page 20 of the printed bill, as amended, strike out lines 22 to 31, inclusive.

AMENDMENT NUMBER SEVEN.

On page 20, line 44, of the printed bill, as amended, strike out "five hundred".

AMENDMENT NUMBER EIGHT.

On page 21, line 6, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "and approved and agreed upon by a majority of bailee groups affected in various zones."

AMENDMENT NUMBER NINE.

On page 21, line 11, of the printed bill, as amended, strike out "three", and insert in lieu thereof the following: "two".

AMENDMENT NUMBER TEN.

On page 21, line 15, of the printed bill, as amended, strike out "Deputy".

AMENDMENT NUMBER ELEVEN.

On page 21, line 42, of the printed bill, as amended, strike out "three thousand", and insert in lieu thereof the following: "two thousand five hundred".

AMENDMENT NUMBER TWELVE.

On page 21 of the printed bill, as amended, strike out line 52, and insert in lieu thereof the following: "Sacramento".

AMENDMENT NUMBER THIRTEEN.

On page 22, line 1, of the printed bill, as amended, strike out "San Francisco,".

AMENDMENT NUMBER FOURTEEN.

On page 22, lines 2 and 3, of the printed bill, as amended, strike out "and in the city of Sacramento".

AMENDMENT NUMBER FIFTEEN.

On page 22 of the printed bill, as amended, strike out line 5, and insert in lieu thereof the following: "of the two deputies registrar of bailments to".

AMENDMENT NUMBER SIXTEEN.

On page 22, line 17, of the printed bill, as amended, strike out "Fifty", and insert in lieu thereof the following: "Seventy-five".

AMENDMENT NUMBER SEVENTEEN.

On page 22, line 22, of the printed bill, as amended, strike out "fifty", and insert in lieu thereof the following: "twenty-five".

AMENDMENT NUMBER EIGHTEEN.

On page 22, line 24, of the printed bill, as amended, strike out "fifty", and insert in lieu thereof the following: "seventy-five".

AMENDMENT NUMBER NINETEEN.

On page 23, line 11, of the printed bill, as amended, after "dollar", insert the following: "per month payable six months in advance".

AMENDMENT NUMBER TWENTY.

On page 24 of the printed bill, as amended, strike out line 34, and insert in lieu thereof the following: "charge is sustained,".

AMENDMENT NUMBER TWENTY-ONE.

On page 28 of the printed bill, as amended, strike out lines 50 to 52, inclusive, and strike out all of pages 29, 30, 31 and on page 32, strike out lines 1 to 40, inclusive.

AMENDMENT NUMBER TWENTY-TWO.

On page 32, line 41, of the printed bill, as amended, strike out "28", and insert in lieu thereof the following: "19".

AMENDMENT NUMBER TWENTY-THREE.

On page 33, line 11, of the printed bill, as amended, strike out "29", and insert in lieu thereof the following: "20".

AMENDMENT NUMBER TWENTY-FOUR.

On page 33, line 36, of the printed bill, as amended, strike out "30", and insert in lieu thereof the following: "21".

AMENDMENT NUMBER TWENTY-FIVE.

On page 33, line 40, of the printed bill, as amended, strike out "31", and insert in lieu thereof the following: "22".

AMENDMENT NUMBER TWENTY-SIX.

On page 33, line 45, of the printed bill, as amended, strike out "32", and insert in lieu thereof the following: "23".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 34, line 4, of the printed bill, as amended, strike out "33", and insert in lieu thereof the following: "24".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 34, line 36, of the printed bill, as amended, strike out "34", and insert in lieu thereof the following: "25".

AMENDMENT NUMBER TWENTY-NINE.

On page 34 of the printed bill, as amended, after line 44, insert the following: "SEC. 26. This act shall cease to be effective two years after its adoption unless reenacted by the 1935 Legislature."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2401—An act to provide for the postponement of the collection of assessments levied to pay principal or interest due on bonds issued under the authority of the Acquisition and Improvement Act of 1925 during the existence of an economic emergency.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2241—An act providing for the levying, collecting and paying of an income tax on individuals for unemployment relief.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "for unemployment relief", and insert in lieu thereof the following: "to increase the revenues of the State".

AMENDMENT NUMBER TWO.

On page 14 of the printed bill, strike out lines 5 to 41, inclusive, and insert in lieu thereof the following: "treasury and credited to the general fund".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2365—An act imposing an excise tax upon sales of tangible personal property by retailers, providing the method and manner of levying, assessing, collecting and paying of such tax, providing for the issuance of permits to retailers, prescribing penalties for violations of the provisions of this act, and providing that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 14 to 17, inclusive, and insert in lieu thereof the following:

"(f) The word "business" includes all activities or acts engaged in or caused to be engaged in by any person with the object of gain, profit, benefit, or advantage, either direct or indirect, through the sale of goods, wares, commodities, or other tangible personal property to the ultimate consumer, customer, or patron."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 19 to 52, inclusive, and on page 3, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following:

"SEC. 3. A State tax is hereby imposed upon retailers at the rate of two per cent of the retail selling price on all tangible personal property sold at retail by such retailers in this State on and after the first day of the next calendar month after the taking effect of this act."

AMENDMENT NUMBER THREE.

On page 3, line 9, of the printed bill, strike out the numeral "6", and insert in lieu thereof the numeral "4"

AMENDMENT NUMBER FOUR.

On page 4, line 1, of the printed bill, strike out the numeral "7", and insert in lieu thereof the numeral "5".

AMENDMENT NUMBER FIVE.

On page 4, line 6, of the printed bill, strike out the numeral "8", and insert in lieu thereof the numeral "6".

AMENDMENT NUMBER SIX.

On page 4 of the printed bill, strike out lines 10, 11 and 12 thereof, and insert in lieu thereof the following: "quarterly periods being the period commencing with the effective date of this act and ending on the thirtieth day of September, 1933, if this act takes effect prior to the first day of September, 1933, or ending on December 31, 1933, if this act takes effect subsequently to September 1, 1933. The retailer shall on or before the fifteenth day of the month following the closing of the first quarterly period as above defined, and each subsequent quarterly period of three months, make out a return for the preceding quar-"

AMENDMENT NUMBER SEVEN.

On page 4, line 34, of the printed bill, strike out the numeral "9", and insert in lieu thereof the numeral "7".

AMENDMENT NUMBER EIGHT.

On page 4, line 41, of the printed bill, strike out the numeral "10", and insert in lieu thereof the numeral "8".

AMENDMENT NUMBER NINE.

On page 5, line 7, of the printed bill, strike out the numeral "11", and insert in lieu thereof the numeral "9".

AMENDMENT NUMBER TEN.

On page 5, line 11, of the printed bill, strike out the numeral "12", and insert in lieu thereof the numeral "10".

AMENDMENT NUMBER ELEVEN.

On page 5, line 21, of the printed bill, strike out the numeral "13", and insert in lieu thereof the numeral "11".

AMENDMENT NUMBER TWELVE.

On page 5, line 26, of the printed bill, strike out the numeral "14", and insert in lieu thereof the numeral "12".

AMENDMENT NUMBER THIRTEEN.

On page 5, line 33, of the printed bill, strike out the numeral "15", and insert in lieu thereof the numeral "13".

AMENDMENT NUMBER FOURTEEN.

On page 5, line 47, of the printed bill, strike out the numeral "16", and insert in lieu thereof the numeral "14".

AMENDMENT NUMBER FIFTEEN.

On page 6, line 10, of the printed bill, strike out the numeral "17", and insert in lieu thereof the numeral "15".

AMENDMENT NUMBER SIXTEEN.

On page 6, line 11, of the printed bill, strike out the following: "15 or 16", and insert in lieu thereof "13 or 14".

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 15, of the printed bill, strike out the numeral "18", and insert in lieu thereof the numeral "16".

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 16, of the printed bill, strike out the numeral "15", and insert in lieu thereof the numeral "13".

AMENDMENT NUMBER NINETEEN.

On page 6, line 38, of the printed bill, strike out the numeral "19", and insert in lieu thereof the numeral "17".

AMENDMENT NUMBER TWENTY.

On page 6, line 42, of the printed bill, strike out the numeral "20", and insert in lieu thereof the numeral "18".

AMENDMENT NUMBER TWENTY-ONE.

On page 6, line 48, of the printed bill, strike out the numeral "21", and insert in lieu thereof the numeral "19".

AMENDMENT NUMBER TWENTY-TWO.

On page 7, line 1, of the printed bill, strike out the numeral "22", and insert in lieu thereof the numeral "20".

AMENDMENT NUMBER TWENTY-THREE.

On page 7, line 1, of the printed bill, strike out the numeral "5", and insert in lieu thereof the numeral "3".

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 9, of the printed bill, strike out the numeral "23", and insert in lieu thereof the numeral "21".

AMENDMENT NUMBER TWENTY-FIVE.

On page 7 of the printed bill, insert a new paragraph between lines 20 and 21, to read as follows:

"SEC. 22. It shall be unlawful for the board, any agent, clerk, or other officer or employee of the State Board of Equalization to divulge or to make known in any manner whatever, the business affairs, operations, or information obtained by an investigation of records and equipment of any retailer visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any return, or to permit any return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; provided, however, that the Governor may authorize examination of such returns by other State officers, by tax officers of another State, or the Federal government, if a reciprocal arrangement exists, and any other persons the Governor may so authorize.

Any violations of the provisions of this section shall be a misdemeanor and be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year, or both, at the discretion of the court."

AMENDMENT NUMBER TWENTY-SIX.

On page 7, line 21, of the printed bill, strike out the numeral "24", and insert in lieu thereof the numeral "23".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 7, line 25, of the printed bill, strike out the numeral "25", and insert in lieu thereof the numeral "24".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 7, line 40, of the printed bill, strike out the numeral "26", and insert in lieu thereof the numeral "25".

AMENDMENT NUMBER TWENTY-NINE.

On page 7, line 43, of the printed bill, strike out the numeral "27", and insert in lieu thereof the numeral "26".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 600—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Municipal Improvement District Act of 1927, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 10, inclusive, of the title, and insert in lieu thereof the following:

"An act to amend section 159 of an act entitled the "California Vehicle Act," approved May 30, 1923, as amended, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. Section 159 of an act entitled the "California Vehicle Act," approved May 30, 1923, Statutes of 1923, page 517, is hereby amended to read as follows:

159. (a) There is hereby created in the State treasury a fund which shall be known as the "motor vehicle fund." The State Treasurer shall deposit all money received by him from the division or otherwise under the provisions of this act into the motor vehicle fund.

(b) There is hereby appropriated out of such fund all moneys received as operators' and chauffeurs' license fees and duplicate operators' and chauffers' license fees in addition thereto such portion of the remainder of such motor vehicle fund not exceeding in any registration year twenty-five per cent thereof as may be necessary for the maintenance of the Division of Motor Vehicles to be expended by the division in carrying out the provisions of this act; and the Division of Motor Vehicles is hereby authorized out of said funds to purchase real estate and erect such buildings as it may require, subject to the approval of the Department of Finance. There shall be deducted from the sums which the division is allowed to expend hereunder such amount as may be allowed to said division in each calendar year under budget appropriation by the State Legislature. The division may draw, without at the time furnishing vouchers and itemized statements, sums not to exceed in the aggregate one hundred thousand dollars, said sums so drawn to be used as a revolving fund where cash advances are necessary. At the close of each fiscal year the moneys so drawn must be accounted for and substantiated by vouchers and itemized statements submitted to and audited by the Department of Finance and by the Controller. The balance of said fund, after the expenditure of so much as may be permitted by this act for the support of the Division of Motor Vehicles, shall be known as the "net receipts" and shall be devoted to the purposes and in the manner herein specified.

(c) One-half of such "net receipts" is hereby appropriated and shall be paid from the motor vehicle fund to the counties of this State in proportion to the number of vehicles registered in such counties as determined by the places of residence of the owners to whom the registration certificates are issued. All amounts paid under this section to the counties shall be deposited in the road funds of the several counties receiving the same and shall be expended by such counties exclusively in the construction, maintenance, improvement or repair of streets, roads, highways, bridges or culverts therein; provided, that the board of supervisors of any county may in its discretion expend any portion of such sums so received by such county in the construction, maintenance, improvement or repair of streets, roads, highways, bridges or culverts within those incorporated cities therein the legislative bodies of which by ordinance or resolution authorize such work of construction, maintenance, improvement or repair. The board of supervisors of any county, or city and county, may also in its discretion expend any portion of such sums so received by such county, or city and county, for the payment of any portion of the principal or interest of, or for the redemption or purchase at a discount of, or for transfer to the interest and sinking fund for the discharge and payment of bonds, the proceeds of which have been used for the acquisition of rights of way for the opening, widening or extending, or the construction, maintenance, improvement or repair of streets, bridges, roads, highways or culverts within such county, city and county, or city, whether said bonds are those of the county, city and county, or any incorporated city therein, or of a special assess-

ment district within such county, city and county, or city, for the payment of which special assessments (levied wholly or partly in accordance with the assessed value of lands) have been or are to be levied, which bonds have been issued in payment of, or the proceeds of which have been used for any of the above purposes; provided, however, that the proceeds received from any and all bonds purchased under the provisions of this section shall be used exclusively for the purposes for which the funds derived under this act may be used. Before any such sums may be expended for the payment of any portion of the principal or interest of, or for the redemption, or purchase at a discount of, or for transfer to the interest and sinking fund for the discharge and payment of, bonds, the proceeds of which have been used for the acquisition of property or rights of way for the opening, widening or extending, or the construction, maintenance, improvement or repair of streets, bridges, roads, highways or culverts within such county, city and county, or city, the board of supervisors of any such county, or city and county shall, by a resolution adopted by a four-fifths vote of the members thereof, determine that the streets, bridges, roads, highways or culverts within such county, city and county, or city, for the acquisition of property or rights of way for which, or the construction, improvement or repair of which, as the case may be, said bonds were issued are of general county use. It is the intention of this provision that no such funds shall be expended for any of the purposes herein enumerated if the streets, bridges, roads, highways or culverts are of only local use. The board of supervisors of any county, or city and county, is hereby empowered to expend any portion of the amounts paid to the said county, or city and county and deposited in the special road improvement fund or other road fund thereof, as herein in this section directed, in and for the construction of public highways outside of its corporate limits; provided, however, that the construction thereof is authorized by ordinance or resolution of the board of supervisors of the county or city and county, in which said highway is to be constructed. Where such authorization is given by ordinance or resolution as herein provided, the board of supervisors of the county, or city and county desiring the said construction, may, through its own boards, officers or commissions expend the amounts herein authorized to be expended, or may, by resolution of its board of supervisors, transfer said amounts to the account of the Highway Commission of the State of California or to the account of the Secretary of Agriculture of the United States and may by said resolution specify and determine the route and type of construction of said highway, and the said amount thus transferred shall, if accepted by the said Highway Commission or said Secretary of Agriculture be expended for the purpose specified and determined in said resolution and not otherwise.

(d) The board of supervisors of each county in the State shall establish a road fund in the county treasury for the receipt of such funds received, as hereinbefore provided, and shall also make an annual report to the State Department of Public Works not later than three months after the close of the counties' fiscal year, upon forms to be provided by the State Department of Public Works, showing the amount of moneys received from the motor vehicle fund during the preceding fiscal year and the disposition of said moneys, specifying in such detail as may be required by said department the roads, bridges and culverts constructed or maintained out of said moneys and the sums applied to the several items of such construction or maintenance.

(e) The State Controller shall in the months of February and August of each year draw his warrants upon the motor vehicle fund in favor of the county treasurer of each county for the amount to which said county is entitled hereunder, except that the State Controller shall not draw his warrant upon the motor vehicle fund in favor of the county treasurer of any county which has not established a road fund, as required hereunder, or which has failed, neglected or refused to file the report showing the amount of money heretofore received by such county from the motor vehicle fund and the disposition thereof, as hereinbefore required, until such county has established a road fund and shall make the reports herein required; provided, however, that in cases where the actual domicile, residence or place of abode of an owner, or part owner, of any motor vehicle, trailer or semitrailer is in a different county than the place which such owner has designated as his place of residence in his registration certificate, the county auditor of the county receiving such funds from the State as hereinabove provided may draw his warrant in favor of the county containing the actual domicile, residence, or place of abode of such owner, or part owner, in such sums as may properly be attributed to the latter county.

(f) All moneys remaining in the motor vehicle fund after the expenditures hereinbefore in this section authorized, together with all sums that have been heretofore or that may be hereafter appropriated by the Legislature for the same purpose, shall be paid into the State highway maintenance fund and shall be expended under the direction of the State Department of Public Works for the maintenance, repair, widening, resurfacing and reconstruction of State roads and highways under the jurisdiction of said department and for the maintenance, repair, widening, resurfacing and reconstruction of roads and highways in State parks, subject to the approval of the official or officials charged by law with the management and control

of such parks, such money to be so drawn from the motor vehicle fund for the purpose of such maintenance, repair, widening, resurfacing and reconstruction upon warrants executed by the State Controller upon demands made by the State Department of Public Works and allowed and audited by the Department of Finance."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 601—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Acquisition and Improvement Act of 1925 to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title of the act, and insert in lieu thereof the following:

"An act to provide for the acquisition and cancellation of bonds heretofore issued under the provisions of that certain act of the Legislature of the State of California designated and known as the "Acquisition and Improvement Act of 1925," whether such bonds were issued under the provisions of said last named act as originally adopted or as same was amended; providing for the issuance and payment of assessment readjustment bonds to represent certain assessments for the cost of acquisition of such issued bonds, including all costs and incidental expenses of proceedings under this act for the issuance of such assessment readjustment bonds; providing a method for the payment of such assessment readjustment bonds; and providing a method for the redemption of lost or otherwise unobtainable bonds of the issue or issues to be acquired and canceled."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the period following the figure "1", insert the following:

"Whenever in the opinion of the legislative body which conducted any proceeding or proceedings under that certain act of the Legislature of the State of California designated and known as the "Acquisition and Improvement Act of 1925," and pursuant to which proceeding or proceedings any bonds provided for in said act have been issued, the public interest, convenience or necessity require the acquisition and cancellation of any such bonds so issued, such legislative body is hereby authorized and empowered to order, under the provisions of this act, the acquisition and cancellation of any such bonds so issued, provided, however, that no proceeding may be taken under this act unless the total amount of the assessment readjustment bonds to be issued, as provided for in this act is less than the total principal amount of the bonds proposed to be acquired

Said legislative body may appropriate funds from the general fund, or from any funds available to such legislative body for any or all of the purposes set forth in section 11 of this act.

SEC. 2. Before ordering the acquisition and cancellation of any such bonds, as hereinabove contemplated in section 1 of this act, such legislative body shall adopt a resolution declaring the intention of such legislative body so to do, which said resolution of intention shall contain a description of the boundaries of an assessment district to be created hereunder and which is to be assessed to pay the cost of acquisition of such issued bonds including all costs and incidental expenses of the proceedings under this act for the issuance of assessment readjustment bonds as herein contemplated. In the event any such resolution of intention declares or contemplates that the issued bonds of only one acquisition and improvement district are sought to be acquired and canceled hereunder, then the exterior boundaries of such district to be created hereunder shall be coterminous with the exterior boundaries of the assessment district against which such bonds were issued as fixed in the proceedings under said "Acquisition and Improvement Act of 1925" pursuant to which the same were issued. Issued bonds of more than one acquisition and

improvement district may be acquired and canceled in a single proceeding under the provisions of this act, provided such acquisition and improvement districts are contiguous to or in any manner overlap each other. In the event any such resolution of intention declares or contemplates that issued bonds of more than one such acquisition and improvement district are sought to be acquired and canceled hereunder, then the exterior boundary line of the district to be created hereunder in such proceeding shall be coterminous with the exterior boundary line of the consolidated or composite district formed by the exterior boundary line of such contiguous districts or, in the case of overlapping districts, by superimposing such respective districts upon the other or others.

Such resolution of intention shall also contain a reference to the proceeding or proceedings under which such bonds were issued with sufficient clarity to identify the same and shall indicate for each district the amount of such bonds outstanding against the same upon the date of the adoption of such resolution of intention. Said resolution shall further state that it is proposed to issue bonds of the district to be created hereunder as contemplated in this act and shall specify the amount thereof and the term for which such bonds are to be issued and the rate of interest to be paid thereon which shall not exceed six per cent per annum. Said legislative body may also in said resolution of intention recite, in its discretion, the facts or circumstances upon which such body forms its opinion that the public interest, convenience or necessity require the acquisition and cancellation of such bonds and the creation of the district to be formed under this act for the purposes indicated. Said resolution shall contain also a notice of the day, hour and place when and where any and all persons having any objections to the proposed acquisition and cancellation of such issued bonds or to the creation of such district, or to the issuance of bonds against the same, hereunder, may appear before such legislative body and show cause why said proposed district should not be created, or such assessment readjustment bonds issued for the purpose of the acquisition and cancellation of such existing bonds and the payment of the costs and incidental expenses of the proceedings under such resolution of intention; said time shall be not less than fifteen nor more than sixty days from the date of the adoption of said resolution.

SEC 3 Any assessment district proposed to be created under the provisions of this act may be described in the resolution of intention by stating the exterior boundaries thereof, or by giving a description thereof according to any official or recorded map or maps, or by referring to a plat or map, approved by such legislative body, which shall be on file in the office of the city, county, or city and county, officer whose office has been designated by the legislative body of the city, county, or city and county, conducting the proceedings hereunder, as the office in which same is to be so filed, at the time of passing the resolution of intention, which shall indicate by a boundary line the extent of the territory included in the proposed district, which said plat or map shall govern for all details as to the extent of said assessment district. The said district need not be described in any of the notices or resolutions provided for herein other than the resolution of intention.

SEC. 4. Resolutions of intention adopted under the provisions of this act shall be published and notice of the passage and adoption thereof shall be given and posted in the same time, form and manner as is provided in that certain act of the Legislature of the State of California designated and referred to as the "Improvement Act of 1911," as amended, for resolutions of intention adopted under the provisions of said last mentioned act; provided, however, that the notices required to be posted under the provisions of said last mentioned act shall be headed "Notice of proposed acquisition and cancellation of certain outstanding bonds and of the creation of an assessment district in connection therewith to pay the costs and expenses thereof and of the proceedings incident thereto." Said notices shall, in legible characters, state the fact of the passage of the resolution of intention, its date and briefly the purpose of the proceeding as indicated in such resolution of intention. Said notices shall contain also a statement of the day, hour and place when and where any and all persons having any objections to the proposed acquisition and cancellation of such issued bonds, or to the creation of such district, or to the issuance of bonds against the same, hereunder, may appear before such legislative body and show cause why said proposed district should not be created, or such assessment readjustment bonds issued for the purpose of acquisition and cancellation of such existing bonds and the payment of the costs and incidental expenses of the proceedings under such resolution of intention.

SEC. 5. Written protests against the proposed acquisition and cancellation of such issued bonds, or against the creation of such proposed district, or against the issuance of bonds of such district, hereunder, for the purpose proposed, may be made and filed in the same manner and subject to the same terms and conditions as is provided for in the case of protests under said "Improvement Act of 1911" above referred to; provided, however, that any such protest or protests made by the owners of more than one-half of the area of the property to be assessed for the purposes recited in the resolution of intention, may not be overruled by any action of such legislative body, but such a protest or protests shall operate to bar any further proceedings under the provisions of this act for a period of three months

from the date of the decision of such legislative body on said hearing. The legislative body may adjourn such hearings from time to time. If no protests or objections, in writing, have been delivered to the clerk of such legislative body up to the hour set for hearing, provided in section 5 hereof, or when a protest, other than a protest which is a bar hereunder, shall have been heard and denied, immediately thereupon the legislative body shall be deemed to have acquired, subject to the further provisions of this act, jurisdiction to order the issuance of bonds of such district up to the amount specified in the resolution of intention for the purpose of the acquisition and cancellation of such issued bonds and the payment of the costs and expenses incidental to the proceedings hereunder.

SEC. 6. After such legislative body shall have acquired jurisdiction to proceed further under the provisions of this act, as hereinabove provided, said legislative body shall cause a notice to be published in the same newspaper in which the resolution of intention was published, if same still exists, otherwise in such newspaper as such legislative body may designate and which is located in the county, or city and county, in which such legislative body has jurisdiction, which said notice shall be headed (with the blanks appropriately filled in) substantially as follows: "Notice to holders of bonds as Acquisition and Improvement District _____ No. _____ and _____ of the _____ (political subdivision), California." Said notice shall briefly set forth the fact of the adoption of the resolution of intention hereunder, its date, and the purpose of the proceeding indicated in such resolution of intention and shall refer to said resolution for further particulars. Said notice shall further briefly state the amount and character of bonds which it is proposed to issue hereunder against the district described in such resolution and the rate of interest to be paid thereon. In said notice, such legislative body shall invite the holders of the issued bonds proposed to be acquired and canceled in such proceeding, to submit to such legislative body, in the event such bondholders desire so to do, a proposal or proposals setting forth the terms and conditions upon which such bondholders will deliver their respective bonds proposed to be acquired and canceled hereunder for cancellation in consideration of the delivery to such bondholders of assessment readjustment bonds to be issued against the district described in said resolution of intention, or in consideration of the payment of such bondholders of a sum or sums, in cash, to be specified in such proposal or proposals, or in consideration of the delivery and payment to such bondholders of any combination of such assessment readjustment bonds and cash as may be stated in such proposal or proposals. If, pursuant to such notice, there shall be filed with such legislative body, in writing, a proposal or proposals which provide for the surrender and cancellation, or redemption as herein provided, of all of the issued bonds referred to in the resolution of intention, such legislative body shall have authority to order such person as said legislative body may designate to make a diagram of the property within said assessment district created hereunder, affected or benefited by the proposed acquisition and cancellation of such issued bonds and to be assessed to pay the cost thereof and the expenses incidental thereto. Such diagram shall show each separate lot, piece or parcel of land, and the dimensions of each such lot, piece or parcel of land, within the limits of such assessment district. Such person, so designated by such legislative body to make such diagram, shall, upon the completion thereof, proceed to estimate upon the lands, lots or portions of lots within said assessment district as shown by said diagram, the benefits arising from the acquisition and cancellation of such issued bonds, and to be received by each such lot, portion of such lot, piece or subdivision of land, and shall thereupon assess upon and against said lands in said assessment district the total amount of the cost of the acquisition and cancellation of such issued bonds and the costs and expenses incidental to the proceedings hereunder, and in so doing shall assess said total sum upon the several pieces, parcels, lots or portions of lots, and subdivisions of lands in said assessment district, benefited thereby, to wit: upon each, respectively, in proportion to the estimated benefits to be received by each of said several lots, portions of lots, or subdivisions of land. The terms, lot, lots, lands, piece or parcel of land, wherever mentioned in this act, shall be deemed to have the same meaning as such terms have assigned in said "Improvement Act of 1911" above referred to. In estimating the benefits to be received by each such lot, portion of such lot, piece or subdivision of land, among other things, there shall be taken into consideration the following: the amount of issued bonds proposed to be acquired and canceled, the number of issues of such bonds if more than one, the amount or amounts which have been paid for any lot, piece or parcel of land upon assessments theretofore levied to pay the principal and interest of such issued bonds, and the delinquency in the payment of any such assessments so levied which may exist against any such lot, piece or subdivision of land. When such diagram and such assessment shall have been made, the same shall then be filed with the clerk of such legislative body. Such clerk shall then give notice of the filing of the same and of a time to be therein fixed by said clerk when all persons interested in the acquisition and cancellation of such issued bonds, or in the diagram or assessment, will be heard by such legislative body. Such notice shall also recite the fact of the filing of such proposal or proposals by such bondholders and shall briefly indicate the terms, conditions and basis thereof and shall refer to such resolution of intention and to such proposal or proposals of such bondholders and to such diagram and assessment

so on file for further particulars with reference thereto. Such notice shall be posted for not less than five days on or near the door of the chamber in which such legislative body conducts its regular public meetings and in addition, shall be published twice in the newspaper in which the resolution of intention was published, if same still exists, otherwise in such newspaper as such legislative body may designate and which is located in the territory in which such legislative body has jurisdiction. Such notice shall also be given by mailing a copy of the same at least fifteen days prior to the time fixed for such hearing, to the owner of each lot, parcel or subdivision of land listed according to the name and address appearing on the last equalized assessment roll for city, county, or city and county taxes prior thereto, or as known to such clerk. Such notice so to be mailed shall also designate the property within the assessment district belonging to said owner by street number or some other description sufficient to enable the property owner to identify the property and a statement of the amount proposed to be assessed against such property. Such clerk shall upon the completion of such mailing, file with such legislative body an affidavit setting forth the time and manner of the compliance with the above requirement for such mailing. The failure of such clerk to give such notice by mailing or of the person addressed to receive same shall not affect the jurisdiction of the legislative body to proceed with the hearing noticed. The owners and all other persons interested in the proposed acquisition and cancellation of such issued bonds, or in the diagram or assessment, feeling aggrieved by any act or determination of the person who prepared such diagram and assessment in relation thereto, or having or making any objection to the correctness of the assessment or diagram, or other act, determination or proceedings of the person who prepared the same, shall, prior to the day fixed for the hearing upon such assessment, appeal to such legislative body by briefly stating in writing the grounds of such appeal. Upon such appeal, such legislative body may remedy and correct any error or informality in the proceedings, and revise and correct any of the acts or determinations of the person who made such diagram and assessment relative to said diagram or assessment; may confirm, amend, alter, modify or correct the assessment or diagram in such manner as to such legislative body shall seem just; and may instruct and direct the person who made such assessment and diagram to correct such assessment or diagram in any particular. All the decisions and determinations of such legislative body, upon notice and hearing as aforesaid, shall be final and conclusive upon all persons entitled to appeal under the provisions of this section, as to all errors, informalities and irregularities which such legislative body might have avoided, or have remedied during the progress of the proceedings or which it can at that time remedy. No assessment or diagram, and no proceedings prior to the assessment, shall be held invalid by any court for any error, informality or other defect in the same, where the resolution of intention of the legislative body adopted thereunder has been actually published as herein provided. When no appeal is taken or when the orders and determinations of the legislative body upon appeal have been complied with, and such legislative body is satisfied with the correctness of the assessment, thereupon such legislative body shall forthwith confirm the proceedings and the assessment and the clerk of such legislative body shall attach thereto a certified copy of the order of such legislative body confirming the same and shall state in such certificate the date upon which such order was so adopted. Provided, however, and notwithstanding anything contained in this act to the contrary, in the event any such appeal is or such appeals are made by the owners of more than one-half of the area of the property to be assessed for the purposes recited in the resolution of intention and such appeal or appeals further contain an express protest against the issuance of such assessment readjustment bonds and the taking of any further proceedings under the resolution of intention in said matter, then, but only in such event, shall such legislative body be deprived of jurisdiction to proceed further hereunder in such proceedings and no new resolution of intention with reference to the same matter, under the provisions of this act, may be adopted by such legislative body for a period of three months from the date of the determination of such legislative body that such a majority appeal or protest, or appeals or protests have been filed.

SEC. 7. In the event no such majority protest or appeal constituting a bar to further proceedings under the provisions of this act has been filed and such legislative body shall have confirmed the assessment as originally filed, or as modified or corrected as herein provided, such legislative body shall be deemed to have acquired jurisdiction to proceed further in such proceedings under the provisions of this act and to issue assessment readjustment bonds in the manner and form hereinafter provided, to represent assessments for the cost of the acquisition and cancellation of such issued bonds and of the costs and expenses incidental to the proceedings. Such assessment readjustment bonds so to be issued, shall be serial bonds; shall be substantially in the form as the street improvement bonds provided for in said "Improvement Act of 1911" hereinabove referred to, with such appropriate changes in the working of such bonds as may be necessary in order to make the same conform to the provisions and purposes of this act and of the proceedings taken hereunder and shall be payable to the person to whom they issue, or order; shall be

for the term and bear interest at the rate specified in the resolution of intention and shall have annual coupons attached thereto payable in annual order on the second day of January of every year after the fifteenth day of the next November following the date of such bonds, until all are paid and each coupon shall be for an even annual proportion of the principal of the bond to which same is attached. They shall also have semiannual interest coupons thereto attached as contemplated in the case of bonds issued under the provisions of said "Improvement Act of 1911" and payable in the same manner as contemplated in said last mentioned act. Said bonds shall be enforced; paid; may be redeemed or canceled; shall be subject to the same penalties; and shall in all other particulars and respects, so far as possible, be issued and conform to the requirements as is provided in the case of bonds issued under the provisions of said "Improvement Act of 1911", as amended. The determination of said legislative body as to the form and content of said bonds shall be final and conclusive.

SEC. 8. Such legislative body, having acquired jurisdiction as hereinabove set forth, shall thereupon notify the holders of the issued bonds to be acquired and canceled under such proceedings, whose proposal or proposals are on file, of the fact of the final confirmation of such assessment and that such legislative body is prepared to proceed further with the acquisition and cancellation of such issued bonds and with the issuance and exchange or sale, as the case may be, of such assessment readjustment bonds and the payment of any cash consideration or amounts to be paid under the terms, provisions and conditions of such proposal or proposals. Such legislative body shall thereupon proceed to consummate, and it is hereby empowered and authorized to consummate, the transaction of exchange, payment, or exchange and payment, as the case may be, as contemplated in such proposal or proposals of such bondholders, provided that such legislative body is able to acquire for cancellation, or provide for the full redemption of, according to their terms, all of such issued bonds proposed to be acquired and canceled under the resolution of intention. In the event it is impossible to acquire for cancellation all of such issued bonds, by reason of the loss of any of the same, or for any other reason whatsoever, such legislative body shall, upon receipt of information to that effect, notify the holder or holders of issued bonds whose proposal or proposals were filed, of such fact, whereupon it shall be permissible for such bondholders, at their option, or for any other person or persons desiring so to do, to deposit with such legislative body, cash, lawful money of the United States of America, sufficient in amount to provide for the payment and redemption, in full, of such lost or otherwise unobtainable bonds, both principal and interest, as same mature, according to their respective terms and tenor. In the event such deposit be so made and the transaction of exchange, payment, or exchange and payment be consummated as contemplated in such proceedings, such legislative body shall, and it is hereby authorized and empowered so to do, cause such deposit to be transmitted to and deposited with the treasurer of the political subdivision represented by such legislative body, which said treasurer shall, and he is hereby empowered, authorize and require so to do, make all payments of principal and interest thereafter maturing on any such issued bonds for the payment and redemption of which such deposit was made, such payments to be made as such bonds mature and installments of interest thereon become payable according to the terms and tenor thereof.

SEC. 9. Such legislative body, upon the acquisition of such issued bonds for cancellation, and receipt of the deposit hereinabove provided for in the case of lost or otherwise unobtainable bonds, shall, and it is hereby authorized and empowered so to do, make an order for the cancellation of, and shall cause to be canceled, all such issued bonds so acquired and at the same time shall make a further order for the cancellation of all unpaid special assessment taxes levied to pay principal and interest of the issued bonds referred to in the resolution of intention and all penalties and interest thereon. Upon the making of such order, all such issued bonds, referred to in the resolution of intention, (excepting only such thereof for the payment of which a deposit shall have been made as herein provided) and all unpaid special assessment taxes levied to pay principal and interest on such issued bonds and all penalties and interest thereon shall be deemed to be, and shall be, canceled and annulled and the clerk of such legislative body shall notify the proper officials of the city, or of the county, or of the city and county, or any or all of such proper officials, as the case may be, that such issued bonds and all unpaid special assessment taxes levied to pay principal and interest of the same and all penalties and interest thereon have been canceled and annulled and such proper officials shall thereupon proceed to make the necessary entries showing the cancellation thereof. Said diagram and assessment shall thereupon be recorded in the office of such officials of the political subdivision over which such legislative body has jurisdiction as such legislative body may, by resolution, so designate, which said official so designated shall endorse thereon the date of such recording. When so recorded the several amounts assessed shall be a lien upon the lands, lots, or portions of lots assessed, respectively, and such lien shall so continue until it be discharged of record. Such lien shall be subordinate to all

special assessment liens previously imposed upon the same property, but it shall have priority over all special assessment liens which may thereafter be created against the said property; and from and after the date of said recording of any assessment and diagram, all persons shall be deemed to have notice of the contents thereof. It shall be the duty of the officer in whose office such assessment and diagram is recorded, to perform the same duties and acts with reference to such assessment and diagram and the respective assessments set forth therein, as are required of the superintendent of streets with reference to assessments and diagrams and the respective assessments set forth therein in similar cases under the provisions of said "Improvement Act of 1911", and the tax collector and the treasurer of the city, county, or city and county, as the case may be, of the political subdivision over which such legislative body has jurisdiction, shall perform respectively the same respective acts and functions with reference to diagrams and assessments made under the provisions of this act and with reference to assessment readjustment bonds issued hereunder as are required of tax collectors and treasurers, respectively, under the provisions of said "Improvement Act of 1911" with reference to assessments and diagrams made and bonds issued under the provisions of said last mentioned act.

SEC. 10. The officer in whose office the assessment and diagram hereunder has been recorded, is authorized at any time to receive the amount due upon any assessment recorded in his office and to give a good and sufficient discharge therefor; provided, an assessment readjustment bond has not issued to represent said assessment; and provided further that in order to allow a period within which any such assessment may be paid by any person or persons desiring so to do, no assessment readjustment bond shall be issued until at least thirty days have elapsed after the date upon which the assessment and diagram hereunder was recorded in the office of such officer.

SEC. 11. At any time prior to the final confirmation of the assessment hereunder by such legislative body, such legislative body may receive and accept from any source whatsoever and from any person or persons, contributions of any sum or sums or amount or amounts of money in cash, to be applied on the total amount of the cost of the acquisition and cancellation of such issued bonds and the costs and expenses incidental to the proceedings hereunder, thereby reducing to that extent the total sum to be assessed upon the several pieces, parcels, lots, or portions of lots and subdivisions of land in the assessment district: provided, however, that in the event, for any reason, assessment readjustment bonds are not thereafter issued under the proceedings in connection with which any such contribution is, or such contributions are, made, such legislative body shall have the right, and it is hereby authorized and empowered, to refund any such contribution or contributions to the person or persons who made the same. Such legislative body shall further have the right, and it is hereby authorized and empowered to likewise receive contributions of any sum or sums or amount or amounts of money in cash, to be applied on and used and expended in connection with the costs and expenses of any proceedings and of the preparation of any assessment and diagram hereunder Such last mentioned contributions shall be used for the payment of such costs and expenses exclusively and the balance, if any, of any such contribution or contributions remaining, after the payment of such costs and expenses, may be refunded pro rata by such legislative body to the person or persons who contributed the same. Nothing herein contained, however, shall be construed as preventing such legislative body from paying the costs and expenses of any proceedings hereunder, in whole or in part, from any fund, funds or money over which such legislative body has jurisdiction and control and which are legally applicable to the payment of costs and expenses of proceedings under the general laws of the State of California.

SEC. 12. Whenever, under the provisions of this act, any resolution, notice or other document is required to be published (and no specific designation is made herein to the contrary) same shall be published in a newspaper printed, published and circulated within the boundaries of the assessment district proposed to be created hereunder; provided, however, that if there be no such newspaper, or in the event any newspaper designated herein for the purpose of such publication has suspended publication, then and in any such event, such publication may be made in any newspaper printed, published and circulated within the jurisdiction of such legislative body and which, in the opinion of such legislative body, will best give notice of the contents of such resolution, notice or other document, so to be published.

SEC. 13. Whenever the words "Acquisition and Improvement District" are used in this act, the same shall be construed to relate and refer to an assessment district created under the provisions of said above mentioned "Acquisition and Improvement Act of 1925". In the event the legislative body conducting the proceedings under this act is the legislative body of a city or town, then and in that event the various words, expressions, clauses and phrases defined in said "Improvement Act of 1911", above referred to, shall be construed to have the same meaning wherever the same appear in this act, as is ascribed to, or as is indicated for, the same in said "Improvement Act of 1911" so far as same may be properly applicable; and, in the event the legislative body conducting the proceedings under this act is the legislative body of a county, or city and county, then and in that event the

various words, expressions, clauses and phrases defined in that certain act of the Legislature of the State of California designated and referred to as the "County Improvement Act of 1921" shall be construed to have the same meaning wherever the same appear in this act, as is ascribed to, or as is indicated for, the same in said "County Improvement Act of 1921" so far as same may be properly applicable.

SEC. 14. The provisions of that certain act of the Legislature designated and known, and which is cited and referred to as the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931", shall not be applicable to proceedings under this act.

SEC. 15. In the event the legislative body conducting the proceedings hereunder was required under the provisions of said "Acquisition and Improvement Act of 1925" to procure the consent of any other legislative body in order to conduct the proceedings under which such bonds to be acquired and canceled hereunder were issued, then and in that event the consent of such other legislative bodies shall be secured to the taking of proceedings hereunder by the legislative body conducting the proceedings under this act. In the event any changes in jurisdiction of any legislative body or bodies over any territory included in any district to be created hereunder has taken place since the issuance of such issued bonds, then any legislative body having jurisdiction over any part of the territory included within the boundaries of any district proposed to be created hereunder shall have jurisdiction, notwithstanding any other provision or provisions of this act to initiate and conduct proceedings under this act upon obtaining the consent of the other legislative body or bodies having jurisdiction over any other portion or portions of such territory, so to do.

SEC. 16. Any legislative body having jurisdiction to conduct a proceeding under this act is authorized to file a petition under any bankruptcy law or laws of the United States of America now or hereafter enacted, for the district or districts formed under that certain act of the Legislature of the State of California and known as the "Acquisition and Improvement Act of 1925".

SEC. 17. This act shall be liberally construed to the end that its purposes may be effective. No error, irregularity, informality, and no neglect or omission of any officer of a city, county, or city and county, in any procedure taken hereunder, which does not directly affect the jurisdiction of the legislative body to order the issuance of "assessment readjustment bonds" hereunder, shall void or invalidate such proceeding or any assessment for the cost of acquisition and cancellation of such issued bonds and of the costs and expenses incidental to proceedings under this act. The exclusive remedy of any person affected or aggrieved thereby shall be by appeal to the legislative body as herein provided.

SEC. 18. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases thereof be declared to be unconstitutional.

SEC. 19. This act may be designated and referred to as the "Assessment Readjustment Act of 1933"."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 160—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 20, inclusive, of the title, and insert in lieu thereof the following:

"An act to add a new section to the "California Vehicle Act" approved May 30, 1923, as amended, to be numbered section 159¼ providing for expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fund for or in connection with bonds issued for or the proceeds of which are used in connection with parks."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 10, inclusive, and also all of pages 2, 3, 4 and 5, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the California Vehicle Act, approved May 30, 1923, as amended, to be numbered section 159¼ and to read as follows:

159¼. The board of supervisors of any county, or city and county, may also, in its discretion, expend any portion of such sums so received by such county, or city and county, for the payment of any portion of the principal or interest of, or for the redemption or purchase at a discount of, or for the transfer to the interest and sinking fund for the discharge and payment of, bonds of the class and type hereinafter mentioned. Such bonds may be either those issued by such county, city and county, or any city therein or a special assessment district within such county, city and county, or city but in all cases:

(1) Such bonds must have been issued or the proceeds thereof used for the acquisition of property for the establishing, or for the construction, improvement or repair, of parks within such county, city and county, or any city therein;

(2) Where such bonds were issued by a special assessment district, such special assessments must have been or be about to be levied for the payment of such bonds wholly or partly in accordance with the assessed value of lands in said district; and

(3) The board of supervisors of such county, or city and county, must first have determined by a four-fifths vote of the members thereof that said parks for or in connection with which such bonds were issued or the proceeds thereof used as hereinbefore specified are of general interest and benefit to such county, or city and county."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 162—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 20, inclusive, of the title, and insert in lieu thereof the following:

"An act to amend an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful and withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, as amended, by adding a new section thereto to be numbered 13½, to provide for the uses and purposes to which the funds derived under said act may be used."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 10, inclusive, and insert in lieu thereof the following:

"SECTION 1 A new section is hereby added to that certain act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, as amended, which section shall be numbered 13½ and shall read as follows:

Sec. 13½. Notwithstanding the provisions of section 13 and in addition to the authority therein conferred for the expenditure of the funds therein mentioned the board of supervisors of any county, or city and county, may also in its discretion expend any portion of said sums so received by such county, or city and county, for the payment of any portion of the principal or interest of, or for the redemption or purchase at a discount of, or for transfer to the interest and sinking fund for the discharge and payment of, bonds of a special assessment district or districts within said county, city and county, or any incorporated city therein, for the payment of which special assessments (levied wholly or partly in accordance with the assessed value of lands) have been or are to be levied, which bonds have been issued in payment of, or the proceeds of which have been used for the acquisition of rights of way for the opening, widening, straightening, extending of, establishing of, or for the construction, improvement or repair of streets, roads, highways, bridges or culverts within such county, or city and county, or any incorporated city therein

Before any such sums may be expended for the purpose provided in the next preceding paragraph the board of supervisors of any such county, or city and county, shall, by a resolution adopted by a four-fifths vote of the members thereof, determine that the streets, roads, highways, bridges or culverts for the acquisition of rights of way for which, or the construction, improvement or repair of which, as the case may be, said bonds were issued are of general county use. It is the intention of this provision that no such funds shall be expended for any of the purposes herein enumerated if the streets, roads, highways, bridges or culverts are of only local use.

The authority conferred upon the board of supervisors of any county, or city and county, in this section, shall apply only to, and be restricted to, an amount or amounts equal to twenty per centum of the said sums so received by any such county, or city and county.

Said authority is further limited to bonds which shall have been issued prior to the taking effect of this section, or shall be issued under any proceeding initiated prior to January 1, 1933."

AMENDMENT NUMBER THREE.

Strike out all of pages 2, 3, 4 and 5 of the printed bill.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 163—An act to amend section 159 of the California Vehicle Act approved May 30, 1923, Statutes of 1923, page 517, to provide that the funds derived under said act may be used for contributions to special assessment improvement proceedings.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, of the title, and insert in lieu thereof the following:

"An act to add a new section to the Vehicle Code, to be numbered 780.5, relating to expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fund for or in connection with bonds issued or the proceeds thereof used in connection with parks."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, and insert in lieu thereof the following.

"SECTION 1. A new section is hereby added to the Vehicle Code, to be numbered 780.5 and to read as follows:

780.5. The board of supervisors of any county, or city and county, may also, in its discretion, expend any portion of such sums so received by such county, or city and county, for the payment of any portion of the principal or interest of, or for the redemption or purchase at a discount of, or for the transfer to the interest and sinking fund for the discharge and payment of, bonds of the class and type hereinafter mentioned. Such bonds may be either those issued by such county, city and county, or any city therein or a special assessment district within such county, city and county, or city but in all cases:

(1) Such bonds must have been issued or the proceeds thereof used for the acquisition of property for the establishing, or for the construction, improvement or repair, of parks within such county, city and county, or any city therein;

(2) Where such bonds were issued by a special assessment district, such special assessments must have been or be about to be levied for the payment of such bonds wholly or partly in accordance with the assessed value of lands in said district; and

(3) The board of supervisors of such county, or city and county, must first have determined by a four-fifths vote of the members thereof that said parks for or in connection with which such bonds were issued or the proceeds thereof used as hereinbefore specified are of general interest and benefit to such county, or city and county."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1533—An act to repeal Article I of Chapter VI of Part II of Division VI of the School Code, embracing sections 6.470 to 6.479, inclusive, to repeal an act entitled "An act to provide for the purchase of school supplies for school districts and defining the powers and duties of superintendents of schools of counties and other officers in relation thereto," approved May 31, 1929, and to add a new article to Chapter VI of Part II of Division VI of the School Code, to be numbered Article I, embracing sections 6.470 to 6.479, inclusive, all relating to the purchase of apparatus and supplies.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to add section 6.470-3 to the School Code, relating to the addition of the school supply revolving fund."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 19, inclusive, and also strike out all of pages 2 and 3, and insert in lieu thereof the following:

"SECTION 1. A new section, to be numbered 6.470-3, is hereby added to the School Code and to read as follows:

6.470-3. The superintendent of schools may at his discretion determine to abolish the "school supply revolving fund" in his county by serving notice in writing therefore upon the auditor and treasurer of the county. Upon filing said notice of discontinuing said fund, the superintendent of schools shall immediately arrange for the sale of supplies in his possession at their market price at the time of the sale plus any handling charges that may be charged against them. The said sums secured from the sale herein shall be deposited by the superintendent of schools in said revolving fund which revolving fund shall then be returned by the auditor to the respective districts from which it was created. A determination upon the part of the superintendent of schools to dispose of said "school revolving fund" as provided herein shall not prejudice the right of the superintendent of schools at a future time to recreate said fund as provided in section 6.470-1 of this code."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 354—An act to amend section 5.500 of the School Code, relating to teachers' tenure.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "amend section 5.500 of", and insert in lieu thereof the following: "add two new sections, to be numbered 5.500a and 5.507 to".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 19, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the School Code, to be numbered 5.500a, and to read as follows:

5.500a. When any permanent employee of a district shall have attained the age of sixty-five years, he shall cease to be a permanent employee of said district and he shall thereupon and thereafter be subject to dismissal at the pleasure of the governing board of said district at the end of any school year for which he is thereafter employed. No person who shall have attained the age of sixty-five years shall be classified as or become a permanent employee of any district.

SEC. 2. A new section is hereby added to the School Code, to be numbered 5.507, and to read as follows:

5.507. Anything in this code to the contrary notwithstanding, no employee shall be classified as or become a permanent employee by reason of services performed during the period beginning July 1, 1932, and ending June 30, 1935; provided, however, that consecutive service performed immediately prior to July 1, 1932, and service performed immediately after June 30, 1935, shall be considered as consecutive service for the purpose of computing the length of service required for permanent tenure."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1229—An act to amend sections 5.400, 5.420, 5.500, 5.503, 5.510, 5.520, 5.521, 5.650, 5.651, 5.652, 5.653, 5.654, 5.655, 5.657, 5.658, 5.660, 5.662, 5.663, 5.664, 5.681, 5.691, and 5.710, and repealing sections 5.404, 5.504 and 5.682, and adding new sections to be numbered 5.505, 5.506, 5.507, 5.666 and 5.711½ of the School Code of the State of California, relating to the employment, classification, dismissal and suspension of employees requiring certification qualifications.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out entire title, and insert in lieu thereof the following:

"An act to amend sections 5.420, 5.500, 5.503, 5.510, 5.520, 5.521, 5.650, 5.651, 5.652, 5.653, 5.654, 5.655, 5.657, 5.658, 5.660, 5.662, 5.663, 5.664, 5.681, 5.691 and 5.710 and repealing sections 5.404 and 5.682, and adding new sections to be numbered 5.505, 5.506, 5.507, 5.666, 5.711½ of the School Code of the State of California, relating to the employment, classification, dismissal and suspension of employees requiring certification qualifications."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the entire line and the balance of the bill, and insert in lieu thereof the following:

"SECTION 1. Section 5.404 of the School Code is hereby repealed.

SEC. 2. Section 5.420 of the School Code is hereby amended to read as follows:

5.420. Boards of school trustees, and city and city and county boards of education shall have power and it shall be their duty to employ for positions requiring certification qualifications, only persons who hold legal certificates in full force and effect, and on file at the time such appointment becomes effective in the office of the county superintendent of schools, to serve as substitute, temporary, probationary or permanent employees.

SEC. 3. Section 5.500 of the School Code is hereby amended to read as follows:

5.500. Every employee of a school district of any type or class, who, after having been employed as a probationary employee by the district in the regular day schools thereof for three complete consecutive school years in a position, or positions, requiring certification qualifications, is reelected for the next succeeding school year to a position requiring certification qualifications, shall, except as hereinafter otherwise provided, at the commencement of said succeeding school year, be classified as and shall become a permanent employee of the district. When any permanent employee of a district shall have attained the age of sixty-five years he shall cease to be a permanent employee of said district and he shall thereupon and thereafter be subject to reappointment from year to year at the pleasure of the governing board of said district; provided, however, that any such person shall receive the proportionate retirement salary from the State and from the local retirement fund of such funds exist if dismissed at any time after the age of sixty-five has been attained.

No person hereafter employed in special day or special evening classes or employed in vacation schools, or in work outside of the regular day school hours, shall be classified as or become a permanent employee of any district by reason of any such service. Provided

SEC. 4. Section 5.503 of the School Code is hereby amended to read as follows:

5.503. A probationary employee who in any one school year has served for at least eighty per cent of the number of days the schools of the district in which such employee is employed are maintained shall be deemed to have served a complete school year, provided, however, that no such employee shall be permitted to have permanency in both a day and an evening school at the same time.

SEC. 5. A new section to be numbered 5.505 is hereby added to the School Code, to read as follows:

5.505. Boards of school trustees, and city and city and county boards of education shall have power and it shall be their duty to fix, alter and modify the number of hours the employees of the district shall serve as in their judgment the needs of the district may require, provided, however, the number of hours of service of any permanent employee shall not be reduced by more than a total of twenty per cent, nor shall such reduction defeat such employees tenure status.

SEC. 6. A new section to be numbered 5.506 is hereby added to the School Code, to read as follows:

5.506. After the effective date of this act, no certificated employee shall be classified as a permanent employee in any school district by reason of services rendered other than in the regular day or evening schools of the district.

SEC. 7. A new section to be numbered 5.507 is hereby added to the School Code to read as follows:

5.507. The board in charge of any school district may, by a four-fifths vote, provide that no employee shall be classified as or become a permanent employee by reason of services performed during the period beginning July 1, 1932, and ending June 30, 1935; provided, however, that in such cases consecutive service performed immediately after June 30, 1935, shall be considered as consecutive service for the purpose of computing the length of service required for permanent tenure.

SEC. 8. Section 5.510 of the School Code is hereby amended to read as follows:

5.510. Boards of school trustees, and city, and city and county boards of education shall have power and it shall be their duty to classify as probationary employees, those persons employed in positions requiring certification qualifications for the school year, and who have not been classified as permanent temporary or substitute employees.

SEC. 9. Section 5.520 of the School Code is hereby amended to read as follows:

5.520 Boards of school trustees, and city, and city and county boards of education shall have power and it shall be their duty to classify as substitute employees those persons employed in positions requiring certification qualifications from day to day to fill positions of regularly employed persons absent from service or who are employed in positions requiring certification qualifications in emergency or temporary schools or classes.

SEC. 10. Section 5 521 of the School Code is hereby amended to read as follows:

5 521. Boards of school trustees, and city, and city and county boards of education shall have power and it shall be their duty to classify as temporary employees those persons requiring certification qualifications, other than substitute employees, who are employed to serve from day to day during the first three school months of any school term. The school year may be divided into not more than two school terms for the purposes of this section

SEC 11. Section 5 650 of the School Code is hereby amended to read as follows:

5.650. No permanent employee shall be dismissed except for one or more of the following causes: Immoral or unprofessional conduct, dishonesty, incompetency, evident unfitness for service, wilful and persistent violation of or refusal to obey the school laws of California, or any reasonable regulation prescribed for the government of the public schools by the State Board of Education, or by the governing board of any school district or by other lawful authority.

SEC 12. Section 5 651 of the School Code is hereby amended to read as follows:

5 651. Upon the filing of written charges, duly signed and verified by the person preferring the same, with the governing board of a school district charging that there exists a cause or causes for the dismissal of a permanent employee of said district, the said governing board may, if it deems such action necessary, give notice to said employee that he will be dismissed upon the expiration of thirty days after said notice, unless said employee demands a hearing upon said charges, as hereinafter provided, within said thirty days. The said governing board by a four-fifths vote may also, if it deems such action necessary, immediately suspend said employee from his duties until the final determination of said charges, and shall in the event of such suspension, include notice of such action in the notice of dismissal herein provided for. A copy of the charges filed, together with a copy of this article, shall be served upon said employee with said notices. If the said employee does not demand a hearing upon said charges within said thirty days and said dismissal shall be final and conclusive.

SEC 13. Section 5.652 of the School Code is hereby amended to read as follows:

5 652. Any notice to an employee provided for by this article must be in writing and shall be deemed sufficient and complete when delivered to such employee in person or when deposited in the United States registered mail with postage prepaid, addressed to such employee at his address filed by him with the secretary, if there be such, otherwise with the clerk of the governing board of such district, or if no address be on file, addressed to such employee at the school or department to which such employee is assigned.

SEC. 14. Section 5 653 of the School Code is hereby amended to read as follows:

5.653. The board shall not act upon any charges of incompetency except cases of insanity filed by any employee of the district unless the employee against whom such charge is filed shall have had notice in writing that he is deemed to be incompetent given to him by the governing board or by his principal, his immediate supervisor, or his district supervisor, at least two months prior to the date of the filing of such charges.

SEC. 15. Section 5 654 of the School Code is hereby amended to read as follows:

5 654. Within thirty days from the service of proper notice to an employee against whom charges have been filed as hereinbefore provided, said employee may demand a hearing before the said governing board upon the charges filed against him. Said demand must be in writing, and sent by registered mail to the clerk or secretary of the governing board, or delivered to said officer personally.

SEC 16. Section 5 655 of the School Code is hereby amended to read as follows:

5.655. Upon the receipt of a demand in writing for a hearing upon the charges, the governing board shall fix a time for the hearing of said charges, said time to be within thirty days of the receipt by the board of the demand for such hearing. Notice of the time and place where the hearing is to be held together with a copy of the rules and regulations prescribed by the board for the conduct of the hearing shall be served upon said employee at least two weeks before the time set for the hearing.

SEC 17. Section 5.657 of the School Code is hereby amended to read as follows:

5 657. No witness shall be permitted to testify except upon oath or affirmation. No testimony shall be given or evidence introduced bearing on the guilt or innocence of the employee if such testimony or evidence relates to matters occurring more than three years prior to the date of the charges brought against the employee.

SEC 18 Section 5.658 of the School Code is hereby amended to read as follows:

5.658. The governing board shall prescribe reasonable rules and regulations for the conduct of the hearing and shall select a person who need not be a member of the board to preside at the hearing. The board shall employ a competent reporter who shall make a literal record of the proceedings of the hearing and who shall, within ten days after the conclusion of the hearing, furnish one copy of such transcript to the governing board and one copy to said employee at the district's expense. He shall certify each copy as correct.

SEC. 17½. Section 5.660 of the School Code is hereby amended to read as follows:

5.660. The employee shall not be dismissed except upon the affirmative vote of a majority of the board after a fair and impartial hearing upon competent and substantial evidence adduced thereat. No member of the board shall sit or act as such in such hearing when it is made to appear that, by reason of bias or prejudice of such member, a fair and impartial hearing can not be had before him. No member of the board shall be permitted to vote who has not been present during the entire hearing. The board shall vote and publicly announce the vote within ten days after the conclusion of the hearing.

SEC. 18. Section 5.662 of the School Code is hereby amended to read as follows:

5.662. Nothing in this part shall be construed in such manner as to deprive any person of his rights and remedies in a court of competent jurisdiction on a question of law and fact; except as follows: 1, That in all cases where it is provided in this code that an employee may demand a hearing before the governing board on charges filed against him, in the event such demand for hearing is not made by such employee, the dismissal of such employee by the governing board shall be final and conclusive.

SEC 19 Section 5 663 of the School Code is hereby amended to read as follows:

5 663. No proceeding for the review of the decision of said governing board directing his dismissal shall be commenced in any court by any employee dismissed under the provisions of this article, unless commenced within sixty days after said governing board has rendered its decision as hereinbefore provided.

SEC 20 Section 5 664 of the School Code is hereby amended to read as follows:

5 664. No permanent employee of a school district shall without his consent be dismissed or deprived of his classification as a permanent employee of the district because the district shall not have sufficient funds to pay his salary.

SEC. 21. A new section to be numbered 5.666 is hereby added to the School Code, to read as follows:

5.666. Anything in this code to the contrary notwithstanding the governing board of the school district shall have the power to discipline for good cause probationary or permanent employees by suspension, without pay, not to exceed one school month in any school year.

SEC. 22 Section 5 681 of the School Code is hereby amended to read as follows:

5.681 On or before the fifteenth of May, in any year, the governing board may give notice in writing to any probationary employee that his service will not be required for the ensuing year. Such notice shall be deemed sufficient and complete when delivered to such employee in person or when deposited in the United States registered mail with postage prepaid, addressed to such employee at his address filed by him with the secretary, if there be such, otherwise with the clerk of the governing board of such district, or if no address on file, addressed to such employee at the school or department to which such employee is assigned.

SEC 23. Section 5.682 of the School Code is hereby repealed.

SEC 24. Section 5.691 of the School Code is hereby amended to read as follows:

5 691. Boards of school trustees, and city, and city and county boards of education shall have power and it shall be their duty to dismiss temporary employees requiring certification qualifications at the pleasure of the board.

A temporary employee who is not dismissed during the first three school months of the school term for which he was employed, and who has not been classified as a permanent employee, shall be deemed to have been classified as a probationary employee from the time his services, as a temporary employee, commenced.

SEC 25 Section 5.710 of the School Code is hereby amended to read as follows:

5.710. It is hereby provided that whenever it becomes necessary to decrease the number of permanent employees in a school district on account of a decrease in

the number of pupils attending the schools of such district, or on account of the discontinuance of a particular kind of service in such district, or on account of the assignment of a greater number of pupils to each teacher of the district of any particular type of teaching service, the governing board may dismiss such employee at the close of the school year.

SEC. 26 A new section to be numbered 5.711½ is hereby added to the School Code, to read as follows:

5.711½. If the dismissal of such employee shall become necessary on account of the assignment of a greater number of pupils to each teacher of the district of any particular type of teaching service, such employee so dismissed shall be the last person engaged in such type of service, and such dismissed employee shall have the preferred right to reappointment if such particular type of service requires an additional teacher within one year from such dismissal."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 98—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding a new section to Article VI to be known as section 8½, relating to the election of judges of the superior courts of certain counties, the terms of office of such judges, and the filling of vacancies in such offices.

Assembly Constitutional Amendment No. 98 read.

The question being on the adoption of Assembly Constitutional Amendment No. 98.

FLOOR AMENDMENT.

During reading of Assembly Constitutional Amendment No. 98, the following amendment was submitted by Mr. Williamson:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out "200,000", and insert in lieu thereof "1,500,000".

The question being on the adoption of the amendment.

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cobb asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 98 at this time, without reference to printer or file, and that same be considered engrossed.

FURTHER CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NUMBER NINETY-EIGHT.

Assembly Constitutional Amendment No. 98—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding a new section to Article VI to be known as section 8½, relating to the election of judges of the superior courts of certain counties, the terms of office of such judges, and the filling of vacancies in such offices.

Assembly Constitutional Amendment No. 98 read.

The question being on the adoption of Assembly Constitutional Amendment No. 98.

The roll was called, and Assembly Constitutional Amendment No. 98 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller,

James A., O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Roberts, Robinson, C. Ray; Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—57.

NOES—Dempster, Hatch, Jones, Kallam, King, Maloney, McCarthy, O'Connor, Riley, Rogers, Stannard and Woolwine—12.

Title read and approved.

Assembly Constitutional Amendment No. 98 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 98.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding a new section to Article VI to be known as section 8½, relating to the election of judges of the superior courts of certain counties, the terms of office of such judges, and the filling of vacancies in such offices

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fiftieth session commencing on the second day of January, 1933, two-thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California that a new section be added to Article VI of the Constitution of this State to be known as section 8½ and to read as follows:

Sec. 8½. Any county having a population in excess of 200,000 may adopt the provisions of subdivisions 1, 2 and 3 of this section as applicable to such county if the majority of the electors of such county, voting thereon at a general election at which such question shall be submitted, shall vote in favor thereof. The provisions of subdivisions 1, 2 and 3 of this section may be adopted as applicable to such county in pursuance of an ordinance adopted by the vote of three-fifths of all of the members of the board of supervisors of such county, declaring that the public interest requires the submission at an election of the proposal to adopt the provisions of subdivisions 1, 2 and 3 hereof as applicable to such county, or in pursuance of a petition of qualified electors of said county as hereinafter provided, which petition must state the name and address of a person or persons to whom notice of the insufficiency of the petition shall be sent in the event that the petition shall not have the required number of signatures of the qualified electors signed thereto. Such petition, signed by fifteen per cent of the qualified electors of the county, computed upon the total number of votes cast therein for all candidates for Governor at the last preceding general election at which a Governor was elected, praying for the adoption of the provisions of subdivisions 1, 2 and 3 as applicable to such county, may be filed in the office of the county clerk. It shall be the duty of the county clerk, within twenty days after the filing of the petition, to examine the same and to ascertain from the record of the registration of the electors of the county whether the petition is signed by the requisite number of qualified electors. If required by the clerk, the board of supervisors shall authorize him to employ persons to assist him in the work of examining the petition, and the board shall provide for their compensation. Upon the completion of such examination, the clerk shall forthwith attach to the petition his certificate, properly dated, showing the results of his examination, and if the certificate shows that the petition is signed by the requisite number of qualified electors he shall immediately present the petition to the board of supervisors, if it is in session, otherwise at its next regular meeting after the date of such certificate. If it appears by the certificate that the petition has not the required number of signatures, the clerk shall so notify the person or persons designated as the person or persons to whom notification of the insufficiency of the petition shall be sent; whereupon the petitioners shall have thirty days from and after the date of receiving such notice of insufficiency to present and file a supplement bearing additional signatures. Upon the receipt of the supplement the clerk shall proceed forthwith to examine the same, so that such examination shall be completed within ten days from the date of its receipt by him. If it appears that the additional signatures and those which have not been legally rejected upon the original petition total the requisite number, the clerk shall forthwith attach to the petition his certificate, properly dated, showing that the petition has been signed by the requisite number of qualified electors, and shall immediately present said petition to the board of supervisors, if it is in session, otherwise at the next regular meeting after the date of such certificate. Upon the adoption of such ordinance, or the presentation of such petition, the board of supervisors shall submit the proposal to adopt the provisions of subdivisions 1, 2 and 3 of this section as applicable to such county to the electors of said county at the next succeeding general election occurring subsequent to ninety days after the adoption of such ordinance or the presentation of such petition. If the proposal is approved by a majority of the votes cast thereon, the board of supervisors shall cause a certificate, signed by the chairman of the board, to be filed with the Secretary of State, reciting that the proposal to adopt the provisions of subdivisions 1, 2 and 3 of this section

as applicable to such county was approved by a majority of the votes cast thereon at such election, and upon the filing of such certificate the provisions of subdivisions 1, 2 and 3 of this section shall thereafter be applicable to such county, and effective as to all vacancies in the office of judge of the superior court in said county accruing after the date of filing of said certificate. The duties herein imposed upon the county clerk shall be performed by the registrar of voters in any county where the office of registrar of voters exists. Any county which has adopted the provisions of subdivisions 1, 2 and 3 of this section as applicable in said county for the nomination and appointment of judges of the superior court in said county may withdraw from the provisions of said subdivisions in the same manner as hereinabove set forth for the adoption thereof; and the duties and powers of the State and county officers herein specified shall be the same with respect to an ordinance or petition to withdraw from the provisions of said subdivisions as those above prescribed with respect to the adoption thereof. If the proposal to withdraw from the provisions of said subdivisions is approved at a general election the withdrawal shall become effective upon the filing with the Secretary of State of the certificate signed by the chairman of the board of supervisors reciting that the proposal to withdraw from the provisions of subdivisions 1, 2 and 3 of this section as applicable to such county was approved by a majority of the votes cast thereon at such election, and the general provisions of this Constitution with respect to appointment and election of judges of the superior court shall forthwith become effective in said county as to all vacancies then existing or thereafter accruing in the office of judge of the superior court in said county; but such withdrawal shall not in any way affect the validity of any appointment made or election held under the provisions of said subdivisions, nor the term of office of any judge so appointed or elected.

Subdivision 1. The term of office of judges of the superior court shall be six years from and after the first Monday of January after the first day of January next succeeding their election. Within thirty days before the first day of July next preceding the expiration of his term, any judge of the superior court may file with the officer charged with the duty of certifying nominations for publication in the official ballot a declaration of candidacy for election to succeed himself. If he does not file such declaration the Governor must nominate a suitable person for the office before the sixteenth day of September, by filing such nomination with the officer charged with the said duty of certifying nominations, which nomination shall be made from candidates recommended in the same manner as those recommended for appointment to a vacant office under subdivision 2 hereof. In either event the name of such candidate shall be placed upon the ballot for the ensuing general election in November in substantially the following form.

For Judge of the Superior Court

---------- (name)	Yes	
Shall he be elected to the office for the term expiring in January, ------? (year)	No	

No name shall be placed upon the ballot as a candidate for such office except that of a person so declaring or so nominated. If a majority of the electors voting upon such candidacy vote "Yes," such person shall be elected to the said office. If a majority of those voting thereon vote "No," such person shall not be elected and said office shall be deemed vacant for the ensuing term.

Subdivision 2. A vacancy in the office of judge of the superior court shall be filled at the first general State election after the expiration of four years after the first day of April next succeeding the accrual of such vacancy, by the election in the manner provided in subdivision 1 of this section of a judge for a full term to commence on the first Monday in January after the first day of January next succeeding his election. The Governor, within thirty days after presentation to him of the names of candidates as hereinafter provided, must appoint a person to fill such vacancy until the commencement of such term, but no one who has been rejected at an election for said office shall be eligible for such appointment. Such appointment shall be made from candidates nominated by a board composed of the Chief Justice of the Supreme Court, the Presiding Justice of the District Court of Appeal of the appellate district in which such county is situated, or if there is more than one division of the District Court of Appeal in such appellate district, the Presiding Justice of the division of such District Court of Appeal first established, and the member of the State Senate representing said county. Said board, within sixty days after the accrual of such vacancy, must nominate and present to the Governor the names of not less than two nor more than three candidates for each such vacancy. Any such nomination must be the unanimous action of said board, except that in any case in which the board is unable to act unanimously

within thirty days after the accrual of a vacancy, such nomination may thereafter be made by a majority of the board. If the Governor fails to appoint one of the persons so nominated to fill a vacancy within thirty days after presentation to him of the names of the required number of candidates, the board must appoint one of said candidates to fill the vacancy. The powers and duties of said board in such a case with respect to such appointment shall be the same as those of the Governor, and a commission executed and signed by a majority of said board shall in such event be of like validity and effect as if so executed and signed by the Governor.

Subdivision 3. In addition to the methods of removal by the Legislature provided by sections 16 and 18 of Article IV and by section 10 of this article, the provisions of Article XXIII relative to the recall of elective public officers shall be applicable to judges elected or appointed pursuant to the provisions of this section, so far as the same relate to removal from office.

All provisions in conflict with subdivisions 1, 2 and 3 of this section shall be superseded by said subdivisions in any county which adopts the provisions of said subdivisions.

MOTION TO PRINT.

On motion of Mr. Cobb, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Constitutional Amendment No. 98.

MOTION TO PRINT.

On motion of Mr. Clowdsley, the Chief Clerk was instructed to have 500 copies of Assembly Bill No. 2405 printed.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. McCarthy:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the organization and management of mining development districts and to provide for the development of mines included therein; for the construction of all works necessary or incidental for the joint development of said mines and for the management and operation of all properties belonging to the district; and for the acquisition of all properties necessary therefor, to provide for the management of such districts and also to provide for the issuance and payments of bonds for such district, for the levying of taxes and the collection of charges by said districts and for the annexation of additional territory thereto.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide for the organization and management of mining development districts and to provide for the development of mines included therein; For the construction of all works necessary or incidental for the joint development of said mines and for the management and operation of all properties belonging to the district; and for the acquisition of all properties necessary therefor; to provide for the management of such districts and also to provide for the issuance and payments of bonds for such district, for the levying of taxes and the collection of charges by said districts and for the annexation of additional territory thereto

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoff-

man, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Messrs. Hornblower, Hallner, Lyon, McBride, Maloney and Woolwine: Assembly Constitutional Amendment No 119—Proposed amendment to Article IV, adding section 25a of the Constitution, relative to the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. McCarthy: Assembly Bill No. 2410—An act to provide for the organization and management of mining development districts and to provide for the development of mines included therein; for the construction of all works necessary or incidental for the joint development of said mines and for the management and operation of all properties belonging to the district; and for the acquisition of all properties necessary therefor; to provide for the management of such districts and also to provide for the issuance and payments of bonds for such district, for the levying of taxes and the collection of charges by said districts and for the annexation of additional territory thereto.

Bill read first time, and referred to Committee on Ways and Means.

MOTION TO RE-REFER.

Mr Cronin moved that Assembly Bill No. 169 be withdrawn from the Committee on Governmental Efficiency and Economy, and ordered re-referred to Committee on Motor Vehicles.

The question being on re-referring Assembly Bill No. 169 to the Committee on Motor Vehicles.

Motion carried.

Assembly Bill No. 169 ordered re-referred to Committee on Motor Vehicles.

RESOLUTION.

The following resolution was offered by Mr. Craig:

RESOLUTION.

WHEREAS, Moses leading the Children of Israel through the wilderness for 40 years was engaged in child's play as compared with the task of members of this Assembly in finding their way through the maze of anonymous paragraphs of the Assembly Daily Calendar, and

WHEREAS, Due to the deplorable deficiency of the file many members were forced to read the daily newspapers to find out what they had been voting on; and

WHEREAS, The delay involved in ascertaining what was happening was embarrassing to many members due to their necessity for reading and running when certain pieces of legislation come before the Assembly; and

WHEREAS, During the final days of this momentous session when our constituents look to us to perform superhuman deeds of statesmanship such as balancing the budget, pulling the Ship of State off the reefs, and adjusting the tax situation so nobody will have to pay; and

WHEREAS, The duties of members require them to be abroad at late and unusual hours of the night, resulting in a general haziness of eye and intellect on the ensuing morning; now therefor be it

Resolved, That the members of this Assembly do join in a vote of thanks to the editorial board of that shining example of journalism, known as The Bumble Bee, for its powerful and effective editorial which has resulted in revamping, clarifying

and otherwise generally improving the Assembly Daily Calendar by printing the titles of bills therein and the divorcing of same from its doubtful affinity, the Daily History, all looking to the greater safeguarding of the public peace, health and safety as set forth in the Constitution of this here State.

Resolution read, and referred to Committee on Drainage, Swamp and Overflowed Lands.

RECESS.

At twelve o'clock and twenty-five minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Bernard reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON LIVE STOCK AND DAIRIES

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 712—An act to amend section 478 of the Agricultural Code, relating to standards for cream—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROBINSON, SAMUEL E., Chairman.

The above reported bill ordered on file for second reading.

ON MEDICAL AND DENTAL LAWS

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 2069—An act to amend section 6 of the act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, relating to examination and licensing of persons who have been engaged as apprentices—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2165—An act to amend sections 447 and 448 of the Code of Civil Procedure, relating to written instruments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1591—An act to amend section 6 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, relating to fraternal benefit societies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

CRIST, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1020—An act to amend section 594 of the Political Code, relating to kinds of insurance and insurance companies;

Also: Assembly Bill No. 1027—An act to amend section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to proceedings of the commission with relation to findings and award of compensation and the jurisdiction thereof,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

CRIST, Chairman.

The above reported bills ordered on file for second reading.

ON MANUFACTURES.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR SPEAKER: Your Committee on Manufactures, to which was referred Assembly Bill No. 2403—An act to amend section 10 of and to add a new section to be known as 1a, to an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund," approved May 10, 1927, as amended, relating to furniture—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GILMORE, Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1990—An act to amend section 5 of an act entitled "An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately," approved April 6, 1923, relating to taxation of beverages, and to declare that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 2390—An act to add section 2342 5 to the Agricultural Code, relating to tuberculosis control—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

ROBINSON, SAMUEL E, Chairman.

The above reported bill ordered on file for second reading

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1618—An act to add a new section to be numbered 14a to Chapter 609, Statutes of 1931, entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers, defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline', prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to licensing of persons, firms, associations or corporations, installing and using motor vehicle fuel pumps—has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

COBB, Chairman.

The above reported bill ordered on file for second reading.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR SPEAKER: Your Committee on Conservation, to which was referred Senate Bill No. 567—An act to amend an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred" (Chapter 1020, Statutes of 1931), to repeal sections 51 to 54 inclusive, and to add new sections to be numbered 51 to 80 inclusive, relating to exclusion of lands from water conservation districts and to improvement districts within water conservation districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

EVANS, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 202—An act to add sections 611.6 and 621.5 to the Fish and Game Code, relating to fish and game—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1091—An act to amend sections 633a7, 633a16, 633a18, 633a24, 633a25, 633a27, 633a28, 633a29, and 633a31 of the Political Code, and to add a new section to said code, to be numbered 633a32, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors;

Also: Assembly Bill No. 26—An act to amend section 1272 of the Penal Code, relating to bail after conviction and pending appeal;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on the calendar

ROBINSON, C. RAY, Chairman.

The above reported bills ordered placed on daily calendar.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 3, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 173—An act to amend section 242 of the Agricultural Code, relating to claims for animals slaughtered on account of tuberculosis.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 173 read first time, and referred to Committee on Live Stock and Dairies.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly Amendments to Senate Bill No 504—An act to amend sections 4041 5, 4041 6, 4041 17 and 4041 18 of the Political Code of California and to add six new sections to said code to be numbered 4041.4 (2a), 4041.7a, and 4041 29 to 4041 32 both inclusive, relating to powers of boards of supervisors.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2272—An act to

amend section 4250 of the Political Code, relating to compensation of officers and employees in counties of the twenty-first class—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 747—An act to add a new section to the California Direct Primary Law, Statutes 1913, page 1379, to be known as section 28a, relating to contested primary elections;

Also, Senate Bill No. 814—An act to amend section 5 21 of the School Code, relating to the duties and powers of the State Director of Education,

Also: Senate Bill No 1204—*An act to amend section 11 of an act entitled* "An act to define the boundary, provide for the care, strengthening and repairing of the levee, and the payment of indebtedness of levee district number one of Sutter County," approved March 20, 1874, as amended,

Also: Senate Bill No. 1039—An act to define and punish the crime of gangsterism;

Also: Senate Bill No. 1143—An act to add a new section to the Political Code to be numbered ------, relating to the Department of Finance.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 747 read first time, and referred to Committee on Elections.

Senate Bill No. 814 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1204 read first time, and referred to Committee on County Government.

Senate Bill No. 1039 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 1143 read first time, and referred to Committee on Ways and Means.

RESOLUTION.

The following resolution was offered:

By Mr. O'Connor:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1933

MR. SPEAKER: We, the undersigned members of the Assembly, hereby move that Assembly Constitutional Amendment No 110 be withdrawn from the Committee on Constitutional Amendments.

JAMES S. O'CONNOR.
FRANK J. ROGERS.
ROY J. NIELSEN.
CHARLES W. STREAM.
ERNEST C. CROWLEY.
JAMES M. CASSIDY.
JOHN F. RAWLS.
MICHAEL J BURNS.
ALBERT F. ROSS.
C. W. GRUBBS.
JESSE M. MAYO.
J. E. THORP.
F. C. CLOWDSLEY.
L. POWERS, JR.
RODNEY L. TURNER.
P. J. McMURRAY.
FRANK G MARTIN.
JOHN H. O'DONNELL.
JAMES J. BOYLE.
CECIL R. KING.
JOHN D. McCARTHY.
JAMES J McBRIDE.
ELEANOR MILLER.
WM. B. HORNBLOWER.
ELLIS E. PATTERSON.
HENRY P. MEEKER.
WM. MOSLEY JONES.
BRUCE R. STANNARD.
J. E. FRAZIER.
BERT V. CALLAHAN.
AUSTIN L. TOURNOUX.
LAWRENCE COBB.
MELVYN I. CRONIN.
JOSEPH P. GILMORE.
H. S HALLNER.
WALTER H. SULLIVAN
E. H. ZION.
CHARLES W. LYON.
F. M. ROBERTS.
KENT H. REDWINE.
CHARLES W. DEMPSTER.

Assembly Constitutional Amendment No. 110 ordered placed on file for adoption.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Messrs. Maloney and Hornblower:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions.

Referred to Committee on Introduction of Bills.

By Miss Miller, Eleanor:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to repeal an act entitled "An act to provide for the burial of soldiers, sailors, marines and nurses who shall have served in or with the Army or Navy of the United States and for the burial of widows of such soldiers, sailors or marines," approved March 15, 1889.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to repeal an act entitled "An act to provide for the burial of soldiers, sailors, marines and nurses who shall have served in or with the Army or Navy of the United States and for the burial of widows of such soldiers, sailors or marines," approved March 15, 1889

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Fisher, Grubbs, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Miss Miller, Eleanor: Assembly Bill No. 2411—An act to provide for the burial of soldiers, sailors, marines and nurses who shall

have served in or with the Army or Navy of the United States and for the burial of widows of such soldiers, sailors or marines," approved March 15, 1889.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

By Messrs. Maloney and Hornblower: Assembly Bill No. 2412—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions.

Bill read first time, and referred to Committee on Public Morals

SECOND READING OF SENATE BILLS.

Senate Bill No. 810—An act to amend section 4039 of the Political Code, relating to records of county boards of supervisors.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 349—An act to amend sections 2322x31 and 4260 of the Political Code, relating to the compensation of county and township officers in counties of the thirty-first class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1192—An act to amend section 4283 of the Political Code, relating to compensation of county officers in counties of the fifty-fourth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, as amended, after the period insert the following: "Each of said deputies to receive the sum of fifteen cents per name for each elector registered by him."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 497—An act to amend sections 30, 52, 101, 105, 108, 111, 118, 119, 139, 205, 240, 247, 272, 458, 471, 485, 486, 626, 671, 781, 911, 1244, and 1246 of the Agricultural Code, and to add two new sections to said code to be numbered 16 and 234 5, relating to plant and animal industry and the products thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the title of the printed bill, strike out the word "two", and insert in lieu thereof the word "three".

AMENDMENT NUMBER TWO.

On page 1, line 5, of the title of the printed bill, after the number "16", add the following: ", 207.5".

AMENDMENT NUMBER THREE

On page 2 of the printed bill, strike out all of lines 6 and 7, and insert in lieu thereof the following: "by the director. If the appointing power does not make a temporary appointment and no person can be appointed".

AMENDMENT NUMBER FOUR.

On page 8, line 35, of the printed bill, strike out the word "'by-products'", and insert in lieu thereof the word "'by-product'".

AMENDMENT NUMBER FIVE.

On page 10 of the printed bill, immediately following line 7, add the following:

"SEC. 26. A new section is hereby added to the Agricultural Code, to be numbered 207 5, to read as follows:

207 5. The department may pay from any money available for the support of the department all sums due or to become due from the State to owners of live stock or property, taken, destroyed or otherwise disposed of pursuant to any provision of this code relating to the control, prevention or eradication of disease in live stock."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 1165—An act to add section 135b to the "Bank Act," defining and regulating the business of banking.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1118—An act to add a new section to the School Code, to be numbered 5 94, relating to summer session conducted by State teachers colleges.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended, strike out the word "session", and insert in lieu thereof the word "sessions".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, as amended, after the word "colleges", insert a comma and the following: "to take effect immediately".

AMENDMENT NUMBER THREE

On page 1, line 14, of the printed bill, as amended, after the word "teachers", insert the word "colleges".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, as amended, strike out all of lines 19 to 23, inclusive, and on page 2, strike out all of lines 1 to 51, inclusive, and insert in lieu thereof the following: "The funds herein provided shall be in addition to any other funds which may be appropriated for the support of the State teachers colleges.

SEC 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of section 1 of Article IV of the Constitution and shall therefore go into effect immediately.

The facts constituting such necessity are as follows: The summer sessions of teachers colleges for the present year would normally be supported from the budgets of the colleges for the eighty-fifth fiscal year. Inasmuch as the present bill compels such summer sessions to be supported entirely from fees charged students enrolled therein, no funds will be available for the support of such summer sessions during the present calendar year unless this bill which makes such summer sessions self-supporting becomes effective prior to the opening of such summer sessions in June, 1933."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 702—An act to amend section 1168 of the Penal Code, relating to sentences, imprisonments and paroles of prisoners.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, as amended, between lines 39 and 40, insert the following:

"No prisoner confined in the State prison and no prisoner under sentence to the State prison who is convicted of an escape or an attempt to escape from the prison or the guards may be paroled until he has served at least two calendar years from and after the date of his return to the prison after such conviction."

AMENDMENT NUMBER TWO.

On page 6, line 9, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "to the end that at all times the same provisions relating to sentences, imprisonments and paroles of prisoners shall apply to all the inmates thereof."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 203—An act to amend sections 691 to 697, inclusive, of the Fish and Game Code, relating to striped bass.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 194—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 343—An act to amend section 7 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved May 24, 1927, Statutes of 1927, page 1351, and relating to bonds to be issued.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 918—An act to amend section 801 of the Fish and Game Code, relating to abalones.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "amend section 801 of", and insert in lieu thereof the following: "add section 798.5 to".

AMENDMENT NUMBER TWO.

Strike out lines 1 to 11 of the printed bill, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Fish and Game Code, to be numbered 798.5, and to read as follows:

798.5. Abalones taken in district 7, commercially, may not be transported out of district 7, except to district 2½, or sold except in district 2½."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 280—An act to amend section 5 of an act entitled "An act providing for the supervision of dams by the Department of

Public Works through the State Engineer for the purpose of safeguarding life and property, defining powers and duties concerning the supervision of dams, providing for the enforcement of said supervision and providing penalties for violations thereof and making an appropriation therefor," approved June 10, 1929, relating to plans and specifications for new dams.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 29, of the printed bill, as amended April 12, 1933, after the word "dam", insert the following: "in any stream in this State.".

AMENDMENT NUMBER TWO.

On page 3, line 30, of the printed bill, as amended April 12, 1933, after the word "dam", insert the following: "in any such stream,".

AMENDMENT NUMBER THREE

On page 3 of the printed bill, as amended April 12, 1933, strike out lines 35 to 40, inclusive, and insert in lieu thereof the following: "and protection of fish, and that construction and operation of such fishway is practicable, it shall set a date for a hearing, which hearing shall be held within ten days after filing of such application with the commission. At such hearing the applicant shall be entitled to introduce evidence to show that construction of such fishway is not necessary or is not practicable, taking into consideration the height of the dam and the amount of water available. If, after such hearing, the commission finds that the construction of such fishway is necessary and practicable it shall, within five days after such hearing, notify the applicant to that effect."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 549—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, as amended April 27, 1933, after the word "areas", insert the word "representing".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 350—An act to amend sections 79 and 81 of the Fish and Game Code, relating to fish and game districts.

Bill read second time, and ordered on file for third reading.

SPECIAL ORDER.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF GOVERNOR'S VETO ON ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FIFTEEN.

Assembly Bill No. 1115—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and

wagering thereon; to provide penalties for the violation of the provisions of this act.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.

MOTION.

On motion of Mr. Williamson, the statement by Assemblyman Maloney, relative to the Governor's veto of Assembly Bill No. 1115 was ordered printed in the Journal:

STATEMENT BY ASSEMBLYMAN MALONEY RELATIVE TO THE GOVERNOR'S VETO OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FIFTEEN.

In asking the members of the Assembly to sustain the Governor's veto on Assembly Bill No. 1115, we do so with no vindictiveness toward what has been said or done during the time this bill was under consideration and deliberation. We were almost certain from the very beginning that the Governor was going to sign the bill, due to his reputation as a liberal and the many messages brought to us by those who were very close to him.

However, the bill has been vetoed, and we, as the authors, do not desire to enter the subject of personalities. In the spirit of good will and in keeping faith with what we believe to be the wish of the public, we are going to ask the Legislature to submit to the people of the State of California the Racing Bill. We do so because those who have opposed the bill, and the Governor himself, have placed great stress on the fact that the public itself should be the sole judge. Inasmuch as this is what the opponents of the bill believe to be fair and just, a measure will be submitted to this Legislature asking that the people be given the right to express their opinion on a Racing Bill.

The bill that was defeated at the last election was defeated because it was sponsored by only one individual and opposed by practically all of those who are interested in horse racing. It was unconstitutional and ambiguous. Under the provisions of that bill collegiate and intercollegiate track meets were jeopardized.

Assembly Bill No. 1115 was introduced simply because it was a revenue-producing measure and because horse racing is now carried on without the State receiving one cent in revenue therefrom. From the revenue produced by this bill the continuance of the State Fair would have been guaranteed. All agricultural fairs in this State would have been financed and the five important citrus fairs in Southern California would have been held every year in spite of the depression which now threatens to close their gates. Animal husbandry would have been encouraged. Money would have been derived for unemployment. The public would have been protected by the use of the pari mutuel system which would guarantee a return to the public of 88 per cent of the money wagered.

If Assembly Bill No. 1115 had become law, millions of dollars every year would have flowed into the State treasury and the increased demand for and the sale of agricultural products, such as hay, oats, grain, and other products, would have meant millions of dollars of the increased income to the farmers of this State.

In asking you to sustain the veto of the Governor, we ask you to follow the recommendations of the Governor, the recommendations of the opponents of Assembly Bill No. 1115, and the recommendations of a large portion of the press of this State. We ask you to submit to the people of this State whether they want horse racing and option wagering to continue in its present uncontrolled and untaxed form, or whether they want the State to fairly regulate and tax horse racing and wagering and thereby receive large revenues for the benefit of agricultural and unemployment relief.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Hornblower moved that the vote whereby Assembly Bill No. 1016 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1016 refused reconsideration by the following vote:

AYES—Anglim, Bowers, Boyle, Burns, Cassidy, Crist, Crowley, Dempster, Evans, Grubbs, Hatch, Hornblower, King, Knowland, Levey, Maloney, McMurray, Meehan, Miller, James A, O'Connor, O'Donnell, Peterson, Powers, Rawls, Rogers, Ross, Thorp, Tournoux and Williamson—29.

NOES—Alter, Badham, Bliss, Brock, Callahan, Clowdsley, Cobb, Cottrell, Craig, Cronin, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Hunt, Jones, Kallam, Latham, Lyon, Martin, Meeker, Miller, Eleanor; Morgan, Patterson, Phillips, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—44.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of three o'clock p m. having arrived, the special order heretofore set for this hour was taken up for consideration.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Hunt moved that the vote whereby Assembly Bill No. 2363 was refused passage be reconsidered.

The roll was called.

CALL OF THE HOUSE

Pending the announcement of the vote, Mr. Hunt moved a call of the House.

Motion carried.

Time, three o'clock and thirty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 2341—An act to reduce the rates and charges of all certificated public carriers, water companies furnishing water service to the public, telephone, gas and electrical corporations furnishing telephone service, heat, light and power to the public, empowering and

directing the Railroad Commission to administer and enforce the reduction, and declaring this act to be an urgency measure.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2341 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No 1021—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to occupations to which the act applies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1021 was refused passage by the following vote:

AYES—Anglim, Bliss, Burns, Cassidy, Dempster, Gilmore, Hoffman, Hornblower, Hunt, Jones, King, Maloney, McMurray, Meehan, Miller, Eleanor, Nielsen, O'Donnell, Patterson, Rawls, Roberts, Rogers, Stannard, Tournoux, Turner and West—25.

NOES—Alter, Badham, Bowers, Boyle, Brock, Callahan, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Kallam, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, Meeker, Miller, James A., Morgan, O'Connor, Peterson, Phillips, Redwine, Robinson, C. Ray; Robinson, Samuel E, Roland, Stream, Sullivan, Thorp, Utt, Woolwine, Wright, Zion and Mr. Speaker—47.

Assembly Bill No. 1595—An act to add sections 3817b and 3817c to the Political Code, relating to the redemption of property sold to the State for delinquent taxes and authorizing suits to quiet title against the State of California for such property.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND FIVE HUNDRED NINETY-FIVE.

Assembly Bill No 1595—An act to add sections 3817b and 3817c to the Political Code, relating to the redemption of property sold to the State for delinquent taxes and authorizing suits to quiet title against the State of California for such property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1595 passed by the following vote·

AYES—Alter, Anglim, Badham, Bliss, Bowers, Callahan, Cassidy, Clowdsley Cobb, Cottrell, Craig, Crist, Cronin, Crowley Dempster, Evans, Feigenbaum, Fisher Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr Speaker—65

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Stannard moved that Assembly Bill No. 2348 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No 2348 to the Committee on Ways and Means.

Motion carried.

Assembly Bill No. 2348 ordered re-referred to Committee on Ways and Means.

HON THOMAS A MALONEY IN THE CHAIR.

At four o'clock and fifteen minutes p.m., Hon. Thomas A. Maloney, member of the Assembly from the Twentieth Assembly District, in the chair.

Assembly Bill No. 339—An act providing that any person, firm, association, or corporation, agent, superintendent or manager thereof, employing special agents, detectives or so-called spotters, before disciplining or discharging any employee upon a report by such special agent, detective or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof, and repealing an act entitled "An act providing that any public service corporation, agent, superintendent, or manager thereof, employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof," approved April 14, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 339 was refused passage by the following vote·

AYES—Anglim, Bliss, Boyle, Burns, Cassidy, Cronin, Crowley, Dempster, Gilmore, Grubbs, Hatch, Hornblower, Hunt, Jones, King, Levey, Maloney, McCarthy,

McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Roberts, Stannard, Sullivan, Thorp, Turner, West and Williamson—35

NOES—Alter, Badham, Bowers, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Field, Fisher, Frazier, Greene, Hallner, Hoffman, Kallam, Knowland, Latham, Lyon, Martin, Mayo, McBride, Miller, Eleanor; Morgan, Peterson, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stream, Tournoux, Utt, Woolwine, Wright, Zion and Mr. Speaker—42.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At four o'clock and thirty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hunt

The roll of absentees was called, and Assembly Bill No. 2363 was reconsidered by the following vote:

AYES—Anglim, Bliss, Boyle, Burns, Callahan, Cassidy, Clowdsley Cronin, Crowley, Dempster, Feigenbaum, Frazier, Gilmore, Hallner, Hoffman, Hornblower, Hunt, Jones, King, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor, Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Redwine, Rogers, Ross, Tournoux, Turner, West, Williamson and Woolwine—41

NOES—Alter, Badham, Bowers, Brock, Chatters, Cobb, Cottrell, Craig, Crist, Evans, Field, Fisher, Greene, Grubbs Hatch, Kallam, Knowland, Latham, Lyon, McBride, Meeker, Miller, James A, Morgan, Peterson, Phillips, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Thorp, Utt, Wright, Zion and Mr. Speaker—38

Assembly Bill No. 2363 ordered placed on file.

UNFINISHED BUSINESS.

CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FIVE.

Assembly Bill No. 675—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 675?

MOTION TO SET SPECIAL ORDER.

Mr. Clowdsley moved that consideration of Assembly Bill No. 675 be made a special order for Thursday, May 4, 1933, at ten o'clock a.m.

The question being on the motion for special order.

Mr. Clowdsley withdrew his motion.

The question being put: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 675?

AMENDMENT NUMBER ONE.

On page 32, lines 41 and 42, of the printed bill, as amended, strike out the following: "and interim committees thereof".

AMENDMENT NUMBER TWO.

On page 33, lines 3 and 4, of the printed bill, as amended, strike out the following: "and interim committees thereof".

AMENDMENT NUMBER THREE.

On page 33, lines 12 and 13, of the printed bill, as amended, strike out the following: "and interim committees thereof".

AMENDMENT NUMBER FOUR.

On page 33, lines 15 and 16, of the printed bill, as amended, strike out the following: "and legislative interim committees ------ Nothing", and insert in lieu thereof the following: "fifty thousand dollars ------ $50,000 00".

AMENDMENT NUMBER FIVE.

On page 33, line 17, of the printed bill, as amended, strike out the word "Nothing", and insert in lieu thereof the following. "three thousand dollars ------ $3,000.00".

AMENDMENT NUMBER SIX.

On page 33, line 23, of the printed bill, as amended, strike out the word "three", and strike out all of lines 24 and 25, and insert in lieu thereof the following: "three hundred sixty-seven thousand six hundred twelve and 64/100 dollars ------ $367,612.64".

AMENDMENT NUMBER SEVEN.

On page 33, line 27, of the printed bill, as amended, strike out the words "one hundred", and strike out all of lines 28 and 29, and insert in lieu thereof the following: "one hundred eighty-six thousand three hundred ninety-nine and 28/100 dollars ------ $186,399.28".

AMENDMENT NUMBER EIGHT.

On page 33, line 31, of the printed bill, as amended, strike out the words "one hundred", and strike out all of lines 32 and 33, and insert in lieu thereof the following: "one hundred eighty-seven thousand five hundred seventy-four and 70/100 dollars ------ $187,574.70".

AMENDMENT NUMBER NINE.

On page 33, line 35, of the printed bill, as amended, strike out the following: "ninety-two thou-", and strike out all of lines 36 and 37, and insert in lieu thereof the following: "one hundred one thousand six hundred fifty-seven and 32/100 dollars ------ $101,657.32".

AMENDMENT NUMBER TEN.

On page 33, line 40, of the printed bill, as amended, strike out the following: "one hundred thirty-", and strike out all of lines 41 and 42, and insert in lieu thereof the following: "one hundred forty-nine thousand eight hundred six and 42/100 dollars ------ $149,806.42".

AMENDMENT NUMBER ELEVEN

On page 34, line 20, of the printed bill, as amended, strike out the following: "dollars------$8,000 00", and insert in lieu thereof the following: "eight hundred fifty dollars------$8,850 00".

AMENDMENT NUMBER TWELVE.

On page 34 of the printed bill, as amended, strike out all of lines 25 and 26, and insert in lieu thereof the following: "two hundred seventy-two thousand nine hundred twenty-six dollars------$272,926 00".

AMENDMENT NUMBER THIRTEEN.

On page 34 of the printed bill, as amended, strike out all of lines 39 and 40, and insert in lieu thereof the following: "four hundred twenty-six thousand six hundred thirty dollars------$426,630.00".

AMENDMENT NUMBER FOURTEEN.

On page 34 of the printed bill, as amended, following line 40, insert the following: "Item 22½. For support of State Controller, eighteen thousand seven hundred dollars; provided, however, that this amount shall not become available unless there is transferred to the State Controller the duties of computing units of average daily attendance and apportionment of elementary, high school, and junior college funds ------$18,700.00".

AMENDMENT NUMBER FIFTEEN.

On page 34, line 47, of the printed bill, as amended, strike out the words "forty-five thousand", and strike out all of lines 48 and 49, and insert in lieu thereof the following: "one hundred seventeen thousand nine hundred twenty dollars------ $117,920 00".

AMENDMENT NUMBER SIXTEEN.

On page 35, line 3, of the printed bill, as amended, strike out the words "two hundred", and strike out all of lines 4, 5, and 6, and insert in lieu thereof the following: "two hundred twenty thousand five hundred ninety-five and 92/100 dollars, payable from the motor vehicle fuel fund------$220,595 92".

AMENDMENT NUMBER SEVENTEEN.

On page 35, line 8, of the printed bill, as amended, strike out the following: "five thou-", and strike out all of line 9, and insert in lieu thereof the word "Nothing".

AMENDMENT NUMBER EIGHTEEN.

On page 35 of the printed bill, as amended, strike out all of lines 17 and 18, and insert in lieu thereof the following "one hundred forty-five thousand seven hundred seventy dollars------$145,770.00".

AMENDMENT NUMBER NINETEEN.

On page 35, line 32, of the printed bill, as amended, strike out the word "Nothing", and insert in lieu thereof the following. "forty thousand eight hundred dollars,

but if existing statutes are amended to authorize the payment of such sum from any other source, the amount herein appropriated shall revert to the general fund of the State_____$40,800 00".

AMENDMENT NUMBER TWENTY.

On page 35, line 48, of the printed bill, as amended, strike out the following: "one million six hun-", and strike out all of lines 49 and 50, and insert in lieu thereof the following: "one million seven hundred seventy-two thousand one hundred sixty-seven and 2/100 dol-".

AMENDMENT NUMBER TWENTY-ONE.

On page 36, line 1, of the printed bill, as amended, strike out the word "meat", and strike out all of lines 2, 3, 4, and the word "control", in line 5

AMENDMENT NUMBER TWENTY-TWO.

On page 36, lines 7 and 8, of the printed bill, as amended, strike out the following: "warehouse inspection service, hay inspection service,".

AMENDMENT NUMBER TWENTY-THREE

On page 36, lines 10 and 11, of the printed bill, as amended, strike out the following: "deciduous fruit dealers service".

AMENDMENT NUMBER TWENTY-FOUR

On page 36, line 16, of the printed bill, as amended, strike out the figures "$1,622,978.26", and insert in lieu thereof the following figures: "$1,772,167.02".

AMENDMENT NUMBER TWENTY-FIVE.

On page 36 of the printed bill, as amended, strike out all of lines 19 to 25, inclusive, and insert in lieu thereof the following: "one hundred eighty-one thousand two hundred ninety-two and 38/100 dollars, payable from the Department of Agriculture fund_____$1,181,292 38".

AMENDMENT NUMBER TWENTY-SIX

On page 36, line 30, of the printed bill, as amended, strike out the following "eight hundred twenty", and insert in lieu thereof "nine hundred nine".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 36, line 37, of the printed bill, as amended, strike out the following: "$820,806.35", and insert in lieu thereof the following: "$909,806 35".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 36, line 47, of the printed bill, as amended, strike out the word "Nothing", and insert in lieu thereof the following: "five thousand dollars_____$5,000.00".

AMENDMENT NUMBER TWENTY-NINE.

On page 37 of the printed bill, as amended, following line 4, insert the following: "Item 43½. For permanent revolving fund, State Agricultural Society, Division of Exhibits of Department of Finance, one hundred thousand dollars_____$100,000.00, to be used for support of said agency; provided, however, that in the event that a similar amount is received by said agency from revenues derived from legalized horse racing, said sum shall be forthwith returned for credit to the general fund."

AMENDMENT NUMBER THIRTY.

On page 37, line 12, of the printed bill, as amended, strike out the word "Nothing", and insert in lieu thereof the following: "fifteen thousand dollars_____$15,000 00".

AMENDMENT NUMBER THIRTY-ONE.

On page 37 of the printed bill, as amended, following line 12, insert the following: "Item 45½ For support of forty-fifth district agricultural association fair (Imperial County) two thousand five hundred dollars_____$2,500 00".

AMENDMENT NUMBER THIRTY-TWO.

On page 37, line 17, of the printed bill, as amended, strike out the following: "one million two hun-", and strike out all of lines 18, 19, and 20, and insert in lieu thereof the following: "one million three hundred sixty-three thousand three hundred twenty-eight and 61/100 dollars_____$1,363,328 61".

AMENDMENT NUMBER THIRTY-THREE.

On page 37, line 23, of the printed bill, as amended, following the comma, insert the following: "one hundred thousand dollars".

AMENDMENT NUMBER THIRTY-FOUR.

On page 37, line 24, of the printed bill, as amended, strike out the word "Nothing", and insert in lieu thereof the following: "$100,000.00".

AMENDMENT NUMBER THIRTY-FIVE.

On page 37, line 29, of the printed bill, as amended, strike out the following: "seventy-two thousand five", and strike out all of line 30, and insert in lieu thereof the following: "eighty-eight thousand fifty-two and 80/100 dollars_____$88,052.80".

AMENDMENT NUMBER THIRTY-SIX.

On page 37, line 41, of the printed bill, as amended, strike out the following: "four hun-", and strike out all of line 42, and insert in lieu thereof the following: "three hundred seventy thousand dollars_____$370,000.00".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 37 of the printed bill, as amended, strike out all of lines 45 and 46, and insert in lieu thereof the following: "forty-eight thousand three hundred twenty-two and 33/100 dollars_____ $1,348,322 33".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 38, line 6, of the printed bill, as amended, strike out the following: "nine hundred ninety-five", and strike out all of lines 7 and 8, and insert in lieu thereof the following: "one million ten thousand four hundred seventeen and 7/100 dollars_____$1,010,417 07"

AMENDMENT NUMBER THIRTY-NINE.

On page 38 of the printed bill, as amended, strike out all of lines 14, 15, and 16, and insert in lieu thereof the following: "one million three hundred fifteen thousand two hundred twenty-seven and 5/100 dollars_____$1,315,227.05".

AMENDMENT NUMBER FORTY.

On page 38, line 22, of the printed bill, as amended, strike out the following: "one million eighteen thousand", and strike out all of lines 23 and 24, and insert in lieu thereof the following: "nine hundred eighty-five thousand one hundred forty and 17/100 dollars_____$985,140 17".

AMENDMENT NUMBER FORTY-ONE.

On page 38 line 27, of the printed bill, as amended, strike out the following: "including construc-", and strike out all of lines 28 to 35, inclusive, and insert in lieu thereof the word "Nothing".

AMENDMENT NUMBER FORTY-TWO.

On page 38 of the printed bill, as amended, strike out all of lines 42 and 43, and insert in lieu thereof the following: "eight thousand seven hundred fifteen and 43/100 dollars_____$1,408,715 43".

AMENDMENT NUMBER FORTY-THREE.

On page 38, line 46, of the printed bill, as amended, strike out the following: "including construction and", and strike out all of lines 47 to 52, inclusive, and insert in lieu thereof the following: "Nothing".

AMENDMENT NUMBER FORTY-FOUR.

On page 39 of the printed bill, as amended, strike out all of lines 1 and 2.

AMENDMENT NUMBER FORTY-FIVE.

On page 39, line 8, of the printed bill, as amended, strike out the following: "one million four hundred", and strike out all of lines 9 and 10, and insert in lieu thereof the following: "one million five hundred eleven thousand six hundred twenty-one and 92/100 dollars_____$1,511,621.92".

AMENDMENT NUMBER FORTY-SIX.

On page 39, line 17, of the printed bill, as amended, strike out the word "Nothing", and insert in lieu thereof the following: "one hundred fifty-one thousand eight hundred dollars_____$151,800.00".

AMENDMENT NUMBER FORTY-SEVEN.

On page 39, line 21, of the printed bill, as amended, strike out the word "Nothing", and insert in lieu thereof the following: "two hundred forty thousand dollars_____$240,000 00".

AMENDMENT NUMBER FORTY-EIGHT

On page 39 of the printed bill, as amended, strike out all of lines 24 and 25, and insert in lieu thereof the following: "dred, ninety-three thousand nine hundred seventy-six dollars_____$593,976.00".

AMENDMENT NUMBER FORTY-NINE.

On page 39 of the printed bill, as amended, strike out all of lines 31, 32 and 33, and insert in lieu thereof the following: "one million one hundred eighty thousand five hundred twenty-five and 79/100 dollars_____$1,180,525.79".

AMENDMENT NUMBER FIFTY.

On page 39, line 41, of the printed bill, as amended, strike out the following: "seven hundred sixty-seven", and strike out all of lines 42 and 43, and insert in lieu thereof the following: "seven hundred seventy-two thousand two hundred sixty-eight and 75/100 dollars_____$772,268.75".

AMENDMENT NUMBER FIFTY-ONE.

On page 39, line 49, of the printed bill, as amended, strike out the following: "two hundred twelve thousand", and strike out line 50, and insert in lieu thereof the following: "two hundred twenty-five thousand seven hundred seventy-nine and 92/100 dollars_____$225,779 92".

AMENDMENT NUMBER FIFTY-TWO.

On page 40, line 6, of the printed bill, as amended, strike out the following: "three hundred ninety thou-", and strike out all of lines 7 and 8, and insert in lieu thereof the following: "three hundred eighty-four thousand seven hundred seventy-three and 42/100 dollars_____$384,773.42".

AMENDMENT NUMBER FIFTY-THREE.

On page 40, line 20, of the printed bill, as amended, strike out the following: "one hundred six", and strike out all of lines 21 to 28, inclusive, and insert in lieu thereof the following: "one hundred eight thousand seven hundred eighteen and 96/100 dollars_____$108,718.96".

AMENDMENT NUMBER FIFTY-FOUR

On page 40 of the printed bill, as amended, following line 28, insert the following: "Item 80½. For salaries and expenses of field officers and teachers to teach handicrafts to the adult blind, Industrial Home for the Adult Blind, thirty thousand four hundred twenty-six dollars_____$30,426.00".

AMENDMENT NUMBER FIFTY-FOUR AND ONE-HALF.

On page 40, line 35, of the printed bill, as amended, strike out the words "forty-two thousand", and strike out all of lines 36 and 37, and insert in lieu thereof the following: "forty-three thousand nine hundred forty-five and 33/100 dollars _____$43,945.33".

AMENDMENT NUMBER FIFTY-FIVE.

On page 40, line 42, of the printed bill, as amended, strike out the following: "two hun-", and strike out all of lines 43 to 45, inclusive, and insert in lieu thereof the following: "three hundred one thousand three hundred thirty-nine and 21/100 dollars_____$301,339.21".

AMENDMENT NUMBER FIFTY-SIX.

On page 40, line 49, of the printed bill, as amended, strike out the following: "one hundred seventy-four", and strike out all of lines 50 and 51, and insert in lieu thereof the following: "two hundred sixteen thousand two hundred five and 78/100 dollars payable from".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 41, line 2, of the printed bill, as amended, strike out the figure "$174,187.20", and insert in lieu thereof the figure "$216,205.78".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 41 of the printed bill, as amended, strike out all of lines 5 and 6, and insert in lieu thereof the following: "six hundred ninety-eight thousand six hundred seventy-four and 16/100 dollars".

AMENDMENT NUMBER FIFTY-NINE.

On page 41, line 8, of the printed bill, as amended, strike out the following: "$648,460.80", and insert in lieu thereof the following: "$698,674.16".

AMENDMENT NUMBER SIXTY.

On page 41, line 16, of the printed bill, as amended, strike out the word "thousand", and insert in lieu thereof the following: "forty-six thousand five hundred sixty-four and 99/100".

AMENDMENT NUMBER SIXTY-ONE

On page 41, line 17, of the printed bill, as amended, strike out the following: "$200,000.00", and insert in lieu thereof the following. "$246,564.99".

AMENDMENT NUMBER SIXTY-TWO.

On page 41, line 45, of the printed bill, as amended, strike out the following: "two hundred", and strike out all of line 46, and the following word in line 47: "twelve", and insert in lieu thereof the following: "three hundred four thousand four hundred seventy-six and 32/100".

AMENDMENT NUMBER SIXTY-THREE.

On page 41, line 49, of the printed bill, as amended, strike out the following: "$229,312.00", and insert in lieu thereof the following: "$304,476.32".

AMENDMENT NUMBER SIXTY-FOUR.

On page 42, line 2, of the printed bill, as amended, strike out the following: "three hundred eighty", and strike out all of lines 3 and 4, and insert in lieu thereof the following: "four hundred eight thousand forty-nine and 50/100 dollars ------$408,049.50".

AMENDMENT NUMBER SIXTY-FIVE.

On page 42, lines 17 and 18, of the printed bill, as amended, strike out the following: "fifty-three thousand three hundred thirty-three", and insert in lieu thereof the following: "sixty-seven thousand two hundred forty-two".

AMENDMENT NUMBER SIXTY-SIX.

On page 42, line 19, of the printed bill, as amended, strike out the following: "$53,333.00", and insert in lieu thereof the following: "$67,242.00".

AMENDMENT NUMBER SIXTY-SEVEN.

On page 42 of the printed bill, as amended, strike out all of lines 27, 28, 29, and insert in lieu thereof the following: "dred fifty-six thousand seven hundred thirty-three and 25/100 dollars------$556,733.25".

AMENDMENT NUMBER SIXTY-EIGHT.

On page 42, line 32, of the printed bill, as amended, strike out the following: "one million six hundred", and strike out all of lines 33 and 34, and insert in lieu thereof the following: "one million nine hundred forty-four thousand four hundred and 97/100 dollars".

AMENDMENT NUMBER SIXTY-EIGHT AND ONE-HALF.

On page 42, line 36, of the printed bill, as amended, strike out the following: "$1,638,538.19", and insert in lieu thereof the following: "$1,944,400.97".

AMENDMENT NUMBER SIXTY-NINE

On page 43 of the printed bill, as amended, following line 10, insert the following: "Item 105½. For construction, improvements, equipment, and maintenance of the State Park system, Department of Natural Resources, one hundred thirty-eight thousand dollars, payable out of the State park maintenance fund----$138,000.00".

AMENDMENT NUMBER SEVENTY.

On page 43, line 14, of the printed bill, as amended, strike out the following: "one hundred thousand", and strike out all of line 15, and insert in lieu thereof the following: "eighty-two thousand five hundred dollars----$82,500.00".

AMENDMENT NUMBER SEVENTY-ONE.

On page 43, line 33, of the printed bill, as amended, strike out the word "Nothing", and insert in lieu thereof the following: "ten thousand dollars----$10,000.00".

AMENDMENT NUMBER SEVENTY-TWO.

On page 43, lines 40, 41, and 42, of the printed bill, as amended, strike out the following: "three hundred fifteen thousand two hundred one and 97/100", and insert in lieu thereof the following: "three hundred forty-three four hundred forty-nine and 25/100".

AMENDMENT NUMBER SEVENTY-THREE

On page 43, line 43, of the printed bill, as amended, strike out the following: "$315,201.97", and insert in lieu thereof the following: "$343,449.25".

AMENDMENT NUMBER SEVENTY-FOUR.

On page 43, line 52, of the printed bill, as amended, strike out the word: "Nothing", and insert in lieu thereof the following: "nine hundred sixty dollars payable from ore buyers fund----$960.00".

AMENDMENT NUMBER SEVENTY-FIVE.

On page 44, line 25, of the printed bill, as amended, after the comma insert the following: "two hundred".

AMENDMENT NUMBER SEVENTY-SIX.

On page 44, line 26, of the printed bill, as amended, strike out the following: "$25,000.00", and insert in lieu thereof the following: "$225,000.00".

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 44 of the printed bill, as amended, strike out all of lines 33 and 34, and insert in lieu thereof the following: "forty-six thousand four hundred sixty-four and 93/100 dollars----$2,146,464.93".

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 45, line 14, of the printed bill, as amended, strike out the following: "thirteen thousand", and strike out all of line 15, and insert in lieu thereof the following: "fourteen thousand six hundred eighty-six and 25/100".

AMENDMENT NUMBER SEVENTY-NINE

On page 45, line 17, of the printed bill, as amended, strike out the following: "$13,756.80", and insert in lieu thereof the following: "$14,686 25".

AMENDMENT NUMBER EIGHTY.

On page 45, line 19, of the printed bill, as amended, strike out the word "ten", and strike out all of line 20, and the following in line 21: "and 42/100", and insert in lieu thereof the following: "eleven thousand one hundred twenty-one and 82/100".

AMENDMENT NUMBER EIGHTY-ONE.

On page 45, line 23, of the printed bill, as amended, strike out the following: "$10,192.42", and insert in lieu thereof the following: "$11,121.82".

AMENDMENT NUMBER EIGHTY-TWO.

On page 45, line 25, of the printed bill, as amended, strike out the word "ten", and strike out all of line 26, and the following in line 27: "four and 98/100", and insert in lieu thereof the following: "eleven thousand five hundred eighty-five dollars".

AMENDMENT NUMBER EIGHTY-THREE.

On page 45, line 29, of the printed bill, as amended, strike out the following: "$10,794 98", and insert in lieu thereof the following: "$11,585.00".

AMENDMENT NUMBER EIGHTY-FOUR.

On page 45, line 31, of the printed bill, as amended, strike out the following: "seventy-seven", and strike out all of line 32, and the following in line 33: "and 47/100", and insert in lieu thereof the following: "eighty-two thousand sixty-seven and 57/100'.

AMENDMENT NUMBER EIGHTY-FIVE.

On page 45, line 35, of the printed bill, as amended, strike out the following: "$77,934 47", and insert in lieu thereof the following: "$82,067.57".

AMENDMENT NUMBER EIGHTY-SIX.

On page 45, line 37, of the printed bill, as amended, strike out the following: "forty-one", and strike out all of line 38, and the following in line 39: "23/100 dollars", and insert in lieu thereof the following: "thirty-nine thousand four hundred twelve and 93/100 dollars".

AMENDMENT NUMBER EIGHTY-SEVEN

On page 45, line 40, of the printed bill, as amended, strike out the figure "$41,406 23", and insert in lieu thereof the following "$39,412.93".

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 45, line 42, of the printed bill, as amended, strike out the words "thirty-six", and strike out all of line 43, and the following in line 44: "and 92/100", and insert in lieu thereof the following. "seventy thousand one hundred fifty-two and 81/100".

AMENDMENT NUMBER EIGHTY-NINE

On page 45, line 45, of the printed bill, as amended, strike out the following: "$236,242 92", and insert in lieu thereof the following: "$270,152.81".

AMENDMENT NUMBER NINETY.

On page 45, lines 47 and 48, of the printed bill, as amended, strike out the following: "eighty-nine thousand seven hundred seven dollars", and insert in lieu thereof the following: "one hundred twelve thousand four hundred eighty-seven and 22/100 dollars".

AMENDMENT NUMBER NINETY-ONE.

On page 45, line 50, of the printed bill, as amended, strike out the following: "$89,707.00", and insert in lieu thereof the following: "$112,487.22".

AMENDMENT NUMBER NINETY-TWO.

On page 46, lines 2 and 3, of the printed bill, as amended, strike out the following: "thirty-nine thousand two hundred ten and 64/100", and insert in lieu thereof the following: "fifty-seven thousand seven hundred sixty-one and 97/100".

AMENDMENT NUMBER NINETY-THREE.

On page 46, line 4, of the printed bill, as amended, strike out the following: "$39,210.64", and insert in lieu thereof the following: "$57,761 97".

AMENDMENT NUMBER NINETY-FOUR.

On page 46 of the printed bill, as amended, strike out all of line 7, and the following in line 8: "and 36/100", and insert in lieu thereof the following: "two thousand four hundred thirty-one and 88/100".

AMENDMENT NUMBER NINETY-FIVE.

On page 46, line 10, of the printed bill, as amended, strike out the following: "$30,658.36", and insert in lieu thereof the following: "$32,431.88".

AMENDMENT NUMBER NINETY-SIX.

On page 46, line 12, of the printed bill, as amended, strike out the words "seventy thousand", and strike out all of line 13, and insert in lieu thereof the following: "ninety-nine thousand four hundred sixty-three and 82/100".

AMENDMENT NUMBER NINETY-SEVEN.

On page 46, line 15, of the printed bill, as amended, strike out the following: "$70,369.17", and insert in lieu thereof the following: "$99,463.82".

AMENDMENT NUMBER NINETY-EIGHT.

On page 46, lines 17 and 18, of the printed bill, as amended, strike out the following: "nine thousand one hundred four and 12/100", and insert in lieu thereof the following: "nine thousand six hundred sixty-seven and 67/100".

AMENDMENT NUMBER NINETY-NINE.

On page 46, line 19, of the printed bill, as amended, strike out the following: "$9,104 12", and insert in lieu thereof the following: "$9,667.67".

AMENDMENT NUMBER ONE HUNDRED

On page 46, lines 21 and 22, of the printed bill, as amended, strike out the following: "eighty-five thousand seven hundred two and 34/100", and insert in lieu thereof the following: "ninety-three thousand sixty-seven and 21/100".

AMENDMENT NUMBER ONE HUNDRED ONE.

On page 46, line 24, of the printed bill, as amended, strike out the following: "$85,702.34", and insert in lieu thereof the following: "$93,067.21".

AMENDMENT NUMBER ONE HUNDRED TWO.

On page 46 of the printed bill, as amended, strike out all of line 27, and insert in lieu thereof the following: "thousand three hundred three and 14/100".

AMENDMENT NUMBER ONE HUNDRED THREE.

On page 46, line 30, of the printed bill, as amended, strike out the following: "$4,464.00", and insert in lieu thereof the following: "$4,303 14".

AMENDMENT NUMBER ONE HUNDRED FOUR.

On page 46, line 33, of the printed bill, as amended, strike out the following: "six hundred thirty", and insert in lieu thereof the following: "seventy-five".

AMENDMENT NUMBER ONE HUNDRED FIVE.

On page 46, line 34, of the printed bill, as amended, strike out the following: "$18,630 00", and insert in lieu thereof the following: "$18,075.00".

AMENDMENT NUMBER ONE HUNDRED SIX.

On page 46, lines 36 and 37, of the printed bill, as amended, strike out the following: "twelve thousand four hundred", and insert in lieu thereof the following: "eleven thousand three hundred sixty-one and 59/100".

AMENDMENT NUMBER ONE HUNDRED SEVEN.

On page 46, line 39, of the printed bill, as amended, strike out the following: "$12,400.00", and insert in lieu thereof the following: "$11,361 59".

AMENDMENT NUMBER ONE HUNDRED EIGHT.

On page 46, line 46, of the printed bill, as amended, strike out the following: "three hun-", and strike out all of line 47 and insert in lieu thereof the following: "four hundred and one thousand six hundred twelve".

AMENDMENT NUMBER ONE HUNDRED NINE

On page 46, line 48, of the printed bill, as amended, strike out the following: "$395,012.00", and insert in lieu thereof the following: "$401,612.00."

AMENDMENT NUMBER ONE HUNDRED TEN.

On page 47, line 30, of the printed bill, as amended, strike out the words "thirty-six", and insert in lieu thereof the words "ninety-one".

AMENDMENT NUMBER ONE HUNDRED ELEVEN

On page 47, line 32, of the printed bill, as amended, strike out the following: "$236,226.22", and insert in lieu thereof the following: "$291,226.22".

AMENDMENT NUMBER ONE HUNDRED TWELVE.

On page 49, line 10, of the printed bill, as amended, after the word "that", insert the following. "one-half of".

AMENDMENT NUMBER ONE HUNDRED THIRTEEN.

On page 49, line 18, of the printed bill, as amended, after the word "and", insert the following: "the balance thereof until".

AMENDMENT NUMBER ONE HUNDRED FOURTEEN

On page 49, line 19, of the printed bill, as amended, after the figure "($6,000.00)", insert the following: "shall have been paid and deposited in trust with the State Treasurer".

AMENDMENT NUMBER ONE HUNDRED FIFTEEN.

On page 50, line 3, of the printed bill, as amended, strike out the word "six", and insert in lieu thereof the words "forty-two".

AMENDMENT NUMBER ONE HUNDRED SIXTEEN.

On page 50, lines 4 and 5, of the printed bill, as amended, strike out the following: "nine hundred fifty-seven and 75/100", and insert in lieu thereof the following: "five hundred ninety-five and 11/100".

AMENDMENT NUMBER ONE HUNDRED SEVENTEEN.

On page 50, line 6, of the printed bill, as amended, strike out the following. "$2,706,957.75", and insert in lieu thereof the following: "$2,742,595.11".

AMENDMENT NUMBER ONE HUNDRED EIGHTEEN.

On page 50, line 38, of the printed bill, as amended, strike out the words "five hundred", and strike out all of lines 39 and 40, and insert in lieu thereof the following. "four hundred ninety-three thousand three hundred fifty-five dollars ------$493,355.00".

AMENDMENT NUMBER ONE HUNDRED NINETEEN.

On page 50, line 46, of the printed bill, as amended, strike out the words "nineteen thou-", and strike out all of line 47, and insert in lieu thereof the following. "twenty-four thousand four hundred thirty-six and 04/100 dollars------$24,436.04".

AMENDMENT NUMBER ONE HUNDRED TWENTY.

On page 51, line 2, of the printed bill, as amended, strike out the words "two hundred fifty-three", and all of line 3, and the following in line 4, "and 50/100", and insert in lieu thereof the following: "three hundred four thousand eight hundred ninety-two and 56/100".

AMENDMENT NUMBER ONE HUNDRED TWENTY-ONE.

On page 51, line 8, of the printed bill, as amended, strike out the following "$253,837 50", and insert in lieu thereof the following: "$304,892 56".

AMENDMENT NUMBER ONE HUNDRED TWENTY-TWO

On page 51, line 13, of the printed bill, as amended, strike out the words "four hundred", strike out all of line 14, and the following in line 15: "and 50/100", and insert in lieu thereof the following: "five hundred fifteen thousand one hundred ninety-three and 32/100".

AMENDMENT NUMBER ONE HUNDRED TWENTY-THREE.

On page 51, line 19, of the printed bill, as amended, strike out the following "$403,312.50", and insert in lieu thereof the following "$515,193 32".

AMENDMENT NUMBER ONE HUNDRED TWENTY-FOUR.

On page 51, line 24, of the printed bill, as amended, strike out the following word "fifty-"; strike out all of line 25, and insert in lieu thereof the following: "nine-seven thousand four hundred fifty-two and 79/100"

AMENDMENT NUMBER ONE HUNDRED TWENTY-FIVE

On page 51, line 29, of the printed bill, as amended, strike out the figure "$159,555 00", and insert in lieu thereof the following: "$197,452 79".

AMENDMENT NUMBER ONE HUNDRED TWENTY-SIX

On page 51, line 34, of the printed bill, as amended, strike out the words "three hundred"; strike out all of line 35, and the following word in line 36: "eighty", and insert in lieu thereof the following: "four hundred thirty-seven thousand one hundred seventeen and 96/100".

AMENDMENT NUMBER ONE HUNDRED TWENTY-SEVEN.

On page 51, line 40, of the printed bill, as amended, strike out the figure "$361,380.00", and insert in lieu thereof the following: "$437,117.96".

AMENDMENT NUMBER ONE HUNDRED TWENTY-EIGHT.

On page 51, line 45, of the printed bill, as amended, strike out the following words "three hundred sev-"; strike out all of line 46, and the following in line 47: "sixty-seven and 50/100", and insert in lieu thereof the following: "four hundred fifty-four thousand three hundred fifty-one and 51/100".

AMENDMENT NUMBER ONE HUNDRED TWENTY-NINE.

On page 51, line 51, of the printed bill, as amended, strike out the figure "$377,467 50", and insert in lieu thereof the following: "$454,351 51".

AMENDMENT NUMBER ONE HUNDRED THIRTY.

On page 52, line 5, of the printed bill, as amended, strike out the following words: "five hundred six thou-"; strike out all of line 6, and the following in line 7: "51/100", and insert in lieu thereof the following: "six hundred twenty-two thousand three hundred fifty-four and 68/100".

AMENDMENT NUMBER ONE HUNDRED THIRTY-ONE

On page 52, line 11, of the printed bill, as amended, strike out the following figure "$506,752 50", and insert in lieu thereof the following "$622,354 68".

AMENDMENT NUMBER ONE HUNDRED THIRTY-TWO.

On page 52 of the printed bill, as amended, strike out all of line 24, and the following in line 25: "sixty-seven and 50/100", and insert in lieu thereof the following: "eighty-two thousand one hundred fifty-eight and 33/100".

AMENDMENT NUMBER ONE HUNDRED THIRTY-THREE.

On page 52, line 29, of the printed bill, as amended, strike out the figure "$227,467.50", and insert in lieu thereof the following: "$282,158.33".

AMENDMENT NUMBER ONE HUNDRED THIRTY-FOUR.

On page 53, line 10, of the printed bill, as amended, strike out the word "Nothing", and insert in lieu thereof the following: "twenty-five thousand dollars_____$25,000.00".

AMENDMENT NUMBER ONE HUNDRED THIRTY-FIVE.

On page 53 of the printed bill, as amended, strike out all of lines 11 to 15, inclusive.

AMENDMENT NUMBER ONE HUNDRED THIRTY-SIX.

On page 53, lines 17, 18 and 19, of the printed bill, as amended, strike out the following "eleven million two hundred five thousand five hundred fifty dollars", and insert in lieu thereof the following: "eleven million one hundred seventy-nine thousand eight hundred eighty-three dollars"

AMENDMENT NUMBER ONE HUNDRED THIRTY-SEVEN.

On page 53, line 24, of the printed bill, as amended, strike out the figure "$11,205,550 00", and insert in lieu thereof the following: $11,179,883.00".

AMENDMENT NUMBER ONE HUNDRED THIRTY-EIGHT.

On page 53 of the printed bill, as amended, following line 24, insert the following:

"Item 190A—For support of agricultural extension work, University of California, six hundred forty-eight thousand dollars_____ $648,000 00

Item 190B—For support extension courses, University of California, fifty thousand dollars_____ $50,000 00".

AMENDMENT NUMBER ONE HUNDRED THIRTY-NINE

On page 53, line 25, of the printed bill, as amended, strike out the figure "190½", and insert in lieu thereof the following: "190C".

AMENDMENT NUMBER ONE HUNDRED FORTY.

On page 53 of the printed bill, as amended, strike out all of lines 44 and 45, and insert in lieu thereof the following: "ninety-seven thousand fifty-eight dollars_____ $1,297,058.00".

AMENDMENT NUMBER ONE HUNDRED FORTY-ONE.

On page 54, line 19, of the printed bill, as amended, strike out the following: "five million fifty-three", strike out all of line 20, and insert in lieu thereof the following, "six million three hundred eighty-eight thousand five hundred thirty-six".

AMENDMENT NUMBER ONE HUNDRED FORTY-TWO.

On page 54, line 22, of the printed bill, as amended, strike out the figure "$5,053,125 00", and insert in lieu thereof the following: "$6,388,536 00".

AMENDMENT NUMBER ONE HUNDRED FORTY-THREE.

On page 54 of the printed bill, as amended, strike out all of lines 24 to 33, inclusive.

AMENDMENT NUMBER ONE HUNDRED FORTY-FOUR.

On page 55, line 2, of the printed bill, as amended, strike out the word "Nothing", and insert in lieu thereof the following: "nine thousand dollars_____ $9,000.00".

AMENDMENT NUMBER ONE HUNDRED FORTY-FIVE.

On page 55 of the printed bill, as amended, following line 7, insert the following: "Item 202—For special emergency fund, two hundred fifty thousand dollars_____ $250,000.00 (exempt from section 4 of this act) to be expended only on written authorization of the State Department of Finance for augmentation of the appropriations for support of the State prisons, State hospitals, and other State institutions, when and if commodity prices increase during the eighty-fifth and eighty-sixth fiscal years."

AMENDMENT NUMBER ONE HUNDRED FORTY-SIX.

On page 55 of the printed bill, as amended, following line 13, insert the following: "SECTION 1a. It is further provided that the Division of Highways and the Division of Contracts and Rights of Way, Department of Public Works, may expend for administration during the eighty-fifth and eighty-sixth fiscal years a total sum not to exceed one million eight hundred twenty-four thousand one hundred one and 84/100 dollars ($1,824,101.84), the same to be expended from the State highway maintenance fund as appropriated therefor by other provisions of law."

AMENDMENT NUMBER ONE HUNDRED FORTY-SEVEN.

On page 6 of the printed bill, as amended, strike out all of lines 31, 32, 33, 34, and to and including the comma in line 35.

AMENDMENT NUMBER ONE HUNDRED FORTY-EIGHT.

On page 8, lines 3, 4 and 5, of the printed bill, as amended, strike out the words "fifty-five thousand sixty-one and 60/100 dollars_____$55,061.60", and insert in lieu thereof "Fifteen thousand dollars_____$15,000.00."

AMENDMENT NUMBER ONE HUNDRED FORTY-NINE

On page 4, lines 21 and 22, of the printed bill, as amended, strike out the words "two hundred seventy-two thousand nine hundred twenty-six_____$272,926.00," and insert in lieu thereof "two hundred fifty-one thousand nine hundred forty-four dollars_____$251,944.00".

AMENDMENT NUMBER ONE HUNDRED FIFTY.

On page 8, lines 29 and 30, of the printed bill, as amended, strike out the words "clothes cleaning establishment fund", and insert in lieu thereof the following: "State Fire Marshal's fund".

AMENDMENT NUMBER ONE HUNDRED FIFTY-ONE.

On page 12 of the printed bill, as amended, strike out line 51; and on page 13, strike out lines 1 and 2 and insert in lieu thereof "two hundred eighty thousand two hundred forty dollars_____$280,240.00."

AMENDMENT NUMBER ONE HUNDRED FIFTY-TWO.

On page 13, line 41, of the printed bill, as amended, strike out the word "Nothing", and insert in lieu thereof the following: "eleven thousand five hundred dollars, payable from Veterans' Farm and Home Building fund_____$11,500.00".

AMENDMENT NUMBER ONE HUNDRED FIFTY-THREE.

On page 14 of the printed bill, as amended, strike out lines 52 and 53, and insert in lieu thereof the following: 'dred seventy-four thousand two hundred thirty-three and 25/100 dollars_____$574,233.25".

AMENDMENT NUMBER ONE HUNDRED FIFTY-FOUR

On page 16, line 39, of the printed bill, as amended, after the word "buyers'", insert the word "license".

AMENDMENT NUMBER ONE HUNDRED FIFTY-FIVE.

On page 16, line 47, of the printed bill, as amended, strike out the word "Nothing", and insert in lieu thereof the figures "$5,000.00".

AMENDMENT NUMBER ONE HUNDRED FIFTY-SIX

On page 7, line 51, of the printed bill, as amended, strike out the period after the word "fund", and insert a comma and the following: "Provided further, that in any event said sum shall be returned to the general fund not later than November 1, 1935".

AMENDMENT NUMBER ONE HUNDRED FIFTY-SEVEN.

On page 28 of the printed bill, as amended, strike out all of lines 16 to 26, inclusive

AMENDMENT NUMBER ONE HUNDRED FIFTY-EIGHT.

On page 28 of the printed bill, as amended, strike out all of lines 27 to 36, inclusive.

AMENDMENT NUMBER ONE HUNDRED FIFTY-NINE.

On page 22, line 33, of the printed bill, as amended, following the word "agencies", insert the following "to be expended under the authority and direction of the State Department of Public Works".

AMENDMENT NUMBER ONE HUNDRED SIXTY.

On page 27 of the printed bill, as amended, strike out lines 40 and 41, and insert in lieu thereof, "six hundred ninety-eight thousand dollars ..... $698,000.", and strike out lines 42, 43 and 44.

AMENDMENT NUMBER ONE HUNDRED SIXTY-ONE

On page 2 of the printed bill, as amended, following line 36, insert the following: "Item 5½—For salaries of Senators and Assemblymen, two hundred eighty-eight thousand dollars.....$288,000.00".

AMENDMENT NUMBER ONE HUNDRED SIXTY-TWO.

On page 24, line 18, of the printed bill, as amended, strike out the words "four hundred", strike out all of lines 19 and 20, and insert in lieu thereof the following: "six hundred twenty-three thousand three hundred fifteen and 57/100 dollars; provided, however, that if any law enacted during the fiftieth session of the Legislature abolishes any of the following divisions or activities of the State Department of Education, the amount hereinafter set forth following the name of such division or activity shall revert to the general fund upon the date when such law becomes effective Division of Research and Statistics, forty-nine thousand nine hundred twenty-eight dollars and fifty-one cents, Division of Schoolhouse Planning, thirty-three thousand four hundred thirty-three dollars and ninety-seven cents; Division of Adult Education, twenty-eight thousand six hundred ninety-six dollars and seventy-two cents, Division of Physical Education, nine thousand nine hundred fifty-two dollars and fifty-one cents, and California Historical Association, seven thousand nine hundred thirty-eight dollars and eighty-six cents.....$623.315 57."

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

Motion carried.

Time, six o'clock and thirty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—78.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 255—An act to amend section 2192 of the Political Code,

requiring counties to pay the State only for the actual time that feeble-minded are inmates of the State home;

Also: Assembly Bill No. 723—An act to amend sections 4320, 4321 and 4322 and repeal sections 4323 to 4334, both inclusive, of the School Code, all relating to school warrants registered for want of funds,

Also: Assembly Bill No 852—An act to amend section 990 of the Fish and Game Code, relating to commercial fishing licenses;

Also: Assembly Bill No 1495—An act to amend section 1 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, relating to convict labor;

Also: Assembly Bill No 1771—An act to amend section 4110 of the Political Code, relating to presentation and payment of warrants by the county treasurer and the duties of the auditor in relation thereto;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1805—An act to regulate the practice of auctioneering and to license, regulate and supervise persons engaged in the business of or acting as auctioneers;

Also: Assembly Bill No 1841—An act to amend sections 2180, of the Political Code, relating to the support of insane persons and inebriates,

Also: Assembly Bill No 2366—An act to amend sections 5650, 5653 and 5661 of the School Code, relating to permanent employees;

Also: Assembly Bill No. 2401—An act to provide for the postponement of the collection of assessments levied to pay principal or interest due on bonds issued under the authority of the Acquisition and Improvement Act of 1925 during the existence of an economic emergency;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 123—An act to amend section 204e of and to add sections 204f and 204g to the Code of Civil Procedure, relating to the secretary and assistant secretaries of the superior court—and reports that the same has been correctly re-re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 700—An act relating to State officers and employees in the executive branch of the State government and the classification of, certification or authorization and appointment to, and allocation within, State executive positions and the fixing of salary ranges therefor and graduated emergency salary reductions, and creating the State Personnel Board and prescribing its powers, purposes, duties and jurisdiction;

Also: Assembly Bill No. 900—An act to amend section 9 of the Workmen's Compensation Insurance and Safety Act of 1917, relating to compensation provided under said act;

Also: Assembly Bill No 1806—An act to add to the School Code new sections to be numbered 2.1112, 2.1113, 2.1114, 2.1115, 2.1116, 2.1117 and 2.1118, and to amend School Code section 4.970; relating to public schools, school districts, the powers and duties of the governing boards of school districts, and the authorizing of any elementary district to permit the governing board of the high school district within which any such elementary district is located, to manage, operate and control

the elementary schools within such elementary district together with the high schools of the high school district as a single school district system;

Also: Assembly Bill No. 2094—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal Reclamation Laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contract," approved May 5, 1917, as amended, by amending the title section 1 thereof, and adding a new section to be designated section 11, to authorize the borrowing or procuring of money by irrigation districts from the United States or any agency thereof;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 41—Relative to the establishment of the twenty-eighth day of August, 1934, as "Junipero Serra Day";

Also: Assembly Concurrent Resolution No. 42—Relative to the establishment of the year 1934 as "Junipero Serra Year";

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported Assembly concurrent resolutions ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1172—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the disposition of the receipts thereunder—and reports that the same has been correctly re-re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 333—An act to amend section 613 of the Fish and Game Code, relating to trout;

Also: Assembly Bill No. 491—An act to add two new sections to the School Code, to be numbered 4 769 and 4.929, and to amend section 4 950 of said code, relating to the computation of average daily attendance in public schools;

Also: Assembly Bill No. 536—An act to add section 459 to the Fish and Game Code, relating to mammals kept in captivity;

Also: Assembly Bill No. 754—An act to amend section 338 of the Code of Civil Procedure, relating to limitations of actions;

Also: Assembly Bill No. 1109—An act to amend section 19x11 of the "Juvenile Court Law," relating to probation officers in counties of the eleventh class;

Also: Assembly Bill No. 1110—An act to amend section 16x11 of the "Weights and Measures Act," relating to sealers of weights and measures in counties of the eleventh class;

Also: Assembly Bill No. 1111—An act to amend section 2322x11 of the Political Code, relating to the office of agricultural commissioner in counties of the eleventh class;

Also: Assembly Bill No. 1112—An act to amend section 4240 of the Political Code, relating to compensation of county and township officers in counties of the eleventh class;

Also: Assembly Bill No. 1147—An act to add a new section to the Agricultural Code, to be numbered 62 5, relating to county agricultural commissioners;

Also: Assembly Bill No. 1163—An act to add a new section to the Fish and Game Code, to be numbered 1323, relating to muskrats;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this third day of May, 1933, at three o'clock p m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1257—An act to amend section 1177 of the Fish and Game Code and to add thereto a new section to be numbered 1203 5, relating to game;

Also: Assembly Bill No. 1260—An act to amend section 489 of the Fish and Game Code, relating to the taking of fish near spawn-taking stations;

Also: Assembly Bill No 1280—An act to amend sections 452a, 452c, 452d, 452f, and 453 of the Civil Code, all relating to mutual benefit and life associations;

Also: Assembly Bill No 1353—An act to add sections 363r, 363s, 363t, 363u, 363v, 363w, 363x, 363y, 363z, 363aa and 363bb to the Political Code, to amend section 363h of the Political Code, and to repeal sections 365, 365a, 365b, 365c, 365d, 365e, 365f, and 365m, all relating to State roads and highways, and the powers and duties of the Director of Public Works, Department of Public Works, and California Highway Commission in respect thereto;

Also: Assembly Bill No. 1358—An act to add two new sections to the Political Code, to be numbered 363ee and 363ff, relating to the powers and duties of the Director of Public Works;

Also: Assembly Bill No. 1359—An act to amend section 588c of the Penal Code, relating to the injury, defacement or removal of monuments or stakes placed, erected or used by the Department of Public Works, its officers or employees, on or along any State road or highway, or in connection with State road or highway work, and prescribing a penalty for the violation of such section;

Also: Assembly Bill No 1502—An act to add a new section to be numbered 726a to the Code of Civil Procedure, relating to actions to enforce obligations secured by mortgage on real or personal property situated outside of California;

Also: Assembly Bill No. 1506—An act to amend the title and section 1 of an act entitled "An act declaring the improved county road extending from Rio Vista to Lodi to be a State highway," approved June 3, 1921;

Also: Assembly Bill No. 1526—An act to amend section 379 of the Fish and Game Code, relating to Federal preserves;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this third day of May, 1933, at three o'clock p.m

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1729—An act to amend sections 32 and 34 of the Joint Highway District Act, approved June 17, 1931;

Also: Assembly Bill No. 1761—An act to amend section 250 of the Fish and Game Code, relating to clam preserves;

Also: Assembly Bill No. 1763—An act to amend sections 76, 808, 809 and 810 of the Fish and Game Code and to add thereto section 808.5, relating to fish and game;

Also: Assembly Bill No. 1769—An act to amend section 730 of the Fish and Game Code, relating to halibut;

Also: Assembly Bill No. 1982—An act to amend section 459 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 1983—An act to amend section 476 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No 2301—An act to amend sections 658 and 660 of the Fish and Game Code, relating to salmon;

Also: Assembly Bill No. 2346—An act to repeal an act entitled "An act to create a Board of Harbor Commissioners for the port of San Jose on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees and to appropriate money to carry this act into effect," approved June 14, 1913;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this third day of May, 1933, at three o'clock p.m.

PATTERSON, Chairman.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No 1897—An act to amend sections 274, 275, 276, 278, 279 and 281 of the Political Code, relating to elections—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ALTER, Chairman.

The above reported bill ordered on file for second reading.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 75—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter numbered 8, embracing sections 1299 to 1299 6, inclusive, relating to the licensing and regulation of traveling merchants and providing penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 1261—An act to amend section 106 of the Penal Code, relating to the penalty for attempting to escape from prison—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1914—An act to allow unincorporated territory within a county to establish equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection, custody and disbursement of taxes, for such purposes and to create a board of police commissioners—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1007—An act to amend section 7 of an act entitled "An act authorizing the establishing of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts;

Also: Assembly Bill No. 880—An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities of the second and one-half class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LEVEY, Chairman.

The above reported bills ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 826—An act to amend sections 12 and 13 of the Direct Primary Law, relating to choice of party ballots at primary elections—has had the same under

consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ALTER, Chairman.

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1014—An act to amend section 270 of, and to add three new sections to be numbered 270a, 270b, and 270c, to the Code of Civil Procedure, relating to phonographic reporters for the superior court;

Also: Assembly Bill No. 409—An act to amend section 274 of the Code of Civil Procedure, relating to compensation of official reporters of the superior court;

Also, Assembly Bill No. 2295—An act to add a new section to be numbered 270a to the Code of Civil Procedure, relating to official reporters;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

LEVEY, Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1253—An act to add a new section to the Fish and Game Code to be numbered 1203 6, relating to pheasants—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

ZION, Chairman

The above reported bill ordered on file for second reading

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER SACRAMENTO, May 3, 1933

MR SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 1139—An act to provide for the payment of attorney fees by the county to attorneys for representing defendants charged with crime who are without funds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933

MR SPEAKER Your Committee on Elections, to which was referred Senate Bill No. 965—An act to amend section 1106 of the Political Code, relating to registration of electors and conduct of elections;

Also: Senate Bill No 695—An act to amend sections 1358, 1359, 1361 and 1362 of the Political Code, relating to elections and absent voting;

Also: Senate Bill No. 927—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the motor vehicle fuel fund;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ALTER, Chairman.

The above reported bills ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 199—An act to amend sections 737d, 737yy, 737zz and 737fff of the Political Code, relating to superior judges;

Also: Senate Bill No 200—An act to amend section 737k of the Political Code, relating to the superior judge in and for the county of Glenn,

Also. Senate Bill No 218—An act to amend section 737bb of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Napa;

Also. Senate Bill No. 380—An act granting to the City and County of San Francisco certain land within the limits of Lewis Street in the City and County of San Francisco, State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LEVEY, Chairman.

The above reported bills ordered on file for second reading.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR SPEAKER: Your Committee on Crime Problems, to which was referred Senate Bill No. 469—An act to amend section 1027 of the Penal Code, relating to alienists—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 916—An act to amend section 737q of the Political Code, relating to the salaries of judges of the superior courts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 712—An act to amend sections 737mm and 737hh of the Political Code, relating to the compensation of the judges of the superior court in and for the county of San Joaquin and the county of Sacramento—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LEVEY, Chairman

The above reported bill ordered on file for second reading.

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred Assembly Bill No. 941—An act to provide for the charging of fees for admission to Sutter's Fort, and for the disposition of such fees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 30—Relative to requesting the

Governor to apply to the Reconstruction Finance Corporation for a loan of moneys to finish incomplete highway projects.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Concurrent Resolution No. 30 read first time, and referred to Committee on Roads and Highways.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 108—An act to add a new section to the Code of Civil Procedure, to be numbered 692a, relating to deficiency judgments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No 108 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 31—Approving certain amendments to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighteenth day of April, 1933.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary

Senate Concurrent Resolution No. 31 read first time, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1109—An act to repeal sections 2.1391, and 2.1398 of the School Code, to repeal Chapter IV of Part I of Division IV of said code, embracing sections 4.60, 4.70, and 4.71, and to repeal an act entitled "An act relating to the finances of the State Board of Education," approved May 4, 1929, thereby abolishing the State schoolbook fund, providing for the transfer of any moneys remaining therein to the general fund, and making an appropriation for the support of the textbook division.

Also: Senate Bill No. 832—An act to add section 491 to the Vehicle Code, relating to reports on vehicle accidents;

Also: Senate Bill No. 878—An act to amend section 1446 of the Penal Code, relating to imprisonment for fine;

Also: Senate Bill No. 265—An act to amend section 4257 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-eighth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

Senate Bill No 1109 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No 832 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 878 read first time, and referred to Committee on Judiciary.

Senate Bill No. 265 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Jones, Perry and Tickle, as a Committee on Free Conference, to meet a like committee from the Assembly to consider Assembly amend-

ments to Senate Concurrent Resolution No. 20—Relative to the sale of the annotated edition of the State Constitution.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

California State Chamber of Commerce—Charles G. Dunwoody.

ARTHUR A. OHNIMUS, Chief Clerk.

HON. PERCY G. WEST IN THE CHAIR.

At seven o'clock and four minutes p. m., Hon. Percy G. West, member of the Assembly from the Ninth Assembly District, in the chair.

MOTION.

Mr. Woolwine moved that the report of the Committee on Public Morals and resolution by Mr. Woolwine, appearing on page 55 of the Journal of Monday, May 1, 1933, be adopted.

The question being on the adoption of the report and resolution.

MOTION TO RE-REFER.

Mr. Hornblower moved that the report and resolution be re-referred to the Committee on Public Morals.

The question being on re-referring the report and resolution to the Committee on Public Morals.

Motion carried.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2394—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto, providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Bliss:

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, after the period following the word "county", add the following: "The term shall not include carriers operating exclusively within the limits of a single incorporated city or city and county, nor shall it include persons rendering casual transportation services as an accommodation and not in the usual and ordinary course of business of such persons; provided that should either of these exceptions be hereafter declared unconstitutional, the Legislature hereby declares that it would not have passed this act except by reason of these exceptions.

(g) The term "certificated highway carrier" when used in this act means every highway carrier operating as a common carrier subject to regulation as such by the Railroad Commission under the provisions of Chapter 213 of the Statutes of 1917, as amended.

(h) The term "highway contract carrier" when used in this act means every highway carrier other than a common carrier

(i) The term "highway common carrier" when used in this act means every highway carrier operating as a common carrier but not subject to regulation as such

by the Railroad Commission under the provisions of Chapter 213 of the Statutes of 1917, as amended.

(j) This act shall not apply to the transportation of farm, dairy, horticultural or viticultural products between the farm or orchard and the creamery, packing house, cannery, processing plant or nearest common carrier receiving station."

AMENDMENT NUMBER TWO.

On page 2, line 4, of the printed bill, after the word "discrimination," strike out the comma, and insert in lieu thereof a period, and strike out the balance of line 4, and all of lines 5 and 6

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 13 to 45, both inclusive, and insert in lieu thereof the following:

"SEC. 4. No highway carrier shall hereafter begin to operate any motor vehicle for the transportation of property for compensation or hire over any public highway of this State without first having obtained from the Railroad Commission a permit or certificate as hereinafter required; provided, however,

(a) No such permit or certificate shall be required of any certificated highway carrier as hereinbefore defined which is operating as such at the time this act becomes effective.

(b) No such permit or certificate shall be required of any person, firm or corporation operating on May 1, 1933, or within one year prior thereto, as a common carrier of property for compensation or hire by motor vehicle but not operating over regular routes or between fixed termini on a fixed and regular schedule between the same points and over the routes served by any certificated highway carrier; provided he or it shall file with the commission within ninety days after the effective date of this act a verified statement of the exact nature and extent of his or its operations, and shall thereafter be subject to all of the requirements of Chapter 213 of the Statutes of 1917, as amended, applicable to carriers certificated thereunder, except as to operations over regular routes or between fixed termini; but no such person, firm or corporation shall henceforth begin such operations or extend the same to include any regular route or fixed termini without securing from the commission a certificate and making the same showing therefor as required of certificated highway carriers, and thereafter becoming subject to the said act.

(c) No such permit or certificate shall be required of any person, firm or corporation for continuing operation of such business as he or it was actually operating as a highway contract carrier on May 1, 1933, or within one year prior thereto; provided, that such person, firm or corporation shall, within three months after the effective date of this act, as a condition precedent to the right to continue said operations, file with the Railroad Commission a verified statement in such form as the commission may prescribe, setting forth the exact character and extent of said operations."

AMENDMENT NUMBER FOUR.

On page 2, line 51, of the printed bill, after the word "show", strike out the remainder of line 51, and all of line 52, and all of line 1 on page 3, to and inclusive of the comma after the word "certificate".

AMENDMENT NUMBER FIVE.

On page 3, line 3, of the printed bill, after the word "used", strike out the comma, and insert in lieu thereof a period, and thereafter strike out everything to and including the period in line 8 after the word "applicant", and insert in lieu thereof the following: "and would be consistent with the public interest".

AMENDMENT NUMBER SIX.

On page 3, line 17, of the printed bill, after the period following the word "corporation", insert the following: "Any operating permit, certificate or other operative right not exercised for a period of one year shall lapse and terminate."

AMENDMENT NUMBER SEVEN.

On page 3, line 18, of the printed bill, after the word "shall", strike out the balance of the line, and in line 19, strike out "ity to", preceding the word "grant"

AMENDMENT NUMBER EIGHT.

On page 3, line 26, of the printed bill, strike out the word "highway", after the word "existing".

AMENDMENT NUMBER NINE

On page 3, line 14, of the printed bill, after the word "permit", insert the words "and every prescriptive operative right established under section 4 of this act".

AMENDMENT NUMBER TEN.

On page 4 of the printed bill, strike out lines 32 to 43, both inclusive, and insert in lieu thereof the following:

"Sec. 10. (a) The commission shall from time to time establish minimum rates for the hauling of the various commodities and for the various kinds of serv-

ice by highway carriers, consistent with the public interest, in all cases where such hauling is between points served by any common carrier, and for a type of service substantially the same as that offered by any common carrier; and it shall be unlawful for any highway carrier to charge or collect any lesser rate so established for substantially the same service over substantially the same route; provided that should any highway carrier desire to perform such transportation service at a lesser rate, upon showing to the commission that the proposed rate is reasonable, such carrier shall be allowed to charge such rate. In establishing the minimum rates for highway carriers, the commission shall establish only such minimum rates as will maintain a reasonably competitive relationship between the rates of said highway carriers and the rates of all carriers on file with the commission under the provisions of this or any other statute for substantially similar service in the same territory and between the same points."

AMENDMENT NUMBER ELEVEN.

On page 4 of the printed bill, strike out line 52, and on page 5, strike out lines 1 to 7, both inclusive, and that portion of line 8 ending with the word "that", and insert in lieu thereof the following: "any such carrier may reduce to a level lower than necessary to reasonably meet the rates of another competing carrier or carriers is hereby declared to be unlawful; and the commission shall fix just and reasonable rates and maximum or minimum or maximum and minimum rates for the various classes of competing carriers designed to place them on terms of equality in rendering competitive services; but nothing herein contained shall prohibit a carrier from filing reduced rates whenever necessary to meet the needs of industry; provided that such rates are approved by the commission."

AMENDMENT NUMBER TWELVE.

On page 5, line 8, of the printed bill, change the first letter of the word "the", to a capital letter.

AMENDMENT NUMBER THIRTEEN.

On page 5, line 9, of the printed bill, after the word "highway", strike out the word "contract".

AMENDMENT NUMBER FOURTEEN.

On page 5 of the printed bill, strike out all of line 28 commencing with the word "It", and all of lines 29, 30 and 31 to and including the word "transported", and after the word "shall", strike out the word "also".

AMENDMENT NUMBER FIFTEEN.

On page 6, line 6, of the printed bill, after the word "may", insert the following: "appeal therefrom to the Supreme Court of this State or may".

AMENDMENT NUMBER SIXTEEN.

On page 6, line 15, of the printed bill, after the word "to", insert the words "appeals and".

AMENDMENT NUMBER SEVENTEEN.

On page 6 of the printed bill, strike out the last two words of line 46, and all of lines 47 and 48, and that portion of line 49 ending with the word "demands", and insert in lieu thereof the following: "by providing for the regulation of rates of all transportation agencies without discrimination so that adequate and dependable service by all necessary transportation agencies shall be maintained and the full use of the highways preserved to the public".

AMENDMENT NUMBER EIGHTEEN.

On page 7, line 23, of the printed bill, strike out the period and insert in lieu thereof a comma, and add the following: "except in so far as may be permissible under the Constitution and laws of the United States".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1249—An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5,

1931, and all acts or parts of acts inconsistent with the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE.

On page 2, line 25, of the printed bill, insert after the words "or to be transported;" the words: "nor to those engaged solely in the carriage or transportation to and from work, of employees engaged in farm work on any farm of the State of California, nor to those engaged solely in the carriage or transportation to and from work of employees of any nonprofit cooperative association organized pursuant to any of the laws of the State of California,".

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1091—An act to amend sections 633a7, 633a16, 633a18, 633a24, 633a25, 633a27, 633a28, 633a29, and 633a31 of the Political Code, and to add a new section to said code, to be numbered 633a32, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors.

Bill read third time

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Robinson, C. Ray:

AMENDMENT NUMBER ONE

In line 5 of the title of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "and declaring the urgency thereof."

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, as amended, after line 50, add the following:

"SEC. 11. This act is hereby declared an urgency measure necessary for the preservation of the public peace, health and safety under the provisions of section 1 of Article IV of the Constitution of this State. A statement of the facts constituting such necessity is the following

The moneys in the insurance fund in the State treasury are almost exhausted. The entire expense of supervision and regulation of insurance companies is paid out of said fund Unless additional revenues are immediately made available for the replenishment of this fund, such supervision and regulation can not efficiently be continued, and a breakdown of this vital function of State administration is thereby threatened. This act, by increasing the revenues payable into such fund, will tend to avert such a threatened breakdown and will thereby enable the State to continue to efficiently supervise and regulate the insurance business therein. As a failure of such supervision and regulation to efficiently function might result in tremendous losses to the people of this State, it is therefore necessary to the immediate preservation of the public peace, health and safety that this act take effect immediately."

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Cobb:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act creating a joint legislative committee to investigate the functioning of government in the county and in the city of Los Angeles; providing for the appoint-

ment thereof, prescribing the powers, duties, purposes, jurisdiction, authority and responsibility thereof; providing for reports and recommendations, and making an appropriation therefor.

Referred to Committee on Introduction of Bills.

By Mr. Chatters:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933

MR. SPEAKER. I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act authorizing any county in which judges and justices of the peace are sitting, in courts other than their own under assignment thereof by the chairman of the Judicial Council, to pay the necessary expenses of such judges and justices of the peace for travel, board and lodging

Referred to Committee on Introduction of Bills

By Mr. Hatch:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act relating to rights, royalties or interests in or to oil, gas, or other hydrocarbons, to be extracted from real property, or in or to the proceeds derived from the sale of such oil, gas or other hydrocarbons, and relating to the rights and liabilities of the owners or holders of such rights, royalties or interests and relating to instruments dealing therein or therewith.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows.

An act authorizing any county in which judges and justices of the peace are sitting, in courts other than their own under assignment thereof by the chairman of the Judicial Council, to pay the necessary expenses of such judges and justices of the peace for travel, board and lodging.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act creating a joint legislative committee to investigate the functioning of government in the county and in the city of Los Angeles; providing for the appointment thereof, prescribing the powers, duties, purposes, jurisdiction, authority and responsibility thereof; providing for reports and recommendations, and making an appropriation therefor.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act relating to rights, royalties or interests in or to oil, gas, or other hydrocarbons, to be extracted from real property, or in or to the proceeds derived from the sale of such oil, gas or other hydrocarbons, and relating to the rights and liabilities of the owners or holders of such rights, royalties or interests and relating to instruments dealing therein or therewith.

HALLNER, Chairman.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Levey, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Nielsen, O'Donnell, Peterson, Phillips, Rawls, Red-

wine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West and Woolwine—61.
NOES—None.

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR SPEAKER: Your Committee on Attaches respectfully begs to report the following:

Resolved, That the following named person be stricken from the roll of the Assembly as of Monday, May 1, 1933:

	Per day
Alice Weist, Stenographer	$5 00

CRAIG, Chairman.

The question being on the adoption of the report and resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, Meehan, Meeker, Miller, James A., Nielsen, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine and Wright—65.
NOES—None

THE SPEAKER IN THE CHAIR.

At seven o'clock and twenty minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Chatters: Assembly Bill No. 2413—An act authorizing the county in which judges and justices of the peace are sitting, in courts other than their own under assignment thereto by the chairman of the Judicial Council, to pay the necessary expenses of such judges and justices of the peace for travel, board and lodging.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Cobb and Redwine: Assembly Bill No. 2414—An act creating a joint legislative committee to investigate the functioning of government in the county and in the city of Los Angeles, providing for the appointment thereof, prescribing the powers, duties, purposes, jurisdiction, authority and responsibility thereof, providing for reports and recommendations, and making an appropriation therefor.

Bill read first time, and referred to Committee on Rules.

By Mr. Hatch: Assembly Bill No. 2415—An act relating to rights, royalties or interests in or to oil, gas, or other hydrocarbons, to be extracted from real property, or in or to the proceeds derived from the sale of such oil, gas or other hydrocarbons, and relating to the rights and liabilities of the owners or holders of such rights, royalties or interests and relating to instruments dealing therein or therewith.

Bill read first time, and referred to Committee on Oil Industries.

By Messrs. Cobb and Redwine: Assembly Concurrent Resolution No. 50—An act relative to creating an interim legislative committee to

investigate the functioning of government in the county and in the city of Los Angeles and to report thereon to the Legislature at its fifty-first session, the report to comprehend the recommendations of the committee as to such legislation as it may deem appropriate to effect such changes in governmental structure and in administrative method or organization as the committee may find necessary and proper as the result of its investigation.

Introduced, and referred to Committee on Rules.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2313—An act to amend sections 2, 3 and 5 and to add a section to be numbered 6 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, said amendments and new section relating to the allocation and expenditure of State highway funds, the construction, improvement and maintenance of State highways and the addition of certain highways to the State system.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Greene moved that Assembly Bill No. 2313 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 2313 to Committee on Ways and Means.

Motion carried.

Assembly Bill No 2313 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 2043—An act to amend section 1491 of the Penal Code, relating to bail upon habeas corpus proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2043 passed by the following vote:

AYES—Alter, Anglim, Badham, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Cronin, Dempster, Evans, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, O'Donnell, Peterson, Phillips, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—51.

NOES—Fisher, Hoffman, Meehan, Redwine and Roland—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 557—An act to amend section 367 of the Code of Civil Procedure and to add a new section, numbered 367a, to said code, relating to parties in certain civil actions.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Cronin:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, as amended, after "vocation", insert the following: "for profit or a consideration,".

Amendment adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 811—An act to amend sections 4.362, 4.366, 4.370, 4.371, 4.373 and 4.383 of the School Code, to repeal sections 4.363, 4.364 and 4.365 of said code, and to add three new sections to said code, to be numbered 4.363, 4.364 and 4.365, respectively, all relating to school district budgets.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Mayo:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out "twenty-second", and insert in lieu thereof the following: "twenty-third".

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, strike out "twenty-second", and insert in lieu thereof the following: "twenty-third".

AMENDMENT NUMBER THREE.

On page 1, line 23, of the printed bill, after the period after "district", insert the following: "The notice may provide that all budgets may be heard on any one day."

AMENDMENT NUMBER FOUR.

On page 3, line 4, of the printed bill, strike out "seventh", and insert in lieu thereof the following: "eighth".

AMENDMENT NUMBER FIVE.

On page 3, line 8, of the printed bill, strike out "seventh", and insert in lieu thereof the following: "eighth".

Amendments adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1262—An act to amend section 5 of an act entitled "An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor," approved May 28, 1931, relating to report to the Governor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1262 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., O'Connor, Patterson, Peterson, Redwine, Riley,

Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—60.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 309—An act to add sections 1a and 1b to the California Air Navigation Act, relating to aircraft.
Bill read third time.
The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Lyon:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, strike out "sections 1a and 1b", and insert in lieu thereof the following: "section 1a".

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, as amended, strike out lines 31 to 40, inclusive.

AMENDMENT NUMBER THREE

On page 3, line 41, of the printed bill, as amended, strike out "1b", and insert in lieu thereof the following: "1a".

Amendments adopted.
Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1805—An act to regulate the practice of auctioneering and to license, regulate and supervise persons engaged in the business of or acting as auctioneers
Bill read third time.
The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 1805 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No. 2094—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal reclamation laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contract," approved May 5, 1917, as amended, by amending the title and sections 7 and 8 thereof, and adding a new section to be designated section 11, to authorize the division of districts into units, for fixing conditions upon inclusion of lands and for the borrowing or procuring of money by irrigation districts from the United States or any agency thereof.
Bill read third time.
The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2094 was withdrawn from the file, and referred to Committee on Irrigation.

Assembly Bill No. 2373—An act to add a new chapter to be numbered Chapter VI to Part II of Division II of the School Code, embracing sections 2.1181 to 2.1189, inclusive, 2.1189a, and 2.1189b, all relating to recall of members of governing boards of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2373 refused passage by the following vote:

AYES—Badham, Bliss, Bowers, Burns, Cassidy, Clowdsley, Cottrell, Crowley, Field, Jones, King, Mayo, McCarthy, Meeker, Nielsen, O'Donnell, Phillips, Rawls, Redwine, Roberts, Robinson, C. Ray; Rogers, Scudder, Sullivan, Utt, Woolwine, Wright, Zion and Mr. Speaker—29.

NOES—Alter, Anglim, Boyle, Brock, Callahan, Chatters, Cobb, Craig, Cronin, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hoffman, Hornblower, Hunt, Kallam, Knowland, Latham, Levey, Maloney, Martin, McBride, McMurray, Meehan, Miller, James A., O'Connor, Patterson, Peterson, Powers, Riley, Robinson, Samuel E., Roland, Stannard, Stream, Thorp, Tournoux, Turner, West and Williamson—44.

Assembly Bill No. 822—An act to add a new section to the Political Code, to be numbered 3817b, authorizing the temporary suspension of penalties on delinquent taxes.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Ross, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER EIGHT HUNDRED TWENTY-TWO.

Assembly Bill No. 822—An act to add a new section to the Political Code, to be numbered 3817b, authorizing the temporary suspension of penalties on delinquent taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 822 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eight o'clock and ten minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hornblower.

The roll of absentees was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 675 by the following vote:

AYES—Anglim, Bliss, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cronin, Crowley, Dempster, Frazier, Gilmore, Grubbs, Hornblower, Hunt, Levey, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Rogers, Ross, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West and Williamson—41.

NOES—Alter, Badham, Bowers, Brock, Callahan, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, Miller, Eleanor; Morgan, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Stream, Utt, Woolwine, Wright, Zion and Mr. Speaker—39.

NOTICE OF RECONSIDERATION.

Mr. Cobb gave notice that on the next legislative day he would move to reconsider the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 675.

ADJOURNMENT.

At eight o'clock and fifteen minutes p.m., on motion of Mr. Robinson, C Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, May 4, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, May 4, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus.

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. Knowland moved a call of the House.

Motion carried.

Time, ten o'clock and five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Bowers, Callahan, Cassidy, Chatters, Cottrell, Dempster, Evans, Feigenbaum, Frazier, Grubbs, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, Meeker, Miller, Eleanor; Miller, James A, Morgan, O'Connor, Peterson, Rawls, Riley, Robinson, Samuel E., Roland, Thorp, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—40.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

HON. CHARLES W LYON IN THE CHAIR.

At ten o'clock and seven minutes a.m., Hon. Charles W. Lyon, member of the Assembly from the Fifty-ninth Assembly District, in the chair.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and ten minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Meeker.

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

Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Cronin, Dempster, Evans, Feigenbaum, Frazier, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Peterson, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—55.

The Speaker declared a quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Meeker, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. O'Connor, Mr. William Courtney, North Los Angeles, California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Burns, Mr and Mrs. John F. Johnson and Mr. Joseph P. F. Tracy of Eureka, California, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgan, Mr. Hall Bither of Berekeley, California, was extended the privilege of the floor of the Assembly for this day

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From civic organizations of San Francisco, protesting to the members of the Legislature of the State of California against the passage of Assembly Bill No. 2378, which would increase the number of directors of the Golden Gate Bridge and highway district.

(Signed) SAN FRANCISCO CHAMBER OF COMMERCE.
GEO. J. PRESLEY, Executive Vice President
CIVIC LEAGUE IMPROVEMENT CLUBS.
ARTHUR JOEL, President.
DOWN TOWN ASSOCIATION.
MARSHAL HALE, President
SAN FRANCISCO JUNIOR CHAMBER OF COMMERCE.
ROBERT B. COONS, President.
MOTOR CAR DEALERS ASSOCIATION OF SAN FRANCISCO.
WM L. HUGHSON, President.

Petition ordered referred to Committee on Commerce and Navigation.

Also:
By Mr. Speaker:

From Casualty Adjusters Associations of Southern California, expressing the purpose of Assembly Bill No. 700 as inadequate to the situation.

(Signed) B. F. SHEPPARD, Secretary.

Also:
By Mr. Speaker:

From city council of Los Angeles, favoring the Community Land Chest Bill.

(Signed) ROBT. DOMINGUEZ, City Clerk.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Powers: Assembly Joint Resolution No. 33—Relative to memorializing Congress to enact legislation authorizing the use of a commodity standard of value to supplement the gold dollar as the standard of value.

Introduced, and referred to Committee on Federal Relations.

RESIGNATION OF ASSEMBLYMAN ALBERT F. ROSS.

The following resignation of Assemblyman Albert F. Ross was received and read:

May 3, 1933.

Hon. Walter J. Little, Speaker of the Assembly,
State Capitol, Sacramento, California.

SIR: Pursuant to subdivision 3, section 995, of the Political Code, I hereby tender my resignation as member of the Assembly, Second District, to take effect immediately. I respectfully ask that you transmit this to the Governor, as provided by law.

Respectfully yours,

ALBERT F. ROSS.

The question being: Shall the Assembly accept the resignation of Assemblyman Albert F. Ross?

The roll was called, and the resignation of Assemblyman Albert F. Ross was accepted by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Dempster, Evans, Feigenbaum, Frazier, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Thorp, Tournoux, Utt, West, Woolwine, Wright and Zion—50.

NOES—None.

The Speaker ordered the resignation of Assemblyman Albert F. Ross transmitted to the Governor.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr. Bliss moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 58 was refused adoption be continued until the next legislative day.

Motion carried.

Assembly Bill No. 1482—An act to amend section 1 of Chapter 389, Statutes of 1915, entitled "An act providing for the sale of certain State lands," as approved May 15, 1915, as amended, relating to State lands.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1482?

AMENDMENT NUMBER ONE

On page 1, line 20, of the printed bill, after the period, insert the following: "Every occupant of a sixteenth or thirty-sixth section is protected in his occupancy for three months after the township has been sectionized."

The roll was called, and Senate amendment to Assembly Bill No. 1482 was concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Dempster, Evans, Feigenbaum, Frazier, Greene, Grubbs, Hatch, Hoffman, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright and Zion—52.

NOES—None.

The above reported bill ordered to enrollment.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Meeker, Powers and Zion as a Committee on Free Conference to meet with a like committee from the Senate for the consideration of Assembly Bill No. 1869.

Assembly Bill No. 1407—An act to amend section 79b of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to improvements of municipalities.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1407?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 79b of the act cited in the title hereof is hereby amended to read as follows:".

The roll was called, and Senate amendment to Assembly Bill No. 1407 was concurred in by the following vote:

AYES—Alter, Badham, Bowers, Boyle, Burns, Callahan, Chatters, Clowdsley, Cottrell, Craig, Crist, Dempster, Evans, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Wright—58.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 2272—An act to amend section 4250 of the Political Code, relating to compensation of officers and employees in counties of the twenty-first class.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2272?

AMENDMENT NUMBER ONE.

On page 2, line 17, of the printed bill, strike out the word "mileage".

AMENDMENT NUMBER TWO.

On page 3, line 12, of the printed bill, after the period, insert the following: "One chief deputy at a salary of one thousand two hundred dollars per annum."

AMENDMENT NUMBER THREE.

On page 3, line 28, of the printed bill, after the word "annum, one chief deputy at a salary of one thousand five hundred dollars per annum."

AMENDMENT NUMBER FOUR.

On page 4, line 36, of the printed bill, strike out the word "seven", and insert the word "nine"; in line 38, after the word "inquest", insert the words "or investigation"; in line 40, strike out the word "two."

AMENDMENT NUMBER FIVE.

On page 7, line 24, of the printed bill, strike out the words "or his deputies".

The roll was called, and Senate amendments to Assembly Bill No. 2272 were concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Wright—62.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 133—An act to repeal an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved May 24, 1927, Statutes of 1927, page 1351, as amended, with the provision that such repeal shall not apply to existing bonds or to any existing proceeding instituted under said act.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 133?

AMENDMENT NUMBER ONE

On page 1, line 16, of the printed bill, following the word "applicable", insert the word "to".

AMENDMENT NUMBER TWO.

On page 2, line 6, of the printed bill, strike out the period, and insert in lieu thereof the following: ", and any amendments to sections 7 and 8 of said act adopted at this session of the Legislature shall be applicable to all proceedings in which an ordinance of intention was adopted prior to January 1, 1933."

The roll was called, and Senate amendments to Assembly Bill No. 133 were concurred in by the following vote:

AYES—Alter, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Dempster, Evans, Field, Fisher, Grubbs, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Red-

wine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—53.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1141—An act to amend sections 453cc and 453ee of the Civil Code, relating to mortgage insurance companies; declaring the urgency thereof, and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1141?

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed, engrossed bill, strike out the word "any", and insert in lieu thereof the word "each".

AMENDMENT NUMBER TWO.

On page 2, line 8, of the printed, engrossed bill, strike out the word "certificate", and insert in lieu thereof the word "certificates".

AMENDMENT NUMBER THREE.

On page 2, line 15, of the printed, engrossed bill, after the word "certificates", strike out the word "or", and insert in lieu thereof the following: "and any policy of mortgage insurance issued in connection therewith and".

AMENDMENT NUMBER FOUR.

On page 2, line 26, of the printed, engrossed bill, insert the following: "and any policy of mortgage insurance issued in connection therewith".

AMENDMENT NUMBER FIVE.

On page 2 of the printed, engrossed bill, strike out lines 43 to 52, both inclusive, and insert in lieu thereof the following "At any time during the emergency period as hereinafter defined any amendments or modifications of any trust agreement under which mortgage participation certificates are issued or of such certificates or of any policy of mortgage insurance issued in connection therewith, or of any term covenant, condition or provision of such agreement, certificates or policy, shall, if made as herein above provided, become fully effective and binding upon all of the holders of such certificates outstanding under such trust agreement, when consented to in writing by the holders of seventy-five per cent in interest of all certificates outstanding under such trust agreement."

AMENDMENT NUMBER SIX.

On page 3, line 26, of the printed, engrossed bill, strike out the word "certified".

AMENDMENT NUMBER SEVEN.

On page 3, line 29, of the printed, engrossed bill, strike out the words "the court may direct that a", and strike out lines 30 to 36, both inclusive, and insert in lieu thereof the following: "such other notice of the pendency of the proceedings shall be given as the court may prescribe".

AMENDMENT NUMBER EIGHT.

On page 4, line 35, of the printed, engrossed bill, after the word "sell", insert the following: "mortgage or otherwise encumber".

AMENDMENT NUMBER NINE

On page 5, line 13, of the printed, engrossed bill, strike out the word "securities", and insert in lieu thereof the word "assets".

AMENDMENT NUMBER TEN

On page 5, line 21, of the printed, engrossed bill, strike out the words "in value of the assets of such trust", and insert in lieu thereof the following: "in interest of all mortgage participation certificates issued and outstanding under such trust".

AMENDMENT NUMBER ELEVEN

On page 6 of the printed, engrossed bill, following line 16, insert the following: "SEC. 6. If any section, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act".

The roll was called, and Senate amendments to Assembly Bill No 1141 were concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, West, Williamson and Wright—60.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No 1750—An act to add a new section to the Fish and Game Code, to be numbered 738 5, relating to smelt.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1750?

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the words "taken or possessed", and insert in lieu thereof the word "sold".

The roll was called, and Senate amendment to Assembly Bill No. 1750 was concurred in by the following vote

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E. Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine and Wright—64.
NOES—None.

The above reported bill ordered to enrollment

Assembly Bill No. 829—An act to amend section 585 of the Agricultural Code, relating to dairies and dairy products.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 829?

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, following the word "at", add the word "all".

The roll was called, and Senate amendment to Assembly Bill No. 829 was concurred in by the following vote:

AYES—Alter, Badham, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crist, Evans, Field, Fisher, Frazier, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—55.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1338—An act to add a new section to the Political Code to be numbered 363cc, authorizing the filing for record of State highway maps and prescribing the duties of county recorders with relation thereto.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1338?

AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed bill, strike out the word "him", and insert in lieu thereof the following: "the Department of Public Works".

AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, strike out the word "Right", and in line 20, strike out the words "of Way Maps.", and insert in lieu thereof the following: "Map Book No._____. _____ County."

The roll was called, and Senate amendments to Assembly Bill No. 1338 were concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Wright—62.

NOES—Dempster—1.

The above reported bill ordered to enrollment.

Assembly Bill No. 1799—An act to amend section 1446 of the Penal Code, relating to satisfaction of fine by imprisonment.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1799?

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "relating to".

AMENDMENT NUMBER TWO.

Strike out all of line 2 of the title of the printed bill, and insert in lieu thereof the following: "relating to satisfaction of fine by imprisonment."

AMENDMENT NUMBER THREE

On page 1, line 11, of the printed bill, after the period, strike out the remainder of the line, and all of lines 12 and 13, and insert in lieu thereof the following: "No imprisonment under this section shall exceed one day for every two dollars of the fine."

The roll was called, and Senate amendments to Assembly Bill No. 1799 were concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Craig, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine and Wright—61.

NOES—Dempster—1.

The above reported bill ordered to enrollment.

Assembly Bill No. 1288—An act to amend the article heading of Article I of Chapter 3 of Division V of and to amend sections 851, 852 and 871 and to repeal sections 853, 855, 856, 857, 858, 859, 862, 864, 865, 866, 867, 868, 873, 874, 875, 879 and 881 of the Agricultural Code, relating to canned foods.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1288?

AMENDMENT NUMBER ONE

In line 5 of the title of the printed bill, as amended in Assembly April 12, 1933, insert before the figures "873", the following.

"869,".

AMENDMENT NUMBER TWO.

On page 2, line 41, of the printed bill, as amended in Assembly April 12, 1933, strike out the figures "871", and insert in lieu thereof the following:

"871. The standard of quality, condition and/or fill of container and requirements for marking of canned fruits and vegetables, including olives, shall be, in addition to that set forth in section 852, that promulgated or to be promulgated by the Secretary of the United States Department of Agriculture."

AMENDMENT NUMBER THREE.

On page 2, line 48, of the printed bill, as amended in Assembly April 12, 1933, insert before the figures "873", the following:

"869,".

The roll was called, and Senate amendments to Assembly Bill No. 1288 were concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Thorp, Tournoux, Turner, Utt, West, Williamson and Woolwine—65.

NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to Article IV thereof, to be numbered 25¼, relating to the practice of chiropractic.

Assembly Constitutional Amendment No. 4 read.

The question being on the adoption of Assembly Constitutional Amendment No. 4.

FLOOR AMENDMENTS.

During reading of Assembly Constitutional Amendment No. 4, the following amendments were submitted by Mr. Robinson, C. Ray:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed measure, strike out "acts", and insert in lieu thereof the following: "bills".

AMENDMENT NUMBER TWO

On page 1, line 11, of the printed measure, strike out "May 5, 1933", and insert in lieu thereof the following: "their approval by the Governor".

AMENDMENT NUMBER THREE.

On page 1, line 13, of the printed measure, after "such", insert the following: "bills and acts shall be subject to all provisions of this Constitution not in conflict herewith, and all such".

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr Robinson, C. Ray, asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 108 at this time without reference to printer or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NUMBER ONE HUNDRED EIGHT.

Assembly Constitutional Amendment No. 108—A resolution to propose to the people of the State of California an amendment to Article IV of the Constitution of said State by adding to said article a new section, to be numbered section 1a, relating to the time of taking effect of acts passed at the fiftieth regular session of the Legislature.

Assembly Constitutional Amendment No. 108 read.

The question being on the adoption of Assembly Constitutional Amendment No. 108.

The roll was called, and Assembly Constitutional Amendment No. 108 adopted by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hoffman, Hornblower, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—63

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 108 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 108

A resolution to propose to the people of the State of California an amendment to Article IV of the Constitution of said State by adding to said article a new section, to be numbered section 1a, relating to the time of taking effect of acts passed at the fiftieth regular session of the Legislature

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California, at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of all members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that Article IV of the Constitution be amended by adding thereto a new section, to be numbered section 1a, to read as follows:

Sec. 1a. All acts passed by the Legislature at its fiftieth regular session on or before May 17, 1933, shall go into effect ninety days after May 5, 1933, except acts which under the provisions of section 1 of Article IV of this Constitution go into effect immediately. All such acts which do not go into effect immediately shall be subject to all the referendum provisions of section 1 of Article IV of this Constitution. All acts passed by the Legislature at its fiftieth regular session which are passed subsequent to May 17, 1933, shall go into effect as is now provided in section 1 of Article IV of this Constitution.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 2100—An act to provide for the examination and licensing of hoisting engineers employed in mines in this State.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act providing for the issuance of licenses to hoisting engineers; providing a fee for such license; creating district boards of examiners, providing for revocation of licenses; creating the hoisting engineers' license fund in the State treasury; providing a penalty for violation of any of the provisions hereof, and making an appropriation therefor".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 30, inclusive; on page 2, strike out lines 1 to 52, inclusive; on page 3, strike out lines 1 to 52, inclusive; and on page 4, strike out lines 1 to 16, inclusive, and insert in lieu thereof the following:

"SECTION 1. It shall be unlawful for any person to operate any steam, electric, gas, air, or any other hoisting machinery over six horsepower when either is used in lowering or hoisting men, except in operating an elevator in buildings, without first obtaining a license therefor from the board of examiners as herein provided; except in case of accident, sickness, refusal to work, or any unforeseen prevention of the licensed engineer employed by the owner, renter or user of a steam, electric, gas, air, or any other hoisting machinery operated in remote districts and which would retard the work to be performed, in which case the owner, renter, or user may, for the space of thirty days, employ any person of the age of twenty years or more whom he may consider competent to run any of the machinery aforesaid, although such person so employed may not be a holder of a hoisting engineer's license. The person, firm or corporation so employing the unlicensed engineer must immediately notify the Inspector of Mines, who is hereby made ex officio chairman of all examining boards; but no owner, renter or user of any hoisting machinery aforesaid shall be allowed to so employ unlicensed hoisting engineers for more than thirty days in any one calendar year; and it shall be unlawful, except as stated in this section, for any person, firm or corporation to employ any person not duly licensed as a hoisting engineer, within the meaning of this act, to run or operate any steam, electric, gas, air, or other hoisting machinery, subject to the provisions of this act

SEC. 2. Application for such licenses shall be made to the chairman of all examining boards, in the Department of Industrial Relations of the State of California. The governing authority of the Division of Industrial Accidents and Safety in that department shall designate an officer or employee thereof to act as chairman of the examining boards under the provisions of this act, and wherever the term "chairman of the examining boards" is used in this act, it shall be taken to refer to the person so designated. A fee shall be charged for such licenses as provided in section 7 of this act for obtaining such license to operate steam, electric, gas, air or any other hoisting machinery.

SEC. 3. Each applicant for license must file with his application for same a certificate from a licensed physician as to the condition of his heart, sight and hearing.

SEC. 4. Any person who makes application to the chairman of the examining boards must state the character of hoisting engine which he intends to operate, whether steam, electric, gas, air or any other hoisting machinery, and such other information as may be required by said chairman.

SEC. 5. Such license shall be given for the period to July 1st of the year of application and therefrom for the period of one year from the said July 1st, and may be renewed in the manner hereinafter provided in this act for the renewal of licenses.

SEC. 6. Each and every license granted under the provisions of this act must be displayed by the owner thereof in a conspicuous place of the engine room of the property in which he is employed.

SEC. 7. Upon application for a license the applicant shall pay to the chairman of the examining boards a fee of one dollar, which shall be placed in the hoisting engineers' license fund in the State treasury, which is hereby created, and no part or portion of said fee shall be returned to the applicant if he fails to pass the required examination A charge of one dollar shall be collected where a change of classification is required.

SEC. 8. Licenses issued under this act shall be divided into three classes—namely, first-class, second-class, and third-class.

No person shall be granted a first-class license who has not taken and subscribed to an oath that he has had at least two years' experience in the operation of at least one of the engines named in section 1 of this act and whose knowledge of the construction and operation of the machine he is to be licensed to take charge of is such as to justify the belief of the board of examiners that he is competent to take charge of and operate such machinery

No person shall be granted a second-class license who has not taken and subscribed to an oath and proved to the satisfaction of the board of examiners that he has had at least one year's experience and that he is competent to operate at least one of the engines named in section 1 of this act, and whose knowledge of the construction and operation of the machine he is to be licensed to take charge of is such as to justify the belief of the board of examiners that he is competent to take charge of and operate such machinery.

No person shall be granted a third-class license who has not taken and subscribed to an oath and proved to the satisfaction of the board of examiners that he has had sufficient experience and is competent to operate at least one of the engines named in section 1 of this act, and whose knowledge of the construction and operation of the machine he is to be licensed to take charge of is such as to justify the belief of the board of examiners that he is competent to take charge of and operate such machinery.

SEC. 9. Any applicant may make application to the chairman of the examining boards to run any one of the engines mentioned in section 1 of this act, and after applicant makes the proper showing to the board as to his ability to operate the class of

engine for which he has applied, a license shall be granted him by the board specifying on its face the class of engine which he is entitled to operate.

SEC. 10. Any applicant making application to the chairman of the board of examiners for a general license must prove his ability to operate and manage any of the above classes of hoisting machinery mentioned in section 1 and if applicant makes the proper showing to the board as to his ability to operate all classes of hoisting machinery mentioned in section 1, a license shall be granted to him by the board to run and operate all classes of hoisting engines mentioned in section 1, and such license shall specify on its face that applicant is entitled to operate all classes of engines mentioned in section 1.

SEC. 11. Any person to whom is granted by the board of examiners a first-class license under the provisions of this act shall be deemed qualified to operate any machinery named in section 1 of this act, and which is designated on his license, without regard to the horsepower thereof

Any person to whom is granted a second-class license by the board of examiners under the provisions of this act shall not be permitted to operate any of the machinery named in section 1 hereof of a greater capacity than seventy-five horsepower.

Any person to whom is granted a third-class license by the board of examiners under the provisions of this act shall not be permitted to operate any of the machinery named in section 1 hereof of a greater capacity than twenty-five horsepower.

SEC. 12. All licenses granted hereunder must be renewed yearly and the fee for such renewal shall be the sum of one dollar and the money derived therefrom shall take the same course as provided in section 7 All such applications for renewal must be accompanied by a physician's certificate stating the facts required as hereinbefore provided upon application for license and such other information as may be required by the chairman of the examining boards. The chairman of the examining boards is hereby empowered to grant a renewal of said license, and such license granted must be signed by the chairman of the examining boards; provided, the scope of said application for renewal does not change the classification of same, and provided further, that in case of complaints being registered against a renewal of said license, and if such complaint shall appear of sufficient consequence, then upon due notice, the applicant must appear before the board and take the same course as set forth in section 16 of this act.

SEC. 13. Any person who has regularly applied for a license under the provisions of this act and has been rejected, may renew his application for such license within ninety days, upon showing to the board of examiners herein created that he has qualified himself for such license by study of the subjects involved, for which no extra fee shall be collected.

SEC. 14. Any license granted under the provisions of this act may be revoked by the examining board granting the same for cause appearing sufficient to said board, after due notice to the licensed engineer of charges pending against him, and an opportunity afforded him to appear and defend the same.

SEC 15. Any licensed engineer must inform himself of the safety laws and orders appertaining to mining, and all bell-code signals, in order to operate cage, skip, or bucket; and any engineer who knowingly hoists or lowers men who are violating any of the provisions of the Mine Safety Laws or orders, or who shall himself violate any of such laws or orders, shall be subject to the revocation of his license.

SEC. 16. Complaints affecting this act must be made to the chairman of the examining boards and the same must be in writing and verified. If such complaint shall appear of sufficient consequence, then, within thirty days after receipt of complaint, a meeting of the examining board in the district where the complaint is made shall be called by the chairman, in order to consider the same and the complaining witness, and any and all witnesses, can be summoned by the board to appear before it and give testimony, and the oath be administered as provided in section 26, and the board shall take such action affecting the license involved as may appear proper, including the right to revoke or temporarily suspend licenses.

SEC. 17. Any hoisting engineer holding a license from some other State to operate hoisting machinery, and operating in this State, must make application to the chairman of the board of examiners within sixty days from the time of commencement of operation, as provided in sections 2, 3, and 4 of this act, and such application shall permit him to operate same until such time as the board meets and takes action upon his application, as provided in section 9 and 27. Such engineer must display his license from such other State as provided in section 6.

SEC. 18 This act shall not apply to any person operating what is known as a "tugger hoist," used only for the purpose of hoisting and lowering material in mines

SEC. 19. Each district board of examiners shall consist of three members, as follows: The chairman of the examining boards shall be ex officio chairman of each board; one member shall be a qualified engineer appointed by the engineers of the district; one member shall be a general mechanic who is familiar with the mechanism of the hoisting machinery mentioned in this act, and he shall be appointed by the mine operators of the district.

SEC. 20. The State shall be divided into examining districts. Each county in which are located ten mines in which hoists are used shall constitute an examining

district and the examinations herein contemplated shall be held at the county seat thereof. The chairman of the mining boards shall, within ninety days after this act takes effect, designate the counties which constitute examining districts by number for the purposes of official record. All applicants shall have reasonable notice of the time and place where examinations will be held.

SEC. 21. Meetings of the district examining boards shall be called by the chairmen thereof by written notice served on the other members of such board, such notice to state time, place and purpose of meeting.

SEC. 22. The examinations contemplated by this act may be oral or written at the discretion of the examining board.

SEC. 23. Any board of examiners shall have the right to revoke any license issued under the provisions of this act as further provided in section 14.

SEC. 24. Each member of each district examining board, except the chairman thereof, shall receive ten dollars per day and actual expenses of transportation while engaged in examining applicants for licenses; such compensation and expenses shall be paid out of the hoisting engineers' license fund, herein created, in the usual manner of allowance and payment of claims against the State.

SEC. 25. Each district examining board shall appoint a secretary who shall be a member of the board and who shall at once forward to the chairman of examining boards at Sacramento, California, the names of the successful applicants, post-office address, where employed and class of license, also the minutes of the meeting given in detail, except at meetings called to consider complaints where testimony of witnesses may be taken, and in such meetings a stenographer may be employed as provided in section 30.

SEC. 26. In all examinations contemplated herein the applicant shall be sworn as a witness and the chairman of the examining boards is hereby authorized to administer an oath to the applicant, and he is also authorized to administer the oath to all witnesses that may be summoned to appear before the board.

SEC. 27. Each and every license herein provided shall be granted only on the written assent of the majority of the district examining board, and each of said licenses shall be signed by two members of said board.

SEC. 28. In case of a vacancy occurring in any district examining board, or failure of mine operators or hoisting engineers to make appointment as provided in section 19 of this act, and such vacancy continuing for a period of ten days, the chairman of examining boards is hereby empowered to fill such vacancy by appointment.

SEC. 29. It shall be the duty of the chairman of examining boards to keep in his office a record of all proceedings of the various district examining boards, and also keep a record of all licenses, the character of same, names of licensed engineers, post-office address, where employed; and also a record of all applicants rejected by the boards.

SEC. 30. The chairman of examining boards is hereby empowered to purchase all supplies that may be required to carry out the provisions of this act, and if necessary to employ additional help, the expense thereof to be paid out of said hoisting engineers' license fund in the usual course of claims against the State.

SEC. 31. The chairman of examining boards shall prescribe the form of license to be issued by the various examining boards and the Department of Finance is hereby directed to supply such forms; and the Department of Finance is also directed to furnish such other printed matter to the chairman of examining boards and in such quantities as may be required for carrying out the provisions of this act.

SEC. 32. All moneys received for fees, for applications, for licenses and renewals thereof shall be paid by the chairman of examining boards monthly into the State treasury to the credit of the hoisting engineers' license fund.

SEC. 33. Every person who operates any of the engines or machinery named in section 1 of this act for which a license is required, without first obtaining such license as provided by this act, and every owner, employer, or manager of any such engine or machinery who knowingly permits any unlicensed person to operate same, or any person who violates any of the provisions of this act, shall be guilty of a misdemeanor and shall be punishable by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment in the county jail for a period of not less than thirty days nor more than six months, or by both such fine and imprisonment.

SEC. 34. It shall be the duty of the chairman of examining boards and each of his deputies to see that all the provisions of this act are strictly enforced.

SEC. 35. The sum of _____ dollars is hereby appropriated to be expended by the chairman of examining boards during the eighty-fifth and eighty-sixth fiscal years, in the enforcement of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 711—An act defining building loans, providing for the recording before beginning of construction of a detailed statement of the actual terms and conditions and true consideration thereof verified upon the oath of the borrower and forbidding the recording of a false statement of procuring the recording thereof, and providing for penalties and consequences of the violation of the terms of this act, and providing for clearing the record of abandoned building loans.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 712—An act to amend section 478 of the Agricultural Code, relating to standards for cream.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 487 and 488 of the Agricultural Code, relating to grades for milk."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out all of the bill after "SECTION 1.", and insert in lieu thereof the following:

"487. (a) Guaranteed raw milk is market milk which conforms to the following minimum requirements:

(1) The health of the cows shall be determined by physical examination at least once each month by an official representative of an approved milk inspection service and by a tuberculin test:

(2) It shall be produced on dairies which score not less than ninety per cent on the dairy farm score card;

(3) It shall be bottled on the premises where produced and delivered in containers having the pouring lip completely protected from contamination,

(4) It shall be cooled immediately after being drawn from the cow to fifty degrees Fahrenheit or less, and so maintained until delivered to the consumer, at which time it shall contain not more than fifteen thousand bacteria per milliliter, and not less than three and one-half per cent of milk fat;

(5) It must be sold to the consumer within thirty hours after production and labeled to indicate the date of sale to the consumer. All persons who come in contact with the raw guaranteed milk must exercise scrupulous cleanliness and not be afflicted with any communicable disease or in a condition to disseminate the germs of typhoid fever, tuberculosis, diphtheria or any other communicable disease liable to be conveyed by the milk. The absence of such germs in all such persons shall be determined by bacteriological and physical examination by a health department maintaining an approved milk inspection service, or other person or laboratory approved in writing by the department, conducted at the time of employment and every six months thereafter in a manner approved by the director.

(b) Guaranteed pasteurized milk shall conform to all the requirements for raw guaranteed milk, except it need not be bottled where produced and except it shall contain not more than three thousand bacteria per milliliter at the time of delivery to the consumer.

488. (a) Grade A raw milk is market milk which conforms to the following minimum requirements:

(1) The health of the cows shall be determined by physical examination at least once in two months by an official representative of an approved milk inspection service and by a tuberculin test,

(2) It shall be produced on dairies that score not less than eighty per cent on the dairy farm score card. Dairies where no two cows freshen within four consecutive months and which are found by any milk inspection service to comply fully with the remaining provisions of this division are exempt from such scoring requirements and from the use of labels prescribed in this division:

(3) It shall contain not more than fifty thousand bacteria per milliliter at the time of delivery to the consumer. All persons who come in contact with Grade A raw milk must exercise scrupulous cleanliness and must not be afflicted with any communicable disease or be in a condition to disseminate the germs of typhoid fever, tuberculosis, diphtheria or other communicable diseases liable to be conveyed by milk. Absence of such germs may be determined by bacteriological and physical examination, to the satisfaction of an approved milk inspection service.

(b) Grade A pasteurized milk is market milk which conforms to the following minimum requirements: The health of the cows shall be determined by physical examination at least once in six months by an official representative of an approved

milk inspection service; it shall be produced on dairies that score not less than seventy per cent on the dairy farm score card adopted by the department and it shall contain not more than one hundred fifty thousand bacteria per milliliter before pasteurization and not more than fifteen thousand bacteria per milliliter at the time of delivery to the consumer."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2069—An act to amend the act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out line 1, and insert in lieu thereof the following:

"An act to add a new section to be numbered 6b to the act entitled 'An act to'".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out lines 1 to 21, inclusive, and on page 2, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following

"SECTION 1. A new section to be numbered 6b is hereby added to the act cited in the title hereof, and to read as follows:

Sec. 6b. Every person actually engaged as an".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 21 to 28, inclusive, and insert in lieu thereof the following:

"Three years' course of study; provided, however, that no examination shall be given to applicant under the provisions of this section later than December 30, 1933".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2165—An act to amend sections 447 and 448 of the Code of Civil Procedure, relating to written instruments.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 8 to 21, inclusive.

AMENDMENT NUMBER TWO

On page 1, line 24, of the printed bill, strike out the word "if", and insert in lieu thereof the word "is".

AMENDMENT NUMBER THREE

On page 2 of the printed bill, strike out all of lines 5 to 19, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1020—An act to amend section 594 of the Political Code, relating to kinds of insurance and insurance companies

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 6 of the printed bill, between lines 28 and 29, insert the following: "No company having a capital stock shall do in California any fidelity and surety business without having fully paid in and maintaining during the first three years during which it does such insurance in this State, at least two hundred fifty thousand dollars of capital stock in cash or in the value of obligations of the government of the United States, any State or Territory thereof, or of any county or city and county in this State. Such investments must be approved by the Insurance Commissioner and all changes therein must be so approved. After the said first three years, such sum may be invested in any investments permitted by law to companies doing fidelity and surety insurance."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1027—An act to amend section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to proceedings of the commission with relation to findings and award of compensation and the jurisdiction thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "amend section 20 of", and insert in lieu thereof the following: "add a new section to be numbered section 9a to".

AMENDMENT NUMBER TWO.

In lines 2 and 3 of the title of the printed bill, strike out "proceedings of the commission with relation to findings and".

AMENDMENT NUMBER THREE

In line 4 of the title of the printed bill, strike out "and the jurisdiction thereof".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 1 to 24, inclusive; also strike out page 2, and insert in lieu thereof the following:

"SECTION 1. A new section to be numbered section 9a is hereby added to the act cited in the title hereof to read as follows:

Sec. 9a. Upon the employment of any person who is partially disabled, whether by disease or injury, either the employer or employee may apply to the commission for a certificate of permanent disability rating of such employee. Thereupon the commission shall cause the employee to be examined by a physician selected by it and by such other persons as it may select.

On the basis of such examination, together with such other information as it may have or procure, the commission shall issue a certificate stating the percentage of such employee's disability. After the issue of such certificate, no such employee shall receive any award for a percentage of disability arising out of an injury thereafter incurred, in excess of the difference between the percentage stated in the employee's certificate and total disability, nor shall the employer pay a greater percentage of the cost of medical treatment for such employee under the provisions of this act than the amount of such difference.

Upon request of the employee or employer the commission may from time to time cause said employee to be reexamined in the same manner as in the case of an original examination and may issue a new certificate stating the percentage of disability of such employee as found by such reexamination. Thereafter the percentage of disability stated in the new certificate shall for all purposes supersede the percentage stated in the previous certificate."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2403—An act to amend section 10 of and to add a new section to be known as 1a, to an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund," approved May 10, 1927, as amended, relating to furniture.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1591—An act to amend section 6 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, relating to fraternal benefit societies.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1990—An act to amend section 5 of an act entitled "An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately," approved April 6, 1933, relating to taxation of beverages, and to declare that this act shall take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 2390—An act to add section 234.25 to the Agricultural Code, relating to tuberculosis control

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1618—An act to add a new section to be numbered 14a to Chapter 609, Statutes of 1931, entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to licensing of persons, firms, associations or corporations, installing and using motor vehicle fuel pumps.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the title of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "and to declare the urgency thereof."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, after line 29, insert the following:

"SEC. 2 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution, and shall therefore take effect immediately. The facts constituting such necessity are as follows

The State treasury is in a depleted condition and it is necessary that all possible revenues be collected. It is necessary that moneys be available to the Division of Weights and Measures in the Department of Agriculture to enable it to properly carry out its functions and this bill will materially aid in accomplishing that result."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1897—An act to amend sections 274, 275, 276, 278, 279 and 281 of the Political Code, relating to elections.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 75—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter numbered 8, embracing sections 1299 to 1299.6, inclusive, relating to the licensing and regulation of traveling merchants and providing penalties for the violation thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1261—An act to amend section 106 of the Penal Code, relating to the penalty for attempting to escape from prison.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1914—An act to allow unincorporated territory within a county to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection, custody and disbursement of taxes, for such purposes and to create a board of police commissioners.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1007—An act to amend section 7 of an act entitled "An act authorizing the establishing of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out "nine", and insert in lieu thereof the following: "five".

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, strike out "six thousand", and insert in lieu thereof the following: "six thousand five hundred".

AMENDMENT NUMBER THREE.

On page 1, lines 14 and 15, of the printed bill, strike out "four hundred", and insert in lieu thereof the following "four hundred fifty".

AMENDMENT NUMBER FOUR.

On page 1, line 16, of the printed bill, strike out "four hundred", and insert in lieu thereof the following: "four hundred fifty".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 880—An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities of the second and one-half class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after "Sec. 10.", insert the following: "The municipal court in a city or city and county of the second and one-half class shall be constituted, and the judges, officers and attaches thereof shall receive compensation as follows:

(a) There shall be five judges, each of whom shall receive six thousand dollars per annum, payable in equal monthly installments;

(b) There shall be one clerk who shall also be secretary to the court, to be appointed by the judges thereof, who shall receive three hundred dollars per month;

(c) The clerk shall appoint the following:

One chief deputy, who shall receive two hundred forty dollars per month; five deputy clerks, who shall each receive two hundred dollars per month; one cashier-bookkeeper, who shall receive two hundred twenty dollars per month; one chief clerk of the civil department, who shall receive two hundred twenty dollars per month; one chief clerk of the criminal department, who shall receive two hundred twenty dollars per month; eight deputy clerks, who shall each receive one hundred seventy-five dollars per month; one deputy judgment clerk, who shall receive one hundred seventy-five dollars per month, one stenographic secretary, male, who shall receive one hundred sixty dollars per month; two stenographers, who shall each receive one hundred twenty-five dollars per month; one typist, who shall receive one hundred fifteen dollars per month; two file index clerks, who shall each receive one hundred fifteen dollars per month,

(d) There shall be one marshal to be appointed by the judges of the court who shall receive three hundred fifty dollars per month.

The marshal shall appoint the following:

One assistant marshal, who shall receive two hundred sixty-five dollars per month, one deputy, who shall also act as secretary, who shall receive one hundred thirty-five dollars per month; one chief deputy of the civil department, who shall receive two hundred twenty dollars per month; one deputy, who shall act as assistant chief of the civil department, who shall receive two hundred dollars per month; four deputies of the civil department, who shall receive one hundred seventy-five dollars per month; three deputies of the civil department who shall receive one hundred sixty dollars per month; one deputy, who shall act as bookkeeper, who shall receive one hundred seventy-five dollars per month; one deputy, who shall act as counter clerk and return clerk, who shall receive one hundred sixty dollars per month; one deputy who shall act as stenographer, who shall receive one hundred twenty-five dollars per month; one chief deputy of the criminal department, who shall receive two hundred twenty dollars per month; one deputy, who shall act as assistant chief of the criminal department, who shall receive two hundred dollars per month; two deputies of the criminal department, who shall receive one hundred seventy-five dollars per month; two deputies of the criminal department, who shall receive one

hundred sixty dollars per month; five deputies to act as bailiffs of the courts, who shall each receive one hundred sixty dollars per month; one deputy, who shall act as record clerk, who shall receive one hundred thirty-five dollars per month; fifty deputies, who shall act as custodians, who shall receive five dollars per day. The deputy marshals serving as custodians shall be paid only for their actual services as keepers of property taken under the legal process, and shall be paid out of the funds deposited by the parties to the action in which services are rendered All marshals, assistants and deputies, excepting those designated herein as custodians shall be allowed in addition to their salaries, their actual and necessary incidental expenses incurred in the actual performance of their duties, including traveling expenses to be allowed at the rate per mile fixed by the county board of supervisors for the operation of automobiles actually used in performance of their business on public duty or to pay for such other mode of transportation as they may adopt."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 826—An act to amend sections 12 and 13 of the Direct Primary Law, relating to choice of party ballots at primary elections.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 4, 9, 10, 12, 13, 17, 19, 25 and 33 of the Direct Primary Law, relating to primary elections."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and all of pages 2, 3, 4, 5, 6, the ballot form inserted between pages 6 and 7, and all of pages 7, 8 and 9, and insert in lieu thereof the following:

"SECTION 1. Section 4 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 4. On the twenty-fifth day before the first Tuesday in May, in those years in which a President of the United States is elected, and on the eightieth day before the last Tuesday in August, on the twenty-fifth day before the last Tuesday in August, and on the twenty-fifth day before the date of the November election, in each even-numbered year, the county clerk or registrar of voters of each county, or city and county, shall transmit a statement to the Secretary of State of the total number of electors registered in his county between the first day of January next preceding and a date in **each instance five days** preceding the date of transmission of such statement as herein provided for, together with the number so registered under each of the several political affiliations, and also the number declining or failing to declare such affiliation.

1. At least seventy days before the time of holding the August primary election in 1934 and biennially thereafter, the Secretary of State shall prepare and transmit to each county clerk and to the registrar of voters in any city and county a notice in writing designating all the offices, except township offices, for which candidates are to be nominated at such primary election, together with the names of the political parties qualified to participate in such election.

2 Within ten days after receipt of such notice such county clerk or registrar of voters in any city and county shall publish once in each week for two successive weeks in not more than two newspapers published in such county, or city and county, so much thereof as may be applicable to his county, including a statement of the township offices in the county for which candidates are to be nominated, and a statement of the number of members of the county central committee to be elected by each political party in each supervisorial or assembly district, as the case may be, according to the provisions of subdivision four of section 24 of this act

3 In the case of primary elections other than the August primary elections the city clerk or secretary of the legislative body of the political subdivision for which such primary election shall be held shall cause one publication of such notice to be given, such publication to be not more than forty and not less than fourteen days before such primary election.

SEC. 2. Section 9 of said act is hereby amended to read as follows.

Sec. 9. The expense of providing all ballots, blanks, rubber stamps, colored pencils and other supplies to be used at any primary election provided for by this act and all expenses necessarily incurred in the preparation for or the conduct of such primary election shall be paid out of the treasury of the city, city and county, county or State, as the case may be, in the same manner, with like effect and by the same officers as in the case of general elections

SEC. 3. Section 10 of said act is hereby amended to read as follows:

Sec 10. At least forty-five days before any August primary election preceding a November election the Secretary of State shall transmit to each county clerk or registrar of voters of any county or city and county, a certified list containing the name and postoffice address of each person for whom nomination papers have been filed in the office of such Secretary of State, and who is entitled to be voted for in such county at such primary election, together with a designation of the office for which such person is a candidate, and except in the case of a nonpartisan office of the party he represents. Such county clerk or registrar of voters shall forthwith, upon receipt thereof, publish under the proper party designation the title of each office (except a nonpartisan office) which appears upon the certified list transmitted by the Secretary of State as hereinbefore provided, together with the names and addresses of all persons for whom nomination papers have been filed for each of said offices in the office of the Secretary of State, and also the names of all candidates for the State Senate and Assembly when such candidates are to be voted for wholly within one county or city and county, and for the county central committee, filed in the office of the county clerk or registrar of voters. He shall also publish the title of each nonpartisan office, together with the names and addresses of all persons for whom nomination papers have been filed for each of said offices, either in the office of the Secretary of State or in the office of the county clerk or registrar of voters, and shall state that candidates for said judicial, school, county, and township offices may be voted for at the primary election, by any registered, qualified elector of the county, whether affiliating with any political party or not. He shall also publish the date of the primary election, the hours during which the polls will be open, and that the primary election will be held at the legally designated polling places in each precinct, which shall be particularly designated It shall be the duty of the county clerk or registrar of voters in any city and county to cause such publication to be made once each week for two successive weeks prior to said primary election.

SEC. 4. Section 12 of said act is hereby amended to read as follows:

Sec. 12. 1. All voting at primary elections shall be by ballot. On all ballots provided for use at an August primary election, the columns on the left-hand side of the ballot shall be used as party columns, the first column, with a succeeding column or columns, if necessary, being occupied by the names of candidates for nomination by one party, the next column, or columns, for another party, and so on These party columns shall be separated from one another by a heavy double line or rule. Every political party entitled to participate in the August primary election, shall appear separately in one of these party columns (the column being headed by the name of the party); provided such party has any candidate for any office whose nomination paper has been filed according to the provisions of this act. The order of the offices under each party designation shall be as follows: first "congressional," including the groups of names for United States Senator in Congress, if any, and for Representative in Congress; next, under the heading "State" shall be printed the groups of names of candidates for State offices, except judicial and school offices, and for members of the State Board of Equalization. In elections when State officers are not to be nominated, this heading shall be omitted; next, under the heading "legislative" shall be printed the groups of names for State Senator, if any, and for member of the Assembly. Finally, under the heading "county committee" shall be printed the names of the candidates for election to membership in the county central committee of the party. The names of the parties at the heads of the party columns shall be arranged in alphabetical order for the first assembly district; and thereafter for each succeeding assembly district, the party column appearing first in the last preceding assembly district shall be placed last, the order of the other party columns remaining unchanged Each elector shall be entitled to vote only for candidates, if any, for election to membership in the county central committee of that party with which he has declared his affiliation, as provided for by section 1096a of the Political Code, but shall be entitled to vote for the candidates for office who are proposed for nomination in that party with which he shall declare his intention to vote at the time he receives his ballot, and for no other candidates for the county central committee or other party candidates except as he may write in the names of such other candidates in

the blanks provided for that purpose. If he does not express a desire to affiliate with any party he shall not be entitled to vote at such primary election for the nomination of any candidates for any of the offices appearing in these party columns; but he shall be entitled to vote for candidates for all judicial, school, county, and township offices, whether he expresses a desire to affiliate with any party or not.

2. To the right of these party columns shall be a solid black line, extending down from the printed lines separating the instructions to voters from the lists of names of candidates to the bottom margin of the ballot. In the case of a primary election for the nomination of candidates to be voted for at a presidential or general State election, the order of precedence for the columns to the right of this solid black line shall be as follows, that is to say Under the heading "Judicial" shall be printed all the names of candidates for judicial offices, in the order of Chief Justice Supreme Court, Associate Justices Supreme Court, Justice of District Court of Appeal, judge of superior court, justice of the peace, and other judicial officers, if any Next, under the heading "School" shall be printed all the names of candidates for school offices in the order of State Superintendent of Public Instruction and county superintendent of schools. Next, under the heading "County" shall be printed the groups of candidates for all county and township offices except judicial or school offices. In the case of primary elections where nominations are to be made for only a portion of these offices, at the right of the solid black dividing line there may be only one column The tally sheets furnished to election officers shall have the names of offices and candidates arranged in the order in which said names of offices and candidates are printed on the ballots according to the provisions of this section. In the case of primary elections for the nomination of candidates for city, city and county or municipal offices only, the order of precedence shall be determined by the legislative body of such city or municipality or by the board of election commissioners of any such city and county.

3 The group of names of candidates for nomination for any judicial, school, county or township office shall include all the names receiving the requisite number of signatures on nomination papers for such office; but the groups of names of candidates for office appearing on the ballots under the head of each political party shall comprise only the names of candidates for nomination by such party. If any candidate is nominated to fill a short term office as distinguished from another candidate on the same ballot nominated for a full term of the same office, the words "short term" or "full term," as the case may be, shall be printed below the title of such offices on the ballot, preceding the respective groups of names of candidates.

4. It shall be the duty of the county clerk of each county or of the registrar of voters in any city and county to provide such printed official ballots to be used at any August primary election for nomination of candidates to be voted for in such county or city and county at the ensuing November election and at any May presidential primary election. It shall be the duty of the city clerk or secretary of the legislative body of any municipality to provide such printed official ballots for any primary election other than the August primary election or the May presidential primary election. Such official ballots to be used at any primary election shall be printed on official paper, furnished by the Secretary of State, in the manner provided by section 1196 of the Political Code, and in the form hereinafter provided The names of all candidates for the respective offices for whom the prescribed nomination papers have been duly filed shall be printed thereon.

Immediately under the name of each candidate and not separated therefrom by any line may appear, at the option of the candidate, one of the following designations:

a Words designating the city, county, district or State office which the candidate then holds.

b If the candidate be a candidate for the same office which he then holds, the word "incumbent"

c The word designating the profession, vocation or occupation of the candidate The profession, vocation or occupation so designated shall be the same as appears in the affidavit of registration of such candidate, provided, however, the word "incumbent" shall be used only under subsection (b) herein Such designation shall remain the same for all purposes of both the primary and general election, unless canceled by the candidate.

In all cases words so used shall be printed in eight point roman bold-face capitals and lower case type.

5. Across the top of the primary election ballot shall be printed in heavy faced gothic capital type, not smaller than forty-eight point, the words: "Official primary election ballot," providing that on any primary ballot less than four columns in width said words may be printed in heavy faced gothic capital type not smaller than twenty-four point. Beneath the heading "Official primary election ballot"

shall appear in heavy faced gothic capital type, the name of the county in which the ballot is being used; and at least three-eighths of an inch below the name of the county shall appear the supervisorial district, providing there are no more than five assembly districts in the county, or the assembly district, providing there are more than five assembly districts in the county; the word "district" to be followed in either case by a semicolon and the date of the primary election At least three-eighths of an inch below the district designation and the date of the primary election shall be printed in ten-point black gothic type, double leaded, the following instructions to voters: "To vote for a person whose name appears on the ballot, stamp a cross (+) in the square at the right of the name of the person for whom you desire to vote. To vote for a person whose name is not printed on the ballot, write his name in the blank space provided for that purpose; and it is optional, but not necessary, to stamp a cross after such name. Vote for the candidates of that party only, and for the candidates for the county central committee of that party only which are not marked "canceled" by the election officer; but vote for candidates for any or all of the nonpartisan offices.

6 The instructions to voters shall be separated from the lists of candidates by one heavy and one light line or rule. The names of the candidates and the respective offices shall, except as may be hereinafter otherwise provided, be printed on the ballot in parallel columns, each two and one-quarter inches wide The columns of the ballot to the left of the solid black line shall each be headed by the name of a party printed in heavy faced gothic capital type; and to the right of the solid black line shall appear in similar type the heading "Nonpartisan offices." These headings shall all be printed directly under the heavy and light line or rule, and shall be separated from the lists of candidates by a single line or rule.

7. The order in which the list of candidates for any office shall appear upon the primary election ballot shall be determined as follows:

(a) If the office is an office the candidates for which are to be voted on throughout the entire State, including United States Senator in Congress, the Secretary of State shall arrange the names of all candidates for such office in alphabetical order for the first assembly district; and thereafter for each succeeding assembly district, the name appearing first for each office in the last preceding district shall be placed last, the order of the other names remaining unchanged. If the office is that of Representative in Congress, or member of the State Board of Equalization, or is an office the candidates for nomination to which are to be voted on in more than one county, or city and county, but not throughout the entire State, except the office of State Senator or Assemblyman, the Secretary of State shall arrange the names of all candidates for such office in alphabetical order for that assembly district which is lowest in numerical order of any assembly district in which such candidates are to be voted on; and thereafter for such succeeding assembly district in which such candidates are to be voted on, the name appearing first for such office in the last preceding district shall be placed last, the order of the other names remaining unchanged. In transmitting to each county clerk or registrar of voters the certified list of names as required in section 10 of this act, the Secretary of State shall certify and transmit the list of candidates for nomination to each office according to assembly districts, in the order of arrangement as determined by the above provisions; and in the case of each county or city and county containing more than one assembly district, he shall transmit separate lists for each assembly district Except for the office of State Senator or Assemblyman, the order in which the names filed with the Secretary of State shall appear upon the ballot, shall be for each assembly district the order as determined by the Secretary of State in accordance with the above provisions, and as certified and transmitted by him to each county clerk or registrar of voters.

(b) If the office is an office to be voted on throughout, but wholly within, one county or city and county, except the office of Representative in Congress, member of the State Board of Equalization, State Senator, or Assemblyman, the county clerk of such county or the registrar of voters of such city and county, shall arrange the names of all candidates for such office in alphabetical order for the first supervisorial district; and thereafter for each supervisorial district, the name appearing first for each such office in the last preceding supervisorial district shall be placed last, the order of the other names remaining unchanged; provided, there are no more than five assembly districts in such county, or city and county. If there are more than five assembly districts in such county, or city and county, the county clerk or registrar of voters shall so arrange on the ballot the order of names of all candidates for such office that they shall appear in alphabetical order for that assembly district in such county, or city and county, which is lowest in numerical order, and thereafter for each succeeding assembly district in such county, or city and county, the

name appearing first for each office in the last preceding assembly district shall be placed last, the order of the other names remaining unchanged.

(c) If the office is that of State Senator or Assemblyman, or member of a county central committee, or any office except the office of Representative in Congress to be voted on wholly within any county or city and county but not throughout such county or city and county, the names of all candidates for such office shall be placed upon the ballot in alphabetical order.

(d) If the office is a municipal office in any city or town whose charter does not provide for the order in which names shall appear on the ballot, the names of candidates for such office shall be placed upon the ballot in alphabetical order.

8. In publishing the names and addresses of all candidates for whom nomination papers have been filed, as required in section 10 of this act, the county clerk or registrar of voters shall publish the names in the order in which they will appear upon the ballot, provided, that in counties or cities and counties containing more than five assembly districts the order of names of candidates shall be that of the assembly district in such county or city and county which is lowest in numerical order, and that, in all other counties, the order shall be that of the first supervisorial district.

9. Each group of candidates to be voted on shall be preceded by the designation of the office for which the candidates seek nomination, and the words "vote for one" or "vote for two" or more according to the number to be elected to such office at the ensuing election. Such designation of the office to be nominated for and of the number of candidates to be nominated shall be printed in heavy-faced gothic type, not smaller than ten point. The word or words designating the office shall be printed flush with the left-hand margin and the words "vote for one" or "vote for two" or more, as the case may be, shall extend to the extreme right of the column and over the voting square. The designation of the office and the direction for voting shall be separated from the names of the candidates by a light line

10. The names of the candidates shall be printed on the ballot without indentation, in roman capital type not smaller than eight point, between light lines or rules, not less than one-quarter nor more than three-eighths of an inch apart. Under each group of names of candidates shall be printed as many blank spaces, defined by light lines or rules, not less than one-quarter nor more than three-eighths of an inch apart, as there are to be candidates nominated for such office. To the right of the names of the candidates shall be printed a light line or rule so as to form a voting square not less than one-quarter nor more than three-eighths of an inch square. Each group of names of candidates shall be separated from the succeeding group by one light and one heavy line or rule. Each series of groups shall be headed by the words "State," "congressional," "legislative," "county and township" or "municipal" or other proper general classification, as the case may be, printed in heavy-faced gothic capital type, not smaller than twelve point. The left-hand side of the first column of names on the ballot, and also the right-hand side of the last column of voting squares on the ballot shall be bordered by a broad printed line one-twelfth of an inch wide The binding or stitching of each package of ballots shall be on the left side thereof. The ballots shall be printed on the same leaf with a stub not over one and one-half inches in width, and separated therefrom by a perforated line from top to bottom, one-half inch to the left of the broad printed line along the left border of the ballot. Upon this stub shall be printed the number of the ballot only. On each ballot a perforated line shall extend across the top of the ballot one inch from the top thereof. The same number as appears on the stub shall be printed above such perforated line within two inches of the perforated line on the left side of the ballot, and above this number shall be printed in parenthesis in small type as follows: "(This number to be torn off by inspector)"; and one-half inch to the right of this ballot number there shall be a short perforated line extending from the perforated line along the top of the ballot to the top edge of the ballot. Immediately above said perforated line shall be printed in black-face lower case type, at least twelve point in size, and enclosed in a parenthesis, the following: "(Fold ballot to this perforated line, leaving top margin exposed)" Above this printed direction, and midway between it and the top edge of the ballot, shall be printed in black-face capital type, at least twelve point in size, if possible, and with the four middle words underlined or otherwise made prominent, the following: "Mark crosses (+) on ballot only with rubber stamp; never with pen or pencil." The number on each ballot shall be the same as that on the corresponding stub, and the ballots and stubs shall be numbered consecutively in each county; provided, that the sequence of numbers on such official ballots and stubs for each party shall begin with the number one. The official ballots of each political party shall be made up in stub books, each book to contain ten, or some multiple of ten, ballots, in the manner provided by law for official election ballots, and except as to the order of the names of candidates shall be printed in substantially the following form:

(This number to be torn off by Inspector)

3347

MARK CROSSES (+) ON BALLOT **ONLY WITH RUBBER STAMP** NEVER WITH PEN OR PENCIL

(USE BALLOT OF THIS FORMATION FOR LEATHER STAMP METHOD)

3347

OFFICIAL PRIMARY ELECTION BALLOT

SAN JOAQUIN COUNTY

Third Supervisor District, August 28, 1934

To vote for a person whose name appears on the ballot, stamp a (+) in the square at the RIGHT of the name of the person for whom you desire to vote. To vote for a person whose name is not printed on the ballot, write his name in the blank space provided for that purpose and it is optional, but not necessary, to stamp a cross after such name. Vote for candidates of that party only which is not marked "canceled" by the election officer but vote for candidates for any or all of the non partisan offices.

REPUBLICAN

CONGRESSIONAL

United States Senator — Vote for One

RICHARD [illegible]

HOWARD [illegible]

JOHN [illegible]

Representative in Congress 8th District — Vote for One

WILLIAM [illegible]

THOMAS [illegible]

STATE

Governor — Vote for One

[illegible]

ERNEST [illegible]

THOMAS [illegible]

Lieutenant Governor — Vote for One

[illegible]

Secretary of State — Vote for One

[illegible]

Controller — Vote for One

[illegible]

Treasurer — Vote for One

[illegible]

Attorney General — Vote for One

[illegible]

Surveyor General — Vote for One

[illegible]

Member State Board of Equalization 4th District — Vote for One

[illegible]

LEGISLATIVE

State Senator 17th District — Vote for One

[illegible]

Member Assembly 34th District — Vote for One

[illegible]

COUNTY COMMITTEE

Members County Central Committee 3d Supervisorial District — Vote for Two

PETER [illegible]

EARTICE BOYLAN

MYRACE [illegible]

SOCIALIST

CONGRESSIONAL

United States Senator — Vote for One

[illegible]

ALEXANDER [illegible]

Representative in Congress 8th District — Vote for One

[illegible]

[illegible]

[illegible]

STATE

Governor — Vote for One

[illegible]

[illegible]

Lieutenant Governor — Vote for One

[illegible]

[illegible]

Secretary of State — Vote for One

[illegible]

Controller — Vote for One

[illegible]

Treasurer — Vote for One

[illegible]

Attorney General — Vote for One

[illegible]

Surveyor General — Vote for One

[illegible]

Member State Board of Equalization 4th District — Vote for One

[illegible]

LEGISLATIVE

State Senator 17th District — Vote for One

[illegible]

Member Assembly 18th District — Vote for One

[illegible]

COUNTY COMMITTEE

Members County Central Committee 3d Supervisorial District — Vote for Two

[illegible]

DEMOCRATIC

CONGRESSIONAL

United States Senator — Vote for One

[illegible]

CHARLES [illegible]

Representative in Congress 8th District — Vote for One

[illegible]

ARTHUR [illegible]

STATE

Governor — Vote for One

[illegible]

[illegible]

Lieutenant Governor — Vote for One

[illegible]

[illegible]

Secretary of State — Vote for One

[illegible]

Controller — Vote for One

[illegible]

Treasurer — Vote for One

[illegible]

Attorney General — Vote for One

[illegible]

Surveyor General — Vote for One

[illegible]

Member State Board of Equalization 4th District — Vote for One

[illegible]

LEGISLATIVE

State Senator 17th District — Vote for One

[illegible]

Member Assembly 18th District — Vote for One

[illegible]

COUNTY COMMITTEE

Members County Central Committee 3d Supervisorial District — Vote for Two

[illegible]

PROHIBITION

CONGRESSIONAL

United States Senator — Vote for One

[illegible]

[illegible]

Representative in Congress 8th District — Vote for One

[illegible]

[illegible]

STATE

Governor — Vote for One

[illegible]

Lieutenant Governor — Vote for One

[illegible]

Secretary of State — Vote for One

[illegible]

Controller — Vote for One

[illegible]

Treasurer — Vote for One

[illegible]

Attorney General — Vote for One

[illegible]

Surveyor General — Vote for One

[illegible]

Member State Board of Equalization 4th District — Vote for One

[illegible]

LEGISLATIVE

State Senator 17th District — Vote for One

[illegible]

Member Assembly 18th District — Vote for One

[illegible]

COUNTY COMMITTEE

Members County Central Committee 3d Supervisorial District — Vote for Two

[illegible]

NON-PARTISAN OFFICES

JUDICIAL

Chief Justice Supreme Court — Vote for One

[illegible]

[illegible]

[illegible]

Associate Justice Supreme Court — Vote for Two

[illegible]

[illegible]

[illegible]

Justice of the District Court of Appeal 1st District — Vote for One

[illegible]

[illegible]

Judge of the Superior Court — Vote for Two

[illegible]

[illegible]

[illegible]

[illegible]

Justice of the Peace Castle Township — Vote for Two

[illegible]

[illegible]

[illegible]

[illegible]

SCHOOL

Superintendent Public Instruction — Vote for One

[illegible]

[illegible]

[illegible]

County Superintendent of Schools — Vote for One

[illegible]

[illegible]

[illegible]

COUNTY

Sheriff — Vote for One

[illegible]

[illegible]

[illegible]

District Attorney — Vote for One

[illegible]

[illegible]

[illegible]

County Clerk — Vote for One

[illegible]

[illegible]

[illegible]

[illegible]

Assessor — Vote for One

[illegible]

[illegible]

[illegible]

[illegible]

Treasurer — Vote for One

[illegible]

[illegible]

[illegible]

Tax Collector — Vote for One

[illegible]

[illegible]

[illegible]

[illegible]

Recorder — Vote for One

[illegible]

[illegible]

[illegible]

Public Administrator — Vote for One

[illegible]

[illegible]

Coroner — Vote for One

[illegible]

[illegible]

[illegible]

Supervisor 3d Supervisorial District — Vote for One

[illegible]

[illegible]

Constable Oak Township — Vote for One

[illegible]

[illegible]

SEC. 5. Section 13 of said act is hereby amended to read as follows:

Sec. 13. At least twenty days before the August primary election or before the May presidential primary election each county clerk or registrar of voters in every county or city and county shall prepare a sample ballot placing thereon in the order provided by law, and under the appropriate title of each office, the names of all candidates for whom nomination papers with the requisite number of "sufficient" signatures have been duly filed with him, or have been certified to him by the Secretary of State, to be voted for at the primary election in his county or city and county. Such sample ballots shall be printed on paper of a different texture from the paper to be used on the official ballot, and shall be mailed to each voter entitled to vote at such August primary election not more than twelve nor less than six days before the election. The county clerk on or before the first day on which sample ballots are mailed to the voters, shall mail a copy to each candidate for whom nomination papers have been filed with him or whose name has been certified to him by the Secretary of State, to the post-office address as given in such nomination paper or certification, and he shall post a copy of such sample ballot in a conspicuous place in his office. Before such primary election the county clerk or registrar of voters in any city and county shall cause the official ballot to be printed as provided in section 12 of this act, and distributed in the same manner and in the same quantities as provided in sections 1198, 1199 and 1201 of the Political Code for the distribution of ballots for elections. In the case of primary elections for the nomination of candidates for city offices it shall be the duty of the city clerk, secretary of the legislative body of such city or municipality or such other officer charged by law with the duty of preparing and distributing official ballots used at elections in such city or municipality, to prepare and mail the sample ballot and to prepare and distribute the official primary election ballots, and so far as applicable and not otherwise provided herein the provisions of this act shall apply to the nomination of all candidates for city offices.

SEC. 6. Section 17 of said act is hereby amended to read as follows:

Sec. 17. Any elector qualified to take part in any primary election, who has, at least forty days before the day of such primary election, qualified by registration, as provided by section 1096 of the Political Code, shall be entitled to vote at such primary election, such right to vote being subject to challenge only as hereinbefore provided; and on writing his name or having it written for him on the roster as provided by law for general elections in this State. He shall likewise write or have written upon the roster the name of the party with which he intends to vote for candidates for office at the said primary election. He shall then declare to the election officer from whom he receives his ballot the name of such political party with which he intends to vote at such primary election, and the clerk, whose duty it is according to law to write the name of the elector on the poll list, shall also write opposite such name the name of said political party with which the elector declares it is his intention to vote at said primary election. At the August primary election the election officer having charge of the ballots, before giving him his ballot, shall write with ink or with a stamp provided for that purpose the word "canceled" across the tops of the party columns (except in case the elector changes his party affiliation, from that party with which he has declared his affiliation as provided for in section 1096a of the Political Code, to some other political party, in which case said election official shall leave uncanceled the names of the candidates of the county central committee of the party with which said elector has declared his affiliation as provided for in section 1096a of the Political Code, and shall cancel the names of the candidates of the county committee of all other parties, drawing a blue pencil line down the middle of such column headed by the words "county committee") and shall draw a blue pencil line down the middle of such columns which are headed by the names of all the political parties, except that with which the elector has declared his intention to vote, and also excepting as hereinbefore provided relative to the county central committee, and the elector shall be entitled to vote only for candidates for nomination to offices printed or written in under the name of such party as is not thus marked "canceled" and shall be entitled to vote only for candidates of the county central committee, printed or written in under the name of the heading "county committee" as is not thus marked "canceled." If the voter does not express a desire to affiliate with any party, he need not write, or declare, or have written the name of any political party, and in such case the election officer shall write or stamp the word "canceled" and draw the blue line across the names of all candidates for nomination to office in the party columns, and the elector shall not be entitled to vote for any such candidates. No one shall be entitled to vote at any primary election who has not been a resident of the State for one year, and of the county ninety days next preceding the day upon which such primary election is held. The voter shall be instructed by a member of the board as to the proper method of marking and folding his ballot, and he shall then retire to an unoccupied booth and without undue delay stamp the same with the rubber stamp there found. If he shall spoil or deface the ballot he shall at once return the same to the ballot clerk and receive another.

SEC. 7. Section 19 of said act is hereby amended to read as follows:

Sec. 19. When a voter has stamped his ballot he shall fold it so that its face shall be concealed and only the printed designation on the back thereof shall be visible and hand the same to the member of the board in charge of the ballot box. Such folded ballot shall be voted as ballots are voted at general elections, and the name of the voter checked upon the precinct index as having voted.

SEC 8. Section 25 of said act is hereby amended to read as follows:

Sec. 25 No candidate whose nomination papers have been filed for any primary election can withdraw as a candidate at such primary election. No candidate nominated at any primary election can withdraw as a candidate at the ensuing general election except such as are permitted to withdraw by this section. In case as a result of any primary election a person has received a nomination to any office without first having nomination papers filed, and having his name printed on the primary election ballot, he may at least thirty-one days before the day of election cause his name to be withdrawn from nomination by filing in the office where he would have filed his nomination papers had he been a candidate for nomination, his request therefor in writing, signed by him and acknowledged before the county clerk of the county in which he resides; and no name so withdrawn shall be printed on the election ballot for the ensuing general election. The vacancy created by the withdrawal of such person as aforesaid, or on account of the ineligibility of such person to qualify as a candidate because of the inhibitions of subdivision (1) of section 5 of this act, or by reason of the failure of a party to nominate any candidate for the office at the primary election, or for any other cause shall not be filled except in the following cases:

1. By reason of the death of a candidate occurring at least twenty-five days before the date of the next ensuing November election.

2. By reason of the disqualification of a candidate occurring on account of the failure of such candidate to secure the nomination in his own party as required by section 23 of this act.

Vacancies occurring by reason of such death of any candidate or because of such disqualification imposed by section 23 of this act, may, in the case of legislative offices, be filled by the newly elected county central committee or committees of the party in which such vacancy occurs, in the county or counties comprising the legislative district of such deceased or disqualified candidate; and in the case of all other district or State offices requiring party nomination, by the newly selected State central committee of such party.

If such vacancy occurs among candidates chosen at the primary election for a judicial, school, county, township, or municipal office according to the provisions of section 23 of this act, in which case that candidate receiving at said primary election the highest vote among all the candidates for said office who have failed to receive a sufficient number of votes to get upon said ballot according to the provisions of said section 23, shall go upon said ballot to fill said vacancy; and provided, further, that a vacancy authorized to be filled by the provisions of subdivision 1 of this section shall be filled and certified to the officer charged with the duty of printing the ballots twenty-five days before the day of election; and provided, further, that a vacancy authorized to be filled by the provisions of subdivision 2 of this section shall be filed with the officer with whom a nomination paper for such office may be filed at least thirty-three days before the day of election.

Whenever a nomination paper containing a sufficient number of signatures has been filed for any person as a candidate to be voted for at a primary election, the name of such person must be printed upon the ballot or ballots of such primary election as hereinbefore provided in section 12 of this act, unless such person has died and such fact has been ascertained, by the officer charged with the duty of printing the ballot, at least twenty-five days before the day of election.

Whenever a candidate has been nominated at any primary election after having nomination papers filed, the name of such candidate must be printed upon the ballot at the ensuing general election unless such candidate has died and such fact has been ascertained by the officer charged with the duty of printing the ballots, at least twenty-five days before the day of election.

Whenever, upon the death or disqualification of any candidate, the vacancy thereby created is filled by a party committee, a certificate to that effect shall be filed with the officer with whom a nomination paper for such office may be filed and shall be accepted and acted upon by him as in the case of such nomination paper.

SEC 9 Section 33 of said act is hereby amended to read as follows:

Sec. 33. It shall be the duty of the Secretary of State and the Attorney General to prepare on or before January 1, 1934, all forms necessary to carry out the provisions of this act, which forms shall be substantially followed in all primary elections held in pursuance hereof."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1014—An act to amend section 270 of, and to add three new sections to be numbered 270a, 270b, and 270c, to the Code of Civil Procedure, relating to phonographic reporters for the superior court.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 269 and 271 of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and strike out all of page 2 and insert in lieu thereof the following:

"SECTION 1. Section 269 of the Code of Civil Procedure is hereby amended to read as follows:

269. The judge or a majority of the judges concurring, where there is more than one judge, of any superior court in the State may appoint a competent phonographic reporter, or as many such reporters as there are judges, to be known as official reporter or reporters of such court, and to hold office during the pleasure of the judge or judges appointing them. Such reporter, or any of them, where there are two or more, must, at the request of either party, or of the court in a civil action or proceeding, and on the order of the court, the district attorney, or the attorney for the defendant in a criminal action or proceeding, take down in shorthand all the testimony, the objections made, the rulings of the court, the exceptions taken, all arraignments, pleas and sentences of defendants in criminal cases, the arguments of the prosecuting attorney to the jury, and all statements and remarks made and oral instructions given by the judge; and if directed by the court, or requested by either party, must, within such reasonable time after the trial of such case as the court may designate, write out the same, or such specific portions thereof as may be requested, in plain and legible longhand, or by typewriter, or other printing machine, and certify to the same as being correctly reported and transcribed, and when directed by the court, file the same with the clerk of the court

In criminal proceedings, when requested by either the district attorney or a defendant, the judge may order the reporter to prepare and file with the clerk of the court a daily transcript of his shorthand notes, or such portion thereof as the judge may direct, and furnish a legible copy to the district attorny and/or to each defendant represented by separate counsel. The reporter in such cases may, upon the order of the judge, have the assistance of an additional reporter who shall be paid a per diem fee equal to that received by the original reporter. The cost of one copy of such daily transcript together with the per diem fee of the additional reporter, shall be a legal charge against the county payable out of the treasury from the budget appropriation of the district attorney in the manner provided by law for the payment of claims against the county when such daily transcript is requested by the district attorney.

SEC. 2. Section 271 of the Code of Civil Procedure is hereby amended to read as follows:

271. The official reporter of any superior court shall attend to the duties of his office in person, except when excused for good and sufficient reason by order of the court, which order shall be entered upon the minutes of the court. Employment in his professional capacity elsewhere shall not be deemed a good and sufficient reason for such excuse; provided, however, that the official reporter assigned to any particular department of the superior court may be excused from attendance in that department by the judge thereof for the purpose of appearing in another department of the same superior court to make a daily transcript therein and in such event a reporter pro tempore may be appointed in the department from which said official reporter has been excused. When the official reporter of any court has been excused in the manner provided in this section, the court may appoint an official reporter pro tempore, who shall perform the same duties and receive the same compensation during the term of his employment as the official reporter"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 409—An act to amend section 274 of the Code of Civil Procedure, relating to compensation of official reporters of the superior court.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 274 and 274a of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 25, inclusive, and strike out all of page 2, and insert in lieu thereof the following:

"SECTION 1. Section 274 of the Code of Civil Procedure is hereby amended to read as follows:

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

For reporting testimony and proceedings, in contested cases, twelve dollars and fifty cents per day. For reporting each default or uncontested action or proceeding the reporter's fee shall be five dollars; provided, however, that if more than four defaults or uncontested matters are reported in any one day, or two or more defaults are reported in conjunction with any contested case the reporter's fee shall be at the rate of twenty-two dollars and fifty cents per day.

For transcription for one copy, twenty cents per one hundred words; for two copies made at one time, fifteen cents each per one hundred words, for three copies made at one time, eleven cents each per one hundred words; for four copies made at one time, nine cents each per one hundred words; and for five or more copies made at one time, eight cents per one hundred words.

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

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

SEC. 2. Section 274a of the Code of Civil Procedure is hereby amended to read as follows

274a Judges of the superior court may have any opinion given or rendered by such judge in the trial of any action or proceeding, pending in such court, or any necessary order, petition, citation, commitment or judgment in any probate proceeding, proceeding concerning new or additional bonds of county officials or juvenile court proceeding, or necessary order, petition, citation, commitment, oral testimony or judgment in any insanity proceeding or proceedings relative to an alleged feeble minded person, or the testimony or judgment relating to the custody or support of minor children in any proceeding in which the custody or support of minor children is involved, taken down in shorthand and transcribed by the official reporter of such court, but if there be no official reporter for such court, then by any competent stenographer; the cost thereof shall be a legal charge against the county, payable out of the county treasury, except the fee for reporting and transcribing in any civil action or proceeding or in any probate proceeding, in the manner set forth in section 274 of this code."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2295—An act to add a new section to be numbered 270a to the Code of Civil Procedure, relating to official reporters

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 869 and 925 of the Penal Code, relating to the duties of reporters in preliminary examinations and hearings before the grand jury."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 15, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 869 of the Penal Code is hereby amended to read as follows:

869. The testimony of each witness in cases of homicide must be reduced to writing, as a deposition, by the magistrate, or under his direction, and in other cases upon the demand of the prosecuting attorney, or the defendant, or his counsel. The magistrate before whom the examination is had may, in his discretion, order the testimony and proceedings to be taken down in shorthand in all examinations herein mentioned, and for that purpose he may appoint a shorthand reporter. The deposition or testimony of the witness must be authenticated in the following form:

First—It must state the name of the witness, his place of residence, and his business or profession.

Second—It must contain the questions put to the witness and his answers thereto, each answer being distinctly read to him as it is taken down, and being corrected or added to until it conforms to what he declares is the truth, except in cases where the testimony is taken down in shorthand, the answer or answers of the witness need not be read to him.

Third—If a question put be objected to on either side and overruled, or the witness declines answering it, that fact, with the ground on which the question was overruled or the answer declined, must be stated.

Fourth—The deposition must be signed by the witness, or if he refuses to sign it, his reason for refusing must be stated in writing, as he gives it, except in cases where the deposition is taken down in shorthand, it need not be signed by the witness.

Fifth—The reporter shall, within ten days after the close of such examination, if the defendant be held to answer the charge, transcribe his said shorthand notes, making an original and as many copies thereof as there are defendants (other than fictitious defendants), regardless of the number of charges or fictitious defendants included in the same examination and certify and file both said original and copy with the county clerk of the county, or city and county, in which the defendant was examined. The reporter shall, before receiving any compensation as such reporter, file with the auditor of the county his affidavit setting forth that said transcriptions have been filed with said county clerk within the time herein provided for. The compensation of the reporter for any services rendered by him as such reporter in any court of this State shall be reduced one-half if the provisions of this section as to the time of filing said transcript have not been complied with by him.

Sixth—In every case in which a transcript is filed as provided in this section, the county clerk shall deliver the original of said transcript so filed with him to the district attorney immediately upon his receipt thereof and shall deliver a copy of said transcript to each defendant (other than a fictitious defendant) at least five days before trial or upon earlier demand by him without cost to him; provided, however, that if any defendant be held to answer to two or more charges upon the same examination and thereafter the district attorney shall file separate informations upon said several charges, the delivery to each such defendant of one copy of the transcript of said examination shall be a compliance with this section as to all of said informations.

Seventh—If said transcript is filed within the time hereinbefore provided for, the reporter shall be entitled to receive the compensation fixed and allowed by law to reporters in the superior courts of this State.

SEC. 2. Section 925 of the Penal Code is hereby amended to read as follows:

925. The grand jury may, at all times, ask the advice of the court, or the judge thereof, or of the district attorney; but unless such advice is asked, the judge of the court must not be present during the sessions of the grand jury. The district attorney of the county may at all times appear before the grand jury for the purpose of giving information or advice relative to any matter cognizable by them, and may interrogate witnesses before them whenever he thinks it necessary, except that when a charge against or involving the district attorney, or assistant district attorney, or deputy district attorney, or any one employed by or connected with the office of the district attorney, is being investigated by the grand jury, such district attorney, or assistant district attorney, or deputy district attorney, or either or any

of them, shall not be allowed to be present before such grand jury when such charge is being investigated, in an official capacity but only as a witness, and he shall only be present while a witness and after his appearance as such witness must leave the place where the said grand jury is holding its session The Attorney General is empowered when requested so to do by the grand jury of any county or city and county, to employ special counsel and special investigators, whose duty it shall be to investigate and present the evidence in such investigation to the said grand jury of such county or city and county.

The services of such special counsel and special investigators shall be a county charge of such county or city and county.

The grand jury, whenever criminal causes are being investigated before them, must appoint a competent stenographic reporter to be sworn and to report the testimony that may be given in such causes in shorthand, and to transcribe the same in all cases where an indictment is returned. If an indictment has been found against a defendant, the said reporter shall certify and file with the county clerk an original transcription of his shorthand notes and as many copies as there are defendants (other than fictitious defendants), regardless of the number of charges or fictitious defendants included in the same investigation. The county clerk shall deliver the original of said transcript so filed with him to the district attorney immediately upon his receipt thereof and shall serve a copy of said transcript upon each such defendant within five days after the discharge of the grand jury, or if the grand jury has not been discharged, at least ten days before the date set for trial; provided, that if the copy of the testimony shall not be served as herein provided the court shall on motion of the defendant continue the trial to such time as may be necessary to secure to the defendant receipt of a copy of such testimony ten days before such trial. The county clerk shall not exhibit said transcript to any person nor divulge any of the contents thereof until after the defendant is in custody. If several criminal charges be investigated against a defendant on one investigation and thereafter separate indictments are returned upon said several charges, the service upon said defendant of one copy of the transcript of said investigation shall be a compliance with this section as to all of said indictments The services of such stenographic reporter shall constitute a charge against the county, and such stenographic reporter shall be compensated for reporting and transcribing at the same rates as prescribed in section 274, Code of Civil Procedure, to be paid out of the county treasury on a warrant of the county auditor when ordered by the judge of the superior court No person other than those specified in this and the succeeding section is permitted to be present during the session of the grand jury except the members and witnesses actually under examination, and no person must be permitted to be present during the expression of their opinions, or giving their votes upon any matter before them. The grand jury or district attorney may require by subpena the attendance of any person before the grand jury as interpreter, and such interpreter may, while his services are necessary, be present at the examination of witnesses before the grand jury. The compensation for services of such interpreter constitutes a charge against the county, and shall be fixed by the grand jury, in an amount not to exceed ten dollars a day and paid out of the county treasury on a warrant of the county auditor upon an order of the judge of the superior court"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1253—An act to add a new section to the Fish and Game Code to be numbered 1203.6, relating to pheasants.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1139—An act to provide for the payment of attorney fees by the county to attorneys for representing defendants charged with crime who are without funds.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after "cases", insert the following: "not to exceed".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 9 and 10.

AMENDMENT NUMBER THREE

On page 1, line 12, of the printed bill, after "when", insert the following: "fixed and".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 941—An act to provide for the charging of fees for admission to Sutter's Fort, and for the disposition of such fees.

Bill read second time, ordered to engrossment, and third reading.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and thirty minutes a.m., Hon. Walter J Little, Speaker of the Assembly, in the chair.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1528—An act to control, license, and regulate, the manufacture, transportation, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; and to provide penalties for the violation hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 1528 at this time for the purpose of adopting amendments, without reference to committee or file, and that same be considered engrossed.

Assembly Bill No. 1528—An act to provide for the creation of a commission to be known as the License Tax Commission, which shall or may issue licenses to manufacturers, purveyors, transporters and sellers of alcohol, spirits or beverages containing alcohol and to provide for the issuance of licenses to those who manufacture, sell, convey and transport alcohol, spirits or beverages containing alcohol, and to provide for the collection of taxes from those to whom licenses may or do issue and for the regulation of the sale of alcohol, spirits or beverages containing alcohol, and for the taxing of said sales, and for the collection of taxes upon sales and manufactures of alcohol, spirits or such beverages containing alcohol and for the appointment of commissioners to be known as License Tax Commissioners, and to appropriate money out of the funds collected for license taxes for the salaries and expenses of such commissioners, its agents and employees, and its offices and incidental expenses.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In line 4 of the title of the printed bill, as amended, after the semicolon after "liquor", insert the following: "to make an appropriation therefor;".

AMENDMENT NUMBER TWO.

On page 6 of the printed bill, as amended, strike out line 29, and insert in lieu thereof the following: "by volume and which are fit for use for beverage purposes."

AMENDMENT NUMBER THREE.

On page 7, line 2, of the printed bill, as amended, strike out the period after "tables", and insert in lieu thereof a comma and the following: "or seated at counters."

AMENDMENT NUMBER FOUR.

On page 7 of the printed bill, as amended, strike out lines 16 and 17, and insert in lieu thereof the following. "consumer or general public"

AMENDMENT NUMBER FIVE.

On page 7, line 49, of the printed bill, as amended, strike out the period after "purposes", and insert a comma and the following. "or a license to sell liquor on a prescription written by a duly licensed physician".

AMENDMENT NUMBER SIX

On page 7, line 52, of the printed bill, as amended, after the period after "issued", insert the following. "The holder of each "on sale" license shall have the right without further payment of license fees, to exercise the rights of an "off sale" license and to make "off sale" transactions on the premises covered by the "on sale" license."

AMENDMENT NUMBER SEVEN.

On page 8 of the printed bill, as amended, after line 6, insert the following:

"(u) "Premises" shall, when applied to drive-in eating places, include the stand from which meals are served and the grounds immediately surrounding such stand on or from which meals are served in the usual and ordinary course of business.

(v) "Importer" means any person who, in the case of wine, beer or liquor which is brewed, fermented or produced outside the State, is first in possession thereof within the State after completion of the act of importation."

AMENDMENT NUMBER EIGHT.

On page 8 of the printed bill, as amended, strike out lines 7 to 10, inclusive, and insert in lieu thereof the following:

"(w) "Board" means the State Board of Equalization"

AMENDMENT NUMBER NINE.

On page 8 of the printed bill, as amended, strike out lines 11 to 52, inclusive; also strike out pages 9 to 16, inclusive; also strike out lines 1 and 2 of page 17, and insert in lieu thereof the following:

"SEC. 5. The State Board of Equalization is hereby directed to administer and enforce the provisions of this act. For this purpose the board may employ, exempt from the provisions of the "State Civil Service Act," such additional inspectors and clerks as may be determined by the State Salary Board to be necessary for the efficient administration and enforcement of the provisions of this act.

The members of the board and the inspectors employed under the provisions of this act shall have all the powers of peace officers in enforcing the provisions of this act.

SEC. 6 The board shall biennially report to the Governor and to the Legislature respecting its administration of this act. It shall make such recommendation in regard to legislation and the administration of this act as it shall deem proper and necessary.

SEC 7. The board shall make rules and regulations pursuant to the provisions of this act and such rules and regulations may be modified from time to time.

SEC. 8. The board shall keep in its office a complete record of all its acts and a record of all transactions for violations of this act. These records and reports shall always be open to inspection by the public.

SEC 9. The board and each of its inspectors shall have power to examine books, records and papers of every licensee hereunder The board shall also have power to hear and determine complaints against any licensee, to administer oaths, and to issue subpoenas to require the presence of persons and the production of papers, books and records.

SEC. 10. Application for any license must be made to the board at one of its offices Application must be made on such form as the board may prescribe and in accordance with such rules and regulations as it may adopt. The board may prescribe the information to be contained in such application, which shall also include the name and address of the applicant, and if a partnership, also the names and addresses of all the partners, and if a corporation, association, or other organization, also the names and addresses of the president, vice president, secretary, and managing officer or officers, together with all the other information deemed necessary by the board. Each application shall be accompanied by the annual license fee required herein for the particular license for which application is made If the application is denied such fee shall be returned to the applicant.

With each such application the applicant must file a photostatic copy of the permit issued to the applicant under the laws of the United States of America if such a permit be required under said laws establishing the right of the applicant to engage in said business

SEC 11 On application to the board and pursuant to such regulations as it may from time to time prescribe, the board shall issue permits to sell and furnish beer and wine on trains, vehicles or boats operated as common carriers. Said board shall charge and collect therefor permit fees which are hereinafter fixed in amounts hereby found to be reasonably required to defray the expenses of issuing and supervising such permits Such permit fees shall be based on the average number in actual operation of each class of operating units, namely, trains, vehicles and boats, operated under such permit during the calendar year and upon which beer and wine are sold, furnished or offered for sale within this State, such average to be ascertained by the board under such regulations as it may prescribe. Such permit fees shall be: For each train or vehicle of said average number, the sum of twelve dollars, and for each boat of said average number, the sum of fifty dollars. The said permits shall authorize only the sale or furnishing of beer and wine on such train, vehicle or boat to a bona fide passenger or employee or person then actually being transported on said train, vehicle or boat, for consumption only on such train, vehicle or boat. Said permits shall not authorize "off sale" privileges or transactions nor shall it authorize "on sale" privileges at any fixed place of business such as a hotel, restaurant, eating house or station.

SEC 12 Upon receipt of an application for a license and the license fee the board shall thoroughly investigate and determine whether,

(a) The premises in respect to which the license is to be issued complies with the provisions of the law and the rules and regulations of the board;

(b) The premises and equipment or the plans and specifications thereof in respect to which the license is to be issued are proper and suitable for public use if such applicant is to sell liquor;

(c) The applicant has had a license forfeited, suspended or revoked under the provisions of this act.

No license shall be granted to any applicant who fails to comply with the provisions of this section or who has within one year prior to filing his application violated any law concerning liquor or committed a felony under the laws of this State, the United States, or any other State of the United States

SEC 13 The board may consider any objections or protests to the issuance of any licenses filed by any person with it, and the board may grant or refuse the license applied for if the applicant does not comply with the provisions of this act or the rules and regulations made in pursuance thereto

SEC 14 Every license issued under this act shall set forth the name of the person to whom it is issued. If the license is issued under a fictitious name, such license shall set forth in addition to said name, the name or names of each of the persons conducting the business under the fictitious name. The license shall also specify the location by street and number of the premises in respect to which the license is issued.

SEC 15 Each license shall be signed by the licensee, shall be nontransferable, shall be posted in a conspicuous place in the premises in respect to which it was issued, and shall be exhibited to any duly authorized representative of the board whenever the same is requested

SEC 16 Each license issued under the provisions of this act is separate and distinct, and no person shall exercise any of the privileges granted under any license or licenses other than the license or licenses he holds A separate license shall be issued for each specific business and each location, and in said license the particular liquor which the applicant shall be authorized to sell shall be named and described All licenses are applicable only to the premises in respect to which they are issued The board shall determine what constitutes a single store, business, or establishment with respect to the issuance of a license hereunder, and its decision shall be conclusive

SEC 17. Subject to the provisions and limitations of this act, the following are the types of licenses to be issued hereunder and the fees to be charged therefor.

(1) "On sale" beer and wine license	$50 per year
(2) "Off sale" beer and wine license	10 per year
(3) "Off sale" license for liquor other than beer or wine	100 per year
(4) Industrial alcohol license (under five gallons)	5 per year
(5) Industrial alcohol license (over five gallons)	50 per year
(6) Medical alcohol license	1 per year
(7) Wholesale dealer's license for liquor other than beer or wine	100 per year
(8) Wholesale dealer's license for beer and wine	10 per year
(9) Winery license	10 per year
(10) Brewery license	1 per year
(11) Distillery license	50 per year
(12) Importer's license	100 per year

SEC. 18. All licenses issued hereunder shall expire on the last day of December of each year.

All license fees are due and payable on or before the first day of January of each year and if not paid are delinquent on the fifteenth day of January next succeeding Application for annual licenses shall be made to the board upon forms prescribed by the board. Failure to pay the annual license fee on or before the fifteenth day of January automatically cancels and terminates the license. Upon payment to the board of the annual license fee and an additional amount equal to five per cent of the amount of the license fee the board shall renew the license for the then current year.

If any license is issued at any time during the year other than the first day of January, except delinquent licenses, the licensee shall pay a proportionate part of the annual fee for the remainder of that year, except that "on sale" licenses operating for a period of six months or less shall pay a proportionate amount of the license fee, which shall not in any event be less than twenty-five per cent of the annual rate.

SEC. 19. The board may upon its own motion and shall upon the verified complaint in writing of any person, investigate the action of any licensee hereunder and shall have power to temporarily suspend or permanently revoke a license hereunder for any one of the following acts or omissions:

(a) Misrepresentation of a material fact by the applicant in obtaining a license hereunder; or

(b) If the licensee violates or causes or permits to be violated any of the provisions of this act or any of the applicable rules or regulations of the board; or

(c) If the licensee commits any act which would be sufficient ground for the denial of an application for a license hereunder.

SEC. 20 Upon the filing with the board of a verified complaint charging the licensee with the commission within one year prior to the date of filing such complaint of any act which is cause for suspension or revocation of a license, the board must forthwith issue a citation directing the licensee within ten days after service of the citation upon him to appear by filing with the board his verified answer to the complaint showing cause, if any he has, why his license should not be suspended or revoked Service of the citation upon the licensee shall be fully effected by mailing a true copy thereof together with a true copy of the complaint by United States registered mail in a sealed envelope with postage fully prepaid thereon addressed to the licensee at his latest address of record in the office of the board. Service of the citation shall be completed at the time of such deposit subject to the provisions of section 1013 of the Code of Civil Procedure of this State. Failure of the licensee to answer shall be deemed an admission by him of the commission of the act or acts charged in the complaint and thereupon the board shall have power forthwith to suspend or revoke the license.

SEC. 21. Upon filing of the answer the board shall fix a time and place for the hearing and give the licensee and the complainant not less than five days notice thereof. The notice may be served by depositing in the United States mail a true copy of the notice inclosed in a sealed envelope with postage thereon fully prepaid and addressed to the licensee and to the complainant, respectively, at their last known address With the notice to the complainant there shall be attached or inclosed a copy of the answer. If either party has appeared by counsel, the notice shall be given, in like manner, to counsel instead of to the party.

SEC. 22 Upon the hearing, the board shall hear all relevant and competent evidence offered by the complainant and by the licensee, and shall have power to continue the hearing from time to time as in its judgment may be necessary or proper After the hearing is concluded and the matter submitted, the board shall, within ten days after such submission, render its decision in writing suspending or revoking the license, or dismissing the complaint, with a brief statement of its reasons therefor. The board shall give to the complainant and the licensee, or their respective attorneys, notice of the decision, by mail in the same manner as prescribed herein for the giving of notice of hearing. The decision of the board sus-

pending or revoking a license shall not take effect until ten days after such service of notice of the decision.

SEC. 23. Within ten days after such service of notice of the decision of the board suspending or revoking a license, the licensee may apply for a rehearing by filing with the board his petition in writing therefor. Within five days after such filing the board shall cause notice thereof to be served upon the complainant by mailing a copy of the petition for rehearing to the complainant in the same manner as herein prescribed for the giving of notice of hearing.

The filing of a petition for rehearing as to the board's action in suspending or revoking a license suspends such action and permits the licensee to continue doing business as a licensee hereunder pending the granting or denial of the petition, and, if the petition be granted, pending the decision of the board upon hearing.

In its order granting or denying a rehearing the board shall set forth a statement of the particular grounds and reasons for its action on the petition and shall forthwith mail a copy of the order to the parties who have appeared in support of or in opposition to the petition for rehearing. If a rehearing is granted, the board shall set the matter for further hearing on due notice to the parties given in the same manner as prescribed herein for the giving of notice of an original hearing.

Within ten days after submission of the matter upon rehearing, the board shall render its decision thereon, which is final and effective upon the rendition thereof.

SEC. 24. In any investigation, proceeding or hearing which under the provisions of this act it is empowered to institute, conduct, or hold, the commission shall have the power to administer oaths, certify to official acts, issue subpenas for the attendance of witnesses and the production of books, papers, and records, and exercise all of the powers conferred upon the head of a State department by the provisions of section 353 of the Political Code.

SEC. 25. After suspension or revocation of a license the board shall have power, after a hearing or upon rehearing, to renew or cancel the same if, in the sound discretion of the board, a proper showing has been made therefor.

SEC. 26. No person who owns any interest in any business or occupation in respect to which a winery, brewery or distillery license is issued, or who is an officer, employee or agent thereof, and no importer or any officer, director or employee of such importer or any person who owns any interest in the business of such importer shall acquire, hold or have any interest either directly or indirectly in the business of any "on sale" licensee nor in the furniture and fixtures on the premises wherein the business of such licensee is conducted; nor shall any such person endorse, guarantee or stand surety for a lease or any other obligation of such licensee.

SEC. 27. No member of the board shall be employed in any way by any person licensed under this act; nor shall any member hold stock or other securities in any corporation licensed under this act; nor shall any member be connected or affiliated in any way with any person licensed under this act.

SEC. 28. Any person who shall hinder or obstruct in any way the board or any member thereof or its inspectors in the performance of their official duties, shall be guilty of a violation of this act.

SEC. 29. The board shall cause the prosecution by the proper authorities of any person who violates the provisions of this act.

SEC. 30. All moneys collected under this act shall be paid into the State treasury to the credit of the license tax fund, which fund is hereby created.

SEC. 31. There is hereby appropriated from said fund so much as may be necessary to pay the salaries and expenses of the inspectors and clerks employed by the board subject to the approval of the State Salary Board, and to defray the necessary expenses, approved by the State Board of Control, arising by reason of the administration and enforcement of the provisions of this act.

SEC. 32. Of the balance of the moneys in the license tax fund after salaries and expenses have been paid therefrom, sixty per cent is hereby appropriated to be apportioned to the counties, cities and counties, and cities in the proportion that the amount of the fees collected in the particular county, city and county, or city bears to the total amount collected throughout the State.

The moneys in said fund apportioned to the counties, cities and counties and cities shall be computed semiannually and paid at the same time as the semiannual settlements by the State and the counties, cities and counties and cities are made.

SEC. 33. If at any time there is a surplus in said license tax fund over and above the amount herein appropriated for the support of the board and the amount apportioned to the counties, cities and counties, and cities such amount shall be transferred to the general fund on the order of the Controller, approved by the board."

AMENDMENT NUMBER TEN

On page 17, line 3, of the printed bill, as amended, strike out "43", and insert in lieu thereof the following: "34".

AMENDMENT NUMBER ELEVEN.

On page 17, line 13, of the printed bill, as amended, strike out "44", and insert in lieu thereof the following: "35".

AMENDMENT NUMBER TWELVE.

On page 17 of the printed bill, as amended, strike out lines 15 to 17, inclusive, and insert in lieu thereof the following: "provisions of this act by the board, or who violates the terms or conditions of any license issued hereunder, or who violates any of the provisions of this act, shall be liable for each such violation or noncom-"

AMENDMENT NUMBER THIRTEEN.

On page 17 of the printed bill, as amended, after line 25, insert the following:

"SEC. 36 Nothing contained in this act shall be construed as repealing, superseding, or otherwise affecting any of those provisions relating to an excise tax on beverages containing alcohol, which provisions are found in an act entitled "An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately," approved April 6, 1933, and an act entitled "An act to levy an excise tax and to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to provide penalties for the violation of this act and to provide that this act shall take effect immediately," approved April 27, 1933."

AMENDMENT NUMBER FOURTEEN.

On page 17, line 26, of the printed bill, as amended, strike out "45", and insert in lieu thereof the following: "37".

AMENDMENT NUMBER FIFTEEN.

On page 17, line 34, of the printed bill, as amended, strike out "46", and insert in lieu thereof the following: "38".

AMENDMENT NUMBER SIXTEEN.

On page 17, line 36, of the printed bill, as amended, strike out "47", and insert in lieu thereof the following: "39".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

MOTION TO PRINT.

On motion of Mr. Roland, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bills Nos. 1014, 409 and 2295.

MOTION TO PRINT.

On motion of Mr. Feigenbaum, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 826.

MOTION TO PRINT.

On motion of Mr. Powers, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Joint Resolution No. 33.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 31—Approving certain amendments to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighteenth day of April, 1933—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LYON, Chairman

REQUEST FOR UNANIMOUS CONSENT.

Mr. Fisher asked for, and was granted, unanimous consent to have the rules suspended for the purpose of considering Senate Concurrent Resolution No. 31, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THIRTY-ONE.

Senate Concurrent Resolution No 31—Approving certain amendments to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighteenth day of April, 1933.

Senate Concurrent Resolution No. 31 read.

The question being on the adoption of Senate Concurrent Resolution No. 31.

The roll was called, and Senate Concurrent Resolution No. 31 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cobb, Crist, Crowley, Evans, Feigenbaum, Fisher, Greene, Hallner, Hatch, Hunt, Jones, Knowland, Latham, Levey, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—58

NOES—None.

Title read and approved.

Senate Concurrent Resolution No 31 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 354—An act to amend section 5.500 of the School Code, relating to teachers' tenure

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 354 was withdrawn from the file and referred to Committee on Education.

Assembly Constitutional Amendment No. 85—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 5 of Article XI thereof, relating to the compensation, election and appointment of county officers.

Assembly Constitutional Amendment No. 85 read.

The question being on the adoption of Assembly Constitutional Amendment No. 85.

FLOOR AMENDMENT

During reading of Assembly Constitutional Amendment No. 85, the following amendment was submitted by Mr. Mayo:

AMENDMENT NUMBER ONE.

On page 1 of the printed measure, strike out line 27, and on page 2, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following: 'mitted to be made. The boards of supervisors in the several counties shall regulate and fix the compensation of the respective county or township officers by ordinance on or before the first Monday in February in the even-numbered years, and may reduce by ordinance but may not increase the compensation of such officers during their term of office."

Amendment adopted.

Assembly Constitutional Amendment No. 85 ordered to reprint, engrossment, and on file for adoption.

Assembly Concurrent Resolution No. 41—Relative to the establishment of the twenty-eighth day of August, 1934, as "Junipero Serra Day."

Assembly Concurrent Resolution No. 41 read.

The question being on the adoption of Assembly Concurrent Resolution No. 41.

The roll was called, and Assembly Concurrent Resolution No. 41 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Evans, Field, Fisher, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley Robinson, C Ray; Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 41 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 41.

Relative to the establishment of the twenty-eighth day of August, 1934, as "Junipero Serra Day."

WHEREAS, It is an established historical fact that Fra Junipero Serra was the founder of California and the Father of the Missions; and

WHEREAS, The twenty-eighth day of August, 1934, is the sesquicentennial of the death of Fra Junipero Serra; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the twenty-eighth day of August, 1934, be designated as "Junipero Serra Day" in commemoration of the memory of this truly great man.

Assembly Concurrent Resolution No. 42—Relative to the establishment of the year 1934 as "Junipero Serra Year."

Assembly Concurrent Resolution No 42 read.

The question being on the adoption of Assembly Concurrent Resolution No. 42.

The roll was called, and Assembly Concurrent Resolution No. 42 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Craig, Crist, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 42 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No 42.

Relative to the establishment of the year 1934 as "Junipero Serra Year."

WHEREAS, It is an established historical fact that Fra Junipero Serra was the founder of California and the Father of the Missions; and

WHEREAS, The twenty-eighth day of August, 1934, is the sesquicentennial of the death of Fra Junipero Serra; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the year 1934, from the first day of January to the last day of December, be designated as "Junipero Serra Year," in commemoration of the memory of this truly great man.

Assembly Bill No. 2369—An act to amend section 1 of, and to add section 1a to, an act entitled "An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and power lines, telephone and telegraph lines, and sewers and appurtenances thereof, across, along, in, under or upon any road, street, alley, avenue,

or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined," approved May 2, 1923, relating to municipal corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. O'Connor moved a call of the House.

Motion carried.

Time, twelve o'clock and thirty-two minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Woolwine, Wright and Mr. Speaker—64.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Mr. Kallam:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER. I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act establishing a certain additional State highway and classifying it as a secondary highway.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act establishing a certain additional State highway and classifying it as a secondary highway.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Miller, James A.,

Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Roland, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—65.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated

By Mr. Kallam: Assembly Bill No. 2416—An act establishing a certain additional State highway and classifying it as a secondary highway.

Bill read first time, and referred to Committee on Roads and Highways.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 900—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation provided under said act.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 900 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 319—An act to amend sections 3732, 3746, 3751, 3756, 3758, 3759, 3764, 3766, 3767, 3797, 3801, 3817, 3817a, and 3897 of the Political Code, relating to the assessment and collection of taxes on real and personal property and the redemption thereof

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 319 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Thorp, Tournoux, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—Crowley, Robinson, C. Ray; Stannard and Stream—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 123—An act to amend section 204e of and to add sections 204f, 204g and 204h to the Code of Civil Procedure, relating to the secretary and assistant secretaries of the superior court.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 123 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray;

Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Tuiner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No 253—An act to add section 398 to the Penal Code, relating to the use or possession of firearms by children 16 years or under and prescribing penalties for violation of the provisions thereof.
Bill read third time.
The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Morgan:

AMENDMENT NUMBER ONE.

On page 3, line 7, of the printed amended bill, strike out the word "five", and insert in lieu thereof the word "one".

The question being on the adoption of the amendment
Amendment refused adoption.

FURTHER AMENDMENT TO ASSEMBLY BILL NUMBER TWO HUNDRED FIFTY-THREE.

FLOOR AMENDMENT

During reading of the bill, the following amendment was submitted by Mr. Williamson:

AMENDMENT NUMBER ONE.

On page 1, line 36, of the printed bill, strike out line 36, and insert in lieu thereof "under any machine gun, dagger, bomb, cap pistol loaded".

The question being on the adoption of the amendment.

MOTION TO LAY ON TABLE.

Mr. Craig moved that the amendment by Mr. Williamson be laid on the table.
The question being on the motion to lay on the table
Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At one o'clock and twenty-five minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. O'Connor.
The roll of absentees was called, and Assembly Bill No. 2369 was refused passage by the following vote:

AYES—Boyle, Burns, Callahan, Cobb, Cottrell, Crowley, Dempster, Hallner, Hornblower, Hunt, Kallam, King, Lyon, McBride, McCarthy, McMurray, Miller, Eleanor, Miller, James A., Nielsen, O'Donnell, Patterson, Rawls, Redwine, Roberts, Rogers, Thorp, Tournoux, West, Woolwine and Zion—30.
NOES—Alter, Anglim, Badham, Bliss, Brock, Cassidy, Chatters, Clowdsley, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hatch, Hoffman, Jones, Knowland, Latham, Levey, Maloney, Martin, Mayo, Meehan, Meeker, Morgan, O'Connor, Peterson, Phillips, Powers, Riley, Robinson, C. Ray; Roland, Scudder, Stannard, Stream, Sullivan, Utt, Williamson, Wright and Mr. Speaker—43.

NOTICE OF RECONSIDERATION.

Mr. O'Connor gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2369 was this day refused passage.

MOTION.

Mr. Hornblower moved that the amendment submitted by Mr. Williamson to Assembly Bill No. 253 be taken from the table.

Motion carried.

The question being on the adoption of the amendment submitted by Mr. Williamson.

SPEAKER RULES AMENDMENT OUT OF ORDER.

The Speaker ruled that the amendment by Mr. Williamson to Assembly Bill No. 253 was out of order as the same was not properly drawn.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Dempster moved a call of the House.

Motion lost.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 253 was refused passage by the following vote:

AYES—Badham, Brock, Cassidy, Clowdsley, Dempster, Evans, Hatch, Hoffman, Hunt, Jones, King, Latham, McCarthy, Meehan, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Peterson, Rawls, Riley, Roberts, Rogers, Stannard, Stream, Sullivan, Wright, Zion and Mr. Speaker—30

NOES—Alter, Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Chatters, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Greene, Grubbs, Hornblower, Kallam, Knowland, Levey, Maloney, Martin, Mayo, McBride, McMurray, Miller, James A., Nielsen, Phillips, Redwine, Robinson, C. Ray; Roland, Scudder, Thorp, Tournoux, Turner, West, Williamson and Woolwine—39.

MOTION TO RE-REFER.

Mr. McCarthy moved that Assembly Bill No. 2410 be withdrawn from the Committee on Ways and Means, and referred to Committee on Mines and Mining.

The question being on referring Assembly Bill No. 2410 to Committee on Mines and Mining.

Motion carried.

Assembly Bill No. 2410 ordered referred to Committee on Mines and Mining.

RECESS.

At one o'clock and forty-five minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until three o'clock p.m. of this day.

REASSEMBLED.

At three o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1536—An act to add section 484.5 to the Fish and Game Code, to amend section 665, and to repeal sections 863, 876, 887 and 942 thereof, relating to fish and game; Also: Assembly Bill No. 1759—An act to amend sections 656 and 843 of the Fish and Game Code, and to repeal sections 863 and 887 thereof, relating to salmon and nets;

Also: Assembly Bill No. 1973—An act authorizing the State Director of Finance to grant, convey, and sell by deed, or any other proper legal conveyance, all the right, title and interest of the State of California, in and to the abandoned channel of Petaluma Creek or river in the city of Petaluma, county of Sonoma, State of California, lying north of Washington Street in said city, to property owners whose lands abut thereon, or to persons occupying said land;

Also: Assembly Bill No 1017—An act to add a new section to the Penal Code, to be numbered 1193a, relating to terms of imprisonment;

Also: Assembly Bill No 1200—An act to repeal sections 1120 to 1140, inclusive, of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered placed on daily calendar.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1122—An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof;

Also Assembly Bill No. 1154—An act to amend section 3 of an act entitled "An act to authorize and regulate the employment of prisoners in the State prisons of this State and to provide for the disposition of the products of their skill and labor," approved February 23, 1911, by adding a provision thereto relating to the purchase or use of goods, wares and merchandise manufactured, produced or mined by convicts or prisoners;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 160—An act to add a new section to the "California Vehicle Act," approved May 30, 1923, as amended, to be numbered section 159¼, providing for expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fund for or in connection with bonds issued for or the proceeds of which are used in connection with parks;

Also: Assembly Bill No. 163—An act to add a new section to the Vehicle Code, to be numbered 780 5, relating to expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fund for or in connection with bonds issued or the proceeds thereof used in connection with parks;

Also: Assembly Bill No. 562—An act to amend section 3897 of and to add section 3774 to the Political Code relating to the holding, leasing and sale of lands to which the State or any political subdivision or agency of the State holds title through sale and deed on account of delinquent taxes or assessments;

Also Assembly Bill No. 827—An act to amend section 2145 of the Political Code, relating to State institutions for persons mentally defective;

Also: Assembly Bill No 1215—An act to amend section 92 of the Agricultural Code, relating to exhibitions and fairs which exhibit animals raised to produce meat

Also: Assembly Bill No 1533—An act to add section 6 470 3 to the School Code, relating to the abolition of the school supply revolving fund.

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1635—An act to repeal an act entitled "An act to repeal 'An act making an appropriation to pay the claims for services, subsistence, supplies, transportation and other expenses of the National Guard of California called into

service by order of the Governor in the months of March and April, 1933, to take effect immediately,'" approved March 14, 1933;

Also: Assembly Bill No. 1883—An act authorizing counties, cities and counties, and cities to relinquish jurisdiction over roads and highways in State parks to the authority charged by law with the management and control of such parks and providing for the construction, reconstruction, and maintenance of such roads and highways by the Department of Public Works;

Also: Assembly Bill No. 2068—An act to add section 10 5 to the "State Civil Service Act," relating to examinations;

Also: Assembly Bill No. 2391—An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately;

Also: Assembly Bill No. 2395—An act to amend the Agricultural Code by adding thereto Article IV, embracing sections 380 to 380.4, inclusive, to Chapter I, Division III, relating to marks and brands;

Also: Assembly Bill No. 2398—An act to provide for the replacement and/or the reconstruction in whole or in part of public school buildings wholly or partially destroyed by earthquakes since January, 1933, declaring the urgency thereof and providing that this act shall take effect immediately;

And reports that the same have been correctly engrossed

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER. Your Committee on Insurance, to which was referred Assembly Bill No. 1100, as amended by the Senate—An act to add a new section to the Political Code, to be numbered 596c, prohibiting any person or corporation from acting as agent for or in any manner aiding in the solicitation or advertising of any insurance corporation or insurer unless such insurance corporation or insurer shall have received a certificate of authority to transact business in this State and prescribing a penalty for violation thereof—has had the same under consideration, and respectfully reports the same back with the recommendation that the Assembly *do concur in said amendments.*

CRIST, Chairman.

The above reported bill ordered placed on daily calendar

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933

MR SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No 1816—An act making an appropriation to pay the claim of the county of Sacramento against the State of California;

Also Assembly Bill No 2344—*An act making an appropriation to pay the* claim of the chief accounting officer of the Department of Finance against the State of California;

Also, Assembly Bill No. 2392—An act making an appropriation to pay the claim of the State Adjutant General against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER Your Committee on Irrigation, to which was referred Assembly Bill No. 2402—An act to enable irrigation districts to negotiate settlements of controversies involving alleged damage to the water rights of land within such districts in cases where the State of California holds a tax title to any land in such district—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 407—An act to amend sections 3638a, 3717 and 3787 of, and to

add section 3716a to, the Political Code, relating to the lien of taxes secured by real property—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1300—An act to amend section 3633 of the Political Code, relating to equalization of assessments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 241—An act relating to the refunding of bonds of irrigation and reclamation districts, making State assistance available therefor and authorizing the issuance and sale of bonds of the State to provide funds for use in furtherance thereof;

Also: Assembly Bill No 259—An act providing for the construction and operation by the State of California of a system of works designated as the Central Valley Project for the conservation, development, distribution and utilization of water; defining and describing the units or parts of said project also defining the prerequisite conditions under which said project shall be constructed, defining the duties and powers of the Department of Public Works and of the State Engineer in relation to said project creating a Water Administration Board and defining its duties and powers with relation to the construction and operation of said project; authorizing the issuance and sale of general obligation bonds of the State of California in the amount of one hundred sixty millions of dollars for the purpose of defraying the cost of construction of said project; and providing for the payment of such bonds with the interest thereon, and for the creation of a water construction fund and a water revenue fund in the State treasury;

Also: Assembly Bill No. 837—An act to provide for the sale and conveyance of the Napa State Farm, situated in Napa County, California, and certain personal property located thereon;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 919—An act to add a new section to the Political Code, to be numbered 542 5, relating to expenditures for the printing or publishing of books, pamphlets, reports, compilations, synopses and other documents;

Also Assembly Bill No 1388—An act to amend section 688 of the Political Code, relating to claims against the State of California;

Also: Assembly Bill No. 1826—An act to repeal an act entitled "An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board for investigation of matters relating to revenue, taxation and public finance prescribing the powers and duties of said officials in relation to said bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor," approved June 5, 1931;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 1350—An act to add a new section to the Political Code, to be numbered 4052b1, to authorize county aid for district public parks, beaches and recreation grounds;

Also: Assembly Bill No. 2216—An act providing for powers of counties in joint county and city projects;

Also: Assembly Bill No. 470—An act to repeal section 924 of the Political Code;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 405—An act to amend section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses or furnished bungalow courts,

Also: Assembly Bill No. 634—An act to amend sections 228 and 229 of the Probate Code, relating to succession to estates of decedents,

Also: Assembly Bill No. 1521—An act confirming and extending the application of the provisions of section 830 of the Civil Code of the State of California to grants made or patents issued to lands by the State and consenting that it may be sued to quiet title to such lands;

Also: Assembly Bill No. 1592—An act to add a new section to the Political Code to be numbered section 472a, relating to the defense of peace officers;

Also. Assembly Bill No. 2383—An act to amend section 3369 of the Civil Code, relating to specific and preventive relief;

Also Assembly Bill No 977—An act to amend section 131 and to repeal section 132 of the Civil Code, and to add a new section to the said code to be numbered section 131a, all relating to divorces;

Also. Assembly Bill No. 1240—An act to add a new section to Chapter VI of Title XIV of Part IV of Division III of the Civil Code to be known as section 3045, covering the lien of an attorney at law;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman

The above reported bills ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No 2406—An act to establish certain secondary State highways and provide for their construction, improvement and maintenance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 275—An act to amend section 1305 of the Penal Code, relating to forfeiture of bail or deposit;

Also: Assembly Bill No. 761—An act to amend section 24 of the State Bar Act, relating to admission to practice law,

Also Assembly Bill No 2008—An act to amend section 726 of the Code of Civil Procedure, relating to sales under mortgages and including deficiency judgments thereon;

Also: Assembly Bill No. 2400—An act regulating competition in business, providing for the organization of trade associations as defined herein, authorizing the Corporation Commissioner of the State of California to issue permits for the operation thereof, and defining and prohibiting destructive competition;

Also. Assembly Bill No. 2172—An act to provide for the regulation of business investment brokers and salesmen, and providing penalties;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

WEST, Chairman.

The above reported bills ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1437—An act to amend the Agricultural Code by adding to Division VI

thereof a new chapter to be numbered 5a and to include sections 1260 to 1260 6, inclusive, pertaining to the control of insect pests in grain warehouses.

Also. Assembly Bill No 1173—An act to amend section 307 of the Agricultural Code, relating to meat inspection;

Also: Assembly Bill No. 2095—An act to amend sections 893 and 898 of the Agricultural Code, relating to inspection of farm products and the regulation of such inspection;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MEEKER, Chairman.

The above reported bills ordered on file for second reading.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1933.

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 1302—An act to amend sections 6, 7 and 26, and to add two new sections to be numbered sections 7a and 21a to the Corporate Securities Act, all relating to corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HATCH, Chairman

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 921—An act to amend sections 410, 780 and 782 and repeal section 781 of the Political Code, relating to the laws, resolutions and Journals of the Legislature and to the bound volumes of Decisions of the Supreme Court and District Courts of Appeal;

Also. Assembly Bill No 1019—An act to amend section 690 10 of the Political Code, relating to rights in and to, and structures on, or partly on, swamp, overflowed, marsh, tide, or submerged lands, and making an appropriation therefor.

Also: Assembly Bill No. 1277—An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act;

Also: Assembly Bill No. 1292—An act providing for the creation and management of "California Desert Park," giving to the Director of Natural Resources, powers and duties with respect thereto in the acquiring of land and other property therefor and in the creation, maintenance and improvement of said park, providing for the maintenance and improvement of the same and making an appropriation therefor, and declaring the highways therein and leading thereto to be State highways;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

COBB, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2234—An act to appropriate funds for the payment of damages accruing from the closing of the Klamath River to commercial fishing;

Also: Assembly Bill No 2286—An act authorizing and empowering the Director of Finance to accept money from the estate of Emma Hotfilter for the purpose of erecting a fountain within the State Capitol grounds.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

COBB, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 587—An act making an appropriation to pay the claim of _____ against Charles G. Johnson as Treasurer of the State of California;

Also: Assembly Bill No. 588—An act making an appropriation to pay the claim of ------ against Charles G. Johnson as Treasurer of the State of California;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

COBB, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1560—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act, approved May 30, 1921, and of any and all acts amendatory thereof or supplemental thereto; creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State offices in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1934;

Also: Assembly Bill No. 2352—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as therein defined, providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately;
Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 851—An act to suspend the exemption from taxation granted by the Constitution to the California School of Mechanical Arts—has had the same under consideration, and respectfully reports the same back without recommendation, as amended, not to be returned to the committee.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 51—An act to add section 4014a to the Political Code, relating to township officers;

Also: Senate Bill No. 1204—An act to amend section 11 of an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of the levee, and the payment of indebtedness of levee district number one of Sutter County," approved March 20, 1874, as amended;

Also: Senate Bill No. 265—An act to amend sections 2322x28 and 4257 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-eighth class;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 399—An act to provide for a preliminary investigation report and hearing upon the organization of the special tax and assessment districts, and providing certain restrictions and limitations upon the organization of same and providing for the termination of proceedings for the organization thereof by protest of

the owners of a majority of the property subject to assessment for district purposes —has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No 753—An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 837—An act to amend section 48a of the California Irrigation District Act, relating to powers, duties and jurisdiction of boards of directors of irrigation districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 268—An act relating to irrigation districts of the first class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 912—An act relating to amend the California Irrigation District Act, as amended, by adding a new section thereto to be numbered 54a, relating to mileage and expenses of officers and employees of irrigation districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Irrigation, to which was referred Senate Bill No. 404—An act to amend section 53 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp or overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, and relating to compensation of directors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 400—An act to add a new section to the Political Code, to be numbered 3714b, relating to annual financial estimates from special tax and assessment districts—has had the same under consideration, and respectfully reports the same back, without recommendation, as amended, not to be returned to the committee.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Concurrent Resolution No. 30—Relative to requesting the Governor to apply to the Reconstruction Finance Corporation for a loan of moneys to finish incomplete highway projects—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

GREENE, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Frazier asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 30 at this time without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THIRTY.

Senate Concurrent Resolution No. 30—Relative to requesting the Governor to apply to the Reconstruction Finance Corporation for a loan of moneys to finish incomplete highway projects.

Senate Concurrent Resolution No. 30 read

The question being on the adoption of Senate Concurrent Resolution No. 30.

The roll was called, and Senate Concurrent Resolution No. 30 adopted by the following vote:

AYES—Anglim, Badham, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hunt, King, Levey, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Rogers, Scudder, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Zion and Mr. Speaker—55.

NOES—Alter, Brock, Cottrell, Hoffman, Jones, Knowland, Latham, Martin, Riley, Robinson, Samuel E., Roland, Stannard, Stream and Wright—14.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Robinson, C. Ray, gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Concurrent Resolution No. 30 was this day adopted.

THE SPEAKER PRO TEMPORE IN THE CHAIR

At three o'clock and fifty-five minutes p.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair

SPECIAL ORDER.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED.

Assembly Bill No. 700—An act relating to State officers and employees in the executive branch of the State government and the classification of, certification or authorization and appointment to, and allocation within, State executive positions and the fixing of salary ranges therefor and graduated emergency salary reductions, and creating the State Personnel Board and prescribing its powers, purposes, duties and jurisdiction.

Bill read third time.

The question being on the passage of the bill.

THE SPEAKER IN THE CHAIR.

At four o'clock and ten minutes p m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Williamson:

AMENDMENT NUMBER ONE

In line 5 of the title of the printed bill, as amended, strike out "salary ranges therefor and".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out lines 6 to 21, inclusive, and strike out pages 2 to 65, inclusive, and on page 66, strike out lines 1 to 16, inclusive.

AMENDMENT NUMBER THREE

On page 66, line 22, of the printed bill, as amended, strike out "3", and insert in lieu thereof the following: "2".

AMENDMENT NUMBER FOUR.

On page 66, line 24, of the printed bill, as amended, strike out "above schedule", and insert in lieu thereof the following: "salary schedule of State employees".

AMENDMENT NUMBER FIVE.

On page 66, line 27, of the printed bill, as amended, strike out "said", and insert in lieu thereof the following: "the".

AMENDMENT NUMBER SIX.

On page 66, line 29, of the printed bill, as amended, strike out "in said list".

AMENDMENT NUMBER SEVEN.

On page 66, line 30, of the printed bill, as amended, strike out "whether fixed under this or the last preceding section".

AMENDMENT NUMBER EIGHT.

On page 66, line 33, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "3".

AMENDMENT NUMBER NINE.

On page 66, line 35, of the printed bill, as amended, strike out "said", and insert in lieu thereof the following: "the".

AMENDMENT NUMBER TEN.

On page 66, line 44 of the printed bill, as amended, after "position", insert the following: "after said board has first determined the proper classification for the position then held."

AMENDMENT NUMBER ELEVEN.

On page 67, line 5, of the printed bill, as amended, after "appointed", insert the following: "except that when reappointed from a layoff list the provisions of this section shall not apply."

AMENDMENT NUMBER TWELVE.

On page 67, line 6, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "4".

AMENDMENT NUMBER THIRTEEN.

On page 67, line 28, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "5".

AMENDMENT NUMBER FOURTEEN.

On page 67, line 38, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following: "6"

AMENDMENT NUMBER FIFTEEN

On page 69, line 46, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "7".

AMENDMENT NUMBER SIXTEEN.

On page 70, line 9, of the printed bill, as amended, after "8", strike out "a".

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Clowdsley, Williamson and Hornblower, the Speaker ordered a roll call taken on the adoption of the amendments.

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

AYES—Anglim, Badham, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cronin, Crowley, Feigenbaum, Frazier, Gilmore, Grubbs, Hoffman, Hornblower, Hunt, Levey, Lyon, Maloney, McBride, McCarthy, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Riley, Rogers, Scudder Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West and Williamson—43.

NOES—Alter, Bliss, Bowers, Brock, Cobb, Cottrell, Craig, Crist, Evans, Field, Greene, Hallner, Hatch, Jones, Kallam, Knowland, Latham, Martin, Meeker, Miller, Eleanor; Morgan, Phillips, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Utt, Woolwine, Wright, Zion and Mr. Speaker—32

Bill ordered to reprint, engrossment, and third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Alter:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the regulation of sales and salesmen of pleasure boats, yachts and other small craft.

Referred to Committee on Introduction of Bills.

By Mr. Meehan:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for the support of the Supreme Court of the State of California.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide for the regulation of sales and salesmen of pleasure boats, yachts and other small craft.

HALLNER, Chairman.

Also:

MR SPEAKER Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act making an appropriation for the support of the Supreme Court of the State of California

HALLNER Chairman

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr Speaker—70.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Meehan: Assembly Bill No. 2417—An act making an appropriation for the support of the Supreme Court of the State of California.

Bill read first time, and referred to Committee on Ways and Means

By Mr. Alter: Assembly Bill No. 2418—An act to provide for the regulation of sales and salesmen of pleasure boats, yachts and other small craft.

Bill read first time, and referred to Committee on Commerce and Navigation.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON RULES

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 2372—An act providing for the licensing and regulation of the business of growing and marketing Valencia oranges; creating the California Valencia Orange Marketing Control Board in connection therewith; and prescribing penalties for the violation of the provisions hereof,

Also, Assembly Bill No. 16—An act to amend section 11 of an act entitled, "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit or the improper return of motor vehicle fuel previously exported prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to refunds of the tax therein authorized;

Also: Assembly Bill No. 1116—An act relating to governmental units known as districts, and providing a procedure for the organization, operation, government, consolidation and dissolution of such districts;

Has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bills ordered placed on daily calendar.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 20—Relative to approval by the President of the United States of a project for the conservation of the waters of Yosemite Creek and the preservation of Yosemite Falls in Yosemite National Park, under the provisions of act of Congress approved March 31, 1933—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

PETERSON, Chairman.

Senate Joint Resolution No. 20 ordered on file for adoption.

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 119—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article IV thereof a new section to be numbered 25a, relating to the regulation and licensing of horse racing, horse race meetings, and the wager-

ing on the results thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

FEIGENBAUM, Chairman.

Assembly Constitutional Amendment No. 119 ordered on file for adoption.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 2123—An act to add a new section, to be numbered 3a, to an act entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved May 23, 1907, relating to sewerage disposal;

Also: Assembly Bill No. 1369—An act to repeal "An act empowering the State Board of Health to examine sources from which shellfish are taken; making it unlawful to take shellfish from contaminated sources if determined by said board to be a menace to health; making violations of this act misdemeanors and providing for the punishment of same," approved April 5, 1917;

Has had the same under consideration, and respectfully reports the same back, and recommends that the same do pass.

HOFFMAN, Chairman.

The above reported bills ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 589—An act making an appropriation to pay the claim of _____ against the State of California;

Also: Assembly Bill No. 935—An act to add a new section to the Political Code to be numbered 1034, relating to State officers and employees;

Also: Assembly Bill No. 942—An act to amend section 5.63 of the School Code, relating to State teachers colleges;

Also: Assembly Bill No. 949—An act to add section 3.401 to the School Code, relating to tuition fees of students in junior colleges;

Also: Assembly Bill No. 2070—An act making an appropriation to pay the claim of William B. Hornblower against the State of California;

Also: Assembly Bill No. 2348—An act to amend section 363i of, and to add sections 2586, 2589, 2590, and 2610 to, the Political Code, relating to the administration of certain bays, ports and harbors;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 882—An act to add a new section to the Penal Code to be numbered 1279a, relating to professional bondsmen—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 360—An act making appropriation to pay the claim of William J. Bost against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman.

The above reported bill ordered on file for second reading.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 2410—An act to provide for the organization and management of mining development districts and to provide for the development of mines included therein; for the construction of all works necessary or incidental for the joint development of said mines and for the management and operation of all properties belonging to the district; and for the acquisition of all properties necessary therefor; to provide for the management of such districts and also to provide for the issuance and payments of bonds for such district, for the levying of taxes and the collection of charges by said districts and for the annexation of additional territory thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MAYO, Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1598—An act to authorize the acceptance of checks, bank drafts and money orders in payment of taxes, assessments, licenses, fees, and other accounts payable into the treasury of any municipal or other public corporation, or political subdivision, subject to the due honor thereof and relating to the manner of making collection thereon, settlement with the treasurer therefor and procedure upon the nonpayment thereof, and to repeal an act entitled: "An act to authorize assessors and tax collectors to accept checks, bank drafts and money orders in payment of taxes, subject to the due honor thereof and relating to the manner of making collection thereon and settlement with the county treasurer therefor," approved May 24, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 2408—An act to add section 365e¼ to the Political Code, relating to powers and duties of the California Highway Commission in respect to construction or repair of highways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 1977—An act to amend section 626 of the Agricultural Code, relating to dairies and dairy products—has had the same under consideration and respectfully reports the same back, and recommends that it do pass as amended.

ROBINSON, SAMUEL E, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No 1149—An act to provide for the inspection and registration of aviaries and other places where birds of the psittacine family are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HOFFMAN, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 135—An act to amend the Fish and Game Code by amending sections 651, 654, 659 and 692 thereof and by adding thereto sections 659.5 and 659.6, relating to salmon and striped bass—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No 72—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVII a new section to be numbered 4, relating to public parks—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

FEIGENBAUM, Chairman.

Assembly Constitutional Amendment No. 72 ordered on file for adoption.

ON UNEMPLOYMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No. 871—An act to provide emergency relief and work relief and providing funds to be administered in the various counties of this State—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

POWERS, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Bliss asked for, and was granted, unanimous consent to have the rules suspended for the purpose of adopting amendments to Assembly Bill No. 871, at this time.

Assembly Bill No. 871—An act to provide emergency relief and work relief and providing funds to be administered in the various counties of this State.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to provide for the execution, issuance, use, redemption and cancellation of bonds by the State of California for certain State, county, city and county, city, school district, and other public purposes, for relieving unemployment, destitution, and the conditions of economic distress now prevailing, and for the supervision thereof by the proper State officers."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of the page below the enacting clause, also strike out the balance of the printed bill, and insert in lieu thereof the following:

"SECTION 1 The State Board of Control acting by and through the State Controller shall have authority to prepare and supervise the uniform issue of State unemployment bonds, as provided in this act. The aggregate of the principal amount of all such bonds issued shall not exceed the sum of one hundred million dollars.

SEC. 2. Such bonds shall be of a shape, color, and size dissimilar to that of lawful money of the United States, must have printed or engraved thereon the words "This is not money" and the facsimile signature of the Treasurer of the State of California and the county treasurer of the governmental unit to which the same is issued, attesting or certifying that such bonds are properly issued under the provisions of this act Each bonded certificate must state on the face thereof that on a certain date, not later than ten years from date of issuance, the State Treasurer will, at the date of redemption, upon presentation of said bonded certificate at his

office at Sacramento or at the office of any agent of the State Treasurer, to the treasurer or such agent, honor, redeem and pay in lawful money of the United States, the face value thereof. Such bonds may also contain such additional provisions as are not inconsistent with the provisions of this act as may be prescribed by the State Board of Control Such bonds may be issued having principal amounts of five, ten, fifteen, or twenty dollars, in the discretion of the State Board of Control.

SEC. 3. Such bonds in the aggregate principal amounts of sixty-one million, five hundred thousand dollars, may be issued to the counties, cities and counties, cities and/or school districts, under the provisions of this act, and such governmental units may exchange such bonds or pay out the same in lieu of payment in lawful money or warrants to the employees thereof, or to such other persons having claims or demands against such governmental units as are willing to accept such bonds in lieu of payment in lawful money, or in lieu of warrants of any kind Such bonds shall be accepted at face value for payment of taxes and official fees of the governmental unit for which they are issued.

SEC. 4. Any county, city and county, city, or school district may procure the issue to it of such bonded certificates to make available lawful money of the United States for the following purposes.

1. Meeting current claims or demands wherein sufficient cash revenues are not available and where the said governmental units are forced or will be forced to register warrants in the manner now provided by law.

2. To provide for the relief of destitution and unemployment.

3. To assist in relieving destitution and unemployment by undertaking public work construction, maintenance or repair which is necessary and wherein sufficient revenues may revert to said governmental unit by virtue of said construction, maintenance or repair or wherein certain other revenues may be made available to provide for the annual redemption payments to amortize said issue within the agreed period for which such bonds are issued

SEC. 5. Any county, city and county, city, or school district may by resolution of its legislative or governing body make application to the State Board of Control for the issuance of such bonds for the purposes above mentioned upon such terms and conditions as are in this act provided

SEC 6 Such application shall contain the following:

a. The purposes for which said issue is intended to be used.

b. The term of said issue.

c. The amount of said issue.

d. The nature of the revenues which will be available for the payment of annual redemption payments

e. If the issue is for the construction, maintenance or repair of a public works project, a full description and detailed plans concerning the project considered or proposed.

f. A copy of the proposed guaranty bond which the governmental unit making the application agrees to execute, in the manner provided by law, to the State of California and to all parties receiving any bonds issued thereunder.

SEC. 7. Before the bonds may be issued, there must be filed with the State Board of Control·

(a) In the event that the applicant is a city or school district, it must attach to the application a resolution of the board of supervisors of the county in which the applicant is located, providing that the State Controller may periodically deduct from that county's share of the motor vehicle fuel fund sufficient amounts to meet the annual redemption payments which may become due under said issue.

(b) If a school district is an applicant and is situate within two or more counties, the resolution shall be from each of the counties and shall each authorize the State Controller to withhold a certain proportionate amount of the motor vehicle fuel fund sufficient to meet the redemption and interest payments from said issue.

SEC 8 Said legislative or governing body may at any time prior to approval of the application by the State Board of Control amend such application, or may cancel said application and issue an entirely new application, all by resolution of said legislative or governing body.

SEC. 9. Said application shall be transmitted to the State Board of Control, which, in considering the application, may require the legislative or governing body to furnish any and all information or statistics, records or other documents in support or corroboration of said application Such supporting or corroborating matter or testimony may be presented at a public or private hearing held by the board at the time and place set by the board, should the board in its judgment believe a hearing to be necessary A phonographic report of the hearing may be demanded by the board or the applicant The board may require changes or amendments to the application, the contents thereof or any of the plans contained in the project and any other acts which in the opinion of the board may be necessary to provide that the plan of issue and redemption of said certificates is financially sound and properly secured

SEC 10 No application for the issuance of such bonds shall be approved by the State Board of Control if the total annual redemption payments of the county or city and county, together with the cities, school districts and other tax levying

bodies therein, exceed five per centum of the total annual revenues of the county or city and county together with the cities, school districts and other tax-levying bodies therein, except that when any governmental unit authorized to apply for bonds under the provisions of this act has outstanding indebtedness equal to five per cent of its current revenues, bonds may be issued to it under this act to the extent of an additional two per cent of its annual revenue.

SEC. 11. When the findings of the State Board of Control are such that, in the opinion of the board, the amount of the bonds issued thereunder would be repaid as herein required, and that sufficient revenues would be available as specified in said guaranty bond accompanying said application for the repayment of said issue as provided in said guaranty bond and application and that the repayment and redemption of said issue have been properly secured as provided in said guaranty bond and that said application has been made in full conformity with the provisions of this act, then, in that event, the board shall issue its certificate approving the application and attaching thereto any and all amendments and directions under which the bonds will be issued, redeemed or canceled by said board.

SEC. 12. There shall be a guaranty bond accompanying said application which shall provide the following:

(a) That the applicant will pay to the State Treasurer the full amount of said issue on or before the date of maturity.

(b) The nature and source of revenues by which the applicant will provide annual redemption payments thereon.

(c) The time when said issue shall be redeemed which shall not exceed ten years from the date of issue.

(d) That in the event the proposed revenues are insufficient to meet the required redemption payments, the applicant will levy an ad valorem tax on all property within the applicant sufficient to insure the timely payment of the annual redemption payment.

(e) That in the event the applicant or board of supervisors fail to levy such tax the State Board of Equalization shall be authorized to levy such tax and to use all the proper officers and machinery of the county and/or applicant to levy, assess and collect a tax sufficient to meet the annual redemption payments which may become due at the time specified in said issue and as provided in said guaranty bond and the costs of collection thereof.

SEC. 13. Upon receiving the certificate of approval of the State board, the board of supervisors of the county or the legislative body of the applicant as the case may be, shall immediately commence proceedings for the approval by the electors at a special or general election wherein a two-thirds vote of the electors shall be necessary for the approval of said guaranty bond and said issue and all proceedings shall be carried on in the same manner as required for the validation of indebtedness in excess of current revenue.

SEC. 14. The officer or officers of the county, city and county, city or school district, charged with the duty of canvassing the votes of such election, shall certify the results of such election to the Secretary of State. The Secretary of State shall thereupon forward a certified copy of such certificate to the State Controller and the State Board of Control, which board shall issue said bonds to said governmental unit upon the proper execution and delivery of said guaranty bond to said State Board of Control, and said Board of Control shall, as soon as said guaranty bond has been regularly filed, direct the State Controller to prepare and issue to the applicant a requisite amount of bonds, all as specified in the application.

SEC. 15. The State Board of Control may enlist the services of any State officer or employee to investigate, evaluate or pass upon any public works project considered or outlined in said application and any costs of services rendered in said regard shall be applied to the costs of making or providing the issuance of such bonds as hereinafter provided.

SEC. 16. The State Board of Control shall establish in the State treasury a redemption fund for each issue of bonds under the provisions of this act, and shall deposit in the State treasury to the credit of such fund all payments made to the State or moneys withheld by the State for such annual redemption payments as required by this act. All interest on moneys deposited in said funds shall be credited to the proper individual fund involved. The moneys in such funds may be invested in the same manner as surplus funds in the State treasury.

SEC. 17. For all services rendered under the provisions of this act, the State Board of Control may make a charge to the county, city and county, city or school district making application therefor, and such governmental unit shall pay a minimum fee of two hundred fifty dollars and/or in addition such charges as may be made by the State Board of Control for the investigation and issuance, cancellation and redemption of said bonds, but shall in no event exceed two per cent of the value of the total issues so made.

SEC. 18. Any amounts remaining in the redemption fund for any issue of bonds after the issue shall have been finally redeemed shall be paid to the county, city and county, city or school district to which the bond certificates were issued.

SEC 19. On redemption said bonds shall be canceled by perforation, and after proper accounting shall be destroyed.

SEC. 20. Any damaged or destroyed bonds, issued under this act, may be replaced by the State Board of Control and delivered to the owner thereof, upon a showing satisfactory to said board of such damage or destruction and the return to said board of any remnants of said bonds which, in the opinion of the board, are all that remain thereof. The bonds issued in replacement shall have the same maturity dates as the bonds damaged or destroyed.

SEC. 21. Such bonds shall be legal investments for savings banks.

SEC. 22. In any case where a county, city and county, city or school district is without funds to pay salaries which are or shortly thereafter will be immediately due and payable to employees thereof, such county, city and county, city or school district may apply to the State Board of Control for the issuance of such bonds as an emergency measure

SEC. 23. In such case the application shall be on the terms provided in the case of applications not so made as a matter of emergency, but in lieu of the ratification by the electors the resolution making the application shall be passed by a vote of four-fifths of the legislative body or governing body of the applicant. In such case there shall be an emergency bond accompanying the application which shall be executed by resolution also passed by said four-fifths of said legislative body or governing body. If the applicant is a county, said bond shall provide that all moneys payable to the county out of the motor vehicle fuel fund shall be withheld by the State and applied to the redemption of such securities unless, at an election called therefor as provided in this act, the electors of the county shall ratify the indebtedness of said county to the State for such bonds, and thereby the execution of a new bond with terms satisfactory to the State Board of Control. If the applicant is not a county, such emergency bond shall be accompanied by a resolution of the board of supervisors of the county in which the applicant is located so authorizing and agreeing to the withholding of such moneys out of the motor vehicle fuel fund moneys owing or to be owing to the county until and unless such bond is properly ratified and a new bond, satisfactory to the State Board of Control, authorized by the electors of the applicant as provided in this act The bond shall also contain a provision that the legislative body or governing body will, in case other revenues fail to raise sufficient moneys to meet the redemption payments on such bonds, add the necessary amounts to make such payments will to the general property tax levied on property in the applicant at the next tax levy.

SEC 24 In case of such emergency application, if moneys are not duly made available for the purpose of redemption payments on said State bonds so issued, the State Board of Equalization is hereby authorized to levy and collect a tax on all property within the applicant sufficient to meet any deficiency in such payments and the officers charged with assessing and collecting such taxes shall assess and collect such taxes accordingly on the order of the State Board of Equalization and at the rate and in the amounts specified in the order of such board.

SEC. 25 The State Board of Control shall provide for and order the issue of such bonds of the total principal amounts of thirty-eight million five hundred thousand dollars for State purposes which shall be expended in the following manner and for the following purposes:

(a) Ten million dollars for the purposes of a State building program consisting of the construction, repair or maintenance of public works, to be expended during the eighty-fifth and eighty-sixth fiscal years,

(b) Eight and one-half million dollars for the payment of interest and principal of outstanding State highway bonds;

(c) Twenty million dollars for unemployment work relief and relief of destitution, to be allocated to the several counties and political subdivisions thereof entitled to avail themselves thereof, in proportion to population.

SEC. 26. Such bonds shall be deposited in the State treasury and credited to funds to be prescribed by the State Board of Control in the amounts set forth in the preceding section and shall be expended in accordance with law on the order of the State Board of Control for the purposes above set forth.

SEC. 27. The State Board of Control is hereby authorized to and shall order the creation of such funds in the State treasury and may authorize and direct transfers therefrom to such other funds as in its discretion may be advisable for the purpose of carrying out the provisions of this act

SEC. 28 The board shall make available to suitable agencies of the State and to the Emergency Relief Administrator the entire resources of such funds for the purposes above set forth and shall prescribe and provide for the creation of a sinking fund sufficient to pay the principal amounts of all bonds issued hereunder, whether to the State or the other governmental units herein mentioned, before July 1, 1938 The entire proceeds of the following taxes are hereby appropriated for the payment of such bonds until an amount which together with future redemption payments, will be sufficient to pay the total principal amounts thereof is collected and deposited in the State treasury and credited to the sinking fund created and provided by the State Board of Control:

(a) Any tax heretofore or hereafter levied by the State Legislature on the importation, manufacture, or sale of liquors containing alcohol for beverage purposes;

(b) Any taxes heretofore or hereafter levied upon the incomes of individuals, partnerships, associations or corporations

There shall also be deposited in the State treasury credited to the sinking fund so created and prescribed, the entire amounts of all redemption payments made by governmental units to whom such bonds are issued. In any year when the proceeds of the taxes and payments above set forth are more than sufficient to raise the sum of twenty million dollars, there shall be placed in said fund the entire amount of the redemption payments of the governmental units, together with such proportions of the proceeds of the taxes, necessary to raise the balance of said sum of twenty million dollars, as the amount of the proceeds of each tax bears to the amount of the proceeds of all such taxes

SEC 29. The bonds issued under the provisions of this act may be substituted in lieu of cash or other investments in any fund of the State or any fund of any political subdivision, public or municipal corporation, or district having the power to levy taxes. They may be paid out in lieu of cash at the value of the principal amounts thereof as compensation to public officers and employees and in settlement of claims against the State or such governmental units where the creditor is willing to accept the same at the value of said principal amounts.

SEC 30 The Legislature may by law, two-thirds of the members elected to each house voting in favor thereof, provide that any bonds, herein made available to counties, cities and counties, cities, or school districts, may be issued to any kinds of political subdivisions, public or municipal corporations or districts having the power to levy and collect taxes, other than counties, cities and counties, cities, or school districts

SEC. 31. This act shall take effect upon the approval by the electors of the State of a constitutional amendment approving, ratifying and validating the same and making it completely effective

SEC. 32. This act shall be known and cited by the short title, "Unemployment Bond Act of 1933"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

EXPLANATION BY MR BLISS

May 4, 1933

The above amendments to Assembly Bill No. 871 are offered by me at the request of Assemblyman Powers who desires to have the bill as thus amended considered by the Legislature, and I am offering the amendments as a courtesy to him, and not as legislation desired by me

MOTION TO PRINT.

On motion of Mr. Powers, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 871.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on May 3, 1933, adopted as amended, Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new article thereto to be numbered XIVa, relating to the control, development and utilization of the water resources in the State—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Constitutional Amendment No. 18 ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 169—An act to amend section 16x22 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the twenty-second class;

Also: Senate Bill No. 174—An act to amend section 2322x22 of the Political Code, relating to the office of the agricultural commissioner in counties of the twenty-second class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 169 and 174 read first time, and referred to Committee on County Government.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER Your Committee on Free Conference concerning Senate Concurrent Resolution No. 20—Relative to the sale of the annotated edition of the State Constitution—reports that it has met a like committee of the Senate, consisting of Senators Jones, Perry and Tickle, and reports that the Committee on Free Conference has agreed to recommend the following: That the measure be further amended as follows:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed measure, as amended in Assembly April 21, 1933, following the word "To", insert the following: "the President of the Senate, and to".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed measure, as amended in Assembly April 21, 1933, strike out the word "twenty", and insert in lieu thereof the word "fifteen".

AMENDMENT NUMBER THREE

On page 1, line 12, of the printed measure, as amended in Assembly April 21, 1933, strike out the word "one", and insert in lieu thereof the word "two".

AMENDMENT NUMBER FOUR.

On page 1 of the printed measure, as amended in Assembly April 21, 1933, between lines 13 and 14, insert the following: "To the Legislative Counsel Bureau ten copies."

COTTRELL,
WOOLWINE,
UTT,
Assembly Committee on Free Conference.

JONES,
TICKLE,
PERRY,
Senate Committee on Free Conference.

The above reported Senate Concurrent Resolution No. 20 ordered placed on daily calendar.

RESOLUTION.

The following resolution was offered:

By Miss Miller, Eleanor:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1933.

MR SPEAKER. We, the undersigned members of the Assembly, request that Assembly Bill No. 711 be withdrawn from the Committee on Judiciary.

ERNEST C CROWLEY.
CHARLES A HUNT.

MOTION.

Miss Miller, Eleanor, moved the adoption of the above resolution, supplementing names necessary to complete a petition for the withdrawal of Assembly Bill No. 711 from Committee on Judiciary, this action being necessary owing to a duplication of names in the original petition presented, and appearing on page 10 of the Journal of Wednesday, May 3, 1933.

Motion carried.

RESOLUTION.

The following resolution was offered:

By Mr. Martin:

May 4, 1933.

We, the undersigned, move to withdraw Senate Bill No. 674 from the Assembly Committee on Public Health and Quarantine, and that the same be forthwith placed upon the file.

JAMES S. O'CONNOR.
FRANK J ROGERS.
FRANK W. WRIGHT.
C. W GRUBBS
SAM M. GREENE.
JOHN PHILLIPS.
MICHAEL J. BURNS.
JESSE M. MAYO.
CHAS. W DEMPSTER
BERT V. CALLAHAN.
CLARE WOOLWINE.
JOHN T. RAWLS.
W. E. BADHAM.
IRA S. HATCH.
JAMES E. THORP.
CHARLES A. HUNT.
C. R. KING.
HENRY P. MEEHAN.
RODNEY L. TURNER.
HARRY B. RILEY.
H. S. HALLNER.
T. A. MALONEY.
ELEANOR MILLER.
FRANK G. MARTIN.
FORD A. CHATTERS.
C. C. COTTRELL.
P. J. MCMURRAY.
AUSTIN L. TOURNOUX.
JAMES B. UTT.
J. E FRAZIER.
JOHN H. O'DONNELL.
JOHN D. MCCARTHY.
F. M. ROBERTS.
CHARLES W. STREAM.
GEO. B. BOWERS.
F. PETERSON.
F. C. CLOWDSLEY.
BRUCE R. STANNARD
CLIFF ANGLIM.
S. E. ROBINSON.
CHARLES W. LYON.
ERNEST C. CROWLEY.
E H. ZION.

Senate Bill No. 674 ordered on file for second reading.

RECESS.

At six o'clock and forty minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until 8 o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At eight o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 2412—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof, to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1261—An act to amend section 106 of the Penal Code, relating to the penalty for attempting to escape from prison;

Also: Assembly Bill No. 1693—An act to amend section 24½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time, for such purposes, and to create a board of fire commissioners," approved March 4, 1881, relating to

inclusion of outlying territory within the fire limits of unincorporated towns and villages;

Also: Assembly Bill No 1897—An act to amend sections 274, 275, 276, 278, 279 and 281 of the Political Code, relating to elections;

Also: Assembly Bill No. 2241—An act providing for the levying, collecting and paying of an income tax on individuals to increase the revenues of the State;

Also: Assembly Bill No 2365—An act imposing an excise tax upon sales of tangible personal property by retailers, providing the method and manner of levying, assessing, collecting and paying of such tax, providing for the issuance of permits to retailers, prescribing penalties for violations of the provisions of this act, and providing that this act shall take effect immediately;

Also: Assembly Bill No 2390—An act to add section 234.25 to the Agricultural Code, relating to tuberculosis control;

Also: Assembly Bill No 2403—An act to amend section 10 of and to add a new section to be known as 1a, to an act entitled "An act to regulate the manufacture and sale of upholstered furniture, providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund," approved May 10, 1927, as amended, relating to furniture;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 102—An act to amend an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, as amended, by adding a new section thereto to be numbered 13½, to provide for the uses and purposes to which the funds derived under said act may be used;

Also: Assembly Bill No. 354—An act to add two new sections, to be numbered 5.500a and 5.507 to the School Code, relating to teachers' tenure,

Also: Assembly Bill No 600—An act to amend section 159 of an act entitled the "California Vehicle Act," approved May 30, 1923, as amended, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding;

Also: Assembly Bill No 601—An act to provide for the acquisition and cancellation of bonds heretofore issued under the provisions of that certain act of the Legislature of the State of California designated and known as the "Acquisition and Improvement Act of 1925," whether such bonds were issued under the provisions of said last named act as originally adopted or as same was amended; providing for the issuance and payment of assessment readjustment bonds to represent certain assessments for the cost of acquisition of such issued bonds, including all costs and incidental expenses of proceedings under this act for the issuance of such assessment readjustment bonds; providing a method for the payment of such assessment readjustment bonds; and providing a method for the redemption of lost or otherwise unobtainable bonds of the issue or issues to be acquired and canceled;

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1091—An act to amend sections 633a7, 633a16, 633a18, 633a24, 633a25, 633a27, 633a28, 633a29, and 633a31 of the Political Code, and to add a new section to said code, to be numbered 633a32, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors, and declaring the urgency thereof;

Also Assembly Bill No. 1226—An act to amend sections 1 to 16 inclusive of, and to add sections 17 to 24 inclusive to "An act to define personal property brokers

and regulate their charges and business," approved April 16, 1909, as amended, relating to the regulation under the jurisdiction of the Commissioner of Corporations of personal property brokers, brokers and employees in such transactions, and the licensing of those so engaged, and fixing the penalties for violation thereof;
And reports that the same have been correctly re-re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 22—Relative to memorializing Congress to exempt from the provisions of legislation limiting hours of labor to thirty hours a week people engaged in the mining industry.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Mayo asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 22 at this time without reference to file.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER TWENTY-TWO.

Senate Joint Resolution No 22—Relative to memorializing Congress to exempt from the provisions of legislation limiting hours of labor to thirty hours a week people engaged in the mining industry.

Senate Joint Resolution No. 22 read.

The question being on the adoption of Senate Joint Resolution No. 22.

The roll was called, and Senate Joint Resolution No. 22 adopted by the following vote:

AYES—Anglim, Badham, Bliss, Brock, Chatters, Clowdsley, Cobb, Cottrell, Crist, Evans, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Phillips, Powers, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Tournoux, Woolwine and Mr. Speaker—41.
NOES—None.

Title read and approved.

Senate Joint Resolution No. 22 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No 22

Relative to memorializing Congress to exempt from the provisions of legislation limiting hours of labor to thirty hours a week people engaged in the mining industry.

WHEREAS, There is now pending before the Congress of the United States a bill introduced by Senator Black, known as S-158, requiring the hours of labor of all persons to be limited to thirty hours per week; and

WHEREAS, It is the opinion of this Legislature that persons engaged in the gold mining industry should be exempt from the provisions of such a bill by reason of the peculiar circumstances surrounding the operation of that industry; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Congress of the United States be and it is hereby urgently requested and memorialized to adopt amendments to Senate Bill 158 introduced by Mr. Black so that all persons engaged in the mining industry will be exempt from the operation of such a bill and will not be restricted in any manner as to the number of hours during which the mining industry may be carried on and conducted; and, be it further

Resolved, That the Governor is requested to forward a copy of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to each member from the State of California in Congress.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Rogers.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933

MR. SPEAKER. I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act making an appropriation to pay the claim of H. J. Hardy and the Victorian Petroleum Company against the State of California.

Referred to Committee on Introduction of Bills.

By Mr. Patterson.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 6 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to the construction, improvement, maintenance and addition of certain highways to the State system.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows

An act to add section 6 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to the construction, improvement, maintenance and addition of certain highways to the State system.

HALLNER, Chairman.

Also:

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act making an appropriation to pay the claim of H. J. Hardy and the Victorian Petroleum Company against the State of California.

HALLNER, Chairman.

The question being on the adoption of the reports.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

Time, nine o'clock and five minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Greene, Grubbs, Hallner, Hunt, Jones, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker,

Miller, Eleanor; O'Connor, O'Donnell, Peterson, Phillips, Powers, Riley, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Ross, Stannard, Stream, Tournoux and Mr. Speaker—45.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

SECOND READING OF SENATE BILLS.

Senate Bill No. 480—An act to provide for the organization and operation of placer mining districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 762—An act to amend section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of Coronado, in furtherance of navigation, commerce and fisheries, and providing for the government, management and control thereof," approved April 27, 1923, relating to tidelands in San Diego Bay.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 567—An act to amend an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," (Chapter 1020, Statutes of 1931), to repeal sections 51 to 54, inclusive, and to add new sections to be numbered 51 to 78, inclusive, relating to exclusion of lands from water conservation districts and to improvement districts within water conservation districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 202—An act to amend sections 612 and 613 of the Fish and Game Code, relating to trout.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, after the word "of", strike out the following: "the Pit", and insert in lieu thereof "Middle Creek".

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, following the word "and", insert the following: "the".

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, following the word "Sacramento", strike out the following: "rivers", and insert in lieu thereof "River, in Shasta County,".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 965—An act to amend section 1106 of the Political Code, relating to registration of electors and conduct of elections.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 695—An act to amend sections 1357, 1358, 1359, 1360, 1361 and 1362 of the Political Code, relating to elections and absent voting.

Bill read second time, and ordered on file for third reading

Senate Bill No. 967—An act to amend section 1083 of and to add section 1083a to the Political Code, relating to qualifications of electors.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 199—An act to amend sections 737d, 737yy, 737zz and 737fff of the Political Code, relating to superior judges.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 200—An act to amend section 737k of the Political Code, relating to the superior judge in and for the county of Glenn.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 218—An act to amend section 737bb of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Napa.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 380—An act granting to the City and County of San Francisco certain land within the limits of Lewis Street in the City and County of San Francisco, State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 469—An act to amend section 1027 of the Penal Code, relating to alienists.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 916—An act to amend section 737q of the Political Code, relating to the salaries of judges of the superior courts.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, as amended, strike out "four thousand", and insert in lieu thereof the following: "five thousand five hundred".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 712—An act to amend section 737mm of the Political Code, relating to the compensation of the judges of the superior court in and for the county of San Joaquin.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, as amended, strike out "five hundred", and insert in lieu thereof the following: "seven hundred fifty".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 195—An act to amend section 307 of the Agricultural Code, relating to meat inspection.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Anglim:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, as amended April 21, 1933, strike out the words "following described".

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, as amended April 21, 1933, after the parenthetical symbol following the word "be", insert the following: "to which this certificate is attached."

AMENDMENT NUMBER THREE

On page 1, line 20, of the printed bill, as amended April 21, 1933, after the word "slaughtering", insert the following: "upon his own premises."

Amendments adopted.

FURTHER AMENDMENTS TO ASSEMBLY BILL NUMBER SEVEN HUNDRED TWELVE.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. West:

AMENDMENT NUMBER ONE.

On page 1, line 19, of the printed bill, after the letter "a", strike out the words "cattle raiser", and insert in lieu thereof the words "live stock producer"

AMENDMENT NUMBER TWO.

On page 1, line 20, of the printed bill, after the comma following the words "Calves", insert the words "sheep and swine".

AMENDMENT NUMBER THREE.

On page 1, line 22, of the printed bill, after the comma following the word "calves", insert the words "sheep and swine"

Amendments adopted.

Bill ordered to reprint, and on file for third reading.

Senate Bill No. 414—An act to amend sections 2436, 2439 and 2468 of the Political Code, relating to pilotage of vessels through any part of the high seas.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No 414 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Chatters, Clowdsley, Cobb, Crist, Crowley, Evans, Feigenbaum, Frazier, Gilmore, Greene, Grubbs,

Hunt, Knowland, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stream, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 691—An act to amend sections 2, 3, 4, 5, 6 and 13 of and to add a new section 15 to an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as 'The Reciprocal or Interinsurance Act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee."' approved December 24, 1911,' approved May 26, 1917, as amended." approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Robinson, C. Ray:

AMENDMENT NUMBER ONE.

On page 5, lines 29 and 30, of the printed bill, as amended, strike out "including the reasonable cost of liquidation, if liquidation is ordered," and insert in lieu thereof the following, "or, if liquidation of such an exchange is ordered, the assessment shall be for such an amount as the Insurance Commissioner may determine to be necessary to discharge all liabilities of the exchange, including the reasonable cost of liquidation Such assessments shall be made".

AMENDMENT NUMBER TWO.

On page 7 of the printed bill, as amended, after line 52, add the following:

"Nothing contained in this act shall in any way affect the rights, duties, or obligations of members of or subscribers at any reciprocal or interinsurance exchange which has been adjudged insolvent and ordered to be liquidated prior to the date this act takes effect."

Amendments adopted.

Bill ordered to reprint, and on file for third reading.

Senate Bill No. 335—An act to amend section 68 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission fund and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 335 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hornblower, Hunt, Jones, Knowland, Latham, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 883—An act to repeal section 4.71 of the School Code, relating to claims against the State schoolbook fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 883 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, **Latham, Martin, Mayo, McBride,** McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 884—An act transferring from the vocational rehabilitation fund to the general fund of the State the sum of $33,000.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 884 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson C. Ray, Robinson, Samuel E., Rogers, Roland, Stream, Thorp, Tournoux, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—62

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 373—An act to add a new section to the Political Code, to be numbered 661½, relating to the powers of the State Board of Control.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Nielsen:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, as amended, strike out the word "director", and insert in lieu thereof the word "board".

Amendment adopted.

Bill ordered to reprint, and on file for third reading

Senate Bill No. 980—An act to repeal an act entitled "The State Fish Exchange Act" approved June 1, 1917, as amended, relating to the regulation of the business of buying and selling fish, and providing for the disposition of moneys received in relation thereto.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Nielsen:

AMENDMENT NUMBER ONE

Strike out lines 1 and 2 of the title of the printed bill, and insert in lieu thereof the following: "An act to repeal Article 6 of Chapter 5 of Part 2 of Division IV of the Fish and Game Code, embracing sections 1120 to 1140, inclusive, relating to the."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. Article 6 of Chapter 5 of Part 2 of Division IV of the Fish and Game Code is hereby"

AMENDMENT NUMBER THREE

On page 1, line 5, of the printed bill, strike out "act cited in the title hereof", and insert in lieu thereof the following: "State Fish Exchange Act".

Amendments adopted.

Bill ordered to reprint, and on file for third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At nine o'clock and fifty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

The roll of absentees was called, and the reports of the Committee on Introduction of Bills were adopted by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS

The following bills were introduced, and referred as indicated:

By Mr. Rogers: Assembly Bill No. 2419—An act making an appropriation to pay the claim of H. J. Hardy and the Victorian Petroleum Company against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Patterson. Assembly Bill No. 2420—An act to add section 6 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to the construction, improvement, maintenance and addition of certain highways to the State system.

Bill read first time, and referred to Committee on Roads and Highways.

MOTION FOR RECONSIDERATION.

Mr. Grubbs moved to reconsider the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 675.

The roll was called, and the Assembly refused to reconsider the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 675 by the following vote:

AYES—Bowers, Brock, Callahan, Cobb, Cottrell, Crist, Evans, Feigenbaum, Greene, Hallner, Jones, Knowland, Latham, Lyon, Martin, Miller, Eleanor; Phillips, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Woolwine, Wright and Mr. Speaker—25.

NOES—Anglim, Badham, Bliss, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cronin, Crowley, Dempster, Frazier, Gilmore, Grubbs, Hornblower, Hunt, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A.; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West and Williamson—39.

The above reported bill ordered to enrollment.

MOTION.

Mr. Robinson, C. Ray, moved that Rule No. 75 of the Standing Rules of the Assembly, relative to the engrossment of bills, be suspended for the balance of this legislative day.

Motion carried.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 850—An act to amend section 737xx of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Stanislaus.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Zion:

AMENDMENT NUMBER ONE.

In line 5 of the printed, amended bill, after the word "sand", insert the words "one hundred".

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Zion asked for, and was granted, unanimous consent to take up Assembly Bill No. 850 at this time without reference to printer or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER EIGHT HUNDRED FIFTY.

Assembly Bill No. 850—An act to amend section 737xx of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Stanislaus.

Bill read third time.

The question being on the passage of the Bill

The roll was called, and Assembly Bill No. 850 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Mecker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—68.

NOES—Patterson—1.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 698—An act to amend sections 3746, 3451, 3756, 3759, 3817 and 3817a, of the Political Code, and to add a new section to said code to be numbered 3817b, relating to property tax delinquencies and redemptions.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 698 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Mecker, Miller, Eleanor, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—60.

NOES—Hunt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2051—An act to amend section 375 of the Penal Code, relating to offensive substances.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2051 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, Meehan, Mecker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Powers Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr Speaker—56.

NOES—Cronin, Hornblower, Hunt, Nielsen and Patterson—5

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Williamson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 2051 was this day passed.

Assembly Bill No. 1727—An act to add a new section to be numbered section 6a to an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent and incapacitated

persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, relating to ownership of real estate by indigent, incompetent, and incapacitated persons.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Jones:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act relating to the ownership of real property by indigent persons eligible to receive aid."

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out lines 1 to 10, inclusive, and insert in lieu thereof the following:

"SECTION 1 The ownership of real property, or an interest therein, shall not disqualify a person otherwise eligible to receive aid under the provisions of any act providing for aid and relief of indigents by the State, counties, or cities and counties, unless the real property or interest therein is such that it can be readily hypothecated, sold or otherwise readily made available as a means of support for the person owning such property or interest therein."

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 723—An act to amend sections 4.320, 4.321 and 4.322 and repeal sections 4.323 to 4.334, both inclusive, of the School Code, all relating to school warrants registered for want of funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 723 passed by the following vote:

AYES—Alter, Anglim, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2366—An act to amend sections 5.650, 5.653 and 5.661 of the School Code, relating to permanent employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2366 refused passage by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Cassidy, Chatters, Cobb, Cottrell, Evans, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Knowland, Latham, Lyon, Martin, Mayo, Miller, Eleanor; Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Thorp, Utt, Woolwine, Wright, Zion and Mr. Speaker—39.

NOES—Anglim, Callahan, Clowdsley, Cronin, Crowley, Feigenbaum, Gilmore, Hornblower, Hunt, Kallam, King, Levey, Maloney, McBride, McCarthy, McMurray,

Meehan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Rogers, Tournoux, Turner, West and Williamson—28.

NOTICE OF RECONSIDERATION.

Mr. Evans gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2366 was this day refused passage.

HON. CHARLES W LYON IN THE CHAIR.

At ten o'clock and fifty-five minutes p.m., Hon. Charles W. Lyon, member of the Assembly from the Fifty-ninth Assembly District in the chair.

Assembly Bill No. 1806—An act to add to the School Code new sections to be numbered 2.1112, 2.1113, 2.1114, 2.1115, 2.1116, 2.1117 and 2.1118; and to repeal School Code section 4.970; relating to public schools, school districts, the powers and duties of the governing boards of school districts, and the authorizing of any elementary district to permit the governing board of the high school district within which any such elementary district is located, to manage, operate and control the elementary schools within such elementary district together with the high schools of the high school district as a single school district system.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1806 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—67

NOES—Brock—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 852—An act to amend section 990 of the Fish and Game Code, relating to commercial fishing licenses

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 852 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Wright—61.

NOES—O'Connor—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1154—An act to amend section 1 of an act entitled "An act to authorize and regulate the employment of prisoners in the

State prisons of this State and to provide for the disposition of the products of their skill and labor," approved February 23, 1911, relating to the use of products covered by the provisions of that act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1154 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Wright—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 454—An act to declare provisions in contracts of employment whereby either party undertakes not to join, become or remain a member of a labor union or of any organization of employers or undertakes in such event to withdraw from the contract of employment, to be against public policy and void.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 454 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Wright—64

NOES—Field, Latham and Redwine—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 2393—An act to amend section 4460 of the Political Code, relating to newspapers of general circulation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2393 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West and Wright—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and twenty-five minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 2083—An act to amend sections 1, 5, 7, 10, 12, 13, 24, and 25 of the Direct Primary Law, approved June 16, 1913, as amended, relating to primary elections, providing for party conventions in the State and various political units thereof, and the powers and duties of the same, for the choosing of delegates to such conventions, method of choosing members of the party county central committee and State central committee and the powers and duties of the same.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Rogers:

AMENDMENT NUMBER ONE.

On page 13, between lines 3 and 4, of the printed bill, as amended, insert the following:

"10 An independent nominee for any office shall pay the same filing fee as is required for the nomination for such office by a party candidate."

The question being on the adoption of the amendment.

MOTION TO TABLE AMENDMENT.

Mr. Cronin moved that the amendment to Assembly Bill No. 2083 be laid on the table.

Motion carried.

Assembly Bill No. 660—An act to amend section 4300*l* of the Political Code, relating to municipal court fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 660 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—66.

NOES—Riley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1945—An act to provide for the organization and management of horticultural improvement districts and to provide for the development of lands included therein for the planting, caring for, and maturing of orchards thereon and for the acquisition of all property necessary therefor; to provide for the management of such districts and also to provide for the issuance and payments of bonds for such districts, for the levying of taxes and the collection of charges by said districts and for the annexation of additional territory thereto

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE HUNDRED FORTY-FIVE.

Assembly Bill No. 1945—An act to provide for the organization and management of horticultural improvement districts and to provide for the development of lands included therein for the planting, caring for, and maturing of orchards thereon and for the acquisition of all property necessary therefor; to provide for the management of such districts and also to provide for the issuance and payments of bonds for such districts, for the levying of taxes and the collection of charges by said districts and for the annexation of additional territory thereto.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1945 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1495—An act to amend an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation of said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, relating to convict labor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1495 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.
NOES—Kallam—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 1883—An act relating to streets, avenues, lanes, roads and highways in, through or across the premises of State institutions and other lands of the State, and placing the same under the jurisdiction of the State Department of Public Works.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1883 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2395—An act to amend the Agricultural Code by adding thereto Article 4, embracing sections 380 to 380.55, inclusive, to Chapter 1, Division III, relating to marks and brands.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2395 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1122—An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in

that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; providing for the powers, duties and authority of said commission and the members thereof; providing for the institution of prorate programs with respect to agricultural crops; providing for the enforcement of such programs, providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1122 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—Hoffman, Jones, King, McCarthy and Roland—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1215—An act to repeal Articles 1 and 2 of Chapter 1 of Division III of the Agricultural Code embracing sections 301 to 317, inclusive, and sections 321 to 324, inclusive, relating to meat

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1215 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 827—An act to amend section 2145 of the Political Code, relating to State institutions for persons mentally defective.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 827 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen,

O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 255—An act to amend section 2192 of the Political Code, requiring counties to pay the State only for actual time that feeble-minded are inmates of the State home.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 255 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Zion and Mr. Speaker—65

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1226—An act relating to the regulation under the jurisdiction of the Commissioner of Corporations of personal property brokers, unsecured money lenders, salary buyers, brokers, agents and employees in such transactions, and agents for principals in such transactions, and the licensing of those so engaged, and fixing the penalties for violation thereof and to repeal that certain act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1226 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Frazier, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—Bowers and Field—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2401—An act to provide for the postponement of the collection of assessments levied to pay principal or interest due on bonds issued under the authority of the Acquisition and Improvement Act of 1925 during the existence of an economic emergency.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Field, Fisher, Frazier, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED ONE.

Assembly Bill No. 2401—An act to provide for the postponement of the collection of assessments levied to pay principal or interest due on bonds issued under the authority of the Acquisition and Improvement Act of 1925 during the existence of an economic emergency.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2401 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Field, Fisher, Frazier, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 600—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Municipal Improvement District Act of 1927, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment.

Bill read third time.

The question being on the passage of the bill

MOTION TO RE-REFER.

Mr Lyon moved that Assembly Bill No. 600 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No 600 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 600 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 601—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Acquisition and Improvement Act of 1925 to pro-

vide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment.

Bill read third time.

The question being on the passage of the bill

MOTION TO RE-REFER.

Mr Lyon moved that Assembly Bill No. 601 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 601 to Committee on Judiciary.

Motion carried.

Assembly Bill No. 601 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 160—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Lyon moved that Assembly Bill No. 160 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No 160 to Committee on Ways and Means

Motion carried

Assembly Bill No 160 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 163—An act to amend section 159 of the California Vehicle Act approved May 30, 1923, Statutes of 1923, page 517, to provide that the funds derived under said act may be used for contributions to special assessment improvement proceedings.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Lyon moved that Assembly Bill No 163 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means

The question being on re-referring Assembly Bill No. 163 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 163 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 162—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used.

Bill read third time.

The question being on the passage of the bill

MOTION TO RE-REFER.

Mr. Lyon moved that Assembly Bill No. 162 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 162 to the Committee on Ways and Means.

Motion carried.

Assembly Bill No. 162 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 1533—An act to repeal Article I of Chapter VI of Part II of Division VI of the School Code, embracing sections 6.470 to 6.479, inclusive, to repeal an act entitled "An act to provide for the purchase of school supplies for school districts and defining the powers and duties of superintendents of schools of counties and other officers in relation thereto," approved May 31, 1929, and to add a new article to Chapter VI of Part II of Division VI of the School Code, to be numbered Article I, embracing sections 6.470 to 6.479, inclusive, all relating to the purchase of apparatus and supplies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1533 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Field Fisher, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey,

Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, O'Connor, O'Donnell, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E.; Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—61

NOES—Nielsen—1.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 1208—An act to amend section 526 of the Code of Civil Procedure, relating to injunctions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1208 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Field, Fisher, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E; Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 2355—An act to amend section 47 of, and to add three new sections, to be numbered 2¾, 2⅞, and 17a to the Public Utilities Act, relating to the nature, organization, and operation of public utilities.

Bill read third time

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Powers:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, as amended, and insert in lieu thereof the following:

"An act to add three new sections to be numbered 17¼a, 17¼b and 17¼c to the Public Utilities Act, relating to the organization and operation of public utilities."

AMENDMENT NUMBER TWO.

On page 10 of the printed bill, as amended, after line 15, add the following:

"SEC 3 A new section is hereby added to said act to be numbered section 17¼c and to read as follows:

Sec 17¼c. At such times as the commission deems necessary, it shall make tests and chemical analyses of the gas being sold to consumers in any part of the State by public utilities, and the commission shall make a reasonable charge to the utilities for such tests and analyses, sufficient to defray the costs thereof"

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

INTRODUCTION AND REFERENCE OF BILLS

The following bill was introduced, and referred as indicated

By Messrs Lyon, Hallner and Bowers: Assembly Joint Resolution No. 34—Relative to memorializing the President of the United States to increase the customs duties on certain fish products and to negotiate treaties concerning the conservation of fish.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 34, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-FOUR.

Assembly Joint Resolution No. 34—Relative to memorializing the President of the United States to increase the customs duties on certain fish products and to negotiate treaties concerning the conservation of fish.

Assembly Joint Resolution No 34 read.

The question being on the adoption of Assembly Joint Resolution No. 34.

The roll was called, and Assembly Joint Resolution No. 34 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Evans, Field, Fisher, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Lyon, Maloney, Meeker, Miller, Eleanor; Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Woolwine and Mr. Speaker—46.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 34 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 34.

Relative to memorializing the President of the United States to increase the customs duties on certain fish products and to negotiate treaties concerning the conservation of fish.

WHEREAS, The customs duties fixed by the laws of the United States on the importation of fresh, frozen and canned fish, fish meal and fish oil do not equalize the differences existing in the costs of producing such articles in this country and the costs of producing such articles in foreign countries; and

WHEREAS, Unless such differences in the costs of production are immediately equalized the acute unemployment problem existing in the industries marketing fish and fish products can not be solved; and

WHEREAS, Persons engaged in the fishing industry of this State are subject to strict regulations enacted in the interest of the conservation of such natural resources; and

WHEREAS, It is necessary that the United States enter into treaties with adjoining Nations in order that the supply of fresh fish in Pacific waters be conserved for future generations, and in order that the fish industries of this State from which many thousands of the citizens of this State gain livelihood be not placed in a disadvantageous position with similar industries existing in foreign Nations, now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully urges the President of the United States to request an investigation by the United States Tariff Commission for the purpose of raising the customs duties on fresh, frozen and canned fish, fish meal and fish oil, in order that the differences existing between foreign and domestic production costs be equalized; and be it further

Resolved, That the Legislature of this State respectfully urges the President of the United States to approve and proclaim an increase in the customs duties on these articles; and be it further

Resolved, That the Legislature of this State respectfully urges the President of the United States to negotiate with the Nations adjoining the United States treaties leading to the conservation and protection of fish and other animal life existing in the waters of the Pacific Ocean; and be it further

Resolved, That duly authenticated copies of this resolution be forwarded to the President of the United States, the Chairman of the United States Tariff Commission and the Senators and Representatives of this State in Congress.

RESOLUTION.

The following resolution was offered.

By Mr. Levey, on behalf of San Francisco delegation:

WHEREAS, Hon. Bert Kahn, former United States Appraiser and former chairman of the Republican county central committee of San Francisco, has been called to his last rest; and

WHEREAS, The city of San Francisco and the State of California have lost a most faithful and outstanding citizen; now, therefore, be it

Resolved, That the Assembly of the Legislature of the State of California do and it does hereby extend its deepest condolences to the bereaved widow; and be it further

Resolved, That an engrossed copy of this resolution be sent to the widow of the late Mr. Kahn; and be it further

Resolved, That when the Assembly adjourns this day, it do so out of respect to the memory of the late Bert Kahn.

Resolution read, and on motion unanimously adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 900—An act to amend section 9 of the Workmen's Compensation Insurance and Safety Act of 1917, relating to compensation provided under said act—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 309—An act to add section 1a to the California Air Navigation Act, relating to aircraft;

Also: Assembly Bill No. 557—An act to amend section 367 of the Code of Civil Procedure and to add a new section, numbered 367a, to said code, relating to parties in certain civil actions;

Also, Assembly Bill No. 811—An act to amend sections 4.362, 4.366, 4.370, 4.371, 4.73 and 4.383 of the School Code, to repeal sections 4.363, 4.364 and 4.365 of said code, and to add three new sections to said code to be numbered 4.363, 4.364 and 4.365 respectively, all relating to school district budgets;

Also, Assembly Bill No. 1249—An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent, to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act;

Also, Assembly Bill No. 1416—An act to amend section 12 of an act entitled "An act to reserve all minerals in State lands, to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals, to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, relating to leasing of State lands and the taking of minerals or petroleum products therefrom, and declaring the urgency thereof;

Also, Assembly Bill No. 2082—An act providing for the regulation and supervision of persons, firms or corporations, engaging in the business as "bailee-repairers," as follows, shoe repairers, carpet and rug cleaners, garment cleaners, curtain cleaners, hat renovators, dyers, launderers and mattress renovators; and to prevent fraud in the keeping or working upon of the property of the public in these lines; defining the duties of the Attorney General in regard thereto, and providing for the enforcement of said act and penalties for the violation thereof; and creating a

State "Bailee-Repairers' Department" and the office of Registrar of Bailments, and defining his duties and powers;
And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2394—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 2094—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal Reclamation laws for a water supply, or the construction, operation or maintenance of works including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contract," approved May 5, 1917, as amended by amending the title and section 1 thereof, and adding a new section to be designated section 11, to authorize the borrowing or procuring of money by irrigation districts from the United States or any agency—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 2407—An act to amend section 24½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purposes, and to create a board of fire commissioners," approved March 4, 1881, relating to inclusion of outlying territory within the fire limits of unincorporated towns and villages—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1250—An act to add sections 1156, 1157, 1158 to Fish and Game Code, relating to closing of areas to hunting;

Also Assembly Bill No. 1762—An act to add sections 1415 and 1416 to Fish and Game Code, relating to the forfeiture of hunting and sporting fishing licenses.

Also: Assembly Bill No 1420—An act to repeal section 1413 of the Fish and Game Code, relating to fines and imprisonment;

Also: Assembly Bill No. 1284—An act to add a new section to the Fish and Game Code to be numbered 1414, relating to the forfeiture of hunting and fishing equipment illegally used.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ZION, Chairman

The above reported bills ordered on file for second reading.

ON OIL INDUSTRIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 2415—An act relating to rights, royalties or interests in or to oil, gas, or other hydrocarbons, to be extracted from real property, or in or to the proceeds derived from the sale of such oil, gas or other hydrocarbons, and relating to the rights and liabilities of the owners or holders of such rights, royalties or interests and relating to instruments dealing therein or therewith—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BADHAM, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 2418—An act to provide for the regulation of sales and salesmen of pleasure boats, yachts and other small craft—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No 115—A resolution to propose to the people of the State of California an amendment to the Constitution of this State by repealing section 2 and amending section 7 of Article IX thereof and by amending section 10 of Article XXII thereof, relating to education—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

FEIGENBAUM, Chairman.

Assembly Constitutional Amendment No. 115 ordered on file for adoption.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No 2145—An act to amend sections 93, 94 and 95 of the Vehicle Code, relating to members of the California Highway Patrol—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No 1947—An act to add a new section to the Vehicle Code, to be numbered 217, relating to reciprocal registration of foreign vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 381—An act to amend section 26a of an act entitled "An act to provide for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, street, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expenses

of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," relating to street improvements;

Also: Assembly Bill No. 1473—An act to amend the title and section 1 of an act entitled "An act to provide for the protection of certain employees of cities, cities and counties, incorporated or unincorporated cities, towns or districts, against personal liability incurred while acting within the course of their duty," approved May 11, 1929;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman

The above reported bills ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 337—An act to amend sections 6.740 and 6.771 of the School Code, to add a new section to said code, to be numbered 6 744, and to repeal sections 6.770 and 6.772 of said code, relating to the use of school buildings or grounds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROLAND, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1593—An act to amend section 782 of the Fish and Game Code relating to lobsters—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ZION, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 2231—An act to add section 798.5 to the Fish and Game Code, relating to abalones;

Also: Assembly Bill No. 1287—An act to amend sections of the Fish and Game Code;

Also Assembly Bill No. 2227—An act to add sections 822 to 829, inclusive, to Article 2, Chapter 3, Part 2, Division IV of Fish and Game Code, relating to oysters;

Also: Assembly Bill No. 1782—An act to amend section 79 of the Fish and Game Code, relating to fish and game district 12A;

Also: Assembly Bill No. 1787—An act to add a new section to the Fish and Game Code to be numbered 170, relating to fish and game district 4H.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

ZION, Chairman.

The above reported bills ordered on file for second reading

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 971—An act to amend sections 1, 3, 4 and 7, to an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HOFFMAN, Chairman.

The above reported bill ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No 452—An act to amend the title of, and to add a new section to be numbered 4a to, an act entitled "An act to provide for the government of irrigation districts having an area of more than five hundred thousand acres and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to qualification of electors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2226—An act to amend sections 777 and 778 and to repeal sections 779, 780, 781, 782 and 783 of the Vehicle Code, relating to the motor vehicle fund and the disposition of moneys placed therein;

Also, Assembly Bill No 2413—An act authorizing the county in which judges and justices of the peace are sitting, in courts other than their own under assignment thereto by the chairman of the Judicial Council, to pay the necessary expenses of such judges and justices of the peace for travel, board and lodging;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER Your Committee on Fish and Game, to which was referred Senate Bill No 736—An act to amend section 432 of the Fish and Game Code relating to licenses,

Also, Senate Bill No. 489—An act to amend section 613 of the Fish and Game Code;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ZION, Chairman

The above reported bills ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 1229—An act to amend sections 5 404, 5.420, 5 500, 5 503, 5.510, 5 520, 5 521, 5 650, 5 651, 5 652, 5.654, 5.655, 5 657, 5.658, 5 662, 5 663, 5 681, 5.691, and 5 710, and repealing sections 5 653, 5 664 and 5 682, and adding new sections to be numbered 5 505, 5 506 and 5 666 of the School Code of the State of California, relating to the employment, classification, dismissal and suspension of employees requiring certification qualifications—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

ROLAND, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 354—An act to amend section 5 500 of the School Code, relating to teachers' tenure—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

ROLAND, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 235—An act to appropriate the sum of $12,000 to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, and to provide for the manner of expending such appropriation;

Also: Assembly Bill No. 2417—An act making an appropriation for the support of the Supreme Court of the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

The above reported bills ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Mr. Clowdsley:

May 4, 1933.

We, the undersigned, move to withdraw Assembly Bill No. 2138 from the Committee on Public Utilities, and that the same be forthwith placed upon the file.

F. C. CLOWDSLEY.
THORP
P. G. WEST.
ROY J. NIELSEN.
JOHN H. O'DONNELL
FORD A. CHATTERS.
CHARLES A. HUNT
JESSE M. MAYO.
JOHN T. RAWLS.
T. A. MALONEY.
L. POWERS, JR.
ELLIS E. PATTERSON.
C. W. GRUBBS
JAMES J. BOYLE.
S. E. ROBINSON
ERNEST C. CROWLEY.
HENRY P. MEEHAN.
JOHN D. MCCARTHY
BERT V. CALLAHAN
FRANK J. ROGERS.
HOBART R. ALTER.
CECIL R. KING
WM. MOSELEY JONES
AUSTIN L. TOURNOUX
FRANK W. WRIGHT
CHARLES W. STREAM.
BRUCE R. STANNARD.
MAURICE MEEKER
JAMES M. CASSIDY.
MELVYN I. CRONIN.
RODNEY L. TURNER
ELEANOR MILLER.
WM. B. HORNBLOWER.
P. J. MCMURRAY.
MICHAEL J. BURNS.
CLIFF ANGLIM.
JOHN PHILLIPS.
IRA S. HATCH
CHARLES W. DEMPSTER.
JOSEPH P. GILMORE
JAMES S. O'CONNOR.

Assembly Bill No. 2138 ordered on file for second reading

SENATE MESSAGES

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly Amendments to Senate Bill No. 960—An act to amend sections 1011, 1022, 1030, 1036, 1038, 1043 and 1071 of the Agricultural Code, and to renumber Article IV of chapter 7, Division V thereof, relating to agricultural chemicals and commercial feeding stuffs.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 23—Relative to memorializing Congress in regard to mining claims

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Joint Resolution No. 23 read, and referred to Committee on Mines and Mining.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 945—An act to amend sections 3.760, 3 761, and 3 763 of the School Code, to repeal section 3 762 of the School Code, to repeal an act entitled "An act relative to courses of study in elementary schools," approved May 22, 1929; and to add a new section to the School Code to be numbered 3.762, all relating to prescribed courses in elementary schools;

Also: Senate Bill No 314—An act to amend section 737u of the Political Code, relating to the salary of the superior judge in and for the county of Marin;

Also: Senate Bill No 7—An act to amend section 2924 of the Civil Code, relating to recording of notice of default and to giving notice of sale under deeds of trust and mortgages with power of sale; and to add a new section to the Civil Code to be numbered 2924b, relating to giving of notice of recording of notice of default and of time and place of sale under deeds of trust or mortgages with power of sale; and to add a new section to the Civil Code numbered 2924c, relating to reinstatement of loans when due date of principal sum has been accelerated; and to add a new section to the Code of Civil Procedure to be numbered 580a, limiting amount of deficiency judgments and the time within which actions therefor may be commenced; and to add a new section to the Code of Civil Procedure to be numbered 580b prohibiting deficiency judgments on purchase money mortgages and deeds of trust; and to add a new section to the Code of Civil Procedure to be numbered 580c limiting the trustee's or attorney's fees which a mortgagor or trustor may be required to pay;

Also: Senate Bill No. 1054—An act to amend section 94 of the Fish and Game Code, relating to fish and game districts;

Also, Senate Bill No. 1205—An act to add a new section to the Political Code, to be numbered 452a, relating to the safekeeping of bonds deposited with treasurers;

Also: Senate Bill No 374—An act authorizing the Director of Finance to provide for the sale of certain lands situated in Sacramento County

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary

Senate Bills Nos. 945 and 314 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 7 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1054 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 1205 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No 374 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 330—An act to amend sections 535 and 536 of the Fish and Game Code, and to add thereto sections 536.5, 536.6, 536.7, 536 8 and 536 9, relating to fish screens

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1933

MR SPEAKER I am directed to inform your honorable body that the Senate on this day refused adoption to Assembly Constitutional Amendment No. 67—Proposed amendment to Article XI, to be numbered 8½, of the Constitution, relative to consolidation of counties, cities and counties, and cities.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Cottrell:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 737qq of the Political Code, relating to the salaries of the judges of the superior court of Santa Clara County.

Referred to Committee on Introduction of Bills.

By Mr. Knowland:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 6¾ of the Inheritance Tax Act, relating to exemptions and rates of tax.

Referred to Committee on Introduction of Bills.

ADJOURNMENT.

At eleven o'clock and fifty-eight minutes p.m., on motion of Mr. Clowdsley, the Speaker declared the Assembly adjourned this day until ten o'clock and thirty minutes a.m., Friday, May 5, 1933, out of respect to the memory of the Hon. Bert Kahn, former United States Appraiser and former chairman of the Republican county central committee of San Francisco California.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, May 5, 1933.

At ten o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tourneux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—78

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 85—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 5 of Article XI thereof, relating to the compensation, election and appointment of county officers—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

Assembly Constitutional Amendment No. 85 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 110—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding thereto a new section to be numbered 18.1 of Article XI thereof, relating to bonded indebtedness—and reports that the same has been correctly engrossed

PATTERSON, Chairman.

Assembly Constitutional Amendment No. 110 ordered on file for adoption.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 409—An act to amend sections 274 and 274a of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters;

Also Assembly Bill No 1007—An act to amend section 7 of an act entitled "An act authorizing the establishing of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts;

Also: Assembly Bill No 1020—An act to amend section 594 of the Political Code, relating to kinds of insurance and insurance companies;

Also: Assembly Bill No 1027—An act to add a new section to be numbered section 9a to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to award of compensation;

Also: Assembly Bill No 1139—An act to provide for the payment of attorney fees by the county to attorneys for representing defendants charged with crime who are without funds;

Also Assembly Bill No 1253—An act to add a new section to the Fish and Game Code to be numbered 1203 6, relating to pheasants;

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1618—An act to add a new section to be numbered 14a to Chapter 609, Statutes of 1931, entitled 'An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining "gasoline" and prescribing specifications for products sold or offered for sale as "gasoline"; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5 1931, relating to licensing of persons, firms, associations or corporations, installing and using motor vehicle fuel pumps, and to declare the urgency thereof;

Also: Assembly Bill No 2069—An act to add a new section to be numbered 6b to the act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, relating to examination and licensing of persons who have been engaged as apprentices;

Also Assembly Bill No. 2165—An act to amend sections 447 and 448 of the Code of Civil Procedure, relating to written instruments;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No. 1196—An act to amend sections 23, 24, 28, 30, 31, 34, 36, 38, 42, 44, 48 and 51, and to add new sections numbered 31a, 51a and 51b, to an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LATHAM, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Constitutional Amendment No. 79—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XX thereof, a new section to be numbered 22 relating to legal rate of interest—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar

ROBINSON, C. RAY, Chairman.

Assembly Constitutional Amendment No. 79 ordered on file for adoption

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 977—An act to add a new section to the Political Code to be numbered 3774, relating to property on which taxes are delinquent

J A BEEK, Secretary of Senate
By ARTHUR J. SCHILDER Assistant Secretary.

Senate Bill No. 977 read first time, and referred to Committee on Revenue and Taxation

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day refused adoption to Assembly Constitutional Amendment No. 45—A resolution to propose to the people of the State of California, an amendment to section of Article VII of the Constitution of said State, relating to the pardoning power.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 24—Relative to memorializing Congress to provide relief for the oil industry

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Joint Resolution No. 24 read first time, and referred to Committee on Oil Industries.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2349—An act to amend section 10 of the Political Code, relating to holidays, to validate the acts of public officers made, done or performed on certain holidays and to declare that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1334—An act to amend section 1240 of the Code of Civil Procedure, relating to the taking of private property under proceedings in eminent domain—and respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1059—An act to amend sections 19, 20 21a, 46, 57, 62, 65, 67, 83 and 96 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, relating to the business of banking—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 835—An act to add a new section to the California Air Navigation Act, to be numbered 11½, relating to the responsibility of owners or operators of aircraft for injury to or death of a guest riding in such aircraft—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1360—An act to provide for the care, management and protection of State roads and highways and the right of way thereof and providing penalties for the violation of the provisions thereof, and to repeal an act entitled "An act to provide for the care, management and protection of State highways and providing penalties for violations of the provisions of the act," approved May 20, 1915, Statutes of 1915, Chapter 400, as amended—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bill ordered placed on daily calendar

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1501—An act to amend section 956 of the Code of Civil Procedure, relating to what may be reviewed

on appeal from judgment—and respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1981—An act to amend section 479 of the Agricultural Code, relating to dairies and dairy products—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1933

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 751—An act to amend sections 9, 14 and 15 of the State Bar Act, relating to the Board of Governors—and respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1795—An act to amend section 68 of the Penal Code, relating to bribery;

Also, Assembly Bill No. 1797—An act to amend section 288 of the Penal Code, relating to crimes against children;

Also, Assembly Bill No 420—An act adding a new section, to be designated section 1149½, to the Political Code, and amending section 1150 of the Political Code, relating to the index to the book of affidavits of registration, and the designation thereon of persons who have voted;

Also: Assembly Bill No. 421—An act to amend section 13 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 17, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of said Direct Primary Law and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, relating to the time for preparing and mailing sample ballots;

Also, Assembly Bill No 1362—An act to amend section 588b of the Penal Code, relating to the breaking down, removal, injury or destruction of barriers or obstructions, the tearing down, removal or destruction of notices, or the extinguishing, removal, injury or destruction of warning lights or lanterns, on a State road or highway, and prescribing a penalty for the violation of such section;

Also: Assembly Bill No 1185—An act to add two new sections to the Penal Code, to be numbered 405a and 405b, establishing the public offense of lynching, and providing penalties therefor;

Also: Assembly Bill No 457—An act to amend sections 698, 702, 705, 708 and 711 of the Fish and Game Code, relating to fish;

Also: Assembly Bill No. 866—An act to amend sections 612, 651, 654 and 659 of the Fish and Game Code and to add thereto sections 615.5, 650 5, 658 5 and 658 6, relating to salmon and trout.

J A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER SACRAMENTO, May 4, 1933.

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

appointed to consider Senate Concurrent Resolution No 20—Relative to the sale of the annotated edition of the State Constitution

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference appointed to consider Assembly Bill No. 1869—An act to amend section 4235 of the Political Code, relating to compensation of county and township officers in counties of the sixth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment

REQUEST FOR PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Mr. Craig:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 6 of the Orange County Flood Control Act, relating to bond elections.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 737qq of the Political Code, relating to the salaries of the judges of the superior court of Santa Clara County.

HALLNER, Chairman.

Also:

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 6¾ of the Inheritance Tax Act, relating to exemptions and rates of tax.

HALLNER, Chairman.

Also:

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 6 of the Orange County Flood Control Act, relating to bond elections.

HALLNER, Chairman.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote

AYES—Alter, Anglim, Bliss, Brock, Burns, Callahan, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor, Miller, James A., Morgan, O'Connor, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tourneux, Turner Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—60.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Knowland: Assembly Bill No. 2421—An act to amend section 6¾ of the Inheritance Tax Act, relating to exemptions and rates of tax.

Bill read first time, and referred to Committee on Revenue and Taxation

By Mr. Cottrell: Assembly Bill No. 2422—An act to amend section 737qq of the Political Code, relating to the salaries of the judges of the superior court of Santa Clara County.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Assembly Bill No. 2422, at this time, without reference to committee or file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Cottrell:

Resolved, That Assembly Bill No. 2422 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor, Miller, James A, Morgan, O'Connor, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—59.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2422.

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED TWENTY-TWO.

Assembly Bill No 2422—An act to amend section 737qq of the Political Code, relating to the salaries of the judges of the superior court of Santa Clara County.

Bill read second time

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED TWENTY-TWO.

Assembly Bill No 2422—An act to amend section 737qq of the Political Code, relating to the salaries of the judges of the superior court of Santa Clara County.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2422 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Burns, Callahan, Chatters, Clowdsley, Cottrell, Crowley, Evans, Feigenbaum, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—56.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Craig: Assembly Bill No. 2423—An act to amend section 6 of the "Orange County Flood Control Act," relating to bond elections.

Bill read first time, and referred to Committee on Municipal Corporations.

DAILY CALENDAR.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No 1816—An act making an appropriation to pay the claim of the county of Sacramento against the State of California

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2344—An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2392—An act making an appropriation to pay the claim of the State Adjutant General against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2402—An act to enable irrigation districts to negotiate settlements of controversies involving alleged damage to the water rights of land within such districts, in cases where the State of California holds a tax title to any land in such district.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 407—An act to amend sections 3638a, 3717 and 3787 of, and to add section 3716a to, the Political Code, relating to the lien of taxes secured by real property.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1300—An act to amend section 3633 of the Political Code, relating to equalization of assessments.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 241—An act relating to the refunding of bonds of irrigation and reclamation districts, making State assistance available therefor and authorizing the issuance and sale of bonds of the State to provide funds for use in furtherance thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 259—An act providing for the construction and operation by the State of California of a system of works designated as the Central Valley Project for the conservation, development, distribution and utilization of water; defining and prescribing the units or parts of said project; also defining the prerequisite conditions under which said project shall be constructed; defining the duties and powers of the Department of Public Works and of the State Engineer in relation to said project; creating a Water Administration Board and defining its duties and powers with relation to the construction and operation of said project; authorizing the issuance and sale of general obligation bonds of the State of California in the amount of one hundred sixty millions of dollars for the purpose of defraying the cost of construction of said project; and providing for the payment of such bonds with the interest thereon, and for the creation of a water construction fund and a water revenue fund in the State treasury.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 837—An act to provide for the sale and conveyance of the Napa State Farm, situated in Napa County, California, and certain personal property located thereon.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 919—An act to add a new section to the Political Code, to be numbered 542.5, relating to expenditures for the printing or publishing of books, pamphlets, reports, compilations, synopses and other documents.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1388—An act to amend section 688 of the Political Code, relating to claims against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1826—An act to repeal an act entitled "An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance; prescribing the powers and duties of said officials in relation to said bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor," approved June 5, 1931.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1350—An act to add a new section to the Political Code, to be numbered 4052b1, to authorize county aid for district public parks, beaches and recreation grounds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2216—An act providing for powers of counties in joint county and city projects.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 470—An act to repeal section 924 of the Political Code.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 405—An act to amend section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses or furnished bungalow courts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 634—An act to amend sections 228 and 229 of the Probate Code, relating to succession to estates of decedents.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1521—An act confirming and extending the application of the provisions of section 830 of the Civil Code of the State of California to grants made or patents issued to lands by the State and consenting that it may be sued to quiet title to such lands.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1592—An act to add a new section to the Political Code to be numbered section 472a relating to the defense of peace officers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2383—An act to amend section 3369 of the Civil Code, relating to specific and preventive relief.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 977—An act to amend section 131 and to repeal section 132 of the Civil Code, and to add a new section to the said code to be numbered section 131a, all relating to divorces.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1240—An act to add a new section to Chapter VI of Title XIV of Part IV of Division III of the Civil Code to be known as section 3045, covering the lien of an attorney at law.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2406—An act to establish certain secondary State highways and provide for their construction, improvement and maintenance.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 275—An act to amend section 1305 of the Penal Code, relating to forfeiture of bail or deposit

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out the words "one year", and insert in lieu thereof the words "six months"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 761—An act to amend section 24 of the State Bar Act, relating to admission to practice law.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 24 and 25, and insert in lieu thereof the following: "The board shall constitute".

AMENDMENT NUMBER TWO.

On page 1, line 26, of the printed bill, strike out the following: "annually".

AMENDMENT NUMBER THREE.

On page 2, line 1, of the printed bill, strike out the following: "independent".

AMENDMENT NUMBER FOUR

On page 2, line 3, of the printed bill, strike out the following "semiannually".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out lines 7 to 15, inclusive, and insert in lieu thereof the following: "pass the examination."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2008—An act to amend section 726 of the Code of Civil Procedure, relating to sales under mortgages and including deficiency judgments thereon.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 702 and 703 of the Code of Civil Procedure, relating to redemption from sales under execution"

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the period, insert the following: "Section 702 of the Code of Civil Procedure is hereby amended to read as follows:

702. The judgment debtor, or redemptioner, may redeem the property from the purchaser any time within twelve months after the sale on paying the purchaser the amount of his purchase, with one per cent per month thereon in addition, up to the time of redemption, together with the amount of any assessment or taxes, and any reasonable sum for fire insurance, maintenance, upkeep, or repair of any improvements upon the property which the purchaser may have paid thereon after purchase, and interest on such amounts. And if the purchaser be also a creditor, having a prior lien to that of the redemptioner, other than the judgment under which said purchase was made, the amount of such lien with interest. In the event there shall be a disagreement between the purchaser and redemptioner as to whether any sum demanded for fire insurance, maintenance, upkeep, or repair, is a reasonable charge to be added to the amount required for redemption, the proposed redemptioner shall thereupon pay to the clerk of the court out of which execution, or order authorizing the sale, was issued the amount necessary for redemption, less the amount in dispute, and shall at the same time file with said clerk a petition in writing setting forth specifically the item or items demanded to which he objects, together with his reason for such objections, and asking that such amount be determined by the court, said clerk shall thereupon fix a day, not less than five nor more than ten days from the date of such filing, for the hearing of said objections; a copy of said petition, together with a notice of hearing giving the time and place thereof, shall be served by the person seeking redemption, or his attorney, upon the purchaser not less than two days before the day of hearing, upon the day fixed the court in which the order of sale or execution was originally issued shall determine, by order duly entered in the minutes of said court the amount required for redemption, either upon affidavit or evidence satisfactory to the court; and when the amount has been so determined in the event the amount theretofore deposited with the clerk shall be sufficient the same shall be forthwith paid to the purchaser upon his execution of a proper certificate of redemption; in the event an additional

amount to that theretofore paid to the clerk is requisite, the redemptioner shall forthwith pay such additional amount to the clerk who shall then pay the whole amount necessary to the purchaser upon his execution of a proper certificate of redemption; the certificate of redemption so issued may be deposited with the clerk for delivery to the redemptioner, or given to the redemptioner at the time of payment.

SEC 2. Section 703 of the Code of Civil Procedure is hereby amended to read as follows:

703. If property be so redeemed by a redemptioner, another redemptioner may, within sixty days after the last redemption, again redeem it from the last redemptioner on paying the sum paid on such last redemption, with two per cent thereon in addition, and the amount of any assessment or taxes, and any reasonable sum for fire insurance, maintenance, upkeep, or repair of any improvements upon the property, which the last redemptioner may have paid thereon after the redemption by him, with interest on such amount, and, in addition, the amount of any liens held by such redemptioner prior to his own, with interest; but the judgment under which the property was sold need not be so paid as a lien In the event there shall be a dispute or disagreement as to whether any sum demanded for fire insurance, maintenance, upkeep, or repair, is a reasonable charge to be added to the amount required to be paid by the subsequent redemptioner, the amount to be paid shall be determined in a like manner as provided in section 702 for the determination of such amount in the event of disagreement between the original redemptioner and purchaser.

The property may be again, and as often as a redemptioner is so disposed, redeemed from any previous redemptioner within sixty days after the last redemption, on paying the sum paid on the past previous redemption, with two per cent thereon in addition, and the amounts of any assessments or taxes, and any reasonable sum for fire insurance, maintenance, upkeep, or repair of any improvements upon the property, which the last previous redemptioner paid after the redemption by him, with interest thereon, and the amount of any liens, other than the judgment under which the property was sold, held by the last redemptioner previous to his own with interest. In the event there shall be a dispute or disagreement as to whether any sum demanded for fire insurance, maintenance, upkeep, or repair, is a reasonable charge to be added to the amount required to be paid by the subsequent redemptioner, the amount to be paid shall be determined in a like manner as provided in section 702 for the determination of such amount in the event of disagreement between the original redemptioner and purchaser.

Written notice of redemption must be given to the sheriff and a duplicate filed with the recorder of the county, and if any taxes or assessments are paid by the redemptioner, or if any sum for fire insurance, maintenance, upkeep, or repair of any improvement upon the property, is paid by the redemptioner, or if he has or acquires any lien other than that upon which the redemption was made, notice thereof must in like manner be given to the sheriff and filed with the recorder; and if such notice be not filed, the property may be redeemed without paying such tax, assessment, sum, or lien.

If no redemption be made within twelve months after the sale, the purchaser, or his assignee, is entitled to a conveyance; or if so redeemed, whenever sixty days have elapsed, and no other redemption has been made, and notice thereof given and the time for redemption has expired, the last redemptioner, or his assignee, is entitled to a sheriff's deed; but, in all cases, the judgment debtor shall have the entire period of twelve months from the date of the sale to redeem the property.

If the judgment debtor redeem, he must make the same payments as are required to effect a redemption by a redemptioner. If the debtor redeem, the effect of the sale is terminated, and he is restored to his estate.

Upon a redemption by the debtor, the person to whom the payment is made must execute and deliver to him a certificate of redemption, acknowledged or proved before an officer authorized to take acknowledgments of conveyances of real property. Such certificate must be filed and recorded in the office of the recorder of the county in which the property is situated, and the recorder must note the record thereof in the margin of the record of the certificate of sale."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2400—An act regulating competition in business, providing for the organization of trade associations as defined herein, authorizing the Corporation Commissioner of the State of California to issue permits for the operation thereof, and defining and prohibiting destructive competition.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the word "production", strike out the word "fixing", and insert in lieu thereof the word "stabilizing".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, after the word "establishing", insert the word "obligatory".

AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill, after the word "practice", insert the following: "limiting production or for the stabilizing of prices".

AMENDMENT NUMBER FOUR.

On page 1, line 9, of the printed bill, after the word "purpose", strike out the word "and", and insert in lieu thereof the word "or".

AMENDMENT NUMBER FIVE

On page 1, line 12, of the printed bill, after the word "exactions", strike out the words "from competitors or from the public".

AMENDMENT NUMBER SIX.

On page 1, line 22, of the printed bill, after the word "permit", strike out the word "or", and insert in lieu thereof the word "and".

AMENDMENT NUMBER SEVEN.

On page 2, line 1, of the printed bill, after the word "association", insert the following: "as defined in this act,".

AMENDMENT NUMBER EIGHT.

On page 2, line 22, of the printed bill, after the word "exactions", strike out the words "from competitors or from the public".

AMENDMENT NUMBER NINE

On page 2, line 45, of the printed bill, after the word "of", insert the following: "twenty-five dollars ($25.00)".

AMENDMENT NUMBER TEN

On page 2, line 46, of the printed bill, after the word "permit", strike out the period, and insert in lieu thereof a comma and the following: "and shall thereafter pay an annual fee of ten dollars ($10.00) for each year or portion thereof during which such permit as originally issued or as modified or amended may be in force and effect."

AMENDMENT NUMBER ELEVEN.

On page 2, line 47, of the printed bill, after the word "collected", insert the following: "by the Corporation Commissioner of the State of California".

AMENDMENT NUMBER TWELVE.

On page 3, line 13, of the printed bill, after the words "intent of", strike out the words "attracting patronage from competitors", and insert in lieu thereof the words "acquiring an advantage in trade over competitors".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 31, of the printed bill, after the words "intent of", strike out the words "attracting patronage from competitors", and insert in lieu thereof the words "acquiring an advantage in trade over competitors".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 20, of the printed bill, after the word "loss", strike out the word "of", and insert in lieu thereof the word "by".

AMENDMENT NUMBER FIFTEEN.

On page 3, line 22, of the printed bill, after the word "salaries", insert the words "credit losses,".

AMENDMENT NUMBER SIXTEEN.

On page 1, line 8, of the printed bill, after the comma following the word "commodity", insert the following: "other than agricultural products,".

AMENDMENT NUMBER SEVENTEEN.

On page 4 of the printed bill, following line 29, insert the following:

"SEC. 12. Inasmuch as cooperative marketing associations handling agricultural products are regulated by the Agricultural Code, this act shall not apply to any

cooperative organization marketing agricultural products operating under and by virtue of the nonprofit cooperative marketing laws of this State or of any other State or the District of Columbia or the United States, or the agents of such organizations."

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 30, of the printed bill, change "SEC. 12" to "SEC. 13".

AMENDMENT NUMBER NINETEEN.

On page 4, line 38, of the printed bill, change "SEC. 13" to "SEC. 14".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2172—An act to provide for the regulation of business investment brokers and salesmen, and providing penalties.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend section 2 of the California Real Estate Act extending the provisions of said act to include brokers and salesmen dealing in the sale, purchase or exchange of businesses."

AMENDMENT NUMBER TWO

On page 1 of the printed bill strike out lines 1 to 28, inclusive, and strike out all of pages 2, 3, 4, 5, 6, 7, 8, 9 and 10, and insert in lieu thereof the following:

"SECTION 1. Section 2 of the California Real Estate Act is hereby amended to read as follows.

Sec. 2. A real estate broker within the meaning of this act is a person, copartnership or corporation who, for a compensation, sells or offers for sale, buys, or offers to buy, lists, or solicits for prospective purchasers, or negotiates the purchase or sale or exchange of real estate, or who, for compensation, negotiates loans on real estate, leases, or offers to lease, or negotiates the sale, purchase, or exchange of leases, rents, or places for rent, or collects rent from real estate, or improvements thereon, for others as a whole or partial vocation, or who for compensation for another or others sells or offers for sale, buys or offers to buy, lists, or solicits for prospective purchasers or negotiates the sale, purchase or exchange of businesses where such businesses do not consist primarily of rights or interests in real estate. A real estate salesman within the meaning of this act is one who for compensation is employed by a licensed broker to sell, or offer for sale, or to list, or to buy, or to offer to buy, or to negotiate the purchase or sale or exchange of real estate, or to solicit for prospective purchasers of real estate, or to negotiate a loan on real estate or to lease, or to negotiate the sale, purchase or exchange of leases, or offer to lease, rent or place for rent, any real estate, or improvements thereon, as a whole or partial vocation, or who for compensation is employed by a licensed real estate broker to sell, offer for sale, list or to buy, offer to buy, negotiate the purchase, sale or exchange of businesses where such businesses do not consist primarily of rights or interests in real estate, or to solicit for prospective purchasers of businesses for another or others

The provisions of this act, except as to sections 20a and 20b, shall not apply to anyone who shall directly perform any of the acts aforesaid with reference to his own property, or, in case of corporations, through their regular officers receiving no special compensation therefor perform any of the acts aforesaid with reference to their, to wit, said corporations, own property; nor shall the provisions of this act apply to persons holding a duly executed power of attorney from the owner, nor shall this act be construed to include in any way the services rendered by an attorney at law in performing his duties as such attorney at law, nor shall it be held to include any receiver, trustee in bankruptcy, or any person acting under order of any court, nor to a trustee selling under a deed of trust.

One act, for a compensation of buying or selling real estate of or for another, or offering for another to buy or sell or exchange real estate, or negotiating the purchase or sale or exchange of, or listing or soliciting prospective purchasers of real estate, or negotiating a loan on or leasing or renting or placing for rent real estate, or collecting rent therefrom shall constitute the person, copartnership or corporation making such offer, sale or purchase, exchange or lease, or negotiating said loan, or so renting or placing for rent or collecting said rent or listing or soliciting a real estate broker or salesman within the meaning of this act.

When a lease or leasing is referred to in this section, it shall be held to include any lease, whether such lease be the sole transaction involved, or the principal or an incidental part of the transaction involved."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1437—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter to be numbered 5a and to include sections 1260 to 1260 6, inclusive, pertaining to the control of insect pests in grain warehouses.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, immediately after the enacting clause, insert the following:

"SECTION 1. A new chapter is hereby added to Division VI of the Agricultural Code, to be numbered 5a, and to read as follows:

Chapter 5a. Grain Warehouses."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1173—An act to amend section 307 of the Agricultural Code, relating to meat inspection.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended April 12, 1933, strike out the following: "section 307 of".

AMENDMENT NUMBER TWO

Strike out all of line 2 of the title of the printed bill, as amended April 12, 1933, and insert in lieu thereof the following, "by amending sections 1261, 1263, 1264, 1265, 1267, 1268, 1269, 1270, 1271, 1272 and 1273, and repealing section 1266 thereof, and adding a new section thereto to be numbered 1272 5, all relating to dealers in farm products."

AMENDMENT NUMBER THREE

Strike out all of the printed bill, as amended April 12, 1933, after the enacting clause, and insert in lieu thereof the following

"SECTION 1. Section 1261 of the Agricultural Code is hereby amended to read as follows:

1261. As used in this act:

(a) The term "person" includes any individual, firm, association, partnership or corporation.

(b) The term "producer" means any person engaged in the business of growing or producing any farm product.

(c) "Farm products" shall include all agricultural, horticultural, viticultural and vegetable products of the soil, poultry and poultry products, live stock and live stock products, honey and cut flowers, but shall not include timber and timber products, milk and milk products, hay, field grains, dried beans, and seeds

(d) The term "consignor" includes any person who ships or delivers to any commission merchant or dealer any farm products for handling, sale or resale.

(e) The term "commission merchant" means any person who shall receive on consignment or solicit from the producer thereof any farm product for sale on commission on behalf of such producer, or who shall accept any farm product in trust from the producer thereof for the purpose of resale, or who shall sell or offer for sale on commission any farm product, or who shall in any way handle for the account of or as an agent of the producer thereof any farm product.

(f) The term "dealer" means any person other than a commission merchant who for the purpose of resale at wholesale, obtains from the producer thereof possession or control of any farm product except by payment to the producer, at the time of obtaining such possession or control, of the full agreed price of such commodity in lawful money of the United States; provided, that any person licensed as a slaughterer under the provisions of Article 3 of Chapter 1 of Division III of this code shall not be required to obtain a license as a dealer under this chapter.

(g) The term "broker" means any person engaged in the business of soliciting or negotiating the sale of any farm product

(h) The term "agent" means any person who, on behalf of any commission merchant, or dealer, or broker receives, contracts for or solicits any farm product from a producer thereof or who negotiates the consignment or purchase of any farm product on behalf of any commission merchant, dealer or broker.

(i) The term "director" means State Director of Agriculture.

SEC. 2. Section 1263 of said code is hereby amended to read as follows:

1263. No person shall act as a commission merchant, dealer, broker or agent without having obtained a license as provided in this chapter. Every person, acting as a commission merchant, dealer, broker or agent as herein defined shall file an application with the director for a license to transact the business of commission merchant, dealer, broker and/or agent, and such application shall be accompanied by the license fee herein provided for each specified class of business. Separate applications shall be filed for each class of business.

Such application shall in each case state the class or classes of farm products applicant proposes to handle, the full name of the person, applying for such license, and if the applicant be a firm, exchange, association or corporation, the full name of each member of the firm, or the names of the officers of the exchange, association or corporation shall be given in the application. Such application shall further state the principal business address of the applicant in the State of California and elsewhere and the name or names of the person or persons authorized to receive and accept service of summons and legal notices of all kinds for the applicant. Such applicant shall further satisfy the director of his or its character, responsibility and good faith in seeking to carry on the business stated in the application.

In addition to the general requirements applicable to all classes of applications as in this section set forth, the following requirements shall apply to the class of application noted:

(a) Commission merchants. Each application shall include a schedule of commissions and charges for services, and such designated commissions and charges shall not be changed or varied for the license period except by written contract between the parties.

(b) Agents. Each application shall include such information as the director may consider proper or necessary, and shall include the name and address of applicant, and the name and address of each commission merchant, dealer or broker represented or sought to be represented by said agent and the written indorsement or nomination of such commission merchant, dealer or broker.

The director shall thereupon issue to such applicant, a license entitling the applicant to conduct the business described in the application at the place named in the application for a year from the date thereof or until the same shall have been revoked for cause. The director may also issue to each agent a card or cards, which shall bear the signature of said agent and his principal, separate cards being required for each principal. Any agent shall show said card or cards upon the request of any interested person.

Fraud or misrepresentation in making any application shall ipso facto work a revocation of any license granted thereunder. All indicia of the possession of a license shall be at all times the property of the State of California and each licensee shall be entitled to the possession thereof only for the duration of said license.

For filing the applications herein described, each applicant must pay a fee as follows:

(a) Commission merchants. Twenty-five dollars for each year; provided, that a person licensed as a slaughterer under the provisions of Article 3 of Chapter 1 of Division III of this code shall be entitled to be licensed as a commission merchant without payment of further fees.

(b) Dealers: Twenty-five dollars for each year.

(c) Brokers: Twenty-five dollars for each year.

(d) Agents: One dollar for each year.

Any person who shall have been licensed as a commission merchant shall, upon application, be licensed also as a dealer and as a broker as defined herein, without payment of further fees, and shall thereupon conform to the parts of this chapter regulating the business of a dealer and/or broker. Any person who has applied for and received a license as a dealer or broker in the manner and upon payment of the fee herein set forth may apply for and secure a license as a commission merchant in addition to the license issued to him as such dealer or broker, without payment of further fee and upon further complying with those parts of this chapter regulating the licensing of a commission merchant.

SEC. 3. Section 1264 of said code is hereby amended to read as follows:

1264. The director may publish in pamphlet form as often as he thinks necessary a list of all licensed commission merchants, dealers, brokers and agents together with all necessary rules and regulations concerning the enforcement of this chapter. Each licensed commission merchant, dealer, broker or agent shall post his license or a copy thereof in his office or salesroom in plain view of the public. All license fees collected under the provisions of this act shall be paid into the State treasury monthly and shall be credited to the Department of Agriculture fund and expended in carrying out the provisions of this chapter.

SEC. 4. Section 1265 of said code is hereby amended to read as follows:

1265. Before any license is issued to any commission merchant, the applicant shall execute and deliver to the director a surety bond in the sum of five thousand dollars executed by the applicant as principal and by a surety company qualified and authorized to do business in this State as surety. Said bonds shall be conditioned upon compliance with the provisions of the chapter and upon the faithful and honest handling of farm products in accordance with the terms of this chapter. Said bond shall be to the State in favor of every consignor of farm products. Any consignor of farm products claiming to be injured by the fraud, deceit or wilful negligence of any commission merchant may bring action upon said bond against both principal and surety in any court of competent jurisdiction to recover the damages caused by such fraud, deceit or wilful negligence, or the failure to comply with the provisions of this chapter. In case of failure by a commission merchant to pay consignor creditors for farm products received from said consignors to be sold, the director shall proceed forthwith to ascertain the names and addresses of all consignor creditors of such commission merchant, together with the amounts due and owing to them and each of them by such commission merchant, and shall request all such consignor creditors to file a verified statement of their respective claims with the director. Thereupon the director shall bring an action on the bond in behalf of said consignor creditors. Upon any action being commenced on said bond, the director may require the filing of a new bond and immediately upon the recovery in any action on such bond such commission merchant shall file a new bond and upon failure to file the same within ten days in either case, such failure shall constitute grounds for the suspension or revocation of his license.

SEC. 5. Section 1266 of said code is hereby repealed.

SEC. 6. Section 1267 of said code is hereby amended to read as follows:

1267. For the purpose of enforcing the provisions of this chapter the director is authorized to receive verified complaints against any commission merchant, dealer, broker or agent or any person, assuming or attempting to act as such, and upon receipt of such verified complaint shall have full authority to make any and all necessary investigations relative to the said complaint. He shall have at all times free and unimpeded access to all buildings, yards, warehouses, storage and transportation facilities in which any produce is kept, stored, handled or transported. He shall have full authority to administer oaths and take testimony thereunder, to issue subpenas requiring the attendance of witnesses before him, together with all books, memoranda, papers, and other documents, articles or instruments, to compel the disclosure by such witnesses of all facts known to them relative to the matters under investigation, and all parties disobeying the orders or subpenas of said director shall be guilty of contempt and shall be certified to the superior court of the State for punishment for such contempt. Copies of records, inspection certificates, certified reports and all papers on file in the office of the director shall be prima facie evidence of the matters therein contained.

SEC. 7. Section 1268 of said code is hereby amended to read as follows:

1268. The director on his own motion may or upon the verified complaint of any interested party shall investigate, examine or inspect any transaction involving solicitation, receipt, sale or attempted sale of farm products by any person or persons acting or assuming to act as a commission merchant, dealer, broker or agent, failure to make proper and true account of sales and settlement thereof as in this act required; the intentional making of false statements as to condition, and quantity of any farm products received or in storage, the intentional making of false statements as to market conditions, the failure to make payment for farm products within the time required by this act, or investigate, examine or inspect any and all other injurious transactions, and in furtherance of any such investigation, examination or inspection, the director or any authorized representative, may examine that portion of the ledgers, books, accounts, memoranda and other documents, farm products, scales, measures, and other articles and things used in connection with the business of such person relating to the transactions involved. When a consignor of farm products fails to obtain settlement satisfactory to him in any transaction after having notified the consignee, a verified complaint may be filed with the director who shall undertake to effect a settlement, and in the event that he shall fail to effect such settlement, he shall cause a copy of such complaint together with a notice of the time and place of hearing of such complaint, to be served personally or by mail upon such person. Such service shall be made at least ten days before the hearing, which shall be held in the city or town in which is situated the business location of

the licensee, or in which the transaction complained of is said to have occurred At the time and place appointed for such hearing the director or his agents, shall hear the parties to such complaint, and shall enter in the office of the director at Sacramento a decision either dismissing such complaint or specifying the facts established on such hearing. A copy of such decision shall be furnished to each, every and all the respective parties thereto.

SEC 8. Section 1269 of said code is hereby amended to read as follows:

1269. The director may refuse to grant a license and may revoke or suspend any license, as the case may require, when he is satisfied of the existence of any of the following facts

(a) That fraudulent charges or returns have been made by the applicant, or licensee, for the handling, sale or storage of, or for rendering of any service in connection with the handling, sale or storage of any farm products

(b) That the applicant, or licensee, has failed or refused to render a true account of sales, or to make a settlement thereon, or to pay for farm products received within the time and in the manner required by this chapter

(c) That the applicant, or licensee, has made any false statement as to the condition, quality or quantity of farm products received, handled, sold or stored by him

(d) That the applicant, or licensee, directly or indirectly has purchased for his, or its own account farm products received by him upon consignment without prior authority from consignor together with price fixed by consignor or without properly notifying the consignor of such purchase This shall not prevent any commission merchant from taking to account of sales, in order to close the day's business, miscellaneous lots or parcels of farm products remaining unsold, if such commission merchant shall forthwith enter such transaction on his account of sales.

(e) That the applicant, or licensee, has intentionally made any false or misleading statement as to the conditions of the market for any farm products

(f) That the applicant, or licensee, has made fictitious sales or has been guilty of collusion to defraud the producer.

(g) That a commission merchant to whom any consignment is made has reconsigned such consignment to another commission merchant for the purpose of receiving, collecting, or charging by such means more than one commission for making the sale therefor for the consignor, unless by consent of such consignor

(h) That the licensee was intentionally guilty of fraud or deception in the procurement of such license.

(i) That the licensee or applicant has failed or refused to file with the director a schedule of his charges for services in connection with produce handled on account of or as an agent of another; that the applicant, or licensee has indulged in any unfair practice.

Previous violation by the applicant or by any person connected with him or it of any of the provisions of this chapter shall be good and sufficient ground for denial of a license.

SEC. 9 Section 1270 of said code is hereby amended to read as follows:

1270. Any action of the director with reference to the granting of, or the refusal to grant, or to renew any license, or with reference to the revocation or suspension of any license granted under the provisions of this chapter, may be reviewed by any court of competent jurisdiction, but pending final determination of any such review in the case of the revocation or suspension of the license of any person licensed hereunder, such license shall be deemed in full force and effect pending the expiration of the license period or the final determination of such proceedings whichever is first in point of time

SEC 10. Section 1271 of said code is hereby amended to read as follows:

1271 Every commission merchant, having received any farm products for sale as such commission merchant, shall promptly make and keep a correct record showing in detail the following with reference to the handling, sale, or storage of such farm products

(a) The name and address of the consignor.

(b) The date received

(c) The condition and quantity upon arrival.

(d) Date of such sale for account of consignor

(e) The price for which sold

(f) An itemized statement of the charges to be paid by consignor in connection with the sale.

(g) The names and addresses of the purchasers if said commission merchant has any financial interest in the business of said purchasers, or if said purchasers have any financial interest in the business of said commission merchant, directly or indirectly, as holder of the other's corporate stock, as copartner, as lender or borrower of money to or from the other, or otherwise

(h) A lot number or other identifying mark for each consignment, which number or mark shall appear on all sales tags and/or other essential records needed to show what the produce actually sold for.

(i) Any claim or claims which have been or may be filed by the commission merchant against any person for overcharges or for damages resulting from the

injury or deterioration of such farm products by the act, neglect or failure of such person and such records shall be open to the inspection of the director and the consignor of farm products for whom such claim or claims are made.

SEC. 11. Section 1272 of said code is hereby amended to read as follows:

1272. When requested by his consignor, a commission merchant shall before the close of the next business day following the sale of any farm products consigned to him transmit or deliver to the owner or consignor of the farm products a true written report of such sale, showing the amount sold, and the selling price. Remittance in full of the amount realized from such sales, including all collections, overcharges and damages, less the agreed commission and other charges, together with a complete account of sales, shall be made to the consignor within ten days after receipt of the moneys by the commission merchant, unless otherwise agreed in writing. In the account the names and addresses of purchases need not be given, except as required in section 1271.

Every commission merchant shall retain a copy of all records covering each transaction, for a period of one year from the date thereof, which copy shall at all times be available for, and open to, the confidential inspection of the director and the consignor, or authorized representative of either. In the event of any dispute or disagreement between a consignor and a commission merchant arising at the time of delivery as to condition, quality, grade, pack, quantity or weight of any lot, shipment or consignment of farm products, the department shall furnish upon the payment of a reasonable fee therefor by the requesting party a certificate establishing the condition, quality, grade, pack, quantity, or weight of such lot, shipment or consignment. Such certificate shall be prima facie evidence in all courts of this State as to the recitals thereof. The burden of proof shall be upon the commission merchant to prove the correctness of his accounting as to any transaction which may be questioned.

Every dealer must pay for farm products delivered to him or it at the time and in the manner specified in the contract with the producer, but if no time is set by such contract, or at the time of said delivery, then within thirty days from the delivery or taking possession of such farm products.

SEC. 12. Section 1273 of said code is hereby amended to read as follows:

1273. Any person is guilty of a misdemeanor and is punishable by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year or by both who assumes or attempts to act as a commission merchant, dealer, broker or agent without a license, or who, being a commission merchant:

(a) Imposes false charges for handling or services in connection with farm products.

(b) Fails to account promptly, correctly, fully and properly and to make settlement therefor as herein provided.

(c) Intentionally makes false or misleading statement or statements as to market conditions.

(d) Makes fictitious sales or is guilty of collusion to defraud the producer.

(e) Directly or indirectly purchases for his own account, goods received by him upon consignment without prior authority from the consignor, or fails promptly to notify the consignor of such purchases, if any, on his own account. This clause does not prevent any commission merchant from taking to account of sales, in order to close the day's business, miscellaneous lots or parcels of farm products remaining unsold, if such commission merchant forthwith enters such transaction on his account of sales.

(f) Intentionally makes false statement or statements as to the grade, condition, markings, quality or quantity of goods shipped or packed in any manner.

(g) Fails to comply in every respect herewith. Civil suits and criminal prosecutions arising by virtue of any of the provisions of this chapter may be commenced and tried in either the county where the products were received by the commission merchant, or within the county in which the principal place of business of such commission merchant is located, or within the county in which the violation of this chapter occurred.

SEC. 13. A new section is hereby added to the Agricultural Code to be numbered 1272.5 and to read as follows:

1272.5. Any sale of farm products made by a commission merchant for less than the current market price to any person with whom he has any financial connection, directly or indirectly, as owner of its corporate stock, as copartner, or otherwise, or any sale out of which said commission merchant receives, directly or indirectly, any portion of the purchase price, other than the commission allowed in section 1266, shall be prima facie evidence of fraud within the meaning of this chapter."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2095—An act to amend sections 893 and 898 of the Agricultural Code, relating to inspection of farm products and the regulation of such inspection.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 6 and 7, and insert in lieu thereof the following: "field crop product unless the grade by which".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out all of lines 13 to 20, inclusive, and insert in lieu thereof the following "not false or misleading."

AMENDMENT NUMBER THREE

On page 2, line 24, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following "and that the provisions of this chapter shall not be applicable to beans grown in California"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1302—An act to amend sections 6, 7 and 26, and to add two new sections to be numbered sections 7a and 21a to the Corporate Securities Act, all relating to corporations

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 26 and 27, and on page 2, strike out lines 1 to 27, inclusive, and insert in lieu thereof the following:

"At the time of filing an application for a broker's certificate, the applicant shall file with the Commissioner of Corporations a good and sufficient bond for five thousand dollars, payable to the people of the State of California, for the use and benefit of any interested person, executed by said applicant and by sufficient surety or sureties, and to be approved by the Commissioner of Corporations. Said bond shall be conditioned upon the strict compliance with the provisions of this act, the faithful performance by said broker of all his obligations under the terms and conditions of any installment purchase contracts involving the sale of a security, the honest and faithful application of all funds received and the faithful and honest performance of all obligations and undertakings in the purchase or sale of securities, by said broker, his agents and employees. Said bond shall be further conditioned upon the payment of all damages suffered by any person damaged or defrauded or by reason of the violation of any of the provisions of this act, or by reason of any fraud connected with or growing out of any transaction contemplated by the provisions of this act. Any person who sustains an injury covered by such bond, may in addition to any other remedy that he may have, bring an action in his own name upon said bond for the recovery of any damages sustained by him. Upon such action being commenced the Commissioner of Corporations may in his discretion, require the filing of a new bond and immediately upon the recovery in any action on such bond, such broker shall file a new bond, and upon failure to file the same within ten days in either case such failure shall constitute sufficient grounds for the suspension or revocation of such broker's certificate."

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, strike out lines 37 to 42, inclusive, and insert in lieu thereof the following:

"Sec. 21a. It shall be the duty of the commissioner to"

AMENDMENT NUMBER THREE.

On page 6, lines 46 and 47, of the printed bill, strike out "one hundred twenty-five", and insert in lieu thereof the following: "fifty".

AMENDMENT NUMBER FOUR.

On page 7 of the printed bill, between lines 2 and 3, insert the following:

"One-half of the fees charged and collected under subdivision 11 of this section and all the fees charged and collected under subdivision 5 of this section for the examination, audit or investigation of brokers licensed hereunder, shall at the end of each month be deposited with the State Treasurer, who shall place the same to the credit of the "Division of Corporations brokers' fund," which fund is hereby created in the State treasury. In addition to any other moneys appropriated for such purpose, the moneys in said fund are hereby appropriated for the support and maintenance of said division in enforcing those provisions of this act relating to the regulation of brokers, and shall be expended in accordance with law for such purpose All moneys in the State treasury to the credit of said fund at noon on the thirtieth day of June of each year shall, on or before the fifteenth day of the succeeding month, be transferred from said "Division of Corporations brokers' fund" to the general fund of the State."

AMENDMENT NUMBER FIVE.

On page 7, line 3, of the printed bill, after "All", insert the following "other".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 921—An act to amend sections 410, 780 and 782 and repeal section 781 of the Political Code, relating to the laws, resolutions and Journals of the Legislature and to the bound volumes of Decisions of the Supreme Court and District Courts of Appeal.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended April 26, 1933, strike out all of lines 11 to 19, both inclusive.

AMENDMENT NUMBER TWO

On page 2, line 21, of the printed bill, as amended April 26, 1933, between the word "State", and the word "at", insert the following: "for official use only".

AMENDMENT NUMBER THREE.

On page 2, line 43, of the printed bill, as amended April 26, 1933, between the word "sell", and the word "at", insert the following "for official use only".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1019—An act to amend section 690.10 of the Political Code, relating to rights in and to, and structures on, or partly on, swamp, overflowed, marsh, tide or submerged lands, and making an appropriation therefor.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, as amended in the Assembly April 22, 1933, strike out lines 38 to 41, inclusive.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1277—An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and

regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 4, line 41, of the printed bill, strike out "his", and insert in lieu thereof the following: "its".

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, as amended April 6, 1933, after the word "act", insert a comma, strike out the words "or the", and strike out all of line 46.

AMENDMENT NUMBER THREE.

On page 7, line 43, of the printed bill, as amended April 6, 1933, after the word "healing.", insert the following: "The provisions of this act shall not apply to hospitals or hospital departments wholly or partly maintained by an employer for the purpose of furnishing his or its employees with medical or surgical examination or treatment"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1292—An act providing for the creation and management of "California Desert Park," giving to the Director of Natural Resources, powers and duties with respect thereto in the acquiring of land and other property therefor and in the creation, maintenance and improvement of said park; providing for the maintenance and improvement of the same and making an appropriation therefor, and declaring the highways therein and leading thereto to be State highways.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following "An act providing for the creation, management, maintenance and improvement of the California Desert Park; creating the California Desert Park Board in connection therewith, and making an appropriation therefor"

AMENDMENT NUMBER TWO.

On page 2, line 24, of the printed bill, following the period after "purposes", insert the following "The said park shall at all times be subject to the terms and conditions of this act and shall be under the direct management and control of the California Desert Park Board hereby created."

AMENDMENT NUMBER THREE

On page 2 of the printed bill, strike out lines 25 to 52, inclusive; on page 3 strike out lines 1 to 51, inclusive, and on page 4, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SEC. 2. There shall be created a governing board for said park to be known as the California Desert Park Board, consisting of five members. For the purpose of the immediate management of said park the Governor shall appoint the first five members of the board. The members thus appointed shall so classify themselves so that two of their number will go out of office on January 15, 1935, and the remaining three on January 15, 1937. Thereafter the term of each member shall be four years and they shall be appointed in the following manner. On January

15, 1935, and every four years thereafter one member shall be appointed by the board of supervisors of Riverside County, and one member appointed by the board of supervisors of San Bernardino County. On January 15, 1937 and every four years thereafter one member shall be appointed by the board of supervisors of Riverside County, and one member shall be appointed by the board of supervisors of San Bernardino County, and one other member appointed by the Governor Each member of the board shall serve without compensation but shall be entitled to his actual and necessary traveling and other expenses, while engaged in carrying out the duties imposed upon said board or the members thereof All such expenses shall be paid on the order of the board out of the California Desert Park fund

SEC 3 Said board is hereby authorized and empowered to request the United States government, or the appropriate officers thereof, to cause any lands now located within the park as herein described to be deeded to the State of California and to be administered by said board as a part of the State park herein created. In the event that the United States government, or its officers, can not or will not deed any portion of the lands owned by the United States government located in the said park to the State of California, then and in that event the commission is authorized and empowered to enter into a lease or leases or a contract or contracts of purchase for such land

SEC 4 As to any lands owned by the State and located within the boundaries of said park which, because of certain restrictions, the State is unable to dedicate without compensation therefor, the said board is authorized and empowered to enter into an agreement, or agreements to purchase said lands or any of them or into a lease or leases for said lands or any of them at a price or rental to be agreed upon by said commission and the Director of Finance. The board and the Division of State Lands are authorized to cooperate in any manner necessary to the end that all lands within said park may as soon as possible be dedicated to the park and reserved and held separate for park purposes only.

SEC. 5 The board is authorized and empowered to acquire any land located within said park by gift, purchase or lease from private individuals It is further authorized to accept and receive donations or aid from individuals or corporations and to receive legacies and bequests, and any moneys thus received shall be paid into the State treasury to the credit of the California Desert Park fund which fund is hereby created All money in said fund is hereby appropriated to the use of the California Desert Park Board for the purposes of this act

SEC 6 If, in the opinion of the board, the best interests of the State and the park will be served thereby, it is authorized and empowered to charge a nominal entrance fee to said park from persons entering therein of not to exceed the sum of _____ cents per person The board may also under the rules and conditions to be established therefor allow and permit the operation of concessions within said park in harmony and within the purposes of the other provisions of this act The board is authorized to charge and collect a fee for any such concessions permitted to be operated Any moneys thus received shall be paid into the State treasury and credited to the California Desert Park fund

SEC 7 Said board shall make and enforce all the necessary rules and regulations for the care preservation, maintenance and government of the park It shall have power to appoint and fix the salaries of the guardian of the California Desert Park and such assistants as may be necessary to properly care for, conduct and maintain said park The board shall have power from time to time to survey said park and to improve same for the purposes thereof and shall have power to create and maintain or permit or cause to be maintained a water supply and sanitary camps for campers and sightseers within said area

SEC 8 All roads within said park, or such roads as may be hereafter created therein, are hereby declared to be State highways That road, or so much thereof as does not lie within the park, leading from State Highway No 26, at a point near Whitewater, or from such other point on said highway as the State Highway Commission may designate, to the boundaries of said park nearest Twenty-Nine Palms and from State Highway No 26 near Indio to the southerly boundary of said park, is also declared to be a State highway.

SEC 9. It is hereby made the duty of the Attorney General to act as attorney for said board, to advise it upon its request and to examine all abstracts and certificates of title or any evidence of title with respect to property sought to be acquired, sold or exchanged, and to render and deliver to said board his opinion in writing as to the existence of liens and encumbrances thereon and the validity of the title to said lands The said commission is authorized to contract for the assistance of a reputable title company doing business in this State in the determination of the validity of the title to the lands acquired or exchanged in connection with the said park

SEC 10 The name of said park shall be California Desert Park.

SEC 11 If the United States shall at any time include the area embraced within said park, or any part of it, within a national park or national monument, the commission shall convey or transfer the property or so much thereof as is included in

said national park or monument, without charge, to the United States to be used for park and recreational purposes so long as it shall remain a national monument."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2234—An act to appropriate funds for the payment of damages accruing from the closing of the Klamath River to commercial fishing.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 2, of the printed bill, strike out the word "ten", and insert in lieu thereof the word "fifteen".

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out the word "is", and insert in lieu thereof the word "may".

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, strike out the words "hereby appropriated to".

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2286—An act authorizing and empowering the Director of Finance to accept money from the estate of Emma Hotfilter for the purpose of erecting a fountain within the State Capitol grounds.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "authorizing and empowering the Director of Finance", and insert in lieu thereof the following: "declining on the part of the State of California".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following

"SECTION 1. The State of California hereby declines to accept the bequest or any part thereof made to the State by Emma Hotfilter, by will, for use in acquiring, erecting and constructing a fountain in the State Capitol grounds at Sacramento, California, in honor of her deceased husband, Herman C. Hotfilter."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 587—An act making an appropriation to pay the claim of _____ against Charles G. Johnson as Treasurer of the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "of", strike out the blank, and insert in lieu thereof the words "Bekins Van and Storage Company, a corporation"

AMENDMENT NUMBER TWO

In line 1 of the printed bill, after the words "in the", strike out the words "general fund which are to be devoted exclusively to the maintenance and repair of public highways within this State", and insert in lieu thereof the words "highway maintenance fund, or so much thereof as may be necessary."

AMENDMENT NUMBER THREE.

In line 4 of the printed bill, strike out the blank after the word "of", and insert in lieu thereof the words and figures "four thousand four hundred ninety-three and 6/100ths dollars ($4,493 06)".

AMENDMENT NUMBER FOUR.

In line 5 of the printed bill, strike out the blank after the word "of", and insert in lieu thereof the words "Bekins Van and Storage Company, a corporation,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 588—An act making an appropriation to pay the claim of _____ against Charles G. Johnson as treasurer of the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the blank in line 1 of the title of the printed bill, and insert in lieu thereof the words "B W. Belyea doing business under the fictitious name and style of Belyea Truck Company"

AMENDMENT NUMBER TWO.

In line 1 of the printed bill, after the words "in the", strike out the words "general fund which are to be devoted exclusively to the maintenance and repair of public highways within this State", and insert in lieu thereof "highway maintenance fund or so much thereof as may be necessary".

AMENDMENT NUMBER THREE.

In line 4 of the printed bill, strike out the blank after the word "of", and insert in lieu thereof the words and figures "four thousand seven hundred forty-nine and 63/100 dollars ($4,749.63)".

AMENDMENT NUMBER FOUR.

In line 5 of the printed bill, strike out the blank after the word "of", and insert in lieu thereof the words "B. W. Belyea doing business under the fictitious name and style of Belyea Truck Company".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1560—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act, approved May 30, 1921, and of any and all acts amendatory thereof or supplemental thereto; creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures;

appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1934.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2352—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as therein defined, providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately.

FLOOR AMENDMENT.

During second reading of the bill, the following amendment was submitted by Mr. Frazier:

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, as amended, strike out "twelve", and insert *in lieu thereof the following*: "eight".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 851—An act to suspend the exemption from taxation granted by the Constitution to the California School of Mechanical Arts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to provide for the extension of the period in which property sold to the State for delinquent taxes may be redeemed, and to declare that this act shall take effect immediately."

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. During the year 1933, no property which has been sold to the State for delinquent taxes shall be sold at public auction under the provisions of section 3771a of the Political Code or deeded to the State under the provisions of section 3785 of the Political Code.

SEC. 2. All property, which, but for the provisions of this act, would be sold at public auction or deeded to the State shall be sold at public auction or deeded to the State in the year 1934 if said property be not redeemed before that time.

SEC. 3. Upon the publication in the year 1933 of the delinquent tax list under the provisions of section 3764 of the Political Code the tax collector shall omit from such publication the publication of the addenda to said delinquent tax list as provided by said section 3764.

SEC. 4. All property, which, but for the provisions of this act, would be published in 1933 in the addenda to the delinquent tax list as provided in section 3764 of the Political Code, shall be published in the addenda to the delinquent tax list which is published in the year 1934 if said property be not redeemed before that time.

SEC. 5. All property affected by the provisions of this act may be redeemed without the payment of any additional delinquency penalties, redemption penalties, interest or costs other than those provided in section 3817 of the Political Code for the redemption of property sold to the State for delinquent taxes within five years of the sale of property to the State.

SEC. 6. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution of this State, and shall take effect immediately. The statement of facts constituting such necessity are as follows:

Due to the present economic crisis many persons have been unable to redeem property which has been sold to the State for delinquent taxes. Unless immediate action is taken a certain amount of the property which has been sold to the State for

delinquent taxes will be sold at public auction for such taxes and the right of redemption will be thereby cut off. This will cause great hardship to the people of this State and to prevent such hardship it is necessary that this act take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2123—An act to add a new section, to be numbered 3a, to an act entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved May 23, 1907, relating to sewerage disposal.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1369—An act to repeal "An act empowering the State Board of Health to examine sources from which shellfish are taken; making it unlawful to take shellfish from contaminated sources if determined by said board to be a menace to health; making violations of this act misdemeanors and providing for the punishment of same," approved April 5, 1917.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 589—An act making an appropriation to pay the claim of ------ against the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, after the word "appropriation", insert the following: "to the State Board of Control"

AMENDMENT NUMBER TWO.

In lines 1 and 2 of the title of the printed bill, strike out the following: "the claim of ------", and insert in lieu thereof the word "claims".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SECTION 1. There is hereby appropriated out of any money in the State treasury not otherwise appropriated, the sum of five hundred thousand (500,000) dollars, or so much thereof as may be necessary, to be disbursed by the State Board of Control upon claims filed with the State Controller for the purpose of refunding to persons, firms, associations and/or corporations moneys paid by virtue of invalid demands by State of California, pursuant to the provisions of section 15, Article XIII of the Constitution of California. The State Board of Control shall promulgate rules and regulations for the presentation, examination and allowance of any such claims; provided, however, no such claim shall be examined by the State Board of Control unless presented to said board within six (6) months on and after the effective date of this act, and no such claim shall be allowed for an amount exceeding seventy-five (75) per centum of the amount actually paid to the State by the claimant; and further provided, that no such claim shall be examined by the board unless the claimant at the time of payment to the State of the amount claimed protested in writing such payment, and has presented such claim or instituted suit in a court of competent jurisdiction for the recovery of any such sum, within a period of three (3) years after payment to the State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 935—An act to add a new section to the Political Code to be numbered 1034, relating to State officers and employees.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the article "a", insert the following: "full time monthly".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, strike out the words "payable monthly".

AMENDMENT NUMBER THREE

On page 1, line 5, of the printed bill, after the word "shall", insert a comma and the following: "during the period of his regular hours of employment with the State for which he receives such monthly salary,".

AMENDMENT NUMBER FOUR.

On page 1, line 6, of the printed bill, strike out the word "between", and strike out all of lines 7 and 8.

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, following line 8, insert the following:

"'Private business" or "other activity" within this section shall not include the casual collecting or receiving of rent upon property owned by such officer or employee, the casual sale or purchase of personal or real property for the benefit of said officer or employee, or the buying and selling for his personal account stocks, bonds or other securities"

AMENDMENT NUMBER SIX.

Add a new paragraph to the printed bill to read as follows:

"Nothing in this act shall be construed to apply to instructors, teachers or professors actively engaged in teaching in the State teacher colleges of this State"

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 942—An act to amend section 5.63 of the School Code, relating to State teachers colleges.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out the first article "a", and insert in lieu thereof the following: "the first".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, after the word "therein", insert the following: "and a fee of thirty-seven dollars and fifty cents for each semester attended consecutively thereafter".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 949—An act to add section 3.401 to the School Code, relating to tuition fees of students in junior colleges.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the word "twenty-five", and insert in lieu thereof the words: "twelve and 50/100".

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, insert a semicolon after the word "college", and add the following: "except that in any junior college in which the school year is divided into three periods, commonly referred to as quarters, the tuition fee shall be eight and 35/100 dollars".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2070—An act making an appropriation to pay the claim of William B. Hornblower against the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "appropriation", insert the following: "to the State Board of Control".

AMENDMENT NUMBER TWO.

In lines 1 and 2 of the title of the printed bill, strike out the following: "the claim of William B. Hornblower", and insert in lieu thereof the word "claims".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SECTION 1. The sum of twenty-five thousand (25,000) dollars is hereby appropriated out of any money in the State treasury not otherwise appropriated to the State Board of Control to be disbursed after investigation and hearing and in the discretion of the State Board of Control for the purpose of satisfying claims and/or judgments against the State of California, which have arisen under the provisions of Chapter 260, Statutes of California, 1929, as amended No claim and/or judgment shall be paid by the said board which accrued prior to the first day of July, 1932 or after the twentieth day of April, 1933. The said board is authorized and empowered to negotiate settlement of any such claim and to obtain releases in the name of and on behalf of the State of California. The State Controller is hereby directed to issue his warrant payable from this appropriation upon a claim approved by the said board."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 2348—An act to amend section 363i of, and to add sections 2586, 2589, 2590, and 2610 to, the Political Code, relating to the administration of certain bays, ports and harbors

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 52, of the printed bill, as amended, strike out the following: "Any incumbered balance".

AMENDMENT NUMBER TWO

On page 4 of the printed bill, as amended, strike out all of lines 1 to 9, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 882—An act to add a new section to the Penal Code to be numbered 1279a, relating to professional bondsmen.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "to professional bondsmen", and insert in lieu thereof the following: "to regulation of bail, bail bonds and professional bondsmen".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out lines 3 to 28, inclusive, also strike out all of pages 2 to 4, inclusive, and insert in lieu thereof the following:

"1279a. 1. Any person, firm or corporation who in any criminal action or proceeding pending in the State of California, or in any proceeding to have any person released from arrest or imprisonment, shall execute a bail bond and give bail (other than a deposit of money) and who charges a premium, commission or any other compensation therefor, shall be deemed in the business of giving bail.

2. No person, firm or corporation shall engage in the business of giving bail unless such person, firm or corporation shall have first deposited with the Insurance Commissioner of the State of California the sum of one hundred thousand dollars ($100,000) in cash, in lawful money of the United States, or in securities of the reasonable market value of one hundred thousand dollars ($100,000) and of such kind and character as the laws of the State of California permit for the investment of assets of insurance companies organized under the laws of the State of California. Such deposit shall be continuously maintained while such person, firm or corporation shall continue to carry on and conduct such bail bond business and thereafter until any and all bail bonds executed and given by such person, firm or corporation shall have been exonerated and discharged.

Whenever such person or any member of such firm or officer of such corporation shall file in the office of the Insurance Commissioner his affidavit stating that such person, firm or corporation has ceased to carry on and conduct such bail bond business and that all bail bonds executed and given by such person, firm or corporation have been exonerated and discharged, said Insurance Commissioner shall have ninety (90) days thereafter within which to verify the statements contained in such affidavit, and unless within said ninety (90) days said Insurance Commissioner shall ascertain, and the fact shall be, that any of such bail bonds are still in force and effect or that any judgment made and entered by a court of competent jurisdiction pursuant to any order of court declaring such bail bond forfeited has not been fully satisfied, all bail bonds executed and given by such person, firm or corporation shall conclusively be deemed to have been exonerated and discharged, and such person, firm or corporation shall be entitled to the immediate delivery and return of such deposit, but in the event that any such bail bond shall still continue in force and effect or that any such judgment shall not have been fully satisfied, said Insurance Commissioner shall within said ninety (90) days give such person, firm or corporation written notice specifying the bail bonds which in his opinion continue in force and effect and/or the judgments which in his opinion have not been fully satisfied and shall forthwith return and deliver to such person, firm or corporation all of such moneys and/or securities deposited except so much thereof as shall be equal in value to the penal sum of such bail bond or bonds and/or the unsatisfied amount of such judgment or judgments, which portion of said deposit so withheld by said Insurance Commissioner shall be retained by him and kept on deposit in the State treasury, as hereinafter provided, until such bail bond or bonds shall have been exonerated and discharged or such judgment or judgments shall have been fully satisfied, or else the same may be applied in satisfaction of such judgment or judgments, but if and when such judgment or judgments shall have been otherwise satisfied or such bail bond exonerated or discharged, said Insurance Commissioner shall forthwith deliver and return such portion of said deposit so withheld by him.

None of such securities so deposited shall be accepted as of any value above the market value thereof and whenever any of said securities shall be reduced or depreciated in value below the market value thereof as of the time the same were deposited, then such person, firm or corporation shall deposit with said Insurance Commissioner other and additional moneys and/or securities so that at no time shall the market value of the moneys and/or securities on deposit with said Insurance Commissioner be less than the said sum of one hundred thousand dollars ($100,000). Such moneys and/or securities on deposit with the Insurance Commissioner shall be by him specially deposited in the State treasury of the State of California in packages marked with the name of the person, firm or corporation from whom the same shall have been received and such person, firm or corporation shall be per-

mitted to collect the interest or dividends on the securities so deposited as the same become payable and shall have the right from time to time to withdraw such moneys and/or securities, or any part thereof, on depositing in place thereof other moneys and/or securities of no less value than those to be withdrawn But none of such moneys and/or securities shall be withdrawn from the State treasury except upon the written order of the person, firm or corporation making the deposit thereof, which order must be endorsed by the Insurance Commissioner of the State of California, or otherwise such withdrawal must be had under the order of a court of competent jurisdiction in the event that said Insurance Commissioner shall refuse to endorse such order of withdrawal.

All securities deposited in conformity with the provisions of this act shall be of the character and value herein provided for.

3. Whenever such deposit has been made with the Insurance Commissioner of the State of California, said commissioner must issue to the person, firm or corporation so depositing the same a certificate under his official seal stating the items and amount of moneys and/or securities so deposited and their market value at the time to the best of his knowledge, information and belief and in case of withdrawal and substitution or of deposit of additional moneys and/or securities he shall issue a similar certificate supplemental thereto setting forth such additional facts.

4. No court, judge or other judicial officer or other person acting in an official capacity shall accept or approve any bail or bail bond, unless at the time the same is presented for approval or acceptance, such certificate or certificates of the Insurance Commissioner or the State of California, or a copy thereof duly certified by the Insurance Commissioner, shall be submitted for examination and inspection to him.

5. Said deposit shall be and constitute security to the State of California for the faithful performance and observance of the terms and conditions of such bail bond to be performed and observed by the person, firm or corporation making such deposit and executing and giving such bail bond. In the event that any court of competent jurisdiction shall give and make its judgment pursuant to an order of court declaring the forfeiture of any such bail bond, then if any part of such deposit be in cash, so much of said cash deposit as shall be sufficient in amount to satisfy such judgment shall be applied in satisfaction of such judgment, but if such cash deposit shall be insufficient in amount therefor, or if there be no cash deposit, then so much of the securities which shall have been deposited as aforesaid as shall be sufficient in the market value thereof to satisfy such judgment shall be sold by said Insurance Commissioner at public or private sale, as he may determine, upon his giving written notice by registered mail of the United States Post Office to such person, firm or corporation at least ten (10) days before such sale of the time and place at which such securities are to be sold and the particular securities to be offered for sale and the order in which the same are to be sold In the event that said Insurance Commissioner shall deem it necessary to sell any of said securities as in this fifth section of this act provided for, said Insurance Commissioner shall have the right to withdraw said securities from the State treasury without procuring any order whatever therefor from the person, firm or corporation who shall have deposited the same with him upon depositing his official receipt therefor with the State Treasurer, specifying therein the reasons why and the purposes of the withdrawal of the same.

6. The premium of compensation for giving a bail bond or depositing money or property as bail shall in no case be greater than six per centum of the amount of such bond or deposit and any firm, person or corporation charging or receiving, directly or indirectly, any greater compensation for making a deposit for bail or giving bail, or who shall act in such business as aforesaid without obtaining a license, or who shall accept any fee or compensation for obtaining a bondsman or bail bond shall be guilty of a misdemeanor and in addition thereto shall in any action brought to recover any such over-charge be liable to treble damages.

7. Any person firm or corporation violating any of the provision of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars or by imprisonment in the county jail for a period of not more than six months, or by both fine and imprisonment.'

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 360—An act making an appropriation to pay the claim of William J. Bost against the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 1, of the printed bill, strike out the word "five", and insert in lieu thereof the word "four".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1598—An act to authorize the acceptance of checks, bank drafts and money orders in payment of taxes, assessments, licenses, fees, and other accounts payable into the treasury of any municipal or other public corporation, or political subdivision, subject to the due honor thereof and relating to the manner of making collection thereon, settlement with the treasurer therefor and procedure upon the nonpayment thereof, and to repeal an act entitled: "An act to authorize assessors and tax collectors to accept checks, bank drafts and money orders in payment of taxes, subject to the due honor thereof and relating to the manner of making collection thereon and settlement with the county treasurer therefor," approved May 24, 1921.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 16 and 17, and on page 2 strike out all of lines 1 to 11, inclusive, and insert in lieu thereof the following: "and shall either be deposited as collection account deposits in such bank or banks, hereinafter termed depositary banks, as may be designated by the treasurer of such municipal or other public corporation or political subdivision as authorized by law, or be placed, for special collection, with such bank or banks, hereinafter termed collecting banks, as such collecting officer or employee may select

Any check or draft drawn on or payable at one office or branch of any bank and deposited in or placed with for collection by any such collecting officer or employee at another office or branch of such bank, shall be deemed for all of the purposes of this act as drawn on or payable at another bank.

SEC 4 For all checks, drafts or money orders deposited as collection account deposits with a depositary bank such collecting officer or employee shall receive therefor certificates of deposit from said bank or banks in an amount equal to the deposits made, which said certificates of deposit shall be payable to the treasurer of such municipal or other public corporation or political subdivision and shall be deposited by such officer with such treasurer. The deposits represented by said certificates of deposit shall be subject to all the conditions and controlled by all the requirements established by law relating to the deposits of public moneys in banks; provided, however, that for such time as may be required for the collection of any such check, draft or money order, not to exceed ten days in any case, such depositary bank shall not be required to pay any interest thereon."

AMENDMENT NUMBER TWO

On page 2, line 12, of the printed bill, strike out the figure "4", and insert in lieu thereof the figure "5".

AMENDMENT NUMBER THREE.

On page 3, line 18, of the printed bill, strike out after the word "instrument", the balance of the line, and all of line 19, down to and including line 29, and insert the following:

"SEC. 6. For all checks, drafts or money orders placed by any such collecting officer or employee with any collecting bank for special collection, such collecting officer or employee shall receive therefor from said bank or banks a receipt in form satisfactory to such collecting officer or employee, evidencing the delivery to such collecting bank of such check, draft or money order and the conditions under which such delivery is made.

The collecting bank shall receive all such checks, drafts or money orders placed with it for special collection, as the agent of such collecting officer or employee and shall hold the same and the proceeds thereof in trust and as a preferred claim until disposed of as herein provided, and such collecting bank may use any method or means authorized by law for the collection of any such check, draft or money order.

Within ten days after receipt by it of any such check, draft or money order for special collection, the collecting bank shall report to the collecting officer or employee the disposition thereof and whether or not the same had been collected. Upon the collection of such check, draft or money order, such collecting officer or employee of any municipal or other public corporation or political subdivision shall obtain from the treasurer thereof instructions for the disposition of such collection and thereupon the collecting bank shall pay the amount thereof direct to such treasurer or shall deposit the same in any bank or banks in the State as directed in writing by such treasurer.

Any such check, draft or money order not collected may be returned by the collecting bank to the collecting officer or employee who delivered it to such collecting bank, but no proceeds derived from the collection of any such check, draft or money order shall be paid or otherwise disposed of except on the order of the said treasurer.

Funds held in trust or as a preferred claim by any collecting bank, as in this section provided, shall not otherwise be deemed deposits of public moneys nor shall any such bank be required to give any security therefor or pay any interest thereon.

SEC. 7. Upon being notified by the depositary bank or the collecting bank, as the case may be, of its inability to collect any such check, draft or money order, such collecting officer or employee shall cancel any payment credited on account of such instrument. He shall make a record thereof in a book kept for that purpose and shall demand a return of the receipt, license or other evidence of payment issued by him.

Neglect or refusal on the part of the person so notified to return such receipt, license or other evidence of payment so issued when demanded, shall constitute a misdemeanor."

AMENDMENT NUMBER FOUR.

On page 3, line 30, of the printed bill, strike out the figure "5", and insert in lieu thereof the figure "8".

AMENDMENT NUMBER FIVE

On page 3, line 39, of the printed bill, strike out the figure "6" and insert in lieu thereof the figure "9".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2408—An act to add section 365e½ to the Political Code, relating to powers and duties of the California Highway Commission in respect to construction or repair of highways

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out lines 7 to 17, both inclusive, and insert in lieu thereof the following: "fund or the State highway construction fund, and in the judgment of said department the conditions do not require the use of a particular type of pavement, the said department shall cause to be prepared alternate plans and specifications contemplating the use of all such materials as are adopted as standard for high type paving by the Division of Highways and acceptable to it. The Department of Public Works shall then advertise and call for bids for the doing of such work based on the use of such alternate materials and upon receipt of such bids shall proceed to the award of a contract to the lowest qualified bidder irrespective of type of material."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1977—An act to amend section 626 of the Agricultural Code, relating to dairies and dairy products

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in the first line of the title, strike out the number "626", and insert in lieu thereof the number "459".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 19, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 459 of the Agricultural Code is hereby amended to read as follows:

459. It is unlawful to sell, give away, or deliver, or to knowingly purchase or receive any impure, polluted, tainted, unclean, unwholesome, stale or adulterated milk, goat's milk, sheep's milk, or cream, or any product manufactured wholly or in part therefrom, or other milk, or cream, or products thereof or imitation dairy products or substitutes for dairy products which do not conform to the standards established by this division, or to sell, give away, or deliver, or to knowingly purchase or receive as or for milk or cream any product prepared or manufactured by the mixing or blending of milk, skim milk or any of the derivatives thereof, with butter"

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1149—An act to provide for the inspection and registration of aviaries and other places where birds of the psittacine family are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "inspection", insert the following: ", quarantine".

AMENDMENT NUMBER TWO.

Between lines 24 and 25 of the printed bill, insert the following:

"SEC. 5. No quarantine of any birds shall be effective as to any birds held in captivity in any bird store or other place of business for more than ten days unless within such time the State Board of Health examines the birds in such bird store or other place of business and determines that one or more of such birds is afflicted with a disease dangerous to the health of human beings"

AMENDMENT NUMBER THREE.

On page 1, line 25, of the printed bill, strike out the figure "5", and insert the figure "6".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2410—An act to provide for the organization and management of mining development districts and to provide for the development of mines included therein; for the construction of all works necessary or incidental for the joint development of said mines and for the management and operation of all properties belonging to the district; and for the acquisition of all properties necessary therefor; to provide for the management of such districts and also to provide for the issuance and payments of bonds for such district, for the levying of

taxes and the collection of charges by said districts and for the annexation of additional territory thereto

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2412—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2094—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal reclamation laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contracts," approved May 5, 1917, as amended, by amending the title and sections 7 and 8 thereof, and adding a new section to be designated section 11, to authorize the division of districts into units, for fixing conditions upon inclusion of lands and for the borrowing or procuring of money by irrigation districts from the United States or any agency thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2407—An act to amend section 24½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time, for such purposes, and to create a board of fire commissioners," approved March 4, 1891, relating to inclusion of outlying territory within the fire limits of unincorporated towns and villages.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1250—An act to add sections 1156, 1157 and 1158 to the Fish and Game Code, relating to the closing of areas to hunting

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1762—An act to add sections 1415 and 1416 to the Fish and Game Code, relating to the forfeiture of hunting and sporting fishing licenses.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1420—An act to repeal section 1413 of the Fish and Game Code, relating to fines and penalties.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1284—An act to add a new section to the Fish and Game Code, to be numbered 1414, relating to the forfeiture of hunting and fishing equipment illegally used.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2415—An act relating to rights, royalties or interests in or to oil, gas, or other hydrocarbons, to be extracted from real property, or in or to the proceeds derived from the sale of such oil, gas or other hydrocarbons, and relating to the rights and liabilities of the owners or holders of such rights, royalties or interests and relating to instruments dealing therein or therewith.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2418—An act to provide for the regulation of sales and salesmen of pleasure boats, yachts and other small craft.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2145—An act to amend section 94 of the Vehicle Code, and to add a new section to said code to be numbered section 94.5, relating to members of the California Highway Patrol.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 25, of the printed bill, as amended, after the words "district inspector," add the words "inspector,".

AMENDMENT NUMBER TWO.

On page 2, line 34, of the printed bill, as amended, after the words "district inspector," add the word "inspector,".

AMENDMENT NUMBER THREE.

On page 2, line 48, of the printed bill, as amended, after the words "district inspector," insert the following: "the grade of inspector shall be considered on a par with that of captain,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1947—An act to add a new section to the Vehicle Code, to be numbered 217, relating to reciprocal registration of foreign vehicles.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 3 of the title, and insert in lieu thereof the following:

"An act to amend section 215 of the Vehicle Code, relating to the registration of foreign vehicles used within this State for the transportation of persons or property for compensation or profit."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 15, inclusive, and insert in lieu thereof the following:

"215. Registration of Foreign Vehicle Used Commercially.

(a) A nonresident owner of a foreign vehicle of a type subject to registration hereunder which is used within this State for the transportation of persons or property for compensation or profit shall register such vehicle as provided in Chapter I of this title and the same fees shall be collected as upon the registration of a like

vehicle owned by a resident of this State, except as provided in subdivision (b) of this section.

(b) A nonresident owner of such a vehicle may so use the same within this State without such registration thereof and payment of fee therefor upon obtaining for such vehicle and displaying thereon a nonresident permit or its equivalent as hereinbefore provided when such owner resides within twenty-five miles of the boundary of this State and when the State within which such owner resides grants similar reciprocal privileges to residents of this State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 381—An act to amend section 26a of an act entitled "An act to provide for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," relating to street improvements.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 1 of the title thereof, strike out the word "section", and insert in lieu thereof the following: "sections 18 and".

AMENDMENT NUMBER TWO

On page 7 of the printed bill, following line 16, add the following

"SEC. 2. Section 18 of said act is hereby amended to read as follows:

Sec. 18. As soon as said assessment is completed the street superintendent shall file the same, with the diagram attached thereto and made a part thereof as aforesaid, with the clerk of the council, who shall give notice of such filing by publication for at least ten days in a daily newspaper published and circulated in the city, or if there be no such daily newspaper, by three successive insertions in a weekly newspaper so published and circulated. Said clerk shall mail a notice of such filing to each owner of real property within the assessment district at his last known address as same appears on tax rolls of said city or on file in the office of the city clerk or to both said addresses if they are not the same, containing a designation by street number, or some other description, of the property assessed sufficient to enable the owner to identify the same and the amount proposed to be assessed thereon. The city clerk upon the completion of the mailing of said notices, shall file with the city council an affidavit setting forth the time and manner of the compliance with the above requirement for mailing such notices. The mailing of such notices shall not be essential to obtaining jurisdiction by the council, and the failure so to do shall not affect in any manner the validity of any proceedings taken hereunder. Said notices shall require all persons interested to file with said clerk their objections, if any they have to the confirmation of said assessment, prior to the date set for the confirmation of said assessment which date shall be stated in said notices and be at least thirty (30) days from and after the date of mailing such notices."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1473—An act to amend the title and section 1 of an act entitled "An act to provide for the protection of certain employees of cities, cities and counties, incorporated or unincorporated

cities, towns or districts, against personal liability incurred while acting within the course of their duty," approved May 11, 1929.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, after the word "incorporated", insert a comma and the word "chartered".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 337—An act to amend sections 6.740 and 6 771 of the School Code, to add a new section to said code, to be numbered 6.744, and to repeal sections 6.770 and 6.772 of said code, relating to the use of school buildings or grounds.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out all of lines 2 and 3, and insert in lieu thereof the following: "relating".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out all of lines 10 to 25, inclusive, and on page 2, strike out all of lines 1 to 12, inclusive, and insert in lieu thereof the following:

"SEC. 2 Section 6 771 of the School Code is hereby amended to read as follows:

6 771. In the case of entertainments or meetings where admission fees are charged or contributions are solicited and the net receipts of such admission fees or contributions are not expended for the welfare of the pupils of the district or for charitable purposes a charge must be made for the use of said schoolhouses, property and grounds."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 1593—An act to amend section 782 of the Fish and Game Code, relating to lobsters.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out "the last day of February", and insert in lieu thereof "February 1".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2231—An act to add section 798.5 to the Fish and Game Code, relating to abalones.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"798.5. In district 2½ not more than ten abalones may be possessed by any person during one day. Abalones taken in water twenty feet or more in depth in that portion of district 7 lying north of Hardy Creek to the Humboldt County line may be possessed and sold irrespective of the bag limit. Such abalones, or the meat thereof, shall not be transported out of districts 7 or 2½ except that they may be transported from district 7 into district 2½."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1287—An act to amend sections of the Fish and Game Code.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 1 of the title, after the word "section", insert the following: "1010, 1011 and 1015".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out lines 1 to 6, and insert in lieu thereof the following:

"SECTION 1. Section 1010 of the Fish and Game Code is hereby amended to read as follows:

1010. Every person must procure a license for each plant or place of business to engage in the business of:

(a) Canning, curing, preserving or packing fish, taken from the waters of this State or brought into this State.

(b) Manufacturing fish scrap, fish meal, fish oil, chicken feed, stock feed or fertilizer from fish or fish offal.

(c) Dealing in fresh fish, mollusks or crustaceans by wholesale, taken in the waters of this State or brought into this State. For the purpose of this article, frozen fish shall be considered fresh fish.

SEC. 2. Section 1011 of the Fish and Game Code is hereby amended to read as follows:

1011. The commission shall prepare suitable licenses entitling the holder thereof to can, cure, preserve or pack fish, to manufacture fish meal, fish oil and other products from fish, and to deal in fish, mollusks and crustaceans by wholesale, subject to the provisions of this code, for a term of one year from July 1st to June 30th, or, if issued after the beginning of such term, for the remainder thereof.

SEC. 3. Section 1015 of the Fish and Game Code is hereby amended to read as follows:

1015. Every person operating under a license as provided in the article shall, in addition to the license fee, pay a privilege tax of two and one-half cents for each one hundred pounds or fraction thereof, of fish purchased, received or taken by him."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment and third reading.

Assembly Bill No. 2227—An act to add sections 822 to 829, inclusive, to Article 2, Chapter 3, Part 2, Division IV of the Fish and Game Code, relating to oysters.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following

"An act to amend sections 560, 816, 817, 818, 819, 820 and 821 of the Fish and Game Code and to add thereto a new section to be numbered 822, relating to oysters."

AMENDMENT NUMBER TWO

On page 1 of the printed bill, after the enacting clause, insert the following:

"SECTION 1. Section 560 of the Fish and Game Code is hereby amended to read as follows.

560 As used in this article "fish" includes amphibians, mollusks, crustaceans and the spawn or ova of fish, amphibians, mollusks, and crustaceans The words "aquatic plant" include the seeds thereof

SEC. 2 Section 816 of the Fish and Game Code is hereby amended to read as follows.".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 1 and 2, and in line 3, strike out "822", and insert in lieu thereof the following

"816."

AMENDMENT NUMBER FOUR.

On page 1, line 4, of the printed bill, after the parenthesis, insert the following, "on State tidelands,".

AMENDMENT NUMBER FIVE

On page 1, strike out lines 17, 18 and 19, and insert in lieu thereof the following: "authority to prohibit the planting of any type or species of oyster or oyster seed in any bay, lagoon or estuary, which it considers injurious to the development of the oyster industry in the State."

AMENDMENT NUMBER SIX.

On page 1 of the printed bill, strike out lines 20 and 21, and insert in lieu thereof the following:

"SEC 3. Section 817 of the Fish and Game Code is hereby amended to read as follows:".

AMENDMENT NUMBER SEVEN.

On page 1, line 22, of the printed bill, strike out "823", and insert in lieu thereof "817".

AMENDMENT NUMBER EIGHT.

On page 1 of the printed bill, strike out lines 23 and 24, and insert in lieu thereof the following: "fund to be credited with all moneys arising from the sale of oysters, oyster seed and shell from State".

AMENDMENT NUMBER NINE

On page 2 of the printed bill, strike out line 1, and insert in lieu thereof the following: "the benefit of the oyster industry, for the employment of oyster biologists, for acquiring and dis-".

AMENDMENT NUMBER TEN

On page 2 of the printed bill, strike out lines 6 and 7, and insert in lieu thereof the following:

"SEC 4. Section 818 of the Fish and Game Code is hereby amended to read as follows.".

AMENDMENT NUMBER ELEVEN

On page 2, line 8, of the printed bill, strike out "824", and insert in lieu thereof the following: "818".

AMENDMENT NUMBER TWELVE.

On page 2, line 13, of the printed bill, strike out "2¼", and insert in lieu thereof the following: "2½".

AMENDMENT NUMBER THIRTEEN.

On page 2 of the printed bill, strike out lines 15 and 16, and insert in lieu thereof the following:

"SEC 5. Section 819 of the Fish and Game Code is hereby amended to read as follows.".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 17 of the printed bill, strike out "825", and insert in lieu thereof the following: "819".

AMENDMENT NUMBER FIFTEEN.

On page 2, line 21, of the printed bill, after the second comma, insert the following: "not to exceed".

AMENDMENT NUMBER SIXTEEN.

On page 2 of the printed bill, strike out lines 36 and 37, and insert in lieu thereof the following:

"SEC. 6. Section 820 of the Fish and Game Code is hereby amended to read as follows:".

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 38, of the printed bill, strike out "826", and insert in lieu thereof the following: "820".

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 9, of the printed bill, after the word "persons", insert the following: ", eligible to file oyster claims,".

AMENDMENT NUMBER NINETEEN.

On page 3 of the printed bill, strike out that part of line 18 following the period, and strike out lines 19 and 20, and that part of line 21 up to and including the period.

AMENDMENT NUMBER TWENTY.

On page 3 of the printed bill, strike out lines 46 to 51, and on page 4, strike out lines 1 to 4, and insert in lieu thereof the following:

"SEC. 7. Section 821 of the Fish and Game Code is hereby amended to read as follows:".

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 17, of the printed bill, strike out "829", and insert in lieu thereof the following: "821".

AMENDMENT NUMBER TWENTY-TWO.

On page 4, line 17, of the printed bill, strike out "829", and insert in lieu thereof the following: "822".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1782—An act to amend section 79 of the Fish and Game Code, relating to fish and game district 12a.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "79", and insert in lieu thereof the following: "140".

AMENDMENT NUMBER TWO

In line 2 of the title of the printed bill, strike out "12A", and insert in lieu thereof the following: "1J".

AMENDMENT NUMBER THREE

On page 1, line 1, of the printed bill, strike out "79", and insert in lieu thereof the following: "140".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 8, inclusive, and insert in lieu thereof the following:

"140. District 1J. The following shall constitute fish and game district 1J: All that area within the counties of Amador and Alpine within the following boundaries: Beginning at a point between sections thirteen and eighteen, township eight north, ranges fourteen and fifteen east, where the Carson Pass Highway enters section eighteen, township eight north, range fifteen east; thence northeasterly along the south side of said Alpine Highway right of way to the Dufrane Road in section thirty-two, township nine north, range sixteen east; thence southerly along the westerly side of said road to the old Amador ranger station cabin in section five, township eight north, range sixteen east; thence southerly and easterly along Bear River Trail to Pardoes Road in section fifteen, township eight north, range sixteen east; thence northeasterly along the south side of said road to the Bear River Cedar Camp Trail in section one, township eight north, range sixteen east; thence northeasterly to its intersection with the main Cedar Camp Trail, thence southerly along Cedar Camp Trail to intersection of said Cedar Camp Trail with the Mokelumne River; thence down the north bank of the Mokelumne River

in a southwesterly direction to the intersection of range line between townships seven north, ranges fourteen and fifteen east, thence north along range line between township eight north, ranges fourteen and fifteen east, to the intersection of Alpine State Highway to the place of beginning."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1787—An act to add a new section to the Fish and Game Code to be numbered 170, relating to fish and game district 4H.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 137 of the Fish and Game Code, relating to fish and game districts."

AMENDMENT NUMBER TWO

On page 1, of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 137 of the Fish and Game Code is hereby amended to read as follows:

137. District 1G. The following shall constitute fish and game district 1G: All that area within the counties of Plumas and Tehama within the following boundaries: Beginning at a point in section eighteen where Deer Creek crosses the west township line of township twenty-five north, range two east, thence north along the west township line of townships twenty-five, twenty-six and twenty-seven north, range two east, to the northeast corner of section thirty-six, township twenty-seven north, range one east; thence west along the north line of said section thirty-six to its intersection with Mill Creek, thence northerly and easterly along Mill Creek to the State highway in section twenty-three, township twenty-nine north, range four east, thence following the southerly side of said highway easterly to the junction of the State highway and the road to Wilson Lake; thence across said State highway to the southerly side of said Wilson Lake Road; thence easterly following the southerly side of said road to its junction with the Lost Creek Road, thence southerly following the westerly side of said road to its junction with the north line of the survey for the new State highway in approximate section twenty-five, township twenty-eight north, range five east; thence westerly following said survey to its intersection with the Deer Creek Meadows Road; thence southerly and westerly following the westerly side of said Deer Creek Meadows Road to where said road crosses Deer Creek in section twenty-nine, township twenty-seven north, range four east; thence southerly and westerly following the northerly bank of said creek to the point of beginning."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 971—An act to amend sections 1, 3, 4 and 7, and to add a new section to be numbered 7a, to an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations" approved May 28, 1931.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In lines 1 and 2 of the title of the printed bill, strike out the following words: "and to add a new section to be numbered 7a".

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, after the word "furs", insert the word "hats,".

AMENDMENT NUMBER THREE.

On page 2, line 17, of the printed bill, after the word "establishment", insert the following: "and/or of a cleaning and dyeing establishment,".

AMENDMENT NUMBER FOUR.

On page 3, line 5, of the printed bill, after the word "furs", insert the word "hats,".

AMENDMENT NUMBER FIVE

On page 3, line 9, of the printed bill, after the word "furs,", insert the word "hats,".

AMENDMENT NUMBER SIX.

Strike out lines 12, 13, 14, 15, 16, 17, and 18 of the printed bill

AMENDMENT NUMBER SEVEN.

Strike out lines 26 and 27 of the printed bill.

AMENDMENT NUMBER EIGHT.

On page 4, line 3, of the printed bill, strike out the words "or to con-", also all of lines 4, 5, and 6, of the said page 4 of the printed bill.

AMENDMENT NUMBER NINE.

On page 4, line 18, of the printed bill, strike out the words "On and after the first day of October, 1931,", and insert in lieu thereof the following "From and after ninety days after the adjournment of the fiftieth session of the California Legislature 1933,".

AMENDMENT NUMBER TEN.

On page 4, line 37, of the printed bill, strike out the words "Before the first day of October, 1931," and insert in lieu thereof the following: "From and after ninety days after the adjournment of the fiftieth session of the California Legislature 1933,".

AMENDMENT NUMBER ELEVEN.

On page 4, line 38, of the printed bill, strike out the words "from and after the thirtieth day of June, 1933, there", and insert in lieu thereof the word "thereafter".

AMENDMENT NUMBER TWELVE.

On page 5, line 7, of the printed bill, after the word "twelve", strike out the word "ten", and insert in lieu thereof the word "eight".

AMENDMENT NUMBER THIRTEEN.

On page 5 of the printed bill, strike out lines 11, 12, 13, 14 15 and 16

AMENDMENT NUMBER FOURTEEN.

On page 5, line 19, of the printed bill, strike out the words "one hundred", and insert in lieu thereof the words "two hundred fifty".

AMENDMENT NUMBER FIFTEEN

On page 5 of the printed bill, strike out all of lines 38 and 39.

AMENDMENT NUMBER SIXTEEN.

On page 5, line 40, of the printed bill, strike out the letter "(b)", and insert in lieu thereof the letter "(a)".

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 43, of the printed bill, strike out the letter "(c)", and insert in lieu thereof the letter "(b)".

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 46, of the printed bill, strike out the letter "(d)", and insert in lieu thereof the letter "(c)".

AMENDMENT NUMBER NINETEEN

On page 6, line 32, of the printed bill, strike out the words "or hat reno-"; on page 6, line 33, strike out the words "vating and/or finishing".

AMENDMENT NUMBER TWENTY.

On page 6, line 43, of the printed bill, strike out the words "or a hat renovating establishment,".

AMENDMENT NUMBER TWENTY-ONE

On page 6 of the printed bill, strike out all of lines 47, 48, 49 and 50.

AMENDMENT NUMBER TWENTY-TWO.

On page 7 of the printed bill, strike out all of lines 1, 2, 3, 4 and 5.

AMENDMENT NUMBER TWENTY-THREE.

On page 5 of the printed bill, strike out lines 40, 41 and 42.

AMENDMENT NUMBER TWENTY-FOUR.

On page 5 of the printed bill, strike out lines 43, 44 and 45, and insert in lieu thereof the words "(a) Obtaining or attempting to obtain a certificate of registration by fraudulent misrepresentations;".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 452—An act to amend the title of, and to add a new section to be numbered 4a to, an act entitled "An act to provide for the government of irrigation districts having an area of more than five hundred acres and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to qualification of electors

Bill read second time.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Robinson, Samuel E.:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "a new section", and insert in lieu thereof the following, "new sections".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, after "4a", insert "and 4b".

AMENDMENT NUMBER THREE.

In the next to the last line of the title of the printed bill, after "relating to", insert the following: "elections and to".

AMENDMENT NUMBER FOUR.

On page 1, line 5, of the printed bill, after "for", insert the words "elections and".

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, strike out all of lines 12 to 21, inclusive, and insert in lieu thereof the following

"SEC. 4a. In such districts, no person shall be entitled to vote at any election unless such person possesses all of the qualifications required of electors within the county election precincts in such districts under the general election laws of the State, and shall have appeared on the last preceding equalized assessment roll of the district as the holder of title or evidence of title to real property situate within the district in which the election is being held. Any holder of land under a possessory right acquired by entry or purchase from the United States or the State of California, or by a contract of purchase shall be deemed to be a holder of evidence of title to said land within the meaning of this act

SEC. 3. A new section is hereby added to said act to be numbered 4b and to read as follows:

SEC. 4b. Prior to any election in any such district, the secretary of the district shall prepare a roster of all persons possessing the qualifications prescribed in the preceding section for each precinct or consolidated precinct within such district by reference to the last preceding equalized assessment roll of the district and the registers of voters in the county or counties in which such district may be situate, and prior to the election he shall certify to each of the election boards in the district the roster of persons qualified to vote in their respective precincts or con-

solidated precincts. Only persons whose names appear on such rosters shall be entitled to vote at the election for which such rosters were prepared."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2413—An act authorizing the county in which judges and justices of the peace are sitting, in courts other than their own under assignment thereto by the chairman of the judicial council, to pay the necessary expenses of such judges and justices of the peace for travel, board and lodging.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to add a new section, to be numbered 1a, to an act entitled "An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the Chairman of the Judicial Council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments," approved May 20, 1927, as amended, relating to expenses of judges and justices of the peace sitting under assignment from the Judicial Council."

AMENDMENT NUMBER TWO

Strike out everything below the enacting clause of the printed bill, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the act cited in the title hereof to be numbered section 1a and to read as follows:

Sec 1a. The county, other than his own, in which any judge of the superior court is sitting under assignment from the Judicial Council, may pay the full amount of the expenses of such superior judge whenever the Chairman of the Judicial Council certifies that there is not available sufficient money to pay the State's share of such expenses, in the amount provided in section 1 of this act, of any such superior judge. When the board of supervisors of any such county allows a claim for such expenses the latter shall become a county charge and the auditor is hereby authorized and directed to draw his warrant therefor and such expenses shall be audited and paid in the manner provided in section 1 of this act In no case shall the expenses paid by the county under the provisions of this section exceed the sum of six dollars per diem. The provisions of this section shall not apply to any county or city and county wherein there are more than eight judges of the superior court of such county or city and county."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 354—An act to amend section 5.500 of the School Code, relating to teachers' tenure.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 4, of the printed bill, as amended, insert after the period after "district", *the following: "The provisions of this section shall not apply to any city,* or city and county, governed by a freeholders' charter, the provisions of which are inconsistent with the provisions of this section. If any employee is dismissed under this section, he shall be entitled to that fraction of the public school teachers' maximum retirement salary as his years of service is of thirty years, provided his total teaching service is at least twenty-five years, the last ten years of which have been in California."

AMENDMENT NUMBER TWO

On page 2 of the printed bill, as amended, strike out lines 7 and 8, and insert in lieu thereof the following:

"5 507. The board in charge of any school district may by at least a two-thirds vote provide that no employee shall be classified as or become a per-".

AMENDMENT NUMBER THREE.

On page 2, line 10, of the printed bill, as amended, strike out "1935", and insert in lieu thereof the following: "1934".

AMENDMENT NUMBER FOUR

On page 2, line 13, of the printed bill, as amended, strike out "1935", and insert in lieu thereof the following: "1934".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 235—An act to appropriate the sum of $12,000 to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, and to provide for the manner of expending such appropriation.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 2417—An act making an appropriation for the support of the Supreme Court of the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2138—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2226—An act to amend sections 777 and 778 and to repeal sections 779, 780, 781, 782 and 783 of the Vehicle Code, relating to the motor vehicle fund and the disposition of moneys placed therein.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In the title of the printed, amended bill, strike out all of lines 1 and 2, and insert in lieu thereof the following: "An act to amend sections 777 and 779 of".

AMENDMENT NUMBER TWO.

On page 2, line 28, of the printed, amended bill, strike out the word "fifty", and insert in lieu thereof the word "forty".

AMENDMENT NUMBER THREE.

On page 2, line 36, of the printed, amended bill, strike out the figures "778", and insert in lieu thereof the figures "779".

AMENDMENT NUMBER FOUR.

On page 2, line 39, of the printed, amended bill, strike out the figures "778", and insert in lieu thereof the figures "779".

AMENDMENT NUMBER FIVE.

On page 2 of the printed, amended bill, strike out all of lines 41 to 52, both inclusive, and on page 3, strike out all of lines 1 to 14, both inclusive, and insert in lieu thereof the following:

"The remaining sixty per cent of said motor vehicle fund is hereby appropriated and shall be paid to the counties of this State and the State Controller shall in the months of February and August of each year draw his warrants upon said net

receipts in favor of the county treasurer of each county for the amount to which each said county is entitled hereunder. Said payments shall be made to the counties in proportion to the number of vehicles registered in such counties as determined by the places of residence of the owners to whom the registration cards are issued.

In the event the actual domicile, residence or place of abode of an owner of any vehicle registered hereunder is in a county other than the county which the owner has designated as his place of residence in his application for registration and as shown by the records of the department, then the county auditor of the county receiving such funds from the State as hereinabove provided may draw his warrant in favor of the county wherein is located the actual domicile, residence or place of abode of such owner. Such warrant when so drawn shall be in such total sum as to cover all such vehicles as may properly be attributed to the latter county hereunder in order to secure payment to each county of sums in proportion to registration of vehicles therein according to the actual residences of the owners thereof."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

UNFINISHED BUSINESS.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Bliss moved that the vote whereby Assembly Constitutional Amendment No. 58 was refused adoption be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Burns, Callahan, Chatters, Clowdsley, Cobb, Craig, Evans, Feigenbaum, Field, Fisher, Frazier, Grubbs, Hallner, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—54.

NOES—Bowers, Brockett, Cassidy, Cottrell, Crist, Crowley, Hatch, Latham, Phillips, Redwine, Robinson, C. Ray; Stannard, Stream and Turner—14.

Assembly Constitutional Amendment No. 58 ordered placed on daily calendar.

Assembly Constitutional Amendment No. 18—A proposed amendment adding Article XIVa to the Constitution, relative to the control, development and utilization of the water resources of the State.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 18?

AMENDMENT NUMBER ONE.

On page 2 of the printed measure, immediately following line 46 on said page insert the following

"(f) In any action brought by the State to acquire by eminent domain from any State agency or mutual water company, any water or right to the use of water, choate or inchoate, or any facilities for the storage of water, such State agency or mutual water company shall have the right and option to be compensated in money for the property so taken, or to require and have it adjudged that in lieu of such compensation in money, the State shall replace the water so taken with other water of equivalent quality and quantity at times and places of delivery and at costs as favorable as would have existed but for such taking or in lieu of the facilities so taken, other facilities of equal advantage; this said alternative right shall not be available to any person, agency or company which has not, in good faith and with actual ability to put to a beneficial use within a reasonable time, acquired such water, rights or facilities herein designated."

AMENDMENT NUMBER TWO.

On page 2 of the printed measure, strike out lines 47 to 52, inclusive, and on page 3 of the printed measure, strike out lines 1 to 10, inclusive, and insert in lieu thereof the following:

"SEC. 2. In the construction and operation by the State of any project for water conservation, development or distribution under the provisions of this article or any

legislation enacted pursuant thereto, no watershed or area wherein water originates, or any area immediately adjacent thereto which can conveniently be supplied with water therefrom, shall be deprived by the State directly or indirectly of the prior right to all of said water reasonably required to adequately supply the beneficial needs of said watershed, area or any of the inhabitants or property owners therein. In no other way than by purchase or otherwise as in this article provided shall said water rights as herein defined, or said watershed, area or the inhabitants be impaired or curtailed by the State, but the provisions of this section shall be strictly limited to the acts and proceedings of the State, as such, and shall not apply to any persons or State agencies. These provisions shall not be so construed as to create any new property rights other than against the State as in this article provided or to require the State to furnish to any person without adequate compensation therefor any water which shall have been made available by the construction of any works by the State."

AMENDMENT NUMBER THREE.

On page 4 of the printed measure, strike out lines 17 to 21, inclusive, and insert in lieu thereof the following:

"SEC. 5 All of the provisions of this article shall be subject to and limited by the provisions of section 1 of Article XVI of this Constitution, and section 1 of Article IV thereof relating to the referendum, as they now exist or may hereafter be amended, except that the Legislature may include such projects as it may deem necessary in one act."

AMENDMENT NUMBER FOUR.

On page 4 of the printed measure, strike out lines 22 to 33, inclusive.

AMENDMENT NUMBER FIVE.

On page 4, line 34, of the printed measure, strike out "Sec 7", and insert in lieu thereof the following: "Sec. 6".

AMENDMENT NUMBER SIX.

On page 2, line 25, of the printed measure, as amended, strike out the period, and insert in lieu thereof a semicolon.

AMENDMENT NUMBER SEVEN.

On page 2, line 47, of the printed measure, as amended, strike out "(f) If", and insert in lieu thereof the following: "In".

AMENDMENT NUMBER EIGHT.

On page 3, line 38, of the printed measure, as amended, after "defined,", strike out "or", and insert in lieu thereof the following: "of".

AMENDMENT NUMBER NINE.

On page 5 of the printed measure, as amended, strike out line 8, and insert in lieu thereof the following:

"SEC 5 All legislation enacted under the provisions of this article shall be subject".

AMENDMENT NUMBER TEN.

On page 2, line 13, of the printed measure, as amended, strike out the words "and utilization of water", and insert in lieu thereof the following: "conservation, development, control, storage, transportation, distribution and utilization of water and water resources, including electric energy.".

AMENDMENT NUMBER ELEVEN.

On page 2 of the printed measure, as amended, strike out line 15, and insert in lieu thereof the following: "development, utilization, control, storage, transportation and distribution or use of water and water resources, including electric energy, by".

AMENDMENT NUMBER TWELVE.

On page 2, line 49, of the printed measure, as amended, strike out "(f)"

AMENDMENT NUMBER THIRTEEN.

On page 3, line 10, of the printed measure, as amended, after the word "put", insert the following: "to".

AMENDMENT NUMBER FOURTEEN.

On page 3, lines 14 and 15, of the printed measure, as amended, strike out "for water conservation, development or distribution".

AMENDMENT NUMBER FIFTEEN.

On page 3, lines 35 and 36, of the printed measure, as amended, strike out "for water conservation, development or distribution".

AMENDMENT NUMBER SIXTEEN.

On page 4, line 9, of the printed measure, as amended, after the period, insert the following

"*In awarding all such contracts, preference shall be given to State agencies* Whenever it is economically practicable, as a part of a project, water and/or electric power shall be made available at such central points as may make for convenient and economical distribution to State agencies contracting for same."

The roll was called, and Senate amendments to Assembly Constitutional Amendment No 18 were concurred in by the following vote:

AYES—Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder Stannard, Stream, Thorp, Tournoux, Utt, Williamson, Woolwine, Wright and Mr Speaker—62.

NOES—None.

Assembly Constitutional Amendment No 18 ordered to enrollment.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No 1869—An act to amend section 4235 of the Political Code, relating to compensation of county and township officers in counties of the sixth class—reports that it has met a like committee of the Senate, consisting of Senators Hays, Powers and Parkman, and reports that the Committee on Free Conference has agreed to recommend the following. That the Assembly concur in the Senate amendments, and that the bill be further amended as follows

AMENDMENT NUMBER ONE

On page 5, line 48, of the printed bill, as amended April 3, 1933, strike out the words "twelve dollars and fifty cents.", and insert in lieu thereof the following: "fifty dollars."

MEEKER,
ZION,
POWERS.
Assembly Committee on Free Conference

HAYS,
POWERS.
PARKMAN,
Senate Committee on Free Conference

The question being on the adoption of the report

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

AYES—Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Evans, Field, Frazier, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright and Mr Speaker—54.

NOES—None

The above reported bill ordered to enrollment

Assembly Bill No 1100—An act to add a new section to the Political Code, to be numbered 596c, prohibiting any person or corporation from acting as agent for or in any manner aiding in the solicitation or advertising of any insurance corporation or insurer unless such insurance corporation or insurer shall have received a certificate of authority to transact business in this State and prescribing a penalty for violation thereof

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1100?

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, strike out the period after the word "state", and insert in lieu thereof a semicolon, and add the following: "provided, however, that nothing in this section contained shall apply to any person or corporation duly licensed as a surplus line broker pursuant to the provisions of section 596 of the Political Code."

The roll was called, and Senate amendment to Assembly Bill No. 1100 was concurred in by the following vote.

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Evans, Feigenbaum, Field, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Martin, McBride, McMurray, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—55.

NOES—None

RECONSIDERATION WAIVED.

Mr. Robinson, C. Ray, waived his notice to reconsider the vote whereby Senate Concurrent Resolution No. 30 was adopted.

Senate Concurrent Resolution No. 30 ordered transmitted to the Senate.

Senate Bill No. 326—An act to amend section 689 of the Political Code, relating to the costs of janitor and maintenance service furnished by the Department of Finance.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 326?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 326 by the following vote:

AYES—Zion—1.

NOES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—62.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker appointed Messrs. Craig, Alter and Zion as a Committee on Free Conference to meet with a like committee from the Senate for considering Assembly amendments to Senate Bill No. 326.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933

MR. SPEAKER: Your Committee on Free Conference concerning Senate Concurrent Resolution No. 20—Relative to the sale of the annotated edition of the State Constitution—reports that it has met a like committee of the Senate, consisting of Senators Jones, Perry and Tickle, and reports that the Committee on Free Conference has agreed to recommend the following. That the measure be further amended as follows:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed measure, as amended in Assembly April 21, 1933, following the word "To", insert the following "the President of the Senate, and to".

AMENDMENT NUMBER TWO

On page 1, line 8 of the printed measure, as amended in Assembly April 21, 1933, strike out the word "twenty", and insert in lieu thereof the word "fifteen"

AMENDMENT NUMBER THREE.

On page 1, line 12, of the printed measure, as amended in Assembly April 21, 1933, strike out the word "one", and insert in lieu thereof the word "two".

AMENDMENT NUMBER FOUR.

On page 1 of the printed measure, as amended in Assembly April 21, 1933, between lines 13 and 14, insert the following: "To the Legislative Counsel Bureau ten copies."

COTTRELL,
WOOLWINE,
UTT,
Assembly Committee on Free Conference.

JONES,
TICKLE,
PERRY,
Senate Committee on Free Conference

The question being on the adoption of the report.

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

AYES—Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hallnet, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Rawls, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—57

NOES—None.

RECESS.

At twelve o'clock and ten minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read.

ON MEDICAL AND DENTAL LAWS

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 18—An act to amend sections 3, 4, 9 and 12 of an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, relating to the Board of Chiropractic Examiners and the practice of chiropractic—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 531—An act to amend section 16x5 of the Weights and Measures Act, relating to sealers in counties of the fifth class.

Also Assembly Bill No. 532—An act to amend section 2322x5 of the Political Code, relating to agricultural commissioner in counties of the fifth class,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

BROCK, Chairman

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 528—An act to amend section 4234 of the Political Code, relating to compensation of county officers and employees in counties of the fifth class.

Also: Assembly Bill No. 529—An act to amend section 19x5 of the Juvenile Court Law, relating to probation officers in counties of the fifth class.

Also: Assembly Bill No. 530—An act to amend section 9a5 of and to add section 18 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing "An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, prescribing a short title and relating to librarians in counties of the fifth class.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1944—An act to create the California Mining and Development Board and to provide for the fostering and development of the mining industry of this State;

Also Assembly Bill No 287—An act to provide for the construction and completion of a causeway across the Tisdale By-pass in Sutter County, State of California, and to make an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

COBB, Chairman.

The above reported bills ordered on file for second reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 18—An act to amend sections 3, 4, 9 and 12 of an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, relating to the Board of Chiropractic Examiners and the practice of chiropractic.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 531—An act to amend section 16x5 of the Weights and Measures Act, relating to sealers in counties of the fifty-fifth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out "fifty", and insert in lieu thereof "forty".

AMENDMENT NUMBER TWO

On page 1, line 5, of the printed bill, strike out "five dollars", and insert in lieu thereof the following "four dollars and seventy-five cents".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 532—An act to amend section 2322x5 of the Political Code, relating to agricultural commissioner in counties of the fifth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 4 and 5 and insert in lieu thereof the following: "shall receive a compensation of two thousand seven hundred dollars per annum; provided, that in counties of this class there shall be and there is hereby allowed to the commissioner the following deputies and inspectors to be appointed by said commissioner, which positions are hereby created and the salaries are hereby fixed as follows, to wit.

(a) Two deputy county agricultural commissioners at a compensation of two thousand one hundred ninety dollars per annum.

(b) One deputy county agricultural commissioner at a compensation of one thousand nine hundred eighty-six dollars per annum.

(c) One clerk at a monthly salary of ninety-seven dollars and fifty cents during the time actually employed, but the aggregate amount which may be expended in one year for such clerk shall not exceed one thousand two hundred dollars.

(d) One inspector at a monthly salary of one hundred forty-eight dollars and fifty cents, during the time actually employed, three inspectors at a monthly salary of one hundred forty dollars each, during the time actually employed, but the aggregate amount which may be expended in one year for all such inspectors shall not exceed seven thousand three hundred twenty dollars. The commissioner is also authorized and empowered to appoint fifteen additional inspectors at a compensation of one dollar each per annum"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 528—An act to amend section 4234 of the Political Code, relating to compensation of county officers and employees in counties of the fifth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after line 5, insert the following:

"1 The county clerk, three thousand seven hundred twenty dollars per annum, provided, that in counties of this class there shall be and there hereby is allowed to the county clerk one deputy county clerk who shall act as clerk of the probate department, who shall receive a salary of two thousand one hundred ninety dollars per annum; also one deputy county clerk to act as clerk to the board of supervisors, who shall receive a salary of two thousand one hundred ninety dollars per annum, also one deputy county clerk who shall be the registrar of voters and who shall receive a salary of two thousand one hundred ninety dollars per annum; also one deputy county clerk who shall serve as general office clerk who shall receive a salary of two thousand one hundred ninety dollars per annum; also three deputy county clerks who shall serve as clerks of the several departments of the superior court who shall receive a salary of one thousand nine hundred thirty-five dollars per annum each; also one deputy county clerk who shall serve as desk clerk, who shall receive a salary of one thousand nine hundred thirty-five dollars per annum, provided, however, that the county clerk shall not be allowed the additional deputy provided by section 4290 of the Political Code of the State of California, also one deputy county clerk who shall serve as assistant to the clerk of the probate department and who shall receive a salary of one thousand nine hundred thirty-five dollars per annum; also one deputy county clerk in the probate department, who shall receive a salary of one thousand nine hundred thirty-five dollars per annum, also one deputy county clerk who shall receive a salary of one thousand four hundred twenty-five dollars per annum; the deputies herein provided for shall be appointed by the clerk of said county and their salaries shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same funds as the salary of the county clerk. The county clerk shall also

be allowed two additional deputies at an annual salary of one thousand nine hundred thirty-five dollars per annum to be paid as are other deputies herein provided for, provided, further, that in any year in which a general election is held the said clerk may appoint two deputies who shall serve for a term of twelve months, who shall each receive a salary of one hundred eighteen dollars and seventy-five cents per month, to be paid as are other deputies herein provided for, two deputies who shall serve for a term of ten months, and two deputies who shall serve for a term of eight months who shall each receive a salary of one hundred eighteen dollars and seventy-five cents per month, to be paid as are other deputies herein provided for; and two deputies who shall serve for a term of six months who shall each receive a salary of one hundred eighteen dollars and seventy-five cents per month, to be paid as are other deputies herein provided for, also, in the event of special elections in any odd-numbered year, the county clerk shall be allowed additional deputies at a compensation to be fixed by said county clerk, such compensation, however, not to exceed in the aggregate for all of such deputies the sum of one thousand dollars in any one year; and he shall be allowed each year such number of registration deputies, to be appointed by him, as may be necessary for the registration of voters outside of the office of said county clerk, each of said deputies to receive the sum of seven cents per name for each elector legally registered by him, said registration deputies to be paid for their services on the presentation and filing with the board of supervisors of said county a duly verified claim therefor on the general fund of said county after proper allowance of said claim by said board of supervisors; provided, that said county clerk may be allowed the actual and necessary expenses incurred by him in the performance of his official duties, and shall pay into the county treasury all fees received by him in his official capacity from whatever source they may be derived

2. The sheriff, four thousand sixty dollars per annum; provided, that there shall be and there hereby is allowed to the sheriff one undersheriff whose salary is hereby fixed at the sum of two thousand four hundred forty-five dollars per annum; also thirteen deputies who shall each receive a salary of one thousand nine hundred thirty-five dollars per annum, one of whom shall speak the Italian language and shall be competent to act as an Italian interpreter; also two deputies who shall each receive a salary of one thousand six hundred eighty dollars per annum; also one deputy who shall act as matron of the county jail who shall receive a salary of one thousand two hundred seventy-two dollars per annum. The undersheriff and deputies herein provided for shall be appointed by the sheriff and paid at the same time and in the same manner and out of the same funds as is the salary of the sheriff, provided, that said sheriff shall be allowed the actual and necessary expenses incurred in the performance of his official duties. He shall pay into the county treasury all fees and mileage collected by him for the service of papers or process issued by any court of this State

3. The county recorder, three thousand seven hundred twenty dollars per annum, and said recorder may appoint one deputy recorder who shall receive a salary of two thousand one hundred ninety dollars per annum; also four deputy recorders who shall each receive a salary of one thousand nine hundred thirty-five dollars per annum; also two deputy recorders who shall each receive a salary of one thousand six hundred eighty dollars per annum; also as many deputies to act as copyists as may be required, who shall receive as compensation the sum of six cents per folio for recording all instruments or notices, except maps and plats, and for copies of any record six cents per folio, provided, that such recorder may be allowed the actual and necessary expense incurred by him in the performance of his official duties, and shall pay into the county treasury all fees received by him in his official capacity from whatever source they may be derived.

4 The county auditor, three thousand seven hundred twenty dollars per annum; and said auditor may appoint one deputy auditor who shall receive a salary of two thousand one hundred ninety dollars per annum; also one deputy auditor to serve as accountant who shall receive a salary of one thousand nine hundred thirty-five dollars per annum; also two deputy auditors who shall receive a salary of one thousand nine hundred thirty-five dollars each per annum; also one redemption clerk who shall receive a salary of one thousand nine hundred thirty-five dollars per annum, provided, that the auditor shall be allowed additional deputies who shall each receive a salary or compensation of four dollars and fifty cents per day for each day actually employed, the total amount to be paid such additional deputies not to exceed the sum of two thousand nine hundred dollars in any one year The deputies herein provided for shall be paid at the same time and in the same manner as is the county auditor; provided, that such auditor shall pay into the county treasury all fees received by him in his official capacity.

5 The county treasurer, three thousand seven hundred twenty dollars per annum, and said treasurer may appoint one deputy treasurer, who shall receive a salary of two thousand one hundred ninety dollars per annum. The treasurer may also appoint a deputy county treasurer, which office is hereby created, at an annual salary of one thousand nine hundred thirty-five dollars per annum. All fees and commissions collected by said treasurer in his official capacity shall be paid into the county

treasury. The deputies herein provided for shall be paid at the same time and in the same manner and out of the same funds as is the county treasurer.

6. The tax collector and license collector shall receive as full compensation for services required of him by law as such tax collector and ex officio license collector, three thousand seven hundred twenty dollars per annum; and said tax collector may appoint one deputy tax collector who shall receive a salary of two thousand one hundred ninety dollars per annum, three additional deputy tax collectors who shall receive a salary of one thousand nine hundred thirty-five dollars each per annum, also two additional deputy tax collectors who shall serve as such only for a period of six months in each year, and who shall receive a salary of one hundred forty dollars each per month, also two additional deputy tax collectors to serve as such only for a period of three months in each year, and who shall receive a salary of one hundred eighteen dollars and seventy-five cents each per month; also thirteen additional deputy tax collectors to serve as such only for a period of two and one-half months in each year, and who shall receive a salary of one hundred eighteen dollars *and seventy-five cents each per month, also five additional deputy tax collectors* who shall serve as such only during two months of each year and who shall receive a salary of one hundred eighteen dollars and seventy-five cents each per month; also twelve copyists who shall serve only during one and one-half months of each year, and who shall each receive a salary of one hundred eighteen dollars and seventy-five cents per month. The deputies and copyists herein provided for shall be paid at the same time and in the same manner and out of the same funds as is the salary of the tax collector, provided, that said tax collector shall be allowed the actual and necessary expenses incurred by him in the performance of his official duties, including the making and compiling of the necessary indices to the assessment roll, and shall pay into the county treasury all fees received by him in his official capacity from whatever source they may be derived; provided, that checks, drafts and post-office orders received or accepted by the tax and license collector at his own risk, the proceeds of which are to be applied on tax or license collections, may be deposited in bank and a reasonable time allowed for "clearance" not to exceed one week before depositing the money in the county treasury; provided, further, that nothing herein shall be construed to authorize the payment of taxes other than in "lawful money of the United States," as provided by section 3888 of the Political Code.

7. The county assessor, three thousand seven hundred twenty dollars per annum, and said assessor may appoint one chief deputy assessor who shall receive a salary of two thousand one hundred ninety dollars per annum; one supervising deputy assessor who shall receive a salary of two thousand sixty-two and 50/100 dollars per annum, seven office deputy assessors who shall each receive a salary of one thousand nine hundred thirty-five dollars per annum, one deputy assessor who shall be a draftsman, whose duties shall include the preparation of maps for the county assessor, who shall receive a salary of one thousand nine hundred thirty-five dollars per annum, also twenty-three deputy assessors who shall serve as such during the months of March, April, May, and June of each year who shall each receive a salary of one hundred forty dollars per month; one deputy assessor to serve as such during six months of each year who shall receive a salary of one hundred eighteen and 75/100 dollars per month; two deputy assessors to serve as such during four months of each year who shall receive a salary of one hundred eighteen and 75/100 dollars each per month; eleven deputy assessors to serve as such during three months and a half of each year, who shall receive a salary of one hundred eighteen dollars and seventy-five cents each per month; three deputy assessors to serve as such during three months of each year, who shall receive a salary of one hundred eighteen dollars and seventy-five cents each per month, one deputy assessor to serve as such during two months of each year, who shall receive a salary of one hundred eighteen dollars and seventy-five cents per month, and one deputy assessor to serve as such for four months of each year, who shall receive a salary of ninety-seven dollars and fifty cents per month; provided, that the above salaries and compensations shall be in full for all services rendered by him as such assessor and that no commission for the collection of State or infirmary poll taxes or personal property taxes shall be retained by him but that all of such commissions shall be paid into the county treasury. The deputies herein provided for shall be paid at the same time and in the same manner and out of the same fund as is the county assessor; provided, that the assessor shall be allowed the actual and necessary expenses incurred by him in the performance of official duties, and provided, further, that all deputies herein specified shall be allowed actual and necessary traveling expenses incurred in the performance of official duties, not to exceed, however, for each deputy the sum of twenty-five dollars per month.

8. The district attorney, three thousand seven hundred twenty dollars per annum; he may appoint a chief deputy at a salary of two thousand nine hundred fifty-five dollars per annum; four assistant district attorneys at a salary of two thousand four hundred forty-five dollars each per annum; one detective who shall serve at a salary of one thousand nine hundred thirty-five dollars per annum; one clerk at a salary of one thousand six hundred eighty dollars per annum, and one stenographer at a salary of one thousand five hundred twenty-seven dollars per annum; all of whom

shall be paid in the same manner as said district attorney; provided, that said district attorney shall be allowed the actual and necessary expenses incurred by him in the performance of his official duties. All fees and commissions collected by him shall be paid into the county treasury.

9. The coroner and public administrator, such fees as are now or may hereafter be allowed by law. Said coroner may appoint deputies not to exceed three in number; provided, that said deputy coroner shall receive only such fees as the coroner would receive if acting.

10. The county superintendent of schools, three thousand seven hundred twenty dollars per annum; and the said superintendent of schools may appoint a deputy superintendent of schools who shall receive a salary of two thousand one hundred ninety dollars per annum, one deputy superintendent of schools who shall receive one thousand six hundred eighty dollars per annum, one deputy superintendent of schools, at an annual salary of one thousand four hundred twenty-five dollars per annum, and one deputy at one thousand one hundred seventy dollars per annum. The said superintendent of schools shall also be paid actual traveling expenses when visiting the schools of the county. The deputies herein provided for shall be paid at the same time and in the same manner and out of the same fund as is the superintendent of schools.

11. The county surveyor, the sum of three thousand seven hundred twenty dollars per annum; and said surveyor may appoint a deputy surveyor who shall receive a salary of two thousand three hundred forty-three dollars per annum; also, two deputies who shall receive a salary of two thousand one hundred ninety dollars each per annum, one deputy who shall receive a salary of two thousand eighty-eight dollars per annum; one deputy who shall receive a salary of two thousand thirty-seven dollars per annum; three deputies who shall receive a salary of one thousand nine hundred thirty-five dollars each per annum one of whom shall be a draftsman whose duties shall include the preparation of maps for the county assessor, one deputy at a salary of one thousand six hundred eighty dollars per annum; and one deputy at a salary of one thousand five hundred twenty-seven dollars per annum. Such compensation and salaries as above set forth shall be in full for all services as such county surveyor, and all fees and compensation received or collected by him for surveying other than for the county, shall be paid into the county treasury; provided, that said county surveyor shall be allowed all necessary transportation and expenses incurred by himself or deputies for work performed in the field, and in the official discharge of his duties. Such salaries shall be paid at the same time and in the same manner as the salaries of other county officers are paid. Said surveyor shall also have power to appoint such inspectors as he may deem necessary, for the proper supervision of all roads and bridges under construction, and the compensation of said inspectors shall be a proper charge against the county.

12. In counties of this class, justices of the peace shall be compensated as follows, and all salaries shall be payable monthly in the same manner as the salaries of county officers are paid, viz:

(1) In townships having a population of twenty thousand or more, justices of the peace shall each receive a salary of three thousand seven hundred twenty dollars per annum as full compensation for all services rendered by them, except as hereinafter provided; provided, however, that in all such townships having a population of twenty thousand or more, there shall be two township justices of the peace in and for any such township, provided, that in townships of this class there is hereby allowed to each justice of the peace two clerks and two deputy clerks, to be appointed by said justice, and to receive the following salaries: Each clerk shall receive a salary of one thousand nine hundred thirty-five dollars per annum; each deputy clerk shall receive a salary of one thousand six hundred eighty dollars per annum. Said salaries shall be paid monthly in the same manner as salaries of county officers are paid.

Said clerks shall take the oath of office prescribed for county officers and shall each give a bond in the sum of five thousand dollars conditioned upon and for the faithful discharge of the duties of the office, which said bond shall be approved and filed in the same manner as are bonds of county officers. If a surety company be the surety on such bond, the premium or charge thereon shall be paid by the county in the same manner as are the bonds of county officers. Such clerks shall perform the duties required of them by law, and also, such clerical duties in connection with the business of the court as are required of said clerks by the justices of said court; they shall keep a record of the proceedings of said court and shall have the custody of all records and papers in said justice's court and in addition to the other powers conferred upon them by law, shall be authorized in civil actions to issue, sign, certify and file all pleadings, summonses, writs, notices, subpoenas, abstracts, certificates, transcripts, records, papers, and proceedings which are required to be issued, signed, certified or filed by the justice of the peace by whom they are appointed, and in criminal matters pending before said justice of the peace, to file all papers and to issue subpoenas, to prepare bonds, justify bail when the amount has been fixed by the

court or justice, and may administer and certify oaths, and to attest and authenticate said acts in substantially the following form.

"_____
Justice of the Peace.
By_____
Clerk."

Said clerks shall exact in advance and receive all fees which are allowed by law for any official service of the justice of the peace, and shall collect and receive all fines and forfeitures in criminal cases, and said clerk shall account for the same under oath and shall pay the same to the authorities legally entitled to receive the same at the time and in the manner provided by law, except as hereinafter provided.

(2) In townships having a population of fifteen thousand and less than twenty thousand, justices of the peace shall each receive a salary of one hundred seventy-five dollars per month for all services rendered by them, except as hereinafter provided.

(3) In townships having a population of ten thousand and less than fifteen thousand, justices of the peace shall each receive a salary of one hundred thirty-seven dollars and fifty cents per month for all services rendered by them, except as hereinafter provided.

(4) In townships having a population of five thousand and less than ten thousand, justices of the peace shall each receive a salary of one hundred thirty-five dollars per month as full compensation for all services rendered by them, except as hereinafter provided.

(5) In townships having a population of two thousand five hundred and less than five thousand, justices of the peace shall each receive a salary of seventy-five dollars per month as full compensation for all services rendered by them, except as hereinafter provided; provided, that where a township census has been ordered taken and adopted by the board of supervisors, as in this act contained, said census shall be and remain the official census of such township; and shall not be affected by any provision of this act with respect to the application of the Federal census of 1930, in classifying townships.

Justices of the peace in all townships in counties of this class shall be permitted to receive and retain for their own use, fees for celebrating marriages and returning certificates thereof, but all other fees shall be collected by them and by them paid into the county treasury at least once a month. They shall be furnished with offices and necessary supplies, including light, heat, telephone service and incidental expenses, by the board of supervisors.

13. In counties of this class constables shall be compensated as follows, and all salaries herein provided shall be paid in the same manner as the salaries of county officers are paid, viz:

(1) In townships having a population of twenty thousand or more, constables shall each receive a salary of one hundred forty dollars per month for all services rendered by them in criminal cases. As compensation for all services rendered in civil cases and all other matters wherein they may charge fees for their services, a constable may collect and retain for his own use as his compensation such fees as are now, or may hereafter be allowed by law.

(2) In townships having a population of fifteen thousand and less than twenty thousand, constables shall each receive the sum of one hundred twenty-five dollars per month as salary for all services rendered by them in criminal cases. As compensation for all services rendered by them in civil cases and in all matters wherein they may charge fees for their services, constables in such townships may collect and retain for their own use such fees as are now or may hereafter be allowed by law.

(3) In townships having a population of ten thousand and less than fifteen thousand, constables shall each receive the sum of one hundred dollars per month as salary for all services rendered by them in criminal cases. As compensation for all services rendered by them in civil cases and in all other matters wherein they may charge fees for their services, constables may collect and retain for their own use as compensation such fees as are now or may hereafter be allowed by law.

(4) In townships having a population of five thousand and less than ten thousand, constables shall each receive the sum of one hundred dollars per month as salary for all services rendered by them in criminal cases, civil cases and in the performance of all other duties imposed upon them by law. All fees chargeable and collectible in both criminal cases, civil cases, and in all other cases wherein fees are chargeable by constables, shall be collected in advance and paid monthly into the county treasury.

(5) In townships having a population of two thousand five hundred and less than five thousand, constables shall each receive the sum of seventy-five dollars per month as a salary for all services rendered by them in both civil and criminal cases. All fees collected by them in civil and criminal cases shall be paid monthly by them into the county treasury. For all other services performed by them, they may charge and retain for their own use such fees as are chargeable by law.

Constables shall be allowed all necessary expenses incurred in conveying prisoners.

The population herein referred to in classifying townships for the purpose of regulating the compensation of justices of the peace and constables shall be the population found and determined by the Federal census taken in the year 1930, provided, however, that a township census may be taken for the purpose of establishing the official census of such township in the manner hereinafter specified and when so taken, such census shall be known as and shall become the official census of such township in which it is taken and the population therein determined shall be and become the official population of such township. Whenever there shall be presented to the board of supervisors of the county a petition signed by the qualified electors of any township or townships in number equal to twenty-five per cent of the votes cast at the preceding general election, praying that said township or townships may be allowed to take the census of said township or townships for the purpose of ascertaining the population therein contained, the board of supervisors may order such census to be taken by one or more suitable persons appointed therefor by the board of supervisors and such census shall be taken by such persons so appointed, of all of the inhabitants of such township or townships. The full name of each person shall be plainly written, the names alphabetically arranged and regularly numbered in one complete series and when completed, shall be verified by the proper official authorized to administer oaths and be filed with the county clerk and thereupon the same shall be known and shall be the official census of said township or townships.

14 Each supervisor, two thousand seven hundred dollars per annum and mileage of six cents per mile for each mile actually traveled in going to and from their residence to the county seat or in the performance of the duties required of them by law or by virtue of their office: provided, that in attending sessions of the board only four mileages shall be allowed for each month and that the total mileage allowed shall not exceed five hundred dollars in any one calendar year

15 The fees of grand jurors and trial jurors in the superior courts of said counties of this class, in civil and criminal cases shall be two dollars and fifty cents, in lawful money of the United States, for each day's attendance, and mileage to be computed at the rate of fifteen cents per mile for each mile necessarily traveled in attending court, in going only In criminal cases such fees and mileage of said trial jurors in the superior court shall be paid by the treasurer of the county out of the general fund of said county upon warrants drawn by the county auditor upon the written order of the judge of the court in which said juror was in attendance, and the treasurer of said county shall pay said warrants The board of supervisors of said county is hereby directed to make suitable appropriation for the payment of the fees herein provided for.

Whenever under the provisions of law or otherwise a bond is required of any county officer or of any of his deputies, the premium of such bond shall be paid from the general funds of the county."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 529—An act to amend section 19x5 of the Juvenile Court Law, relating to probation officers in counties of the fifth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the period in line 6, insert the following: "The salaries of said officers shall be as follows The probation officer shall receive a salary of two hundred twenty-five dollars per month, the first assistant probation officer shall receive a salary of one hundred sixty-one dollars and twenty-five cents per month, the second assistant probation officer shall receive a salary of one hundred forty dollars per month, and the deputy probation officer shall receive a salary of one hundred eighteen dollars and seventy-five cents per month."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 530—An act to amend section 9a5 of and to add section 18 to an act entitled "An act to provide for the establishment

and maintenance of county free libraries in the State of California, and repealing "An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, prescribing a short title and relating to librarians in counties of the fifth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 4, of the printed bill, strike out "four hundred", and insert in lieu thereof the following: "one hundred ninety".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1944—An act to create the California Mining and Development Board and to provide for the fostering and development of the mining industry of this State.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 2, line 36, of the printed bill, as amended, strike out the word "twenty-five", and insert in lieu thereof the word "fifteen".

AMENDMENT NUMBER TWO.

On page 3, line 13, of the printed bill, as amended, after the word "compensation", strike out the period and add the following: 'subject to approval of the Department of Finance".

AMENDMENT NUMBER THREE.

On page 4, line 3, of the printed bill, as amended, after the comma following "1925", insert the following: "and upon each person, firm, association or corporation operating any mill, sampler, concentration or reduction plant used exclusively by the owner in sampling, milling, or reducing or concentrating ores produced by such owner,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 287—An act to provide for the construction and completion of a causeway across the Tisdale By-pass in Sutter County, State of California, and to make an appropriation therefor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the word "thirty", and insert in lieu thereof the word "fifteen".

AMENDMENT NUMBER TWO.

On page 1, lines 7 and 8, of the printed bill, strike out the following "not otherwise appropriated", and insert in lieu thereof the following: "out of any money in the highway maintenance fund available for the widening, resurfacing and reconstruction of State highways for the group of counties designated as Group Number One in section 4 of that certain act of the Legislature classifying the highways of

the State into primary and secondary highways, approved May 26, 1927, being Chapter 794, Laws of 1927".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 119—Proposed amendment to Article IV, adding section 25a of the Constitution, relative to the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof.

Assembly Constitutional Amendment No. 119 read.

COMMITTEE AMENDMENT.

During reading of Assembly Constitutional Amendment No. 119, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed measure, strike out the period after the word "effective", and insert a semicolon and the following: "provided, that said act may at any time be amended or repealed by the Legislature."

Amendment adopted.

Assembly Constitutional Amendment No. 119 ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 72—Proposed amendment to Article XVII, by adding section 4, of the Constitution, relative to public parks.

Assembly Constitutional Amendment No. 72 read.

COMMITTEE AMENDMENT.

During reading of Assembly Constitutional Amendment No. 72, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed measure, strike out lines 9 to 14, inclusive, and insert in lieu thereof the following:

"SEC. 4. No road or driveway over thirty feet in width may be constructed upon or through any land heretofore or hereafter acquired by the levying of special assessments for the acquisition of such land by any municipality for public park, public playground or public library purposes."

Amendment adopted

Assembly Constitutional Amendment No. 72 ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No 115—Proposed amendment to Article IX of the Constitution, by repealing section 2 and amending section 7 thereof, and amending section 10 of Article XXII thereof, relating to education.

Assembly Constitutional Amendment No. 115 read.

COMMITTEE AMENDMENTS.

During reading of Assembly Constitutional Amendment No. 115, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In lines 4 and 5 of the title of the printed measure, strike out "and by amending section 10 of Article XXII thereof".

AMENDMENT NUMBER TWO.

On page 2, line 12, of the printed measure, strike out "general election first", and insert in lieu thereof the following: "first session of the Legislature".

AMENDMENT NUMBER THREE.

On page 2 of the printed measure, strike out lines 13 to 16, inclusive, and in line 17, strike out "under this section shall terminate", and insert in lieu thereof the following: "becomes effective, the State Senate shall nominate and by a vote of two-thirds of the members elected thereto appoint one member of said board for each of said ten districts. Such members shall take office on the first day of September following such appointment. Thereafter said Senate shall in the same manner at each session appoint the members of said board for the terms beginning the following first day of September, and the term of every member of said board shall begin on the first day of September, for the purpose of providing fixed expiration dates for all terms, regardless of the time of the individual member's appointment."

AMENDMENT NUMBER FOUR.

On page 2 of the printed measure, strike out lines 24 to 26, inclusive, and insert in lieu thereof the following: "tion occurs, the Governor shall appoint a qualified person to fill the vacancy until the appointment and qualification of his successor. At the next legislative session thereafter, unless a successor appointed as herein provided has meanwhile qualified, the State Senate shall appoint a member in the manner provided herein to serve for the balance of the unexpired term."

AMENDMENT NUMBER FIVE.

On page 2 of the printed measure, between lines 38 and 39, insert the following: "A Superintendent of Public Instruction (or Director of Education) shall be appointed by the State Board of Education He shall have qualifications equal to or greater than those required for the highest administrative certificate issued by the State Department of Education. His salary shall be fixed by the State Board of Education. He shall be the executive officer of the State Board of Education and shall perform such other duties as are fixed by law."

AMENDMENT NUMBER SIX.

On page 3 of the printed measure, strike out lines 18 to 31, inclusive

Amendments adopted.

Assembly Constitutional Amendment No. 115 ordered to reprint, engrossment, and on file for adoption.

RECONSIDERATION WAIVED.

Mr. Williamson waived his notice to reconsider the vote whereby Assembly Bill No. 2051 was passed.

Assembly Bill No. 2051 ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 4—Proposed amendment to Article IV of the Constitution, relative to the practice of chiropractic

Assembly Constitutional Amendment No. 4 read

The question being on the adoption of Assembly Constitutional Amendment No. 4.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr Maloney moved a call of the House.

Motion carried.

Time, one o'clock and fifty-five minutes p m

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Badham, Cobb, Cottrell, Craig, Cronin, Crowley, Frazier, Hoffman, Hunt, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips Red-

wine, Riley, Robinson, Samuel E., Stream, Sullivan, Thorp, Utt, West, Wright, Zion and Mr. Speaker—37.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF SENATE BILLS.

Senate Joint Resolution No. 20—Relative to approval by the President of the United States of a project for the conservation of the waters of Yosemite Creek and the preservation of Yosemite Falls in Yosemite National Park, under the provisions of act of Congress approved March 31, 1933.

Senate Joint Resolution No 20 read.

The question being on the adoption of Senate Joint Resolution No. 20.

The roll was called, and Senate Joint Resolution No. 20 adopted by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Frazier, Grubbs, Hoffman, Hornblower, Hunt, Kallam, Knowland, Latham, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Redwine, Riley, Robinson, Samuel E., Scudder, Sullivan, Thorp, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—48.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 20 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 20.

Relative to approval by the President of the United States of a project for the conservation of the waters of Yosemite Creek and the preservation of Yosemite Falls in Yosemite National Park, under the provisions of act of Congress approved March 31, 1933.

WHEREAS, The seventy-third Congress of the United States of America in its first session adopted on March 31, 1933, an act entitled, "An act for the relief of unemployment through the performance of useful public works, and for other purposes," under which the President of the United States was authorized to select projects qualifying for construction in accordance with the purposes of the act, and

WHEREAS, There is urgent need for regulation of the waters of Yosemite Creek in Yosemite National Park by means of one or more small reservoirs for the purposes of flood control, the prevention of excessive erosion, and the preservation of Yosemite Falls during the dry season of the year; and

WHEREAS, It is highly desirable that the scenic beauty of Yosemite Falls be maintained during the summer when the great bulk of visitors are able to view this outstanding national attraction by the preservation of a sufficient supply of water to maintain a natural flow over the falls during the dry months, and at the same time accomplish desirable flood control benefits, now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, at the fiftieth session of the California Legislature, commencing on the second day of January 1933, a majority of all members elected to each house of said Legislature, voting in favor thereof, That the President of the United States be respectfully requested to adopt the project contemplating conservation of the waters of Yosemite Creek, and the preservation of Yosemite Falls for the enjoyment of the people throughout the entire summer season, as a unit of the program under said Emergency Unemployment Relief Act, and to cause the construction of said reservoir or reservoirs to be completed during the current calendar year.

Resolved further, That certified copies of the foregoing resolution be forwarded by the Governor of the State of California to the President of the United States, to the Secretary of the United States Department of the Interior, and to each of the Senators and Representatives of the State of California in Congress.

Senate Bill No. 1189—An act to amend sections 112 and 274c of the Code of Civil Procedure, and to repeal sections 831h, 835a, 900b, and

982a, of the Code of Civil Procedure, all relating to courts of justice and certain officers connected therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1189 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Frazier, Greene, Grubbs, Hallner, Hatch, Hornblower, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—52

NOES—Bowers, Fisher, Hoffman, Hunt, Kallam, King, Knowland, Latham, Meehan, Peterson, Robinson, Samuel E., Roland and Stannard—13.

Title read and approved.

MOTION TO EXPUNGE RECORD.

Mr. Cassidy moved that the vote whereby Senate Bill No. 1189 was this day passed, be rescinded, and the record expunged.

The question being on the motion to rescind the action and expunge the record relative to the passage of Senate Bill No. 1189.

Mr. Cassidy withdrew his motion to rescind action and expunge record.

Senate Bill No. 1189 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 562—An act creating a State Board of Tax Lands and defining its powers and duties and making an appropriation in aid of its operations.

Bill read third time

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Meeker:

AMENDMENT NUMBER ONE.

On page 8, line 40, of the printed bill, as amended, after "municipality", insert the following: "not in an irrigation district".

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Meeker asked for, and was granted, unanimous consent to take up Assembly Bill No. 562 at this time without reference to printer or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER FIVE HUNDRED SIXTY-TWO.

Assembly Bill No. 562—An act creating a State Board of Tax Lands and defining its powers and duties and making an appropriation in aid of its operations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 562 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum,

Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E, Rogers, Roland, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. JAMES J. MCBRIDE IN THE CHAIR.

At two o'clock and forty-five minutes p.m., Hon. James J. McBride, member of the Assembly from the Forty-sixth Assembly District, in the chair.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and fifty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Maloney.

The roll of absentees was called, and Assembly Constitutional Amendment No. 4 was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, King, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E, Rogers, Scudder, Sullivan, Tournoux, Turner, Utt, West and Mr Speaker—56

NOES—Boyle, Cronin, Feigenbaum, Field, Fisher, Jones, Kallam, Knowland, Latham, McCarthy, Morgan, Patterson, Roland, Stream, Thorp, Woolwine, Wright and Zion—18

Title read and approved.

Assembly Constitutional Amendment No. 4 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No 4

A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to Article IV thereof, to be numbered 25¼, relating to the practice of chiropractic

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fiftieth regular session commencing on the second day of January 1933, two-thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California an amendment to the Constitution of said State by adding a new section to Article IV thereof, to be numbered 25¼ and to read as follows

SEC 25¼ (1) The Legislature shall have the power to amend sections 3, 4, 9 and 12 of that certain initiative act approved by the electors November 7, 1922, entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic creating the State Board of Chiropractic Examiners and declaring its powers and duties prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith" as follows,

(a) To provide in section 3 of said act that the secretary of the State Board of Chiropractic Examiners shall be the executive officer of the board during the interim between meetings, that he shall devote his entire time to the business of the board and the duties of secretary thereof, and to increase the salary of said secretary as set forth in said section from not exceeding one thousand dollars to not exceeding three thousand six hundred dollars per annum

(b) To provide in an appropriate subdivision to be inserted in section 4 of said act that the board shall have power to investigate and approve chiropractic schools or colleges which meet the standard and comply with said act, and to disapprove and refuse to recognize those that do not so comply, to employ an assistant secretary, a chief inspector, inspectors, and such clerks as the board may deem necessary, whose salaries shall be fixed by the board subject to the approval of the Director of Finance, and whose duties shall be prescribed by the board, said assistant secretary and chief inspector to be exempt from civil service requirements

To provide in an appropriate subdivision to be inserted in said section that the board shall have power to communicate to all licentiates from time to time any advice

or information that the board may deem proper or necessary, and to issue to each licentiate on or before the first day of July of each year an annual directory compiled under the direction of the board.

(c) To change section 9 of said act to provide that the license fee in this State for persons licensed to practice chiropractic in other States shall be one hundred dollars

To substitute for subdivision (b) of said section an appropriate paragraph requiring the board to issue, without examination, to any applicant licensed to practice chiropractic in another State, a license to practice chiropractic in this State, upon payment of a registration fee of one hundred dollars and upon filing a verified application showing his full name; his educational qualifications; information concerning the license or certificate issued to him in another State or Territory of the United States, including, if requested by the board, the license or certificate itself or a true and correct copy thereof, with proof that the license or certificate was not obtained by fraud or misrepresentation, satisfactory evidence that the general requirements of the board issuing the same were not less than those prescribed in this State, satisfactory evidence that the general requirements of the school or institution from which the applicant graduated were not less than those prescribed in this State, satisfactory evidence that the applicant has resided in the State issuing the license for a period of at least one year subsequent to the issuance thereof; satisfactory evidence of his good moral character, satisfactory evidence that he has not failed in a written examination given by the board for a license to practice chiropractic in this State; and such other information as to his past practice or vocation as the board may require

To provide in an appropriate paragraph to be added to said section that the board shall make such independent investigation of the matters stated in the application, or of any other matters, as it may deem necessary and if it finds said matters to be insufficient in any particular, the applicant shall not be entitled to practice chiropractic in this State without a written examination

To provide in an appropriate paragraph to be added to said section that the board may enter into agreements of reciprocity with other States having in the judgment of the board the same general requirements as those in this State for the issuance of licenses to practice chiropractic in this State such agreements to be terminable upon ninety days' notice or whenever the requirements in such other State or States become less than those in this State

(d) To change the fee provided in section 12 of said act for the renewal of an annual license to practice chiropractic from two dollars to six dollars, and to increase the fee for reinstatement from ten dollars to fifteen dollars for each year of delinquency or part thereof.

(2) The Legislature shall have no power to alter or repeal the initiative act hereinabove referred to other than so far as is necessary to effect the changes and additions above prescribed

(3) Any statute enacted by the Legislature at its fiftieth session, to the extent that it effects the changes above set forth, and no further, is hereby validated and declared to be in full force and effect.

(4) Nothing in this section contained shall be construed to abridge, modify or otherwise affect the right of the people to amend or repeal said initiative act in the manner provided in section 1 of Article IV of this Constitution for the amendment or repeal of initiative measures.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1310—An act to amend sections 2, 3 and 14 of, and to add section 3a to, the State Civil Service Act, and to repeal section 686 of the Political Code, relating to the administration of said act, defining the powers and duties of the Civil Service Commission and transferring to said commission the powers, duties, functions and responsibilities of the Division of Personnel and Organization and the Department of Finance in relation to the administration of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1310 refused passage by the following vote:

AYES—Badham, Bowers, Boyle, Callahan, Chatters, Crowley, Evans, Hornblower, Hunt, King, Latham, Lyon, McBride, McMurray, Meehan, Nielsen, O'Connor, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Tournoux and Mr. Speaker—23

NOES—Alter, Bliss, Clowdsley, Cobb, Cottrell Craig, Crist, Feigenbaum, Field, Fisher, Greene, Grubbs, Jones, Kallam, Knowland, Levey, Maloney, Mayo, McCarthy,

Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Phillips, Redwine, Roland, Scudder, Stannard, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—39.

THE SPEAKER IN THE CHAIR.

At three o'clock and thirty minutes p m, Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 2394—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violation of this act and repealing all acts inconsistent with the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Bliss:

AMENDMENT NUMBER ONE.

On page 2, line 6, of the printed amended bill, after the semicolon following the word "persons", add the following: "and further, this act shall not apply to the transportation of farm, dairy, horticultural or viticultural products or live stock between the farm or orchard and the creamery, packing house, cannery, processing plant or nearest common carrier receiving station;".

AMENDMENT NUMBER TWO.

On page 2, line 6, of the printed amended bill, after the word "should", strike out the word "either", and insert in lieu thereof the words "any one".

AMENDMENT NUMBER THREE.

On page 2 of the printed amended bill, strike out all of lines 23, 24, 25 and 26

AMENDMENT NUMBER FOUR.

On page 4 of the printed amended bill, following line 8, add another section as follows:

"(d) Each prescriptive right issued hereunder shall be evidenced by a permit or certificate issued by the Railroad Commission setting forth such prescriptive right"

AMENDMENT NUMBER FIVE.

On page 4, line 35, of the printed amended bill, following the period after the word "terminate", add the following: "Any highway carrier which was operating on May 1, 1933, or within one year prior thereto, shall upon verified application as provided for in this section, be granted an operating permit to engage in business as a "highway common carrier" or as a "highway contract carrier"".

AMENDMENT NUMBER SIX.

On page 5, line 41, of the printed amended bill, after the word "permit", strike out the period, and add in lieu thereof the following: "and a fee of ten dollars for filing each verified statement of prior operations provided for in section 4 of this act. Each holder of a permit, certificate or other operative right shall register the same with the commission within thirty days after January 1st of each year, and such registration shall be accompanied by a fee of ten dollars."

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 309—An act to add sections 1a and 1b to the California Air Navigation Act, relating to aircraft.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Alter:

AMENDMENT NUMBER ONE.

In line 15 of the printed bill, as amended, after the word "company", insert the words "operating between fixed termini".

The question being on the adoption of the amendment.

Mr. Alter withdrew his amendment.

FURTHER AMENDMENT TO ASSEMBLY BILL NUMBER THREE HUNDRED NINE.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Jones:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, as amended in Assembly May 3, 1933, between the words "company" and "must", insert the following: "used for the purpose of carrying passengers for hire between fixed termini over a regular route in this State"

The question being on the adoption of the amendment.

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for unanimous consent to take up Assembly Bill No. 309 at this time without reference to printer or file, and that same be considered engrossed.

Mr. Kallam objected to unanimous consent.

MOTION.

Mr. Lyon moved that the rules be suspended for the purpose of considering Assembly Bill No. 309, at this time, without reference to printer or file.

The roll was called, and the motion to suspend the rules for the purpose of considering Assembly Bill No. 309, at this time, was adopted by the following vote:

AYES—Alter, Anglim, Cassidy, Chatters, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Fisher, Greene, Hallner, Hornblower, Hunt, Jones, King, Knowland, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Thorp, Tournoux, Turner, Woolwine and Mr. Speaker—37.

NOES—Bowers, Field, Kallam and Redwine—4.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER THREE HUNDRED NINE.

Assembly Bill No. 309—An act to add sections 1a and 1b to the California Air Navigation Act, relating to aircraft.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 309 refused passage by the following vote:

AYES—Alter, Anglim, Brock, Cassidy, Chatters, Cobb, Cronin, Crowley, Dempster, Evans, Frazier, Greene, Hallner, Hornblower, Hunt, Jones, King, Levey, Lyon, Maloney, McCarthy, Miller, James A., Robinson, Samuel E., Stream, Turner and Woolwine—26

NOES—Badham, Bowers, Boyle, Burns, Clowdsley, Cottrell, Crist, Feigenbaum, Field, Fisher, Grubbs, Hatch, Hoffman, Kallam, Knowland, Latham, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, Patterson, Peterson,

Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Rogers, Roland, Scudder, Thorp, Tournoux, Williamson, Wright and Mr Speaker—40.

Assembly Bill No. 557—An act to amend section 367 of the Code of Civil Procedure and to add a new section, numbered 367a, to said code, relating to parties in certain civil actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 557 passed by the following vote:

AYES—Badham, Boyle, Callahan, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Powers, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Thorp, Tournoux, Turner, West, Williamson, Zion and Mr Speaker—53.

NOES—Alter, Bowers, Brock, Burns, Cassidy, Chatters, Evans, Greene, Hunt, Kallam, Latham, Rawls, Stannard, Stream, Woolwine and Wright—16.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1528—An act to provide for the creation of a commission to be known as the License Tax Commission, which shall or may issue licenses to manufacturers, purveyors, transporters and sellers of alcohol, spirits or beverages containing alcohol and to provide for the issuance of licenses to those who manufacture, sell, convey and transport alcohol, spirits or beverages containing alcohol, and to provide for the collection of taxes from those to whom licenses may or do issue and for the regulation of the sale of alcohol, spirits or beverages containing alcohol, and for the taxing of said sales, and for the collection of taxes upon sales and manufactures of alcohol, spirits or such beverages containing alcohol and for the appointment of commissioners to be known as License Tax Commissioners, and to appropriate money out of the funds collected for license taxes for the salaries and expenses of such commissioners, its agents and employees, and its offices and incidental expenses.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Hornblower moved that Assembly Bill No. 1528 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 1528 to the Committee on Ways and Means.

Motion carried.

Assembly Bill No. 1528 ordered re-referred to Committee on Ways and Means.

RECESS.

At five o'clock and fifteen minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.
Speaker Little in the chair.
Assistant Clerk Fitzsimmons reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1816—An act making an appropriation to pay the claim of the county of Sacramento against the State of California;

Also: Assembly Bill No. 2100—An act providing for the issuance of licenses to hoisting engineers, providing a fee for such license; creating district boards of examiners; providing for revocation of licenses; creating the hoisting engineers' license fund in the State treasury; providing a penalty for violation of any of the provisions hereof, and making an appropriation therefor;

Also: Assembly Bill No. 2295—An act to amend sections 869 and 925 of the Penal Code, relating to the duties of reporters in preliminary examinations and hearings before the grand jury;

Also: Assembly Bill No 2402—An act to enable irrigation districts to negotiate settlements of controversies involving alleged damage to the water rights of land within such districts, in cases where the State of California holds a tax title to any land in such district;

Also: Assembly Bill No. 871—An act to provide for the execution, issuance, use, redemption and cancellation of bonds by the State of California for certain State, county, city and county, city, school district, and other public purposes, for relieving unemployment, destitution, and the conditions of economic distress now prevailing, and for the supervision thereof by the proper State officers;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1300—An act to amend section 3633 of the Political Code, relating to equalization of assessments;

Also: Assembly Bill No 1350—An act to add a new section to the Political Code, to be numbered 4052b1, to authorize county aid for district public parks, beaches and recreation grounds

Also: Assembly Bill No. 1369—An act to repeal "An act empowering the State Board of Health to examine sources from which shellfish are taken; making it unlawful to take shellfish from contaminated sources if determined by said board to be a menace to health; making violations of this act misdemeanors and providing for the punishment of same," approved April 5, 1917.

Also: Assembly Bill No 1388—An act to amend section 688 of the Political Code, relating to claims against the State of California;

Also: Assembly Bill No. 1420—An act to repeal section 1413 of the Fish and Game Code, relating to fines and penalties;

Also: Assembly Bill No. 1521—An act confirming and extending the application of the provisions of section 830 of the Civil Code of the State of California to grants made or patents issued to lands by the State and consenting that it may be sued to quiet title to such lands.

Also: Assembly Bill No 1592—An act to add a new section to the Political Code to be numbered section 472a relating to the defense of peace officers;

Also: Assembly Bill No. 1762—An act to add sections 1415 and 1416 to the Fish and Game Code, relating to the forfeiture of hunting and sporting fishing licenses.

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 235—An act to appropriate $12,000 to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, and to provide for the manner of expending such appropriation.

Also: Assembly Bill No. 470—An act to repeal section 924 of the Political Code;
Also: Assembly Bill No. 712—An act to amend sections 487 and 488 of the Agricultural Code, relating to grades for milk;
Also: Assembly Bill No. 826—An act to amend sections 4, 9, 10, 12, 13, 17, 19, 25 and 33 of the Direct Primary Law, relating to primary elections;
Also: Assembly Bill No. 880—An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities of the second and one-half class;
Also: Assembly Bill No. 1014—An act to amend sections 269 and 271 of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters;
Also: Assembly Bill No. 1250—An act to add sections 1156, 1157 and 1158 to the Fish and Game Code, relating to the closing of areas to hunting;
Also: Assembly Bill No. 1284—An act to add a new section to the Fish and Game Code, to be numbered 1414, relating to the forfeiture of hunting and fishing equipment illegally used;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 18—An act to amend sections 3, 4, 9 and 12 of an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, relating to the Board of Chiropractic Examiners and the practice of chiropractic;
Also: Assembly Bill No. 1826—An act to repeal an act entitled "An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance, prescribing the powers and duties of said officials in relation to said bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor," approved June 5, 1931;
Also: Assembly Bill No. 2123—An act to add a new section, to be numbered 3a, to an act entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved May 23, 1907, relating to sewerage disposal;
Also: Assembly Bill No. 2216—An act providing for powers of counties in joint county and city projects;
Also: Assembly Bill No. 2344—An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California;
Also: Assembly Bill No. 2383—An act to amend section 3369 of the Civil Code, relating to specific and preventive relief;
Also: Assembly Bill No. 2392—An act making an appropriation to pay the claim of the State Adjutant General against the State of California;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2406—An act to establish certain secondary State highways and provide for their construction, improvement and maintenance;
Also: Assembly Bill No. 2407—An act to amend section 24½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purposes, and to create a Board of Fire Commissioners," approved March 4, 1881, relating to inclusion of outlying territory within the fire limits of unincorporated towns and villages;
Also: Assembly Bill No. 2417—An act making an appropriation for the support of the Supreme Court of the State of California;

Also: Assembly Bill No. 2418—An act to provide for the regulation of sales and salesmen of pleasure boats, yachts and other small craft;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1 of Article XVI thereof, relating to incurrence and retirement of bonded indebtedness by the State—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fifth day of May, 1933, at five o'clock p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 4—Relative to memorializing Congress to enact the Ludlow Unemployment Bill—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fifth day of May, 1933, at five o'clock p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 106—An act to repeal "An act relating to fishing in the waters of this State," approved April 23, 1880;

Also: Assembly Bill No. 129—An act to repeal an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893, Statutes of 1893, page 33, as amended, with provision that any bonds issued under the provisions of said act shall not be affected by said repeal;

Also: Assembly Bill No. 132—An act to repeal an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved May 24, 1927, Statutes of 1927, page 1351, as amended, with the provision that such repeal shall not apply to existing bonds or to any existing proceeding instituted under said act;

Also: Assembly Bill No. 134—An act to repeal an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, Statutes of 1885, page 147, as amended, with provision that said repeal shall not apply to existing proceedings or to existing bonds or assessments issued or levied under said act;

Also: Assembly Bill No. 135—An act to repeal the Acquisition and Improvement Act of 1925, approved May 23, 1925, Statutes of 1925, page 849, as amended, and providing that said repeal shall not apply to existing or authorized bonds and assessments or to existing proceedings under said act;

Also: Assembly Bill No. 137—An act to repeal the provisions of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of said improvements," approved April 20, 1915, Statutes of 1915, page 99, as amended; and to provide for a repeal of said act with provision that said repeal shall not apply to existing bonds or taxes or to existing proceedings under said act;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifth day of May, 1933, at five o'clock p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 200—An act to amend section 710, as added by Chapter 263, Statutes of 1903 and as amended by Chapter 634, Statutes of 1929, of the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor;

Also: Assembly Bill No. 228—An act to repeal "An act to provide for the planting, maintenance and care of shade trees upon streets, lanes, alleys, courts

and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits," approved March 11, 1893;

Also: Assembly Bill No. 229—An act to repeal the "Tree Planting Act of 1915".

Also: Assembly Bill No. 230—An act to repeal the "Tree Planting Act of 1913";

Also: Assembly Bill No. 231—An act to repeal "An act to provide for the laying out, opening, extending, widening, straightening, diverting, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities or cities and cities and counties of forty thousand inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 23, 1893;

Also: Assembly Bill No. 232—An act to repeal "An act empowering the legislative body of any city or municipal corporation to abandon proceedings taken under an act entitled 'An act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby,' approved April 21, 1909, and referred to as the 'Street Improvement Act of 1909,'" approved June 8, 1915;

Also: Assembly Bill No. 235—An act to amend section 42 of the "State Housing Act," relating to requirements for buildings;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifth day of May, 1933, at five o'clock p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 393—An act to amend section 904 of the Penal Code, relating to grand juries;

Also: Assembly Bill No. 466—An act to repeal "An act for the protection of the Antwerp messenger or homing pigeon," approved February 26, 1897;

Also: Assembly Bill No. 622—An act to add a new section to the Civil Code to be numbered 85, relating to legitimacy;

Also: Assembly Bill No. 629—An act to amend sections 780 and 782 of the Probate Code, relating to sales of real property by executors and administrators;

Also: Assembly Bill No. 713—An act to amend the "Water Commission Act," approved June 16, 1913, by amending section 42 thereof, relating to the definition of terms stream, stream system, lake, or other body of water or water;

Also: Assembly Bill No. 829—An act to amend section 585 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 978—An act authorizing the Governor to make conveyances of certain parcels of real property to the original grantors thereof or their successors or assigns, if and when the interest of the United States in said parcels is conveyed or released to the State of California, which said parcels were acquired pursuant to the provisions of the Statutes of California for 1927, Chapter 142, particularly the paragraph commencing on the bottom of page 271 and which were conveyed, pursuant to the provisions of the Statutes of California, Chapter 517, to the United States of America, for temporary use as spoil disposal areas, in connection with the construction of that certain project approved by an act of Congress which was approved by the President of the United States, on January 21, 1927, which said act provided for the deepening and rectification of the San Joaquin River and Stockton channel in accordance with the plan laid down in House Document No. 554, Sixty-eighth Congress, second session;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifth day of May, 1933, at five o'clock p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1087—An act to amend section 23 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended, relating to the filing of annual statements and prescribing the fee therefor, and to repeal section 30 of said act relating to taxation;

Also: Assembly Bill No. 1095—An act to repeal section 608 of the Political Code, relating to transfers of actions or special proceedings by foreign insurance companies doing business in this State;

Also: Assembly Bill No. 1141—An act to add four new sections to the Civil Code, to be numbered 453ee½, 453.11, 453.12 and 453.13, all relating to mortgage insurance companies; declaring the urgency thereof, and providing that this act shall take effect immediately.

Also Assembly Bill No. 1254—An act to add a new section to the Fish and Game Code, to be numbered 488 5, relating to fish hatcheries;

Also: Assembly Bill No 1256—An act to amend section 1230 of the Fish and Game Code, and to add a new section to the Fish and Game Code to be numbered 340 5, relating to predatory mammals and rodents;

Also Assembly Bill No 1336—An act transferring a parcel of State park land in Humboldt County from the Department of Natural Resources to the Department of Public Works to be used for State highway purposes;

Also: Assembly Bill No. 1338—An act to add a new section to the Political Code to be numbered 36½c authorizing the filing for record of State highway maps and prescribing the duties of county recorders with relation thereto;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifth day of May, 1933, at five o'clock p m

PATTERSON, Chairman

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1355—An act to amend sections 587 and 1515 of the Probate Code, relating to the dedication of real property by executors, administrators and guardians;

Also Assembly Bill No. 1364—An act to permit the State Treasurer to accept a donation for the retirement or purchase of the California Olympiad bonds;

Also, Assembly Bill No. 1400—An act to add a new section to the Public Utilities Act, to be numbered 50½, relating to passenger stage corporations;

Also Assembly Bill No. 1407—An act to amend section 79b of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article 1 of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks highways, roads, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds, approved April 7, 1911, relating to improvements of municipalities,

Also Assembly Bill No 1408—An act to amend section 16 of an act entitled "An act to provide for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifth day of May, 1933, at five o'clock p m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1411—An act to amend section 10 of the "Street Improvement Act of 1913,' relating to street improvements;

Also: Assembly Bill No. 1415—An act to amend section 13 of "The Grade Separation Act of 1927," relating to the separation of grades;

Also Assembly Bill No 1482—An act to amend section 1 of Chapter 389, Statutes of 1915, entitled "An act providing for the sale of certain State lands," as approved May 15, 1915, as amended, relating to State lands;

Also: Assembly Bill No 1523—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to sessions of the superior court;

Also, Assembly Bill No. 1572—An act to amend section 948 of the Political Code, relating to bonds of State officials and employees;

Also: Assembly Bill No 1750—An act to add a new section to the Fish and Game Code, to be numbered 738 5, relating to smelt;

Also: Assembly Bill No. 1752—An act to add a new section to the Fish and Game Code, to be numbered 950.5, relating to Chinese shrimp nets;

Also Assembly Bill No. 1753—An act to add a new section to the Fish and Game Code, to be numbered 459, relating to the importation of birds and mammals or parts thereof,

Also: Assembly Bill No. 1755—An act to add a new section to the Fish and Game Code, to be numbered 20, relating to powers and duties of the Fish and Game Commission;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifth day of May, 1933, at five o'clock p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1794—An act to add a new section to the Political Code, to be numbered 4041 26, relating to the disposition of county personal property which is not further required for public use;

Also: Assembly Bill No. 1799—An act to amend section 1446 of the Penal Code, relating to satisfaction of fine by imprisonment;

Also: Assembly Bill No. 1800—An act to amend section 1205 of the Penal Code, relating to the payment of fines;

Also: Assembly Bill No. 1815—An act to amend section 29 of the California Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation insurance;

Also: Assembly Bill No 1863—An act to repeal sections 1121 to 1124, inclusive, and sections 1131 to 1133, inclusive, of the Agricultural Code, relating to the storage of eggs;

Also: Assembly Bill No 1866—An act to amend section 4099a of the Political Code, relating to orphan aid.

Also: Assembly Bill No. 1871—An act to repeal section 4041c of the Political Code, and to add a new section thereto to be numbered 4041c, relating to county officers;

Also: Assembly Bill No 1872—An act to amend section 737j of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Fresno;

Also Assembly Bill No. 1925—An act to amend section 124 of the Agricultural Code, relating to quarantine and pest control;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifth day of May, 1933, at five o'clock p.m.

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2097—An act to amend sections 790, 828 and 829 and to add a new section to the Agricultural Code, to be numbered 810.5, relating to the standardization of lettuce and asparagus;

Also Assembly Bill No. 2124—An act authorizing a suit against the State of California to quiet title against it to certain real property in the city of Newport Beach;

Also: Assembly Bill No 2211—An act to add a new section to the Code of Civil Procedure to be numbered 1191b, relating to subrogation of liens arising under section 1191a of said code;

Also: Assembly Bill No. 2263—An act to amend section 602b of the Political Code, relating to workmen's compensation insurance;

Also: Assembly Bill No. 2312—An act to amend section 102 of the Agricultural Code, relating to charges of fees for certificates or inspections;

Also: Assembly Bill No. 2318—An act to amend sections 4, 5, 6, 7, 9, 11, and to add a new section numbered 17 to Chapter 598, Statutes 1913, entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the Board of Optometry and to the regulation of the practice of optometry and relating to the constitutionality of said act.

Also: Assembly Bill No. 2324—An act to amend the title and sections 1, 2, 3, 4, 6 and 7 of "An act to regulate the possession or transportation of any form of shell, cartridge or bomb containing or capable of emitting tear gas and providing penalties for violation thereof," approved May 28, 1931, and to add sections 2a and 2b of said act, relating to the possession, transportation and sale of tear gas shells, cartridges, bombs or weapons;

Also Assembly Bill No 2334—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifth day of May, 1933, at five o'clock p.m.

PATTERSON, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 680—An act to amend section 2 21 of the School Code, relating to the attendance of pupils from one school district in the schools of another school district;

Also: Assembly Bill No. 684—An act to amend sections 3.415 and 3.416 of the School Code, relating to the attendance of junior college students in a district other than that of their residence;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ROLAND, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2208—An act to amend section 4041.14 of the Political Code, relating to the licensing of businesses by the counties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

RESOLUTION.

The following resolution was offered:
By Mr. Boyle:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933

MR. SPEAKER We, the undersigned members of the Assembly, do hereby petition that Assembly Bill No 2409 be withdrawn from the Assembly Committee on Public Utilities and be placed on file in the Assembly:

JAMES J. BOYLE.
CECIL R. KING
JOHN T. RAWLS
BERT V CALLAHAN.
RODNEY L. TURNER.
FRANK J. ROGERS.
JOHN D MCCARTHY.
JAMES B. UTT.
WM MOSELEY JONES
F C CLOWDSLEY.
THORP.
AUSTIN L. TOURNOUX.
JAMES S. O'CONNOR.
HENRY P MEEHAN.
P. J. MCMURRAY.
JESSE M. MAYO.
T A MALONEY.
C W. GRUBBS
WM. B. HORNBLOWER.
EDGAR C. LEVEY.
CHARLES A. HUNT.
ERNEST C. CROWLEY.
JAMES M. CASSIDY
JOHN H. O'DONNELL.
CHARLES W. DEMPSTER.
CHARLES W STREAM.
BRUCE R. STANNARD.
MAURICE MEEKER.
E H ZION
WALTER H SULLIVAN.
S E. ROBINSON.
ROY J. NIELSEN.
ELLIS E. PATTERSON.
C. RAY ROBINSON.
L POWERS, JR.
MELVYN I. CRONIN.
JOSEPH P. GILMORE.
C. C. ANGLIM.
HARRY B RILEY.
GEORGE R. BLISS.
J. E. FRAZIER.
F M. ROBERTS.

Assembly Bill No. 2409 ordered on file for second reading.

MOTION.

On motion of Mr. Robinson, C. Ray, the Sergeant-at-Arms was instructed to provide lunch and refreshments for the members on or before the hour of twelve o'clock p.m.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 680—An act to amend section 2.21 of the School Code, relating to the attendance of pupils from one school district in the schools of another school district.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 684—An act to amend sections 3.415 and 3.416 of the School Code, relating to the attendance of junior college students in a district other than that of their residence.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2208—An act to amend section 4041.14 of the Political Code, relating to the licensing of businesses by the counties.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 3366 and 4041.14 of the Political Code, relating to the licensing of businesses by the counties."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 3366 of the Political Code is hereby amended to read as follows.

3366. Boards of supervisors of the counties of the State, and the legislative bodies of the incorporated cities and towns therein, shall, for the purpose of regulation or for the purpose of revenue, have power to license all and every kind of business not prohibited by law, and transacted and carried on within the limits of their respective jurisdictions, and all shows, exhibitions and lawful games carried on therein, to fix the rates of license tax upon the same, and to provide for the collection of the same by suit or otherwise; provided, that every honorably discharged or honorably released soldier, sailor, or marine of the United States or Confederate States who has served in the Civil War, any Indian War, the Spanish-American War, any Philippine Insurrection or in the Chinese Relief Expedition, or in the World War of 1914 and years following, who is physically unable to obtain a livelihood by manual labor, and who shall be a qualified elector of the State of California, shall have the right to distribute circulars, and to hawk, peddle, and vend any goods, wares or merchandise, except spirituous, malt, vinous or other intoxicating liquor, without payment of any license tax or fee whatsoever, whether municipal, county or State, and the board of supervisors or legislative body shall issue to such soldier, sailor or marine, without cost, a license therefor; provided, however, no license can be collected or any penalty for the nonpayment thereof enforced against any commercial traveler whose business is limited to the goods, wares, and merchandise sold or dealt in in this State at wholesale.

SEC. 2. Section 4041.14 of the Political Code is hereby amended to read as follows:

4041.14. Under such limitations and restrictions as are prescribed by law, and in addition to jurisdiction and powers otherwise conferred, the boards of supervisors, in their respective counties, shall have the jurisdiction and powers to license, for the purpose of regulation or for the purpose of revenue, all and every kind of business not prohibited by law, and transacted and carried on within the limits of their respective jurisdictions, and all shows, exhibitions, and lawful games carried on therein, to fix the rate of license tax upon the same, and to provide for the collection of the same by suit or otherwise; provided, that every soldier, sailor or marine of the United States who has received an honorable discharge or a release from active duty under honorable conditions from such service shall have the right to hawk, peddle and vend any goods, wares or merchandise, except spirituous, malt, vinous or other intoxicating liquor, without payment of any license, tax or fee whatsoever, whether municipal, county or State, and the board of supervisors or legislative body shall issue to such soldier, sailor or marine without cost, a license therefor; provided, however, no license can be collected, or any penalty for the nonpayment thereof enforced against any commercial traveler whose business is limited to the goods, wares and merchandise sold or dealt in in this State at wholesale."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2409—An act to add section 47a to the Public Utilities Act, relating to the valuation of property to be used for the purpose of establishing rates to be charged by public utilities.

Bill read second time, ordered to engrossment, and third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 5, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 999—An act to add sections 463 to 469d, inclusive, to the Political Code, and to repeal an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State, and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, all relating to the deposit in banks of money belonging to or in the custody of the State;

Also: Senate Bill No. 486—An act to amend section 22 of the Bank and Corporation Franchise Tax Act, relating to administration of said act;

Also: Senate Bill No. 366—An act to amend sections 4254 and 4254a to 4254s, inclusive, of the Political Code, relating to compensation of county and township officers in counties of the twenty-fifth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No 999 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 486 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 366 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 172—An act to amend section 4251 of the Political Code, relating to the compensation of county and township officers in counties of the twenty-second class;

Also: Senate Bill No. 1201—An act creating a district to be called "Orange County Water District" for the purpose of providing for importation of water into said district and preventing waste of water in or exportation of water from said district and providing for reclamation of drainage, storm, flood and other water for beneficial use in said district and for the conservation and control of storm and flood water flowing into said district; providing for the organization and management of said district and establishing the boundaries and divisions thereof and defining the powers of the district, including the right of the district to sue and to be sued, and the powers and duties of the officers thereof; providing for the construction of works and acquisition of property by the district to carry out the purposes of this act, authorizing the incurring of indebtedness and the voting, issuing and selling of bonds and the levying and collecting of assessments by said district; and providing for the inclusion of additional lands therein and exclusion of lands therefrom;

Also: Senate Bill No. 144—An act to amend sections 755 and 767 of the Political Code, relating to the salaries of the clerk, reporters, attaches and employees of the Supreme Court;

Also: Senate Bill No. 145—An act to amend sections 758, 758a and 759 of the Political Code, relating to the salaries of clerks, reporters, attaches and employees of the District Courts of Appeal.

Also: Senate Bill No. 445—An act to repeal Article VII of Chapter II of Part IV of Division II of the School Code, embracing sections 2.1460 to 2.1468, inclusive, and to repeal Article III of Chapter II of Part VII of Division VI of the School Code, embracing sections 6.60 to 6.62, inclusive, and to repeal sections 2 and 3 of an act entitled "An act creating a Division of School House Planning in the State Department of Education, and establishing standards for school sites and the construction and alteration of school buildings," approved April 27, 1929, and to add a new article to Chapter II of Part IV of Division II of the School Code, to be numbered Article VII, embracing sections 2.1460 to 2.1467, inclusive, and to add a new article to Chapter II of Part I of Division VI of the School Code, to be numbered Article III, embracing sections 6.60 and 6.61, all relating to schoolhouse planning.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 172 read first time, and referred to Committee on County Government.

Senate Bill No. 1201 read first time, and referred to Committee on Conservation.

Senate Bills Nos. 144 and 145 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 445 read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1933.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed as a case of urgency, Senate Bill No. 689—An act to provide for the administration of funds of this State and of the United States government made available for the relief of destitution caused by unemployment and making an appropriation for such purpose and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

Senate Bill No. 689 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 1192—An act providing an in rem court proceeding for the purpose of determining the inability of an irrigation district to meet its bonded or other indebtedness, and to approve a plan for the compromise payment or satisfaction, funding or refunding thereof and of requiring the holders of outstanding bonds, warrants or other evidences of indebtedness to accept such compromise payment or satisfaction, funding or refunding bonds in other evidences of indebtedness to accept funding or refunding bonds in lieu thereof; making the decree therein binding upon all persons whether appearing in said proceeding or not; providing a method of procedure and declaring this act to be an urgency measure—and respectfully requests your honorable body to concur in said amendments

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly Amendments to Senate Bill No. 335—An act to amend sections 67 and 68 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended

J A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 74—An act to amend sections 2 and 16 of an act entitled "An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal Chapter 32, Statutes 1911, extra session, entitled 'An act to provide for the recall of elective officers of incorporated cities and towns,' approved January 2, 1912," approved May 8, 1931;

Also. Senate Bill No. 1208—An act to provide for the issuance of duplicates of bonds, warrants, and other evidences of indebtedness of counties and municipal and other public corporations,

Also: Senate Bill No. 637—An act to amend section 737y of the Political Code, relating to the salary of the judge of the superior court in and for the county of Modoc;

Also: Assembly Bill No. 895—An act to amend section 3897 of the Political Code, relating to taxation.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 74 and 1208 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 637 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 895 read first time, and referred to Committee on Revenue and Taxation.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 4, 1933, passed Senate Bill No. 864—An act to amend section 366 of the Political Code, relating to the Department of Institutions.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 864 read first time, and referred to Committee on Hospitals and Asylums.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 4, 1933, passed, as a case of urgency, Senate Bill No. 575—An act to extend to the guarantors of the payment of public bonds any moratorium on the payment thereof or on assessments or taxes levied to pay the principal and interest due on bonds issued under any law of this State.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 575 read first time, and referred to Committee on Revenue and Taxation.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 774—An act to add section 2639a to the Political Code, relating to county taxation for road purposes;

Also: Senate Bill No. 566—An act to add a new article to Chapter I of Part IV of Division II of the School Code to be known as Article II, embracing sections 2.1365 and 2.1366, relating to the State Council of Educational Planning and Coordination;

Also: Senate Bill No. 233—An act to add a new section to the School Code to be numbered 6.544, relating to school district library funds;

Also: Senate Bill No. 234—An act to amend section 4.131 of the School Code, relating to the migratory school revolving fund;

Also: Senate Bill No. 244—An act to amend sections 4.360, 4.362, 4.365, and 4.383 of the School Code, and to repeal sections 4.363 and 4.364 thereof, all relating to school district budgets;

Also: Senate Bill No. 765—An act to amend the Water Conservation Act of 1929, relating to water conservation districts;

Also: Senate Bill No. 468—An act to amend sections 3714 and 4041.2 of the Political Code, relating to accounting, auditing and budget control in cities, counties, cities and counties, districts and other political subdivisions;

Also: Senate Bill No. 1051—An act to amend section 737nn of the Political Code, relating to the salary of the superior judge in and for the county of San Luis Obispo.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 774 read first time, and referred to Committee on Revenue and Taxation.

Senate Bills Nos. 566, 233, 234 and 244 read first time, and referred to Committee on Education.

Senate Bill No. 765 read first time, and referred to Committee on Conservation.

Senate Bill No. 468 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1051 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 21—Relative to expansion of the topographic mapping program of the United States.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Joint Resolution No. 21 read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Concurrent Resolution No. 32—Relative to approving the charter of the county of Sacramento, State of California, which was submitted to the qualified electors of the said county and voted for and ratified by them at a special election held therein on the twenty-seventh day of April, 1933

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Concurrent Resolution No 32 read, and referred to Committee on Municipal Corporations.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Maloney:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add two new sections to the Penal Code to be numbered 969c and 1158a, relating to defendants armed with weapons at the time of the commission of the offense or at the time of arrest and providing a procedure for charging that defendants were so armed and for determining the truth of the charge.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add two new sections to the Penal Code to be numbered 969c and 1158a, relating to defendants armed with weapons at the time of the commission of the offense or at the time of arrest and providing a procedure for charging that defendants were so armed and for determining the truth of the charge.

HALLNER, Chairman

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland,

Scudder, Stannard, Stream, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Maloney: Assembly Bill No. 2424—An act to add two new sections to the Penal Code to be numbered 969c and 1158a, relating to defendants armed with weapons at the time of the commission of the offense or at the time of arrest and providing a procedure for charging that defendants were so armed and for determining the truth of the charge.

Bill read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1229—An act to amend sections 5.420, 5 500, 5.503, 5 510, 5.520, 5 521, 5.650, 5.651, 5.652, 5.653, 5 654, 5.655, 5.657, 5.658, 5 660, 5 662, 5 663, 5 664, 5 681, 5.691, and 5.710, and repealing sections 5.404 and 5 682 and adding new sections to be numbered 5.505, 5.506. 5 507, 5.666, 5 711½ of the School Code of the State of California, relating to the employment, classification, dismissal and suspension of employees requiring certification qualifications;

Also: Assembly Bill No. 1528—An act to control, license, and regulate the manufacture, transportation, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation hereof;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2412—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions,

Also: Assembly Bill No. 2415—An act relating to rights, royalties or interests in or to oil, gas, or other hydrocarbons, to be extracted from real property, or in or to the proceeds derived from the sale of such oil, gas or other hydrocarbons, and relating to the rights and liabilities of the owners or holders of such rights, royalties or interests and relating to instruments dealing therein or therewith;

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 753—An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately.

Bill read second time.

MOTION TO RE-REFER.

Mr. Lyon moved that Senate Bill No. 753 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Senate Bill No. 753 to Committee on Ways and Means.

Motion carried.

Senate Bill No. 753 ordered re-referred to Committee on Ways and Means.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 811—An act to amend sections 4.362, 4.366, 4.370, 4.371, 4.373 and 4.383 of the School Code, to repeal sections 4.363, 4.364 and 4.365 of said code, and to add three new sections to said code, to be numbered 4.363, 4.364 and 4.365, respectively, all relating to school district budgets.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 811 was refused passage by the following vote.

AYES—Bliss, Cassidy, Cottrell, Crist, Fisher, Frazier, Hornblower, Knowland, Mayo, O'Donnell, Phillips, Tournoux, Utt and Mr. Speaker—14

NOES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Chatters, Clowdsley, Cobb, Craig, Crowley, Dempster, Evans, Field, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, West, Woolwine and Wright—53.

Assembly Bill No. 2398—An act to provide for the replacement and for reconstruction of public school buildings wholly or partially destroyed by earthquakes since January, 1933, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Woolwine, Wright and Mr. Speaker—62.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED NINETY-EIGHT.

Assembly Bill No. 2398—An act to provide for the replacement and for reconstruction of public school buildings wholly or partially destroyed by earthquakes since January, 1933, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2398 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Field, Fisher, Frazier, Greene, Hallner, Hatch, Jones, Kallam, King, Knowland, Latham, Levey,

Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 197—An act to amend section 1425 of the Penal Code, relating to the jurisdiction of justices' courts in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 197 refused passage by the following vote:

AYES—Cobb, Cottrell, Field, Fisher and Morgan—5

NOES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Crist, Crowley, Evans, Feigenbaum, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—61

Assembly Bill No. 1771—An act to amend section 4110 of the Political Code, relating to presentation and payment of warrants by the county treasurer and the duties of the auditor in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1771 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—60

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2391—An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor,

Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C Ray, Robinson, Samuel E, Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.

NOES—None

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED NINETY-ONE.

Assembly Bill No. 2391—An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2391 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, Nielsen O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E, Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2068—An act to amend section 10 of the State Civil Service Act, relating to examinations

Bill read third time.

The question being on the passage of the bill

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr Bowers:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, as amended in Assembly May 3, 1933, strike out all of lines 5 to 21, both inclusive, and insert in lieu thereof the following:

"Sec. 10 5 An examination fee shall be charged for each application for Civil Service examinations, said fee to be paid to the Division of Personnel and Organization at the time of filing said application The fee charged for each application shall be determined on a basis of the minimum monthly salary for the position applied for, according to the following table, and said application fee shall be published by the commission on the official bulletin announcing the examination.

Minimum monthly salary	Fee
Under $100	$1 00
$100 to $199	$2.00
$200 to $299	$3.00
$300 to $399	$5 00
Over $400	$10 00

All examination fees collected by the division shall be deposited in the State treasury to the credit of the "Civil Service fund," which fund is hereby created and out of which fund the division may pay without regard to fiscal years any and all expenses of said division Upon proper claims filed in accordance with law the State Controller shall draw his warrant against such fund"

Amendment adopted

REQUEST FOR UNANIMOUS CONSENT.

Mr. Bowers asked for, and was granted, unanimous consent to take up Assembly Bill No 2068, at this time, without reference to printer or file, and that same be considered engrossed.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 2068 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Cobb, Craig, Crist, Feigenbaum, Field, Frazier, Grubbs, Hallner, Hatch, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Mayo, McBride, McMurray, Meeker, Miller, Eleanor, O'Connor, Phillips, Rawls, Riley, Robinson, C. Ray; Roland, Scudder, Stream, Thorp, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—48

NOES—Cassidy, Clowdsley, Crowley, Fisher, Jones, Martin, McCarthy, Meehan, Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Roberts, Robinson, Samuel E.; Rogers and West—18.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 1416—An act to amend an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, as amended, by amending section 12 thereof and by adding a new section thereto to be numbered "26," relating to cooperative or unit plans of development or operation on oil and gas permits or leases of State lands, solely or in conjunction with lands not belonging to the State forming part of the same pool or field, and to delegate to the Chief of the Division of State Lands the power to change, with the consent of permittees and lessees, provisions of permits and leases of State lands included in any such cooperative or unit plan, and to join in any such cooperative or unit plan on behalf of the State.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND FOUR HUNDRED SIXTEEN.

Assembly Bill No. 1416—An act to amend an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be

paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, as amended, by amending section 12 thereof and by adding a new section thereto to be numbered "26," relating to cooperative or unit plans of development or operation on oil and gas permits or leases of State lands, solely or in conjunction with lands not belonging to the State forming part of the same pool or field, and to delegate to the Chief of the Division of State Lands the power to change, with the consent of permittees and lessees, provisions of permits and leases of State lands included in any such cooperative or unit plan, and to join in any such cooperative or unit plan on behalf of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1416 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 2241—An act providing for the levying, collecting and paying of an income tax on individuals for unemployment relief.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Bliss:

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed bill, after the word "State.", insert the following: "The word "nonresident" includes every natural person other than a resident."

AMENDMENT NUMBER TWO

On page 2, line 35, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, between lines 35 and 36, insert the following: "On all net income in excess of twenty-five thousand dollars, eight per cent"

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 36 to 39, both inclusive, and in lieu thereof insert the following: "Such tax shall be assessed, levied, collected and paid with respect to net income received on or after January 1, 1933"

AMENDMENT NUMBER FIVE.

On page 2, line 51, of the printed bill, strike out the word "April", and in lieu thereof insert the word "March".

AMENDMENT NUMBER SIX

On page 3, line 27, of the printed bill, after the word "insured," insert the following: "but if such proceeds are held by the insurer under an agreement to pay interest thereon, interest payments shall be included in gross income;"

AMENDMENT NUMBER SEVEN.

On page 3, line 32, of the printed bill, after the word "contract;", insert the following: "in the case of a transfer for a valuable consideration by assignment or otherwise, of a life insurance, endowment or annuity contract, or any interest therein, only the actual value of such consideration, and the amount of the premiums and other sums subsequently paid by the transferee shall be excluded from gross income;".

AMENDMENT NUMBER EIGHT.

On page 3, line 45, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, between lines 45 and 46, insert the following:

"(g) Stock dividends or subscription rights; but gain may be derived or loss sustained by the shareholders from the sale of such stock or the sale of such rights. The amount of gain derived or loss sustained from the sale of such stock or rights or the sale of the stock or rights in respect to which the stock or rights are issued, or the sale of the stock acquired with such rights, shall be determined as provided in section 7"

AMENDMENT NUMBER TEN

On page 4 of the printed bill, strike out that portion of line 26 following the word "be", commencing with the comma, and strike out all of lines 27 to 36, both inclusive, and in lieu thereof insert the following: "determined in accordance with the provisions of section 113 of the Federal Revenue Act of 1932, which are hereby referred to and incorporated for the purpose of this section with the same force and effect as though fully set forth herein.

(a) Except as otherwise provided in this section the gain from the sale or other disposition of property shall be the excess of the amount realized therefrom over the basis herein provided and the loss shall be the excess of such basis over the amount realized.

(b) In computing the amount of gain or loss under subsection (a) proper adjustment shall be made for any expenditure, receipt, loss or other item properly chargeable to capital account

(c) The amount realized from the sale or other disposition of property shall be the sum of any money received plus the fair market price or value of the property (other than money) received.

(d) In the case of a sale or exchange, the extent to which the gain or loss determined under this section shall be recognized shall be determined under the provisions of section 8

(e) Nothing in this section shall be construed to prevent (in the case of property sold under contract providing for payments in installments) the inclusion in gross income of that portion of any installment payment representing gain or profit in the year in which such payment is received

(f) Amounts distributed in complete liquidation of a corporation shall be treated as in full payment in exchange for the stock, and amounts distributed in partial liquidation of a corporation shall be treated as in part or full payment in exchange for the stock

The gain or loss to the distributee resulting from such exchange shall be determined under this section but shall be recognized only to the extent provided in section 8

(g) If any distribution (not in partial or complete liquidation) made by a corporation to its shareholders is not out of earnings or profits, then the amount of such distribution shall be applied against and reduce the basis of the stock and if in excess of such basis, such excess shall be included in gross income in the same manner as a gain from the sale or exchange of property. The provisions of this subsection shall also apply to distributions from depletion reserves based on discovery value of mines."

AMENDMENT NUMBER ELEVEN.

On page 4 of the printed bill, strike out lines 37 to 52, both inclusive, and on page 5, strike out lines 1 to 5, both inclusive, and insert in lieu thereof the following:

"Upon the sale or exchange of property the entire amount of the gain or loss, determined under the preceding section shall be recognized, with the exceptions provided for in section 112 of said Revenue Act of 1932," which are hereby referred to and incorporated with the same force and effect as though fully set forth herein.

In the case of installment sales the taxpayer may elect to proceed in the manner provided in section 44 of the said Revenue Act of 1932, in which case the taxpayer shall account for profits on installments received subsequent to December 31, 1927, on sales made prior thereto. If the taxpayer elects to proceed otherwise, the transaction will be deemed to have been closed when the sale was made.

In the case of property acquired in a manner described in section 113 (a) (2) to (a) (12) of the Federal Revenue Act of 1932 the basis shall be determined in accordance with the provisions of section 113 of the Federal Revenue Act of 1932 which are hereby referred to and incorporated for the purpose of this section with the same force and effect as though fully set forth herein."

AMENDMENT NUMBER TWELVE.

On page 5 of the printed bill, strike out lines 28 to 34, both inclusive, and insert in lieu thereof the following:

"(c) Taxes or licenses paid or accrued during the taxable year, other than taxes paid to the State under this act and other than taxes on or according to or measured by income or profits paid or accrued within the taxable year imposed by the authority of (1) the government of the United States or any foreign country, (2) any State, Territory, county, city and county, school district, municipality, or other taxing subdivision of any State or Territory, and other than taxes assessed against local benefits of a kind tending to increase the value of the property assessed, but this shall not exclude the allowance as a deduction of so much of said taxes assessed against local benefits as is properly allocable to maintenance or interest charges."

AMENDMENT NUMBER THIRTEEN.

On page 5, line 41, of the printed bill, strike out the semicolon, and in lieu thereof insert a period, and add the following:

"In case of any loss claimed to have been sustained in any sale or other disposition of shares of stock or securities where it appears that within thirty days after or before the date of such sale or other disposition, the taxpayer has acquired (otherwise than by bequest or inheritance) or has entered into a contract or option to acquire substantially identical property and the property so acquired is held by the taxpayer for any period after such sale or other disposition, no deduction for the loss shall be allowed unless the claim is made by a taxpayer, a dealer in stocks or securities, and with respect to a transaction made in the ordinary course of its business. If such acquisition or the contract or option to acquire is to the extent of part only of substantially identical property, then only a proportionate part of the loss shall be disallowed. Upon the subsequent sale or disposition of shares of stock or securities, in respect of which a loss has been disallowed, the basis of measuring gain or loss in the case of the property so acquired shall be the basis in the case of the stock or securities so sold or disposed of, except that if the repurchase price was in excess of the sale price such basis shall be increased in the amount of the difference, or if the repurchase price was less than the sale price such basis shall be decreased in the amount of the difference;".

AMENDMENT NUMBER FOURTEEN.

On page 5 of the printed bill, strike out lines 49 to 52, both inclusive, and on page 6, strike out lines 1 to 11, both inclusive, and in lieu thereof insert the following:

"(h) Exhaustion, wear and tear and obsolescence of property be allowed upon the basis provided in sections 113 and 114 of that certain act of the Congress of the United States known as the 'Revenue Act of 1932,' which are for the purposes of this subsection hereby referred to and incorporated with the same force and effect as though fully set forth herein.

In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements according to the peculiar conditions in each instance, such reasonable allowance in all cases to be made under the rules and regulations to be prescribed by the commissioner.

In the cases of leases the deduction shall be equitably apportioned between the lessor and the lessee

The basis upon which depletion is to be allowed in respect of any property and the amount of depletion allowable shall be provided in section 113 and 114 of the said Revenue Act of 1932, which are, for the purposes of this subsection, hereby referred to and incorporated with the same force and effect as though fully set forth herein"

AMENDMENT NUMBER FIFTEEN.

On page 6, line 36, of the printed bill, strike out the numeral "1,000", and in lieu thereof insert the numeral "1,500".

AMENDMENT NUMBER SIXTEEN

On page 6, line 39, of the printed bill, strike out the numeral "2,000", and in lieu thereof insert the numeral "3,000"

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 40, of the printed bill, strike out the numeral "2,000", and in lieu thereof insert the numeral "3,000"

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 42, of the printed bill, strike out the numeral "2,000", and in lieu thereof insert the numeral "3,000".

AMENDMENT NUMBER NINETEEN.

On page 6, line 44, of the printed bill, strike out the numeral "200", and in lieu thereof insert the numeral "400"

AMENDMENT NUMBER TWENTY.

On page 6, line 50, of the printed bill strike out the numeral "1,000", and in lieu thereof insert the numeral "1,500".

AMENDMENT NUMBER TWENTY-ONE

On page 7, line 9, of the printed bill, strike out the numeral "1,000", and insert in lieu thereof the numeral "1,500".

AMENDMENT NUMBER TWENTY-TWO.

On page 7, line 11, of the printed bill, strike out the numeral "2,000", and insert in lieu thereof the numeral "3,000"

AMENDMENT NUMBER TWENTY-THREE.

On page 7, line 16, of the printed bill, strike out the numeral "2,000", and insert in lieu thereof the numeral "3,500".

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 26, of the printed bill, strike out the numeral "1,000", and insert in lieu thereof the numeral "1,500".

AMENDMENT NUMBER TWENTY-FIVE.

On page 7, line 47, of the printed bill, strike out the numeral "1,000", and insert in lieu thereof the numeral "1,500".

AMENDMENT NUMBER TWENTY-SIX.

On page 8, line 11, of the printed bill, strike out the numeral "1,000", and in lieu thereof insert the numeral "1,500".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 8 of the printed bill, strike out that portion of line 22 following the word "establish," commencing with the word "on"; strike out lines 23 and 24, and strike out that portion of line 25 preceding the word "In", and in lieu thereof insert the following, "by each person taxable hereunder, within two months and fifteen days after the close of his income year."

AMENDMENT NUMBER TWENTY-EIGHT.

On page 9, line 50, of the printed bill, strike out the word "two", and in lieu thereof insert the word "three".

AMENDMENT NUMBER TWENTY-NINE.

On page 10 line 2, of the printed bill, strike out the word "two", and in lieu thereof insert the word 'three".

AMENDMENT NUMBER THIRTY.

On page 10 of the printed bill, strike out lines 5 to 14, both inclusive.

AMENDMENT NUMBER THIRTY-ONE.

On page 10 of the printed bill, strike out lines 25 to 52, both inclusive, and on page 11 of the printed bill, strike out lines 1 to 4, both inclusive, and in lieu thereof insert the following:

"SEC. 21 At any time within three years after the delinquency of any tax, or any installment thereof, the Controller of the State may bring an action in a court of competent jurisdiction in the county of Sacramento in the name of the people of the State of California to collect the amount delinquent, together with penalties, and such action shall be tried in the county of Sacramento unless the court, with the consent of the Attorney General, order a change of place of trial. The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure, relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings, herein provided for. In such action a writ of attachment may be issued, and no bond or affidavit previous to the issuing of said attachment is required In such action a certificate by the commissioner or by the Controller showing the delinquency shall be prima facie evidence of the levy of the tax, of the delinquency and of compliance by the commissioner and the State Board of Equalization with all the provisions of this act in relation to the computation and levy of the tax.

At any time within which an action can be brought to collect any delinquent tax as provided in the preceding paragraph, the Controller may collect the tax, together with penalties and interest, in the following manner: The Controller shall seize any property, real, or personal, owned by the taxpayer against whom the tax is assessed, and thereafter sell at public auction such property so seized, or a sufficient portion thereof, to pay the tax due hereunder, together with any interest, and any penalty or penalties imposed hereby for such delinquency, and any and all costs that may have been incurred on account of such seizure and sale Notice of such intended sale and the time and place thereof, shall be given to such delinquent taxpayer and to all persons appearing of record to have an interest in such property, in writing at least ten days before the date set for such sale by enclosing such notice in an envelope addressed to said taxpayer at its last known place of business in this State if any, and, in the case of any person appearing of record to have an interest in such property, addressed to such person at the last known place of residence if any, and depositing the same in the United States Mail, postage pre-

paid, and by publication for at least ten days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold, provided, however, that if there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county for said ten-day period. The said notice shall contain a description of the property to be sold, together with a statement of the amount of the taxes, interest, penalties and costs, the name of the taxpayer, and the further statement that, unless such taxes, interest, penalties and costs are paid on or before the time fixed in said notice for such sale, said property, or so much thereof as may be necessary, will be sold in accordance with law and said notice.

At any such sale, the property shall be sold by said Controller or his duly authorized agent in accordance with law and said notice, and the Controller shall deliver to the purchaser a bill of sale for the personal property, and a deed for any real property so sold, and such bill of sale or deed shall vest title in the purchaser. The unsold portion of any property so seized may be left at the place of sale at the risk of said taxpayer. If, upon any such sale, the moneys so received shall exceed the amount of all taxes, interest, penalties and costs, due the State from such taxpayer, any such excess shall be returned to the taxpayer and a receipt therefor obtained; provided, however, that if any person having no interest in or lien upon the property has filed with the Controller prior to any such sale notice of such interest or lien the Controller shall withhold any such excess pending the determination of the rights of the respective parties thereto by a court of competent jurisdiction. If, for any reason, the receipt of such taxpayer shall not be available, the Controller shall deposit such excess moneys with the State Treasurer, as trustee for such owner, subject to the order of such taxpayer or its successor through reorganization, merger, or consolidation, or its stockholders upon dissolution.

It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken by the Controller shall be or be construed to be an election on the part of the State or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act."

AMENDMENT NUMBER THIRTY-TWO.

On page 11, lines 6 and 7, of the printed bill, strike out the words "from the time it is due and payable," and in lieu thereof insert the following: "on the first day after the close of the income year,".

AMENDMENT NUMBER THIRTY-THREE.

On page 11 of the printed bill, strike out lines 8 and 11, both inclusive.

AMENDMENT NUMBER THIRTY-FOUR.

On page 11, line 12, of the printed bill, strike out the numeral "24", and in lieu thereof insert the numeral "23".

AMENDMENT NUMBER THIRTY-FIVE.

On page 11, line 28, of the printed bill, strike out the numeral "25", and in lieu thereof insert the numeral "24".

AMENDMENT NUMBER THIRTY-SIX.

On page 12 of the printed bill, strike out lines 31 and 32.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 12, line 33, of the printed bill, strike out the numeral "26", and in lieu thereof insert the numeral "25".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 12, line 35, of the printed bill, strike out the words "one year", and in lieu thereof insert the words "three years".

AMENDMENT NUMBER THIRTY-NINE.

On page 12, line 50, of the printed bill, strike out the numeral "27", and in lieu thereof insert the numeral "26".

AMENDMENT NUMBER FORTY.

On page 13, line 5, of the printed bill, strike out the numeral "26", and in lieu thereof insert the numeral "25".

AMENDMENT NUMBER FORTY-ONE.

On page 13, line 11, of the printed bill, strike out the numeral "28", and in lieu thereof insert the numeral "27".

AMENDMENT NUMBER FORTY-TWO.

On page 13, line 22, of the printed bill, strike out the numeral "29", and in lieu thereof insert the numeral "28".

AMENDMENT NUMBER FORTY-THREE.

On page 13 of the printed bill, strike out lines 30 to 45, both inclusive, and in lieu thereof insert the following:

"SEC. 29. It shall be unlawful for any member of the State Board of Equalization or the State Controller or any person having an administrative duty under this act to divulge any information concerning the business affairs of persons reporting hereunder; provided, however, that the Governor may authorize examination of such returns by other State officers, in which event the information obtained shall not be made public; provided, further, that such returns may be examined, with the consent of the Governor, by tax officers of another State or the Federal government, if a reciprocal arrangement exists"

AMENDMENT NUMBER FORTY-FOUR.

On page 13, line 46, of the printed bill, strike out the numeral "31", and in lieu thereof insert the numeral "30".

AMENDMENT NUMBER FORTY-FIVE.

On page 13, line 49, of the printed bill, strike out the numeral "32", and in lieu thereof insert the numeral "31".

AMENDMENT NUMBER FORTY-SIX.

On page 14, of the printed bill, between lines 41 and 42, insert the following:

"There is hereby appropriated an amount equal to two per cent, or so much thereof as may be necessary, of the amount so deposited in the general fund, to be used by the State board to pay all expenses incurred by said board in carrying out the provisions of this act."

AMENDMENT NUMBER FORTY-SEVEN.

On page 14, line 42, of the printed bill, strike out the numeral "33", and in lieu thereof insert the numeral "32".

AMENDMENT NUMBER FORTY-EIGHT.

On page 14, line 44, of the printed bill, strike out the numeral "34", and in lieu thereof insert the numeral "33".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2365—An act imposing an excise tax upon sales of tangible personal property by retailers, providing the method and manner of levying, assessing, collecting and paying of such tax, providing for the issuance of permits to retailers, prescribing penalties for violations of the provisions of this act, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Feigenbaum:

AMENDMENT NUMBER ONE.

On page 3, line 17, of the printed bill, as amended, strike out the words "retail selling price on", and in lieu thereof insert the words "gross receipts of such retailers from the sale of".

AMENDMENT NUMBER TWO

On page 3, lines 19 and 20, of the printed bill, as amended, strike out the words "the next calendar month after the taking effect of this act.", and in lieu thereof insert the following: "July, 1933. Such tax shall be paid at the time and in the manner hereinafter provided and shall be in addition to any and all other taxes. Said tax shall be collected by the retailer from the consumer, in so far as the same can be done, in such manner as is most convenient for the retailer"

AMENDMENT NUMBER THREE.

On page 4, line 10, of the printed bill, as amended, strike out the words "their own".

AMENDMENT NUMBER FOUR.

On page 4, line 11, of the printed bill as amended, strike out the word "made", and in lieu thereof insert the following: "raised or produced by the seller, and sold".

AMENDMENT NUMBER FIVE.

On page 4, line 21, of the printed bill, as amended, strike out the words "of such", strike out lines 25 to 31, both inclusive, and strike out that portion of line 32 preceding the word "make", and in lieu thereof insert the following: "quarterly period being the months of July, August, and September, 1933. The retailer shall on or before the fifteenth day of the calendar month immediately following each quarterly period".

AMENDMENT NUMBER SIX.

On page 6 of the printed bill, as amended, between lines 2 and 3, insert the following:

"SEC. 13 The burden of proving that a sale of tangible personal property was not a sale at retail shall be upon the person who made it, unless such person shall have taken from the purchaser a certificate signed by and bearing the name and address of the purchaser to the effect that the property was purchased for resale For the purpose of the proper administration of this act and to prevent evasion of the tax hereby imposed it shall be presumed that all receipts are subject to the tax hereby imposed until the contrary is established"

AMENDMENT NUMBER SEVEN.

On page 6, line 3, of the printed bill, as amended, strike out "Sec. 13."

AMENDMENT NUMBER EIGHT.

On page 7, line 24, of the printed bill, as amended, after the word "retailer," insert the following: "attaching when the tax became due and payable,".

AMENDMENT NUMBER NINE.

On page 8 of the printed bill, as amended, strike out lines 29 to 31, both inclusive, and in lieu thereof insert the following:

"SEC. 25. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin the collection under this act of any license tax sought to be collected by the board, but after payment of any such license tax under protest duly verified and setting forth the grounds of objection to the legality of such license tax, the operator paying such license tax may bring an action against the State Treasurer in the superior court of the county of Sacramento for the recovery of license tax so paid under protest. No such action may be instituted more than sixty days after the last day, prescribed for the payment of such license tax without penalty, and failure to bring suit within said sixty days shall constitute waiver of any and all demands against this State on account of alleged overpayment of license taxes hereunder No grounds of illegality of the license tax shall be considered by the court other than those set forth in the protest filed at the time of the payment of the license tax.

SEC 26. Any retailer failing or refusing to furnish any return hereby required to be made, or failing or refusing to furnish a supplemental return or other data required by the board or rendering a false or fraudulent return, shall be guilty of a misdemeanor and subject to a fine of not exceeding five thousand dollars ($5,000) for each such offense.

Any person required to make, render, sign or verify any report as aforesaid, who makes any false or fraudulent return, with intent to defeat or evade the assessment required by law to be made, shall be guilty of a misdemeanor, and shall for each such offense be fined not less than three hundred dollars ($300) and not more than five thousand dollars ($5,000), or be imprisoned not exceeding one year in the county jail of the county where said return was verified, or be subject to both said fine and imprisonment in the discretion of the court."

AMENDMENT NUMBER TEN.

On page 8, line 32, of the printed bill, as amended, strike out the numeral "26", and in lieu thereof insert the numeral "27".

AMENDMENT NUMBER ELEVEN.

On page 5, line 41, of the printed bill, as amended, after the period following the word "board", insert the following: "Each retailer shall prominently display within his place of business a sign, the form of which shall be determined by the board, stating that he is a duly licensed retailer subject to this act and that the tax imposed by this act has been added to the selling price of the tangible personal property offered for sale by him."

Amendments adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1091—An act to amend sections 633a7, 633a16, 633a18, 633a24, 633a25, 633a27, 633a28, 633a29, and 633a31 of the Politi-

cal Code, and to add a new section to said code, to be numbered 633a32, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., Morgan, Neilsen, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—65.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND NINETY-ONE.

Assembly Bill No. 1091—An act to amend sections 633a7, 633a16, 633a18, 633a24, 633a25, 633a27, 633a28, 633a29 and 633a31 of the Political Code, and to add a new section to said code, to be numbered 633a32, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1091 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK BERNARD READING.

Assembly Bill No. 26—An act to amend section 1272 of the Penal Code, relating to bail after conviction and pending appeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 26 passed by the following vote:

AYES—Anglim, Badham, Boyle, Callahan, Cobb, Crowley, Dempster, Frazier, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Riley, Roberts, Robinson, C. Ray, Rogers, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Mr. Speaker—44

NOES—Alter, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Evans, Feigenbaum, Fisher, Hatch, Hoffman, Knowland, Martin, Miller, Eleanor; Morgan, Rawls, Robinson, Samuel E., Roland, Stannard, Stream and Wright—24

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 711—An act defining building loans, providing for the recording before beginning of construction of a detailed statement of the actual terms and conditions and true consideration thereof verified upon the oath of the borrower and forbidding the recording of a false statement or procuring the recording thereof, and providing for penalties and consequences of the violation of the terms of this act, and providing for clearing the record of abandoned building loans.

Bill read third time.

The question being on the passage of the bill.

CALL OF THE HOUSE.

Pending the announcement of the vote, Miss Miller, Eleanor, moved a call of the House.

Motion carried.

Time, ten o'clock and twenty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—70.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

Assembly Bill No. 2403—An act to amend section 10 of and to add a new section to be known as 1a, to an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund," approved May 10, 1927, as amended, relating to furniture.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2403 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—65.

NOES—Kallam—1.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No 1591—An act to amend section 6 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, relating to fraternal benefit societies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1591 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2390—An act to add section 234.25 to the Agricultural Code, relating to tuberculosis control.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2390 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 75—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter numbered 8, embracing sections 1299 to 1299.6, inclusive, relating to the licensing and regulation of traveling merchants and providing penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 75 refused passage by the following vote:

AYES—Badham, Bliss, Boyle, Brock, Callahan, Clowdsley, Cobb, Cottrell, Craig, Crist, Feigenbaum, Field, Grubbs, Hallner, Jones, King, Latham, Levey, Lyon, Maloney, Mayo, Miller, Eleanor, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—39

NOES—Alter, Anglim, Bowers, Cassidy, Chatters, Crowley, Dempster, Evans, Frazier, Hatch, Hoffman, Hornblower, Hunt, Kallam, Knowland, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Riley, Roland, Scudder, Stannard, Stream, Sullivan, Williamson and Woolwine—35.

Assembly Bill No. 1261—An act to amend section 106 of the Penal Code, relating to the penalty for attempting to escape from prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1261 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1914—An act to allow unincorporated territory within a county to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection, custody and disbursement of taxes, for such purposes and to create a board of police commissioners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1914 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crowley, Dempster, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—65

NOES—Clowdsley, Crist, O'Donnell, Thorp and Zion—5.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At eleven o'clock and fifteen minutes p. m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

Assembly Bill No. 1017—An act to add a new section to the Penal Code, to be numbered 1193a, relating to terms of imprisonment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1017 passed by the following vote:

AYES—Alter, Anglim, Bliss, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crowley, Dempster, Feigenbaum, Greene, Grubbs, Hallner, Hornblower, Hunt, Kallam, King, Knowland, Latham, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine and Wright—51.

NOES—Badham, Bowers, Cottrell, Crist, Evans, Field, Hatch, Hoffman, Martin, Meeker, Miller, Eleanor; Redwine, Robinson, Samuel E., Roland, Scudder, Thorp and Zion—17.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 16—An act to amend section 11 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to refunds of the tax therein authorized.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 16 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Crowley, Feigenbaum, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine and Wright—61.

NOES—Brock, Clowdsley, Evans, O'Donnell, Phillips and Turner—6.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and thirty minutes p.m. Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 1116—An act regarding special districts and including a procedure for the organization, operation, financing, government, consolidation and dissolution of such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1116 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—68

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and thirty-five minutes p m , further proceedings under the call of the House were dispensed with, on motion of Miss Miller, Eleanor.

The roll of absentees was called, and Assembly Bill No. 711 was passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Field, Frazier, Hunt, Jones, King, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—46.

NOES—Anglim, Brock, Burns, Feigenbaum, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Kallam, Knowland, Latham, Levey, Lyon, Maloney, McMurray, Meehan, Miller, James A., Morgan, O'Donnell, Peterson, Riley, Roland, Scudder, Stannard Stream, Woolwine and Wright—29.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

Mr Craig moved that Rule No. 75 of the Standing Rules of the Assembly, relative to the engrossment of bills, be suspended for the balance of this legislative day.

Motion carried.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committees was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 2355—An act to add three new sections, to be numbered 17½a, 17½b and 17½c to the Public Utilities Act, relating to the organization and operation of public utilities;

Also Assembly Bill No 700—An act relating to State officers and employees in the executive branch of the State government and the classification of, certification or authorization and appointment to, and allocation within, State executive positions and the fixing of salary ranges therefor and graduated emergency salary reductions, and creating the State Personnel Board and prescribing its powers, purposes, duties and jurisdiction,

And reports that the same have been correctly re-engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No 700—An act to prescribe salaries and salary classifications for the several offices and positions in the executive department of the government of the State of California.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Craig:

AMENDMENT NUMBER ONE.

On page 61, line 16, of the printed bill, strike out the word "unanimous", and insert in lieu thereof the word "majority".

The question being on the adoption of the amendment.

Amendment adopted.

FURTHER AMENDMENT TO ASSEMBLY BILL NUMBER SEVEN HUNDRED.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Burns:

AMENDMENT NUMBER ONE.

On page 61 of the printed bill, as amended, insert between lines 14 and 15, the following paragraph:

"The graduated emergency salary reduction shall not apply to per hour or per diem employees."

The question being on the adoption of the amendment.

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Craig asked for, and was granted, unanimous consent to take up Assembly Bill No. 700 at this time without reference to printer or file, and that same be considered engrossed.

Bill read.

The question being on the passage of the bill, as amended.

The roll was called, and Assembly Bill No. 700 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—69

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No 79—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XX thereof, a new section to be numbered 22, relating to legal rate of interest.

Assembly Constitutional Amendment No 79 read.

The question being on the adoption of Assembly Constitutional Amendment No. 79.

The roll was called, and Assembly Constitutional Amendment No. 79 adopted by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crowley, Dempster, Evans, Field, Frazier, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E, Rogers, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr Speaker—56

NOES—Alter, Bowers, Brock, Cobb, Cottrell, Crist, Feigenbaum, Greene, Hoffman, Morgan, Peterson, Roland, Scudder, Stannard and Williamson—15.

Title read and approved.

Assembly Constitutional Amendment No. 79 ordered transmitted to the Senate

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 79

A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XX thereof, a new section to be numbered 22, relating to legal rate of interest.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the Constitution of said State be amended by adding to Article XX thereof a new section to be numbered 22, and to read as follows:

Sec. 22. The rate of interest upon the loan or forbearance of any money, goods or things in action, or on accounts after demand or judgment rendered in any court of the State, shall be seven per cent per annum but it shall be competent for the parties to any loan or forbearance of any money, goods or things in action to contract in writing for a rate of interest not exceeding ten per cent per annum

No person, association, copartnership or corporation shall be charging any fee, bonus, commission, discount or other compensation receive from a borrower more than ten per cent per annum upon any loan or forbearance of any money, goods or things in action; but this latter restriction shall have no application to any corporation incorporated in the manner prescribed in and operating under that certain act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, as amended, or any corporation incorporated in the manner prescribed in and operating under that certain act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision" approved March 31, 1927, as amended or any duly licensed pawnbroker or personal property broker, or any bank as denned in and operating under that certain act known as the "Bank Act," approved March 1, 1909, as amended, or any bank created and operating under and pursuant to any laws of this State or of the United States of America or any nonprofit cooperative association organized under Chapter 4 of Division VI of the Agricultural Code in loaning or advancing money in connection with any activity mentioned in said title or any corporaton, association, syndicate, joint stock company, or partnership engaged exclusively in the business of marketing agricultural, horticultural, viticultural, dairy, live stock, poultry and bee products on a cooperative nonprofit basis in loaning or advancing money to the members thereof or in connection with any such business or any corporation securing money or credit from any Federal intermediate credit bank, organized and existing pursuant to the provisions of an act of Congress entitled "Agricultural Credits Act of 1923," as amended in loaning or advancing credit so secured, nor shall any such charge of any said exempted classes of persons be considered in any action or for any purpose as increasing or affecting or as connected with the rate of interest hereinbefore fixed. The Legislature may from time to time prescribe the maximum rate per annum of, or provide for the supervision, or the filing of a schedule of, or in any manner fix, regulate or limit, the fees, bonus, commissions, discounts or other compensation which all or any of the said exempted classes of persons may charge or receive from a borrower in connection with any loan or forbearance of any money, goods or things in action

The provisions of this section shall supersede all provisions of this Constitution and laws enacted thereunder in conflict therewith.

Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding section 5a to Article XI thereof, relating to county government.

Assembly Constitutional Amendment No. 58 read.

The question being on the adoption of Assembly Constitutional Amendment No. 58

The roll was called, and Assembly Constitutional Amendment No. 58 was adopted by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Cassidy, Clowdsley, Cobb, Craig, Cronin, Dempster, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Woolwine, Zion and Mr. Speaker—55.

NOES—Alter, Brock, Cottrell, Crist, Crowley Hatch, McBride, Meehan, Morgan, Peterson, Phillips, Redwine, Riley, Robinson, C. Ray; Turner, Williamson and Wright—17.

Title read and approved.

Assembly Constitutional Amendment No. 58 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 58

A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding section 5a to Article XI thereof, relating to county government

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the Constitution of said State be amended by adding section 5a to Article XI thereof to read as follows:

Sec. 5a. Notwithstanding any restrictions or limitations in this Constitution contained, the boards of supervisors in the respective counties are hereby empowered to regulate the compensation of county engineers, and to regulate the number, method of appointment, terms of office or employment, and compensation of all deputy and assistant county engineers

That certain act enacted by the Legislature at its fiftieth session and entitled "An act to amend the Political Code by adding to Part IV, Title II, Chapter VIII of said code a new article to be numbered Article III, embracing sections 4222a to 4222*l*, inclusive, amending section 2641 and repealing sections 2642, 2645 and 4222 of said code, thereby creating the office of county engineer, transferring to the county engineer all the powers and duties of the county surveyor and the powers and duties of other officers and employees of the county with respect to county roads, highways and bridges, and vesting in the county engineer additional powers and duties with respect to construction, improvement, maintenance and repair of county roads, highways and bridges, and to repeal the County Engineer Act," is hereby validated and declared to be in full force and effect.

MOTION.

Mr. McMurray moved that Mr. Gilmore be excused for the balance of this legislative day.

Motion lost.

RECESS.

At eleven o'clock and forty-five minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until eleven o'clock and forty-seven minutes p.m., of this day.

REASSEMBLED.

At eleven o'clock and forty-seven minutes p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Bernard reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 275—An act to amend section 1305 of the Penal Code, relating to forfeiture of bail or deposit;

Also: Assembly Bill No. 360—An act making an appropriation to pay the claim of William J. Bost against the State of California;

Also: Assembly Bill No. 532—An act to amend section 2322a5 of the Political Code, relating to agricultural commissioner in counties of the fifth class;

Also: Assembly Bill No. 587—An act making an appropriation to pay the claim of Bekins Van and Storage Company, a corporation, against Charles G. Johnson as Treasurer of the State of California;

Also, Assembly Bill No 588—An act making an appropriation to pay the claim of B W Belyea doing business under the fictitious name and style of Belyea Truck Company against Charles G Johnson as Treasurer of the State of California;

Also Assembly Bill No 684—An act to amend sections 3.415 and 3 416 of the School Code, relating to the attendance of junior college students in a district other than that of their residence,

Also Assembly Bill No 761—An act to amend section 24 of the State Bar Act, relating to admission to practice law,

Also: Assembly Bill No. 942—An act to amend section 5 63 of the School Code, relating to State teachers colleges,

Also Assembly Bill No 1149—An act to provide for the inspection, quarantine and registration of aviaries and other places where birds of the psittacine family are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places;

Also Assembly Bill No 1287—An act to amend sections 1010, 1011 and 1015 of the Fish and Game Code;

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also·

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 119—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article IV thereof a new section to be numbered 25a, relating to the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof—and reports that the same has been correctly engrossed.

PATTERSON, Chairman

Assembly Constitutional Amendment No. 119 ordered on file for adoption.

Also.

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1473—An act to amend the title and section 1 of an act entitled "An act to provide for the protection of certain employees of cities, cities and counties, incorporated or unincorporated cities, towns or districts, against personal liability incurred while acting within the course of their duty," approved May 11, 1929;

Also Assembly Bill No. 1593—An act to amend section 782 of the Fish and Game Code, relating to lobsters;

Also· Assembly Bill No 1977—An act to amend section 459 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No 2008—An act to amend sections 702 and 703 of the Code of Civil Procedure, relating to redemption from sales under execution;

Also, Assembly Bill No 2070—An act making an appropriation to the State Board of Control to pay claims against the State of California;

Also Assembly Bill No 2231—An act to add section 798 5 to the Fish and Game Code, relating to abalones,

Also: Assembly Bill No. 2234—An act to appropriate funds for the payment of damages accruing from the closing of the Klamath River to commercial fishing;

Also Assembly Bill No 2408—An act to add section 365e$\frac{1}{4}$ to the Political Code, relating to powers and duties of the California Highway Commission in respect to construction or repair of highways,

Also, Assembly Bill No 2409—An act to add section 47a to the Public Utilities Act, relating to the valuation of property to be used for the purpose of establishing rates to be charged by public utilities;

And reports that the same have been correctly engrossed

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 2410—An act to provide for the organization and management of mining development districts and to provide for the development of mines included therein for the construction of all works necessary or incidental for the joint development of said mines and for the management and operation of all properties belonging to the district, and for the acquisition of all properties necessary therefor;

to provide for the management of such districts and also to provide for the issuance and payments of bonds for such district, for the levying of taxes and the collection of charges by said districts and for the annexation of additional territory thereto;

Also: Assembly Bill No. 2413—An act to add a new section, to be numbered 1a, to an act entitled "An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the Chairman of the Judicial Council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments," approved May 20, 1927, as amended, relating to expenses of judges and justices of the peace sitting under assignment from the Judicial Council;

Also: Assembly Bill No. 935—An act to add a new section to the Political Code to be numbered 1034, relating to State officers and employees;

Also: Assembly Bill No. 1782—An act to amend section 140 of the Fish and Game Code, relating to fish and game district 1j;

And reports that the same have been correctly engrossed

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 921—An act to amend sections 410, 780 and 782 and repeal section 781 of the Political Code, relating to the laws, resolutions and journals of the Legislature and to the bound volumes of Decisions of the Supreme Court and District Courts of Appeal;

Also: Assembly Bill No. 1019—An act to amend section 690 10 of the Political Code, relating to rights in and to and structures on, or partly on, swamp, overflowed, marsh, tide- or submerged lands, and making an appropriation therefor;

Also: Assembly Bill No. 1437—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter to be numbered 5a and to include sections 1260 and 1260.6, inclusive, pertaining to the control of insect pests in grain warehouses;

Also: Assembly Bill No. 1727—An act relating to the ownership of real property by indigent persons eligible to receive aid;

Also: Assembly Bill No. 2095—An act to amend sections 893 and 898 of the Agricultural Code, relating to inspection of farm products and the regulation of such inspection;

Also: Assembly Bill No. 2348—An act to amend section 363½ of, and to add sections 2586, 2589, 2590 and 2610 to, the Political Code, relating to the administration of certain bays, ports and harbors;

And reports that the same have been correctly re-engrossed

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 118—Proposed amendment to Article IV of the Constitution relative to compensation of members of the Legislature—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

FEIGENBAUM, Chairman.

Assembly Constitutional Amendment No. 118 ordered on file for adoption.

Also:

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding two new sections to Article XIII thereof, to be numbered 11 and 12 relating to limitation of tax rates—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended

FEIGENBAUM, Chairman

Assembly Constitutional Amendment No. 46 ordered on file for adoption.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 600—An act to amend section 159 of an act entitled the "California Vehicle Act," approved May 30, 1923, as amended, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding;

Also Assembly Bill No 601—An act to provide for the acquisition and cancellation of bonds heretofore issued under the provisions of that certain act of the Legislature of the State of California designated and known as the "Acquisition and Improvement Act of 1925," whether such bonds were issued under the provisions of said last named act as originally adopted or as same was amended; providing for the issuance and payment of assessment readjustment bonds to represent certain assessments for the cost of acquisition of such issued bonds, including all costs and incidental expenses of proceedings under this act for the issuance of such assessment readjustment bonds providing a method for the payment of such assessment readjustment bonds; and providing a method for the redemption of lost or otherwise unobtainable bonds of the issue or issues to be acquired and canceled;

Also: Assembly Bill No. 1528—An act to control, license, and regulate the manufacture, transportation, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation hereof,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

COBB, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 1892—An act making an appropriation to pay the claim of Morris Cohan against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

COBB, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 2399—An act establishing a certain additional State highway and classifying it as a secondary highway—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR. SPEAKER Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 1202—An act to add a new section to the Agricultural Code to be numbered 344 5 and to amend sections 348, 356 and 357, all relating to marks and brands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROBINSON, SAMUEL E, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR. SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No 160—An act to add a new section to the "California Vehicle Act" approved May 30, 1923, as amended, to be numbered section 159¼ providing for expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fund for or in connection with bonds issued for or the proceeds of which are used in connection with parks,

Also: Assembly Bill No. 162—An act to amend an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and

other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, as amended, by adding a new section thereto to be numbered 13½, to provide for the uses and purposes to which the funds derived under said act may be used;

Also, Assembly Bill No. 163—An act to add a new section to the Vehicle Code, to be numbered 780 5, relating to expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fund for or in connection with bonds issued or the proceeds thereof used in connection with parks;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 840—An act making an appropriation to pay the claim of _____ against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

COBB, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 753—An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COBB, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 846—An act appropriating money to pay the claim of Shella Buckland against the State of California;

Also, Assembly Bill No. 1051—An act appropriating money to pay the claim of William F. Kaliher against the State of California,

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No 2423—An act to amend section 6 of the Orange County Flood Control Act relating to bond elections—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Mr. Sullivan.

May 5, 1933

We, the undersigned, being a majority of the members of the Fiftieth Assembly of the State of California, hereby petition and resolve that Assembly Bill No 2364 be withdrawn from the Committee on Ways and Means, and that same be placed on the floor of the Assembly for consideration

WALTER H. SULLIVAN.
BERT V CALLAHAN
RODNEY L. TURNER.
JAMES J. MCBRIDE.
C WOOLWINE
BRUCE R STANNARD
CHARLES W. STREAM.
P J. MCMURRAY
CHARLES A. HUNT
WM MOSELEY JONES
FRANK J. ROGERS.
JOHN D MCCARTHY.
FRANK G. MARTIN.
JAMES J BOYLE
EDWARD CRAIG
JAMES B UTT
JOSEPH P GILMORE
MICHAEL J BURNS.
CECIL R KING
AUSTIN L. TOURNOUX.
JOHN H O'DONNELL
THOMAS A MALONEY
WM. B HORNBLOWER
M S MEEKER.
HOBART R ALTER.
L POWERS, JR.
CHARLES W DEMPSTER.
ERNEST C. CROWLEY.
HENRY P. MEEHAN.
ALBERT H. MORGAN, JR
J E FRAZIER.
P. J MCMURRAY
ELLIS E. PATTERSON.
B J. FEIGENBAUM.
C. C. ANGLIM.
JAMES S. O'CONNOR
ELEANOR MILLER.
F C CLOWDSLEY.
ROY J. NIELSEN
P. G WEST.
H S. HALLNER.

Assembly Bill No. 2364 ordered on file for second reading

RESOLUTION.

The following resolution was offered:

By Mr. Burns:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: We, the undersigned members of the Assembly, do hereby request that Assembly Bill No 2404 be withdrawn from the Assembly Committee on Banking and be placed on file in the Assembly

HENRY P. MEEHAN.
CHAS. W. DEMPSTER.
CLIFF ANGLIM.
JOHN H. O'DONNELL.
J. E. FRAZIER.
E C. CROWLEY
FORD A. CHATTERS.
JESSE M. MAYO.
CHARLES A. HUNT.
JAMES S. O'CONNOR.
JAMES J. BOYLE
CECIL R. KING.
AUSTIN L. TOURNOUX.
JOHN D. MCCARTHY.
JAMES B. UTT.
BERT V. CALLAHAN
FRANK J. ROGERS.
L POWERS, JR
ELLIS E PATTERSON
ROY J. NIELSEN.
CLIFFORD C. ANGLIM.
EDGAR C. LEVEY.
P. G. WEST.
THORP.
ELEANOR MILLER.
JOHN T RAWLS.
HOBART R ALTER.
BRUCE R. STANNARD.
MAURICE MEEKER.
CHARLES W. STREAM.
C. W. GRUBBS.
GEORGE B. BOWERS.
WALTER H. SULLIVAN.
WM. B. HORNBLOWER.
RODNEY L. TURNER.
J. J. MCBRIDE.
W. E. BADHAM.
JAMES M. CASSIDY.
F C. CLOWDSLEY.
M. J. BURNS.
WM. MOSELEY JONES.

The above reported bill ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Mr. Patterson:

May 5, 1933.

We, the undersigned, being a majority of the members of the Assembly of the fiftieth Legislature of the State of California, hereby petition and resolve that

Assembly Bill No 1631 be withdrawn from the Committee on Fish and Game, and that same be placed on the floor of the Assembly for consideration.

CLIFFORD C. ANGLIM.
JESSE M MAYO
FORD A CHATTERS
ERNEST C. CROWLEY
CHARLES W. DEMPSTER.
JOHN H. O'DONNELL
J E FRAZIER
ALBERT H. MORGAN, JR.
THORP.
JAMES E. THORP.
ROY J NIELSEN
L. POWERS, JR
WM B. HORNBLOWER
HENRY P. MEEHAN
JAMES B. UTT.
JAMES S. O'CONNOR.
CECIL R KING
WM. MOSELEY JONES
AUSTIN L TOURNOUX
P J. MCMURRAY
JAMES J BOYLE
JOHN PHILLIPS.
ELLIS E. PATTERSON.
JOHN T. RAWLS
S E ROBINSON.
CHARLES W STREAM
BRUCE R. STANNARD.
GEORGE B. BOWERS.
WALTER H. SULLIVAN
JAMES J MCBRIDE
RODNEY L. TURNER.
F. M. ROBERTS
JOHN D. MCCARTHY.
FRANK J. ROGERS
FRANK G MARTIN
HARRY B. RILEY.
C W GRUBBS.
H S HALTNER
C. WOOLWINE
CHAS W. LYON
E H. ZION
FRANK W WRIGHT
ELEANOR MILLER
P. G. WEST.

Assembly Bill No. 1631 ordered on file for second reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 600—An act to amend section 159 of an act entitled the "California Vehicle Act," approved May 30, 1923, as amended, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 601—An act to provide for the acquisition and cancellation of bonds heretofore issued under the provisions of that certain act of the Legislature of the State of California designated and known as the "Acquisition and Improvement Act of 1925," whether such bonds were issued under the provisions of said last named act as originally adopted or as same was amended; providing for the issuance and payment of assessment readjustment bonds to represent certain assessments for the cost of acquisition of such issued bonds, including all costs and incidental expenses of proceedings under this act for the issuance of such assessment readjustment bonds; providing a method for the payment of such assessment readjustment bonds; and providing a method for the redemption of lost or otherwise unobtainable bonds of the issue or issues to be acquired and canceled

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1528—An act to control, license, and regulate the manufacture, transportation, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation hereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1892—An act making an appropriation to pay the claim of Morris Cohan against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2399—An act establishing a certain additional State highway and classifying it as a secondary highway.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1202—An act to add a new section to the Agricultural Code to be numbered 344.5 and to amend sections 348, 356 and 357, all relating to marks and brands.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 312 of the Agricultural Code, relating to meat inspection."

AMENDMENT NUMBER TWO

Strike out the balance of the printed bill, and insert in lieu thereof the following "SECTION 1. Section 312 of the Agricultural Code is hereby amended to read as follows:

312. Any person desiring to engage in slaughtering animals or manufacturing meat food products for human consumption in any county of the State, in which section 305 is effective shall apply to the director or the local health authority for the inauguration of an inspection service in the establishment where said animals are to be slaughtered or meat food products manufactured Such application shall be in writing, addressed to the director or local health authority, on blanks furnished by the department or municipal inspection department In such application the applicant for inspection shall agree to comply with the provisions of this article and to maintain said establishment in a clean and sanitary manner. Upon receipt of said application, the director or local health authority shall make an inspection of said establishment and if found clean and sanitary, and properly equipped to conduct its business in accordance with the rules and regulations of the department, the director or local health authority shall inaugurate an inspection service therein, and shall give to such establishment an official number, to be used to mark the meat and meat food products of this establishment as provided in this section Such establishment shall thereafter be known as "official establishment No. _____" and shall pay for such inspection service a fee in the amount designated by the director or the municipal inspection department having jurisdiction Such fee paid by any establishment under State inspection shall not exceed a sum equal to the total salaries and premiums on account of workmen's compensation insurance made to or on the account of all the inspectors in such establishment Such fees as are payable to the department shall be credited to the Department of Agriculture fund, and used to pay salaries and premiums on account of workmen's compensation insurance of inspectors All such fees shall be paid monthly in advance Each establishment under State inspection shall deposit with the director one half of the amount of one month's inspection fee to be held in trust by the director to be applied on any fees due the State in the event the establishment discontinues inspection In lieu of cash an establishment may file a bond satisfactory to the director in a like amount."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 160—An act to add a new section to the "California Vehicle Act," approved May 30, 1923, as amended, to be numbered section 159¼ providing for expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fund for or in connection with bonds issued for or the proceeds of which are used in connection with parks

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 162—An act to amend an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distil-

lates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, as amended, by adding a new section thereto to be numbered 13½, to provide for the uses and purposes to which the funds derived under said act may be used.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 163—An act to add a new section to the Vehicle Code, to be numbered 780.5, relating to expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fund for or in connection with bonds issued or the proceeds thereof used in connection with parks.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 840—An act making an appropriation to pay the claim of ------ against the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after "of" insert the following "P J. Angeloni".

AMENDMENT NUMBER TWO

Strike out lines 1 to 5, inclusive, of the printed bill, and insert in lieu thereof the following:

"SECTION 1. Out of any money in the motor vehicle fuel fund the sum of two hundred seven and 66/100 dollars is hereby appropriated to pay the claim of P. J. Angeloni of San Luis Obispo against the State of California."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 846—An act appropriating money to pay the claim of Shella Buckland against the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the words and figures "one thousand dollars ($1,000)", and insert in lieu thereof the words and figures "two hundred dollars ($200)".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1051—An act appropriating money to pay the claim of William F. Kaliher against the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the words "two thousand seven hundred fifty", and insert in lieu thereof the words "one thousand", and in line 2 thereof, strike out the figures "$2,750", and insert in lieu thereof the figures "$1,000".

AMENDMENT NUMBER TWO

On page 1, line 7, of the printed bill, strike out the words "two thousand seven hundred fifty", and insert in lieu thereof the words "one thousand", and in line 8 thereof, strike out the figures "$2,750", and insert in lieu thereof the figures "$1,000".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2423—An act to amend section 6 of the Orange County Flood Control Act, relating to bond elections.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2364—An act making an appropriation to pay the claim of Effie Porter against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2404—An act to amend sections 1, 2, 3, 4, 13, 23 and 26 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," and to add thereto a new section to be numbered 4a, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1631—An act to amend sections numbered 990, 991, 992, and 993, of Article I, Chapter V, Part II, Division IV, of the Fish and Game Code of the State of California, relating to commercial fishing regulations and commercial fishing licenses.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 1065 of the Fish and Game Code, relating to commercial fishing regulations"

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 12, inclusive, and insert in lieu thereof the following:

"SECTION 1 Section 1065 of the Fish and Game Code is hereby amended to read as follows:

1065 Sardines may be taken for use in a reduction plant or by a packer only in accordance with the provisions of this article, as follows: In districts 4½, 18, 19, 20, 20a and 21 between November 1st and March 31st; elsewhere in the State between July 1st and February 15th. This section does not prohibit the taking of sardines for the purpose of packing in cans commonly known as "quarter pound" or "square" cans less than one-half pound in net weight"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Messrs. McCarthy, King, Jones, O'Connor, Boyle, Sullivan, Dempster, Powers, Hunt and Peterson: Assembly Constitutional Amendment No 120—Proposed amendment to Article XVI adding section 10 of the Constitution, relative to execution, issuance, use, redemption and cancellation of unemployment bonds for various public purposes and for the relief of unemployment, destitution and economic distress.

Introduced, and referred to Committee on Constitutional Amendments.

UNFINISHED BUSINESS.

MOTION TO RECONSIDER.

Mr O'Connor moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 2363 was refused passage be continued until the next legislative day.

Motion carried.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Evans moved that the vote whereby Assembly Bill No 2366 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Frazier, Greene, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—56.

NOES—Bowers, Feigenbaum, O'Connor and Patterson—4.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED SIXTY-SIX

Assembly Bill No. 2366—An act to amend sections 5.650, 5.653 and 5.661 of the School Code, relating to permanent employees.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Evans:

AMENDMENT NUMBER ONE

On page 1, line 7, of the printed bill, as amended May 2, 1933, after the words "Statutes of 1919", strike out the comma, and add the following: "or which may hereafter be amended,".

AMENDMENT NUMBER TWO

On page 1, line 14, of the printed bill, as amended May 2, 1933, after the words "Statutes of 1919", strike out the comma, and add the following: "or which may hereafter be amended,".

AMENDMENT NUMBER THREE.

On page 1, line 25, of the printed bill, as amended May 2, 1933, after the words "Statutes of 1919", strike out the comma, and add the following: "or which may hereafter be amended,".

AMENDMENT NUMBER FOUR

On page 2, line 6, of the printed bill, as amended May 2, 1933, after the words "Statutes of 1919", strike out the comma, and add the following: "or which may hereafter be amended,".

AMENDMENT NUMBER FIVE.

On page 2, line 25, of the printed bill, as amended May 2, 1933, after the words "Statutes of 1919", strike out the comma, and add the following: "or which may hereafter be amended,".

AMENDMENT NUMBER SIX.

On page 2, line 31, of the printed bill, as amended May 2, 1933, after the words "Statutes of 1919", strike out the comma, and add the following: "or which may hereafter be amended,".

AMENDMENT NUMBER SEVEN.

On page 1, line 11, of the printed bill, as amended May 2, 1933, strike out the words "participation in any meeting of".

AMENDMENT NUMBER EIGHT.

On page 2, line 3, of the printed bill, as amended May 2, 1933, strike out the words "participation in any meeting of".

AMENDMENT NUMBER NINE.

On page 2, lines 28 and 29, of the printed bill, as amended May 2, 1933, strike out the words "participation in any meeting of".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 85—Proposed amendment to Article XI, section 5 of the Constitution, relative to the compensation, election and appointment of county officers.

Assembly Constitutional Amendment No. 85 read.

The question being on the adoption of Assembly Constitutional Amendment No. 85.

The roll was called, and Assembly Constitutional Amendment No. 85 adopted by the following vote:

AYES—Anglin, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Feigenbaum, Field, Frazier, Greene, Grubbs, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Roberts, Robinson, C. Ray; Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—60

NOES—Alter, Hunt, Riley and Staunard—4.

Title read and approved.

Assembly Constitutional Amendment No. 85 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 85.

A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 5 of Article XI thereof, relating to the compensation, election and appointment of county officers.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its fiftieth regular session, commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of said State be amended by amending section 5 of Article XI thereof to read as follows

SEC. 5. The Legislature, by general and uniform laws, shall provide for the election or appointment, in the several counties, of boards of supervisors, sheriffs, county clerks, district attorneys, and such other county, township, and municipal officers as public convenience may require, and shall prescribe their duties and fix their terms of office. It shall regulate the compensation of all members of boards of supervisors, in proportion to duties, and may also establish fees to be charged and collected by county and township officers for services performed in their respective offices, in the manner and for the uses provided by law, and for these purposes may classify the counties by population; and it shall provide for the strict accountability of county and township officers for all fees which may be collected by them, and for all public and municipal moneys which may be paid to them, or officially come into their possession. It may regulate the compensation of grand and trial

jurors in all courts within the classes of counties herein permitted to be made. Prior to the time when the respective county or township officers are appointed or elected, the boards of supervisors in the several counties shall regulate and fix the compensation of such officers, and may reduce but may not increase such compensation during the term of office of the officer.

Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding two new sections to Article XIII thereof, to be numbered 11 and 12, relating to limitation of tax rates.

Assembly Constitutional Amendment No. 46 read.

COMMITTEE AMENDMENTS.

During reading of Assembly Constitutional Amendment No. 46, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed measure, strike out "one-half", and insert in lieu thereof the following: "sixty-five hundredths".

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed measure, strike out "two-thirds".

AMENDMENT NUMBER THREE.

On page 1, line 25, of the printed measure, strike out "one-half", and insert in lieu thereof the following: "sixty-five hundredths".

Amendments adopted.

Assembly Constitutional Amendment No. 46 ordered to reprint, engrossment, and on file for adoption.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1229—An act to amend sections 5.400, 5.420, 5.500, 5.503, 5.510, 5.520, 5.521, 5.650, 5.651, 5.652, 5.653, 5.654, 5.655, 5.657, 5.658, 5.660, 5.662, 5.663, 5.664, 5.681, 5.691, and 5.710, and repealing sections 5.404, 5.504 and 5.682, and adding new sections to be numbered 5.505, 5.506, 5.507, 5.666 and 5.711½ of the School Code of the State of California, relating to the employment, classification, dismissal and suspension of employees requiring certification qualifications.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 8 of the printed bill, as amended, strike out lines 29 to 32, inclusive, and insert in lieu thereof the following: "vided, however, that the provisions of this section shall not apply in any city, or city and county, where the provisions of a charter concerning employees provide otherwise, and that any employee dismissed under this section shall be entitled to receive that fraction of maximum teachers' retirement salary as his years of service is of thirty years if said employee has served not less than twenty-five years the last ten of which must have been in California; provided further, that nothing in this part shall be construed as modifying or nullifying the tenure provisions affecting its evening school employees, as now contained in the charter of any city or city and county."

AMENDMENT NUMBER TWO.

On page 8, line 37, of the printed bill, as amended, strike out "Provided", and insert in lieu thereof the following: "Anything in this section notwithstanding, no employee shall be permitted to have permanency in both a day and an evening school at the same time."

AMENDMENT NUMBER THREE.

On page 8 of the printed bill, as amended, strike out lines 40 to 46, inclusive, and insert in lieu thereof the following:

"5.503. A probationary employee who in any one school year has actually served in regular day school work for at least four hours a day for not less than eighty per cent of the number of days the regular day schools of the district in which such

employee is employed are maintained, shall be deemed to have served a complete school year, provided, however, that in kindergarten schools such service shall be for at least two hours a day."

AMENDMENT NUMBER FOUR.

On page 8, line 50 of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "boards".

AMENDMENT NUMBER FOUR-A.

On page 8, lines 50 and 51, of the printed bill, as amended, strike out "and it shall be their duty".

AMENDMENT NUMBER FIVE.

On page 8, line 52, of the printed bill, as amended, strike out "as in their judgment", and insert in lieu thereof the following: ", provided that".

AMENDMENT NUMBER SIX.

On page 9 of the printed bill, as amended, strike out lines 6 to 9, inclusive, and insert in lieu thereof the following:

"5 506 Upon the effective date of this act, the permanent tenure or status of every employee who shall have attained such tenure or status other than by service in the regular day schools of any district as now required by the provisions of this part shall immediately cease and be terminated; provided, that nothing in this section shall be construed as modifying or nullifying the tenure provisions affecting its evening school employees, as now contained in the charter of any city or city and county."

AMENDMENT NUMBER SEVEN.

On page 9, line 13, of the printed bill, as amended, strike out "four-fifths", and insert in lieu thereof the following "two-thirds".

AMENDMENT NUMBER EIGHT.

On page 9, line 16, of the printed bill, as amended, strike out "1935", and insert in lieu thereof the following: "1934".

AMENDMENT NUMBER NINE

On page 9, line 17, of the printed bill, as amended, following "immediately", insert the following: "prior to June 30, 1932, and service performed immediately".

AMENDMENT NUMBER TEN.

On page 9, line 18, of the printed bill, as amended, strike out "1935", and insert in lieu thereof the following: "1934".

AMENDMENT NUMBER ELEVEN.

On page 9, line 28, of the printed bill, as amended, after "manent", insert a comma

AMENDMENT NUMBER TWELVE.

On page 9 of the printed bill, as amended, following the period in line 38, insert the following: "Every such employee of a school district who, after having been so employed by the district for three complete consecutive school years in a position, or positions, requiring certification qualifications, is employed during the next succeeding school year in a position requiring certification qualifications, shall, at the commencement of said succeeding school year be classified as and shall become a permanent employee of the district"

AMENDMENT NUMBER THIRTEEN.

On page 10, line 6, of the printed bill, as amended, strike out "or by other lawful authority".

AMENDMENT NUMBER FOURTEEN.

On page 10, line 18, of the printed bill, as amended, strike out "four-fifths", and insert in lieu thereof the following: "two-thirds"

AMENDMENT NUMBER FIFTEEN.

On page 10, lines 26 and 27, of the printed bill, as amended, strike out "and said dismissal shall be final and conclusive", and insert in lieu thereof the following "his dismissal shall be effective final and conclusive upon the expiration of said thirty days or at such other period beyond said thirty days as the board may designate"

AMENDMENT NUMBER SIXTEEN.

On page 10, line 42, of the printed bill, as amended, insert after "petency", a comma, and also insert a comma after "insanity", in said line.

AMENDMENT NUMBER SEVENTEEN.

On page 11, line 11, of the printed bill, as amended, strike out "of", as it appears for the first time in said line, and insert in lieu thereof the following: "after"

AMENDMENT NUMBER EIGHTEEN.

On page 11, line 28, of the printed bill, as amended, strike out "shall", and insert in lieu thereof the following: "may".

AMENDMENT NUMBER NINETEEN.

On page 12, line 2, of the printed bill, as amended, strike out "as follows: 1.".

AMENDMENT NUMBER NINETEEN-A.

On page 12, lines 26 and 27, of the printed bill, as amended, strike out the following: "Anything in this code to the contrary notwithstanding the", and insert in lieu thereof the following "The".

AMENDMENT NUMBER TWENTY.

On page 12 of the printed bill, as amended, strike out line 28, and insert in lieu thereof the following "power to provide in its rules for the discipline for good cause of probationary or permanent".

AMENDMENT NUMBER TWENTY-ONE.

On page 12, line 30, of the printed bill, as amended, after the period in said line, insert the following: "Should any employee be suspended under the provisions of this section such employee may if he so elect continue without pay in the actual performance of his duties during such period of suspension".

AMENDMENT NUMBER TWENTY-TWO.

On page 12, line 41, of the printed bill, as amended, after "address", insert the following "he"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO May 5, 1933.

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1265—An act to add a new section to the Code of Civil Procedure to be numbered 329, relating to the limitation of the time within which actions for the foreclosure of street improvement assessment liens against real property may be commenced, when the assessments are made payable in installments pursuant to bonds or other written obligations—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered replaced on daily calendar.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Constitutional Amendment No. 119—Proposed amendment to Article IV, adding section 25a of the Constitution, relative to the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof.

Assembly Constitutional Amendment No. 119 read.

The question being on the adoption of Assembly Constitutional Amendment No. 119.

The roll was called, and Assembly Constitutional Amendment No. 119 adopted by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Crist, Cronin, Crowley, Evans, Feigenbaum, Frazier, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Roberts, Robinson, C. Ray, Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Mr. Speaker—54.

NOES—Alter, Bowers, Brock, Chatters, Cottrell, Craig, Field, Greene, Hatch, Martin, Miller, Eleanor; Morgan, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Stream, Utt, Wright and Zion—21.

Title read and approved.

Assembly Constitutional Amendment No. 119 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 119.

A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article IV thereof a new section to be numbered 25a, relating to the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof

Resolved by the Assembly the Senate concurring, That the Legislature of the State of California at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting in favor thereof, hereby proposes to the people of the State of California, that the Constitution of said State be amended by adding to Article IV a new section to be numbered 25a, and to read as follows

Sec. 25a. The Legislature may provide for the regulation of horse races and horse race meetings and wagering on the results thereof. The provisions of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof, to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," are hereby confirmed, ratified, and declared to be fully and completely effective, provided, that said act may at any time be amended or repealed by the Legislature

Assembly Bill No. 1249—An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act.

Bill read third time.

The question being on the passage of the bill

The roll was called and Assembly Bill No. 1249 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Crowley, Feigenbaum, Field, Frazier, Greene, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—65

NOES—Clowdsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 558—An act to amend section 3422 of the Civil Code, relating to injunctions.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Cronin:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, after "engaging", insert the following: "for profit or a consideration".

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 559—An act to amend section 526 of the Code of Civil Procedure, relating to injunctions.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Cronin:

AMENDMENT NUMBER ONE.

On page 1, line 27, of the printed bill, after "engaging", insert the following: "for profit or a consideration".

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2111—An act to amend section 16 of an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, relating to disposition of fees and moneys.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. McCarthy moved that Assembly Bill No. 2111 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 2111 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 2111 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 2394—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violation of this act and repealing all acts inconsistent with the provisions of this act

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Bliss:

AMENDMENT NUMBER ONE.

On page 3, line 22, of the printed bill, as amended, strike out the words "begin to".

AMENDMENT NUMBER TWO.

On page 3, line 28, of the printed bill, as amended, strike out the word "such", and in lieu thereof add the word "additional".

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, as amended, strike out lines 31 to 49, both inclusive, and in lieu thereof insert the following: "A permit or certificate shall be granted to any person, firm or corporation operating on May 1, 1933, or within one year prior thereto, as a common carrier of property for compensation or hire by motor vehicle but not operating over regular routes or between fixed termini on a fixed and regular schedule between the same points of origin and destination, both of which points are served by any certificated highway carrier; provided he or it shall file with the commission within ninety days after the effective date of this act a verified statement of the exact nature and extent of his or its operations; but no such person, firm or corporation shall hereafter extend such operations without such authorization of the commission as may be required by the character of the proposed operations".

AMENDMENT NUMBER FOUR.

On page 5, line 30, of the printed bill, as amended, strike out the period after the word "prescribe", and insert in lieu thereof the following: "which shall designate the class of carrier to which it applies".

AMENDMENT NUMBER FIVE.

On page 6, line 19, of the printed bill, as amended, after the word "route", strike out the semicolon, and insert in lieu thereof a period, and add the following: "In establishing the minimum rates for highway carriers the commission shall not establish such minimum rates as will destroy a reasonably competitive relationship between the rates of said highway carriers and the rates of all carriers on file with the commission under the provisions of this or any other statute for a substantially similar service in the same territory and between the same points;".

AMENDMENT NUMBER SIX.

On page 6, line 21, of the printed bill, as amended, strike out the word "reasonable", and in lieu thereof add the word "compensatory".

AMENDMENT NUMBER SEVEN.

On page 6, line 22, of the printed bill, as amended, strike out the words "in estab-", and all of lines 23 to 29, both inclusive.

AMENDMENT NUMBER EIGHT.

On page 6 of the printed bill, as amended, strike out all of lines 30 to 52, both inclusive, and on page 7, strike out all of lines 1 to 3, both inclusive, and all of line 4, to and including the word "Commission", and insert in lieu thereof the letter "(b)".

AMENDMENT NUMBER NINE.

On page 9 of the printed bill, as amended, strike out all of lines 29 and 30.

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 712—An act to amend section 478 of the Agricultural Code, relating to standards for cream.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 712 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2069—An act to amend the act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2069 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2165—An act to amend sections 447 and 448 of the Code of Civil Procedure, relating to written instruments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2165 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1020—An act to amend section 594 of the Political Code, relating to kinds of insurance and insurance companies.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Hallner:

AMENDMENT NUMBER ONE.

On page 5, line 23, of the printed bill, strike out "three hundred", and insert in lieu thereof the following: "two hundred fifty".

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hallner asked for, and was granted, unanimous consent to take up Assembly Bill No. 1020 at this time without reference to printer or file, and that same be considered engrossed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1020 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1007—An act to amend section 7 of an act entitled "An act authorizing the establishing of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1007 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 880—An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities of the second and one-half class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 880 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hoffman Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Sullivan,

Thorp, Tournoux, Turner, Utt. West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. C. RAY ROBINSON IN THE CHAIR.

At eleven o'clock and forty-eight minutes p m., Hon. C Ray Robinson, member of the Assembly from the Thirty-third Assembly District, in the chair.

Assembly Bill No. 826—An act to amend sections 12 and 13 of the Direct Primary Law, relating to choice of party ballots at primary elections.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Knowland:

AMENDMENT NUMBER ONE.

On page 11 of the printed bill, as amended, strike out lines 9 to 15, inclusive.

AMENDMENT NUMBER TWO.

On page 11, line 38, of the printed bill, as amended, after "all", insert the following: "State,".

AMENDMENT NUMBER THREE

On page 11, line 40, of the printed bill, as amended, after the period insert the following: "The term "State office" as used herein means any and all State offices, except judicial or school offices, filled by election by the people and excludes the offices of United States Senator in Congress and Representative in Congress, and excludes also the position of member of county central committee. All State offices, as well as judicial, school, county and township offices, are nonpartisan."

AMENDMENT NUMBER FOUR.

On page 11, line 48, of the printed bill, as amended, after "Under", insert the following: "the heading "State" shall be printed all the names of candidates for State offices in the order of Governor, Lieutenant Governor, member of State Senate, member of State Assembly, Attorney General, Secretary of State, State Controller, State Treasurer, member of State Board of Equalization; under".

AMENDMENT NUMBER FIVE.

On page 12, line 19, of the printed bill, as amended, after "any", insert the following: "State,".

The question being on the adoption of the amendments.

MOTION.

Mr. Lyon moved that the amendments, offered by Mr. Knowland, be laid upon the table.

REQUEST FOR ROLL CALL.

On request of Messrs. Bliss, Crowley and Clowdsley, the Speaker ordered a roll call taken on the motion to lay on the table the amendments offered by Mr. Knowland.

The roll was called, and the motion to lay the amendments on the table lost by the following vote:

AYES—Alter, Badham, Bowers, Cobb, Craig, Evans, Field, Greene, Hallner, Hatch, Lyon, Martin, Redwine, Riley, Roberts, Robinson, Samuel E., Stannard, Stream, Utt, Woolwine, Wright and Mr Speaker—22

NOES—Anglim, Bliss, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Frazier, Grubbs, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Robin-

son, C. Ray; Rogers, Roland, Scudder, Sullivan, Thorp, Tournoux, Turner, West, Williamson and Zion—52.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and forty-nine minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The question being on the adoption of the amendments.

MOTION.

Mr. Phillips moved that the Assembly do now adjourn until the hour of ten o'clock and thirty minutes a.m., Saturday, May 6, 1933.

The question being on the motion to adjourn.

REQUEST FOR ROLL CALL.

On request of Messrs. Hornblower, Hunt and Crowley, the Speaker ordered a roll call taken on the motion to adjourn.

The roll was called, and the motion to adjourn lost by the following vote:

AYES—Alter, Badham, Bowers, Brock, Cobb, Cottrell, Craig, Crist, Evans, Field, Greene, Hallner, Hatch, Martin, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Stream, Utt, Wright and Mr. Speaker—24.

NOES—Anglim, Bliss, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cronin, Crowley, Feigenbaum, Frazier, Grubbs, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Powers, Robinson, C. Ray, Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson and Woolwine—48.

The question being on the adoption of the amendments.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Hoffman, O'Connor, Tournoux, Evans and Bliss demanded the previous question.

The question being: Shall the main question be now put?

Demand for previous question lost.

The question being on the adoption of the amendments by Mr. Knowland.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Hoffman, O'Connor, Tournoux, Evans and McMurray demanded the previous question.

MOTION TO ADJOURN.

Mr. Crist moved that the Assembly do now adjourn until the hour of ten o'clock and thirty minutes a.m., Saturday, May 6, 1933.

The question being on the motion to adjourn.

REQUEST FOR ROLL CALL.

On request of Messrs. Feigenbaum, Patterson and McMurray, the Speaker ordered a roll call taken on the motion to adjourn.

The roll was called, and the motion to adjourn lost by the following vote:

AYES—Cobb, Cottrell, Crist, Evans, Hallner, Lyon, Phillips, Redwine, Riley, Robinson, Samuel E., Sullivan and Mr. Speaker—12.

NOES—Alter, Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Cronin, Crowley, Feigenbaum, Field, Frazier, Greene, Grubbs, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson,

Powers, Rawls, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine and Wright—60.

The question before the Assembly being: Shall the main question be now put?

REQUEST FOR ROLL CALL.

On request of Messrs. Cronin, Feigenbaum and McMurray, the Speaker ordered a roll call taken on the demand for the previous question.

The roll was called, and the demand for the previous question was sustained by the following vote:

AYES—Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Feigenbaum, Frazier, Grubbs, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Williamson and Zion—50.

NOES—Alter, Cobb, Craig, Crist, Evans, Field, Greene, Hallner, Lyon, Martin, Morgan, Phillips, Powers, Redwine, Robinson, C. Ray; Robinson, Samuel E., Stream, Utt, West, Woolwine, Wright and Mr. Speaker—22.

The question being on the adoption of the amendments offered by Mr. Knowland.

REQUEST FOR ROLL CALL.

On request of Messrs Cobb, Jones and Hoffman, the Speaker ordered a roll call taken on the adoption of the amendments offered by Mr. Knowland.

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

AYES—Alter, Bliss, Bowers, Chatters, Cobb, Cottrell, Crist, Evans, Field, Greene, Hallner, Hatch, Kallam, Knowland, Lyon, Martin, McBride, Morgan, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Scudder, Stannard, Stream, Thorp, Turner, Utt, Woolwine, Wright and Mr. Speaker—34

NOES—Anglim, Boyle, Burns, Callahan, Cassidy, Clowdsley, Craig, Cronin, Crowley, Feigenbaum, Frazier, Grubbs, Hoffman, Hornblower, Hunt, Jones, King, Levey, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Rogers, Roland, Sullivan, Tournoux, West, Williamson and Zion—39.

The question being on the passage of the bill.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Feigenbaum, Cronin, McMurray, Powers and Patterson demanded the previous question.

The question being: Shall the main question be now put?

MOTION TO ADJOURN.

Mr. Field moved that the Assembly do now adjourn until the hour of eleven o'clock a.m., Saturday, May 6, 1933.

REQUEST FOR ROLL CALL.

On request of Messrs. O'Connor, Boyle and Cobb, the Speaker ordered a roll call taken on the motion to adjourn.

The roll was called.

CALL OF THE HOUSE

Pending the announcement of the vote, Mr. Craig moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Feigenbaum, West and Clowdsley, the Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion for a call of the House lost by the following vote:

AYES—Alter, Bowers, Callahan, Chatters, Cobb, Cottrell, Craig, Crist, Evans, Field, Greene, Hallner, Hatch, Knowland, Lyon, Martin, McBride, Miller, Eleanor; Morgan, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Scudder, Stannard, Stream, Thorp, Turner, Utt, Woolwine, Wright and Mr. Speaker—35.

NOES—Anglim, Bliss, Boyle, Burns, Cassidy, Clowdsley, Cronin, Crowley, Feigenbaum, Frazier, Grubbs, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Levey, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rogers, Roland, Sullivan, Tournoux, West, Williamson and Zion—37.

The question being on the motion to adjourn.

The roll of absentees was called, and the motion to adjourn, by Mr. Field, lost by the following vote:

AYES—Bowers, Cobb, Cottrell, Crist, Evans, Field, Greene, Hallner, Hatch, Lyon, Phillips, Riley, Robinson, Samuel E., Scudder, Stannard, Stream, Thorp, Wright and Mr. Speaker—20

NOES—Alter, Anglim, Bliss, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Cronin, Crowley, Feigenbaum, Frazier, Grubbs, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Rogers, Roland, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine and Zion—32.

RULING BY THE SPEAKER.

The Speaker ruled that the previous question raised by Mr. Feigenbaum was out of order, as amendments to Assembly Bill No. 826 were at the desk previous to the time Mr. Feigenbaum demanded the previous question.

FURTHER AMENDMENTS TO ASSEMBLY BILL NUMBER EIGHT HUNDRED TWENTY-SIX.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Cobb:

AMENDMENT NUMBER ONE

Strike out the title and all of the printed bill, as amended May 4, 1933, and insert the following:

"An act to amend sections 1, 5, 7, 10, 12, 13, 24, and 25 of the Direct Primary Law, approved June 16, 1913, as amended, relating to primary elections, providing for party conventions in the State and various political units thereof, and the powers and duties of the same, for the choosing of delegates to such conventions, method of choosing members of the party county central committee and State central committee and the powers and duties of the same.

The people of the State of California do enact as follows:

SECTION 1. Section 1 of the act cited in the title hereof is amended to read as follows:

Section 1. Words and phrases where used in this act shall, unless such construction be inconsistent with the context, be construed as follows:

1. The words "primary election," any and every primary nominating election provided for by this act.

2. The words "August primary election," the primary election held in August to nominate candidates to be voted for at the ensuing November election.

3. The words "May presidential primary election," any such primary election, held in May of each year of the general November election at which electors of President and Vice President of the United States are to be chosen, as shall provide for the indication of preference in the several political parties for party candidates for President of the United States through the election of delegates to national party conventions.

4. The word "election," a general State, county, city or city and county election as distinguished from a primary election, a recall election, or special election.

5. The words "November election," either the presidential election, or the general State, county, or city and county election held in November of each even numbered year

6. The words "judicial officer," any justice of the Supreme Court, justice of a District Court of Appeal, judge of the superior court, justice of the peace, or justice of such inferior court as the Legislature may establish in any county, township, incorporated city or town, or city and county; and the words "judicial office," the office filled by any of the above judicial officers

7. The words "school officer," the Superintendent of Public Instruction and the superintendent of schools of a county or city and county; and the words "school office," the office filled by any of the above school officers.

8. The words "county officer," any officer elected within the boundaries of any county or city and county except a member of the State Board of Equalization, judge of the superior court, justice of the peace, member of the State Senate or Assembly or a member of the House of Representatives of the Congress of the United States, and the words, "county office," the office filled by any county officer. The words "township officer," any such county officer as is elected within the boundaries of any judicial township that is now or may be hereafter provided by law; and the words "township office," the office filled by any township officer

9. The word or words "political party," "party," "political organization," or "organization," a political party or organization of electors which has qualified, as hereinafter provided, for participation in any primary election; and such party or organization shall be deemed to have so qualified when one or both of the following conditions have been complied with:

(a) If at the last preceding November election at which a governor was elected there was polled for any one of its candidates who was the candidate of such party only for any office voted on throughout the State, at least three per cent of the entire vote of the State, or for any one of its candidates who was the joint candidate of such party and any other party for any office voted on throughout the State, at least six per cent of the entire vote of the State; or

(b) If on or before a day which shall be the seventy-fifth day before any primary election it shall appear to the Secretary of State as a result of examining and totaling the statement of registered electors and their political affiliations transmitted to him by the county clerks as required by section 4 of this act that registered electors, equal in number to at least one per cent of the entire vote of the State at the last preceding November election at which a Governor was elected, have declared their intention to affiliate with such political party or organization; or

(c) If on or before a date which shall be the seventy-fifth day before any primary election there shall be filed with the Secretary of State a petition signed by registered qualified electors of the State, equal in number to at least one per cent of the entire vote of the State at the last preceding November election at which a Governor was elected, declaring that they represent a political party or organization, the name of which shall be stated therein, which party said electors desire to have participate in such primary election; such petition shall be circulated, signed, verified and the signatures of the registered electors thereon shall be certified to and transmitted to the Secretary of State by the county clerks substantially as provided by the Constitution and the Political Code for initiative petitions, provided, that each page of said petition shall bear a caption in eighteen point black face type, which caption shall be the name of the party or organization followed by the words "Petition to participate in the primary election"; provided, further, that no electors or organizations of electors shall assume a party name or designation which shall be so similar to the name of an existing party or organization as to mislead voters.

This statute shall be liberally construed, so that the real will of the electors shall not be defeated by any informality or failure to comply with all the provisions of this law.

In each county and city and county in this State, having a registrar of voters or registrar of voters and a board of election commissioners, the powers conferred and the duties imposed in this statute upon a county clerk and his deputies, and other officers, in relation to matters of election and polling places, shall be exercised and performed by such registrar of voters or his deputies, or registrar of voters or his deputies and board of election commissioners, and all nominating papers, list of candidates, expenses, and oaths of office, required by this statute to be made to or filed with the county clerks, shall be made to or filed with the registrar of voters.

SEC. 2 Section 5 of said act is hereby amended to read as follows:

Sec. 5. (a) The name of no candidate shall be printed on the official ballot to be used at the August primary election, unless he shall be nominated by a party convention as herein provided for, or unless at least forty-five days and not more than seventy-five days prior to such primary election there shall be filed a declaration of his candidacy, by such candidate, or a declaration of candidacy by sponsors

on behalf of such candidate, and an acceptance of such candidacy by the candidate so proposed. The candidate may appoint verification deputies to serve within the county or city and county in which such deputies reside, in securing the signatures of sponsors to his nomination paper for nomination to the office for which he is a candidate, and the verification deputies thus appointed shall be recognized as the duly authorized verification deputies to secure the signatures of sponsors to the nomination paper of such candidate in such county or city and county. The document in which such verification deputies are appointed as herein provided shall be filed with the county clerk or registrar of voters of the county or city and county in which such verification deputies reside, at or before the time the sponsor certificates of the candidate are left with the county clerk or registrar of voters for filing or for examination. Said document shall be in substantially the following forms:

I, the undersigned, a candidate for the _____ party nomination for the office of _____, which nomination is to be made by direct vote at a primary election to be held on the _____ day of August, 19___, do hereby appoint the following registered qualified electors of the county of _____, as verification deputies to obtain signatures of sponsors in said county to a nomination paper placing me in nomination as a candidate of said _____ party for the said office of _____.

Verification Deputies.

Name	Residence
_____	_____
_____	_____
_____	_____
_____	_____
etc.	etc.

(Signature) _____

(Residence) _____

Filed in the office of the county clerk (or registrar of voters) of the county of _____, this _____ day of _____, 19___.

In case it is desired to appoint additional verification deputies to secure signatures to the nomination paper of such candidate, one or more similar documents may be filed to supplement the first document. When the office for which the candidate is proposed is a nonpartisan office all reference to party candidacy shall be omitted.

In the event the said declaration of candidacy is made by sponsors, as herein provided, any five qualified electors of any county or city and county who are registered as intending to affiliate with the same political party may join in proposing a candidate for nomination, and in appointing verification deputies to serve within the county or city and county in which such deputies reside in securing the signatures of sponsors to the nomination paper of such candidate for such office. If the office is an office the candidate for which is to be voted on in more than one county, he may be proposed for nomination as herein provided by five registered qualified electors in each of the counties in which such electors may desire to circulate a nomination paper in his behalf. The document in which such verification deputies are appointed as herein provided shall be filed with the county clerk or registrar of voters of the county or city and county in which such verification deputies reside, at or before the time the declaration of candidacy by sponsors is left with the county clerk or registrar of voters for filing or examination.

In said document the five signers shall make affidavit that the candidate therein named for the office therein specified has given his consent to be thus proposed for nomination to such office; and shall also state that the verification deputies therein appointed are duly registered qualified electors of said county or city and county; and the verification deputies therein appointed shall be recognized as the duly authorized verification deputies to secure signatures to the nomination paper of such candidate in such county or city and county. Said document shall be substantially in the following form:

State of California, }
County of _____ } ss.

We, the undersigned, do solemnly swear (or affirm) that we are each qualified electors of the county of _____, State of California, and that we are each registered as intending to affiliate with the _____ party and we do hereby propose _____, who resides at No _____, _____ street in the city of (or in the town of) _____, county of _____, as a candidate for the nomination of such party for the office of _____, to be voted for at the primary election to be held on the _____ day of August, 19__, and we do solemnly swear (or affirm) that said _____ has consented to this proposal of his name as candidate for the nomination for said office. We hereby appoint the following registered qualified electors of this county as verification deputies to obtain signatures in this county to the declaration of candidacy by sponsors of said _____ to said office of _____.

Verification Deputies.

Name	Residence
_____	_____
_____ etc	_____ etc
(Signed)	
_____	_____
_____	_____
_____	_____

Subscribed and sworn to before me this _____ day of _____, 19__.

[SEAL] _____
Notary Public (or other official).

The declaration of such candidacy by such candidate shall be substantially as follows:

Declaration of Candidacy.

I hereby declare myself a _____ party candidate for nomination to the office of _____ to be voted for at the primary election to be held _____, 19__, and declare the following to be true:

My name is _____
My present residence is _____
My present occupation is _____
My present business address is _____
The name of my employer (if any) is _____
The address of my employer (if any) is _____
My occupation for the past three years has been as follows _____
_____
_____
The duration of my residence in California is _____ years
My address for the past five years has been as follows:
_____
_____
I am at present an incumbent of the following public office (if any): _____
_____
I have held the following public offices (if any): _____
_____ for _____ years
_____ for _____ years
I am registered as affiliated with the _____ party.
(The candidate may here insert, at his option, in not over fifty words, a statement of what he considers to be his special fitness, training or experience in the line of work which he will be called upon to perform in case of his election.)

If nominated, I will accept such nomination and not withdraw and will qualify as such officer if nominated and elected.

_____
Signature of Candidate.

State of California, } ss.
County of_____ }

Subscribed and sworn to before me this _____ day of _____, 19___.

_____
Notary Public (or other official).

Examined and certified by me this _____ day of _____, 19___.

_____
Registrar of Voters—County Clerk

In the event the said declaration of candidacy is made by sponsors, as herein provided, each such declaration of candidacy shall be substantially as follows

Declaration of Candidacy by Sponsors

I, the undersigned, do solemnly swear (or affirm) that I am a qualified elector of the County of _____ State of California, and that I am registered affiliated with the _____ party, and I do hereby sponsor, propose and nominate _____ who resides at No _____ street in city of (or in the town of) _____ county of _____ State of California, as a party candidate for the nomination of such party for the office of _____, to be voted for at the primary election to be held on the _____ day of _____, 19___, and I hereby assert as follows:

My knowledge of the said _____ is sufficient to warrant my urging his election to the office of _____ and in my opinion he is fully qualified mentally, morally and physically for the said office and should be elected to fill it. I am not at this time a signer of any other declaration of candidacy, nominating, proposing or sponsoring any other candidate for the above named office, or in case there are several places to be filled in the above named office, I have not signed more declarations of candidacies than there are places to be filled in the above named office. My residence and occupation are correctly set forth after my signature hereto:

Name	Residence	Occupation
_____	_____	_____
_____	_____	_____

Verification Deputy's Affidavit.

I, _____ solemnly swear (or affirm) that I have been appointed according to the provisions of subdivision (a), section 5 of the Direct Primary Law, as a verification deputy to secure signatures of sponsors in the county of _____ to the nomination paper of _____ as a candidate for the nomination of the _____ party for the office of _____; that all the signatures on this section of said nomination paper, were made in my presence, and that, to the best of my knowledge and belief, each of said signatures is the genuine signature of the person whose name it purports to be.

(Signed) _____
Verification Deputy.

Subscribed and sworn to before me this _____ day of _____, 19___.
[SEAL]
_____
Notary Public (or other official).

Examined and certified by me this _____ day of _____, 19___.

_____
Registrar of Voters—County Clerk.

Such declaration or declarations of candidacy by sponsors shall contain, in the aggregate, the same number of signatures as required by subdivision (d) hereof, and no further signatures shall be necessary or required to place such candidate so proposed on the official primary ballot.

Such candidate so nominated or proposed by said sponsors shall, if he accepts such nomination, file with the proper officials and within the time provided by law, an affidavit of acceptance, which affidavit shall be substantially as follows.

Declaration of Acceptance of Nomination.

I hereby accept the nomination as proposed by a certain declaration of candidacy by sponsors, as a candidate of the _____ party for nomination to the office of _____, to be voted for at the primary election to be held _____, 19___, and declare the following to be true:

My name is _____
My present residence is _____
My present occupation is _____
My present business address is _____
The name of my employer (if any) is _____
The address of my employer (if any) is _____
My occupation for the past three years has been as follows: _____
_____
_____
The duration of my residence in California is ____ years.
My address for the past five years has been as follows:
_____
_____
I am at present an incumbent of the following public office (if any): _____ I have held the following public offices (if any): _____ for _____ years, _____ for _____ years. I am registered as affiliated with the _____ party.

(The candidate may here insert, at his option, in not over fifty words, a statement of what he considers to be his special fitness, training or experience in the line of work which he will be called upon to perform in case of his election.)_____

If nominated I will accept such nomination and will qualify as such officer if nominated and elected.

_____
Signature of Candidate.

State of California, }
County of _____ } ss.

Subscribed and sworn to before me this _____ day of _____, 19___.

_____
Notary Public (or other official).

(b) The declaration shall be subscribed and sworn to before some officer authorized to administer oaths, and thereupon at least sixty-five days before the August primary election shall be delivered to the county clerk or registrar of voters in the county in which the candidate resides. Such clerk or registrar of voters shall forthwith certify and transmit to the Secretary of State the declaration of candidacy and acceptance as herein provided, for each candidate for State officers, United States Senators, Representatives in Congress, members of the State Senate and Assembly, delegates to State conventions from hold-over senatorial districts, and all officers to be voted for in districts comprising more than one county.

(c) A candidate for a nonpartisan office shall omit all reference to party candidacy or party affiliations from said declaration.

(d) Said declaration shall be signed, certified and filed as provided in this section, and at least sixty-five days before said primary election, the candidate shall cause to be filed sponsor certificates herein provided for, of not less than sixty-five nor

more than one hundred sponsors if the candidate is a candidate for a State office or for United States Senator, and not less than forty nor more than sixty if the candidacy is for Representative in Congress, member of the Board of Equalization, or for any office voted for in more than one county, and not state-wide, except for the State Senate or for the Assembly, and not less than twenty nor more than thirty if the candidacy is for the State Senate or for the Assembly, or a candidacy in a single county or any political subdivision thereof. In the case of every candidate to be voted for at the primary election for whom the number of sponsor certificates is not above provided, the number shall be not less than ten nor more than twenty; provided, that if any political party has less than fifty registered voters in the State or in the county or district in which the election is to be held, a candidate for nomination by such party need more sponsors than one-tenth the number of said registered voters of said party; provided, further, that if there are less than one hundred fifty registered voters in the county or district in which the election is to be held, the number of sponsors shall not be less than ten nor more than twenty.

Sponsors must be electors and qualified to vote at the ensuing primary election in the district or political subdivision in which the candidate is to be voted on, and shall be affiliated with the party, if any, in which the nomination is proposed.

(e) Sponsor certificates and declarations of candidacy by sponsors shall be delivered to the county clerk or registrar of voters of the county in which the sponsor resides and is a registered voter and the county clerk or registrar of voters shall not accept for filing any declaration or sponsor certificate unless all blanks therein are filled. The county clerk or registrar of voters shall forthwith file said certificates in his office or forward the same for filing as provided in this act.

The county clerk or registrar of voters before filing or forwarding for filing any declaration or sponsor certificate shall verify the signature on each declaration and certificate and the political affiliation set forth therein with the registration affidavits on file in his office and mark "not sufficient" any signature, in any declaration or certificate which does not appear in the same handwriting as appears on the affidavit of registration in his office or in which the declaration of party affiliation is not in accordance with the declaration of party affiliation in such affidavit of registration. No more sponsors shall be secured for any candidate than the maximum number required in subdivision (d) of this section; provided, that if, through miscalculation or otherwise, more sponsors are secured than said maximum number, the officer with whom said sponsor's certificates are filed, shall with the written consent of the candidate withdraw such excess number. No fee or charge whatsoever shall be made or collected by any officer for the verifying or any declaration of candidacy, sponsors' certificates, declaration of acceptances or verification affidavit

(f) Sponsors for candidates for nonpartisan offices shall omit all reference to party candidacy or affiliations from their declarations and certificates.

(g) All sponsor certificates which by section 6 of this act are required to be filed in the office of the Secretary of State shall be delivered to the county clerk or registrar of voters as provided herein at least forty-five days prior to the August primary election and within five days after being so left such certificates shall be forwarded by such county clerk or registrar of voters to the Secretary of State, who shall receive and file the same The county clerk or registrar of voters shall forward with said sponsors' certificates a statement showing the total number which have not been marked "not sufficient," as hereinabove provided, and shall include therewith a typewritten list of the sponsors not marked "not sufficient," their addresses and occupations, and shall file a copy of such statement and list in his office

All sponsor certificates which are not required by this act to be filed in the office of the Secretary of State shall be filed in the office of the county clerk or registrar of voters. All sponsor certificates shall be so arranged, by pluralizing of pronouns and otherwise, as to admit of the signatures of not exceeding thirty sponsors on the same sponsors' certificates.

Sponsors, other than those who shall sign declarations of candidacy by sponsors, shall certify to the qualification of the candidate as follows:

Sponsor's Certificate.

I, the undersigned sponsor for _____ for the _____ party nomination to the office of _____, to be voted for at the primary election to be held on the _____ day of _____, 19__, hereby assert as follows:

My knowledge of the said _____ is sufficient to warrant my urging his election to the office of _____ and in my opinion he is fully qualified mentally, morally and physically for the said office and should be elected to fill it. I am a qualified elector of _____ county and I am registered as affiliated with the _____ party and am not at this time a signer of any other certificate nominating any other candidate for the above-named office, or in case there are several places to be filled in the above-named office, I have not signed more certificates than there are places to be filled in the above named office. My residence and occupation are correctly set forth after my signature hereto.

Name	Residence	Occupation
_____	_____	_____
_____	_____	_____

Verification Deputy's Affidavit.

I, _____ solemnly swear (or affirm) that I have been appointed according to the provisions of subdivision (a), section 5 of the Direct Primary Law, as a verification deputy to secure signatures of sponsors in the county of _____ to the nomination paper of _____ as a candidate for the nomination of the _____ party for the office of _____, that all the signatures on this section of said nomination paper, were made in my presence, and that, to the best of my knowledge and belief, each of said signatures is the genuine signature of the person whose name it purports to be.

(Signed)_____
Verification Deputy

Subscribed and sworn to before me this _____ day of _____, 19__

_____
[SEAL] Notary Public (or other official)

Examined and certified by me this _____ day of _____, 19__.

_____
Registrar of Voters—County Clerk.

(h) No defect in any declaration or sponsor certificate presented shall prevent the filing of another declaration or sponsor certificate which is presented within the period allowed for presenting the declaration or sponsor certificate

(i) The Secretary of State, county clerk or registrar of voters shall preserve in his office, for a period of four years, all declarations and sponsors' certificates filed in accordance with this section.

(j) Each signer of a sponsor certificate must be a qualified elector, must not at the time of signing a certificate have his name signed to any other certificate for any other candidate for the same office, or, in case there are several places to be filled in the same office signed to more certificates for candidates for that office than there are places to be filled for such office

(k) The Secretary of State before any primary election shall cause to be printed in pamphlet form a copy of all declarations of candidates received by him, said declarations to be followed by the names, addresses, and occupations of all sponsors, including the name of every person who has been nominated by a party convention as in this act provided, together with the declaration of said candidate and a statement that he has been nominated by the party convention, giving the name of the party as "Republican," "Democratic," etc.

SEC 3. Section 7 of said act is hereby amended to read as follows:

Sec. 7 A filing fee of two per cent of the first year salary shall be paid to the Secretary of State by each candidate for State office or for the United States Senate, except as otherwise provided in this section.

2 A filing fee of one per cent of the first year salary shall be paid to the Secretary of State by each candidate for Representatives in Congress or for any office except member of State Senate and Assembly, to be voted for in any district comprising more than one county.

3. A filing fee of twenty dollars shall be paid to the Secretary of State by each candidate for the State Senate or Assembly.

4. A filing fee of ten dollars, except as in subdivision 5 below shall be paid to the county clerk or registrar of voters in any county or city and county when the declaration of any candidate to be voted for wholly within one county or city and county is filed with such county clerk or registrar of voters

5. No filing fee shall be required from any person to be voted for at the May Presidential primary election, or from any candidate for an office to the holder of which no fixed compensation is required to be paid, or for township offices the compensation to the holder of which does not exceed the sum of six hundred dollars per annum.

6. In no case shall the Secretary of State, county clerk or registrar of voters, receive any declaration for filing until the requisite fee for such filing, as prescribed in this section, has first been paid to him.

7 When a person for whom a declaration has not been filed is nominated for an office by having his name written on a primary election ballot, he must pay the same filing fee that would have been required if his declaration had been filed, otherwise his name must not be printed on the ballot at the ensuing general election.

8 When a candidate for nomination to office is proposed for nomination by more than one political party, he must pay a separate filing fee for each party in which he is proposed for nomination; or, if, having filed a declaration for one party, he is

nominated by another party by having his name written on a primary election ballot, he must pay the same filing fee for such other party nomination that would have been required if his declaration for such other party had been filed; otherwise his name shall not be printed on the general election ballot as the nominee of such other party.

9. No filing fee shall be required in connection with the nomination of any person who has been nominated by a party convention as in this act provided.

SEC. 4. Section 10 of said act is hereby amended to read as follows:

Sec. 10. At least thirty days before any August primary election preceding a November election the Secretary of State shall transmit to each county clerk or registrar of voters of any county or city and county, a certified list containing the name and post-office address of each person for whom nomination papers have been filed in the office of such Secretary of State, including the names of all persons who have been nominated by a party convention as in this act provided (stating the fact that they have been nominated by such party convention) and who is entitled to be voted for in such county at such primary election, together with a designation of the office for which such person is a candidate, and except in the case of a nonpartisan office of the party he represents. Such county clerk or registrar of voters shall forthwith, upon receipt thereof, publish under the proper party designation the title of each office (except a nonpartisan office) which appears upon the certified list transmitted by the Secretary of State as hereinbefore provided, together with the names and addresses of all persons for whom nomination papers have been filed for each of said officers in the office of the Secretary of State, and also the names of all candidates for the State Senate and Assembly when such candidates are to be voted for wholly within one county or city and county, filed in the office of the county clerk or registrar of voters. He shall also publish the title of each nonpartisan office, together with the names and addresses of all persons for whom nomination papers have been filed for each of said offices, either in the office of the Secretary of State or in the office of the county clerk or registrar of voters, and shall state that candidates for said judicial, school, county, and township offices may be voted for at the primary election, by any registered, qualified elector of the county, whether registered as intending to affiliate with any political party or not. He shall also publish the date of the primary election, the hours during which the polls will be open, and that the primary election will be held at the legally designated polling places in each precinct, which shall be particularly designated. It shall be the duty of the county clerk or registrar of voters in any city and county to cause such publication to be made once each week for two successive weeks prior to said primary election.

SEC. 5. Section 12 of said act is hereby amended to read as follows:

Ballots.

Sec. 12. 1. All voting at primary elections within the meaning of this act shall be by ballot. A separate official ballot for each political party shall be printed and provided for use at each voting precinct, but all such party ballots must be alike in the designation of candidates for judicial, school, county and township offices. The ballots must have a different tint or color for each of the political parties participating in the primary election. There shall also be printed and provided a nonpartisan ballot of a different tint and color from all the others (or white, if all the others are colored), which shall contain only, but in like manner, all the candidates for judicial, school, county, and township offices to be voted for at the primary election; and one of the nonpartisan ballots shall, at the primary election, be furnished to each registered qualified elector who is not registered as intending to affiliate with any one of the political parties participating in said primary election; but to any elector registered as intending to affiliate with any political party participating in the primary there shall be furnished, not a nonpartisan ballot, but a ballot of the political party with which said elector is registered as intending to affiliate.

It shall be the duty of the county clerk of each county or of the registrar of voters in any city and county to provide such printed official ballots to be used at any August primary election for the nomination of candidates to be voted for in such county or city and county at the ensuing November election and at any May presidential primary election. It shall be the duty of the city clerk or secretary of the legislative body of any municipality to provide such printed official ballots for any primary election other than the August primary election or the May presidential primary election. Such official ballots to be used at any primary election shall be printed on official paper, furnished by the Secretary of State, in the manner provided by section 1196 of the Political Code, and in the form hereinafter provided. The names of all candidates for the respective offices for whom the prescribed nomination papers have been duly filed, including the candidates who have been nominated by a party convention as in this act provided for, shall be printed thereon.

Immediately under the name of each candidate and not separated therefrom by any line may appear, at the option of the candidate, one of the following designations:

(a) Words designating the city, county, district or State office which the candidate holds

(b) If the candidate be a candidate for the same office which he then holds, the word "incumbent."

(c) The word designating the profession, vocation or occupation of the candidate. The profession, vocation or occupation so designated shall be the same as appears in the affidavit of registration of such candidate, provided, however, the word "incumbent" shall be used only under subsection (b) herein.

(d) After the name of any person who has been nominated by a party convention as in this act provided, the ballot shall state substantially as follows: "Nominated by the _____ (here insert party name and name of convention, as assembly district, congressional district, State, etc.) convention."

2. Official primary election ballots used at any primary election for the nomination of candidates to be voted for at any presidential or general State election, except as provided in subdivision 5 of this section, shall be as long as the herein prescribed captions, headings, party designations, directions to voters and lists of names of candidates, properly subdivided according to the several offices to be nominated for, may require; and no official primary election ballot shall be less than six and one-half inches wide.

3. Across the top of the ballot shall be printed in heavy-faced gothic capital type, not smaller than forty-eight point, the words: "Official primary election ballot"; providing, that on a nonpartisan ballot said words may be printed in gothic capital type not smaller than twenty-four point. Beneath this heading shall be printed in heavy-faced gothic capital type, not smaller than twenty-four point, the party designation if it be a party ballot; or, in the case of a ballot containing the names of no candidates except candidates for a judicial, school, county, or township office, the words "Nonpartisan ballot." Beneath the party designation or the words "Nonpartisan ballot" as the case may be, insert the respective number of the congressional, senatorial, or assembly district in which the ballot is to be voted, in black-faced type, as large as the width of the ballot shall make possible. In the case of official primary election ballots to be used at any primary election held for the nomination of candidates other than those to be voted for at a presidential or a general State election, and on which, in accordance with the provisions of this act, the names of candidates may be printed in a single column or in two parallel columns, as the case may be, the words "Official primary election ballot" shall be printed thereon in heavy-faced gothic capital type, not smaller than twenty-four point. The party or nonpartisan designation shall be printed in heavy-faced gothic capital type, not smaller than eighteen point. The instructions to voters shall be printed in ten point gothic type.

4. At least three-eighths of an inch below the district designation shall be printed in ten point gothic type, double leaded, the following instructions to voters: "To vote for a person whose name appears on the ballot, stamp a cross (+) in the square at the right of the name of the person for whom you desire to vote. To vote for a person whose name is not printed on the ballot, write his name in the blank space provided for that purpose."

5. The instructions to voters shall be separated from the lists of candidates and the designation of the several officers to be nominated for by one light and one heavy line or rule. The names of the candidates and the respective offices shall, except as may be hereinafter otherwise provided, be printed on the ballot in four or more parallel columns, each two and one-half inches wide. The number of such parallel columns shall be exactly divisible by two, and such parallel columns shall be equally divided on the ballot for party and nonpartisan tickets by a solid black line, extending down from the printed lines separating the instructions to voters from the list of names of candidates to the bottom margin of the ballot. In the case of a primary election for the nomination of candidates to be voted for at a presidential or general State election, the order of precedence shall be as follows, that is to say: In the column to the left, under the heading "State" shall be printed the groups of names of candidates for State offices, except judicial and school offices, and for members of the State Board of Equalization. In the second column, under the heading "Congressional" shall be printed the groups of names for United States Senator in Congress, if any, and for Representative in Congress. Next, under the heading "Legislative" shall be printed the groups of names for State Senator, if any, for member of Assembly, and for election as delegate to the State convention from a "holdover senatorial district," if any. In the case of primary elections where State officers are not to be nominated, at the left of the solid black dividing line there may be only one column. In the parallel columns to the right of the solid black dividing line shall be printed the groups of names of candidates for nomination to judicial, school, county, and township offices in the following order: Under the heading "Judicial" shall be printed all the names of candidates for judicial offices, in the order of Chief Justice Supreme Court, associate justices Supreme Court, Judge of District Court of Appeal, judge of superior court and justice of the peace. Next, under the heading "School" shall be printed all the names of candidates for school offices in the order of State Superintendent of Instruction, superintendent of schools,

and school district officers, if any. Next, under the heading "County and Township" shall be printed the groups of candidates for all county and township offices except judicial or school offices. In the case of primary elections where county officers are not to be nominated, at the right of the solid black dividing line there may be only one column. The nonpartisan ballot provided for in subdivision 1 of this section shall be identical as to offices and names of candidates with that portion of the party ballot which is printed to the right of the solid black dividing line hereinabove described. The tally sheets furnished to election officers shall have the names of offices and candidates arranged in the order in which said names of offices and candidates are printed on the ballots according to the provisions of this section and subdivision. In the case of primary elections for the nomination of candidates for city, city and county or municipal offices only, the groups of names of candidates may be printed in two parallel columns and the order of precedence shall be determined by the legislative body of such city or municipality or by the board of election commissioners of any such city and county.

6 The *group of names of candidates for nomination to any judicial office, school* office, county office, or township office shall include all the names receiving the requisite number of signatures on a nomination paper for such office, and shall be identical for each such office on the primary election ballots of each political party participating at the primary election, but the groups of names of candidates for all other offices on the ballots of each political party shall comprise only the names of the candidates for nomination by such party.

7 The order in which the list of candidates for any office shall appear upon the primary election ballot shall be determined as follows:

(a) If the office is an office the candidates for which are to be voted on throughout the entire State, including United States Senator in Congress, the Secretary of State shall arrange the names of all candidates for such office in alphabetical order for the first assembly district; and thereafter for each succeeding assembly district, the name appearing first for each office in the last preceding district shall be placed last, the order of the other names remaining unchanged. If the office is that of Representative in Congress, or is an office the candidates for nomination to which are to be voted on in more than one county or city and county, but not throughout the entire State, except the office of State Senator or Assemblyman, the Secretary of State shall arrange the names of all candidates for such office in alphabetical order for that assembly district which is lowest in numerical order of any assembly district in which such candidates are to be voted on; and thereafter for such succeeding assembly district in which such candidates are to be voted on, the name appearing first for such office in the last preceding district shall be placed last, the order of the other names remaining unchanged. In transmitting to each county clerk or registrar of voters the certified list of names as required in section 10 of this act, *the Secretary of State shall certify and transmit the list of candidates for nomination* to each office according to assembly districts, in the order of arrangement as determined by the above provisions; and in the case of each county or city and county containing more than one assembly district he shall transmit separate lists for each assembly district. Except for the office of State Senator or Assemblyman, the order in which the names filed with the Secretary of State shall appear upon the ballot, shall be for each assembly district the order as determined by the Secretary of State in accordance with the above provisions, and as certified and transmitted by him to each county clerk or registrar of voters.

(b) If the office is an office to be voted on throughout, but wholly within, one county or city and county, except the office of Representative in Congress or State Senator or Assemblyman, the county clerk of such county or the registrar of voters of such city and county, shall arrange the names of all candidates for such office in alphabetical order for the first supervisorial district; and thereafter for each supervisorial district, the name appearing first for each such office in the last preceding supervisorial district shall be placed last, the order of the other names remaining unchanged; provided, there are no more than five assembly districts in such county, or city and county. If there are more than five assembly districts in such county, or city and county, the county clerk or registrar of voters shall so arrange on the ballot the order of names of all candidates for such office that they shall appear in alphabetical order for that assembly district in such county, or city and county, which is lowest in numerical order, and thereafter for each succeeding assembly district in such county, or city and county, the name appearing first for each office in the last preceding assembly district shall be placed last, the order of the other names remaining unchanged.

(c) If the office is that of State Senator or Assemblyman, or any office except the office of Representative in Congress to be voted on wholly within any county or city and county but not throughout such county or city and county, the names of all candidates for such office shall be placed upon the ballot in alphabetical order.

(d) If the office is a municipal office in any city or town whose charter does not provide for the order in which names shall appear on the ballot, the names of candidates for such office shall be placed upon the ballot in alphabetical order.

8. In publishing the names and addresses of all candidates for whom nomination papers have been filed, as required in section 10 of this act, the county clerk or registrar of voters shall publish the names in the order in which they will appear upon the ballot; provided, that in counties or cities and counties containing more than one Assembly district the order of names of candidates shall be that of the Assembly district in such county or city and county which is lowest in numerical order.

9. Each group of candidates to be voted on shall be preceded by the designation of the office for which the candidates seek nomination, and the words "vote for one" or "vote for two" or more according to the number to be elected to such office at the ensuing election. Such designation of the office to be nominated for and of the number of candidates to be nominated shall be printed in heavy-faced gothic type, not smaller than ten point. The word or words designating the office shall be printed flush with the left-hand margin and the words "vote for one" or "vote for two" or more, as the case may be, shall extend to the extreme right of the column and over the voting square. The designation of the office and the direction for voting shall be separated from the names of the candidates by a light line.

10. The names of the candidates shall be printed on the ballot without indentation, in roman capital type not smaller than eight point, between light lines or rules three-eighths of an inch apart. Under each group of names of candidates shall be printed as many blank spaces, defined by light lines or rules, three-eighths of an inch apart, as there are to be candidates nominated for such office To the right of the names of the candidates shall be printed a light line or rule so as to form a voting square three-eighths of an inch square. Each group of names of candidates shall be separated from the succeeding group by one light and one heavy line or rule Each series of groups shall be headed by the word "State," "Congressional," "Legislative," "County and Township" or "Municipal" or other proper general classification, as the case may be, printed in heavy-faced gothic capital type, not smaller than twelve point. The left-hand side of the first column of names on the ballot, and also the right-hand side of the last column of voting squares on the ballot shall be bordered by a broad printed line one-twelfth of an inch wide. The binding or stitching of each package of ballots shall be on the left side thereof. The ballots shall be printed on the same leaf with a stub not over one and one-half inches in width, and separated therefrom by a perforated line from top to bottom, one-half inch to the left of the broad printed line along the left border of the ballot Upon this stub shall be printed the number of the ballot only. On each ballot a perforated line shall extend across the top of the ballot one inch from the top thereof. The same number as appears on the stub shall be printed above such perforated line within two inches of the perforated line on the left side of the ballot, and above this number shall be printed in parenthesis in small type as follows: "(This number to be torn off by inspector)"; and one-half inch to the right of this ballot number there shall be a short perforated line extending from the perforated line along the top of the ballot to the top edge of the ballot. Immediately above said perforated line shall be printed in black-face lower case type, at least twelve point in size, and enclosed in a parenthesis, the following: "(Fold ballot to this perforated line, leaving top margin exposed.)" Above this printed direction, and midway between it and the top edge of the ballot, shall be printed in black-face capital type, at least twelve point in size, if possible, and with the four middle words underlined or otherwise made prominent, the following "Mark crosses (+) on ballot only with rubber stamp; never with pen or pencil." The number on each ballot shall be the same as that on the corresponding stub, and the ballots and stubs shall be numbered consecutively in each county, provided, that the sequence of numbers on such official ballots and stubs for each party shall begin with the number one. The official ballots of each political party shall be made up in stub books, each book to contain ten, or some multiple of ten, ballots, in the manner provided by law for official election ballots, and except as to the order of the names of candidates shall be printed in substantially the following form:

(This number to be filled in by Inspectors)

3347

3347

MARK CROSSES (+) ON BALLOT ONLY WITH RUBBER STAMP NEVER WITH PEN OR PENCIL

(Fold Ballot in this Perforated Line, leaving Top Margin exposed)

OFFICIAL PRIMARY ELECTION BALLOT

REPUBLICAN PARTY

8TH CONGRESSIONAL, 17TH SENATORIAL, 48TH ASSEMBLY DISTRICT

To vote for a person whose name appears on the ballot, stamp a cross (+) in the square at the RIGHT of the name of the person for whom you desire to vote. To vote for a person whose name is not printed on the ballot, write his name in the blank space provided for that purpose.

STATE

Governor — Vote for One

RICHARD ROE
Incumbent

HENRY BROWN
Mayor of Napa

JOHN DOE
State Senator

Lieutenant Governor — Vote for One

WILLIAM SMITH
Attorney

THOMAS GREEN
Merchant

HORACE JONES
Farmer

Secretary of State — Vote for One

JOHN TOURTILLOTTE
Supervisor of Marin County

ALBERT BERG

PETER E. HONSON
Physician

Controller — Vote for One

THOMAS THOMPSON
Bank President

SAMUEL ALDEN
Accountant

WILLIAM DUNN
Incumbent

Treasurer — Vote for One

HENRY SAMPSON
San Diego County Treasurer

A. Y CHILTON
Accountant

SAMUEL JOHNSON
Incumbent

Attorney General — Vote for One

GEORGE F. WILSON
Attorney

W. S. CURRAN
Eureka City Attorney

THOMAS O'BRIEN
Incumbent

Surveyor General — Vote for One

FRANK WHEATON
Engineer

MICHAEL KERMAN
State Highway Engineer

JOHN F. WALKER
Humboldt County Surveyor

Member of State Board of Equalization, First District — Vote for One

WILLIAM ADAMS
Accountant

HARRY ALGER
Incumbent

CONGRESSIONAL

United States Senator — Vote for One

CHARLES H. MART
Ex-member State Railroad Commission

WALTER BROWNLOW

CASSIUS M. CLAY
Incumbent

Representative in Congress 8th District — Vote for One

PETER PETERSON
Incumbent

BASTICK BOYLAN
State Senator

HENRY HUDSON
Engineer

LEGISLATIVE

Member of Assembly 48th District — Vote for One

ANDREW ANDERSON

GEORGE CALGHEY
Merchant

PETER PETERSON
Attorney

Delegate to State Convention 17th Senatorial District — Vote for One

WILLIAM S. STOKES
Manufacturer

AMOS STRONG
Doctor

COUNTY COMMITTEE

Member of County Central Committee — Vote for Three

JOHN T. HUNT
School Teacher

JOSEPH T. JOHNSON
Paving Contractor

H. L. MAYNARD
Broker

E. S. MIROS
X-Y Estate Agent

H. D. ROBINSON
Doctor

EDWARD F. STEVENS
Dealer

JUDICIAL

Chief Justice Supreme Court — Vote for One

WALTER WILTER
Incumbent

JOSEPH JENNINGS
Superior Court Judge

THOMAS MERTON
Attorney

Associate Justice Supreme Court — Vote for Two

WILLIAM BREWER
Attorney

ERASTUS PECK
Incumbent

SAMUEL SNOW
Incumbent

GEORGE TAWNEY
Superior Judge

Judge of the District Court of Appeal, First District — Vote for One

ANTHONY BRENNAN

PETER DREW
Incumbent

Judge of the Superior Court — Vote for Two

GEORGE BUNN
Attorney

WALTER CAMPBELL
Attorney

CHARLES R. DAVIS
Incumbent

THOMAS McCALL
Attorney

ERNEST W. ROBERTS
Incumbent

Justice of the Peace — Vote for Two

THOMAS SULLIVAN
Attorney

PETER HEPBURN
Incumbent

CLAUDE SWANSON
Incumbent

SCHOOL

Superintendent of Public Instruction — Vote for One

CHARLES N. STOVER
Marin County Superintendent

FRANK W. KENDALL
Teacher

ARTHUR ROBERTS
Oakland Superintendent

County Superintendent of Schools — Vote for One

TIMOTHY HEALEY
School Teacher

J. W. REYNOLDS
School Teacher

CHARLES CARSON
Incumbent

COUNTY AND TOWNSHIP

Sheriff — Vote for One

J. P. DOLLIVER
Deputy Sheriff

CHESTER J. LONG
Incumbent

R. A. ALGER
Private Detective

District Attorney — Vote for One

A. R. KITTREDGE
Attorney

JOHN T. MORGAN
Incumbent

E. J. BURKETT
Oakland City Attorney

County Clerk — Vote for One

S. R. MALLORY
Bookkeeper

JAMES B. McCREARY
Filing Clerk

ASBURY C. LATTIMER
Incumbent

Auditor — Vote for One

JOHN W. DANIEL
Accountant

M. J. FOSTER
Certified Public Accountant

JOHN M. PATTERSON
Bookkeeper

J. P. ALLEE
Incumbent

CLARENCE D. CLARK
Deputy County Auditor

Treasurer — Vote for One

FRED T. DU BOIS
Bank Cashier

AUGUSTUS O. BACON

JAMES H. BERRY
Incumbent

Assessor — Vote for One

J. S. SPOONER
Rancher

E. C. NEWLANDS
Land Agent

E. W. PETTUS
Incumbent

Tax Collector — Vote for One

KNUTE NELSON
Rancher

REDFIELD PROCTOR
Lumberman

E. W. CARMACK
Accountant

Recorder — Vote for One

C. M. DE PEW
Incumbent

CHARLES W. FLUTON
President of Title Company

THOMAS H. CARTER
Rancher

Public Administrator — Vote for One

H. M. TELLER
Attorney

J. W. BAILEY
Incumbent

Coroner — Vote for One

JAMES B. FRAZIER
Undertaker

H. C. LODGE
Undertaker

W. P. DILLINGHAM
Incumbent

Surveyor — Vote for One

E. B. YOUNG
Engineer

J. P. FORAKER
Incumbent

Supervisor — Vote for One

C. B. PATTERSON
Farmer

THOMAS SPIGHT
Merchant

JAMES E. WATSON
Incumbent

Constable — Vote for One

R. W. PARKER
Incumbent

JOHN A. STERLING
Collector

SEC. 6. Section 13 of said act is hereby amended to read as follows:

Sec. 13 At least fifteen days before the August primary election or before the May presidential primary election each county clerk or registrar of voters in any city and county shall prepare separate sample ballots for each political party, and a separate sample nonpartisan ballot, placing thereon in each case in the order provided in subdivision 7 of section 12 of this act, and under the appropriate titles of each office, the names of all candidates for whom nomination papers have been duly filed with him, or have been certified to him by the Secretary of State to be voted for at the primary election in his county or city and county Such sample ballots shall be printed on paper of a different texture from the paper to be used on the official ballot, and one sample ballot of the party which the voter belongs as evidenced by his registration shall be mailed to each such voter entitled to vote at such August primary election or May presidential primary, as the case may be, not more than ten nor less than five days before the election Not more than ten nor less than five days before the August primary election a nonpartisan sample ballot printed on paper of a different texture from the paper to be used on the official ballot shall be mailed to each registered qualified elector who is not registered as intending to affiliate with any of the parties participating in said primary election. Such clerk or registrar of voters shall forthwith submit the ticket of each political party to the chairman of the county committee of such party and shall mail a copy to each candidate for whom nomination papers have been filed with him or whose name has been certified to him by the Secretary of State, to the post-office address as given in such nomination paper or certification, and he shall post a copy of each sample ballot in a conspicuous place in his office. Before such primary election the county clerk or registrar of voters in any city and county shall cause the official ballot to be printed as provided by section 12 of this act, and distributed in the same manner and in the same quantities as provided in sections 1198, 1199 and 1201 of the Political Code for the distribution of ballots for elections; provided, that the number of party ballots to be furnished to any precinct shall be computed from the number of voters registered in such precinct as intending to affiliate with such party, and the number of nonpartisan ballots to be furnished to any precinct shall be computed from the number of voters registered in such precinct without statement of intention to affiliate with any of the parties participating in the primary election. In the case of primary elections for the nomination of candidates for city offices it shall be the duty of the city clerk, secretary of the legislative body of such city or municipality, or such other officer charged by law with the duty of preparing and distributing the official ballots used at elections in such city or municipality, to prepare and mail the sample ballot and to prepare and distribute the official primary election ballots, and so far as applicable and not otherwise provided herein the provisions of this act shall apply to the nomination of all candidates for city offices

SEC. 7 Section 24 of said act is hereby amended to read as follows:

Sec. 24. 1 Party conventions of delegates chosen as hereinafter provided may be held in this State, for the purpose of promulgating platforms, nominating candidates as in this act provided and transacting such other business of the party as is not inconsistent with the provisions of this act.

2. At the May presidential primary election held in each year in which a President of the United States is to be elected, the voters of each party in each precinct shall elect a person who shall be the delegate of that precinct to the conventions of the party for the assembly district, county senatorial district and congressional district in which such precinct is located. No names of candidates for such delegate shall be printed upon the ballot, but a space shall be provided on the ballot, under the heading "Delegate to (here insert name of party) convention—Write in name and vote for one," and the voter may write in the name of his choice as such delegate. Any registered voter of such party residing in said precinct shall be eligible to election as such delegate and the registered voter receiving the highest number of votes cast shall be elected.

In the even numbered years in which a President of the United States is not to be elected, an election shall be held in each precinct for the election of a delegate to the party conventions. This election shall be held without expense to the public under the auspices of the county central committee of each party, (or in case it should fail to act then under the auspices of the State central committee) which shall designate at least three judges of the election, the place within the precinct at which the election shall be held and the hours during which the polls shall remain open, which must be not less than five consecutive hours, and which must close not earlier than seven p m. The registrar of voters, the county clerk or other public official having charge of the great register of voters shall furnish to the county central committee of each party a list of the registered voters of that party in each precinct. Only persons who are registered voters of the party residing within such precincts may vote at such election, and only registered voters of the party residing within the precinct shall be eligible to election. Such registered voter receiving the highest number of votes cast shall be elected as delegate from such precinct. The county central committee shall canvass the result of said election and the chairman

and secretary thereof shall certify to the several conventions the name of the person elected as delegate in each precinct, which certificate shall be final. It shall also certify to the assembly district convention the number of members of the next county central committee to which each assembly district is entitled, which shall be the same for each assembly district within the county, and which shall be not less than three for each assembly district in counties containing six or more assembly districts and not less than five for each assembly district in other counties In counties which do not include at least one assembly district the members of the county central committee shall be chosen by the delegates from the precincts within said county.

3. The assembly district conventions shall meet on the third Tuesday in May of each even numbered year (or if that be a holiday, then on the succeeding business day) at the hour of ten o'clock a.m. at the same place where the convention of the congressional district in which said assembly district is located is to meet. Said convention shall choose a chairman and secretary and such other officers as may be necessary or convenient and may adopt its own rules of procedure. It shall choose the members of the county central committee from that assembly district.

The congressional district convention shall meet on the third Tuesday in May of each even numbered year (or if that be a holiday, then on the succeeding business day) at the hour of two o'clock p m. Where the congressional district lies entirely within one county, said convention shall meet at a place within the congressional district designated by the chairman of the county central committee of that county, or should he fail to designate any place, then at the county courthouse. Where the congressional district does not lie entirely within one county, then the convention shall meet at a place within the district to be designated by the chairman of the State central committee. Said convention shall choose a chairman and secretary and such other officers as may be necessary or convenient. It may nominate a candidate for Congress from that district and shall choose twelve delegates and twelve alternates to the State convention of the party

4. The county convention shall convene at a time and place to be designated by the chairman of the county central committee, but not later than the fourth Tuesday in June. Said convention shall choose a chairman and secretary and such other officers as may be necessary or convenient. It may adopt its own rules of procedure and may nominate candidates for each partisan office to be voted upon at the next succeeding August primary election.

5. The State convention of each political party shall consist of the delegates and alternates chosen by the congressional district conventions as hereinbefore provided, but no alternate shall be entitled to vote except in the absence of the delegate for whom he is alternate The members of each congressional district delegation shall determine which alternate shall serve as the alternate of each elected delegate. Said convention shall meet at a time and place to be designated by the chairman of the State central committee party not later than the fourth Tuesday in June. The convention shall choose a chairman and secretary and such other officers as may be necessary or convenient It may adopt its own rules of procedure Said convention shall adopt a platform for the party, and may nominate a person as a candidate for each partisan State office, including United States Senator, to be voted on at the succeeding August primary election. Said convention shall also choose the members of the State central committee. The State convention to be held in the year 1934 shall choose four members of the State central committee from each congressional district, one-half of whom shall serve for four years and one-half of whom shall serve for two years, to be determined by lot at the first meeting of the State central committee. Thereafter each convention shall choose two members of the State central committee from each congressional district who shall serve for four years The convention may fix the time and place for the next meeting of the State central committee

6 The chairman and secretary of each convention herein provided for, immediately after the adjournment of such convention, shall certify to the Secretary of State and any other officers provided by law the names of the persons nominated by said convention for the various offices. The chairman and secretary of each congressional convention shall also immediately certify to the chairman of the State central committee the names of the persons chosen by such convention as delegates and alternates to the State convention The chairman and secretary of each assembly district convention shall also immediately certify to the chairman of the county central committee the names of the persons chosen as members of the new county central committee from that assembly district.

The chairman and secretary of the State convention immediately after the adjournment thereof, shall certify to the Secretary of State the names of the persons elected as members of the State central committee, and shall also file with him a certified copy of the platform adopted by said convention

7. The State central committee shall have power to choose its own officers and to adopt its own rules of procedure. It may create an executive committee and such other committees as may seem expedient to it It may confer upon them such powers and duties as it may see fit.

8. The new county central committee shall meet for purposes of organization and such other business as may come before it at a time and place within the county, to be designated by the chairman of the old county central committee, but not later than the fourth Tuesday in June. Should no other time or place be designated, it shall meet at the county courthouse at ten o'clock a.m., on the third Saturday in June. It shall choose a chairman and secretary and such other officers as may be necessary or convenient. It may adopt its own rules of procedure. It may create an executive committee and such other committees as may seem expedient to it. It may confer upon them such powers and duties as it may see fit.

SEC 8. Section 25 of said act is hereby amended to read as follows:

Sec. 25. No candidate nominated at any primary election can withdraw as a candidate at the ensuing general election except such as are permitted to withdraw by this section. In case as a result of any primary election a person has received a nomination to any office without first having filed a declaration certificate, and having his name printed on the primary election ballot, he may at least fifty days before the day of election cause his name to be withdrawn from nomination by filing in the office where he would have filed his declaration certificate had he been a candidate for nomination, his request therefor in writing, signed and acknowledged by him; and his name shall not be printed on the election ballot for the ensuing general election as a candidate for such office. The vacancy created by the withdrawal of such person as aforesaid, or on account of the ineligibility of such person to qualify as a candidate because of the inhibitions of subdivision 1 of section 5 of this act, or by reason of the failure of a party to nominate any candidate for the office at the primary election, or for any other cause shall not be filled except in the following cases:

1. By reason of the death of a candidate occurring at least twenty-five days before the date of the next ensuing November election.

2. By reason of the disqualification of a candidate occurring on account of the failure of such candidate to secure nomination in his own party as required by section 23 of this act.

Vacancies occurring by reason of such death of any candidate, or because of such disqualification imposed by section 23 of this act, may, in the case of legislative offices, be filled by the newly elected county central committee or committees of the party in which such vacancy occurs, in the county or counties comprising the legislative district of such deceased or disqualified candidate; and in the case of all other district or State offices requiring party nomination, by the newly selected State central committee of such party.

If such vacancy occurs among candidates chosen at the primary election to go on the ballot for the succeeding general election for a nonpartisan office by reason of the provisions of section 23 of this act, the name of that candidate receiving at said primary election the next highest number of votes, shall go upon said ballot to fill said vacancy; provided, however, that a vacancy authorized to be filled by the provision of subdivision 1 of this section shall be filled and certified to the officer charged with the duty of printing the ballots twenty-five days before the day of election and a vacancy authorized to be filled by the provisions of subdivision 2 of this section shall be filed with the officer with whom a nomination paper for such office may be filed at least thirty-five days before the day of election.

Whenever anyone has declared or accepted a candidacy for a primary election, the name of such person must be printed upon the ballot or ballots of such primary election as hereinbefore provided in section 12 of this act, unless such person has died and such fact has been ascertained by the officer charged with the duty of printing the ballot at least twenty-five days before the day of election.

Whenever a candidate has been nominated at any primary election after having a declaration certificate filed, the name of such candidate must be printed upon the ballot at the ensuing general election unless such candidate has died and such fact has been ascertained by the officer charged with the duty of printing the ballots, at least twenty-five days before the day of election.

Whenever, upon the death or disqualification of any candidate, the vacancy thereby created is filled by a party committee, a certificate to that effect shall be filed with the officer with whom a declaration certificate for such office may be filed, and shall be accepted and acted upon by him as in the case of an original declaration certificate."

MOTION.

Mr. Lyon moved that the Assembly do now adjourn to the hour of eleven o'clock a.m., Saturday, May 6, 1933.

REQUEST FOR ROLL CALL.

On request of Messrs. Jones, Patterson and McMurray, the Speaker ordered a roll call taken on the motion to adjourn.

The roll was called, and the motion to adjourn lost by the following vote:

AYES—Alter, Bowers, Cobb, Cottrell, Crist, Evans, Field, Greene, Hallner, Hatch, Knowland, Lyon, Martin, McBride, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Scudder, Stannard, Stream, Thorp and Wright—27.

NOES—Anglim, Bliss, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Cronin, Crowley, Feigenbaum, Frazier, Grubbs, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Levey, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rogers, Roland, Tournoux, Turner, Utt, West, Williamson, Woolwine and Zion—44.

MOTION TO LAY ON TABLE.

Mr. Craig moved that the amendments, as submitted by Mr. Cobb, be laid on the table.

POINT OF ORDER.

Mr. Levey arose to the following point of order: stating that the motion to lay on the table, and the motion to make a special order, were out of order in accordance with Robert's Rules of Order, page 111; also stating that the previous question takes preference.

RULING BY THE SPEAKER.

The Speaker ruled the point of order raised by Mr. Levey not well taken.

The question being on the motion of Mr. Craig that the amendments offered by Mr. Cobb be laid on the table.

REQUEST FOR ROLL CALL.

On request of Messrs. West, Williamson and McMurray, the Speaker ordered a roll call taken on the motion of Mr. Craig that the amendments offered by Mr. Cobb be laid on the table.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Craig moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. O'Connor, Tournoux and Clowdsley, the Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion for a call of the House lost by the following vote:

AYES—Cobb, Cottrell, Craig, Crist, Field, Greene, Hatch, Knowland, Lyon, Martin, Morgan, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Scudder, Stannard, Stream, Thorp, Utt and Wright—23

NOES—Anglim, Bliss, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cronin, Crowley, Evans, Feigenbaum, Frazier, Grubbs, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Levey, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Rogers, Roland, Tournoux, Turner, West, Williamson and Zion—43.

The roll of absentees was called, and the motion to lay the amendments offered by Mr. Cobb, on the table, lost by the following vote:

AYES—Alter, Bliss, Bowers, Craig, Field, Greene, Hallner, Hatch, Kallam, Knowland, Lyon, Martin, Morgan, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Scudder, Stannard, Stream, Thorp, Utt, Woolwine and Wright—26.

NOES—Anglim, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Frazier, Grubbs, Hoffman, Hornblower, Hunt, Jones, King, Levey, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor,

O'Donnell, Patterson, Peterson, Powers, Robinson, C. Ray; Rogers, Roland, Tournoux, Turner, West, Williamson, Zion and Mr. Speaker—46.

The question being on the motion of Mr. Lyon to set Assembly Bill No. 826 as a special order for Saturday, May 6, 1933, at 11 o'clock a.m.

WITHDRAWAL OF MOTION.

Mr. Lyon withdrew his motion.

The question being on the adoption of the amendments offered by Mr. Cobb.

REQUEST FOR ROLL CALL.

On request of Messrs. Cobb, Lyon and West, the Speaker ordered a roll call taken on the adoption of the amendments offered by Mr. Cobb.

The roll was called, and the amendments offered by Mr. Cobb lost by the following vote:

AYES—Alter, Bliss, Bowers, Cobb, Cottrell, Craig, Crist, Evans, Field, Greene, Hallner, Hatch, Knowland, Lyon, Martin, Phillips, Redwine, Riley, Roberts, Robinson, Samuel E., Scudder, Stannard, Stream, Utt, Wright and Mr. Speaker—26.

NOES—Anglim, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cronin, Crowley, Feigenbaum, Frazier, Grubbs, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Levey, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Robinson, C. Ray; Rogers, Roland, Thorp, Tournoux, Turner, West, Williamson and Zion—44.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 826 passed by the following vote:

AYES—Anglim, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Frazier, Grubbs, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Levey, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Robinson, C. Ray; Rogers, Roland, Thorp, Tournoux, Turner, West, Williamson and Zion—45.

NOES—Alter, Bliss, Bowers, Cobb, Craig, Evans, Field, Greene, Hallner, Hatch, Knowland, Lyon, Martin, McBride, Morgan, Phillips, Redwine, Riley, Roberts, Robinson, Samuel E., Scudder, Stannard, Stream, Utt, Woolwine, Wright and Mr. Speaker—27.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933

MR SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 298—An act to amend sections 1, 2, 3 and 9 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 51—An act to amend section 4014 of the Political Code, relating to township officers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1204—An act to amend section 11 of an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of the levee, and the payment of indebtedness of levee district number one of Sutter County," approved March 20, 1874, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 265—An act to amend section 4257 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-eighth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 399—An act to provide the procedure for the formation of certain special tax and assessment districts and providing certain restrictions and limitations thereon.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 837—An act to add a new section to the California Irrigation District Act to be numbered 48b, relating to lands within an irrigation district.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 268—An act relating to irrigation districts of the first class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 912—An act relating to irrigation districts of the first class and providing for the organization, operation and powers thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 404—An act to amend section 53 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp or overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, and relating to compensation of directors.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out the comma, also strike out all of lines 7 to 12, inclusive, and insert in lieu thereof a period and the following: "The board may employ the services of one of its members in the conduct of the business and affairs of the district and for such services fix and prescribe additional compensation payable to such member not exceeding a rate of eight dollars per day while he is so employed."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 400—An act to add a new section to the Political Code, to be numbered 3714b, relating to annual financial estimates from special tax and assessment districts.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended, between lines 20 and 21, insert the following:

"Nothing in this section shall be deemed or construed to apply to, control, or effect the powers, operation, taxes or taxing power of any school district"

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 135—An act to amend the Fish and Game Code by amending sections 651, 654, 659 and 692 thereof and by adding thereto sections 659 5 and 659.6, relating to salmon and striped bass.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to add sections 651.5 and 691 6 to the Fish and Game Code, relating to salmon and striped bass."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 24, and on page 2 of the printed bill, strike out lines 1 to 5, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Fish and Game Code to be numbered 651 5 and to read as follows:

651 5 In that portion of the Feather River, between the mouth of the Yuba River and the Feather River Thermolito Bridge at Oroville, salmon may be taken with hook and line between May 1st and December 31st The bag limit is two per day.

SEC 2. A new section is hereby added to the Fish and Game Code to be numbered 691 6 and to read as follows:

691 6. In that portion of the Feather River from its mouth to Feather River Thermolito Bridge at Oroville, striped bass may be taken between May 1st and December 31st with hook and line."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 674—An act to regulate the conduct of pounds, prescribing the duties of persons in charge thereof or employed thereat, and regulating the disposition of animals impounded or sheltered therein.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 736—An act to amend sections 1270 and 1272 of the Fish and Game Code, relating to deer.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 489—An act to amend section 613 of the Fish and Game Code, relating to trout.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1196—An act to amend sections 23, 24, 28, 30, 31, 34, 36, 38, 42, 44, 48, and 51, and to add new sections numbered 31a, 51a, and 51b, to an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In line 2 of the title of the printed bill, strike out "31a,".

AMENDMENT NUMBER TWO

On page 3, line 23, of the printed bill, strike out "Powers of district."

AMENDMENT NUMBER THREE

On page 3, lines 35 and 36, of the printed bill, strike out "mortgages", and insert in lieu thereof the following: "purchases".

AMENDMENT NUMBER FOUR.

On page 4, line 11, of the printed bill, after the period, insert the following: "All the public utility services supplied by the district outside its boundaries shall not exceed in amount all public utility services supplied by the district within its boundaries."

AMENDMENT NUMBER FIVE.

On page 4, line 29, of the printed bill, after "incur", insert the following: "or assume".

AMENDMENT NUMBER SIX.

On page 4 of the printed bill, between lines 35 and 36, insert the following:

"Ninth—To levy and collect, or cause to be levied and collected, taxes for the purpose of carrying on the operations and paying the obligations of the district

Tenth—To make contracts, to employ labor, and to do all acts necessary and convenient for the full exercise of the powers herein in this act granted.

Eleventh—To proceed in the name of the district in case of condemnation proceedings."

AMENDMENT NUMBER SEVEN.

On page 5, line 14, of the printed bill, strike out "a".

AMENDMENT NUMBER EIGHT.

On page 5, line 18, of the printed bill, strike out "ordinance or petition", and insert in lieu thereof the following: "petition or petitions".

AMENDMENT NUMBER NINE.

On page 5, line 26, of the printed bill, strike out "(original construction or)"

AMENDMENT NUMBER TEN

On page 5, line 30, of the printed bill, after the comma following "ties", insert the following: "or".

AMENDMENT NUMBER ELEVEN.

On page 5, lines 51 and 52, of the printed bill, strike out "enter into negotiations to".

AMENDMENT NUMBER TWELVE.

On page 6, line 2, of the printed bill, strike out "by the sale of revenue" also strike out lines 3 and 4, and insert in lieu thereof the following "from revenues of the district or to be derived from the operation of its public utilities in addition to the".

AMENDMENT NUMBER THIRTEEN.

On page 6, line 5, of the printed bill, strike out "thereof", and insert in lieu thereof the following: "of the district".

AMENDMENT NUMBER FOURTEEN.

On page 6, line 10, of the printed bill, strike out "or from the proceeds"; also strike out lines 11 and 12, and in line 13, strike out "constructed or completed,".

AMENDMENT NUMBER FIFTEEN

On page 6, line 14, of the printed bill, after "utility", insert the following: "or public utility works".

AMENDMENT NUMBER SIXTEEN.

On page 6, line 24, of the printed bill, strike out "and"; also strike out lines 25 to 27, inclusive, and in line 28, strike out "structed or completed".

AMENDMENT NUMBER SEVENTEEN.

On page 7, lines 23 and 24, of the printed bill, strike out "and for offers for the purchase of revenue certificates".

AMENDMENT NUMBER EIGHTEEN

On page 7, line 25, of the printed bill, strike out "division two", and insert in lieu thereof: "divisions two and four".

AMENDMENT NUMBER NINETEEN

On page 7 of the printed bill, strike out lines 30 to 32, inclusive, and in line 33 strike out "or completed" and insert in lieu thereof the following. "the district".

AMENDMENT NUMBER TWENTY.

On page 7, line 51, of the printed bill, after "derived", insert the following: "or to be derived".

AMENDMENT NUMBER TWENTY-ONE.

On page 8 of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following: "of the district, so as to render".

AMENDMENT NUMBER TWENTY-TWO.

On page 8, line 34, of the printed bill, after "utility", insert the following "or utility works"

AMENDMENT NUMBER TWENTY-THREE.

On page 8, line 42, of the printed bill, strike out "herein", and insert in lieu thereof the following: "therein".

AMENDMENT NUMBER TWENTY-FOUR.

On page 8, line 43, of the printed bill, strike out "whch", and insert in lieu thereof the following: "which".

AMENDMENT NUMBER TWENTY-FIVE

Strike out all of page 9 of the printed bill, and on page 10, strike out lines 1 to 8, inclusive

AMENDMENT NUMBER TWENTY-SIX.

On page 10, line 9, of the printed bill, strike out "Sec. 7", and insert in lieu thereof the following: "Sec. 6"

AMENDMENT NUMBER TWENTY-SEVEN.

On page 10, line 23, of the printed bill, strike out "Sec. 8.", and insert in lieu thereof the following: "Sec. 7."

AMENDMENT NUMBER TWENTY-EIGHT.

On page 10, line 36, of the printed bill, strike out "or revenue certificates issued".

AMENDMENT NUMBER TWENTY-NINE.

On page 10, line 45, of the printed bill, strike out "Sec. 9.", and insert in lieu thereof the following: "Sec. 8"

AMENDMENT NUMBER THIRTY.

On page 11, line 1, of the printed bill, after "expenses," strike out the comma and insert in lieu thereof the following: "of the government of the district, including salaries, offices expenses,".

AMENDMENT NUMBER THIRTY-ONE.

On page 11, line 13, of the printed bill, strike out "Sec. 10", and insert in lieu thereof the following: "Sec. 9."

AMENDMENT NUMBER THIRTY-TWO.

On page 11, line 23, of the printed bill, strike out "lowers", and insert in lieu thereof the following. "lowest"

AMENDMENT NUMBER THIRTY-THREE.

On page 12, line 9, of the printed bill, strike out "Sec. 11", and insert in lieu thereof the following: "Sec. 10"

AMENDMENT NUMBER THIRTY-FOUR.

On page 12, line 22, of the printed bill, strike out "Sec. 12.", and insert in lieu thereof the following: "Sec. 11."

AMENDMENT NUMBER THIRTY-FIVE.

On page 12, line 26, of the printed bill, strike out "or the issuance of revenue certificates".

AMENDMENT NUMBER THIRTY-SIX

On page 12, line 29, of the printed bill, after "any", insert the following: "resolution or".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 12, line 30, of the printed bill, strike out "the issuance of such certificates or".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 12, line 34, of the printed bill, strike out the comma, and also strike out "certificates".

AMENDMENT NUMBER THIRTY-NINE.

On page 12, line 46, of the printed bill, after "bonds", strike out the comma, and also strike out "certificates".

AMENDMENT NUMBER FORTY.

On page 13, line 1, of the printed bill, after "ordinance", insert the following: "or resolution".

AMENDMENT NUMBER FORTY-ONE.

On page 13, line 3, of the printed bill, after "bonds", strike out the comma, also strike out "certificates".

AMENDMENT NUMBER FORTY-TWO.

On page 13, line 18, of the printed bill, strike out "Sec. 13", and insert in lieu thereof the following: "Sec. 12."

AMENDMENT NUMBER FORTY-THREE

On page 13, line 20, of the printed bill, strike out "brougt", and insert in lieu thereof the following: "brought".

AMENDMENT NUMBER FORTY-FOUR

On page 13, line 44, of the printed bill, strike out "one year", and insert in lieu thereof the following: "six months".

AMENDMENT NUMBER FORTY-FIVE.

On page 13, line 47, of the printed bill, strike out "Sec 14", and insert in lieu thereof the following. "Sec. 13."

AMENDMENT NUMBER FORTY-SIX.

On page 14 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following: "annexed; describing said territory and".

AMENDMENT NUMBER FORTY-SEVEN

On page 14, line 26, of the printed bill, after "payments", insert a comma and the following: "or the transfer of property, real or personal, or other assets to said utility district by the territory proposed to be annexed,".

AMENDMENT NUMBER FORTY-EIGHT.

On page 14 of the printed bill, strike out lines 30 to 32, inclusive, and insert in lieu thereof the following: "posed to be annexed. Such terms and conditions shall".

AMENDMENT NUMBER FORTY-NINE.

On page 15, line 2, of the printed bill, after "nance", insert the following: "and notice".

AMENDMENT NUMBER FIFTY.

On page 15, lines 33 and 34, of the printed bill, strike out "if said territory adjoins any portion of the district.".

AMENDMENT NUMBER FIFTY-ONE.

On page 16, line 17, of the printed bill, strike out "Sec. 15.", and insert in lieu thereof the following: "Sec. 14."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 298—An act to amend sections 1, 2, 3 and 9 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting

such boxing contest to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the power of the State Athletic Commission.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the figure "3", strike out the words "and 9", and in lieu thereof insert the following. "5, 6, 9, 10, 11, 14, 16, 17, 18, 19 and 20."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out lines 1 to 14; on page 2, strike out lines 1 to 52; on page 3, strike out lines 1 to 50; on page 4, strike out lines 1 to 52, and on page 5, strike out lines 1 to 34, and in lieu thereof insert the following: "The people of the State of California do enact as follows:

SECTION 1. Section 1 of the act cited in the title hereof is hereby amended to read as follows:

Section 1. There is hereby created and established a board, which shall be known as the State Athletic Commission of California. The commission shall consist of five members to be appointed by the Governor within fifteen days after this act takes effect. Two of the members of said commission shall be designated and have the title of executive directors, one of whom shall be selected from the northern section of the State and have his office at San Francisco, the other of whom shall be selected from the southern division of the State and shall have his office at Los Angeles, California. The other three commissioners shall be selected, one from the northern portion of the State of California, another from the central portion of said State, and a third from the southern portion of said State Two commissioners and the two executive directors shall hold office for terms to expire February 1, 1935, and one commissioner shall hold office for a term to expire February 1, 1937. Their successors shall be appointed by the Governor for a term of four years and any vacancy occurring in the office of a member of such commission otherwise than by expiration of a term shall be filled in like manner for the remainder of the unexpired term of such office. Three members of the commission shall constitute a quorum for the exercise of the powers or authority conferred upon it; and the concurrence of at least three members shall be necessary to render a choice or decision by the commission. The commission shall maintain a general office for the transaction of its business in the city of Sacramento. The commission must hold meetings once every two months and only in State buildings in the following cities: Sacramento, Los Angeles, and San Francisco, and such meetings must be open to the public The members of the commission shall, at their first meeting after their appointment, elect one of their number chairman of the commission, shall adopt a seal for the commission and may make such rules for the administration of their office, not inconsistent herewith, as they may deem expedient; and they may hereafter amend or abrogate such rules The members of the commission shall receive no compensation for their services except actual traveling and other expenses incurred by them in the performance of their official duties, except the executive directors, who shall receive a salary of three thousand six hundred dollars each per annum and traveling expenses.

SEC 2. Section 2 of said act is hereby amended to read as follows:

Sec 2. The commission shall appoint, and for cause remove, a secretary to the commission, and he shall hold office for two years, unless sooner removed for cause by the commission, whose duty it shall be to keep a full and true record of all its proceedings, preserve at its general office all its books, documents and papers, prepare for service such notices and other papers as may be required of him by the commission and to perform such other duties as the commission may prescribe; and he may, under the direction of the commission, issue subpenas for the attendance of witnesses before the commission with the same effect as if they were issued in an action in the superior court, and may, under direction of the commission, administer oaths, in all matters appertaining to the duties of his office or connected with the administration of the affairs of the commission. Disobedience of such a subpena and

false swearing before such secretary shall be attended by the same consequences and be subject to the same penalties as if such disobedience or false swearing occurred in an action in the superior court.

The secretary of the commission shall be entitled to receive an annual salary of three thousand dollars. The necessary traveling expenses and other necessary expenses of the secretary and the members of the commission, and the salary of the secretary, shall be paid monthly by the State Treasurer on the warrant of the State Controller and the certificate of the chairman of the commission out of the money appropriated to be used therefor. The commission shall appoint such clerical employees and inspectors as may be actually necessary and fix their salaries which shall be paid in like manner as the salaries of other employees of the commission out of the money hereby appropriated except as hereinafter provided in section 9 of this act. No person in the employ of any political subdivision from which he receives a salary or compensation shall be employed by the commission nor shall any employee be permitted to hold office who receives a pension from any Federal, State, county or city government.

All boxing contests, sparring or wrestling matches or exhibitions may be held in any building for which the commission in its discretion may issue a license. Where such match or contest is authorized to be held in State- or city-owned armory the provisions of the military law in respect thereto must be complied with. But no such match or contest shall be held in a building wholly or partly used for religious services. The commission shall annually make to the Legislature a full report of its proceedings for the year ending with the first day of the preceding December and may submit, with such report, such recommendations pertaining to its affairs as to it shall deem desirable.

SEC. 3 Section 3 of said act is hereby amended to read as follows:

Sec 3. Boxing contests, sparring and wrestling matches or exhibitions for prizes or purses, or where an admission fee is received, are hereby allowed except on Sundays, May thirtieth and November eleventh The commission shall have and hereby is vested with the sole direction, management, control and jurisdiction over all such boxing contests, sparring and wrestling matches or exhibitions to be conducted, held or given within the State of California, and no such boxing contest, sparring or wrestling match or exhibition shall be conducted, held or given within the State except in accordance with the provisions of this act. The commission may, in its discretion, issue, and at its pleasure revoke, a license to conduct, hold, or give boxing, sparring and wrestling contests, matches and exhibitions, where an admission fee is received, to any club, corporation, organization or association which holds a lease of a term of at least one year of the premises in which such match, contest or exhibition is to be held, except that where such match, contest or exhibition is to be given in an armory the lease thereof need not be for such term. Every license shall be subject to such rules and regulations, and amendments thereof, as the commission may prescribe The application for a license, as herein provided for, shall be in writing, and shall be addressed to the commission, and shall be verified by some officer of the club, corporation, organization or association on whose behalf the application may be made. It shall contain a recital of such facts as, under the provisions hereof, will show the applicant entitled to receive a license and, in addition thereto, such other facts and recitals as the commission may by rule require to be shown All applications for the issuance of licenses and all petitions for the revocation of licenses must be made in writing and submitted to the secretary of the commission at Sacramento at least thirty days prior to the next regular meeting of the commission. The secretary of the commission shall forthwith, on receipt of such petition, notify each commissioner of such application in substance and effect thereof Such application shall be accompanied by an annual fee, which shall be twenty-five dollars in cities of not more than five thousand inhabitants; forty dollars in cities of not more than fifty thousand inhabitants; fifty dollars in cities of not more than seventy-five thousand inhabitants; and seventy-five dollars in all cities of the State having a population of over seventy-five thousand and not to exceed one hundred fifty thousand inhabitants; and one hundred dollars in all cities of this State having a population of one hundred fifty thousand or more inhabitants. Before any such permit or license is granted to any club, corporation, organization or association, which shall have filed its application as herein provided, such applicant must file a bond of two thousand dollars with good and sufficient surety with the commission, conditioned for the faithful performance by said club, corporation, organization or association of the provisions of this act and the payment of any taxes or fines herein imposed

Every individual, club, corporation, organization or association which shall have filed its application as herein provided must furnish a surety bond to the State Athletic Commission of California in the full amount of the seating capacity of the house, arena, club or park where contests are to be held, such amount to be figured at the prices to be charged.

This surety bond is to be conditioned for the payment to the State Athletic Commission of a sum equivalent to the total sale of tickets in any of the following

events, viz. (1) in the event of a failure to hold said contest upon the date advertised unless the same is thereafter held at a postponed date with the consent of the commission, (2) in the event of a failure to hold said contest at any subsequent date fixed by the commission for the holding thereof Said sum to be payable within fifteen days after default to insure reimbursement to the purchasers of tickets for such contest, provided, however, that the reimbursement to ticket holders be first ordered by the commission. Every club conducting boxing or wrestling matches must furnish a surety company bond to the State Athletic Commission for seventy per cent of the capacity of the house figured as above This bond is to protect the boxers, wrestlers and referee, exclusively.

In case of default in such performance, the commission may impose upon the delinquent a penalty in the sum of not more than one thousand dollars for each offense, which may be recovered by the Attorney General in the name of the people of the State of California in the same manner as other penalties are recovered by law; any amount so recovered shall be paid to the State Treasurer

The commission is hereby given the sole control, authority and jurisdiction over all licenses to any and all persons who participate in such boxing, sparring or wrestling matches, contests or exhibitions, as hereinafter provided.

SEC. 4 Section 5 of said act is hereby amended to read as follows:

Sec. 5 (a) Any individual, club, corporation, organization or association which may conduct, hold or give, or participate in any sham or fake boxing contest or wrestling match or exhibition shall be subject to a fine of not less than $100.00 nor more than $500 00 and shall thereby forfeit its license issued in accordance with the provisions of this act, which shall thereupon be, by the commission, canceled and declared void; and it shall not thereafter be entitled to receive another such, or any license pursuant to the provisions of this act; nor shall any such license be issued to any individual, club, corporation, organization or association, which has among its members any member who belonged to a club, corporation, organization or association which had its license revoked. (b) Any wrestling demonstration shall be advertised and announced as an exhibition and not as a contest or match.

SEC 5. Section 6 of said act is hereby amended to read as follows:

Sec. 6 Any contestant who shall, in the judgment of the commission, regardless of decision of the referee, participate in any sham or fake boxing contest or wrestling match or exhibition shall be penalized in the following manner, for the first offense he shall be restrained for a period of six months, such period to begin immediately after the occurrence of such offense, from participating in any boxing contest or wrestling match or exhibition to be held or given by any club, corporation, organization, or association duly licensed to give or hold such contests, matches or exhibitions. For a second offense he shall be restrained from appearing in any boxing or wrestling contest or exhibition for a period of not less than two years from the date of such occurrence with a maximum penalty to be decided by the commission. In all cases of sham, fake or collusive matches or contests the purse or purses of the offending participant or participants shall be forfeited to the State Athletic Commission fund

SEC. 4. Section 9 of said act is hereby amended to read as follows:

Sec. 9 The executive directors in their respective territories shall appoint official representatives designated as "inspectors," each of whom shall receive from the commission a card, authorizing him to act as such inspector whenever the commission may designate him to act. An inspector executive director or the secretary of the commission shall be present at all contests, exhibitions and matches and see that the rules are strictly observed, and also be present at the counting up of the gross receipts of all such contests, matches or exhibitions, and shall immediately mail to the commission the official box office statement received by him from the officers of the club, corporation, organization or association; provided, however, that no person receiving retirement pay from any person, firm or corporation shall be appointed as such inspector. The executive directors in their respective districts shall select and assign inspectors and referees for all bouts held in the respective districts and shall have full power and authority to attend to and require full compliance by boxers, wrestlers, promoters, inspectors and others, with all orders, rules and regulations of the commission, and shall have full power and authority to make any decision within the respective districts as to the compliance by said persons with the laws, rules and regulations promulgated by the commission Any such boxer, wrestler, promoter, inspector, or other person deeming himself aggrieved by the decision of such executive secretary shall have the right, within ten days of the rendering of such decision, to appeal from said decision in writing to the commission, and shall be entitled to a hearing thereon at the next regular meeting of the commission.

SEC. 5. Section 10 of said act is hereby amended to read as follows:

Sec. 10. No boxing contest or sparring match or exhibition shall be of more than twelve rounds in length, such rounds to be not more than three minutes each, and there shall be one minute rest between each round, except as the referee may otherwise order in case of foul or other emergency, and no boxer shall be allowed to participate in more than twelve rounds within twelve consecutive hours The

commission may in respect to any bout or in respect to any class of contestants limit the number of rounds of a bout within the maximum of twelve rounds. At each boxing contest or sparring match or exhibition there shall be in attendance a duly licensed referee, appointed by the commission, who shall direct and control the same. Before starting such contest the referee shall ascertain from each contestant the name of his chief second, and shall hold such chief second responsible for the conduct of his assistant seconds during the progress of the contest. The referee shall have power in his discretion to declare forfeited any prize, remuneration or purse, or any part thereof, belonging to the contestants or one of them, or any part of the gate receipts for which said contestants are competing, if in his judgment such contestant or contestants are not honestly competing. The referee must stop the contest or match when either of the contestants shows a marked superiority or is apparently outclassed The referee shall, at the termination of all boxing contests or sparring matches or exhibitions, render his decision Each contestant shall wear, during such contest, gloves weighing not less than five ounces, if such contestant weighs in ring attire one hundred forty-seven pounds or less, and six ounces if such contestant weighs more than one hundred forty-seven pounds. The provisions of this section shall apply to a wrestling contest or exhibition except that the commission shall by rule and regulation prescribe the length or duration of such contest or exhibition, the manner in which the contestants shall engage in such contest or exhibition and such further safeguards and conditions as shall insure fair, sportsmanlike and scientific wrestling contests or exhibitions.

SEC 6 Section 11 of said act is hereby amended to read as follows:

Sec. 11. (a) All buildings or structures used or intended to be used for holding or giving such boxing contests, sparring or wrestling matches or exhibitions shall be properly ventilated and provided with fire exits and fire escapes, and in all manner conform to the laws, ordinances and regulations pertaining to buildings in the city or town where situated. A duly licensed club may, by permission of the commission, temporarily hold boxing or wrestling contests or exhibitions in a location within the same city other than the building or arena for which the license was granted.

(b) It shall be the duty of every individual, club, corporation, organization or association holding a license to conduct boxing contests, sparring or wrestling matches or exhibitions at its own expense, to have in attendance at every boxing contest, sparring or wrestling match or exhibition, a licensed physician recognized by or a member of a county medical society or association who has had not less than three years' medical practice, whose duty it shall be to observe the physical condition of the boxers and wrestlers, and advise the referee with regard thereto, and within one hour before contestants enter the ring to certify in writing over his signature, as to the contestant's physical condition to engage in such contest or exhibition and a report of said medical examinations shall be filed with the commission not later than twenty-four hours after the termination of a contest or exhibition

(c) No contestant under the age of eighteen years shall be permitted to participate in any such boxing contest, sparring or wrestling match or exhibition. Burden of proof of contestant's age shall rest with contestant and club

(d) No person shall be admitted to a boxing contest, sparring or wrestling match or exhibition under the age of sixteen years, unless accompanied by his parent or guardian

(e) No individual, club, corporation, organization or association nor any member, stockholder or matchmaker thereof, shall have, either directly or indirectly, any financial interest in a boxer or wrestler competing on premises owned or leased by the individual, club, corporation, organization or association, or in which such individual, club, corporation, organization, association, member or stockholder thereof is otherwise interested.

(f) Every such individual, club, corporation, organization or association and the officers thereof, and any such physician, matchmaker, referee, timekeeper, boxer, wrestler, manager trainer, second or person who shall wilfully and knowingly conduct, give or participate in any sham or collusive boxing contest, sparring or wrestling match or exhibition, shall be totally disqualified from participation in any further boxing, sparring or wrestling match or exhibition held under the terms of this act.

(g) Each person who is an applicant for a license shall, before a license is issued by the commission, and annually thereafter during the life of such license, pay to the commission, a license fee as follows: Physicians, five dollars; referees, twenty-five dollars; timekeepers, five dollars; professional boxers, five dollars; professional wrestlers, five dollars; managers, twenty-five dollars; announcers, five dollars; seconds, five dollars; matchmakers, twenty-five dollars; judges, one dollar; and ticket collectors one dollar. Such licenses may be revoked by the commission upon such cause as the commission shall deem sufficient

(h) No contestant shall be paid for services before a contest, and should it be determined by the referee and/or the commission that such contestant did not give an honest exhibition of his skill, such services shall not be paid for

(i) No boxing contest, match or exhibition shall be allowed in which the difference in weight of the respective contestants weighing up to one hundred and twenty-

six pounds shall exceed eight pounds; and for contestants weighing between one hundred and twenty-six pounds and one hundred and forty-seven pounds the difference shall not exceed ten pounds; and for contestants weighing between one hundred and forty-seven pounds and one hundred and sixty pounds the weight difference shall not exceed twelve pounds and for contestants weighing between one hundred and sixty pounds and one hundred and seventy-five pounds the weight difference shall not exceed fifteen pounds. This provision shall not apply to boxers who weigh over one hundred and seventy-five pounds.

SEC. 7. Section 14 of said act is hereby amended to read as follows:

Sec. 14. (a) The commission shall have, and hereby is vested with, the sole direction, management, and control of and jurisdiction over all amateur boxing contests, sparring matches and exhibitions to be conducted in accordance with the provisions of section 412 of the Penal Code, wherein an admission fee is charged and received to witness said amateur boxing contests, sparring matches and exhibitions, and same are subject to the provisions of this act

(b) No provisions of this act shall be construed to apply to any sparring, boxing or wrestling contest conducted under the supervision of the authorities of any university or college in the State of California where the contestants are students in any of the universities or colleges participating in the contests or tournaments This does not apply to schools, colleges, or universities whose principal purpose is to provide instruction in boxing or wrestling.

SEC. 8. Section 16 of said act is hereby amended to read as follows:

Sec. 16 Mixed shows shall be prohibited under the terms of this act A mixed show is defined as one in which boxing or wrestling contests or exhibitions are held in conjunction with vaudeville shows, dances or entertainments of any sort.

SEC. 9. A new section to be numbered section 17 is hereby added to said act to read as follows:

Sec 17. Any individual, club, corporation, organization or association which shall hold a license from this commission to conduct boxing, sparring or wrestling contests or exhibitions or the main event boxers or wrestlers at such matches or exhibitions, shall have the privilege of using two judges who in conjunction with the referee shall determine the winner of any such boxing, sparring or wrestling contest or exhibition. If judges are to be used the contracts signed by the main event boxers must so specify. The promoter shall appoint one judge, and the commission shall appoint the second judge. It shall be the duty of the referee to see that the duly assigned judges are in their seats on opposite sides of the ring

Judges shall receive five dollars per bout or more, as the commission may direct, such fees to be shared proportionately to the respective purses between main event participants. Where judges are appointed to assist the referee in rendering a decision in a boxing or wrestling bout at the termination thereof, the referee shall have the announcer obtain from each of the judges his written decision, and the referee shall also hand the announcer his written decision. The announcer after consulting the slips containing the three written decisions shall advise the referee thereof and the referee shall abide by a majority decision of the votes cast, call the announcer and have the decision announced by him. In the event that all three decisions are different the referee shall pronounce the decision as a draw by raising both his own hands. A "no contest" decision can only be rendered by the referee and must be done prior to the termination of the number of rounds the bout is scheduled for by contract. Slips on which are written the decisions of the referee and judges shall be handed by the announcer to the State inspector in charge of the show who in turn shall file such slips with the commission.

SEC. 10. A new section to be numbered section 18 is hereby added to said act to read as follows.

Sec. 18. Before any contest or exhibition the commission may request and the promoter shall immediately furnish the commission with a complete report showing the location and price of every seat, the location of every entrance and exit, the number of ticket takers, ushers and all other attendants Such club shall also furnish to the commission a sample copy of each kind of ticket to be sold and shall also post in a conspicuous place for the convenience of each ticket taker samples of every ticket of admission for such contest. If the arrangements are not satisfactory to the commission the commission may order such change or changes as it deems necessary for the proper conduct of the contest or exhibition Failure to comply with the ruling of the commission regarding any contest or exhibition shall give the commission the power to order the match or exhibition canceled, the promoter suspended and all moneys received for tickets returned to the purchasers, the surety bonds of the promoter to guarantee that ticket holders receive a refund in the full amount paid for tickets indorsed When any individual club, corporation, organization or association holding a license to conduct boxing, sparring or wrestling matches or exhibitions shall fail to conduct a contest or exhibition for a period of sixty consecutive days, such license shall be automatically canceled, and a new application filed with the commission in the event that the promoter again wishes to obtain a permit, which application the commission may approve or disapprove.

SEC. 11. A new section to be numbered section 19 is hereby added to said act to read as follows

Any rule or regulation heretofore adopted and enforced by the State Athletic Commission may be modified or repealed by the commission constituted as hereinabove provided, when in the judgment of such commission such modification or repeal would be in the best interest of boxing or wrestling

SEC 19 A new section to be numbered section 20 is hereby added to said act to read as follows

SEC 20 Any individual, club, corporation, organization, association or person who violates any of the provisions of this act, for which a penalty is not herein expressly prescribed, shall be guilty of a misdemeanor.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Roberts: Assembly Joint Resolution No. 35—Relative to the removal of unemployed Filipinos to the Philippine Islands.

Introduced, and referred to Committee on Federal Relations.

ADJOURNMENT.

At eleven o'clock and fifty-nine minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Saturday, May 6, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Saturday, May 6, 1933

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus.

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. Latham moved a call of the House.

Motion carried.

Time, ten o'clock and five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Evans, Fisher, Hoffman, Latham, Miller, James A., Turner and Mr. Speaker—7.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and fifty-eight minutes a m . further proceedings under the call of the House were dispensed with, on motion of Mr. Latham.

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

Alter, Anglim, Badham, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hatch, Hoffman, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Phillips, Powers, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—53

Quorum present.

PRAYER.

By invitation of the Speaker, prayer was offered by Rev. Robert C Withington of Sacramento.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

MOTION.

On motion of Mr. Boyle, the prayer offered by Rev. Robert C. Withington, Pastor of the Unitarian Church of Sacramento, was ordered printed in the Journal.

PRAYER BY REV. ROBERT C. WITHINGTON.

O Thou Infinite Spirit, in whom we live and move and have our being, Thou Who art watching our moves by day and Who guards our sleep at night, we would pause as we begin the work of a new day to give our thanks unto Thee.

Before the rush of the busy days turns our thoughts to the tasks at hand, we would utter up our prayer. We would pray for a spirit of sincere humility. Help us to realize that we are part of a great universe, that even when we are forgetful of our inheritance, Thou does not forget. Help us to realize that we are not only responsible for what we do, to those who made it possible for our coming here this morning, but above all we are responsible to Thee, and Thou art the final judge of our actions. In this spirit, which is the breeder of humility, may we enter into our work.

We would pray for courage to follow our convictions. As we draw near the close of this session, may no haste to fulfill our own desires wean us away from our obligation to serve the highest causes of our State. May we not forget our loyalties. May we not be untrue to this highest type of manhood that lies latent within us. So when we come to the end of our period of duty we may honestly say that above all else we have acted as men and have followed steadfast the path of honesty and righteousness.

We would pray for wisdom and counsel. The ways that lie before us are complex and filled with heavy clouds of misunderstanding and deep shadows of difficulties. Thou Who givest light to the world, lighten the mind within us, so that we may see clearly, may understand wisely, and act nobly.

May we, when this day closes around about us, be able to say that during its course, we have acted for the service of those whom we represent and have been loyal to the highest within us and above all have kept our trust with Thee. Amen

COMMUNICATION.

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

SACRAMENTO, CALIFORNIA, May 4, 1933

To the Members of the Senate and the Assembly.

The Sacramento police department cordially invite the members of the fiftieth session of the California Legislature, with their wives and friends, to be their guests at the twenty-third annual baseball game between the Sacramento police department and the Stockton police department on Sunday, May 7, 1933, at Moreing Field.

There will be special entertainment beginning at one o'clock and fifteen minutes p.m., consisting of wrestling matches, a special troupe of radio artists, and surprise! surprise! surprise!

Come and see a good ball game!

SACRAMENTO POLICE DEPARTMENT.
By SERGEANT P. C. GAMBLE.
CORPORAL L. E. WARREN.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From County Clerk, Madera County, favoring passage of Senate Bill No. 178.
(Signed) F. W. KROHN, Chairman, Board of Supervisors.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 14—An act to amend section 337 of the Code of Civil Procedure, relating to the time within which actions upon any contract, obligation or liability founded upon an instrument in writing may be commenced.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 14 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1028—An act relating to the lease and sale of the Napa State Farm;

Also, Senate Bill No. 576—An act to amend sections 3732, 3746, 3751, 3756, 3758, 3759, 3764, 3766, 3769, 3771a, 3797, 3817, 3817a, and 3866 and to repeal sections 3765 and 3767 of the Political Code, relating to the assessment and collection of taxes on real and personal property;

Also, Senate Bill No. 319—An act to amend section 13 of the Public Utilities Act, relating to public utility rates.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 1028 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 576 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 319 read first time, and referred to Committee on Public Utilities.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 25—Relative to accepting amendments to permit from the government of the United States for the construction of approach roads over certain rights of way leading to the Golden Gate Bridge in the Fort Baker Military Reservation, and relating to the retrocession by the Congress of the United States of jurisdiction over said rights of way as relocated.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Joint Resolution No. 25 read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 908—An act to declare a moratorium on foreclosure of mortgages and collection of interest thereon for a period of two years—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators McColl, Parkman and Hulse, as a Committee on Free Conference to meet a like committee from the Assembly for the consideration of Senate Bill No. 326—An act to amend section 689 of the Political Code, relating to the costs of janitor and maintenance service furnished by the Department of Finance.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

RESOLUTION.

The following resolution was offered:

By Mr. Callahan:

May 5, 1933

Resolved, That Assembly Bill No. 2397 be withdrawn from Committee on Motor Vehicles and placed on file for passage.

CHAS. W. LYON.
BERT V. CALLAHAN.
CHARLES A. HUNT.
JAMES S. O'CONNOR.
JAMES J. BOYLE.
JOHN D. MCCARTHY.
AUSTIN L. TOURNOUX.
WM. MOSELEY JONES.
CECIL R. KING.
RODNEY L. TURNER.
JOHN T. RAWLS.
ROY J. NIELSEN.
P. J. MCMURRAY
MELVYN I. CRONIN.
JESSE M. MAYO.
MICHAEL J BURNS.
HENRY P. MEEHAN.
J. E. FRAZIER.
W. H. SULLIVAN.
C. W. GRUBBS.
BRUCE R STANNARD.
F. C. CLOWDSLEY.
THORP.
CLIFFORD C. ANGLIM.
JAMES M. CASSIDY.
FRANK J. ROGERS.
CHARLES W. STREAM.
JAMES B. UTT.
EDWARD CRAIG.
C WOOLWINE
JOHN H. O'DONNELL.
ELLIS E. PATTERSON.
T. A. MAHONEY.
FORD A. CHATTERS.
J. E. FRAZIER.
ELEANOR MILLER
CHARLES W. DEMPSTER.
JAMES B UTT.
GEO. B. BOWERS.
CLIFFORD C. ANGLIM.
L. POWERS, JR.

Assembly Bill No. 2397 ordered on file for second reading.

MOTION.

Mr. Powers moved that the rules be suspended for the purpose of considering amendments to Assembly Bill No 871.

The question being on the motion to suspend the rules.

The roll was called, and the motion to suspend the rules lost by the following vote:

AYES—Burns, Chatters, Dempster, Gilmore, Greene, Meeker, Morgan, Patterson, Powers and Thorp—10.

NOES—Alter, Badham, Bowers, Boyle, Brock, Cassidy, Clowdsley, Cottrell, Crist, Evans, Frazier, Hatch, Hoffman, Kallam, Knowland, Latham, Martin, Miller, Eleanor; Phillips, Robinson, C. Ray; Rogers, Stream, Tournoux, West, Zion and Mr. Speaker—26.

UNFINISHED BUSINESS.

Assembly Bill No. 1360—An act to provide for the care, management and protection of State roads and highways and the right of way thereof and providing penalties for the violation of the provisions thereof, and to repeal an act entitled "An act to provide for the care, management and protection of State highways and providing penalties for violations of the provisions of the act," approved May 20, 1915, Statutes of 1915, Chapter 400, as amended.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1360?

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the comma following the word "in", insert the word "under", to be followed by a comma.

AMENDMENT NUMBER TWO

On page 1, line 6, of the printed bill, strike out the words "Department of Public", and on page 1, line 7, strike out the word "Works", and insert in lieu thereof the following: "Director of Public Works or his duly authorized representative".

The roll was called, and Senate amendments to Assembly Bill No. 1360 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cottrell, Craig, Crist, Evans, Fisher, Frazier, Gilmore, Hatch, Hoffman, Knowland, Latham, Maloney, Martin, McCarthy, Meeker, Miller, Eleanor; Morgan, O'Connor, Patterson, Phillips, Powers, Riley, Robinson, C. Ray; Rogers, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Zion and Mr. Speaker—42.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 835—An act to add a new section to the California Air Navigation Act, to be numbered 11½, relating to the responsibility of owners or operators of aircraft for injury to or death of a guest riding in such aircraft.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 835?

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended, strike out lines 4 to 38, inclusive, and insert in lieu thereof the following:

"Sec. 11½. No guest riding in or upon any aircraft without giving compensation for such ride or riding in or upon any aircraft while engaged in a joint enterprise with the airman flying the same shall have, nor shall any other person have, any right of action for civil damages against the airman flying such aircraft or against any other person legally liable for the conduct of such airman on account of personal injury to or the death of such guest during such ride, unless the plaintiff in any such action establishes that such injury or death proximately resulted from the intoxication or wilful misconduct of said airman."

The roll was called, and Senate amendment to Assembly Bill No. 835 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cottrell, Craig, Crist, Evans, Fisher, Frazier, Gilmore, Hatch, Hoffman, Knowland, Latham, Maloney, Martin, McCarthy, Meeker, Miller, Eleanor; Morgan, O'Connor, Patterson, Phillips, Powers, Riley, Robinson, C. Ray; Rogers, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Zion and Mr. Speaker—42.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1059—An act to amend sections 19, 20, 21a, 46, 57, 62, 65, 67, 83 and 96 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, relating to the business of banking.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1059?

AMENDMENT NUMBER ONE.

On page 10, line 23, of the printed, amended bill, strike out the word "partition", and insert in lieu thereof the word "participation".

AMENDMENT NUMBER TWO

On page 15, line 7, of the printed, amended bill, strike out the word "future", and insert in lieu thereof the word "further".

The roll was called, and Senate amendments to Assembly Bill No. 1059 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cottrell, Craig, Crist, Evans, Fisher, Frazier, Gilmore, Hatch, Hoffman, Knowland, Latham, Maloney, Martin, McCarthy Meeker, Miller Eleanor; Morgan, O'Connor, Patterson, Phillips, Powers, Riley, Robinson, C. Ray; Rogers, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Zion and Mr. Speaker—42.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1192—An act to amend the California Districts Securities Commission Act by amending section 11 thereof, relating to when a district may be declared insolvent, control thereof by the districts securities commission, the ordering of refunding bonds of a district

Bill read.

Urgency clause read

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hoffman moved a call of the House.

Motion carried.

Time, eleven o'clock and thirty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cottrell, Craig, Crist, Evans, Feigenbaum, Fisher, Gilmore, Greene, Hatch, Hoffman, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Riley, Robinson, C. Ray; Rogers, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—47.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1635—An act to repeal an act entitled "An act

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1635 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Hatch, Hoffman, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—54
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1693—An act to amend sections ------ of an act entitled "An act

Bill read third time.

The question being on the passage of the bill.

MOTION.

Mr. Crist moved that Assembly Bill No. 1693 be laid on the table.

Motion carried.

Assembly Bill No. 2100—An act to provide for the examination and licensing of hoisting engineers employed in mines in this State.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Mayo moved that Assembly Bill No. 2100 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No 2100 to the Committee on Ways and Means.

Motion carried.

Assembly Bill No. 2100 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 1027—An act to amend section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to proceedings of the commission with relation to findings and award of compensation and the jurisdiction thereof.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Mayo moved that Assembly Bill No. 1027 be withdrawn from the file, and ordered re-referred to Committee on Insurance.

The question being on re-referring Assembly Bill No. 1027 to the Committee on Insurance.

Motion carried.

Assembly Bill No. 1027 ordered re-referred to Committee on Insurance.

Assembly Bill No. 1014—An act to amend section 270 of, and to add three new sections to be numbered 270a, 270b, and 270c, to the Code of Civil Procedure, relating to phonographic reporters for the superior court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1014 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Hatch, Hoffman, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, Meeker, Miller, Eleanor, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and fifty-four minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

The roll of absentees was called, and the urgency clause was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—55.

NOES—None.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1192?

AMENDMENT NUMBER ONE.

On page 4, line 23, of the printed bill, strike out the word "the".

AMENDMENT NUMBER TWO.

On page 4, line 24, of the printed bill, after the word "of", insert the following: ", and financial loss to,".

The roll was called, and Senate amendments to Assembly Bill No. 1192 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—55.

NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 409—An act to amend section 274 of the Code of Civil Procedure, relating to compensation of official reporters of the superior court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 409 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2295—An act to add a new section to be numbered 270a to the Code of Civil Procedure, relating to official reporters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2295 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 871—An act to provide emergency relief and work relief and providing funds to be administered in the various counties of this State.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr Powers:

AMENDMENT NUMBER ONE.

On page 2, line 26, of the printed bill, as amended, strike out "ten", and insert in lieu thereof the following, "five".

AMENDMENT NUMBER TWO

On page 2, line 35, of the printed bill, as amended, after "of", insert "one.".

AMENDMENT NUMBER THREE

On page 2, line 36, of the printed bill, as amended, strike out "fifteen, or twenty", and insert in lieu thereof the following "twenty, or one hundred".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended, strike out line 39, and insert in lieu thereof the following, "thirty-six million, five hundred thousand dollars, shall be issued".

AMENDMENT NUMBER FIVE.

On page 7, line 27, of the printed bill, as amended, following "years", strike out the semicolon and insert a comma and the following: "to be allocated and expended as follows major construction, improvements and equipment, State Agricultural Society, two hundred thousand dollars ($200,000); major construction, improvements and equipment, Agnews State Hospital, six hundred seventy-five thousand dollars ($675,000); major construction, improvements and equipment, Mendocino State Hospital, three hundred thirty-four thousand dollars ($334,000); major construction, improvements and equipment, Napa State Hospital, seven hundred twenty-five thousand dollars ($725,000); water development, Napa State Hospital, four hundred forty-four thousand dollars ($444,000); major construction, improvements and equipment, Norwalk State Hospital, one hundred thousand dollars ($100,000); major construction, improvements and equipment, Patton State Hospital, three hundred eighty-four thousand dollars ($384,000); major construction, improvements and equipment, Stockton State Hospital, four hundred seventy-four thousand dollars ($474,000); major construction, improvements and equipment, Camarillo State Hospital, one million dollars ($1,000,000); major construction, improvements and equipment, Pacific Colony, five hundred four thousand dollars ($504,000); major construction, improvements and equipment, Sonoma State Home, three hundred thousand dollars ($300,000); major construction, improvements and equipment, Preston School of Industry, seventy-five thousand dollars ($75,000); major construction, improvements and equipment, Whittier State School, fifteen thousand dollars ($15,000); major construction, improvements and equipment, Industrial Home for Adult Blind, thirty thousand dollars ($30,000); major construction, improvements and equipment, Veterans' Home of California, three hundred forty-five thousand dollars ($345,000); construction and equipment of armories: at Fresno, San Pedro, Santa Ana, Santa Barbara, and Oakland, California National Guard, three hundred seventy-six thousand dollars ($376,000); major construction, improvements and equipment at new prison for first offenders, nine hundred eighty thousand dollars ($980,000); major construction, improvements and equipment, San Francisco State Teachers College, nine hundred eighty thousand dollars ($980,-

000); major construction, improvements and equipment, Santa Barbara State Teachers College, five hundred thousand dollars ($500,000); major construction, improvements and equipment, California School for the Deaf, one hundred thousand dollars ($100,000); major construction, improvements and equipment at Berkeley, Davis Los Angeles, La Jolla, Riverside and San Francisco, University of California, one million four hundred fifty-nine thousand dollars ($1,459,000);".

AMENDMENT NUMBER SIX.

On page 7, line 33, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following. "all under the supervision and regulation of the Emergency Relief Director, who is hereby empowered to prescribe such rules and regulations as he may deem advisable for the purposes of relieving debts and unemployment within the State, upon the principal basis that such funds shall be distributed to the counties and governmental units in a manner which will encourage public construction and such other measures as in his opinion will tend to accomplish such purposes."

AMENDMENT NUMBER SEVEN.

On page 8 of the printed bill, as amended, strike out lines 9 and 10, and insert in lieu thereof the following: "incomes of individuals

(c) One-fifth of the proceeds of any general sales tax which may hereafter be enacted by the Legislature."

AMENDMENT NUMBER SEVEN-A

On page 8, line 20, of the printed bill, as amended, strike out the word "twenty", and insert in lieu thereof "fifteen".

AMENDMENT NUMBER EIGHT.

On page 8, line 16, of the printed bill, as amended, strike out "twenty", and insert in lieu thereof the following: "fifteen".

AMENDMENT NUMBER NINE.

On page 8, line 25, of the printed bill, as amended, strike out "any fund of the", and insert in lieu thereof the following: "the motor vehicle fuel fund of the".

AMENDMENT NUMBER TEN.

On page 8, line 32, of the printed bill, as amended, after the period, insert the following "Whenever lawful money of the United States is required for the accomplishment of any of the purposes of this act, the bonds issued hereunder may be substituted by the officer having custody of the funds specified in this section in lieu of such lawful money in said funds or in lieu of securities in said funds and the securities may be substituted in lieu of lawful money in other funds or may be sold for the purpose of procuring lawful money and lawful money taken from such fund or procured as herein set forth may be used for the purposes of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2402—An act to enable irrigation districts to negotiate settlements of controversies involving alleged damage to the water rights of land within such districts, in cases where the State of California holds a tax title to any land in such district.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Meeker:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, strike out ", and the", and insert in lieu thereof the following: ". The".

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, after "district", insert the following: ", and the tax title of the State to the land shall remain wholly unimpaired".

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Meeker asked for, and was granted, unanimous consent to take up Assembly Bill No. 2402, at this time, without reference to committee or file, and that same be considered engrossed

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2402 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1300—An act to amend section 3633 of the Political Code, relating to equalization of assessments.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1300 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2216—An act providing for powers of counties in joint county and city projects.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2216 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 470—An act to repeal section 924 of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 470 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Craig moved that Senate Bill No. 1201 be withdrawn from Committee on Conservation, and ordered re-referred to Committee on Irrigation.

The question being on re-referring Senate Bill No. 1201 to Committee on Irrigation.

Motion carried.

Senate Bill No. 1201 ordered re-referred to Committee on Irrigation.

RECESS.

At twelve o'clock and thirty minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1933.

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 548—An act to amend section 10 of an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1913, and all amendments thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C RAY, Chairman.

The above reported bill ordered placed on daily calendar.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1933.

MR SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 454—An act to amend sections 847, 886, and 927 of the Fish and Game

Code and add thereto sections 493 5, 744, 744.5, 842 5, 867, 868, 927 5, 1000 and 1001 and to repeal section 714 thereof, relating to fish and game—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 675—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately—and reports that the same has been correctly enrolled and presented the same to the Governor on this sixth day of May, 1933, at eleven o'clock and thirty minutes a.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 354—An act to add two new sections, to be numbered 5 508a and 5 507 to the School Code, relating to teachers' tenure;

Also: Assembly Bill No. 1173—An act to amend the Agricultural Code, by amending sections 1261, 1263, 1264, 1265, 1267, 1268, 1269, 1270, 1271, 1272 and 1273, and repealing section 1266 thereof, and adding a new section thereto to be numbered 1272 5, all relating to dealers in farm products,

Also: Assembly Bill No. 1944—An act to create the California Mining and Development Board and to provide for the fostering and development of the mining industry of this State,

Also, Assembly Bill No. 2352—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as therein defined, providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately;

Also: Assembly Bill No. 2286—An act declining on the part of the State of California to accept money from the estate of Emma Hotfilter for the purpose of erecting a fountain within the State Capitol grounds;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No 72—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVII a new section to be numbered 4, relating to public parks;

Also: Assembly Constitutional Amendment No. 115—A resolution to propose to the people of the State of California an amendment to the Constitution of this State, by repealing section 2 and amending section 7 of Article IX thereof, relating to education,

Also· Assembly Constitutional Amendment No. 118—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding a new section to Article IV thereof, to be numbered 23b, relating to compensation of members of the Legislature;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported constitutional amendments ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1277—An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the

Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act;

Also Assembly Bill No. 2145—An act to amend sections 93, 94 and 95 of the Vehicle Code, relating to members of the California Highway Patrol;

And reports that the same have been correctly re-re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 6, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No 414—An act to amend sections 2436, 2439, 2440, 2457, 2458, 2459, 2460, 2465, 2466a, and 2468 of the Political Code, to amend section 2467 of said code and to add section 2457a to said code, relating to the pilotage of vessels to, from and within ports and bays of the State of California.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1206—An act to add a new section to the Political Code to be known as section 3664a-1, relating to the taxation of certain public service companies for the benefit of the State, and providing this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 1206 read first time, and referred to Committee on Revenue and Taxation.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 281—An act regulating the hours of labor of the operators of certain motor vehicles;

Also: Senate Bill No. 356—An act to amend sections 2 and 50 of the Public Utilities Act, and to add a new section thereto, to be numbered 57½, relating to the regulation of freight forwarders; the regulation of vessels engaged in the transportation of persons or property for compensation between points in this State and for the issuance of certificates of public convenience and necessity for the operation of such vessels;

Also Senate Bill No 1209—An act to amend sections 1 and 2 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries;

Also: Senate Bill No 1210—An act to add a new section to the Political Code, to be numbered 4041.7, relating to powers and duties of boards of supervisors;

Also Senate Bill No. 573—An act to amend an act entitled "An act relating to the use of the air and to make uniform the law with reference thereto; providing for the licensing of aircraft, airmen and air navigation facilities; providing, in a certain contingency, for the creation of the Aeronautical Commission of California, prescribing its powers and duties and making an appropriation for its use; providing for the enforcement of the act and penalties for violations thereof and repealing acts in conflict therewith," approved June 18, 1929, by amending section 1 (e) defining the term "Federal license."

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 281 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No 356 read first time, and referred to Committee on Public Utilities.

Senate Bill No 1209 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1210 read first time, and referred to Committee on County Government.

Senate Bill No. 573 read first time, and referred to Committee on Aviation and Aircraft.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 634—An act to amend sections 228 and 229 of the Probate Code, relating to succession to estates of decedents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 634 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Turner, West, Williamson and Mr. Speaker—56.

NOES—Feigenbaum—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1592—An act to add a new section to the Political Code to be numbered section 472a, relating to the defense of peace officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1592 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Maloney, Martin, Miller, Eleanor, Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Turner, Utt, West, Williamson and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1521—An act confirming and extending the application of the provisions of section 830 of the Civil Code of the State of California to grants made or patents issued to lands by the State and consenting that it may be sued to quiet title to such lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1521 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Thorp, Turner, Utt, West, Williamson, Wright and Mr. Speaker—61.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 2383—An act to amend section 3369 of the Civil Code, relating to specific and preventive relief.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2383 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Callahan, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Eleanor; Morgan, Nielsen, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E, Rogers, Scudder, Stannard, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—55.

NOES—Hoffman—1.

Title read and approved

Bill ordered transmitted to the Senate.

COMMUNICATION.

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

By the San Francisco delegation:

SAN FRANCISCO, CALIFORNIA, May 5, 1933.

Leo Lennon, Senator Hotel, Sacramento, California.

In response to wire from M J. Burvis after conference with mayor and Cleary Gallagher and others, our position on gas tax diversion is as follows: First—We are very strongly in favor of one-half cent return to counties Second—If one-half cent can not win, our next preference is inclusion of 6600 miles and one-quarter cent back to counties. If both lose, we are opposed to any diversion

JEFFERSON E PEYSER.
ANDREW J. GALLAGHER.
JAMES B McSHEEHY
Legislative Committee.

HON. WILLIAM B HORNBLOWER IN THE CHAIR.

At three o'clock and fifteen minutes p.m., Hon William B. Hornblower, member of the Assembly from the Twenty-third Assembly District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2406—An act to establish certain secondary State highways and provide for their construction, improvement and maintenance.

Bill read third time.

The question being on the passage of the bill.

MOTION.

Mr. Latham moved that further consideration of Assembly Bill No. 2406 be deferred until after the Legislature reconvenes in July.

The question being on the motion to defer action.

Mr. Latham withdrew his motion.

The question being on the passage of the bill.

MOTION.

Mr. Cobb moved that further consideration of Assembly Bill No. 2406 be deferred until such time as Assembly Bill No. 1172 is considered.

The question being on the motion to defer action.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Kallam, Scudder, Crist, Cottrell and Crowley demanded the previous question.

The question being: Shall the main question be now put?

REQUEST FOR ROLL CALL.

On request of Messrs. Crist, Cottrell and Hoffman, the Speaker ordered a roll call taken on the demand for the previous question.

The roll was called, and the demand for the previous question carried by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Brock, Burns, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, McBride, McCarthy, Meehan, Miller, Eleanor; Morgan, O'Connor, O'Donnell, Patterson, Peterson, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Roland, Scudder, Sullivan, Tournoux, Turner, Utt, Williamson, Woolwine, Wright and Zion—55.

NOES—Bowers, Cottrell, Maloney, Mayo, Meeker, Miller, James A., Nielsen, Phillips, Stannard, Stream and Mr. Speaker—11.

The question being on the adoption of the motion by Mr. Cobb that consideration of Assembly Bill No. 2406 be deferred until after Assembly Bill No. 1172 has been considered.

The roll was called, and the motion to defer action on Assembly Bill No. 2406 was lost by the following vote:

AYES—Badham, Boyle, Brock, Callahan, Clowdsley, Cobb, Dempster, Evans, Feigenbaum, Field, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Latham, Lyon, Maloney, Martin, McCarthy, Miller, Eleanor; Miller, James A., O'Connor, Rawls, Redwine, Riley, Roberts, Sullivan, Tournoux, Williamson, Woolwine and Wright—34.

NOES—Alter, Anglim, Bliss, Bowers, Burns, Chatters, Cottrell, Crist, Cronin, Crowley, Fisher, Frazier, Gilmore, Hoffman, Kallam, Knowland, Mayo, McBride, Meehan, Meeker, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Turner, West and Zion—37.

The question being on the passage of the bill.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Cottrell, Fisher, Hoffman, Crist and Kallam demanded the previous question.

The question being: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2406 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Burns, Chatters, Clowdsley, Cottrell, Crist, Crowley, Fisher, Frazier, Gilmore, Greene, Hoffman, Hornblower, Jones, Kallam, Knowland, Maloney, Mayo, McBride, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Turner, Utt, West and Williamson—44.

NOES—Badham, Boyle, Brock, Callahan, Cobb, Cronin, Dempster, Evans, Feigenbaum, Field, Grubbs, Hallner, Hatch, Hunt, King, Latham, Lyon, Martin, McCarthy, Miller, Eleanor; Patterson, Rawls, Redwine, Riley, Roberts, Sullivan, Tournoux, Woolwine, Wright, Zion and Mr. Speaker—31.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At four o'clock and fifteen minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 275—An act to amend section 1305 of the Penal Code, relating to forfeiture of bail or deposit.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 275 passed by the following vote:

AYES—Alter, Anglim, Brock, Burns, Cassidy, Chatters, Cobb, Crowley, Dempster, Evans, Gilmore, Hallner, Hornblower, Hunt, Kallam, King, Lyon, Maloney, McBride, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Robinson, C. Ray; Robinson, Samuel E., Rogers, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—41.

NOES—Badham, Bowers, Callahan, Clowdsley, Cottrell, Crist, Feigenbaum, Field, Hatch, Hoffman, Jones, Knowland, Latham, Martin, McCarthy, Miller, Eleanor; Morgan, Redwine, Riley, Roland, Scudder, Stannard, Stream and Wright—24.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 761—An act to amend section 24 of the State Bar Act, relating to admission to practice law.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 761 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—69.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2172—An act to provide for the regulation of business investment brokers and salesmen, and providing penalties

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2172 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Maloney, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—54.

NOES—Field, Greene, Hallner, Kallam, Latham, Martin, Robinson, Samuel E., and Wright—8

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1437—An act to provide for the inspection of warehouses where grain is stored for hire; for the sampling, examination and condemnation of infested grain and regulating the sale thereof; defining the powers and duties of the Director of Agriculture in regard thereto and prescribing penalties for violations of the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1437 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1173—An act to amend section 307 of the Agricultural Code, relating to meat inspection.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Phillips:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, as amended May 5, 1933, strike out all of line 2 following the word "fund", and all of line 3, and insert in lieu thereof a period.

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Bill No. 1173, at this time, without reference to printer or file, and that same be considered engrossed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1173 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2095—An act to amend the Agricultural Code, relating to inspection of farm products and the regulation of such inspection.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2095 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Chatters, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Field, Fisher, Frazier, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Lyon, Martin, Meehan, Meeker, Miller, Eleanor, Phillips, Powers, Rawls, Roberts, Robinson, C Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, Wright and Mr. Speaker—43.

NOES—Bowers, Callahan, Cassidy, Feigenbaum, Gilmore, Grubbs, Hallner, Hunt, Maloney, Miller, James A., Nielsen, O'Connor, Patterson, Redwine, Riley, West, Williamson and Zion—18

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

Mr. Robinson, C. Ray, moved that all bills on file carrying an appropriation, on adjournment of this legislative day, be considered immediately after the signing of the Budget Bill by the Governor.

Motion carried.

RECESS.

At five o'clock and ten minutes p m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until eight o'clock p m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1933.

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 2253—An act to amend sections 27 and 34 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909, relating to duty of warehouseman in regard to stored goods—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 287—An act to provide for the construction and completion of a causeway across the Tisdale by-pass in Sutter County, State of California, and to make an appropriation therefor;

Also: Assembly Bill No. 381—An act to amend sections 18 and 26a of an act entitled "An act to provide for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," relating to street improvements;

Also: Assembly Bill No. 528—An act to amend section 4234 of the Political Code, relating to compensation of county officers and employees in counties of the fifth class;
Also: Assembly Bill No. 529—An act to amend section 19x5 of the Juvenile Court Law, relating to probation officers in counties of the fifth class;
Also: Assembly Bill No. 530—An act to amend section 9a5 of and to add section 18 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing "An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, prescribing a short title and relating to librarians in counties of the fifth class;
Also: Assembly Bill No. 531—An act to amend section 16x5 of the Weights and Measures Act, relating to sealers in counties of the fifth class;
Also: Assembly Bill No. 851—An act to provide for the extension of the period in which property sold to the State for delinquent taxes may be redeemed, and to declare that this act shall take effect immediately;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 882—An act to add a new section to the Penal Code to be numbered 1279a, relating to regulation of bail, bail bonds and professional bondsmen;
Also: Assembly Bill No. 949—An act to add section 3.401 to the School Code, relating to tuition fees of students in junior colleges;
Also: Assembly Bill No. 971—An act to amend sections 1, 3, 4 and 7, to an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations" approved May 28, 1931;
Also: Assembly Bill No. 1292—An act providing for the creation, management, maintenance and improvement of the California Desert Park; creating the California Desert Park Board in connection therewith, and making an appropriation therefor.
Also: Assembly Bill No. 1302—An act to amend sections 6, 7 and 26, and to add two new sections to be numbered sections 7a and 21a to the Corporate Securities Act, all relating to corporations;
Also: Assembly Bill No. 1598—An act to authorize the acceptance of checks, bank drafts and money orders in payment of taxes, assessments, licenses, fees, and other accounts payable into the treasury of any municipal or other public corporation, or political subdivision, subject to the due honor thereof and relating to the manner of making collection thereon, settlement with the treasurer therefor and procedure upon the nonpayment thereof, and to repeal an act entitled: "An act to authorize assessors and tax collectors to accept checks, bank drafts and money orders in payment of taxes subject to the due honor thereof and relating to the manner of making collection thereon and settlement with the county treasurer therefor," approved May 24, 1921;
Also: Assembly Bill No. 1787—An act to amend section 137 of the Fish and Game Code, relating to fish and game districts;
And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1892—An act making an appropriation to pay the claim of Morris Cohan against the State of California.
Also: Assembly Bill No. 1947—An act to amend section 215 of the Vehicle Code, relating to the registration of foreign vehicles used within this State for the transportation of persons or property for compensation or profit;
Also: Assembly Bill No. 2172—An act to amend section 2 of the California Real Estate Act extending the provisions of said act to include brokers and salesmen dealing in the sale, purchase or exchange of businesses;
Also: Assembly Bill No. 2208—An act to amend sections 3366 and 4041.14 of the Political Code, relating to the licensing of businesses by the counties;
Also: Assembly Bill No. 2227—An act to amend sections 560, 816, 817, 818, 819, 820 and 821 of the Fish and Game Code and to add thereto a new section to be numbered 822, relating to oysters;
Also: Assembly Bill No. 2364—An act making an appropriation to pay the claim of Effie Porter against the State of California;

Also: Assembly Bill No. 2399—An act establishing a certain additional State highway and classifying it as a secondary highway;

Also: Assembly Bill No. 2400—An act regulating competition in business, providing for the organization of trade associations as defined herein, authorizing the Corporation Commissioner of the State of California to issue permits for the operation thereof, and defining and prohibiting destructive competition;

Also: Assembly Bill No. 2423—An act to amend section 6 of the "Orange County Flood Control Act" relating to bond elections;

And reports that the same have been correctly engrossed

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 337—An act to amend sections 6.740 and 6.771 of the School Code, relating to the use of school buildings or grounds;

Also: Assembly Bill No. 452—An act to amend the title of, and to add new sections to be numbered 4a and 4d to, an act entitled "An act to provide for the government of irrigation districts having an area of more than 500,000 acres and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to elections and to qualification of electors;

Also: Assembly Bill No. 589—An act making an appropriation to the State Board of Control to pay claims against the State of California;

Also: Assembly Bill No. 846—An act appropriating money to pay the claim of Sheila Buckland against the State of California;

Also: Assembly Bill No. 1051—An act appropriating money to pay the claim of William F. Kaldher against the State of California;

Also: Assembly Bill No. 1631—An act to amend section 1065 of the Fish and Game Code, relating to commercial fishing regulations;

Also: Assembly Bill No. 2397—An act to repeal an act known as "Chapter 213, Statutes of 1917 as amended," relating to trucks,

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2404—An act to amend sections 1, 2, 3, 4, 13, 23 and 26 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," and to add thereto a new section to be numbered 4a, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding two new sections to Article XIII thereof, to be numbered 11 and 12, relating to limitation of tax rates—and reports that the same has been correctly re-engrossed

PATTERSON, Chairman

Assembly Constitutional Amendment No. 46 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 558—An act to amend section 3422 of the Civil Code, relating to injunctions;

Also: Assembly Bill No. 559—An act to amend section 526 of the Code of Civil Procedure, relating to injunctions;

Also: Assembly Bill No. 2226—An act to amend sections 777 and 779 of the Vehicle Code, relating to the motor vehicle fund and the disposition of moneys placed therein;
And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1288—An act to amend the article heading of Article 1 of Chapter 3 of Division V of and to amend sections 851, 852 and 871 and to repeal sections 853, 855, 856, 857, 858, 859, 862, 864, 865, 866, 867, 868, 869, 873, 874, 875, 879 and 881 of the Agricultural Code, relating to canned foods;

Also: Assembly Bill No. 1362—An act to amend section 588b of the Penal Code, relating to the breaking down, removal, injury or destruction of barriers or obstructions, the tearing down, removal or destruction of notices, or the extinguishing, removal, injury or destruction of warning lights or lanterns, on a State road or highway, and prescribing a penalty for the violation of such section;

Also Assembly Bill No. 1795—An act to amend section 68 of the Penal Code, relating to bribery;

Also: Assembly Bill No 1797—An act to amend section 288 of the Penal Code, relating to crimes against children;

Also: Assembly Bill No. 2272—An act to amend section 4250 of the Political Code, relating to compensation of officers and employees in counties of the twenty-first class;

Also: Assembly Bill No 2349—An act to amend section 10 of the Political Code, relating to holidays, to validate the acts of public officers made, done or performed on certain holidays and to declare that this act shall take effect immediately;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixth day of May, 1933, at two o'clock and thirty minutes p m

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 330—An act to amend sections 535 and 536 of the Fish and Game Code, and to add thereto sections 536.5, 536 6, 536.7, 536 8 and 536 9, relating to fish screens;

Also Assembly Bill No. 420—An act adding a new section to be designated section 1149½ to the Political Code, and amending section 1150 of the Political Code, relating to the index to the book of affidavits of registration, and the designation thereon of persons who have voted;

Also: Assembly Bill No. 421—An act to amend section 13 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, relating to the time for preparing and mailing sample ballots;

Also: Assembly Bill No. 457—An act to amend sections 698, 702, 705, 708 and 711 of the Fish and Game Code, relating to fish;

Also. Assembly Bill No. 866—An act to amend sections 612, 651, 654 and 659 of the Fish and Game Code and to add thereto sections 615 5, 650.5, 658 5 and 658 6, relating to salmon and trout,

Also: Assembly Bill No. 1185—An act to add two new sections to the Penal Code, to be numbered 405a and 405b, establishing the public offense of lynching, and providing penalties therefor;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixth day of May, 1933, at two o'clock and thirty minutes p m.

PATTERSON, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1933.

MR SPEAKER Your Committee on Ways and Means to which was referred Assembly Bill No. 2419—An act making an appropriation to pay the claim of H J Hardy and the Victorian Petroleum Company against the State of California—has

had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COBB, Chairman.

The above reported bill ordered on file for second reading

Also:

MR SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No. 2233—An act to add forty-four new sections to the Political Code, to be numbered 364k to 364k43, inclusive, to amend section 364a of said code, and to repeal certain acts inconsistent herewith, all relating to a system of unemployment relief insurance, reserves, and compensation for the State of California, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

COBB, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 389—An act making an appropriation to pay the claim of Evelyn Morse against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman.

The above reported bill ordered on file for second reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1933.

MR SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 21—Relative to expansion of the topographic mapping program of the United States—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

PETERSON, Chairman.

Senate Joint Resolution No 21 ordered on file for adoption.

RESOLUTION.

The following resolution was offered:

By Mr. Scudder:

We, the undersigned, being the majority of the members of the fiftieth Assembly of the State of California, hereby petition and resolve that Assembly Bill No. 2235 be withdrawn from the Committee on Ways and Means and that same be placed on the floor of this Assembly for consideration and passage.

FRANK J. ROGERS.
HUBERT B. SCUDDER.
CHARLES A. HUNT.
JESSE M. MAYO.
JAMES M. CASSIDY.
JOHN H. O'DONNELL.
P. J. McMURRAY.
WM. MOSELEY JONES
WALTER H. SULLIVAN.
ELEANOR MILLER.
ERNEST C. CROWLEY.
FORD A. CHATTERS.
THORP.
F. C. CLOWDSLEY.
HARRY P. MEEHAN.
JOHN D. McCARTHY.
JOSEPH P. GILMORE.
MELVYN I CRONIN.
CECIL R KING.
WM. B. HORNBLOWER.
ROY J. NIELSEN.
MICHAEL J. BURNS.
MAURICE S. MEEKER.
THOMAS A. MALONEY.
CLIFF ANGLIM.
ELLIS E. PATTERSON.
CHARLES W. LYON.
CHARLES W. DEMPSTER.
J E. FRAZIER.
BERT V. CALLAHAN.
JAMES J. McBRIDE.
BRUCE R. STANNARD.
CHARLES W. STREAM.
H. S. HALLNER.
AUSTIN L. TOURNOUX.
RODNEY L. TURNER.
F. M. ROBERTS.
JAMES J. BOYLE.
JOHN T. RAWLS.
S. E. ROBINSON.
L. POWERS, JR.

Assembly Bill No. 2235 ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 6, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 987—An act to amend section 128 of the Agricultural Code, relating to the eradication of pests.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

Senate Bill No. 987 read first time, and referred to Committee on Agriculture.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 850—An act to amend section 1106 of the Political Code, relating to registration of voters.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 850 read first time, and referred to Committee on Elections.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 8 of Article I thereof, relating to grand juries.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Constitutional Amendment No. 4 read, and referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 770—An act to amend section 3766 of the Political Code, relating to delinquent tax lists.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 770 read first time, and referred to Committee on Revenue and Taxation.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 208—An act to amend section 4271 of the Political Code, relating to compensation of county and township officers in counties of the forty-second class;

Also: Senate Bill No. 209—An act to amend section 2322x42 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-second class;

Also: Senate Bill No. 210—An act to amend section 19x42 of the Juvenile Court Law, relating to probation officers in counties of the forty-second class;

Also: Senate Bill No. 211—An act to amend section 16x42 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the forty-second class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bills Nos. 208, 209, 210 and 211 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 5—An act to call a special election to be held on Tuesday, the twenty-seventh day of June, 1933, for the purpose of submitting to the qualified electors of this State certain amendments to the Constitution of this State proposed by the Legislature at its fiftieth regular session and for the purpose of electing delegates to a convention to consider and pass upon a proposed amendment to the Constitution of the United States and to provide that this act shall take effect immediately

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 5 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also.

SENATE CHAMBER, SACRAMENTO, May 6, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 479—An act to add section 363r to the Political Code, relating to the powers and duties of the Department of Public Works concerning roads in or across property controlled by the State;

Also. Senate Bill No. 161—An act to repeal section 4295a of the Political Code, relating to filing fees under the Water Commission Act;

Also: Senate Bill No. 1056—An act to add section 16 to the Bank Act, relating to the business of banking;

Also: Senate Bill No 630—An act to amend sections 245, 246, 247, 267, 268 and 269 of the Political Code, relating to the number, designation, election, appointment and compensation of officers and employees of the Legislature;

Also: Senate Bill No 70—An act to amend section 626m of the Penal Code, relating to the protection of game.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 479 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 161 read first time, and referred to Committee on Irrigation.

Senate Bill No 1056 read first time, and referred to Committee on Banking.

Senate Bill No. 630 read first time, and referred to Committee on Rules.

Senate Bill No. 70 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference appointed to consider Senate Bill No. 326—An act to amend section 689 of the Political Code, relating to the costs of janitor and maintenance service furnished by the Department of Finance

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 2419—An act making an appropriation to pay the claim of H. J Hardy and the Victorian Petroleum Company against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2233—An act to add forty-four new sections to the Political Code, to be numbered 364k to 364k43, inclusive, to amend section 364a of said code, and to repeal certain acts inconsistent herewith, all relating to a system of unemployment relief insurance,

reserves, and compensation for the State of California, and making an appropriation therefor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "364k43", and insert in lieu thereof the following: "364k39".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out line 7, and insert in lieu thereof the following: "ployment Insurance Act" "

AMENDMENT NUMBER THREE.

On page 2, lines 25 and 26, of the printed bill, strike out "and does not include a "pension" received hereunder;"

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 27 to 31, inclusive.

AMENDMENT NUMBER FIVE.

On page 2, line 32, of the printed bill, strike out "(h)", and insert in lieu thereof the following: "(g)".

AMENDMENT NUMBER SIX.

On page 2, line 36, of the printed bill, strike out "(i)", and insert in lieu thereof the following: "(h)".

AMENDMENT NUMBER SEVEN.

On page 2, line 38, of the printed bill, after "Relief", insert the following: "and Labor Statistics and Law Enforcement".

AMENDMENT NUMBER EIGHT.

On page 4, line 35, of the printed bill, strike out "in the "workers' retirement fund and".

AMENDMENT NUMBER NINE.

On page 5 of the printed bill, strike out lines 11 to 21, inclusive.

AMENDMENT NUMBER TEN.

On page 6, line 8, of the printed bill, strike out " "workers' retirement fund," ", and insert in lieu thereof the following: " "unemployment insurance fund," ".

AMENDMENT NUMBER ELEVEN.

On page 6 of the printed bill, strike out line 24, and insert in lieu thereof the following: "ment insurance fund".

AMENDMENT NUMBER TWELVE.

On page 7 of the printed bill, strike out lines 12 to 23, inclusive.

AMENDMENT NUMBER THIRTEEN.

On page 7, line 24, of the printed bill, strike out "364k26", and insert in lieu thereof the following: "364k24"

AMENDMENT NUMBER FOURTEEN.

On page 7, line 44, of the printed bill, strike out "364k27", and insert in lieu thereof the following: "364k25"

AMENDMENT NUMBER FIFTEEN.

On page 8, line 1, of the printed bill, strike out "364k28", and insert in lieu thereof the following: "364k26".

AMENDMENT NUMBER SIXTEEN.

On page 8, line 8, of the printed bill, strike out "364k29", and insert in lieu thereof the following: "364k27".

AMENDMENT NUMBER SEVENTEEN.

On page 8, line 22, of the printed bill, strike out "364k30", and insert in lieu thereof the following: "364k28".

AMENDMENT NUMBER EIGHTEEN.

On page 8, line 31, of the printed bill, strike out "364k31", and insert in lieu thereof the following: "364k29".

AMENDMENT NUMBER NINETEEN.

On page 8, line 40, of the printed bill, strike out "364k32", and insert in lieu thereof the following: "364k30".

AMENDMENT NUMBER TWENTY.

On page 8, line 44, of the printed bill, strike out "364k33", and insert in lieu thereof the following: "364k31".

AMENDMENT NUMBER TWENTY-ONE.

On page 8, line 51, of the printed bill, strike out "364k34", and insert in lieu thereof the following: "364k32".

AMENDMENT NUMBER TWENTY-TWO.

On page 9, line 4, of the printed bill, strike out "364k35", and insert in lieu thereof the following: "364k33".

AMENDMENT NUMBER TWENTY-THREE.

On page 9, line 13, of the printed bill, strike out "364k36", and insert in lieu thereof the following: "364k34".

AMENDMENT NUMBER TWENTY-FOUR.

On page 9, line 26, of the printed bill, strike out "364k37", and insert in lieu thereof the following: "364k35".

AMENDMENT NUMBER TWENTY-FIVE.

On page 9, line 37, of the printed bill, strike out "364k38", and insert in lieu thereof the following: "364k36".

AMENDMENT NUMBER TWENTY-SIX.

On page 9 of the printed bill, strike out lines 39 to 51; and on page 10, strike out lines 1 to 6, inclusive.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 10, line 7, of the printed bill, strike out "364k41", and insert in lieu thereof the following: "364k37".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 10, line 17, of the printed bill, strike out "364k42", and insert in lieu thereof the following: "364k38".

AMENDMENT NUMBER TWENTY-NINE.

On page 10, line 22, of the printed bill, strike out "364k43", and insert in lieu thereof the following: "364k39".

AMENDMENT NUMBER THIRTY.

On page 10 of the printed bill, strike out lines 29 and 30.

AMENDMENT NUMBER THIRTY-ONE.

On page 10, line 31, of the printed bill, strike out "(c)", and insert in lieu thereof the following: "(b)".

AMENDMENT NUMBER THIRTY-TWO.

On page 10, line 33, of the printed bill, strike out "(d)", and insert in lieu thereof the following: "(c)".

AMENDMENT NUMBER THIRTY-THREE.

On page 10, line 35, of the printed bill, strike out "(e)", and insert in lieu thereof the following: "(d)".

AMENDMENT NUMBER THIRTY-FOUR.

On page 10, line 44, of the printed bill, strike out "five", and insert in lieu thereof the following: "four".

AMENDMENT NUMBER THIRTY-FIVE.

On page 10, line 47, of the printed bill, strike out ", the Division of", and insert in lieu thereof "and".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 389—An act making an appropriation to pay the claim of Evelyn Morse against the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the word "of", strike out all of balance of the line up to the word "is", in line 2, and insert in lieu thereof the following: "Eleven hundred dollars ($1,100)".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2235—An act making an appropriation out of the fish and game preservation fund for the construction of jetties at the mouth of the Russian River.

Bill read second time, ordered to engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1302—An act to amend sections 6, 7 and 26, and to add two new sections to be numbered sections 7a and 21a to the Corporate Securities Act, all relating to corporations.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Utt moved that Assembly Bill No 1302 be withdrawn from the file, and ordered re-referred to Committee on Corporations.

The question being on re-referring Assembly Bill No. 1302 to Committee on Corporations

Motion carried.

Assembly Bill No. 1302 ordered re-referred to Committee on Corporations.

Assembly Bill No 851—An act to suspend the exemption from taxation granted by the Constitution to the California School of Mechanical Arts.

Bill read third time.

The question being on the passage of the bill.

MOTION.

Mr. Zion moved that Assembly Bill No. 851 be laid upon the table.

Motion carried.

Assembly Bill No. 2123—An act to add a new section, to be numbered 3a, to an act entitled "An act for the preservation of the public health of the people of the State of California, empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved May 23, 1907, relating to sewerage disposal.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 2123 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher,

Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2408—An act to add section 365e½ to the Political Code, relating to powers and duties of the California Highway Commission in respect to construction or repair of highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2408 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Maloney, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Miller, James A O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—59

NOES—Field, Fisher, Hoffman, Knowland, Latham, Morgan, Robinson, C. Ray; and Mr. Speaker—8.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1977—An act to amend section 626 of the Agricultural Code, relating to dairies and dairy products.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1977 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 2410—An act to provide for the organization and management of mining development districts and to provide for the development of mines included therein; for the construction of all works necessary or incidental for the joint development of said mines and for the management and operation of all properties belonging to the district; and for the acquisition of all properties necessary therefor; to provide for the management of such districts and also to provide for the issuance and payments of bonds for such district, for the levy-

ing of taxes and the collection of charges by said districts and for the annexation of additional territory thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2410 passed by the following vote:

AYES—Alter, Anglim, Badham, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Crist, Cronin, Crowley, Feigenbaum, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Maloney, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, Williamson, Woolwine and Wright—52.

NOES—Bliss, Clowdsley, Cottrell, Field, Fisher, Frazier, Greene, Knowland, Martin, Meeker, Morgan, O'Donnell, Roland, Thorp, West, Zion and Mr. Speaker—17.

Title read and approved.

Bill ordered transmitted to the Senate.

LEAVE OF ABSENCE.

On motion of Mr. Hunt, Mr. Dempster was granted leave of absence for the balance of this legislative day.

Assembly Bill No. 2412—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2412 passed by the following vote:

AYES—Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Cobb, Crist, Cronin, Crowley, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Maloney, McCarthy, McMurray, Meehan, Meeker, Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Powers, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson and Mr. Speaker—42.

NOES—Alter, Bowers, Brock, Chatters, Clowdsley, Cottrell, Craig, Field, Greene, Hatch, Latham, Martin, Miller, Eleanor; Morgan, Phillips, Rawls, Redwine, Riley, Roland, Stream, Utt, Wright and Zion—23.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2407—An act to amend section 24½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time for such purposes, and to create a board of fire commissioners," approved March 4, 1891, relating to inclusion of outlying territory within the fire limits of unincorporated towns and villages.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2407 passed by the following vote:

AYES—Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1250—An act to add sections 1156, 1157 and 1158 to the Fish and Game Code, relating to the closing of areas to hunting.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1250 passed by the following vote:

AYES—Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1762—An act to add sections 1415 and 1416 to the Fish and Game Code, relating to the forfeiture of hunting and sporting fishing licenses.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1762 passed by the following vote:

AYES—Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1420—An act to repeal section 1413 of the Fish and Game Code, relating to fines and penalties.
Bill read third time.
The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1420 passed by the following vote:

AYES—Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1284—An act to add a new section to the Fish and Game Code, to be numbered 1414, relating to the forfeiture of hunting and fishing equipment illegally used.

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1284 passed by the following vote:

AYES—Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2415—An act relating to rights, royalties or interests in or to oil, gas, or other hydrocarbons, to be extracted from real property, or in or to the proceeds derived from the sale of such oil, gas or other hydrocarbons, and relating to the rights and liabilities of the owners or holders of such rights, royalties or interests and relating to instruments dealing therein or therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2415 passed by the following vote:

AYES—Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 2418—An act to provide for the regulation of sales and salesmen of pleasure boats, yachts and other small craft.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2418 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Cobb, Crowley, Evans, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Phillips, Rawls, Redwine, Robinson, Samuel E., Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—48

NOES—Cassidy, Clowdsley, Cottrell, Crist, Cronin, Feigenbaum, Fisher, Jones, Kallam, Knowland, Martin, McBride, O'Donnell, Riley, Robinson, C. Ray, Rogers, Roland and Thorp—18.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2145—An act to amend section 94 of the Vehicle Code, and to add a new section to said code to be numbered section 94 5, relating to members of the California Highway Patrol.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2145 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1947—An act to add a new section to the Vehicle Code, to be numbered 217, relating to reciprocal registration of foreign vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1947 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 381—An act to amend section 26a of an act entitled "An act to provide for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," relating to street improvements.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 381 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—74.

NOES—None

Title read.

AMENDMENT TO TITLE.

During reading of the title, Mr. Hallner submitted the following amendment:

AMENDMENT NUMBER ONE

In line 13 of the title of the printed, amended bill, after the quotation marks following the word "improvement", insert the following: "approved March 24, 1903"

Amendment adopted.

Title read as amended, and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1473—An act to amend the title and section 1 of an act entitled "An act to provide for the protection of certain employees of cities, cities and counties, incorporated or unincorporated cities, towns or districts, against personal liability incurred while acting within the course of their duty," approved May 11, 1929.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1473 was refused passage by the following vote:

AYES—Brock, Lyon, Peterson, Robinson, Samuel E., Rogers, Williamson and Zion—7.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, McMurray, Miller, Eleanor; Morgan, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roland, Scudder, Stannard, Thorp, Tournoux, Utt, West, Wright and Mr Speaker—54

Assembly Bill No 337—An act to amend sections 6.740 and 6 771 of the School Code, to add a new section to said code, to be numbered

6.744, and to repeal sections 6.770 and 6.772 of said code, relating to the use of school buildings or grounds.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE

Pending the announcement of the vote, Mr. Craig moved a call of the House.

Motion carried.

Time, ten o'clock and thirty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—73.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

Assembly Bill No. 1593—An act to amend section 782 of the Fish and Game Code, relating to lobsters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1593 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—64.

NOES—Stannard and Stream—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2231—An act to add section 798.5 to the Fish and Game Code, relating to abalones.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2231 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C.

Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr Speaker—65.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1782—An act to amend section 79 of the Fish and Game Code, relating to fish and game district 12A.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1782 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr Speaker—65.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1287—An act to amend sections ------ of the Fish and Game Code.
Bill read third time.
The question being on the passage of the bill.

MOTION.

Mr Scudder moved that Assembly Bill No 1287 be laid on the table.
Motion carried.

Assembly Bill No. 1787—An act to add a new section to the Fish and Game Code to be numbered 170, relating to fish and game district 4H
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1787 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—65.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 452—An act to amend the title of, and to add a new section to be numbered 4a to, an act entitled "An act to provide for the government of irrigation districts having an area of more than five hundred acres and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation

districts," approved January 21, 1915, relating to qualification of electors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 452 passed by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray, Robinson, Samuel E., Roland, Scudder, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—57.

NOES—Bowers, Mayo, Patterson and Sullivan—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1229—An act to amend sections 5.400, 5.420, 5.500, 5.503, 5.510, 5.520, 5.521, 5.650, 5.651, 5.652, 5.653, 5.654, 5.655, 5.657, 5.658, 5.660, 5.662, 5.663, 5.664, 5.681, 5.691, and 5.710, and repealing sections 5.404, 5.504 and 5.682, and adding new sections to be numbered 5.505, 5.506, 5.507, 5.666 and 5.711½ of the School Code of the State of California, relating to the employment, classification, dismissal and suspension of employees requiring certification qualifications.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1229 passed by the following vote:

AYES—Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Field, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Phillips, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Sullivan, Thorp, Turner, Utt, Wright, Zion and Mr. Speaker—46.

NOES—Anglim, Cronin, Feigenbaum, Fisher, Frazier, Gilmore, Hornblower, Mayo, Nielsen, O'Connor, Patterson, Powers, Rawls, Rogers, Stannard, Stream, Tournoux, West and Williamson—19.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 354—An act to amend section 5.500 of the School Code, relating to teachers' tenure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 354 passed by the following vote:

AYES—Altei, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Sullivan, Turner, Utt, West, Wright, Zion and Mr. Speaker—60.

NOES—Cronin, Fisher, Frazier, Gilmore, Mayo, Stannard, Stream and Tournoux—8.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 18—An act to amend sections 3, 4, 9 and 12 of an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, relating to the Board of Chiropractic Examiners and the practice of chiropractic.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 18 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Evans, Fisher, Frazier, Hatch, Hoffman, Hornblower, King, Knowland, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Phillips, Powers, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Thorp, Turner, Utt and Wright—45

NOES—Boyle, Cronin, Gilmore, Hallner, Jones, Kallam, Latham, Morgan, Patterson, Rawls, Redwine, Stream, Sullivan, Tournoux, Zion and Mr. Speaker—16.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 531—An act to amend section 16x5 of the Weights and Measures Act, relating to sealers in counties of the fifty-fifth class

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 531 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright Zion and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 532—An act to amend section 2322x5 of the Political Code, relating to agricultural commissioner in counties of the fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 532 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland,

Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—72.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 528—An act to amend section 4234 of the Political Code, relating to compensation of county officers and employees in counties of the fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 528 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—72.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 529—An act to amend section 19x5 of the Juvenile Court Law, relating to probation officers in counties of the fifth class.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 529 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—72.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 530—An act to amend section 9a5 of and to add section 18 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing "An act entitled 'An act to provide county library systems.' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, prescribing a short title and relating to librarians in counties of the fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 530 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans,

Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—72

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 680—An act to amend section 2.21 of the School Code, relating to the attendance of pupils from one school district in the schools of another school district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 680 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—72

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 684—An act to amend sections 3.415 and 3.416 of the School Code, relating to the attendance of junior college students in a district other than that of their residence.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 684 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—61.

NOES—Boyle, Crist and O'Connor—3.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 2208—An act to amend section 4041.14 of the Political Code, relating to the licensing of businesses by the counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2208 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hoffman, Hunt, Jones, Knowland, Latham, Lyon, Martin,

McCarthy, Meehan, Meeker, Miller, Eleanor, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tourneux, Utt, West, Williamson, Wright and Mr. Speaker—57.

NOES—Hornblower and McMurray—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2409—An act to add section 47a to the Public Utilities Act, relating to the valuation of property to be used for the purpose of establishing rates to be charged by public utilities.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER

Mr. Boyle moved that Assembly Bill No. 2409 be withdrawn from the file, and ordered re-referred to Committee on Rules.

The question being on re-referring Assembly Bill No 2409 to Committee on Rules

Motion carried.

Assembly Bill No. 2409 ordered re-referred to Committee on Rules

HON KENT H REDWINE IN THE CHAIR.

At eleven o'clock and thirty minutes p m., Hon Kent H Redwine, member of the Assembly from the Fifty-seventh Assembly District, in the chair

Assembly Bill No. 2399—An act establishing a certain additional State highway and classifying it as a secondary highway

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2399 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tourneux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—67

NOES—None.

Title read.

MOTION TO EXPUNGE RECORD.

Mr Kallam moved that the record of all proceedings relative to the passage of Assembly Bill No. 2399 be rescinded and the record expunged.

Motion carried.

Assembly Bill No 2399 ordered referred to Committee on Ways and Means.

Assembly Bill No. 2423—An act to amend section 6 of the "Orange County Flood Control Act," relating to bond elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2423 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Zion—65.

NOES—O'Connor, Patterson and Williamson—3.

Assembly Bill No. 2404—An act to amend sections 1, 2, 3, 4, 13, 23, and 26 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," and to add thereto a new section to be numbered 4a, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Powers moved that Assembly Bill No. 2404 be withdrawn from the file, and ordered re-referred to Committee on Rules.

The question being on re-referring Assembly Bill No. 2404 to Committee on Rules.

Motion carried.

Assembly Bill No 2404 ordered re-referred to Committee on Rules.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and thirty-two minutes p m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and thirty-three minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Craig.

The roll of absentees was called, and Assembly Bill No. 337 was passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel, E., Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Wright, Zion and Mr Speaker—63.

NOES—Bliss, Callahan, Cassidy, Hunt, Kallam, McBride, Miller, James A., Morgan, Rogers, Roland, Utt, West and Williamson—13.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1631—An act to amend sections numbered 990, 991, 992, and 993, of Article 1, Chapter 5, Part 2, Division IV, of the Fish and Game Code of the State of California, relating to commercial fishing regulations and commercial fishing licenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1631 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1265—An act to add a new section to the Code of Civil Procedure to be numbered 329, relating to the limitation of the time within which actions for the foreclosure of street improvement assessment liens against real property may be commenced, when the assessments are made payable in installments pursuant to bonds or other written obligations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1265 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 298—An act to amend sections 1, 2, 3 and 9 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the power of the State Athletic Commission.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER

Mr. Redwine moved that Assembly Bill No. 298 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 298 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 298 ordered re-referred to Committee on Ways and Means.

RECESS.

At eleven o'clock and thirty-five minutes p m, on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until eleven o'clock and thirty-seven minutes p.m. of this day.

REASSEMBLED.

At eleven o'clock and thirty-seven minutes p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

UNFINISHED BUSINESS.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. O'Connor moved that the vote whereby Assembly Bill No. 2369 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Craig, Cronin, Crowley, Feigenbaum, Gilmore, Hunt, Jones, King, Knowland, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Robinson, C Ray; Robinson, Samuel E, Stannard, Stream, Thorp, Turner, West, Williamson and Zion—42.

NOES—Bowers, Cobb, Cottrell, Crist, Evans, Field, Fisher, Greene, Grubbs, Hoffman, Latham, Phillips, Riley, Roland and Wright—15.

HON. C. RAY ROBINSON IN THE CHAIR.

At eleven o'clock and thirty-eight minutes p m, Hon. C. Ray Robinson, member of the Assembly from the Thirty-third Assembly District, in the chair.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED SIXTY-NINE

Assembly Bill No. 2369—An act to amend section 1 of, and to add section 1a to, an act entitled "An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and power lines, telephone and telegraph lines, and sewers and appurtenances thereof, across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined," approved May 2, 1923, relating to municipal corporations

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr O'Connor:

AMENDMENT NUMBER ONE

On page 2, line 32, of the printed bill, as amended, after the word "territory", strike out the period and insert the following: "; provided, however, that nothing herein contained shall authorize any municipality to use any street, alley, avenue or highway or portion thereof for any of the purposes in this act enumerated without an agreement with the municipality wherein such use is proposed to be established or without the determination of the superior court, as the case may be, as in section 1 of this act provided, if such street, alley, avenue or highway or portion thereof was located in incorporated territory prior to May 5, 1933."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, after line 41, add the following "SEC. 3 Nothing herein contained shall affect or be construed to affect in any way any litigation pending at the time of the passage of this act and arising out of, based upon or involving any of the provisions of the act which this act amends, nor the rights of any party in issue in said litigation, nor to enlarge or extend any such rights of a municipal corporation which is a party to any such litigation, and the issues involved in such litigation shall be determined as if this amendatory act had not been adopted."

Amendments refused adoption.

MOTION.

Mr. Feigenbaum moved that the record relative to adopting amendments to Assembly Bill No. 2369 be rescinded and the record expunged.

REQUEST FOR ROLL CALL.

On request of Messrs. O'Connor, Hunt and Hornblower, the Speaker ordered a roll call taken on the motion to expunge record.

The roll was called, and the record ordered expunged by the following vote:

AYES—Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Maloney, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Riley, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Turner, West, Williamson and Zion—55.

NOES—Field—1.

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Williamson, Powers and Jones, the Speaker ordered a roll call taken on the adoption of the amendments.

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson and Zion—60.

NOES—Field, Greene and Wright—3.

REQUEST FOR UNANIMOUS CONSENT.

Mr. O'Connor asked for unanimous consent to take up Assembly Bill No. 2369, at this time, without reference to printer or file, and that same be considered engrossed.

Mr Field objected to unanimous consent.

MOTION.

Mr. Powers moved that Rules Nos. 72, 74 and 75 be suspended for the purpose of considering Assembly Bill No. 2369 at this time.

REQUEST FOR ROLL CALL.

On request of Messrs. Boyle, Jones and O'Connor, the Speaker ordered a roll call taken on the motion to suspend Rules Nos. 72, 74 and 75.

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Powers, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson and Zion—57.

NOES—Bowers and Greene—2.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2369 passed by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Feigenbaum, Frazier, Gilmore, Hallner, Hornblower, Hunt, Jones, Kallam, King, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Redwine, Robinson, C. Ray; Rogers, Stannard, Stream, Thorp, Tournoux, Turner, West and Zion—45

NOES—Bowers, Cassidy, Cobb, Field, Fisher, Greene, Grubbs, Hatch, Hoffman, Knowland, Latham, Morgan, Phillips, Riley, Robinson, Samuel E., Roland, Sullivan and Wright—18.

Title read and approved.

Bill ordered transmitted to the Senate.

MESSAGE FROM THE GOVERNOR

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 6, 1933

To the Honorable Members of the Assembly, California State Legislature

SIRS: Assembly Bill No. 1618 *makes an appropriation from the Department* of Agriculture fund for the Division of Weights and Measures.

In my opinion, Assembly Bill No. 1618 constitutes an emergency bill within the meaning of section 34 of Article IV of the Constitution, consideration of which should not await until the final enactment of the budget bill, by reason of the fact that at present there is not sufficient moneys appropriated for the purpose of paying the expenses of the Division of Weights and Measures in the Department of Agriculture. It is imperative that this money be paid immediately.

I therefore recommend the passage of this bill as an emergency measure within the meaning of that term as used in section 34 of Article IV of the Constitution.

Respectfully submitted,

JAMES ROLPH, JR., Governor of California.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1618—An act to add a new section to be numbered 14a to Chapter 609, Statutes of 1931, entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other *motor fuel, distillate, kerosene and lubricating oil*; *regulating* the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining

'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to licensing of persons, firms, associations or corporations, installing and using motor vehicle fuel pumps.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Craig, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West and Wright—62.

NOES—Zion—1.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and forty minutes p. m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND SIX HUNDRED EIGHTEEN.

Assembly Bill No. 1618—An act to add a new section to be numbered 14a to Chapter 609, Statutes of 1931, entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to licensing of persons, firms, associations or corporations, installing and using motor vehicle fuel pumps.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1618 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hornblower, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—63

NOES—Cassidy, Grubbs, Hoffman, Roland, Stannard and Zion—6

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 601—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Acquisition and Improvement Act of 1925 to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 601 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Charters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 19, 1933

To the Honorable Members of the Assembly of the State of California.

Assembly Bill No 210 provides for the payment into the general fund from highway funds the principal and interest paid or to be paid upon State highway bonds.

In my opinion this act is necessary for the immediate preservation of public peace, health, and safety in that the general fund in the State treasury is greatly depleted and necessary funds must be placed to the credit thereof that the functions of the State government may not be seriously hampered I therefore recommend the passage of this bill as an emergency measure within the meaning of sections 1 and 34 of Article IV of the Constitution

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Assembly Bill No. 210—An act providing for transfers from the State highway construction fund and the State highway maintenance fund to the general fund in the State treasury of an amount equal to that paid or that necessary to be paid during the eighty-third and eighty-fourth fiscal years for the principal and interest upon certain State bonds for highway purposes, and for the reimbursement of said highway funds from the general fund and providing that this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Lyon moved a call of the House

Motion carried.

Time, eleven o'clock and forty-one minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—76.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

Assembly Bill No. 935—An act to add a new section to the Political Code to be numbered 1034, relating to State officers and employees.

Bill read third time

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Craig moved that Assembly Bill No. 935 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 935 to Committee on Ways and Means.

Motion carried.

Assembly Bill No 935 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 942—An act to amend section 5.63 of the School Code, relating to State teachers colleges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 942 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hofiman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Scudder, Stannard, Sullivan, Thorp, Turner, Utt, West, Wright, Zion and Mr. Speaker—62.

NOES—McCarthy, Tournoux and Williamson—3

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 2352—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as therein defined, providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2352 passed by the following vote:

AYES—Alter, Anglim, Bliss, Brock, Burns, Cassidy, Chatters, Clowdsley, Craig, Crist, Crowley, Frazier, Gilmore, Greene, Grubbs, Jones, Kallam, King, Lyon, Mayo, McBride, Meeker, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Wright, Zion and Mr. Speaker—42.

NOES—Badham, Bowers, Callahan, Cobb, Cronin, Evans, Feigenbaum, Field, Fisher, Hallner, Hatch, Hoffman, Hornblower, Knowland, Latham, Malone, Martin, McCarthy, McMurray, Miller, James A., Morgan, Redwine, Riley, Roland, Stannard and Williamson—26.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1019—An act to amend the Political Code by amending subsection 3 of section 690.10 thereof, relating to the removal of certain structures upon the swamp, overflowed, marsh, tide or submerged lands of this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1019 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Williamson, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1388—An act to amend section 688 of the Political Code, relating to claims against the State of California.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1388 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Williamson, Zion and Mr. Speaker—66.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2413—An act authorizing the county in which judges and justices of the peace are sitting, in courts other than their own under assignment thereto by the chairman of the judicial council, to pay the necessary expenses of such judges and justices of the peace for travel, board and lodging.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2413 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Williamson, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2219—An act to provide a system for the exchange of private lands in national forests for lands of the United States located outside of national forests.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Grubbs:

AMENDMENT NUMBER ONE

On page 2, line 10, of the printed bill, as amended, strike out "one-half of", and insert in lieu thereof the following: "the difference between".

AMENDMENT NUMBER TWO.

On page 2, line 11, of the printed bill, as amended, after "exchanged", insert the following: "and the then current price of the lands for which such exchange is made"

Amendments adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1277—An act defining clinics and dispensaries and providing for the operation, conduct, maintenance, and the examination and regulation thereof, and the issuance of permits therefor by the State Board of Public Health and the Director of Public Health.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Nielsen:

AMENDMENT NUMBER ONE.

On page 4, line 8, of the printed bill, after the words "or agency thereof," insert the words: "or clinics maintained by employers without profit for the sole benefit of their own employees, or research clinics working under nonprofit foundation registered with the United States government for tax exemption"

AMENDMENT NUMBER TWO

On page 4, line 14, of the printed bill, after the words "or agency thereof.", strike out the period and insert in lieu thereof a comma followed by the words "or clinics maintained by employers without profit for the sole benefit of their own employees, or research clinics working under nonprofit foundation registered with the United States government for tax exemption"

Amendments adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Assembly Constitutional Amendment No. 64—Proposed amendment to Article XI, section 5, of the Constitution, and adding section 5.5 to said article, relative to the government of counties.

Assembly Constitutional Amendment No. 64 read.

The question being on the adoption of Assembly Constitutional Amendment No. 64.

The roll was called, and Assembly Constitutional Amendment No. 64 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Williamson, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 64 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 64.

A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 5 of Article XI thereof and adding to said article a new section to be numbered 5.5, relating to the government of counties.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the Constitution of said State be amended by amending section 5 of Article XI thereof and adding section 5.5 to said article, to read as follows:

Sec. 5. The Legislature, by general and uniform laws, shall provide for the election, in the several counties, of boards of supervisors, sheriffs, district attorneys, assessors, and auditors, and shall provide for the appointment of county clerks, recorders, tax and license collectors, treasurers, boards of education, and superintendents of schools, and may either require the appointment, or permit the appointment at the option of the several boards of supervisors, of such other county and township officers as it may establish and public convenience may require. It shall prescribe the duties and fix the terms of office of all county and township officers, and may permit the consolidation, by the several boards of supervisors, of such offices as it may name. It shall regulate the compensation of all such elective officers, in proportion to duties, and may also establish fees to be charged and collected by any county or township officers for services performed in their respective offices, in the manner and for the uses provided by law, and it may regulate the compensation of grand and trial jurors in all courts, and for these purposes may classify the counties by population. It shall provide for the strict accountability of county and township officers for all fees which may be collected by them, and for all public and municipal moneys which may be paid to them, or officially come into their possession.

Sec. 5.5. Except as otherwise provided by charter under the provisions of this Constitution, the boards of supervisors in the several counties shall consist of five or seven members, at the option of a majority of the electors of each county, and shall have the powers and duties provided for in this or any other appropriate section of this Constitution. The electors of each county shall determine, at the general election next following the adoption of this section, whether the county shall be governed by a board of five or seven members, and at the general election next thereafter, the members shall be elected accordingly. Thereafter the number of members may be changed by vote of the electors at any general election the proposition to be submitted by the board of supervisors or as an initiative measure. One member of each board shall be known as the executive member, and shall be elected by the county at large, for a term of four years. The other members shall be elected by and from supervisorial districts established in accordance with law, for terms of four years, except that of such members first elected under the provisions of this section, half shall be selected by lot to serve two years, their successors to be elected for full terms beginning immediately thereafter.

The board of supervisors of each county, in addition to other powers and duties provided for by law, shall be the legislative and governing body of the county and its townships, and shall have power to establish rules and regulations for the proper coordination of the work of all county and township officers, boards, agencies, or employees, whether elective or appointive. It shall determine and may at any time

change the compensation, including mileage allowance, of all appointive officers, and the number, kinds, and compensation of all deputies, assistants, and employees receiving compensation from the county, but may not so fix the number and compensation of the deputies and assistants of an elective officer as to unreasonably interfere with the duties of the office as established by law. Unless otherwise provided by law, the board shall appoint all appointive officers and all deputies, assistants and employees receiving compensation from the county, but the deputies and assistants of an elective officer of a county shall be nominated by the officer, except that the board may employ and furnish clerical and stenographic help for special assistance to the various officers, subject to transfer from office to office as need arises.

The executive member of the board of supervisors shall be the executive officer of the county, and chairman of the board. He shall serve as a full time officer, and maintain an office which shall be open during regular county office hours. He shall execute the powers and duties of the board, under its direction and control, and may be authorized by the board to serve as purchasing agent for the county and its officers and agencies. In addition to his other duties, the executive member shall make reports and recommendations to the board regarding the duties, compensation, appointment and discharge of all persons who receive compensation from the county and who are under the jurisdiction of the board. Until other compensation is provided by law, the compensation of the executive member of the board of supervisors of each county shall be equal in amount to that received by the sheriff of the county, exclusive of fees.

Assembly Bill No. 1841—An act to amend sections 2176, 2180, 2181 and 2182 of the Political Code, and to repeal section 2197 of said code, relating to the support of insane persons and inebriates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1841 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Williamson, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 110—Proposed amendment to Article XI of the Constitution, relative to bonded indebtedness.

Assembly Constitutional Amendment No. 110 read.

MOTION TO RE-REFER.

Mr. O'Connor moved that Assembly Constitutional Amendment No. 110 be withdrawn from the file, and ordered re-referred to Committee on Rules.

The question being on re-referring Assembly Constitutional Amendment No. 110 to Committee on Rules.

Motion carried.

Assembly Constitutional Amendment No. 110 ordered re-referred to Committee on Rules.

HON. B. J. FEIGENBAUM IN THE CHAIR.

At eleven o'clock and forty-four minutes p.m., Hon. B. J. Feigenbaum, member of the Assembly from the Twenty-seventh Assembly District, in the chair.

Assembly Constitutional Amendment No. 72—Proposed amendment to Article XVII, by adding section 4, of the Constitution, relative to public parks.

Assembly Constitutional Amendment No 72 read.

The question being on the adoption of Assembly Constitutional Amendment No. 72.

The roll was called, and Assembly Constitutional Amendment No. 72 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, West and Wright—64

NOES—Hoffman, Lyon, Redwine and Scudder—4.

Title read and approved.

Assembly Constitutional Amendment No. 72 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 72.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVII a new section to be numbered 4, relating to public parks.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the Constitution of said State be amended by adding to Article XVII thereof a new section to be numbered 4, and to read as follows:

SEC. 4 No road or driveway over thirty feet in width may be constructed upon or through any land heretofore or hereafter acquired by the levying of special assessments for the acquisition of such land by any municipality for public park, public playground or public library purposes.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and forty-five minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair

Assembly Constitutional Amendment No. 118—Proposed amendment to Article IV of the Constitution, relative to compensation of members of the Legislature.

Assembly Constitutional Amendment No. 118 read.

The question being on the adoption of Assembly Constitutional Amendment No. 118.

The roll was called, and Assembly Constitutional Amendment No. 118 refused adoption by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Craig, Cronin, Crowley, Evans, Frazier, Gilmore, Greene, Grubbs, Hornblower, Hunt, Jones, King, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Roberts, Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Woolwine and Mr. Speaker—44.

NOES—Alter, Bowers, Brock, Burns, Cobb, Cottrell, Crist, Feigenbaum, Field, Fisher, Hallner, Hatch, Hoffman, Latham, Martin, Meeker, Miller, Eleanor; Miller, James A., Morgan, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, West, Williamson and Zion—29.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and forty-six minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Lyon.

The roll of absentees was called, and the urgency clause to Assembly Bill No. 210 was refused adoption by the following vote:

AYES—Alter, Bowers, Boyle, Brock, Callahan, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Greene, Grubbs, Hallner, Hatch, Jones, King,

Latham, Lyon, Martin, McCarthy, Meeker, Miller, Eleanor; O'Connor, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Roland, Sullivan, Thorp, Tournoux, Utt, Woolwine, Wright, Zion and Mr. Speaker—43.

NOES—Anglim, Badham, Bliss, Burns, Cassidy, Chatters, Cronin, Crowley, Fisher, Frazier, Gilmore, Hoffman, Hornblower, Hunt, Kallam, Knowland, Maloney, Mayo, McBride, McMurray, Meehan, Miller, James A., Morgan, Nielsen, O'Donnell, Peterson, Powers, Rogers, Scudder, Stannard, Stream, Turner, West and Williamson—34.

Assembly Bill No 2341—An act to reduce the rates and charges of gas and electrical corporations furnishing heat, light and power to the public, empowering and directing the Railroad Commission to administer and enforce the reduction, and declaring this act to be an urgency measure.

Bill read third time.

The question being on the passage of the bill.

MOTION TO LAY ON TABLE.

Mr. Patterson moved to lay Assembly Bill No. 2341 on the table.

REQUEST FOR ROLL CALL.

On request of Messrs. Robinson, C. Ray, Meeker and Cobb, the Speaker ordered a roll call taken on the motion to lay on the table.

The roll was called, and the motion to lay on table lost by the following vote:

AYES—Boyle, Evans, Gilmore, Grubbs, McBride, McCarthy, Nielsen, Patterson, Tournoux and Williamson—10.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Field, Fisher, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Lyon, Martin, Mayo, McMurray, Meeker, Miller, Eleanor, Miller, James A., O'Connor, Phillips, Powers, Redwine, Riley, Robinson, C. Ray, Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—56.

Bill read.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2341 was refused passage by the following vote:

AYES—Alter, Bowers, Cassidy, Chatters, Craig, Crowley, Frazier, Hallner, Jones, Meeker, O'Donnell, Phillips, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Sullivan, Thorp and Turner—19.

NOES—Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Clowdsley, Cottrell, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hoffman, Hornblower, Hunt, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen O'Connor, Patterson, Powers, Rawls, Redwine, Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—53.

Assembly Bill No. 2355—An act to amend section 47 of, and to add three new sections, to be numbered $2\frac{3}{4}$, $2\frac{7}{8}$, and 17a to the Public Utilities Act, relating to the nature, organization, and operation of public utilities

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2355 was refused passage by the following vote:

AYES—Alter, Anglim, Boyle, Brock, Cassidy, Clowdsley, Cronin, Crowley, Feigenbaum, Fisher, Hornblower, Hunt, Jones, King, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Robinson, C Ray; Robinson, Samuel E, Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner and West—35.

NOES—Badham, Bliss, Bowers, Callahan, Cobb, Cottrell, Craig, Crist, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hoffman, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, Morgan, Phillips, Redwine, Riley, Roberts, Roland, Scudder, Utt, Woolwine, Wright, Zion and Mr. Speaker—35.

Assembly Bill No. 558—An act to amend section 3422 of the Civil Code, relating to injunctions

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 558 passed by the following vote

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Powers, Redwine, Riley, Robinson, C. Ray; Roland, Sullivan, Thorp, Tournoux, West, Zion and Mr. Speaker—46.

NOES—Alter, Bowers, Brock, Craig, Evans, Field, Hunt, Latham, Lyon, McBride, Morgan, Nielsen, Phillips, Rawls, Robinson, Samuel E., Stannard, Stream, Turner, Utt and Woolwine—20

Title read and approved.

Bill ordered transmitted to the Senate.

HON. CHARLES W. LYON IN THE CHAIR.

At eleven o'clock and forty-eight minutes p. m., Hon. Charles W. Lyon, member of the Assembly from the Fifty-ninth Assembly District, in the chair

Assembly Bill No. 559—An act to amend section 526 of the Code of Civil Procedure, relating to injunctions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 559 passed by the following vote.

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Hornblower, Jones, Knowland, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; O'Donnell Patterson, Powers, Redwine, Riley, Robinson, C. Ray; Roland, Scudder, Sullivan, Tournoux, West and Zion—46

NOES—Alter, Bowers, Brock, Craig, Grubbs, Hunt, Latham, McBride, Morgan, Nielsen, Phillips, Rawls, Roberts, Robinson, Samuel E., Stannard, Stream, Turner, Utt, Woolwine and Wright—20

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 560—An act to amend sections 281 and 1209 of the Code of Civil Procedure, relating to contempt of court.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 560 passed by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Frazier, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, O'Donnell, Patterson, Phillips, Redwine, Riley, Robinson, C. Ray, Roland, Sullivan, Tournoux, West, Woolwine and Zion—44

NOES—Alter, Bowers, Cassidy, Craig, Greene, Hunt, Latham, McBride, Nielsen, Rawls, Roberts, Robinson, Samuel E., Stannard, Stream, Turner, Utt and Wright—17.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2394—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violation of this act and repealing all acts inconsistent with the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2394 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, West, Zion and Mr. Speaker—58

NOES—Bowers, Cassidy, Frazier, Hallner, Latham, Lyon, McCarthy, Meeker, O'Donnell, Woolwine and Wright—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1727—An act to add a new section to be numbered section 6a to an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, relating to ownership of real estate by indigent, incompetent, and incapacitated persons

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1727 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, West, Woolwine, Wright, Zion and Mr. Speaker—62

NOES—Crist, Fisher and Knowland—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 202—An act to amend section 1032 of the Political Code, relating to the inspection of public records

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 202 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine, Wright and Zion—64.

NOES—Hatch—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 2302—An act to add 23 new sections to the Political Code, to be numbered 4248 and 4248a to 4248v, inclusive, and to repeal sections 2322x19 and 4248 of said code, section 19x19 of the Juvenile Court Law, and section 16x19 of the Weights and Measures Act, relating to compensation of county and township officers in counties of the nineteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2302 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field Fisher, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine, Wright and Zion—64.

NOES—Hatch—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1167—An act to amend section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to proceedings after decision.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Morgan moved that Assembly Bill No. 1167 be withdrawn from the file, and ordered re-referred to Committee on Rules.

The question being on re-referring Assembly Bill No. 1167 to Committee on Rules.

Motion carried.

Assembly Bill No. 1167 ordered re-referred to Committee on Rules

Assembly Bill No. 1170—An act to amend section 14 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, relating to nonresident alien dependents, and to reassignment of a death benefit.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Morgan moved that Assembly Bill No. 1170 be withdrawn from the file, and ordered re-referred to Committee on Rules.

The question being on re-referring Assembly Bill No 1170 to Committee on Rules.

Motion carried.

Assembly Bill No. 1170 ordered re-referred to Committee on Rules.

Assembly Bill No. 1990—An act to amend section 5 of an act entitled "An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately," approved April 6, 1933, relating to taxation of beverages, and to declare that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER

Mr. Woolwine moved that Assembly Bill No 1990 be withdrawn from the file, and ordered re-referred to Committee on Rules.

The question being on re-referring Assembly Bill No 1990 to Committee on Rules.

Motion carried.

Assembly Bill No. 1990 ordered re-referred to Committee on Rules

Assembly Bill No. 2363—An act limiting the number of cars in a train.

Bill read third time.

The question being on the passage of the bill

MOTION TO RE-REFER

Mr. Hunt moved that Assembly Bill No 2363 be withdrawn from the file, and ordered re-referred to Committee on Rules

The question being on re-referring Assembly Bill No. 2363 to Committee on Rules.

Motion carried.

Assembly Bill No. 2363 ordered re-referred to Committee on Rules

Assembly Bill No. 2365—An act imposing an excise tax upon sales of tangible personal property by retailers, providing the method and manner of levying, assessing, collecting and paying of such tax, providing for the issuance of permits to retailers, prescribing penalties for violations of the provisions of this act, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill

MOTION TO RE-REFER

Mr. Feigenbaum moved that Assembly Bill No 2365 be withdrawn from the file, and ordered re-referred to Committee on Rules

The question being on re-referring Assembly Bill No. 2365 to Committee on Rules.

Motion carried.

Assembly Bill No. 2365 ordered re-referred to Committee on Rules.

Assembly Bill No. 2241—An act providing for the levying, collecting and paying of an income tax on individuals for unemployment relief

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Bliss moved that Assembly Bill No. 2241 be withdrawn from the file, and ordered re-referred to Committee on Rules

The question being on re-referring Assembly Bill No. 2241 to Committee on Rules.

Motion carried.

Assembly Bill No. 2241 ordered re-referred to Committee on Rules.

Assembly Bill No. 1897—An act to amend sections 274, 275, 276, 278, 279 and 281 of the Political Code, relating to elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1897 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, King, Knowland, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Turner, Utt, West, Woolwine, Wright and Mr Speaker—58.

NOES—Crist, Feigenbaum, Fisher, Redwine and Zion—5.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 1253—An act to add a new section to the Fish and Game Code to be numbered 1203.6, relating to pheasants.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 1253 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, King, Knowland, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor, Miller, James A., Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—58

NOES—Crist, Feigenbaum, Fisher, Redwine and Zion—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1139—An act to provide for the payment of attorney fees by the county to attorneys for representing defendants charged with crime who are without funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1139 refused passage by the following vote.

AYES—Badham, Cassidy, Clowdsley, Cottrell, Cronin, Crowley, Frazier, Gilmore, Hornblower, Hunt, Jones, Maloney, McCarthy, McMurray, Miller, James A., Niel-

sen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Riley, Rogers, Sullivan, Turner and West—26.

NOES—Alter, Anglim, Bliss, Bowers, Brock, Callahan, Cobb, Craig, Crist, Evans, Field, Fisher, Greene, Hallnet, Hatch, Hoffman, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Morgan, Phillips, Redwine, Robinson, C Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Utt, Woolwine, Wright and Zion—39.

Assembly Bill No 941—An act to provide for the charging of fees for admission to Sutter's Fort, and for the disposition of such fees.

Bill read third time

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Wright moved that Assembly Bill No. 941 be withdrawn from the file, and ordered re-referred to Committee on State Grounds and Parks.

The question being on re-referring Assembly Bill No. 941 to Committee on State Grounds and Parks.

Motion carried.

Assembly Bill No 941 ordered re-referred to Committee on State Grounds and Parks

THE SPEAKER IN THE CHAIR.

At eleven o'clock and fifty minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 1536—An act to add section 484 5 to the Fish and Game Code, to amend section 665, and to repeal sections 863, 876, 887 and 942 thereof, relating to fish and game.

Bill read third time.

The question being on the passage of the bill

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE

In line 4 of the title of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma, and the following: "and making an appropriation for the purchase of certain property used in connection with the fishing industry."

AMENDMENT NUMBER TWO

On page 1 of the printed bill, as amended, after line 19, insert the following:

"SEC. 5 There is hereby appropriated out of any money in the treasury not otherwise appropriated the sum of fifteen thousand dollars ($15,000) to be expended in accordance with law for the purchase of the Klamath River Packers' Association cannery near Requa, used in connection with the canning of salmon in the Klamath River district, more particularly described as follows:

That certain tract of land consisting of one hundred acres more or less, together with all improvements and personal property thereon, located on the north bank of the Klamath River in Del Norte County about one-half mile from the town of Requa."

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1759—An act to amend sections 656 and 843 of the Fish and Game Code, and to repeal sections 863 and 887 thereof, relating to salmon and nets.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1759 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, Patterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Utt, West, Wright and Mr. Speaker—62.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 900—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation provided under said act.
Bill read third time.
The question being on the passage of the bill.

MOTION TO LAY ON TABLE.

Mr. Rawls moved that Assembly Bill No. 900 be laid on the table.
Motion carried.

Assembly Bill No. 407—An act to amend sections 3638a, 3717 and 3787 of, and to add section 3716a to, the Political Code, relating to the lien of taxes secured by real property
Bill read third time.
The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No 407 was withdrawn from the file, and referred to Committee on Rules.

MOTION.

Mr. O'Connor moved that Assembly Bill No. 900 be taken off the table.
Motion lost.

Assembly Bill No. 405—An act to amend section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses or furnished bungalow courts.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 405 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Clowdsley, Cobb, Cottrell, Craig, Cronin, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hunt, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Morgan, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine and Mr Speaker—44.
NOES—Boyle, Cassidy, Chatters, Crist, Crowley, Fisher, Gilmore, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Miller, Eleanor; Patterson, Robinson, Samuel E., Roland, Scudder, Stannard, Wright and Zion—22.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 977—An act to amend section 131 and to repeal section 132 of the Civil Code, relating to divorces

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Stannard:

AMENDMENT NUMBER ONE

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act adding a new section to the Civil Code to be numbered section 13a, relating to divorces."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out all of lines 1 to 6, inclusive.

AMENDMENT NUMBER THREE

On page 1, line 7, of the printed bill, strike out "SEC. 3.", and insert in lieu thereof "SECTION 1"

Amendments adopted

REQUEST FOR UNANIMOUS CONSENT.

Mr Stannard asked for, and was granted, unanimous consent to take up Assembly Bill No 977 at this time without reference to printer or file, and that same be considered engrossed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 977 passed by the following vote:

AYES—Alter, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Morgan, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Turner, West, Woolwine, Zion and Mr. Speaker—52.

NOES—Badham, Utt and Wright—3.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

On motion of Mr. O'Connor, the following telegram was ordered printed in the Journal:

SAN PEDRO, CALIFORNIA.

James S. O'Connor, Assemblyman, Assembly Chamber, Sacramento, California.

Following letters received from John T. Rawls first dated January 10th: "Your letter of January 9th received I have the letter to Dr C. O. Hunt and asked him to get the bill you suggested prepared but have not received it as yet. Would advise you to write him and I will be glad to work on same" Another under date January 16th: "Have your letter and the minutes of your last meeting which was very interesting to you. Have not received your bill in regards to chiropractors. Please have same in my hands before we adjourn, which will be in two weeks, so will be home inside of the next two weeks. Wishing you much success in your organization. Sincerely."

DR HARRY BUNKERS

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1240—An act to add a new section to Chapter 6 of Title XIV of Part IV of Division III of the Civil Code to be known as section 3045, covering the lien of an attorney at law.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1240 was refused passage by the following vote:

AYES—Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cronin, Crowley, Evans, Frazier, Hornblower, Hunt, Jones, King, Lyon, Maloney, Martin, Mayo, McCarthy, Miller, Eleanor; Patterson, Powers, Redwine, Roberts, Robinson, C. Ray, Sullivan, Thorp, Tournoux, West, Woolwine and Mr. Speaker—33

NOES—Alter, Brock, Chatters, Craig, Crist, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Kallam, Knowland, Latham, McBride, Meeker, Morgan, Nielsen, Phillips, Rawls, Riley, Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Turner, Utt, Wright and Zion—32

Assembly Bill No. 2008—An act to amend section 726 of the Code of Civil Procedure, relating to sales under mortgages and including deficiency judgments thereon.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2008 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, Meeker, Miller, Eleanor, Morgan, Nielsen, Patterson, Phillips, Powers, Rawls, Roberts, Robinson C Ray, Stream, Sullivan, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—50.

NOES—Cassidy, Hoffman, McCarthy, Riley, Roland and Stannard—6

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 2400—An act regulating competition in business, providing for the organization of trade associations as defined herein, authorizing the Corporation Commissioner of the State of California to issue permits for the operation thereof, and defining and prohibiting destructive competition.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2400 was withdrawn from the file, and referred to Committee on Rules

Assembly Bill No. 1369—An act to repeal "An act empowering the State Board of Health to examine sources from which shellfish are taken: making it unlawful to take shellfish from contaminated sources if determined by said board to be a menace to health; making violations of this act misdemeanors and providing for the punishment of same," approved April 5, 1917.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1369 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Chatters, Clowdsley, Crist, Crowley, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Rogers, Roland,

Scudder, Stannard, Stream, Thorp, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—53.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 882—An act to add a new section to the Penal Code to be numbered 1279a, relating to professional bondsmen.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 882 passed by the following vote:

AYES—Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Evans, Field, Frazier, Greene, Grubbs, Hallner, Hoffman, Hunt, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Scudder, Turner, Utt, West, Woolwine, Wright and Mr Speaker—47.
NOES—Cronin, Jones, Nielsen, Roland and Zion—5.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2094—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal reclamation laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contracts," approved May 5, 1917, as amended, by amending the title and sections 7 and 8 thereof, and adding a new section to be designated section 11, to authorize the division of districts into units, for fixing conditions upon inclusion of lands and for the borrowing or procuring of money by irrigation districts from the United States or any agency thereof.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 2094 passed by the following vote:

AYES—Badham, Bliss, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Evans, Field, Gilmore, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Utt, West, Woolwine, Wright, Zion and Mr Speaker—55.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2366—An act to amend sections 5 650, 5 653 and 5.661 of the School Code, relating to permanent employees.
Bill read third time.
The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2366 passed by the following vote:

AYES—Alter, Badham, Bliss, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Crist, Evans, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Lyon, Martin, Meeker, Miller, Eleanor; Morgan, Redwine, Roberts, Robinson, C Ray; Robinson, Samuel E, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Utt, Woolwine, Wright, Zion and Mr. Speaker—42.

NOES—Boyle, Cassidy, Cronin, Gilmore, King, Maloney, Mayo, McCarthy, Patterson, Powers, Rawls, Rogers, Tournoux—13.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2138—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2138 was withdrawn from the file, and referred to Committee on Rules.

MOTION TO TAKE FROM TABLE.

Mr. Zion moved that Assembly Bill No. 851 be taken from the table.

Motion carried.

CONSIDERATION OF ASSEMBLY BILL NUMBER EIGHT HUNDRED FIFTY-ONE.

Assembly Bill No 851—An act to suspend the exemption from taxation granted by the Constitution to the California School of Mechanical Arts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 851 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Martin, McBride Meeker, Miller, Eleanor, Miller, James A, Morgan, Nielsen, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2286—An act authorizing and empowering the Director of Finance to accept money from the estate of Emma Hotfilter for the purpose of erecting a fountain within the State Capitol Grounds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2286 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Martin, McBride Meeker Miller, Eleanor; Miller, James A, Morgan, Nielsen, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E,

Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—55.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 1973—An act to provide for the sale of, and granting authority to, and authorizing the State Director of Finance and/or the Department of Finance, to grant, convey and sell by deed, or by any other proper legal conveyance, all the right, title and interest of the State of California, in and to the abandoned channel of Petaluma Creek or river in the city of Petaluma, county of Sonoma, State of California, lying north of Washington Street in said city, to property owners whose lands abut thereon.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1973 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Martin, McBride, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—55.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 871—An act to provide for the execution, issuance, use, redemption and cancellation of bonds by the State of California for certain State, county, city and county, city, school district, and other public purposes, for relieving unemployment, destitution, and the conditions of economic distress now prevailing, and for the supervision thereof by the proper State officers—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 389—An act making an appropriation to pay the claim of Evelyn Morse against the State of California;

Also: Assembly Bill No 2233—An act to add forty-four new sections to the Political Code, to be numbered 364k to 364k39, inclusive, to amend section 364a of said code, and to repeal certain acts inconsistent herewith, all relating to a system of unemployment relief insurance, reserves, and compensation for the State of California, and making an appropriation therefor—and reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 2219—An act to add section 3410 to the Political Code, relating to exchange of private lands in national forests for lands of the United States located outside national forests—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.
Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 840—An act making an appropriation to pay the claim of P. J. Angelom against the State of California—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.
Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 298—An act to amend section 1, 2, 3, 5, 6, 9, 10, 11, 14. 16. 17, 18, 19 and 20 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an athletic commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission;

Also: Assembly Bill No 2366—An act to amend sections 5.650, 5 653 and 5.661 of the School Code, relating to permanent employees;

Also: Assembly Bill No. 2365—An act imposing an excise tax upon sales of tangible personal property by retailers, providing the method and manner of levying, assessing, collecting and paying of such tax, providing for the issuance of permits to retailers, prescribing penalties for violations of the provisions of this act, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 2241—An act providing for the levying, collecting and paying of an income tax on individuals to increase the revenues of the State;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.
Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1229—An act to amend sections 5 420, 5.500, 5 503, 5.510, 5.520, 5.521, 5.650, 5 651, 5.652, 5.653, 5.654, 5.655, 5 657, 5.658, 5 660, 5 662, 5.663, 5 664, 5.681, 5.691 and 5 710 and repealing sections 5 404 and 5 682, and adding new sections to be numbered 5.505, 5.506, 5 507, 5 666, 5.711¼ of the School Code of the State of California, relating to the employment, classification, dismissal and suspension of employees requiring certification qualifications and reports that the same has been correctly re-re-engrossed.

PATTERSON, Chairman.

The above bill ordered on file for third reading.
Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1202—An act to amend section 312 of the Agricultural Code, relating to meat inspection;

Also: Assembly Bill No. 2302—An act to add 23 new sections to the Political Code, to be numbered 4248 and 4248a to 4248v, inclusive, and to repeal sections 2322x19 and 4248 of said code, section 19x19 of the Juvenile Court Law, and section 16x19 of the Weights and Measures Act, relating to compensation of county and township officers in counties of the nineteenth class;

Also: Assembly Bill No. 2419—An act making an appropriation to pay the claim of H. J. Hardy and the Victorian Petroleum Company against the State of California;

Also: Assembly Bill No. 2235—An act making an appropriation out of the fish and game preservation fund for the construction of jetties at the mouth of the Russian River;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2394—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto, providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act—and reports that the same has been correctly re-re engrossed

PATTERSON, Chairman

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1277—An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act—and reports that the same has been correctly re-re-re-engrossed.

PATTERSON, Chairman

The above reported bill ordered on file for third reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1933

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2072—An act making an appropriation for the support of the Legislative Counsel Bureau during the 84th fiscal year—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman

The above reported bill ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Mr. Gilmore:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1933.

We, the undersigned members of the Assembly, of the fiftieth session of the California Legislature, do hereby petition that Assembly Bill No. 1803 be withdrawn from the Committee on Public Morals and placed on file in the Assembly:

MELVIN I. CRONIN.
JOSEPH P. GILMORE.
WM. B. HORNBLOWER.
T MALONEY.
ERNEST C. CROWLEY.
JESSE M. MAYO
HENRY P. MEEHAN.
F. PETERSON.
BERT V. CALLAHAN.
CECIL R. KING.
JAMES S. O'CONNOR.
RODNEY L. TURNER
J. J McBRIDE.
C W. GRUBBS
BRUCE R. STANNARD.
WM. MOSLEY JONES.
ELLIS E. PATTERSON.
GEORGE R BLISS.
CLIFF. ANGLIM
AUSTIN L TOURNOUX.
JOHN D. McCARTHY.
JAMES B. UTT.
JAMES J. BOYLE
J. E. FRAZIER.
JOHN H. O'DONNELL.
ROY J. NIELSEN
P. G. WEST.
THORP.
H. S. HALLNER.
CHARLES W. LYON
WALTER H. SULLIVAN.
CHARLES A. HUNT
P. J. McMURRAY
MICHAEL J BURNS.
FRANK ROGERS.
C. RAY ROBINSON.
E. H. ZION.
JOHN T. RAWLS.
CLIFFORD R. KALLAM
C. C. COTTRELL.
FRANK LEE CRIST.

Assembly Bill No. 1803 ordered on file for second reading

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 2072—An act making an appropriation for the support of the Legislative Counsel Bureau during the eighty-fourth fiscal year.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the period in said line, and insert in lieu thereof the following: "to take effect immediately."

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, insert in the blank space in said line, the following: "six thousand five hundred".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, immediately following line 4 on said page, insert the following:

"SEC. 2 Inasmuch as this act provides an appropriation for the usual current expenses of the State it shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1803—An act to amend section 172a of the Penal Code, relating to the selling, giving away, or exposing for sale of any vinous or alcoholic liquors upon or within one and one-half miles of the university grounds of any university having an enrollment of more than 1000 students, more than five hundred of whom reside or lodge upon said university grounds.

Bill read second time, ordered to engrossment, and third reading.

ADJOURNMENT.

At eleven o'clock and fifty-nine minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, May 8, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, May 8, 1933.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder,

Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Meeker, its further reading was dispensed with.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From Arthur M. Abbott and 150 others, favoring passage of the Humane Pound Bill.

MESSAGE FROM THE GOVERNOR.

The following message from the Govenor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 6, 1933.

To the Members of the Assembly of the California State Legislature.

I am transmitting herewith copy of a telegram received by me today, dated May 5, 1933, from the Honorable Robert Fechner, Director of Emergency Conservation Work, Washington, D. C., together with a copy of my reply thereto.

It is respectfully requested that the Legislature give consideration to the suggestions of Mr. Fechner.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

(COPY.)

WASHINGTON, D. C., May 5, 1933.

James Rolph, Jr., Governor of California,
Sacramento, California.

Before approving emergency conservation work projects on State, county and municipally owned land, President desires assurance that you will urge the State Legislature, if now in session, or if not, at its next succeeding session, to enact legislation providing that if, as a result of the work done, the State derives a direct profit from the sale of the land or its products, the proceeds will be divided equally between the State and the Federal government until the State shall have paid for the work done at the rate of one dollar per man per day for the time spent on projects subject to a maximum of three dollars per acre. President desires that no work shall be done on privately owned land except as may be necessary in the public interest for regional or state-wide forest protection against fire, insects and disease, and/or simple flood control measures to arrest gully erosion and flash runoff at headwaters of mountain streams. Where public interest demands work on privately owned land for these purposes the President requests that it be conditioned on State assume responsibility for maintenance of works by landowners or otherwise and obtaining contracts with the landowners by which the State reserves the right to remove at its option and without recompense to landowner any structures or other things of removable values which may result from the work done including products of trees planted to arrest erosion. Please wire at your earliest convenience whether you agree to this plan.

ROBERT FECHNER,
Director of Emergency Conservation Work.

(COPY.)

May 6, 1933.

Hon Robert Fechner, Director of Emergency Conservation Work,
Washington, D. C.

Re telegram 6th. I shall urge Legislature to take action requested regarding conservation projects on State, county or municipally owned lands and work affecting private land as well. I am today transmitting copy of your telegram to the Legislature with request they give proper consideration to the matter.

JAMES ROLPH, JR., Governor of California.

COMMUNICATION

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

CONGRESS OF THE UNITED STATES. HOUSE OF REPRESENTATIVES.
WASHINGTON, D. C, May 4, 1933.

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

DEAR MR OHNIMUS The enclosed letter from the chairman of the House Committee on Banking and Currency, Hon. Henry B. Stegall, has reference to the *Assembly Joint Resolution No. 15, which you sent to me and which I transmitted to* the committee.

Assuring you of my desire to be of service at all times, I am,

Sincerely yours,

RALPH R ELTSE, M C.

HOUSE OF REPRESENTATIVES, COMMITTEE ON BANKING AND CURRENCY,
WASHINGTON, April 26, 1933.

Hon Ralph R Eltse, Washington, D C.

DEAR SIR. I was *pleased to have your letter with enclosure from your constituent* and I wish to thank you for an expression of your views.

Your letter discloses that you have given much thought to this important subject and constitutes a valuable contribution to the discussion. I have worked long and hard to secure legislation to place the banking system of the country on a creditable basis, including protection for depositors. I am glad to say there is reasonable hope of success at no distant date.

With good wishes,

H. B STEGALL.

COMMUNICATION.

On request of Messrs. Robinson, C. Ray, and Meeker, the following communication was received, and ordered printed in the Journal.

SAN JOAQUIN VALLEY POWER USER'S ASSOCIATION,
FRESNO, CALIFORNIA, May 6, 1933.

To the Senators and Assemblymen from the San Joaquin Valley

At a meeting of the San Joaquin Valley Power User's Association just held in Fresno, the following resolution was unanimously adopted:

Resolved, That San Joaquin Valley Power User's Association approve and support Assembly Bill No. 2341 providing for an immediate reduction of 20 *per cent in electric, natural gas and telephone rates, and that we urge all* of the Senators and Assemblymen from the San Joaquin Valley to exert their utmost influence to secure the immediate passage of this bill; and that a copy of this resolution be sent to each of the Senators and Assemblymen from the San Joaquin Valley, be it further

Resolved That San Joaquin Valley Power User's Association protest the activity of the power company and the telephone company in requesting and directing their many employees to send special telegrams and telephone messages to members of our State Legislature for the purpose of making it appear that there was strong sentiment against the passage of Assembly Bill No. 2341, when as a matter of fact the sentiment is universally in favor of its passage Request is hereby made to the members of the State Legislature from the San Joaquin Valley to investigate the expenditures of the three public utilities rendering electric, gas and telephone service as to the amount of expenditures in this sort of propaganda, and to the end that such expenditures should not in the future be made a part of the rate and passed on to the consumer to pay

San Joaquin Valley Power User's Association is made up of all the municipalities in the San Joaquin Valley interested in power, as well as the agricultural interests. Representatives from practically all the cities in the San Joaquin Valley were there, including the city of Fresno. The resolution speaks for itself. It was the outspoken opinion of all present that any immediate relief from the present power, gas and telephone rates must come from the Legislature I am also enclosing copies of other resolutions which were also unanimously adopted at this meeting.

Sincerely yours,

H. A. SAVAGE,
Secretary of San Joaquin Valley Power User's Association.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1803—An act to amend section 172a of the Penal Code, relating to the selling, giving away, or exposing for sale of any vinous or alcoholic liquors upon or within one-half mile of the university grounds of any university having an enrollment of more than 1000 students, more than 500 of whom reside or lodge upon said university grounds—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2072—An act making an appropriation for the support of the Legislative Counsel Bureau during the 84th fiscal year to take effect immediately—and reports that the same has been correctly engrossed.

PATTERSON, Chairman

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1536—An act to add section 484 5 to the Fish and Game Code, to amend section 665, and to repeal sections 863, 876, 887 and 942 thereof, relating to fish and game and making an appropriation for the purchase of certain property used in connection with the fishing industry—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 6, 1933, passed Senate Bill No. 632—An act relating to State officers and employees in the executive department of the State government, their appointment, classification, tenure, salaries and salary ranges, providing for an emergency salary reduction, and defining the powers, purposes, duties and jurisdiction of the State Personnel Board, Board of Control;

Also: Senate Bill No. 852—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, as amended to provide for the uses and purposes to which the funds derived under said act may be used.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 632 read first time, and referred to Committee on Ways and Means.

Senate Bill No 852 read first time, and referred to Committee on Oil Industries.

UNFINISHED BUSINESS

Assembly Bill No. 1334—An act to amend sections 1240 and 1241 of the Code of Civil Procedure, relating to the taking of property by the State under proceedings in eminent domain

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1334?

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "section 1240", and insert in lieu thereof the following "sections 1240 and 1241"; and in line 2 of the title, strike out the words "private property", and insert in lieu thereof the following: "property by the State", the amended title to then read as follows:

"An act to amend sections 1240 and 1241 of the Code of Civil Procedure, relating to the taking of property by the State under proceedings in eminent domain."

AMENDMENT NUMBER TWO.

On page 2, line 29, of the printed bill, strike out the words "the State".

AMENDMENT NUMBER THREE.

On page 2, lines 30 and 31, of the printed bill, strike out the words "joint highway district", and the comma after the word "district".

AMENDMENT NUMBER FOUR.

On page 2, line 33, of the printed bill, strike out the words "joint highway district", and the comma after the word "district".

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, after line 30, add the following:

"SEC 2. Section 1241 of the Code of Civil Procedure is hereby amended to read as follows

1241. Before property can be taken, it must appear:

1 Authorized use That the use to which it is to be applied is a use authorized by law,

2. That the taking is necessary to such use; provided, when the legislative body of a county, city and county, or an incorporated city or town, shall, by resolution or ordinance, adopted by vote of two-thirds of all its members, have found and determined that the public interest and necessity require the acquisition, construction or completion, by such county, city and county, or incorporated city or town, of any proposed public utility, or any public improvement, and that the property described in such resolution or ordinance is necessary therefor, such resolution or ordinance shall be conclusive evidence; (a) of the public necessity of such proposed public utility or public improvement; (b) that such property is necessary therefor, and (c) that such proposed public utility or public improvement is planned or located in the manner which will be most compatible with the greatest public good, and the least private injury; provided, that said resolution or ordinance shall not be such conclusive evidence in the case of the taking by any county, city and county, or incorporated city or town, of property located outside of the territorial limits thereof.

3. If already appropriated to some public use, that the public use to which it is to be applied is a more necessary public use; provided, that where such property has been so appropriated by any individual, firm or private corporation the use thereof for a public street or highway of the State, a county, city and county, or any incorporated city or town, or joint highway district, or the use thereof by the State, a county, city and county, or any incorporated city or town, or joint highway district, or a municipal water district for the same purposes to which it has been appropriated, or for any public purpose, shall be deemed a more necessary use than the public use to which such property has been already appropriated; and provided, further, that property of any character, whether already appropriated to public use or not, including all rights of any nature in water, owned by any person, firm or private corporation may be taken by a county, city and county, or any incorporated city or town or by a municipal water district, for the purpose of supplying water, or electricity for power, lighting or heating purposes to such county, city and county, or incorporated city or town, or municipal water district, or the inhabitants thereof, or for the purpose of supplying any other public utility, or for any other public use. And such taking may be made, either to furnish a separate and distinct supply of such water, and such electricity for power, lighting or heating purposes, or to provide for any such separate and distinct other public utility or other public use, or to furnish such a supply or provide for any such other public utility or other public use in conjunction with any other supply or with any other public utility or other public use that may have been theretofore provided for or that may thereafter be provided for in so supplying or providing for such county, city and county, or incorporated city or town, or municipal water district or the

inhabitants thereof; or in conjunction with any other supply or with any other public utility or other public use that may have been theretofore determined upon or that may thereafter be determined upon in accordance with law by the people of any such county, city and county, incorporated city or town or municipal water district. Nothing herein contained shall be construed as in any way limiting such rights as may be given by any other law of this State to counties, cities and counties, incorporated cities or towns or municipal water districts.

But private property appropriated to the use of any county, city and county, incorporated city or town, or municipal water district, may not be taken by any other county, city and county, incorporated city or town, or municipal district, while such property is so appropriated and used for the public purposes for which it has been so appropriated"

The roll was called, and Senate amendments to Assembly Bill No. 1334 were concurred in by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 751—An act to amend sections 9, 14 and 15 of The State Bar Act, relating to the Board of Governors.

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

AMENDMENT NUMBER ONE

On page 2 of the printed bill, after the period in line 22, insert the following: "One member of the board from State bar district 3 to be elected in 1933 for a two-year term, and any successor to said member, at the time of his election shall, and any member from said district may, maintain his principal office for the practice of law outside of the city of Oakland."

AMENDMENT NUMBER TWO.

On page 2, line 20, of the printed bill, strike out the word "such".

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—66.

NOES—None

Assembly Bill No. 1981—An act to amend section 479 of the Agricultural Code, relating to dairies and dairy products.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1981?

AMENDMENT NUMBER ONE

On page 1, line 23, of the printed bill, strike out the words "in quantities of less than one gallon", and insert in lieu thereof the following: "to the retail trade".

AMENDMENT NUMBER TWO.

On page 1, line 26, of the printed bill, following the word "department", strike out the period, and insert in lieu thereof the following: ", except as herein provided"

AMENDMENT NUMBER THREE.

On page 2, line 4, of the printed bill, following the period after the word "prohibited", add the following:

"This subdivision shall not apply to any person disposing of the milk of cows owned by him when such person owns six cows or less"

The roll was called, and Senate amendments to Assembly Bill No. 1981 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Dempster, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 1501—An act to amend section 956 of the Code of Civil Procedure, relating to what may be reviewed on appeal from judgment.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1501?

AMENDMENT NUMBER ONE

In line 9 of the printed bill, strike out the period, and insert in lieu thereof the following: "whether or not it affects the judgment appealed from."

The roll was called, and Senate amendment to Assembly Bill No. 1501 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—68.
NOES—None

Assembly Bill No. 908—An act to declare a moratorium on foreclosure of mortgages and collection of interest thereon for a period of two years.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 908?

AMENDMENT NUMBER ONE.

On page 3, line 25, of the printed bill, strike out the words "upon real property".

AMENDMENT NUMBER TWO.

On page 3, line 25, of the printed bill, after the word "executed", insert the following: "upon real property improved with a single family dwelling".

AMENDMENT NUMBER THREE.

On page 3, line 27, of the printed bill strike out the words "upon real property".

AMENDMENT NUMBER FOUR.

On page 3, line 28, of the printed bill, insert the following: "upon real property improved with a single family dwelling,".

AMENDMENT NUMBER FIVE.

On page 3, line 31, of the printed bill, after "obligation.", insert the following: "Nothing contained in this act shall prevent the acceleration, by reason of the nonpayment of taxes, interest or insurance, of the entire obligation secured by any such mortgage or deed of trust, nor prevent the sale thereunder by reason of such default."

The roll was called, and Senate amendments to Assembly Bill No. 908 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones,

Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—71.

NOES—None.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No 46—Proposed amendment to Article XIII, adding sections 1 1 and 1.2 of the Constitution, relative to limitation of tax rates.

Assembly Constitutional Amendment No. 46 read.

The question being on the adoption of Assembly Constitutional Amendment No. 46.

MOTION TO RE-REFER.

Mr. Stream moved that Assembly Constitutional Amendment No 46 be withdrawn from the file, and ordered re-referred to Committee on Rules.

The question being on re-referring Assembly Constitutional Amendment No. 46 to Committee on Rules.

Motion carried.

Assembly Constitutional Amendment No. 46 ordered re-referred to Committee on Rules

Assembly Bill No. 1536—An act to add section 484 5 to the Fish and Game Code, to amend section 665, and to repeal sections 863, 876, 887 and 942 thereof, relating to fish and game.

Bill read third time

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Scudder:

AMENDMENT NUMBER ONE

On page 1, line 17, of the printed bill, as amended, strike out "treasury', and insert in lieu thereof the following: "fish and game preservation fund".

Amendment adopted.

Bill ordered to reprint, engrossment, and third reading

Assembly Bill No 1803—An act to amend section 172a of the Penal Code, relating to the selling, giving away, or exposing for sale of any vinous or alcoholic liquors upon or within one and one-half miles of the university grounds of any university having an enrollment of more than 1000 students, more than 500 of whom reside or lodge upon said university grounds.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS

During reading of the bill, the following amendments were submitted by Mr. Gilmore:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out lines 3 and 4, and insert in lieu thereof the following:

"172a. Every person who, upon or within one and one-half miles of the university grounds or campus, upon which are".

AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed bill, after the word "purposes", strike out the period and add a semicolon and insert the following: "provided further that the provisions of this act shall not apply to nor prohibit the sale, gift, or exposing, or offering for sale of beer, lager beer, ale, porter, wine, simular fermented malt, or vinous liquor or fruit juice containing one-half of one per cent or more of alcohol by volume and not more than three and two-tenths per cent of alcohol by weight".

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 454—An act to amend section 1060 of the Fish and Game Code, to add thereto sections 481.5, 744, 842.5, 846.5, 867, 1063.5, 1064.5, 1065.5, and to repeal sections 714, and 1066 to 1071 inclusive, relating to fish and game.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, as amended, and insert in lieu thereof the following:

"An act to amend sections 713, 731, 847, 886 and 927 and the heading of Article 2, Chapter 4, Part 2, Division IV of the Fish and Game Code, and to add thereto sections 493.5, 744, 842.5, 842.6, 867, 868 and 927.5, and to repeal sections 714 and 929 thereof, relating to fish and game."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out line 5, and insert in lieu thereof the following:

"SEC. 2. Section 713 of the Fish and Game Code is hereby amended to read as follows:

713. White sea bass (Cynoscion nobilis) may be taken with hook and line at any time. Between May 1st and June 30th, the bag limit on white sea bass taken with hook and line is five per day. White sea bass may not be sold between May 1st and June 30th.

SEC. 3. Section 714 of the Fish and Game Code is hereby".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended, strike out line 7, and insert in lieu thereof the following:

"SEC. 4. Section 731 of the Fish and Game Code is hereby amended to read as follows:

731. Barracuda not less than three pounds in weight may be taken at any time. No barracuda may be sold between May 1st and June 30th.

SEC. 5. A new section is hereby added to Article 3, Chap-".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, as amended, strike out lines 10 to 17, inclusive, and insert in lieu thereof the following:

"744. Marlin swordfish meat may not be transported out of this State.

SEC. 6. A new section is hereby added to the Fish and".

AMENDMENT NUMBER FIVE.

On page 2, line 3, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "7".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, as amended, strike out lines 5 to 11, inclusive, and insert in lieu thereof the following:

"842.6. It is unlawful for any person other than a manufacturer or dealer in nets to possess any net which does not bear a label or tag as prescribed in section 842.5. The possession of any net in violation of the provisions of this section shall not be deemed an unlawful use within the meaning of section 845.

SEC. 8. Section 847 of the Fish and Game Code is hereby".

AMENDMENT NUMBER SEVEN.

On page 2, line 22, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "9".

AMENDMENT NUMBER EIGHT.

On page 2, line 28, of the printed bill, as amended, strike out "9", and insert in lieu thereof the following: "10".

AMENDMENT NUMBER NINE.

On page 2 of the printed bill, as amended, strike out lines 31 and 32, and insert in lieu thereof the following:

"867. It is unlawful to use any net to take yellowtail between June 1st and August 31st, or to sell such fish during said period. Yellowtail may be used only for consumption as fresh food fish."

AMENDMENT NUMBER TEN.

On page 2, line 33, of the printed bill, as amended, strike out "10", and insert in lieu thereof the following: "11".

AMENDMENT NUMBER ELEVEN.

On page 2, line 37, of the printed bill, as amended, strike out "July 31st", and insert in lieu thereof the following: "June 30th".

AMENDMENT NUMBER TWELVE.

On page 2, line 39, of the printed bill, as amended, strike out "11", and insert in lieu thereof the following: "12".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 1, of the printed bill, as amended, strike out "12", and insert in lieu thereof the following: "13".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 5, of the printed bill, as amended, strike out "13", and insert in lieu thereof the following: "14".

AMENDMENT NUMBER FIFTEEN

On page 3 of the printed bill, as amended, strike out lines 9 to 23, inclusive, and insert in lieu thereof the following:

"SEC. 15. Section 929 of the Fish and Game Code is hereby repealed."

Amendments adopted

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No 753—An act to add a new section to the Political Code of California, to be known as section 3664½, imposing a license fee or tax for the transportation of persons or property for hire for compensation upon public streets, roads and highways in the State of California by motor vehicle.

Bill read second time, and ordered on file for third reading.

STATEMENT WITH REFERENCE TO VOTE UPON ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED NINETY-FOUR BY MR. JONES.

The record of the vote upon Assembly Bill No. 2394, as shown in the Journal of May 6th in that it shows me as voting "aye" upon the passage of the bill is erroneous. I distinctly voted "no."

WILLIAM MOSELEY JONES.

I wish to corroborate the fact that Mr. Jones voted "no" on the passage of Assembly Bill No. 2394. I discussed the bill with him and heard his vote.

E. V. LATHAM.

THIRD READING OF SENATE BILLS.

Senate Bill No 216—An act to amend section 2322x34 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 216 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen,

O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 217—An act to amend sections 4263a, 4263b, 4263c, 4263d, 4263e, 4263f, 4263g, 4263h, 4263k, 4263*l*, 4263m, 4263o, 4263p, and 4263q of the Political Code, relating to the compensation of county and township officers in counties of the thirty-fourth class.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 217 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No. 915—An act to amend section 2322x50 of the Political Code, relating to the office of agricultural commissioner in counties of the fiftieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 915 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72

NOES—None

Title read and approved

Bill ordered transmitted to the Senate

Senate Bill No. 131—An act to amend section 16x14 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the fourteenth class

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 131 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt,

Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 128—An act amending section 4243 of the Political Code, relating to salaries and compensation of officers in counties of the fourteenth class.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Chatters:

AMENDMENT NUMBER ONE

On page 3, line 12, of the printed bill, strike out the period after the word "year", and insert in lieu thereof the following: ", provided further in the event a four payment tax plan is adopted by the State of California, then the aforesaid total sum shall not exceed the sum of one thousand nine hundred twenty-five dollars per fiscal year"

AMENDMENT NUMBER TWO

On page 3, line 41, of the printed bill, strike out the period after the word "year", and insert in lieu thereof the following: "; provided further, in the event a four payment tax plan is adopted by the State of California, then the aforesaid total sum shall not exceed the sum of five thousand two hundred dollars per fiscal year"

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Chatters asked for, and was granted, unanimous consent to take up Senate Bill No. 128 at this time without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 128 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 130—An act to amend section 19x14 of the Juvenile Court Law, relating to the salaries of the probation officer and assistants in counties of the fourteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 130 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 129—An act to amend section 2322x14 of the Political Code, relating to the office of agricultural commissioner in counties of the fourteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 129 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 638—An act to amend section 19x39 of the Juvenile Court Law, relating to the probation officer in counties of the thirty-ninth class.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 638 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Senate Bill No. 639—An act to amend section 2322x39 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 639 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 640—An act to amend section 4268 and to repeal section 4268a of the Political Code, relating to the compensation of county and township officers in counties of the thirty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 640 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 658—An act to amend section 737gg of the Political Code, relating to the compensation of the judge of the superior court, Riverside County.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 658 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 349—An act to amend section 4260 of the Political Code, relating to the compensation of county and township officers in counties of the thirty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 349 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 199—An act to amend sections 737d, 737yy, 737zz and 737fff of the Political Code, relating to superior judges.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 199 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 218—An act to amend section 737bb of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Napa.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 218 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1192—An act to amend section 4283 of the Political Code, relating to compensation of county officers in counties of the fifty-fourth class

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1192 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 916—An act to amend section 737q of the Political Code, relating to the salaries of judges of the superior courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 916 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 196—An act to amend section 4265 of the Political Code, relating to compensation of county and township officers in counties of the thirty-sixth class.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Frazier:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, as amended, strike out "two hundred fifty", and insert in lieu thereof the following: "six hundred twenty-five".

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, as amended, strike out "three thousand", and insert in lieu thereof the following: "two thousand six hundred twenty-five".

AMENDMENT NUMBER THREE

On page 2, line 1, of the printed bill, as amended, strike out "two hundred fifty", and insert in lieu thereof the following: "six hundred twenty-five"

AMENDMENT NUMBER FOUR

On page 2, line 6, of the printed bill, as amended, strike out "two thousand seven", and insert in lieu thereof the following: "one thousand eight".

AMENDMENT NUMBER FIVE

On page 2, line 9, of the printed bill, as amended, strike out "two hundred fifty", and insert in lieu thereof the following: "six hundred twenty-five".

AMENDMENT NUMBER SIX.

On page 2, line 21, of the printed bill, as amended, strike out "fifty", and insert in lieu thereof the following: "twenty-five".

AMENDMENT NUMBER SEVEN.

On page 2, line 29, of the printed bill, as amended, strike out "six hundred", and insert in lieu thereof the following: "one thousand".

AMENDMENT NUMBER EIGHT.

On page 2, line 37, of the printed bill, as amended, strike out "two hundred fifty", and insert in lieu thereof the following: "six hundred twenty-five"

AMENDMENT NUMBER NINE.

On page 2, lines 41 and 42, of the printed bill, as amended, strike out "two thousand seven", and insert in lieu thereof the following: "one thousand eight".

AMENDMENT NUMBER TEN.

On page 4, line 46, of the printed bill, as amended, strike out "two thousand", and insert in lieu thereof the following: "one thousand eight hundred".

AMENDMENT NUMBER ELEVEN.

On page 5 of the printed bill, as amended, strike out lines 25 to 37, inclusive.

Amendments adopted.

Bill ordered to reprint, and on file for third reading.

Senate Bill No. 197—An act to amend section 4269 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the fortieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 197 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 198—An act to amend section 2322x36 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-sixth class.

Bill read third time

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Frazier:

AMENDMENT NUMBER ONE

On page 1, line 4, of the printed bill, as amended, strike out "three thousand", and insert in lieu thereof the following: "two thousand six hundred twenty-five".

Amendment adopted

Bill ordered to reprint, and on file for third reading.

Senate Bill No. 157—An act to amend section 9a29 of an act entitled "An act to provide for the establishment and maintenance of county

free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to librarians in counties of the twenty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 157 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 156—An act to amend section 4258 of the Political Code, relating to compensation of county and township officers in counties of the twenty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 156 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 644—An act to repeal section 9mm of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the thirty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 644 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum,

Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 32—Relative to approving the charter of the county of Sacramento, State of California, which was submitted to the qualified electors of the said county and voted for and ratified by them at a special election held therein on the twenty-seventh day of April, 1933—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

LYON, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. West asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 32 at this time without reference to committee or file, and that same be considered engrossed

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THIRTY-TWO.

Senate Concurrent Resolution No. 32—Approving the charter of the county of Sacramento, State of California, which was submitted to the qualified electors of the said county and voted for and ratified by them at a special election held therein on the twenty-seventh day of April, 1933.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 32 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Cobb, Craig, Cronin, Crowley, Dempster, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—66.

NOES—None.

Title read and approved

Senate Concurrent Resolution No. 32 ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of said State repealing sections 4 and 9 of Article XI thereof and amending section 5 of said article, relating to county government.

Senate Constitutional Amendment No. 16 read.

The question being on the adoption of Senate Constitutional Amendment No. 16.

The roll was called, and Senate Constitutional Amendment No. 16 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Cobb, Craig, Cronin, Crowley, Dempster, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—66.

NOES—None.

Title read and approved.

Senate Constitutional Amendment No. 16 ordered transmitted to the Senate.

SENATE CONSTITUTIONAL AMENDMENT No. 16.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State repealing sections 4 and 9 of Article XI thereof and amending section 5 of said article, relating to county government.

Resolved by the Senate, the Assembly concurring That the Legislature of the State of California, at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that sections 4 and 9 of Article XI of the Constitution of said State be repealed and that section 5 of said article be amended to read as follows

Sec. 5. The Legislature, by general and uniform laws, shall provide for the election or appointment, in the several counties, of boards of supervisors, sheriffs, county clerks, district attorneys, and such other county, township, and municipal officers as public convenience may require, and shall prescribe their duties and fix their terms of office. It shall regulate the compensation of boards of supervisors, district attorneys and of auditors in the respective counties and for this purpose may classify the counties by population. It may regulate the compensation of grand and trial jurors in all courts within the classes of counties herein permitted to be made. The boards of supervisors in the respective counties shall regulate the compensation of all officers in said counties other than boards of supervisors, district attorneys, auditors, and judges of municipal courts, and shall regulate the number, method of appointment, terms of office or employment, and compensation of all deputies, assistants, and employees of the counties.

The provisions of this section shall not be construed to abridge, modify or otherwise affect the provisions of sections 7½, 7½a and 8½ of this article, relating to county or city and county charters. That certain act entitled "An act to add a new section to the Political Code to be numbered 4056d, relating to powers and duties of boards of supervisors with respect to county and township officers, deputies, assistants and employees," as enacted by the Legislature at its fiftieth session, is hereby validated and made fully and completely effective.

The compensation of any county, township or municipal officer shall not be increased after his election or during his term of office, nor shall the term of any such officer be extended beyond the period for which he was elected or appointed. The provisions of this section shall not prevent the allowance of any new or additional deputy or assistant to the principal in any county office during his term, nor shall they prevent any increase in the compensation of any deputy or assistant to such principal at any time.

The provisions of this section shall not abridge, modify or otherwise limit the power of the Legislature by general and uniform laws to prescribe the qualifications of any county officer or of any deputy or assistant, or to prescribe the method of appointment of any person so qualified.

Senate Joint Resolution No. 15—Relative to memorializing and petitioning Congress to enact legislation which will facilitate the protection of sardines in the territorial waters of this State.

Resolution read.

The question being on adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 15 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Cobb, Craig, Cronin, Crowley, Dempster, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—66.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 15 ordered transmitted to the Senate

SENATE JOINT RESOLUTION No. 15

Relative to memorializing and petitioning Congress to enact legislation which will facilitate the protection of sardines in the territorial waters of this State.

WHEREAS, It has long been the practice of the State of California to protect the sardines which inhabit the territorial waters of this State; and

WHEREAS, To that end, the reduction of sardines into fish meal, fish oil, and other fishery products has been carefully regulated; and

WHEREAS, There are now operating on the high seas, off the coast of California, certain vessels which have been equipped to operate as reduction plants; and

WHEREAS, Such vessels operate in waters over which this State has no jurisdiction, and engage in the unrestricted reduction of sardines; and

WHEREAS, Sardines are generally found near the coast line, and not on the high seas; and

WHEREAS, Sardines are migratory within a distance of a few miles, and the unrestricted reduction of sardines caught beyond the three-mile limit is depleting the species as effectively as if such fish were caught within the territorial waters of this State; and

WHEREAS, The number of floating reduction plants is constantly increasing; and

WHEREAS, There are now pending before the Legislature of the State of California measures designed to control the present unrestricted destruction of sardines, which measures if adopted could be made more effective should Congress also enact legislation looking toward the preservation of this species of fish; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California earnestly memorializes and petitions Congress to enact legislation which will facilitate the preservation of sardines in the territorial waters of this State, and be it further

Resolved, That a copy of this joint resolution be transmitted to the President of the United States, and the Vice President, and to each member of the Senate and the House of Representatives of the United States.

Senate Bill No. 250—An act to add a new section to the Political Code to be numbered 4056d, relating to powers and duties of board of supervisors with respect to county and township officers, deputies, assistants and employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 250 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Cobb, Craig, Cronin, Crowley, Dempster, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At twelve o'clock and forty minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock and fifteen minutes p.m. of this day.

REASSEMBLED.

At two o'clock and fifteen minutes p m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1933.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No 28—Relative to memorializing Congress to enact legislation providing for relief of California Indians—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

PETERSON, Chairman.

Assembly Joint Resolution No. 28 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 25—Relative to accepting amendments to permit from the Government of the United States for the construction of approach roads over certain rights of way leading to the Golden Gate Bridge in the Fort Baker Military Reservation, and relating to the retrocession by the Congress of the United States of jurisdiction over said rights of way as relocated—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

PETERSON, Chairman.

Senate Joint Resolution No. 25 ordered on file for adoption.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1933

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 125—An act to amend section 120 of the Bank Act, relating to the Superintendent of Banks—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Ways and Means.

LEVEY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

MOTION TO RE-REFER.

Mr. Brock moved that Senate Bill No. 1209 be withdrawn from Committee on Judiciary, and ordered referred to Committee on County Government.

The question being on referring Senate Bill No 1209 to Committee on County Government.

Motion carried.

Senate Bill No. 1209 ordered referred to Committee on County Government.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At two o'clock and twenty minutes p.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

THIRD READING OF SENATE BILLS.

Senate Bill No. 531—An act to amend sections 2, 6, 7, 9, 14 and 18 of the "Act Concerning Cosmetology."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 531 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, King, Knowland, Latham, Levey, Martin, Mayo, McBride, Meehan, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine and Wright—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At two o'clock and thirty-five minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Senate Bill No. 195—An act to amend section 307 of the Agricultural Code, relating to meat inspection.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Anglim:

AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed bill, as amended, strike out "sheep and swine".

AMENDMENT NUMBER TWO

On page 1, line 22, of the printed bill, as amended, strike out "sheep and swine".

AMENDMENT NUMBER THREE.

On page 1, line 23, of the printed bill, as amended, strike out "and", and insert in lieu thereof a comma.

AMENDMENT NUMBER FOUR.

On page 2, line 2, of the printed bill, as amended, after "director", strike out the period, and insert in lieu thereof a comma and the following: "and are marketed by whole carcass with hide on."

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Anglim asked for, and was granted, unanimous consent to take up Senate Bill No. 195, at this time, without reference to reprint or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 195 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan,

Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C, Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 767—An act to amend section 1 and to repeal section 5 of an act entitled "An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation thereof," approved June 19, 1931, relating to motor boat regulation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 767 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Fisher, Gilmore, Greene, Hoffman, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, Meehan, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson Samuel E., Rogers, Roland, Scudder, Tournoux, Turner, Utt, West, Williamson and Mr. Speaker—54.

NOES—Field, Stannard, Stream and Wright—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 65—An act relating to the redemption of property sold to irrigation districts for delinquent assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 65 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 318—An act to amend section 36 of Chapter 266, Statutes of 1923, entitled the "California Vehicle Act," approved May 30, 1923, as amended, relating to applications for registration of vehicles.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 318 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride,

Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 691—An act to amend sections 2, 3, 4, 5, 6 and 13 of and to add a new section 15 to an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as 'The Reciprocal or Interinsurance Act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee," approved December 24, 1911,' approved May 26, 1917, as amended," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Robinson, C. Ray:

AMENDMENT NUMBER ONE.

In line 13 of the title of the printed bill, as amended, strike out the period in said line, and insert in lieu thereof a comma and the following: "declaring the urgency hereof and to take effect immediately."

AMENDMENT NUMBER TWO

On page 8 of the printed bill, as amended, immediately following line 5 on said page, insert the following:

"SEC. 8. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution and shall therefore go into immediate effect. The facts constituting the necessity are as follows:

The moneys in the insurance fund in the State treasury are almost exhausted The entire expense of supervision and regulation of insurance companies is paid out of said fund. Unless additional revenues are immediately made available for the replenishment of this fund, such supervision and regulation can not efficiently be continued, and a breakdown of this vital function of State administration is thereby threatened This act, by increasing the revenues payable into such fund, will tend to avert such a threatened breakdown and will thereby enable the State to continue to efficiently supervise and regulate the insurance business therein. As a failure of such supervision and regulation to efficiently function might result in tremendous losses to the people of this State, it is therefore necessary for the immediate preservation of the public peace, health and safety that this act take effect immediately"

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Robinson, C. Ray, asked for, and was granted, unanimous consent to take up Senate Bill No 691, at this time, without reference to printer or file.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigen-

baum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr Speaker—68

NOES—None.

THIRD READING OF SENATE BILL NUMBER SIX HUNDRED NINETY-ONE.

Senate Bill No. 691—An act to amend sections 2, 3, 4, 5, 6 and 13 of and to add a new section 15 to an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as 'The Reciprocal or Interinsurance Act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee," approved December 24, 1911,' approved May 26, 1917, as amended," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 691 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 252—An act to amend section 939 of the Code of Civil Procedure, relating to appeals

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 252 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor, Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 226—An act to amend section 802 of the Agricultural Code, relating to the standardization of grapes.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Chatters:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, immediately following line 27, add the following: "Thompson seedless and Malaga varieties of grapes produced in any area of the State and so testing not less than seventeen per cent may be packed and shipped for export to foreign countries but when so packed must be shipped under such bond as may be required by the director."

AMENDMENT NUMBER TWO.

On page 2, line 3, of the printed bill, immediately following the word "Pass", insert the following: "or the provision permitting the different requirement prescribed for grapes to be exported".

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Turner asked for, and was granted, unanimous consent to take up Senate Bill No. 226, at this time, without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 226 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—66.

NOES—Stream—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Stream gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 226 was this day passed.

Senate Bill No. 948—An act to amend section 14 of the California Terminal Weighing Act, relating to the fees collected thereunder.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 948 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 981—An act to amend section 41 of the Agricultural Code, relating to the State Board of Agriculture.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 981 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—69

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 206—An act to amend section 9a38 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to librarians in counties of the thirty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 206 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 732—An act to provide for the organization and conduct of nonprofit cooperative associations to engage in the marketing, handling, and distribution of fish and fishery products.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Anglim:

AMENDMENT NUMBER ONE.

On page 6, line 50, of the printed bill, after the word "treasurer", insert a comma.

AMENDMENT NUMBER TWO

On page 7, line 11, of the printed bill, strike out the word "membership", and insert in lieu thereof the word "membership".

AMENDMENT NUMBER THREE

On page 7, line 41, of the printed bill, after the word "and", insert a comma.

AMENDMENT NUMBER FOUR.

On page 8, line 4, of the printed bill, strike out the word "directors", and insert in lieu thereof the word "director".

AMENDMENT NUMBER FIVE.

On page 8, line 9, of the printed bill, strike out the word "specific", and insert in lieu thereof the word "specified".

AMENDMENT NUMBER SIX.

On page 8 of the printed bill, strike out the words "unreservdly excpt", and insert in lieu thereof the words "unreservedly, except".

AMENDMENT NUMBER SEVEN.

On page 9, line 1, of the printed bill, strike out the word "lord", and insert in lieu thereof the word "landlord".

AMENDMENT NUMBER EIGHT.

On page 9, line 48, of the printed bill, after the word "directors", insert a comma.

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Anglim asked for, and was granted, unanimous consent to take up Senate Bill No. 732, at this time, without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 732 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 284—An act confirming and validating the formation or organization and existence of port districts, and declaring that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 284 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 283—An act to amend an act entitled "An act to provide for the creation, organization, and government of port districts; to enumerate the powers thereof; to authorize the incurring of indebtedness, the issuance of bonds and the levy and collection of taxes by such district; to authorize municipal corporations in such districts to surrender and transfer certain municipal powers and to grant cer-

tain municipal property to such districts for the purpose of carrying out the objects and purposes of this act," approved June 18, 1931 (Statutes of 1931, Chapter 1028), by amending the title thereof and by adding a new section thereto to be numbered section 13 (a), relating to the incurring of certain bonded indebtedness, prescribing the method of procedure for the incurring of such indebtedness, providing for the allocation, pledge and hypothecation of revenues for self-liquidating projects, and authorizing the borrowing of money from and the incurring of indebtedness to the United States of America or any of its departments, agencies or instrumentalities, including the Reconstruction Finance Corporation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 283 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—71.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At three o'clock and forty minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Senate Bill No. 735—An act to amend sections 1204 and 1209 of the Fish and Game Code, relating to ducks and geese.

Bill read third time

The question being on the passage of the bill

The roll was called, and Senate Bill No. 735 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 954—An act to amend section 810 of the Fish and Game Code, relating to clams.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 954 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor, Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—74.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 451—An act to amend section 1177 and to add a new section number 1203.5 to the Fish and Game Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 451 finally passed by the following vote:

AYES—Alter, Anglim, Badham Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stannard Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No 719—An act to amend section 611 of, and to add section 611 5 to, the Fish and Game Code, relating to trout.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 719 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—72.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No 668—An act to amend sections 1035 and 1039 of the Fish and Game Code, relating to fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 668 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 516—An act to provide for the inspection and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places; to declare the urgency thereof and provide that this act shall take effect immediately.

Bill read.

Urgency clause read

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Maloney moved a call of the House.

Motion carried.

Time, four o'clock and twenty minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers Rawls, Redwine, Robinson C Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—72.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.
HON AUSTIN L TOURNOUX IN THE CHAIR.

At four o'clock and twenty minutes p.m., Hon. Austin L. Tournoux, member of the Assembly from the fifty-fifth assembly district, in the chair.

Senate Bill No. 718—An act to add section 843.5 to the Fish and Game Code, relating to nets.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 718 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At four o'clock and forty minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hornblower.

The roll of absentees was called, and the urgency clause to Senate Bill No. 516 was adopted by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Chatters, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray, Roland, Scudder, Thorp, Tournoux, Turner, Williamson, Woolwine, Wright, Zion and Mr. Speaker—57.

NOES—Alter, Bowers, Brock, Cassidy, Clowdsley, Crist, Evans, Hallner, Hatch, Latham, Meeker, Miller, Eleanor, Phillips, Robinson, Samuel E., Rogers, Stannard, Stream and West—18.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At four o'clock and forty-five minutes p m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Senate Bill No. 357—An act to amend the title of and sections 4, 9, 15, 27, 28, 35, 38, 38a, 40, 44, 49, 58, 68, 79, 83, 88, 91, 100, 104, 108, and 109 of, to add sections 38b, 84a, and 109a to, and to repeal sections 69 to 74, inclusive, of an act entitled "An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor, approved June 9, 1931, relating to retirement systems covering governmental employees in this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 357 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder,

Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 666—An act to amend sections 4.161, 4.181 and 4.190 of the School Code, and to add a new section to said code, to be numbered 4.162, all relating to county school funds.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Maloney:

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill, after the word "the", insert the word "county".

AMENDMENT NUMBER TWO.

On page 2, line 26, of the printed bill, after the word "be", insert the word "so".

Amendments adopted.
Bill ordered to reprint, and on file for third reading.

Senate Bill No. 892—An act to add section 11a to an act entitled "An act to aid commerce and navigation by authorizing certain improvements in and about Islais Creek and as a means thereof creating a reclamation district to be called and known as the 'Islais Creek Reclamation District,' fixing the boundaries thereof, providing for the management and control thereof, vesting certain powers therein, and authorizing a method for the reclamation of the lands of said district; and to aid or assist such works of reclamation, granting to the City and County of San Francisco and its successors any title of the State in or to any public highways lying in said district with certain reservation; and dissolving any reclamation district wholly situate within the boundaries of said Islais Creek Reclamation District," approved April 6, 1925, relating to delinquent installments of assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 892 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 331—An act to amend the Political Code by amending sections 3456, 3457, 3466, 3480 and 3480b, and by repealing section 3480c, all relating to reclamation districts, and containing a provision declaring this act to be an emergency measure, stating the facts con-

stituting such emergency and providing this act shall take effect immediately upon its passage.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.

NOES—None.

THIRD READING OF SENATE BILL NUMBER THREE HUNDRED THIRTY-ONE.

Senate Bill No. 331—An act to amend the Political Code by amending sections 3456, 3457, 3466, 3480 and 3480b, and by repealing section 3480c, all relating to reclamation districts, and containing a provision declaring this act to be an emergency measure, stating the facts constituting such emergency and providing this act shall take effect immediately upon its passage.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 331 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 5—An act to call a special election to be held on Tuesday, the twenty-seventh day of June, 1933, for the purpose of submitting to the qualified electors of this State certain amendments to the Constitution of this State proposed by the Legislature at its fiftieth regular session and for the purpose of electing delegates to a convention to consider and pass upon a proposed amendment to the Constitution of the United States and to provide that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

URGENCY CLAUSE TO ASSEMBLY BILL NUMBER EIGHT HUNDRED FIFTY-ONE

Assembly Bill No. 851—An act to suspend the exemption from taxation granted by the Constitution to the California School of Mechanical Arts.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 851 ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 835—An act to add a new section to the California Air Navigation Act, to be numbered 11½, relating to the responsibility of owners or operators of aircraft for injury to or death of a guest riding in such aircraft;

Also: Assembly Bill No. 1059—An act to amend sections 19, 20, 21a, 46, 57, 62, 65, 67, 83 and 96 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, relating to the business of banking;

Also: Assembly Bill No. 1100—An act to add a new section to the Political Code, to be numbered 596c, prohibiting any person or corporation from acting as agent for or in any manner aiding in the solicitation or advertising of any insurance corporation or insurer, unless such insurance corporation or insurer shall have received a certificate of authority to transact business in this State and prescribing a penalty for violation thereof;

Also. Assembly Bill No. 1192—An act providing an in rem court proceeding for the purpose of determining the inability of an irrigation district to meet its bonded or other indebtedness, and to approve a plan for the compromise payment or satisfaction, funding or refunding thereof and of requiring the holders of outstanding bonds, warrants or other evidences of indebtedness to accept such compromise payment or satisfaction, funding or refunding bonds in other evidences of indebtedness to accept funding or refunding bonds in lieu thereof; making the decree therein binding upon all persons whether appearing in said proceeding or not; providing a method of procedure and declaring this act to be an urgency measure;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighth day of May, 1933, at five o'clock p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1360—An act to provide for the care, management and protection of State roads and highways and the right of way thereof and providing penalties for the violation of the provisions thereof, and to repeal an act entitled "An act to provide for the care, management and protection of State highways and providing penalties for violations of the provisions of the act," approved May 20, 1915, Statutes of 1915, Chapter 400, as amended;

Also: Assembly Bill No 1869—An act to amend section 4235 of the Political Code, relating to compensation of county and township officers in counties of the sixth class;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighth day of May, 1933, at five o'clock p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new article thereto to be numbered XIVa, relating to the control, development and utilization of the water resources in the State—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighth day of May, 1933, at five o'clock p m.

PATTERSON, Chairman.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1142—An act to amend section 5162 of the School Code, relating to teachers' certificates;

Also: Assembly Bill No. 2207—An act to repeal sections 716 to 719, inclusive, and to add section 716 to the Political Code, relating to the Capitol Building and grounds

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 688—An act to amend section 2322x44 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fourth class;

Also: Assembly Bill No. 691—An act to amend section 19x44 of the Juvenile Court Law, relating to probation officers in counties of the forty-fourth class;

Also: Assembly Bill No. 261—An act to amend section 110a of the Code of Civil Procedure, relating to salaries of justices of the peace in townships of 30,000 population or more in counties of the first class, and the determination of such population;

Also: Assembly Bill No. 300—An act to amend section 4041.11 of the Political Code, relating to powers and duties of boards of supervisors;

Also: Assembly Bill No. 308—An act to amend section 9 of "An act to provide for the formation, management, alteration of boundaries, and dissolution of sewer maintenance districts in unincorporated territory of counties, defining the powers of such districts and providing for the levy and collection of taxes to defray the expenses thereof," approved May 19, 1927, Statutes of 1927, page 1088;

Also: Assembly Bill No. 687—An act to amend section 4273 of the Political Code, relating to compensation of county and township officers in counties of the forty-fourth class;

Also: Assembly Bill No. 803—An act to add a new section to be numbered 5.408 to the School Code, relating to the exchange of teachers with foreign countries;

Also: Assembly Bill No. 1078—An act to amend sections 4.371, 4.373, 4.376, and 4.377 of the School Code, and to add two new sections to the School Code, to be numbered 4.378 and 4.379, all relating to district taxes;

Also: Assembly Bill No. 1079—An act to add two new sections to the School Code, to be numbered 6.734 and 6.735, relating to cafeterias.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 554—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to

prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 1 01, 3 02, 5 01, 6 01, 6.02, 6 03, 6 08, 7.06, 9 02, 9 04 to 9.12, both inclusive, 10 03, 10 05, 12 01, 13 01, and 15 16, by repealing section numbered 12.08 thereof, and by adding new sections to be numbered 9 13, 9 14, 9 15 9 16, 9.17, 13 16a and 13 20 to said act, all relating to building and loan associations--and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1064—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising, to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent therewith," approved May 5, 1931, by amending section 15 17, relating to investments authorized to be made by any borrowers' mutual building and loan association;

Also: Assembly Bill No. 248—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to and defining employees and excluding from the provisions of the act any person or persons engaged in any work or service under or in connection with any unemployment, relief, or charity project;

Also: Assembly Bill No. 1083—An act to amend sections 2, 3, 5, and 6 of an act entitled "An act to define motor club service, and to define, license, and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles, and providing penalties for the violation thereof, and repealing all acts in conflict herewith," approved June 15, 1929.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 1785—An act to amend sections 1201, 1202 and 1203 of the Fish and Game Code, relating to quail;

Also: Assembly Bill No. 1756—An act to repeal section 1069 of the Fish and Game Code, relating to fish;

Also: Assembly Bill No. 1032—An act to add a new section to the Political Code of California to be numbered 3803, relating to the cancellation of personal property tax liens on real property when wrongfully entered and providing for a reassessment thereof;

Also: Assembly Bill No. 1747—An act to authorize and empower the State Director of Education, with the approval of the State Director of Finance, to sell and convey the lands and buildings now being used by the State Teachers College of Santa Barbara, and from the proceeds of such sale to improve the site for said school, acquired by the State in 1932, to erect and construct upon such site buildings and other structures and improvements necessary and proper for said school, to purchase furniture, fixtures, apparatus, and other things necessary for said school, and to rent such temporary buildings and grounds as may be necessary for the use of said school until the completion of the new school buildings;

Also: Assembly Bill No. 1370—An act to amend sections 4, 7, 8, 9, 14 of and to add new sections to be numbered 8a, 15a and 15b to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics, the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to vital statistics.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1772—An act to add a new section to the Workmen's Compensation, Insurance and Safety Act of 1917 to be known as section 26a, relating to compensation—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 724—An act to amend section 4082 of the Political Code, to provide for exempting certain claimants for duplicate warrants from the requirement to file a bond—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 47—Proposed amendment to Article XIII, section 1a, of the Constitution, relative to exemption of educational institutions from taxation.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Constitutional Amendment No. 47 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 677—An act to amend section 537 of the Penal Code, relating to defrauding proprietors of hotels, inns, restaurants, boarding houses, lodging houses, apartment houses, or bungalow courts—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 810—An act providing for the deposit of county and city publications in the State Library and the University of California—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1746—An act providing for the conveyance to the city of Santa Barbara of real property belonging to the State of California on condition that the city of Santa Barbara in exchange therefor convey to the State of California real property belonging to the city of Santa Barbara—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 1057—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 5, 6, 7, 8, 10, 11 and 13¾, all relating to the powers, government and management of metropolitan water districts, and the exclusion of area therefrom, and declaring the same an urgency measure—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 980—An act to provide for the acquisition, construction and operation of works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary, and sanitation districts; also providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of operating and maintaining such works; also providing for the use of such works by other cities, counties or districts—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this passed as amended, Assembly Bill No. 161—An act to amend an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending,

compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, as amended, by adding a new section thereto to be numbered 13½, to provide for the uses and purposes to which the funds derived under said act may be used—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 164—An act to amend section 159 of an act entitled the California Vehicle Act, approved May 30, 1923, Statutes of 1923, page 517, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding—and respectfully requests your honorable body to concur in said amendments

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 159—An act to amend section 4041.7 of the Political Code, defining the powers of the board of supervisors—and respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 416—An act to amend an act entitled "An act authorizing counties to construct, improve, maintain and repair streets lying in municipalities or to aid or assist by the appropriation of money and otherwise in establishing, laying out, opening, widening, extending, straightening, constructing, improving or altering streets or changing or separating the grades thereof, within municipalities or in acquiring lands, rights of way or other property necessary therefor," approved April 30, 1923, (Statutes 1923, page 123) by amending section 1 thereof to authorize aid in the payment of bonds and/or interest thereon.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 434—An act to amend sections 1, 2, 3, 4, 13, 23, and 26 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," and to add thereto a new section to be numbered 4a, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2058—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 254—An act to amend sections 1, 2, 3, 6, and 7 of an act entitled "An act regulating the sale, offering for sale, possession or transportation of machine rifles, machine guns and submachine guns, and providing a penalty for the violation thereof," approved May 16, 1927.

Also. Assembly Bill No 1013—An act to amend sections 16f, 21, 37, 54, 55, 61, 96, 104 and 105 and to add sections 25a and 59 to the "Bank Act," defining and regulating the business of banking,

Also: Assembly Bill No 970—An act to add a new article to Chapter 3, Part 3, Division IV, to be numbered Article 6, embracing sections 1350, 1351, 1352 and 1353 of the Fish and Game Code and to amend section 1410 thereof, relating to amphibia, and to renumber present Articles 6 and 7 of Chapter 3, Part 3, Division IV.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 688—An act calling a special election to be held on the date herein provided, and providing for the submission thereat to the qualified electors of the State of certain questions herein provided, for the purpose of ascertaining the wish of the people of the State relating to certain State funds.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No 688 read first time, and referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No 28—Relative to memorializing Congress to enact legislation providing for relief of California Indians—and reports that the same has been correctly engrossed.

PATTERSON, Chairman

Assembly Joint Resolution No. 28 ordered on file for adoption.

ADJOURNMENT.

At five o'clock and fifteen minutes p m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a m., Tuesday, May 9, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, May 9, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. West, Blanche Yore, teacher, and the following pupils of the Sutter Junior High School of Sacramento: Patrick Burke, Charles Merkely, Louis Bueler, Frederick Schmidt, Eldon White, Albert Marty, Wendell Pond, Ray Jerue, Raymond Hoffporner, Jack McDonald, Merle Wren, Beatrice Flickinger, Ellanar Poffenberger, Eileen Lyson, Ida Mae Hicks, Alvada Abney, Geraldine Grise and Lois Pugh were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From J. W. Wilson, San Diego, California, urging Senate Bill No. 575 be made a law.

Also:

By Mr. Speaker.

From Mrs. Cora Belle Hogue, Hollywood, California, urging legislation making support of aged parents by their children mandatory.

UNFINISHED BUSINESS.

Assembly Bill No. 554—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and

employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 1.01, 3.02, 5 01, 6.01, 6 02, 6.03, 6.08, 7.06, 9 02, 9.04 to 9.12, both inclusive, 10 03, 10 05, 12.01, 13.01, and 15.16, by repealing section numbered 12 08 thereof, and by adding new sections to be numbered 9.13, 9.14, 9.15, 9.16, 9.17, 13.16a and 13.20 to said act, all relating to building and loan associations.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 554?

AMENDMENT NUMBER ONE

On page 13, line 50, of the printed bill, after the word "funds", and before the comma, insert the following: "exclusive of free money".

The roll was called, and Senate amendment to Assembly Bill No. 554 was concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Evans, Greene, Grubbs, Hatch, Hoffman, Jones, Kallam, Latham, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O Donnell, Peterson, Phillips, Powers, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—50.

NOES—None.

The above reported bill ordered to enrollment

Assembly Bill No 724—An act to amend section 4082 of the Political Code, to provide for exempting certain claimants for duplicate warrants from the requirement to file a bond.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 724?

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, after line 10, insert the following

"Whenever any warrant legally drawn in favor of the State of California shall have been lost or destroyed, the State shall not be required to file such bond of indemnity as hereinbefore provided Upon the filing of an affidavit as hereinbefore provided, the county auditor is hereby authorized to issue and deliver to the State of California, on demand, a duplicate warrant for the full amount of the original warrant and the county treasurer is hereby authorized and directed to pay the duplicate in lieu of the original warrant"

The roll was called, and Senate amendment to Assembly Bill No. 724 was concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Evans, Greene, Grubbs, Hatch, Hoffman, Jones, Kallam,

Latham, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Peterson, Phillips, Powers, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—50.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 677—An act to amend section 537 of the Penal Code, relating to defrauding proprietors of hotels, inns, restaurants, boarding houses, lodging houses, apartment houses, or bungalow courts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 677?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the entire title, and insert in lieu thereof the following:

"An act to amend section 537 of the Penal Code, relating to defrauding proprietors of hotels, inns, restaurants, boarding houses, apartment houses, bungalow courts or furnished auto camps".

AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, strike out the word "or".

AMENDMENT NUMBER THREE.

On page 1, line 20, of the printed bill, before the word "without", insert the words "or furnished auto camp", and immediately thereafter insert a comma.

AMENDMENT NUMBER FOUR.

On page 1, line 23, of the printed bill, strike out the word "or", and on the same page and line, after the word "court", insert a comma, and insert immediately thereafter the words "or furnished auto camp".

AMENDMENT NUMBER FIVE.

On page 2, line 3, of the printed bill, strike out the word "or", and insert in lieu thereof a comma.

AMENDMENT NUMBER SIX.

On page 2, line 4, of the printed bill, strike out the comma following the word "court", and in lieu thereof insert the following: "or furnished auto camp", and immediately thereafter insert a comma.

The roll was called, and Senate amendments to Assembly Bill No. 677 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Chatters, Clowdsley, Cobb, Cottrell, Crist, Evans, Feigenbaum, Greene, Grubbs, Hatch, Hunt, Kallam, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Peterson, Powers, Riley, Robinson, Samuel E., Rogers, Stream, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—47.

NOES—Cassidy, Frazier, Hoffman, Morgan, O'Donnell, Roland and Scudder—7.

The above reported bill ordered to enrollment.

Assembly Bill No. 1746—An act providing for the conveyance to the city of Santa Barbara of real property belonging to the State of California on condition that the city of Santa Barbara in exchange therefor convey to the State of California real property belonging to the city of Santa Barbara.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1746?

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, after the word "convey", insert the following: "or lease".

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, after the word "Barbara", insert the following: "or grants such easements or rights of way to the State of California over such real property belonging to the city of Santa Barbara".

AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, strike out the period, and insert in lieu thereof the following, "and on such terms and conditions as may be prescribed by them."

The roll was called, and Senate amendments to Assembly Bill No. 1746 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Greene, Grubbs, Hatch, Hoffman, Hunt, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James, A, Nielsen, O'Donnell, Peterson, Phillips, Powers, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—59

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1057—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts." approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 5, 6, 7, 8, 10, 11 and 13¾, all relating to the powers, government and management of metropolitan water districts, and the exclusion of area therefrom, and declaring same an urgency measure

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1057?

AMENDMENT NUMBER ONE.

On page 2, line 30, of the printed bill, as amended April 3, 1933, strike out the words "of the", and insert in lieu thereof the following: "vacant public".

AMENDMENT NUMBER TWO.

On page 2, line 37, of the printed bill, as amended April 3, 1933, after the period following the word "thereof", insert the following: "The grant of the right to use such vacant State lands shall be effective upon the filing by such district with the Division of State Lands of the Department of Finance, of an application showing the boundaries, extent and locations of the lands, rights of way, or easements desired for such purposes. If the land, rights of way or easement for which application shall be made is for the construction of any aqueduct, ditch, pipe line, conduit, tunnel or other works for the conveyance of water, or for roads, or for poles, or towers and wires for the conveyance of electrical energy or for telephonic or telegraphic communication, no compensation shall be charged the district therefor, unless, in the opinion of the Chief of such Division of State Lands the construction of such works will render the remainder of the legal subdivision through which such works are to be constructed valueless or unsaleable in which event the district shall pay for the lands to be taken and for such portion of any legal subdivision which, in the opinion of said Chief of the Division of State Lands, are rendered valueless or unsaleable, at the rate of one dollar twenty-five cents per acre. If the lands for which application is made are for purposes other than the construction of roads or for works for the conveyance of water, or electricity or telephonic or telegraphic communication, such district shall pay to the State for such lands at the rate of one dollar twenty-five cents per acre."

AMENDMENT NUMBER THREE.

On page 2, line 37, of the printed bill, as amended April 3, 1933, after the word "upon", insert the following: "filing such".

AMENDMENT NUMBER FOUR.

On page 2, line 37, of the printed bill, as amended April 3, 1933, strike out the words "of the", and insert in lieu thereof a comma.

AMENDMENT NUMBER FIVE.

On page 2, line 38, of the printed bill, as amended April 3, 1933, strike out the following: "district,".

AMENDMENT NUMBER SIX.

On page 2, of the printed bill, as amended April 3, 1933, strike out lines 51 and 52, and on page 3, strike out lines 1, 2 and 3, and insert in lieu thereof the following: "State Lands. The Chief of the Division of State Lands may reserve in such patents, grants or permits, easements and rights of way across any lands therein described for the construction of streets, roads and highways. Before any such patent, grant or permit shall be executed any compensation due to the State under the provisions hereof, must be paid. In the event that the duties or titles".

The roll was called, and Senate amendments to Assembly Bill No. 1057 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Greene, Grubbs, Hatch, Hoffman, Hunt, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller Eleanor; Miller, James, A., Nielsen, O'Donnell, Peterson, Phillips, Powers, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—59

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 980—An act to provide for the acquisition, construction, extension and operation of systems and works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary and sanitation districts; also providing for the issuance and sale of revenue bonds to the Reconstruction Finance Corporation or other fiscal agency of the United States to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of constructing, operating and maintaining such works; also providing for the use of such works by other cities, counties or districts, and declaring the urgency thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 980?

AMENDMENT NUMBER ONE.

On page 7, line 23, of the printed bill, as amended April 17, 1933, following the word "moneys", insert a comma and the following words and comma: "other than premium and accrued interest,".

AMENDMENT NUMBER TWO

On page 7, line 28, of the printed bill, as amended April 17, 1933, after the period, add the following: "All moneys received for premium and accrued interest shall be paid into the sinking fund provided for in section 13 of this act and used for the purposes for which said sinking fund is created."

The roll was called, and Senate amendments to Assembly Bill No. 980 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Greene, Grubbs, Hatch, Hoffman, Hunt, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James, A., Nielsen, O'Donnell, Peterson, Phillips, Powers, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—59

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 434—An act to amend sections 1, 2, 3, 4, 13, 23, and 26 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," and to add thereto a new section to be numbered 4a, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 434?

AMENDMENT NUMBER ONE.

On page 1 of the printed, engrossed bill, line 1 of the title, after the numeral "4," insert the numeral "13,".

AMENDMENT NUMBER TWO.

On page 3, line 39, of the printed, engrossed bill, strike out the word "average", and insert after the word "the", the words "total amount of".

AMENDMENT NUMBER THREE.

On page 3, line 48, of the printed, engrossed bill, strike out the word "average".

AMENDMENT NUMBER FOUR.

On page 3, line 52, of the printed, engrossed bill, insert after the word "which", the words "the total amount of", and after the word "taxes", insert the words ", less two per cent thereof,".

AMENDMENT NUMBER FIVE.

On page 4, line 1, of the printed, engrossed bill, strike out the word "bear", and in lieu thereof insert the word "bears", and after the word "the", insert the words "total amount of".

AMENDMENT NUMBER SIX.

On page 4, line 3, of the printed, engrossed bill, strike out the period, and in lieu thereof insert the following: "; provided, however, that if any such corporation sustains a net loss allocable to California the personal property taxes required to be paid by such corporation to this State or its political subdivisions during the preceding calendar year or fiscal years ended during such calendar year shall be considered for the purpose of determining such ratio only to the extent which such personal property taxes exceed such net loss allocable to California."

AMENDMENT NUMBER SEVEN.

On page 4 of the printed, engrossed bill, between lines 17 and 18, insert the following:

"SEC. 6. Section 13 of said act is hereby amended to read as follows:

SEC. 13. Every bank and corporation shall, within two months and fifteen days after the close of its taxable year, transmit to the commissioner a return in a form prescribed by him, specifying, for the taxable year, all such facts as he may by rule, or otherwise, require in order to carry out the provisions of this act.

A bank which locates or commences to do business within the limits of this State, and a corporation which commences to do business in this State, after the effective date of this act, shall thereupon prepay the minimum tax hereunder, which prepayment must be made before the bank or corporation files with the Secretary of State its articles of incorporation or duly certified copy thereof as the case may be. Upon the filing of its return within two months and fifteen days after the close of its first taxable year its tax for that year shall be adjusted upon the basis of the net income received during that taxable year, a credit being allowed for the prepayment of the minimum tax. Said return shall also, in accordance with sections 23 to 26, inclusive, be the basis for the tax of said bank or corporation for its second taxable year, if its first taxable year is a period of twelve months. In every case in which the first taxable year of a bank or corporation constitutes a period of less than twelve months, said bank or corporation shall pay as a prepayment of the tax for its second taxable year an amount equal to the tax (after the offset allowance has been computed) for its first taxable year, the same to be due and payable at the same times and in the same manner as if that amount were the entire amount of its tax (after the offset allowance has been computed) for that year; and upon the filing of its tax return within two months and fifteen days after the close of its second taxable year it shall pay a tax for said year based upon its net income received during that year, allowing a credit for the prepayment; but in no event shall the tax for the second taxable year be less than the amount of the prepayment for that year, and said return for its second taxable year shal also, in accordance with sections 23 to 26, inclusive, be the basis for the tax of said bank or corporation for its third taxable year. This paragraph shall not apply to a bank or corporation which commences to do business in this State

pursuant to a reorganization or pursuant to a consolidation of two or more banks or corporations.

Where a bank or corporation commences to do business in this State pursuant to a reorganization of a bank or corporation, it shall pay no tax for its first taxable year, but its tax for its second taxable year shall be computed upon the basis of its net income for its first taxable year and the net income of the reorganized bank or corporation for the months of the taxable year prior to the reorganization. Every such bank or corporation in its return filed for its first taxable year shall specify all such facts with respect to the reorganized bank or corporation for the months of the taxable year prior to the reorganization as the commissioner may require in order to carry out the provisions of this paragraph. The term "reorganization" as herein used shall include (1) a transfer by a corporation of all or a part of its assets to another corporation if immediately after the transfer the transferor or its stockholders or both are in control of the corporation to which the assets are transferred; or (2) a recapitalization; or (3) a mere change in identity, form or place of organization however effected.

Where a bank or corporation commences to do business in this State pursuant to a consolidation of two or more banks or corporations, it shall pay no tax for its first taxable year but its tax for its second taxable year shall be computed upon the basis of its net income for its first taxable year and the net income of the consolidated banks or corporations for the months of their taxable years prior to the consolidation. Every such bank or corporation in its return filed for its first taxable year shall specify all such facts with respect to the consolidated banks or corporations for the months of their taxable years prior to the consolidation as the commissioner may require in order to carry out the provisions of this paragraph.

Where a bank or corporation or two or more banks or corporations merge with another bank or corporation, the tax of the surviving bank or corporation for its taxable year succeeding its taxable year in which the merger occurs shall be computed upon the basis of its net income for its preceding taxable year and the net income of the merged banks or corporations for the months of their taxable years prior to the merger. Every such surviving bank or corporation in its return for its taxable year in which the merger occurs, shall specify all such facts with respect to the merged banks or corporations for the months of their taxable years prior to the merger as the commissioner may require in order to carry out the provisions of this paragraph.

Whenever it is provided in this section that the tax on any bank or corporation shall be measured in part by any of the net income of a reorganized, consolidated, or merged bank or corporation, the same rate of tax shall apply to such income as would have applied to such income had the reorganization, consolidation, or merger not occurred, and had the reorganized, consolidated or merged bank or corporation continued doing business in this State.

The tax for the second taxable year of a bank or corporation doing business in this State pursuant to a reorganization or consolidation, and the tax of a surviving bank or corporation, in the case of a merger, for its first taxable year succeeding the merger, shall, in addition to any other offset allowed by this act, be subject to offset in the amount of personal property taxes paid by such of the reorganized, consolidated, or merged corporations as are financial corporations, upon their property to any county, city and county, city, town or other political subdivision of the State during the taxable year in which the reorganization, consolidation or merger occurred; provided, however, that the offset herein provided for shall be allowed subject to the conditions and limitations set forth in sections 4 and 26 of this act.

Any bank or corporation which is dissolved and any foreign corporation which withdraws from the State during any year shall pay a tax hereunder only for the months of its fiscal year which precede such dissolution or withdrawal, according to or measured by such proportionate part of the net income of the preceding taxable year as the number of months of the year prior to such dissolution or withdrawal bears to the entire preceding taxable year, provided, however, that in the case of any financial corporation which is dissolved, or which withdraws from the State during any year, the offset from the tax for the months prior to such dissolution or withdrawal shall not exceed that proportion of the offset computed under section 26 which the number of said months prior to such dissolution or withdrawal bears to the number of months of the preceding taxable year; and provided, further, that the taxes levied under this act shall not be subject to abatement or refund because of the cessation of business or corporate existence of any bank or corporation pursuant to a reorganization, consolidation, or merger. In any event, each such corporation shall pay a minimum tax not subject to offset of twenty-five dollars for such period.

When a bank or corporation discontinues doing business within the State during any fiscal or calendar year as the case may be, and does not dissolve or withdraw from the State, during that year and does not resume doing business during the succeeding fiscal or calendar year, its tax for the year in which it resumes doing business shall be computed upon the basis of the net income for the year in which

it discontinued doing business One-half the amount of the additional tax shall be due and payable at the time the bank or corporation resumes doing business, and the balance shall be due and payable within six months of the time the bank or corporation resumes doing business All the provisions of this act relating to delinquent taxes shall be applicable to such additional tax if it is not paid on or before its due date.

The tax liability imposed under this act shall attach whether a bank or corporation has a taxable year of twelve months or of less duration."

AMENDMENT NUMBER EIGHT.

On page 4, line 18, of the printed, engrossed bill, strike out the numeral "6", and in lieu thereof insert the numeral "7".

AMENDMENT NUMBER NINE.

On page 5, line 35, of the printed, engrossed bill, strike out the numeral "7", and in lieu thereof insert the numeral "8".

AMENDMENT NUMBER TEN.

On page 6, line 10, of the printed, engrossed bill, strike out the numeral "8", and in lieu thereof insert the numeral "9".

AMENDMENT NUMBER ELEVEN.

On page 6, line 17, of the printed, engrossed bill, strike out the numeral "9", and in lieu thereof insert the numeral "10".

AMENDMENT NUMBER TWELVE

On page 6, line 25, of the printed, engrossed bill, strike out the numeral "10", and in lieu thereof insert the numeral "11".

The roll was called, and Senate amendments to Assembly Bill No. 434 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Greene, Grubbs, Hatch, Hoffman, Hunt, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Peterson, Phillips, Powers, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—59

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No 2058—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2058?

AMENDMENT NUMBER ONE

On page 2 of the printed bill, as amended, in lines 6 and 7, strike out "other practitioner of religious ministry", and insert in lieu thereof the following: "religious practitioner recognized by an established church".

AMENDMENT NUMBER TWO

On page 2, line 5, of the printed bill strike out "recognized by", and insert in lieu thereof the following: "of".

The roll was called, and Senate amendments to Assembly Bill No. 2058 concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, Knowland, Latham, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 810—An act providing for the deposit of county and city publications in the State Library and the University of California.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 810?

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the words "or mimeographed".

The roll was called, and Senate amendment to Assembly Bill No. 810 concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, Knowland, Latham, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 161—An act to amend an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith." approved May 30, 1923, Statutes of 1923, page 571, as amended, by adding a new section thereto to be numbered 13½, to provide for the uses and purposes to which the funds derived under said act may be used.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 161?

AMENDMENT NUMBER ONE

On page 5 of the printed bill, as amended in the Assembly on April 6, 1933, add the following new paragraphs after line 45:

"The authority conferred upon the board of supervisors of any county, or city and county, in this section, shall apply only to, and be restricted to, an amount or amounts equal to twenty per centum of the said sums so received by any such county, or city and county.

Said authority is further limited to bonds which shall have been issued prior to the taking effect of this section, or shall be issued under any proceeding initiated prior to January 1, 1933."

The roll was called, and Senate amendment to Assembly Bill No. 161 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hunt, Jones, Knowland, Latham, Lyon, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peter-

son, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—57.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 164—An act to amend section 159 of an act entitled the California Vehicle Act, approved May 30, 1923, Statutes of 1923, page 517, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 164?

AMENDMENT NUMBER ONE.

On page 2, line 35, of the printed bill, as amended in the Assembly on April 5, 1933, after the word "acquisition", insert the words "of property or".

AMENDMENT NUMBER TWO.

On page 2, line 36, of the printed bill, as amended in the Assembly on April 5, 1933, after the word "the", following the word "for", insert the following: "establishing,".

AMENDMENT NUMBER THREE.

On page 3, line 3, of the printed bill, as amended in the Assembly on April 5, 1933, after the word "the", insert the following: "establishing,".

AMENDMENT NUMBER FOUR.

On page 3, line 7, of the printed bill, as amended in the Assembly on April 5, 1933, strike out the word "be", and insert in lieu thereof the word "by".

AMENDMENT NUMBER FIVE.

On page 2, line 38, of the printed bill, strike out the following: ", parks".

AMENDMENT NUMBER SIX.

On page 3, line 7, of the printed bill, strike out the following: ", parks".

AMENDMENT NUMBER SEVEN.

On page 3, line 11, of the printed bill, strike out the following: ", parks".

AMENDMENT NUMBER EIGHT.

On page 3, line 18, of the printed bill, strike out the word: "parks".

The roll was called, and Senate amendments to Assembly Bill No. 164 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hunt, Jones, Knowland, Latham, Lyon, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—57.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 159—An act to amend section 4041.7 of the Political Code, defining the powers of the board of supervisors.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 159?

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, at beginning of said line, insert the following: "4041.7".

AMENDMENT NUMBER TWO.

On page 3, line 2, of the printed bill, after "transfer", insert the following: "such amount as the board deems proper".

The roll was called, and Senate amendments to Assembly Bill No. 159 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hunt, Jones, Knowland, Latham, Lyon, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—57.

NOES—None.

The above reported bill ordered to enrollment.

UNFINISHED BUSINESS.

Assembly Bill No. 1772—An act to add a new section to the Workmen's Compensation, Insurance and Safety Act of 1917 to be known as section 26a.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1772?

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the word "compensation", and insert in lieu thereof the following: "subrogation for payments on account of injuries or death."

The roll was called, and Senate amendment to Assembly Bill No. 1772 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hunt, Jones, Knowland, Latham, Lyon, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—57.

NOES—None.

The above reported bill ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 987—An act to amend section 128 of the Agricultural Code, relating to the eradication of pests—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No. 1050—An act to repeal section 2633 of the Political Code, relating to the beautification of highways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

RECONSIDERATION WAIVED.

Mr. Stream waived his notice to reconsider the vote whereby Senate Bill No. 226 was passed.

Senate Bill No. 226 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 2082—An act providing for the regulation and supervision of persons, firms or corporations engaging in the business as "bailee-repairers" and to prevent oppression of or advantage being taken in the employment of labor in such business, and to prevent fraud in the keeping or working upon the property of the public; defining the duties of the Attorney General in regard thereto, and providing for the enforcement of said act and penalties for the violation thereof; and creating a State "Bailee-Repairers' Department" and the office of "Director of Bailments" and defining his duties and powers.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Dempster moved that Assembly Bill No. 2082 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 2082 to the Committee on Ways and Means.

Motion carried.

Assembly Bill No. 2082 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 2219—An act to provide a system for the exchange of private lands in national forests for lands of the United States located outside of national forests.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Grubbs moved that Assembly Bill No. 2219 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 2219 to the Committee on Ways and Means.

Motion carried.

Assembly Bill No. 2219 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 259—An act providing for the construction and operation by the State of California of a system of works designated as the central valley project for the conservation, development, distribution and utilization of water; defining and describing the units or parts of said project; also defining the prerequisite conditions under which said project shall be constructed; defining the duties and powers of the Department of Public Works and of the State Engineer in relation to said project; creating a Water Administration Board and defining its duties and powers with relation to the construction and operation of said project; authorizing the issuance and sale of general obligation bonds of the State of California in the amount of one hundred sixty millions of dollars for the purpose of defraying the cost of construction of said project; and providing for the payment of such bonds with the interest thereon, and for the creation of a water construction fund and a water revenue fund in the State treasury.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Anglim:

AMENDMENT NUMBER ONE

In the title of the printed bill, strike out lines 12 and 13, and insert in lieu thereof the following: "izing the issuance and sale of revenue bonds in an amount not to exceed the sum of one hundred".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the word "interest", insert the following: "welfare,".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, between lines 7 and 8, insert the following:

"SEC. 2. The term "Department of Public Works" when used in this act shall be construed to mean Department of Public Works of the State of California. Whenever the term "Water Administration Authority" is used in this act it shall be construed to refer to and mean the Water Administration Authority of the State of California. The term "bond" when used in this act either in the singular or plural shall be construed to mean any bond or other written evidence of indebtedness which the Water Administration Authority may issue under this act in order to secure funds with which to carry out the purposes of this act."

AMENDMENT NUMBER FOUR.

On page 1, line 8, of the printed bill, strike out the figure "2", and insert in lieu thereof the figure "3".

AMENDMENT NUMBER FIVE.

On page 2, line 1, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "4".

AMENDMENT NUMBER SIX.

On page 3, line 25, of the printed bill, strike out the figure "4", and insert in lieu thereof the figure "5".

AMENDMENT NUMBER SEVEN.

On page 3, line 26, of the printed bill, strike out the word "Board", and insert in lieu thereof the word "Authority".

AMENDMENT NUMBER EIGHT.

On page 3, line 26, of the printed bill, insert after the word "California", and before the period, the following: "which shall be and constitute a body politic and corporate with power of perpetual succession and with power to sue and be sued and with the further powers, duties and responsibilities as hereinafter provided".

AMENDMENT NUMBER NINE.

On page 3, line 27, of the printed bill, strike out the word "Board", and insert in lieu thereof the word "Authority".

AMENDMENT NUMBER TEN.

On page 3, line 29, of the printed bill, after the comma, insert the word "and".

AMENDMENT NUMBER ELEVEN.

On page 3, line 30, of the printed bill, strike out the word "board", and insert in lieu thereof the word "authority".

AMENDMENT NUMBER TWELVE.

On page 3, line 31, of the printed bill, strike out the word "Board", and insert in lieu thereof the word "Authority".

AMENDMENT NUMBER TWELVE-A

On page 3, line 33, of the printed bill, strike out the word "board", and insert in lieu thereof the word "authority".

AMENDMENT NUMBER THIRTEEN.

On page 3 of the printed bill, strike out all of line 34, and insert in lieu thereof the following: "Authority shall appoint a secretary. The".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 36, of the printed bill, strike out the word "Board", and insert in lieu thereof the word "Authority".

AMENDMENT NUMBER FIFTEEN.

On page 3, line 38, of the printed bill, strike out the word "Board", and insert in lieu thereof the word "Authority".

AMENDMENT NUMBER SIXTEEN.

On page 3, line 39, of the printed bill, strike out the word "board", and insert in lieu thereof the word "authority".

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 40, of the printed bill, strike out the figure "5", and insert in lieu thereof the figure "6".

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 41, of the printed bill, strike out the word "whenever", and insert in lieu thereof the word "when".

AMENDMENT NUMBER NINETEEN.

On page 3, line 43, of the printed bill, strike out the word "Board", and insert in lieu thereof the word "Authority".

AMENDMENT NUMBER TWENTY.

On page 3, line 50, of the printed bill, strike out the word "Board", and insert in lieu thereof the word "Authority".

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 1, of the printed bill, after the word "moneys", insert the words "to be".

AMENDMENT NUMBER TWENTY-TWO

On page 4, line 2, of the printed bill, strike out the words "this State becomes obligated in any manner", and insert in lieu thereof the following: "the Water Administration Authority shall in any manner become obligated".

AMENDMENT NUMBER TWENTY-THREE.

On page 4, line 5, of the printed bill, strike out the word "it", and insert in lieu thereof the following: "the Department of Public Works or the Water Administration Authority".

AMENDMENT NUMBER TWENTY-FOUR.

On page 4, line 10, of the printed bill, strike out all of said line, and in line 11, strike out "State Engineer", and insert in lieu thereof the following: "as the Department of Public Works by and with the approval of the Water Administration Authority".

AMENDMENT NUMBER TWENTY-FIVE.

On page 4, line 12, of the printed bill, between the word "and", and the word "the", insert the following: "in case the construction of the said San Joaquin pumping system be so deferred".

AMENDMENT NUMBER TWENTY-SIX.

On page 4 of the printed bill, strike out line 22 and all of line 23 to and including the word "unit", and insert in lieu thereof the following: "tracts satisfactory to and approved by the Water Administration Authority shall have been entered into by responsible persons, firms or corporations, or responsible agencies, public or private, with the State of California acting by and through its Department of Public Works, for the sale by the State of California of water, or the use of water, to be made available by said San Joaquin pumping system".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 4, line 24, of the printed bill, between the word "of", and the word "the", insert "the Department of Public Works by and with the approval of".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 4, line 25, of the printed bill, strike out the word "Board", and insert in lieu thereof the word "Authority".

AMENDMENT NUMBER TWENTY-NINE.

On page 4, line 28, of the printed bill, strike out the words "this State", and insert in lieu thereof the following: "the Water Administration Authority".

AMENDMENT NUMBER THIRTY.

On page 4, line 35, of the printed bill, strike out the figure "6", and insert in lieu thereof the figure "7".

AMENDMENT NUMBER THIRTY-ONE.

On page 4 of the printed bill, strike out lines 44 to 52, both inclusive; strike out pages 5 and 6, and on page 7, strike out lines 1 to 10, both inclusive, and insert in lieu thereof the following:

"SEC. 8. For the purpose of constructing and operating said Central Valley project the Department of Public Works is hereby empowered to acquire for and in the name of the State of California, by gift, by purchase or by eminent domain proceedings any and all water, water rights, rights of way, easements and property or appurtenances thereto of every description as said Department of Public Works shall

determine to be required and necessary for the proper construction and operation of said Central Valley project, and for effectuating the purposes and objects to be accomplished by the construction and operation of said project. The cost of construction of said project shall include the cost and expense to the State of acquiring any and all such property and any such cost and expense is hereby declared to be an integral part of the capital cost of such Central Valley project.

SEC. 9. For the purpose of providing money and funds to pay the cost and expense of construction of said Central Valley project, the Water Administration Authority is authorized and empowered to issue revenue bonds in a total sum of not to exceed one hundred sixty millions of dollars; provided, however, that the aggregate amount of such bonds hereby authorized shall be reduced by such an amount as the United States of America shall appropriate and make available as its contribution towards the construction of said project or any unit thereof; and providing further that the aggregate amount of any such bonds thereby authorized shall be further reduced by such an amount as may be appropriated and made available out of the treasury of the State of California in aid of the construction of said project or any unit thereof.

SEC. 10. Any and all such bonds so authorized shall be issued in the name of the Water Administration Authority and shall constitute obligations only of said Water Administration Authority and shall be identified as Water Administration Authority revenue bonds and shall contain a recital on the face thereof that the payment or redemption of said bonds and the payment of interest thereon is secured by a direct and exclusive charge and lien upon the revenue of any nature whatever received from the operation of said Central Valley project for the construction of which the said bonds are issued and that neither the payment of the principal or any part thereof or any interest thereon constitutes a debt, liability or obligation of the State of California.

SEC. 11. All revenue bonds authorized under the terms of this act may be issued and sold by the Water Administration Authority from time to time and in such amounts as may be deemed necessary in the judgment of said authority to provide sufficient funds for the construction of said Central Valley project and to pay all costs and expenses during the period of actual construction thereof and for a period of six months thereafter, and the proceeds from said revenue bonds are hereby made available for such purpose The Water Administration Authority shall determine the form, conditions and denominations of all said bonds, and shall determine the dates which the bonds so to be sold shall bear and the interest rate thereon, which shall not exceed five and one-half per cent per annum It shall not be necessary that all bonds of the same authorized issue bear the same interest rate. Principal and interest on such bonds shall be payable at such place or places as may be fixed and determined by the Water Administration Authority, and said bonds may contain provisions for registration thereof as to principal only and as to both principal and interest. Said bonds shall be issued in coupon form with interest payable at such times as may be determined by the said Water Administration Authority, and shall mature at such times and in such amounts as the said authority may prescribe; provided that in no case shall the maturity thereof exceed seventy years from the issuance thereof Said bonds shall bear interest from date of issuance and shall be payable within not to exceed seventy years from date of issuance. Said bonds shall be serial bonds, maturing in annual amounts, and, subject to the provisions of this act, the Water Administration Authority shall fix and determine the date of serial maturities and the amount of said bonds which shall mature at each maturity date; provided that the first of said bonds, in such amount as the Water Administration Authority shall determine, shall mature as nearly as said date can be fixed three years after the completion of said Central Valley project exclusive of said unit designated as the San Joaquin pumping system. The Water Administration Authority may prescribe for the retirement of said bonds at any time prior to their maturity and in such manner and upon payment of such premiums as may be fixed and determined in the proceedings providing for the issuance of such bonds and referred to therein. All such bonds shall be signed by the Director of Public Works and countersigned by the Governor The signature of the Governor may be by facsimile. All interest coupons shall bear the facsimile signature of the Director of the Department of Public Works. In case any of such officers whose signature or countersignature appear on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such signature or countersignature shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until the delivery of the bonds Bonds authorized under this act may be sold below the par or face value thereof, such sale price, however, not to be less than that which will yield the purchaser five and one-half per cent per annum according to standard tables of bond values, and such sale price shall include the interest which has accrued thereon up to the date of delivery of said bonds. Successive issues of bonds within the limits of the original authorization for the issuance of revenue bonds for the construction of said Central Valley project shall have equal preference with respect to the redemption thereof and the payment of interest thereon; provided, however, the Water Administration Authority may fix different maturity dates serially or otherwise for successive issues under such original authorization. All bonds issued under the terms of this act shall be negotiable instructions under the law merchant All bonds issued and sold under or by authority of this act shall be sold on sealed proposals to the highest and best bidder after such

advertising for bids as the Water Administration Authority may deem proper; providing, however, said authority may reject any and all bids so submitted and may thereafter sell such bonds so advertised for sale at private sale under such terms and conditions as said authority may deem most advantageous; provided, they are not sold at a price below that of the best bid which was rejected. The Water Administration Authority may contract loans and borrow money through the sale of bonds of the same character as those herein authorized, from the United States or any of its departments, agencies or instrumentalities upon such conditions and terms as may be agreed to and such bonds shall be subject to all the provisions of this act except the requirement that bonds be first offered at public sale pursuant to advertisement. Temporary or interim bonds, certificates, or receipts of any denomination whatever and with or without coupons attached thereto, to be signed by the Director of Public Works, may be issued and delivered until the definitive bonds are executed and available for delivery. The purchase price of all bonds issued hereunder shall be paid to the Treasurer of the State of California for the account of the Water Administration Authority.

Each bond issued under this article shall contain a clause or clauses stating that interest shall cease to accrue thereon from and after the date of maturity thereof and shall refer to this act and to the order of the Water Administration Authority by virtue of which said bond is issued All bonds issued and sold under this act shall be deemed to have been called in at their respective dates of maturity and the State Treasurer shall, on the respective dates of maturity of said bonds or as soon thereafter as said matured bonds are surrendered to him, pay the same out on the Controller's warrants drawn in his favor as provided in this act and perforate the bonds so paid with a suitable device in a manner to indicate such payment and the date thereof He shall also on the said respective dates of maturity cancel all bonds bearing said dates of maturity and remaining unsold, by perforating with a suitable device in a manner to indicate such cancellation and the date thereof The provisions of this section shall be applicable to the interest coupons pertaining to the bonds authorized by this act to be issued and shall be applicable to any duly authorized agent of the State Treasurer.

SEC. 12. In addition to the authority conferred under section 5 hereof, the Department of Public Works, with the approval of the Water Administration Authority is hereby empowered to fix the rates and charges for the sale by the State of California of water, use of water, water storage, electricity and electric power for any useful or beneficial purpose, subject to the provisions of the said section 5, which said rates and charges, other than the said rates and charges specified in section 5, so fixed may be changed from time to time as conditions may warrant. The said Department of Public Works by and with the approval of the Water Administration Authority in establishing said rates and charges shall give due consideration to the cost of operating and maintaining said Central Valley project, including the amount required annually to meet the redemption of bonds and interest payments thereon. The said rates and charges shall be at all times fixed at such rates which may be necessary to yield an annual revenue equal to the annual operating and maintenance expenses and all redemption payments and interest charges of bonds issued as the same fall due, and the bond redemption and interest payments shall constitute a first, direct and exclusive charge and lien on all rates, charges and other revenues of whatsoever character received from the use and operation of said Central Valley project and any and all such revenues shall constitute a trust fund for the security and payment of such bonds and shall not be used or pledged or encumbered for any other purpose as long as such bonds or any of them are outstanding and unpaid

SEC 13. The Department of Public Works is empowered to carry on negotiations with the Federal government or with any of its instrumentalities, agencies or officers for the purpose of securing the aid, assistance and cooperation of said Federal government in the construction of said Central Valley project, and, with the approval of the Water Administration Authority, to receive contributions from, and to secure loans from said Federal government for said purpose, and to enter into contracts with said Federal government, its instrumentalities, agencies or officers for the construction of said Central Valley project in cooperation with said Federal government, or to construct said project by and with the aid and assistance of said Federal government. Subject to the foregoing the Department of Public Works shall have full charge and control of the construction, operation and maintenance of said Central Valley project and the collection of all rates, charges and revenues of whatsoever character therefrom. The Department of Public Works shall proceed with the construction of said Central Valley project immediately upon there being made available funds for such work and shall prosecute such work to completion as rapidly as possible

SEC. 14. When the Department of Public Works can not acquire any property of any character needed, as provided in section 7 hereof, by agreement with the owner or owners, it shall be lawful for the Department of Public Works, and said department is hereby authorized, to condemn and take in the name of the State of California, any such property under the provisions of the laws of this State relating to eminent domain proceedings. Said department shall not have power to commence any such proceedings in eminent domain unless and until said Department of Public Works

with the approval of the Water Administration Authority shall first have adopted a resolution declaring that public interest and necessity require the acquisition of such property and such resolution shall be conclusive evidence (a) of the public necessity of such acquisition; (b) that such property is necessary, and (c) that such proposed acquisition is planned in a manner which will be most compatible with the greatest public good and the least private injury. When it becomes necessary for the Department of Public Works to conduct any legal proceedings or to condemn any such property, the Attorney General of the State shall represent the Department of Public Works, and shall also be assisted by the attorneys for the Department of Public Works and any legal counsel the Department of Public Works or the Water Administration Authority may employ.

SEC. 15. Bonds issued under the provisions of this act shall not constitute or be a debt, liability or obligation of the State, and the payment of bond principal and interest on all such bonds shall be secured only by the rates, charges, or other revenues established or accruing from the use or operation of the said Central Valley project. The collection of said revenues, rates and charges shall be continued as herein provided until all bonds issued hereunder for the construction of said Central Valley project are fully redeemed and paid

SEC. 16. Any and all moneys accruing to the water revenue fund, hereafter created, are hereby appropriated for, and dedicated to, the payment of the principal of and interest on the bonds issued and sold pursuant to the provisions of this act to the extent necessary to pay the same, as said principal and interest become due and payable All revenues collected by the Department of Public Works from the operation of said Central Valley project shall be promptly remitted to the State Treasurer who shall credit the same to said water revenue fund On the several dates of maturity of the principal and interest due on said bonds, said principal and interest shall be paid when due upon warrants duly drawn against said water revenue fund by the State Controller, in favor of the State Treasurer or in favor of any duly authorized agent of the State Treasurer, upon demands audited by the State Controller according to law."

AMENDMENT NUMBER THIRTY-TWO.

On page 7, line 11, of the printed bill, strike out the figure "13", and insert in lieu thereof the figure "17".

AMENDMENT NUMBER THIRTY-THREE.

On page 7, line 21, of the printed bill, strike out the word "Board", and insert in lieu thereof the word "Authority".

AMENDMENT NUMBER THIRTY-FOUR.

On page 7, line 26, of the printed bill, strike out the word "Board", and insert in lieu thereof the word "Authority".

AMENDMENT NUMBER THIRTY-FIVE.

On page 7, line 38, of the printed bill, strike out the figure "14", and insert in lieu thereof the figure "18".

AMENDMENT NUMBER THIRTY-SIX.

On page 7, line 44, of the printed bill, strike out the word "Board", and insert in lieu thereof the word "Authority".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 7, line 50, of the printed bill, strike out the word "Board", and insert in lieu thereof the word "Authority".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 8, line 5, of the printed bill, strike out the figure "15", and insert in lieu thereof the figure "19".

AMENDMENT NUMBER THIRTY-NINE.

On page 8, line 22, of the printed bill, strike out the word "Board", and insert in lieu thereof the word "Authority".

AMENDMENT NUMBER FORTY.

On page 8, line 22, of the printed bill, strike out the figure "16", and insert in lieu thereof the figure "20".

AMENDMENT NUMBER FORTY-ONE.

On page 8, line 43, of the printed bill, strike out the word "Board", and insert in lieu thereof the word "Authority".

AMENDMENT NUMBER FORTY-TWO.

On page 8, line 45, of the printed bill, after the word "accrue", and before the word "from", strike out the following: ", if any,".

AMENDMENT NUMBER FORTY-THREE.

On page 9, line 2, of the printed bill, strike out the word "Board", and insert in lieu thereof the word "Authority".

AMENDMENT NUMBER FORTY-FOUR.

On page 9, line 4, of the printed bill, strike out the word "Board", and insert in lieu thereof the word "Authority".

AMENDMENT NUMBER FORTY-FIVE.

On page 9, line 10, of the printed bill, strike out the word "Board", and insert in lieu thereof the word "Authority".

AMENDMENT NUMBER FORTY-SIX

On page 9, line 11, of the printed bill, strike out the words "All bonds issued under", and lines 12 to 15, both inclusive

AMENDMENT NUMBER FORTY-SEVEN.

On page 9, line 25, of the printed bill, strike out the figure "17", and insert in lieu thereof the figure "21".

AMENDMENT NUMBER FORTY-EIGHT.

On page 9, line 25, of the printed bill, strike out the word "and", at the end of said line, and insert in lieu thereof the following: "the Department of Public Works and".

AMENDMENT NUMBER FORTY-NINE.

On page 9, line 26, of the printed bill, strike out the word "Board", and insert in lieu thereof the word "Authority".

AMENDMENT NUMBER FIFTY.

On page 9 of the printed bill, between lines 35 and 36, insert the following:

"SEC. 22. In entering into and awarding contracts as provided in section 5 hereof, for the sale of electricity or electric power, in case of conflicting applications therefor, the Department of Public Works shall grant preference to State agencies and municipalities or other organizations not organized or doing business for profit but primarily for the purpose of supplying electricity or electric power to their own citizens or members; provided, that all contracts referred to in said section 5 made with private companies or individuals for the sale of electricity or electric power which electricity or electric power is to be sold for profit, shall contain a provision authorizing the Department of Public Works, after any such contract shall have been in effect for a period of twenty-five years, to cancel said contract upon five years notice in writing, if the said electricity or electric power be needed to supply the requirements of any such State agency or municipality or other organization not organized for or doing business for profit but primarily for the purpose of supplying electricity or electric power to their own citizens or members.

In case of the award by the Department of Public Works of any contract for the furnishing of electricity or electric power to any State agency, municipality, or other organization not organized for or doing business for profit but primarily for the purpose of supplying electricity or electric power to its own citizens or members, upon demand made therefor, prior to the execution of any such contract, the Department of Public Works shall construct, acquire or otherwise provide the necessary works for transmitting such electricity or electric power to a central point from which such electricity or electric power may most conveniently be distributed within the territory to be served under such contract; provided, that no such works for transmitting such electricity or electric power shall be so constructed unless it shall first be determined by the Department of Public Works that such construction is economically feasible, and that, under all the facts and circumstances, including the financial responsibility of the contracting State agency, municipality, or other organization, the construction of the said works for transmitting electricity or electric power, will not result in financial loss to the State; and provided further, that in case of the construction by the State of any such works aforesaid, the same shall be deemed to be, and shall constitute, for all purposes, an integral part of said Central Valley project.

SEC. 23. While any bonds issued by the said Water Administration Authority remain outstanding, the powers, duties or existence of the said Water Administration Authority or the Director of the Department of Public Works or any other official or agency of the State shall not be diminished or impaired in any manner that will affect adversely the interests and rights of the holders of such bonds. The holder of any bond may by mandamus or other appropriate proceeding require and compel the performance of any of the duties imposed upon any State department, official or employee or imposed upon the Water Administration Authority or its officers, agents or employees in connection with the construction of the said Central Valley project and in connection with the collection, deposit, application and disbursement of all revenues derived from the operation and use of the said project and in connection with the deposit and disbursement of the proceeds received for the sale of bonds; provided, however, that the enumeration of such rights and remedies herein shall not be deemed to exclude the exercise or prosecution of any other rights or remedies by the holders of such bonds

SEC. 24. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, void or inoperative for any reason, the uncon-

stitutionality or invalidity of such section, subsection, sentence, clause or phrase, shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."

AMENDMENT NUMBER FIFTY-ONE.

On page 9 of the printed bill, strike out lines 36 to 51, both inclusive, and all of page 10, and insert in lieu thereof the following:

"SEC. 25. This act shall be known and cited as the "Central Valley Project Act of 1933"."

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 287—An act to provide for the constructions and completion of a causeway across the Tisdale By-pass in Sutter County, State of California, and to make appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Frazier moved that Assembly Bill No. 287 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 287 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 287 ordered re-referred to Committee on Ways and Means.

Assembly Joint Resolution No. 28—Relative to memorializing Congress to enact legislation providing for relief of California Indians.

Assembly Joint Resolution No. 28 read.

The question being on the adoption of Assembly Joint Resolution No. 28.

The roll was called, and Assembly Joint Resolution No. 28 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Knowland, Latham, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 28 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 28.

Relative to memorializing Congress to enact legislation providing for relief of California Indians.

WHEREAS, Certain facts have come to the attention of this Legislature indicating that the Indians of this State are living in extreme poverty, with a lack of proper housing and sanitary arrangements and insufficient food and other necessities of life; and

WHEREAS, The foregoing conditions have caused much sickness, distress and suffering among the Indians on the reservations in this State; and

WHEREAS, The government of the United States has previously agreed, by treaties and otherwise, to properly provide for the education and housing of the Indians and the furnishing of tools, animals and other farming equipment in exchange for lands taken from the Indians; and

WHEREAS, It appears to this Legislature that it is imperative that the Congress immediately enact legislation providing for the proper care and relief of such Indians; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully urges and memorializes the Congress of the United States to immediately adopt legislation to either provide for direct appropriation for the relief of the conditions referred to or to provide for the furnishing of proper housing and the tools and other farming equipment necessary to enable said Indians to provide their own livelihood; and be it further

Resolved, That the Governor of this State be and he is hereby requested to forward a copy of this resolution to the President of the United States, the Vice President of the United States and to each Senator and Representative from California in Congress.

Assembly Bill No. 871—An act to provide emergency relief and work relief and providing funds to be administered in the various counties of this State.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Bliss moved that Assembly Bill No. 871 be withdrawn from the file, and ordered re-referred to Committee on Unemployment.

The question being on re-referring Assembly Bill No. 871 to Committee on Unemployment.

Motion carried.

Assembly Bill No. 871 ordered re-referred to Committee on Unemployment.

Assembly Bill No. 1944—An act to create the California Mining and Development Board and to provide for the fostering and development of the mining industry of this State.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. McCarthy moved that Assembly Bill No. 1944 be withdrawn from the file, and ordered re-referred to Committee on Mines and Mining.

The question being on re-referring Assembly Bill No. 1944 to Committee on Mines and Mining.

Motion carried.

Assembly Bill No. 1944 ordered re-referred to Committee on Mines and Mining.

Assembly Bill No. 2233—An act to add forty-four new sections to the Political Code, to be numbered 364k to 364k43, inclusive, to amend section 364a of said code, and to repeal certain acts inconsistent herewith, all relating to a system of unemployment relief insurance, reserves, and compensation for the State of California, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Meeker moved that Assembly Bill No. 2233 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 2233 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 2233 ordered re-referred to Committee on Ways and Means.

THIRD READING OF SENATE BILLS.

Senate Joint Resolution No. 21—Relative to expansion of the topographic mapping program of the United States.

Senate Joint Resolution No. 21 read.

The question being on the adoption of Senate Joint Resolution No. 21.

The roll was called, and Senate Joint Resolution No. 21 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Redwine, Riley, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—58.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 21 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 21.

Relative to expansion of the topographic mapping program of the United States.

WHEREAS, The Federal government in 1879 undertook completion of a topographic base map of the United States, which project has been continuously under way since that time and is now a little more than half complete, the work in California in particular being at present only fifty-three per cent complete; and

WHEREAS, At the current rate of progress it will require twelve years to complete the work in California; and

WHEREAS, Completion of such a base map is in the interest of national defense, will facilitate development of natural resources of the nation, and development of highways, railways, water supplies, hydro-power, mining, etc., the encouragement of which development is of particular concern to California; and

WHEREAS, Exigencies of Federal and State budgets have necessitated a reduction in the normal appropriations for such work, throwing out of employment many men who have heretofore been thus regularly employed; and

WHEREAS, Expansion of this topographic mapping program will relieve distress among such workers and members of their profession who have suffered as greatly as any other group, while at the same time paving the way for a more intelligent development of the public works program of the President of the United States authorized under act of Congress approved March 31, 1933, which has already been initiated in aid of unemployment; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, at the fiftieth session of the California Legislature, commencing on the second day of January, 1933, a majority of all the members elected to each house of said Legislature voting in favor thereof, That the President of the United States be respectfully requested to recommend to the Congress such expansion of the adopted Federal program of topographic mapping as may be accomplished without loss of efficiency and serve the general purposes of unemployment relief undertaken by the United States, or to adopt the prosecution of the mapping work as a project under the act of March 31, 1933.

Resolved, further, That certified copies of the foregoing resolution be forwarded by the Governor of the State of California to the President of the United States, to the Secretary of the United States Department of Agriculture, and to each of the Senators and Representatives of the State of California in Congress

Senate Bill No. 82—An act to amend section 11 of an act entitled "An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the

powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and fix the penalties therefor; and to repeal all conflicting acts or parts of acts," approved June 1, 1927, and to add a new section thereto to be numbered 5a, relating to produce dealers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 82 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Nielsen, O'Donnell, Patterson, Peterson, Powers, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 10, 1933.

To the Honorable Members of the Assembly of the State of California.

Senate Bill No. 502 is an act to abolish the emergency permanent improvement fund and provides that the money in such fund shall be paid into the general fund in the State treasury.

In my opinion this act is necessary for the immediate preservation of public peace, health, and safety in that the general fund in the State treasury is greatly depleted and necessary funds must be placed to the credit thereof that the functions of the State government may not be seriously hampered. I therefore recommend the passage of this bill as an emergency measure within the meaning of sections 1 and 34 of Article IV of the Constitution.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED TWO.

Senate Bill No. 502—An act to repeal an act entitled "An act establishing the emergency permanent improvement fund and relating to the deposits of moneys therein and withdrawals therefrom," approved May 20, 1929, to transfer the moneys in the emergency permanent improvement fund to the general fund and to declare that this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Dempster, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Redwine, Riley, Robinson, Samuel E., Roland, Scudder,

Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—61.
NOES—None.

Senate Bill No. 20—An act to amend sections 1, 2, 3, 5, 10, 11, 12, 12a, 17, and 20a, of Chapter 605, Statutes of 1919, known as the "California Real Estate Act," relating to real estate brokers and salesmen, subdivisions, and directory of real estate brokers and salesmen.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 20 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hunt, Jones, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Redwine, Riley, Roberts, Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—62.
NOES—Cottrell and King—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 526—An act to amend sections 4.270, 4 271, 4 274 and 4.275 of the School Code, relating to the establishment, government, maintenance and operation of the public school system.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 526 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Callahan, Chatters, Clowdsley, Dempster, Feigenbaum, Frazier, Gilmore, Grubbs, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Nielsen, Patterson, Peterson, Powers, Rawls, Riley, Roberts, Rogers, Scudder, Stream, Sullivan, Tournoux, Turner, West, Williamson, Woolwine and Mr Speaker—47.
NOES—Brock, Cassidy, Crist, Evans, Fisher, Greene, Hallner, Hunt, Meeker, Morgan, Redwine, Robinson, C. Ray; Robinson, Samuel E., Roland, Stannard and Wright—16.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. E. V. LATHAM IN THE CHAIR.

At eleven o'clock and fifty minutes a.m., Hon. E. V. Latham, member of the Assembly from the fifty-third assembly district, in the chair.

Senate Joint Resolution No. 25—Relative to accepting amendments to permit from the government of the United States for the construction of approach roads over certain rights of way leading to the Golden Gate Bridge in the Fort Baker Military Reservation, and relating to the retrocession by the Congress of the United States of jurisdiction over said rights of way as relocated.

Senate Joint Resolution No. 25 read.

The question being on the adoption of Senate Joint Resolution No. 25.

The roll was called, and Senate Joint Resolution No. 25 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Wright—72.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 25 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 25.

Relative to accepting amendments to permit from the Government of the United States for the construction of approach roads over certain rights of way leading to the Golden Gate Bridge in the Fort Baker Military Reservation, and relating to the retrocession by the Congress of the United States of jurisdiction over said rights of way as relocated.

WHEREAS, On February 13, 1931, the Secretary of War pursuant to authority in him vested by section 6 of the act of Congress approved July 5, 1884 (23 Stat. 104) granted to the Golden Gate Bridge and Highway District a right of way for the extension, maintenance and operation of a State road across the Presidio of San Francisco Military Reservation, California, and across the Fort Baker Military Reservation, including space for toll booths and facilities for regulating traffic, and also the right to erect, operate and maintain the ends of the Golden Gate Bridge with cable anchorages, upon the said military reservations; and

WHEREAS, Said grant has been accepted by the Golden Gate Bridge and Highway District and also by the Legislature of the State of California under the terms of Senate Joint Resolution No. 11, of the forty-ninth session of the Legislature of the State of California; and

WHEREAS, On April 1, 1931, the said permit was amended to grant a right of way of the character and extent and for the purposes therein mentioned across the Fort Baker Military Reservation, the location of the center line of such right of way being shown in red on the photostat of map attached to said amendment and made a part thereof; and

WHEREAS, The said permit as thus amended has been accepted by the Golden Gate Bridge and Highway District and also by the Legislature of the State of California under the terms of Senate Joint Resolution No. 16, of the forty-ninth session of the Legislature of the State of California; and

WHEREAS, Said district has made resurveys of that part of the right of way on the Fort Baker Military Reservation extending northerly of the north bridge terminus, and as a result thereof through its chief engineer has made application for a further change in said portion of the right of way on said reservation; and

WHEREAS, On the first day of May, 1933, the Secretary of War did grant to the Golden Gate Bridge and Highway District a modification of said permit as amended, and being a grant of a right of way of the character and extent and for the purposes in said permit mentioned, across the Fort Baker Military Reservation northerly of the north bridge terminus, the location of the center line and right of way lines being shown in red on the plan attached to said modification of said permit as amended on the first day of May, 1933, which said plan was dated May 16, 1933, marked "Fort Baker Ground Plan and Center Line of the R/W Sheet No. A4B," the profile and sections thereof being shown on the plan bearing the same date marked "Profile and Sections of State Highway and North Lateral on Fort Baker Res., Sheet No. G-104B," also attached thereto and made a part thereof, and which said modification of said permit as amended was filed in the office of the Golden Gate Bridge and Highway District on the fifth day of March, 1933; and

WHEREAS, It was, however, in said permit expressly provided that in lieu of the War Department connecting roadways shown on said Sheet No. A4B as "Relocation of Road to Battery Spencer" and "Connecting Road and Gate," the grantee should prior to the commencement of construction of said connecting roadways prepare and submit for approval a revised layout thereof, in accordance with paragraph 4 of said original permit as amended on said first day of May, 1933; and

WHEREAS, Said modified permit further provided for on the Fort Baker Military Reservation was expressly stated to be in lieu of and to supersede the right of way granted across said reservation in the original permit of February 13, 1931, and so much of the right of way in the amendment of April 1, 1931, as lies north of the north bridge terminus, but that all of the provisions and conditions of said

original permit except paragraph 4 should remain in full force and effect, and said paragraph 4 was in said modified permit as amended set forth in full, to which said paragraph 4, as set forth in said instrument of May 1, 1933, reference is hereby made; and

WHEREAS, It was, however, in said modification expressly provided that the amendments therein contained should not become effective and the original permit of February 13, 1931, and the amendment of April 1, 1931, should remain unchanged thereby, unless and until the said Golden Gate Bridge and Highway District should have accepted said amendment, and unless and until the State of California should have, with respect to said amendment, taken the same formal action which it was required to take with respect to the original permit, and which is set forth in paragraph 11 and subparagraphs 11a, 11b and 11c of that instrument, as a condition precedent to the taking effect thereof; now therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That said modification and amendment dated May 1, 1933, to the said permit dated February 13, 1931, as amended by the amendment dated April 1, 1931, granted by the Secretary of War to the Golden Gate Bridge and Highway District, be and the same hereby is, together with each, all, every, and singular the terms, conditions, limitations, reservations, and requirements therein contained, accepted by and on behalf of the State of California; and

Be it further resolved, That the State of California does hereby make application to the Congress of the United States for a retrocession of jurisdiction over the rights of way as relocated and amended by said modification dated May 1, 1933, in lieu of and superseding the application for retrocession of jurisdiction over the right of way heretofore granted across the Fort Baker Military Reservation in the original permit of February 13, 1931, and as amended by the amendment dated April 1, 1931, in case said relocation of the right of way is finally granted to the Golden Gate Bridge and Highway District; and

Be it further resolved, That the State of California will, in case such retrocession of jurisdiction is granted by Congress, accept such retrocession of jurisdiction, and will assume the responsibility for managing, controlling, policing, and regulating traffic thereon, all subject to the following limitations and to such other limitations as Congress may prescribe:

(a) That nothing in said permit contained shall be construed to give to the State of California or any of its agents, authority at any time to regulate traffic of military personnel or vehicles upon the said bridge or roads. All traffic upon said roads and upon said bridge shall be free from any tolls, charges or any form of obstruction by State or other agencies, against military and naval personnel and their dependents, civilians of the army and navy traveling on government business under military authority, and government traffic.

(b) That whenever in the judgment of the Secretary of War or his authorized representative any emergency exists which justifies it, he may assume exclusive control and management of said bridge and roads and may then in his discretion prohibit, limit or regulate traffic thereon.

(c) That nothing in said permit contained shall be construed to confer upon the State courts the right to try persons subject to military law for crimes or offenses committed on said roads, or upon said bridge within the boundaries of the respective military reservations involved, but the courts of the United States or military tribunals as now or hereafter provided by law, shall retain exclusive jurisdiction to try such persons for such offenses.

Be it further resolved, That the State of California does hereby agree to make such relocated right of way in the Fort Baker Military Reservation in said amended permit described a part of the system of public highways of the State; and

Be it further resolved, That copies of this resolution be transmitted to the President of the United States, to the Secretary of War, to each house of Congress, and to the Senators and Representatives in Congress of the State of California

Senate Bill No. 460—An act to amend sections 54 and 55½ of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into six fish and game districts." approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 19, 1915," approved May 28, 1917, relating to fish and game district 12C, and declaring the urgency thereof.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—70.

NOES—None.

THIRD READING OF SENATE BILL NUMBER FOUR HUNDRED SIXTY.

Senate Bill No. 460—An act to amend sections 54 and 55½ of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into six fish and game districts," approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 19, 1915," approved May 28, 1917, relating to fish and game district 12C, and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 460 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 684—An act to amend section 461 of the Penal Code, relating to punishment for burglary.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 684 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Crowley, Dempster, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At twelve o'clock and two minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until one o'clock and thirty minutes p m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Bernard reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 908—An act to prohibit until January 1, 1934, sales under certain mortgages and deeds of trust for default in the payment of the principal sum of obligations secured thereby, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency hereof—and reports that the same has been correctly enrolled, and presented the same to the Governor on this ninth day of May, 1933, at eleven o'clock a m.

PATTERSON, Chairman.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 210—An act to amend section 19x42 of the Juvenile Court Law, relating to probation officers in counties of the forty-second class;

Also: Senate Bill No 1209—An act to amend sections 1 and 2 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries;

Also: Senate Bill No. 1210—An act to add a new section to the Political Code, to be numbered 4041.7a, relating to powers and duties of boards of supervisors;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON UNEMPLOYMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No. 871—An act to provide for the execution, issuance, use, redemption and cancellation of bonds by the State of California for certain State, county, city and county, city, school district, and other public purposes, for relieving unemployment, destitution, and the conditions of economic distress now prevailing, and for the supervision thereof by the proper State officers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

POWERS, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 24—An act to amend section 4245 of the Political Code, relating to salaries and fees of all officers in counties of the sixteenth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933.

MR SPEAKER: Your Committee on Conservation, to which was referred Senate Bill No. 765—An act to amend section 2 of an act entitled "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the Public Utilities Act and the Railroad Commission of the State of California," approved April 25, 1913, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

EVANS, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1933

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 14—An act to amend section 337 of the Code of Civil Procedure, relating to the time within which actions upon any contract, obligation or liability founded upon an instrument in writing may be commenced;

Also Senate Bill No. 375—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of and to add new sections to be numbered sections 5a and 9a to that certain act entitled "An act to license and regulate the business of private detectives and detective agencies, and to repeal the act entitled 'An act to license and regulate the business of private detectives and detective agencies,' approved June 7, 1915," approved June 3, 1927, relating to the regulation of detectives, investigators and detective agencies;

Also: Senate Bill No. 877—An act to amend section 801 of the Penal Code, relating to limitation of one year in misdemeanors;

Also Senate Bill No. 880—An act to amend section 476 of the Penal Code, relating to crimes and the punishment thereof;

Also Senate Bill No. 1110—An act to amend section 630 of the Probate Code, relating to summary probate proceedings;

Also Senate Bill No. 1200—An act to provide for the incorporation and supervision of limited dividend corporations for the purpose of protecting and developing forest and other renewable natural resources;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman

The above reported bills ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933

MR SPEAKER: Your Committee on Elections, to which was referred Senate Bill No 850—An act to amend section 1094 of the Political Code, relating to registration of voters—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

ALTER, Chairman

The above reported bill ordered on file for second reading.

ON SOCIAL SERVICE AND WELFARE.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933

MR SPEAKER Your Committee on Social Service and Welfare, to which was referred Senate Bill No. 463—An act to amend section 14 of the Old Age Security Act of the State of California, relating to the protection, welfare and assistance of aged persons—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933

MR. SPEAKER: Your Committee on Elections, to which was referred Senate Bill No 747—An act to add a new section to the California Direct Primary Law, Statutes 1913, p. 1379, to be known as section 28a, relating to contested primary elections—

has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ALTER, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1933

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No 583—An act amending sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37 and 38 of an act entitled "An act requiring the recording of maps of subdivisions of land in certain cases; prescribing the conditions on which such maps may be recorded; authorizing the execution of contracts secured by bond for the placing of improvements on streets, highways, and ways dedicated thereby; authorizing cities, cities and counties and counties to adopt by ordinance subdivision regulations in addition to those provided hereby; prohibiting any attempt to place other requirements for the recording of such maps, prohibiting the selling, or offering or contracting to sell any subdivision or portion thereof by reference to any map other than a recorded map; making certain acts misdemeanors; and repealing earlier acts in conflict therewith," approved June 17, 1929, and adding thereto a new section to be designated section 13a—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No 479—An act to add section 363r to the Political Code, relating to the powers and duties of the Department of Public Works concerning roads in or across property controlled by the State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GREENE, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No 208—An act to amend section 4271 of the Political Code, relating to compensation of county and township officers in counties of the forty-second class;

Also Senate Bill No 209—An act to amend section 2322a42 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-second class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 801—An act to amend sections 1 and 2 of an act entitled "An act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers, with relation to fire, diseases, pests, or any other dangers, of any nature, to the safety and encouragement of such growths," approved April 28, 1909, relating to ornamental trees and shrubs and to boards of forestry—has had the same under

consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1094—An act to amend section 606 of the Political Code, relating to reports and accountings of moneys received by the Insurance Commissioner;

Also Assembly Bill No. 596—An act to amend section 3672 of the Political Code of California, relating to the assessment, equalization and taxation of personal property escaping assessment between the first Monday of March and the first Monday of July.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 1430—An act to amend section 4a of an act entitled "An act to protect domestic live stock from contagious and infectious diseases, to prescribe the duties of officials to carry into effect the provisions of this act, to provide for the appointment of a veterinarian, and to repeal an act entitled 'An act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this act, and to provide an appropriation therefor,' approved March 18, 1889, as amended," relating to infectious diseases of animals; to declare the urgency thereof and provide that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1036—An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by amending sections numbered 4, 5, 9, 10, 12, and 26, and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: section 22a, relating to levy of special assessments, in county water districts; section 22b, relating to special rates of assessment in certain cases, section 22c, relating to assessing and collecting the cost of works in the manner provided in the "Improvement Act of 1911"; sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, relating to the optional levy and collection of taxes by county water districts through the district's own officers rather than with county taxes; section 52, relating to the raising and payment by a county water district of assessments levied by an irrigation district within which is included a part of the lands within such county water district; and section 54, relating to short title of this act—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1361—An act to amend an act entitled "An act regulating the renewal of openings or the placing

of structures or the change or removal of any structures and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915 as amended—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2210—An act to amend sections 1333 and 1567 of the Penal Code, relating to production of prisoners in court;

Also: Assembly Bill No. 313—An act to amend sections 8 and 17 of the State Medical Practice Act, relating to certificates licensing the practice of medicine, drugless healing, and chiropody, and to penalties for violation of the provisions of the act;

Also: Assembly Bill No. 770—An act to add section 1a to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair competition;

Also. Assembly Bill No. 1617—An act to add a new section to be numbered 5a to "The California Air Navigation Act," approved June 18, 1929, relating to the requiring of authority of passenger air transport services;

Also: Assembly Bill No. 2136—An act to add a new section to the Bank Act, to be numbered 136½, relating to powers of trustees or receivers of closed banks;

Also: Assembly Bill No. 1434—An act to amend section 61a of the California Irrigation District Act, relating to warrants of irrigation districts; providing for certain extensions of time for the payment of warrants; authorizing agreements for the payment of warrants or any portion thereof from time to time or at a fixed time; authorizing the allocation of specified funds or any amount thereof for the payment of warrants;

Also· Assembly Bill No. 2380—An act to amend Chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, as amended, by amending section 1 thereof, relating to appropriation of waters by the State Department of Finance.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 2338—An act to add a new section to the Political Code to be numbered 3480d, relating to crediting on calls of installment of assessments made by reclamation districts amounts of outstanding bonds exchanged in refunding proceedings or otherwise canceled as provided by law, and to the redemption of property sold to reclamation districts for delinquent assessments and installments thereof, and to the sale by county treasurers of lands sold for delinquent assessments and installments thereof, and containing a provision declaring this act to be an urgency measure, stating the facts constituting such urgency and providing this act shall take

effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2194—An act to amend section 588 of the Fish and Game Code, relating to kelp—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 356—An act to amend section 3.122 of the School Code, relating to the age of admission of pupils to kindergartens—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bill ordered placed on daily calendar

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2215—An act to amend sections 1425 and 1462 of the Penal Code, relating to criminal jurisdiction of justices' courts—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2271—An act to repeal section 16x21 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-first class;

Also: Assembly Bill No. 396—An act to add a new section to the Political Code, to be numbered 2610, relating to the power of the Director of Public Works to rescind or terminate leases of lands of Mission Bay;

Also: Assembly Bill No. 1417—An act to amend section 1161 of the Code of Civil Procedure, relating to unlawful detainer;

Also: Assembly Bill No. 2328—An act to amend section 609 of the Probate Code, relating to the compensation of appraisers;

Also: Assembly Bill No. 847—An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled "An act to define the duties of and to license land surveyors," approved March 16, 1907.

Also: Assembly Bill No. 1957—An act to add a new section to the Penal Code, to be numbered 1203a, relating to probation in courts having jurisdiction of misdemeanor cases;

Also: Assembly Bill No. 1958—An act to amend section 1449 of the Penal Code, relating to time for pronouncing judgments in justices' and police courts;

Also: Assembly Bill No. 2053—An act to amend section 1181 of the Penal Code, relating to new trials;

Also: Assembly Bill No. 2054—An act to amend section 1089 of the Penal Code, relating to the selection of alternate jurors and the rights and duties of alternate jurors.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2274—An act to amend section 2322x21 of the Political Code, relating to the office of the agricultural commissioner in counties of the twenty-first class;

Also: Assembly Bill No. 2195—An act to amend section 19x16 of the Juvenile Court Law, relating to the probation officer in counties of the sixteenth class;

Also: Assembly Bill No. 2196—An act to amend section 2322x16 of the Political Code, relating to the office of the agricultural commissioner in counties of the sixteenth class;

Also: Assembly Bill No. 1943—An act to amend section 2322x26 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-sixth class;

Also: Assembly Bill No. 1941—An act to amend section 19x26 of the Juvenile Court Law, relating to the probation officer in counties of the twenty-sixth class;

Also: Assembly Bill No. 1080—An act to add a new article to Chapter I of Part III of Division IV of the School Code, to be numbered Article Ib, comprising sections 4.280b to 4.284b, inclusive, relating to revolving funds for warehouse stock.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1324—An act to amend section 664 of the Code of Civil Procedure, relating to the time within which judgment upon a verdict shall be entered—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 404—An act to amend section 224 of the Civil Code, relating to the adoption of children—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1942—An act to amend section 16x26 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the twenty-sixth class—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

THIRD READING OF SENATE BILLS.

Senate Bill No. 1111—An act to amend section 14 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to death benefits under the provisions of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Crist moved a call of the House.

Motion carried.

Time, one o'clock and fifty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Field, Fisher, Gilmore, Hatch, Hoffman, Hunt, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, Meehan, Miller, Eleanor; Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Turner, Utt, West, Zion and Mr. Speaker—50

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

MOTION.

Mr. Robinson, C. Ray, moved that the Journals of Thursday, April 13, 1933; Friday, April 14, 1933; Monday, April 17, 1933; Tuesday, April 18, 1933; Wednesday, April 19, 1933; Thursday, April 20, 1933; Friday, April 21, 1933; Saturday, April 22, 1933; Monday, April 24, 1933; be approved as corrected by the Minute Clerk.

Motion carried.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1135—An act to repeal sections 162 to 165, inclusive, of the Agricultural Code, relating to deer-tight fences.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1135 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Evans, Field, Fisher, Gilmore, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—51.

NOES—Crowley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 134—An act to amend section 331 of the Civil Code, relating to corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 134 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Gilmore, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts,

Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—55.
NOES—Rogers—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No 416—An act to amend sections 2, 4, 5, 6, 7, 10, 16, 22, 23 and 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sale of securities, and the prevention of fraud in the sale of securities.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 416 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Dempster, Feigenbaum, Field, Gilmore, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A Morgan, Nielsen O'Connor Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—60.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 810—An act to amend section 4039 of the Political Code, relating to records of county boards of supervisors.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 810 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Dempster, Feigenbaum, Field, Gilmore, Grubbs, Hatch, Hofiman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A, Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Turner, Utt, West, Williamson, Woolwine and Mr Speaker—60.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 497—An act to amend sections ------ of the Agricultural Code
Bill read third time.
The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Scudder:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 4 of the title, strike out the word "three", and insert in lieu thereof the word "four".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 5 of the title, strike out "207.5 and 234.5", and insert in lieu thereof "207.5, 234.5 and 679".

AMENDMENT NUMBER THREE

On page 9, line 17, of the printed bill, strike out the word "flour", and insert in lieu thereof the word "flower".

AMENDMENT NUMBER FOUR.

On page 10 of the printed bill, immediately following line 17, add the following:
"SEC. 27. A new section is hereby added to the Agricultural Code, to be numbered 679, to read as follows:
679. "Association" as used in this chapter includes nonstock corporations."

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Scudder asked for, and was granted, unanimous consent to take up Senate Bill No. 497, at this time, without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 497 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—67.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILLS.

Senate Bill No. 5—An act to call a special election to be held on Tuesday, the twenty-seventh day of June, 1933, for the purpose of submitting to the qualified electors of this State certain amendments to the Constitution of this State proposed by the Legislature at its fiftieth regular session and for the purpose of electing delegates to a convention to consider and pass upon a proposed amendment to the Constitution of the United States and to provide that this act shall take effect immediately.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, after line 19, add the following:
"*Assembly Constitutional Amendment No. 119*—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article IV thereof a new section to be numbered 25a, relating to the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof."

Amendment adopted.

FURTHER AMENDMENT TO ASSEMBLY BILL NUMBER FIVE.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Robinson, C. Ray:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, between lines 14 and 15, insert the following:

"Assembly Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XVI thereof a new section to be numbered 9, authorizing the Legislature to provide for assistance by the State in the refinancing of irrigation and reclamation districts, and approving and ratifying the District Finance Act of 1933:

Assembly Constitutional Amendment No. 108—A resolution to propose to the people of the State of California an amendment to Article IV of the Constitution of said State by adding to said article a new section, to be numbered section 1a, relating to the time of taking effect of acts passed at the fiftieth regular session of the Legislature;".

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs. Robinson, C. Ray; Hoffman and Chatters, the Speaker ordered a roll call taken on the adoption of the amendment.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field Fisher, Frazier, Greene, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—64.

NOES—Feigenbaum, Gilmore, Grubbs, Hallner, Hatch, Latham, McMurray and Williamson—8.

FURTHER AMENDMENT TO SENATE BILL NUMBER FIVE.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Dempster:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended, between lines 8 and 9, insert the following

"Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1a of Article XIII thereof, relating to exemption of private nonprofit educational institutions from taxation;".

The question being on the adoption of the amendment.

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hoffman asked for, and was granted, unanimous consent to take up Senate Bill No. 5, at this time, without reference to printer or file.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Hoffman:

Resolved, That Senate Bill No. 5 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby

dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—68.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 5

Bill read.

Urgency clause read.

The question being, Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—68.

NOES—None.

THIRD READING OF SENATE BILL NUMBER FIVE

Senate Bill No. 5—An act to call a special election to be held on Tuesday, the sixth day of June, 1933, for the purpose of submitting to the qualified electors of this State certain amendments to the Constitution of this State proposed by the Legislature at its fiftieth regular session and for the purpose of electing delegates to a convention to consider and pass upon a proposed amendment to the Constitution of the United States and to provide that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 5 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and forty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Crist.

The roll of absentees was called, and Senate Bill No. 1111 was refused passage by the following vote:

AYES—Alter, Badham, Boyle, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Field, Frazier, Greene, Hallner, Hatch, Kallam, Latham, Lyon, Martin, Mayo, Meeker, Morgan, O'Connor, O'Donnell, Phillips, Rawls, Redwine, Robinson, C Ray; Robinson, Samuel E, Scudder, Stream, Thorp, Turner, Utt, Wright, Zion and Mr. Speaker—40

NOES—Anglim, Bliss, Bowers, Burns, Cassidy, Crowley, Dempster, Feigenbaum, Fisher, Gilmore, Grubbs, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Levey, Maloney, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A, Nielsen, Patterson, Peterson, Powers, Roberts, Rogers, Roland, Stannard, Sullivan, Tournoux and West—36.

NOTICE OF RECONSIDERATION.

Mr. Crist gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1111 was this day refused passage.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 702—An act to amend section 1168 of the Penal Code, relating to sentences, imprisonments and paroles of prisoners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 702 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 203—An act to amend sections 691 to 697, inclusive, of the Fish and Game Code, relating to striped bass.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 203 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 323—An act to amend sections 1, 2, 3, 4, 7, 11, 12, 13, 15 and 17 and to repeal section 3½ of an act entitled "An act to

regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the practice of pharmacy.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Boyle:

AMENDMENT NUMBER ONE.

On page 3, line 22, of the printed bill, as amended, after the comma following "three", strike out "class".

AMENDMENT NUMBER TWO.

On page 3, line 23, of the printed bill, as amended, strike out all of line 23, and insert in lieu thereof the following: "and class four."

AMENDMENT NUMBER THREE.

On page 4, line 27, of the printed bill, as amended, strike out the numerals "1928", and insert in lieu thereof the following: "1934".

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, as amended, strike out lines 34 to 42, inclusive, the same being the paragraph beginning with the words "Class five" in said line 34, and ending with the words "licentiate in pharmacy." in said line 42.

AMENDMENT NUMBER FIVE

On page 5, line 12, of the printed bill, as amended, after the letter "A", strike out "and Class B".

AMENDMENT NUMBER SIX.

On page 5 of the printed bill, as amended, strike out all of lines 23 to 29, inclusive.

AMENDMENT NUMBER SEVEN.

On page 8, line 13, of the printed bill, as amended, strike out the period following the word "office", and insert a comma and the following: "but does apply to the sale by or through any mechanical device, of drugs, medicines and proprietary medicines registered or trademarked in the United States Patent Office."

AMENDMENT NUMBER EIGHT.

On page 8, line 13, after "Nor", insert the following: "does this act apply".

AMENDMENT NUMBER NINE.

On page 8, line 26, of the printed bill, as amended, after the word "by", strike ouf the balance of line 26.

AMENDMENT NUMBER TEN.

On page 8, line 27, of the printed bill, as amended, strike out the words "immediate and personal supervision of".

AMENDMENT NUMBER ELEVEN.

On page 8, line 28, of the printed bill, as amended, after the comma following "macist", insert the following: "or registered assistant pharmacist,".

The question being on the adoption of the amendments.

Amendments adopted.

Bill ordered to reprint, and on file for third reading.

Senate Bill No. 194—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 194 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field,

Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 343—An act to amend section 7 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquistion or construction of such improvements," approved May 24, 1927, Statutes of 1927, page 1351, and relating to bonds to be issued.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 343 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—70.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 280—An act to amend section 5 of an act entitled "An act providing for the supervision of dams by the Department of Public Works through the State Engineer for the purpose of safeguarding life and property, defining powers and duties concerning the supervision of dams, providing for the enforcement of said supervision and providing penalties for violations thereof and making an appropriation therefor," approved June 10, 1929, relating to plans and specifications for new dams.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 280 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1038—An act to amend an act entitled "An act to provide for the establishment of official master plans and the appointment of planning commissions in cities, cities and counties, and counties; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and composition thereof, prescribing the powers and duties of such commissions; providing for the transfer thereto of the powers and duties of other planning commissions; providing for the preparation, adoption and recordation of precise street plans; providing for the control of the construction of buildings within the lines of streets shown on such precise street plans; providing for the levy of a special tax for the support of a planning commission and other acts pursuant to this act and making certain expenditures legal charges against the funds of cities, cities and counties, and counties, and regional planning commissions; providing for the establishment by cities, cities and counties, and counties, of regional planning commissions, including two or more cities, cities and counties, or counties, or a portion or portions thereof, or both; making certain acts, misdemeanors; and repealing other acts in conflict herewith," approved June 17, 1929, by amending the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 11 and 12 thereof; and by repealing sections 13, 14, 14a, 14b, 15 and 16 thereof; and by adding a new section thereto to be designated as section 13, relating to the acquisition of land, rights of way, easements and rights in land; and by renumbering section 17 of said act as section 14 and amending the same; and by renumbering section 18 of said act as section 15 and amending the same; and by renumbering sections 19 and 20 of said act, respectively, as sections 16 and 17 thereof respectively.

Bill read third time

MOTION TO RE-REFER

Mr. Dempster moved that Senate Bill No 1038 be withdrawn from file, and ordered re-referred to Committee on Municipal Corporations.

The question being on re-referring Senate Bill No. 1038 to Committee on Municipal Corporations.

Motion carried.

Senate Bill No. 1038 ordered re-referred to Committee on Municipal Corporations

Senate Bill No. 549—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 549 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Roberts, Rogers, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—63.

NOES—Latham, Robinson, Samuel E., and Wright—3.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. C. DON FIELD IN THE CHAIR.

At three o'clock and fifteen minutes p. m., Hon. C. Don Field, member of the Assembly from the Forty-third Assembly District, in the chair.

Senate Bill No. 350—An act to amend sections 79 and 81 of the Fish and Game Code, relating to fish and game districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 350 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 762—An act to amend section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of Coronado, in furtherance of navigation, commerce and fisheries, and providing for the government, management and control thereof," approved April 27, 1923, relating to tidelands in San Diego Bay.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 762 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 567—An act to amend an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," (Chapter 1020, Statutes of 1931), to repeal sections 51 to 54 inclusive, and to add new sections to be numbered 51 to 78 inclusive, relating to exclusion of

lands from water conservation districts and to improvement districts within water conservation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 567 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 202—An act to amend sections 612 and 613 of the Fish and Game Code, relating to trout.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 202 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 965—An act to amend section 1106 of the Political Code, relating to registration of electors and conduct of elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 965 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At three o'clock and thirty-two minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Senate Bill No. 695—An act to amend sections 1357, 1358, 1359, 1360, 1361 and 1362 of the Political Code, relating to elections and absent voting.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 695 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 967—An act to amend section 1083 of and to add section 1083a to the Political Code, relating to qualifications of electors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 967 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 200—An act to amend section 737k of the Political Code, relating to the superior judge in and for the county of Glenn.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 200 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 469—An act to amend section 1027 of the Penal Code, relating to alienists.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 469 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 712—An act to amend section 737mm of the Political Code, relating to the compensation of the judges of the superior court in and for the county of San Joaquin.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 712 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 5—An act to call a special election to be held on Tuesday, the twenty-seventh day of June, 1933, for the purpose of submitting to the qualified electors of this State certain amendments to the Constitution of this State proposed by the Legislature at its fiftieth regular session and for the purpose of electing delegates to a convention to consider and pass upon a proposed amendment to the Constitution of the United States and to provide that this act shall take effect immediately—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 5?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 5 by the following vote:

AYES—Crowley, Dempster and Robinson, C Ray—3.
NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Hoffman, Robinson, C. Ray, and Latham as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 5.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 51—An act to amend section 4014 of the Political Code, relating to township officers.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Scudder:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, as amended, after "sixteenth", insert a comma and the following: "seventeenth".

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Chatters asked for, and was granted, unanimous consent to take up Senate Bill No. 51, at this time, without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 51 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64
NOES—Cassidy—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 509—An act to amend an act entitled, "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as

amended, by amending sections 2, 3, 4, 5, 6, 7, 9, 11, 14 and by adding a new section to be numbered 15, relating to collection agencies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 509 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Scudder, Stannard, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD.

Mr. O'Donnell moved that the record of all proceedings relative to the passage of Senate Bill No 203 be rescinded and all actions this day taken on Senate Bill No. 203 by the Assembly be expunged from the records.

Motion carried.

MOTION FOR RECONSIDERATION.

Mr. Bliss moved to reconsider the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 1746.

The roll was called, and the Assembly reconsidered the vote whereby Senate amendments to Assembly Bill No. 1746 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Scudder, Stannard, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 1746 ordered placed on daily calendar.

Senate Bill No. 111—An act to amend sections 860, 861 and 870 of the Agricultural Code, relating to the standardization of canned foods.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 111 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland,

Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 9—An act to amend sections 41, 42, 43, 45 and 46 of the California Irrigation District Act, and to repeal section 44 of said act, all relating to delinquent assessments.
Bill read.
Urgency clause read.
The question being: Shall this section, setting forth the urgency features of this bill, be passed?
The roll was called, and the urgency clause adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.
NOES—None.

THIRD READING OF SENATE BILL NUMBER NINE

Senate Bill No. 9—An act to amend sections 41, 42, 43, 45 and 46 of the California Irrigation District Act, and to repeal section 44 of said act, all relating to delinquent assessments.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 9 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 178—An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 178 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Kallam, King, Knowland, Latham, Levey, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor;

Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Wright, Zion and Mr. Speaker—61.
NOES—Hornblower, Hunt and Maloney—3.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 265—An act to amend section 4257 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-eighth class.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Patterson:

AMENDMENT NUMBER ONE.

On page 4, line 27, of the printed bill, strike out the word "not".

AMENDMENT NUMBER TWO.

On page 4, line 28, of the printed bill, strike out the words "more than".

AMENDMENT NUMBER THREE.

On page 7, line 23, of the printed bill, strike out the word "fifty", and insert in lieu thereof "forty".

AMENDMENT NUMBER FOUR.

On page 7, line 28, of the printed bill, after the word "month", strike out the period, and insert in lieu thereof a semicolon, and add the following: "and while attending board meetings and attending to any other county business at the rate of sixteen cents per mile"

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Patterson asked for, and was granted, unanimous consent to take up Senate Bill No. 265, at this time, without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 265 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Gilmore, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, King, Levey, Lyon, Maloney, Mayo, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—60.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

HON. CLIFFORD R. KALLAM IN THE CHAIR.

At four o'clock and twenty-five minutes p m., Hon. Clifford R. Kallam, member of the Assembly from the Thirty-fourth Assembly District, in the chair.

Senate Bill No. 679—An act to amend the Fish and Game Code of the State of California by adding thereto new sections numbered respectively 170 and 282, relating to the establishment and mainte-

nance of a game refuge in the county of Monterey designated Monterey Peninsula game refuge.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 679 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Brock, Burns, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stream, Thorp, Tournoux, Turner, Utt, Williamson, Wright, Zion and Mr. Speaker—58.

NOES—Bliss, Boyle, Callahan, Cassidy, Crist, Frazier, Grubbs, King, McCarthy, O'Donnell and West—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 399—An act to provide the procedure for the formation of certain special tax and assessment districts and providing certain restrictions and limitations thereon.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 399 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Redwine, Riley, Roberts, Robinson, C. Ray; Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—57.

NOES—Brock, Robinson, Samuel E., Rogers, Stannard and Stream—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 837—An act to add a new section to the California Irrigation District Act to be numbered 48b, relating to lands within an irrigation district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 837 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Wright and Zion—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At four o'clock and fifty-five minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Senate Bill No. 268—An act relating to irrigation districts of the first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 268 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stream, Tournoux, Turner, Utt, West, Wilhamson, Wright and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933.

MR SPEAKER Your Committee on Free Conference concerning Senate Bill No. 5—An act to call a special election to be held on Tuesday, the twenty-seventh day of June, 1933, for the purpose of submitting to the qualified electors of this State certain amendments to the Constitution of this State proposed by the Legislature at its fiftieth regular session and for the purpose of electing delegates to a convention to consider and pass upon a proposed amendment to the Constitution of the United States and to provide that this act shall take effect immediately—reports that it has met a like committee of the Senate, consisting of Senators Breed, Swing and Hays, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments, and that the bill be further amended as follows.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, immediately following line 19, on said page, insert the following:

"Senate Constitutional Amendment No 16—A resolution to propose to the people of the State of California an amendment to the Constitution of said State repealing sections 4 and 9 of Article XI thereof and amending section 5 of said article, relating to county government;".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, as amended, after line 19, insert the following:

"Assembly Constitutional Amendment No. 101—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XIII thereof a new section, to be numbered 8a, relating to taxation;".

LATHAM,
ROBINSON, C. RAY,
HOFFMAN,
Assembly Committee on Free Conference.

BREED,
SWING,
HAYS,
Senate Committee on Free Conference.

The question being on the adoption of the report of the Committee on Free Conference

The roll was called, and the report of the Committee on Free Conference was adopted by the following vote:

AYES—Senators Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—68.

NOES—None.

Senate Bill No. 454—An act to amend section 1060 of the Fish and Game Code, to add thereto sections 481.5, 744, 842.5, 846.5, 867, 1063.5, 1064.5, 1065 5, and to repeal sections 714, and 1066 to 1071 inclusive, relating to fish and game.

Bill read third time.

The question being on the passage of the bill.

WITHDRAWAL OF BILL.

By order of the Speaker, Senate Bill No. 454 was withdrawn from the file, and referred to Committee on Fish and Game.

Senate Bill No. 1196—An act to amend sections 23, 24, 28, 30, 31, 34, 36, 38, 42, 44, 48, and 51, and to add new sections numbered 31a, 51a, and 51b, to an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory.

Bill read third time.

The question being on the passage of the bill.

COMMITTEE AMENDMENTS.

During reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, as amended, strike out line 11, and insert in lieu thereof the following: "of the district. Any public utility service supplied by the".

AMENDMENT NUMBER TWO.

On page 4, lines 12 and 13, of the printed bill, as amended, strike out "all public utility services", and insert in lieu thereof the following: "the same type of public utility service".

AMENDMENT NUMBER THREE.

On page 6, line 18, of the printed bill, as amended, strike out "or to be derived".

AMENDMENT NUMBER FOUR.

On page 6, line 23, of the printed bill, as amended, strike out "or to be derived".

AMENDMENT NUMBER FIVE

On page 6, line 38, of the printed bill, as amended, strike out "or to be derived".

AMENDMENT NUMBER SIX.

On page 7, line 43, of the printed bill, as amended, strike out "or to be derived".

AMENDMENT NUMBER SEVEN.

On page 8, line 14, of the printed bill, as amended, strike out "or to be derived".

AMENDMENT NUMBER EIGHT.

On page 14, line 10, of the printed bill, as amended, after "territory", insert the following: "contiguous to the district".

AMENDMENT NUMBER NINE.

On page 14, line 11, of the printed bill, as amended, strike out "tricts", and insert in lieu thereof the following: "trict".

AMENDMENT NUMBER TEN

On page 14, line 16, of the printed bill, as amended, strike out the semicolon, and insert in lieu thereof a comma.

AMENDMENT NUMBER ELEVEN.

On page 15, line 2, of the printed bill, as amended, strike out "coterminus", and insert in lieu thereof the following: "coterminous".

AMENDMENT NUMBER TWELVE.

On page 15, line 31, of the printed bill, as amended, strike out "or any portion thereof".

AMENDMENT NUMBER THIRTEEN.

On page 15, line 39, of the printed bill, as amended, after "forth", strike out the comma; also strike out "or to any such"; also strike out lines 40 and 41, and insert in lieu thereof a period.

AMENDMENT NUMBER FOURTEEN.

On page 15 of the printed bill, as amended, strike out lines 47 to 52, inclusive, and on page 16, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"In the event that the board of directors after such hearing by resolution approves the proposed annexation of the territory described in said petition with or without terms or conditions, and said annexation is also approved either by a written consent containing a description of the territory proposed to be annexed and setting forth the terms and conditions, if any, of such annexation signed by a majority of the electors who were registered in the territory to be annexed at the date of the presentation of the petition or petitions for annexation, which written consent is filed with the secretary of the board who shall thereupon verify the signatures thereon in the same manner as the signatures to the petitions for annexation are required to be verified by the provisions of subdivision (1) of this section, or by a majority vote in favor of annexation at an election called and held as hereinafter in this section provided within the territory proposed to be annexed; it shall make an order describing the boundaries of said territory proposed to be annexed and also describing the exterior boundaries of the district as they shall exist after said annexation. For the purposes of said order the board may cause a survey to be made of said boundaries or such portions thereof as may be deemed necessary. Said order shall also set forth in detail the conditions and terms, if any, of the annexation. Said order shall be set forth in full upon the minutes of the board.

(4) The board of directors, after its approval of said annexation by resolution as hereinbefore provided, may call an election to determine whether said annexation is approved by the electors of said territory proposed to be annexed, but before calling such election it may require an undertaking with sufficient sureties from the petitioners for the annexation, conditioned that the petitioners or their sureties will pay all costs to the district of such election in case such annexation be disapproved by such election.

In calling such election the board shall fix the time at which such election shall be held and cause notice thereof to be given and published. Such notice shall be given and published and such election shall be held and conducted and returns thereof shall be made and canvassed and the result of the election ascertained and declared, and all things pertaining thereto conducted in the manner prescribed by said act in case of a special election to determine whether bonds of a public utility district shall be issued. The ballots cast at such election shall contain the words "for change of boundary" or "against change of boundary," or words equivalent thereto. The notice of election shall describe the territory proposed to be annexed in such manner that it can be readily understood and shall set forth the terms and conditions, if any, of such annexation.

At such election only electors registered at the time of the presentation of the petition for annexation and who at the time of said election are still electors in said territory shall be qualified to vote. If at such election a majority of all the votes cast on the proposition shall be against such annexation the board shall order that the petition be denied and shall proceed no further in that matter, but if a majority of such votes be in favor of such annexation the board shall thereupon in the manner provided in subdivision (3) of this section order that the annexation be made."

AMENDMENT NUMBER FIFTEEN.

On page 16, line 6, of the printed bill, as amended, strike out "(4)", and insert in lieu thereof the following: "(5)".

AMENDMENT NUMBER SIXTEEN.

On page 16, line 20, of the printed bill, as amended, strike out "(5)", and insert in lieu thereof the following: "(6)".

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 25, of the printed bill, as amended, strike out "(6)", and insert in lieu thereof the following: "(7)".

Amendments adopted.

Bill ordered to reprint, and on file for third reading.

MOTION TO RE-REFER.

Mr. Cobb moved that Assembly Bill No. 1936 be withdrawn from file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 1936 to Committee on Ways and Means.

Motion carried.

Re-referred to Committee on Ways and Means.

MOTION TO PRINT.

On motion of Mr. Feigenbaum, the Chief Clerk was instructed to have 2500 copies of Assembly Bill No. 2365 printed.

COMMUNICATIONS.

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

ASSEMBLY, CALIFORNIA LEGISLATURE.
SACRAMENTO, CALIFORNIA, May 9, 1933.

Hon. Walter J. Little, Speaker of the Assembly, Sacramento, California

MY DEAR MR. SPEAKER: Pursuant to the terms of Assembly resolution adopted by the Assembly on January 13, 1933 said resolution appearing on page 19 of the Assembly Journal of that date, said resolution providing the number of bills to be printed and providing for those persons who should receive the same, and further providing a charge of $35 for full sets of bills for those not specifically named in the resolution entitled to receive the same; also

Assembly resolution adopted on the seventeenth day of January, 1933 by the Assembly and appearing on pages 11 and 12 of the Assembly Journal of that date, providing for the disposition of the budget and a charge of $1 per copy for those not specifically named in the resolution to receive the same, I have the honor to submit a statement of the sale and disposition of bills and budgets pursuant to the terms of the resolutions, said statement being submitted by the Department of Finance by Mr Fred W. Links.

I am in receipt of check No. 10, in the sum of $2,339 21 from Mr. Fred W. Links of the Department of Finance, made payable to the Chief Clerk of the Assembly in said sum, which said check has been duly indorsed and made payable to the State Treasurer, and deposited in the office of the State Controller, a receipt for which from the Controller's office I have received.

Respectfully submitted.

ARTHUR A. OHNIMUS, Chief Clerk.

(COPY.)

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE.
DIVISION OF BUDGETS AND ACCOUNTS, SACRAMENTO, May 8, 1933.

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

DEAR SIR: I have the pleasure of reporting to you a statement regarding the disposition and sale of copies of the budget and copies of legislative bills, Journals, Histories, etcetera.

BUDGETS.

Total number printed		2,500
Delivered:		
Governor's office	5	
Assembly	529	
Senate	147	
Library	100	
Department of Finance	150	
Legislative Counsel	1	
Secretary of State	50	
State Controller	5	
Sold	275	
Total		1,262
On hand		1,238
Receipts:		
275 copies at $1		$275 00
Less postage		15 30
Net		$259 70

BILL ROOM SERVICE.

Total revenues for special service furnished---- $4,418 72

The total revenue for both of the above items is $4.678.42. You will find inclosed our check No. 10 for one-half of this amount and a check for a similar amount is being forwarded to the Secretary of the Senate The amount of this check should be remitted to the State Controller for credit to the appropriation for legislative printing, binding, et cetera, Chapter 3, Statutes of 1933.

Respectfully submitted

FRED W. LINKS,
Deputy Chief, Division of Budgets and Accounts.

CALIFORNIA STATE EMPLOYEES' ASSOCIATION.
SACRAMENTO, CALIFORNIA, May 9, 1933.

Hon. Walter J. Little, Speaker, State Assembly,
State Capitol, Sacramento, California

DEAR SIR: In recognition of music week we would appreciate your making an announcement, prior to the noon recess, regarding the program to be given by the glee club and orchestra of the Sacramento Chapter, Capitol Rotunda, 12.30 to 1 00, Wednesday, May 10th.

Very truly yours,

BYRL F. BABCOCK, Executive Manager.

EXPLANATION OF VOTE.

May 9, 1933.

Hon. Walter Little, Speaker of the Assembly.

On May 2d my vote on Assembly Bill No 246, which I cast from my seat, was incorrectly reported, as I voted "Aye." I would appreciate the recordation of my correct vote.

Very truly, H. S. HALLNER.

MOTION TO PRINT.

On motion of Messrs. Maloney, Hornblower and McMurray, the following editorial from the San Francisco News was read and ordered printed in the Journal:

"Today we have a perfect illustration of what happens and probably will go on happening because San Francisco has inadequate representation on the board of directors of the Golden Gate Bridge District.

Steel for the bridge will be unloaded, sorted, stored and handled at the old Alameda plant of the Bethlehem Steel Company instead of at the Bethlehem plant in San Francisco or the San Francisco plant of the Bethlehem's subsidiary, the McClintic-Marshall Corporation, which holds the contract.

The president of McClintic-Marshall informs the bridge board that it will be 'neither necessary nor desirable' to use San Francisco facilities, and the probability is that there is nothing the bridge board can do about it except holler.

Only two of San Francisco's seven directors protested effectively against this loss of pay rolls to Alameda County, which pays not a cent toward the bridge and on the contrary actively opposed its construction. We refer to directors Shannon and Stanton, who urged that a first payment to McClintic-Marshall be held up until the company gave assurance that the work would be done on this side of the bay. They were voted down by a majority of directors from north-of-the-bay counties, joined by some of our own directors, led by President Filmer and Francis V Keesling.

'Inadequate' is too mild a term for the way in which San Francisco's interests are being protected on the bridge board. Although this city bears 85 per cent of the preliminary cost and total responsibility for this $35,000,000 undertaking, we are represented on the board by just seven out of 14 directors, while the other counties, which bear 15 per cent of the responsibility, hold the other seven places. The least that we should demand, now that selfish interests have defeated the bill increasing our representation to 12 directors, is that the seven directors that we do have stand up for San Francisco."

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1536—An act to add section 484.5 to the Fish and Game Code, to amend section 665, and to repeal sections 863, 876, 887 and 942 thereof, relating to fish and game and making an appropriation for the purchase of certain property

used in connection with the fishing industry—and reports that the same has been correctly re-re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1803—An act to amend section 172a of the Penal Code, relating to the selling, giving away, or exposing for sale of any vinous or alcoholic liquors upon or within one and one-half miles of the university grounds of any university having an enrollment of more than 1000 students, more than 500 of whom reside or lodge upon said university grounds—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 1065—An act to amend the Water Commission Act, approved June 16, 1913, as amended, by amending section 32 thereof, relating to costs incurred by the State Water Commission in performing the duties prescribed in sections 26 to 36, both inclusive, of said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COBB, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 1018—An act to amend section 19x18 of the Juvenile Court Law, relating to the probation officer in counties of the eighteenth class;

Also: Senate Bill No. 1019—An act to amend section 2322x18 of the Political Code, relating to the office of agricultural commissioner in counties of the eighteenth class;

Also: Senate Bill No. 1020—An act to amend section 4247 of the Political Code, relating to the compensation of county and township officers in counties of the eighteenth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 241—An act to repeal sections 5.361 and 5.635 of the School Code and to amend section 5.362 thereof, all relating to the disposition of fees received by county superintendents of schools for the issuance of kindergarten, elementary, high school and junior college certificates;

Also: Senate Bill No. 243—An act to amend the title and section 1 of Chapter 379, Statutes of 1913, entitled "An act to provide for the instruction of blind students in certain State institutions," approved June 13, 1913, relating to the instruction of blind persons;

Also: Senate Bill No. 374—An act authorizing the Director of Finance to provide for the sale of certain lands situated in Sacramento County;

Also: Senate Bill No. 433—An act to repeal sections 4.873 and 4.894 of the School Code, relating to apportionment of State and county moneys to high school districts;

Also: Senate Bill No. 435—An act to repeal sections 2.1500 to 2.1504, inclusive, of the School Code, relating to conventions of city and county school superintendents;

Also: Senate Bill No. 439—An act to repeal sections 5.630 to 5.634, inclusive, of the School Code and to repeal an act entitled "An act providing for annual conventions of secondary school principals," approved April 12, 1929, relating to secondary school principals' conventions;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 1012—An act to repeal an act entitled "An act creating the California Crime Commission, defining its duties and making an appropriation for its expenses, and repealing all acts and parts of acts in conflict with this act," approved May 28, 1929,

Also: Senate Bill No. 1101—An act to amend section 7 of an act entitled "An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations," approved April 30, 1919, as amended, relating to employment of assistants in liquidation proceedings;

Also: Senate Bill No. 1143—An act to add a new section to the Political Code to be numbered 695, relating to the Department of Finance;

Also: Senate Bill No. 1149—An act to amend section 373 of the Political Code, relating to the Department of Natural Resources;

Also: Senate Bill No. 1155—An act to add a new section to the Political Code to be numbered 597a, relating to the Division of Insurance in the Department of Investment;

Also: Senate Bill No. 1170—An act to amend section 456 of the Political Code, relating to the State Treasurer's office, to take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 440—An act to repeal Chapter V of Part III of Division V of the School Code, embracing sections 5.580 to 5.622, inclusive, relating to teachers' institutions,

Also: Senate Bill No. 442—An act to repeal the California Nautical School Act and to provide for the disposition of the property of said school;

Also: Senate Bill No. 538—An act to amend sections 364d and 364f of the Political Code, and to add a new section to said code to be numbered 372h, relating to the powers and duties of the departments and commissions of the State with respect to immigration and housing and labor camps;

Also: Senate Bill No. 882—An act to amend section 5a of the Reclamation Board Act, relating to the executive officer of the Reclamation Board;

Also: Senate Bill No. 993—An act to add a new section to be numbered 51a to an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees, providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act, providing for assessment of charges to be paid by operators and providing for the collection thereof, providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended, relating to support of the division for the supervision of petroleum and gas in the Department of Natural Resources;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 169—An act to amend section 16x22 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the twenty-second class;

Also: Senate Bill No. 174—An act to amend section 2322x22 of the Political Code, relating to the office of the agricultural commissioner in counties of the twenty-second class;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROCK, Chairman.

The above reported bills ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933.

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No 21—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new section to Article IV thereof, to be numbered 1a, relating to budgets of offices, departments, institutions, boards, commissions, bureaus, or other agencies of the State created by initiative or referendum measures;
Also: Senate Constitutional Amendment No. 48—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 14 of Article I thereof, relating to eminent domain;
Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted as amended.

FEIGENBAUM, Chairman.

The above reported Senate constitutional amendments ordered on file for adoption.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 142—An act to repeal sections 737a to 737fff, inclusive, and to add sections 737 to 737c, inclusive, of the Political Code, relating to the salaries of judges of the superior courts;
Also Senate Bill No 468—An act to amend sections 3714 and 4041.2 of the Political Code, relating to budget control in counties, districts and other political subdivisions and to accounting and auditing in counties;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

COBB, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 172—An act to amend section 4251 of the Political Code, relating to the compensation of county and township officers in counties of the twenty-second class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BROCK, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 1010—An act to amend section 4 of an act entitled "An act creating the office of Chief of the Division of Narcotic Enforcement, providing for appointment to, powers and duties of such office, making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to provide for the establishment and maintenance of a Division of Narcotic Enforcement under the direction and control of the State Board of Pharmacy,' approved May 17, 1927," approved April 30, 1929, and to transfer to the State Board of Pharmacy all powers, duties and functions of the Chief of the Division of Narcotic Enforcement—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933.

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 7—An act to amend section 2924 of the Civil Code, relating to recording of notice

of default and to giving notice of sale under deeds of trust and mortgages with power of sale; and to add a new section to the Civil Code to be numbered 2924b, relating to giving of notice of recording of notice of default and of time and place of sale under deeds of trust or mortgages with power of sale; and to add a new section to the Civil Code numbered 2924c, relating to reinstatement of loans when due date of principal sum has been accelerated; and to add a new section to the Code of Civil Procedure to be numbered 580a, limiting amount of deficiency judgments and the time within which actions therefor may be commenced; and to add a new section to the Code of Civil Procedure to be numbered 580b prohibiting deficiency judgments on purchase money mortgages and deeds of trust; and to add a new section to the Code of Civil Procedure to be numbered 580c limiting the trustee's or attorney's fees which a mortgagor or trustor may be required to pay—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

WEST, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1098—An act to amend section 602 of the Political Code, relating to insurance—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1102—An act to amend section 594 of the Political Code, defining and classifying insurance, and prescribing capital and other requirements of the various classes and limitations of classes permitted, and also requiring the stock of insurance companies to have a specified par value;

Also: Assembly Bill No. 1089—An act to amend section 1056 of the Code of Civil Procedure, relating to sureties on undertakings or bonds, prescribing the amount of capital stock required and regulating the formation or admission of corporations to transact such business in this State, placing such corporations under the jurisdiction of the Insurance Commissioner, providing for examination and prescribing the duties of the said Insurance Commissioner in connection therewith;

Also: Assembly Bill No. 1082—An act to amend section 1 of an act entitled, "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as 'The Reciprocal or Interinsurance Act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee," approved December 24, 1911,' approved May 26, 1917, as amended," approved June 3, 1921, relating to reciprocal or interinsurance exchanges;

Also: Assembly Bill No. 1791—An act to amend an act entitled "An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations," approved April 30, 1919, as amended, by adding thereto six new sections, to be numbered 5, 8a, 8b, 8c, 8d and 8e, respectively, and by amending section 6 thereof;

Also: Assembly Bill No. 1621—An act transferring from the highway maintenance fund to the general fund an amount equal to the interest due upon moneys paid from the general fund pursuant to the provisions of Chapter 400, Statutes of 1931.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also.

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 539—An act to amend sections 2167, 2167a, 2169, 2172, and 2175 of, to repeal sections 2168, 2170, 2171, and 2185c of, and to add new sections numbered 2168, 2171, and 2185c to the

Political Code, relating to persons mentally disordered or otherwise incompetent—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 25—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extensions of time in superior and inferior courts—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended, Assembly Constitutional Amendment No. 108—A resolution to propose to the people of the State of California an amendment to Article IV of the Constitution of said State by adding to said article a new section, to be numbered section 1a, relating to the time of taking effect of acts passed at the fiftieth regular session of the Legislature—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2249—An act to repeal an act entitled "An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor, and to repeal an act approved February 14, 1887, entitled: 'An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and also to repeal an act approved February 27, 1897, entitled 'An act to provide additional support and maintenance and for the acquisition of necessary property and improvements of the University of California by the levy of a rate of taxation, and the creation of a fund therefor,'" approved March 20, 1909, and to provide for the transfer of moneys now in the State university fund to the general fund of the State treasury;

Also: Assembly Bill No. 2000—An act to add a new section to the Political Code, to be numbered 363k, relating to the Department of Public Works;

Also: Assembly Bill No. 2389—An act to amend section 506b of the Penal Code, relating to embezzlement by insurance agent, broker, or solicitor;

Also: Assembly Bill No. 1069—An act to add four new sections to the Civil Code, to be numbered 453h1 to 453h4, inclusive, all relating to life, health, accident, and unity or endowment insurance on the assessment plan;

Also: Assembly Bill No. 2118—An act to amend section 12 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, relating to compensation and insurance of workmen;

Also: Assembly Bill No. 131—An act to repeal an act entitled "The Local Improvement Act of 1901," approved February 26, 1901, Statutes of 1901, page 34, as amended, with the provision that said repeal shall not apply to existing proceedings under said act;

Also: Assembly Bill No. 1735—An act to amend sections 850, 851, 852, 852a, 852b, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 862a, 863, 864, 865, 867, 868, 870, 870a, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 882, 883, 884, 885 and 886, and to repeal section 881 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to organization, incorporation and government of cities of the sixth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, as a case of urgency, Assembly Bill No. 2347—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 27—Relative to memorializing the Congress of the United States to adopt legislation imposing a tariff on rubber

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

Assembly Joint Resolution No. 27 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Breed, Swing and Hays as a Committee on Free Conference to meet a like committee from the Assembly to consider Senate Bill No. 5—An act to call a special election to be held on Tuesday, the twenty-seventh day of June, 1933, for the purpose of submitting to the qualified electors of this State certain amendments to the Constitution of this State proposed by the Legislature at its fiftieth regular session and for the purpose of electing delegates to a convention to consider and pass upon a proposed amendment to the Constitution of the United States and to provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 26—Relative to extension of time by institutions receiving Federal aid or assistance for the payment of certain debts secured by mortgages or deeds of trust.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Joint Resolution No. 26 read first time, and referred to Committee on Federal Relations.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 9, 1933.

To the Honorable Members of the Assembly of the California State Legislature.

I am returning herewith without my approval, and with the consent of the author, Assembly Bill No. 988, which affects small country schools and for the reason that I am informed it will make one-room schools out of various country schools in California.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 287—An act to provide for the construction and completion of a causeway across the Tisdale By-pass in Sutter County, State of California, and to

make an appropriation therefor—has had the same under consideration, and respectfully reports the same back without recommendation

COBB, Chairman

The above reported bill ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Mr. Powers:

ASSEMBLY CHAMBER, SACRAMENTO, CALIFORNIA, May 9, 1933.

MR. SPEAKER: We, the undersigned members of the Assembly, request that Senate Bill No. 319 be withdrawn from the Committee on Public Utilities.

P. G. WEST.
THORP.
F. C. CLOWDSLEY.
L. POWERS, JR.
ROY J. NIELSEN.
JOSEPH P GILMORE
ELLIS E. PATTERSON.
P. J. MCMURRAY.
F. PETERSON.
CLIFFORD C. ANGLIM.
JESSE M. MAYO.
MICHAEL J. BURNS
MELVYN I. CRONIN.
WM. B. HORNBLOWER.
JAMES M. CASSIDY.
J. E. FRAZIER.
CHAS. W. DEMPSTER.
CHARLES A. HUNT.
HENRY P. MEEHAN.
JOHN H. O'DONNELL.
CHARLES W. STREAM.
AUSTIN L. TOURNOUX.
RODNEY L. TURNER.
JAMES S. O'CONNOR.
JAMES J. BOYLE.
CECIL R. KING.
WM. M. JONES.
C. W. GRUBBS.
HALLNER.
JOHN D. MCCARTHY.
BERT V. CALLAHAN.
BRUCE R. STANNARD.
FRANK J. ROGERS.
MAURICE MEEKER.
S. E. ROBINSON.
JOHN T. RAWLS.
C. RAY ROBINSON.
GEORGE R. BLISS.
HOBART R. ALTER.
ELEANOR MILLER.
JOHN PHILLIPS.
GEO. B. BOWERS.

Senate Bill No. 319 ordered on file for second reading.

ADJOURNMENT.

At five o'clock and twenty minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, May 10, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, May 10, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order

Hon. Walter J Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus

CALL OF THE HOUSE

Pending the announcement of the roll call, Mr. Roland moved a call of the House.

Motion carried.

Time, ten o'clock and four minutes a m

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Chatters, Crist, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hatch, Hoffman, Hunt, Latham, Martin, Mayo, McBride, Meehan, Meeker, O'Donnell, Peterson, Phillips, Powers, Robinson, C. Ray; Robinson, Samuel E, Roland, Stream, Thorp, Turner, West, Wright, Zion and Mr. Speaker—31.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House

HON. EDWIN H ZION IN THE CHAIR.

At ten o'clock and five minutes a m. Hon Edwin H Zion, member of the Assembly from the Thirty-second Assembly District, in the chair.

PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and ten minutes a m, further proceedings under the call of the House were dispensed with, on motion of Mr. West.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Fisher, its further reading was dispensed with

GUESTS ADMITTED TO FLOOR OF ASSEMBLY

Through the courtesy of Mr Meehan, Mr. Lewis Hardie of Oakland, California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr Cronin, Mr Gregory P Maushart of Fresno, California, and Mr. and Mrs. Gregory Maushart of Jamaica, New York, were extended the privilege of the floor of the Assembly for this day

Through the courtesy of Mr Cronin, Mrs. P. Seidenspinner of Richmond Hill, New York, and Mrs Francis Winton of San Francisco were extended the privilege of the floor of the Assembly for this day

PRESENTATION OF PETITIONS

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Guy Price, Los Angeles, California, urging extension of the moratorium on real estate foreclosures.

Also:

By Mr. Speaker:

From California Citizens Committee for State Humane Pound Legislation, Southern branch, favoring Senate Bill No. 674.

(Signed) ANNA C. WINLOW
AND 1200 OTHERS.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Senate Joint Resolution No. 23—Relative to memorializing Congress in regard to mining claims—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

MAYO, Chairman.

Senate Joint Resolution No. 23 ordered on file for adoption.

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 173—An act to amend section 242 of the Agricultural Code, relating to claims for animals slaughtered on account of tuberculosis—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ROBINSON, SAMUEL E., Chairman

The above reported bill ordered on file for second reading.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Sullivan: Assembly Constitutional Amendment No. 121—Proposed amendment to Article IV, section 23, of the Constitution, relative to compensation of members of the Legislature.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Lyon: Assembly Concurrent Resolution No. 51—Relative to public information concerning the plan for the revision of the tax system of the State as embodied in Senate Constitutional Amendment No. 30.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Roland: Assembly Concurrent Resolution No. 52—Relative to reports of the department encampment of the Grand Army of the Republic.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Roland asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 52, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FIFTY-TWO.

Assembly Concurrent Resolution No. 52—Relative to reports of the Department Encampment of the Grand Army of the Republic.

Assembly Concurrent Resolution No. 52 read.

The question being on the adoption of Assembly Concurrent Resolution No. 52.

The roll was called, and Assembly Concurrent Resolution No. 52 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Kallam, King, Latham, Lyon, Martin, Mayo, McBride, Miller, Eleanor; Morgan, O'Connor, Peterson, Phillips, Rawls, Robinson, Samuel E., Rogers, Roland, Stream, Thorp, Tournoux, Utt, West, Wright and Zion—44.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 52 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 52.

Relative to reports of the Department Encampment of the Grand Army of the Republic

Resolved by the Assembly of the State of California, the Senate thereof concurring, That there shall be printed as a public document two hundred fifty copies of the sixty-fifth and sixty-sixth sessions of the Department Encampment of the Grand Army of the Republic for the respective years 1933 and 1934, together with illustrations, copies of general orders of the department and of the official rolls, one hundred twenty-five copies for the use of the Assembly and one hundred twenty-five copies for the use of the Senate. The cost shall not exceed the sum of three hundred dollars, payable from the legislative printing appropriation.

UNFINISHED BUSINESS.

Assembly Bill No. 539—An act to amend sections 2167, 2167a, 2169, 2172, and 2175 of, to repeal sections 2168, 2170, 2171, and 2185c of, and to add new sections numbered 2168, 2171, and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 539?

AMENDMENT NUMBER ONE

On page 1, line 4, of the printed bill, after the words "in the county," insert the following: "or city and county,".

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the word "situated", and insert in lieu thereof the following: "situate".

AMENDMENT NUMBER THREE

On page 11, line 11, of the printed bill, strike out the subsection number "10", and insert in lieu thereof the following: "Sec. 10".

The roll was called, and Senate amendments to Assembly Bill No. 539 were concurred in by the following vote:

AYES—Alter, Badham, Bliss, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Thorp, Tournoux, Turner, Utt, Woolwine, Wright, Zion and Mr. Speaker—64.

NOES—Anglim, Nielsen, O'Connor, Rogers and West—5.

The above reported bill ordered to enrollment.

Assembly Bill No. 1746—An act providing for the conveyance to the city of Santa Barbara of real property belonging to the State of California on condition that the city of Santa Barbara in exchange therefor convey to the State of California real property belonging to the city of Santa Barbara.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1746?

AMENDMENT NUMBER ONE

On page 1, line 7, of the printed bill, after the word "convey", insert the following: "or lease".

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, after the word "Barbara", insert the following: "or grants such easements or rights of way to the State of California over such real property belonging to the city of Santa Barbara".

AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, strike out the period, and insert in lieu thereof the following: "and on such terms and conditions as may be prescribed by them."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1746 by the following vote:

AYES—Martin and Sullivan—2.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs Bliss, Mayo and Sullivan, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 1746.

Assembly Bill No. 356—An act to amend sections 3.110, 3 122, 3.140, 3.141 and 3.142 of the School Code, and to repeal section 3 112 thereof, all relating to the establishment, admission to, and discontinuance of, kindergartens.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 356?

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 3.110, 3 122, 3 140, 3.141 and 3.142 of the School Code, and to repeal section 3 112 thereof, all relating to the establishment, admission to, and discontinuance of, kindergartens."

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, insert the following:

"SEC. 2 Section 3 110 of the School Code is hereby amended to read as follows:

3 110. The governing board of any elementary school district in this State may establish and maintain one or more kindergartens.

SEC 3. Section 3 140 of the School Code is hereby amended to read as follows:

3.140. The governing board of any elementary school district may, at the close of any school year, discontinue any or all kindergartens.

SEC 4. Section 3 141 of the School Code is hereby amended to read as follows:

3 141. In case the governing board of the elementary school district discontinues all kindergartens of the district as provided by this article, the funds of the kindergartens shall immediately revert to the elementary school district in which the kindergartens have been located.

SEC 5 Section 3 142 of the School Code is hereby amended to read as follows.

3 142. In case the elementary school district maintains two or more kindergartens, the property and funds of any kindergarten which has been discontinued shall revert to the kindergarten or kindergartens which are still in operation in said school district.

SEC. 6 Section 3.112 of the School Code is hereby repealed."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 356 by the following vote:

AYES—Crist—1.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—63.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Greene, Williamson and Crist, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 356.

Assembly Bill No. 1036—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said district," approved June 10, 1913, as amended, by amending sections numbered 3, 4, 5, 9, 10, 12, 15 and 26, and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: sections 3a and 3b, relating to voting in county water districts; section 22a, relating to levy of special assessments in county water districts; section 22b, relating to special rates of assessment in certain cases; section 22c, relating to assessing and collecting the cost of works in the manner provided in the "Improvement Act of 1911"; sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, relating to the optional levy and collection of taxes by county water districts through the district's own officers rather than with county taxes; section 52, relating to the raising and payment by a county water district of assessments levied by an irrigation district within which is included a part of the lands within such county water district; section 53, relating to use of district assessment roll and duties of district officers in connection with voting, and otherwise, and section 54, relating to short title of this act.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1036?

AMENDMENT NUMBER ONE.

On page 19 of the printed bill, as amended, strike out all of lines 8 to 51, inclusive; on page 20, strike out all of lines 1 to 20, inclusive; insert in the place of the foregoing the following:

"Sec. 22b. Whenever the board of directors of any county water district shall by ordinance have found and determined that, in view of the circumstances existing in the district, it is just and reasonable that such petitions as are referred to in this section should be heard and determined, then anyone having an interest in any land within the district may file with the secretary of the board of directors a verified petition, alleging that said land, or some described portion thereof, was prior to the acquisition or establishment by the district of any water system or waterworks serving the territory in which said land is situate, irrigated from another system of works than said system of works of the district and has continued ever since to be exclusively so irrigated, and is entitled to a special rate of taxation, and praying the board to determine what percentage of the regular rates of taxation of the district should be used in levying taxes on the land described in the petition. The board shall set a time and place for the hearing of said petition, or of all of the petitions so filed if more than one has been filed, and shall cause notice thereof

to be given in a newspaper published in the county wherein the office of the district is located. The notice shall state that a petition has been, or petitions have been presented to the board praying for a determination that certain lands described therein, but which need not be described in the notice, are entitled to a special rate or rates of taxation and giving the names of the petitioner, or petitioners, and the time and place set for the hearing. The board shall meet at the time and place so set and proceed in such order as it may deem proper, to hear the petition or petitions and shall hear all competent and relevant evidence offered in support of any petition or in opposition thereto, and may adjourn the hearing from time to time A fee of ten dollars must be paid to the secretary before the filing of any such petition, and the money shall be applied to the cost of the publication of the notice and other expenses of the hearing If there shall be any balance after the conclusion of the hearing, it shall be returned to the petitioner or divided among the petitioners contributing thereto in proportion to the respective areas described in their petitions. After the conclusion of the hearing, if the board shall find that any of the land described in any petition or petitions has been irrigated as alleged and is not and will not be so benefited by the operations of the district as to justify its taxation at the same rate as other lands in the district not so irrigated, which rate may be referred to as the regular rate of taxation, the board shall, in an ordinance or resolution which shall be entered in full upon its minutes, describe the land entitled to a special rate of taxation, or the respective parcels thereof if separate parcels are to be assessed, and shall determine and fix the percentage of the regular rate of taxation which shall be applied in levying district taxes on said land, or on each parcel thereof if various parcels are found to be entitled to different special rates, in order that the taxes to be levied on said land may be in accordance with the benefits which it receives or will receive from the operations of the district If the board shall determine that any land is entitled to a special rate of taxation, a certified copy of the ordinance or resolution so determining shall be delivered to the assessor, and thereafter, until notified of a change in such determination, he shall enter the land described therein separately on the assessment roll and so designate it and the percentage of the regular rate of taxation to which it is entitled that it may readily be distinguished from other land not entitled to a special rate. Thereafter the officer charged with the duty of entering on the assessment roll the amount of district taxes on the lands in the district shall in making such entry observe and conform to such ordinance or resolution of the board. The determination of the board with respect to any land after a hearing as aforesaid shall not be changed unless the board, on petition of a party affected, shall consent to another hearing, or on its own motion shall cause notice to be served on the owner of the land to show cause why the determination should not be changed, in either of which cases another hearing shall be advertised and held as hereinabove provided."

AMENDMENT NUMBER TWO.

On page 32, line 28, of the printed bill, as amended, strike out the figure "54", and insert in lieu thereof the figure "53"; in line 29, strike out the figure "54", and insert in lieu thereof the figure "53".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1036 by the following vote:

AYES—Robinson, C. Ray—1.

NOES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tourneux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—66.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Phillips, Anglim and Robinson, C. Ray, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 1036.

Assembly Constitutional Amendment No. 108—Proposed amendment to Article IV, by adding section 1a, of the Constitution, relative to the time of taking effect of acts passed at the fiftieth regular session of the Legislature.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Constitutional Amendment No. 108?

AMENDMENT NUMBER ONE.

On page 1, lines 11 and 12, of the printed measure, as amended, strike out "their approval by the Governor", and insert in lieu thereof the following: "May 22, 1933".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Constitutional Amendment No. 108 by the following vote:

AYES—Alter, McCarthy and McMurray—3.
NOES—Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Martin, Mayo, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Williamson, Woolwine, Wright and Zion—57.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Robinson, C. Ray, Peterson and Meehan, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Constitutional Amendment No. 108.

Assembly Bill No. 404—An act to amend section 224 of the Civil Code, relating to the adoption of children.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 404?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 6, 7 and 8, and insert in lieu thereof the following: "to the mother, and the father for a period of one year shall wilfully fail to pay for the care, support and education of such child when able to do so, then the mother alone may con-".

AMENDMENT NUMBER TWO.

On page 2, line 5, of the printed bill, after the word "adoption", and before the period, insert the following: "by a step-parent".

The roll was called, and Senate amendments to Assembly Bill No. 404 were concurred in by the following vote:

AYES—Alter, Anglim, Boyle, Burns, Callahan, Cassidy, Chatters, Cottrell, Crist, Crowley, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Martin, Mayo, McBride, Meehan, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Phillips, Rawls, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—49.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1324—An act to amend section 664 of the Code of Civil Procedure, relating to the time within which judgment upon a verdict shall be entered.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1324?

AMENDMENT NUMBER ONE.

Strike out lines 2 and 3 of the title of the printed bill, and insert in lieu thereof the following: "relating to entry of judgment".

The roll was called, and Senate amendment to Assembly Bill No. 1324 was concurred in by the following vote:

AYES—Alter, Anglim, Bowers, Burns, Callahan, Cassidy, Chatters, Cottrell, Crist, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman,

Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Rawls, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—52.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 2347—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements.

The question being put Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2347?

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, as amended, strike out the period, and insert a comma and the following: "and declaring the urgency hereof, to take effect immediately."

The roll was called, and Senate amendment to Assembly Bill No. 2347 was concurred in by the following vote:

AYES—Alter, Anglim, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—64.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 2215—An act to amend sections 1425 and 1462 of the Penal Code, relating to criminal jurisdiction of justices' and municipal courts.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2215?

AMENDMENT NUMBER ONE

In line 2 of the title of the printed bill, as amended, after the word "justices", insert the following: "and municipal".

The roll was called, and Senate amendment to Assembly Bill No. 2215 was concurred in by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—72.

NOES—None.

The above reported bill ordered to enrollment.

THE SPEAKER IN THE CHAIR.

At ten o'clock and fifty-eight minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 1942—An act to amend section 16x26 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the twenty-sixth class.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1942?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the period in line 5, insert the following: "The sealer of weights and measures is hereby allowed one deputy at a salary of one thousand five hundred thirty dollars per annum."

The roll was called, and Senate amendment to Assembly Bill No. 1942 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray · Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—73.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1098—An act to amend section 602 of the Political Code, relating to insurance.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1098?

AMENDMENT NUMBER ONE.

On page 2, line 14, of the printed bill, strike out the word "expenses", and substitute in lieu thereof the word "surplus."

AMENDMENT NUMBER TWO.

On page 2, line 24, of the printed bill, strike out all following the comma after the word "outstanding", and strike out all of lines 25, 26 and 27.

AMENDMENT NUMBER THREE.

On page 3, line 21, of the printed bill, substitute "453U", for "432".

The roll was called, and Senate amendments to Assembly Bill No. 1098 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 25—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extensions of time in superior and inferior courts, declaring the urgency thereof and providing the same shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 25?

AMENDMENT NUMBER ONE.

On page 1, line 3, of the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "declaring the urgency thereof and providing the same shall take effect immediately."

AMENDMENT NUMBER TWO.

On page 1, lines 15 and 16, of the printed bill, strike out "under the provisions of section 2 of Article IV of the Constitution of California".

AMENDMENT NUMBER THREE.

On page 2, lines 29 and 30, of the printed bill, strike out "under the provisions of section 2, of Article IV of the Constitution of California.".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, after line 33, insert the following:

"SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution, and shall therefore go into effect immediately. A statement of the facts constituting the necessity is as follows:

The Legislature has declared a recess to permit certain proposed amendments to the Constitution of this State to be submitted to the people, and to allow the members of the Legislature the necessary time to draft and perfect legislation to effectuate the purposes of those constitutional amendments which are adopted by vote of the people. The members of the Legislature must make an extensive and careful study of these matters, for hastily drawn measures will retard the economic recovery of the State. If each member of the Legislature is permitted to devote his time and attention to a consideration of these matters, the time necessary to enact appropriate legislation, after the recess, will be materially lessened."

The roll was called, and Senate amendments to Assembly Bill No. 25 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1361—An act to amend an act entitled "An act regulating the renewal of openings or the placing of structures or the change or removal of any structures and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915, as amended.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1361?

AMENDMENT NUMBER ONE.

On page 2, line 36, of the printed bill, as amended in the Assembly April 12, 1933, strike out the period following the word "permittee", and insert in lieu thereof the following: ", but no cost of supervision shall be charged by the said department to any public corporation."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended in the Assembly April 12, 1933, strike out line 49, and insert in lieu thereof the following.

"(b) A city, city and county, or public corporation supplying water service to its inhabitants may, within its corporate limits, exca-".

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, as amended in the Assembly April 12, 1933, strike out lines 21 to 28, both inclusive, and insert in lieu thereof the following:

"No bond shall be required of any county, city and county, city, municipality, or other public or municipal corporation or political subdivision which is authorized by law to place, construct, establish or maintain any works or facilities in, along, upon, across, over or under any public highway except as hereinafter in this section provided, nor shall the application of any such county, city and county, city, municipality, or other public or municipal corporation or political".

AMENDMENT NUMBER FOUR.

On page 3, line 33, of the printed bill, as amended in the Assembly April 12, 1933, after the period following the word "Works", insert the following:

"A bond in a sum not to exceed twenty thousand dollars may be required of any county, city and county, city, municipality, or other public or municipal corporation or political subdivision by the Department of Public Works if such applicant has in fact prior to such application failed to comply with the provisions of this act or with the provisions of a previous permit

Any city, city and county, municipal utility district, municipal water district or metropolitan water district shall be entitled to a blanket permit renewable annually for the installation of its service connections and for ordinary maintenance of its facilities located or installed in State highways, but any such blanket permit may be revoked by the Department of Public Works if the permittee has failed to comply with the provisions of this act or with the provisions of such permit, and when any such permit has been revoked in a proper case such municipal utility district, municipal water district or metropolitan water district shall be entitled to a permit only on furnishing a bond as required by this section."

The roll was called, and Senate amendments to Assembly Bill No. 1361 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—69.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1430—An act to amend section 4a of an act entitled "An act to protect domestic live stock from contagious and infectious diseases, to prescribe the duties of officials to carry into effect the provisions of this act, to provide for the appointment of a veterinarian, and to repeal an act entitled 'An act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this act, and to provide an appropriation therefor,' approved March 18, 1889, as amended," relating to infectious diseases of animals; to declare the urgency thereof and provide that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1430?

AMENDMENT NUMBER ONE.

In the last line of the title of the printed bill, strike out the word "effective", and insert in lieu thereof the word "effect".

The roll was called, and Senate amendment to Assembly Bill No. 1430 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74.

NOES—None.

The above reported bill ordered to enrollment.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At eleven o'clock and twenty minutes a.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

Assembly Bill No. 2338—An act to add a new section to the Political Code to be numbered 3480d, relating to crediting on calls of installment of assessments made by reclamation districts amounts of outstanding bonds exchanged in refunding proceedings or otherwise canceled as provided by law, and to the redemption of property sold to reclamation districts for delinquent assessments and installments thereof, and to the sale by county treasurers of lands sold for delinquent assessments and installments thereof, and containing a provision declaring this act to be an urgency measure, stating the facts constituting such urgency and providing this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2338?

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, after the word "land", insert the following: "affected by such call and/or".

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, after the word "sold", insert the following: "to the county treasurer or trustee of the district".

AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, after the words "such call and", insert the following: "/or".

AMENDMENT NUMBER FOUR.

On page 2, line 3, of the printed bill, after the word "given", insert the following: "payment of the balance of any such call of installment shall be deemed a full discharge of such call and".

The roll was called, and Senate amendments to Assembly Bill No. 2338 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Wright—71.

NOES—None.

GOVERNOR'S VETO PENDING.

Assembly Bill No. 988—An act to amend section 4.770 of the School Code, relating to teacher units.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Badham, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Zion—60.

MOTION TO RECONSIDER.

Mr. Crist moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 1111 was refused passage be continued until the next legislative day.

Motion carried.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 9, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 33—Relative to approving certain amendments to the charter of the city of Santa Cruz, a municipal corporation in the county of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of May, 1933.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Kallam asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 33, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THIRTY-THREE

Senate Concurrent Resolution No. 33—Relative to approving certain amendments to the charter of the city of Santa Cruz, a municipal corporation in the county of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of May, 1933

Senate Concurrent Resolution No. 33 read.

The question being on the adoption of Senate Concurrent Resolution No. 33.

The roll was called, and Senate Concurrent Resolution No. 33 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 33 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 115—Proposed amendment to Article IX of the Constitution, by repealing section 2 and amending section 7 thereof, and amending section 10 of Article XXII thereof, relating to education.

Assembly Constitutional Amendment No. 115 read.

The question being on the adoption of Assembly Constitutional Amendment No. 115.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Powers:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed measure, as amended, strike out "elected by the people", and insert in lieu thereof the following: "appointed as herein provided".

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed measure, as amended, after "be", strike out "in", and insert in lieu thereof the following: "from".

AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed measure, as amended, strike out "elected by the qualified electors thereof", and insert in lieu thereof the following: "appointed as provided herein".

AMENDMENT NUMBER FOUR.

On page 2, line 10, of the printed measure, as amended, strike out "electing", and insert in lieu thereof the following: "appointing".

AMENDMENT NUMBER FIVE.

On page 2 of the printed measure, as amended, strike out line 18, and insert in lieu thereof the following: "becomes effective, the Governor and State Senate shall nominate, and the Senate".

AMENDMENT NUMBER FIVE-A.

On page 2, line 20, of the printed measure, as amended, after the period insert the following: "No person shall be nominated for membership in said board by a vote of less than two-thirds of the members elected to the Senate unless the Governor in writing concurs in the nomination Any nomination made by the Governor for membership in said board shall be voted on by the Senate before any nomination by the Senate."

AMENDMENT NUMBER SIX.

On page 2, line 22, of the printed measure, as amended, strike out "said", and insert in lieu thereof the following: "the Governor and".

AMENDMENT NUMBER SEVEN.

On page 2, line 29, of the printed measure, as amended, strike out "elected", and insert in lieu thereof the following: "appointed".

AMENDMENT NUMBER EIGHT.

On page 2, line 30, of the printed measure, as amended, strike out "elected", and insert in lieu thereof the following: "appointed".

AMENDMENT NUMBER NINE.

On page 2, line 32, of the printed measure, as amended, strike out "elected", and insert in lieu thereof the following: "appointed".

AMENDMENT NUMBER TEN

On page 2, line 33, of the printed measure, as amended, strike out "elected", and insert in lieu thereof the following "appointed".

AMENDMENT NUMBER ELEVEN.

On page 2, line 41, of the printed measure, as amended, strike out "State", and insert in lieu thereof the following: "Governor and".

AMENDMENT NUMBER TWELVE.

On page 2, line 45, of the printed measure, as amended, strike out "elected", and insert in lieu thereof the following: "appointed".

Amendments adopted.

Bill read, ordered to reprint, engrossment, and third reading.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 8, 1933.

To the Honorable Members of the Assembly of the California State Legislature.

Assembly Bill No. 2372 makes an appropriation to pay from the California Valencia Orange Marketing Control Board fund the expenses of the employees of the California Valencia Orange Marketing Control Board in the enforcement of the act designed to license and regulate the business of growing and marketing Valencia oranges

In my opinion Assembly Bill No 2372 constitutes an emergency within the meaning of section 34 of Article IV of the Constitution and I, therefore, recommend the passage of the bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2372—An act providing for the licensing and regulation of the business of growing and marketing Valencia oranges; creating the California Valencia Orange Marketing Control Board in connection therewith; and prescribing penalties for the violation of the provisions hereof.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.

NOES—None.

REPORT OF COMMITTEE.

The following report of the Committee on Legislative Ball was received, and ordered printed in the Journal:

Contributions	$775 00
Disbursement	568 58
Balance on hand	$206 36

to be donated to the Ann Land Memorial Fund of Sacramento.

WILLARD E. BADHAM, Chairman Finance Committee.
LOUIS F. ERB, Executive Chairman.

RECESS.

At twelve o'clock m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933

MR SPEAKER: Your Committee on Rules, to which was referred Senate Bill No. 1011—An act to amend section 376a of the Political Code, relating to the office of Director of Penology—has had the same under consideration, and respectfully reports the same back, and recommends that it be replaced on calendar.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered placed on daily calendar.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 259—An act providing for the construction and operation by the State of California of a system of works designated as the Central Valley project for the conservation, development, distribution and utilization of water; defining and describing the units or parts of said project; also defining the prerequisite conditions under which said project shall be constructed; defining the duties and powers of the Department of Public Works and of the State Engineer in relation to said project, creating a Water Administration Board and defining its duties and powers with relation to the construction and operation of said project; authorizing the issuance and sale of revenue bonds in an amount not to exceed the sum of $160,000,000 for the purpose of defraying the cost of construction of said project; and providing for the payment of such bonds with the interest thereon, and for the creation of a water construction fund and a water revenue fund in the State treasury—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 26—Relative to extension of time by institutions receiving Federal aid or assistance for the payment of certain debts secured by mortgages or deeds of trust—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

PETERSON, Chairman.

Senate Joint Resolution No. 26 ordered placed on file for adoption.

ON OIL INDUSTRIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Senate Joint Resolution No 24—Relative to memorializing Congress to provide relief for the oil industry—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended

BADHAM, Chairman.

Senate Joint Resolution No. 24 ordered on file for adoption.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No 74—An act to amend sections 2 and 16 of an act entitled "An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal Chapter 32, Statutes of 1911, extra session, entitled 'An act to provide for the recall of elective officers of incorporated cities and towns,' approved January 2, 1912," approved May 8, 1931;

Also: Senate Bill No. 97—An act to provide for the payment of special assessment taxes levied in districts organized under the provisions of the "Acquisition and Improvement Act of 1925" with bonds or coupons of such district;

Also: Senate Bill No. 402—An act to amend sections 2 and 4 of an act entitled "An act relating to the liability and damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be

due to the negligence or carelessness of such officers, prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi-public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931, extending the provisions of the act to include suits against employees as well as officers of municipalities, counties, cities and counties, school districts, and the State and to suits against such officers and employees for alleged negligence or carelessness thereof while engaged in the public service, and defining terms used in the act;

Also Senate Bill No 701—An act providing for the recall of officers of cities of the second and one-fourth class;

Also: Senate Bill No. 811—An act to amend sections 10 and 15 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities and upon property and rights of way owned by municipalities and for the laying out, opening, extending, widening, straightening or acquiring in whole or in part of public streets, squares, lanes, alleys, easements, courts and places within municipalities, to provide for the collection of such assessments, the sale of the property affected thereby, and for the payment of the bonds so issued," approved June 11, 1915, as amended, relating to bonds;

Also: Senate Bill No 1208—An act to provide for the issuance of duplicates of bonds, warrants, and other evidences of indebtedness of counties and municipal and other public corporations;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

ON UNEMPLOYMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Unemployment, to which was referred Senate Bill No 560—An act to provide for the establishment, maintenance and operation of unemployment relief camps—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

POWERS, Chairman.

The above reported bill ordered on file for second reading.

ON CRIME PROBLEMS

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Senate Bill No. 392—An act to add a new section to the Penal Code to be numbered 496c, relating to buying, receiving, concealing or withholding stolen property, and prescribing penalties for violation of the provisions thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ELEANOR MILLER, Chairman.

The above reported bill ordered on file for second reading.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: Your Committee on Banking, to which was referred Senate Bill No. 1056—An act to amend section 16 of the Bank Act, relating to State banks—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMSON, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No 1038—An act to amend an act entitled "An act to provide for the establishment of official master plans and the appointment of planning commissions in cities, cities and counties, and counties; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and composition thereof; prescribing the powers and duties of such commissions; providing for the transfer thereto of the powers and duties of other planning commissions; providing for the preparation, adoption and recordation of precise street plans; providing for the control of the construction of buildings within the lines of streets shown on such precise street

plans; providing for the levy of a special tax for the support of a planning commission and other acts pursuant to this act and making certain expenditures legal charges against the funds of cities, cities and counties, and counties and regional planning commissions; providing for the establishment by cities, cities and counties, and counties, of regional planning commissions, including two or more cities, cities and counties, or counties, or a portion or portions thereof, or both; making certain acts, misdemeanors; and repealing other acts in conflict herewith," approved June 17, 1929, by amending the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 11 and 12 thereof; and by repealing sections 13, 14, 14a, 14b, 15 and 16 thereof; and by renumbering section 17 of said act as section 13 and amending the same; and by renumbering section 18 of said act as section 14 and amending the same; and by renumbering sections 19 and 20 of said act, respectively, as sections 15 and 16 thereof, respectively—has had the same under consideration, and respectfully reports the same back, and without recommendation, as amended, and not to be re-referred to committee.

LYON, Chairman.

The above reported bill ordered on file for second reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 33—Relative to memorializing Congress to enact legislation authorizing the use of a commodity standard of value to supplement the gold dollar as the standard of value—has had the same under consideration, and respectfully reports the same back, without recommendation.

PETERSON, Chairman.

Assembly Joint Resolution No. 33 ordered on file for adoption.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 1206—An act to add a new section to the Political Code to be known as section 3664a-1, relating to the taxation of certain public service companies for the benefit of the State, and providing this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Feigenbaum asked for, and was granted, unanimous consent to take up Senate Bill No. 1206, at this time, without reference to file.

SECOND READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED SIX.

Senate Bill No. 1206—An act to add a new section to the Political Code to be known as section 3664a-1, relating to the taxation of certain public service companies for the benefit of the State, and providing this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 411—An act to amend sections 3773 and 3897 of, and to add section 3773a to, the Political Code, relating to lands sold or deeded to the State for taxes and the sale and lease of tax-deeded lands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 749—An act to amend section 3771, and to repeal section 3899 of the Political Code, relating to taxes, penalties, and costs, and the sale of property to

the State therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 576—An act to amend sections 3866 and 3871 and to repeal section 3876 of the Political Code, relating to expenses of the county treasurer in settling accounts with the Controller—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 977—An act to add a new section to the Political Code to be numbered 3897c and to amend sections 3649 and 3817 of the Political Code, relating to property taxation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 569—An act relating to the redemption and sale of property sold to a county treasurer, as trustee of a reclamation district, for delinquent assessments and installments thereof, and relating to the voting of lands owned by the county treasurer, as trustee of a reclamation district, and by a reclamation district, and for the redemption of lands by a holder of a bond issued upon said assessments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 1091—An act to amend sections 633a7, 633a16, 633a18, 633a24, 633a25, 633a27, 633a28, 633a29, and 633a31 of the Political Code, and to add a new section to said code, to be numbered 633a32, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors, and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1181—An act to amend section 3644 of the Political Code, relating to taxation of boats and vessels—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1851—An act to exempt homes, schools and workshops for the blind from the requirement of furnishing bonds with bids;

Also: Assembly Bill No. 2106—An act to amend section 4272 of the Political Code, relating to the compensation of county and township officers in counties of the forty-third class;

Also: Assembly Bill No. 1262—An act to amend section 5 of an act entitled "An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor," approved May 28, 1931, relating to report to the Governor;

Also: Assembly Bill No. 678—An act to repeal section 4353 of the School Code, relating to orders upon school district funds;

Also: Assembly Bill No. 805—An act to add a new section to the School Code, to be numbered 1.395, relating to the duties of employers of minors who are subject to compulsory continuation education;

Also: Assembly Bill No. 1469—An act to amend section 5.743 of the School Code, relating to payment of salaries of employees of school districts;

Also: Assembly Bill No. 1391—An act to amend section 19 of the Juvenile Court Law, relating to referees in counties of the first class and third class, and authorizing the boards of supervisors in such counties to fix the compensation for such referees.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1567—An act to amend section 4246 of the Political Code, relating to compensation of county and township officers in counties of the seventeenth class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2294—An act relating to and providing for a moratorium with respect to the requirement for the performance of prospecting work contained in certain State mineral permits other than those issued for prospecting for oil or gas, under the authority contained in Chapter 303, Statutes of California, 1921, as amended, and declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1352—An act to revise an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any State structure, building, road, or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876.'" approved March 22, 1909—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1043—An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of waterworks systems by any political subdivision or public agency of the State authorized by law to own and operate such waterworks systems by the issuance

and sale to the United States government or any agency of said government of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; defining the terms political subdivisions and public agencies as included herein—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1970—An act to amend section 428 of the Vehicle Code, relating to garage, repair shop and service station keepers' liens;

Also: Assembly Bill No. 2339—An act to amend section 362c of the Civil Code, relating to the extension of the term of corporate existence;

Also: Assembly Bill No 1385—An act to add a new section to the Probate Code, to be numbered section 1501a, providing that wage claims of not exceeding $200 each for work done within 90 days shall be preferred in the administration of the estates of minors and insane and incompetent persons, and paid promptly out of the first available assets of the estate as soon as their validity is established.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Constitutional Amendment No 16—Proposed amendment to Article XVI, new section to be numbered 9 of the Constitution, relative to authorizing the Legislature to provide for assistance by the State in the refinancing of irrigation and reclamation districts, and approving and ratifying the District Finance Act of 1933.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Constitutional Amendment No. 16 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 31—Relative to the use of granite in Federal construction projects.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Joint Resolution No 31 ordered to enrollment.

SECOND READING OF SENATE BILLS.

Senate Bill No. 987—An act to amend section 128 of the Agricultural Code, relating to the eradication of pests.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1050—An act to repeal section 2633 of the Political Code, relating to the beautification of highways.

Bill read second time, and ordered on file for third reading

Senate Bill No. 24—An act to amend section 4245 of the Political Code, relating to salaries and fees of all officers in counties of the sixteenth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No 210—An act to amend section 19x42 of the Juvenile Court Law, relating to probation officers in counties of the forty-second class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1209—An act to amend sections 1 and 2 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Bill read second time, and ordered on file for third reading.

Senate Bill No 1210—An act to add a new section to the Political Code, to be numbered 4041.7a, relating to powers and duties of boards of supervisors.

Bill read second time, and ordered on file for third reading.

Senate Bill No 14—An act to amend section 337 of the Code of Civil Procedure, relating to the time within which actions upon any contract, obligation or liability founded upon an instrument in writing may be commenced.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 375—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of and to add new sections to be numbered sections 5a and 9a to that certain act entitled "An act to license and regulate the business of private detectives and detective agencies, and to repeal the act entitled 'An act to license and regulate the business of private detectives and detective agencies,' approved June 7, 1915," approved June 3, 1927, relating to the regulation of detectives, investigators and detective agencies.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 877—An act to amend section 801 of the Penal Code, relating to limitation of one year in misdemeanors.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 880—An act to amend section 476 of the Penal Code, relating to crimes and the punishment thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1110—An act to amend section 630 of the Probate Code, relating to summary probate proceedings.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1200—An act to provide for the incorporation and supervision of limited dividend corporations for the purpose of protecting and developing forest and other renewable natural resources.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 765—An act to amend section 2 of an act entitled "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the Public Utilities

Act and the Railroad Commission of the State of California," approved April 25, 1913, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 850—An act to amend section 1094 of the Political Code, relating to registration of voters.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 463—An act to amend section 14 of the Old Age Security Act of the State of California, relating to the protection, welfare and assistance of aged persons.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 747—An act to add a new section to the California Direct Primary Law, Statutes 1913, page 1379, to be known as section 28a, relating to contested primary elections.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 11 and 12.

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, strike out the figure "2", and insert in lieu thereof the figure "1".

AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "2".

AMENDMENT NUMBER FOUR.

On page 1, line 18, of the printed bill, strike out the figure "4", and insert in lieu thereof the figure "3"; also strike out the comma at the end of said line.

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 583—An act amending sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37 and 38 of an act entitled "An act requiring the recording of maps of subdivisions of land in certain cases; prescribing the conditions on which such maps may be recorded; authorizing the execution of contracts secured by bond for the placing of improvements on streets, highways, and ways dedicated thereby; authorizing cities, cities and counties and counties to adopt by ordinance subdivision regulations in addition to those provided hereby; prohibiting any attempt to place other requirements for the recording of such maps; prohibiting the selling, or offering or contracting to sell any subdivision or portion thereof by reference to any map other than a recorded map; making certain acts misdemeanors; and repealing earlier acts in conflict therewith," approved June 17, 1929, and adding thereto a new section to be designated section 13a.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 2, line 17, of the printed bill, as amended in the Senate, strike out the words "except that", and insert in lieu thereof the following: "provided, further,

that in any local subdivision regulations adopted under authority of this act it may be provided that the sale of noncontiguous parcels of land which are parts of a larger parcel of land, which noncontiguous parcels and which larger parcel are of such size and/or nature as may be specified in said subdivision regulations (if so specified), for which larger parcel of land no plan of subdivision is intended and in which no new streets, roads or highways are laid out, required or intended in connection with such sale (except any road for the service of only an individual parcel of land) all as defined in said subdivision regulations, shall not constitute a subdivision within the meaning of this act; and provided, further"; on page 2, line 17, of the printed bill, as amended in the Senate, strike out the word "recorder", and insert in lieu thereof the word "recorded".

AMENDMENT NUMBER TWO.

On page 10, line 41, of the printed bill, as amended in the Senate, after the period add the following:

"Any city or county may cause a map to be recorded under the provisions of this act for the purpose of designating the purpose or purposes of public use to which any land owned by such city or county shall thereafter be deemed to be dedicated, which purpose or purposes must not be in conflict with any purpose for which such land was acquired or for which it previously shall have been dedicated. On every such map the designated purpose or purposes shall be indicated upon the respective parcels of land and shall be set forth, together with any detailed statement of any purpose or of any condition or reservation applicable thereto, in the statement of dedication required by the provisions of this section. No acceptance of such dedication shall be required on any such map, but the certificate of consent to the making of the map and the statement of dedication shall be executed pursuant to resolution of the legislative body of such city or county and shall be deemed to effect such dedication upon recordation of the map. Such map shall comply with all other provisions of this act and of ordinances adopted pursuant hereto."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 479—An act to add section 363r to the Political Code, relating to the powers and duties of the Department of Public Works concerning roads in or across property controlled by the State.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, as amended in Senate, May 5, 1933, strike out "363r", and insert in lieu thereof "363gg".

AMENDMENT NUMBER TWO.

In line 1 of the printed bill, as amended in Senate, May 5, 1933, strike out "363r", and insert in lieu thereof "363gg".

AMENDMENT NUMBER THREE.

In line 3 of the printed bill, as amended in Senate, May 5, 1933, strike out "363r.", and insert in lieu thereof "363gg."

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, as amended in Senate, May 5, 1933, strike out all of lines 9, 10 and 11, and insert in lieu thereof the following:

"(1) Roads in property which is part of an institution to the support of which the State, but no political subdivision or municipal corporation, contributes, excepting however any road in property within any State prison grounds;".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 208—An act to amend section 4271 of the Political Code, relating to compensation of county and township officers in counties of the forty-second class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 18, inclusive, and insert in lieu thereof the following:

"4271. In counties of the forty-second class the county officers and their deputies herein provided for, the township officers and grand jurors and trial jurors shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, per diem and mileage, to wit:

1. The county clerk, two thousand four hundred dollars per annum; provided, (a) that in counties of this class there shall be and there is hereby allowed to the county clerk one deputy who shall receive a salary of one thousand five hundred dollars per annum and one deputy who shall receive a salary of one thousand five hundred dollars per annum.

2. The sheriff, two thousand seven hundred dollars per annum, and also his actual and necessary traveling expenses in the execution of a warrant outside of his county issued by a court magistrate of his county; provided, that in counties of this class the sheriff is hereby allowed two deputies who shall receive a salary of one thousand five hundred dollars per annum each; and further provided that the sheriff shall pay into the county treasury, for use of the county, all fees, commissions or mileage for the service of all papers issued by any court of the State outside of his county.

3. The recorder, two thousand four hundred dollars per annum; provided, that in counties of this class the recorder is hereby allowed one deputy who shall receive a salary of one thousand five hundred dollars per annum, and is hereby allowed copyists not to exceed the sum of five hundred dollars per annum.

4. The auditor, two thousand four hundred dollars per annum; provided, that in counties of this class the auditor is hereby allowed one deputy who shall receive a salary of one thousand five hundred dollars per annum; and one deputy who shall receive a salary of one thousand five hundred dollars per annum;

5. The treasurer, two thousand seven hundred dollars per annum; provided, that in counties of this class the treasurer is hereby allowed one deputy who shall receive a salary of one hundred twenty-five dollars per month for four months; provided, that all commissions and fees authorized by any law to be collected by the treasurer shall be paid to the county.

6. The tax collector, two thousand one hundred sixty dollars per annum; provided, (a) that in counties of this class the tax collector is hereby allowed one deputy for a period of eight months during each year who shall receive a salary of one hundred twenty-five dollars per month.

7 The assessor, two thousand four hundred dollars per annum; provided, that in counties of this class the assessor is hereby allowed one deputy who shall receive a salary of one thousand five hundred dollars per annum; and one deputy for a period of four months during each year who shall receive a salary of one hundred dollars per month; and in addition thereto the assessor and the deputies herein provided shall be allowed necessary and reasonable traveling expenses in the performance of the duties of the office when in the field In counties of this class the assessor is hereby authorized to contract with an abstract or title insurance company for copies of the transcripts of recorded instruments affecting title, at a compensation of not to exceed five dollars per month. All commissions or fees heretofore or now allowed by law to the assessor shall be paid by him into the county treasury

8. The district attorney, two thousand four hundred dollars per annum; provided, that in counties of this class there shall be and is hereby allowed to the district attorney a stenographer or clerk which person shall receive the sum of one hundred dollars per month, said sum to be paid in monthly warrants at the same time, in the same manner and out of the same funds as the salary of the district attorney is paid.

9 The coroner, such fees as are now or may hereafter be allowed by law.

10. The public administrator, such fees as are now or may be hereafter allowed by law.

11. The superintendent of schools, two thousand seven hundred dollars per annum and traveling expenses while visiting and examining schools and school properties of the county and in performing such other duties as are incident to the full discharge of the requirements of the office of superintendent of schools, and who shall serve as secretary of the county board of education without compensation; provided, that in counties of this class the superintendent of schools is hereby allowed one deputy who shall receive a salary of one thousand five hundred dollars per annum.

12. The county surveyor shall receive a salary of two thousand four hundred dollars per annum, for all work performed for the county, and in addition thereto he shall receive his actual traveling and other necessary expenses incurred by him while engaged in work in the field for the county; said salary shall be paid in the manner and out of the same funds as the salaries of county officers are paid.

13. Justices of the peace shall receive the following monthly salaries to be paid each month, and in the same manner and out of the same funds as county officers are paid, which shall be in full for all services rendered by them in criminal cases: In townships having a population of more than nine hundred, sixty dollars per month; in townships having a population less than nine hundred and more than five hundred, forty dollars per month; in townships having a population less than five hundred, twenty dollars per month. For the purposes of this section, the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the Federal census taken in the year 1920.

14. Constables shall receive the following monthly salaries to be paid each month and in the same manner and out of the same fund as county officers are paid, which shall be in full for all services rendered by them in criminal cases: In townships having a population of more than one thousand, sixty dollars per month; in townships having a population less than one thousand and more than five hundred, forty dollars per month, in townships having a population of less than five hundred, twenty dollars per month; provided, that each constable shall receive his actual and necessary expenses, incurred in conveying prisoners to the county jail. In addition to the compensation received in criminal cases each constable shall receive and retain for his own use such fees as are now or may be hereafter allowed by law for all services performed by him in civil actions. For the purposes of this section, the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the Federal census taken in the year 1920.

15. Supervisors, the sum of one hundred dollars per month each; mileage at the rate of twenty cents per mile for each mile actually traveled by them in the discharge of their duties either as road commissioner or supervisor, not exceeding in the aggregate six hundred dollars per annum. Supervisors shall also receive their necessary expenses when the performance of duty as supervisor or road commissioner takes them out of the county.

16. The official reporter, same as now provided by law.

17. Jurors. In counties of this class grand jurors and trial jurors in the superior court shall receive for each day's attendance the sum of three dollars, and for each mile actually and necessarily traveled from their residence to the county seat, the sum of fifteen cents, such mileage to be allowed but once during each session such jurors are required to attend.

18. The county librarian shall receive a salary of one thousand six hundred dollars per annum, and the actual and necessary traveling expenses incurred on business of the office.

19. The deputies, stenographers, clerks and assistants herein provided for shall be appointed by the officers to whom the same are allowed, and shall be paid by the county, in equal monthly installments, at the same time, in the same manner and out of the same funds that said officers are paid."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 209—An act to amend section 2322x42 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-second class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, as amended in Senate May 6, 1933, strike out lines 3 to 11, inclusive, and insert in lieu thereof the following:

"2322x42. Agricultural commissioner. In counties of the forty-second class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; provided, that in counties of this class, there shall be and there is hereby allowed to the commissioner, the following inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) The commissioner is also authorized and empowered to appoint one agricultural inspector who shall receive a salary of one thousand five hundred dollars per annum; and one agricultural inspector who shall receive a salary of one thousand two hundred dollars per annum.

(b) The commissioner is also authorized and empowered to appoint not to exceed one clerk, who shall receive a salary of nine hundred dollars per annum."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading

Senate Bill No. 801—An act to amend sections 1 and 2 of an act entitled "An act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers, with relation to fire, diseases, pests, or any other dangers, of any nature, to the safety and encouragement of such growths," approved April 28, 1909, relating to ornamental trees and shrubs and to boards of forestry.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 2, line 24, of the printed bill, as amended in the Senate April 18, 1933, at the end of section 1, and after the word "fires," strike out the comma, and insert in lieu thereof a semicolon and the following: "provided, that nothing in this act shall be construed as conferring upon any county board of forestry, or other local authority, however constituted or appointed, any jurisdiction over or within the right of way of any State road or highway, except that county boards of forestry or other local authorities may extinguish or assist in the suppression of fires within the right of way of any State road or highway."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 1065—An act to amend the Water Commission Act, approved June 16, 1913, as amended, by amending section 32 thereof, relating to costs incurred by the State Water Commission in performing the duties prescribed in sections 26 and 36, both inclusive, of said act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1018—An act to amend section 19x18 of the Juvenile Court Law, relating to the probation officer in counties of the eighteenth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1019—An act to amend section 2322x18 of the Political Code, relating to the office of agricultural commissioner in counties of the eighteenth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1020—An act to amend section 4247 of the Political Code, relating to the compensation of county and township officers in counties of the eighteenth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 241—An act to repeal sections 5.361 and 5.635 of the School Code and to amend section 5.362 thereof, all relating to the disposition of fees received by county superintendents of schools for the issuance of kindergarten, elementary, high school and junior college certificates.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 243—An act to amend the title of section 1 of Chapter 379, Statutes of 1913, entitled "An act to provide for the instruction of blind students in certain State institutions," approved June 13, 1913, relating to the instruction of blind persons.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 374—An act authorizing the Director of Finance to provide for the sale of certain lands situated in Sacramento County.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 433—An act to repeal sections 4.873 and 4.894 of the School Code, relating to apportionment of State and county moneys to high school districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 435—An act to repeal sections 2.1500 to 2.1504, inclusive, of the School Code, relating to conventions of city and county school superintendents.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 439—An act to repeal sections 5.630 to 5.634, inclusive, of the School Code and to repeal an act entitled "An act providing for annual conventions of secondary school principals," approved April 12, 1929, relating to secondary school principals' conventions.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1012—An act to repeal an act entitled "An act creating the California Crime Commission, defining its duties and making an appropriation for its expenses, and repealing all acts and parts of acts in conflict with this act," approved May 28, 1929.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1101—An act to amend section 7 of an act entitled "An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations," approved April 30, 1919, as amended, relating to employment of assistants in liquidation proceedings.

Bill read second time, and ordered on file for third reading.

Senate Bill No 1143—An act to add a new section to the Political Code to be numbered 695, relating to the Department of Finance.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1149—An act to amend section 373 of the Political Code, relating to the Department of Natural Resources.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1155—An act to add a new section to the Political Code to be numbered 597a. relating to the Division of Insurance in the Department of Investment

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1170—An act to amend section 456 of the Political Code, relating to the State Treasurer's office, to take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 440—An act to repeal Chapter V of Part III of Division V of the School Code, embracing sections 5 580 to 5.622, inclusive, relating to teachers' institutes.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 442—An act to repeal the California Nautical School Act and to provide for the disposition of the property of said school.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 538—An act to amend sections 364a and 364f of the Political Code, to add thereto a new section to be numbered 372h, and to repeal section 364d thereof, relating to the powers and duties of the departments and commissions of the State with respect to immigration and housing and labor camps.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 882—An act to amend section 5a of the "Reclamation Board Act," relating to the executive officer of the Reclamation Board.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 993—An act to add a new section to be numbered 51a to an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended, relating to support of the division for the supervision of petroleum and gas in the Department of Natural Resources.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 169—An act to amend section 16x22 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the twenty-second class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 174—An act to amend section 2322x22 of the Political Code, relating to the office of the agricultural commissioner in counties of the twenty-second class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 142—An act to repeal sections 737a to 737fff, inclusive, and to add sections 737 to 737c, inclusive, of the Political Code, relating to the salaries of judges of the superior courts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 3, inclusive, of the title of the printed bill, and insert in lieu thereof the following:

"An act to add a new section to the Political Code, to be numbered 737, relating to salaries of judges."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 21, inclusive, and strike out all of page 2, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Political Code to be numbered 737, and to read as follows:

737. The provisions of this chapter prescribing salaries do not effect an appropriation of money and shall not be construed as making an appropriation or appropriations therefor. Such salaries shall be payable only from such funds as may be made available therefor under other provisions of law."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 468—An act to amend sections 3714 and 4041.2 of the Political Code, relating to budget control in counties, districts and other political subdivisions and to accounting and auditing in counties.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 4, line 14, of the printed bill, strike out the period, and insert a semicolon and the following "it is further provided, that no school district budget shall be revised, reduced or added to except by the board of school district trustees, except to bring it within the maximum tax limits provided by law."

AMENDMENT NUMBER TWO.

On page 5, line 34, of the printed bill, after the comma following "district", insert the following: "other than school districts".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 172—An act to amend section 4251 of the Political Code, relating to the compensation of county and township officers in counties of the twenty-second class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, strike out line 43, and insert in lieu thereof the following:

"15. There shall be one official shorthand reporter who shall receive a salary of three thousand five hundred dollars per annum payable monthly out of the county treasury in lieu of fees received for reporting on criminal and civil cases and proceedings in the superior court, juvenile court and all preliminary examinations in the justices' courts of the county and all proceedings on inquisition before the coroner and all proceedings before the grand jury and all statements and investigations in criminal matters made by the district attorney. In addition to the salary the reporter shall be allowed a fee now or hereafter allowed for transcribing the proceedings and testimony in all such matters.

The fees for transcribing in civil cases in the superior court shall be paid by the parties litigant and in criminal cases in the superior and juvenile courts to be paid by the county, when ordered by the court, as other claims are paid; and in preliminary examinations, coroner's inquisitions, and statements and investigations by the district attorney, when required by law to be transcribed, or ordered transcribed by the district attorney, shall be paid by the county as required by law; provided, however, that the per diem fee now paid by parties litigant on behalf of such court reporter shall continue to be paid by such parties litigant to the clerk of court who shall transmit the same to the county treasurer to be paid into the general fund of the county. In the event it shall become necessary to use assistant reporters to attend the sessions of the courts of said county, or other proceedings herein referred to, then such assistants shall be appointed and paid by said official shorthand reporter.

16. In townships having a population of ten thousand or".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 1010—An act to amend section 4 of an act entitled "An act creating the office of Chief of the Division of Narcotic Enforcement, providing for appointment to, powers and duties of such office, making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to provide for the establishment and maintenance of a Division of Narcotic Enforcement under the direction and control of the State Board of Pharmacy,' approved May 17, 1927," approved April 30, 1929, and to transfer to the State Board of Pharmacy all powers, duties and functions of the Chief of the Division of Narcotic Enforcement.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, as amended in the Senate April 12, 1933, strike out the word "attorneys", and the comma immediately thereafter.

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, as amended in the Senate April 12, 1933, strike out all after the period, and strike out all of line 14, and all of line 15 to the word "All".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 7—An act to amend section 2924 of the Civil Code, relating to recording of notice of default and to giving notice of sale

under deeds of trust and mortgages with power of sale; and to add a new section to the Civil Code to be numbered 2924b, relating to giving of notice of recording of notice of default and of time and place of sale under deeds of trust or mortgages with power of sale; and to add a new section to the Civil Code numbered 2924c, relating to reinstatement of loans when due date of principal sum has been accelerated; and to add a new section to the Code of Civil Procedure to be numbered 580a, limiting amount of deficiency judgments and the time within which actions therefor may be commenced; and to add a new section to the Code of Civil Procedure to be numbered 580b prohibiting deficiency judgments on purchase money mortgages and deeds of trust; and to add a new section to the Code of Civil Procedure to be numbered 580c limiting the trustee's or attorney's fees which a mortgagor or trustor may be required to pay.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 20, of the printed bill, as amended in the Senate May 2, 1933, following the word "trust", insert the following: "by stating the name or names of the trustor or trustors".

AMENDMENT NUMBER TWO.

On page 2, line 24, of the printed bill, as amended in the Senate May 2, 1933, following the comma, insert the following: "and setting forth the nature of such breach".

AMENDMENT NUMBER THREE.

On page 3, line 30, of the printed bill, as amended in the Senate May 2, 1933, following the comma first appearing in said line, insert the following: "registered and with".

AMENDMENT NUMBER FOUR.

On page 3, line 40, of the printed bill, as amended in the Senate May 2, 1933, following the comma first appearing in said line, insert the following: "registered and with".

AMENDMENT NUMBER FIVE.

On page 4, line 14, of the printed bill, as amended in the Senate May 2, 1933, strike out the following: "property." and insert in lieu thereof the following: "the property described in the".

AMENDMENT NUMBER SIX.

On page 4, line 14, of the printed bill, as amended in the Senate May 2, 1933, strike out the comma following the word "trust".

AMENDMENT NUMBER SEVEN.

On page 4, line 18, of the printed bill, as amended in the Senate May 2, 1933, strike out the following: "the entire", and insert in lieu thereof the following: "all or a portion of the".

AMENDMENT NUMBER EIGHT.

On page 4, line 24, of the printed bill, as amended in the Senate May 2, 1933, strike out the comma

AMENDMENT NUMBER NINE.

On page 4, line 32, of the printed bill, as amended in the Senate May 2, 1933, strike out the comma last appearing in said line.

AMENDMENT NUMBER TEN.

On page 4, line 36, of the printed bill, as amended in the Senate May 2, 1933, strike out the comma, and insert in lieu thereof parenthesis "(".

AMENDMENT NUMBER ELEVEN.

On page 4, line 39, of the printed bill, as amended in the Senate May 2, 1933, strike out the comma

AMENDMENT NUMBER TWELVE.

On page 4, line 40, of the printed bill, as amended in the Senate May 2, 1933, strike out the comma.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 41, of the printed bill, as amended in the Senate May 2, 1933, strike out the comma, and insert in lieu thereof a parenthesis ")".

AMENDMENT NUMBER FOURTEEN.

On page 5, line 12, of the printed bill, as amended in the Senate May 2, 1933, strike out the period, and insert in lieu thereof the following: "and the date of such sale."

AMENDMENT NUMBER FIFTEEN.

On page 5, line 12, of the printed bill, as amended in the Senate May 2, 1933, strike out the following: "The court shall thereupon", and insert in lieu thereof the following: "Upon the application of either party made at least ten days before the time of trial the court shall, and upon its own motion the court at any time may, appoint one of the inheritance tax appraisers provided for by law to appraise the property or the interest therein sold as of the time of sale Such appraiser shall file his appraisal with the clerk and the same shall be admissible in evidence. Such appraiser shall take and subscribe an oath to be attached to the appraisal that he has truly, honestly and impartially appraised the property to the best of his knowledge and ability. Any appraiser so appointed may be called and examined as a witness by any party or by the court itself The court must fix the compensation of such appraiser, not to exceed five dollars per day, and expenses for the time actually engaged in such appraisal, which may be taxed and allowed in like manner as other costs."

AMENDMENT NUMBER SIXTEEN.

On page 5 of the printed bill, as amended in the Senate May 2, 1933, strike out all of lines 13, 14, 15 and 16.

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 47, of the printed bill, as amended in the Senate May 2, 1933, after the word "pay", insert the word "only".

AMENDMENT NUMBER EIGHTEEN.

On page 5 of the printed bill, as amended in the Senate May 2, 1933, after line 51, insert the following paragraphs:

"SEC. 7. A new section is hereby added to the Code of Civil Procedure to be numbered section 725 and to read as follows:

725. No action shall be brought on an obligation hereafter incurred for the payment of which a deed of trust or mortgage with power of sale upon real property or any interest therein was given as security until such security is first exhausted in the manner provided or permitted by law unless such real property or interest therein has become valueless.

SEC. 8. A new section is hereby added to the Code of Civil Procedure to be numbered section 725a and to read as follows:

725a. The beneficiary or the trustee named in a deed of trust upon real property or any interest therein to secure a debt or other obligation, shall have the right to bring suit to foreclose the same in the manner and subject to the provisions, rights and remedies relating to the foreclosure of a mortgage upon such property."

AMENDMENT NUMBER NINETEEN.

On page 1 of the printed bill, as amended in the Senate May 2, 1933, in line 19 of the title, strike out the period, and insert a semicolon in lieu thereof, followed by the following: "and to add a new section to the Code of Civil Procedure to be numbered 725 limiting the right to bring action on an obligation hereafter incurred for the payment of which a deed of trust or mortgage with power of sale was given as security; and to add a new section to the Code of Civil Procedure to be numbered 725a permitting the beneficiary or trustee named in a deed of trust to bring suit to foreclose the same in the manner of a mortgage."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 319—An act to amend section 13 of the Public Utilities Act, relating to public utility rates.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new section to Article IV thereof,

to be numbered 1a, relating to budgets of offices, departments, institutions, boards, commissions, bureaus, or other agencies of the State created by initiative or referendum measures.

Senate Constitutional Amendment No. 21 read.

COMMITTEE AMENDMENTS.

During reading of Senate Constitutional Amendment No. 21, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, lines 15 and 16, of the printed measure, as amended, strike out the following: "and other regulatory laws passed by the Legislature."

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed measure, as amended, after the word "the", insert the following. "filing of claims with the State Controller and the".

AMENDMENT NUMBER THREE.

In line 5 of the title of the printed measure, as amended, after the word "to", insert the following: "filing of claims and".

Amendments adopted.

Senate Constitutional Amendment No. 21 ordered to reprint, and on file for adoption.

Senate Constitutional Amendment No. 48—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 14 of Article I thereof, relating to eminent domain.

Senate Constitutional Amendment No. 48 read.

COMMITTEE AMENDMENTS.

During reading of Senate Constitutional Amendment No. 48, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed, amended measure, at the end of line 10, insert the following: "or lands to be used for reservoir purposes".

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed, amended measure, after the word "State", insert the following: "or metropolitan water district, municipal utility district, municipal water district, drainage, irrigation, levee, reclamation or water conservation district, or similar public corporation".

AMENDMENT NUMBER THREE.

On page 1, line 24, of the printed, amended measure, strike out the words "an action", and insert the words "any proceeding".

AMENDMENT NUMBER FOUR.

On page 1, line 25, of the printed, amended measure, after the words "municipal corporation", strike out the balance of line 25, and all of lines 26 to 28, both inclusive, and insert in lieu thereof the following: "or metropolitan water district, municipal utility district, municipal water district, drainage, irrigation, levee, reclamation or water conservation district, or similar public corporation, the aforesaid State or municipality or county or public corporation or district aforesaid may take immediate possession and use of any right of way or lands to be used for reservoir purposes,".

Amendments adopted.

Senate Constitutional Amendment No. 48 ordered to reprint, and on file for adoption.

Senate Bill No. 982—An act to add a new section to be numbered section 8½, to an act entitled "California Ripe Olive Standardization

Act,'' approved May 11, 1931, relating to the regulation of the canned olive industry.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. McBride:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of line 12, and insert in lieu thereof the following:

"872. The Director of Public Health shall enforce this chapter and for that".

Amendment adopted.

Bill read, ordered to reprint, and on file for third reading.

Senate Bill No. 1009—An act to repeal an act entitled ''An act to establish a State prison; creating a commission to select and purchase a suitable site therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor,'' approved June 4, 1929.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 1009 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Evans, Fisher, Frazier, Hoffman, Hornblower, Hunt, Jones, Latham, Lyon, Maloney, Martin, McMurray, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, Williamson, Woolwine, Wright and Mr. Speaker—50.

NOES—Crowley, Hatch and Miller, Eleanor—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1034—An act to transfer the duties, powers, purposes, responsibilities and jurisdiction of the Department of Finance over and appertaining to the State burial grounds to the Division of Parks of the Department of Natural Resources of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1034 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray: Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 685—An act to amend section 245 of the Penal Code, relating to the penalty for assault with deadly weapon.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 685 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 476—An act to amend sections 3804 and 3819 of the Political Code, relating to refund of taxes, penalties and costs illegally collected.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 476 finally passed by the following vote:

AYES—Anglim, Badham, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Phillips, Powers, Rawls, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—59.

NOES—Bliss, Bowers, Jones, King, O'Connor, Redwine, Riley, Roland, Stannard and Stream—10.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1188—An act to declare a moratorium on the collection of judgments rendered pursuant to the provisions of sections 25 to 36f, both inclusive, of the Water Commission Act for costs or for unpaid assessments taxed as costs in such judgments, and suspending the accrual of interest upon such judgments during the period of such moratorium

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1188 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stan-

nard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 867—An act providing for the regulation, use, storage, and type of state-owned motor vehicles by the Board of Control and the placing of the State seal on each vehicle, relating to the use of publicly owned vehicles and providing a penalty for violation thereof.
Bill read third time
The question being on the passage of the bill.

FLOOR AMENDMENTS

During reading of the bill, the following amendments were submitted by Mr. Dempster:

HON. EDGAR C. LEVEY IN THE CHAIR.

At three o'clock and twenty-two minutes p m., Hon. Edgar C. Levey, member of the Assembly from the twenty-eighth Assembly District, in the chair

AMENDMENT NUMBER ONE

On page 2, line 20, of the printed bill, as amended in the Assembly April 21, 1933, after the period strike out "if the", and all of lines 21, 22, 23, 24, and down to the word "automobile", in line 25.

AMENDMENT NUMBER TWO.

On page 2, line 28, of the printed bill, as amended in the Assembly April 21, 1933, after the period insert the following: "The provision of this act shall not apply to automobiles operated by the Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, Attorney General, Superintendent of Public Instruction and members of the Board of Equalization."

Amendments refused adoption.

FURTHER AMENDMENT TO SENATE BILL NUMBER EIGHT HUNDRED SIXTY-SEVEN.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed, amended bill, amended April 21, after the word "duty", strike out the comma, and the words "to establish the type", and insert in lieu thereof the words "to establish the price range of".

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Zion asked for, and was granted, unanimous consent to take up Senate Bill No. 867, at this time, without reference to printer or file.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 867 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder,

Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Zion—63.

NOES—Burns, Greene, Hornblower, McMurray, Meehan, Peterson and Williamson—7.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 867 was this day passed.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Lyon: Assembly Concurrent Resolution No. 53—Relative to approving one certain amendment to the charter of the city of Los Angeles in the county of Los Angeles, State of California, voted for and ratified by the electors of said city at a special election held therein on the second day of May, 1933.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 53, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FIFTY-THREE.

Assembly Concurrent Resolution No. 53—Relative to approving one certain amendment to the charter of the city of Los Angeles in the county of Los Angeles, State of California, voted for and ratified by the electors of said city at a special election held therein on the second day of May, 1933.

Assembly Concurrent Resolution No. 53 read.

The question being on the adoption of Assembly Concurrent Resolution No. 53.

The roll was called, and Assembly Concurrent Resolution No. 53 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Morgan, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—63.

NOES—None.

Title read and approved

Assembly Concurrent Resolution No. 53 ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 336—An act to add a new section to be numbered 52¼ to an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Rail-

road Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to the jurisdiction of the Railroad Commission over and defining affiliated interests of public utilities.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Powers moved a call of the House.

Motion carried.

Time, four o'clock and twenty-two minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—66.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 675—An act to amend section 456 of the Fish and Game Code, relating to the shipment of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 675 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Rawls, Redwine, Roberts, Robinson, Samuel E., Roland, Scudder, Stream, Sullivan, Thorp, Turner, Utt, Woolwine, Wright and Zion—54

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 29, 1933.

To the Honorable Members of the Assembly of the State of California.

Senate Bill No. 516 makes an appropriation to the Department of Public Health for the inspection and registration of aviaries and other places where birds of the psittacine family are sold and provides for the inspection of such birds.

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of section 34, Article IV, of the Constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Senate Bill No. 516—An act to provide for the inspection and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places; to declare the urgency thereof and provide that this act shall take effect immediately.

Bill read third time

The question being on the passage of the bill

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Field:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, after "inspection", insert a comma and the following: "quarantine".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, after line 10, insert the following:

"SEC. 5 No quarantine of any birds shall be effective as to any birds held in captivity in any bird store or other place of business for more than twenty days unless within such time the State Board of Health examines the birds in such bird store or other place of business and determines that one or more of such birds is afflicted with a disease dangerous to the health of human beings."

AMENDMENT NUMBER THREE

On page 2, line 11, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "6".

AMENDMENT NUMBER FOUR.

On page 2, line 14, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "7".

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr Hornblower asked for, and was granted, unanimous consent to take up Senate Bill No. 516, at this time, without reference to printer or file.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED SIXTEEN.

Senate Bill No. 516—An act to provide for the inspection and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places, to declare the urgency thereof and provide that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 516 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder,

Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Zion—63.
NOES—Alter, Evans, Hatch and Wright—4

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 477—An act to amend sections 2 and 5 of an act entitled "An act providing for the supervision of dams by the Department of Public Works through the State Engineer for the purpose of safeguarding life and property, defining powers and duties concerning the supervision of dams, providing for the enforcement of said supervision and providing penalties for violations thereof and making an appropriation therefor," approved June 10, 1929, relating to the definition of the word "dam" as used in said act and to filing fees charged thereunder.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 477 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Scudder, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—58.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 666—An act to amend sections 4.161, 4.181 and 4.190 of the School Code, and to add a new section to said code, to be numbered 4.162, all relating to county school funds

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 666 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Scudder, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—58
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At four o'clock and fifty minutes p. m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Senate Bill No. 373—An act to add a new section to the Political Code to be numbered 661½, relating to the powers of the Director of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 373 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 323—An act to amend sections 1, 2, 3, 4, 7, 11, 12, 13, 15, and 17 and to repeal section 3½ of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the practice of pharmacy.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 323 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Roberts, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 1165—An act to add section 135b to the Bank Act, defining and regulating the business of banking.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 1165 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 480—An act to provide for the organization and operation of placer mining districts.
Bill read third time.
The question being on the passage of the bill.

The roll was called, and Senate Bill No. 480 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crowley, Dempster, Feigenbaum, Gilmore, Grubbs, Hallner, Hatch, Hunt, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Patterson, Peterson, Rawls, Redwine, Roberts, Robinson, Samuel E, Stream, Sullivan, Tournoux, Turner, Utt, Williamson, Woolwine, Wright and Mr. Speaker—48.

NOES—Clowdsley, Fisher, Frazier, Hoffman, Nielsen, O'Donnell, Roland, Thorp, West and Zion—10.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 912—An act relating to irrigation districts of the first class and providing for the organization, operation and powers thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 912 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E, Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright and Mr. Speaker—66.

NOES—Nielsen and West—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 380—An act granting to the City and County of San Francisco certain land within the limits of Lewis Street in the City and County of San Francisco, State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 380 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 404—An act to amend section 53 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp or overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such

districts," approved March 20, 1903, as amended, and relating to compensation of directors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 404 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 400—An act to add a new section to the Political Code, to be numbered 3714b, relating to annual financial estimates from special tax and assessment districts.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Craig:

AMENDMENT NUMBER ONE.

On page 2, line 25, of the printed bill, as amended, strike out the period in said line, and insert in lieu thereof a comma and the following: "or districts formed under an act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein", approved May 29, 1915."

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Craig asked for, and was granted, unanimous consent to take up Senate Bill No. 400, at this time, without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 400 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—62

NOES—Brock, Cassidy, Latham and Stream—4.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Frazier gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 400 was this day passed.

Senate Bill No. 736—An act to amend sections 1270 and 1272 of the Fish and Game Code, relating to deer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 736 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 489—An act to amend section 613 of the Fish and Game Code, relating to trout.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 489 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 548—An act to amend section 2187 of the Political Code, relating to the transfer of inmates between State institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 548 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 918—An act to amend section 801 of the Fish and Game Code, relating to abalones.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Burns moved that Senate Bill No. 918 be withdrawn from file, and ordered re-referred to Committee on Fish and Game.

The question being on re-referring Senate Bill No. 918 to Committee on Fish and Game.

Motion carried.

Senate Bill No. 918 ordered re-referred to Committee on Fish and Game.

MOTION TO RE-REFER.

Mr. Cobb moved that Assembly Bill No. 1012 be withdrawn from file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 1012 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 1012 ordered re-referred to Committee on Ways and Means.

MOTION TO RE-REFER.

Mr. Cobb moved that Senate Bill No. 142 be withdrawn from file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Senate Bill No. 142 to Committee on Ways and Means.

Motion carried.

Senate Bill No. 142 ordered re-referred to Committee on Ways and Means.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Phillips:

RESOLUTION.

Resolved That the Controller be and he is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Bureau of Purchases	$205 03
Cascade Towel Supply Company	74 00
Department of Finance, prorate telephone service, April	22 31
Hart's Lunch, Incorporated, lunch furnished members	61 55
J. C. Hobrecht Company, service loud speaker	5 95
J. C. Hobrecht Company, installing loud speaker	41 35
L. H. Bennett Company, Kent water coolers	20 00
Yellow Cab Company, taxi service, Sergeant-at-Arms	1 00
McNeil Taxi Service, taxi service, Sergeant-at-Arms	50
Hotel Senator, lunch served members	71 00
Bureau of Purchases	150 53

Resolution ordered referred to Committee on Contingent Expenses.

Also:

By Mr. Phillips:

RESOLUTION.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum

of three hundred dollars ($300), said amount being for the payment of postage, telegraphing, expressage and individual expenses of the Chief Clerk's office.

Resolution ordered referred to Committee on Contingent Expenses. By Messrs. Cottrell and Kallam:

RESOLUTION.

Providing for the appointment of a committee to investigate and report on dismissals from service in the State Motor Vehicle Department and the method of trial employed for alleged misconduct in said department and in the State Highway Patrol.

WHEREAS, Charges and rumors of unfairness, favoritism, prejudice and undue influence have been publicly made in connection with certain dismissals or trials for misconduct in the said Motor Vehicle Department; and

WHEREAS, Said rumors have created unrest and suspicion among the employees thereof, having a tendency to destroy the morale of the department and the efficiency of the service; and

WHEREAS, In order to enact legislation to remedy these conditions, if found to exist, it is advisable that a committee be appointed to study the said several matters and to report back its findings when the Assembly again reconvenes; now, therefore, be it

Resolved, by the Assembly of the State of California, That a committee consisting of three members of the Assembly to be appointed by the Speaker of the Assembly investigate aforementioned questions and report back its findings to this Legislature when it again reconvenes or as soon as may be convenient; and be it further

Resolved, That said committee shall proceed at once by the election of one of its members as chairman, and by the selection of a secretary, and shall proceed with said investigation in the manner to be determined by said committee; and be it further

Resolved, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and objects hereinabove referred to, said committee is hereby authorized and empowered to require the production of persons, books, agreements, documents, records and papers of every kind, to issue subpenas, and to take all necessary means to compel the attendance of witnesses, and to procure testimony, and the members of said committee are and each of them is hereby authorized to administer oaths; and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code of the State relative to the attendance and assemblage of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution. That said committee be and is hereby given leave to sit during the Legislature and during the recess, either at the Capitol or at such other place, or places, as said committee shall from time to time designate.

Resolved, That the sum of five hundred dollars ($500), or so much thereof as may be necessary, is hereby appropriated and made available for the actual necessary expenses of the committee, and the members thereof, incurred in the performances of duty hereunder, payable out of the contingent funds of the Assembly; to be disbursed upon Controller warrants drawn upon the order of the chairman of the committee.

Mr. Cottrell moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Gilmore, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tourneux, Turner, Utt, Williamson, Wright, Zion and Mr. Speaker—58.

NOES—Bowers, Nielsen, Peterson, Rawls and West—5.

THIRD READING OF ASSEMBLY BILLS (RESUMED).

Assembly Bill No. 1803—An act to amend section 172a of the Penal Code, relating to the selling, giving away, or exposing for sale of any vinous or alcoholic liquors upon or within one and one-half miles of the university grounds of any university having an enrollment of more

than one thousand students, more than five hundred of whom reside or lodge upon said university grounds.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Morgan:

AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill, as amended, strike out the period, and insert a comma and the following: "except within the distances of the grounds belonging to the University of California at Berkeley or within the limits of the grounds adjacent and belonging thereto."

The question being on the adoption of the amendment.

Amendment refused adoption.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1803 passed by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Callahan, Cassidy, Cobb, Cottrell, Crist, Cronin, Feigenbaum, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Powers, Rawls, Robinson, C. Ray; Rogers, Scudder, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Mr. Speaker—48.

NOES—Alter, Bowers, Brock, Chatters, Clowdsley, Craig, Evans, Field, Fisher, Greene, Hatch, Latham, Martin, Miller, Eleanor; Morgan, Patterson, Redwine, Riley, Robinson, Samuel E., Roland, Stream, Utt, Wright and Zion—24.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At six o'clock and twenty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Powers.

The roll of absentees was called, and Senate Bill No. 336 was refused passage by the following vote.

AYES—Alter, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Dempster, Hunt, Jones, King, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Sullivan, Tournoux, Turner and West—34.

NOES—Anglim, Badham, Bowers, Cobb, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Miller, James A., Morgan, Phillips, Redwine, Riley, Roberts, Roland, Scudder, Stream, Thorp, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—45.

NOTICE OF RECONSIDERATION.

Mr. Powers gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 336 was this day refused passage.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 28—Relative to hours of employment of persons on interstate carriers.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 28, at this time, without reference to committee or file

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER TWENTY-EIGHT.

Senate Joint Resolution No. 28—Relative to hours of employment of persons on interstate carriers.

The question being on the adoption of Senate Joint Resolution No. 28.

The roll was called, and Senate Joint Resolution No. 28 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—70

NOES—None

Title read and approved.

Senate Joint Resolution No 28 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No 28.

Relative to hours of employment of persons on interstate carriers.

WHEREAS, Under the provisions of the laws of the United States persons employed on interstate railroads are required to remain on duty sixteen consecutive hours; and

WHEREAS, Such extended period of continuous employment tends to the physical exhaustion and the consequent inefficiency of such employees, increasing the danger of mishap; therefore be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of this State hereby urges upon the Congress of the United States the adoption of a law limiting the hours of employment of such persons to twelve consecutive hours in any twenty-four consecutive hours, and declaring that such employees shall remain off duty at least twelve consecutive hours.

REPORTS OF STANDING COMMITTEES—(RESUMED)

The following reports of standing committees were received and read:

ON RULES

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Senate Bill No. 866—An act to repeal an act entitled "An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance; prescribing the powers and duties of said officials in relation to such bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor," approved June 5, 1931;

Also: Senate Bill No. 634—An act to provide for the establishment of the coast line of the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be replaced on calendar

ROBINSON, C. RAY, Chairman

The above reported bills ordered replaced on daily calendar.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 115—A resolution to propose to the people of the State of California an amendment to the Constitution of this State, by repeal-

ing section 2 and amending section 7 of Article IX thereof, relating to education—and reports that the same has been correctly re-engrossed

PATTERSON, Chairman.

Assembly Constitutional Amendment No. 115 ordered on file for adoption.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 33—Relative to memorializing Congress to enact legislation authorizing the use of a commodity standard of value to supplement the gold dollar as the standard of value—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Joint Resolution No 33 ordered on file for adoption.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 26—Relative to an advisory committee to study and recommend procedure of regulatory and service agencies of county, State, and Federal governments pertaining to wild life conservation and administration and the relationships of pest control thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

ROBINSON, C. RAY, Chairman

Senate Concurrent Resolution No. 26 ordered on file for adoption.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 314—An act to amend section 737u of the Political Code, relating to the salary of the superior judge in and for the county of Marin,

Also: Senate Bill No. 545—An act to amend section 4290 and to repeal sections 4175 and 4176 of the Political Code, relating to fees and salaries of sheriffs;

Also: Senate Bill No. 999—An act to add sections 463 to 469d, inclusive, to the Political Code, and to repeal an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State, and to repeal all acts or parts of acts in conflict with this act." approved April 12, 1923, all relating to the deposit in banks of money belonging to or in the custody of the State;

Also: Senate Bill No. 1109—An act to repeal sections 2.1391, and 2.1398 of the School Code, to repeal Chapter IV of Part I of Division IV of said code, embracing sections 4.60, 4.70, and 4.71, and to repeal an act entitled "An act relating to the finances of the State Board of Education," approved May 4, 1929, thereby abolishing the State schoolbook fund, providing for the transfer of any moneys remaining therein to the general fund, and making an appropriation for the support of the Textbook Division.

Also: Senate Bill No. 1017—An act to amend section 737m of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Imperial;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LEVEY, Chairman.

The above reported bills ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933

MR SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 236—An act to amend sections 5.720 and 5.790 of the School Code, relating to leaves of absence of employees of school districts;

Also Senate Bill No. 237—An act to amend section 4.380 of the School Code, relating to school district fund statements;

Also: Senate Bill No. 239—An act to repeal sections 3.321, 3.322, 3.323, 3.324, 3.339 and 4.223 of the School Code, to add thereto new sections to be numbered 4.891–1 and 4.891–2, and to amend sections 4.896 and 4.898 thereof, all relating to county high school funds;

Also: Senate Bill No. 240—An act to amend sections 4.347, 4.349, and 4.350 of the School Code, relating to requisitions on school district funds;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ROLAND, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 54—An act to add a new article to Chapter VII of Part III of Division V of the School Code, to be numbered Article III, comprising sections 5.670 and 5.671, relating to change of employment of permanent employees;

Also: Senate Bill No. 745—An act to amend sections 2.878 and 2.881 of Article I, Chapter II, Part II, Division II, of the School Code of the State of California, relating to school district elections;

Also: Senate Bill No. 233—An act to add a new section to the School Code to be numbered 6.544, relating to school district library funds;

Also: Senate Bill No. 234—An act to amend section 4.131 of the School Code, relating to the migratory school revolving fund;

Also: Senate Bill No. 242—An act to amend sections 2.676 and 2.680 of the School Code, and to repeal section 2.677 thereof, all relating to elections for the formation of junior college districts;

Also: Senate Bill No. 235—An act to repeal sections numbered 1.60 to 1.66, both numbers inclusive, of the School Code, and Chapter 267 of the Statutes of 1919 entitled "An act to provide for the registration of minors," all relating to the registration of minors.
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ROLAND, Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 1054—An act to amend sections 93, 493, 534, 616, 619, and 1272 and to repeal section 94 of the Fish and Game Code relating to fish and game—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ZION, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933

MR SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 366—An act to amend sections 4254b, 4254c, 4254f and 4254k of the Political Code, relating to compensation of county and township officers in counties of the twenty-fifth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

BROCK, Chairman

The above reported bill ordered on file for second reading.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933

MR SPEAKER: Your Committee on Crime Problems, to which was referred Senate Bill No. 1039—An act to define and punish the crime of gangsterism—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Crime Problems, to which was referred Senate Bill No. 263—An act to add a new section to the Penal Code, to be numbered 487a, relating to the commission of a series of petit thefts by the same person—has had

the same under consideration, and respectfully reports the same back, and recommends that it do pass

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 168—An act relating to the revenues and expenditures of irrigation districts of the first class and providing for the budgeting of such expenditures—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 70—An act to amend section 1151 of the Fish and Game Code, relating to hunting and fishing at night:

Also: Senate Bill No. 454—An act to amend sections 847, 886, and 927 of the Fish and Game Code and to add thereto sections 493.5, 744 and 744.5, 842.5, 842.6, 867, 868, 927.5, 1000, and 1001, and to repeal section 714 thereof relating to fish and game;

Has had the same under consideration, and respectfully reports the same back with recommendation that they do pass as amended.

ZION, Chairman.

The above reported bills ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 566—An act to add a new article to Chapter I of Part IV of Division II of the School Code to be known as Article II, embracing sections 2.1365 and 2.1366, relating to the State Council of Educational Planning and Coordination;

Also: Senate Bill No. 759—An act to provide for the adoption and use of a uniform fire alarm code signal in all public, private or parochial schools;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

ROLAND, Chairman.

The above reported bills ordered on file for second reading.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: Your Committee on Crime Problems, to which was referred Senate Bill No 686—An act to add a new section to the Penal Code to be numbered 19a, relating to the maximum period of confinement in a county jail—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER SACRAMENTO, May 10, 1933

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 124—An act to amend sections 3.480, 3.481 and 3.482 of the School Code, relating to tuition charges for adults—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

ROLAND, Chairman.

The above reported bill ordered on file for second reading.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Senate Bill No. 904—An act to amend section 269b of the Penal Code, relating to

adultery—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

MILLER, ELEANOR, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 85—An act to amend School Code section 4375, relating to the maximum rate of school district taxes—has had the same under consideration, and respectfully reports the same back, without recommendation, and requests that it be re-referred to Committee on Rules.

ROLAND, Chairman.

The above reported bill ordered re-referred to Committee on Rules.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 10, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No 125—An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 125 read first time, and referred to Committee on Revenue and Taxation.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 27—Relative to legislation by Congress to limit the jurisdiction of the Federal courts in suits brought to restrain State officers in the enforcement of public utility rate orders

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Joint Resolution No. 27 read, and referred to Committee on Public Utilities.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 315—An act relating to employers and employees, declaring public policy in respect to voluntary agreements between them, prohibiting certain agreements between them in respect to membership in employer organizations or in labor organizations, defining the rights, privileges and obligations of employers and employees in labor disputes, defining and limiting the jurisdiction of courts, including courts of equity, in cases involving or incident to or growing out of labor disputes, and prescribing means for enforcement of the provisions of the act—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1574—An act to amend section 985 of the Political Code, relating to official bonds—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2073—An act to amend section 1 of an act entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, relating to the refunding of indebtedness of any incorporated city or town other than cities of the first class or of any department, board or special fund thereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also.

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 19—An act to memorialize Congress to set aside February 15th, as a national holiday to commemorate the birthday of Susan B Anthony.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Joint Resolution No. 19 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 278—An act to add a new section to the Penal Code of California, to be known as section 1510 1, relating to the powers and duties of coroners and to the custody of dead bodies,

Also Assembly Bill No. 2135—An act to amend section 12 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897, relating to admissions to the Veterans' Home,

Also: Assembly Bill No. 2309—An act to amend section 3 of the California Veterans' Welfare Act, approved May 30, 1921, as amended, relating to veterans and the Veterans' Welfare Board;

Also: Assembly Bill No 2134—An act adding one new section to the Political Code, to be section 4041 26 thereof, relating to the jurisdiction and powers of boards of supervisors;

Also: Assembly Bill No 819—An act to amend section 4039 of the Political Code, relating to records kept by the board of supervisors;

Also: Assembly Bill No. 429—An act to amend section 19a52 of the Juvenile Court Law, relating to probation officers in counties of the fifty-second class;

Also: Assembly Bill No. 430—An act to amend section 4281 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-second class;

Also. Assembly Bill No 431—An act to amend section 2822x52 of the Political Code, relating to the office of the agricultural commissioner in counties of the fifty-second class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1443—An act to validate the organization and bonds of municipal improvement districts formed under the Municipal Improvement District Act of 1927 and providing for the levy of a tax to pay the same—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2360—An act authorizing boards of supervisors to pay principal or interest, purchase or redeem, bonds the proceeds of which have been used for the acquisition, improvement or maintenance of parks within their respective counties or cities and counties—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1719—An act to secure payment of claims of persons employed by contractors upon public works and claims of persons who furnish materials, supplies, teams, vehicles, implements or machinery used or consumed by such contractors in the performance of such works, prescribing the duties of certain public officers in respect thereto, and providing for the manner and procedure of the enforcement of such claims, and to repeal an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 934—An act to add section 356a to the Political Code, relating to State officers or employees performing work or services for more than one State agency—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 15—Relative to General Pulaski's Memorial Day.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

Assembly Concurrent Resolution No. 15 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 98—Proposed amendment to Article VI of the Constitution, relative to a resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding a new section to Article VI to be known as section 8½, relating to the election of judges of the superior courts of certain counties, the terms of office of such judges, and the filling of vacancies in such offices

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Constitutional Amendment No. 98 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Senate Bill No. 5—An act to call a special election to be held on Tuesday, the twenty-seventh day of June, 1933, for the purpose of submitting to the qualified electors of this State certain amendments to the Constitution of this State proposed by the Legislature at its fiftieth regular session and for the purpose of electing delegates to a convention to consider and pass upon a proposed amendment to the Constitution of the United States and to provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

MOTION TO PRINT.

On motion of Mr. Robinson, C. Ray, the Chief Clerk was instructed to have printed 2500 copies of Assembly Constitutional Amendment No. 16; also 2500 copies of Assembly Bill No. 241.

ADJOURNMENT.

At six o'clock and fifty-nine minutes p.m., on motion of Mr. Clowdsley, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, May 11, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, May 11, 1933.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr Crist, its further reading was dispensed with

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. West, Miss June Hucke and members of the eighth grade of the Pleasant Grove School were extended the privilege of the floor of the Assembly for this day

Through the courtesy of Mr. Feigenbaum, Vincent K. Butler III and Lewis H. Butler of San Francisco, California, were extended the privilege of the floor of the Assembly for this day

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the San Francisco Bar Association, grand jury, Civic League of Improvement Clubs and Associations, San Francisco Labor Council and Building Trades Council, indorsing the principle that the reduction of judicial salaries should not exceed 10 per cent.

Also:

By Mr. Speaker:

From Mary Greer Conklin, Long Beach, California, relative to impeachment.

Petition ordered referred to Committee on Judiciary

Also:

By Mr. Speaker:

From California Citizens Committee for State Humane Pound Legislation, Southern branch, favoring passage of Senate Bill No. 674.

(Signed) ANNA C. WINLOW,
And 125 others.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No 108—An act to add a new section to the Code of Civil Procedure, to be numbered 692a, relating to deficiency judgments,

Also: Senate Bill No. 523—An act to amend sections 3a, 7, and 13 of the Juvenile Court Law, relating to juvenile courts and wards thereof;

Also Senate Bill No. 524—An act to amend section 8 of the Juvenile Court Law, relating to juvenile courts and wards thereof;

Also: Senate Bill No. 1046—An act to amend section 963 of the Code of Civil Procedure, relating to appeals;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WEST, Chairman

The above reported bills ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 10, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 318—An act to amend section 143 of the Vehicle Code, as amended, relating to applications for registration of vehicles.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 65—An act relating to the redemption of property sold to irrigation districts for delinquent assessments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 640—An act to amend section 4268 and to repeal section 4268a of the Political Code, relating to the compensation of county and township officers in counties of the thirty-ninth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No 916—An act to amend section 737q of the Political Code, relating to the salaries of judges of the superior courts.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendment to Senate Bill No. 250—An act to add a new section to the Political Code to be numbered 4056d, relating to powers and duties of board of supervisors with respect to county and township officers, deputies, assistants and employees.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 217—An act to amend sections 4263a, 4263b, 4263c, 4263d, 4263e, 4263f, 4263g, 4263h, 4263i, 4263k, 4263l, 4263m, 4263o, 4263p and 4263q of the Political Code, relating to the compensation of county and township officers in counties of the thirty-fourth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No 128—An act amending section 4243 of the Political Code, relating to salaries and compensation of officers in counties of the fourteenth class

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 129—An act to amend section 2322x14 of the Political Code, relating to the office of agricultural commissioner in counties of the fourteenth class

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 156—An act to amend section 4258 of the Political Code, relating to compensation of county and township officers in counties of the twenty-ninth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 157—An act to amend section 9a29 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909,

and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to librarians in counties of the twenty-ninth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 658—An act to amend sections 737gg and 737ll of the Political Code, relating to the compensation of judges of the superior court.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 735—An act to amend sections 1204 and 1209 of the Fish and Game Code, relating to ducks and geese.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 691—An act to amend sections 2, 3, 4, 5, 6 and 13 of and to add a new section 15 to an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as 'The Reciprocal or Interinsurance Act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee," approved December 24, 1911,' approved May 26, 1917, as amended," approved June 3, 1921.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 216—An act to amend section 2322x34 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-fourth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 195—An act to amend section 307 of the Agricultural Code, relating to meat inspection.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 767—An act to amend sections 1 and 5 of an act entitled "An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation thereof," approved June 19, 1931, relating to motor boat regulation.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1192—An act to amend section 4283 of the Political Code, relating to compensation of county officers in counties of the fifty-fourth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 732—An act to provide for the organization and conduct of nonprofit cooperative associations to engage in the marketing, handling, and distribution of fish and fishery products.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1337—An act to amend section 692 of the Political Code, relating to the approval of contracts by the Director of Finance; Also: Assembly Bill No. 1559—An act to create the State Advisory Commission on Indian Affairs, to prescribe its membership and its powers and duties, and to make an appropriation therefor.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 53—Relative to approving one certain amendment to the charter of the city of Los Angeles in the county of Los Angeles, State of California, voted for and ratified by the electors of said city at a special election held therein on the second day of May, 1933.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Concurrent Resolution No 53 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 1036—"An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by amending sections numbered 4, 5, 9, 10, 12, and 26, and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: section 22a, relating to levy of special assessments, in county water districts; section 22b, relating to special rates of assessment in certain cases; section 22c, relating to assessing and collecting the cost of works in the manner provided in the "Improvement Act of 1911"; sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, relating to the optional levy and collection of taxes by county water districts through the district's own officers rather than with county taxes; section 52, relating to the raising and payment by a county water district of assessments levied by an irrigation district within which is included a part of the lands within such county water district; and section 54, relating to short title of this act—and appointed Senators Difani, Mixter and Schottky, as a Committee on Free Conference, to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 1746—An act providing for the conveyance to the city of Santa Barbara of real property belonging to the State of California on condition that the city of Santa Barbara in exchange therefor convey to the State of California real property belonging to the city of Santa Barbara—and appointed Senators Stow, Tickle and Pierovich, as a Committee on Free Conference, to meet a like committee from the Assembly.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Constitutional Amendment No. 108—A resolution to propose to the people of the State of California an amendment to Article IV of the Constitution of said State by adding to said article a new section, to be numbered section 1a, relating to the time of taking effect of acts passed at the fiftieth regular session of the Legislature—and appointed Senators Breed, Jones and Deuel, as a Committee on Free Conference, to meet a like committee from the Assembly.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 356—An act to amend sections 3.110, 3.122, 3.140, 3.141 and 3.142 of the School Code, and to repeal section 3.112 thereof, all relating to the establishment, admission to, and discontinuance of, kindergartens—and appointed Senators Hays, Ingels and Seawell, as a Committee on Free Conference, to meet a like committee from the Assembly.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 531—An act to amend sections 2, 6, 7, 9, 14 and 18 of the "Act Concerning Cosmetology"—and requests that your honorable body recede therefrom.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 531?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 531 by the following vote:

AYES—Cottrell and Rawls—2.

NOES—Anglin, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crist, Cronin, Crowley, Dempster, Evans, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Martin, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—55.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Hoffman, McBride and Cottrell, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 531.

UNFINISHED BUSINESS.

Assembly Bill No. 2194—An act to amend section 588 of the Fish and Game Code, relating to kelp.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2194?

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 588 of the Fish and Game Code, relating to kelp."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 14, inclusive, and all of page 2, and insert in lieu thereof the following:

"SECTION 1. Section 588 of the Fish and Game Code is hereby amended to read as follows:

588 In addition to the license fee provided for in this article, every person harvesting kelp shall pay a privilege tax of one and one-half cents per ton of wet kelp harvested."

The roll was called, and Senate amendments to Assembly Bill No. 2194 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Martin, McBride, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1181—An act to amend section 3644 of the Political Code, relating to taxation of boats and vessels.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1181?

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the word "boats", and insert in lieu thereof the word "vessels".

AMENDMENT NUMBER TWO

On page 1, line 8, of the printed bill, after the word "writing", insert: "by the owner or master of such vessel".

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, after the word "ferryboats", insert: ", and vessels concerning which no such notice as hereinabove provided shall have been given,".

AMENDMENT NUMBER FOUR.

On page 1, line 3, of the printed bill, as amended, after the word "vessels", strike out the comma, and insert the words "not exempt from taxation under the provisions of the Constitution,".

AMENDMENT NUMBER FIVE

On page 1, line 11, of the printed bill, as amended, strike out the word "Vessels", and insert in lieu thereof the words "Such vessels as are".

The roll was called, and Senate amendments to Assembly Bill No. 1181 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Martin, McBride, Meeker, Miller Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1567—An act to amend section 4246 of the Political Code, relating to compensation of county and township officers in counties of the seventeenth class.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1567?

AMENDMENT NUMBER ONE.

On page 3, line 40, of the printed bill, as amended, after "thousand", insert the following "four hundred".

AMENDMENT NUMBER TWO.

On page 3, line 41, of the printed bill, as amended, strike out "which", and insert in lieu thereof the following: "such".

AMENDMENT NUMBER THREE.

On page 3, line 44, of the printed bill, as amended, strike out the first "and", and insert in lieu thereof the following: "but one of such deputies may be employed for not to exceed eight months during any one year, said additional time to be used for reassessing, revaluing, and equalizing property for the assessment of the following year. All of such field deputies".

AMENDMENT NUMBER FOUR.

On page 3, line 45, of the printed bill, as amended, strike out ". The", and insert in lieu thereof the following: ", and the".

AMENDMENT NUMBER FIVE.

On page 3, line 46, of the printed bill, as amended, strike out "which", and insert in lieu thereof the following: "such".

AMENDMENT NUMBER SIX.

On page 4, line 1, of the printed bill, as amended, after "thousand", insert the following: "four hundred".

The roll was called, and Senate amendments to Assembly Bill No. 1567 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Martin, McBride, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stanward, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—None

The above reported bill ordered to enrollment.

Assembly Bill No. 1352—An act to revise an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any State structure, building, road, or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1352?

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, as amended in the Assembly April 22, 1933, strike out lines 25 and 26, and insert in lieu thereof the following: "fail to execute the same, such cash, cashier's check, certified check or bidder's bond shall be forfeited to the State of California and the same".

AMENDMENT NUMBER TWO.

On page 6, line 29, of the printed bill, as amended in the Assembly April 22, 1933, after the word "price," insert the following: "except as otherwise provided in the California Toll Bridge Authority Act,".

AMENDMENT NUMBER THREE.

On page 6 of the printed bill, as amended in the Assembly April 22, 1933, strike out all of lines 47 to 52, both inclusive, and on page 7, strike out all of lines 1 to 32, both inclusive, and insert in lieu thereof the following:

"If at any time in the opinion of the Director of Public Works the contractor has failed to supply a sufficiency of properly skilled workmen, or of material of proper quality, or has failed in any other respect to prosecute the work with the diligence and force specified in and by the terms of the contract, said director may, after written notice of at least five days to the contractor, specifying the defaults to be remedied, provide any such labor or materials and deduct the cost thereof from any moneys due or thereafter to become due to the contractor under the contract.

If the said director shall consider that such failure is sufficient ground for such action, he may give written notice to the contractor and the contractor's surety or sureties, of at least five days, that if such default or defaults be not remedied the contractor's control over the said work will be terminated, and in case such default is not so remedied within the time specified in said notice, the contractor's control shall terminate as of said time, and thereupon the said director, or his duly author-

ized representatives, may take possession of all or any part of the contractor's materials, tools, equipment, and appliances upon the premises and use the same for the purpose of completing said contract, and may complete said work, doing all or any part thereof by day's labor or by employing another contractor or contractors on *informal contracts, or both. Such informal contracts shall only be awarded after a* proposal form has been prepared, a copy thereof served upon the said contractor, and three days allowed thereafter so that said contractor may have opportunity to cause others to bid. Any person may bid on such informal contracts who is prequalified therefor as provided in section 11 hereof. None of the provisions of this act, except as to prequalification, shall apply to the award of such informal contracts.

In case the control of the contractor over such contract is terminated, or in case the contractor abandons the work, he shall not be entitled to receive any further balance of the amount to be paid under the contract until the same shall be fully completed, at which time, if the unpaid balance shall exceed the amount expended by the State in finishing the work, together with all damages sustained or to be sustained by the State, the excess not otherwise required by law to be retained shall be paid to the contractor, but if such expense and damages exceed the unpaid balance, the contractor and his surety shall be liable to the State therefor.

On the completion of the contract, the original contractor shall be entitled to the return of all his unused materials, and his equipment, tools, and appliances, except that he shall have no claim on account of usual and ordinary depreciation, loss, and wear and tear.

Any notice provided for in this section may be served on the contractor personally, or on his agent having charge of the work, or by registered mail addressed to such contractor or agent, or if such contractor or agent can not be located or their addresses are unknown, then by posting such notice in a conspicuous place upon the premises of the work."

AMENDMENT NUMBER FOUR.

On page 6 of the printed bill, as amended in the Assembly April 22, 1933, strike *out lines 12 to 20, both inclusive, and insert in lieu thereof the following:* "good and sufficient bond by the contractor to secure the payment of the claims of materialmen, mechanics or laborers, and shall contain all such other".

AMENDMENT NUMBER FIVE

On page 6 of the printed bill, as amended in the Senate May 3, 1933, strike out all of lines 28 and 29, and insert in lieu thereof the following: "good and sufficient bond by the contractor executed as surety by a corporation or corporations authorized to issue surety bonds in the State of California, which bond shall be approved by the properly authorized officer of the Department of Public Works The said bond shall be executed in a sum equal to at least one-half of the contract price, except as otherwise provided in the California Toll Bridge Authority Act or any other statute of the State of California, and shall secure the payment of the claims of laborers, mechanics or materialmen employed on the work under said contract and".

AMENDMENT NUMBER SIX.

On page 7 of the printed bill, as amended in the Senate May 3, 1933, strike out all of lines 45 and 46, and insert in lieu thereof the following:

"Works the contractor has failed to supply an adequate working force, or material of proper quality, or".

The roll was called, and Senate amendments to Assembly Bill No. 1352 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Martin, McBride, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E. Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—None

The above reported bill ordered to enrollment.

Assembly Bill No. 2073—An act to amend section 1 of an act entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, relating to the refunding of indebtedness of any incorporated city or

town other than cities of the first class or of any department, board or special fund thereof.

The question being put, Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2073?

AMENDMENT NUMBER ONE.

On page 2, line 30, of the printed, amended bill, following the word "by", insert the words "warrants or by".

AMENDMENT NUMBER TWO.

On page 3 of the printed, amended bill, following line 8, insert the following: "Any city or town authorized to refund its indebtedness under the provisions of this act is authorized to file a petition under any bankruptcy law of the United States now or hereafter enacted, and, if in such bankruptcy proceeding the refunding of the city or town indebtedness is authorized, to proceed under the provisions of this act to refund the indebtedness of such city or town."

AMENDMENT NUMBER THREE.

In the first line of the title of the printed, amended bill, following the word "amend", insert the following language: "the title and".

AMENDMENT NUMBER FOUR.

On page 1, line 1, of the printed, amended bill, immediately following the period, strike out the words "Section 1", and insert in lieu thereof the words "The title of"; on the same page, between lines 6 and 7, insert the following language: "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund indebtedness thereof, or of any department, board or agency thereof, and to issue bonds therefor and to provide for the payment of the same.

SEC. 2. Section 1 of the act mentioned in the title hereof is hereby amended to read as follows:".

AMENDMENT NUMBER FIVE.

On page 2, line 2, of the printed, amended bill, strike out the word "sums", and insert in lieu thereof the word "denominations"; on the same page, strike out all of line 23 following the period, and all of lines 24 to 29, both inclusive, and insert in lieu thereof the following language: "For the payment of the refunding bonds issued hereunder the legislative body of the municipality shall at the time of fixing the general tax levy and in the manner for such general tax levy provided, levy and collect annually, each year until said bonds are paid or until there shall be a sum in the treasury of said municipality set apart for that purpose to meet all sums coming due for principal and interest on such bonds a tax sufficient to pay the annual interest on such bonds and also such part of the principal thereof as shall become due before the time the proceeds of the next general tax levy will be available for payment thereof. The taxes herein required to be levied and collected shall be in addition to all other taxes levied for municipal purposes and shall be collected at the time and in the same manner as other municipal taxes are collected and be used for no other purpose that the payment of said bonds and accrued interest thereof."

The roll was called, and Senate amendments to Assembly Bill No 2073 were concurred in by the following vote:

AYES—Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E. Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—67.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1043—An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of waterworks systems by any political subdivision or public agency of the State authorized by law to own and operate such waterworks systems by the issuance and sale to the United States government or any agency of said

government of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; defining the terms political subdivisions and public agencies as included herein, and providing a time for the expiration of said act.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1043?

AMENDMENT NUMBER ONE.

On page 1, line 6, of the title of the printed bill, as amended, after the word "issuance", insert the following: "and sale to the United States government or any agency of said government".

AMENDMENT NUMBER TWO.

On page 1, lines 14 to 20, of the title of the printed bill, as amended, strike out the following: "providing for the exchange or refunding of revenue bonds issued hereunder; making said bonds legal investments for trust funds and other funds of insurance companies, banks, cities, cities and counties, counties and school districts, and providing for the use of said bonds as security in certain cases and as security for the deposit of public funds;".

AMENDMENT NUMBER THREE.

On page 2, line 6, of the printed bill, as amended, strike out the word "tanks", and insert in lieu thereof the word "plants".

AMENDMENT NUMBER FOUR.

On page 2, line 25, of the printed bill, as amended, after the word "ordinance", insert the following: "or resolution, as may be authorized by charter or general laws under which such political subdivision or State agency operates.".

AMENDMENT NUMBER FIVE.

On page 2, line 26, of the printed bill, as amended, after the word "ordinance", insert the words "or resolution".

AMENDMENT NUMBER SIX.

On page 2, line 33, of the printed bill, as amended, change the word and figure "forty (40)" to read "fifty (50)".

AMENDMENT NUMBER SEVEN

On page 2, line 34, of the printed bill, as amended, after the word "ordinance", insert the words "or resolution"

AMENDMENT NUMBER EIGHT.

On page 2, line 35, of the printed bill, as amended, after the word "ordinance", insert the words "or resolution".

AMENDMENT NUMBER NINE.

On page 2, line 35, of the printed bill, as amended, after the word "statutory", strike out the word "mortgage".

AMENDMENT NUMBER TEN.

On page 2, line 46, of the printed bill, as amended, after the word "depreciation", insert the words "or reserve".

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill, as amended, strike out all of lines 3 to 33, inclusive, and insert in lieu thereof the following:

"SEC. 4 Said ordinance or resolution shall also provide for the calling of, and call an election for the submission of the question of the issuance of said revenue bonds for the purpose set forth in said ordinance or resolution to the qualified electors within said political subdivision or public agency, and if at said election two-thirds of the votes cast shall be in favor of the issuance of said revenue bonds, the said ordinance or resolution shall go into immediate effect, otherwise said ordinance or resolution shall be null and void Provided, however, should the proposition so submitted at such election fail to receive the requisite number of votes of the qualified voters voting at such election to incur the indebtedness for the purpose specified, the legislative body of such political subdivision or public agency shall have no power or authority within one year after such election to call or order another election for

incurring any indebtedness for the acquisition, construction or completion of improvements or property substantially the same as voted upon at such prior election, unless a petition signed by at least fifteen per centum of the qualified electors of such political subdivision or public agency computed upon the total number of votes cast therein for all candidates for Governor at the last preceding election at which a Governor was elected, be filed with the legislative body of such political subdivision or public agency, requesting that said proposition or a proposition substantially the same, be submitted at an election to be called for the submission of such proposition and to be held in accordance with the provisions of this act. Said election shall be held within sixty days after the passage of said ordinance or resolution and no notice of said election need be given other than by publication of said ordinance or resolution at least once in a newspaper published in such political subdivision or public agency, not less than ten, nor more than twenty days before the date of said election, or if there be no newspaper published therein, then by posting such ordinance or resolution in three public places therein, not less than ten, nor more than twenty days before the date of said election. Except as otherwise provided herein, said election shall be held in accordance with the provisions of the general law."

AMENDMENT NUMBER TWELVE.

On page 3, line 41, of the printed bill, as amended, strike out all of lines 41 to 50, inclusive, and insert in lieu thereof the following: "All such bonds shall be sold or negotiated only through the Reconstruction Finance Corporation of the United States government, or some other appropriate agency of said government, and in conducting negotiations for a loan from said Reconstruction Finance Corporation or other government agency, the legislative body of any political subdivision or public agency is hereby authorized to consent to such other or further conditions, not inconsistent with this act, for the operation and control of such water system and of the revenues derived therefrom as may be required by the United States government or agency thereof, as conditions precedent to the purchase of said bonds."

AMENDMENT NUMBER THIRTEEN.

On page 4, line 17, of the printed bill, as amended, after the word "constitute", insert the words "an obligation of such political subdivision or public agency other than to pay the same out of the revenues pledged therefor, and shall not constitute".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 37, of the printed bill, as amended, strike out the word "forty", and insert in lieu thereof the word "fifty".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 40, of the printed bill, as amended, after the word "statutory", strike out the word "mortgage".

AMENDMENT NUMBER SIXTEEN.

On page 4, line 45, of the printed bill, as amended, strike out the word "mortgage".

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 50, of the printed bill, as amended, strike out the word "mortgage".

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 3, of the printed bill, as amended, after the word "action", strike out the words "may appoint a", and all of line 4, and insert in lieu thereof the words "shall require".

AMENDMENT NUMBER NINETEEN.

On page 5, line 5, of the printed bill, as amended, strike out the words "with power".

AMENDMENT NUMBER TWENTY.

On page 5, line 9, of the printed bill, as amended, after the word "ordinance", insert the words "or resolution"

AMENDMENT NUMBER TWENTY-ONE

On page 5, line 10, of the printed bill, as amended, after the word "bonds", strike out the period, and insert the following "and the court may in its discretion designate and appoint an elective or appointive officer of said political subdivision or public agency to carry out any orders which the court may make, as authorized herein."

AMENDMENT NUMBER TWENTY-TWO

On page 6, line 4, of the printed bill, as amended, after the word "ordinance", insert the words "or resolution".

AMENDMENT NUMBER TWENTY-THREE.

On page 8 of the printed bill, as amended, strike out lines 8 to 42, inclusive.

AMENDMENT NUMBER TWENTY-FOUR.

On page 8, line 43, of the printed bill, as amended, change the figure "15", to figure "14".

AMENDMENT NUMBER TWENTY-FIVE.

On page 8, line 45, of the printed bill, as amended, after the word "ordinance", insert the words "or resolution".

AMENDMENT NUMBER TWENTY-SIX.

On page 8, line 47, of the printed bill, as amended, strike out "a refer-", and on page 8, line 48, strike out "endum", and insert in lieu thereof the word "an".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 9 of the printed bill, as amended, strike out all of line 18, after the word "election", and all of lines 19 and 20, and the word "held", in line 21.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 9, line 40, of the printed bill, as amended, strike out the figure "16", and insert in lieu thereof the figure "15".

AMENDMENT NUMBER TWENTY-NINE.

On page 10, line 3, of the printed bill, as amended, after the word "unconstitutional", include the following.

"SEC. 16. This act shall expire four years from the date of its going into effect and shall thereafter have no further validity except as to bonds authorized under the provisions of this act prior to the expiration of said four-year period."

AMENDMENT NUMBER THIRTY.

On page 1 of the title of the printed bill, as amended, after the word "herein", being the last word in the title of the act, strike out the period, insert a comma and add the following: "and providing a time for the expiration of said act."

AMENDMENT NUMBER THIRTY-ONE.

On page 2, line 15, of the printed bill, as amended, after the word "district", insert a comma and add the following: "irrigation district, reclamation district, water conservation district".

AMENDMENT NUMBER THIRTY-TWO.

On page 2, line 16, of the printed bill, as amended, after "divisions", insert a comma and the words "public corporations".

AMENDMENT NUMBER THIRTY-THREE.

On page 4, line 18, of the printed bill, as amended, after the word "once", strike out the remainder of line 18, and all of line 19, and in line 20, strike out the following: "than twenty days before the date of said election," and insert in lieu thereof the following "a week for four weeks in a daily newspaper printed and published in such political subdivision or public agency, publication to be completed not less than ten days before the date of said election; provided, however, that if there be no daily newspaper within the territory covered by such political subdivision or public agency, the notice of such election may be published in a weekly newspaper printed and published therein,".

AMENDMENT NUMBER THIRTY-FOUR.

On page 5, line 43, of the printed bill, as amended, after the word "issuance", add the following: "If any bonds are issued pursuant to this act, or any amendment thereof, it shall be a condition and a matter of contract, that said bonds and the interest thereon and all charges and expenses for maintenance or administration or otherwise arising out of the operation, maintenance and administration of any works constructed out of the proceeds of any bonds so issued, shall be paid exclusively out of the revenues arising from the operation of said district, and in no event shall any real or personal property, other than the operating property or physical works of the district, now or hereafter situated within said district ever be liable or taxed for any of said bonds or any of the expenses, costs or charges of said district, arising out of the operation, maintenance and administration of any works constructed out of the proceeds of said bonds so issued, and each bond shall contain as a condition thereof, this paragraph in full."

The roll was called, and Senate amendments to Assembly Bill No. 1043 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray;

Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—69.
NOES—Crist—1.

Assembly Bill No. 1574—An act to amend section 985 of the Political Code, relating to official bonds.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1574?

AMENDMENT NUMBER ONE.

On page 1, line 6 of the printed bill, strike out the words "Officers, agents and employees", and insert in lieu thereof the following: "Every officer, agent or employee".

AMENDMENT NUMBER TWO

On page 1, line 7, of the printed bill, strike out the words "by the respective appointing".

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, strike out the word "powers,".

AMENDMENT NUMBER FOUR.

On page 1, line 8, of the printed bill, strike out the word "a", and insert the following: "an individual official".

AMENDMENT NUMBER FIVE.

On page 1, line 10, of the printed bill, after the word "master", insert the word "official".

AMENDMENT NUMBER SIX.

On page 1, line 11, of the printed bill, strike out the words "officers, agents and employees", and insert in lieu thereof the words "officer, agent or employee".

AMENDMENT NUMBER SEVEN.

On page 1, line 12, of the printed bill, strike out the word "a", and insert in lieu thereof the words "an official".

AMENDMENT NUMBER EIGHT.

On page 1, line 13, of the printed bill, strike out the word "person", and insert in lieu thereof the words "officer, agent or employee".

AMENDMENT NUMBER NINE.

On page 1 of the printed bill, after the last word in line 14, add the following: "The term of any such individual official bond, and the term of coverage of any officer, agent or employee on the schedule of any such master official bond, shall not exceed one year. Each official bond whether individual or master may contain a provision to authorize the appointing power to cancel any such individual official bond or the contract of coverage of any such officer, agent or employee on the schedule of any such master official bond."

The roll was called, and Senate amendments to Assembly Bill No. 1574 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 315—An act relating to employers and employees, declaring public policy in respect to voluntary agreements between them, prohibiting certain agreements between them in respect to membership in employer organizations or in labor organizations, defining the rights, privileges and obligations of employers and employees in labor disputes, defining and limiting the jurisdiction of courts, including

courts of equity, in cases involving or incident to or growing out of labor disputes, and prescribing means for enforcement of the provisions of the act.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 315?

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, as amended, and insert in lieu thereof the following:

"An act to declare the public policy of the State in relation to agreements between employers and employees and to declare provisions in contracts of employment whereby either party undertakes not to join, become or remain a member of a labor union or of any organization of employers or undertakes in such event to withdraw from the contract of employment, to be against public policy and void"

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, strike out lines 27 to 51, inclusive, and also strike out all of pages 3, 4, 5 and 6, and on page 7 strike out lines 1 to 6, inclusive, of said bill

AMENDMENT NUMBER THREE

On page 7, line 7, of the printed bill, as amended, strike out "Sec. 137.", and insert in lieu thereof the following: "Sec. 3."

AMENDMENT NUMBER FOUR.

On page 7, line 11, of the printed bill, as amended, strike out "Sec. 14.", and insert in lieu thereof the following "Sec. 4."

The roll was called, and Senate amendments to Assembly Bill No. 315 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1719—An act to secure payment of claims of persons employed by contractors upon public works and claims of persons who furnish materials, supplies, teams, vehicles, implements or machinery used or consumed by such contractors in the performance of such works, prescribing the duties of certain public officers in respect thereto, and providing for the manner and procedure of the enforcement of such claims, and to repeal an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1719?

AMENDMENT NUMBER ONE.

On page 7, line 28, of the printed bill, as amended in the Assembly April 22, 1933, strike out the word "including", and insert in lieu thereof the following: "except".

AMENDMENT NUMBER TWO.

On page 7, line 48, of the printed bill, as amended in the Assembly April 22, 1933, strike out the period following the word "performed", and insert in lieu thereof the following ", subject to the power of the court to change the place of trial as provided in section 397 of the Code of Civil Procedure."

AMENDMENT NUMBER THREE.

On page 2, line 22, of the printed bill, as amended April 22, 1933, following the word "works", insert the following "involving an expenditure in excess of one hundred dollars."

The roll was called, and Senate amendments to Assembly Bill No. 1719 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 2360—An act authorizing boards of supervisors to pay principal or interest, purchase or redeem, bonds the proceeds of which have been used for the acquisition, improvement or maintenance of parks within their respective counties or cities and counties.

The question being put, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2360?

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, as amended in the Assembly on April 21, 1933, strike out the words "Motor Vehicle".

AMENDMENT NUMBER TWO.

On page 1, line 18, of the printed bill, as amended in the Assembly on April 21, 1933, strike out the words "Fuel License Tax Act,".

AMENDMENT NUMBER THREE.

On page 1, line 20, of the printed bill, as amended in the Assembly on April 21, 1933, strike out the word "motor".

AMENDMENT NUMBER FOUR.

On page 1, line 21, of the printed bill, as amended in the Assembly on April 21, 1933, strike out the following: "vehicle fuel license taxes or".

AMENDMENT NUMBER FIVE.

On page 2, line 5, of the printed bill, as amended in the Assembly on April 21, 1933, strike out "four-fifths", and insert in lieu thereof the word "all".

AMENDMENT NUMBER SIX.

On page 2, line 6, of the printed bill, as amended in the Assembly on April 21, 1933, strike out the following: "voting thereon".

The roll was called, and Senate amendments to Assembly Bill No. 2630 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76

NOES—None.

The above reported bill ordered to enrollment.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, May 10, 1933.

To the Honorable Members of the Assembly, California State Legislature.

SIRS: I herewith return, without my signature, Assembly Bill No 1060.

Assembly Bill No. 1060 amends section 453ee of the Civil Code, and seeks to authorize mortgage insurance companies to invest in bonds of metropolitan water districts and municipal utility districts. Section 453ee of the Civil Code was repealed by Assembly Bill No. 460, signed April 17, 1933, now Chapter 97, Statutes of 1933.

The amendment sought to be made, however, has already been incorporated by Chapter 97, Statutes of 1933, by virtue of the provision of subdivision 5 of section 453.5 thereof.

As the bill would be inoperative if signed, and its purposes are already accomplished by existing legislation, I am returning the bill without my signature.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, May 10, 1933.

To the Honorable Members of the Assembly, California State Legislature.

SIRS: I herewith return, without my signature, Assembly Bill No. 969.

Assembly Bill No. 969 makes two amendments to section 664 of the Political Code relating to the powers of the State Board of Control. By amendment the bill seeks to write into the section a power in the State Board of Control to "limit the amount of traveling expenses and allowances to be paid," and also to "fix standard types of equipment and regulate the use thereof."

The State Board of Control already has the power to limit the amount of traveling expenses and allowances under its general power to adopt rules governing the presentation and audit of demands against the State funds and appropriations, which language is stricken from the bill. The only amendment, therefore, is the new power granted to the board to fix standard types of equipment.

Several State departments are opposed to the passage of the bill, as they believe it might tend in the future to saddle upon them useless and unnecessary equipment

Respectfully submitted.

JAMES ROLPH, JR, Governor of California.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 871—An act to provide for the execution, issuance, use, redemption and cancellation of bonds by the State of California for certain State, county, city and county, city, school district, and other public purposes, for relieving unemployment, destitution, and the conditions of economic distress now prevailing, and for the supervision thereof by the proper State officers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 287—An act to provide for the constructions and completion of a causeway across the Tisdale By-pass in Sutter County, State of California, and to make an appropriation therefor.

Bill read second time, ordered to engrossment, and third reading.

HON. C. RAY ROBINSON IN THE CHAIR.

At ten o'clock and forty-five minutes a.m., Hon. C. Ray Robinson, member of the Assembly from the Thirty-third Assembly District, in the chair.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 2372—An act providing for the licensing and regulation of the business of growing and marketing Valencia oranges; creating the California Valencia Orange Marketing Control Board in

connection therewith; and prescribing penalties for the violation of the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Utt moved a call of the House.

Motion carried.

Time, eleven o'clock a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—70.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and two minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and ten minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Utt.

The roll of absentees was called, and Assembly Bill No. 2372 was passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Frazier, Gilmore, Greene, Grubbs, Hunt, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Scudder, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—57.

NOES—Bowers, Brock, Evans, Field, Fisher, Hallner, Hatch, Hoffman, Jones, Latham, Lyon, McCarthy, Redwine, Roland, Stannard, Stream, Sullivan and Williamson—18.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr Brock gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2372 was this day passed.

UNFINISHED BUSINESS—(RESUMED).

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Crist moved that the vote whereby Senate Bill No. 1111 was refused passage be reconsidered.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Crist moved a call of the House.

Motion carried.

Time, eleven o'clock and fifty-four minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—77.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

UNFINISHED BUSINESS—(RESUMED).

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Hornblower moved that the vote whereby Senate Bill No. 867 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—67.

NOES—Alter, Brock and Martin—3.

Senate Bill No. 867 ordered placed on file.

REPORT OF COMMITTEE ON FREE CONFERENCE

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

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 1746—An act providing for the conveyance to the city of Santa Barbara of real property belonging to the State of California on condition that the city of Santa Barbara in exchange therefor convey to the State of California real property belonging to the city of Santa Barbara—reports that it has met a like committee of the Senate, consisting of Senators Pierovich, Tickle and Stow, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

Strike out line 4 of the title of the printed bill, as amended, and insert in lieu thereof the following: "therefor convey or lease to the State of California real property or interests therein".

BLISS,
MAYO,
Assembly Committee on Free Conference.

PIEROVICH,
TICKLE,
STOW,
Senate Committee on Free Conference.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—75.

NOES—None

The above reported bill ordered to enrollment.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: Your Committee on Free Conference concerning Assembly Constitutional Amendment No. 10S—A resolution to propose to the people of the State of California an amendment to Article IV of the Constitution of said State by adding to said article a new section, to be numbered section 1a, relating to the time of taking effect of acts passed at the fifteth regular session of the Legislature—reports that it has met a like committee of the Senate, consisting of Senators Breed, Deuel and Jones, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendment, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed measure, as amended, strike out "bills", and insert in lieu thereof the following: "acts".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed measure, as amended, strike out "May 17, 1933", and insert in lieu thereof the following. "July 16, 1933".

AMENDMENT NUMBER THREE.

On page 1, lines 14 and 15, of the printed measure, as amended, strike out "All such bills and acts shall be subject to all provisions of this Constitution not in conflict herewith, and all", and insert in lieu thereof the following: "All".

AMENDMENT NUMBER FOUR.

On page 1 of the printed measure, as amended, strike out lines 18 to 21, inclusive, and insert in lieu thereof the following: "stitution, except that the petition therein required to be presented to the Secretary of State must be so presented within ninety days after May 22, 1933. The provisions of this Constitution not in conflict herewith shall otherwise apply to all bills and acts of the fifteth regular session of the Legislature."

PETERSON,
MEEHAN,
ROBINSON, C. RAY,
Assembly Committee on Free Conference.

JONES,
BREED,
DEUEL,
Senate Committee on Free Conference

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—77.

NOES—None.

Assembly Constitutional Amendment No. 108 ordered to enrollment.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At twelve o'clock and fifteen minutes p m., further proceedings under call of the House were dispensed with, on motion of Mr. Crist.

The roll of absentees was called, and Senate Bill No. 1111 was reconsidered by the following vote:

AYES—Alter, Badham, Bliss, Boyle, Brock, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Field, Frazier, Greene, Grubbs, Hallner, Hoffman, Kallam, King, Knowland, Latham, Lyon, Mayo, McBride, McCarthy, Morgan, O'Donnell, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, Woolwine and Mr. Speaker—45.

NOES—Anglim, Bowers, Burns, Callahan, Cassidy, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Gilmore, Hatch, Hornblower, Hunt, Jones, Levey, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Tournoux, West, Williamson and Wright—33

Senate Bill No. 1111 ordered placed on file.

THIRD READING OF SENATE BILLS.

Senate Bill No. 867—An act providing for the regulation, use, storage, and type of State-owned motor vehicles by the Board of Control and the placing of the State seal on each vehicle, relating to the use of publicly owned vehicles and providing a penalty for violation thereof.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE

On page 1, line 16, of the printed bill, as amended May 10, 1933, after the word "employment", strike out the words "shall be guilty of a misdemeanor and".

AMENDMENT NUMBER TWO.

On page 2, line 28, of the printed bill, as amended May 10, 1933, after the word "automobile" and the period, strike out all of lines 28, 29, 30 and 31.

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Senate Bill No. 867, at this time, without reference to printer or file.

CONSIDERATION OF SENATE BILL NUMBER EIGHT HUNDRED SIXTY-SEVEN.

Senate Bill No. 867—An act providing for the regulation, use, storage, and type of State-owned motor vehicles by the Board of Control and the placing of the State seal on each vehicle, relating to the

use of publicly owned vehicles and providing a penalty for violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 867 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—Morgan—1.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 248—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to and defining employees and excluding from the provisions of the act any person or persons engaged in any work or service under or in connection with any unemployment, relief, or charity project;

Also: Assembly Bill No. 254—An act to amend sections 1, 2, 3, 6, and 7 of an act entitled "An act regulating the sale, offering for sale, possession or transportation of machine rifles, machine guns and submachine guns, and providing a penalty for the violation thereof," approved May 16, 1927;

Also: Assembly Bill No. 261—An act to amend section 110a of the Code of Civil Procedure, relating to salaries of justices of the peace in townships of thirty thousand population or more in counties of the first class, and the determination of such population;

Also: Assembly Bill No. 300—An act to amend section 4041.11 of the Political Code, relating to powers and duties of boards of supervisors;

Also: Assembly Bill No. 308—An act to amend section 9 of "An act to provide for the formation, management, alteration of boundaries, and dissolution of sewer maintenance districts in unincorporated territory of counties, defining the powers of such districts and providing for the levy and collection of taxes to defray the expenses thereof," approved May 19, 1927, Statutes of 1927, page 1088;

Also: Assembly Bill No. 416—An act to amend an act entitled "An act authorizing counties to construct, improve, maintain and repair streets lying in municipalities or to aid or assist by the appropriation of money and otherwise in establishing, laying out, opening, widening, extending, straightening, constructing, improving or altering streets or changing or separating the grades thereof within municipalities or in acquiring lands, rights of way or other property necessary therefor," approved April 30, 1923 (Statutes of 1923, page 123) by amending section 1 thereof to authorize aid in the payment of bonds and/or interest thereon;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1933, at ten o'clock a.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 687—An act to amend section 4273 of the Political Code, relating to compensation of county and township officers in counties of the forty-fourth class;

Also, Assembly Bill No. 691—An act to amend section 19x44 of the Juvenile Court Law, relating to probation officers in counties of the forty-fourth class;

Also, Assembly Bill No. 751—An act to amend sections 9, 14 and 15 of "The State Bar Act," relating to the Board of Governors;

Also: Assembly Bill No. 803—An act to add a new section to be numbered 5.408 to the School Code, relating to the exchange of teachers with foreign countries;

Also: Assembly Bill No. 970—An act to add a new article to Chapter 3, Part 3, Division IV, to be numbered Article 6, embracing sections 1350, 1351, 1352 and 1353 of the Fish and Game Code, and to amend section 1410 thereof, relating to

amphibia, and to renumber present Articles 6 and 7 of Chapter 3, Part 3, Division IV,

Also Assembly Bill No. 1013—An act to amend sections 16f, 21, 37, 54, 55, 61, 96, 104 and 105 and to add sections 25a and 59 to the "Bank Act," defining and regulating the business of banking;

Also Assembly Bill No. 1032—An act to add a new section to the Political Code to be numbered 3803, relating to the cancellation of personal property tax liens on real property when wrongfully entered and providing for a reassessment thereof;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1933, at ten o'clock a m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1064—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following, to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes, to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and part of acts inconsistent therewith," approved May 5, 1931, by amending section 15 17 relating to investments authorized to be made by any borrowers' mutual building and loan association,

Also Assembly Bill No. 1078—An act to amend sections 4 371, 4 373, 4 376 and 4 377 of the School Code, and to add two new sections to the School Code, to be numbered 4 378 and 4.379, all relating to district taxes;

Also: Assembly Bill No. 1079—An act to add two new sections to the School Code, to be numbered 6 734 and 6.735, relating to cafeterias;

Also: Assembly Bill No. 1083—An act to amend sections 1, 2, 3, 6 and 14 of an act entitled "An act to define motor club service, and to define, license and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles and providing penalties for the violation thereof, and repealing all acts in conflict herewith," approved June 15, 1929, as amended, and to add thereto two new sections to be numbered sections 3 (a) and 17;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1933, at ten o'clock a m.

PATTERSON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1142—An act to amend section 5.162 of the School Code, relating to teachers' certificates;

Also: Assembly Bill No. 1334—An act to amend sections 1240 and 1241 of the Code of Civil Procedure, relating to the taking of property by the State under proceedings in eminent domain,

Also: Assembly Bill No. 1370—An act to amend sections 4, 7, 8, 9 14 of and to add new sections to be numbered 8a, 15a and 15b to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to vital statistics;

Also: Assembly Bill No 1501—An act to amend section 956 of the Code of Civil Procedure, relating to what may be reviewed on appeal from judgment;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1933, at ten o'clock a m.

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1747—An act to authorize and empower the State Director of Education, with the approval of the State Director of Finance, to sell and convey the lands and buildings now being used by the State Teachers College of Santa Barbara, and from the proceeds of such sale to improve the site for said school, acquired by the State in 1932, to erect and construct upon such site buildings and other structures and improvements necessary and proper for said school, to purchase furniture, fixtures, apparatus, and other things necessary for said school, and to rent such temporary buildings and grounds as may be necessary for the use of said school until the completion of the new school buildings;

Also: Assembly Bill No. 1756—An act to repeal section 1069 of the Fish and Game Code, relating to fish;

Also: Assembly Bill No. 1785—An act to amend sections 1201, 1202 and 1203 of the Fish and Game Code, relating to quail;

Also: Assembly Bill No. 1981—An act to amend section 479 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 2207—An act to repeal sections 716 to 719, inclusive, and to add section 716 to the Political Code, relating to the Capitol building and grounds;

Also. Assembly Bill No. 688—An act to amend section 2322x44 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fourth class;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1933, at ten o'clock a m.

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 25—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extensions of time in superior and inferior courts, declaring the urgency thereof and providing the same shall take effect immediately—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1933, at ten o'clock and thirty minutes a.m.

PATTERSON, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 1201—An act creating a district to be called "Orange County Water District" for the purpose of providing for importation of water into said district and preventing waste of water in or exportation of water from said district and providing for reclamation of drainage, storm, flood and other water for beneficial use in said district and for the conservation and control of storm and flood water flowing into said district; providing for the organization and management of said district and establishing the boundaries and divisions thereof and defining the powers of the district, including the right of the district to sue and to be sued, and the powers and duties of the officers thereof; providing for the construction of works and acquisition of property by the district to carry out the purposes of this act; authorizing the incurring of indebtedness and the voting, issuing and selling of bonds and the levying and collecting of assessments by said district; and providing for the inclusion of additional lands therein and exclusion of lands therefrom—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 161—An act to repeal section 4295a of the Political Code, relating to filing fees under the Water Commission Act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 2251—An act to provide for the inspection of warehouses where grain is stored for hire; for the sampling, examination and condemnation of infested grain and

regulating the sale thereof; defining the powers and duties of the Director of Agriculture in regard thereto and prescribing penalties for violation of the provisions hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to the Committee on Ways and Means.

MEEKER, Chairman.

The above reported bill ordered referred to Committee on Ways and Means.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 520—An act to repeal an act entitled "An act to provide for the appointment and election of one additional judge for the county of Humboldt," approved March 8, 1895—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1a of Article XIII thereof, relating to exemption of educational institutions from taxation—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1933, at ten o'clock a.m

PATTERSON, Chairman.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 256—An act to amend section 737ee of the Political Code, relating to the compensation of the judge of the superior court, Placer County;

Also: Senate Bill No. 47—An act to amend section 737p of the Political Code, relating to the salary of the superior judge of the county of Kings;

Also: Senate Bill No. 270—An act to amend section 737w of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Mendocino;

Also: Senate Bill No. 643—An act to amend section 737ff of the Political Code, relating to the compensation of the judge of the superior court, Plumas County;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LEVEY, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 1051—An act to amend section 737nn of the Political Code, relating to the salary of the superior judge in and for the county of San Luis Obispo;

Also: Senate Bill No. 255—An act to amend section 737cc of the Political Code, relating to the compensation of the judge of the superior court, Nevada County;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LEVEY, Chairman.

The above reported bills ordered on file for second reading.

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolutions by Mr. Phillips:

RESOLUTION.

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms

listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Bureau of Purchases	$205 03
Cascade Towel Supply Company	74 00
Department of Finance, prorate telephone service, April	22 31
Hart's Lunch, Incorporated, lunch furnished members	61 55
J. C. Hobrecht Company, service loud speaker	5 95
J. C. Hobrecht Company, installing loud speaker	41 35
L. H. Bennett Company, Kent water coolers	20 00
Yellow Cab Company, taxi service, Sergeant-at-Arms	1 00
McNeil Taxi Service, taxi service, Sergeant-at-Arms	50
Hotel Senator, lunch served members	71 00
Bureau of Purchases	150 53

Also:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of three hundred dollars ($300), said amount being for the payment of postage, telegraphing, expressage and individual expenses of the Chief Clerk's office.

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

PHILLIPS, Chairman.

The question being on the adoption of the report and resolution

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—74.

NOES—Hunt—1.

RESOLUTION.

The following resolution was offered:

By Mr. Lyon:

ASSEMBLY CHAMBER, May 11, 1933.

We, the undersigned members of the Assembly, do hereby petition that Senate Bills Nos. 79 and 80 be withdrawn from Assembly Committee on Public Utilities and be placed on file in the Assembly.

CHARLES W. LYON.
H. J. EVANS.
CHARLES W. STREAM.
KENT H. REDWINE
AUSTIN L. TOURNOUX.
JOHN T. RAWLS
CLARE WOOLWINE
H. S. HALLNER
S. E. ROBINSON
JAMES B. UTT.
EDWARD CRAIG.
J. J. BOYLE.
CHARLES A. HUNT.
C. DON FIELD.
C. RAY ROBINSON.
LAWRENCE COBB.
BERT V. CALLAHAN.
F. M. ROBERTS.
WALTER H. SULLIVAN.
RODNEY L. TURNER.
ELLIS E. PATTERSON.
JESSE M. MAYO.
JAMES S. O'CONNOR.
SAM M. GREENE
MAURICE MEEKER.
E. H. ZION.
L. POWERS, JR.
THORP.
F. PETERSON.
G. BOWERS.
JOHN PHILLIPS.
IRA S. HATCH.
W. E. BADHAM.
FRANK G. MARTIN.
CLIFFORD R. KALLAM.
ERNEST C. CROWLEY.
J. E. FRAZIER.
JOHN H. O'DONNELL.
GEORGE R. BLISS.
JOSEPH P. GILMORE.
CLIFFORD C. ANGLIM.

Senate Bills Nos. 79 and 80 ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Fisher:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to provide for the study of child development at the Institute of Child Welfare at Berkeley, California, under the direction of The Regents of the University of California and making an appropriation therefor.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide for the study of child development at the Institute of Child Welfare at Berkeley, California, under the direction of The Regents of the University of California and making an appropriation therefor.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Fisher: Assembly Bill No. 2425—An act to provide for the study of child development at the Institute of Child Welfare at Berkeley, California, under the direction of The Regents of the University of California and making an appropriation therefor.

Bill read first time, and referred to Committee on Rules.

RECESS.

At twelve o'clock and thirty-five minutes p m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 739—An act to amend section 2 of, and to add sections 5 and 6 to,

an act entitled "An act relative to and providing for the construction of flood control works on the Santa Ana River system and for prevention of floods and conserving of the flood waters of said river and its tributaries and making an appropriation therefor," approved June 8, 1931, and providing for the transfer of that portion of said appropriation not expended on or before the first day of January, 1934, from the county treasurer of San Bernardino County to the State Treasurer, and providing that this act shall take effect immediately.

Also: Senate Bill No. 689—An act to provide for the administration of funds of this State and of the United States government made available for the relief of destitution caused by unemployment and making an appropriation for such purpose and declaring the urgency thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

COBB, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Ways and Means, to which was referred Assembly Bill No. 2219—An act to add section 3410 to the Political Code, relating to exchange of private lands in national forests for lands of the United States located outside national forests;

Also: Assembly Bill No. 2399—An act establishing a certain additional State highway and classifying it as a secondary highway;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

COBB, Chairman.

The above reported bills ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 11, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1610—An act to amend section 6 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs, and making an appropriation therefor," approved March 11, 1907.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 354—An act to add two new sections, to be numbered 5 500a and 5 507 to the School Code, relating to teachers' tenure—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1233—An act to amend section 2322x32 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-second class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bill ordered placed on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1237—An act to

amend section 16x32 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the thirty-second class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2004—An act to add section 7½ to the State Civil Service Act, relating to the acceptance by county fire districts or municipalities of civil service provisions—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 549—An act to amend section 43 of the Public Utilities Act, relating to the powers, duties and jurisdiction of the Railroad Commission—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2270—An act to amend section 4191 of the Political Code, relating to the expenditure by boards of trustees of law libraries of surplus funds to acquire real property and erect a building thereon and to contribute from such funds to obtain adequate quarters in any building hereafter erected by the board of supervisors of the county in which such law library is maintained;

Also: Assembly Bill No. 2246—An act relating to the care and treatment of feeble-minded children in the Pacific Colony and making available for use therefor the buildings and grounds at the State Narcotic Hospital,

Also: Assembly Bill No. 1938—An act to amend sections 3, 4 and 5 of an act entitled "An act relating to lakes and streams, the waters of which contain minerals in commercial quantities; withdrawing State lands within the meander lines thereof from sale; prescribing conditions for taking such minerals from said waters and lands, and providing for the leasing of lands uncovered by the recession of the waters of such lakes and streams," approved April 27, 1911, relating to the powers and duties of the State Controller with respect thereto;

Also: Assembly Bill No. 566—An act to repeal Article III of Chapter I of Part III of Division IV of the School Code, comprising section 4.300, relating to the use of surplus funds of school districts;

Also: Assembly Bill No. 567—An act to add a new article to Chapter I of Part I of Division II of the School Code to be known as Article X, embracing sections 2.85 and 2.86, relating to the formation, annexation, consolidation, unionization, and changing of boundaries of school districts;

Also: Assembly Bill No. 568—An act to repeal sections 6.60, 6.61 and 6.62 of the School Code, to repeal section 3 of Chapter 172 of the Statutes of 1929 entitled "An act creating a Division of Schoolhouse Planning in the State Department of Education, and establishing standards for school sites and the construction and alteration of school buildings," approved April 27, 1929, and to add to the School Code two new sections to be numbered 6.60 and 6.61, relating to contracts for the erection, addition to, or alteration of school buildings.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 572—An act to amend section 2322x20 of the Political Code, relating to the salary of the agricultural commissioner, his deputies and inspectors in counties of the twentieth class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 411—An act to amend section 1174 of the Code of Civil Procedure, relating to judgments in proceedings for forcible entries, forcible or unlawful detainer—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 9, 1933, refused passage to Assembly Bill No. 1435—An act to add a new section to the Penal Code to be known as section 537i, relating to the defrauding of garage keepers.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2069—An act to add a new section to be numbered 6b to the act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, relating to examination and licensing of persons who have been engaged as apprentices—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 374—An act to provide for the construction and supervision of safe and sanitary low-cost dwellings and apartments, and for the rental or sale thereof at reasonable rates, and in connection therewith to authorize the incorporation and provide for the regulation of limited dividend housing corporations and prescribe the powers, rights and duties thereof; to regulate and limit the rate of return on securities to be issued by such corporations—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 334—An act to amend section 209 of the Penal Code, relating to the punishment of kidnaping for

purposes of extortion or robbery—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 1746—An act providing for the conveyance to the city of Santa Barbara of real property belonging to the State of California on condition that the city of Santa Barbara in exchange therefor convey to the State of California real property belonging to the city of Santa Barbara.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 11, 1933

To the Honorable Members of the Assembly of the State of California.

I have just affixed my signature to Assembly Bill No. 675 presented to me by your honorable body on Saturday, May 6, 1933, at twelve noon, and thereby approve appropriations for the support of the State government for the next biennial period I perform this act with full realization that provision has not been made by the Legislature for meeting the deficit of the current biennium nor for meeting the appropriations provided for in Assembly Bill No. 675.

The attention of the Legislature is respectfully called to the fact that this Budget Bill, which is in the main a good job well done and is the result of four months' hard labor by the Legislature, provides only for the spending of the public money. The other one-half of the legislative task is yet uncompleted, namely, the task of balancing the budget by providing the necessary revenues.

Legislation has not as yet been passed to provide revenues sufficient to meet the appropriations payable from the general fund and in addition you have before you numerous other special appropriation bills against this same fund.

The Legislature is about to take a long recess leaving that part of its task uncompleted. In my opinion, it is a grievous mistake for the Legislature to recess for a long period in the present circumstance. Such a recess is, so far as I am informed, without precedent.

Realizing that the proposed expenditures for the ensuing biennial period exceeded the estimated revenue, I recommended in the budget presented to you January 17, 1933, in accordance with section 34 of Article IV of the State Constitution, the means by which the budget could be balanced. You have not followed my recommendations in the major considerations and, therefore, I must presume that you have assumed this responsibility and have substitute plans which will effectively solve the problem of balancing the budget.

The effort to collect new and additional taxes from our people, instead of adopting the obvious, simple, businesslike course recommended by me, is the reason for the recess and will be the reason for the session to follow the recess. And, at the end of your labors, the people of the State will find that, in this critical period, with all our population in financial distress, the Legislature, while having done its work well so far as reduction of expenses is concerned, has nevertheless imposed heavy additional taxes on the people of the State who can not afford to pay them

May I urge you to give immediate consideration to the problem of balancing the budget not only for the ensuing biennium but also for the current biennium. The general fund for the current fiscal year ending June 30, 1933, is already overdrawn and it has become necessary to borrow from special funds in order to meet the usual current expenses of the State. Steps should be taken by the Legislature without delay to remedy this situation. In my budget message and in subsequent communications I have recommended that you authorize the transfer from the motor vehicle fuel tax revenues to the general fund an amount which will be equal to the requirement for the payment of interest and redemption of highway bonds for the current biennium. This would provide a sufficient amount to pay the obligations against the general fund of the State, making it possible to close the present fiscal year without a deficit.

I have also recommended and again urge that provision likewise be made to pay the interest and redemption of highway bonds for the ensuing biennium from motor

vehicle fuel tax revenues. Unless such steps are taken immediately by you, you leave no other alternative except to call for an ad valorem tax on all property in the State as is prescribed in the Constitution. The Legislature has ample authority to make the needed transfers and to provide other alternatives to solve the problem with which we are confronted.

I expressed my approval today by message to you of your suggestion to submit to the people for their vote at the special election called for June 27th the Fellom Bill just passed by you, relating to the transfer of motor vehicle tax funds.

None of the constitutional amendments to be submitted to the people now before the Legislature are necessary or in any way affect the matter of meeting the deficit for the ensuing biennium The constitutional proposals suggested to you in my budget for meeting the deficit without the imposition of any additional taxes have not been approved by you for presentation to the people. You have, therefore, assumed the responsibility of considering alternate suggestions.

The Governor is opposed to the levy of an ad valorem tax which would be merely an increase in the tax burden, believing that such a tax at this time would be in many instances of such serious consequence as to be considered in the nature of a calamity. I have consistently been opposed to the levy of any additional taxes and have recommended a procedure which, if followed, would have made possible the balancing of the State budget for the current biennium and the ensuing biennium without the necessity of levying more taxes. I again strongly urge that the Legislature eliminate the deficit for the current biennium and balance the budget for the ensuing biennium by making use of general and special fund revenues which are already available and that no new or added taxes be levied.

Thus far the Legislature has not been in accord with my proposal for the application of so much of the road tax revenues to general fund purposes as is necessary for the relief of the general fund in balancing the State budget. It is considering a number of additions to old taxes and some new taxes. May I suggest that, if these new exactions are to be levied, the present gasoline tax should be reduced by an amount equal to the additional revenue which is to be derived from the new and additional taxes, so that the net burden on the people may not be increased?

I give this counsel in a spirit of the utmost friendliness to the Legislature Whatever course you may adopt, you will find me cooperating so far as cooperation is possible, in my opinion, in the interest of the people of California I know that, whatever differences of opinion may have arisen during the course of this long session between the Governor and the Legislature, the Legislature is acting with sincere zeal for the public interest, and I know that the Governor is animated by the same sincerity and the same zeal for the public interest. These differences of opinion are not personal and should involve no acrimony.

I wish you a good rest from your labors during the coming recess and a return in July ready to close the fiftieth session of the Legislature feeling that we have accomplished beneficial results for the people whom we serve.

Very sincerely and respectfully,

JAMES ROLPH, JR, Governor of California.

RECONSIDERATION WAIVED.

Mr. Frazier waived his notice to reconsider the vote whereby Senate Bill No. 400 was passed

Senate Bill No. 400 ordered transmitted to the Senate.

APPOINTMENT OF MEMBERS TO PREPARE ARGUMENTS.

The Speaker announced the appointment of the following members to prepare arguments for and against the proposed constitutional amendments.

Assembly Constitutional Amendment No. 16: Affirmative, Assemblymen C Ray Robinson and James E Thorp; negative, Assemblyman Frank W. Wright.

Assembly Constitutional Amendment No. 47: Affirmative, Assemblymen Charles W. Dempster and Frank G. Martin; negative, none.

Assembly Constitutional Amendment No. 101 Affirmative, Assemblymen Harry B. Riley and James B. Utt; negative, Samuel E. Robinson.

Assembly Constitutional Amendment No 108 · Affirmative, Assemblymen C. Ray Robinson and Clifford C. Anglim; negative, none.

Assembly Constitutional Amendment No. 119: Affirmative, Assemblymen Thomas A. Maloney and Clare Woolwine; negative, Assemblywoman Eleanor Miller.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1340—An act to amend sections 3, 6, 9, 10, 13, 14, 15, 16, 20, 21 and 22 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1340 passed by the following vote:

AYES—Anglim, Burns, Cassidy, Chatters, Clowdsley, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1816—An act making an appropriation to pay the claim of the county of Sacramento against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1816 passed by the following vote:

AYES—Anglim, Burns, Cassidy, Chatters, Clowdsley, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 241—An act relating to the refunding of bonds of irrigation and reclamation districts, making State assistance available therefor and authorizing the issuance and sale of bonds of the State to provide funds for use in furtherance thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 241 passed by the following vote:

AYES—Anglim, Burns, Cassidy, Chatters, Clowdsley, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, King, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Robinson, C. Ray; Robinson,

Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—53.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 259—An act providing for the construction and operation by the State of California of a system of works designated as the Central Valley Project for the conservation, development, distribution and utilization of water; defining and describing the units or parts of said project; also defining the prerequisite conditions under which said project shall be constructed; defining the duties and powers of the Department of Public Works and of the State Engineer in relation to said project; creating a Water Administration Board and defining its duties and powers with relation to the construction and operation of said project; authorizing the issuance and sale of general obligation bonds of the State of California in the amount of one hundred sixty millions of dollars for the purpose of defraying the cost of construction of said project; and providing for the payment of such bonds with the interest thereon, and for the creation of a water construction fund and a water revenue fund in the State treasury.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 259 passed by the following vote:

AYES—Anglim, Badham, Burns, Cassidy, Chatters, Clowdsley, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—55.
NOES—Frazier, O'Donnell and Stream—3.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1277—An act defining clinics and dispensaries and providing for the operation, conduct, maintenance, and the examination and regulation thereof, and the issuance of permits therefor by the State Board of Public Health and the Director of Public Health.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1277 passed by the following vote:

AYES—Anglim, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—59.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1560—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act, approved May 30, 1921, and of any and all acts amendatory thereof or supplemental thereto; creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State offices in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1934.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1560 passed by the following vote:

AYES—Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—Kallam—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2070—An act making an appropriation to pay the claim of William B. Hornblower against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2070 passed by the following vote:

AYES—Anglim, Badham, Bliss, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2348—An act to amend section 363i of, and to add sections 2584, 2586, 2589, 2590, 2607 and 2610 to, the Political Code, relating to the administration of certain bays, ports and harbors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2348 passed by the following vote:

AYES—Anglim, Badham, Bliss, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 360—An act making appropriation to pay the claim of William J. Bost against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 360 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 235—An act to appropriate the sum of twelve thousand dollars to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, and to provide for the manner of expending such appropriation

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 235 passed by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2417—An act making an appropriation for the support of the Supreme Court of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2417 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1892—An act making an appropriation to pay the claim of Morris Cohan against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1892 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 600—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Municipal Improvement District Act of 1927, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 600 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 160—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 160 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No 162—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, to provide for the uses and purposes to which the funds derived under said act may be used

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 162 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No. 163—An act to amend section 159 of the California Vehicle Act approved May 30, 1923, Statutes of 1923, page 517, to provide that the funds derived under said act may be used for contributions to special assessment improvement proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 163 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 840—An act making an appropriation to pay the claim of _____ against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 840 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 846—An act appropriating money to pay the claim of Shella Bucklund against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 846 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2364—An act making an appropriation to pay the claim of Effie Porter against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2364 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1528—An act to provide for the creation of a commission to be known as the License Tax Commission, which shall or may issue licenses to manufacturers, purveyors, transporters and sellers of alcohol, spirits or beverages containing alcohol and to provide for the issuance of licenses to those who manufacture, sell, convey and transport alcohol, spirits or beverages containing alcohol, and to provide for the collection of taxes from those to whom licenses may or do issue and for the regulation of the sale of alcohol, spirits or beverages containing alcohol, and for the taxing of said sales, and for the collection of taxes upon sales and manufactures of alcohol, spirits or such beverages containing alcohol and for the appointment of commissioners to be known as License Tax Commissioners, and to appropriate money out of the funds collected for license taxes for the salaries and expenses of such commissioners, its agents and employees, and its offices and incidental expenses.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE.

On page 19, line 26, of the printed, amended bill, commencing with the word "Such", strike out all of said lines 26, 27, 28, and 29.

AMENDMENT NUMBER TWO.

On page 14, line 35, of the printed, amended bill, commencing with the word "No", strike out all of lines 35, 36, 37, 38, 39 and 40, and insert in lieu thereof "(d) The applicant is possessed of a good moral character. No license shall be granted to any applicant who fails to comply with the provisions of this section."

AMENDMENT NUMBER THREE.

On page 2 of the printed, amended bill, in lines 45 and 46, strike out "in quantities of not less than five gallons at one time".

AMENDMENT NUMBER FOUR.

On page 3, line 28, of the printed, amended bill, strike out "for beverage purposes, or a license".

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 1528 at this time, without reference to printer or file, and that same be considered engrossed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1528 passed by the following vote:

AYES—Anglim, Badham, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Crist, Crowley, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, McBride, McCarthy, McMurray, Meeban, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Rawls, Redwine, Roberts, Rogers, Scudder, Stannard, Sullivan, Thorp, Tourmon, Turner, Williamson, Woolwine and Mr. Speaker—49.

NOES—Alter, Brock, Chatters, Craig, Evans, Field, Hatch, Latham, Martin, Miller, Eleanor; Morgan, Phillips Riley, Robinson, Samuel E, Stream and Wright—16.

Title read and approved.

Bill ordered transmitted to the Senate.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 11, 1933.

To the Members of the Assembly of the State of California.

I respectfully send you this message for your information and for your Journal, this copy of my message transmitted this day to the members of the Senate of the State of California.

Very respectfully,

JAMES ROLPH, JR., Governor of California.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 11, 1933.

To the Members of the Assembly of the State of California.

1. Purpose of This Message.

A special investigating committee, of which Senator J. M. Inman is chairman, appointed to investigate any irregularities in any branch of the State government, has filed with the Senate a report conceived in hatred, written in venom, and tempered only by cowardice, and so biased and misleading that it becomes my duty as Governor to address the Legislature respecting that document, the persons by whom and the conditions under which it was prepared, and evidence presented to the committee and not mentioned in the report, as well as evidence which the committee refused to receive, so that the members of the Legislature and the people of California may not be deceived by that report respecting the conduct of public officials and the condition of the State government In the course of this message I shall make certain recommendations which I deem pertinent.

2. Appointment of a Packed Committee.

The Senate, on representations made by Senator Inman, authorized the appointment of a special committee to investigate irregularities in any branch of the State government. With that action there can be no quarrel. But Lieutenant Governor Merriam, himself an avowed candidate for the Governorship, packed the committee with a majority consisting of Senators Inman, Jones and Rich, who were and are, notoriously, inveterate enemies of me and my administration. From that committee, selected by a political cabal, neither I nor officials of my administration expected or received fair or decent treatment

The chairman, Senator Inman, dominated the committee. He had his office associate, Sheridan Downey, appointed counsel for the committee to do the ferret work. Before the committee had commenced to take evidence, Senator Inman declared that he intended to blow the dome off the State Capitol, thus virtually announcing in advance that his report would be adverse to my administration

3. Efforts to Poison Public Opinion.

Day after day, Senator Inman and Mr. Downey, in an effort to poison public opinion in advance, fed the press with defamatory statements of what they expected to prove, with resultant headlines, and day after day the evidence failed to support these newspaper previews. Hostility of the majority of the committee to me and my administration was manifest throughout the hearings, in the treatment accorded witnesses, in the framing of leading and suggestive questions, in the evident indisposition to receive evidence conflicting with the solid majority's prejudgments. In the end, the result was justly summed up, not in the committee's report, but in the remark of Senator Harper (transcript page 1483) who, at the last public session of the committee said: "In all this investigation * * * there has not been one thing that involves Governor Rolph, not one."

4. Scope of the Investigation.

From the start, the solid majority insisted on proceeding as if the committee's task were to investigate the incumbent Governor and his appointees and nothing else. Yet the mandate given to the committee by the Senate, plainly expressed in the resolution creating the committee, was "to investigate any and all allegations of irregularities in any branch of the State government." That mandate included the legislative, as well as the executive branch, and did not confine the inquiry to the two years of my administration.

5. Request to the Governor for Information.

On January 9, 1933, and before the committee held the first session at which evidence was taken, I dispatched a letter (Exhibit "A" attached) to Senator Inman in which I pointed out the scope of the committee's duties and asked whether a transcript of the evidence would be available for the Governor.

Sensing, no doubt, that his unconcealed animosity to me was turning fair-minded people against him, Senator Inman replied (Exhibit "B") that a transcript would be available, and doubtless, with tongue in cheek, he added that "any suggestion that you may have to make to the committee, or any information that you desire to give will be cordially received." He reported this invitation to the committee at its first public session.

6. The Governor's Letters to the Committee.

Acting on this invitation, I presented to the committee, by Judge I. M. Golden, my representative, a series of communications giving complete information concerning a number of irregularities in the State government in which Senator Inman was involved. Copies of those communications are attached hereto as exhibits. To say that none of them or the information they contained was "cordially received" is surely not an overstatement.

In the first (Exhibit "C", dated February 6, 1933) I set forth in detail how Senator Inman agreed to accept a fee of $2,500, contingent on his procuring from one of my predecessors before the last day of his term as Governor, a pardon for a notorious abortionist, then a prisoner in San Quentin, and that the pardon was procured on the last day of that Governor's term and the fee paid to Senator Inman. I informed the committee where documentary proof of the charges could be easily obtained.

Although the facts charged in my letter were more scandalous and shocking than any of the matters on which the committee has spent its time and labor, the committee failed to make any inquiry into those facts.

7. The Committee's Precipitate Adjournment.

After waiting a decent interval in order to see what the committee would do respecting the subject of my letter of February 6th, and finding that they were doing exactly nothing, Judge Golden, on February 20th, telegraphed to the committee, then sitting in Los Angeles, as follows:

> "Governor Rolph has commissioned me as his representative to present to you an official communication submitting to your honorable committee information respecting certain irregularities in the State government embraced

within the scope of the Senate resolution under which your committee is acting. Will you please at earliest convenience advise me by telegram at my expense when and at what hour day or night I may appear before you at Los Angeles to present the Governor's communication.

I. M. GOLDEN, 1304 Mills Tower."

To this telegram, Judge Golden, on February 20th, received in reply a telegram from the committee then at Los Angeles, as follows:

"Committee will have no time while here to consider your communication. Committee will return to Sacramento first of next week. You can contact the committee there subject to committee's rules of procedure.

W. P. RICH, Vice Chairman.
HERBERT C JONES
BRADFORD S. CRITTENDEN.
WM. E. HARPER."

February 20th was a Monday. The "next week" referred to in the committee's telegram was the week commencing February 27th. But the committee, the following day (February 21st) terminated its sessions at Los Angeles and moved back to Sacramento where it next met publicly on Friday, February 24th. Judge Golden then went to Sacramento without waiting for notice or invitation and there, on February 24th, presented to the committee two letters, each dated February 20th (exhibits "D" and "E") one of which disclosed that in Governor Young's administration Senator Inman had received a fee of $1,000 from a prizefight promoter in consideration of having procured from State officials a permit for the promoter to hold prizefights in the State Armory at San Francisco; and the other of which reported that in December of 1930, during the closing weeks of Governor Young's administration, when the depression was a year old and all rents were falling, Senator Inman had induced certain State officials to renew, for six years, at a rental increased one-third over the old rental, the State's lease of a National Guard shooting range in Alameda County, in which Sheridan Downey, Senator Inman's office associate and counsel for the committee, had a proprietary interest, notwithstanding that the old lease had still ten months to run

My letter dealing with the use of the armory for prizefights concluded with this significant sentence:

"I expect to supply you with information concerning other irregularities before your committee concludes its hearings."

These two letters manifestly caused consternation to members of the solid majority; so much so that the committee did nothing else that day but receive the letters, and it thereupon adjourned "to the call of the chairman." It was common report at the time, verified later by the event, that the committee would never hold another public meeting.

The committee never did hold another public hearing or give me an opportunity to present the other information which I offered. It is a fair inference from the circumstances that the committee ceased to hold public sessions in order to prevent me from submitting evidence of other irregularities. Had Judge Golden waited, as the committee requested, until the week commencing February 27th, he would never have had the opportunity to read to the committee my letters respecting the State Armory prizefights and the shooting range leases.

8. Efforts to Silence the Governor.

After the presentation of my first letter, the one respecting the peddling of pardons, an emissary of my political enemies came to San Francisco and solicited an interview with my counsel, Judge I. M. Golden, to whom he made the extraordinary proposal that if I would write no more letters to the committee, the recall movement against me, which was then being promoted by Senator Inman's political allies, would be dropped Judge Golden refused to make any such bargain. My position, in public and private, from the commencement of this political investigation, has been that nothing must be concealed, nothing suppressed, no matter who might be hurt; but that the committee must not protect any guilty official even if he were a member of the committee When the committee endeavored to shirk its full responsibility and buy my silence by filing only a partial report without recommendations, I demanded that a complete report be presented, and thus forced the remainder of the report tardily from the committee. Not until May 2, 1933, was the completing portion of the report filed.

In view of the circumstances, I now submit to the Senate the additional information which I would have presented to the committee through Judge Golden had the committee not denied the opportunity, in spite of my request, by its abrupt and wholly unexpected adjournment That information is properly made public not only because it presents to the Legislature and the people significant facts concerning conditions in the State government but because it also will assist them in evaluating the fairness and reliability of the committee's report.

9. Senator Inman's Interest in the State's Purchase of Motorcycles.

One of the irregularities in the State government concerning which I would have supplied information to the investigating committee had my opportunity to do so not been so suddenly foreclosed, is Senator Inman's mercenary activity in procuring for a client a large order for supplying motorcycles for the State Highway Patrol.

Early in 1930, when Governor Young was in office, it became necessary to equip with motorcycles the State Highway Patrol, which had been established in August, 1929.

Naturally, dealers in various makes of motorcycles were eager to effect so large a sale and to have their respective makes accepted. Indeed, the controversy excited by the dealers delayed the purchase from September, 1929, until after the turn of the year.

One of the bidders was the Henderson Motorcycle Sales Company of Los Angeles, factory agents and dealers in Henderson motorcycles. This concern, which was owned by two brothers, named, respectively, Willard W. Kemp and P. C. Kemp, employed Senator J. M. Inman to represent it in the matter. The Purchasing Bureau favored another make of motorcycle, the Indian, but finally yielded.

Although the records in the Department of Finance (which were at the command of the committee) disclose that the bid of the Henderson motorcycles was higher than that of the Harley-Davidson, the State purchased no less than 150 Henderson motorcycles from Senator Inman's client, at a cost of $405 each, with an additional $5 charge on each of 70 machines for luggage carriers. The total price was $61,000. Only 75 of the Harley-Davidson make were purchased.

The first lot of 80 machines was paid for by check number 7758, issued by the Department of Public Works, Division of Motor Vehicles, for the sum of $32,400, payable to Henderson Motorcycle Sales Company, and the check bears the endorsement of that firm by Willard W. Kemp.

When time to pay for the second lot of 70 machines approached, Senator Inman took the precaution of asking an auditor for the Division of Motor Vehicles that the check making the payment be delivered directly to him.

In compliance with this request, check No. 9510, of the Department of Public Works, Division of Motor Vehicles, for $28,700, dated March 25, 1930, payable to the Henderson Motorcycle Sales Company, was delivered to Senator J. M. Inman.

That check for $28,700 was, on March 26, 1930, either deposited to the credit of Senator Inman's firm, Inman and West, or was cashed, at the Capital National Bank in Sacramento. It bears the endorsement, "Henderson Motorcycle Sales Company, by Inman and West, its attys." A photostat copy of the check and endorsement is in my possession.

How much of that $28,700 Senator Inman retained as his fee for bringing about the purchase of those 150 Henderson motorcycles to the State does not appear from official records, but reference to the Inman and West account at the Capital National Bank would probably have disclosed to the committee what portion of the $28,700, the check for which is thus traced to Senator Inman, was remitted to the client in Los Angeles, and what portion retained as Senator Inman's compensation. The size of the fee and the basis on which it was determined have significance.

Mr. Willard W. Kemp of Los Angeles has stated in the presence of witnesses that Senator Inman's compensation was based on an agreement to pay him $10 for each motorcycle purchased by the State from Henderson Motorcycle Sales Company of Los Angeles. The committee would have been able to check Mr. Kemp's statement without difficulty. Both the Messrs. Kemp were available in Los Angeles on February 20th and 21st and could have been produced there, had the committee permitted Judge Golden to present this information there.

There is no reason, of course, why a person dealing with the State in a business matter should not be represented by an attorney, provided the circumstances do not create an impropriety. But when the attorney is also a member of the State Senate, and as influential as Senator Inman was in 1930, his intervention in as simple a matter as a sale of motorcycles to the State, under the circumstances outlined herein, suggests the reasonable, if not inescapable, inference, that it was the Senator rather than the attorney who was employed and that the purpose was to sell the motorcycles on a basis of political influence. The occasion manifestly called for salesmanship rather than professional legal service.

Lest it be said that the purchase of the Henderson motorcycles at the price of $405 each was justified by their merit in comparison with other makes offered at lower prices, I refer to the very exact records kept by the motorcycle department of the performance of each motorcycle in the service of the Highway Patrol.

These records reveal that every Henderson motorcycle purchased through Senator Inman's intervention was turned in at a low and unsatisfactory mileage in comparison with the cheaper Indian motorcycles used by the department. The Henderson motorcycle is no longer manufactured.

10. Senator Inman's Campaign for Oil Exploiters.

No statute prohibits a member of the Legislature from taking pay for campaigning for or against legislation submitted to the people by initiative or referendum. But as the initiative and referendum are part of the legislative process in California,

no member of the Legislature who heeds the niceties of conduct would go on the stump in such an election as a hired mouthpiece, especially when the subject of the initiative and referendum had been and might again be the subject of action by the Legislature itself.

Notwithstanding that the Legislature in 1929 had passed a law prohibiting any new permits for drilling for gas or oil on State tidelands and notwithstanding that the people at the referendum election of May 3, 1932, on Chapter 326, Statutes of 1931, page 850, had declared themselves in favor of such legislation prohibiting drilling on public beaches, certain interests, intent on exploiting the oil resources of Huntington Beach, submitted to the people at the election held November 8, 1932, a proposed amendment to the Constitution granting to the city of Huntington Beach certain tide and submerged lands within the city boundaries, but belonging to the State, and empowering the city to exploit such lands for gas and oil. A private corporation had, meanwhile, received a lease of those lands from the city of Huntington Beach, on terms and conditions not very favorable to the city, and notwithstanding that the city did not own the lands.

Senator Inman took the stump in favor of this amendment and was paid for his campaign speeches. I am informed that he received about $1,000 plus his expenses. The paymaster was Allen Miller, a lobbyist for the interests which sought to secure the people's beach. I have in my possession a photostat of a check for $300, dated October 18, 1932, and drawn on the Sacramento main office of the Bank of America by Allen Miller in favor of J. M. Inman. The check was part of Senator Inman's pay. The endorsement shows that he collected the money.

These facts speak for themselves. I can not describe them more aptly than in phrases taken from the committee's report, for Senator Inman's conduct, while not criminal, reveals a degree of indiscretion and an ignorance or defiance of the rules of conduct which should actuate a public official unbelievable in one who holds the high position of a member of the Senate of California.

11. The Fees of Senator Jones

Senator Herbert C. Jones, who lives in the odor of political sanctity, is properly severe in his comments on the use of public place for private thrift. But, in practice, apparently, he permits an occasional exception.

In the Legislature of 1929 Senator Jones introduced a bill, which was enacted, providing for the creation of water conservation districts with the right to condemn property, levy assessments, and, not the least important, to appoint attorneys.

As soon as the bill became effective, Senator Jones, with others, instituted proceedings under the act for the creation of the Santa Clara Valley water conservation district. The election was held November 5, 1929. As the 1929 act did not empower the district to issue bonds and its validity was otherwise in doubt, Senator Jones introduced in the Legislature of 1931 another bill providing for the creation of water conservation districts, which, by its terms, was to be construed as a continuation of the 1929 act, but enlarged the powers of the districts so that bonds could be issued and expressly validated proceedings taken under the act of 1929.

Senator Jones, by introducing the act of 1929, and by his other activities, made possible the creation of the district, and the district, in turn, being duly grateful, made Senator Jones its attorney. He charged a fee of $1,250 for organizing the district and a retainer of $100 per month.

As an indirect result of the activity of Senator Jones in putting the 1931 act through the Legislature, he has made a good deal of money out of the district. For example, in the eighteen months from January 1, 1931, to July 1, 1932, the district collected $114,197 in assessments or taxes, and paid Senator Jones' firm for legal services the sum of $9,748.69 or 8½ per cent of the total gross revenue of the district from taxation or assessment. Since that time he has received his retainer of $100 per month. I do not charge that the fees were excessive, for I am not informed on that point, but it may well be questioned whether the lawyer who is also a Senator has an ethical right to use his place in the Legislature for the purpose of procuring the enactment of statutes serving his clients, even if those clients be public districts or agencies, thereby putting himself in a position to make and collect fees.

Virtually $10,000 flowed into the pockets of Senator Jones' law firm in those eighteen months as an indirect result of the enactment of those two statutes which he introduced and sponsored. Senator Jones sets a correctly severe standard for other public officials and he can not complain if he is judged by those standards.

Senator Jones has signed the report criticizing my son, and, by implication, me, because of the fact that five large insurance companies for which my son's firm is agent, have written what the committee calls a very large portion of the indemnity bonds for various State agencies and officials, notwithstanding that the firm, which is one of the oldest in its line, has received, under previous administrations, a large volume of such business, a fact not mentioned in the report. I shall discuss later in this message the indemnity bond section of the committee's report. It suffices to say here that if my son must reject all such indemnity bond business of State agencies and officials and thus destroy a business that it has taken years to build

up, then it is not asking too much from Senator Jones that he refrain from accepting employment from a public agency such as the Santa Clara Valley Water Conservation District, in view of his activity as a Senator in making possible the creation of that district.

True, the impropriety of such activity by Senator Jones is perhaps more debatable than that of Senator Inman mentioned herein, but in view of the circumstances, it is not unfair for me to paraphrase slightly and apply here language appearing in paragraphs of the Investigating Committee's report, to which the members thereof attached their signatures.

The legislator fails, not only of his opportunity, but of his responsibility, if he does not leave public respect for government a little higher and a little stronger when he retires from office than when he takes office. It is not sufficient that his conduct merely be such as to avoid violation of the law or technically within his rights. In this period of dire distress, when the farmer and the business man find it harder than ever before to exist, they are likely to become embittered when they find that the taxes or assessments wrung from them by a political subdivision of their government are expended in paying fat fees for the legal adviser of the district, who happens also to be the legislator who sponsored legislation authorizing and then engineered the creation of the taxing or assessing political subdivision or agency.

The Legislature would do well to consider the enactment of legislation designed to prohibit members from accepting employment from political subdivisions, municipal corporations, or State agencies created under legislation that such legislators had introduced, sponsored or supported.

12 The Federal Statute.

Judge Golden, in addressing the Investigating Committee on February 24th, aptly called attention to the fact that if California had a statute applicable to members of the Legislature in respect to State affairs similar to the Federal statute that prohibits any member of Congress from taking pay for practicing before Federal bureaus or procuring contracts from the Federal government, some of the activities of Senator Inman would have been felonious and punishable by imprisonment in the penitentiary. But, as Judge Golden said to the committee, while such was not the California law, the Federal statute expressed a standard of ethical conduct and public morality that should be observed by all persons occupying legislative positions I recommend that the Legislature enact a statute prohibiting members of the Legislature from activities with respect to State departments and contracts similar to those denounced by the Federal statute with respect to activities of members of Congress in practicing before Federal bureaus or procuring Federal contracts.

13. The Reference to the Judiciary Committee.

Because Senator Inman was a member of the Investigating Committee, that committee professed to feel embarrassed by the charges which I had made respecting Senator Inman and requested the Senate to refer those charges to another committee. The Senate then referred them to its Committee on Judiciary of which Senator Inman and all members of the Investigating Committee, except Senator Harper, are members. Thus the embarrassment was relieved. The Committee on Judiciary referred the whole matter to the Legislative Council with a request that he advise whether the charges, if true, would constitute grounds for removing Senator Inman from office or a violation of any duty or rule, or whether they would justify the hearing of evidence by the Senate. From the Legislative Counsel the Committee on Judiciary received a purely legalistic opinion giving an evasively negative reply to the questions propounded, and concluding with this sentence which fitly characterizes the opinion:

> "In conclusion, it is for the Senate to decide whether or not the charges present a case for investigation"

The committee also concluded that it had no authority to subpena witnesses.

Instead of dropping the matter, without further comment, if it wished to fall back on the Leislative Counsel's side-stepping opinion, the Committee on Judiciary, without conducting any investigation, permitted Senator Rich, my implacable political enemy, who was also a member of the Investigating Committee, to prepare and read, as the committee's report, one of the most singular and indefensible documents ever presented to a Legislature.

14. Senator Rich's Incredible Report.

The Committee on Judiciary, in its report, did not find that my charges against Senator Inman were untrue. On the contrary, the report assumes that they are true, but, referring to the specific charges, says that, if true, Senator Inman was acting within his prerogative as an attorney at law. The ethical aspects of the matter are not mentioned and apparently did not occur to the author of the report Lest it be suspected that my comment on this report is an overstatement, I quote its almost incredible language:

> "In each instance mentioned in the charges filed by the Governor, Senator Inman was acting as an attorney. There is neither law, rule, nor reason

which prevents him from appearing before any tribunal, department, or office of this State in the practice of his profession

While it is possible to draw different inferences, we must assume that the Senator, when acting as such attorney, acted in good faith, and that he conformed to the code of ethics prescribed by the State Bar. If he did not, it is a subject for the State Bar Association and not for the Senate."

Senator Inman may be satisfied with that sort of a clearance, and with the doctrine on which it is placed, but the people of California are not satisfied.

15. The Double Standard.

Certainly Senator Rich sets up one standard when investigating Senator Inman and quite another when investigating other public officials.

Senator Rich in his report suggested that I made, filed and timed the charges against Senator Inman so as to harass and embarrass that statesman while performing a legislative function. Senator Rich ignores the patent fact that the Investigating Committee, through Senator Inman, had expressly requested me to supply information and that the matters presented in my letters were clearly within the scope of the committee's mandate

To illustrate: The committee spent weeks investigating a charge that my son-in-law, who is not a public official, had persuaded the Director of Finance to execute a lease that was improvident for the State. That charge is not essentially different from my charge that Senator Inman, who is a public official, had persuaded the Adjutant General to execute a lease of a shooting-range that was improvident on the State's part. The committee investigated various charges that official action had been induced through influence in the selection of roads and hospital sites, yet my charges that Senator Inman, for fees, had used his political influence in procuring a pardon for Dr. Card, and in procuring a lease of State property for a prizefight promoter are dismissed as immaterial and made for an ulterior purpose

Senator Rich assumes that Senator Inman's attacks on me are actuated purely by disinterested zeal for the good of the State, while my attacks on him are inspired by malice. Whatever may be the motives of Senator Inman in his attacks on me, my motive in attacking him is to render the public service of exposing one whom I regard as an unworthy servant of the State; and, by exposing him, to render him less dangerous to the public welfare. I am naturally indignant at his unjust treatment of me and mine, but my indignation is not mixed with malice.

I may properly conclude this section of my message by saying in language paraphrased from the Investigating Committee's report that, if any facts herein stated tend to cast reflection upon any legislator then the fault lies with such legislator and but indicates the necessity of our public servants so conducting themselves that no shadow of suspicion should be created in the minds of the people that the office they occupy is being used for their personal profit

16. The Evidence Respecting Conduct of Directors Toner and Vandegrift.

Because a majority of the Investigating Committee from the beginning was determined, regardless of the evidence, to report adversely on me and my administration, and because the report is obviously unfair in its incomplete statements of the evidence and its comments thereon, the findings, recommendations, and comments of the committee, as such, are entitled to no weight and no respect

Despite the fact, however, that the investigation was so unfair in purpose and method, if the record discloses credible evidence of wrongdoing, official misconduct, unfitness, or incompetence on the part of any official, it is my duty as Governor to take cognizance of it.

Unquestionably, the committee's report contains statements of alleged evidence which, if correct and uncontradicted or unqualified, can not be ignored Those statements in the report reflect on Rolland A Vandegrift, Director of Finance, and Dr. James M. Toner, Director of Public Institutions. As neither Mr. Vandegrift nor Dr. Toner was accorded full opportunity to cross-examine hostile witnesses, I called on Mr. Vandegrift and Dr. Toner respectively to prepare statements of the facts concerning their actions with which the committee deals in its report, and also to submit such an analysis of the evidence and such comments as, in their opinion, will bring out the truth and present their respective sides of the episodes and actions which the committee condemns

A copy of Mr Vandegrift's statement marked Exhibit "F", and a copy of Dr. Toner's statement, marked Exhibit "G", are filed herewith as parts of this message

While I have requested the several officers criticised in the report to make their own replies, and the replies as exhibits, are part of this message I deem it well to refer here briefly, and necessarily incompletely, to the most important topics on which the investigating committee's report touches

17. The Criticism of Mr Rolland A Vandegrift, Director of Finance

(a) *Purchases and Sales of Bonds.*

The Legislature has cast on the Director of Finance the duty and authority to make purchases and sales of bonds in which State funds are invested In a fluctuating market, such as prevailed in recent years, his duty, like that of the president

of a life insurance company or a bank, is to watch trends and exercise foresight, to the best of his ability, in order to avoid loss.

Looking backward with the wisdom of hindsight, the committee sees that Mr. Vandegrift made some errors of judgment both as to methods and results. But the committee does not charge or find and on the evidence could not find that in any instance he acted dishonestly or made or sought any profit for himself or had any personal interest in the transactions, or that his bond transactions taken as a whole resulted in a loss. On the contrary, the transactions, as a whole, resulted in a gain to the State's funds. Instead of telling these facts frankly, in vindication of Mr. Vandegrift, and giving him credit for the creditable transactions proved in the record, the committee, without holding him guilty of wrongdoing, has clouded its report on the bond transactions with rhetorical questions and artful language tending to create an impression that there was something sinister in his purchases and sales of bonds. Perhaps Mr. Vandegrift made a political mistake in not washing his hands of all responsibility by dumping on the market the entire portfolio of bonds in the general fund, purchased mostly in prior administrations, at a loss to the State of half a million dollars, but he preferred the constructive course of accepting the responsibility imposed on him by law in order to protect the State's investments, even at the risk of being criticised by political carpers. With the committee's opinion that the purchase and sale of bonds should not be delegated to one official, I concur and that situation will be corrected by legislation; but Mr. Vandegrift is not responsible for the statute under which he acted.

(b) *The State Building Annex in San Francisco*

An unfortunate and regrettable incident of the leasing of the State Building Annex at 450 McAllister Street, San Francisco, is that my son-in-law, Mr. John P. Symes, a young man inexperienced in political matters, had a prospective interest, although entirely without my knowledge. His connection with the transaction was honest but imprudent. The imprudence consisted in having an interest in the contract with the State, in view of his relationship to me. But for that relationship his connection with the transaction would not have had the slightest significance.

The committee in its report suggest that the lease was improvidently made without competition by Mr. Vandegrift; but the evidence on which the committee relies is partisan opinion testimony and the abundant evidence that the lease was provident on the part of the State is ignored. There was no competition respecting sites because a particular site on the Civic Center was desired.

The actual cost of the building was proved by documents and by reliable witnesses whose testimony is not mentioned in the report. Opinion evidence is improper to determine the cost of a completed building when conclusive evidence of the actual cost is available. The committee does not say what is the proved fact, that the building is a class "A" structure especially and well designed for the State's purposes. Instead, the committee remarks (without affirming the correctness of the opinion quoted) that "this building was described by one of the witnesses, who qualified as an expert, as a 'very cheap type of semiloft property'." This is a most unfair characterization of the building in view of the indisputable evidence in the record.

Equally unfair is the committee's statement that "the committee has on file a written, firm proposal from a reputable realtor and builder of San Francisco agreeing to reproduce said building 'equal or superior in every respect to the building now occupied by the State' for an annual rental of $27,500," and to give the State an option to purchase for $275,000. That offer was, obviously, an idle tender on which the man in question was well aware that he would not and could not be required to make good. His interest and partisanship are demonstrated in Mr. Vandegrift's discussion of this transaction. The bid referred to was made long after the time when the building was contracted for and it is common knowledge that building costs were greatly lowered in the meanwhile. In short the committee's report on this transaction is highly colored and unfair.

The attack on the lease, and the State's refusal to pay rent under it, forced the owner into a position of financial peril. Threatened with the loss of the building under a deed of trust, the owner, since the close of the investigation and in order to make some salvage, offered to sell to the State for $355,000, a sum considerably less than the proved cost to him of $366,821.05. The State, taking advantage of the owner's necessity, and with the approval of the Governor and the members of the Legislature, including the members of the investigating committee, has since purchased the building for the price offered, notwithstanding the committee's intimations that the building was worth only $275,000 or less.

While I do not attempt to decide whether the rent which the State agreed to pay for the building was more than it was worth, the record discloses ample evidence to support the conclusions that Mr. Vandegrift exercised an honest judgment in the matter and that his judgment was predicated on reasonable grounds. I may add that the interest of Mr. Symes has been completely erased with his consent by the State's purchase of the building.

(c) *The Ventura Hospital Site.*

The committee's discussion of the Ventura Hospital site is manifestly unjust and malicious. There can be no question, in view of the overwhelming evidence in the record, that the site was excellent for the purpose and that the price was reasonable and, indeed, low. The committee does not find otherwise but nowhere in its report does the committee concede these facts. It lays great stress, however, on two unfortunate incidental circumstances, one relating to Mr. Vandegrift and the other to Dr. Toner, which they respectively discuss in their reports to me made a part of this message, but which call for comment by me

(d) *Mr. Vandegrift's Purchase of Adjoining Property.*

The Ventura Hospital site was purchased by a unanimous vote of the purchasing commission on May 27, 1932 The fact was then public knowledge. Nearly three months afterward, on August 15th, Mr. Vandegrift who was one of the five members of the commission purchased from the same owner a parcel of land adjoining the hospital site. He paid a higher price in proportion than the State paid for comparable land and the same price at which the land was offered to the general public. There was no concealment of Mr. Vandegrift's purchase. The deed to him was placed on record. The same owner still has comparable land in the same vicinity for sale at the price paid by Mr Vandegrift. Mr. Vandegrift did not use any secret information to his own advantage in making the purchase. He has owned other land in Ventura County for years.

In my opinion Mr. Vandegrift made a political blunder and exposed himself and the administration to misconception by his purchase; but I am convinced that the transaction on his part was honest in fact and in intention. Mr. Vandegrift possesses great intelligence, a thorough knowledge of the State's fiscal affairs, and of taxation, and is an indefatigable, courageous, and invaluable public servant; and I am confident that the criticism of his purchase, mostly from those who were not correctly informed, is an ample and indeed excessive penalty for the blunder and has taught him that a man in public life must avoid the appearance as well as the actuality of wrongdoing and must ever be on guard against laying his conduct open to malicious misinterpretation by political opponents

18. The Criticism of Dr. J M. Toner, Director of Institutions.

(a) *The Commission Received by Mr. Jack Kuhrts.*

Dr Toner, the Director of Institutions, a member of the commission charged with the duty of selecting the hospital site, made a grave error in suggesting in any fashion to the owner of the Ventura site that he employ Mr. Jack Kuhrts as a real estate man competent to present the merits of the site. There is no evidence to warrant a finding or suggestion that Dr Toner intended more than merely to do Mr. Kuhrts a favor. Mr Kuhrts received a broker's commission of $20 250. He had considerable difficulty in explaining what became of $10,000 of that commission. He testified that he kept it all, and paid none of it to any public official, but that in the wish to conceal it from his wife, with whom he was having marital difficulties, he juggled it about and finally placed it in a safe deposit box. His explanation may be true but it is not impressive. A vigorous endeavor was made by the Investigating Committee to trace some part of this commission to Dr. Toner or some one else connected with the State government. Not a scintilla of evidence tending to support the committee's suspicion was produced. The committee does not find or suggest that Dr. Toner received any portion of the commission, but, on the contrary, acquits him with the grudging statement that "the exact relations between Dr. Toner and Mr. Kuhrts were never satisfactorily explained."

It was an impropriety for Dr. Toner to have suggested a broker to any person tendering a site to the State. He testified, however, that he made the suggestion at the owner's request and mentioned the names of two brokers, one of whom was Mr. Kuhrts; that he mentioned Mr. Kuhrts as an agent who had ably presented other sites to the commission; and that he neither received nor had any agreement about receiving any portion of Mr. Kuhrts' commission There is no evidence in the record contradicting Dr. Toner's testimony.

(b) *Administration of the Whittier State School.*

The Whittier School is a corrective institution. It is not a kindergarten. In such an institution a certain amount of trouble must be expected. Some of the boys kept there are really bad and virtually all of them are problems.

To find the right man for head of any penal institution, especially one for boys, is a task of difficulty and delicacy. Whittier is fortunate in the fact that a group of well-meaning citizens take a keen interest in the institution. But, like most good things, that situation has the defects of its qualities. It is doubly difficult to find a superintendent for the Whittier School who can do the job well and, at the same time, satisfy all well-meaning persons who, in their not always practical zeal for the welfare of the institution, wish to impose their own ideas on the management. The Investigating Committee spent much time listening to more or less trivial complaints and gossip respecting the management of the institution under Dr. George C. Sabichi, and his predecessor. Much of the testimony was hearsay and some of it ludicrous

Not a little was concerned with differences of opinion respecting details of management.

Although the Investigating Committee made no recommendations respecting the administration of Whittier School and was content with stating in its report the criticisms made by the various witnesses but none of the defensive testimony, I felt that the investigation itself, rather than anything brought out thereat, had made it desirable to reorganize the school management so as to reestablish cordial relations between the head and the "committee of one thousand" citizens interested in the institution. Dr. Sabichi has retired at his own request, a new superintendent has been appointed, an advisory committee has been formed to help him, and I trust that the result will be efficiency and harmony at Whittier.

(c) *The Journey of J. M. Toner, Jr., to the Orient*

During the investigation much publicity, inspired by the counsel or some members of the committee, was given to the fact that James M. Toner, Jr., a son of Dr. Toner, holding a place in his department at a salary of $325 a month, was on some sort of joy ride to the Orient at the State's expense. In its report the committee's sole and complete comment on that matter was:

> "Dr. Toner testified that a position was created known as assistant director, at a salary of $325 a month and his son, J. M. Toner, Jr., was appointed thereto. He also testified that, at the time of his testifying his son had been gone a month or six weeks, would probably be gone some months, to the Orient. When asked if it would not have been cheaper to send an ordinary attendant than his son who was drawing $325 a month, his response was, "It would. Since you bring it to my attention I do take it into consideration, yes, sir."

In that statement the committee said either too much or too little.

The facts are that J. M. Toner, Jr., at the time of the hearing was en route to the Orient in charge of not one but 67 insane patients who were being returned to the various countries of their nativity in order to save the State of California the expense of their maintenance. The responsibility of delivering such irrational persons safely to their homes is serious and the task requires a responsible executive to be in charge of the group. This is a regular function of the department. It would have been cheaper, manifestly, to send a low-salaried employee in charge of the patients and their attendants, but cheapness is not the sole test of sound administrative discretion in such a matter.

The committee quotes Dr. Toner as testifying that 50 or 60 per cent of the employees in the Department of Institutions were appointed on recommendations from the Governor's office.

This testimony was obviously an inadvertence on Dr. Toner's part and several members of the committee must have known it. The great majority of positions in that department are filled by certified eligibles on the civil service list. There are relatively few appointments outside of the civil service and most of those require highly technical and professional qualifications.

The Investigating Committee may regard the appointment of relatives or recommendation by the Governor to heads of departments as political sins; but that can hardly be the opinion of the majority of the Legislature in view of the number of relatives of legislators holding public place and of the number of times that legislators have requested me to recommend friends or relatives for appointments in executive departments.

Because of the committee's for the most part unmerited criticism of his administration of the Department of Institutions Dr. Toner informs me that he thinks his usefulness as Director of Institutions has been impaired and he requests that I transfer him to some other position. I am seeking an opportunity to do so, in view of his request.

19. The Selection of Secondary Highways.

The second section of the committee's report, filed May 2d, deals with two subjects, the selection of secondary highways and the matter of indemnity bonds.

Mr. Earl Lee Kelly, Director of the Department of Public Works, has at my request written a commentary on that portion of the Investigating Committee's report which deals with the subject of roads and his commentary is attached herewith, marked Exhibit "H" and made a part hereof. To that commentary is added a copy of the petition respecting the so-called "Alpine Road" designated by the committee, for political purposes, as the 'Rolph road," which is attached also to this message and marked Exhibit "I."

(a) *The "Rolph Road"*

The committee's report deals with the so-called "Rolph road." So far as I am aware, it was never called the "Rolph road" until sessions of the Investigating Committee commenced. Colonel Garrison, whom I had dismissed from the office of Director of Public Works, testified that I had told him in the presence of Earl Lee Kelly, then Chairman of the California Highway Commission, that I wanted this road included. The implication is that the road served the Rolph ranch which formerly belonged to me but has been for years the property of my son. This testimony was flatly denied by Mr. Kelly in his testimony. I also flatly deny it.

Neither I nor my son has or ever had the slightest personal interest in the construction of the so-called "Rolph road" The publicity which this road has received from the Investigating Committee has created the impression that the State has built at enormous expense an otherwise useless road leading to a ranch in which I am interested Nothing could be further from the truth The road has never been constructed The plans for it are not drawn. It is a phantom road. When, if ever, built, it will not in any event approach the Rolph ranch nearer than one mile and, as the line is laid out, may be at least four miles away from the Rolph ranch. My son's ranch is now amply served by good county roads running directly to the ranch. An additional road would be of no service to my son's ranch The road can not be built without action by the Legislature The Highway Commission and the Department of Public Works under the law are required to make a study and report of roads which may be eligible or qualified for inclusion in the State highway system The determination as to whether all roads or no roads shall come into the system is made exclusively by the Legislature The Governor has nothing to do with it and neither has the Highway Commission The "Rolph road" was selected for recommendation on the application of a large number of the principal property owners in San Mateo County and not on the recommendation of any member of the Rolph family. The investigation of this phantom road was political propaganda of the most unscrupulous sort.

(b) *Cobb Mountain Road.*

In its report the committee intimates that the Highway Commission recommended the Cobb Mountain Road in Lake County because it would serve Adams Springs, owned by W R. Prather, concerning whom the report says, that "Mr. Tibbals, our engineer, testified that he made inquiry in Lake County and was told that * * * Prather was campaign manager for Governor Rolph in Lake County". On such hearsay is the report built. Tibbals is a handy engineer witness who testified for Mr Sheridan Downey as a supposed expert in connection with roads, ranches, water, beans, political managers, and other matters.

The fact is that Mr. Prather was not campaign manager for Governor Rolph in that county or elsewhere Mr. Sam Hill of Lakeport was the Governor's campaign manager The road was a useful and necessary road opening up the resort district of Lake County. It was selected as a result of demand from many hundreds of persons in that county.

(c) *Orange County Roads.*

The fact that Orange County received such a seemingly disproportionate share of secondary roads attracted the committee's attention. The committee in its report says on the subject of Orange County roads:

> "The fact that Mr Philip A Stanton lives at Santa Ana and has large interests at Seal Beach and Stanton, and that some of these roads, either traverse or lead to these properties was considered by the committee Mr Stanton vigorously denied any special benefit or that he used his official position to secure these roads".

The Investigating Committee seems to regard the location of roads as political patronage which ought to be evenly apportioned among the counties and sees a sinister significance in the fact that Orange County has more roads than some other counties of the same size and population.

Every road recommended in Orange County was recommended by the Engineering Department of the Division of Highways, without regard to county lines, but with a view to the development of a unified system. Orange County, by reason of its geographical location, controls approaches to the most densely populated section of the State, Los Angeles County. The roads in question are connecting links. They must of necessity traverse Orange County. The criticism leveled at the roads in Orange County indicates to what lengths of absurdity and malice the Investigating Committee was willing to go in order to find fault with the Rolph administration. Some members of the committee indeed seem to have labored under the delusion that to them and not to the Highway Commission has been deputed the responsibility of recommending roads for the highway system.

20. Indemnity Bonds.

The weakness and cowardice of the report of the Senate Investigating Committee on "indemnity bonds," written through my son's firm, Rolph, Landis and Ellis, as general agents of various insurance companies, becomes apparent on the most casual reading.

The implication that the committee found it impossible to secure full information is utterly false, for that firm offered to admit the committee to its office and access to all its files, to rummage through them as it saw fit, which opportunity the committee discreetly declined.

The statement that the committee found it impossible to obtain the information "it would have liked" is probably true for the committee did not "like" any information favorable to that firm or the administration It purposely ignored the evidence showing that Rolph, Landis and Ellis wrote no such business directly, but only

through brokers, and as general agents received only 5 to 10 per cent of the premiums; that the firm lost heavily in its casualty insurance business in the years 1931 and 1932, and that its total profits on its entire business for the year 1932 were only $33,231 47, extremely small when compared with the extravagant figures given to the newspapers by the committee and its counsel.

The public business is only a small portion, not exceeding 5 per cent, of the aggregate business of the firm. Much of that public business has been received by the same companies through the same firm under previous administrations.

Much other pertinent and unassailable evidence showing that this firm was conducting a perfectly fair and ethical business was intentionally omitted. The report is so drawn as to leave the implication, without the honesty of plainly stating it, that improper practices were indulged in by that firm, and that it profited unduly through political influence. And finally the cowardice of the report is shown by the committee's failure either to give a summary of the evidence, or draw any conclusions, or make any recommendations. It did not even have the courage to conclude that the facts tended "to cast reflection on any State official," but rested satisfied with throwing out innuendoes to that effect. Does the Senate feel enlightened by such a report; and does it feel that the State's money was well spent to obtain it?

21 Conclusion.

It is unfortunate that in these times of distress, while we should have been devoting our time solely to helping the people in all their problems, four months have been occupied by the Investigating Committee with politics and personalities under the guise of a serious investigation.

Character assassins have never reduced one dollar of taxes for the people. Tearing down men's reputations will never build up the economic structure of the State. The committee has labored and produced nothing. It has shouted about political honesty, but itself has shown no honesty of purpose.

The fiftieth session of the Legislature will be remembered by the people not for its venom and political filibuster, but for the few constructive measures we have been able to rush through in the hour of State emergency and in spite of the political and personal animosities engendered by the Investigating Committee.

Respectfully,

JAMES ROLPH, JR., Governor of California.

EXHIBIT "A"—ATTACHED TO THE GOVERNOR'S MESSAGE IN REPLY TO THE INVESTIGATING COMMITTEE'S REPORT

January 9, 1933.

Hon. J. M. Inman, Chairman of the Special Investigating Committee of the State of California, 2600 Marshall Way, Sacramento, California

DEAR SIR: Your committee was appointed and empowered to investigate any and all alleged irregularities in any branch of the State government or to initiate investigations of its own concerning any and all such matters.

I am informed by the public press that among the branches of the State government which you propose to investigate are certain departments under the jurisdiction of the Governor. For that reason, I wish to procure a copy of the transcript of the testimony taken and copies of any documents filed or received in evidence.

Will you please inform me whether the committee intends to have the stenographic report of the proceedings of the committee, and if so, will a copy of that report be available for the Governor?

Yours truly,

(Signed) JAMES ROLPH, JR., Governor of California

EXHIBIT "B"—ATTACHED TO THE GOVERNOR'S MESSAGE IN REPLY TO THE INVESTIGATING COMMITTEE'S REPORT

January 10, 1933

J. M. INMAN, SEVENTH SENATORIAL DISTRICT, SENATE,
806 K Street, Sacramento, California.

Hon. James Rolph, Jr., Governor, State of California, Sacramento, California

MY DEAR GOVERNOR: Replying to your letter of January 9th, this is to advise you that we expect to have all testimony before the committee reported and I shall be happy indeed to furnish you with a copy of the same as fast as it is typed.

I wish also to inform you that the committee is prepared at any time to extend any courtesies to you or your office and any requests from you will be given the most courteous and careful consideration. Any suggestion that you have to make to the committee or any information that you desire to give will be cordially received.

With kindest personal regards, I am

Sincerely yours,

(Signed) J. M. INMAN.

EXHIBIT "C"—ATTACHED TO THE GOVERNOR'S MESSAGE IN REPLY TO THE INVESTIGATING COMMITTEE'S REPORT.

SAN FRANCISCO, CALIFORNIA, February 6, 1933.

To the Special Investigating Committee of the Senate of California, Senator J. M. Inman, Chairman, State Capitol, Sacramento, California.

Subject: "The Pardon Racket."

DEAR SIRS: Your committee has been appointed to investigate any alleged irregularities "in any branch of the State government."

With respect to scope, the appointing resolution does not confine you to any particular department or any particular class of irregularities.

With respect to time, the resolution does not confine you to the current biennium.

Through your chairman, the committee, as the record of January 10th discloses, has invited me to make suggestions and supply information to the committee.

Purposely I have delayed action on your invitation until the variety of rumors and false charges respecting my administration that emanated from your committee had been exploded for lack of evidence after a full hearing. Now the time has come for me to communicate to you in a series of letters the facts of certain irregularities as yet unmentioned which call for your inquisitorial attention.

One irregularity to which I direct your attention is the so-called "pardon racket" by which prisoners in the penitentiaries or their relatives or friends are induced to pay sums of money to attorneys or others supposed to possess political influence in order, through such mediation, to obtain pardons or clemency of one kind or another.

Ordinarily a prisoner does not, and most certainly he should not, need to hire political influence or employ an attorney at that stage of his case to aid in the presentation of a plea for pardon. Indeed, the Advisory Pardon Board does not permit attorneys to appear at their meetings representing prisoners. Applications made to me as Governor receive equal consideration whether the applicant be represented by an attorney or otherwise.

Much complaint of the "pardon racket" by which prisoners and their friends are bled for the purchase of supposed influence has been voiced in the press.

Public officials should be extremely scrupulous to avoid even the appearance of selling political influence or peddling pardons to prisoners or trafficking in human liberty.

With this preface, I lay before you facts respecting the mercenary activities of Senator J. M. Inman in the matter of certain pardon applications.

Case of Dr. Card.

Dr William S Card was a notorious abortionist in San Francisco. He had been arrested 22 times before the offense of which he was convicted, but he had plenty of money and had managed on each occasion to slip out of the law's grip.

Finally, he was caught, after the death of one of his patients, and on conviction of second degree murder, was sentenced to serve from ten years to life in San Quentin He was received into San Quentin on July 1, 1919.

The case was of sensational character and filled the newspapers for weeks. The public, as well as the medical profession, felt that the law had done a good job when the prison gates were locked behind Dr. Card.

In December, 1922, one month prior to the end of Governor Stephens' term, representations were made to Mrs Myra B Card, wife of Dr. Card, that a pardon or commutation of sentence would be procured for Dr. Card, provided she would pay well.

Pursuant to these representations, Mrs. Card, on or about December 8, 1922, deposited with the Bank of Italy at its head office in San Francisco the sum of $12,500, in a secret escrow, with instructions to pay to Attorney William R. McWood the entire sum of $12,500, if a pardon were granted to Dr. Card on or before January 8, 1923, the last day of Governor Stephens' term, but only $7,500 if his sentence were commuted without a pardon before that date.

Thereupon Mr. McWood made a "deal" with Senator Inman by which Senator Inman undertook to work on Governor Stephens and was to receive $2,500 if a pardon were granted to Dr Card (but only $1,250 if the sentence were commuted) by January 8th, in accordance with the escrow instructions. Senator Inman, however, before commencing operations on Governor Stephens, required that written instructions securing his fee be given to the bank as part of the escrow. Such instructions were filed about ten days prior to January 8, 1923.

Senator Inman, having thus been hired to "spring" the notorious abortionist, began to solicit Governor Stephens for executive clemency for Dr. Card The record does not indicate that Senator Inman disclosed to the Governor the mercenary motive of Senator Inman's solicitude for the prisoner.

Governor Stephens, yielding to solicitations from Senator Inman, finally agreed to grant a pardon to Dr. Card conditioned on his leaving California and never coming back

The conditional pardon was actually held up until a writing was obtained from Mrs. Card signifying her agreement that such a conditional pardon would be a com-

pliance with the escrow conditions and such a letter was obtained on December 29, 1922.

Senator Inman procured such a conditional pardon for Dr. Card from Governor Stephens. The pardon was granted officially on January 8, 1923, the last day of Governor Stephens' term; and the record of the pardon discloses Senator Inman as one of a list of persons who recommended the pardon, but does not mention him as attorney for Dr. Card.

Early in the forenoon of January 9, 1923, a check for $2,500 was paid to Senator Inman at Sacramento, out of the $12,500 so deposited by Mrs. Card, and on the same day the remaining $10,000 was paid at San Francisco to William R. McWood, who cashed the check at the bank and took the money away in his pocket.

I charge that in so selling his political influence Senator Inman committed an "irregularity" of the kind mentioned in the resolution appointing this Investigating Committee.

Your committee can doubtless obtain documentary confirmation of these charges by issuing a subpena to the chief trust officer of Bank of America National Trust and Savings Association (formerly Bank of Italy) 1 Powell Street, San Francisco, requiring production of the entire file of the escrow in question.

For the information of the committee, I add that when Governor Richardson succeeded Governor Stephens, although unaware of any of the facts herein stated except that a last-minute "conditional" pardon had been granted to a notorious abortionist, he signified his protest against the performance by granting an unconditional pardon to Dr. Card on January 13, 1923, saying that if the evidence recited in the pardon petition as presented was true, Dr. Card was entitled to an unconditional pardon, but that in any event California had no right to loose its undesirable citizens on other States.

These sensational facts, long hidden, have only recently come to light.

Case of Brewster L. Grettenberg.

Brewster L. Grettenberg was convicted at Los Angeles of first degree robbery on a plea of guilty and was received at San Quentin on June 16, 1928. He applied, April 2, 1930, to Governor C. C. Young for a pardon. The Advisory Pardon Board on April 1, 1931, recommended that pardon be denied

The prisoner's attorney at his trial was Charles M. Street of Los Angeles, but his plea for pardon was presented to Governor Young by Senator J. M. Inman Senator Inman pressed the application in the Governor's office, although Mr. Street was also representing Grettenberg in the pardon matter. Senator Inman also wrote to the State Board of Prison Directors, on September 22, 1930, soliciting favorable consideration for Grettenberg.

Mrs. Ada Grettenberg, of Los Angeles, states that she paid a fee of $200 to Senator Inman for his services in connection with the pardon application.

Case of Marco Albori.

Activities of pardon peddlers in extracting money from Marco Albori have recently been aired in the press.

Albori is under sentence of 14 years in San Quentin for assault with a deadly weapon. The crime was committed in Los Angeles. He is supposed to be a man of wealth.

Senator J. M. Inman, of Sacramento, represented Albori on appeal from the conviction in Los Angeles, and, Albori states, received a fee of $500 for such services.

Senator Inman and Mr. Sheridan Downey, representing your committee, occupy law offices in common in Sacramento.

Mr. Joseph H Stephens, banker, of Sacramento, is a member of the Board of Prison Terms and Paroles and has been a member since the organization of the board in August, 1931. Mr. Stephens has known Sheridan Downey well for years.

Mr. Stephens states that on an occasion approximately six months ago Mr. Sheridan Downey visited Mr Stephens at the bank of which Mr. Stephens is president, and Mr. Downey then asked Mr. Stephens if he was familiar with the case of Albori, an inmate of San Quentin. Mr. Stephens replied that he knew of the case. Mr. Downey then suggested that Albori had received rather a long sentence and asked whether something could not be done for him Mr. Stephens replied that, so far as he was concerned, the case was closed Mr. Downey then said that Albori was a man of means and that he, Downey, felt that something should be done for him. Mr. Stephens replied that he was not interested.

As Governor of California, I demand that the aforesaid and all activities of Senator Inman in the procurement of pardons be spaded up and exposed to public view and that a complete investigation be made of the "pardon racket" which has recently been a subject of discussion in the press.

Respectfully,

(Signed) JAMES ROLPH, JR., Governor of California.

EXHIBIT "D"—ATTACHED TO THE GOVERNOR'S MESSAGE IN REPLY TO THE INVESTIGATING COMMITTEE'S REPORT.

February 20, 1933.

To the Senate Investigating Committee, Senator J. M. Inman, Chairman, The State Building, Los Angeles, California.

Subject: Senator Inman's Activity in Procuring a Long-term Extension of State's Lease of Land Belonging to Sheridan Downey and Others at Increased Rentals in the Closing Days of Governor Young's Administration When Rental Values Were Falling.

DEAR SIRS: There is a tract of 418 acres in Alameda County which the State holds under lease as a rifle range for the National Guard.

Sheridan Downey and his wife, while not the sole owners, have a large proprietary interest in the tract.

On April 20, 1928, this land was leased to the State for a period of 2½ years, commencing April 30, 1929, and terminating October 31, 1931. As rent the State agreed to pay $2,000 down and $375 a month.

It will be noted that when Governor Rolph came into office, January 1, 1931, the lease had still ten months to run.

At the beginning of October, 1930, when the lease had 13 months left of the term, and while Governor Young was yet in office, Senator J. M. Inman conducted negotiations on behalf of the owners with Adjutant General R. E. Mittelstaedt for an extension of the lease. By this time the depression was a year old, the rent values of all sorts of land had tumbled, landlords were reducing rents even when leases were in force; but Senator Inman's proposal was for an increased rent. In his letter of October 1, 1930, addressed to Adjutant General R. E. Mittelstaedt, which was written not on his law office stationery, but on his letterhead as a member of the State Senate, Senator Inman proposed a lease for five years at $500 a month. He also asked that the State pay the taxes, amounting to $1,800 a year

After an exchange of correspondence (in which Senator Inman's letters were written on his senatorial letterhead) it was agreed that the lease should be for six years from the termination of the existing lease at a rental of $500 a month, the State to pay the taxes also for the final two years.

In accordance with that correspondence, which is in the official files, a lease was executed on December 17, 1930, in the closing days of the Young administration, by which the rifle range was leased to the State for six years from November 1, 1931, at a rental of $500 per month; a substantial increase over the rent fixed by the then existing lease. At $125 a month, the increase amounts to $9,000 in the six years. The lease was executed for the State by Adjutant General Mittelstaedt with the approval of Lyman D King, Director of Finance.

Section 675 of the Political Code contains no restrictions on the length of term for which the Director of Finance may hire property for the State. Senator Inman has introduced in the present Legislature Senate Bill No. 293 which limits to two years the term for which the Director of Finance may hire or lease real or personal property.

When the 6-year lease of December 17, 1930, was made the land stood of record in the name of a bank which, apparently, held it for the real owners. But on April 10, 1931, the bank conveyed the land by deed to Harrison Gilbert, who, on the same day, executed a deed of trust on the land securing certain purchase-price notes executed by Harrison Gilbert, Sheridan Downey and Helen Downey, who appear to have purchased the land from the bank. On April 23, 1931, the record showed that Harrison Gilbert held a one-fourth interest, Suburban Holding Company, a California corporation, a one-half interest, and C. J Keenan and Marie Keenan, his wife, a one-fourth interest. The Keenans received their one-fourth interest from Sheridan Downey and Helen Downey, his wife, under an agreement of April 8, 1931, which recites that as the Downeys owe the Keenans $14,169, the Downeys "shall cause to be conveyed" to the Keenans a one-quarter interest to be held by the Keenans on certain terms and conditions designed to secure payment of the indebtedness owing from the Downeys to the Keenans The quarter interest is to be reconveyed if the debt be paid. In other words, the document discloses that the Downeys are the real owners of at least a one-fourth interest in the rifle range.

The assessment roll ascribes a three-fourths interest to the Suburban Holding Company and a one-fourth interest to C. J. Keenan and Marie Keenan. The land is assessed for $31,000 and the improvements for $300.

These transactions will suggest to your committee several questions for which you will naturally seek answers from Senator Inman and Mr Sheridan Downey, namely:

1. Why was the new lease of the shooting range rushed through in such fashion during the final days of the Young administration, although it still had nearly a year to run?

2 Why was the rent increased at a time when all other rents were falling?

3 Why was the new lease made for six years which would carry it beyond the term of Governor Rolph?

4. Why did Senator Inman conduct the negotiations on his senatorial stationery, although the Legislature was not in session, and not on his law office stationery?

This communication is in further response to the invitation conveyed to me in your letter of January 10, 1933.

Respectfully, (Signed) JAMES ROLPH, JR., Governor of California.

EXHIBIT "E"—ATTACHED TO THE GOVERNOR'S MESSAGE IN REPLY TO THE INVESTIGATING COMMITTEE'S REPORT.

February 20, 1933.

To the Senate Investigating Committee, Senator J. M. Inman, Chairman, The State Building, Los Angeles, California

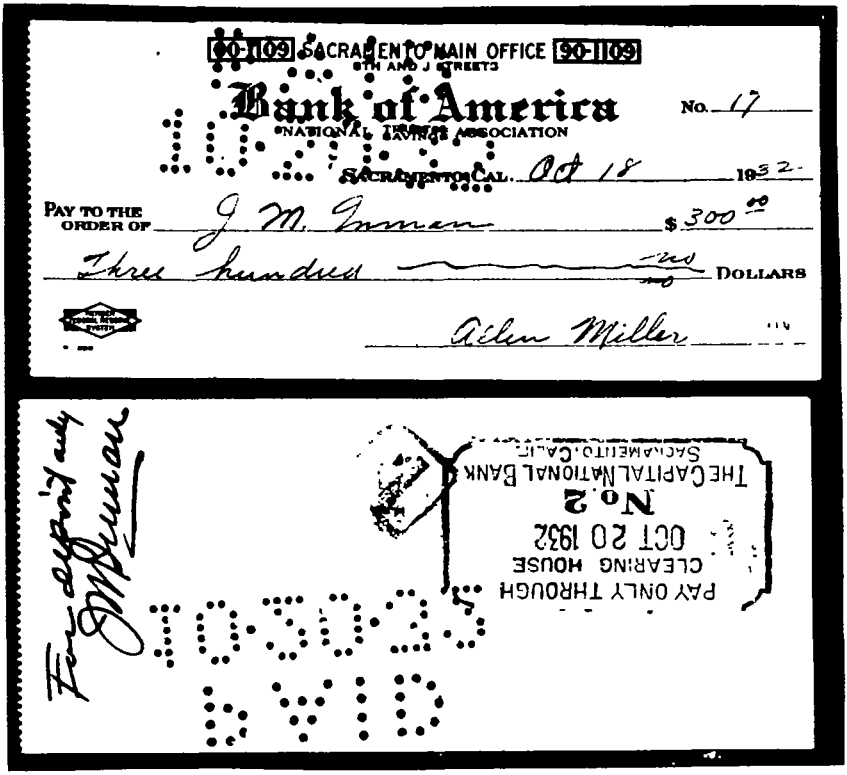
Subject: The State Armory Prizefight Permit.

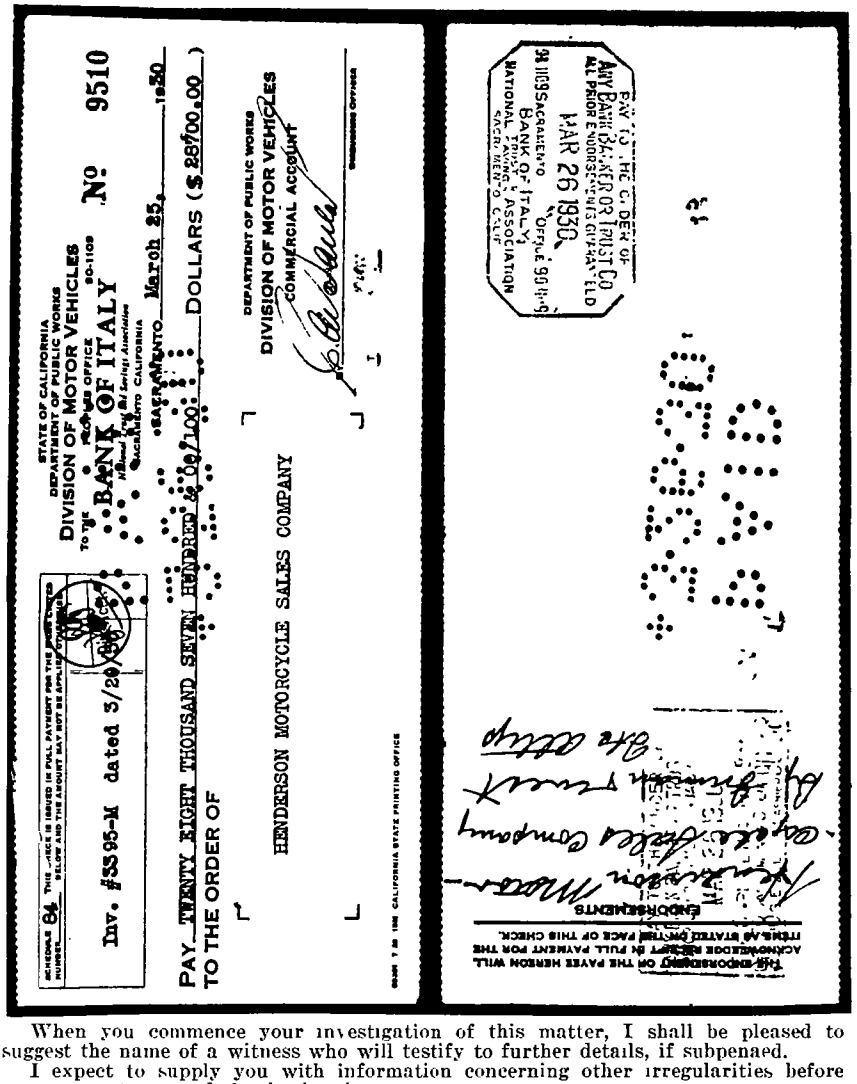
DEAR SIRS: Still responding to your invitation to lay before you information respecting irregularities in the State government, I suggest that you investigate the following transaction:

In January, 1928, Ancil Hoffman, a prizefight promoter, who operated in the name of Monarch Athletic Club, a corporation, had a quarrel with the owners of Dreamland Pavilion in San Francisco, and, in consequence, wished to hold his boxing matches in the State Armory at Fourteenth and Mission Streets in San Francisco. There was much opposition to such use of the State's property. In this situation Ancil Hoffman hired Senator J. M. Inman to procure the desired permit from the proper State officials at Sacramento. The permit was speedily procured by Senator Inman and the Monarch Athletic Club, on February 1, 1928, paid Senator Inman $1,000 for that service. The payment was made by Monarch Athletic Club's check No. 741, drawn on the Anglo and London Paris National Bank, at San Francisco, in favor of "Jack Inman," and it bears Senator Inman's endorsement.

A photograph of the check and endorsement is attached hereto.

It is doubtless unnecessary to suggest that when a member of the State Senate accepts money (not to emphasize the large sum of $1,000) for his services in persuading State officials to lease a State Armory for prizefight purposes, the transaction comes distinctly within the class of irregularities in the State government which it is your duty to investigate.





When you commence your investigation of this matter, I shall be pleased to suggest the name of a witness who will testify to further details, if subpenaed.

I expect to supply you with information concerning other irregularities before your committee concludes its hearings.

Respectfully,

(Signed) JAMES ROLPH, JR., Governor of California.

HON. EUGENE W. ROLAND IN THE CHAIR.

At four o'clock and eight minutes p.m., Hon. Eugene W. Roland, member of the Assembly from the Sixteenth Assembly District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Joint Resolution No. 33—Relative to memorializing Congress to enact legislation authorizing the use of a commodity standard of value to supplement the gold dollar as the standard of value.

Assembly Joint Resolution No. 33 read.

The question being on the adoption of Assembly Joint Resolution No. 33.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Powers moved a call of the House.

Motion lost.

The roll was called, and Assembly Joint Resolution No. 33 was refused adoption by the following vote:

AYES—Anglim, Bliss, Cassidy, Chatters, Clowdsley, Crowley, Dempster, Feigenbaum, Frazier, Gilmore, Hornblower, Hunt, Jones, King, Maloney, McCarthy, McMurray, Meehan, Meeker, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Roberts, Robinson, Samuel E., Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West and Williamson—38.

NOES—Alter, Badham, Bowers, Boyle, Brock, Callahan, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Field, Fisher, Greene, Hallner, Hatch, Hoffman, Knowland, Latham, Levey, Martin, Mayo, Miller, Eleanor; Morgan, Redwine, Riley, Robinson, C. Ray; Roland, Scudder, Woolwine, Wright and Mr. Speaker—33.

THE SPEAKER IN THE CHAIR.

At four o'clock and twenty-five minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1931—An act making an appropriation to pay the claim of Sumner Mallory against the State of California.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Chatters:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 1, 2, and 3, and insert in lieu thereof the following:

"SECTION 1. The sum of two thousand dollars ($2 000) is hereby appropriated out of any"

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Chatters asked for, and was granted, unanimous consent to take up Assembly Bill No. 1931, at this time, without reference to printer or file, and that same be considered engrossed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1931 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1932—An act making an appropriation to pay the claim of Jess Mallory against the State of California.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Chatters:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 1, 2 and 3, and insert in lieu thereof the following:

"SECTION 1. The sum of two thousand dollars ($2,000) is hereby appropriated out of any".

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Chatters asked for, and was granted, unanimous consent to take up Assembly Bill No. 1932, at this time, without reference to printer or file, and that same be considered engrossed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1932 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1198—An act to appropriate and transfer funds to the "State employees' retirement fund" from moneys allocated and payable to the county of Los Angeles from the "motor vehicle fund" to cover deficiencies in the "State employees' retirement fund" arising out of the transfer of the Los Angeles County Motor Patrol to the California Highway Patrol.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1198 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

Mr. Robinson, C. Ray, moved that the Rules of the Assembly be suspended until recess on May 12, 1933, at four o'clock p m., and that all Senate bills passed by the Senate and received by the Assembly for consideration, be placed on calendar without reference to committee.

Motion unanimously adopted.

RECESS.

At four o'clock and forty-five minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 86—An act to amend sections 3746, 3751, 3756, 3817 and 3817a of the Political Code, relating to property tax delinquencies, penalties and redemptions, and to declare that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 554—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes, to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors, to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees, to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending sections numbered 1 01, 3.02, 5 01, 6.01, 6.02, 6.03, 6.08, 7.06, 9.02, 9 04 to 9.12, both inclusive, 10.03, 10 05, 12 01, 13 01, and 15.16, by repealing section numbered 12 08 thereof, and by adding new sections to be numbered 9.13, 9.14, 9.15, 9.16, 9.17, 13 16a and 13 20 to said act, all relating to building and loan associations—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1933, at three o'clock and fifteen minutes p.m.

PATTERSON, Chairman.

ON REVENUE AND TAXATION

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 575—An act to extend to the guarantors of the payment of public bonds any moratorium on the payment thereof or on assessments or taxes levied to pay the principal and interest due on bonds issued under any law of this

State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 125—An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No 356—An act to amend sections 2 and 50 of the Public Utilities Act, and to add a new section thereto, to be numbered 57½, relating to the regulation of freight forwarders; the regulation of vessels engaged in the transportation of persons or property for compensation between points in this State and for the issuance of certificates of public convenience and necessity for the operation of such vessels—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LATHAM, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 467—An act to repeal an act entitled "An act making an appropriation for the construction and completion of an exposition building for the use of Number One-A Agricultural District Association," approved June 9, 1931, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COBB, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 359—An act to amend sections 4 and 5 of the act entitled "An act to provide for the formation, government, operation and dissolution of *mosquito abatement districts in any part of the State, to facilitate the extermination* of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, relating to officers of such districts;

Also: Senate Bill No. 322—An act for the regulation of auto camps and to provide penalties for the violation thereof,

Also: Senate Concurrent Resolution No 14—Relative to a State hospital for persons injured in the course of employment in the mining industry;

Has had the same under consideration, and respectfully reports the same back, and recommends that the same do pass.

HOFFMAN, Chairman.

Senate Bills Nos 359 and 322 ordered on file for second reading.
Senate Concurrent Resolution No. 14 ordered on file for adoption.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XI thereof a new section to be numbered 7¾, relating to the joint exercise of powers and functions by political subdivisions—has had the same under

consideration, and respectfully reports the same back, and recommends that it be adopted.

FEIGENBAUM, Chairman.

Senate Constitutional Amendment No. 34 ordered on file for adoption.

ON AVIATION AND AIRCRAFT.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Aviation and Aircraft, to which was referred Senate Bill No. 573—An act ceding to the United States of America certain lands of the State of California, for aerial training, military camps and other Federal purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, JAMES A., Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 142—An act to repeal sections 737a to 737fff, inclusive, and to add sections 737 to 737c, inclusive, of the Political Code, relating to the salaries of judges of the superior courts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COBB, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 434—An act to amend sections 1, 2, 3, 4, 13, 23, and 26 of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," and to add thereto a new section to be numbered 4a, relating to taxes upon banks and corporations, and providing that this act shall take effect immediately—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1933, at four o'clock and thirty minutes p.m.

PATTERSON, Chairman.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933

MR SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 875—An act to add a new article to Chapter III of Title I of Part III of the Political Code to be numbered Article XXI, embracing sections 720 to 724f, inclusive, creating a board to be known as the Board of Control to take the place of the Department of Finance, prescribing the duties, powers, responsibilities, authority and jurisdiction of the Board of Control and providing for the membership thereof and their qualifications; providing for the transfer to the Board of Control and the imposition on it of the duties, powers, responsibilities, authority and jurisdiction of the Department of Finance and the Director of Finance, as well as of the various divisions of the Department of Finance and the officers, agents and employees of the Department of Finance; providing for the abolishment of the Department of Finance and the Director of Finance and the various divisions of the Department of Finance and the various officers, agents and employees of the Department of Finance; providing for the expenditure and transfer of certain funds, and repealing all acts or parts of acts in conflict therewith;

Also: Senate Bill No. 1025—An act to amend section 656 of the Political Code, relating to the Department of Finance;

Also: Senate Bill No. 1027—An act to amend sections 1 and 2 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended, vesting administration of said act in the State Personnel Board, abolishing the Civil Service Commission and transferring all of the powers, duties, jurisdiction and responsibilities of said commission to said State Personnel Board;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

COBB, Chairman.

The above reported bills ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Mr. Craig:

May 11, 1933.

We, the undersigned, move to withdraw Senate Bill No. 688, as amended, from the Committee on Ways and Means, and that the same be forthwith placed upon the file.

EDGAR C. LEVEY.
GEORGE R. BLISS.
ROY J. NIELSEN.
MICHAEL J. BURNS.
ELLIS E. PATTERSON.
C. W. DEMPSTER.
T. A. MALONEY.
RODNEY L. TURNER.
ERNEST C. CROWLEY.
BRUCE B. STANNARD.
FRANK J. ROGERS.
CHARLES W. STREAM.
CHAS. W. GRUBBS.
THORP.
JAMES M. CASSIDY.
J. E. FRAZIER.
JAMES S. O'CONNOR.
FORD A. CHATTERS.
WILLIAM W HOFFMAN.
F. PETERSON.
HUBERT B. SCUDDER.
ALBERT H. MORGAN, JR
EDWARD CRAIG.
JOHN PHILLIPS.
WALTER H. SULLIVAN
CHARLES A. HUNT.
JESSE M. MAYO.
MELVYN L. CRONIN.
JOSEPH P. GILMORE.
BERT V. CALLAHAN.
HENRY P. MEEHAN.
JAMES J. MCBRIDE.
SAM M. GREENE.
WILLARD E. BADHAM.
CECIL R. KING.
WM. MOSELEY JONES.
JAMES J. BOYLE.
AUSTIN L. TOURNOUX.
JOHN T. RAWLS.
P. J. MCMURRAY.
WM B HORNBLOWER.
JOHN D. MCCARTHY.
F. M. ROBERTS.
JAMES B. UTT.
E. H. ZION.
F. C. CLOWDSLEY.
S E ROBINSON.
JOHN H. O'DONNELL.
MAURICE MEEKER.

Senate Bill No. 688 ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference appointed to consider Assembly Bill No. 356—An act to amend sections 3.110, 3.122, 3.140, 3.141 and 3.142 of the School Code, and to repeal section 3.112 thereof, all relating to the establishment, admission to, and discontinuance of, kindergartens

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 1521—An act confirming and extending the application of the provisions of section 830 of the Civil Code of the State of California to grants made or patents issued to lands by the State and consenting that it may be sued to quiet title to such lands;

Also: Assembly Bill No 2051—An act to amend section 375, as added by Chapter 798, Statutes of 1931, of the Penal Code, relating to offensive substances;

Also, Assembly Bill No. 1226—An act to amend sections 1 to 16 inclusive of, and to add sections 17 to 25 inclusive to "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to the regulation under the jurisdiction of the Commissioner of Corporations of personal property brokers, unsecured money lenders, salary buyers, brokers and employees in such transactions, and the licensing of those so engaged, and fixing the penalties for violation thereof;

Also: Assembly Bill No. 1351—An act to amend section 4156b of the Political Code, prohibiting district attorneys of counties or cities and counties from defending or assisting in the defense of, or acting as counsel for, defendants in civil actions and proceedings, when the State or any county or city and county or municipality or other political subdivision of the State, is a party plaintiff, and to redesignate said section 4156b as section 4156c of the Political Code;

Also: Assembly Bill No. 520—An act to amend sections 5 and 29 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, and to repeal section 27a thereof, relating to municipal courts.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Williams, Difani and Powers, as a Committee on Free Conference, to meet a like committee from the Assembly, to consider Senate Bill No. 531—An act to amend sections 2, 6, 7, 9, 14 and 18 of the "Act Concerning Cosmetology."

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference appointed to consider Assembly Constitutional Amendment No. 108—An act to repeal "An act to prohibit the issuance of licenses to aliens not eligible to become electors of the State of California," approved April 12, 1880.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Constitutional Amendment No. 108 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on May 10, 1933, passed Assembly Bill No. 278—An act to add a new section to the Penal Code of California, to be known as section 1510.1, relating to the powers and duties of coroners and to the custody of dead bodies.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 557—An act to amend section 367 of the Code of Civil Procedure and to add a new section, numbered 367a, to said code, relating to parties in certain civil actions.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 925—An act to amend section 409 of the Political Code, relating to fees of the Secretary of State—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 2078—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1357—An act to add a new section to the Probate Code, to be numbered section 1026, relating to distribution of an estate where no heirs appear in the course of administration and claim the estate or some part thereof—and respectfully requests your honorable body to concur is said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933

MR SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 2398—An act to provide for the replacement and/or the reconstruction in whole or in part of public school buildings wholly or partially destroyed by earthquakes since January, 1933, declaring the urgency thereof and providing that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 517—An act to amend section 1985 of the Code of Civil Procedure, relating to subpenas.

Also. Assembly Bill No. 716—An act requiring public awarding bodies or officers withholding penalties or forfeitures from contractors for violations by contractors or subcontractors of any public works labor acts carrying penalties or forfeitures from the contract payments to transfer such penalties or forfeitures to the State Treasurer to become a part of the general fund of the State ninety days after completion of the contract, unless suit is brought and formal notice of suit is given, requiring any court collecting criminal penalties or fines under such acts to likewise transmit same to the State Treasurer to become a part of the general fund of the State, providing for the temporary retention of such penalties or forfeitures by the public awarding body or officer pending litigation in cases where suit is brought and formal notice of such suit is given within ninety days after completion of the contract, limiting the time for action by the contractor or his assignee for the recovery of the said penalties or forfeitures to the said ninety-day period, making such suit the exclusive remedy of the contractor or his assignee with reference to such penalties or forfeitures and providing that suit shall be brought without permission from any State or other authority and be limited to the recovery of such penalties or forfeitures without prejudice to the contractor's or assignee's rights in regard to other matters affecting the contract but with the burden on the plaintiff to establish his right to the penalties or forfeitures withheld;

Also: Assembly Bill No 1228—An act to amend section 1461 of the Probate Code, relating to guardians of insane and other incompetent persons;

Also: Assembly Bill No 953—An act to amend section 2.806 of the School Code, relating to duties of the district attorney.

Also. Assembly Bill No 2043—An act to amend section 1491 of the Penal Code, relating to bail upon habeas corpus proceedings;

Also: Assembly Bill No. 417—An act to amend the California Vehicle Act, approved May 30, 1923, as amended, by amending section 454 thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 1243—An act to add a new section to the California Vehicle Act, to be numbered 151a, relating to the transportation of live animals on motor vehicles.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 525—An act to add a new section to the Vehicle Code to be numbered section 680, relating to the maintenance and use of short wave radio receiving sets in vehicles—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER I am directed to inform your honorable body that the Senate on May 10, 1933, adopted Assembly Constitutional Amendment No. 98—Proposed amendment to Article VI of the Constitution, relative to a resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding a new section to Article VI to be known as section 8½, relating to the election of judges of the superior courts of certain counties, the terms of office of such judges, and the filling of vacancies in such offices.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Constitutional Amendment No. 98 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 712—An act to amend sections 487 and 488 of the Agricultural Code, relating to grades for milk;

Also: Assembly Bill No. 1977—An act to amend section 459 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 823—An act to amend the "Los Angeles County Flood Control Act," by adding thereto a new section to be numbered 17a, relating to rights of way across public lands of the State.

Also: Assembly Bill No. 1619—An act to amend section 3 of Chapter 609, Statutes of 1931, entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining "gasoline" and prescribing specifications for products sold or offered for sale as "gasoline"; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of lubricating oil;

Also: Assembly Bill No. 1626—An act to amend section 4282 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-third class,

Also: Assembly Bill No. 1627—An act to amend section 2322x53 of the Political Code, relating to the office of the agricultural commissioner in counties of the fifty-third class;

Also: Assembly Bill No. 2275—An act to repeal sections 19mm and 19x21 of the Juvenile Court Law, relating to probation officers in counties of the twenty-first class;

Also: Assembly Bill No. 195—An act to add a new section to the Code of Civil Procedure, to be numbered 73b, relating to sessions of the superior courts.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 523—An act to amend section 1 of an act entitled "An act authorizing counties to declare noxious or dangerous weeds growing upon the streets or sidewalks or upon private property in counties, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same, and providing that such cost shall constitute special assessments, and providing for the enforcement and collection of such special assessment," approved May 24, 1929, relating to the powers of supervisors to declare the existence of a public nuisance—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 1945—An act to provide for the organization and management of horticultural improvement districts and to provide for the development of lands included therein for the planting, caring for, and maturing of orchards thereon and for the acquisition of all property necessary therefor; to provide for the management of such districts and also to provide for the issuance and payments of bonds for such districts, for the levying of taxes and the collection of charges by said districts and for the annexation of additional territory thereto—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2395—An act to amend the Agricultural Code by adding thereto Article 4, embracing sections 380 to 380.4, inclusive, to Chapter 1, Division III, relating to marks and brands—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

MOTION TO RE-REFER.

Mr Fisher moved that Assembly Bill No. 2425 be withdrawn from Committee on Rules, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 2425 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 2425 re-referred to Committee on Ways and Means.

LEAVE OF ABSENCE.

On motion of Mr. Meehan, Mr. Chatters was granted leave of absence for the balance of this legislative day.

MOTION.

Mr. Robinson, C. Ray, moved that the Chief Clerk be instructed to arrange for lunch and refreshments this evening, for the members of the Assembly.

Motion carried.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1200—An act to repeal sections 1120 and 1140, inclusive, of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1200 passed by the following vote:

AYES—Anglim, Bowers, Burns, Cassidy, Cobb, Cottrell, Crist, Feigenbaum, Fisher, Frazier, Greene, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, O'Connor, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1536—An act to add section 484.5 to the Fish and Game Code, to amend section 665, and to repeal sections 863, 876, 887 and 942 thereof, relating to fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1536 passed by the following vote:

AYES—Alter, Anglim, Badham, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A. O'Connor, Peterson, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Sullivan, Tournoux, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—53.

NOES—Crist—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1149—An act to provide for the inspection and registration of aviaries and other places where birds of the psittacine family are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1149 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Burns, Cottrell, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hoffman, Hunt, Kallam, King, Knowland, Lyon, Maloney, Martin Mayo, McBride, McMurray, Meehan, Meeker, Miller, James A., O'Connor, Patterson, Peterson, Powers, Roberts, Robinson, C. Ray; Robinson, Samuel E., Scudder, Sullivan, West, Williamson, Zion and Mr. Speaker—42.

NOES—Alter, Boyle, Cassidy, Clowdsley, Cobb, Crist, Evans, Hatch, Latham, McCarthy, Phillips, Rawls, Redwine, Riley, Rogers, Stannard, Tournoux, Turner and Wright—19.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2227—An act to add sections 822 to 829, inclusive, to Article 2, Chapter 3, Part 2, Division IV of the Fish and Game Code, relating to oysters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2227 passed by the following vote:

AYES—Alter, Anglim, Badham, Burns, Cassidy, Cobb, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright, Zion and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 971—An act to amend sections 1, 3, 4 and 7, and to add a new section to be numbered 7a, to an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and provide schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Hoffman:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, as amended, strike out lines 50, 51 and 52; and on page 4, all of lines 1, 2, 3, 4, 5 and 6.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out line 10, and insert in lieu thereof the following: "defined as any premises, building or room, other than a clothes cleaning establishment, in or upon which premises, building or room".

AMENDMENT NUMBER THREE

On page 1 of the printed bill, as amended, strike out lines 14 to 16, inclusive, and on page 2, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following: "maintained or carried on; provided, however, that where such spotting or".

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hoffman asked for, and was granted, unanimous consent to take up Assembly Bill No. 971 at this time, without reference to printer or file, and that same be considered engrossed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 971 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Clowdsley, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Hatch, Hoffman, Hunt, Kallam, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Scudder, Stannard, West, Wright and Mr. Speaker—49.

NOES—Cobb, Grubbs, King, O'Connor, Rawls, Rogers and Tournoux—7.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At nine o'clock and five minutes p.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

Assembly Bill No. 2226—An act to amend sections 777 and 778 and to repeal sections 779, 780, 781, 782 and 783 of the Vehicle Code, relating to the motor vehicle fund and the disposition of moneys placed therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2226 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Zion—66

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1202—An act to add a new section to the Agricultural Code to be numbered 344.5 and to amend sections 348, 356 and 357, all relating to marks and brands.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Badham moved that Assembly Bill No. 1202 be withdrawn from file, and ordered re-referred to Committee on Rules.

The question being on re-referring Assembly Bill No. 1202 to Committee on Rules.

Motion carried.

Assembly Bill No. 1202 re-referred to Committee on Rules.

Assembly Bill No. 548—An act to amend section 10 of an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1913, and all amendments thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 548 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Zion—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2253—An act to amend sections 27 and 34 of an act entitled, "An act to make uniform the law of warehouse receipts," approved March 19, 1909, relating to duty of warehouseman in regard to stored goods.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2253 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Zion—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2419—An act making an appropriation to pay the claim of H. J. Hardy and the Victorian Petroleum Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2419 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright and Zion—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 389—An act making an appropriation to pay the claim of Evelyn Morse against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 389 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright and Zion—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2235—An act making an appropriation out of the fish and game preservation fund for the construction of jetties at the mouth of Russian River.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2235 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hoffman, Hornblower, Hunt, King, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson and Zion—53

NOES—Clowdsley, Cottrell, Grubbs, Hatch, Knowland, Latham, Martin, Rawls, Redwine, Riley and Wright—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2072—An act making an appropriation for the support of the Legislative Counsel Bureau during the eighty-fourth fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2072 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1934—An act making an appropriation to pay the claim of the Federal Mutual Liability Insurance Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1934 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1935—An act making an appropriation to pay the claim of the Associated Indemnity Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1935 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1172—An act to amend sections 1, 2, 3, 5, 6, 7, 10, 13, 13a, 14 and 16 of Chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, to add thereto a new section to be numbered 19, providing for a short title for said act, and to repeal Chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled, 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," as amended.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Craig:

AMENDMENT NUMBER ONE

On page 4 of the printed bill, strike out lines 38 to 47, inclusive

AMENDMENT NUMBER TWO.

On page 4, line 49, of the printed bill, strike out "shall be allocated", and insert in lieu thereof "is hereby appropriated".

AMENDMENT NUMBER THREE.

On page 5, lines 1 and 2, of the printed bill, strike out "State Department of Public Works", and insert in lieu thereof "Board of Supervisors of each county, and city and county,".

AMENDMENT NUMBER FOUR.

On page 5, line 3, of the printed bill, strike out "State Department of Public Works", and insert in lieu thereof "said boards of supervisors".

AMENDMENT NUMBER FIVE.

On page 5, line 3, of the printed bill, after the word "shall", insert the following: "pay all moneys received from said 'city and county street and highway funds' into a fund of such county to be known as the 'city and county street and highway fund' and shall".

AMENDMENT NUMBER SIX.

On page 5 of the printed bill, strike out all of line 22, and insert in lieu thereof "determined by".

AMENDMENT NUMBER SEVEN.

On page 5, line 26, of the printed bill, strike out the word "first".

AMENDMENT NUMBER EIGHT.

On page 5, line 28, of the printed bill, strike out "State", and insert in lieu thereof "roads, streets and".

AMENDMENT NUMBER NINE

On page 5, line 28, of the printed bill, after the word "highways", insert "of major importance".

AMENDMENT NUMBER TEN.

On page 5, line 28, of the printed bill, strike out the word "portion", and insert in lieu thereof the word "portions".

AMENDMENT NUMBER ELEVEN.

On page 5, lines 34 and 35, of the printed bill, strike out "State Department of Public Works", and insert in lieu thereof "boards of supervisors".

AMENDMENT NUMBER TWELVE.

On page 5, line 36, of the printed bill, strike out "such county, or city and county, or city", and insert in lieu thereof "any city within such county".

AMENDMENT NUMBER THIRTEEN.

On page 5, line 37, of the printed bill, strike out the words "department is", and insert in lieu thereof the words "boards are".

AMENDMENT NUMBER FOURTEEN.

On page 5, lines 37 and 38, of the printed bill, strike out "county, or city and county, or".

AMENDMENT NUMBER FIFTEEN.

On page 5, line 38, of the printed bill, after the word "such", insert "acquisition, construction,".

AMENDMENT NUMBER SIXTEEN.

On page 5, line 40, of the printed bill, strike out all that portion of the line beginning with the word "county".

AMENDMENT NUMBER SEVENTEEN.

On page 5, lines 43 and 44, of the printed bill, strike out "county, or city and county, or".

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 47, of the printed bill, strike out "State Department of Public Works", and insert in lieu thereof "board of supervisors of such county".

AMENDMENT NUMBER NINETEEN

On page 5, line 48, of the printed bill, strike out all that portion of the line beginning with the word "county".

AMENDMENT NUMBER TWENTY.

On page 5, line 50, of the printed bill, strike out "State Department of Public Works", and insert in lieu thereof "board of supervisors".

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 51, of the printed bill, strike out "county, or city and county, or".

AMENDMENT NUMBER TWENTY-TWO.

On page 6, line 2, of the printed bill, strike out "county, or city and county, or".

AMENDMENT NUMBER TWENTY-THREE.

On page 6, line 3, of the printed bill, strike out "drawn from", and insert in lieu thereof the word "in".

AMENDMENT NUMBER TWENTY-FOUR.

On page 6, line 4, of the printed bill, after the word "fund", insert "of the State".

AMENDMENT NUMBER TWENTY-FIVE.

On page 6, line 4, of the printed bill, after the word "be", insert "paid to each county and city and county in the State in the amount to which each such county and city and county is entitled under the provisions hereof".

AMENDMENT NUMBER TWENTY-SIX.

On page 6 of the printed bill, strike out all that portion of line 5 beginning with the word "upon", and all of lines 6 and 7, and insert in lieu thereof "at the times and in the manner provided in this section for payments by him to such counties and cities and counties from the "Motor vehicle fuel fund".

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1172, at this time, without reference to printer or file, and that same be considered engrossed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1172 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright and Zion—67.

NOES—Kallam, Stream and Turner—3.

Title read and approved.

Bill ordered transmitted to the Senate

THE SPEAKER IN THE CHAIR.

At ten o'clock and ten minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 878—An act providing for a system of unemployment reserves and compensation, making an appropriation therefor, and prescribing penalties in connection therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 878 passed by the following vote:

AYES—Alter, Anglim, Bliss Boyle, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Gilmore, Hornblower, Hunt, Jones, Kallam, King, Levey, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Riley, Rogers, Stannard, Sullivan, Thorp, Tournoux, Turner, West and Williamson—45.

NOES—Badham, Brock, Cobb, Craig, Crist, Evans, Field, Frazier, Greene, Hoffman, Knowland, Latham, Lyon, Martin, Peterson, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E, Roland, Scudder, Stream, Utt, Woolwine, Wright, Zion and Mr. Speaker—27.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK FITZSIMMONS READING.

Assembly Bill No. 2344—An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2344 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Rob-

erts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2392—An act making an appropriation to pay the claim of the State Adjutant General against the State of California.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 2392 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 919—An act to add a new section to the Political Code, to be numbered 542.5, relating to expenditures for the printing or publishing of books, pamphlets, reports, compilations, synopses and other documents.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 919 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 921—An act to amend sections 410, 780 and 782 and repeal section 781 of the Political Code, relating to the laws, resolutions and Journals of the Legislature and to the bound volumes of decisions of the Supreme Court and District Courts of Appeal.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 921 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride,

McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1292—An act providing for the creation and management of "California Desert Park," giving to the Director of Natural Resources, powers and duties with respect thereto in the acquiring of land and other property therefor and in the creation, maintenance and improvement of said park; providing for the maintenance and improvement of the same and making an appropriation therefor, and declaring the highways therein and leading thereto to be State highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1292 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No 2234—An act to appropriate funds for the payment of damages accruing from the closing of the Klamath River to commercial fishing.

Bill read third time.

The question being on the passage of the bill

WITHDRAWAL OF BILL.

By order of the Speaker, Assembly Bill No. 2234 was withdrawn from the file, and referred to Committee on Rules.

Assembly Bill No. 587—An act making an appropriation to pay the claim of _____ against Charles G. Johnson as Treasurer of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 587 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan,

Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 588—An act making an appropriation to pay the claim of _____ against Charles G. Johnson as Treasurer of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 588 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 589—An act making an appropriation to pay the claim of _____ against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 589 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No. 949—An act to add section 3.401 to the School Code, relating to tuition fees of students in junior colleges.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr Craig moved that Assembly Bill No. 949 be withdrawn from file, and ordered re-referred to Committee on Rules.

The question being on re-referring Assembly Bill No. 949 to Committee on Rules.

Motion carried.

Assembly Bill No. 949 re-referred to Committee on Rules.

Assembly Bill No. 1051—An act appropriating money to pay the claim of William F. Kalliher against the State of California.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. McMurray:

AMENDMENT NUMBER ONE

On page 1, line 2, of the printed bill, as amended, strike out "one thousand dollars ($1,000)", and insert in lieu thereof the following: "two thousand seven hundred fifty dollars ($2,750)".

AMENDMENT NUMBER TWO

On page 1, line 8, of the printed bill, as amended, strike out "one thousand dollars ($1,000)", and insert in lieu thereof the following: "two thousand seven hundred fifty dollars ($2,750)".

The question being on the adoption of the amendments.

MOTION TO LAY ON TABLE.

Mr. Woolwine moved that the amendments by Mr. McMurray be laid on the table.

REQUEST FOR ROLL CALL.

On request of Messrs. Gilmore, McMurray and Patterson, the Speaker ordered a roll call taken on the motion to lay the amendments by Mr. McMurray on the table.

The roll was called, and the motion to lay on the table lost by the following vote:

AYES—Cobb, Cottrell, Jones, Rawls, Woolwine and Wright—6.

NOES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Cassidy, Clowdsley, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Hallner, Hoffman, Hunt, Kallam, King, Knowland, Levey, Lyon, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Phillips, Powers, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—55.

The question being on the adoption of the amendments.

Amendments refused adoption.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1051 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—69.

NOES—Rawls—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 115—Proposed amendment to Article IX of the Constitution, by repealing section 2 and amending section 7 thereof, and amending section 10 of Article XXII thereof, relating to education.

Assembly Constitutional Amendment No. 115 read.

The question being on the adoption of Assembly Constitutional Amendment No. 115.

FLOOR AMENDMENTS.

During reading of Assembly Constitutional Amendment No. 115, the following amendments were submitted by Mr. Powers:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed measure, as amended, strike out "appointed as herein provided", and insert in lieu thereof the following: "elected by the people".

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed measure, as amended, strike out "appointed as provided herein", and insert in lieu thereof the following: "elected by the qualified electors thereof".

AMENDMENT NUMBER THREE.

On page 2, line 11, of the printed measure, as amended, strike out "appointing", and insert in lieu thereof the following: "electing".

AMENDMENT NUMBER FOUR.

On page 2 of the printed measure, as amended, strike out lines 13 to 44, inclusive, and insert in lieu thereof the following:

"At the general election held after this amendment becomes effective, in each of said ten districts one member shall be elected by the qualified electors thereof to take office on the first day of January next after said election, at which time the terms of office of the members theretofore appointed under this section shall terminate. The terms of office of the members first elected hereunder from the several districts shall be as follows: the members elected from the first, sixth and ninth districts, two years; the members elected from the second, fourth, seventh and tenth districts, four years; the members elected from the third, fifth and eighth districts, six years. Whenever a vacancy in the State Board of Education occurs, the Governor, with the advice and consent of the Senate, shall appoint a qualified person to fill the vacancy for the unexpired term."

AMENDMENT NUMBER FIVE.

On page 2, line 46, of the printed measure, as amended, strike out "appointed", and insert in lieu thereof the following: "elected".

The question being on the adoption of the amendment.

POINT OF ORDER.

Mr. Cronin arose to the following point of order: stating that the amendments were previously in the bill, and were amended out.

RULING BY SPEAKER.

The Speaker ruled the point of order well taken.

Assembly Constitutional Amendment No. 115 ordered placed on file.

Assembly Bill No. 1737—An act to establish a Military Code, thereby revising and consolidating the law relating to the armed forces and the militia of the State and to the administration of military and veterans' affairs, and to repeal certain acts and parts of acts therein specified.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1737 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Red-

wine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Wright, Zion and Mr. Speaker—67.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2397—An act to repeal an act known as "Chapter 213, Statutes of 1917 as amended," relating to trucks.
Bill read third time.
The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Callahan moved that Assembly Bill No. 2397 be withdrawn from file, and ordered re-referred to Committee on Rules.
The question being on re-referring Assembly Bill No. 2397 to Committee on Rules.
Motion carried.
Assembly Bill No. 2397 re-referred to Committee on Rules.

RECESS.

At eleven o'clock and thirty-eight minutes p.m, on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until eleven o'clock and forty minutes p.m. of this day.

REASSEMBLED.

At eleven o'clock and forty minutes p.m., the Assembly reconvened.
Speaker Little in the chair.
Assistant Clerk Fitzsimmons reading.

REPORTS OF COMMITTEES ON FREE CONFERENCE.

The following reports of Committees on Free Conference were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 1036—An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by amending sections numbered 4, 5, 9, 10, 12, and 26, and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: section 22a, relating to levy of special assessments, in county water districts; section 22b, relating to special rates of assessment in certain cases; section 22c, relating to assessing and collecting the cost of works in the manner provided in the "Improvement Act of 1911"; sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, relating to the optional levy and collection of taxes by county water districts through the district's own officers rather than with county taxes; section 52, relating to the raising and payment by a county water district of assessments levied by an irrigation district within which is included a part of the lands within such county water district; and section 54, relating to short title of this act—reports that it has met a like committee of the Senate, consisting of Senators Difani, Mixter and Schottky, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, strike out "An", and insert in lieu thereof the following: "An act to amend an act entitled "An".

AMENDMENT NUMBER TWO.

In line 22 of the title of the printed bill, as amended, strike out "54", and insert in lieu thereof the following: "53".

ROBINSON, C. RAY,
ANGLIM,
PHILLIPS,
Assembly Committee on Free Conference.

DIFANI,
SCHOTTKY,
MIXTER,
Senate Committee on Free Conference.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1036 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 356—An act to amend sections 3.110, 3.122, 3.140, 3.141 and 3.142 of the School Code, and to repeal section 3.112 thereof, all relating to the establishment, admission to, and discontinuance of, kindergartens—reports that it has met a like committee of the Senate, consisting of Senators Hays, Ingels and Seawell, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate recede in the Senate amendments, and that the bill be amended as follows:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, as amended in the Senate May 2, 1933, strike out lines 12 to 21, inclusive, and strike out all of page 2 thereof.

GREENE,
CRIST,
WILLIAMSON,
Assembly Committee on Free Conference

HAYS,
SEAWELL,
INGELS,
Senate Committee on Free Conference.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—61.

NOES—None

Assembly Bill No. 356 ordered to enrollment.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED ELEVEN.

Senate Bill No. 1111—An act to amend section 14 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to death benefits under the provisions of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1111 refused passage by the following vote:

AYES—Badham, Brock, Craig, Crist, Evans, Field, Kallam, Latham, Lyon, Mayo, Phillips, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stream, Thorp, Woolwine and Zion—20.

NOES—Alter, Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, King, Knowland, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Riley, Roberts, Roland, Sullivan, Turner, Utt, West, Williamson, Wright and Mr. Speaker—52.

UNFINISHED BUSINESS.

Assembly Bill No. 1443—An act to validate the organization and bonds of municipal improvement districts formed under the Municipal Improvement District Act of 1927 and providing for the levy of a tax to pay the same.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1443?

AMENDMENT NUMBER ONE.

On page 2, line 18, of the printed bill, following the word "tax", insert the following: "upon the taxable land in such district."

The roll was called, and Senate amendment to Assembly Bill No. 1443 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Levey, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.

NOES—Crist—1.

The above reported bill ordered to enrollment.

Assembly Bill No. 934—An act to add section 356a to the Political Code, relating to State officers or employees performing work or services for more than one State agency.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 934?

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the following: "or commission", and insert in lieu thereof a comma and the following: "commission or any other State agency".

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, strike out the following: "or commission", and insert in lieu thereof a comma and the following: "or any other State agency".

AMENDMENT NUMBER THREE

On page 1 of the printed bill, strike out all of lines 18, 19, 20 and 21.

The roll was called, and Senate amendments to Assembly Bill No. 934 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robin-

son, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—None.

The above reported bill ordered to enrollment.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Powers moved that the vote whereby Senate Bill No. 336 was refused passage be reconsidered.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Powers moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Peterson, Clowdsley and Powers, the Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion for call of the House carried by the following vote:

AYES—Burns, Cassidy, Clowdsley, Crist, Cronin, Crowley, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hoffman, Hornblower, Hunt, Kallam, King, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, Patterson, Peterson, Powers, Rawls, Rogers, Roland, Sullivan, Thorp, West, Williamson, Woolwine and Mr. Speaker—36.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cobb, Cottrell, Craig, Evans, Field, Greene, Hallner, Hatch, Knowland, Latham, Levey, Lyon, Martin, McBride, Miller, Eleanor; Phillips, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Scudder, Stream, Turner, Utt, Wright and Zion—34.

Time, eleven o'clock and forty-one minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1928—An act making an appropriation to pay the claim of Continental Oil Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1928 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo,

McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—Rawls—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1930—An act making an appropriation to pay the claim of California Union Insurance Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1930 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66

NOES—Rawls—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1933—An act making an appropriation to pay the claim of the Barber Asphalt Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1933 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—Rawls—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1985—An act making an appropriation to reimburse the general fund for moneys advanced from the emergency fund for the support of the fuel tax for the Motor Vehicle Fuel Tax Refund Division of the State Controller and the Fuel Tax Division of the State Board of Equalization.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1985 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen,

O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66
NOES—Rawls—1.

Title read.

AMENDMENT TO TITLE.

During reading of the title, the following amendment was submitted by Mr. Cobb:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the following: "the fuel tax for".

Amendment adopted.
Title read, as amended, and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2002—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2002 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—68.
NOES—Crowley, Hornblower and Woolwine—3.

Title read and approved.
Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILLS.

Senate Bill No. 173—An act to amend section 242 of the Agricultural Code, relating to claims for animals slaughtered on account of tuberculosis.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 74—An act to amend sections 2 and 16 of an act entitled "An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal Chapter 32, Statutes of 1911, extra session, entitled 'An act to provide for the recall of elective officers of incorporated cities and towns,' approved January 2, 1912," approved May 8, 1931.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 97—An act to provide for the payment of special assessment taxes levied in districts organized under the provisions of the "Acquisition and Improvement Act of 1925" with bonds or coupons of such district.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 402—An act to amend sections 2 and 4 of an act entitled "An act relating to the liability and damages of officers of municipalities, counties, cities and counties, school districts, and the

State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi-public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931, extending the provisions of the act to include suits against employees as well as officers of municipalities, counties, cities and counties, school districts, and the State and to suits against such officers and employees for alleged negligence or carelessness thereof while engaged in the public service, and defining terms used in the act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 701—An act providing for the recall of officers of cities of the second and one-fourth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 811—An act to amend sections 10 and 15 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities and upon property and rights of way owned by municipalities and for the laying out, opening, extending, widening, straightening or acquiring in whole or in part of public streets, squares, lanes, alleys, easements, courts and places within municipalities, to provide for the collection of such assessments, the sale of the property affected thereby, and for the payment of the bonds so issued," approved June 11, 1915, as amended, relating to bonds.

Bill read second time, and ordered on file for third reading.

Senate Bill No 1208—An act to provide for the issuance of duplicates of bonds, warrants, and other evidences of indebtedness of counties and municipal and other public corporations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 560—An act to provide for the establishment, maintenance and operation of unemployment relief camps.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 392—An act to add a new section to the Penal Code to be numbered 496bb, relating to buying, receiving, concealing or withholding stolen property, and prescribing penalties for violation of the provisions thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out line 10, and insert in lieu thereof the following:

"2. Any person whose principal business is dealing in or collecting".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, in line 12, after "collector," insert the following: "who".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended, in line 14, after the comma insert the following: "and who".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, as amended, in line 23, after the word "that", insert the following: "the defendant's principal business was as set forth in the preceding paragraph and that".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 1056—An act to add section 16 to the Bank Act, relating to the business of banking.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 1 of the title, strike out "add section 16 to", and insert in lieu thereof "amend section 136 of".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 23, inclusive, and insert in lieu thereof the following.

"SECTION 1. Sec. 136 of the Bank Act is hereby amended to read as follows:"

AMENDMENT NUMBER THREE.

Sec. 136. Whenever it shall appear to the Superintendent of Banks that any bank has violated the provisions of its articles of incorporation or any law of this State, or is conducting its business in an unsafe or unauthorized manner, or if the capital of any bank is impaired, or if any bank shall refuse to submit its books, papers and concerns to the inspection of any examiner, or if any officer thereof shall refuse to be examined upon oath touching the concerns of any such bank or if any bank shall suspend payment of its obligations, or if it shall appear to the Superintendent of Banks or the Superintendent of Banks shall have reason to conclude that such bank is in an unsound or unsafe condition to transact the business for which it is organized, or that it is unsafe and inexpedient for it to continue business, or if any bank shall neglect or refuse to observe any order of the Superintendent of Banks specified in sections 133 or 134 of this act, the Superintendent of Banks may forthwith take possession of the property and business of such bank and retain such possession until such bank shall resume business, or its affairs be finally liquidated as herein provided. Such bank may, with the consent of the Superintendent of Banks, resume business upon such conditions as may be approved by him.

Whenever any such bank of whose property and business the Superintendent of Banks has taken possession as aforesaid, deems itself aggrieved thereby, it may, at any time within ten days after such taking possession, apply to the superior court in the county in which the principal office of such bank is located to enjoin further proceedings; and said court, after citing the Superintendent of Banks to show cause why further proceedings should not be enjoined, and hearing the allegations and proofs of the parties and determining the facts may, upon the merits, dismiss such application or enjoin the Superintendent of Banks from further proceedings, and direct him to surrender such business and property to such bank. An appeal as above provided shall operate as a stay of the judgment of the superior court, and no bond need be given if the appeal be taken by the Superintendent of Banks, but if the appeal be taken by such bank, a bond shall be given, as required by section 943 of the Code of Civil Procedure

On taking possession of the property and business of any such bank the Superintendent of Banks shall forthwith give notice of such fact to any and all banks, corporations, partnerships, associations and individuals, holding or in possession of any assets of such bank. No bank, corporation, partnership, association or individual knowing of such taking possession by the Superintendent of Banks, or notified as aforesaid, shall have a lien or charge for any payment, advance or clearance thereafter made, or liability thereafter incurred against any of the assets of the bank of whose property and business the Superintendent of Banks shall have taken possession as aforesaid.

Upon taking possession of the property and business of any such bank the Superintendent of Banks shall have authority to collect all moneys due to such bank and do such other acts as are necessary or expedient to collect, conserve or protect its

assets, property and business, and shall proceed to liquidate the affairs thereof as hereinafter provided. The Superintendent of Banks shall collect all debts due and claims belonging to it, and upon the order of the superior court may sell or compound any bad or doubtful debts, and shall have authority to renew or extend the time of payment of obligations due to such bank, take security for such obligations, compromise such obligations and may, if he deem such course advantageous, accept assets other than cash in liquidation and payment of any obligation due such bank. If a purchaser for any bad or doubtful debts can not be obtained and it appears improbable that recovery thereon can be had and that the costs of actions to enforce collection of the same would probably be lost, the court may direct that suits thereon need not be brought. The Superintendent of Banks may sell any real or personal property of such bank on such terms as the court shall direct or approve. The moneys collected by the Superintendent of Banks shall be from time to time deposited in one or more State banks of deposit, savings banks or trust companies, and, in case of the suspension or insolvency of the depositary, such deposits shall be preferred before all other deposits For the purpose of executing and performing any of the powers and duties hereby conferred upon him, the Superintendent of Banks may, in the name of the delinquent bank or in his own name, prosecute and defend any and all suits and other legal proceedings and may, in the name of the delinquent bank or in his own name as trustee execute, acknowledge and deliver any and all deeds, assignments, releases and other instruments necessary and proper to effectuate any sale of real or personal property or other transaction in connection with the liquidation of said bank; and any deed or other instrument, executed pursuant to the authority hereby given, shall be valid and effectual for all purposes, as though the same had been executed by the officers of the delinquent bank by authority of its board of directors. In case any of the real property so sold is located in a county other than the county in which the application to the court for leave to sell the same is made the Superintendent of Banks shall cause a certified copy of the order authorizing or ratifying such sale to be filed in the office of the recorder of the county in which the said real property is located

All claims of every kind or nature against such bank or against any property owned or held by such bank must be presented to the Superintendent of Banks in writing, verified by the claimant or someone in his behalf, within four months after the first publication of the notice to creditors hereinafter provided for; and any claim not so presented shall be forever barred; provided, however, that any deposit claim, appearing upon the books of said bank to be a valid claim, presented after the expiration of the time fixed in the notice to creditors shall be entitled to share in any dividends declared subsequent to the presentation of such claim

The Superintendent of Banks shall cause notice to be given by advertisement, in such newspapers as he may direct, weekly for three consecutive months, calling on all persons who may have claims against such bank to present the same to the Superintendent of Banks, and make legal proof thereof at a place and within the time above provided. The Superintendent of Banks shall mail a similar notice to all persons whose names appear as creditors upon the books of the bank, and whose addresses appear upon the books of said bank. If the Superintendent of Banks doubts the justice and validity of any claim, he may reject the same, and serve notice of such rejection upon the claimant, either by mail or personally. An affidavit of the service of such notice, which shall be prima facie evidence thereof shall be filed with the Superintendent of Banks. Any action upon a claim so rejected must be brought within six months after such service.

Upon taking possession of the property and assets of any bank, the Superintendent of Banks shall make an inventory of the assets of such bank in duplicate, one to be filed in the office of the Superintendent of Banks, and one with the papers in the liquidation proceeding in the office of the clerk of the county in which the principal office of such bank is located; upon the expiration of the time fixed for the presentation of claims the Superintendent of Banks shall make in duplicate a full and complete list of the claims presented, including and specifying such claims as have been rejected by him, one to be filed in the office of the Superintendent of Banks, and one with the papers in said proceeding in the office of the clerk of the county in which the principal office of such bank is located. Thereafter he shall make and file in said offices as above provided before each application to the court for leave to declare a dividend a supplemental list of the claims presented since the last preceding list was filed, including and specifying such claims as have been rejected by him, and in any event he shall make and file as above provided such a list at least once every six months after the filing of the original list, as long as he shall remain in possession of the property and business of any such bank Such inventory and list of claims shall be open at all reasonable times to inspection.

The Superintendent of Banks may, from time to time, under his hand and official seal, appoint one or more special Deputy Superintendents of Banks, as agent or agents, with the powers specified in the certificate of appointment, to assist him in the duty of liquidation and distribution, the certificate of appointment to be filed in the office of the Superintendent of Banks, and a certified copy in the office of the clerk of the county in which the principal office of such bank is located. Notwithstanding any other provision of law, the Superintendent of Banks may employ such

counsel and procure such expert assistance and advice as may be necessary in the liquidation and distribution of the assets of such bank, and for that purpose may retain such of the officers or employees of such bank as he may deem necessary. The Superintendent of Banks shall require from a special deputy superintendent and from such assistants such security for the faithful discharge of their duties as he may deem proper. The compensation of the special deputy superintendents, counsel and other employees and assistants, and all expenses of supervision and liquidation, shall be fixed by the Superintendent of Banks and shall be paid out of the funds of such bank in the hands of the Superintendent of Banks. Such expenses of liquidation must be reported by the Superintendent of Banks to the superior court of the county in which the principal place of business of such bank was located, upon each application for payment of dividend.

At any time after the expiration of the date fixed for the presentation of claims the superior court may by order authorize the Superintendent of Banks to declare out of the funds remaining in his hands after the payment of expenses one or more dividends, and after the expiration of one year from the first publication of notice to creditors he may declare a final dividend, such dividends to be paid to such persons, and in such amounts, and upon such notice, as may be directed by the superior court of the county in which the principal office of such bank is located. Objections to any claim not rejected by the Superintendent of Banks may be made by any party interested by filing a copy of such objections with the Superintendent of Banks, who shall present the same to the superior court at the time of the next application to declare a dividend. The court to which such application is made shall thereupon dispose of said objections or may order a reference for that purpose, and should the objections to any claim be sustained by the court or by the referee, such claim shall not be allowed by the Superintendent of Banks until the claimant shall have established his claim by the judgment of a court of competent jurisdiction.

Dividends remaining unpaid in the hands of the Superintendent of Banks for six months after the order for final distribution shall be by him deposited with the State Treasurer in the same manner and subject to the same disposition as provided for in section 1234 of the Code of Civil Procedure. The Superintendent of Banks may pay over the moneys so held by him to the persons respectively entitled thereto upon being furnished satisfactory evidence of their right to the same. In cases of doubt or conflicting claims he may require an order of the superior court authorizing and directing the payment thereof.

Should any bank at the time the Superintendent of Banks takes possession of its property and business, have in its possession, as bailee for safekeeping and storage, any jewelry, plate, money, specie, bullion, stocks, bonds, securities, valuable papers or other valuable personal property or should it have rented any vaults, safes or safe deposit boxes or any portion thereof for the storage of property of any kind, the Superintendent of Banks may at any time thereafter cause to be mailed to the person claiming to be or appearing upon its books to be the owner of such property, or the person in whose name the safe, vault or box stands, a notice in writing in a securely closed, postpaid registered letter, directed to such person at his post-office address as recorded upon its books, notifying such person to remove, within a period fixed by said notice and not less than sixty days from the date thereof, all such personal property and upon the date fixed by said notice, the contract, if any, between such person and bank for the storage of said property or for the use of the said safe, vault or box shall cease and determine, and the amount of the unearned rent or charges, if any, paid by such person shall become a debt of the bank to said person. If the property be not removed within the time fixed by the notice, the Superintendent of Banks may make such disposition of said property as the superior court, upon application thereto, shall direct. And the Superintendent of Banks may cause any safe, vault or box to be opened in his presence or in the presence of one of the special Deputy Superintendents of Banks, and of a notary public not an officer or in the employ of the bank or of the Superintendent of Banks, and the contents thereof, if any, to be sealed up by such notary public in a package upon which such notary public shall distinctly mark the name and address of the person in whose name such safe, vault or box stands upon the books of the bank and shall attach thereto a list and description of the property therein; and the package so sealed and addressed, together with the list and description, may be kept by the Superintendent of Banks in one of the general safes or boxes of the bank until delivered to the person whose name it bears, or until otherwise disposed of as directed by the court.

Whenever the Superintendent of Banks shall have paid to each and every depositor and creditor of such bank whose claim or claims as such creditor or depositor shall have been duly proved and allowed, the full amount of such claims, and shall have made proper provision for unclaimed and unpaid deposits or dividends, and shall have paid all the expenses of the liquidation, the Superintendent of Banks shall call a meeting of the stockholders of such bank giving notice thereof for thirty days in one or more newspapers published in the county where the principal office of such bank is located At such meeting the stockholders shall determine whether the Superintendent of Banks shall be continued as liquidator and shall wind up the

affairs of such bank, or whether an agent or agents shall be elected for that purpose, and in so determining the said stockholders shall vote by ballot, in person or by proxy, each share of stock entitling the holder to one vote, and the majority of the stock shall be necessary to a determination.

In case it is determined to continue the liquidation under the Superintendent of Banks, he shall complete the liquidation of the affairs of such bank, and after paying the expenses thereof, shall distribute the proceeds among the stockholders in proportion to the several holdings of stock in such manner and upon such notice as may be directed by the superior court In case it is determined to appoint an agent or agents to liquidate, the stockholders shall thereupon select such agent or agents by ballot, a majority of the stock present and voting, in person or by proxy, being necessary to a choice. Such agent or agents shall execute and file with the Superintendent of Banks a bond to the people of the State in such amount, with such sureties and in such form as shall be approved by the Superintendent of Banks, conditioned for the faithful performance of all the duties of his or their trust, and thereupon the Superintendent of Banks shall transfer and deliver to such agent or agents, all the undivided and uncollected or other assets of such bank then remaining in his hands; and upon such transfer and delivery, the said Superintendent of Banks shall be discharged from any and all further liability to such bank and its creditors Such agent or agents shall convert the assets coming into his or their possession into cash, and shall account for and make distribution of the property of said bank as is herein provided in the case of distribution by the Superintendent of Banks, except that the expenses thereof shall be subject to the direction and control of a court of record of competent jurisdiction. In case of the death, removal or refusal to act of any such agent or agents, the stockholders, on the same notice, to be given by the Superintendent of Banks upon proof of such death, removal or refusal to act being filed with him, and by the same vote hereinbefore provided, may elect a successor, who shall have the same powers and be subject to the same liabilities and duties as the agent originally elected."

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Craig, Badham and Woolwine, the Speaker ordered a roll call taken on the adoption of the amendments.

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

AYES—Anglim, Boyle, Crist, Cronin, Crowley, Dempster, Feigenbaum, Gilmore, Hornblower, Hunt, Kallam, Levey, Maloney, McMurray, Meehan, Miller, James A., Nielsen, Tournoux, Turner, Williamson and Zion—21

NOES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Evans, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Utt, West, Woolwine, Wright and Mr. Speaker—55.

MOTION TO RE-REFER.

MR. Williamson moved that Senate Bill No. 1056 be withdrawn from file, and ordered re-referred to Committee on Banking.

The question being on re-referring Senate Bill No. 1056 to Committee on Banking.

Motion carried.

Senate Bill No. 1056 re-referred to Committee on Banking.

Senate Bill No. 1038—An act to amend an act entitled "An act to provide for the establishment of official master plans and the appointment of planning commissions in cities, cities and counties, and counties; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and composition thereof; prescribing the powers and duties of such commissions; providing for the transfer thereto of the powers and duties of other planning commissions; providing for the preparation, adoption and recordation of precise street plans; providing for the control of the construction of buildings within the lines of streets

shown on such precise street plans; providing for the levy of a special tax for the support of a planning commission and other acts pursuant to this act and making certain expenditures legal charges against the funds of cities, cities and counties, and counties and regional planning commissions; providing for the establishment by cities, cities and counties, and counties, of regional planning commissions, including two or more cities, cities and counties, or counties, or a portion or portions thereof, or both; making certain acts, misdemeanors; and repealing other acts in conflict herewith," approved June 17, 1929, by amending the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 11 and 12 thereof; and by repealing sections 13, 14, 14a, 14b, 15 and 16 thereof; and by renumbering section 17 of said act as section 13 and amending the same; and by renumbering section 18 of said act as section 14 and amending the same; and by renumbering sections 19 and 20 of said act, respectively, as sections 15 and 16 thereof, respectively.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 23, of the printed amended bill, strike out the words "when held within the county".

AMENDMENT NUMBER TWO.

On page 3, line 45, of said amended bill, after the word "commission", insert the words "on a full-time basis".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 411—An act to amend sections 3773 and 3897 of, and to add section 3773a to, the Political Code, relating to lands sold or deeded to the State for taxes and the sale and lease of tax-deeded lands.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended in Senate April 6, 1933, strike out the word and figures "Section 3773a", and insert in lieu thereof the following: "two new sections to be designated respectively 3773a and 3897c".

AMENDMENT NUMBER TWO.

In the last line of the title of the printed bill, as amended in Senate April 6, 1933, strike out the period after the word "lands", and insert in lieu thereof a comma, and the following: "and providing for contracts to sell or to give options on tax-deeded lands to one or more public agencies and providing for terminating all rights of redemption on property described in such contracts, and authorizing public agencies to sell or agree to sell to one another their interests in property deeded to them for delinquent taxes and/or assessments."

AMENDMENT NUMBER THREE

On page 2, line 48, of the printed bill, as amended in Senate April 6, 1933, strike out the word and figures "and 3897b", and insert in lieu thereof a comma and the following: "3897b and 3897c".

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, as amended in Senate April 6, 1933, after line 43, add the following:

"SEC 4. A new section is hereby added to the Political Code, to be designated 3897c and to read as follows:

3897c. Whenever any property has been deeded for delinquent taxes and/or assessments to the State, and said property has also been deeded for delinquent

taxes and/or assessments to any municipality, irrigation district, reclamation district, or other public corporation or district, or to any county treasurer as trustee for a reclamation district as provided by law, the board of trustees, board of directors or other governing body of any such public corporation or district, or such county treasurer, with the consent of the board of trustees of the reclamation district for which he holds such property as trustee, may enter into an agreement with the board of supervisors of the county in which such property is situated, subject to the approval of the State Controller as hereinafter provided, for the purchase of, or for an option to purchase, the property so held by the State, or any part or parts thereof. The term "public agency" as used in this section means any such municipality, irrigation district, reclamation district or other public corporation or district or any county treasurer who shall have taken title to any land as trustee for a reclamation district as provided by law, and the term "public agencies" as used in this section means more than one public agency of any kind or kinds. The word "county" as used in this section shall be construed to include city and county. In case two or more public agencies shall have taken title to the same property, they may jointly agree with the board of supervisors of the county in which said property is situated for the purchase of, or for an option to purchase, said property so deeded to the State, or any part or parts thereof, and such agreement may provide for the conveyance of said property to one of such public agencies, or to any two or more of them, with such interests therein as may be provided in said agreement. Any such agreement may cover any land deeded to the State for delinquent taxes and/or assessments without regard to the boundaries of the parcels in which it was deeded to the State, and may provide for the sale of various portions of said land at various prices and on various terms and for an option or options to purchase the remaining portion or portions thereof, but no option to purchase any such land shall be given for a period of more than three years. Notwithstanding any other provision or provisions of this code or of any law or laws governing any public agency or public agencies which may become a party or parties to any such agreement, it may provide for the price or prices for which and the terms on which the property described therein may or shall be purchased, and when any such agreement shall have been signed by the State Controller as herein provided, the price or prices and the terms set forth in said agreement shall be the lawful price or prices for which and the lawful terms on which said property may or shall be sold As many executed copies of said agreement as there are parties to it and one additional executed copy shall be submitted to the State Controller. If he shall not approve the agreement, he shall return a copy of it to each party thereto, with a statement of his objections to it, and thereafter a new or modified agreement may be made. If the State Controller shall approve the agreement, he shall sign each executed copy thereof and return one copy so signed to each party thereto, and keep one executed copy thereof on file in his office. Thereupon he shall, by written authorization, direct the tax collector of the county in which the property described in said agreement is situated to cause notice in writing of the making of said agreement to be given as hereinafter provided. Said notice shall describe the property covered by the agreement substantially as described therein, and shall state the name of the person to whom the property was assessed, or the various persons to whom the property or any portions thereof were assessed, for each year in which there may be delinquent taxes against said property or any part or parts thereof, and said notice shall also state that an agreement for the sale of said property or for an option to purchase it, or both, as the case may be, has been made by the board of supervisors of the county with the public agency or public agencies named in the agreement and has been approved by the State Controller, and that a copy of said agreement is on file in the office of said board of supervisors. Said notice shall be published for at least three successive weeks in some newspaper published in the county in which said property is situated, or if there be no newspaper published therein, then by posting copies of said notice in three conspicuous places in the county, one of which shall be in the United States post office nearest the land, in addition to a notice conspicuously posted on the land itself for the same period. The tax collector shall also mail, within five days after the first publication of said notice, a copy thereof, postage thereon prepaid and registered, to the party to whom the land was last assessed next before the making of said agreement, at his last known post-office address, or if no address is known for such party, then to the county seat of the county in which said land is situated, or, if various portions of the property covered by said agreement were last assessed to various parties, then a copy of said notice shall be mailed as aforesaid to each party to whom any portion of said land was last assessed. The cost of giving the notice of said agreement as aforesaid shall be paid by the public agency or public agencies by which the property described therein is to be or may be purchased as provided therein. An affidavit or affidavits showing that notice has been given as herein prescribed shall be filed in the office of the county tax collector, and said agreement shall not become effective until twenty-one days after the first publication and the mailing, or until twenty-one days after the posting and mailing, of said notice as herein provided. It shall not be necessary to mail said notice to a party if such party shall file with the tax collector a written acknowledgment of receipt of a

copy of said notice or a waiver of said notice If within twenty-one days after the first publication and the mailing or the posting and mailing of said notice as herein provided, said property or any of it is redeemed as provided in this code, or if said property or any of it is thereafter redeemed before the purchaser or purchasers named in said agreement shall have complied with all the terms of purchase therein set forth, then the agreement shall become and be null and void as to the property so redeemed, but if said property or any of it is not so redeemed, then whenever the public agency or public agencies named in said agreement as the purchaser or purchasers or optionee or optionees of said property shall have complied with all of the terms thereof required for the purchase of said property or any portion thereof, the tax collector of the county in which said property or such portion thereof is situated shall make, execute and deliver to such purchaser or purchasers a deed to said property, or such portion thereof as to which the terms of said agreement shall have been complied with, which deed shall be in substantially the following form

"This indenture, made the _____ day of _____, 19 _____, between _____ as tax collector of the county of _____, State of California, first party, and _____, (designating the public agency or public agencies purchasing the property) second party, (or second parties) witnesseth: That

WHEREAS, The real property hereinafter described was duly sold and conveyed to the State of California for the nonpayment of taxes which had been legally levied and which were a lien upon said property under and in accordance with law; and

WHEREAS, The right of redemption of said property has been terminated as provided in section 3897c of the Political Code and second party has (or second parties have) purchased said property in accordance with the provisions of said section; now, therefore,

Said first party does hereby grant to said second party (or second parties) all that certain real property in the County of _____, State of California, described as follows:

(Insert description)

Witness my hand:

_____

As Tax Collector of said County of _____."

Upon the execution of said deed, all rights to redeem said property as provided in this code shall be terminated. No fee shall be charged for making said deed and it shall be, except as against actual fraud, conclusive evidence of the performance of all the requirements of this section and shall otherwise have the same effect as evidence and as a conveyance as a deed issued as provided in section 3898 of this code.

Any payment or payments required by said agreement to be made for the purchase from the State of the property described in said agreement, or any part thereof, shall be made to the county tax collector and shall be distributed as provided in section 3898 of this Code.

In case any property has been deeded to two or more public agencies, pursuant to sales for delinquent taxes and/or assessments, any one or more of the public agencies holding title to said property may sell and convey or agree to sell and convey its or their interest therein, or in any part thereof, to any other public agency or public agencies holding any interest therein, for such price and on such terms as they may agree upon, and any such public agency is hereby expressly authorized to purchase the interest of any other public agency in such property, or to unite with any other public agency in the purchase thereof, whether said property has been deeded to the State or not."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 749—An act to amend section 3771, and to repeal section 3899 of the Political Code, relating to taxes, penalties, and costs, and the sale of property to the State therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 576—An act to amend sections 3866 and 3871 and to repeal section 3876 of the Political Code, relating to expenses of the county treasurer in settling accounts with the Controller.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 977—An act to add a new section to the Political Code to be numbered 3897c and to amend sections 3649 and 3817 of the Political Code, relating to property taxation.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 569—An act relating to the redemption and sale of property sold to a county treasurer, as trustee of a reclamation district, for delinquent assessments and installments thereof, and relating to the voting of lands owned by the county treasurer, as trustee of a reclamation district, and by a reclamation district, and for the redemption of lands by a holder of a bond issued upon said assessments.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 314—An act to amend section 737u of the Political Code, relating to the salary of the superior judge in and for the county of Marin.

Bill read second time, and ordered on file for third reading.

Senate Bill No 545—An act to amend section 4200 and to repeal sections 4175 and 4176 of the Political Code, relating to fees and salaries of sheriffs.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 999—An act to add sections 463 to 469d, inclusive, to the Political Code, and to repeal an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State, and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, all relating to the deposit in banks of money belonging to or in the custody of the State.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1109—An act to repeal sections 2.1391, and 2.1398 of the School Code, to repeal Chapter IV of Part I of Division IV of said code, embracing sections 4.60, 4.70, and 4.71, and to repeal an act entitled "An act relating to the finances of the State Board of Education," approved May 4, 1929, thereby abolishing the State schoolbook fund, providing for the transfer of any moneys remaining therein to the general fund, and making an appropriation for the support of the Textbook Division.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1017—An act to amend section 737m of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Imperial.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 236—An act to amend sections 5.720 and 5.790 of the School Code, relating to leaves of absence of employees of school districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 237—An act to amend section 4.380 of the School Code, relating to school district fund statements.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 239—An act to repeal sections 3.321, 3.322, 3.323, 3.324, 3.339 and 4.223 of the School Code, to add thereto new sections to be numbered 4.891–1 and 4.891–2, and to amend sections 4.896 and 4.898 thereof, all relating to county high school funds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 240—An act to amend sections 4.347, 4.349 and 4.350 of the School Code, relating to requisitions on school district funds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 54—An act to add a new article to Chapter VII of Part III of Division V of the School Code, to be numbered Article III, comprising sections 5.670 and 5.671, relating to change of employment of permanent employees.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 745—An act to amend sections 2.878 and 2.881 of Article I, Chapter II, Part II, Division II, of the School Code of the State of California, relating to school district elections.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 233—An act to add a new section to the School Code to be numbered 6.544, relating to school district library funds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 234—An act to amend section 4.131 of the School Code, relating to the migratory school revolving fund.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 242—An act to amend sections 2.676 and 2.680 of the School Code, and to repeal section 2.677 thereof, all relating to elections for the formation of junior college districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 235—An act to repeal sections numbered 1.60 to 1.66, both numbers inclusive, of the School Code, and Chapter 267 of the Statutes of 1919 entitled "An act to provide for the registration of minors," all relating to the registration of minors.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1054—An act to amend section 94 of the Fish and Game Code, relating to fish and game districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 366—An act to amend sections 4254 and 4254a to 4254s inclusive of the Political Code, relating to compensation of county and township officers in counties of the twenty-fifth class.

FLOOR AMENDMENTS.

During second reading of the bill, the following amendments were submitted by Mr. Kallam:

AMENDMENT NUMBER ONE.

Strike out line 2 of the title of the printed bill, as amended, and insert in lieu thereof the following: "4254b, 4254c, 4254d, 4254e, 4254f, 4254g, 4254k, 4254m and 4254r, and to add section 4254t to the Political Code,".

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, as amended, strike out "eight hundred", and insert in lieu thereof the following: "five hundred sixty".

AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill, as amended, strike out "five hundred sixty", and insert in lieu thereof the following: "eight hundred".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended, strike out line 40, and insert in lieu thereof the following:

"SEC. 3. Section 4254d of the Political Code is hereby amended to read as follows:

4254d. In counties of the twenty-fifth class, the auditor shall receive a salary of three thousand dollars per annum; provided, that in counties of this class the auditor shall be allowed one deputy at a salary of one thousand five hundred dollars per annum; and provided, further, that in counties of this class the auditor shall be allowed such additional clerks and copyists as he may require at a salary of three dollars per day each and whose compensation in the aggregate shall not exceed the sum of one thousand dollars in any one calendar year. The deputy, clerks and copyists named herein shall be appointed by the auditor and their salaries shall be paid in the same manner and at the same time and out of the same fund as the salary of the auditor is paid.

SEC. 4. Section 4254e of the Political Code is hereby amended to read as follows:

4254e. In counties of the twenty-fifth class the treasurer and tax collector shall receive a salary of three thousand dollars per annum and such fees as are allowed by law; provided, that in counties of this class the treasurer and tax collector shall be allowed one deputy who shall be paid a salary of one thousand eight hundred dollars per annum; one deputy who shall be paid a salary of one thousand five hundred dollars per annum and one deputy who shall be paid a salary of one thousand two hundred dollars per annum; and provided, further, that in counties of this class there shall be and hereby is allowed to the treasurer and tax collector such additional clerks and copyists as may be required from time to time to promptly perform the work necessary in the conduct of the office who shall be paid at the rate of three dollars per day; provided, that the compensation of such clerks and copyists shall not exceed in the aggregate, the sum of one thousand eight hundred dollars in one calendar year.

SEC 5. Section 4254f of the Political Code is hereby".

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, as amended, between lines 22 and 23, insert the following:

"SEC 6 Section 4254g of the Political Code is hereby amended to read as follows:

4254g In counties of the twenty-fifth class, the district attorney shall receive a salary of two thousand four hundred dollars per annum; provided, in counties of this class there shall hereby be allowed to the district attorney, one deputy at an annual salary of one thousand five hundred dollars and one deputy who shall receive a salary of nine hundred dollars per annum; provided, that one of these deputies shall be employed in a place other than the county seat In addition to the two deputies the district attorney shall be allowed a clerk and stenographer who shall be paid an annual salary of one thousand two hundred dollars All salaries herein provided shall be paid in monthly installments out of the same fund as the district attorney's salary is paid. The said stenographer shall perform all services required by the district attorney in his official capacity in civil and criminal actions in which the county is interested. The deputies shall be admitted to practice law."

AMENDMENT NUMBER SIX.

On page 3, line 23, of the printed bill, as amended, strike out "Sec. 4.", and insert in lieu thereof the following. "Sec. 7."

AMENDMENT NUMBER SEVEN.

On page 3, line 29, of the printed bill, as amended, strike out the period in said line, and insert in lieu thereof a comma and the following: "which clerk and stenographer shall do statistical work for the board of supervisors."

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, as amended, after line 33, insert the following:

"SEC. 8. Section 4254m of the Political Code is hereby amended to read as follows:

4254m. In counties of the twenty-fifth class there shall be two judicial townships. Townships having a population of twenty thousand or over shall be townships of the first class; townships having a population under twenty thousand shall be townships of the second class. In townships of the first class the justice of the peace shall receive a salary of three thousand dollars per annum and clerical help not to exceed three hundred dollars in each year. In townships of the second class the justice of the peace shall be paid a salary of one thousand five hundred

dollars per annum and clerical help not to exceed nine hundred dollars in each year. The board of supervisors shall provide each of said justices with a suitable office and all necessary supplies and equipment for the proper conduct of business.

For the purposes of this section the population of townships in counties of this class is hereby determined to be the population of said townships as shown by the last preceding Federal census

SEC. 9. Section 4254r of the Political Code is hereby amended to read as follows:

4254r. In counties of the twenty-fifth class, grand jurors and trial jurors in the superior court, shall each receive for each day's attendance, per day the sum of three dollars and for each mile actually and necessarily traveled from their residence to the county seat, in going only, the sum of ten cents per mile, such mileage to be allowed but once during each session such jurors are required to attend.

SEC. 10. A new section to be numbered 4254t is hereby added to the Political Code and to read as follows:

4254t. In counties of the twenty-fifth class, any officer, deputy or employee of the county entitled to receive mileage for distances traveled by them in the discharge of their official duties shall receive such mileage at the rate of five cents per each mile so traveled."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 1039—An act to define and punish the crime of gangsterism.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 263—An act to add a new section to the Penal Code, to be numbered 487a, relating to the commission of a series of petit thefts by the same person.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 168—An act relating to the revenues and expenditures of irrigation districts of the first class and providing for the budgeting of such expenditures.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, as amended, after the word and number "SECTION 1.", strike out the remainder of said line 1, and all of the remainder of the printed bill, as amended, and insert in lieu thereof the following:

"Annually at or before the date upon which the annual assessment is levied the board of directors of each irrigation district of the first class shall cause to be prepared a statement showing both the probable revenues of the district for the next ensuing calendar year and the anticipated expenditures required by the district for the same period together with a brief explanatory note showing reasons for proposed increases of expenditures, if any, over the current year. Such statement shall be in sufficient detail as to show generally the sources and amounts of anticipated revenues and the purposes and amounts of anticipated expenditures. Such statement when so prepared and approved by the board of directors shall be filed with the secretary of the board and shall constitute the budget of the district for the period covered and a certified copy thereof, shall be forthwith filed in the office of the county auditor of the county in which such district or the greater portion thereof, in area, exists. No expenditures during the period covered by said budget shall be made other than as provided for therein except by order of the board entered upon its minutes, showing among other things the reason for departure from the provisions of the budget."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 70—An act to amend section 626m of the Penal Code, relating to the protection of game.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, lines 6 and 7, of the printed bill, as amended, strike out "capable of projecting a beam of light a distance of thirty or more feet,".

AMENDMENT NUMBER TWO.

On page 2, line 12, of the printed bill, as amended, after the period, insert the following: "'Artificial light' as used in this section means any light which is not legally affixed to a motor vehicle, and which is capable of projecting a beam of light a distance of thirty or more feet."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 454—An act to amend section 1060 of the Fish and Game Code, to add thereto sections 481.5, 744, 842.5, 846.5, 867, 1063.5, 1064.5, 1065.5, and to repeal sections 714, and 1066 to 1071 inclusive, relating to fish and game.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, as amended, after the comma following "493.5", insert the following: "733.5,".

AMENDMENT NUMBER TWO.

In line 5 of the title of the printed bill, as amended, strike out "842.5, 842.6".

AMENDMENT NUMBER THREE

On page 2 of the printed bill, as amended, strike out line 7, and insert in lieu thereof the following:

"SEC. 5. A new section is hereby added to the Fish and Game Code, to be numbered 733.5 and to read as follows:

733.5. Yellowtail may be taken with hook and line at any time, but may not be sold between June 1st and August 31st.

SEC. 6. A new section is hereby added to Article 3, Chap-".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended, strike out lines 20 to 42, inclusive, and insert in lieu thereof the following:

"SEC. 7. Section 847 of the Fish and Game Code is hereby".

AMENDMENT NUMBER FIVE.

On page 2, line 49, of the printed bill, as amended, strike out "9", and insert in lieu thereof the following: "8".

AMENDMENT NUMBER SIX.

On page 3, line 2, of the printed bill, as amended, strike out "10", and insert in lieu thereof the following: "9".

AMENDMENT NUMBER SEVEN.

On page 3, line 10, of the printed bill, as amended, after the period, insert the following: "The provisions of this part do not apply to yellowtail taken in waters lying south of the international boundary line between the United States and Mexico, extended westerly in the Pacific Ocean. The commission is authorized to prescribe regulations governing the inspection and marking of yellowtail imported into this State. The cost of such inspection and marking shall be paid by the importer of the yellowtail."

AMENDMENT NUMBER EIGHT.

On page 3, line 11, of the printed bill, as amended, strike out "11", and insert in lieu thereof the following: "10".

AMENDMENT NUMBER NINE.

On page 3, line 17, of the printed bill, as amended, strike out "12", and insert in lieu thereof the following: "11".

AMENDMENT NUMBER TEN.

On page 3, line 29, of the printed bill, as amended, strike out "13", and insert in lieu thereof the following: "12".

AMENDMENT NUMBER ELEVEN.

On page 3, line 33, of the printed bill, as amended, strike out "14", and insert in lieu thereof the following: "13".

AMENDMENT NUMBER TWELVE.

On page 3, line 50, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "14".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading

Senate Bill No. 566—An act to add a new article to Chapter I of Part IV of Division II of the School Code to be known as Article II, embracing sections 2.1365 and 2.1366, relating to the State Council of Educational Planning and Coordination.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was sub mitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, as amended, following "the", strike out "five", and insert in lieu thereof the following: "seven".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 759—An act to provide for the adoption and use of a uniform fire alarm code signal in all public, private or parochial schools.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after "apparatus", insert the following: "already".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 686—An act to add a new section to the Penal Code to be numbered 19a, relating to the maximum period of confinement in a county jail.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after "to", and before "add", insert the following: "amend section 19 of and to".

AMENDMENT NUMBER TWO.

In lines 2 and 3 of the title of the printed bill, strike out "the maximum period of confinement in a county jail.", and insert in lieu thereof the following: "relating to punishment for crime."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 1 and 2 and insert in lieu thereof the following:

"SECTION 1. Section 19 of the Penal Code is hereby amended to read as follows:

19. Except in cases where a different punishment is prescribed by any law of this State, every offense declared to be a misdemeanor is punishable by imprisonment in the county jail not exceeding six months, or by fine not exceeding five hundred dollars, or by both.

SEC. 2. A new section is hereby added to the Penal Code, to be numbered 19a and to read as follows:".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 124—An act to amend sections 3.480, 3.481, 3.482, and 3.806 and add a new section 3.808 of the School Code, relating to tuition charges for adults.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, strike out "3.481,".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, as amended, strike out "for adults".

AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill, as amended, after the comma, insert the following: "classes for the physically handicapped,".

AMENDMENT NUMBER FOUR.

On page 1, lines 9 and 10, of the printed bill, as amended, strike out "for each course in which he has enrolled".

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, as amended, strike out lines 15 to 21, inclusive.

AMENDMENT NUMBER SIX.

On page 1, line 22, of the printed bill, as amended, strike out "3", following "Sec.", and insert in lieu thereof the following: "2".

AMENDMENT NUMBER SEVEN.

On page 2, line 6, of the printed bill, as amended, immediately preceding "Section", insert the following: "Sec. 3."

AMENDMENT NUMBER EIGHT.

On page 2, line 8, of the printed bill, as amended, immediately preceding "Upon", insert the following: "3.806."

AMENDMENT NUMBER NINE.

On page 2, line 25, of the printed bill, as amended, at the beginning of the line, immediately preceding "The", insert the following: "3.808."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 904—An act to amend section 269b of the Penal Code, relating to adultery.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 6 and 7, and insert in lieu thereof the following: "of a misdemeanor. A recorded certifi-".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and forty-two minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Powers.

The roll of absentees was called, and Senate Bill No. 336 was refused reconsideration by the following vote:

AYES—Alter, Bliss, Boyle, Brock, Burns, Cassidy, Clowdsley, Cottrell, Dempster, Feigenbaum, Hornblower, Hunt, Jones, Kallam, King, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Rogers, Roland, Stannard, Sullivan, Thorp, Tournoux, West and Williamson—35.

NOES—Anglim, Badham, Bowers, Callahan, Cobb, Craig, Crist, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Miller, James A., Morgan, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Scudder, Stream, Turner, Utt, Woolwine, Wright, Zion and Mr. Speaker—43.

MOTION TO RE-REFER.

Mr Powers moved that Assembly Constitutional Amendment No. 115 be withdrawn from file, and ordered re-referred to Committee on Constitutional Amendments.

The question being on re-referring Assembly Constitutional Amendment No. 115 to Committee on Constitutional Amendments.

Motion carried.

Assembly Constitutional Amendment No. 115 re-referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 591—An act making an appropriation to pay the claim of ------ against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 244—An act to amend sections 4.360, 4.362, 4.365, and 4.383 of the School Code, and to repeal sections 4.363 and 4.364 thereof, all relating to school district budgets—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROLAND, Chairman.

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 1205—An act to add a new section to the Political Code, to be numbered 452a, relating to the safekeeping of bonds deposited with treasurers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 783—An act to amend sections 737o and 737bbb of the Political Code, relating to salaries of judges of the superior court in and for the counties of Kern and Tulare;

Also: Senate Bill No. 814—An act to add a new section to the School Code to be numbered 2.1363, and to repeal section 5 21 thereof, both relating to the duties and powers of the State Director of Education;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LEVEY, Chairman.

The above reported bills ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 773—An act to amend sections 3 330 and 3 331 of the School Code, relating to the attendance of high school pupils residing in California upon high schools in adjoining States—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ROLAND, Chairman,

The above reported bill ordered on file for second reading.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 281—An act regulating the hours of labor of the operators of certain motor vehicles—has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 832—An act to add section 491 to the Vehicle Code, relating to reports on vehicle accidents—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2246—An act relating to the care and treatment of feeble-minded children in the Pacific Colony and making available for use therefor the buildings and grounds at the State Narcotic Hospital—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1933, at nine o'clock p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2328—An act to amend section 609 of the Probate Code, relating to the compensation of appraisers—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1933, at nine o'clock and thirty minutes p.m.

PATTERSON, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 856—An act making an appropriation to pay the claim of William Dyer against the State of California;

Also: Assembly Bill No 1199—An act making an appropriation to pay the claim of A. C. Brunzell and E. S. Brunzell, copartners, against the State of California;

Also: Assembly Bill No. 1775—An act to pay the claim of the Master Plumbers' Association Holding Corporation against the State of California;

Also: Assembly Bill No. 1929—An act making an appropriation to pay the claim of C. D. Plum against the State of California;
Has had the same under consideration, and respectfully reports the same back without recommendation, as amended, to be re-referred to the Committee on Rules.

COBB, Chairman.

The above reported bills ordered re-referred to Committee on Rules.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 693—An act to amend section 385 of the Political Code, relating to the secretaries of the Governor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER. Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 121—Proposed amendment to Article IV, section 23, of the Constitution, relative to compensation of members of the Legislature—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

FEIGENBAUM, Chairman.

Assembly Constitutional Amendment No. 121 ordered on file for adoption.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 935—An act to add a new section to the Political Code to be numbered 1034, relating to State officers and employees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COBB, Chairman.

POINT OF ORDER.

Mr. Hornblower arose to the following point of order: Stating that in accordance with Senate Concurrent Resolution No. 23, the last day has passed for the consideration of Assembly bills, except by motion to suspend the rules.

RULING BY SPEAKER.

The Speaker ruled the point of order well taken.

MOTION.

Mr. Latham moved that the Joint Rules, in accordance with Senate Concurrent Resolution No. 23, be suspended for the purpose of considering Assembly Bill No. 935.

The question being on the motion to suspend rules.

WITHDRAWAL OF MOTION.

Mr. Latham withdrew his motion.

SECOND READING OF SENATE BILLS.

Senate Bill No. 244—An act to amend sections 4.360, 4.362, 4.365, and 4.383 of the School Code, and to repeal sections 4.363 and 4.364 thereof, all relating to school district budgets.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

The title of the printed bill is amended to read as follows:

"An act to amend sections 4.360, 4.362, 4.365, 4.366, 4.383, and 2.1427 of the School Code, and to repeal sections 4.363 and 4.364 thereof, relating to school district budgets and the estimate of State apportionments."

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the word "June", and insert in lieu thereof the word "July".

AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, strike out the word "June", and insert in lieu thereof the word "July".

AMENDMENT NUMBER FOUR.

On page 1, line 23, of the printed bill, strike out the word "June", and insert in lieu thereof the word "July".

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, beginning in line 26, strike out the words following the period, and all of line 27.

AMENDMENT NUMBER SIX.

On page 2, line 17, of the printed bill, strike out the word "first", and insert in lieu thereof the word "last".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, beginning in line 22, strike out the words "on the tenth day of July", and insert in lieu thereof the following: "during the first week of August".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, following line 29, add the following:

"SEC. 6. Section 4.366 of the School Code is hereby amended to read as follows:

4.366. The governing board of each school district in which a public hearing on the budget is required by the provisions of this code shall resubmit its budget as finally adopted subsequent to said public hearing not later than the tenth day of August. The county superintendent of schools shall approve the budget of each school district as officially adopted and submitted by the governing board thereof and, not later than the fifteenth day of August, shall file one copy of the approved budget of each school district with the board of supervisors and one copy with the auditor of his county, together with a statement showing the amount of school district taxes required by each school district of the county".

AMENDMENT NUMBER NINE.

Section 2.1427 of the School Code is hereby amended to read as follows:

"2.1427. Not later than the twenty-fifth day of July in each year to prepare an estimate of the amount of State school money that will be apportioned to each county or city and county during the current school year and to furnish a certified copy of the estimate to each county or city and county superintendent of schools".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading

Senate Bill No. 1205—An act to add a new section to the Political Code, to be numbered 452a, relating to the safekeeping of bonds deposited with treasurers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 783—An act to amend section 737bbb of the Political Code, relating to salaries of judges of the superior court in and for the county of Tulare.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, lines 9 and 10, of the printed bill, as amended, strike out "five thousand five hundred", and insert in lieu thereof the following: "six thousand".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 814—An act to add a new section to the School Code to be numbered 2.1363, and to repeal section 5.21 thereof, both relating to the duties and powers of the State Director of Education.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, as amended, strike out the following: "for tuition or", and insert in lieu thereof the word "as".

AMENDMENT NUMBER TWO.

On page 2, line 5, of the printed bill, as amended, after the period insert the following:

"With the approval of the Director of Education tuition fees and deposits may be required of and collected from students enrolled in State teachers colleges. All fees collected from students in any State teachers college are hereby appropriated for the support of the State teachers college in addition to such other funds as may be appropriated therefor by the Legislature. The total tuition fees charged any such student shall not exceed twenty-five dollars per year or twelve dollars and fifty cents per semester. Whenever any law requiring nonresident students to pay any tuition fee becomes effective no nonresident student shall be required to pay any fee prescribed under the provisions of this section. The Director of Education shall prescribe rules and regulations subject to the approval of and audit by the Department of Finance covering the collection, custody and disposition of any and all moneys collected at any State teachers college."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 773—An act to amend sections 3.330 and 3.331 of the School Code, relating to the attendance of high school pupils residing in California upon high schools in adjoining States.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 281—An act regulating the hours of labor of the operators of certain motor vehicles.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 832—An act to add section 491 to the Vehicle Code, relating to reports on vehicle accidents.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out "triplicate in the local", and insert in lieu thereof the following: "duplicate in the".

AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed bill, strike out "all".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No 108—An act to add a new section to the Code of Civil Procedure, to be numbered 692a, relating to deficiency judgments.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 523—An act to amend sections 3a, 7, and 13 of the Juvenile Court Law, relating to juvenile courts and wards thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 524—An act to amend section 8 of the Juvenile Court Law, relating to juvenile courts and wards thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1046—An act to amend section 963 of the Code of Civil Procedure, relating to appeals.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1201—An act creating a district to be called "Orange County Water District" for the purpose of providing for importation of water into said district and preventing waste of water in or exportation of water from said district and providing for reclamation of drainage, storm, flood and other water for beneficial use in said district and for the conservation and control of storm and flood water flowing into said district; providing for the organization and management of said district and establishing the boundaries and divisions thereof and defining the powers of the district, including the right of the district to sue and to be sued, and the powers and duties of the officers thereof; providing for the construction of works and acquisition of property by the district to carry out the purposes of this act; authorizing the incurring of indebtedness and the voting, issuing and selling of bonds and the levying and collecting of assessments by said district; and providing for the inclusion of additional lands therein and exclusion of lands therefrom.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out lines 3 and 4, and insert in lieu thereof the following: "entirely within Orange County, California, including and comprising all of the land within the exterior boundaries of said district, excepting and excluding therefrom the area included within the boundaries of the municipal corporations known as city of Santa Ana and city of Anaheim as said boundaries are described at the date of enactment hereof, and said exterior boundaries of said district are described as follows:".

AMENDMENT NUMBER TWO.

On page 15 of the printed bill, as amended, strike out lines 19 to 37, inclusive, and insert in lieu thereof the following:

"8. To have and exercise the right of eminent domain and, in the manner provided by law for the condemnation of private property for public use, to take any property necessary to the exercise of the powers herein granted except water, water rights, reservoirs, pipe lines, water-distributing systems and water works, already devoted to beneficial use, and power plants devoted to public use; and provided that water, water rights, dams, reservoirs, pipe lines, water distributing systems, and other works situated within or without said district, and owned and used by municipal corporations, individuals or corporations or scientific institutions established and/or maintained for the propagation or study of plant life, for domestic use, irrigation and other beneficial purposes within said district, shall not be subject to condemnation by the district as in this section provided. Subject to the express limitations hereinbefore set out, in any proceeding relative to the exercise of such right of eminent domain, the district shall have the same rights, powers and privileges as a municipal corporation;".

AMENDMENT NUMBER THREE.

On page 18, line 16, of the printed bill, after "lands", add a comma and the following: "including assessable rights therein or improvements thereon,".

AMENDMENT NUMBER FOUR.

On page 18, line 18, of the printed bill, after "land", add a comma and the following: "including assessable rights therein or improvements thereon,".

AMENDMENT NUMBER FIVE.

On page 18, line 19, of the printed bill, strike out "next preceding", and insert in lieu thereof the following: "last equalized".

AMENDMENT NUMBER SIX.

On page 18, line 25, of the printed bill, strike out "next preceding", and insert in lieu thereof the following: "last equalized".

AMENDMENT NUMBER SEVEN.

On page 22, line 9, of the printed bill, strike out the numeral "36", and insert in lieu thereof the following: "35".

AMENDMENT NUMBER EIGHT.

On page 22, line 13, of the printed bill, strike out the numeral "36", and insert in lieu thereof the following: "35".

AMENDMENT NUMBER NINE.

On page 25 of the printed bill, strike out lines 49 and 50, and insert in lieu thereof the following: "of Orange. Said bonds shall be payable in lawful money of the United States at the office".

AMENDMENT NUMBER TEN.

On page 36, line 10, of the printed bill, strike out the numeral "54", and insert in lieu thereof the following: "53".

AMENDMENT NUMBER ELEVEN.

On page 36, line 11, of the printed bill, strike out the numeral "52", and insert in lieu thereof the following: "51".

AMENDMENT NUMBER TWELVE.

On page 36, line 34, of the printed bill, strike out the numeral "52", and insert in lieu thereof the following: "51".

AMENDMENT NUMBER THIRTEEN.

On page 39, line 6, of the printed bill, strike out the numeral "57", and insert in lieu thereof the following: "56".

AMENDMENT NUMBER FOURTEEN.

On page 39, line 12, of the printed bill, strike out the numeral "56", and insert in lieu thereof the following: "55".

AMENDMENT NUMBER FIFTEEN.

On page 39, line 18, of the printed bill, strike out the numeral "58", and insert in lieu thereof the following: "57".

AMENDMENT NUMBER SIXTEEN.

On page 39, line 24, of the printed bill, strike out the numeral "56", and insert in lieu thereof the following. "55".

AMENDMENT NUMBER SEVENTEEN.

On page 39, line 26, of the printed bill, strike out the numeral "38", and insert in lieu thereof the following: "57".

AMENDMENT NUMBER EIGHTEEN.

On page 42, line 8, of the printed bill, after the period add the following: "Whenever lands included in any municipal corporation use water from a source or sources outside the watershed of the Santa Ana River or outside the underground water basin or basins fed by the Santa Ana River, the board of directors may consider such use as grounds for excluding said lands from the district in a proceeding for exclusion instituted in accordance with section 66 hereof."

AMENDMENT NUMBER NINETEEN.

On page 42 of the printed bill, strike out lines 14 and 15, and insert in lieu thereof the following: "district by order of said board, may be excluded from the dis-".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 161—An act to repeal section 4295a of the Political Code, relating to filing fees under the Water Commission Act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the word "repeal", and insert in lieu thereof the word "amend".

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out the word "repealed.", and insert in lieu thereof the following: "amended to read as follows:

4295a. The provisions of section 4295 of this code shall not apply to any fee for the filing of any document or paper, or for the performance of any official service,

as may be now or hereafter provided for in sections 24 to 37h, both inclusive, of the "Water Commission Act" of this State, Chapter 586 of the Statutes of 1913, as amended."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 520—An act to repeal an act entitled "An act to provide for the appointment and election of one additional judge for the county of Humboldt," approved March 8, 1895.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, in line 1 of the title of the printed bill, strike out "An act", and insert in lieu thereof the following: "An act to reduce the number of judges of the superior court in and for the county of Humboldt and".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, between the enacting clause and line 1, insert the following:

"SECTION 1. The number of judges of the superior court in and for the county of Humboldt is hereby reduced from two to one."

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "Sec. 1", and insert in lieu thereof the following: "Sec. 2".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 47—An act to amend section 737p of the Political Code, relating to the salary of the superior judge of the county of Kings.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 270—An act to amend section 737w of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Mendocino.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 643—An act to amend section 737ff of the Political Code, relating to the compensation of the judge of the superior court, Plumas County.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1051—An act to amend section 737nn of the Political Code, relating to the salary of the superior judge in and for the county of San Luis Obispo.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "five", and insert in lieu thereof "six".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 255—An act to amend section 737tt of the Political Code, relating to the compensation of the judge of the superior court, Sierra County.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "thousand", insert "five hundred".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 79—An act to add a new section to be numbered 12½ to "An act to provide for the formation, management and dissolution of county water works districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county water works district bonds and the payment thereof," approved June 13, 1913, relating to the organization and regulation of county water works districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 86—An act to amend sections 3746, 3751, 3756, 3817 and 3817a of the Political Code, relating to property tax delinquencies, penalties and redemptions, and to declare that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 2, lines 30 and 31, of the printed bill, as amended, strike out the words "interest at seven per cent per annum and".

AMENDMENT NUMBER TWO.

On page 2, line 32, of the printed bill, as amended, strike out the word "percentages", and insert in lieu thereof the word "rates".

AMENDMENT NUMBER THREE.

On page 3, lines 37 and 38, of the printed bill, as amended, strike out the words "with interest on the aggregate amount of such taxes, at the rate of seven per cent per annum;".

AMENDMENT NUMBER FOUR.

On page 3, lines 50, 51 and 52, of the printed bill, as amended, strike out the words "with interest from the first day of July of each of said years, respectively, at the same rate, to the time of redemption;".

AMENDMENT NUMBER FIVE.

On page 4, line 1, of the printed bill, as amended, strike out the words "Five per cent", and all of lines 2 to 11, inclusive, and insert in lieu thereof the following:

"One per cent per month, if redeemed within five years from July 1st of the year of sale; if not redeemed within five years from July 1st of the year of sale, one per cent per month for a period of five years and at the rate of one-half of one per cent per month thereafter to the time of redemption. The penalty shall be computed from July 1st of the year of sale upon the amount of taxes delinquent at the time of sale, and upon the amount of each year's taxes in like manner, reckoning from the first day of July of the year when the property would have been sold for the taxes of that year, if there had been no previous sale."

AMENDMENT NUMBER SIX.

On page 5, line 25, of the printed bill, as amended, strike out the word "interest", and insert the word "penalties".

AMENDMENT NUMBER SEVEN.

On page 5, line 26, of the printed bill, as amended, strike out the words "seven per cent per annum", and insert in lieu thereof the words "one per cent per month".

AMENDMENT NUMBER EIGHT.

On page 5, line 33, of the printed bill, as amended, strike out the word "interest", and insert in lieu thereof the word "penalties".

AMENDMENT NUMBER NINE.

On page 5, line 34, of the printed bill, as amended, strike out the words "seven per cent per annum", and insert in lieu thereof the words "one per cent per month".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 739—An act to amend section 2 of, and to add sections 5 and 6 to, an act entitled "An act relative to and providing for the construction of flood control works on the Santa Ana River system and for prevention of floods and conserving of the flood waters of said river and its tributaries and making an appropriation therefor," approved June 8, 1931, and providing for the transfer of that portion of said appropriation not expended on or before the first day of January, 1934, from the county treasurer of San Bernardino County to the State Treasurer, and providing that this act shall take effect immediately.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

In line 8 of the title of the printed bill, as amended, strike out "1934", and insert in lieu thereof the following: "1935".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 689—An act to provide for the administration of funds of this State and of the United States government made available for the relief of destitution caused by unemployment and making an appropriation for such purpose and declaring the urgency thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, as amended in the Senate May 4, 1933, strike out the comma, and in lieu thereof insert a period.

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, as amended in the Senate May 4, 1933, strike out everything after the comma.

AMENDMENT NUMBER THREE

On page 1 of the printed bill, as amended in the Senate May 4, 1933, strike out all of lines 17, 18, 19 and 20

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 575—An act to extend to the guarantors of the payment of public bonds any moratorium on the payment thereof or on assessments or taxes levied to pay the principal and interest due on bonds issued under any law of this State.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, in line 22 thereof, after the comma insert the following: "or any of the public bodies hereinbefore mentioned shall default in the payment thereof,".

AMENDMENT NUMBER TWO.

On page 2, line 8, of the printed bill, as amended, strike out "and/or", and insert in lieu thereof the following: "and".

AMENDMENT NUMBER THREE.

On page 2, line 8, of the printed bill, as amended, after "payers", insert the following: ", or either of them,".

AMENDMENT NUMBER FOUR.

On page 2, line 9, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "or in the event of a default shall be extended for the period of the default but not to exceed three years after the commencement thereof."

AMENDMENT NUMBER FIVE.

On page 2, line 14, of the printed bill, as amended, strike out "and/or", and insert in lieu thereof the following: ", county,".

AMENDMENT NUMBER SIX.

On page 2, line 14, of the printed bill, as amended, after "municipal", insert the following: "or other public corporation or district".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 125—An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 19, line 47, of the printed bill, as amended, after the word "day", strike out the words and figures "of June, 1933", and insert in lieu thereof the words "of the second month after the effective date of this act".

AMENDMENT NUMBER TWO.

On page 20, lines 4 and 5, of the printed bill, as amended, after the word "after", in line 4, strike out the words and figures "May 1, 1933", and insert in lieu thereof "the first day of the month after the effective date of this act".

AMENDMENT NUMBER THREE.

On page 20, line 18, of the printed bill, as amended, after the words "day of", strike out the words and figures "July, 1933", and insert in lieu thereof "of the third month after the effective date of this act".

AMENDMENT NUMBER FOUR.

On page 20, line 26, of the printed bill, as amended, after the word "the", strike out the words and figures "month ending May 31, 1933", and add the following: "first month after the effective date of this act".

AMENDMENT NUMBER FIVE.

On page 21, line 27, of the printed bill, as amended, after the word "operator", add the words "and to all persons appearing of record to have an interest in such property".

AMENDMENT NUMBER SIX.

On page 21, line 30, of the printed bill, as amended, after the word "any", add the following: "and, in the case of any person appearing of record to have an interest in such property, addressed to such person at the last known place of residence, if any".

AMENDMENT NUMBER SEVEN.

On page 22, line 43, of the printed bill, as amended, after the word "act.", add the following sentence: "All investigators so appointed shall be exempt from the provisions of the Civil Service Act."

AMENDMENT NUMBER EIGHT.

On page 25, line 46, of the printed bill, as amended, after the word "not", strike out the word "less", and add the word "more"; and after the word "dollars", strike out the words "nor more than five thousand dollars".

AMENDMENT NUMBER NINE.

On page 20, line 46, of the printed bill, as amended, strike out the words "conditional vendor, or other".

Amendments adopted

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No 356—An act to amend sections 2 and 50 of the Public Utilities Act, and to add two new sections thereto, to be numbered 34a and 57½, relating to the regulation of freight forwarders; the regulation of the transportation of persons or property for compensation between points in this State and for the issuance of certificates of public convenience and necessity therefor.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 9, line 41, of the printed, amended bill, after the word "between", strike out the word "January", and insert in lieu thereof "May".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 467—An act to repeal an act entitled "An act making an appropriation for the construction and completion of an exposition building for the use of Number One-A Agricultural District Association," approved June 9, 1931, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 142—An act to add a new section to the Political Code, to be numbered 737, relating to salaries of judges.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 875—An act to add a new article to Chapter III of Title I of Part III of the Political Code to be numbered Article XXI, embracing sections 720 to 724f, inclusive, creating a board to be known as the Board of Control to take the place of the Department of Finance, prescribing the duties, powers, responsibilities, authority and jurisdiction of the Board of Control and providing for the membership thereof and their qualifications; providing for the transfer to the Board of Control and the imposition on it of the duties, powers, responsibilities, authority and jurisdiction of the Department of Finance and the Director of Finance, as well as of the various divisions of the Department of Finance and the officers, agents and employees of the Department of Finance; providing for the abolishment of the Department of Finance and the Director of Finance and the various divisions of the

Department of Finance and the various officers, agents and employees of the Department of Finance; providing for the expenditure and transfer of certain funds, and repealing all acts or parts of acts in conflict therewith.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In lines 1 and 2 of the title of the printed bill, as amended April 27, 1933, strike out the following: "add a new article to chapter three of title one of part three", and insert in lieu thereof the following: "amended sections 663, 664 and 675".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, as amended, strike out "to be numbered Article XXI".

AMENDMENT NUMBER THREE

In line 3 of the title of the printed bill, as amended, strike out the following: "embracing sections 720 to 724f, inclusive".

AMENDMENT NUMBER FOUR.

In line 4 of the title of the printed bill, as amended, strike out the following: "board to be known as the", and insert in lieu thereof the word "new".

AMENDMENT NUMBER FIVE.

In lines 4 and 5 of the title of the printed bill, as amended, strike out the following: "to take the place of the Department of Finance".

AMENDMENT NUMBER SIX.

In line 6 of the title of the printed bill, as amended, strike out the word "the", and insert in lieu thereof the word "said".

AMENDMENT NUMBER SEVEN.

In line 8 of the title of the printed bill, as amended, following the semicolon insert the following: "creating the office of the Director of the Budget", and also strike out the last word "the", in said line, and insert in lieu thereof the word "said".

AMENDMENT NUMBER EIGHT.

In line 9 of the title of the printed bill, as amended, strike out the second word "the", and insert in lieu thereof the word "certain".

AMENDMENT NUMBER NINE.

In line 11 of the title of the printed bill, as amended, strike out the following: "Department of Finance and the", and strike out the word "as", in said line 11.

AMENDMENT NUMBER TEN.

In the title of the printed bill, as amended, strike out lines 12 to 20, inclusive.

AMENDMENT NUMBER ELEVEN.

On page 1 of the printed bill, as amended, strike out all of lines 1 to 7, inclusive.

AMENDMENT NUMBER TWELVE.

On page 2 of the printed bill, as amended, strike out all of lines 1 to 50, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 663 of the Political Code is hereby amended to read as follows:

663. A State Board of Control is hereby created to consist of the Director of Finance, who shall also be known as the Director of the Budget, the State Controller, and the Legislative Counsel, all acting ex officio."

AMENDMENT NUMBER THIRTEEN.

On page 3 of the printed bill, as amended, strike out all of lines 1 to 3, inclusive.

AMENDMENT NUMBER FOURTEEN.

On page 3, in line 4, of the printed bill, as amended, strike out the following: "723."

AMENDMENT NUMBER FIFTEEN.

On page 3 of the printed bill, as amended, strike out all of lines 9 to 52, inclusive, and insert in lieu thereof the following:

"The members of the State Board of Control shall receive no additional compensation for their services as ex officio members of said board. The board shall elect from its membership a chairman who shall be known as chairman of the Board of Control

and whose duty it shall be to preside at all meetings thereof. In the absence of the chairman at any meeting a chairman pro tem may be elected or appointed by the members present to preside at such meeting.

The board must keep a record of all its proceedings and any member may cause his dissent to the action of the majority upon any matter to be entered upon such record.

The board may appoint a secretary and assistant secretaries and clerical help who shall hold office at its pleasure. It shall be the duty of the secretary to keep a full and true record of all proceedings of the board, to issue all necessary process, writs, warrants and notices, and to perform such other duties as the board may prescribe. The secretary and the assistant secretaries shall have power to administer oaths, certify to all official acts, and issue subpenas for the attendance of witnesses and the production of papers, books, accounts, documents, testimony in any inquiry, investigations, hearing or proceeding in any part of the State.

The board shall have power to employ such officers, experts, engineers, statisticians, accountants, inspectors, clerks and employees as it may deem necessary to perform the duties and exercise the powers conferred by law upon the board. The board shall have power to employ examiners who shall have the power to administer oaths, examine witnesses, issue subpenas and receive evidence, under such rules and regulations as the board may adopt.

The board shall have a seal, bearing the following inspection; "State Board of Control." The seal shall be affixed to all writs and authentications of copies of records and to such other instruments as the board shall direct.

A majority of the board shall constitute a quorum for the transaction of any business, for the performance of any duty, or for the exercise of any power of the board. No vacancy in the board shall impair the right of the remaining members to exercise all the powers of the board. The act of a majority of the board when in session as a board shall be deemed to be the act of the board; but any investigation, inquiry or hearing which the board has power to undertake or to hold may be undertaken or held by or before any member or members designated for the pupose by the board. The evidence in any investigation, inquiry or hearing may be taken by the member or members to whom such investigation, inquiry or hearing has been assigned or, in his or their behalf, by an examiner designated for that purpose. Every finding, opinion and order may by the member or members, so designated, pursuant to such investigation, inquiry or hearing, when approved or confirmed by the board and ordered filed in its office at State Capitol, Sacramento, shall be deemed to be the finding, opinion and order of the board.

The powers, duties, and jurisdiction of the Board of Control shall be expressly limited by the provisions of this section and the provisions of those laws or parts of laws hereinafter set out; provided, that if in any other provision of the law, the Board of Control is mentioned, it shall be construed to mean and denote the Department of Finance.

The Board of Control shall exercise or succeed to, as the case may be, the powers, duties, and jurisdiction granted in the following provisions of the law: sections 531, 664, to 669, 675, 3408d, of the Political Code; those powers, duties and jurisdiction imposed upon the Board of Control or Board of Examiners under sections 3669, 3713 and 4290 of the Political Code, and 1272a of the Code of Civil Procedure, and that certain act entatled "An act to provide indemnity to persons erroneously convicted of felonies in the State of California," approved May 24, 1913, as amended. And those powers, duties and jurisdiction imposed on the State Controller under that certain act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, as amended, and the approval of refunds and abatements to taxpayers as provided in section 26 of Chapter 13, Statutes of 1929, as amended, and the approval of condemnation suits as provided for in Chapter 763 Statutes of 1927, as amended.

SEC 2 Section 664 of the Political Code is hereby amended to read as follows:

664. The board by a majority vote shall adopt general rules and regulations (1) limiting the amount of traveling expenses and allowances to be paid, (2) governing such matters as are specifically committed to the jurisdiction of said board, and (3) governing the presentation and audit of claims against the State for which an appropriation has been made or for which a State fund is available, and (4) the board may fix standard types of equipment and regulate the use thereof. In accordance with such general rules and regulations of said board and State Controller shall audit such claims before drawing his warrant therefor as prescribed by law.

The board shall cause to be printed for distribution among all State officers and for the use of any one desiring to present a claim against the State, a set of such general rules and regulations.

Any person having a claim against the State for which an appropriation has been made, or for which a State fund is available, may present the same to the

State Controller in the form and manner prescribed by the general rules and regulations adopted by the Board of Control for the presentation and audit of claims.

SEC. 3. Section 675 of the Political Code is hereby amended to read as follows:

675. The Board of Control shall have power:

1. To let, with the consent of the State department, board, commission, or officer concerned, for a period of not to exceed five years, any property, real or personal, which belongs to the State, except where such letting is expressly prohibited by law, if in the judgment of the board such letting will be for the best interests of the State.

2. To hire or lease, upon the written request of the State department, board, commission or officer concerned, any property, real or personal, if in the judgment of the board such hiring or leasing will be for the best interests of the State.

3. To authorize, with the consent of the State department, board, commission, or officer concerned, the sale or exchange of any personal property which belongs to the State if in the judgment of the board such sale or exchange will be for the best interests of the State.

4. To acquire title to real property in the name of the State of California whenever the acquisition of such property is authorized or contemplated by law, if no other agency of the State is specifically directed and empowered to acquire such title.

5. To convey title to real property in the name of the State of California whenever the sale or exchange of such property is authorized or contemplated by law, if no other agency of the State is specifically directed and empowered to convey such title.

6. To render such advisory, investigational or other similar service to any city, county, city and county, district or any other political subdivision of the State, as may be deemed expedient by the director, said service to be rendered only upon such terms and conditions as may be satisfactory to the Director of Finance

7 To institute, in the name of the State of California condemnation proceedings for the acquiring of any land authorized by law to be obtained for any State department, board, commission or institution, except land to be acquired by the Department of Public Works for highway uses and purposes, and to proceed if necessary to condemn under the terms of the Code of Civil Procedure relating to such proceedings, if no other agency of the State is specifically directed and empowered to institute such proceedings.

8. To grant and convey in the name of the State of California, with the approval of the department concerned, easements and rights of way over and across real property belonging to the State except real property used for highway rights of way, for such purposes and upon such consideration and subject to such conditions, limitations, restrictions and reservations as in his judgment may be to the interest of the State.

9 To grant and convey by deed or otherwise to abutting property owners all the right, title, and interest of the State of California, in and to abandoned river channels.

10. To purchase bonds for any State funds subject to investment.

11. To sell bonds in any State funds subject to investment.

12. To invest surplus money in the State treasury.

13. To authorize, with the approval of the Governor, deficiencies in any appropriations as prescribed in section 661 of the Political Code

14. To designate banks into which may be deposited all moneys belonging to, or in the custody of, the State under the control of any officer or employee of the State."

AMENDMENT NUMBER SIXTEEN.

Strike out all of page 4 of the printed bill, as amended

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 1025—An act to amend section 656 of the Political Code, relating to the Department of Finance.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, as amended, following the period, insert the following: "The director shall have power to appoint and fix the salary of

one attorney, which position shall be exempt from the provisions of the Civil Service Act."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 1027—An act to amend sections 1 and 2 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended, vesting administration of said act in the State Personnel Board, abolishing the Civil Service Commission and transferring all of the powers, duties, jurisdiction and responsibilities of said commission to said State Personnel Board.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 21, of the printed bill, as amended, strike out "Council", and insert in lieu thereof the following: "Counsel".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 688—An act calling a special election to be held on the date herein provided, and providing for the submission thereat to the qualified electors of the State of certain questions herein provided, for the purpose of ascertaining the wish of the people of the State relating to certain State funds.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended, strike out "the date herein provided", and insert in lieu thereof the following: "Tuesday, the twenty-seventh day of June, 1933".

AMENDMENT NUMBER TWO.

In lines 13 and 14 of the title of the printed bill, as amended, strike out "certain State funds", and insert in lieu thereof the following: "the diversion of moneys from the gasoline tax funds to the general fund of the State for certain purposes therein stated, the act to take effect immediately."

AMENDMENT NUMBER THREE.

On page 1, line 14, of the printed bill, as amended, strike out "in the year 1934 on the"; also strike out all of line 15 on said page, and insert in lieu thereof the following: "on Tuesday, the twenty-seventh day of June, 1933".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended, strike out lines 2 to 8, inclusive, and insert in lieu thereof the following. "questions hereinafter set forth. The special election hereby called is hereby consolidated with that certain special election called by an act entitled "An act to call a special election to be held on Tuesday, the twenty-seventh day of June, 1933, for the purpose of submitting to the qualified electors of this State certain amendments to the Constitution of this State proposed by the Legislature at its fiftieth regular session and for the purpose of electing delegates to a convention to consider and pass upon a proposed amendment to the

Constitution of the United States and to provide that this act shall take effect immediately," enacted at the fiftieth regular session of the Legislature, and such special elections so hereby consolidated shall be conducted as one election and as provided in section 3 of said act."

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, as amended, strike out lines 11 and 12, and insert in lieu thereof the following:

"SEC 4. Inasmuch as this act provides for the calling of an election, it shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 573—An act ceding to the United States of America certain lands of the State of California, for aerial training, military camps and other Federal purposes.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 14, of the printed bill, strike out the period after the word "lands", and add the following: ", and also section eighteen, township twenty-seven north, range sixteen east, Mount Diablo Meridian"

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 359—An act to amend sections 4 and 5 of the act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, relating to officers of such districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 256—An act to amend section 737ee of the Political Code, relating to the compensation of the judge of the superior court, Placer County.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 322—An act for the regulation of auto camps and to provide penalties for the violation thereof.

Bill read second time, and ordered on file for third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 11, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 689—An act to amend section 737f of the Political Code, relating to the superior judge in and for the county of Colusa;

Also: Assembly Bill No. 858—An act to amend sections 11, 12 and 13 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to reciprocity, service of notice and process, and penalties;

Also: Assembly Bill No. 859—An act to amend section 1b of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to fees;

Also: Assembly Bill No. 942—An act to amend section 5.63 of the School Code, relating to State teachers colleges;

Also: Assembly Bill No. 2206—An act to add a new section to the Political Code, to be numbered 3631, relating to the Division of Architecture revolving fund.

Also: Assembly Bill No. 1841—An act to amend section 2180, of the Political Code, relating to the support of insane persons and inebriates;

Also: Assembly Bill No. 2286—An act authorizing and empowering the Director of Finance to accept money from the estate of Emma Hotfilter for the purpose of erecting a fountain within the State Capitol grounds.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2125—An act to amend sections 5, 9, 10, 11 and 12 of the act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, relating to duties of the commission and the examination and qualification of applicants—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1184—An act to amend sections 640 and 671 of the Vehicle Code, relating to sirens, horns, warning devices and lights on vehicles—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1802—An act to amend section 7 of and to add a new section to be numbered 8½ to "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; and to make an appropriation for the carrying out the purposes of this act, and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to fees for the use of State park areas, and making an appropriation for the State park system—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1265—An act to add a new section to the Code of Civil Procedure to be numbered 329, relating to the limitation of the time within which actions for the foreclosure of street improvement assessment liens against real property may be commenced, when the assessments are made payable in installments pursuant to bonds or other written obligations—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 513—An act to amend sections 17, 22, and 30 of the Code of Civil Procedure, relating to definition of words used in said code—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 514—An act to amend sections 33, 34, 36, 40, 47, 53, 57, 65, 66, 73, 103a, 104, 105, 107, 112, 129, 130, 134, 135, 139, 142, 147, 150, 151, 152, 153, 156, 157, 159, 166, 170, 179, 184, 188, 189, 225, 226, 227, 228, 231, and 248 of the Code of Civil Procedure; to amend the headings of Chapter V of Title I of Part I and of Chapter V of Title II of Part I thereof; to add sections 108a, 159a, and 203 thereto; to add new Articles II and V to Chapter V of, and a new Chapter V-A to Title I of Part I thereof; to repeal the existing Article I of and to add a new Article I to Chapter V of, and to repeal the existing Chapter VI of, and to add a new Chapter VI to, Title I of Part I thereof; to renumber Articles II and III of Chapter V of Title I of Part I thereof, to be Articles III and IV, respectively, of said chapter and to amend the headings of said articles; to amend sections 892, 914, 915, 916, 917, 918 and 921 thereof, and to renumber section 892 to be 109, section 914 to be 113, section 915 to be 113a, section 916 to be 113b, section 917 to be 113c, section 918 to be 113d and section 921 to be 108; and to repeal sections 37, 38, 39, 41, 42, 43, 44, 45, 46, 49, 50, 51, 52, 52a, 54, 55, 56, 67b, 68, 69, 70, 71, 72, 75, 76, 77, 78, 79, 106, 160, 161, 167, 170b, 176, 182, 183, 304, 831f, 831g, 911, 912, 913, 920, 927 to 927q, inclusive, 929, 930, 931, 932, 933 and 933½ thereof; all relating to courts of justice and various officers connected therewith—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 516—An act to amend sections 1134, 1135, 1139, 1140, 1144, 1146, 1148, 1149, 1151, 1169, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221 and 1222 of the Code of Civil Procedure, relating to special proceedings—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 518—An act to amend sections 4300a, 4300e, and 4300f of the Political Code, relating to fees—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 519—An act to amend sections 806 and 882 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883,

relating to city and justice courts—and respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No 9—An act to amend sections 41, 42, 43, 45 and 46 of the California Irrigation District Act, and to repeal section 44 of said act, all relating to delinquent assessments—and requests that your honorable body recede therefrom.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 226—An act to amend section 802 of the Agricultural Code, relating to the standardization of grapes—and requests that your honorable body recede therefrom.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 265—An act to amend sections 2322x28 and 4257 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-eighth class—and requests that your honorable body recede therefrom.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 509—An act to amend an act entitled, "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended, by amending sections 2, 3, 4, 5, 6, 7, 9, 11, 10, 14 and by adding a new section to be numbered 15, relating to collection agencies—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No 178—An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 549—An act to amend section 2 of an act entitled "An act to provide for the organization, incorpo-

ration, and government of municipal corporations," approved March 13, 1883, as amended.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 702—An act to amend section 1168 of the Penal Code, relating to sentences, imprisonments and paroles of prisoners.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 82—An act to amend sections 1271 and 1272 of and to add a new section to be numbered 1272 5 to the Agricultural Code, relating to produce dealers.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No 202—An act to add sections 611.6 and 621 5 to the Fish and Game Code, relating to fish and game.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 51—An act to add section 4014a to the Political Code, relating to township officers.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 323—An act to amend sections 1, 2, 3, 4, 7, 11, 12, 13, 15 and 17 and to repeal section 3½ of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the practice of pharmacy.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 373—An act to add a new section to the Political Code to be numbered 661½, relating to the powers of the State Board of Control.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 675—An act to amend section 456 of the Fish and Game Code, relating to the shipment of fish and game.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 712—An act to amend sections 737mm and 737hh of the Political Code, relating to the compensa-

tion of the judges of the superior court in and for the county of San Joaquin and the county of Sacramento.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 497—An act to amend sections 30, 52, 101, 105, 108, 111, 118, 119, 139, 205, 240, 247, 272, 458, 471, 485, 486, 626, 671, 781, 911, 1244, and 1246 of the Agricultural Code, and to add four new sections to said code to be numbered 16, 207 5, 234.5, and 679, relating to plant and animal industry and the products thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 460—An act to amend sections 54 and 55½ of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into six fish and game districts," approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 19, 1915," approved May 28, 1917, relating to fish and game districts 12A and 12C and the protection of fish in said districts, and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 404—An act to amend section 53 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp or overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, and relating to compensation of directors.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 516—An act to provide for the inspection and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places; to declare the urgency thereof and provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 280—An act to add section 520 5 to the Fish and Game Code, relating to dams.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 666—An act to amend sections 4 161, 4.181 and 4.190 of the School Code, and to add a new section to said code, to be numbered 4.162, all relating to county school funds.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1130—An act to amend section 4189 of the Political Code, relating to service of writs, notices and other process.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 358—An act to add section 441 to the Political Code, relating to the registration of warrants and the payment of obligations of the State, to make an annual appropriation therefor, to repeal an act entitled "An act concerning the office of Treasurer of State," approved March 16, 1855, and to declare that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 165—An act appropriating money to pay a claim of the county of Fresno against the State of California.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 81—An act to amend sections 1, 3, 4, 7, 8, 9, 10, 11, 12, and to repeal sections 5 and 6 of an act entitled "An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and to fix the penalties therefor; and to repeal all conflicting acts or parts of acts," approved June 1, 1927, relating to the bonds and licenses provided for therein, and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 406—An act making an appropriation to pay the claim of the Oilfields Trucking Company against the State of California.

Also: Senate Bill No. 455—An act to amend the title and sections 4 and 6 of, and to add sections 2a and 7 to, an act entitled "An act creating a commission to codify, consolidate, revise or compile the Statutes of California and to report thereon to the Legislature at the fiftieth session thereof and making an appropriation therefor," approved June 10, 1929, defining the powers and duties of the California Code Commission, directing a report to the fifty-first session of the Legislature, making an appropriation therefor and authorizing State departments, boards, bureaus and commissions to contract with the commission for the revision of certain laws;

Also: Senate Bill No. 1112—An act making an appropriation for major construction and equipment at Camarillo State Hospital;

Also: Senate Bill No. 401—An act making an appropriation to pay the claim of Robert D. Duke against the State of California:

Also: Senate Bill No. 720—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act, approved May

30, 1921, and of any and all acts amendatory thereof or supplemental thereto; creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State offices in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1934.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1198—An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns, to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of the property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act,

Also: Senate Bill No. 768—An act making an appropriation to pay the claim of the county of Marin against the State of California.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

The above reported bills ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No 139—An act to add section 694da to the Political Code, relating to the State Agricultural Society contingent fund, and declaring the urgency hereof.

J. A. BEEK, Secretary of Senate
By K E. MORLEY, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No 561—An act to amend sections 1, 2, 3, 5, 6, 7, 10, 11, 13, 13a, 14 and 16 of Chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, to add thereto a new section to be numbered 19, providing for a short title for said act, and to repeal Chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled, 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30,

1923, as amended and approved May 23, 1925," as amended, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 562—An act to amend section 1 of an act entitled "An act to create a fund to be known as the State highway general fund and providing for expenditures therefrom," approved June 5, 1931;

Also: Senate Bill No. 563—An act to amend sections 2, 3 and 5 and to add a section to be numbered 6 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, said amendments and new section relating to the allocation and expenditure of State highway funds, the construction, improvement and maintenance of State highways and the addition of certain highways to the State system;

Also: Senate Bill No. 570—An act to provide for the acquisition of the Sears Point Toll Road by the State, and the inclusion thereof in the State highway system;

Also: Senate Bill No. 969—An act to add a new section to the Agricultural Code, to be numbered 91.5, relating to the Sixth District Agricultural Association;

Also: Senate Bill No. 556—An act relating to the examination of juvenile offenders, and providing for State aid and cooperation with county authorities;

Also: Senate Bill No. 1207—An act to amend section 737kk of the Political Code, relating to the salaries of the judges of the superior court in and for the county of San Diego;

Also: Senate Bill No. 466—An act making an appropriation to pay the claim of the Bay Point Wharf and Yacht Harbor Co., Ltd., against the State of California;

Also: Senate Bill No. 1194—An act to make an appropriation to pay the claim of the Peat Humus Company against the State of California.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1180—An act to appropriate the sum of forty-two thousand dollars out of the motor vehicle fund to lease the necessary facilities and service for the establishment of a telephone typewriter system of communication between cities in California and the Bureau of Criminal Identification and Investigation at Sacramento and for the operation and control of the system under the direction of the Bureau of Criminal Identification and Investigation and declaring the same to be an urgency measure.

J. A. BEEK, Secretary of Senate
By K. E. MORLEY, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 659—An act to amend section 737gg of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Riverside;

Also: Senate Bill No. 721—An act to amend section 3898b of the Political Code, relating to and providing educational opportunities for children of veterans, defining the powers and duties of the Veterans' Welfare Board in relation thereto and making an appropriation therefor;

Also: Senate Bill No. 66—An act relating to the refunding of bonds of irrigation and reclamation districts, making State assistance available therefor and authorizing the issuance and sale of bonds of the State to provide funds for use in furtherance thereof;

Also: Senate Bill No. 700—An act making an appropriation to pay the claim of V. Earl Roberts against the State of California.

J. A. BEEK, Secretary of Senate
By K. E. MORLEY, Assistant Secretary.

The above reported bills ordered on file.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Powers:

May 11, 1933

We, the undersigned members of the Assembly, do hereby request that Assembly Constitutional Amendment No. 120, be withdrawn from the Committee on Constitutional Amendments, and be placed on third reading file of the Assembly.

J. E. FRAZIER.
GEORGE R. BLISS.
CHARLES A. HUNT
ERNEST C. CROWLEY.
CHARLES W. DEMPSTER
L. POWERS, JR.
B. V. CALLAHAN.
J. B. UTT
HENRY P. MEEHAN.
JAMES M. CASSIDY
JOHN H. O'DONNELL
T. A. MALONEY
CLIFFORD C. ANGLIM.
JAMES S. O'CONNOR.
JAMES J. BOYLE.
CECIL R. KING.
WM. MOSLEY JONES.
AUSTIN L. TOURNOUX.
FRANK G. MARTIN.
CHAS. W. STREAM
MAURICE MEEKER
BRUCE R. STANNARD.
WALTER H. SULLIVAN.
FRANK J. ROGERS.
JOHN D. MCCARTHY.
RODNEY L. TURNER
F. M. ROBERTS
JAMES J. MCBRIDE.
ROY J. NIELSEN.
THORP
MELVYN I. CRONIN.
P. J. MCMURRAY.
ELLIS E. PATTERSON
MICHAEL J. BURNS.
WM. B. HORNBLOWER.
W. E. BADHAM.
JOHN T. RAWLS.
LAWRENCE COBB
SAM M. GREENE
GEORGE B. BOWERS.
F. PETERSON

Assembly Constitutional Amendment No. 120 ordered on file for adoption.

By Mr. Maloney:

May 11, 1933

We, the undersigned, move to withdraw Senate Bill No. 945 from the Committee on Governmental Efficiency and Economy, and that the same be forthwith placed upon the file:

THOMAS A. MALONEY.
WM. B. HORNBLOWER.
JESSE M. MAYO.
CHARLES A. HUNT.
EDGAR C. LEVEY.
MELVYN I. CRONIN.
P. J. MCMURRAY.
JAMES J. BOYLE.
FRANK W. WRIGHT.
E. H. ZION.
CHARLES W. DEMPSTER.
J. E. FRAZIER.
JOHN H. O'DONNELL.
ERNEST C. CROWLEY.
ROY J. NIELSEN.
GEORGE R. BLISS.
CHARLES W. STREAM.
L. POWERS, JR.
JAMES M. CASSIDY.
F. PETERSON.
JAMES S. O'CONNOR.
JOHN PHILLIPS.
JOHN T. RAWLS.
CHARLES W. LYON.
ELLIS E. PATTERSON.
HENRY P. MEEHAN.
JOHN D. MCCARTHY.
CECIL R. KING.
FRANK G. MARTIN.
GEO. B. BOWERS.
WM. MOSELEY JONES.
C. WOOLWINE.
HOBART R. ALTER.
C. W. GRUBBS.
MICHAEL J. BURNS.
EDWARD CRAIG.
JAMES B. UTT.
RODNEY L. TURNER.
F. W. ROBERTS.

Assembly Bill No. 945 ordered on file.

SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 173—An act to amend section 242 of the Agricultural Code, relating to claims for animals slaughtered on account of tuberculosis.

Bill read second time, and ordered on file for third reading.

Senate Bill No 74—An act to amend sections 2 and 16 of an act entitled "An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal Chapter 32, Statutes of 1911, extra session, entitled 'An act to provide for the recall of elective officers of incorporated cities and towns,' approved January 2, 1912," approved May 8, 1931.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 97—An act to provide for the payment of special assessment taxes levied in districts organized under the provisions of the "Acquisition and Improvement Act of 1925" with bonds or coupons of such district.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 402—An act to amend sections 2 and 4 of an act entitled "An act relating to the liability and damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi-public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931, extending the provisions of the act to include suits against employees as well as officers of municipalities, counties, cities and counties, school districts, and the State and to suits against such officers and employees for alleged negligence or carelessness thereof while engaged in the public service, and defining terms used in the act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 701—An act providing for the recall of officers of cities of the second and one-fourth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 811—An act to amend sections 10 and 15 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities and upon property and rights of way owned by municipalities and for the laying out, opening, extending, widening, straightening or acquiring in whole or in part of public streets, squares, lanes, alleys, easements, courts and places within municipalities, to provide for the collection of such assessments, the sale of the property affected thereby, and for the payment of the bonds so issued," approved June 11, 1915, as amended, relating to bonds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1208—An act to provide for the issuance of duplicates of bonds, warrants, and other evidences of indebtedness of counties and municipal and other public corporations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 560—An act to provide for the establishment, maintenance and operation of unemployment relief camps.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 749—An act to amend section 3771, and to repeal section 3899 of the Political Code, relating to taxes, penalties, and costs, and the sale of property to the State therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 576—An act to amend sections 3866 and 3871 and to repeal section 3876 of the Political Code, relating to expenses of the county treasurer in settling accounts with the Controller.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 977—An act to add a new section to the Political Code to be numbered 3774, relating to property on which taxes are delinquent.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 569—An act relating to the redemption and sale of property sold to a county treasurer, as trustee of a reclamation district, for delinquent assessments and installments thereof, and relating to the voting of lands owned by the county treasurer, as trustee of a reclamation district, and by a reclamation district, and for the redemption of lands by a holder of a bond issued upon said assessments.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 314—An act to amend section 737u of the Political Code, relating to the salary of the superior judge in and for the county of Marin.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 545—An act to amend section 4290 and to repeal sections 4175 and 4176 of the Political Code, relating to fees and salaries of sheriffs.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 999—An act to add sections 463 to 469d, inclusive, to the Political Code, and to repeal an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State, and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, all relating to the deposit in banks of money belonging to or in the custody of the State.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1109—An act to repeal sections 2.1391, and 2.1398 of the School Code, to repeal Chapter IV of Part I of Division IV of said code, embracing sections 4.60, 4.70, and 4.71, and to repeal an act entitled "An act relating to the finances of the State Board of Education," approved May 4, 1929, thereby abolishing the State schoolbook fund, providing for the transfer of any moneys remaining therein to

the general fund, and making an appropriation for the support of the Textbook Division.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1017—An act to amend section 737m of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Imperial.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 236—An act to amend sections 5.720 and 5.790 of the School Code, relating to leaves of absence of employees of school districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 237—An act to amend section 4.380 of the School Code, relating to school district fund statements.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 239—An act to repeal sections 3.321, 3.322, 3.323, 3.324, 3.339 and 4.223 of the School Code, to add thereto new sections to be numbered 4.891–1 and 4.891–2 and to amend sections 4.896 and 4.898 thereof, all relating to county high school funds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 240—An act to amend sections 4.347, 4.349, and 4.350 of the School Code, relating to requisitions on school district funds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 54—An act to amend section 5.402 of the School Code, relating to school employees.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 745—An act to amend sections 2.878 and 2.881 of Article I, Chapter II, Part II, Division II, of the School Code of the State of California, relating to school district elections.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 233—An act to add a new section to the School Code to be numbered 6.544, relating to school district library funds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 234—An act to amend section 4.131 of the School Code, relating to the migratory school revolving fund.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 242—An act to amend sections 2.676, 2.680 and 2.1145 of the School Code, and to repeal section 2.677 thereof, all relating to junior college districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 235—An act to repeal sections numbered 1.60 to 1.66, both numbers inclusive, of the School Code, and Chapter 267 of the Statutes of 1919 entitled "An act to provide for the registration of minors," all relating to the registration of minors.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1054—An act to amend sections 93, 493, 534, 616, 619 and 1272, and to repeal section 94 of the Fish and Game Code, relating to fish and game.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1039—An act to define and punish the crime of gangsterism.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 263—An act to add a new section to the Penal Code, to be numbered 487a, relating to the commission of a series of petit thefts by the same person.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1180—An act to appropriate the sum of $42,000 out of the motor vehicle fund to lease the necessary facilities and service for the establishment of a telephone typewriter system of communication between cities in California and the Bureau of Criminal Identification and Investigation at Sacramento and for the operation and control of the system under the direction of the Bureau of Criminal Identification and Investigation and declaring the same to be an urgency measure.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 721—An act to amend section 3898b of the Political Code, relating to and providing educational opportunities for children of veterans, defining the powers and duties of the Veterans' Welfare Board in relation thereto and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 66—An act relating to the refunding of bonds of irrigation and reclamation districts, making State assistance available therefor and authorizing the issuance and sale of bonds of the State to provide funds for use in furtherance thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 700—An act making an appropriation to pay the claim of V. Earl Roberts against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 562—An act to amend section 1 of an act entitled "An act to create a fund to be known as the State highway general fund and providing for expenditures therefrom," approved June 5, 1931.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 563—An act to amend sections 2, 3 and 5 and to add two sections to be numbered 6 and 7 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, said amendments and new sections relating to the allocation and expenditure of State highway funds, the

construction, improvement and maintenance of State highways and the addition of certain highways to the State system.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 570—An act to provide for the acquisition of the Sears Point Toll Road by the State, and the inclusion thereof in the State highway system, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 969—An act to add a new section to the Agricultural Code, to be numbered 91.5, relating to the Sixth District Agricultural Association.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 556—An act relating to the examination of juvenile offenders, and providing for State aid and cooperation with county authorities.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1207—An act to amend sections 737kk and 737ww of the Political Code, relating to the salaries of the judges of the superior court in and for the counties of San Diego and Sonoma.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 466—An act making an appropriation to pay the claim of the Bay Point Wharf and Yacht Harbor Co., Ltd., against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1194—An act to make an appropriation to pay the claim of the Peat Humus Company against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 561—An act to amend sections 1, 2, 3, 5, 6, 7, 10, 11, 13, 13a, 14 and 16 of Chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, to add thereto a new section to be numbered 19, providing for a short title for said act, and to repeal Chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled, 'An act to

regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925,'' as amended, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 139—An act to add section 694da to the Political Code, relating to the State Agricultural Society contingent fund, and declaring the urgency hereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 768—An act making an appropriation to pay the claim of the county of Marin against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1198—An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act

Bill read second time, and ordered on file for third reading.

Senate Bill No. 406—An act making an appropriation to pay the claim of the Oilfields Trucking Company against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 455—An act to amend the title and sections 4 and 6 of, and to add sections 2a and 7 to, an act entitled ''An act creating a commission to codify, consolidate, revise or compile the Statutes of California and to report thereon to the Legislature at the fiftieth session thereof and making an appropriation therefor,'' approved June 10, 1929, defining the powers and duties of the California Code Commission, directing a report to the fifty-first session of the Legislature, making an appropriation therefor and authorizing State departments, boards, bureaus and commissions to contract with the commission for the revision of certain laws.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1112—An act making an appropriation for major construction and equipment at Camarillo State Hospital.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 401—An act making an appropriation to pay the claim of Robert D. Duke against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 720—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act, approved May 30, 1921, and of any and all acts amendatory thereof or supplemental thereto; creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State offices in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1934.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 81—An act to amend sections 1, 3, 4, 5, 7, 8, 9, 10, 11, 12, and to repeal sections 5 and 6 of an act entitled "An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and to fix the penalties therefor; and to repeal all conflicting acts or parts of acts," approved June 1, 1927, relating to the bonds and licenses provided for therein, and to repeal Chapter 344 of the Statutes of 1929, approved May 20, 1929, and declaring the urgency thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 165—An act appropriating money to pay a claim of the county of Fresno against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 358—An act to add section 441 to the Political Code, relating to the registration of warrants and the payment of obligations of the State, to make an annual appropriation therefor, to repeal an act entitled "An act concerning the office of Treasurer of State," approved March 16, 1855, and to declare that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 659—An act to amend sections 737gg, 737pp, 737jj and 737dd of the Political Code, relating to the compensation of judges of the superior court.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 945—An act to amend sections 3.760, 3.761 and 3.763 of the School Code; to repeal section 3.762 of the School Code; to repeal

an act entitled "An act relative to courses of study in elementary schools," approved May 22, 1929; and to add a new section to the School Code to be numbered 3 762, all relating to prescribed courses in elementary schools.

Bill read second time, and ordered on file for third reading.

ADJOURNMENT.

At eleven o'clock and fifty-nine minutes p.m, on motion of Mr Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until ten o'clock and thirty minutes a.m., Friday, May 12, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, May 12, 1933.

At ten o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus.

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

Time, ten o'clock and thirty-four minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anglim, Brock, Burns, Callahan, Chatters, Evans, Grubbs, Hatch, Hoffman, Knowland, Latham, Maloney, Martin, Mayo, Miller, Eleanor; O'Connor, Patterson, Phillips, Rawls, Roberts, Robinson, C. Ray; Scudder, Stannard, Stream, Thorp, Utt, Wright and Mr. Speaker—28.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and thirty-six minutes a m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr Cottrell, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Chatters, Mr. and Mrs. James Hanson of Lindsay, California, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Maloney, Mr. and Mrs. John Moreno of San Francisco were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. McMurray, Mr. and Mrs. J. E. Foley, Mr. and Mrs. T. J. Cain, Mrs. A. Cain, Marjorie C. Foley and Barbara A. Foley were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Dempster, Mr. Glen D. Willaman of Los Angeles was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Fisher, Jerome B. Pendleton, executive secretary of San Diego Welfare Commission, and A. C. Price, president of California Public Welfare Association and assistant superintendent of charities of Los Angeles, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of the San Francisco delegation, Mrs. M. C. Sloss, Mrs. William Hyman, Rabbi Irving Reichert, Mr. Charles Wollenberg, Dr. Jacob Billikoff and Mrs. Bacigalupi were extended the privilege of the floor of the Assembly for this day.

COURTESY OF FLOOR.

MR. SPEAKER: I have as my guests for Mothers Day the two best mothers I ever knew, my own mother, Mrs. Alice M. Dempster, and the mother of my four boys, Mrs. Grace Dempster, and I ask the courtesy of the floor and that their names be printed in the Journal.

CHAS. W. DEMPSTER.

PRESENTATION OF PETITIONS.

The following petitions were presented and ordered printed in the Journal:

By Mr. Speaker:

From Southern California Cooperative League, Los Angeles, favoring passage of Assembly Bill No. 2320.

(Signed) F. C. DYER, Secretary.

Also:

By Mr. Speaker:

From E. Dugas and 300 others of Ventura, California, favoring passage of Assembly Bill No. 2320.

Also:

By Mr. Speaker:

From County Supervisors Association, State of California, indorsing Senate Bill No. 583.

(Signed) STANLEY ABEL, Secretary.

Also:

By Mr. Speaker:

From J. E. Simonson, Orland, California, suggesting amendments to Assembly Bill No. 1528.

Also:

By Mr. Speaker:

From Edw. J. Sorocco, Angels Camp, suggesting amendments to Assembly Bill No. 1528.

COMMUNICATION.

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

By Mr. West:

CITY OF SACRAMENTO, STATE OF CALIFORNIA, May 11, 1933.

Mr. Louis Erb, Chairman, Executive Committee, State Legislative Ball Committee, State Capitol, Sacramento, California.

MY DEAR MR. ERB: On behalf of the Ann Land Memorial Commission as well as the city of Sacramento, I desire to extend to you and to your committee our sincere appreciation for your splendid donation of $206 36, to be devoted to relief purposes through the Ann Land Memorial Commission. You may be sure that this handsome gift will be used solely for relieving the distress of the needy.

Again thanking you, I am

Sincerely,

JAS. S. DEAN, President, Ann Land Memorial Commission.

RESOLUTION.

The following resolution was offered:

By Mr. Phillips:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Hotel Senator, lunch served members.....$65 00

The question being on the adoption of the report.

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crowley, Evans, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, Miller, Eleanor, Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Utt, West, Williamson, Wright and Mr. Speaker—50.

NOES—None.

RESOLUTION.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Robinson, C. Ray:

Resolved, That Senate Bills Nos. 66, 81, 139, 165, 358, 401, 406, 455, 466, 556, 561, 562, 563, 570, 659, 700, 720, 721, 768, 969, 1112, 1180, 1194, 1198 and 1207 and each of them present a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills, and each of them, be read the first, second, and third times, and placed upon their passage.

The question being on the adoption of the resolution.

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland.

Latham, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—58.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Mr. Frazier:

May 12, 1933.

WHEREAS, A serious study of the tax problem of the State of California is essential in order that the Assembly may intelligently vote upon measures now pending before this body; and

WHEREAS, This study should be made during this recess; therefore be it

Resolved, That the Speaker of the Assembly appoint a committee of 80 members of the Assembly to study this problem. It shall be the duty of this committee to investigate and report on all matters which in its judgment are necessary to enable the members of the Assembly to be properly informed on this subject; and

Resolved, further, That the sum of $10,000 is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly for the purpose of paying the expenses incurred by the committee and the members thereof under the authority hereof, said payments to be by Controller's warrants, to be drawn against said contingent fund upon the written order of the Speaker of the Assembly, who shall be chairman of this committee.

The question being on the adoption of the resolution.

MOTION.

Mr. West moved that the resolution be referred to Committee on Contingent Expenses.

MOTION TO LAY ON TABLE.

Mr. Martin moved that the resolution be laid on the table.

Motion carried.

RESOLUTION.

The following resolution was offered:

By Mr. Woolwine:

ASSEMBLY RESOLUTION

WHEREAS, It appears that the laws of this State regulating wrestling contests and exhibitions are such that a revision thereof is necessary and advisable; and

WHEREAS, For the proper consideration of any program of proposed legislation in respect to this subject it is necessary that the Legislature be furnished with data in respect thereto; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker appoint a committee of three, which committee shall, during the fiftieth session and the period between the adjournment of this Legislature and the date upon which the next Legislature shall convene, investigate and study the conditions under which wrestling contests or exhibitions are conducted or held and regulation in respect thereto; and be it further

Resolved, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to. Said committee, the chairman thereof, and each of the members with the consent of the chairman is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpenas and to compel the attendance of witnesses; to procure testimony and to administer oaths. All of the provisions of Article VIII of Chapter II of Title I of Part III, of the Political Code, relative to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee and the members thereof as herein provided; and be it further

Resolved, That said committee shall submit a report to the fifty-first session of the Legislature upon its convening in the year 1935, with recommendations as to changes which should properly be made in the laws of this State in respect to the regulation and supervision of wrestling contests and matters related thereto.

Resolution referred to Committee on Rules.

RESOLUTION.

The following resolution was offered:

By Mr. Nielsen.

ASSEMBLY RESOLUTION.

WHEREAS, The successful use of the radio in many States of the Union and in many cities of California and elsewhere in the apprehension of law violators and in general law enforcement work has demonstrated its possibilities for state-wide use in California by members of the California Highway Patrol, city police departments, sheriffs and other peace officers; and

WHEREAS, Adequate information is lacking concerning the cost, feasibility and advisability of establishing a state-wide radio system in California for the use of officers hitherto mentioned, now, therefore, be it

Resolved by the Assembly, That the Speaker be and he is herewith authorized and instructed to appoint a committee of three members of the Assembly to confer with officials of the California Highway Patrol, interested city and county officers, or any other groups during the interim that will elapse between the fiftieth and fifty-first sessions of the California Legislature, and be it further

Resolved, That said committee shall report early in the fifty-first session covering the committee's recommendations on the cost, feasibility and advisability of establishing a state-wide radio system together with the necessary broadcasting stations and receiving instruments installed in motor vehicles operated by members of the California Highway Patrol and other peace officers.

Resolution read, and on motion adopted.

UNFINISHED BUSINESS.

Assembly Bill No. 1060—An act to amend section 453ee of the Civil Code, relating to investments authorized to be made by mortgage insurance companies.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—63.

Assembly Bill No. 969—An act to amend section 664 of the Political Code, relating to the Board of Control.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—63.

RECONSIDERATION WAIVED.

Mr. Brock waived his notice to reconsider the vote whereby Assembly Bill No. 2372 was passed.

Assembly Bill No. 2372 ordered transmitted to the Senate.

Assembly Bill No. 354—An act to add two new sections, to be numbered 5.500a and 5.507 to the School Code, relating to teachers' tenure.

The question being put, Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 354?

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended, immediately following line 6, insert the following:

"SEC. 3. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decisions shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more of the other sections, subsections, sentences, clauses, or phrases be declared unconstitutional."

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 354 by the following vote:

AYES—Chatters, Crowley and McCarthy—3.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch Hoffman, Hunt, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64.

Assembly Bill No 1233—An act to amend section 2322x32 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-second class.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1233?

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, as amended, strike out "deputy, inspector", and insert in lieu thereof the following: "inspectors".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out lines 11 and 12, and insert in lieu thereof the following:

"(a) One inspector at a salary of one thousand five hundred dollars per annum."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended, strike out lines 13 to 18, inclusive, and insert in lieu thereof the following:

"(b) Two inspectors at a salary of one thousand two hundred dollars per annum each."

The roll was called, and Senate amendments to Assembly Bill No. 1233 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Latham, Maloney, Martin, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1237—An act to amend section 16x32 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the thirty-second class.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1237?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out line 6, and insert in lieu thereof the following: "dollar per year."

The roll was called, and Senate amendment to Assembly Bill No. 1237 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Latham, Maloney, Martin, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 549—An act to add sections 85 and 85½ to the Public Utilities Act, relating to assessing the salaries and expenses of the Railroad Commission to public utilities and disbursements from the Railroad Commission fund.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 549?

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, as amended April 25, 1933, after the words: "railroad by a railroad", insert a comma.

AMENDMENT NUMBER TWO.

On page 2, line 4, of the printed bill, as amended April 25, 1933, after the words: "railroad or street railroad", insert a comma.

The roll was called, and Senate amendments to Assembly Bill No. 549 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Latham, Maloney, Martin, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 2004—An act to add section 7½ to the State Civil Service Act, relating to the acceptance by county fire protection districts or any fire districts of civil service provisions.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2004?

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out line 2, and insert in lieu thereof the following: "to the acceptance by county fire protection districts or any fire districts".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"SEC. 7½. Any county fire protection district or any fire district which does not have in operation a civil service system governing its officers and employees may elect".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 5 and 6, and insert in lieu thereof the following: "as applicable to such positions as may be specified in an ordinance thereof, except that elective offices may not be included, and".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out line 10, and insert in lieu thereof the following: "any county fire protection district or any fire district so accepting, and for".

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, strike out lines 13 to 15, inclusive, and insert in lieu thereof the following: "necessary to carry out the provisions of this section. The Civil Service Commission shall ascertain the cost of services rendered hereunder, and such cost shall be a charge on the district accepting the provisions hereof."

The roll was called, and Senate amendments to Assembly Bill No. 2004 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 572—An act to amend section 2322x20 of the Political Code, relating to the salary of the agricultural commissioner, his deputies and inspectors in counties of the twentieth class.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 572?

AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, after the word "hundred", strike out the word "dollars", and the period, and insert in lieu thereof the words "eighty dollars."

AMENDMENT NUMBER TWO

On page 2, line 20, of the printed bill, strike out the words "nine hundred forty dollars", and the period, and insert in lieu thereof the words "seven hundred dollars."

The roll was called, and Senate amendments to Assembly Bill No. 572 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None

The above reported bill ordered to enrollment.

Assembly Bill No. 411—An act to amend section 1174 of the Code of Civil Procedure, relating to judgments in proceedings for forcible entries, forcible or unlawful detainer.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 411?

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of line 4, and that part of line 5 reading as follows: "of one year or more," and insert in lieu thereof the following: "the court in its discretion may order that".

The roll was called, and Senate amendment to Assembly Bill No. 411 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 334—An act to amend section 209 of the Penal Code, relating to the punishment of kidnaping for purposes of extortion or robbery.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 334?

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, after the word "judge.", strike out the remainder of the bill.

The roll was called, and Senate amendment to Assembly Bill No. 334 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 374—An act to provide for the construction and supervision of safe and sanitary low-cost dwellings and apartments, and for the rental or sale thereof at reasonable rates, and in connection therewith to authorize the incorporation and provide for the regulation of limited dividend housing corporations and prescribe the powers, rights and duties thereof; to regulate and limit the rate of return on securities to be issued by such corporations; to declare the urgency of this act and provide that it shall take effect immediately

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 374?

AMENDMENT NUMBER ONE.

On page 7, line 20, of the printed bill, as amended, strike out the word "Provisions", and insert in lieu thereof the following: "All of the provisions".

AMENDMENT NUMBER TWO.

On page 7 of the printed bill, as amended, strike out lines 23 to 26, inclusive, and insert in lieu thereof the following:

"1. Before the Corporation Commissioner shall issue a permit for the sale of any securities there must be on file with said commissioner a certificate of the commission approving the project."

AMENDMENT NUMBER THREE.

In line 8 of the title of the printed bill, as amended, strike out the semicolon and the words "to declare the"; also strike out all of lines 9 and 10 of the title, and insert in lieu thereof a period.

AMENDMENT NUMBER FOUR.

On page 9 of the printed bill, as amended, strike out lines 50 and 51; also strike out all of page 10 thereof.

The roll was called, and Senate amendments to Assembly Bill No. 374 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1357—An act to add a new section to the Probate Code, to be numbered section 1026, relating to distribution of an estate where no heirs appear in the course of administration and claim the estate or some part thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1357?

AMENDMENT NUMBER ONE

In line 2 of the title of the printed bill, strike out "1026", and insert in lieu thereof the following: "1027".

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out "1026", and insert in lieu thereof the following: "1027".

AMENDMENT NUMBER THREE

On page 1, line 3, of the printed bill, strike out "1026", and insert in lieu thereof the following: "1027".

The roll was called, and Senate amendments to Assembly Bill No. 1357 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 925—An act to amend section 409 of the Political Code, relating to fees of the Secretary of State.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 925?

AMENDMENT NUMBER ONE.

On page 4, line 6, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "for each corporation upon which service is sought through such delivery."

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, as amended, after line 16, insert the following:
"25. For filing a copy of the trust instrument of any Massachusetts or business trust, fifteen dollars."

The roll was called, and Senate amendments to Assembly Bill No. 925 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 2078—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2078?

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, as amended, strike out the period after "therein", and insert a comma and the following: "or the power or authority conferred by law upon any board that issues a certificate which permits any person or persons to apply his or their art or profession on the person of another."

The roll was called, and Senate amendment to Assembly Bill No. 2078 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 2398—An act to provide for the replacement and/or the reconstruction in whole or in part of public school buildings wholly or partially destroyed by earthquakes since January, 1933, declaring the urgency thereof and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2398?

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out "public school", and insert in lieu thereof the following: "all city, county, school district, or other special district".

AMENDMENT NUMBER TWO.

On page 1, lines 5 and 6, of the printed bill, strike out "public school buildings of the school districts", and insert in lieu thereof the following: "any buildings of any city, county, school district, or other special district".

AMENDMENT NUMBER THREE

On page 1, line 13, of the printed bill, strike out the word "school", and insert in lieu thereof the following: "buildings".

AMENDMENT NUMBER FOUR.

On page 1, line 15, of the printed bill, strike out "Schoolhouse", and insert in lieu thereof the following: "Public Building".

AMENDMENT NUMBER FIVE

On page 1, line 21, of the printed bill, strike out "school", and insert in lieu thereof the following: "buildings".

AMENDMENT NUMBER SIX.

Strike out all of pages 2, 3, 4 and 5 of the printed bill, and insert in lieu thereof the following: "of any city, county, school district, or other special district concerned, replace or wholly or partially reconstruct such buildings belonging to the said city, county, school district, or other special district as may have been wholly or partially destroyed by earthquakes since January, 1933; (2a) to have prepared all necessary plans and specifications for all buildings constructed or wholly or partially reconstructed under the provisions of this act; (3) to establish and enforce such rules and regulations as it may deem necessary for the administration and execution of the purposes of this act; (4) to determine the terms and conditions under which buildings will be replaced or wholly or partially reconstructed; (4a) to rent any building or portion of a building constructed or reconstructed under the provisions of this act to the city, county, school district, or other special district wherein such building or portion of the building is located as hereinafter provided; (5) to fix the rental to be paid by any city, county, school district, or other special district for the buildings replaced or wholly or partially reconstructed by the Board of Public Building Reconstruction and rented to the city, county, school district, or other special district; (6) to fix the terms and manner of the payment of said rental; (7) to insure all buildings replaced or wholly or partially reconstructed in any city, county, school district, or other special district by said board until the total of the agreed rentals has been paid by the governing board of the said city, county, school district, or other special district; (8) to do any and all things and to perform any and all acts not heretofore enumerated and necessary to give full effect to the provisions of this act.

SEC. 4. The governing board of any city, county, school district, or other special district in which any building or buildings of the city, county, school district, or other special district have been wholly or partially destroyed by any earthquake since January, 1933, is hereby authorized to request the Board of Public Building Reconstruction to replace or reconstruct in whole or in part, as the case may be, such building or buildings and is hereby empowered to enter into, to comply with the provisions of, and to do all things necessary to carry out the terms of, any agreement which the said governing board may enter into with the said Board of Public Building Reconstruction, and which may be required or authorized by this act.

SEC. 5. Before replacing or reconstructing, in whole or in part, any building, an agreement between the governing board of the city, county, school district, or other special district and the Board of Public Building Reconstruction must be entered into. Such agreement shall fix the powers, duties, responsibilities and liabilities thereunder of the governing board of said city, county, school district, or other special district and the said Board of Public Building Reconstruction.

For the purposes of this act any building constructed or reconstructed by the Board of Public Building Reconstruction, and any portion of a building constructed or reconstructed by said board, as provided by this act, shall be, and is hereby declared to be, the property of the State and the city, county, school district, or other special district in which such building or portion of a building is situated shall have no interest therein until such building or portion of building is conveyed to the city, county, school district, or other special district by the Board of Public Building Reconstruction as in this act provided.

The governing board of any city, county, school district, or other special district which has entered into an agreement to pay rentals to the Board of Public Building Reconstruction under the provisions of this act must include in the budget of the said city, county, school district, or other special district for any year during which the agreement is in effect, an amount sufficient to pay such rental as may become due the said board during such year. The amount included in the budget of such city, county, school district, or other special district for the payment of such rental shall not be used for any other purpose than the payment of such rental.

SEC. 6. All rentals payable by a city, county, school district, or other special district shall be payable at such times as the Board of Public Building Reconstruction may designate, and when due shall be transmitted by the governing board of

each city, county, school district, or other special district concerned to the Board of Public Building Reconstruction, which shall deposit said sums in the State treasury to the credit of the "public buildings reconstruction fund." The moneys in said fund shall be devoted solely to the purposes specified in this act and to the repayment of advances made by the Federal government and placed therein.

SEC. 7. The total rentals charged any city, county, school district, or other special district shall be fixed at such amount as will return to the State within such period as may have been agreed by the Board of Public Building Reconstruction and the governing board of the city, county, school district, or other special district concerned, the sums which the State, through the Board of Public Building Reconstruction, may have expended for the city, county, school district, or other special district under the provisions of this act plus an amount equal to the interest which the State may be required to pay to the Federal government on the sum expended by the Board of Public Building Reconstruction for said city, county, school district, or other special district.

Whenever the governing board of a city, county, school district, or other special district has paid to the Board of Public Building Reconstruction the total of the agreed rentals fixed by any agreement entered into under the provisions of this act, the Board of Public Building Reconstruction shall, and is hereby authorized to, convey to the said city, county, school district, or other special district in the name of the State the building or buildings mentioned in said agreement.

SEC. 8. The governing board of any city, county, school district, or other special district which has entered into an agreement with the Board of Public Building Reconstruction under the provisions of this act is hereby authorized, any law to the contrary notwithstanding, to pay the rental charged the city, county, school district, or other special district under such agreement out of any funds of the city, county, school district, or other special district the use of which for the payment of such rental is not prohibited by the Constitution of this State.

SEC. 9. All contracts by the Board of Public Building Reconstruction for the construction or the whole or partial reconstruction for any building shall be let by the said board to the lowest responsible bidder, who shall give such security as the board may require, or else the said board shall reject all bids and advertise for new bids.

For the purpose of securing bids the Board of Public Building Reconstruction must publish at least once a week for two weeks in some newspaper of general circulation published in the city, county, school district, or other special district in which such building is to be constructed or wholly or partially reconstructed, or if there is no such paper, then in some newspaper of general circulation, circulated in the county, a notice calling for bids, stating the work to be done or materials or supplies to be furnished and the time when and the place where bids will be opened.

SEC. 10. No contract shall be let by the Board of Public Building Reconstruction until the plans therefor have been approved by the Division of Architecture of the Department of Public Works and in the case of schools by the Division of Schoolhouse Planning of the State Department of Education. The provisions of Chapter 59 of the Statutes of 1933 shall apply to all schoolhouses constructed under the provisions of this act to the extent that said Chapter 59 of the Statutes of 1933 is not in conflict with, or inconsistent with, the provisions of this act.

SEC. 11. Every school district within which a public school building has been constructed or wholly or partially reconstructed by the Board of Public Building Reconstruction under an agreement entered into between the governing board of the school district and the said Board of Public Building Reconstruction under the provisions of this act, shall, any law to the contrary notwithstanding, be continued in existence as it existed at the time of making such agreement, for the purpose of fulfilling such agreement.

SEC. 12. If any section, subsection, sentence, clause or phrase of this act, is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

SEC. 13. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution and shall therefore go into immediate effect.

The facts constituting the necessity are as follows: The earthquakes in certain counties of this State since January, 1933, wholly or partially destroyed a large number of school and other public buildings in the said counties, thus making impossible the proper housing of the schools and other public agencies in the areas affected. The agencies affected are unable to finance the cost of replacing or reconstructing the buildings wholly or partially destroyed. The buildings affected must be replaced and reconstructed in order that the education of the pupils and other public functions be not interrupted and this act provides the only means whereby this may be done."

The roll was called, and Senate amendments to Assembly Bill No. 2398 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 525—An act to add a new section to the Vehicle Code to be numbered section 680, relating to the maintenance and use of short wave radio receiving sets in vehicles.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 525?

AMENDMENT NUMBER ONE.

On page 3, line 28, of the printed bill, as amended, after "person", insert the following: "other than one who has been regularly licensed as an amateur radio operator by the Federal Radio Commission."

AMENDMENT NUMBER TWO.

On page 3, line 36, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "or offers evidence that he has been licensed by the Federal Radio Commission"

The roll was called, and Senate amendments to Assembly Bill No. 525 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 523—An act to amend section 1 of an act entitled "An act authorizing counties to declare noxious or dangerous weeds growing upon the streets or sidewalks or upon private property in counties, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same, and providing that such cost shall constitute special assessments, and providing for the enforcement and collection of such special assessment," approved May 24, 1929, relating to the powers of supervisors to declare the existence of a public nuisance.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 523?

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after "weeds", strike out the comma; also strike out "grass, shrubs, chaparral, poison oak,"; strike out line 4, and in line 5, strike out "weeds,".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after line 11, add the following: "The term "weeds" whenever used in this act shall be deemed and construed to include poison oak and poison ivy and the supervisors are hereby authorized to declare such poison oak and poison ivy a public nuisance whenever the conditions of the growth of the same are such as to constitute a menace to the public health, and thereafter such nuisance may be abated as in this act provided"

The roll was called, and Senate amendments to Assembly Bill No. 523 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1945—An act to provide for the organization and management of horticultural improvement districts and to provide for the development of lands included therein for the planting, caring for, and maturing of orchards thereon and for the acquisition of all property necessary therefor; to provide for the management of such districts and also to provide for the issuance and payments of bonds for such districts, for the levying of taxes and the collection of charges by said districts and for the annexation of additional territory thereto.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1945?

AMENDMENT NUMBER ONE.

On page 2, line 4, of the printed bill, after the word "product", insert the words "or products".

AMENDMENT NUMBER TWO.

On page 2, line 11, of the printed bill, after the word "replanting", add the words "rehabilitating and restoring".

AMENDMENT NUMBER THREE.

On page 2, line 12, of the printed bill, after the word "product", insert the words "or products".

AMENDMENT NUMBER FOUR.

On page 2, line 23, of the printed bill, after the word "product", insert the words "or products".

AMENDMENT NUMBER FIVE.

On page 13, line 44, of the printed bill, change one year to three years.

AMENDMENT NUMBER SIX.

On page 14, line 22, of the printed bill, change "and" to "or".

AMENDMENT NUMBER SEVEN.

On page 18, line 45, of the printed bill, after the word "horticultural", add the word "development".

AMENDMENT NUMBER EIGHT.

On page 19, line 7, of the printed bill, after the word "horticultural", add the words "development district".

AMENDMENT NUMBER NINE.

On page 20, line 10, of the printed bill, after the word "horticultural", add the word "development".

AMENDMENT NUMBER TEN.

On page 20, line 14, of the printed bill, after the word "horticultural", add the word "development".

AMENDMENT NUMBER ELEVEN.

On page 20, line 46, of the printed bill, after the word "horticultural", add the word "development".

AMENDMENT NUMBER TWELVE

On page 20, line 51, of the printed bill, after the word "horticultural", add the word "development".

AMENDMENT NUMBER THIRTEEN.

On page 23, line 51, of the printed bill, strike out the words "one year", and insert in lieu thereof the words "three years".

AMENDMENT NUMBER FOURTEEN.

On page 24, line 5, of the printed bill, change the words "one year", to "three years".

AMENDMENT NUMBER FIFTEEN.

On page 24, line 14, of the printed bill, change the word "reclamation", to "horticultural development".

AMENDMENT NUMBER SIXTEEN.

On page 24, line 37, of the printed bill, change the words "one year", to "three years".

AMENDMENT NUMBER SEVENTEEN.

On page 24, line 51, of the printed bill, change the word "twenty one" to "twenty".

AMENDMENT NUMBER EIGHTEEN.

On page 25, lines 4 and 5, of the printed bill, strike out the words "as hereby amended".

The roll was called, and Senate amendments to Assembly Bill No. 1945 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 2395—An act to amend the Agricultural Code by adding thereto Article IV, embracing sections 380 to 380.4, inclusive, to Chapter 1, Division III, relating to marks and brands.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2395?

AMENDMENT NUMBER ONE

On page 1, line 17, of the printed bill, following the period, add the following: "For the purpose of administering the provisions of this article the director may divide the State into districts to be known as poultry branding districts."

The roll was called, and Senate amendment to Assembly Bill No. 2395 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 519—An act to amend sections 806 and 882 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to city and justice courts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 519?

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended, strike out lines 5 and 6, and insert in lieu thereof the following:

"Sec. 882. A city court is hereby established in such city, to be held by the city judge of said city. Such city".

AMENDMENT NUMBER TWO.

On page 2, line 17, of the printed bill, as amended, strike out "or town".

The roll was called, and Senate amendments to Assembly Bill No. 519 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 516—An act to amend sections 1134, 1135, 1139, 1140, 1144, 1146, 1148, 1149, 1151, 1169, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221 and 1222 of the Code of Civil Procedure, relating to special proceedings.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 516?

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, as amended, strike out "of Class B".

AMENDMENT NUMBER TWO.

On page 1, lines 5 and 6, of the printed bill, as amended, strike out ", or if there be no clerk, with the justice".

AMENDMENT NUMBER THREE.

On page 1, line 13, of the printed bill, as amended, strike out "of Class B".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, as amended, strike out line 15, and insert in lieu thereof the following: "with the justice, or with the clerk if there be a clerk, who must thereupon enter in the docket a".

AMENDMENT NUMBER FIVE.

On page 1, line 16, of the printed bill, as amended, strike out "his", and insert in lieu thereof the following: "the".

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, as amended, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"1169. If at the time appointed any defendant served with summons does not appear and defend, the clerk, or the justice if there be no clerk, upon application of the plaintiff, must enter the default of such defendant, or defendants, and thereafter the plaintiff may apply to the court for the relief demanded in the complaint, including the costs, against such defendant, or defendants, or against one or more of such defendants."

AMENDMENT NUMBER SEVEN.

On page 4, line 22, of the printed bill, as amended, strike out the semicolon, and insert in lieu thereof a comma.

AMENDMENT NUMBER EIGHT.

On page 4, line 25, of the printed bill, as amended, strike out "or minutes".

The roll was called, and Senate amendments to Assembly Bill No. 516 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 514—An act to amend sections 33, 34, 36, 40, 47, 53, 57, 65, 66, 73, 103a, 104, 105, 107, 112, 129, 130, 134, 135, 139, 142, 147, 150, 151, 152, 153, 156, 157, 159, 166, 170, 179, 184, 188, 189, 225, 226, 227, 228, 231, and 248 of the Code of Civil Procedure; to amend the headings of Chapter V of Title I of Part I and of Chapter V of Title II of Part I thereof; to add sections 108a, 159a, and 203 thereto; to add new Articles II and V to Chapter V of, and a new Chapter V-A to Title I of Part I thereof; to repeal the existing Article I of and to add a new Article I to Chapter V of, and to repeal the existing Chapter VI of, and to add a new Chapter VI to, Title I of Part I thereof; to renumber Articles II and III of Chapter V of Title I of Part I thereof, to be Article III and IV, respectively, of said chapter and to amend the headings of said articles; to amend sections 892, 914, 915, 916, 917, 918 and 921 thereof, and to renumber section 892 to be 109, section 914 to be 113, section 915 to be 113a, section 916 to be 113b, section 917 to be 113c, section 918 to be 113d and section 921 to be 108; and to repeal sections 37, 38, 39, 41, 42, 43, 44, 45, 46, 49, 50, 51, 52, 52a, 54, 55, 56, 67b, 68, 69, 70, 71, 72, 75, 76, 77, 78, 79, 106, 160, 161, 167, 170b, 176, 182, 183, 304, 831f, 831g, 911, 912, 913, 920, 927 to 927q, inclusive, 929, 930, 931, 932, 933 and 933½ thereof; all relating to courts of justice and various officers connected therewith.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 514?

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title of the printed bill, as amended, after "66," insert the following: "67b,".

AMENDMENT NUMBER ONE-A.

On page 1, line 4, of the title of the printed bill, as amended, strike out "and 248", and insert in lieu thereof the following: "248, and 274c".

AMENDMENT NUMBER TWO.

On page 2, line 2, of the title of the printed bill, as amended, after "108a," insert the following: "115, 116, 116a, 116b,".

AMENDMENT NUMBER TWO-A

On page 2, lines 3 and 4, of the title of the printed bill, as amended, strike out "new Articles II and V", and insert in lieu thereof the following: "a new Article II".

AMENDMENT NUMBER TWO-B.

On page 2, line 21, of the title of the printed bill, as amended, strike out "67B.".

AMENDMENT NUMBER TWO-C.

On page 2, line 9, of the printed bill, as amended, after "in", insert a comma.

AMENDMENT NUMBER THREE.

On page 3, line 33, of the printed bill, as amended, before "State", insert the following: "the".

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, as amended, between lines 16 and 17, insert the following:

"SEC. 9a. Section 67b of the Code of Civil Procedure is hereby amended to read as follows:

67b. Whenever, in the opinion of the judge or a majority of the judges of the superior court of any county, or city and county, the public interests so justify or require, one or more sessions of said superior court, to be known as extra sessions of said superior court, may be held in addition to and at the same time as the other sessions of said court.

Whenever the judge or a majority of the judges of the superior court of any county or city and county shall decide that an extra session of said court shall be held, said judge or a majority of said judges shall appoint the time when said extra session shall be held, but no extra session of any superior court shall continue beyond the thirty-first day of December of the year in which such session is established. The judge or a majority of the judges of said superior court shall likewise appoint a place, within the county seat of said county or city and county, where such extra session of said court shall be held, and shall have the same power and authority to provide a place for holding such extra session of said court as is had by a judge of a superior court to provide a place for holding a session of a superior court

Whenever, in a county or city and county having but one judge of the superior court, said judge shall provide for an extra session of said court, he shall, at the time of so providing or from time to time during the continuance of said extra session, apportion to the judge who may preside over said extra session such portion of the business of said court as he may desire, and at the close of such extra session shall order such portions of said business so apportioned and not transacted to be transferred to himself.

Whenever, in any county or city and county having more than one judge of the superior court, a majority of said judges shall provide for an extra session of said court, a majority of said judges, at the time so providing or from time to time during the continuance of said extra session, shall order transferred to the judge who may preside over such extra session from the judges to whom they have been assigned according to law or the rules of said court, such portions of the business of said court as they may select; and, at the close of such extra session shall order retransferred to the judges of said court such portions of said business so transferred as shall not have been transacted. Except as above provided, any rules of any superior court relating to the transfer of any business from one judge of said court to another shall apply to the transfer of any business duly assigned to the judge presiding over any extra session from said judge to any judge of said court

Upon the request of the judge or a majority of the judges of the superior court of any county or city and county, the chairman of the Judicial Council shall designate and authorize, to hold and preside over such extra session of the superior court of said county or city and county, a judge of the superior court of some other county or city and county; and upon such designation and authorization such judge must so serve.

The judgments, orders, and proceedings of any extra session of any superior court, held in accordance with the provisions of this section, shall be equally effective as if any or all of the judges of said court presided at such session. Any judge or any number of judges of any superior court may hold and preside over any extra session of said court, with or without, the judges designated and authorized to hold and preside over said session. Any judge of any superior court may perform in connection with any business duly assigned to the judge presiding over any extra session of said court any act which he could perform in connection with any business assigned to any other judge of said court. Any judge, holding or presiding over any extra session of a superior court, may perform in chambers or in court, in connection with any business duly assigned to him, any act which could be performed by any judge of said court, in chambers or in court, in connection with such business if duly assigned to himself; but no judge, holding or presiding over any extra session of any superior court, shall perform, in chambers or in court, any act in connection with any business that has not been duly assigned to him.

All provisions of the laws of this State applying to the compensation of a judge of a superior court, holding the superior court in a county other than his home county, shall apply to judges holding extra sessions of a superior court in any county other than his home county.

AMENDMENT NUMBER FOUR-A.

On page 4, line 35, of the printed bill, as amended, after the semicolon, insert the following: "provided further, that in such of said cities as have a population of more than one hundred twenty-five thousand, as ascertained by such census, at least three regular sessions of the superior court shall be held concurrently;".

AMENDMENT NUMBER FOUR-B.

On page 5, line 18, of the printed bill, as amended, strike out "85,", and insert in lieu thereof the following: "84,".

AMENDMENT NUMBER FIVE

On page 5 of the printed bill, as amended, strike out lines 48 to 52, inclusive, and on page 6, strike out lines 1 and 2.

AMENDMENT NUMBER SIX.

On page 6, line 3, of the printed bill, as amended, strike out "86", and insert in lieu thereof the following: "85".

AMENDMENT NUMBER SEVEN.

On page 6, line 12, of the printed bill, as amended, strike out "86.", and insert in lieu thereof the following: "85."

AMENDMENT NUMBER EIGHT.

On page 6 of the printed bill, as amended, between lines 25 and 26, insert the following:

"86. The clerks of the municipal courts shall keep an index of the names of all judgment debtors with the date of entry of judgment and the number of the action. A record of all proceedings subsequent to judgment, including the amounts of all credits and accrued costs thereon, shall be kept in the register of actions by such clerks."

AMENDMENT NUMBER NINE.

On page 7, line 35, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "; to charge the interest of a debtor partner with payment of the unsatisfied amount of any judgment rendered by such court in the manner provided in section 2422 of the Civil Code, or any amendment thereof, and in such cases to appoint a receiver and to make any order or perform any act mentioned or authorized in said action; in proceedings under section 689 of this code, or any amendment thereof, to determine title to personal property, seized in an action pending in, or upon execution issued by, such court."

AMENDMENT NUMBER TEN.

On page 8, line 48, of the printed bill, as amended, strike out the comma following the word "case".

AMENDMENT NUMBER ELEVEN.

On page 9, line 14, of the printed bill, as amended, strike out "113d," and insert in lieu thereof the following: "116b,".

AMENDMENT NUMBER TWELVE.

On page 10, line 19, of the printed bill, as amended, after "Code", insert the following: ", or any amendment thereof,".

AMENDMENT NUMBER THIRTEEN.

On page 10, line 21, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "; in proceedings under section 689 of this code, or any amendment thereof, to determine title to personal property, seized in an action pending in, or upon execution issued by, such court; to appoint receivers in the cases mentioned in section 547a of this code, or any amendment thereof, and to make all orders and perform all acts mentioned in said section in connection with such cases."

AMENDMENT NUMBER FOURTEEN.

On page 10, line 39, of the printed bill, as amended, after "Code", insert the following: ", or any amendment thereof,".

AMENDMENT NUMBER FIFTEEN.

On page 10, line 41, of the printed bill, as amended, strike out the period, and insert the following: "; in proceedings under section 689 of this code, or any amendment thereof, to determine title to personal property, seized in an action pending in, or upon execution issued by, such court; to appoint receivers in the cases mentioned in section 547a of this code, or any amendment thereof, and to make all orders and perform all acts mentioned in said section in connection with such cases."

AMENDMENT NUMBER SIXTEEN.

On page 10, line 48, of the printed bill, as amended, after "custody", insert a comma.

AMENDMENT NUMBER SEVENTEEN.

On page 11 of the printed bill, as amended, strike out lines 35 to 47, inclusive, and insert in lieu thereof the following:

"SEC. 29. A new section is hereby added to the Code of Civil Procedure, to be numbered 115, and to read as follows:".

AMENDMENT NUMBER SEVENTEEN-A.

On page 12 of the printed bill, as amended, between lines 2 and 3, insert the following:

"SEC. 29a. A new section is hereby added to the Code of Civil Procedure, to be numbered 116, and to read as follows:".

AMENDMENT NUMBER SEVENTEEN-B.

On page 12 of the printed bill, as amended, between lines 32 and 33, insert the following:

"SEC. 29b. A new section is hereby added to the Code of Civil Procedure, to be numbered 116a, and to read as follows:".

AMENDMENT NUMBER SEVENTEEN-C.

On page 12 of the printed bill, as amended, between lines 40 and 41, insert the following:

"SEC. 29c A new section is hereby added to the Code of Civil Procedure, to be numbered 116b, and to read as follows:".

AMENDMENT NUMBER EIGHTEEN.

On page 13, line 17, of the printed bill, as amended, after "and", insert the following: ", except as otherwise provided in this section,".

AMENDMENT NUMBER NINETEEN.

On page 13, line 19, of the printed bill, as amended, after the period insert the following: "When a defendant has contracted to perform an obligation in a particular township, city or city and county, an action founded on such obligation may be commenced and maintained either in the township, city or city and county where such obligation is to be performed, or in which the defendant resides."

AMENDMENT NUMBER TWENTY.

On page 14 of the printed bill, as amended, strike out line 1, and insert in lieu thereof the following: "named county, or city and county, (or, "that the obligation sued on was contracted to be performed at _____ in the above-named county, or city and county") ; that this affiant resides at _____, county (or city and county) of".

AMENDMENT NUMBER TWENTY-ONE.

On page 14, line 16, of the printed bill, as amended, strike out "and", and insert in lieu thereof the following: "or".

AMENDMENT NUMBER TWENTY-TWO.

On page 15, line 1, of the printed bill, as amended, after "clerk", insert a comma.

AMENDMENT NUMBER TWENTY-THREE.

On page 15, line 2, of the printed bill, as amended, after "clerk", insert a comma.

AMENDMENT NUMBER TWENTY-FOUR.

On page 15 of the printed bill, as amended, strike out line 9, and insert in lieu thereof the following: "more than thirteen days nor less than three days from the date of".

AMENDMENT NUMBER TWENTY-FIVE.

On page 16 of the printed bill, as amended, strike out lines 29 to 34, inclusive, and insert in lieu thereof the following: "plaintiff in the sum of fifteen dollars ($15). Except as otherwise provided in this chapter, such appeal shall be taken as provided in Chapter III of Title XIII of Part II of this code for appeals from justices' courts."

AMENDMENT NUMBER TWENTY-SIX.

On page 19 of the printed bill, as amended, strike out line 13, and insert in lieu thereof the following: "action, a fee of twenty-five cents shall be charged and collected for the mailing of the copy of the affidavit, and, except as otherwise provided in this chapter, no other fee or charge shall be collected by".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 19, lines 15 and 16, of the printed bill, as amended, strike out "city, or city and county, or county".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 19, line 41, of the printed bill, as amended, strike out "as", and insert in lieu thereof the following: "are".

AMENDMENT NUMBER TWENTY-NINE.

On page 20, line 20, of the printed bill, as amended, strike out "of Class B.", and insert in lieu thereof a period.

AMENDMENT NUMBER THIRTY.

On page 20, line 39, of the printed bill, as amended, after the word "record", insert a comma.

AMENDMENT NUMBER THIRTY-ONE.

On page 20, line 49, of the printed bill, as amended, strike out "opened", and insert in lieu thereof the following: "open".

AMENDMENT NUMBER THIRTY-TWO.

On page 21, line 3, of the printed bill, as amended, strike out "the", and insert in lieu thereof the following: "a".

AMENDMENT NUMBER THIRTY-TWO-A.

On page 22, line 19, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "; and provided further, that in any of said cities, the city hall of which is not less than eight miles distant from the site of the county courthouse, which has a population of more than one hundred twenty-five thousand, as ascertained by such census, at least three regular sessions of the superior court shall be held concurrently."

AMENDMENT NUMBER THIRTY-THREE.

On page 23, line 44, of the printed bill, as amended, strike out the comma.

AMENDMENT NUMBER THIRTY-FOUR.

On page 24, line 2, of the printed bill, as amended, strike out "provision", and insert in lieu thereof the following: "provisions".

AMENDMENT NUMBER THIRTY-FIVE.

On page 25 of the printed bill, as amended, between lines 16 and 17, insert the following:

"Whenever a judge or justice shall have knowledge of any fact or facts, which, under the provisions of this section, disqualify him to sit or act as such in any action or proceeding pending before him, it shall be his duty to declare the same in open court and cause a memorandum thereof to be entered in the minutes or docket. It shall thereupon be the duty of the clerk, or the justice if there be no clerk, to transmit forthwith a copy of such memorandum to each party, or his attorney, who shall have appeared in such action or proceeding, except such party or parties as shall be present in person or by attorney when the declaration shall be made."

AMENDMENT NUMBER THIRTY-SIX.

On page 25, line 17, of the printed bill, as amended, strike out "of Class B".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 25 of the printed bill, as amended, strike out lines 24 to 34, inclusive.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 25, lines 35 and 36, of the printed bill, as amended, strike out "or justice of a justices' court of Class A".

AMENDMENT NUMBER THIRTY-NINE.

On page 25, line 44, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FORTY.

On page 25, lines 45 and 46, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FORTY-ONE.

On page 25, line 48, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FORTY-TWO.

On page 25, line 50, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FORTY-THREE.

On page 26, line 4, of the printed bill, as amended, strike out "or justice's".

AMENDMENT NUMBER FORTY-FOUR.

On page 26, line 10, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FORTY-FIVE.

On page 26, line 13, of the printed bill, as amended, strike out "or justice's".

AMENDMENT NUMBER FORTY-SIX.

On page 26, line 15, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FORTY-SEVEN.

On page 26, lines 16 and 17, of the printed bill, as amended, strike out "or justice of a justices' court of Class A."

AMENDMENT NUMBER FORTY-EIGHT.

On page 26, line 19, of the printed bill, as amended, strike out "or justice's".

AMENDMENT NUMBER FORTY-NINE.

On page 26, lines 20 and 21, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FIFTY.

On page 26, line 23, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FIFTY-ONE.

On page 26, line 25, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FIFTY-TWO.

On page 26, line 27, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FIFTY-THREE.

On page 26, line 31, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FIFTY-FOUR

On page 26, line 33, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FIFTY-FIVE.

On page 26, line 35, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FIFTY-SIX.

On page 26, line 42, of the printed bill, as amended, strike out "or justices".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 26, line 44, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 26, line 45, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FIFTY-NINE.

On page 26, line 46, of the printed bill, as amended, strike out "or justice,".

AMENDMENT NUMBER SIXTY.

On page 27, line 11, of the printed bill, as amended, strike out the semicolon, and insert in lieu thereof a comma.

AMENDMENT NUMBER SIXTY-ONE.

On page 27, line 24, of the printed bill, as amended, after "county", insert the following: ", or of the municipal court of such city,".

AMENDMENT NUMBER SIXTY-TWO.

On page 31 of the printed bill, as amended, between lines 47 and 48, insert the following:

"SEC. 60a. Section 274c of the Code of Civil Procedure is hereby amended to read as follows.

274c. Each municipal court in this State, a majority of the judges concurring, may, by order entered upon the minutes of the court, appoint as many competent phonographic reporters as the business of the court may require, to be known as official reporters of such court, and to hold office during the pleasure of the judges of such court respectively. Such reporters, or any one of them, must, at the request of either party or of the court in a civil proceeding, or on the order of the court in a criminal action or proceeding, take down in shorthand all the testimony, the objections made, the rulings of the court, the exceptions taken, all arraignments, pleas and sentences of defendants in criminal cases; the arguments of the prosecuting attorney to the jury, and all statements and remarks made and oral instructions given by the judge; and if directed by the court, or requested by either party, must, within such reasonable time after the trial of such case as the court may designate, write out the same, or such specific portions thereof as may be requested, in plain and legible longhand, or by typewriter, or other printing machine, and certify to the same as being correctly reported and transcribed, and when directed by the court, file the same with the clerk of the court. Those sections of the Code of Civil Procedure of this State numbered 270 to 274, inclusive, are hereby made applicable to the qualifications, duties, official oath, certification of transcripts and fees of official reporters of municipal courts.

The provisions of this section shall also apply to justices' courts in cities, cities and counties, towns and judicial townships having a population of thirty thousand or more, in so far as criminal actions or proceedings in such courts are concerned."

AMENDMENT NUMBER SIXTY-THREE.

On page 32, line 4, of the printed bill, as amended, strike out "67b,".

The roll was called, and Senate amendments to Assembly Bill No. 514 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 513—An act to amend sections 17, 22, and 30 of the Code of Civil Procedure, relating to definition of words used in said code.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 513?

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out line 28, and insert in lieu thereof the following:
"10. The word".

The roll was called, and Senate amendment to Assembly Bill No. 513 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1265—An act to add a new section to the Code of Civil Procedure to be numbered 329, relating to the limitation of the time within which actions for the foreclosure of street improvement assessment liens against real property may be commenced, when the assessments are made payable in installments pursuant to bonds or other written obligations.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1265?

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, as amended, after "improvements", insert a comma and the following: "the proceedings for which are prescribed by legislation of any political unit other than the State,".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, strike out "legislation of any political unit", and insert "such legislation".

The roll was called, and Senate amendments to Assembly Bill No. 1265 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1802—An act to amend section 7 of and to add a new section to be numbered 8½ to "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; and to make an appropriation for the carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to fees for the use of State park areas, and making an appropriation for the State park system.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1802?

AMENDMENT NUMBER ONE.

In lines 10 and 11 of the title of the printed bill, strike out the following: ", and making an appropriation for the State park system."

AMENDMENT NUMBER TWO.

On page 1, line 18, of the printed bill, after the word "commission", insert a comma and the following: "whenever in its judgment it is practicable to do so,".

AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, after the word "fees", insert the following: ", rentals and other return".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out all of lines 7 to 11, inclusive.

The roll was called, and Senate amendments to Assembly Bill No. 1802 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1184—An act to amend sections 640 and 671 of the Vehicle Code, relating to sirens, horns, warning devices and lights on vehicles.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1184?

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, as amended, after "vehicle", insert a comma, and strike out "and".

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, as amended, after "duties", insert the following: "and a deputy appointed to enforce the provisions of the Agricultural Code relating to plant and animal quarantine".

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, as amended, strike out "or controlled".

The roll was called, and Senate amendments to Assembly Bill No. 1184 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

Assembly Bill No. 2125—An act to amend section 5 of the act entitled "An act to provide for a general system based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, relating to duties of the commission.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2125?

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title of the printed bill, as amended in Assembly April 14, 1933, strike out the word "of", and insert in lieu thereof "and to add section 10.5 to".

AMENDMENT NUMBER TWO.

On page 7 of the printed bill, as amended in Assembly April 14, 1933, between lines 30 and 31, insert the following:

"SEC. 4. A new section is hereby added to said act to be numbered 10.5 and to read as follows:

Sec. 10.5. An examination fee shall be charged for each application for civil service examinations, said fee to be paid to the Division of Personnel and Organization at the time of filing said application. The fee charged for each application shall be determined on a basis of the minimum monthly salary for the position applied for, according to the following table, and said application fee shall be published by the commission on the official bulletin announcing the examination

Minimum Monthly salary	Fee
Under $100	$1 00
$100 to $199	2 00
$200 to $299	3 00
$300 to $399	5 00
Over $400	10 00

All examination fees collected by the division shall be deposited in the State treasury to the credit of the "civil service fund," which fund is hereby created and out of which fund the division may pay without regard to fiscal years any and all expenses of said division. Upon proper claims filed in accordance with law the State Controller shall draw his warrant against such fund."

AMENDMENT NUMBER THREE.

On page 7, line 31, of the printed bill, as amended in Assembly April 14, 1933, strike out the number "4", and insert in lieu thereof the number "5".

AMENDMENT NUMBER FOUR.

On page 7, line 39, of the printed bill, as amended in Assembly April 14, 1933, strike out the number "5", and insert in lieu thereof the number "6".

The roll was called, and Senate amendments to Assembly Bill No. 2125 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Mecker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 518—An act to amend sections 4300a, 4300e, and 4300*l* of the Political Code, relating to fees.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 518?

AMENDMENT NUMBER ONE.

On page 4, line 28, of the printed bill, as amended, strike out "of another jurisdiction", and insert in lieu thereof the following: "or judge of another court,".

AMENDMENT NUMBER TWO

On page 5 of the printed bill, as amended, strike out lines 3 to 5, inclusive, and insert in lieu thereof the following.

"For filing the first paper (other than demurrer) on behalf of any party (other than plaintiff) one dollar for each such party

For filing a demurrer, one dollar for each party demurring."

AMENDMENT NUMBER THREE.

On page 5, line 16, of the printed bill, strike out "jurisdiction", and insert in lieu thereof the following: "court".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 518 by the following vote:

AYES—None.

NOES—Alter, Badham, Bliss, Bowers, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—58.

Senate Bill No. 265—An act to amend section 4257 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-eighth class.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 265?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 265 by the following vote:

AYES—None.

NOES—Alter, Badham, Bliss, Bowers, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—58.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Patterson, Cassidy and Kallam, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 265.

Senate Bill No. 509—An act to amend an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended, by amending sections 2, 3, 4, 5, 6, 9, 11 and 14, relating to collection agencies.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 509?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 509 by the following vote:

AYES—None.

NOES—Alter, Badham, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Clowdsley, Burns and Meehan, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 509.

Senate Bill No. 9—An act to amend sections 41, 42, 43, 45 and 46 of the California Irrigation District Act, and to repeal section 44 of said act, all relating to delinquent assessments.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 9?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 9 by the following vote:

AYES—None.

NOES—Alter, Badham, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. O'Donnell, O'Connor and Stannard, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 9.

Senate Bill No. 226—An act to amend section 802 of the Agricultural Code, relating to the standardization of grapes.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No 226?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 226 by the following vote:

AYES—None.

NOES—Alter, Badham, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs Turner, Meeker and Hunt, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 226.

Assembly Bill No. 2069—An act to add a new section to be numbered 6b to the act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, relating to examination and licensing of persons who have been engaged as apprentices.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2069?

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 5 and 6 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, relating to the Board of Dental Examiners for the examining and licensing of persons who have been engaged as apprentices,".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 10 to 35, and insert in lieu thereof the following:

"SECTION 1. Section 5 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 5. Each member of the board shall receive a per diem of ten dollars as compensation for each day spent in actual attendance at meetings of the board and at committee meetings of the members of the board, when such meetings shall be especially authorized by the board or its president, and for each day actually spent performing necessary work in connection with the enforcement of this act. The board shall have full power to employ all necessary clerical and other assistants and appoint its own attorney, prescribe his duties and fix his compensation. Members and employees of the board shall be entitled to other necessary traveling expenses.

SEC. 2. Section 6 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 6. Any person over twenty-one years of age shall be eligible to take an examination before the Board of Dental Examiners of California, upon making application therefor, and upon (1) paying a fee of twenty-five dollars; provided, that the fee shall be fifty dollars for applicants presenting credentials of graduation from dental schools other than in California; (2) furnishing satisfactory testimonials of good moral character; (3) furnishing satisfactory evidence of having graduated from a reputable dental college, which must have been approved by the Board of Dental Examiners of California; provided, however, that every person actually engaged as an apprentice to a regularly licensed dentist who has practiced in the State of California for ten years or more shall be eligible for examination, if, within thirty days after the passage of this act, he shall file with the secretary of the board an affidavit stating his name, age, the length of time for which he has been actually apprenticed and with whom; and who, at the time of his application for examination shall show to the satisfaction of the board that he has served an apprenticeship of at least five years and is a graduate from a high school or similar institution of learning in this or some other State of the United States requiring a three years' course of study; and provided, that no examination shall be given to an

applicant claiming the right to take the same as an apprentice later than January 31, 1934."

The roll was called, and Senate amendments to Assembly Bill No. 2069 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E. Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

RESOLUTION.

The following resolution was offered:

By Mr. Craig:

SACRAMENTO, CALIFORNIA, ASSEMBLY CHAMBER, May 12, 1933.

Resolved, That each and every officer, employee and attache of the Assembly now on the pay roll of the Assembly be paid for and including Saturday, May 13, 1933, at the per diem as provided by law.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

RECESS.

At twelve o'clock and thirty-eight minutes p.m., on motion of Mr. Cobb, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the following resolution, adopted by the Assembly on May 11, 1933, the Speaker appointed Messrs. Cottrell, Hornblower and Callahan as such Select Committee.

RESOLUTION BY MESSRS. COTTRELL AND KALLAM.

Providing for the appointment of a committee to investigate and report on dismissals from service in the State Motor Vehicle Department and the method of trial employed for alleged misconduct in said department and in the State Highway Patrol.

WHEREAS, Charges and rumors of unfairness, favoritism, prejudice and undue influence have been publicly made in connection with certain dismissals or trials for misconduct in the said Motor Vehicle Department; and

WHEREAS, Said rumors have created unrest and suspicion among the employees thereof, having a tendency to destroy the morale of the department and the efficiency of the service; and

WHEREAS, In order to enact legislation to remedy these conditions, if found to exist, it is advisable that a committee be appointed to study the said several matters and to report back its findings when the Assembly again reconvenes; now, therefore, be it

Resolved, by the Assembly of the State of California, That a committee consisting of three members of the Assembly to be appointed by the Speaker of the Assembly investigate aforementioned questions and report back its findings to this Legislature when it again reconvenes or as soon as may be convenient; and be it further

Resolved, That said committee shall proceed at once by the election of one of its members as chairman, and by the selection of a secretary, and shall proceed with said investigation in the manner to be determined by said committee; and be it further

Resolved, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and objects hereinabove referred to, said committee is hereby authorized and empowered to require the production of persons, books, agreements, documents, records and papers of every kind, to issue subpenas, and to take all necessary means to compel the attendance of witnesses, and to procure testimony, and the members of said committee are and each of them is hereby authorized to administer oaths; and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code of the State relative to the attendance and assemblage of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution. That said committee be and is hereby given leave to sit during the Legislature and during the recess, either at the Capitol or at such other place, or places, as said committee shall from time to time designate.

Resolved, That the sum of five hundred dollars ($500), or so much thereof as may be necessary, is hereby appropriated and made available for the actual necessary expenses of the committee and the members thereof, incurred in the performances of duty hereunder, payable out of the contingent funds of the Assembly; to be disbursed upon Controller warrants drawn upon the order of the chairman of the committee.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 121—A resolution to propose to the people of the State of California an amendment to the Constitution of this State, by amending section 23 of Article IV thereof, relating to compensation of members of the Legislature—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 185—An act to amend sections 278, 290, 292, 293, 294, 295, 296, 300a, 300b, 301, 303, 304, 305, 306, 307, 307a, 308, 309, 311, 312, 313, 314, 315, 319, 320a and 320b of the Civil Code, to add a new section 381 to the Civil Code, and to repeal section 375 of the Civil Code, all relating to corporations—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Bill read second time, and ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 405—An act to amend section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses or furnished bungalow courts—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Bill read second time, and ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 2343—An act to add a new section to the Penal Code, to be numbered 537f, relating to the sale and offering for sale of rebuilt storage batteries—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Bill read second time, and ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1788—An act to amend sections 737ss, 737uu and 737r of the Political Code, relating to the compensation of the judges of the superior court of Shasta County, Siskiyou County and Lassen County—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Bill read second time, and ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 515—An act to amend sections 372, 373, 392, 393, 394, 395, 397, 398, 399, 400, 410, 412, 413, 415, 416, 422, 426, 437, 446, 465, 472, 473, 480, 481, 482, 483, 484, 485, 488, 489, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 511, 512, 513, 514, 515, 517, 518, 519, 520, 529, 538, 539, 540, 542, 542a, 543, 544, 545, 546, 547, 548, 549, 550, 551, 553, 554, 555, 556, 559, 573, 574, 581, 581a, 581b, 583, 585, 594, 595, 596, 600, 601, 607, 607a, 618, 628, 631, 632, 634, 638, 639, 640, 641, 644, 649, 650, 651, 652, 653, 659a, 661, 663, 664, 666, 667, 668, 670, 671, 672, 673, 674, 675, 681a, 682, 683, 687, 689, 691, 713¼, 714, 715, 716, 717, 718, 719, 720, 721, 722, 936, 959, 983, 984, 985, 986, 987, 988, 988a, 988b, 988c, 988d, 988g, 988h, 988i, 989, 997, 1000, 1003, 1004, 1005, 1006, 1011, 1015, 1021, 1033, 1051, 1052, 1054, and Chapters I, II, III, and IV of Title XIII, Part II, of the Code of Civil Procedure, to add sections 396, 396a, 411a, 437b, 437c, 437d, 472a, 472b, 473a, 477, 586, 594a, 648a, 710b, 710c, 973, 983a, 1008, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1054a thereto, and to repeal sections 476, 633, 692 (as added by Chapter 117, Statutes 1931), 710 (as added by Chapter 92, Statutes 1903), 710¼, 831, 831a, 831b, 831c, 831d, 831e, 831f, 831g, 831h, 831i, 831j, 832, 833, 834, 835, 835a, 836, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 857a, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 889, 890, 890a, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 900a, 900b, 901, 901a, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 927a, 927b, 927c, 927d, 927e, 927f, 927g, 927h, 927i, 927j, 927k, 927l, 927m, 927n, 927o, 927p, 927q, 929, 930, 931, 932, 933, 933¼, 964, 965, 982a, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1035, 1036, 1037, 1038, and 1039 thereof, relating to civil actions—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Bill read second time, and ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2302—An act to add 24 new sections to the Political Code, to be numbered 4248 and 4248a to 4248w, inclusive, and to repeal sections 2322x19 and 4248 of said code, section 19x19 of the Juvenile Court Law, and section 16x19 of the Weights and Measures Act, relating to compensation of county and township officers in counties of the nineteenth class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2385—An act to amend sections 2322x7, 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236n, 4236o, 4236p, and 4236q of the Political Code, relating to the compensation of county officers in counties of the seventh class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 635—An act to amend sections 21, 228, 229, 440, 463, 578, 702, 715, 932, 1010, 1020, 1120, 1125, 1126, 1200, 1201, 1531 and 1537 of the Probate Code, to add sections 718.5, 930.5, 1020.5, 1026, 1127, 1241, 1556 5 and 1632 thereto, and to repeal sections 965, 966, 1969 and 1970 of the Code of Civil Procedure and section 672 of the Civil Code, all relating to probate, including the custody, disposal by will, succession, administration and distribution of estates of decedents, and the custody and administration of estates of persons under guardianship—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1217—An act to amend section 312 of the Agricultural Code, relating to meat inspection—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 723—An act to amend sections 4.320, 4.321, and 4 322, and repeal sections 4.323 to 4.334, both inclusive, of the School Code, all relating to school warrants registered for want of funds—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1342—An act to amend sections 6, 9, 10, 11, 12, 13, 14, 15, 16 and 21 of an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to power of the State Board of Public Health—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1235—An act to

amend section 4261 of the Political Code, relating to compensation of county and township officers in counties of the thirty-second class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1122—An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Constitutional Amendment No. 35—Proposed amendment to Article VI, section 11, of the Constitution, relative to courts.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Constitutional Amendment No. 35 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 41—Relative to the establishment of the twenty-eighth day of August, 1934, as "Junipero Serra Day."

Also: Assembly Concurrent Resolution No. 42—Relative to the establishment of the year 1934 as "Junipero Serra Year."

Also: Assembly Concurrent Resolution No. 49—Relative to directing the Department of Public Works to investigate taking over the toll road in Marin County approaching Muir Woods.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported Assembly Concurrent Resolutions ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1628—An act to amend section 737h of the Political Code, relating to the salary of the judge of the superior court in and for the county of Del Norte;

Also: Assembly Bill No. 337—An act to amend sections 6.740 and 6.771 of the School Code, relating to the use of school buildings or grounds;

Also: Assembly Bill No. 2390—An act to add section 234.25 to the Agricultural Code, relating to tuberculosis control;

Also: Assembly Bill No. 926—An act to amend section 291 of the Civil Code, relating to corporations;

Also: Assembly Bill No. 1804—An act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain State buildings and grounds.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 733—An act to amend section 2 of an act entitled "An act providing for the exhibit of the products and resources of the State of California at the Chicago World's Fair Centennial Celebration to be held at Chicago, Illinois, in 1933, creating the California World's Fair Centennial Celebration Commission and defining its powers and duties, and making an appropriation therefor," approved June 12, 1931, relating to powers and duties of said commission—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 1304—An act to amend section 4191 Political Code, relating to the use of the law library fund—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1137—An act to amend section 4264 of the Political Code, relating to the compensation of county and township officers in counties of the thirty-fifth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused adoption to Assembly Constitutional Amendment No. 79—Proposed amendment to Article XX, adding section 22, of the Constitution, relative to legal rate of interest.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON OIL INDUSTRIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Senate Bill No. 606—An act to amend section 20a of an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purposes of this act," approved June 10, 1915—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BADHAM, Chairman.

The above reported bill ordered on file for second reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 2251—An act to provide for the inspection of warehouses where grain is stored for hire; for the sampling, examination and condemnation of infested grain and regulating the sale thereof, defining the powers and duties of the Director of Agriculture in regard thereto and prescribing penalties for violations of the provisions thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title, and insert in lieu thereof the following:

"An act to amend the Agricultural Code by adding to Division VI thereof a new chapter to be numbered 5a and to include sections 1260 and 1260.8, inclusive, pertaining to the control of insect pests in grain warehouses."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after the enacting clause, strike out all of the printed bill on pages 1, 2, 3, and 4, and insert in lieu thereof the following:

"SECTION 1. A new chapter is hereby added to Division VI of the Agricultural Code, to be numbered 5a, and to read as follows:

Chapter 5a. Grain Warehouse Inspection.

1260. As used in this chapter:

(a) 'Warehouse' means every elevator, building, structure, or other protected enclosure within the State, in which any grain is or is to be regularly stored for the public.

(b) 'Grain' means any cereal grain customarily handled in warehouses, either in bulk or sacks.

(c) 'Warehouseman' means a person lawfully engaged in the business of storing grain for compensation.

(d) 'Receipt' means a warehouse receipt.

1260.1. For the purpose of controlling insect pests of grain in public warehouses, the director is authorized:

(a) To investigate and regulate the storage and warehousing of grain.

(b) At any time, with or without application to him, and in order to determine its condition to examine or cause to be examined any warehouse or any grain stored in warehouses.

(c) When, in his opinion, the extent of the infestation is such as to be a menace to other grain, to order the treatment of an infested warehouse or the disposal of infested grain therein.

(d) To prescribe, within the limitations of this chapter, the duties of warehousemen with respect to the care of grain stored in their warehouses

(e) To enforce such rules and regulations hereunder as he deems necessary.

1260.15. It shall be unlawful to operate, conduct or maintain a public warehouse for grain storage without having registered such warehouse with the director Such warehouseman shall pay a registration fee of ten dollars ($10) for each warehouse each year, but in no case shall the total of registration fees for one warehouseman exceed two hundred fifty dollars ($250) in any one year. If a warehouse is licensed and bonded under the provisions of Chapter 5 of Division VI of the Agricultural Code, the registration fee for such warehouse shall be waived. Each such licensee and warehouseman who registers one or more warehouses shall file with the director the address to which notices under this chapter shall be mailed and notices mailed to such address shall be conclusively presumed to have been received.

1260.2. The director at least once each month shall report to the State Controller the total amount of moneys collected for fees, penalties, judgments or otherwise, and at the same time shall pay into the State treasury the entire amount of such moneys, which shall be credited to the Department of Agriculture fund and expended in carrying out the provisions of this chapter.

1260.25. At least once each year the director shall make or cause to be made an inspection of each warehouse registered under the provisions of this chapter for the purpose of determining the extent, if any, of insect infestations existing in each warehouse or in any of the grain stored therein A written record of the results of all such inspections shall be kept in the department and shall be available to all interested parties upon application

1260.3. Every warehouse, and every lot of grain stored therein, infested with insect pests of stored grain is hereby declared to be a public nuisance and the director is hereby empowered to cause the abatement of every such nuisance found upon inspection made or caused to be made by him. Upon the finding of such

infestation in any warehouse the director, in writing, shall notify the warehouseman that said warehouse or the contents thereof is a public nuisance in accordance with the provisions of this section. Such notification may be made by mail to his filed address and shall require him to immediately abate or cause to be abated such nuisance and within the time specified in the notice.

1260.35. Every warehouseman who registers a warehouse under this chapter and with whom grain has been stored shall make periodic inspections of the grain stored therein, and upon any finding of insect infestation in any such lot of grain he shall forthwith advise the owner of record of such grain of the fact.

1260.4. The director, in notifying any warehouseman that any lot of grain stored in his warehouse constitutes a public nuisance, shall supply such warehouseman with an additional copy of the notice. The warehouseman shall immediately deliver such copy to the owner of record of such grain accompanied by a statement requiring said owner to abate such nuisance either by removal of the grain or by its treatment to eliminate the infestation; provided, that in the event of a failure on the part of the warehouseman to give the owner the advice required by section 1260.35 of this chapter, such warehouseman shall be liable for the cost of such treatment as the director may require

1260.45. If any warehouseman shall fail before the end of the time specified in the notice from the director to abate or cause to be abated the nuisance therein specified, the director shall notify the district attorney of the county in which the nuisance exists and upon receipt of such notice such district attorney shall forthwith bring an action in the name of the people of the State of California against the warehouseman and the owner of infested grain to abate said nuisance.

1260.5. Any warehouseman who, after receipt of notice to abate such nuisance and before said nuisance shall have been abated, accepts for storage or does store any grain in the warehouse which or the contents of which is a public nuisance under the provisions of this chapter, shall be liable to the storer of such grain for any and all damages occasioned by subsequent infestation of grain so stored.

1260.55. In any case in which a lot of grain has been declared to be a nuisance and has been required to be abated, the director shall also require the warehouseman to eliminate or control any infestation of the premises resulting from or in the infestation of the grain.

1260.6. Within thirty days after receipt of the copy of notice and statement referred to in section 1260.4, the owner of any lot of infested grain specified therein shall either remove the grain from the warehouse mentioned in the copy of notice and statement or shall cause the same to be treated so as to eliminate the infestation. If such owner shall fail to remove said grain, or shall fail to cause its treatment or to authorize the warehouseman to treat the same, the warehouseman may sell said grain at public sale after advising the owner of record of such intention, or, if it can not be so sold, the warehouseman may make such other disposition of it as is possible and shall incur no liability by reason of any such disposition.

1260.65. From the proceeds of such sale the warehouseman shall satisfy his lien, including the reasonable charge of notice, advertisement, and sale. The balance, if any, of such proceeds shall be held by the warehouseman, and delivered to the person to whom he would have been bound to deliver or justified in delivering the goods.

At any time before the goods are sold any person claiming a right of property or possession therein may pay the warehouseman the amount necessary to satisfy his lien and pay the reasonable expenses and liabilities incurred in serving notices and advertising and preparing for the sale up to the time of such payment. The warehouseman shall deliver the goods to the person making such payment if he is a person entitled, under the provisions of Statutes of 1909, Chapter 290, as amended, to the possession of the goods on payment of charges thereon. Otherwise the warehouseman shall retain possession of the goods according to the terms of the original contract of deposit.

1260.7. In case the owner authorizes the warehouseman to treat the infested grain, the warehouseman shall proceed with such treatment as shall be prescribed by the director. The cost of such treatment shall become a lien against such grain.

1260.75. The director and the commissioner of each county of the State, his deputies and inspectors, under the supervision and control of the director, shall enforce this chapter.

1260.8. If any clause, sentence, paragraph, or part of this chapter shall for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Assembly Bill No. 2219—An act to add section 3410 to the Political Code, relating to exchange of private lands in national forests for lands of the United States located outside national forests.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of line 5 after the word "of", and all of lines 6 and 7, and insert in lieu thereof the following: "State indemnity certificates or scrip in addition to any sums required to be paid as fees or costs in connection with such exchange and the fees provided by law for filing applications and the issuance of patents.

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading

Assembly Bill No. 2399—An act establishing a certain additional State highway and classifying it as a secondary highway.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out lines 1 to 12, inclusive, and insert in lieu thereof the following:

"SECTION 1. The following named and described highway or route is hereby declared to be and is hereby classified as a secondary State highway and the Department of Public Works is hereby authorized and directed to lay out and construct said highway by the most direct and practicable route, as determined by the California Highway Commission, between the termini stated herein and to improve and maintain the same:

Description.

"State Highway Route 2 near Soledad to Pinnacles National Monument and Pinnacles National Monument to Hollister-Priest Valley Road in Bear Valley."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Assembly Bill No. 591—An act making an appropriation to pay the claim of _____ against the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "of", insert the following: "chief accounting officer of the State Department of Agriculture".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SECTION 1. Out of any money in the State treasury, not otherwise appropriated, the sum of twenty-two thousand nine hundred thirty-three dollars and thirty-seven cents ($22,933.37) is hereby appropriated to pay the claim of the chief accounting officer of the State Department of Agriculture against the State of California."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Assembly Bill No. 856—An act making an appropriation to pay the claim of William Dyer against the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the figures "$4,640", and insert in lieu thereof the figure "$1".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Assembly Bill No. 1199—An act making an appropriation to pay the claim of A. C. Brunzell and E. S. Brunzell, copartners against the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the words "three thousand eight hundred", and insert in lieu thereof the word "one".

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out the words "forty-three".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Assembly Bill No. 1775—An act to pay the claim of the Master Plumbers' Association Holding Corporation against the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the words "four hundred sixty-eight", and insert in lieu thereof the word "one".

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out the figures "10/100", and insert in lieu thereof the figures "00/100".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Assembly Bill No. 1929—An act making an appropriation to pay the claim of C. D. Plum against the State of California

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 1, of the printed bill, strike out the words and figures "two thousand dollars ($2,000)", and insert in lieu thereof the words and figures "one dollar ($1)".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Assembly Bill No. 693—An act to amend section 385 of the Political Code, relating to the secretaries of the Governor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "amend section 385 of", and insert in lieu thereof the following: "add section 386 to".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 11, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Political Code, to be numbered 386 and to read as follows:

386 In addition to such other assistants and employees as are provided by law, the Governor shall have power to employ the following: (1) At his Los Angeles office, one stenographer whose compensation shall be two thousand one hundred dollars per annum; (2) at his San Francisco office, one stenographer whose compensation shall be one thousand eight hundred dollars per annum; (3) at his San Francisco office, one office assistant in charge whose compensation shall be two thousand four hundred dollars per annum

The salaries of such assistants and employees shall be paid at the same time and in the same manner as the salaries of State officers."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Assembly Bill No. 935—An act to add a new section to the Political Code to be numbered 1034, relating to State officers and employees.

COMMITTEE AMENDMENT.

During reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in the Assembly May 5, 1933, strike out lines 18, 19 and 20.

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At two o'clock and thirty-five minutes p m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 120—Proposed amendment to Article XVI adding section 10 of the Constitution, relative to execution, issuance, use, redemption and cancellation of unemployment bonds for various public purposes and for the relief of unemployment, destitution and economic distress.

Assembly Constitutional Amendment No. 120 read.

FLOOR AMENDMENTS.

During reading of Assembly Constitutional Amendment No. 120, the following amendments were submitted by Mr. Powers:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed measure, after "cellation of", insert the following: "noninterest bearing".

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed measure, strike out "one", and after "dollars", insert the following: ", to be amortized by ten annual equal payments which shall be deposited in the State unemployment bond sinking fund under the supervision, control, and disposition of the State Board of Control cooperating with the State Treasurer for the purpose of redeeming and canceling of the whole of said unem-

ployment bond issue within ten years from date of issue. Such annual payments for the sinking fund shall be raised from such additional revenue or revenues as the Legislature may provide or which may be raised by the counties and political subdivisions thereof cooperating jointly or severally with the State of California, and as may be provided in said Unemployment Bond Act of 1933,".

AMENDMENT NUMBER THREE.

On page 2, line 18, of the printed measure, after "dollars", insert the following: "without interest and as provided in said Unemployment Bond Act of 1933".

Amendments adopted.

Assembly Constitutional Amendment No. 120 ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 287—An act to provide for the construction and completion of a causeway across the Tisdale By-pass in Sutter County, State of California, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 287 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Cobb, Crowley, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West and Wright—59.

NOES—Clowdsley, Cottrell, Latham, Rawls and Redwine—5.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At two o'clock and forty-five minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Constitutional Amendment No. 121—Proposed amendment to Article IV, section 23, of the Constitution, relative to compensation of members of the Legislature.

Assembly Constitutional Amendment No. 121 read.

The question being on the adoption of Assembly Constitutional Amendment No. 121.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Sullivan moved a call of the House.

Motion carried.

Time, two o'clock and forty-seven minutes p.m

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers,

Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

SECOND READING OF SENATE BILLS.

Senate Bill No. 562—An act to amend section 1 of an act entitled "An act to create a fund to be known as the State highway general fund and providing for expenditures therefrom," approved June 5, 1931.

Bill read second time, and ordered on file for third reading.

Senate Bill No 563—An act to amend sections 2, 3 and 5 and to add two sections to be numbered 6 and 7 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, said amendments and new sections relating to the allocation and expenditure of State highway funds, the construction, improvement and maintenance of State highways and the addition of certain highways to the State system.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 570—An act to provide for the acquisition of the Sears Point Toll Road by the State, and the inclusion thereof in the State highway system, and making an appropriation therefor.

Bill read second time

THIRD READING OF SENATE BILL NUMBER FIVE HUNDRED SEVENTY.

Senate Bill No 570—An act to provide for the acquisition of the Sears Point Toll Road by the State, and the inclusion thereof in the State highway system, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Crowley:

AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed bill, as amended, strike out the period after "fund", and insert in lieu thereof a comma and the following: "or in the event that said fund is abolished out of any fund into which the moneys deposited in said fund are transferred."

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Bill No. 570 at this time, without reference to committee or file, and that same be considered engrossed.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No 570 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Chatters, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Frazier, Greene, Grubbs, Hallner, Hunt, Jones, Kallam, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Powers, Rawls, Roberts, Robinson, C. Ray; Rogers, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—52.

NOES—Cassidy, Clowdsley, Fisher, Knowland, Latham, Redwine, Riley, Roland and Thorp—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 700—An act making an appropriation to pay the claim of V. Earl Roberts against the State of California.

Bill read second time.

THIRD READING OF SENATE BILL NUMBER SEVEN HUNDRED.

Senate Bill No 700—An act making an appropriation to pay the claim of V. Earl Roberts against the State of California.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 700 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—68

NOES—Bliss and Rawls—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 969—An act to add a new section to the Agricultural Code, to be numbered 91 5, relating to the sixth district agricultural association.

Bill read second time.

THIRD READING OF SENATE BILL NUMBER NINE HUNDRED SIXTY-NINE.

Senate Bill No. 969—An act to add a new section to the Agricultural Code, to be numbered 91.5, relating to the Sixth District Agricultural Association

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 969 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Scudder, Stannard, Stream,

Sullivan, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 556—An act relating to the examination of juvenile offenders, and providing for State aid and cooperation with county authorities.
Bill read second time, and ordered on file for third reading.

Senate Bill No. 1207—An act to amend sections 737kk and 737ww of the Political Code, relating to the salaries of the judges of the superior court in and for the counties of San Diego and Sonoma.
Bill read second time.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED SEVEN.

Senate Bill No. 1207—An act to amend sections 737kk and 737ww of the Political Code, relating to the salaries of the judges of the superior court in and for the counties of San Diego and Sonoma.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 1207 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No 466—An act making an appropriation to pay the claim of the Bay Point Wharf and Yacht Harbor Co., Ltd., against the State of California.
Bill read second time.

THIRD READING OF SENATE BILL NUMBER FOUR HUNDRED SIXTY-SIX.

Senate Bill No. 466—An act making an appropriation to pay the claim of the Bay Point Wharf and Yacht Harbor Co., Ltd., against the State of California.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 466 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stan-

nard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No 1194—An act to make an appropriation to pay the claim of the Peat Humus Company against the State of California.
Bill read second time.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED NINETY-FOUR.

Senate Bill No. 1194—An act to make an appropriation to pay the claim of the Peat Humus Company against the State of California.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 1194 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—74.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No 139—An act to add section 694da to the Political Code, relating to the State Agricultural Society contingent fund, and declaring the urgency hereof.
Bill read second time.

THIRD READING OF SENATE BILL NUMBER ONE HUNDRED THIRTY-NINE.

Senate Bill No 139—An act to add section 694da to the Political Code, relating to the State Agricultural Society contingent fund, and declaring the urgency hereof.
Bill read third time.
The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr Nielsen:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, as amended, strike out "All moneys heretofore or hereafter"; also strike out all of lines 13 to 15, inclusive, and in line 16, strike out "contingent fund.", and insert in lieu thereof the following: "All moneys heretofore or hereafter appropriated, whether at the fiftieth session of the Legislature or otherwise, for the support of the State Agricultural Society, including moneys appropriated for permanent revolving fund to be used for support of said agency, are hereby transferred to said contingent fund and shall be expended, without return thereof to the general fund, in the same manner as any other moneys in said contingent fund."

Amendment adopted.
Bill read.
Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—70.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 139 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 768—An act making an appropriation to pay the claim of the county of Marin against the State of California.

Bill read second time.

THIRD READING OF SENATE BILL NUMBER SEVEN HUNDRED SIXTY-EIGHT.

Senate Bill No. 768—An act making an appropriation to pay the claim of the county of Marin against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 768 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1198—An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees

therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act.

Bill read second time.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED NINETY-EIGHT.

Senate Bill No. 1198—An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1198 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73

NOES—Hoffman—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 406—An act making an appropriation to pay the claim of the Oilfields Trucking Company against the State of California.

Bill read second time.

THIRD READING OF SENATE BILL NUMBER FOUR HUNDRED SIX.

Senate Bill No. 406—An act making an appropriation to pay the claim of the Oilfields Trucking Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 406 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Demp-

ster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—74.

NOES—Rawls—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 561—An act to amend sections 1, 2, 3, 5, 6, 7, 10, 11, 13, 13a, 14 and 16 of Chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, to add thereto a new section to be numbered 19, providing for a short title for said act, and to repeal Chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled, 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," as amended, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 720—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act, approved May 30, 1921, and of any and all acts amendatory thereof or supplemental thereto; creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State offices in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures;

appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1934.

Bill read second time.

THIRD READING OF SENATE BILL NUMBER SEVEN HUNDRED TWENTY.

Senate Bill No. 720—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act, approved May 30, 1921, and of any and all acts amendatory thereof or supplemental thereto; creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State offices in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1934.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 720 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and forty-nine minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Sullivan.

The roll of absentees was called, and Assembly Constitutional Amendment No 124 was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Roberts, Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Williamson and Mr. Speaker—59.

NOES—Cobb, Cottrell, Evans, Field, Fisher, Hoffman, Knowland, Latham, Morgan, O'Connor, Rawls, Redwine, Riley, Roland, Tournoux, Woolwine, Wright and Zion—18.

Title read and approved.

Assembly Constitutional Amendment No 121 ordered transmitted to the Senate.

HON. CHARLES W. LYON IN THE CHAIR.

At two o'clock and fifty minutes p m., Hon. Charles W. Lyon, member of the Assembly from the Fifty-ninth Assembly District, in the chair.

SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 401—An act making an appropriation to pay the claim of Robert D. Duke against the State of California.

Bill read second time.

THIRD READING OF SENATE BILL NUMBER FOUR HUNDRED ONE.

Senate Bill No. 401—An act making an appropriation to pay the claim of Robert D. Duke against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 401 finally passed by the following vote·

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum Field, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Kallam Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Redwine, Roberts, Robinson, Samuel E., Scudder, Stannard, Sullivan, Thorp, Tournoux, Utt, Wilhamson and Wright—58.

NOES—Bliss, Clowdsley, Grubbs, Jones, Rawls, Riley and Rogers—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1112—An act making an appropriation for major construction and equipment at Camarillo State Hospital.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 165—An act appropriating money to pay a claim of the county of Fresno against the State of California.

Bill read second time.

THIRD READING OF SENATE BILL NUMBER ONE HUNDRED SIXTY-FIVE.

Senate Bill No. 165—An act appropriating money to pay a claim of the county of Fresno against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 165 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E, Rogers, Scudder,

Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Wright—74.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 358—An act to add section 441 to the Political Code, relating to the registration of warrants and the payment of obligations of the State, to make an annual appropriation therefor, to repeal an act entitled "An act concerning the office of Treasurer of State," approved March 16, 1855, and to declare that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading

Senate Bill No. 659—An act to amend sections 737gg, 737pp, 737jj and 737dd of the Political Code, relating to the compensation of judges of the superior court.

Bill read second time.

THIRD READING OF SENATE BILL NUMBER SIX HUNDRED FIFTY-NINE.

Senate Bill No 659—An act to amend sections 737gg, 737pp, 737jj and 737dd of the Political Code, relating to the compensation of judges of the superior court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 659 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Wright and Zion—72.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 81—An act to amend sections 1, 3, 4, 5, 7, 8, 9, 10, 11, 12, and to repeal sections 5 and 6 of an act entitled "An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and to fix the penalties therefor; and to repeal all conflicting acts or parts of acts," approved June 1, 1927, relating to the bonds and licenses provided for therein, and to repeal Chapter 344 of the Statutes of 1929, approved May 20, 1929, and declaring the urgency thereof.

Bill read second time.

THIRD READING OF SENATE BILL NUMBER EIGHTY-ONE.

Senate Bill No. 81—An act to amend sections 1, 3, 4, 5, 7, 8, 9, 10, 11, 12, and to repeal sections 5 and 6 of an act entitled "An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and to fix the penalties therefor; and to repeal all conflicting acts or parts of acts," approved June 1, 1927, relating to the bonds and licenses provided for therein, and to repeal Chapter 344 of the Statutes of 1929, approved May 20, 1929, and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Phillips:

AMENDMENT NUMBER ONE

In line 2 of the title of the printed bill, as amended May 8, 1933, strike out the following: "sections 5 and", and insert in lieu thereof the following: "section".

AMENDMENT NUMBER TWO.

In the title of the printed bill, as amended May 8, 1933, strike out the last three lines, and insert in lieu thereof the following: "the licenses provided for therein, and declaring the urgency thereof."

AMENDMENT NUMBER THREE.

On page 2, line 19, of the printed bill, as amended May 8, 1933, after the word "resale", insert the words "at wholesale".

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, as amended May 8, 1933, strike out all of lines 49 and 50, and insert in lieu thereof the following: "the provisions of Chapter 734, Statutes of 1929, approved June 7, 1929, as revised, shall be entitled to be licensed as a commission merchant".

AMENDMENT NUMBER FIVE.

On page 9, line 28, of the printed bill, as amended May 8, 1933, strike out "13", and insert in lieu thereof "12".

AMENDMENT NUMBER SIX.

On page 9 of the printed bill, as amended May 8, 1933, strike out all of lines 34 to 44, inclusive, and insert in lieu thereof the following:

"It is imperative to provide at the earliest possible moment State supervision of the marketing of agricultural crops which are even now maturing and becoming ready for harvest. The losses which will be sustained by agricultural producers in the absence of such State supervision and protection will further financially embarrass great numbers of the producers of said crops and make more difficult and uncertain their support of the governmental functions of the State."

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Phillips asked for, and was granted, unanimous consent to take up Senate Bill No. 81, at this time, without reference to printer or file.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright and Zion—75.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 81 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright and Zion—75

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1180—An act to appropriate the sum of $42,000 out of the motor vehicle fund to lease the necessary facilities and service for the establishment of a telephone typewriter system of communication between cities in California and the Bureau of Criminal Identification and Investigation at Sacramento and for the operation and control of the system under the direction of the Bureau of Criminal Identification and Investigation and declaring the same to be an urgency measure.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED EIGHTY.

Senate Bill No. 1180—An act to appropriate the sum of $42,000 out of the motor vehicle fund to lease the necessary facilities and service for the establishment of a telephone typewriter system of communication between cities in California and the Bureau of Criminal Identification and Investigation at Sacramento and for the operation and control of the system under the direction of the Bureau of Criminal Identification and Investigation and declaring the same to be an urgency measure.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Turner moved a call of the House.

Motion carried.

Time, two o'clock and fifty-one minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Williamson and Wright—65.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

Senate Bill No. 455—An act to amend the title and sections 4 and 6 of, and to add sections 2a and 7 to, an act entitled "An act creating a commission to codify, consolidate, revise or compile the Statutes of California and to report thereon to the Legislature at the fiftieth session thereof and making an appropriation therefor," approved June 10, 1929, defining the powers and duties of the California Code Commission, directing a report to the fifty-first session of the Legislature, making an appropriation therefor and authorizing State departments, boards, bureaus and commissions to contract with the commission for the revision of certain laws.

Bill read second time.

THIRD READING OF SENATE BILL NUMBER FOUR HUNDRED FIFTY-FIVE.

Senate Bill No. 455—An act to amend the title and sections 4 and 6 of, and to add sections 2a and 7 to, an act entitled "An act creating a commission to codify, consolidate, revise or compile the Statutes of California and to report thereon to the Legislature at the fiftieth session thereof and making an appropriation therefor," approved June 10, 1929, defining the powers and duties of the California Code Commission, directing a report to the fifty-first session of the Legislature, making an appropriation therefor and authorizing State departments, boards, bureaus and commissions to contract with the commission for the revision of certain laws.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Clowdsley:

AMENDMENT NUMBER ONE

On page 2, line 37, of the printed bill, as amended, strike out "twenty-two", and insert in lieu thereof the following: "twenty-five".

AMENDMENT NUMBER TWO.

On page 2, line 40, of the printed bill, as amended, strike out "twenty-two", and insert in lieu thereof the following: "twenty-five".

AMENDMENT NUMBER THREE.

On page 2, line 46, of the printed bill, as amended, strike out "three", and insert in lieu thereof the following: "six".

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Clowdsley asked for, and was granted, unanimous consent to take up Senate Bill No. 455, at this time, without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 455 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson and Zion—64.

NOES—Knowland, Latham and Riley—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 721—An act to amend section 3898b of the Political Code, relating to and providing educational opportunities for children of veterans, defining the powers and duties of the Veterans' Welfare Board in relation thereto and making an appropriation therefor.

Bill read second time.

THIRD READING OF SENATE BILL NUMBER SEVEN HUNDRED TWENTY-ONE.

Senate Bill No. 721—An act to amend section 3898b of the Political Code, relating to and providing educational opportunities for children of veterans, defining the powers and duties of the Veterans' Welfare Board in relation thereto and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 721 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E, Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Zion—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 66—An act relating to the refunding of bonds of irrigation and reclamation districts, making State assistance available therefor and authorizing the issuance and sale of bonds of the State to provide funds for use in furtherance thereof.

Bill read second time.

THIRD READING OF SENATE BILL NUMBER SIXTY-SIX.

Senate Bill No. 66—An act relating to the refunding of bonds of irrigation and reclamation districts, making State assistance available

therefor and authorizing the issuance and sale of bonds of the State to provide funds for use in furtherance thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 66 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Hornblower, Hunt, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Roberts, Robinson, C Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson and Woolwine—62.

NOES—Boyle, Craig, Grubbs, Hatch, Jones, Kallam, Latham, Rawls, Riley, Rogers and Wright—11.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and fifty-two minutes p.m., further proceedings under call of the House were dispensed with, on motion of Mr. Turner.

The roll of absentees was called, and the urgency clause to Senate Bill No. 1180 was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—71.

NOES—Jones, King, Rawls, Redwine and Stream—5.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED EIGHTY.

Senate Bill No 1180—An act to appropriate the sum of $42,000 out of the motor vehicle fund to lease the necessary facilities and service for the establishment of a telephone typewriter system of communication between cities in California and the Bureau of Criminal Identification and Investigation at Sacramento and for the operation and control of the system under the direction of the Bureau of Criminal Identification and Investigation and declaring the same to be an urgency measure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1180 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Riley, Roberts, Robinson, C. Ray; Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr Speaker—54.

NOES—Cassidy, Crist, Crowley, Fisher, Hoffman, Jones, King, Knowland, Morgan, Rawls, Robinson, Samuel E., Roland, Stannard and Stream—14

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At two o'clock and fifty-three minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

MOTION TO PRINT.

On motion of Mr. Lyon, the Chief Clerk was instructed to have printed 25,000 copies of Senate Constitutional Amendment No. 30.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 120—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XVI thereof, a new section to be numbered 10, relating to execution, issuance, use, redemption and cancellation of unemployment bonds for various public purposes and for the relief of unemployment, destitution and economic distress—and reports that the same has been correctly engrossed.

PATTERSON, Chairman

The above reported bill ordered on file for third reading.

ON TEACHERS COLLEGES

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: Your Committee on Teachers Colleges, to which was referred Senate Bill No. 757—An act to provide for the classification, construction, and maintenance of public highways within municipalities—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BLISS, Chairman.

The above reported bill ordered on file for second reading.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 1944—An act to create the California Mining and Development Board and to provide for the fostering and development of the mining industry of this State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MAYO, Chairman.

The above reported bill ordered on file for second reading

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1775—An act to pay the claim of the Master Plumbers' Association Holding Corporation against the State of California—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

MOTION TO EXPUNGE RECORD.

Mr. Bliss moved that the vote whereby the Assembly concurred in the Senate amendments to Assembly Bill No. 1184 earlier on this legislative day, be expunged from the record.

Motion carried.

RECESS.

At two o'clock and fifty-four minutes p.m., on motion of Mr. Feigenbaum, the Assembly was declared at recess until two o'clock and fifty-six minutes p.m. of this day.

REASSEMBLED.

At two o'clock and fifty-six minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Kelly reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1199—An act making an appropriation to pay the claim of A. C. Brunzell and E. S. Brunzell, copartners, against the State of California—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1437—An act to provide for the inspection of warehouses where grain is stored for hire; for the sampling, examination and condemnation of infested grain and regulating the sale thereof; defining the powers and duties of the Director of Agriculture in regard thereto and prescribing penalties for violations of the provisions hereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Constitutional Amendment No. 73—Proposed amendment to Article VI, section 6, of the Constitution, relative to superior courts—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Constitutional Amendment No 73 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 373—An act to amend sections 657 and 666 of the Fish and Game Code, and to add thereto a new section to be numbered 666 5, relating to salmon;

Also: Assembly Bill No. 694—An act to amend sections 736 and 738 of the Fish and Game Code, relating to fish and game;

Also: Assembly Bill No. 1509—An act to amend sections 67 and 68 of the Fish and Game Code, relating to fish and game districts.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1974—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Com-

mission—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1545—An act to amend sections 691, 692, 693, 694, 695, 696, 720, 860, 861, 865, 879, 880, 881, 882 and 972 of the Fish and Game Code, and to repeal sections 719, 862, 903 and 904 thereof, relating to fish and game—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 452—An act to amend the title of, and to add new sections to be numbered 4a and 4d to, an act entitled "An act to provide for the government of irrigation districts having an area of more than five hundred thousand acres and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to elections and to qualification of electors;

Also: Assembly Bill No. 2094—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal Reclamation Laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contract," approved May 5, 1917, as amended, by amending the title and section 1 thereof, and adding a new section to be designated section 11, to authorize the borrowing or procuring of money by irrigation districts from the United States or any agency thereof.

Also: Assembly Bill No. 1593—An act to amend section 782 of the Fish and Game Code, relating to lobsters;

Also: Assembly Bill No. 1757—An act to amend sections 1065 and 1068 of the Fish and Game Code, relating to fish;

Also: Assembly Bill No 1754—An act to amend section 423 of the Fish and Game Code, relating to hunting and sporting fishing licenses;

Also: Assembly Bill No. 1250—An act to add sections 1156, 1157 and 1158 to the Fish and Game Code, relating to the closing of areas to hunting;

Also: Assembly Bill No. 1253—An act to add a new section to the Fish and Game Code to be numbered 1203 6, relating to pheasants.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

THIRD READING OF SENATE BILLS.

Senate Constitutional Amendment No. 48—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 14 of Article I thereof, relating to eminent domain.

Senate Constitutional Amendment No. 48 read.

The question being on the adoption of Senate Constitutional Amendment No. 48.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Cottrell moved a call of the House.

Motion carried.

Time, two o'clock and fifty-eight minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bowers, Cassidy, Chatters, Clowdsley, Cottrell, Crowley, Field, Fisher, Frazier, Greene, Hatch, Hoffman, Kallam, Knowland, Latham, Martin, Mayo, McCarthy, Miller, Eleanor; Morgan, Phillips, Rawls, Stream, Thorp, Turner, West, Wright and Mr. Speaker—31.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

Senate Joint Resolution No. 23—Memorializing Congress in regard to mining claims.

Senate Joint Resolution No. 23 read.

The question being on the adoption of Senate Joint Resolution No. 23.

The roll was called, and Senate Joint Resolution No. 23 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Eleanor; Morgan, Nielsen, Patterson, Peterson, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stream, Turner, Utt, West, Wright and Mr. Speaker—50.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 23 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 23.

Relative to memorializing Congress in regard to mining claims

WHEREAS, Current economic conditions and particularly conditions in the mining industry are such that expenditures to maintain mining claims constitute a distinct hardship on the claimants; and

WHEREAS, A temporary suspension of the requirement of Federal law that "not less than $100 worth of labor shall be performed or improvements made each year" to maintain a mining claim will materially relieve the situation and permit the maintenance of many claims which would otherwise be allowed to lapse, to the detriment of claimants who have already expended considerable sums in the maintenance of such claims; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Congress be urged to provide for a two-year suspension of such requirement; and be it further

Resolved, That copies of this resolution be sent by the Secretary of the Senate to the members of Congress from this State

Senate Joint Resolution No. 24—Relative to memorializing Congress to provide relief for the oil industry.

Senate Joint Resolution No. 24 read.

The question being on the adoption of Senate Joint Resolution No. 24.

The roll was called, and Senate Joint Resolution No. 24 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey,

Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stream, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—58.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 24 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 24.

Memorializing Congress to provide relief for the oil industry.

WHEREAS, Business generally, not only in California and the Southwest, but throughout all the oil producing States affecting over twenty-two million people, has been directly depressed by the long distressed condition of the oil industry, and which depressed condition has now become very serious, and

WHEREAS, Excessive importations of foreign oils continue to flow into our country, constantly increasing in volume, until the flood has reached alarming proportions; and

WHEREAS, In California in 1932 the total production of crude oil was over one hundred fifteen million barrels less than for the year of 1929 which tremendous loss would have been saved had there been a tax or tariff of $1.03 per barrel on crude oil, thereby placing domestic oil on a competitive basis with importations as shown by the latest report of the Tariff Commission; and

WHEREAS, Prior to the year of 1928 there was a market for California crude oil and particularly low grade fuel oil of which California has one hundred million barrels in storage which market has been taken away from this State by the importation of foreign oil at a price that California producers can not compete with on account of the oil being produced with cheap foreign labor, and

WHEREAS, Not only have the farmers and the schools sustained severe losses, but also banking, transportation, manufacturing, industry, utility and every type and character of business have been adversely affected by the distressed condition of the oil industry and by the great loss in purchasing power due to the taking of our domestic markets by the importations of cheap foreign oil; and

WHEREAS, The general unemployment situation has been very greatly aggravated by the thousands of oil field workers, geologists, land men, lease men, scouts and office employees, forced out of employment, and by the thousands now unemployed but formerly employed by the businesses dependent on the oil industry, the third largest industry in the Nation; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Congress of the United States be and it is hereby memorialized to give relief to the distressed oil industry, and thereby to the Nation generally, by immediately levying an adequate tax or tariff upon imported petroleum and its refined products, that will enable our domestic oil industry to meet importations of foreign oil and its refined products on a competitive basis as shown by the report of the Tariff Commission; and be it further

Resolved, That copies of this resolution be sent to the presiding officers of the legislative bodies of the other oil producing States, with the request that they transmit similar memorials to Congress, and that a copy of this resolution be transmitted to the President of the United States, and to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States, and to each of the members from California of the Senate and House of Representatives of the United States.

Senate Bill No. 502—An act to repeal an act entitled "An act establishing the emergency permanent improvement fund and relating to the deposits of moneys therein and withdrawals therefrom," approved May 20, 1929, to transfer the moneys in the emergency permanent improvement fund to the general fund and to declare that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 502 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Field, Fisher, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Riley, Roberts.

Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr Speaker—58.
NOES—Frazier and Greene—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 196—An act to amend section 4265 of the Political Code, relating to compensation of county and township officers in counties of the thirty-sixth class.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 196 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 198—An act to amend section 2322x36 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-sixth class.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 198 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 24—An act to amend section 4245 of the Political Code, relating to salaries and fees of all officers in counties of the sixteenth class.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No 24 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts,

Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 210—An act to amend section 19x42 of the Juvenile Court Law, relating to probation officers in counties of the forty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 210 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 208—An act to amend section 4271 of the Political Code, relating to compensation of county and township officers in counties of the forty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 208 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 209—An act to amend section 2322x42 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 209 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts,

Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 1209—An act to amend sections 1 and 2 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1209 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 1210—An act to add a new section to the Political Code, to be numbered 4041 7a, relating to powers and duties of boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1210 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 1018—An act to amend section 19x18 of the Juvenile Court Law, relating to the probation officer in counties of the eighteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1018 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan,

Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 1019—An act to amend section 2322x18 of the Political Code, relating to the office of agricultural commissioner in counties of the eighteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1019 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 1020—An act to amend section 4247 of the Political Code, relating to the compensation of county and township officers in counties of the eighteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1020 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 169—An act to amend section 16x22 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the twenty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 169 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts,

Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 174—An act to amend section 2322x22 of the Political Code, relating to the office of the agricultural commissioner in counties of the twenty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 174 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 172—An act to amend section 4251 of the Political Code, relating to the compensation of county and township officers in counties of the twenty-second class.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 172 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 314—An act to amend section 737u of the Political Code, relating to the salary of the superior judge in and for the county of Marin.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 314 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts,

Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 701—An act providing for the recall of officers of cities of the second and one-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 701 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Senate Bill No. 1017—An act to amend section 737m of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Imperial

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1017 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Senate Bill No. 366—An act to amend sections 4254 and 4254a to 4254s inclusive of the Political Code, relating to compensation of county and township officers in counties of the twenty-fifth class.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 366 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts,

Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 520—An act to repeal an act entitled "An act to provide for the appointment and election of one additional judge for the county of Humboldt," approved March 8, 1895.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 520 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—73.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No 256—An act to amend section 737ee of the Political Code, relating to the compensation of the judge of the superior court, Placer County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 256 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—73.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 47—An act to amend section 737p of the Political Code, relating to the salary of the superior judge of the county of Kings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 47 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls,

Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—73.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Senate Bill No. 270—An act to amend section 737w of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Mendocino.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 270 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—73.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 643—An act to amend section 737ff of the Political Code, relating to the compensation of the judge of the superior court, Plumas County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 643 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—73.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 1051—An act to amend section 737nn of the Political Code, relating to the salary of the superior judge in and for the county of San Luis Obispo.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1051 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller,

James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 255—An act to amend section 737tt of the Political Code, relating to the compensation of the judge of the superior court, Sierra County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 255 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 783—An act to amend section 737bbb of the Political Code, relating to salaries of judges of the superior court in and for the county of Tulare.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 783 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1035—An act to transfer the duties, powers, purposes, responsibilities and jurisdiction of the Department of Finance over and appertaining to Sutter's Fort to the Division of Parks of the Department of Natural Resources of the State of California, charging the said Division of Parks with the administration thereof and the execution of the laws concerning the same, authorizing the employment of employees, abolishing certain offices and positions, authorizing the expenditure of certain funds, and repealing all acts or parts of acts inconsistent therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1035 was refused passage by the following vote:

AYES—Badham, Bowers, Clowdsley, Crist, Frazier, Grubbs, Hoffman, King, Knowland, O'Donnell and Wright—11.

NOES—Alter, Anglim, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crowley, Evans, Feigenbaum, Field, Greene, Hallner, Hatch, Hunt, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, West, Woolwine and Mr. Speaker—53.

NOES—None.

Senate Bill No. 982—An act to add a new section to be numbered section 8½ to an act entitled "California Ripe Olive Standardization Act," approved May 11, 1931, relating to the regulation of the canned olive industry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 982 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 992—An act to add a new section to the Agricultural Code to be numbered 883, relating to the regulation of canned foods and the canned food industry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 992 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 742—An act to amend section 6.273 of the School Code, relating to textbooks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 742 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. EDWARD CRAIG IN THE CHAIR.

At three o'clock p.m., Hon. Edward Craig, member of the Assembly from the Seventy-fifth Assembly District, in the chair.

Senate Bill No. 888—An act to repeal an act entitled "An act providing for the erection and maintenance of a monument to the memory of Chief Solano, to be erected in Solano County, and making appropriation therefor," approved June 19, 1931.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Hornblower moved that Senate Bill No. 888 be withdrawn from file, and re-referred to Committee on Governmental Efficiency and Economy.

The question being on re-referring Senate Bill No. 888 to Committee on Governmental Efficiency and Economy.

WITHDRAWAL OF MOTION.

Mr. Hornblower withdrew his motion to re-refer Senate Bill No. 888.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 888 was refused passage by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Clowdsley, Cobb, Cottrell, Craig, Crist, Grubbs, Hatch, Jones, Knowland, Latham, Meeker, Phillips, Riley, Thorp, Wright and Zion—21.

NOES—Anglim, Brock, Callahan, Cassidy, Chatters, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Hornblower, Hunt, Kallam, King, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Utt, West, Williamson and Woolwine—51.

Senate Bill No. 989—An act to amend sections 892 and 900 of the Agricultural Code, relating to field crops, the collection and disposition of fees in connection therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 989 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoff-

man, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1006—An act to amend section 1239 of the Agricultural Code, relating to warehouses, the collection and disposition of fees therefrom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1006 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At three o'clock and one minute p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH

At three o'clock and two minutes p.m., further proceedings under call of the House were dispensed with, on motion of Mr. Cottrell.

The roll of absentees was called, and Senate Constitutional Amendment No. 48 was adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—74.

NOES—Woolwine—1.

Title read and approved.

Assembly Constitutional Amendment No. 48 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 48.

A resolution to propose to the people of the State of California, an amendment to section 1 of Article IV of the State Constitution, relating to the signatures required for initiative and referendum petitions in respect to measures to be submitted to the vote of the people

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California, at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State

of California that section 1 of Article IV of the Constitution of said State be amended to read as follows:

Section 1. The legislative power of this State shall be vested in the Senate and Assembly which shall be designated "The Legislature of the State of California," but the people reserve to themselves the power to propose laws and amendments to the Constitution, and to adopt or reject the same, at the polls independent of the Legislature, and also reserve the power, at their own option, to so adopt or reject any act, or section or part of any act, passed by the Legislature. The enacting clause of every law shall be "The people of the State of California do enact as follows:".

The first power reserved to the people shall be known as the initiative. Upon the presentation to the Secretary of State of a petition certified as herein provided to have been signed by qualified electors, equal in number to eight per cent of all the votes cast for all candidates for Governor at the last preceding general election, at which a Governor was elected, proposing a law or amendment to the Constitution, set forth in full in said petition, the Secretary of State shall submit the said proposed law or amendment to the Constitution to the electors at the next succeeding general election occurring subsequent to ninety days after the presentation aforesaid of said petition, or at any special election called by the Governor in his discretion prior to such general election All such initiative petitions shall have printed across the top thereof in twelve-point black-face type the following: "Initiative measure to be submitted directly to the electors"

Upon the presentation to the Secretary of State, at any time not less than ten days before the commencement of any regular session of the Legislature, of a petition certified as herein provided to have been signed by qualified electors of the State equal in number to five per cent of all the votes cast for all candidates for Governor at the last preceding general election, at which a Governor was elected, proposing a law set forth in full in said petition, the Secretary of State shall transmit the same to the Legislature as soon as it convenes and organizes. The law proposed by such petition shall be either enacted or rejected without change or amendment by the Legislature, within forty days from the time it is received by the Legislature If any law proposed by such petition shall be enacted by the Legislature it shall be subject to referendum, as hereinafter provided If any law so petitioned for be rejected, or if no action is taken upon it by the Legislature, within said forty days, the Secretary of State shall submit to the people for approval or rejection at the next ensuing general election. The Legislature may reject any measure so proposed by initiative petition and propose a different one on the same subject by a yea and nay vote upon separate roll call, and in such event both measures shall be submitted by the Secretary of State to the electors for approval or rejection at the next ensuing general eleciton or at a prior special election called by the Governor, in his discretion, for such purpose. All said initiative petitions last above described shall have printed in twelve-point black-face type the following: "Initiative measure to be presented to the Legislature"

The second power reserved to the people shall be known as the referendum. No act passed by the Legislature shall go into effect until ninety days after the final adjournment of the session of the Legislature which passed such act, except acts calling elections, acts providing for tax levies or appropriations for the usual current expenses of the State, and urgency measures necessary for the immediate preservation of the public peace, health or safety, passed by a two-thirds vote of all the members elected to each house Whenever it is deemed necessary for the immediate preservation of the public peace, health or safety that a law shall go into immediate effect, a statement of the facts constituting such necessity shall be set forth in one section of the act, which section shall be passed only upon a yea and nay vote, upon a separate roll call thereon, provided, however, that no measure creating or abolishing any office or changing the salary, term or duties of any officer, or granting any franchise or special privilege, or creating any vested right or interest, shall be construed to be an urgency measure. Any law so passed by the Legislature and declared to be an urgency measure shall go into immediate effect

Upon the presentation to the Secretary of State within ninety days after the final adjournment of the Legislature of a petition certified as herein provided, to have been signed by qualified electors equal in number to five per cent of all the votes cast for all candidates for Governor at the last preceding general election at which a Governor was elected, asking that any act or section or part of any act of the Legislature be submitted to the electors for their approval or rejection, the Secretary of State shall submit to the electors for their approval or rejection, such act, or section or part of such act, at the next succeeding general election occurring at any time subsequent to thirty days after the filing of said petition or at any special election which may be called by the Governor, in his discretion, prior to such regular election, and no such act or section or part of such act shall go into effect until and unless approved by a majority of the qualified electors voting thereon, but if a referendum petition is filed against any section or part of any act the remainder of such act shall not be delayed from going into effect

Of the required number of signatures upon any initiative or referendum petition presented under the provisions of this section not more than twenty-five per cent thereof may be the signatures of qualified electors residing in any one county.

Any act, law or amendment to the Constitution submitted to the people by either initiative or referendum petition and approved by a majority of the votes cast thereon, at any election, shall take effect five days after the date of the official declaration of the vote by the Secretary of State. No act, law or amendment to the Constitution, initiated or adopted by the people, shall be subject to the veto power of the Governor, and no act, law or amendment to the Constitution, adopted by the people at the polls under the initiative provisions of this section, shall be amended or repealed except by a vote of the electors, unless otherwise provided in said initiative measure, but acts and laws adopted by the people under the referendum provisions of this section may be amended by the Legislature at any subsequent session thereof. If any provision or provisions of two or more measures, approved by the electors at the same election, conflict, the provision or provisions of the measure receiving the highest affirmative vote shall prevail. Until otherwise provided by law, all measures submitted to a vote of the electors, under the provisions of this section, shall be printed, and together with arguments for and against each such measure by those in favor of, and those opposed to, it shall be mailed to each elector in the same manner as now provided by law as to amendments to the Constitution, proposed by the Legislature; and the persons to prepare and present such arguments shall, until otherwise provided by law, be selected by the presiding officer of the Senate.

If for any reason any initiative or referendum measure, proposed by petition as herein provided, be not submitted at the election specified in this section, such failure shall not prevent its submission at a succeeding general election, and no law or amendment to the Constitution, proposed by the Legislature, shall be submitted at any election unless at the same election there shall be submitted all measures proposed by petition of the electors, if any be so proposed, as herein provided

Prior to circulation of any initiative or referendum petition for signatures thereof, a draft of the said petition shall be submitted to the Attorney General with a written request that he prepare a title, and summary of the chief purpose and points of said proposed measure, said title and summary not to exceed one hundred words in all. The persons presenting such request to the Attorney General shall be known as "proponents" of said proposed measure The Attorney General shall preserve said written request until after the next general election.

Any initiative or referendum petition may be presented in sections, but each section shall contain a full and correct copy of the title and text of the proposed measure Each signer shall add to his signature his place of residence, giving the street and number if such exist His election precinct shall also appear on the paper after his name. The number of signatures attached to each section shall be at the pleasure of the person soliciting signatures to the same. Any qualified elector of the State shall be competent to solicit said signatures within the county or city and county of which he is an elector. Each section of the petition shall bear the name of the county or city and county in which it is circulated, and only qualified electors of such county or city and county shall be competent to sign such section. Each section shall have attached thereto the affidavit of the person soliciting signatures to the same, stating his own qualifications and that all the signatures to the attached section were made in his presence and that to the best of his knowledge and belief each signature to the section is the genuine signature of the person whose name it purports to be, and no other affidavit thereto shall be required. The affidavit of any person soliciting signatures hereunder shall be verified free of charge by any officer authorized to administer oaths Such petitions so verified shall be prima facie evidence that the signatures thereon are genuine and that the persons signing the same are qualified electors. Unless and until it be otherwise proven upon official investigation, it shall be presumed that the petition presented contains the signatures of the requisite number of qualified electors.

Each section of the petition shall be filed with the clerk or registrar of voters of the county or city and county in which it was circulated, but all said sections circulated in any county or city and county shall be filed at the same time. Within twenty days after the filing of such petition in his office the said clerk, or registrar of voters, shall determine from the records of registration what number of qualified electors have signed the same, and if necessary the board of supervisors shall allow said clerk or registrar additional assistance for the purpose of examining such petition and provide for their compensation The said clerk or registrar, upon the completion of such examination, shall forthwith attach to said petition, except the signatures thereto appended, his certificate, properly dated, showing the result of said examination and shall forthwith transmit said petition, together with his said certificate, to the Secretary of State and also file a copy of said certificate in his office. Within forty days from the transmission of the said petition and certificate by the clerk or registrar to the Secretary of State, a supplemental petition identical with the original as to the body of the petition but containing supplemental names, may be filed with the clerk or registrar of voters, as aforesaid.

The right to file the original petition shall be reserved to its proponents, as defined herein and any section thereof or supplement thereto presented for filing by any person or persons other than the proponents of a measure or by persons duly author-

ized in writing by such proponents shall be disregarded by the county clerk or registrar of voters

The clerk or registrar of voters shall within ten days after the filing of such supplemental petition make like examination thereof, as of the original petition, and upon the completion of such examination shall forthwith attach to said petition his certificate, properly dated, showing the result of said examination, and shall forthwith transmit a copy of said supplemental petition, except the signatures thereto appended, together with his certificate, to the Secretary of State.

When the Secretary of State shall have received from one or more county clerks or registrars of voters a petition certified as herein provided to have been signed by the requisite number of qualified electors, he shall forthwith transmit to the county clerk or registrar of voters of every county or city and county in the State his certificate showing such fact. A petition shall be deemed to be filed with the Secretary of State upon the date of the receipt by him of a certificate or certificates showing said petition to be signed by the requisite number of electors of the State. Any county clerk or registrar of voters shall upon receipt of such copy, file the same for record in his office. The duties herein imposed upon the clerk or registrar of voters shall be performed by such registrar of voters in all cases where the office of registrar of voters exists.

The initiative and referendum powers of the people are hereby further reserved to the electors of each county, city and county, city and town of the State to be exercised under such procedure as may be provided by law. Until otherwise provided by law, the legislative body of any such county, city and county, city or town may provide for the manner of exercising the initiative and referendum powers herein reserved to such counties, cities and counties, cities and towns, but shall not require more than fifteen per cent of the electors thereof to propose any initiative measure nor more than ten per cent of the electors thereof to order the referendum. Nothing contained in this section shall be construed as affecting or limiting the present or future powers of cities or cities and counties having charters adopted under the provisions of section 8 of Article XI of this Constitution. In the submission to the electors of any measure under this section, all officers shall be guided by the general laws of this State, except as is herein otherwise provided. This section is self-executing, but legislation may be enacted to facilitate its operation, but in no way limiting or restricting either the provisions of this section or the powers herein reserved.

Senate Bill No. 674—An act to regulate the conduct of pounds, prescribing the duties of persons in charge thereof or employed thereat, and regulating the disposition of animals impounded or sheltered therein.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Crist:

AMENDMENT NUMBER ONE

On page 2, line 2, of the printed bill, as amended, strike out the word "shall", and insert in lieu thereof the word "may".

AMENDMENT NUMBER TWO.

On page 2, line 30, of the printed bill, as amended, strike out the word "shall", and insert in lieu thereof the word "may".

AMENDMENT NUMBER THREE

On page 2, line 31, of the printed bill, as amended, strike out the words "under his personal supervision, by an approved", and insert in lieu thereof the words "by a humane method,".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended, strike out lines 41, 42, 43, 44, 45 and 46.

AMENDMENT NUMBER FIVE.

On page 3, line 4, of the printed bill, as amended, strike out the words "or permit to be used".

AMENDMENT NUMBER SIX.

On page 3, line 5, of the printed bill, as amended, strike out the words "or commercial"; also the words "with or".

AMENDMENT NUMBER SEVEN.

On page 3, line 6, of the printed bill, as amended, strike out the words "directly or by any indirect ways or"; also the word "means", in line 7.

AMENDMENT NUMBER EIGHT.

On page 3, line 9, of the printed bill, as amended, after the word "used", insert the following: ", in an inhumane manner."; also strike out the words "for commercial purposes"; also strike out all of lines 10, 11, 12, 13, 14, 15, 16 and 17 of said page 3.

The question being on the adoption of the amendments.

MOTION TO LAY ON TABLE.

Mr. Powers moved to lay the amendments on the table.

REQUEST FOR ROLL CALL.

On request of Messrs. Hornblower, Peterson and McMurray, the Speaker ordered a roll call taken on the motion to lay the amendments on the table.

The roll was called, and the motion to lay on the table lost by the following vote:

AYES—Boyle, Brock, Callahan, Cobb, Cottrell, Crist, Cronin, Evans, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hunt, Jones, Kallam, Knowland, Lyon, McBride, Meehan, Morgan, Powers, Rawls, Redwine, Robinson, C. Ray; Roland, Thorp, Tournoux and Wright—31

NOES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Cassidy, Chatters, Craig, Crowley, Dempster, Greene, Hornblower, King, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Roberts, Robinson, Samuel E., Scudder, Stream, Sullivan, Turner, Utt, West, Williamson, Zion and Mr. Speaker—39.

The question being on the adoption of the amendments submitted by Mr. Crist.

Amendments adopted.

FURTHER AMENDMENT TO ASSEMBLY BILL NUMBER SIX HUNDRED SEVENTY-FOUR.

During reading of the bill, the following amendment was submitted by Mr. Frazier:

AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed bill, after the word "dogs", strike out the words "and cats", and insert in lieu thereof the words "cats and skunks".

The question being on the adoption of the amendment.

WITHDRAWAL OF AMENDMENT.

Mr Frazier withdrew his amendment to Senate Bill No. 674.

The question being on the adoption of the amendments offered by Mr. Crist.

REQUEST FOR ROLL CALL.

On request of Messrs. Robinson, C. Ray; Tournoux and Greene, the Speaker ordered a roll call taken on the adoption of the amendments offered by Mr. Crist.

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

AYES—Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Mayo, McBride, Meehan, Meeker, Morgan, Patterson, Powers, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Thorp, Wright, Zion and Mr. Speaker—46.

NOES—Alter, Anglim, Badham, Bowers, Burns, Crowley, Dempster, Greene, Hornblower, King, Maloney, Martin, McCarthy, McMurray, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Riley, Roberts, Rogers, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West and Williamson—32.

MOTION TO RE-REFER.

Mr. Maloney moved that Senate Bill No. 674 be withdrawn from file, and ordered re-referred to Committee on Public Health and Quarantine.

The question being on re-referring Senate Bill No. 674 to Committee on Public Health and Quarantine.

REQUEST FOR ROLL CALL.

On request of Messrs. Boyle, Lyon and Hallner, the Speaker ordered a roll call taken on the motion to re-refer.

Mr. Maloney withdrew his motion to re-refer.

REQUEST FOR UNANIMOUS CONSENT.

Mr. McCarthy asked for, and was granted, unanimous consent to take up Senate Bill No. 674, at this time, without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Maloney moved that Senate Bill No. 674 be withdrawn from file, and ordered re-referred to Committee on Public Health and Quarantine.

The question being on re-referring Senate Bill No. 674 to Committee on Public Health and Quarantine.

Motion carried.

Senate Bill No. 674 re-referred to Committee on Public Health and Quarantine.

Senate Bill No. 1196—An act to amend sections 23, 24, 28, 30, 31, 34, 36, 38, 42, 44, 48, and 51 and to add new sections numbered 31a, 51a, and 51b, to an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1196 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley,

Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson and Mr. Speaker—67.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 8, 1933.

To the Honorable Members of the Assembly of the State of California.

GENTLEMEN: Senate Bill No. 125 makes an appropriation out of the proceeds of the tax on motor vehicle transportation proposed therein for the payment from the general fund of amounts to cover interest and redemption charges on State highway bonds. This will also make provision for the appropriation of other amounts for administrative expenses of the act and refunds.

In my opinion, the appropriation for which provision is made in Senate Bill No. 125 is a matter of emergency within the meaning of Article IV of section 34 of the Constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Senate Bill No. 125—An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

MOTION TO RE-REFER.

Mr. Bliss moved that Senate Bill No. 125 be withdrawn from file, and ordered re-referred to Committee on Rules.

The question being on re-referring Senate Bill No. 125 to Committee on Rules.

WITHDRAWAL OF MOTION TO RE-REFER.

Mr. Bliss withdrew his motion to re-refer Senate Bill No. 125 to Committee on Rules.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—71.
NOES—O'Connor, Redwine, Stannard and Thorp—4.

THIRD READING OF SENATE BILL NUMBER ONE HUNDRED TWENTY-FIVE.

Senate Bill No. 125—An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon

the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 125 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—67.

NOES—Meeker, O'Connor and Thorp—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 753—An act to add a new section to the Political Code of California, to be known as section 3664½, imposing a license fee or tax for the transportation of persons or property for hire for compensation upon public streets, roads and highways in the State of California by motor vehicle.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Lyon moved that Senate Bill No. 753 be withdrawn from file, and ordered re-referred to Committee on Revenue and Taxation.

The question being on re-referring Senate Bill No. 753 to Committee on Revenue and Taxation.

Motion carried.

Senate Bill No. 753 re-referred to Committee on Revenue and Taxation.

RESOLUTION.

The following resolution was offered:

By Mr. Powers:

May 12, 1933

MR. SPEAKER: We the undersigned members of the Assembly do hereby request that Senate Joint Resolution No 27 be withdrawn from the Committee on Public Utilities and be placed on third reading file of the Assembly.

HENRY P. MEEHAN.
JAMES M. CASSIDY.
ERNEST C. CROWLEY.
JOHN H O'DONNELL.
J. E. FRAZIER.
JAMES B. UTT.
CHARLES A. HUNT.
JAMES J. BOYLE.
CECIL R. KING.
WM. M. JONES.
BERT V. CALLAHAN.
F. M. ROBERTS.
G. B. BOWERS.
W. H. SULLIVAN.
BRUCE R. STANNARD.
CHARLES W. STREAM.
MAURICE MEEKER.
S. E. ROBINSON.
JOHN T. RAWLS.
AUSTIN L. TOURNOUX.
THORP.
ROY J. NIELSEN.
GEORGE R. BLISS.
JOHN D. MCCARTHY.
C. W. GRUBBS.
CHAS. W. DEMPSTER.
RODNEY L. TURNER.
MICHAEL J BURNS
ELLIS E PATTERSON.
P. J. MCMURRAY.
MELVYN I. CRONIN.
FRANK J. ROGERS.
IRA S. HATCH.
FRANK G. MARTIN.
JAMES S. O'CONNOR.
T. A. MALONEY.
EDGAR C. LEVEY.
JOSEPH P. GILMORE
F. PETERSON.
ELEANOR MILLER.
FORD A. CHATTERS.
L. POWERS, JR.

Senate Joint Resolution No. 27 ordered on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 27—Relative to memorializing the Congress of the United States to adopt legislation providing for government use of American grown rubber—and reports that the same has been correctly enrolled, and presented the same to the Governor on the twelfth day of May, 1933, at three o'clock p m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 693—An act to add section 386 to the Political Code, relating to the secretaries of the Governor;

Also: Assembly Bill No 856—An act making an appropriation to pay the claim of William Dyer against the State of California;

And reports that the same have been correctly engrossed:

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 35—Relative to the removal of unemployed Filipinos to the Philippine Islands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PETERSON, Chairman.

Assembly Joint Resolution No. 35 ordered on file for adoption.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 131—An act to repeal an act entitled "The Local Improvement Act of 1901," approved February 26, 1901, Statutes of 1901, page 34, as amended, with the provision that said repeal shall not apply to existing proceedings under said act;

Also: Assembly Bill No. 159—An act to amend section 4041.7 of the Political Code defining the powers of the board of supervisors;

Also Assembly Bill No 161—An act to amend an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, as amended, by adding a new section thereto to be numbered 13½, to provide for the uses and purposes to which the funds derived under said act may be used;

Also: Assembly Bill No. 164—An act to amend section 159 of an act entitled the "California Vehicle Act," approved May 30, 1923, Statutes of 1923, page 517, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding;

Also: Assembly Bill No. 313—An act to amend sections 8 and 17 of the State Medical Practice Act, relating to certificates licensing the practice of medicine, drugless healing, and chiropody, and to penalties for violation of the provisions of the act;

Also: Assembly Bill No. 396—An act to add a new section to the Political Code to be numbered 2610, relating to the power of the Director of Public Works to rescind or terminate leases of lands of Mission Bay.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twelfth day of May, 1933, at three o'clock p.m.

PATTERSON, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 596—An act to amend sections 3649 and 3672 of the Political Code, relating to the assessment, equalization and taxation of property escaping assessment between the first Monday of March and the first Monday of July;

Also: Assembly Bill No 677—An act to amend section 537 of the Penal Code, relating to defrauding proprietors of hotels, inns, restaurants, boarding houses, apartment houses, bungalow courts or furnished auto camps;

Also: Assembly Bill No 724—An act to amend section 4082 of the Political Code, to provide for exempting certain claimants for duplicate warrants from the requirement to file a bond;

Also: Assembly Bill No. 770—An act to add section 1a to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair competition;

Also: Assembly Bill No. 810—An act providing for the deposit of county and city publications in the State Library and the University of California;

Also: Assembly Bill No 847—An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled "An act to define the duties of and to license land surveyors," approved March 16, 1907;

Also: Assembly Bill No 980—An act to provide for the acquisition, construction, extension and operation of systems and works for the collection, treatment, purification and disposal of sewage by cities, counties, sanitary and sanitation districts, also providing for the issuance and sale of revenue bonds to the Reconstruction Finance Corporation or other fiscal agency of the United States to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; also providing for the establishment and collection of service rates or charges to pay for the expense of constructing, operating and maintaining such works; also providing for the use of such works by other cities, counties or districts, and declaring the urgency thereof.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twelfth day of May, 1933, at three o'clock p.m.

PATTERSON, Chairman

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1057—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 5, 6, 7, 8, 10, 11 and 13¾, all relating to the powers, government and management of metropolitan water districts, and the exclusion of area therefrom, and declaring same an urgency measure;

Also: Assembly Bill No. 1069—An act to add four new sections to the Civil Code, to be numbered 453h1 to 453h4, inclusive, all relating to life, health, accident, and annuity or endowment insurance on the assessment plan;

Also: Assembly Bill No. 1080—An act to add a new article to Chapter I of Part III of Division IV of the School Code, to be numbered Article Ib, comprising sections 4.280b to 4 284b, inclusive, relating to revolving funds for warehouse stock;

Also: Assembly Bill No. 1082—An act to amend section 1 of an act entitled, "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as 'the reciprocal or interinsurance act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee," approved December 24, 1911,' approved May 26, 1917, as amended," approved June 3, 1921, relating to reciprocal or interinsurance exchanges;

Also: Assembly Bill No. 1089—An act to amend section 1056 of the Code of Civil Procedure, relating to sureties on undertakings or bonds, prescribing the amount of capital stock required and regulating the formation or admission of corporations to transact such business in this State, placing such corporations under the jurisdiction of the Insurance Commissioner, providing for examination and prescribing the duties of the said Insurance Commissioner in connection therewith;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this twelfth day of May, 1933, at three o'clock p m.

PATTERSON, Chairman.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1094—An act to amend section 606 of the Political Code, relating to reports and accountings of moneys received by the Insurance Commissioner;

Also: Assembly Bill No. 1102—An act to amend section 594 of the Political Code, defining and classifying insurance, and prescribing capital and other requirements of the various classes and limitations of classes permitted, and also requiring the stock of insurance companies to have a specified par value;

Also: Assembly Bill No. 1417—An act to amend section 1161 of the Code of Civil Procedure, relating to unlawful detainer,

Also: Assembly Bill No. 1434—An act to amend section 61a of the California Irrigation District Act, relating to warrants of irrigation districts; providing for certain extensions of time for the payment of warrants; authorizing agreements for the payment of warrants or any portion thereof from time to time or at a fixed time; authorizing the allocation of specified funds or any amount thereof for the payment of warrants;

Also: Assembly Bill No 1617—An act to add a new section to be numbered 5a to "The California Air Navigation Act," approved June 18, 1929, relating to the requiring of authority of passenger air transport services;

Also: Assembly Bill No. 1621—An act transferring from the highway maintenance fund to the general fund an amount equal to the interest due upon moneys paid from the general fund pursuant to the provisions of Chapter 400, Statutes of 1931;

Also: Assembly Bill No. 1735—An act to amend sections 850, 851, 852, 852a, 852b, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 862a, 863, 864, 865, 867, 868, 870, 870a, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 882, 883, 884, 885 and 886, to add section 869, and to repeal section 881 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to organization, incorporation and government of cities of the sixth class;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this twelfth day of May, 1933, at three o'clock p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1772—An act to add a new section to the Workmen's Compensation, Insurance and Safety Act of 1917 to be known as section 26a, relating to subrogation for payments on account of injuries or death;

Also: Assembly Bill No. 1791—An act to amend an act entitled "An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations," approved April 30, 1919, as amended, by adding thereto six new sections, to be numbered 5, 8a, 8b, 8c, 8d and 8e, respectively, and by amending section 6 thereof;

Also: Assembly Bill No. 1941—An act to amend section 19x26 of the Juvenile Court Law, relating to the probation officer in counties of the twenty-sixth class,

Also: Assembly Bill No. 1943—An act to amend section 2322x26 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-sixth class;

Also: Assembly Bill No. 1957—An act to add a new section to the Penal Code, to be numbered 1203a, relating to probation in courts having jurisdiction of misdemeanor cases;

Also: Assembly Bill No. 1958—An act to amend section 1449 of the Penal Code, relating to time for pronouncing judgments in justices' and police courts;

Also: Assembly Bill No. 2000—An act to add a new section to the Political Code, to be numbered 363k, relating to the Department of Public Works;

Also: Assembly Bill No. 2053—An act to amend section 1181 of the Penal Code, relating to new trials;

Also: Assembly Bill No. 2054—An act to amend section 1089 of the Penal Code, relating to the selection of alternate jurors and the rights and duties of alternate jurors;

Also: Assembly Bill No. 2058—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twelfth day of May, 1933, at three o'clock p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 2118—An act to amend section 12 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, relating to compensation and insurance of workmen;

Also: Assembly Bill No. 2136—An act to add a new section to the Bank Act, to be numbered 136½, relating to powers of trustees or receivers of closed banks;

Also: Assembly Bill No. 2195—An act to amend section 19x16 of the Juvenile Court Law, relating to the probation officer in counties of the sixteenth class;

Also: Assembly Bill No. 2196—An act to amend section 2322x16 of the Political Code, relating to the office of the agricultural commissioner in counties of the sixteenth class;

Also: Assembly Bill No. 2210—An act to amend sections 1333 and 1567 of the Penal Code, relating to production of prisoners in court;

Also: Assembly Bill No. 2249—An act to repeal an act entitled "An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor, and to repeal an act approved February 14, 1887, entitled: 'An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and also to repeal an act approved February 27, 1897, entitled 'An act to provide additional support and maintenance, and for the acquisition of necessary property and improvements of the University of California by the levy of a rate of taxation, and the creation of a fund therefor,'" approved March 20, 1909, and to provide for the transfer of moneys now in the State university fund to the general fund of the State treasury;

Also: Assembly Bill No. 2271—An act to repeal section 16x21 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-first class;

Also: Assembly Bill No. 2274—An act to amend section 2322x21 of the Political Code, relating to the office of the agricultural commissioner in counties of the twenty-first class;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twelfth day of May, 1933, at three o'clock p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2380—An act to amend Chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, as amended, by amending section 1 thereof, relating to appropriation of waters by the State Department of Finance;

Also: Assembly Bill No. 2389—An act to amend section 506b of the Penal Code, relating to theft by an insurance agent, broker, or solicitor;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twelfth day of May, 1933, at three o'clock p.m.

PATTERSON, Chairman.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No 518—An act to amend sections 4300a, 4300e, and 4300*l* of the Political Code, relating to fees—and appointed Senators Swing, Snyder and Rich, as a Committee on Free Conference to meet a like Committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Deuel, Schottky and Hays, as a Committee on Free

Conference, to meet with a like committee from the Assembly to consider Senate Bill No. 9—An act to amend sections 41, 42, 43, 45 and 46 of the California Irrigation District Act, and to repeal section 44 of said act, all relating to delinquent assessments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Crittenden, Reindollar and Seawell as a Committee on Free Conference, to meet with a like committee from the Assembly to consider Senate Bill No. 509—An act to amend an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended, by amending sections 2, 3, 4, 5, 6, 7, 9, 11, 10, 14 and by adding a new section to be numbered 15, relating to collection agencies.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Jespersen, Gordon and Bush, as a Committee on Free Conference, to meet a like committee from the Assembly to consider Senate Bill No. 265—An act to amend sections 2322x28 and 4257 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-eighth class.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Wagy, Crittenden and Deuel, as a Committee on Free Conference, to meet with a like committee from the Assembly to consider Senate Bill No. 226—An act to amend section 802 of the Agricultural Code, relating to the standardization of grapes.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 139—An act to add section 694da to the Political Code, relating to the State Agricultural Society contingent fund, and declaring the urgency hereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 570—An act to provide for the acquisition of the Sears Point toll road by the State, and the inclusion thereof in the State highway system, and making an appropriation therefor.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 354—An act to add three new sections, to be numbered 5.500a, 5.501a and 5 507 to, and to repeal section 5 504 of, the School Code, relating to teachers' tenure—and appointed Senators Ingels, Rich and Wagy, as a Committee on Free Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1510—An act to amend sections 65, 612 and

1272 of the Fish and Game Code and to add thereto sections 66.5 and 1271.5, relating to fish and game:

Also: Assembly Bill No. 1488—An act to amend sections 1250, 1252, 1293 and 1310 of the Fish and Game Code, relating to mammals;

Also: Assembly Bill No. 852—An act to amend section 990 of the Fish and Game Code, relating to commercial fishing licenses;

Also: Assembly Bill No. 1782—An act to amend section 140 of the Fish and Game Code, relating to fish and game district 1J;

Also Assembly Bill No. 1787—An act to amend section 137 of the Fish and Game Code, relating to fish and game districts;

Also: Assembly Bill No. 1284—An act to add a new section to the Fish and Game Code, to be numbered 1414, relating to the forfeiture of hunting and fishing equipment illegally used;

Also: Assembly Bill No. 1420—An act to repeal section 1413 of the Fish and Game Code, relating to fines and penalties;

Also: Assembly Bill No. 1762—An act to add sections 1415 and 1416 to the Fish and Game Code, relating to the forfeiture of hunting and sporting fishing licenses.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1906—An act to add a new section to the School Code, to be numbered 5.27, relating to cooperative stores on the campuses of the State teachers colleges—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2336—An act to amend sections 5 650, 5.653 and 5 661 of the School Code, relating to permanent employees—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1249—An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1019—An act to amend the Political Code by amending subsection 3 of section 690 10 thereof, relating to the removal of certain structures upon the swamp, overflowed, marsh, tide or

submerged lands of this State—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1201—An act to amend section 4095a of the Political Code, relating to duties of county auditors and treasurers;

Also: Assembly Bill No. 1914—An act to allow unincorporated territory within a county to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection, custody and disbursement of taxes, for such purposes and to create a board of police commissioners;

Also: Assembly Bill No. 1778—An act to provide for the aid and relief of indigents;

Also: Assembly Bill No. 2216—An act providing for powers of counties in joint county and city projects;

Also: Assembly Bill No. 1483—An act to add a new section to the Political Code to be numbered 3444, relating to the administration of ungranted tide and submerged lands, beds of navigable channels, streams, rivers, creeks, lakes, bays and inlets, of the State of California, by the Division of State Lands, and empowering and authorizing the Director of Finance, through the Division of State Lands, to eject trespassers from such lands by appropriate action in the courts of this State;

Also: Assembly Bill No. 2367—An act granting certain tidelands and submerged lands of the State of California to the city of San Diego upon certain trusts and conditions.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

RECESS.

At three o'clock and seven minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until three o'clock and nine minutes p.m. of this day.

REASSEMBLED.

At three o'clock and nine minutes p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Bernard reading.

ABSENCE OF QUORUM.

Mr. Robinson, C. Ray, suggested the absence of a quorum.

The Speaker ordered the roll called.

The roll was called.

CALL OF THE HOUSE.

Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Clowdsley, Crist, Field, Grubbs, Hatch, Hoffman, Latham, Lyon, Mayo, Meehan, Miller, Eleanor; Miller, James A., Robinson, C. Ray; Robinson, Samuel E., Stream, Thorp, Turner and Mr. Speaker—18.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Further proceedings under call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

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

Badham, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hatch, Hoffman, Kallam, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Phillips, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Stream, Thorp, Turner, West, Williamson, Wright, Zion and Mr. Speaker—48.

The Speaker declared a quorum present.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 12, 1933.

To the Honorable Members of the Assembly of the California State Legislature.

I herewith return without my signature Assembly Bill No. 1502.

This bill adds a new section to the Code of Civil Procedure disallowing the right to bring an action in the courts of the State of California on any obligation secured by a mortgage on real or personal property situated outside of California until such mortgage has been foreclosed.

Under the bill, a holder of a mortgage on property outside of California executed by a resident of this State would be forced to proceed first to foreclose his security in the State where the property was located but he would not be able to secure a deficiency judgment therein because the mortgagor would not be in that jurisdiction. To complete his right of action, it would be necessary for the mortgagee to resort to a second action in the courts of this State. Such a rule would discriminate most severely against mortgagors of property situated in California as the law of this State permits a mortgagee to foreclose and secure a deficiency judgment in one action when the property is located in this State.

I have no sympathy for deficiency judgments, and I recommended remedial legislation on this subject. However, I believe it is our first duty to encourage the ownership of California property by Californians, and I can not sanction a measure which creates more favorable terms for California owners of property in other jurisdictions than that at present allowed owners of property in this State

I also believe the bill should not include mortgages of personal property. Take, for example, a chattel mortgage made on property such as an automobile located in this State and later removed to another State. It is possible the mortgagee would be without remedy. He could not foreclose in this State, because the property could not be seized, and he could not sue on the note because his right was "secured by a mortgage on personal property situated outside of California."

Furthermore, should an honorable Californian acquire real property in another State and expect the laws of the State of California to be framed so that losses incurred in real estate transactions in another State protect him from just obligations by being shielded or exempted from liability by the laws of his own State? No honorable Californian would expect laws of the State of California to be enacted by the Legislature for the sole purpose of protecting him from such obligations.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

UNFINISHED BUSINESS.

Assembly Bill No. 185—An act to amend sections 278, 290, 292, 293, 294, 295, 296, 300a, 300b, 301, 303, 304, 305, 306, 307, 307a, 308, 309, 311, 312, 313, 314, 315, 319, 320a and 320b of the Civil Code, to add a new section 381 to the Civil Code, and to repeal section 375 of the Civil Code, all relating to corporations.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 185?

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, as amended, and insert in lieu thereof the following:

"An act to amend sections 278, 288, 290, 292, 293, 294, 295, 296, 300a, 300b, 301, 303, 305, 306, 307, 307a, 308, 309, 311, 312, 313, 314, 315, 319, 320a, 320b, 326, 328, 328a, 328b, 328d, 328e, 330.6, 330.13, 330.24, 331, 332, 333, 334, 334a, 336, 337, 341, 342, 342a, 342b, 343, 346, 346a, 348, 348a, 348b, 355, 357, 358, 359, 361, 362, 362a, 362b, 362c, 363, 364, 365, 366, 368, 369, 370a, 373, 399, 399a, 400, 400a, 401, 401a, 401c, 402, 402a, 403, 403a, 403b, 403c, 403d, 404, 404a, 404b, 405, 406, 406a, 408, 409, 411 and 412 of the Civil Code, and to add new sections 281, 304, 326b and 356 to the Civil Code, and to repeal sections 343a, 347, 375, 401b and 587 of the Civil Code, all relating to corporations."

AMENDMENT NUMBER ONE-A.

On page 1, line 6, of the printed bill, as amended, after "articles," insert the following: "certificates of incorporation,".

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, as amended, after line 51, add the following:

"SEC. 2a. Section 288 of the Civil Code is hereby amended to read as follows:

288. No corporation formed or existing under the laws of this State on the first day of January, 1873, is affected by the provisions of Part IV of Division I of the Civil Code, unless such corporation elects or has elected to continue its existence under that part as provided in section 287; but the laws under which such corporations were formed and exist are applicable to all such corporations, and are repealed, subject to the provisions of this section; provided, that section 362c, Civil Code, shall apply to all corporations organized either before or since the Civil Code took effect."

AMENDMENT NUMBER THREE

On page 5, line 22, of the printed bill, as amended, after "judge", insert the following: "or clerk".

AMENDMENT NUMBER FOUR.

On page 5, line 40, of the printed bill, as amended, after "filed", strike out the comma.

AMENDMENT NUMBER FIVE.

On page 7, line 9, of the printed bill, as amended, strike out the comma.

AMENDMENT NUMBER SIX.

On page 7, line 22, of the printed bill, as amended, after "rights", strike out the comma.

AMENDMENT NUMBER SEVEN.

On page 7, line 33, of the printed bill, as amended, strike out the comma.

AMENDMENT NUMBER EIGHT.

On page 9, line 35, of the printed bill, as amended, strike out "provided otherwise", and insert in lieu thereof the following: "forbid,".

AMENDMENT NUMBER NINE.

On page 11, line 18, of the printed bill, as amended, after "annual", insert a comma and the following: "regular".

AMENDMENT NUMBER TEN.

On page 11, line 23, of the printed bill, as amended, after "quorum", insert the following: "or by a sole remaining director".

AMENDMENT NUMBER ELEVEN.

On page 11, line 31, of the printed bill, as amended, after "board", insert the following: "or the shareholders".

AMENDMENT NUMBER TWELVE.

On page 12, line 17, of the printed bill, as amended, after "city", insert the following: "or place".

AMENDMENT NUMBER THIRTEEN.

On page 12, line 50, of the printed bill, as amended, strike out "any such", and insert in lieu thereof the following: "The".

AMENDMENT NUMBER FOURTEEN.

On page 12, line 51, of the printed bill, as amended, strike out "at least".

AMENDMENT NUMBER FIFTEEN.

On page 17 of the printed bill, as amended, strike out line 32.

AMENDMENT NUMBER SIXTEEN.

On page 17 of the printed bill, as amended, after line 32, add the following:

"SEC. 27. Section 326 of the Civil Code is hereby amended to read as follows:

326. Certificates for shares. All stock corporations must issue certificates for shares, when fully paid, which shall state:

(1) The name of the record holder of the shares represented thereby;

(2) The number, designation, if any, and class or series of shares represented thereby;

(3) The par value, if any, of the shares represented thereby, or a statement that such shares are without par value,

(4) If the shares of the corporation be classified or if any class of shares have two or more series, a statement of the rights, preferences, privileges and restrictions granted to or imposed upon the respective classes or series of shares and upon the holders thereof, and of the number of shares constituting each series, or a summary of such preferences, privileges and restrictions with a reference to the articles therefor, or a statement that the board of directors has authority to fix the dividend rate, conversion rights, voting rights, the redemption price and/or the liquidation preferences of any wholly unissued class or of any wholly unissued series of any class of shares or the number of shares constituting any unissued series of any class of shares;

(5) If redeemable, a statement of that fact and the redemption price;

(6) If convertible, a general statement of the essential terms and period for conversion;

(7) If the shares be subject to liens or to restrictions upon transfer or upon the voting power the fact shall be indicated;

(8) If the shares be assessable, or if assessments are collectible by personal action, the fact shall be plainly stated on the face of the certificate

Subject to the provisions of sections 322, 330.15 and 334a of this title no restriction of the right to transfer shares stated in the articles or by-laws, and no power of assessment, and no liens on shares for assessments or for the unpaid subscription price or other lien in favor of the corporation, shall be effective against a transferee of such shares unless stated on the face of the certificate.

Every certificate for shares issued by a corporation must be signed by the president or a vice president and the secretary or an assistant secretary, or must be authenticated by facsimiles of the signatures of its president and secretary or by a facsimile of the signature of its president and the written signature of its secretary or an assistant secretary. Before it becomes effective every certificate for shares authenticated by a facsimile of a signature must be countersigned by a transfer agent or transfer clerk and must be registered by an incorporated bank or trust company, either domestic or foreign, as registrar of transfers

In case any officer or officers who have signed, or whose facsimile signature has been written, printed or stamped on any certificate or certificates for shares, cease to be such officer or officers of such corporation, because of death, resignation or otherwise, before such certificate or certificates have been delivered by such corporation, such certificate or certificates nevertheless shall be conclusively deemed to have been adopted by such corporation by the use and delivery thereof and shall be as effective in all respects as though signed by a duly elected, qualified and authorized officer or officers, provided it or they be countersigned and registered as above provided.

SEC. 28. A new section is hereby added to the Civil Code, to be numbered 326b, and to read as follows:

326b. Compulsory exchange of certificates. When the articles are amended in any way affecting the statements contained in the certificates for outstanding shares, or it becomes desirable for any reason, in the discretion of the board of directors, to cancel any outstanding certificate for shares and issue a new certificate therefor conforming to the rights of the holder, the board of directors may order any holders of outstanding certificates for shares to surrender and exchange them for new certificates within a reasonable time to be fixed by the board of directors.

Such order may provide that no holder of any such certificates so ordered to be surrendered shall be entitled to vote or to receive dividends or exercise any of the other rights of shareholders of record until he shall have complied with such order, but such order shall only operate to suspend such rights after notice and until compliance. Such duty of surrender of any outstanding certificates may also be enforced by action at law.

SEC. 29. Section 328 of the Civil Code is hereby amended to read as follows:

328. Proof of right to transfer. When a transfer of shares of a domestic or foreign corporation on its books is requested and there is a reasonable doubt as to the right of the person seeking such transfer, the corporation or its transfer agent, before recording the transfer of the shares on its books or issuing any certificate therefor, may require from such person reasonable proof of his right to such transfer, and if there remain a reasonable doubt in respect thereto may refuse a transfer unless such person give adequate security or a bond of indemnity executed by a corporate surety or by two individual sureties satisfactory to the corporation as to form, amount and responsibility of sureties. If not satisfactory to the corporation, the surety or sureties shall justify before a judge of any court of record in the county where the transfer is sought and he shall determine the amount of the security or bond, and the responsibility or sufficiency of the sureties, after opportunity has

been given the corporation to examine the surety or sureties as to their financial responsibility. The bond shall be conditioned to protect the corporation, its officers and/or its transfer agent or agents and/or registrar or registrars, against any loss, damage, expense or other liability to the owner of the shares by reason of the recordation of the transfer or the issuance of a new certificate for shares.

If any such proof, security or bond be not furnished when required, as herein provided, neither the corporation nor any officer thereof shall be liable for refusing to record the transfer on its books or issue a new certificate for shares.

SEC. 30. Section 328a of the Civil Code is hereby amended to read as follows:

328a. Adverse claims to shares If a certificate for shares in a domestic corporation or in a foreign corporation keeping its transfer books in this State, endorsed by the record owner, be presented for transfer on the books and an adverse claim be made either by the record owner or by any other person, the corporation nevertheless may transfer the shares on its books at the instance of the person presenting such certificate without liability to the adverse claimant, unless the adverse claimant give written notice of his claim and within five days after giving such notice give adequate security or bond of indemnity, executed by a corporate surety or two individual sureties, satisfactory to the corporation as to form, amount and responsibility of sureties. If not satisfactory to the corporation the surety or sureties shall justify before a judge of a court of record of the county where the transfer is sought and he shall determine the amount of the security or bond, and the responsibility or sufficiency of the sureties, after opportunity has been given the corporation and the person demanding the transfer to examine the sureties. The bond shall be conditioned to protect the corporation, its officers, transfer agents and registrars, and the record holder, if other than the claimant, and the person demanding the transfer, against damage, expenses or other liability by reason of the refusal to record the transfer and issue a new certificate for shares The adverse claimant shall commence an action within sixty days after giving notice of his claim to establish his rights in such shares or the certificate therefor. The corporation, its officers, registrar and transfer agents shall be exempt from liability to an adverse claimant who fails to give the written notice or the security or bond or commence an action as provided in this section, if the corporation, its officers and/or transfer agent record a transfer at the instance of the holder of a certificate duly indorsed and issue a new certificate for shares

SEC. 31. Section 328b of the Civil Code is hereby amended to read as follows:

328b Transfers by trustees. Whenever certificates for shares or other securities issued by a domestic or foreign corporation are to be or have been issued or transferred to a person or corporation as trustee on the books or records of the corporation, whether or not such certificates or other securities or the instrument of transfer describe the trust or identify any beneficiary, it shall be presumed in favor of such corporation and its transfer agent that such trustee has the power to accept and transfer title to such certificates or other securities and there shall be no duty upon the corporation or its registrar or transfer agent to inquire into or determine the existence or validity of any trust or the terms thereof, or whether the trustee is committing a breach of obligation or exceeding his authority. The corporation shall be liable for recording a transfer of such certificates or other securities only if this is done with actual knowledge of a breach of trust or the invalidity of the trust or if it has been enjoined therefrom by a court of competent jurisdiction.

SEC 32. Section 328d of the Civil Code is hereby amended to read as follows:

328d. Transfers to and by foreign executors, administrators, and guardians. If a certificate for shares or a registered bond or other security of a domestic or foreign corporation standing in the name of a deceased person, or of a minor, ward, or incompetent, not a resident of this State, be presented for transfer, accompanied by letters testamentary, or of administration, or of guardianship, issued by a court of the decedent's, minor's, ward's, or incompetent's domicile, or accompanied by a certified copy thereof, together with such other instrument or order of court or certified copy thereof as may be required under the law of such domicile to authorize a transfer, the shares or bond or other security shall be transferred to the executor or administrator or guardian, or at his order

No such transfer of shares or other security standing in the name of a deceased person shall be made except on the written consent of the State Controller or person by him authorized to issue such consent under the inheritance tax laws of this State.

SEC. 33 Section 328e of the Civil Code is hereby amended to read as follows:

328e Transfers by minors and incompetents. Neither a domestic corporation nor a foreign corporation keeping transfer books in this State shall be or become liable to a minor or incompetent person in whose name shares are of record on its books because of their transfer on its books at the instance of such minor or incompetent or the recognition of or dealing with such minor or incompetent as a shareholder whether or not such corporation shall have had notice, actual or constructive, of the nonage of such minor or of such incompetency

SEC 34. Section 330 6 of the Civil Code is hereby amended to read as follows:

330 6. Indorsement or delivery effectual in spite of fraud, duress, mistake, revocation, death, incapacity or lack of consideration or authority. The indorsement of

a certificate by the person appearing by the certificate to be the owner of the shares represented thereby, or the delivery of a duly indorsed certificate, is effectual except as provided in section 330 7 of this title, though the indorser or transferor—

(a) Was induced by fraud, duress or mistake to make the indorsement or delivery; or

(b) Has revoked the delivery of the certificate or the authority given by the indorsement or delivery of the certificate; or

(c) Has died or become legally incapacitated after the indorsement, whether before or after the delivery of the certificate; or

(d) Has received no consideration.

SEC. 35. Section 330.13 of the Civil Code is hereby amended to read as follows:

330 13 Issue of new certificates Except when a certificate has been lost or destroyed or the shares evidenced by a certificate have been sold for a delinquent assessment or nonpayment of the subscription price, a corporation shall not be compelled to issue a new certificate for shares until the old certificate is surrendered to it. In case any part of the delinquent shares represented by an outstanding certificate are sold or forfeited, such certificate must be surrendered to the corporation before the holder thereof shall be entitled to a new certificate for the unsold or unforfeited shares.

SEC. 36. Section 330 24 of the Civil Code is hereby amended to read as follows:

330.24. Mutual water companies Any corporation organized for or engaged in the business of selling, distributing, supplying or delivering water for irrigation purposes, or for domestic use, may provide in its articles or by-laws that water shall be sold, distributed, supplied or delivered only to owners of its shares and that such shares shall be appurtenant to certain lands when the same are described in the certificate issued therefor; and when such certificate is so issued and a certified copy of such articles or by-laws recorded in the office of the county recorder in the county where such lands are situated the shares of stock shall become appurtenant to the said lands and shall only be transferred therewith, except after sale or forfeiture for delinquent assessments thereon as provided in section 331 of this title.

SEC. 37. Section 331 of the Civil Code is hereby amended to read as follows:

331 Assessments, how levied (1) Shares issued by stock corporations are not assessable except as provided in the articles. If the articles expressly confer such authority upon the corporation or the board of directors, the directors, subject to any limitations contained in the articles, in their discretion may levy and collect assessments upon all shares of any or all classes made subject to assessment by the articles. This authority is additional to that of making calls for the unpaid subscription price of shares.

(2) Nonstock corporations may levy dues or assessments or both upon their members, if such authority be conferred either by the articles or by their by-laws, and subject to any limitations therein contained. Such dues or assessments or both may be levied upon all classes of membership alike, or in different amounts or proportions or upon a different basis upon different classes of membership and memberships of one or more classes may be made exempt from either dues or assessments or both, in the manner and to the extent provided either in the articles or the by-laws.

The amount of the levy and method of collection of such dues or assessments or both of nonstock corporations may be fixed in the articles or by-laws, or the articles or by-laws may authorize the board of directors to fix the amount thereof from time to time, and make them payable at such times or intervals, and upon such notice, and by such methods of collection as the directors may prescribe. They may be made enforceable by action or by forfeiture of membership, or both, upon reasonable notice.

(3) Any corporation organized for or engaged in the business of selling, distributing, supplying or delivering water for irrigation purposes or for domestic use, and which provides in its articles or by-laws that water shall only be sold, distributed, supplied, or delivered to owners of its shares and that such shares shall be appurtenant to certain lands described in the certificate issued therefor, may levy assessments upon its shares, whether or not fully paid, unless provided otherwise in its articles or by-laws. If any shares of any such corporation become delinquent in the payment of assessments, the right to receive water thereon may be denied, and such shares may be sold to pay such delinquent assessments and thereafter may be transferred without said lands as though not appurtenant thereto, and the purchaser or the holder of such shares shall acquire the right to receive the same quantity of water as though such shares had remained appurtenant to said lands, or such shares may be forfeited to the corporation.

SEC. 38 Section 332 of the Civil Code is hereby amended to read as follows:

332 Resolution levying assessment what to specify. Every resolution of a stock corporation levying an assessment must specify the amount thereof, to whom and where payable; fix a day on which the unpaid assessments shall be delinquent, not less than thirty nor more than sixty days from the date of passing the resolution levying the assessment; and fix a day for the sale of delinquent shares not less than fifteen nor more than sixty days from the date on which the shares become

delinquent. The resolution also shall fix the hour and place of sale, which place must be in the county where the principal office of the corporation is located.

SEC. 39. Section 333 of the Civil Code is hereby amended to read as follows:

333. Notice of levy and sale. Upon the passing of the resolution levying an assessment by a stock corporation, notice thereof shall be given in substantially the following form.

(Name of corporation in full. Location of principal office.)

Notice is hereby given that at a meeting of the board of directors held on the (date) an assessment of (amount) per share was levied upon the shares of the corporation payable (to whom and where). Any shares upon which this assessment remains unpaid on the (day fixed) will be delinquent, and unless payment be made prior to delinquency the said shares, or as many of them as may be necessary, will be sold at the (particular place) on the (date) at (the hour) of such day, to pay the delinquent assessment, together with a penalty of five per cent of the amount of the assessment on such shares, or be forfeited to the corporation. (Name of secretary with location of office.)

SEC. 40. Section 334 of the Civil Code is hereby amended to read as follows:

334. Service of notice. The notice shall be served upon each shareholder personally. In lieu of personal service the notice may be sent through the mail addressed to each shareholder at his last address, as it appears on the books of the corporation, or if it does not appear, at the place where the principal office of the corporation is located, and published once in some newspaper of general circulation published at the city or town of the principal office of the corporation. If there be no newspaper published in the city of the principal office of the corporation, the publication must be made in some newspaper of the county if there be one, or if there be none then in some newspaper published in an adjoining county. Such personal service or service by mail and publication shall be made at least ten days prior to the date of delinquency.

SEC. 41. Section 334a of the Civil Code is hereby amended to read as follows:

334a. Lien for assessments. The assessment shall be a lien upon the shares assessed from the time of personal service or the publication of the notice of assessment, unless the articles or by-laws provide for such lien from the time of the resolution levying the assessment. A transfer of the shares on the books after the lien of an assessment has attached shall be a waiver of such lien.

SEC. 42. Section 336 of the Civil Code is hereby amended to read as follows:

336. Sale or forfeiture. At the place and time appointed in the notice of levy and sale, the assistant secretary, secretary or any officer or an attorney of the corporation, shall, unless otherwise ordered by the directors, sell or cause to be sold to the highest bidder for cash as many shares of each delinquent holder of the assessed shares of stock as may be necessary to pay the assessment and charges thereon according to the notice. If payment be made after delinquency and before the sale, the shareholder shall pay a penalty of five per cent of the amount of the assessment on such shares in addition to the assessment. The person offering at such sale to pay the assessment and penalty for the smallest number of shares is the highest bidder, and the shares purchased must be transferred to him on the share register of the corporation on the payment of the assessment and penalty and a new certificate therefor issued to such purchaser. No corporation shall be required to accept an offer for a fraction of a share. If no bidder offer to pay the amount due on the shares, together with the penalty of five per cent thereof, the shares shall be declared forfeited to the corporation in satisfaction of the assessment and penalty thereon. The only remedy for the collection of an assessment on fully paid shares shall be by sale or forfeiture unless the remedy by action is expressly authorized in the original articles or by an amendment of the articles heretofore adopted, or by an amendment hereafter adopted by unanimous consent of the shareholders, and unless a statement of such remedy appears on the face of any share certificate hereafter issued.

SEC. 43. Section 337 of the Civil Code is hereby amended to read as follows:

337. Surrender of old certificate. After a sale or forfeiture of shares for nonpayment of an assessment or of a call for the unpaid balance of the subscription price, the holder or owner of delinquent shares shall surrender his certificate for shares to the corporation for cancellation. This duty may be enforced by order or decree of court and such holder or owner shall be liable for damages to the corporation for failure to surrender the certificate for cancellation upon demand without good cause or excuse. Any certificate not so surrendered forthwith shall become null and void and shall cease to be evidence of the right or title of the holder or any transferee to the shares purporting to be represented thereby and neither the corporation nor the purchaser of such shares shall incur any liability thereon to any such transferee. The purchaser of any shares, at a sale for delinquent assessments thereon, whether heretofore or hereafter made, shall be entitled to the issuance of a new certificate representing the shares so purchased.

SEC. 44. Section 341 of the Civil Code is hereby amended to read as follows:

341. Powers of corporations. Every corporation heretofore or hereafter organized has power:

(1) To sue and be sued in any court;

(2) To adopt, use and at will alter a corporate seal, but failure to affix a seal shall not affect the validity of any instrument;

(3) To acquire, hold, lease, encumber, convey or otherwise dispose of real and personal property within or without the State and to take real and/or personal property by will, gift or bequest;

(4) To appoint such subordinate officers or agents as its business may require, and to allow them suitable compensation;

(5) To purchase or otherwise acquire its own bonds, debentures or other evidences of its indebtedness or obligations, and subject to the provisions of this title, to purchase or otherwise acquire its own shares;

(6) To assume any obligations, enter into any contracts or do any acts incidental to the transaction of its business or to the issue or sale of its securities, or expedient for the attainment of its corporate purposes;

(7) Subject to the provisions of its articles, to redeem shares thereby made subject to redemption;

(8) To make by-laws;

(9) To borrow money and to issue bonds, debentures, notes, and evidences of indebtedness, and to secure the payment or performance of its obligations by mortgage, deed of trust, pledge or otherwise;

(10) To qualify to do business in any other State, Territory, dependency or foreign country and to conduct business within or without the State;

(11) To acquire, subscribe for, hold, own, pledge and otherwise dispose of and vote and represent shares of stock, bonds and securities of any other corporation, domestic or foreign;

(12) To do any act authorized under this title.

SEC. 45. Section 342 of the Civil Code is hereby amended to read as follows:

342 Acquisition by a corporation of its own shares and shares of a holding corporation A corporation may not purchase directly or indirectly any shares issued by it or by any corporation by which it is controlled, except as follows:

(1) To collect or compromise in good faith a debt, claim or controversy with any shareholder;

(2) From shareholders who by reason of dissent from any proposed corporate action are entitled under section 369 of this title to be paid the fair market value of their shares;

(3) From one who as an employee other than as an officer or director has purchased such shares from the corporation under an agreement reserving to the corporation the option to repurchase or obligating it to repurchase such shares;

(4) To eliminate fractional shares;

(5) To redeem or purchase shares subject to redemption at prices not exceeding the redemption price thereof;

(6) To carry out provisions of its articles authorizing conversion of its shares;

(7) Pursuant to section 348b of this title; or

(8) Subject to any limitations contained in its articles, out of earned surplus.

Shares may be acquired either out of stated capital or from any surplus under subdivisions (1) to (5) inclusive of this section. Purchases from earned surplus under subdivision (8) of this section are not limited to cases authorized under other subdivisions of this section.

Upon any purchase of such shares out of earned or paid-in surplus when authorized under this section, the earned or paid-in surplus shall be reduced by an amount equal to the purchase price of such shares, but the stated capital shall not be affected thereby.

A corporation may acquire its own shares or shares of any other corporation, domestic or foreign, by gift or bequest or upon a merger or consolidation with or by distribution of the assets of another corporation, domestic or foreign.

A corporation shall not purchase or redeem shares of any class under this section in any case when there is reasonable ground for believing that the corporation is unable, or, by such purchase or redemption, will be rendered unable, to satisfy its debts and liabilities when they fall due, except such debts and liabilities as have been otherwise adequately provided for. No redemption of shares shall be made if there be reasonable ground for believing that the net assets would be reduced thereby to an amount less than the lowest aggregate liquidation preferences of shares to remain outstanding having prior or equal claims to the assets.

The payment of a debt or liability shall be deemed to have been adequately provided for if the payment thereof shall have been assumed or guaranteed in good faith by a financially responsible person or persons.

Nothing in this section shall be construed to prohibit shares being forfeited to a corporation for delinquent assessments or nonpayment of the subscription price thereon.

A corporation shall be deemed to be controlled by another corporation when such other corporation is a holding corporation thereof as defined in this title

SEC. 46. Section 342a of the Civil Code is hereby amended to read as follows:

342a. Effect of acquisition of own shares. When a corporation acquires its shares out of earned surplus, pursuant to subdivisions (1) to (8), inclusive, of section 342, Civil Code, or out of paid-in surplus under subdivisions (1) to (5), inclusive, of section 342, Civil Code or by gift or bequest, or upon the distribution

of the assets of another corporation, or upon forfeiture, such shares may be carried as treasury shares or may (at the option of the board of directors) be retired, but no change in the stated capital shall be made either upon the acquisition or retirement of such shares unless proceedings are duly taken to that end under section 348, Civil Code, except that when a corporation acquires its shares by purchase or forfeiture upon which part of the agreed subscription price remains unpaid, the stated capital shall be reduced by the amount unpaid upon such shares without further proceedings.

When a corporation acquires its shares out of stated capital, under subdivisions (1) to (5), inclusive, of section 342, Civil Code, such shares shall be restored to the status of authorized but unissued shares and the stated capital may be reduced by resolution of the board of directors by the amount of stated capital attributable to such shares. The amount of stated capital attributable to a share shall be determined by dividing the stated capital attributed to the class or series of shares to which such shares belong by the number of shares of such class or series outstanding immediately prior to the acquisition of such shares.

When a corporation acquires its shares out of surplus arising from reduction of stated capital, such surplus shall be reduced by the amount of the purchase price thereof and such shares shall be restored to the status of authorized but unissued shares without reduction of stated capital.

If the articles prohibit the reissue of any shares acquired, then upon their acquisition the authorized number of shares of the class to which such shares belonged shall be reduced by the number of shares so acquired.

Shares of the corporation surrendered to it on the conversion or exchange thereof into or for other shares of the corporation pursuant to authority or provision of the articles, shall, after such conversion or exchange, have the status of authorized but unissued shares, and the stated capital shall remain unchanged thereby and by the issue of the new shares in place of those so retired.

SEC. 47. Section 342b of the Civil Code is hereby amended to read as follows:

342b. Treasury shares. Treasury shares shall not carry voting or dividend rights and shall not be counted as outstanding shares for any purpose, nor as assets for the purpose of computing a surplus available for dividends or the purchase of shares issued by the corporation or the making of any other distributions to its shareholders. Unless otherwise provided in the articles, such shares may be retired and restored to the status of authorized and unissued shares without reduction of stated capital or may be disposed of for such consideration as the board of directors may fix, and the consideration received shall be added to paid-in surplus except as far as needed to write off a deficit of net assets below the amount of stated capital

Redeemable shares which have been acquired from earned surplus and carried as treasury shares may be retired by resolution of the board of directors and stated capital may be reduced thereon as it acquired out of stated capital without proceedings under section 348, Civil Code.

SEC. 48 Section 343 of the Civil Code is hereby amended to read as follows:

343. Sale or transfer of entire assets No corporation may sell, lease, convey, exchange, transfer or otherwise dispose of all or substantially all of its property and assets except under section 344 of this title, unless under authority of a resolution of its board of directors and with the approval of the principal terms of the transaction and the nature and amount of the consideration by vote or written consent of shareholders entitled to exercise a majority of the voting power of such corporation. Such approval may be given before or after the adoption of the resolution by the board of directors, and before or after any such transfer or disposition. Such sale, lease, conveyance, exchange, transfer, or other disposition may be made upon such terms and conditions and for such considerations, which may be money, property, shares of stock and/or other securities of any other corporation or corporations, domestic or foreign, as the board of directors may deem for the best interests of the corporation. The articles may require on such proposal the vote or consent of a larger proportion of the shareholders or the separate vote of a majority or a larger proportion of any class or classes of shareholders.

SEC 49. Section 346 of the Civil Code is hereby amended to read as follows:

346. Cash or property dividends. A corporation may declare dividends payable in cash or in property only as follows:

(1) Out of earned surplus; or

(2) Despite the fact that the net assets of the corporation amount to less than the stated capital, out of net profits earned during the preceding accounting period which shall not be less than six months nor more than one year in duration; or

(3) Out of paid-in surplus or surplus arising from reduction of stated capital subject to the provisions of section 348b, Civil Code only upon shares entitled to preferential dividends, provided that notice shall be given to the shareholders receiving such dividends of the source thereof prior to or concurrently with the payment thereof.

If the value of the net assets amounts to less, through depreciation, depletion, losses, or otherwise, than the aggregate amount of stated capital attributed to shares

having liquidation preferences, the corporation shall not declare dividends out of net profits pursuant to subdivision (2) of this section, except upon such shares, until the value of the net assets has been restored to such aggregate amount of the stated capital attributed to outstanding shares having liquidation preferences.

No dividends shall be declared when there is reasonable ground for believing that thereupon the corporation's debts and liabilities would exceed its assets, or that it would be unable to meet its debts and liabilities as they mature.

No dividends shall be declared out of the mere appreciation in the value of its assets not yet realized, nor shall any dividends be declared from earned surplus representing profits derived from an exchange of assets unless and until such profits have been realized or unless the assets received are currently realizable in cash.

A wasting asset corporation, that is a corporation engaged solely or substantially in the exploitation of mines, oil wells, gas wells, patents or other wasting assets, or organized solely or substantially to liquidate specific assets, may distribute the net income derived from the exploitation of such wasting assets or the net proceeds derived from such liquidation without making any deduction or allowance for the depletion of such assets incidental to the lapse of time, consumption, liquidation or exploitation; subject, however, to adequate provision for meeting debts and liabilities and the liquidation preferences of outstanding shares and to notice to shareholders that no deduction or allowance has been made for such depletion.

SEC. 50. Section 346a of the Civil Code is hereby amended to read as follows:

346a. Share dividends. A corporation may declare dividends payable in shares of the corporation only as follows:

(1) Out of earned surplus; or

(2) Out of paid-in surplus and/or surplus arising from reduction of stated capital; provided that notice shall be given to shareholders receiving such dividends of the source thereof prior to or concurrently with payment thereof.

Unrealized appreciation of assets, if any, shall not be included in the computation of surplus available for a dividend in shares

Upon the declaration of a dividend payable in shares the amount of surplus from which such dividend is declared shall be transferred to stated capital. If a dividend is declared in shares having a par value, the aggregate par value of such shares shall be deducted from the surplus and added to stated capital.

If the dividend is declared in shares without par value, then if such shares are preferred shares they shall be valued at the amount to which such shares are entitled in preference to shares of another class upon involuntary liquidation. If such shares are common shares or have no liquidation preference they shall be valued upon the basis of the estimated fair value of such shares upon issue, as determined and stated by resolution of the board of directors. Upon the declaration of a dividend payable in shares notice shall be given to the shareholders of the amount per share transferred from surplus and of the particular surplus from which such amount was transferred.

Nothing in this section shall be construed to forbid or limit the power of a corporation to split up or subdivide its shares into a larger number of shares without transferring surplus to stated capital. Upon any such split-up or subdivision of shares into shares without par value, the shareholders shall be given notice of the book value of each share prior and subsequent thereto.

SEC. 51. Section 348 of the Civil Code is hereby amended to read as follows:

348 Reduction of stated capital. A reduction of stated capital may be authorized by a resolution of the board of directors approved by the vote or written consent of the holders of a majority of outstanding shares regardless of limitations or restrictions on voting rights. The resolution of the directors shall set forth the amount of reduction of stated capital and the method by which outstanding par value shares, if any, shall be adjusted to the new stated capital, if any such adjustment be necessary

No such reduction in the stated capital of the corporation shall be made to an amount less than the aggregate par value of all par value shares without liquidation preference to remain outstanding after such reduction and the aggregate amount of the liquidation preferences upon involuntary liquidation of preferred shares with or without par value to remain outstanding after such reduction.

SEC. 52 Section 348b is hereby amended to read as follows:

348b. Distribution of surplus resulting from reduction of stated capital. If the amount of stated capital be reduced in any manner permitted by law, including any reduction authorized upon retirement of shares, any surplus resulting therefrom shall be transferred to a reduction surplus account and assets in any amount or amounts not exceeding the amount of such surplus, subject to any limitations contained in the articles, may be distributed or withdrawn only as follows:

(1) If there be but one class of shares outstanding, a distribution pro rata in cash or in property to the shareholders may be made by the board of directors, or a purchase of any outstanding shares may be authorized by the vote or written consent of the holders of two-thirds of such shares other than those to be purchased.

(2) If there be more than one class of shares outstanding, then with due regard to the relative priorities of the various classes of shares the board of directors may

declare dividends on outstanding preferred shares subject to the conditions and restrictions imposed by law on the payment of dividends or may authorize the redemption or purchase of preferred shares subject to redemption at prices not exceeding the redemption price thereof; or may authorize the purchase of preferred shares not subject to redemption upon reasonable and nondiscriminatory terms not exceeding the lowest liquidation preference thereof.

No distribution or withdrawal of such reduction surplus may be made under the authority of this section unless the board of directors determine that by such distribution or withdrawal the corporation will not be rendered unable to satisfy its debts and liabilities when they fall due and that the assets of the corporation after such distribution or withdrawal taken at their fair present value will at least equal one and one-quarter times its debts and liabilities. No director shall be held liable to the corporation or any creditor or shareholder thereof for any determination made under this section if he acted in good faith and with reasonable care.

At least fourteen days before any distribution or withdrawal of such reduction surplus there shall be filed with the Secretary of State a certificate signed and acknowledged by the president or a vice president and also by the treasurer or an assistant treasurer of the corporation stating that the stated capital has been reduced, specifying the amounts from which and to which it has been reduced, the estimated amount of its debts and liabilities, the estimated fair present value of its assets, the amount of the reduction surplus and the amount proposed to be distributed or withdrawn, and stating that the board of directors has determined that by the proposed distribution or withdrawal of such surplus the corporation will not be rendered unable to satisfy its debts and liabilities when they fall due and that the assets of the corporation after such distribution or withdrawal taken at their fair present value will at least equal one and one-quarter times its debts and liabilities.

After such certificate is filed with the Secretary of State, a copy thereof certified by him shall be filed by the corporation in the office of the county clerk in the county in which the corporation has its principal office.

SEC. 53. Section 348a of the Civil Code is hereby amended to read as follows:

348a. Adjustment of shares to reduction. Adjustment of outstanding par value shares to correspond with the stated capital of a corporation as reduced may be effected:

(1) By the voluntary exchange or substitution of par value shares of any class for a different number of shares of the same class or for the same or a different number of shares of another class of a different par value or without par value; or

(2) By the redemption, purchase and/or retirement of shares subject to redemption, purchase and/or retirement in accordance with the provisions of this title; or

(3) By the change of one or more classes of shares from shares having a specified par value into shares having a lesser specified par value or into shares without par value, pursuant to amendment of the articles.

(4) In any other way not repugnant to law.

SEC. 54. Section 355 of the Civil Code is hereby amended to read as follows:

355. Inspection of corporate records The share register or duplicate share register, the books of account, and minutes of proceedings of the shareholders and the board of directors and of executive committees of the directors of every domestic corporation and of foreign corporations keeping any such records in this State, shall be open to inspection upon the written demand of any member or shareholder or holder of a voting trust certificate at any reasonable time, and for a purpose reasonably related to his interests as a shareholder or as the holder of such voting trust certificate, and shall be exhibited at any time when required by the demand of ten per cent of the shares represented at any shareholders' meeting.

Such inspection may be made in person or by agent or attorney, and includes the right to make extracts The right of the shareholders to inspect the corporate records may not be limited in the articles or by-laws.

Demand of inspection other than at a shareholders' meeting shall be made in writing upon the president, secretary, assistant secretary or general manager of the corporation.

SEC. 55. A new section is hereby added to the Civil Code, to be numbered section 356, and to read as follows:

356. Director's right to information concerning corporation and its subsidiary corporations. Every director shall have the absolute right at any reasonable time to inspect all books, records, documents of every kind and the physical properties of the corporation, domestic or foreign, of which he is a director, and also of its subsidiary corporations, domestic or foreign In the case of foreign corporations the right given by this section shall extend only to such books, records, documents and properties of such corporations as are kept or located in this State.

SEC 56. Section 357 of the Civil Code is hereby amended to read as follows:

357 Investigation by order of court. Upon refusal of a lawful demand for inspection or upon petition of the holders of ten per cent (10%) of the issued and outstanding shares, the superior court of the county in which the principal office or in which the records are located may enforce the right of inspection with just

and proper conditions, or may appoint one or more competent inspectors or accountants to audit the books and records kept in the State, and to investigate the property, funds and affairs of any domestic corporation or any foreign corporation keeping records in this State and of any subsidiary corporation thereof, domestic or foreign, keeping records in this State, and to report thereon in such manner as the court may direct.

It shall be the duty of all officers and agents of the corporation to produce to the inspectors or accountants so appointed all books and documents in their custody or power, under penalty of punishment for contempt of court.

All expenses of the investigation or audit shall be defrayed by the applicant unless the court shall order them to be paid or shared by the corporation.

SEC. 57. Section 358 of the Civil Code is hereby amended to read as follows:

358. Annual report. The board of directors of every stock corporation shall cause to be sent to the shareholders not later than one hundred and twenty days after the close of the fiscal or calendar year an annual report unless such report be expressly dispensed with in the by-laws.

Such annual report shall include a balance sheet as of such closing date and a statement of income or profit and loss for the year ended on such closing date. Such financial statement shall be prepared from the books and shall be in accordance therewith and shall be certified by the president, secretary, treasurer, or a public accountant, and shall be prepared in a form sanctioned by sound accounting practice for the particular kind of business carried on by the corporation.

Such balance sheet itself or comments accompanying it shall set forth (1) the bases employed in stating the valuation of the assets and any changes in such bases during the preceding year; (2) the amount of the surplus, the sources thereof and any changes therein during the past year; (3) the number of shares of each class of stock authorized and outstanding and the number of shares, if any, carried as treasury shares, the cost thereof and the source from which such cost was paid; (4) the amounts, if any, of loans or advances to or from officers, shareholders and employees.

Such statement of income or profit and loss shall be of such form as to disclose the amount of income or loss, in such classification as may be appropriate to the business of the corporation, and the additions thereto and deductions therefrom, setting forth in particular the amounts of depreciation, depletion, amortization, interest and extraordinary income or charges, whether or not included in operating income, and the amount and nature of income from subsidiary corporations.

The balance sheet of a holding corporation may be either its separate balance sheet or a consolidated balance sheet of the holding corporation and its subsidiary corporations. If not consolidated, it shall show as separate items the aggregate amount of the investment in shares of subsidiary corporations, the aggregate indebtedness of the holding corporation to subsidiary corporations, the aggregate indebtedness of subsidiary corporations to the holding corporation, and how and in what amounts the profits or losses of subsidiary corporations have been taken into the accounts of the holding corporation. If consolidated, the balance sheet shall state or be accompanied by a statement of the name of each subsidiary corporation and shall be accompanied by a separate balance sheet of the holding corporation, which separate balance sheet shall contain the same information as though it were not accompanied by a consolidated balance sheet.

SEC. 58. Section 359 of the Civil Code is hereby amended to read as follows:

359 Financial statement to shareholders. Shareholders holding at least ten per cent of the number of shares of any corporation other than a bank, a building and loan association, an insurance company, a public utility, or a nonprofit corporation, may make a written request to the secretary, and assistant secretary or treasurer of the corporation for a statement of its affairs in case no full or adequate statement has been given in written form to its shareholders within the preceding six months.

The statement shall be in the form prescribed for the annual report in so far as such form may be applicable to a balance sheet at a date other than the end of the fiscal year and to a statement of income and profit or loss for a period less than a full fiscal year. The balance sheet shall be as of the end of the calendar month preceding the date of receipt of the written request and the statement of income and profit or loss shall be for the period between the end of the preceding fiscal year and the end of said preceding calendar month The statement shall be certified to by the president, secretary, treasurer or a public accountant and shall be delivered or mailed to the person or persons making the request within thirty days thereafter, and a copy thereof shall be kept on file in the principal office of the corporation for twelve months, and at all reasonable times shall be exhibited to any shareholder demanding an examination thereof or a copy thereof shall be mailed to such shareholder. Except upon order of court for good cause shown, the corporation shall not be required to prepare more than one such statement in any one period of six months. The superior court shall enforce the duty of the making and mailing or delivering of the financial statements required by sections 358 and 359 and, for good cause shown, may extend the time therefor.

The corporation, upon the written request of any shareholder, shall mail to him a copy of the last annual, semiannual or quarterly profit and loss statement and balance

sheet, together with a copy of the certificate, if any, of the company's auditors on said statement and balance sheet.

This section shall also apply to foreign corporations having the principal place for the transaction of their business in this State or customarily holding meetings of their boards of directors therein.

SEC. 59. Section 361 of the Civil Code is hereby amended to read as follows:

361. Merger and consolidation of corporations. Any two or more corporations may be (a) merged into one of such constituent corporations, which is herein designated as "the surviving corporation," or (b) consolidated into a new corporation, which is herein designated as "the consolidated corporation," as follows:

(1) The board of directors of each corporation by resolution shall approve an agreement which shall set forth the terms and conditions of merger or consolidation, and the mode of carrying the same into effect, as well as the manner and basis of converting the shares of the constituent corporations into the shares of the consolidated or surviving corporation. The agreement also may provide for the distribution of cash, property, or securities, in whole or in part, in lieu of shares, to shareholders of the constituent corporations or any class of them; provided, however, that upon such distribution of cash, property or securities, the liabilities of the consolidated or surviving corporation, including those derived by it from the constituent corporations, plus the amount of the stated capital of the consolidated or surviving corporation, shall not exceed the value of the assets of such consolidated or surviving corporation.

If the agreement be for a consolidation, it shall state the matters required to be stated in articles of incorporation, and these statements shall be deemed to be the articles of the new or consolidated corporation.

If the agreement be for a merger, it shall state any matters with respect to which the articles of the surviving corporation are amended, and the articles shall be deemed to be amended accordingly upon the filing thereof with the Secretary of State.

(2) The agreement shall be signed by the president or a vice president and the secretary or an assistant secretary of each corporation, and acknowledged by the officers executing the same on behalf of their respective corporations.

(3) The agreement must be approved by the vote of the holders of not less than two-thirds of the issued and outstanding shares of each class, even though their right to vote be otherwise restricted or denied, of each of the constituent corporations, at a meeting duly called upon notice of the time, place and purpose thereof, duly given to each shareholder at least twenty days prior to the date of such meeting. There shall be mailed with the notice of such meeting a statement of the general terms of the proposed agreement Different series of the same class of shares shall not be construed to constitute different classes of shares for the purposes of voting by classes.

The approval of the shareholders may be given either before or after the approval of the agreement by the board of directors

After such approval by the directors and shareholders has been given, the president or a vice president and the secretary or an assistant secretary of each corporation shall execute a certificate, which shall be verified by their oath and shall set forth:

(a) The time and place of the meeting of the board of directors;

(b) A copy of the resolution adopted thereat;

(c) The vote in favor of such resolution;

(d) The time and place of the meeting of the shareholders, and the total vote of each class of shares by which the agreement was approved;

(e) The total number of outstanding shares of each class;

(f) A statement of the mailing of the notice of the time, place and purpose of the meeting of the shareholders.

(4) Any amendment to the agreement may be adopted, and the agreement so amended may be approved, by like vote at such meeting of any of the constituent corporations, and if the agreement so amended be approved by like vote at such meeting and by the board of directors of each of the constituent corporations, the agreement so amended shall be signed and acknowledged and shall have certified therewith the approval of the directors and of the shareholders in the same manner as provided for the original agreement, and shall then be considered the merging or consolidating agreement.

(5) The agreement so approved, executed and acknowledged and the certificates of its approval shall be filed with the Secretary of State, and shall thereupon become effective, and the several parties thereto shall be one corporation. A copy of said agreement, certified by the Secretary of State, shall be filed with the county clerks of the counties in which the principal office of each corporation is located and a copy of said agreement so certified shall be filed in the office of the county clerk of each county in which each corporation holds real property A copy of such agreement or of a certified copy thereof certified by any official having custody thereof shall have the same force in evidence as the original, and, except as against the State, shall be conclusive evidence of the performance of all conditions precedent to

such consolidation or merger, and the creation or existence of the consolidated or surviving corporation.

(6) The surplus appearing on the books of the constituent corporations, to the extent to which it is not capitalized by the issue of shares or otherwise, may be entered as earned or paid-in surplus, as the case may be, on the books of the consolidated or surviving corporation, and may thereafter be dealt with as such.

(7) Upon the merger or consolidation, as provided herein, the separate existence of the constituent corporations shall cease, except that of the surviving corporation in case of merger, and the consolidated or surviving corporation shall succeed, without other transfer, to all the rights and property of each of the constituent corporations, and shall be subject to all the debts, and liabilities of each, in the same manner as if the surviving or consolidated corporation had itself incurred them

All rights of creditors and all liens upon the property of each of said former corporations shall be preserved unimpaired, limited in lien to the property affected by such liens immediately prior to the time of the consolidation or merger.

Any action or proceeding pending by or against any of such constituent corporations may be prosecuted to judgment, which shall bind the consolidated or the surviving corporation, or the consolidated or surviving corporation may be proceeded against or substituted in their place.

The directors of the corporation may, in their discretion, abandon such merger or consolidation subject to the rights of third parties under any contracts relating thereto, without further action or approval by the shareholders of the corporation, at any time before the merger or consolidation has been completed.

SEC. 60. Section 362 of the Civil Code is hereby amended to read as follows:

362. Amendment of articles. By complying with the following provisions, a corporation may amend its articles for any or all of the following purposes:

(1) To adopt a new name, subject to the restrictions contained in section 291 of the Civil Code;

(2) To change or add to its powers or purposes; or to set forth different or additional powers or purposes;

(3) To change the location of its principal office or place of business to any other county or city and county within the State; but no amendment need be made to change the principal office from one location to another in the same county or city and county;

(4) To change the authorized number of directors or to state the authorized number of directors as changed by amendment of the by-laws or other lawful proceeding, or to limit or forbid change thereof by the by-laws;

(5) To increase or decrease the authorized number of its shares of any class, issued or unissued, or the par value thereof; or to increase or decrease the authorized number of shares of any series, issued or unissued,

(6) To provide for the classification of its shares, or for the subdivision of any class or classes of shares into series, in which event there must be set forth a statement of the number of shares of each class or series and of the preferences, privileges and restrictions granted to or imposed upon the respective classes or series of shares and/or upon the holders thereof;

(7) To change the statement, as to shares issued or unissued, of the classification of shares and/or of the subdivision of any class of shares into series, and/or of the preferences, rights, privileges or restrictions of the shares of any class or series, or to repeal such statement of classification of shares, or of the subdivision of any class of shares into series;

(8) To authorize the board of directors, within limitations and restrictions stated in the amendment, to fix or alter, from time to time, the dividend rate or the redemption or liquidation price of any class or of any series of any class, or the number of shares constituting any series of any class or all classes or any of them, in respect of shares then unissued;

(9) To change shares having par value into the same or a different number of shares without par value; to increase or reduce the par value of shares; to change shares without par value into the same or a different number of shares with or without any par value;

(10) To create classes of par value shares together with classes of shares without par value, or to create classes of shares of different par values, or to restrict, limit, create or enlarge the voting rights of certain classes of shares, or to grant to any class or classes of shares preemptive rights to subscribe for shares, or to enlarge or restrict or revoke existing preemptive rights of any class or classes of shares;

(11) To readopt and restore any provision of its articles which has been superseded or changed by any certificate, instrument or proceeding pursuant to law;

(12) Generally, to add to, omit from, remove or otherwise alter the provisions thereof in any respect lawful at the time of the amendment and not inconsistent with the law under which the corporation exists

No corporation shall amend its articles to alter the statements which appear in the original articles of the names and addresses of the first directors or of the number of shares subscribed and by whom.

No amendment changing the aggregate par value of par value shares or the number of shares without par value shall affect the stated capital of a corporation.

SEC. 61. Section 362a of the Civil Code is hereby amended to read as follows:

362a. Proceedings to amend articles. Amendments of the articles may be adopted as follows:

(1) Before any shares have been issued or subscriptions for shares other than those set forth in the articles have been accepted or before any members of a nonstock corporation have been admitted other than the incorporators, any amendment may be adopted by a writing signed by two-thirds of the incorporators of any such corporation.

(2) After any shares have been issued or subscriptions for shares have been accepted or members have been admitted by a nonstock corporation other than the incorporators, amendments may be adopted by resolution of the board of directors and the vote or written consent of shareholders holding at least a majority of the voting power given either before or after the adoption of the resolution of the board of directors

If the purpose of an amendment be to change the preferences or restrictions of any class or series of outstanding shares or to authorize the corporation to levy assessments on fully paid shares, such amendment must be approved by resolution of the board of directors and by the vote or consent of the holders of at least two-thirds of the outstanding shares of each class regardless of limitations or restrictions on the voting power thereof. Different series or subdivisions of the same class of shares shall not be construed to constitute different classes of shares for the purpose of voting or consent by classes except when such series is adversely affected by an amendment in a different manner than other shares of the same class.

If the purpose of an amendment be to reduce the authorized number of directors of a stock corporation below five such amendment must be approved by resolution of the board of directors and by the vote or consent of the holders of more than eighty per cent of the voting shares

The resolution of the board of directors and the resolution or consents of such shareholders approving any amendment, or the writing signed by the incorporators, shall establish the wording of the amendment or amended articles by providing that the articles shall be amended to read as therein set forth in full, or that any provision thereof, which shall be identified by the numerical or other designation given it in the articles or by stating the wording thereof, shall be amended to read as set forth in full in such resolution or consent and/or that the matter therein stated shall be added to or stricken from the articles

SEC. 62. Section 362b of the Civil Code is hereby amended to read as follows:

362b. Certificate of amendment. Upon the adoption of any amendment to the articles a certificate stating the manner of its adoption shall be filed as follows: In case of an amendment adopted by the incorporators the certificate shall state that the signers thereof constitute at least two-thirds of the incorporators and that they adopt the amendment therein set forth and in the case of a stock corporation that it has issued no shares and accepted no subscriptions therefor since the filing of its articles with the Secretary of State or in the case of a nonstock corporation that it has admitted no members other than the incorporators. The certificate shall be signed by at least two-thirds of the incorporators and shall be verified by the oath of each signer thereof.

In case of an amendment adopted by the shareholders or by the directors or by the board of directors and shareholders, the certificate shall be signed by the president or a vice president and the secretary or an assistant secretary and shall be verified by their oaths. The certificate shall set forth a copy of the resolution of the board of directors, if required, the time and place of the meeting of the shareholders and a copy of the resolution adopted thereat, if the vote or consent of the shareholders be required, and the total vote by which the amendment was approved or adopted, or, if the approval or adoption was by written consent, the number of shares or members consenting thereto and a copy of the form of written consent, and the total number of shares or members entitled to vote on or consent to the adoption of such amendment: provided, however, if the amendment be required to be adopted by the vote of different classes of shares, the certificate, in addition to the foregoing requirements, shall state the total number of outstanding shares of each class and the number of shares of each class consenting to or voting in favor of the resolution amending the articles.

The certificate shall be submitted to the Secretary of State, who shall file the same and put an indorsement of filing thereon if he finds that it shows a compliance with the provisions of the law. Thereupon the articles of incorporation shall be deemed amended in accordance with such certificate and a copy of such certificate, certified by the Secretary of State, shall be prima facie evidence of the performance of the conditions necessary to the adoption of such amendment.

A copy of said certificate certified by the Secretary of State shall be filed with the county clerk of the county in which the principal office of the corporation is located and of every county in which the corporation holds real property.

SEC. 63 Section 362c of the Civil Code is hereby amended to read as follows:

362c. Extension of existence. Every corporation formed under the laws of this State for a limited period may at any time prior to the expiration of the term of

its corporate existence extend such term by an amendment to its articles or certificate of incorporation removing any provision limiting the term of its existence and providing for perpetual existence Such amendment may be made if adopted either by the vote or written consent of shareholders or members holding at least a majority of the voting power or by resolution of the board of directors adopted by a two-thirds majority of the members of the board, and a certificate of amendment shall be made setting forth the vote or consent by which the amendment was adopted, in the manner and with the effect prescribed by section 362b of this code. This section shall apply to all corporations organized either before or since this code took effect and whether the corporations organized before have heretofore elected or shall hereafter elect to continue their existence under this code or not.

SEC. 64. *Section 363 of the Civil Code is hereby amended to read as follows:*

363. Unlawful dividends, purchases and distribution. Except as provided in this title, the directors of a corporation shall not authorize or ratify the purchase by it of its shares or declare or pay dividends or authorize or ratify the withdrawal or distribution of any part of its assets among its shareholders.

In case of any wilful or negligent violation of the provisions of this section, the directors under whose administration the same shall have happened, except those who may have caused their dissent therefrom to be entered on the minutes of the meeting at which such action was authorized, or who were not present at the time the board acted, shall be jointly and severally liable to the corporation or to its receiver, liquidator or trustee in bankruptcy for the benefit of the creditors of the corporation or any of them and of the shareholders and owners of shares at the time of such violation, for its debts and liabilities existing at the time of such violation, and for the full amount of any loss sustained by such holders and owners of shares other than shares upon which any such payment or distribution was made, in any such case not exceeding the amount of such unlawful dividends, purchase price, withdrawal or other distribution.

Any judgment creditor of the corporation, or two or more such creditors, if the debt or claim arose prior to the time of such violation, may sue the corporation and any or all of its directors in one action and recover judgment for the amount due such creditors or claimants from the corporation against any or all of such directors guilty of any such violation up to the amount of such unlawful dividends, purchase price, withdrawal or other distribution. An action against such directors for any such violation may be brought by the corporation or by its receiver, liquidator or trustee in bankruptcy for the benefit of all of such creditors, owners of shares and shareholders without the necessity of any prior judgment against the corporation, for the recovery of the amount of such dividends, purchase price, withdrawal or other distribution as far as needed to satisfy such debts and liabilities and the full amount of loss sustained by such shareholders

Any and all directors who satisfy a judgment or claim against the corporation or *other liability under this section shall have a right of reimbursement and contribu*tion against any and all shareholders who received any dividend, purchase price, withdrawal or distribution with knowledge of facts indicating that it was not authorized by this title, and such shareholders shall pay or contribute in proportion to the amounts received by them respectively, unless they have returned such amount to the corporation.

Except in case of participation in a fraud, any director who satisfies more than his share of a claim asserted under or pursuant hereto, shall be entitled to contribution from other directors who are liable, pro rata according to the number of such directors. Any number of directors may be sued in the same action.

A director shall not be held to have been negligent within the meaning of this section if he relied and acted in good faith upon a balance sheet or profit and loss statement of the corporation furnished or exhibited to him by the president or the officer of the corporation having charge of or supervision of its accounts, or certified to be correct and according to the books of the corporation by a public accountant or firm of public accountants selected with reasonable care.

SEC. 65. Section 364 of the Civil Code is hereby amended to read as follows:

364. *Improper dividends. Any shareholder or owner of shares who receives any* dividend not authorized by this title with knowledge of facts indicating the impropriety thereof shall be liable to the corporation or to its receiver, liquidator or trustee in bankruptcy for the amount so received by him with interest thereon at seven per cent per annum until paid in the event that the corporation is adjudged insolvent or bankrupt in any action or proceeding begun within one year after the receipt of such dividend. Any number of shareholders may be sued in the same action.

SEC. 66. Section 365 of the Civil Code is hereby amended to read as follows:

365. Unauthorized sale of shares. When a corporation, in violation of any provision of this title, purchases shares issued by it, any shareholder or owner of shares who sells such shares knowing that the corporation is the purchaser with knowledge of facts indicating the impropriety of such purpose shall be liable to the corporation or its receiver, liquidator or trustee in bankruptcy to the extent of the payments received therefor and for the unpaid balance of the subscription price due thereon, if any, in the event that the corporation is adjudged insolvent or bankrupt in any action or proceeding begun within one year after such purchase.

SEC. 67. Section 366 of the Civil Code is hereby amended to read as follows:

366. Loans to and guaranties of the obligations of officers, shareholders or others. No corporation or any of its subsidiary corporations shall make any loan of money or property to or guarantee the obligation of (a) any director or officer of any such corporations, directly or indirectly, (b) or any person upon the security of the shares of any such corporations, provided that any such loan or guaranty may be made by the vote or written consent of the holders of two-thirds of the shares of all classes regardless of limitations on voting rights, other than the shares held by the benefited director, officer or shareholder.

If any such loan or guaranty be made without such vote or written consent of the shareholders the directors, officer or officers of any such corporation who authorize it or assent thereto shall be jointly and severally liable to the corporation as guarantors for the repayment or return of the sum or value so loaned with interest thereon at the rate of six per cent per annum until paid, or for any liability upon such guaranty.

Any officer or director held liable under this section who satisfies any such liability shall be entitled to contribution from any other officer or director who participates in authorizing, making or allowing any such loan or guaranty, and shall be subrogated to any and all rights of the corporation against the borrower or principal obligor.

The provisions of this section shall not apply to banks, building and loan associations, industrial loan companies or credit unions or to loans permitted under any statute regulating any special class of corporations.

SEC. 68 Section 368 of the Civil Code is hereby amended to read as follows:

368 Penalty for failure to comply with various requirements. Every corporation which neglects, fails, or refuses: (a) to keep or cause to be kept or maintained the share register or the books of account required by this title to be kept or maintained; or (b) to prepare or cause to be prepared or submitted the financial statements required by this title to be prepared or submitted, shall be subject to a penalty of ten dollars for each day up to a maximum of one thousand dollars, beginning thirty days after receipt of written request that such duty be performed from one entitled to make the same, that such failure or refusal continues, to be paid to the shareholder or shareholders jointly making such request therefor and damaged thereby, if suit therefor be commenced within ninety days after making such written request; provided, however, that the maximum daily penalty hereunder because of failure to comply with any number of separate requests made on any one day or for the same act shall be one hundred dollars

If any officer of a corporation charged with the duty of entering a transfer of shares upon the books of the corporation and issuing a share certificate unreasonably neglects, fails or refuses to perform such duty after written request by any person entitled thereto, he shall be subject to a penalty of one hundred dollars and the further penalty of ten dollars for each day beginning five days after such request that such default shall continue, up to a maximum of five hundred dollars, to be paid to each such person aggrieved, which penalty shall be enforced by action and shall be in addition to all other remedies Every director or other officer unreasonably causing such neglect, failure or refusal to make such entries upon the books of the corporation or to issue a certificate for shares to a person entitled thereto shall be subject to a like penalty

Any penalty prescribed by this section shall be in addition to any remedy by injunction or action for damages or by writ of mandate for the nonperformance of acts and duties enjoined by law upon the corporation or its directors or officers

The court in which an action for any such penalty is brought may reduce, remit or suspend such penalty on such terms and conditions as it may deem reasonable when it is made to appear that the neglect, failure or refusal was inadvertent or excusable.

SEC 69 Section 369 of the Civil Code is hereby amended to read as follows:

369 Compensation of dissenting shareholders.

(1) In the event that the requisite number of shareholders of a corporation approve its merger or consolidation with another corporation, domestic or foreign, then any holder of voting or nonvoting shares who shall not have approved such merger or consolidation at the meeting at which the same was approved may make written demand upon the corporation of which he is a shareholder for the payment to him of the fair market value of his shares. Such value shall be determined as of the day before the vote of the shareholders approving such action, excluding any appreciation or depreciation in consequence of such proposed action.

(2) Such demand must be received by the corporation or any transfer agent thereof within thirty days after the date on which the notice of the approval by the shareholders was mailed to the shareholder. Such demand shall state the number and class of the shares held of record by such shareholder in respect of which he claims relief, and shall contain a request that the corporation state what it claims to be the fair market value of such shares as of the day before the vote of the shareholders approving the merger or consolidation.

(3) Within said period of thirty days the shareholder shall submit to the corporation at its principal office or at the office of any transfer agent thereof his certificates for shares in respect to which he claims such relief, to be stamped or indorsed with a statement that such shares are dissenting shares. Upon subsequent

transfers of such shares on the books of the corporation the new certificates issued therefor shall bear a like statement together with the name of the original dissenting holder of said shares.

(4) The terms "dissenting shares" and "dissenting shareholder" as used herein refer to shares and the holders thereof of record where the steps mentioned in the above paragraphs have been taken with reference to such shares and shall include transferees of record. Holders of dissenting shares shall continue to have all the rights and privileges incident to their shares save as expressly limited by this section, until such time as the fair market value of their shares be agreed upon or determined. A dissenting shareholder may not withdraw his dissent or demand for payment unless the corporation by its board of directors shall consent thereto.

(5) Within five days after receipt of a copy of such demand, the corporation shall deliver or mail to the holder of dissenting shares at his last known address, a written offer to pay for such shares at a price or prices deemed by the corporation to represent such fair market value if such shareholder be entitled to relief. If the corporation and the holder of dissenting shares agree upon the price of such shares, the dissenting shareholder shall be entitled to such price with interest thereon at the rate of seven per cent per annum from the date of the agreement. Any agreements fixing the fair market value of any dissenting shares as between the corporation and the holders thereof shall be filed with the secretary of the corporation.

(6) If any dissenting shareholder shall fail to agree with the corporation upon such fair market value, then such dissenting shareholder if he first shall have complied with the conditions provided in paragraphs (2) and (3) of this section, or any interested corporation, within six months after the date on which notice of the approval by the shareholders was mailed to the shareholder, but not thereafter, may file a complaint in the superior court of the county in which such corporation has its principal office praying the court to determine such fair market value of the dissenting shares, or may intervene in any pending action for the appraisal of any dissenting shares. If such complaint be not filed or intervention made within such period as to any dissenting shares the purchase price of which has not been agreed upon, then such shares shall lose their dissenting status and be deemed to be assenting shares.

(7) Two or more dissenting shareholders may join as plaintiffs or be joined as defendants in any such action and two or more such actions may be consolidated. Dissenting shareholders may intervene in any pending action for the appraisal of any dissenting shares.

(8) On the trial of the action, the court shall determine whether the dissenting shareholder is entitled to relief, and if the court shall so find, the court shall determine or shall appoint three impartial appraisers to determine, the fair market value of said shares.

(9) The appraisers forthwith shall proceed to determine said fair market value per share, and said appraisers, or a majority of them, shall make a report within the time fixed by the court, and shall file such report in the office of the clerk of the court, whereupon, on the motion of any party, said report shall be submitted to the court and considered on such evidence as the court may consider relevant, and if said award be found to be reasonable and be confirmed by the court, judgment shall be rendered against the corporation for payment of an amount equal to the fair market value of each share multiplied by the number of dissenting shares in respect of which the court shall have found any dissenting shareholder who is a party, or who has intervened, is entitled to relief, with interest thereon at seven per cent per annum from date on which judgment was rendered.

(10) If such appraisers be not appointed, or a majority of them fail to make and file a report within ten days, or within such further time as may be allowed by the court, or the award be not confirmed by the court, the court shall determine the fair market value of said dissenting shares and render judgment therefor as aforesaid.

(11) Any such judgment shall be payable only upon the endorsement and delivery to the corporation of the certificates for the shares described in the judgment. Any party shall have the right of appeal from such judgment.

(12) The costs of the action, including reasonable compensation to the appraisers to be fixed by the court, shall be assessed or apportioned as the court may consider equitable, but if the appraisal exceed the price offered by the corporation, the corporation shall pay such costs.

(13) Payment of the fair market value of dissenting shares shall be made within thirty days after the amount thereof has been agreed upon upon surrender of the certificates therefor unless provided otherwise by agreement.

(14) Cash dividends paid by the corporation upon the dissenting shares after the day on which the vote was taken and prior to payment for such shares by the corporation shall be credited upon the total amount to be paid by the corporation therefor. Any share dividends declared after the shares become dissenting shares shall be treated as part of the dissenting shares.

(15) The right of a dissenting shareholder to relief hereunder shall cease if and when the corporation shall abandon the merger or consolidation entitling the

dissenting shareholder to relief. Upon abandonment of the merger or consolidation any dissenting shareholders who have initiated proceedings in good faith under this section shall be entitled to recover from the corporation all necessary expenses incurred in such proceedings and reasonable attorneys fees.

(16) This section shall not apply to classes of shares whose terms and provisions specifically set forth the amount to be paid in respect to said shares in the event of consolidation or merger.

(17) The rights and remedies of any shareholder at law or in equity to object to or litigate as to any such merger or consolidation shall be and are hereby limited to the right to receive the fair market value of his shares in the manner and upon the terms and conditions provided in this section, except actions to test whether the number of legal votes of shareholders required by statute to authorize or approve the proposed action of the corporation has been given.

(18) If litigation be instituted to test the sufficiency or regularity of the votes of the shareholders in authorizing such merger or consolidation, the proceedings for compensation of any dissenting shareholders shall be suspended until final determination of such litigation

SEC. 70. Section 370a of the Civil Code is hereby amended to read as follows:

370a. Proof of existence of foreign corporations. In any action or proceeding, civil or criminal, in any court of this State, a copy of the articles or certificate of incorporation or other incorporation papers of a foreign corporation purporting to be duly certified by the Secretary of State or other competent official of the State, government, territory or country under the laws of which such corporation purports to be incorporated or the original of any such instrument, or copies of such certified copies duly certified, shall be admitted in evidence by all courts and shall be prima facie evidence of the incorporation, existence and powers of such corporation.

Certified copies of such instruments filed in the county clerk's office in the county where such foreign corporation held or holds real property shall be conclusive evidence of the incorporation and powers of such corporation in favor of any bona fide purchaser or encumbrancer of such property for value, whether the corporation be doing business in this State or not.

SEC. 71. Section 373 of the Civil Code is hereby amended to read as follows:

373. Designation of person upon whom process may be served. Every domestic corporation may file with the Secretary of State a designation of a natural person, stating his residence or business address in this State, as its agent for the purpose of service of process, and the delivery to such agent of a copy of any process against such corporation shall constitute valid service on such corporation. Such corporation shall file with the Secretary of State notice of any change in the address of the person thus designated, and may revoke any such designation by filing notice of the revocation thereof with the Secretary of State.

If such designation has not been filed with the Secretary of State, and if personal service of process against such domestic corporation can not be made with the exercise of due diligence in any other manner provided by law and the fact appears by affidavit to the satisfaction of the court or a judge thereof, such court or judge may make an order that the service be made upon such corporation by delivering to the Secretary of State, or to any person employed in his office in the capacity of assistant or deputy, one copy of such process for each defendant to be served. Service in such manner shall be and constitute personal service upon such corporation. Upon the receipt of such copy of process, the Secretary of State shall give notice of the service of such process to the corporation at its principal office in this State, by forwarding to such office, by registered mail with request for return receipt, such copy of such process. The defendant shall appear and answer within thirty days after delivery of such process to the Secretary of State

The Secretary of State shall keep a record of all process served upon him under this title, and shall record therein the time of such service and his action with reference thereto.

This section shall not apply to banks, trust companies, insurance companies or any corporation subject to the jurisdiction of the Railroad Commission.

SEC. 72. Section 399 of the Civil Code is hereby amended to read as follows:

399. Continuation of corporation after dissolution. A corporation which is dissolved by the expiration of its term of existence, by forfeiture of existence by order of court, or otherwise, nevertheless shall continue to exist for the purpose of winding up its affairs, prosecuting and defending actions by or against it, and enabling it to collect and discharge obligations, dispose of and convey its property, and collect and divide its assets, but not for the purpose of continuing business except in so far as necessary for the winding up thereof. No action or proceeding to which a corporation is a party shall abate by the dissolution of such corporation or by reason of proceedings for dissolution and winding up thereof.

Any assets inadvertently or otherwise omitted from the winding up shall continue in the dissolved corporation for the benefit of the persons entitled thereto upon dissolution of the corporation, and on realization shall be distributed accordingly.

SEC. 73. Section 399a of the Civil Code is hereby amended to read as follows:

399a. Corporations dissolved prior to August 14, 1929. Nothing in this title shall be taken to have terminated the authority, powers, or liability of directors or other persons as trustees for the creditors, stockholders or members for the purpose of winding up the affairs of any corporation whose term of existence expired prior to August 14, 1929, and was not extended, or which was dissolved prior to August 14, 1929. Such trustees shall have all the powers and duties conferred by this title upon directors in case of winding up or dissolution.

Any deed or conveyance heretofore executed in the name of a corporation dissolved prior to August 14, 1929, by the president or a vice president and the secretary or an assistant secretary or by a majority of the directors or trustees after dissolution of such corporation and duly recorded for a period of three years in the proper book of records of the county or counties in which the land so conveyed is situated shall have the same force and effect as though executed and delivered prior to such dissolution.

SEC. 74. Section 400 of the Civil Code is hereby amended to read as follows:

400. Voluntary winding up and dissolution. Any corporation may elect to wind up its affairs and voluntarily dissolve by the vote or written consent of the holders of shares representing a majority of the voting power or of a majority of the members entitled to vote stating such election to wind up and dissolve.

The board of directors of any corporation which has not begun the business for which the corporation was created and which has issued no shares, or of any corporation which has been adjudged to be bankrupt, may elect by resolution to wind up and dissolve the corporation.

If the term of existence for which any corporation was organized expire without renewal or extension thereof or if the corporation be otherwise dissolved, it shall be the duty of the directors to terminate its business and wind up its affairs.

Whenever the winding up and dissolution of a corporation is authorized by the vote or consent of shareholders or members or by resolution of the directors a certificate stating that the corporation has elected to wind up and dissolve and showing by what vote or consent such election was made, signed and acknowledged by the president or a vice president and the secretary or an assistant secretary or by a majority of the directors, or by at least three shareholders or members authorized by the shareholders or members to sign such certificate, shall be filed in the office of the Secretary of State and a copy thereof certified by the Secretary of State shall be filed in the office of the county clerk of the county in which the principal office of the corporation is located.

SEC. 75. Section 400a of the Civil Code is hereby amended to read as follows:

400a. Commencement, revocation and effect of winding up proceedings. Proceedings for winding up the corporation shall be deemed to commence:

(1) If the proceeding be voluntary, upon the adoption of the resolution of shareholders, members or directors of the corporation electing to wind up and dissolve, or upon the filing with the corporation of the written consent of shareholders or members thereto. If such proceedings be instituted because of the expiration of the term of corporate existence or other dissolution of the corporation, then at the date of termination of its corporate existence.

(2) If the proceeding be involuntary, when the order for winding up is entered.

When a proceeding for winding up has commenced under subdivision (1) above, the corporation shall cease to carry on business except to such extent as may be necessary for the beneficial winding up thereof and the directors forthwith shall cause written notice of the commencement of the proceeding for such winding up to be given by mail to all shareholders and to all known creditors and claimants whose addresses appear on the records of the corporation. When a proceeding for winding up has commenced under subdivision (2) above, the corporation shall cease to carry on business except as aforesaid and the directors shall give written notice as aforesaid unless the order for winding up has been stayed by appeal therefrom or otherwise, or unless the proceeding or the execution of the order has been enjoined.

When the winding up and dissolution of a corporation has been authorized by vote or consent of the shareholders or members or directors, such action may be revoked by similar vote or consent at any time prior to distribution of the assets and a certificate of such revocation shall be executed and filed in the same manner as the certificate of such election.

SEC. 76. Section 401 of the Civil Code is hereby amended to read as follows:

401. Directors: powers and duties. The board of directors, in event of either voluntary or involuntary winding up or dissolution of a corporation, shall continue to act as a board and shall have full powers to wind up and settle its affairs. Unless theretofore organized by the election of the officers specified in this section they shall organize by the election of a president, vice president and secretary and such assistants and other officers as they may deem proper. Any act authorized or approved by a majority of the directors acting as a board shall be valid and binding as though authorized and consented to by all of the directors.

The directors shall have, without prejudice to the generality of their authority, the power and duty in the name and on behalf of the corporation:

(1) To sue, in the name of the corporation, for all sums due or owing to the corporation or to recover any of its property;

(2) To carry out contracts and collect, pay, compromise and settle debts and claims for or against the corporation; and to defend suits brought against the corporation;

(3) To sell at public or private sale, exchange, convey, or otherwise dispose of, all or any part of the assets of the corporation, upon such terms and conditions and for such considerations as such board may deem reasonable or expedient, and to execute bills of sale and deeds of conveyance in the name of the corporation. If such sale or exchange of all or substantially all of the assets of a corporation for profit in the process of winding up be made for a consideration consisting in whole or in part of shares, obligations or securities of another corporation, domestic or foreign, or any consideration other than money, it shall be approved or ratified by the vote or written consent of holders of shares entitled to exercise a majority of the voting power of the corporation, either before or after the action of the directors;

(4) To collect any amounts remaining unpaid on subscriptions to shares or any overpayments or unlawful distributions;

(5) To continue the conduct of the business in so far as necessary for the disposal or winding up thereof;

(6) To elect officers and to employ agents and attorneys to liquidate or wind up its affairs;

(7) In general to make contracts and to do any and all things in the name of the corporation which may be proper or convenient for the purposes of winding up, settling and liquidating the affairs of the corporation.

SEC. 77. Section 401a of the Civil Code is hereby amended to read as follows:

401a. Distribution to shareholders After determining that all the known debts and liabilities of a corporation in the process of winding up have been paid or adequately provided for, the directors shall distribute all the remaining corporate assets among the shareholders and owners of shares according to their respective rights and preferences. If the winding up be by court proceeding or subject to court supervision, such distribution shall not be made until after the expiration of any period for the presentation of claims which may have been prescribed by order of court Distribution may be made either in money or in property or securities, if this can be done fairly and ratably and in conformity with the provisions of the articles and the rights of the shareholders, and shall be made as soon as reasonably consistent with the beneficial liquidation of such assets. At the discretion of the directors distribution under this section may be made in installments from time to time or as a whole

The payment of a debt or liability shall be deemed to have been adequately provided for if the payment thereof has been assumed or guaranteed in good faith by one or more financially responsible corporations or other persons, and such provision was determined in good faith and with reasonable care by the board of directors to be adequate at the time of any distribution of the assets by the directors hereunder.

A distribution of shares, obligations or securities of any other corporation, domestic or foreign, or any assets other than money, among shareholders in accordance with the terms and conditions and on the basis set forth in a plan of distribution authorized and approved by the directors and shareholders as provided in section 401c of this title shall be deemed to be a fair and ratable distribution and a distribution in accordance with the respective rights and preferences of the shareholders and in conformity with the provisions of the articles.

SEC. 78 Section 401c of the Civil Code is hereby amended to read as follows:

401c. Distribution of securities or assets in kind. A plan of distribution among the shareholders and owners of shares, common and preferred, of a corporation in process of winding up, of the shares, obligations or securities of any other corporation, domestic or foreign, or assets other than money, may be adopted if such distribution be approved by a resolution of the directors and by the vote or written consent of holders of two-thirds of the shares of each class regardless of any limitation or restriction upon their voting power. Such distribution may be provided to be in complete or partial satisfaction of the rights of any of such shareholders upon distribution and liquidation of assets.

Such plan so approved shall be binding upon all the shareholders except as hereinafter provided. Notice of the adoption of such plan shall be given by mail within twenty days after its adoption to all holders of shares having a liquidation preference

Shareholders having a liquidation preference who dissent from such plan of distribution shall be entitled to be paid the amount of such liquidation preference in cash if they file written demand for such payment with the corporation within thirty days after the date of mailing of the notice of the adoption of such plan of distribution, unless such plan of distribution be abandoned as hereinafter provided. Such demand shall state the number and class of the shares held of record by such shareholder in respect of which he claims payment.

In case any such dissent and demand for cash payment be filed, the directors of the corporation in their discretion may abandon such plan of distribution without further action or approval by the shareholders of the corporation and all shareholders

shall then be entitled to distribution according to their rights and liquidation preferences in the process of winding up.

SEC. 79. Section 402 of the Civil Code is hereby amended to read as follows:

402. *Liability of shareholders for improper distributions.* Whenever in the process of winding up a corporation any distribution of assets has been made, otherwise than under an order of court, without prior payment or adequate provision for payment of any of the debts and liabilities of the corporation, any amount so improperly distributed to any shareholder or owner of shares may be recovered by the corporation or by its receiver, liquidator or trustee in bankruptcy. Any of such shareholders or owners may be joined as defendants in the same action or brought in on the motion of any other defendant

Shareholders or owners of shares who satisfy any liability under this section shall have the right of ratable contribution from other distributees. Any shareholder or owner of shares who has been compelled to return to the corporation more than his ratable share of the amount needed to pay the debts and liabilities of the corporation may require that the corporation recover from any or all of the other distributees such proportion of the amounts received by them upon such improper distribution as to give contribution to those held liable under this section and make the distribution of the assets fair and ratable, according to the respective rights and preferences of the shares, after the payment or adequate provision for payment of all the debts and liabilities of the corporation

SEC. 80. Section 402a of the Civil Code is hereby amended to read as follows:

402a. Service of summons or process. Summons or process against a dissolved corporation may be served by delivering a copy thereof to an officer, director, or person having charge of its assets, or if no such person can be found, to any person who is or at the time of dissolution was, an agent for service of process. If no such person can be found summons or process may be served upon the dissolved corporation by delivering a copy thereof to the Secretary of State or an assistant or Deputy Secretary of State

*Upon receipt of such process and a fee of five dollars, the Secretary of State forth*with shall give notice by mail of the service of such process to the corporation at its last known address. The defendant shall appear and answer within thirty days after the Secretary of State gives notice as aforesaid.

SEC. 81 Section 403 of the Civil Code is hereby amended to read as follows:

403. Supervision of court over winding up. If a corporation is in the process of voluntary winding up, the superior court in and for the county where the principal office of the corporation is located, upon the petition of the corporation or the holders of five per cent or more of the number of its outstanding shares or of three or more creditors, upon such notice to the corporation and to other persons interested in the corporation as shareholders or creditors as the court may order, shall have power to order and adjudge as to any or all matters in and for the winding up of the affairs of the corporation including:

(1) *The presentation and proof of all claims and demands against the corporation,* whether due or not yet due, or contingent, or unliquidated or sounding only in damages, and the barring from participation of creditors and claimants failing to make and present claims and proofs as required by any order.

All creditors and claimants may be barred from participation in any distribution of the general assets if they fail to make and present claims and proofs within such time as the court may direct, which shall not be less than four nor more than six months after the first publication of notice to creditors unless it appear by affidavit that there are no claims, in which case the time limited may be three months. If it be made to appear that the claimant had not received notice by reason of being out of the State or for other cause shown, the court may allow a claim to be filed or presented at any time before distribution is completed.

Such notice to creditors must be published not less than once a week for three consecutive weeks in some newspaper published in the county of the principal office, if there be one, and if not in such newspaper as may be designated by the court, directing creditors and claimants to make and present claims and proofs to the person, at the place and within the time limited by the order. A copy of such notice shall be mailed to each creditor or claimant shown as such by the books of the corporation at his last known address.

Holders of secured claims may prove for the whole debt in order to realize any deficiency. If such creditors fail to present their claims they shall be barred only as to any right to claim against the general assets for any deficiency in the amount realized on their security.

Before any distribution is made the amount of any unmatured, contingent or disputed claim against the corporation which has been presented and has not been disallowed, or such part of the same as the holder would be entitled to if the claim were due, established or absolute, must be paid into court and there remain to be paid over to the party when he becomes entitled thereto, or if he fail to establish his claim, to be paid over or distributed with the other assets of the corporation to those entitled thereto, or such other provision for the payment of such claim shall be made as the court may deem adequate. If a creditor whose claim has been allowed but is not yet due consent to the payment of the present value of such claim he shall be entitled to such present value upon distribution being made.

Suits against the corporation on claims which have been rejected shall be commenced within thirty days after written notice of rejection thereof is given to the claimant.

(2) The settlement or determination of all claims of every nature against such corporation or any of its property, or the amount of money or assets required to be retained to pay or provide for the payment of such claims, or any claim, or the amount of money or assets available for distribution among shareholders from time to time The court may order the bringing in of new parties as far as may be deemed proper for the determination of all questions and matters.

(3) The determination of the rights of shareholders and of all classes of shareholders in and to the assets of the corporation.

(4) The presentation and the filing of intermediate and final accounts of the directors and hearings thereon, and the allowance, disallowance or settlement thereof, and the discharge of the directors from their duties and liabilities.

(5) The appointment of a referee to hear and determine any or all matters with such power or authority as the court or such judge may deem proper.

(6) The filling of any vacancies in the number of directors which the directors or shareholders are unable to fill.

(7) The removal of any director if it be made to appear that he has been guilty of dishonesty, misconduct, neglect or abuse of trust in conducting the winding up, or if he be unable to act. The court may order an election to fill the vacancy so caused, and may enjoin, for such time as it may consider proper, the reelection of the directors so removed; or the court, in lieu of ordering an election may appoint a director to fill the vacancy caused by such removal Any director so appointed by the court shall serve until the next annual meeting of shareholders or until his successor is elected or appointed.

(8) The notice to be given of any hearing or any order Except in the case of notices for which special provision is made in this title any notice may be given by mail if so ordered.

(9) Staying the prosecution of any suit, proceeding or action against such corporation and requiring the parties to present and prove their claims in the manner required of creditors

(10) Determining whether adequate provision has been made for payment or satisfaction of all debts and liabilities not actually paid.

(11) The revocation of the election to wind up and dissolve by the shareholders, and the making of orders for the withdrawal and termination of proceedings to wind up and dissolve, subject to conditions for the protection of shareholders and creditors.

(12) The making of an order, upon the allowance or settlement of the final accounts of the directors, that the corporation has been duly wound up and is dissolved. Upon the making of such order, the corporate existence shall cease except for purposes of further winding up if needed

(13) Any and all other matters concerning the winding up of the affairs of the corporation.

SEC. 82. Section 403a of the Civil Code is hereby amended to read as follows:

403a. Vacancies in office of director A vacancy occurring in the office of director by death, resignation, failure or inability to act, or otherwise, during voluntary or involuntary dissolution or winding up of a corporation, may be filled by the vote or written consent of the holders of shares representing a majority of the voting power Until such action by shareholders a majority of the remaining directors, though less than a quorum, may fill such vacancy, but at any time thereafter the person so appointed may be removed and his successor elected by the vote of the holders of shares representing a majority of the voting power.

SEC 83 Section 403b of the Civil Code is hereby amended to read as follows:

403b. Determination, removal and appointment of directors and trustees Upon the dissolution of any corporation by forfeiture of charter, expiration of term of existence, order of court or otherwise, or after the commencement of dissolution or winding-up proceedings, whether heretofore or hereafter occurring, if the identity of the directors, or their right to hold office be in doubt, or if they be dead or be unable or fail or refuse to act or their whereabouts can not be ascertained, any director, trustee, creditor, shareholder or member, or their assigns or successors in interest, whether or not of record, may petition the superior court in and for the county in which the principal office of such corporation was located at the time of dissolution or the commencement of the dissolution or winding-up proceedings, setting forth the facts of dissolution or of commencement of dissolution or winding-up proceedings and the names and addresses of the persons who were directors of such corporation as far as known to the petitioner, or the fact that they are dead, unknown or unable to act in the winding up of the affairs of the corporation, with a request that the court determine the identity of or appoint directors or trustees to act in the winding up of the affairs of the corporation.

Upon the filing of such petition the court shall fix a time for hearing and shall prescribe by order the giving of such notice as may be reasonable by personal service or by publication for three consecutive weeks in some newspaper published in the county, and mailing a copy of such notice to the corporation and the known

directors and officers and persons named in such petition as directors of the corporation at the time of its dissolution, or to the persons having charge of its assets.

Any person claiming to be a director or trustee or receiver for such corporation, or named in such petition as a respondent, may answer such petition and may be heard thereon by the court.

The court shall have power to determine the identity of the directors or trustees, if the same be in doubt, to appoint successors for such directors or trustees as are dead, to remove from office any directors or trustees who are unable or refuse to act or whose whereabouts is unknown or whose identity is not established and to appoint fit and proper persons as directors or trustees in the place of those who are removed. The person so appointed shall be selected by the court if possible from among persons nominated by those interested in the corporation as shareholders or creditors

The provisions of this section shall not impair or affect any remedy or proceedings otherwise provided by law for winding up the affairs of a corporation.

SEC. 84. Section 403c of the Civil Code is hereby amended to read as follows:

403c. Order or certificate of winding up and dissolution. (1) When a corporation has been completely wound up without court proceedings therefor, all of its known debts and liabilities actually paid or adequately provided for or paid as far as its assets permit, and its known property distributed, a majority of the directors or trustees shall sign and acknowledge a certificate stating that the corporation has been completely wound up, its known assets distributed, any tax or penalty due under the Bank and Corporation Franchise Tax Act paid, and its other known debts and liabilities actually paid or adequately provided for or paid as far as its assets permit, and that the corporation is dissolved. Such certificate shall be filed in the office of the Secretary of State and a copy, certified by him, shall be filed in the office of the county clerk of the county in which the principal office of the corporation is located. Thereupon corporate existence shall cease except for the purpose of further winding up if needed

(2) In lieu of filing the certificate provided for in subdivision 1 of this section the directors or trustees if the winding up has been accomplished without court proceedings, may petition the superior court of the county in which the principal office of the corporation is located for an order declaring the corporation duly wound up and dissolved. Such petition shall be filed in the name of the corporation. Upon the filing of such petition the court shall make an order requiring all persons interested to show cause why an order should not be made declaring the corporation duly wound up and dissolved and shall direct that the order be served by publication of a copy thereof in a newspaper of general circulation in the county where the principal office of the corporation is located, if there be one, or if not, in such newspaper as may be designated by the court, once a week for a period of three consecutive weeks. Any persons claiming to be interested either as shareholders, creditors or otherwise shall have the right to appear in said proceeding and to contest said petition. Upon the hearing of said petition the court may make an order declaring the corporation duly wound up, its known assets distributed, any tax or penalty due under the Bank and Corporation Franchise Tax Act paid, and its other known debts and liabilities actually paid or adequately provided for or paid as far as its assets permit, the accounts of its directors settled and the directors or trustees discharged from their duties and liabilities to creditors or shareholders, and declaring the corporation dissolved, or it may make such other order and grant such other relief as it may deem proper upon the evidence submitted. If an order be made that the corporation has been duly wound up and dissolved a copy of such order, certified by the clerk of the court, shall be filed in the office of the Secretary of State. Upon the making of such order, corporate existence shall cease except for the purposes of further winding up if needed and the directors or trustees shall be discharged from their duties and liabilities

SEC. 85. Section 403d of the Civil Code is hereby amended to read as follows:

403d. Unclaimed and disputed shares and debts. Deposit of distributive shares of unknown claimants or shareholders. If the holders of shares be unknown or fail or refuse to accept their distributive shares in cash or property or if their whereabouts can not be ascertained after diligent inquiry, or if the ownership of any shares be in dispute, the corporation shall deposit the distributive shares of such claimants or shareholders with a savings bank or trust company in the county in which the principal office of the corporation is located, at interest if possible, for the benefit of those who lawfully are entitled thereto. Such distributive shares shall be paid over by such bank or trust company to the lawful owners of the said shares, their representatives or assigns, upon satisfactory proof of the title being made.

In case of winding up under court supervision, whether voluntary or involuntary, such distributive shares shall be deposited with the State or county treasurer, for the benefit of those who lawfully are entitled thereto. Such distributive shares shall be paid over by said State or county treasurer to the lawful owners of said shares, their representatives or assigns, upon satisfactory proof of title being made.

If no claimants have made satisfactory proof of title within three years from the time of such deposit the property so unclaimed shall be distributed pro rata among

those others who were shareholders at the time of distribution and their successors. Such unclaimed property may be distributed at any time among the known and existing shareholders upon a suitable bond or security being given to the bank or trust company or to the State or county treasurer with which such deposit was made, for the payment of any claimants who appear and establish their claims against the corporation within three years from the time of such deposit.

If a corporation be in process of being wound up or dissolved and there be any unclaimed deposit or dividend or any debt owed by it to any person whose whereabouts is unknown to the directors or trustees or other persons conducting the winding up, they shall deposit the amount due such person with the State or county treasurer or with some bank or trust company in this State accompanied with a statement of the name of the person entitled to such deposit or entitled to such dividend or debt, the time when the deposit was made, the dividend declared, or the debt created, and any information possessed as to the residence of the person entitled to the deposit or dividend or debt.

The amount of all unclaimed deposits, dividends or debts, so deposited with the State or county treasurer or deposited with a bank or trust company shall be deposited at interest if possible for the benefit of those who appear and establish their claim thereto within three years from the time of such deposit after which time any such deposits shall be dealt with in the same manner as deposits of distributive shares of unknown claimants or shareholders as provided in this section.

SEC. 86. Section 404 of the Civil Code is hereby amended to read as follows:

404. Involuntary winding up and dissolution and appointment of provisional director. A complaint for involuntary winding up or dissolution of a corporation other than one subject to the Bank Act, the Public Utility Act or the Building and Loan Act may be filed in the superior court of the county where the principal office is located either by a majority of the directors or by a shareholder or shareholders who have been record holders for a period of not less than three months of not less than twenty-five per cent of the number of outstanding shares or under subdivision (3) of this section by any shareholder.

The court, upon filing of a complaint duly verified, may entertain proceedings for the involuntary winding up or dissolution of a corporation, when it is made to appear

(1) That the corporation has abandoned its business for more than one year; or

(2) That a corporation has an even number of directors who are equally divided and can not agree as to the management of its affairs so that its business can not longer be conducted to advantage and there is danger that its property and business will be impaired and lost, and the holders of the voting shares of the corporation are so divided into factions that they can not agree upon or elect a board of directors consisting of an uneven number; or

(3) That the period for which the corporation was formed has terminated without extension of such period.

In case of a deadlock in the board of directors as set forth in paragraph (2) of this section, the superior court of the county where the principal office of the corporation is located may, in an action for an involuntary winding up or dissolution of the corporation or in an independent action filed by the holders of not less than fifteen per cent of the outstanding shares, appoint an impartial person, who is neither a shareholder nor a creditor of the corporation, to act as a provisional director with all the rights and powers of a director, entitled to notice of the meetings of the board of directors and to vote at such meetings, until such time as the deadlock in the board of directors is broken or until he be removed by order of the court or by vote or written consent of the holders of a majority of the voting shares. Such provisional director shall be entitled to receive such compensation as may be agreed upon between him and the corporation, and in the absence of such agreement he shall be entitled to such compensation as shall be fixed by the court. The court may grant relief by way of the appointment of a provisional director notwithstanding any provisions of the articles or by-laws of the corporation and whether or not an action is pending for the involuntary winding up or dissolution of the corporation.

The relief by way of involuntary winding up or dissolution shall not be granted by the court, except under paragraph (3), unless no other method of relief or redress for the protection of the interests of the shareholders of the corporation is adequate under the circumstances.

SEC. 87. Section 404a of the Civil Code is hereby amended to read as follows:

404a Procedure and jurisdiction. Upon the filing of a verified complaint for involuntary winding up or dissolution of a corporation a summons shall be issued and served on the corporation as in other civil actions.

At any time prior to the trial of the action any shareholder or creditor may intervene therein.

The superior court of the county of the principal office shall have jurisdiction of said action, and may make such orders for winding up and dissolution of the corporation as justice and equity require, including those providing for the presentation of claims of creditors and the barring from participation of creditors and claimants failing to make claims and present proofs as required, as in case of proceedings for voluntary winding up and dissolution.

Unless other persons be appointed by the court on good cause shown to conduct the winding up, the board of directors shall conduct the winding up of the affairs of the corporation, subject to the supervision of the court and the power to make orders as in case of voluntary winding up. The directors or such other persons shall have the same powers and authority in general as the directors in case of voluntary winding up and dissolution and subject to any restrictions imposed by the court, may exercise all their powers through the executive officers without any order of court.

SEC 88 Section 404b of the Civil Code is hereby amended to read as follows:

404b. Action by State to dissolve and forfeit corporate existence.

(1) The Attorney General may bring an action against any corporation or purported corporation, in the name of the people of this State upon his own information, or upon complaint of a private party, to procure a judgment dissolving the corporation and annulling, vacating or forfeiting its corporate existence upon the ground that.

(a) The corporation has seriously offended against any provision of the statutes regulating corporations, or fraudulently has abused or usurped corporate privileges or powers, or

(b) If the corporation has violated any provision of law by any act or default which under the law is a ground of forfeiture of corporate existence.

(2) If the cause of action be a matter or act which the corporation has done or omitted to do that can be corrected by amendment of its articles or by other corporate action, such suit shall not be maintained unless and until the Attorney General, at least thirty days prior to the institution of such suit, give the corporation written notice of the matter or act done or omitted to be done, and the corporation fails, neglects or refuses to institute proceedings to correct the same within said thirty-day period or thereafter fails to prosecute such proceedings.

(3) In any such action, the court may order dissolution or such other or partial relief as to it seems just and expedient, and the court also may appoint a receiver or receivers for winding up its affairs or may order that such corporation be wound up by its board of directors subject to the supervision of the court and to its power to make orders as in case of voluntary dissolution and winding up.

SEC. 89. Section 405 of the Civil Code is hereby amended to read as follows

405 Articles and statement to be filed. In this chapter the term "foreign corporation" means a corporation not incorporated under the laws of this State. The term "articles" includes the articles or certificate of incorporation or other document filed for the purpose of creating the corporation with the Secretary of State or other official of the State, Territory, or government, under the laws of which such corporation is created, and any amendments thereof, any certificates supplemental thereto, or any special charter, statute, or governmental act creating it, and any charter, statute or governmental act amendatory thereof or supplemental thereto. The term "transact intrastate business" as used in this chapter means entering into repeated and successive transactions of its business in this State, other than interstate or foreign commerce.

No foreign corporation shall transact intrastate business in this State until it has filed with the Secretary of State a copy of its articles duly certified by the Secretary of State or other official of the government under the laws of which it was created, together with a verified translation into English if the original be written in a foreign language, nor until it has also filed with the Secretary of State a statement setting forth:

(1) The location and address of its principal office;

(2) The location and address of its principal office within this State;

(3) The name of some person residing within the State upon whom process directed to such corporation may be served, and his complete business or residence address, which must be in the county in which the principal office of the corporation in this State is to be located;

(4) Its irrevocable consent to such service, and to service of process on the Secretary of State, if the agent so designated or his successor be no longer authorized to act or can not be found at the address given.

A copy of such articles, and any translation thereof, duly certified by the Secretary of State of this State, must be filed with the county clerk of the county in this State in which the principal office of the corporation is located, and with the county clerk of any other county in this State in which the corporation owns real property.

SEC. 90. Section 406 of the Civil Code is hereby amended to read as follows:

406. Designation, change and resignation of agent. No foreign corporation which has filed with the Secretary of State a designation of an agent for the service of process, pursuant to the requirements of any law in force at the time of such filing, need file with the Secretary of State the statement provided for in section 405, except for the purpose of designating a new agent. A statement of the new business or residence address of its agent or of the new location of its principal office may be executed by any foreign corporation or by the agent of such foreign corporation and filed with the Secretary of State, whereupon the Secretary of State shall indorse

such new address or location upon the designation on file in his office, together with the date of filing of such statement.

Any foreign corporation may designate a new agent for the service of process by filing with the Secretary of State a statement setting forth its revocation of the designation of the person last named as such agent and containing the name of the new agent and all other matters required by section 405, and any foreign corporation, upon withdrawing from this State and surrendering its right to transact intrastate business therein, may revoke any designation of such agent without naming a new agent by filing with the Secretary of State a statement of such revocation.

Any person who has been designated by a foreign corporation as such agent may file with the Secretary of State a signed statement that he is unwilling to continue to act as the agent of such corporation for the service of process, the execution of which statement must be duly acknowledged. Upon the filing of such statement with the Secretary of State the capacity of such person as such agent shall terminate and the Secretary of State forthwith shall give written notice, by mail, to such corporation of the filing of such statement and the effect thereof, which notice shall be addressed to such corporation at its home office.

SEC. 91. Section 406a of the Civil Code is hereby amended to read as follows:

406a. Service of process. Process directed to any foreign corporation may be served upon such corporation by delivering a copy to the person designated as its agent for service of process or authorized to receive service of process, or to the president or other head of the corporation, a vice president, a secretary, an assistant secretary, the general manager in this State, or the cashier or assistant cashier of a bank. In the event that no agent so designated can be found with due diligence at the address given, or if the agent so designated be no longer authorized to act, or if no person has been designated and if no one of the foregoing officers or agents of the corporation can be found after diligent search, then service shall be made by delivery to the Secretary of State or to an assistant or deputy Secretary of State. A copy of such designation, certified by the Secretary of State, is sufficient evidence of the appointment of such agent for the service of process.

If the corporation to be served has not filed with the Secretary of State the statement required by section 405, there shall also be delivered to the Secretary of State by the person desiring to make such service a statement of the address of such corporation to which notice, and a copy of such process, shall be sent. Upon receipt of such process and fee the Secretary of State forthwith shall give notice to the corporation by telegraph, charges prepaid, both to its principal or home office and to its principal office in the State, of the service of such process, and shall forward to each of such offices by registered mail, a copy of such process. If he have no record of such corporation or such offices, then such notice shall be telegraphed and such copy shall be mailed to the corporation at the address given in the statement delivered to the Secretary of State at the time of such service. The corporation shall appear and answer within thirty days after delivery of such process to the Secretary of State. The certificate of the Secretary of State, under his official seal, of such service shall be competent and sufficient proof thereof. The Secretary of State shall keep a record of all process served upon him and shall record therein the time of such service and his action in respect thereto.

A foreign corporation which has transacted intrastate business in this State and has thereafter withdrawn from business in this State may be served with process in the manner provided in this section in any action brought in this State arising out of such business, whether or not it has ever complied with the requirements of section 405, Civil Code.

SEC. 92. Section 408 of the Civil Code is hereby amended to read as follows:

408. Penalties on corporations. Any foreign corporation required to comply with the provisions of this chapter which transacts intrastate business in this State without complying therewith shall be guilty of a misdemeanor, and shall be subject to a fine of not less than five hundred dollars, nor to exceed one thousand dollars, to be recovered in any court of competent jurisdiction. Prosecution under this section may be brought by the Attorney General or by any district attorney. If brought by the latter, one-half of the fine collected shall be paid to the treasurer of the county in which the conviction was had, and one-half to the State Treasurer. If brought by the Attorney General the entire amount of fine collected shall be paid to the State Treasurer to the credit of the general fund of the State.

In addition to the penalty herein provided no such foreign corporation shall maintain any action or proceeding upon any intrastate business so transacted in any court of this State, commenced prior to compliance with this chapter until it shall have complied with the provisions thereof, and shall have paid to the Secretary of State a penalty of two hundred fifty dollars in addition to the fees due for filing the copy and statement required by section 405, and shall have filed with the clerk of the court in which the action is pending, receipts showing the payment of said fees and penalty and all franchise taxes and any other taxes on business or property in this State that should have been paid for the period during which it transacted intrastate business.

No foreign corporation which has failed to file a certified copy of its articles, and any translation thereof, in accordance with section 405 in a county in this State in which it holds real property can maintain any action or proceeding, commenced prior to such filing, in relation to such real property, its rents, issues or profits, until such certified copy of its articles and any translation thereof shall have been filed in the county in which such property is located, but shall incur no other penalty for such failure.

SEC. 93. Section 411 of the Civil Code is hereby amended to read as follows:

411. Surrender of right to transact intrastate business. A foreign corporation which has qualified to transact business in this State may surrender its right to engage in such business within this State by filing in the office of the Secretary of State a certificate executed and acknowledged by its president or vice president and secretary or treasurer, setting forth:

(1) That it surrenders its authority to transact intrastate business in this State;

(2) That it consents that process against it in any action upon any liability or obligation incurred within this State prior to the filing of the certificate of withdrawal may be served upon the Secretary of State.

(3) A post-office address to which the Secretary of State may mail a copy of any process against such corporation that may be served upon him.

The surrender of authority to transact business in this State shall not affect any action pending at the time. The mere retirement from transacting business within this State without filing a certificate of withdrawal shall not revoke the appointment of any agent upon whom process may be served within this State.

SEC. 94. Section 412 of the Civil Code is hereby amended to read as follows:

412. Liabilities of directors. The directors of a foreign corporation transacting business in this State shall be liable to the corporation, its shareholders, creditors, receiver, liquidator, or trustee in bankruptcy for the making of unauthorized dividends, purchases of its shares, or distributions of assets, or false certificates, reports or public notices or other violations of official duty, according to the laws of the State of incorporation, whether committed or done in this State or elsewhere Such liabilities may be enforced in the courts of this State.

SEC. 95. Section 409 of the Civil Code is hereby amended to read as follows:

409. Any person who transacts intrastate business in this State on behalf of a foreign corporation which is not authorized to transact such business in this State, knowing that it is not so authorized, shall be guilty of a misdemeanor, and subject to a fine of not less than twenty-five dollars nor more than three hundred dollars.

SEC. 96. Sections 343a, 347, 375, 401b and 587 of the Civil Code are hereby repealed."

AMENDMENT NUMBER SEVENTEEN.

In line 1 of the title of the printed bill, as amended, strike out "288,".

AMENDMENT NUMBER EIGHTEEN.

On page 3 of the printed bill, as amended, strike out lines 32 to 43, inclusive.

The roll was called, and Senate amendments to Assembly Bill No. 185 were concurred in by the following vote:

AYES—Anglim, Badham, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hatch, Hoffman, Kallam, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Phillips, Rawls, Redwine, Roberts, Rogers, Roland, Stannard, Stream, Thorp, Turner, West, Williamson, Wright, Zion and Mr. Speaker—49.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 405—An act to amend section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses or furnished bungalow courts.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 405?

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after "right", insert a comma.

The roll was called, and Senate amendment to Assembly Bill No. 405 was concurred in by the following vote:

AYES—Anglim, Badham, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Evans, Field, Fisher, Greene, Grubbs, Hatch, Hoffman, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker,

Miller, James A., Nielsen, O'Donnell, Phillips, Rawls, Redwine, Roberts, Robinson, Samuel E., Roland, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—47.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 515—An act to amend sections 372, 373, 392, 393, 394, 395, 397, 398, 399, 400, 410, 412, 413, 415, 416, 422, 426, 437, 446, 465, 472, 473, 480, 481, 482, 483, 484, 485, 488, 489, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 511, 512, 513, 514, 515, 517, 518, 519, 520, 529, 538, 539, 540, 542, 542a, 543, 544, 545, 546, 547, 548, 549, 550, 551, 553, 554, 555, 556, 559, 573, 574, 581, 581a, 581b, 583, 585, 594, 595, 596, 600, 601, 607, 607a, 618, 628, 631, 632, 634, 638, 639, 640, 641, 644, 649, 650, 651, 652, 653, 659a, 661, 663, 664, 666, 667, 668, 670, 671, 672, 673, 674, 675, 681a, 682, 683, 687, 689, 691, 713½, 714, 715, 716, 717, 718, 719, 720, 721, 722, 936, 959, 983, 984, 985, 986, 987, 988, 988a, 988b, 988c, 988d, 988g, 988h, 988i, 989, 997, 1000, 1003, 1004, 1005, 1006, 1011, 1015, 1021, 1033, 1051, 1052, 1054, and Chapters I, II, III, and IV of Title XIII, Part II, of the Code of Civil Procedure, to add sections 396, 396a, 411a, 437b, 437c, 437d, 472a, 472b, 473a, 477, 586, 594a, 648a, 710b, 710c, 973, 983a, 1008, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1054a thereto, and to repeal sections 476, 633, 692 (as added by Chapter 117, Statutes 1931), 710 (as added by Chapter 92, Statutes 1903), 710½, 831, 831a, 831b, 831c, 831d, 831e, 831f, 831g, 831h, 831i, 831j, 832, 833, 834, 835, 835a, 836, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 857a, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 889, 890, 890a, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 900a, 900b, 901, 901a, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 927a, 927b, 927c, 927d, 927e, 927f, 927g, 927h, 927i, 927j, 927k, 927*l*, 927m, 927n, 927o, 927p, 927q, 929, 930, 931, 932, 933, 933½, 964, 965, 982a, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1035, 1036, 1037, 1038, and 1039 thereof, relating to civil actions.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 515?

AMENDMENT NUMBER ONE.

On page 1, line 7, of the title of the printed bill, as amended, after "559,", insert the following: "564,".

AMENDMENT NUMBER ONE-A.

On page 1 of the printed bill, as amended, strike out lines 12 and 13 of the title, and insert in lieu thereof the following: "718, 719, 720, 721, 722, 936, 959, 983, 985, 986, 988a, 988b, 988c, 989, 997,".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out line 25 of the title, and insert in lieu thereof the following: "ters I, II and III of Title XIII, Part II,".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended, in line 2 of the title, after "396a," insert the following: "396b,".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended, strike out line 3 of the title, and insert in lieu thereof the following: "547a, 594a, 667a, 973, 983a, 1008, 1031, 1032 and 1054a".

AMENDMENT NUMBER FOUR-A.

On page 2 of the printed bill, as amended, in line 6 of the title, strike out "842,".

AMENDMENT NUMBER FOUR-B.

On page 2 of the printed bill, as amended, in line 8 of the title, strike out "842 to be 411a,".

AMENDMENT NUMBER FOUR-C.

On page 2 of the printed bill, as amended, in line 15 of the title, after "841," insert the following: "842,".

AMENDMENT NUMBER FIVE.

On page 3, line 36, of the printed bill, as amended, strike out "foreclosures", and insert in lieu thereof the following: "foreclosure".

AMENDMENT NUMBER SIX.

On page 5 of the printed bill, as amended, strike out lines 26 and 27, and insert in lieu thereof the following: "and traveling expenses of said nonconsenting party and material witnesses, found by the court to be material, and called by".

AMENDMENT NUMBER SEVEN.

On page 5, line 50, of the printed bill, as amended, after the period, insert the following:

"When a defendant has contracted to perform an obligation in a particular county, and the demand, exclusive of interest, does not exceed three hundred dollars, either the county where such obligation is to be performed, or the county in which the defendant, or any such defendant, resides at the commencement of the action, shall be a proper county for the trial of an action founded on such obligation, and the county in which such obligation is incurred shall be deemed to be the county in which it is to be performed unless there is a special contract in writing to the contrary."

AMENDMENT NUMBER EIGHT.

On page 6, line 17, of the printed bill, as amended, after the comma at the end of the line add the following: "or, in the cases hereinabove mentioned, in which the obligation was contracted to be performed.".

AMENDMENT NUMBER NINE.

On page 6 of the printed bill, as amended, strike out lines 36 to 40, inclusive, and insert in lieu thereof the following: "or otherwise plead in any such case, if summons be served prior to the filing of the action or proceeding in the court to which it is transferred, shall date from service upon the defendant of written notice of the filing of such action or proceeding in the court to which it is transferred."

AMENDMENT NUMBER TEN

On page 7, line 15, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following, "unless the court ordering the transfer shall otherwise direct."

AMENDMENT NUMBER TEN-A.

On page 7, line 29, of the printed bill, as amended, strike out "continuance", and insert in lieu thereof the following: "keeping".

AMENDMENT NUMBER TEN-B.

On page 7, line 40, of the printed bill, as amended, strike out "continuance", and insert in lieu thereof the following: "keeping".

AMENDMENT NUMBER ELEVEN.

On page 8 of the printed bill, as amended, between lines 11 and 12, insert the following:

"SEC. 8a. A new section is hereby added to the Code of Civil Procedure, to be numbered 396b, and to read as follows:

396b. *Except as otherwise provided in section 396a, if an action or proceeding is* commenced in a court having jurisdiction of the subject matter thereof, other than the court designated as the proper court for the trial thereof, under the provisions of this title, the action may, notwithstanding, be tried in the court where commenced, unless the defendant, at the time he answers or demurs, files with the clerk, or with the justice if there be no clerk, an affidavit of merits and notice of motion for an order transferring the action or proceeding to the proper court, together with proof of service, upon the adverse party, of a copy of such papers. Upon the hearing of such motion the court shall, if it appears that the action or proceeding was not commenced in the proper court, order the same transferred to the proper court; provided, however, that the court, in an action for divorce or separate maintenance, may, prior to the determination of such motion, consider and determine a motion for counsel fees and costs, and make all necessary and proper orders in connection therewith; provided, further, that in any case, if an answer be filed, the court may consider opposition to the motion, if any, and may retain the action in the county

where commenced if it appears that the convenience of witnesses or the ends of justice will thereby be promoted."

AMENDMENT NUMBER ELEVEN-A.

On page 8 of the printed bill, as amended, strike out lines 37 to 49, inclusive, and in lieu thereof insert the following: "for that reason, it must be transferred to any such proper court which the parties may agree upon by stipulation in writing, or made in open court and entered in the minutes or docket; if the parties do not so agree, then to any such proper court in the county in which the action or proceeding was commenced which the defendant may designate, or, if there be no such proper court in such county, to any such proper court, in a proper county, designated by the defendant; if the parties do not so agree, and the defendant does not so designate the court, as herein provided, or where the court orders the transfer of an action on its own motion as provided in this title, to such proper court as the court in which the action or proceeding is pending may determine.

The designation of the court by the defendant, herein provided for, may be made in the notice of motion for change of venue or in open court, entered in the minutes or docket, at the time the order for transfer is made"

AMENDMENT NUMBER ELEVEN-B.

On page 10 of the printed bill, as amended, strike out lines 36 to 41, inclusive.

AMENDMENT NUMBER TWELVE.

On page 11, line 33, of the printed bill, as amended, after "named", insert a comma.

AMENDMENT NUMBER THIRTEEN.

On page 13, line 8, of the printed bill, as amended, strike out ", and", and insert in lieu thereof a semicolon.

AMENDMENT NUMBER FOURTEEN.

On page 14 of the printed bill, as amended, strike out line 3, and insert in lieu thereof the following:

"437c. In superior courts and municipal courts when an".

AMENDMENT NUMBER FIFTEEN.

On page 14, line 14, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER SIXTEEN.

On page 16, line 18, of the printed bill, as amended, after "complaint", insert a comma and the following: "or to a cross complaint,".

AMENDMENT NUMBER SEVENTEEN.

On page 17 of the printed bill, as amended, strike out lines 29 to 31, inclusive, and insert in lieu thereof the following: "sional remedies, deposit in court, injunction and receivers, may not be had in justices' courts."

AMENDMENT NUMBER SEVENTEEN-A.

On page 25, line 3, of the printed bill, as amended, before "upon", insert the following: "within five days from service of written notice of exception,".

AMENDMENT NUMBER EIGHTEEN.

On page 25, line 34, of the printed bill, as amended, strike out the semicolon, and insert in lieu thereof a comma.

AMENDMENT NUMBER NINETEEN.

On page 28 of the printed bill, as amended, strike out lines 16 and 17, and strike out the word "branch" in line 18, and insert in lieu thereof the following: "office or branch thereof".

AMENDMENT NUMBER TWENTY.

On page 28 of the printed bill, as amended, strike out lines 26 to 33, inclusive, and insert in lieu thereof the following: "indebtedness is carried at an office or branch thereof not so served, or as to any credits or other personal property in its possession or under its control at any office or branch thereof not so served"

AMENDMENT NUMBER TWENTY-A.

On page 30 of the printed bill, as amended, between lines 31 and 32, insert the following:

"SEC. 76a. A new section, to be numbered section 547a, is hereby added to the Code of Civil Procedure, to read as follows:

547a. Whenever a writ of attachment is issued and the holder of such writ desires to attach, or has attached, property which is perishable, or which will greatly deteriorate in value unless properly cultivated, cared for, harvested, packed or sold, the court issuing such writ, upon application of the holder thereof, and after due notice to the owner of said property, may appoint a receiver to take charge of said property and to cultivate, care for and preserve the same and, when necessary, harvest, pack and sell such property. Any sale of such property shall be made in

the same manner that property is sold on execution and the proceeds must be retained by such receiver to be applied to the satisfaction of any judgment which may be recovered in the action in which said writ is issued. The court shall fix the fee per day of such receiver and may order said applicant to pay such fee and expenses of said receiver in advance if the court may deem it proper, or may direct that the whole or any part of such fee and expenses be paid from the proceeds of any sale of such property."

AMENDMENT NUMBER TWENTY-ONE.

On page 30, line 36, of the printed bill, as amended, strike out "judge, or justice thereof", and insert in lieu thereof the following: "or a judge or justice thereof,".

AMENDMENT NUMBER TWENTY-ONE-A.

On page 32 of the printed bill, as amended, after line 50, insert the following:

"SEC. 85a. Section 564 of the Code of Civil Procedure is hereby amended to read as follows:

564. A receiver may be appointed, in the manner provided in this chapter, by the court in which an action or proceeding is pending in any case in which such court is empowered by law to appoint a receiver.

In superior courts a receiver may be appointed by the court in which an action or proceeding is pending, or by a judge thereof, in the following cases:

1. In an action by a vendor to vacate a fraudulent purchase of property, or by a creditor to subject any property or fund to his claim, or between partners or others jointly owning or interested in any property or fund, on the application of the plaintiff, or of any party whose right to or interest in the property or fund, or the proceeds thereof, is probable, and where it is shown that the property or fund is in danger of being lost, removed, or materially injured;

2. In an action by a mortgagee for the foreclosure of his mortgage and sale of the mortgaged property, where it appears that the mortgaged property is in danger of being lost, removed, or materially injured, or that the condition of the mortgage has not been performed, and that the property is probably insufficient to discharge the mortgage debt;

3. After judgment, to carry the judgment into effect;

4. After judgment, to dispose of the property according to the judgment, or to preserve it during the pendency of an appeal, or in proceedings in aid of execution, when an execution has been returned unsatisfied, or when the judgment debtor refuses to apply his property in satisfaction of the judgment;

5. In the cases when a corporation has been dissolved, or is insolvent, or in imminent danger of insolvency, or has forfeited its corporate rights;

6. In an action of unlawful detainer;

7. In all other cases where receivers have heretofore been appointed by the usages of courts of equity."

AMENDMENT NUMBER TWENTY-TWO

On page 34 of the printed bill, as amended, strike out line 13, and insert in lieu thereof the following: "entered; but the clerk, in superior and municipal courts, must".

AMENDMENT NUMBER TWENTY-THREE.

On page 35, line 47, of the printed bill, as amended, before the word "upon", insert a comma.

AMENDMENT NUMBER TWENTY-FOUR.

On page 36, line 14, of the printed bill, as amended, strike out "facts", and insert in lieu thereof the following: "fact".

AMENDMENT NUMBER TWENTY-FIVE

On page 37 of the printed bill, as amended, strike out line 17, and insert in lieu thereof the following: "594. 1. In superior courts and municipal courts either party".

AMENDMENT NUMBER TWENTY-SIX.

On page 37, line 25, of the printed bill, as amended, strike out "of Class B".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 41 of the printed bill, as amended, strike out line 21, and insert in lieu thereof the following: "628. In superior courts and municipal courts upon receipt of".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 41, line 28, of the printed bill, as amended, strike out "of Class B".

AMENDMENT NUMBER TWENTY-NINE.

On page 41, line 42, of the printed bill, as amended, strike out "of Class B".

AMENDMENT NUMBER THIRTY.

On page 42 of the printed bill, as amended, strike out line 14, and insert in lieu thereof the following: "632. 1. In superior courts and municipal courts, upon the".

AMENDMENT NUMBER THIRTY-ONE.

On page 42, line 38, of the printed bill, as amended, strike out "and in justices' courts of Class A,".

AMENDMENT NUMBER THIRTY-TWO.

On page 42, line 43, of the printed bill, as amended, strike out "of Class B".

AMENDMENT NUMBER THIRTY-THREE.

On page 44 of the printed bill, as amended, strike out lines 26 to 29, inclusive.

AMENDMENT NUMBER THIRTY-FOUR.

On page 44 of the printed bill, as amended, strike out line 33, and insert in lieu thereof the following: "be presented to the court, or judge, for settlement".

AMENDMENT NUMBER THIRTY-FIVE.

On page 44 of the printed bill, as amended, strike out lines 37 and 38, and insert in lieu thereof the following: "signed by the judge and filed with the clerk. When the decision".

AMENDMENT NUMBER THIRTY-SIX.

On page 44, line 52, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 45, line 23, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 45, line 25, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER THIRTY-NINE.

On page 45, line 29, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FORTY.

On page 45, line 31, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FORTY-ONE.

On page 45, line 34, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FORTY-TWO.

On page 45, line 37, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FORTY-THREE.

On page 45, line 41, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FORTY-FOUR.

On page 45, line 43, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FORTY-FIVE.

On page 45, line 44, of the printed bill, as amended, strike out "justice,".

AMENDMENT NUMBER FORTY-SIX.

On page 45, line 48, of the printed bill, as amended, strike out "justice,".

AMENDMENT NUMBER FORTY-SEVEN.

On page 46, line 6, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FORTY-EIGHT.

On page 46, line 22, of the printed bill, as amended, strike out the semicolon, and insert in lieu thereof a comma.

AMENDMENT NUMBER FORTY-NINE.

On page 46, line 23, of the printed bill, as amended, after "proven", insert a comma.

AMENDMENT NUMBER FIFTY.

On page 46 of the printed bill, as amended, strike out lines 28 and 29, and insert in lieu thereof the following:

"2. If the judge, in any case in a municipal court, refuses to settle a bill of excep-".

AMENDMENT NUMBER FIFTY-ONE.

On page 46, line 46, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FIFTY-TWO.

On page 46, line 49, of the printed bill, as amended, strike out "court, judge or justice.", and insert in lieu thereof the following: "court or judge."

AMENDMENT NUMBER FIFTY-THREE.

On page 46, line 50, of the printed bill, as amended, strike out " , justice,".

AMENDMENT NUMBER FIFTY-FOUR.

On page 46 of the printed bill, as amended, strike out line 52, and insert in lieu thereof the following: "or judicial officer. If such judge, or judicial".

AMENDMENT NUMBER FIFTY-FIVE.

On page 47, line 6, of the printed bill, as amended, strike out "justices,".

AMENDMENT NUMBER FIFTY-SIX.

On page 47, line 25, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 47, lines 26 and 27, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 47, line 29, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER FIFTY-NINE.

On page 47, line 32, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER SIXTY.

On page 47, line 33, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER SIXTY-ONE.

On page 47, line 34, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER SIXTY-TWO.

On page 47, line 38, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER SIXTY-THREE.

On page 47, line 39, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER SIXTY-FOUR.

On page 47, line 40, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER SIXTY-FIVE

On page 48, line 12, of the printed bill, as amended, strike out "of Class B".

AMENDMENT NUMBER SIXTY-SIX.

On page 48, line 13, of the printed bill, as amended, strike out "by the justice", and insert in lieu thereof the following: "in the docket".

AMENDMENT NUMBER SIXTY-SEVEN.

On page 48, line 16, of the printed bill, as amended, strike out "by the clerk".

AMENDMENT NUMBER SIXTY-EIGHT.

On page 48 of the printed bill, as amended, at the end of line 18, insert the following: ", in a superior or municipal court.".

AMENDMENT NUMBER SIXTY-NINE.

On page 48 of the printed bill, as amended, strike out lines 21 and 22, and insert in lieu thereof the following, "upon the filing of such decision; in justices' courts, judgment must be entered within thirty days after".

AMENDMENT NUMBER SEVENTY.

On page 49, line 15, of the printed bill, as amended, strike out "of Class B".

AMENDMENT NUMBER SEVENTY-ONE.

On page 49, line 22, of the printed bill, as amended, after the word "peace", insert the following: ", or the clerk where there is a clerk,".

AMENDMENT NUMBER SEVENTY-TWO.

On page 49, line 29, of the printed bill, as amended, strike out "by the justice in his", and insert in lieu thereof the following: "in the".

AMENDMENT NUMBER SEVENTY-THREE.

On page 49, line 35, of the printed bill, as amended, strike out "and in justices' courts of Class A,".

AMENDMENT NUMBER SEVENTY-FOUR.

On page 49, line 42, of the printed bill, as amended, strike out "of Class B".

AMENDMENT NUMBER SEVENTY-FIVE.

On page 49 of the printed bill, as amended, strike out line 46, and insert in lieu thereof the following:

"670. In superior courts and municipal courts, immediately".

AMENDMENT NUMBER SEVENTY-SIX.

On page 51, line 41, of the printed bill, as amended, strike out "and justices' courts of Class A".

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 51, line 42, of the printed bill, as amended, strike out "of Class B".

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 51, line 52, of the printed bill, as amended, strike out "of Class B, now", and insert in lieu thereof the following: ", nor".

AMENDMENT NUMBER SEVENTY-NINE.

On page 53 of the printed bill, as amended, strike out lines 13 to 15, inclusive, and insert in lieu thereof the following: "by the officer to whom it is directed, to the court in which the judgment is entered. When the execution is returned, the clerk must".

AMENDMENT NUMBER EIGHTY.

On page 54, line 13, of the printed bill, as amended, after the comma, insert the following: "or if for any other reason it becomes necessary to ascertain the value of the property involved,".

AMENDMENT NUMBER EIGHTY-ONE.

On page 54 of the printed bill, as amended, strike out lines 43 to 51, inclusive, and insert in lieu thereof the following: "of an application or petition therefor. Ten days' notice of such".

AMENDMENT NUMBER EIGHTY-TWO.

On page 59 of the printed bill, as amended, strike out lines 7 to 9, inclusive, and insert in lieu thereof the following: "abstract, there shall be paid to such clerk or justice, as and for a filing fee the sum of four dollars when filed in a justice's court; the sum of five dollars when filed in a superior or municipal court."

AMENDMENT NUMBER EIGHTY-THREE.

On page 59, line 40, of the printed bill, as amended, strike out "of Class B.", and insert in lieu thereof a period.

AMENDMENT NUMBER EIGHTY-FOUR.

On page 59, line 46, of the printed bill, as amended, strike out "of Class B".

AMENDMENT NUMBER EIGHTY-FIVE.

On page 59 of the printed bill, as amended, strike out lines 48 to 50, inclusive, and on page 60, strike out lines 1 to 3, inclusive

AMENDMENT NUMBER EIGHTY-SIX.

On page 60, lines 7 and 8, of the printed bill, as amended, strike out "or justices' court of Class A".

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 60, line 24, of the printed bill, as amended, strike out "or justices' court of Class A.".

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 60 of the printed bill, as amended, strike out lines 34 to 44, inclusive.

AMENDMENT NUMBER EIGHTY-NINE.

On page 60, line 48, of the printed bill, as amended, strike out "or justices' court of Class A,".

AMENDMENT NUMBER NINETY.

On page 60, line 50, of the printed bill, as amended, strike out "additional".

AMENDMENT NUMBER NINETY-ONE.

On page 61, lines 24 and 25, of the printed bill, as amended, strike out "or justice of such justices' court,".

AMENDMENT NUMBER NINETY-TWO.

On page 61, line 36, of the printed bill, as amended, strike out "or justice of such justices' court,".

AMENDMENT NUMBER NINETY-THREE.

On page 62, line 7, of the printed bill, as amended, strike out "justice,".

AMENDMENT NUMBER NINETY-FOUR.

On page 62 of the printed bill, as amended, strike out lines 11 to 37, inclusive.

AMENDMENT NUMBER NINETY-FIVE.

On page 62, line 41, of the printed bill, as amended, strike out ", or justices' court of Class A,".

AMENDMENT NUMBER NINETY-SIX.

On page 62, line 50, of the printed bill, as amended, strike out "or such justices' court".

AMENDMENT NUMBER NINETY-SEVEN.

On page 63, lines 3 and 4, of the printed bill, as amended, strike out "or justices' court of Class A,".

AMENDMENT NUMBER NINETY-EIGHT.

On page 63, lines 17 and 18, of the printed bill, as amended, strike out "or such justices' ".

AMENDMENT NUMBER NINETY-NINE.

On page 63, line 23, of the printed bill, as amended, strike out "or such justices' ".

AMENDMENT NUMBER ONE HUNDRED.

On page 63, line 35, of the printed bill, as amended, strike out "or justice".

AMENDMENT NUMBER ONE HUNDRED ONE.

On page 63 of the printed bill, as amended, strike out line 40, and insert in lieu thereof the following: "ipal court must, within five days, trans-".

AMENDMENT NUMBER ONE HUNDRED TWO.

On page 63, line 47, of the printed bill, as amended, strike out "or such justices' ".

AMENDMENT NUMBER ONE HUNDRED THREE.

On page 63, line 49, of the printed bill, as amended, strike out "or justices' ".

AMENDMENT NUMBER ONE HUNDRED FOUR.

On page 64 of the printed bill, as amended, strike out lines 6 to 52, inclusive, and on page 65, strike out lines 1 to 28, inclusive.

AMENDMENT NUMBER ONE HUNDRED FIVE

On page 69, line 9, of the printed bill, as amended, after "of", insert the following: "an".

AMENDMENT NUMBER ONE HUNDRED SIX

On page 69 of the printed bill, as amended, at the end of line 10, add the following: "an".

AMENDMENT NUMBER ONE HUNDRED SEVEN.

On page 69, line 41, of the printed bill, as amended, after "clerk," insert the following: "or with the justice if there be no clerk,".

AMENDMENT NUMBER ONE HUNDRED EIGHT.

On page 69, line 46, of the printed bill, as amended, strike out "or judge," and insert in lieu threof the following: ", judge or justice,".

AMENDMENT NUMBER ONE HUNDRED NINE.

On page 71, line 3, of the printed bill, as amended, strike out "of Class B".

AMENDMENT NUMBER ONE HUNDRED TEN.

On page 71 of the printed bill, as amended, strike out line 6, and insert in lieu thereof the following:

"2. In superior courts and municipal courts the".

AMENDMENT NUMBER ONE HUNDRED ELEVEN.

On page 72 of the printed bill, as amended, strike out line 18, and insert in lieu thereof the following:

"1052. The clerks of the superior and municipal courts must keep".

AMENDMENT NUMBER ONE HUNDRED TWELVE.

On page 73, line 1, of the printed bill, as amended, strike out "In all cases, an", and insert in lieu thereof the following: "In all cases in which the court, judge, or justice is authorized by this section to grant an extension of time, such".

AMENDMENT NUMBER ONE HUNDRED THIRTEEN.

On page 73, lines 9 and 10, of the printed bill, as amended, strike out "United States gold coin", and insert in lieu thereof the following: "lawful money of the United States".

AMENDMENT NUMBER ONE HUNDRED THIRTEEN-A.

On page 73, line 30, of the printed bill, as amended, after "841", insert the following: "842,".

AMENDMENT NUMBER ONE HUNDRED FOURTEEN.

On page 73, line 37, of the printed bill, as amended, after "Procedure", insert the following: ", and the heading of Title X-A of Part II, and all the chapter headings in said title, the heading of Title XI of Part II, and all chapter headings in said title, and the heading of Title XII of Part II, of said code,".

The roll was called, and Senate amendments to Assembly Bill No. 515 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Field, Fisher, Greene, Grubbs, Hoffman, Knowland, Latham, Levey, Lyon, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Rawls, Redwine, Riley, Roberts, Robinson,

C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—48.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 2302—An act to add 24 new sections to the Political Code, to be numbered 4248 and 4248a to 4248w, inclusive, and to repeal sections 2322x19 and 4248 of said code, section 19x19 of the Juvenile Court Law, and section 16x19 of the Weights and Measures Act, relating to compensation of county and township officers in counties of the nineteenth class.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2302?

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, strike out the word "eighty", and insert therein the words "two hundred".

AMENDMENT NUMBER TWO.

On page 2, line 18, of the printed bill, strike out the word "mileage", and insert the word "fees".

AMENDMENT NUMBER THREE.

On page 2, line 26, of the printed bill, after the comma following the word "annum", insert "one deputy sheriff to be designated a civil deputy at one thousand five hundred dollars per annum".

AMENDMENT NUMBER FOUR.

On page 2, line 49, of the printed bill, strike out the word "three", and insert the word "four".

AMENDMENT NUMBER FIVE.

On page 3, line 43, of the printed bill, strike out the word "four", and insert therein the word "two".

AMENDMENT NUMBER SIX.

On page 4, line 50, of the printed bill, strike out the word "principal", and insert the word "him".

The roll was called, and Senate amendments to Assembly Bill No. 2302 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Field, Fisher, Greene, Grubbs, Hoffman, Knowland, Latham, Levey, Lyon, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—48.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1122—An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; providing for the powers, duties and authority of said commission and the members thereof; providing for the institution of prorate programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1122?

AMENDMENT NUMBER ONE.

On page 6, lines 25 and 26, of the printed bill, as amended May 3, 1933, strike out the following: "or by producers of two-thirds of the commodity produced", and insert in lieu thereof the following: "and by the owners of two-thirds or more of the producing factors."

AMENDMENT NUMBER TWO.

On page 7, line 25, of the printed bill, as amended May 3, 1933, strike out the word "production", and insert in lieu thereof the following: "number of producing factors."

AMENDMENT NUMBER THREE.

On page 7, line 50, of the printed bill, as amended May 3, 1933, strike out the words "and production".

AMENDMENT NUMBER FOUR.

On page 9, line 14, of the printed bill, as amended May 3, 1933, strike out the word "proration", and insert in lieu thereof the word "program".

AMENDMENT NUMBER FIVE.

On page 9, lines 35 and 36, of the printed bill, as amended May 3, 1933, strike out the words "of the commission", and insert in lieu thereof the following: "for the zone".

AMENDMENT NUMBER SIX.

On page 10 of the printed bill, as amended May 3, 1933, strike out all of line 34, and insert in lieu thereof the following " "Prorate Commission fund" which fund is hereby created. All moneys credited to such funds shall be used only for the purpose of defraying the expenses of the organization and of administering and enforcing the program under which they were collected "

AMENDMENT NUMBER SEVEN.

On page 11 of the printed bill, as amended May 3, 1933, after line 32, insert the following:

"SEC. 26 There is hereby appropriated out of any funds in the State treasury not otherwise appropriated the sum of ten thousand dollars to be expended by the commission when, as and if necessary in the performance of the duties herein imposed upon it. Said sum shall constitute a loan to said commission and shall be repaid in ten equal annual installments without interest."

AMENDMENT NUMBER EIGHT.

In line 13 of the title of the printed bill, as amended, strike out the period, and insert in lieu thereof a semicolon and the following: "and making an appropriation therefor."

AMENDMENT NUMBER NINE.

On page 2, line 21, of the printed bill, as amended, after "soil", insert a comma and the following: "live stock".

AMENDMENT NUMBER TEN.

On page 3, line 10, of the printed bill, as amended, after the period, insert the following: "All such appointments shall be by and with the consent of the Senate, but shall be valid to all intents and purposes, subject, however, to the consent of the Senate at its next regular session, and until such time, the person so appointed shall have as full and ample authority as though confirmed by the Senate In case the Senate, during its session, fails to act or refuses its consent to any such appointment, the Governor may, after adjournment of the Senate, appoint some other person, which appointment shall be valid to all intents and purposes, subject, however, to the consent of the Senate at its next regular session, and until such time, the person or persons so appointed shall have as full authority and power as though confirmed by the Senate."

The roll was called, and Senate amendments to Assembly Bill No. 1122 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Field, Fisher, Greene, Grubbs, Hoffman, Knowland, Latham, Levey, Lyon, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—48.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1217—An act to amend section 312 of the Agricultural Code, relating to meat inspection.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1217?

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended April 27, 1933, strike out all of lines 3 to 19, inclusive, and insert in lieu thereof the following: "tion. Such fee paid by any establishment under State inspection shall be credited to the Department of Agriculture fund, and shall be sufficient to cover the total salaries, traveling expenses and premiums on account of workmen's compensation insurance of all inspectors in such establishment. All such fees shall be paid monthly in advance. Each establishment under State inspection shall deposit with the director one-half of the amount of one month's inspection fee to be held in trust by the director to be applied on any fee due the State in the event the establishment discontinues inspection or inspection is suspended for nonpayment of fee. In lieu of such deposit an establishment may file a bond for like amount, satisfactory to the director."

The roll was called, and Senate amendment to Assembly Bill No. 1217 was concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Knowland, Levey, Lyon, Maloney, McBride, McCarthy, Meeker, Miller, Eleanor; Morgan, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—48.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1235—An act to amend section 4261 of the Political Code, relating to compensation of county and township officers in counties of the thirty-second class.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1235?

AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed bill, as amended, strike out "six", and insert in lieu thereof the following: "three".

AMENDMENT NUMBER TWO.

On page 2, line 4, of the printed bill, as amended, strike out "deputy", and insert in lieu thereof the following: "under".

AMENDMENT NUMBER THREE.

On page 2, line 6, of the printed bill, as amended, strike out "which office is", and insert in lieu thereof the following: "and one deputy sheriff at a salary of one thousand two hundred dollars per annum, which offices are".

AMENDMENT NUMBER FOUR.

On page 2, line 9, of the printed bill, as amended, insert after the period after "paid", the following: "All fees collected by the sheriff for the service of civil papers whether originating within or without the county shall be paid into the county treasury."

The roll was called, and Senate amendments to Assembly Bill No. 1235 were concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Knowland, Levey, Lyon, Maloney, McBride, McCarthy, Meeker, Miller, Eleanor; Morgan, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—48.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1342—An act to amend sections 6, 9, 10, 11, 12, 13, 14, 15, 16 and 21 of an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof." approved March 11, 1907, as amended, relating to power of the State Board of Public Health.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1342:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, after "6," insert the following: "8,".

AMENDMENT NUMBER ONE-A.

In lines 6 and 7 of the title of the printed bill, as amended, strike out "power of the State Board of Public Health.", and insert in lieu thereof the following: "adulteration, mislabeling and misbranding of foods and drugs and the powers of the State Board of Public Health in relation thereto."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, after line 20, add the following:

"Fourth. If in any manner or by any means whatsoever, it, or the ingredients or substances contained therein, or the curative and therapeutic effect of such article or its ingredients or substances are falsely or deceptively advertised, represented or described in the State of California.

No such advertisement, representation or description shall be held to constitute misbranding for a greater period than one year after such advertisement, representation or description was made or published.

SEC. 1a. Section 8 of said act is hereby amended to read as follows:

Sec. 8. (a) The sale or offering for sale of any adulterated, mislabeled or misbranded drugs by any manufacturer, producer, jobber, packer or dealer in drugs or broker, commission merchant, agent, employee or servant of any such manufacturer, producer, jobber, packer or dealer shall be prima facie evidence of the violation of this act.

(b) The possession of any adulterated, mislabeled or misbranded drugs by any manufacturer, producer, jobber, packer or dealer in foods or broker, commission merchant, agent, employee or servant of any such manufacturer, producer, jobber, packer or dealer shall be prima facie evidence of the violation of this act."

AMENDMENT NUMBER THREE.

On page 2, line 6, of the printed bill, after "misbranded", insert a comma.

AMENDMENT NUMBER FOUR.

On page 2, line 10, of the printed bill, after "and" add the following: "any agent or sheriff shall have free access at all reasonable hours for the purpose of examining any place when it is suspected that any article of adulterated, mislabeled or misbranded drugs exists therein".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, as amended, strike out lines 12 to 16, inclusive, and insert in lieu thereof the following: "agent or sheriff upon tendering the market price of said article if a sale be refused, may take from any person, firm".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, between lines 20 and 21, insert the following: "The Chief of the Bureau of Food and Drug Inspections, and the agent and inspectors of the State Board of Public Health shall have the same powers as are possessed by peace officers in this State"

The roll was called, and Senate amendments to Assembly Bill No. 1342 were concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Knowland, Levey, Lyon, Maloney, McBride, McCarthy, Meeker, Miller, Eleanor; Morgan, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—48.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 2385—An act to amend sections 2322x7, 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236*l*, 4236n, 4236o, 4236p and 4236q of the Political Code, and to add thereto sections 4236r and 4236s, relating to the compensation of county officers in counties of the seventh class.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2385?

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the comma following "4236j" insert the following: "4236*l*,".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, after the comma following "Code", insert the following: "and to add thereto sections 4236r and 4236s,".

AMENDMENT NUMBER THREE.

On page 3, line 6, of the printed bill, strike out "fifteen", and insert in lieu thereof the following: "twelve and one-half".

AMENDMENT NUMBER FOUR.

On page 10 of the printed bill, strike out line 38, and insert in lieu thereof the following:

"SEC. 11. Section 4236*l* of the Political Code is hereby amended to read as follows:

4236*l*. For the purpose of regulating the compensation of township justices and constables in counties of the seventh class, townships shall be classified on the basis of the population shown by the Federal census taken in 1930. Incorporated cities having a population of twenty thousand or more shall be known as townships of the first class; townships having a population of five thousand and less than twenty thousand shall be known as townships of the second class; townships having a population of more than two thousand and less than five thousand shall be known as townships of the third class; provided, that no township shall contain less than two thousand population; provided, further, that the number of townships shall not exceed eight in counties of this class. It shall be the duty of the board of supervisors to fix the boundaries of townships, so that all the territory in counties of the seventh class, shall be comprised within the above limitations of population, and where the boundary line of any township is changed they shall take the census of said township or townships in the manner as in this section provided and the population therein determined shall be and become the official population of the township.

Townships of the second and third classes shall each have one justice and one constable.

Townships of the first class shall have one justice and two constables; provided, however, that in all such townships having a population of twenty thousand or more there shall be one clerk to be appointed by the justice of the peace, such clerk to receive a salary of two hundred dollars per month; one deputy clerk to be appointed by the justice of the peace, such clerk to receive a salary of one hundred twenty-five dollars per month; such salaries to be payable monthly in the same manner as salaries of county officers are paid. All fees chargeable and collectible by justices of the peace in criminal and civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury. All fees and mileage collected by constables in civil cases shall be deposited in the county treasury monthly.

In townships containing twenty thousand or more inhabitants the board of supervisors shall furnish the justice of the peace and the constables of such township an office to be occupied by such justice and constables jointly. In such townships the constables shall be allowed one clerk at a salary of one hundred twenty-five dollars per month. In any township or townships of the second or third class when, in the opinion of the board of supervisors, it is necessary for the proper conduct of the business of the justices of the peace of any of the township courts, the supervisors shall have the power to provide court room space and the rental thereof shall be a proper charge against the county.

The compensation of justices of the peace in counties of the seventh class is hereby fixed as follows: Class one townships, three thousand six hundred dollars per annum; class two townships, one thousand eight hundred dollars per annum; class three townships, one thousand five hundred dollars per annum. The salaries shall be payable monthly in the same manner as county officers are paid.

The compensation of constables in counties of the seventh class is hereby fixed as follows: Class one townships, two thousand four hundred dollars per annum; class two townships, one thousand eight hundred dollars per annum; class three townships,

one thousand five hundred dollars per annum. The salaries shall be payable monthly in the same manner as county officials are paid.

SEC. 12. Section 4236n of the Political Code is hereby".

AMENDMENT NUMBER FIVE.

On page 10, line 49, of the printed bill, strike out "12", and insert in lieu thereof the following: "13".

AMENDMENT NUMBER SIX.

On page 11, line 16, of the printed bill, strike out "13", and insert in lieu thereof the following: "14".

AMENDMENT NUMBER SEVEN.

On page 11, line 21, of the printed bill, strike out "14", and insert in lieu thereof the following. "15".

AMENDMENT NUMBER EIGHT.

On page 11 of the printed bill, strike out lines 23 to 42, inclusive, and insert in lieu thereof the following.

"4236q. In counties of the seventh class there shall be one probation officer and three assistant probation officers. The salaries of such officers shall be as follows: probation officer, two thousand seven hundred dollars per annum; one assistant probation officer, two thousand one hundred sixty dollars per annum; and two assistant probation officers, one thousand eight hundred eighty-one dollars per annum.

SEC. 16. A new section is hereby added to the Political Code to be numbered 4236r, to read as follows:

4236r. The sealer of weights and measures, in counties of the seventh class, shall receive a salary of two thousand one hundred sixty dollars per annum, and deputies shall receive a salary of one thousand nine hundred forty-three and 50/100 dollars, each, per annum.

SEC. 17. A new section is hereby added to the Political Code to be numbered 4236s, to read as follows:

4236s Whenever under the provisions of this article mileage is allowed to any officer or deputy for the use of a motor vehicle not owned by counties of this class in the performance of official duties, said mileage shall be at the rate of five cents per mile, for each mile actually and necessarily traveled."

AMENDMENT NUMBER NINE.

In line 2 of the title of the printed bill, after the comma following "4236j", insert the following: "4236*l*,".

AMENDMENT NUMBER TEN.

In line 3 of the title of the printed bill, after the comma following "Code", insert the following: "and to add thereto sections 4236r and 4236s,".

AMENDMENT NUMBER ELEVEN.

On page 3, line 6, of the printed bill, strike out "fifteen", and insert in lieu thereof the following: "twelve and one-half".

AMENDMENT NUMBER TWELVE

On page 10 of the printed bill, strike out line 38, and insert in lieu thereof the following:

"SEC 11. Section 4236*l* of the Political Code is hereby amended to read as follows

4236*l*. For the purpose of regulating the compensation of township justices and constables in counties of the seventh class, townships shall be classified on the basis of the population shown by the Federal census taken in 1930. Incorporated cities having a population of twenty thousand or more shall be known as townships of the first class; townships having a population of five thousand and less than twenty thousand shall be known as townships of the second class; townships having a population of more than two thousand and less than five thousand shall be known as townships of the third class; provided, that no township shall contain less than two thousand population; provided, further, that the number of townships shall not exceed eight in counties of this class. It shall be the duty of the board of supervisors to fix the boundaries of townships, so that all the territory in counties of the seventh class, shall be comprised within the above limitations of population, and where the boundary line of any township is changed they shall take the census of said township or townships in the manner as in this section provided and the population therein determined shall be and become the official population of the township.

Townships of the second and third classes shall each have one justice and one constable.

Townships of the first class shall have one justice and two constables; provided, however, that in all such townships having a population of twenty thousand or more there shall be one clerk to be appointed by the justice of the peace, such clerk to receive a salary of two hundred dollars per month; one deputy clerk to be appointed by the justice of the peace, such clerk to receive a salary of one hundred twenty-five dollars per month; such salaries to be payable monthly in the same

manner as salaries of county officers are paid All fees chargeable and collectible by justices of the peace in criminal and civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury. All fees and mileage collected by constables in civil cases shall be deposited in the county treasury monthly.

In townships containing twenty thousand or more inhabitants the board of supervisors shall furnish the justice of the peace and the constables of such township an office to be occupied by such justice and constables jointly. In such townships the constables shall be allowed one clerk at a salary of one hundred twenty-five dollars per month. In any township or townships of the second or third class when, in the opinion of the board of supervisors, it is necessary for the proper conduct of the business of the justices of the peace of any of the township courts, the supervisors shall have the power to provide court room space and the rental thereof shall be a proper charge against the county.

The compensation of justices of the peace in counties of the seventh class is hereby fixed as follows: Class one townships, three thousand six hundred dollars per annum; class two townships, one thousand eight hundred dollars per annum; class three townships, one thousand five hundred dollars per annum. The salaries shall be payable monthly in the same manner as county officers are paid.

The compensation of constables in counties of the seventh class is hereby fixed as follows: Class one townships, two thousand four hundred dollars per annum; class two townships, one thousand eight hundred dollars per annum; class three townships, one thousand five hundred dollars per annum. The salaries shall be payable monthly in the same manner as county officials are paid.

SEC. 12. Section 4236n of the Political Code is hereby".

AMENDMENT NUMBER THIRTEEN.

On page 10, line 49, of the printed bill, strike out "12", and insert in lieu thereof the following: "13".

AMENDMENT NUMBER FOURTEEN.

On page 11, line 16, of the printed bill, strike out "13", and insert in lieu thereof the following: "14".

AMENDMENT NUMBER FIFTEEN.

On page 11, line 21, of the printed bill, strike out "14", and insert in lieu thereof the following: "15".

AMENDMENT NUMBER SIXTEEN.

On page 11 of the printed bill, strike out lines 23 to 42, inclusive, and insert in lieu thereof the following:

"4236q. In counties of the seventh class there shall be one probation officer and three assistant probation officers. The salaries of such officers shall be as follows: Probation officer, two thousand seven hundred dollars per annum; one assistant probation officer, two thousand one hundred sixty dollars per annum; and two assistant probation officers, one thousand eight hundred eighty-one dollars per annum.

SEC. 16. A new section is hereby added to the Political Code to be numbered 4236r, to read as follows:

4236r. The sealer of weights and measures, in counties of the seventh class, shall receive a salary of two thousand one hundred sixty dollars per annum, and deputies shall receive a salary of one thousand nine hundred forty-three and 50/100 dollars, each, per annum.

SEC. 17. A new section is hereby added to the Political Code to be numbered 4236s, to read as follows:

4236s. Whenever under the provisions of this article mileage is allowed to any officer or deputy for the use of a motor vehicle not owned by counties of this class in the performance of official duties, said mileage shall be at the rate of five cents per mile, for each mile actually and necessarily traveled."

The roll was called, and Senate amendments to Assembly Bill No. 2385 were concurred in by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Knowland, Levey, Lyon, Maloney, McBride, McCarthy, Meeker, Miller, Eleanor; Morgan, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Roland, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—48.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 733—An act to amend section 2 of an act entitled "An act providing for the exhibit of the products and resources of the State of California at the Chicago World's Fair Centennial Celebration to be held at Chicago, Illinois, in 1933, creating the California World's Fair Centennial Celebration Commission and defining its powers and duties, and making an appropriation therefor," approved June 12, 1931, relating to powers and duties of said commission.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 733?

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, as amended, strike out "amend section 2 of", and insert in lieu thereof the following: "add a new section, to be numbered 4, to".

AMENDMENT NUMBER TWO.

In line 8 of the title of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "and declaring the urgency thereof."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 1 to 19, inclusive, as amended, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the act cited in the title hereof, to be numbered section 4 and to read as follows:

Sec. 4. The commission shall have power to insure all persons or property under its control against such risks and hazards as are necessarily incident to the work conducted by the commission, and may pay the cost of such insurance out of the money appropriated for the use of the commission.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall therefore take effect immediately. The following is a statement of the facts constituting such necessity: The State has at the Chicago World's Fair Centennial Celebration a considerable amount of property and several employees. At the present time there is no means of protecting the State against liability to considerable loss which may arise out of damage to the said property or injury to the persons. This act will make it possible to secure such insurance, thereby avoiding the danger of that loss and should therefore take effect immediately."

The roll was called, and Senate amendments to Assembly Bill No. 733 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—65

NOES—None.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—65.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1437—An act to provide for the inspection of warehouses where grain is stored for hire; for the sampling, examination and condemnation of infested grain and regulating the sale thereof; defining the powers and duties of the Director of Agriculture in regard thereto and prescribing penalties for violations of the provisions hereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1437?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 3 of the title, strike out the numeral "1260.6", and insert in lieu thereof the numeral "1260.85".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 18 to 23, inclusive, and insert in lieu thereof the following:

"(b) At any time, with or without application to him, and in order to determine its condition to examine or cause to be examined any warehouse or any grain stored in warehouses

(c) When, in his opinion, the extent of the infestation is such as to be a menace to other grain, to order the treatment of an infested warehouse or the disposal of infested grain therein"

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of lines 6 to 51, inclusive, and insert in lieu thereof the following.

"1260.15 It shall be unlawful to operate, conduct or maintain a public warehouse for grain storage without having registered such warehouse with the director Such warehouseman shall pay a registration fee of ten dollars ($10) for each warehouse each year, but in no case shall the total of registration fees for one warehouseman exceed two hundred fifty dollars ($250) in any one year If a warehouse is licensed and bonded under the provisions of Chapter 5 of Division VI of the Agricultural Code, the registration fee for such warehouse shall be waived. Each such licensee and warehouseman who registers one or more warehouses shall file with the director the address to which notices under this chapter shall be mailed and notices mailed to such address shall be conclusively presumed to have been received.

1260 2. The director at least once each month shall report to the State Controller the total amount of moneys collected for fees, penalties, judgments or otherwise, and at the same time shall pay into the State treasury the entire amount of such moneys, which shall be credited to the Department of Agriculture fund and expended in carrying out the provisions of this chapter.

1260 25 At least once each year the director shall make or cause to be made an inspection of each warehouse registered under the provisions of this chapter for the purpose of determining the extent, if any, of insect infestations existing in each warehouse or in any of the grain stored therein. A written record of the results of all such inspections shall be kept in the department and shall be available to all interested parties upon application.

1260 3. Every warehouse, and every lot of grain stored therein, infested with insect pests of stored grain is hereby declared to be a public nuisance and the director is hereby empowered to cause the abatement of every such nuisance found upon inspection made or caused to be made by him Upon the finding of such infestation in any warehouse the director, in writing, shall notify the warehouseman that said warehouse or the contents thereof is a public nuisance in accordance with the provisions of this section. Such notification may be made by mail to his filed address and shall require him to immediately abate or cause to be abated such nuisance and within the time specified in the notice.

1260.35 Every warehouseman who registers a warehouse under this chapter and with whom grain has been stored shall make periodic inspections of the grain stored therein, and upon any finding of insect infestation in any such lot of grain he shall forthwith advise the owner of record of such grain of the fact.

1260 4. The director, in notifying any warehouseman that any lot of grain stored in his warehouse constitutes a public nuisance, shall supply such warehouseman with an additional copy of the notice. The warehouseman shall immediately deliver such copy to the owner of record of such grain accompanied by a statement requiring said owner to abate such nuisance either by removal of the grain or by its treatment to eliminate the infestation, provided, that in the event of a failure on the part of the warehouseman to give the owner the advice required by section 1260 35 of this chapter, such warehouseman shall be liable for the cost of such treatment as the director may require.

1260 45 If any warehouseman shall fail before the end of the time specified in the notice from the director to abate or cause to be abated the nuisance therein specified, the director shall notify the district attorney of the county in which the nuisance

exists and upon receipt of such notice such district attorney shall forthwith bring an action in the name of the people of the State of California against the warehouseman and the owner of infested grain to abate said nuisance.

1260 5. Any warehouseman who, after receipt of notice to abate such nuisance and before said nuisance shall have been abated, accepts for storage or does store any grain in the warehouse which or the contents of which is a public nuisance under the provisions of this chapter, shall be liable to the storer of such grain for any and all damages occasioned by subsequent infestation of grain so stored

1260.55. In any case in which a lot of grain has been declared to be a nuisance and has been required to be abated, the director shall also require the warehouseman to eliminate or control any infestation of the premises resulting from or in the infestation of the grain.

1260.6. Within thirty days after receipt of the copy of notice and statement referred to in section 1260.4, the owner of any lot of infested grain specified therein shall either remove the grain from the warehouse mentioned in the copy of notice and statement or shall cause the same to be treated so as to eliminate the infestation. If such owner shall fail to remove said grain, or shall fail to cause its treatment or to authorize the warehouseman to treat the same, the warehouseman may sell said grain at public sale after advising the owner of record of such intention, or, if it can not be so sold, the warehouseman may make such other disposition of it as is possible and shall incur no liability by reason of any such disposition."

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, strike out all of lines 1 to 34, inclusive, and insert in lieu thereof the following:

"1260.65. From the proceeds of such sale the warehouseman shall satisfy his lien, including the reasonable charge of notice, advertisement, and sale. The balance, if any, of such proceeds shall be held by the warehouseman, and delivered to the person to whom he would have been bound to deliver or justified in delivering the goods.

At any time before the goods are sold any person claiming a right of property or possession therein may pay the warehouseman the amount necessary to satisfy his lien and pay the reasonable expenses and liabilities incurred in serving notices and advertising and preparing for the sale up to the time of such payment. The warehouseman shall deliver the goods to the person making such payment if he is a person entitled, under the provisions of Statutes of 1909, Chapter 290, as amended, to the possession of the goods on payment of charges thereon. Otherwise the warehouseman shall retain possession of the goods according to the terms of the original contract of deposit.

1260 7 In case the owner authorizes the warehouseman to treat the infested grain, the warehouseman shall proceed with such treatment as shall be prescribed by the director. The cost of such treatment shall become a lien against such grain.

1260.75. The director and the commissioner of each county of the State, his deputies and inspectors, under the supervision and control of the director, shall enforce this chapter."

AMENDMENT NUMBER FIVE.

On page 3, line 35, of the printed bill, strike out the numeral "1260 55.", and insert in lieu thereof the numeral "1260.8."

AMENDMENT NUMBER SIX.

On page 3, line 44, of the printed bill, strike out the numeral "1260 6.", and insert in lieu thereof the numeral "1260.85."

The roll was called, and Senate amendments to Assembly Bill No. 1437 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—65.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1545—An act to amend sections 691, 692, 693, 694, 695, 696, 720, 860, 861, 865, 879, 880, 881, 882 and 972 of the Fish and Game Code, and to repeal sections 719, 862, 903 and 904 thereof, relating to fish and game.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1545?

AMENDMENT NUMBER ONE

On page 3 of the printed bill, strike out lines 33, 34 and 35, and insert in lieu thereof the following: "meshes of such nets may be not less than five and one-half inches in length."

AMENDMENT NUMBER TWO.

On page 4, line 5, of the printed bill, insert after the word "be", the following: "not less than".

The roll was called, and Senate amendments to Assembly Bill No. 1545 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Utt, West, Williamson, Wright and Mr Speaker—62.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1906—An act to add a new section to the School Code, to be numbered 5.27, relating to cooperative stores on the campuses of the State teachers colleges.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1906?

AMENDMENT NUMBER ONE.

Between lines 18 and 19 of the printed bill, as amended, insert the following: "The rental so received by the State Treasurer shall in addition to any money appropriated for the teachers' college in which the particular store is located be available for expenditure by the Director of Education for said college in such manner as he sees fit."

The roll was called, and Senate amendment to Assembly Bill No. 1906 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Utt, West, Williamson, Wright and Mr. Speaker—62.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1019—An act to amend the Political Code by amending subsection 3 of section 690.10 thereof, relating to the removal of certain structures upon the swamp, overflowed, marsh, tide or submerged lands of this State.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1019?

AMENDMENT NUMBER ONE

Amend the title to the printed bill, as amended, by changing the comma after the word "lands", in the third line, to a period, and strike out the balance of the title.

The roll was called, and Senate amendment to Assembly Bill No. 1019 was concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Cobb, Cottrell, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Redwine, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—60.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 2366—An act to amend sections 5.650, 5.653 and 5.661 of the School Code, relating to permanent employees.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2366?

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, as amended in Assembly May 5, 1933, strike out the comma following the figures "1919", and also the word "dishonesty".

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, as amended in Assembly May 5, 1933, after the comma following the word "amended", insert the word "dishonesty".

The roll was called, and Senate amendments to Assembly Bill No. 2366 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—59.
NOES—None.

The above reported bill ordered to enrollment.

REPORTS OF COMMITTEES ON FREE CONFERENCE.

The following reports of Committees on Free Conference were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 509—An act to amend an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended, by amending sections 2, 3, 4, 5, 6, 7, 9, 11, 10, 14 and by adding a new section to be numbered 15, relating to collection agencies—reports that it has met a like committee of the Senate, consisting of Senators Crittenden, Reindollar and Seawell, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, as amended, beginning with the word "constitute", in line 10, strike out the remainder of the line, and strike out all of lines 11 and 12, and insert in lieu thereof the following: "the credit of the "collection agency fund", which fund is hereby created and from which fund all expenses of carrying out the provisions of this act shall be defrayed. All moneys heretofore so received and turned in to the State treasury by the Secretary of State to defray the expenses of carrying out the provisions of this act, and now in the State treasury and designated by the Controller as the "collection agencies' license fund" are hereby transferred to the "collection agency fund" and made a part thereof, and any appro-

priations heretofore payable from said "collection agencies' license fund" shall be payable from the said "collection agency fund"."

CLOWDSLEY,
BURNS,
MEEHAN,
Assembly Committee on Free Conference.

CRITTENDEN,
REINDOLLAR,
SEAWELL,
Senate Committee on Free Conference.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—59.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 265—An act to amend sections 2322x28 and 4257 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-eighth class—reports that it has met a like committee of the Senate, consisting of Senators Bush, Gordon and Jespersen, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, as amended in the Assembly May 10, after the word "month", strike out the semicolon, and insert a period, and strike out the balance of line 17 and all of lines 18 and 19.

KALLAM,
PATTERSON,
CASSIDY,
Assembly Committee on Free Conference.

BUSH,
GORDON,
JESPERSEN,
Senate Committee on Free Conference.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—59.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 226—An act to amend section 802 of the Agricultural Code, relating to the standardization of grapes—reports that it has met a like committee of the Senate, consisting of Senators Wagy, Duval and Crittenden, and reports that the Committee on Free Conference has agreed to recommend the following:

Senate Bill No. 226, as amended in Assembly May 8, 1933, be amended as follows:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, strike out "nineteen", and insert in lieu thereof the following: "eighteen".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 1 to 5.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 8 to 10, inclusive, and insert in lieu thereof the following: "in that area northwest of the San Gorgonio Pass should be declared void, it is the intent".

TURNER,
MEEKER,
HUNT,
Assembly Committee on Free Conference.

WAGY,
DUVAL,
CRITTENDEN,
Senate Committee on Free Conference.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—59.

NOES—None.

UNFINISHED BUSINESS—(RESUMED).

Assembly Constitutional Amendment No. 73—Proposed amendment to Article VI, section 6, of the Constitution, relative to superior courts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 73?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 19 to 24, inclusive.

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed measure, as amended, strike out the period after "election", and insert in lieu thereof the following: "or selected in the manner then provided elsewhere in this Constitution."

AMENDMENT NUMBER THREE.

On page 1, line 25, of the printed measure, as amended, strike out "electing", and insert in lieu thereof the following: "selecting".

AMENDMENT NUMBER FOUR.

On page 2 of the printed measure, as amended, strike out lines 6 to 8, inclusive, and insert in lieu thereof the following: "judges apportioned to each district shall be selected from among the residents of such district in the manner then provided for the selection of judges of the superior court in such county."

The roll was called, and Senate amendments to Assembly Constitutional Amendment No 73 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.

NOES—None.

Assembly Constitutional Amendment No. 73 ordered to enrollment.

Assembly Bill No. 1184—An act to amend sections 640 and 671 of the Vehicle Code, relating to sirens, horns, warning devices and lights on vehicles.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1184?

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, as amended, after "vehicle", insert a comma, and strike out "and".

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, as amended, after "duties", insert the following: "and a deputy appointed to enforce the provisions of the Agricultural Code, relating to plant and animal quarantine".

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, as amended, strike out "or controlled".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1184 by the following vote:

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Evans, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

Assembly Bill No. 1974—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1974?

AMENDMENT NUMBER ONE

On page 1 of the printed bill, as amended, after line 5 insert the following: "of seven members appointed by the Governor. The terms of three of the members first appointed shall expire on January 1, 1935, and the terms of four of the members first appointed shall expire on January 1, 1937. At the expiration of the term of each member the vacancy shall be filled for a term of four years. Members of the commission shall be selected as follows:

a. One member from an area composed of Del Norte, Humboldt, Lake, Mendocino, Sonoma, Napa and Marin counties;

b One member from an area composed of Siskiyou, Modoc, Trinity, Shasta, Lassen, Tehama, Plumas, Glenn, Butte, Sierra, Colusa, Sutter, Yuba, Nevada, Placer, Yolo, Solano, Sacramento, El Dorado and Amador counties;

c. One member from an area composed of San Joaquin, Calaveras, Alpine, Stanislaus, Tuolumne, Mono, Merced, Mariposa, Madera, Inyo, Fresno, Tulare, Kings and Kern counties;

d. One member from an area composed of the City and County of San Francisco and Contra Costa, Alameda, San Mateo, Santa Clara, Santa Cruz, San Benito, Monterey and San Luis Obispo counties;

e. One member from an area composed of Santa Barbara, Ventura, Los Angeles, San Bernardino, Riverside, Orange, San Diego and Imperial counties;

f. Two members to be selected at large."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, strike out lines 7 to 12, inclusive.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1974 by the following vote:

AYES—Chatters, Clowdsley, Crist, Hornblower, Mayo, McCarthy, Patterson, Roberts, Scudder and Thorp—10

NOES—Alter, Anglim, Badham, Bowers, Boyle, Callahan, Cassidy, Cobb, Cottrell, Craig, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Utt, Williamson, Woolwine, Wright and Mr. Speaker—53.

Assembly Bill No. 2343—An act to add a new section to the Penal Code, to be numbered 537f, relating to the sale and offering for sale of rebuilt storage batteries.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2343?

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the semicolon following the word "unless", strike out "(a) the word", and strike out all of line 7, line 8 and line 9, up to and including the letter "(b)".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, after the word "is", strike out the word "branded", and insert in lieu thereof the word "labeled".

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, strike out the words "two sides", and insert in lieu thereof the words "one side".

The roll was called, and Senate amendments to Assembly Bill No. 2343 concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1788—An act to amend sections 737ss, 737uu and 737r of the Political Code, relating to the compensation of the judges of the superior court of Shasta County, Siskiyou County and Lassen County.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1788?

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, after the word "thousand", insert the words "five hundred".

The roll was called, and Senate amendment to Assembly Bill No. 1788 concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 723—An act to amend sections 4.320, 4.321, and 4.322, and repeal sections 4.323 to 4.334, both inclusive, of the School Code, all relating to school warrants registered for want of funds.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 723?

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the last comma, insert the following: "and to add thereto a new section to be numbered 4.354, all".

AMENDMENT NUMBER TWO.

On page 2, line 23, of the printed bill, following said line 23, insert the following:

"SEC 4 A new section is hereby added to the School Code to be numbered 4 354, and to read as follows

4 354 Whenever any warrant legally drawn on any fund of a school district shall have been lost or destroyed before the same shall have been paid by the county treasurer, the amount due thereon may be recovered by the legal owner or custodian thereof, by filing with the auditor of the county in the treasury of which the funds of the school district are deposited:

First—An affidavit setting forth the facts of the loss or destruction of such warrant, giving the number, date, amount and name of the payee, together with all material facts relative to the loss or destruction of the same

Second—A bond of indemnity, with two good and sufficient sureties, in double the amount of the face of the particular warrant, which bond shall be referred to the county auditor and to the district attorney, county counsel, or other officer who is the legal advisor of the school district, for approval or rejection.

It shall be the duty of the county auditor and of the district attorney, county counsel or other officer who is the legal advisor of the school district to examine and to pass upon the sufficiency of said bond and to approve or reject the same within thirty days after it shall have been filed with the county auditor.

Upon the filing of the approved bond, the county auditor, with the approval of the county superintendent of schools authorized to approve demands on the funds of the school district, is hereby authorized and directed to issue and to deliver to the legal owner or claimant, or demand, a duplicate warrant for the full amount of the original warrant, and the county treasurer is hereby authorized and directed to pay the duplicate, in lieu of the original warrant.

The auditor and the treasurer shall each make the proper entries on their books, showing such warrants to have been lost or destroyed and the issuance of duplicate warrants in lieu thereof."

AMENDMENT NUMBER THREE.

On page 2, line 24, of the printed bill, strike out the following: "Sec. 4.", and insert in lieu thereof the following: "Sec. 5."

The roll was called, and Senate amendments to Assembly Bill No. 723 concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Stanwood, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1249—An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1249?

AMENDMENT NUMBER ONE.

On page 2, line 50, of the printed bill, as amended, strike out the word "such", and insert in lieu thereof the word "each".

AMENDMENT NUMBER TWO.

On page 7 of the printed bill, as amended, following line 7, add a new section to read as follows:

"SEC 21 The term 'commission" or "Railroad Commission" when used in this act means Railroad Commission of the State of California."

AMENDMENT NUMBER THREE.

On page 3, line 15, of the printed bill, as amended, after the word and figure "SEC. 5.", strike out all of the remainder of line 15, and all of lines 16 to 19, inclusive, and insert in lieu thereof the following: "All fees charged and collected under this act shall be deposited at least once a month in the State treasury to the credit of the Railroad Commission and in augmentation of the current appropriation for the support of the Railroad Commission and may be expended by the Railroad Commission for the administration of this act."

AMENDMENT NUMBER FOUR.

On page 3, line 46, of the printed bill, as amended, strike out the words and figure "one dollar ($1)", and insert in lieu thereof the following: "five dollars ($5)."

The roll was called, and Senate amendments to Assembly Bill No. 1249 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—67.
NOES—None.

The above reported bill ordered to enrollment.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 518—An act to amend sections 4300a, 4300e, and 4300f of the Political Code, relating to fees—reports that it has met a like committee of the Senate, consisting of Senators Swing, Snyder and Rich, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE

On page 6, line 5, of the printed bill, as amended, strike out "4300d", and insert in lieu thereof the following: "4300b".

WEST,
KING,
BOYLE,
Assembly Committee on Free Conference.

SWING,
RICH,
SNYDER,
Senate Committee on Free Conference.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—67.
NOES—None.

Assembly Bill No. 518 ordered to enrollment.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1944—An act to create the California Mining and Development Board and to provide for the fostering and development of the mining industry of this State.

Bill read second time, ordered to engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1598—An act to authorize the acceptance of checks, bank drafts and money orders in payment of taxes, assessments, licenses, fees, and other accounts, payable into the treasury of any municipal or other public corporation, or political subdivision, subject to the due honor thereof and relating to the manner of making collection thereon, settlement with the treasurer therefor and procedure upon the nonpayment thereof, and to repeal an act entitled "An act to authorize assessors and tax collectors to accept checks, bank drafts and money orders in payment of taxes, subject to the due honor thereof and relating to the manner of making collection thereon and settlement with the county treasurer therefor," approved May 24, 1921.

Bill read third time.

The question being on the passage of the bill

MOTION TO RE-REFER.

Mr. Greene moved that Assembly Bill No. 1598 be withdrawn from file, and ordered re-referred to Committee on Rules.

The question being on re-referring Assembly Bill No. 1598 to Committee on Rules.

Motion carried.

Assembly Bill No. 1598 re-referred to Committee on Rules.

Assembly Bill No. 856—An act making an appropriation to pay the claim of William Dyer against the State of California.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. McCarthy:

AMENDMENT NUMBER ONE.

Strike out all of the printed bill, as amended, below the enacting clause, and insert in lieu thereof the following:

"SECTION 1. The sum of three thousand five hundred dollars is hereby appropriated out of any money in the State treasury not otherwise appropriated to pay the claim of William Dyer against the State of California."

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. McCarthy asked for, and was granted, unanimous consent to take up Assembly Bill No. 856, at this time, without reference to printer or file, and that same be considered engrossed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 856 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Clowdsley, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, O'Connor, O'Donnell, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel L.,

Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—65.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1199—An act making an appropriation to pay the claim of A. C. Brunzell and E. S. Brunzell, copartners against the State of California.
Bill read third time.
The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Fisher moved that Assembly Bill No. 1199 be withdrawn from file, and ordered re-referred to Committee on Rules.
The question being on re-referring Assembly Bill No. 1199 to Committee on Rules.
Motion carried.
Assembly Bill No. 1199 re-referred to Committee on Rules.

Assembly Bill No. 1775—An act to pay the claim of the Master Plumbers' Association Holding Corporation against the State of California.
Bill read third time.
The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Fisher moved that Assembly Bill No. 1775 be withdrawn from file, and ordered re-referred to Committee on Rules.
The question being on re-referring Assembly Bill No. 1775 to Committee on Rules.
Motion carried.
Assembly Bill No. 1775 re-referred to Committee on Rules.

Assembly Bill No. 693—An act to amend section 385 of the Political Code, relating to the secretaries of the Governor.
Bill read third time.
The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Cottrell moved that Assembly Bill No. 693 be withdrawn from file, and ordered re-referred to Committee on Rules.
The question being on re-referring Assembly Bill No. 693 to Committee on Rules.
Motion carried.
Assembly Bill No. 693 re-referred to Committee on Rules.

RESOLUTION.

The following resolution was offered:
By Mr. Robinson, C. Ray:

Resolved, That Senate Bills Nos. 606 and 757 present a case of urgency as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Field, Fisher, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, McBride, McCarthy, Meeker, Miller, Eleanor; Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—57.

NOES—Clowdsley and Lyon—2.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bills Nos. 606 and 757.

SECOND READING OF SENATE BILL NUMBER SIX HUNDRED SIX.

Senate Bill No. 606—An act to amend section 20a of and to add a new section, numbered 15a, to an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purposes of this act," approved June 10, 1915, relating to driller's bonds, and to deviation from the vertical of wells hereafter drilled, redrilled or deepened for the purpose of producing oil or gas, and declaring the urgency of the act, to take effect immediately.

Bill read second time.

THIRD READING OF SENATE BILL NUMBER SIX HUNDRED SIX.

Senate Bill No. 606—An act to amend section 20a of and to add a new section, numbered 15a, to an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges

to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purposes of this act," approved June 10, 1915, relating to driller's bonds, and to deviation from the vertical of wells hereafter drilled, redrilled, or deepened for the purpose of producing oil or gas, and declaring the urgency of the act, to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 606 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Field, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—58.

NOES—Rawls—1.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILL NUMBER SEVEN HUNDRED FIFTY-SEVEN.

Senate Bill No. 757—An act to add a new section to the School Code to be numbered 5.27, relating to cooperative stores on the campuses of the State teachers colleges.

Bill read second time.

THIRD READING OF SENATE BILL NUMBER SEVEN HUNDRED FIFTY-SEVEN.

Senate Bill No. 757—An act to add a new section to the School Code to be numbered 5.27, relating to cooperative stores on the campuses of the State teachers colleges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 757 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Chatters, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Grubbs, Hallner, Hatch, Hoffman, Knowland, Latham, Levey, Martin, McBride, McCarthy, Meeker, Nielsen, O'Connor, O'Donnell, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Scudder, Stannard, Stream, Thorp, Tournoux, West, Woolwine, Wright and Mr. Speaker—44.

NOES—Cassidy, Clowdsley, Jones, King, Miller, Eleanor; Morgan and Rogers—7.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At three o'clock and ten minutes p.m., on motion of Mr. Clowdsley, the Assembly was declared at recess until three o'clock and twelve minutes p.m. of this day.

REASSEMBLED.

At three o'clock and twelve minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

RESOLUTION.

The following resolution was offered:

Resolution by Messrs. Jones, King, O'Connor, Rogers, Shumate, Edmonds, McBride, Turner, Boyle, Cassidy, Anglim, Mahan, Rawls, O'Donnell, McPhetters, Cloudsley, Fallahay, Crowley, Robinson, Callaghan, McCarthy, Hunt, Sullivan, Hallner, Donsted, Fitzsimmons, Erb.

WHEREAS, the hour of eleven o'clock A.M., of this 8th day of May, 1933, marked the momentous occasion of the 55th birthday anniversary of our distinguished Colleague, Austin L. Tournoux, representing the 55th Assembly District, and

WHEREAS, Mr. Tournoux has brought great glory and renown upon our beloved State of California by choosing our State in which to pursue his career of brilliant statesmanship, and

WHEREAS, this Assembly is sincerely appreciative of the facts above set forth and of the further fact that Mr. Tournoux has proved himself to be one of those rare members who possesses the strength of character to refrain from oratorical activites,

NOW THEREFORE be it Resolved by the Assembly of the State of California that hereafter the 8th day of May of every year shall hereafter be known as "Tournoux Day", that upon said day all Sunday Schools and the State Senate shall be closed, that no member of this House shall on said day talk in excess of thirty seconds on any Bill, and be it further

RESOLVED that a statue of our distinguished Colleague be modelled in soap and erected next to that of Big Chief Solano for which the sum of five cents (5¢) is hereby appropriated, and for such other and further relief as may be necessary in the premises.

Approved by Governor [illegible] Chapter 99 99

RESOLUTIONS Re-referred to Committee on Fish and Game

Governor of California. Attest [illegible] Secretary of State

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 35—Relative to the removal of unemployed Filipinos to the Philippine Islands—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Joint Resolution No. 35 ordered on file for adoption.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 34—Reports of the proceedings of the annual convention of the Veterans of Foreign Wars of the United States, Department of California.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Concurrent Resolution No. 34 ordered on file for adoption.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 34—Relative to memorializing the President of the United States to increase the customs duties on certain fish products and to negotiate treaties concerning the conservation of fish.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Joint Resolution No. 34 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No 1618—An act to add a new section to be numbered 14a to Chapter 609, Statutes of 1931, entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining "gasoline" and prescribing specifications for products sold or offered for sale as "gasoline"; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to licensing of persons, firms, associations or corporations, installing and using motor vehicle fuel pumps, and to declare the urgency thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 1416—An act to amend section 12 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, relating to leasing of State lands and the taking of minerals or petroleum products therefrom, and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1495—An act to amend an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of

compensation of said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, relating to convict labor;

Also, Assembly Bill No. 1883—An act authorizing counties, cities and counties, and cities to relinquish jurisdiction over roads and highways in State parks to the authority charged by law with the management and control of such parks and providing for the construction, reconstruction, and maintenance of such roads and highways by the Department of Public Works;

Also: Assembly Bill No. 2374—An act prohibiting the bringing in, sale and distribution in this State of crude petroleum oil illegally produced and of gasoline, distillate, kerosene, gas oil or other motor fuel extracted, manufactured, distilled or compounded, in whole or in part, from crude petroleum oil or gas illegally produced; providing for certificates to be filed with the State Superintendent of Weights and Measures, Department of Agriculture, at the time of bringing into this State of any crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, certifying that such crude petroleum oil was not illegally produced or that such gasoline, distillate, kerosene, gas oil or other motor fuel was not extracted, manufactured, distilled or compounded from oil or gas illegally produced, and providing for a permit for taking delivery of such crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, and the fee to be paid therefor, and prescribing penalties for violations of this act.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1116—An act regarding special districts and including a procedure for the organization, operation, financing, government, consolidation and dissolution of such districts—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 601—An act to provide for the acquisition and cancellation of bonds heretofore issued under the provisions of that certain act of the Legislature of the State of California designated and known as the "Acquisition and Improvement Act of 1925," whether such bonds were issued under the provisions of said last named act as originally adopted or as same was amended; providing for the issuance and payment of assessment readjustment bonds to represent certain assessments for the cost of acquisition of such issued bonds, including all costs and incidental expenses of proceedings under this act for the issuance of such assessment readjustment bonds; providing a method for the payment of such assessment readjustment bonds; and providing a method for the redemption of lost or otherwise unobtainable bonds of the issue or issues to be acquired and canceled—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1733—An act to amend sections 8 and 11 of an act entitled "An act to provide for the maintenance by municipalities of lighting systems along public streets, alleys and other public places and for the lighting thereof by electric current, gas or other illuminating agent; and for the assessment of the cost and expense thereof upon the property benefited and the manner of collecting such assessments," approved May 16, 1919.

as amended, relating to penalties levied thereunder—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 598—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 599—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Road District Improvement Act of 1907, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments and for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1631—An act to amend section 1065 of the Fish and Game Code, relating to commercial fishing regulations—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 800—An act to add section 660 5 to the Fish and Game Code, relating to the protection of fish—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1—An act to amend section 737a of the Political Code, relating to the salaries of judges of the superior

court, Alameda County—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1477—An act to amend section 10 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act," approved May 24, 1927, relating to the deposit of public funds—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2092—An act to amend sections 25, 27, 28, 60, 62, 63, 65a, 66, and 68 of and to add two new sections to be numbered sections 76b and 76c, respectively, to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By K. E MORLEY, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 880—An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities of the second and one-half class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 123—An act to amend section 204e of and to add sections 204f and 204g to the Code of Civil Procedure, relating to the secretary and assistant secretaries of the superior court;

Also Assembly Bill No. 1007—An act to amend section 7 of an act entitled "An act authorizing the establishing of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts;

Also: Assembly Bill No. 1236—An act to amend section 737eee of the Political Code, relating to the superior judge in and for the county of Yolo;

Also: Assembly Bill No. 979—An act to add a new section to the Political Code, to be numbered 2161a, relating to State hospital building and grounds;

Also: Assembly Bill No. 2413—An act authorizing the county in which judges and justices of the peace are sitting, in courts other than their own under assignment thereto by the chairman of the judicial council, to pay the necessary expenses of such judges and justices of the peace for travel, board and lodging;

Also: Assembly Bill No. 10—An act to amend section 737s of the Political Code, relating to salaries of judges of the superior court, Los Angeles County;

Also: Assembly Bill No. 255—An act to amend section 2192 of the Political Code, requiring counties to pay the State only for actual time that feeble-minded are inmates of the State home.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2391—An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 739—An act to add section 4½ to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements under the Street Opening Act of 1889 and providing for the effect and enforcement of such bonds," approved May 24, 1921, relating to the issuance of bonds;

Also: Assembly Bill No. 256—An act to add sections 3a, 3b, and 5a to, and to amend sections 5 and 7 of an act entitled "The County Improvement Act of 1921," approved June 3, 1921, Statutes of 1921, page 1628, relating to the improvement of roads and highways within unincorporated territory of counties;

Also: Assembly Bill No. 355—An act to amend sections 3, 4, 5a, and 15, and to repeal section 17 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, Statutes of 1911, page 1192, as amended;

Also: Assembly Bill No. 381—An act to amend sections 18 and 26a of an act entitled "An act to provide for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of such improvement, and providing for aid from the county or municipalities toward the expenses of such improvement," relating to street improvements;

Also: Assembly Bill No. 1571—An act to validate the organization and incorporation of municipal corporations;

Also: Assembly Bill No. 2423—An act to amend section 6 of the "Orange County Flood Control Act," relating to bond elections.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused adoption to Assembly Constitutional Amendment No. 64—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 5 of Article XI thereof and

adding to said article a new section to be numbered 5 5, relating to the government of counties.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

UNFINISHED BUSINESS.

Assembly Bill No. 635—An act to amend sections 21, 228, 229, 440, 463, 578, 702, 715, 932, 1010, 1020, 1120, 1125, 1126, 1200, 1201, 1531 and 1537 of the Probate Code, to add sections 718.5, 930.5, 1020.5, 1026, 1127, 1241, 1556.5 and 1632 thereto, and to repeal certain provisions of law herein specified, all relating to probate, including the custody, disposal by will, succession, administration and distribution of estates of decedents, and the custody and administration of estates of persons under guardianship.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 635?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out lines 5 and 6 of the title, and insert in lieu thereof the following: "repeal certain provisions of law herein specified, all relating to".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out lines 6 to 16, inclusive, and on page 2 of the printed bill, as amended, strike out lines 1 to 21, inclusive.

AMENDMENT NUMBER THREE.

On page 2, line 22, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "2".

AMENDMENT NUMBER FOUR.

On page 2, line 35, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "3".

AMENDMENT NUMBER FIVE.

On page 2, line 51, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "4".

AMENDMENT NUMBER SIX.

On page 3, line 8, of the printed bill, as amended, after the word "a", insert the following: "verified".

AMENDMENT NUMBER SEVEN.

On page 3, line 13, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following: "5".

AMENDMENT NUMBER EIGHT.

On page 3, line 24, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "6".

AMENDMENT NUMBER NINE

On page 3, line 30, of the printed bill, as amended, strike out "9", and insert in lieu thereof the following: "7".

AMENDMENT NUMBER TEN.

On page 3, line 38, of the printed bill, as amended, after the word "a", insert the following: "verified".

AMENDMENT NUMBER ELEVEN.

On page 3, line 47, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", and a certified copy of the order authorizing the transfer must be recorded in the office of the recorder of the county in which the real property or any portion thereof lies."

AMENDMENT NUMBER TWELVE.

On page 3, line 48, of the printed bill, as amended, strike out "10", and insert in lieu thereof the following: "8".

AMENDMENT NUMBER THIRTEEN.

On page 4, line 1, of the printed bill, as amended, strike out "11", and insert in lieu thereof the following: "9".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 13, of the printed bill, as amended, strike out "12", and insert in lieu thereof the following: "10".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 17, of the printed bill, as amended, after the word "mortgage", insert the following: "or otherwise".

AMENDMENT NUMBER SIXTEEN.

On page 4, line 43, of the printed bill, as amended, strike out "13", and insert in lieu thereof the following: "11".

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 3, of the printed bill, as amended, strike out "14", and insert in lieu thereof the following: "12".

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 13, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "13".

AMENDMENT NUMBER NINETEEN

On page 5, line 20, of the printed bill, as amended, strike out "16", and insert in lieu thereof the following: "14".

AMENDMENT NUMBER TWENTY.

On page 6, line 1, of the printed bill, as amended, strike out "17", and insert in lieu thereof the following: "15".

AMENDMENT NUMBER TWENTY-ONE.

On page 6, line 14, of the printed bill, as amended, strike out the figure "18", and insert in lieu thereof the following: "16".

AMENDMENT NUMBER TWENTY-TWO

On page 6, line 27, of the printed bill, as amended, strike out "19", and insert in lieu thereof the following: "17".

AMENDMENT NUMBER TWENTY-THREE.

On page 6, line 32, of the printed bill, as amended, strike out "20", and insert in lieu thereof the following: "18".

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 11, of the printed bill, as amended, strike out "final publication to be".

AMENDMENT NUMBER TWENTY-FIVE.

On page 7, line 37, of the printed bill, as amended, strike out "21", and insert in lieu thereof the following: "19".

AMENDMENT NUMBER TWENTY-SIX.

On page 8, line 1, of the printed bill, as amended, strike out "22", and insert in lieu thereof the following: "20".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 8, lines 4 and 5, of the printed bill, as amended, strike out "and not for want of jurisdiction of the court,".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 8, line 9, of the printed bill, as amended, strike out "23", and insert in lieu thereof the following: "21".

AMENDMENT NUMBER TWENTY-NINE.

On page 8, line 23, of the printed bill, as amended, strike out "24", and insert in lieu thereof the following: "22".

AMENDMENT NUMBER THIRTY.

On page 8, line 36, of the printed bill, as amended, strike out "25", and insert in lieu thereof the following: "23".

AMENDMENT NUMBER THIRTY-ONE.

On page 8, line 41, of the printed bill, as amended, strike out "26", and insert in lieu thereof the following: "24".

AMENDMENT NUMBER THIRTY-TWO

On page 8, line 44, of the printed bill, as amended, strike out "and not for want of jurisdiction of the court.".

AMENDMENT NUMBER THIRTY-THREE

On page 8, line 48, of the printed bill, as amended, strike out "27", and insert in lieu thereof the following: "25".

AMENDMENT NUMBER THIRTY-FOUR.

In line 1 of the title of the printed bill, as amended, strike out "228, 229,".

AMENDMENT NUMBER THIRTY-FOUR-A.

In line 3 of the title of the printed bill, as amended, after "sections", insert the following: "541 5,".

AMENDMENT NUMBER THIRTY-FIVE.

On page 2 of the printed bill, as amended, between lines 50 and 51, insert the following:

"SEC. 3a. A new section is hereby added to the Probate Code to be numbered section 541.5, and to read as follows:

541.5. Every executor or administrator furnishing a surety bond shall be allowed the cost of such bond for every year it remains in force."

AMENDMENT NUMBER THIRTY-SIX.

On page 6, line 33, of the printed bill, as amended, after the period, insert the following: "He shall be allowed the cost of such bond to the extent provided by section 541.5."

AMENDMENT NUMBER THIRTY-SEVEN.

On page 8 of the printed bill, as amended, strike out lines 38 to 40, inclusive, and insert in lieu thereof the following:

"1556.5. If the guardian furnishes a surety bond, he shall be allowed the cost thereof for each year it remains in force."

The roll was called, and Senate amendments to Assembly Bill No. 635 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Frazier, Greene, Grubbs, Hatch, Hoffman, Kallam, King, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Phillips, Rawls, Robinson, C. Ray; Robinson, Samuel E., Scudder, Stream, Thorp, Turner, West, Wright and Mr. Speaker—42.

NOES—None.

THIRD READING OF SENATE BILLS.

Senate Concurrent Resolution No. 26—Relative to an advisory committee to study and recommend procedure of regulatory and service agencies of county, State, and Federal governments pertaining to wild life conservation and administration and the relationships of pest control thereto.

Senate Concurrent Resolution No. 26 read.

The question being on the adoption of Senate Concurrent Resolution No. 26.

The roll was called, and Senate Concurrent Resolution No. 26 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Dempster, Evans, Fisher, Frazier, Hatch, Hoffman, Kallam, King, Knowland, Levey, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Stream, Thorp, Turner, West, Williamson, Woolwine and Mr. Speaker—45.

NOES—Brock, Grubbs, Latham, Sullivan and Wright—5.

Title read and approved.

Senate Concurrent Resolution No. 26 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 26

Relative to an advisory committee to study and recommend procedure of regulatory and service agencies of county, State, and Federal governments pertaining to wild life conservation and administration and the relationships of pest control thereto.

WHEREAS, The county, State and Federal governments, through their agricultural, fish and game or public health units under authority of legislative enactment carry on pest control work in the State of California; and

WHEREAS, Such pest control operations may occasion controversy between such units or with persons, associations and organizations interested in the protection, conservation and administration of native wild life; and

WHEREAS, The important interests of all agencies and groups can best be served by conference and agreement through an advisory study committee; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That there is hereby created a committee to be known as the Wild Life Administration and Pest Control Relations Committee, which committee shall be comprised of representatives, not to exceed nineteen in number, chosen as hereinafter provided and for the purpose of organization and establishment such committee shall be called into session by the president of the University of California for its initial meeting; and be it further

Resolved, That the members of such committee shall be as follows: One member from the State Department of Public Health to be designated by the Director of Public Health; one member from the State Division of Fish and Game of the State Department of Natural Resources to be designated by the executive officer of said Division of Fish and Game; one member from the State Department of Agriculture to be designated by the Director of Agriculture; one member from the United States Biological Survey to be designated by the chief of said bureau; one member from the agricultural department of the State Chamber of Commerce, who shall be the manager of said agricultural department; one member from the conservation department of the State Chamber of Commerce who shall be the manager of said department; one member from the staff of the California Academy of Sciences, four members from the University of California to be designated by the president of the university (1) The College of Agriculture, (2) The Department of Zoology, (3) The Division of Pharmacology, and (4) The Hooper Foundation for Medical Research; a member from the Cooper Ornithological Club to be designated by its president, a member of the Sierra Club to be designated by its president, a member of the California Farm Bureau Federation to be designated by its president; the president of the State Association of County Agricultural Commissioners; a member who shall represent a state-wide sportsman's association, to be chosen by the above designated members; and not to exceed three members at large who shall be chosen to serve on such committee by the above designated members; and be it further

Resolved, That said committee shall, upon request of interested agencies or upon its own motion, consider matters pertaining to wild life administration and pest control relationships and recommend advisorily to the units, persons, associations or organizations concerned.

Senate Concurrent Resolution No. 14—Relative to a State hospital for persons injured in the course of employment in the mining industry.

Senate Concurrent Resolution No. 14 read.

The question being on the adoption of Senate Concurrent Resolution No. 14.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Chatters moved a call of the House.

Motion carried.

Time, three o'clock and thirteen minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Grubbs, Hatch, Hoffman, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Stream, Sullivan, Thorp, Turner, West, Wright, Zion and Mr. Speaker—54.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At three o'clock and fourteen minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Mayo.

The roll of absentees was called, and Senate Concurrent Resolution No. 14 was adopted by the following vote:

AYES—Alter, Anglin, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Hoffman, Kallam, King, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Roberts, Robinson, C. Ray; Scudder, Turner, Utt, West, Zion and Mr. Speaker—46

NOES—Clowdsley, Cottrell, Field, Fisher, Grubbs, Hatch, Knowland, Latham, Phillips, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Stream, Sullivan, Thorp and Wright—18.

Title read and approved.

Senate Concurrent Resolution No. 14 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 14.

Relative to a State hospital for persons injured in the course of employment in the mining industry

WHEREAS, The prosperity of the mining industry is of enormous importance to the economic future of this State; and

WHEREAS, The expense of caring for persons injured in the course of employment in that industry is an important factor in the financial problems of that industry; and

WHEREAS, The effect of such expense bears a direct relation to the premium rates for workmen's compensation insurance paid by that industry; and

WHEREAS, For the above reasons it is highly desirable that adequate hospitalization of persons injured in the course of their employment in the mining industry be provided at the lowest possible cost to that industry; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Director of Finance be and he is hereby requested to conduct a study and investigation, and to report to the fifty-first regular session of the Legislature as to the desirability and economic feasibility of the establishment and maintenance of a hospital or hospitals for the care of persons injured in the course of their employment in the mining industry, and entitled to hospitalization for such injuries under the terms of the law relating to workmen's compensation; and be it further

Resolved, That all State officers, boards and commissions, and in particular the departments of Industrial Relations and Institutions, are hereby requested and directed to furnish such information, data, and advice, as may be of assistance in the study and investigation called for by this resolution.

Senate Bill No 1117—An act to abolish the Division of Research and Statistics in the Department of Education.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Phillips moved that Senate Bill No. 1117 be withdrawn from file, and ordered re-referred to Committee on Rules.

The question being on re-referring Senate Bill No. 1117 to Committee on Rules.

Motion carried.

Senate Bill No. 1117 re-referred to Committee on Rules.

Senate Joint Resolution No. 26—Relative to extension of time by institutions receiving Federal aid or assistance for the payment of certain debts secured by mortgages or deeds of trust.

Senate Joint Resolution No. 26 read.

The question being on the adoption of Senate Joint Resolution No. 26.

The roll was called, and Senate Joint Resolution No. 26 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Grubbs, Hoffman, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stream, Thorp, West, Wright, Zion and Mr. Speaker—54.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 26 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 26.

Relative to extension of time by institutions receiving Federal aid or assistance for the payment of certain debts secured by mortgages or deeds of trust.

WHEREAS, The activity of the United States government in its present plan of aiding banks, insurance companies, building and loan companies and railroad companies, as well as in aiding agriculture and industry is viewed with appreciation and approbation by the Legislature of the State of California; and

WHEREAS, Said Legislature is especially in full accord with the extension of aid to banks which have loaned money to farmers and homeowners, secured by mortgages or deeds of trust on home or farm properties, and

WHEREAS, It has been brought to the attention of some members of the Legislature that some of the financial institutions receiving loans or other assistance from the United States government or its agencies do not extend and are not willing to extend reasonable time for payment of debts secured by deeds of trust or mortgages on homes and farm properties before foreclosing the mortgage or exercising powers of sale granted by the mortgage or deed of trust; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully petitions and urges the United States government to use the strongest measures justifiable in requiring such institutions receiving such aid to cooperate with the Federal government, in its program for the restoration of prosperity to our country, by extending time for payment of the debts above mentioned; and be it further

Resolved, That duly authenticated copies of this resolution be sent forthwith, by the Secretary of the Senate of the State of California, to the President of the United States, to the President of the Senate of the United States, to the Speaker of the House of Representatives of the United States, and to the members of Congress from the State of California.

Senate Bill No. 1204—An act to amend section 11 of an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of the levee, and the payment of indebtedness of Levee District Number One of Sutter County," approved March 20, 1874, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1204 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 135—An act to amend the Fish and Game Code by amending sections 651, 654, 659 and 692 thereof and by adding thereto sections 659.5 and 659.6, relating to salmon and striped bass

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Frazier:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in the title, after "651.5", insert ", 651.6".

AMENDMENT NUMBER TWO.

On page 2, line 17, of the printed bill, after the period, add a new section to read as follows:

"SEC. 3. A new section is hereby added to the Fish and Game Code to be numbered 651.6 and to read as follows:

651.6 In that portion of the San Joaquin River from its mouth to the Mendota Weir, at or near Mendota, salmon may be taken with hook and line between April 1 and December 31."

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Frazier asked for, and was granted, unanimous consent to take up Senate Bill No. 135, at this time, without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 135 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 987—An act to amend section 128 of the Agricultural Code, relating to the eradication of pests.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 987 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 14—An act to amend section 337 of the Code of Civil Procedure, relating to the time within which actions upon any contract, obligation or liability founded upon an instrument in writing may be commenced.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 14 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 877—An act to amend section 801 of the Penal Code, relating to limitation of one year in misdemeanors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 877 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 880—An act to amend section 476 of the Penal Code, relating to crimes and the punishment thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 880 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1110—An act to amend section 630 of the Probate Code, relating to summary probate proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1110 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1200—An act to provide for the incorporation and supervision of limited dividend corporations for the purpose of protecting and developing forest and other renewable natural resources.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1200 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 765—An act to amend section 2 of an act entitled "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the public Utilities Act and the Railroad Commission of the State of California," approved April 25, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 765 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. ROY J. NIELSEN IN THE CHAIR.

Hon Roy J. Nielsen, member of the Assembly from the Eighth Assembly District, in the chair.

Senate Bill No. 747—An act to add a new section to the California Direct Primary Law, Statutes 1913, p. 1379, to be known as section 28a, relating to contested primary elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. West moved a call of the House.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Wright, Zion and Mr. Speaker—67.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

Senate Bill No. 463—An act to amend section 14 of the Old Age Security Act of the State of California, relating to the protection, welfare and assistance of aged persons

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 463 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Clowdsley, Cottrell, Crist, Cronin, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Further proceedings under call of the House were dispensed with, on motion of Mr. West.

The roll of absentees was called, and Senate Bill No. 747 was passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Hallner, Hatch, Hoffman, Hunt, Knowland, Latham, Lyon, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Thorp, Utt, West, Wright, Zion and Mr. Speaker—49.

NOES—Bowers, Boyle, Callahan, Craig, Dempster, Frazier, Gilmore, Grubbs, Hornblower, Jones, Kallam, King, Levey, Maloney, McBride, McCarthy, McMurray, Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Rogers, Sullivan, Tournoux and Turner—26.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 583—An act amending sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37 and 38 of an act entitled "An act requiring the recording of maps of subdivisions of land in certain cases; prescribing the conditions on which such maps may be recorded; authorizing the execution of contracts secured by bond for the placing of improvements on streets, highways, and ways dedicated thereby; authorizing cities, cities and counties and counties to adopt by ordinance subdivision regulations in addition to those provided hereby; prohibiting any attempt to place other requirements for the recording of such maps; prohibiting the selling, or offering or contracting to sell any subdivision or portion thereof by reference to any map other than a recorded map; making certain acts misdemeanors; and repealing earlier acts in conflict therewith," approved June 17, 1929, and adding thereto a new section to be designated section 13a.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Utt:

AMENDMENT NUMBER ONE

On page 2, line 18, of the printed bill, as amended in the Assembly, May 10, 1933, after the semicolon after the word "survey", insert the following: "provided, further, that any subdivision which is now or may hereafter be platted which has its own private streets for which means of permanent maintenance are provided from private sources and which is served by public utilities and which does not conflict with any officially adopted master street or highway plan;".

The question being on the adoption of the amendment.

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hoffman asked for, and was granted, unanimous consent to take up Senate Bill No. 583 at this time, without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 583 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Feigenbaum, Fisher, Frazier, Greene, Hatch, Hoffman, Jones, Kallam, King, Knowland, Maloney, Martin, Mayo,

McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson and Zion—52.

NOES—Cobb, Dempster, Field, Latham, Levey, Lyon, McBride, McMurray, Rawls, Robinson, Samuel E., Stannard, Wright and Mr. Speaker—13.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS.

Senate Bill No. 562—An act to amend section 1, of an act entitled "An act to create a fund to be known as the State highway general fund and providing for expenditures therefrom," approved June 5, 1931.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 562 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Feigenbaum, Field, Greene, Hallner, Hoffman, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 563—An act to amend sections 2, 3 and 5 and to add two sections to be numbered 6 and 7 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, said amendments and new sections relating to the allocation and expenditure of State highway funds, the construction, improvement and maintenance of State highways and the addition of certain highways to the State system.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Hoffman:

AMENDMENT NUMBER ONE.

On page 6, line 34, of the printed, amended bill, strike out the period after the word "feet", and insert in lieu thereof the following: "; and provided further, that the provisions of section 2620 of the Political Code in respect to State highways shall not apply to such highways within municipalities."

AMENDMENT NUMBER TWO.

On page 7, line 15, of the printed, amended bill, strike out the period following the word "Mineral", and add the following: "and Lassen National Park-Mineral Road to State Highway Route 29 near Morgan."

AMENDMENT NUMBER THREE.

On page 7, line 38, of the printed, amended bill, strike out the words "Dunnigan via Madison", and insert in lieu thereof the following: "Woodland.

State Highway Route 7 near Vacaville to State Highway Route 7 near Dunnigan."

AMENDMENT NUMBER FOUR.

On page 8, line 17, of the printed, amended bill, strike out the comma after the word "Broderick", and insert in lieu thereof the word "and".

AMENDMENT NUMBER FIVE.

On page 8, line 18, of the printed, amended bill, strike out the words "near Elkhorn Slough".

AMENDMENT NUMBER SIX.

On page 8 of the printed, amended bill, strike out lines 22, 23 and 24, and insert in lieu thereof the following:

"State Highway Route 8 near Napa to Winters via Wooden Valley and Berryessa Valley."

AMENDMENT NUMBER SEVEN.

On page 9 of the printed, amended bill, strike out lines 5 and 6, and insert in lieu thereof the following.

"State Highway Route 4 near Stockton to State Highway Route 13 near Knights Ferry."

AMENDMENT NUMBER EIGHT.

On page 10, line 1, of the printed, amended bill, strike out the word "Gustine", and insert in lieu thereof the following: "Newman".

AMENDMENT NUMBER NINE.

On page 10 of the printed, amended bill, strike out lines 35, 36 and 37, and insert in lieu thereof the following: "4 near Fresno via Stratford

State Highway Route 2 near Santa Margarita to Moro-Fresno Road near Creston."

AMENDMENT NUMBER TEN.

On page 4, line 38, of the printed, amended bill, after the word "charters," add the words "and any city and county".

AMENDMENT NUMBER ELEVEN.

On page 4, line 40, of the printed, amended bill, after the word "city", insert the words "or city and county".

AMENDMENT NUMBER TWELVE.

On page 4 of the printed, amended bill, at the end of line 41, after the word "city", add the words "or city and county".

AMENDMENT NUMBER THIRTEEN.

On page 4, line 43, of the printed, amended bill, after the word "city", add the words "or city and county".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 47, of the printed, amended bill, after the word "city", add the words "or city and county".

AMENDMENT NUMBER FIFTEEN.

On page 5, line 2, of the printed, amended bill, after the word "city", add the words "or city and county".

AMENDMENT NUMBER SIXTEEN.

On page 5, line 11, of the printed, amended bill, after the word "city", add the words "or city and county".

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 16, of the printed, amended bill, after the word "city", add the words "or city and county".

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 23, of the printed, amended bill, after the word "city", add the words "or city and county".

AMENDMENT NUMBER NINETEEN

On page 5, line 29, of the printed, amended bill, after the word "city", add the words "or city and county".

AMENDMENT NUMBER TWENTY.

On page 5, line 33, of the printed, amended bill, after the word "charters", add the words "or city and county".

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 14, of the printed, amended bill, after the words "to conduct such", insert the following: "acquisition, or construction, or".

The question being on the adoption of Amendments Numbers One, Two, Three, Four, Five, Six, Eight, Nine, Ten, Eleven, Twelve, Thir-

teen, Fourteen, Fifteen, Sixteen, Seventeen, Eighteen, Nineteen, Twenty and Twenty-one.

Amendments adopted.

The question being on the adoption of Amendment Number Seven.

REQUEST FOR ROLL CALL.

On request of Messrs. Powers, Peterson and Clowdsley, the Speaker ordered a roll call taken on the adoption of Amendment Number Seven.

The roll was called, and Amendment Number Seven was adopted by the following vote:

AYES—Anglim, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crowley, Dempster, Evans, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Powers, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Turner and West—49.

NOES—Bliss, Brock, Cottrell, Cronin, Feigenbaum, Field, Jones, Levey, Meeker, Patterson, Riley, Tournoux, Wright, Zion and Mr. Speaker—15.

FURTHER AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED SIXTY-THREE.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Redwine:

AMENDMENT NUMBER ONE.

On page 12 of the printed bill, as amended, strike out all of lines 1 and 2, and insert in lieu thereof the following: "Highland Avenue, Los Angeles, from Cahuenga Boulevard to Santa Monica Boulevard."

AMENDMENT NUMBER TWO.

On page 14 of the printed bill, as amended, after line 22, insert the following: "From a point on State Highway Route 26 approximately two miles west of Brawley to a point on said Route 26 approximately two and one-half miles southwest of Brawley."

Amendments adopted.

FURTHER AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED SIXTY-THREE.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Lyon:

AMENDMENT NUMBER ONE.

On page 5, line 8, of the printed bill, as amended, strike out the words "Department of Public Works", and insert in lieu thereof the following: "board of supervisors of the county in which such city is located".

AMENDMENT NUMBER TWO.

On page 5, line 12, of the printed bill, as amended, strike out the word "may", and insert in lieu thereof the word "shall".

AMENDMENT NUMBER THREE.

On page 5 of the printed bill, as amended, strike out all of lines 13 to 15, inclusive, and insert in lieu thereof the following: "body of each city and county and of each county in which one or more such cities are located."

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Lyon, Knowland and Hoffman, the Speaker ordered a roll call taken on the adoption of the amendments submitted by Mr. Lyon.

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

AYES—Badham, Boyle, Callahan, Cobb, Craig, Cronin, Dempster, Evans, Feigenbaum, Field, Grubbs, Hallner, Hatch, Hornblower, Jones, King, Latham, Levey, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Sullivan, Tournoux, Utt, Williamson, Wright, Zion and Mr. Speaker—40.

NOES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Fisher, Hoffman, Kallam, Knowland, Mayo, McBride, Meehan, Meeker, Morgan, Nielsen, O'Donnell, Peterson, Phillips, Powers, Robinson, Samuel E., Roland, Scudder, Stream, Thorp, Turner and West—33.

FURTHER AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED SIXTY-THREE.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Cobb:

AMENDMENT NUMBER ONE

On page 14 of the printed bill, as amended in the Senate May 9, 1933, after line 22 insert: "continue Roosevelt Highway from the point where it intersects with Santa Monica Canyon Road at and in Santa Monica, to a point where, if so continued, said Roosevelt Highway would reach a point where it would intersect with Windward Avenue in Venice, Los Angeles, California. Said road is now commonly known and designated as Ocean Front and parallels the Pacific Ocean at a short distance therefrom".

The question being on the adoption of the amendment.

Amendment adopted.

FURTHER AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED SIXTY-THREE.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Cobb:

AMENDMENT NUMBER ONE.

On page 14 of the printed bill, as amended in the Senate May 9, 1933, after line 22 insert: "Tenth Street in Los Angeles from Rimpau Boulevard to Indiana Avenue".

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs Hoffman, Hornblower and Kallam, the Speaker ordered a roll call taken on the adoption of the amendment submitted by Mr. Cobb.

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

AYES—Badham, Boyle, Callahan, Cobb, Dempster, Evans, Field, Greene, Grubbs, Hallner, Hatch, King, Knowland, Latham, Lyon, McCarthy, O'Connor, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Sullivan, Tournoux, Wright and Mr. Speaker—26.

NOES—Anglim, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Fisher, Frazier, Hoffman, Hornblower, Kallam, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Phillips, Powers, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Turner, West and Williamson—42.

FURTHER AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED SIXTY-THREE.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Lyon:

AMENDMENT NUMBER ONE.

On page 4, line 33, of the printed bill, as amended, strike out the word "one-quarter", and insert in lieu thereof the word "one-half".

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs. Lyon, King and Morgan, the Speaker ordered a roll call taken on the adoption of the amendment submitted by Mr. Lyon.

The roll was called, and the amendment by Mr. Lyon was refused adoption by the following vote:

AYES—Badham, Boyle, Callahan, Cobb, Craig, Dempster, Evans, Feigenbaum, Field, Greene, Grubbs, Hallner, Hatch, Jones, King, Latham, Lyon, Martin, McCarthy, McMurray, Miller, Eleanor; O'Connor, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Sullivan, Tournoux, Turner, Utt, Wright and Mr. Speaker—33.

NOES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Fisher, Frazier, Hoffman, Hornblower, Kallam, Knowland, Levey, Maloney, Mayo, McBride, Meehan, Miller, James A., Nielsen, O'Donnell, Patterson, Phillips, Powers, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, West and Williamson—39.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hoffman asked for, and was granted, unanimous consent to take up Senate Bill No. 563, at this time, without reference to printer or file.

THIRD READING OF SENATE BILL NUMBER FIVE HUNDRED SIXTY-THREE

Senate Bill No. 563—An act to amend sections 2, 3 and 5 and to add two sections to be numbered 6 and 7 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, said amendments and new sections relating to the allocation and expenditure of State highway funds, the construction, improvement and maintenance of State highways and the addition of certain highways to the State system.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 563 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—70.

NOES—None.

Senate Bill No. 556—An act relating to the examination of juvenile offenders, and providing for State aid and cooperation with county authorities.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Hornblower moved that Senate Bill No. 556 be withdrawn from file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Senate Bill No. 556 to Committee on Judiciary.

Motion carried.

Senate Bill No. 556 re-referred to Committee on Judiciary.

Senate Bill No. 561—An act to amend sections 1, 2, 3, 5, 6, 7, 10, 11, 13, 13a, 14 and 16 of Chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, to add thereto a new section to be numbered 19, providing for a short title for said act, and to repeal Chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled, 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," as amended, and providing that this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stan-

nard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—70.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILL NUMBER FIVE HUNDRED SIXTY-ONE.

Senate Bill No. 561—An act to amend sections 1, 2, 3, 5, 6, 7, 10, 11, 13, 13a, 14 and 16 of Chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, to add thereto a new section to be numbered 19, providing for a short title for said act, and to repeal Chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," as amended, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 561 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr Speaker—70.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 358—An act to add section 441 to the Political Code, relating to the registration of warrants and the payment of obligations

of the State, to make an annual appropriation therefor, to repeal an act entitled "An act concerning the office of Treasurer of State," approved March 16, 1855, and to declare that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Feigenbaum:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, as amended, following line 34, insert the following: "The State Treasurer is hereby authorized with the approval of the State Controller to withdraw such amount as may be necessary from the appropriation made herein to be used as a revolving fund for the payment of such interest."

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Feigenbaum asked for, and was granted, unanimous consent to take up Senate Bill No. 358, at this time, without reference to printer or file.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—70.

NOES—None.

THIRD READING OF SENATE BILL NUMBER THREE HUNDRED FIFTY-EIGHT.

Senate Bill No. 358—An act to add section 441 to the Political Code, relating to the registration of warrants and the payment of obligations of the State, to make an annual appropriation therefor, to repeal an act entitled "An act concerning the office of Treasurer of State," approved March 16, 1855, and to declare that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 358 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stan-

nard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RESOLUTION.

The following resolution was offered:

By Messrs. Maloney and Anglim:

WHEREAS, The second Sunday in May has been set aside throughout the entire Nation as Mothers Day; and,

WHEREAS, This great day is dear to the hearts of all; and,

WHEREAS, The most beloved being on earth to each of us is our mother; and,

WHEREAS, Through her countless sacrifices, trials, and tribulations she has been the angel of humanity; therefore be it

Resolved, That we, the members of the Assembly of the State of California, do hereby dedicate Sunday, May 14, 1933, to be set aside and observed as Mothers Day, in honor of those dear ones to whom we owe so much; and be it further

Resolved, That we do hereby express to the Mothers of California our best wishes for a happy Mothers Day, and assure them of our everlasting love and gratitude for the endless sacrifices they have made for us.

Resolution read, and on motion unanimously adopted.

RECESS.

At three o'clock and fifteen minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until three o'clock and sixteen minutes p.m. of this day.

REASSEMBLED.

At three o'clock and sixteen minutes p.m., the Assembly reconvened. Speaker pro tempore Hon. F. C. Clowdsley in the chair.

Assistant Clerk Fitzsimmons reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 935—An act to add a new section to the Political Code to be numbered 1034, relating to State officers and employees;

Also: Assembly Bill No. 2399—An act establishing a certain additional State highway and classifying it as a secondary highway;

And reports that the same have been correctly re-engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 120—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XVI thereof, a new section to be numbered 10, relating to execution, issuance, use, redemption and cancellation of unemployment bonds for various public purposes and for the relief of unemployment, destitution and economic distress—and reports that the same has been correctly re-engrossed.

PATTERSON, Chairman.

Assembly Constitutional Amendment No. 120 ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2219—An act to add section 3410 to the Political Code, relating

to exchange of private lands in national forests for lands of the United States located outside national forests—and reports that the same has been correctly re-re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 591—An act making an appropriation to pay the claim of chief accounting officer of the State Department of Agriculture against the State of California;

Also: Assembly Bill No. 1929—An act making an appropriation to pay the claim of C. D. Plum against the State of California;

Also: Assembly Bill No. 2251—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter to be numbered 5a and to include sections 1260 and 1260.8, inclusive, pertaining to the control of insect pests in grain warehouses;

And reports that the same have been correctly engrossed.

PATTERSON, Chairman.

The above reported bills ordered on file for third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 715—An act to abolish the death penalty as a punishment for crime, except in certain cases, and to provide for the punishment for crimes in cases where the death penalty is abolished.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1940—An act to amend sections 4255 and 4255a of the Political Code, relating to the salaries and fees of county officers in counties of the twenty-sixth class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 780—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10a, 11, and 12 of, and to add section 15 to, an act entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses, providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to contractors and the Contractors' License Bureau and declaring the same to be an urgency measure—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 620—An act to add two new sections to the Probate Code to be numbered 930.5 and 1556.5, respectively, to add a new section to the Code of Civil Procedure to be numbered 1042, and to repeal "An act making the cost of certain bonds of receivers, assignees, trustees, guardians, administrators and executors chargeable to a certain extent against the

trust estate," approved March 20, 1905, relating to the payment of premiums on bonds of executors, administrators and guardians, receivers, assignees and trustees—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 1006—An act to provide a five-day week for State employees during the present unemployment emergency—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 124—An act to amend section 261 of the Code of Civil Procedure, relating to superior court commissioners—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1035—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable lowlands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district," approved June 21, 1923, as amended, by amending sections numbered 8a, 23 and 280, thereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1171—An act to amend section 60 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to hearings;

Also: Assembly Bill No. 136—An act to repeal an act entitled "An act to provide for the establishment and change of grade of public highways, streets, public ways and other public property and rights of way, in whole or in part, including property over which possession and right of use have been obtained under the provisions of section 14, of Article I of the Constitution of the State of California, whether the same are situated within the limits of a municipality or whether such public ways or property are in part within the limits of one or more municipalities, or extend from one municipality into another municipality, or from one or more municipalities into or through unincorporated territory, or in whole or in part form the boundary between adjoining municipalities or between a municipality and adjacent unincorporated territory; and providing for work in and upon the same together with any and all appurtenances and appurtenant work; and providing for assessing the whole or any portion of the costs and expenses thereof upon private property and for the issuance and payment of improvement bonds to represent certain assessments for the costs thereof, and providing for the effect of and the enforcement of such bonds," approved April 21, 1911, Statutes 1911, page 1018, as amended with provision that said repeal shall not apply to existing proceedings under said act;

Also: Assembly Bill No. 1776—An act to repeal "An act relating to senior rights of members of paid police departments of counties, cities and counties, cities, or towns," approved February 23, 1907, as amended.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

The above reported bills ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 26—Relative to memorializing Congress to propose an amendment to the Constitution of the United States, providing for economic planning and regulation.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Joint Resolution No. 26 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 81—An act to amend sections 1, 3, 4, 5, 7, 8, 9, 10, 11, 12, and to repeal section 6 of an act entitled "An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto, to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and to fix the penalties therefor; and to repeal all conflicting acts or parts of acts," approved June 1, 1927, relating to the licenses provided for therein, and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 1184—An act to amend sections 640 and 671 of the Vehicle Code, relating to sirens, horns, warning devices and lights on vehicles—and appointed Senators Stow, Allen and Harper, as a Committee on Free Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 455—An act to amend

the title and sections 4 and 6 of, and to add sections 2a and 7 to, an act entitled "An act creating a commission to codify, consolidate, revise or compile the Statutes of California and to report thereon to the Legislature at the fiftieth session thereof and making an appropriation therefor," approved June 10, 1929, defining the powers and duties of the California Code Commission, directing a report to the fifty-first session of the Legislature, making an appropriation therefor and authorizing State departments, boards, bureaus and commissions to contract with the commission for the revision of certain laws.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 198—An act to amend section 2322x36 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-sixth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference appointed to consider Senate Bill No 226—An act to amend section 802 of the Agricultural Code, relating to standardization of grapes.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference appointed to consider Assembly Bill No. 518—An act to amend sections 4300a, 4300e, and 4300*l* of the Political Code, relating to fees.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1261—An act to amend section 106 of the Penal Code, relating to the penalty for attempting to escape from prison;

Also: Assembly Bill No. 311—An act to amend section 1381 of the Penal Code, relating to the time of trial of prisoners on charge other than that for which imprisoned.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 850—An act to amend section 737xx of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Stanislaus—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 655—An act to add a new section to the California Irrigation District

Act, to be numbered 15a, relating to the use and distribution of water—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1973—An act authorizing the State Director of Finance to grant, convey, and sell by deed, or any other proper legal conveyance, all the right, title and interest of the State of California, in and to the abandoned channel of Petaluma Creek or river in the city of Petaluma, county of Sonoma, State of California, lying north of Washington street in said city, to property owners whose lands abut thereon, or to persons occupying said land—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2362—An act to authorize the incorporation and to provide for the organization, powers, duties, regulation, and liquidation of nonprofit corporations organized for the purpose of administering community land chests, to limit the use of the terms "land chest" and "community land chest" in corporate names, to prescribe penalties for the violation of the provisions of this act, and to declare the urgency of this act and to provide that it shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 41—An act to amend section 737dd of the Political Code, relating to the annual salary of judges of the superior court in and for the county of Orange—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2408—An act to add section 365e½ to the Political Code, relating to powers and duties of the California Highway Commission in respect to construction or repair of highways—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 827—An act to amend section 2145 of the Political Code, relating to State institutions for persons mentally defective;

Also: Assembly Bill No. 1312—An act to amend section 737vv of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Solano;

Also: Assembly Bill No. 2273—An act to amend section 737aa of the Political Code, relating to compensation of the judge of the superior court in and for the county of Monterey;

Also: Assembly Bill No. 116—An act to amend section 737*ll* of the Political Code, relating to salaries of the judges of the superior court of the City and County of San Francisco.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 531—An act to amend sections 2, 6, 7, 9, 14 and 18 of the "Act Concerning Cosmetology"—reports that it has met a like committee of the Senate, consisting of Senators Powers, Difani and Williams, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 7, line 26, of the printed bill, as amended in the Assembly March 24, 1933, after the word "in", strike out "the amount of five thousand dollars.", and insert in lieu thereof the following: "an amount equivalent to one hundred dollars per each student regularly enrolled and regularly attending said school but in no event shall said bond be in an amount of more than five thousand dollars or less than two thousand dollars"

HOFFMAN,
McBRIDE,
COTTRELL,
Assembly Committee on Free Conference.

WILLIAMS,
DIFANI,
POWERS,
Senate Committee on Free Conference

The question being on the adoption of the report.

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Hallner, Hoffman, Hunt, Kallam, Knowland, Latham, Levey, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Tournoux, Utt, West, Williamson, Wright, Zion and Mr Speaker—46.

NOES—None.

MOTION TO EXPUNGE RECORD.

Mr. Zion moved that action be rescinded and the record expunged whereby the Assembly concurred in Senate amendments to Assembly Bill No. 2302 this day.

Motion carried.

Assembly Bill No. 2302—An act to add 24 new sections to the Political Code, to be numbered 4248 and 4248a to 4248w, inclusive, and to repeal sections 2322x19 and 4248 of said code, section 19x19 of the Juvenile Court Law, and section 16x19 of the Weights and Measures Act, relating to compensation of county and township officers in counties of the nineteenth class.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2302?

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, strike out the word "eighty", and insert therein the words "two hundred".

AMENDMENT NUMBER TWO.

On page 2, line 18, of the printed bill, strike out the word "mileage", and insert the word "fees".

AMENDMENT NUMBER THREE.

On page 2, line 26, of the printed bill, after the comma following the word "annum", insert "one deputy sheriff to be designated a civil deputy at one thousand five hundred dollars per annum".

AMENDMENT NUMBER FOUR.

On page 2, line 49, of the printed bill, strike out the word "three", and insert the word "four".

AMENDMENT NUMBER FIVE.

On page 3, line 43, of the printed bill, strike out the word "four", and insert therein the word "two".

AMENDMENT NUMBER SIX.

On page 4, line 50, of the printed bill, strike out the word "principal", and insert the word "him".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2302 by the following vote:

AYES—None.

NOES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Grubbs, Hallner, Hatch, Hunt, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—56.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 837—An act to provide for the sale and conveyance of the Napa State Farm, situated in Napa County, California, and certain personal property located thereon.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Field moved that Assembly Bill No. 837 we withdrawn from file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No 837 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 837 re-referred to Committee on Ways and Means.

Assembly Bill No. 1826—An act to repeal an act entitled "An act creating a tax research bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance; prescribing the powers and duties of said officials in relation to said bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor," approved June 5, 1931.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Field moved that Assembly Bill No. 1826 be withdrawn from file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 1826 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 1826 re-referred to Committee on Ways and Means.

Assembly Bill No. 1350—An act to add a new section to the Political Code, to be numbered 4052b1, to authorize county aid for district public parks, beaches and recreation grounds.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. King moved that Assembly Bill No. 1350 be withdrawn from file, and ordered re-referred to Committee on County Government.

The question being on re-referring Assembly Bill No. 1350 to Committee on County Government.

Motion carried.

Assembly Bill No. 1350 re-referred to Committee on County Government.

Assembly Bill No. 2219—An act to add section 3410 to the Political Code, relating to exchange of private lands in national forests for lands of the United States located outside national forests.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2219 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2399—An act establishing a certain additional State highway and classifying it as a secondary highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2399 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1929—An act making an appropriation to pay the claim of C. D. Plum against the State of California

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Cottrell moved that Assembly Bill No. 1929 be withdrawn from file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 1929 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 1929 re-referred to Committee on Ways and Means.

THIRD READING OF SENATE BILLS.

Senate Bill No. 1112—An act making an appropriation for major construction and equipment at Camarillo State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1112 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Greene, Grubbs, Hallner, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, Peterson, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Tournoux, Turner, Utt, Williamson and Mr. Speaker—45.

NOES—Hatch, Martin, Rawls, Redwine, Stannard and Stream—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new section to Article IV thereof, to be numbered 1a, relating to budgets of offices, departments, institutions, boards, commissions, bureaus, or other agencies of the State created by initiative or referendum measures.

Senate Constitutional Amendment No. 21 read.

The question being on the adoption of Senate Constitutional Amendment No. 21.

The roll was called, and Senate Constitutional Amendment No. 21 adopted by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Field, Greene, Grubbs, Hallner, Hatch, Jones, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—56.

NOES—Feigenbaum, Hoffman, Hornblower, Hunt, Levey, McMurray, O'Donnell, Patterson and Sullivan—9.

Title read and approved.

Senate Constitutional Amendment No. 21 ordered transmitted to the Senate.

SENATE CONSTITUTIONAL AMENDMENT No. 21.

A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new section to Article IV thereof, to be numbered 1a, relating to filing of claims and budgets of offices, departments, institutions, boards, commissions, bureaus, or other agencies of the State created by initiative or referendum measures.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California, at its regular session commencing on the second day of January, 1933, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California, that a new section be added to Article IV of the Constitution of said State, to be numbered 1a, and to read as follows:

Sec. 1a. Notwithstanding any limitations or restrictions in this Constitution contained, every State office, department, institution, board, commission, bureau, or other agency of the State, whether created by initiative law or otherwise, shall be subject to the regulations and requirements with respect to the filing of claims with the State Controller and the submission, approval and enforcement of budgets prescribed by law.

Senate Bill No. 375—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of and to add new sections to be numbered sections 5a and 9a to that certain act entitled "An act to license and regulate the business of private detectives and detective agencies, and to repeal the act entitled 'An act to license and regulate the business of private detectives and detective agencies,' approved June 7, 1915," approved June 3, 1927, relating to the regulation of detectives, investigators and detective agencies.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. West:

AMENDMENT NUMBER ONE.

On page 2, line 19, of the printed bill, after the word "purposes", strike out the words "or who shall act as".

AMENDMENT NUMBER TWO.

On page 2, line 20, of the printed bill, after the word "policemen", strike out the words "private patrolman".

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Hornblower, West and Lyon, the Speaker ordered a roll call taken on the adoption of the amendments.

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

AYES—Alter, Bowers, Boyle, Burns, Cassidy, Chatters, Crist, Crowley, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Levey, Maloney, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Riley, Robinson, Samuel E., Roland, Scudder, Stannard, Sullivan, Turner, Utt, West, Williamson, Wright and Zion—47.

NOES—Anghm, Badham, Bliss, Callahan, Cottrell, Evans, Field, Hunt, Latham, Lyon, Martin, McCarthy, Meehan, Rawls, Redwine, Robinson, C. Ray; Stream, Tournoux and Mr. Speaker—19.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Bill No. 375, at this time, without reference to printer or file.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED SEVENTY-FIVE.

Senate Bill No. 375—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of and to add new sections to be numbered sections 5a and 9a to that certain act entitled "An act to license and regulate the business of private detectives and detective agencies, and to repeal the act entitled 'An act to license and regulate the business of private detectives and detective agencies,' approved June 7, 1915," approved June 3, 1927, relating to the regulation of detectives, investigators and detective agencies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 375 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Field, Fisher, Grubbs, Hatch, Hornblower, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—59.

NOES—Alter, Hallner, Hoffman, Hunt, Jones, King, McCarthy, O'Donnell and Rogers—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 479—An act to add section 363r to the Political Code, relating to the powers and duties of the Department of Public Works concerning roads in or across property controlled by the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 479 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Field, Fisher, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—68

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 801—An act to amend sections 1 and 2 of an act entitled "An act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the pro-

tection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers, with relation to fire, diseases, pests, or any other dangers, of any nature, to the safety and encouragement of such growths," approved April 28, 1909, relating to ornamental trees and shrubs and to boards of forestry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 801 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Redwine, Roberts, Robinson, Samuel E., Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, Williamson, Woolwine, Zion and Mr. Speaker—60.

NOES—Brock, Cassidy, Dempster, Latham, Rawls, Riley and Rogers—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1065—An act to amend the Water Commission Act, approved June 16, 1913, as amended, by amending section 32 thereof, relating to costs incurred by the State Water Commission in performing the duties prescribed in sections 26 to 36, both inclusive of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1065 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 241—An act to repeal sections 5.361 and 5.635 of the School Code and to amend section 5.362 thereof, all relating to the disposition of fees received by county superintendents of schools for the issuance of kindergarten, elementary, high school and junior college certificates.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. O'Connor:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, after "Code", insert a comma and the following: "to add section 5.354 thereto".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after line 16, insert the following:

"SEC. 3. Section 5.354 is hereby added to the School Code to read as follows:

5.354. No fee can be charged by the State Board of Education for renewal of a credential to an unemployed teacher during the period beginning July 1, 1933, and ending July 1, 1935."

Amendments adopted.

FURTHER AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED FORTY-ONE.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Roland:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out all of lines 2 to 5, both inclusive, and insert in lieu thereof the following: "and to amend sections 5.152 and 5.362 thereof, all relating to the issuance of teachers certificates."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 3, and insert in lieu thereof the following:

"SEC. 2. Section 5.152 of the School Code is hereby amended to read as follows:

5.152. All persons granted regular certificates authorizing them to teach in the public schools of this State, shall, in addition to existing requirements, be required to pass a satisfactory examination upon the provisions and principles of the Constitution of the United States or complete a course therein in a teachers' training institution in the State of California, or in an equivalent institution in another State.

A limited certificate, not exceeding one year in term, may be granted without the passing of such examination or the completion of such course.

SEC. 3. Section 5.362 of the School Code is hereby amended".

Amendments refused adoption.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Roland asked for, and was granted, unanimous consent to take up Senate Bill No. 241 at this time, without reference to printer or file.

THIRD READING OF SENATE BILL NUMBER TWO HUNDRED FORTY-ONE.

Senate Bill No. 241—An act to repeal sections 5.361 and 5.635 of the School Code and to amend section 5.362 thereof, all relating to the disposition of fees received by county superintendents of schools for the issuance of kindergarten, elementary, high school and junior college certificates

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 241 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 243—An act to amend the title and section 1 of Chapter 379, Statutes of 1913 entitled "An act to provide for the instruc-

tion of blind students in certain State institutions," approved June 13, 1913, relating to the instruction of blind persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 243 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 374—An act authorizing the Director of Finance to provide for the sale of certain lands situated in Sacramento County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 374 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 433—An act to repeal sections 4 873 and 4 894 of the School Code, relating to apportionment of State and county moneys to high school districts

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 433 refused passage by the following vote:

AYES—Bliss, Bowers, Brock, Burns, Chatters, Cobb, Craig, Crist, Crowley, Kallam, Mayo, Meeker, O'Donnell, Phillips, Roberts, Robinson, C. Ray; Robinson, Samuel E., Stream, Wright, Zion and Mr. Speaker—21.

NOES—Anglim, Badham, Boyle, Callahan, Cassidy, Cottrell, Dempster, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Rogers, Roland, Scudder, Sullivan, Tournoux, Utt, West, Williamson and Woolwine—47.

Senate Bill No. 435—An act to repeal sections 2.1500 to 2.1504, inclusive, of the School Code, relating to conventions of city and county school superintendents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 435 finally passed by the following vote:

AYES—Alter, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hatch, Jones, Latham, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Donnell, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Scudder, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—43.

NOES—Anglim, Badham, Callahan, Dempster, Hornblower, Hunt, King, Knowland, Levey, Lyon, Maloney, McMurray, Miller, James A., Morgan, O'Connor, Patterson, Peterson, Rawls, Rogers, Roland, Stream, Sullivan, Tournoux and Williamson—24.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 439—An act to repeal sections 5.630 to 5.634, inclusive, of the School Code and to repeal an act entitled "An act providing for annual conventions of secondary school principals," approved April 12, 1929, relating to secondary school principals' conventions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 439 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Greene, Hallner, Hatch, Jones, Kallam, Latham, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Donnell, Phillips, Powers, Redwine, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—45.

NOES—Badham, Callahan, Dempster, Fisher, Grubbs, Hornblower, Hunt, King, Knowland, Lyon, McCarthy, McMurray, Miller, James A., Morgan, O'Connor, Patterson, Peterson, Rawls, Riley, Rogers, Roland, Tournoux and Williamson—23.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No 1143—An act to add a new section to the Political Code to be numbered 695, relating to the Department of Finance.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Zion:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended, strike out the following: "the Department of Finance", and insert in lieu thereof the following: "services furnished to State agencies".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, following line 8, insert the following: "The State Board of Control shall determine monthly the amounts expended by the State Controller, State Treasurer, Attorney General and the Department of Finance for the supervision or administration of the State government or service to the various departments, divisions, bureaus, boards, commissions, offices, institutions or other agencies thereof. Each department, division, bureau, board, commission, office, institution or other agency which is supported in whole or in part otherwise than by appropriations from the general fund in the State treasury shall pay monthly to the State Controller, to be by him deposited in the State treasury to the credit of the general fund, that proportion of the amount determined by the Board of Control to have been expended for such supervision, administration or service which the amount expended by such department, division, bureau, board, commission, office, institution or other agency from any funds made available for its use by appropriations from other than the general fund bears to the total expenditures of all State departments, divisions, bureaus, boards, commissions, offices, institutions or other

agencies exclusive of amounts expended for such supervision, administration or service."

The question being on the adoption of the amendments.

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Zion asked for, and was granted, unanimous consent to take up Senate Bill No 1143, at this time, without reference to printer or file

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED FORTY-THREE.

Senate Bill No. 1143—An act to add a new section to the Political Code to be numbered 695, relating to the Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1143 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—63.

NOES—Hatch—1.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No. 1155—An act to add a new section to the Political Code to be numbered 597a, relating to the Division of Insurance in the Department of Investment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1155 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, West, Williamson, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1170—An act to amend section 456 of the Political Code, relating to the State Treasurer's office, to take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field,

Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, West, Williamson, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED SEVENTY.

Senate Bill No. 1170—An act to amend section 456 of the Political Code, relating to the State Treasurer's office, to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1170 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, West, Williamson, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. C. RAY ROBINSON IN THE CHAIR.

Hon. C Ray Robinson, member of the Assembly from the Thirty-third Assembly District, in the chair.

Senate Bill No. 440—An act to repeal Chapter V of Part III of Division V of the School Code, embracing sections 5.580 to 5.622, inclusive, relating to teachers' institutes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 440 finally passed by the following vote:

AYES—Alter, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Hatch, Hoffman, Jones, Kallam, Latham, Levey, Martin, McBride, Meeker, Miller, Eleanor; Miller, James A., Peterson, Phillips, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Turner, Utt, West, Woolwine and Wright—44.

NOES—Badham, Hallner, Hornblower, King, Lyon, McCarthy, McMurray, Morgan, Nielsen, O'Connor, Patterson, Riley, Rogers, Sullivan, Tournoux and Williamson—16.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 538—An act to amend sections 364a and 364f of the Political Code, to add thereto a new section to be numbered 372h, and to repeal section 364d thereof, relating to the powers and duties of the

departments and commissions of the State with respect to immigration and housing and labor camps.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Cobb moved that Senate Bill No. 538 be withdrawn from file, and ordered re-referred to Committee on Rules.

The question being on re-referring Senate Bill No. 538 to Committee on Rules.

Motion carried.

Senate Bill No. 538 re-referred to Committee on Rules.

THE SPEAKER IN THE CHAIR.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Senate Bill No. 442—An act to repeal the California Nautical School Act and to provide for the disposition of the property of said school.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Hornblower moved that Senate Bill No. 442 be withdrawn from file, and ordered re-referred to Committee on Commerce and Navigation.

The question being on re-referring Senate Bill No. 442 to Committee on Commerce and Navigation.

Motion carried.

Senate Bill No. 442 re-referred to Committee on Commerce and Navigation.

RECESS.

At three o'clock and seventeen minutes p.m., the Assembly was declared at recess for the purpose of being addressed by His Excellency James Rolph, Jr., Governor of the State of California.

REASSEMBLED.

At three o'clock and eighteen minutes p.m., the Assembly reconvened.

MOTION.

Mr. Cottrell moved that the action be rescinded and the record expunged whereby Assembly Bill No. 693 was referred to Committee on Rules.

Motion carried.

Assembly Bill No. 693 ordered placed on file.

Senate Bill No. 882—An act to amend section 5a of the "Reclamation Board Act," relating to the executive officer of the Reclamation Board.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 882 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meeker,

Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64.

NOES—None.

Title read and approved.

Senate Bill No. 993—An act to add a new section to be numbered 51a to an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended, relating to support of the division for the supervision of petroleum and gas in the Department of Natural Resources.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 993 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 468—An act to amend sections 3714 and 4041 2 of the Political Code, relating to budget control in counties, districts and other political subdivisions and to accounting and auditing in counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 468 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, Knowland, Latham, Martin, McBride, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley,

Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—60.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 1010—An act to amend section 4 of an act entitled "An act creating the office of Chief of the Division of Narcotic Enforcement, providing for appointment to, powers and duties of such office, making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to provide for the establishment and maintenance of a Division of Narcotic Enforcement under the direction and control of the State Board of Pharmacy,' approved May 17, 1927," approved April 30, 1929, and to transfer to the State Board of Pharmacy all powers, duties and functions of the Chief of the Division of Narcotic Enforcement.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1010 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, Knowland, Latham, Martin, McBride, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—60.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 319—An act to amend section 13 of the Public Utilities Act, relating to public utility rates.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Crist moved that Senate Bill No. 319 be withdrawn from file, and ordered re-referred to Committee on Public Utilities.

The question being on re-referring Senate Bill No. 319 to Committee on Public Utilities.

Mr. Crist withdrew his motion to re-refer Senate Bill No. 319 to Committee on Public Utilities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 319 refused passage by the following vote:

AYES—Alter, Anglim, Bliss, Boyle, Cassidy, Chatters, Clowdsley, Craig, Crowley, Grubbs, Jones, King, Mayo, McCarthy, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Turner, Utt and West—30

NOES—Badham, Bowers, Brock, Burns, Callahan, Cobb, Cottrell, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Hatch, Hoffman, Hornblower, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McMurray, Morgan, Peterson, Redwine, Riley, Roberts, Roland, Stannard, Stream, Tournoux, Williamson, Wright and Mr. Speaker—36.

Senate Bill No. 1011—An act to amend section 376a of the Political Code, relating to the office of Director of Penology.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1011 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Evans, Feigenbaum, Field, Fisher, Grubbs, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Scudder, Stannard, Stream, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1206—An act to add a new section to the Political Code to be known as section 3664a–1, relating to the taxation of certain public service companies for the benefit of the State, and providing this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Feigenbaum:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 3 to 52, both inclusive, and on page 3, strike out lines 1 to 52, both inclusive, and on page 4, strike out lines 1 to 32, both inclusive.

AMENDMENT NUMBER TWO.

On page 4, line 33, of the printed bill, strike out the numeral "3", and insert in lieu thereof the numeral "2".

AMENDMENT NUMBER THREE.

On page 4, line 41, of the printed bill, strike out the numeral "4", and insert in lieu thereof the numeral "3".

The question being on the adoption of the amendments.

Amendments adopted.

MOTION.

Mr. Feigenbaum moved that Rules Nos. 72, 73, 74 and 75 be suspended for the purpose of considering Senate Bill No. 1206 at this time.

The question being on the motion to suspend rules.

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

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Grubbs, Hallner, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Redwine, Riley, Roberts, Roland, Scudder, Stannard, Stream, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—58.

NOES—Bliss, Cassidy, Meeker, Phillips and Robinson, Samuel E—5.

CONSIDERATION OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED SIX.

Senate Bill No. 1206—An act to add a new section to the Political Code to be known as section 3664a–1, relating to the taxation of certain

public service companies for the benefit of the State, and providing this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—65.

NOES—Meeker, Miller, Eleanor; and Robinson, Samuel E—3.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED SIX.

Senate Bill No. 1206—An act to add a new section to the Political Code to be known as section 3664a–1, relating to the taxation of certain public service companies for the benefit of the State, and providing this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1206 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—65.

NOES—Meeker, Miller, Eleanor; and Robinson, Samuel E.—3.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 634—An act to provide for the establishment of the coast line of the State of California.

Bill read third time.

The question being on the passage of the bill.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Field, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers,

Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—64.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT

Senate Bill No 173—An act to amend section 242 of the Agricultural Code, relating to claims for animals slaughtered on account of tuberculosis.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 173 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Field, Gilmore, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—55.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

HON. CLIFFORD C. ANGLIM IN THE CHAIR.

Hon. Clifford C. Anglim, member of the Assembly from the Tenth Assembly District, in the chair.

Senate Bill No. 97—An act to provide for the payment of special assessment taxes levied in districts organized under the provisions of the "Acquisition and Improvement Act of 1925" with bonds or coupons of such district

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 97 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Wright and Zion—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 811—An act to amend sections 10 and 15 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities and upon property and rights of way owned by municipalities and for the

laying out, opening, extending, widening, straightening or acquiring in whole or in part of public streets, squares, lanes, alleys, easements, courts and places within municipalities, to provide for the collection of such assessments, the sale of the property affected thereby, and for the payment of the bonds so issued," approved June 11, 1915, as amended, relating to bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 811 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Wright and Zion—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1208—An act to provide for the issuance of duplicates of bonds, warrants, and other evidences of indebtedness of counties and municipal and other public corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1208 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Wright and Zion—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 560—An act to provide for the establishment, maintenance and operation of unemployment relief camps.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 560 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Wright and Zion—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 392—An act to add a new section to the Penal Code to be numbered 496bb, relating to buying, receiving, concealing or withholding stolen property, and prescribing penalties for violation of the provisions thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 392 refused passage by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Field, Greene, Hatch, Knowland, Latham, Martin, Meeker, Miller, Eleanor; Morgan, Phillips, Powers, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Utt, Wright and Zion—34.

NOES—Anghm, Burns, Callahan, Cassidy, Crowley, Dempster, Feigenbaum, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Riley, Rogers, Stannard, Sullivan, Tournoux, Turner, West and Williamson—39.

RECESS.

At three o'clock and nineteen minutes p.m., the Assembly was declared at recess for the purpose of being addressed by Lieutenant Governor Frank F. Merriam

REASSEMBLED.

At three o'clock and twenty minutes p.m., the Assembly reconvened.

MOTION.

Mr. Robinson, C. Ray, moved that the Chief Clerk be instructed to procure lunch and refreshments for the members.

Motion carried.

THE SPEAKER IN THE CHAIR.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

THIRD READING OF SENATE BILLS.

Senate Bill No. 411—An act to amend sections 3773 and 3897 of, and to add section 3773a to, the Political Code, relating to lands sold or deeded to the State for taxes and the sale and lease of tax deeded lands.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Meeker:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 5, inclusive, of the title of the printed bill, as amended May 11, 1933, and insert in lieu thereof the following:

"An act to add section 3897d to the Political Code, relating to lands sold or deeded to the State for taxes or assessments and the sale and lease of such lands, and pro-".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 16, inclusive, all of pages 2 and 3, and lines 1 to 32, inclusive, on page 4.

AMENDMENT NUMBER THREE.

On page 4, line 33, of the printed bill, strike out "SEC 4", and insert in lieu thereof the following: "Sec. 1."

AMENDMENT NUMBER FOUR.

On page 4, line 34, of the printed bill, strike out "3897c", and insert in lieu thereof the following: "3897d".

AMENDMENT NUMBER FIVE.

On page 4, line 35, of the printed bill, strike out "3897c", and insert in lieu thereof the following: "3897d".

The question being on the adoption of the amendments.

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Meeker asked for, and was granted, unanimous consent to take up Senate Bill No. 411, at this time, without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 411 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Donnell, Phillips, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 749—An act to amend section 3771, and to repeal section 3899 of the Political Code, relating to taxes, penalties, and costs, and the sale of property to the State therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 749 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Donnell, Phillips, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Further proceedings under the call of the House were dispensed with, on motion of Mr. Hornblower.

The roll of absentees was called, and Senate Bill No. 634 passed by the following vote:

AYES—Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Dempster, Evans, Field, Frazier, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, King, Knowland, Lyon, Maloney, Martin, McBride, Meehan, O'Connor, O'Donnell, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Stannard, Stream, Sullivan, Tournoux, Turner, Utt, Williamson and Mr. Speaker—45.

NOES—Alter, Anglim, Brock, Cottrell, Feigenbaum, Gilmore, Hatch, Hoffman, Kallam, Latham, Levey, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor;

Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Robinson, Samuel E., Rogers, Roland, Scudder, West, Wright and Zion—30.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 576—An act to amend sections 3866 and 3871 and to repeal section 3876 of the Political Code, relating to expenses of the county treasurer in settling accounts with the Controller.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 576 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 569—An act relating to the redemption and sale of property sold to a county treasurer, as trustee of a reclamation district, for delinquent assessments and installments thereof, and relating to the voting of lands owned by the county treasurer, as trustee of a reclamation district, and by a reclamation district, and for the redemption of lands by a holder of a bond issued upon said assessments.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—65.

NOES—None.

THIRD READING OF SENATE BILL NUMBER FIVE HUNDRED SIXTY-NINE.

Senate Bill No. 569—An act relating to the redemption and sale of property sold to a county treasurer, as trustee of a reclamation district, for delinquent assessments and installments thereof, and relating to the voting of lands owned by the county treasurer, as trustee of a reclamation district, and by a reclamation district, and for the redemption of lands by a holder of a bond issued upon said assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 569 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—65.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 545—An act to amend section 4200 and to repeal sections 4175 and 4176 of the Political Code, relating to fees and salaries of sheriffs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 545 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Zion and Mr Speaker—61.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 1109—An act to repeal sections 2.1391, and 2.1398 of the School Code, to repeal Chapter IV of Part I of Division IV of said code, embracing sections 4.60, 4.70, and 4.71, and to repeal an act entitled "An act relating to the finances of the State Board of Education," approved May 4, 1929, thereby abolishing the State schoolbook fund, providing for the transfer of any moneys remaining therein to the general fund, and making an appropriation for the support of the textbook division.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1109 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McMurray, Meehan,, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Zion and Mr Speaker—61.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 236—An act to amend sections 5 720 and 5.790 of the School Code, relating to leaves of absence of employees of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 236 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 237—An act to amend section 4.380 of the School Code, relating to school district fund statements.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 237 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 239—An act to repeal sections 3.321, 3.322, 3 323, 3.324, 3.339 and 4.223 of the School Code, to add thereto new sections to be numbered 4.891–1 and 4.891–2, and to amend sections 4.896 and 4.898 thereof, all relating to county high school funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 239 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 240—An act to amend sections 4 347, 4.349, and 4.350 of the School Code, relating to requisitions on school district funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 240 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 54—An act to add a new article to Chapter VII of Part III of Division V of the School Code, to be numbered Article III, comprising sections 5 670 and 5.671, relating to change of employment of permanent employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 54 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Zion and Mr Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 745—An act to amend sections 2 878 and 2.881 of Article I, Chapter II, Part II, Division II, of the School Code of the State of California, relating to school district elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 745 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson C Ray; Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 233—An act to add a new section to the School Code to be numbered 6.544, relating to school district library funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 233 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 234—An act to amend section 4.131 of the School Code, relating to the migratory school revolving fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 234 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 242—An act to amend sections 2.676 and 2.680 of the School Code, and to repeal section 2.677 thereof, all relating to elections for the formation of junior college districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 242 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 235—An act to repeal sections numbered 1.60 to 1.66, both numbers inclusive, of the School Code, and Chapter 267 of the

Statutes of 1919 entitled "An act to provide for the registration of minors," all relating to the registration of minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 235 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1054—An act to amend section 94 of the Fish and Game Code, relating to fish and game districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1054 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1039—An act to define and punish the crime of gangsterism.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1039 refused passage by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Chatters, Clowdsley, Cobb, Cottrell, Craig, Evans, Field, Greene, Knowland, Latham, Martin, Meehan, Miller, Eleanor; Morgan, Phillips, Redwine, Roberts, Robinson C. Ray, Utt and Zion—25.

NOES—Anglim, Boyle, Burns, Callahan, Cassidy, Crist, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Riley, Rogers, Roland, Stannard, Stream, Tournoux, Turner, West, Williamson and Mr. Speaker—47.

Senate Bill No. 263—An act to add a new section to the Penal Code, to be numbered 487a, relating to the commission of a series of petit thefts by the same person.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Cottrell moved that Senate Bill No. 263 be withdrawn from file. and ordered re-referred to Committee on Crime Problems.

The question being on re-referring Senate Bill No. 263 to Committee on Crime Problems.

Motion carried.

Senate Bill No. 263 re-referred to Committee on Crime Problems.

Senate Bill No. 70—An act to amend section 626m of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Field:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, as amended, strike out the period in said line, and insert in lieu thereof a comma and the following: "provided, however, that the term "artificial light" as used in this section shall not be construed as, or mean, a hand flashlight."

The question being on the adoption of the amendment.

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Burns asked for, and was granted, unanimous consent to take up Senate Bill No. 70, at this time, without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 70 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Zion and Mr. Speaker—61.

NOES—Alter, Cassidy, Dempster, Grubbs, Hallner, Hatch, O'Connor, Redwine and Stannard—9.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At three o'clock and twenty-one minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess.

REASSEMBLED.

At three o'clock and twenty-two minutes p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Bernard reading.

LACK OF QUORUM.

Mr. Hoffman suggested a lack of a quorum.

The Speaker ordered a roll call taken.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. Cottrell moved a call of the House.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Bliss, Brock, Cottrell, Crist, Evans, Grubbs, Hoffman, Jones, Kallam, Latham, McCarthy, Miller, Eleanor; Rawls, Robinson, Samuel E., Rogers, Stream, Sullivan, Turner, Wright, Zion and Mr. Speaker—21.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Further proceedings under the call of the House were dispensed with, on motion of Mr. Cottrell.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—79.

The Speaker declared a quorum present.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 52—Relative to reports of the Department Encampment of the Grand Army of the Republic.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Concurrent Resolution No. 52 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 119—Proposed amendment to Article IV, adding section 25a of the Constitution, relative to the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Constitutional Amendment No. 119 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1300—An act to amend section 3633 of the Political Code, relating to equalization of assessments;

Also: Assembly Bill No. 408—An act regulating and restricting the sale of goods, wares and merchandise manufactured, produced or mined by convicts or prisoners

or in penal or reformatory institutions and prescribing penalties for violation of the provisions thereof;

Also: Assembly Bill No. 1154—An act to amend section 3 of an act entitled "An act to authorize and regulate the employment of prisoners in the State prisons of this State and to provide for the disposition of the products of their skill and labor," approved February 23, 1911, by adding a provision thereto relating to the purchase or use of goods, wares and merchandise manufactured, produced or mined by convicts or prisoners;

Also: Assembly Bill No. 2175—An act to amend section 681 of the Penal Code relating to punishment and treatment of persons in State, county and city institutions;

Also: Assembly Bill No. 530—An act to amend section 9a5 of and to add section 18 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing "An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, prescribing a short title and relating to librarians in counties of the fifth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 822—An act relating to penalties for nonpayment of taxes for the fiscal year 1932–33, relating to the publication of the delinquent list and addenda thereto, relating to the period of redemption and the sale of property delinquent in the payment of such taxes, extending the time for the performance of all acts and duties of public officials with relation thereto, declaring the urgency of this act and providing that it shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 101—Proposed amendment to Article XIII, adding section 8a, of the Constitution, relative to taxation.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Constitutional Amendment No. 101 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2035—An act to amend section 81 of the Code of Civil Procedure, relating to justice's courts;

Also: Assembly Bill No. 291—An act to amend section 4143 of the Political Code, relating to the duties of county coroners and to the employment by such coroners of clerks and stenographers and providing for their compensation;

Also: Assembly Bill No. 471—An act to repeal section 3310 of the Political Code, relating to quarterly reports of auctioneers;

Also: Assembly Bill No. 1388—An act to amend section 688 of the Political Code, relating to claims against the State of California;

Also: Assembly Bill No. 175—An act to repeal "An act relating to stills and other devices for the manufacture or production of intoxicating liquor for beverage purposes, providing a penalty for the violation thereof, and repealing all inconsistent acts," approved April 29, 1927;

Also: Assembly Bill No. 2019—An act to amend section 117h of the Code of Civil Procedure, relating to small claims courts.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 79—Proposed amendment to Article XX, adding section 22, of the Constitution relative to legal rate of interest.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Constitutional Amendment No. 79 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 851—An act to provide for the extension of the period in which property sold to the State for delinquent taxes may be redeemed, and to declare that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 562—An act to amend section 3897 of and to add section 3774 to the Political Code, relating to the holding, leasing and sale of lands to which the State or any political subdivision or agency of the State holds title through sale and deed on account of delinquent taxes or assessments—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2412—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 2401—An act to provide for the postponement of the collection of assessments levied to pay principal or interest due on bonds issued under the authority of the Acquisition and Improvement Act of 1925 during the existence of an economic emergency—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2352—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as

therein defined, providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 35—Relative to approving certain amendments to the charter of the city of San Luis Obispo, a municipal corporation, in the county of San Luis Obispo, State of California.

J. A. BEEK, Secretary of Senate.
By J. L. GARDINER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Patterson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 35, at this time, without reference to committee or file.

Senate Concurrent Resolution No. 35—Relative to approving certain amendments to the charter of the city of San Luis Obispo, a municipal corporation, in the county of San Luis Obispo, State of California.

Senate Concurrent Resolution No. 35 read

The question being on the adoption of Senate Concurrent Resolution No. 35.

The roll was called, and Senate Concurrent Resolution No. 35 adopted by the following vote:

AYES—Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hoffman, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, West, Williamson, Zion and Mr. Speaker—55.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 35 ordered transmitted to the Senate.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Joint Resolution No. 24—Relative to memorializing Congress to provide relief for the oil industry.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 747—An act to add a new section to the California Direct Primary Law, Statutes 1913, p. 1379, to be known as section 28a, relating to contested primary elections.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 241—An act relating to the refunding of bonds of irrigation and reclamation districts, making

State assistance available therefor and authorizing the issuance and sale of bonds of the State to provide funds for use in furtherance thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 801—An act to amend sections 1 and 2 of an act entitled "An act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers, with relation to fire, diseases, pests, or any other dangers, of any nature, to the safety and encouragement of such growths," approved April 28, 1909, relating to ornamental trees and shrubs and to boards of forestry.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 358—An act to add section 441 to the Political Code, relating to the registration of warrants and the payment of obligations of the State, to make an annual appropriation therefor to repeal an act entitled "An act concerning the office of Treasurer of State," approved March 16, 1855, and to declare that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new section to Article IV thereof, to be numbered 1a, relating to filing of claims and budgets of offices, departments, institutions, boards, commissions, bureaus, or other agencies of the State created by initiative or referendum measures.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 375—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of and to add new sections to be numbered sections 5a and 9a to that certain act entitled "An act to license and regulate the business of private detectives and detective agencies, and to repeal the act entitled 'An act to license and regulate the business of private detectives and detective agencies,' approved June 7, 1915," approved June 3, 1927, relating to the regulation of detectives, investigators and detective agencies.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 479—An act to add section 363gg to the Political Code, relating to the powers and duties of the Department of Public Works concerning roads in or across property controlled by the State.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference appointed to consider Assembly Bill No. 2302—An act to add 23 new sections to the Political Code, to be numbered 4248 and 4248a to 4248v, inclusive, and to repeal sections 2322x19 and 4248 of said code, section 19x19 of the Juvenile Court Law, and section 16x19 of the Weights and Measures Act, relating to compensation of county and township officers in counties of the nineteenth class.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference appointed to consider Senate Bill No. 9—An act to amend sections 41, 42, 43, 45 and 46 of the California Irrigation District Act, and to repeal section 44 of said act, all relating to delinquent assessments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference appointed to consider Assembly Bill No. 1184—An act to amend sections 640 and 671 of the Vehicle Code, relating to sirens, horns, warning devices and lights on vehicles.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 563—An act to amend sections 2, 3 and 5 and to add two sections to be numbered 6 and 7 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, said amendments and new sections relating to the allocation and expenditure of State highway funds, the construction, improvement and maintenance of State highways and the addition of certain highways to the State system—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 563?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 563 by the following vote:

AYES—Hoffman, Kallam, Stream—3.

NOES—Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crowley, Dempster, Evans, Fisher, Frazier, Greene, Grubbs, Hallner, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor, Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Sullivan, Thorp, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—56.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 1202—An act to amend section 312 of the Agricultural Code, relating to meat

inspection—and appointed Senators Bush, Allen and Tickle as a Committee on Free Conference to meet a like Committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

MOTION.

Mr. Robinson, C. Ray, moved that the Journals of Tuesday, April 25, 1933; Wednesday, April 26, 1933; Thursday, April 27, 1933; Friday, April 28, 1933; Saturday, April 29, 1933; Monday, May 1, 1933; Tuesday, May 2, 1933; Wednesday, May 3, 1933; Thursday, May 4, 1933; Friday, May 5, 1933; Saturday, May 6, 1933; Monday, May 8, 1933; Tuesday, May 9, 1933; Wednesday, May 10, 1933, and Thursday, May 11, 1933, be approved as corrected by the Minute Clerk.

Motion carried.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Robinson, C. Ray:

Resolved by the Assembly, That the Assembly of the fiftieth regular session of the Legislature hereby consents, in accordance with the provisions of section 14 of Article IV of the Constitution, to the adjournment of the Senate for more than three days, to wit, from the twelfth day of May, 1933, to the seventeenth day of July, 1933.

The question being on the adoption of the resolution.

Resolution read, and on motion adopted

Also:

By Mr Craig

Resolved. That the Chief Clerk be authorized and directed to receipt for any warrants for members, officers or attaches of the Assembly during the recess.

The question being on the adoption of the resolution.

Resolution read, and on motion adopted.

Also:

By Mr. Craig:

WHEREAS, Various members of the Assembly desire to have shipped to their various places of residence their bill files and other printed matter for use during the recess; therefore be it

Resolved, That the Chief Clerk, Arthur A. Ohnimus, be authorized to procure such boxes, packing and other material as is necessary for the purpose of shipping same properly packed to said members, and the State Controller is hereby authorized to draw his warrant on the contingent expense fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, in an amount not to exceed $500, and the State Treasurer is hereby authorized to pay the same.

The question being on the adoption of the resolution.

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Staunard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr Speaker—70

NOES—None.

Also:

By Mr Craig:

WHEREAS, During this recess period the services of attaches and employees of the Assembly will not be required with the exception of those certified by pay roll to the Controller; and

WHEREAS, It will be necessary to retain a certain amount of help to assist in properly attending to the legislative business and other details pertaining to this session of the Legislature, in order that a complete check may be made of what has transpired during this session, and in order that when the Legislature reconvenes the work of this House may thereby be expedited; therefore, be it

Resolved, That the names of each of the officers, attaches, and employees heretofore and now employed by this fiftieth session of the Assembly for the positions and at the per diem provided by law, be and they are hereby stricken from the roll to begin and include the fifteenth day of May, 1933, save and except those persons certified to the Controller by pay roll with the positions set opposite their respective names and at the per diem as provided by law; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants weekly upon the fund provided for the payment of officers, attaches and employees of the Assembly in favor of those persons and at the per diem as provided by law as certified to the Controller by pay roll and the State Treasurer is hereby authorized and directed to pay the same.

The question being on the adoption of the resolution.

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.

NOES—None.

REPORTS OF COMMITTEES ON FREE CONFERENCE.

The following reports of Committees on Free Conference were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 1184—An act to amend sections 640 and 671 of the Vehicle Code, relating to sirens, horns, warning devices and lights on vehicles—reports that it has met a like committee of the Senate, consisting of Senators Stow, Allen and Harper, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, as amended, strike out "640 and 671 of the Vehicle Code", and insert in lieu thereof the following: "95 and 111 of the California Vehicle Act".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, as amended, strike out "640 of the Vehicle Code", and insert in lieu thereof the following: "111 of the California Vehicle Act".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended, strike out lines 4 and 5.

AMENDMENT NUMBER FOUR.

On page 1, line 7, of the printed bill, as amended, strike out "The", and insert in lieu thereof the following:

"Sec. 111. Subject to such exceptions as may be specifically authorized in this act, the".

AMENDMENT NUMBER FIVE.

On page 1, line 10, of the printed bill, as amended, after "thereon," insert the following: "which shall conform to the requirements of section 100 (d),".

AMENDMENT NUMBER SIX.

On page 2, line 8, of the printed bill, as amended, strike out "671 of the Vehicle Code", and insert in lieu thereof the following: "95 of the California Vehicle Act".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, as amended, strike out line 11.

AMENDMENT NUMBER EIGHT.

On page 2, line 13, of the printed bill, as amended, before "(a)", insert the following: "Sec. 95."

AMENDMENT NUMBER NINE.

On page 2, line 33, of the printed bill, as amended, after "thereof", insert the following: "It is hereby expressly declared to be unlawful for any police or traffic law enforcement officer to use a siren, or to travel at a speed in excess of that permitted under section 113, when serving as an escort of any procession or other vehicles traveling upon the public highway."

ROGERS,
BLISS,
RAWLS,
Assembly Committee on Free Conference.

HARPER,
STOW,
ALLEN,
Senate Committee on Free Conference.

The question being on the adoption of the report and amendments.

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—69.

NOES—None.

The above reported bill ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 2302—An act to add 23 new sections to the Political Code, to be numbered 4248 and 4248a to 4248v, inclusive, and to repeal sections 2322x19 and 4248 of said code, section 19x19 of the Juvenile Court Law, and section 16x19 of the Weights and Measures Act, relating to compensation of county and township officers in counties of the nineteenth class—reports that it has met a like committee of the Senate, consisting of Senators Bush, Allen and Tickle, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

In the first line of the title of the printed bill, as amended, strike out "23", and insert in lieu thereof the number "22".

AMENDMENT NUMBER TWO.

On page 2, line 23, of the printed bill, as amended, strike out the following: Beginning with the word "and", to and including the word "time", in line 25 of said page.

AMENDMENT NUMBER THREE.

On page 2, line 31, of the printed bill, as amended, strike out the words "four dollars", and insert in lieu thereof the words "three dollars and fifty cents."

AMENDMENT NUMBER FOUR.

On page 4, line 36, of the printed bill, as amended, strike out the letter "l", following the number "4248", and insert in lieu thereof the letter "k".

ZION,
BROCK,
LEVEY,
Assembly Committee on Free Conference.

BUSH,
ALLEN,
TICKLE,
Senate Committee on Free Conference.

The question being on the adoption of the report and amendments.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Demp-

ster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.

NOES—None.

Assembly Bill No. 2302 ordered to enrollment.

UNFINISHED BUSINESS.

Assembly Bill No. 1116—An act relating to governmental units known as districts, and providing a procedure for the organization, operation, government, consolidation and dissolution of such districts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1116?

AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill, as amended, strike out "means", and insert in lieu thereof the following: "includes".

AMENDMENT NUMBER TWO.

On page 5, line 12, of the printed bill, as amended, after "act", insert the following: "or of any other act applicable to the formation of the district."

AMENDMENT NUMBER THREE.

On page 10, line 20, of the printed bill, as amended, after "district", insert the following: "for the same period and".

AMENDMENT NUMBER FOUR.

On page 21, line 6, of the printed bill, as amended, strike out "any", and insert in lieu thereof the following: "the".

The roll was called, and Senate amendments to Assembly Bill No. 1116 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 601—An act to provide for the acquisition and cancellation of bonds heretofore issued under the provisions of that certain act of the Legislature of the State of California designated and known as the "Acquisition and Improvement Act of 1925," whether such bonds were issued under the provisions of said last named act as originally adopted or as same was amended; providing for the issuance and payment of assessment readjustment bonds to represent certain assessments for the cost of acquisition of such issued bonds, including all costs and incidental expenses of proceedings under this act for the issuance of such assessment readjustment bonds; providing a method for the payment of such assessment readjustment bonds; and providing a method for the redemption of lost or otherwise unobtainable bonds of the issue or issues to be acquired and canceled.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 601?

AMENDMENT NUMBER ONE.

On page 5, line 9, of the printed bill, as amended, strike out the word "as", and insert in lieu thereof the word "of".

AMENDMENT NUMBER TWO.

On page 5, line 28, of the printed bill, as amended, after the word "payment", strike out the word "of", and insert in lieu thereof the word "to".

AMENDMENT NUMBER THREE.

On page 8, line 27, of the printed bill, as amended, strike out the word "working", and insert in lieu thereof the word "wording".

AMENDMENT NUMBER FOUR.

On page 9, line 36, of the printed bill, as amended, strike out the word "authorize", and insert in lieu thereof the word "authorized".

AMENDMENT NUMBER FIVE.

On page 9, line 37, of the printed bill, as amended, strike out the word "require", and insert in lieu thereof the word "required".

AMENDMENT NUMBER SIX.

On page 12, line 34, of the printed bill, as amended, after the word "body", insert the words "or bodies".

AMENDMENT NUMBER SEVEN.

On page 12, line 37, of the printed bill, as amended, after the word "legislative", insert the words "body or".

AMENDMENT NUMBER EIGHT.

On page 13, line 3, of the printed bill, as amended, after "tion", insert the following: "and take all proceedings required".

The roll was called, and Senate amendments to Assembly Bill No. 601 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1733—An act to amend sections 8 and 11 of an act entitled "An act to provide for the maintenance by municipalities of lighting systems along public streets, alleys and other public places and for the lighting thereof by electric current, gas or other illuminating agent; and for the assessment of the cost and expense thereof upon the property benefited and the manner of collecting such assessments," approved May 16, 1919, as amended, relating to penalties levied thereunder.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1733?

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended, strike out lines 20 to 35, inclusive, and in line 36, strike out "penalties of one per cent of said amount", and insert in lieu thereof the following:

"SEC. 11. At any time after the date of sale and prior to the issuance and delivery of a deed to said property as provided in section 12 of this act, any property sold under the provisions of the preceding sections may be redeemed by the payment to the tax collector of the amount for which the property was sold, with an additional penalty of one per cent per month of said amount together with such other penalties as may be payable as provided for in said section 12 of this act."

AMENDMENT NUMBER TWO.

On page 2, line 38, of the printed bill, as amended, strike out "Said redemption", also strike out lines 39 to 47, inclusive, and insert in lieu thereof the following: "Said redemption money shall be paid by the tax collector to the person holding the original certificate of sale upon his delivering up the same and receipting for the amount received from the tax collector therefor. Upon redemption of any parcel of land the tax collector shall enter the fact and date of such redemption upon the duplicate certificate of sale thereof."

The roll was called, and Senate amendments to Assembly Bill No. 1733 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 598—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments, reassessments and to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 598?

AMENDMENT NUMBER ONE

In line 10 of the title of the printed bill, strike out the word "and", and insert in lieu thereof a comma, and in the last line of the title, strike out the period and insert in lieu thereof the following: ", and to provide for contributions of public funds to assist in such refunding."

AMENDMENT NUMBER TWO.

On page 2, line 39, of the printed bill, strike out the words "the principal of", and on the same page, line 40, strike out the words "and the total amount of interest due and unpaid", and insert in lieu thereof the following: ", and shall state the amount of the principal of bonds included therein, and the amount of interest due and unpaid included therein".

AMENDMENT NUMBER THREE.

On page 3, line 9, of the printed bill, strike out the words "the principal", and in line 10, strike out the words "with $_____ interest thereon"; and on the same page, line 11, strike out the words "due and unpaid", and insert in lieu thereof the following: ", consisting of $_____ principal and $_____ due and unpaid interest"; and on the same page, line 33, following the period, insert the following language: "In the event that there are no qualified electors in the district, the consent of the owners of a majority in area of the lands in the district, in writing, filed with the legislative body shall authorize such refunding. In the event that refunding is authorized by such filed consent of landowners, no election shall be called or held and the resolution or ordinance of the legislative body provided in section 2 hereof shall recite that in the event such refunding is authorized by the filed consent of the owners of the majority in area of the lands in the district, the legislative body will refund such indebtedness under the provisions of this act. Upon the filing of the written consent of the owners of a majority in area of the lands in the district, said legislative body shall have jurisdiction to proceed with the refunding of such indebtedness under the provisions of this act."

AMENDMENT NUMBER FOUR.

On page 5, line 44, of the printed bill, strike out the period, and insert in lieu thereof the following: ", or a smaller sum."

AMENDMENT NUMBER FIVE

On page 6, line 26, of the printed bill, following the words "district of _____", insert the following: "(city or county)"; on the same page, line 26, strike out the colon, and insert in lieu thereof a period; on the same page, strike out all of line 27; on the same page, line 30, following the words "of the _____", insert the following: "(name of legislative body)"; on the same page, strike out all of line 31; on the same page, line 32, following the first blank, insert the words "(city or county)"; on the same page, strike out all of line 33.

AMENDMENT NUMBER SIX

On page 7, line 9, of the printed bill, following the first blank, insert the following: "(designating legislative body)", and in the same line, following the second blank, insert the following: "(city or county)"; on the same page, strike out all of line 10; on the same page, strike out all of line 12; on the same page, following the blank in line 13, insert the following. "(designating legislative body)"; on the same page, strike out all of line 14; on the same page, strike out all of line 20; on the same page, following the blank in line 21, insert the following. "(designating legislative body)"; on the same page, strike out all of line 22; on the same page, line 26, following the word "out", strike out the parenthesis.

AMENDMENT NUMBER SEVEN.

On page 12, line 6, of the printed bill, following the period, insert the following: "In any action, suit, or proceeding brought after said sixty days has expired, to enforce any reassessment or bond issued to represent said reassessment no person may urge, plead or prove the invalidity of any reassessment or bond issued to represent said reassessment and in any action to foreclose a bond issued hereunder, said bond shall be conclusive evidence of the regularity and validity of the reassessment proceedings and reassessment, and the bond."; on the same page, line 46, of the printed bill, strike out the word "all"; strike out all of line 47, and in line 48, strike out the following language: "which the bonds are refunded,", on the same page, line 49, strike out the word "owners", and insert in lieu thereof the word "holders"; on the same page, line 49, following the word "bonds", insert the following: "in such amounts and proportions as may be agreed upon between the legislative body and the bondholders or as may be provided by law"; on the same page, line 51, strike out the word "owners", and insert in lieu thereof the word "holders".

AMENDMENT NUMBER EIGHT.

On page 17, line 6, of the printed bill, strike out the comma which follows the word "county", and in the same line following the word "city", insert a comma; on the same page, line 41, of the printed bill, strike out the word "defunding", and insert in lieu thereof the word "refunding".

AMENDMENT NUMBER NINE.

On page 23, line 39, of the printed bill, strike out the word "thirty", and insert in lieu thereof the word "sixty".

AMENDMENT NUMBER TEN.

On page 24 of the printed bill, following line 31, insert the following: "If any reassessment or any refunding bond is held illegal or invalid in any action, suit or proceeding upon any ground which would apply to the entire reassessment or the entire issue of refunding bonds, then the unpaid bonds refunded, remain in full force and effect, and if said unpaid bonds have been canceled or destroyed, the treasurer of the city or county which conducted the invalid refunding or reassessment proceeding shall issue new bonds of the same tenor, force and effect as such canceled or destroyed unpaid bonds, and all of the provisions of the act under which the original bonds were issued (notwithstanding that said act may have been repealed in whole or part subsequent to the issuance of such bonds) relative to the payment of the bonds issued thereunder and the levy, collection and enforcement of taxes or special assessment taxes therefor shall apply to such unpaid bonds and to any bonds issued to replace such unpaid bonds. Until all unpaid bonds which might be refunded hereunder have been fully paid or have been legally refunded, it shall be and remain the duty of the legislative body empowered and directed to levy the special assessment taxes for the payment of such bonds to proceed under the provisions of the act under which said bonds were issued to levy the said special assessment taxes provided in said act in accordance with the provisions of said act."

AMENDMENT NUMBER ELEVEN.

On page 25, line 18, of the printed bill, strike out the period, and insert in lieu thereof the following: ", or a smaller sum."; on the same page, line 19, following "Sec. 32", insert the following language: "This act shall in no wise affect any other act or acts now existing or which may hereafter be passed covering the same subject matter, or apply to any proceedings thereunder, but is intended to and does provide

an alternative system for the refunding of bonds, and, when at the discretion of any legislaive body proceedings are commenced under this act the provisions of this act only shall apply thereto.

Any city or county, or city and county is authorized to file a petition under any bankruptcy law or laws of the United States of America now or hereafter enacted, for any district, the bonds of which are authorized to be refunded under this act."

AMENDMENT NUMBER TWELVE.

On page 6, line 20, of the printed, amended bill, following the word "in", insert the word "any".

AMENDMENT NUMBER THIRTEEN.

On page 13 of the printed, amended bill, between lines 30 and 31, insert the following language: "In the event that all of the outstanding bonds are not exchanged for such refunding bonds, nevertheless if seventy-five per cent or more of the outstanding bonds are exchanged for refunding bonds, the legislative body shall have authority to issue such refunding bonds under the provisions of this act and to do and perform all acts necessary or convenient for the retirement or payment of the outstanding bonds not surrendered for exchange and cancellation."; on the same page, line 30, strike out the word "cancelation", and insert the word "cancellation"; in line 41, strike out the word "cancelation", and insert the word cancellation"; on the same page, between lines 41 and 42, insert the following language: "In the event that said special assessment taxes, penalties and interest can not be canceled or annulled legally, then such taxes, penalties, and interest shall remain payable as provided by law and when collected, such portions thereof as may be used for the payment of principal and interest of bonds shall be applied to payment of principal and interest the refunding bond issued upon the particular parcel for which such tax, penalty, and interest is paid and shall to that extent diminish the amount of the assessment upon said parcel."

AMENDMENT NUMBER FOURTEEN.

On page 26, line 32, of the printed, amended bill, following the word "petition", insert the following: "and take all proceedings required".

The roll was called, and Senate amendments to Assembly Bill No. 598 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 599—An act to provide for the refunding of the indebtedness represented by bonds of special assessment districts formed under laws of the State of California where the bonds are payable from assessments levied in whole or in part in accordance with the assessed value of the lands in the district, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 599?

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed, amended bill strike out the words "during any one year".

AMENDMENT NUMBER TWO.

On page 4, line 51, of the printed, amended bill, following the word "bonds", insert the words "or any thereof"; on the same page, line 52, following the word "refunded", insert the words "or any thereof".

AMENDMENT NUMBER THREE.

On page 5, line 4, of the printed, amended bill, strike out the words "for cancellation by such holders"; on the same page, line 5, following the word "bonds", insert the words "for cancellation"; on the same page, line 7, following the period, insert the following language: "In the event that all of the outstanding bonds are not exchanged for such refunding bonds, nevertheless if seventy-five per cent or more of the outstanding bonds are exchanged for refunding bonds, the legislative body shall have authority to issue such refunding bonds under the provisions of this act and to do and perform all acts necessary or convenient for the retirement or payment of the outstanding bonds not surrendered for exchange and cancellation."; on the same page, between lines 40 and 41, insert the following: "Any moneys raised by special assessments levied to provide funds for the payment of the bonds refunded may be used to pay principal or interest of such refunding bonds. After the principal and interest of all of said refunding bonds are fully paid, any moneys raised by special assessments levied for the payment of said refunding bonds shall be refunded to the owners of the lands upon which such special assessments were levied in proportion to the amounts of assessments levied upon such lands in the last levy made for the payment of said refunding bonds."; on the same page, line 52, following the period, insert the following language. "In the event the law or ordinance providing for the collection of taxes of a county or municipality provides for a sale to the State or to the municipality by operation of law and declaration of the tax collector and thereafter a sale at which public bidding is permitted, the two-year period above mentioned shall cease at the end of two years from the date of sale to the State or municipality by operation of law and declaration of the tax collector."

AMENDMENT NUMBER FOUR.

On page 6, line 7, of the printed, amended bill, strike out the words ", upon request of the holder of any refunding bond,".

AMENDMENT NUMBER FIVE.

On page 5, line 8, of the printed, amended bill, following the word "petition", insert the following language: "and take all proceedings required".

The roll was called, and Senate amendments to Assembly Bill No. 599 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 2092—An act to amend sections 25, 27, 28, 60, 62, 63, 65a, 66, and 68 of and to add three new sections to be numbered sections 76b, 76c and 84 respectively, to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to

represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2092?

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, as amended, in the title thereof, strike out the word "two", and insert in lieu thereof the word "three"; also in line 4 of said title, strike out the word "and"; also in said line 4 of the title, after the figure and letter "7½c", insert the following: "and 84".

AMENDMENT NUMBER TWO.

On page 17 of the printed bill, as amended, following line 9, insert the following:

"SEC. 12. A new section to be numbered 84 is hereby added to said act to read as follows

Sec. 84. The true intent and meaning of the provisions of this act is that when the proposed work or improvement is in the opinion of the city council of any municipality initiating it of such scope that it directly and peculiarly affects property within two or more cities or of one or more cities and outside unincorporated territory and in such a way that the purpose sought to be accomplished can be effected only by a single comprehensive scheme of construction, the legislative body initiating such proceedings shall have full power to take each and every step required for or suitable for the consummation of such work or improvement extending outside the limits of the municipality, and the levying, collecting and enforcement of the assessments to cover the expenses thereof, and the issuance and enforcement of bonds to represent unpaid assessments, whenever the city council or board of supervisors, as the case may be, having any jurisdiction over any portion or portions of the territory proposed to be included in the assessment district for the said improvement shall by resolution consent to the formation of such assessment district and the assumption of jurisdiction thereover for the purpose aforesaid by the legislative body so initiating the proceedings."

The roll was called, and Senate amendments to Assembly Bill No. 2092 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.

NOES—None

The above reported bill ordered to enrollment.

Assembly Bill No. 1631—An act to amend section 1065 of the Fish and Game Code, relating to commercial fishing regulations.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1631?

AMENDMENT NUMBER ONE

On page 1, line 19, of the printed bill, strike out "July 1 and February 15.", and insert in lieu thereof the following: "August 1 and the last day of February."

The roll was called, and Senate amendment to Assembly Bill No. 1631 concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson,

Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 800—An act to amend sections 658 and 660 and to add section 660.5 to the Fish and Game Code, relating to the protection of fish.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 800?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the word "act", in line 1 of the title, insert the following: "to amend sections 658 and 660 and".

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, after line 30, insert the following:
"SECTION 1. Section 658 of the Fish and Game Code is hereby amended to read as follows:
658. In districts 10 and 11, salmon may be taken with hook and line between May 1st and August 30th. There is no bag limit. The size limit is as provided in section 661 of this code.
SEC. 2. Section 660 of the Fish and Game Code is hereby amended to read as follows:
660. In districts 15, 16, 17 and 18, salmon may be taken with hook and line, between March 1st and July 15th. There is no bag limit. The size limit is as provided in section 661 of this code."

AMENDMENT NUMBER THREE.

On page 4, line 31, of the printed bill, strike out "Section 1.", and insert in lieu thereof the following: "Sec. 3."

AMENDMENT NUMBER FOUR.

On page 4, line 35, of the printed bill, strike out "July 1", and insert in lieu thereof the following: "July 16".

The roll was called, and Senate amendments to Assembly Bill No. 800 concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 880—An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities of the second and one-half class.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 880?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 7 to 21, and all of page 2 and insert in lieu thereof the following:

"(a) There shall be five judges, each of whom shall receive six thousand five hundred dollars per annum, payable in equal monthly installments;

(b) There shall be one clerk who shall also be secretary to the court, to be appointed by the judges thereof, who shall receive three hundred fifty dollars per month;

(c) The clerk shall appoint the following:

One chief deputy, who shall receive two hundred seventy-five dollars per month; five deputy court clerks, who shall each receive two hundred twenty-five dollars per month; one cashier-bookkeeper, who shall receive two hundred fifty dollars per month, one chief clerk of the civil department, who shall receive two hundred fifty dollars per month; one chief clerk of the criminal department, who shall receive two hundred fifty dollars per month; eight deputy clerks, who shall each receive two hundred dollars per month; one deputy judgment clerk, who shall receive two hundred dollars per month; one stenographic secretary, male, who shall receive one hundred seventy-five dollars per month, two stenographers, who shall each receive one hundred thirty-five dollars per month; one typist, who shall receive one hundred twenty-five dollars per month; two file index clerks, who shall each receive one hundred twenty-five dollars per month;

(d) There shall be one marshal to be appointed by the judges of the court who shall receive four hundred dollars per month. The marshal shall appoint the following:

One assistant marshal, who shall receive three hundred dollars per month; one deputy, who shall also act as secretary, who shall receive one hundred fifty dollars per month; one chief deputy of the civil department who shall receive two hundred fifty dollars per month; one deputy, who shall act as assistant chief of the civil department, who shall receive two hundred twenty-five dollars per month; four deputies of the civil department, who shall receive two hundred dollars per month; three deputies of the civil department, who shall receive one hundred seventy-five dollars per month; one deputy, who shall act as bookkeeper, who shall receive two hundred dollars per month; one deputy, who shall act as counter clerk and return clerk, who shall receive one hundred seventy-five dollars per month; one deputy who shall act as stenographer, who shall receive one hundred thirty-five dollars per month; one chief deputy of the criminal department, who shall receive two hundred fifty dollars per month; one deputy, who shall act as assistant chief of the criminal department, who shall receive two hundred twenty-five dollars per month; two deputies of the criminal department, who shall receive two hundred dollars per month; two deputies of the criminal department, who shall receive one hundred seventy-five dollars per month; five deputies to act as bailiffs of the courts, who shall each receive one hundred seventy-five dollars per month; one deputy, who shall act as record clerk, who shall receive one hundred fifty dollars per month; fifty deputies, who shall act as custodians, who shall receive five dollars per day. The deputy marshals serving as custodians shall be paid only for their actual services as keepers of property taken under the legal process, and shall be paid out of the funds deposited by the parties to the action in which services are rendered. All marshals, assistants and deputies, excepting those designated herein as custodians, shall be allowed in addition to their salaries, their actual and necessary incidental expenses incurred in the actual performance of their duties, including traveling expenses to be allowed at the rate per mile fixed by the county board of supervisors for the operation of automobiles actually used in performance of their business on public duty or to pay for such other mode of transportation as they may adopt"

The roll was called, and Senate amendment to Assembly Bill No. 880 was concurred in by the following vote:

AYES—Altet, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1477—An act to amend section 10 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation

within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1477?

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 10 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933."

AMENDMENT NUMBER TWO.

Strike out lines 1 to 21, inclusive, of the printed bill, and insert in lieu thereof the following:

"SECTION 1. Section 10 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 10. All moneys belonging to any county, city or county, city, town, municipality or other public or municipal corporation within the State under the control of any officer or employee thereof other than the treasurer thereof, and all moneys coming into the possession of any justice of the peace, clerk or other officer of such justice's court, shall be deposited as active deposits in such State or national bank or banks in this State as such officer, employee or justice of the peace may select; and provided, that the bank or banks in which said moneys are deposited may be required to pay interest thereon and shall furnish security for such deposits as herein provided for active deposits."

The roll was called, and Senate amendments to Assembly Bill No. 1477 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 780—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10a, 11 and 12 of, and to add section 15 to, an act entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to contractors and the Contractors' License Bureau and declaring the same to be an urgency measure.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 780?

AMENDMENT NUMBER ONE.

On page 2, line 30, of the printed bill, strike out the word "one", and insert in lieu thereof the word "two".

The roll was called, and Senate amendment to Assembly Bill No. 780 concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller,

Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.

NOES—None.

URGENCY CLAUSE READ.

Assembly Bill No. 780—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10a, 11, and 12 of, and to add section 15 to, an act entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to contractors and the Contractors' License Bureau and declaring the same to be an urgency measure.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1940—An act to amend sections 4255 and 4255a of the Political Code, relating to the salaries and fees of county officers in counties of the twenty-sixth class.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1940?

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, strike out lines 24 to 28, inclusive, and insert in lieu thereof the following: "cases. In townships of the first class, one thousand five hundred thirty dollars per annum; in townships of the second class, one thousand one hundred twenty-two dollars per annum, in townships of the third class, nine hundred seventy-two dollars per annum; in townships of the fourth class, five hundred forty dollars per annum; constables shall also receive for their".

AMENDMENT NUMBER TWO.

On page 6 of the printed bill, strike out line 12, and insert in lieu thereof the following: "five hundred thirty dollars per annum; said deputy and clerk to be appointed by the surveyor and hold office at his pleasure. The sur-".

AMENDMENT NUMBER THREE.

On page 6 of the printed bill, strike out lines 16 to 19, inclusive.

AMENDMENT NUMBER FOUR.

On page 6 of the printed bill, strike out lines 24 to 34, inclusive.

The roll was called, and Senate amendments to Assembly Bill No. 1940 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon,

Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1035—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable lowlands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district," approved June 21, 1923, as amended, by amending sections numbered 8a, 23, 28n and 28o thereof, and by adding a new section to be numbered 28½h, providing for the use of certain bonds and coupons in payment of district taxes or assessments; and declaring the urgency thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1035?

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, as amended, strike from the last line of the title, the words, "8a, 23 and 28o, thereof.", and insert in lieu thereof: "8a, 23, 28n and 28o thereof, and by adding a new section to be numbered 28½h, providing for the use of certain bonds and coupons in payment of district taxes or assessments; and declaring the urgency thereof."

AMENDMENT NUMBER TWO.

On page 6 of the printed bill, as amended, strike out all of lines 24 and 25, and insert in lieu thereof the following:

"SEC. 3. A new section is hereby added to the Palo Verde Irrigation District Act, as amended, to be numbered 28½h, and to read as follows:

Sec. 28½h. Notwithstanding any of the other provisions of this act any owner of land within the district who is the holder of any matured bond or interest coupon issued by or assumed or agreed to be paid by the district, which bond or interest coupon remains unpaid by reason of insufficiency of money in the appropriate fund, is authorized to apply the credit represented by such unpaid bond or coupon as a medium of exchange in the payment of assessments levied against the lands of such person in the manner and to the extent hereinafter specified.

Upon presentation and surrender to the treasurer of Riverside County of such matured bonds or interest coupons, or both of them, the treasurer shall issue to the holder a memorandum in writing, in duplicate, indicating the amount of credit represented by such bonds or coupons which such holder is entitled to apply on such assessments, and indicating whether said bonds so surrendered were bonds issued by said district, or were issued by the Palo Verde Joint Levee District, or were issued by the Palo Verde Drainage District, or were issued by the Palo Verde Mutual Water Company.

The collector shall accept the credit memorandum in lieu of lawful money for that portion of the total assessment levied on the lands of the holder of such bonds or coupons equivalent to the amount of such assessment as was levied to pay the interest and maturing principal of the bonds of the issues so surrendered, together with penalties, interest and costs in case of delinquency. The balance of the assessment shall be paid in money. The collector shall endorse upon such credit memorandum the amount of credit applied on the assessment and the balance, if any, not so applied, and retain one copy of said memoranda to be used in settling his accounts with the secretary and said treasurer.

The said treasurer shall accept such credit memoranda, to the extent that the same have been applied upon such assessment, as the equivalent of money. Said treasurer shall thereupon cancel the bonds and coupons for which such credit was given if the entire amount of the credit memoranda has been applied to the payment of assessments and in the event that only a portion of the credit has been applied, then said treasurer shall endorse upon the face of such bond or coupon the fact that the same has been paid in part to the extent of the credit so applied and return the bond or coupon so endorsed to the holder. If no part of the credit represented by such memoranda is applied to the payment of assessments, as herein provided, the treasurer shall, upon surrender of the credit memoranda, cancel the same and deliver the bond or coupon to the owner.

Upon the written request of any owner so presenting such written credit memoranda to the collector, the credit represented by said memorandum and to be collected by said collector may be applied to any lands within said district, whether owned by said owner presenting said memorandum or not.

SEC. 4. Section 28n of said act, as amended, is hereby amended to read as follows:

Sec. 28n. The collector, before delivering any certificate, must in a book enter a description of the land sold corresponding with the description in the certificate, the date of the sale, regularly number the description on the margin of the book, and put a corresponding number on each certificate. Such book must be open to public inspection, without fee, during business hours, when not in actual use. On filing the certificate with such county recorder, the lien of the taxes vests with the district and is only divested by the payment to it of the aggregate of the taxes, penalties and costs, together with three-fourths of one per cent per month; provided, that partial redemption may be made in the manner specified in sections 28o and 28½o of this act.

SEC. 5. Section 28o of said act, as amended, is hereby amended to read as follows:".

AMENDMENT NUMBER THREE.

On page 6, line 27, of the printed bill, as amended, strike out the word "three", and insert in lieu thereof the word "four".

AMENDMENT NUMBER FOUR.

On page 6 of the printed bill, as amended, strike out all of lines 30 to 35, inclusive, and insert in lieu thereof the following: "lawful money of the United States; provided, however, that when redemption of such property shall be made more than one year after the sale provided for in section 28l of this act, an owner of such land, who is the holder of any bond or accrued interest coupon or warrant or other evidence of indebtedness issued by or assumed or agreed to be paid by said district, is authorized to apply the credit represented by such bond, accrued interest coupon, warrant or other evidence of indebtedness, together with the

accrued interest on any such obligations, as a medium of exchange in the redemption of such property in the manner and to the extent hereinafter specified.

Upon presentation and surrender to the treasurer of Riverside County of any such bond or accrued interest coupon or warrant or other evidence of indebtedness, or any of them, the treasurer shall issue to the holder a memorandum in writing in duplicate indicating the amount of credit represented by such bonds or accrued interest coupons or warrants or other evidences of indebtedness, or any of them, and the accrued interest thereon, which such holder is entitled to apply on such redemption.

The credit memorandum herein provided for shall be designated "redemption credit memorandum," and each such memorandum shall have printed clearly on the face thereof the words "redemption credit memorandum."

The collector shall accept such redemption credit memorandum in lieu of lawful money for the redemption of such property in the manner and to the extent herein provided; provided, however, that such redemption credit memorandum shall be accepted for redemption as herein provided only for such portion of the amount required to redeem as shall be equal to or represented by the amount of taxes and assessments, together with penalties and interest thereon, levied or assessed at least eighteen months prior to the date of such redemption. Any balance due on such redemption may be paid in whole or in part in lawful money, or by the credit memorandum provided for in section 28½h of this act. The collector shall endorse upon such redemption credit memorandum the amount of credit applied on such redemption and the balance, if any, not so applied, and retain one copy of said memorandum to be used in settling his accounts with the secretary and said treasurer.

The said treasurer shall accept such redemption credit memorandum to the extent that the same has been applied upon such redemption in accordance with the provisions of this section, as the equivalent of money. Said treasurer shall thereupon cancel the bonds and coupons, warrants and other evidences of indebtedness for which such credit was given if the entire amount of the redemption credit memorandum has been applied to such redemption, and in the event that only a portion of the credit has been applied, then said treasurer shall endorse upon the face of such bonds, or coupons or warrants or other evidences of indebtedness, the fact that the same and/or the accrued interest thereon have been paid to the extent of the credit so applied and return the bond, coupon, warrant, or other evidence of indebtedness so endorsed to the holder. If no part of the credit represented by such memorandum is applied to the redemption of property as herein provided, the treasurer shall, upon surrender of such credit memorandum, cancel the same, and deliver the bonds or coupons or warrants or evidences of indebtedness to the owner."

AMENDMENT NUMBER FIVE.

On page 6, line 5, of the printed bill, as amended, strike out the words "district; at the", and insert in lieu thereof the following: "district; and at least four copies of such plan and of any agreements related thereto must be made available to voters of the district at all times during business hours from the time such notice is published until the time of such election. At the".

AMENDMENT NUMBER SIX.

On page 7 of the printed bill, as amended, after line 46, add the two following sections:

"SEC. 4. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act.

SEC. 5. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1, Article IV of the Constitution of the State of California, and shall take effect immediately.

The facts constituting such urgency are as follows:

The Palo Verde Irrigation District and the farmers living in said Palo Verde Irrigation District are in dire distress financially. The lands therein have become greatly in arrears in the payment of taxes, and consequently the bonds of the Palo Verde Irrigation District, of the Palo Verde Drainage District, and of the Palo Verde Joint Levee District of Riverside and Imperial counties, California, are and have been delinquent for a considerable period of time. The great bulk of the property within said district is subject to tax liens of various kinds for delinquent taxes and unless extraordinary means are provided for the returning of such lands to the tax rolls, it will be impossible to farm in said district, and the levee, drains and irrigation system can not be kept up or operated, and the great bulk of the property owned by the farmers of said district will be deeded to the district for delinquent assessments and will be lost to the farmers in July of 1933, and danger to life, health and property will shortly exist.

The amendments to said act herein contained are necessary to accomplish the clearing of the titles to said property, to secure the payment of taxes, tolls and charges, to permit the resident farmers to retain possession of their lands and

to continue farming and thus prevent the abandonment of the district and the property therein, and to preserve the property of such district and of such farmers and thereby to prevent the destruction of life, health and property."

AMENDMENT NUMBER SEVEN.

On page 6, line 12, of the printed bill, as amended, strike out the words "two-thirds", and insert in lieu thereof the words "sixty per cent".

AMENDMENT NUMBER EIGHT.

On page 6, line 22, of the printed bill, as amended, strike out the words "two-thirds", and insert in lieu thereof the words "sixty per cent".

The roll was called, and Senate amendments to Assembly Bill No. 1035 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 41—An act to amend section 737dd of the Political Code, relating to the annual salary of judges of the superior court in and for the county of Orange.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 41?

AMENDMENT NUMBER ONE

On page 1, line 1, of the title of the printed bill, strike out the word "section", and insert the word "sections".

AMENDMENT NUMBER TWO

On page 1, line 1, of the title of the printed bill, after the figures "737dd", insert "and 737jj".

AMENDMENT NUMBER THREE

On page 1, line 3, of the title of the printed bill, after the word "Orange", strike out the period and insert "and the county of San Bernardino"

AMENDMENT NUMBER FOUR.

On page 1, line 1, of the printed bill, strike out the words "Section 737dd", and insert in lieu thereof "Section 737dd and section 737jj".

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, after line 8, add

"737jj. The annual salary of each of the judges of the superior court in and for the county of San Bernardino is six thousand dollars"

The roll was called and Senate amendments to Assembly Bill No. 41 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Malouey, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.

NOES—None

The above reported bill ordered to enrollment.

Assembly Bill No. 655—An act to add a new section to the California Irrigation District Act, to be numbered 15a, relating to the use and distribution of water, declaring the urgency thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 655?

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "declaring the urgency thereof".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, as amended, after the period in said line, insert the following: "A new section to be numbered 15a is hereby added to the California Irrigation District Act, to read as follows:".

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, as amended, after the comma after "district", insert the following: "may regulate the amount of water in use or to be used for the purpose of irrigating crops on lands within the district when the seepage from such irrigation would damage adjacent lands or".

The roll was called, and Senate amendments to Assembly Bill No. 655 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 850—An act to amend section 737xx of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Stanislaus.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 850?

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "one", and insert in lieu thereof the word "four."

The roll was called, and Senate amendment to Assembly Bill No. 850 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.

NOES—None.

The above reported bill ordered to enrollment.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

Assembly Bill No. 2408—An act to add section 365e½ to the Political Code, relating to powers and duties of the California Highway Commission in respect to construction or repair of highways.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2408?

AMENDMENT NUMBER ONE.

On page 1, line 27, of the printed bill, as amended, strike out "irrespective of type of material.", and insert in lieu thereof a period and the following: "Whenever the words "high type paving" are used in this act, they shall be construed to include only asphalt concrete pavement and portland cement concrete pavement as designed by the Division of Highways."

The roll was called, and Senate amendment to Assembly Bill No. 2408 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—75.

NOES—None

The above reported bill ordered to enrollment.

Assembly Bill No. 1502—An act to add a new section to be numbered 726a to the Code of Civil Procedure, relating to actions to enforce obligations secured by mortgage on real property situated outside of California.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—60.

MOTION.

Mr. Robinson, C. Ray, moved that the Chief Clerk be instructed to procure flowers for each of the members and a bouquet of flowers for the Speaker, this in observance of Mothers Day, Sunday, May 14, 1933.

Motion unanimously carried.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 120—Proposed amendment to Article XVI adding section 10 of the Constitution, relative to execution, issuance, use, redemption and cancellation of unemployment bonds for various public purposes and for the relief of unemployment, destitution and economic distress.

Assembly Constitutional Amendment No. 120 read.

The question being on the adoption of Assembly Constitutional Amendment No. 120.

MOTION TO RE-REFER.

Mr. Lyon moved that Assembly Constitutional Amendment No. 120 be withdrawn from file, and ordered re-referred to Committee on Rules.

The question being on re-referring Assembly Constitutional Amendment No. 120 to Committee on Rules.

Motion carried.

Assembly Constitutional Amendment No. 120 re-referred to Committee on Rules.

Assembly Joint Resolution No 35—Relative to the removal of unemployed Filipinos to the Philippine Islands.

Assembly Joint Resolution No. 35 read

The question being on the adoption of Assembly Joint Resolution No. 35.

The roll was called, and Assembly Joint Resolution No. 35 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—67.

NOES—None.

Title read and approved.

Assembly Joint Resolution No 35 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 35.

Relative to the removal of unemployed Filipinos to the Philippine Islands.

WHEREAS, There are more than thirty-five thousand natives from the Philippine Islands residing in the State of California who have fallen into financial distress, are not employed, have been and are beneficiaries of public and private charity; and

WHEREAS, The removal of these Filipino wards of public and private charitable organizations and these unemployed Filipinos would relieve the local burden now borne by the cities and communities in which they live, and

WHEREAS, There has been proposed in the Congress a bill (House Joint Resolution 118) to provide for the return to the Philippine Islands of unemployed Filipinos resident in the continental United States, to authorize appropriations to accomplish that result, and for other purposes; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That we respectfully request and memorialize the Senate and House of Representatives of the Congress to enact said bill and the President of the United States to affix his signature thereto, to the end that the growing and widespread desire among these unemployed and financially distressed Filipinos may be given adequate relief such as for their passage, transportation, and maintenance en route from continental United States; and be it further

Resolved, That a copy of this joint resolution be transmitted to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives, and to the Senators and Representatives of California in the Congress.

Assembly Bill No 871—An act to provide for the execution, issuance, use, redemption and cancellation of bonds by the State of California for certain State, county, city and county, city, school district, and other public purposes, for relieving unemployment, destitution, and the conditions of economic distress now prevailing, and for the supervision thereof by the proper State officers.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Anglim moved that Assembly Bill No. 871 be withdrawn from file, and ordered re-referred to Committee on Rules.

The question being on re-referring Assembly Bill No. 871 to Committee on Rules.

Motion carried.

Assembly Bill No. 871 re-referred to Committee on Rules.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Robinson, C. Ray:

Resolved, That Assembly Bill No. 2251 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The question being on the adoption of the resolution

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—67.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2251.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND TWO HUNDRED FIFTY-ONE.

Assembly Bill No. 2251—An act to provide for the inspection of warehouses where grain is stored for hire; for the sampling, examination and condemnation of infested grain and regulating the sale thereof, defining the powers and duties of the Director of Agriculture in regard thereto and prescribing penalties for violations of the provisions thereof

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2251 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

CASE OF URGENCY.

The following resolution was offered:

By Mr Robinson, C. Ray:

Resolved, That Assembly Bill No 591 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—67.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering at this time Assembly Bill No. 591.

CONSIDERATION OF ASSEMBLY BILL NUMBER FIVE HUNDRED NINETY-ONE.

Assembly Bill No. 591—An act making an appropriation to pay the claim of the chief accounting officer of the State Department of Agriculture against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 591 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Robinson, C. Ray:

Resolved, That Assembly Bill No. 693 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor: Miller, James A., Morgan, O'Connor, O'Donnell,

Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Wright and Zion—67.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering at this time Assembly Bill No. 693.

Assembly Bill No. 693—An act to amend section 385 of the Political Code, relating to the secretaries of the Governor.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 693 passed by the following vote:

AYES—Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Craig, Cronin, Evans, Field, Frazier, Gilmore, Greene, Hornblower, Hunt, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Stream, Tournoux, Turner, Utt, West and Williamson—54.

NOES—Alter, Bliss, Cassidy, Cottrell, Crist, Feigenbaum, Fisher, Grubbs, Hallner, Hatch, Hoffman, Jones, Robinson, Samuel E., Roland, Thorp, Wright and Zion—17.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 935—An act to add a new section to the Political Code to be numbered 1034, relating to State officers and employees.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Hornblower moved that Assembly Bill No. 935 be withdrawn from file, and ordered re-referred to Committee on Fish and Game.

The question being on re-referring Assembly Bill No. 935 to Committee on Fish and Game.

Motion carried.

Assembly Bill No. 935 re-referred to Committee on Fish and Game.

RECESS.

At three o'clock and twenty-three minutes p.m., the Assembly was declared at recess.

REASSEMBLED.

At three o'clock and twenty-four minutes p m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2020—An act to add a new section to the Code of Civil Procedure to be numbered 117ha, relating to small claims court;

Also: Assembly Bill No. 2021—An act to add a new section to the Code of Civil Procedure, to be numbered 117r, relating to consolidation of small claims actions with actions pending in other courts;

Also: Assembly Bill No. 1174—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Assembly Bill No. 379—An act to provide for the use of matured bonds or matured interest coupons of districts formed under the provisions of the Acquisition and Improvement Act of 1925 or the Road District Improvement Act of 1907 in the payment of assessment taxes levied upon land within said districts;

Also: Assembly Bill No. 563—An act to amend sections 2 and 7 of the act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to incorporation of municipal corporations and annexation of territory thereto;

Also: Assembly Bill No. 569—An act to authorize the investigation of the financial condition of, and granting financial aid to, assessment districts organized under the Acquisition and Improvement Act of 1925 or the Road District Improvement Act of 1907.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2368—An act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of contiguous territory thereto owned by the incorporated town or city desiring the annexation of the same, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government and municipal control of the annexed territory.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1449—An act to provide for the satisfaction of taxes and assessments, and tax and assessment liens against land and improvements in any public body organized under any law or ordinance by surrendering bonds, coupons, warrants, checks, or other evidences of indebtedness of the public body, defining "public bodies" as used herein and declaring the intent of the Legislature with respect hereto—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2369—An act to amend section 1 of, and to add section 1a to, an act entitled "An act granting to *municipal corporations of the State of California the right to construct, operate and* maintain water and gas pipes, mains and conduits, electric light and power lines, telephone and telegraph lines, and sewers and appurtenances thereof, across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined," approved May 2, 1923, relating to municipal corporations—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2165—An act to amend sections 447 and 448 of the Code of Civil Procedure, relating to written

instruments—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1020—An act to amend section 594 of the Political Code, relating to kinds of insurance and insurance companies—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended. Assembly Bill No. 1591—An act relating to payment of death benefits by fraternal societies and lodges—and respectfully requests your honorable body to concur in said amendments.

J A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 1803—An act to amend section 172a of the Penal Code, relating to the selling, giving away, or exposing for sale of any vinous or alcoholic liquors upon or within one and one-half miles of the university grounds of any university having an enrollment of more than one thousand students, more than five hundred of whom reside or lodge upon said university grounds.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Hoffman, Lyon and Robinson, C. Ray, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 563.

UNFINISHED BUSINESS.

Assembly Bill No. 124—An act to amend section 261 of the Code of Civil Procedure, relating to superior court commissioners

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 124?

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after "thousand", insert the following: two hundred".

The roll was called, and Senate amendment to Assembly Bill No. 124 was concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson,

Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—64.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1006—An act to provide a five-day week for State employees during the present unemployment emergency, and declaring the urgency thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1006?

AMENDMENT NUMBER ONE.

On page 1, lines 4 and 5, of the printed bill, strike out the following: ", so far as in the opinion of the Governor is practicable,".

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, after the word "head", insert the following: ", so far as practicable,".

AMENDMENT NUMBER THREE.

On page 1, line 14, of the printed bill, strike out the following: ", subject to the approval of the Governor,".

The roll was called, and Senate amendments to Assembly Bill No. 1006 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—64.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 620—An act to add a new section to the Code of Civil Procedure to be numbered 1042, and to repeal "An act making the cost of certain bonds of receivers, assignees, trustees, guardians, administrators and executors chargeable to a certain extent against the trust estate," approved March 20, 1905, relating to the payment of premiums on bonds of executors, administrators and guardians, receivers, assignees and trustees.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 620?

AMENDMENT NUMBER ONE

On page 1 of the printed bill, as amended, strike out lines 1 and 2 of the title, and insert in lieu thereof the following: "An act to add a new".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out lines 1 to 10, inclusive.

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, as amended, strike out "Sec. 3.", and insert in lieu thereof the following: "Section 1."

AMENDMENT NUMBER FOUR.

On page 1, line 18, of the printed bill, as amended, strike out the figure "4", and insert in lieu thereof the following: "2".

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, as amended, strike out lines 16 and 17, and insert in lieu thereof the following: "the cost of such bond, if it be a surety bond, for each year it remains in force."

The roll was called, and Senate amendments to Assembly Bill No. 620 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan; O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—64.

NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF SENATE BILLS.

Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XI thereof a new section to be numbered 7¾, relating to the joint exercise of powers and functions by political subdivisions

Senate Constitutional Amendment No. 34 read.

The question being on the adoption of Senate Constitutional Amendment No 34.

The roll was called, and Senate Constitutional Amendment No. 34 adopted by the following vote:

AYES—Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—None.

Title read and approved.

Senate Constitutional Amendment No. 34 ordered transmitted to the Senate.

SENATE CONSTITUTIONAL AMENDMENT No. 34

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XI thereof a new section to be numbered 7¾, relating to the joint exercise of powers and functions by political subdivisions

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the Constitution of said State be amended by adding to Article XI thereof a new section to be numbered 7¾, and to read as follows:

SEC. 7¾. Any two or more political subdivisions, either contiguous or included one within the territorial boundaries of the other, may, in the manner herein set forth, provide for the joint exercise of the powers or functions common to said political subdivisions. The term "political subdivision" as used herein means a county, city and county, or incorporated city of this State, whether operating under general laws or under a freeholders' charter. No political subdivision shall enter any agreement for the joint exercise of powers and functions without the consent of a majority of the electors of such political subdivision for which the joint exercise of powers and functions is proposed voting thereon at an election called for that purpose as hereinafter provided.

Any two or more political subdivisions may jointly frame and adopt articles of agreement for the joint exercise of powers and functions common to said political subdivisions. Such articles shall be framed by a board composed of five electors from each of such political subdivisions chosen at a general or special election. Only persons who have been electors for five years immediately preceding shall be eligible to such board. An election for such board may be called by two-thirds of the mem-

bers of the legislative authority of each political subdivision so proposing to enter said agreement for the joint exercise of powers and functions, and shall be so called on presentation of a petition signed by registered electors in each such political subdivision, not less in number than fifteen per cent of the votes cast in such political subdivision for Governor at the last preceding gubernatorial election. Such petition shall be signed and verified in the manner provided in this Constitution for initiative petitions. Candidates for the board in each political subdivision may be nominated by a petition signed by one hundred electors of the subdivision, whose names appear upon the registration record. At such elections, which shall be held separately and simultaneously in each political subdivision proposing to jointly exercise powers and functions, the electors shall vote, first, on the question "Shall a board be elected to frame articles of agreement for the joint exercise of powers and functions by (here insert names of political subdivisions)?" and, secondly, for the members of the board. If the first question receives a majority of the votes cast at such election in each political subdivision, or in any two or more political subdivisions, the electors elected shall organize as a board within ten days after the result of the election is declared, and shall, within the next one hundred twenty days thereafter prepare and propose articles of agreement for the joint exercise of powers and functions by the political subdivisions represented on the board. Said period of one hundred twenty days may be extended by the board with the joint consent of the legislative bodies of the political subdivisions concerned for an additional one hundred twenty days. The board may employ special and expert assistants and incur all necessary expenses in performance of its duties. The compensation of assistants and the expenses of the board shall be paid by the political subdivisions electing members thereto.

The articles of agreement so prepared, when signed by a majority of the members representing each political subdivision concerned, shall be filed with the department in charge of elections in each subdivision. The department shall cause copies of such articles of agreement to be published in pamphlet form and mailed to all registered electors in each such political subdivision not less than thirty days before the date set for the election upon such articles of agreement. The body authorized to call elections in each such political subdivision shall submit the articles of agreement to the electors at a date fixed in such articles of agreement by the board, which date shall be not less than sixty days from the filing of said articles with said department.

The elections shall be held separately and simultaneously in each of the political subdivisions represented on the board. If a majority of the qualified electors of each political subdivision voting thereon or a majority of the qualified electors of any two or more political subdivisions voting thereon vote in favor of such articles of agreement, said articles shall, as soon as the result of the election is declared, constitute and become the organic law of the political subdivisions voting in favor thereof with respect to all matters for which it is competent for such articles to provide as herein specified. Such articles of agreement shall supersede any existing organic law of the political subdivision so entering the agreement and all laws relative to the government of such political subdivisions inconsistent therewith. The courts shall take judicial notice of such articles of agreement.

It shall be competent for any articles of agreement framed and adopted in accordance with the provisions of this section to provide for the joint exercise and performance of any powers or functions common to the several political subdivisions entering the same. The political subdivisions party to said agreement shall provide for defraying the expenses arising therefrom and the articles of agreement may provide that contributions from the treasuries of each subdivision shall be made for the purposes for which the agreement was entered. The method of disbursement of funds shall agree so far as the same is practicable with the method provided by law for disbursement of funds by the several subdivisions party to the agreement. The agreement shall also provide for the disposition or distribution of any property acquired as a result of said agreement in the event the articles of agreement are rescinded or amended in the manner hereinafter specified.

Amendments to the articles of agreement may be proposed (a) by the legislative bodies of each political subdivision party to the agreement by resolutions approved by majority of the members of each such legislative body, or (b) by a petition signed by not less than ten per cent of the registered electors voting in each such political subdivision at the last election for Governor, filed with the department in charge of elections in each subdivision. Such amendments shall be separately and simultaneously submitted to the electors of each constituent political subdivision at the next general State election held not less than sixty days after filing of such resolution or petition or at special elections called by a two-thirds vote of the legislative body of each political subdivision to be held simultaneously on a date not less than sixty days after filing of such resolutions or petitions. Such amendments shall be published and mailed to the electors in the manner provided for publication and mailing of proposed articles of agreement. If a majority of the qualified electors in each political subdivision voting on an amendment shall vote in favor thereof, such amendment shall become part of the organic law of the political subdivision and the courts shall thereupon take judicial notice thereof. When alternative or conflicting amendments covering the same general purpose are proposed, the departments authorized to call elections in each political subdivision shall have the ballots so

printed that the voter may, first, propose his approval or disapproval of the general purpose, and, second, express his preference for any proposed amendment. If a majority of the votes on the first question is negative, all such amendments shall be rejected. If a majority of the votes on the first question is affirmative, the amendment receiving the highest number of affirmative votes shall be ratified, and any others shall be rejected. If there is a conflict between two or more amendments receiving a majority vote at the same election, the amendment receiving the highest affirmative vote shall prevail.

Articles of agreement adopted under the authority of this section may be rescinded in the manner herein provided for the amendment of said articles. If a majority of the electors of each constituent political subdivision shall vote in favor of the proposed rescission, the articles of agreement shall be thereby rescinded and each political subdivision shall thereafter be relieved of any obligation thereunder and shall be governed under the general laws in force for the government thereof.

Senate Concurrent Resolution No. 34—Reports of the proceedings of the annual convention of the Veterans of Foreign Wars of the United States, Department of California.

Senate Concurrent Resolution No. 34 read.

The question being on the adoption of Senate Concurrent Resolution No. 34.

The roll was called, and Senate Concurrent Resolution No. 34 adopted by the following vote:

AYES—Anglim, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 34 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 34.

Relative to reports of the proceedings of the annual convention of the Veterans of Foreign Wars of the United States, Department of California.

Resolved by the Senate of the State of California, the Assembly concurring, That there shall be printed as a public document, five hundred copies of the report of the proceedings of the annual convention of the Veterans of Foreign Wars of the United States, Department of California, for the year 1933 and of each succeeding annual convention together with illustrations, copies of general orders enacted at such conventions and of the official roll, two hundred fifty copies for the use of the Senate and two hundred fifty copies for the use of the Assembly, the annual cost thereof, not exceeding six hundred dollars, to be payable from the appropriation for legislative printing.

Senate Joint Resolution No. 27—Relative to legislation by Congress to limit the jurisdiction of the Federal courts in suits brought to restrain State officers in the enforcement of public utility rate orders.

Senate Joint Resolution No. 27 read.

The question being on the adoption of Senate Joint Resolution No. 27.

The roll was called, and Senate Joint Resolution No 27 adopted by the following vote:

AYES—Anglim, Badham, Bliss, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Hornblower, Hunt, Kallam, King, Knowland, Levey, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Stream, Thorp, Turner, West, Williamson, Wright and Zion—46.

NOES—Alter, Bowers, Brock, Cobb, Evans, Greene, Grubbs, Hatch, Hoffman, Latham, Martin, McBride, Redwine, Riley, Roland, Woolwine and Mr. Speaker—17.

Title read and approved.

Senate Joint Resolution No. 27 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 27.

Relative to legislation by Congress to limit the jurisdiction of the Federal courts in suits brought to restrain State officers in the enforcement of public utility rate orders.

WHEREAS, There has been introduced in the Congress of the United States by the Honorable Hiram W. Johnson Senate Bill No. 752 designed to limit the jurisdiction of the District Courts of the United States over suits wherein injunctions are sought by public utility corporations to restrain the enforcement of orders issued by State administrative bodies fixing the rates of public utilities by amending section 24 of the Judicial Code of the United States so as to deprive the District Courts of jurisdiction in such suits when an adequate remedy is provided to utilities in the courts of a State; and

WHEREAS, Such legislation is deemed to be of vital importance for the preservation of the powers of the various States in the regulation of public utilities and to be in the public interest; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California earnestly urges that the Congress of the United States immediately enact said Senate Bill No. 752; and be it further

Resolved, That a copy of this joint resolution be transmitted to the President and to the Vice President of the United States and to each member of the Senate and of the House of Representatives of the United States.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 30, 1933

To the Honorable Members of the Assembly of the State of California.

Senate Bill No. 1182 makes an appropriation of $140,000 to meet a deficiency in the appropriation for legislative printing, binding, etc., for the fiftieth session of the Legislature.

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of section 34, Article IV, of the Constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Senate Bill No. 1182—An act making an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—68.

NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED EIGHTY-TWO.

Senate Bill No. 1182—An act making an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc.,

declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 1182 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 551—An act to amend section 12 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 551 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—68

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 744—An act to repeal section 2.1420 of the School Code, relating to printing and distribution of school laws.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 744 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson,

Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—68.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1944—An act to create the California Mining and Development Board and to provide for the fostering and development of the mining industry of this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1944 passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Gilmore, Greene, Grubbs, Hatch, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Patterson, Peterson, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Woolwine and Mr. Speaker—57.
NOES—Fisher, Frazier, Hoffman, Knowland, O'Donnell and West—6.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1—An act to amend section 737a of the Political Code, relating to the salaries of judges of the superior court, Alameda County.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1?

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, as amended, strike out the words "four hundred."

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 1 by the following vote:

AYES—Alter, Bliss, Boyle, Brock, Cassidy, Clowdsley, Cottrell, Craig, Crist, Evans, Fisher, Greene, Hatch, King, Knowland, Latham, Martin, McCarthy, Meeker, Miller, Eleanor; O'Connor, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Thorp, Tournoux and West—31.
NOES—Anglim, Badham, Bowers, Burns, Callahan, Cobb, Cronin, Crowley, Feigenbaum, Frazier, Gilmore, Grubbs, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, Levey, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Miller, James A., Morgan, Patterson, Peterson, Phillips, Powers, Robinson, C. Ray; Stannard, Stream, Sullivan, Turner, Woolwine, Wright and Mr. Speaker—39.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 980—An act to repeal an act entitled "The State Fish Exchange Act," approved June 1, 1917, as amended, relating to the regulation of the business of buying and selling fish.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. McBride moved that Senate Bill No. 980 be withdrawn from file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Senate Bill No. 980 to Committee on Ways and Means.

Motion carried.

Senate Bill No. 980 re-referred to Committee on Ways and Means.

HON. CHARLES W. LYON IN THE CHAIR.

Hon Charles W. Lyon, member of the Assembly from the Fifty-ninth Assembly District, in the chair.

Senate Bill No 1118—An act to add a new section to the School Code, to be numbered 5 94, relating to the State teachers colleges in which summer sessions may be held.

Bill read.

Urgency clause read.

The question being. Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E. Rogers, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—66.

NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED EIGHTEEN.

Senate Bill No. 1118—An act to add a new section to the School Code, to be numbered 5.94, relating to the State teachers colleges in which summer sessions may be held.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 1118 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1022—An act to add section 10.5 to the State Civil Service Act, relating to examinations, creating the Civil Service examination fund and providing for the disposition of examination fees

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 1022 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Demp-

ster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1050—An act to repeal section 2633 of the Political Code, relating to the beautification of highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1050 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 850—An act to amend section 1094 of the Political Code, relating to registration of voters.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Powers moved that Senate Bill No. 850 be withdrawn from file, and ordered re-referred to Committee on Elections.

The question being on re-referring Senate Bill No. 850 to Committee on Elections.

Motion carried.

Senate Bill No. 850 re-referred to Committee on Elections.

Senate Bill No. 1101—An act to amend section 7 of an act entitled "An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations," approved April 30, 1919, as amended, relating to employment of assistants in liquidation proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 1101 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hunt, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Scudder, Stream, Thorp, Turner, Utt, West and Wright—54.

NOES—Boyle, Hoffman, Hornblower, Jones, Kallam, King, Latham, Rawls, Robinson, Samuel E., Tournoux and Woolwine—11.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 1149—An act to amend section 373 of the Political Code, relating to the Department of Natural Resources.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr Crist moved that Senate Bill No 1149 be withdrawn from file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Senate Bill No. 1149 to Committee on Ways and Means.

Motion carried.

Senate Bill No. 1149 re-referred to Committee on Ways and Means.

Senate Bill No. 7—An act to amend section 2924 of the Civil Code, relating to recording of notice of default and to giving notice of sale under deeds of trust and mortgages with power of sale; and to add a new section to the Civil Code to be numbered 2924b, relating to giving of notice of recording of notice of default and of time and place of sale under deeds of trust or mortgages with power of sale; and to add a new section to the Civil Code numbered 2924c, relating to reinstatement of loans when due date of principal sum has been accelerated; and to add a new section to the Code of Civil Procedure to be numbered 580a, limiting amount of deficiency judgments and the time within which actions therefor may be commenced; and to add a new section to the Code of Civil Procedure to be numbered 580b prohibiting deficiency judgments on purchase money mortgages and deeds of trust; and to add a new section to the Code of Civil Procedure to be numbered 580c limiting the trustee's or attorney's fees which a mortgagor or trustor may be required to pay.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Feigenbaum:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out lines 19 to 25, inclusive, and insert in lieu thereof the following: "may be required to pay; and to add a new".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, line 4 of the title, strike out the period at the end of said line, and insert in lieu thereof a semicolon followed by the following: "and to add a new section to the Civil Code to be numbered 2924½, relating to mortgages and deeds of trust, all relating to the hypothecation of real property and to obligations secured thereby."

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended, strike out all of line 38, following the period after the word "execution", and strike out all of lines 39 to 44, inclusive.

AMENDMENT NUMBER FOUR.

On page 6 of the printed bill, as amended, strike out all of lines 32 to 40, inclusive.

AMENDMENT NUMBER FIVE.

On page 6, line 41, of the printed bill, as amended, strike out the numeral "8", and insert in lieu thereof the numeral "7".

AMENDMENT NUMBER SIX.

On page 6 of the printed bill, as amended, insert the following matter subsequent to line 49 thereof:

"SEC. 8. A new section to be numbered section 2924½ is hereby added to the Civil Code, to read as follows:

2924½. No judgment shall be rendered for the balance due upon any obligation which was secured by a deed of trust or mortgage with power of sale upon real property following the exercise of such power of sale, if exercised at any time between the effective date of this act and September 1, 1935, unless it shall affirmatively appear that the notice of breach and election to sell provided for in section 2924 of the Civil Code, pursuant to which such sale was held, was recorded at least one year before the date of such sale. This act and the provisions of this section shall be effective to and until September 1, 1936.

SEC. 9. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional."

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Sullivan, Rogers and Utt, the Speaker ordered a roll call taken on the adoption of the amendments.

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

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Frazier, Hunt, Kallam, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Miller, Eleanor; Miller, James A., Patterson, Powers, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Stream, Thorp, Tournoux, Utt, West, Woolwine and Wright—40.

NOES—Bowers, Callahan, Dempster, Grubbs, Hallner, Hornblower, Jones, King, Lyon, McCarthy, Meeker, Nielsen, Phillips, Rawls, Riley, Rogers, Stannard, Sullivan and Turner—19.

THE SPEAKER IN THE CHAIR.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

FURTHER AMENDMENTS TO SENATE BILL NUMBER SEVEN.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Sullivan:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, as amended, and insert in lieu thereof the following:

"An act to amend sections 692, 702, and 726 of, and to add sections 725, 725a, and 725b to the Code of Civil Procedure, relating to trust deeds and mortgages, and to repeal sections 2920, 2924, 2924a, and 2932 of the Civil Code."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, strike out lines 1 to 44, inclusive, and also strike out all of pages 3, 4, 5, and 6 of said bill, and insert in lieu thereof the following:

"SECTION 1. Section 692 of the Code of Civil Procedure is hereby amended to read as follows:

692. Before the sale of property on execution notice thereof must be given as follows:

1. In case of perishable property: by posting written notice of the time and place of sale in three public places in the city where the property is to be sold, if the property is to be sold in a city, or, if not, then in three public places in the township in which the property is to be sold, for such time as may be reasonable, considering the character and condition of the property.

2. In case of other personal property: by posting a similar notice in three public places in the city where the property is to be sold, if the property is to be sold in a city, or, if not, then in three public places in the township in which the property is to be sold, for not less than five days and not more than ten days.

3. In case of real property: by posting a similar notice particularly describing the property for twenty days, in one public place in the city where the property is to

be sold, if the property is to be sold in a city, or, if not, then in one public place in the township in which the property is to be sold, and publishing a copy thereof once a week for the same period, in some newspaper of general circulation printed and published in the city in which the property or some part thereof is situated, if any part thereof is situated in a city, if not, then in some newspaper of general circulation printed and published in the township in which the property is situated, or, in case no newspaper of general circulation be printed and published in the city or township, as the case may be, in some newspaper of general circulation printed and published in the county.

4. When the judgment under which the property is to be sold is made payable in a specified kind of money or currency, the several notices required by this section must state the kind of money or currency in which bids may be made at such sale, which must be the same as that specified in the judgment.

SEC 2. Section 702 of the Code of Civil Procedure is hereby amended to read as follows:

702. The judgment debtor, or redemptioner, may redeem the property from the purchaser at any time within twelve months after the sale on paying the purchaser the amount of his purchase, together with interest thereon in addition, at the rate provided in the instrument foreclosed, if any is therein provided, and if no interest is therein provided, then interest shall be at the rate of seven per cent per annum, up to the time of redemption, together with the amount of any assessment or taxes which the purchaser may have paid thereon after purchase, and interest on such amount, at the rate provided in the instrument foreclosed, if any is therein provided, and if no interest is therein provided then interest shall be at the rate of seven per cent per annum, up to the time of redemption. And if the purchaser be also a creditor, having a prior lien to that of the redemptioner, other than the judgment upon which said purchase was made, the amount of such lien with interest.

The plaintiff in any action to foreclose a mortgage, may at any time prior to the entry of the decree of foreclosure, file in the court where such action is pending a verified waiver of all claims for a deficiency judgment and in that case the period for redemption shall be six months only after the sale, instead of twelve months as hereinbefore provided, and the decree of foreclosure shall set forth that no deficiency judgment is granted and that the period for redemption is six months after the execution sale.

Where, upon the foreclosure of a mortgage, it is found by the court that the mortgage being foreclosed was executed to secure payment of part or all of the purchase price of the mortgaged property, no deficiency judgment shall be allowed, and in that case the period for redemption shall be six months only, after the sale, instead of twelve months as hereinbefore provided and the decree of foreclosure shall set forth that the mortgage foreclosed was a purchase money mortgage, that no deficiency judgment is granted and that the period for redemption is six months after the execution sale.

SEC. 3. Section 726 of the Code of Civil Procedure is hereby amended to read as follows:

726. There can be but one action for the recovery of any debt, or the enforcement of any right secured by mortgage upon real or personal property, which action must be in accordance with the provisions of this chapter. In such action the court may, by its judgment, direct the sale of the encumbered property (or so much thereof as may be necessary), and the application of the proceeds of the sale to the payment of the costs of court, and the expenses of the sale, and the amount due plaintiff, including, where the mortgage provides for the payment of attorney's fees, such sum for such fees as the court shall find reasonable, not exceeding the amount named in the mortgage.

The court may, by its judgment, or at any time after judgment, appoint a commissioner to sell the encumbered property. It must require of him an undertaking in an amount fixed by the court, with sufficient sureties, to be approved by the judge, to the effect that the commissioner will faithfully perform the duties of his office according to law Before entering upon the discharge of his duties he must file such undertaking, so approved, together with his oath that he will faithfully perform the duties of his office

Before the sale of real property, the court, upon application by the mortgagor or his successor in interest, shall order an appraisement of such property to be made within five days of the time of such sale. To make the appraisement, the court must appoint three disinterested persons, one of whom must be one of the inheritance tax appraisers provided for by law. The property shall not be sold for an amount less than the appraised value thereof, or the amount of the debt, whichever is the lower.

If it appear from the sheriff's return, or from the commissioner's report, that the proceeds are insufficient, and a balance still remains due, judgment must then be docketed by the clerk in the manner provided in this code for such balance against the defendant or defendants personally liable for the debt, and it becomes a lien on the real estate of such judgment debtor, as in other cases in which execution may be issued

No person holding a conveyance from or under the mortgagor of the property mortgaged, or having a lien thereon, which conveyance or lien does not appear of record in the proper office at the time of the commencement of the action, need be made a party to such action, and the judgment therein rendered, and the proceedings therein had, are as conclusive against the party holding such unrecorded conveyance or lien as if he had been a party to the action.

If the court appoint a commissioner for the sale of the property, he must sell it in the manner provided by law for the sale of like property by the sheriff upon execution; and the provisions of Chapter I, Title IX, Part II, of this code are hereby made applicable to sale made by such commissioner, and the powers therein given and the duties therein imposed on sheriffs are extended to such commissioner.

In all cases heretofore, now or hereafter pending in the courts of this State, in the event of the death, absence from the State, other disability or disqualification of the commissioner appointed to sell encumbered property under the foregoing provisions of this section, the court may, upon the happening of either the death, absence from the State, other disability or disqualification of the commissioner, appoint an elisor to perform the duties of such commissioner which are then to be performed in such action. The elisor so appointed shall give the undertaking, and take the oath hereinbefore provided to be given and taken by a commissioner, before entering upon the discharge of his duties, and shall thereafter perform all duties left unperformed by the commissioner whom he is appointed to succeed, with like effect as if such duties had been performed by the commissioner.

If the land mortgaged consists of a single parcel, or two or more contiguous parcels, situated in two or more counties, the court may, in its judgment, direct the whole thereof to be sold in one of such counties by the sheriff, commissioner or elisor, as the case may be, and upon such proceedings, and with like effect, as if the whole of the property were situated in that county.

SEC. 4. A new section is hereby added to Chapter I of Title X of Part II of the Code of Civil Procedure to be numbered 725 and to read as follows:

725. A deed of trust and every transfer of an interest in real property in trust, hereafter executed, whereby specific real property is hypothecated for the performance of an act without the necessity of a change of possession, is invalid and void as a conveyance in trust or deed of trust and as to any power of sale therein contained, but shall be enforceable in any court of competent jurisdiction as a mortgage for the amount of the debt actually owed and secured thereby, together with interest as therein provided, and shall be foreclosed only as a mortgage in the manner provided in Chapter I of Title X of Part II of the Code of Civil Procedure, for the foreclosure of mortgages.

SEC. 5. A new section is hereby added to the Code of Civil Procedure to be numbered 725a and to read as follows:

725a. Every conveyance in trust, deed of trust, deed or other instrument, regardless of its form, hereafter executed, by which specific real property is hypothecated for the performance of an act, without the necessity of a change of possession, is a mortgage and shall be foreclosed only as a mortgage by an action brought in a court having jurisdiction of mortgage foreclosures.

SEC. 6. A new section is hereby added to the Code of Civil Procedure to be numbered 725b and to read as follows:

725b. No power of sale shall be included in a mortgage of real property. Every term or provision in any mortgage of real property, hereafter executed, which grants, creates, vests or delegates a power of sale in any person, is void.

SEC. 7. Sections 2920, 2924, 2924a and 2932 of the Civil Code are hereby repealed.

SEC. 8. The repeal of said sections shall not apply to or affect any existing rights, duties or causes of action, nor shall it apply to or affect any rights, duties or causes of action accruing prior to the date this act takes effect."

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Sullivan, Jones and Patterson, the Speaker ordered a roll call taken on the adoption of the amendments.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Jones moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Jones, Sullivan and Hunt, the Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the call of the House was ordered by the following vote:

AYES—Anglim, Bliss, Boyle, Burns, Callahan, Cassidy, Clowdsley, Crist, Cronin, Dempster, Feigenbaum, Frazier, Gilmore, Hallner, Hornblower, Hunt, Jones, King, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Stannard, Sullivan, Turner, West and Mr. Speaker—40.

NOES—Alter, Badham, Bowers, Brock, Chatters, Cobb, Cottrell, Craig, Evans, Fisher, Greene, Hoffman, Kallam, Knowland, Latham, Mayo, Thorp, Tournoux, Woolwine and Wright—20.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.
THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 74—An act to amend sections 2 and 16 of an act entitled "An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal Chapter 32, Statutes of 1911, extra session, entitled 'An act to provide for the recall of elective officers of incorporated cities and towns,' approved January 2, 1912," approved May 8, 1931.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 74 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Latham, Levey, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 402—An act to amend sections 2 and 4 of an act entitled "An act relating to the liability and damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi-public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931, extending the provisions of the act to include suits against employees as well as officers of municipalities, counties, cities and counties, school districts, and the State and to suits against such officers and employees for alleged negligence or carelessness thereof while engaged in the public service, and defining terms used in the act.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Thorp:

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, as amended in the Senate on April 27, 1933, after the word "employment", insert a comma.

AMENDMENT NUMBER TWO.

On page 2, line 16, of the printed bill, after the word "be", strike out the semicolon and insert a period, and strike out the syllable "pro."

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of lines 17, 18, 19 and 20.

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Thorp asked for, and was granted, unanimous consent to take up Senate Bill No. 402, at this time, without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 402 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, King, Latham, Levey, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1038—An act to amend an act entitled "An act to provide for the establishment of official master plans and the appointment of planning commissions in cities, cities and counties, and counties; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and composition thereof; prescribing the powers and duties of such commissions; providing for the transfer thereto of the powers and duties of other planning commissions; providing for the preparation, adoption and recordation of precise street plans; providing for the control of the construction of buildings within the lines of streets shown on such precise street plans; providing for the levy of a special tax for the support of a planning commission and other acts pursuant to this act and making certain expenditures legal charges against the funds of cities, cities and counties, and counties and regional planning commissions; providing for the establishment by cities, cities and counties, and counties, of regional planning commissions, including two or more cities, cities and counties, or counties, or a portion or portions thereof, or both; making certain acts, misdemeanors; and repealing other acts in conflict herewith," approved June 17, 1929, by amending the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 11 and 12 thereof; and by repealing sections 13, 14, 14a, 14b, 15 and 16 thereof; and by renumbering section 17 of said act as section 13 and amending the same; and by renumbering section 18 of said act as

section 14 and amending the same; and by renumbering sections 19 and 20 of said act, respectively, as sections 15 and 16 thereof, respectively.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Crist:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, strike out all of line 12, and insert in lieu thereof the following: "days next preceding the day of said hearing and also by posting a copy of such notice in three places most likely to give notice to the persons within the district affected by such plan or any part thereof. The rules of the * * *".

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, strike out all of line 43, and insert in lieu thereof the following: "times if the publication is weekly or otherwise and also by posting a copy of such notice in three places most likely to give notice to the persons within the district affected by such plan or any part thereof. No change or * * *".

Amendments adopted.

FURTHER AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND THIRTY-EIGHT.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Jones:

AMENDMENT NUMBER ONE.

On page 3, line 25, of the printed bill, strike out the period, and insert the following: "when said hearings are held within the county."

AMENDMENT NUMBER TWO.

On page 3, line 43, of the printed bill, after the word "time", insert the following: "or part time".

The question being on the adoption of the amendments.

POINT OF ORDER.

Mr. Bliss arose to the following point of order: Stating that the amendments offered by Mr. Jones restored to the bill subject matter previously contained therein.

RULING BY SPEAKER.

The Speaker ruled the point of order well taken

MOTION TO RE-REFER.

Mr. Jones moved that Senate Bill No. 1038 be withdrawn from file, and ordered re-referred to Committee on Municipal Corporations.

The question being on re-referring Senate Bill No. 1038 to Committee on Municipal Corporations.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Crist, Evans, Latham, Fisher and Knowland demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the motion by Mr. Jones to re-refer the bill to Committee on Municipal Corporations.

Motion carried.

Senate Bill No. 1038 ordered re-referred to Committee on Municipal Corporations.

Senate Bill No. 977—An act to add a new section to the Political Code to be numbered 3897c and to amend sections 3649 and 3817 of the Political Code, relating to property taxation.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. West:

AMENDMENT NUMBER ONE.

In the title of the printed bill, as amended, strike out lines 1 and 2, and insert *in lieu thereof the following*: "An act to amend sections 3649".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out lines 1 to 23, inclusive, strike out all of page 2, and on page 3, strike out lines 1 to 19, inclusive.

AMENDMENT NUMBER THREE.

On page 3, line 20, of the printed bill, strike out "Sec. 2", and insert in lieu thereof the following: "Section 1".

AMENDMENT NUMBER FOUR.

On page 3, line 33, of the printed bill, strike out "Sec. 3", and insert in lieu thereof the following: "Sec. 2".

The question being on the adoption of the amendments.

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. West asked for, and was granted, unanimous consent to take up Senate Bill No. 977, at this time, without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 977 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Further proceedings under call of the House were dispensed with, on motion of Mr. Sullivan.

The roll of absentees was called, and the amendments by Mr. Sullivan were refused adoption by the following vote:

AYES—Burns, Callahan, Cassidy, Crowley, Dempster, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, King, Maloney, McCarthy, McMurray, Meehan, Meeker, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Riley, Rogers, Stannard, Sullivan and Turner—31.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Fisher, Greene, Hoffman, Kallam, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, Miller, Eleanor; Miller, James A., Morgan, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Thorp, Tournoux, Utt, West, Woolwine, Wright and Mr. Speaker—45.

FURTHER AMENDMENT TO SENATE BILL NUMBER SEVEN.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Powers:

AMENDMENT NUMBER ONE.

On page 6, line 46, of the printed bill, as amended, strike out "shall have the right to", and insert in lieu thereof the following: "must".

The question being on the adoption of the amendment.

Amendment refused adoption.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Feigenbaum asked for, and was granted, unanimous consent to take up Senate Bill No. 7, at this time, without reference to printer or file, and that same be considered engrossed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 7 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hofman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—71.

NOES—Horublower and Sullivan—2.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At three o'clock and twenty-five minutes p. m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until three o'clock and thirty minutes p. m. of this day.

REASSEMBLED.

At three o'clock and thirty minutes p. m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Kelly reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 583—An act amending sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37 and 38 of an act entitled "An act requiring the recording of maps of subdivisions of land in certain cases; prescribing the conditions on which such maps may be recorded; authorizing the execution of contracts secured by bond for the placing of improvements on streets, highways, and ways dedicated thereby; authorizing cities, cities and counties and counties to adopt by ordinance subdivision regulations in addition to those provided hereby, prohibiting any attempt to place other requirements for the recording of such maps; prohibiting the selling, or offering or contracting to sell any subdivision or portion thereof by reference to any map other than a recorded map; making certain acts misdemeanors; and repealing earlier acts in conflict therewith," approved June 17, 1929, and adding thereto a new section to be designated section 13a.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 468—An act to amend sections 3714 and 4041.2 of the Political Code, relating to budget control in counties, districts and other political subdivisions and to accounting and auditing in counties.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1206—An act to add a new section to the Political Code to be known as section 3664a-1, relating to the taxation of certain public service companies for the benefit of the State, and providing this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 70—An act to amend section 1151 of the Fish and Game Code, relating to hunting and fishing at night.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1010—An act to amend section 4 of an act entitled "An act creating the office of Chief of the Division of Narcotic Enforcement, providing for appointment to, powers and duties of such office, making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to provide for the establishment and maintenance of a Division of Narcotic Enforcement under the direction and control of the State Board of Pharmacy,' approved May 17, 1927," approved April 30, 1929, and to transfer to the State Board of Pharmacy all powers, duties and functions of the Chief of the Division of Narcotic Enforcement.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1143—An act to amend sections 3051a and 3052 of, and to add sections 3051.1 to 3051.5, and 3051b to 3051m, both inclusive, to the Civil Code, all relating to liens on personal property.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 634—An act to provide for the establishment of the coast line of the State of California.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 411—An act to amend sections 3773 and 3897 of, and to add two new sections to be designated respectively 3773a and 3897c to, the Political Code, relating to lands sold or deeded to the State for taxes and the sale and lease of tax-deeded lands, and providing for contracts to sell or to give options on tax-deeded lands to one or more public agencies and providing for terminating all rights of redemption on property described in such contracts, and authorizing public agencies to sell or agree to sell to one

another their interests in property deeded to them for delinquent taxes and/or assessments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1928—An act making an appropriation to pay the claim of Continental Oil Company against the State of California,

Also: Assembly Bill No. 1930—An act making an appropriation to pay the claim of California Union Insurance Company against the State of California;

Also: Assembly Bill No. 1933—An act making an appropriation to pay the claim of the Barber Asphalt Company against the State of California;

Also: Assembly Bill No. 287—An act to provide for the construction and completion of a causeway across the Tisdale By-pass in Sutter County, State of California, and to make an appropriation therefor.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 235—An act to appropriate the sum of twelve thousand dollars to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, and to provide for the manner of expending such appropriation.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1341—An act to amend sections 2, 4 and 6 of, and to add a new section to be numbered 4a to, an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulations, to provide rules regulating the proper sanitation of canneries under the State Board of Health," approved May 23, 1925, creating the cannery inspection board and relating to the conduct of canneries;

Also: Assembly Bill No. 2348—An act to amend section 3631 of, and to add sections 2586, 2589, 2590, and 2610 to, the Political Code, relating to the administration of certain bays, ports and harbors,

Also: Assembly Bill No. 1892—An act making an appropriation to pay the claim of Morris Cohan against the State of California

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1993—An act to amend sections 1094, 1095 and 1104 of the Fish and Game Code and to add thereto section 1096.5, relating to records and reports

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1554—An act to repeal section 269 of the Political Code, relating to compensation of officers and employees of the Legislature;

Also: Assembly Bill No. 1555—An act to amend section 237 of the Political Code, relating to officers and employees of the Senate and Assembly;

Also, Assembly Bill No. 1556—An act to amend section 253 of the Political Code, relating to the duties of Secretary of the Senate and Chief Clerk of the Assembly;

Also Assembly Bill No. 1557—An act to amend section 245 of the Political Code, relating to officers, employees and attaches of the Senate;

Also: Assembly Bill No. 1558—An act to amend section 246 of the Political Code, relating to officers, employees and attaches of the Assembly;

Also, Assembly Bill No. 2017—An act to amend section 737x of the Political Code, relating to the compensation of judges of the superior court, Merced County;

Also, Assembly Bill No. 503—An act to amend section 19x13 of the Juvenile Court Law, relating to probation officers in counties of the thirteenth class;

Also: Assembly Bill No. 505—An act to amend section 2322x13 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirteenth class;

Also: Assembly Bill No. 502—An act to amend section 4242 of the Political Code, relating to the compensation of county and township officers in counties of the thirteenth class;

Also: Assembly Bill No. 575—An act to amend section 4249 of the Political Code, relating to compensation of county and township officers in counties of the twentieth class;

Also: Assembly Bill No. 1363—An act to add section 21.5 to the Fish and Game Code, relating to suits against officers and deputies.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 45—Relative to the establishment of a free employment agency in the city of Oakland.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

Assembly Concurrent Resolution No. 45 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 856—An act making an appropriation to pay the claim of William Dyer against the State of California.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day refused adoption to Assembly Constitutional Amendment No. 65—Proposed amendment to Articles IV and V of the Constitution, relative to sessions of the Legislature, and procedure therein.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER. I am directed to inform your honorable body that the Senate refused passage to Assembly Bill No. 1321—An act to add a new section to the Penal Code, to be numbered 654d, relating to advertisements of drugs or medicines.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 1138—An act to amend the Political Code by adding to Part IV, Title II, Chapter VIII of said code a new article to be numbered Article III, embracing sections 4222a to 4222*l*, inclusive, amending section 2641 and repealing sections 2642, 2643 and 4222 of said code, thereby creating the office of county engineer, transferring to the county engineer all the powers and duties of other officers and employees of the county with respect to county roads, highways and bridges, and vesting in the county engineer additional powers and

duties with respect to construction, improvement, maintenance and repair of county roads, highways and bridges, and to repeal the County Engineer Act.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and refused passage to Assembly Bill No. 2419—An act making an appropriation to pay the claim of H. J. Hardy and the Victorian Petroleum Company against the State of California.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2002—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1528—An act to control, license, and regulate the manufacture, transportation, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation hereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

The above reported bill ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 29—Relative to memorializing and petitioning the President and the Congress of the United States to adopt, as part of an emergency unemployment relief program, a plan for the construction of worthy public projects, and to include therein the construction of the Central Valley Project of the California State Water Plan.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Edwards, Riley and Breed, as a Committee on Free Conference, to meet a like committee from the Assembly to consider Senate Bill No. 563—An act to amend sections 2, 3 and 5 and to add two sections to be numbered 6 and 7 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, said amendments and new sections relating to the allocation and expenditure of State highway funds, the construction, improvement and maintenance of State highways and the addition of certain highways to the State system.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 1—An act to amend section 737a of the Political Code, relating to the salaries of judges of the superior court, Alameda County—and appointed Senators Breed,

McCormack and Slater, as a Committee on Free Conference, to meet a like committee from the Assembly.

J. A BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Roland, Hornblower and Cobb, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 1.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No 1974—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission—and appointed Senators Riley, Allen and Swing, as a Committee on Free Conference, to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 30—Relative to memorializing and petitioning the President and the Congress of the United States to adopt, as part of an emergency unemployment relief program a plan for the completion of worthy public projects, and to include therein the construction and maintenance of roads and highways

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

LEAVE OF ABSENCE.

On motion of Mr. Miller, James A., Mr. Levey was granted leave of absence for the balance of this legislative day.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, May 12, 1933

To the Honorable Members of the Assembly of the California State Legislature

I herewith return without my signature Assembly Bill No. 2301

This bill is returned without prejudice as the amendments contemplated by the bill are covered by amendments to the same sections and additional matter in Assembly Bill No. 800.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

UNFINISHED BUSINESS.

Assembly Bill No. 1973—An act authorizing the State Director of Finance to grant, convey, and sell by deed, or any other proper legal conveyance, all the right, title and interest of the State of California, in and to the abandoned channel of Petaluma Creek or river in the city of Petaluma, county of Sonoma, State of California, lying north of Washington Street in said city, to property owners whose lands abut thereon, or to persons occupying said land.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1973?

AMENDMENT NUMBER ONE.

On page 3, line 28, of the printed bill, after the word "Finance", insert the following: "with the consent of the Board of Control".

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Knowland moved a call of the House.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bowers, Brock, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Feigenbaum, Fisher, Greene, Grubbs, Hunt, Knowland, Latham, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Peterson, Phillips, Powers, Redwine, Riley, Roland, Scudder, Stannard, Stream, Thorp, West, Woolwine and Mr. Speaker—37.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Further proceedings under the call of the House were dispensed with, on motion of Mr. Knowland.

The roll of absentees was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1973 by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hatch, Hornblower, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—57.

NOES—None

The above reported bill ordered to enrollment.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 9—An act to amend sections 41, 42, 43, 45 and 46 of the California Irrigation District Act, and to repeal section 44 of said act, all relating to delinquent assessments—reports that it has met a like committee of the Senate, consisting of Senators Deuel, Hays and Schottky, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate recede from Assembly amendments.

O'DONNELL,
STANNARD,
O'CONNOR,
Assembly Committee on Free Conference.

DEUEL,
SCHOTTKY,
HAYS,
Senate Committee on Free Conference.

The question being on the adoption of the report

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, McMurray, Meehan, Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—57.

NOES—None.

MOTION TO EXPUNGE RECORD.

Mr. Meeker moved that the action on the report of the Committee on Free Conference on Senate Bill No. 9 be rescinded and the record thereof be expunged.

Motion carried, by unanimous consent.

THIRD READING OF SENATE BILLS.

Senate Bill No. 999—An act to add sections 463 to 469d, inclusive, to the Political Code, and to repeal an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State, and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, all relating to the deposit in banks of money belonging to or in the custody of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 999 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E. Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—56.

NOES—None.

Senate Bill No. 168—An act relating to the revenues and expenditures of irrigation districts of the first class and providing for the budgeting of such expenditures.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 168 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 566—An act to add a new article to Chapter I of Part IV of Division II of the School Code to be known as Article II, embracing sections 2.1365 and 2.1366, relating to the State Council of Educational Planning and Coordination.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 566 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson,

Samuel E. Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—56.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

Senate Bill No. 759—An act to provide for the adoption and use of a uniform fire alarm code signal in all public, private or parochial schools.
Bill read third time.
The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Hornblower moved that Senate Bill No. 759 be withdrawn from file, and ordered re-referred to Committee on Education.
The question being on re-referring Senate Bill No. 759 to Committee on Education.
Motion carried.
Senate Bill No. 759 re-referred to Committee on Education.

Senate Bill No. 124—An act to amend sections 3 480, 3 481, 3.482, and 3.806 and add a new section 3.808 of the School Code, relating to tuition charges for adults.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 124 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Roberts, Robinson, Samuel E., Roland, Scudder, Thorp, Tournoux, Turner, Utt, West and Wright—52
NOES—Hatch, Hunt, Riley, Rogers, Stannard, Stream and Woolwine—7.

Title read and approved.
Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

ASSISTANT CLERK FITZSIMMONS READING.

Senate Bill No. 904—An act to amend section 269b of the Penal Code, relating to adultery.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 904 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Cobb, Cottrell, Craig, Crist, Crowley, Feigenbaum, Fisher, Gilmore, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Eleanor; Miller, James A., Morgan, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, Samuel E., Scudder, Stream, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—51.

NOES—Callahan, Clowdsley, Hatch, Hoffman, Meehan, Meeker, Redwine, Rogers and Stannard—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 108—An act to add a new section to the Code of Civil Procedure, to be numbered 692a, relating to deficiency judgments.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Chatters:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title and insert in lieu thereof the following: "An act to amend section 726 of the Code of Civil Procedure relating to foreclosure of mortgages."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 18, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 726 of the Code of Civil Procedure is hereby amended to read as follows:

726. There can be but one form of action for the recovery of any debt, or the enforcement of any right secured by mortgage upon real or personal property, which action must be in accordance with the provisions of this chapter. In such action the court may, by its judgment, direct the sale of the encumbered property (or so much thereof as may be necessary), and the application of the proceeds of the sale to the payment of the costs of court, and the expenses of the sale, and the amount due plaintiff, including, where the mortgage provides for the payment of attorney's fees, such sum for such fees as the court shall find reasonable, not exceeding the amount named in the mortgage.

The court may, by its judgment, or at any time after judgment, appoint a commissioner to sell the encumbered property. It must require of him an undertaking in an amount fixed by the court, with sufficient sureties, to be approved by the judge, to the effect that the commissioner will faithfully perform the duties of his office according to law. Before entering upon the discharge of his duties he must file such undertaking, so approved, together with his oath that he will faithfully perform the duties of his office.

Upon the application of either party made at least ten days before the time of trial the court shall, and upon its own motion the court at any time may, appoint one of the inheritance tax appraisers provided for by law to appraise the property or the interest therein sold as of the time of sale. Such appraiser shall file his appraisal with the clerk and the same shall be admissible in evidence. Such appraiser shall take and subscribe an oath to be attached to the appraisal that he has truly, honestly and impartially appraised the property to the best of his knowledge and ability. Any appraiser so appointed may be called and examined as a witness by any party or by the court itself. The court must fix the compensation of such appraiser, not to exceed five dollars per day, and expenses for the time actually engaged in such appraisal, which may be taxed and allowed in like manner as other costs. Thereupon the court may render a money judgment against the defendant or defendants personally liable for the debt for not more than the amount by which the entire amount of the indebtedness due at the time of sale exceeded the fair market value of the real property or interest therein sold at the time of sale with interest thereon from the date of the sale; provided, however, that in no event shall the amount of said judgment, exclusive of interest after the date of sale, exceed the difference between the amount for which the property was sold and the entire amount of the indebtedness secured by said mortgage.

No person holding a conveyance from or under the mortgagor of the property mortgaged, or having a lien thereon, which conveyance or lien does not appear of record in the proper office at the time of the commencement of the action need be made a party to such action, and the judgment therein rendered, and the proceedings therein had, are as conclusive against the party holding such unrecorded conveyance or lien as if he had been a party to the action.

If the court appoint a commissioner for the sale of the property, he must sell it in the manner provided by law for the sale of like property by the sheriff upon execution; and the provisions of Chapter I, Title IX, Part II, of this code are hereby made applicable to sale made by such commissioner, and the powers therein given and the duties therein imposed on sheriffs are extended to such commissioner.

In all cases heretofore, now or hereafter pending in the courts of this State, in the event of the death, absence from the State, other disability or disqualification

of the commissioner appointed to sell encumbered property under the foregoing provisions of this section, the court may, upon the happening of either the death, absence from the State, other disability or disqualification of the commissioner, appoint an elisor to perform the duties of such commissioner which are then to be performed in such action The elisor so appointed shall give the undertaking, and take the oath hereinbefore provided to be given and taken by a commissioner, before entering upon the discharge of his duties, and shall thereafter perform all duties left unperformed by the commissioner whom he is appointed to succeed, with like effect as if such duties had been performed by the commissioner.

If the land mortgaged consists of a single parcel, or two or more contiguous parcels, situated in two or more counties, the court may, in its judgment, direct the whole thereof to be sold in one of such counties by the sheriff, commissioner or elisor, as the case may be, and upon such proceedings, and with like effect, as if the whole of the property were situated in that county."

The question being on the adoption of the amendments.

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Chatters asked for, and was granted, unanimous consent to take up Senate Bill No. 108, at this time, without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 108 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Rogers, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—58.

NOES—Kallam—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 523—An act to amend sections 3a, 7, and 13 of the Juvenile Court Law, relating to juvenile courts and wards thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 523 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Robinson, C Ray; Robinson, Samuel E, Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 524—An act to amend section 8 of the Juvenile Court Law, relating to juvenile courts and wards thereof

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 524 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum,

Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1046—An act to amend section 963 of the Code of Civil Procedure, relating to appeals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1046 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1201—An act creating a district to be called "Orange County Water District" for the purpose of providing for importation of water into said district and preventing waste of water in or exportation of water from said district and providing for reclamation of drainage, storm, flood and other water for beneficial use in said district and for the conservation and control of storm and flood water flowing into said district; providing for the organization and management of said district and establishing the boundaries and divisions thereof and defining the powers of the district, including the right of the district to sue and to be sued, and the powers and duties of the officers thereof; providing for the construction of works and acquisition of property by the district to carry out the purposes of this act; authorizing the incurring of indebtedness and the voting, issuing and selling of bonds and the levying and collecting of assessments by said district; and providing for the inclusion of additional lands therein and exclusion of lands therefrom.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 1201 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Chatters, Cobb, Cottrell, Craig, Crowley, Fisher, Gilmore, Greene, Hallner, Hoffman, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Meeker, Miller, Eleanor; Morgan, Peterson, Phillips, Rawls, Redwine, Robinson, C Ray; Robinson, Samuel E, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr Speaker—44.

NOES—Cassidy, Dempster, Feigenbaum, Frazier, Hatch, Hunt, Meehan, O'Donnell, Patterson, Riley, Rogers and Stannard—12.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 161—An act to repeal section 4295a of the Political Code, relating to filing fees under the Water Commission Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 161 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 79—An act to add a new section to be numbered 12½ to "An act to provide for the formation, management and dissolution of county water works districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county water works district bonds and the payment thereof," approved June 13, 1913, relating to the organization and regulation of county water works districts.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Bliss:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, after line 11, insert the following:

"Just compensation as used in this section shall be deemed to mean compensation in an amount not more than the value of said water works and/or water distribution system for the purposes and use of said county water works district."

The question being on the adoption of the amendment.

MOTION TO LAY ON TABLE.

Mr. Bowers moved that the amendment by Mr. Bliss be laid on the table.

The question being on the motion to lay on table.

REQUEST FOR ROLL CALL.

On request of Messrs. Robinson, C. Ray, Mayo and King, the Speaker ordered a roll call taken on the motion to lay the amendment on table.

The roll was called, and the motion to lay on the table carried by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hunt, Jones, Kallam, King, Knowland, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Riley, Rogers, Scudder, Stannard, Thorp, Tournoux, Turner and West—48.

NOES—Bliss, Callahan, Cobb, Craig, Hatch, Latham, Mayo, Phillips, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Stream, Utt, Woolwine, Wright and Mr. Speaker—17.

NOTICE OF RECONSIDERATION.

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby the amendment to Senate Bill No. 79 was laid on the table.

Senate Bill No. 80—An act to add a new section numbered 13½ to an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, relating to county water districts.

Bill read third time.

The question being on the passage of the bill

MOTION TO RE-REFER.

Mr. Mayo moved that Senate Bill No. 80 be withdrawn from file, and ordered re-referred to Committee on Public Utilities.

The question being on re-referring Senate Bill No. 80 to Committee on Public Utilities.

Motion carried.

Senate Bill No. 80 re-referred to Committee on Public Utilities.

Senate Bill No. 739—An act to amend section 2 of, and to add sections 5 and 6 to, an act entitled "An act relative to and providing for the construction of flood control works on the Santa Ana River system and for prevention of floods and conserving of the flood waters of said river and its tributaries and making an appropriation therefor," approved June 8, 1931, and providing for the transfer of that portion of said appropriation not expended on or before the first day of January, 1934, from the county treasurer of San Bernardino County to the State Treasurer, and providing that this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, McMurray, Meeker, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—57.

NOES—None.

THIRD READING OF SENATE BILL NUMBER SEVEN HUNDRED THIRTY-NINE.

Senate Bill No. 739—An act to amend section 2 of, and to add sections 5 and 6 to, an act entitled "An act relative to and providing for the construction of flood control works on the Santa Ana River system and for prevention of floods and conserving of the flood waters of said river and its tributaries and making an appropriation therefor," approved June 8, 1931, and providing for the transfer of that portion of said appropriation not expended on or before the first day of Janu-

ary, 1934, from the county treasurer of San Bernardino County to the State Treasurer, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 739 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hunt, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, McMurray, Meeker, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 689—An act to provide for the administration of funds of this State and of the United States government made available for the relief of destitution caused by unemployment and making an appropriation for such purpose and declaring the urgency thereof.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—62.

NOES—None.

Senate Bill No. 689—An act to provide for the administration of funds of this State and of the United States government made available for the relief of destitution caused by unemployment and making an appropriation for such purpose and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 689 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 86—An act to amend sections 3746, 3751, 3756, 3817 and 3817a of the Political Code, relating to property tax delinquencies, penalties and redemptions, and to declare that this act shall take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor, Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C Ray, Robinson, Samuel E., Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—60.

NOES—None.

THIRD READING OF SENATE BILL NUMBER EIGHTY-SIX.

Senate Bill No. 86—An act to amend sections 3746, 3751, 3756, 3817 and 3817a of the Political Code, relating to property tax delinquencies, penalties and redemptions, and to declare that this act shall take effect immediately.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 86 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hunt, Jones, Kallam, King, Knowland Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 575—An act to extend to the guarantors of the payment of public bonds any moratorium on the payment thereof or on assessments or taxes levied to pay the principal and interest due on bonds issued under any law of this State.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A, Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E., Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—60.

NOES—None.

THIRD READING OF SENATE BILL NUMBER FIVE HUNDRED SEVENTY-FIVE.

Senate Bill No. 575—An act to extend to the guarantors of the payment of public bonds any moratorium on the payment thereof or on assessments or taxes levied to pay the principal and interest due on bonds issued under any law of this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 575 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—60.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No. 356—An act to amend sections 2 and 50 of the Public Utilities Act, and to add two new sections thereto, to be numbered 34a and 57½, relating to the regulation of freight forwarders; the regulation of the transportation of persons or property for compensation between points in this State and for the issuance of certificates of public convenience and necessity therefor.

Bill read third time.

The question being on the passage of the bill

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Kallam:

AMENDMENT NUMBER ONE.

On page 9, line 35, of the printed bill, as amended, strike out "May", and insert in lieu thereof the following "August".

The question being on the adoption of the amendment.

MOTION TO LAY ON TABLE.

Mr. O'Donnell moved to lay the amendment on the table.

Motion lost.

The question being on the adoption of the amendment.

Amendment adopted

FURTHER AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED FIFTY-SIX.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Roland:

AMENDMENT NUMBER ONE.

On page 6 of the printed, amended bill, strike out all of lines 30 to 41, both inclusive.

AMENDMENT NUMBER TWO.

On page 8 of the printed, amended bill, strike out all of lines 50 to 52, both inclusive; and on page 9, strike out all of lines 1 to 10, both inclusive.

The question being on the adoption of the amendments.

Amendments refused adoption.

FURTHER AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED FIFTY-SIX.
FLOOR AMENDMENT

During reading of the bill, the following amendment was submitted by Mr Latham:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, as amended May 6, 1933, after line 34, insert the following paragraph:

"The provisions hereof shall not include any corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any vessel, as hereinafter defined, by reason of the furnishing of water transportation service between points upon the inland waters of this State or upon the high seas between points within this State for affiliated or parent or subsidiary companies or for the products of other corporations or persons, their lessees, trustees, receivers or trustees appointed by any court whatsoever, engaged in the same industry, if and so long as such water transportation service is furnished in tank vessels or barges specially constructed to hold liquids or fluids in bulk and provided that such service is not furnished to others not engaged in the same industry."

The question being on the adoption of the amendment.

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr Clowdsley asked for, and was granted, unanimous consent to take up Senate Bill No. 356, at this time, without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 356 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Crowley, Dempster, Fisher, Frazier, Hoffman, Hornblower, Hunt, Kallam, Knowland, Maloney, Mayo, McBride, McCarthy, McMurray, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray, Rogers, Roland, Scudder, Thorp, Turner, Utt, West and Wright—45.

NOES—Boyle, Callahan, Cobb, Gilmore, Greene, Grubbs, Hallner, Hatch, Jones, King, Lyon, Martin, Meeker, O'Donnell, Robinson, Samuel E., Stannard, Stream, Tourneux, Woolwine and Mr. Speaker—20.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 467—An act to repeal an act entitled "An act making an appropriation for the construction and completion of an exposition building for the use of Number One-A Agricultural District Association," approved June 9, 1931, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Hornblower moved that Senate Bill No 467 be withdrawn from file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Senate Bill No. 467 to Committee on Ways and Means

Mr. Hornblower withdrew his motion to re-refer.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Boyle, Cassidy, Cobb, Cottrell, Fisher, Greene, Hoffman, Jones, Knowland, Latham, Meeker, Phillips, Robinson, Samuel E., Roland, Wright and Mr. Speaker—16.
NOES—Alter, Anglim, Badham, Bliss, Burns, Callahan, Chatters, Craig, Crist, Crowley, Feigenbaum, Frazier, Gilmore, Grubbs, Hatch, Hornblower, Hunt, Kallam, King, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Miller, James A., Nielsen, Patterson, Peterson, Rawls, Redwine, Riley, Scudder, Stannard, Stream, Thorp, Tournoux, West and Woolwine—39.

Senate Bill No. 142—An act to add a new section to the Political Code, to be numbered 737, relating to salaries of judges

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 142 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Mayo, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Phillips, Rawls, Redwine, Riley, Robinson Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Woolwine and Mr. Speaker—55.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 875—An act to add a new article to Chapter 3 of Title I of Part III of the Political Code to be numbered Article XXI, embracing sections 720 to 724f, inclusive, creating a board to be known as the Board of Control to take the place of the Department of Finance, prescribing the duties, powers, responsibilities, authority and jurisdiction of the Board of Control and providing for the membership thereof and their qualifications; providing for the transfer to the Board of Control and the imposition on it of the duties, powers, responsibilities, authority and jurisdiction of the Department of Finance and the Director of Finance, as well as of the various divisions of the Department of Finance and the officers, agents and employees of the Department of Finance; providing for the abolishment of the Department of Finance and the Director of Finance and the various divisions of the Department of Finance and the various officers, agents and employees of the Department of Finance; providing for the expenditure and transfer of certain funds, and repealing all acts or parts of acts in conflict therewith.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Cobb moved that Senate Bill No 875 be withdrawn from file, and ordered re-referred to Committee on Motor Vehicles.

The question being on re-referring Senate Bill No. 875 to Committee on Motor Vehicles.

Motion carried.

Senate Bill No 875 re-referred to Committee on Motor Vehicles.

Senate Bill No. 1025—An act to amend section 656 of the Political Code, relating to the Department of Finance.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Cobb moved that Senate Bill No. 1025 be withdrawn from file, and ordered re-referred to Committee on Motor Vehicles.

The question being on re-referring Senate Bill No. 1025 to Committee on Motor Vehicles.

Motion carried.

Senate Bill No 1025 re-referred to Committee on Motor Vehicles.

Senate Bill No. 1027—An act to amend sections 1 and 2 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor." approved June 16, 1913, as amended, vesting administration of said act in the State Personnel Board, abolishing the Civil Service Commission and transferring all of the powers, duties, jurisdiction and responsibilities of said commission to said State Personnel Board.

Bill read third time.

The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Cobb moved that Senate Bill No. 1027 be withdrawn from file, and ordered re-referred to Committee on Motor Vehicles.

The question being on re-referring Senate Bill No. 1027 to Committee on Motor Vehicles.

Motion carried.

Senate Bill No. 1027 re-referred to Committee on Motor Vehicles.

HON. CLARE WOOLWINE IN THE CHAIR.

Hon. Clare Woolwine, member of the Assembly from the Forty-fourth Assembly District, in the chair.

Senate Bill No. 688—An act calling a special election to be held on the date herein provided, and providing for the submission thereat to the qualified electors of the State of certain questions herein provided, for the purpose of ascertaining the wish of the people of the State relating to certain State funds.

Bill read third time.

The question being on the passage of the bill.

POINT OF ORDER.

Mr. Cobb arose to the following point of order: Stating that the bill relates to a different subject and is intended to accomplish a different purpose. Assembly Rule No. 51 and Assembly Joint Rule No. 9.

RULING BY THE SPEAKER.

The Speaker ruled the point of order well taken.

MOTION.

Mr. Hornblower moved that Rule No. 51 of the Assembly Standing Rules and Rule No. 9 of the Assembly Joint Rules be suspended for the purpose of considering Senate Bill No. 688.

The question being on the motion to suspend the rules.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—63.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 573—An act ceding to the United States of America certain lands of the State of California, for aerial training, military camps and other Federal purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 573 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cobb, Cottrell, Craig, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Scudder, Stannard, Thorp, Tournoux, Turner, West, Woolwine and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 359—An act to amend sections 4 and 5 of the act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, relating to officers of such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 359 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cobb, Cottrell, Craig, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Scudder, Stannard, Thorp, Tournoux, Turner, West, Woolwine and Mr. Speaker—53.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 814—An act to add a new section to the School Code to be numbered 2.1363, and to repeal section 5.21 thereof, both relating to the duties and powers of the State Director of Education.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 814 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cobb, Cottrell, Craig, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Scudder, Stannard, Thorp, Tournoux, Turner, West, Woolwine and Mr. Speaker—53.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 773—An act to amend sections 3.330 and 3.331 of the School Code, relating to the attendance of high school pupils residing in California upon high schools in adjoining States.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 773 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Roland, Scudder, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—56.
NOES—McCarthy, Stannard and Stream—3

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 832—An act to add section 491 to the Vehicle Code, relating to reports on vehicle accidents.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 832 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, Meeker,

Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Roland, Scudder, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—56.

NOES—McCarthy, Stannard and Stream—3.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Senate Bill No. 244—An act to amend sections 4.360, 4.362, 4.365, and 4.383 of the School Code, and to repeal sections 4.363 and 4.364 thereof, all relating to school district budgets.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 244 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 281—An act regulating the hours of labor of the operators of certain motor vehicles.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During third reading of the bill, the following amendments were submitted by Mr. Phillips:

AMENDMENT NUMBER ONE.

On page 1, line 19, of the printed bill, as amended, after the word and figure "SECTION 1", strike out the balance of line 19 to and including line 25, and insert in lieu thereof the following:

"(a) No person shall drive upon any highway any motor vehicle transporting persons for hire, compensation or profit for more than ten consecutive hours nor for more than ten hours spread over a total of fifteen consecutive hours. Thereafter, such person shall not drive any such vehicle until eight consecutive hours have elapsed.

(b) No person shall drive upon any highway any motor vehicle transporting merchandise, freight, materials or other property for more than twelve consecutive hours nor for more than twelve hours spread over a total of fifteen consecutive hours. Thereafter, such person shall not drive any such vehicle until eight consecutive hours have elapsed."

AMENDMENT NUMBER TWO.

On page 2, line 1, of the printed bill, as amended, strike out "(b)", and insert in lieu thereof "(c)".

AMENDMENT NUMBER THREE.

On page 2, line 5, of the printed bill, as amended, strike out "(c)", and insert in lieu thereof "(d)".

The question being on the adoption of the amendments.

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Senate Bill No 281, at this time, without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 281 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Grubbs, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Phillips, Rawls, Redwine, Riley, Rogers, Scudder, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—56

NOES—Gilmore, Patterson and Stannard—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 322—An act for the regulation of auto camps and to provide penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 322 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Dempster, Feigenbaum, Fisher, Gilmore, Grubbs, Hatch, Hoffman, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, West, Woolwine, Wright and Mr. Speaker—53.

NOES—Cottrell, Jones, King and Stannard—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 686—An act to add a new section to the Penal Code to be numbered 19a, relating to the maximum period of confinement in a county jail.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr Hallner:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, as amended, after "county", insert the following: "or city".

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Senate Bill No. 686, at this time, without reference to printer or file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 686 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Hatch, Hoffman, Jones, King, Knowland, Maloney, Mayo, McCarthy, Meeker, Miller, Eleanor; Morgan, Nielsen, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Thorp, Tourneux, Turner, West, Woolwine, Wright and Mr. Speaker—49.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 203—An act to amend sections 691 to 697, inclusive, of the Fish and Game Code, relating to striped bass.
Bill read third time.
The question being on the passage of the bill.

MOTION TO RE-REFER.

Mr. Frazier moved that Senate Bill No. 203 be withdrawn from file, and ordered re-referred to Committee on Rules.
The question being on re-referring Senate Bill No. 203 to Committee on Rules.
Motion carried.
Senate Bill No 203 re-referred to Committee on Rules.

Senate Bill No. 945—An act to amend sections 3.760, 3.761, and 3 763 of the School Code; to repeal section 3.762 of the School Code; to repeal an act entitled "An act relative to courses of study in elementary schools," approved May 22, 1929; and to add a new section to the School Code to be numbered 3.762, all relating to prescribed courses in elementary schools.
Bill read third time.
The question being on the passage of the bill.

POINT OF ORDER.

Mr. Roland arose to the following point of order: Stating that the bill was withdrawn from the Committee on Governmental Efficiency and Economy with 39 signatures on the petition.
Senate Bill No. 945 ordered stricken from the file.

MOTION TO EXPUNGE RECORD.

Mr. Frazier moved to have the action whereby Senate Bill No. 203 was this day referred to Committee on Rules rescinded and the record thereof expunged.
Motion carried.
Senate Bill No 203 ordered placed on file.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Further proceedings under call of the House were dispensed with, on motion of Mr. Hornblower.
The roll of absentees was called, and the motion to suspend the rules was carried by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley,

Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West and Woolwine—55.

NOES—Alter, Brock, Callahan, Cobb, Evans, Feigenbaum, Fisher, Grubbs, Knowland, Lyon, Roland, Wright and Mr. Speaker—13.

CONSIDERATION OF SENATE BILL NUMBER SIX HUNDRED EIGHTY-EIGHT.

Senate Bill No. 688—An act calling a special election to be held on the date herein provided, and providing for the submission thereat to the qualified electors of the State of certain questions herein provided, for the purpose of ascertaining the wish of the people of the State relating to certain State funds.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Crowley, Dempster, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West and Woolwine—56.

NOES—Alter, Brock, Cobb, Evans, Feigenbaum, Grubbs, Knowland, Lyon, Wright and Mr. Speaker—10.

THIRD READING OF SENATE BILL NUMBER SIX HUNDRED EIGHTY-EIGHT.

Senate Bill No. 688—An act calling a special election to be held on the date herein provided, and providing for the submission thereat to the qualified electors of the State of certain questions herein provided, for the purpose of ascertaining the wish of the people of the State relating to certain State funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—69.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Further proceedings under call of the House were dispensed with on motion of Mr. Hornblower.

The roll of absentees was called, and Senate Bill No. 688 was passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Cottrell, Craig, Crist, Crowley, Dempster, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West and Woolwine—54.

NOES—Alter, Brock, Callahan, Clowdsley, Cobb, Evans, Feigenbaum, Fisher, Hallner, Knowland, Lyon, Meeker, Roland, Wright and Mr. Speaker—15.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 354—An act to add three new sections, to be numbered 5.500a, 5.501a and 5.507 to, and to repeal section 5.504 of, the School Code, relating to teachers' tenure—reports that it has met a like committee of the Senate, consisting of Senators Ingels, Rich and Wagy, and reports that the Committee on Free Conference has been unable to agree on a recommendation.

GREENE,
McCARTHY,
Assembly Committee on Free Conference.

INGELS,
RICH,
WAGY,
Senate Committee on Free Conference.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE

The Speaker announced the appointment of Messrs. Miller, James A., Maloney and Woolwine, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 354.

RECESS.

At three o'clock and thirty-three minutes p.m., on motion of Mr. Clowdsley, the Assembly was declared at recess.

REASSEMBLED.

At three o'clock and thirty-four minutes p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Fitzsimmons reading.

LACK OF QUORUM.

Mr. Robinson, C. Ray, suggested the lack of a quorum.

The Speaker ordered a roll call taken.

The roll was called.

CALL OF THE HOUSE

Pending the announcement of the roll call, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Bliss, Bowers, Chatters, Clowdsley, Grubbs, Hatch, Hoffman, Latham, Lyon, Meeker, O'Donnell, Phillips, Redwine, Robinson, C. Ray; Robinson, Samuel E, Rogers, Stannard, Thorp, Turner, Woolwine, Wright and Mr. Speaker—23.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Further proceedings under call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—73

The Speaker declared a quorum present.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 196—An act to amend section 4265 of the Political Code, relating to compensation of county and township officers in counties of the thirty-sixth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No 208—An act to amend section 4271 of the Political Code, relating to compensation of county and township officers in counties of the forty-second class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 742—An act to amend section 6 273 of the School Code, relating to textbooks.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 992—An act to add a new section to the Agricultural Code to be numbered 883, relating to the regulation of canned foods and the canned food industry.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 982—An act to

amend sections 872 and 878 of, and to add a new section to be numbered 883 to, the Agricultural Code, all relating to the regulation of canned foods and the canned food industry.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1196—An act to amend sections 23, 24, 28, 30, 31, 34, 36, 38, 42, 44, 48 and 51, and to add new sections numbered 51a and 51b, to an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory.

J. A. BEEK, Secretary of Senate.
By K. E. MORLEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 366—An act to amend sections 4254b, 4254c, 4254d, 4254e, 4254f, 4254g, 4254k, 4254m and 4254r, and to add section 4254t to the Political Code, relating to compensation of county and township officers in counties of the twenty-fifth class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No 172—An act to amend section 4251 of the Political Code, relating to the compensation of county and township officers in counties of the twenty-second class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 520—An act to reduce the number of judges of the superior court in and for the county of Humboldt and to repeal an act entitled "An act to provide for the appointment and election of one additional judge for the county of Humboldt," approved March 8, 1895.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 255—An act to amend section 737tt of the Political Code, relating to the compensation of the judge of the superior court, Sierra County.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1051—An act to amend section 737nn of the Political Code, relating to the salary of the superior judge in and for the county of San Luis Obispo.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 125—An act imposing a license fee or tax for the transportation of persons or property for hire

or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 783—An act to amend sections 737o and 737bbb of the Political Code, relating to salaries of judges of the superior court in and for the counties of Kern and Tulare.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Constitutional Amendment No. 48—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 14 of Article I thereof, relating to eminent domain.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 575—An act to extend to the guarantors of the payment of public bonds any moratorium on the payment thereof or on assessments or taxes levied to pay the principal and interest due on bonds issued under any law of this State.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 739—An act to add section 4¼ to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements under the 'Street Opening Act of 1889' and providing for the effect and enforcement of such bonds," approved May 24, 1921, relating to the issuance of bonds.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 209—An act to amend section 2322x42 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-second class.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 86—An act to amend sections 3746, 3751, 3756, 3817 and 3817a of the Political Code, relating to property tax delinquencies, penalties and redemptions, and to declare that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 402—An act to amend sections 2 and 4 of an act entitled "An act relating to the liability and damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the

State and such public or quasi-public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931, extending the provisions of the act to include suits against employees as well as officers of municipalities, counties, cities and counties, school districts, and the State and to suits against such officers and employees for alleged negligence or carelessness thereof while engaged in the public service, and defining terms used in the act.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 977—An act to add a new section to the Political Code to be numbered 3897c and to amend sections 3649 and 3817 of the Political Code, relating to property taxation.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 7—An act to amend section 2924 of the Civil Code, relating to recording of notice of default and to giving notice of sale under deeds of trust and mortgages with power of sale; and to add a new section to the Civil Code to be numbered 2924b, relating to giving of notice of recording of notice of default and of time and place of sale under deeds of trust or mortgages with power of sale; and to add a new section to the Civil Code numbered 2924c, relating to reinstatement of loans when due date of principal sum has been accelerated; and to add a new section to the Code of Civil Procedure to be numbered 580a, limiting amount of deficiency judgments and the time within which actions therefor may be commenced; and to add a new section to the Code of Civil Procedure to be numbered 580b prohibiting deficiency judgments on purchase money mortgages and deeds of trust; and to add a new section to the Code of Civil Procedure to be numbered 580c limiting the trustee's or attorney's fees which a mortgagor or trustor may be required to pay; and to add a new section to the Code of Civil Procedure to be numbered 725 limiting the right to bring action on an obligation hereafter incurred for the payment of which a deed of trust or mortgage with power of sale was given as security; and to add a new section to the Code of Civil Procedure to be numbered 725a permitting the beneficiary or trustee named in a deed of trust to bring suit to foreclose the same in the manner of a mortgage.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No 161—An act to amend section 4295a of the Political Code, relating to filing fees under the Water Commission Act.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No 28—Relative to memorializing Congress to enact legislation providing for relief of California Indians.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Joint Resolution No. 28 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 29—Relative to memorializing Congress to enact legislation prohibiting the importation of crude petroleum and crude petroleum by-products.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Joint Resolution No. 29 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1201—An act creating a district to be called "Orange County Water District" for the purpose of providing for importation of water into said district and preventing waste of water in or exportation of water from said district and providing for reclamation of drainage, storm, flood and other water for beneficial use in said district and for the conservation and control of storm and flood water flowing into said district; providing for the organization and management of said district and establishing the boundaries and divisions thereof and defining the powers of the district, including the right of the district to sue and to be sued, and the powers and duties of the officers thereof; providing for the construction of works and acquisition of property by the district to carry out the purposes of this act; authorizing the incurring of indebtedness and the voting, issuing and selling of bonds and the levying and collecting of assessments by said district; and providing for the inclusion of additional lands therein and exclusion of lands therefrom.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1157—An act to amend section 120 of the Agricultural Code, relating to nursery stock;

Also: Assembly Bill No. 529—An act to amend section 19x5 of the Juvenile Court Law, relating to probation officers in counties of the fifth class.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No 989—An act to amend sections 892 and 900 of the Agricultural Code, relating to field crops, the collection and disposition of fees in connection therewith.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 689—An act to provide for the administration of funds of this State and of the United States government made available for the relief of destitution caused by unemployment and making an appropriation for such purpose and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1006—An act to amend section 1239 of the Agricultural Code, relating to warehouses, the collection and disposition of fees therefrom.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 904—An act to amend section 269b of the Penal Code, relating to adultery.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 108—An act to add

a new section to the Code of Civil Procedure, to be numbered 692a, relating to deficiency judgments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 566—An act to add a new article to Chapter I of Part IV of Division II of the School Code to be known as Article 11a, embracing sections 2.1365 and 2.1366, relating to the State Council of Educational Planning and Coordination.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 168—An act relating to the revenues and expenditures of irrigation districts of the first class and providing for the budgeting of such expenditures.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No 1118—An act to add a new section to the School Code, to be numbered 5.94, relating to summer sessions conducted by State teachers colleges, to take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference appointed to consider Assembly Bill No 1974—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission.

J A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference appointed to consider Assembly Bill No. 563—An act to amend sections 2 and 7 of the act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to incorporation of municipal corporations and annexation of territory thereto.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day voted to discharge its Committee on Free Conference appointed to consider Assembly Bill No 354—An act to add three new sections, to be numbered 5 500a, 5 501a and 5.507 to, and to repeal section 5 504 of, the School Code, relating to teachers' tenure—because of its failure to agree, and appointed a new committee consisting of Senators Hays, Tickle and Seawell.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to return to your honorable body Assembly Bill No. 289—An act to provide for the impounding and utilization of the waters of the American River for flood control, river flow control and equation, domestic use, irrigation, reclamation, power development, or any one or more of such or other

public uses; authorizing the State Department of Public Works to acquire for the State property useful in connection therewith; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto; authorizing the leasing of property of the State for any one or more of such uses and specifying certain terms and conditions to which said lease shall be subject—which measure was amended by the Senate on May 10th and which, as amended, has been found to be in conflict with Joint Rule No. 9.

J. A. BEEK, Secretary of Senate.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2392—An act making an appropriation to pay the claim of the State Adjutant General against the State of California.

Also: Assembly Bill No. 971—An act to amend sections 1, 3, 4 and 7, and to add a new section to be numbered 7a, to an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and provide schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations, providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931.

Also: Assembly Bill No 548—An act to amend section 10 of an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties, providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1913, and all amendments thereto.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 840—An act making an appropriation to pay the claim of P. J. Angeloni against the State of California;

Also: Assembly Bill No. 2235—An act making an appropriation out of the fish and game preservation fund for the construction of jetties at the mouth of the Russian River;

Also: Assembly Bill No. 1934—An act making an appropriation to pay the claim of the Federal Mutual Liability Insurance Company against the State of California;

Also: Assembly Bill No. 1935—An act making an appropriation to pay the claim of the Associated Indemnity Company against the State of California.

Also Assembly Bill No 2227—An act to amend sections 560, 816, 817, 818, 819, 820 and 821 of the Fish and Game Code and to add thereto a new section to be numbered 822, relating to oysters;

Also: Assembly Bill No. 2253—An act to amend sections 27 and 34 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909, relating to duty of warehousemen in regard to stored goods;

Also: Assembly Bill No. 919—An act to add a new section to the Political Code, to be numbered 542.5, relating to expenditures for the printing or publishing of books, pamphlets, reports, compilations, synopses and other documents.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 360—An act making appropriation to pay the claim of William J. Bost against the State of California;

Also: Assembly Bill No. 1560—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act, approved May 30, 1921, and of any and all acts amendatory thereof or supplemental thereto, creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State offices in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1934;

Also: Assembly Bill No. 2417—An act making an appropriation for the support of the Supreme Court of the State of California,

Also: Assembly Bill No. 1816—An act making an appropriation to pay the claim of the county of Sacramento against the State of California;

Also. Assembly Bill No. 241—An act relating to the refunding of bonds of irrigation and reclamation districts, making State assistance available therefor and authorizing the issuance and sale of bonds of the State to provide funds for use in furtherance thereof.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 162—An act to amend an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, as amended, by adding a new section thereto to be numbered 13½, to provide for the uses and purposes to which the funds derived under said act may be used,

Also: Assembly Bill No 600—An act to amend section 159 of an act entitled the "California Vehicle Act," approved May 30, 1923, as amended, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding;

Also: Assembly Bill No. 1931—An act making an appropriation to pay the claim of Sumner Mallory against the State of California;

Also: Assembly Bill No. 1932—An act making an appropriation to pay the claim of Jess Mallory against the State of California;

Also: Assembly Bill No. 1198—An act to appropriate and transfer funds to the "State employees' retirement fund" from moneys allocated and payable to the county of Los Angeles from the "Motor vehicle fund" to cover deficiencies in the "State employees' retirement fund" arising out of the transfer of the Los Angeles County Motor Patrol to the California Highway Patrol.

J. A. BEEK, Secretary of Senate
By ARTHUR J SCHILDER, Assistant Secretary

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 1051—An act appropriating money to pay the claim of William F. Kaliher against the State of California.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

MOTION TO EXPUNGE RECORD.

Mr. Lyon moved that the action of this Assembly, whereby Assembly Constitutional Amendment No. 79 was sent to enrollment, be rescinded, and the action thereto be expunged from the record.

Assembly Constitutional Amendment No. 79 replaced on daily calendar.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Concurrent Resolution No. 37—Relative to special joint rules for the fiftieth session of the Legislature.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT.

Mr. Robinson, C. Ray, asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 37, at this time, without reference to committee or file.

Senate Concurrent Resolution No. 37—Relative to special joint rules for the fiftieth session of the Legislature.

Senate Concurrent Resolution No. 37 read.

The question being on the adoption of Senate Concurrent Resolution No. 37.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—65.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and adopted as amended, Assembly Constitutional Amendment No. 79—Proposed amendment to Article XX, adding section 22, of the Constitution relative to legal rate of interest—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 79?

AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed measure, as amended, strike out "be", and insert in lieu thereof the following: "by".

AMENDMENT NUMBER TWO.

On page 1 of the printed measure, as amended, strike out line 26, and on page 2, strike out line 1, and insert in lieu thereof the following: "goods or things in action.

However, none of the above restrictions shall apply to any building and loan association as defined in and which is operated under that certain act known as the "Building and Loan Association Act," approved May 5, 1931, as amended, or to any corporation incorporated in the manner"

The roll was called, and Senate amendments to Assembly Constitutional Amendment No. 79 were concurred in by the following vote:

AYES—Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hunt, Knowland, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—58

NOES—None.

Assembly Constitutional Amendment No. 79 ordered to enrollment. Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1737—An act establishing a Military Code, thereby revising and consolidating the law relating to the armed forces and the militia of the State and to the administration of military and veterans' affairs, and to repeal certain acts and parts of acts therein specified—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1737?

AMENDMENT NUMBER ONE.

On page 3, line 46, of the printed bill, as amended, after "appointed", insert the following: "from the chiefs of the divisions of the department".

AMENDMENT NUMBER TWO.

On page 36 of the printed bill, as amended, strike out lines 36 to 40, inclusive, and insert in lieu thereof the following.

"245. Rentals. In all armories leased by The Adjutant General, he may, in his discretion, pay the rental or such portion of the rent thereof from funds under his control, as he may see fit, charging the organizations using said armory or armories such rental as may, in his judgment, be equitable, and may deduct from the quarterly allowance to such organizations the rent so charged."

AMENDMENT NUMBER THREE

On page 43, line 14, of the printed bill, as amended, strike out "Officers to Retain Positions.", and insert in lieu thereof the following: "Tenure of Officers."

AMENDMENT NUMBER FOUR

On page 43, line 16, of the printed bill, as amended, strike out "positions", and insert in lieu thereof the following: "commissions".

The roll was called, and Senate amendments to Assembly Bill No. 1737 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Knowland, Latham, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, Woolwine, Wright and Mr. Speaker—51.

NOES—None

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 528—An act to amend section 4234 of the Political Code, relating to compensation of county officers and employees in counties of the fifth class—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 528?

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, as amended, strike out "amend section 4234 of", and insert in lieu thereof the following "add section 4234a to"

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SECTION 1 A new section is hereby added to the Political Code to be numbered 4234a to read as follows:

4234a. From and after the effective date of this section until the first Monday after the first day in January, 1935, county and township officers in counties of the fifth class shall receive the compensation prescribed in this section Thereafter, said county and township officers shall receive the compensation prescribed in section 4234 of this code. In counties of the fifth class the county officers shall"

AMENDMENT NUMBER THREE.

On page 3, line 2, of the printed bill, as amended, strike out "thirteen", and insert in lieu thereof the following: "fifteen".

AMENDMENT NUMBER FOUR.

On page 10 of the printed bill, as amended, between lines 39 and 40, insert the following: "15. The fish and game warden, one thousand one hundred seventy dollars per annum, and the actual and necessary expenses incurred by him in the performance of his official duties"

AMENDMENT NUMBER FIVE

On page 10, line 40, of the printed bill, as amended, strike out the figures "15", and insert in lieu thereof the figures "16".

AMENDMENT NUMBER SIX

On page 8, line 22, of the printed bill, as amended, strike out the words "seventy-five dollars", and insert in lieu thereof the following: "sixty-one dollars and twenty-five cents".

AMENDMENT NUMBER SEVEN.

On page 9, line 14, of the printed bill, as amended, strike out the words "twenty-five dollars", and insert in lieu thereof the following: "eighteen dollars and seventy-five cents".

AMENDMENT NUMBER EIGHT.

On page 10, line 42, of the printed bill, as amended, strike out the word "fifteen", and insert in lieu thereof the word "twelve".

The roll was called, and Senate amendments to Assembly Bill No. 528 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Knowland, Latham, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, Woolwine, Wright and Mr. Speaker—51

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1340—An act to amend sections 3, 6, 9, 10, 13, 14, 15, 16, 20, 21 and 22 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907—and respectfully requests your honorable body to concur in said amendment

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1340?

AMENDMENT NUMBER ONE.

On page 2, line 19, of the printed bill, after the words "case of", strike out the words "eggs and".

The roll was called, and Senate amendment to Assembly Bill No. 1340 was concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Knowland, Latham, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, Woolwine, Wright and Mr. Speaker—51.

NOES—None

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2226—An act to amend sections 777 and 778 and to repeal sections 779, 780, 781, 782 and 783 of the Vehicle Code, relating to the motor vehicle fund and the disposition of moneys placed therein—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2226?

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out all of the title, lines 1 to 5, and insert in lieu thereof the following:

"An act to amend section 159 of the California Vehicle Act, relating to the motor vehicle fund and the disposition of moneys placed therein"

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out all of lines 1 to 24, both inclusive, and insert in lieu thereof the following

"SECTION 1. Section 159 of the California Vehicle Act, as amended, is hereby amended to read as follows

Sec. 159. (a) There is hereby created in the State treasury a fund which shall be known as the "motor vehicle fund." The State Treasurer shall deposit all money received by him from the division or otherwise under the provisions of this act into the motor vehicle fund.

(b) There is hereby appropriated out of such fund all moneys received as transfer fees, operators' and chauffeurs' license fees, and duplicate operators' and chauffeurs' license fees and in addition thereto such portion of the remainder of such motor vehicle fund not exceeding in any registration year thirty-five per cent thereof as may be necessary for the maintenance of the Division of Motor Vehicles to be expended by the division in carrying out the provisions of this act, and the Division of Motor Vehicles is hereby authorized out of said funds to purchase real estate and erect such buildings as it may require, subject to the approval of the Department of Finance. There shall be deducted from the sums which the division is allowed to expend hereunder such amount as may be allowed to said division in each calendar year under budget appropriation by the State Legislature. The division may draw, without at the time furnishing vouchers and itemized statements, sums not to exceed in the aggregate one hundred thousand dollars, said sums so drawn to be used as a revolving fund where cash advances are necessary. At the close of each fiscal year the moneys so drawn must be accounted for and substantiated by vouchers and itemized statements submitted to and audited by the Department of Finance and by the Controller. The balance of said fund, after the expenditure of so much as may be permitted by this act for the support of the Division of Motor Vehicles, shall be known as the "net receipts" and shall be devoted to the purposes and in the manner herein specified.

(c) One-half of such "net receipts" is hereby appropriated and shall be paid from the motor vehicle fund to the counties of this State in proportion to the number of vehicles registered in such counties as determined by the places of residence of the owners to whom the registration certificates are issued. All amounts paid under this section to the counties shall be deposited in the road funds of the several counties receiving the same and shall be expended by such counties exclusively in the construction and maintenance of public roads, bridges and culverts; provided, that the board of supervisors of any county may in its discretion expend any portion of such sums so received by such county in the construction, maintenance and repair of streets, bridges and culverts within those incorporated cities therein the legislative bodies of which by ordinance or resolution authorize such work of construction, maintenance and repair. The board of supervisors of any county, or city and county, may also in its discretion expend any portion of such sums so received by such county, or city and county, for payment of interest upon, or redemption of bonds, the proceeds of which have been used for the construction, maintenance and repair of streets, bridges and culverts within such county, or city and county. The board of supervisors of any county, or city and county, is hereby empowered to expend any portion of the amounts paid to the said county, or city and county and deposited in the special *road improvement fund or other road fund thereof, as herein in this section directed,* in and for the construction of public highways outside of its corporate limits; provided, however, that the construction thereof is authorized by ordinance or resolution of the board of supervisors of the county or city and county, in which said highway is to be constructed. Where such authorization is given by ordinance or resolution as herein provided, the board of supervisors of the county, or city and county desiring the said construction, may, through its own boards, officers or commissions expend the amounts herein authorized to be expended or may, by resolution of its board of supervisors, transfer said amounts to the account of the Highway Commission of the State of California or to the account of the Secretary of Agriculture of the United States and may by said resolution specify and determine the route and type of construction of said highway, and the said amount thus transferred shall, if accepted by the said Highway Commission or said Secretary of Agriculture be expended for the purpose specified and determined in said resolution and not otherwise.

(d) The board of supervisors of each county in the State shall establish a road fund in the county treasury for the receipt of such funds received, as hereinbefore provided, and shall also make an annual report to the State Department of Public Works not later than three months after the close of the counties' fiscal year, upon forms to be provided by the State Department of Public Works, showing the amount of moneys received from the motor vehicle fund during the preceding fiscal year and the disposition of said moneys, specifying in such detail as may be required by said department the roads, bridges and culverts constructed or maintained out of said moneys and the sums applied to the several items of such construction or maintenance.

(e) The State Controller shall in the months of February and August of each year draw his warrants upon the motor vehicle fund in favor of the county treasurer of each county for the amount to which said county is entitled hereunder, except that the State Controller shall not draw his warrant upon the motor vehicle fund in favor of the county treasurer of any county which has not established a road fund, as required hereunder or which has failed, neglected or refused to file the report showing the amount of money heretofore received by such county from the motor vehicle fund and the disposition thereof, as hereinbefore required, until such county has established a road fund and shall make the reports herein required; provided, however, that in cases where the actual domicile, residence or place of abode of an owner, or part

owner, of any motor vehicle, trailer or semitrailer is in a different county than the place which such owner has designated as his place of residence in his registration certificate, the county auditor of the county receiving such funds from the State as hereinabove provided may draw his warrant in favor of the county containing the actual domicile, residence, or place of abode of such owner, or part owner, in such sums as may properly be attributed to the latter county

(f) All moneys remaining in the motor vehicle fund after the expenditures hereinbefore in this section authorized, together with all sums that have been heretofore or that may be hereafter appropriated by the Legislature for the same purpose, shall be paid into the State highway maintenance fund and shall be expended under the direction of the State Department of Public Works for the maintenance, repair, widening, resurfacing and reconstruction of State roads and highways under the jurisdiction of said department and for the maintenance, repair, widening, resurfacing and reconstruction of roads and highways in State parks, subject to the approval of the official or officials charged by law with the management and control of such parks, such money to be so drawn from the motor vehicle fund for the purpose of *such maintenance, repair, widening, resurfacing and reconstruction upon warrants* executed by the State Controller upon demands made by the State Department of Public Works and allowed and audited by the Department of Finance."

AMENDMENT NUMBER THREE.

Strike out all of page 2 of the printed bill.

The roll was called, and Senate amendments to Assembly Bill No. 2226 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Knowland, Latham, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Roland, Scudder, Stream, Sullivan, Tournoux, Turner, Utt, Woolwine, Wright and Mr. Speaker—51.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1292—An act providing for the creation and management of "California Desert Park," giving to the Director of Natural Resources powers and duties with respect thereto in the acquiring of land and other property therefor and in the creation, maintenance and improvement of said park; providing for the maintenance and improvement of the same and making an appropriation therefor, and declaring the highways therein and leading thereto to be State highways—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1292?

AMENDMENT NUMBER ONE.

In lines 3, 4 and 5 of the title of the printed bill, as amended, strike out ", creating the California Desert Park Board in connection therewith".

AMENDMENT NUMBER TWO.

On page 2, lines 33 and 34, of the printed bill, as amended, strike out "California Desert Park Board hereby created", and insert in lieu thereof the following: "Division of Parks in the Department of Natural Resources".

AMENDMENT NUMBER THREE.

On page 4 of the printed bill, as amended, strike out lines 14 to 52, inclusive, and on page 5, strike out lines 1 to 50, inclusive, and insert in lieu thereof the following:

"SEC 2. The Division of Parks is *authorized and empowered to acquire any* land located within said park by gift, purchase or lease from private individuals It is further authorized to accept and receive donations or aid from individuals or corporations and receive legacies and bequests, and any moneys thus received or any moneys received from fees shall be paid into the State treasury to the credit of the State park contingent fund for the account of the California Desert Park

SEC 3 All roads within the California Desert Park, or such roads as may".

AMENDMENT NUMBER FOUR

On page 5 of the printed bill, as amended strike out lines 51 and 52, and on page 6, strike out lines 1 to 11, inclusive, and insert in lieu thereof the following:

"SEC. 4 The name of said park shall be California Desert".

AMENDMENT NUMBER FIVE.

On page 6, line 13 of the printed bill, as amended, strike out "Sec. 11", and insert in lieu thereof the following "Sec 5"

The roll was called, and Senate amendments to Assembly Bill No. 1292 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Dempster, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—58.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and without reference to print, Assembly Bill No 588—An act making an appropriation to pay the claim of B. W. Belyea, doing business under the fictitious name and style of Belyea Truck Co, against Charles G. Johnson as Treasurer of the State of California—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 588?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in the Assembly May 5, 1933, strike out lines 1 to 10, both inclusive, and insert in lieu thereof the following:

"Out of the "net receipts" of the motor vehicle fund (as said term is used in section 159 of the California Vehicle Act and in section 778 of the proposed Vehicle Code) there is hereby appropriated the sum of four thousand seven hundred forty-nine and 63/100ths dollars ($4,749 63) to pay the claim of B. W Belyea, doing business under the fictitious name and style of Belyea Truck Company, against Charles G. Johnson, as Treasurer of the State of California. The sum hereby appropriated shall be paid only from that portion of the said motor vehicle fund not otherwise appropriated for the support of the Department of Motor Vehicles, and shall be paid one-half out of the portion of said motor vehicle fund appropriated by subdivision (e) of said section 159 of the California Vehicle Act to the counties of this State and one-half out of the portion of said motor vehicle fund payable under subdivision (f) of said section 159 into the State highway maintenance fund, and the State Controller is hereby instructed to set up the appropriation hereby made accordingly for the purpose of apportioning the said net receipts. In the event of the enactment of the proposed Vehicle Code the reference herein to sections 159 (e), and 159 (f) of the California Vehicle Act shall be construed to mean sections 779 and 783, respectively of the said Vehicle Code. In the event the percentages of the said motor vehicle fund appropriated to the counties and to be paid into the State highway maintenance fund is changed, then the appropriation hereby made shall, nevertheless, be paid out of the balance of the said motor vehicle fund after the payment of any appropriations heretofore or hereafter made for the support of the Department of Motor Vehicles"

The roll was called, and Senate amendment to Assembly Bill No. 588 was concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Dempster, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine,

Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—58.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and without reference to print, Assembly Bill No. 589—An act making an appropriation to the State Board of Control to pay claims against the State of California—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary

The question being put. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 589?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out lines 6 an 7, and insert in lieu thereof the following:

"SECTION 1. Out of the "net receipts" of the motor vehicle fund (as said term is used in section 159 of the California Vehicle Act and in section 778 of the proposed Vehicle Code) there is hereby appropriated the".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, following the period in line 5, insert the following:

"The sum hereby appropriated shall be paid only from that portion of the said motor vehicle fund not otherwise appropriated for the support of the Department of Motor Vehicles, and shall be paid one-half out of the portion of said motor vehicle fund appropriated by subdivision (e) of said section 159 of the California Vehicle Act to the counties of this State and one-half out of the portion of said motor vehicle fund payable under subdivision (f) of said section 159 into the State highway maintenance fund, and the State Controller is hereby instructed to set up the appropriation hereby made accordingly for the purpose of apportioning the said net receipts. In the event of the enactment of the proposed Vehicle Code the reference herein to sections 159 (e), and 159 (f) of the California Vehicle Act shall be construed to mean sections 779 and 783, respectively, of the said Vehicle Code. In the event the percentages of the said motor vehicle fund appropriated to the counties and to be paid into the State highway maintenance fund is changed, then the appropriation hereby made shall, nevertheless, be paid out of the balance of the said motor vehicle fund after the payment of any appropriations heretofore or hereafter made for the support of the Department of Motor Vehicles."

The roll was called, and Senate amendments to Assembly Bill No. 589 were concurred in by the following vote.

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Dempster, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—58.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and without reference to print, Assembly Bill No. 587—An act making an appropriation to pay the claim of Bekins Van and Storage Company, a corporation, against Charles G. Johnson as Treasurer of the State of California—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 587?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in the Assembly May 5, 1933, strike out lines 1 to 9, both inclusive, and insert in lieu thereof the following:

"Out of the "net receipts" of the motor vehicle fund (as said term is used in section 159 of the California Vehicle Act and in section 778 of the proposed Vehicle Code) there is hereby appropriated the sum of four thousand four hundred ninety-three and 06/100ths dollars ($4,493 06) to pay the claim of Bekins Van & Storage Company, a corporation, against Charles G. Johnson, as Treasurer of the State of California. The sum hereby appropriated shall be paid only from that portion of the said motor vehicle fund not otherwise appropriated for the support of the Department of Motor Vehicles, and shall be paid one-half out of the portion of said motor vehicle fund appropriated by subdivision (e) of said section 159 of the California Vehicle Act to the counties of this State and one-half out of the portion of said motor vehicle fund payable under subdivision (f) of said section 159 into the State highway maintenance fund, and the State Controller is hereby instructed to set up the appropriation hereby made accordingly for the purpose of apportioning the said net receipts. In the event of the enactment of the proposed Vehicle Code the reference herein to sections 159 (e), and 159 (f) of the California Vehicle Act shall be construed to mean sections 779 and 783, respectively, of the said Vehicle Code. In the event the percentages of the said motor vehicle fund appropriated to the counties and to be paid into the State highway maintenance fund is changed, then the appropriation hereby made shall, nevertheless, be paid out of the balance of the said motor vehicle fund after the payment of any appropriations heretofore or hereafter made for the support of the Department of Motor Vehicles."

The roll was called, and Senate amendment to Assembly Bill No. 587 was concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Dempster, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—58.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and without reference to print, Assembly Bill No. 921—An act to amend sections 410, 780 and 782 and repeal section 781 of the Political Code, relating to the laws, resolutions and Journals of the Legislature and to the bound volumes of decisions of the Supreme Court and District Courts of Appeal—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 921?

AMENDMENT NUMBER ONE

On page 2 of the printed bill, as amended, strike out all of lines 33 to 40, inclusive.

The roll was called, and Senate amendment to Assembly Bill No. 921 was concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Dempster, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine,

Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—58.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day refused passage to Assembly Bill No. 389—An act making an appropriation to pay the claim of Evelyn Morse against the State of California.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day refused passage to Senate Bill No. 846—An act appropriating money to pay the claim of Shella Bucklund against the State of California.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1200—An act to repeal sections 1120 to 1140, inclusive, of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1200?

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, as amended, strike out "expended", and insert in lieu thereof the following: "transferred to the Division of Fish and Game of the Department of Natural Resources and shall be expended by said division in accordance with law".

The roll was called, and Senate amendment to Assembly Bill No. 1200 was concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Dempster, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—58.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1173—An act to amend the Agricultural Code, by amending sections 1261, 1263, 1264, 1265, 1267, 1268, 1269, 1270, 1271, 1272 and 1273, and repealing section 1266 thereof, and adding a new section thereto to be numbered 1272.5, all relating to dealers in farm products—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put. Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1173?

AMENDMENT NUMBER ONE.

On page 4, line 10, of the printed bill, as amended May 6, 1933, after the word "fund", insert the following: "and expended in carrying out the provisions of this chapter".

The roll was called, and Senate amendment to Assembly Bill No. 1173 was concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Dempster, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—58

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 2311—An act to add a new section to be numbered 9a to an act entitled "An act in relation to the control and eradication of bovine tuberculosis; to provide an appropriation for the purposes of this act; to prescribe penalties for violation of the provisions hereof, and to repeal certain acts therein specified," approved June 19, 1931, providing for the withdrawal of counties from tuberculosis control areas; to declare the urgency thereof and provide that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2311?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 1 of the title, after the word "act", insert the following: "to amend sections 9 and 12 of and".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out all of lines 9 to 11, inclusive, of the title, and insert in lieu thereof the following: "19, 1931, relating to bovine tuberculosis; to declare the urgency thereof".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, between lines 9 and 10, insert the following:

"SECTION 1. Section 9 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 9. (a) The Department of Agriculture is hereby authorized and empowered to establish and maintain tuberculosis control areas within this State, wherein said department shall examine and tuberculin test all dairy cattle, and, with the consent of the owner, certain beef cattle, as often as may be deemed necessary, in order to determine which animals are affected with tuberculosis for the purpose of bringing said disease of tuberculosis under control in the State of California. Any tuberculosis control area shall consist of an entire county or group of entire counties. Immediately after this act becomes effective, the Department of Agriculture shall establish and maintain tuberculosis control areas in all areas in which tuberculosis eradication areas were established under the Bovine Tuberculosis Law, Chapter 47, Statutes 1927

(b) All owners, of cattle subject to examination and tuberculin testing, within a tuberculosis control area shall, upon request of the Department of Agriculture or duly authorized agent thereof, provide necessary facilities for making tuberculin tests, and render such assistance as may be required.

(c) Any bovine animal, in a tuberculosis control area, reacting positively to a tuberculin test conducted by a representative of the Federal or State Department of Agriculture, or adjudged tuberculous upon physical examination by said representative, shall immediately be segregated from other bovine animals which are not reactors Within thirty days after the appraisal of said reacting bovine animal, as provided for herein, it shall be slaughtered under the direction of the Department of Agriculture; and in consideration of the fact that the eradication of bovine tuberculosis is beneficial to public health and welfare, before said animal is slaughtered, its value shall be determined by appraisement by a representative of the said Department of Agriculture or a representative of the Bureau of Animal Industry of the United States Department of Agriculture, and the owner or his agent. In case of failure to agree on the valuation, said reacting bovine animal shall be appraised by the chief appraiser of said Department of Agriculture or his

representative. In either event, the value determined shall be final Except as hereinafter provided, the State of California shall pay to the owner of any reacting bovine animal slaughtered under the provisions of this section one-third of the difference between the appraised value of such reacting bovine animal and the proceeds from the sale of the salvage, and the owner shall also receive the proceeds from the sale of the salvage, provided that in no case shall any payment by the State of California, hereunder, exceed thirty-five dollars ($35) for any grade animal or seventy dollars ($70) for any purebred animal, and no payment shall be made unless the owner has complied with all the provisions of this act relating to tuberculosis control areas and the regulations promulgated by the Department of Agriculture for its enforcement.

(d) If at any time the Congress of the United States shall fail or refuse to make an appropriation to assist in the eradication of tuberculosis in cattle in California, or if at any time the Legislature of the State of California shall fail or refuse to make an appropriation for the eradication of tuberculosis and in payment for cattle destroyed under the provisions of this section, or if at any time an appropriation made by the Legislature of the State of California for such purposes shall become exhausted, the testing of cattle as provided for in this section shall be suspended until such time as money shall be available for payment for cattle slaughtered under the provisions of this section of this act.

(e) No indemnity shall be paid to any person in any of the following cases:

1. For any steer or grade bull determined to be a reactor.

2. For any bovine animal brought into a tuberculosis control area, which reacts to a tuberculin test applied within ninety days after arrival of said animal in such area, as provided for in this act, or which was brought into a tuberculosis control area, contrary to any provision of law or rules and regulations of the State or Federal Department of Agriculture.

3 For any reacting bovine animal until the premises, where said animal had been kept, have been cleaned and disinfected by the owner and in a manner approved by an agent of the State or Federal Department of Agriculture

4 For any reacting bovine animal which has not been slaughtered within thirty days after such animal has been appraised as provided in this act.

5. For any reacting bovine animal owned by the United States, State of California, or any county, city, town or township, in the State of California.

No subsequent payment of indemnity shall be made to any person in any of the following cases.

1. Unless the provisions of this act have been fully complied with for each and every bovine animal added to his herd.

2 Unless and until the premises are and have been maintained in a sanitary condition satisfactory to the State or Federal Department of Agriculture.

(f) The pedigree of any purebred bovine animal shall be proved by a certificate of registry from the herd books where registered and said registration papers of any purebred bovine animal slaughtered on account of tuberculosis and for which indemnity is paid shall be marked 'canceled' by the Department of Agriculture.

(g) Each claim against the State for payment in consideration for the slaughter of any reacting bovine animal shall be presented to the State Controller, audited and paid out of appropriations or funds available therefor, in accordance with law.

(h) Whenever the Department of Agriculture shall establish a tuberculosis control area, said department shall issue a proclamation which shall designate the boundaries thereof; and said proclamation shall be published for three successive weeks in a newspaper of general circulation published in such area

SEC 2. Section 12 of the act cited in the title hereof is hereby amended to read as follows:

SEC. 12. No cattle, except as otherwise provided, shall be permitted to enter any tuberculosis control area unless they are accompanied by a tuberculin test certificate, acceptable to the Department of Agriculture issued by a duly authorized veterinarian, showing said cattle to have negatively passed a tuberculin test applied within sixty days if entering from another State, or thirty days if from within the State, prior to the shipping, transporting, or moving of said cattle, and unless the entire herd or herds from which said animals originate are tuberculin tested and the number of animals reacting does not exceed ten per cent of the total number of the herd, and said cattle after arrival in a tuberculosis control area shall be held under supervision and tuberculin retested within ninety days by an agent of the State or Federal Department of Agriculture; provided, that cattle regularly tested and nonreacting in a tuberculosis control area and cattle from State and Federal accredited herds and modified accredited areas may be brought into a tuberculosis control area by permit from the Department of Agriculture, and provided, further, that cattle of beef breeds may be permitted to enter any tuberculosis control area, in accordance with the regulations of the Department of Agriculture, and, provided, further, that in the case of cattle which have been brought into any tuberculosis control area to be sold at public or private sale, the place where the sale is made shall not be construed to be the final destination as defined in this act, but said cattle may be reshipped under permit of the Department of Agriculture, and the destination of

such reshipment shall be considered to be the final destination. A copy of each tuberculin test certificate accompanying cattle, entering any tuberculosis control area, shall be forwarded to the Department of Agriculture on or before the date of shipment or movement, and the forms for such certificates, to be issued for cattle originating within the State, shall be obtained from the Department of Agriculture."

AMENDMENT NUMBER FOUR.

On page 2, line 10, of the printed bill, strike out "Section 1", and insert in lieu thereof "Sec. 3".

AMENDMENT NUMBER FIVE.

On page 2, line 17, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following: "provided, however, that whenever any county is withdrawn from a tuberculosis control area it shall become a provisional tuberculosis control area wherein no indemnity will be paid for reactors to the tuberculin test. In such provisional tuberculosis control area the director shall tuberculin test all cattle the owner or owners of which shall request in writing the tuberculin testing of such cattle.

All reactors found in a provisional tuberculosis control area shall be removed from such area within thirty days after detection."

AMENDMENT NUMBER SIX.

On page 2, line 18, of the printed bill, strike out "Sec. 2", and insert in lieu thereof "Sec. 4".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, between lines 23 and 24, insert the following:

"For the purpose of expediting the necessary testing and checking of cattle shipped into the State and entering tuberculosis control areas, and saving the expense incident to following up cattle after the 30-day period, sections 9 and 12 in the act cited in the title hereof must be amended. These amendments are being made in the Agricultural Code but can not become effective sufficiently soon therein to make possible a saving of several thousands of dollars in special retests under the provisions of the present act."

AMENDMENT NUMBER EIGHT.

On page 2, line 24, of the printed bill, strike out the word "There", and insert in lieu thereof the words "Also, there".

The roll was called, and Senate amendments to Assembly Bill No. 2311 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Dempster, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—58.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and without reference to printer, Assembly Bill No. 2344—An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2344?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 1, 2 and 3, and insert in lieu thereof the following:

"SECTION 1. The sum of sixty-eight thousand eight hundred eighty-two dollars and thirty-one cents is hereby appropriated to be paid as hereinafter described to".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, following line 5, insert the following:

"SEC 2. The sum of sixty-eight thousand eight hundred eighty-two dollars and thirty-one cents shall be paid as follows: fifty-five thousand nine hundred sixty-four dollars and eighty-four cents out of any money in the State treasury not otherwise appropriated; eight thousand eight hundred four dollars and thirteen cents ($8,804 13) out of any money in the highway maintenance fund in the State treasury; two thousand three hundred twenty-four dollars and eleven cents ($2,324 11) out of any money in the fish and game preservation fund in the State treasury; six dollars ($6 00) out of any money in the Pharmacy Board contingent fund in the State treasury; five dollars ($5 00) out of any money in the cosmetology fund in the State treasury; thirty dollars ($30.00) out of any money in the contractor's license fund in the State treasury; three hundred thirty-five dollars and seventy-five cents ($335 75) out of any money in the building and loan inspection fund in the State treasury; one thousand three hundred fifty dollars and forty-nine cents ($1,350.49) out of any money in the San Francisco Harbor improvement fund in the State treasury; fifty-four dollars and eighty-four cents ($54.84) out of any money in the motor vehicle fund in the State treasury; and seven dollars and fifteen cents ($7.15) out of any money in the Board of Medical Examiners contingent fund in the State treasury."

The roll was called, and Senate amendments to Assembly Bill No 2344 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Dempster, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—58.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2376—An act to add a new section to the Agricultural Code, to be numbered 234 5, relating to bovine tuberculosis—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2376?

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following: "provided, however, that whenever any county is withdrawn from a tuberculosis control area it shall become a provisional tuberculosis control area wherein no indemnity will be paid for reactors to the tuberculin test. In such provisional tuberculosis control area the director shall tuberculin test all cattle the owner or owners of which shall request in writing the tuberculin testing of such cattle

All reactors found in a provisional tuberculosis control area shall be removed from such area within thirty days after detection."

The roll was called, and Senate amendment to Assembly Bill No. 2376 was concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Dempster, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine and Mr. Speaker—58.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1727—An act relating to the ownership of real property by indigent persons eligible to receive aid —and respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1727?

AMENDMENT NUMBER ONE

On page 1 of the printed bill, as amended, strike out lines 15 to 18, inclusive, and insert in lieu thereof the following: "counties, when in the judgment of the department or agency administering the aid or relief such person is eligible to receive such aid or relief."

The roll was called, and Senate amendments to Assembly Bill No. 1727 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Utt, West, Woolwine, Wright and Mr. Speaker—61.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2200—An act to amend section 2295a of the Political Code, relating to reports and publications furnished to the State Library—and respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2200?

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, strike out the word "section", and insert in lieu thereof the following: "sections 528 and".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, as amended, following the enacting clause insert the following:

"SECTION 1. Section 528 of the Political Code is hereby amended to read as follows:

528. 1. There must be printed of the laws of each session of the Legislature, two thousand two hundred fifty copies, in English, to be deposited with the Secretary of State, who, after retaining a sufficient number of said volumes for distribution, in accordance with the provisions of section 410 of the Political Code, shall sell the remaining copies at a price to be approved by the State Board of Control, who may authorize the Superintendent of Printing to compile and print any number of additional copies; the moneys thus received to be paid into the State treasury at the end of each month. Whenever any bill, joint or concurrent resolution, is passed to enrollment, by either the Senate or Assembly, the committee on enrollment of the house, in which the bill, joint or concurrent resolution originated, shall transmit the same, without delay, to the Superintendent of State Printing, who shall receipt for all such bills and resolutions, and proceed at once to have the same printed, in the order in which received, in the measure prescribed by law for the Statutes. So soon as printed, one copy, with proper blanks for the signatures of the officers whose duty it is to sign enrolled bills, shall be printed on bond paper, which, together with the engrossed bill, shall be sent to the committee on enrollment of the house in which the bill originated. Said committee shall compare such copy with the engrossed bill,

and if it is found to be correct shall present it to the proper officers for their signatures. When such officials shall have signed their names, thereon, as required by law, it shall be an enrolled bill, and shall be transmitted to the Governor for his approval. If the same is signed by the Governor and becomes a law, the printed law shall go to the Secretary of State and become the official record.

2. Whenever a law is signed by the Governor, official notice shall be forwarded, in writing, to the Superintendent of State Printing of the fact. Upon the receipt of said official notice, the Superintendent of State Printing shall cause to be printed, for the use of the Legislature, two hundred forty copies of said law, joint or concurrent resolution, to be distributed, one-third to the Senate and two-thirds to the Assembly, the sergeant-at-arms of the respective houses to receipt to the Superintendent of State Printing for the same, whose receipt shall be a proper voucher for the work. He shall also cause to be printed the requisite number of sheets to make the number of copies of the statutes required by law to be printed, the one composition of type to answer the purpose of printing the three editions.

The Superintendent of State Printing shall have the Laws, Journals of Senate and Assembly, and the Appendices thereto, properly indexed and bound, the Laws in law buckram binding, and deliver the same to the Secretary of State for distribution as soon as practical after the final adjournment of the Legislature, and the receipt of the Secretary of State shall be his voucher therefor."

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, as amended, strike out the following: "Section 1.", and insert in lieu thereof the following: "Sec. 2."

The roll was called, and Senate amendments to Assembly Bill No 2200 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Utt, West, Woolwine, Wright and Mr. Speaker—61.

NOES—None.

The above reported bill ordered to enrollment.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Robinson, C. Ray: Assembly Concurrent Resolution No. 54—Relative to leaves of absence of the Governor, Lieutenant Governor, and the members of the Senate and Assembly of the fiftieth session of the Legislature of the State of California.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Robinson, C. Ray, asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 54, at this time, without reference to committee or file, and that same be considered engrossed

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FIFTY-FOUR.

Assembly Concurrent Resolution No 54—Relative to leaves of absence of the Governor, Lieutenant Governor, and the members of the Senate and Assembly of the fiftieth session of the Legislature of the State of California

Assembly Concurrent Resolution No. 54 read.

The question being on the adoption of Assembly Concurrent Resolution No. 54.

The roll was called, and Assembly Concurrent Resolution No. 54 adopted by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Utt, West, Woolwine, Wright and Mr. Speaker—61.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 54 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 54.

Relative to leaves of absence of the Governor, Lieutenant Governor, and the members of the Senate and Assembly of the fiftieth session of the Legislature of the State of California.

Resolved by the Assembly, the Senate concurring, That leave of absence from the State of California for a longer period than sixty days, during their term of office, is hereby granted to his excellency James Rolph, Jr, Governor of the State of California; to Frank F. Merriam, Lieutenant Governor of the State of California; and to the following members of the Senate and Assembly of the fiftieth session of the Legislature of the State of California:

Senators: James M. Allen, Arthur H. Breed, David F. Bush, Bradford S. Crittenden, Charles H. Deuel, Leonard Joseph Difani, Walter H. Duval, Nelson T. Edwards, Roy Fellom, Frank L. Gordon, William E. Harper, Ray W. Hays, Ben Hulse, R R Ingels, J. M. Inman, Chris N. Jespersen, Herbert C. Jones, Charles King, John B McColl, Thomas McCormack, J. W. McKinley, Frank W. Mixter, John L. Moran, Harry L. Parkman, Harry A. Perry, A. L. Pierovich, Harold J. Powers, Charles F. Reindollar, W. P. Rich, Joseph Riley, Andrew R. Schottky, Jerrold L Seawell, Will R. Sharkey, Herbert W. Slater, Bert B. Snyder, Edgar W. Stow, Ralph E. Swing, Edward H. Tickle, J. I. Wagy, and Dan E. Williams.

Assemblymen: Hobart R. Alter, Clifford C. Anglim, Willard E. Badham, George R. Bliss, George B. Bowers, James J. Boyle, A. E. Brock, Michael J. Burns, Bert V. Callahan, James M. Cassidy, Ford A. Chatters, F. C. Clowdsley, Lawrence Cobb, C C. Cottrell, Edward Craig, Frank Lee Crist, Melvyn I. Cronin, Ernest C. Crowley, Charles W. Dempster, Herbert J. Evans, B J Feigenbaum, C. Don Field, Charles W. Fisher, J. E. Frazier, Joseph P. Gilmore, Sam M Greene, Charles W. Grubbs, Herbert S Hallner, Ira S. Hatch, William W. Hoffman, William B. Hornblower, Charles A. Hunt, Wm. Moseley Jones, Clifford R. Kallam, Cecil R King, William F. Knowland, E. V. Latham, Edgar C. Levey, Walter J. Little, Charles W. Lyon, Thomas A. Maloney, Frank G. Martin, Jesse M. Mayo, J. J. McBride, John D. McCarthy, Patrick J. McMurray, Henry P. Meehan, Maurice S. Meeker, Eleanor Miller, James A. Miller, Albert H. Morgan, Jr., Roy J. Nielsen, James O'Connor, John H. O'Donnell, Ellis E. Patterson, Frederick Peterson, John P. Phillips, Lucius Powers, Jr., John T. Rawls, Kent H. Redwine, Harry B. Riley, Frederick M. Roberts, C Ray Robinson, Samuel E Robinson, Frank J Rogers, Eugene W. Roland, Hubert B. Scudder, Bruce R. Stannard Charles W. Stream, Walter H. Sullivan, James E. Thorp, Austin L Tournoux, Rodney L. Turner, James B. Utt, Percy G West, Ray Williamson, Clare Woolwine, Frank W. Wright and E H. Zion

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Concurrent Resolution No. 51—Relative to public information concerning the plan for the revision of the tax system of the State as embodied in Senate Constitutional Amendment No. 30—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

FEIGENBAUM, Chairman

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 51, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FIFTY-ONE.

Assembly Concurrent Resolution No. 51—Relative to public information concerning the plan for the revision of the tax system of the State as embodied in Senate Constitutional Amendment No. 30.

Assembly Concurrent Resolution No. 51 read.

The question being on the adoption of Assembly Concurrent Reso lution No. 51.

The roll was called, and Assembly Concurrent Resolution No. 51 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—Robinson, C. Ray—1.

Title read and approved.

Assembly Concurrent Resolution No. 51 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 51

Relative to public information concerning the plan for the revision of the tax system of the State as embodied in Senate Constitutional Amendment No. 30.

WHEREAS, The Legislature of the State of California at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of all of the members elected to each of the two houses of said Legislature voting in favor thereof, has proposed to the people of the State of California, that the Constitution of said State be amended as set forth in Senate Constitutional Amendment No. 30; and

WHEREAS, Said Senate Constitutional Amendment No. 30 involves matters of public policy of great importance in the system of revenue and taxation employed in this State; and

WHEREAS, Owing to the emergency confronting this State in revenue matters, it is proposed to submit said amendment to the people of this State for their approval and ratification at a special election to be held prior to July 1, 1933; and

WHEREAS, It is of vital importance that the people of the State have full opportunity to acquaint themselves with such proposal within the next forty-five days; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That the Legislature do hereby request the State Controller and the members of the State Board of Equalization and their respective staffs to arrange for and attend public meetings throughout the State during the period preceding such special election for the purpose of then and there explaining to the people the proposals involved in said Senate Constitutional Amendment No 30 and of answering such questions as may be raised pertaining thereto; and be it further

Resolved, That said officials be requested to attend such meetings for the purpose of such explanation concerning said constitutional amendment as a part of their official duty as revenue officers of this State; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to transmit a copy of this resolution to the State Controller and to the chairman of the State Board of Equalization.

RESOLUTION.

The following resolution was offered:

By Mr. Phillips:

RESOLUTION.

Resolved, That the Controller be and is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amount of money set opposite the respective name, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Hart's Lunch, Incorporated, lunch served members.....$48 15

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—68.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Mr. Craig:

WHEREAS, The current period of economic instability has caused an increase in small loans; and

WHEREAS, The proper legislation should be enacted to protect both the lender and the borrower; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee of three members of the Assembly, to be appointed by the Speaker thereof, be appointed to make a survey and to investigate all problems in connection with the making of small loans, with particular regard to legislation that should be considered at the fifty-first session of the Legislature during the session beginning in January, 1935; and be it further

Resolved, That said committee shall proceed to organize by the election of one of its members as chairman and by the election of a secretary and shall proceed with such survey and investigation in such manner as may be determined by the committee; and be it further

Resolved, That said committee is hereby authorized to hold public hearings at any place in the State of California at which hearings the people shall have opportunity to present their views to the committee; and be it further

Resolved, That said committee is hereby authorized and empowered to do all things necessary to make a full and complete investigation of the matters herein referred to and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpenas and to compel the attendance of witnesses and to procure testimony. Each of the members of said committee is hereby authorized to administer oaths and all the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code of the State, relative to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution. Said committee may sit during the sessions of the Legislature, during the recesses thereof and during the interval between sessions; and be it further

Resolved, That said committee shall report and make recommendations to the fifty-first session of the Legislature during the session commencing in January, 1935 before the constitutional recess thereof; and be it further

Resolved That the committee in order to make a comprehensive investigation of this problem, may accept donations from philanthropic persons, foundations and others interested in the survey and investigation, and shall expend such donations in carrying out the purposes hereof.

The question being on the adoption of the resolution

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Dempster, Evans, Fisher, Grubbs, Hallner, Hatch, King, Knowland, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Woolwine, Wright, Zion and Mr. Speaker—51.

NOES—Brock, Burns, Cassidy, Crowley, Feigenbaum, Hoffman, Hunt, Jones, Latham, Roland and West—11.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Craig, Lyon and Cronin as such select committee.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Further proceedings under the call of the House were dispensed with, on motion of Mr Robinson, C. Ray.

The roll of absentees was called, and Senate Concurrent Resolution No. 37 was adopted by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Chatters, Cobb, Cottrell, Craig, Dempster, Evans, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C Ray, Robinson, Samuel E, Roland, Scudder, Stannard, Stream, Sullivan, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—55.

NOES—Anglim, Boyle, Cassidy, Clowdsley, Cronin, Crowley, Feigenbaum, Hunt, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Rogers, Thorp and Tournoux—16.

Title read and approved.

Senate Concurrent Resolution No. 37 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No 37.

Relative to special joint rules for the fiftieth session of the Legislature

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the following be adopted as a special joint rule of the two houses of the Legislature for its fiftieth session:

MOTIONS TO RECONSIDER

1 Unless this rule is suspended by a vote of two-thirds of the members of the house considering a bill, any motion to reconsider a bill must be determined by the house reconsidering such bill on or before May 12, 1933, and be it further

Resolved, That the rule herein set forth shall supersede and take precedence over any of the joint rules or of any of the rules of either the Senate or Assembly of the fiftieth session of the Legislature in so far as said rules conflict with the rule herein set forth.

RECESS.

At three o'clock and thirty-seven minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess.

REASSEMBLED.

At three o'clock and thirty-eight minutes p m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 867—An act providing for the regulation, use, storage, and type of State-owned motor vehicles by the Board of Control and the placing of the State seal on each vehicle, relating to the use of publicly-owned vehicles and providing a penalty for violation thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 124—An act to amend sections 3.480, 3.482 and 3.806 and add a new section 3.808 of the School Code, relating to tuition charges.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 832—An act to add section 491 to the Vehicle Code, relating to reports on vehicle accidents.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 142—An act to add a new section to the Political Code, to be numbered 737, relating to salaries of judges.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 814—An act to amend section 5.21 of the School Code, relating to the duties and powers of the State Director of Education.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2383—An act to amend section 3369 of the Civil Code, relating to specific and preventive relief;

Also: Assembly Bill No. 2384—An act to amend section 654a of the Penal Code, prohibiting false advertising and the misleading use of comparative prices.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 889—An act to amend section 685 of the Code of Civil Procedure, relating to execution of judgments—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 889?

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, after "reasons", insert the following. "as".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, after "sufficient", insert a comma and the following. "shall be".

The roll was called, and Senate amendments to Assembly Bill No. 889 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Woolwine, Zion and Mr Speaker—55

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2145—An act to

amend sections 93, 94 and 95 of the Vehicle Code, relating to members of the California Highway Patrol—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2145?

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, as amended, strike out the words "assistant chief".

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, as amended, strike out the words "assistant chief".

AMENDMENT NUMBER THREE.

On page 1, line 21, of the printed bill, as amended, strike out the letter "a", first appearing in the line, and insert "the next".

AMENDMENT NUMBER FOUR

On page 1 of the printed bill, as amended, strike out lines 1 and 2, of the title, and insert in lieu thereof the following:

"An act to amend section 360c of the Political Code, relating to the California Highway Patrol."

AMENDMENT NUMBER FIVE

On page 1 of the printed bill, as amended, strike out lines 1 to 23, inclusive, and strike out all of page 2 thereof, and insert in lieu thereof the following:

"SECTION 1. Section 360c of the Political Code is hereby amended to read as follows:

360c. (a) The Division of Enforcement, to be known as the California Highway Patrol, shall be conducted under the control of a chief of said division to be known as the Chief of the California Highway Patrol. The Chief of the California Highway Patrol shall be appointed by and hold office at the pleasure of the director, subject to the approval of the Governor, and shall receive an annual salary of seven thousand two hundred dollars. Before entering upon the duties of his office, the Chief of the California Highway Patrol shall execute an official bond to the State of California in the penal sum of twenty-five thousand dollars.

(b) The Chief of the California Highway Patrol with the approval of the director may appoint one assistant chief and such deputy chiefs of the California Highway Patrol as may be necessary. The assistant chief shall serve at the pleasure of the Chief of the California Highway Patrol and his salary and the salaries of the deputy chiefs shall be fixed by the director, with the approval of the Department of Finance. The Chief of the California Highway Patrol may appoint a secretary and a stenographer whose salaries shall be fixed by the director, with the approval of the Department of Finance. The positions of assistant chief and secretary as may be necessary are hereby declared to be exempt from the provisions of the Civil Service Law. The chief and assistant chief of the California Highway Patrol shall succeed to and be vested with all the duties, responsibilities, powers and jurisdiction and shall exercise all powers and jurisdiction of the superintendent and assistant superintendent of the California Highway Patrol.

(c) The Chief of the California Highway Patrol, with the approval of the director, shall appoint, in accordance with the provisions of the Civil Service Act, all necessary inspectors, deputy chiefs, captains, traffic officers, traffic clerks, and other employees, for the purpose of enforcing the provisions of the California Vehicle Act, with such salaries as may be fixed by the director, with the approval of the Department of Finance.

All members and employees of the patrol holding their positions under civil service rating on the day this act takes effect shall retain their civil service status. Such specialized positions as shall be designated by the Chief of the California Highway Patrol with the approval of the director and the Civil Service Commission, shall be filled from open competitive examinations held pursuant to the Civil Service Laws.

(d) The Director of the Department of Motor Vehicles, the chief, assistant chief and deputy chiefs of the California Highway Patrol, and the inspectors, captains and traffic officers as provided herein shall constitute the California Highway Patrol and are hereby vested with the authority of peace officers for the purpose of enforcing the provisions of the California Vehicle Act in any part of the State, and shall also have the power of serving warrants relating to the enforcement of the provisions of the California Vehicle Act, issued by any court of this State in any portion thereof.

(e) The division shall in counties having charters, other than counties of the first and second class, and may from time to time, in such localities of the State, as it shall deem most suitable, establish headquarters or substations for the efficient per-

formance of the duties of the California Highway Patrol and for that purpose may lease or purchase lands and buildings.

(f) The division is hereby authorized to:

(1) Establish a school for the training and education of the members of the California Highway Patrol in traffic regulation, their duties and the proper enforcement of the California Vehicle Act.

(2) Create districts within the State in the organization of the California Highway Patrol.

(3) Adopt rules covering the policy, procedure, regulation and administration of all activities of the California Highway Patrol.

(g) The division shall issue to each member of the California Highway Patrol a badge of authority with the words "California Highway Patrol" encircling the same, the Seal of the State of California in the center thereof, and below the designation of the office held by each member thereof.

No badge shall be issued by the Director of the Department of Motor Vehicles, chief of the patrol or any other person to any person who is not a duly authorized employee and acting member of the California Highway Patrol.

(h) Any person who without authority wears the badge of a member of the California Highway Patrol or a badge of similar design which would tend to deceive anyone shall be guilty of a misdemeanor.

(i) Any person who impersonates a member of the California Highway Patrol with the intention to deceive anyone shall be guilty of a misdemeanor.

(j) Applicants for examination for captains, traffic officers, and traffic clerks, shall be limited to citizens of the United States who shall have for at least one year immediately preceding the date of any such examination maintained a bona fide residence within one of the counties in which the highway patrol is established

When appointments are to be made of inspectors, captains, traffic officers and clerks, to serve in any county of the State, the board of supervisors of such county shall be notified by the division of such contemplated appointments and thereupon the said board of supervisors shall submit to the division a list of names of proposed captains, traffic officers, and clerks. No person shall be eligible for any such appointment unless he shall have been a resident of the county in which he is to serve at least six months prior to the date of his appointment Such persons shall be required to take an examination in accordance with the Civil Service Act and appointments shall be made from the eligible list resulting from said examination. If any board of supervisors should fail or refuse to submit a list of names for such appointments and examination, the division shall submit a list of names to the Civil Service Commission for examination; and appointments by the Chief of the California Highway Patrol, subject to the approval of the Director of Motor Vehicles, shall be made from the eligible lists, resulting from said examination Every supervising inspector, assistant supervising inspector, district inspector, inspector, captain, sergeant, traffic officer and traffic clerk duly appointed hereunder, must serve a probationary period of one year and if, upon the expiration thereof, he retains his position, he shall acquire permanent civil service status. All such officers shall be rated as to efficiency by the Chief of the California Highway Patrol in accordance with the Civil Service Laws. All appointments to the grades of supervising inspector, assistant supervising inspector, district inspector, inspector, captain and sergeant shall be made from eligible lists resulting from promotional examinations; provided, however, that promotions shall be made from the next lower grade No officer shall be a candidate for promotional examination until he has served the probationary period of one year in the next lower grade; provided, that any officer holding a position under temporary authorization on January 1, 1933, who has had permanent civil service status in any lower grade or any officer who now holds and for more than one year prior to the effective date of this enactment has continuously held a position under temporary authorization, although having no civil service status, may be a candidate for promotional examination for his present position. For the purpose of recruiting, the grade of assistant supervising inspector shall be considered on a par with that of district inspector, the grade of inspector shall be considered on a par with that of captain, and the grade of sergeant shall be considered on a par with that of traffic officer. Whenever any civil service position of promotional grade is abolished, eliminated, or made unnecessary, the member of the California Highway Patrol holding such position shall, upon the termination of such position, be assigned to a position in the next lower grade with the civil service standing, rank and salary of such lower grade. The specific position to which such officer shall be assigned in the next lower grade shall be that occupied by the officer in said lower grade having the lowest efficiency rating. Any officer so assigned to a position in a lower grade shall, without further examination, be given preference for a position of the same or equal grade to the one he formerly held, should the abolished position or position of equal grade be reestablished or established.

The chief of the division whenever in his opinion an emergency in the enforcement of this act exists, is hereby authorized to assign the members of the "California Highway Patrol" for service in any portion of the State; provided, however, that

no member of the "California Highway Patrol" appointed to serve in any county shall be assigned for service outside said county for a longer period than one week, without the consent of the board of supervisors of that county.

(k) In appointing prior to December 31, 1933, members of the California Highway Patrol to serve in any county in which is maintained a traffic patrol at the time this amendment takes effect, the Chief of the California Highway Patrol, subject to the approval of the Director of Motor Vehicles, upon requisition of the board of supervisors of that county may appoint the traffic officers of such county who have held their positions as such, for one year previous to the date of such appointment. Members so appointed under this subdivision holding their positions after the expiration of a probationary period of one year shall automatically acquire permanent civil service status without examination and shall be rated as to efficiency by the Chief of the California Highway Patrol in accordance with the terms of this act.

(l) The chief of the division shall make adequate provision for the patrol of the highways both day and night.

(m) Members of the California Highway Patrol guilty of any of the offenses or violations set forth in section 14 of the Civil Service Act, or the rules and regulations of the Division of Enforcement, shall be subject to the penalties set forth in said section 14 of the Civil Service Act, after trial and hearing by a trial board of three officers of equal or superior rank, who shall be designated as such by the Chief of the Division of Enforcement.

(n) Members of the California Highway Patrol shall not be subject to the penalties set forth in section 14 of the Civil Service Act until after a fair and impartial trial before the trial board upon a verified complaint filed with such board setting forth specifically the acts complained of, and after such reasonable notice to them as to the time and place of hearing as such board may, by rule, prescribe. The hearing shall be held at a place to be designated by the chief of the division within the county in which the offense charged is alleged to have been committed. The accused shall be entitled, upon hearing, to appear personally or with counsel and to have a public trial.

(o) The findings of the trial board shall be submitted to the Chief of the Division of Enforcement for his decision, and such decision, when approved by the Civil Service Commission, shall be final."

The roll was called, and Senate amendments to Assembly Bill No. 2145 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—55

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 155—An act relating to the use and furnishing of stamps, coupons, tickets, can covers, bottle caps or other similar devices, for or with the sale of goods, wares or merchandise and the giving of gifts, premiums or bonuses in connection with or as part of the sale of goods, wares or merchandise and providing a penalty for violation thereof—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SOHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 155?

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended, between lines 39 and 40 on said page, insert the following:

"SEC. 2. This act shall not apply to or prevent a manufacturer's or merchant's use of his own stamps, premium coupons or tokens, or of the stamps, premium coupons or tokens of any manufacturers' or merchants' association of which such manufacturer or merchant is a member; which stamps, premium coupons or tokens are directly redeemable for cash, or merchandise or service to the consumer by the manu-

facturer or merchant, or by the manufacturers' or merchants' association of which the manufacturer or merchant using such stamps, premium coupons or tokens is a member."

AMENDMENT NUMBER TWO.

On page 2 of the printed, amended bill, strike out all of lines 10 to 19, both inclusive.

The roll was called, and Senate amendments to Assembly Bill No. 155 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—55

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2273—An act to amend section 737aa of the Political Code, relating to compensation of the judge of the superior court in and for the county of Monterey—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2273?

AMENDMENT NUMBER ONE.

On page 1, lines 5 and 6, of the printed bill, after the word "is", in line 5, strike out the words "seven thousand four hundred", and insert in lieu thereof the words "six thousand"

AMENDMENT NUMBER TWO.

On page 1, lines 5 and 6, of the printed bill, after the word "is", in line 5 strike out the words "six thousand", and insert in lieu thereof the words "seven thousand four hundred".

The roll was called, and Senate amendments to Assembly Bill No 2273 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Maloney, Martin, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Woolwine, Zion and Mr. Speaker—55.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 400—An act to add a new section to the Political Code, to be numbered 3714b, relating to annual financial estimates from special tax and assessment districts—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 400?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 400 by the following vote:

AYES—Cassidy, Fisher, Frazier and Knowland—4.
NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Evans, Gilmore, Greene, Hatch, Hoffman, Hunt, Jones, Kallam, King, Latham, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Turner, Utt and Woolwine—52.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE

The Speaker announced the appointment of Messrs Fisher, Craig and Roland, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No 400.

MOTION TO EXPUNGE RECORD.

Mr. Peterson moved that the action whereby the Assembly concurred in Senate amendments to Assembly Bill No. 2145 be rescinded and that the record thereof be expunged

Motion carried.

CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NUMBER TWO THOUSAND ONE HUNDRED FORTY-FIVE.

Assembly Bill No 2145—An act to amend sections 93, 94 and 95 of the Vehicle Code, relating to members of the California Highway Patrol.

The question being put· Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2145?

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, as amended, strike out the words "assistant chief".

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, as amended, strike out the words "assistant chief".

AMENDMENT NUMBER THREE

On page 1, line 21, of the printed bill, as amended, strike out the letter "a", first appearing in the line, and insert "the next".

AMENDMENT NUMBER FOUR

On page 1 of the printed bill, as amended, strike out lines 1 and 2, of the title, and insert in lieu thereof the following:

"An act to amend section 360c of the Political Code, relating to the California Highway Patrol."

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, as amended, strike out lines 1 to 23, inclusive, and strike out all of page 2 thereof and insert in lieu thereof the following·

"SECTION 1. Section 360c of the Political Code is hereby amended to read as follows:

360c. (a) The Division of Enforcement, to be known as the California Highway Patrol, shall be conducted under the control of a chief of said division to be known as the Chief of the California Highway Patrol The Chief of the California Highway Patrol shall be appointed by and hold office at the pleasure of the director, subject to the approval of the Governor, and shall receive an annual salary of seven thousand two hundred dollars. Before entering upon the duties of his office, the Chief of the California Highway Patrol shall execute an official bond to the State of California in the penal sum of twenty-five thousand dollars.

(b) The Chief of the California Highway Patrol with the approval of the director may appoint one assistant chief and such deputy chiefs of the California Highway Patrol as may be necessary. The assistant chief shall serve at the pleasure of the Chief of the California Highway Patrol and his salary and the salaries of the deputy chiefs shall be fixed by the director, with the approval of the Department of Finance. The Chief of the California Highway Patrol may appoint a secretary and a stenographer whose salaries shall be fixed by the director, with the approval of the Department of Finance. The positions of assistant chief and secretary as may be necessary

are hereby declared to be exempt from the provisions of the Civil Service Law. The chief and assistant chief of the California Highway Patrol shall succeed to and be vested with all the duties, responsibilities, powers and jurisdiction and shall exercise all powers and jurisdiction of the superintendent and assistant superintendent of the California Highway Patrol.

(c) The Chief of the California Highway Patrol, with the approval of the director, shall appoint, in accordance with the provisions of the Civil Service Act, all necessary inspectors, deputy chiefs, captains, traffic officers, traffic clerks, and other employees, for the purpose of enforcing the provisions of the California Vehicle Act, with such salaries as may be fixed by the director, with the approval of the Department of Finance

All members and employees of the patrol holding their positions under civil service rating on the date this act takes effect shall retain their civil service status Such specialized positions as shall be designated by the Chief of the California Highway Patrol with the approval of the director and the Civil Service Commission, shall be filled from open competitive examinations held pursuant to the Civil Service Laws

(d) The Director of the Department of Motor Vehicles, the chief, assistant chief and deputy chiefs of the California Highway Patrol, and the inspectors, captains and traffic officers as provided herein shall constitute the California Highway Patrol and are hereby vested with the authority of peace officers for the purpose of enforcing the provisions of the California Vehicle Act in any part of the State, and shall also have the power of serving warrants relating to the enforcement of the provisions of the California Vehicle Act, issued by any court of this State in any portion thereof.

(e) The division shall in counties having charters, other than counties of the first and second class, and may from time to time, in such localities of the State, as it shall deem most suitable, establish headquarters or substations for the efficient performance of the duties of the California Highway Patrol and for that purpose may lease or purchase lands and buildings.

(f) The division is hereby authorized to:

(1) Establish a school for the training and education of the members of the California Highway Patrol in traffic regulation, their duties and the proper enforcement of the California Vehicle Act.

(2) Create districts within the State in the organization of the California Highway Patrol.

(3) Adopt rules covering the policy, procedure, regulation and administration of all activities of the California Highway Patrol.

(g) The division shall issue to each member of the California Highway Patrol a badge of authority with the words "California Highway Patrol" encircling the same, the seal of the State of California in the center thereof, and below the designation of the office held by each member thereof.

No badge shall be issued by the Director of the Department of Motor Vehicles, chief of the patrol or any other person to any person who is not a duly authorized employee and acting member of the California Highway Patrol.

(h) Any person who without authority wears the badge of a member of the California Highway Patrol or a badge of similar design which would tend to deceive anyone shall be guilty of a misdemeanor.

(i) Any person who impersonates a member of the California Highway Patrol with intention to deceive anyone shall be guilty of a misdemeanor.

(j) Applicants for examination for captains, traffic officers, and traffic clerks, shall be limited to citizens of the United States who shall have for at least one year immediately preceding the date of any such examination maintained a bona fide residence within one of the counties in which the highway patrol is established.

When appointments are to be made of inspectors, captains, traffic officers and clerks, to serve in any county of the State, the board of supervisors of such county shall be notified by the division of such contemplated appointments and thereupon the said board of supervisors shall submit to the division a list of names of proposed captains, traffic officers, and clerks. No person shall be eligible for any such appointment unless he shall have been a resident of the county in which he is to serve at least six months prior to the date of his appointment. Such persons shall be required to take an examination in accordance with the Civil Service Act and appointments shall be made from the eligible list resulting from said examination If any board of supervisors should fail or refuse to submit a list of names for such appointments and examination, the division shall submit a list of names to the Civil Service Commission for examination; and appointments by the Chief of the California Highway Patrol, subject to the approval of the Director of Motor Vehicles, shall be made from the eligible lists, resulting from said examination Every supervising inspector, assistant supervising inspector, district inspector, inspector, captain, sergeant, traffic officer and traffic clerk duly appointed hereunder, must serve a probationary period of one year and if, upon the expiration thereof, he retains his position, he shall acquire permanent civil service status. All such officers shall be rated as to efficiency by the Chief of the California Highway Patrol in accordance with the Civil Service Laws All appointments to the grades of supervising inspector, assistant supervising inspector,

district inspector, inspector, captain and sergeant shall be made from eligible lists resulting from promotional examinations; provided, however, that promotions shall be made from the next lower grade. No officer shall be a candidate for promotional examination until he has served the probationary period of one year in the next lower grade; provided that any officer holding a position under temporary authorization on January 1, 1933, who has had permanent civil service status in any lower grade or any officer who now holds and for more than one year prior to the effective date of this enactment has continuously held a position under temporary authorization, although having no civil service status may be a candidate for promotional examination for his present position. For the purpose of recruiting, the grade of assistant supervising inspector shall be considered on a par with that of district inspector, the grade of inspector shall be considered on a par with that of captain, and the grade of sergeant shall be considered on a par with that of traffic officer Whenever any civil service position of promotional grade is abolished, eliminated, or made unnecessary, the member of the California Highway Patrol holding such position shall, upon the termination of such position, be assigned to a position in the next lower grade with the civil service standing, rank and salary of such lower grade. The specific position to which such officer shall be assigned in the next lower grade shall be that occupied by the officer in said lower grade having the lowest efficiency rating. Any officer so assigned to a position in a lower grade shall, without further examination, be given preference for a position of the same or equal grade to the one he formerly held, should the abolished position or position of equal grade be reestablished or established.

The chief of the division whenever in his opinion an emergency in the enforcement of this act exists, is hereby authorized to assign the members of the "California Highway Patrol" for service in any portion of the State, provided, however, that no member of the "California Highway Patrol" appointed to serve in any county shall be assigned for service outside said county for a longer period than one week, without the consent of the board of supervisors of that county.

(k) In appointing prior to December 31, 1933, members of the California Highway Patrol to serve in any county in which is maintained a traffic patrol at the time this amendment takes effect, the Chief of the California Highway Patrol, subject to the approval of the Director of Motor Vehicles, upon requisition of the board of supervisors of that county may appoint the traffic officers of such county who have held their positions as such, for one year previous to the date of such appointment. Members so appointed under this subdivision holding their positions after the expiration of a probationary period of one year shall automatically acquire permanent civil service status without examination and shall be rated as to efficiency by the Chief of the California Highway Patrol in accordance with the terms of this act.

(l) The chief of the division shall make adequate provision for the patrol of the highways both day and night.

(m) Members of the California Highway Patrol guilty of any of the offenses or violations set forth in section 14 of the Civil Service Act, or the rules and regulations of the Division of Enforcement, shall be subject to the penalties set forth in said section 14 of the Civil Service Act, after trial and hearing by a trial board of three officers of equal or superior rank, who shall be designated as such by the Chief of the Division of Enforcement.

(n) Members of the California Highway Patrol shall not be subject to the penalties set forth in section 14 of the Civil Service Act until after a fair and impartial trial before the trial board upon a verified complaint filed with such board setting forth specifically the acts complained of, and after such reasonable notice to them as to the time and place of hearing as such board may, by rule, prescribe. The hearing shall be held at a place to be designated by the chief of the division within the county in which the offense charged is alleged to have been committed The accused shall be entitled, upon hearing, to appear personally or with counsel and to have a public trial

(o) The findings of the trial board shall be submitted to the Chief of the Division of Enforcement for his decision, and such decision, when approved by the Civil Service Commission, shall be final."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2145 by the following vote:

AYES—Cottrell, Kallam, Rawls and Robinson, C. Ray—4.

NOES—Anglim, Badham, Bliss, Bowers, Brock, Callahan, Chatters, Clowdsley, Craig, Cronin, Crowley, Evans, Frazier, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Redwine, Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Utt, West, Woolwine, Zion and Mr. Speaker—49.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Peterson, Cottrell and McBride, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 2145.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Anglim:

HON. EDWARD CRAIG: The following resolution was unanimously adopted by the stenographers of the Assembly in regular session assembled:

WHEREAS, The fiftieth session of the Legislature of the State of California is drawing to a close; and

WHEREAS, When the session first started there was a big demand for employment from the many stenographers out of work in California; and

WHEREAS, The selecting of the stenographers for the Assembly of the State of California was under the jurisdiction of the Committee on Attaches with the Honorable Assemblyman Edward Craig, chairman; and

WHEREAS, The genial smile and winning ways of our chairman made him a fit person for the selection of beauty and efficiency; and

WHEREAS, This kind-hearted, graceful dancer, using good judgment, as he always does, saw fit to employ the undersigned; therefore, be it

Resolved, That we, the stenographers of the Assembly of the State of California, do hereby extend to Mr. Craig our sincere thanks and appreciation for the many courtesies extended to us during the trying hours of this session of the Legislature; and be it further

Resolved, That each and every one of us, using this resolution as a personal message to him, do convey to him our best wishes for a happy and successful future; and be it further

Resolved, That the next time there is an Attache Ball that we hope and trust that each and every one of us will have the pleasure of being embraced in his arms so that we may be able to whisper in his ear the thoughts we dare not express in this resolution

MADGE CROSS
RAE CUNNINGHAM.
MARY C FLYNN.
IRMA EUBANKS.
BETTY LAWSON.
BESSE GOLZE.
DOROTHY ATKINS.
CRISTEL HASTINGS.
BEULAH VAN WART.
HELEN CARPENTER
FRANCES GENTRY.
MARGARET CHENU.
MADALINE HOPPIN.
MYRTLE DWYER
NANCY SWANSON
JUANITA DEPENDENER
ARDENE BOURNE.
DOROTHY JESSUP.
BEATRICE RAE.
MARGARETTA FLEMING
MAY GILMORE.
EFFIE COPE.
MARION OLSEN.
ANNE RIELAND.
EDYTHE GATES.

Resolution read, and ordered referred to Mr. Craig.

By Mr. Roland:

Resolved by the Assembly, That a committee of three members be appointed by the Speaker of the Assembly to investigate and report on the matter of legislative printing; and, be it further

Resolved, That the committee proceed to organize, by the election of one of its members as chairman and by the appointment of a secretary, and that it proceed with the accomplishment of the acts authorized and required by this resolution; and, be it further

Resolved, That the committee is hereby authorized to hold hearings at any place in this State, at which hearings the people shall have an opportunity to present their views to the committee with reference to any suggested change under consideration by the committee; and, be it further

Resolved, That the committee is hereby authorized to do any and all things necessary to make a full and complete investigation of the matter of legislative printing; to require the production of books, documents, records and papers of any kind; to issue subpenas, to compel the attendance of witnesses, and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all of the provisions of Article VII, Chapter 8, Title I, of Part III of the Political Code, relating to the attendance of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution and

the committee shall submit its report to the Legislature of this State during the next session thereof; and, be it further

Resolved, That the sum of $500 is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly for the purpose of paying the expenses incurred by the committee and the members thereof under the authority of this resolution; and, be it further

Resolved, That the members and secretary of the committee shall receive no salaries as members but shall receive their necessary expenses incurred in the performance of the duties placed upon them by this resolution, these expenses to be paid, as all other expenses of the committee, by Controller's warrants to be drawn against the Assembly contingent fund, from the moneys above set apart, upon the written order of the chairman of the committee.

The question being on the adoption of the resolution.

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Cronin, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Roland, Scudder, Stream, Thorp, Turner, Woolwine, Wright, Zion and Mr. Speaker—50.

NOES—Hunt, Rawls, Rogers and Stannard—4.

By Messrs. Nielsen, Clowdsley, Crist, Phillips, Bowers, Stannard, Chatters, Patterson, Scudder, Bliss, Craig, Cronin, Little and O'Donnell:

WHEREAS, On the twentieth day of March, 1933, the Congress of the United States adopted an act entitled "An act to maintain the credit of the United States government"; and

WHEREAS, Such act conferred on the President of the United States certain limited authority to modify veteran's relief legislation; and

WHEREAS, On or about the first day of April, 1933, the President of the United States, acting pursuant to provisions of said act, issued and promulgated regulations to take effect July 1, 1933, reducing allowances to veterans; and

WHEREAS, It would appear that such regulations if not modified will affect many veterans residing in California who, because of disability or infirmity are unable to obtain gainful employment; and

WHEREAS, The allowances to many such veterans have been reduced to a point below the subsistence level, necessarily resulting in their becoming charges upon the State, county and city in which they reside; now, therefore, be it

Resolved by the Assembly of the State of California, That the President of the United States is hereby respectfully urged to consider modification of the regulations heretofore issued by him on or about April 1, 1933, to the end that allowances heretofore awarded to veterans unable to work may not be reduced to a point below subsistence level, and that particular consideration be given in the case of veterans having disabilities arising directly out of war service; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed forthwith to transmit copies of this resolution to the President of the United States.

The question being on the adoption of the resolution.

Resolution adopted.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1933.

MR SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 1974—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission—reports that it has met a like committee of the Senate, consisting of Senators Riley, Swing and Allen, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, as amended, strike out "seven", and insert in lieu thereof the following: "five".

AMENDMENT NUMBER TWO.

On page 1, lines 6 and 7, of the printed bill, as amended, strike out "with the consent of the Senate".

AMENDMENT NUMBER THREE

On page 1, line 7, of the printed bill, as amended, strike out "three", and insert in lieu thereof the following: "two".

AMENDMENT NUMBER FOUR.

On page 1, line 9, of the printed bill, as amended, strike out "four", and insert in lieu thereof the following: "three".

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, as amended, strike out lines 11 to 22, inclusive, and on page 2 of the printed bill, as amended, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following: "vacancy shall be filled for a term of four years. Three members of the commission shall always be selected from counties outside the counties or cities and counties of San Francisco, Alameda and Los Angeles."

SCUDDER,
O'DONNELL,
EVANS,
Assembly Committee on Free Conference.

RILEY,
SWING,
ALLEN,
Senate Committee on Free Conference.

The question being on the adoption of the report.

MOTION TO LAY ON TABLE.

Mr. Fisher moved that the report of the committee be laid on the table.

Motion carried.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 1—An act to amend section 737a of the Political Code, relating to the salaries of judges of the superior court, Alameda County—reports that it has met a like committee of the Senate, consisting of Senators Breed, Slater and McCormack, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate recede from the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

"SECTION 1. Section 737a of the Political Code is hereby amended to read as follows:

737a. The annual salary of each of the judges of the superior court in and for the county of Alameda is eight thousand four hundred dollars."

HORNBLOWER,
COBB,
ROLAND,
Assembly Committee on Free Conference.

BREED,
McCORMACK,
SLATER,
Senate Committee on Free Conference.

The question being on the adoption of the report.

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Evans, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Wright and Mr. Speaker—61.

NOES—None.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference appointed to consider Assembly Bill No. 1—An act to amend section 737a of the Political Code, relating to the salaries of judges of the superior court, Alameda County.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

UNFINISHED BUSINESS.

Assembly Bill No. 562—An act to amend section 3897 of and to add section 3774 to the Political Code, relating to the holding, leasing and sale of lands to which the State or any political subdivision or agency of the State holds title through sale and deed on account of delinquent taxes or assessments.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 562?

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, as amended, after "lowing", insert the following: "; provided that the tax collector shall not proceed with the sale of any land within any political subdivision or taxing agency which has taken title to said land, if the governing body of said subdivision or agency shall file with the tax collector and the board of supervisors certified copies of a resolution adopted by such governing body objecting to such sale".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, as amended, strike out line 18, and insert in lieu thereof the following: "office nearest the land. In addition to such publication or posting a copy of the notice shall be conspicuously".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended, strike out line 19, and insert in lieu thereof the following: "posted on the land itself. Such publication and posting must be completed not less than three weeks prior to the sale. Such".

AMENDMENT NUMBER FOUR.

On page 2, line 2, of the printed bill, as amended, after "assessed", insert the following: "on the county assessment roll".

AMENDMENT NUMBER FIVE.

On page 2, line 6, of the printed bill, as amended, strike out "and registered".

AMENDMENT NUMBER SIX.

On page 2, line 9, of the printed bill, as amended, after "the", insert the following: "State".

AMENDMENT NUMBER SEVEN.

On page 2, line 12, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "and any such subdivision or agency having taxes or assessments levied on any parcel may bid on such parcel."

AMENDMENT NUMBER EIGHT.

On page 2, line 20, of the printed bill, as amended, after "auditor", insert the following: "and the board of supervisors, which shall, at its first regular meeting in not less than five nor more than thirty days thereafter, confirm or reject said sale. Upon rejection the purchase money shall be refunded. Upon confirmation, the tax collector shall issue a deed to the purchaser."

AMENDMENT NUMBER NINE.

On page 2, line 24, of the printed bill, as amended, after "report", insert the following: "and such confirmation by the board of supervisors".

AMENDMENT NUMBER TEN.

On page 2, lines 43 and 44, of the printed bill, as amended, strike out "it allows said claims", and insert in lieu thereof the following: "said claims be correct".

AMENDMENT NUMBER ELEVEN.

On page 3, line 10, of the printed bill, as amended, after "property", insert the following: "which are due at the time of such sale".

AMENDMENT NUMBER TWELVE

On page 3, line 12, of the printed bill, as amended, strike out "conclusive", and insert in lieu thereof the following: 'prima facie".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 30, of the printed bill, as amended, strike out "3773a", and insert in lieu thereof the following: "3774".

The roll was called, and Senate amendments to Assembly Bill No. 562 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Evans, Fisher, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Wright and Mr. Speaker—61.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 2401—An act to provide for the postponement of the collection of assessments levied to pay principal or interest due on bonds issued under the authority of the Acquisition and Improvement Act of 1925 during the existence of an economic emergency.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2401?

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the word "assessment", insert the following: "now due, payable or delinquent,".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, after the word "months", insert the following "but in no event beyond December 1, 1933,"

The roll was called, and Senate amendments to Assembly Bill No. 2401 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Clowdsley, Cobb, Cottrell, Cronin, Evans, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Latham, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Turner, West, Zion and Mr. Speaker—53.
NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1449—An act to provide for the satisfaction of taxes and assessments, and tax and assessment liens against land and improvements in any public body organized under any law or ordinance by surrendering bonds, coupons, warrants, checks, or other evidences of indebtedness of the public body, defining "public bodies" as used herein and declaring the intent of the Legislature with respect hereto.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1449?

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, as amended, strike out the words "for any public improvement or".

AMENDMENT NUMBER TWO.

On page 1, lines 6 and 7, of the printed bill, as amended, strike out the words "any public improvement", and insert in lieu thereof the words ", or for the opening, widening, construction and improvement, or any of them, of any public street or highway,".

AMENDMENT NUMBER THREE.

On page 1, line 14, of the printed bill, as amended, strike out the word "not".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended, after line 6, insert a new paragraph reading as follows:

"Valid, outstanding and unpaid bonds, coupons, checks, warrants and other written evidences of indebtedness not yet due may also be used in payment of any tax or assessment of the kind herein specified, provided that the public body to which such payment is made shall not accept nor be required to accept any such bonds if the acceptance thereof shall effect any impairment of the rights or obligations of the public body issuing any such bond, coupon, check, warrant or other written evidence of indebtedness or of any holder thereof or of any person, firm or corporation owning any property subject to the lien, if any, of such bond, coupon, warrant, check or other evidence of indebtedness."

The roll was called, and Senate amendments to Assembly Bill No. 1449 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Clowdsley, Cobb, Cottrell, Cronin, Evans, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Latham, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Turner, West, Zion and Mr. Speaker—53.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 2412—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof, to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2412?

AMENDMENT NUMBER ONE.

On page 3, line 19, of the printed bill, strike out "three", and insert in lieu thereof the following: "five".

AMENDMENT NUMBER TWO.

On page 3, line 23, of the printed bill, after the word "Governor," add, "and confirmed by the Senate".

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, strike out lines 25, 26, 27, 28, 29, 30, 31 and 32 to "before", and insert in lieu thereof the following "The Governor, at the time of making the appointment of said five members, shall designate one of said five members to serve for the term of two years, two to serve for the term of three years, and two to serve for the term of four years."

AMENDMENT NUMBER FOUR.

On page 5, line 4, of the printed bill, strike out "such mechanical or other equipment", and insert in lieu thereof the following: "The Totalisator or such mechanical equipment".

AMENDMENT NUMBER FIVE.

On page 5, line 44, of the printed bill, strike out "(100)", and insert in lieu thereof "(66)".

AMENDMENT NUMBER SIX.

On page 5, line 48, of the printed bill, strike out "(100)", and insert in lieu thereof "(66)".

AMENDMENT NUMBER SEVEN.

On page 5 of the printed bill, between lines 49 and 50, insert the following: "In counties of the third class, but outside the area specified in the next preceding paragraph hereof, there may be allowed by said board not to exceed fourteen (14) racing days per year, and in addition in counties of the third class having a population of over two hundred thousand, but outside of the area specified in the next preceding paragraph hereof, there may be allowed by said board not to exceed twenty-five (25) racing days additional per year"

AMENDMENT NUMBER EIGHT.

On page 7, line 26, of the printed bill, strike out "thirty-five", and insert in lieu thereof "twenty".

AMENDMENT NUMBER NINE.

On page 7, line 27, of the printed bill, strike out "$35,000", and insert in lieu thereof "$20,000."

AMENDMENT NUMBER TEN.

On page 8, lines 12 and 13, of the printed bill, strike out "such mechanical or other equipment", and insert in lieu thereof the following: "The Totalisator or such mechanical equipment".

AMENDMENT NUMBER ELEVEN.

On page 8, line 24, of the printed bill, strike out "off", and insert in lieu thereof "odd".

AMENDMENT NUMBER TWELVE

On page 6, line 4, of the printed bill, strike out "one hundred", and insert in lieu thereof "(66)".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2412 by the following vote:

AYES—Peterson—1

NOES—Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Cronin, Evans, Fisher, Frazier, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Donnell, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Zion and Mr. Speaker—56.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Hornblower, Patterson and Bliss, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 2412.

Assembly Bill No. 2369—An act to amend section 1 of, and to add section 1a to, an act entitled "An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and power lines, telephone and telegraph lines, and sewers and appurtenances thereof, across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined," approved May 2, 1923, relating to municipal corporations.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2369?

AMENDMENT NUMBER ONE.

On page 2, line 23, of the printed bill, as amended in the Assembly April 27, 1933, strike out the period following the word "judgment", and insert in lieu thereof a semicolon and the following: "and provided, further, that nothing in this act is intended, nor shall it be construed as limiting in any respect the jurisdiction, powers and duties vested by law in the Railroad Commission of the State of California, or, with respect to State highways, in the Department of Public Works of the State of California, and in the event of any conflict of jurisdiction, that of the

Railroad Commission or the Department of Public Works, as the case may be, shall prevail"

The roll was called, and Senate amendment to Assembly Bill No. 2369 was concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Chatters, Cottrell, Craig, Cronin, Crowley, Frazier, Hallner, Hornblower, Hunt, Jones, Kallam, King, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Rawls, Redwine, Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, Woolwine and Zion—44

NOES—Alter, Brock, Clowdsley, Cobb, Evans, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Knowland, Latham, Mayo, Morgan, Peterson, Phillips, Riley, Robinson, C Ray; Robinson, Samuel E, Roland, Sullivan, West, Wright and Mr. Speaker—25.

The above reported bill ordered to enrollment.

Assembly Bill No. 2165—An act to amend sections 447 and 448 of the Code of Civil Procedure, relating to written instruments.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2165?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 8 to 21, inclusive, and insert in lieu thereof the following:

"Whenever the plaintiff's claim is founded upon a written instrument or arises out of a contractual relationship evidenced by a writing or writings, a copy of such written instrument or instruments shall either be incorporated in the body of the pleading, or be attached as an exhibit and incorporated by proper reference; provided, however, that when such instrument is not in the possession of or available to the plaintiff, he may in lieu thereof aver such fact; and provided further, that the plaintiff, if he so elects, may file with the clerk such instrument as an exhibit and by proper reference aver that fact in the complaint, and thereupon said instrument thus filed with the clerk shall for all purposes be deemed to be incorporated in the plaintiff's complaint. On good cause shown, the court may otherwise order."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 5 to 19, inclusive, and insert in lieu thereof the following:

"Whenever the defendant's claim or defense is founded upon a written instrument or arises out of a contractual relationship evidenced by a writing or writings, then, unless the same have been set up in the plaintiff's complaint, a copy of such instrument or instruments shall either be incorporated in the body of the defendant's pleading, or be attached as an exhibit and incorporated by proper reference; provided, however, that when such instrument is not in the possession of or available to the defendant, he may in lieu thereof aver such fact; and provided, further, that the defendant, if he so elects, may file with the clerk such instrument as an exhibit and by proper reference aver that fact in his pleading, and thereupon said instrument thus filed with the clerk shall for all purposes be deemed to be incorporated in the defendant's pleading. On good cause shown, the court may otherwise order."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2165 by the following vote:

AYES—King, Rawls, Robinson, C Ray, and Mr. Speaker—4

NOES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Chatters, Cobb, Cottrell, Cronin, Evans, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Robinson, Samuel E, Rogers, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Woolwine, Wright and Zion—55.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Cronin, Meeker and Robinson, C. Ray, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 2165.

Assembly Bill No. 1591—An act to amend section 6 of an act entitled "An act for the regulation and control of fraternal benefit societies." approved May 1, 1911, relating to fraternal benefit societies.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1591?

AMENDMENT NUMBER ONE.

On page 2, line 12, of the printed bill, as amended, strike out "Whenever", and insert in lieu thereof the following: "Except in the case of societies subject to and governed by the provisions of an act entitled "An act for the regulation and control of fraternal benefit societies." approved May 1, 1911, or otherwise supervised by the Insurance Commissioner pursuant to law, whenever".

The roll was called, and Senate amendment to Assembly Bill No. 1591 was concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., O'Donnell, Patterson, Peterson, Phillips, Redwine, Robinson, C Ray; Robinson, Samuel E., Rogers, Stannard, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—55.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1020—An act to amend section 594 of the Political Code, relating to kinds of insurance and insurance companies.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1020?

AMENDMENT NUMBER ONE.

On page 3, line 1, of the printed bill, as amended, strike out "602d", and insert in lieu thereof the following: "602a".

AMENDMENT NUMBER TWO.

On page 4, line 36, of the printed bill, as amended, after the comma following "eighth", strike out "and".

AMENDMENT NUMBER THREE.

On page 5 of the printed bill, as amended, strike out lines 24 to 30, inclusive, and insert in lieu thereof the following: "dollars".

AMENDMENT NUMBER FOUR.

On page 5, line 51, of the printed bill, as amended, after "second", strike out the comma.

AMENDMENT NUMBER FIVE.

On page 6, line 14, of the printed bill, as amended, strike out "two", and insert in lieu thereof the following: "five".

AMENDMENT NUMBER SIX.

On page 6, line 19, of the printed bill, as amended, after "taxes", insert the following: "and all other indebtedness,".

AMENDMENT NUMBER SEVEN.

On page 6, line 26, of the printed bill, as amended, after "taxes", insert the following: "and all other indebtedness,".

The roll was called, and Senate amendments to Assembly Bill No. 1020 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., O'Donnell, Patterson, Peterson, Phillips, Redwine, Robinson, C Ray, Robinson, Samuel E., Rogers, Stannard, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—55.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 2002—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2002?

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, as amended, insert a period after the word "Treasurer", and strike out all of lines 13, 14 and 15, and insert in lieu thereof the following: "All such sums so deposited shall be credited by the State Controller to the current appropriation for the support of said bureau to be used by said bureau for the same purposes for which such appropriation was made."

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, as amended, following the comma after the word "State", insert the following: "and for such of the public business of any".

AMENDMENT NUMBER THREE

On page 1, line 18, of the printed bill, as amended, following the comma after the word "State", insert the following: "as may relate to information arising from the investigation of crime and the apprehension and prosecution of criminals"

The roll was called, and Senate amendments to Assembly Bill No. 2002 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., O'Donnell, Patterson, Peterson, Phillips, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—55.

NOES—None.

The above reported bill ordered to enrollment.

Assembly Bill No. 1528—An act to control, license, and regulate the manufacture, transportation, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation hereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1528?

AMENDMENT NUMBER ONE.

In the second sentence of section 5 of the printed bill, as amended, strike out "State Salary Board", and insert in lieu thereof the following "State Personnel Board".

AMENDMENT NUMBER TWO.

In section 31 of the printed bill, as amended, strike out "State Salary Board", and insert in lieu thereof the following. "State Personnel Board".

The roll was called, and Senate amendments to Assembly Bill No. 1528 were concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., O'Donnell, Patterson, Peterson, Phillips, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—55.

NOES—None.

The above reported bill ordered to enrollment.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 9—An act to amend sections 41, 42, 43, 45 and 46 of the California Irrigation District Act, and to repeal section 44 of said act, all relating to delinquent assessments—reports that it has met a like committee of the Senate, consisting of Senators Deuel, Hayes and Schottky, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly recede from Assembly amendments.

O'DONNELL,
STANNARD,
O'CONNOR,
Assembly Committee on Free Conference.

DEUEL,
SCHOTTKY,
HAYS,
Senate Committee on Free Conference.

The question being on the adoption of the report.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. O'Donnell moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. O'Donnell, Tournoux and Cassidy, the Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion for call of the House carried by the following vote:

AYES—Anglim, Badham, Cassidy, Clowdsley, Craig, Cronin, Crowley, Dempster, Frazier, Gilmore, Jones, King, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Zion and Mr. Speaker—37.

NOES—Bliss, Bowers, Brock, Chatters, Cobb, Cottrell, Evans, Fisher, Greene, Grubbs, Hoffman, Kallam, Knowland, Latham, Lyon, Morgan, Robinson, C. Ray; Robinson, Samuel E., and Wright—19.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Peterson, Rawls, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Wright, Zion, and Mr. Speaker—63.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

Senate Bill No 79—An act to add a new section to be numbered 12½ to "An act to provide for the formation, management and dissolution of county water works districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county water works district

bonds and the payment thereof," approved June 13. 1913, relating to the organization and regulation of county water works districts.

RECONSIDERATION WAIVED.

Mr. Lyon waived his notice of reconsideration whereby amendments to Senate Bill No 79 were laid on the table.

Assembly Bill No. 2301—An act to amend section 660 of the Fish and Game Code and to add thereto a new section, to be numbered 660 5, relating to salmon.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Fisher, Gilmore, Greene, Hornblower, Hunt, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, Samuel E, Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Wright and Mr. Speaker—52.

HON. FRANK W. WRIGHT IN THE CHAIR

Hon. Frank W. Wright, member of the Assembly from the Fiftieth Assembly District, in the chair.

THIRD READING OF SENATE BILLS.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Anglim asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 29, at this time, without reference to committee or file

Senate Joint Resolution No. 29—Relative to memorializing and petitioning the President and the Congress of the United States to adopt, as part of an emergency unemployment relief program, a plan for the construction of worthy public projects, and to include therein the construction of the Central Valley Project of the California State Water Plan

Senate Joint Resolution No 29 read.

The question being on the adoption of Senate Joint Resolution No. 29.

The roll was called, and Senate Joint Resolution No 29 adopted by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Robinson, C Ray; Robinson, Samuel E., Roland, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Zion—64.

NOES—None.

Title read and approved.

Senate Joint Resolution No 29 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 29.

Relative to memorializing and petitioning the President and the Congress of the United States to adopt, as part of an emergency unemployment relief program, a plan for the construction of worthy public projects, and to include therein the construction of the Central Valley Project of the California State Water Plan.

WHEREAS, It is reported that the President and the Congress of the United States are now considering as part of a meritorious emergency unemployment relief program, a large bond issue, the proceeds of which would be expended in furnishing employment to unemployed men throughout the Nation on major afforestation, reclamation, flood control and other worthy public projects; and

WHEREAS, There are now in the State of California approximately eight hundred seventeen thousand unemployed and in addition thereto a far greater number of persons dependent thereon for the common necessaries of life; and

WHEREAS, The unemployment of this great number of people has created in our State a most serious and acute public problem and economic crisis; and

WHEREAS, Over a period of more than ten years there has been expended by this State in excess of the sum of one million dollars in the investigation of the water resources of this State and in the formulation of plans for the development, utilization, conservation and control of the said water resources; and

WHEREAS, The development and conservation of waters of the Santa Ana River system is an important part of the State program of water conservation; and

WHEREAS, There has been recommended and approved by the State Engineer as a part of a state-wide plan, an initial project to be constructed, and known as the Central Valley Project, and construction of which will improve navigation, control floods, supply water to areas in dire need thereof, prevent the encroachment of salinity and otherwise confer great benefits upon the people of our State and upon the Nation at large; and

WHEREAS, The construction of said Central Valley Project would in great measure relieve the present acute unemployment situation in this State; and

WHEREAS, There has been recommended to the President of the United States and to the Governor of the State of California by the California Joint Federal-State Water Resources Commission under date of December 27, 1930, that the Federal government participate with the State in the construction of said Central Valley Project; and said Central Valley Project has been investigated, reported upon and approved by the Corps of Engineers of the United States Army; and

WHEREAS, There has been recommended to the Governor of California by the California Water Resources Commission, the construction of said Central Valley Project, described in the report of said commission under date of June, 1932; and

WHEREAS, There has been recommended to this Legislature by the California Joint Legislative Water Committee, the construction of said Central Valley Project, described in the report of said committee under date of April 20, 1932; and

WHEREAS, This Legislature did on May 5, 1933, adopt a resolution proposing to the people of the State of California the adoption of an amendment to the Constitution of this State, which proposed amendment is designated Assembly Constitutional Amendment No. 18, and relates to the control, development and utilization of the water resources in the State, and designed to better insure and adequately empower the Legislature to enact legislation in furtherance of the construction and operation of said state-wide plan and said Central Valley Project; and

WHEREAS, The Assembly of this Legislature did, on May 11, 1933, pass Assembly Bill No. 259 providing for the construction and operation of the Central Valley Project of said state-wide plan in cooperation with the United States of America; and

WHEREAS, This Legislature has now taken all action in furtherance of the construction of said Central Valley Project which is deemed advisable pending the reconvening thereof on July 17, 1933; and

WHEREAS, It is now deemed advisable to seek and obtain the advice, cooperation and assistance of the United States of America prior to the reconvening of this Legislature on July 17, 1933, in order that such further legislative action may then be taken as may be deemed proper; now therefore, be it

Resolved by the Senate and Assembly, jointly, That the State of California through its Legislature, hereby respectfully urges that the President and the Congress of the United States adopt as part of its emergency unemployment relief program, an adequate bond issue the proceeds of which shall be expended in furnishing employment to the unemployed throughout the Nation, and that as a part thereof there be adopted appropriate plans for the construction of worthy public projects, and that there be adopted as part and parcel thereof the construction of said Central Valley Project and the development and conservation of the waters of the Santa Ana River system as initial projects of the California State Water Plan; and be it further

Resolved, That the Governor is requested to transmit copies of this resolution to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, and to the Senators and Representatives of the State of California in Congress.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH

Further proceedings under call of the House were dispensed with, on motion of Mr. O'Donnell.

The roll of absentees was called, and the report of the Committee on Free Conference relative to Senate Bill No. 9 was adopted by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Craig, Cronin, Crowley, Dempster, Frazier, Gilmore, Grubbs, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, King, McBride, McCarthy, Meehan, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Rogers, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt and Zion—44.

NOES—Alter, Brock, Chatters, Cobb, Cottrell, Evans, Fisher, Greene, Hoffman, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Meeker, Miller, Eleanor; Miller, James A., Redwine, Robinson, C. Ray; Robinson, Samuel E., Roland, Stream, West, Wright and Mr. Speaker—27.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with a resolution offered by Mr. Nielsen, and adopted by this Assembly, to investigate the feasibility, advisability and cost of establishing a state-wide radio system for use of police departments, sheriffs, California Highway Patrol and other peace officers and report back at the fifty-first legislative session, the Speaker appointed Messrs. Nielsen, Bowers and Phillips as such Select Committee

THIRD READING OF SENATE BILLS—(RESUMED).

REQUEST FOR UNANIMOUS CONSENT.

Mr. Patterson asked for, and was granted, unanimous consent to take up Senate Joint Resolution No 30, at this time, without reference to committee or file.

Senate Joint Resolution No 30—Relative to memorializing and petitioning the President and the Congress of the United States to adopt, as part of an emergency unemployment relief program, a plan for the completion of worthy public projects, and to include therein the construction and maintenance of roads and highways.

Senate Joint Resolution No. 30 read.

The question being on the adoption of Senate Joint Resolution No. 30.

The roll was called, and Senate Joint Resolution No. 30 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West and Wright—59

NOES—None.

Title read and approved.

Senate Joint Resolution No 30 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 30.

Relative to memorializing and petitioning the President and the Congress of the United States to adopt, as part of an emergency unemployment relief program, a plan for the completion of worthy public projects, and to include therein the construction and maintenance of roads and highways.

WHEREAS, It is reported that the President and the Congress of the United States are now considering as part of a meritorious emergency unemployment relief program, a large bond issue, the proceeds of which would be expended in furnishing employment to unemployed men throughout the Nation on major afforestation, reclamation, flood control and other worthy public projects; and

WHEREAS, There are now in the State of California approximately 800,000 unemployed and in addition thereto a far greater number of persons dependent thereon for the common necessaries of life; and

WHEREAS, The unemployment of this great number of people has created in our State a most serious and acute public problem and economic crisis; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the State of California, through its Legislature, hereby respectfully urges that the President and the Congress of the United States adopt as part of its emergency unemployment relief program an adequate bond issue, the proceeds of which shall be expended in furnishing employment to the unemployed throughout the Nation, and that as a part thereof there be adopted appropriate plans for the construction or maintenance of worthy public projects, and that there be adopted as a part of said plan the improvement of the present secondary highways in the State of California and the completion of such additional secondary highways as are now in the process of construction; and be it further

Resolved, That the Governor is requested to transmit copies of this resolution to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, and to the Senators and Representatives of the State of California in Congress

Senate Bill No. 203—An act to amend sections 691 to 697, inclusive, of the Fish and Game Code, relating to striped bass

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 203 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West and Wright—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 866—An act to repeal an act entitled "An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance; prescribing the powers and duties of said officials in relation to such bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor," approved June 5, 1931.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 866 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Fisher, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West and Wright—59

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

THE SPEAKER IN THE CHAIR.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

REPORT OF COMMITTEE ON FREE CONFERENCE

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

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 563—An act to amend sections 2, 3 and 5 and to add two sections to be numbered 6 and 7 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, said amendments and new sections relating to the allocation and expenditure of State highway funds, the construction, improvement and maintenance of State highways and the addition of certain highways to the State system —reports that it has met a like committee of the Senate, consisting of Senators Breed, Edwards and Riley, and reports that the Committee on Free Conference has agreed to recommend the following That the Senate concur in the Assembly amendments, except that the Committee on Free Conference rejects the Assembly amendments reading as follows.

AMENDMENT NUMBER ONE.

On page 5, line 8, of the printed bill, as amended, strike out the words "Department of Public Works", and insert in lieu thereof the following "board of supervisors of the county in which such city is located".

AMENDMENT NUMBER TWO.

On page 5, line 12, of the printed bill as amended, strike out the word "may", and insert in lieu thereof the word "shall".

AMENDMENT NUMBER THREE

On page 5 of the printed bill, as amended, strike out all of lines 13 to 15, inclusive, and insert in lieu thereof the following. "body of each city and county and of each county in which one or more such cities are located."

The Committee on Free Conference has agreed to recommend that the bill be further amended as follows.

AMENDMENT NUMBER ONE.

On page 9 of the printed, amended bill, strike out lines 5 and 6, and insert in lieu thereof the following:

"State Highway Route 4 near Stockton via Copperopolis to State Highway Route 65 near Altaville."

AMENDMENT NUMBER TWO.

On page 12 of the printed, amended bill, strike out all of lines 33 and 34, and insert in lieu thereof the following:

"State Highway Route 60 in Santa Monica to the intersection of Ninth and Indiana Street in Los Angeles via Tenth Street"

HOFFMAN,
Assembly Committee on Free Conference.

EDWARDS,
BREED,
RILEY,
Senate Committee on Free Conference.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Bliss, Bowers, Burns, Cassidy, Chatters, Cottrell, Craig, Cronin, Crowley, Dempster, Fisher, Frazier, Gilmore, Greene, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Mecker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt and West—53.

NOES—Badham, Boyle, Callahan, Cobb, Evans, Hallner, Hatch, Jones, Lyon, Redwine, Riley, Wright and Mr. Speaker—13

RECESS.

At three o'clock and thirty-nine minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess.

REASSEMBLED.

At three o'clock and forty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk Kelly reading

THIRD READING OF SENATE BILLS.

Senate Bill No. 1205—An act to add a new section to the Political Code, to be numbered 452a, relating to the safekeeping of bonds deposited with treasurers.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 1205 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Callahan, Chatters, Clowdsley, Cottrell, Craig, Crowley, Fisher, Frazier, Greene, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Lyon, Martin, Mayo, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Phillips, Rawls, Redwine, Robinson, C. Ray; Rogers, Scudder, Stanwood, Stream, Turner, Utt, West, Wright, Zion and Mr Speaker—43.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

Senate Bill No. 454—An act to amend section 1060 of the Fish and Game Code, to add thereto sections 481.5, 744, 842.5, 846.5, 867, 1063.5, 1064.5, 1065.5, and to repeal sections 714, and 1066 to 1071 inclusive, relating to fish and game.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr Hornblower:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, as amended, after "sections", insert the following: "89,".

AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill, as amended, strike out "886 and 927", and insert in lieu thereof the following: "and 886".

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, as amended, strike out "and 20-A".

AMENDMENT NUMBER FOUR.

On page 2, lines 32 and 33, of the printed bill, as amended, strike out "20 and 20-A", and insert in lieu thereof the following, "and 20".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, as amended, strike out lines 35 and 36, and insert in lieu thereof the following, "tress or emergency."

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, as amended, strike out lines 22 to 25, inclusive, and insert in lieu thereof the following.

"SEC 12. Section 89 of the Fish and Game Code is hereby amended to read as follows.

89. *The following shall constitute* Fish and Game District 20 *Santa Catalina* Island and the portion of the State waters on the northerly, easterly, and southerly side of said island lying between a line extending west magnetically from the extreme westerly end of Santa Catalina Island to a line extending southwest magnetically from the southerly headland of Little Harbor."

The question being on the adoption of the amendments.

Amendments adopted.

FURTHER AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED FIFTY-FOUR

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Rawls:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, as amended, strike out the comma following "847", and strike out "886 and 927", and insert in lieu thereof the following: "and 886".

AMENDMENT NUMBER TWO.

On page 1, lines 3 and 4, of the printed bill, as amended, strike out "districts 20 and 20A", and insert in lieu thereof the following: "district 20".

AMENDMENT NUMBER THREE

On page 3 of the printed bill, as amended, strike out lines 22 to 26, inclusive, and insert in lieu thereof the following:

"SEC 12. A new section is hereby added to the Fish and".

AMENDMENT NUMBER FOUR.

On page 3, line 30, of the printed bill, as amended, strike out "14", and insert in lieu thereof the following: "13".

The question being on the adoption of Senate Bill No. 454.

MOTION TO LAY ON TABLE.

Mr. Bowers moved to lay the amendments by Mr. Rawls on the table.

The question being on the motion to lay amendments on the table.

REQUEST FOR ROLL CALL.

On request of Messrs. Mayo, Redwine and Greene, the Speaker ordered a roll call taken on the motion to lay the amendments on the table.

The roll was called, and the motion to lay the amendments on the table lost by the following vote:

AYES—Bowers, Callahan, Cassidy, Evans, Hunt, Jones and King—7.

NOES—Alter, Anglim, Bliss, Chatters, Cobb, Cottrell, Craig, Fisher, Greene, Hoffman, Hornblower, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Peterson, Phillips, Redwine, Roland, Scudder, Stream, Sullivan, Thorp, Turner, Utt, West, Wright and Zion—37.

The question being on the adoption of the amendments by Mr. Rawls.

The roll was called, and the amendments by Mr. Rawls were refused adoption by the following vote:

AYES—Bowers, Cassidy, Chatters, Clowdsley, Craig, Crowley, Evans, Hunt, Jones, Kallam, King, Lyon, Maloney, McCarthy, McMurray, Meehan, Miller, James A., O'Donnell, Peterson, Rawls, Robinson, Samuel E., Rogers, Stannard, Stream and Thorp—25.

NOES—Alter, Bliss, Callahan, Cobb, Cottrell, Fisher, Greene, Hoffman, Hornblower, Knowland, Latham, Martin, McBride, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Phillips, Redwine, Robinson, C Ray; Roland, Scudder, Sullivan, Turner, Utt, West, Wright and Mr. Speaker—29.

HON. CHARLES W. LYON IN THE CHAIR.

Hon Charles W Lyon, member of the Assembly from the Fifty-ninth Assembly District, in the chair.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for unanimous consent to take up Senate Bill No. 454, at this time.

Mr. Rawls objected to granting unanimous consent.

MOTION TO SUSPEND RULE.

Mr. Cottrell moved that the rules be suspended for the purpose of considering Senate Bill No. 454 at this time.

The question being on the motion to suspend the rules.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Redwine moved a call of the House.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Bliss, Bowers, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Fisher, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Phillips, Rawls, Redwine, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Wright, Zion and Mr Speaker—55.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

THE SPEAKER IN THE CHAIR.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

RESOLUTION.

The following resolution was offered:

By Mr. Bliss.

WHEREAS, The problem of taxation is one of the most important which confronts the State of California; and

WHEREAS, Senate Constitutional Amendment No. 30, amending the basic provisions of the Constitution regarding taxation, has been adopted by the fiftieth session of the Legislature and will be submitted to the people of the State for their approval or rejection at a special election, to be held at an early date; and

WHEREAS, This Legislature will reconvene in July of this year to consider and adopt legislation to carry out the will of the people as expressed at this special election; and

WHEREAS, During the period subsequent to such July session of the Legislature and prior to the fifty-first session of the Legislature, changes in taxation laws may appear advisable as the result of the practical operation of such laws as may now exist, or be adopted at such July session, or as a result of other considerations; therefore, be it

Resolved by the Assembly of the State of California, That a committee of nine members of the Assembly, to be appointed by the Speaker thereof, be appointed to study the problem of taxation in all of its aspects with particular regard to the legislation that will be necessary to be considered by the fiftieth session of the Legislature when it reconvenes in July, 1933, and to be considered during the session beginning in January, 1935; and be it further

Resolved, That said committee shall proceed to organize by the election of one of its members as chairman and by the election of a secretary and shall proceed with such investigation and study in such manner as may be determined by said committee; and be it further

Resolved, That said committee is hereby authorized to hold public hearings at any place in the State of California at which hearings the people shall have opportunity to present their views to the committee; and be it further

Resolved, That said committee is hereby authorized and empowered to do all things necessary to make a full and complete investigation of the matters herein referred to and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind, to issue subpenas and to

compel the attendance of witnesses and to procure testimony. Each of the members of said committee is hereby authorized to administer oaths and all the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code of the State, relative to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution. Said committee may sit during the sessions of the Legislature, during the recesses thereof and during the interval between sessions; and be it further

Resolved, That said committee shall report, in so far as it is able, to the fiftieth session of the Legislature when it reconvenes in July, 1933, after the proposed recess of the fiftieth session, setting forth its recommendations for legislation concerning taxation; and be it further

Resolved, That said committee shall make a final report to the fifty-first session of the Legislature upon its convening in January, 1935, which report shall be made public thirty days prior to the date upon which the Legislature convenes; and be it further

Resolved, That the sum of two thousand five hundred dollars, or so much thereof as may be necessary, be and the same is hereby appropriated for the purpose of defraying the expenses of said committee and said investigation and study, said sum to be paid from the contingent fund of the Assembly. The State Controller is hereby authorized and directed to draw his warrants in favor of the persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of said committee and the State Treasurer is directed to pay the same.

The question being on the adoption of the resolution.

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

AYES—Anglim, Bliss, Bowers, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Gilmore, Greene, Hallner, Hornblower, King, Knowland, Mayo, McBride, Nielsen, Phillips, Robinson, C. Ray; Scudder, Stannard, Turner, Zion and Mr. Speaker—25.

NOES—Alter, Badham, Boyle, Brock, Cassidy, Crowley, Dempster, Evans, Fisher, Hatch, Hoffman, Hunt, Jones, Kallam, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Patterson, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Stream, Sullivan, Thorp, Tournoux, Utt, West and Wright—37.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1305—An act to amend an act of the Legislature of the State of California entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, by amending sections 6, 10 and 12 thereof and relating to notice, assessment limitations, incidental expenses of proceedings and payment of portions of the cost from public funds—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1305?

AMENDMENT NUMBER ONE.

On page 3, line 11, of the printed bill, as amended, after "or", insert the following: "required or".

AMENDMENT NUMBER TWO.

On page 3, line 12, of the printed bill, as amended, strike out "previous", and insert in lieu thereof the following: "completed".

AMENDMENT NUMBER THREE.

On page 3, line 34, of the printed bill, as amended, strike out "provided", and insert in lieu thereof the following: "required".

AMENDMENT NUMBER THREE-A.

On page 3, line 35, of the printed bill, as amended, strike out "required", and insert in lieu thereof the following: "provided".

AMENDMENT NUMBER FOUR.

On page 3, line 39, of the printed bill, as amended, after "assessments", insert the following: "shall be subject to the limitations on the amounts thereof imposed by this act, and".

AMENDMENT NUMBER FIVE.

On page 4, line 16, of the printed bill, as amended, strike out "or to", and insert in lieu thereof the following: "and to".

AMENDMENT NUMBER SIX.

On page 4, line 20, of the printed bill, as amended, after "clerk", strike out the period, and insert the following, "or to each owner of land within the assessment district at his address as shown on said last equalized assessment roll or on file in the office of said clerk."

AMENDMENT NUMBER SEVEN

On page 5, line 12, of the printed bill, as amended, strike out "thereof.", and insert in lieu thereof the following: "that said notices have been mailed as required by this act."

AMENDMENT NUMBER EIGHT.

On page 5, line 30, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "6".

AMENDMENT NUMBER NINE.

On page 6, line 25, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "7".

AMENDMENT NUMBER TEN.

On page 7, line 47, of the printed bill, as amended, strike out "then".

AMENDMENT NUMBER ELEVEN.

On page 8, line 32, of the printed bill, as amended, after "limitations", insert the following: "upon the amounts of assessments".

AMENDMENT NUMBER TWELVE.

On page 8, line 45, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "8".

AMENDMENT NUMBER THIRTEEN.

On page 9, line 34, of the printed bill, as amended, strike out "may", and insert in lieu thereof the following: "shall".

AMENDMENT NUMBER FOURTEEN.

On page 10, line 16, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following: "9".

AMENDMENT NUMBER FIFTEEN.

On page 10, line 33, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "10".

The roll was called, and Senate amendments to Assembly Bill No. 1305 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—54.

NOES—Sullivan—1.

The above reported bill ordered to enrollment.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Further proceedings under call of the House were dispensed with, on motion of Mr. Redwine.

The roll of absentees was called, and the motion by Mr. Cottrell to suspend the rules lost by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Fisher, Gilmore, Greene, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo,

McBride, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Phillips, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Thorp, Turner, Utt, West, Wright, Zion and Mr. Speaker—48.

NOES—Bowers, Crowley, Evans, Hunt, Lyon, McCarthy, McMurray, Rawls, Stannard, Stream and Sullivan—11.

Bill ordered to reprint, and on file for third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 244—An act to amend sections 4.360, 4.362, 4.365, 4.366, 4.383, and 2.1427 of the School Code, and to repeal sections 4.363 and 4.364 thereof, relating to school district budgets and the estimate of State apportionments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 686—An act to amend section 19 of and to add a new section to the Penal Code to be numbered 19a, relating to punishment for crime.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 573—An act ceding to the United States of America certain lands of the State of California, for aerial training, military camps and other Federal purposes.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 281—An act regulating the hours of labor of the operators of certain motor vehicles.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 688—An act calling a special election to be held on Tuesday, the twenty-seventh day of June, 1933, and providing for the submission thereat to the qualified electors of the State of certain questions herein provided, for the purpose of ascertaining the wish of the people of the State relating to the diversion of moneys from the gasoline tax funds to the general fund of the State for certain purposes therein stated, the act to take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 409—An act to amend sections 274 and 274a of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2008—An act to amend sections 702 and 703 of the Code of Civil Procedure, relating to redemption from sales under execution;

Also: Assembly Bill No. 130—An act to amend the Road District Improvement Act of 1907, approved March 27, 1907, Statutes of 1907, page 806, as amended, by authorizing contributions to be made from public funds toward the payment of principal or interest on bonds issued under that act; and to provide for a repeal of said act, and providing that said repeal shall not apply to existing or authorized bonds and assessments or to existing proceedings instituted thereunder;

Also: Assembly Bill No 1592—An act to add a new section to the Political Code to be numbered section 472a, relating to the defense of peace officers;

Also: Assembly Bill No. 2325—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by adding two new sections thereto to be numbered, respectively, section 28 relating to the dissolution of such municipal utility districts, and section 29 relating to the withdrawal of certain territory therefrom;

Also: Assembly Bill No 180—An act to amend section 1197 of the Political Code, relating to election ballots.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2333—An act to amend section 1 of an act entitled "An act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, as amended, relating to the procedure necessary for such disincorporation.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1635—An act to repeal an act entitled "An act to repeal 'An act making an appropriation to pay the claims for services, subsistence, supplies, transportation and other expenses of the National Guard of California called into service by order of the Governor in the months of March and April, 1933, to take effect immediately,'" approved March 14, 1933,

Also: Assembly Bill No 217—An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island;

Also: Assembly Bill No 1272—An act relating to the marking of State highways for the purpose of indicating route numbers and making readily available information of a cautionary, regulatory or directional nature pertaining to the use of such highways, and defining the powers and duties of the State Department of Public Works and the Division of Highways in relation thereto;

Also: Assembly Bill No. 2402—An act to enable irrigation districts to negotiate settlements of controversies involving alleged damage to the water rights of land within such districts, in cases where the State of California holds a tax title to any land in such district;

Also Assembly Bill No 1533—An act to add section 6.470-3 to the School Code, relating to the abolition of the school supply revolving fund;

Also: Assembly Bill No 531—An act to amend section 16x5 of the Weights and Measures Act, relating to sealers in counties of the fifty-fifth class;

Also: Assembly Bill No. 1771—An act to amend section 4110 of the Political Code, relating to presentation and payment of warrants by the county treasurer and the duties of the auditor in relation thereto.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 116—An act to amend section 737*ll* of the Political Code, relating to salaries of the judges of the superior court of the City and County of San Francisco.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1985—An act making an appropriation to reimburse the general fund for moneys advanced from the emergency fund for the support of the fuel tax for the Motor Vehicle Fuel Tax Refund Division of the State Controller and the Fuel Tax Division of the State Board of Equalization.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused adoption to Assembly Constitutional Amendment No. 72—Proposed amendment to Article XVII, by adding section 4, of the Constitution, relative to public parks

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 826—An act to amend sections 4, 9, 10, 12, 13, 17, 19, 25 and 33 of the Direct Primary Law, relating to primary elections.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day refused passage to Assembly Bill No. 1118—An act to amend sections 3, 4, 5, 6, 8, and 9 of, to add sections 1, 1a, 9a, and 10 to, and to amend and renumber section 1 to be section 1b of an act entitled "An act to regulate the practice of architecture," approved March 23, 1901

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 2412—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions—and appointed Senators Parkman, Harper and Snyder, as a Committee on Free Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 2145—An act to amend section 360c of the Political Code, relating to the California Highway Patrol—and appointed Senators Harper, Swing and Seawell, as a Committee on Free Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators McKinley, Edwards and Rich as a Committee on Free Conference to meet with a like committee from the Assembly to consider Senate Bill No. 400—An act to add a new section to the Political Code, to be numbered 3714b, relating to annual financial estimates from special tax and assessment districts.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day receded from its amendments to Assembly Bill No. 2165—An act to amend sections 447 and 448 of the Code of Civil Procedure, relating to written instruments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: Your Committee on Free Conference concerning Assembly Bill No 2412—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions—reports that it has met a like committee of the Senate, consisting of Senators Parkman, Harper and Snyder, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 3, line 19, of the printed bill, as amended, strike out "five", and insert in lieu thereof the following: "three".

AMENDMENT NUMBER TWO.

On page 3, lines 23 and 24, of the printed bill, as amended, strike out "and confirmed by the Senate".

AMENDMENT NUMBER THREE

On page 3 of the printed bill, as amended, strike out line 35, and insert in lieu thereof the following: "said three members, shall designate one of said three members to".

AMENDMENT NUMBER FOUR.

On page 3, line 36, of the printed bill, as amended, strike out "two", and insert in lieu thereof the following: "one".

AMENDMENT NUMBER FIVE.

On page 3, line 37, of the printed bill, as amended, strike out "two", and insert in lieu thereof the following: "one"

AMENDMENT NUMBER SIX.

On page 5, line 49, of the printed bill, as amended, strike out "sixty-six (66)", and insert in lieu thereof the following "one hundred (100)".

AMENDMENT NUMBER SEVEN.

On page 6, line 2, of the printed bill, as amended, strike out "sixty-six (66)", and insert in lieu thereof the following: "one hundred (100)".

AMENDMENT NUMBER EIGHT.

On page 6, line 18, of the printed bill, as amended, strike out "sixty-six (66)", and insert in lieu thereof the following: "one hundred (100)".

HORNBLOWER,
PETERSON,
BLISS,
Assembly Committee on Free Conference.

PARKMAN,
HARPER,
SNYDER,
Senate Committee on Free Conference.

The question being on the adoption of the report.

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

AYES—Anglim, Badham, Bliss, Boyle, Chatters, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Fisher, Gilmore, Greene, Grubbs, Hatch, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—57.

NOES—None.

The above reported bill ordered to enrollment.

RESOLUTION.

The following resolution was offered:

By Mr. Fisher:

WHEREAS, The Senate of the State of California has in its wisdom seen fit to manguiate a house rule excluding members of the Assembly of the State of California from the floor of the Senate; and

WHEREAS, The ostensible reason for such rule is that the presence of members of the Assembly on the floor of the Senate distracts the Senators and hinders them in the performance of their official duties, and

WHEREAS, The members of the Assembly are sympathetic with the attitude of the Senate in this regard, now, therefore, be it

Resolved by the Assembly of the State of California, That the contact of an Assemblyman with a Senator is apt to distract and disconcert the Senator and to displace the mental equilibrium of the Senator, and in order to more fully carry out the effect and spirit of said Senate rule it is hereby further

Resolved, That no member of the Senate of the State of California shall be permitted on the floor of the Assembly without having first obtained the written consent of the Speaker of the Assembly.

HORNBLOWER.
FISHER.
COTTRELL.
MEEHAN.
ROBINSON, C. RAY.

Resolution read, and on motion unanimously adopted.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 354—An act to add three new sections, to be numbered 5.500a, 5.501a and 5.507 to, and to repeal section 5.504 of, the School Code, relating to teachers' tenure—reports that it has met a like committee of the Senate, consisting of Senators Hays, Tickle and Seawell, and reports that the Committee on Free Conference has been unable to agree.

MILLER, JAMES A.,
MALONEY,
WOOLWINE,
Assembly Committee on Free Conference.

HAYS,
TICKLE.
SEAWELL,
Senate Committee on Free Conference.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 2412—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 2145—An act to amend section 360c of the Political Code, relating to the California Highway Patrol—reports that it has met a like committee of the Senate, consisting of Senators Swing, Harper and Seawell, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 3, line 13, of the printed bill, strike out the word "who", and insert in lieu thereof the word "whose".

AMENDMENT NUMBER TWO.

On page 3, line 15, of the printed bill, after the word "chief", strike out the comma, and insert in lieu thereof the word "and".

AMENDMENT NUMBER THREE.

On page 3, line 15, of the printed bill, after the word "secretary", strike out the words "as may be necessary".

PETERSON,
McBRIDE,
COTTRELL,
Assembly Committee on Free Conference.

SEAWELL,
HARPER,
SWING,
Senate Committee on Free Conference.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crowley, Evans, Fisher, Gilmore, Greene, Grubbs, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—None.

MOTION TO EXPUNGE RECORD.

Mr. Hornblower moved to rescind the action whereby the Assembly adopted the report of the Committee on Free Conference relative to Assembly Bill No. 2145 and that the action thereon be expunged from the record.

The question being on the motion to rescind the action and expunge the record.

The roll was called, and the motion to rescind the action and expunge the record carried by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Brock, Chatters, Cronin, Crowley, Dempster, Evans, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Lyon, Maloney, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, and West—42.

NOES—Alter, Boyle, Cassidy, Clowdsley, Cobb, Cottrell, Fisher, Greene, Knowland, Latham, Martin, McBride, Peterson, Robinson, Samuel E., Roland, Wright, Zion and Mr. Speaker—18.

The question being on the adoption of the report of the Committee on Free Conference relative to Assembly Bill No. 2145.

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

AYES—Alter, Lyon and Rawls—3.

NOES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Patterson, Phillips, Redwine, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Wright and Mr. Speaker—58.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, without reference to print, Assembly Bill No. 700—An act relating to State officers and employees in the executive branch of the State government and the classification of, certification or authorization and appointment to, and allocation within, State executive positions and the fixing of graduated emergency salary reductions, and creating the State Personnel Board and prescribing its powers, purposes, duties and jurisdictions—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 700?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in Assembly, May 5, 1933, strike out all of lines 12 to 14, both inclusive, and on page 2, strike out all of lines 1 to 7, both inclusive, and insert in lieu thereof the following:

"SEC. 2. The State Personnel Board shall have the power and it is hereby declared to be the duty of such board to

(1) Add to the list of positions and fix the salary ranges of each added position.

(2) To eliminate unnecessary positions.

(3) To revise the salary range for a given position

(4) To consolidate positions under one or more State executive departments, boards, offices or commissions.

(5) To fix salary ranges for all persons and positions in the executive department of the State government, both exempt and civil service positions, save statutory and constitutional salaries and salaries paid members of the teaching profession in the State university.

(6) To provide that no person now in the employ of the State of California under temporary authorization shall continue to hold such position under said temporary authorization after July 1, 1934, and to further provide that no person hereafter to be appointed shall be employed in any position in the State service under temporary authorization in excess of six months from the date of appointment.

(7) To provide that no person employed under temporary authorization shall be paid any salary in excess of the minimum salary for the class in which such employee is employed.

(8) In so far as practicable, to fill all vacancies by transfer, demotion or promotion, and to make rules and regulations governing transfers from a position in one department to a position in another department, and for the promotion or demotion of employees to positions within their own department, or to positions in other departments than the one in which they are employed."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, between lines 7 and 8, insert the following:

"SEC. 2a The holders of the several offices and positions designated below in this section, except as otherwise provided, shall receive annual salaries in the amounts set opposite the names of such offices and positions respectively

Agriculture, Department of, Director	$6,000
Agriculture, Department of, Chief of Division of Markets	5,000
Finance, Department of, Director	10,000
Industrial Relations, Department of, Director	6,000
Investments, Department of, Director	Nonsalaried
Investments, Department of, Superintendent of Banks	10,000

Investments, Department of, Building and Loan Commissioner	$6,000
Investments, Department of, Corporation Commissioner	7,500
Investments, Department of, Insurance Commissioner	6,000
Investments, Department of, Real Estate Commissioner	6,000
Institutions, Department of, Director	6,000
Military and Veterans' Affairs, Department of, Director	Nonsalaried
Military and Veterans' Affairs, Department of, Adjutant General	5,000
Military and Veterans' Affairs, Department of, Veterans' Welfare Board, Executive Officer	6,000
Motor Vehicles, Department of, Director	Nonsalaried
Motor Vehicles, Department of, Chief of Division of Registration	5,000
Motor Vehicles, Department of, Chief of Division of Enforcement, California Highway Patrol	7,200
Penology, Department of, Director	Nonsalaried
Penology, Department of, Chairman of Board of Prison Terms and Paroles	6,000
Penology, Department of, members, Board of Prison Terms and Paroles	5,000
Professional and Vocational Standards Department of, Director	1,200
Professional and Vocational Standards, Department of, Barber Examiners	3,600
Professional and Vocational Standards, Department of, Civil Engineers Registration Board, per diem	25
Professional and Vocational Standards, Department of, Cosmetology Board, per diem	10
Professional and Vocational Standards, Department of, Dental Examiners, per diem	10
Professional and Vocational Standards, Department of, Medical Examiners Board, per diem	10
Professional and Vocational Standards, Department of, Funeral Directors and Embalmers, per diem	10
Professional and Vocational Standards, Department of, Optometry Board, per diem	$10
Professional and Vocational Standards, Department of, Pharmacy Board, per diem	10
Professional and Vocational Standards, Department of, Registrar of Contractors	
Public Health, Department of, Director	6,000
Public Works, Department of, Director	10,000
Public Works, Department of, State Engineer	7,500
Public Works, Department of, State Architect	5,000
Public Works, Department of, Highway Engineer	10,000
Public Works, Department of, Irrigation Board, per diem	20
Social Welfare, Department of, Director	4,000
Industrial Relations, Department of, members of the Industrial Accident Commission	5,000
Railroad Commissioners	8,000
Legislative Counsel	4,000
As member of the State Board of Control	1,000
Members of the State Board of Equalization	4,000
Harbor Commission, Board of, President	5,000
Harbor Commissioners	3,000

SEC 2b The statutory salaries in the executive department of the State government except as hereinabove set forth are hereby expressly abolished."

AMENDMENT NUMBER THREE.

On page 3, line 14, of the printed bill, as amended, strike out the word "unanimous", and insert in lieu thereof the word "majority".

AMENDMENT NUMBER FOUR

On page 3, line 18, of the printed bill as amended, after the word "employee", insert the following: ", except elective officers,".

AMENDMENT NUMBER FIVE.

On page 5, line 37, of the printed bill, as amended, strike out the word "graduated"; in line 38, strike out the words "or where unless"; strike out all of lines 39 and 40, and insert in lieu thereof the following "shall be fifteen (15) per cent of that portion of such salary paid by the State of California When a person is employed by the State of California in cooperative work with the Federal government, and receives a part of his salary from Federal funds, the State salary reduction plan shall be applied to that portion of his salary which is paid by the State of California."

AMENDMENT NUMBER SIX.

On page 5, line 46, of the printed bill, as amended, strike out the word "provided", and insert in lieu thereof the following: "set forth; provided, however, that whenever any State officer or employee is paid a portion of his salary in maintenance rather than in money, in no case shall the value of the maintenance exceed

the sum of sixty dollars per month for the purpose of computing the emergency salary reduction above specified."

AMENDMENT NUMBER SEVEN.

On page 5 of the printed bill, as amended, strike out all of lines 47 to 51, inclusive, and insert therein the following:

"SEC 9. Every State executive officer and employee shall, after holding a position for one year, be entitled to a vacation of two weeks with pay each year".

AMENDMENT NUMBER EIGHT.

On page 6 of the printed bill, as amended, strike out all of lines 1, 2, 3 and 4, and insert in lieu thereof the following:

"SEC. 10. Every State executive officer and employee who has been continuously employed in a permanent or seasonal position for a period of six months, may be granted sick leave with full pay for not to exceed five working days, and if continuously employed for one year, may be granted sick leave not to exceed ten days, upon the recommendation of his division or bureau head and with the approval of the personnel board Such sick leave above provided for may be accumulated from year to year up to a limit of one hundred working days. The State Personnel Board is hereby empowered to establish such other rules and regulations regarding sick leave, not in conflict with the foregoing, as it may deem necessary."

AMENDMENT NUMBER NINE.

On page 6 of the printed bill, as amended, strike out all of lines 22 to 36, both inclusive, and insert in lieu thereof the following:

"SEC 12. All of the duties, powers, provisions, responsibilities and jurisdictions of the State Civil Service Commission as set forth in the State Civil Service Act, and all of the duties, powers, provisions, responsibilities and jurisdictions of the State Civil Service Commission and the Director of Finance, as set forth in section 686 of the Political Code, relating to the administration of the State Civil Service Act are hereby transferred to the State Personnel Board. The State Personnel Board is also vested with all of the duties, powers, provisions, responsibilities and jurisdictions of the Director of Finance and any and all heads of departments of the executive branch of the State government with regard to the fixing, increasing, or adjusting of the compensation of any officer or employee in the executive branch of the State government."

AMENDMENT NUMBER TEN

On page 7 of the printed bill, as amended, after line 4, add the following:

"SEC. 16 The provisions of this act prescribing salaries do not effect an appropriation of money and shall not be construed as making an appropriation or appropriations therefor. Such salaries shall be payable only from such funds as may be made available therefor under other provisions of law

SEC. 17. All statutes and amendments in conflict with the provisions of this act are hereby expressly repealed."

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill, following line 50, add the following:

"State Librarian 5,000
Natural Resources, Department of, Director ..... 6,000".

AMENDMENT NUMBER TWELVE.

In line 1 of the title of the printed bill, as amended, after "employees", insert the following, "and the salaries thereof"

AMENDMENT NUMBER THIRTEEN.

On page 2 of the printed bill as amended, strike out lines 7 and 8, and insert in lieu thereof the following "and it is hereby declared to be the duty of such board:

(1) To add to the established positions and fix the salary ranges".

AMENDMENT NUMBER FOURTEEN.

On page 2 of the printed bill, as amended, strike out line 31, and strike out "position", in line 32 and insert in lieu thereof the following: "governing transfers from positions in one department to positions".

AMENDMENT NUMBER FIFTEEN.

On page 3 line 19, of the printed bill, as amended, strike out '1,200", and insert in lieu thereof the following: "6,000".

AMENDMENT NUMBER SIXTEEN.

On page 3 of the printed bill, as amended, strike out lines 36 and 37.

AMENDMENT NUMBER SEVENTEEN

On page 3 of the printed bill as amended, strike out lines 49 and 50, and insert in lieu thereof the following: "Legislative Counsel ..... 5,000".

AMENDMENT NUMBER EIGHTEEN

On page 4, line 17, of the printed bill, as amended, strike out "determind", and insert in lieu thereof the following: "determined".

AMENDMENT NUMBER NINETEEN

On page 5, line 15, of the printed bill as amended, after "and", insert the following: "employee".

AMENDMENT NUMBER TWENTY.

On page 7, line 32, of the printed bill, as amended, strike out "less", and insert in lieu thereof the following "and".

AMENDMENT NUMBER TWENTY-ONE

On page 7 of the printed bill, as amended, strike out line 34, and insert in lieu thereof the following: "shall readjust the salary range for such position,".

AMENDMENT NUMBER TWENTY-TWO.

On page 8, line 10, of the printed bill, as amended, strike out "holding a position", and insert in lieu thereof the following "having been employed by the State".

AMENDMENT NUMBER TWENTY-THREE.

On page 9, line 22, of the printed bill, as amended, after the period, insert the following: "All such duties, powers, purposes, responsibilities and jurisdictions and such additional duties, powers, purposes, responsibilities and jurisdictions as may be designated to it by the board shall be administered by and through the Division of Personnel and Organization."

AMENDMENT NUMBER TWENTY-FOUR.

On page 9 of the printed bill, as amended, strike out lines 47 and 48.

The roll was called, and Senate amendments to Assembly Bill No. 700 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—63.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 18—Relative to the designation and appointment of John Stephen McGroarty as poet laureate of California.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

Assembly Concurrent Resolution No. 18 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2219—An act to add section 3410 to the Political Code, relating to exchange of private lands in national forests for lands of the United States located outside national forests;

Also: Assembly Bill No 2399—An act establishing a certain additional State highway and classifying it as a secondary highway,

Also: Assembly Bill No 693—An act to add section 386 to the Political Code, relating to the secretaries of the Governor.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No 54—Relative to leaves of

absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the fiftieth session of the Legislature of the State of California.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Concurrent Resolution No. 54 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1368—An act to amend sections 4.161 and 4.190 of the School Code, relating to county elementary school funds—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1368?

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, as amended, strike out the following: "sections 4.161, 4.190 and", and insert in lieu thereof the following: "section".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out all of lines 1 to 27, both inclusive

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended, strike out all of lines 1 to 22, both inclusive.

AMENDMENT NUMBER FOUR.

On page 2, line 23, of the printed bill, as amended, strike out "SEC. 3", and insert in lieu thereof the following: "SECTION 1".

The roll was called, and Senate amendments to Assembly Bill No. 1368 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder Stannard Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr Speaker—63.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and without reference to print, Assembly Bill No 2123—An act to add a new section, to be numbered 3a, to an act entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved May 23, 1907, relating to the disposal of sewage and other substances—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2123?

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, as amended, after the word "county", strike out the word "may", and add the following: "or city and county shall".

AMENDMENT NUMBER TWO.

In the last line of the title of the printed bill, strike out "sewerage disposal", and insert in lieu thereof the following: "the disposal of sewage and other substances".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 3 to 8, inclusive, and insert in lieu thereof the following:

"SEC. 3a. No county may deposit or discharge outside the boundaries of the county any sewage, garbage, or other substance the discharge or deposit of which is governed by section 2 of this act, without the consent by resolution of four-fifths of the members of the board of supervisors of the county in which the discharge or deposit is to be made, nor unless the discharge or deposit, if made on land, is properly covered by soil in a manner approved by the health authorities of such county in which the discharge or deposit is made."

The roll was called, and Senate amendments to Assembly Bill No. 2123 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—63.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 545—An act to amend section 3 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products, defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof, and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of motor vehicle fuel and lubricating oil—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 545?

AMENDMENT NUMBER ONE

On page 2, line 29, of the printed bill, as amended May 4, 1933, after the period insert the following: "If any such lubricating or motor oil so sold, or so offered for sale or delivery, has been previously used for the lubrication of internal combustion engines or any gearing or shafting attached to or connected thereto, or for any other lubricating purposes, and has been rerun, filtered, redistilled or reclaimed, each such sign or label shall bear the words in letters not less than three (3) inches in height "Reclaimed used lubricating oil" or "Reclaimed used motor oil," as the case may be, in addition to the brand, trade-mark or trade name of such product."

AMENDMENT NUMBER TWO.

On page 2, line 30, of the printed bill, as amended May 4, 1933, after the word "attaching", insert the word "any".

AMENDMENT NUMBER THREE.

On page 2, line 37, of the printed bill, as amended May 4, 1933, after the first comma, insert the following: "either unused or reclaimed,".

AMENDMENT NUMBER FOUR.

On page 2, line 40, of the printed bill, as amended May 4, 1933, strike out the semicolon and insert the following: ", but no bottles containing reclaimed lubricating or motor oil shall be kept or commingled in any basket, stand or rack containing any bottles used to dispense unused lubricating or motor oils;".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, as amended May 4, 1933, strike out all of lines 48 to 52, inclusive, and on page 3, strike out all of lines 1 and 2, and insert the following:

"oil, no brand" or "motor oil, no brand"; provided, however, that if such lubricating or motor oil shall be reclaimed oil, each such sign or label shall also include the words "Reclaimed used lubricating oil" or "Reclaimed used motor oil," as the case may be This provision as to size of letters shall not apply".

AMENDMENT NUMBER SIX

On page 2 of the printed bill, as amended May 10, 1933, strike out all of line 22, and insert in lieu thereof: "refiner or blender to a manufacturer, refiner or blender, or to a distributor selling under his own brand or through an agent selling under his own brand, but".

AMENDMENT NUMBER SEVEN.

On page 2, line 23, of the printed bill, as amended May 10, 1933, after the word "vendee", insert "or agent".

AMENDMENT NUMBER EIGHT.

On page 2, line 36, of the printed bill, as amended May 10, 1933, strike out the word "further".

The roll was called, and Senate amendments to Assembly Bill No. 545 were concurred in by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan Meeker Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—63.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 1595—An act to add sections 3817b and 3817c to the Political Code, relating to the redemption of property sold to the State for delinquent taxes and authorizing suits to quiet title against the State of California for such property and to declare that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1595?

AMENDMENT NUMBER ONE

On page 2, line 16, of the printed bill, after the word "estate", insert a comma and add the following, "on or before the thirty-first day of December, 1934,".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, following line 31, insert the following paragraph:

"Notwithstanding the provisions of sections 3764 and 3771a of this code no sale at auction to the public shall be made of unredeemed property in the years of 1933 or 1934, but at the day and hour fixed for the sale in accordance with subdivision 2 of section 3764 of this code all property otherwise subject to sale to the public shall be deeded to the State as provided in section 3785 of this code. No sale of any property shall be made in accordance with the provisions of section 3897 of this code after the effective date of this act and prior to the first day of January, 1935."

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 32 to 48, inclusive.

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, following line 8, insert the following paragraph

"SEC 3 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution, and shall go into immediate effect The facts constituting the necessity are as follows Due to the widespread depression, many taxpayers have been unable to pay their taxes, or to redeem their property from sale to the State for delinquency. By permitting redemption without penalties, many taxpayers will be enabled to redeem their property, restore the same to the

tax rolls, and thereby add revenue for the operation and maintenance of local government."

The roll was called, and Senate amendments to Assembly Bill No. 1595 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—63.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2422—An act to amend section 737qq of the Political Code, relating to the salaries of the judges of the superior court of Santa Clara County—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2422?

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the words "five hundred".

AMENDMENT NUMBER TWO

On page 1, line 5, of the printed bill, after the word "thousand", insert the words "five hundred".

The roll was called, and Senate amendments to Assembly Bill No. 2422 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—63.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 532—An act to amend section 2322x5 of the Political Code, relating to agricultural commissioner in counties of the fifth class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 532?

AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill, as amended, strike out the words "one thousand two hundred dollars", and insert in lieu thereof the following: "one thousand one hundred seventy dollars".

AMENDMENT NUMBER TWO.

On page 2, lines 1 and 2, of the printed bill, as amended, strike out the words "seven thousand three hundred twenty", and insert in lieu thereof "six thousand eight hundred twenty-two".

The roll was called, and Senate amendments to Assembly Bill No. 532 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—63.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2407—An act to amend section 24½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time, for such purposes, and to create a board of fire commissioners," approved March 4, 1891, relating to inclusion of outlying territory within the fire limits of unincorporated towns and villages—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2407?

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the word "fifteen", and insert in lieu thereof the word "thirty".

The roll was called, and Senate amendment to Assembly Bill No. 2407 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—63.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 504—An act to amend section 737g of the Political Code, relating to the compensation of the judges of the superior court in and for the county of Contra Costa—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 504?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of line 5 after the word "is", all of lines 6, 7, 8, 9, 10 and 11, and insert in lieu thereof the following: "six thousand dollars".

The roll was called, and Senate amendment to Assembly Bill No 504 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—63.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 912—An act to amend section 6.3 of the School Code, relating to the improvement of public streets and places by school boards—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 912?

AMENDMENT NUMBER ONE

On page 1, line 7, of the printed bill, after the word "construct", insert the following: "in immediate proximity to any school of the district,".

AMENDMENT NUMBER TWO

On page 1, line 9, of the printed bill, following the word "money", insert the following: "from the building fund of the district".

The roll was called, and Senate amendments to Assembly Bill No. 912 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—63.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 38—Relative to the maintenance of the free employment agency in the city of Bakersfield.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Turner asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 38, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THIRTY-EIGHT.

Senate Concurrent Resolution No. 38—Relative to the maintenance of the free employment agency in the city of Bakersfield.

The question being on the adoption of Senate Concurrent Resolution No. 38.

The roll was called, and Senate Concurrent Resolution No. 38 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Wright, Zion and Mr. Speaker—66

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 38 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 38.

Relative to the maintenance of the free employment agency in the city of Bakersfield.

WHEREAS, The city of Bakersfield is an important labor center of the San Joaquin Valley; and

WHEREAS, The Legislature deems it advisable that the Department of Industrial Relations maintain the free employment agency in said city; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That it recommends to the Department of Industrial Relations that it maintain the free employment agency in said city under the authority vested in it by an act entitled "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915; and be it further

Resolved, That a copy of this resolution be forwarded by the Secretary of the Senate to the Director of the Department of Industrial Relations

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 635—An act to amend sections 21, 440, 463, 578, 702, 715, 932, 1010, 1020, 1120, 1125, 1126, 1200, 1201, 1531 and 1537 of the Probate Code, to add sections 541.5, 718.5, 930.5, 1020.5, 1026, 1127, 1241, 1556.5 and 1632 thereto, and to repeal certain provisions of law herein specified, all relating to probate, including the custody, disposal by will, succession, administration and distribution of estates of decedents, and the custody and administration of estates of persons under guardianship—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 635?

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, strike out "228, 229,".

AMENDMENT NUMBER ONE-A

In line 3 of the title of the printed bill, as amended, after "sections", insert the following: "541.5,".

AMENDMENT NUMBER TWO

On page 2 of the printed bill, as amended, between lines 50 and 51, insert the following:

"SEC. 3a. A new section is hereby added to the Probate Code to be numbered section 541.5, and to read as follows:

541.5. Every executor or administrator furnishing a surety bond shall be allowed the cost of such bond for every year it remains in force."

AMENDMENT NUMBER THREE.

On page 6, line 33, of the printed bill, as amended, after the period, insert the following: "He shall be allowed the cost of such bond to the extent provided by section 541.5."

AMENDMENT NUMBER FOUR.

On page 8 of the printed bill, as amended, strike out lines 38 to 40, inclusive, and insert in lieu thereof the following:

"1556.5. If the guardian furnishes a surety bond, he shall be allowed the cost thereof for each year it remains in force."

The roll was called, and Senate amendments to Assembly Bill No. 635 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stanward, Stream, Sullivan, Thorp, Turner, Utt, West, Wright, Zion and Mr. Speaker—66

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 2406—An act to establish certain secondary State highways and provide for their construction, improvement and maintenance—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

MOTION TO RE-REFER.

Mr. Hoffman moved that Assembly Bill No. 2406 be ordered re-referred to Committee on Rules.

The question being on re-referring Assembly Bill No. 2406 to Committee on Rules.

Motion carried.

Assembly Bill No. 2406 re-referred to Committee on Rules.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 660—An act to amend section 4300*l* of the Political Code, relating to municipal court fees—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 660?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out lines 19 to 22, inclusive, and insert in lieu thereof the following:

"For filing the first paper (other than demurrer) on behalf of any party (other than plaintiff) one dollar for each such party.

For filing a demurrer, one dollar for each party demurring.

For filing the papers transmitted from another court, on the transfer of a civil action or proceeding, and".

AMENDMENT NUMBER TWO.

On page 2, line 1, of the printed bill, as amended, strike out "a" following the word "to", and insert in lieu thereof the following: "the".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended, strike out lines 2 to 4, inclusive, and insert in lieu thereof the following: "in the court to which the case is to be transferred. The clerk shall transmit such filing fee, with the papers in the case, to the clerk or justice of the court to which the case is transferred."

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended, in line 6, strike out "jurisdiction", and insert in lieu thereof the following: "court".

The roll was called, and Senate amendments to Assembly Bill No. 660 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Wright, Zion and Mr. Speaker—66.

NOES—None.

The above reported bill ordered to enrollment.

RECESS.

At three o'clock and forty-one minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess.

REASSEMBLED.

At three o'clock and forty-two minutes p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

SENATE MESSAGES

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 1009—An act to add a new section to the Penal Code to be numbered 653c-1, relating to the hours of labor on public works during the present emergency and declaring the urgency thereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1009?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in the Senate on April 24, 1933, strike out lines 12, 13 and 14, and insert in lieu thereof the following: "except that any laborer, workman or mechanic employed upon maintenance or repair work by the said State, or any municipal corporation or political subdivision or district thereof, may work not more than forty-four hours in any one calendar week, nor more than eight hours in any one calendar day"

AMENDMENT NUMBER TWO.

On page 3, line 48, of the printed bill, as amended in the Senate on April 24, 1933, after the word "act", insert the following "or to any work to be subcontracted thereunder".

AMENDMENT NUMBER THREE.

On page 4, lines 1, 2 and 3, of the printed bill, as amended in the Senate on April 24, 1933, strike out the following: "except work done in fabricating products of unique or special design made according to specifications for public works,".

AMENDMENT NUMBER FOUR.

On page 4, line 5, of the printed bill, as amended in the Senate on April 24, 1933, strike out the comma following the word "site", and insert a period in lieu thereof, and strike out the remainder of line 5, and all of lines 6, 7, 8, 9 and 10

AMENDMENT NUMBER FIVE.

On page 3, line 42, of the printed bill, after the words "or not", insert "except work done directly by any public utility company pursuant to order of the Railroad Commission or other public authority,".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1009 by the following vote:

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Dempster, Evans, Fisher, Gilmore, Hall ner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—56.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. McMurray, Craig and Gilmore, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 1009.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day refused passage to Assembly Bill No. 1014—An act to amend sections 269 and 271 of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1759—An act to amend sections 656 and 843 of the Fish and Game Code, and to repeal sections 863 and 887 thereof, relating to salmon and nets;

Also Assembly Bill No. 809—An act to amend the title, sections 12, 16, 23, 23a and to repeal sections 12a, 12b and 12c, and to add section 16a to an act entitled "An act to promote the drainage of wet, swamp, and overflowed lands or lands otherwise needing surface or underground drainage or protection from storm water overflow, and to promote the public health in the communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof," approved May 18, 1919, Statutes 1919, page 731, as amended, with the provision that the repeal of sections 12a, 12b and 12c shall not affect existing proceedings or to existing bonds or assessments issued or levied under said act, and to provide for the advancing of maturity of bonds issued under said act;

Also: Assembly Bill No. 2070—An act making an appropriation to the State Board of Control to pay claims against the State of California;

Also: Assembly Bill No. 366—An act to amend section 17 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to vacancies in the office of a judge of a municipal court.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 51—Relative to public

information concerning the plan for the revision of the tax system of the State as embodied in Senate Constitutional Amendment No. 30.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

Assembly Concurrent Resolution No 51 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2364—An act making an appropriation to pay the claim of Effie Porter against the State of California;

Also: Assembly Bill No. 1536—An act to add section 484.5 to the Fish and Game Code, to amend section 665, and to repeal sections 863, 876, 887 and 942 thereof, relating to fish and game;

Also: Assembly Bill No. 637—An act to amend section 2287 of the Civil Code, relating to appointment of a trustee to fill a vacancy;

Also: Assembly Bill No. 2084—An act to add a new section to the Probate Code to be numbered 718.6 relating to the acceptance of a deed conveying property which is subject to a mortgage or deed of trust in lieu of foreclosure of the mortgage or sale under the deed of trust.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Kallam, McMurray and Maloney, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 2145.

THIRD READING OF SENATE BILLS.

Senate Bill No. 454—An act to amend section 1060 of the Fish and Game Code, to add thereto sections 481.5, 744, 842.5, 846.5, 867, 1063.5, 1064.5, 1065 5, and to repeal sections 714, and 1066 to 1071 inclusive, relating to fish and game.

Bill read third time.

The question being on the passage of the bill.

MOTION TO LAY ON TABLE.

Mr. Rawls moved that Senate Bill No. 454 be laid on the table.

Motion lost.

The question being on the passage of Senate Bill No. 454.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Latham, Hoffman, Scudder, Evans and Cottrell demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Redwine moved a call of the House.

Motion lost.

The roll was called.

MOTION TO RECESS.

Mr Cobb moved that the Assembly stand at recess for two minutes.

MOTION TO RECESS.

Mr. Rawls moved that the Assembly do now recess until the next legislative day.

Motion lost.

WITHDRAWAL OF MOTION.

Mr. Cobb withdrew his motion to recess.

CALL OF THE HOUSE.

Mr. Cobb moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Cobb, Redwine and West, the Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion for a call of the House carried by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cronin, Fisher, Frazier, Gilmore, Greene, Hoffman, Hornblower, Kallam, Knowland, Latham, Maloney, Martin, Mayo, Meeker, Miller, Eleanor; Nielsen, Patterson, Phillips, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E, Scudder, Stream, Sullivan, West, Wright and Mr. Speaker—38.

NOES—Bowers, Boyle, Cassidy, Crowley, Dempster, Evans, Hunt, Jones, King, Lyon, McCarthy, Rawls, Rogers, Stannard, Tournoux, Turner and Zion—17.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Dempster, Evans, Fisher, Frazier, Gilmore, Greene, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; Nielsen, Patterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E, Rogers, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, West, Wright, Zion and Mr. Speaker—55.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

ASSISTANT CLERK FITZSIMMONS READING.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 356.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 16—An act to amend sections 3, 11 and 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diver-

sion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the collection of a license tax on motor vehicle fuel and to refunds of such tax and to the distribution of the proceeds of said tax and to repeal Chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," as amended—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 16?

MOTION TO LAY ON TABLE.

Mr. West moved that Assembly Bill No. 16 be laid on the table.

Motion carried.

MOTION TO EXPUNGE RECORD.

Mr. Hoffman moved to rescind the action whereby Senate Bill No. 561 was passed by this Assembly, and that the record thereof be expunged.

The question being on the motion to rescind the action and expunge the record.

The roll was called, and the motion to rescind the action and expunge the record was refused adoption by the following vote:

AYES—Badham, Boyle, Cassidy, Fisher, Gilmore, Knowland, Latham, McBride, Miller, Eleanor and Tournoux—10.

NOES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Frazier, Greene, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Stream, Turner, Utt, Wright and Mr. Speaker—42.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2208—An act to amend sections 3366 and 4041.14 and to repeal section 3384 of the Political Code, relating to the licensing of businesses by the counties—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2208?

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, after "4041.14", insert the following: "and to repeal section 3384".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out lines 8 and 9, and insert in lieu thereof the following: "therein, shall, in the exercise of their police powers, and for the purpose of regulation, as herein provided, and not otherwise, have power to license all and every kind of".

AMENDMENT NUMBER THREE

On page 2, line 9, of the printed bill, as amended, strike out the period, and insert in lieu thereof a semicolon and the following: "provided further that counties may for the purpose of revenue license traveling merchants, hawkers, peddlers or itinerant vendors.

This section shall not be deemed to repeal any act vesting municipal corporations with power to license for revenue purposes."

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended, strike out line 16, and insert in lieu thereof the following: "in the exercise of their police powers, and for the purpose of regulation, as herein provided, and not otherwise,".

AMENDMENT NUMBER FIVE.

On page 2, line 34, of the printed bill, as amended, strike out the period, and insert in lieu thereof a semicolon and the following: "provided further that counties may for the purpose of revenue license traveling merchants, hawkers, peddlers or itinerant vendors.

SEC. 3. Section 3384 of the Political Code is hereby repealed."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No 2208 by the following vote:

AYES—Badham, Callahan, Clowdsley, Cobb, Hallner, Hatch, Mayo, McBride, Meeker, Nielsen, Patterson, Peterson, Rawls, Redwine, Riley and Mr. Speaker—16.

NOES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Cassidy, Chatters, Cronin, Crowley, Fisher, Gilmore, Greene, Hoffman, Latham, Martin, McCarthy, Miller, Eleanor, Phillips, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Thorp, Tournoux, Turner, Utt, West and Wright—29.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs Peterson, Anglim and Boyle, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 2208.

SENATE MESSAGES

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2408—An act to add section 365e½ to the Political Code, relating to powers and duties of the California Highway Commission in respect to construction or repair of highways—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2408?

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, as amended, strike out "irrespective of type of material.", and insert in lieu thereof a period and the following: "Whenever the words "high type paving" are used in this act, they shall be construed to include only asphalt concrete pavement and portland cement concrete pavement as designated by the Division of Highways."

AMENDMENT NUMBER TWO

On page 1, line 20, of the printed bill, as amended strike out "designated", and insert in lieu thereof the following: "designed".

The roll was called, and Senate amendments to Assembly Bill No. 2408 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Nielsen, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—61.

NOES—None.

MOTION TO EXPUNGE RECORD.

Mr. Maloney moved that the action be rescinded, and the record be expunged whereby the Assembly refused to concur in Senate amendments to Assembly Bill No. 1009.

Motion carried.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1009?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in the Senate on April 24, 1933, strike out lines 12, 13 and 14, and insert in lieu thereof the following: "except that any laborer, workman or mechanic employed upon maintenance or repair work by the said State, or any municipal corporation or political subdivision or district thereof, may work not more than forty-four hours in any one calendar week, nor more than eight hours in any one calendar day."

AMENDMENT NUMBER TWO.

On page 3, line 48, of the printed bill, as amended in the Senate on April 24, 1933, after the word "act", insert the following: "or to any work to be subcontracted thereunder".

AMENDMENT NUMBER THREE.

On page 4, lines 1, 2 and 3, of the printed bill, as amended in the Senate on April 24, 1933, strike out the following: "except work done in fabricating products of unique or special design made according to specifications for public works,".

AMENDMENT NUMBER FOUR.

On page 4, line 5, of the printed bill, as amended in the Senate on April 24, 1933, strike out the comma following the word "site", and insert a period in lieu thereof, and strike out the remainder of line 5, and all of lines 6, 7, 8, 9 and 10.

AMENDMENT NUMBER FIVE.

On page 3, line 42, of the printed bill, after the words "or not", insert "except work done directly by any public utility company pursuant to order of the Railroad Commission or other public authority,".

The roll was called, and Senate amendments to Assembly Bill No. 1009 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Dempster, Evans, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Rogers, Roland Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—57.

NOES—None.

The above reported bill ordered to enrollment.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and without reference to print, Assembly Bill No 1277—An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1277?

AMENDMENT NUMBER ONE.

On page 7, line 44, of the printed bill, as amended, after the word "treatment", strike out the period, and insert the following: "or to any nonprofit foundation incorporated under the laws of California the majority of the directors of which are qualified under the laws of California to furnish through newspapers, magazines, pamphlets, the radio or otherwise information and advice relating to individual, community and public health subjects."

The roll was called, and Senate amendment to Assembly Bill No. 1277 was concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Dempster, Evans, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—57.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2295—An act to amend sections 869 and 925 of the Penal Code, relating to the duties of reporters in preliminary examinations and hearing before the grand jury—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2295?

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, strike out "and 925", and insert in lieu thereof a comma and the following: "925, and 1017".

AMENDMENT NUMBER TWO.

Strike out lines 3 and 4 of the title of the printed bill, as amended, and insert in lieu thereof the following: "official reporters."

AMENDMENT NUMBER THREE

On page 3, line 39, of the printed bill, as amended, after the word "shall", insert a comma and the following: "within ten days thereafter, unless the court for good cause shall make an order extending the time, which time shall not be extended more than twenty days,".

AMENDMENT NUMBER FOUR.

On page 3, line 46, of the printed bill, as amended, strike out "serve", and insert in lieu thereof the following: "deliver".

AMENDMENT NUMBER FIVE.

On page 3, line 47, of the printed bill, as amended, strike out "within five days after", and all of lines 48 and 49, and insert in lieu thereof the following: "or his attorney,".

AMENDMENT NUMBER SIX.

On page 4, line 3, of the printed bill, as amended, after the word "person", insert the following: "other than the district attorney".

AMENDMENT NUMBER SEVEN.

On page 4, line 7, of the printed bill, as amended, strike out "service upon said defendant", and insert in lieu thereof the following: "delivery to said defendant or his attorney".

AMENDMENT NUMBER EIGHT.

On page 4, line 9, of the printed bill, as amended, after the period, insert the following: "The reporter shall draw no salary or fees from the county for preparing said transcript in any case until all such transcripts of testimony in said case so taken by him are written up and delivered. Before making the order for payment to the reporter as hereinafter set forth, the judge of the superior court shall require the reporter to show by affidavit or otherwise that he has written up and delivered all testimony taken by him, in accordance with this section."

AMENDMENT NUMBER NINE.

On page 4 of the printed bill, as amended, after line 30, add the following:

"SEC. 3. Section 1017 of the Penal Code is hereby amended to read as follows:

1017. Every plea must be oral, and entered upon the minutes of the court in substantially the following form, but shall not be taken down in shorthand by the official reporter unless so ordered by the court:

1. If the defendant plead guilty: "The defendant pleads that he is guilty of the offense charged."

2. If he plead not guilty: "The defendant pleads that he is not guilty of the offense charged."

3. If he plead a former conviction or acquittal: "The defendant pleads that he has already been convicted (or acquitted) of the offense charged, by the judgment of the court of ------ (naming it), rendered at ------ (naming the place), on the ------ day of ------."

4. If he plead once in jeopardy: "The defendant pleads that he has been once in jeopardy for the offense charged (specifying the time, place, and court)."

5. If he plead not guilty by reason of insanity: "The defendant pleads that he is not guilty of the offense charged because he was insane at the time that he is alleged to have committed the unlawful act."

The roll was called, and Senate amendments to Assembly Bill No 2295 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Dempster, Evans, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—57.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference appointed to consider Assembly Bill No. 2145—An act to amend section 360c of the Political Code, relating to the California Highway Patrol

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference appointed to consider Senate Bill No 400—An act to add a new section to the Political Code, to be numbered 3714b, relating to annual financial estimates from special tax and assessment districts.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

MOTION.

On motion of Mr. Robinson, C. Ray, the Chief Clerk was authorized to procure lunch and refreshments for the members.

Motion carried.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: Your Committee on Free Conference concerning Senate Bill No 400—An act to add a new section to the Political Code, to be numbered 3714b, relating to annual financial estimates from special tax and assessment districts—reports that it has met a like committee of the Senate, consisting of Senators McKinley, Edwards and Rich, and reports that the Committee on Free Conference

has agreed to recommend the following: That the Senate concur in the Assembly amendments, and that the bill be further amended as follows.

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, as amended, insert after the word "irrigation", a comma and add the words "reclamation, water conservation, drainage, and levee".

AMENDMENT NUMBER TWO.

On page 2, line 25, of the printed bill, as amended, strike out the words "school district.", and insert in lieu thereof the words "school, reclamation, irrigation, water conservation, drainage, or levee districts,".

AMENDMENT NUMBER THREE.

On page 2, line 24, of the printed bill, as amended, strike out the word "effect", and insert in lieu thereof the word "affect".

FISHER,
CRAIG,
ROLAND,
Assembly Committee on Free Conference

McKINLEY,
EDWARDS,
RICH.
Senate Committee on Free Conference.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Dempster, Evans, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—57.

NOES—None.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 39—Relative to special tax studies to be made for the Legislature by the Tax Research Bureau in the office of the State Board of Equalization.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SOHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT

Mr. Clowdsley asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 39, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THIRTY-NINE.

Senate Concurrent Resolution No. 39—Relative to special tax studies to be made for the Legislature by the Tax Research Bureau in the office of the State Board of Equalization.

Senate Concurrent Resolution No. 39 read.

The question being on the adoption of Senate Concurrent Resolution No. 39.

The roll was called, and Senate Concurrent Resolution No. 39 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Dempster, Evans, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls,

Riley, Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—57.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 39 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 39.

Relative to special tax studies to be made for the Legislature by the Tax Research Bureau in the Office of the State Board of Equalization.

WHEREAS, The Legislature is declaring a recess in its fiftieth regular session until July 17, 1933, in order that there may be submitted to the people meanwhile a measure involving major revision of the tax system of the State, to wit: Senate Constitutional Amendment No. 30; and

WHEREAS, The State of California is confronted with tax problems of unusual complexity, so that regardless of the action taken by the voters with reference to said measure, the Legislature must consider, at the resumption of its session, numerous questions the adequate solution of which will involve detailed study and analysis of various methods of taxation; and

WHEREAS, In pursuance of the provisions of law, a Tax Research Bureau has been established in the office of the State Board of Equalization and has compiled data on various tax matters, now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Director of said Tax Research Bureau be requested to have prepared and available for the Legislature, prior to July 17, 1933, a special report containing detailed information regarding the text of possible sales, excise, income and other forms of tax measures, the yield and economic effect thereof, and other pertinent data with respect thereto; and be it further

Resolved, That said director take all steps necessary to comply with the terms of this resolution, to the end that the Legislature may have the full benefit of the studies of said bureau for its consideration at the reconvening of the current session.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

MR SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 2145—An act to amend section 360c of the Political Code, relating to the California Highway Patrol—reports that it has met a like committee of the Senate, consisting of Senators Harper, Swing and Seawell, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 3, line 13, of the printed bill, strike out the word "who", and insert in lieu thereof the word "whose".

AMENDMENT NUMBER TWO.

On page 3, line 15, of the printed bill, after the word "secretary", insert the words "and such investigators".

MALONEY,
McMURRAY,
KALLAM,
Assembly Committee on Free Conference.

HARPER,
SWING,
SEAWELL,
Senate Committee on Free Conference.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Dempster, Evans, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phil-

lips, Rawls, Riley, Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—57.

NOES—None.

The above reported bill ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

RESOLUTION.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of the person or firm listed below and for the amount of money set opposite his name, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Joseph P. Gilmore, flowers provided members pursuant to Assembly motion.....$10 00

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Dempster, Evans, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—57.

NOES—None.

RESOLUTION.

The following resolution was offered:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1933.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of the person or firm listed below and for the amount of money set opposite its name, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Hotel Senator (lunch served members).....$61 00

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Dempster, Evans, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—57.

NOES—None

RESOLUTION.

The following resolution was offered:

By Mr. Nielsen:

WHEREAS, Fox West Coast Theatres, Spyros P. Skouras, president, Thos. D. Van Osten, managing director, A. M. Bowles, manager northern California division, and Blumenfeld Theatre Circuit, Jos. Blumenfeld, manager, have contributed to the entertainment of the members of the Assembly during their stay in Sacramento, by granting admission courtesies to their various places of amusement; now, therefore, be it

Resolved, That the members of the Assembly hereby express their appreciation of the thoughtful courtesy extended to them by the aforesaid officials; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution suitably engrossed to each of the said parties.

Resolution read, and on motion, unanimously adopted.

LETTER OF APPRECIATION.

Members of the Assembly, Fiftieth Session,
California Legislature, Sacramento, California.

GENTLEMEN: May I extend, at this time, my sincere appreciation for the compliment paid me with reference to the unimportant and more or less frivolous resolu-

tion regarding my birthday. It is such kindly acts as this that make this legislative strife worth while.

I shall always remember and cherish with deep appreciation your gesture of good fellowship. In all humbleness I am very proud of the fact that I am a native son of the great State of California, born in Colusa on May 8, 1878, and that you, my friends, have seen fit to honor me, as a member of the Assembly, with the recognition of my birthday.

Yours in appreciation,

AUSTIN L. TOURNOUX.

MOTION.

Mr. Robinson, C. Ray, moved that the Journal of Friday, May 12, 1933, be approved as corrected by the Minute Clerk.

Motion carried.

COMMITTEE FROM SENATE.

Senators Jespersen, King and Gordon appeared before the bar of the Assembly and informed the Assembly that the Senate was now ready to recess and asked if the Assembly had any further message to convey to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Further proceedings under call of the House were dispensed with, on motion of Mr. Redwine.

The roll of absentees was called, and Senate Bill No. 454 passed by the following vote:

AYES—Alter, Badham, Bliss, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Fisher, Greene, Hallner, Hatch, Hoffman, Hornblower, Kallam, Knowland, Latham, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Nielsen, Patterson, Phillips, Redwine, Riley, Robinson, C. Ray; Roland, Scudder, Stream, Thorp, Utt, West, Wright, Zion and Mr. Speaker—41.

NOES—Anglim, Bowers, Boyle, Cassidy, Crowley, Dempster, Evans, Frazier, Gilmore, Hunt, Jones, King, Lyon, Maloney, McCarthy, McMurray, Meehan, Miller, James A., O'Donnell, Peterson, Rawls, Robinson, Samuel E., Rogers, Stannard, Sullivan, Tournoux and Turner—27.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

On motion of Mr. Maloney, the Chief Clerk was instructed to write a letter to Hon. Lucius Powers, Jr., congratulating him on his approaching marriage and to include therein the congratulations of the members of this Assembly.

Motion carried unanimously.

RESOLUTION.

The following resolution was offered:

By Mr. Bowers:

Resolved, That a committee of three be appointed by the Speaker to wait upon the Senate and inform that body that the Assembly is ready for the recess, and ask if the Senate has any further communication to make to the Assembly.

Resolution read, and on motion adopted.

APPOINTMENT OF COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Bowers, Greene and Zion as such Select Committee.

RESOLUTION.

The following resolution was offered:

By Mr. Riley:

Resolved, That the Speaker appoint a committee of three to wait upon His Excellency, Governor James Rolph, Jr., and inform His Excellency that the Assembly is

ready for the recess, and ask if the Governor has any comments to make to the Assembly.

Resolution read, and on motion adopted.

APPOINTMENT OF COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Riley, Morgan and Fisher as such Select Committee

REPORT OF SELECT COMMITTEE.

The committee appointed to wait upon the Senate appeared before the bar of the Assembly and reported that the instructions of the Assembly had been carried out, and that the Senate had concluded its labors and was ready to recess.

REPORT OF SELECT COMMITTEE.

The committee appointed to wait upon His Excellency the Governor appeared before the bar of the Assembly and reported that they had communicated with the Governor, and that he had no further communication to make to the Assembly.

COMMITTEE FROM THE SENATE.

Senators King, Gordon and Seawell appeared before the bar of the Assembly and informed the Assembly that the Senate was ready to recess, and asked if the Assembly had any further message to convey to the Senate.

The Speaker replied that the Assembly had concluded its labors and was ready to recess, and had no further communication to make to the Senate.

RECESS

At four o'clock p.m., Friday, May 12, 1933, in accordance with the provisions of Senate Concurrent Resolution No. 22, Hon. Walter J. Little, Speaker of the Assembly, declared the fiftieth session of the Assembly at recess until the seventeeenth day of July, 1933, at the hour of eleven o'clock a.m.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, July 17, 1933.

At eleven o'clock a.m., pursuant to the provisions of Senate Concurrent Resolution No. 22, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Municipal League of Los Angeles, relative to income tax to meet the deficit.

Also:

By Mr. Speaker:

From Wilford H. Howard, Santa Rosa, relative to Home Mortgage Moratorium Law.

Also:

By Mr. Speaker:

From Chamber of Commerce of Huntington Beach, California, relative to tidelands to the city of Huntington Beach.

(Signed) P. B CALBERT, President.

Also:

By Mr. Speaker:

From C. C Huston, Santa Cruz, California, requesting information on reclamation and irrigation districts.

Also:

By Mr. Speaker:

From First District California Congress of Parents and Teachers, Incorporated, Glendale, favoring Greene Bill No. 354.

Also:

By Mr. Speaker:

From board of supervisors, county of Los Angeles, relative to impersonating an Indian.

(Signed) L E. LAMPTON, County Clerk.
By MAME B. BEATTY, Deputy.

Also:

By Mr. Speaker.

From 25 members of Conference for Repeal of Criminal Syndicalism Law, favoring Maloney Repeal Bill No. 181.

(Signed) P A ROGERS, Chairman.

Also:

By Mr. Speaker:

From 20 members of International Labor Defense, favoring Maloney Repeal Bill No. 181

(Signed) GUS DAUBENECK, Secretary.

Also:

By Mr. Speaker:

From 25 members of Santa Ana Committee for Repeal of Criminal Syndicalism Law, favoring Maloney Repeal Bill No. 181.

(Signed) E. ELY, Chairman.

Also:

By Mr. Speaker:

From 27 members of International Workers Order, at Petaluma, California, relative to Criminal Syndicalism Act.

(Signed) D L LIBEHITZ, Chairman

Also:

By Mr. Speaker:

From 10 petitioners of Santa Cruz County, favoring Senate Bill No 674.

RESOLUTION.

The following resolution was offered:

By Mr. Feigenbaum:

Resolved, That the Speaker appoint a committee of three to notify the Senate that the Assembly has reconvened, pursuant to Senate Concurrent Resolution No. 22, adopted on April 26, 1933, and is ready to proceed with the business of the State, with all officers heretofore elected present, to wit:

Speaker	Hon. Walter J. Little
Speaker pro tempore	Hon. F. C. Clowdsley
Chief Clerk	Arthur A. Ohnimus
Minute Clerk	Louis F. Erb
Chaplain	Rabbi Norman M. Goldburg
Sergeant-at-Arms	Michael Connolly

Resolution read, and on motion adopted

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Feigenbaum, King and Stream as such select committee.

RESOLUTION.

The following resolution was offered.

By Mr. Anglim:

Resolved, That a committee of three be appointed by the Speaker to wait upon His Excellency Governor James Rolph, Jr., and inform him that the Assembly has reconvened after the Legislative recess, and awaits any communication that he may wish to make to it.

Resolution read, and on motion adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Anglim, Boyle and Badham as such select committee.

REPORT OF SELECT COMMITTEE.

The committee appointed to wait upon the Governor appeared before the bar of the Assembly, and reported that His Excellency is happy that the Assembly has reconvened, and appreciates the problems which confront it. Should matters arise requiring a message from the Governor, he will submit it in writing, and extends his compliments to the members.

REPORT OF SELECT COMMITTEE.

The committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out.

REPORT OF COMMITTEE FROM THE SENATE.

Senators Slater, Rich and Hulse appeared before the bar of the Assembly and announced that, pursuant to the provisions of Senate

Concurrent Resolution No 22, the Senate had reconvened and was ready to proceed with the business of the State, with all officers elected heretofore present, to wit:

President pro tempore.....Hon. A. H. Breed
Secretary.....Joseph A. Beek
Sergeant-at-Arms.....Joseph F. Nolan
Chaplain.....Rev William F. Ehmann
Minute Clerk.....F. E. Dalin

COMMUNICATIONS.

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

By Mr. Speaker:

LOS ANGELES, CALIFORNIA, June 12, 1933.

State Legislature, Sacramento, California

GENTLEMEN: In this brief letter to you, the Aldama Parent-Teacher Association wish to thank you for the loyal support you have given toward the welfare of our children. The good you have done toward helping our children will be remembered always

Again thanking you, we remain

Very truly yours,

ALDAMA PARENT-TEACHER ASSOCIATION
MRS R. E. LINCOLN, President.

MRS C. N. ANDERSON, Corresponding Secretary.

By Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, July 17, 1933.

MR SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as representatives of the newspapers set opposite their respective names

Sacramento Bee—Herbert L. Phillips
San Francisco Examiner—Ed Johnson, R W Jimerson.
Santa Monica Outlook—John Knauft
The Associated Press—S P. Apodaca, Ronald Gwinn.
Illustrated Daily News—Marshall Selover

ARTHUR A. OHNIMUS, Chief Clerk.

Also:

By Chief Clerk:

CONGRESS OF THE UNITED STATES, HOUSE OF REPRESENTATIVES.
WASHINGTON, D C., June 6, 1933

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

DEAR MR OHNIMUS: Receipt is acknowledged of copies of Assembly Joint Resolutions Nos 34 31 and 26, adopted by the California Legislature in May, 1933

In reply, will say that, as I see it, there is little hope in this short session for any legislative accomplishment such as is urged by the Legislature I may add, however, that I am in sympathy with the propositions outlined, and will be glad to cooperate in securing favorable action thereon in any way that I can

With all good wishes, I am

Sincerely yours,

J. H HOEPPEL,
Member of Congress.

Also:

By Chief Clerk:

MARIN MUNICIPAL WATER DISTRICT,
SAN RAFAEL, CALIFORNIA, May 26, 1933

Mr Arthur A Ohnimus
Chief Clerk, Assembly, California Legislature,
Sacramento, California

DEAR SIR: Again referring to your letter of April 22d and our reply of April 24th, we beg to advise you that your communication relative to our charges for water service furnished to San Quentin Prison was presented to the board of directors of the Marin Municipal Water District at their regular meeting on May 16, 1933, and I was directed to give you the facts concerning our water rates so that you would

have a better understanding of the charges made by us for service to San Quentin Prison

The reason that the Marin municipal water district has an abundant supply of water and is able to deliver that water in a good sanitary condition to its consumers is because the people in the district voted a $5,000,000 bond issue with which to purchase watershed lands, build storage reservoirs, construct transmission mains, and install an adequate distributing system; knowing that it was much wiser to do that and have the water than not to do it and be without the water

Our rates are based on a schedule that will provide only sufficient revenue to cover the operating and maintenance of the system, interest and principal on funded debt; in other words, our aim is to give "service at cost." We know that we are selling water as cheap, and in many cases a great deal cheaper, than any water company in the State of California who have problems similar to those of the Marin municipal water district in connection with their storage and distribution

For your information, I will state that if San Quentin Prison was buying their water supply from the East Bay utility district they would pay them about the same amount they pay us, and if they bought it from the city of San Francisco, they would pay considerably more than they pay us. The United States government at Mare Island buys from the city of Vallejo, twice the amount of water that is used by San Quentin Prison and pays practically the same rate per thousand gallons as the district charges.

San Quentin pays exactly the same rate as that paid by our other large consumers. To grant any reduction to San Quentin Prison, it would have to be done at the expense of our other consumers throughout the district.

Trusting that the Assembly will see the justice of our position when we say that we can not undertake to furnish water to San Quentin Prison at any lower rate than that now charged we are

Yours truly,

MARIN MUNICIPAL WATER DISTRICT.
By JOHN BURR, General Manager.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 31, 1933.

The Honorable Members of the Assembly of the State of California.

Attached hereto is copy of a letter dated May 26, 1933, addressed to me by the Honorable Mike Holm Secretary of State, St. Paul, Minnesota, together with a copy of a concurrent resolution memorializing the Congress of the United States to propose an amendment to the Constitution of the United States prohibiting the issuance of tax exempt securities

This is for the information of your honorable body and such action as is deemed advisable in the premises.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

(COPY.)

STATE OF MINNESOTA, DEPARTMENT OF STATE,
ST. PAUL, May 26, 1933.

YOUR EXCELLENCY. I have the honor to transmit herewith a certified copy of the concurrent resolution adopted at the last session of the Minnesota Legislature, as provided therein, with a request that you bring the same to the attention of the Legislature of your State at your earliest convenience.

In making this request I am following the instructions therein contained, and I am further directed to ask you to have this matter considered by the law making body of your State, to the end that Congress may be prevailed upon to submit such proposed amendment to the various States for ratification or rejection

Thanking you for your courtesy in acceding to this request, I have the honor to remain,

Very sincerely yours,

(Signed) MIKE HOLM, Secretary of State.

(COPY)

RESOLUTION

A concurrent resolution memorializing the Congress of the United States to propose an amendment to the Constitution of the United States prohibiting the issuance of tax-exempt securities

WHEREAS, The United States, the several States, and subdivisions thereof issue, from time to time, tax-exempt securities; and

WHEREAS, Such securities being tax exempt, the purchasers thereof are avoiding payment of their fair share of taxes, and

WHEREAS, Such tax-exempt securities for the most part are purchased by those best able to pay taxes; and

WHEREAS, The result is that an intolerable burden of taxation is placed upon those least able to pay; and

WHEREAS, The Legislature of the State of Minnesota believes that the situation of the taxpayers throughout the United States has assumed the proportions of a national calamity imperatively requiring immediate action by the United States with a view to speedy and permanent relief; now, therefore, be it

Resolved by the House of Representatives of the State of Minnesota, the Senate concurring, That the State of Minnesota does hereby memorialize the Congress of the United States to propose to the States an amendment to the Constitution of the United States in manner and form as follows:

> No evidence of indebtedness hereafter issued by the United States, or by any Territory or dependency thereof, or by any State, or by any municipality or other subdivision thereof, or by any private person, corporation or other organization shall be exempt from taxation by the United States or by any State, Territory or dependency thereof, and be it further

Resolved, That the Secretary of State be, and he/she is, instructed to forward exemplified copies of this resolution to the Governor and Legislature of the several States of the Union, and that he, in the name of the State of Minnesota, respectfully request that said several States consider said proposed amendment, and by appropriate action in the premises, cooperate with this State in securing the submission by the Congress of said proposed amendment to the Constitution of the United States to the several States of the Union for ratification

CHAS. MUNN,
Speaker of the House of Representatives

K K SOLBERG,
President of the Senate.

Passed the House of Representatives the eighth day of April, 1933.

FRANK T STARKEY,
Chief Clerk, House of Representatives

Passed the Senate the eighteenth day of April, 1933. G. H SPAETH,
Secretary of the Senate.

Approved: April 21, 1933. FLOYD B OLSON,
Governor of the State of Minnesota

Filed April 21, 1933 MIKE HOLM,
Secretary of the State of Minnesota.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, July 15, 1933.

To the Honorable Members of the Assembly of the State of California.

During the recess of the Legislature I returned to your honorable body, without my approval, the following bills accompanied by my veto message

Date	Number of bill	Received by
May 15, 1933	Assembly Bill No. 106	Louis F Erb
May 15, 1933	Assembly Bill No 466	Louis F Erb
May 16, 1933	Assembly Bill No 1719	Herman H. Donsted
May 20, 1933	Assembly Bill No 248	Arthur A Ohnimus
May 23, 1933	Assembly Bill No. 161	Arthur A Ohnimus
May 23, 1933	Assembly Bill No 164	Arthur A. Ohnimus
May 23, 1933	Assembly Bill No 600	Arthur A. Ohnimus
May 23, 1933	Assembly Bill No. 687	Fred J. Desch
May 23, 1933	Assembly Bill No. 691	Fred J Desch
May 23, 1933	Assembly Bill No. 1064	Arthur A. Ohnimus
May 23, 1933	Assembly Bill No. 1501	Arthur A. Ohnimus
May 24, 1933	Assembly Bill No 539	Arthur A. Ohnimus
May 24, 1933	Assembly Bill No. 1102	Arthur A Ohnimus
May 24, 1933	Assembly Bill No. 1621	Arthur A. Ohnimus
May 25, 1933	Assembly Bill No. 429	Arthur A Ohnimus
May 25, 1933	Assembly Bill No 430	Arthur A. Ohnimus
May 25, 1933	Assembly Bill No. 431	Arthur A Ohnimus
May 25, 1933	Assembly Bill No. 1324	Arthur A. Ohnimus
May 25, 1933	Assembly Bill No. 1970	Arthur A. Ohnimus
May 26, 1933	Assembly Bill No 417	Arthur A Ohnimus
May 26, 1933	Assembly Bill No 851	Arthur A. Ohnimus
May 26 1933	Assembly Bill No 1006	Arthur A. Ohnimus
May 26, 1933	Assembly Bill No. 1228	Arthur A. Ohnimus

Date	Number of bill	Received by
May 26, 1933	Assembly Bill No. 1521	Arthur A. Ohnimus
May 29, 1933	Assembly Bill No. 1	Fred J. Desch
May 29, 1933	Assembly Bill No. 10	Fred J. Desch
May 29, 1933	Assembly Bill No. 1595	Fred J. Desch
May 29, 1933	Assembly Bill No. 2401	Arthur A. Ohnimus
May 29, 1933	Assembly Bill No. 2422	Fred J. Desch
May 31, 1933	Assembly Bill No. 1619	Arthur A. Ohnimus
June 5, 1933	Assembly Bill No. 1	Fred J. Desch
June 5, 1933	Assembly Bill No. 41	Fred J. Desch
June 5, 1933	Assembly Bill No. 689	Fred J. Desch
June 5, 1933	Assembly Bill No. 723	Fred J. Desch
June 5, 1933	Assembly Bill No. 1437	Fred J. Desch
June 5, 1933	Assembly Bill No. 1631	Fred J. Desch
June 10, 1933	Assembly Bill No. 525	Arthur A. Ohnimus
June 10, 1933	Assembly Bill No. 1300	Arthur A. Ohnimus
June 10, 1933	Assembly Bill No. 2123	Arthur A. Ohnimus
June 10, 1933	Assembly Bill No. 2352	Arthur A. Ohnimus
June 12, 1933	Assembly Bill No. 123	Arthur A. Ohnimus
June 12, 1933	Assembly Bill No. 366	Arthur A. Ohnimus
June 12, 1933	Assembly Bill No. 562	Arthur A. Ohnimus
June 12, 1933	Assembly Bill No. 563	Fred J. Desch
June 12, 1933	Assembly Bill No. 934	Fred J. Desch
June 12, 1933	Assembly Bill No. 1007	Fred J. Desch
June 12, 1933	Assembly Bill No. 1292	Fred J. Desch
June 12, 1933	Assembly Bill No. 1727	Fred J. Desch
June 12, 1933	Assembly Bill No. 1906	Fred J. Desch
June 13, 1933	Assembly Bill No. 880	Arthur A. Ohnimus
June 13, 1933	Assembly Bill No. 1272	Arthur A. Ohnimus
June 15, 1933	Assembly Bill No. 856	Fred J. Desch
June 16, 1933	Assembly Bill No. 356	Fred J. Desch
June 16, 1933	Assembly Bill No. 660	Fred J. Desch
June 16, 1933	Assembly Bill No. 700	Fred J. Desch
June 16, 1933	Assembly Bill No. 840	Fred J. Desch
June 16, 1933	Assembly Bill No. 1184	Fred J. Desch
June 16, 1933	Assembly Bill No. 2002	Fred J. Desch
June 16, 1933	Assembly Bill No. 2125	Fred J. Desch
June 16, 1933	Assembly Bill No. 2399	Fred J. Desch

Respectfully submitted

JAMES ROLPH, JR., Governor of California.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1933

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 404—An act to amend section 224 of the Civil Code, and to add a new section to said code, to be numbered 227a, relating to the adoption of children;

Also: Assembly Bill No. 429—An act to amend section 19x52 of the Juvenile Court Law, relating to probation officers in counties of the fifty-second class;

Also: Assembly Bill No. 430—An act to amend section 4281 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-second class;

Also: Assembly Bill No. 431—An act to amend section 2322x52 of the Political Code, relating to the office of the agricultural commissioner in counties of the fifty-second class;

Also: Assembly Bill No. 805—An act to add a new section to the School Code, to be numbered 1.395, relating to the duties of employers of minors who are subject to compulsory continuation education;

Also: Assembly Bill No. 819—An act to amend section 4039 of the Political Code, relating to records kept by the board of supervisors;

Also: Assembly Bill No. 678—An act to repeal section 4.353 of the School Code, relating to orders upon school district funds;

Also: Assembly Bill No. 1091—An act to amend sections 633a7, 633a16, 633a18, 633a24, 633a25, 633a27, 633a28, 633a29, and 633a31 of the Political Code, and to add a new section to said code, to be numbered 633a32, relating to the qualification, licensing and fees of insurance agents, brokers and solicitors, and declaring the urgency thereof

And reports that the same have been correctly enrolled and presented to the Governor on this thirteenth day of May, 1933, at eleven o'clock a.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1262—An act to amend section 5 of an act entitled "An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor," approved May 28, 1931, relating to report to the Governor,

Also: Assembly Bill No. 1324—An act to amend section 664 of the Code of Civil Procedure, relating to entry of judgment;

Also Assembly Bill No 1361—An act to amend an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915, as amended;

Also: Assembly Bill No 1385—An act to add a new section to the Probate Code, to be numbered section 1501a, providing that wage claims of not exceeding $200 each for work done within 90 days shall be preferred in the administration of the estates of minors and insane and incompetent persons, and paid promptly out of the first available assets of the estate as soon as their validity is established;

Also: Assembly Bill No. 1391—An act to amend section 19 of the Juvenile Court Law, relating to referees in counties of the first class and third class, and authorizing the boards of supervisors in such counties to fix the compensation for such referees;

Also: Assembly Bill No. 1469—An act to amend section 5.743 of the School Code, relating to payment of salaries of employees of school districts,

And reports that the same have been correctly enrolled, and presented to the Governor on this thirteenth day of May, 1933, at eleven o'clock a.m

PATTERSON, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1430—An act to amend section 4a of an act entitled "An act to protect domestic live stock from contagious and infectious diseases, to prescribe the duties of officials to carry into effect the provisions of this act, to provide for the appointment of a veterinarian, and to repeal an act entitled 'An act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this act, and to provide an appropriation therefor,' approved March 18, 1889, as amended," relating to infectious diseases of animals; to declare the urgency thereof and provide that this act shall take effect immediately;

Also: Assembly Bill No 1851—An act to exempt homes, schools and workshops for the blind from the requirement of furnishing bonds with bids,

Also: Assembly Bill No 1942—An act to amend section 16x26 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the twenty-sixth class;

Also Assembly Bill No. 1970—An act to amend section 428 of the Vehicle Code, relating to garage, repair shop and service station keepers' liens;

Also, Assembly Bill No 2051—An act to amend section 375, as added by Chapter 798, Statutes of 1931, of the Penal Code, relating to offensive substances;

Also: Assembly Bill No 2069—An act to amend sections 5 and 6 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, relating to the Board of Dental Examiners for the examining and licensing of persons who have been engaged as apprentices;

Also, Assembly Bill No 2106—An act to amend section 4272 of the Political Code, relating to the compensation of county and township officers in counties of the forty-third class;

And reports that the same have been correctly enrolled, and presented to the Governor on this thirteenth day of May, 1933, at eleven o'clock a m

PATTERSON, Chairman

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2134—An act adding a new section to the Political Code, to be numbered 4041.33 thereof, relating to the jurisdiction and powers of boards of supervisors;

Also: Assembly Bill No. 2215—An act to amend sections 1425 and 1462 of the Penal Code, relating to criminal jurisdiction of justices' and municipal courts;

Also: Assembly Bill No. 2294—An act relating to and providing for a moratorium with respect to the requirement for the performance of prospecting work contained in certain State mineral permits other than those issued for prospecting for oil or gas, under the authority contained in Chapter 303, Statutes of California, 1921, as amended, and declaring the urgency thereof, to take effect immediately;

Also. Assembly Bill No. 2338—An act to add a new section to the Political Code to be numbered 3480d, relating to crediting on calls of installment of assessments made by reclamation districts amounts of outstanding bonds exchanged in refunding proceedings or otherwise canceled as provided by law, and to the redemption of property sold to reclamation districts for delinquent assessments and installments thereof, and to the sale by county treasurers of lands sold for delinquent assessments and installments thereof, and containing a provision declaring this act to be an urgency measure, stating the facts constituting such urgency and providing this act shall take effect immediately.

Also. Assembly Bill No. 2339—An act to amend section 362c of the Civil Code, relating to the extension of the term of corporate existence;

Also: Assembly Bill No 2347—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements, and declaring the urgency hereof, to take effect immediately.

And reports that the same have been correctly enrolled, and presented to the Governor on this thirteenth day of May, 1933, at eleven o'clock a m

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XVI thereof a new section to be numbered 9, authorizing the Legislature to provide for assistance by the State in the refinancing of irrigation and reclamation districts, and approving and ratifying the District Finance Act of 1933—and reports that the same has been correctly enrolled and presented to the Governor on this thirteenth day of May, 1933, at eleven o'clock a m

PATTERSON, Chairman

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 15—Relative to General Pulaski's Memorial Day—and reports that the same has been correctly enrolled, and presented to the Governor on this thirteenth day of May, 1933, at eleven o'clock a m

PATTERSON, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 31—Relative to the use of granite in Federal construction projects—and reports that the same has been correctly enrolled and presented to the Governor on this thirteenth day of May, 1933, at eleven o'clock a.m.

PATTERSON, Chairman

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1933

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 800—An act to amend sections 658 and 660 and to add section 660.5 to the Fish and Game Code, relating to the protection of fish;

Also: Assembly Bill No. 1249—An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent, to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof" approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act.

Also: Assembly Bill No 2366—An act to amend sections 5.650, 5.653 and 5.661 of the School Code, relating to permanent employees;

And reports that the same have been correctly enrolled, and presented to the Governor on this fifteenth day of May, 1933, at ten o'clock p m

PATTERSON, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 79—A resolution to propose to the people

of the State of California, an amendment to the Constitution of said State by adding to Article XX thereof, a new section to be numbered 22, relating to legal rate of interest;

Also: Assembly Constitutional Amendment No 119—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article IV thereof a new section to be numbered 25a, relating to the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on this fifteenth day of May, 1933, at ten o'clock p m.

PATTERSON, Chairman

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No 45—Relative to the establishment of a free employment agency in the city of Oakland—and reports that the same has been correctly enrolled, and presented to the Governor on this fifteenth day of May, 1933, at ten o'clock p m

PATTERSON, Chairman

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 195—An act to add a new section to the Code of Civil Procedure, to be numbered 73b, relating to sessions of the superior courts;

Also: Assembly Bill No. 278—An act to add a new section to the Penal Code of California, to be known as section 1510.1, relating to the powers and duties of coroners and to the custody of dead bodies;

Also: Assembly Bill No 315—An act to declare the public policy of the State in relation to agreements between employers and employees and to declare provisions in contracts of employment whereby either party undertakes not to join, become or remain a member of a labor union or of any organization of employers or undertakes in such event to withdraw from the contract of employment, to be against public policy and void,

Also: Assembly Bill No. 374—An act to provide for the construction and supervision of safe and sanitary low-cost dwellings and apartments, and for the rental or sale thereof at reasonable rates, and in connection therewith to authorize the incorporation and provide for the regulation of limited dividend housing corporations and prescribe the powers, rights and duties thereof, to regulate and limit the rate of return on securities to be issued by such corporations,

Also: Assembly Bill No 417—An act to amend sections 195, 196 and 197 of the Vehicle Code, relating to chattel mortgages on vehicles,

Also: Assembly Bill No 517—An act to amend section 1985 of the Code of Civil Procedure, relating to subpenas,

Also: Assembly Bill No. 520—An act to amend sections 5 and 29 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, and to repeal section 27a thereof, relating to municipal courts;

And reports that the same have been correctly enrolled, and presented to the Governor on this fifteenth day of May, 1933, at eleven o'clock a m

PATTERSON, Chairman

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 539—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent;

Also: Assembly Bill No. 567—An act to add a new article to Chapter I of Part I of Division II of the School Code to be known as Article X, embracing sections 2 85 and 2.86, relating to the formation, annexation, consolidation, unionization, and changing of boundaries of school districts;

Also Assembly Bill No 568—An act to repeal sections 6 60, 6.61 and 6 62 of the School Code, to repeal section 3 of Chapter 172 of the Statutes of 1929 entitled "*An act creating a Division of Schoolhouse Planning in the State Department of* Education, and establishing standards for school sites and the construction and alteration of school buildings," approved April 27, 1929, and to add to the School Code two new sections to be numbered 6 60 and 6 61, relating to contracts for the erection, addition to, or alteration of school buildings,

Also: Assembly Bill No. 716—An act requiring public awarding bodies or officers withholding penalties or forfeitures from contractors for violations by contractors

or subcontractors of any public works labor acts carrying penalties or forfeitures from the contract payments to transfer such penalties or forfeitures to the State Treasurer to become a part of the general fund of the State ninety days after completion of the contract, unless suit is brought and formal notice of suit is given, requiring any court collecting criminal penalties or fines under such acts to likewise transmit same to the State Treasurer to become a part of the general fund of the State, providing for the temporary retention of such penalties or forfeitures by the public awarding body or officer pending litigation in cases where suit is brought and formal notice of such suit is given within ninety days after completion of the contract, limiting the time for action by the contractor or his assignee for the recovery of the said penalties or forfeitures to the said ninety-day period, making such suit the exclusive remedy of the contractor or his assignee with reference to such penalties or forfeitures and providing that suit shall be brought without permission from any State or other authority and be limited to the recovery of such penalties or forfeitures without prejudice to the contractor's or assignee's rights in regard to other matters affecting the contract but with the burden on the plaintiff to establish his right to the penalties or forfeitures withheld,

And reports that the same have been correctly enrolled, and presented to the Governor on this fifteenth day of May, 1933, at eleven o'clock a m

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 823—An act to amend the "Los Angeles County Flood Control Act," by adding thereto a new section to be numbered 17a, relating to rights of way across public lands of the State;

Also: Assembly Bill No. 953—An act to amend section 2 806 of the School Code relating to duties of the district attorney;

Also: Assembly Bill No. 1098—An act to amend section 602 of the Political Code, relating to insurance;

Also: Assembly Bill No. 1181—An act to amend section 3644 of the Political Code, relating to taxation of boats and vessels;

Also: Assembly Bill No. 1226—An act to amend sections 1 to 16 inclusive of, and to add sections 17 to 24 inclusive to "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to the regulation under the jurisdiction of the Commissioner of Corporations of personal property brokers, brokers and employees in such transactions, and the licensing of those so engaged, and fixing the penalties for violation thereof;

Also: Assembly Bill No. 1228—An act to amend section 1461 of the Probate Code, relating to guardians of insane and other incompetent persons;

Also: Assembly Bill No. 1337—An act to amend section 692 of the Political Code, relating to the approval of contracts by the Director of Finance,

Also: Assembly Bill No. 1521—An act confirming and extending the application of the provisions of section 830 of the Civil Code of the State of California to grants made or patents issued to lands by the State and consenting that it may be sued to quiet title to such lands;

Also: Assembly Bill No. 1351—An act to amend section 4156b of the Political Code, prohibiting district attorneys of counties or cities and counties from defending or assisting in the defense of, or acting as counsel for, defendants in civil actions and proceedings, when the State is a party plaintiff, and to redesignate said section 4156b as section 4156c of the Political Code;

And reports that the same have been correctly enrolled, and presented to the Governor on this fifteenth day of May, 1933, at eleven o'clock a m

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1559—An act to create the State Advisory Commission on Indian Affairs, to prescribe its membership and its powers and duties,

Also: Assembly Bill No. 1567—An act to amend section 4246 of the Political Code, relating to compensation of county and township officers in counties of the seventeenth class;

Also: Assembly Bill No. 1574—An act to amend section 985 of the Political Code, relating to official bonds;

Also: Assembly Bill No. 1610—An act to amend section 6 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs, and making an appropriation therefor," approved March 11, 1907;

Also: Assembly Bill No. 1626—An act to amend section 4282 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-third class,

Also: Assembly Bill No. 1627—An act to amend section 2322x53 of the Political Code, relating to the office of the agricultural commissioner in counties of the fifty-third class;

Also: Assembly Bill No. 1719—An act to secure payment of claims of persons employed by contractors upon public works and claims of persons who furnish materials, supplies, teams, vehicles, implements or machinery used or consumed by such contractors in the performance of such works, prescribing the duties of certain public officers in respect thereto, and providing for the manner and procedure of the enforcement of such claims, and to repeal an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919; And reports that the same have been correctly enrolled, and presented to the Governor on this fifteenth day of May, 1933, at eleven o'clock a.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1746—An act providing for the conveyance to the city of Santa Barbara of real property belonging to the State of California on condition that the city of Santa Barbara in exchange therefor convey or lease to the State of California real property or interests therein belonging to the city of Santa Barbara;

Also: Assembly Bill No. 1938—An act to amend sections 3, 4 and 5 of an act entitled "An act relating to lakes and streams, the waters of which contain minerals in commercial quantities, withdrawing State lands within the meander lines thereof from sale, prescribing conditions for taking such minerals from said waters and lands, and providing for the leasing of lands uncovered by the recession of the waters of such lakes and streams," approved April 27, 1911, relating to the powers and duties of the State Controller with respect thereto;

Also: Assembly Bill No. 1977—An act to amend section 459 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 2043—An act to amend section 1491 of the Penal Code, relating to bail upon habeas corpus proceedings;

Also: Assembly Bill No. 2073—An act to amend the title and section 1 of an act entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, relating to the refunding of indebtedness of any incorporated city or town other than cities of the first class or of any department, board or special fund thereof;

Also: Assembly Bill No. 2135—An act to amend section 12 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897, relating to admissions to the Veterans' Home;

And reports that the same have been correctly enrolled, and presented to the Governor on this fifteenth day of May, 1933, at eleven o'clock a.m.

PATTERSON, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2194—An act to amend section 588 of the Fish and Game Code, relating to kelp;

Also: Assembly Bill No. 2270—An act to amend section 4191 of the Political Code, relating to the expenditure by boards of trustees of law libraries of surplus funds to acquire real property and erect a building thereon and to contribute from such funds to obtain adequate quarters in any building hereafter erected by the board of supervisors of the county in which such law library is maintained;

Also: Assembly Bill No. 2275—An act to repeal sections 19mm and 19x21 of the Juvenile Court Law, relating to probation officers in counties of the twenty-first class;

Also: Assembly Bill No. 2309—An act to amend section 3 of the California Veterans' Welfare Act, approved May 30, 1921, as amended, relating to veterans and the Veterans' Welfare Board.

Also: Assembly Bill No. 2360—An act authorizing boards of supervisors to pay principal or interest, purchase or redeem, bonds the proceeds of which have been used for the acquisition, improvement or maintenance of parks within their respective counties or cities and counties;

Also: Assembly Bill No. 2398—An act to provide for the replacement and/or the reconstruction in whole or in part of all city, county, school district, or other special

district buildings wholly or partially destroyed by earthquakes since January, 1933, declaring the urgency thereof and providing that this act shall take effect immediately

Also, Assembly Bill No. 566—An act to repeal Article III of Chapter I of Part III of Division IV of the School Code, comprising section 4.300, relating to the use of surplus funds of school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on this fifteenth day of May, 1933, at eleven o'clock a.m.

PATTERSON, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 733—An act to add a new section, to be numbered 4, to an act entitled "An act providing for the exhibit of the products and resources of the State of California at the Chicago World's Fair Centennial Celebration to be held at Chicago, Illinois, in 1933, creating the California World's Fair Centennial Celebration Commission and defining its powers and duties, and making an appropriation therefor," approved June 12, 1931, relating to powers and duties of said commission, and declaring the urgency thereof;

Also: Assembly Bill No. 1416—An act to amend section 12 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights, to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith, providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, relating to leasing of State lands and the taking of minerals or petroleum products therefrom, and declaring the urgency thereof;

Also Assembly Bill No. 1618—An act to add a new section to be numbered 14a to Chapter 609, Statutes of 1931, entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining "gasoline" and prescribing specifications for products sold or offered for sale as "gasoline"; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to licensing of persons, firms, associations or corporations, installing and using motor vehicle fuel pumps, and to declare the urgency thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on this fifteenth day of May, 1933, at eleven o'clock a.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1945—An act to provide for the organization and management of horticultural improvement districts and to provide for the development of lands included therein for the planting, caring for, and maturing of orchards thereon and for the acquisition of all property necessary therefor; to provide for the management of such districts and also to provide for the issuance and payments of bonds for such districts, for the levying of taxes and the collection of charges by said districts and for the annexation of additional territory thereto;

Also: Assembly Bill No. 2391—An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately;

Also: Assembly Bill No. 655—An act to add a new section to the California Irrigation District Act, to be numbered 15a, relating to the use and distribution of water, declaring the urgency thereof;

Also: Assembly Bill No. 780—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10a, 11 and 12 of, and to add section 15 to, an act entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses, *and prescribing the punishment for violation of the provisions of this act*," approved June 13, 1929, relating to contractors and the Contractors' License Bureau and declaring the same to be an urgency measure;

And reports that the same have been correctly enrolled, and presented to the Governor on this fifteenth day of May, 1933, at eleven o'clock a.m.

PATTERSON, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 822—An act relating to penalties for nonpayment of taxes for the fiscal year 1932–33, relating to the publication of the delinquent list and addenda thereto, relating to the period of redemption and the sale of property delinquent in the payment of such taxes, extending the time for the performance of all acts and duties of public officials with relation thereto, declaring the urgency of this act and providing that it shall take effect immediately;

Also, Assembly Bill No 851—An act to provide for the extension of the period in which property sold to the State for delinquent taxes may be redeemed, and to declare that this act shall take effect immediately;

Also Assembly Bill No. 1006—An act to provide a five-day week for State employees during the present unemployment emergency, and declaring the urgency thereof;

Also Assembly Bill No 2362—An act to authorize the incorporation and to provide for the organization, powers, duties, regulation, and liquidation of nonprofit corporations organized for the purpose of administering community land chests, to limit the use of the terms "land chest" and "community land chest" in corporate names, to prescribe penalties for the violation of the provisions of this act, and to declare the urgency of this act and to provide that it shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on this fifteenth day of May, 1933, at eleven o'clock a m.

PATTERSON, Chairman.

Also.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California, an amendment to section 11, of Article VI of the Constitution of the State of California, relating to courts,

Also: Assembly Constitutional Amendment No. 98—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding a new section to Article VI to be known as section 8½, relating to the election of judges of the superior courts of certain counties, the terms of office of such judges, and the filling of vacancies in such offices;

Also: Assembly Constitutional Amendment No. 108—A resolution to propose to the people of the State of California an amendment to Article IV of the Constitution of said State by adding to said article a new section, to be numbered section 1a, relating to the time of taking effect of acts passed at the fiftieth regular session of the Legislature;

Also: Assembly Constitutional Amendment No. 73—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 6 of Article VI thereof, relating to superior courts;

Also Assembly Constitutional Amendment No 101—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XIII thereof a new section, to be numbered 8a, relating to taxation;

And reports that the same have been correctly enrolled, and presented to the Governor on this fifteenth day of May, 1933, at eleven o'clock a m

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 42—Relative to the establishment of the year 1934 as "Junipero Serra Year";

Also: Assembly Concurrent Resolution No. 49—Relative to directing the Department of Public Works to investigate taking over the toll road in Marin County approaching Muir Woods;

Also Assembly Concurrent Resolution No. 53—Approving one certain amendment to the charter of the city of Los Angeles in the county of Los Angeles, State of California, voted for and ratified by the electors of said city at a special election held therein on the second day of May, 1933;

Also: Assembly Concurrent Resolution No 41—Relative to the establishment of the twenty-eighth day of August, 1934, as "Junipero Serra Day";

Also: Assembly Concurrent Resolution No. 52—Relative to reports of the Department Encampment of the Grand Army of the Republic;

And reports that the same have been correctly enrolled and presented to the Governor on this fifteenth day of May, 1933, at eleven o'clock a m

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 19—An act to memorialize Congress to set aside

February 15 as a national holiday to commemorate the birthday of Susan B. Anthony;

Also: Assembly Joint Resolution No. 26—Relative to memorializing Congress to propose an amendment to the Constitution of the United States providing for economic planning and regulation;

Also: Assembly Joint Resolution No. 34—Relative to memorializing the President of the United States to increase the customs duties on certain fish products and to negotiate treaties concerning the conservation of fish;

And reports that the same have been correctly enrolled, and presented to the Governor on this fifteenth day of May, 1933, at eleven o'clock a.m.

PATTERSON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2392—An act making an appropriation to pay the claim of the State Adjutant General against the State of California—and reports that the same has been correctly enrolled, and presented to the Governor on this sixteenth day of May, 1933, at eleven o'clock and thirty minutes a.m.

PATTERSON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 185—An act to amend sections 278, 290, 292, 293, 294, 295, 296, 300a, 300b, 301, 303, 305, 306, 307, 307a, 308, 309, 311, 312, 313, 314, 315, 319, 320a, 320b, 326, 328, 328a, 328b, 328d, 328e, 330.6, 330.13, 330.24, 331, 332, 333, 334, 334a, 336, 337, 341, 342, 342a, 342b, 343, 346, 346a, 348, 348a, 348b, 355, 357, 358, 359, 361, 362, 362a, 362b, 362c, 363, 364, 365, 366, 368, 369, 370a, 373, 390, 399a, 400, 400a, 401, 401a, 401c, 402, 402a, 403, 403a, 403b, 403c, 403d, 404, 404a, 404b, 405, 406, 406a, 408, 409, 411 and 412 of the Civil Code, and to add new sections 281, 304, 326b and 356 to the Civil Code, and to repeal sections 343a, 347, 375, 401b and 587 of the Civil Code, all relating to corporations;

Also, Assembly Bill No. 1009—An act to add a new section to the Penal Code to be numbered 653c-1, relating to the hours of labor on public works during the present emergency whether such work is done by contract or otherwise, providing penalties for violations of its provisions, and declaring the urgency thereof;

Also, Assembly Bill No. 1595—An act to add sections 3817b and 3817c to the Political Code, relating to the redemption of property sold to the State for delinquent taxes and authorizing suits to quiet title against the State of California for such property and to declare that this act shall take effect immediately;

Also: Assembly Bill No. 2311—An act to amend sections 9 and 12 of and to add a new section to be numbered 9a to an act entitled "An act in relation to the control and eradication of bovine tuberculosis; to provide an appropriation for the purposes of this act; to prescribe penalties for violation of the provisions hereof, and to repeal certain acts therein specified," approved June 19, 1931, relating to bovine tuberculosis; to declare the urgency thereof and provide that this act shall take effect immediately;

Also: Assembly Bill No. 2401—An act to provide for the postponement of the collection of assessments levied to pay principal or interest due on bonds issued under the authority of the Acquisition and Improvement Act of 1925 during the existence of an economic emergency.

And reports that the same have been correctly enrolled, and presented to the Governor on this seventeenth day of May, 1933, at one o'clock and forty-five minutes p.m

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2412—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions—and reports that the same has been correctly enrolled, and presented to the Governor on this seventeenth day of May, 1933, at one o'clock and forty-five minutes p.m

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 18—Relative to the designation and appointment of John Stephen McGroarty as Poet Laureate of California.

Also: Assembly Concurrent Resolution No. 51—Relative to public information concerning the plan for the revision of the tax system of the State as embodied in Senate Constitutional Amendment No. 30;

Also: Assembly Concurrent Resolution No. 54—Relative to leaves of absence of the Governor, Lieutenant Governor, and the members of the Senate and Assembly of the fiftieth session of the Legislature of the State of California;

And reports that the same have been correctly enrolled, and presented to the Governor on this seventeenth day of May, 1933, at one o'clock and forty-five minutes p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 28—Relative to memorializing Congress to enact legislation providing for relief of California Indians;

Also: Assembly Joint Resolution No. 29—Relative to memorializing Congress to enact legislation prohibiting the importation of crude petroleum and crude petroleum by-products;

And reports that the same have been correctly enrolled, and presented to the Governor on this seventeenth day of May, 1933, at one o'clock and forty-five minutes p.m.

PATTERSON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 116—An act to amend section 737*ll* of the Political Code, relating to salaries of the judges of the superior court of the City and County of San Francisco;

Also: Assembly Bill No. 162—An act to amend an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, as amended, by adding a new section thereto to be numbered 13½, to provide for the uses and purposes to which the funds derived under said act may be used;

Also: Assembly Bill No. 600—An act to amend section 159 of an act entitled the "California Vehicle Act," approved May 30, 1923, as amended, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding;

Also: Assembly Bill No. 2226—An act to amend section 159 of the California Vehicle Act, relating to the motor vehicle fund and the disposition of moneys placed therein, and to repeal the section 159½ of said California Vehicle Act added by Chapter 1026, Statutes of 1931,

And reports that the same have been correctly enrolled, and presented to the Governor on this twenty-third day of May, 1933, at five o'clock p.m.

PATTERSON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1—An act to amend section 737a of the Political Code, relating to the salaries of judges of the superior court, Alameda County;

Also: Assembly Bill No. 10—An act to amend section 737s of the Political Code, relating to salaries of judges of the superior court, Los Angeles County;

Also: Assembly Bill No. 41—An act to amend sections 737dd and 737jj of the Political Code, relating to the annual salary of judges of the superior court in and for the county of Orange and the county of San Bernardino;

Also: Assembly Bill No. 502—An act to amend section 4242 of the Political Code, relating to the compensation of county and township officers in counties of the thirteenth class;

Also: Assembly Bill No. 503—An act to amend section 19x13 of the Juvenile Court Law, relating to probation officers in counties of the thirteenth class;

Also: Assembly Bill No. 504—An act to amend section 737g of the Political Code, relating to the compensation of the judges of the superior court in and for the county of Contra Costa;

And reports that the same have been correctly enrolled, and presented to the Governor on this twenty-fourth day of May, 1933, at two o'clock p m

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 505—An act to amend section 2322x13 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirteenth class;

Also: Assembly Bill No. 528—An act to add section 4234a to the Political Code, relating to compensation of county officers and employees in counties of the fifth class;

Also: Assembly Bill No 529—An act to amend section 19x5 of the Juvenile Court Law, relating to probation officers in counties of the fifth class;

Also: Assembly Bill No 530—An act to amend section 9a5 of and to add section 18 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California and repealing 'An act entitled 'An act to provide county library systems' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, prescribing a short title and relating to librarians in counties of the fifth class;

Also: Assembly Bill No 531—An act to amend section 16x5 of the Weights and Measures Act, relating to sealers in counties of the fifth class;

Also: Assembly Bill No 532—An act to amend section 2322x5 of the Political Code, relating to agricultural commissioner in counties of the fifth class;

And reports that the same have been correctly enrolled, and presented to the Governor on this twenty-fourth day of May, 1933, at two o'clock p m

PATTERSON, Chairman

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 572—An act to amend section 2322x20 of the Political Code, relating to the salary of the agricultural commissioner, his deputies and inspectors in counties of the twentieth class;

Also: Assembly Bill No 575—An act to amend section 4249 of the Political Code, relating to compensation of county and township officers in counties of the twentieth class, approved May 11, 1931;

Also: Assembly Bill No 850—An act to amend section 737xx of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Stanislaus;

Also: Assembly Bill No. 1137—An act to amend section 4264 of the Political Code, relating to the compensation of county and township officers in counties of the thirty-fifth class;

Also: Assembly Bill No. 1233—An act to amend section 2322x32 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-second class;

Also: Assembly Bill No 1235—An act to amend section 4261 of the Political Code, relating to compensation of county and township officers in counties of the thirty-second class;

Also: Assembly Bill No. 1236—An act to amend section 737eee of the Political Code, relating to the superior judge in and for the county of Yolo;

And reports that the same have been correctly enrolled, and presented to the Governor on this twenty-fourth day of May, 1933, at two o'clock p m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1237—An act to amend section 16x32 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the thirty-second class;

Also: Assembly Bill No 1312—An act to amend section 737vv of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Solano;

Also: Assembly Bill No 1628—An act to amend section 737h of the Political Code, relating to the salary of the judge of the superior court in and for the county of Del Norte;

Also: Assembly Bill No. 1940—An act to amend sections 4255 and 4255a of the Political Code, relating to the salaries and fees of county officers in counties of the twenty-sixth class;

Also: Assembly Bill No. 2017—An act to amend section 737x of the Political Code, relating to the compensation of judges of the superior court, Merced County;

Also: Assembly Bill No. 2273—An act to amend section 737aa of the Political Code, relating to compensation of the judge of the superior court in and for the county of Monterey;

And reports that the same have been correctly enrolled, and presented to the Governor on this twenty-fourth day of May, 1933, at two o'clock p m

PATTERSON, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No 2302—An act to add 22 new sections to the Political Code, to be numbered 4248 and 4248a to 4248v, inclusive, and to repeal sections 2322x19 and 4248 of said code, section 19x19 of the Juvenile Court Law, and section 16x19 of the Weights and Measures Act, relating to compensation of county and township officers in counties of the nineteenth class;

Also: Assembly Bill No 2385—An act to amend sections 2322x7, 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236l, 4236n, 4236o, 4236p and 4236q of the Political Code, and to add thereto sections 4236r and 4236s, relating to the compensation of county officers in counties of the seventh class;

Also: Assembly Bill No 2422—An act to amend section 737qq of the Political Code, relating to the salaries of the judges of the superior court of Santa Clara County;

And reports that the same have been correctly enrolled, and presented to the Governor on this twenty-fourth day of May, 1933, at two o'clock p m

PATTERSON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1933

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 180—An act to amend section 1197 of the Political Code, relating to election ballots;

Also, Assembly Bill No. 311—An act to amend section 1381 of the Penal Code, relating to the time of trial of prisoners on charge other than that for which imprisoned,

Also: Assembly Bill No 334—An act to amend section 209 of the Penal Code, relating to the punishment of kidnapping,

Also: Assembly Bill No 337—An act to amend sections 6740 and 6771 of the School Code, relating to the use of school buildings or grounds;

Also, Assembly Bill No 408—An act regulating and restricting the sale of goods, wares and merchandise manufactured, produced or mined by convicts or prisoners or in penal or reformatory institutions and prescribing penalties for violation of the provisions hereof;

Also: Assembly Bill No 723—An act to amend sections 4.320, 4.321 and 4.322 and repeal sections 4.323 to 4.334, both inclusive, of the School Code, and to add thereto a new section to be numbered 4.354, all relating to school warrants registered for want of funds;

And reports that the same have been correctly enrolled, and presented to the Governor on this twenty-fifth day of May, 1933, at two o'clock p m.

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 971—An act to amend sections 1, 3, 4 and 7, to an act entitled "An act to regulate the location, construction occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business, providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931;

Also: Assembly Bill No. 1043—An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of waterworks systems by any political subdivision or public agency of the State authorized by law to own and operate such waterworks systems by the issuance and sale to the United States Government or any agency of said government of revenue bonds payable solely out of the revenue derived or to be derived therefrom, providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; defining the terms political subdivisions and public agencies as included herein, and providing a time for the expiration of said act;

Also: Assembly Bill No 1154—An act to amend section 3 of an act entitled "An act to authorize and regulate the employment of prisoners in the State prisons of this State and to provide for the disposition of the products of their skill and labor,"

approved February 23, 1911, by adding a provision thereto relating to the purchase or use of goods, wares and merchandise manufactured, produced or mined by convicts or prisoners,

And reports that the same have been correctly enrolled, and presented to the Governor on this twenty-fifth day of May, 1933, at two o'clock p m

PATTERSON, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1560—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act, approved May 30, 1921, and of any and all acts amendatory thereof or supplemental thereto; creating a Veterans' Welfare Finance Committee, defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof, providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued, and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1934;

Also Assembly Bill No. 1619—An act to amend section 3 of Chapter 609, Statutes of 1931, entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products, defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers, defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline', prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of lubricating oil;

Also, Assembly Bill No. 2216—An act providing for powers of counties in joint county and city projects;

Also Assembly Bill No 2367—An act granting certain tidelands and submerged lands of the State of California to the city of San Diego upon certain trusts and conditions;

And reports that the same have been correctly enrolled, and presented to the Governor on this twenty-fifth day of May, 1933, at two o'clock p m

PATTERSON, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 2374—An act prohibiting the bringing in, sale and distribution in this State of crude petroleum oil illegally produced and of gasoline, distillates, kerosene, gas oil or other motor fuel extracted, manufactured, distilled or compounded, in whole or in part, from crude petroleum oil or gas illegally produced; providing for certificates to be filed with the State Superintendent of Weights and Measures, Department of Agriculture, at the time of bringing into this State of any crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, certifying that such crude petroleum oil was not illegally produced or that such gasoline, distillate, kerosene, gas oil or other motor fuel was not extracted, manufactured, distilled or compounded from oil or gas illegally produced, and providing for a permit for taking delivery of such crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, and the fee to be paid therefor, and prescribing penalties for violations of this act;

Also Assembly Bill No 2407—An act to amend section 24½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time, for such purposes, and to create a Board of Fire Commissioners," approved March 4, 1881, relating to inclusion of outlying territory within the fire limits of unincorporated towns and villages;

Also: Assembly Bill No 2408—An act to add section 365e½ to the Political Code, relating to powers and duties of the California Highway Commission in respect to construction or repair of highways,

And reports that the same have been correctly enrolled, and presented to the Governor on this twenty-fifth day of May, 1933, at two o'clock p m.

PATTERSON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1933

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 373—An act to amend sections 657 and 666 of the Fish and Game Code, and to add thereto a new section to be numbered 666.5, relating to salmon;

Also: Assembly Bill No. 694—An act to amend sections 736 and 738 of the Fish and Game Code, relating to fish and game;

Also: Assembly Bill No. 712—An act to amend sections 487 and 488 of the Agricultural Code, relating to grades for milk;

Also: Assembly Bill No. 852—An act to amend section 990 of the Fish and Game Code, relating to commercial fishing licenses;

Also: Assembly Bill No. 1157—An act to amend section 120 of the Agricultural Code, relating to nursery stock;

Also: Assembly Bill No. 1173—An act to amend the Agricultural Code, by amending sections 1261, 1263, 1264, 1265, 1267, 1268, 1269, 1270, 1271, 1272 and 1273, and repealing section 1266 thereof, and adding a new section thereto to be numbered 1272.5, all relating to dealers in farm products;

And reports that the same have been correctly enrolled, and presented to the Governor on this twenty-seventh day of May, 1933, at eleven o'clock a.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1217—An act to amend section 312 of the Agricultural Code, relating to meat inspection;

Also: Assembly Bill No. 1250—An act to add sections 1156, 1157 and 1158 to the Fish and Game Code, relating to the closing of areas to hunting;

Also: Assembly Bill No. 1253—An act to add a new section to the Fish and Game Code to be numbered 1203.6, relating to pheasants;

Also: Assembly Bill No. 1284—An act to add a new section to the Fish and Game Code, to be numbered 1414, relating to the forfeiture of hunting and fishing equipment illegally used;

Also: Assembly Bill No. 1363—An act to add section 21.5 to the Fish and Game Code, relating to suits against officers and deputies;

Also: Assembly Bill No. 1420—An act to repeal section 1413 of the Fish and Game Code, relating to fines and penalties;

Also: Assembly Bill No. 1437—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter to be numbered 5a and to include sections 1260 to 1260.85, inclusive, pertaining to the control of insect pests in grain warehouses;

And reports that the same have been correctly enrolled, and presented to the Governor on this twenty-seventh day of May, 1933, at eleven o'clock a.m.

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1488—An act to amend sections 1250, 1252, 1293 and 1310 of the Fish and Game Code, relating to mammals;

Also: Assembly Bill No. 1509—An act to amend sections 67 and 68 of the Fish and Game Code, relating to fish and game districts;

Also: Assembly Bill No. 1510—An act to amend sections 65, 612 and 1272 of the Fish and Game Code and to add thereto sections 66.5 and 1271.5, relating to fish and game;

Also: Assembly Bill No. 1536—An act to add section 484.5 to the Fish and Game Code, to amend section 665, and to repeal sections 863, 876, 887 and 942 thereof, relating to fish and game and making an appropriation for the purchase of certain property used in connection with the fishing industry;

Also: Assembly Bill No. 1545—An act to amend sections 691, 692, 693, 694, 695, 696, 720, 860, 861, 865, 879, 880, 881, 882 and 972 of the Fish and Game Code, and to repeal sections 719, 862, 903 and 904 thereof, relating to fish and game;

Also: Assembly Bill No. 1593—An act to amend section 782 of the Fish and Game Code, relating to lobsters;

And reports that the same have been correctly enrolled, and presented to the Governor on this twenty-seventh day of May, 1933, at eleven o'clock a.m.

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1631—An act to amend section 1065 of the Fish and Game Code, relating to commercial fishing regulations;

Also: Assembly Bill No. 1754—An act to amend section 423 of the Fish and Game Code, relating to hunting and sporting fishing licenses

Also: Assembly Bill No. 1757—An act to amend sections 1065 and 1068 of the Fish and Game Code, relating to fish;

Also: Assembly Bill No. 1759—An act to amend sections 656 and 843 of the Fish and Game Code, and to repeal sections 863 and 887 thereof, relating to salmon and nets,

Also: Assembly Bill No. 1762—An act to add sections 1415 and 1416 to the Fish and Game Code, relating to the forfeiture of hunting and sporting fishing licenses;

Also: Assembly Bill No 1782—An act to amend section 140 of the Fish and Game Code, relating to fish and game district 1J;

Also: Assembly Bill No. 1787—An act to amend section 137 of the Fish and Game Code, relating to fish and game districts;

And reports that the same have been correctly enrolled, and presented to the Governor on this twenty-seventh day of May, 19 3, at eleven o'clock a m.

PATTERSON, Chairman

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1993—An act to amend sections 1094, 1095 and 1104 of the Fish and Game Code and to add thereto section 1096 5, relating to records and reports,

Also Assembly Bill No. 2227—An act to amend sections 560, 816, 817, 818, 819, 820 and 821 of the Fish and Game Code and to add thereto a new section to be numbered 822, relating to oysters;

Also, Assembly Bill No 2376—An act to add a new section to the Agricultural Code, to be numbered 234.5, relating to bovine tuberculosis;

Also Assembly Bill No 2390—An act to add section 234.25 to the Agricultural Code, relating to tuberculosis control;

Also: Assembly Bill No. 2395—An act to amend the Agricultural Code by adding thereto Article 4, embracing sections 380 to 380.4, inclusive, to Chapter 1, Division III, relating to marks and brands;

And reports that the same have been correctly enrolled and presented to the Governor on this twenty-seventh day of May, 19 3, at eleven o'clock a.m

PATTERSON, Chairman

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 123—An act to amend section 204e of and to add sections 204f and 204g to the Code of Civil Procedure, relating to the secretary and assistant secretaries of the superior court,

Also Assembly Bill No 124—An act to amend section 261 of the Code of Civil Procedure, relating to superior court commissioners;

Also, Assembly Bill No 130—An act to amend the Road District Improvement Act of 1907, approved March 27, 1907, Statutes of 1907, page 806, as amended, by authorizing contributions to be made from public funds toward the payment of principal or interest on bonds issued under that act, and to provide for a repeal of said act, and providing that said repeal shall not apply to existing or authorized bonds and assessments or to existing proceedings instituted thereunder;

Also: Assembly Bill No. 136—An act to repeal an act entitled "An act to provide for the establishment and change of grade of public highways, streets, public ways and other public property and rights of way, in whole or in part, including property over which possession and right of use have been obtained under the provisions of section 14 of Article I of the Constitution of the State of California, whether the same are situated within the limits of a municipality or whether such public ways or property are in part within the limits of one or more municipalities, or extend from one municipality into another municipality, or from one or more municipalities into or through unincorporated territory, or in whole or in part form the boundary between adjoining municipalities or between a municipality and adjacent unincorporated territory; and providing for work in and upon the same together with any and all appurtenances and appurtenant work; and providing for assessing the whole or any portion of the costs and expenses thereof upon private property and for the issuance and payment of improvement bonds to represent certain assessments for the costs thereof; and providing for the effect of and the enforcement of such bonds," approved April 21, 1911, Statutes of 1911, page 1018 as amended, with provision that said repeal shall not apply to existing proceedings under said act;

And reports that the same have been correctly enrolled, and presented to the Governor on this thirty-first day of May, 1933, at eleven o'clock a m

PATTERSON, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 175—An act to repeal "An act relating to stills and other devices for the manufacture or production of intoxicating liquor for beverage purposes,

providing a penalty for the violation thereof, and repealing all inconsistent acts," approved April 29, 1927;

Also Assembly Bill No 255—An act to amend section 2192 of the Political Code, requiring counties to pay the State only for the actual time that feebleminded are inmates of the State home;

Also Assembly Bill No 256—An act to add sections 3a, 3b, and 5a to, and to amend sections 5 and 7 of an act entitled, "The County Improvement Act of 1921," approved June 3, 1921, Statutes of 1921, page 1628, relating to the improvement of roads and highways within unincorporated territory of counties;

Also Assembly Bill No 291—An act to amend section 4143 of the Political Code, relating to the duties of county coroners and to the employment by such coroners of clerks and stenographers and providing for their compensation;

Also Assembly Bill No 355—An act to amend sections 3, 4 5a and 15, and to repeal section 17 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, Statutes of 1911, page 1192, as amended;

Also Assembly Bill No. 366—An act to amend section 17 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to vacancies in the office of a judge of a municipal court;

And reports that the same have been correctly enrolled, and presented to the Governor on this thirty-first day of May, 1933, at eleven o'clock a.m

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 405—An act to amend section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses or furnished bungalow courts;

Also Assembly Bill No. 409—An act to amend sections 274 and 274a of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters;

Also Assembly Bill No. 411—An act to amend section 1174 of the Code of Civil Procedure, relating to judgments in proceedings for forcible entries, forcible or unlawful detainer;

Also, Assembly Bill No 513—An act to amend sections 17, 22 and 30 of the Code of Civil Procedure, relating to definition of words used in said code;

Also Assembly Bill No 514—An act to amend sections 33, 34, 36, 40, 47, 53, 57, 65, 66, 67b, 73, 103a, 104, 105, 107, 112, 129, 130, 134, 135, 139, 142, 147, 150, 151, 152, 153, 156, 157, 159, 166 170, 179, 184, 188, 189, 225, 226, 227, 228, 231, 248, and 274c of the Code of Civil Procedure; to amend the headings of Chapter V of Title I of Part I and of Chapter V of Title II of Part I thereof; to add sections 108a, 115, 116, 116a, 116b, 159a, and 203 thereto; to add a new Article II to Chapter V of, and a new Chapter V-a to Title I of Part I thereof; to repeal the existing Article I of and to add a new Article I to Chapter V of, and to repeal the existing Chapter VI of, and to add a new Chapter VI to, Title I of Part I thereof; to renumber Articles II and III of Chapter V of Title I of Part I thereof, to be Articles III and IV, respectively, of said chapter and to amend the headings of said articles; to amend sections 892, 914, 915, 916, 917, 918 and 921 thereof, and to renumber section 892 to be 109, section 914 to be 113, section 915 to be 113a, section 916 to be 113b, section 917 to be 113c, section 918 to be 113d and section 921 to be 108; and to repeal sections 37, 38, 39, 41, 42, 43 44, 45, 46, 49, 50, 51, 52, 52a, 54, 55, 56, 68, 69, 70, 71, 72, 75, 76, 77, 78, 79, 106, 160, 161, 167, 170b, 176, 182, 183, 304, 831f, 831g, 911, 912, 913, 920, 927 to 927q, inclusive, 929, 930, 931, 932, 933 and 933½ thereof; all relating to courts of justice and various officers connected therewith;

And reports that the same have been correctly enrolled, and presented to the Governor on this thirty-first day of May, 1933, at eleven o'clock a m

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 515—An act to amend sections 372, 373, 392, 393, 394, 395, 397, 398, 399 400, 406, 407, 408, 410, 412, 413, 415, 416, 422, 426, 437, 446, 465, 472, 473, 480, 481, 482, 483, 484, 485, 488, 489, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 511, 512, 513, 514, 515, 517, 518, 519, 520, 529, 538, 539, 540, 542, 542a, 543, 544, 545, 546, 547, 548, 549, 550, 551, 553, 554, 555, 556, 559, 564, 573, 574, 581, 581a, 581b, 585, 594, 595, 596, 600, 601, 607, 607a, 618, 628, 631, 632, 634, 638, 639, 640 641, 644, 649, 650, 651, 652, 653, 659a, 661, 663, 664, 666, 667, 668, 670 671, 672, 673, 674, 675, 681a, 682, 683, 687, 689, 691, 712, 713½, 714, 715, 716, 717, 718, 719, 720, 721, 722, 936, 959,

983, 985, 986, 988a, 988b, 988c, 989, 997, 1000, 1003, 1004, 1005, 1006, 1011, 1015, 1021, 1033, 1034, 1051, 1052, 1054, and the headings of Chapters I, II and III of Title XIII, Part II, of the Code of Civil Procedure; to add sections 396, 396a, 396b, 437b, 437c, 437d, 472a, 473a, 477, 547a, 594a, 667a, 973, 983a, 1008, 1031, 1032 and 1054a to said code; to amend sections 476, 710 (as added by Chapter 92, Statutes 1903), 710½, 872, 1023, 1028, 1029, 1030, 1031, 1032, 1036, 1038 and 1039 of said code and to renumber said sections as follows 476 to be 472b, 872 to be 586, 710 to be 710b, 710½ to be 710c, 1023 to be 1022, 1028 to be 1023, 1029 to be 1024, 1030 to be 1025, 1031 to be 1026, 1032 to be 1027, 1038 to be 1028, 1039 to be 1029, and 1036 to be 1030; and to repeal sections 396, 633, 831, 831a, 831b 831c, 831d, 831e, 831h, 831i, 831j, 832, 833, 834, 835, 835a, 836, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 857a, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 889, 890, 890a, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 900a, 900b, 901, 901a, 902, 903, 904, 905, 906, 907, 908, 909, 910, 919, 922, 923, 924, 925, 926, 964, 965, 982a, 1022, 1024, 1025, 1026, 1027, 1035, and 1037 of said code, and the heading of Title Xa of Part II, and all chapter headings in said title, the heading of Title XI of Part II, and all chapter headings in said title, and the heading of Title XII, of Part II, of said code, all relating to civil actions;

Also: Assembly Bill No 516—An act to amend sections 1134, 1135, 1139, 1140, 1144, 1146, 1148, 1149, 1151, 1169, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221 and 1222 of the Code of Civil Procedure, relating to special proceedings;

Also: Assembly Bill No. 518—An act to amend sections 4300a, 4300e, and 4300*l* of the Political Code, relating to fees;

And reports that the same have been correctly enrolled, and presented to the Governor on this thirty-first day of May, 1933, at eleven o'clock a m

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 519—An act to amend sections 806 and 882 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to city and justice courts,

Also: Assembly Bill No 548—An act to amend section 10 of an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1913, and all amendments thereto,

Also: Assembly Bill No. 562—An act to amend section 3897 of and to add section 3774 to the Political Code, relating to the holding leasing and sale of lands to which the State or any political subdivision or agency of the State holds title through sale and deed on account of delinquent taxes or assessments;

Also: Assembly Bill No 598—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments, reassessments, to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding,

And reports that the same have been correctly enrolled, and presented to the Governor on this thirty-first day of May, 1933, at eleven o'clock a m

PATTERSON, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 599—An act to provide for the refunding of the indebtedness represented by bonds of special assessment districts formed under laws of the State of California where the bonds are payable from assessments levied in whole or in

part in accordance with the assessed value of the lands in the district, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding;

Also: Assembly Bill No. 601—An act to provide for the acquisition and cancellation of bonds heretofore issued under the provisions of that certain act of the Legislature of the State of California designated and known as the "Acquisition and Improvement Act of 1925," whether such bonds were issued under the provisions of said last named act as originally adopted or as same was amended, providing for the issuance and payment of assessment readjustment bonds to represent certain assessments for the cost of acquisition of such issued bonds, including all costs and incidental expenses of proceedings under this act for the issuance of such assessment readjustment bonds; providing a method for the payment of such assessment readjustment bonds, and providing a method for the redemption of lost or otherwise unobtainable bonds of the issue or issues to be acquired and canceled;

Also: Assembly Bill No. 689—An act to amend section 737f of the Political Code, relating to the superior judge in and for the county of Colusa;

Also: Assembly Bill No. 809—An act to amend the title, sections 12, 16, 23, 23a and to repeal sections 12a, 12b and 12c, and to add section 16a to an act entitled "An act to promote the drainage of wet, swamp, and overflowed lands or lands otherwise needing surface or underground drainage or protection from storm water overflow, and to promote the public health in the communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof," approved May 18, 1919, Statutes 1919, page 731, as amended, with the provision that the repeal of sections 12a, 12b and 12c shall not affect existing proceedings or to existing bonds or assessments issued or levied under said act, and to provide for the advancing of maturity of bonds issued under said act;

And reports that the same have been correctly enrolled, and presented to the Governor on this thirty-first day of May, 1933, at eleven o'clock a.m

PATTERSON, Chairman.

Also.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 827—An act to amend section 2145 of the Political Code, relating to State institutions for persons mentally defective;

Also: Assembly Bill No. 921—An act to amend sections 410, 780 and 782 and repeal section 781 of the Political Code, relating to the laws, resolutions and journals of the Legislature and to the bound volumes of Decisions of the Supreme Court and District Courts of Appeal;

Also: Assembly Bill No. 1035—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable lowlands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district," approved June 21, 1923, as amended, by amending sections numbered 8a, 23, 28n and 28o thereof, and by adding a new section to be numbered 284h, providing for the use of certain bonds

and coupons in payment of district taxes or assessments; and declaring the urgency thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on this thirty-first day of May, 1933, at eleven o'clock a m.

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1122—An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission, prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof; and making an appropriation therefor;

Also: Assembly Bill No. 1174—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Assembly Bill No. 1277—An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act;

Also: Assembly Bill No. 1300—An act to amend section 3633 of the Political Code, relating to equalization of assessments;

Also: Assembly Bill No. 1340—An act to amend sections 3, 6, 9, 10, 13, 14, 15, 16, 20, 21, 22 and 25 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs and making an appropriation therefor," approved March 11, 1907, as amended 1909, 1911, 1915, 1917, 1919, 1927 and 1929;

And reports that the same have been correctly enrolled, and presented to the Governor on this thirty-first day of May, 1933, at eleven o'clock a m

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1305—An act to amend an act of the Legislature of the State of California entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments, to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding" approved June 8, 1931, by amending sections 2, 3, 4, 6, 8, 9, 10, 11, 12 and 14 thereof and relating to procedure, notice, assessment limitations, incidental expenses of proceedings and payment of portions of the cost from public funds;

Also: Assembly Bill No. 1352—An act to revise an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any State structure, building, road, or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909;

Also: Assembly Bill No. 1443—An act to validate the organization and bonds of municipal improvement districts formed under the Municipal Improvement District Act of 1927 and providing for the levy of a tax to pay the same;

Also: Assembly Bill No. 1449—An act to provide for the satisfaction of taxes and assessments, and tax and assessment liens against land and improvements in any public body organized under any law or ordinance by surrendering bonds, coupons, warrants, checks or other evidences of indebtedness of the public body, defining "public bodies" as used herein and declaring the intent of the Legislature with respect hereto;

And reports that the same have been correctly enrolled, and presented to the Governor on this thirty-first day of May, 1933, at eleven o'clock a m

PATTERSON, Chairman.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1528—An act to control, license, and regulate the manufacture, transportation, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation hereof;

Also: Assembly Bill No. 1778—An act to provide for the aid and relief of indigents;

Also: Assembly Bill No. 1973—An act authorizing the State Director of Finance, with the consent of the Board of Control, to grant, convey, and sell by deed, or any other proper legal conveyance, all the right, title and interest of the State of California, in and to the abandoned channel of Petaluma Creek or River in the city of Petaluma, county of Sonoma, State of California, lying north of Washington Street in said city, to property owners whose lands abut thereon, or to persons occupying said land;

Also: Assembly Bill No. 2219—An act to add section 3410 to the Political Code, relating to exchange of private lands in National forests for lands of the United States located outside National forests;

Also: Assembly Bill No. 2295—An act to amend sections 869, 925, and 1017 of the Penal Code, relating to the duties of official reporters;

Also: Assembly Bill No. 2333—An act to amend section 1 of an act entitled "An act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, as amended, relating to the procedure necessary for such disincorporation;

Also: Assembly Bill No 2352—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as therein defined, providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately;

Also: Assembly Bill No. 2423—An act to amend section 6 of the "Orange County Flood Control Act," relating to bond elections;

And reports that the same have been correctly enrolled, and presented to the Governor on this thirty-first day of May, 1933, at eleven o'clock a m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 545—An act to amend section 3 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil, regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the sale of motor vehicle fuel and lubricating oil—and reports that the same has been correctly enrolled, and presented to the Governor on this thirty-first day of May, 1933, at ten o'clock a.m.

PATTERSON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1933.

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1200—An act to repeal sections 1120 to 1140 inclusive of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof;

Also. Assembly Bill No. 1804—An act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain State buildings and grounds;

And reports that the same have been correctly enrolled, and presented to the Governor on this first day of June, 1933, at eleven o'clock a.m.

PATTERSON, Chairman

Also:

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 155—An act relating to the use and furnishing of stamps, coupons, tickets, can covers, bottle caps or other similar devices, for or with the sale of goods, wares or merchandise and the giving of gifts, premiums or bonuses in connection with or as part of the sale of goods, wares or merchandise and providing a penalty for violation thereof;

Also: Assembly Bill No. 217—An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island;

Also: Assembly Bill No. 381—An act to amend sections 18 and 26a of an act entitled "An act to provide for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903, relating to street improvements,

Also: Assembly Bill No. 471—An act to repeal section 3310 of the Political Code, relating to quarterly reports of auctioneers;

And reports that the same have been correctly enrolled, and presented to the Governor on this third day of June, 1933, at eleven o'clock a m.

PATTERSON, Chairman

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 549—An act to amend section 43 of the public utilities act, relating to the powers, duties and jurisdiction of the Railroad Commission;

Also: Assembly Bill No 739—An act to add section 4½ to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements under the 'Street Opening Act of 1889' and providing for the effect and enforcement of such bonds," approved May 24, 1921, relating to the issuance of bonds;

Also: Assembly Bill No. 856—An act making an appropriation to pay the claim of William Dyer against the State of California;

Also: Assembly Bill No 912—An act to amend section 6 3 of the School Code, relating to the improvement of public streets and places by school boards,

Also: Assembly Bill No 919—An act to add a new section to the Political Code, to be numbered 542 5, relating to expenditures for the printing or publishing of books, pamphlets, reports, compilations, synopses and other documents,

Also: Assembly Bill No. 925—An act to amend section 409 of the Political Code, relating to fees of the Secretary of State;

Also: Assembly Bill No. 926—An act to amend section 291 of the Civil Code, relating to corporations,

And reports that the same have been correctly enrolled, and presented to the Governor on this third day of June, 1933, at eleven o'clock a m

PATTERSON, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 934—An act to add section 356a to the Political Code, relating to State officers or employees performing work or services for more than one State agency;

Also: Assembly Bill No. 942—An act to amend section 5.63 of the School Code, relating to State teachers colleges;

Also. Assembly Bill No. 979—An act to add a new section to the Political Code, to be numbered 2161a, relating to State hospital buildings and grounds;

Also Assembly Bill No. 1020—An act to amend section 594 of the Political Code, relating to kinds of insurance and insurance companies;

Also Assembly Bill No. 1171—An act to amend section 60 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to hearings,

Also: Assembly Bill No 1198—An act to appropriate and transfer funds to the "State employees' retirement fund" from moneys allocated and payable to the county of Los Angeles from the "motor vehicle fund" to cover deficiencies in the "State employees' retirement fund" arising out of the transfer of the Los Angeles County motor patrol to the California Highway Patrol;

Also Assembly Bill No. 1202—An act providing for the creation management, maintenance and improvement of the California Desert Park and making an appropriation therefor;

And reports that the same have been correctly enrolled, and presented to the Governor on this third day of June, 1933, at eleven o'clock a m

PATTERSON, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1368—An act to amend section 4.191 of the School Code, relating to county elementary school funds;

Also: Assembly Bill No 1533—An act to add section 6 470-3 to the School Code, relating to the abolition of the school supply revolving fund;

Also Assembly Bill No. 1554—An act to repeal section 269 of the Political Code, relating to compensation of officers and employees of the Legislature;

Also: Assembly Bill No. 1571—An act to validate the organization and incorporation of municipal corporations;

Also: Assembly Bill No 1591—An act relating to payment of death benefits by fraternal societies and lodges.

Also: Assembly Bill No. 1592—An act to add a new section to the Political Code to be numbered section 472a, relating to the defense of peace officers;

Also. Assembly Bill No. 1635—An act to repeal an act entitled "An act to repeal 'An act making an appropriation to pay the claims for services, subsistence, supplies, transportation and other expenses of the National Guard of California called into service by order of the Governor in the months of March and April, 1933, to take effect immediately,'" approved March 14, 1933;

And reports that the same have been correctly enrolled, and presented to the Governor on this third day of June, 1933, at eleven o'clock a m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1727—An act relating to the ownership of real property by indigent persons eligible to receive aid;

Also: Assembly Bill No. 1733—An act to amend sections 8 and 11 of an act entitled "An act to provide for the maintenance by municipalities of lighting systems along public streets, alleys and other public places and for the lighting thereof by electric current, gas or other illuminating agent; and for the assessment of the cost and expense thereof upon the property benefited and the manner of collecting such assessments," approved May 16, 1919, as amended, relating to penalties levied thereunder;

Also: Assembly Bill No 1906—An act to add a new section to the School Code to be numbered 5 27, relating to cooperative stores on the campuses of the State teachers colleges;

Also: Assembly Bill No. 452—An act to amend the title of, and to add new sections to be numbered 4a and 4b to, an act entitled "An act to provide for the government of irrigation districts having an area of more than 500,000 acres and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to elections and to qualification of electors;

Also: Assembly Bill No. 693—An act to add section 386 to the Political Code, relating to the secretaries of the Governor;

Also: Assembly Bill No. 1272—An act relating to the marking of State highways for the purpose of indicating route numbers and making readily available information of a cautionary, regulatory or directional nature pertaining to the use of such highways, and defining the powers and duties of the State Department of Public Works and the Division of Highways in relation thereto:

And reports that the same have been correctly enrolled, and presented to the Governor on this third day of June, 1933, at eleven o'clock a m

PATTERSON, Chairman

Also:

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1933.

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1—An act to amend section 737a of the Political Code, relating to the salaries of judges of the superior court Alameda County;

Also: Assembly Bill No 2412—An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon, to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions;

Also: Assembly Bill No. 1036—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June

10, 1913, as amended, by amending sections numbered 4, 5, 9, 10, 12, and 26, and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: section 22a, relating to levy of special assessments, in county water districts; section 22b, relating to special rates of assessment in certain cases section 22c, relating to assessing and collecting the cost of works in the manner provided in the "Improvement Act of 1911"; sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, relating to the optional levy and collection of taxes by county water districts through the district's own officers rather than with county taxes, section 52, relating to the raising and payment by a county water district of assessments levied by an irrigation district within which is included a part of the lands within such county water district; and section 53, relating to short title of this act.

Also: Assembly Bill No. 2145—An act to amend section 360c of the Political Code, relating to the California Highway Patrol;

And reports that the same have been correctly enrolled, and presented to the Governor on this fifth day of June, 1933, at eleven o'clock a.m.

PATTERSON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 235—An act to appropriate the sum of $12,000 to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, and to provide for the manner of expending such appropriation.

Also: Assembly Bill No. 287—An act to provide for the construction and completion of a causeway across the Tisdale By-pass in Sutter County, State of California, and to make an appropriation therefor.

Also: Assembly Bill No. 356—An act to amend section 3.122 of the School Code, relating to the age of admission of pupils to kindergartens.

Also: Assembly Bill No. 379—An act to provide for the use of matured bonds or matured interest coupons of districts formed under the provisions of the "Acquisition and Improvement Act of 1925" or the "Road District Improvement Act of 1907" in the payment of assessment taxes levied upon land within said districts.

Also: Assembly Bill No. 525—An act to add a new section to the Vehicle Code to be numbered section 680, relating to the maintenance and use of short wave radio receiving sets in vehicles;

Also: Assembly Bill No. 563—An act to amend sections 2 and 7 of the act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to incorporation of municipal corporations and annexation of territory thereto;

And reports that the same have been correctly enrolled, and presented to the Governor on this sixth day of June, 1933, at eleven o'clock a.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 569—An act to authorize the investigation of the financial condition of, and granting financial aid to, assessment districts organized under the "Acquisition and Improvement Act of 1925" or the "Road District Improvement Act of 1907";

Also: Assembly Bill No. 620—An act to add a new section to the Code of Civil Procedure to be numbered 1042, and to repeal "An act making the cost of certain bonds of receivers, assignees, trustees, guardians, administrators and executors chargeable to a certain extent against the trust estate," approved March 20, 1905, relating to the payment of premiums on bonds of executors, administrators and guardians, receivers, assignees and trustees;

Also: Assembly Bill No. 858—An act to amend sections 11, 12 and 13 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to reciprocity, service of notice and process, and penalties;

Also: Assembly Bill No. 859—An act to amend section 1b of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to fees;

Also: Assembly Bill No. 880—An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities of the second and one-half class;

Also: Assembly Bill No. 1007—An act to amend section 7 of an act entitled "An act authorizing the establishing of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election

and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

And reports that the same have been correctly enrolled, and presented to the Governor on this sixth day of June, 1933, at eleven o'clock a m.

PATTERSON, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1019—An act to amend section 690 10 of the Political Code, relating to rights in and to, and structures on, or partly on, swamp, overflowed, marsh, tide- or submerged lands.

Also: Assembly Bill No. 1116—An act relating to governmental units known as districts and providing a procedure for the organization, operation, government, consolidation and dissolution of such districts;

Also Assembly Bill No 1130—An act to amend section 4189 of the Political Code, relating to service of writs, notices and other process;

Also: Assembly Bill No 1201—An act to amend section 4095a of the Political Code, relating to the duties of county auditors and treasurers,

Also. Assembly Bill No 1261—An act to amend section 106 of the Penal Code, relating to the penalty for attempting to escape from prison,

Also: Assembly Bill No. 1265—An act to add a new section to the Code of Civil Procedure to be numbered 329, relating to the limitation of the time within which actions for the foreclosure of street improvement assessment liens against real property may be commenced, when the assessments are made payable in installments pursuant to bonds or other written obligations,

Also Assembly Bill No 1357—An act to add a new section to the Probate Code, to be numbered section 1027, relating to distribution of an estate where no heirs appear in the course of administration and claim the estate or some part thereof; And reports that the same have been correctly enrolled, and presented to the Governor on this sixth day of June, 1933, at eleven o'clock a m

PATTERSON, Chairman.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1341—An act to amend sections 2, 4 and 6 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulations, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, and to add a new section to be numbered 4a, creating the Cannery Inspection Board and relating to the conduct of canneries;

Also: Assembly Bill No. 1342—An act to amend sections 6, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 21 of an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to adulteration, mislabeling and misbranding of foods and drugs and the powers of the State Board of Public Health in relation thereto,

Also. Assembly Bill No 1388—An act to amend section 688 of the Political Code, relating to claims against the State of California.

Also Assembly Bill No 1477—An act to amend section 10 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933;

Also. Assembly Bill No. 1483—An act to add a new section to the Political Code to be numbered 2444, relating to the administration of ungranted tide and submerged lands, beds of navigable channels, streams, rivers, creeks, lakes, bays and inlets, of the State of California, by the Division of State Lands, and empowering and authorizing the Director of Finance, through the Division of State Lands to eject trespassers from such lands by appropriate action in the courts of this State; And reports that the same have been correctly enrolled, and presented to the Governor on this sixth day of June, 1933, at eleven o'clock a.m

PATTERSON, Chairman

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1495—An act to amend section 1 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; author-

izing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, relating to convict labor,

Also Assembly Bill No 1555—An act to amend section 237 of the Political Code, relating to officers and employees of the Senate and Assembly;

Also, Assembly Bill No. 1776—An act to repeal "An act relating to senior rights of members of paid police departments of counties, cities and counties, cities, or towns," approved February 23, 1907, as amended;

Also: Assembly Bill No. 1788—An act to amend sections 737ss, 737uu and 737r of the Political Code, relating to the compensation of the judges of the superior court of Shasta County, Siskiyou County and Lassen County;

Also: Assembly Bill No. 1802—An act to amend section 7 of and to add a new section to be numbered 8½ to "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system, to establish and define the State park system; to define certain powers and duties of the State Park Commissioner, to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to fees for the use of State park areas;

And reports that the same have been correctly enrolled and presented to the Governor on this sixth day of June, 1933, at eleven o'clock a m

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1841—An act to amend section 2180 of the Political Code, relating to the support of insane persons and inebriates;

Also, Assembly Bill No 1914—An act to allow unincorporated territory within a county to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection, custody and disbursement of taxes, for such purposes and to create a Board of Police Commissioners;

Also Assembly Bill No. 2004—An act to add section 7½ to the State Civil Service Act, relating to the acceptance by county fire protection districts or any fire districts of Civil Service provisions,

Also: Assembly Bill No 2019—An act to amend section 117h of the Code of Civil Procedure, relating to small claims courts,

Also, Assembly Bill No. 2020—An act to add a new section to the Code of Civil Procedure to be numbered 117ha, relating to small claims court;

Also: Assembly Bill No 2021—An act to add a new section to the Code of Civil Procedure, to be numbered 117j, relating to consolidation of small claims actions with actions pending in other courts;

Also: Assembly Bill No 2035—An act to amend section 81 of the Code of Civil Procedure, relating to justices' courts;

Also, Assembly Bill No 1883—An act authorizing counties, cities and counties, and cities to relinquish jurisdiction over roads and highways in State parks to the authority charged by law with the management and control of such parks and providing for the construction, reconstruction, and maintenance of such roads and highways by the Department of Public Works;

And reports that the same have been correctly enrolled, and presented to the Governor on this sixth day of June, 1933, at eleven o'clock a m

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2092—An act to amend sections 25, 27, 28, 60, 62, 63, 65a, 66, and 68 of and to add three new sections to be numbered sections 76b, 76c and 84 respectively, to an act entitled 'An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds,

Also, Assembly Bill No 2078—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons,

Also, Assembly Bill No 2084—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal Reclamation Laws for a water supply, or the construction,

operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contract," approved May 5, 1917, as amended, by amending the title and section 1 thereof, and adding a new section to be designated section 11, to authorize the borrowing or procuring of money by irrigation districts from the United States or any agency thereof.

And reports that the same have been correctly enrolled, and presented to the Governor on this sixth day of June, 1933, at eleven o'clock a.m.

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2125—An act to amend sections 5, 9, 10, 11 and 12 and to add section 10.5 to the act entitled "An act to provide for a general system, based upon investigation as to the merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, relating to duties of the commission and the examination and qualification of applicants;

Also: Assembly Bill No. 2175—An act to amend section 681 of the Penal Code, relating to punishment and treatment of persons in State, county and city institutions.

Also: Assembly Bill No. 2206—An act to add a new section to the Political Code, to be numbered 363*l*, relating to the Division of Architecture revolving fund;

Also: Assembly Bill No. 2286—An act declining on the part of the State of California to accept money from the estate of Emma Hotchkiss for the purpose of erecting a fountain within the State Capitol grounds,

Also: Assembly Bill No. 2343—An act to add a new section to the Penal Code, to be numbered 537f, relating to the sale and offering for sale of rebuilt storage batteries;

Also: Assembly Bill No. 2413—An act to add a new section, to be numbered 1a, to an act entitled "An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the chairman of the Judicial Council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments," approved May 20, 1927, as amended, relating to expenses of judges and justices of the peace sitting under assignment from the Judicial Council;

And reports that the same have been correctly enrolled, and presented to the Governor on this sixth day of June, 1933, at eleven o'clock a.m.

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2368—An act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of contiguous territory thereto owned by the incorporated town or city desiring the annexation of the same, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government and municipal control of the annexed territory—and reports that the same has been correctly enrolled, and presented to the Governor on this sixth day of June, 1933, at eleven o'clock a.m.

PATTERSON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1933.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 241—An act relating to the refunding of bonds of irrigation and reclamation districts, making State assistance available therefor and authorizing the issuance and sale of bonds of the State to provide funds for use in furtherance thereof;

Also: Assembly Bill No. 360—An act making an appropriation to pay the claim of William J. Bost against the State of California;

Also: Assembly Bill No. 523—An act to amend section 1 of an act entitled "An act authorizing counties to declare noxious or dangerous weeds growing upon the streets or sidewalks or upon private property in counties, to be a public nuisance,

creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same, and providing that such cost shall constitute special assessments, and providing for the enforcement and collection of such special assessments," approved May 24, 1929, relating to the powers of supervisors to declare the existence of a public nuisance;

Also: Assembly Bill No. 587—An act making an appropriation to pay the claim of Bekins Van & Storage Company, a corporation, against Charles G. Johnson as Treasurer of the State of California;

Also: Assembly Bill No. 588—An act making an appropriation to pay the claim of B. W. Belyea doing business under the fictitious name and style of Belyea Truck Company against Charles G. Johnson as Treasurer of the State of California;

Also: Assembly Bill No. 589—An act making an appropriation to the State Board of Control to pay claims against the State of California;

And reports that the same have been correctly enrolled, and presented to the Governor on this seventh day of June, 1933, at eleven o'clock a m

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 635—An act to amend sections 21, 440, 463, 578, 702, 715, 932, 1010, 1020, 1120, 1125, 1126, 1200, 1201, 1531, and 1537 of the Probate Code, to add sections 541.5, 718.5, 930.5, 1020.5, 1026, 1127, 1241, 1556.5 and 1632 thereto, and to repeal certain provisions of law herein specified, all relating to probate, including the custody, disposal by will, succession, administration and distribution of estates of decedents, and the custody and administration of estates of persons under guardianship;

Also: Assembly Bill No. 637—An act to amend section 2287 of the Civil Code, relating to appointment of a trustee to fill a vacancy;

Also: Assembly Bill No. 660—An act to amend section 4300*l* of the Political Code, relating to municipal court fees;

Also: Assembly Bill No. 700—An act relating to State officers and employees and the salaries thereof in the executive branch of the State government and the classification of, certification or authorization and appointment to, and allocation within, State executive positions and the fixing of graduated emergency salary reductions, and creating the State Personnel Board and prescribing its powers, purposes, duties and jurisdiction;

Also: Assembly Bill No. 840—An act making an appropriation to pay the claim of P. J. Angeloni against the State of California;

Also: Assembly Bill No. 889—An act to amend section 685 of the Code of Civil Procedure, relating to execution of judgments;

Also: Assembly Bill No. 1184—An act to amend sections 95 and 111 of the California Vehicle Act, relating to sirens, horns, warning devices and lights on vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on this seventh day of June, 1933, at eleven o'clock a m

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1556—An act to amend section 253 of the Political Code, relating to the duties of Secretary of the Senate and Chief Clerk of the Assembly;

Also: Assembly Bill No. 1557—An act to amend section 245 of the Political Code, relating to officers, employees and attaches of the Senate.

Also: Assembly Bill No. 1558—An act to amend section 246 of the Political Code, relating to officers, employees and attaches of the Assembly;

Also: Assembly Bill No. 1737—An act to establish a Military Code, thereby revising and consolidating the law relating to the armed forces and the militia of the State and to the administration of military and veterans' affairs, and to repeal certain acts and parts of acts therein specified;

Also: Assembly Bill No. 1771—An act to amend section 4110 of the Political Code, relating to presentation and payment of warrants by the county treasurer and the duties of the auditor in relation thereto;

Also: Assembly Bill No. 1816—An act making an appropriation to pay the claim of the county of Sacramento against the State of California;

Also: Assembly Bill No. 1892—An act making an appropriation to pay the claim of Morris Cohan against the State of California;

Also: Assembly Bill No. 1928—An act making an appropriation to pay the claim of Continental Oil Company against the State of California;

And reports that the same have been correctly enrolled, and presented to the Governor on this seventh day of June, 1933, at eleven o'clock a m

PATTERSON, Chairman

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1930—An act making an appropriation to pay the claim of California Union Insurance Company against the State of California;

Also: Assembly Bill No. 1931—An act making an appropriation to pay the claim of Sumner Mallory against the State of California;

Also: Assembly Bill No 1932—An act making an appropriation to pay the claim of Jess Mallory against the State of California;

Also: Assembly Bill No. 1933—An act making an appropriation to pay the claim of the Barber Asphalt Company against the State of California.

Also Assembly Bill No 1934—An act making an appropriation to pay the claim of the Federal Mutual Liability Insurance Company against the State of California;

Also: Assembly Bill No. 1935—An act making an appropriation to pay the claim of the Associated Indemnity Company against the State of California;

Also Assembly Bill No. 1985—An act making an appropriation to reimburse the general fund for moneys advanced from the emergency fund for the support of the Motor Vehicle Fuel Tax Refund Division of the State Controller and the Fuel Tax Division of the State Board of Equalization,

Also Assembly Bill No. 2002—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system.

And reports that the same have been correctly enrolled, and presented to the Governor on this seventh day of June, 1933, at eleven o'clock a m

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 2008—An act to amend sections 702 and 703 of the Code of Civil Procedure, relating to redemption from sales under execution;

Also: Assembly Bill No 2070—An act making an appropriation to the State Board of Control to pay claims against the State of California;

Also: Assembly Bill No 2084—An act to add a new section to the Probate Code to be numbered 718.6, relating to the acceptance of a deed conveying property which is subject to a mortgage or deed of trust in lieu of foreclosure of the mortgage or sale under the deed of trust,

Also: Assembly Bill No. 2123—An act to add a new section, to be numbered 3a, to an act entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved May 23, 1907, relating to the disposal of sewage and other substances;

Also: Assembly Bill No. 2165—An act to amend sections 447 and 448 of the Code of Civil Procedure, relating to written instruments;

Also: Assembly Bill No. 2200—An act to amend sections 528 and 2295a of the Political Code, relating to reports and publications furnished to the State Library;

Also: Assembly Bill No. 2235—An act making an appropriation out of the fish and game preservation fund for the construction of jetties at the mouth of the Russian River,

And reports that the same have been correctly enrolled, and presented to the Governor on this seventh day of June, 1933, at eleven o'clock a m

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2253—An act to amend sections 27 and 34 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909, relating to duty of warehouseman in regard to stored goods;

Also: Assembly Bill No 2325—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by adding two new sections thereto to be numbered, respectively, section 28 relating to the dissolution of such municipal utility districts, and section 29 relating to the withdrawal of certain territory therefrom;

Also: Assembly Bill No. 2344—An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California,

Also: Assembly Bill No. 2348—An act to amend section 363i of, and to add sections 2586, 2589, 2590 and 2610 to, the Political Code, relating to the administration of certain bays, ports and harbors;

Also: Assembly Bill No 2364—An act making an appropriation to pay the claim of Effie Porter against the State of California;

And reports that the same have been correctly enrolled, and presented to the Governor on this seventh day of June, 1933, at eleven o'clock a.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2369—An act to amend section 1 of, and to add section 1a to, an act entitled "An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and power lines, telephone and telegraph lines, and sewers and appurtenances thereof, across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined," approved May 2, 1923, relating to municipal corporations;

Also: Assembly Bill No. 2383—An act to amend section 3369 of the Civil Code, relating to specific and preventive relief;

Also: Assembly Bill No. 2384—An act to amend section 654a of the Penal Code prohibiting false advertising and the misleading use of comparative prices;

Also: Assembly Bill No. 2399—An act establishing a certain additional State highway and classifying it as a secondary highway;

Also: Assembly Bill No. 2402—An act to enable irrigation districts to negotiate settlements of controversies involving alleged damage to the water rights of land within such districts, in cases where the State of California holds a tax title to any land in such district;

Also: Assembly Bill No. 2417—An act making an appropriation for the support of the Supreme Court of the State of California;

And reports that the same have been correctly enrolled, and presented to the Governor on this seventh day of June, 1933, at eleven o'clock a.m.

PATTERSON, Chairman.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor were received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, May 15, 1933.

To the Honorable Members of the Assembly, California State Legislature.

SIRS: I herewith return, without my signature, Assembly Bill No. 106.

Assembly Bill No. 106 was introduced for the purpose of repealing an act approved April 23, 1880, entitled "An act relating to fishing in the waters of this State."

The number of the act sought to be repealed has already been repealed by Assembly Bill No. 310, now Chapter 73 of the Statutes of 1933. As the purpose of Assembly Bill No. 106 has already been accomplished, it would make for unnecessary duplication to sign the bill.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put, Shall Assembly Bill No. 106 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, May 15, 1933.

To the Honorable Members of the Assembly, California State Legislature.

SIRS: I herewith return, without my signature, Assembly Bill No. 466.

Assembly Bill No. 466 was introduced for the purpose of repealing an act approved February 26, 1897, entitled "An act for the protection of the Antwerp messenger or homing pigeon."

The act of 1897 has already been repealed by Assembly Bill No. 310, now Chapter 73 of the Statutes of 1933. As the purpose of Assembly Bill No. 466 has already been accomplished, it would make for unnecessary duplication to sign the bill

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No 466 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 16, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 1719, which bill was introduced by the author at the request of the Department of Public Works.

I am now advised by the Department of Public Works that due to an omission in drafting section 9 of the bill, it would result in complicating payments to contractors on State contracts, would increase the work of the State Controller's office, and would cause the withholding from a contractor against whom a claim was filed of double the amount of money necessary to protect the claimant.

I am therefore taking this action at the request of the Department of Public Works and the State Controller, and with the understanding that the author has no objection.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 1719 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 23, 1933.

To the Honorable Members of the Assembly, California State Legislature

I herewith return, without my signature, Assembly Bill No. 161.

This bill adds a new section to the Motor Vehicle Fuel Tax Act, authorizing boards of supervisors to utilize county's apportionment of gasoline tax moneys for the purpose of assisting in the redemption of bonds issued for highway purposes.

My reason for returning this bill is that Assembly Bill No. 162 is an identical measure, and was passed after the enactment of the Budget Bill, and there can be no question as to the validity of Assembly Bill No 162, while some question might

be raised with respect to the provisions of Assembly Bill No. 161, inasmuch as it passed the Assembly prior to the enactment of the Budget Bill.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 161 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 23, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 164.

Assembly Bill No 164 amends section 159 of the California Vehicle Act, and would authorize the use of the counties' share of the apportionment of motor vehicle fund for the purpose of assisting in the redempton of bonds issued for highway purposes.

Section 159 of the California Vehicle Act has already been amended by Assembly Bill No. 2226, signed by me on May 23, 1933, and to sign Assembly Bill No. 164 would nullify the amendments already made

The amendments sought to be made by Assembly Bill No. 164 are, in my opinion, effectively contained in Assembly Bill No 159, which bill has been signed by me, and grants to the board of supervisors the same power desired to be conferred by Assembly Bill No 164. However, to obviate any possible question of the powers of the supervisors to use county apportionments from the motor vehicle fund, it is respectfully suggested that a bill be passed when the Legislature reconvenes in July, which will incorporate both the amendments of Assembly Bill No. 164 and Assembly Bill No. 2226.

Respectfully submitted.

JAMES ROLPH, JR, Governor of California.

The question being put: Shall Assembly Bill No. 164 become a law notwithstanding the veto of the Governor?

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

AYES—NONE.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—75

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 23, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 1064.

Assembly Bill No. 1064 contains amendments to the Building and Loan Act, whereby metropolitan water district and municipal utility district bonds are legal investments for borrowers of mutual building and loan companies

This bill, if signed, would delete the provisions added to said section 15.17 by Senate Bill No. 297, which was chaptered as Chapter 4 of the Statutes of this session.

Said chapter authorizes these borrowers' mutual building and loan companies to invest in stock issued by a Federal home loan bank or other similar Federal agency, and in bonds, notes and debentures issued by any such Federal home loan bank or other similar Federal agency.

This bill will, if signed, delete that very important grant of authority to these associations in favor of an authorization to such associations to purchase bonds of a metropolitan water district or a municipal utility district.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 1064 become a law notwithstanding the veto of the Governor?

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

AYES—NONE.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 23, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 1501.

Assembly Bill No. 1501 was introduced for the purpose of amending section 956 of the Code of Civil Procedure, to add thereto a new provision authorizing the court, on appeal from a judgment, to review any order granting a new trial whether or not such order affects the judgment appealed from.

This amendment provides no restriction on the power of the court on an appeal to review an order granting a new trial. Under this bill, such an order would be reviewable whether or not it affected the issues determined by the judgment. On appeal from a judgment rendered on a new trial, it would be possible to review the order granting the new trial and, hence, there would be two opportunities of reversing the case, since the errors in the original trial and in the new trial could both be considered.

There appears to be no reason for allowing such a review as would be permitted by this bill without regard to the existence of a connection or relation between the issues involved in the judgment appealed from and those considered in the order granting a new trial.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 1501 become a law notwithstanding the veto of the Governor?

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

AYES—NONE.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 24, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 1102.

Assembly Bill No. 1102 was introduced for the purpose of amending section 594 of the Political Code to make certain changes in the capital stock requirements of insurers transacting the business of fidelity and surety insurance in this State, for the purpose of providing additional safeguards for policyholders and the public dealing with such insurers.

The same requirements are contained in Assembly Bill No. 1020, together with other and greater safeguards in the case of companies during the first three years of business in this State. As the purpose of Assembly Bill No. 1102 is better accomplished by Assembly Bill No. 1020, it would make for unnecessary duplication to sign Assembly Bill No. 1102.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 1102 become a law notwithstanding the veto of the Governor?

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

AYES—NONE.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 24, 1933.

To the Honorable Members of the Assembly of the State of California.

I herewith return, without my signature, Assembly Bill No. 429.

This bill relates to the salary of the probation officer of Calaveras County, reducing the salary of that officer from $50 a month to $1 a year.

I have communicated with the board of supervisors of the county to seek their recommendation and they have failed to send me their approval.

As the measure virtually abolishes the office and it is not approved by the board of supervisors, I am returning the bill.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 429 become a law notwithstanding the veto of the Governor?

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

AYES—NONE

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—75.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 24, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 430.

Assembly Bill No. 430 is a county government bill of Calaveras County, as the amendments introduced are opposed by the board of supervisors of that county.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No 430 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, May 25, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 431.

This bill abolishes the office of the agricultural commissioner of Calaveras County by providing that the agricultural commissioner shall receive a salary of $1 per year.

The board of supervisors of the county have refused to approve this bill, and I have in my files a petition signed by 200 taxpayers of the county, asking me to veto the bill.

I am also advised by the Director of Agriculture that the office of agricultural commissioner is necessary in Calaveras County, for the protection of agriculture.

Respectfully submitted.

JAMES ROLPH, JR, Governor of California.

The question being put: Shall Assembly Bill No. 431 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—76.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, May 25, 1933

To the Members of the Assembly of the State of California.

With the consent of the author, I herewith return, without my signature, Assembly Bill No. 1324.

The bill returned amends section 664 of the Code of Civil Procedure but a defect has been made in the amendment the author intended to add and I therefore return the bill.

Respectfully,

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 1324 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoff-

man, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, May 25, 1933.

To the Honorable Members of the Assembly, California State Legislature.

SIRS: I herewith return, without my signature, Assembly Bill No. 1970.

Assembly Bill No. 1970 was designed to amend section 428 of the Vehicle Code Assembly Bill No. 674 was a bill comprising a codification of all laws pertaining to vehicles, but this bill failed of passage in the Senate As Assembly Bill No. 674 has failed of passage, the signing of Assembly Bill No. 1970 would be wholly ineffective, invalid and unconstitutional. It is for these reasons I return the bill.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put, Shall Assembly Bill No 1970 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field; Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—76.

RECESS.

At twelve o'clock and two minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 29, 1933.

To the Honorable Members of the Assembly, California State Legislature.

At the request of the author, I herewith return, without my approval, Assembly Bill No. 2422.

This bill amends the section of the code fixing the salary of the superior court judge of Santa Clara County

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 2422 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans,

Feigenbaum, Field, Fisher, Frazier, Greene, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—70.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 31, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 1619.

This bill amends certain sections of an act designed to prevent fraud and misrepresentation in the distribution and sale of motor and lubricating oils.

I have already signed Assembly Bill No. 545, which amends the same sections of the act as those sought to be amended by Assembly Bill No. 1619. As the provisions of Assembly Bill No. 545 include everything that is included in Assembly Bill No. 1619, to sign the latter would create unnecessary duplication.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put Shall Assembly Bill No. 1619 become a law notwithstanding the veto of the Governor?

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

AYES—None

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 5, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 41.

This bill duplicates Senate Bill No. 659, which I have already returned to the Senate with the following message:

"I herewith return, without my signature, Senate Bill No. 659.

This bill reduces the salaries of the superior court judges of Riverside, San Bernardino, Orange and Santa Barbara counties. The author of this bill has informed me that there is a great deal of opposition to the measure in his county, and the other Senators who are representing the counties affected by the bill have each advised me that they believe the bill should be returned, so that a more satisfactory measure can be worked out at the July session of the Legislature."

As Assembly Bill No. 41 duplicates for the counties of Orange and San Bernardino the provisions of Senate Bill No. 659, the same reasons are applicable, and I therefore return the bill.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 41 become a law notwithstanding the veto of the Governor?

The roll was called, and the Assembly refused to sustain the veto of the Governor by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley,

Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—72.

NOES—Badham, Hornblower and Morgan—3.

Assembly Bill No. 41 ordered transmitted to the Senate.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 5, 1933.

To the Honorable Members of the Assembly, California State Legislature.

With the consent of the author, I herewith return, without my approval, Assembly Bill No. 1437.

This bill amends certain sections of the Agricultural Code pertaining to the control of insect pests in grain warehouses. I am informed by the Department of Agriculture that during the rush prior to the recess of the Legislature Assembly Bill No. 1437 was drastically amended and the amendments did not meet the approval of the author, the Department of Agriculture, nor the hay, grain and feed dealers.

The bill also makes an appropriation, and was passed by the Assembly before the budget was signed.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No 1437 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 10, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 525.

Assembly Bill No. 525 is a bill adding a section to the Vehicle Code As the bill providing for the enactment of the Vehicle Code did not pass the Legislature, Assembly Bill No 525 seeking to amend it is wholly ineffective and void.

Respectfully submitted.

JAMES ROLPH, JR, Governor of California.

The question being put: Shall Assembly Bill No. 525 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 1007

This bill reduces the salary of the judges of the municipal court of the city of Los Angeles from $7,500 to $6,500 per year. In my veto messages on Assembly Bill

No 10 and Assembly Bill No 1. I stated definitely the policy of preserving an equivalence in the salaries of the superior court judges of Los Angeles, San Francisco and Alameda counties. Los Angeles County, I pointed out, was a county of the largest population in the State, and also the county with the greatest property valuation. What is true as far as comparison of counties is concerned, is also true when the city of Los Angeles is compared with any other city in the State.

To sign Assembly Bill No. 1007 would mean that the municipal court judges of Los Angeles County would receive less compensation than the municipal court judges of San Francisco Such a measure would be inequitable in its operation, and would result only in dissatisfaction. At each session of the Legislature, the functions, powers and duties of municipal court judges are increased. The municipal court judge of the city of Los Angeles has the same duties and responsibilities as the municipal court judge of the City and County of San Francisco, and to treat them on a different basis would be a discrimination.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 1007 become a law notwithstanding the veto of the Governor?

The roll was called, and the Assembly refused to sustain the veto of the Governor by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Woolwine, Wright, Zion and Mr. Speaker—68

NOES—Badham, Callahan, Hornblower and Morgan—4

Assembly Bill No 1007 ordered transmitted to the Senate.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Assembly, California State Legislature.

With the consent of the author, I herewith return, without my signature, Assembly Bill No. 1906.

This bill authorizes the Director of Education to rent space in buildings of State teachers colleges Senate Bill No. 757, already signed, was a similar measure, and the author believes his purpose to be effective by the signing of Senate Bill No. 757

Respectfully submitted.

JAMES ROLPH, JR, Governor of California.

The question being put: Shall Assembly Bill No. 1906 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 13, 1933

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 880

This bill reduces the salary of the municipal court judges of Long Beach from $7,500 to $6,500 per year. I have already returned Assembly Bill No. 1007, which

made a similar reduction in the compensation of municipal court judges of Los Angeles.

The entire matter of compensation of Los Angeles County judiciary is a subject, I believe, that deserves further consideration, to the end that the compensation ultimately fixed should be consistent with the salary paid judges in the other two large counties, namely, San Francisco and Alameda.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 880 become a law notwithstanding the veto of the Governor?

The roll was called, and the Assembly refused to sustain the veto of the Governor by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.

NOES—Hornblower and Morgan—2.

Assembly Bill No. 880 ordered transmitted to the Senate.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 15, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 856.

This bill makes an appropriation of $3,500 to pay the claim of William Dyer against the State of California

I am informed that no claim in this matter was ever presented to the State Board of Control, and they have no knowledge of the nature of the claim of the said William Dyer. *Without the concurrence of the State Board of Control in claim* bills, I can not consistently approve the same.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 856 become a law notwithstanding the veto of the Governor?

The roll was called, and the Assembly refused to sustain the veto of the Governor by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 856 ordered transmitted to the Senate.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 16, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my approval, Assembly Bill No. 356, "The Kindergarten Bill."

As finally presented to me, the only change made by this bill would require that the minimum age for kindergarten attendance shall be five instead of four and one-half years. The opponents of the bill contend that the measure, if signed by me, will affect adversely the entire educational system of California.

I am convinced that the training and environment of the kindergarten has become an important factor in primary education, and primary education is recognized to be the most essential element of an educational system As stated by one educator, "the kindergarten is more important than the university." It is in the kindergarten that the children are of the age when they are most impressionable, and receive their first directed training in social values, language, habits and character.

Parents and educators alike agree that an age of four and one-half years is a desirable age at which children should begin to receive the benefits a kindergarten offers, for it is upon the training received at this age that their future development in a large part depends

A further objection to this bill, and one of major importance in consideration of the measure, is the fact that if the bill is signed, its ultimate effect, particularly in smaller communities, will be to abolish the kindergarten entirely; depleted attendance will reduce the average daily attendance below ten, so that the kindergarten, under existing provisions of the law, will have to be discontinued Thus, in some communities, all children would be deprived of kindergarten advantages, even though some of the children in the community met the age requirements of the bill before me.

I am, therefore, of the opinion, that the signing of this bill would constitute an effort of economy at the expense of children, by depriving them of training that they so vitally need, and as this would have an injurious effect upon our whole educational system, I have refused to sign the bill.

Respectfully returned.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 356 become a law notwithstanding the veto of the Governor?

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr Greene moved a call of the House.

Motion carried.

Time, three o'clock and forty minutes p m

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll

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

Alter, Anglim Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers Roland, Stanwood, Stream Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—74.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 16, 1933.

To the Honorable Members of the Assembly, California State Legislature

I herewith return, without my signature, Assembly Bill No. 660.

This bill amends section 4300f of the Political Code That section has already been amended by Assembly Bill No. 518, and the amendments made are identical with those sought to be made by Assembly Bill No 660. As the bill is for all purposes a duplication of Assembly Bill No 518, it would merely add a duplication in the law.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California

The question being put: Shall Assembly Bill No. 660 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—66.

SPECIAL ORDER SET.

On motion of Mr. Craig, the consideration of the Governor's veto on Assembly Bill No. 700 was made a special order for Tuesday, July 18, 1933, at two o'clock and thirty minutes p m.

FURTHER MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 16, 1933

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 1184.

This bill amends the section of the California Vehicle Act relating to the use of lights and sirens upon motor vehicles By amendment to the section, deputies appointed to enforce the Fish and Game Code, and deputies appointed to enforce the provisions of the Agricultural Code, are allowed to use red lights and sirens upon State-owned cars driven by them. I do not believe that the inclusion of these officials will serve any useful purpose, and that the power to display these symbols of official authority should be restricted, in so far as possible, to the vehicles of police officers.

Respectfully submitted.

JAMES ROLPH, JR, Governor of California.

The question being put: Shall Assembly Bill No. 1184 become a law notwithstanding the veto of the Governor?

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

AYES—Alter, Bliss, Brock, Cassidy, Cobb, Cottrell, Dempster, Evans, Field, Fisher, Greene, Hatch, Hoffman, Knowland, Martin, Meeker, Miller, Eleanor; Patterson, Peterson, Phillips, Powers, Riley, Robinson, C. Ray; Robinson, Samuel E., Thorp, Turner, Wright and Zion—28

NOES—Anglim, Badham, Bowers, Boyle, Burns, Callahan, Chatters, Clowdsley, Cronin, Crowley, Feigenbaum, Frazier, Gilmore, Hallner, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Lyon, Maloney, McBride, McCarthy, Miller, James A., Morgan, Nielsen, O'Connor, Rawls, Redwine, Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Utt, West, Williamson, Woolwine and Mr. Speaker—42.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 16, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No 2399.

This is a new act, declaring the Highway Route No 2 near Soledad to Pinnacles National Monument a secondary State highway This object has already been accomplished by section 7 of Senate Bill No 563, signed by me, and now Chapter 767 of the Statutes of 1933, which bill added some 6600 miles of secondary roads to the State highway system

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 2399 become a law notwithstanding the veto of the Governor?

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

AYES—None.
NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 10, 1933

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 1300.

I have no objections to the provisions of the amendment sought to be made by Assembly Bill No. 1300, and I am informed that the assessors of the State are extremely desirous of having the measure enacted into law. However, the code section sought to be amended, 3633 of the Political Code, has already been amended by the signing of Assembly Bill No. 584, which is now Chapter 144 of the Statutes of 1933.

The amendments made by Assembly Bill No. 584 would be nullified by the signing of Assembly Bill No. 1300, and I therefore return the bill without prejudice to a new measure being presented to me which will incorporate the measures already made by Assembly Bill No. 584.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 1300 become a law notwithstanding the veto of the Governor?

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

AYES—None.
NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 26, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 417.

Assembly Bill No. 417 is designed to amend certain sections of the Vehicle Code. Assembly Bill No. 674, an act to establish a Vehicle Code, was not passed by the Senate. Therefore, this act seeking to make amendments thereto is wholly inoperative, and ineffective for any purposes.

For these reasons, I return the bill.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 417 become a law notwithstanding the veto of the Governor?

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

AYES—None.
NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster,

Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 26, 1933.

To the Honorable Members of the Assembly, California State Legislature.

On the recommendation of the Division of State Lands and the Director of Finance, I herewith return, without my approval, Assembly Bill No 1521

This bill relates to lands held under a grant or patent from the State, and the rights of the holders thereunder. The bill is sweeping in its provisions in that it includes swamps, overflowed lands, tidelands, lands bordering upon a navigable lake or stream, and lands bordering upon other waters

The bill is very indefinite, and because of this it might be construed to apply to all of the valuable tidelands along the Pacific Coast, and thus further encroach upon this valuable property of the people of the State of California; further, it may extend to certain lakes or bodies of water valuable on account of mineral content, such as Owens Lake in Inyo County. On account of the recession of the waters of this lake subsequent to the sale by the State of the upland, by means of this act an upland owner might be able to extend his ownership far into the lake bed and thus obtain valuable mineral deposits not intended to have been granted to any such upland owner.

When the Legislature reconvenes, a general law may be passed more specific in its purpose, which will give relief where required in individual cases

Respectfully submitted.

JAMES ROLPH, JR., Governor of California

The question being put Shall Assembly Bill No. 1521 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74

SENATE MESSAGES.

The following messages from the Senate were read, ordered printed in the Journal, and placed on daily calendar:

SENATE CHAMBER, SACRAMENTO, July 17, 1933.

MR SPEAKER: I am directed to inform your honorable body that, pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 124—An act to amend sections 3 480, 3 482 and 3 806, and add a new section 3 808 of the School Code, relating to tuition charges—passed by the Senate on April 3, 1933, by the Assembly on May 12, 1933, and enrolled by the Senate on May 12, 1933, which message reads as follows:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 16, 1933

To the Honorable Members of the Senate, California State Legislature

SIRS: I herewith return, without my signature, Senate Bill No. 124.

This bill amends certain sections of the School Code, relating to tuition charges for adult attendance at night schools. At the present time, the governing board of a school district has permissive power to fix the fee of $6 per term per pupil in the case of day or evening classes for adults, other than classes maintained in English and citizenship for foreigners, and classes in elementary subjects taught below the seventh grade.

The amendment made by the bill in place of the optional fee requires a compulsory fee of not less than $1. This bill, I believe, would be the initial step in starting to place a tax on education. The present optional authority vested in trustees of school districts is sufficient, I believe, to assist districts in need of funds to carry on adult education work, but to charge a compulsory fee, whether necessary or not, could only have the effect of retarding educational work.

Respectfully submitted.

(Signed) JAMES ROLPH, JR., Governor of California.

The President of the Senate put the question: "Shall Senate Bill No. 124 become a law notwithstanding the objections of the Governor?" Whereupon the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California that in so far as the Senate is concerned, this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No. 124 is transmitted herewith for your consideration.

Respectfully submitted.

J. A. BEEK, Secretary of Senate.

Also:

SENATE CHAMBER, SACRAMENTO, July 17, 1933.

MR SPEAKER: I am directed to inform your honorable body that, pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 411—An act to add section 3897d to the Political Code, relating to lands sold or deeded to the State for taxes or assessments and the sale and lease of such lands, and providing for contracts to sell or to give options on tax-deeded lands to one or more public agencies and providing for terminating all rights of redemption on property described in such contracts, and authorizing public agencies to sell or agree to sell to one another their interests in property deeded to them for delinquent taxes and/or assessments—passed by the Senate on April 10, 1933, by the Assembly on May 12, 1933, and enrolled by the Senate on May 12, 1933, which message reads as follows:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Senate, California State Legislature.

I herewith return, without my signature, Senate Bill No. 411.

This bill provides that where property has been deeded for nonpayment of taxes or assessments to the State and also to a city or other public corporation, the local governmental unit may enter into an agreement with the board of supervisors of the county for the purchase of the property held by the State, subject to the approval of the State Controller.

Assembly Bill No. 562, which I am also returning without my signature, would provide that wherever property has been deeded to the State and has also been deeded to a political subdivision or State taxing agency for delinquent taxes, the right of possession lies with an irrigation district, municipality, or county, dependent upon its location.

The rights in the land of the various public agencies or counties would be uncertain and the law relating thereto would become ambiguous if both of these bills became law, and if it is desirable that the benefits provided by one or both bills be secured, legislation designed to that end should be worked out which will not, at the same time, make the law relating thereto uncertain.

I have already signed Assembly Bill No. 822 which postpones until some time in August the deeding of property to the State for nonpayment of taxes, so that there will be no change in the situation relating to such land until after the Legislature reconvenes.

At that time, if it is desired, a measure could be worked out, and by means of an urgency clause therein, made effective in time to eliminate any delay which might result from the return of this bill.

Respectfully submitted.

(Signed) JAMES ROLPH, JR., Governor of California.

The President of the Senate put the question: "Shall Senate Bill No. 411 become a law notwithstanding the objections of the Governor?" Whereupon the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California that in so far as the Senate is concerned, this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No. 411 is transmitted herewith for your consideration.

Respectfully submitted.

J. A. BEEK, Secretary of Senate.

Also:

SENATE CHAMBER, SACRAMENTO, July 17, 1933.

MR. SPEAKER: I am directed to inform your honorable body that pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 435—An act to repeal sections 2 1500 to 2 1504, inclusive, of the School Code, relating to conventions of city and county school superintendents—passed by the Senate on April 19, 1933, by the Assembly on May 12, 1933, and enrolled by the Senate on May 12, 1933, which message reads as follows

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Senate, California State Legislature.

SIRS: I herewith return, without my signature, Senate Bill No. 435.

This bill repeals sections of the School Code, authorizing conventions of county and city school superintendents. The statute repealed is merely permissive in form, authorizing the Superintendent of Public Instruction to call such a convention when he deems it to be advisable. These provisions are of long standing and the cost is relatively small as far as individual counties are concerned, and such conventions furnish the only opportunity for complete discussion of county educational problems and policies.

The bill providing for the repeal of the convention of principals has already been signed. Principals, however, have an opportunity to associate for the discussion of problems that is not available to the county superintendents If, in the interest of economy, it is necessary that the calling of such annual conventions should be suspended, the Superintendent of Public Instruction has this authority. I believe, however, it would be a mistake to wipe out of the statute books the authority of the Superintendent of Public Instruction to call conventions for this worth while and necessary purpose.

Respectfully submitted.

(Signed) JAMES ROLPH, JR., Governor of California

The President of the Senate put the question: "Shall Senate Bill No. 435 become a law notwithstanding the objections of the Governor?" Whereupon the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California that in so far as the Senate is concerned this bill shall become a law notwithstanding the objections of the Governor

Senate Bill No. 435 is transmitted herewith for your consideration

Respectfully submitted.

J. A. BEEK, Secretary of Senate.

Also:

SENATE CHAMBER, SACRAMENTO, July 17, 1933.

MR. SPEAKER: I am directed to inform your honorable body that, pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 440—An act to repeal Chapter V of Part III of Division V of the School Code, embracing sections 5.580 to 5 622, inclusive, relating to teachers' institutes—passed by the Senate on April 19, 1933, by the Assembly on May 12, 1933, and enrolled by the Senate on May 12, 1933, which message reads as follows:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Senate, California State Legislature.

SIRS: I herewith return, without my signature, Senate Bill No. 440

This bill repeals sections of the School Code authorizing the holding of annual teachers' institutes. Teachers institutes are a recognized institution in most States of the Union. They have always been considered as essential to the proper development of education The cost of the institutes for all counties, except Los Angeles, is less than $20,000 a year for the entire State. The cost in Los Angeles County is in the neighborhood of $13.000 a year for the entire county.

I do not believe that the relatively small saving that would be accomplished by the abolition of these excellent gatherings will compensate for the loss which would result in removing from teachers the inspiration and encouragement to better service which the annual assembly in institutes has furnished.

Respectfully submitted

(Signed) JAMES ROLPH, JR., Governor of California.

The President of the Senate put the question: "Shall Senate Bill No. 440 become a law notwithstanding the objections of the Governor?" Whereupon the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Consti-

tution of the State of California that in so far as the Senate is concerned this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No. 440 is transmitted herewith for your consideration.

Respectfully submitted.

J. A BEEK, Secretary of Senate.

RESOLUTION.

The following resolution was offered.

By Mr. Maloney.

WHEREAS, During this legislative recess Divine Providence has seen fit to call from his earthly sphere of activity Homer L Roberts; and

WHEREAS, Homer L. Roberts was well known to the members of this Assembly by reason of his long service as a newspaper man assigned as a correspondent to the State Capitol, and

WHEREAS, Homer L. Roberts by his conscientious devotion to duty, his honesty of purpose and his fairness in disseminating the news obtained by his observations and interviews endeared himself to all; and

WHEREAS, The members of this Assembly will miss Homer L. Roberts; therefore, be it

Resolved, That when the Assembly adjourns this day it do so out of respect to the memory of Homer L. Roberts and in so doing expresses to his family its deepest sympathy in their hour of bereavement; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby instructed to have this resolution suitably engrossed and sent to the family of the late Homer L Roberts.

Resolution read, and on motion unanimously adopted.

LEAVE OF ABSENCE

On motion of Mr. Bowers, Mr. Grubbs was granted leave of absence for the balance of this legislative day.

MOTION.

Mr. Williamson moved that the members of the Assembly extend their felicitations to the brides, Mrs. Lucius Powers and Mrs. Roy Nielsen, and our congratulations to our fellow members, Mr. Lucius Powers and Mr. Roy Nielsen, upon their recent marriage.

Motion unanimously adopted.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced:

By Mr. Morgan: Assembly Concurrent Resolution No. 55—Relative to approving one certain amendment to the charter of the city of Berkeley in the county of Alameda, State of California, voted for and ratified by the electors of said city at a special election held therein on the twenty-seventh day of June, 1933.

Introduced.

By Mr. Knowland: Assembly Concurrent Resolution No. 56—Relative to approving certain amendments to the charter of the city of Alameda, a municipal corporation, in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of June, 1933.

Introduced.

By Mr. Fisher: Assembly Concurrent Resolution No 57—Relative to approving certain amendments to the charter of the city of Oakland, a municipal corporation, in the county of Alameda, State of California,

voted for and ratified at a special municipal election held therein on the twenty-seventh day of June, 1933.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Knowland asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 56, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FIFTY-SIX.

Assembly Concurrent Resolution No. 56—Relative to approving certain amendments to the charter of the city of Alameda, a municipal corporation, in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of June, 1933.

Assembly Concurrent Resolution No. 56 read.

The question being on the adoption of Assembly Concurrent Resolution No. 56.

The roll was called, and Assembly Concurrent Resolution No. 56 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—73

NOES—None.

Title read and approved

Assembly Concurrent Resolution No. 56 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Morgan asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 55, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FIFTY-FIVE.

Assembly Concurrent Resolution No. 55—Relative to approving one certain amendment to the charter of the city of Berkeley in the county of Alameda, State of California, voted for and ratified by the electors of said city at a special election held therein on the twenty-seventh day of June, 1933.

Assembly Concurrent Resolution No. 55 read.

The question being on the adoption of Assembly Concurrent Resolution No. 55.

The roll was called, and Assembly Concurrent Resolution No. 55 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson,

Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—73.
NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 55 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Fisher asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 57 at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FIFTY-SEVEN.

Assembly Concurrent Resolution No. 57—Relative to approving certain amendments to the charter of the city of Oakland, a municipal corporation, in the county of Alameda, State of California, voted for and ratified at a special municipal election held therein on the twenty-seventh day of June, 1933.

Assembly Concurrent Resolution No. 57 read.

The question being on the adoption of Assembly Concurrent Resolution No. 57.

The roll was called, and Assembly Concurrent Resolution No. 57 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Callahan, Cassidy Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—73.
NOES—None

Title read and approved.

Assembly Concurrent Resolution No 57 ordered transmitted to the Senate.

MOTION.

Mr. Gilmore moved that the action be rescinded and the record be expunged relative to sustaining the Governor's veto on Assembly Bill No. 1970.

The roll was called, and the action rescinded, and record expunged by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, West, Williamson, Woolwine, Zion and Mr. Speaker—69.
NOES—None.

Governor's veto on Assembly Bill No. 1970 ordered placed on daily calendar.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At four o'clock and fifty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Greene.

The roll of absentees was called, and the Assembly refused to sustain the veto of the Governor on Assembly Bill No. 356 by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Lyon, Martin, Mayo, McBride, Meeker, Miller, Eleanor; O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Thorp, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—54.

NOES—Badham, Callahan, Cronin, Dempster, Gilmore, Hornblower, Hunt, King, Levey, Maloney, McCarthy, McMurray, Meehan, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Roberts, Rogers, Stannard, Sullivan, Tournoux and Williamson—24.

Assembly Bill No. 356 ordered transmitted to the Senate.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 16, 1933.

To the Honorable Members of the Assembly of the State of California.

I respectfully return to you herewith Assembly Bill No. 700, without my signature. My objections to the bill and my reasons for vetoing it are as follows:

This bill relates to State officers and employees in the executive branch of the State government and to the classification of, certification or authorization and appointment to State executive positions. It purports to fix graduated salary reductions which it terms "emergency salary reductions" and creates a State Personnel Board whose powers, purposes, duties and jurisdiction it prescribes. This board consists of the Controller, a purely ministerial officer, the Legislative Counsel, an officer of the legislative branch, and the Director of Finance, the only member responsible to the Governor.

A careful consideration of this measure discloses a number of defects of sufficient magnitude and import to offset whatever merits it may otherwise possess, and while it would perhaps be extreme to question its constitutionality, its inequalities and its inconsistency stamp it as a measure opposed to the spirit pervading our system of laws, and to the well being of the State.

The bill is inconsistent within itself in that it purports, both in its title and in the body of the measure, to meet an emergency. This is evident from the repeated use of the words "emergency salary reductions." Yet, it provides no machinery for the suspension or abandonment of these reductions in the event that the emergency should cease to exist. The emergency reductions are made to apply to a period from the effective date of the act to July 1, 1935, regardless of whether or not an emergency shall exist during that period. Since no one can reasonably predict the duration of any emergency, this measure is in some degree a contradiction in terms.

A serious inequality is embodied in the provisions of this bill relating to officers and employees receiving a per hour or per diem compensation. To these, the graduated emergency salary reductions would not apply, since they are expressly made inapplicable thereto. Numerous persons are in the steady employ of the State on a per hour or per diem basis of compensation. This provision of the bill is an unwarranted discrimination in their favor and against those officers and employees of the State who receive compensation for their services by way of a monthly salary.

The bill also provides that it shall have no application to the legislative or judicial branches of the State government, although an officer of the legislative branch is made a member of the board. By this provision it exempts from its salary reductions the clerks and other employees of the Supreme Court and appellate courts, and of the Legislature, thereby again making an undesirable discrimination.

These are features which place this measure at variance with the spirit of our system of laws, violating the principle of equality before the law and of the separation of the several branches of the government.

A further objection to this bill is that it places well-nigh arbitrary powers in the hands of a State Personnel Board, which it creates. With the powers delegated to it by this bill, the board would dominate the entire executive department, and could deprive the Chief Executive of the authority and influence which are indispensable to the responsibilities imposed upon him in the administration of the government.

The board is so constituted by this bill as to endanger the efficient administration of the civil service of the State, which has always enjoyed and deserved the confidence of both the people and the employees.

The effect of the bill, if approved, would be disastrous to the officers and employees affected and detrimental to the welfare of the State. Facing the practical certainty of a devalued dollar, and with a growing number of private employers heeding the appeal of the President of the United States by raising the salaries and wages of their employees, the public servants of this State would, as a result of this bill, suffer an altogether tragic loss of purchasing power. A return to even partially normal economic conditions prior to July 1, 1935, would necessarily cause an exodus of underpaid State employees into more lucrative private employment.

The State of California can ill afford the loss of all this special training and experience, and should not risk it.

I have vetoed this bill for the reasons stated notwithstanding that the budget fails to provide adequate appropriations for the payment of salaries on the existing basis. Heads of departments will have to readjust salaries for July so that a lay-off of any considerable number of employees shall not be necessary. The Legislature, of course, when it reconvenes in July, will give consideration to this problem. The next biennium is to be a period of strictest economy. Drastic reductions have been made in each department. If the Legislature determines, in the light of circumstances existing on its reconvening, that there should be a cut in salaries, the cut, in my opinion, should not be so extreme as the reductions contemplated by this bill. The cut, if made, should apply to the salaries of employees in the legislative and judicial departments as well as in the executive department, and any salary reduction bill should be confined strictly to salary reductions.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 20, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 248.

This bill seeks to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917. Section 8 has already been amended by Senate Bill No. 1042, signed by me on May 10th, and now Chapter 274 of the Statutes of 1933.

Senate Bill No. 1042 amended section 8 to grant volunteer firemen the benefits of the act. As Assembly Bill No. 248 does not incorporate the amendments made by Chapter 274, to enact Assembly Bill No. 248 into law would nullify the amendments already made.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 23, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 600.

Assembly Bill No. 600 amends section 159 of the California Vehicle Act, and would authorize the use of the counties' share of the apportionment of motor vehicle fund for the purpose of assisting in the redemption of bonds issued for highway purposes.

Section 159 of the California Vehicle Act has already been amended by Assembly Bill No. 2226, signed by me on May 23, 1933, and to sign Assembly Bill No. 600 would nullify the amendments already made.

The amendments sought to be made by Assembly Bill No. 600 are, in my opinion, effectively contained in Assembly Bill No. 159, which bill has been signed by me, and grants to the board of supervisors the same power desired to be conferred by Assembly Bill No. 600. However, to obviate any possible question of the powers of the supervisors to use county apportionments from the motor vehicle fund, it is respectfully suggested that a bill be passed when the Legislature reconvenes in July, which will incorporate both the amendments of Assembly Bill No. 600 and Assembly Bill No. 2226.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 23, 1933.

To the Honorable Members of the Assembly of the State of California

I herewith return, without my signature, Assembly Bill No. 687.

Assembly Bill No. 687 is a county government bill of Colusa County. After the bill was presented to me I held a meeting with the members of the board of supervisors, representatives of the grand jury, representatives of taxpaying groups and the author of the bill and it was decided that the bill as now drafted was not

the best measure which could be worked out and the matter should be resubmitted to the Legislature by a new bill.

Respectfully submitted

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 23, 1933.

To the Honorable Members of the Assembly of the State of California

I herewith return, without my signature, Assembly Bill No. 691

Assembly Bill No. 691 reduces the salary of the probation officer of Colusa County from $75 to $50 a month.

After the bill was presented to me I held a meeting with the members of the board of supervisors, representatives of the grand jury, representatives of taxpaying groups and the author of the bill and it was decided that the bill as now drafted was not the best measure which could be worked out and the matter should be resubmitted to the Legislature by a new bill.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 24, 1933.

To the Honorable Members of the Assembly of the State of California.

I return, without my approval, Assembly Bill No. 539.

Protests have been made to me about this bill by delegations representing the medical fraternity, the Sheriffs' Association, the Boards of Supervisors' Association, and Director of Institutions, with counsel, and it was unanimously agreed at said hearing in the Governor's Chambers on May 24, 1933, that I return this bill to your honorable body without prejudice.

It is recommended that your committee on hospitals and asylums to whom Assembly Bill No 539 was referred rehear a bill which covers all the objections made to the bill submitted to me and that a new bill be passed after the recess

Respectfully submitted

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 24, 1933.

To the Members of the Assembly, California State Legislature

I herewith return, without my signature and without prejudice Assembly Bill No 1621

Assembly Bill No 1621 appropriates to the general fund from the highway maintenance fund an amount equal to interest at the rate of 4 per cent per annum for all moneys withdrawn from the general fund under the provisions of Chapter 400, Statutes of 1931. I am informed by the Director of Public Works that under the contract with the Reconstruction Finance Corporation, whereby bonds of the California Toll Bridge Authority were purchased, all legislation affecting the California Toll Bridge Authority Act is required to be submitted to the Reconstruction Finance Corporation for approval. This bill was not submitted, and I am advised that in the event it is signed, it would delay the first installment of purchase of bonds on June 1st.

I have no objection to having this piece of legislation passed over my veto in the event the interest is not paid before the July session, and no objection to the legislation is interposed by the Reconstruction Finance Corporation.

Respectfully submitted

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 26 1933

To the Members of the Assembly of the State of California

I herewith return, without my signature, Assembly Bill No. 851

Assembly Bill No 851 provides, as to land sold to the State for delinquent taxes in 1928, the addenda list shall not be published in 1933 nor shall such lands be sold at public auction in 19 3, but provides that each of these acts shall be performed in 1934

I have already signed Assembly Bill No. 822 which expressly provides for the publication of delinquent list, publication of addenda list, and sale at public auction in 1933, and grants an extension of 61 days so that the time of sale will not occur until some time after August 22d of this year.

As Assembly Bill No. 822 and Assembly Bill No 851 are inconsistent in policy, and as the signing of Assembly Bill No. 822 protects everyone until the Legislature

meets again in July. I am returning Assembly Bill No. 851 without prejudice and for the purpose of giving the auditors and tax collectors of the State an opportunity to work out a consistent theory for relief in the matter of land sold to the State for taxes

Very sincerely yours,

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, May 26, 1933.

To the Honorable Members of the Assembly of the State of California.

I herewith return, without my approval, Assembly Bill No 1006 This bill provides for a five-day week in State employment when found by the head of a department to be practicable

The bill vitally affects all the employees of this State and it is questionable whether or not it would affect executive officers whose duties and functions of office are prescribed by statute It can not, of course, affect constitutional officers whose duties and compensation are prescribed by the Constitution

I have had a canvass made of the opinion of the various department heads and I have found a unanimous feeling that this bill will disturb the effectiveness of operations of all State offices and might retard public service.

I realize that this bill is very important and far reaching in its effect During the last two months, however, there has been a definite improvement in economic conditions and I doubt the advisability of committing the State to a policy of intrenchment in employment when two months more will enable all concerned to gain a better perspective of future economic conditions Under these circumstances, therefore I return the bill to you without prejudice and without my approval, urging you to give the same further study and consideration when you reconvene in July.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 26, 1933

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 1228

Assembly Bill No. 1228 seeks to amend section 1461 of the Probate Code to provide that a guardian of an insane or incompetent person may be appointed, when it appears necessary or convenient, by the superior court of the county wherein such person resides, is temporarily domiciled, or wherein such person, who is a nonresident, has estate.

This provision is in conflict with existing sections 1460 and 1462 The former section gives the superior court of any county in the State power to appoint a guardian on proper application There seems to be no danger of abuse of the existing law which would require the limitation set by this bill on the power to appoint a guardian. Existing section 1462 provides that if the person in question is found to be insane or incompetent, the court must appoint a guardian. This bill provides for the appointment "when it appears necessary or convenient," thus creating a provision which is inconsistent with the existing provision

The bill is ambiguous in that it does not specify whether service of the required notice must be at least five days before the hearing, or whether the affidavit of such service must be on file at least five days theretofore Furthermore, the existing law provides that notice in such cases is by citation, served in the manner provided for summons in civil actions. By making, in different language, a provision for service for this particular proceeding, the question would arise whether a form of process other than a citation is intended

Respectfully submitted

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 29, 1933

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No 1. Please note: The first rattle out of the box! The commencement of the economy program!

The enrolled bill, as presented to me provides as follows

> "The annual salary of each of the judges of the superior court in and for the county of Alameda is $8,000."

A study of the Journals of the Senate and Assembly for May 12th shows that on that day Assembly Bill No. 1 was ordered to free conference. The report of the Committee on Free Conference of the Assembly is shown on page 316 of the Assembly Daily Journal for May 12th, and on page 263 of the Senate Daily Journal

for the same date. According to both Journals, the Committee on Free Conference reported that Assembly Bill No 1 be amended to read as follows

"SECTION 1. Section 737a is hereby amended to read as follows:

Sec. 737a The annual salary of each of the judges of the superior court in and for the county of Alameda is $8,400."

The pages of the respective Journals mentioned also show that each house adopted the report of the Committee on Free Conference The bill presented to me therefore is not the bill passed by the Legislature

Aside from these objections, I have a still further objection to Assembly Bill No. 1, and for this purpose I call attention to my veto message on Assembly Bill No. 10, in which I discussed the advisability of maintaining uniformity in the judicial salaries of judges of the superior court of San Francisco, Los Angeles and Alameda counties.

I therefore return the bill with the hope that a new measure can be presented to me which will uniformly affect the salaries of the judges of the superior court of Alameda County, Los Angeles and San Francisco

Respectfully submitted

JAMES ROLPH, JR., Governor of California.

Also.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 29, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 10

This bill reduces the salary of the judges of the superior court of Los Angeles County from $10,000 to $8,000, or $2,000 per year.

Early in the history of this legislation, the Los Angeles County grand jury, the board of supervisors, the chamber of commerce, the Central Labor Council, the Bar Association, and other official and representative civic groups unanimously passed proper resolutions opposing any reduction in the judicial compensation of superior court judges of Los Angeles County exceeding ten per cent. These resolutions and other communications from Los Angeles County express to me the dissatisfaction of the taxpayers of any legislation which would reduce the judges' salaries by more than ten per cent.

The dissatisfaction resulting from this bill being passed over the protest of these groups has been intensified by a failure to preserve an equivalence in the salaries of judges of the counties of Los Angeles, San Francisco, and Alameda Agreeable alike to the taxpayers and judges of San Francisco, I have already signed Assembly Bill No. 116, fixing the salaries of San Francisco superior court judges at $9,000 a year A measure has passed the Legislature fixing the Alameda County superior court judges' salary at $8,400 a year.

There seems to be no valid reason, either of logic or economy, why San Francisco superior court judges should receive $9,000, Alameda County superior court judges $8,400, and the superior court judges of Los Angeles, the county with the largest population and by far the greatest property valuation, only $8,000. I agree entirely with the editorial comment of the Los Angeles press that such a bill constitutes a discrimination for which there is no justification

I am of the further opinion that compensation of the judiciary should be commensurate with the responsibility, experience, ability, and unassailable integrity expected of members of the bench. I believe that a ten per cent reduction in judicial salaries is a sound program of economy, fair alike to judges and taxpayers, but to arbitrarily go below this percentage of reduction over protest of taxpayers in my mind is a parsimonious measure of false economy that might well result in impairing the administration of justice. We should seek and maintain the highest standard on the bench

Respectfully submitted

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 29, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No 1595.

This bill provides that where property has been sold to the State for delinquent taxes on or before the first day of August, 1932, such property may be redeemed on or before the thirty-first day of December, 1934, by paying the State the amount for which the property was sold to the State, together with all other taxes assessed which were delinquent prior to August 1, 1932 In addition to the amount of such taxes, the person redeeming must pay 7 per cent interest from July 1, 1933, until the date of redemption It further provides for installment payments of such taxes and interest

As a measure designed to permit redemption of property from tax sales this bill has a great deal of merit. There are, however, certain defects in the bill which

I believe requires that it be returned to the Legislature The bill would permit redemption "of lands which were delinquent on or prior to August 1, 1932, on or before December 31, 1934," probably without payment of any interest whatsoever on installments of taxes becoming delinquent in December, 1933, and April and December, 1934. Furthermore, the bill, if literally construed, would permit redemption in such cases without paying the amount of taxes going delinquent on the land between the present date and December 31, 1934. This would constitute a remission of taxes and would probably be a gift prohibited by section 31 of Article IV of the Constitution

I have already returned Assembly Bill No. 851 without prejudice. Assembly Bill No 851 and Assembly Bill No 1595 and other measures designed to relieve tax burdened property are inconsistent in policy. Assembly Bill No 822, which I have already signed, preserves the property of all taxpayers from tax sales until some time in August, at which time the Legislature will have reconvened Assembly Bill No. 822 by placing the matter in abeyance I believe offers sufficient protection so that a plan of redemption can be worked out which will be consistent with existing statutes and bills already signed.

Respectfully submitted.

JAMES ROLPH, JR, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 29, 1933

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No 2401

This is a new act purporting to authorize the board of supervisors or city council in its discretion to extend the time of payment for delinquent assessments under the Mattoon Act

The proceedings for the levy and collection of assessments under this act are the same as those for general county taxes, and for all practical purposes such proceedings are inseparable from the proceedings applicable to general county taxes.

I am advised that it would create confusion without benefit if a law differing from that governing general county taxes was applied to assessments under the Mattoon Act, unless all such proceedings were entirely separated from the proceedings governing levy, collection and enforcement of general county taxes.

As Assembly Bill No 822, already signed by me, places all delinquent taxes in a state of suspension until sometime in August, the problem presented by Assembly Bill No 2401 is similar to that presented by Assembly Bills Nos 851 and 1595, which bills have already been returned by me because they in some manner or other conflict with existing revenue laws This matter can therefore be reconsidered in connection with Assembly Bill No 851 and Assembly Bill No. 1595.

Respectfully submitted.

JAMES ROLPH, JR, Governor of California

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 5, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No 1.

Under date of May 29th, I returned Assembly Bill No 1 with a full veto message. Since that time, however, there has been presented to me, under date of June 2, a new enrolled copy of Assembly Bill No 1, which provides for a salary of $8,400 per year for judges of the superior court of Alameda County

In my original veto message on Assembly Bill No 1, I called attention to the fact that aside from the errors in printing in the bill as presented to me, that I had a still further objection, and for that purpose I called attention to my veto message on Assembly Bill No 10 in which I discussed the advisability of maintaining uniformity in the compensation of judicial officers of the superior court of San Francisco, Los Angeles and Alameda counties

As I stated in my original message, I still have the hope that a new measure can be presented to me which will make a uniform reduction in the salaries of the judges of the superior courts of Alameda and Los Angeles counties.

Respectfully submitted.

JAMES ROLPH, JR, Governor of California

Also:

STATE OF CALIFORNIA GOVERNOR'S OFFICE,
SACRAMENTO, June 5, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No 689

Assembly Bill No. 689 is an act to reduce the annual salary of the judge of the superior court of Colusa County. At a meeting in my office on the Colusa County

government bill on the protest of the board of supervisors, it was agreed by the author, representatives of the board of supervisors, the grand jury and the taxpayers of Colusa County that a more equitable salary adjustment for county officers in Colusa County could be made by the introduction of new measures

Pursuant to this understanding, I am returning the bill

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 5, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No 723.

This bill seeks to amend, repeal and add certain sections to the School Code, transferring from the county superintendent of schools to the county treasurer the duty of registration of school warrants

At a meeting of the County Treasurers' Association held in Sacramento on May 26, this bill was considered, and it was the unanimous opinion of the treasurers that the bill would work an extreme hardship on treasurers in nonchartered counties, as there was no provision made for additional help It was also the opinion of the treasurers that the superintendent of schools of a county is the proper official to keep the accounts of school districts.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 5, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 1631

Assembly Bill No 1631 makes certain changes in the Fish and Game Code by amending section 1065, relating to the purpose for which sardines may be taken for reduction plants The section amended is also amended by Assembly Bill No. 1757, and the amendments made by the two bills can not be reconciled I am informed by the Fish and Game Commission that the amendments made by Assembly Bill No 1757 are far more necessary than the amendment sought to be made by Assembly Bill No 1631.

Assembly Bill No 1631 is therefore returned, so that its signing will not nullify the amendments intended to be enacted by Assembly Bill No 1757. If a new measure is presented to me which incorporates both the provisions of Assembly Bill No. 1757 and Assembly Bill No 1631, I will have no objection to signing the same.

Respectfully submitted.

JAMES ROLPH, JR, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 10, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 2123

This bill adds a new section to the act providing for disposal of garbage and sewage by cities

I am informed by the supervisors and other officials of San Francisco that the passage of the bill will create a potential and acute public health problem in the City and County of San Francisco

As apparently the City and County of San Francisco is the only county affected by the bill, and officials of that city and county are unanimously opposed to the measure, I return the bill herewith

Respectfully submitted

JAMES ROLPH, JR, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 10, 1933.

To the Honorable Members of the Assembly of the State of California.

I respectfully return to you, without my approval, Assembly Bill No. 2352. My objections to the bill and my reasons for vetoing it are as follows.

This bill places a tax of 8 cents per pound on oleomargarine products sold in the State, but the bill is so worded that all margarine products escape the tax except one, that is, margarine made from coconut oil.

Coconut oil is made in California from copra imported from the Philippine Islands. An asserted tax upon the food product derived therefrom is therefore in essence and effect a tariff charge upon the imported raw materials from which it is made. At the hearing held on this bill the proponents frankly and unquali-

fiedly admitted that the tax levy was in reality a tariff, designed to cause an embargo and to halt the manufacture of coconut oil margarine. Under the Federal Constitution the right to levy a tariff is vested in Congress and not in the several States.

Aside from the constitutional question of the right of a State to levy a disguised tax on imports, and the additional question of discriminating against one commodity in favor of others in the same class, the bill is subject to the criticism that the natural and desired result is to drive the coconut oil products from the market, as the manufacturers could not afford to pay the tax and stay in business. Thus it is apparent that under the guise of the tax powers of the State, there is an effort to stifle competition.

Such a course in legislation might be productive of serious consequences. The president of the chamber of commerce of the Philippine Islands presented to me by radiophone an impressive argument against the bill on the ground that it would do great injury to the commerce and trade of California. He pointed out that much American capital and many thousands of people are engaged in the coconut industry in the Islands, and they will be so seriously affected by this law that the ability of the Philippine Islands to buy California goods will be greatly curtailed. He informed me that last year the Philippines bought $15,000,000 of California commodities, such as gasoline, fruits, vegetables, canned milk and canned foods. Last year, he stated, the Philippines imported from California 336,000 cases of milk, and he stressed the fact that the Philippines bought from California more milk products, alone, than the total value of their coconuts sold to us. California owes great consideration to such a good customer for its products, particularly in view of the fact that free trade has always existed between the United States and the Philippines, and a telegram from the Honorable Secretary of War called my attention to the fact that possible injurious effects on Philippine-American trade be given careful consideration.

The only ground on which approval of this bill might conceivably be justified is that it would aid the California butter manufacturers and cattle raisers In fact, it will aid neither In the first place, the sale of oleomargarine as such is not prohibited by the bill. Margarine manufactured from animal fat would still continue to be sold at a lower price than butter For many years California has imported more butter than the State has produced. The price of margarine does not regulate the price of butter. The contrary is true

Nor will California's cattle industry be aided by this bill through an increased sale of animal fat. It appears that the fat from California cattle fed on alfalfa is inferior for margarine oil purposes to that of the corn-fed cattle of the Middle West, and that only a small part of the fat of each animal is usable for oil purposes The eastern packers who collect fat and manufacture oil from it treat it as a by-product in their business and use exclusively corn-fed steers They would command the margarine market in California if this bill were enacted. In other words, the benefits of this bill will go exclusively to eastern packers.

Thus, this bill will not help the California dairy or cattlemen, but if signed, will have the inevitable result of increasing the price of margarine to the consumer. These consumers are the large families with small purses, and the unemployed, who use margarine as a substitute for butter—not in preference to butter. Their use of margarine is occasioned by price necessity after pennies have carefully been counted To add an 8 cent tax to this product which now sells from 10 to 15 cents a pound would be to penalize poverty and to single out the poor man's table for a selective sales tax on a solitary food product.

This fact was emphasized in 1926 when an oleomargarine bill proposing only a 2 cent tax, as against the 8 cents a pound tax proposed by this bill, was defeated by a vote of 749,640 against 287,703, or nearly three to one, at a referendum election. Thirty-eight counties, including many agricultural counties, voted against the measure. The records of the Secretary of State show that the bill was defeated by one of the largest majorities of any bill appearing on the ballot on referendum petition. Since the people have spoken so firmly, it is they who should pass upon any similar question.

As the bill, therefore, would probably injure California export trade; would neither help the dairymen nor the cattlemen of the State, would increase the price of the poor man's foodstuff, and has once been acted upon adversely by the people, I am respectfully returning the bill.

Respectfully submitted.

JAMES ROLPH, JR, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 123.

This bill as introduced amended section 204e of the Code of Civil Procedure to reduce the salaries of the secretary of the judges of the superior courts in the counties in which they act as jury commissioners. The bill was amended in the process

of passage to provide specifically for the salaries of such secretaries in (1) counties of the first class, (2) counties of the second class and (3) in all other counties.

The last amendment to this bill made in the Assembly on May 2, 1933, deleted the section which provided for the salaries of such secretaries in all counties other than counties of the first and second class. The effect of this bill would be to eliminate from the law any provision for the payment of the salary of the secretary of the judges of the superior court for Alameda County while such secretary was performing the duties of jury commissioner.

I am informed by the entire Alameda bench and a representative of the Alameda County delegation that this effect was not intended and they have requested me to veto the bill.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 366.

This bill amends the section of the Municipal Court Act which relates to the filling of vacancies in the court by appointment. The existing provision provides that such appointments shall be made by the Governor, and that the appointee shall hold office until the expiration of the term to which he was appointed until the election and qualification of his successor. To this provision is added this new sentence:

"Except in cities of the one and one-half class, the person so appointed shall hold office until election and qualification of a judge to fill the vacancy, which election shall take place at the next succeeding municipal election after the occurrence of such vacancy."

Simplified, I read this provision to mean: "Except in the city of Los Angeles appointed municipal court judges shall only hold office until the next municipal election."

While I can perceive no real reason for different terms for judges of the municipal courts based upon city classification, the actual result of this bill is diametrically opposed to its intended object. This, apparently, is an opposite result than that intended, as the ultimate effect of it would be that San Francisco and Long Beach municipal court judges would hold office only until the next election, while Los Angeles county judges hold office for the full period of their unexpired term.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 562

This bill changes the provisions relating to sale of property which has been deeded to the State for nonpayment of taxes. It also provides for control by irrigation districts, municipalities, or counties of land which has been deeded to the State for nonpayment of taxes and also has been deeded to a political subdivision or State taxing agency for nonpayment of local taxes or assessments.

As a measure designed to permit sale of property deeded to the State or to local taxing agencies or to both, in order to make the property once more productive and a source of revenue to the county and local agencies, the bill has a great deal of merit.

However, the authorization of the sale by the State Controller is deleted from the law and any local taxing agency which has also taken title to the land is authorized to stop the sale.

The bill is also in conflict with Senate Bill No. 411 as to its provisions covering control of the land where it has been deeded both to the State and to a local taxing agency. Senate Bill No. 411 permits the local taxing agency to purchase the land from the State under such circumstances. Assembly Bill No. 562 authorizes an irrigation district, or a municipality or county, depending upon the location of the land, to take possession and rent or lease the same for the period of a year and makes any sale of the land subject to such rental or lease.

If a sale of the land is to be subject to a year's lease, confusion would result as to the status of the land if it is to be purchased by a political subdivision or taxing agency under the provisions of Senate Bill No. 411.

Assembly Bill No. 822, which I have already signed, postpones any deeds of lands sold to the State for nonpayment of taxes until some time in August, at which time the Legislature will have reconvened. Assembly Bill No. 822, by placing the matter

in abeyance offers the Legislature an opportunity to clarify the law and determine its policy in the matter and to work out a consistent bill without conflicts

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature Assembly Bill No 563

This bill amends section 2 of the act relating to incorporation and government of municipal corporations Senate Bill No 549, now Chapter 349 of the Statutes of 1933, has already made amendments to this section, which are inconsistent with the provisions of this bill.

As the signing of the bill would be to nullify the provisions of Senate Bill No. 549, I am returning the bill without my signature.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Assembly, California State Legislature

I herewith return, without my signature, Assembly Bill No. 934.

This bill provides that no State officer or employee may perform work or services for a different State office or department for compensation, unless there shall be deducted from his original compensation an amount which will represent the time such officer or employee is absent in the performance of the work for the other State office or department.

There are several officers who are holding dual positions in the State government, particularly in connection with work on the San Francisco Bay Bridge, whose work should not be handicapped, and probably was not intended to be by the provisions of this bill.

A further objection to the bill is that Senate Bill No. 325, now Chapter 137, Statutes of 1933, also adds section 356a to the Political Code, and though it does not appear that Assembly Bill No 934 was intended to supersede or repeal Senate Bill No 325, nevertheless, because of the similarity of the subject matter, there may be some question

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Assembly, California State Legislature

I herewith return, without my signature, Assembly Bill No. 1292.

This bill sets aside certain State school lands situated in Riverside County, and provides for the purchase of other lands in the same county, which shall be set aside and used for a State park for recreational purposes, said park to be known as the "California Desert Park"

I am informed that a strenuous effort is being made by persons interested in the conservation of natural deserts to have the Federal government take over property in the same county, and also large additional tracts for the establishment of a national recreational desert park I am further informed by the people who are making this effort that the enactment of this bill would handicap them in their efforts to have the national park created.

Aside from this, the State Park Commission has advised me that they are not in favor of the bill, that the Park Commission already had ample authority under existing statutes to achieve the purposes sought by this bill when and if the creation of a desert park as a project becomes feasible. The Park Commission also informs me that practically all of the land involved is Federal, which the State neither owns or controls and the private and State school lands would have to be purchased

I am also informed by the Division of State Lands that included and practically set aside are approximately 27,000 acres of State school lands, which would be reserved from sale, that no provision is made for the reimbursement of the school fund, and that this would result in the disposal of State lands without a resulting benefit to the State school system, which may be contrary to the provisions of section 4 of Article VIII of the Constitution, which requires that the proceeds of all such lands shall be inviolably appropriated to the support of common schools throughout the State.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 1727.

This bill is a new act, and provides that ownership of real property or an interest therein shall not disqualify a person otherwise eligible to receive aid under the provisions of any act relating to indigents.

I am advised that this measure is in conflict with the new act relating to the aid of indigents, and that the approval of this bill would result only in confusion in the administering of all of the statutes providing for indigent relief. The provisions of the relief act have been scientifically worked out with the thought that persons receiving relief should meet certain statutory requirements. As this bill would affect all such statutes, I believe the subject should be given more consideration with relation to existing statutes and bills already signed.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 13, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my approval, Assembly Bill No 1272.

This bill is popularly known as the "Road Sign Bill". In terms it authorizes the Division of Highways of the State Department of Public Works, to erect and maintain traffic or control and directional information signs upon the highways of the State Actually, the bill if enacted will result in divesting two California, nonprofit, cooperative motorist clubs of existing rights granted under permits to install and maintain road signs

The system of road signs in California today is second to none of any State in the Union. The work of posting these signs was inaugurated during the infancy of the motor industry by these cooperative clubs with no other object in view than to promote the convenience and safety of the motorist. The existing highway sign system in California is an accomplishment of 20 years of voluntary, gratuitous effort, and the investment, paid for by motorists in club dues contributions, represents an outlay of expenditure of well over $1,000,000 during the 20-year period. The bill apparently has as its purpose the deprivation of the right of these clubs to continue this work because of the small concession granted to them of including their insignia upon the signs posted.

I am informed by the Division of Highways that with the addition of 6600 miles to the State highway system, the cost of erecting and maintaining signs would amount to an annual sum of $81,917, which would come from money now used for roads

In California there are over 2,000,000 motorists, many of whom are on the highways each day, dependent for traffic guidance upon the existing directional signs Perhaps a few hundred or even less of these motorists are personally interested in seeing this bill signed. If, however, I was asked to give a reason for signing this bill to any one of the remainder of the 2,000,000 and more motorists, I would be at a loss to explain to them why work, which has always been performed so adequately, efficiently and effectively in the past at no State expense, should be transferred to the State at the expense of the State Any explanation I might give I am sure would puzzle the motorists, who have always placed such great faith in these signs.

I conclude, therefore, that the signing of this bill would serve no useful purpose, would increase the cost of the highway system; would not be in the best interests of the California motorist or tourist, and would be a mark of ingratitude in failing to recognize the full value of the unselfish accomplishment of the pioneers in highway sign posting.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 16, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No 840.

This is a bill to pay the claim of P. J. Angeloni against the State of California in the sum of $207 66 I am informed by the State Board of Control that they have no facts upon this claim, and the case was never presented to them.

Respectfully submitted.

JAMES ROLPH, JR, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 16, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 2002.

This bill authorizes the Director of Finance to impose a charge on all State departments for the use of the teletype service of the State. The additional units of the teletype system have been authorized to be purchased from special funds. This appropriation amounted to $40,000. This bill would result in a further depletion of the special funds and would take away the incentive of State departments to use this economical means of message transmission.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 16, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 2125

This bill amends the State Civil Service Act. There are several technical amendments in procedure made by the bill, none of which are necessary to improve the administration of the Civil Service Act. However, a new departure in civil service administration is incorporated in the provisions of section 4 of the bill, which adds a new section 10 5 to the State Civil Service Act, providing for graduated fees, based upon minimum monthly salaries for the privilege of taking civil service examinations. These fees range from a minimum fee of $1 to a maximum fee of $10.

I believe it is the right of every citizen of the State of California to take civil service examinations whenever he or she desires so to do, and charging a fee for the right to take such examinations is equivalent to selling lottery tickets on State jobs. It may be argued that one or two dollars is a comparatively small sum to charge for taking such examinations. Let it be remembered, however, a great number of those taking civil service examinations are unemployed citizens who do not have, and sometimes can not even borrow, such a small sum as $1 The State Civil Service Act was never intended, in my opinion, to be a vehicle by which the Division of Personnel and Organization, for whose benefit the fees are to be collected, was to become an employment agency entitled to charge a fee for examination of applicants for State positions. The effect of any charge for the taking of civil service examinations would be to deprive many unemployed citizens of the privilege of taking these examinations, whether that fee were 5 cents or $10

Respectfully returned.

JAMES ROLPH, JR, Governor of California.

ADJOURNMENT.

At five o'clock and five minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m Tuesday, July 18, 1933, out of respect to the memory of Mr Homer L Roberts.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, July 18, 1933.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor;

Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—77.

Quorum present

PRAYER

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with.

GUEST ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Wright, Frank M. Wright, superintendent of the schools of El Monte, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From County Supervisors Association, State of California, favoring Senate Bill No. 583

(Signed) STANLEY ABEL, Secretary.

COMMUNICATIONS

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

By Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, July 18, 1933.

MR. SPEAKER: Pursuant to your instructions, the following named person has filed her credentials and is duly recognized as representative of the newspaper set opposite her name.

Inglewood Daily News—Alta Sanders

ARTHUR A. OHNIMUS, Chief Clerk.

By Mr. West:

SACRAMENTO, CALIFORNIA, July 17, 1933.

Hon. P. G. West, Assembly Chamber, State Capitol, Sacramento, California

DEAR MR. WEST: Assuming that a sales tax measure will be enacted at the present special session of the California Legislature to provide needed revenue for the State, may we call your attention to the fact that in order that this tax may be fairly and equitably collected it will be necessary to specifically establish the method by which the collection shall be made. We suggest that a mandatory and uniform system under which the retailer shall collect the tax from the consumer be established under this act and we recommend the use of stamps to be affixed by the retailer to *each item or combination of items purchased by the consumer. A chaotic condition* of affairs would surely ensue should this legislation be enacted and no specific method of collecting the tax be laid down.

We understand the foregoing suggestion is in line with the recommendation of the independent retail merchants of California and is one which we, as wholesalers, thoroughly endorse.

Thanking you in advance for your consideration, we are,

Yours very truly,

MEBIUS & DRESCHER CO.,
By H. B. DRESCHER, President

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 562.

This bill changes the provisions relating to sale of property which has been deeded to the State for nonpayment of taxes. It also provides for control by irrigation districts, municipalities, or counties of land which has been deeded to the State for nonpayment of taxes and also has been deeded to a political subdivision or State taxing agency for nonpayment of local taxes or assessments.

As a measure designed to permit sale of property deeded to the State or to local taxing agencies or to both, in order to make the property once more productive and a source of revenue to the county and local agencies, the bill has a great deal of merit.

However, the authorization of the sale by the State Controller is deleted from the law and any local taxing agency which has also taken title to the land is authorized to stop the sale.

The bill is also in conflict with Senate Bill No 411 as to its provisions covering control of the land where it has been deeded both to the State and to a local taxing agency. Senate Bill No. 411 permits the local taxing agency to purchase the land from the State under such circumstances. Assembly Bill No. 562 authorizes an irrigation district, or a municipality or county, depending upon the location of the land, to take possession and rent or lease the same for the period of a year and makes any sale of the land subject to such rental or lease.

If a sale of land is to be subject to a year's lease, confusion would result as to the status of the land if it is to be purchased by a political subdivision or taxing agency under the provisions of Senate Bill No. 411.

Assembly Bill No. 822, which I have already signed, postpones any deeds of lands sold to the State for nonpayment of taxes until some time in August, at which time the Legislature will have reconvened. Assembly Bill No. 822, by placing the matter in abeyance offers the Legislature an opportunity to clarify the law and determine its policy in the matter and to work out a consistent bill without conflicts

Respectfully submitted,

JAMES ROLPH, JR., Governor of California

The question being put: Shall Assembly Bill No 562 become a law notwithstanding the veto of the Governor?

The roll was called.

CALL OF THE HOUSE

Pending the announcement of the vote, Mr. Meeker moved a call of the House.

Motion carried

Time, nine o'clock and fifty-six minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Christ, Crowley, Evans, Feigenbaum, Gilmore, Greene, Hallner, Hoffman, Hunt, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Stream, Thorp, Tournoux, Turner, Utt, Woolwine, Wright, Zion and Mr. Speaker—62.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 13, 1933.

To the Honorable Members of the Assembly California State Legislature.

I herewith return, without my approval, Assembly Bill No. 1272.

This bill is popularly known as the "Road Sign Bill." In terms it authorizes the Division of Highways of the State Department of Public Works, to erect and maintain traffic or control and directional information signs upon the highways of the

State. Actually, the bill if enacted will result in divesting two California, nonprofit, cooperative motorist clubs of existing rights granted under permits to install and maintain road signs

The system of road signs in California today is second to none of any State in the Union. The work of posting these signs was inaugurated during the infancy of the motor industry by these cooperative clubs with no other object in view than to promote the convenience and safety of the motorist. The existing highway sign system in California is an accomplishment of 20 years of voluntary, gratuitous effort, and the investment, paid for by motorists in club dues contributions, represents an outlay of expenditure of well over $1,000,000 during the 20-year period. The bill apparently has as its purpose the deprivation of the right of these clubs to continue this work because of the small concession granted to them of including their insignia upon the signs posted.

I am informed by the Division of Highways that with the addition of 6600 miles to the State highway system, the cost of erecting and maintaining signs would amount to an annual sum of $81,917, which would come from money now used for roads.

In California there are over 2,000,000 motorists, many of whom are on the highways each day, dependent for traffic guidance upon the existing directional signs. Perhaps a few hundred or even less of these motorists are personally interested in seeing this bill signed. If, however, I was asked to give a reason for signing this bill to any one of the remainder of the 2,000,000 and more motorists, I would be at a loss to explain to them why work, which has always been performed so adequately, efficiently and effectively in the past at no State expense, should be transferred to the State at the expense of the State. Any explanation I might give I am sure would puzzle the motorists, who have always placed such great faith in these signs

I conclude, therefore, that the signing of this bill would serve no useful purpose; would increase the cost of the highway system; would not be in the best interests of the California motorist or tourist, and would be a mark of ingratitude in failing to recognize the full value of the unselfish accomplishment of the pioneers in highway sign posting.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No 1272 become a law notwithstanding the veto of the Governor?

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

AYES—Cottrell, Crist, Kallam, Robinson, Samuel E., and Stannard—5.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Evans, Feigenbaum, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Mecker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Wright, Zion and Mr. Speaker—60.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 16, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No 2125

This bill amends the State Civil Service Act. There are several technical amendments in procedure made by the bill, none of which are necessary to improve the administration of the Civil Service Act. However, a new departure in civil service administration is incorporated in the provisions of section 4 of the bill, which adds a new section 10 5 to the State Civil Service Act, providing for graduated fees, based upon minimum monthly salaries for the privilege of taking civil service examinations. These fees range from a minimum fee of $1 to a maximum fee of $10.

I believe it is the right of every citizen of the State of California to take civil service examinations whenever he or she desires so to do, and charging a fee for the right to take such examinations is equivalent to selling lottery tickets on State jobs It may be argued that one or two dollars is a comparatively small sum to charge for taking such examinations Let it be remembered, however, a great number of those taking civil service examinations are unemployed citizens who do not have, and sometimes can not even borrow, such a small sum as $1. The State Civil Service Act was never intended, in my opinion, to be a vehicle by which the Division of Personnel and Organization, for whose benefit the fees are to be collected, was to become an employment agency entitled to charge a fee for examination of applicants for State positions. The effect of any charge for the taking of civil service

examinations would be to deprive many unemployed citizens of the privilege of taking these examinations, whether that fee were 5 cents or $10

Respectfully returned.

JAMES ROLPH, JR., Governor of California.

The question being put Shall Assembly Bill No. 2125 become a law notwithstanding the veto of the Governor?

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

AYES—Alter, Bliss, Brock, Cottrell, Crist, Evans, Field, Greene, Latham, Martin, O'Donnell, Phillips, Robinson, C. Ray; Robinson, Samuel E., and Wright—15.

NOES—Anglim, Badham, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Feigenbaum, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, Knowland, Levey, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West and Mr. Speaker—53.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 20, 1933

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 248.

This bill seeks to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917. Section 8 has already been amended by Senate Bill No. 1042, signed by me on May 10th, and now Chapter 274 of the Statutes of 1933

Senate Bill No. 1042 amended section 8 to grant volunteer firemen the benefits of the act. As Assembly Bill No. 248 does not incorporate the amendments made by Chapter 274, to enact Assembly Bill No. 248 into law would nullify the amendments already made.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 248 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—67.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 5, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 723

This bill seeks to amend, repeal and add certain sections to the School Code, transferring from the county superintendent of schools to the county treasurer the duty of registration of school warrants.

At a meeting of the County Treasurers' Association held in Sacramento on May 26, this bill was considered, and it was the unanimous opinion of the treasurers that the bill would work an extreme hardship on treasurers in non-chartered counties, as there was no provision made for additional help. It was also the opinion of the treasurers that the superintendent of schools of a county is the proper official to keep the accounts of school districts.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put Shall Assembly Bill No. 723 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hofman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—67.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1933

To the Honorable Members of the Assembly, California State Legislature

I herewith return, without my signature, Assembly Bill No. 123

This bill as introduced amended section 204e of the Code of Civil Procedure to reduce the salaries of the secretary of the judges of the superior courts in the counties in which they act as jury commissioners. The bill was amended in the process of passage to provide specifically for the salaries of such secretaries in (1) counties of the first class, (2) counties of the second class and (3) in all other counties.

The last amendment to this bill made in the Assembly on May 2, 1933, deleted the section which provided for the salaries of such secretaries in all counties other than counties of the first and second class. The effect of this bill would be to eliminate from the law any provision for the payment of the salary of the secretary of the judges of the superior court for Alameda County while such secretary was performing the duties of jury commissioner.

I am informed by the entire Alameda bench and a representative of the Alameda County delegation that this effect was not intended and they have requested me to veto the bill.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California

The question being put: Shall Assembly Bill No. 123 become a law notwithstanding the veto of the Governor?

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

AYES—None

NOES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hofman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—67.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 10, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 2123.

This bill adds a new section to the act providing for disposal of garbage and sewage by cities.

I am informed by the supervisors and other officials of San Francisco that the passage of the bill will create a potential and acute public health problem in the City and County of San Francisco.

As apparently the City and County of San Francisco is the only county affected by the bill, and officials of that city and county are unanimously opposed to the measure, I return the bill herewith.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 2123 become a law notwithstanding the veto of the Governor?

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

AYES—Alter, Cassidy, Clowdsley, Cottrell, Crist, Dempster, Fisher, Greene, Hatch, Patterson, Peterson, Phillips, Rawls, Stream and Turner—15

NOES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Cobb, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Hallner, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Thorp, Tournoux, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—58.

SENATE MESSAGES

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 17, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Concurrent Resolution No. 40—Relative to approving the charter of the city of San Leandro which was submitted to the qualified voters of said city and voted for and ratified by them at an election held on the twelfth day of July, 1933.

J. A. BEEK, Secretary of Senate

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cassidy asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 40, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FORTY.

Senate Concurrent Resolution No. 40—Relative to approving the charter of the city of San Leandro which was submitted to the qualified voters of said city and voted for and ratified by them at an election held on the twelfth day of July, 1933.

Senate Concurrent Resolution No. 40 read.

The question being on the adoption of Senate Concurrent Resolution No. 40.

The roll was called, and Senate Concurrent Resolution No. 40 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—69.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 40 ordered transmitted to the Senate.

SENATE MESSAGES

The following message from the Senate was received and read:

SENATE CHAMBER, SACRAMENTO, July 18, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 41—Approving certain amendments to the charter of the city of San Jose, county of Santa Clara, State of California, voted for and ratified by the electors of the city of San Jose at a municipal election held thereon on July 17, 1933.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 41 at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FORTY-ONE.

Senate Concurrent Resolution No. 41—Approving certain amendments to the charter of the city of San Jose, county of Santa Clara, State of California, voted for and ratified by the electors of the city of San Jose at a municipal election held thereon on July 17, 1933.

Senate Concurrent Resolution No. 41 read.

The question being on the adoption of Senate Concurrent Resolution No. 41.

The roll was called, and Senate Concurrent Resolution No. 41 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 41 ordered transmitted to the Senate.

SENATE MESSAGES.

The following messages from the Senate were received and read:

SENATE CHAMBER, SACRAMENTO, July 18, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 454—An act to amend section 1060 of the Fish and Game Code, to add thereto sections 481.5, 744, 842.5, 846.5, 867, 1063.5, 1064.5, 1065.5, and to repeal sections 714, and 1066 to 1071 inclusive, relating to fish and game.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, July 17, 1933

MR. SPEAKER: I am directed to inform your honorable body that pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 1101—An act to amend section 7 of an act entitled "An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations," approved April 30, 1919, as amended, relating to employment of assistants in liquidation proceedings—passed by the Senate on April 29, 1933, and by the Assembly on May 12, 1933, and enrolled by the Senate on May 12, 1933, which message reads as follows:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 13, 1933

To the Honorable Members of the Senate, California State Legislature.

SIRS: I herewith return, without my signature, Senate Bill No. 1101.

This bill amends section 7 of the act relating to the employment of assistants by the Insurance Commissioner for the handling and liquidation of insolvent insurance companies. Under the provisions of the bill, the power of appointment of attorneys to represent the Insurance Commissioner for the conduct of business of companies in liquidation is transferred from the Insurance Commissioner to the Attorney General.

Under the provisions of section 2 of the act amended, the Insurance Commissioner is charged with the responsibility of conducting the affairs of insurance companies going through insolvency. In the event of any illegality of the conduct of such business or the transactions of the company, the Insurance Commissioner would presumably be personally liable as well as liable on

his official bond. The services rendered by the attorney in such cases are those normally rendered to a trustee in bankruptcy or a receiver, and are rendered for the purpose of properly handling the business affairs of a private concern, and do not involve any question concerning the conduct or administration of a State office. As the Insurance Commissioner, in the last analysis, is the person primarily responsible, and it is he who must place reliance upon the man appointed, I consider that to enact this measure would be to handicap the Insurance Commissioner in the proper discharge of his functions

Respectfully submitted.

(Signed) JAMES ROLPH, JR., Governor of California.

The President of the Senate put the question: "Shall Senate Bill No. 1101 become a law notwithstanding the objections of the Governor?" Whereupon, the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California, that in so far as the Senate is concerned this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No. 1101 is transmitted herewith for your consideration

Respectfully submitted.

J. A. BEEK, Secretary of Senate

The above message ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, July 17, 1933

MR. SPEAKER: I am directed to inform your honorable body that pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 1011—An act to amend section 376a of the Political Code, relating to the office of Director of Penology—passed by the Senate on March 10, 1933, by the Assembly on May 12, 1933, and enrolled by the Senate on May 12, 1933, which message reads as follows:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 16, 1933

To the Honorable Members of the Senate, California State Legislature.

SIRS: I herewith return, without my signature, Senate Bill No. 1011.

This bill amends the section of the Political Code, relating to the office of the Director of the Department of Penology. At the present time, this officer is to be appointed by selection of one of the chiefs of the different divisions of the department. The bill requires that the chairman of the Board of Prison Directors shall be ex officio Director of the Department. The present budget carries no appropriation in the budget of the Department of Penology for the salary of the director. The only present change, therefore, is to remove the right of selection of the director. There may arise a real necessity which would require that the work of the Department of Penology be administered by a director appointed with a freedom of selection, and as there is no present expense involved, I believe the right of selection should be preserved.

Respectfully submitted.

(Signed) JAMES ROLPH, JR., Governor of California

The President of the Senate put the question: "Shall Senate Bill No. 1011 become a law notwithstanding the objections of the Governor?" Whereupon, the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California, that in so far as the Senate is concerned this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No. 1011 is transmitted herewith for your consideration

Respectfully submitted

J. A. BEEK, Secretary of Senate.

The above message ordered placed on daily calendar.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Morgan.

ASSEMBLY CHAMBER, SACRAMENTO, July 18, 1933,

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 172 and 172a of the Penal Code, relating to selling, giving away or exposing for sale of intoxicating liquors.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, July 18, 1933

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows

An act to amend sections 172 and 172a of the Penal Code, relating to selling, giving away or exposing for sale of intoxicating liquors

HALLNER, Chairman

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—None

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated

By Mr. Morgan: Assembly Bill No. 2426—An act to amend sections 172 and 172a of the Penal Code, relating to selling, giving away or exposing for sale of intoxicating liquors.

Bill read first time, and referred to Committee on Rules.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Peterson:

ASSEMBLY CHAMBER, SACRAMENTO, July 18, 1933

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 8¾ of an act entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds and the payment thereof," approved June 13, 1913, as amended, by providing for the refunding of the outstanding indebtedness of said districts and for the issuance of bonds therefor.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, July 18, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 8¾ of an act entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds and the payment thereof," approved June 13, 1913, as amended, by providing for the refunding of the outstanding indebtedness of said districts and for the issuance of bonds therefor

HALLNER, Chairman

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Woolwine, Wright and Mr. Speaker—67.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Peterson: Assembly Bill No. 2427—An act to amend section 8¾ of an act entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds and the payment thereof," approved June 13, 1913, as amended, by providing for the refunding of the outstanding indebtedness of said districts and for the issuance of bonds therefor.

Bill read first time, and referred to Committee on Rules.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 24, 1933.

To the Members of the Assembly, California State Legislature.

I herewith return, without my signature and without prejudice, Assembly Bill No. 1621.

Assembly Bill No. 1621 appropriates to the general fund from the highway maintenance fund an amount equal to interest at the rate of 4 per cent per annum for all moneys withdrawn from the general fund under the provisions of Chapter 400, Statutes of 1931. I am informed by the Director of Public Works that under the contract with the Reconstruction Finance Corporation, whereby bonds of the California Toll Bridge Authority were purchased, all legislation affecting the California Toll Bridge Authority Act is required to be submitted to the Reconstruction Finance Corporation for approval. This bill was not submitted, and I am advised that in the event it is signed, it would delay the first installment of purchase of bonds on June 1st.

I have no objection to having this piece of legislation passed over my veto in the event the interest is not paid before the July session, and no objection to the legislation is interposed by the Reconstruction Finance Corporation.

Respectfully submitted,

JAMES ROLPH, JR., Governor of California.

The question being put, Shall Assembly Bill No. 1621 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—65.

RESOLUTION.

The following resolution was offered:

By Mr. Woolwine:

ASSEMBLY RESOLUTION.

Relating to the appointment of a committee to investigate the facts relating to the number of municipal and superior judges in the city of Los Angeles and in and for the county of Los Angeles.

WHEREAS, It appears that there may be more than a sufficient number of superior judges in Los Angeles County; and

WHEREAS, It appears that there may be more than a sufficient number of municipal judges in the city of Los Angeles; and

WHEREAS, A substantial amount of money can be saved for the State of California, county of Los Angeles and the city of Los Angeles if the number of municipal and superior judges can be reduced; now, therefore, be it

Resolved, That the Speaker of the Assembly shall appoint a committee of three members of the Assembly who shall investigate the facts relating to the number of municipal and superior judges in the city of Los Angeles and for the county of Los Angeles; and be it further

Resolved, That said committee is hereby directed to confer with the Los Angeles Bar Association, the State Bar Association, the presiding judge of the superior court in and for the county of Los Angeles, the presiding judge of the municipal court in the city of Los Angeles and with the Judicial Council and to report the findings of the committee to the Assembly on the first day of the fifty-first session thereof.

Resolution read, and on motion adopted

HON. C. RAY ROBINSON IN THE CHAIR.

At eleven o'clock and thirty minutes a.m., Hon C. Ray Robinson, member of the Assembly from the Thirty-third District, in the chair.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and forty minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr Meeker.

The roll of absentees was called, and the Assembly refused to sustain the veto of the Governor to Assembly Bill No. 562 by the following vote:

AYES—Alter, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Lyon, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Stream, Thorp, Tournoux, Turner, Utt, Woolwine, Wright, Zion and Mr Speaker—59.

NOES—Anglim, Badham, Bowers, Cronin, Crowley, Gilmore, Kallam, Levey, Maloney, Mayo, McMurray, Miller, James A., and Nielsen—13.

Assembly Bill No. 562 ordered transmitted to the Senate.

RECESS.

At eleven o'clock and forty-five minutes a.m., on motion of Speaker Little, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk McIntire reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, July 18, 1933.

MR. SPEAKER: I am directed to inform your honorable body that pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 161—An act to amend section 4295a of the Political Code, relating to filing fees under the Water Commission Act—passed by the Senate on May 6, 1933, by the Assembly on May 12, 1933, and enrolled by the Senate on May 12, 1933, which message reads as follows:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Senate, California State Legislature.

SIRS: I herewith return, without my signature, Senate Bill No. 161.

This bill amends section 4295a of the Political Code relating to the payment of official fees provided for in sections 24 to 37h, inclusive, of the Water Commission Act. The effect of the bill is to provide an exemption for payment of fees by public districts for filing documents or applications under the provisions of the Water Commission Act.

I am advised by the office of the Director of Finance that the bill will operate to increase the duties and expenses of the division, and at the same time lessen revenues received thereby, and encourage the filing and refiling of permits merely because of the fact that no fees will be charged therefor. The fees are at present payable into the general fund, and the proposed exemption will materially lessen revenues derived from water applications and permits.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The President of the Senate put the question. "Shall Senate Bill No. 161 become a law notwithstanding the objections of the Governor?" Whereupon, the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California, that in so far as the Senate is concerned this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No. 161 is transmitted herewith for your consideration.

Respectfully submitted.

J. A. BEEK, Secretary of Senate.

The above message ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, July 18, 1933.

MR SPEAKER I am directed to inform your honorable body that, pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 867—An act providing for the regulation, use, storage and type of State-owned motor vehicles by the Board of Control and the placing of the State seal on each vehicle, relating to the use of publicly-owned vehicles and providing a penalty for violation thereof—passed by the Senate on March 31, 1933, by the Assembly on May 11, 1933, and enrolled by the Senate on May 12, 1933, which message reads as follows:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 14, 1933.

To the Honorable Members of the Senate, California State Legislature.

SIRS: I herewith return, without my signature, Senate Bill No. 867.

This bill is intended to regulate the use of publicly-owned vehicles, and gives the State Board of Control authority to suspend from the public service without pay any employee of the State who uses a State-owned motor vehicle for purposes other than official business.

The bill, in the subject covered, supersedes and repeals by implication the benefits granted to employees of the State under the provisions of section 14 of the Civil Service Act, which provides that prior to disciplinary action being taken, an employee must be charged, given opportunity to answer and defend, and otherwise have a full hearing at which he is entitled to be confronted by the witnesses against him. There is in the bill presented for my signature no provision requiring that a hearing be given an employee, although the bill attempts to authorize the State Board of Control to require any employee to appear before it upon any sort of report, anonymous or otherwise, apparently at the employee's own expense, without notice as to what charges are preferred against him or by whom.

I see no justification for departing from the reasonable requirements of the Civil Service Act in the matter of disciplinary action against employees, and to give any board the arbitrary and absolute authority, intended to be granted to the State Board of Control by this bill, would be capable of great abuse.

Furthermore, the bill is extremely ambiguous in the definition of the phrase: "publicly-owned motor vehicles." According to the bill, those words shall be construed to "mean and include all vehicles owned by the State, or by any county, city and county, municipality, district or other public agencies." This definition is either meaningless, or is an attempt to grant to the State Board of Control the power to regulate the employees of counties, cities, districts and other political subdivisions in the matter of the use of "publicly-owned vehicles." I can see no justification for compelling the employees from the county of Siskiyou on the north to the city of San Diego on the south to attend before the Board of Control at Sacramento, at their own expense, in a

matter which is so peculiarly a local affair, to defend against charges which might be unfounded and brought for the purpose of causing trouble, expense and embarrassment to the employee.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The President of the Senate put the question: "Shall Senate Bill No. 867 become a law notwithstanding the objections of the Governor?" Whereupon, the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California, that in so far as the Senate is concerned this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No. 867 is transmitted herewith for your consideration.

Respectfully submitted.

J. A. BEEK, Secretary of Senate.

The above message ordered placed on daily calendar.

Also.

SENATE CHAMBER, SACRAMENTO, July 18, 1933.

MR. SPEAKER: I am directed to inform your honorable body that, pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 1194—An act to make an appropriation to pay the claim of the Peat Humus Company against the State of California—passed by the Senate on May 11, 1933, by the Assembly on May 12, 1933, and enrolled by the Senate on May 12, 1933, which message reads as follows:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 16, 1933.

To the Honorable Members of the Senate, California State Legislature.

SIRS: I herewith return, without my signature, Senate Bill No. 1194.

This is a bill to pay the claim of Peat Humus Company against the State of California, in the sum of $1,258.85. I am informed that this claim was presented to the Board of Control, and was disallowed by that board.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The President of the Senate put the question. "Shall Senate Bill No. 1194 become a law notwithstanding the objections of the Governor?" Whereupon the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California, that in so far as the Senate is concerned this bill shall become a law notwithstanding the objections of the Governor

Senate Bill No. 1194 is transmitted herewith for your consideration.

Respectfully submitted.

J. A. BEEK, Secretary of Senate.

The above message ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, July 18, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 42—Relative to approving certain amendments to the charter of the county of Butte, State of California, voted for and ratified by the electors of said county on the twenty-seventh day of June, 1933.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Frazier asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 42, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FORTY-TWO.

Senate Concurrent Resolution No. 42—Relative to approving certain amendments to the charter of the county of Butte, State of California, voted for and ratified by the electors of said county on the twenty-seventh day of June, 1933.

Senate Concurrent Resolution No. 42 read.

The question being on the adoption of Senate Concurrent Resolution No. 42.

The roll was called, and Senate Concurrent Resolution No. 42 adopted by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Hatch, Hoffman, Hornblower, Knowland, Latham, Levey, Maloney, Martin, Mayo, Meeker, Miller, Eleanor, Morgan, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Scudder, Stream, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—45.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 42 ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Scudder: Assembly Concurrent Resolution No. 58—Relative to approving certain amendments to the charter of the city of Petaluma, county of Sonoma, State of California, voted for and ratified by the electors of the said city of Petaluma at a general municipal election held therein on the thirteenth day of June, 1933.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 58 at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FIFTY-EIGHT.

Assembly Concurrent Resolution No. 58—Relative to approving certain amendments to the charter of the city of Petaluma, county of Sonoma, State of California, voted for and ratified by the electors of the said city of Petaluma at a general municipal election held therein on the thirteenth day of June, 1933.

Assembly Concurrent Resolution No. 58 read.

The question being on the adoption of Assembly Concurrent Resolution No. 58.

The roll was called, and Assembly Concurrent Resolution No. 58 adopted by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Hatch, Hoffman, Hornblower, Knowland, Latham, Levey, Maloney, Martin, Mayo, Meeker, Miller, Eleanor; Morgan, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Scudder, Stream, Utt, West, Woolwine, Wright, Zion and Mr Speaker—45.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 58 ordered transmitted to the Senate.

RECESS.

At two o'clock and twenty minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At two o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk McIntire reading.

SPECIAL ORDER.

The hour of two o'clock and thirty minutes p.m., having arrived, the special order heretofore set for this hour was taken up for consideration

CONSIDERATION OF GOVERNOR'S VETO TO ASSEMBLY BILL NUMBER SEVEN HUNDRED.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 16, 1933.

To the Honorable Members of the Assembly of the State of California.

I respectfully return to you herewith Assembly Bill No. 700, without my signature. My objections to the bill and my reasons for vetoing it are as follows

This bill relates to State officers and employees in the executive branch of the State government and to the classification of, certification or authorization and appointment to State executive positions. It purports to fix graduated salary reductions which it terms "emergency salary reductions" and creates a State Personnel Board whose powers, purposes, duties and jurisdiction it prescribes. This board consists of the Controller, a purely ministerial officer, the Legislative Counsel, an officer of the legislative branch, and the Director of Finance, the only member responsible to the Governor.

A careful consideration of this measure discloses a number of defects of sufficient magnitude and import to offset whatever merits it may otherwise possess, and while it would perhaps be extreme to question its constitutionality, its inequalities and its inconsistency stamp it as a measure opposed to the spirit pervading our system of laws, and to the well-being of the State.

The bill is inconsistent within itself in that it purports, both in its title and in the body of the measure to meet an emergency. This is evident from the repeated use of the words "emergency salary reductions" Yet, it provides no machinery for the suspension or abandonment of these reductions in the event that the emergency should cease to exist. The emergency reductions are made to apply to a period from the effective date of the act to July 1, 1935, regardless of whether or not an emergency shall exist during that period Since no one can reasonably predict the duration of any emergency, this measure is in some degree a contradiction in terms

A serious inequality is embodied in the provisions of this bill relating to officers and employees receiving a per hour or per diem compensation. To these, the graduated emergency salary reductions would not apply, since they are expressly made inapplicable thereto. Numerous persons are in the steady employ of the State on a per hour or per diem basis of compensation. This provision of the bill is an unwarranted discrimination in their favor and against those officers and employees of the State who receive compensation for their services by way of a monthly salary

The bill also provides that it shall have no application to the legislative or judicial branches of the State government, although an officer of the legislative branch is made a member of the board. By this provision it exempts from its salary reductions the clerks and other employees of the Supreme Court and appellate courts, and of the Legislature, thereby again making an undesirable discrimination.

These are features which place this measure at variance with the spirit of our system of laws, violating the principle of equality before the law and of the separation of the several branches of the government

A further objection to this bill is that it places well-nigh arbitrary powers in the hands of a State Personnel Board, which it creates With the powers delegated to it by this bill, the board would dominate the entire executive department, and could deprive the Chief Executive of the authority and influence which are indispensable to the responsibilities imposed upon him in the administration of the government.

The board is so constituted by this bill as to endanger the efficient administration of the civil service of the State, which has always enjoyed and deserved the confidence of both the people and the employees

The effect of the bill, if approved, would be disastrous to the officers and employees affected and detrimental to the welfare of the State Facing the practical certainty of a devalued dollar, and with a growing number of private employers heeding the appeal of the President of the United States by raising the salaries and wages of their employees, the public servants of this State would, as a result of this bill, suffer an altogether tragic loss of purchasing power. A return to even

partially normal economic conditions prior to July 1, 1935, would necessarily cause an exodus of underpaid State employees into more lucrative private employment.

The State of California can ill afford the loss of all this special training and experience, and should not risk it.

I have vetoed this bill for the reasons stated, notwithstanding that the budget fails to provide adequate appropriations for the payment of salaries on the existing basis. Heads of departments will have to readjust salaries for July so that a lay-off of any considerable number of employees shall not be necessary. The Legislature, of course, when it reconvenes in July, will give consideration to this problem. The next biennium is to be a period of strictest economy. Drastic reductions have been made in each department. If the Legislature determines, in the light of circumstances existing on its reconvening, that there should be a cut in salaries, the cut, in my opinion, should not be so extreme as the reductions contemplated by this bill. The cut, if made, should apply to the salaries of employees in the legislative and judicial departments as well as in the executive department, and any salary reduction bill should be confined strictly to salary reductions.

Respectfully submitted

JAMES ROLPH, JR., Governor of California

SUPPLEMENTARY MESSAGE.

The following supplementary message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, July 17, 1933.

To The Honorable The Members of the Senate and Assembly of the State of California

You are assembled in session after a recess of several weeks to consider many important matters of legislation to be concluded before adjournment. Among these is the consideration of Assembly Bill No. 700 which the Governor returned to the Assembly without his signature. In the veto message of this bill a number of reasons of major importance were given for its veto. However, since this matter so greatly affects the welfare of the State employees and through them the welfare of the State and its citizens, and since conditions throughout the State and the Nation have experienced further change, giving added emphasis to the support of my veto of this measure, I am moved to send you this message.

In my veto message of June 16 I stated:

> "The effect of the bill, if approved, would be disastrous to the officers and employees affected and detrimental to the welfare of the State. Facing the practical certainty of a devalued dollar, and with a growing number of private employers heeding the appeal of the President of the United States by raising the salaries and wages of their employees, the public servants of this State would, as a result of this bill, suffer an altogether tragic loss of purchasing power. A return to even practically normal economic conditions prior to July 1, 1935, would necessarily cause an exodus of underpaid State employees into more lucrative private employment.
>
> The State of California can ill afford the loss of all this special training and experience, and should not risk it."

As conditions have developed this prediction has become a reality.

In my career in public life I have consistently advocated fair and adequate pay for all workers both in public and in private employ. In my opinion our whole economic structure will fail if we can not provide sufficient compensation for our workers so that they may maintain a decent standard of living, not just the wherewithal to provide a bare sustenance, but a standard of living in keeping with the ideals of our State and Nation and with sufficient reserves to make possible a saving to meet unforeseen accidents of life.

We find our Nation and our State at present suffering from economic distress and unemployment and we find the President and the Congress of the United States making herculean effort to promote industrial and economic recovery. I know that the Legislature of the State of California will do everything reasonable to cooperate in this endeavor. You must recognize, as the President of the United States and his advisers have already acknowledged, that recovery from the present distress and unemployment can be accomplished only by increasing the purchasing power of the people of this country. President Roosevelt has made repeated appeals to industry on behalf of the workers urging that wages be increased. Already a long list of corporations and private businesses have increased wages in compliance with this request, influenced by the increase in commodity prices. This is common knowledge and I will not burden you with their recitation.

Any moves toward reducing salaries and wages would be in direct opposition to the tendency of the times and the hope of all who are looking to recovery from

the depression Such reduction would result in further distress, further unemployment, and further stagnation of business. What is true in private enterprise is true in government and, in fact, government should lead the way

It is in line with these principles that I have failed to approve Assembly Bill No. 700 which made effective most drastic reduction in the pay of State employees. The proposal to reduce the compensation of State workers in the manner provided by this bill is most inopportune in light of the national endeavor to increase the purchasing power of the people and in light of the rapidly increasing commodity prices of articles which the worker must buy.

Allow me to reiterate that conditions have changed since this bill was introduced into the Legislature and that its reconsideration now comes before you at a time when our leader in Washington, President Roosevelt, is urging upon employers to increase pay as a most important factor in the national recovery program I have observed with pleasure many responses of our great industrial and financial organizations to our President's appeal.

The State of California is already the recipient of large sums from the Federal government, granted with a view to relieving unemployment and aiding industrial recovery. This great State, which takes advantage of such circumstances, should be one of the first to set an example in responding and cooperating with the recovery program and should not, in face of the necessity for such cooperation, take action at this time exactly contrary to such appeal.

The proposal for salary reductions as contained in Assembly Bill No. 700 is so rigid and inflexible that it presents to my mind grave dangers and possibilities of causing hardships much more severe than the Legislature would wish to impose upon the thousands of State employees who have rendered long and faithful service. These hardships are intensified through the great changes that have taken place rapidly in recent weeks in the way of increasing commodity prices. The value of our currency has fluctuated from day to day. The purchasing power of the dollar already has been reduced to a very great degree and there are distinct signs that there will be further reductions. This reduction which has already occurred has resulted in cutting the purchasing value of the employee's dollar. Should the process of inflation continue at the rate at which it has increased in the past few months, we may soon reach a point where even the present rates would be inadequate to provide for a fair compensation. Although Assembly Bill No 700 is considered an emergency measure for salary reductions, it provides no means of making adjustments to fit future conditions although projecting pay schedules for two years into the future

A careful comparative study of the pay schedules of the employees of the State of California clearly demonstrates that the employees of the State are not overpaid During our recent period of great prosperity and high prices, public employees as a general class did not participate in the greatly increased earnings that were enjoyed in commercial and industrial pursuits. Even in times such as these when many private employers have greatly reduced the compensation of their workers from the peak levels of 1929, a careful study indicates that the pay ranges of State employees are not out of line with those in private enterprise

In particular I wish to call your attention to the fact that a revised study of the State budget shows that the total amount saved by the proposed pay cut as scheduled in Assembly Bill No. 700 is but a small sum in comparison with the total budget. Moreover, the amount that would be saved by the proposed pay cuts in expenditures out of the general fund would be less than 1 per cent of the total requirements which the Legislature and the Constitution impose upon that fund. The total sum necessary to be added to the appropriation for the general fund to maintain the present pay schedules, is $1,652,900 The amount necessary to maintain the present pay schedules for the special funds would be $1,467,800 The money for the special funds is already available in these several funds and can be used without added legislation.

In order to provide a comparable salary scale for the general fund, it will require an appropriation in the sum of $1,652,900 When Assembly Bill No 700 was enacted it was commonly stated that it would save approximately $5,000,000 for the general and special funds The difference in the figures now quoted results from the fact that legislation already enacted and administrative adjustments already effective, or being made effective, give positive assurance that the $1,652,900 will be sufficient to maintain the present personnel and salary scales

I have already instructed the heads of all State departments that they must not reduce personnel in these trying times.

I appreciate the seriousness of the tax burden being borne by the taxpayers of this State My proposals with regard to the financial affairs of the State of California have never failed to take uppermost into consideration the need for relief to the taxpayers. Moreover, with the adoption by the people of Senate Constitutional Amendment No. 30, we have become committed to a radical change in the tax methods of this State There seems to be a consensus of opinion that a general retail sales tax of approximately 3 per cent will be imposed. This tax will fall

directly upon all the employees of the State and will thus impose an additional burden.

Through Senate Constitutional Amendment No 30, most rigid limitations have been imposed upon future expenditures The budget for the present biennium will be the basis upon which future appropriations will be measured. Unless reasonably adequate provisions are made for the necessary operations of the State government during this biennium, the proper financing of the services of State government will be in jeopardy in all future periods.

I will always have faith in the future of California. I believe that the recovery in business and industry will be greater in this State than in any other section of the country I believe, therefore, that we should not at this time allow present difficulties to so warp our judgment that we can not look to the future. I believe that we should be consistent and should do for State employees what we hope private enterprise will do for its workers. Certainly we should not, in face of inflation of the dollar, increase in commodity prices, and the general appeal to raise wages in industry, have the State of California make such drastic reductions as to bring the scale of wages for many workers below that of private enterprise at the very moment when the tendency is in the opposite direction

It is for these reasons that I returned Assembly Bill No. 700 to the Assembly without my signature and for these reasons that I make this additional appeal on behalf of the workers of the State of California. While my veto message pointed out other arguments, including inconsistencies in the bill itself, as added reasons for refusing to affix my signature, it appears now that the larger and more compelling considerations, as stated in this communication, should have even more weight

May I appeal to you, therefore, to sustain this veto, not only in the name of the employees and workers of the State of California, but also on behalf of those who look forward to the near future when California will lead the way out of the depression and into a brighter day of economic recovery.

Sincerely and respectfully,

JAMES ROLPH, JR., Governor of California.

The question being put, Shall Assembly Bill No. 700 become a law notwithstanding the veto of the Governor?

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

AYES—Alter, Bliss, Brock, Cassidy, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Lyon, Martin, McBride, McCarthy, Meeker, Miller, Eleanor; O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Stannard, Thorp, Woolwine, Wright, Zion and Mr. Speaker—42.

NOES—Anglim, Badham, Bowers, Boyle, Burns, Callahan, Chatters, Clowdsley, Cronin, Crowley, Dempster, Frazier, Gilmore, Hornblower, Hunt, King, Levey, Maloney, Mayo, McMurray, Meehan, Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Powers, Scudder, Stream, Sullivan, Tournoux, Turner, Utt and West—34

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Burns:

ASSEMBLY CHAMBER, SACRAMENTO, July 18, 1933

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making appropriation to pay the claim of the South Fork Union High School District against the State of California.

Referred to Committee on Introduction of Bills.

By Mr. Clowdsley:

ASSEMBLY CHAMBER, SACRAMENTO, July 18, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, to provide for the disposition of the revenues therefrom

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, July 18, 1933.

MR SPEAKER Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, to provide for the disposition of the revenues therefrom.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act making appropriation to pay the claim of the South Fork Union High School District against the State of California.

HALLNER, Chairman.

The question being on the adoption of the reports.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hornblower, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Burns. Assembly Bill No. 2428—An act making appropriation to pay the claim of the South Fork Union High School District against the State of California.

Bill read first time, and referred to Committee on Rules.

By Mr. Clowdsley: Assembly Bill No. 2429—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, to provide for the disposition of the revenues therefrom.

Bill read first time, and referred to Committee on Rules.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, July 18, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 2208—An act to amend sections 3366 and 4041.14 and to repeal section 3384 of the Political Code, relating to the licensing of businesses by the counties—and appointed Senators Parkman, Hulse and Stow as a Committee on Free Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, July 18, 1933.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day discharged its Committee on Free Conference appointed to consider Assembly Bill No. 354—An act to add three new sections, to be numbered 5.500a, 5.501a and 5.507 to, and to repeal section 5.504 of, the School Code, relating to teachers' tenure—and appointed Senators Moran, McCormack and Gordon to act as a Committee on Free Conference to meet with a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, July 18, 1933.

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day refused to sustain the Governor's veto on Assembly Bill No. 41—An act

to amend sections 737dd and 737jj of the Political Code, relating to the annual salary of judges of the superior court in and for the county of Orange and the county of San Bernardino;

Also, Assembly Bill No 356—An act to amend section 3122 of the School Code relating to the age of admission of pupils to kindergartens;

Also Assembly Bill No 562—An act to amend section 3897 of and to add section 3774 to the Political Code, relating to the holding, leasing and sale of lands to which the State or any political subdivision or agency of the State holds title through sale and deed on account of delinquent taxes or assessments;

Also: Assembly Bill No. 856—An act making an appropriation to pay the claim of William Dyer against the State of California;

Also: Assembly Bill No 880—An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities of the second and one-half class;

Also Assembly Bill No 1007—An act to amend section 7 of an act entitled "An act authorizing the establishing of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts

J A. BEEK, Secretary of Senate.

RECESS.

At five o'clock p m., on motion of Mr Robinson, C. Ray, the Assembly was declared at recess until seven o'clock and thirty minutes p.m of this day

REASSEMBLED.

At seven o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk McIntire reading

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, July 18, 1933.

MR SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23 your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 1900—An act to amend section 5 of an act entitled "An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately," approved April 6, 1933, relating to taxation of beverages, and to declare that this act shall take effect immediately;

Also: Assembly Bill No. 2429—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, to provide for the disposition of the revenues therefrom;

And respectfully reports the same back with recommendation that they be re-referred to Committee on Revenue and Taxation and that Assembly consider same.

ROBINSON, C RAY, Chairman.

The above reported bills ordered re-referred to Committee on Revenue and Taxation.

Also:

MR SPEAKER In accordance with the provisions of Senate Concurrent Resolution No 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No 2306—An act to amend section 4375 of the School Code, relating to the maximum rate of school district taxes—and respectfully reports the same back with recommendation that it be re-referred to Committee on Education and that Assembly consider same.

ROBINSON, C. RAY, Chairman

The above reported bill ordered re-referred to Committee on Education

Also:

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 2345—An act to add a new section to the School Code, to be numbered 4 57, relating to the support of junior colleges—and respectfully reports the same back with recommendation that it be re-referred to Committee on Ways and Means and that Assembly consider same.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 2426—An act to amend sections 172 and 172a of the Penal Code, relating to selling, giving away or exposing for sale of intoxicating liquors—and respectfully reports the same back with recommendation that it be re-referred to Committee on Public Morals and that same be considered by the Assembly

ROBINSON, C. RAY, Chairman

The above reported bill ordered re-referred to Committee on Public Morals.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Robinson, C. Ray: Assembly Concurrent Resolution No. 59—Relative to adjournment.

Introduced, and referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES

ASSEMBLY CHAMBER, SACRAMENTO, July 18, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 59—Relative to adjournment—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

ROBINSON, C. RAY, Chairman.

Assembly Concurrent Resolution No. 59 ordered placed on daily calendar.

ADJOURNMENT.

At eight o'clock and five minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Wednesday, July 19, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, July 19, 1933.

At nine o'clock and thirty minutes a.m., the Assembly was called to order

Hon. Walter J. Little, Speaker of the Assembly, in the chair

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Horn-

blower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Sullivan, Hon. F. J. Davies, mayor of Lynwood, California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of San Francisco delegation, Supervisor William Stanton, Victor Canepa and Alfred J Cleary of San Francisco were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stream, Supervisor Thomas Hurley of San Diego County was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hunt, Miss D. J. Guthrie was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Burns, Mrs. Sariva and Miss Joyce Sariva of Sacramento, and Junior Nassi and Barbara Nassi of Eureka, California, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Meehan, Mr. William Ross, Democratic Committeeman, Seventeenth District, and Mr. William A. Rose were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Zion, Hon. W. M. Lewis, member of House of Representatives from the Third District, State of Missouri, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Alameda County delegation, Supervisor Ralph Richmond and City Manager Hollis Thompson, Berkeley, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Chatters, Mr Rufus B. Connley, Visalia, California, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From city council, city of Los Angeles:

RESOLUTION.

WHEREAS, The Taxation Committee of the State Legislature has recommended the passage of a consumers sales tax as one means of meeting the deficit in the State budget; and

WHEREAS, The application of such a tax to the purchases made by the State and its political subdivisions and agencies would be a useless gesture and would entail a very considerable expense in its application; now, therefore, be it

Resolved, That this council does respectfully petition and request the Legislature of the State of California to exempt all purchases by the State, municipal corporations, political subdivisions and agencies from the application of any such sales tax in the event of the adoption of such legislation.

I hereby certify that the foregoing resolution was adopted by the council of the city of Los Angeles at its meeting held July 18, 1933

ROBERT DOMINGUEZ, City Clerk

COMMUNICATION.

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

By Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, July 19, 1933.

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

Common Property Taxpayers of California—Don C. Mayes.

ARTHUR A. OHNIMUS, Chief Clerk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, July 17, 1933.

To the Honorable Members of the Assembly of the State of California.

Attached hereto is a copy of a telegram received by me today and I respectfully ask your cooperation in passing needed legislation pursuant to the request in the inclosure

Respectfully submitted.

JAMES ROLPH JR., Governor of California.

Received from William A. Smith, private secretary to the Governor, this eighteenth day of July, 1933

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly.

(COPY)

WASHINGTON, D. C., July 17, 1933.

Governor James Rolph, Jr., Sacramento, California.

Am advised State Legislature convenes today for short session and may consider action on State legislation supplementary to National Industrial Recovery Act. National administration welcomes cooperation of States in carrying out purposes of the NIRA.

HUGH S. JOHNSON, Administrator NIRA

UNFINISHED BUSINESS.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, May 29, 1933

To the Honorable Members of the Assembly, California State Legislature

I herewith return, without my signature, Assembly Bill No. 1595.

This bill provides that where property has been sold to the State for delinquent taxes on or before the first day of August, 1932, such property may be redeemed on or before the thirty-first day of December, 1934, by paying the State the amount for which the property was sold to the State, together with all other taxes assessed which were delinquent prior to August 1, 1932. In addition to the amount of such taxes, the person redeeming must pay 7 per cent interest from July 1, 1933, until the date of redemption. It further provides for installment payments of such taxes and interest

As a measure designed to permit redemption of property from tax sales this bill has a great deal of merit. There are, however, certain defects in the bill which I believe requires that it be returned to the Legislature. The bill would permit redemption "of lands which were delinquent on or prior to August 1, 1932, on or before December 31, 1934," probably without payment of any interest whatsoever on installments of taxes becoming delinquent in December, 1933, and April and December, 1934. Furthermore, the bill, if literally construed, would permit redemption in such cases without paying the amount of taxes going delinquent on the land between the present date and December 31, 1934. This would constitute a remission

of taxes and would probably be a gift, prohibited by section 31 of Article IV of the Constitution.

I have already returned Assembly Bill No 851 without prejudice Assembly Bill No. 851 and Assembly Bill No. 1595 and other measures designed to relieve tax burdened property are inconsistent in policy. Assembly Bill No 822, which I have already signed, preserves the property of all taxpayers from tax sales until some time in August, at which time the Legislature will have reconvened Assembly Bill No. 822 by placing the matter in abevance I believe offers sufficient protection so that a plan of redemption can be worked out which will be consistent with existing statutes and bills already signed.

Respectfully submitted

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 1595 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Fisher, Greene, Hallner, Hatch, Hoffman, Kallam, Knowland, Latham, Levey, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor: Miller, James A., Morgan, O'Connor, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C Ray, Robinson, Samuel E, Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, Zion and Mr. Speaker—52.

RESOLUTION.

The following resolution was offered:

By Mr. Rawls:

ASSEMBLY RESOLUTION.

Relating to an investigation of the banking laws of this State.

WHEREAS, The primary banking laws of this State were enacted at a time when economic conditions were quite different than at present; and

WHEREAS, Said laws have become obsolete in part, and have in recent months proved inadequate to protect depositors; and

WHEREAS, It is necessary to revise said laws in order that they may more completely cover modern banking practices; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker of the Assembly shall appoint a committee of three members of the Assembly to investigate the banking laws of this State and to report the results of the investigation to the Assembly on the first day of the fifty-first session thereof, and be it further

Resolved, That said report of the committee shall include specific recommendations for such changes in the banking laws as the investigation discloses are necessary or desirable.

The question being on the adoption of the resolution.

MOTION TO RE-REFER.

Mr. Hoffman moved that the resolution be ordered referred to Committee on Banking.

The question being on referring the resolution to Committee on Banking.

Motion carried.

Resolution ordered referred to Committee on Banking.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 19, 1933.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No 57—Relative to approving certain amendments to the charter of the city of Oakland, a municipal corporation, in the county of Alameda, State of California, voted for and ratified at a special municipal election held therein on the 27th day of June, 1933.

J. A. BEEK, Secretary of Senate.

By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Concurrent Resolution No. 57 ordered to enrollment.

ASSEMBLY THIRD READING FILE.

Assembly Concurrent Resolution No. 59—Relative to adjournment.

Assembly Concurrent Resolution No. 59 read.

The question being on the adoption of Assembly Concurrent Resolution No. 59.

The roll was called, and Assembly Concurrent Resolution No. 59 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Phillips, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Roland, Stream, Thorp, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—53.

NOES—Cassidy, Hornblower, Hunt, McCarthy, Meehan, O'Connor, Stannard, Sullivan and Tournoux—9.

Title read and approved.

Assembly Concurrent Resolution No. 59 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 59.

Relative to adjournment.

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the fiftieth session of the Legislature of the State of California shall adjourn sine die at four o'clock p.m., July 21, 1933

SENATE MESSAGES.

The following message from the Senate was taken up and read.

SENATE CHAMBER, SACRAMENTO, July 17, 1933.

MR. SPEAKER: I am directed to inform your honorable body that, pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 411—An act to add section 3897d to the Political Code, relating to lands sold or deeded to the State for taxes or assessments and the sale and lease of such lands, and providing for contracts to sell or to give options on tax-deeded lands to one or more public agencies and providing for terminating all rights of redemption on property described in such contracts, and authorizing public agencies to sell or agree to sell to one another their interests in property deeded to them for delinquent taxes and/or assessments—passed by the Senate on April 10, 1933, by the Assembly on May 12, 1933, and enrolled by the Senate on May 12, 1933, which message reads as follows:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 12, 1933

To the Honorable Members of the Senate, California State Legislature.

I herewith return, without my signature, Senate Bill No. 411.

This bill provides that where property has been deeded for nonpayment of taxes or assessments to the State and also to a city or other public corporation, the local governmental unit may enter into an agreement with the board of supervisors of the county for the purchase of the property held by the State, subject to the approval of the State Controller.

Assembly Bill No. 562, which I am also returning without my signature, would provide that wherever property has been deeded to the State and has also been deeded to a political subdivision or State taxing agency for delinquent taxes, the right of possession lies with an irrigation district, municipality, or county, dependent upon its location.

The rights in the land of the various public agencies or counties would be uncertain and the law relating thereto would become ambiguous if both of these bills became law, and if it is desirable that the benefits provided by one or both bills be secured, legislation designed to that end should be worked out which will not, at the same time, make the law relating thereto uncertain.

I have already signed Assembly Bill No. 822 which postpones until some time in August the deeding of property to the State for nonpayment of taxes, so that there will be no change in the situation relating to such land until after the Legislature reconvenes.

At that time, if it is desired, a measure could be worked out, and by means of an urgency clause therein, made effective in time to eliminate any delay which might result from the return of this bill.

Respectfully submitted.

(Signed) JAMES ROLPH, JR, Governor of California.

The President of the Senate put the question: "Shall Senate Bill No. 411 become a law notwithstanding the objections of the Governor?" Whereupon, the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California that in so far as the Senate is concerned, this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No. 411 is transmitted herewith for your consideration.

Respectfully submitted.

J. A. BEEK, Secretary of Senate.

The question being put: Shall Senate Bill No 411 become a law notwithstanding the veto of the Governor?

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Meeker moved a call of the House.

Motion carried.

Time, ten o'clock and thirty-eight minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Chatters, Clowdsley, Cobb, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—63.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 17, 1933.

MR. SPEAKER: I am directed to inform your honorable body that pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 435—An act to repeal sections 2.1500 to 2.1504, inclusive, of the School Code, relating to conventions of city and county school superintendents—passed by the Senate on April 19, 1933, by the Assembly on May 12, 1933, and enrolled by the Senate on May 12, 1933, which message reads as follows:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Senate, California State Legislature.

SIRS: I herewith return, without my signature, Senate Bill No. 435.

This bill repeals sections of the School Code, authorizing conventions of county and city school superintendents. The statute repealed is merely permissive in form, authorizing the Superintendent of Public Instruction to call such a convention when he deems it to be advisable. These provisions are of long standing and the cost is relatively small as far as individual counties are concerned, and such conventions furnish the only opportunity for complete discussion of county educational problems and policies.

The bill providing for the repeal of the convention of principals has already been signed. Principals, however, have an opportunity to associate for the discussion of problems that is not available to the county superintendents. If, in the interest of economy, it is necessary that the calling of such annual

conventions should be suspended, the Superintendent of Public Instruction has this authority. I believe, however, it would be a mistake to wipe out of the statute books the authority of the Superintendent of Public Instruction to call conventions for this worth while and necessary purpose.

Respectfully submitted.

(Signed) JAMES ROLPH, JR., Governor of California.

The President of the Senate put the question: "Shall Senate Bill No. 435 become a law notwithstanding the objections of the Governor?" Whereupon, the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California, that in so far as the Senate is concerned this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No. 435 is transmitted herewith for your consideration.

Respectfully submitted.

J. A. BEEK, Secretary of Senate.

The question being put: Shall Senate Bill No. 435 become a law notwithstanding the veto of the Governor?

The roll was called, and the Assembly refused to sustain the veto of the Governor by the following vote:

AYES—Alter, Anglim, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Jones, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—55.

NOES—Badham, Bowers, Boyle, Cronin, Dempster, Gilmore, Hornblower, Hunt, Levey, Maloney, McMurray, Miller, James A., Nielsen, Sullivan, Tournoux and Williamson—16.

Senate Bill No. 435 ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced:

By Mr. Crowley: Assembly Concurrent Resolution No. 60—Relative to protection to blind persons.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crowley asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 60, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER SIXTY.

Assembly Concurrent Resolution No. 60—Relative to protection to blind persons.

Assembly Concurrent Resolution No. 60 read

The question being on the adoption of Assembly Concurrent Resolution No. 60.

The roll was called, and Assembly Concurrent Resolution No. 60 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 60 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 60.

Relative to protection to blind persons.

WHEREAS, There is an ever increasing number of Nations, States and counties seeking some means of preventing accidents and safeguarding the welfare of blind people upon the roads and highways and in the public places; and

WHEREAS, Many communities in our State have adopted a white cane as a warning insignia to protect the lives of blind carriers; and

WHEREAS, The county of Los Angeles has recently adopted an ordinance protecting persons carrying such canes; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the people of this State and the motoring public in particular, be requested to exercise especial caution and extend courtesy to all persons carrying said white canes, and to secure to said persons the exclusive right to carry said canes

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Mr. Dempster: Assembly Joint Resolution No. 36—Relative to modifying the text of Senate Joint Resolution No. 8, Chapter 29, Resolutions of 1933, relating to the Spanish War Commemoration Commission.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr Dempster asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 36, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-SIX.

Assembly Joint Resolution No 36—Relative to modifying the text of Senate Joint Resolution No. 8, Chapter 29, Resolutions of 1933, relating to the Spanish War Commemoration Commission.

Assembly Joint Resolution No. 36 read.

The question being on the adoption of Assembly Joint Resolution No 36

The roll was called, and Assembly Joint Resolution No 36 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 36 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No 36.

Relative to modifying the text of Senate Joint Resolution No. 8, Chapter 29, Resolutions of 1933, relating to the Spanish War Commemoration Commission.

WHEREAS, The Spanish War Commemoration Commission provided for the Senate Joint Resolution No 8, Chapter 29, Resolutions of 1933, to aid in compiling an honor scroll (commemoration tablet) is meeting with enthusiastic public approval; and

WHEREAS, The patriotic subject matter of said honor scroll is greater in scope than the name of the commission implies; and

WHEREAS, No State funds are required to continue the functions set forth in said Resolution No 8; therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the name of the Spanish War Commemoration Commission be hereafter and it is hereby designated as the "Commemoration Commission of the State of California",

said commemoration commission to serve the public policy, establish its own code of rules and regulations, in conformity with the highest precepts of American integrity, subject to the approval and authority of the Governor of California.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and twenty-five minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Meeker

The roll of absentees was called, and the Assembly refused to sustain the veto of the Governor to Senate Bill No. 411 by the following vote:

AYES—Alter, Anglim, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Sullivan, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64

NOES—Badham, Bowers, Crowley, Hunt, Lyon, McCarthy, McMurray, Nielsen, Redwine, Rogers, Stanward, Stream and Tournoux—13.

Senate Bill No. 411 ordered transmitted to the Senate.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Hoffman:

ASSEMBLY CHAMBER, SACRAMENTO, July 19, 1933.

MR. SPEAKER. I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act expressing the assent of the State of California to the provisions relating to emergency construction of public highways and related projects of Title II of the National Industrial Recovery Act, declaring the policy of the State of California in respect thereto and, for the purpose of effectuating such policy, making provisions concerning the powers of public officers and concerning highway construction contracts and labor thereon, making an appropriation therefor, providing for the suspension of inconsistent laws, and declaring the urgency thereof.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, July 19, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows.

An act expressing the assent of the State of California to the provisions relating to emergency construction of public highways and related projects of Title II of the National Industrial Recovery Act, declaring the policy of the State of California in respect thereto and, for the purpose of effectuating such policy, making provisions concerning the powers of public officers and concerning highway construction contracts and labor thereon, making an appropriation therefor, providing for the suspension of inconsistent laws, and declaring the urgency thereof.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Gilmore, Greene, Hallner, Hatch, Hornblower, Hunt, Jones, Kallam, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—60.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated.

By Mr. Hoffman: Assembly Bill No. 2430—An act expressing the assent of the State of California to the provisions relating to emergency construction of public highways and related projects of Title II of the National Industrial Recovery Act, declaring the policy of the State of California in respect thereto and, for the purpose of effectuating such policy, making provisions concerning the powers of public officers and concerning highway construction contracts and labor thereon, making an appropriation therefor, providing for the suspension of inconsistent laws, and declaring the urgency thereof.

Bill read first time, and referred to Committee on Rules

UNFINISHED BUSINESS—(RESUMED).

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 23, 1933.

To the Honorable Members of the Assembly of the State of California

I herewith return, without my signature, Assembly Bill No. 687.

Assembly Bill No. 687 is a county government bill of Colusa County After the bill was presented to me I held a meeting with the members of the board of supervisors, representatives of the grand jury, representatives of taxpaying groups and the author of the bill and it was decided that the bill as now drafted was not the best measure which could be worked out and the matter should be resubmitted to the Legislature by a new bill.

Respectfully submitted.

JAMES ROLPH, Jr., Governor of California.

The question being put: Shall Assembly Bill No. 687 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Gilmore, Greene, Hatch, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 23, 1933.

To the Honorable Members of the Assembly of the State of California.

I herewith return, without my signature, Assembly Bill No. 691.

Assembly Bill No. 691 reduces the salary of the probation officer of Colusa County from $75 to $50 a month

After the bill was presented to me I held a meeting with the members of the board of supervisors, representatives of the grand jury, representatives of taxpaying groups and the author of the bill and it was decided that the bill as now drafted was not the best measure which could be worked out and the matter should be resubmitted to the Legislature by a new bill.

Respectfully submitted

JAMES ROLPH, Jr., Governor of California.

The question being put: Shall Assembly Bill No. 691 become a law notwithstanding the veto of the Governor?

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

AYES—None.
NOES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.

Also:

STATE OF CALIFORNIA. GOVERNOR'S OFFICE.
SACRAMENTO, May 24, 1933

To the Honorable Members of the Assembly of the State of California.

I return, without my approval, Assembly Bill No. 539

Protests have been made to me about this bill by delegations representing the medical fraternity, the Sheriffs' Association, the Boards of Supervisors' Association, and Director of Institutions, with counsel, and it was unanimously agreed at said hearing in the Governor's Chambers on May 24, 1933, that I return this bill to your honorable body without prejudice.

It is recommended that your committee on hospitals and asylums to whom Assembly Bill No 539 was referred rehear a bill which covers all the objections made to the bill submitted to me and that a new bill be passed after the recess

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 539 become a law notwithstanding the veto of the Governor?

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

AYES—None.
NOES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Cronin, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.

Also:

STATE OF CALIFORNIA. GOVERNOR'S OFFICE.
SACRAMENTO, May 26, 1933

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 1228

Assembly Bill No. 1228 seeks to amend section 1461 of the Probate Code to provide that a guardian of an insane or incompetent person may be appointed, when it appears necessary or convenient, by the superior court of the county wherein such person resides, is temporarily domiciled, or wherein such person, who is a nonresident, has estate

This provision is in conflict with existing sections 1460 and 1462. The former section gives the superior court of any county in the State power to appoint a guardian on proper application There seems to be no danger of abuse of the existing law which would require the limitation set by this bill on the power to appoint a guardian Existing section 1462 provides that if the person in question is found to be insane or incompetent, the court must appoint a guardian This bill provides for the appointment "when it appears necessary or convenient," thus creating a provision which is inconsistent with the existing provision.

The bill is ambiguous in that it does not specify whether service of the required notice must be at least five days before the hearing, or whether the affidavit of such service must be on file at least five days theretofore. Furthermore, the existing law provides that notice in such cases is by citation, served in the manner provided for summons in civil actions. By making, in different language, a provision for service

for this particular proceeding, the question would arise whether a form of process other than a citation is intended.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 1228 become a law notwithstanding the veto of the Governor?

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Powers moved a call of the House.

Motion lost.

The roll was called, and the veto of the Governor on Assembly Bill No. 1228 was sustained by the following vote:

AYES—Alter, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Feigenbaum, Fisher, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, King, Martin, Mayo, McCarthy, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Robinson C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Turner, West, Wright and Mr Speaker—41

NOES—Anglin, Badham, Bowers, Boyle, Clowdsley, Crist, Cronin, Evans, Field, Frazier, Gilmore, Hornblower Kallam, Knowland, Levey, Lyon, Maloney, McBride, McMurray, Meehan, Morgan, Nielsen, Redwine, Riley, Scudder, Tournoux and Utt—27.

RECESS.

At twelve o'clock and ten minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened

Speaker Little in the chair.

Assistant Clerk McIntire reading.

UNFINISHED BUSINESS.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 29, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No 2401.

This is a new act purporting to authorize the board of supervisors or city council in its discretion to extend the time of payment for delinquent assessments under the Mattoon Act.

The proceedings for the levy and collection of assessments under this act are the same as those for general county taxes, and for all practical purposes such proceedings are inseparable from the proceedings applicable to general county taxes.

I am advised that it would create confusion without benefit if a law differing from that governing general county taxes was applied to assessments under the Mattoon Act, unless all such proceedings were entirely separated from the proceedings governing levy, collection and enforcement of general county taxes

As Assembly Bill No 822, already signed by me, places all delinquent taxes in a state of suspension until sometime in August, the problem presented by Assembly Bill No 2401 is similar to that presented by Assembly Bills Nos 851 and 1595, which bills have already been returned by me because they in some manner or other conflict with existing revenue laws This matter can therefore be reconsidered in connection with Assembly Bill No 851 and Assembly Bill No. 1595.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put, Shall Assembly Bill No. 2401 become a law notwithstanding the veto of the Governor?

The roll was called, and the Assembly refused to sustain the veto of the Governor by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Greene, Hallner, Hatch, Hoffman, Hunt, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr Speaker—59.

NOES—Badham, Mayo, Morgan, Redwine and Williamson—5.

Assembly Bill No. 2401 ordered transmitted to the Senate.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 5, 1933

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 689.

Assembly Bill No 689 is an act to reduce the annual salary of the judge of the superior court of Colusa County. At a meeting in my office on the Colusa County Government Bill on the protest of the board of supervisors, it was agreed by the author, representatives of the board of supervisors, the grand jury and the taxpayers of Colusa County that a more equitable salary adjustment for county officers in Colusa County could be made by the introduction of new measures

Pursuant to this understanding, I am returning the bill

Respectfully submitted

JAMES ROLPH, JR., Governor of California

The question being put: Shall Assembly Bill No. 689 become a law notwithstanding the veto of the Governor?

The roll was called, and the Assembly refused to sustain the veto of the Governor by the following vote:

AYES—Alter, Anglim, Bliss, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—63

NOES—Bowers, Hornblower and Morgan—3

Assembly Bill No. 689 ordered transmitted to the Senate.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 366.

This bill amends the section of the Municipal Court Act which relates to the filling of vacancies in the court by appointment. The existing provision provides that such appointments shall be made by the Governor, and that the appointee shall hold office until the expiration of the term to which he was appointed until the election and qualification of his successor. To this provision is added this new sentence:

"Except in cities of the one and one-half class, the person so appointed shall hold office until election and qualification of a judge to fill the vacancy, which election shall take place at the next succeeding municipal election after the occurrence of such vacancy."

Simplified, I read this provision to mean: "Except in the city of Los Angeles appointed municipal court judges shall only hold office until the next municipal election."

While I can perceive no real reason for different terms for judges of the municipal courts based upon city classification, the actual result of this bill is diametrically opposed to its intended object. This, apparently, is an opposite result than that intended, as the ultimate effect of it would be that San Francisco and Long Beach municipal court judges would hold office only until the next election, while Los Angeles County judges hold office for the full period of their unexpired term.

Respectfully submitted,

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 366 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 16, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 840.

This is a bill to pay the claim of P. J. Angelom against the State of California in the sum of $207.66. I am informed by the State Board of Control that they have no facts upon this claim, and the case was never presented to them.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put. Shall Assembly Bill No. 840 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—66.

SENATE MESSAGES.

The following messages from the Senate were read:

SENATE CHAMBER, SACRAMENTO, July 17, 1933.

MR. SPEAKER: I am directed to inform your honorable body that, pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 124—An act to amend sections 3.480, 3.482 and 3.806, and add a new section 3.808 of the School Code, relating to tuition charges—passed by the Senate on April 3, 1933, by the Assembly on May 12, 1933, and enrolled by the Senate on May 12, 1933, which message reads as follows:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 16, 1933.

To the Honorable Members of the Senate, California State Legislature.

SIRS: I herewith return, without my signature, Senate Bill No. 124.

This bill amends certain sections of the School Code, relating to tuition charges for adult attendance at night schools. At the present time, the governing board of a school district has permissive power to fix the fee of $6 per term per pupil in the case of day or evening classes for adults, other than classes maintained in English and citizenship for foreigners, and classes in elementary subjects taught below the seventh grade.

The amendment made by the bill in place of the optional fee, requires a compulsory fee of not less than $1. This bill, I believe, would be the initial step in starting to place a tax on education. The present optional authority vested in trustees of school districts is sufficient, I believe, to assist districts in need of funds to carry on adult education work, but to charge a compulsory fee, whether necessary or not, could only have the effect of retarding educational work.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The President of the Senate put the question: "Shall Senate Bill No. 124 become a law notwithstanding the objections of the Governor?" Whereupon, the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California that in so far as the Senate is concerned, this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No. 124 is transmitted herewith for your consideration.

Respectfully submitted.

J. A. BEEK, Secretary of Senate.

The question being put: Shall Senate Bill No. 124 become a law notwithstanding the veto of the Governor?

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

AYES—Alter, Bliss, Bowers, Brock, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Evans, Field, Fisher, Frazier, Greene, Hallner, Hoffman, Jones, Kallam, Knowland, Latham, Martin, McBride, Meeker, Miller, Eleanor; O'Donnell, Phillips, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Utt, Woolwine, Wright, Zion and Mr. Speaker—39

NOES—Anglim, Badham, Callahan, Cassidy, Cronin, Crowley, Dempster, Gilmore, Hornblower, Hunt, King, Levey, Maloney, McCarthy, McMurray, Meehan, Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Riley, Roberts, Rogers, Stannard, Sullivan, Tournoux, Turner, West and Williamson—30.

Also:

SENATE CHAMBER, SACRAMENTO, July 18, 1933.

MR. SPEAKER: I am directed to inform your honorable body that, pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 161—An act to amend section 4295a of the Political Code, relating to filing fees under the Water Commission Act—passed by the Senate on May 6, 1933, by the Assembly on May 12, 1933, and enrolled by the Senate on May 12, 1933, which message reads as follows:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Senate, California State Legislature

SIRS: I herewith return, without my signature, Senate Bill No. 161.

This bill amends section 4295a of the Political Code, relating to the payment of official fees provided for in sections 24 to 37h, inclusive, of the Water Commission Act. The effect of the bill is to provide an exemption for payment of fees by public districts for filing documents or applications under the provisions of the Water Commission Act.

I am advised by the office of the Director of Finance that the bill will operate to increase the duties and expenses of the division, and at the same time lessen revenues received thereby, and encourage the filing and refiling of permits merely because of the fact that no fees will be charged therefor. The fees are at present payable into the general fund, and the proposed exemption will materially lessen revenues derived from water applications and permits.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The President of the Senate put the question: "Shall Senate Bill No. 161 become a law notwithstanding the objections of the Governor?" Whereupon, the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California, that in so far as the Senate is concerned this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No. 161 is transmitted herewith for your consideration.

Respectfully submitted.

J. A. BEEK, Secretary of Senate.

The question being put: Shall Senate Bill No. 161 become a law notwithstanding the veto of the Governor?

The roll was called, and the Assembly refused to sustain the veto of the Governor by the following vote:

AYES—Alter, Anglim, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Dempster, Evans, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Riley, Robinson, C. Ray; Roland, Scudder, Stannard,

Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—56.

NOES—Badham, Hornblower, Morgan and Redwine—4.

Senate Bill No. 161 ordered transmitted to the Senate.

Also:

SENATE CHAMBER, SACRAMENTO, July 18, 1933.

MR. SPEAKER: I am directed to inform your honorable body that, pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 1194—An act to make an appropriation to pay the claim of the Peat Humus Company against the State of California—passed by the Senate on May 11, 1933, by the Assembly on May 12, 1933, and enrolled by the Senate on May 12, 1933, which message reads as follows:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 16, 1933.

To the Honorable Members of the Senate, California State Legislature.

SIRS: I herewith return, without my signature, Senate Bill No. 1194.

This is a bill to pay the claim of Peat Humus Company against the State of California, in the sum of $1,258 85. I am informed that this claim was presented to the Board of Control, and was disallowed by that board.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The President of the Senate put the question: "Shall Senate Bill No. 1194 become a law notwithstanding the objections of the Governor?" Whereupon, the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California, that in so far as the Senate is concerned this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No. 1194 is transmitted herewith for your consideration.

Respectfully submitted.

J. A. BEEK, Secretary of Senate.

The question being put: Shall Senate Bill No. 1194 become a law notwithstanding the veto of the Governor?

The roll was called, and the Assembly refused to sustain the veto of the Governor by the following vote:

AYES—Alter, Anglim, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64.

NOES—Sullivan—1.

Senate Bill No. 1194 ordered transmitted to the Senate.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 934.

This bill provides that no State officer or employee may perform work or services for a different State office or department for compensation, unless there shall be deducted from his original compensation an amount which will represent the time such officer or employee is absent in the performance of the work for the other State office or department

There are several officers who are holding dual positions in the State government, particularly in connection with work on the San Francisco Bay bridge, whose work should not be handicapped, and probably was not intended to be by the provisions of this bill.

A further objection to the bill is that Senate Bill No. 325, now Chapter 137, Statutes of 1933, also adds section 356a to the Political Code, and though it does not appear that Assembly Bill No. 934 was intended to supersede or repeal Senate

Bill No. 325, nevertheless, because of the similarity of the subject matter, there may be some question.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 934 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Anglim, Badham, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 26, 1933.

To the Honorable Members of the Assembly of the State of California.

I herewith return, without my approval, Assembly Bill No. 1006. This bill provides for a five-day week in State employment when found by the head of a department to be practicable.

The bill vitally affects all the employees of this State and it is questionable whether or not it would affect executive officers whose duties and functions of office are prescribed by statute. It can not, of course, affect constitutional officers whose duties and compensation are prescribed by the Constitution.

I have had a canvass made of the opinion of the various department heads and I have found a unanimous feeling that this bill will disturb the effectiveness of operations of all State offices and might retard public service.

I realize that this bill is very important and far reaching in its effect. During the last two months, however, there has been a definite improvement in economic conditions and I doubt the advisability of committing the State to a policy of retrenchment in employment when two months more will enable all concerned to gain a better perspective of future economic conditions. Under these circumstances, therefore, I return the bill to you without prejudice and without my approval, urging you to give the same further study and consideration when you reconvene in July.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 1006 become a law notwithstanding the veto of the Governor?

The roll was called, and the Assembly refused to sustain the veto of the Governor by the following vote:

AYES—Alter, Anglim, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Evans, Fisher, Greene, Hallner, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, Williamson, Woolwine, Wright and Mr. Speaker—58.

NOES—Badham, Bowers, Boyle, Crist, Field, Gilmore, Hatch, Kallam, Latham, Nielsen, Redwine, Thorp, West and Zion—14.

Assembly Bill No. 1006 ordered transmitted to the Senate

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 19, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 58—Approving certain amendments to the charter of the city of Petaluma, county of Sonoma, State of California,

voted for and ratified by the electors of the said city of Petaluma at a general municipal election held therein on the thirteenth day of June, 1933.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, July 19, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 59—Relative to adjournment—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, July 19, 1933

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 2426—An act to amend sections 172 and 172a of the Penal Code, relating to selling, giving away or exposing for sale of intoxicating liquors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Morgan asked for, and was granted, unanimous consent to take up Assembly Bill No. 2426, at this time, without reference to file, and that same be considered engrossed

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED TWENTY-SIX.

Assembly Bill No. 2426—An act to amend sections 172 and 172a of the Penal Code, relating to selling, giving away or exposing for sale of intoxicating liquors.

Bill read second time.

RESOLUTION.

The following resolution was offered:

By Mr. Morgan:

Resolved, That the provision of section 15 of Article IV of the Constitution requiring that Assembly Bill No. 2426 shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, West, Williamson, Woolwine, and Mr. Speaker—57.

NOES—Brock and Miller, Eleanor—2.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2426.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED TWENTY-SIX.

Assembly Bill No. 2426—An act to amend sections 172 and 172a of the Penal Code, relating to selling, giving away or exposing for sale of intoxicating liquors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2426 passed by the following vote:

AYES—Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Clowdsley, Cobb Cottrell, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, West, Williamson, Woolwine, and Mr. Speaker—57.

NOES—Brock and Miller, Eleanor—2.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Cronin:

ASSEMBLY CHAMBER, SACRAMENTO, July 19, 1933

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act granting certain tidelands and submerged lands of the State of California to the city of Huntington Beach upon certain trusts and conditions, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr Feigenbaum:

ASSEMBLY CHAMBER, SACRAMENTO, July 19, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to extend to production, manufacture, trade and commerce conducted within the State of California the provisions of Title I of an act of Congress entitled "An act to encourage National industrial recovery, to foster fair competition, to provide for the construction of certain useful public works, and for other purposes," commonly known as the National Industrial Recovery Act; to provide for the enforcement thereof as so extended; to declare the urgency of this act and to provide that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, July 19, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act granting certain tidelands and submerged lands of the State of California to the city of Huntington Beach upon certain trusts and conditions, declaring the urgency thereof and providing that this act shall take effect immediately.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to extend to production, manufacture, trade and commerce conducted within the State of California the provisions of Title I of an act of Congress entitled "An act to encourage National industrial recovery, to foster fair competition, to provide for the construction of certain useful public works, and for other purposes," commonly known as the National Industrial Recovery Act; to provide for the enforcement thereof as so extended; to declare the urgency of this act and to provide that this act shall take effect immediately.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Nielsen, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—65

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Cronin: Assembly Bill No. 2431—An act granting certain tidelands and submerged lands of the State of California to the city of Huntington Beach upon certain trusts and conditions, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Rules.

By Mr. Feigenbaum: Assembly Bill No. 2432—An act to extend to production, manufacture, trade and commerce conducted within the State of California the provisions of Title I of an act of Congress entitled "An act to encourage National industrial recovery, to foster fair competition, to provide for the construction of certain useful public works, and for other purposes," commonly known as the National Industrial Recovery Act; to provide for the enforcement thereof as so extended; to declare the urgency of this act and to provide that this act shall take effect immediately.

Bill read first time, and referred to Committee on Rules.

ADJOURNMENT.

At three o'clock and fifty-five minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Thursday, July 20, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, July 20, 1933

At nine o'clock and thirty minutes a.m., the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Cronin:

FOOD RESEARCH COUNCIL OF CALIFORNIA.
SAN FRANCISCO, CALIFORNIA.

RESOLUTION

WHEREAS, National legislation of most vital importance to general economic recovery has been enacted into law in the form of twin bills known as the Industrial Recovery Act and the Agricultural Adjustment Act; and

WHEREAS, The scope of this legislation is necessarily limited to interstate commerce; and

WHEREAS, In spite of the broadest possible interpretation being given to the scope of interstate commerce under this National program, it is conceivable that some firms would discover means of defeating the National program by limiting their operations to intrastate commerce unless there is immediate and positive action by the California Legislature; therefore, be it

Resolved by the board of directors of the Food Research Council of California, That the California Legislature at its session commencing on Monday, the seventeenth day of July, 1933, be requested to enact such legislation as may be necessary to make any code set up either under the said National Recovery Act or the Agricultural Adjustment Act become the law of this State and applicable to intrastate commerce.

I hereby certify the adoption of the foregoing resolution by the unanimous vote of the directors of the Food Research Council of California at a special meeting called for the purpose of considering economic recovery legislation, held at the Palace Hotel, San Francisco, California, on the thirteenth day of July, 1933.

CLIFTON E. BROOKS, Executive Secretary.

COMMUNICATION.

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

By Mr. Speaker:

WASHINGTON, D. C., July 17, 1933

DEAR WALTER: I was called to Washington a week ago to attend a series of conferences on the new industrial recovery program. We have been holding one or two meetings with General Johnson or his advisers daily. Expect to finish Wednesday and will fly to Sacramento. Will you please have a suitable notice entered in the Journal.

Thanks.

C. W. GRUBBS.

LEAVE OF ABSENCE

On motion of Mr. Robinson, C. Ray, Mr. Grubbs was granted leave of absence for the balance of this legislative day.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, July 20, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 57—Approving certain amendments to the charter of the city of Oakland a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of June, 1933—and reports that the same has been correctly enrolled, and presented the same to the Governor on this nineteenth day of July, 1933, at five o'clock p.m.

PATTERSON, Chairman

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, July 19, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to sustain the Governor's veto on Assembly Bill No. 689—An act to amend section 737f of the Political Code, relating to the superior judge in and for the county of Colusa;

Also Assembly Bill No. 1006—An act to provide a five-day week for State employees during the present unemployment emergency, and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 19, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 55—Approving one certain amendment to the charter of the city of Berkeley in the county of Alameda, State of California, voted for and ratified by the electors of said city at a special election held therein on the twenty-seventh day of June, 1933

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Concurrent Resolution No. 55 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 19, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 56—Approving certain amendments to the charter of the city of Alameda, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of June, 1933

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Concurrent Resolution No. 56 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 19, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1211—An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By JAMES L. GARDINER, Assistant Secretary.

Senate Bill No. 1211 ordered referred to Committee on Rules.

UNFINISHED BUSINESS

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 23, 1933.

To the Honorable Members of the Assembly, California State Legislature

I herewith return, without my signature, Assembly Bill No. 600

Assembly Bill No. 600 amends section 159 of the California Vehicle Act, and would authorize the use of the counties' share of the apportionment of motor vehicle fund for the purpose of assisting in the redemption of bonds issued for highway purposes

Section 159 of the California Vehicle Act has already been amended by Assembly Bill No. 2226, signed by me on May 23, 1933, and to sign Assembly Bill No. 600 would nullify the amendments already made.

The amendments sought to be made by Assembly Bill No. 600 are, in my opinion, effectively contained in Assembly Bill No. 159, which bill has been signed by me, and grants to the board of supervisors the same power desired to be conferred by Assembly Bill No 600. However, to obviate any possible question of the powers of the supervisors to use county apportionments from the motor vehicle fund, it is respectfully suggested that a bill be passed when the Legislature reconvenes in July, which will incorporate both the amendments of Assembly Bill No. 600 and Assembly Bill No. 2226.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 600 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Chatters, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Zion and Mr. Speaker—56

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 29, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 1. Please note: The first rattle out of the box! The commencement of the economy program!

The enrolled bill, as presented to me provides as follows.

"The annual salary of each of the judges of the superior court in and for the county of Alameda is $8,000"

A study of the Journals of the Senate and Assembly for May 12th shows that on that day Assembly Bill No 1 was ordered to free conference. The report of the Committee on Free Conference of the Assembly is shown on page 316 of the Assembly Daily Journal for May 12th, and on page 263 of the Senate Daily Journal for the same date. According to both Journals, the Committee on Free Conference reported that Assembly Bill No 1 be amended to read as follows:

"SECTION 1. Section 737a is hereby amended to read as follows:

Sec. 737a The annual salary of each of the judges of the superior court in and for the county of Alameda is $8,400"

The pages of the respective Journals mentioned also show that each house adopted the report of the Committee on Free Conference. The bill presented to me therefore is not the bill passed by the Legislature.

Aside from these objections, I have a still further objection to Assembly Bill No. 1, and for this purpose I call attention to my veto message on Assembly Bill No 10, in which I discuss the advisability of maintaining uniformity in the judicial salaries of judges of the superior court of San Francisco, Los Angeles and Alameda counties.

I therefore return the bill with the hope that a new measure can be presented to me which will uniformly affect the salaries of the judges of the superior court of Alameda County, Los Angeles and San Francisco.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 1 become a law notwithstanding the veto of the Governor?

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

AYES—O'Connor—1.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Feigenbaum, Fisher, Hoffman, Hornblower, Jones, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard,

Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—54.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 29, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 10.

This bill reduces the salary of the judges of the superior court of Los Angeles County from $10,000 to $8,000, or $2,000 per year.

Early in the history of this legislation, the Los Angeles County grand jury, the board of supervisors, the chamber of commerce, the Central Labor Council, the Bar Association, and other official and representative civic groups unanimously passed proper resolutions opposing any reduction in the judicial compensation of superior court judges of Los Angeles County exceeding ten per cent. These resolutions and other communications from Los Angeles County express to me the dissatisfaction of the taxpayers of any legislation which would reduce the judges' salaries by more than ten per cent.

The dissatisfaction resulting from this bill being passed over the protest of these groups has been intensified by a failure to preserve an equivalence in the salaries of judges of the counties of Los Angeles, San Francisco, and Alameda. Agreeable alike to the taxpayers and judges of San Francisco, I have already signed Assembly Bill No. 116, fixing the salaries of San Francisco superior court judges at $9,000 a year. A measure has passed the Legislature fixing the Alameda County superior court judges' salary at $8,400 a year.

There seems to be no valid reason, either of logic or economy, why San Francisco superior court judges should receive $9,000; Alameda County superior court judges $8,400, and the superior court judges of Los Angeles, the county with the largest population and by far the greatest property valuation, only $8,000. I agree entirely with the editorial comment of the Los Angeles press that such a bill constitutes a discrimination for which there is no justification.

I am of the further opinion that compensation of the judiciary should be commensurate with the responsibility, experience, ability, and unassailable integrity expected of members of the bench. I believe that a ten per cent reduction in judicial salaries is a sound program of economy, fair alike to judges and taxpayers, but to arbitrarily go below this percentage of reduction over protest of taxpayers in my mind is a parsimonious measure of false economy that might well result in impairing the administration of justice. We should seek and maintain the highest standard on the bench.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 10 become a law notwithstanding the veto of the Governor?

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

AYES—Alter, Bliss, Brock, Cassidy, Clowdsley, Crist, Evans, Field, Greene, Hallner, Hatch, Jones, Kallam, King, Latham, Lyon, Martin, McCarthy, Miller, Eleanor; O'Connor, O'Donnell, Peterson, Riley, Roberts, Robinson, Samuel E., Rogers, Turner, Woolwine, Wright and Zion—30.

NOES—Anglim, Badham, Bowers, Boyle, Callahan, Chatters, Cottrell, Craig, Cronin, Crowley, Feigenbaum, Fisher, Gilmore, Hoffman, Knowland, Levey, Maloney, Mayo, McBride, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, Patterson, Powers, Rawls, Redwine, Robinson, C. Ray; Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson and Mr. Speaker—40.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 5, 1933.

To the Honorable Members of the Assembly, California State Legislature

I herewith return, without my signature, Assembly Bill No. 1.

Under date of May 29th, I returned Assembly Bill No. 1 with a full veto message. Since that time, however, there has been presented to me under date of June 2, a new enrolled copy of Assembly Bill No. 1, which provides for a salary of $8,400 per year for judges of the superior court of Alameda County.

In my original veto message on Assembly Bill No. 1, I called attention to the fact that aside from the errors in printing in the bill as presented to me, that I had a still further objection, and for that purpose I called attention to my veto message on Assembly Bill No. 10, in which I discussed the advisability of maintaining

uniformity in the compensation of judicial officers of the superor court of San Francisco, Los Angeles and Alameda counties.

As I stated in my original message, I still have the hope that a new measure can be presented to me which will make a uniform reduction in the salaries of the judges of the superior courts of Alameda and Los Angeles counties.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 1 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, West, Williamson, Woolwine, Zion and Mr. Speaker—53.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 5, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 1631.

Assembly Bill No. 1631 makes certain changes in the Fish and Game Code by amending section 1065, relating to the purpose for which sardines may be taken for reduction plants. The section amended is also amended by Assembly Bill No. 1757, and the amendments made by the two bills can not be reconciled. I am informed by the Fish and Game Commission that the amendments made by Assembly Bill No. 1757 are far more necessary than the amendment sought to be made by Assembly Bill No. 1631.

Assembly Bill No. 1631 is therefore returned, so that its signing will not nullify the amendments intended to be enacted by Assembly Bill No. 1757. If a new measure is presented to me which incorporates both the provisions of Assembly Bill No. 1757 and Assembly Bill No. 1631, I will have no objection to signing the same.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 1631 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meeker, Miller, Eleanor; Nielsen, O'Connor, Patterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—61.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1933

To the Honorable Members of the Assembly, California State Legislature

I herewith return, without my signature, Assembly Bill No. 563.

This bill amends section 2 of the act relating to incorporation and government of municipal corporations. Senate Bill No. 549, now Chapter 349 of the Statutes of 1933, has already made amendments to this section, which are inconsistent with the provisions of this bill.

As the signing of the bill would be to nullify the provisions of Senate Bill No. 549, I am returning the bill without my signature.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 563 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meeker, Miller, Eleanor; Nielsen, O'Connor, Patterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stanward, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—61.

SENATE MESSAGES

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 17, 1933

MR SPEAKER: I am directed to inform your honorable body that, pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 440—An act to repeal Chapter V of Part III of Division V of the School Code, embracing sections 5 580 to 5 622, inclusive, relating to teachers' institutes—passed by the Senate on April 19, 1933, by the Assembly on May 12, 1933, and enrolled by the Senate on May 12, 1933, which message reads as follows:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Senate, California State Legislature.

SIRS: I herewith return, without my signature, Senate Bill No. 440.

This bill repeals sections of the School Code authorizing the holding of annual teachers' institutes. Teachers institutes are a recognized institution in most States of the Union. They have always been considered as essential to the proper development of education. The cost of the institutes for all counties, except Los Angeles, is less than $20 000 a year for the entire State. The cost in Los Angeles County is in the neighborhood of $13,000 a year for the entire county

I do not believe that the relatively small saving that would be accomplished by the abolition of these excellent gatherings will compensate for the loss which would result in removing from teachers the inspiration and encouragement to better service which the annual assembly in institutes has furnished.

Respectfully submitted.

(Signed) JAMES ROLPH, JR., Governor of California.

The President of the Senate put the question: "Shall Senate Bill No. 440 become a law notwithstanding the objections of the Governor?" Whereupon, the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California that in so far as the Senate is concerned this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No. 440 is transmitted herewith for your consideration.

Respectfully submitted.

J. A. BEEK, Secretary of Senate

The question being put: Shall Senate Bill No. 440 become a law notwithstanding the veto of the Governor?

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

Time, ten o'clock and fifty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher,

Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Cassidy:

ASSEMBLY CHAMBER, SACRAMENTO, July 20, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 737a of the Political Code, relating to the salary of each of the judges of the superior court in and for the county of Alameda.

Referred to Committee on Introduction of Bills.

By Mr. Callahan:

ASSEMBLY CHAMBER, SACRAMENTO, July 20, 1933

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act relating to the ratproofing of buildings.

Referred to Committee on Introduction of Bills.

By Mr. Wright:

ASSEMBLY CHAMBER, SACRAMENTO, July 20, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for the purpose of replacing the gymnasium at the Whittier State School, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr. Sullivan:

ASSEMBLY CHAMBER, SACRAMENTO, July 20, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the regulation and licensing of greyhound dog race meetings, and the wagering on the results thereof; to create the California Dog Racing Board for the regulation, licensing and supervision of said greyhound dog racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, July 20, 1933.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 737a of the Political Code, relating to the salary of each of the judges of the superior court in and for the county of Alameda.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act relating to the ratproofing of buildings.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act making an appropriation for the purpose of replacing the gymnasium at the Whittier State School, declaring the urgency thereof, and providing that this act shall take effect immediately.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide for the regulation and licensing of greyhound dog race meetings, and the wagering on the results thereof; to create the California Dog Racing Board for the regulation, licensing and supervision of said greyhound dog racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions.

HALLNER, Chairman.

The question being on the adoption of the reports.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Cassidy: Assembly Bill No. 2433—An act to amend section 737a of the Political Code, relating to the salary of each of the judges of the superior court in and for the county of Alameda.

Bill read first time, and referred to Committee on Rules.

By Mr. Callahan: Assembly Bill No. 2434—An act relating to the ratproofing of buildings.

Bill read first time, and referred to Committee on Rules.

By Mr. Wright: Assembly Bill No. 2435—An act making an appropriation for the purpose of replacing the gymnasium at the Whittier State School, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Rules.

By Mr. Sullivan: Assembly Bill No. 2436—An act to provide for the regulation and licensing of greyhound dog race meetings, and the wagering on the results thereof; to create the California Dog Racing Board for the regulation, licensing and supervision of said greyhound dog racing and wagering thereon; to provide penalties for the violation of the provisions of this act; and to provide that this act shall take

effect upon the adoption of a constitutional amendment ratifying its provisions.

Bill read first time, and referred to Committee on Rules.

By Messrs. Sullivan, Jones, Hunt and Tournoux: Assembly Constitutional Amendment No 122—Proposed amendment to Article IV, adding new section 25b of the Constitution, relative to the regulation and licensing of dog racing, dog race meetings, and the wagering on the results thereof.

Introduced, and referred to Committee on Rules.

By Mr. Robinson, C. Ray: Assembly Joint Resolution No. 37—Relative to Federal loans on agricultural lands within the State of California.

Introduced, and referred to Committee on Rules.

By Mr. Cronin: Assembly Concurrent Resolution No. 61—Relative to the suppression of traffic in narcotic drugs and authorizing the appointment of a committee for the purpose of considering and recommending the enactment of effective laws governing the traffic in narcotic drugs and related matters.

Introduced, and referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, July 20, 1933.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No 442—An act to repeal the California Nautical School Act and to provide for the disposition of the property of said school—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MALONEY, Chairman

SECOND READING OF SENATE BILL NUMBER FOUR HUNDRED FORTY-TWO

Senate Bill No 442—An act to repeal the California Nautical School Act and to provide for the disposition of the property of said school.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out the title of the printed bill, as amended, and insert in lieu thereof the following:

"An act relating to the appropriation made for the California Nautical School during the eighty-fifth and eighty-sixth fiscal years."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out lines 1 to 22, inclusive, and insert in lieu thereof the following:

"SECTION 1. Notwithstanding any provision of Chapter 278, Statutes of 1933, all the moneys appropriated for support of the California Nautical School by item 189 of section 1 of said chapter may be expended during the eighty-fifth fiscal year"

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, July 19, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 2306—An act to amend section 4.375 of the School Code, relating to the maximum rate of school district taxes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROLAND, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED SIX.

Assembly Bill No. 2306—An act to amend section 4.375 of the School Code, relating to the maximum rate of school district taxes.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out all the title, and insert in lieu thereof the following:

"An act to amend section 4.377 of the School Code, relating to school district tax rates, declaring the urgency thereof, and providing that this act shall take effect immediately."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 28, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 4.377 of the School Code is hereby amended to read as follows:

4.377 Increase in tax rates, as provided in this article, shall remain in effect only for the period specified on the ballot

The maximum rate of district tax of any school district, as said tax rate existed prior to August 21, 1933, shall continue to be the maximum rate of district tax for such school district until July 1, 1934.

SEC. 2. The provisions of this act shall supersede the amendment of section 4.377 contained in the provisions of Chapter 490 of the Statutes of 1933. It is hereby declared to be the intent of the Legislature that the said amendment contained in said chapter shall be without effect as to any portion thereof which conflicts with this act.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution, and shall, therefore, go into immediate effect.

The facts constituting the necessity are as follows:

A number of school districts in California have heretofore increased their maximum rates of school district tax under School Code sections 4.375, 4.376 and 4.377 of the School Code, under which sections the maximum rate of school district tax, as increased by the voters of a school district, remained the maximum rate of school district tax in such district until diminished or further increased by the voters thereof. Under the provisions of Chapter 490 of the Statutes of 1933, which becomes effective August 21, 1933, increases in the maximum tax rate of a school district may be made by the voters of a district only for a period specified on the ballot of the election for an increase in such rates. There is a grave possibility that Chapter 490 of the Statutes of 1933 may be construed so as to have a retroactive effect, and thus render ineffective increases in the maximum school district tax rates heretofore voted by the electors of school districts. If such a construction is made, there will not be sufficient time between August 21, 1933, when said Chapter 490 of the Statutes of 1933 takes effect, and the first day of September, when school district taxes are levied, to permit the voters of a school district to increase the maximum district tax rate established by law for such district. This would prevent the electors of a school district from voting the necessary increase in the maximum tax rate of such school district and would operate to the detriment of the public schools and the children attending upon such schools."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At eleven o'clock and five minutes a.m., Hon. F. C. Clowdsley, Speaker pro tempore of the Assembly, in the chair.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, July 20, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Senate Bill No. 1211—An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back with the recommendation that the same be considered in accordance with Senate Concurrent Resolution No 23.

ROBINSON, C. RAY, Chairman.

Senate Bill No. 1211 ordered referred to Committee on Ways and Means.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and twenty minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and twenty-two minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

The roll of absentees was called, and the veto of the Governor to Senate Bill No. 440 was sustained by the following vote:

AYES—Alter, Anglim, Bliss, Boyle, Burns, Cassidy, Chatters, Clowsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Hallner, Hoffman, Jones, Kallam, Knowland, Latham, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; O'Donnell, Rawls, Roberts, Robinson, C Ray; Robinson, Samuel E., Roland, Scudder, Stream, Thorp, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—47

NOES—Badham, Bowers, Brock, Callahan, Cronin, Field, Gilmore, Hatch, Hornblower, Hunt, King, Levey, Lyon, Maloney, McMurray, Miller, James A, Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Rogers, Stannard, Sullivan, Tournoux and Williamson—30.

UNFINISHED BUSINESS—(RESUMED).

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

STATE OF CALIFORNIA. GOVERNOR'S OFFICE,
SACRAMENTO, June 16, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 2002.

This bill authorizes the Director of Finance to impose a charge on all State departments for the use of the teletype service of the State. The additional units of the teletype system have been authorized to be purchased from special funds. This appropriation amounted to $40,600 This bill would result in a further depletion of the special funds and would take away the incentive of State departments to use this economical means of message transmission.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 2002 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Crist, Cronin, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King,

Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 18, 1933.

MR SPEAKER I am directed to inform your honorable body that, pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 867—An act providing for the regulation, use, storage and type of State-owned motor vehicles by the Board of Control and the placing of the State seal on each vehicle, relating to the use of publicly-owned vehicles and providing a penalty for violation thereof—passed by the Senate on March 31, 1933, by the Assembly on May 11, 1933, and enrolled by the Senate on May 12, 1933, which message reads as follows:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 14, 1933.

To the Honorable Members of the Senate, California State Legislature.

SIRS: I herewith return, without my signature, Senate Bill No. 867.

This bill is intended to regulate the use of publicly-owned vehicles, and gives the State Board of Control authority to suspend from the public service without pay any employee of the State who uses a State-owned motor vehicle for purposes other than official business.

The bill, in the subject covered, supersedes and repeals by implication the benefits granted to employees of the State under the provisions of section 14 of the Civil Service Act, which provides that prior to disciplinary action being taken, an employee must be charged, given opportunity to answer and defend, and otherwise have a full hearing at which he is entitled to be confronted by the witnesses against him. There is in the bill presented for my signature no provision requiring that a hearing be given an employee, although the bill attempts to authorize the State Board of Control to require any employee to appear before it upon any sort of report, anonymous or otherwise, apparently at the employee's own expense, without notice as to what charges are preferred against him or by whom.

I see no justification for departing from the reasonable requirements of the Civil Service Act in the matter of disciplinary action against employees; and to give any board the arbitrary and absolute authority, intended to be granted to the State Board of Control by this bill, would be capable of great abuse.

Furthermore, the bill is extremely ambiguous in the definition of the phrase: "publicly-owned motor vehicles." According to the bill, those words shall be construed to "mean and include all vehicles owned by the State, or by any county, city and county, municipality, district or other public agencies." This definition is either meaningless, or is an attempt to grant to the State Board of Control the power to regulate the employees of counties, cities, districts and other political subdivisions in the matter of the use of "publicly-owned vehicles." I can see no justification for compelling the employees from the county of Siskiyou on the north to the city of San Diego on the south to attend before the Board of Control at Sacramento, at their own expense, in a matter which is so peculiarly a local affair, to defend against charges which might be unfounded and brought for the purpose of causing trouble, expense and embarrassment to the employee.

Respectfully submitted,

JAMES ROLPH, JR., Governor of California.

The President of the Senate put the question: "Shall Senate Bill No. 867 become a law notwithstanding the objections of the Governor?" Whereupon, the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California, that in so far as the Senate is concerned this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No. 867 is transmitted herewith for your consideration.

Respectfully submitted.

J. A. BEEK, Secretary of Senate.

The question being put: Shall Senate Bill No. 867 become a law notwithstanding the veto of the Governor?

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

AYES—Alter, Brock, Clowdsley, Crist, Fisher, Greene, Jones, Knowland, Martin, McCarthy, Meeker, Miller, Eleanor; O'Donnell, Powers, Robinson, C. Ray; Thorp, Turner, West, Wright and Zion—20.

NOES—Anglim, Badham, Bliss, Bowers, Boyle Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Latham, Levey, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Roland, Stannard, Stream, Sullivan, Tournoux, Utt, Williamson, Woolwine and Mr. Speaker—52.

Senate Bill No. 867 ordered transmitted to the Senate.

RESOLUTION

The following resolution was offered:

By Mr. Hallner:

ASSEMBLY RESOLUTION.

Relative to the use of State-owned motor vehicles.

WHEREAS, There has been much criticism of State officials and State personnel generally on account of the use of State-owned motor vehicles for private purposes; and

WHEREAS, Investigations made by committees of the Legislature have revealed that such criticism is not without foundation, and

WHEREAS, Senate Bill No. 867, intended to remedy the situation through prohibition of the use of any State-owned vehicle for other than official business of the State, has failed to become law through executive disapproval; and

WHEREAS, Such a measure might have produced undesirable hardships through the stringency of its provisions; and

WHEREAS, It appears that the matter is one which can best be handled through appropriate executive action on the part of the various heads of departments of the State government; now, therefore, be it

Resolved by the Assembly of the State of California, That the heads of all departments of State government be required to adopt such measures as may be required to put an end to the abuses in the use of State-owned motor vehicles for private purposes; and, be it further

Resolved, That all State officers, boards and commissions be requested to cooperate in eliminating all cause for criticism in the use of State-owned motor vehicles to the end that any need for such legislation as was embodied in Senate Bill No. 867 may be obviated.

The question being on the adoption of the resolution.

Resolution refused adoption.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, July 20, 1933.

Honorable Members of the Assembly, California State Legislature.

I present my compliments to your honorable body, and with the very complimentary permission of your honored Speaker, I take this means of extending to the members of your honorable body a cordial and warm invitation to attend the deliberations of the governors of the States of the United States who are to meet in your Assembly Chamber, Sacramento, at nine o'clock and thirty minutes a m., Monday, July 24th.

I am joined in this invitation by the chairman and secretary of the executive committee of the visiting governors who arrive here Sunday, July 23d, to participate in this, their Twenty-Fifth Annual Conference.

Because of the limited accommodations in the chamber to care for both the members of the Senate as well as the Assembly, it will be imperative to restrict admission. For this reason, I will supply each Senator and Assemblyman with a ticket for himself and one additional ticket.

Trusting to have the pleasure of welcoming all of you to the memorable occasion, I am,

Yours sincerely and respectfully,

JAMES ROLPH, JR., Governor of California.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, July 18, 1933.

MR SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 273—An act to amend section 3 of an act entitled "An act to provide for the establishment and maintenance of a Bureau of Tuberculosis under the direction of the State Board of Health; defining its powers and duties, providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons affected with tuberculosis; making an appropriation therefor, and repealing certain acts of the Legislature of the State of California, approved June 12, 1915, relating to management of tuberculosis hospitals—and recommends that said bill be re-referred to the Committee on Ways and Means.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, July 19, 1933

MR SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 522—Item regarding support for Judicial Council—and recommends that same be re-referred to the Committee on Ways and Means

ROBINSON, C RAY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means

Also:

ASSEMBLY CHAMBER, SACRAMENTO, July 18, 1933.

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 522—Consideration of the item of the Social Welfare budget amounting to $208,000. Hearing upon this item was ordered re-referred to Committee on Ways and Means without recommendation—and recommends that said bill be re-referred to the Committee on Ways and Means.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, July 19, 1933.

MR SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 522—Regarding the item on appropriation for Criminal Identification Bureau—and recommends that said bill be re-referred to the Committee on Ways and Means.

ROBINSON, C RAY, Chairman

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, July 18, 1933.

MR. SPEAKER. In accordance with the provisions of Senate Concurrent Resolution No 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 1050—An act to provide for the levy, collection and payment of an income tax on the salaries of individuals and to provide for the allocation of the revenue therefrom—and recommends that said bill be re-referred to the Committee on Revenue and Taxation.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Revenue and Taxation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, July 19, 1933.

MR SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No 1199—An act making an appropriation to pay the claim of A. C.

Brunzell and E. S. Brunzell, copartners, against the State of California—and recommends that same be re-referred to the Committee on Ways and Means.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 1739—An act to amend section 3 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to the definition of certain terms used in said act—and recommends that said bill be re-referred to the Committee on Insurance.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Insurance.

Also:

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 1765—An act amending the Political Code by repealing sections 3627a, 3627c, 3664, 3664a, 3664aa, 3664c, 3664d, 3665a, 3665b, 3666, 3666b, 3667, 3667a, 3670, 3670a, 3670b, 3670bb, 3670c, 3670cc, 3670d, 3671, 3671a, 3671b, 3671c, and 3671d, by amending sections 3627, 3628, 3629, 3630, 3648, 3649, 3650, 3664b, 3664b-1, 3665c, 3667b, 3668, 3668a, 3668b, 3668c, 3669, 3669a, 3669c, 3696 and 3714a and by adding thereto new sections to be numbered 3664, 3664a and 3667 respectively, relating to the assessment and collection of taxes, and providing that this act shall take effect immediately—and recommends that said bill be re-referred to the Committee on Revenue and Taxation.

ROBINSON, C. RAY, Chairman

The above reported bill ordered re-referred to Committee on Revenue and Taxation.

Also:

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 1775—An act to pay the claim of the Master Plumbers' Association Holding Corporation against the State of California—and recommends that same be re-referred to the Committee on Ways and Means

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 1929—An act making an appropriation to pay the claim of C. D. Plum against the State of California—and recommends that said bill be re-referred to Committee on Ways and Means.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 1990—An act to amend section 5 of an act entitled "An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately," approved April 6, 1933, relating to taxation of beverages, and to declare that this act shall take effect immediately—and recommends that said bill be re-referred to Committee on Revenue and Taxation.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Revenue and Taxation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, July 18, 1933

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No 2241—An act providing for the levying, collecting and paying of an income tax on individuals to increase the revenues of the State—and recommends that said bill be re-referred to Committee on Revenue and Taxation.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Revenue and Taxation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, July 19, 1933.

MR SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 2345—An act to add a new section to the School Code to be numbered 4.57, relating to the support of junior colleges—and recommends that said bill be re-referred to Committee on Ways and Means

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 2357—An act relating to and providing for flood control on San Dieguto River and for the prevention of floods and conserving of the waters of said river, making an appropriation therefor and declaring that this act shall take effect immediately—and recommends that same be re-referred to Committee on Ways and Means.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 2421—An act to amend section 6¾ of the Inheritance Tax Act, relating to exemptions and rates of tax—and recommends that same be re-referred to Committee on Revenue and Taxation.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Revenue and Taxation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, July 18, 1933.

MR. SPEAKER In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 2429—An act to provide for the levy and collection of a tax upon the income of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately—and recommends that said bill be re-referred to the Committee on Revenue and Taxation

ROBINSON, C RAY, Chairman.

The above reported bill ordered re-referred to Committee on Revenue and Taxation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, July 19, 1933

MR. SPEAKER In accordance with the provisions of Senate Concurrent Resolution No 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No 2431—An act granting certain tidelands and submerged lands of the State of California to the city of Huntington Beach upon certain trusts and conditions, declaring the urgency thereof and providing that this act shall take

effect immediately—and recommends that said bill be re-referred to the Committee on Revenue and Taxation.

ROBINSON, C. RAY, Chairman

The above reported bill ordered re-referred to Committee on Revenue and Taxation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, July 20, 1933.

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No 2432—An act to extend to production, manufacture, trade and commerce conducted within the State of California the provisions of Title I of an act of Congress entitled "An act to encourage National industrial recovery, to foster fair competition, to provide for the construction of certain useful public works, *and for other purposes," commonly known as the National Industrial Recovery* Act; to provide for the enforcement thereof as so extended; to declare the urgency of this act and to provide that this act shall take effect immediately—and recommends that same be re-referred to the Committee on Judiciary.

Committee membership 7; committee vote: Ayes 7.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, July 19, 1933.

MR. SPEAKER In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Senate Bill No 93—An act to provide for the redemption, without payment of penalties or costs, of real property sold to the State for delinquent taxes prior to *January 1, 1933—and recommends that said bill be re-referred to the Committee on* Ways and Means.

ROBINSON, C. RAY, Chairman

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR SPEAKER: *In accordance with the provisions of Senate Concurrent Resolu*tion No. 23, your Committee on Rules approves consideration by the Assembly of Senate Bill No 238—An act to amend section 4.894 of the School Code, relating to the apportionment of the State high school fund to high school districts—and recommends that same be re-referred to the Committee on Education.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Education.

Also:

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Senate Bill No. 442—An act to repeal the California Nautical School Act and to provide for the disposition of the property of said school—and recommends that same be re-referred to the Committee on Ways and Means

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, July 20, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No 1211—*An act imposing a tax for the privilege of selling tangible* personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately—has had the same under

consideration, and respectfully reports the same back, and recommends that it do pass.

COBB, Chairman.

The above reported bill ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Scudder:

ASSEMBLY CHAMBER, SACRAMENTO, July 20, 1933.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 1 and 4 of an act entitled "An act for the taxation of Massachusetts or business trusts," approved May 1, 1933, and providing that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, July 20, 1933.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend sections 1 and 4 of an act entitled "An act for the taxation of Massachusetts or business trusts," approved May 1, 1933, and providing that this act shall take effect immediately.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker —69.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Scudder: Assembly Bill No. 2437—An act to amend sections 1 and 4 of an act entitled "An act for the taxation of Massachusetts or business trusts." approved May 1, 1933, and providing that this act shall take effect immediately.

MOTION TO RE-REFER.

Mr. Robinson, C. Ray, moved that Senate Bill No. 93 be withdrawn from Committee on Ways and Means, and ordered re-referred to Committee on Revenue and Taxation.

The question being on re-referring Senate Bill No. 93 to Committee on Revenue and Taxation.

Motion carried.

Senate Bill No. 93 re-referred to Committee on Revenue and Taxation.

ADJOURNMENT.

At twelve o'clock and thirty-five minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Friday, July 21, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, July 21, 1933.

At nine o'clock and thirty minutes a m., the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—78

Quorum present

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crist, its further reading was dispensed with

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, July 20, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to which was referred Assembly Bill No. 41—An act to amend sections 737dd and 737jj of the Political Code, relating to the annual salary of judges of the superior court in and for the county of Orange and the county of San Bernardino;

Also: Assembly Bill No 356—An act to amend sections 3 110, 3 122, 3 140, 3 141 and 3 142 of the School Code, and to repeal section 3 112 thereof, all relating to the establishment, admission to, and discontinuance of, kindergartens;

Also: Assembly Bill No. 562—An act to amend section 3897 of and to add section 3774 to the Political Code, relating to the holding, leasing and sale of lands to which the State or any political subdivision or agency of the State holds title through sale and deed on account of delinquent taxes or assessments;

Also: Assembly Bill No. 689—An act to amend section 737f of the Political Code, relating to the superior judge in and for the county of Colusa;

Also: Assembly Bill No 856—An act making an appropriation to pay the claim of William Dyer against the State of California;

Also: Assembly Bill No. 880—An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities of the second and one-half class;

Also: Assembly Bill No 1006—An act to provide a five-day week for State employees during the present unemployment emergency, and declaring the urgency thereof;

Also: Assembly Bill No. 1007—An act to amend section 7 of an act entitled "An act authorizing the establishing of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts,

Which bills were vetoed by the Governor, and not sustained by the Assembly and the Senate has in accordance with the provisions of section 311 of the Political Code, presented the same to the Governor this twentieth day of July, 1933, at eleven o'clock and thirty minutes a m

PATTERSON, Chairman.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, July 20, 1933.

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 128—An act to amend section 737s of the Political Code, relating to salaries of the judges of the superior court, Los Angeles County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means

LEVEY, Chairman.

The above reported bill ordered referred to Committee on Ways and Means.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, July 20, 1933.

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1739—An act to amend section 3 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to the definition of certain terms used in said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CRIST, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crist asked for, and was granted, unanimous consent to take up Assembly Bill No. 1739 at this time, without reference to file, and that same be considered engrossed.

RESOLUTION.

The following resolution was offered:

By Mr. Crist:

Resolved, That the rule requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Assembly Bill No. 1739 be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Cassidy, Chatters, Cottrell, Crist, Cronin, Evans, Feigenbaum, Fisher, Greene, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—57.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1739.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND SEVEN HUNDRED THIRTY-NINE.

Assembly Bill No. 1739—An act to amend section 3 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to the definition of certain terms used in said act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "8".

AMENDMENT NUMBER TWO.

At the end of line 2 of the title of the printed bill, following the words "relating to", strike out "the defini", and all of line 3 of the title, and insert in lieu thereof the following "and defining employees excluding from the provisions of the act persons receiving sustenance from religious, charitable or relief organizations; and also to add a new section, to be numbered 12½ to said act, relating to the computation of the earnings of employees engaged on unemployment work relief programs."

AMENDMENT NUMBER THREE

On page 1 of the printed bill, strike out all of lines 1 to 25, both inclusive, and on page 2, strike out all of lines 1 to 21, both inclusive, and insert in lieu thereof the following:

"SECTION 1 Section 8 of the act cited in the title hereof is hereby amended to read as follows:

Sec 8. (a) The term "employee" as used in sections 6 to 31, inclusive, of this act shall be construed to mean. Every person in the service of an employer as defined by section 7 hereof under any appointment or contract of hire or apprenticeship, express or implied, oral or written, including aliens, and also including minors, whether lawfully or unlawfully employed, and all elected and appointed paid public officers, and all officers and members of boards of directors of quasi public or private corporations while rendering actual service for such corporations for pay, but excluding any person whose employment is both casual and not in the course of the trade, business, profession or occupation of his employer, and also excluding any employee engaged in household domestic service, farm, dairy, agricultural, viticultural or horticultural labor, in stock or poultry raising and also excluding any person engaged in vending, selling, offering for sale, or delivering directly to the public, any newspaper, magazine or periodical where the title to such newspaper, magazine or periodical has passed to the person so engaged, and also excluding any person or persons who perform services in return for aid or sustenance only, received from any religious, charitable or relief organization, and any person holding an appointment as deputy clerk, deputy sheriff or deputy constable appointed for the convenience of such appointee, who receives no compensation from the county or municipal corporation or from the citizens thereof for services as such deputy; provided, that such last exclusion shall not deprive any person so deputized from recourse against any private person employing him for injury occurring in the course of and arising out of such employment. Nothing herein contained shall be deemed to alter, amend or repeal the provisions of Chapter 834, Statutes of 1927.

(b) Any person rendering service for another, other than as an independent contractor, or as expressly excluded herein, is presumed to be an employee within the meaning of this act. The term "independent contractor" shall be taken to mean for the purposes of this act: Any person who renders service, other than manual labor, for a specified recompense for a specified result, under the control of his principal as to the result of his work only and not as to the means by which such result is accomplished A working member of a partnership receiving wages irrespective of profits from such partnership shall be deemed an employee within the meaning of this section.

(c) The term "casual" as used in this section shall be taken to refer only to employments where the work contemplated is to be completed in not exceeding ten working days, without regard to the number of men employed, and where the total labor cost of such work is less than one hundred dollars. The phrase "course of the trade, business, profession or occupation of his employer" shall be taken to include all services tending toward the preservation, maintenance or operation of the business, business premises or business property of the employer. The words "trade, business, profession or occupation of his employer" shall be taken to include any undertaking actually engaged in by him with some degree of regularity, the trade name, articles of incorporation or principal business of the employer to the contrary notwithstanding.

(d) Watchmen for nonindustrial establishments, paid by subscription by several persons shall not be held to be employees within the meaning of this act. In other cases where watchmen, paid by subscription by several persons, have at the time of the injury sustained by them taken out and maintained in full force and effect insurance upon themselves as self-employing persons conferring benefits equal to those conferred by this act, the employer shall not be liable under this act.

(e) It shall not be a defense to the State, or any political subdivision or institution thereof, or public or quasi public corporation, that a person injured while ren-

dering service for it was not lawfully employed by reason of the violation of any civil service or other law, rule, or regulation respecting the hiring of employees.

(f) Workmen associating themselves under a partnership agreement, the principal purpose of which is the performance of the labor on a particular piece of work, shall be deemed employees of the person having such work executed, and, in the event the average weekly earnings are not otherwise ascertainable, shall be deemed to be employed at an average weekly wage of twelve dollars; provided, however, that if such workmen shall have taken out and maintained in full force and effect insurance, in an insurance carrier as defined in this act, insuring to themselves and all persons employed by them benefits identical with those conferred by this act, the person for whom such work is to be done shall not be liable as an employer under this act.

(g) Each male member registered as an active fire fighting member of any regularly organized volunteer fire department, having official recognition, and full or partial support of the government of the city, town, or district, in which such volunteer fire department is located, shall be held and deemed to be an employee of such city, city and county, town or district for the purposes of this act, and shall be entitled to receive compensation from such city, town or district in accordance with the provisions thereof.

If he suffer injury or death while in the performance of his duty as fireman, then, irrespective of his renumeration from this and/or other employment, his average weekly earnings shall be taken for the purpose of computing such compensation as the sum of thirty-eight dollars and forty-six cents, and three times his average annual earnings referred to in section 9 (c) hereof shall be taken as the sum of five thousand, nine hundred ninety-nine dollars and seventy-six cents; provided, however, that the death benefit referred to in said section 9 (c), when added to the disability indemnity which at the time of his death has accrued and become payable, shall not exceed the sum of five thousand dollars, except as in said section otherwise provided".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, insert the following

"SEC. 2. A new section is hereby added to the act cited in the title hereof, to be numbered 12½ and to read as follows:

"Sec. 12½ Where any employee is injured while engaged on any unemployment work relief program conducted by the State or a political subdivision or any State or governmental agency, the disability payments due under this act shall be determined solely on the monthly earnings or anticipated earnings of such person from such program, such payments to be within the minimum and maximum limits set forth in section 12 (a) of this act."

Amendments adopted

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND SEVEN HUNDRED THIRTY-NINE.

Assembly Bill No. 1739—An act to amend section 3 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to the definition of certain terms used in said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1739 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Cassidy, Chatters, Cottrell, Crist, Cronin, Evans, Feigenbaum, Fisher, Greene, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr Speaker—57.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

ON REVENUE AND TAXATION

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 93—An act to provide for the redemption, without payment of penalties or costs, of real property sold to the State for delinquent taxes prior to

January 1, 1933—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

RILEY, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Riley asked for, and was granted, unanimous consent to take up Senate Bill No. 93, at this time, without reference to file, and that same be considered engrossed.

SECOND READING OF SENATE BILL NUMBER NINETY-THREE.

Senate Bill No. 93—An act to provide for the redemption, without payment of penalties or costs, of real property sold to the State for delinquent taxes prior to January 1, 1933.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and in lieu thereof insert the following:

"An act to add four new sections to the Political Code, to be numbered 3817b, 3817c, 3817d and 3817e, relating to the temporary remission of penalties on delinquent taxes, payment of delinquent taxes in installments, the redemption and sale of property sold to the State for delinquent taxes, authorizing actions to quiet title against the State, declaring the urgency of this act and providing that it shall take effect immediately."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, and strike out all of page 2, and insert in lieu thereof the following:

"3817b The word "taxes," wherever used in this section, includes all taxes and assessments and annual installments of assessments charged on the tax roll.

In all cases where real estate has been sold to the State on or before September 6, 1933, for delinquent taxes, and the State has not disposed of the same, the person whose estate has been sold, his heirs, executors, administrators or other successors in interest shall, at any time on or before the twentieth day of April, 1934, have the right to redeem such property by paying to the county treasurer of the county wherein the real estate may be situated, the amount of taxes due thereon at the time of such sale, and also all taxes that were a lien upon said real property at the time said taxes became delinquent, and also all unpaid taxes of every description assessed against the property together with all taxes that are a lien against the property, for each year since the sale, as shown on the delinquent assessment rolls in the then permanent custody of the county auditor, or, if not so assessed, then upon the value of the property as assessed in the year nearest the time of such redemption, with interest on the whole amount of such taxes at the rate of seven per cent per annum computed from the first day of July, 1932, to the time of such redemption, except that interest upon taxes, assessed or unassessed, for the fiscal year 1932–1933, shall be computed from July 1, 1933, to the time of such redemption.

The provisions of this section shall be deemed to allow the redemption of such real estate, on or before the twentieth day of April, 1934, free from the payment of any costs, interest (other than the interest hereinbefore in this section provided), penalties for delinquency, or redemption penalties, which may have accrued against said real estate on or before April 20, 1934 The provisions of this section shall have no application to the amount or rate of penalties for delinquency or upon redemption, for taxes of the fiscal year 1933–1934

Except as otherwise in section 3817c and this section provided, such redemption shall be made in the manner prescribed in section 3817 of this code.

SEC 2. A new section is hereby added to the Political Code, to be numbered 3817c and to read as follows:

3817c The word "taxes", wherever used in this section, includes all taxes and assessments and annual installments of assessments charged on the tax roll.

In all cases where real estate has been sold to the State on or before September 6, 1933, for delinquent taxes, and the State has not disposed of the same, the person whose estate has been sold, his executors, administrators, or other successors in interest shall on or before April 20, 1934, have the right to elect to pay such delinquent taxes in installments as hereinafter provided and by the payment of each of such installments, together with current State and county taxes, to extend the period of redemption of such real estate and to postpone the date of sale of such property at auction, as provided in section 3771a of this code, and time of making a deed of such property to the State, as provided in section 3785, and in the event such property has been deeded to the State, postpone the resale of such real estate by the State as provided in section 3897 of this code.

Upon payment to the county treasurer on or before April 20, 1934, of ten per cent, or more, of an amount equal to the total of unpaid taxes computed as prescribed in section 3817b of this code, plus interest on the whole of said amount at the rate of seven per cent per annum from July, 1932, to date of such payment. (except that interest upon taxes for the fiscal year 1932–1933 shall be computed from July 1, 1933), and by the further payment on or before April 20, 1934, of all State and county taxes levied and assessed for the fiscal year 1933–1934, together with penalties and costs due thereon, the right of redemption in installments hereunder shall be extended to and including April 20, 1935, during which time no sale at auction of such property shall be made as provided in section 3771a of this code, and no deed to the State shall be made as provided in section 3785 and no resale by the State shall be made in accordance with the provisions of section 3897 of this code. Upon payment to the county treasurer, on or before April 20, in each of the years of 1935 to 1943, inclusive, or until said amount has been paid, of ten per cent or more of said total amount together with interest, at the same rate from the date of the preceding payment, on that part of said total amount remaining unpaid after such preceding payment, and upon payment on or before April twentieth in each of the years of 1935 to 1943, inclusive, of State and county taxes for each of said years, with penalties and costs thereon, the right of redemption shall be extended, the time of sale at auction to the public and of deed to the State shall be postponed and resale by the State shall be suspended, for successive periods of one year. In the event of failure to make any of the payments herein specified to be made, on or before the dates herein set forth, the right to pay such delinquent taxes in installments shall cease and terminate and such property shall thereupon be subject to sale at auction or may be deeded to the State or resold by the State, in the same manner as though no election to pay delinquent taxes in installments had been made.

No such payment, nor all of them, shall be deemed a redemption of real estate nor affect the right, title or interest of the State thereto, but shall be deemed and considered as compensation for the use and occupancy of said real estate; provided that if each installment of delinquent taxes and interest be paid on or before the respective dates specified in this section, and if redemption of such property shall be made, on or before the twentieth day of April, 1938, in the manner hereinafter in this section provided, the amounts previously paid under the authority of this section shall be credited on the amount to be paid for such redemption.

The amount to be paid on or before the twentieth day of April, 1938, to effect redemption of such property under this section shall be the sum of the following amounts:

(a) Unpaid taxes computed as prescribed in section 3817b of this code, with interest thereon equal to the amount of interest included in all installment payments previously made, as authorized by this section, and, in addition, interest equal to the amount of interest due at the time of such redemption on the remainder, if any, of the amount payable in installments, as authorized by this section;

(b) Unpaid taxes for the fiscal years following the year ending June 30, 1933, with redemption penalties thereon computed in accordance with section 3817 of this code.

Except as in this section otherwise provided, such redemption shall be made in the manner prescribed in section 3817 of this code.

All interest received by the county treasurer pursuant to the provisions of this and the preceding section shall be distributed in the same manner as redemption penalties in accordance with section 3816 of this code.

SEC. 3. A new section is hereby added to the Political Code, to be numbered 3817d and to read as follows:

3817d. Notwithstanding the provisions of sections 3764 and 3771a of this code no sale at auction to the public shall be made of unredeemed property in the years of 1933 or 1934, but at the day and hour fixed for the sale in accordance with subdivision two of section 3764 of this code, all property otherwise subject to sale to the public shall be deeded to the State as provided in section 3785 of this code. No sale of any property shall be made in accordance with the provisions of section 3897 of this code after the effective date of this act and prior to the first day of January, 1935.

SEC. 4. A new section is hereby added to the Political Code, to be numbered 3817e and to read as follows:

3817e In any case where real estate is redeemed after it has been sold to the State for delinquent taxes or where real property deeded to the State for delinquent taxes has been purchased from the State, any person who has redeemed the same or purchased the same from the State and any other person claiming any interest in such real property through such person is hereby authorized to bring suit against the said State to quiet title to said real property or any portion thereof and to prosecute the same to final judgment.

SEC. 5. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed this act irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SEC. 6 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution and shall take effect immediately.

The facts constituting the urgency are as follows:

Due to the widespread depression, many taxpayers have been unable to pay their taxes, or to redeem their property from sale to the State for delinquency. By permitting redemption in installments and with minimized penalties, many taxpayers will be enabled to redeem their property, restore the same to the tax rolls and thereby add revenue for the operation and maintenance of local government.

Amendments adopted.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Riley:

Resolved, That Senate Bill No 93 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Latham, Levey, Lyon, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Rogers, Roland, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No 93.

SECOND READING OF SENATE BILL NUMBER NINETY-THREE.

Senate Bill No. 93—An act to provide for the redemption, without payment of penalties or costs, of real property sold to the State for delinquent taxes prior to January 1, 1933.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Latham, Levey, Lyon, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Rogers, Roland, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—None.

THIRD READING OF SENATE BILL NUMBER NINETY-THREE

Senate Bill No. 93—An act to provide for the redemption, without payment of penalties or costs, of real property sold to the State for delinquent taxes prior to January 1, 1933.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 93 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, July 19, 1933

To the Honorable Members of the Assembly of the State of California.

I am enclosing herewith a copy of a telegram received by me today from the Honorable James Hervey Johnson, assessor of San Diego County, the substance of which I deem appropriate for consideration by the members of the present Legislature.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

(COPY.)

SAN DIEGO, CALIFORNIA, July 18, 1933.

Governor Rolph, Sacramento, California.

Several hundred thousand parcels of property will be sold for delinquent taxes in August at final sale with no redemption permitted. Thousands will lose their property because of the economic situation through no fault of their own. All this property dumped on the market for price of taxes only will demoralize real estate market, reduce values of mortgage securities, and retard recovery. Please assist in preparation and passage of a bill extending time for final five-year public auction sale for delinquent until June, 1937.

JAMES HERVEY JOHNSON, San Diego County Assessor.

SENATE MESSAGES.

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO, July 20, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to sustain the Governor's veto on Assembly Bill No. 2401—An act to provide for the postponement of the collection of assessments levied to pay principal or interest due on bonds issued under the authority of the Acquisition and Improvement Act of 1925 during the existence of an economic emergency.

J. A. BEEK, Secretary of Senate.

Assembly Bill No. 2401 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 20, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1215—An act to amend section 13.16 of the "Building and Loan Association Act," relating to the powers and duties of the Building and Loan Commissioner, declaring the urgency thereof, and to provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 1215 read first time, and referred to Committee on Building and Loan Associations.

Also:

SENATE CHAMBER, SACRAMENTO, July 20, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1213—An act to amend section 1 of "An act to

authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No 1213 read first time, and referred to Committee on Banking.

Also:

SENATE CHAMBER, SACRAMENTO, July 20, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1212—An act to amend section 1 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933.

J. A. BEEK, Secretary of Senate
By ARTHUR J SCHILDER, Assistant Secretary.

Senate Bill No 1212 read first time, and referred to Committee on Banking.

Also:

SENATE CHAMBER, SACRAMENTO, July 20, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 160—An act to add a new section to the "California Vehicle Act" approved May 30, 1923, as amended, to be numbered section 159¼ providing for expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fund for or in connection with bonds issued for or the proceeds of which are used in connection with parks—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 160?

AMENDMENT NUMBER ONE

Strike out the title of the printed bill, and in lieu thereof insert the following:
"An act to amend section 159 of an act entitled the "California Vehicle Act," approved May 30, 1923, as amended, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding."

AMENDMENT NUMBER TWO.

Strike out pages 2 to 6, inclusive, of the printed bill, and insert in lieu thereof the following:

"SECTION 1. Section 159 of the California Vehicle Act, as amended, is hereby amended to read as follows:

Sec. 159. (a) There is hereby created in the State treasury a fund which shall be known as the "motor vehicle fund." The State Treasurer shall deposit all money received by him from the division or otherwise under the provisions of this act into the motor vehicle fund.

(b) There is hereby appropriated out of such fund all moneys received as transfer fees, operators' and chauffeurs' license fees, and duplicate operators' and chauffeurs' license fees and in addition thereto such portion of the remainder of such motor vehicle fund not exceeding in any registration year thirty-five per cent thereof as may be necessary for the maintenance of the Division of Motor Vehicles to be expended by the division in carrying out the provisions of this act; and the Division of Motor Vehicles is hereby authorized out of said funds to purchase real estate and erect such buildings as it may require, subject to the approval of the Department of Finance. There shall be deducted from the sums which the division is allowed to expend hereunder such amount as may be allowed to said division in each calendar year under budget appropriation by the State Legislature. The division may draw, without at the time furnishing vouchers and itemized statements, sums not to exceed in the aggregate one hundred thousand dollars, said sums so drawn to be used as a revolving fund where cash advances are necessary. At the close of each fiscal year the moneys so drawn must be accounted for and substantiated by vouchers and itemized statements submitted to and audited by the Department of Finance and by the Controller. The balance of said fund, after the expenditure of so much as may be permitted by this act for the support of the Division of Motor

Vehicles, shall be known as the "net receipts" and shall be devoted to the purposes and in the manner herein specified.

(c) One-half of such "net receipts" is hereby appropriated and shall be paid from the motor vehicle fund to the counties of this State in proportion to the number of vehicles registered in such counties as determined by the places of residence of the owners to whom the registration certificates are issued. All amounts paid under this section to the counties shall be deposited in the road funds of the several counties receiving the same and shall be expended by such counties exclusively in the construction, maintenance, improvement or repair of streets, roads, highways, bridges or culverts therein, provided, that the board of supervisors of any county may in its discretion expend any portion of such sums so received by such county in the construction, maintenance, improvement or repair of streets, roads, highways, bridges or culverts within those incorporated cities therein the legislative bodies of which by ordinance or resolution authorize such work of construction, maintenance, improvement or repair. The board of supervisors of any county, or city and county, may also in its discretion expend any portion of such sums so received by such county, or city and county, for the payment of any portion of the principal or interest of, or for the redemption or purchase at a discount of, or for transfer to the interest and sinking fund for the discharge and payment of bonds, the proceeds of which have been used for the acquisition of rights of way for the opening, widening or extending, or the construction, maintenance, improvement or repair of streets, bridges, roads, highways or culverts within such county, city and county, or city, whether said bonds are those of the county, city and county, or any incorporated city therein, or of a special assessment district within such county, city and county, or city, for the payment of which special assessments (levied wholly or partly in accordance with the assessed value of lands) have been or are to be levied, which bonds have been issued in payment of, or the proceeds of which have been used for any of the above purposes; provided, however, that the proceeds received from any and all bonds purchased under the provisions of this section shall be used exclusively for the purposes for which the funds derived under this act may be used. Before any such sums may be expended for the payment of any portion of the principal or interest of, or for the redemption, or purchase at a discount of, or for transfer to the interest and sinking fund for the discharge and payment of, bonds, the proceeds of which have been used for the acquisition of property or rights of way for the opening, widening or extending, or the construction, maintenance, improvement or repair of streets, bridges, roads, highways or culverts within such county, city and county, or city, the board of supervisors of any such county, or city and county shall, by a resolution adopted by a four-fifths vote of the members thereof, determine that the streets, bridges, roads, highways or culverts within such county, city and county, or city, for the acquisition of property or rights of way for which, or the construction, improvement or repair of which, as the case may be, said bonds were issued are of general county use. It is the intention of this provision that no such funds shall be expended for any of the purposes herein enumerated if the streets, bridges, roads, highways or culverts are of only local use. The board of supervisors of any county, or city and county, is hereby empowered to expend any portion of the amounts paid to the said county, or city and county and deposited in the special road improvement fund or other road fund thereof, as herein in this section directed, in and for the construction of public highways outside of its corporate limits; provided, however, that the construction thereof is authorized by ordinance or resolution of the board of supervisors of the county or city and county, in which said highway is to be constructed. Where such authorization is given by ordinance or resolution as herein provided, the board of supervisors of the county, or city and county desiring the said construction, may, through its own boards, officers or commissions expend the amounts herein authorized to be expended, or may, by resolution of its board of supervisors, transfer said amounts to the account of the Highway Commission of the State of California or to the account of the Secretary of Agriculture of the United States and may by said resolution specify and determine the route and type of construction of said highway, and the said amount thus transferred shall, if accepted by the said Highway Commission or said Secretary of Agriculture be expended for the purpose specified and determined in said resolution and not otherwise.

(d) The board of supervisors of each county in the State shall establish a road fund in the county treasury for the receipt of such funds received, as hereinbefore provided, and shall also make an annual report to the State Department of Public Works not later than three months after the close of the counties' fiscal year, upon forms to be provided by the State Department of Public Works, showing the amount of moneys received from the motor vehicle fund during the preceding fiscal year and the disposition of said moneys, specifying in such detail as may be required by said department the roads, bridges and culverts constructed or maintained out of said moneys and the sums applied to the several items of such construction or maintenance.

(e) The State Controller shall in the months of February and August of each year draw his warrants upon the motor vehicle fund in favor of the county treasurer of each county for the amount to which said county is entitled hereunder, except that

the State Controller shall not draw his warrant upon the motor vehicle fund in favor of the county treasurer of any county which has not established a road fund, as required hereunder, or which has failed, neglected or refused to file the report showing the amount of money heretofore received by such county from the motor vehicle fund and the disposition thereof, as hereinbefore required, until such county has established a road fund and shall make the reports herein required; provided, however, that in cases where the actual domicile, residence or place of abode of an owner, or part owner, of any motor vehicle, trailer or semitrailer is in a different county than the place which such owner has designated as his place of residence in his registration certificate, the county auditor of the county receiving such funds from the State as hereinabove provided may draw his warrant in favor of the county containing the actual domicile, residence, or place of abode of such owner, or part owner, in such sums as may properly be attributed to the latter county

(f) All moneys remaining in the motor vehicle fund after the expenditures hereinbefore in this section authorized, together with all sums that have been heretofore or that may be hereafter appropriated by the Legislature for the same purpose, shall be paid into the State highway maintenance fund and shall be expended under the direction of the State Department of Public Works for the maintenance, repair, widening, resurfacing and reconstruction of State roads and highways under the jurisdiction of said department and for the maintenance, repair, widening, resurfacing and reconstruction of roads and highways in State parks, subject to the approval of the official or officials charged by law with the management and control of such parks, such money to be so drawn from the motor vehicle fund for the purpose of such maintenance, repair, widening, resurfacing and reconstruction upon warrants executed by the State Controller upon demands made by the State Department of Public Works and allowed and audited by the Department of Finance."

The roll was called, and Senate amendments to Assembly Bill No. 160 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Evans, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Knowland, Latham, Lyon, Maloney, Martin, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—54.

NOES—None

Assembly Bill No. 160 ordered to enrollment.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, July 19, 1933.

MR SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 2208—An act to amend sections 3366 and 4041.14 and to repeal section 3384 of the Political Code, relating to the licensing of businesses by the counties—reports that it has met a like committee of the Senate, consisting of Senators Parkman, Stow and Hulse, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Assembly concur in the Senate amendments, and that the bill be further amended as follows

AMENDMENT NUMBER ONE.

In lines 1 and 2 of the title of the printed bill, as amended May 11, 1933, strike out "and to repeal section 3384".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, strike out lines 9 and 10, inclusive, and insert in lieu thereof the following: "for the purpose of revenue license hawkers, peddlers and itinerant vendors, that sell and deliver goods, wares or merchandise for purposes other than resale."

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended, strike out lines 42 to 45, inclusive, and insert in lieu thereof the following: "license hawkers, peddlers and itinerant vendors, that sell and deliver goods, wares or merchandise for purposes other than resale."

ANGLIM,
BOYLE,
PETERSON,
Assembly Committee on Free Conference.

HULSE,
STOW,
PARKMAN,
Senate Committee on Free Conference.

Mr. Peterson moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report of Committee on Free Conference adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Feigenbaum, Frazier, Greene, Hallner, Hatch, Hornblower, Hunt, Jones, Knowland, Latham, Maloney, Martin, Mayo, Meehan, Miller, James A, Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Rogers, Stream, Tournoux, Woolwine and Mr Speaker—47

NOES—Cassidy, Evans, Fisher, Hoffman, Lyon, McCarthy, Meeker, Miller, Eleanor; O'Donnell, Robinson, Samuel E, Roland, Stannard, Thorp, West, Williamson, Wright and Zion—17.

Assembly Bill No. 2208 ordered to enrollment.

SENATE MESSAGES

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 731—An act to amend section 3817 of the Political Code, relating to taxation;

Also: Senate Bill No. 1214—An act to amend sections 19 and 62 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, and to add thereto new sections to be numbered 21.1, 56.1 and 136.1, all relating to the business of banking;

Also: Senate Bill No 1107—An act to amend section 663 of the Political Code, relating to the State Board of Control.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 731 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 1214 read first time, and referred to Committee on Banking.

Senate Bill No. 1107 read first time, and referred to Committee on Governmental Efficiency and Economy.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Jones:

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for cooperation by the State of California and by the governmental units thereof with the United States government in a public works program under the provisions of the National Industrial Recovery Act, declaring the urgency thereof and making an appropriation therefor.

Referred to Committee on Introduction of Bills.

By Mr. Latham:

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act declaring Valley Boulevard in the cities of El Monte, San Gabriel, Alhambra, and in the county of Los Angeles, to be a State highway.

Referred to Committee on Introduction of Bills.

By Mr. Little:

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to the Political Code to be numbered 3714b, relating to appeals to the State Board of Equalization, declaring the urgency thereof and to provide that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr. Bliss:

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide revenue for the State of California, specifying the methods of computing and collecting the same, providing penalties for the violation of the provisions hereof, and providing that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr. Roland:

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend Chapters I and II of Part I of Division IV of the School Code, Chapters II and III of Part II of Division IV thereof, Article IV, Chapter II of Part IV of Division IV thereof, Article II of Chapter III of Part IV of Division IV thereof, sections 4.784, 4.785, 4.786, 6.383 and 6.384 thereof; to add a new Article IV to Chapter II of Part IV of Division IV thereof, a new Article Ia to Chapter III of Part IV of Division IV thereof and sections 3.611, 3.612, 4.705, 4.787 and 4.788 thereto; and to repeal Chapter VII of Part I of Division IV thereof, and Articles V and VII of Chapter II of Part IV of Division IV thereof, all relating to the public school system, declaring the urgency thereof, and providing that this act shall go into effect immediately.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide for cooperation by the State of California and by the governmental units thereof with the United States government in a public works program under the provisions of the National Industrial Recovery Act, declaring the urgency thereof and making an appropriation therefor.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act declaring Valley Boulevard in the cities of El Monte, San Gabriel, Alhambra, and in the county of Los Angeles, to be a State highway.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add a new section to the Political Code to be numbered 3714b, relating to appeals to the State Board of Equalization, declaring the urgency thereof and to provide that this act shall take effect immediately.

HALLNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide revenue for the State of California, specifying the methods of computing and collecting the same, providing penalties for the violation of the provisions hereof, and providing that this act shall take effect immediately.

HALLNER, Chairman.

Also:

MR. SPEAKER. Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend Chapters I and II of Part I of Division IV of the School Code, Chapters II and III of Part II of Division IV thereof, Article IV of Chapter II of Part IV of Division IV thereof, Article II of Chapter III of Part IV of Division IV thereof, sections 4.784, 4.785, 4.786, 6.383 and 6.384 thereof; to add a new Article IV to Chapter II of Part IV of Division IV thereof, a new Article Ia to Chapter III of Part IV of Division IV thereof and sections 3.611, 3.612, 4.705, 4.787 and 4.788 thereto; and to repeal Chapter VII of Part I of Division IV thereof, and Articles V and VII of Chapter II of Part IV of Division IV thereof, all relating to the public school system, declaring the urgency thereof, and providing that this act shall go into effect immediately

HALLNER, Chairman.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—64.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated

By Mr. Jones: Assembly Bill No 2438—An act to provide for cooperation by the State of California and by the governmental units thereof with the United States government in a public works program under the provisions of the National Industrial Recovery Act, declaring the urgency thereof and making an appropriation therefor.

Bill read first time, and referred to Committee on Rules.

By Mr. Latham: Assembly Bill No. 2439—An act declaring Valley Boulevard in the cities of El Monte, San Gabriel, Alhambra, and in the county of Los Angeles, to be a State highway.

Bill read first time, and referred to Committee on Rules

By Mr. Little: Assembly Bill No. 2440—An act to add a new section to the Political Code to be numbered 3714b, relating to appeals to the State Board of Equalization, declaring the urgency thereof and to provide that this act shall take effect immediately.

Bill read first time, and referred to Committee on Rules.

By Mr. Bliss: Assembly Bill No. 2441—An act to provide revenue for the State of California, specifying the methods of computing and collecting the same, providing penalties for the violation of the provisions hereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Rules

By Mr. Roland: Assembly Bill No 2442—An act to amend Chapters I and II of Part I of Division IV of the School Code, Chapters II and III of Part II of Division IV thereof, Article IV of Chapter II of Part IV of Division IV thereof, Article II of Chapter III of Part IV of Division IV thereof, sections 4.784, 4.785, 4.786, 6.383 and 6.384 thereof; to add a new Article IV to Chapter II of Part IV of Division IV thereof, a new Article Ia to Chapter III of Part IV of Division IV

thereof and sections 3.611, 3.612, 4.705, 4.787 and 4.788 thereto; and to repeal Chapter VII of Part I of Division IV thereof, and Articles V and VII of Chapter II of Part IV of Division IV thereof, all relating to the public school system, declaring the urgency thereof, and providing that this act shall go into effect immediately.

Bill read first time, and referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER. Your Committee on Ways and Means, to which was referred Assembly Bill No 2357—An act relating to and providing for flood control on San Dieguito River and for the prevention of floods and conserving of the waters of said river, making an appropriation therefor and declaring that this act shall take effect immediately;

Also: Assembly Bill No. 1990—An act to amend section 5 of an act entitled "An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately," approved April 6, 1933, relating to taxation of beverages, and to declare that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

COBB, Chairman.

REQUEST FOR UNANIMOUS CONSENT

Mr. Woolwine asked for unanimous consent to take up Assembly Bill No 1990, at this time, without reference to file, and that same be considered engrossed.

OBJECTION RAISED

Mr. Maloney objected to the unanimous consent.

The Speaker ordered Assembly Bill No. 1990 placed on file.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Stream asked for, and was granted, unanimous consent to take up Assembly Bill No 2357, at this time, without reference to file, and that same be considered engrossed.

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED FIFTY-SEVEN.

Assembly Bill No. 2357—An act relating to and providing for flood control on San Dieguito River and for the prevention of floods and conserving of the waters of said river, making an appropriation therefor and declaring that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out "eighty thousand dollars ($80,000)", and insert in lieu thereof the following: "sixty thousand dollars ($60,000)".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, strike out the period after the word "warrants", and insert in lieu thereof a semicolon and the following. "provided that the sum herein appropriated shall be available in three annual installments, namely twenty thousand ($20,000) dollars for the first year beginning the effective date of this act, twenty thousand ($20,000) dollars for the second year, and twenty thousand ($20,000) dollars for the third year. The Controller is hereby directed to refuse to

draw warrants in any one of the three years exceeding the total amount available for each installment."

Amendments adopted.

CASE OF URGENCY

The following resolution was offered.

By Mr. Stream:

Resolved, That Assembly Bill No. 2357 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—None

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2357.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED FIFTY-SEVEN.

Assembly Bill No. 2357—An act relating to and providing for flood control on San Dieguito River and for the prevention of floods and conserving of the waters of said river, making an appropriation therefor and declaring that this act shall take effect immediately

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2357 passed by the following vote.

AYES—Alter, Badham, Bliss, Bowers, Brock, Callahan, Cassidy, Cobb, Cottrell, Craig, Cronin, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stan-

nard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—54.

NOES—Hoffman and Kallam—2.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2345—An act to add a new section to the School Code to be numbered 4.57, relating to the support of junior colleges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED FORTY-FIVE.

Assembly Bill No. 2345—An act to add a new section to the School Code to be numbered 4.57, relating to the support of junior colleges.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill and insert in lieu thereof the following: "An act making an appropriation for the support of junior college districts."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 15, inclusive, and insert in lieu thereof the following.

"SECTION 1. In addition to any moneys appropriated for apportionment to junior college districts by Item No. 194, Chapter 278, Statutes of 1933, there is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, to the State junior college fund the sum of seven hundred fifty thousand dollars ($750,000), or so much thereof as may be necessary for apportionment to the junior college districts of this State, in the manner prescribed by the School Code during the eighty-fifth and eighty-sixth fiscal years."

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Zion asked for, and was granted, unanimous consent to take up Assembly Bill No. 2345, at this time, without reference to file, and that same be considered engrossed.

RESOLUTION.

The following resolution was offered:

By Mr. Zion:

Resolved, That the rule requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Assembly Bill No. 2345 be read the third time, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2345.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED FORTY-FIVE.

Assembly Bill No. 2345—An act to add a new section to the School Code to be numbered 4 57, relating to the support of junior colleges

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2345 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, McBride, McCarthy, Mecker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—64

NOES—Bliss, Feigenbaum and Hoffman—3.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED)

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No 2430—An act expressing the assent of the State of California to the provisions relating to emergency construction of public highways and related projects of Title II of the National Industrial Recovery Act, declaring the policy of the State of California in respect thereto and, for the purpose of effectuating such policy, making provisions concerning the powers of public officers and concerning highway construction contracts and labor thereon, making an appropriation therefor, providing for the suspension of inconsistent laws, and declaring the urgency thereof—and recommends that same be re-referred to the Committee on Ways and Means.

Committee membership—7; committee vote Ayes—7

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2430—An act expressing the assent of the State of California to the provisions relating to emergency construction of public highways and related projects of Title II of the National Industrial Recovery Act, declaring the policy of the State of California in respect thereto and, for the purpose of effectuating such policy, making provisions concerning the powers of public officers and concerning highway construction contracts and labor thereon, making an appropriation therefor, providing for the suspension of inconsistent laws, and declaring the urgency thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COBB, Chairman

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hoffman asked for, and was granted, unanimous consent to take up Assembly Bill No. 2430, at this time, without reference to file, and that same be considered engrossed

CASE OF URGENCY.

The following resolution was offered.

By Mr. Hoffman:

Resolved, That Assembly Bill No. 2430 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—62.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2430.

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED THIRTY.

Assembly Bill No. 2430—An act expressing the assent of the State of California to the provisions relating to emergency construction of public highways and related projects of Title II of the National Industrial Recovery Act, declaring the policy of the State of California in respect thereto and, for the purpose of effectuating such policy, making provisions concerning the powers of public officers and concerning highway construction contracts and labor thereon, making an appropriation therefor, providing for the suspension of inconsistent laws, and declaring the urgency thereof.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Gilmore, Greene, Hallner, Hoffman, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—56.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED THIRTY.

Assembly Bill No. 2430—An act expressing the assent of the State of California to the provisions relating to emergency construction of public highways and related projects of Title II of the National Industrial Recovery Act, declaring the policy of the State of California in respect thereto and, for the purpose of effectuating such policy, making provisions concerning the powers of public officers and concerning highway construction contracts and labor thereon, making an appropriation

therefor, providing for the suspension of inconsistent laws, and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2430 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Woolwine asked for, and was granted, unanimous consent to take up Assembly Bill No. 1990 at this time, without reference to file, for the purpose of adopting amendments.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE HUNDRED NINETY.

Assembly Bill No. 1990—An act to amend section 5 of an act entitled "An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately," approved April 6, 1933, relating to taxation of beverages, and to declare that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out the title of the printed bill, as amended, and in lieu thereof insert the following:

"An act to levy an excise tax on the manufacture, distribution and sale of certain liquors; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act, to make an appropriation for the enforcement of this act and to provide that this act shall take effect immediately."

AMENDMENT NUMBER TWO.

Strike out all the material following the enacting clause of the printed bill, as amended, and in lieu thereof insert the following:

"SECTION 1. As used in this act:

(a) "Liquor" means any liquid or solid, patented or not, containing one-half of one per cent or more of alcohol by volume, and which is fit for use for beverage purposes, either alone or when diluted, mixed or combined with any other substance, and shall include malt syrup.

(b) "Person" includes any individual, firm, copartnership, joint adventure, association, corporation, estate, trust, business trust, receiver, syndicate or any other group or combination acting as a unit.

(c) "Manufacturer" means every person who, within the State of California, produces, brews, ferments, distills, manufactures, rectifies or blends, or who dilutes, mixes or combines any substance with a liquor, or who in the case of a liquor produced, brewed, fermented, distilled, manufactured or blended outside of the State of California, is the first in possession thereof within the State after completion of the act of importation.

(d) "Wholesaler" means and includes every person other than a manufacturer engaged in business as a broker, jobber, or wholesale merchant dealing in liquor.

(e) "Sale" means and includes any sale, exchange, barter or other act whereby the title to a liquor is transferred for a consideration from a manufacturer, and the words "sell" or "sold" mean and include the act of making any such "sale".

(f) "Proof spirit" means that alcoholic liquor which contains one-half its volume of alcohol of a specific gravity of seven thousand nine hundred thirty-nine ten thousandths (.7939) at sixty degrees Fahrenheit.

(g) "Proof gallon" means a gallon of proof spirit.

(h) "Wine gallon" means the liquid measure containing two hundred thirty-one cubic inches.

(i) "Board" means the State Board of Equalization of the State of California.

SEC. 2. Every person who engages in business as, or becomes, a manufacturer or wholesaler, as herein defined, shall make an application to the board for a license to engage in such business or to become a manufacturer or wholesaler within the meaning of this act. When it is necessary for any manufacturer to purchase liquor for further manufacture, treatment or blending, he may apply, and any hospital may apply, to the board for a license to purchase liquor exempt from tax. Such applications shall be made on a form to be prescribed, prepared and furnished by the board. Each application for a manufacturer's license shall be accompanied by a fee of one hundred dollars; each application for a wholesaler's license shall be accompanied by a fee of fifty dollars; and each application for a license to purchase liquor exempt from tax shall be accompanied by a fee of ten dollars. If the application is made by a natural person it must be signed by him or if made by an association or partnership, by a member or partner thereof, or if made by a corporation, by an executive officer thereof or by some person authorized by the corporation to sign the application. All such applications must be made under oath by the person signing them. The license required under this act shall be in lieu of the license provided for in sections 2 and 3 of Chapter 178, Statutes of 1933, approved April 27, 1933. Any manufacturer who obtained the license provided for in said sections 2 and 3 of Chapter 178, Statutes of 1933, shall not, during the time which such license is valid be required to apply for and obtain a license under the provisions of this act.

Before granting any licenses authorizing any person to engage in business as a manufacturer the board must require such person to file with said board, in such form as shall be prescribed by said board, a bond duly executed by such person as principal and a corporation such as is mentioned in section 1056 of the Code of Civil Procedure in this State, as surety, payable to the people of the State of California, conditioned upon faithful performance of all of the requirements of this act and expressly providing for the payment of all excise taxes, penalties and other obligations of such person, arising out of this act.

The total amount of the bond or bonds required of any such manufacturer shall be fixed by the board and may be increased or reduced by said board at any time subject to the limitations herein provided. In fixing the total amount of the bond or bonds required of any such manufacturer, the board must require a bond or bonds equivalent in total amount to one and one-half times his estimated monthly excise tax determined in such manner as said board may deem proper; provided, that the total amount of the bond or bonds required of any such manufacturer shall never be less than five hundred dollars.

SEC. 3. Upon payment of the application fee prescribed by section 2 hereof and filing with the board a photostatic copy of a permit issued to the applicant under the laws of the United States of America, if such a permit be required under said laws, establishing the right of the applicant to engage in said business, the board shall issue to the applicant a license which shall not be assignable, shall be valid only for the person in whose name it is issued, and shall at all times be conspicuously displayed at the place or places of business for which it is issued.

SEC. 4. All licenses issued under the provisions of section 3 hereof shall expire on the thirty-first day of December next succeeding the date upon which they are issued. Licenses issued hereunder must be renewed annually upon application made to the board in such form as it may prescribe. Any such application for renewal must be accompanied by the fee prescribed by section 2 hereof, and by a photostatic copy of a valid and effective permit issued under the laws of the United States of America as required by section 3 hereof. Upon such application, payment of said fee and filing of said photostatic copy the board shall renew said license. Said application for renewal shall be filed not less than ten days nor more than sixty days before the first day of January of the year for which the license is to be issued.

SEC. 5. If any manufacturer fails to secure the license required by sections 2 and 3 of this act, the excise tax hereby imposed shall be immediately due and payable on account of all liquor sold by such manufacturer. The board shall proceed forthwith to determine as best it may the amount of such sales, and such manufacturer shall be estopped from complaining of the amount so determined. Said board shall immediately assess the excise tax hereby imposed on such sales, adding to such tax a penalty of one hundred per cent for failure to secure the license.

Said board shall file a certificate of such assessment with the State Controller who must proceed forthwith to collect the excise tax due from such manufacturer by seizure and sale of property in the manner prescribed in section 13 of this act with reference to delinquency of the payment of the monthly excise tax. At the request of the Controller, the Attorney General shall commence and prosecute to final determination an action to collect the license tax and penalty, or any part thereof, assessed against such manufatcurer. In any such suit the certificate of assessment made by the board, or a copy thereof certified by the Controller, shall be prima facie evidence that the manufacturer is indebted to the people of the State of California in the amount of such excise tax and penalties. It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken pursuant to this section shall relieve in any wise the manufacturer from the penal provisions of section 16 of this act.

SEC. 6. An excise tax is hereby imposed on all liquor sold by a manufacturer at the following rates:

(a) On all beer, lager beer, ale, porter, and other similar fermented liquor, ninety-three cents for every barrel containing not more than thirty-one gallons, and at a proportionate rate for any other quantity,

(b) On all wine, other vinous liquor and fruit juices containing not more than fourteen per cent of absolute alcohol by volume, three cents per wine gallon, and at a proportionate rate for any other quantity;

(c) On all wine, other vinous liquor and fruit juices containing more than fourteen per cent and not more than twenty-one per cent of absolute alcohol by volume, ten cents per wine gallon, and at a proportionate rate for any other quantity;

(d) On all wine, other vinous liquor and fruit juices containing more than twenty-one per cent and not more than twenty-four per cent of absolute alcohol by volume, twenty-five cents per wine gallon, and at a proportionate rate for any other quantity;

(e) On champagne or sparkling wine three cents per each one-half pint or fraction thereof;

(f) On artificially carbonated wine, one and one-half cents per each one-half pint or fraction thereof;

(g) On liqueurs, cordials, or similar compounds, containing sweet wine fortified with grape brandy, one and one-half cents per each one-half pint or fraction thereof;

(h) On malt syrup, ten cents per pound;

(i) On all other liquor (including wine, other vinous liquor and fruit juices containing more than twenty-four per cent of absolute alcohol by volume), one dollar per proof gallon, or wine gallon when below proof, and at a proportionate rate on all fractional parts of such proof or wine gallon.

Said excise tax shall be in lieu of the excise tax imposed by Chapter 51, Statutes of 1933, approved April 6, 1933, and in lieu of the excise tax imposed by section 5 of Chapter 178, Statutes of 1933, approved April 27, 1933.

On all liquors mentioned in subdivisions (e), (f), and (g) of this section, the rate of tax provided for in said subdivisions shall be in lieu of the rate of tax provided for in subdivisions (b), (c) and (d) of this section

It shall be presumed, for the purposes of this act, that all liquor produced, brewed, fermented, distilled, or manufactured in this State by a manufacturer, or delivered to a manufacturer here, has been sold by such manufacturer unless he shall establish to the satisfaction of the board that such liquor is still in the ownership and possession of such manufacturer, or, prior to the termination of such ownership and possession, has been lost through evaporation, leakage, spillage or destruction by the elements.

SEC. 7. Every manufacturer shall render to the board on or before the tenth day of each month a verified statement of the quantity of liquor sold by such manufacturer during the preceding calendar month. Such statement shall be in such form as the board may prescribe, together with such other information as the board may require.

If any manufacturer shall fail, neglect or refuse to file said report, within the time prescribed for filing such report, the board must note such failure, neglect or refusal upon the tax roll hereinafter described, and must estimate the amount of liquor sold by said manufacturer, assessing the excise tax thereon, adding to said excise tax a penalty of fifteen per cent thereof for failure, neglect or refusal to report, and said manufacturer shall be estopped from complaining of the amount of said estimate.

The board shall, on or before the twenty-second day of August, 1933, and on or before the twenty-second day of each calendar month thereafter, assess the excise tax due hereunder, and prepare and complete an assessment roll showing the amount of the excise tax assessed against each manufacturer and immediately deliver said assessment roll to the State Controller

Excise taxes herein required to be paid shall be payable in monthly installments to the State Controller for the month ending July 31, 1933, and for each and every calendar month thereafter, and if not paid prior thereto, shall become delinquent

at five o'clock in the afternoon of said day, and ten per cent penalty shall be added thereto for delinquency

The board may, at its option, provide by rule and regulation for the collection of said excise tax by the sale, affixing and cancellation of revenue stamps to be affixed to containers of liquor upon the sale thereof by a manufacturer, and may prescribe the form and method of such affixing and cancellation. All such statements shall constitute public records and shall be open to the inspection of the licensing boards referred to in Chapter 178, Statutes of 1933, and their duly authorized agents.

SEC. 8 The board may examine the books and records of any person required to make said statement, and may also examine the books and records of any wholesaler as herein defined, and such books and records shall at all times be subject to the inspection of said board or its representatives, during regular business hours The board may appoint, exempt from the provisions of the Civil Service Act, such auditors, investigators and other employees as it may deem necessary to enforce its powers and perform its duties hereunder.

If any examinations or investigations made by the board shall disclose that any reports of manufacturers theretofore filed with said board by said manufacturers pursuant to the requirements of this act, have shown incorrectly the amount of liquor sold or the excise tax accruing thereon, said board shall have the power, and is hereby authorized, to make such changes in subsequent assessments of said manufacturers under this act as it may deem necessary to correct the errors disclosed by its examination of the records of said manufacturers or its investigations in pursuance of its powers hereunder.

SEC. 9. Any person refusing to permit the board or any of its representatives to make the inspection for which provision is made in the preceding section or failing to keep books of account as may be prescribed by the board or failing to preserve such books for the inspection of the board for such time as the board may deem necessary, and any person altering, canceling or obliterating entries in such books of account for the purpose of falsifying the records of sales of liquor made under this act shall be guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not less than one month nor more than six months, or by both such fine and imprisonment

SEC. 10. The board on five days' notice and after a hearing duly held shall have power to revoke or suspend the license of any manufacturer or wholesaler who fails or neglects to comply with any of the provisions of this act.

SEC 11. Any manufacturer who buys any liquor and blends the same, or who dilutes, mixes or combines such liquor with any substance, may deduct from the tax required to be paid by him when such liquor is sold by him the amount of tax hereby imposed and actually paid to the State on account of the sale of the liquor bought by him and so blended, diluted, mixed, or combined.

There shall be exempt from the excise tax imposed by this act any liquor sold and delivered by a manufacturer to a manufacturer holding a valid license to purchase liquor exempt from tax if the liquor is used for further manufacture, treatment or blending There shall also be exempt from the excise tax imposed by this act alcohol sold to hospitals holding a valid license to purchase liquor exempt from tax if the alcohol and any compound or preparation of which the alcohol becomes a part is used on the hospital premises for nonbeverage purposes.

In order to obtain the exemption granted under this section, the manufacturer selling liquor must present to the board at the time of filing his monthly report required under section 7, a verified statement, in a form to be presented by the board, obtained from the purchaser showing the date, kind and quantity of liquor sold and delivered to the purchaser, the purpose for which the liquor is to be used, that the purchaser holds a license to purchase liquor exempt from tax, the number of such license, and such other information as the board may require. A copy of this statement must at all times be kept on file at the place of business of the manufacturer desiring to obtain the exemption herein granted

If any person obtains liquor exempt from tax, and uses the liquor for any purpose other than the purpose for which obtained, there shall immediately be due and payable from such person a tax on the liquor so used at one and one-half times the rates specified in section 6 of this act. The tax imposed by this paragraph shall be collected in the same manner as the tax imposed under said section 6.

SEC 12 None of the provisions of this act shall apply, or be construed to apply, to commerce with foreign Nations or commerce with the several States, except in so far as the same may be permitted under the provisions of the Constitution and laws of the United States, nor shall the excise tax imposed by section 6 of this act apply to liquor sold and actually exported from this State, but every manufacturer shall be required to report such exports to the board in such detail as the board may require, otherwise the exemption herein granted shall be null and void and such liquor shall be considered sold in this State subject fully to the provisions of this act.

In support of any exemption from excise taxes claimed under this section on account of the exportation of liquor every manufacturer must execute an export

certificate in such form as shall be prescribed, prepared and furnished by the board containing a sworn statement made by some person having knowledge of the fact of such exportation that the liquor has been exported from this State, and giving such detail with reference to shipment as said board may require All exportation certificates must be completed and on file in the office of the board within thirty days after the close of the calendar month in which the shipments were made and no certificate not completed and filed within such period shall be recognized for any purpose by the State or any agency thereof. The board may demand of any manufacturer such additional data as are deemed necessary by said board in support of any such certificate and failure to supply such data will constitute a waiver of all right to exemption claimed by virtue of said certificate

SEC 13 The excise tax required to be paid by this act shall constitute a lien upon, and shall have the effect of, an execution duly levied against, any and all property of the manufacturer attaching at the time of the sale subject to said excise tax, and remaining until the excise tax is paid or the property sold in payment thereof. The lien created by the provisions of this act shall be paramount to all private liens or encumbrances whatever.

In the event that any manufacturer is delinquent in the payment of the excise tax herein provided for, the Controller shall notify the board forthwith and may give notice of the amount of such delinquency by registered mail to all persons having in their possession, or under their control, any credits or other personal property belonging to such manufacturer, or owing any debts to such manufacturer, at the time of receipt by them of such notice, and thereafter any person so notified shall neither transfer nor make other disposition of such credits, other personal property or debts until the Controller shall have consented to a transfer or disposition, or until twenty days shall have elapsed from and after the receipt of such notice. All persons so notified must, within five days after receipt of such notice, advise the Controller of any and all such credits, other personal property or debts, in their possession under their control or owing by them, as the case may be

Whenever any manufacturer shall be delinquent in the payment of the excise tax herein provided for, the Controller or his duly authorized representative shall proceed forthwith to collect the excise tax due from such manufacturer in the following manner: the Controller shall seize any property, real or personal, subject to the lien of said excise tax, and thereafter sell at public auction such property so seized, or a sufficient portion thereof, to pay the excise tax due hereunder, together with any penalty or penalties imposed hereby for such delinquency, and any and all costs that may have been incurred on account of such seizure and sale. Notice of such intended sale and the time and place thereof, shall be given to such delinquent manufacturer and to all persons appearing of record to have an interest in such property, in writing at least ten days before the date set for such sale by enclosing such notice in an envelope addressed to said manufacturer at his last known residence or place of business in this State if any, and, in the case of any person appearing of record to have an interest in such property, addressed to such person at the last known place of residence, if any, and depositing the same in the United States mail, postage prepaid, and by publication for at least ten days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold: provided, however, that if there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county for said ten-day period The said notice shall contain a description of the property to be sold, together with a statement of the amount of the excise taxes, penalties and costs, the name of the manufacturer and the further statement that, unless such excise taxes, penalties and costs are paid on or before the time fixed in said notice for such sale, said property, or so much thereof as may be necessary, will be sold in accordance with law and said notice.

At any such sale, the property shall be sold by the Controller or by his duly authorized agent in accordance with law and said notice, and the Controller shall deliver to the purchaser a bill of sale for the personal property, and a deed for any real property so sold, and such bill of sale or deed shall vest title in the purchaser. The unsold portion of any property so seized may be left at the place of sale at the risk of the manufacturer If, upon any such sale, the moneys so received shall exceed the amount of all license taxes, penalties and costs due the State from such manufacturer, any such excess shall be returned to the manufacturer, and his receipt therefor obtained: provided, however, that if any person having an interest in or lien upon the property has filed with the Controller prior to any such sale notice of such interest or lien said Controller shall withhold any such excess pending a determination of the rights of the respective parties thereto by a court of competent jurisdiction If, for any reason, the receipt of such manufacturer shall not be available, the Controller shall deposit such excess moneys with the State Treasurer, as trustee for such owner, subject to the order of such manufacturer, his heirs, successors or assigns.

The Controller must also immediately transmit notice of such delinquency to the Attorney General who shall at once proceed to collect all sums due to the State from any such manufacturer hereunder by bringing suit against the necessary

parties to effect forfeiture of the bond or bonds of the manufacturer, reducing any deficiency to judgment against the manufacturer.

It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken by the board, Controller or Attorney General shall be or be construed to be an election on the part of the State or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act.

In any suit brought to enforce the rights of the State hereunder the assessment roll prepared by the board pursuant to section 7 of this act, or a copy of so much thereof as is applicable in such suit, duly certified by the Controller showing unpaid excise taxes assessed against any manufacturer, shall be prima facie evidence of the assessment of the excise tax, the delinquency thereof, the amount of the excise tax, penalties and costs due and unpaid to the State, that the manufacturer is indebted to the people of the State of California in the amount of such excise tax and penalties therein appearing unpaid and that all the forms of law in relation to the assessment and levy of such excise tax have been fully complied with by all persons required to perform administrative duties under this act.

SEC. 14. No injunction or writ of mandate or other legal or equitable process shall ever issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin the collection under this act of any excise tax sought to be collected by the Controller; but after payment of any such excise tax under protest duly verified and setting forth the grounds of objection to the legality of such excise tax, the manufacturer paying such excise tax may bring an action against the State Treasurer in the superior court of the county of Sacramento for the recovery of the excise tax so paid under protest. No such action may be instituted more than sixty days after the last day prescribed for the payment of such excise tax without penalty, and failure to bring suit within said sixty days shall constitute waiver of any and all demands against this State on account of alleged overpayment of excise taxes hereunder. No grounds of illegality of the excise tax shall be considered by the court other than those set forth in the protest filed at the time of the payment of the excise tax

If in any such action judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any excise taxes due from the plaintiff under this act, and the balance of the judgment shall be refunded to the plaintiff In any such judgment, interest shall be allowed at the rate of six per cent per annum upon the amount of excise tax found to have been illegally collected from the date of payment of such excise tax to the date of allowance of credit on account of such judgment or to a date preceding the date of the refund warrant by not more than thirty days, such date to be determined by the Controller.

In no case shall any judgment be rendered in favor of the plaintiff in any action brought against the State Treasurer to recover any excise tax paid hereunder, when such action is brought by or in the name of an assignee of the manufacturer paying said excise tax, or by any person, other than the person that has paid such excise tax

SEC. 15 All moneys collected by the board or by the Controller under the provisions of this act shall be deposited in the State treasury to the credit of the "liquor tax fund" which fund is hereby created. All sums collected by the board from the issuances of licenses under this act and so deposited together with the sum of one hundred thousand dollars, or so much thereof as may be necessary, are hereby appropriated from the "liquor tax fund" to be used by the board to pay expenses incurred by the board in enforcing and carrying out the provisions of this act. After allowing refunds for which provision is made in section 14 hereof, the balance of the amounts so deposited shall be transferred by the Controller to the general fund of this State.

SEC. 16 Any person who sells liquor as a manufacturer, as said terms are herein defined, without having first obtained a license therefor, or who violates any of the provisions of this act, or who fails, neglects or refuses to file any report required to be filed by this act within ten days after the report is required to be filed, or who unlawfully makes any false statement, or conceals any material fact in any record, report, affidavit or claim provided for herein, shall be guilty of a misdemeanor, unless such act is by any other law of this State declared to be a felony, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars, nor more than one thousand dollars, or by imprisonment in the county jail not less than one month, nor more than six months, or by both such fine and imprisonment.

SEC. 17. The board shall administer all of the provisions of this act and to that end shall prescribe all necessary rules and regulations to carry out such provisions The board shall have the power to require any report from manufacturers, wholesalers and transportation companies, and to make any examinations of the books and records of manufacturers and wholesalers as it may deem necessary to perform its duties under this act, and for the performance of its duties shall have all the powers conferred upon it by section 3692 of the Political Code.

The members of the board and the investigators and auditors employed by the board shall have the power to administer and certify oaths, and shall have all the powers of peace officers in administering the provisions of this act.

SEC. 18. If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held

to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional

SEC. 19. This act, inasmuch as it provides for tax levies for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 544—An act to amend section 423 of Fish and Game Code, relating to hunting and sporting fishing licenses—and recommends that same be re-referred to Committee on Fish and Game.

Committee membership—7; committee vote: Ayes—7.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Fish and Game.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 544—An act to amend section 423 of Fish and Game Code, relating to hunting and fishing licenses—has had the same under consideration, and respectfully reports the same back, and recommends that same do pass as amended.

ZION, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 544, at this time, without reference to file, and that same be considered engrossed.

RESOLUTION.

The following resolution was offered:

By Mr. Hornblower:

Resolved, That the rule requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Assembly Bill No. 544 be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Mr. Speaker—71.

NOES—None

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 544.

CONSIDERATION OF ASSEMBLY BILL NUMBER FIVE HUNDRED FORTY-FOUR.

Assembly Bill No. 544—An act to amend sections 430 and 431 of the Fish and Game Code, and to add thereto section 428.5, relating to hunting and sporting fishing licenses.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out title of the printed bill, and insert in lieu thereof the following:

"An act to amend section 423 of the Fish and Game Code, relating to hunting and sporting fishing licenses."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and insert in lieu thereof the following.

"SECTION 1. Section 423 of the Fish and Game Code is hereby amended to read as follows:

425. The commission shall prepare suitable licenses of the following classes: Class A, "hunting license"; Class B, "sporting fishing license." Said licenses shall be furnished to the county clerk for their own disposition by the commission, which shall take receipt therefor by numbers and quantity from the several county clerks, and the county clerks shall be responsible therefor. The county clerks must account for the same to the commission on the first day of each month. The county clerks shall deposit all moneys collected for sporting fishing and hunting licenses in the county treasury to the credit of the "fish and game license fund" which fund shall be established in each county treasury in the State. All moneys in said fund shall be remitted to the commission by the county clerk on the first day of each month on warrants to be drawn by the county auditor."

Amendments adopted.

THIRD READING OF ASSEMBLY BILL NUMBER FIVE HUNDRED FORTY-FOUR.

Assembly Bill No. 544—An act to amend section 430 and 431 of the Fish and Game Code, and to add thereto section 428.5, relating to hunting and sporting fishing licenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 544 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

EXPLANATION OF VOTE.

SACRAMENTO, CALIFORNIA, July 21, 1933.

MR. SPEAKER: I observe that my vote on Senate Bill No. 440 is recorded incorrectly in the Assembly Journal of July 20th, page 13. This is the "school institutes" bill on which Mr. Robinson put a call of the House. I voted "aye" on the question of whether this bill should become a law and wish to be so recorded.

JOHN PHILLIPS.

RECESS.

At twelve o'clock and five minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk McIntire reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSEMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 2306—An act to amend section 4 377 of the School Code, relating to school district tax rates, declaring the urgency thereof, and providing that this act shall take effect immediately—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, July 20, 1933

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 2433—An act to amend section 737a of the Political Code, relating to the salary of each of the judges of the superior court in and for the county of Alameda—and recommends that the same be re-referred to the Committee on Ways and Means

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 128—An act to amend section 737s of the Political Code, relating to salaries of the judges of the superior court, Los Angeles County—and recommends that same be re-referred to the Committee on Ways and Means.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 128—An act to amend section 737s of the Political Code, relating to salaries of the judges of the superior court, Los Angeles County;

Also: Assembly Bill No. 2433—An act to amend section 737a of the Political Code, relating to the salary of each of the judges of the superior court in and for the county of Alameda;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COBB, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cassidy asked for, and was granted, unanimous consent to take up Assembly Bill No. 2433, at this time, without reference to file, and that same be considered engrossed.

RESOLUTION.

The following resolution was offered:

By Mr. Cassidy:

Resolved, That the rule requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Assembly Bill No. 2433 be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Greene, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—56.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2433.

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED THIRTY-THREE.

Assembly Bill No. 2433—An act to amend section 737a of the Political Code, relating to the salary of each of the judges of the superior court in and for the county of Alameda.

Bill read second time.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED THIRTY-THREE.

Assembly Bill No. 2433—An act to amend section 737a of the Political Code, relating to the salary of each of the judges of the superior court in and for the county of Alameda.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2433 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Greene, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Woolwine asked for, and was granted, unanimous consent to take up Assembly Bill No. 128, at this time, without reference to file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED TWENTY-EIGHT.

Assembly Bill No. 128—An act to amend section 737s of the Political Code, relating to salaries of the judges of the superior court, Los Angeles County.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out "eight", and insert in lieu thereof the following: "nine".

Amendment adopted.

RESOLUTION.

The following resolution was offered:

By Mr. Woolwine:

Resolved, That the rule requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Assembly Bill No. 128 be read the third time, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Greene, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel, E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—56.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 128

THIRD READING OF ASSEMBLY BILL NUMBER ONE HUNDRED TWENTY-EIGHT.

Assembly Bill No. 128—An act to amend section 737s of the Political Code, relating to salaries of the judges of the superior court, Los Angeles County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 128 passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Crowley, Dempster, Evans, Feigenbaum, Gilmore, Greene, Hoffman, Hornblower, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—58

NOES—Hunt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

EXPLANATION OF VOTE ON ASSEMBLY BILL NUMBER ONE HUNDRED TWENTY-EIGHT.

We the undersigned members desire to make the following explanation as to why we voted "Aye" on the passage of Assembly Bill No 128, as follows:

Due to the fact that Assembly Bill No 10, reducing the salaries of the judges of the superior court of Los Angeles County was vetoed by the Governor and thereafter the Governor's veto sustained over our opposition, if we had failed to assist in the passage of Assembly Bill No 128 the salaries of the said judges may have remained at the present figure of $10,000. We are therefore voting for Assembly Bill No. 128 and a salary of $9,000 due to the fact that a lower reduction is impossible to obtain.

JONES.
O'CONNOR.
KING.
ROGERS.
MARTIN.
BOYLE.
DEMPSTER.
TOURNOUX.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 522—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman

SECOND READING OF ASSEMBLY BILL NUMBER FIVE HUNDRED TWENTY-TWO.

Assembly Bill No. 522—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, as introduced, and insert in lieu thereof the following:

"An act making an appropriation for the support of the government of the State of California during the eighty-fifth and eighty-sixth fiscal years."

AMENDMENT NUMBER TWO

Strike out all of section 1 of the printed bill, as introduced, and insert in lieu thereof the following:

"SECTION 1. The sum of one hundred forty-seven thousand four hundred thirty-six and twenty-nine one-hundredths ($147,436.29) dollars is hereby appropriated from any moneys in the State treasury not otherwise appropriated for a "special emergency fund," to be expended during the eighty-fifth and eighty-sixth fiscal years for the support of the government of the State of California.

SEC. 2. The moneys herein appropriated shall be expended only on the written authorization of the State Department of Finance for emergencies. Emergencies, within the meaning of this provision, are hereby defined as contingencies for which no appropriation, or insufficient appropriation, has been made by law.

SEC. 3. The State Department of Finance may authorize the expenditure of the moneys in such fund, in whole or in part, by any office, board, commission, bureau, division, or department of the State, but in no event shall any office, board, commission, bureau, division, or department be permitted to expend more from the appropriation herein made than the amount hereinafter specified for such office, board, commission, bureau, division or department:

Department of Social Welfare, one hundred thirty-four thousand seven hundred thirty-eight dollars and twenty-nine cents $134,738 29

Judicial Council, twelve thousand six hundred ninety-eight dollars ..... $12,698".

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT

Mr. Cobb asked for, and was granted, unanimous consent to take up Assembly Bill No. 522 at this time, without reference to file or printer, and that same be considered engrossed.

RESOLUTION.

The following resolution was offered:

By Mr. Cobb:

Resolved, That the rule requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Assembly Bill No. 522 be read the third time, and placed upon its passage.

The question being on the adoption of the resolution

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

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Dempster, Evans, Feigenbaum, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—59.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering at this time Assembly Bill No. 522.

THIRD READING OF ASSEMBLY BILL NUMBER FIVE HUNDRED TWENTY-TWO.

Assembly Bill No. 522—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 522 passed by the following vote.

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Dempster, Feigenbaum, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Latham, Levey, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—62.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2431—An act granting certain tidelands and submerged lands of the State of California to the city of Huntington Beach upon certain trusts and conditions, declaring the urgency thereof and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman

REQUEST FOR UNANIMOUS CONSENT.

Mr. Craig asked for, and was granted, unanmious consent to take up Assembly Bill No. 2431 at this time, without reference to file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Craig:

Resolved, That the rule requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Assembly Bill No. 2431 be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Cobb, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Gilmore, Greene, Hunt, Jones, Kallam, King, Levey, Maloney, Martin, Mayo, McBride, Meeker, Miller, Eleanor, Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—53

NOES—McCarthy—1

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering at this time Assembly Bill No. 2431.

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED THIRTY-ONE.

Assembly Bill No 2431—An act granting certain tidelands and submerged lands of the State of California to the city of Huntington Beach upon certain trusts and conditions, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for, and was granted, unanimous consent to allow Mr. Craig permission to complete his argument, explaining the urgency features of Assembly Bill No. 2431.

HON. HARRY B. RILEY IN THE CHAIR.

At three o'clock and two minutes p.m., Hon. Harry B. Riley, member of the Assembly from the Seventy-first District, in the chair.

THE SPEAKER IN THE CHAIR.

At three o'clock and twenty minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The question being: Shall this section, setting forth the urgency features of Assembly Bill No. 2431, be passed?

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Cobb, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Hallner, Hofman, Hornblower, Jones, Kallam, Levey, Lyon, Maloney, Martin, McMurray, Meeker, Miller, James A., O'Connor, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—54.

NOES—Alter, Burns, Chatters, Hunt, King, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Nielsen, O'Donnell, Powers, Rogers, Stannard and Turner—16.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED THIRTY-ONE.

Assembly Bill No. 2431—An act granting certain tidelands and submerged lands of the State of California to the city of Huntington Beach

upon certain trusts and conditions, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During third reading of the bill, the following amendments were submitted by Mr. Bliss:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after "Beach," insert the following "and to the county of Santa Barbara".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 9, and insert in lieu thereof the following: "aries There is hereby granted to the county of Santa Barbara and to its successors all the right, title, and interest of the State of California held by said State by virtue of its sovereignty in and to all tidelands and submerged lands either filled or unfilled situated between the westerly limits of the city of Santa Barbara and Gaviota Creek. All said lands shall be forever held by said city and by said county, and by the successors of either, in trust for the uses and purposes and upon the express conditions following to wit:"

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out line 12, and in line 13, strike out "successors", and insert in lieu thereof the following: "(a) That said lands shall be used by said city and by said county and by the successors of either".

AMENDMENT NUMBER FOUR.

On page 1, line 18, of the printed bill, strike out "city, or its successors", and insert in lieu thereof the following "city and said county, or the successors of either".

AMENDMENT NUMBER FIVE.

On page 1 line 21, of the printed bill, strike out "or its successors", and insert in lieu thereof the following "and said county, or the successors of either".

AMENDMENT NUMBER SIX.

On page 2 line 2, of the printed bill, after "city", insert the following, "and by said county".

AMENDMENT NUMBER SEVEN.

On page 2, line 7, of the printed bill, after "city", insert the following: "and by said county"

AMENDMENT NUMBER EIGHT.

On page 2, line 15, of the printed bill, strike out "city, or by its successors", and insert in lieu thereof the following "city and by said county, or by the successors of either"

AMENDMENT NUMBER NINE.

On page 2 of the printed bill, after line 23, insert the following:

"(e) That if, under the express conditions hereinabove specified, any franchise, permit or lease is granted or made by said county, or has heretofore been granted or made by said county or the State of California, fifty per cent of the income levied therefrom shall be paid promptly by said county into the State Treasury to the credit of the general fund; and fifty per cent of the income derived therefrom shall be paid promptly into the treasury of the county of Santa Barbara to the credit of the general fund"

AMENDMENT NUMBER TEN.

On page 2, line 24, of the printed bill, strike out "(e)", and insert in lieu thereof the following "(f)"

AMENDMENT NUMBER ELEVEN

On page 2 of the printed bill, strike out line 28, and insert in lieu thereof the following:

"(g) In all cases in which the city of Huntington Beach or the county of Santa Barbara has"

AMENDMENT NUMBER TWELVE.

On page 2, line 32, of the printed bill, after the comma, insert the following, "within the boundaries of said county or"

AMENDMENT NUMBER THIRTEEN.

On page 3 of the printed bill, after line 28, insert the following:

"In the case of the tidelands herein granted to the county of Santa Barbara a similar condition exists. There are several wells in operation on land adjacent to the tidelands granted to the county of Santa Barbara, and more wells are being drilled

If offset wells are not immediately drilled on the tidelands herein granted to said county, the oil and gas under said lands will continue to be depleted to the detriment of the State of California and to the county of Santa Barbara"

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Bliss, Zion and Robinson, Samuel E., the Speaker ordered a roll call taken on the adoption of the amendments to Assembly Bill No. 2431

The roll was called, and the amendments to Assembly Bill No. 2431 refused adoption by the following vote:

AYES—Bliss, Brock, Burns, Clowdsley, Feigenbaum, Hunt, King, McCarthy, Meeker, Miller, Eleanor, Nielsen, Patterson, Peterson, Robinson, Samuel E., Thorp, Zion and Mr Speaker—17

NOES—Alter, Anglim, Badham, Bowers, Boyle, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Jones, Kallam, Latham, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, James A, Morgan, O'Donnell, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stream, Sullivan, Tournoux Utt, West, Woolwine and Wright—50

The question being on the passage of the bill

The roll was called

CALL OF THE HOUSE

Pending the announcement of the vote, Mr. Craig moved a call of the House.

Motion carried

Time, four o'clock and ten minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll

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

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No 1936—An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California—and recommends that same be re-referred to the Committee on Ways and Means.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1936—An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE HUNDRED THIRTY-SIX.

Assembly Bill No. 1936—An act making an appropriation to pay the claim of chief accounting officer of the Department of Finance against the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed, amended bill, strike out lines 1 to 25, inclusive, and on page 2, strike out lines 1 to 11, inclusive, and insert in lieu thereof the following:

"SECTION 1 The sum of two thousand dollars ($2,000 00) is hereby appropriated out of any moneys in the State highway fund to pay the claim of the chief accounting officer of the Department of Finance against the State of California

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Brock asked for, and was granted, unanimous consent to take up Assembly Bill No. 1936, at this time, without reference to file, or print, and that same be considered engrossed.

RESOLUTION.

The following resolution was offered:

By Mr. Brock:

Resolved, That the rule requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Assembly Bill No. 1936 be read the third time, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Levey, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine and Mr. Speaker—56.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1936.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE HUNDRED THIRTY-SIX.

Assembly Bill No. 1936—An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1936 passed by the following vote:

AYES—Alter, Badham, Bliss, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Hatch, Hoffman, Jones, King, Knowland, Martin, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Phillips, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Sullivan, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At four o'clock and twenty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Craig.

The roll of absentees was called, and Assembly Bill No. 2431 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Stream, Sullivan, Thorp, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—54

NOES—Bliss, Burns, Callahan, Cassidy, Chatters, Clowdsley, Hoffman, Hunt, Mayo, McBride, McCarthy, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rogers, Scudder, Stannard, Tournoux and Turner—23.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Bliss gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2431 was this day passed.

ASSEMBLY THIRD READING FILE.

Assembly Bill No. 2306—An act to amend section 4.375 of the School Code, relating to the maximum rate of school district taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2306 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Roland, Scudder, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILLS.

Senate Bill No. 1211—An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration

hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately.

FLOOR AMENDMENT.

During second reading of the bill, the following amendment was submitted by Mr. Cobb:

AMENDMENT NUMBER ONE.

On page 2, line 32, of the printed bill, as amended, strike out the word "three", and insert in lieu thereof the words "two and one-half".

The question being on the adoption of the amendment.

MOTION.

Mr. Cassidy moved that the Assembly do now recess until the hour of eight o'clock p.m. of this day.

The question being on the motion to recess.

Motion refused passage.

The question being on the adoption of the amendment submitted by Mr. Cobb.

Amendment adopted.

FURTHER FLOOR AMENDMENTS.

During second reading of the bill, the following amendments were submitted by Mr Feigenbaum:

AMENDMENT NUMBER ONE.

On page 2, line 34, of the printed bill, as amended, strike out the following: "after the effective date of this act.", and insert in lieu thereof the following: "commencing August 1, 1933."

AMENDMENT NUMBER TWO.

On page 4, line 37, of the printed bill, as amended, strike out the following: "the effective date", and insert in lieu thereof "August 1, 1933".

AMENDMENT NUMBER THREE.

On page 4, line 38, of the printed bill, as amended, strike out the following: "of this act".

UNANIMOUS CONSENT GRANTED.

Mr. Lyon asked for, and was granted, unanimous consent to have the amendments, offered by Mr. Feigenbaum, considered without reference to reprinting of the bill.

The question being on the adoption of the amendments.

Amendments adopted.

FURTHER FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Lyon:

AMENDMENT NUMBER ONE.

On page 12, line 20, of the printed bill, as amended, after the word "fund", insert the following:

"For expenditure by the Controller in carrying out the provisions of this act there is hereby appropriated out of the retail sales tax fund the sum of fifty thousand dollars or so much thereof as may be necessary, and for expenditure by the State Treasurer in carrying out the provisions of this act there is hereby appropriated out of the retail sales tax fund the sum of thirty-two thousand five hundred dollars or so much thereof as may be necessary."

UNANIMOUS CONSENT GRANTED.

Mr. Lyon asked for, and was granted, unanimous consent to have the amendment, offered by himself, considered without reference to reprinting of the bill.

The question being on the adoption of the amendment

Amendment adopted.

FURTHER FLOOR AMENDMENTS

During reading of the bill, the following amendments were submitted by Mr. Lyon:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended, strike out lines 10 and 11, and insert in lieu thereof the following "price of the retail sales of retailers, including any services that are a part of such sales,"

AMENDMENT NUMBER TWO.

On page 2, line 32, of the printed bill, after the word "of", following the word "receipts", insert the following: "any".

UNANIMOUS CONSENT GRANTED.

Mr Lyon asked for, and was granted, unanimous consent to have the amendments, offered by himself, considered without reference to reprinting of the bill.

The question being on the adoption of the amendments.

Amendments adopted.

FURTHER FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Lyon:

AMENDMENT NUMBER ONE.

On page 2, line 22, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "nor shall "gross receipts" include the price received for labor or services used in installing, applying, remodeling or repairing the property sold."

UNANIMOUS CONSENT GRANTED

Mr. Lyon asked for, and was granted, unanimous consent to have the amendment, offered by himself, considered without reference to reprinting of the bill.

The question being on the adoption of the amendment.

Amendment adopted

HON C RAY ROBINSON IN THE CHAIR.

At five o'clock and forty minutes p m., Hon. C. Ray Robinson, member of the Assembly from the Thirty-third District, in the chair.

FURTHER FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Kallam:

AMENDMENT NUMBER ONE

On page 5 of the printed bill, after line 21, add a new paragraph as follows:

"The board may by regulation provide that the amount collected by the retailer from the consumer, in reimbursement of taxes imposed by this act, shall be displayed separately from the list, advertised in the premises, marked or other price on the sales check or other proof of sale."

UNANIMOUS CONSENT GRANTED.

Mr Kallam asked for, and was granted, unanimous consent to have the amendment, offered by himself, considered without reference to reprinting of the bill.

The question being on the adoption of the amendment.

Amendment adopted.

THE SPEAKER IN THE CHAIR.

At five o'clock and fifty minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

FURTHER FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, as amended, between lines 14 and 15, insert the following:

"(e) The gross receipts from sales of tangible personal property made to any governmental agency"

AMENDMENT NUMBER TWO.

On page 3, line 36, of the printed bill, as amended, strike out "section", and insert in lieu thereof the following: "act"

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, as amended, strike out lines 38 to 51, inclusive, and on page 4, strike out lines 1 to 15, inclusive.

UNANIMOUS CONSENT GRANTED.

Mr. Hornblower asked for, and was granted, unanimous consent to have the amendments, offered by himself, considered without reference to reprinting of the bill.

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Hornblower, Lyon and Mayo, the Speaker ordered a roll call taken on the adoption of the amendments by Mr. Hornblower.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Lyon moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Hornblower, Gilmore and O'Connor, the Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion for a call of the House carried by the following vote:

AYES—Alter, Bowers, Brock, Chatters, Cobb, Cottrell, Crist, Evans, Field, Fisher, Frazier, Greene, Hallner, Hoffman, Kallam, Knowland, Latham, Lyon, McBride, Meehan, Meeker, O'Donnell, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, West, Woolwine, Wright, Zion and Mr. Speaker—36.

NOES—Anglim, Bliss, Boyle, Burns, Callahan, Clowdsley, Cronin, Dempster, Feigenbaum, Gilmore, Hornblower, Hunt, Jones, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Rogers, Stannard, Sullivan, Tournoux, Turner and Williamson—34

CALL OF THE HOUSE.

Time, six o'clock and thirty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—73.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF SENATE BILLS.

Senate Bill No. 442—An act to repeal the California Nautical School Act and to provide for the disposition of the property of said school.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 442 finally passed by the following vote.

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Haliner, Hoffman, Hunt, Jones, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Sullivan, Tournoux, Turner, West, Williamson, Woolwine and Mr. Speaker—56.

NOES—Dempster and Frazier—2.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, July 19, 1933

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No 23, your Committee on Rules approves consideration by the Assembly of Assembly Joint Resolution No. 37—Relative to Federal loans on agricultural lands within the State of California.

ROBINSON, C RAY, Chairman

The above reported bill ordered re-referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 2437—An act to amend sections 1 and 4 of an act entitled "An act for the taxation of Massachusetts or business trusts," approved May 1, 1933, and providing that this act shall take effect immediately—and recommends that same be re-referred to the Committee on Revenue and Taxation.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Revenue and Taxation

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No 2421—An act to amend section 6¾ of the Inheritance Tax Act relating to exemptions and rates of tax—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 273—An act to amend section 3 of an act entitled "An act to provide for the establishment and maintenance of a Bureau of Tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties and groups

of counties for the support and care of persons affected with tuberculosis; making an appropriation therefor, and repealing certain acts of the Legislature of the State of California," approved June 12, 1915, relating to management of tuberculosis hospitals—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman

SECOND READING OF ASSEMBLY BILL NUMBER TWO HUNDRED SEVENTY-THREE.

Assembly Bill No. 273—An act to amend section 3 of an act entitled "An act to provide for the establishment and maintenance of a Bureau of Tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons affected with tuberculosis; making an appropriation therefor, and repealing certain acts of the Legislature of the State of California," approved June 12, 1915, relating to management of tuberculosis hospitals.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out the title of the printed bill, and insert in lieu thereof the following "An act appropriating money, appropriated by Chapter 90, Statutes of 1933, to meet a deficiency in the appropriation for subsidies of the Bureau of Tuberculosis of the Department of Public Health for the eighty-second fiscal year, declaring the urgency thereof and providing that this act shall take effect immediately"

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 20, inclusive, on page 2 thereof, strike out lines 1 to 52, inclusive, and on page 3 thereof, strike out lines 1 to 13, inclusive, and insert in lieu thereof the following:

"SECTION 1. Out of moneys appropriated by Chapter 90, Statutes of 1933, the sum of thirty-eight thousand eight hundred forty-four dollars and forty-eight cents is hereby appropriated to meet the deficiency in the appropriation for subsidies of the Bureau of Tuberculosis, State Board of Health, Department of Public Health, for the eighty-second fiscal year.

SEC. 2 Inasmuch as this act provides an appropriation for the usual current expenses of the State, it shall take effect immediately under the provisions of section 1 of Article IV of the Constitution"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No 1765—An act amending the Political Code by repealing sections 3627a 3627c, 3664, 3664a, 3664aa 3664c, 3664d, 3665a, 3665b, 3666, 3666b, 3667, 3667a, 3670, 3670a, 3670b, 3670bb,, 3670c, 3670cc, 3670d, 3671, 3671a, 3671b, 3671c, and 3671d, by amending sections 3627, 3628, 3629, 3630, 3648, 3649, 3650, 3664b, 3664b-1, 3665c, 3667b, 3668, 3668a, 3668b, 3668c, 3669, 3669a, 3669c, 3696 and 3714a, and by adding thereto new sections to be number 3664, 3664a and 3667 respectively, relating to the assessment and collection of taxes, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means.

RILEY, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND SEVEN HUNDRED SIXTY-FIVE.

Assembly Bill No. 1765—An act amending the Political Code by repealing sections 3627a, 3627c, 3664, 3664a, 3664aa, 3664c, 3664d, 3665a, 3665b, 3666, 3666b, 3667, 3667a, 3670, 3670a, 3670b, 3670bb, 3670c, 3670cc, 3670d, 3671, 3671a, 3671b, 3671c and 3671d, by amending sections 3627, 3628, 3629, 3630, 3648, 3649, 3650, 3664b, 3664b-1, 3665c, 3667b, 3668, 3668a, 3668b, 3668c, 3669, 3669a, 3669c, 3696 and 3714a, and by adding thereto new sections to be numbered 3664, 3664a and 3667 respectively, relating to the assessment and collection of taxes, and providing that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to add two new sections to the Political Code to be numbered 3663a and 3663b and to amend section 3692 of said code, all relating to the powers and duties of the State Board of Equalization and making an appropriation for the support of said board in the discharge of such duties."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 12, both inclusive, and also strike out pages 2 to 22, both inclusive, and in lieu thereof insert the following:

"SECTION 1. A new section, to be numbered 3663a, is hereby added to the Political Code to read as follows:

3663a. The State Board of Equalization shall assess all the property required to be assessed by it under the provisions of section 14 of Article XIII of the Constitution of this State at its actual value on the first Monday in March at twelve o'clock meridian

In assessing notes and solvent credits and equitable or legal interests therein, not secured by mortgage, deed of trust, contract or other obligation, where land situated within this State is pledged as security therefor, a deduction from the assessed value shall be made of such debts including notes, unsecured by mortgage, deed of trust, contract or other obligation, where land situated within this State is pledged as security therefor, as may be owing by such person, firm, corporation or association to bona fide residents of this State.

The State Board of Equalization must exact from each person, firm, copartnership, association, estate, trust, business trust, receiver, syndicate, company or corporation owning, claiming, possessing, using, controlling or managing any of the property mentioned in this section, a statement under oath, setting forth specifically on forms prescribed by the board whatever information the State board may require to make an assessment of such property. Such statement shall be filed with the board between the first Monday in March and the first Monday in April of each year; at any time during the year the board may require and it shall be furnished with such information or records for examination as may be required by it to make an assessment of such property. No assessment shall hereafter be rendered invalid by reason of the failure of the board to demand or secure the statement required by this section. If such statement is not furnished as above provided, the assessment made by the board upon the property of the person, firm, copartnership, association, estate, trust, business trust, receiver, syndicate, company or corporation failing to furnish such statement is conclusive and final

The board shall have the power, and it is hereby authorized to require the assessor of any county, city and county or incorporated city or town of this State to report to it on or before the first Monday in June, on such forms as the board may prescribe, any information in his possession concerning the actual value on the first Monday in March at twelve o'clock meridian of any of the property required to be assessed by the board.

The board is hereby authorized and empowered to call upon any State department, board, bureau or commission or personnel thereof, for such assistance, cooperation, information and service as it may render to the board.

To carry out the provisions of this section, the board shall employ, exempt from the provisions of the Civil Service Act, such assistants as it may deem necessary to serve for such time and for such compensation as the board may determine.

SEC 2. A new section, to be numbered 3663b, is hereby added to the Political Code to read as follows:

3663b The State Board of Equalization must meet at the State Capitol on the first Monday in March, and continue in open session from day to day, holidays excepted, until the third Monday in June. At such meetings the board must assess the property mentioned in the preceding section. Assessments must be made to the person, firm, copartnership, association, estate, trust, business trust, receiver, syndicate, company or corporation owning the same; except said board may assess such property either to the one using or controlling the same, or to the one to whom it belongs. If the name of the owner or user is unknown to the board, such assessment must be made to unknown owners. Clerical errors occurring or appearing in the name of any company, person, association, or stockholder whose property is correctly assessed, or in the making, or extension of any assessment upon the records of the State Board of Equalization, which do not affect the substantial rights of the taxpayer, shall not invalidate the assessment.

On the first Monday in June the board shall publish a notice in one daily newspaper of general circulation published at the State capital, in one daily newspaper of general circulation published in the City and County of San Francisco, and in one daily newspaper of general circulation published in the city of Los Angeles, that the assessment of property in accordance with section 14 of Article XIII of the Constitution of this State has been completed, and that if the owner of any property assessed by the board or the one to whom it is assessed is dissatisfied with the assessment made by the board he may, at any time prior to the third Monday in June, apply to the board to have the same corrected in any particular. The board shall have power at any time on or before the third Monday in June to correct any assessment made by the board in pursuance hereof and may increase or decrease any such assessment if in its judgment the evidence presented or obtained warrants such action.

Immediately after the third Monday in June the board shall transmit to the assessor of each county, city and county and incorporated city or town a statement showing the valuation upon all property assessed by the board located in each district in such county, city and county or incorporated city or town, equalized with the other property in said taxing jurisdictions. In case the duties of the assessor of any incorporated city or town are performed by the assessor of the county in which such city or town is located, the statement concerning the property located in the city or town shall be sent to such county assessor Upon receiving any such statement, the assessor of each county or city and county shall enter the assessments set forth therein upon the assessment book or roll of the county or city and county, and the assessor of each incorporated city or town shall enter such assessments upon the assessment book or roll of the city or town.

All such property shall be subject to taxation to the same extent and in the same manner as other property, except as otherwise provided in section 14½ of Article XIII of the Constitution

SEC 3 Section 3692 of the Political Code is hereby amended to read as follows:

3692 The powers and duties of the State Board of Equalization are as follows:

1. To prescribe rules for its own government and for the transaction of its business.

2 To prescribe rules and regulations, not in conflict with the Constitution and laws of the State, to govern local boards of equalization when equalizing, and assessors when assessing.

3. To prescribe and enforce the use of all forms for the assessment of property for taxation, and the collection of taxes thereon, in this State and the local taxing jurisdictions thereof.

4. To prepare and issue instructions to assessors designed to promote uniformity throughout the State and the local taxing jurisdictions thereof in the assessment of property for the purposes of taxation; to adapt such instructions to varying local circumstances and to differences in the character and conditions of property subject to taxation as in the judgment of the board shall be deemed necessary to attain such uniformity.

5. To summon assessors to meet with the board or its duly authorized representatives at least once each year, at such place or places within the State as may be designated by the board, for the purpose of the discussion of the problems of administration of assessment and taxation laws and to promote uniformity of procedure in tax matters throughout the State. The expenses of any assessor attending such sessions shall be a charge against the funds of his county or city to be paid in the same manner as other county or city charges are paid.

6. To instruct, advise and direct assessors and tax collectors as to their duties under the laws of the State and, in such cases as the board may deem necessary, to obtain the opinion of the Attorney General upon any questions of law relating to such duties.

7. To hold regular meetings at the State capital on the second Monday in each month, and such special meetings at any place within the State as the chairman may direct. At such special meetings the board may transact any and all business and perform all duties imposed upon it by law and give and enter any and all orders and decrees within its jurisdiction; provided, that the final action of the board in increasing or lowering a local assessment roll, or the final act in making the

assessment of property required to be assessed by the board under the provisions of section 14 of Article XIII of the Constitution of this State, shall be performed only at the State capital.

8. To meet at the State capital on the third Monday in July, and to remain in session from day to day, holidays excepted, up to and including the third Monday in August; during such session, under such rules of notice as the State Board of Equalization may prescribe, to equalize the assessment of property within the several taxing jurisdictions of the State and throughout the State.

9. Whenever deemed necessary, to visit as a board, or by the individual members thereof, or to send its secretary or duly appointed representative to, the several counties and cities for the purpose of inspecting property and learning the value thereof, and of collecting information to enable the State Board of Equalization to equalize assessments and levy the taxes as provided by law.

10. To inspect either as a board, individually or by its duly appointed representative or representatives, the work of any local officers whose duties relate to the assessment of property for taxation and the collection of taxes; to require such officers to produce any public records in their custody, and to give testimony with reference to such matters of assessment and tax collecting as may be deemed useful to the board in its investigations.

11. To issue subpenas for the attendance of witnesses or the production of books before the board, or the secretary thereof, or any member thereof; which subpenas must be signed by a member of the board, or the secretary thereof, and may be served by any person.

12. To appoint its secretary, prescribe and enforce his duties. The secretary shall hold his office during the pleasure of the board and shall receive such compensation as may be prescribed by the board. To employ, exempt from the provisions of the Civil Service Act, such expert and clerical assistants as it may deem necessary in the performance of its powers and duties, to serve for such time and for such compensation as the board may determine.

13. To report to the Governor, biennially, a statement showing:

First—The acreage of each county in the State that is assessed.

Second—The amount assessed per acre

Third—The aggregate value of all real estate within an incorporated city or town.

Fourth—The aggregate value of all real estate in the State.

Fifth—The kinds of personal property in each county, and the value of each kind.

Sixth—The aggregate value of all personal property in the State.

Seventh—Any information relative to the assessment of property and the collection of revenue.

Eighth—Such further suggestions as it shall deem proper.

14. To keep a record of all its proceedings.

15. To require any person having knowledge of the business of any person, firm, association or corporation subject to assessment by the board, or having the custody of the books, accounts, and papers of such person, firm, association or corporation, to attend before the board, or any member thereof, and bring with him for inspection any books, accounts, or papers, of such person, firm, association or corporation in his possession and under his control, and to testify under oath touching any matter relating to the organization or business of such person, firm, association or corporation.

16. To examine the books, accounts, and papers of all persons, firms, associations or corporations required by law to report to the board, and to employ, exempt from the provisions of the Civil Service Act, an expert accountant or accountants to assist in the examination of the books, accounts, and papers of any company when in the judgment of said board the exigencies of the case may so require

17. Any officer, employee, or agent of a person, firm, association or corporation required to report to the board, or any local officer, or witness, duly subpenaed, who shall refuse or neglect to attend before the board, or any member thereof, or shall refuse to bring with him and submit for inspection any books, accounts or papers in his possession, custody, or control, or shall refuse to answer any questions put to him by any member of the board, touching the matters under investigation by the board, shall be deemed guilty of contempt, and may be punished by a court of competent jurisdiction, by imprisonment in the county jail, not to exceed five days or by a fine of not to exceed five hundred dollars, or by both such fine and imprisonment.

SEC. 4. The sum of one hundred fifty thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State treasury, not otherwise appropriated, to pay the expenses incurred by the State Board of Equalization in the performance of its powers and duties as prescribed by this act."

Amendments adopted.

The above reported bill ordered re-referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1765—An act to add two new sections to the Political Code to be numbered 3663a and 3663b and to amend section 3692 of said code, all relating to the powers and duties of the State Board of Equalization and making an appropriation for the support of said board in the discharge of such duties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COBB, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No 1765, at this time, without reference to file, and that same be considered engrossed.

RESOLUTION.

The following resolution was offered:

By Mr. Lyon:

Resolved, That the rule requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Assembly Bill No 1765 be read the third time, and placed upon its passage

The question being on the adoption of the resolution.

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Dempster, Evans, Feigenbaum, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Latham, Levey, Lyon, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Nielsen, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stream, Sullivan, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—54.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No 1765.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND SEVEN HUNDRED SIXTY-FIVE.

Assembly Bill No. 1765—An act to add two new sections to the Political Code to be numbered 3663a and 3663b and to amend section 3692 of said code, all relating to the powers and duties of the State Board of Equalization and making an appropriation for the support of said board in the discharge of such duties

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1765 passed by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cottrell, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, Patterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Sullivan, Tournoux, Utt, Woolwine and Mr. Speaker—53.

NOES—Clowdsley, Maloney, McMurray, O'Connor, Stannard and Williamson—6.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON GOVERNMENTAL EFFICIENCY AND ECONOMY

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 1107—An act to amend section 664 of the Political Code, empowering the State Board of Control to prescribe by rule and regulation limitations upon amounts to be expended by officers, agents and employees of the State while traveling on official business of the State—has had the same under consideration, and respectfully reports the same back, and recommends that the same do pass.

LEVEY, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1929—An act making an appropriation to pay the claim of C. D. Plum against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE HUNDRED TWENTY-NINE.

Assembly Bill No. 1929—An act making an appropriation to pay the claim of C. D. Plum against the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the words "one dollar", and in line 2 thereof the symbols "($1)", and in lieu thereof insert the words: "two thousand dollars ($2,000)".

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Miller, James A., asked for, and was granted, unanimous consent to take up Assembly Bill No. 1929, at this time, without reference to committee or file, and that same be considered engrossed.

RESOLUTION.

The following resolution was offered:

By Mr. Miller, James A.:

Resolved, That the rule requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Assembly Bill No. 1929 be read the third time, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meeker, Miller, Eleanor; Miller, James A., Morgan, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Staunard, Stream, Sullivan, Tournoux, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—60.

NOES—McMurray—1.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1929.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE HUNDRED TWENTY-NINE.

Assembly Bill No. 1929—An act making an appropriation to pay the claim of C. D. Plum against the State of California.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1929 passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Dempster, Evans, Feigenbaum, Field, Gilmore, Greene, Hatch, Hornblower, Hunt, Jones, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—59.

NOES—Hoffman and Thorp—2

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At seven o'clock and fifteen minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Lyon.

The roll of absentees was called, and the amendments submitted by Mr. Hornblower to Senate Bill No. 1211 were refused adoption by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cronin, Dempster, Feigenbaum, Gilmore, Hatch, Hornblower, Hunt, Jones, King, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rogers, Stannard, Sullivan, Tournoux, West, Williamson and Zion—38.

NOES—Alter, Bowers, Brock, Chatters, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Field, Fisher, Frazier, Greene, Hallner, Hoffman, Kallam, Knowland, Latham, Lyon, McBride, Meehan, Meeker, O'Donnell, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Thorp, Turner, Utt, Woolwine, Wright and Mr. Speaker—40

NOTICE OF RECONSIDERATION

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments submitted by himself to Senate Bill No. 1211, were this day refused adoption.

MOTION.

Mr. Lyon moved to consider, at this time, the motion of Mr. Hornblower to reconsider the vote whereby the amendments submitted by Mr. Hornblower were refused passage

The question being on the motion of Mr. Lyon to consider the reconsideration, by Mr. Hornblower, at this time.

MOTION TO ADJOURN.

Mr. Clowdsley moved that the Assembly do now adjourn until Saturday, July 22, 1933, at nine o'clock and thirty minutes a.m.

The question being on the motion to adjourn.

REQUEST FOR ROLL CALL.

On request of Messrs. Roland, Hoffman and Kallam, the Speaker ordered a roll call taken on the motion to adjourn.

The roll was called, and the motion to adjourn lost by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Clowdsley, Dempster, Gilmore, Hatch, Hornblower, Hunt, Jones, King, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Powers, Rogers, Stannard, Sullivan, Thorp, Tournoux, Williamson and Zion—36.

NOES—Alter, Bowers, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hoffman, Kallam, Knowland, Latham, Levey, Lyon, McBride, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—40.

WITHDRAWAL OF MOTION.

Mr Lyon withdrew his motion to consider the reconsideration by Mr. Hornblower.

Mr. Hornblower withdrew his motion for reconsideration.

RECESS.

At seven o'clock and thirty minutes p.m., on motion of Mr. Clowdsley, the Assembly was declared at recess until nine o'clock p.m. of this day.

REASSEMBLED.

At nine o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk McIntire reading.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 31—Relative to accepting amendments to permit from the government of the United States for the construction of approach roads over certain rights of way leading to the Golden Gate Bridge in the Presidio of San Francisco Military Reservation, and relating to the retrocession by the Congress of the United States of jurisdiction over said rights of way as relocated.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Scudder asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 31 at this time, without reference to committee or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER THIRTY-ONE.

Senate Joint Resolution No. 31—Relative to accepting amendments to permit from the government of the United States for the construction of approach roads over certain rights of way leading to the Golden Gate Bridge in the Presidio of San Francisco Military Reservation, and relating to the retrocession of the Congress of the United States of jurisdiction over said rights of way as relocated.

Senate Joint Resolution No. 31 read.

The question being on the adoption of Senate Joint Resolution No. 31.

The roll was called, and Senate Joint Resolution No. 31 adopted by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Brock, Burns, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon,

Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson C Ray; Robinson, Samuel E., Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr Speaker —60.

NOES—None

Title read and approved.

Senate Joint Resolution No. 31 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 31

Relative to accepting amendments to permit from the government of the United States for the construction of approach roads over certain rights of way leading to the Golden Gate Bridge in the Presidio of San Francisco Military Reservation, and relating to the retrocession by the Congress of the United States of jurisdiction over said rights of way as relocated.

WHEREAS, On February 13, 1931, the Secretary of War pursuant to authority in him vested by section 6 of the act of Congress approved July 5, 1884 (23 Stat. 104), granted to the Golden Gate Bridge and Highway District a right of way for the extension, maintenance and operation of a State road across the Presidio of San Francisco Military Reservation, California, and across the Fort Baker Military Reservation, including space for toll booths and facilities for regulating traffic, and also the right to erect, operate and maintain the ends of the Golden Gate Bridge with cable anchorages, upon the said military reservation, and

WHEREAS, Said grant has been accepted by the Golden Gate Bridge and Highway District and also by the Legislature of the State of California under the terms of Senate Joint Resolution No 11, of the forty-ninth session of the Legislature of the State of California, and

WHEREAS, The said permit and grant were amended by amendments dated April 1, 1931, and May 1, 1933 which said two amendments have been accepted by the Golden Gate Bridge and Highway District, and approved and accepted by joint resolutions of the Legislature of the State of California, and

WHEREAS, On the twenty-first day of July, 1933 the Secretary of War did grant to the Golden Gate Bridge and Highway District a further modification of said permit as amended, and being a modification of the right of way theretofore granted under the original permit across the Presidio of San Francisco Military Reservation, which said amendment and modification of the date last mentioned is hereby expressly referred to, and

WHEREAS It was in said last named modification and amendment expressly provided that the amendments and modifications therein contained should not become effective and the original permit of February 13, 1931, should remain unchanged thereby, unless and until the said Golden Gate Bridge and Highway District should have accepted said amendment, and unless and until the State of California should have, with respect to said amendment, taken the same formal action which it was required to take with respect to the original permit, and which is set forth in paragraph 11 and subparagraphs 11a, 11b and 11c of that instrument, as a condition precedent to the taking effect thereof, now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly That said modification and amendment dated the twenty-first day of July, 1933, to said permit dated February 13, 1931, as amended by amendments dated April 1, 1931, and May 1, 1933, granted by the Secretary of War to the Golden Gate Bridge and Highway District, be and the same hereby is, together with each, all, every and singular the terms, conditions, limitations, reservations and requirements therein contained, accepted by and on behalf of the State of California; and be it

Further resolved, That the State of California does hereby make application to the Congress of the United States for a retrocession of jurisdiction over the rights of way as relocated and amended by said modification dated the twenty-first day of July, 1933, in lieu of and superseding the application for retrocession of jurisdiction over the right of way heretofore granted across the Presidio of San Francisco Military Reservation in the original permit of February 13, 1931, in case said relocation of the right of way is finally granted to the Golden Gate Bridge and Highway District; and be it

Further resolved, That the State of California will, in case such retrocession of jurisdiction is granted by Congress, accept such retrocession of jurisdiction, and will assume the responsibility for managing, controlling, policing, and regulating traffic thereon all subject to the following limitations and to such other limitations as Congress may prescribe:

(a) That nothing in said permit contained shall be construed to give to the State of California or any of its agents, authority at any time to regulate traffic of military personnel or vehicles upon the said bridge or roads All traffic upon said roads and upon said bridge shall be free from any tolls, charges or any form of obstruction by State or other agencies, against military and naval personnel and their dependents, civilians of the army and navy traveling on government business under military authority, and government traffic.

(b) That whenever in the judgment of the Secretary of War or his authorized representative any emergency exists which justifies it, he may assume exclusive control and management of said bridge and roads and may then in his discretion prohibit, limit or regulate traffic thereon.

(c) That nothing in said permit contained shall be construed to confer upon the State courts the right to try persons subject to military law for crimes or offenses committed on said roads, or upon said bridge within the boundaries of the respective military reservations involved, but the courts of the United States or military tribunals as now or hereafter provided by law, shall retain exclusive jurisdiction to try such persons for such offenses

Be it further resolved, That the State of California does hereby agree to make such relocated right of way in the Presidio of San Francisco Military Reservation in said amended permit described a part of the system of public highways of the State; and be it

Further resolved, That copies of this resolution be transmitted to the President of the United States, to the Secretary of War, to each house of Congress, and to the Senators and Representatives in Congress of the State of California.

FURTHER CONSIDERATION OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED ELEVEN.

Senate Bill No. 1211—An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately.

FURTHER FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Clowdsley:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, strike out the words "An act", and insert in lieu thereof the following: "An act to provide revenue for State purposes by imposing a tax upon retail sales and upon the net incomes of individuals, estates and trusts;".

AMENDMENT NUMBER TWO.

In line 5 of the title of the printed bill, as amended, strike out "tax", and insert in lieu thereof the following: "taxes".

AMENDMENT NUMBER THREE.

On page 1, line 2, of the printed bill, as amended, after "Sales", insert the following: "and personal income".

AMENDMENT NUMBER FOUR.

On page 2, line 29, of the printed bill, as amended, after "'board'" insert the following: "or "State board"".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, as amended, after line 29, insert the following:

(h) The word "taxpayer" includes any individual or fiduciary whose income is in whole or in part subject to the tax imposed by this act.

(i) The word "individual" means a natural person.

(j) The word "fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person, whether individual or corporate, acting in any fiduciary capacity for any person, estate or trust.

(k) The word "commissioner" means the Franchise Tax Commissioner as provided for in Chapter 13, Statutes of 1929.

(l) The word "resident" applies only to individuals and includes for the purpose of determining liability to the tax imposed by this act, with reference to the income of any taxable year, any individual domiciled in the State, and any other individual who maintains a permanent place of abode within the State or spends in the aggregate more than six months of the taxable year within the State.

AMENDMENT NUMBER FIVE-A

On page 3, lines 27 and 28, of the printed bill, as amended, strike out "retail sales tax", and insert in lieu thereof the following: "State revenue".

AMENDMENT NUMBER FIVE-B

On page 4, line 13, of the printed bill, as amended, strike out "sales tax", and insert in lieu thereof the following "State revenue".

AMENDMENT NUMBER FIVE-C.

On page 12, line 6, of the printed bill, as amended, strike out "Retail Sales Tax", and insert in lieu thereof the following: "State revenue".

AMENDMENT NUMBER FIVE-D.

On page 12, line 13, of the printed bill, as amended, strike out "retail sales tax", and insert in lieu thereof the following "State revenue".

AMENDMENT NUMBER FIVE-E.

On page 12, line 16, of the printed bill, as amended, strike out "retail sales tax", and insert in lieu thereof the following: "State revenue".

AMENDMENT NUMBER FIVE-F.

On page 12, line 18, of the printed bill, as amended, strike out "retail sales tax", and insert in lieu thereof the following. "State revenue".

AMENDMENT NUMBER FIVE-G.

On page 12, line 21, of the printed bill, as amended, strike out "retail sales tax", and insert in lieu thereof the following. "State revenue".

AMENDMENT NUMBER SIX.

On page 13 of the printed bill, as amended, after line 44, insert the following:

"SEC. 34. Tax on Individuals To provide for the additional revenues for State purposes and to meet the requirements of section 15 of Article XIII of the State Constitution, there shall be annually levied and collected by the State of California a tax on the net income of every resident of the State. Net income for the purpose of this act shall be computed upon the basis provided in and in accordance with the system for determining net income as set out in that certain act of the Congress of the United States known as the "Revenue Act of 1932" as amended, which is for the purposes of this act hereby referred to and incorporated herein with the same force and effect as though fully set forth, except where said Revenue Act of 1932 is expressly inconsistent with the provisions of this act. The tax levied by this act shall be similar to that provided for by the Federal Revenue Act of 1932, as amended, but shall be subject to such increases and deductions as are hereinafter provided for in determining a proper taxable income and shall be returned, calculated, ascertained, and paid according to the system and rules hereinafter provided.

SEC 35. Tax Return. Any individual, resident of the State of California, receiving in any taxable year a net income which would be taxable under the provisions of the Federal Revenue Act of 1932, such individual being herein referred to as a taxpayer, shall, at the time for making return as provided in said Federal act, make an income tax return to the State and file the same with the commissioner for the purpose of a State tax on income. Such return shall give the post-office address of the taxpayer, shall furnish the same information as would be contained in a return to the United States under the said Federal Revenue Act, shall be made on a blank form to be furnished by the commissioner, and shall ascertain the taxable net income in the same manner as provided in the said Federal act with the following exceptions

(a) To the amount ascertained under the Federal Revenue Act of 1932 as the net income taxable by the United States, there shall be added in said return to the State:

1. The gross amount of any salary received by the taxpayer during the taxable year, or accrued to him during said period as a public officer or employee of the State, or of any county, municipal corporation, or other political division thereof, and the net amount of any fees, perquisites, or other emoluments from said sources or any of them, paid to him during the same period for official compensation; provided, that such public officers shall not be required to include their salaries paid or accruing for the term for which, at the time of passage of this act, they shall have been elected;

2. The gross amount of all State income taxes imposed upon the income of the taxpayer and paid or accrued during the taxable year.

(b) From the amount so ascertained as the taxable net income shall be excluded:

1 Any compensation received by the taxpayer during the taxable year from the United States as an officer or employee thereof;

2 Any or all interest paid to the taxpayer on any tax exempt bond or other obligation of the United States;

3. The gross amount of all Federal income taxes imposed upon the income of the taxpayer and paid or accrued during the taxable year.

SEC. 36. Supplemental Return. Whenever a taxpayer is required by the Federal government to file a supplemental return and whenever the return of any taxpayer is revised by the Federal government, such taxpayer shall file a supplemental return with the commissioner showing the changes in his net income made by such supplemental or revised return to the Federal government.

SEC. 37. Tax Rate. The tax payable to the State of California on the net income taxable by the State as computed above shall be one-third of the amount that would have been payable to the United States under the provisions of the Federal Revenue Act of 1932 upon such a taxable net income.

SEC. 38. Return by Public Officer or Employee. Any individual who would make no income tax return to the United States because of having no sufficient income taxable under the Federal Revenue Act of 1932 to call for such return, but who would have such sufficient income if his salary, fees or perquisites from the State or any subdivision thereof were taxable by the United States, shall be liable and is hereby required to make to the State of California annually a return on a form prescribed by the commissioner. In such case the tax liability to the State shall be one-third of what it would be to the United States if said income were taxable under the Federal Revenue Act of 1932.

SEC. 39. Tax on Estates and Trusts. The net income of estates and trusts in California taxable by the United States under the Federal Revenue Act of 1932 is taxable under this act in the same manner and to the same extent as the income of an individual, and the fiduciary of such estate or trust shall make a return to the State in the same manner as hereinbefore required of an individual.

SEC. 40 Payments. When such return is made and filed with the commissioner as hereinbefore required, the taxpayer shall, on or before the last day for making return, pay to the commissioner at least one-third of the State income tax as fixed by the provisions hereinbefore made, the balance being due and payable at intervals of four and eight months thereafter. A tax or any installment thereof imposed by this act may be paid at the election of the taxpayer, prior to the date prescribed for its payment. All taxes and penalties imposed under this act must be paid to the commissioner at Sacramento in the form of remittances payable to the Treasurer of the State of California, and the commissioner shall transmit said payments daily to the State Treasurer.

SEC. 41. Funds Designated. All moneys received by the State Treasurer from said tax shall be deposited by him into the general fund of the State treasury.

SEC. 42 Duty of Commissioner. The commissioner shall have authority and it shall be his duty to provide all necessary blanks for carrying out the provisions of this act, which blanks shall be distributed throughout the State in such manner as the commissioner may deem proper

SEC 43. Regulations by Commissioners The commissioner shall have power, and it shall be his duty, to administer this act, and to prescribe all such rules and regulations as are necessary and reasonable to carry out its provisions.

SEC 44 Claims for Exemption Any taxpayer making return and paying, either in whole or in part, shall have the right, at the time of said payment, to file, with the person to whom payment is made, a written protest or claim of exemption as to any item or items included in his return which he conceived to be exempt from taxation by the State of California In such case it shall be the duty of the taxpayer so making return to make a clear and distinct statement of all relevant facts connected with such protest or claim, and to make a clear statement of the reasons upon which his protest or claim is based It shall be the duty of the commissioner to make a finding in regard to such protest or claim and notify the taxpayer of his decision thereon.

The right herein granted the taxpayer to file a claim of exemption or denial of liability for tax, shall not be construed to relieve the taxpayer from liability to make immediate payment of the tax, nor shall there be any judicial interference with the payment or collection of the tax upon any other ground, but all persons making return as herein provided for, or required so to do, shall pay as hereinbefore provided and make his complaint for or seek a refund as hereinafter provided.

SEC 45. Board of Income Tax Review The State Board of Equalization shall act as a board of income tax review, which tribunal is hereby created. Whenever any taxpayer shall file a protest or make a claim for exemption as to any item or items in his return as provided in section 44 of this act and shall be dissatisfied with the findings of the commissioner as to such claim for exemption, the claim may be referred by the taxpayer to said State board. Upon receiving such reference the State board shall, by letter duly stamped and deposited in the mails, give notice to the taxpayer of the time and place where such claim shall be heard and passed on. The matter shall be heard at the time and place stated in the notice, unless continued by the State board to another time or place, or unless the number of such instances to be heard, or other good cause, makes it necessary to continue from day to day At the hearing the State board shall summarily consider and pass on the claimed exemption, and either allow it or disallow it according as in their judgment the same is or is not so required by the Constitution or law of this State or of the United States.

SEC. 46. Review of Determination of the State Board. The determination of the State board upon the claimed exemption may be reviewed in any court of competent jurisdiction by a complaint filed by the taxpayer against the State board in the county in which the taxpayer resides within sixty days after notice by the State board of its determination. Thereupon appropriate proceedings shall be had and the relief, if any, to which the taxpayer may be found entitled may be granted. An

appeal may be taken by the taxpayer or the State board to the Supreme Court in the manner that appeals are taken in suits in equity, irrespective of the amounts involved

SEC. 47. Refunds. If in the opinion of the commissioner or of the State board, as the case may be, a tax has been computed in a manner contrary to law or has been erroneously computed, such fact shall be set forth in the records of the commissioner and the amount of the illegal levy shall be refunded to the taxpayer from the State revenue fund of the State, and it shall be the duty of the Treasurer of this State to pay such refunds from said revolving fund with interest at five per cent per annum.

SEC. 48. Default of Taxpayer. Any taxpayer who shall fail or refuse to make such return as herein required shall be liable to a penalty of twenty-five per centum of the liability of such taxpayer as fixed by the return and other proceedings, and, in addition thereto, interest at the rate of one per centum for every calendar month from and after failure to make return. If such taxpayer, after having failed or neglected to make return, shall be notified by the commissioner so to do, and shall thereupon continue so to fail and refuse, the commissioner shall give to such taxpayer notice that on a day to be named he will assess the tax from the best information obtainable and after giving the taxpayer opportunity to be heard. In such case the penalty shall be fixed at fifty per centum upon the amount ascertained and assessed, with interest as hereinbefore provided, and such penalty and interest may be included as part of the tax.

SEC. 49. Fraud by Taxpayer Should any taxpayer, fraudulently and with a purpose to conceal his liability under this act, so fail or refuse to make return, or make any false and fraudulent return with a purpose to escape liability, such taxpayer shall, in addition to liability for the penalties herein provided, be liable to prosecution in any court having jurisdiction, and upon conviction shall be deemed guilty of a misdemeanor and punished accordingly.

SEC. 50. Warrant for the Collection of Taxes. If any tax imposed by this act or any portion of such tax be not paid within sixty days after the same becomes due, the commissioner shall issue a warrant under his hand and official seal directed to the sheriff of any county of the State, commanding him to levy upon and sell the real and personal property of the taxpayer, found within his county, for the payment of the amount thereof, with the added penalties, interest and cost of executing the warrant, and to return such warrant to the commissioner and pay to him the money collected by virtue thereof by a time to be therein specified, not less than sixty days from the date of the warrant The sheriff shall within five days after the receipt of the warrant, file with the clerk of his county a copy thereof, and thereupon the clerk shall enter in the judgment docket, in the column for judgment debtors, the name of the taxpayer mentioned in the warrant, and in appropriate columns the amount of the tax or portion thereof and penalties for which the warrant is issued and the date when such copy is filed, and thereupon the amount of such warrant so docketed shall become a lien upon the title to and interest in real property or chattels real of the taxpayer against whom it is issued in the same manner as a judgment duly docketed in the office of such clerk. The said sheriff shall thereupon proceed upon the same in all respects, with like effect, and in the same manner prescribed by law in respect to executions issued against property upon judgments of a court of record, and shall be entitled to the same fees for his services in executing the warrant, to be collected in the same manner. If a warrant be returned not satisfied in full, the commissioner shall have the same remedies to enforce the claim for taxes against the taxpayer as if the people of the State had recovered judgment against the taxpayer for the amount of the tax.

SEC. 51. Tax a Debt. Every tax imposed by this act, and all increases, interest and penalties thereon, shall become, from the time it is due and payable, a personal debt, from the person or persons liable to pay the same, to the State of California.

SEC. 52. Action for Recovery of Taxes Action may be brought at any time by the Attorney General of the State, at the instance of the commissioner in the name of the State, to recover the amount of any taxes, penalties and interest due under this act.

SEC. 53. Tax Upon Settlement of Fiduciary's Account

(a) No final account of a fiduciary shall be allowed by any court unless such account shows, and the judge of said court finds, that all taxes imposed by the provisions of this act upon said fiduciary, which have become payable, have been paid, and that all taxes which may become due are secured by bond, deposit or otherwise. The certificate of the commissioner and the receipt of the amount of the tax therein certified shall be conclusive as to the payment of the tax to the extent of said certificate.

(b) For the purpose of facilitating the settlement and distribution of estates held by fiduciaries, the commissioner may, on behalf of the State, agree upon the amount of taxes at any time due or to become due from such fiduciaries under the provisions of this act, and payment in accordance with such agreement shall be full satisfaction of the taxes to which the agreement related."

AMENDMENT NUMBER SEVEN.

On page 13, line 45, of the printed bill, as amended, strike out "34", and insert in lieu thereof the following: "54".

AMENDMENT NUMBER EIGHT.

On page 14, line 3, of the printed bill, as amended, strike out "35", and insert in lieu thereof the following. "55".

The question being on the adoption of the amendments.

POINT OF ORDER.

Mr. Lyon arose to the following point of order: Stating that the amendments offered by Mr. Clowdsley are not germane to Senate Bill No 1211, the subject matter now before the Assembly.

RULING BY SPEAKER.

The Speaker ruled the point of order raised by Mr. Lyon well taken.

FURTHER FLOOR AMENDMENT TO SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED ELEVEN.

During reading of the bill, the following amendment was submitted by Mr. Lyon:

AMENDMENT NUMBER ONE.

On page 3, line 8, of the printed bill, as amended, strike out the words "water in containers", and insert in lieu thereof "gas or water in containers".

UNANIMOUS CONSENT GRANTED.

Mr. Lyon asked for, and was granted, unanimous consent to have the amendments offered by himself considered without reference to reprinting of the bill.

The question being on the adoption of the amendment.

Amendment adopted.

MOTION TO SUSPEND RULE.

Mr. Lyon moved that Standing Rule No. 71 and Joint Rule No. 13, requiring the reprinting of a bill, be suspended.

The question being on the motion to suspend the rules.

REQUEST FOR ROLL CALL.

On request of Messrs. Lyon, O'Donnell and Crist, the Speaker ordered a roll call taken on the motion to suspend rules.

The roll was called, and the motion to suspend the rules was lost by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Brock, Callahan, Clowdsley, Cobb, Cottrell, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, Meeker, Miller, Eleanor; Miller, James A., Morgan, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Scudder, Stream, Utt, Woolwine, Wright, Zion and Mr. Speaker—50.

NOES—Bliss, Boyle, Burns, Cassidy, Chatters, Craig, Crowley, Dempster, Hornblower, Hunt, Jones, King, Mayo, McCarthy, McMurray, Meehan, Nielsen, O'Connor, O'Donnell, Robinson, Samuel E., Rogers, Stannard, Sullivan, Thorp, Tournoux, Turner, West and Williamson—28.

Senate Bill No. 1211 ordered to reprint, and third reading.

MOTION TO ADJOURN.

Mr Hallner moved that the Assembly do now adjourn until Saturday, July 22, 1933, at the hour of nine o'clock and thirty minutes a.m.

Motion carried.

ADJOURNMENT.

At ten o'clock and twenty minutes p.m., the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Saturday, July 22, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Saturday, July 22, 1933.

At nine o'clock and thirty minutes a.m., the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

July 20, 1933.

Hon Walter J. Little, Chairman, Joint Legislative Tax Committee, State Capitol, Sacramento, California.

DEAR MR. LITTLE: Our association is deeply concerned in that portion of the proposed sales tax bill which makes certain exemptions from the provisions of the Civil Service Act. Therein, it will be noted that "accountants, auditors, investigators, etc.," shall be exempt from the provisions of the act This, we are informed will number from 300 to 600 exemptions.

We have consistently felt it our fundamental duty to stand for those principles which are beneficial to the citizens and taxpayers, and one of those benefits is the administration of public office through civil service The problems which develop in civil service are not caused by the employee having status, but those who are employed under temporary authorization or otherwise exempt from the provisions of the act In the State service today, there are hundreds of employees whose duties and responsibilities are similar to those which this act is intended to exempt, and they all have civil service status

We very definitely feel that there can be no good reason for making exemptions of *this kind, and that every exemption from the provisions of the Civil Service Act* weakens the structure very materially.

California has been a leader in progressive and humanitarian legislation, both for public and private labor. We ask that you, as representatives of the people, continue along that path, and support an amendment to this portion of the bill, which, if not amended, will result in a continued undermining of civil service. We are sure that

you do not wish to return to the old machine "spoils system" in vogue some years ago.

Our association is dedicated to the elevation of the public service; to the reduction in governmental expense, and a greater efficiency in public office. None of these things can be accomplished by disregard for civil service. Every citizen should have a right to seek employment with our State—no one should be denied that right because of his lack of influence.

Very truly yours,

CALIFORNIA STATE EMPLOYEES' ASSOCIATION.
BYRL F. BABCOCK, Executive Manager.

COMMUNICATIONS.

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

By Chief Clerk:

ASSEMBLY CHAMBER, CALIFORNIA LEGISLATURE.
SACRAMENTO, CALIFORNIA, July 22, 1933

Hon. Walter J. Little, Speaker of the Assembly, Sacramento, California

DEAR MR SPEAKER: I am in receipt of a letter from Mr. Fred W. Links, Deputy Chief of Division of Budgets and Accounts, and of check No. 14 in the sum of $104.56, signed by Mr. Links.

May I advise you that this check has been deposited in the office of the State Controller and the receipt of the Controller received for the same.

The letter of Mr. Links, which is self-explanatory, is attached hereto.

Yours very truly,

ARTHUR A. OHNIMUS, Chief Clerk.

DEPARTMENT OF FINANCE, DIVISION OF BUDGETS AND ACCOUNTS.
SACRAMENTO, July 21, 1933.

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

DEAR SIR: On May 18, 1933, I sent to you a statement regarding the disposition and sale of copies of the budget, and copies of legislative bills, journals, histories, etc., the total sales of which amounted to $4,418.72.

Since submitting that report there have been additional sales amounting to $738.45, making total sales of $5,157.17. The work in connection with the distribution of the various documents was handled by the Division of Publications and Documents, which expended $529.34 in connection therewith.

We are herewith enclosing our check No. 14 for $104.56. This remittance, together with like amounts sent to the Secretary of the Senate, covers the net proceeds received from the sale of legislative printing matter.

The check sent herewith should be remitted to the State Controller for credit to the appropriation for legislative printing, binding, etc., Chapter 617, Statutes of 1933.

Yours very truly,

FRED W. LINKS, Deputy Chief.
Division of Budgets and Accounts.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 55—Approving one certain amendment to the charter of the city of Berkeley in the county of Alameda, State of California, voted for and ratified by the electors of said city at a special election held therein on the twenty-seventh day of June, 1933;

Also: Assembly Concurrent Resolution No. 56—Approving certain amendments to the charter of the city of Alameda, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of June, 1933;

Also: Assembly Concurrent Resolution No. 58—Approving certain amendments to the charter of the city of Petaluma, county of Sonoma, State of California, voted for and ratified by the electors of the said city of Petaluma at a general municipal election held therein on the thirteenth day of June, 1933;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-first day of July, 1933, at two o'clock p m

PATTERSON, Chairman

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: Your Committee on Banking, to which was referred Senate Bill No 1214—An act to amend sections 19 and 62 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended and to add thereto new sections to be numbered 21 1, 56 1 and 136 1, all relating to the business of banking—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

WILLIAMSON, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, July 20, 1933.

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Senate Bill No. 1215—An act to amend section 13.16 of the "Building and Loan Association Act," relating to the powers and duties of the Building and Loan Commissioner, declaring the urgency thereof, and to provide that this act shall take effect immediately—and recommends that same be re-referred to the Committee on Building and Loan Associations.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Building and Loan Associations.

ON BUILDING AND LOAN ASSOCIATIONS

ASSEMBLY CHAMBER, SACRAMENTO, July 22, 1933.

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Senate Bill No. 1215—An act to amend section 13 16 of the "Building and Loan Association Act," relating to the powers and duties of the Building and Loan Commissioner, declaring the urgency thereof, and to provide that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that same do pass as amended.

ROBERTS, Chairman

SECOND READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED FIFTEEN.

Senate Bill No. 1215—An act to amend sections 13.16 and 15 12 of the "Building and Loan Association Act," relating to the powers and duties of the Building and Loan Commissioner, and to building and loan associations, declaring the urgency thereof, and to provide that this act shall take effect immediately.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 3, line 27, of the printed bill, as amended in the Senate July 20, 1933, strike out the period, and insert a semicolon and the following: "provided, however, notwithstanding anything to the contrary herein contained, in the case of any association in which shareholders shall have heretofore been granted the right and option by the association to exchange their shares for investment certificates of equal value he shall distribute and pay dividends in liquidation to such shareholders without distinction or preference as between the claims of such shareholders and the claims of certificate holders and other creditors"

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr Cottrell asked for, and was granted, unanimous consent to take up Senate Bill No. 1215 at this time without reference to file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Cottrell:

Resolved, That Senate Bill No. 1215 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

The question being on the adoption of the resolution.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Cottrell moved a call of the House.

Motion carried.

Time, nine o'clock and forty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Bliss, Bowers, Brock, Callahan, Cassidy, Clowdsley, Cottrell, Feigenbaum, Frazier, Greene, Hatch, Kallam, Knowland, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; O'Connor, Patterson, Peterson, Rawls, Riley, Robinson, Samuel E., Rogers, Stream, Thorp, Tournoux, and Mr. Speaker—32.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON RULES

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 2442—An act to amend Chapters I and II of Part I of Division IV of the School Code, Chapters II and III of Part II of Division IV thereof, Article IV of Chapter II of Part IV of Division IV thereof, Article II of Chapter III of Part IV of Division IV thereof, sections 4 784, 4 785, 4 786, 6 383 and 6 384 thereof; to add a new Article IV to Chapter II of Part IV of Division IV thereof, a new Article Ia to Chapter III of Part IV of Division IV thereof and sections 3.611, 3.612, 4 705, 4.787, 4 788 thereto; and to repeal Chapter VII of Part I of Division IV thereof, and Articles V and VII of Chapter II of Part IV of Division IV thereof, all relating to the public school system, declaring the urgency thereof, and providing that this act shall go into effect immediately—and recommends that same be re-referred to Committee on Education.

Committee membership—7; committee vote Ayes—7

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Education.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 2442—An act to amend Chapters I and II of Part I of Division IV of the School Code, Chapters II and III of Part II of Division IV thereof, Article IV of Chapter II of Part IV of Division IV thereof, Article II of Chapter III of Part IV of Division IV thereof, sections 4 784, 4.785, 4 786, 6 383 and 6 384 thereof; to add a new Article IV to Chapter II of Part IV of Division IV thereof, a new Article Ia to Chapter III of Part IV of Division IV thereof and sections 3 611, 3 612 4 705 4 787, 4 788 thereto; and to repeal Chapter VII of Part I of Division IV thereof,

and Articles V and VII of Chapter II of Part IV of Division IV thereof, all relating to the public school system, declaring the urgency thereof, and providing that this act shall go into effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ROLAND, Chairman.

The above reported bill ordered on file for second reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, July 22, 1933.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 37—Relative to Federal loans on agricultural lands within the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

PETERSON, Chairman.

Assembly Joint Resolution No. 37 ordered placed on daily calendar.

ON REVENUE AND TAXATION

ASSEMBLY CHAMBER, SACRAMENTO, July 22, 1933.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No 2437—An act to amend sections 1 and 4 of an act entitled "An act for the taxation of Massachusetts or business trusts," approved May 1, 1933, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No 2400—An act to encourage industrial recovery and foster fair competition, and to that end to provide for the organization and regulation of business in this State for the purpose of cooperating with the government of the United States of America in its policies and program to promote the industrial recovery of this Nation, and declaring the urgency thereof—and recommends that same be re-referred to the Committee on Judiciary.

ROBINSON, C. RAY, Chairman

The above reported bill ordered re-referred to Committee on Judiciary.

Also:

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No 2438—An act to provide for cooperation by the State of California and by the governmental units thereof with the United States government in a public works program under the provisions of the National Industrial Recovery Act—and recommends that same be re-referred to the Committee on Judiciary.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Judiciary.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and five minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Cottrell.

The roll of absentees was called, and the resolution offered by Mr Cottrell to suspend section 15 of Article IV of the Constitution was adopted by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E.,

Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Zion and Mr. Speaker—55.
NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1215.

FURTHER CONSIDERATION OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED FIFTEEN.

Senate Bill No. 1215—An act to amend sections 13 16 and 15 12 of the "Building and Loan Association Act," relating to the powers and duties of the Building and Loan Commissioner, and to building and loan associations, declaring the urgency thereof, and to provide that this act shall take effect immediately.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, Tournoux, Utt, West, Williamson, Zion and Mr. Speaker—55.
NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED FIFTEEN

Senate Bill No. 1215—An act to amend sections 13.16 and 15.12 of the "Building and Loan Association Act," relating to the powers and duties of the Building and Loan Commissioner, and to building and loan associations, declaring the urgency thereof, and to provide that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1215 passed by the following vote:

AYES—Alter, Anglim Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A.; Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Rogers, Roland, Scudder, Stream, Tournoux, Utt, West, Woolwine, Wright and Mr Speaker—60.
NOES—Hornblower—1.

Title read and approved.

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON RULES

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No 1114—An act providing for the incorporation, government, and management of metropolitan park districts including therein city and county terri-

tory, for the purpose of acquiring, improving, and maintaining parks, playgrounds, beaches, parkways, scenic drives, boulevards and other facilities for public recreation; providing for the management and government of such districts; authorizing such districts to incur bonded indebtedness and to levy and collect taxes to pay the principal and interest on bonds and for carrying out the purposes of this act; and providing for the powers of such districts; and imposing certain duties and functions in connection with such districts upon certain county officers—and recommends that same be re-referred to the Committee on Municipal Corporations.

ROBINSON, C. RAY, Chairman.

Assembly Bill No. 1114 ordered re-referred to Committee on Municipal Corporations.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1114—An act providing for the incorporation, government, and management of metropolitan park districts including therein city and county territory, for the purpose of acquiring, improving, and maintaining parks, playgrounds, beaches, parkways, scenic drives, boulevards and other facilities for public recreation; providing for the management and government of such districts; authorizing such districts to incur bonded indebtedness and to levy and collect taxes to pay the principal and interest on bonds and for carrying out the purposes of this act; and providing for the powers of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FOURTEEN.

Assembly Bill No. 1114—An act providing for the incorporation, government, and management of metropolitan park districts including therein city and county territory, for the purpose of acquiring, improving, and maintaining parks, playgrounds, beaches, parkways, scenic drives, boulevards and other facilities for public recreation; providing for the management and government of such districts; authorizing such districts to incur bonded indebtedness and to levy and collect taxes to pay the principal and interest on bonds and for carrying out the purposes of this act; and providing for the powers of such districts; and imposing certain duties and functions in connection with such districts upon certain county officers.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In lines 2 and 3 of the title of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER TWO

On page 2, lines 8 and 9, of the printed, amended bill, strike out the two words "metropolitan", and insert in lieu thereof the word "regional", in each case.

AMENDMENT NUMBER THREE

On page 2, lines 10 and 11, of the printed, amended bill, strike out the words "A municipality", and insert in lieu thereof the words "Two municipalities".

AMENDMENT NUMBER FOUR.

On page 2 of the printed, amended bill, between lines 15 and 16, add the following paragraph:

"Provided further, however, that all the territory in such proposed district shall be located within the boundaries of a municipal utility district organized and existing under and in compliance with the provisions of an act entitled 'An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction

of works and property, and to levy and collect taxes to pay the principal and interest thereon',".

AMENDMENT NUMBER FIVE.

On page 2, line 17, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER SIX.

On page 2, line 19, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER SEVEN.

On page 2, line 21, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional"

AMENDMENT NUMBER EIGHT.

On page 3, line 11, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER NINE.

On page 3, line 20, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER TEN.

On page 3, line 34, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER ELEVEN.

On page 3, line 45, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER TWELVE.

On page 5, line 4, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER THIRTEEN.

On page 6, line 5, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FOURTEEN.

On page 6, line 27, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FIFTEEN.

On page 6, line 31, of the printed, amended bill, strike out the world "metropolitan", and insert in lieu thereof the word "regional"

AMENDMENT NUMBER SIXTEEN.

On page 6, line 34, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER SEVENTEEN.

On page 9, line 19, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional"

AMENDMENT NUMBER EIGHTEEN.

On page 9, line 35, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER NINETEEN

On page 9, line 44, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional"

AMENDMENT NUMBER TWENTY

On page 10, line 9, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER TWENTY-ONE.

On page 10, line 24, of the printed, amended bill, after the word "otherwise", strike out the period and insert the following: ", provided, however, that such regional park district shall not acquire by condemnation any of the lands, properties or facilities of any municipal utility district which are appropriated to public use or used in or useful to the operations of said municipal utility district or within the watershed of any stream or reservoir which supplies water for domestic use or which the directors of such municipal utility district may determine by resolution to be properties which are required for the purposes of the municipal utility district"

AMENDMENT NUMBER TWENTY-TWO.

On page 10, line 40, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER TWENTY-THREE.

On page 11, line 12, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER TWENTY-FOUR.

On page 11, line 18, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER TWENTY-FIVE

On page 13, line 51, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER TWENTY-SIX.

On page 14, line 2, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 14, line 5, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 14, line 25, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER TWENTY-NINE.

On page 15, line 1, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER THIRTY.

On page 15, line 16, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER THIRTY-ONE.

On page 15, lines 24 and 25, of the printed, amended bill, strike out the word "metropolitan," and insert in lieu thereof the word "regional".

AMENDMENT NUMBER THIRTY-TWO.

On page 15, line 51, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER THIRTY-THREE.

On page 16, line 9, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER THIRTY-FOUR.

On page 16, line 10, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER THIRTY-FIVE.

On page 16, line 30, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER THIRTY-SIX.

On page 16, line 44, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 16, line 46, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 16, line 51, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER THIRTY-NINE

On page 17, line 7, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FORTY.

On page 17, lines 10 and 11, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FORTY-ONE.

On page 17, lines 20 and 21, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FORTY-TWO.

On page 17, line 36, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FORTY-THREE.

On page 17, line 38, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FORTY-FOUR

On page 18, line 16, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional."

AMENDMENT NUMBER FORTY-FIVE.

On page 18, line 19, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FORTY-SIX

On page 18, line 26, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional"

AMENDMENT NUMBER FORTY-SEVEN

On page 18, line 28, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FORTY-EIGHT.

On page 18, line 30, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FORTY-NINE.

On page 18, line 32, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FIFTY.

On page 18, lines 43 and 44, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional"

AMENDMENT NUMBER FIFTY-ONE.

On page 19, line 9, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FIFTY-TWO.

On page 19, line 10, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FIFTY-THREE.

On page 19, line 38, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FIFTY-FOUR.

On page 19, line 49, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FIFTY-FIVE.

On page 20, line 4, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FIFTY-SIX.

On page 20, line 50, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 21, line 6, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 21, lines 25 and 26, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER FIFTY-NINE.

On page 21, line 27, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER SIXTY.

On page 22, line 12, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER SIXTY-ONE

On page 22, line 28, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER SIXTY-TWO

On page 22 line 36, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER SIXTY-THREE.

On page 22, line 39, of the printed, amended bill, strike out the word "metropolitan", and insert in lieu thereof the word "regional".

AMENDMENT NUMBER SIXTY-FOUR.

In the last line of the title of the printed bill, as amended, strike out the period after "officers", and insert a semicolon in lieu thereof, and the following: "and providing that this act shall take effect immediately."

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Roland asked for, and was granted, unanimous consent to take up Assembly Bill No. 1114 at this time without reference to file or reprint, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Roland:

Resolved, That Assembly Bill No. 1114 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Latham, Levey, Martin, McBride, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stream, Thorp, Tournoux, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—59.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1114.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FOURTEEN.

Assembly Bill No. 1114—An act providing for the incorporation, government, and management of metropolitan park districts including therein city and county territory, for the purpose of acquiring, improving, and maintaining parks, playgrounds, beaches, parkways, scenic drives, boulevards and other facilities for public recreation; providing for the management and government of such districts; authorizing such districts to incur bonded indebtedness and to levy and collect taxes to pay the principal and interest on bonds and for carrying out the purposes of this act; and providing for the powers of such districts; and imposing certain duties and functions in connection with such districts upon certain county officers.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Knowland, Latham, Levey, Martin, McBride, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Stream, Thorp, Tournoux, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—59.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FOURTEEN.

Assembly Bill No. 1114—An act providing for the incorporation, government, and management of metropolitan park districts including therein city and county territory, for the purpose of acquiring, improving, and maintaining parks, playgrounds, beaches, parkways, scenic drives, boulevards and other facilities for public recreation; providing for the management and government of such districts; authorizing such districts to incur bonded indebtedness and to levy and collect taxes to pay the principal and interest on bonds and for carrying out the purposes of this act; and providing for the powers of such districts; and imposing certain duties and functions in connection with such districts upon certain county officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1114 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Patterson, Redwine, Roberts, Robinson, C. Ray; Roland, Scudder, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—57.

NOES—Peterson—1.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2429—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do go to the floor of the Assembly without recommendation as amended.

RILEY, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED TWENTY-NINE.

Assembly Bill No. 2429—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and

to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 2 of the printed bill, strike out lines 3 to 11, inclusive, and insert in lieu thereof the following: "Net income for the purposes of this act shall be computed upon the basis provided in and in accordance with the system for determining net income as set out in that certain act of the Congress of the United States known as the "Revenue Act of 1932," as amended, which is for the purposes of this act hereby referred to and incorporated herein with the same force and effect as though fully set forth, except where said Revenue Act of 1932 is expressly inconsistent with the provisions of this act. The tax levied by this act shall be similar to that provided for by the Federal Revenue Act of 1932, as amended, but shall be subject to such increases and deductions as are hereinafter provided for in determining a proper taxable income and shall be returned, calculated, ascertained, and paid according to the system and rules hereinafter provided."

AMENDMENT NUMBER TWO.

On page 2, line 15, of the printed bill, strike out "1928", and insert in lieu thereof the following: "1932".

AMENDMENT NUMBER THREE.

On page 2, line 27, of the printed bill, strike out "1928", and insert in lieu thereof the following "1932".

AMENDMENT NUMBER FOUR.

On page 3, line 12, of the printed bill, strike out "1928", and insert in lieu thereof the following: "1932".

AMENDMENT NUMBER FIVE.

On page 3, line 16, of the printed bill, strike out "1928", and insert in lieu thereof the following: "1932".

AMENDMENT NUMBER SIX.

On page 3, line 24, of the printed bill, strike out "1928", and insert in lieu thereof the following: "1932".

AMENDMENT NUMBER SEVEN.

On page 3, line 27, of the printed bill, strike out "1928", and insert in lieu thereof the following: "1932".

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Clowdsley asked for, and was granted, unanimous consent to take up Assembly Bill No. 2429 at this time without reference to file or print, and that same be considered engrossed.

RESOLUTION.

The following resolution was offered:

By Mr Clowdsley:

Resolved, That the rule requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Assembly Bill No. 2429 be read the third time, and placed upon its passage

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—71.

NOES—None.

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Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2429.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED TWENTY-NINE.

Assembly Bill No. 2429—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr Robinson, C. Ray:

AMENDMENT NUMBER ONE.

On page 2, line 35, of the printed bill, strike out the balance of paragraph 1, commencing with the word "provided".

The question being on the adoption of the amendment.

REQUEST FOR ROLL CALL.

On request of Messrs. Robinson, C Ray; Wright and Cobb, the Speaker ordered a roll call taken on the adoption of the amendment

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

AYES—Alter, Badham, Bliss, Bowers, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Evans, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—55.

NOES—Anglim, Boyle, Cassidy, Crist, Crowley, Dempster, Feigenbaum, Hornblower, King, Levey, McMurray, Meehan, Miller, James A., O'Connor, Sullivan and Williamson—16.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Clowdsley asked for unanimous consent to take up Assembly Bill No. 2429, at this time, without reference to file or printer, and that same be considered engrossed.

OBJECTION RAISED.

Mr. Hornblower objected to unanimous consent.

MOTION TO SUSPEND RULE.

Mr. Robinson, C. Ray, moved that Standing Rule No. 71 and Joint Rule No. 13, requiring the reprinting of a bill, be suspended.

The question being on the motion to suspend the rules.

The roll was called, and the motion to suspend Standing Rule No. 71 and Joint Rule No 13 carried by the following vote:

AYES—Alter, Anglim, Bliss, Boyle, Brock, Burns, Chatters, Clowdsley, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Grubbs, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Wright, Zion and Mr. Speaker—68

NOES—Badham and Bowers—2.

The question being on the passage of the bill.

HON. C. RAY ROBINSON IN THE CHAIR.

At eleven o'clock and fifty minutes a.m., Hon. C. Ray Robinson, member of the Assembly from the Thirty-third Assembly District, in the chair.

MOTION TO RECESS.

Mr. Lyon moved that the Assembly do now recess until the hour of one o'clock and thirty minutes p.m. of this day.

Motion carried.

RECESS.

At eleven o'clock and fifty-five minutes p.m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk McIntire reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, July 22, 1933

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 2440—An act to add a new section to the Political Code to be numbered 3714b, relating to appeals to the State Board of Equalization, declaring the urgency thereof and to provide that this act take effect immediately—and recommends that same be re-referred to the Committee on Ways and Means.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2440—An act to add a new section to the Political Code to be numbered 3714b, relating to appeals to the State Board of Equalization, declaring the urgency thereof and to provide that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, July 22, 1933

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 273—An act appropriating money, appropriated by Chapter 90, Statutes of 1933, to meet a deficiency in the appropriation for subsidies of the Bureau of Tuberculosis of the Department of Public Health for the eighty-second fiscal year, declaring the urgency thereof and providing that this act shall take effect immediately—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1990—An act to levy an excise tax on the manufacture, distribution and sale of certain liquors; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act; to make

an appropriation for the enforcement of this act and to provide that this act shall take effect immediately—and reports that the same has been correctly re-re-engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, July 22, 1933.

MR. SPEAKER: In accordance with the provisions of Senate Concurrent Resolution No. 23, your Committee on Rules approves consideration by the Assembly of Assembly Bill No. 2441—An act to provide revenue for the State of California, specifying the methods of computing and collecting the same, providing penalties for the violation of the provisions hereof, and providing that this act shall take effect immediately—and recommends that same be re-referred to the Committee on Revenue and Taxation.

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Revenue and Taxation.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, July 22, 1933.

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 2432—An act to extend to production, manufacture, trade and commerce conducted within the State of California the provisions of Title I of an act of Congress entitled "An act to encourage National industrial recovery, to foster fair competition, to provide for the construction of certain useful public works, and for other purposes," commonly known as the National Industrial Recovery Act; to provide for the enforcement thereof as so extended; to declare the urgency of this act and to provide that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WEST, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 2400—An act regulating competition in business, providing for the organization of trade associations as defined herein, authorizing the Corporation Commissioner of the State of California to issue permits for the operation thereof, and defining and prohibiting destructive competition—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WEST, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED.

Assembly Bill No. 2400—An act regulating competition in business, providing for the organization of trade associations as defined herein, authorizing the Corporation Commissioner of the State of California to issue permits for the operation thereof, and defining and prohibiting destructive competition.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all the title of the printed bill, and insert in lieu thereof the following "An act to authorize the adoption and approval of State codes of fair competition for certain trades, industries, or subdivisions thereof, for which no code of fair competition is or may be approved, prescribed or issued under that act of Congress commonly known as the National Industrial Recovery Act, approved June 16, 1933, and to which trades, industries or subdivisions thereof the provisions of no code of fair competition which is or may be approved, prescribed or issued under said act of Congress have been made applicable by any law of this State, to provide for the enforcement of the provisions of any State code of fair competition approved as in

this act provided, to declare the urgency of this act and to provide that this act shall take effect immediately."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the words "Section 1", strike out the remainder of line 1, and all of lines 2 to 25, inclusive, of page 1, and strike out all of pages 2, 3, 4 and 5, and insert in lieu thereof, the following:

"A State and national emergency productive of widespread unemployment and disorganization of trade and industry, which burdens commerce, affects the public welfare, and undermines the standards of living of the people of this State and Nation, is hereby declared to exist. It is hereby declared to be the policy of the State of California to cooperate with and assist the national government in promoting the rehabilitation of trade and industry and in eliminating unfair competitive practices.

SEC. 2. The provisions of this act shall apply only to those engaged in the State of California in any business within any trade or industry or subdivision thereof for which no code of fair competition is or may be approved, prescribed or issued under Title I of that certain act of Congress of the United States entitled "An act to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful works and for other purposes," approved June 16, 1933 and commonly known as the National Industrial Recovery Act and to which trade or industry or subdivision thereof the provisions of no code of fair competition which is or may be approved, prescribed or issued under said act of Congress have been made applicable by any law of this State.

SEC. 3. Upon the application to the California Industrial Recovery Board, which is hereby created, to consist of the Chief of the Bureau of Commerce, the Commissioner of Corporations and the Director of the Department of Industrial Relations of the State of California (hereinafter referred to as the board) by one or more trade or industrial associations or groups, the board may approve a State code or codes of fair competition for the trade or industry or subdivision thereof represented by the applicant or applicants, if the board finds (1) that such associations or groups impose no inequitable restrictions on admission to membership therein and are truly representative of such trades or industries or subdivisions thereof, (2) that such State code or codes are not designed to promote monopolies or to eliminate or oppress small enterprises and will not operate to discriminate against them, and will tend to effectuate the policy of this act, and (3) that the trade or industry or subdivision thereof represented by such applicant or applicants is one to which the provisions of this act apply: Provided, that such State code or codes shall not permit monopolies or monopolistic practices: Provided, that where such State code or codes affect the services and welfare of persons engaged in other steps of the economic process, nothing in this section shall deprive such persons of the right to be heard prior to approval by the board of such code or codes. The board may, as a condition of its approval of any such State code, impose such conditions (including requirements for the making of reports and the keeping of accounts) for the protection of consumers, competitors, employees, and others, and in furtherance of the public interest, and may provide such exceptions to and exemptions from the provisions of such State code, as the board in its discretion deems necessary to effectuate the policy herein declared. The board may from time to time by an application therefor amend any State code of fair competition, approved under the authority of this act, where such amendment is in the public interest and in accord with the purposes of this act. The board may also revoke its approval of any code or amendment or provision thereof.

SEC. 4. Every State code of fair competition approved under this act shall contain the following conditions: (1) That employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection; (2) that no employee and no one seeking employment shall be required as a condition of employment to join any company union or to refrain from joining, organizing, or assisting a labor organization of his own choosing; and (3) that employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment, provided for in said State code of fair competition, approved by the board.

Nothing contained in this act shall, however, be construed to repeal or in any way modify the terms of any public works labor law now in effect in this State or heretofore approved or of any other law for the protection of workers in this State. The provisions of this act shall instead be construed to supplement such laws. Nor shall anything in this act contained be held to affect or supersede any contract or agreement as to any standard or standards of conditions of employment agreed upon or established by means of collective bargaining between employers and employees, or by and between or with organizations of employers or of employees, where any such standard of condition of employment is higher or more advantageous to employees under such collective agreement than the corresponding standard provided

under a fair code of competition established under this act, and where such standard otherwise will promote and effectuate the policy of said act, or to prevent employers and employees from making any such contracts, or agreements which do not violate the terms of such code.

SEC. 5. For filing in its office any application for the approval or amendment of any State code of fair competition authorized by this act the board shall be entitled to charge and collect a fee of twenty-five dollars ($25). When and if the code applied for shall be approved by the board, the board shall be entitled to charge and collect a license fee to be determined by the board not to exceed fifty cents (50c) per annum, or fraction thereof, for each employee in the trade or industry or subdivision thereof, based on the number of employees employed at the time the board declares the fee to be due, this license fee to be paid to the board by each person, firm, association or corporation forming a component part of the trade or industry or subdivision thereof covered by the code If the board in the consideration or approval of any State code of fair competition, or any amendment thereof, under the provisions of this act, incurs extra expenses, in addition to ordinary routine expenses, it may require the applicant or applicants for the approval of such State code to defray such extra expenses All moneys collected by the board shall be deposited with the State Treasurer once each week, together with a complete statement as to the source of the collections, and shall become a part of a special fund to be known as the Industrial Recovery Board fund, which fund is hereby created and which shall be expended by the board in its discretion in carrying out the administration and purposes of this act in checks drawn on the said fund.

SEC. 6. It shall be unlawful for any person, firm, association, or corporation engaged in the State of California in any business within any trade or industry or subdivision thereof subject to the provisions of this act to fail to comply, as to such business, with the terms of any State code of fair competition approved for said trade or industry or subdivision thereof under this act. It shall be lawful for any such person, firm, association or corporation to do or omit any act or thing required or permitted to be done or omitted by any of such terms.

SEC. 7. Any person, firm, association or corporation, or agent, manager, superintendent or officer thereof, who shall violate any provisions of this act shall be guilty of a misdemeanor and for each and every such violation shall be punishable by a fine not to exceed five hundred dollars ($500) or by imprisonment for not to exceed six (6) months or both. Each and every day's continuance of such violation shall constitute a separate offense. In addition to, and entirely independent and apart from, any other penalty provided, the violation of this act is hereby declared to be a public nuisance and may be enjoined or abated in an action filed and prosecuted in the superior court of the State of California in any county, or city and county, in which such violation may occur. Such action may be filed and prosecuted by the Attorney General of the State of California or by the district attorney of any county or city and county in the name of the people of the State of California

SEC. 8. This act shall cease to be in effect at the expiration of two years from the date of its enactment, or sooner and when the emergency, recognized by section 1 of this act, has ended, if the Governor, by proclamation, shall so declare.

SEC. 9. If any section, sentence, clause or part of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, sentence, clause or part hereof, irrespective of the fact that one or more sections, sentences, clauses or parts hereof be declared unconstitutional.

SEC. 10. This act may be known and cited as the Supplement to the California Industrial Recovery Act

SEC. 11. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

There exists throughout the State of California and throughout the United States widespread unemployment and disorganization of industry amounting to an economic emergency which is injuriously affecting the morale and standard of living and threatens the safety and industrial peace of the public. In order to relieve these conditions it is necessary that this State cooperate with the Federal government by authorizing the people and industries of this State without distinction as between intrastate commerce and interstate or foreign commerce immediately to assume such burdens as those contemplated by said act of Congress and immediately to secure such advantages and benefits as those which may not otherwise be secured under said act of Congress, and immediately to adopt and have approved State codes of fair competition for trades, industries, or subdivisions thereof for which no code of fair competition is or may be approved, prescribed or issued under said act of Congress and to which trades, industries or subdivisions thereof the provisions of

no code of fair competition which is or may be approved, prescribed or issued under said act of Congress have been made applicable by any law of this State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, July 22, 1933

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2438—An act to provide for cooperation by the State of California and by the governmental units thereof with the United States government in a public works program under the provisions of the National Industrial Recovery Act, declaring the urgency thereof and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, without recommendation, and be re-referred to Committee on Ways and Means

WEST, Chairman

The above reported bill ordered re-referred to Committee on Ways and Means.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference appointed to consider Assembly Bill No. 2208—An act to amend section 4041.14 of the Political Code, relating to the licensing of businesses by the counties

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 93—An act to provide for the redemption, without payment of penalties or costs, of real property sold to the State for delinquent taxes prior to January 1, 1933.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2430—An act expressing the assent of the State of California to the provisions relating to emergency construction of public highways and related projects of Title II of the National Industrial Recovery Act, declaring the policy of the State of California in respect thereto and, for the purpose of effectuating such policy, making provisions concerning the powers of public officers and concerning highway construction contracts and labor thereon, making an appropriation therefor, providing for the suspension of inconsistent laws, and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1739—An act to amend section 3 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to the definition of certain terms used in said act.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 22, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 544—An act to amend sections 430 and 431 of the Fish and Game Code, and to add thereto section 428.5, relating to hunting and sporting fishing licenses.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 22, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 2251—An act to provide for the inspection of warehouses where grain is stored for hire; for the sampling, examination and condemnation of infested grain and regulating the sale thereof; defining the powers and duties of the Director of Agriculture in regard thereto and prescribing penalties for violations of the provisions hereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Bill No. 2251 ordered placed on daily calendar.

Also:

SENATE CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 34—Relative to construction of All-American Canal in the Imperial and Coachella valleys under National Industrial Recovery Act.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Robinson, Samuel E., asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 34, at this time, without reference to committee or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER THIRTY-FOUR.

Senate Joint Resolution No. 34—Relative to construction of All-American Canal in the Imperial and Coachella valleys under National Industrial Recovery Act.

Senate Joint Resolution No. 34 read.

The question being on the adoption of Senate Joint Resolution No. 34.

The roll was called, and Senate Joint Resolution No. 34 adopted by the following vote:

AYES—*Anglim, Badham*, Bliss, Bowers, Boyle, Brock, Burns, *Callahan*, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—66.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 34 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 34.

Relative to construction of All-American Canal in the Imperial and Coachella valleys, under National Industrial Recovery Act.

WHEREAS, The construction of the All-American Canal in the Imperial and Coachella valleys by the Federal government is authorized by the terms of the Boulder Canyon Project Act; and

WHEREAS, The early construction of the All-American Canal is necessary to the agricultural and economic stability of a large section of the State; and

WHEREAS, The construction of the All-American Canal will immediately employ large numbers of men and will constitute a work of lasting economic and social importance; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the President of the United States and the Federal Emergency Administrator of Public Works under the National Industrial Recovery Act, be and they are hereby memorialized and earnestly requested to include the construction of the All-American Canal in the list of public Federal works for immediate construction; and be it further

Resolved, That the Chief Clerk of the Senate be hereby directed to telegraph copies of this resolution to the President of the United States and to the Federal Emergency Administrator of Public Works under the National Industrial Recovery Act.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 1211—An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COBB, Chairman.

Senate Bill No. 1211 ordered on file for third reading.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED TWENTY-NINE.

Assembly Bill No. 2429—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately.

The question being on the passage of the bill

SPECIAL ORDER SET.

On motion of Mr. Clowdsley, the further consideration of Assembly Bill No. 2429 was made a special order for this day at two o'clock and fifteen minutes p.m.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 22, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended, Assembly Concurrent Resolution No. 59—Relative to adjournment—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHNIDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 59?

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed resolution, strike out the figure "21", and insert in lieu thereof the figure "26".

The roll was called, and Senate amendment to Assembly Concurrent Resolution No. 59 concurred in by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Craig, Crist, Cronin, Evans, Feigenbaum, Field, Fisher,

Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Miller, James A, Morgan, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Robinson, C Ray; Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—66

NOES—Clowdsley—1.

Assembly Concurrent Resolution No. 59 ordered to enrollment.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 21, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 33—Relative to memorializing the President of the United States to modify or relax the Federal regulations concerning the export and price of gold.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Mayo asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 33, at this time, without reference to committee or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER THIRTY-THREE.

Senate Joint Resolution No 33—Relative to memorializing the President of the United States to modify or relax the Federal regulation concerning the export and price of gold

Senate Joint Resolution No. 33 read.

The question being on the adoption of Senate Joint Resolution No 33.

The roll was called, and Senate Joint Resolution No. 33 adopted by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Brock, Burns, Chatters, Cobb, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hornblower, Hunt, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meeker, Miller, Eleanor; Morgan, Nielsen, Patterson, Peterson, Powers, Rawls, Riley, Roberts, Robinson C. Ray; Roland, Scudder, Stream, Thorp, Turner, West, Williamson, Woolwine and Mr. Speaker—54.

NOES—Boyle, Callahan, Cassidy, Clowdsley, Hoffman, Jones, King, McMurray, Meehan, O'Connor, O'Donnell, Robinson, Samuel E., Rogers, Stannard, Sullivan, Tournoux and Zion—17.

Title read and approved

Senate Joint Resolution No. 33 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No 33.

Relative to memorializing the President of the United States to modify or relax the Federal regulations concerning the export and price of gold.

WHEREAS, Due to existing economic conditions, there are thousands of our citizens who have become destitute through no fault of their own and who are attempting to make a livelihood through gold mining along the streams and rivers in the State of California and other western States, thereby maintaining their independence and avoiding the necessity of seeking the aid of charity; and

WHEREAS, Other citizens of this country have made large investments in gold mining enterprises of various kinds throughout the United States, thereby giving employment to great numbers of men and purchasing great quantities of commodities of various kinds for such mining enterprises; and

WHEREAS, The United States Government has heretofore fixed the price of gold at $20 67 per ounce and has prohibited the exporting of gold, and

WHEREAS, The price of gold at the present time on the world market is $30 per ounce, or thereabouts; and

WHEREAS, As is well known, the price of food and commodities in general is increasing thereby causing the production of gold to become more expensive and thereby lessening the production of gold in the United States; and

WHEREAS, It is generally admitted that it is to the economic advantage of the United States to produce a large supply of gold, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California hereby memorializes and petitions the President of the United States to relax or modify existing Federal laws and regulations so that gold may be exported from the United States and sold in the world market, or that regulations be promulgated so that the United States government will purchase all gold so mined at the prevailing world price instead of at the fixed price of $20.67 per ounce; and be it further

Resolved, That the Secretary of the Senate of the State of California be and he is hereby directed forthwith to transmit a copy of this joint resolution to the President of the United States

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 21, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1218—An act to declare the existence of a State and National agricultural emergency, to authorize prosecution for violations of this act, to provide for the enjoining of, and fining for, such violations, to provide for the recognition and enforcement in this State of marketing agreements establishing standards of fair competition and the issuing of licenses as approved or prescribed by the Secretary of Agriculture of the United States, under the terms of the National Agricultural Adjustment Act, to provide for the suspension of antitrust and unfair competition laws of this State under certain conditions, to limit the effective period of this act to declare the urgency of this act, and to provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ARGICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, July 22, 1933

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 1218—An act to declare the existence of a State and National agricultural emergency, to authorize prosecution for violations of this act, to provide for the enjoining of, and fining for, such violations, to provide for the recognition and enforcement in this State of marketing agreements establishing standards of fair competition and the issuing of licenses as approved or prescribed by the Secretary of Agriculture of the United States, under the terms of the National Agricultural Adjustment Act, to provide for the suspension of antitrust and unfair competition laws of this State under certain conditions, to limit the effective period of this act, to declare the urgency of this act, and to provide that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MEEKER, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Meeker asked for, and was granted, unanimous consent to take up Senate Bill No. 1218, at this time, without reference to committee or file.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Meeker:

Resolved, That Senate Bill No. 1218 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—66

NOES—None.

HON. J. E. FRAZIER IN THE CHAIR.

At two o'clock and thirty minutes p.m., Hon. J. E. Frazier, member of the Assembly from the Fourth District, in the chair.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1218.

CONSIDERATION OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED EIGHTEEN.

Senate Bill No. 1218—An act to declare the existence of a State and National agricultural emergency, to authorize prosecution for violations of this act, to provide for the enjoining of, and fining for, such violations, to provide for the recognition and enforcement in this State of marketing agreements establishing standards of fair competition and the issuing of licenses as approved or prescribed by the Secretary of Agriculture of the United States, under the terms of the National Agricultural Adjustment Act, to provide for the suspension of anti-trust and unfair competition laws of this State under certain conditions, to limit the effective period of this act, to declare the urgency of this act, and to provide that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright, Zion and Mr. Speaker—66

NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED EIGHTEEN.

Senate Bill No. 1218—An act to declare the existence of a State and National agricultural emergency, to authorize prosecution for violations of this act, to provide for the enjoining of, and fining for, such violations, to provide for the recognition and enforcement in this State of marketing agreements establishing standards of fair competition and the issuing of licenses as approved or prescribed by the Secretary of Agriculture of the United States, under the terms of the National Agricultural Adjustment Act, to provide for the suspension of anti-trust and unfair competition laws of this State under certain condi-

tions, to limit the effective period of this act, to declare the urgency of this act, and to provide that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1218 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright and Zion—62.

NOES—Field—1.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, July 21, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 32—Relating to the protection of the McCloud River.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Joint Resolution No. 32 ordered re-referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, July 21, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1217—An act validating contributions of the State of California to joint highway districts.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr Hoffman asked for, and was granted, unanimous consent to take up Senate Bill No. 1217 at this time without reference to committee or file.

RESOLUTION.

The following resolution was offered:

By Mr. Hoffman:

Resolved, That the rule requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Senate Bill No 1217 be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Powers, Rawls, Redwine, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright and Zion—62.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1217.

SECOND READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED SEVENTEEN.

Senate Bill No. 1217—An act validating contributions of the State of California to joint highway districts.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Anglim:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, after the word "the", strike out the word "State", and insert in lieu thereof the word "California".

Amendment adopted.

UNANIMOUS CONSENT GRANTED.

Mr. Hoffman asked for, and was granted, unanimous consent to have the amendment offered by Mr. Anglim considered without reference to reprinting of the bill.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED SEVENTEEN.

Senate Bill No. 1217—An act validating contributions of the State of California to joint highway districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1217 finally passed by the following vote:

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Powers, Rawls, Redwine, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright and Zion—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Cobb:

ASSEMBLY CHAMBER, SACRAMENTO, July 22, 1933.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 77a to the California Vehicle Act, relating to motor vehicle registration fees.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, July 22, 1933.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add section 77a to the California Vehicle Act, relating to motor vehicle registration fees.

HALLNER, Chairman.

The question being on the adoption of the report.

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

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Knowland, Latham, Lyon, Maloney, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—61

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Cobb: Assembly Bill No. 2443—An act to add section 77a to the California Vehicle Act, relating to motor vehicle registration fees.

Bill read first time, and referred to Committee on Rules

RESOLUTION.

The following resolution was offered:

By Mr. McMurray:

ASSEMBLY RESOLUTION.

WHEREAS, The existing facilities and buildings of the San Francisco State Teachers College are inadequate to serve the purposes of the college; and

WHEREAS, The adequate training of teachers is of the highest importance to the future generations of this State; and

WHEREAS, Proper facilities and buildings are essential to such adequate training, now, therefore, be it

Resolved by the Assembly of the State of California, That the Governor and the California Public Works Committee are hereby urged to make all possible efforts to secure the benefits of the assistance of the United States government under the provisions of Title II of the National Industrial Recovery Act in providing adequate and satisfactory facilities and buildings for the San Francisco State Teachers' College; and be it further

Resolved, That copies of this resolution be forwarded to the Governor and to the California Public Works Committee.

Resolution read, and on motion adopted.

THE SPEAKER IN THE CHAIR

At two o'clock and fifty-five minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

SPECIAL ORDER.

The hour having arrived, the special order heretofore set was taken up for consideration.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED TWENTY-NINE.

Assembly Bill No. 2429—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately.

The question being on the passage of the bill.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE

On page 5 of the printed bill, strike out lines 39 to 52, and on page 6, strike out lines 1 to 19, inclusive, and insert in lieu thereof the following:

"SEC. 19. Collection of taxes. If any tax imposed by this act or any portion of such tax be not paid within sixty days after entry of judgment therefor, a writ of execution shall issue, directed to the sheriff of the county, commanding him to levy upon and sell the real and personal property of the taxpayer found within his county, for the payment of the amount thereof with the added penalties, interest, and costs. Said writ shall be executed and all proceedings attendant thereon shall be carried out in accordance with law relating to executions in civil actions."

AMENDMENT NUMBER TWO.

On page 6, line 26, of the printed bill, after "time", insert the following: "within six years after the assessment of the tax".

AMENDMENT NUMBER THREE.

On page 6, line 29, of the printed bill, after the period, insert the following: "Immediately upon obtaining a judgment in such action the Attorney General shall record a certified copy thereof with the county recorder of the county in which the judgment is obtained, also in any other county where any property of the taxpayer is known to be located."

The question being on the adoption of the amendments.

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Clowdsley asked for, and was granted, unanimous consent to take up Assembly Bill No. 2429, at this time, without reference to file or reprint, and that same be considered engrossed.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2429 passed by the following vote:

AYES—Alter, Anglim, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Frazier, Gilmore, Hornblower, Hunt, Jones, King, Knowland, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, West and Zion—47.

NOES—Badham, Bliss, Bowers, Callahan, Cobb, Craig, Evans, Field, Greene, Hallner, Hatch, Hoffman, Kallam, Latham, Levey, Lyon, Martin, McBride, Miller, Eleanor; Morgan, Phillips, Redwine, Riley, Roland, Stream, Utt, Williamson, Woolwine, Wright and Mr. Speaker—30.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, July 21, 1933.

MR SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 354—An act to add three new sections, to be numbered 5.500a, 5.501a and 5.507 to, and to repeal section 5.504 of, the School Code, relating to teachers' tenure—reports that it has met a like committee of the Senate, consisting of Senators McCormack, Moran and Gordon, and reports that this Committee on Free Conference has failed to agree.

TOURNOUX,
ROLAND,
CRONIN,
Assembly Committee on Free Conference.

GORDON,
McCORMACK,
MORAN,
Senate Committee on Free Conference.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs Badham, Hallner and O'Connor, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 354.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED ELEVEN.

Senate Bill No 1211—An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE

On page 3, line 39, of the printed bill, as amended, strike out the period after the word "needy", and insert in lieu thereof the following: "and upon sales of foodstuffs and other tangible personal property for the purpose of erecting or conducting or operating hospitals, schools, reformatories, jails, juvenile detention homes, asylums, relief homes and all other charitable or penal institutions"

The question being on the adoption of the amendment

RECESS.

At three o'clock and thirty minutes p m , the Assembly was declared at recess for the purpose of being addressed by His Excellency Governor James Rolph, Jr , who introduced His Excellency Governor Green, Governor of Rhode Island, who addressed the members of the Assembly.

The Speaker, Hon. Walter J. Little, presented Will Rogers of Santa Monica, who also addressed the Assembly.

REASSEMBLED.

At three o'clock and forty minutes p.m , the Assembly reconvened. Speaker Little in the chair.

FURTHER CONSIDERATION OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED ELEVEN.

Senate Bill No. 1211—An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately.

The question being on the adoption of the amendment submitted by Mr. Hornblower.

REQUEST FOR ROLL CALL.

On request of Messrs. Lyon, Williamson and Hoffman, the Speaker ordered a roll call taken on the adoption of the amendment.

The roll was called, and the amendment, submitted by Mr. Hornblower, refused adoption by the following vote:

AYES—Anglim, Bliss, Boyle, Burns, Cassidy, Clowdsley, Cottrell, Cronin, Crowley, Dempster, Feigenbaum, Gilmore, Hatch, Hornblower, Hunt, Jones, King, Levey, Maloney, McCarthy, McMurray, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Riley, Rogers, Sullivan, Tournoux and Williamson—34.

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NOES—Alter, Badham, Bowers, Brock, Callahan, Chatters, Cobb, Craig, Crist, Evans, Field, Fisher, Frazier, Greene, Hallner, Hoffman, Kallam, Knowland, Latham, Lyon, Martin, Mayo, McBride, Meehan, Meeker, O'Donnell, Phillips, Rawls, Redwine, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Thorp, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—43.

FURTHER FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. McCarthy:

AMENDMENT NUMBER ONE

On page 3, line 35, of the printed bill, as amended July 21, 1933, after the word "or", insert the following: "any department or agency thereof, or any public corporation, political subdivision or".

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, as amended July 21, 1933, strike out lines 38 and 39, and insert in lieu thereof the following: "to it of any tangible personal property for the use of such governmental agency."

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, as amended July 21, 1933, strike out lines 46 and 47, and insert in lieu thereof the following: "directly or indirectly, for tangible personal property used for purposes of such governmental agency."

The question being on the adoption of the amendments.

POINT OF ORDER.

Mr. Lyon arose to the following point of order: Stating that the subject matter of Amendments Numbers Two and Three, as submitted by Mr. McCarthy, were previously introduced, therefore were not in order.

RULING BY SPEAKER.

The Speaker ruled the point of order raised by Mr Lyon not well taken.

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Lyon, Cobb and McCarthy, the Speaker ordered a roll call taken on the adoption of the amendments.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs Hornblower, Tournoux and McCarthy, the Speaker ordered a roll call taken on the motion for the call of the House.

The roll was called, and the motion for call of the House carried by the following vote:

AYES—Alter, Anglim, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Powers, Rawls, Riley, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright and Mr Speaker—60

NOES—Badham, Bowers, Burns, Peterson and Robinson, C. Ray—5.

CALL OF THE HOUSE.

Time, four o'clock and forty-five minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Powers, Rawls, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright and Mr. Speaker—65.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

HON. B. J. FEIGENBAUM IN THE CHAIR

At four o'clock and forty-five minutes p.m., Hon. B. J. Feigenbaum, member of the Assembly from the Twenty-seventh District, in the chair.

FURTHER CONSIDERATION OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED ELEVEN

FURTHER FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. West:

AMENDMENT NUMBER ONE

On page 2, line 36, of the printed bill, as amended in the Assembly July 21, 1933, strike out the words "and one half".

The question being on the adoption of the amendment.

UNANIMOUS CONSENT GRANTED.

Mr. Lyon asked for, and was granted, unanimous consent to have the amendment offered by Mr. West considered without reference to reprinting of the bill.

THE SPEAKER IN THE CHAIR.

At five o'clock and five minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

REQUEST FOR ROLL CALL.

On request of Messrs. West, Mayo and Clowdsley, the Speaker ordered a roll call taken on the adoption of the amendment.

The roll was called, and the amendment submitted by Mr. West was adopted by the following vote:

AYES—Anglim, Bliss, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crist, Cronin, Crowley, Dempster, Feigenbaum, Gilmore, Hornblower, Hunt, Jones, King, Knowland, Latham, Levey, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stannard, Sullivan, Thorp, Tournoux, Turner, West, Williamson and Woolwine—46.

NOES—Alter, Badham, Bowers, Brock, Cobb, Craig, Evans, Field, Fisher, Frazier, Greene, Hatch, Hoffman, Kallam, Lyon, Martin, McBride, Morgan, Phillips, Rawls, Redwine, Riley, Scudder, Stream, Utt, Wright and Mr. Speaker—27.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At five o'clock and sixteen minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hornblower.

The roll of absentees was called, and the amendments submitted by Mr. McCarthy were refused adoption by the following vote:

AYES—Anglim, Badham, Bliss, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cottrell, Cronin, Dempster, Feigenbaum, Gilmore, Hatch, Hornblower, Hunt, Jones, King, Levey, Maloney, Martin, McCarthy, McMurray, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rogers, Stannard, Sullivan, Tournoux and Williamson—36.

NOES—Alter, Bowers, Brock, Chatters, Cobb, Craig, Crist, Crowley, Evans, Field, Fisher, Frazier, Greene, Hallner, Hoffman, Kallam, Knowland, Latham, Lyon, Mayo, McBride, Meehan, Meeker, O'Donnell, Phillips, Rawls, Redwine, Riley Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Thorp, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—40.

FURTHER FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Robinson, Samuel E.:

AMENDMENT NUMBER ONE.

On page 13 of the printed bill, as amended, after line 46, insert the following:

"SEC. 35. Notwithstanding any other provisions of this act, the tax imposed under this act shall not be levied, assessed, collected or paid until there is enacted into law by this State a tax on the net incomes of individuals, estates and trusts."

AMENDMENT NUMBER TWO.

On page 13, line 47, of the printed bill, as amended, strike out "35", and insert in lieu thereof the following: "36".

The question being on the adoption of the amendments.

Amendments refused adoption.

FURTHER FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Messrs. Dempster and Hunt:

AMENDMENT NUMBER ONE

On page 2 of the printed bill, as amended, between lines 32 and 33, insert the following:

"(g) "Food products" means cereals and cereal products; milk and milk products; meat and meat products; fish and fish products; eggs and egg products; vegetables and vegetable products; fruits and fruit products; spices and salt; sugar and sugar products, other than candy and confectionery; coffee and coffee substitutes, tea; cocoa and cocoa products other than candy and confectionery.

"Food products" does not mean spirituous, malt, or vinous liquors; soft drinks; or sodas or beverages such as are ordinarily dispensed at bars and soda fountains or in connection therewith, other than coffee, tea and cocoa."

AMENDMENT NUMBER TWO.

On page 2, line 33, of the printed bill, as amended, strike out "(g)", and insert in lieu thereof the following: "(h)".

AMENDMENT NUMBER THREE

On page 3 of the printed bill, as amended, between lines 12 and 13, insert the following:

"(e) The gross receipts from retail sales of food products for human consumption."

UNANIMOUS CONSENT GRANTED.

Mr. Lyon asked for, and was granted, unanimous consent to have the amendments offered by Messrs. Dempster and Hunt considered without reference to reprinting of the bill.

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. O'Connor, King and Hunt, the Speaker ordered a roll call taken on the adoption of the amendments.

The roll was called, and the amendments submitted by Messrs. Dempster and Hunt were refused adoption by the following vote:

AYES—Anglim, Bliss, Boyle, Burns, Callahan, Cassidy, Clowdsley, Cronin, Crowley, Dempster, Feigenbaum, Gilmore, Hornblower, Hunt, Jones, King, Latham, Levey, Maloney, McCarthy, McMurray, Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Rogers, Sullivan, Tournoux and Williamson—30.

NOES—Alter, Badham, Bowers, Brock, Chatters, Cobb, Cottrell, Craig, Crist, Evans, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Kallam, Knowland, Lyon, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor, Morgan, O'Donnell, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E, Roland, Scudder, Stannard, Stream, Thorp, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—46.

FURTHER FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Lyon:

AMENDMENT NUMBER ONE

On page 12, line 42, of the printed bill, as amended, strike out the words "the superior court of", and insert in lieu thereof the following: "a court of competent jurisdiction in".

AMENDMENT NUMBER TWO.

On page 13, line 20, of the printed bill, as amended, strike out the word "thousand", and insert in lieu thereof the word "hundred".

AMENDMENT NUMBER THREE.

On page 13, line 27, of the printed bill, as amended, strike out the words "of the county", and in line 28, strike out the words "where said return was verified.".

AMENDMENT NUMBER FOUR.

On page 13 of the printed bill, as amended, between lines 29 and 30, insert the following:

"SEC. 32½. Any violation of the provisions of this act, except as otherwise herein provided, shall be a misdemeanor and punishable as such.

Any person prosecuted under the provisions of this act shall be tried in the county of his residence or in the county where any place of business operated by him is located."

AMENDMENT NUMBER FIVE.

On page 13, line 20, of the printed bill, as amended, strike out the figures "5000", and insert in lieu thereof the figures "500".

UNANIMOUS CONSENT GRANTED

Mr. Lyon asked for, and was granted, unanimous consent to have the amendments offered by himself considered without reference to reprinting of the bill.

The question being on the adoption of the amendments.

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Bill No. 1211 at this time without reference to printer or file.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1211 finally passed by the following vote:

AYES—Alter, Badham, Bowers, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—57.

NOES—Anglim, Bliss, Boyle, Burns, Cassidy, Cronin, Dempster, Gilmore, Hornblower, Hunt, Jones, King, McCarthy, McMurray, Miller, James A., O'Connor, Robinson, Samuel E., Stannard, Sullivan, Tournoux and Williamson—21.

Title read and approved.

Bill ordered transmitted to the Senate.

EXPLANATION OF VOTE.

I take it to be self-evident that a tax can not be a just tax which does not leave individuals in the same relative condition in which it finds them, and so manifestly does Senate Bill No. 1211 violate this principle of equitable tax distribution by so far shifting that proportion of the tax burden which should, in my opinion, properly be borne by wealth to those already enmeshed in poverty, as to constitute, in my opinion, vicious and unconscionable legislation, unmitigated by considerations of equity or social justice, and I have accordingly opposed it

CLIFFORD C. ANGLIM.

EXPLANATION OF VOTE.

The general sales tax as proposed in the Swing Sales Tax Bill has some features that commend it. It starts out with a seeming universal application to all articles of commerce, and does not, therefore, aim at requiring purchasers of a given article to pay the taxes of others who do not happen to use that particular article, as does the sales tax on selected articles. If resolutely applied to all commodities, it has larger revenue possibilities than the sales tax on selected articles. It is a tax on consumption, and hence has little, if any, bearing on the location of competitive industries

In my opinion, this series of advantages of the general sales tax is outweighed by its infirmities It takes little account of ability to pay, and is the most successful form of tax on poverty that could be invented It stands between the hungry and every loaf of bread, and demands its payment in advance It would take its toll from the very sums that charity distributes to help feed the unemployed and the helpless, when these unfortunates become wards of our various hospitals, whether they be public hospitals, private hospitals, homes for the aged, homes for the orphans, together with the abodes provided by law for those who have broken the law To the extent that it takes any tax off the landlord it passes it on to his impoverished tenant, and from the owner of the factory to his partially employed laborers It offers widespread opportunity for fraud in concealing the tax after it has been passed on and collected by the dealer. It pyramids with multiple sales. Its administration would be expensive and difficult, and would require an army of employees if administered with approximate success and equality

If the voice of the people, as expressed at the last election, is a guide by which those who represent them here in the Legislature are directed, then it is also incumbent upon me, not only by virtue of my own convictions as hereinbefore expressed, but by virtue of a two-to-one vote of my constituents, to vote against such a sales tax.

RAY WILLIAMSON.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Woolwine asked for unanimous consent to have the consideration of Assembly Bill No 1990 set as a special order for Monday, July 24, 1933, at the hour of two o'clock and thirty minutes p.m.

Mr. Hornblower objected to unanimous consent.

MOTION.

Mr. Woolwine moved that Assembly Bill No. 1990 be set as a special order for Monday, July 24, 1933, at two o'clock and thirty minutes p.m.

The question being on the motion to set Assembly Bill No. 1990 as a special order of business.

The roll was called, and the motion to set Assembly Bill No. 1990 as a special order of business was lost by the following vote:

AYES—Badham, Bowers, Clowdsley, Cobb, Evans, Field, Greene, Hallner, Hatch, Jones, Kallam, Knowland, Latham, Lyon, Miller, Eleanor, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Stream, Woolwine, Wright and Mr. Speaker—25.

NOES—Anglim, Bliss, Boyle, Burns, Callahan, Cassidy, Cottrell, Cronin, Crowley, Dempster, Fisher, Frazier, Gilmore, Hoffman, Hornblower, King, Levey, Maloney, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Sullivan, Tournoux, Turner, Williamson and Zion—41.

RECONSIDERATION LAPSED.

The motion of Mr. Bliss, that Assembly Bill No. 2431 be reconsidered, having lapsed, the Speaker ordered Assembly Bill No. 2431 transmitted to the Senate.

ADJOURNMENT.

At five o'clock and fifty-five minutes p.m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until two o'clock p m., Monday, July 24, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, July 24, 1933.

At two o'clock p.m., the Assembly was called to order.

Hon. Walter J Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—77.

Quorum present.

PRAYER.

By invitation of the Speaker, prayer was offered by Rev. William F. Ehmann, Chaplain of the Senate.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Hoffman, its further reading was dispensed with.

GUESTS ADMITTED TO THE FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Cronin, Mr. and Mrs. James Dawson and Miss Cecelia Kirby of San Francisco, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hoffman, Hon. Joseph R. Knowland, father of Assemblyman William F. Knowland of Oakland, was extended the privilege of the floor of the Assembly this day.

Through the courtesy of Mr. Hornblower, Mesdames-B. Ergenbright and Imogene Hook of San Bernardino, California, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clowdsley, Mr. Irving Martin of Stockton, former member of State Railroad Commission, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr Speaker:

Hon. Walter J. Little, Speaker, Assembly, Sacramento, California.

Undersigned officials of California Hotel Associations respectfully ask that you read into Assembly Journal our vigorous protest against any and all income tax measures, which we feel are detriment to industry of our State, in that our citizens

will be penalized for residing in California and those with means, residing elsewhere, who would be an asset to us, will consider such a tax measure as serious hindrance to establishing a California residence.

California State Hotel Association, James H. McCabe, President, E. W. Cason, Secretary; Southern California Hotel Association, Fred Bartholomew, President; California Northern Hotel Association, Carl Stanley, President, Geo. D. Smith, Chairman, Executive Committee, John F. Shea, Secretary.

By Mr. Dempster:

Resolution on Sales Tax Adopted by California Congress of Workers and Farmers, Sacramento, July 22, 1933.

WHEREAS, The great masses of our people, and especially the workers and farmers, have passed through a period of economic distress almost unendurable, suffering extreme bankruptcy, unemployment, foreclosure, and even dire poverty and starvation; and

WHEREAS, Our whole purchasing power for consumption goods is now grievously reduced; and

WHEREAS, The huge threatening deficits of our States, cities, and counties are due to the comparative bankruptcy of our producing classes; and

WHEREAS, Taxation which falls upon people who must spend their entire income upon consumption goods can only add to their impoverishment and increase their economic distress; and

WHEREAS, The only source from which taxes can be drawn without increasing the intolerable distress of the workers and farmers, is the surplus income which has been reaped out of the product of those who labor; now, therefore, be it

Resolved by the California Congress of Workers and Farmers, five hundred fifty delegates representing one hundred eight organizations, now in session, representing hundreds of thousands of the struggling masses of our State, That we are fundamentally and unalterably opposed to any form of sales tax, and we herewith present our solemn protest against the same; and further be it

Resolved, That the California Congress of Workers and Farmers respectfully submits to the Governor and Legislature that the imposition of a sales tax upon the plain people at this time is an antisocial act and that the argument that such sales tax is little felt is in fact a deception of our people by which they shall be still further exploited; and further be it

Resolved, That the California Congress of Workers and Farmers demands of the Governor and the State Legislature, that the powerful corporations, utilities, and other vested interests shall bear their just and equitable share of taxation; and further that the solvent credits and intangible securities be taxed the maximum of the recently adopted constitutional amendment; that the properties of the privately owned public utilities be assessed on the basis of the existing rate-making valuation being now used for rate fixing; and further be it

Resolved, That the California Congress of Workers and Farmers emphatically demands the imposition of income taxes, especially in the higher brackets, and increased inheritance taxes, as another means of meeting the financial crisis which faces the State.

The California Congress of Workers and Farmers is a militant, dynamic organization, composed of representatives from over one hundred groups of organized workers and farmers. This organization regards the sales tax as a poor man's tax. Duty to ourselves and our children forces us to fight it to a finish and to use every weapon of education, agitation, and political action necessary to defeat its injustice and inequity.

Also:

By Mr. Dempster:

From E. F. Crockett, Charles W. Hooper, Raymond Tremaine, J. N. Hicks, J. N. Schoeder, Fritz Burns, Mrs. Lorain N. Trenham, Mr. and Mrs. I. D. Yohn and Mr. and Mrs. C. H. Hense, favoring Cobb-Redwine resolution.

Also:

By Mr. Dempster:

From California Congress of Workers and Farmers, Sacramento, California, opposed to any sales tax.

(Signed) J. STITT WILSON, Chairman,
And others

By Mr. Speaker:

From Board of Supervisors, Fresno County, urging additional appropriation for the Soldiers Home, Napa County.

(Signed) N. P. GONSER, Chairman.
MIKE JONES, District No. 1.
C. TODD CLARK, District No. 2.
P. H. McMURTRY, District No. 3.
W. A. COLLINS, District No. 5.

EXPLANATION OF VOTE.

By Mr. Woolwine:

On page 34 of the Assembly Journal of Saturday, July 22, 1933, I find I am recorded as voting "No" on the amendments, submitted by Messrs. Dempster and Hunt, to Senate Bill No. 1211.

I distinctly voted "Aye" on these amendments, and should like to be so recorded.

CLARE WOOLWINE.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, July 22, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 238—An act to amend section 4.894 of the School Code, relating to the apportionment of the State high school fund to high school districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ROLAND, Chairman.

SECOND READING OF SENATE BILL NUMBER TWO HUNDRED THIRTY-EIGHT.

Senate Bill No. 238—An act to amend section 4.894 of the School Code, relating to the apportionment of the State high school fund to high school districts.

Bill read second time.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 5.63 of the School Code, relating to State teachers colleges."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 14, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 5.63 of the School Code is hereby amended to read as follows:

5.63 Persons resident of another State may be admitted upon letters of recommendation from the Governor or Superintendent of Schools thereof. A tuition fee of seventy-five dollars for the first semester or part of a semester must be required by all teachers colleges for each such nonresident student registered therein; and a fee of thirty-seven dollars and fifty cents for each semester attended consecutively thereafter. In any teachers colleges in which the school year is divided into three periods, commonly referred to as quarters, each such nonresident student must be required to pay a tuition fee of thirty-seven dollars and fifty cents for each such period or part of a period, except that the tuition fee for each nonresident student who has attended and paid tuition fees for three such periods consecutively shall thereafter be twenty-five dollars for each such period."

Amendments adopted.

Bill read second time, and ordered to reprint.

UNFINISHED BUSINESS.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 26, 1933.

To the Members of the Assembly of the State of California.

I herewith return, without my signature, Assembly Bill No. 851

Assembly Bill No. 851 provides, as to land sold to the State for delinquent taxes in 1928, the addenda list shall not be published in 1933 nor shall such lands be sold at public auction in 1933, but provides that each of these acts shall be performed in 1934.

I have already signed Assembly Bill No. 822 which expressly provides for the publication of delinquent list, publication of addenda list, and sale at public auction in 1933, and grants an extension of 61 days so that the time of sale will not occur until some time after August 22d of this year.

As Assembly Bill No. 822 and Assembly Bill No. 851 are inconsistent in policy, and as the signing of Assembly Bill No. 822 protects everyone until the Legislature meets again in July, I am returning Assembly Bill No. 851 without prejudice and for the purpose of giving the auditors and tax collectors of the State an opportunity to work out a consistent theory for relief in the matter of land sold to the State for taxes.

Very sincerely yours,

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 851 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Craig, Crowley, Evans, Fisher, Frazier, Hallner, Hatch, Hoffman, Latham, Levey, Martin, Mayo, Meeker, Miller, Eleanor, Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, West, Williamson, Wright and Mr. Speaker—41.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Assembly, California State Legislature

I herewith return, without my signature, Assembly Bill No 1292.

This bill sets aside certain State school lands situated in Riverside County, and provides for the purchase of other lands in the same county, which shall be set aside and used for a State park for recreational purposes, said park to be known as the "California Desert Park".

I am informed that a strenuous effort is being made by persons interested in the conservation of natural deserts to have the Federal government take over property in the same county, and also large additional tracts for the establishment of a national recreational desert park. I am further informed by the people who are making this effort that the enactment of this bill would handicap them in their efforts to have the National park created

Aside from this, the State Park Commission has advised me that they are not in favor of the bill; that the Park Commission already had ample authority under existing statutes to achieve the purposes sought by this bill when and if the creation of a desert park as a project becomes feasible. The Park Commission also informs me that practically all of the land involved is Federal, which the State neither owns or controls, and the private and State school lands would have to be purchased.

I am also informed by the Division of State Lands that included and practically set aside are approximately 27,000 acres of State school lands, which would be reserved from sale, that no provision is made for the reimbursement of the school fund, and that this would result in the disposal of State lands without a resulting benefit to the State school system, which may be contrary to the provisions of section 4 of Article VIII of the Constitution, which requires that the proceeds of all such lands shall be inviolably appropriated to the support of common schools throughout the State.

Respectfully submitted

JAMES ROLPH, JR, Governor of California.

The question being put: Shall Assembly Bill No. 1292 become a law notwithstanding the veto of the Governor?

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

AYES—None

NOES—Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Craig, Crowley, Evans, Fisher, Frazier, Hallner, Hatch, Hoffman, Latham, Levey, Martin, Mayo, Meeker, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, West, Williamson, Wright and Mr. Speaker—41.

Assembly Bill No. 2251—An act to provide for the inspection of warehouses where grain is stored for hire; for the sampling, examination and condemnation of infested grain and regulating the sale thereof, defining the powers and duties of the Director of Agriculture in regard thereto and prescribing penalties for violations of the provisions thereof.

CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NUMBER TWO THOUSAND TWO HUNDRED FIFTY-ONE

The question being put. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2251?

AMENDMENT NUMBER ONE.

On page 4, line 50, of the printed bill, strike out the word "warehouses", and insert in lieu thereof the words "any warehouse".

AMENDMENT NUMBER TWO.

On page 4, line 51, of the printed bill, strike out the words ", in his opinion,".

AMENDMENT NUMBER THREE.

On page 5 of the printed bill, strike out all of lines 6 and 7, and insert in lieu thereof the following.

"(e) To enforce such rules and regulations hereunder as are necessary."

AMENDMENT NUMBER FOUR.

On page 5, line 13, of the printed bill, strike out the word "two", and insert in lieu thereof the word "one".

AMENDMENT NUMBER FIVE.

On page 5, line 14, of the printed bill, strike out "($250) in any one year.", and insert in lieu thereof "($150) in any one fiscal year."

AMENDMENT NUMBER SIX.

On page 5 of the printed bill, strike out lines 37 to 39, inclusive, and insert in lieu thereof the following:

"1260 3 Every lot of grain stored in any warehouse, and every warehouse, infested with insect pests of stored grain to such a degree as to constitute a menace to any uninfested grain that is or may be stored therewith or therein is hereby declared to be a public nuisance and the director is hereby"

AMENDMENT NUMBER SEVEN.

On page 5, line 47, of the printed bill, strike out the word "immediately".

AMENDMENT NUMBER EIGHT.

On page 5, line 48, of the printed bill, strike out the word "and".

AMENDMENT NUMBER NINE

On page 5, line 51, of the printed bill, strike out the word "periodic", and insert in lieu thereof the word "monthly".

AMENDMENT NUMBER TEN.

On page 6 of the printed bill, strike out all of lines 1 and 2, and insert in lieu thereof the following. "he shall give a written notice to the person on whose account the goods are held, and to any other person known by the warehouseman to claim an interest in the goods. Such notice shall be given by delivery in person or by registered letter addressed to the last known place of business or abode of the person to be notified."

AMENDMENT NUMBER ELEVEN.

On page 6 of the printed bill, strike out all of lines 6 to 14, inclusive, and insert in lieu thereof the following: "copy of the notice. Within three (3) days after receipt of the additional copy, the warehouseman shall deliver in the manner and to the person or persons specified in section 1260.35 of this chapter such copy accompanied by a statement requiring said owner or owners to abate such nuisance either by removal of the grain or by authorizing its treatment by the warehouseman whereby the nuisance shall be abated within the time specified by the director in the notice; provided, that in the event of a failure on the part of the warehouseman to give the notice required by section 1260.35 of this chapter, such warehouseman shall be liable for the cost of such treatment as the director may require if such infestation was previously known to the warehouseman or by due diligence would have been known to him."

AMENDMENT NUMBER TWELVE.

On page 6 of the printed bill, strike out all of lines 23 to 29, inclusive, and insert in lieu thereof the following:

"1260.5. Any warehouseman who, after receipt of notice to abate such nuisance, fails to abate it within the time specified in the notice, and accepts for storage, without notice of such nuisance to the storer or his delivering agent as soon as practical, any grain in the warehouse which or the contents of which is a public nuisance under the provisions of this chapter, shall be liable to any storer of said grain for any and all damages occasioned by subsequent infestation of grain so stored from such nuisance"

AMENDMENT NUMBER THIRTEEN.

On page 6 of the printed bill, strike out all of lines 35 to 47, inclusive, and insert in lieu thereof the following:

"1260.6. Within the number of days specified in the notice, after notification as provided in section 1260.4 of this chapter, the owner of any lot of infested grain specified therein shall either remove the grain from the warehouse mentioned in the copy of notice and statement or shall cause the same to be treated so as to abate the nuisance. If such owner shall fail to remove said grain, or shall fail to cause its treatment or to authorize the warehouseman to treat the same, the warehouseman may treat the grain or may sell said grain at public sale without further notice, or, if it can not be sold, the warehouseman may make such other disposition of it as is possible and shall incur no liability by reason of any such disposition. Except in those cases in which the warehouseman is liable for the cost of treatment to abate the nuisance, such cost shall be a lien against the grain."

AMENDMENT NUMBER FOURTEEN.

On page 7 of the printed bill, strike out all of lines 3 to 14, inclusive.

The roll was called, and Senate amendments to Assembly Bill No. 2251 were concurred in by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Crowley, Evans, Feigenbaum, Fisher, Frazier, Hatch, Hofman, King, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, West, Williams, Wright and Mr. Speaker—50.

NOES—None.

The above reported bill ordered to enrollment.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 17, 1933.

MR. SPEAKER: I am directed to inform your honorable body that pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 1101—An act to amend section 7 of an act entitled "An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations," approved April 30, 1919, as amended, relating to employment of assistants in liquidation proceedings—passed by the Senate on April 29, 1933, and by the Assembly on May 12, 1933, and enrolled by the Senate on May 12, 1933, which message reads as follows:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 13, 1933.

To the Honorable Members of the Senate, California State Legislature.

SIRS: I herewith return, without my signature, Senate Bill No 1101.

This bill amends section 7 of the act relating to the employment of assistants by the Insurance Commissioner for the handling and liquidation of insolvent insurance companies. Under the provisions of the bill, the power of appointment of attorneys to represent the Insurance Commissioner for the conduct of business of companies in liquidation is transferred from the Insurance Commissioner to the Attorney General.

Under the provisions of section 2 of the act amended, the Insurance Commissioner is charged with the responsibility of conducting the affairs of insurance companies going through insolvency. In the event of any illegality of the conduct of such business or the transactions of the company, the Insurance Commissioner would presumably be personally liable as well as liable on his official bond. The services rendered by the attorney in such cases are those normally rendered to a trustee in bankruptcy or a receiver, and are rendered for the purpose of properly handling the business affairs of a private concern, and do not involve any question concerning the conduct or administration of a State office. As the Insurance Commissioner, in the last analysis, is the person primarily responsible, and it is he who must place reliance upon the man appointed, I consider that to enact this measure would be to handicap the Insurance Commissioner in the proper discharge of his functions.

Respectfully submitted.

(Signed) JAMES ROLPH, JR, Governor of California.

The President of the Senate put the question: "Shall Senate Bill No. 1101 become a law notwithstanding the objections of the Governor?" Whereupon, the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California, that in so far as the Senate is concerned this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No 1101 is transmitted herewith for your consideration.

Respectfully submitted.

J. A. BEEK, Secretary of Senate.

The question being put: Shall Senate Bill No. 1101 become a law notwithstanding the veto of the Governor?

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Robinson, C. Ray, moved a call of the house.

Motion carried.

Time, two o'clock and fifty-eight minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Craig, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Wright and Mr. Speaker—63.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No 2421—An act to amend section 6¾ of the Inheritance Tax Act, relating to exemptions and rates of tax.

Bill read second time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Knowland asked for, and was granted, unanimous consent to take up Assembly Bill No. 2421 at this time without reference to committee or file, and that same be considered engrossed.

CASE OF URGENCY

The following resolution was offered:

By Mr. Knowland:

Resolved, That the rule requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Assembly Bill No. 2421 be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller James A, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr Speaker—61.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2421.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED TWENTY-ONE.

Assembly Bill No. 2421—An act to amend section 6¾ of the Inheritance Tax Act, relating to exemptions and rates of tax.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2421 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Brock, Burns, Callahan, Chatters, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Turner, Utt, West, Williamson, Zion and Mr. Speaker—61

NOES—Boyle, Hunt, Jones, O'Donnell, Tournoux and Woolwine—6

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2442—An act to amend Chapter I and II of Part I of Division IV of the School Code, Chapters II and III of Part II of Division IV thereof, Article IV of Chapter II of Part IV of Division IV thereof, Article II of Chapter III of Part IV of Division IV thereof, sections 4 784, 4.785, 4.786, 6 383 and 6 384 thereof; to add a new Article IV to Chapter II of Part IV of Division IV thereof, a new Article Ia to Chapter III of Part IV of Division IV thereof and sections 3 611, 3 612, 4.705, 4 787 and 4 788 thereto; and to repeal Chapter VII of Part I of Division IV thereof; and Article V and VII of Chapter II of Part IV of Division IV thereof, all relating to the public school

system, declaring the urgency thereof, and providing that this act shall go into effect immediately.

Bill read.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Roland asked for, and was granted, unanimous consent to take up Assembly Bill No. 2442 at this time without reference to file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Roland:

Resolved, That Assembly Bill No. 2442 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution

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

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—59

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2442

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED FORTY-TWO.

Assembly Bill No. 2442—An act to amend Chapter I and II of Part I of Division IV of the School Code, Chapters II and III of Part II of Division IV thereof, Article IV of Chapter II of Part IV of Division IV thereof, Article II of Chapter III of Part IV of Division IV thereof, sections 4 784, 4.785, 4 786, 6.383 and 6 384 thereof, to add a new Article IV to Chapter II of Part IV of Division IV thereof, a new Article Ia to Chapter III of Part IV of Division IV thereof and sections 3.611, 3 612, 4.705, 4.787 and 4.788 thereto; and to repeal Chapter VII of Part I of Division IV thereof, and Article V and VII of Chapter II of Part IV of Division IV thereof, all relating to the public school system, declaring the urgency thereof, and providing that this act shall go into effect immediately.

Bill read second time.

Urgency clause read.

The question being. Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Crowley, Evans, Feigenbaum, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Powers, Rawls,

Redwine, Riley, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—59.

NOES—None.

HON. WILLIAM F. KNOWLAND IN THE CHAIR.

At three o'clock and ten minutes p m, Hon. William F. Knowland, member of the Assembly from the Fourteenth Assembly District, in the chair.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED FORTY-TWO.

Assembly Bill No 2442—An act to amend Chapter I and II of Part I of Division IV of the School Code, Chapters II and III of Part II of Division IV thereof, Article IV of Chapter II of Part IV of Division IV thereof, Article II of Chapter III of Part IV of Division IV thereof, sections 4.784, 4 785, 4.786, 6.383 and 6 384 thereof; to add a new Article IV to Chapter II of Part IV of Division IV thereof, a new Article Ia to Chapter III of Part IV of Division IV thereof and sections 3 611, 3 612, 4.705, 4 787 and 4 788 thereto; and to repeal Chapter VII of Part I of Division IV thereof, and Article V and VII of Chapter II of Part IV of Division IV thereof, all relating to the public school system, declaring the urgency thereof, and providing that this act shall go into effect immediately.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2442 passed by the following vote.

AYES—Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—68

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At three o'clock and twelve minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray

The roll of absentees was called, and the Assembly refused to sustain the veto of the Governor on Senate Bill No. 1101 by the following vote:

AYES—Alter, Anglim, Bliss, Brock, Burns, Callahan, Chatters, Clowdsley, Cobb, Craig, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, West, Williamson, Wright and Mr. Speaker—54.

NOES—Badham, Bowers, Boyle, Cassidy, Crowley, Dempster, Gilmore, Hornblower, Levey, Maloney, McMurray, Stannard, Sullivan and Tournoux—14.

Senate Bill No. 1101 ordered transmitted to the Senate.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2432—An act to extend to production, manufacture, trade and commerce conducted within the State of California the

provisions of Title 1 of an act of Congress entitled "An act to encourage National industrial recovery, to foster fair competition, to provide for the construction of certain useful public works, and for other purposes," commonly known as the National Industrial Recovery Act; to provide for the enforcement thereof as so extended; to declare the urgency of this act and to provide that this act shall take effect immediately.

Bill read second time.

FLOOR AMENDMENTS

During reading of the bill, the following amendments were submitted by Mr. Feigenbaum:

AMENDMENT NUMBER ONE

On page 2 of the printed bill, between lines 23 and 24, insert the following:

"To effectuate the policy set forth in section 2 (a) of Title I of the National Industrial Recovery Act, the President of the United States is hereby authorized to appoint and utilize such State and local officers and employees as he may find necessary in the administration and enforcement of the said act and to prescribe their authorities, duties and responsibilities."

AMENDMENT NUMBER TWO

On page 3 of the printed bill, strike out lines 8 to 19, both inclusive, and insert in lieu thereof the following: "(1) the letting of contracts for the construction, alteration, or repair of public works, or (2) the purchasing of materials or supplies for public use (1) shall in letting contracts for the construction, alteration, or repair of public works cause to be inserted in each such contract for an expenditure in excess of five hundred dollars a clause providing that the contractor shall give a preference of fifteen per cent to supplies, articles, and materials mined, produced, manufactured, or supplied in observance of any code of fair competition approved, prescribed or issued under the said Title I of the National Industrial Recovery Act, or under any similar law of the State of California, or in pursuance of any agreement entered into or approved under said laws, or in conformity with the terms prescribed in any licenses issued under said laws, as the case may be, and which concerns such trade or industry and subdivision thereof as may be involved, and (2), in the purchasing of materials or supplies for public use, shall give a preference of ten per cent to any bidder who expressly agrees to furnish only such materials or supplies so mined, produced, manufactured, or supplied.

Any contractor or person who furnishes materials or supplies for public use or on public works, in violation of any such clause in his contract shall not be entitled to payment for the materials or supplies furnished, to the extent of such violation.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2437—An act to amend sections 1 and 4 of an act entitled "An act for the taxation of Massachusetts or business trusts," approved May 1, 1933.

REQUEST FOR UNANIMOUS CONSENT.

Mr Feigenbaum asked for, and was granted, unanimous consent to take up Assembly Bill No. 2437, at this time, without reference to file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered.

By Mr. Feigenbaum:

Resolved, That Assembly Bill No 2437 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Hatch, Hoffman, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, West, Williamson and Zion—63.

NOES—Hunt—1.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2437.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED THIRTY-SEVEN.

Assembly Bill No. 2437—An act to amend sections 1 and 4 of an act entitled "An act for the taxation of Massachusetts or business trusts," approved May 1, 1933.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2437 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Robinson, Samuel E., Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—65.

NOES—Hornblower and Hunt—2.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At three o'clock and thirty minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

Assembly Bill No. 2440—An act to add a new section to the Political Code to be numbered 3714b, relating to appeals to the State Board of Equalization, declaring the urgency thereof and to provide that this act shall take effect immediately.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 2440, at this time, without reference to file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Lyon:

Resolved, That Assembly Bill No. 2440 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, West, Williamson, Woolwine, Wright and Mr. Speaker—62

NOES—Hunt—1.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No 2440.

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED FORTY.

Assembly Bill No. 2440—An act to add a new section to the Political Code to be numbered 3714b, relating to appeals to the State Board of Equalization, declaring the urgency thereof and to provide that this act shall take effect immediately.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, after said line 3, insert the following: "The budget of any school district for the school year 1933–1934 may, notwithstanding any provision of law to the contrary, be revised by the governing board thereof at any time prior to the date fixed for the determination of the tax rate of such district in the event the State Board of Equalization, in accordance with the provisions of this section, permits said governing board to exceed the limitation on expenditures set forth in section 20 of Article XI of the Constitution."

The question being on the adoption of the amendment.

Amendment adopted.

UNANIMOUS CONSENT GRANTED.

Mr. Lyon asked for, and was granted, unanimous consent to have the amendments, offered by himself, considered without reference to reprinting of the bill.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED FORTY.

Assembly Bill No. 2440—An act to add a new section to the Political Code to be numbered 3714b, relating to appeals to the State Board of Equalization, declaring the urgency thereof and to provide that this act shall take effect immediately.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright and Mr. Speaker—62.

NOES—Hunt—1.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED FORTY.

Assembly Bill No. 2440—An act to add a new section to the Political Code to be numbered 3714b, relating to appeals to the State Board of Equalization, declaring the urgency thereof and to provide that this act shall take effect immediately.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2440 passed by the following vote:

AYES—Alter, Anglim, Badham, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Mecker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Utt, Williamson, Woolwine, Zion and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 17, 1933

MR. SPEAKER: I am directed to inform your honorable body that, pursuant to receipt of a message from the Governor registering certain objections to Senate Bill No. 1011—An act to amend section 376a of the Political Code, relating to the office of Director of Penology—passed by the Senate on March 10, 1933, by the Assembly on May 12, 1933, and enrolled by the Senate on May 12, 1933, which message reads as follows

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 16, 1933

To the Honorable Members of the Senate, California State Legislature

SIRS: I herewith return, without my signature, Senate Bill No. 1011

This bill amends the section of the Political Code, relating to the office of the Director of the Department of Penology. At the present time, this officer is to be appointed by selection of one of the chiefs of the different divisions of the department. The bill requires that the chairman of the Board of Prison Directors shall be ex officio Director of the Department. The present budget carries no appropriation in the budget of the Department of Penology for the salary of the director. The only present change, therefore, is to remove the right of selection of the director. There may arise a real necessity which would require that the work of the Department of Penology be administered by a director appointed with a freedom of selection and as there is no present expense involved, I believe the right of selection should be preserved.

Respectfully submitted.

(Signed) JAMES ROLPH, JR., Governor of California.

The President of the Senate put the question: "Shall Senate Bill No. 1011 become a law notwithstanding the objections of the Governor?" Whereupon, the Senate decided by a two-thirds vote as required by section 16 of Article IV of the Constitution of the State of California, that in so far as the Senate is concerned this bill shall become a law notwithstanding the objections of the Governor.

Senate Bill No. 1011 is transmitted herewith for your consideration.

Respectfully submitted,

J. A. BEEK, Secretary of Senate

The question being put: Shall Senate Bill No. 1011 become a law notwithstanding the veto of the Governor?

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

AYES—Brock, Burns, Cassidy, Cobb, Cottrell, Craig, Crowley, Dempster, Evans, Field, Fisher, Frazier, Greene, Hallner, Hatch, Hoffman, King, Knowland, Latham, Lyon, Martin, McCarthy, Meehan, O'Donnell, Phillips, Powers, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Turner, West and Zion—35

NOES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Callahan, Chatters, Clowdsley, Cronin, Feigenbaum, Gilmore, Hornblower, Hunt, Jones, Levey, Maloney, Mayo, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Riley, Sullivan, Thorp, Tournoux, Utt, Williamson, Woolwine and Mr. Speaker—33.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, July 24, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 37—Relative to Federal loans on agricultural lands within the State of California—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

Assembly Joint Resolution No. 37 ordered on file for adoption.

THIRD READING OF ASSEMBLY BILLS.

Assembly Joint Resolution No. 37—Relative to Federal loans on agricultural lands within the State of California.

Assembly Joint Resolution No. 37 read.

The question being on the adoption of Assembly Joint Resolution No 37.

The roll was called, and Assembly Joint Resolution No. 37 adopted by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Donnell, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—58.

NOES—King and McCarthy—2.

Title read and approved

Assembly Joint Resolution No. 37 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No 37.

Relative to Federal loans on agricultural lands within the State of California

WHEREAS, The Federal Emergency Farm Mortgage Act of 1933 was enacted for the purpose of aiding the owners of agricultural land who are in grave financial difficulties by reason of the current economic crisis; and

WHEREAS, Administrative restrictions have been placed upon the granting of loans upon lands lying within certain areas subject to special assessments by reason of the financial condition of the districts levying the same; and

WHEREAS, Other restrictions have been promulgated relating to the soil, water and food conditions which operate to discriminate against valuable agricultural lands in the State of California; and

WHEREAS, Approximately seventy-five per cent of the most valuable and productive agricultural lands in this State lie within areas which are subject to the foregoing administrative restrictions upon the granting of Federal loans; and

WHEREAS, It is essential to the welfare of the people of this State that the financial aid made available through the Emergency Farm Mortgage Act of 1933 be immediately extended to California agriculturists with property within the areas subject to the foregoing administrative restrictions; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully urges the President of the United States and the United States Farm Credit Administration to cause to be removed those restrictions against the granting of Federal loans on lands within special assessment and other valuable areas in this State; and be it further

Resolved, That the removal of such restrictions is essential if the great benefits arising under the Emergency Farm Mortgage Act of 1933 are to redound to the benefit of owners of seventy-five per cent of the most valuable and productive agricultural lands of this State; and be it further

Resolved, That duly authenticated copies of this resolution be respectfully transmitted to the President of the United States, to the Governor of the United States Farm Credit Administration, to the Senators and Representatives of the State of California in Congress.

Assembly Bill No. 1990—An act to amend section 5 of an act entitled "An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately," approved April 6, 1933, relating to taxation of beverages, and to declare that this act shall take effect immediately.

MOTION TO RE-REFER

Mr. Woolwine moved that Assembly Bill No. 1990 be withdrawn from file, and ordered re-referred to Committee on Revenue and Taxation.

The question being on re-referring Assembly Bill No. 1990 to Committee on Revenue and Taxation.

Motion carried.

Assembly Bill No. 1990 ordered re-referred to Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, July 24, 1933

MR SPEAKER: Your Commitee on Engrossment and Enrollment has examined Assembly Bill No. 2400—An act to authorize the adoption and approval of State codes of fair competition for certain trades, industries, or subdivisions thereof, for which no code of fair competition is or may be approved, prescribed or issued under that act of Congress commonly known as the National Industrial Recovery Act, approved June 16, 1933, and to which trades, industries or subdivisions thereof the provisions of no code of fair competition which is or may be approved, prescribed or issued under said act of Congress have been made applicable by any law of this State, to provide for the enforcement of the provisions of any State code of fair competition approved as in this act provided, to declare the urgency of this act and to provide that this act shall take effect immediately—and reports that the same has been correctly engrossed.

PATTERSON, Chairman.

The above reported bill ordered on file for third reading.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 24, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No 1211—An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately—and requests that your honorable body recede therefrom

J. A. BEEK, Secretary of Senate
By ARTHUR J SCHILDER, Assistant Secretary

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 1211?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 1211 by the following vote:

AYES—Bowers, Hornblower, Kallam, Levey, Meehan and Rawls—6.
NOES—Alter, Badham, Bliss, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Peterson, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—66.

MOTION TO PRINT.

On motion of Mr. Roland, the Chief Clerk was instructed to have a rush order placed on the printing of Assembly Bill No. 2442.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 273—An act to amend section 3 of an act entitled "An act to provide for the establishment and maintenance of a Bureau of Tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons affected with tuberculosis; making an appropriation therefor, and repealing certain acts of the Legislature of the State of California," approved June 12, 1915, relating to management of tuberculosis hospitals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 273 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Eleanor; Miller, James A., Nielsen, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, West, Woolwine, Wright and Mr. Speaker—62.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2400—An act regulating competition in business, providing for the organization of trade associations as defined herein, authorizing the Corporation Commissioner of the State of California to issue permits for the operation thereof, and defining and prohibiting destructive competition.

Bill read third time.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Boyle:

AMENDMENT NUMBER ONE.

In line 5 of the title of the printed bill, as amended, strike out "or may be".

AMENDMENT NUMBER TWO.

In line 12 of the title of the printed bill, as amended, strike out "or may be".

AMENDMENT NUMBER THREE.

In line 18 of the title of the printed bill, as amended, insert after "provided," the following: "to provide penalties for the violation of the provisions hereof,".

AMENDMENT NUMBER FOUR.

On page 5, line 31, of the printed bill, as amended, strike out "or may be".

AMENDMENT NUMBER FIVE.

On page 5, line 39, of the printed bill, as amended, strike out "or may be".

AMENDMENT NUMBER SIX.

On page 5, lines 42 and 43, of the printed bill, as amended, strike out "California Industrial Recovery Board, which is hereby created, to consist of the".

AMENDMENT NUMBER SEVEN.

On page 5, lines 44, 45, 46 and 47, of the printed bill, as amended, strike out ", the Commissioner of Corporations and the Director of the Department of Industrial Relations of the State of California (hereinafter referred to as the board)".

AMENDMENT NUMBER EIGHT.

On page 5, line 48, of the printed bill, as amended, strike out "Board may approve", and insert in lieu thereof the following: "chief may approve, in the manner herein provided,".

AMENDMENT NUMBER NINE.

On page 5, line 50, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TEN.

On page 6, line 13, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER ELEVEN.

On page 6, line 14, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TWELVE.

On page 6, line 14, of the printed bill, as amended, strike out "its", and insert in lieu thereof the following: "his".

AMENDMENT NUMBER THIRTEEN.

On page 6, line 20, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER FOURTEEN.

On page 6, line 20, of the printed bill, as amended, strike out "its", and insert in lieu thereof the following: "his".

AMENDMENT NUMBER FIFTEEN.

On page 6, line 21, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER SIXTEEN.

On page 6, line 25, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 26, of the printed bill, as amended, strike out "its", and insert in lieu thereof the following: "his".

AMENDMENT NUMBER EIGHTEEN.

On page 6 of the printed bill, as amended, between lines 27 and 28, insert the following: "The chief shall have power to make and promulgate rules and regulations consistent with and to carry out the purposes and administer the provisions of this act.

The chief shall not approve any code nor shall any code become effective nor shall he make or promulgate any rule under the provisions of this act without the concurrence, in writing, of the Director of the Department of Industrial Relations or the Commissioner of Corporations."

AMENDMENT NUMBER NINETEEN.

On page 6, line 43, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TWENTY.

On page 7, line 11, of the printed bill, as amended, strike out "its", and insert in lieu thereof the following: "his".

AMENDMENT NUMBER TWENTY-ONE.

On page 7, line 13, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TWENTY-TWO.

On page 7, line 15, of the printed bill, as amended, strike out "board, the board", and insert in lieu thereof the following "chief, the chief".

AMENDMENT NUMBER TWENTY-THREE.

On page 7, line 17, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 20, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TWENTY-FIVE.

On page 7, line 21, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TWENTY-SIX.

On page 7, line 21, of the printed bill, as amended, after "each", insert the following: "employing".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 7, line 24, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 7, line 27, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

AMENDMENT NUMBER TWENTY-NINE.

On page 7, line 29, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "chief".

AMENDMENT NUMBER THIRTY.

On page 7, line 33, of the printed bill, as amended, strike out "Board".

AMENDMENT NUMBER THIRTY-ONE.

On page 7, line 34, of the printed bill, as amended, strike out "by the board in its", and insert in lieu thereof the following: "in accordance with law by the chief in his".

AMENDMENT NUMBER THIRTY-TWO.

On page 7, lines 35 and 36, of the printed bill, as amended, strike out "in checks drawn on the said fund".

AMENDMENT NUMBER THIRTY-THREE.

On page 7, line 40, of the printed bill, as amended, strike out "provisions", and insert in lieu thereof the following: "provision".

AMENDMENT NUMBER THIRTY-FOUR.

On page 7, line 49, of the printed bill, as amended, after "act", insert the following, "or any rule or regulation promulgated by the chief in accordance therewith".

AMENDMENT NUMBER THIRTY-FIVE.

On page 8, line 46, of the printed bill, as amended, strike out "or may be"

AMENDMENT NUMBER THIRTY-SIX.

On page 8, line 49, of the printed bill, as amended, strike out "or may be".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 5, between lines 41 and 42, of the printed bill, as amended, insert the following:

"In the event that any code is approved, prescribed or issued under Title I of the said act of Congress commonly known as the National Industrial Recovery Act for any trade or industry or subdivision thereof, such code shall supersede any code or codes approved under the provisions of this act for such trade or industry or subdivision thereof and shall immediately become the code of fair competition provided for in this act for the said trade or industry or subdivision thereof and shall be enforceable as such under the provisions hereof.

To effectuate the policy set forth in section 2 (a) of Title I of the National Industrial Recovery Act, the President of the United States is hereby authorized to appoint and utilize such State and local officers and employees as he may find necessary in the administration and enforcement of the said act and to prescribe their authorities, duties and responsibilities."

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

COMMUNICATIONS.

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

By Mr. Speaker:

WASHINGTON, D. C., July 21, 1933

Hon. Walter J. Little, Speaker of the Assembly,
State Capitol, Sacramento, California

Wired Clowdsley yesterday stating the position of the counsel for the National Recovery Administration. The following is the proposed outline for administration. A District Recovery Board of seven members for each district of the Department of Commerce, composed of one person prominent in each line, namely, manufacture, retail, wholesale, banking, farming, labor and social service, to be appointed by the President; also a State Recovery Board of nine members from each State to be appointed by the President The plan makes State control legislation unnecessary, and the act is plain in regard to intrastate as it provides any business affecting interstate comes within the scope of the act. This section will be broadly interpreted and, I am sure, will be sufficient to regulate all business. The department has repeatedly stated State regulation undesired except as State antitrust laws might conflict. If you desire confirmation of my wire to Clowdsley, as well as this, wire Donald Richberg, chief counsel for the department, Washington. I expect to be in charge of southern California, Arizona and New Mexico

CHARLES W GRUBBS.

By Mr. Boyle:

SAN FRANCISCO, CALIFORNIA, July 24, 1933.

H. P. Royer, Care Treasurer's Office,
State Capitol, Sacramento, California.

K. Johnston, Legal Department, National Recovery Administration, Washington, telegraphs me: "F. Watson, Hotel Senator, representing National Recovery Administration, will see Feigenbaum today on Federal policy on State Recovery Administration Suggest you confer with Watson and Feigenbaum." Original mailed you tonight.

SIMON J. LUBIN.

Also:

By Mr. Boyle:

July 22, 1933.

General Hugh S. Johnson,
National Industrial Recovery Administration,
Washington, D. C.

Following message sent President: "California Legislature will have up for final consideration next Monday afternoon bill contemplating intrastate regulations similar to and complementing former half of National Industrial Recovery Act to regularize state-wide commerce and industry not covered by Federal act. Proposed legislation has general approval but certain opposition alleges that such legislation is not wanted by your administration. Will you kindly telegraph me, care State Building, San Francisco, whether you object to legislation calculated to bring purely intrastate commercial activities as nearly as possible into line with Federal legislation." Would greatly appreciate prompt response from you or President.

SIMON J. LUBIN,
Chief, Bureau of Commerce of State of California.

By Mr. Clowdsley:

WASHINGTON, D. C., July 20, 1933.

F. C. Clowdsley, State Capitol, Sacramento, California.

After consultation with Chief Counsel Richberg, I am authorized to state enactment of legislation such as 2400 would be unfortunate at this time Suggest you or the committee see Frank Watson, now en route with eastern Governors to California, who will outline National Recovery Act Administration's wishes.

CHARLES W. GRUBBS.

SPECIAL ORDER SET.

On motion of Mr. Boyle, the consideration of Assembly Bill No. 2400 was made a special order for Tuesday, July 25, 1933, at eleven o'clock a.m.

MOTION TO PRINT.

On motion of Mr. Craig, the Chief Clerk was instructed to have a rush order placed on the printing of the following bills: 200 copies

of Assembly Bill No 2383; 200 copies of Assembly Bill No. 2384; 5000 copies of Assembly Bill No. 1618.

MOTION TO PRINT.

On motion of Mr. Williamson, the Chief Clerk was instructed to have a rush order placed on the printing of 2500 copies of Senate Bill No. 1198.

SECOND READING OF SENATE BILLS.

Senate Bill No. 1214—An act to amend sections 19 and 62 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended and to add thereto new sections to be numbered 21.1, 56.1, 133.1 and 136.1, all relating to the business of banking.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1107—An act to amend section 663 of the Political Code, relating to the State Board of Control.

Bill read second time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cobb asked for, and was granted, unanimous consent to take up Senate Bill No. 1107, at this time, without reference to file.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Cobb:

Resolved, That the rule requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Senate Bill No. 1107 be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Eleanor; Nielsen, O'Donnell, Peterson, Powers, Rawls, Redwine, Roberts, Robinson, C. Ray, Rogers, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—61.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1107.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED SEVEN.

Senate Bill No. 1107—An act to amend section 663 of the Political Code, relating to the State Board of Control.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 1107 passed by the following vote.

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Eleanor; Nielsen, O'Donnell, Peterson, Powers, Rawls, Redwine, Roberts,

Robinson, C. Ray: Rogers, Scudder, Stannard, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—61.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

RESOLUTIONS.

The following resolutions were offered.
By Mr. Phillips:

ASSEMBLY CHAMBER, SACRAMENTO, July 24, 1933

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same.

Cascade Towel Supply Company, towel service, May	$67 00
Cascade Towel Supply Company, towel service, June	2 00
Cascade Towel Supply Company, towel service, July	33 86
Patrick and Morse-Klinkner Company, badges	5 00
Bureau of Purchases, July	96 95
Virginia Crossan, illuminating resolutions	110 00
Department of Finance, pro rata telephone, July	22 40

Resolution ordered referred to Committee on Contingent Expenses.
Also:
By Mr. Phillips:

ASSEMBLY CHAMBER, SACRAMENTO, July 24, 1933

Resolved, That in order to pay the necessary expenses for the disposition of the closing business of this Assembly after adjournment, and for the payment of all bills, such as supplies from the Purchasing Department, telephoning, telegraphing, expressage, postage and incidental expenses of the Chief Clerk's office, and for such other bills that may be presented, accompanied by proper vouchers covering such expenses, the State Controller is hereby authorized and directed to draw his warrant in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, upon the contingent fund of the Assembly in the sum of six hundred fifty dollars ($650) or such portion of said amount as may be necessary to carry out the above, and the State Treasurer is hereby directed to pay the same

Resolution ordered referred to Committee on Contingent Expenses.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS

ASSEMBLY CHAMBER, SACRAMENTO, July 24, 1933.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 32—Relating to the protection of the McCloud River—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

PETERSON, Chairman.

Senate Joint Resolution No. 32 ordered on file for adoption.

ON RULES

ASSEMBLY CHAMBER, SACRAMENTO, July 24, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 2443—An act to add section 77a to the California Vehicle Act, relating to motor vehicle registration fees—has considered same in accordance with Senate Concurrent Resolution No. 23, and recommends that the Assembly consider same, and that it be re-referred to Committee on Revenue and Taxation

ROBINSON, C. RAY, Chairman.

The above reported bill ordered re-referred to Committee on Revenue and Taxation.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, July 24, 1933.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No 2443—An act to add section 77a to the California Vehicle Act, relating to motor vehicle registration fees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, July 24, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No 1217—An act validating contributions of the State of California to joint highway districts

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, July 24, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendment to Senate Bill No. 1215—An act to amend sections 13.16 and 15 12 of the "Building and Loan Association Act," relating to the powers and duties of the Building and Loan Commissioner, and to building and loan associations, declaring the urgency thereof, and to provide that this act shall take effect immediately.

J A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, July 24, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate on July 22, 1933, concurred in Assembly amendments to Senate Bill No. 442—An act relating to the appropriation made for the California Nautical School during the eighty-fifth and eighty-sixth fiscal years.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, July 24, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2426—An act to amend sections 172 and 172a of the Penal Code, relating to selling, giving away or exposing for sale of intoxicating liquors.

J A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 24, 1933

MR. SPEAKER I am directed to inform your honorable body that the Senate on on this day adopted Assembly Concurrent Resolution No. 60—Relative to protection to blind persons.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Concurrent Resolution No. 60 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 24, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Allen, Bush and Wagy as a Committee on Free Conference, to meet with a like committee from the Assembly to consider Assembly Bill No 354—An act to add two new sections, to be numbered 5 500a and 5.507 to the School Code, relating to teachers' tenure.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, July 24, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1216—An act to amend section 3342 of the Civil Code, relating to liability of public officers, agents, and employees, under unconstitutional statutes, declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Robinson, C. Ray, asked for, and was granted, unanimous consent to have Senate Bill No. 1216 placed on daily calendar without reference to committee.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 24, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Swing, Duval and Schottky, as a Committee on Free Conference, to meet with a like committee from the Assembly to consider Senate Bill No. 1211—An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Lyon, Knowland and Kallam, as a Committee on Free Conference, to meet with a like committee from the Senate, for the consideration of Senate Bill No. 1211.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Scudder:

Resolution of Joint Legislative Committee on Revenue and Taxation, introduced by Assemblyman H. B. Scudder, seconded by Senator Swing and unanimously adopted by the committee on July 17, 1933

Resolved, That it is the sense of this committee that it is the intent of sections 2 and 3 of Senate Bill No. 1211, introduced by Senator Swing, that receipts from sales of tangible personal property to manufacturers, producers or processers, which enter into and become an ingredient or component part of the tangible personal property which they manufacture, produce or process for resale, are not taxable, and that the fact that the article manufactured, produced or processed is in a different form or of a different character is immaterial, and that poultry, dairy and other live stock feeds are deemed to become component parts of the eggs, milk, meat and other live stock products produced for resale.

By Mr. Cobb:

To the Members of the Senate and Assembly of the State of California.

The undersigned, judges of the superior court of Los Angeles County, without desiring to impose upon your honorable bodies their own views, respectfully address you with reference to pending legislation affecting the salary of the office which they hold.

Bills were recently passed reducing the salaries of the judges of the City and County of San Francisco from $10,000 to $9,000 per year; those of Alameda County from $10,000 to $8,400 per year; and of Los Angeles County from $10,000 to $8,000 per year. The bill affecting San Francisco was signed by the Governor and the other two were vetoed, which leaves the San Francisco judges at $9,000 and the Los Angeles judges at $10,000.

The judges of Los Angeles County have made no representations or declarations to your honorable bodies upon any subject during its sessions.

Recommendations that the salaries of the judges of this county be reduced to $9,000 per year have been made by the Los Angeles County Board of Supervisors, Los Angeles County grand jury, Chamber of Commerce, Central Labor Council, Women Lawyers' Club, Los Angeles Bar Association, by the press of Los Angeles County and other public and public-spirited bodies and groups, such as are referred to in the message of the Governor to the Legislature in returning the two bills. These groups have as their paramount interest the welfare of the community. They have given mature consideration to the matter of the judges' salaries and are well informed and qualified to recommend legislation upon the subject which will be entirely fair to the taxpayers of the county while carefully safeguarding the due administration of justice.

The judges are satisfied to abide by these recommendations and request that their salaries be reduced in accordance therewith.

In making this request they are conscious of the fact that our President and some of the most forward looking men and women of the country are attempting to accelerate our return to normalcy by the prevention of further reductions in salaries and the restoration of salaries heretofore reduced. The judges are in hearty accord with this program. However, in view of the fact that the San Francisco judges' salaries have been reduced and the fact that the Los Angeles judges desire to bear a fair share of the burden made unduly heavy on the taxpayers of the country by the temporary conditions of the times, the judges feel that a reduction would be proper at this time, and that there appears to be no sound reason for inequality in the salaries of the judges of the City and County of San Francisco and of the counties of Alameda and Los Angeles.

Respectfully,

HARTLEY SHAW.
CLEMENT L. SHINN.
ROBT. W KENNY.
HARRY F. SEWELL
FLETCHER BOWRON.
LEWIS HOWELL SMITH.
CHARLES D. BALLARD
THOS P. WHITE.
CHARLES E. HAAS.
MYRON WESTOVER
LEON R. YANKWICH.
DOUGLAS L EDMONDS
EDWIN F HAHN
HENRY M. WILLIS
WILLIAM TELL AGGELER.
CHAS. W. FRICKE.
WM. S. BAIRD.
MINOR MOORE.
EDWARD T BISHOP.
JOSEPH P. SPROUL.
EMMET H. WILSON
WALTER J. DESMOND.
ELLIOT CRAIG.
GUY F. BUSH.
WILLIAM J. PALMER.
CARL A STUTSMAN.
DUDLEY S. VALENTINE.
CHARLES L. BOGUE
CHAS. S. CRAIL.
ROBERT H. SCOTT.
CARYL M. SHELDON.
SAMUEL R BLAKE.
HARRY R. ARCHBALD.
W. TURNEY FOX.
WALTER S. GATES.
FRANK C COLLIER
THOMAS C. GOULD.
WM C. DORAN.
ISAAC PACHT.
ARTHUR KEETCH.
CHARLES S. BURNELL.

Dated: July 12, 1933.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, July 21, 1933.

To the Honorable Members of the Assembly of the State of California.

I am enclosing herewith a copy of "A memorial to the Governor and the Legislature of the State of California, praying an increase in the appropriation for the Soldiers' Home, Napa County, California," passed by the members of the board of supervisors of the county of Fresno, and I submit the same for your careful consideration

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Received from William A. Smith, Private Secretary, this twenty-fourth day of July, 1933.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly.

A MEMORIAL TO THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF CALIFORNIA, PRAYING AN INCREASE IN THE APPROPRIATION FOR THE SOLDIERS' HOME, NAPA COUNTY, CALIFORNIA.

WHEREAS, On account of the recent very drastic law passed by our National Congress, seriously affecting pensions, allowances and compensation heretofore paid to the veterans of the various wars in which the United States has taken part; and,

WHEREAS, Due to this drastic legislation many veterans formerly eligible to admittance to the National Soldiers' Home in West Los Angeles (Sawtelle), California, have been discharged from said home; and,

WHEREAS, Many thousands of these veterans will, in all probability, have to be cared for because of loss of their pension or compensation and because they are no longer eligible to the National Soldiers' Home; and,

WHEREAS, The appropriation so far made by the State Legislature is inadequate for the purpose of caring for more than the present inmates of said home (approximately 1100); and,

WHEREAS, There are plenty of facilities in said home for taking care of twice this number; and,

WHEREAS, For every man cared for in said home, the Federal government will pay towards the upkeep of the home, the sum of approximately $10 each month; and,

WHEREAS, With this aid and with the present set-up at said home these men can be cared for at a much more reasonable cost per capita than they could be by their respective county authorities; and,

WHEREAS, Money for this additional cost can be legally appropriated from the State Athletic Commission fund without any additional cost to the taxpayers of this State; now, therefore,

We, the members of the board of supervisors of the county of Fresno, do hereby recommend to the Governor and to the members of the Legislature of the State of California, That this matter be given their immediate and careful consideration with the idea of providing the necessary funds for caring for at least 1000 more inmates at the Soldiers' Home, Napa County, for the coming two years.

Respectfully submitted.

(Signed) BOARD OF SUPERVISORS, FRESNO COUNTY.
N. P. GONSER, District No. 4, Chairman.
MIKE JONES, District No. 1.
C. TODD CLARK, District No. 2.
P. H. MCMURTRY, District No. 3
W. A. COLLINS, District No. 5.

Attest: J. REED SCHAEFFER, Clerk.
By FRED E MAIN, Deputy Clerk.

ADJOURNMENT

At five o'clock and twenty-five minutes p m., on motion of Mr. Robinson, C. Ray, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a m., Tuesday, July 25, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, July 25, 1933.

At nine o'clock and thirty minutes a.m., the Assembly was called to order.

Hon Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names.

Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Feigenbaum:

RETAIL GROCERS' ASSOCIATION OF SAN FRANCISCO, LTD.,
July 24, 1933.

Assemblyman B. J. Feigenbaum,
State Capitol, Sacramento, California.

DEAR MR. FEIGENBAUM: We are placing in your care the enclosed signed petition and hope you will take it up with the other San Francisco Assemblymen, and let them see how the grocers who attended our meeting this evening feel towards the present setup of the proposed business privilege tax

We trust that you gentlemen, who are our representatives, will carefully consider the position of the small merchant and act in accordance with our suggestions.

Sincerely yours,
RETAIL GROCERS' ASSOCIATION OF SAN FRANCISCO, LTD.
F A TISSIER, Secretary.

RETAIL GROCERS' ASSOCIATION OF SAN FRANCISCO, LTD.
SAN FRANCISCO, CALIFORNIA, July 24, 1933.

To Assemblymen Thomas A. Maloney, Twentieth District; Joseph P. Gilmore, Twenty-first District; James A. Miller, Twenty-second District; Wm. B. Hornblower, Twenty-third District; P. J. McMurray, Twenty-fourth District; Melvyn Cronin, Twenty-fifth District; Ray Williamson, Twenty-sixth District; B. J Feigenbaum, Twenty-seventh District; Edgar C. Levey, Twenty-eighth District.

GENTLEMEN: Inasmuch as the Legislature has seen fit to ignore the request of our representative, Mr. W. D. Hadeler, for a mandatory clause in the proposed sales tax bill and has also refused to change the title of Senate Bill No. 1211 to a "consumers sales tax" instead of a business privilege tax so that such a clause would be constitutional, which would compel the merchants to collect the tax from the consumer, we, the undersigned retail grocers of San Francisco, request you, our representatives in the Legislature, to do everything in your power to change the title of the bill and incorporate the mandatory clause compelling the collection of the tax from the consumer. This we realize can not be done constitutionally under the title and form of the present bill.

We further request that you representatives draft the necessary changes, with the aid of the Legislative Counsel, to meet our requirements.

Archie McDonald, 3353 26th Street; Fred S. Mutler, 2936 24th Street; F. A. Tissier, 525 Market Street; E. Eschaulcraft, 600 Fulton Street; Fred F. Martin, 600 Fulton Street; Morten Holm, 600 Fulton Street; B. P. Elmo, 1575 Fulton Street; Joseph Bornhurst, 2104 Hayes Street; Thomas La Castro, 2897 Bryant Street; Paul N Keil, 2801 Geary Boulevard, F. E. Hamilton, 1116 Maple Street; Nicolaison, 2911 Sacramento Street; F. W. Maehl, 1906 Market Street; Jerome Marinatos, 1499 Washington Street; John Germene, 1500 California Street; A. Thomas, 696 Geary Street; M. Abt, 1499 9th Avenue; Costa Bros., 1300 Grant Avenue; Fred Zariuchi, 1500 Pacific Avenue; D. Balanere, 1500 Pacific Avenue;

Paul H. Umlain, 101 Oak Street; Louis Burkhardt, 1676 Market Street, V. Traverso, 170 Pacific Avenue; Martin Hamburger, 2001 Chestnut Street; Chris Katon, 1405 Mission Street; Roy Feldheym, 2601 Lake Street; Rose Levy Feldheym, 2601 Lake Street; Margaret Onstot, 4021 Judah Street; W. H. Onstot, 4021 Judah Street; A. Crins, 167 Burbank Street, A. M. Smith and Son, 342–348 Precita Avenue; J. E. Cuppler, 2601 Folsom Street; George Boien, 4353 Geary Street; Carey and Lilly, 4615 Geary Street; M. J. Sanfilippo, 4751 Geary Street; H. N. Vardis, 2200 Balboa Street; C. Alexander, 2499 California Street; John Molucelli, 1900 Sutter Street; Theodore Panov, 798 Geary Street; James Georgakae, 896 Sutter Street; D. Richetti, 798 Hayes Street; S. Kailin, 1330 Polk Street; F. W. Etzold, 1198 Hyde Street;

S. R. Epperson, 6001 California Street, San Francisco; W. F. Firling, 6001 California Street, San Francisco; H. Sternsher, 401 Judah Street; M. Sternsher, 401 Judah Street; Leon Goldstein, 2106 Chest-

nut Street, Paul Findlay, 388 16th Street, F. W. Asmussen, 498 Castro Street; H. Wreden, 2298 Fillmore; Howard Wreden, 1837 Pacific Avenue, P Martins, 1890 Market Street; J. Henry, 1700 Eddy Street; J. Franzetti, 400 Grafton Avenue; R. Silvestri, 815 Cole Street; Frank F. Pericis, 1901 Balboa Street; George V. Allen, 253 Clement Street; E. P. Eske, 4800 California Street; Maria Jambouin, 1369 Mason Street; Frank Calonico, 1050 Pacific Street, E. Ottoboni, 601 Vener Avenue S.;

D. G. Young, 2233 Judah Street, San Francisco; L. L. Bristol, 520 Buchanan Street, San Francisco, S. L. Carr, 555 Hayes Street, San Francisco; Bert Mollo, 555 Hayes Street, San Francisco; Chas. W. Heinecke, 4201 18th, San Francisco; Chris Utuenholt, 753 Market Street; Henry Wrede, 1801 Fulton Street; Paul Leitner, 4401 Cabrillo Street; Luis Giuliani, 493 Excelsior Avenue; C. Vette, 593 O'Farrell Street; B. H. Marks, 5499 California Street; A. H. Reith, 1939 Irving Street; A. Schlueter, 1293 Union Street; Q. Zinovieff, 891 Burke Street; A. Mingst, 1354 Castro Street; L. D. M. Lean Co, 1158 Sutter Street; Mrs. E. Kinner, 1342 Alabama Street; T. Louis, 452 Larkin Street, San Francisco; U. Rubstein, 762 Divisadero; J. L. Scheper, 294 MacDonald Avenue;

H. E Whitehouse, Little Main Groceterias, 2687 Mission Street, 1985 Mission Street, Burlingame, 3396 Mission Street, 1512 Polk Street, 1408 Broadway, Minnie Whitehouse, 2687 Mission Street; O. J. Berven, 1619 Fillmore Street, J Cassermole, Secretary-Manager, Allied Grocers of California, Limited, 193 Stores, Office 24 California Street; R Wagner, 799 Turk Street; C. Calao, 800 Turk Street; Manuel Fernandez, 2002 Quesada Avenue; Nan Mioconcelli, 451 Corland Avenue; Sambrado Bros., 1451 Church Street; Chas. Hildebrandt, 200 Balboa Street; Martin Bosen, 1600 Castro Street; E. Bittner, 841 Golden Gate Avenue; C. Rostler, 5527 Geary Street; J. Isaiah, 301 Burgil Avenue; G. Schroebel, 849 Cabrillo Street; J. H. Weidinger, 269 14th Street; E. Morrison, 4401 18th Street; C. A. Dunning, 4686 18th Street; Madelina Rostom, 4401 18th Street, Edward White, 248 Corbett Avenue; Dante Zaro, 131 Corbett Avenue, L. E Rice, 1907 Hayes Street.

A. Sanfilippo, 4751 Geary Street, San Francisco; Chris. W. Speigel, 1225 Clay Street; Albert E. Stokes, 233 Twelfth Avenue; J. H. Hood, 2122 Cabrillo Street; Mervin Byrne, 912 Clement Street; Roy Hutchinson, 123 Third Avenue; B Hansen, 4928 Eighth Avenue; Peter P. Smith, 1780 Palou Avenue, C. E. Young, 901 Hanover Street; T. E. Pruitt, 1190 Clay Street; A. Paone, 592 Utah Street, San Francisco; M. Paccioretti, 1990 Ocean Avenue, San Francisco; Elmo Vizzolini, 1990 Ocean Avenue; Mingst Bros., 901 Oak Street, San Francisco, H. C Schmidt, 1649 Castro Street; Henry I. Ilz., 135 Balceta Avenue, San Francisco; Leo A. Golder, 1420 Clay Street, San Francisco; F. Hartze, 18 Chattanooga Street; J. Rudiger, 1720 Polk Street; D. W. Ogden, 241 Clement Street; H. Hunken, 1225 Gough Street; J. C. Hunken, 1180 O'Farrell Street; Max Kilberg, 1720 Polk Street; N. Marin, 1175 Market Street, San Francisco; Jas. D. Marty, 451 Ellis Street; John Cafosso, 423 Ellis Street;

S. Samonikoff, 500 Fifth Avenue, Harry Peck, 2401 Post Street; Antone Zutich, 2190 Union Street; Anderson & Meyer, 6 Valencia Street; Herman J. Segelken, 998 Sutter Street; Rudolph H Walling, 1661 Fulton Street; Henry W. Schmidt, 1649 Castro Street; Peter Zenoni, 499 Guerrero Street; N. F. Pallesta, 397 29th Street, B R. Martinez, 908 Sutter Street; J. Chester Armstrong, 81 Allston Way; Ralph Jennings, 389 Ellis Street; George Schaefer, Jr., 4400 20th Street; M. Kraus, 634 Irving Street.

By Mr. Lyon:

SACRAMENTO, CALIFORNIA, July 24, 1933.

Hon. Chas. W. Lyon, State Assembly.

DEAR ASSEMBLYMAN LYON: The following resolution was unanimously adopted by the board of directors of the California Real Estate Association, convened at Oakland, California, July 21, 1933:

WHEREAS, Development of California necessitates investment of large amounts of capital and the development of California is of such a character as to invite the investment of capital from sources outside of this State; and,

WHEREAS, Proposals now before the State Legislature of this State impose an income tax for State purposes on all investors in California in addition to the income of the United States; and

WHEREAS, It is held by California Real Estate Association that this imposition of a State income tax as proposed would unavoidably tend to restrict the inflow of capital to our State for its development; now, therefore, be it

Resolved, That this state-wide organization, representative of real estate boards and real estate ownership bodies throughout California, declare its opposition to enactment of any tax law which provides for a State income tax; and be it further

Resolved, That this organization favor and urge the adoption of the 3 per cent sales tax bill, Senate Bill No. 1211, introduced by Senator Swing, and in the form of its adoption by the Senate on July 19, 1933.

Very respectfully yours,

CALIFORNIA REAL ESTATE ASSOCIATION.
HAYDEN F. JONES, President.
PAUL S. BOMBERGER,
MORRIS N. SCHNEIDER,
Committee on Resolution
By GLENN D. WILLAMAN, State Secretary.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 2443—An act to add section 77a to the California Vehicle Act, relating to motor vehicle registration fees.

Bill read second time, ordered to engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No 1216—An act to amend section 3342 of the Civil Code, relating to liability of public officers, agents and employees, under unconstitutional statutes, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Joint Resolution No. 32—Relative to the protection of the McCloud River.

Senate Joint Resolution No. 32 read.

The question being on the adoption of Senate Joint Resolution No. 32.

The roll was called, and Senate Joint Resolution No. 32 adopted by the following vote:

AYES—Alter, Badham, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crowley, Feigenbaum, Fisher, Gilmore, Hallner, Hatch, Hoffman, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Rawls, Redwine, Riley, Robinson, C. Ray; Scudder, Stream, Thorp, Turner, Utt, Williamson, Zion and Mr. Speaker—43.

NOES—None.

Title read and approved

Senate Joint Resolution No. 32 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No 32.

Relating to the protection of the McCloud River

WHEREAS, The flow of glacial detritus and mud from Mount Shasta is seriously impairing the use of certain rivers in the northern part of the State of California; and

WHEREAS, This debris originates exclusively in the Shasta National Forest and flows into the McCloud River, which has long been recognized as the best salmon propagating stream in the drainage area emptying through the Golden Gate; and

WHEREAS, It would seem only reasonable that the mud flow so originating should be controlled by means, in part at least, of Federal assistance, since the cause of the trouble originates entirely by reason of lack of erosion control in said Shasta National Forest; and

WHEREAS, The Federal government has established a salmon hatchery and the United States Fishery Headquarters at Baird, on the McCloud River, which has been in operation for about forty-five years, and the use of which is threatened with destruction by reason of said mud flow; and

WHEREAS, The government of the United States has additionally reserved all public land on and contiguous to the McCloud River as power reserves, and its use

for hydro-power generation will be injuriously affected by the movement of sand, mud, and other debris; and

WHEREAS, The mud flow carries in suspension into the main channel of the Sacramento River where it is proving detrimental when diverted to the valley lands for irrigation purposes, and is injurious to government reclamation projects, existing or planned for the future, and the pollution furthermore affects the water injuriously for domestic uses; and

WHEREAS, Under the provisions of the National Industrial Recovery Act the President of the United States is authorized and empowered to construct, finance or aid in the construction or financing of any public works project included in a Federal public works program; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California urgently petitions that the President include the control of the mud flow on the McCloud River in said Federal program of public work, or otherwise, under the National Industrial Recovery Act extend assistance to the State of California in a project designed to secure such control, and be it further

Resolved, That the Secretary of the Senate is directed to send copies of this resolution to the President of the United States and to the Senators and Representatives in Congress of the State of California.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Meeker. Assembly Concurrent Resolution No. 62—Relating to the students of the Pacific Coast Band and Orchestra Camp.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Meeker asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 62 at this time without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER SIXTY-TWO.

Assembly Concurrent Resolution No. 62—Relating to the students of the Pacific Coast Band and Orchestra Camp.

Assembly Concurrent Resolution No. 62 read.

The question being on the adoption of Assembly Concurrent Resolution No. 62.

The roll was called, and Assembly Concurrent Resolution No. 62 adopted by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Crowley, Evans, Fisher, Gilmore, Greene, Hallner, Hatch, Hoffman, Kallam, Knowland, Latham, Lyon, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Stream, Thorp, Williamson, Woolwine, Wright, Zion and Mr. Speaker—46.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 62 ordered transmitted to the Senate

ASSEMBLY CONCURRENT RESOLUTION No. 62.

Relating to the students of the Pacific Coast Band and Orchestra Camp.

WHEREAS, Major Earl Dillon, director of the Pacific Coast Band and Orchestra Camp at Camp Sierra, California, was given the official commission by the Honorable James Rolph, Jr., Governor of California, to represent the State of California on California Day at the Century of Progress Exposition in Chicago with a high school band, chorus and orchestra, and

WHEREAS, This said commission has been capably executed, bringing much favorable comment and publicity to the State of California; and

WHEREAS, The said students of the Pacific Coast Band and Orchestra Camp thirty-four in number, spent four weeks of intensive training at their own expense, to bring themselves to a state of perfection which reflected honor upon the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the compliments and appreciation of the Legislature of California be extended to these students of the Pacific Coast Band and Orchestra Camp and that a copy of this resolution, suitably engrossed, be sent their director, Major Earl Dillon.

RECESS.

At nine o'clock and fifty-one minutes a.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until ten o'clock and fifty-five minutes a.m. of this day.

REASSEMBLED.

At ten o'clock and fifty-five minutes a.m., the Assembly reconvened. Speaker Little in the chair.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2432—An act to extend to production, manufacture, trade and commerce conducted within the State of California the provisions of Title I of an act of Congress entitled "An act to encourage National industrial recovery, to foster fair competition, to provide for the construction of certain useful public works, and for other purposes," commonly known as the National Industrial Recovery Act, to provide for the enforcement thereof as so extended, to declare the urgency of this act and to provide that this act shall take effect immediately;

Also Assembly Bill No. 2443—An act to add section 77a to the California Vehicle Act, relating to motor vehicle registration fees,

And reports that the same have been correctly engrossed

PATTERSON, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2400—An act to authorize the adoption and approval of State codes of fair competition for certain trades, industries, or subdivisions thereof, for which no code of fair competition is approved, prescribed or issued under that act of Congress commonly known as the National Industrial Recovery Act, approved June 16, 1933, and to which trades, industries or subdivisions thereof the provisions of no code of fair competition which is approved, prescribed or issued under said act of Congress have been made applicable by any law of this State, to provide for the enforcement of the provisions of any State code of fair competition approved as in this act provided, to provide penalties for the violation of the provisions hereof, to declare the urgency of this act and to provide that this act shall take effect immediately—and reports that the same has been correctly re-re-engrossed.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2442—An act to amend Chapters I and II of Part I of Division IV of the School Code, Chapters II and III of Part II of Division IV thereof, Article IV of Chapter II of Part IV of Division IV thereof, Article II of Chapter III of Part IV of Division IV thereof, sections 4.784, 4.785, 4.786, 6.383 and 6.384 thereof; to add a new Article IV to Chapter II of Part IV of Division IV thereof, a new Article Ia to Chapter III of Part IV of Division IV thereof and sections 3.611, 3.612, 4.705, 4.787 and 4.788 thereto, and to repeal Chapter VII of Part I of Division IV thereof, and Articles V and VII of Chapter II of Part IV of Division IV thereof, all relating to the public school system, declaring the urgency thereof, and providing that this act shall go into effect immediately—and reports that the same has been correctly engrossed

PATTERSON, Chairman.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, July 25, 1933

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 354—An act to add two new sections, to be numbered 5.500a and 5.507 to the School Code, relating to teachers' tenure—reports that it has met a like committee

of the Senate, consisting of Senators Allen, Bush and Wagy, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments

HALLNER,
Assembly Committee on Free Conference.

ALLEN,
BUSH,
WAGY,
Senate Committee on Free Conference.

The question being on the adoption of the report.

POINT OF ORDER.

Mr. Williamson arose to the following point of order: Stating that Senator Wagy, having previously served as one of a Committee on Free Conference on Assembly Bill No. 354, is therefore, according to Joint Rule No. 40, disqualified from such further service on Assembly Bill No. 354.

RULING BY THE SPEAKER.

The Speaker ruled the point of order raised by Mr. Williamson well taken, and directed that the Assembly do so notify the Senate as to the action taken by the Assembly on the point of order raised by Mr. Williamson.

MINORITY COMMITTEE ON FREE CONFERENCE REPORT

July 25, 1933.

To the Members of the Assembly, Miss Miller and Gentlemen:

The undersigned hereby render to you a minority report as members of the Committee on Free Conference appointed to consider Assembly Bill No 354, introduced by Assemblyman Sam H Greene. This bill, as passed by the Assembly, was acceptable to the majority of this House. As amended in the Senate, objectionable features were introduced These amendments are not approved by us. We do not concur in the committee report.

BADHAM.
O'CONNOR.

COMMUNICATION.

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

By Mr. Boyle:

WASHINGTON, D. C, July 25, 1933.

Hon. James Rolph, Jr., Governor of California,
Sacramento, California.

The National Recovery Administration is deeply interested in the passage of State legislation providing for State cooperation and elimination of any conflicts in State law with the carrying out of the purposes of the National Industrial Recovery Act. While not presuming or able to give definite advice as to the provisions in any particular bill, we do not disapprove of legislation now under consideration in California but on the contrary hope that legislation of that general character will be enacted.

(Signed) HUGH S. JOHNSON, National Recovery Administration.

SPECIAL ORDER.

The hour of eleven o'clock a m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED.

Assembly Bill No. 2400—An act regulating competition in business, providing for the organization of trade associations as defined herein, authorizing the Corporation Commissioner of the State of California to issue permits for the operation thereof, and defining and prohibiting destructive competition.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—70.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED.

Assembly Bill No. 2400—An act regulating competition in business, providing for the organization of trade associations as defined herein, authorizing the Corporation Commissioner of the State of California to issue permits for the operation thereof, and defining and prohibiting destructive competition.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2400 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Powers, Rawls, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

EXPLANATION OF VOTE.

Mr Speaker and Members of the Assembly

Due to a conference held by myself and State officials, I was absent when the vote was taken on Assembly Bill No 2400. Had I been present I would have voted for Assembly Bill No 2400, known as the State Recovery Act.

P. J. McMURRAY

EXPLANATION OF VOTE.

MR. SPEAKER: Immediately prior to the roll call on Assembly Bill No 2400, I was called to answer a long distance telephone in the Assembly Sergeant-at-Arms room and missed being recorded on this bill

I most certainly would have voted for this bill had I been in my seat during the roll call.

JAMES S O'CONNOR.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 2432—An act to extend to production, manufacture, trade and commerce conducted within the State of California the provisions of Title I of an act of Congress entitled "An act to encourage National industrial recovery, to foster fair competition, to provide for the construction of certain useful public works, and for other purposes." commonly known as the National Industrial Recovery Act; to provide for the enforcement thereof as so extended; to declare the urgency of this act and to provide that this act shall take effect immediately.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Badham, Bliss Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—64.

NOES—None

HON. EUGENE W. ROLAND IN THE CHAIR.

At eleven o'clock and thirty minutes a.m., Hon. Eugene W. Roland, member of the Assembly from the Sixteenth District, in the chair.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED THIRTY-TWO.

Assembly Bill No. 2432—An act to extend to production, manufacture, trade and commerce conducted within the State of California the provisions of Title I of an act of Congress entitled "An act to encourage National industrial recovery, to foster fair competition, to provide for the construction of certain useful public works, and for other purposes," commonly known as the National Industrial Recovery Act; to provide for the enforcement thereof as so extended; to declare the urgency of this act and to provide that this act shall take effect immediately.

Bill read third time.

FLOOR AMENDMENT.

During reading of the bill, the following amendment was submitted by Mr. Powers:

AMENDMENT NUMBER ONE

On page 2, line 23, of the printed bill, amend section 2 by adding at the end of line 2, the following: "Provided however, that no code or agreement approved or prescribed by the President under the National Industrial Recovery Act which contains any provisions for the restriction, control or curtailment of the production of crude oil within this State, shall become effective in this State or under this act unless such code contains the provision that no well capable of producing petroleum within this State shall be limited in its production by such code or by this State or by operation of law or otherwise, below a fixed minimum daily production of fifty barrels, said minimum to apply to all wells within this State wherever located and each well within this State shall be permitted to produce daily in addition to the minimum herein fixed, exactly the same percentage of its ability to produce as every other well, in accordance with the law and practices now existing in this State."

The question being on the adoption of the amendment.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and forty minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

REQUEST FOR ROLL CALL.

On request of Messrs. Feigenbaum, Powers and West, the Speaker ordered a roll call taken on the adoption of the amendment offered by Mr. Powers

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

AYES—Boyle, Burns, Callahan, Chatters, Hatch, Hunt, Jones, King, McCarthy, Meehan, Meeker, O'Connor, Patterson, Powers, Rawls, Riley, Rogers, Sullivan, Tournoux, Turner and West—21.

NOES—Alter, Anglim, Badham, Bliss, Bowers, Brock, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore,

Greene, Hallner, Hoffman, Hornblower, Kallam, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, Miller, Eleanor; Miller, James A., Morgan, O'Donnell, Peterson, Redwine, Roberts, Robinson, C. Ray; Roland, Scudder, Stannard, Stream, Thorp, Utt, Woolwine, Wright and Mr. Speaker—48.

Assembly Bill No 2432—An act to extend to production, manufacture, trade and commerce conducted within the State of California the provisions of Title I of an act of Congress entitled "An act to encourage National industrial recovery, to foster fair competition, to provide for the construction of certain useful public works, and for other purposes," commonly known as the National Industrial Recovery Act; to provide for the enforcement thereof as so extended; to declare the urgency of this act and to provide that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 2432 passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hoffman, Hornblower, Hunt, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—70

NOES—Callahan, Jones, Sullivan and Tournoux—4.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS

At twelve o'clock m., the Assembly was declared at recess.

Hon C Ray Robinson of Merced presiding.

Hon. C. C. Cottrell of San Jose presented the Honorable Walter J Little, Speaker of the Assembly, to the members, and presented him with a token of esteem.

The Speaker, on behalf of Mrs. Little and himself, responded.

RESOLUTION.

The following resolution was offered.

By Mr Levey:

WHEREAS, Hon. Walter J. Little, during the fiftieth session of the Legislature, has been the Speaker of this Assembly; and

WHEREAS, Hon. Walter J. Little of Santa Monica for the past four sessions as a member of this House, has evidenced his ability and leadership; and

WHEREAS, As Speaker he has demonstrated his ability and has presided with the utmost fairness, dignity and courtesy over the delberations of this body; now, therefore, be it

Resolved, That the Assembly in this resolution voices its appreciative recognition of his services and tenders to him its cordial thanks and best wishes; and be it further

Resolved, That the Chief Clerk be instructed to have a copy of this resolution suitably engrossed and presented to the Honorable Walter J. Little.

Resolution read, and on motion, unanimously adopted

Hon. Clifford R Kallam of Santa Cruz presented the Honorable F. C. Clowdsley of Stockton, Speaker pro tempore of the Assembly, to the members of the Assembly, and presented him with a token of esteem.

Speaker pro tempore Hon F. C. Clowdsley responded.

Hon. Edgar C. Levey of San Francisco presented Arthur A. Ohnimus, Chief Clerk of the Assembly, to the members of the Assembly, and presented him with a token of esteem.

Mr. Ohnimus responded

Hon. William Moseley Jones of Los Angeles presented Michael Connolly of Los Angeles, Sergeant-at-Arms of the Assembly, to the members of the Assembly, and presented him with a token of esteem.

Mr Connolly responded.

REASSEMBLED.

At twelve o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

RECESS.

At twelve o'clock and thirty-two minutes p m., on motion of Mr. Robinson, C Ray, the Assembly was declared at recess until three o'clock p.m. of this day.

REASSEMBLED.

At three o'clock p m., the Assembly reconvened.

Speaker Little in the chair

Assistant Clerk Kelly reading.

MOTION TO RECESS.

At three o'clock and five minutes p.m., Mr. Clowdsley moved that the Assembly recess until the hour of four o'clock p.m. of this day.

Motion lost.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, July 25, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 128—An act to amend section 737s of the Political Code, relating to salaries of the judges of the superior court, Los Angeles County—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J SCHILDER, Assistant Secretary.

Also.

SENATE CHAMBER, SACRAMENTO, July 25, 1933

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 2440—An act to add a new section to the Political Code to be numbered 3714b, relating to appeals to the State Board of Equalization, declaring the urgency thereof and to provide that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary

LEAVES OF ABSENCE.

On motion of Mr Brock, Mr. Phillips was granted leave of absence for the balance of this legislative day.

On motion of Mr Riley, Mr. Hatch was granted leave of absence for the balance of this legislative day.

THIRD READING OF SENATE BILLS.

Senate Bill No 238—An act to amend section 4.894 of the School Code, relating to the apportionment of the State high school fund to high school districts.

Bill read third time

The question being on the passage of the bill.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Robinson, C. Ray, moved a call of the House.

Motion carried.

Time, three o'clock and fifteen minutes p.m

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Callahan, Cassidy, Chatters, Clowdsley, Cronin, Crowley, Evans, Feigenbaum, Frazier, Gilmore, Hoffman, Hunt, Levey, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Patterson, Powers, Rawls, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Stannard, Stream, Thorp, Tournoux, West, Woolwine and Mr. Speaker—35.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Mr. Evans: Assembly Concurrent Resolution No. 63—Relative to approving one certain amendment to the charter of the city of Pomona, in the county of Los Angeles, State of California, voted for and ratified by the electors of the said city at a special election held therein on the nineteenth day of July, 1933.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Evans asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 63 at this time without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER SIXTY-THREE.

Assembly Concurrent Resolution No. 63—Relative to approving one certain amendment to the charter of the city of Pomona, in the county of Los Angeles, State of California, voted for and ratified by the electors of the said city at a special election held therein on the nineteenth day of July, 1933.

Assembly Concurrent Resolution No. 63 read.

The question being on the adoption of Assembly Concurrent Resolution No 63.

The roll was called, and Assembly Concurrent Resolution No. 63 adopted by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Riley, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Williamson, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—None

Title read and approved.

Assembly Concurrent Resolution No. 63 ordered transmitted to the Senate.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on July 24, 1933, passed Senate Bill No. 1219—An act to provide for the payment of the principal obligation secured by a mortgage or deed of trust subject to provisions of an act entitled "An act to prohibit until January 1, 1934, sales under certain mortgages and deeds of trust for default in the payment of the principal sum of obligations secured thereby, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency hereof," approved May 9, 1933.

J. A. BEEK, Secretary of Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Mayo asked for, and was granted, unanimous consent to take up Senate Bill No. 1219, at this time, without reference to committee or file.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Mayo:

Resolved, That Senate Bill No. 1219 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage

The question being on the adoption of the resolution.

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

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Riley, Robinson, C. Ray; Rogers, Roland, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Williamson, Woolwine, Wright, Zion and Mr. Speaker—63.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1219.

SECOND READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED NINETEEN.

Senate Bill No. 1219—An act to provide for the payment of the principal obligations secured by a mortgage or deed of trust subject to provisions of an act entitled "An act to prohibit until January 1, 1934, sales under certain mortgages and deeds of trust for default in the payment of the principal sum of obligations secured thereby, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency hereof," approved May 9, 1933.

Bill read second time.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Mayo:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to prohibit sales under certain mortgages and deeds of trust for default in the payment of installments of the principal sum of obligations secured thereby which became due between May 8, 1933, and December 31, 1933, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 17, inclusive, and insert in lieu thereof the following:

"SECTION 1. No sale shall be made under any power of sale contained in any mortgage or deed of trust executed before May 8, 1933, upon real property improved with a single family dwelling, nor shall any sale be made under any final decree of foreclosure rendered in any action to foreclose a mortgage executed before May 8, 1933, upon real property improved with a single family dwelling, in any case in which the only default in the performance of the obligation for which said mortgage or deed of trust was given as security consists solely of the failure to pay when due installments of the principal sum of such obligation which became due according to the terms of the obligation between May 8, 1933, and December 31, 1933, inclusive, until at least six months after the due date of the last installment of the principal sum of such obligation.

Nothing contained in this act shall prevent the acceleration, by reason of the nonpayment of taxes, interest or insurance, of the entire obligation secured by any such mortgage or deed of trust, nor prevent the sale thereunder by reason of such default.

SEC. 2. In all cases in which the time within which an action upon any installment of the principal sum of an obligation, a sale for default in the payment of which is postponed by this act, would expire by virtue of section 337 of the Code of Civil Procedure prior to the time when such sale is permitted by this act, then such time in which such action may be brought is extended to and until three months after the date upon which such sale might be held under this act.

SEC. 3. Any sale of real property under a deed of trust or mortgage with power of sale made in violation of this act shall be voidable, except as against a bona fide purchaser or encumbrancer for value, at the instance of the record owner of such real property at the time of such sale; provided that any action to avoid such sale or deed executed pursuant thereto must be brought within one year of the date of such sale."

Amendments adopted.

UNANIMOUS CONSENT GRANTED.

Mr Mayo asked for, and was granted, unanimous consent to have the amendments, offered by himself, considered without reference to reprinting of the bill.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED NINETEEN.

Senate Bill No. 1219—An act to provide for the payment of the principal obligations secured by a mortgage or deed of trust subject to provisions of an act entitled "An act to prohibit until January 1, 1934, sales under certain mortgages and deeds of trust for default in the payment of the principal sum of obligations secured thereby, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency hereof," approved May 9, 1933.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1219 finally passed by the following vote:

AYES—Alter, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—68.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER: Your Committee on Banking, to which was referred Senate Bill No. 1212—An act to amend section 1 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933;

Also: Senate Bill No. 1213—An act to amend section 1 of "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WILLIAMSON, Chairman.

The above reported bills ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 731—An act to amend section 3817 of the Political Code, relating to taxation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

SECOND READING OF SENATE BILL NUMBER SEVEN HUNDRED THIRTY-ONE.

Senate Bill No. 731—An act to amend section 3817 of the Political Code, relating to taxation.

Bill read second time.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, as amended, and insert in lieu thereof the following:

"An act to amend sections 3649 and 3817a of, and to add section 3817g to, the Political Code, relating to property taxes and the penalties therefor."

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, as amended, strike out lines 3 to 52, inclusive; also on page 4 of the printed bill, as amended, strike out lines 1 to 40, inclusive, and insert in lieu thereof the following:

"3649. In the event of the failure or neglect of any person to return to the assessor for taxation any property between the first Monday in March and the first Monday in July of any year, such property when discovered by the assessor to have escaped taxation for such year shall be assessed and entry thereof immediately made upon the assessment roll. If personal property is discovered and assessed after the first day of December such entry shall be followed by the words

"penalty for failure to return within the time required by law," and thereupon a penalty equal to ten per cent of the tax shall attach to the tax so levied.

The authority granted to assessors to assess property which has escaped taxation and to enter the same upon the assessment or tax roll of the year for which said property should have been assessed or taxed shall be limited to a period of not more than five years from the date upon which the lien for taxes of such year attached, and the authority to seize and sell said property for the nonpayment of such tax shall be extended for a like period of time. Property taxable under the provisions of subsection 4 of section 16 of Article XIII of the Constitution of the State of California and section 3627a of the Political Code of the State of California is not subject to the provisions of this section."

AMENDMENT NUMBER THREE.

On page 4, line 41, of the printed bill, as amended, strike out "Sec. 3.", and insert in lieu thereof the following: "Sec. 2."

AMENDMENT NUMBER THREE-A.

On page 4, line 52, of the printed bill, as amended, strike out "at any time".

AMENDMENT NUMBER THREE-B.

On page 5, lines 19 and 20, of the printed bill, as amended, strike out the comma after the word "taxes", and the following: "penalties for delinquency and costs thereon".

AMENDMENT NUMBER THREE-C.

On page 5 of the printed bill, as amended, strike out lines 24 to 32, inclusive, and insert in lieu thereof the following: "month".

AMENDMENT NUMBER FOUR.

On page 6, line 11, of the printed bill, as amended, strike out "amounts", and insert in lieu thereof the following: "delinquent taxes".

AMENDMENT NUMBER FIVE.

On page 6 of the printed bill, as amended, after line 13, insert the following:

"SEC. 3. A new section is hereby added to the Political Code to be numbered 3817g and to read as follows:

3817g. In addition to the redemption penalties required by section 3817 of this code, upon redemption of property hereafter sold to the State, a fee of one per cent of all delinquent taxes shall be collected by the county treasurer of the county in which the property is situated and shall be paid to the State Controller. The fee of two per cent shall be computed from July 1st of the year of the sale to the State upon the amount of taxes delinquent at the time of such sale, and upon the amount of each year's taxes in like manner, reckoning from the first day of July of the year when the property would have been sold for the taxes of that year, if there had been no previous sale.

The fees required by this section shall be in addition to any other fees, penalties, costs or interest required by law upon the redemption of property hereafter sold to the State."

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. West asked for, and was granted, unanimous consent to take up Senate Bill No. 731, at this time, without reference to committee or file, and that same be considered engrossed.

RESOLUTION.

The following resolution was offered:

By Mr. West:

Resolved, That the rule requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Senate Bill No. 731 be read the third time, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor, Morgan, Nielsen, O'Connor, O'Donnell, Patterson,

Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr Speaker—65

NOES—None

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 731.

THIRD READING OF SENATE BILL NUMBER SEVEN HUNDRED THIRTY-ONE.

Senate Bill No 731—An act to amend section 3817 of the Political Code, relating to taxation

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 731 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Williamson asked for, and was granted, unanimous consent to take up Senate Bill No 1213, at this time, without reference to committee or file.

RESOLUTION.

The following resolution was offered:

By Mr. Williamson:

Resolved, That the rule requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Senate Bill No. 1213 be read the third time, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor, Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine and Mr. Speaker—65

NOES—None

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1213.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED THIRTEEN.

Senate Bill No. 1213—An act to amend section 1 of "An act to authorize and control the deposit in banks of money belonging to or in

the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended.

Bill read third time.

The question being on the passage of the bill.

MOTION TO CONTINUE.

On motion of Mr. Williamson, further consideration of Senate Bill No. 1213 was continued until the next legislative day.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED FOURTEEN.

Senate Bill No. 1214—An act to amend sections 19 and 62 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended and to add thereto new sections to be numbered 21.1, 56.1, 133.1 and 136.1, all relating to the business of banking.

Bill read third time.

FLOOR AMENDMENTS.

During reading of the bill, the following amendments were submitted by Mr. Peterson:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, strike out lines 51 and 52.

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, strike out lines 1 to 9, inclusive.

The question being on the adoption of the amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Williamson, Jones and Hoffman, the Speaker ordered a roll call taken on the adoption of the amendments submitted by Mr. Peterson.

The roll was called, and the amendments submitted by Mr. Peterson were adopted by the following vote:

AYES—Alter, Anglim, Badham, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Hoffman, Hornblower, Hunt, King, Lyon, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Peterson, Powers, Rawls, Redwine, Riley, Robinson, C. Ray; Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Utt, Williamson, Woolwine and Mr. Speaker—46

NOES—Bowers, Boyle, Crist, Jones, O'Donnell, Turner and Zion—7.

UNANIMOUS CONSENT GRANTED.

Mr. Williamson asked for, and was granted, unanimous consent to have the amendments, offered by Mr. Peterson, considered without reference to reprinting of the bill.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED FOURTEEN

Senate Bill No. 1214—An act to amend sections 19 and 62 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended and to add thereto new sections to be numbered 21.1, 56.1, 133.1 and 136.1, all relating to the business of banking.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1214 finally passed by the following vote:

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Evans, Feigenbaum, Field, Gilmore, Greene, Hatch, Hornblower, Jones, Kallam, King, Latham, Levey, Lyon, Martin, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Peterson, Powers, Redwine, Riley, Roberts, Robinson, C Ray; Sullivan, Thorp, Tournoux, Utt, Williamson, Woolwine, Zion and Mr. Speaker—47.

NOES—Burns, Cassidy, Crist, Crowley, Fisher, Frazier, Hallner, Hoffman, Hunt, Meehan, Morgan, Nielsen, O'Connor, Rawls, Rogers, Roland and Scudder—17.

Title read and approved.

Bill ordered transmitted to the Senate.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Hornblower:

ASSEMBLY RESOLUTION.

WHEREAS, A lack of uniformity exists in the motor vehicle laws and regulations of the various States; and

WHEREAS, The correct and equitable solution of this important question can not be solved by the lone act of one State; and

WHEREAS, The Legislature of Utah has requested the American Legislators' Association to call a regional conference with the view of framing reciprocal and uniform legislation and regulations relating to the licensing of motor vehicles, uniform traffic regulations, sizes, weights, heights and length of motor vehicles and the regulation and control of motor vehicles engaged in transporting passengers and freight for hire and to make recommendations to the Legislatures of the western States for the adoption of such legislation with a uniform date, now, therefore, be it

Resolved by the Assembly of the State of California, That if such a conference be called, a delegation from the State of California attend the same; and be it further

Resolved, That such a delegation shall consist of a member of the Senate, to be appointed by the President of the Senate, a member of the Assembly, to be appointed by the Speaker of the Assembly, and two State officers, to be appointed by the Governor; and be it further

Resolved, That a copy of this resolution be transmitted to the American Legislators' Association and to the Governor of Utah and to the Governors of the States of Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Washington and Wyoming with the request that said Governors submit it for action by the Legislatures of their States.

The question being on the adoption of the resolution.

Resolution read, and on motion adopted.

By Mr. Craig:

RESOLUTION.

WHEREAS, The members of the Assembly will desire to have shipped to their various places of residence, their bill files, books of codes, stationery and other printed matter, at the end of the session; therefore be it

Resolved, That the Chief Clerk, Arthur A. Ohnimus, be authorized to procure such boxes, packing and other material as are necessary for the purpose of shipping same, properly packed, to said members, and the State Controller is hereby authorized to draw his warrant on the contingent expense fund of the Assembly in favor of said Arthur A Ohnimus, in the sum not to exceed five hundred dollars ($500), and the State Treasurer is hereby directed to pay the same; and it is further directed that Arthur A Ohnimus furnish to the Controller vouchers and receipts for all expenditures made by him.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Badham, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Fisher, Frazier, Greene, Hallner, Hoffman, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Rawls, Redwine, Roberts, Robinson, C Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—69.

NOES—None.

By Mr. Rawls:

RESOLUTION.

WHEREAS, Many banks and banking institutions of this State have been closed because of inability to meet their deposits; and

WHEREAS, Innumerable people in this State have lost their life's savings, or a portion thereof, as a result of such bank failures; and

WHEREAS, Such bank failures have in many cases been the result of the dishonesty, inefficiency and culpable mismanagement of officers and employees of the closed bank; and

WHEREAS, It is essential to the welfare of this State that those responsible for such bank failures be discovered and punished to the end that there will not be in the future such numbers of bank failures; now, therefore, be it

Resolved by the Assembly of the State of California, That the district attorney and the grand jury of each county in this State, wherein any bank failure has occurred during the year 1933, shall investigate the affairs of any such closed bank, including the conditions and circumstances surrounding the closing of such bank, so that any officers or employees of any such bank who are criminally responsible for any such failure may be prosecuted; and be it further

Resolved, That a duly authenticated copy of this resolution be transmitted forthwith to the district attorney and the foreman of the grand jury for each county of the State of California.

The question being on the adoption of the resolution.

MOTION TO LAY ON TABLE.

Mr. Hornblower moved that the resolution by Mr. Rawls be laid upon the table.

The question being on the motion to lay on the table.

Motion carried.

The Speaker ordered the resolution by Mr. Rawls laid upon the table.

By Messrs. Burns and Scudder:

ASSEMBLY RESOLUTION.

WHEREAS, It is necessary that the Legislature of the State of California have available adequate information and data the better to enable the members thereof to consider needed legislation for the preservation and conservation of the wild life of California; now, therefore, be it

Resolved by the Assembly, That there is hereby created an Assembly committee to consist of three members of the Assembly to be appointed by the Speaker of the Assembly, which committee shall make a special study and investigation of fish and game comprehending among other things an investigation and report as to the supply of fish and game of all species and kinds; the effect upon such supply of hunting; means and methods of controlling and eradicating predatory animals and fishes; and all other factors and things bearing upon or relating to the protection and conservation of fish and game; and be it further

Resolved, That it shall be the duty of the committee to gather all available data possible from the Federal government and from other States as well as in our own State in any way relating to the subject of this resolution; and to submit its report containing its findings to the Legislature at the fifty-first session thereof, and be it further

Resolved, That the committee as soon as it is appointed shall proceed to organize by selecting a chairman from its membership and by appointing a secretary, and be it further

Resolved, That the Fish and Game Commission is authorized and directed to cooperate and assist the committee in carrying out the purposes herein set forth; and be it further

Resolved, That the committee is hereby authorized to hold public hearings at any place in the State of California, and may hold meetings outside the State of California, if and when in the judgment of the committee the same may be of assistance to it in gathering data and information required hereby; and be it further

Resolved, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpenas and to compel the attendance of witnesses, and to procure testimony. Each of the members of said committee is hereby authorized to administer oaths, and all the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code of the State, relative to the attendance and assemblage of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution. The said committee is hereby given leave to sit during the sessions

of the Legislature, during the recess thereof and during the interval between sessions thereof, at any place in the State as said committee shall from time to time determine; and be it further

Resolved, That the sum of $500 or so much thereof as may be necessary be and the same is hereby appropriated for the purpose of defraying the expenses of said committee and said investigation, said sum to be paid from the contingent fund of the Assembly and the State Controller is hereby authorized and directed to draw his warrant in favor of the person entitled thereto for such expenditures as may be certified to him from time to time by the chairman of said committee and the State Treasurer is hereby authorized and directed to pay the same.

The question being on the adoption of the resolution.

MOTION TO LAY ON THE TABLE.

Mr. Hallner moved that the resolution offered by Messrs. Burns and Scudder be laid upon the table.

Motion lost.

The question being on the adoption of the resolution.

The roll was called, and the resolution by Messrs. Burns and Scudder was refused adoption by the following vote:

AYES—Bowers, Burns, Cassidy, Chatters, Cobb, Crowley, Fisher, Jones, Kallam, King, Knowland, Mayo, McMurray, Meeker, Nielsen, Patterson, Peterson, Powers, Redwine, Riley, Robinson, C. Ray; Roland, Scudder, Stream, Sullivan, Tournoux, Utt, Zion and Mr. Speaker—29.

NOES—Alter, Anglim, Badham, Bliss, Boyle, Brock, Callahan, Clowdsley, Cottrell, Crist, Cronin, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Hallner, Hoffman, Hornblower, Levey, Lyon, Martin, McBride, McCarthy, Meehan, Miller, Eleanor; Miller, James A., Morgan, Rawls, Robinson, Samuel E., Stannard, Thorp, Turner, West, Woolwine and Wright—37.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At five o'clock and two minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Robinson, C. Ray.

The roll of absentees was called, and Senate Bill No. 238 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 1211—An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately—reports that it has met a like committee of the Senate, consisting of Senators Swing, Duval and Schottky, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments, except the amendment proposed

by Assemblyman West, and adopted in Assembly July 22, 1933, as follows: "On page 2, line 36, of the printed bill as amended in the Assembly July 21, 1933, strike out the words "and one-half"; and that the Assembly recede from said amendment; and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended in Assembly July 22, 1933, strike out lines 34 to 36, inclusive, and insert in lieu thereof the following: "rate of two and one-half per cent of the gross receipts of any such retailer from the sale of all tangible personal property sold at retail in this State on and after August 1, 1933, and to and including June 30, 1935; and at the rate of two per cent of the gross receipts of any such retailer from the sale of all tangible personal property sold at retail in this State on and after July 1, 1935. Such tax".

AMENDMENT NUMBER TWO.

On page 3, line 2, of the printed bill, as amended in Assembly July 22, 1933, strike out "other than the gross receipts"; also strike out all of line 3 on said page, and insert in lieu thereof the following: "when delivered to consumers through mains, lines, or pipes."

AMENDMENT NUMBER THREE.

On page 13 of the printed bill, as amended in Assembly July 22, 1933, strike out all of lines 25 to 27, both inclusive.

LYON,
KALLAM,
KNOWLAND,
Assembly Committee on Free Conference.

SWING,
DUVAL,
SCHOTTKY,
Senate Committee on Free Conference.

The question being on the adoption of the report of the Committee on Free Conference.

POINT OF ORDER.

Mr. Clowdsley arose to the following point of order: Stating that there is other business at the desk taking precedence over the report of the Committee on Free Conference.

RULING BY THE SPEAKER.

The Speaker ruled the point of order raised by Mr. Clowdsley not well taken, in accordance with Rule No. 81.

The question being on the adoption of the report of the Committee on Free Conference.

MOTION.

Mr. Clowdsley moved that consideration of the report of the Committee on Free Conference relative to Senate Bill No. 1211 be made a special order for Wednesday, July 26, 1933, at the hour of eleven o'clock a.m.

The question being on the motion to set Senate Bill No. 1211 as a special order.

The roll was called, and the motion to set the report of the Committee on Free Conference as a special order of business lost by the following vote:

AYES—Anglim, Bliss, Burns, Cassidy, Chatters, Clowdsley, Cronin, Crowley, Dempster, Gilmore, Hornblower, Jones, King, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Powers, Robinson, Samuel E., Rogers, Stannard, Sullivan, Thorp, Tournoux, Turner, West and Zion—34

NOES—Alter, Badham, Bowers, Brock, Callahan, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hoffman, Kallam, Knowland, Latham, Levey, Lyon, Martin, McBride, Miller, Eleanor; Morgan, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Scudder, Stream, Utt, Woolwine, Wright and Mr. Speaker—38.

The question being on the adoption of the report of the Committee on Free Conference.

MOTION TO ADJOURN.

Mr. Bliss moved that the Assembly do now adjourn until Wednesday, July 25, 1933, at the hour of nine o'clock and thirty minutes a.m.

REQUEST FOR ROLL CALL.

On request of Messrs. Robinson, C. Ray; Lyon and Fisher, the Speaker ordered a roll call taken on the motion to adjourn.

The roll was called, and the motion to adjourn lost by the following vote:

AYES—Anglim, Bliss, Burns, Cassidy, Chatters, Clowdsley, Cronin, Crowley, Dempster, Gilmore, Hornblower, Hunt, Jones, King, Maloney, Mayo, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Peterson, Powers, Robinson, Samuel E., Rogers, Stannard, Sullivan, Thorp, Tournoux, Turner and West—34

NOES—Alter, Badham, Bowers, Brock, Callahan, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hoffman, Kallam, Knowland, Latham, Levey, Lyon, Martin, McBride, Miller, Eleanor; Morgan, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Scudder, Stream, Utt, Williamson, Woolwine, Wright, Zion and Mr. Speaker—40.

The question being on the adoption of the report of the Committee on Free Conference.

MOTION TO ADJOURN.

Mr. Feigenbaum moved that the Assembly do now adjourn until Wednesday, July 26, 1933, at the hour of nine o'clock and thirty-five minutes a.m.

Motion carried.

ADJOURNMENT.

At six o'clock and fifteen minutes p.m., on motion of Mr. Feigenbaum, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty-five minutes a.m., Wednesday, July 26, 1933.

LOUIS F. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, July 26, 1933.

At nine o'clock and thirty-five minutes a.m., the Assembly was called to order.

Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Alter, Anglim, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—74.

Quorum present.

PRAYER.

Prayer was offered by Rabbi Norman M. Goldburg, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From F. B. Hawley, Long Beach, California, relative to impeachment.

Also:

By Mr. Speaker:

From Mary Greer Conklin, Long Beach, California, relative to impeachment.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, July 25, 1933.

To the Honorable Members of the Assembly of the State of California.

Pursuant to the provisions of section 34 of Article IV of the Constitution, and by authority vested in me by law, I recommend that by means of Assembly Bill No. 522, an additional item be added to the budget bill to be designated "special emergency fund No. 2," and that the amount of $254,436.29 be appropriated therefor.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended and refused passage to Assembly Bill No. 2357—An act relating to and providing for flood control on San Dieguito River and for the prevention of floods and conserving of the waters of said river, making an appropriation therefor and declaring that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2314—An act to amend section 3671d and to repeal sections 3671c and 3713 of the Political Code, relating to taxation.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 25, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 1114—An act providing for the incorporation, government, and management of regional park districts including therein city and county territory, for the purpose of acquiring, improving, and maintaining parks, playgrounds, beaches, parkways, scenic drives, boulevards and other facilities for public recreation; providing for the management and government of such districts; authorizing such districts to incur bonded indebtedness and to levy and collect taxes, to pay the principal and interest on bonds and for carrying out the purposes of this act; and providing for the powers of such districts, and

imposing certain duties and functions in connection with such districts upon certain county officers; and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2433—An act to amend section 737a of the Political Code, relating to the salary of each of the judges of the superior court in and for the county of Alameda.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 63—Relative to approving one certain amendment to the charter of the city of Pomona, in the county of Los Angeles, State of California, voted for and ratified by the electors of the said city at a special election held therein on the nineteenth day of July, 1933.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Concurrent Resolution No. 63 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 37—Relative to Federal loans on agricultural lands within the State of California.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Joint Resolution No. 37 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1765—An act amending the Political Code by repealing sections 3627a, 3627c, 3664, 3664a, 3664aa, 3664c, 3664d, 3665a, 3665b, 3666, 3666b, 3667, 3667a, 3670, 3670a, 3670b, 3670bb, 3670c, 3670cc, 3670d, 3671, 3671a, 3671b, 3671c and 3671d, by amending sections 3627, 3628, 3629, 3630, 3648, 3649, 3650, 3664b, 3664b-1, 3665c, 3667b, 3668, 3668a, 3668b, 3668c, 3669, 3669a, 3669c, 3696 and 3714a, and by adding thereto new sections to be numbered 3664, 3664a and 3667 respectively, relating to the assessment and collection of taxes, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1936—An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1936?

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended, strike out all of lines 6 to 9, inclusive, and insert in lieu thereof the following:

"SECTION 1. The sum of two thousand ninety and 10/100 dollars ($2,090 10) is hereby appropriated to be paid as hereinafter described to pay the claim of the

chief accounting officer of the Department of Finance against the State of California.

SEC. 2. The sum of two thousand ninety and 10/100 dollars ($2,090.10) shall be paid as follows: two thousand dollars ($2,000) out of any money in the highway maintenance fund in the State treasury and ninety and 10/100 dollars ($90.10) out of any money in the State treasury not otherwise appropriated."

The roll was called, and Senate amendment to Assembly Bill No. 1936 was concurred in by the following vote:

AYES—Alter, Anglim, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hunt, Jones, Kallam, Knowland, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—55.

NOES—*Hoffman*—1.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2345—An act to add a new section to the School Code to be numbered 4.57, relating to the support of junior colleges—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2345?

AMENDMENT NUMBER ONE.

On page 1, line 24, of the printed bill, as amended, strike out the period, and insert in lieu thereof a semicolon and the following: "provided, however, that not more than one-half of the amount appropriated by this act or by item number 194, Chapter 278, Statutes of 1933, shall be expended during the eighty-fifth fiscal year."

The roll was called, and Senate amendment to Assembly Bill No. 2345 was concurred in by the following vote:

AYES—Anglim, Badham, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Hallner, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Staunard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—62.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 257—An act to amend sections 60, 62, 63, 65a and 66 of an act entitled "Improvement Act of 1911," approved April 7, 1911, Statutes of 1911, page 730—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 257?

AMENDMENT NUMBER ONE.

On page 1 of the printed, amended bill, strike out the first line of the title, and insert in lieu thereof the following: "An act to amend section 63 of an act".

AMENDMENT NUMBER TWO.

On page 1 of the printed, amended bill, strike out all of lines 1 to 25, both inclusive.

AMENDMENT NUMBER THREE.

Strike out all of page 2 of the printed, amended bill.

AMENDMENT NUMBER FOUR.

On page 3 of the printed, amended bill, strike out all of lines 1 to 22, both inclusive.

AMENDMENT NUMBER FIVE.

On page 3, line 23, of the printed, amended bill, strike out "Sec. 3", and insert in lieu thereof the following:

"SECTION 1."

AMENDMENT NUMBER SIX.

On page 4, line 41, of the printed, amended bill, strike out the comma following the word "unpaid", strike out the word "together", in said line 41, and strike out all of line 42, on said page 4, and insert in lieu thereof a period.

AMENDMENT NUMBER SEVEN.

On page 4, line 48, of the printed, amended bill, strike out the period, and insert in lieu thereof a semicolon and the following: "provided, however, that any bond may be reinstated after such default in the manner provided in said act."

AMENDMENT NUMBER EIGHT.

On page 4, line 50, of the printed, amended bill, strike out the word "five", and insert in lieu thereof the following: "one".

AMENDMENT NUMBER NINE.

On page 5, line 1, of the printed, amended bill, after the period, strike out the remainder of said line 1, strike out all of line 2, and all of line 3, to and including the word "per cent", on said page 5, of the printed, amended bill, and insert in lieu thereof the following: "The one per cent penalty first imposed".

AMENDMENT NUMBER TEN.

On page 5 of the printed, amended bill, strike out all of lines 10 to 52, both inclusive.

AMENDMENT NUMBER ELEVEN.

Strike out all of page 6 of the printed, amended bill.

AMENDMENT NUMBER TWELVE.

In line 3 of the title of the printed, amended bill, strike out the period following the figures "730", and insert in lieu thereof the following: ", and to add two new sections thereto to be numbered sections 84 and 85 respectively."

AMENDMENT NUMBER THIRTEEN.

On page 6 of the printed, amended bill, after line 42, insert the following:

"SEC. 2 A new section is hereby added to said act to be numbered section 84 and to read as follows:

Sec. 84. Any provision in this act to the contrary notwithstanding, it shall be lawful for the city council to accept and provide for a contribution towards the costs and expenses of any work or improvement to be done under this act, from any funds made available for the purpose by any local, State or National agency or authority, and it shall not be necessary to set forth or give notice of such contribution in the resolution of intention or other proceedings hereunder but it shall be sufficient for the city council upon determining the amount thereof to direct the superintendent of streets to deduct such amount from the whole cost of the work before spreading the assessment. The amount of any such contribution shall be paid to the contractor or his assigns upon the issuance of the warrant to him."

AMENDMENT NUMBER FOURTEEN.

Following the last word in Amendment Number Thirteen, insert the following:

"SEC. 3. A new section is hereby added to said act to be numbered section 85 and to read as follows:

Sec. 85. Any provision of this act to the contrary notwithstanding, it shall be lawful for the city council to sell to any local, State or National public agency or authority authorized to purchase the same, all or any part of any bonds issued pursuant to the provisions of this act or any bonds issued under the "Improvement Bond Act of 1915" upon the security of assessments levied under this act. Any such bonds may be so sold as in this section provided, without advertisement or bidding thereon but for not less than par. The interest rate shall be such as may be stated in the resolution of intention but may be for a lesser rate if the city council shall find a purchaser at such lesser rate. Upon the sale of any such bonds

the purchase price thereof shall be paid to the contractor or his assigns in lieu of said bonds and in satisfaction of the balance due upon the assessment."

The roll was called, and Senate amendments to Assembly Bill No. 257 were concurred in by the following vote:

AYES—Anglim, Badham, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Hallner, Hoffman, Hornblower, Jones, Kallam, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—62.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 44—Relative to a special session to consider tax matters.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 44, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FORTY-FOUR.

Senate Concurrent Resolution No. 44—Relative to a special session to consider tax matters.

Senate Concurrent Resolution No. 44 read.

The question being on the adoption of Senate Concurrent Resolution No. 44.

MOTION TO LAY ON THE TABLE.

Mr. Robinson, C. Ray, moved that Senate Concurrent Resolution No. 44 be laid upon the table.

Question being on the motion to lay upon the table.

Motion carried.

Senate Concurrent Resolution No. 44 was ordered laid upon the table.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2306—An act to amend section 4.377 of the School Code, relating to school district tax rates, declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Latham asked for, and was granted, unanimous consent to take up Assembly Bill No. 2306, at this time, for the purpose of having the urgency clause adopted.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, West, Williamson, Woolwine, Wright and Mr. Speaker—68.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 1214—An act to amend sections 19 and 62 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended and to add thereto new sections to be numbered 21.1, 56.1, 133.1 and 136 1, all relating to the business of banking—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 1214?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 1214 by the following vote:

AYES—Peterson—1.

NOES—Alter, Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Field, Fisher, Gilmore, Greene, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Rogers, Roland, Stannard, Stream, Thorp, Tournoux, West, Williamson, Woolwine, Zion and Mr. Speaker—61.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Williamson, Peterson and Crist, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 1214.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced:

By Mr. West: Assembly Joint Resolution No 38—Relative to Federal land bank loans and land bank commissioner's loans.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. West asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 38, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-EIGHT.

Assembly Joint Resolution No. 38—Relative to Federal land bank loans and land bank commissioner's loans.

The question being on the adoption of Assembly Joint Resolution No. 38.

The roll was called, and Assembly Joint Resolution No. 38 adopted by the following vote:

AYES—Alter, Bliss, Bowers, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Rogers, Roland, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—61.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 38 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 38.

Relative to Federal land bank loans and land bank commissioner's loans.

WHEREAS, It appears that under the existing statutes and rulings it is impossible for any Federal land bank loan or any land bank commissioner's loan to be made upon any property owned by a minor or in which a minor has any interest; and

WHEREAS, In those cases where such loans are most needed and are most desirable the property involved is often owned in whole or in part by a minor; now, therefore, be it

Resolved by the Assembly and Senate, jointly, That the Legislature of the State of California respectfully urges the President of the United States and the officials of the Federal government in charge of the granting of Federal land bank loans and land bank commissioner's loans that such loans be made available to property owned in whole or in part by minors; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the President of the United States and to the officials in charge of the making of such loans.

COMMUNICATION.

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

By Mr. Robinson, C. Ray:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL.
SACRAMENTO, CALIFORNIA, July 25, 1933.

Hon. C. Ray Robinson, Assembly Chamber, State Capitol, Sacramento, California.

DEAR MR. ROBINSON: You ask for an opinion on the question whether or not, under the provisions of Senate Constitutional Amendment No. 30, California Legislature, session of 1933, adopted at the special election held June 27, 1933, there will be a gap of six months or more in respect to the tax liability of public utilities payable by them upon the occasion of the transition from the so-called gross receipts tax to the ad valorem method of taxation.

In my opinion there will be no gap.

I base this opinion upon the following analysis:

The gross receipts tax of public utilities to be assessed in 1934 will become a lien as of the first Monday in March, 1934, and will become payable on the first Monday in July, 1934 (Constitution, Article XIII, section 14, subdivision (f)).

Said gross receipts tax will be levied and assessed by the State Board of Equalization between the first Monday in March and the first Monday in July, 1934 (Political Code, section 3668).

While it is true that said tax will become payable on the first Monday of July, 1934, the Political Code provides that it may be payable in two installments, the first one-half thereof to become delinquent on the sixth Monday after the first Monday in July, the second installment thereof to become delinquent on the first Monday in February, 1935 (Political Code, section 3668b).

As to the second installment (the installment payable in February, 1935), section 14½ of Article XIII of the Constitution, as set forth in Senate Constitutional Amendment No. 30, declares that "any taxes assessed in pursuance thereof" (in pursuance of section 14 of Article XIII and prior to December 31, 1934) "shall remain fully collectible"

Upon January 1, 1935, the transition from the present system to the ad valorem system will have been made

Accordingly, the first tax to be levied under the ad valorem system will become a lien as of the first Monday of March, 1935 (Constitution, Article XIII, section 8).

Under the new system in the year 1935 the assessment valuation of properties of utilities will be made by the State Board of Equalization during approximately the

same period as the county assessors fix the assessment valuation of other property for taxation purposes.

The rate of tax on such property will be fixed not later than September 1, 1935 (Political Code, section 3714).

The entire amount of said tax will become due and payable on November 1, 1935 (Political Code, section 3746).

This tax, of course, is payable in two installments, the first of which becomes delinquent December 5, 1935. The second installment, if not sooner paid, becomes delinquent April 20, 1936 (Political Code, sections 3746 and 3756).

In other words, by reason of the transition from one method of taxation to the other the tax which would, under the present system, become payable on the first Monday in July, 1935, will become payable on the first of November, 1935.

Likewise, the first installment of said tax which, under the present system, would become delinquent in August, 1935, will become delinquent in December, 1935, and the second installment which, under the present system, would become delinquent in February, 1936, will become delinquent in April, 1936. I see no escaping of the payment of any tax by the utilities in this transition from one method to the other.

Very truly yours,

FRED B. WOOD, Legislative Counsel.

UNFINISHED BUSINESS.

CONSIDERATION OF REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of the Committee on Free Conference was read:

ASSEMBLY CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 1211—An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately—reports that it has met a like committee of the Senate, consisting of Senators Swing, Duval and Schottky, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments, except the amendment proposed by Assemblyman West, and adopted in Assembly July 22, 1933, as follows: "On page 2, line 36, of the printed bill as amended in the Assembly July 21, 1933, strike out the words "and one-half"; and that the Assembly recede from said amendment; and that the bill be further amended as follows.

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended in Assembly July 22, 1933, strike out lines 34 to 36, inclusive, and insert in lieu thereof the following: "rate of two and one-half per cent of the gross receipts of any such retailer from the sale of all tangible personal property sold at retail in this State on and after August 1, 1933, and to and including June 30, 1935; and at the rate of two per cent of the gross receipts of any such retailer from the sale of all tangible personal property sold at retail in this State on and after July 1, 1935. Such tax".

AMENDMENT NUMBER TWO.

On page 3, line 2, of the printed bill, as amended in Assembly July 22, 1933, strike out 'other than the gross receipts"; also strike out all of line 3 on said page, and insert in lieu thereof the following: "when delivered to consumers through mains, lines, or pipes."

AMENDMENT NUMBER THREE.

On page 13 of the printed bill, as amended in Assembly July 22, 1933, strike out all of lines 25 to 27, both inclusive.

LYON,
KALLAM,
KNOWLAND,
Assembly Committee on Free Conference.

SWING,
DUVAL,
SCHOTTKY,
Senate Committee on Free Conference.

The question being on the adoption of the report of the Committee on Free Conference, as amended.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Lyon moved a call of the House.

Motion carried

Time, ten o'clock and forty-five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Alter, Anglim, Bliss, Bowers, Burns, Callahan, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor, Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Rogers Roland, Ross, Scudder, Stannard, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—67.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Mr. Roberts: Assembly Concurrent Resolution No. 65—Relative to providing for the appointment of a committee to investigate desired changes in the manner of holding sessions of the Legislature.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Roberts asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 65, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER SIXTY-FIVE.

Assembly Concurrent Resolution No. 65—Relative to providing for the appointment of a committee to investigate desired changes in the manner of holding sessions of the Legislature.

Assembly Concurrent Resolution No. 65 read.

The question being on the adoption of Assembly Concurrent Resolution No. 65.

The roll was called, and Assembly Concurrent Resolution No. 65 adopted by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Cronin, Evans, Field Fisher, Frazier, Gilmore, Greene, Hoffman, Hornblower, Jones, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E, Rogers, Stream, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—52

NOES—Crist—1.

Title read and approved.

Assembly Concurrent Resolution No. 65 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 65.

Providing for the appointment of a committee to investigate desired changes in the *manner of holding sessions of the Legislature.*

WHEREAS, It is the opinion of many that the present bifurcated session of the Legislature is unsatisfactory and is not adapted to present conditions; and

WHEREAS, It is the desire of this Legislature that certain details be placed before them in order that they may acquaint themselves with the facts prior to inaugurating any change; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That a committee consisting of three members of the Assembly appointed by the Speaker of the Assembly and two members of the Senate appointed by the President of the Senate, be constituted for the purpose of investigating the advantages and disadvantages of the present bifurcated session and of making such recommendations for the change in the manner of holding sessions of the Legislature as the said committee shall deem necessary; and be it further

Resolved, That said committee is hereby authorized to hold public hearings at any place in the State of California at which hearings the people shall have an opportunity to present their views to the committee; and be it further

Resolved, That said committee is authorized and empowered to do any and all things necessary to make a full and complete investigation of and report upon the matters herein referred to.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and fifty-five minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Lyon.

The roll of absentees was called, and the report of the Committee on Free Conference relative to Senate Bill No. 1211 was adopted by the following vote:

AYES—Alter, Bowers, Brock, Callahan, Cobb, Cottrell, Craig, Crist, Evans, Feigenbaum, Field, Fisher, Frazier, Greene, Hallner, Hoffman, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Scudder, Stream, Utt, West, Woolwine, Wright, Zion and Mr. Speaker—43.

NOES—Anglim, Bliss, Burns, Cassidy, Chatters, Clowdsley, Cronin, Crowley, Gilmore, Hornblower, Hunt, Jones, Mayo, McCarthy, McMurray, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Powers, Robinson, Samuel E., Rogers, Stannard, Thorp, Tournoux, Turner and Williamson—29.

Senate Bill No. 1211 ordered transmitted to the Senate.

EXPLANATION OF VOTE.

I did not support this sales tax bill for I feel it is inequitable. The virtues that such a tax possess, its broad applicability and its so-called painlessness, are greatly outweighed by its multiplicity of evils, including a rate which is too high, a failure to exempt necessary foodstuffs from the operation of the tax, a refusal to exempt purchases made by political subdivisions and their agencies, including publicly owned utility agencies and the general indictment against the principle of such a tax that it is not based on equity but rather on expediency.

I am fully conversant with, and appreciate the need of the State to raise the necessary revenue to carry on the government, but I feel that money should not be raised in such an unholy and unfair proportion from the backs of the poor and ordinary person as compared with the wealthier classes, but rather that a plan, combining sales and income features, and based on ability to pay, would be the most equitable, fair and just scheme, and would raise enough money to run the government conservatively for the next biennium.

MELVYN I. CRONIN.

HON. FREDERICK M. ROBERTS IN THE CHAIR.

At eleven o'clock and five minutes a.m., Hon. Frederick M. Roberts, member of the Assembly from the Sixty-second District, in the chair.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Mr. Kallam: Assembly Concurrent Resolution No. 64—Relative to moving the seat of government to the city of Monterey.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Kallam asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 64, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER SIXTY-FOUR.

Assembly Concurrent Resolution No. 64—Relative to moving the seat of government to the city of Monterey.

Assembly Concurrent Resolution No. 64 read.

The question being on the adoption of Assembly Concurrent Resolution No. 64.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and twenty-five minutes a.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

MOTION TO RE-REFER.

Mr. Nielsen moved that Assembly Concurrent Resolution No. 64 be ordered re-referred to Committee on State Grounds and Parks.

The question being on referring Assembly Concurrent Resolution No. 64 to Committee on State Grounds and Parks.

Motion lost.

The question being on the adoption of Assembly Concurrent Resolution No. 64.

The roll was called, and Assembly Concurrent Resolution No. 64 refused adoption by the following vote:

AYES—Bowers, Cottrell, Crist, Evans, Hornblower, Hunt, Kallam, Lyon, Patterson and Turner—10.

NOES—Alter, Bliss, Brock, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Crowley, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, King, Knowland, Latham, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Peterson, Phillips, Redwine, Riley, Roberts, Rogers, Roland, Scudder, Stanward, Stream, Sullivan, Thorp, Tournoux, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—52.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION.

Mr. Kallam moved to rescind all actions, and expunge all records, relative to Assembly Concurrent Resolution No. 64, which was this day refused adoption.

Motion carried.

MOTION TO REFER.

Mr. Hornblower moved that Assembly Concurrent Resolution No. 64 be referred to Committee on Public Morals.

Motion carried.

Assembly Concurrent Resolution No. 64 ordered referred to Committee on Public Morals.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Nielsen:

WHEREAS, The Rabbi Norman M. Goldburg, Chaplain of the Assembly during the fiftieth session, has, by his prayers each morning, brought to this body valuable inspiration, and has reminded the members of their obligation not only to their God but to their fellowmen, to the State, and the Nation; and

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

Resolved, That the Chief Clerk of the Assembly be and he hereby is authorized and instructed to have printed two hundred fifty booklets containing the prayers offered at this session, and that he send one of said booklets to each member of the Assembly and to each desk clerk of the Assembly, and the remaining booklets to Rabbi Norman M. Goldburg.

Resolution read, and on motion adopted.

By Mr. Greene:

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly is hereby directed to prepare a suitably engrossed copy of the resolution appointing John Stephen McGroarty Poet Laureate of the State of California (Assembly Concurrent Resolution No. 18, Chapter 105, Resolutions 1933) and transmit the same to said Poet Laureate.

Resolution read, and on motion adopted.

UNFINISHED BUSINESS—(RESUMED).

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 25, 1933.

To the Honorable Members of the Assembly, California State Legislature.

SIRS: I herewith return, without my signature, Assembly Bill No 1970.

Assembly Bill No. 1970 was designed to amend section 428 of the Vehicle Code. Assembly Bill No. 674 was a bill comprising a codification of all laws pertaining to vehicles, but this bill failed of passage in the Senate As Assembly Bill No 674 has failed of passage, the signing of Assembly Bill No. 1970 would be wholly ineffective, invalid and unconstitutional It is for these reasons I return the bill.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 1970 become a law notwithstanding the veto of the Governor?

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

AYES—None.

NOES—Alter, Anglim, Bliss, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Hornblower, Hunt, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A, Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Redwine, Riley, Roberts, Robinson, Samuel E, Rogers, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—59.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1933.

To the Honorable Members of the Assembly, California State Legislature.

I herewith return, without my signature, Assembly Bill No. 1727.

This bill is a new act, and provides that ownership of real property or an interest therein shall not disqualify a person otherwise eligible to receive aid under the provisions of any act relating to indigents.

I am advised that this measure is in conflict with the new act relating to the aid of indigents, and that the approval of this bill would result only in confusion in the administering of all of the statutes providing for indigent relief. The provisions of the relief act have been scientifically worked out with the thought that persons receiving relief should meet certain statutory requirements. As this bill would affect all such statutes, I believe the subject should be given more consideration with relation to existing statutes and bills already signed.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

The question being put: Shall Assembly Bill No. 1727 become a law notwithstanding the veto of the Governor?

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

AYES—Burns, Callahan, Cassidy, Cottrell, Hallner, Hunt, Jones, King, Martin, McBride, McCarthy, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rogers, Sullivan, Tournoux, Turner and Wright—21.

NOES—Alter, Anglim, Bliss, Bowers, Brock, Chatters, Clowdsley, Cobb, Crist, Cronin, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Hoffman, Knowland, Latham, Levey, Lyon, Mayo, Miller, Eleanor; Miller, James A., Morgan, Nielsen, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stream, Thorp, Woolwine and Mr. Speaker—37.

CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NUMBER TWO THOUSAND FOUR HUNDRED FORTY.

Assembly Bill No. 2440—An act to add a new section to the Political Code to be numbered 3714b, relating to appeals to the State Board of Equalization, declaring the urgency thereof and to provide that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2440?

AMENDMENT NUMBER ONE

In lines 2 and 3 of the title of the printed bill, as amended, strike out "appeals to the State Board of Equalization", and insert in lieu thereof the following: "expenditures of counties, cities and counties, municipalities, districts or other political subdivisions of the State"

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, strike out lines 4 to 11, inclusive, and insert in lieu thereof the following:

"The board of supervisors of each county, or city and county, shall have power and it shall be its duty at the time of levying school district taxes to reduce the total amount of the expenditures of the school district proposed to be made during the current school year by such amount as may be necessary to prevent such proposed expenditures from exceeding the actual expenditures of the school district during the preceding school year by more than five per cent; provided that the board of supervisors shall not reduce the proposed expenditures of any school district which has secured written permission from the State Board of Equalization, or which has been authorized by a two-thirds vote of the electors thereof, to exceed the limitations on expenditures set forth in section 20 of Article XI of the Constitution of this State.

The superintendent of schools of each county, or city and county, shall have power at any time prior to the levy of school district taxes to revise estimates of income from the several sources as indicated in the budgets submitted by governing boards of school districts for the school year 1933–1934; provided that no revision of estimates of school district income so made shall operate to increase the expenditures proposed in such school district budgets."

The roll was called, and Senate amendments to Assembly Bill No. 2440 were concurred in by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Jones, King, Knowland, Latham, Levey, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, Woolwine, Wright and Mr. Speaker—60.

NOES—Hornblower and O'Connor—2.

The above reported bill ordered to enrollment.

CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NUMBER ONE HUNDRED TWENTY-EIGHT.

Assembly Bill No. 128—An act to amend section 737s of the Political Code, relating to salaries of the judges of the superior court, Los Angeles County.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 128?

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, strike out "section", and insert in lieu thereof the following: "sections 737dd, 737jj and".

AMENDMENT NUMBER TWO.

In lines 2 and 3 of the title of the printed bill, as amended, strike out the comma and "Los Angeles County".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended, after line 5, add the following:

"SEC. 2. Section 737dd of the Political Code is hereby amended to read as follows:

737dd. The annual salary of each of the judges of the superior court in and for the county of Orange is six thousand five hundred dollars

SEC. 3. Section 737jj of the Political Code is hereby amended to read as follows:

737jj. The annual salary of each of the judges of the superior court in and for the county of San Bernardino is six thousand five hundred dollars."

The roll was called, and Senate amendments to Assembly Bill No. 128 were concurred in by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Hunt, Jones, Kallam, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stanward, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—65.

NOES—None.

The above reported bill ordered to enrollment.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 10, 1933.

To the Honorable Members of the Assembly of the State of California.

I respectfully return to you, without my approval, Assembly Bill No. 2352. My objections to the bill and my reasons for vetoing it are as follows.

This bill places a tax of 8 cents per pound on oleomargarine products sold in the State, but the bill is so worded that all margarine products escape the tax except one, that is, margarine made from coconut oil.

Coconut oil is made in California from copra imported from the Philippine Islands. An asserted tax upon the food product derived therefrom is therefore in essence and effect a tariff charge upon the imported raw materials from which it is made. At the hearing held on this bill the proponents frankly and unqualifiedly admitted that the tax levy was in reality a tariff, designed to cause an embargo and to halt the manufacture of coconut oil margarine. Under the Federal Constitution the right to levy a tariff is vested in Congress and not in the several States

Aside from the constitutional question of the right of a State to levy a disguised tax on imports, and the additional question of discriminating against one commodity in favor of others in the same class, the bill is subject to the criticism that the natural and desired result is to drive the coconut oil products from the market, as the manufacturers could not afford to pay the tax and stay in business. Thus it is apparent that under the guise of the tax powers of the State, there is an effort to stifle competition.

Such a course in legislation might be productive of serious consequences. The President of the Chamber of Commerce of the Philippine Islands presented to me by radiophone an impressive argument against the bill on the ground that it would do great injury to the commerce and trade of California. He pointed out that much American capital and many thousands of people are engaged in the coconut industry in the Islands, and they will be so seriously affected by this law that the ability of the Philippine Islands to buy California goods will be greatly curtailed. He informed me that last year the Philippines bought $15,000,000 of California commodities, such as gasoline, fruits, vegetables, canned milk and canned foods. Last year, he stated, the Philippines imported from California 336,000 cases of milk, and he stressed the fact that the Philippines bought from California more milk products alone than the total value of their coconuts sold to us. California owes great consideration to such a good customer for its products, particularly in view of the fact that free trade has always existed between the United States and the

Philippines, and a telegram from the Honorable Secretary of War called my attention to the fact that possible injurious effects on Philippine-American trade be given careful consideration.

The only ground on which approval of this bill might conceivably be justified is that it would aid the California butter manufacturers and cattle raisers In fact, it will aid neither In the first place, the sale of oleomargarine as such is not prohibited by the bill. Margarine manufactured from animal fat would still continue to be sold at a lower price than butter. For many years California has imported more butter than the State has produced. The price of margarine does not regulate the price of butter. The contrary is true.

Nor will California's cattle industry be aided by this bill through an increased sale of animal fat. It appears that the fat from California cattle fed on alfalfa is inferior for margarine oil purposes to that of the corn-fed cattle of the Middle West, and that only a small part of the fat of each animal is usable for oil purposes. The eastern packers who collect fat and manufacture oil from it treat it as a by-product in their business and use exclusively corn-fed steers They would command the margarine market in California if this bill were enacted In other words, the benefits of this bill will go exclusively to eastern packers.

Thus, this bill will not help the California dairy or cattlemen, but if signed, will have the inevitable result of increasing the price of margarine to the consumer. These consumers are the large families with small purses, and the unemployed, who use margarine as a substitute for butter—not in preference to butter. Their use of margarine is occasioned by price necessity after pennies have carefully been counted. To add an 8-cent tax to this product which now sells from 10 to 15 cents a pound would be to penalize poverty and to single out the poor man's table for a selective sales tax on a solitary food product.

This fact was emphasized in 1926 when an oleomargarine bill proposing only a 2-cent tax, as against the 8 cents a pound tax proposed by this bill, was defeated by a vote of 749,640 against 287,703, or nearly three to one, at a referendum election Thirty-eight counties, including many agricultural counties, voted against the measure. The records of the Secretary of State show that the bill was defeated by one of the largest majorities of any bill appearing on the ballot on referendum petition Since the people have spoken so firmly, it is they who should pass upon any similar question

As the bill, therefore, would probably injure California export trade; would neither help the dairymen nor the cattlemen of the State; would increase the price of the poor man's foodstuff, and has once been acted upon adversely by the people, I am respectfully returning the bill

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

MOTION.

Mr Feigenbaum moved that the above message be stricken from the file

Motion carried.

Governor's message ordered stricken from the file.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No 2443—An act to add section 77a to the California Vehicle Act, relating to motor vehicle registration fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2443 was refused passage by the following vote:

AYES—Alter, Bowers, Boyle, Brock, Clowdsley, Cobb, Evans, Feigenbaum, Fisher, Greene, Hoffman, Knowland, Lyon, O'Donnell, Phillips, Rawls, Robinson, C. Ray; Roland, Stream and Mr Speaker—20

NOES—Anglim, Bliss, Burns, Callahan, Cassidy, Chatters, Cottrell, Crist, Cronin, Crowley, Field, Frazier, Gilmore, Hallner, Hunt, Jones, King, Latham, Levey, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Peterson, Powers, Riley, Roberts, Robinson, Samuel E., Rogers, Stannard, Thorp, Tournoux, West, Woolwine and Wright—45.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No 238—An act to amend section 5.63 of the School Code, relating to State teachers colleges.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 62—Relative to the students of the Pacific Coast Band and Orchestra Camp.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Concurrent Resolution No. 62 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2432—An act to extend to production, manufacture, trade and commerce conducted within the State of California the provisions of Title I of an act of Congress entitled "An act to encourage National industrial recovery, to foster fair competition, to provide for the construction of certain useful public works, and for other purposes," commonly known as the National Industrial Recovery Act; to provide for the enforcement thereof as so extended; to declare the urgency of this act and to provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1929—An act making an appropriation to pay the claim of C. D. Plum against the State of California;

Also: Assembly Bill No. 2421—An act to amend section 6¾ of the Inheritance Tax Act, relating to exemptions and rates of tax.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 273—An act appropriating money, appropriated by Chapter 90, Statutes of 1933, to meet a deficiency in the appropriation for subsidies of the Bureau of Tuberculosis of the Department of Public Health for the eighty-second fiscal year, declaring the urgency thereof and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 591—An act making an appropriation to pay the claim of chief accounting officer of the State Department of Agriculture against the State of California—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 591?

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following.

"An act providing for the manner of expending certain sums by the State Department of Agriculture previously appropriated for the eighty-fifth and eighty-sixth fiscal years."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 11, inclusive, and insert in lieu thereof the following:

"SECTION 1. Notwithstanding the provisions of section 4 of Chapter 278, Statutes of 1933, the Department of Agriculture is hereby authorized to expend not to exceed the sum of $996,583.51 during the eighty-fifth fiscal year out of the total sum appropriated in Item 36 of section 1 of said chapter for the support of said department for the eighty-fifth and eighty-sixth fiscal years."

The roll was called, and Senate amendments to Assembly Bill No. 591 were concurred in by the following vote:

AYES—Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Crist, Cronin, Crowley, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hunt, Jones, Kallam, King, Knowland, Latham, Levey, Lyon, Maloney, Martin, McBride, McCarthy, Meeker, Miller, Eleanor; Nielsen, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, West, Woolwine, Wright, Zion and Mr. Speaker—58.

NOES—None.

The above reported bill ordered to enrollment.

LEAVE OF ABSENCE.

On motion of Mr. Riley, Mr. Hatch was granted leave of absence for the balance of this legislative day.

RECESS.

At twelve o'clock and thirty-five minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators McCormack, McKinley and Edwards, as a committee on Free Conference, to meet a like committee from the Assembly to consider Senate Bill No. 1214—An act to amend sections 19 and 62 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended and to add thereto new sections to be numbered 21 1, 56 1, 133.1 and 136 1, all relating to the business of banking.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER SACRAMENTO, July 25, 1933.

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 2437—An act to amend sections 1 and 4 of an act entitled "An act for the taxation of Massachusetts or business trusts," approved May 1, 1933, and providing that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 2437?

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, after the comma following "1933", insert the following: "making an appropriation therefor".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, between lines 7 and 8, insert the following:

"The sum of six thousand dollars is hereby appropriated to be expended in accordance with law by the Franchise Tax Commissioner in the administration of this act during the eighty-fifth and eighty-sixth fiscal years."

The roll was called, and Senate amendments to Assembly Bill No. 2437 were concurred in by the following vote:

AYES—Bliss, Bowers, Brock, Burns, Cassidy, Crist, Crowley, Evans, Field, Fisher, Hallner, Hoffman, Kallam, King, Knowland, Levey, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Miller, James A., O'Donnell, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stannard, Stream, Thorp, Tournoux, Utt, Wright, Zion and Mr. Speaker—42.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1223—An act making an appropriation for rewards to be paid by the Governor for the apprehension and conviction of kidnapers.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered placed on daily calendar.

SECOND READING OF SENATE BILLS.

Senate Bill No. 1212—An act to amend section 1 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 1213—An act to amend section 1 of "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1213 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Brock, Chatters, Clowdsley, Cottrell, Crist, Cronin, Evans, Field, Frazier, Gilmore, Greene, Hallner, Hornblower, Kallam, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meeker, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Stannard, Stream, Tournoux, Utt, West, Williamson, Woolwine, Zion and Mr Speaker—42.

NOES—Burns, Callahan, Cassidy, Fisher, Hoffman, King, Knowland, McCarthy, Miller, Eleanor; O'Connor, Rawls, Rogers, Roland, Scudder, Sullivan, Thorp and Wright—17.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1216—An act to amend section 3342 of the Civil Code, relating to liability of public officers, agents and employees, under unconstitutional statutes, declaring the urgency thereof, and providing that this act shall take effect immediately.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Hallner, Hornblower, Kallam, Knowland, Levey, Maloney, Martin, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—55.

NOES—Tournoux—1.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED SIXTEEN.

Senate Bill No. 1216—An act to amend section 3342 of the Civil Code, relating to liability of public officers, agents and employees, under unconstitutional statutes, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1216 finally passed by the following vote:

AYES—Alter, Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Cobb, Cottrell, Crist, Crowley, Dempster, Evans, Field, Fisher, Frazier, Gilmore, Hallner, Hornblower, Kallam, Knowland, Levey, Maloney, Martin, McBride, McMurray, Meehan, Miller, Eleanor; Miller, James A., O'Connor, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—55.

NOES—Tournoux—1.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Williamson asked for, and was granted, unanimous consent to take up Senate Bill No. 1212, at this time, without reference to file.

RESOLUTION.

The following resolution was offered:

By Mr. Williamson:

Resolved, That the rule requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Senate Bill No. 1212 be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

MOTION TO LAY UPON THE TABLE.

Mr. Rawls moved that the above resolution to suspend the rules be laid upon the table.

Motion lost.

The question being on the adoption of the resolution.

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

AYES—Alter, Anglim, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Hoffman, Kallam, Knowland, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, O'Connor, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Roland, Scudder, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Woolwine, Wright, Zion and Mr Speaker—54.

NOES—King, O'Donnell, Rawls, Robinson, Samuel E., Rogers and Stannard—6.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1212.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED TWELVE

Senate Bill No. 1212—An act to amend section 1 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Williamson moved a call of the House

Motion lost.

The roll was called, and Senate Bill No. 1212 was refused passage by the following vote:

AYES—Bliss, Craig, Crist, Evans, Gilmore, Maloney, Patterson, Roberts, Robinson, C. Ray; Utt, West, Williamson, Woolwine and Zion—14.

NOES—Alter, Bowers, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Cottrell, Crowley, Field, Fisher, Hoffman, Kallam, King, Knowland, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, Phillips, Rawls, Redwine, Riley, Robinson, Samuel E, Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Wright and Mr. Speaker—42

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

SAN FRANCISCO, CALIFORNIA, July 26, 1933.

The Assembly of the State of California, State Capitol, Sacramento, California.

I am advised that you expect to adjourn at five o'clock this afternoon I regret that I shall not be able to be present when you adjourn because I am in San Francisco attending the Twenty-fifth Annual Conference of Governors of the States of the United States, who are California's guests, and I am acting as host Governor. As you are now returning to your homes, I bid you farewell and wish you good luck.

Respectfully,

JAMES ROLPH, JR., Governor of California

REQUEST FOR UNANIMOUS CONSENT.

Mr Robinson, C. Ray, asked for, and was granted, unanimous consent to take up Senate Bill No 1223, at this time, without reference to committee or file.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Robinson, C. Ray:

Resolved, That the rule requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Senate Bill No. 1223 be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Alter, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Clowdsley, Cobb, Craig, Crist, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Kallam, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, Patterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Utt, Williamson, Woolwine, Zion and Mr. Speaker—54

NOES—Cottrell and Hornblower—2.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1223.

SECOND READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED TWENTY-THREE.

Senate Bill No. 1223—An act making an appropriation for rewards to be paid by the Governor for the apprehension and conviction of kidnapers.

Bill read second time.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED TWENTY-THREE.

Senate Bill No. 1223—An act making an appropriation for rewards to be paid by the Governor for the apprehension and conviction of kidnapers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1223 finally passed by the following vote:

AYES—Alter, Bowers, Burns, Callahan, Cassidy, Clowdsley, Cobb, Craig, Crist, Cronin, Crowley, Evans, Field, Frazier, Greene, Hallner, Kallam, King, Levey, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Morgan, O'Connor, Patterson, Phillips, Rawls, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stream, Sullivan, Tournoux, Utt, West, Woolwine and Mr. Speaker—46.

NOES—Cottrell and Thorp—2.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1225—An act to amend section 5 of an act entitled "An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately," approved April 6, 1933, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Senate Bill No. 1225 ordered referred to Committee on Revenue and Taxation.

MOTION TO TAKE FROM THE TABLE.

Mr. Burns moved that Assembly Bill No. 1974 be taken from the table.

The question being on the motion to take Assembly Bill No. 1974 from the table.

Motion lost.

RECESS.

At two o'clock and twenty-five minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until two o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At two o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker Little in the chair.

Assistant Clerk Kelly reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 259—An act providing for the construction and operation by the State of California of a system of works designated as the Central Valley Project for the conservation, development, distribution and utilization of water; defining and describing the units or parts of said project; also defining the prerequisite conditions under which said project shall be constructed; defining the duties and powers of the Department of Public Works and of the State Engineer in relation to said project; creating a Water Administration Board and defining its duties and powers with relation to the construction and operation of said project; authorizing the issuance and sale of revenue bonds in an amount not to exceed the sum of one hundred sixty millions of dollars for the purpose of defraying the cost of construction of said project; and providing for the payment of such bonds with the interest thereon, and for the creation of a water construction fund and a water revenue fund in the State treasury—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 259?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out the title and insert in lieu thereof the following:

"An act providing for the construction, operation and maintenance of a system of works, designated as the Central Valley Project, for the conservation, development, distribution and utilization of water, and the production, distribution and utilization of electric energy; approving and authorizing said Central Valley Project; providing for the sale and disposition of water and power made available by said project; defining and prescribing the units or parts of said project; also defining the prerequisite conditions under which said project shall be constructed; defining the duties and powers of the Department of Public Works, the Director of Public Works, the State Engineer, the State Controller and the State Treasurer in relation to said project; creating a Water Project Authority and defining its duties and powers in relation to said project; providing for cooperation with the United States of America in constructing and financing the construction of said project; authorizing the Water Project Authority to exercise the power of eminent domain for necessary purposes in connection with the construction, operation and maintenance of said project; expressing the consent of the State to the use and occupation of certain rights of way, providing that any expense resulting from interference with State property or State activities caused by the construction, operation or maintenance of said project shall be paid otherwise than from funds established and created for the purposes of this act; authorizing any State agency or the State or any department, board, commission, bureau, division or office thereof to advance or contribute money or property

for the purposes of the act and providing for the repayment therefor; authorizing certain organizations to contract with the Water Project Authority for the purchase or use of water and power; authorizing the issuance and sale of revenue bonds in an amount not to exceed the sum of one hundred seventy millions of dollars for the purpose of defraying the cost of construction of said project, providing for the payment of such bonds with the interest thereon; providing for the creation of a Central Valley water project construction fund and a Central Valley water project revenue fund in the State treasury, making an appropriation out of the State treasury for the purposes of this act, declaring the urgency thereof, and providing that this act shall take effect immediately"

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following:

"SEC. 2. Definitions. The term "Authority" when used in this act shall refer to and mean the Water Project Authority of the State of California. The term "department" when used in this act shall refer to and mean the Department of Public Works of the State of California. The term "State agency" when used in this act, either in the singular or the plural, shall refer to and mean any county, city and county, city, municipality, or other public corporation or public district. The term "bond" when used in this act either in the singular or plural shall mean any bond or other written evidence of indebtedness which the Water Project Authority may issue."

AMENDMENT NUMBER THREE.

On page 2, line 15, of the printed bill, as amended, after the period insert the following: "The construction, operation and maintenance of said Central Valley Project as herein provided for is hereby declared to be in all respects for the welfare and benefit of the people of the State, for the improvement of their prosperity and their living conditions, and the authority and the department shall be regarded as performing a governmental function in carrying out the provisions of this act."

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended, strike out line 18, and insert in lieu thereof the following:

"(1) A dam, reservoir and hydroelectric power plant, or plants, with".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, as amended, strike out lines 22 to 26, inclusive, and insert in lieu thereof the following: "shall be constructed and used primarily for improvement of navigation on the Sacramento River to Red Bluff, for increasing flood protection in the Sacramento Valley, for salinity control in the Sacramento-San Joaquin Delta, and for storage and stabilization of the water supply of the Sacramento River for irrigation and domestic use, and secondarily for the generation of electric energy and other beneficial uses. Said dam shall be".

AMENDMENT NUMBER SIX.

On page 2, line 28, of the printed bill, as amended, strike out "electric".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, as amended, in lines 29 and 30, strike out "State Engineer, with the approval of the Director of the Department of Public Works", and insert in lieu thereof the following: "Authority".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, as amended, strike out lines 33 to 40 inclusive, and insert in lieu thereof the following: "acre-feet of water."

AMENDMENT NUMBER NINE.

On page 2 of the printed bill, as amended, strike out lines 47 and 48, and insert in lieu thereof the following: "Authority to be necessary to furnish an"

AMENDMENT NUMBER TEN.

On page 2 of the printed bill, as amended, in lines 49 and 50, strike out "and domestic", and insert in lieu thereof the following: "domestic and other beneficial"

AMENDMENT NUMBER ELEVEN.

On page 2, after line 50, of the printed bill, as amended, insert the following:

"(3) A conduit or canal, equipped with all necessary pumping plants and other works to convey water, and extending westerly from a diversion point on Lindsay Slough, northerly of Suisun Bay to the vicinity of Cordelia in Solano County, California. Said unit is designated as the Solano Conduit, and shall be of such capacity as shall be determined by the authority to be necessary to furnish an adequate supply of water for industrial, agricultural, domestic and other beneficial uses in the area served by it."

AMENDMENT NUMBER TWELVE.

On page 2, line 51, of the printed bill, as amended, strike out "(3)", and insert in lieu thereof the following: "(4)".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 52, of the printed bill, as amended, after "works", insert the following: "as shall be determined by the Authority to be".

AMENDMENT NUMBER FOURTEEN.

On page 3 of the printed bill, as amended, strike out lines 8 and 9, inclusive, and insert in lieu thereof the following:

"(5) A dam, reservoir and hydroelectric power plant, or plants, to be located on the San Joaquin River, at or near Friant, Fresno County, California."

AMENDMENT NUMBER FIFTEEN.

On page 3, line 10, of the printed bill, as amended, strike out "to be".

AMENDMENT NUMBER SIXTEEN.

On page 3, line 11, of the printed bill, as amended, after "for", insert the following: "improvement of navigation,".

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 13, of the printed bill, as amended, after the comma in said line, insert the following: "for irrigation and domestic use,".

AMENDMENT NUMBER EIGHTEEN.

On page 3 of the printed bill, as amended, strike out line 14, and insert the following: "electric energy and other beneficial uses."

AMENDMENT NUMBER NINETEEN.

On page 3 of the printed bill, as amended, strike out lines 16 to 18, inclusive, and insert in lieu thereof the following: "have such capacity and said power plant, or plants, shall be of such capacity as the authority shall determine;".

AMENDMENT NUMBER TWENTY.

On page 3, line 21, of the printed bill, as amended, strike out "(5)", and insert in lieu thereof the following: "(6)".

AMENDMENT NUMBER TWENTY-ONE.

On page 3, lines 22 and 23, strike out "to be".

AMENDMENT NUMBER TWENTY-TWO.

On page 3 of the printed bill, as amended, strike out lines 24 to 27, inclusive, and insert in lieu thereof the following: "capacity as shall be determined by the authority to be necessary to furnish an adequate supply of water for beneficial purposes in the area to be served by it."

AMENDMENT NUMBER TWENTY-THREE.

On page 3 of the printed bill, as amended, strike out line 28, and insert in lieu thereof the following:

"(7) A canal or conduit extending from said Friant Reservoir".

AMENDMENT NUMBER TWENTY-FOUR.

On page 3, line 30, of the printed bill, as amended, strike out "to be".

AMENDMENT NUMBER TWENTY-FIVE

On page 3 of the printed bill, as amended, strike out lines 32 to 39, inclusive, and insert in lieu thereof the following: "as shall be determined by the authority to be necessary to furnish an adequate supply of water for beneficial purposes in the area to be served by it. Said unit may include such pumps, supplemental dams and other works as are determined by the authority to be necessary for the economical and advantageous construction and operation and maintenance of the said unit.

In addition to the works specified in the foregoing subdivisions said units shall include such plants and works for the generation of electric energy by steam or other power, and such electric transmission lines and facilities for the sale, use and distribution of electric energy as are determined by the authority to be necessary for making a reasonable, proper and advantageous sale, use and distribution of electric energy made available by said units."

AMENDMENT NUMBER TWENTY-SIX

On page 3 of the printed bill, as amended, strike out lines 40 to 52, inclusive, and strike out all of pages 4 to 16, inclusive, and on page 17, strike out lines 1 to 32, inclusive, and insert in lieu thereof the following:

"SEC. 5. There is hereby created a Water Project Authority of the State of California which shall be and constitute a body politic and corporate with power of perpetual succession and with power to sue and be sued and with the further powers, duties and responsibilities hereinafter provided. Said authority shall consist of five members who shall be the Attorney General, the State Controller, the State Treasurer, the Director of Finance and the Director of Public Works, or in the event the office of the Attorney General, the State Controller, the State Treas-

urer, the Director of Finance, Director of Public Works, or any thereof, hereafter be discontinued or abolished by law, then the Governor shall appoint any qualified person or any officer of the State of California to fill any vacancy resulting from the abolition or discontinuance of such office. If any such vacancy shall occur during a session of the Legislature said appointment by the Governor shall be made during said session and shall not be effective until confirmed by vote of the Senate. If any such vacancy shall occur while the Legislature is not in session, said appointment by the Governor shall terminate ten days after the next legislative session begins unless said appointment shall within said time be confirmed as above provided. The Director of Public Works shall be the chairman of said authority. The State Engineer shall be the executive officer of said authority, and shall exercise such powers and perform such duties in addition to his regular duties as State Engineer, as the authority shall prescribe and may receive and be paid such additional salary for said additional duties as may be fixed by the authority. The authority shall employ a secretary and shall establish and maintain an office in the city of Sacramento. The authority shall have and adopt a seal bearing its name, which seal shall be affixed to such records and other instruments as the authority may direct and all courts shall take judicial notice of said seal. The authority is authorized to adopt from time to time, as necessary or expedient, suitable rules and regulations for the administration of this act. The authority and the department are each authorized to employ such legal counsel and other persons as may be necessary to enable said authority and said department to properly perform the duties imposed upon them respectively by this act. The department shall, from its employees, furnish to the authority such technical and other assistants as are required from time to time upon the order of the authority. Such special legal and technical assistants as may be required by the authority or the department in effectuating the purposes of this act may be exempted from the provisions of the State Civil Service Act. A majority in number of the members of said authority shall be empowered to act for said authority. All members of said authority, shall serve as such without compensation but they shall receive their actual and necessary expenses when engaged in travel upon the business of the authority.

SEC 6 There is hereby created in the State treasury a fund to be known as the Central Valley Water Project construction fund, hereinafter referred to as the "construction fund"; and a fund to be known as the Central Valley Water Project revenue fund, hereinafter referred to as the "revenue fund."

SEC. 7. The authority is hereby directed to construct said Central Valley Project, when, in the judgment of said authority appropriations, contributions and revenues from all sources of every kind and character which are available or which will be made or become available upon, during, after or before construction of said Central Valley Project, including contracts which the authority may negotiate and enter into with responsible persons, firms, corporations or agencies, public or private, including the United States of America, for the sale or disposal of water, water flow, the use of water, water storage, electric energy or other resources and facilities to be made available by said Central Valley Project, or from other sources, are or will be available from such sources in such amounts and at such times as will afford funds sufficient to pay and discharge as and when the same become due and payable as herein provided, all cost and expense, of whatsoever kind or character, incurred prior to construction, and all cost and expense, of whatsoever kind or character of construction, operation and maintenance of said Central Valley Project, together with necessary repairs and replacements thereto, including funds sufficient to meet and pay, as and when the same shall become due and payable, any and all bonds, together with interest accruing thereon, which may be issued under the provisions of this act, within a period of not to exceed seventy years after the beginning of the construction of said project; provided, that the construction of said unit designated as the Solano Conduit, and unit designated as the San Joaquin Pumping System, or either or both of said units, or any part of either of said units, may be deferred until such time as the authority may determine that the construction of the same is required and is economically justified; and in case the construction of said two units, or either or both of them, or any part of either of them be so deferred, the construction of all other units and parts of said Central Valley Project shall be commenced and carried to completion without reference to said San Joaquin Pumping System or Solano Conduit, the construction of which or of some part thereof shall have been so deferred. The authority is authorized and directed to ascertain and determine when said project, or any unit thereof, is completed and thereupon the said project, or unit thereof, shall be deemed completed for all the purposes of this act.

SEC 8 In entering into and awarding contracts as provided in this act, in case of equal or equivalent offers, the authority shall grant preference to State agencies or other organizations not organized or doing business for profit but primarily for the purpose of supplying water or electric energy to their own citizens or members

SEC. 9. The authority is hereby expressly authorized and empowered, subject to the provisions of this act, to fix and establish the prices, rates and charges at which any and all the resources and facilities made available by said Central Valley Project shall be sold and disposed of; to enter into any and all contracts and agreements,

and to do any and all things which, in its judgment are necessary, convenient or expedient for the accomplishment of any and all the purposes and objects of this act, under such general regulations, and upon such terms, limitations and conditions as it shall prescribe; and it is and shall be the duty of the authority to enter into such contracts and fix and establish such prices, rates and charges so as to at all times provide revenue which will afford sufficient funds to pay all costs of operation and maintenance of any and all of the works authorized by this act, together with necessary repairs and replacements thereto, and which will provide at all times sufficient funds to meet and pay any and all payments for redemption of any and all bonds and interest thereon, which may be issued as provided in this act, as and when any and all such costs and charges become due and payable, provided, that nothing contained in this act shall authorize any change, alteration or revision of any such rates, prices or charges as established by any contract entered into under authority of this act except as provided by any such contract.

Every contract made by the authority for the sale of water, use of water, water storage, electric energy or other service, shall provide that in the event of any failure or default in the payment of any moneys specified in such contract to be paid to the authority for such water, use of water, water storage, electric energy or other service, the authority may, upon such notice as it shall determine, cease to furnish or deliver water, use of water, water storage, electric energy or other service under such contract. The act of the authority in ceasing on any such default to furnish or deliver water, use of water, water storage, electric energy or other service under such contract shall not deprive the authority of or limit any remedy provided by such contract or by law for the recovery of any and all moneys due or which may become due under such contract.

Any contract or lease made by the authority with any person, firm or corporation other than a State agency, providing for the furnishing by the authority of water, the use of water, water storage, electric energy or other service, for resale by such person, firm or corporation, shall be subject to cancellation by the authority upon five years' notice, and such contract or lease must be so canceled whenever the State, or any financially responsible State agency, shall make application for such water, use of water, water storage, electric energy, or other service, or any part thereof covered by such contract or lease, and shall enter into a contract or lease binding itself to take such water, use of water, water storage, electric energy or other service and pay for the same, at a rate or price at least equal to that specified in the contract or lease to be canceled, and for a period at least equal to the unexpired portion of the term of such contract; provided that the authority shall not so cancel any such contract unless and until it shall first determine and assure itself that notwithstanding such cancellation, it will receive and be paid a total revenue or consideration at least equal to that which would be received by it were such contract not so canceled, and within the unexpired portion of the term of such contract or lease.

SEC. 10. It shall be the duty of the governing body or board charged with the levying of taxes or assessments in any State agency which shall contract to purchase from the authority any water, use of water, water storage, electric energy or other service, to provide for the punctual payment to the authority of all amounts which become due under such contract; and such board or governing body must, whenever necessary, levy upon all property in such State agency not exempt from taxation, a tax or assessment sufficient to provide for all payments under such contract then due, or to become due within the then current fiscal year. It shall be the duty of all officers of any such State agency charged with the collection of the taxes or assessments levied by such State agency to enforce and collect all taxes or assessments so levied or assessed for the purpose of providing payment of the moneys due or to become due under such contract as herein provided. All moneys so collected for such taxes or assessments shall be kept in a separate fund by the Treasurer or other officer of such State agency charged with the safe keeping and disbursement of funds of such State agency, and, upon the written demand of the authority, such officer shall pay over to the authority all such moneys in his possession or control, which moneys shall be applied by the authority to the satisfaction of the amount due under such contract. In the event of failure, neglect or refusal of any officer or officers of any State agency to levy any tax or assessment necessary to provide payment by such State agency under any contract with the authority, or to enforce or to collect any such tax or assessment, or to pay over to the authority any money collected on such tax or assessment, the authority may take such action in a court of competent jurisdiction as it may deem necessary to compel the performance in their proper sequence of all duties relating to the levying and collection of such taxes or assessments and the payment of the moneys collected therefrom to the authority as herein provided. The use by the authority of any remedy herein specified for the enforcement of any contract made with it shall not be deemed exclusive and shall not deprive the authority of any other remedy provided by law or limit the application of any such other remedy.

SEC. 11. In contracting for the sale of any water out of the San Joaquin River other than water acquired by purchase or by exchange the authority shall give preference in such amounts of water as said authority shall determine to be reason-

able and necessary, to such areas lying within the watershed of the San Joaquin River as can be conveniently served with water through and by means of said Madera Canal or said Friant-Kern Canal, or directly from said Friant Reservoir.

SEC. 12. For the purpose of constructing, maintaining and operating said Central Valley Project the authority is hereby empowered to acquire for and in the name of the State of California, by gift, by exchange, by purchase or by eminent domain proceedings any and all water, water rights, rights of way, easements, lands, electric energy, power resources and facilities, and property or appurtenances thereto of every kind and description and any appurtenances to any such property, as said authority shall determine to be required and necessary for the proper construction, maintenance and operation of said Central Valley Project, and for effectuating the purposes and objects to be accomplished by the construction, maintenance and operation of said project. The cost of construction of said project shall include the cost and expense of acquiring any and all such property and any such cost and expense is hereby declared to be an integral part of the capital cost of such Central Valley Project. When the authority can not acquire any property of any character needed, as provided herein, by agreement with the owner or owners, it shall be lawful for the authority, and said authority is hereby authorized, to condemn and take in the name of the State of California, any such property under the provisions of the laws of this State relating to eminent domain proceedings. Said authority shall not have power to commence any such proceedings in eminent domain unless and until said authority shall first have passed a resolution declaring that public interest and necessity require the acquisition of such property and such resolution shall be conclusive evidence (a) of the public necessity of such acquisition; (b) that such property is necessary, and (c) that such proposed acquisition is planned in a manner which will be most compatible with the greatest public good and the least private injury.

The authority in the name of and for the State of California, may take immediate possession and use of any property required for the construction, operation or maintenance of said Central Valley Project upon first commencing eminent domain proceedings according to law in a court of competent jurisdiction, and thereupon giving such security in the way of money deposited as the court in which such proceedings are pending may direct, and in such amounts as the court may determine to be reasonably adequate to secure to the owner of the property sought to be taken, immediate compensation for such taking, and any damage incident thereto, including damages sustained by reason of an adjudication that there is no necessity for taking the property.

The authority is empowered to sell or otherwise dispose of any such water, water rights, rights of way, easements or property when it shall determine that the same is no longer needed for the purposes of this act, or to lease or rent the same or otherwise take and receive and apply, for the purposes and objects of this act, or any thereof, the income or profit and revenue therefrom.

SEC. 13. The State of California hereby consents to the use and occupation of any and all rights of way across real property now or hereafter owned by the State and necessary for the construction, operation or maintenance of said Central Valley Project, including land of the State lying below any navigable waters of the State. In case the construction, operation or maintenance of said Central Valley Project shall in any manner interfere with the use, operation or maintenance of any building, structure or works, owned, maintained or used by this State, or with any activity whatever which this State may be engaged in, including the use, operation or maintenance of any of the highways of this State, any and all relocation, reconstruction or removal, including grade separations and relocation of highways and operation and maintenance thereof, or other expense rendered necessary by such interference, shall be paid for out of funds applicable thereto, and available therefor, and shall not in any manner be or become a charge upon any of the funds established or created by this act or upon funds accruing thereto.

SEC. 14. The authority, by and through the department, shall design all works to be constructed under the authority of this act. The authority may construct such works or any portion thereof by and through the department or may contract with the United States of America that such works or any part thereof may be constructed by and through the department under the supervision and subject to the approval of the United States, its instrumentalities or agencies. The cost of any and all of such works shall be paid from the proceeds of bonds issued and sold under the provisions of this act, or from contributions or appropriations or loans as herein provided.

All works to be constructed under the authority of this act shall be constructed under and in accordance with the provisions of an act entitled "The State Contract Act," approved June 10, 1933 (Statutes of 1933, Chapter 788), in so far as the provisions of said act may be applicable; provided, however, that the amount of cash bidders' bonds or certified checks required to accompany any bid submitted, when bids relating to the construction of any such works are called for, shall be fixed and determined by the authority. The authority shall require of each contractor such

bonds for the faithful performance of any contract or subcontract entered into hereunder and for the payment of any labor, materials or supplies used in, upon, for or about the performance of the work contracted to be done, fixing such terms and conditions, and in such amounts, as it may deem necessary. Moneys realized on any such bonds shall be paid into the construction fund

SEC. 15 Notwithstanding any provision of this act to the contrary, or in conflict herewith, the authority is empowered to enter into contracts with the United States of America, its instrumentalities or agencies, or any thereof, for the purpose of financing the construction, maintenance and operation of said Central Valley Project and may in such contracts authorize the United States, its instrumentalities or agencies to supervise and approve the construction, maintenance and operation of the said Central Valley Project, or any portion or unit thereof, until such time as any moneys expended, advanced or loaned by said United States, its instrumentalities or agencies, and agreed to be repaid thereto by said authority, shall have been fully repaid.

It is the purpose and intent of this act that the authority shall be authorized, and the authority is hereby expressly authorized and empowered, to accept cooperation from the United States of America, its instrumentalities and agencies in the construction, maintenance and operation and in financing the construction, maintenance and operation of said Central Valley Project, and with particular reference to appropriate provisions of the following acts of Congress. The Reconstruction Finance Corporation Act of 1932, as amended, the Emergency Relief and Construction Act of 1932, as amended, and the National Industrial Recovery Act of 1933, and any other legislation which Congress may have heretofore adopted or may hereafter adopt under which aid, assistance and cooperation, may be furnished by the United States of America in the construction, maintenance and operation or in financing the construction, maintenance and operation of said Central Valley Project and the authority shall have full power to do any and all things necessary in order to avail itself of such aid, assistance and cooperation under Federal legislation now or hereafter enacted by Congress

Subject to the foregoing, the authority shall have full charge and control of the construction, operation and maintenance of said Central Valley Project and the collection of all rates, charges and revenues of whatsoever character therefrom The authority shall proceed with the construction of said Central Valley Project immediately upon there being made available, funds for such work and shall prosecute such work to completion as rapidly as possible. The collection of said rates, charges and revenues shall be continued as herein provided until all bonds issued hereunder are fully redeemed and paid

SEC. 16 Any State agency, or the State, or any department, board, commission, bureau, division or office thereof, may advance or contribute money, rights of way, labor, materials and any other property for the construction, operation or maintenance of the said Central Valley Project or any unit thereof. Appropriations therefor may be made from any funds available for such purpose. Any State agency may also issue its general obligation bonds for any such purpose and all proceedings for the authorization, issue and sale of such bonds shall be had under the law governing the issue and sale of bonds for public improvements by such particular State agency. Money or property so advanced or contributed may be immediately transferred or delivered to the authority to be used for the purpose for which such advance or contribution was made The authority may enter into a binding agreement with any State agency or the State or any department, board, commission, bureau, division or office thereof to repay any money or the value of any rights of way, labor, materials or other property so advanced or contributed; provided, no repayment therefor shall be made until all obligations issued by the authority for the construction of the Central Valley Project shall have been fully redeemed and paid, and then only out of the revenues received from the operation of such Central Valley Project After all bonds issued hereunder have been fully redeemed and paid, the authority may continue to collect revenues from the use and operation of said Central Valley Project for the purpose of reimbursing any State agency or the State or any department, board, commission, bureau, division or office thereof for any expenditures which may have been made by it (excepting any direct contributions which the State may make for the construction thereof) and for the purpose of repayment of any amount the authority shall have agreed to repay for money, rights of way, labor, materials or other property advanced or contributed for the construction of said Central Valley Project, or unit thereof; provided, the authority is authorized to receive and accept from any and all sources money, rights of way, labor, materials or any other property for the construction, operation or maintenance of said Central Valley Project, or any unit or specific portion of unit thereof, or for any of the purposes of this act, and may agree with the person or entity so contributing to apply said money or property in the manner and for the purpose so contributed, and such contribution, or contributions shall thereupon be used and applied in accordance with such agreement.

Any State agency, mutual water company, political subdivision, or other entity or organization, is expressly authorized to enter into contracts with the authority

for the purchase or for the use of water, water flow, water storage, electric energy, or other resources and facilities made available by the said Central Valley Project.

SEC. 17. When any of the works herein authorized are being constructed by the authority by and through the department, said department or the authority, or either or both thereof, may carry or cause to be carried such an amount of insurance or indemnity bond or bonds as protection against loss or damage as the authority may deem proper. The authority is further empowered to carry such an amount of insurance to cover any accident or destruction in part or in whole to any works authorized hereunder until all bonds sold as herein provided, together with interest thereon, have been fully redeemed and paid. All money collected on any indemnity bond or insurance policy as the result of any damage or injury to any such works shall be used for the purpose of repairing or rebuilding such works, as long as there are bonds outstanding and unredeemed. The authority is also empowered to carry insurance or indemnity bonds insuring against the loss of revenues to be derived from said Central Valley Project by reason of any interruption in the use of said project, or any part thereof, from any cause whatever, and the proceeds of such insurance or indemnity bonds shall be paid into the fund into which the revenues are required to be paid and shall be applied to the same purposes and in the same manner as other moneys in the said fund. Such insurance or indemnity bonds may be in an amount equal to the probable revenues to be received from the use and operation of said project during any period of time that may be determined upon by the authority and fixed in its discretion, and be paid for out of the revenue fund. The authority may provide in the proceedings authorizing the issuance of bonds for the carrying of insurance as authorized by this act, and the purchase and carrying of such insurance shall thereupon be obligatory upon said authority and be paid for out of the revenue fund.

SEC. 18. For the purpose of providing money and funds to pay the cost and expense of construction of said Central Valley Project, the authority is authorized and empowered to issue revenue bonds in a total sum of not to exceed one hundred seventy millions of dollars; provided, however, that the aggregate amount of such bonds hereby authorized shall be reduced by such an amount as the United States of America shall appropriate and make available as its contribution towards the construction of said project or any unit thereof; and provided further that the aggregate amount of any such bonds hereby authorized shall be further reduced by such an amount as may be appropriated and made available out of the treasury of the State of California in aid of the construction of said project or any unit thereof.

SEC. 19. Any and all such bonds so authorized shall be issued in the name of the authority and shall constitute obligations only of said authority and shall be identified as Water Project Authority revenue bonds and shall contain a recital on the face thereof that the payment or redemption of said bonds and the payment of interest thereon is secured by a first and direct charge and lien upon the revenues of any nature whatever received from the operation of said Central Valley Project for the construction of which the said bonds are issued and that neither the payment of the principal or any part thereof or any interest thereon constitutes a debt, liability or obligation of the State of California. Bonds issued under the provisions of this act shall not constitute or be a debt, liability or obligation of the State, and the payment of both principal and interest of all such bonds shall be secured only by the rates, charges, and revenues established or accruing from the use or operation of the said Central Valley Project, and shall be paid from such revenues or from such contributions or appropriations as may be made available under the terms of this act. All bond redemption and interest payments shall constitute a first and direct charge and lien on all revenues received from the operation of said Central Valley Project, on all interest accruing from said revenues and on all sinking funds created out of said revenues. The collection of said revenues shall be continued until all bonds issued hereunder, together with interest thereon, are fully redeemed and paid.

SEC. 20. All bonds authorized under the terms of this act may be issued and sold from time to time and in such amounts as may be deemed necessary in the judgment of the authority to provide sufficient funds for the construction of said Central Valley Project and to pay all costs and expenses, including interest due and payable, prior to and during the period of actual construction thereof and for a period of one year after completion thereof and the proceeds from said revenue bonds are hereby made available for such purpose; provided, that nothing herein contained shall limit or restrict the use by the authority for such purposes of any money appropriated by this act for the purpose of carrying out the provisions of this act.

The authority shall determine the form, conditions and denominations of all said bonds, and shall determine the dates which the bonds so to be sold shall bear and the interest rate thereon, which shall not exceed five and one-half per cent per annum. It shall not be necessary that all bonds of the same authorized issue bear the same interest rate. Principal and interest on such bonds shall be payable at such place or places as may be fixed and determined by the authority, and said bonds may contain provisions for registration thereof as to principal only, and as to both

principal and interest. Said bonds shall be issued in coupon form with interest payable at such times as may be determined by the said authority, and shall mature at such times and in such amounts as the said authority may prescribe. The authority may provide for the retirement of said bonds at any time or times prior to their maturity, and in such manner and upon payment of such premiums as may be fixed and determined in the proceedings providing for the issuance of such bonds and referred to therein. All such bonds shall be signed by the chairman of the authority and countersigned by the Governor. The signature of the Governor may be by facsimile. All interest coupons shall bear the facsimile signature of the chairman of the authority. In case any of such officers whose signature or counter-signature appear on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such signature or counter-signature shall nevertheless be valid and sufficient for all purposes the same as if they had remained in the office until the delivery of the bonds. Bonds authorized under this act may be sold below the par or face value thereof, such sale price, however, not to be less than that which will yield the purchaser not to exceed five and one-half per cent per annum according to standard tables of bond values, and such sale price shall include the interest which has accrued thereon up to the date of delivery of said bonds. Successive issues of bonds within the limits of the authorization as contained in this act shall have equal preference with respect to the redemption thereof and the payment of interest thereon, provided, however, the authority may fix different maturity dates serially or otherwise, for such successive issues. All bonds issued under the terms of this act shall be negotiable instruments under the law merchant. All bonds issued and sold under or by authority of this act shall be sold on sealed proposals to the highest and best bidder after such advertising for bids as the authority may deem proper; provided, however, said authority may reject any and all bids so submitted and may thereafter sell such bonds so advertised for sale at private sale under such terms and conditions as said authority may deem most advantageous; provided, they are not sold at a price below that of the best bid which was rejected.

The authority may contract loans and borrow money through the sale of bonds of the same character as those herein authorized, from the United States or any of its departments, agencies or instrumentalities upon such conditions and terms as may be agreed to and such bonds shall be subject to all the provisions of this act except the requirement that bonds be first offered at public sale pursuant to advertisement.

Temporary or interim bonds, certificates or receipts, of any denominations whatever and with or without coupons attached thereto, to be signed by the chairman of the authority, may be issued and delivered until the definitive bonds are executed and available for delivery.

The purchase price of bonds issued hereunder shall be paid to the Treasurer of the State of California for the account of the authority.

Notwithstanding anything otherwise provided in this act, any expense incurred by the authority for advertising, engraving, printing, clerical, legal or other services necessary to properly perform the services and duties relating to the sale and issuance of bonds under the authority of this act shall be paid from the proceeds of the sale of bonds issued hereunder by the State Treasurer upon warrants of the State Controller.

SEC. 21. The proceeds from the sale of all bonds authorized under the provisions of this act shall be paid to the Treasurer of the State of California to the credit of the construction fund and shall be deposited as demand deposits forthwith in such depositary or depositaries as may be authorized by law to receive deposits of State funds to the credit of the construction fund, which fund shall at all times be kept segregated and set apart from all other funds. Such proceeds shall be paid out or disbursed solely for the construction of said Central Valley Project, for surveys, preparation of plans and specifications and for payment of all other costs and expenses prior to and during construction, for the acquisition of the necessary water, water rights, rights of way, easements, lands, electric energy, power resources and facilities, and other property of every kind and description and any appurtenances to any such property necessary therefor, and the payment of interest becoming due and payable on such bonds prior to and during the period of actual construction and for the period of one year after the completion of construction and for all costs and expenses during a period of one year after completion of construction only as the need therefor shall arise and the authority may agree with the purchaser of said bonds upon any conditions or limitations restricting the disbursement of such funds that may be deemed advisable for the purpose of assuring the proper application of such funds; provided, that nothing herein contained shall *limit or restrict the use by the authority for such purposes of any money* appropriated by this act for the purpose of carrying out the provisions of this act. All moneys in such fund and not required to meet preconstruction, acquisition or construction costs and expenses, or interest thereon, of the Central Valley Project, or unit thereof, for which such bonds were issued and sold, and all funds constituting surplus revenues which are not immediately needed for the particular object or purpose to which they must be applied or are pledged shall be invested in bonds

and obligations eligible for investment of surplus State moneys; provided, the authority may provide in the proceedings authorizing the issuance of said bonds that the investment of such moneys shall be made only in particular bonds and obligations within the classifications eligible for such investment and such provisions shall thereupon be binding upon the said authority and all officials having anything to do with such investment.

Any surplus which may exist in said construction fund shall be applied to the retirement of bonds issued for construction of said Central Valley Project by purchase or call and in the event such bonds can not be purchased at a price satisfactory to the authority and are not by their terms callable prior to maturity such surplus shall be paid into the fund applicable to the payment of principal and interest of said bonds and shall be used for that purpose. The proceedings authorizing the issuance of bonds may provide limitations and conditions upon the time and manner of applying such surplus to the purchase and call of outstanding bonds and the terms upon which they shall be purchased or called and such limitations and conditions shall be followed and observed in the application and use of such surplus. All bonds so retired by purchase or call shall be immediately canceled

All revenues received from the operation of the Central Valley Project shall be paid over by the authority at least monthly to the State Treasurer who shall deposit the same forthwith as demand deposits in such depositary or depositaries as may be authorized by law to receive deposits of State funds to the credit of the revenue fund, which fund shall at all times be kept segregated and set apart from all other funds.

SEC. 22 From the money so deposited in the construction fund as hereinabove provided, the State Treasurer shall, to the place or places of payment named in said bonds, transfer such sums as may be required to pay the interest as it becomes due on all bonds sold and outstanding for the construction of said Central Valley Project during the period of actual construction and during a period of one year after completion thereof. The Treasurer shall thereafter transfer from the revenue fund to the place or places named in said bonds such sums as may be required to pay the interest on said bonds and redeem the principal thereof as such interest payments and bond redemptions fall due for all bonds issued and sold, and all funds so transferred for the payment of principal or interest on such bonds shall be segregated and applied solely for the payment of such principal and interest

The amounts required to be transferred by the State Treasurer as provided in this act shall be ascertained and computed by the authority and the certificate of the authority shall be conclusive and binding upon the State Treasurer.

The moneys remaining in the revenue fund after providing the amount required for interest and redemption of bonds as hereinabove provided shall be devoted to the payment of the costs of operation and maintenance of said Central Valley Project including necessary replacements thereto to the extent necessary therefor.

SEC. 23. The proceedings authorizing the issuance of bonds may provide for the setting up of a reserve fund or funds out of the revenues not needed for the payment of operation, maintenance and replacements, and not needed for the payment of principal and interest as the same currently mature, and may provide for the preservation and continuance of such reserve fund or funds in a manner to be provided therein, and such proceedings may also require the immediate application of all surplus moneys in such revenue fund to the retirement of such bonds prior to maturity, by call or purchase, in such manner and upon such terms and the payment of such premiums as may be deemed advisable in the judgment of said authority. The moneys remaining in the revenue fund after providing the amount required for interest and redemption of bonds as hereinabove provided, shall be held and applied as provided in the proceedings authorizing the issuance of said bonds

In the event the proceedings authorizing the issuance of said bonds do not require surplus revenues to be held or applied in any particular manner, they shall be allocated and used for such other purposes incidental to the construction, operation and maintenance of said Central Valley Project and making necessary replacements thereto as the authority may determine.

Warrants for payments to be made on account of such bonds shall be duly drawn by the State Controller upon request of the State Treasurer whenever the drawing of such warrants shall be required in order to make such payments.

SEC 24. Moneys required to meet the costs of construction of said Central Valley Project and all expenses and costs incidental thereto, and to meet the costs of operating and maintaining and making necessary replacements thereto, shall be paid by the State Treasurer from the proper fund therefor upon demand of the authority and after audit thereof in the manner provided by law and upon warrants drawn by the State Controller.

All interest received or earned on money deposited in each and every fund herein provided for shall be credited to and become a part of the particular fund upon which said interest accrues

The authority may provide in the proceedings authorizing the issuance of bonds or may otherwise agree with the purchasers of bonds regarding the deposit of all moneys constituting the construction fund, and the revenue fund, and provide for the deposit of such moneys at such times and with such depositaries or paying agents

and upon the furnishing of such security as may meet with the approval of the purchasers of such bonds; provided, however, that the depositaries and security so provided for or agreed upon shall be qualified and eligible in accordance with the requirements of law.

Notwithstanding anything contained in this act the proceeds received from the sale of bonds and the revenues received from the operation of said Central Valley Project may be used to defray any expenses incurred by the authority in connection with and incidental to the issuance and sale of bonds for the construction of said Central Valley Project, including expenses for the preparation of surveys, plans and estimates and the making of inspections and examinations as may be required by the purchasers of such bonds; provided, however, that the proceedings authorizing the issuance of such bonds may contain appropriate provisions governing the use and application of said bond proceeds and revenues for the purposes herein specified.

SEC. 25. Any provisions not inconsistent with this act may be contained in the proceedings authorizing the issuance of bonds which limit, restrict or regulate the holding deposit, investment and application of moneys consisting of the proceeds from the sale of such bonds, or the revenues received from the operation of said Central Valley Project, and such provisions shall constitute a contract with the holders of said bonds and be binding upon said authority as long as said bonds may be outstanding.

SEC. 26. Any and all appropriations and contributions received from the United States of America, or any of its departments, instrumentalities or agencies, or from the State of California or any State agency, or political subdivision, or from any other source, for the purpose of constructing said Central Valley Project, or borrowed therefrom for such purpose, shall be received by the State Treasurer and by him deposited in and credited to the construction fund. All costs and expenses of the authority, including interest due and payable, incurred in performing the duties prescribed in this act prior to and during the construction of said Central Valley Project and for a period of one year after completion thereof, shall be paid out of said construction fund upon demands duly audited as required by law, and all such costs and expenses shall be charged as a part of the cost of construction of said project and the moneys in said fund are hereby appropriated for such purposes. Any and all appropriations and contributions received from the United States of America, or any of its departments, instrumentalities or agencies, or from the State of California or any State agency, or political subdivision, or from any other source, for the purpose of maintaining or operating said Central Valley Project, or borrowed therefrom for such purposes, shall be received by the State Treasurer and by him deposited in and credited to the revenue fund. After the expiration of one year after the completion of said Central Valley Project, all costs and expenses of the authority, including interest due and payable, incurred in performing the duties prescribed in this act, shall be paid out of said revenue fund upon demands duly audited as required by law and the moneys in said revenue fund are hereby appropriated for the payment of said costs and expenses, for the maintenance and operation of said Central Valley Project and for making necessary replacements thereto, and in the manner herein provided, to the extent necessary to pay the same, for the payment of the principal on all indebtedness incurred under the provisions of this act, as and when said principal and interest shall become due and payable.

SEC. 27. The authority, the department, the officials thereof and all State officials are empowered to do such acts and make such agreements not inconsistent with law as may be necessary or desirable in connection with the duties and powers conferred upon them respectively by law regarding the construction, maintenance and operation of said Central Valley Project and the safeguarding of the funds and revenues required for such construction and the payment of the indebtedness incurred therefor. The State Controller, the State Treasurer, the department and the authority shall keep full and particular account and record of all their proceedings under this act, and they shall transmit to the Governor an abstract of all such proceedings thereunder with an annual report, to be by the Governor laid before the Legislature biennially, which report may contain such suggestions for changes, alterations or revisions of this act, or other legislation in aid of its purposes and objects, as may be deemed advisable or expedient.

The authority shall keep full and complete accounts concerning all matters and things relating to the said Central Valley Project and annually shall prepare balance sheet and income and profit and loss statements showing the financial condition of said Central Valley Project. All books and papers pertaining to all matters provided for in this act shall at all reasonable times be open to the inspection of any party interested, or the Governor, or any committee of the Legislature, or any citizen of the State.

SEC. 28. While any bonds issued by the authority remain outstanding, the powers, duties or existence of the said authority or any official or agency of the State shall not be diminished or impaired in any manner that will affect adversely the interests and rights of the holders of such bonds. The holder of any bond may by mandamus or other appropriate proceeding require and compel the performance of any of the duties imposed upon any State department, official or employee or imposed upon the authority or its officers, agents or employees in connection with the con-

struction of the said Central Valley Project and in connection with the collection, deposit, application and disbursement of all revenues derived from the operation and use of the said project and in connection with the deposit and disbursement of the proceeds received from the sale of bonds; provided, however, that the enumeration of such rights and remedies herein shall not be deemed to exclude the exercise or prosecution of any other rights or remedies by the holders of such bonds

SEC. 29. For the purpose of carrying out the provisions of this act the sum of fifty thousand dollars ($50,000) is hereby appropriated out of any money in the State treasury, not otherwise appropriated, and the State Controller is hereby directed to draw warrants upon such sum upon demand of the authority and the State Treasurer is hereby directed to pay such warrants.

The authority may authorize the department to expend all or any part of this appropriation, and in such event the State Controller is hereby directed to draw warrants upon such sum upon demand of the department and up to the amount so authorized by the authority for expenditure by the department, and the State Treasurer is hereby directed to pay such warrants.

Upon the sale of any bonds herein authorized to be issued and sold, the amount so expended from the appropriation herein provided shall be returned into the general fund of the State treasury out of the proceeds first derived from the sale of said bonds."

AMENDMENT NUMBER TWENTY-SEVEN.

On page 17, line 33, of the printed bill, as amended, strike out "24.", and insert in lieu thereof the following: "30"

AMENDMENT NUMBER TWENTY-EIGHT.

On page 17, line 42, of the printed bill, as amended, after "unconstitutional", insert a comma and the following: "void or inoperative"

AMENDMENT NUMBER TWENTY-NINE.

On page 17, line 43, of the printed bill, as amended, strike out "25.", and insert in lieu thereof the following: "31."

AMENDMENT NUMBER THIRTY.

On page 17 of the printed bill, as amended, after line 44, insert the following:

"SEC 32. All other acts and parts of acts in conflict with any provisions of this act are hereby repealed.

SEC. 33 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution, and therefore shall go into immediate effect The facts constituting such necessity are as follows. The unemployment of a great number of people in this State and the dependence upon said unemployed of a great number of people for the common necessaries of life, the continuing impairment and diminution of the navigation of the Sacramento River, the dire need of a water supply for developed areas of great value in this State, and the damaging of delta areas in the Central Valley of California by the encroachment of salinity from the ocean, have concurred to create in this State a serious and acute public problem and economic crisis which will be in great measure alleviated if financial assistance be secured from the United States of America at the earliest possible date in aid of construction of said Central Valley Project"

AMENDMENT NUMBER THIRTY-ONE.

On page 2, line 44, of the title of the printed bill, as amended, after the semicolon in said line, insert the following: "and".

AMENDMENT NUMBER THIRTY-TWO

On page 2, line 48, of the title of the printed bill, as amended, strike out the comma and the words "making an appropria-", also strike out lines 49 and 50, on said page, and on page 3 of the title, strike out the words "urgency thereof, and providing that this act shall take effect immediately"

AMENDMENT NUMBER THIRTY-THREE.

On page 3, line 2, of the printed bill, as amended, strike out the word "by"

AMENDMENT NUMBER THIRTY-FOUR.

On page 3, line 3, of the printed bill as amended, strike out the words "the State of California", and insert in lieu thereof the words "in the manner herein provided"

AMENDMENT NUMBER THIRTY-FIVE

On page 3, line 5, of the printed bill, as amended, after the word "water", insert "with incidental generation, transmission and distribution of electrical energy".

AMENDMENT NUMBER THIRTY-SIX

On page 3, line 24, of the printed bill, as amended, strike out the words "or other public corporation or public", and insert in lieu thereof the words: "or any depart-

ment or agency thereof, irrigation district, reclamation district, or other public or *municipal*".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 3, line 47, of the printed bill, as amended, strike out the period following the word "California", and insert a comma in lieu thereof, and insert, following said comma, the words: "also a transmission line having capacity sufficient to transmit all the electric energy which can be generated at said dam, including substations, transformer stations and other facilities for the distribution of power from Kennett Dam to a central substation near the city of Antioch, which transmission line shall be located in such manner and along such route as shall enable the most convenient distribution of electrical energy to the load centers traversed thereby, or capable of service therefrom."

AMENDMENT NUMBER THIRTY-EIGHT.

On page 4 of the printed bill, as amended, strike out all of lines 39 to 47, both inclusive.

AMENDMENT NUMBER THIRTY-NINE

On page 4, line 48, of the printed bill, as amended, strike out "(4)", and insert in lieu thereof "(3)".

AMENDMENT NUMBER FORTY.

On page 5, line 7, of the printed bill, as amended, strike out "(5)", and insert in lieu thereof "(4)".

AMENDMENT NUMBER FORTY-ONE.

On page 5, line 24, of the printed bill, as amended, strike out "(6)", and insert in lieu thereof "(5)".

AMENDMENT NUMBER FORTY-TWO.

On page 5, line 35, of the printed bill, as amended, strike out "(7)", and insert in lieu thereof "(6)".

AMENDMENT NUMBER FORTY-THREE.

On page 5 of the printed bill, as amended, following line 52, add another paragraph reading:

"(7) Such other units as may be from time to time added to the units hereinabove specifically enumerated by the authority, and authority shall be and is hereby empowered to add additional units consistent with and which may be constructed, maintained and/or operated as a part of said Central Valley Project and in furtherance of the single object contemplated by section 3 of this act."

AMENDMENT NUMBER FORTY-FOUR.

On page 17, line 35, of the printed bill, as amended, insert after the word "America", the words "and State agencies".

AMENDMENT NUMBER FORTY-FIVE.

On page 18 of the printed bill, as amended, strike out lines 1 to 10, inclusive, and insert in lieu thereof "San Joaquin pumping system, or any part of said unit, may be deferred until such time as the authority may determine that the construction of the same is required and is economically justified; and in case the construction of said unit, or any part of said unit be so deferred, the construction of all other units and parts of said Central Valley Project shall be commenced and carried to completion without reference to said San Joaquin pumping system, the con-".

AMENDMENT NUMBER FORTY-SIX.

On page 18, line 17, of the printed bill, as amended, after the word "offers", insert the words: "including consideration of the cost of construction, operation and maintenance of the necessary lines, plants and other works to deliver the commodity or service which is to be delivered under such contracts,".

AMENDMENT NUMBER FORTY-SEVEN.

On page 19, line 15, of the printed bill, as amended, after the word "canceled", insert the words "in whole or in part".

AMENDMENT NUMBER FORTY-EIGHT.

On page 19, line 20, of the printed bill, as amended, after the word "service", insert the words "or any part thereof".

AMENDMENT NUMBER FORTY-NINE.

On page 19, line 30, of the printed bill, as amended, after the period, insert the following: "In case of the award by the authority of any contract or lease to any State agency for the furnishing of water, the use of water, water storage, electric energy, or other service, upon demand made therefor by such State agency, the authority shall construct, acquire, or otherwise provide the necessary works and facilities for transmitting such water, electric energy, or other service to a central point from which such water, electric energy or other service may be most conveniently distributed within the territory to be served under such contract or lease."

AMENDMENT NUMBER FIFTY.

On page 20 of the printed bill, as amended, strike out all of lines 18 to 25, inclusive, and insert in lieu thereof the following:

"SEC 11. In the construction and operation by the authority of any project under the provisions of this act, no watershed or area wherein water originates, or any area immediately adjacent thereto which can conveniently be supplied with water therefrom, shall be deprived by the authority directly or indirectly of the prior right to all of said water reasonably required to adequately supply the beneficial needs of said watershed, area or any of the inhabitants or property owners therein. In no other way than by purchase or otherwise as in this act provided shall said water rights as herein defined, of said watershed, area or the inhabitants be impaired or curtailed by the authority, but the provisions of this section shall be strictly limited to the acts and proceedings of the authority, as such, and shall not apply to any persons or State agencies. These provisions shall not be so construed as to create any new property rights other than against the authority as in this act provided or to require the authority to furnish to any person without adequate compensation therefor any water which shall have been made available by the construction of any works by the authority.

In the construction and operation by the authority of any project under the provisions of this act, no exchange of the waters of any watershed or area for the waters of any other watershed or area may be made by the authority unless the water requirements of the watershed or area wherein such exchange is made are first and at all times met and satisfied to the extent that such requirements would have been met were the exchange not made, and no right to the use of water shall be gained or lost by reason of any such exchange thereof."

AMENDMENT NUMBER FIFTY-ONE.

On page 21, line 6, of the printed bill, as amended, strike out the period after the word "injury", insert a semicolon in lieu thereof, and add: "provided, however, that no water heretofore appropriated, or for which application has heretofore been filed and remains in good standing, nor any tunnels, canals, dams and appurtenant works dedicated to public use prior to July 1, 1933, may be acquired by the authority through eminent domain proceedings except, unless and until it shall have been first determined in a court of competent jurisdiction that the use proposed to be made thereof by the authority is a more necessary public use than that to which it has already been filed, appropriated or dedicated; provided, further, that where any such property has, prior to July 1, 1933, been filed on, appropriated or dedicated to public use by any State agency as defined in this act, the use thereof by such State agency shall be deemed a more necessary public use; provided, further, that where any such property has, prior to July 1, 1933, been filed on, appropriated or dedicated to a public use by any such State agency and the use proposed to be made thereof by the authority is consistent with the continuance of the use thereof by said State agency for its purposes, then the right to use such property for the purposes proposed by the authority is common and consistent with the use being made thereof by said State agency may be acquired by eminent domain.

The authority shall have no power to take or destroy the whole or any part of the line or plant of any common carrier railroad or other public utility, or State agency, or the appurtenances thereof, either in the construction of any dam, canal, or other works or by including the same within the area of any reservoir, unless and until the authority shall have provided and substituted for the facilities so to be taken or destroyed, new facilities of like character, and at least equal in usefulness, with suitable adjustment for any increase or decrease in the cost of operating and maintenance thereof, or unless and until such taking or destruction shall have been permitted by agreement duly executed between the authority and such common carrier, public utility or State agency, and the expense of the authority in complying with these requirements shall be deemed part of the cost of constructing such project."

AMENDMENT NUMBER FIFTY-TWO

On page 21, line 21, of the printed bill, as amended, strike out the words "such water, water rights,".

AMENDMENT NUMBER FIFTY-THREE.

On page 24, line 6, of the printed bill, as amended, strike out the word "Any", and insert in lieu thereof the words "No water right, reservoir, conduit or facility for the generation, production, transmission or distribution of electric energy, acquired by the authority shall ever be sold, granted or conveyed by the authority so that the authority shall thereby be divested of the title to and ownership of the same; but any".

AMENDMENT NUMBER FIFTY-FOUR.

On page 31 of the printed bill, as amended, strike out all of lines 49 to 52, both inclusive.

AMENDMENT NUMBER FIFTY-FIVE.

On page 32 of the printed bill, as amended, strike out all of lines 1 to 15, both inclusive.

AMENDMENT NUMBER FIFTY-SIX.

On page 32, line 16, of the printed bill, as amended, strike out "30", and insert in lieu thereof "29".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 32, line 26, of the printed bill, as amended, strike out "31", and insert in lieu thereof "30".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 32, line 28, of the printed bill, as amended, strike out "32", and insert in lieu thereof "31".

AMENDMENT NUMBER FIFTY-NINE.

On page 32 of the printed bill, as amended, strike out all of lines 30 to 47, both inclusive.

AMENDMENT NUMBER SIXTY

On page 7 of the printed bill, as amended, between lines 9 and 10, insert the following:

"During the existence of the National emergency as declared in the National Industrial Recovery Act (H. R 5755, 730 Congress 1st Session).

The terms of such contracts and the value of the injury to the business and services of public utilities then serving the territory which is to be served by the State agency or organization and what if any compensation shall be paid as a condition precedent or subsequent to the awarding of the contract shall be determined by the President of the United States or the proper officer or agency of the United States government to whom is delegated the authority to grant or loan money of the United States government under the provisions of the National Industrial Recovery Act for the purpose of the project, so far as said President or officer deems such determination necessary or proper to the awarding of the contract."

AMENDMENT NUMBER SIXTY-ONE.

On page 11 of the printed bill, as amended, strike out lines 41 to 52, inclusive; also on page 12 of the printed bill, as amended, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"Sec. 13. The State of California hereby consents to the use and occupation of any and all real property now or hereafter owned by the State, and not dedicated to public use, necessary for the construction, operation, or maintenance of said Central Valley Project, including lands of the State lying beneath any navigable waters of the State of California provided that whenever any lands or rights of way of the State, heretofore or hereafter dedicated to public use are necessary for the construction, operation, or maintenance of said Central Valley Project, such lands or rights of way may be used therefor, but only in accordance with the terms and conditions of an agreement to be first entered into between the authority and the department or agency of the State of California having the jurisdiction over or control and management of such lands or rights of ways."

AMENDMENT NUMBER SIXTY-TWO

On page 10, line 43, of the printed bill, as amended, after the semicolon following the word "dedicated", insert the following: "provided that where property has been appropriated to public use by any individual, firm, or private corporation, the use of such property for the same purpose by said authority or by any State agency shall be deemed a more necessary public use than the use of such property by such individual, firm, or private corporation".

AMENDMENT NUMBER SIXTY-THREE.

On page 11 of the printed bill, as amended, following the period in line 20, insert the following: "In the event such authority and any common carrier, railroad or other public utility or State agency fail to agree as to the character or location of new facilities to be provided as in this section required, the character and location of such new facilities and any other controversy concerning requirements imposed by this section shall be submitted to and determined and decided by the Railroad Commission of the State of California; provided further that nothing in this section contained shall in any way interfere with or abridge the right of the authority or of any State agency to acquire any property through the exercise of the right of eminent domain".

AMENDMENT NUMBER SIXTY-FOUR.

On page 11, line 7, of the printed bill, as amended, strike out the following: "or other public utility".

The roll was called, and Senate amendments to Assembly Bill No. 259 were concurred in by the following vote:

AYES—Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Feigenbaum, Fisher, Gilmore, Greene, Hallner, Hoffman, King, Knowland, Levey, Lyon, Maloney, Martin, Mayo,

McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, O'Connor, Patterson, Peterson, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Sullivan, Thorp, Tourneux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—58

NOES—Brock, Cobb, Crist, Field, Frazier, Kallam, Latham, O'Donnell, Phillips, Rawls and Stream—11.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 26, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No 38—Relative to Federal land bank loans and land bank commissioner's loans

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Joint Resolution No. 38 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 731—An act to amend sections 3649, 3817 and 3817a, relating to property taxation—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 731?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 731 by the following vote:

AYES—Rawls—1.

NOES—Anglim, Bliss, Bowers, Brock, Burns, Cassidy, Chatters, Clowdsley, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Field, Frazier, Gilmore, Latham, Levey, Maloney, Mayo, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Utt, West, Williamson, Woolwine, Wright and Mr. Speaker—48.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. West, Williamson and Riley, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 731.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 1214—An act to amend sections 19 and 62 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, and to add thereto new sections to be numbered 21.1, 56.1, 133.1 and 136.1, all relating to the business of banking—reports that it has met a like committee of the Senate, consisting of Senators McKinley, Edwards and McCormack, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, as amended, between lines 50 and 51, insert the following

"The Superintendent of Banks shall for one year after the effective date of this section, from time to time, limit by regulation the rate of interest which may be paid by banks on time and savings deposits, and may prescribe different rates for such payment on time and savings deposits having different maturities or subject to different conditions respecting withdrawal or repayment or subject to different conditions by reason of different locations; provided, that the Superintendent of Banks, in limiting and regulating such payment of interest, shall be guided as far as prac-

ticable by regulations adopted by the Federal Reserve Board for the limitation and regulation of the interest paid by member banks."

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, as amended, strike out line 9, and insert in lieu thereof the following: "issued after the effective date hereof in any such corporation whose deposits are insured by Federal Bank Deposit Insurance Corporation pursuant to the Federal Reserve Act as amended."

WILLIAMSON,
CRIST,
PETERSON,
Assembly Committee on Free Conference.

McKINLEY,
EDWARDS,
McCORMACK,
Senate Committee on Free Conference.

The question being on the adoption of the report.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Williamson moved a call of the House.

Motion carried.

Time, two o'clock and thirty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anglim, Bliss, Bowers, Boyle, Burns, Callahan, Cassidy, Chatters, Clowdsley, Crist, Cronin, Crowley, Dempster, Gilmore, Greene, Hallner, Hoffman, King, Latham, Levey, McCarthy, Miller, Eleanor; Morgan, Nielsen, Patterson, Peterson, Phillips, Rawls, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Stream, Sullivan, Thorp, Tournoux, Utt, West, Williamson, Wright and Mr. Speaker—41.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

MOTION.

Mr. Robinson, C Ray, moved that the Journals of Monday, July 17, 1933; Tuesday, July 18, 1933; Wednesday, July 19, 1933; Thursday, July 20, 1933; Friday, July 21, 1933; Saturday, July 22, 1933; Monday, July 24, 1933; Tuesday, July 25, 1933, be approved as corrected by the Minute Clerk.

Motion carried.

RESOLUTION.

The following resolution was offered:

By Messrs. Levey, Little, Roland, Bliss and Crowley:

Relative to subscribing to the services of the American Legislators' Association.

WHEREAS, The American Legislators' Association offers a service of great value to the various State Legislatures, and through them to the people of the States; and

WHEREAS, There is included in such service the furnishing of important information bearing on legislation and legislative methods and whenever desired the establishing of contacts with authoritative sources of such information; and

WHEREAS, There is also included in such service the furnishing of a monthly magazine, known as State Government, which contains material of special interest to legislators and which is of considerable significance and assistance in the preparation of legislation and in the efficient functioning of the Legislature; and

WHEREAS, There is further included in such service the holding of annual conferences of State legislators, which conferences may be attended by any member of a State Legislature, to the end that there may be an exchange of ideas and

a comparison of practices, as well as the establishment of reciprocal relationships engendering a cooperative and friendly attitude of inestimable value in the solution of legislative problems; now, therefore, be it

Resolved by the Assembly, That the Chief Clerk of the Assembly is hereby directed to subscribe to such service for the calendar years 1933 and 1934, and there is hereby set aside for that purpose the sum of five hundred dollars from the contingent fund of the Assembly, so that each member of the Assembly of the fiftieth session of the Legislature will be entitled to the services above mentioned.

The question being on the adoption of the resolution.

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

AYES—Anglim, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hoffman, Jones, King, Knowland, Levey, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr Speaker—60.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Messrs. Levey, Little, Roland, Bliss and Crowley:

Relative to the attendance of a representative of the Assembly at the Interstate Assembly.

WHEREAS, The Interstate Assembly, sponsored by the American Legislators' Association serves by its annual meetings as a practical and appropriate medium for the discussion of matters relating to legislation of primary importance in the relations of the various States of the United States; and

WHEREAS, Said assembly is also of value in determining the policy to be followed in the adoption of uniform State laws; and

WHEREAS, Said assembly in bringing together the members of the Legislatures of the various States of the United States contributes immeasurably to mutual understanding and encourages cooperative effort in the solution of interstate problems; now, therefore, be it

Resolved by the Assembly, That a member of the Assembly be appointed by the Speaker to attend the 1933 and 1934 annual meetings of said Interstate Assembly, as a representative of the Assembly of the State of California.

The question being on the adoption of the resolution.

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

AYES—Anglim, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Gilmore, Greene, Hallner, Hoffman, Jones, King, Knowland, Levey, Maloney, Martin, McBride, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray, Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright and Mr Speaker—60.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Messrs. Levey, Little, Roland, Bliss and Crowley:

Relative to the attendance of the Legislative Counsel at the annual meetings of the Legislative Reference Conference.

WHEREAS, The Legislative Reference Conference held annually under the auspices of the American Legislators' Association, fosters cooperative effort among the legislative reference and counsel bureaus of the several States, to the great benefit of such bureaus, and of the Legislatures which they serve; and

WHEREAS, Said conference also furnishes an exceptional opportunity for the discussion of mutual problems and the comparison of methods of such bureaus, contributing thereby to the efficiency of such bureaus and developing the service rendered by them to the various Legislatures; now, therefore, be it

Resolved by the Assembly, That the Legislative Counsel of the State of California is hereby urged to attend the 1933 and 1934 sessions of said Legislative Reference Conference.

Resolution read, and on motion adopted.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and thirty-seven minutes p.m., further proceedings under the call of the House were dispensed with, on motion or Mr. Williamson.

The roll of absentees was called, and the report of the Committee on Free Conference relative to Senate Bill No. 1214 was adopted by the following vote:

AYES—Anglim, Bliss, Bowers, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Crist, Cronin, Crowley, Dempster, Evans, Fisher, Frazier, Gilmore, Greene, Hatch, Hoffman, Jones, King, Knowland, Latham, Levey, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Meeker, Miller, James A., O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—56

NOES—Boyle, Hallner, McCarthy, Miller, Eleanor; Morgan, Nielsen, O'Connor, Rawls, Sullivan and Thorp—10.

Senate Bill No. 1214 ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, July 26, 1933.

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

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

Commencing July 17, 1933—	Per day
Ardene Bourne, Stenographer	$5 00
Helen Carpenter, Stenographer	5 00
Margaret Chenu, Stenographer	5 00
Rae Cunningham, Stenographer	5 00
Juanita Dependener, Stenographer	5 00
Myrtle F. Dwyer, Stenographer	5 00
Beatrice Rae, Stenographer	5 00
Ann Rieland, Stenographer	5 00
Evelyn Towler, Stenographer	5 00
Nancy Swanson, Stenographer	5 00
Jewel T. Wilson, Stenographer	5 00
Beulah Van Wart, Stenographer	5 00
Venita Lauffer, Stenographer	5 00
Effie Cope, Stenographer	5 00
Lucille Lozano, Stenographer	5 00
Dorothy Atkins, Stenographer	5 00
Arthur A. Ohnimus, Chief Clerk	10 00
Louis F. Erb, Minute Clerk	9 00
Michael Connolly, Sergeant-at-Arms	8 00
Norman M. Goldburg, Chaplain	4 00
Fred J. Desch, First Assistant Clerk	9 00
A. J. Kelly, Assistant Clerk	7 00
John P. Connolly, History Clerk	7 00
Howard J. McIntire, Assistant Minute Clerk	7 00
Herman H. Dousted, Assistant Clerk	7 00
Beth Rice, Assistant Clerk	7 00
Wilhelmina Feely, Journal Clerk	7 00
Paul Cronin, Assistant Journal Clerk	5 00
Ruth Dickey, File Clerk	7 00
William Gunlock, Engrossing and Enrolling Clerk	7 00

	Per day
Ray Riordan, Assistant Engrossing and Enrolling Clerk	$5 00
Effa N Longley, Assistant Engrossing and Enrolling Clerk	5 00
Sarah Kellogg, Postmaster	4 00
William Hind, Assistant Postmaster	4 00
Madge Cross, Chief Stenographer	6 00
Marian Olsen, Clerk Ways and Means Committee	6 00
Harold Norton, Assistant Sergeant-at-Arms	5 00
Morris Genser, Assistant Sergeant-at-Arms	5 00
Leo Richardson, Assistant Sergeant-at-Arms	5 00
Eugene Sullivan, Assistant Sergeant-at-Arms	5 00
Joe Bango, Assistant Sergeant-at-Arms	5 00
Harry O. Johnson, Assistant Sergeant-at-Arms	5 00
Mrs E. C. Crowley, Assistant Sergeant-at-Arms	5 00
William Lyons, Assistant Sergeant-at-Arms	5 00
Al Razetto, Assistant Sergeant-at-Arms	5 00
Robert Livingston, Assistant Sergeant-at-Arms	5 00
W. H. Ingraham, Assistant Sergeant-at-Arms	5 00
Barton Dempster, Page	2 50
James Clancy, Page	2 50
Billy Guthrie, Page	2 50
George P Bliss, Jr., Page	2 50
James O'Connor, Jr., Page	2 50
Bob Boyle, Page	2 50
Tom Boyle, Page	2 50
Marvin Riley, Page	2 50
Commencing July 24, 1933—	
Lawrence Berlin, Page	2 50

Resolved, further, That the names of each of the attaches, officers and employees of the Assembly, now employed, be stricken from the roll from and including the twenty-eighth day of July, 1933.

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

Commencing July 17, 1933, and to be stricken from the roll July 31, 1933—

	Per day
Chas. Warner, Elevator Operator	$2 90
Anita Stephens, Telephone Operator	2 90
Louis Bone, Head Janitor ($4 07 per day—on half time)	28 49
Ross Smith, Janitor	2 90
E Dawden, Janitor	2 90
Chas Sperry, Janitor	2 90
Domome Moe, Janitor	2 90

CRAIG, Chairman.

The question being on the adoption of the report and resolution.

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

AYES—Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist Cronin, Crowley, Dempster, Evans, Feigenbaum Field, Fisher, Frazier, Gilmore, Greene, Hallner Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—72.

NOES—None

HON CHARLES W. LYON IN THE CHAIR.

At two o'clock and thirty-eight minutes p m., Hon. Charles W. Lyon, member of the Assembly from the Fifty-ninth District, in the chair.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ATTACHES

SACRAMENTO, CALIFORNIA, July 26, 1933.

Resolved, That the sum of $5,244.10 be, and the same is hereby appropriated out of the fund for pay of officers, clerks and other employees of the Assembly, to the order of Fred J. Desch, First Assistant Clerk, for services of self and clerks and officers in arranging and preparing the bills, books and all other records of the Assembly, in filing the same with the Secretary of State as provided by law, subsequent to adjournment of the fiftieth session of the Legislature.

For the further purpose of indexing, correcting, comparing and proofreading, and otherwise preparing the Journal of the Assembly of the fiftieth session of the Legislature, and making the information therein contained readily available for the use of members of the Legislature, State officers and the general public, as a permanent record of the business transacted during the said fiftieth session.

And for the further purpose of compiling, preparing and having printed after the final adjournment a Final Calendar of the legislative business of the fiftieth session, said calendar to comprise the history of all bills introduced, their authors, the number that shall have become laws, those that shall have been read a second time, and any and all such other information as will provide a perfect history of the session's business and a guide for the information of subsequent sessions of the Legislature; and further, a detailed statement of the expenses of both houses of the Legislature during the fiftieth session. When said Final Calendar is prepared, the said Fred J. Desch, First Assistant Clerk, is directed to forward one copy of the Final History to each public library in the State, which may apply for same, and one copy to each member of the Assembly; and, be it further

Resolved, That the State Controller is hereby authorized and directed to draw his warrant upon the unexpended balance of the fund provided for the pay of officers, clerks and all other employees of the Assembly, in favor of Fred J. Desch, First Assistant Clerk, in the sum of $5,244.10, and the Treasurer is hereby directed to pay the same.

The question being on the adoption of the report and resolution.

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

AYES—Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—72.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Mr. Craig:

WHEREAS, There has been constant and continued agitation and controversy concerning the question of the draining of oil from beneath the State-owned tidelands in the region of Huntington Beach; and

WHEREAS, It has long been the contention of those persons concerned with the welfare and interests of the State that the drilling for oil on the lands adjacent to the State-owned tidelands by private persons at Huntington Beach has been detrimental to such welfare and interests in draining from beneath such tidelands oil deposits belonging to the State; and

WHEREAS, There has recently been developed a mechanical device which has greatly increased the draining of oil from beneath these tidelands by wells situated on adjacent lands; and

WHEREAS, This draining of the State-owned oil is depriving the State of enormous royalties estimated to be about two thousand dollars per day providing some arrangement could be made to permit drilling for oil on said State-owned tidelands and securing to the State this revenue; now, therefore, be it

Resolved by the Assembly, That the Speaker of the Assembly appoint a committee of three members of the Assembly to thoroughly and completely investigate the oil drilling operations on the lands adjacent to the State-owned tidelands at Huntington Beach and to report thereon to His Excellency, James Rolph, Jr., Governor of California, not later than November 1, 1933; and be it further

Resolved, That the report of the committee shall contain definite suggestions and recommendations designed to provide a manner and method of protecting the interests of the State in the oil deposits beneath such tidelands whereby the oil may

be extracted and the State receive therefrom sufficient royalties to compensate the State for the oil so extracted.

The question being on the adoption of the resolution.

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

AYES—Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—72.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, July 25, 1933.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolutions by Mr. Phillips:

ASSEMBLY CHAMBER, SACRAMENTO, July 24, 1933.

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same.

Cascade Towel Supply Company, towel service, May	$67 00
Cascade Towel Supply Company, towel service, June	2 00
Cascade Towel Supply Company, towel service, July	33 86
Patrick and Moise-Klinkner Company, badges	5 00
Bureau of Purchases, July	96 95
Virginia Crossan, illuminating resolutions	110 00
Department of Finance, pro rata telephone, July	22 40

Also:

Resolved, That in order to pay the necessary expenses for the disposition of the closing business of this Assembly after adjournment, and for the payment of all bills, such as supplies from the Purchasing Department, telephoning, telegraphing, expressage, postage and incidental expenses of the Chief Clerk's office, and for such other bills that may be presented, accompanied by proper vouchers covering such expenses, the State Controller is hereby authorized and directed to draw his warrant in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, upon the contingent fund of the Assembly in the sum of six hundred fifty dollars ($650) or such portion of said amount as may be necessary to carry out the above, and the State Treasurer is hereby directed to pay the same.

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

PHILLIPS, Chairman.

The question being on the adoption of the report and resolutions.

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

AYES—Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hatch, Hoffman, Jones, Kallam, King, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Williamson, Woolwine, Zion and Mr. Speaker—72.

NOES—None.

THE SPEAKER IN THE CHAIR.

At two o'clock and thirty-nine minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Riley:

WHEREAS, Prior to the recess of the fiftieth session of the Legislature on the twelfth day of May, 1933, the Assembly adopted a resolution authorizing the Speaker of the Assembly to appoint a committee of seven members of the Assembly to confer on tax legislation with a like committee from the Senate; and

WHEREAS, Pursuant to such resolution the Speaker of the Assembly did appoint such committee; and

WHEREAS, It will not be necessary for said committee to continue to function after the adjournment of this Legislature; now, therefore, be it

Resolved, That said committee continue in force until the adjournment of this Legislature and that thereupon they shall be discharged and their duties cease as a committee; and be it further

Resolved, That the sum of five hundred dollars or so much thereof as may be necessary be and the same is hereby appropriated from the contingent fund of the Assembly for the purpose of defraying the expenses of said committee during the recess of the Legislature, said sum to be paid from the contingent fund of the Assembly. The State Controller is hereby authorized and directed to draw his warrant in favor of the Chief Clerk of the Assembly for said sum and the Treasurer is hereby authorized and directed to pay the same; and be it further

Resolved, That said Chief Clerk furnish to the Controller vouchers and receipts for all expenditures made by him in connection with said committee and the investigations conducted and carried on by it.

The question being on the adoption of the resolution.

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

AYES—Bliss, Bowers, Brock, Cassidy, Chatters, Clowdsley, Cobb, Cronin, Evans, Feigenbaum, Field, Gilmore, Greene, Hallner, King, Latham, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Connor, Patterson, Peterson, Phillips, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E., Rogers, Scudder, Stream, Sullivan, Tournoux, Turner, West, Woolwine, Wright, Zion and Mr. Speaker—45

NOES—Burns, Fisher, Hoffman, Jones, Knowland, Powers, Roland and Thorp—8.

By Mr. Robinson, C. Ray:

WHEREAS, The repeal of the Eighteenth Amendment to the Constitution of the United States seems imminent; and

WHEREAS, In the event of such repeal the control of the manufacture, sale and use of intoxicating liquor will again devolve upon the several States; and

WHEREAS, Under the provisions of section 22 of Article XX of the Constitution of the State of California the State of California will have the exclusive right to control the manufacture and sale of such liquor, in the event such manufacture and sale becomes lawful under the Constitution and laws of the United States; and

WHEREAS, In order to promote temperance and secure added revenue for the State by the taxation of intoxicating liquors, it is necessary to formulate a plan or system which will most effectively provide for such control and taxation; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker of the Assembly shall appoint five members of the Assembly to report to the Assembly on the first day of the fifty-first session thereof its findings and recommendations as to the economic phases involved in such a plan. Said committee shall prepare and submit such proposed legislation, resolutions and constitutional amendments as may be necessary and advisable to carry into effect a coordinated plan for the control and taxation of the manufacture, sale and use of intoxicating liquor; and be it further

Resolved, That said committee shall proceed to organize by the election of one of its members as chairman and by the election of a secretary, and shall proceed with such investigation in such manner as may be determined by said committee; and be it further

Resolved, That said committee is hereby authorized to hold public hearings at any place in the State of California, at which hearings the people shall have opportunity to present their views to the committee; and be it further

Resolved, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of

books, agreements, documents and papers of every kind; to issue subpenas and to compel the attendance of witnesses, and to procure testimony.

Resolution read, and on motion adopted.

Also:

By Mr. Robinson, C. Ray:

Resolved, That Arthur A. Ohnimus, Chief Clerk, be and he is hereby authorized and empowered to receipt for any warrants that may be due members, officers, or other attaches of the Assembly, after the close of the session, or that may be drawn upon the contingent fund of the Assembly.

Resolution read, and on motion adopted.

By Mr. Feigenbaum:

WHEREAS, Hon. F. C. Clowdsley, during the fiftieth session of the Legislature, has been the Speaker pro tempore of the Assembly; and

WHEREAS, As Speaker pro tempore, he has presided over the Assembly and carried out the duties of his office with uniform courtesy and fairness; therefore, be it

Resolved, That the Assembly tenders to Hon. F. C. Clowdsley its cordial appreciation and recognition of his ability as Speaker pro tempore; and be it further

Resolved, That the Chief Clerk be instructed to have a copy of this resolution suitably engrossed and presented to the Hon. F. C. Clowdsley.

Resolution read, and on motion unanimously adopted.

By Mr. Maloney:

Resolved, That the thanks of the Assembly are hereby tendered to Arthur A. Ohnimus, Chief Clerk, for the competent, efficient and able manner in which he has conducted the business of his office, and the uniform courtesy he has shown to each and every member of this Assembly during this session, and, be it further

Resolved, That a copy of this resolution be suitably engrossed and presented to the Chief Clerk.

Resolution read, and on motion unanimously adopted.

By Mr. Tournoux:

Resolved, That the thanks of the Assembly are extended to Louis F. Erb, for the painstaking and constantly evidenced geniality with which he has performed the duties of Minute Clerk of the Assembly during the fiftieth session of the Legislature;

Resolved, further, That a copy of this resolution suitably engrossed be presented to the Minute Clerk.

Resolution read, and on motion unanimously adopted.

By Mr. Robinson, C. Ray:

WHEREAS, Eleanor K. Olbrich has rendered valuable assistance to the Speaker, officers and members of this Assembly in the preparation and editing of legislative publications during this fiftieth and former sessions of the Legislature; and

WHEREAS, Eleanor K. Olbrich has cheerfully given of her own time in order that the work of this session may be expedited; and

WHEREAS, Her constant smile was ever in evidence and her uniform courtesy unchanged, irrespective of the late night sessions and long hours of work, now, therefore, be it

Resolved, That the Assembly express to Eleanor K. Olbrich its appreciation for her services; and, be it further

Resolved, That a copy of this resolution be suitably engrossed and presented to Eleanor K. Olbrich.

Resolution read, and on motion unanimously adopted.

By Mr. Badham:

Resolved, That the Assembly extends to the Sergeant-at-Arms, Michael Connolly, its thanks for the efficient and courteous manner in which he and his assistants have performed the duties of their office.

Resolved, further, That a copy of this resolution suitably engrossed be presented to the Sergeant-at-Arms.

Resolution read, and on motion unanimously adopted.

By Mr. Cobb:

Resolved, That the members of the Assembly of the fiftieth session of the Legislature extend herewith a vote of thanks to Fred J. Desch, First Assistant Clerk, and all the assistants on the desk, for their efficient work during the session, and be it further

Resolved, That a copy of this resolution suitably engrossed be presented to the First Assistant Clerk.

Resolution read, and on motion unanimously adopted.

By Mr. Williamson:

WHEREAS, Madge Cross, as Chief Stenographer, and her corps of efficient stenographers have at all times, and under all conditions, served each and every member of the Assembly with greatest possible dispatch, efficiency and uniform courtesy; therefore, be it

Resolved, That we, the members of the Assembly, extend to them our sincere thanks and appreciation for the splendid services they have performed during this session.

Resolved, further, That a copy of this resolution suitably engrossed be presented to the Chief Stenographer.

Resolution read, and on motion unanimously adopted.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2429—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2429?

AMENDMENT NUMBER ONE.

Strike out all the material of the printed bill, as amended, following the enacting clause, and in lieu thereof insert the following:

"SECTION 1. For the purposes of this act and unless otherwise required by the context

1. The words "State board" mean State Board of Equalization.

2. The word "taxpayer" includes any individual or fiduciary subject to the tax imposed by this act.

3. The word "individual" means a natural person.

4. The word "fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person, whether individual or corporate, acting in any fiduciary capacity for any person, estate or trust.

5. The word "person" includes individuals, fiduciaries, partnerships and corporations.

6. The word "corporation" includes joint stock companies or associations and insurance companies.

7. The words "tax year" mean the calendar year in which the tax is payable.

8. The words "income year" mean the calendar year or the fiscal year, upon the basis of which the net income is computed under this act; if no fiscal year has been established they mean the calendar year.

9. The words "fiscal year" mean an income year, ending on the last day of any month other than December.

10. The word "paid" for the purposes of the deductions under this act, means "paid or accrued" or "paid or incurred," and the words "paid or accrued," "paid or incurred" and "incurred" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act. The word "received" for the purpose of the computation of the net income under this act means "received or accrued," and the words "received or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act.

11. The word "resident" includes every natural person domiciled in the State of California and every other natural person who maintains a permanent place of

abode within this State or spends in the aggregate more than seven months of the income year within this State. The word "nonresident" includes every natural person other than a resident.

12. The words "foreign country" mean any jurisdiction other than one embraced within the United States The words "United States," when used in a geographical sense, include the States, the Territories of Alaska and Hawaii, the District of Columbia and the possessions of the United States.

SEC. 2. There shall be assessed, levied, collected and paid a tax upon all the net income of every resident of this State and upon the net income of every nonresident which is derived from property located or business transacted within the State, computed at the following rates, after deducting the exemptions provided in this act:

On the first $4,000 of net income or any part thereof, one per cent;
On the second $4,000 of net income or any part thereof, two per cent;
On the third $4,000 of net income or any part thereof, three per cent;
On the next $38,000 of net income or any part thereof, four per cent;
On all net income in excess of $50,000, five per cent.

Such tax shall be assessed, levied, collected and paid with respect to net income received on or after January 1, 1933.

SEC. 3. The tax imposed by this act shall be imposed upon resident fiduciaries, which tax shall be levied, collected and paid annually with respect to:

(a) That part of the net income of estates or trusts which has not been distributed or become distributable to beneficiaries during the income year. In the case of two or more joint fiduciaries, part of whom are nonresidents of the State, such part of the net income shall be treated as if each fiduciary had received an equal share;

(b) The net income received during the income year by deceased individuals who, at the time of death were residents and who have died on or after March 15th of the tax year without having made a return;

(c) The entire net income of resident insolvent or incompetent individuals, whether or not any portion thereof is held for the future use of the beneficiaries, where the fiduciary has complete charge of such net income.

The tax imposed upon a fiduciary by this act shall be a charge against the estate or trust.

SEC. 4. The words "net income" mean the gross income of a taxpayer less the deductions allowed by this act.

SEC. 5. The words "gross income" include gains, profits and income derived from salaries, wages, or compensation for personal service, of whatever kind and in whatever form paid, or from professions, vocations, trades, business, commerce or sales, or dealing in property, whether real or personal, growing out of the ownership or use of or interest in such property; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit, or gains or profits and income derived from any source whatever. The amount of all such items shall be included in the gross income of the income year in which received by the taxpayer, unless, under the methods of accounting permitted under this act, any such amounts are to be properly accounted for as of a different period.

The words "gross income" do not include the following items, which shall be exempt from taxation under this act:

(a) The proceeds of life insurance policies and contracts paid upon the death of the insured to individual beneficiaries or to the estate of the insured; but if such proceeds are held by the insurer under an agreement to pay interest thereon, interest payments shall be included in gross income;

(b) The amount received by the insured as a return of premiums or premiums paid by him under life insurance, endowment or annuity contracts, either during the term or at the maturity of the term mentioned in the contract or upon surrender of the contract; in the case of a transfer for a valuable consideration by assignment or otherwise, of a life insurance, endowment or annuity contract, or any interest therein, only the actual value of such consideration, and the amount of the premiums and other sums subsequently paid by the transferee shall be excluded from gross income;

(c) The value of property acquired by gift, bequest, devise or descent (but the income from such property shall be included in gross income);

(d) Interest upon the obligations of the United States or its possessions;

(e) Salaries, wages and other compensation received from the United States by officials or employees thereof, including persons in the military or naval forces of the United States;

(f) Any amounts received through accident or health insurance or under workmen's compensation acts, as compensation for personal injuries or sickness, plus the amount of any damages received, whether by suit or agreement, on account of such injuries or sickness;

(g) Stock dividends or subscription rights; but gain may be derived or loss sustained by the shareholders from the sale of such stock or the sale of such rights The amount of gain derived or loss sustained from the sale of such stock or rights or the sale of the stock or rights in respect to which the stock or rights are issued,

or the sale of the stock acquired with such rights, shall be determined as provided in section 7.

(h) Amounts received from the production of gold including dividends received on stock of corporations engaged in the production of gold in this State.

SEC. 6. Taxpayers who customarily estimate their income on a basis other than that of actual cash receipts and disbursements may, with the approval of the State board, return their net income under this act upon a similar basis. Taxpayers who customarily estimate their income on the basis of an established fiscal year instead of on that of the calendar year, may, with the approval of the State board, and subject to such rules and regulations as it may establish, return their net income under this act on the basis of such fiscal year, in lieu of that of the calendar year.

A taxpayer may, with the approval of the State board and under such regulations as it may prescribe, change his income year from fiscal year to calendar year or otherwise, in which case his net income shall be computed upon the basis of such new income year.

An individual carrying on business in partnership shall be liable for income tax only in his individual capacity and shall include in his gross income the distributive share of the net income of the partnership received by him or distributable to him during the income year.

Every individual, taxable under this act, who is a beneficiary of an estate or trust, shall include in his gross income the distributive share of the net income of the estate or trust, received by him or distributable to him during the income year Unless otherwise provided in the law, the will, the deed or other instrument creating the estate, trust or fiduciary relation, the net income shall be deemed to be distributed or distributable to the beneficiaries (including the fiduciary as a beneficiary, in the case of income accumulated for future distribution) ratably, in proportion to their respective interests.

SEC. 7. For the purpose of ascertaining the gain or loss from the sale or other disposition of property, real, personal or mixed, the basis shall be determined in accordance with the provisions of section 113 of the Federal Revenue Act of 1932, which are hereby referred to and incorporated for the purpose of this section with the same force and effect as though fully set forth herein.

(a) Except as otherwise provided in this section the gain from the sale or other disposition of property shall be the excess of the amount realized therefrom over the basis herein provided and the loss shall be the excess of such basis over the amount realized.

(b) In computing the amount of gain or loss under subsection (a) proper adjustment shall be made for any expenditure, receipt, loss or other item properly chargeable to capital account.

(c) The amount realized from the sale or other disposition of property shall be the sum of any money received plus the fair market price or value of the property (other than money) received.

(d) In the case of a sale or exchange, the extent to which the gain or loss determined under this section shall be recognized shall be determined under the provisions of section 8.

(e) Nothing in this section shall be construed to prevent (in the case of property sold under contract providing for payments in installments) the inclusion in gross income of that portion of any installment payment representing gain or profit in the year in which such payment is received

(f) Amounts distributed in complete liquidation of a corporation shall be treated as in full payment in exchange for the stock, and amounts distributed in partial liquidation of a corporation shall be treated as in part or full payment in exchange for the stock.

The gain or loss to the distributee resulting from such exchange shall be determined under this section but shall be recognized only to the extent provided in section 8

(g) If any distribution (not in partial or complete liquidation) made by a corporation to its shareholders is not out of earnings or profits, then the amount of such distribution shall be applied against and reduce the basis of the stock and if in excess of such basis, such excess shall be included in gross income in the same manner as a gain from the sale or exchange of property. The provisions of this subsection shall also apply to distributions from depletion reserves based on discovery value of mines.

SEC 8. Upon the sale or exchange of property the entire amount of the gain or loss, determined under the preceding section shall be recognized, with the exceptions provided for in section 112 of said "Revenue Act of 1932," which are hereby referred to and incorporated with the same force and effect as though fully set forth herein

In the case of installment sales the taxpayer may elect to proceed in the manner provided in section 44 of the said Revenue Act of 1932, in which case the taxpayer shall account for profits on installments received subsequent to December 31, 1927, on sales made prior thereto If the taxpayer elects to proceed otherwise, the transaction will be deemed to have been closed when the sale was made

In the case of property acquired in a manner described in section 113 (a) (2) to (a) (12) of the Federal Revenue Act of 1932 the basis shall be determined in accordance with the provisions of section 113 of the Federal Revenue Act of 1932 which are hereby referred to and incorporated for the purpose of this section with the same force and effect as though fully set forth herein.

SEC. 9. Whenever in the opinion of the State board the use of inventories is necessary in order clearly to determine the income of any taxpayer, inventories shall be taken by such taxpayer, upon such basis as the State board may prescribe, conforming as nearly as may be to the best accounting practice in the trade or business and most clearly reflecting the income, and conforming so far as may be, to the form and methods prescribed by the United States Commissioner of Internal Revenue, under the acts of Congress then providing for the taxation of incomes.

SEC. 10. In computing net income there shall be allowed as deductions.

(a) All the ordinary and necessary expenses paid during the income year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered, and including rentals or other payments required to be made as a condition to the continued use or possession, for the purpose of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity;

(b) All interest paid during the income year on indebtedness;

(c) Taxes or licenses paid or accrued during the taxable year, other than taxes paid to the State under this act and other than taxes on or according to or measured by income or profits paid or accrued within the taxable year imposed by the authority of (1) the government of the United States or any foreign country, (2) any State, Territory, county, city and county, school district, municipality, or other taxing subdivision of any State or Territory, and other than taxes assessed against local benefits of a kind tending to increase the value of the property assessed, but this shall not exclude the allowance as a deduction of so much of said taxes assessed against local benefits as is properly allocable to maintenance or interest charges.

(d) Losses sustained during the income year and not compensated for by insurance or otherwise, if incurred in trade or business;

(e) Losses sustained during the income year and not compensated for by insurance or otherwise, if incurred in any transaction entered into for profit, though not connected with the trade or business. In case of any loss claimed to have been sustained in any sale or other disposition of shares of stock or securities where it appears that within thirty days after or before the date of such sale or other disposition, the taxpayer has acquired (otherwise than by bequest or inheritance) or has entered into a contract or option to acquire substantially identical property and the property so acquired is held by the taxpayer for any period after such sale or other disposition, no deduction for the loss shall be allowed unless the claim is made by a taxpayer, a dealer in stocks or securities, and with respect to a transaction made in the ordinary course of its business. If such acquisition or the contract or option to acquire is to the extent of part only of substantially identical property, then only a proportionate part of the loss shall be disallowed. Upon the subsequent sale or disposition of shares of stock or securities, in respect of which a loss has been disallowed, the basis for measuring gain or loss in the case of the property so acquired shall be the basis in the case of the stock or securities so sold or disposed of, except that if the repurchase price was in excess of the sale price such basis shall be increased in the amount of the difference, or if the repurchase price was less than the sale price such basis shall be decreased in the amount of the difference;

(f) Losses sustained during the income year, of property not connected with the trade or business, if arising from fires, storms, shipwreck or other casualty or from theft, and not compensated for by insurance or otherwise;

(g) Debts ascertained to be worthless and charged off within the income year, if the amount has previously been included in gross income in a return under this act;

(h) Exhaustion, wear and tear and obsolescence of property be allowed upon the basis provided in sections 113 and 114 of that certain act of the Congress of the United States known as the "Revenue Act of 1932," which are for the purposes of this subsection hereby referred to and incorporated with the same force and effect as though fully set forth herein.

In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements according to the peculiar conditions in each instance, such reasonable allowance in all cases to be made under the rules and regulations to be prescribed by the State board.

In the cases of leases the deduction shall be equitably apportioned between the lessor and the lessee.

The basis upon which depletion is to be allowed in respect of any property and the amount of depletion allowable shall be provided in sections 113 and 114 of the said Revenue Act of 1932, which are, for the purposes of this subsection, hereby referred to and incorporated with the same force and effect as though fully set forth herein.

(i) In the case of taxpayers, who keep regular books of account, upon an accrual basis and in accordance with standard accounting practice, reserves for bad debts and for contingent liabilities, under such rules and restrictions as the State board may impose. If the State board shall at any time deem the reserve excessive in amount, it may restore such excess to income, either in a subsequent year or as a part of the income of the income year and assess it accordingly.

SEC. 11. In computing net income no deduction shall in any case be allowed in respect of:

(a) Personal living or family expenses;

(b) Any amount paid out for new buildings or for permanent improvements or betterments, made to increase the value of any property or estate;

(c) Any amount expended in restoring property for which an allowance is or has been made;

(d) Premiums paid on any life insurance policy covering the life of any officer or employee or of any individual financially interested in any trade or business carried on by the taxpayer, when the taxpayer is directly or indirectly a beneficiary under such policy.

SEC. 12. There shall be deducted from the net income the following exemptions:

(a) In the case of a single individual, a personal exemption of one thousand dollars;

(b) In the case of the head of a family, or a married individual living with husband or wife, a personal exemption of two thousand five hundred dollars. A husband and wife living together shall receive but one personal exemption of two thousand five hundred dollars against their aggregate net income; and in case they make separate returns, the personal exemption of two thousand five hundred dollars may be taken by either or divided between them;

(c) Four hundred dollars for each individual (other than husband and wife) dependent upon and receiving his chief support from the taxpayer, if such dependent individual is under eighteen years of age or is incapable of self-support, because mentally or physically defective;

(d) In the case of a fiduciary, if taxable under clause (a) of section 3, a personal exemption of one thousand dollars; if taxable under clause (b) of said section, the same exemption as would be allowed the deceased, if living; if taxable under clause (c) of said section, the same exemptions to which the beneficiary would be entitled.

The status on the last day of the income year shall determine the right to the exemptions provided in this section; provided that a taxpayer shall be entitled to such exemptions for husband or wife or dependent who has died during the income year.

SEC. 13. Every person taxable under this act, having a net income during the income year of one thousand dollars or over, if single, or if married and not living with husband or wife, or having a net income for the income year of two thousand five hundred dollars or over, if married and living with husband or wife; shall make a return under oath, stating specifically the items of his gross income and the deductions and exemptions allowed by this act.

If a husband and wife living together have an aggregate net income of two thousand five hundred dollars or over, each shall make such a return, unless the income of each is included in a single joint return.

If the taxpayer is unable to make his own return, the return shall be made by a duly authorized agent or by a guardian or other person charged with the care of the person or property of such taxpayer.

SEC. 14. Every fiduciary subject to taxation under the provisions of this act, as provided in section 3 hereof, shall make a return under oath, for the individual, estate, or trust for whom or for which he acts, if the net income thereof amounts to one thousand dollars or over.

The return made by a fiduciary shall state specifically the items of gross income, and the deductions and exemptions allowed by this act and such other facts as the State board may prescribe. Under such regulations as the State board may prescribe, a return may be made by one of two or more joint fiduciaries.

Fiduciaries required to make returns under this act shall be subject to all the provisions of this act which apply to individuals.

SEC. 15. Every individual, partnership, corporation, joint stock company or association or insurance company, being a resident or having a place of business in this State, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, employers and all officers and employees of the State or of any political subdivision of the State, having the control, receipt, custody, disposal or payment of interest (other than interest coupons payable to bearer), rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments or other fixed or determinable annual or periodical gains, profits and income, amounting to one thousand dollars or over, paid or payable during any year to any taxpayer, shall make complete return thereof under oath, to the State board under such regulations and in such form and manner and to such extent as may be prescribed by it.

Every partnership, having a place of business in the State, shall make a return, stating specifically the items of its gross income and the deductions allowed by this act, and shall include in the return the names and addresses of the individuals who would be entitled to share in the net income if distributed, and the amount of the distributive share of each income if distributed, and the amount of the distributive share of each individual The return shall be sworn to by any one of the partners.

Every fiduciary shall make, under oath, a return for the individual estate or trust for whom or for which he acts, if the net income thereof, distributed or distributable to beneficiaries during the year is one thousand dollars or over, in which case the fiduciary shall set forth in such return the items of the gross income, the deductions allowed by this act, the net income, the names and addresses of the beneficiaries, the amounts distributed or distributable to each and the amount, if any, lawfully retained by him for future distribution. Such return may be made by one of two or more joint fiduciaries.

SEC. 16. Returns shall be in such form as the State board may from time to time prescribe and shall be filed with the State board, at its main office or at any branch office which it may establish, by each person taxable hereunder, within two months and fifteen days after the close of his income year. In case of sickness, absence or other disability, or whenever in its judgment good cause exists, the State board may allow further time for filing returns. There shall be annexed to the return the affidavit or affirmation of the taxpayer making the return, to the effect that the statements contained therein are true. The State board shall cause to be prepared blank forms for the said returns and shall cause them to be distributed throughout the State and to be furnished upon application, but failure to receive or secure the form shall not relieve any taxpayer from the obligation of making any return herein required

SEC. 17 If the State board shall be of the opinion that any taxpayer has failed to file a return, or to include in a return filed, either intentionally or through error, items of taxable income, it may require from such taxpayer a return, or a supplementary return, under oath, in such form as it shall prescribe, of all the items of income which the taxpayer received during the year for which the return is made, whether or not taxable under the provisions of this act. If from a supplementary return, or otherwise, the State board finds that any items of income, taxable under this act, have been omitted from the original return it may require the items so omitted to be disclosed to it, under oath of the taxpayer, and to be added to the original return. Such supplementary return and the correction of the original return shall not relieve the taxpayer from any of the penalties to which he may be liable under any provision of this act. The State board may proceed under the provisions of section 20 of this act whether or not it requires a return or a supplementary return under this section.

SEC. 18. One-half the amount of the tax disclosed by the return shall be due and payable on or before the fifteenth day of the third month following the close of the income year, and the balance of the tax shall be due and payable on or before the fifteenth day of the ninth month following the close of the income year.

The tax may be paid with uncertified check, during such time and under such regulations as the State board shall prescribe, but if a check so received is not paid by the bank on which it is drawn, the taxpayer by whom such check is tendered shall remain liable for the payment of the tax and for all legal penalties, the same as if such check had not been tendered.

SEC. 19. As soon as practicable after the return is filed, the State board shall examine it and compute the tax, and the amount so computed by the State board shall be the tax. If the tax found due shall be greater than the amount theretofore paid, the excess shall be paid to the State board within ten days after notice of the amount shall be mailed by the State board.

If the return is made in good faith and the understatement of the tax is not due to any fault of the taxpayer, there shall be no penalty or additional tax added because of such understatement, but interest shall be added to the amount of the deficiency at the rate of one per cent for each month or fraction of a month

If the understatement is due to negligence on the part of the taxpayer, but without intent to defraud, there shall be added to the amount of the deficiency five per cent thereof, and in addition, interest at the rate of one per cent per month or fraction of a month.

If the understatement is fraudulent, with intent to evade the tax, the tax on the additional income discovered to be taxable shall be increased by fifty per cent and an additional one per cent per month or fraction of a month shall be added.

The interest provided for in this section shall in all cases be computed from the date the tax was originally due to the date of payment.

If the amount of tax found due as computed shall be less than the amount theretofore paid, the excess shall be refunded by the State board out of the proceeds of the tax retained by it as provided in this act.

SEC. 20. If the State board discovers from the examination of the return or otherwise that the income of any taxpayer, or any portion thereof, has not been assessed, it may, at any time within three years after the time when the return was due, assess the same and give notice to the taxpayer of such assessment, and

such taxpayer shall thereupon have an opportunity, within thirty days, to confer with the State board as to the proposed assessment. The limitation of three years to the assessment of such tax or additional tax shall not apply to the assessment of additional taxes upon fraudulent returns. After the expiration of thirty days from such notification the State board shall assess the income of such taxpayer or any portion thereof which it believes has not theretofore been assessed and shall give notice to the taxpayer so assessed, of the amount of the tax and interest and penalties if any, and the amount thereof shall be due and payable within ten days from the date of such notice. The provisions of this act with respect to revision and appeal shall apply to a tax so assessed. No additional tax amounting to less than one dollar shall be assessed.

SEC. 21. At any time within three years after the delinquency of any tax, or any installment thereof, the Controller of the State may bring an action in a court of competent jurisdiction in the county of Sacramento in the name of the people of the State of California to collect the amount delinquent, together with penalties, and such action shall be tried in the county of Sacramento unless the court, with the consent of the Attorney General, order a change of place of trial. The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure, relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings, herein provided for. In such action a writ of attachment may be issued, and no bond or affidavit previous to the issuing of said attachment is required. In such action a certificate by the State board showing the delinquency shall be prima facie evidence of the levy of the tax, of the delinquency and of compliance by the State Board of Equalization with all the provisions of this act in relation to the computation and levy of the tax.

At any time within which an action can be brought to collect any delinquent tax as provided in the preceding paragraph, the Controller may collect the tax, together with penalties and interest, in the following manner: The Controller shall seize any property, real, or personal, owned by the taxpayer against whom the tax is assessed, and thereafter sell at public auction such property so seized, or a sufficient portion thereof, to pay the tax due hereunder, together with any interest, and any penalty or penalties imposed hereby for such delinquency, and any and all costs that may have been incurred on account of such seizure and sale. Notice of such intended sale and the time and place thereof, shall be given to such delinquent taxpayer and to all persons appearing of record to have an interest in such property, in writing at least ten days before the date set for such sale by enclosing such notice in an envelope addressed to said taxpayer at its last known place of business in this State if any, and, in the case of any person appearing of record to have an interest in such property, addressed to such person at the last known place of residence if any, and depositing the same in the United States mail, postage prepaid, and by publication for at least ten days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold; provided, however, that if there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county for said ten-day period. The said notice shall contain a description of the property to be sold, together with a statement of the amount of the taxes, interest, penalties and costs, the name of the taxpayer, and the further statement that, unless such taxes, interest, penalties and costs are paid on or before the time fixed in said notice for such sale, said property, or so much thereof as may be necessary, will be sold in accordance with law and said notice.

At any such sale, the property shall be sold by said Controller or his duly authorized agent in accordance with law and said notice, and the Controller shall deliver to the purchaser a bill of sale for the personal property, and a deed for any real property so sold, and such bill of sale or deed shall vest title in the purchaser. The unsold portion of any property so seized may be left at the place of sale at the risk of said taxpayer. If, upon any such sale, the moneys so received shall exceed the amount of all taxes, interest, penalties and costs, due the State from such taxpayer, any such excess shall be returned to the taxpayer and a receipt therefor obtained; provided, however, that if any person having an interest in or lien upon the property has filed with the Controller prior to any such sale notice of such interest or lien the Controller shall withhold any such excess pending the determination of the rights of the respective parties thereto by a court of competent jurisdiction. If, for any reason, the receipt of such taxpayer shall not be available, the Controller shall deposit such excess moneys with the State Treasurer, as trustee for such owner, subject to the order of such taxpayer, or its successor through reorganization, merger, or consolidation, or its stockholders upon dissolution.

It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken by the Controller shall be or be construed to be an election on the part of the State or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act.

SEC. 22. Every tax imposed by this act, and all increases, interest and penalties thereon, shall become on the first day after the close of the income year, a lien upon all property of the taxpayer.

SEC. 23. No final account of a fiduciary shall be allowed by the probate court unless such account shows and the judge of said court finds, that all taxes imposed by the provisions of this act upon said fiduciary, which have become payable, have been paid, and that all taxes which may become due are secured by bond, deposit or otherwise. The certificate of the State board and the receipt for the amount of the tax therein certified shall be conclusive as to the payment of the tax, to the extent of said certificate.

For the purpose of facilitating the settlement and distribution of estates held by fiduciaries, the State board, with the approval of the Attorney General, may on behalf of the State agree upon the amount of taxes at any time due or to become due from such fiduciaries under the provisions of this act, and payment in accordance with such agreement shall be full satisfaction of the taxes to which the agreement relates.

SEC. 24. If any taxpayer, without intent to evade any tax imposed by this act shall fail to file a return of income or pay a tax, if one is due, at the time required by or under the provisions of this act, but shall voluntarily file a correct return of income and pay the tax due within sixty days thereafter, there shall be added to the tax an additional amount equal to five per cent thereof, but such additional amount shall in no case be less than one dollar and an additional one per cent for each month or fraction of a month during which the tax remains unpaid.

If any taxpayer fails voluntarily to file a return of income or to pay a tax if one is due within sixty days of the time required by or under the provisions of this act, the tax shall be increased by fifty per cent and shall be further increased by one per cent for each month or fraction of a month from the time the tax was originally due to the date of payment.

Any person who, without fraudulent intent, fails to pay any tax or to make, render, sign or verify any return, or to supply any information, within the time required by or under the provisions of this act, shall be liable to a penalty of not more than one thousand dollars, to be recovered by the Attorney General in the name of the people, by action in any court of competent jurisdiction.

Any person or any officer or employee of any corporation, or member or employee of any partnership, who, with intent to evade any requirement of this act or any lawful requirement of the State board thereunder shall fail to pay any tax or to make, sign or verify any return or to supply any information required by or under the provisions of this act, or who, with like intent, shall make, render, sign or verify any false or fraudulent information, shall be liable to a penalty of not more than one thousand dollars, to be recovered by the Attorney General in the name of the people, by action in any court of competent jurisdiction, and shall also be guilty of a misdemeanor and shall, upon conviction, be fined not to exceed one thousand dollars or be imprisoned not to exceed one year, or both, at the discretion of the court

The Attorney General shall have the power, with the consent of the State board, to compromise any penalty for which he is authorized to bring action under this section The penalties provided by such section shall be additional to all other penalties in this act provided.

The certificate of the State board to the effect that a tax has not been paid, that a return has not been filed or that information has not been supplied, as required by or under the provisions of this act, shall be prima facie evidence that such tax has not been paid, that such return has not been filed or that such information has not been supplied.

If any taxpayer, who has failed to file a return or has filed an incorrect or insufficient return and has been notified by the State board of his delinquency, refuses or neglects within twenty days after such notice to file a proper return, or files a fraudulent return, the State board shall determine the income of such taxpayer according to its best information and belief and assess the same at double the amount so determined.

SEC. 25. A taxpayer may apply to the State board for revision of the tax assessed against him, at any time within three years from the time of the filing of the return or from the date of the notice of the assessment of any additional tax. The State board shall grant a hearing thereon and if, upon such hearing, it shall determine that the tax is excessive or incorrect, it shall resettle the same according to the law and the facts and adjust the computation of tax accordingly. The State board shall notify the taxpayer of its determination and shall refund to the taxpayer the amount, if any, paid in excess of the tax found by it to be due. If the taxpayer has failed, without good cause, to file a return within the time prescribed by law, or has filed a fraudulent return or, having filed an incorrect return, has failed, after notice, to file a proper return, the State board shall not reduce the tax below double the amount for which the taxpayer is found to be properly assessed.

SEC. 26. The determination of the State board upon any application made by a taxpayer for revision of any tax, may be reviewed in any court of competent jurisdiction by a complaint filed by the taxpayer against the State board in the county of Sacramento, within thirty days after the notice by the State board of its determination, given as provided in section 25 of this act. Thereupon, appropriate pro-

ceedings shall be had and the relief, if any, to which the taxpayer may be found entitled may be granted and any taxes, interest or penalties paid, found by the court to be in excess of those legally assessed shall be ordered refunded to the taxpayer, with interest from time of payment.

SEC. 27. The State board, for the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of the taxable income of any taxpayer, shall have power to examine or cause to be examined by any agent or representative designated by it for that purpose, any books, papers, records or memoranda, bearing upon the matters required to be included in the return, and may require the attendance of the taxpayer or of any other person having knowledge in the premises, and may take testimony and require proof material for its information, with power to administer oath to such person or persons.

SEC. 28. The State board may appoint, exempt from the provisions of the Civil Service Act, such accountants, auditors, investigators and assistants as it may deem necessary to enforce its powers and perform its duties under this act.

SEC. 29. It shall be unlawful for any member of the State Board of Equalization or the State Controller or any person having an administrative duty under this act to divulge any information concerning the business affairs of persons reporting hereunder, provided, however, that the Governor may authorize examination of such returns by other State officers, in which event the information obtained shall not be made public; provided, further, that such returns may be examined, with the consent of the Governor, by tax officers of another State or the Federal government, if a reciprocal arrangement exists.

SEC. 30. The State board may from time to time make such rules and regulations, not inconsistent with this act, as it may deem necessary to enforce its provisions.

SEC. 31. All moneys and remittances received by the State board in pursuance of the provisions of this act shall be transmitted daily to the State Treasurer, and copies of the schedules covering such transmittals shall be furnished at the same time to the State Controller.

All moneys and remittances so received and so transmitted shall be deposited, after clearance of remittances, in the State treasury and credited to the general fund.

There is hereby appropriated an amount equal to three per cent, or so much thereof as may be necessary, of the amount so deposited in the general fund, to be used by the State board to pay all expenses incurred by said board in carrying out the provisions of this act.

SEC. 32. This act shall be known as the "Personal Income Tax Act"

SEC. 33. If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional.

The roll was called, and Senate amendment to Assembly Bill No. 2429 was concurred in by the following vote:

AYES—Anglim, Bliss, Boyle, Brock, Burns, Cassidy, Chatters, Clowdsley, Crist, Cronin, Crowley, Dempster, Feigenbaum, Frazier, Gilmore, Greene, Hallner, Hunt, Jones, King, Knowland, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, James A., Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Scudder, Thorp, Tournoux, Turner, West, Woolwine and Zion—48

NOES—Bowers, Callahan, Cobb, Craig, Evans, Field, Fisher, Hoffman, Kallam, Latham, Lyon, Martin, Miller, Eleanor; Morgan, Redwine, Riley, Roland, Stream, Utt, Wright and Mr. Speaker—21.

The above reported bill ordered to enrollment.

HON. EDWARD CRAIG IN THE CHAIR.

At two o'clock and forty minutes p.m., Hon. Edward Craig, member of the Assembly from the Seventy-fifth District, in the chair.

SENATE MESSAGES.

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Sharkey, McColl and Pierovich, to act as a Committee on Free Conference, to meet with a like committee from the Assembly, to consider

Senate Bill No. 731—An act to amend sections 3649, 3817 and 3817a, relating to property taxation.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No 2400—An act regulating competition in business, providing for the organization of trade associations as defined herein, authorizing the Corporation Commissioner of the State of California to issue permits for the operation thereof, and defining and prohibiting destructive competition—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2400?

AMENDMENT NUMBER ONE.

On page 2, line 32, of the printed bill, as amended in the Assembly July 24, 1933, strike out the words "Bureau of Commerce", and insert in lieu thereof the words "Division of Corporations".

AMENDMENT NUMBER TWO.

On page 3, line 24, of the said printed bill, as amended, strike out "or the Commissioner of Corporations".

AMENDMENT NUMBER THREE.

On page 4, line 15, of the said printed bill, as amended, strike out "fifty cents (50c)", and insert in lieu thereof "twenty-five cents (25c)".

AMENDMENT NUMBER FOUR.

On page 4, line 39, of the said printed bill, as amended, strike out the word "provision", and insert in lieu thereof the word "provisions".

AMENDMENT NUMBER FIVE.

On page 4, line 48, of the said printed bill, as amended, strike out the word "provisions", and insert in lieu thereof the word "provision".

AMENDMENT NUMBER SIX.

On page 4, lines 22 to 27, both inclusive, of the printed bill, as amended in the Assembly July 24, 1933, strike out the following:

"If the chief in the consideration or approval of any State code of fair competition, or any amendment thereof, under the provisions of this act, incurs extra expenses, he may require the applicant or applicants for the approval of such State code to defray such extra expenses."

The roll was called, and Senate amendments to Assembly Bill No. 2400 were concurred in by the following vote:

AYES—Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Jones, Kallam, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—68.

NOES—None.

The above reported bill ordered to enrollment.

REPORT OF COMMITTEE ON FREE CONFERENCE.

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

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 731—An act to amend sections 3649 and 3817a of, and to add section 3817g to, the Political Code, relating to property taxes and the penalties therefor—reports that it has met a like committee of the Senate, consisting of Senators Sharkey, Pierovich and McColl, and reports that the Committee on Free Conference has agreed to

recommend the following: That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 5, line 24, of the printed bill, as amended, strike out "two", and insert in lieu thereof the following: "one".

RILEY,
WEST,
WILLIAMSON,
Assembly Committee on Free Conference.

SHARKEY,
PIEROVICH,
McCOLL,
Senate Committee on Free Conference.

The question being on the adoption of the report.

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

AYES—Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Cobb, Cottrell, Craig, Crist, Cronin, Crowley, Dempster, Evans, Feigenbaum, Field, Fisher, Frazier, Gilmore, Greene, Hallner, Hoffman, Jones, Kallam, King, Latham, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, O'Donnell, Patterson, Peterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stannard, Stream, Sullivan, Tournoux, Turner, Utt, West, Williamson, Woolwine, Wright, Zion and Mr. Speaker—68.

NOES—None.

The above reported bill ordered to enrollment

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1226—An act to amend section 209 of the Penal Code, relating to the punishment of kidnaping.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Scudder asked for unanimous consent to take up Senate Bill No. 1226 at this time.

Mr. Tournoux objected to granting unanimous consent.

MOTION.

Mr. Scudder moved that the rules be suspended for the purpose of considering, at this time, Senate Bill No. 1226.

The roll was called, and the motion to suspend the rules for the purpose of considering Senate Bill No. 1226, at this time, carried by the following vote:

AYES—Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Cronin, Crowley, Evans, Field, Fisher, Frazier, Gilmore, Hallner, Hoffman, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Meeker, Miller, Eleanor; Morgan, Nielsen, Patterson, Peterson, Phillips, Powers, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Tournoux, Utt, West, Woolwine, Wright and Mr. Speaker—54.

NOES—Dempster, King and O'Connor—3.

CONSIDERATION OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED TWENTY-SIX.

RESOLUTION.

The following resolution was offered:

By Mr. Scudder:

Resolved, That the rule requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that Senate Bill No. 1226 be read the second and third times, and placed upon its passage.

THE SPEAKER IN THE CHAIR.

At two o'clock and forty-two minutes p.m., Hon. Walter J. Little, Speaker of the Assembly, in the chair.

The question being on the adoption of the resolution.

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

AYES—Anglim, Bliss, Bowers, Boyle, Brock, Burns, Callahan, Cassidy, Chatters, Clowdsley, Craig, Cronin, Crowley, Evans, Field, Fisher, Gilmore, Greene, Hallner, Hoffman, Jones, Kallam, Knowland, Latham, Lyon, Maloney, Mayo, McCarthy, McMurray, Meeker, Miller, Eleanor; Morgan, Nielsen, O'Donnell, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Thorp, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—54

NOES—King—1.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1226.

SECOND READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED TWENTY-SIX.

Senate Bill No. 1226—An act to amend section 209 of the Penal Code, relating to the punishment of kidnaping.

Bill read second time.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED TWENTY-SIX.

Senate Bill No. 1226—An act to amend section 209 of the Penal Code, relating to the punishment of kidnaping.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1226 finally passed by the following vote:

AYES—Anglim, Bliss, Bowers, Boyle, Brock, Chatters, Craig, Cronin, Crowley, Evans, Field, Fisher, Frazier, Greene, Hallner, Jones, Knowland, Latham, Lyon, Martin, Mayo, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Donnell, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C. Ray; Robinson, Samuel E., Rogers, Roland, Scudder, Stream, Sullivan, Thorp, Turner, Utt, West and Woolwine—45.

NOES—Callahan, Clowdsley, Dempster, Gilmore, Hunt, King, McBride, McCarthy, Meehan, O'Connor and Mr. Speaker—11.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 1225—An act to amend section 5 of an act entitled "An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately," approved April 6, 1933, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and refused passage to Assembly Bill No. 522—An act making an appropriation for the support of the government of the State of California during the eighty-fifth and eighty-sixth fiscal years.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 2442—An act to amend Chapters I and II of Part I of Division IV of the School Code, Chapters II and III of Part II of Division IV thereof, Article IV of Chapter II of Part IV of Division IV thereof, Article II of Chapter III of Part IV of Division IV thereof, sections 4.784, 4.785, 4.786, 6.383 and 6.384 thereof; to add a new Article IV to Chapter II of Part IV of Division IV thereof, a new Article Ia to Chapter III of Part IV of Division IV thereof and sections 3.611, 3.612, 4.705, 4.787 and 4.788 thereto; and to repeal Chapter VII of Part I of Division IV thereof, and Articles V and VII of Chapter II of Part IV of Division IV thereof, all relating to the public school system, declaring the urgency thereof, and providing that this act shall go into effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2442?

AMENDMENT NUMBER ONE.

In the title of the printed bill, beginning in line 3 thereof, strike out the following: "Article IV of Chapter II of Part IV of Division IV thereof, Article II of Chapter III of Part IV of Division IV thereof,".

AMENDMENT NUMBER TWO.

In line 5 of the title of the printed bill, after the word "sections", insert the following: "4.52, 4.56, 4.270,".

AMENDMENT NUMBER THREE.

In the title of the printed bill, strike out lines 11 and 12, and insert in lieu thereof the following: "Articles IV, V and VII of Chapter II of Part IV of Division IV thereof, Article II of Chapter III of Part IV of Division IV thereof, and sections 3.321, 3.322, 3.323, 3.324, 3.339, 4.223, 4.784, 4.891-1, 4.891-2, 4.896 and 4.898 thereof,".

AMENDMENT NUMBER FOUR.

On page 6 of the printed bill, between lines 8 and 9, insert the following:

"SEC. 2a. Section 4.52 of the School Code is hereby amended to read as follows:

4.52. If the amount so received by the State Treasurer shall be insufficient to provide the amount required to be appropriated to junior college districts, as provided in this code, the State Controller shall transfer during the school year from the general fund of the State to the State junior college fund such amounts as may be appropriated by the Legislature; provided, however, that the amount so transferred from the general fund when added to the balance already in the State junior college fund, shall in no case exceed the total amount required to be apportioned to the junior college districts.

SEC. 2b. Section 4.56 of the School Code is hereby amended to read as follows:

4.56. The Controller must draw warrants on the State Treasurer in favor of the county treasurer of each county in the months of September, October, November, December, January, February, March, April, May and June of each school year in an amount equal to one-tenth of the total amount certified by the Superintendent of Public Instruction as apportioned from the State junior college fund to the county during said school year. The payment of the amounts required to be made to the several counties during any one of the months mentioned herein, may be postponed by the Controller for not to exceed thirty days, but the total amount due such counties during any school year must be paid within such school year. The warrants so drawn shall be paid by the State Treasurer from the State junior college fund and shall not be subject to the provisions of Article XVIII, Chapter III of Title I of Part III of the Political Code. The treasurer of each county shall immediately place the amount received by him on account of each junior college district to the credit of such district."

AMENDMENT NUMBER FIVE.

On page 6 of the printed bill, strike out lines 16 and 17, and insert in lieu thereof the following: "unapportioned county elementary school fund."

AMENDMENT NUMBER SIX.

On page 6 of the printed bill, strike out lines 23 to 25, inclusive, and insert in lieu thereof the following: "county must on or before the fifteenth day of July in each year furnish to the Superintendent of Public Instruction an esti-".

AMENDMENT NUMBER SEVEN.

On page 7 of the printed bill, beginning in line 20, strike out the following: "county elementary school fund, or to the".

AMENDMENT NUMBER EIGHT.

On page 7 of the printed bill, strike out all of lines 38 to 52, inclusive, and insert in lieu thereof the following: "visions of sections 4.160 and 4.161 of the School Code as herein enacted."

AMENDMENT NUMBER NINE.

On page 8 of the printed bill, strike out all of lines 1 to 52, and on page 9 of the printed bill, strike out all of lines 1 to 31, and insert in lieu thereof the following:

"Article II—Use of Unapportioned County Elementary School Fund.

4.190. The unapportioned county elementary school fund".

AMENDMENT NUMBER TEN.

On page 9 of the printed bill, strike out all of lines 47 to 52, inclusive, and on page 10 of the printed bill, strike out all of lines 1 to 28, inclusive.

AMENDMENT NUMBER ELEVEN.

On page 10 of the printed bill, strike out all of line 32, and insert in lieu thereof the following:

"Chapter III—Unapportioned County High School Fund."

AMENDMENT NUMBER TWELVE.

On page 10 of the printed bill, strike out all of lines 38 to 40, inclusive, and insert in lieu thereof the following: "must, on or before the fifteenth day of July in each year furnish to the Superintendent of Public Instruction an estimate in writing of the".

AMENDMENT NUMBER THIRTEEN.

On page 11 of the printed bill, strike out all of lines 17 to 52, inclusive, and on page 12 of the printed bill, strike out all of lines 1 to 52, inclusive, and on page 13 of the printed bill, strike out all of lines 1 to 17, inclusive, and insert in lieu thereof the following. "herein enacted.

Article II—Uses of Unapportioned County High School Fund.

4.250. The unapportioned county high school fund shall".

AMENDMENT NUMBER FOURTEEN.

On page 13 of the printed bill, strike out all of lines 37 to 51, inclusive, and insert in lieu thereof the following:

"4.251. The superintendent of schools shall apportion from the unapportioned county high school fund to each high school district within his county an amount sufficient to reimburse the high school district for money actually expended for transportation of pupils residing in territory in the county not included in any high school district, and attending such high school district during the preceding school year. The amount so apportioned shall not exceed five dollars per month for each pupil so attending.

SEC. 5a. Section 4.270 of the School Code is hereby amended to read as follows:

4.270. Not later than the twentieth day of July of each year the superintendent of schools of each county in which there is not a county junior college shall certify to the board of supervisors and to the county auditor of such county the total cost of education during the next preceding school year of all junior college pupils residing in such county and not in any junior college district, nor in any high school district maintaining junior college courses, and the estimated amount needed for that purpose for the current year.

The said total cost shall not include outlays for permanent construction or improvements, nor, in the case of junior college districts, moneys received from State apportionment, nor, in the case of high school districts maintaining junior college courses, moneys received from State and county apportionments, but shall include sixty-five dollars per unit of average daily attendance for the use of buildings and equipment.

The provisions of this section shall supersede the amendment of section 4.270 contained in the provisions of Chapter 902 of the Statutes of 1933. It is hereby declared to be the intent of the Legislature that the said amendment contained in

said chapter shall be without effect as to any portion thereof which conflicts with this section."

AMENDMENT NUMBER FIFTEEN.

On page 14 of the printed bill, strike out all of lines 9 to 23, inclusive, and insert in lieu thereof the following:

"SEC. 7. Section 4.784 of the School Code is hereby repealed."

AMENDMENT NUMBER SIXTEEN.

On page 16 of the printed bill, strike out all of lines 11 to 17, inclusive, and insert in lieu thereof the following:

"4.796. He shall allow to the unapportioned county elementary school fund of each county an amount equal to the sum estimated by the county superintendent of schools as the amount of the unapportioned county elementary school fund for the current school year as provided in this code."

AMENDMENT NUMBER SEVENTEEN.

On page 16, line 26, of the printed bill, after the word "fund", insert the following: ", to the unapportioned county elementary school fund,".

AMENDMENT NUMBER EIGHTEEN.

On page 16 of the printed bill, strike out all of lines 30 to 52, inclusive, and on page 17 of the printed bill, strike out all of lines 1 to 38, inclusive, and insert in lieu thereof the following: "IV, of the School Code is hereby repealed."

AMENDMENT NUMBER NINETEEN

On page 18 of the printed bill, after line 46, insert the following.

"4 866-1. He shall allow to the unapportioned county high school fund of each county an amount equal to the sum estimated by the county superintendent of schools as the amount of the unapportioned county high school fund for the current school year as provided in this code."

AMENDMENT NUMBER TWENTY.

On page 19 of the printed bill, strike out all of lines 5 to 53, inclusive, and on page 20 of the printed bill, strike out all of lines 1 to 11, inclusive, and insert in lieu thereof the following: "sion IV, of the School Code is hereby repealed."

AMENDMENT NUMBER TWENTY-ONE.

On page 21, line 2, of the printed bill, after said line 2, insert the following:

"SEC 21a. School Code sections 3.321, 3 322, 3.323, 3 324, 3 339, 4.223, 4 891-1, 4 891-2, 4 896, and 4.898 are hereby repealed It is hereby declared to be the intent of the Legislature that said sections of the School Code shall be repealed and that the provisions of this act shall supersede the provisions of Chapter 800 of the Statutes of 1933 as to any portion thereof which conflicts therewith."

AMENDMENT NUMBER TWENTY-TWO.

In line 5 of the title of the printed bill, as amended, strike out the following: "4.784,".

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 16, of the printed bill, as amended, immediately preceding the word "unapportioned", insert the following. "Chapter II".

AMENDMENT NUMBER TWENTY-FOUR.

On page 16 of the printed bill, as amended, strike out lines 13 to 15, inclusive, and insert in lieu thereof the following. "Include such amount in his estimate of the county unapportioned high school fund required".

The roll was called, and Senate amendments to Assembly Bill No 2442 were concurred in by the following vote:

AYES—Anglim, Chatters, Cronin, Crowley, Evans, Fisher, Frazier, Gilmore, Greene, Hoffman, Kallam, King, Knowland, Latham, Maloney, Martin, Mayo, McBride, Meehan, Meeker, Morgan, Nielsen, Patterson, Powers, Rawls, Redwine, Riley, Roberts, Robinson, C Ray; Robinson, Samuel E, Rogers, Roland, Stream, Sullivan, Thorp, Tournoux, Utt, West, Woolwine, Wright and Mr. Speaker—41.

NOES—O'Connor and Turner—2.

The above reported bill ordered to enrollment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 1225—An act to amend section 5 of an act entitled "An act to impose an excise tax on the manufacturing and distribution of certain beverages,

etc—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COBB, Chairman.

The above reported bill ordered referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Woolwine asked for unanimous consent to take up Senate Bill No. 1225 at this time without reference to Committee on Rules

Mr. Bliss objected to unanimous consent.

MOTION.

Mr Woolwine moved that the rules be suspended relative to referring a bill to the Committee on Rules.

The question being on the motion to suspend the rules.

POINT OF ORDER.

Mr. Maloney arose to the following point of order: Stating that according to Senate Concurrent Resolution No. 23, Senate Bill No. 1225 should first be sent to Committee on Rules.

RULING BY SPEAKER.

The Speaker ruled the point of order raised by Mr. Maloney well taken.

Senate Bill No. 1225 ordered referred to Committee on Rules.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, July 26, 1933

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Concurrent Resolution No. 65—Providing for the appointment of a committee to investigate desired changes in the manner of holding sessions of the Legislature.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Assembly Concurrent Resolution No. 65 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No 1222—An act to provide for cooperation and coordination by the State and the governmental units thereof in the granting, conveying, transferring or leasing of land and the contracting of obligations with the United States government or any agency thereof under the provisions of the National Industrial Recovery Act.

J A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Rules.

Also:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No 46—Relative to the economic effects of sales taxes and calling upon the State Board of Equalization to furnish the Legislature with information which may be used to ameliorate such hardships as may develop in the imposition of sales taxes under the laws of this State.

J. A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

The above reported bill ordered referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for unanimous consent to take up Senate Concurrent Resolution No. 46, at this time, without reference to committee or file.

Mr. Knowland objected to unanimous consent.

MOTION.

Mr. Lyon moved that the rules be suspended for the purpose of considering Senate Concurrent Resolution No. 46 at this time.

The question being on the motion to suspend the rules.

The roll was called, and the motion to suspend the rules lost by the following vote:

AYES—Brock, Chatters, Clowdsley, Cobb, Craig, Crowley, Evans, Field, Fisher, Greene, Hallner, Jones, Kallam, King, Latham, Lyon, Martin, Mayo, Meehan, Meeker, Miller, Eleanor; O'Donnell, Peterson, Phillips, Powers, Redwine, Riley, Robinson, Samuel E., Rogers, Woolwine and Wright—31.

NOES—Anglim, Bliss, Bowers, Boyle, Callahan, Cassidy, Cronin, Frazier, Hoffman, Knowland, Maloney, McCarthy, McMurray, Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Rawls, Robinson, C. Ray; Roland, Scudder, Stream, Sullivan, Thorp, Tournoux and Mr. Speaker—27.

Senate Concurrent Resolution No. 46 ordered referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Bowers asked for, and was granted, unanimous consent to take up Senate Bill No. 1222 at this time without reference to committee or file.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Bowers:

Resolved, That Senate Bill No 1222 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Anglim, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Craig, Cronin, Crowley, Evans, Field, Fisher, Frazier, Greene, Hallner, Jones, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr. Speaker—55.

NOES—Hoffman, Kallam, Knowland, O'Donnell, Robinson, C. Ray; Roland and Scudder—7.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1222.

SECOND READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED TWENTY-TWO.

Senate Bill No 1222—An act to authorize boards of supervisors of counties and cities and counties to grant, convey, transfer or lease any property owned by such counties and/or cities and counties to the United States of America or to any agency thereof, with or without consideration therefor, for the purpose of enabling such counties or cities and counties to receive the benefits of any act of Congress providing for unemployment relief or for the expenditure of Federal funds on public projects in the several States, and providing that such transfers to the United States of America may be made without com-

plying with any law relating to sale of county property, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anglim, Bliss, Bowers, Boyle, Brock, Callahan, Cassidy, Chatters, Clowdsley, Craig, Cronin, Crowley, Evans, Field, Fisher, Frazier, Greene, Hallner, Jones, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Morgan, Nielsen, O'Connor, Patterson, Phillips, Powers, Rawls, Redwine, Riley, Roberts, Robinson, Samuel E., Rogers, Stream, Sullivan, Thorp, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr Speaker—55.

NOES—Hoffman, Kallam, Knowland, O'Donnell, Robinson, C. Ray; Roland and Scudder—7.

THIRD READING OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED TWENTY-TWO.

Senate Bill No 1222—An act to authorize boards of supervisors of counties and cities and counties to grant, convey, transfer or lease any property owned by such counties and/or cities and counties to the United States of America or to any agency thereof, with or without consideration therefor, for the purpose of enabling such counties or cities and counties to receive the benefits of any act of Congress providing for unemployment relief or for the expenditure of Federal funds on public projects in the several States, and providing that such transfers to the United States of America may be made without complying with any law relating to sale of county property, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1222 finally passed by the following vote:

AYES—Anglim, Bliss, Bowers, Brock, Callahan, Chatters, Clowdsley, Cottrell, Craig, Cronin, Crowley, Dempster, Evans, Field, Greene, Hallner, King, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Meeker, Miller, Eleanor; Miller, James A., Nielsen, Patterson, Phillips, Powers, Riley, Roberts, Robinson, Samuel E., Stream, Tournoux, Turner, Utt, West, Woolwine, Wright and Mr Speaker—44

NOES—Boyle, Fisher, Frazier, Hoffman, Jones, Knowland, Morgan, O'Connor, Rawls, Redwine, Robinson, C Ray; Roland, Scudder, Stannard and Thorp—15.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT SUBMITTED.

A report was submitted by Mr. Roland. The Speaker ordered same referred to Committee on Rules, pursuant to Rule 12.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with Assembly Concurrent Resolution No. 17, the Speaker announced the appointment of Messrs. Rawls and Hoffman as such Select Committee.

RECESS.

At three o'clock and thirty-five minutes p.m., on motion of Mr. Robinson, C. Ray, the Assembly was declared at recess until three o'clock and forty minutes p.m. of this day.

REASSEMBLED.

At three o'clock and forty minutes p.m., the Assembly reconvened. Speaker Little in the chair.

Assistant Clerk McIntire reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 709—An act to add a new section to the Agricultural Code to be numbered 118 5, relating to the importation of the Colorado potato beetle;

Also: Assembly Bill No. 763—An act to amend section 312 of the Agricultural Code, relating to the inspection of meat and meat food products;

Also: Assembly Bill No. 1214—An act to repeal Chapter 4 of Division V of the Agricultural Code embracing sections 891 to 900 inclusive, relating to field crops;

Also: Assembly Bill No. 1662—An act to amend section 649d of the Political Code, relating to the State Agricultural Society;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MEEKER, Chairman.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1666—An act to repeal Chapter 4 of Division V embracing sections 891 to 900, inclusive, of the Agricultural Code, relating to field crops;

Also: Assembly Bill No. 1667—An act to repeal Chapter 5 of Division VI, embracing sections 1231 to 1258, inclusive, of the Agricultural Code, relating to agricultural warehouses;

Also: Assembly Bill No. 1668—An act to repeal Chapter 4 of Division II embracing sections 271 to 284, inclusive, of the Agricultural Code, relating to bees and apiaries;

Also: Assembly Bill No. 1669—An act to repeal Chapter 2 of Division V embracing sections 781 to 831, inclusive, of the Agricultural Code, relating to standards for fruits, nuts and vegetables;

Also: Assembly Bill No. 1670—An act to repeal Article 2 of Chapter 5 of Division V embracing sections 931 to 940, inclusive, of the Agricultural Code, relating to cotton;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MEEKER, Chairman.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1671—An act to repeal sections 1152 to 1155, inclusive, of the Agricultural Code, relating to the marketing of agricultural products;

Also: Assembly Bill No. 1672—An act to repeal Chapter 7 of Division VI embracing sections 1281 to 1298, inclusive, of the Agricultural Code, relating to dealers in deciduous fruits;

Also: Assembly Bill No. 1675—An act to repeal Article 1 of Chapter 5 of Division V embracing sections 911 to 920, inclusive, of the Agricultural Code, relating to agricultural seeds;

Also: Assembly Bill No. 1738—An act to amend section 2319b of the Political Code of the State of California, relating to the duties of the State Commissioner of Horticulture;

Also: Assembly Bill No. 1768—An act to amend sections 53 and 54 of the Agricultural Code, relating to county agricultural commissioners, deputy commissioners and inspectors;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MEEKER, Chairman.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1923—An act to repeal Articles 1, 2 and 3 of Chapter 8 of Division V of the Agricultural Code, and to add a new Article 1 to said chapter and division, relating to eggs and egg products;

Also: Assembly Bill No. 1999—An act to repeal section 105 of the Agricultural Code, relating to quarantine and pest control;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MEEKER, Chairman.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 136—An act to amend section 331 of the Agricultural Code, relating to hides and brands;

Also: Senate Bill No 264—An act to add a new section to the Penal Code, to be numbered 536c, relating to the handling of farm products on consignment;

Also: Senate Bill No. 815—An act to repeal Articles 2 and 3 of Chapter 2 of Division III of the Agricultural Code, and to add a new Article 2 to said chapter and division, relating to estrays;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MEEKER, Chairman.

ON AVIATION AND AIRCRAFT.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR SPEAKER: Your Committee on Aviation and Aircraft, to which was referred Assembly Bill No. 364—An act to amend sections 2 and 84 of the Public Utilities Act, relating to airplane line corporations;

Also, Assembly Joint Resolution No 30—Relative to requesting the Secretary of Commerce to promulgate rules regarding the operation of aircraft;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MILLER, JAMES A., Chairman.

Also:

MR. SPEAKER: Your Committee on Aviation and Aircraft, to which was referred Senate Bill No 1184—An act to limit the liability of airmen and persons liable for their conduct in flying any aircraft to any guest riding therein or thereon—has had the same under consideration, and respectfully reports the same back without recommendation.

MILLER, JAMES A., Chairman.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No. 85—An act to repeal "An act relating to the liquidation of banks by the Superintendent of Banks; empowering him to levy assessments against the members and stockholders of any bank in process of liquidation by him to an amount which he may determine to be necessary to promptly pay the creditors of such bank in full; to enforce such assessments by suit and empowering the superior court to determine the equities of the members and stockholders of any such bank to any surplus which may remain after the payment of the creditors of such bank in full and to award and distribute the same accordingly." approved May 17, 1917;

Also Assembly Bill No. 496—An act to add a new section, to be numbered 86, to the Bank Act, relating to checking service charges,

Also: Assembly Bill No 917—An act to amend sections 21a and 62 of the Bank Act, relating to the definition and regulation of the business of banking;

Also: Assembly Bill No. 936—An act to amend section 2 of an act entitled "An act to define the liability of stockholders in California State banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California," approved April 24, 1931, relating to liability of stockholders in California banks and the enforcement thereof;

Also, Assembly Bill No 1056—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality, metropolitan water district or other political subdivision, public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act,

Also: Assembly Bill No 1153—An act to amend section 29 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," relating to the definition and regulation of the business of banking;

Also: Assembly Bill No 1271—An act to provide for the incorporation, organization, and operation of cash depositories in the State of California;

Also Assembly Bill 1520—An act to add a new section to be numbered section 51a to the Bank Act, relating to deposits of trust funds in banks;

Also: Assembly Bill No. 1601—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended;

Also Assembly Bill No. 2154—An act to add a new section to be numbered 9a to the act entitled "The Bank Act," approved March 1, 1909, as amended, relating to branch banking;

Also: Assembly Bill No. 2203—An act to provide security for and guarantee the deposits in banks and to create a fund therefor, to provide for the assessment of banks, and to prescribe the duties of the Superintendent of Banks, in relation thereto;

Also: Assembly Bill No. 2225—An act relating to financial institutions;

Also: Assembly Bill No. 2285—An act to amend section 136 of the Bank Act, relating to liquidation of banks;

Also: Assembly Bill No 2297—An act to provide for the insurance or guaranty of bank deposits in the State of California;

Also: Assembly Concurrent Resolution No. 46—Relative to the creation of a joint committee of the Assembly and Senate to investigate the affairs of closed banks in California;

Also Assembly Joint Resolution No 21—Relative to memorializing Congress to provide that the Federal government take over, manage and control banks and banking institutions throughout the Nation;

Also: Assembly Joint Resolution No 22—Relative to memorializing Congress to guarantee bank deposits in banks which are approved as to financial condition;

Also: Senate Bill No. 1056—An act to add section 16 to the Bank Act, relating to the business of banking;

Has had the same under consideration, and respectfully reports the same back without recommendation

WILLIAMSON, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, July 27, 1933.

MR SPEAKER. Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 82—An act to repeal "An act to create a harbor district to be called Ventura County Harbor District, to provide for the location, improvement, development and protection on the seacoast of Ventura County of a harbor and approaches thereto, to provide for the government, control, operation and maintenance of said harbor and the approaches thereto, and to define the powers and duties of the officers thereof, to provide for the construction of works and the acquisition of property therefor, to authorize the advance by Ventura County of the preliminary expense and the incurring by said district of indebtedness for the cost of said construction and the voting, issuing and selling of bonds therefor, and to provide for the levy of assessments by said district for said purposes and for the collection thereof," approved June 1, 1927;

Also: Assembly Bill No. 323—An act to amend section 2466 of the Political Code, relating to rates of pilotage at San Francisco;

Also: Assembly Bill No. 358—An act to repeal the California Nautical School Act and to provide for the disposition of the property of said school, and declaring the urgency therefor;

Also Assembly Bill No. 533—An act to amend section 2440 of the Political Code, relating to Pilot Commissioners for the ports of San Francisco, Mare Island and Benicia;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MALONEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 579—An act to amend sections 2440 and 2460 of the Political Code, relating to Pilot Commissioners for the ports of San Francisco, Mare Island and Benicia;

Also: Assembly Bill No. 1156—An act to provide procedure for determining whether or not a reclamation district to be known as "South Basin-South Basin Canal Reclamation District," should be created; fixing the boundaries thereof in the event of the creation thereof; providing for the management and control thereof; vesting certain powers therein, and authorizing a method for the reclamation of the lands of said district in the event of its creation; granting to the city and county of San Francisco and its successors any title of the State in or to any public highways lying in said district with certain reservations; and dissolving any reclamation district wholly situate within the boundaries of said South Basin-South Basin Canal Reclamation District;

Also: Assembly Bill No. 1197—An act to repeal section 2524c of the Political Code, relating to the harbor of San Francisco and the State Board of Harbor Commissioners;

Also: Assembly Bill No. 1399—An act relating to the powers and duties of the State Board of Harbor Commissioners;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MALONEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1431—An act to amend section 2466 of the Political Code, relating to rates of pilotage of San Francisco;

Also: Assembly Bill No. 1472—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor;

Also: Assembly Bill No. 1548—An act to provide for the dredging and improvement of San Diego Bay, to make an appropriation therefor, and to provide for the repayment thereof;

Also: Assembly Bill No. 1823—An act to amend the California Toll Bridge Authority Act;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MALONEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1961—An act to repeal sections 2440 to 2447, inclusive, of the Political Code, to repeal Articles VI and VII of Chapter I of Title VI of Part III of said code, embracing sections 2457 to 2491, inclusive, to repeal an act entitled "An act creating a Board of Pilot Commissioners for the harbor of San Diego, defining their duties, and fixing their compensation," approved March 2, 1911, and to add a new article to Chapter I of Title VI of Part III of the Political Code, to be numbered Article VI, all relating to Pilot Commissioners and their powers and duties;

Also: Assembly Bill No 2119—An act granting to the city of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city;

Also: Assembly Bill No. 2192—An act granting certain tidelands and submerged lands of the State of California to the county of Santa Barbara upon certain trusts and conditions;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MALONEY, Chairman.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 714—An act to amend sections 2, 9, 10 and 16 of the "Los Angeles County Flood Control Act," relating to the sale or disposal of impounded waters, and the use of the proceeds therefrom;

Also: Assembly Bill No. 730—An act to amend section 7 of an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, to provide for levying taxes on all taxable property;

Also: Assembly Bill No. 775—An act to amend the title and sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20, of an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended, and by adding four new sections to said act to be numbered sections 1a, 3a, 3b and 3c, relating to and providing for the government and control of said district by a board of directors, defining the powers and duties of said board and for the appointment of certain officers by said board, and dividing said district into five divisions for the election of a director from each of such divisions, and providing for the performance of certain duties by Los Angeles County officers for said district;

Also: Assembly Bill No. 2103—An act to provide for the conservation, regulation and beneficial use of the water and water power resources of this State;

Has had the same under consideration, and respectfully reports the same back without recommendation.

EVANS, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 204—An act to add section 25a to the "Corporate Securities Act," relating to the filing of papers, applications, statements and reports—has had the same under consideration, and respectfully reports the same back without recommendation.

HATCH, Chairman.

Also:

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 240—An act to amend sections 330 13, 336, and 337 of the Civil Code, relating to shares of stock—has had the same under consideration, and respectfully reports the same back without recommendation.

HATCH, Chairman

Also:

MR SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 2159—An act to add section 605½ to the Civil Code, relating to nonprofit, nonstock corporations—has had the same under consideration, and respectfully reports the same back without recommendation.

HATCH, Chairman.

Also:

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 2160—An act to amend section 605d of the Civil Code, relating to nonprofit corporations—has had the same under consideration, and respectfully reports the same back without recommendation.

HATCH, Chairman.

Also:

MR SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 2201—An act to amend section 605d of the Civil Code, relating to nonprofit corporations—has had the same under consideration, and respectfully reports the same back without recommendation.

HATCH, Chairman.

Also:

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 2289—An act to amend section 6 of the Corporate Securities Act, relating to brokers and agents engaged in the sale of securities—has had the same under consideration, and respectfully reports the same back without recommendation

HATCH, Chairman.

Also:

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 1302—An act to amend sections 6, 7 and 26, and to add two new sections to be numbered sections 7a and 21a to the Corporate Securities Act, all relating to corporations—has had the same under consideration, and respectfully reports the same back without recommendation.

HATCH, Chairman

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 69—An act to repeal "An act to create an exempt firemen's relief fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and services as firemen of such exempt firemen," approved March 26, 1895;

Also: Assembly Bill No. 70—An act to repeal "An act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services, in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893;

Also: Assembly Bill No. 77—An act to repeal "An act providing for a county engineer for each county in this State, providing for his appointment, manner of removal, qualifications, compensation and duties; transferring to such engineer certain powers, functions and duties heretofore vested in and performed by county surveyors and members of the board of supervisors; also authorizing the board of supervisors for each county to purchase and obtain all necessary equipment, materials and instrumentalities to carry out the objects of this act; to provide said county engineer with an office and necessary assistants; to provide for abolishing the office of county surveyor and for the fixing and levying of taxes for road purposes," approved May 27, 1919;

Also: Assembly Bill No. 87—An act to repeal "An act to enlarge the powers of the board of supervisors of the county of San Joaquin," approved March 14, 1868;

Also: Assembly Bill No. 102—An act to repeal "An act in relation to certain deputies, assistants, and copyists, of county clerks," approved April 2, 1880;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BROCK, Chairman.

Also:

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 117—An act to repeal an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting, and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, as amended, relating to the creation of a fund for advertising or exploiting the resources of the county;

Also: Assembly Bill No. 118—An act to repeal section 4056b of the Political Code, relating to the creation of a fund for making exhibitions of products and the assistance of local fair associations;

Also: Assembly Bill No. 119—An act to amend section 4041 5 of the Political Code, relating to the powers of board of supervisors;

Also: Assembly Bill No. 296—An act to amend section 4041.18 of the Political Code, relating to responsibility of bidders upon county contracts;

Also, Assembly Bill No. 326—An act to amend section 4041.17 of the Political Code, relating to the powers and duties of county boards of supervisors,

Also: Assembly Bill No. 361—An act to amend section 4041.18 of the Political Code, relating to the jurisdiction and powers of boards of supervisors;

Also: Assembly Bill No. 444—An act to amend section 19x24 of the Juvenile Court Law, relating to probation officers in counties of the twenty-fourth class;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BROCK, Chairman.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 445—An act to amend section 16x24 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-fourth class;

Also: Assembly Bill No. 446—An act to amend 2322x24 of the Political Code, relating to the office of the agricultural commissioner in counties of the twenty-fourth class;

Also: Assembly Bill No. 447—An act to amend section 4253 of the Political Code, relating to the compensation of county and township officers in counties of the twenty-fourth class;

Also: Assembly Bill No 468—An act to repeal "An act for the establishment of a uniform system of road government and administration in the counties of the State of California," approved April 1, 1897;

Also Assembly Bill No 542—An act to amend section 16x52 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-second class;

Also: Assembly Bill No. 573—An act to amend section 19x20 of the Juvenile Court Law, relating to the compensation of the probation officers in counties of the twentieth class;

Also: Assembly Bill No. 574—An act to amend section 16x20 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twentieth class;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BROCK, Chairman.

Also:

MR. SPEAKER Your Committee on County Government, to which was referred Assembly Bill No. 690—An act to amend section 16x44 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the forty-fourth class—has had the same under consideration, and respectfully reports the same back without recommendation

BROCK, Chairman.

Also

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 752—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers;

Also: Assembly Bill No. 765—An act to provide for the assumption by counties of certain local improvement bonds where, in the opinion of four-fifths of the county board of supervisors, said local improvement has become of county-wide importance;

Also: Assembly Bill No. 778—An act regarding assessment of property lying within a road district;

Also: Assembly Bill No 783—An act to add a new section to the Political Code to be numbered 4349, requiring public printing to be done in the county needing the same;

Also: Assembly Bill No. 785—An act to amend section 2322x48 of the Political Code, relating to the office of the agricultural commissioner in counties of the forty-eighth class;

Also: Assembly Bill No. 786—An act to amend section 4277 of the Political Code, relating to the compensation of county and township officers in counties of the forty-eighth class;

Also: Assembly Bill No. 788—An act to amend section 19x48 of the Juvenile Court Law, relating to the probation officer in counties of the forty-eighth class,

Has had the same under consideration, and respectfully reports the same back without recommendation.

BROCK, Chairman.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 789—An act to amend section 16x48 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the forty-eighth class;

Also. Assembly Bill No. 790—An act to amend section 4268 of the Political Code, relating to the compensation of county and township officers in counties of the thirty-ninth class;

Also: Assembly Bill No. 792—An act to amend section 2322x39 of the Political Code, relating to the office of the agricultural commissioner in counties of the thirty-ninth class,

Also: Assembly Bill No. 793—An act to amend section 19x39 of the Juvenile Court Law, relating to the probation officer in counties of the thirty-ninth class;

Also: Assembly Bill No. 794—An act to amend section 16x39 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the thirty-ninth class;

Also: Assembly Bill No. 915—An act to add a new section to the Political Code to be numbered 4056d, relating to powers and duties of board of supervisors with respect to county and township officers, deputies, assistants and employees;

Also: Assembly Bill No. 1136—An act to amend section 4041.7 of the Political Code, relating to the jurisdiction and powers of boards of supervisors over public roads or county highways;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BROCK, Chairman.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1297—An act to amend section 7 of an act entitled "An act for the registration of deaths, the issuance and registration and burial and disinterment permits and the establishment of registration districts in county, cities and counties cities and incorporated towns under the superintendence of the State Bureau of Vital Statistics and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration, and fixing penalties for violation of this act," approved March 18, 1905, as amended, relating to the powers and duties of coroners;

Also: Assembly Bill No. 1298—An act to amend sections 7 and 8 of an act entitled "An act to provide a Central Bureau for the Preservation of Records of Marriages, Births and Deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended;

Also: Assembly Bill No. 1459—An act to amend section 1203 of the Penal Code of the State of California, relating to the reimbursement of counties by the State for the expense of keeping prisoners convicted of felonies and confined in the county jail while on probation;

Also: Assembly Bill No. 1491—An act to add a new section to the Code of Civil Procedure to be numbered 103f, relating to justice's clerks in counties of the thirty-second class;
Has had the same under consideration, and respectfully reports the same back without recommendation.

BROCK, Chairman.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1507—An act to amend section 4278 of the Political Code, relating to the compensation of county and township officers in counties of the forty-ninth class;

Also: Assembly Bill No. 1566—An act to amend section 4014 of the Political Code, relating to township officers;

Also: Assembly Bill No. 1583—An act to amend section 4178 of the Political Code relating to the duties of the county clerk;

Also: Assembly Bill No. 1720—An act to amend section 4071 of the Political Code of California, relating to the limit of the debts or liabilities that the boards of supervisors may contract;

Also: Assembly Bill No. 1781—An act to amend section 4149 of the Political Code, relating to the office and compensation of the county live stock inspector;

Also: Assembly Bill No. 2102—An act to add a new section to the Juvenile Court Law, to be numbered 19x57, and to repeal section 19u thereof, relating to the probation officer in counties of the fifty-seventh and fifty-eighth classes;

Also: Assembly Bill No. 2104—An act to amend section 19x43 of the Juvenile Court Law, relating to probation officer in counties of the forty-third class;
Has had the same under consideration, and respectfully reports the same back without recommendation

BROCK, Chairman.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2105—An act to amend section 16x43 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the forty-third class;

Also: Assembly Bill No. 2108—An act to amend section 2322x43 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-third class;

Also: Assembly Bill No. 2132—An act to amend section 4300b of the Political Code of the State of California, relating to the fees for mileage of sheriffs;

Also: Assembly Bill No. 2143—An act to amend sections 4175 and 4176 of the Political Code, relating to compensation of sheriffs;

Also: Assembly Bill No. 2178—An act to amend section 19x41 of the Juvenile Court Law, relating to probation officer in counties of the forty-first class;

Also: Assembly Bill No. 2191—An act to amend section 9a16 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the sixteenth class;
Has had the same under consideration, and respectfully reports the same back without recommendation.

BROCK, Chairman.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2179—An act to amend section 2322x41 of the Political Code, relating to the office of Agricultural Commissioner in counties of the forty-first class,

Also: Assembly Bill No. 2180—An act to amend sections 4270 and 4270a to 4270r, inclusive, of the Political Code, relating to county and township officers of counties of the forty-first class;

Also: Assembly Bill No. 2181—An act to amend sections 4254 and 4254a to 4254s inclusive, of the Political Code, relating to the compensation of county and township officers in counties of the twenty-fifth class;

Also: Assembly Bill No. 2183—An act to amend section 16x41 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the forty-first class;

Also: Assembly Bill No. 2184—An act to amend section 2322x25 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-fifth class;

Also: Assembly Bill No. 2185—An act to amend section 9a25 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library

systems." approved April 12, 1909, and all acts and parts of acts in conflict with this act.' " approved February 25, 1911, as amended, relating to libraries in counties of the twenty-fifth class.;
Has had the same under consideration, and respectfully reports the same back without recommendation.

BROCK, Chairman.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2190—An act to amend section 4223 of the Political Code, and to add to Article I, Chapter IX, Title II, Part IV of the Political Code eleven new sections, to be numbered 4223a to 4223k, inclusive, all relating to defining and providing for county hospitals; defining indigent sick, dependent poor, and other persons entitled to admission to and treatment at or by county hospitals or branches or departments or clinics thereof, prescribing conditions for admission to and treatment at or by county hospitals or branches or departments or clinics thereof; providing for the recovery of the reasonable cost of services rendered therein in certain cases, that books, records and accounts be kept for the determination of said and other costs, that periodic reports be made by the board of supervisors of admissions to and the conduct and operation of the county hospital and any branch or department or clinic thereof, and for the approval thereof by the auditor of the county or city and county; and prescribing the powers and duties of the board of supervisors; the auditor, and the district attorney in relation to the conduct and operation of county hospitals and any branch or department or clinic thereof, and penalties for the violation of this act; and repealing all laws in conflict herewith—has had the same under consideration, and respectfully reports the same back without recommendation.

BROCK, Chairman.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2192—An act granting certain tidelands and submerged lands of the State of California to the county of Santa Barbara upon certain trusts and conditions—has had the same under consideration, and respectfully reports the same back without recommendation.

BROCK, Chairman.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2186—An act to amend section 19x25 of the Juvenile Court Law, relating to probation officers in counties of the twenty-fifth class;
Also. Assembly Bill No. 2187—An act to repeal section 16x25 of the Weights and Measures Act, relating to sealer of weights and measures in counties of the twenty-fifth class;
Also: Assembly Bill No. 2198—An act to amend section 16x16 of the Weights and Measures Act, relating to sealer of weights and measures, in counties of the sixteenth class;
Also: Assembly Bill No. 2282—An act to add a new section to the Political Code, to be numbered 3714b, relating to county budgets.
Also: Assembly Bill No. 2284—An act to add a new section to the Political Code, to be numbered 3714b, relating to county budgets;
Also: Assembly Bill No. 2296—An act to regulate appointment of county employees;
Also: Assembly Bill No. 1350—An act to add a new section to the Political Code, to be numbered 4052b1, to authorize county aid for district public parks, beaches and recreation grounds;
Also. Assembly Bill No. 1234—An act to amend section 19x32 of the Juvenile Court Law, relating to probation officers in counties of the thirty-second class;
Has had the same under consideration, and respectfully reports the same back without recommendation.

BROCK, Chairman.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 1119—An act to amend sections 4 200, 4 210 and 4 786 of the School Code, to repeal Article III of Chapter II of Part II of Division IV of said code, embracing sections 4 180 and 4.181, and to repeal sections 4.771, 4.772, 4.773, 4.782, 5 137, 5.470 and 5.471 of said code, relating to supervisors and the county elementary school supervision fund;
Also: Senate Bill No. 211—An act to amend section 16x42 of the Weights and Measures Act, relating to the sealer of weights and measures in counties of the forty-second class;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BROCK, Chairman.

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 199—An act to amend section 270 of the Penal Code, relative to omitting to provide child with necessaries;

Also. Assembly Bill No. 208—An act to amend section 270 of the Penal Code, relative to omitting to provide for a minor child;

Also Assembly Bill No. 368—An act to amend sections 146 and 146a of the Penal Code, relating to public officers and persons pretending to be public officers;

Also: Assembly Bill No. 413—An act to amend section 537 of the Penal Code, relating to defrauding proprietors of hotels, inns, restaurants, boarding houses, lodging houses, apartment houses, or bungalow courts;

Also. Assembly Bill No. 455—An act to amend section 141 of the California Vehicle Act, relating to the duty of drivers of vehicles involved in accidents and providing penalties for violation thereof;

Also: Assembly Bill No. 456—An act to amend section 153 of the California Vehicle Act, relating to penalties for violations of the provisions of said act,

Has had the same under consideration, and respectfully reports the same back without recommendation.

MILLER, ELEANOR, Chairman.

Also:

MR SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 312—An act to amend section 7 of that certain act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons, to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person, to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended;

Also: Assembly Bill No. 1758—An act to add section 640b to the Penal Code, relating to the fraudulent or unauthorized installation or use of any telephone device or contrivance;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MILLER, ELEANOR, Chairman.

Also:

MR SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 507—An act to limit the hours during which racing may be conducted within this State;

Also Assembly Bill No. 511—An act to add two new sections to the Penal Code to be numbered 969c and 1158a, relating to defendants armed with weapons at the time of the commission of the offense or at the time of arrest and providing a procedure for charging that defendants were so armed and for determining the truth of the charge;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MILLER, ELEANOR, Chairman.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 510—An act to amend section 1373 of the Penal Code, relating to apportioning cost of transporting insane persons charged with crime between the State and the county;

Also. Assembly Bill No. 718—An act to amend sections 26, 37, 101, 190, 219, 1095, 1168, 1203, 1254, 1272 and 1547 of the Penal Code and to add to said code a new section numbered 1193a, relating to crimes and the punishment therefor;

Also: Assembly Bill No. 881—An act to add a new section to the Penal Code to be numbered 190a, relating to punishment of persons convicted of killing a peace officer;

Also: Assembly Bill No. 1313—An act to amend section 514 of the Penal Code:

Also: Assembly Bill No. 1602—An act to amend section 499b of the Penal Code, relating to the unauthorized taking for temporary use or operation of aircraft, automobiles, bicycles, motorcycles or other vehicles;

Also Assembly Bill No. 1611—An act to amend sections 476 and 476a of the Penal Code, relating to crimes and the punishment thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MILLER, ELEANOR, Chairman.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 1152—An act to amend section 2183 of the Political Code, relating to the insane poor and indigent dipsomaniacs—has had the same under consideration, and respectfully reports the same back without recommendation.

MILLER, ELEANOR, Chairman.

Also:

MR SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 1664—An act to amend section 1 of an act entitled "An act creating an Advisory Pardon Board; defining and prescribing the powers and duties thereof; and making an appropriation therefor," approved May 7, 1915, relating to the membership of the Advisory Pardon Board;

Also Assembly Bill No. 1665—An act to repeal an act entitled "An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board and making an appropriation therefor," approved May 28, 1931;

Also: Assembly Bill No. 1687—An act to abolish the Department of Penology and to repeal Article IIm of Chapter III, Title I, Part III of the Political Code embracing sections 376 to 376f, relating to the Department of Penology;

Also: Assembly Bill No. 1808—An act to amend section 489 of the Penal Code, relating to punishment for grand theft,

Also: Assembly Bill No 1810—An act to amend sections 207 to 209 of the Penal Code, relating to kidnaping;

Also: Assembly Bill No. 2052—An act to amend section 520 of the Penal Code, relating to extortion;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MILLER, ELEANOR, Chairman.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 2062—An act to amend section 1 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons, to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject"—has had the same under consideration, and respectfully reports the same back without recommendation.

MILLER, ELEANOR, Chairman.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Senate Bill No. 263—An act to add a new section to the Penal Code, to be numbered 487a, relating to the commission of a series of petit thefts by the same person—has had the same under consideration, and respectfully reports the same back without recommendation.

MILLER, ELEANOR, Chairman.

ON DIRECT LEGISLATION.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Direct Legislation, to which was referred Assembly Bill No. 38—An act to amend section 4058 of the Political Code, relating to the number of signatures required on petitions for initiative and referendum by electors of counties;

Also: Assembly Bill No. 39—An act to amend section 1 of an act entitled "An act to provide for direct legislation by cities and towns, including initiative and referendum," approved January 2, 1912, as amended, relating to the number of signatures required on petitions;

Also: Assembly Bill No. 68—An act to repeal "An act providing for general primary elections within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privileges of free suffrage thereat, by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof, and for other purposes," approved March 13, 1897;

Also. Assembly Bill No. 73—An act to repeal "An act providing for a general primary election in counties of certain classes within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privileges of free suffrage thereat, by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved March 27, 1895;

Also: Assembly Bill No. 236—An act to amend section 23 of the Direct Primary Law, relating to the method of choosing and the qualifications of candidates of political parties;

Also: Assembly Bill No. 1584—An act to amend section 7 of the Direct Primary Law, Statutes of 1913, page 1379, relating to filing fees for candidates;

Also: Assembly Bill No. 1812—An act to amend section 1 of the Direct Primary Law, relating to definitions;

Has had the same under consideration, and respectfully reports the same back without recommendation.

CHATTERS, Chairman.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 67—An act to repeal "An act providing for appeals from orders of the board of supervisors forming or refusing to form reclamation or swamp land districts, setting off lands from such districts, or including lands in such districts, or consolidating swamp land or reclamation districts," approved March 11, 1893;

Also: Assembly Bill No 98—An act to repeal "An act relative to the assessment in swamp land reclamation district number one hundred and eighteen, in Contra Costa County," approved March 6, 1876;

Also: Assembly Bill No. 101—An act to repeal "An act to provide a system of drainage for agricultural, swamp, and overflowed lands," approved March 3, 1881;

Also: Assembly Bill No. 104—An act to repeal "An act to promote drainage," approved April 23, 1880;

Also: Assembly Bill No. 280—An act to amend section 23 of the Drainage District Improvement Act of 1919 (Statutes 1919, page 731), relating to advances of money by the county for payment of bonds and interest;

Also: Assembly Bill No. 1452—An act to amend sections 32, 33, 34, 35, 36, 37, 38 and 39 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, Statutes 1903, page 291, relating to the refunding of bonds of such districts;

Has had the same under consideration, and respectfully reports the same back without recommendation.

STREAM, Chairman.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 17—An act to amend sections 5, 7, 23, 24 and 25 of the Direct Primary Law, prohibiting persons becoming candidates of more than one party;

Also. Assembly Bill No 145—An act to amend sections 5, 7, 23, 24 and 25 of the Direct Primary Law, relating to primary elections;

Also: Assembly Bill No. 422—An act to amend sections 1142, 1257a, 1258, 1260, 1261, 1264 and 1267 of the Political Code, relating to the number of tally lists, rosters, and lists of assisted voters and affidavits of election officers assisting voters and voters challenged;

Also: Assembly Bill No 475—An act to repeal "An act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law," approved March 2, 1897;

Also: Assembly Bill No. 494—An act to amend section 1083a of the Political Code, relating to signatures on election petitions or papers;

Also: Assembly Bill No 729—An act to amend section 1 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, as amended, permitting consolidation of a county election with the August primary election;

Also: Assembly Bill No 796—An act to amend section 5 of the Direct Primary Law, relating to pamphlets;
Has had the same under consideration, and respectfully reports the same back without recommendation.

ALTER, Chairman.

Also:

MR SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 824—An act to amend sections 5, 7, 23, 24 and 25 of the Direct Primary Law, relating to requirements for party candidates;

Also: Assembly Bill No 927—An act to amend sections 12 and 13 of the Direct Primary Law, relating to choice of party ballots at primary elections;

Also: Assembly Bill No. 1004—An act to amend section 1197 of the Political Code, relating to presidential electors in presidential elections and method of voting therefor;

Also: Assembly Bill No 1387—An act to amend section 1072 of the Political Code, relating to the compensation of election officials;

Also: Assembly Bill No. 1455—An act to amend section 1151 of the Political Code, relating to boards of election;

Also: Assembly Bill No 1503—An act to amend section 1360 of the Political Code, relating to absent voters ballots;

Also: Assembly Bill No. 1860—An act to amend section 24 of the Direct Primary Law, relating to the State central committee and primary elections;
Has had the same under consideration, and respectfully reports the same back without recommendation.

ALTER, Chairman.

Also:

MR SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 1454—An act to amend section 1142 of the Political Code, relating to boards of election—has had the same under consideration, and respectfully reports the same back without recommendation.

ALTER, Chairman.

Also:

MR SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 1861—An act to amend sections 23 and 24 of the Direct Primary Law, relating to county central committees and primary elections;

Also: Assembly Bill No 1898—An act to add a new section to the Political Code to be numbered 1084a, relating to deputy registrars of voters, registration clerks, and members of election boards;

Also: Assembly Bill No 1899—An act to amend section 1290 of the Political Code, relating to the statement of vote;

Also: Assembly Bill No 1966—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers;

Also: Assembly Bill No. 1988—An act to amend section 1203 of the Political Code, relating to elections;

Also: Assembly Bill No. 2114—An act to amend section 5 of the Direct Primary Law, relating to party candidates;

Also: Assembly Bill No. 2356—An act to add a new section to the Political Code to be numbered 844, relating to disqualification of candidates for office;
Has had the same under consideration, and respectfully reports the same back without recommendation.

ALTER, Chairman.

Also:

MR SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 727—An act to amend sections 245, 246, 247, 267, 268 and 269 of the Political Code, relating to the number, designation, election, appointment and compensation of officers and employees of the Legislature;

Also: Assembly Bill No 2292—An act to amend sections 1, 10, 12, 21, 22, 23 and 24 of an act entitled the "Direct Primary Law," relating to nonpartisan offices;

Also: Assembly Bill No 2300—An act to amend section 3 of an act entitled "An act to regulate the conduct of election campaigns and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.'" approved February 23, 1893, relating to campaign expense;
Has had the same under consideration, and respectfully reports the same back without recommendation.

ALTER, Chairman.

Also:

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 1301—An act to amend sections 1, 5 and 24 of the Direct Primary Law, approved June 16, 1913, as amended, relating to party affiliation and party conventions;

Also: Assembly Bill No. 2007—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers; Has had the same under consideration, and respectfully reports the same back without recommendation.

ALTER, Chairman.

Also:

MR. SPEAKER: Your Committee on Elections, to which was referred Senate Bill No. 850—An act to amend section 1094 of the Political Code, relating to registration of voters—has had the same under consideration, and respectfully reports the same back without recommendation.

ALTER, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 128—An act to amend section 737b of the Political Code, relating to salaries of the judges of the superior court, Los Angeles County;

Also: Assembly Bill No. 160—An act to amend section 159 of an act entitled the "California Vehicle Act," approved May 30, 1923, as amended, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding;

Also: Assembly Bill No. 257—An act to amend section 63 of an act entitled "Improvement Act of 1911," approved April 7, 1911, Statutes of 1911, page 730, and to add two new sections thereto to be numbered sections 84 and 85, respectively;

Also. Assembly Bill No. 273—An act appropriating money, appropriated by Chapter 90, Statutes of 1933, to meet a deficiency in the appropriation for subsidies of the Bureau of Tuberculosis of the Department of Public Health for the eighty-second fiscal year, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 544—An act to amend section 423 of the Fish and Game Code, relating to hunting and sporting fishing licenses;

Also: Assembly Bill No. 591—An act providing for the manner of expending certain sums by the State Department of Agriculture previously appropriated for the eighty-fifth and eighty-sixth fiscal years,

Also: Assembly Bill No. 1114—An act providing for the incorporation, government, and management of regional park districts including therein city and county territory, for the purpose of acquiring, improving, and maintaining parks, playgrounds, beaches, parkways, scenic drives, boulevards and other facilities for public recreation; providing for the management and government of such districts; authorizing such districts to incur bonded indebtedness and to levy and collect taxes to pay the principal and interest on bonds and for carrying out the purposes of this act; and providing for the powers of such districts; and imposing certain duties and functions in connection with such districts upon certain county officers; and providing that this act shall take effect immediately;

Also Assembly Bill No. 1739—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to and defining employees, excluding from the provisions of the act persons receiving sustenance from religious, charitable or relief organizations; and also to add a new section, to be numbered 12½ to said act, relating to the computation of the earnings of employees engaged on unemployment work relief programs;

Also Assembly Bill No. 1765—An act to add two new sections to the Political Code to be numbered 3663a and 3663b and to amend section 3692 of said Code, all relating to the powers and duties of the State Board of Equalization and making an appropriation for the support of said board in the discharge of such duties;

Also: Assembly Bill No. 1929—An act making an appropriation to pay the claim of C. D. Plum against the State of California,

Also: Assembly Bill No. 1936—An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California;

Also: Assembly Bill No. 2208—An act to amend sections 3366 and 4041.14 of the Political Code, relating to the licensing of businesses by the counties;

Also: Assembly Bill No. 2251—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter to be numbered 5a and to include sections 1260 and 1260.8, inclusive, pertaining to the control of insect pests in grain warehouses;

Also: Assembly Bill No. 2306—An act to amend section 4.377 of the School Code relating to school district tax rates, declaring the urgency thereof, and providing that this act shall take effect immediately.

Also. Assembly Bill No. 2314—An act to amend section 3671d and to repeal sections 3671c and 3713 of the Political Code, relating to taxation;

Also: Assembly Bill No 2345—An act making an appropriation for the support of junior college districts;

Also Assembly Bill No. 2426—An act to amend sections 172 and 172a of the Penal Code, relating to selling, giving away or exposing for sale of intoxicating liquors,

Also: Assembly Bill No 2430—An act expressing the assent of the State of California to the provisions relating to emergency construction of public highways and related projects of Title II of the National Industrial Recovery Act, declaring the policy of the State of California in respect thereto and, for the purpose of effectuating such policy, making provisions concerning the powers of public officers and concerning highway construction contracts and labor thereon, making an appropriation therefor, providing for the suspension of inconsistent laws, and declaring the urgency thereof;

Also Assembly Bill No 2432—An act to extend to production, manufacture, trade and commerce conducted within the State of California the provisions of Title I of an act of Congress entitled "An act to encourage National industrial recovery, to foster fair competition, to provide for the construction of certain useful public works, and for other purposes," commonly known as the National Industrial Recovery Act; to provide for the enforcement thereof as so extended; to declare the urgency of this act and to provide that this act shall take effect immediately,

Also Assembly Bill No. 2433—An act to amend section 737a of the Political Code, relating to the salary of each of the judges of the superior court in and for the county of Alameda;

Also: Assembly Bill No. 2421—An act to amend section 6¾ of the Inheritance Tax Act, relating to exemptions and rates of tax;

Also. Assembly Bill No. 2437—An act to amend sections 1 and 4 of an act entitled "An act for the taxation of Massachusetts or business trusts," approved May 1, 1933, making an appropriation therefor and providing that this act shall take effect immediately;

Also Assembly Bill No. 2440—An act to add a new section to the Political Code to be numbered 3714b, relating to expenditures of counties, cities and counties, municipalities, districts or other political subdivisions of the State, declaring the urgency thereof and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 2400—An act to authorize the adoption and approval of State codes of fair competition for certain trades, industries, or subdivisions thereof, for which no code of fair competition is approved, prescribed or issued under that act of Congress commonly known as the National Industrial Recovery Act, approved June 16, 1933, and to which trades, industries or subdivisions thereof the provisions of no code of fair competition which is approved, prescribed or issued under said act of Congress have been made applicable by any law of this State, to provide for the enforcement of the provisions of any State code of fair competition approved as in this act provided, to provide penalties for the violation of the provisions hereof, to declare the urgency of this act and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 2429—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 2442—An act to amend Chapters I and II of Part I of Division IV of the School Code, Chapters II and III of Part II of Division IV thereof, sections 4.52, 4.56, 4.270, 4.785, 4.786 6.383 and 6.384 thereof; to add a new Article IV to Chapter II of Part IV of Division IV thereof, a new Article Ia to Chapter III of Part IV of Division IV thereof and sections 3.611, 3.612, 4.705, 4.787 and 4.788 thereto; and to repeal Chapter VII of Part I of Division IV thereof, and Articles IV, V, and VII of Chapter II of Part IV of Division IV thereof, Article II of Chapter III of Part IV of Division IV thereof, and sections 3.321, 3.322, 3.323, 3.324, 3.339, 4.223, 4.784, 4.891-1, 4.891-2, 4.896 and 4.898 thereof, all relating to the public school system, declaring the urgency thereof, and providing that this act shall go into effect immediately;

Also: Assembly Bill No 259—An act providing for the construction, operation and maintenance of a system of works, designated as the Central Valley Project, for the conservation, development, distribution and utilization of water, and the production, distribution and utilization of electric energy; approving and authorizing said Central Valley Project; providing for the sale and disposition of water and power made available by said project; defining and prescribing the units or parts of said project; also defining the prerequisite conditions under which said project shall be constructed; defining the duties and powers of the Department of Public Works, the Director of Public Works, the State Engineer, the State Controller and the State Treasurer in relation to said project; creating a Water Project Authority

and defining its duties and powers in relation to said project; providing for cooperation with the United States of America in constructing and financing the construction of said project; authorizing the Water Project Authority to exercise the power of eminent domain for necessary purposes in connection with the construction, operation and maintenance of said project; expressing the consent of the State to the use and occupation of certain rights of way; providing that any expense resulting from interference with State property or State activities caused by the construction, operation or maintenance of said project shall be paid otherwise than from funds established and created for the purposes of this act; authorizing any State agency or the State or any department, board, commission, bureau, division or office thereof to advance or contribute money or property for the purposes of the act and providing for the repayment therefor; authorizing certain organizations to contract with the Water Project Authority for the purchase or use of water and power; authorizing the issuance and sale of revenue bonds in an amount not to exceed the sum of one hundred seventy millions of dollars for the purpose of defraying the cost of construction of said project, providing for the payment of such bonds with the interest thereon; and providing for the creation of a Central Valley Water Project construction fund and a Central Valley Water Project revenue fund in the State treasury;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of July, 1933, at three o'clock p.m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to which was referred Assembly Bill No. 2401—An act to provide for the postponement of the collection of assessments levied to pay principal or interest due on bonds issued under the authority of the Acquisition and Improvement Act of 1925 during the existence of an economic emergency—which bills were vetoed by the Governor, and not sustained by the Assembly and the Senate, has, in accordance with the provisions of section 311 of the Political Code, presented the same to the Governor this twenty-sixth day of July, 1933, at three o'clock p m

PATTERSON, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 59—Relative to adjournment;

Also: Assembly Concurrent Resolution No. 60—Relative to protection to blind persons;

Also: Assembly Concurrent Resolution No. 62—Relating to the students of the Pacific Coast Band and Orchestra Camp;

Also: Assembly Concurrent Resolution No. 63—Approving one certain amendment to the charter of the city of Pomona, in the county of Los Angeles, State of California, voted for and ratified by the electors of the said city at a special election held therein on the nineteenth day of July, 1933;

Also: Assembly Concurrent Resolution No. 65—Providing for the appointment of a committee to investigate desired changes in the manner of holding sessions of the Legislature;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of July, 1933, at three o'clock p m.

PATTERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 37—Relative to Federal loans on agricultural lands within the State of California;

Also Assembly Joint Resolution No. 38—Relative to Federal land bank loans and land bank commissioner's loans;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of July, 1933, at three o'clock p.m.

PATTERSON, Chairman.

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No 170—An act to regulate the transportation, sale or possession, within the State of fish meal, fish flour, fish oil, canned, packed or processed fish or fishery products,

Also: Assembly Bill No. 171—An act to amend section 3 of an act entitled "An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and preservation of the fish in the waters of the State of California" relating to regulations of the Fish and Game Commission;

Also: Assembly Bill No. 250—An act to amend sections 692, 693, 694, 695 and 696 of the Fish and Game Code, relating to striped bass;

Also: Assembly Bill No. 372—An act to amend section 1151 of the Fish and Game Code, relating to hunting and fishing at night;

Also: Assembly Bill No. 385—An act to add section 429.5 to the Fish and Game Code, relating to fishing licenses;

Also: Assembly Bill No. 386—An act to amend an act entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved May 27, 1927, as amended, by adding a new section thereto to be numbered 8a, relating to sporting fishing licenses;

Also: Assembly Bill No. 425—An act to prevent all persons not eligible to citizenship in the State of California, or in the United States of America, from catching or taking fish or shellfish in the waters of the State of California;

Also: Assembly Bill No. 586—An act to amend sections 951 and 952, and to repeal sections 953 to 958 inclusive of the Fish and Game Code, relating to nets;

Also: Assembly Bill No. 748—An act to amend sections 1152 and 1410 of the Fish and Game Code, and to add thereto sections 491.5 and 743, relating to the shooting or harpooning of birds, mammals or fish, and the sale and transportation of fish;

Also: Assembly Bill No. 799—An act to amend section 1343 of the Fish and Game Code, relating to sea lions and seals;

Also: Assembly Bill No. 833—An act to amend section 924 of the Fish and Game Code, and to add thereto section 920.5, relating to nets;

Also: Assembly Bill No. 848—An act to regulate the transportation, sale or possession, within the State of fish meal, fish flour, fish oil, canned, packed or processed fish or fishery products;

Also: Assembly Bill No. 849—An act to amend section 3 of Chapter 197, Statutes of 1909, entitled "An act to amend 'An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and conservation of the fish in the waters of the State of California,'" relating to regulations of the Fish and Game Commission;

Also: Assembly Bill No. 935—An act to add a new section to the Political Code to be numbered 1034, relating to State officers and employees;

Also: Assembly Bill No. 1052—An act to add a new section to the Fish and Game Code, to be numbered 742, relating to swordfish;

Also: Assembly Bill No. 1178—An act to amend sections 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, and 596 of the Fish and Game Code, to add a new section thereto to be numbered 580, and to amend and renumber section 580 to be section 580.5;

Also: Assembly Bill No. 1251—An act to amend section 991 of the Fish and Game Code, relating to commercial fishing licenses;

Also: Assembly Bill No. 1252—An act to amend section 698 of the Fish and Game Code, relating to black bass;

Also: Assembly Bill No. 1258—An act to amend section 374a of the Penal Code, relating to the dumping of garbage in the navigable or territorial waters of this State;

Also: Assembly Bill No. 1283—An act to amend section 1272 of the Fish and Game Code, and to add thereto a new section to the Fish and Game Code, to be numbered 1272.5, relating to deer;

Also: Assembly Bill No. 1285—An act to amend the Fish and Game Code by amending sections 651, 652, 653 and 655 thereof, and by adding thereto a new section to be numbered 490.5, relating to the taking of fish with spears;

Also: Assembly Bill No. 1286—An act to add three new sections to the Fish and Game Code to be numbered 170, 171 and 172, relating to fish and game districts; refuges;

Also: Assembly Bill No. 1308—An act for the preservation of the fur-bearing wild animals of the State, regulating the taking and the killing thereof, defining the powers and duties of the Fish and Game Commission in relation thereto, and prescribing the penalties for violations of the provisions thereof;

Also: Assembly Bill No. 1419—An act to repeal section 1412 of the Fish and Game Code, relating to fines and penalties;

Also: Assembly Bill No. 1456—An act to amend sections 3 and 5 of Chapter 551, Statutes of 1919, entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish markets must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as

amended, relating to the use of sardines in reduction plants, the percentage of waste allowed and the powers of the Fish and Game Commission,

Also: Assembly Bill No. 1457—An act to amend section 5, of Chapter 551, Statutes of 1919, entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish and other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish markets must conform, to make regulations to insure the proper handling and delivery of fish or fishery products to canners preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act." approved May 25, 1919, relating to the canning of sardines;

Also: Assembly Bill No. 1508—An act to amend section 68 of the Fish and Game Code, relating to fish and game districts;

Also: Assembly Bill No. 1511—An act to amend section 62 of the Fish and Game Code, relating to fish and game districts;

Also: Assembly Bill No. 1512—An act to add a new section to the Fish and Game Code to be numbered 1271.5, relating to deer;

Also: Assembly Bill No 1513—An act to add a new section to the Fish and Game Code to be numbered 67 5, relating to fish and game districts;

Also: Assembly Bill No. 1514—An act to amend section 630 of the Fish and Game Code, relating to trout and whitefish;

Also: Assembly Bill No. 1516—An act to amend sections 789 and 791 of the Fish and Game Code, relating to crabs,

Also: Assembly Bill No 1524—An act to amend section 629 of the Fish and Game Code, relating to trout and whitefish;

Also: Assembly Bill No. 1525—An act to amend section 1250 of the Fish and Game Code and to add thereto section 1342.5, relating to elk, mountain sheep, and other mammals;

Also: Assembly Bill No. 1534—An act to amend section 925, and to repeal section 927 of the Fish and Game Code, relating to nets;

Also: Assembly Bill No. 1538—An act to amend section 972 of the Fish and Game Code, relating to the use of troll lines or hand lines;

Also: Assembly Bill No. 1539—An act to repeal sections 903 and 904 of the Fish and Game Code, relating to nets;

Also: Assembly Bill No 1540—An act to add section 745 to the Fish and Game Code, relating to yellowtail;

Also: Assembly Bill No. 1541—An act to amend section 925 of the Fish and Game Code, relating to nets;

Also: Assembly Bill No 1542—An act to amend sections 1204 and 1209 of the Fish and Game Code, relating to ducks and geese;

Also: Assembly Bill No. 1544—An act to add section 1063 6 to the Fish and Game Code, and to repeal sections 1066 to 1071, inclusive, thereof, relating to sardines;

Also: Assembly Bill No 1575—An act to add section 792 5 to the Fish and Game Code, relating to abalones;

Also: Assembly Bill No 1751—An act to amend sections 1060 1410 of the Fish and Game Code, and to add thereto sections 481 6 842 6, 842 7 1064 6 and to add Article 1-A to Chapter 5, Part 2, Division IV, embracing sections 1000 and 1001, relating to fish and game;

Also: Assembly Bill No 1764—An act to amend sections 879 and 882 of the Fish and Game Code, relating to nets;

Also: Assembly Bill No 1783—An act to amend section 651 of the Fish and Game Code, relating to salmon;

Also: Assembly Bill No 1784—An act to amend section 654 of the Fish and Game Code, relating to salmon;

Also: Assembly Bill No 1786—An act to add a new section to the Fish and Game Code to be numbered 1217, relating to pheasants;

Also: Assembly Bill No 1817—An act to amend sections 651, 654 and 659 of the Fish and Game Code, and to add thereto sections 658 5 and 658 6, relating to salmon;

Also: Assembly Bill No 1825—An act to amend section 325 of the Fish and Game Code, to amend section 330 to be section 327, section 331 to be section 328, to amend and renumber section 332 to be 329, to amend and renumber section 327 to be 330, to renumber section 328 to be 331, and to amend and renumber section 329 to be section 332, relating to game farms, game refuges, and public shooting grounds,

Also: Assembly Bill No 1828—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission;

Also: Assembly Bill No 1829—An act to repeal sections 330, 331 and 332 of the Fish and Game Code, relating to the public shooting grounds advisory committee;

Also: Assembly Bill No 1877—An act to renumber section 1170 of the Fish and Game Code, to be 1170.5 and to add a new section thereto to be numbered 1170;

Also: Assembly Bill No. 1896—An act to add section 1417 to the Fish and Game Code, relating to prosecutions for violations of said code;

Also: Assembly Bill No 2117—An act to amend section 11 of the act entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved May 27, 1927, relating to the game refuge and public shooting grounds advisory committee and defining the powers and duties thereof;

Also: Assembly Bill No. 2188—An act to amend sections 691, 692, 694, 696, 865, 880, 881, 972 and to repeal section 719 of the Fish and Game Code, relating to fish and game;

Also: Assembly Bill No. 2228—An act to amend section 653 of the Fish and Game Code, relating to salmon;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ZION, Chairman.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 398—An act to repeal the act entitled "An act creating a game refuge within a certain fish and game district in El Dorado County, providing for the protection thereof and providing penalties for violations of this act," approved June 19, 1931;

Also: Senate Bill No. 528—An act to amend section 1272 of the Fish and Game Code, and to add thereto a new section to the Fish and Game Code to be numbered 1272 6, relating to deer;

Also: Senate Bill No. 918—An act to add section 798 5 to the Fish and Game Code, relating to abalones;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ZION, Chairman.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 50—An act to add sections numbered 570 1 to 570.6, both inclusive, to the Code of Civil Procedure of California to provide for an officer of the superior court in counties having a population of 900,000 and over to be known as public receiver;

Also: Assembly Bill No. 61—An act to repeal "An act to provide for police courts in cities having fifteen thousand and under eighteen thousand inhabitants," approved March 31, 1891;

Also: Assembly Bill No. 62—An act to repeal "An act to provide for the compensation of the chief and captain of police and police officers, in cities in the State of California, containing not less than ten thousand and not exceeding twenty-five thousand inhabitants," approved March 23, 1893;

Also: Assembly Bill No. 97—An act to repeal section 1b of the Water Commission Act;

Also: Assembly Bill No. 108—An act to repeal "An act to prohibit the issuance of licenses to aliens not eligible to become electors of the State of California," approved April 12, 1880;

Also: Assembly Bill No 109—An act to repeal "An act to provide for the organization, incorporation, and government of merged and consolidated cities and counties of more than one hundred thousand population, pursuant to the provisions of section 7, Article XI, of the Constitution of this State," approved April 24, 1880;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LEVEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 113—An act to amend sections 377b and 377e of the Political Code, relating to divisions of and boards subject to the Department of Professional and Vocational Standards;

Also: Assembly Bill No. 114—An act to repeal the California Barber Law;

Also: Assembly Bill No. 576—An act to amend section 737ddd of the Political Code, relating to the salary of the judge of the superior court in and for the county of Ventura;

Also: Assembly Bill No. 410—An act to amend section 4013 and section 4180 of the Political Code, relating to county officers and official reporters of the superior court;

Also: Assembly Bill No. 242—An act to amend section 736b and to repeal sections 737a to 737fff, inclusive, of the Political Code, relating to salaries of judges of the superior court;

Also: Assembly Bill No. 976—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class;

Also: Assembly Bill No. 115—An act to amend section 737s of the Political Code, relating to salaries of the judges of the superior court in the county of Los Angeles;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LEVEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 120—An act to repeal Article XIo of Chapter 3 of Title I of Part III of the Political Code, embracing sections 378 to 378g inclusive, relating to a bureau of commerce in the State Department of Finance;

Also: Assembly Bill No. 121—An act to amend sections 3746 and 3756 of the Political Code, relating to times for payment of taxes;

Also: Assembly Bill No. 127—An act to repeal sections 378, 378a, 378b, 378c, 378d, 378e, 378f, and 378g of the Political Code, relating to the Bureau of Commerce and providing for the disposition of property in the custody of the bureau;

Also Assembly Bill No. 158—An act to amend sections 3746, 3751, 3756, 3759, 3817, and 3817a of the Political Code, and to add a new section thereto to be numbered 3757, all relating to payment of property taxes and delinquency and redemption penalties;

Also: Assembly Bill No. 243—An act to amend section 737s of the Political Code, relating to salaries of judges of the superior court;

Also: Assembly Bill No. 267—An act to abate salaries of State officers and employees in cases where such party receives a pension or retirement allowance from a political subdivision or municipal corporation;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LEVEY, Chairman.

Also:

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 269—An act to provide a six-hour day and five-day week for State employees;

Also: Assembly Bill No 314—An act to amend section 737s of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Los Angeles;

Also: Assembly Bill No. 332—An act to amend sections 1 and 2 of an act entitled "An act relating to commitments to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the superior court judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the counties from which their children are committed," approved March 26, 1895, Statutes of 1895, page 122. (6083 Deering's General Laws)

Also: Assembly Bill No. 348—An act to provide for the operation and maintenance of storage garages for state-owned vehicles, the pooling of vehicles in general use, and the placing of the State seal on each vehicle, and to provide that the use of state-owned vehicles for other than official purposes shall constitute a misdemeanor;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LEVEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 349—An act to repeal an act entitled "An act creating the office of Chief of the Division of Narcotic Enforcement, providing for appointment to, powers and duties of such office, making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to provide for the establishment and maintenance of a Division of Narcotic Enforcement under the direction and control of the State Board of Pharmacy,' approved May 17, 1927," approved April 30, 1929, and to transfer to the State Board of Pharmacy all powers, duties and functions of the Chief of the Division of Narcotic Enforcement;

Also: Assembly Bill No. 352—An act to repeal an act entitled "An act creating the California Crime Commission, defining its duties and making an appropriation for its expenses, and repealing all acts and parts of acts in conflict with this act," approved May 28, 1929;

Also: Assembly Bill No. 357—An act to repeal sections 378, and 378a to 378g, inclusive, of the Political Code, relating to the Bureau of Commerce, and to provide for the disposition of the records and files of such bureau;

Also: Assembly Bill No. 363—An act to amend section 376a of the Political Code, relating to the office of Director of Penology;

Also: Assembly Bill No. 378—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, relating to the disposition of the funds collected thereunder,

Has had the same under consideration, and respectfully reports the same back without recommendation.

LEVEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 397—An act to regulate the administration of State bonds;

Also: Assembly Bill No. 419—An act repealing Chapter 487, Statutes of 1931, entitled "An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor," approved May 28, 1931;

Also: Assembly Bill No. 495—An act to amend section 472 of the Political Code, and to add a new section to said code, to be numbered 472a, relating to the powers, duties and payment of the Attorney General with respect to legal services for State departments, divisions, commissions, bureaus, boards, offices, and institutions;

Also: Assembly Bill No. 512—An act to add a new section to the Political Code to be numbered 433a, relating to the powers and duties of the State Controller;

Also: Assembly Bill No. 541—An act to amend section 737e of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Calaveras;

Also: Assembly Bill No. 731—An act to amend sections 384 and 385 of the Political Code, relating to the salaries of the Governor and the secretaries to the Governor;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LEVEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 776—An act to amend section 758 of the Political Code, relating to employees of District Courts of Appeal;

Also: Assembly Bill No. 787—An act to amend section 737y of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Modoc;

Also: Assembly Bill No. 791—An act to amend section 737r of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Lassen;

Also: Assembly Bill No. 808—An act to amend section 363c of the Political Code, relating to the transfer of powers, duties, and the jurisdiction of the California Highway Commission to the Department of Public Works and the abolition of the California Highway Commission;

Also: Assembly Bill No. 821—An act providing for the payment of the necessary and reasonable expenses of boards of freeholders elected to propose and prepare charters;

Also: Assembly Bill No. 869—An act to amend sections 3714 and 4041.2 of the Political Code, relating to accounting, auditing and budget control in cities, counties, cities and counties, districts and other political subdivisions;

Has had the same under consideration, and respectfully reports the same back without recommendation

LEVEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 967—An act to amend sections 360b, 360c, 361, 363, 363a, 364, 364b, 366, 367b, 372a, 373, 373b, 374a, 376a, 377a, 378a, 589, and 655 of the Political Code, relating to salaries of public officers of the State of California;

Also: Assembly Bill No 968—An act to amend sections 736 and 736a of the Political Code, relating to salaries of the justices of the Supreme Court and District Courts of Appeal,

Also: Assembly Bill No. 975—An act to amend section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the organization of municipal courts in cities or cities and counties of the first and one-half class;

Also: Assembly Bill No. 798—An act to amend section 385 of the Political Code, relating to the Governor's secretaries and other assistants;

Also Assembly Bill No 885—An act to add section 736c to the Political Code, relating to the vacations and compensations of superior court judges;

Also: Assembly Bill No 886—An act to add section 22a to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the vacations and compensation of municipal judges;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LEVEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 946—An act authorizing counties to assume and discharge certain municipal functions relating to police departments and criminal prosecutions, providing for transfers of employees and adjustment of pensions, and authorizing cities to surrender such functions to counties and to enter into contracts in relation thereto;

Also: Assembly Bill No. 947—An act to make labor claims preferred to material and other claims against bonding companies and money in the hands of the awarding or public body or officer on all public work done by contract and to insure their prompt payment,

Also: Assembly Bill No. 958—An act to amend section 120 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, relating to the salary of Superintendent of Banks;

Also: Assembly Bill No 959—An act to amend section 3 of the Workmen's Compensation, Insurance and Safety Act, approved May 26, 1913, relating to the salary of members of the Industrial Accident Commission;

Also Assembly Bill No. 960—An act to amend section 10 of an act entitled the "Public Utilities Act," approved April 23, 1915, relating to the salaries and expenses of the Railroad Commissioners,

Also: Assembly Bill No. 961—An act to amend section 3 of an act entitled "California Real Estate Act," approved May 27, 1919, relating to the salary of Real Estate Commissioner;

Also: Assembly Bill No 904—An act to amend section 364b of the Political Code, relating to the Industrial Accident Commission;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LEVEY, Chairman.

Also:

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 962—An act to amend section 2 of an act entitled "An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the 'building and loan inspection fund' created by Chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations," approved June 12, 1931, relating to salary of Building and Loan Commissioner;

Also: Assembly Bill No. 963—An act to amend sections 21 and 22 of the Corporate Securities Act, approved May 18, 1917, relating to the salaries of corporation commissioner and attorney;

Also: Assembly Bill No. 964—An act to amend section 4 of an act entitled "An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor," approved May 28, 1931, relating to the salary of members of the Board of Prison Terms and Paroles;

Also. Assembly Bill No. 965—An act to amend section 21 of the California Barber Law, approved May 31, 1927, relating to salary of members of the Board of Barber Examiners;

Also. Assembly Bill No. 966—An act to amend section 4 of an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purposes of this act," approved June 10, 1915, relating to the salary of attorney;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LEVEY, Chairman

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy to which was referred Assembly Bill No. 1117—An act to amend the Code of Civil Procedure by adding thereto a new section to be numbered 270a, relating to appointment, qualification and compensation of official reporters and reporters pro tempore of the superior court in counties having a population of nine hundred thousand or more;

Also: Assembly Bill No. 1131—An act to provide for the payment of not less than the general prevailing rate of wages and not less than the general prevailing rate of wages for legal holidays and overtime work for compositors, bookbinders, pressmen and assistants employed in the State Printing Office;

Also Assembly Bill No. 1158—An act to amend sections 376b, 376d, and 370f of the Political Code, and to repeal sections 376a and 376e of said code, relating to the Department of Penology;

Also: Assembly Bill No. 1241—An act to provide for, and to govern the incorporation, management and control of cooperative exchange associations, and to regulate the issuance, circulation and redemption of evidences of commodity ownership of service credits, among members, and to prescribe the methods of record and accounting for such associations, and generally to provide for their operation and control;

Also: Assembly Bill No. 1255—An act to amend section 373f of the Political Code, relating to officers under the Department of Natural Resources;

Also. Assembly Bill No. 1606—An act to amend the heading of Article XIo of Chapter III of Title I of Part III of the Political Code, and to amend sections 378 to 378g, inclusive, of said code, relating to the Department of Commerce;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LEVEY, Chairman

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1678—An act to repeal an act entitled "An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the chairman of the Judicial Council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments," approved May 20 1927,

Also: Assembly Bill No. 1748—An act to amend an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended, and providing for the creating a Board of Wage Review for the purpose of readjusting existing minimum

wage schedules relating to the employment of women when economic conditions arise incident to conditions in industries or occupational classifications where such readjustment would tend to spread work to embrace a greater number of individuals;

Also: Assembly Bill No. 1789—An act to amend section 737naa of the Political Code, relating to the compensation of the judge of the superior court of Trinity County;

Also: Assembly Bill No. 1790—An act to amend section 737ff of the Political Code, relating to the compensation of the judge of the superior court of Plumas County;

Also: Assembly Bill No. 1909—An act to amend section 737x of the Political Code, relating to the salary of the judge of the superior court in and for the county of Merced;

Also: Assembly Bill No. 1962—An act to amend an act entitled "An act to prohibit the employment of aliens by contractors and subcontractors on all public work, except in certain cases of extraordinary emergency, providing for the reporting of such cases of extraordinary emergency and the keeping of records of the citizenship of workers employed upon public work and the inspection of such records by the proper officials, providing for a forfeiture for each calendar day, or portion thereof, any alien is knowingly permitted to work on public work and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relating to subcontractors;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LEVEY, Chairman

Also:

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1968—An act fixing the minimum rate of compensation for labor on public work;

Also: Assembly Bill No. 2075—An act to limit the election or employment of the spouse or minor child of any person holding an elective position in the State or in any political subdivision thereof;

Also: Assembly Bill No. 2079—An act to add a new section to the Code of Civil Procedure, to be known as section 173, prohibiting the practice of law by attorneys employed on full time in the office of the Attorney General of the State of California and in the offices of the district attorneys and of public defenders and of city prosecutors and in the offices of other public officials throughout the State of California;

Also: Assembly Bill No. 2107—An act to amend section 737cc of the Political Code, relating to the salary of the judge of the superior court in and for the county of Nevada;

Also: Assembly Bill No. 2170—An act to amend section 779 of the Political Code;

Also: Assembly Bill No. 2171—An act to amend section 778 of the Political Code;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LEVEY, Chairman.

Also:

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 2177—An act to amend section 737rr of the Political Code, relating to the judge of the superior court in and for the county of Santa Cruz;

Also: Assembly Bill No. 2182—An act to amend section 737ii of the Political Code, relating to the judge of the superior court in and for the county of San Benito;

Also: Assembly Bill No. 2197—An act to amend section 737pp of the Political Code, relating to the salary of the judge of the superior court in and for the county of Santa Barbara;

Also: Assembly Bill No. 2257—An act to amend sections 737fff and 737yy of the Political Code, relating to the salaries of superior court judges;

Also: Assembly Bill No. 2277—An act to amend section 653c of the Penal Code, relating to working conditions on public works, and declaring the urgency thereof;

Also: Assembly Bill No. 1913—An act authorizing the creation of police protection districts in unincorporated territory within a county;

Also: Assembly Bill No. 2006—An act to amend section 759 of the Political Code, relating to reporters for the District Court of Appeal;

Also: Assembly Bill No. 2260—An act to add section 736d to the Political Code, relating to judges of the superior court;

Also: Assembly Bill No. 2370—An act to amend section 852 of, and to add sections 852a and 852b to, the Political Code, relating to the location of certain State offices and the residence of certain State officers in the city of Sacramento;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LEVEY, Chairman.

Also:

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Concurrent Resolution No. 31—Relative to the substitution of the use of machinery for manual labor,

Also, Assembly Bill No. 535—An act to amend sections 2, 3, 6, 7, 8, 9, 12, 13, 14, 17, 18, 19 and 21, and to add two new sections to be numbered 18a and 21a, to the "Act Concerning Cosmetology," relating to the practice and teaching of cosmetology;

Also, Assembly Bill No. 1967—An act to amend the title and sections 1, 2 and 3 and to add a new section to be numbered 2½ to an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, by providing that said wage rates shall apply only on the work at the job site, defining who shall determine the occupation of the laborer, workman or mechanic, providing a method of appeal from any and all decisions hereunder, and providing for the approval of certain wage rates by the State Board of Control;

Also, Assembly Bill No. 2291—An act to add a new article, to be numbered VIII, consisting of sections 2.1471 to 2.1473, inclusive, to Chapter II of Part V of Division II of the School Code, relating to the State Commission for the Blind;

Also: Assembly Bill No. 1231—An act to define and regulate the practice of shorthand reporting, creating a State Board of Shorthand Reporting, and providing for its powers and duties; providing for the examination and certification of shorthand reporters, with the designation of "certified shorthand reporter", providing for the reporting, taking, and certifying of depositions by certified shorthand reporters; and prescribing penalties for violations of this act and to repeal section 270 of the Code of Civil Procedure;

Has had the same under consideration, and respectfully reports the same back without recommendation

LEVEY, Chairman.

Also,

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Concurrent Resolution No. 19—Requesting and directing the State Board of Control to take such steps as are necessary to reduce the number of State-owned motor vehicles now in use, to prevent the use of State-owned motor vehicles for purposes other than the official business for the State of California, and to standardize for State use a less costly type of automobile than is now being used by the State;

Also: Senate Bill No. 23—An act to repeal Article XIo of Chapter III, Title I, Part III of the Political Code, embracing sections 378 to 378g, relating to the Bureau of Commerce;

Also: Senate Bill No. 257—An act to amend section 737cc of the Political Code, relating to the compensation of the judge of the superior court, Nevada County,

Also: Senate Bill No. 637—An act to amend section 737y of the Political Code, relating to the salary of the judge of the superior court in and for the county of Modoc;

Also: Senate Bill No. 771—An act to amend section 274 of the Code of Civil Procedure, relating to the fees of phonographic reporters,

Also, Senate Bill No. 1028—An act relating to the leasing of the Napa State Farm;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LEVEY, Chairman.

Also:

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 484—An act to add a new section to the Political Code to be numbered 363a½, relating to the powers and duties of the Department of Public Works;

Also: Senate Bill No. 424—An act to amend section 2528 of the Political Code, relating to moneys received or collected or coming into the possession of the Board of State Harbor Commissioners and the disposition and expenditure thereof;

Also Assembly Bill No. 828—An act to amend sections 4200, 4210 and 4786 of the School Code, to repeal Article III of Chapter II of Part II of Division IV of said code, embracing sections 4180 and 4181, and to repeal sections 4771, 4772, 4773, 4782, 5137, 5470 and 5471 of said code, relating to supervisors and the county elementary school supervision fund;
Has had the same under consideration, and respectfully reports the same back without recommendation.

LEVEY, Chairman.

ON GOVERNMENTAL REVENUE AND EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933

MR. SPEAKER: Your Committee on Governmental Revenue and Expenditures, to which was referred Assembly Bill No 79—An act to repeal "An act for the payment of fees due to trial jurors, who have served as such in the superior court of any county, or city and county, of this State, under the act of 1895," approved March 23, 1901;

Also: Assembly Bill No 383—An act to amend sections 3746, 3756, and 3759 of the Political Code, relating to installments of property taxes, and the dates of payment and delinquency thereof;

Also: Assembly Bill No. 994—An act to amend section 3366 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax;
Has had the same under consideration, and respectfully reports the same back without recommendation.

GRUBBS, Chairman.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, July 20, 1933

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No 19—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to the amount of compensation payable thereunder;

Also: Assembly Bill No 168—An act to amend section 30 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, relating to liability for workmen's compensation;

Also: Assembly Bill No 288—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to employees subject to said act;

Also: Assembly Bill No 561—An act to amend sections 2756 and 2757 of the Civil Code and to add a new section thereto, to be numbered 2758, all relating to measure of indemnity in fire insurance policies;

Also: Assembly Bill No. 647—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to the extent and amount of compensation to be paid thereunder;

Also: Assembly Bill No. 648—An act to amend section 3 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to definitions of terms used in the act;

Also: Assembly Bill No. 649—An act to amend section 40 of the Workmen's Compensation, Insurance and Safety Act relating to the fixing of insurance rates for the State Compensation Fund;

Also: Assembly Bill No 650—An act to add a new section to be numbered 14a to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to statements of dependency thereunder;
Has had the same under consideration, and respectfully reports the same back without recommendation.

CRIST, Chairman.

Also: "

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No 651—An act to amend section 3 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to definitions of terms used therein;

Also Assembly Bill No. 652—An act to add a new section to be numbered section 29½ to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to misrepresentation in the procuring of compensation awards;

Also Assembly Bill No 653—An act to amend section 14 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to dependency in relation to death benefits under said act;

Also: Assembly Bill No. 695—An act declaring it unlawful for certain persons, associations, or corporations to engage in the business of selling, offering for sale or issuing contracts or certificates for medical service or other form of treatment for sickness or injury, without a license from the Insurance Commissioner, and deposit of cash, securities or surety bond guaranteeing performance of same, as therein provided; relating to and regulating medical and hospital and other service as therein defined and provided; and providing penalties for the violation thereof;

Also: Assembly Bill No. 732—An act to amend sections 2 and 3 of, and to add two new sections to be numbered sections 3a and 7b to, an act entitled "An act to define motor club service, and to define, license, and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles, and providing penalties for the violation thereof, and repealing all acts in conflict herewith," approved June 15, 1929, relating to the qualification, organization and operation of persons, firms, associations and corporations selling or rendering motor club service;

Also: Assembly Bill No. 901—An act to amend section 602b of the Political Code, relating to classification of workmen's compensation insurance risks and premium rates;

Also: Assembly Bill No. 902—An act to amend sections 38 and 47 of the Workmen's Compensation, Insurance and Safety Act, relating to workmen's compensation insurance issued by the State Compensation Fund;

Has had the same under consideration, and respectfully reports the same back without recommendation.

CRIST, Chairman.

Also:

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No 903—An act to add a new section, to be numbered 37a, to the Workmen's Compensation, Insurance and Safety Act, relating to administration of the State Compensation Insurance Fund,

Also, Assembly Bill No. 905—An act to add a new section to the Workmen's Compensation, Insurance and Safety Act, to be numbered 39a, relating to the issue of policies by the State Compensation Insurance Fund;

Also Assembly Bill No. 932—An act to provide a system of unemployment insurance, reserves and compensation for the State of California, making an appropriation therefor and providing penalties for the violation of this act;

Also: Assembly Bill No. 989—An act to amend section 611 of the Political Code, relating to the filing and publication of statements of insurance companies;

Also: Assembly Bill No 990—An act to amend section 612 of the Political Code, relating to what statements of insurance companies other than life insurance companies must show;

Also, Assembly Bill No. 991—An act to amend section 613 of the Political Code, relating to the statements of life, health and accident companies, and also relating to the statements of casualty and indemnity companies;

Also Assembly Bill No. 992—An act to amend section 617 of the Political Code, relating to penalty for failure to file statements required to be filed by sections 611, 612 and 613 of the Political Code;

Also: Assembly Bill No 993—An act to add a new section to the Political Code, to be numbered 633b-1, and providing that all premiums due on insurance policies must be paid directly to the insurer;

Has had the same under consideration, and respectfully reports the same back without recommendation.

CRIST, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1022—An act to amend section 1 and to repeal section 3 of an act entitled "An act to establish a standard form of fire insurance policy and to prevent variation therefrom, excepting under certain stated conditions and restrictions," approved March 18, 1909, relating to a standard form of fire insurance policy,

Also: Assembly Bill No. 1023—An act to add a new section, to be numbered 595c, to the Political Code, relating to qualifications of surety companies to do business in this State;

Also: Assembly Bill No. 1024—An act to amend section 1 of an act entitled "An act to establish a standard form of fire insurance policy and to prevent variations therefrom, excepting under certain stated restrictions," approved March 18, 1909, relating to appraisers under fire insurance policies;

Also Assembly Bill No 1026—An act to amend section 12 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to computation of the earnings of employees;

Also Assembly Bill No. 1027—An act to amend section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to proceedings of the commission with relation to findings and award of compensation and the jurisdiction thereof;

Also: Assembly Bill No. 1028—An act to amend section 37 of the Workmen's Compensation Act, relating to the State Compensation Insurance Fund;

Also: Assembly Bill No. 1029—An act to amend section 16 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to medical examination of employees;

Has had the same under consideration, and respectfully reports the same back without recommendation.

CRIST, Chairman.

Also:

MR SPEAKER Your Committee on Insurance, to which was referred Assembly Bill No. 1030—An act to amend section 602b of the Political Code, relating to Workmen's Compensation Insurance premium rates;

Also: Assembly Bill No. 1070—An act to amend Chapters IV and VI of Division I, Part IV, Title II, of the Civil Code for the following purposes.

1. To prevent the formation or licensing of any new associations or corporations under these chapters.

2. To subject associations or corporations formed under these chapters to the provisions of the general laws relative to insurance companies or corporations in so far as they are not in direct conflict with these chapters.

3 To require that any such association or corporation as shall promise any benefit not limited to the proceeds of one assessment or shall provide for the collection of stipulated premiums on definite dates shall hold such reserves as are found necessary to carry out the promises made

4 To require separation of expense and benefit funds and prevent the use for expenses of funds collected to pay benefits.

5. To provide a reasonable standard of solvency, for the manner of liquidation of insolvent associations and corporations and for relative rights of officers and directors and other creditors.

6. To require such associations or corporations when denying liability for any claim on the ground of misrepresentation to show affirmatively that the agent taking the application had no knowledge of such misrepresentation.

7. To make failure to hold reserves called for by this act a cause for restraining such an association or corporation from doing business;

Also: Assembly Bill No. 1071—An act to amend section 453e of the Civil Code, relating to corporations formed to carry on the business of mutual insurance upon the assessment plan;

Also: Assembly Bill No 1072—An act to amend section 1 of the act entitled "An act providing that any domestic society, organization or company, providing life insurance for its members or their beneficiaries upon the assessment plan, including any domestic fraternal benefit society organized or operating under the act entitled 'An act for the regulation and control of fraternal benefit societies,' approved May 1, 1911, as amended, may change into a corporation to transact a life insurance business as a legal reserve or legal premium company, not affecting existing suits, rights or contracts, for the protection of which business may be transacted of the kind transacted before reorganization, and for the protection of which a fund is to be created under conditions set forth herein," approved May 22, 1919;

Has had the same under consideration, and respectfully reports the same back without recommendation.

CRIST, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No 1073—An act to amend section 1 of the act entitled "An act to provide for a notice to be printed on the cover of the policies of all insurance companies, associations or societies relating to future assessments," approved June 6, 1913;

Also: Assembly Bill No. 1074—An act to define life and accident and health insurance on the assessment plan and to provide for the formation of corporations to conduct life and accident and health insurance on the assessment plan, for the government thereof, and for the licensing and regulation of their agents;

Also: Assembly Bill No. 1084—An act to amend section 1 of the act entitled "An act to prohibit insurance companies, associations, or societies, their agents, or any other person from misrepresenting the terms of any policy of insurance," approved June 7, 1915;

Also: Assembly Bill No. 1085—An act to provide for the protection of obligees under fidelity and surety bonds and undertakings issued or given and to be issued or given by companies authorized and to be authorized to transact the business of fidelity and surety insurance, against the default or insolvency of such companies, by requiring such companies to provide security for the payment of the sums payable to such obligees, to be known as "The Surety Deposit Act of the State of California",

Also: Assembly Bill No. 1086—An act to provide for the protection of beneficiaries of liability insurance policies against the default or insolvency of insurance carriers issuing such policies by requiring such carriers to provide security for the payment of claims under such policies;

Also: Assembly Bill No. 1090—An act to add a new section to the Civil Code of the State of California, to be numbered section 453z1, relating to title insurance;

Also. Assembly Bill No. 1092—An act to amend section 623 of the Political Code, relating to bonds to be given by insurance companies,
Has had the same under consideration, and respectfully reports the same back without recommendation.

CRIST, Chairman

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1093—An act to amend section 616 of the Political Code, relating to the designation of an agent and attorney for service of legal process, providing for service upon the Insurance Commissioner in the absence of such agent or attorney, and prescribing the fee in connection therewith,

Also: Assembly Bill No. 1097—An act to amend section 605 of the Political Code, relating to the fees payable to the Insurance Commissioner;

Also: Assembly Bill No. 1099—An act to amend section 597 of the Political Code, relating to examination of insurance companies and holding companies,

Also: Assembly Bill No. 1103—An act to amend section 594c of the Political Code, relating to the sale and issuance of securities of companies organized for the purpose of transacting an insurance business or to act as a holding company for any such company,

Also Assembly Bill No. 1104—An act to amend section 595 of the Political Code, relating to the duties of the Insurance Commissioner,

Also. Assembly Bill No. 1105—An act to amend section 633b of the Political Code, relating to insurance;

Also. Assembly Bill No. 1106—An act to add a new section to the Political Code to be numbered 633e, providing for the licensing of "Public Adjusters," and prescribing the requirements to be complied with in connection therewith and fees charged therefor;

Also: Assembly Bill No. 1107—An act to amend section 634a of the Political Code, defining the word "company" and the words "capital stock," as used in Title I of Part III of said code;
Has had the same under consideration, and respectfully reports the same back without recommendation.

CRIST, Chairman

Also.

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No 1140—An act to repeal section 653hh of the Civil Code, relating to land value insurance;

Also Assembly Bill No 1168—An act to amend section 3 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by making further provisions regarding aggravation of disease existing prior to injury;

Also. Assembly Bill No. 1169—An act to amend section 12 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to average earnings,

Also. Assembly Bill No 1531—An act to amend sections 12 and 55 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to workmen's compensation;

Also: Assembly Bill No 1632—An act to amend section 1714½ of the Civil Code, relating to negligence on the part of State officers, agents and employees of the State, counties, cities and counties, municipal corporations, the State Compensation Insurance Fund; irrigation districts, school districts, districts established by law and political subdivisions of the State, and authorizing the issuance of insurance covering such liability;

Also: Assembly Bill No. 1855—An act to regulate the classes of policies to be issued by carriers of life insurance;

Also: Assembly Bill No. 1856—An act to forbid the listing of securities by life insurers;
Has had the same under consideration, and respectfully reports the same back without recommendation.

CRIST, Chairman.

Also.

MR SPEAKER. Your Committee on Insurance, to which was referred Assembly Bill No. 1857—An act to regulate the benefits to be received under life insurance policies;

Also: Assembly Bill No. 1905—An act to provide for a system of compulsory unemployment insurance, reserves and compensation for the State of California,

Also: Assembly Bill No. 2001—An act to amend section 633b of the Political Code, relating to insurance premiums,

Also: Assembly Bill No. 2042—An act to amend section 625a of the Political Code, relating to surety companies,

Also: Assembly Bill No. 2202—An act to add a new section to the Penal Code to be numbered 535a, relating to insurance business;

Also: Assembly Bill No. 2247—An act in relation to contracts in restraint of the insurance business;
Has had the same under consideration, and respectfully reports the same back without recommendation.

CRIST, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 2262—An act to amend section 46½ of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to the Industrial Accident Commission;

Also. Assembly Bill No 2381—An act to add a new section to the Political Code, to be numbered 623a, to provide for the protection of beneficiaries of insurance policies and contracts against the default or insolvency of insurance or surety companies, reciprocal or interinsurance exchanges or associations issuing such insurance policies and contracts by requiring the giving of security therefor;

Also: Assembly Bill No. 2382—An act to amend section 623 of the Political Code, relating to the filing of bonds by insurance companies, and reciting the conditions of such bonds;
Has had the same under consideration, and respectfully reports the same back without recommendation.

CRIST, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 93—An act to repeal sections 4 and 72 of the California Irrigation District Act;

Also. Assembly Bill No. 95—An act to repeal "An act to recognize and declare valid the Madera Irrigation District and to approve and declare valid all proceedings on formation and organization of said district," approved May 4, 1921;

Also Assembly Bill No 604—An act to amend sections 3466, 3480 and 3480a of the Political Code, relating to penalties upon delinquent assessments levied in reclamation districts,

Also: Assembly Bill No. 759—An act to amend section 8 of the California Irrigation District Act, relating to qualifications for voting at irrigation district elections;

Also. Assembly Bill No. 1000—An Act to amend section 57 of "The California Irrigation District Act," relating to officers of irrigation districts;

Also. Assembly Bill No. 1188—An act to amend the California Irrigation District Act by amending section 32b thereof, relating to the procedure for the payment and retirement of funding or refunding bonds;

Also: Assembly Bill No 1187—An act to amend the California Irrigation District Act by adding a new section thereto to be designated as section 48b, relating to the application of proceeds derived from the leasing and sale of lands and from penalties upon delinquent assessments;

Also Assembly Bill No. 1189—An act to repeal section 11 of the California Districts Securities Commission Act, relating to when a district may be declared insolvent, control thereof by the Districts Securities Commission, the ordering of refunding bonds of a district,

Also: Assembly Bill No 1190—An act to amend the California Irrigation District Act by adding a new section thereto to be designated as section 32f, relating to the legal status of funding and refunding bonds issued pursuant to the provisions of said act,

Also Assembly Bill No. 1191—An act to amend section 44 of the California Irrigation District Act;

Also Assembly Bill No 1594—An act to amend the California Irrigation District Act by amending section 52 thereof, relating to the payment of matured bonds and matured interest coupons by providing for the pro rata payment thereof when funds are insufficient and for the redemption of bonds;

Also: Assembly Bill No. 1840—An act to amend sections 37f and 37h of the "Water Commission Act," approved June 16, 1913, relating to the costs of administration and distribution;

Also: Assembly Bill No. 1858—An act relating to irrigation districts having an area of five hundred thousand acres or more;

Also Assembly Bill No. 1859—An act relating to irrigation districts of the first class;

Also. Assembly Bill No. 1907—An act to amend sections 74, 75 and 78 of the California Irrigation District Act, relating to exclusion of lands;

Also Assembly Bill No. 2115—An act to add a new section to the Political Code of the State of California, to be known as section 3480a (1), relating to the legal status of refunding bonds issued by any reclamation district;
Has had the same under consideration, and respectfully reports the same back without recommendation.

FRAZIER, Chairman.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 180—An act to validate certain contracts of irrigation districts with the United States of America and all proceedings leading up to and including execution of such contracts and granting certain powers to districts which have executed such contracts and the officers thereof including the power to perform such acts as may be necessary to carry out the terms of any such contract;

Also: Senate Bill No 911—An act to provide for the classification of irrigation districts;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FRAZIER, Chairman.

ON BUILDING AND LOAN ASSOCIATIONS

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 433—An act to provide security for and guarantee the deposits in building and loan associations and to create a fund therefor, to provide for the assessment of building and loan associations, and to prescribe the duties of the Building and Loan Commissioner in relation thereto;

Also: Assembly Bill No. 555—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following, to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors, to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, by amending section numbered 4.01 thereof;

Also: Assembly Bill No 580—An act to regulate the sale of issued and outstanding shares, stock and investment certificates of building and loan associations; to regulate and supervise brokers and agents dealing in such shares, stock and investment certificates, and to prevent fraud in the sale thereof, and to provide for the enforcement of said act and penalties for the violation thereof;

Also Assembly Bill No 1921—An act to add section 10.03a to the Building and Loan Association Act, relating to building and loan associations;

Also: Assembly Bill No 1922—An act to add section 9.03 to the Building and Loan Association Act, relating to building and loan associations;

Also: Assembly Bill No 2133—An act to amend section 9.01, Article IX of an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising, to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931;

Also: Assembly Bill No 1427—An act to amend an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting

the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors, to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code; Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent therewith," being Statutes of 1931, p. 483, as approved May 5, 1931, by amending the title and adding section 13 21, providing for reorganizations agreed upon by eighty-five per cent of the creditors of any association in custody; Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBERTS, Chairman.

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 395—An act to repeal Chapter III of Part III of Division V of the School Code, embracing sections 5 500 to 5 521, inclusive, relating to classification of persons in positions requiring certification qualifications;

Also: Assembly Bill No. 461—An act to amend section 5 500 of the School Code of the State of California, relating to school employees;

Also: Assembly Bill No. 462—An act to amend sections 2 1520, 5.402, 5 404, 5.650, 5.651, 5 652, 5.653, 5.654, 5.655, 5.657, 5 658, 5 662 and 5.663 of the School Code, relating to public schools;

Also: Assembly Bill No. 547—An act to amend section 5.520 of the School Code, relating to substitute employees of school districts;

Also: Assembly Bill No. 577—An act to amend section 5.501 of the School Code, relating to permanent employees of school districts;

Also: Assembly Bill No. 1462—An act to amend section 5 405 of the School Code, relating to employment of persons for positions requiring certification qualifications in school districts;

Also: Assembly Bill No. 1463—An act to amend section 5.500 of the School Code, relating to classification of permanent employees of school districts;

Also: Assembly Bill No. 1464—An act to amend section 5 510 of the School Code, relating to probationary employees of school districts;

Also: Assembly Bill No. 1465—An act to amend section 5 520 of the School Code, relating to substitute employees of school districts;

Also: Assembly Bill No. 1466—An act to repeal section 5 521 of the School Code, relating to temporary employees of school districts;

Also: Assembly Bill No. 1917—An act to repeal Article II of Chapter VII of Part III of Division V of the School Code, embracing sections 5.650 to 5 665, inclusive, and to add a new article to Chapter VII of Part III of Division V of said code, embracing sections 5 650 to 5 658, inclusive, relating to dismissal of school employees;

Also: Assembly Bill No. 1918—An act to repeal Chapter III of Part III of Division V of the School Code, embracing sections 5.500 to 5 521, inclusive, relating to classification of persons in positions requiring certification qualifications;

Also: Assembly Bill No. 1919—An act to add a new article to Chapter VII of Part III of Division V of the School Code, to be numbered Article III, embracing sections 5 660 to 5 662, inclusive, relating to dismissal of school employees;

Also: Assembly Bill No. 1920—An act to repeal Article I of Chapter I of Part III of Division V of the School Code, embracing sections 5 400 to 5.407, inclusive, to repeal an act entitled "An act relating to the election of teachers in the public schools," approved May 23, 1929, and to add a new article to Chapter I of Part III of Division V of the School Code, embracing sections 5 400 to 5 406, inclusive, all relating to employment of school employees;

Also: Assembly Bill No. 46—An act to add a new section to the School Code, to be numbered 6.744, relating to the sale of merchandise on school property;

Also: Assembly Bill No. 336—An act to amend section 6 1 of the School Code, relating to care, management and control of school property;

Also: Assembly Bill No. 347—An act to amend section 6.771 of the School Code, relating to charges for use of schoolhouses, property and grounds for entertainment;

Also: Assembly Bill No. 398—An act to amend sections 2 770, 2 771, 2 811, 2 870, 2 871 and 2 872 of the School Code, relating to boards of school trustees;

Also: Assembly Bill No. 489—An act to amend sections 3.480, 3.481 and 3.482 of the School Code, relating to tuition charges for adults;

Also: Assembly Bill No. 490—An act to repeal sections 4.873 and 4.894 of the School Code, relating to apportionment of State and county moneys to high school districts;

Also: Assembly Bill No. 509—An act to amend section 4.960 of the School Code, relating to school district bonds;

Also: Assembly Bill No. 524—An act to repeal sections 6.470 to 6.477, inclusive, of the School Code, to repeal an act entitled "An act to provide for the purchase of school supplies for school districts and defining the powers and duties of superintendents of schools of counties and other officers in relation thereto," approved May 31, 1929, and to amend section 6.478 of the School Code, relating to the purchase of school supplies;

Also: Assembly Bill No. 679—An act to add a new section to the School Code, to be numbered section 6.6, prohibiting any city, county, or city and county, from establishing districts or zones and prohibiting therein the use of property for public school purposes;

Also: Assembly Bill No. 681—An act to amend section 2.804 of the School Code, relating to the personal liability of members of school boards;

Also: Assembly Bill No. 682—An act to add two new sections to the School Code to be numbered 2.103 and 2.104, relating to the changing of school district boundaries;

Also: Assembly Bill No. 685—An act to add to the School Code new sections to be numbered 2.1112, 2.1113, 2.1114, 2.1115, 2.1116, 2.1117, 2.1118, and 2.1119; and to amend School Code sections 4.375 and 4.970, all relating to the powers and duties of the governing boards of school districts and authorizing any elementary district to permit the high school board of the high school district within which any such elementary district is located, to manage, operate and control the elementary schools within such elementary district;

Also: Assembly Bill No. 734—An act to repeal section 2 of Chapter 172 of the Statutes of 1929, embracing Article VII and sections 2.1460 to 2.1469, inclusive; also to repeal Article VII of Chapter II of Part IV of Division II of the School Code, embracing sections 2.1460 to 2.1468 of said code, and providing for the disposition of the properties and funds of the Division of Schoolhouse Planning, hereby abolished;

Also: Assembly Bill No. 804—An act to amend section 928 of the Penal Code, relating to duties of grand juries;

Also: Assembly Bill No. 887—An act regulating private trade schools, providing for a license for the operation thereof and a fee therefor, and a bond, providing for proper equipment and for refunds of tuition where courses are not taken, prohibiting misleading advertisements and false representations and promises, providing for registers, receipts, diplomas and prescribed courses of instruction, providing for supervision of such schools by the Director of Industrial Relations and granting to the said director the power to revoke or refuse to grant licenses and to prescribe rules and regulations to carry out the purposes and intent of this act, and providing penalties for violations of this act;

Also: Assembly Bill No. 954—An act to add a new section to the School Code, to be numbered section 2.991, relating to the powers and duties of city boards of education in districts having average daily attendance of one hundred thousand or more pupils.

Also: Assembly Bill No. 956—An act to amend sections 2.1410, 2.1412 and 2.1452 of the School Code, relating to the salaries of State officers and employees;

Also: Assembly Bill No. 1031—An act to amend section 2.464 of the School Code, relating to annexation of elementary school districts on petition from a high school board;

Also: Assembly Bill No. 1081—An act to amend section 5.750 of the School Code, relating to payment of certificated employees during absence from their positions;

Also: Assembly Bill No. 1155—An act to repeal Article VIIa of Chapter II of Part IV of Division III of the School Code embracing sections 3.670a to 3.685a, inclusive, and to repeal section 1 of an act entitled "An act providing for the establishment and maintenance of twenty-four-hour elementary schools by elementary school districts with the approval of the State Board of Education, providing for the admission to such schools and providing for the government, control, conduct, and support thereof," approved June 19, 1929, relating to twenty-four-hour elementary schools;

Also: Assembly Bill No. 1205—An act to add section 3.362 to Article I, Chapter VI, Part III, Division III, of the School Code of California, relating to junior colleges.

Also: Assembly Bill No. 1248—An act to amend sections 2.801, 2.802 and 2.805 of the School Code, and to repeal section 2.804 thereof, relating to the liability of school districts and members of governing boards thereof;

Also: Assembly Bill No. 1282—An act to amend section 2.1231 of the School Code, relating to mileage payable the county superintendent of schools,

Also: Assembly Bill No. 1314—An act to amend sections 4.200, 4 210 and 4 773 of the School Code of the State of California.

Also: Assembly Bill No. 1379—An act to amend section 5 405 of the School Code, relating to the employment of persons by school authorities;

Also: Assembly Bill No. 1404—An act to amend sections 2.170, 3 302, and 3.306 of the School Code, and to add thereto three new sections to be numbered 2 21, 2 22, and 2 23, and to repeal Chapter 63 of the Statutes of 1929 entitled "An act relating to the attendance of pupils attending school in a district other than the district in which they reside," all relating to the attendance of pupils attending school in school districts other than those in which they reside;

Also: Assembly Bill No. 1425—An act to amend section 2.160 of the School Code, relating to the uniting of elementary school districts.

Also: Assembly Bill No. 1467—An act to amend section 5 734 of the School Code, relating to fixing of compensation of employees of school districts;

Also: Assembly Bill No. 1468—An act to amend section 5 736 of the School Code, relating to teachers;

Also: Assembly Bill No. 1470—An act to repeal section 5 745 of the School Code, relating to payment of salaries of employees of school districts;

Also: Assembly Bill No. 1471—An act to amend section 5.750 of the School Code, relating to payment of salaries of employees of school districts;

Also: Assembly Bill No. 1553—An act to amend sections 3 330 and 3 331 of the School Code, relating to the attendance of high school pupils residing in California upon high schools in adjoining States;

Also: Assembly Bill No. 1588—An act to add a new section to the School Code to be numbered section 9, relating to the meaning of the word pupil as used in the School Code;

Also: Assembly Bill No. 1741—An act to amend sections 2.801 and 2 804 of the School Code, relating to liability of school districts for injuries to children;

Also: Assembly Bill No. 1744—An act to add a new section to the School Code, to be numbered 4 985, to provide for the payment of interest on past due bonds and interest;

Also: Assembly Bill No. 1770—An act to add a new section to the School Code to be numbered 1 3, relating to fees and rates of tuition of nonresident students enrolled in junior college courses of study, junior colleges or State teachers colleges.

Also: Assembly Bill No. 1801—An act to add section 5 64 to the School Code, relating to the limitation of enrollment in State teachers colleges and in institutions subject to the provisions of the School Code, relating to State teachers colleges.

Also: Assembly Bill No. 1831—An act to provide for the observance of a "Citizenship Day";

Also: Assembly Bill No. 1842—An act to repeal sections 3.160, 4 130, 4 131, 4.140, and 4 830 to 4 833, inclusive, of the School Code, relating to special classes for the education of children of migratory laborers engaged in seasonal industries;

Also: Assembly Bill No. 1904—An act to amend sections 4 270, 4 271, 4 274 and 4 275 of the School Code, relating to junior colleges.

Also: Assembly Bill No. 2050—An act to amend section 5 750 of the School Code, relating to the payment of salaries of persons employed by school districts in positions requiring certification qualifications;

Also: Assembly Bill No. 2146—An act to add a new article to Chapter XI of Part I of Division II of the School Code, to be known as Article III embracing sections 2 690 to 2 699, both inclusive, relating to the annexation of territory to junior college districts;

Also: Assembly Bill No. 2147—An act to amend sections 2 873, 2 874, 2 913, 2 1058 and 2 1142 of the School Code, relating to school elections;

Also: Assembly Bill No. 2278—An act to repeal Part V of Division IV of the School Code, embracing sections 4 960 to 4 1044, inclusive, and to add a new part to Division IV of said code, to be numbered Part V, relating to issuance of county bonds for school purposes;

Also: Assembly Bill No. 2307—An act to amend section 4.181 of the School Code, relating to county elementary school supervision funds;

Also: Assembly Bill No. 2308—An act to amend sections 6 470, 6 470-1, 6 470-2, 6 472 and to repeal sections 6 473 and 6 477 of the School Code, relating to the purchase of school district supplies and apparatus.

Also: Assembly Bill No. 33—An act to amend section 1 145 of the School Code and to repeal Chapter II of Part II of Division I of the School Code, embracing sections 1.350 to 1 430, inclusive, and to add a new chapter, to be numbered Chapter II of Part II of Division I of said code, embracing sections 1 350 to 1 383, inclusive relating to compulsory part-time education;

Also: Assembly Bill No. 1916—An act to repeal Article I of, and to add a new article, to be numbered I, to Chapter I of Part III of Division V of the School Code, to repeal Chapter III and Articles IV, V, Va and VII of Chapter VII of Part III of Division V of said code; to repeal Article II of, and to add new articles, to be numbered II and III, to Chapter VII of Part III of Division V of said code,

and to repeal an act entitled "An act relating to the election of teachers in the public schools," approved May 23, 1929, all relating to the public school system;

Also: Assembly Bill No. 304—An act to amend sections 1.145, 1.350, 1.391, 1.393 and 1.430 of the School Code, relating to part-time compulsory education;

Also Assembly Bill No 685—An act to amend section 2.801 of the School Code, relating to the liability of governing boards of schools districts for injuries to pupils;

Also: Assembly Bill No. 1049—An act to amend section 2.1370 of the School Code, relating to the State Board of Education;

Also: Senate Bill No 77—An act to amend sections 1.145 and 1.350 of the School Code, relating to part-time compulsory education,

Also: Senate Bill No. 122—An act to amend sections 3.110, 3.122, 3.140, 3.141 and 3.142 of the School Code, and to repeal section 3.112 thereof, all relating to the establishment, admission to, and discontinuance of, kindergartens;

Also: Senate Bill No. 146—An act to repeal sections 2.1223 and 6.523 of the School Code, relating to reports of books purchased by school districts;

Also: Senate Bill No. 286—An act to amend sections 2.780, 2.871 and 2.872 of the School Code, relating to the term of office of members of governing boards of elementary school districts;

Also: Senate Bill No. 445—An act to repeal Article VII of Chapter II of Part IV of Division II of the School Code, embracing sections 2.1460 to 2.1468, inclusive, and to repeal Article III of Chapter II of Part I of Division VI of the School Code, embracing sections 6.60 to 6.62, inclusive, and to repeal sections 2 and 3 of an act entitled "An act creating a Division of Schoolhouse Planning in the State Department of Education, and establishing standards for school sites and the construction and alteration of school buildings," approved April 27, 1929, and to add a new article to Chapter II of Part IV of Division II of the School Code, to be numbered Article VII, embracing sections 2.1460 to 2.1467, inclusive, and to add a new article to Chapter II of Part I of Division VI of the School Code, to be numbered Article III, embracing sections 6.60 and 6.61, all relating to schoolhouse planning;

Also: Senate Bill No. 515—An act to amend section 3.730 of the School Code, relating to physical education;

Also: Senate Bill No. 543—An act to amend sections 4.360, 4.364, 4.365, 4.366, 4.367, 4.370, 4.371, 4.372, 4.373, 4.380 and 4.383 of the School Code, and to repeal section 4.362 thereof, and to add six new sections thereto to be numbered 4.365a, 4.365b, 4.365c, 4.365d, 4.365e, 4.365f, respectively, relating to school district budgets and financial statements;

Also: Senate Bill No. 759—An act to provide for the adoption and use of a uniform fire alarm code signal in all public, private or parochial schools;

Also: Senate Bill No. 829—An act to amend sections 5.402 and 5.510, to repeal Article I of Chapter III of Part III of Division V, embracing sections 5.500 to 5.504, inclusive, to repeal Article II of Chapter VII of Part III of Division V, embracing sections 5.650 to 5.665, inclusive, and to repeal Article VII of Chapter VII of Part III of Division V, embracing sections 5.710 to 5.713, inclusive, of the School Code, all relating to permanent employees;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ROLAND, Chairman.

ON HOSPITALS AND ASYLUMS

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No 166—An act to amend sections 1026 and 1026a of the Penal Code, relating to release of defendant committed to an institution for insane;

Also: Assembly Bill No. 167—An act to amend section 2188 of the Political Code, relating to release of persons committed to custody as insane or incompetent;

Also: Assembly Bill No. 359—An act to amend section 1374 of the Penal Code, relating to the expense of maintenance in State hospitals of persons charged with crime;

Also: Assembly Bill No. 1777—An act to amend section 4223 of the Political Code, relating to county hospitals;

Also: Assembly Bill No. 1952—An act to amend section 2154 of the Political Code, relating to the salaries of State hospital employees;

Also: Senate Bill No 864—An act establishing an additional State highway and classifying it as a secondary highway;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

KNOWLAND, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 14—An act to amend the State Bar Act by adding a new section thereto,

to be numbered 24a, relating to the admission of veterans to practice law on motion, and prescribing the qualifications for such admission.

Also: Assembly Bill No. 21—An act to amend section 901 of the Probate Code, relating to commissions received by executors and administrators;

Also: Assembly Bill No. 34—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property;

Also: Assembly Bill No. 37—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment;

Also: Assembly Bill No. 47—An act to amend section 3440 of the Civil Code, relative to transfers for benefit of creditors;

Also: Assembly Bill No. 48—An act to amend sections 69 and 69a of the Civil Code, relating to marriage licenses and certificates of registry of marriage;

Also: Assembly Bill No. 49—An act to amend section 3076 of the Political Code, relating to the registry of marriages performed;

Also: Assembly Bill No. 80—An act to repeal "An act requiring the marking of packages of butter containing less than six pounds and more than one-half pounds so as to advise the purchaser or others as to the weight of butter contained in such package," approved March 20, 1905;

Also: Assembly Bill No. 96—An act to repeal "An act concerning unlawful holding over of lands, tenements, and other possessions," approved April 27, 1863;

Also: Assembly Bill No. 142—An act to amend section 1203 of the Penal Code, relating to probation;

Also: Assembly Bill No. 143—An act to amend an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, by adding a new section thereto, to be numbered 12a, relating to the qualification of judges;

Also: Assembly Bill No. 144—An act to amend sections 156 and 157 of the Code of Civil Procedure and to add a new section thereto to be numbered 156.5, relating to the qualification for judges and justices within this State;

Also: Assembly Bill No. 154—An act to prohibit unfair transactions designated as "fake sales," and providing penalty therefor;

Also: Assembly Bill No. 157—An act to amend the title and sections 11, 12, 17, 19, 20, 21, 22, 31 and 32 and to add new sections numbered 9a, 16a, 16b and 27a of the act known as "The General Cemetery Act," approved June 19, 1931, and providing for methods and requirements for establishing new cemeteries, defining perpetual care and nonperpetual care cemeteries, and requiring certain acts of the same and providing penalties for the violation of act;

Also: Assembly Bill No. 165—An act to amend section 540 of the Code of Civil Procedure, relating to writs of attachment;

Also: Assembly Bill No. 172—An act to add a new section to be numbered section 25 to the act known as the "Act Concerning Cosmetology," approved May 31, 1927, as amended, relating to actions arising out of the practice of cosmetology or any branch thereof;

Also: Assembly Bill No. 173—An act to amend section 710 of the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor;

Also: Assembly Bill No. 174—An act to add a new section to the Civil Code to be numbered 2924b, relating to deficiency judgments after sale under a power of sale conferred by a deed of trust;

Also: Assembly Bill No. 176—An act to amend section 1089 of the Penal Code, relating to the selection of alternate jurors and the rights and duties of alternate jurors;

Also: Assembly Bill No. 178—An act to amend section 136 of the Penal Code, relating to preventing or dissuading a witness from attending a trial, proceeding or inquiry, authorized by law;

Also: Assembly Bill No. 182—An act adding a new section to be numbered 5a to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to qualification for judges of municipal courts;

Also: Assembly Bill No. 183—An act to amend sections 156 and 157 of the Code of Civil Procedure, relating to the qualifications of justices and judges;

Also: Assembly Bill No. 184—An act to amend section 692 of the Code of Civil Procedure, relating to giving of notice of sale under execution and under deeds of trust;

Also: Assembly Bill No. 198—An act to amend section 1506 of the Penal Code relating to the right of appeal in habeas corpus cases;

Also: Assembly Bill No. 203—An act to amend section 831d of the Code of Civil Procedure, relating to pleadings and practice in municipal courts;

Also: Assembly Bill No. 211—An act to provide for the sterilization of selected persons from the inmates of State institutions, for the protection of such individuals, the State, and future generations;

Also: Assembly Bill No. 215—An act to amend sections 549 and 689 of the Code of Civil Procedure, relating to proceedings on attachment and execution;

Also: Assembly Bill No. 218—An act to amend section 1029 of the Penal Code, relating to trial of a judge of the superior court;

Also: Assembly Bill No. 219—An act to amend section 1053 of the Penal Code, relating to substitution of judges in criminal actions;

Also: Assembly Bill No. 220—An act to repeal section 160 of the Code of Civil Procedure, relating to absence or disability of a judge of the superior court;

Also: Assembly Bill No. 221—An act to amend section 52 of the Code of Civil Procedure, and to repeal section 52a of the Code of Civil Procedure, relating to jurisdiction of appeals from the superior court;

Also: Assembly Bill No. 222—An act to amend section 130 of the Code of Civil Procedure, relating to taking effect of rules of court;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WEST, Chairman.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 223—An act to add four new sections, to be numbered 1000a, 1000b, 1000c and 1000d to Chapter III of Title XVI of Part II of the Code of Civil Procedure, relating to admissions;

Also: Assembly Bill No. 224—An act to amend section 1027 of the Code of Civil Procedure, relating to costs on appeal;

Also: Assembly Bill No. 225—An act to amend sections 1466, 1467, 1468 and 1469 of the Penal Code, and to repeal sections 1468a and 1470 of the Penal Code, all relating to appeals to superior courts in criminal cases;

Also: Assembly Bill No. 227—An act to add four new sections, to be numbered 597, 597a, 597b, 597c, to Chapter III of Title VIII of Part II of the Code of Civil Procedure, relating to summary judgment;

Also: Assembly Bill No. 233—An act to amend section 1201 of the Probate Code, relating to notice of petition for leave to sell or give option on mines and mining claims;

Also: Assembly Bill No. 252—An act to amend section 7 of the act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities of the first and one-half class;

Also: Assembly Bill No. 263—An act to amend section 1050 of the Penal Code, relating to time of trial in criminal prosecutions;

Also: Assembly Bill No. 266—An act to add a new section to the Civil Code, to be numbered 1669, relating to contracts entered into, acts performed and moneys paid under statutes subsequently held unconstitutional;

Also: Assembly Bill No. 276—An act to amend section 1434 of the Penal Code, relating to proceedings in criminal actions;

Also: Assembly Bill No. 284—An act to amend section 710 of the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor;

Also: Assembly Bill No. 299—An act to amend section 2429 of the Civil Code, relating to foreclosures of trust deeds;

Also: Assembly Bill No. 331—An act amending section 4157 of the Political Code, relating to the duties of sheriff;

Also: Assembly Bill No. 365—An act to amend section 17 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to vacancies in the office of a judge of a municipal court;

Also: Assembly Bill No. 369—An act to amend section 1510 of the Probate Code, relating to the payment of judgments recovered in favor of minors;

Also: Assembly Bill No. 370—An act to amend section 1431 of the Probate Code, relating to the compromise of disputed claims;

Also: Assembly Bill No. 371—An act to add to the Probate Code a new section, to be numbered 1510a, relating to the compromise of suits for and on behalf of minors;

Also: Assembly Bill No. 377—An act to amend section 2 of an act entitled "An act to prohibit the employment of aliens by contractors and subcontractors on all public work, except in certain cases of extraordinary emergency, providing for the reporting of such cases of extraordinary emergency and the keeping of records of the

citizenship of workers employed upon public work and the inspection of such records by the proper officials, providing for a forfeiture for each calendar day, or portion thereof, any alien is knowingly permitted to work on public work and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, Statutes of 1931, page 913, relating to investigation and determination as to alleged violations;

Also: Assembly Bill No. 384—An act to amend section 476a of the Penal Code, relating to issuing instruments with intent to defraud;

Also: Assembly Bill No. 394—An act to amend section 726 of the Code of Civil Procedure, relating to proceedings in foreclosure suits;

Also: Assembly Bill No. 400—An act to amend section 465 of the Code of Civil Procedure, relating to pleadings subsequent to the complaint;

Also: Assembly Bill No. 401—An act to add section 595a to the Code of Civil Procedure, relating to postponement of trials;

Also: Assembly Bill No. 403—An act to amend section 1005 of the Code of Civil Procedure, relating to notices of motion;

Also: Assembly Bill No. 412—An act to amend section 537 of the Code of Civil Procedure, relating to attachments;

Also: Assembly Bill No. 414—An act to amend section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses and of bungalow courts;

Also: Assembly Bill No. 415—An act to amend section 1861a of the Civil Code, relating to liens of landlords;

Also: Assembly Bill No 418—An act repealing Chapter 634, Statutes of 1909, entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended;

Also: Assembly Bill No. 424—An act to amend section 189 of the Code of Civil Procedure, relating to justice courts;

Also: Assembly Bill No. 426—An act to add a new section, to be numbered 340a, to the Code of Civil Procedure, relating to the time for commencement of actions;

Also: Assembly Bill No. 427—An act to repeal the State Bar Act;

Also: Assembly Bill No. 428—An act to amend section 43 of the State Bar Act, relating to membership fees;

Also: Assembly Bill No 439—An act to amend section 4185a of the Political Code, relating to qualifications of justices of the peace;

Also: Assembly Bill No. 440—An act to amend section 927*l* of the Code of Civil Procedure, relating to proceedings in small claims courts;

Also: Assembly Bill No. 443—An act to add a new section to the Code of Civil Procedure, to be numbered 692a, relating to appraisal of property before sale under the provision of any deed of trust;

Also: Assembly Bill No. 451—An act to amend sections 5 and 9 of, and to add section 10 to, an act entitled "An act to regulate the practice of architecture," approved March 23, 1901, relating to the practice of architecture;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WEST, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 458—An act to amend section 340 of the Code of Civil Procedure of the State of California, relating to the time for the commencement of actions;

Also: Assembly Bill No. 467—An act to repeal "An act to protect all citizens in their civil and legal rights," approved March 13, 1897;

Also: Assembly Bill No. 473—An act to repeal "An act authorizing and directing district attorneys to bring suits to abate public nuisances," which became law without the Governor's approval, March 15, 1899;

Also: Assembly Bill No. 478—An act to repeal "An act requiring corporations organized under the laws of another State, Territory, or foreign country, to file a certified copy of their articles of incorporation in the office of the Secretary of State, and a certified copy thereof, duly certified by the Secretary of State of this State, in the office of the county clerk of the county where its principal place of business is located and also where such corporation owns property, and requiring such corporation to pay to the Secretary of State the same fees as are paid by corporations formed by the laws of the State of California, and providing for a penalty for the violation of the provisions of this act," approved March 8, 1901;

Also: Assembly Bill No. 487—An act to amend sections 3 and 4 of that certain act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof, to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof, and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors, to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, as amended, relating to the regulation of real estate brokers and salesmen;

Also: Assembly Bill No. 488—An act to amend sections 375 and 375a of the Political Code, relating to the Department of Investment;

Also: Assembly Bill No. 492—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extensions of time in superior and inferior courts;

Also: Assembly Bill No. 500—An act to protect commerce against unfair price discrimination and unfair price competition;

Also: Assembly Bill No. 526—An act to amend section 167 of the Civil Code, relating to liability of community property for wife's contracts;

Also: Assembly Bill No. 527—An act to amend section 549 of the Code of Civil Procedure, relating to third party claims;

Also: Assembly Bill No. 546—An act to amend section 683 of the Civil Code, relating to joint tenancies;

Also: Assembly Bill No 621—An act to amend section 1531 of the Probate Code, relating to sales of the property of a ward;

Also: Assembly Bill No. 623—An act to add a new section to the Probate Code to be numbered 1026, and to repeal section 672 of the Civil Code, relating to distribution of estate to nonresident aliens;

Also: Assembly Bill No. 624—An act to amend sections 1120, 1125 and 1126 of the Probate Code and to add a new section thereto to be numbered 1127, relating to testamentary trustees;

Also: Assembly Bill No. 625—An act to amend sections 1200 and 1201 of the Probate Code, relating to the giving of notice in probate proceedings,

Also: Assembly Bill No. 626—An act to amend sections 1010 and 1020 of the Probate Code, relating to the distribution of the estates of decedents,

Also: Assembly Bill No. 627—An act to amend section 715 of the Probate Code, relating to limitations prescribed for bringing suit upon a rejected claim;

Also: Assembly Bill No. 628—An act to amend section 932 of the Probate Code, relating to executors and administrators;

Also: Assembly Bill No. 630—An act to amend section 702 of the Probate Code, relating to notice to creditors by executors or administrators,

Also: Assembly Bill No. 631—An act to amend section 578 of the Probate Code and to add section 718 5 thereto, relating to the compromise and settlement of claims by or against estates of decedents;

Also: Assembly Bill No. 632—An act to amend section 463 of the Probate Code, relating to special administrators;

Also: Assembly Bill No 633—An act to amend section 440 of the Probate Code, relating to petitions for letters of administration;

Also: Assembly Bill No 636—An act to repeal section 1969 and 1970 of the Code of Civil Procedure, relating to wills;

Also: Assembly Bill No 638—An act to amend section 1537 of the Probate Code, relating to guardians;

Also: Assembly Bill No. 639—An act to add two new sections to the Probate Code to be numbered 1241 and 1632, respectively, and to repeal sections 965 and 966 of the Code of Civil Procedure, relating to appeals by and concerning executors, administrators or guardians;

Also: Assembly Bill No. 673—An act to amend section 542 of the Code of Civil Procedure, relating to the method of levying an attachment upon real or personal property;

Also: Assembly Bill No. 676—An act to amend section 1861a of the Civil Code, relating to liens of lessors of real property;

Also: Assembly Bill No. 697—An act to amend section 111 of the Penal Code, relating to a payment by the State of costs of certain criminal trials;

Also: Assembly Bill No. 702—An act to amend sections 978 and 985 of the Code of Civil Procedure, relating to appeals;

Also: Assembly Bill No. 708—An act to amend sections 927 and 927b of the Code of Civil Procedure so as to raise the jurisdictional limit of the small claims court from $50 to $100, and to permit suit at the place where the obligation has been incurred as well as at the place of residence of the defendant;

Also: Assembly Bill No 719—An act to add a new section to the Penal Code to be numbered 1540a, relating to search warrants and the property obtained thereunder;

Also: Assembly Bill No. 720—An act to amend sections 1525 and 1535 of the Penal Code, relating to search warrants;

Also: Assembly Bill No. 721—An act to add a new section to the Penal Code, to be numbered 1540b, relating to search warrants and the property obtained thereunder as evidence;

Has had the same under consideration, and respectfully reports the same back without recommendation

WEST, *Chairman*

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 749—An act to amend section 982a and to repeal Chapter IV of Title XIII

of Part II of the Code of Civil Procedure, embracing sections 983 to 988i, inclusive, relating to appeals from justices and municipal courts;

Also: Assembly Bill No. 750—An act to amend section 927j of the Code of Civil Procedure, relating to appeals by defendants;

Also: Assembly Bill No. 760—An act to add a new section to the State Bar Act, to be numbered 34a, relating to disbarment, suspension, or reproval of attorneys;

Also: Assembly Bill No. 762—An act to add section 291½ to the Code of Civil Procedure, relating to the filing of accusations against attorneys and counselors at law;

Also: Assembly Bill No. 768—An act to add section 1b to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair competition;

Also: Assembly Bill No. 779—An act to repeal Chapters I, II, and III of Title V of Part IV of Division II of the Civil Code, embracing sections 1237 to 1269, inclusive, and to add two new chapters to Title V of Part IV of Division II of said code, to be numbered Chapters I and II, embracing sections 1236 to 1275, inclusive, relating to homesteads and the proceedings on execution against homesteads;

Also: Assembly Bill No. 802—An act to amend section 2009 of the Code of Civil Procedure, relating to the purposes for which an affidavit may be used;

Also: Assembly Bill No. 813—An act to amend section 161 of the Penal Code, relating to champerty;

Also: Assembly Bill No. 818—An act to amend section 1269a of the Penal Code, relating to admission to bail;

Also: Assembly Bill No. 834—An act to amend section 423 of the Probate Code, relating to nomination of administrators;

Also: Assembly Bill No. 841—An act to amend section 1000 of the Probate Code, relating to partial distribution;

Also: Assembly Bill No. 843—An act to amend section 659 of the Code of Civil Procedure, relating to the time of giving notice of intention to move for a new trial;

Also: Assembly Bill No. 844—An act to amend section 663a of the Code of Civil Procedure, relating to the time of filing notice of intention to move to vacate judgment;

Also: Assembly Bill No. 853—An act to amend sections 3, 4, 5, 6, 7, 9, 9a, 9b, 9c, 9d, 11, 11a, 12, 12a, 13, 14, 15, 16, 19, 20a and 20b of the California Real Estate Act, and to add new sections to be numbered 3a, 3b, 3c, 3d, 3e, 12b, 13a and 13b, relating to the division of real estate;

Also: Assembly Bill No. 862—An act to amend section 726 of the Code of Civil Procedure, relating to the foreclosure of mortgages, sale thereunder and forbidding the granting of a deficiency judgment;

Also: Assembly Bill No. 863—An act to add a new section to the Civil Code, to be numbered 2924b, relating to deficiency judgments;

Also: Assembly Bill No. 870—An act to amend an act entitled "An act to define collection agencies, to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violations thereof," approved May 14, 1927, relating to the regulation of collection agencies;

Also: Assembly Bill No. 872—An act to amend section 128 of the Code of Civil Procedure, relating to powers and duties of courts;

Also: Assembly Bill No. 874—An act to add a new section to the Political Code, to be numbered 4469, relating to the common law writ of error coram nobis;

Also: Assembly Bill No. 875—An act to amend section 956a of the Code of Civil Procedure, relating to remedial powers of the appellate courts;

Also: Assembly Bill No. 883—An act to amend section 1203 of the Penal Code, relating to the probation of adult persons;

Also: Assembly Bill No. 890—An act to amend section 732 of the Probate Code, relating to executions of judgments after the death of the judgment debtor;

Also: Assembly Bill No. 906—An act to add a new section to the Civil Code, to be numbered 2924b, relating to substitution of trustees;

Also: Assembly Bill No. 907—An act to amend section 1260 of the Civil Code, relating to homesteads;

Also: Assembly Bill No. 910—An act to regulate the business of loaning or advancing money on the security of motor vehicles;

Also: Assembly Bill No. 918—An act to add sections 417 and 418 to the Code of Civil Procedure, relating to actions for breach of promise of marriage and for alienation of affections;

Also: Assembly Bill No. 952—An act to amend Chapter 1167 of the 1931 Statutes of the State of California, relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers

thereof in such cases, and authorizing such public or quasi-public corporations to take out and pay for insurance to protect them against such liability;

Also: Assembly Bill No. 955—An act to amend section 3005 of the Civil Code, relating to sale of pledged property and deficiency remaining after sale;

Also: Assembly Bill No. 974—An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities, as the same are herein defined; to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; creating a State Division of Corporations and the office of Director of Securities; providing for the regulation and supervision of companies, dealers, salesmen and sales of securities, and prevention of fraud in the sale of the same;

Also: Assembly Bill No. 981—An act to amend the Political Code by adding thereto a new section to be numbered 2168a, providing for the arrest, without a warrant upon probable cause, of alleged insane persons;

Also: Assembly Bill No. 986—An act to provide for the selection of impartial expert medical witnesses and impartial medical examiners appointed by the court under sections 1871, 1871½ of the Code of Civil Procedure or section 1027 of the Penal Code, from eligible lists or panels to be provided under the direction of the Civil Service Commission;

Also: Assembly Bill No 987—An act to add a new section to the Code of Civil Procedure to be known as section 1871½, relating to reports of medical examinations and expert medical testimony in civil actions and proceedings;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WEST, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 995—An act to amend section 1144 of the Probate Code, relating to assets of decedents;

Also: Assembly Bill No 1003—An act to amend "An act to create a public corporation to be known as 'The State Bar of California,' to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violation of said act," approved March 31, 1927, as amended, relating to requirements for admission to the bar of California and examination therefor and eligibility of graduates of certain courses for admission to the bar of California;

Also: Assembly Bill No 1033—An act to provide for the securing of payment by owners of private automobiles of damages for injuries to persons or property caused by the negligence of such owners, or their agents or presumptive agents by requiring insurance, a surety bond, or a deposit of securities; to provide means and methods for the administration of said system of security; to substitute the rule of comparative negligence for contributory negligence in proceedings concerning such injuries, to provide for the form of insurance policies required hereunder, for the classification of risks covered by said insurance and for the application of the minimum rating law to such insurance, to prescribe penalties for violations of this act, and making an appropriation for the administration of this act;

Also: Assembly Bill No. 1037—An act abolishing trust deed foreclosures except by action at law, adding a new section to the Civil Code to be numbered 2920a; defining real estate mortgages, fixing their method of foreclosure and providing for redemption after foreclosure sale; establishing a rule for its constitutional construction and repealing conflicting law;

Also: Assembly Bill No. 1048—An act to add to Title VIII of Part II of the Code of Civil Procedure, a new chapter to be known as Chapter III-a, embracing sections 597, 598 and 599, relating to civil actions and proceedings;

Also: Assembly Bill No. 1053—An act to add a new section to the Political Code to be numbered 633e, providing for the licensing of "Public Adjusters," and prescribing the requirements to be complied with in connection therewith and fees charged therefor;

Also: Assembly Bill No. 1061—An act to amend an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919, as amended, by amending section 1, relating to the bond required of certain contractors on public works;

Also: Assembly Bill No. 1088—An act regulating the business of insurance counselors;

Also: Assembly Bill No. 1113—An act to amend sections 850 and 873 of the Code of Civil Procedure, relating to justices' courts;

Also: Assembly Bill No. 1124—An act to amend section 2010 of the Code of Civil Procedure, relating to evidence of publication;

Also: Assembly Bill No. 1128—An act to add a new section to the Code of Civil Procedure, to be numbered 396b, relating to venue;

Also: Assembly Bill No. 1143—An act to amend sections 3051a and 3052 of, and to add sections 3051.1 to 3051.5, and 3051b to 3051m, both inclusive, to the Civil Code, all relating to liens on personal property;

Also: Assembly Bill No. 1150—An act to amend section 1026 of the Penal Code, relating to insane persons charged with or guilty of crime;

Also: Assembly Bill No. 1151—An act to amend section 1374 of the Penal Code, relative to the sanity of persons charged with crime;

Also: Assembly Bill No. 1160—An act abolishing trust deed foreclosures except by action at law; adding a new section to the Civil Code to be numbered 2920a, defining real estate mortgages, fixing their method of foreclosure and providing for redemption after foreclosure sale; establishing a rule for its constitutional construction and repealing conflicting law;

Also: Assembly Bill No. 1161—An act to amend section 487 of the Penal Code, relating to grand theft.

Also: Assembly Bill No. 1165—An act to add a new section to the Code of Civil Procedure to be numbered 2007, relating to depositions;

Also: Assembly Bill No. 1180—An act to amend section 4132 of the Political Code, relating to the county recorder;

Also: Assembly Bill No. 1195—An act defining the operation and effect of full pardons and restoring the rights, privileges and franchises of persons granted such full pardons;

Also: Assembly Bill No. 1225—An act to add section 3485 to the Civil Code, relating to nuisances.

Also: Assembly Bill No. 1227—An act to amend section 2179 of the Political Code, relating to guardians and estates of insane persons;

Also: Assembly Bill No. 1230—An act to add Chapter III entitled "Property Held in Joint Tenancy" and section 270 thereto to Division II of the Probate Code, relating to joint tenancy.

Also: Assembly Bill No. 1239—An act to amend section 791 of the Political Code, relative to notaries public;

Also: Assembly Bill No. 1247—An act to amend section 927 of the Code of Civil Procedure, relating to small claims courts;

Also: Assembly Bill No. 1264—An act to amend sections 1, 3, 4, 5, 6, 10, 11, 12, 12a, 13, 17 and 20a of the California Real Estate Act, to add thereto a new section to be numbered 11b, and to repeal sections 9a, 9b, 9c and 9d thereof, relating to the regulation, supervision and licensing of real estate brokers and salesmen;

Also: Assembly Bill No. 1269—An act to amend section 206 of the Code of Civil Procedure, relating to the number of persons and where selected from for service as jurors in the trial courts;

Also: Assembly Bill No. 1270—An act to amend section 578 of the Probate Code, relating to compounding debts and compromises by executors and administrators.

Also: Assembly Bill No. 1281—An act to add a new section to the Penal Code, to be numbered 603, relating to trespass;

Also: Assembly Bill No. 1289—An act to amend section 2924 of the Civil Code and to add new sections 2924b, 2924c, and 2924e to the Civil Code, all relating to deeds of trust and mortgages;

Also: Assembly Bill No. 1290—An act to add a new section 725 to the Code of Civil Procedure, to amend 726 of the Code of Civil Procedure and to add a new section 726a to the Code of Civil Procedure, all relating to mortgages and deeds of trust;

Also: Assembly Bill No. 1291—An act to add a new section 2924d to the Civil Code, relating to deeds of trust and mortgages with a power of sale and fees for foreclosing same;

Also: Assembly Bill No. 1294—An act to add a new section to the Penal Code of the State of California, numbered 952a, relating to indictments and informations;

Also: Assembly Bill No. 1295—An act to amend section 995 of the Penal Code, relating to indictments and informations;

Also: Assembly Bill No. 1296—An act to repeal section 831d of the Code of Civil Procedure;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WEST, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1299—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment;

Also: Assembly Bill No. 1315—An act to amend sections 692 and 694 of the Code of Civil Procedure, relating to notices of sale under execution and power of sale and to the conduct of such sale;

Also: Assembly Bill No. 1316—An act to amend section 726 of the Code of Civil Procedure, relating to deficiency judgments;

Also: Assembly Bill No. 1317—An act to add a new section to the Code of Civil Procedure to be numbered 702a, relating to the redemption of property sold under provision of a deed of trust;

Also: Assembly Bill No. 1318—An act to add sections 2924b, 2924c, 2924d, 2924e and 2924f to the Civil Code, all relating to deeds of trust and mortgages;

Also: Assembly Bill No. 1319—An act to amend section 13 of the Juvenile Court Law, relating to the transfer of cases to the juvenile court of the county wherein the person filed against resides, whenever a petition has been filed in the juvenile court of a county other than the residence of such person so filed on as coming within any of the provisions of said Juvenile Court Law, or whenever, subsequent to the filing of a petition in the juvenile court of the county where such person resides, the residence of such person is changed to another county;

Also: Assembly Bill No. 1328—An act to amend section 3 of the California Real Estate Act, relating to the printing of directory of brokers and salesmen;

Also: Assembly Bill No. 1331—An act to amend an act entitled "An act to create a public corporation to be known as 'The State Bar of California,' to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violations of said act," by adding a new section to said act to be numbered 47a;

Also: Assembly Bill No. 1332—An act to amend section 11½ of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913;

Also: Assembly Bill No. 1333—An act to add a new section to the Penal Code to be numbered section 593b, relating to climbing upon poles, towers and other structures supporting wires or cables, transmitting electric energy;

Also: Assembly Bill No. 1339—An act to amend section 1 of an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to persons or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, Statutes of 1919, page 756;

Also: Assembly Bill No. 1345—An act to amend section 2631 of the Political Code, relating to the accepting or taking of land for highways by adding to said section a provision concerning the ownership of the fee of such lands;

Also: Assembly Bill No. 1376—An act to amend sections 2, 4, 5, 7, 10, 23, 26 and 37 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities; providing for the enforcement of said act and penalties for violation thereof; and creating a State Corporation Department and office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sale of securities, and the prevention of fraud in the sale of securities;

Also: Assembly Bill No. 1384—An act to repeal section 300 of the Civil Code, relating to corporations;

Also: Assembly Bill No. 1386—An act to add two new sections to the Penal Code, to be numbered section 488a and 952a, making a series of petty thefts, by the same or similar methods a felony, and providing what must be alleged in charging such an offense;

Also: Assembly Bill No. 1389—An act to amend section 1847 of the Code of Civil Procedure, relating to witnesses presumed to speak the truth;

Also: Assembly Bill No. 1390—An act to add a new chapter to Title VI of Part II of the Penal Code, to be numbered 10, embracing sections 1054 and 1054a, relating to material witnesses in criminal actions, the requiring and taking therefrom of undertakings, with sureties, for their appearance at the trials of such actions, the commitment thereof for failure to enter into such undertakings, and the conditional examination thereof, and to the use of depositions of such witness upon the trials of such actions;

Also: Assembly Bill No. 1396—An act to amend section 537 of the Penal Code, relating to nonpayment of charges of proprietors of hotels, inns, restaurants, boarding houses, lodging houses, apartment houses, or bungalow courts;

Also: Assembly Bill No. 1397—An act to amend section 1861a of the Civil Code of the State of California, relating to liens of landlords on the property of tenants;

Also: Assembly Bill No. 1398—An act to amend section 1861a of the Civil Code, relating to liens of lessors of real property;

Also Assembly Bill No. 1405—An act to amend section 2 of that act known as the "Corporate Securities Act," relating to offering securities for sale;

Also: Assembly Bill No. 1421—An act to amend section 1861a of the Civil Code, relating to liens of keepers of habitations rented furnished for living purposes;

Also: Assembly Bill No. 1422—An act to amend sections 3051a and 3052 of, and to add sections 3051.1 to 3051.5, and 3051b to 3051m, both inclusive, to the Civil Code, all relating to liens on personal property;

Also: Assembly Bill No. 1424—An act to amend section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, as amended, relating to fees of grand and trial jurors;

Also: Assembly Bill No. 1429—An act to amend Chapter 34, Statutes of 1927, entitled "An act to create a public corporation to be known as 'The State Bar of California,' to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violation of said act," approved March 31, 1927, by adding a new section thereto to be known as 47a, forbidding members of the State Bar to employ other members of the State Bar to practice law on a salary basis but permitting partnerships and associations; by adding a new section thereto to be known as 47b forbidding any member of the State Bar to practice law in any court except when he is an attorney of record in each case in which he appears in court; and by adding a new section thereto to be known as 47c forbidding any member of the State Bar from practicing law in any other than his own name or jointly with other active members of the State Bar; and repealing all laws and parts of acts and laws in conflict therewith;

Also: Assembly Bill No. 1436—An act to amend sections 27 and 34 of an act entitled "An act to make uniform the law of warehouse receipts";

Also: Assembly Bill No. 1460—An act to add a new section to the Political Code of California, to be numbered 1381, forbidding any incorporated bank, building and loan association, trust company, title company or subsidiary corporation to expend, donate or contribute money to aid in the passage or defeat of any question or proposition on any ballot at any election; and to add a new section to the Political Code, to be numbered 1382, declaring the violation of section 1381 to be a felony, and providing the penalty therefor;

Also: Assembly Bill No. 1474—An act providing for a voluntary moratorium on the foreclosure of mortgages, sales under deeds of trust, or other instruments in writing securing an indebtedness on a farm or home occupied by the owner, or on the sale thereof under execution on a judgment obtained on any promissory note secured by a mortgage or deed of trust on said farm or home, for a period of two (2) years from the date of the passage of this act; and to appropriate money to be advanced by the State for the payment of interest on such incumbrances in certain cases, and the manner of making such advances, and providing for their repayment to the State;

Also: Assembly Bill No. 1475—An act to amend section 595 of the Code of Civil Procedure, relating to postponement of trials;

Also: Assembly Bill No. 1478—An act to amend section 868 of the Code of Civil Procedure, relating to the approval by justices of the peace of bonds for the release of attachment;

Also: Assembly Bill No. 1479—An act to amend section 1446 of the Penal Code, relating to imprisonment for unpaid fine;

Also: Assembly Bill No. 1480—An act to amend the first section numbered 710 of the Code of Civil Procedure, relating to levies by judgment creditors upon moneys owing to judgment debtors by the State of California or any State department, board, commission or officer thereof, or by any county, city and county, city, school district, special district or other municipal or public corporation;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WEST, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1492—An act to amend sections 112, 398, 835a, 900b and 982a of the Code of Civil Procedure of the State of California;

Also: Assembly Bill No. 1490—An act to amend section 4185a of the Political Code of the State of California;

Also: Assembly Bill No. 1493—An act to amend section 1425 of the Penal Code of the State of California;

Also: Assembly Bill No. 1496—An act to amend the title and section 4 of Chapter 282, Statutes of 1913, entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment,

and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, providing for the examination of applicants for employment agency licenses as to their qualifications to operate employment agencies of the type designated in their applications and providing penalties for the enforcement thereof;

Also: Assembly Bill No 1497—An act to add a new section, to be numbered section 11b, to an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, requiring licensed employment agencies to print or publish the maximum fees which they charge for positions on all their advertising matter, including introduction cards, bulletins, blotters, throw-aways, newspaper and other advertising;

Also: Assembly Bill No 1498—An act to amend section 4 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to suspension and revocation of licenses;

Also: Assembly Bill No. 1504—An act to add a new section to the Civil Code, to be numbered 2924b, relating to substitution of trustees in deed of trust;

Also. Assembly Bill No. 1505—An act to amend section 1221 of the Probate Code, relating to entry and filing of orders;

Also: Assembly Bill No 1522—An act to add a new section to the Code of Civil Procedure, to be numbered 67c, relating to superior judges of Los Angeles County;

Also: Assembly Bill No. 1530—An act to amend section 3 of an act entitled "An act relating to the liability of employers for injuries or death sustained by their employees, providing for compensation for the accidental injury of employees, establishing an Industrial Accident Board, making an appropriation therefor, defining its powers and providing for a review of its awards," approved April 8, 1911, relating to actions and proceedings by employees and their successors against employers,

Also: Assembly Bill No. 1537—An act to amend sections 2, 3 and 4 of an act entitled "An act to define personal property brokers and to regulate their charges and business," approved April 16, 1909, relating to personal property brokers;

Also: Assembly Bill No. 1546—An act to amend section 1168 of the Penal Code, relating to sentences, imprisonments and paroles of prisoners;

Also: Assembly Bill No. 1547—An act to amend section 1168 of the Penal Code, relating to sentences, imprisonments and paroles of prisoners;

Also: Assembly Bill No. 1549—An act to amend section 340 of the Penal Code, relating to interest charged by pawnbrokers;

Also: Assembly Bill No. 1550—An act to amend section 1174 of the Code of Civil Procedure, relating to unlawful detainer;

Also: Assembly Bill No. 1551—An act to amend section 1861a of the Civil Code, relating to liens of landlords on the property of tenants;

Also: Assembly Bill No. 1552—An act to amend section 537 of the Code of Civil Procedure, relating to attachments;

Also: Assembly Bill No. 1565—An act to amend section 657 of the Code of Civil Procedure, relating to new trials;

Also: Assembly Bill No. 1570—An act to add a new section to the Code of Civil Procedure, to be numbered 1183a, relating to mechanics liens;

Also: Assembly Bill No. 1576—An act to add section 1208 to the Penal Code, relating to costs of prosecution;

Also: Assembly Bill No. 1585—An act to amend section 8 of an act entitled "An act to define the duties of and to license land surveyors," and to repeal an act entitled "An act to define the duties of and to license land surveyors, approved March 31, 1891," approved March 16, 1907, as amended, relating to licensing of surveyors and the preparation and filing of maps;

Also: Assembly Bill No. 1589—An act to amend sections 1 and 2 of an act entitled "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing the same must be payable upon demand," approved March 1, 1911, relating to certain exemptions;

Also: Assembly Bill No. 1603—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on aircraft and other personal property;

Also: Assembly Bill No. 1604—An act to amend section 2957, 2959, 2965 and 2966 of the Civil Code, relating to mortgages of personal property;

Also: Assembly Bill No. 1607—An act to amend section 681a of the Code of Civil Procedure, relating to executions and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 1608—An act to amend Chapter 34, Statutes of 1927, entitled "An act to create a public corporation to be known as 'The State Bar of California,' to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violation of said act," approved March 31, 1927, by adding a new section thereto to be known as 47a, forbidding members of the State Bar to employ other members of the State Bar to practice law on a salary basis but permitting partnerships and associations; by adding a new section thereto to be known as 47b forbidding any member of the State Bar to practice law in any court except when he is an attorney of record in each case in which he appears in court, and by adding a new section thereto to be known as 47c forbidding any member of the State bar from practicing law in any other than his own name or jointly with other active members of the State Bar, and repealing all laws and parts of acts and laws in conflict therewith,

Also, Assembly Bill No 1609—An act to provide for the regulation and licensing of stores in this State, to fix the maximum hours of labor in stores as herein defined, and to prescribe penalties for the violation hereof;

Also: Assembly Bill No. 1613—An act to amend sections 1305, 1306 and 1307 of the Penal Code, relating to bail, the forfeiture and enforcement of bail, and the disposal of forfeited bail moneys;

Also: Assembly Bill No 1614—An act to amend section 1287 of the Penal Code, relating to the form of bail bonds;

Also, Assembly Bill No 1615—An act to amend section 1300 of the Penal Code, relating to bail and the surrender of the defendant;

Also: Assembly Bill No. 1629—An act to amend sections 1, 2 and 3, of an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties, and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled "An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property," approved April 26, 1911," said repealing act having been approved May 18, 1919;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WEST, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1660—An act to amend sections 778 and 779 and to repeal sections 767, 771, 772, 774, 775 and 776 of the Political Code, relating to reporters of decisions of the Supreme Court and District Courts of Appeal;

Also, Assembly Bill No. 1723—An act to add a new section to the State Bar Act, to be numbered 41 5, relating to ballots;

Also: Assembly Bill No. 1726—An act to add section 1a to the act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913;

Also: Assembly Bill No 1730—An act to amend section 1833 of the Code of Civil Procedure, relating to evidence;

Also: Assembly Bill No. 1740—An act relating to chiropractors in public institutions, providing for the appointment and compensation of chiropractors in certain State institutions and prisons and providing for necessary facilities for such chiropractors, prescribing the removal of superintendents, officers and commissioners for unfair discrimination against chiropractors, and repealing all acts and parts of acts inconsistent herewith;

Also: Assembly Bill No. 1749—An act amending section 3658a of the Political Code, relating to the preparation and adoption of official maps;

Also: Assembly Bill No. 1793—An act to amend sections 47 and 48 of the Civil Code and to add section 47a thereto relating to libel and slander;

Also: Assembly Bill No. 1798—An act to amend section 925 of the Penal Code, relating to subpenas for grand juries;

Also: Assembly Bill No. 1805—An act to regulate the practice of auctioneering and to license, regulate and supervise persons engaged in the business of or acting as auctioneers;

Also: Assembly Bill No. 1807—An act to amend the act known as "The General Cemetery Act," approved June 19, 1931, by amending section 3 and other sections thereof and by adding new sections thereof;

Also: Assembly Bill No. 1818—An act to amend section 1143 of the Penal Code, relating to fees and mileage of jurors in criminal cases,

Also: Assembly Bill No. 1819—An act to amend section 4300f of the Political Code, relating to jurors' fees and mileage,

Also: Assembly Bill No. 1820—An act to add a new section to the Code of Civil Procedure, to be numbered 605, establishing the procedure for jury fees in civil cases and making such fees a revenue of the county and to repeal conflicting acts and parts of acts;

Also: Assembly Bill No. 1821—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to the place of holding court;

Also: Assembly Bill No. 1822—An act to amend sections 997, 1009, 1116, 1117, 1166, 1188, 1262, 1297, 1302, 1371, and 1384 of the Penal Code, relating to refund of money deposited in lieu of bail, and to repeal conflicting acts and parts of acts;

Also: Assembly Bill No. 1832—An act to add to the Code of Civil Procedure a new section, to be numbered 435, relating to allowance of costs upon overruling of demurrer;

Also: Assembly Bill No. 1833—An act to add to the Probate Code a new section, to be numbered 1068, relating to the discharge of executors and administrators and the termination of probate proceedings;

Also: Assembly Bill No. 1834—An act to amend section 431 of the Code of Civil Procedure, relating to the statement of grounds of demurrer;

Also: Assembly Bill No. 1845—An act to add section 2168a to the Political Code, relating to the arrest without warrant upon probable cause of alleged insane persons;

Also: Assembly Bill No. 1846—An act to amend sections 1 and 2 of an act entitled "An act prohibiting the destruction of foodstuffs, food products or food articles," approved June 5, 1913, relating to the destruction of foodstuffs, food products or food articles for the purpose of maintaining the prices thereon or for the purpose of artificially affecting the marketing thereof;

Also: Assembly Bill No. 1854—An act to provide safeguards for occupants of certain buildings against loss of life or injury due to fire or panic;

Also: Assembly Bill No. 1862—An act to amend section 1016 of the Penal Code, relating to indictments and information;

Also: Assembly Bill No. 1865—An act to add a new section to the Civil Code to be numbered 712, relating to restrictions;

Also: Assembly Bill No. 1880—An act to amend section 182 of the Penal Code, relating to criminal conspiracy;

Also: Assembly Bill No. 1881—An act to amend section 1243 of the Penal Code, relating to stay of execution pending appeal;

Also: Assembly Bill No. 1882—An act to amend section 1272 of the Penal Code, relating to admission to bail upon appeal;

Also: Assembly Bill No. 1891—An act to amend sections 1161, 1161a and 1162 of the Code of Civil Procedure, relating to landlord and tenant;

Also: Assembly Bill No. 1900—An act to amend section 1022 of the Code of Civil Procedure, relating to costs of suit;

Also: Assembly Bill No. 1901—An act to regulate practice before the Industrial Accident Commission;

Also: Assembly Bill No. 1909—An act to add a new section to the Political Code, to be numbered 367h, relating to and providing for relief and relief work in California, for purpose of relieving unemployment, and distress, providing for the administration thereof by and through the Emergency Relief Division of the Department of Social Welfare under the direction of the Governor, making an appropriation for such purposes and declaring the urgency thereof;

Also: Assembly Bill No. 1927—An act to add a new section to the Code of Civil Procedure to be numbered 143a, relating to posting of notice of hearing by the superior court at a session of said court held at a place other than the county seat;

Also: Assembly Bill No. 1946—An act to provide for modifying procedure in relation to sales under trust deeds and deficiency judgments thereon;

Also: Assembly Bill No. 1969—An act to amend section 3051a of the Civil Code, relating to the amount recoverable on personal property liens;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WEST, Chairman.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1984—An act to amend sections 660 to 668, inclusive, of the Probate Code, relating to homesteads and exempt property;

Also: Assembly Bill No. 2013—An act to amend section 630 of the Probate Code, relating to withdrawal of moneys without probate;

Also: Assembly Bill No 2018—An act to amend section 1446 of the Penal Code, relative to imprisonment for fines;

Also: Assembly Bill No 2022—An act to add a new section to the Code of Civil Procedure to be numbered 927t, relating to small claims actions;

Also: Assembly Bill No. 2023—An act to amend section 927 of the Code of Civil Procedure, relating to small claims courts;

Also: Assembly Bill No. 2024—An act to amend section 33 of the Code of Civil Procedure, relating to courts of justice;

Also. Assembly Bill No 2025—An act to amend section 906 of the Code of Civil Procedure, relating to punishment for contempts in justice's courts;

Also: Assembly Bill No. 2026—An act to amend section 1209 of the Code of Civil Procedure, relating to contempts of court;

Also. Assembly Bill No. 2027—An act to amend section 281 of the Code of Civil Procedure, relating to practicing without a certificate;

Also: Assembly Bill No. 2028—An act to repeal section 842 of the Code of Civil Procedure;

Also: Assembly Bill No. 2029—An act to amend section 873 of the Code of Civil Procedure, relating to trials in justice's court;

Also: Assembly Bill No. 2030—An act to amend section 153 of the Code of Civil Procedure, relating to the affixing of seals;

Also: Assembly Bill No. 2031—An act to amend section 152 of the Code of Civil Procedure, relating to seals;

Also: Assembly Bill No 2032—An act to amend section 151 of the Code of Civil Procedure, relating to seals for courts;

Also: Assembly Bill No. 2033—An act to amend section 150 of the Code of Civil Procedure, relating to seals of courts;

Also. Assembly Bill No 2034—An act to amend section 147 of the Code of Civil Procedure, specifying which courts shall have seals;

Also: Assembly Bill No. 2036—An act to amend section 112 of the Code of Civil Procedure, relating to jurisdiction of justices' courts;

Also: Assembly Bill No. 2037—An act to amend section 845 of the Code of Civil Procedure, relating to the time for appearance of defendants in justices' courts;

Also: Assembly Bill No 2038—An act to amend section 927c of the Code of Civil Procedure, relating to filing small claims court orders;

Also: Assembly Bill No. 2039—An act to amend section 104 of the Code of Civil Procedure, relating to justices' courts;

Also: Assembly Bill No. 2040—An act to amend section 849 of the Code of Civil Procedure, relating to the service and return of summons;

Also· Assembly Bill No. 2049—An act relating to and providing for a moratorium in respect to the sale of farms, dwelling houses and outbuildings, whether on execution, under power of sale contained in a mortgage or deed of trust or in an action for the recovery of a debt or the enforcement of a right secured by mortgage or other lien, and declaring the urgency thereof, to take effect immediately;

Also· Assembly Bill No. 2055—An act to amend section 3479 of the Civil Code, relating to nuisances;

Also: Assembly Bill No 2056—An act to amend section 3480 of the Civil Code, relating to public nuisances;

Also: Assembly Bill No 2057—An act to amend section 2047 of the Code of Civil Procedure, relating to witnesses;

Also: Assembly Bill No. 2059—An act to amend section 518 of the Penal Code, relating to extortion,

Also: Assembly Bill No 2060—An act to amend section 182 of the Penal Code, relating to criminal conspiracy;

Also: Assembly Bill No. 2063—An act to amend section 821 of the Penal Code, relating to arrest;

Also: Assembly Bill No. 2064—An act to amend section 1382 of the Penal Code;

Also· Assembly Bill No. 2065—An act to amend section 1322 of the Penal Code, relating to husband and wife as witnesses;

Also: Assembly Bill No. 2066—An act to add a new section to the Penal Code, to be numbered 1183, relating to evidence admissible upon the hearing of a motion for new trial,

Also: Assembly Bill No. 2067—An act to amend section 1238 of the Penal Code, relating to appeals;

Also: Assembly Bill No. 2074—An act to amend section 692 of the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust;

Also· Assembly Bill No 2076—An act to amend sections 1 and 2 and to add a new section to be numbered 15 to an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof." approved May 14, 1927, relating to limitation upon the business of a collection agency;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WEST, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2077—An act to add a new section to the Code of Civil Procedure, to be numbered 565a, relating to appointment of receivers;

Also, Assembly Bill No. 2080—An act providing for the election of presiding judges of the superior court in and for the county of Los Angeles and in and for the City and County of San Francisco, and vesting said presiding judges with certain powers and describing and defining their duties;

Also: Assembly Bill No. 2081—An act to add two sections 433 and 344 to the California Vehicle Code, relating to rights, titles, interests, liens and mortgages on vehicles;

Also: Assembly Bill No. 2093—An act to amend section 2 of an act entitled "An act to regulate the payment of wages or compensation for labor service in private employments, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, relating to payment of wages;

Also: Assembly Bill No. 2098—An act to amend section 3617 of the Political Code, relating to definitions;

Also: Assembly Bill No. 2112—An act to amend section 26 and to repeal section 28 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations'," approved May 18, 1917, as amended, abolishing the corporation commission fund, transferring the moneys in said fund to the general fund and making an appropriation;

Also: Assembly Bill No. 2120—An act to amend the Political Code by adding thereto a new section to be numbered 2168a, providing for the arrest, without a warrant upon probable cause, of alleged insane persons;

Also: Assembly Bill No. 2144—An act to amend sections 484 and 532 of the Penal Code, relating to obtaining property by unlawful means;

Also: Assembly Bill No. 2151—An act to require the State to pay all jury fees in civil actions;

Also: Assembly Bill No. 2153—An act to amend section 399 of the Code of Civil Procedure, relating to transfer of an action or proceeding;

Also: Assembly Bill No. 2158—An act to add a new section to the Code of Civil Procedure to be numbered 2007, relating to depositions;

Also: Assembly Bill No. 2161—An act to amend section 689 of the Code of Civil Procedure, relating to indemnity where property is claimed by a third party;

Also: Assembly Bill No. 2162—An act to amend section 545 of the Code of Civil Procedure, relating to persons having property in their possession belonging to the judgment debtor;

Also: Assembly Bill No. 2163—An act to add a new section to the Code of Civil Procedure, to be numbered 467, relating to pleading compliance with a statute;

Also: Assembly Bill No. 2164—An act to amend section 447 of the Code of Civil Procedure, relating to written instruments;

Also: Assembly Bill No. 2166—An act to amend section 458 of the Code of Civil Procedure, relating to the pleading of statutes or ordinances;

Also: Assembly Bill No. 2167—An act to add a new section to the Code of Civil Procedure, to be numbered 466, relating to pleading compliance with a statute;

Also: Assembly Bill No. 2168—An act to amend section 1211 of the Code of Civil Procedure, relating to punishment of contempt of court;

Also: Assembly Bill No. 2169—An act to amend section 1212 of the Code of Civil Procedure, relating to contempt of court;

Also: Assembly Bill No. 2173—An act to add a new section to the Penal Code, to be numbered 653d½, relating to coercion of State employees in relation to their compensation;

Also: Assembly Bill No. 2189—An act to amend section 2309 of the Civil Code, relating to oral authorizations;

Also: Assembly Bill No. 2193—An act to add a new section, to be numbered 14, to an act entitled "An act to define trusts and to provide for criminal penalties

and civil damages and punishment for corporations, persons, firms, and associations or persons connected with them, and to promote free competition in commerce and in all classes of business in this State." approved March 23, 1907, relating to antitrust affidavits;

Also: Assembly Bill No. 2204—An act to amend section 338 of the Code of Civil Procedure, relating to statutes of limitation;

Also: Assembly Bill No. 2205—An act to amend section 6 of an act entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days; providing that notices as to pay days must be kept posted by the employer and making failure to keep such notices posted prima facie evidence of violation of the act, providing criminal penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys and prosecuting attorneys of cities relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner for failure to maintain regular pay days and the disposition of penalties so collected, providing a civil penalty for failure of the employer to pay discharged employees or employees who quit and permitting such employees to sue directly or through an assignee for such penalties as well as permitting the said commissioner to sue for same in such cases as he may deem proper, repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, relating to refusal of employer to pay wages;

Also: Assembly Bill No. 2223—An act to amend section 1203 of the Penal Code, relating to probation and probation officers;

Also: Assembly Bill No. 2224—An act to amend section 1601 of the Penal Code of the State of California, relating to the sheriff receiving prisoners committed by United States courts.

Also: Assembly Bill No. 2236—An act to amend section 657 of the Code of Civil Procedure, relating to new trials and the law granting thereof;

Also: Assembly Bill No. 2237—An act to amend section 261 of the Code of Civil Procedure, relating to court commissioners in any county having a population of nine hundred thousand (900,000) or over;

Also: Assembly Bill No. 2238—An act to amend section 110a of the Code of Civil Procedure, relating to justices of the peace in counties of the first class;

Also: Assembly Bill No. 2240—An act regulating laundries and cleaning establishments and requiring the registration of identification marks used by such establishments with the State Bureau of Criminal Identification and Investigation, and providing the penalty for violation hereof;

Also: Assembly Bill No. 2243—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WEST, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2244—An act to amend section 6 of the Corporate Securities Act, relating to brokers and agents engaged in the sale of securities;

Also: Assembly Bill No. 2245—An act to amend section 198 of the Code of Civil Procedure, relating to jurors.

Also: Assembly Bill No. 2256—An act providing for the prevention of fraud in the sale and issuance of securities, and for the regulation and supervision of issuers, brokers, agents and investment counsel, as the same are herein defined; providing for the enforcement of said act and penalties for the violation thereof; and creating a Division of Corporations and the office of "Securities Commissioner"; and repealing an act known as the "Corporate Securities Act," approved May 18, 1917, and all amendments thereto.

Also: Assembly Bill No. 2264—An act to amend section 4185a of the Political Code, relating to qualifications and eligibility for the office of justice of the peace;

Also: Assembly Bill No. 2265—An act to add a new section to the Code of Civil Procedure, to be numbered 149b, relating to seals of justices' courts;

Also: Assembly Bill No. 2266—An act to amend sections 33 and 34 of the Code of Civil Procedure, relating to justices' courts;

Also: Assembly Bill No. 2267—An act to amend section 112 of the Code of Civil Procedure, relating to jurisdiction of justices' courts;

Also: Assembly Bill No. 2268—An act to add section 347a to the Code of Civil Procedure, relating to the redemption of property sold under the foreclosure of mortgages or sold under deeds of trust;

Also: Assembly Bill No. 2280—An act to amend sections 3, 5, 6, 7, 9, 11, 12, and 13 of that certain act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, as amended, relating to the regulation of collection agencies;

Also Assembly Bill No. 2287—An act to amend sections 1 and 2 of an act entitled "An act prohibiting the destruction of foodstuffs, food products or food articles," approved June 5, 1913, relating to the destruction of foodstuffs, food products or food articles for the purpose of maintaining the prices thereon or for the purpose of artificially affecting the marketing thereof;

Also: Assembly Bill No. 2288—An act to amend section 9a of the California Real Estate Act, relating to applicants for a real estate broker's license and the bonds furnished by them;

Also Assembly Bill No. 2293—An act to amend sections 1 and 2 and to add a new section to be numbered 15 to an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to limitation upon the business of a collection agency;

Also: Assembly Bill No 2298—An act to amend section 13 of the Juvenile Court Law, relating to transfer of cases under said act;

Also: Assembly Bill No. 2305—An act to amend sections 3 to 7, inclusive, and 9, 11, 12 and 13 of, and to add three new sections to be numbered 4a, 4b, 4c to, an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, all relating to collection agencies;

Also: Assembly Bill No. 2322—An act prohibiting the bringing of any action or proceeding for the recovery or collection of any public or private debt and the issuance of writs of execution and other writs to enforce the payment of such debts while any bank has suspended payment to depositors and creditors or limited the same;

Also: Assembly Bill No. 2329—An act relating to and providing for a moratorium in respect to payments due under conditional sales contracts of automobiles and on loans secured by motor vehicles and implements of husbandry, and declaring the urgency thereof;

Also: Assembly Bill No. 2359—An act to amend section 14 of the Inheritance Tax Act, relating to the appointment and compensation of inheritance tax appraisers;

Also Assembly Bill No. 2379—An act to repeal sections 605 and 609 of the Probate Code and to add two new sections thereto to be numbered 605 and 609, relating to the appointment and fees of appraisers;

Also: Assembly Bill No. 2387—An act to amend section 928 of the Penal Code, relating to grand juries;

Also: Assembly Bill No 2424—An act to add two new sections to the Penal Code to be numbered 969c and 1158a, relating to defendants armed with weapons at the time of a commission of the offense or at the time of arrest and providing a procedure for charging that defendants were so armed and for determining the truth of the charge;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WEST, Chairman.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No 159—An act to amend section 537 of the Code of Civil Procedure, relating to attachments;

Also: Senate Bill No. 166—An act to amend section 710 of the Code of Civil Procedure, relating to collection of moneys due from judgment debtor;

Also. Senate Bill No. 353—An act to amend section 927d of the Code of Civil Procedure, relating to small claims courts;

Also: Senate Bill No 362—An act to amend section 726 of the Code of Civil Procedure, relating to proceedings for the foreclosure of mortgages.

Also: Senate Bill No 553—An act to add sections 974 to 974c, inclusive, to Title VI, Chapter 1, of Part II of the Penal Code, relating to the examination of persons charged with crimes;

Also. Senate Bill No. 555—An act to add section 1203a to the Penal Code, relating to probation;

Also: Senate Bill No. 556—An act relating to the examination of juvenile offenders, and providing for State aid and cooperation with county authorities;

Also: Senate Bill No 878—An act to amend section 1446 of the Penal Code, relating to imprisonment for fine;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WEST, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 81—An act to repeal section 11½ of "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913;

Also: Assembly Bill No. 84—An act to repeal "An act to provide for the payment of the wages of mechanics and laborers employed by corporations," approved March 31, 1891;

Also: Assembly Bill No. 88—An act to repeal "An act requiring every corporation doing business in this State to pay their employees, and each of them, at least once in each and every month the wages earned by such employee; to limit the defenses which may be set up by such corporation to assignments of wages, set-off or counterclaims, or the absence of such employee at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same," approved March 29, 1897;

Also: Assembly Bill No. 107—An act to repeal "An act to regulate and provide for a day of rest in certain cases," approved April 16, 1880;

Also: Assembly Bill No. 260—An act to regulate certain working conditions of operators of motion picture machines in theaters and motion picture houses; and providing a penalty for the violation thereof;

Also: Assembly Bill No. 481—An act to repeal "An act limiting the hours of daily service of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof, providing for the insertion of certain stipulations in contracts for public works; imposing penalties for violations of the provisions of this act, and providing for the enforcement thereof," approved March 20, 1899;

Has had the same under consideration, and respectfully reports the same back without recommendation.

DEMPSTER, Chairman.

Also:

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 483—An act to repeal "An act limiting the hours of daily service of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof; providing for the insertion of certain stipulations in contracts for public works; imposing penalties for violations of the provisions of this act, and providing for enforcement thereof," approved March 23, 1901;

Also: Assembly Bill No. 484—An act to repeal "An act to regulate the employment, hours of labor, etc., of children, and to prohibit the employment of minors under a certain age," approved March 23, 1901;

Also: Assembly Bill No. 485—An act to repeal "An act limiting the hours of service of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or of, or for any political subdivision thereof; imposing penalties for violation of the provisions of said act, and providing for the enforcement thereof," approved March 10, 1903;

Also: Assembly Bill No. 602—An act to amend the title and section 2 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931 (Statutes 1931, p. 910, Chapter 397), relating to schedule of such rates of wages and to decisions on complaints of violations of the provisions of said act;

Also: Assembly Bill No. 1476—An act to provide for cooperation between States and counties in the establishment and maintenance of prison camps for the furnishing of labor on public works;

Has had the same under consideration, and respectfully reports the same back without recommendation.

DEMPSTER, Chairman.

Also:

MR SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 251—An act to amend sections 1 and 2 of "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911;

Also: Assembly Bill No 1484—An act to amend section 1 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931;

Has had the same under consideration, and respectfully reports the same back without recommendation.

DEMPSTER, Chairman.

Also:

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 2048—An act relating to energy certificates to be issued by a commission to be known as the Energy Certificates Commission, for the relief of unemployment.

Also: Assembly Bill No. 2310—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931.

Has had the same under consideration, and respectfully reports the same back without recommendation.

DEMPSTER, Chairman.

ON LIBRARIES.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR SPEAKER: Your Committee on Libraries, to which was referred Assembly Bill No. 2109—An act to amend section 9a43 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to county libraries;

Also: Assembly Bill No. 2085—An act to amend section 9a55 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county free library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911;

Also: Assembly Bill No 1001—An act to amend section 4190 of the Political Code and to add thereto new sections to be numbered 4206, 4206a, 4207 and 4207a, relating to law libraries;

Has had the same under consideration, and respectfully reports the same back without recommendation.

UTT, Chairman.

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 156—An act to amend section 12 of the General Dairy Law of California, approved June 15, 1923, as amended, relating to licenses and license fees for manufacturers of and dealers in, and those furnishing, renovated butter, oleomargarine, adulterated butter, or any substance designed to be used as a substitute

for butter—has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, SAMUEL E., Chairman.

Also:

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 1836—An act to repeal Article 3 of Chapter 1 of Division III, embracing sections 331 to 378, inclusive, of the Agricultural Code, relating to brands and marks—has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, SAMUEL E., Chairman.

Also:

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 1975—An act to amend sections 654, 655 and 656 and to repeal sections 657 and 658 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 1976—An act to amend sections 628 and 629 of the Agricultural Code, relating to dairies and dairy products;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, SAMUEL E., Chairman.

Also:

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 1979—An act to amend sections 596, 597, 598, 599, 600 and 601 and to repeal sections 594, 595 and 602 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 1980—An act to amend sections 534, 536, 537 and 543 and to repeal sections 531, 532, 533, 535, 538, 539, 540, 541 and 542 of the Agricultural Code, relating to dairies and dairy products;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, SAMUEL E., Chairman.

Also:

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 2258—An act to amend sections 451, 452, 453, 458, 482, 487, 488, 489, 490, and 493, to add a new section to be numbered 462, and to repeal sections 491 and 492 of the Agricultural Code, relating to dairies;

Also: Assembly Bill No. 2259—An act to amend section 622 of the Agricultural Code, relating to license fees for persons treating dairy products or imitation dairy products;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, SAMUEL E., Chairman.

Also:

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 2405—An act to amend the Agricultural Code, by adding to Division IV a new chapter to be numbered 9, embracing sections 710 to 722, inclusive, relating to the regulation and control of the sale of milk and milk products and the fixing of the prices thereof and creating the Milk Control Board in connection therewith—has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, SAMUEL E., Chairman.

ON MANUFACTURES.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Manufactures, to which was referred Assembly Bill No. 686—An act to regulate the sale of human food put up in sealed cans or other metal containers;

Also: Assembly Bill No. 867—An act to amend sections 1 and 2 of an act entitled "An act defining mattresses, regulating the making, remaking, and sale thereof, prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, as amended;

Also: Assembly Bill No. 928—An act to add section 517 to the Agricultural Code, relating to the sale of ice cream;

Also: Assembly Bill No. 1224—An act to regulate the conduct of commercial manufacturers of jams, jellies, marmalades and preserves, to carry on such regu-

lation, to provide rules regulating the proper sanitation, and adopt standards and definitions for preserves, marmalades, jellies and jams;

Also Assembly Bill No 1418—An act to require maintenance of proper facilities in buildings used for purposes of public assembly or for school purposes;

Has had the same under consideration, and respectfully reports the same back without recommendation.

GILMORE, Chairman.

ON MEDICAL AND DENTAL LAWS

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 209—An act to amend section 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, relating to unprofessional conduct;

Also: Assembly Bill No. 247—An act to amend an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, by adding a new section thereto to be numbered 6b, relating to dental technicians;

Also: Assembly Bill No. 477—An act to repeal "An act to regulate the practice of osteopathy in the State of California, and to provide for a State Board of Osteopathic Examiners, and to license osteopaths to practice in this State, and punish persons violating the provisions of this act," which became law without the Governor's approval, March 9, 1901;

Also: Assembly Bill No 795—An act to provide for licensing and regulation of apparatus capable of producing roentgen rays or roentgenographs, and the licensing and regulation of operators of such apparatus, and to provide penalties for the violations hereof;

Also: Assembly Bill No. 957—An act to amend section 5 of an act entitled "An act to regulate the sale, possession, distribution and use of habit forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929, relating to salary of special counsel;

Has had the same under consideration, and respectfully reports the same back without recommendation.

CRONIN, Chairman.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 982—An act to amend section 11 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended;

Also: Assembly Bill No. 983—An act to amend section 12 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended;

Also: Assembly Bill No. 984—An act to amend section 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended;

Also. Assembly Bill No. 985—An act to amend section 14 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended;

Also: Assembly Bill No. 1166—An act to amend section 13 of that certain act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended,

Has had the same under consideration, and respectfully reports the same back without recommendation.

CRONIN, Chairman.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1306—An act to regulate the practice of naturopathy, to establish a State Board of Naturopathic Examiners, to provide for their appointment and prescribe their powers and duties, defining the practice of naturopathy and prescribing the terms upon which licenses may be issued for such practice, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith;

Also: Assembly Bill No. 1323—An act to amend section 3 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation

hereof," approved May 21, 1915, as amended, relating to the election and appointment of officers of the Board of Dental Examiners;

Also, Assembly Bill No. 1809—An act to regulate the practice of dentistry and the education of dentists and to provide penalties for the violation hereof and to repeal an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915;

Has had the same under consideration, and respectfully reports the same back without recommendation.

CRONIN, Chairman.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1902—An act relating to the chief chemist of the Division of Narcotic Enforcement and the qualifications of such officer;

Also: Assembly Bill No. 1924—An act to add a new section to the State Medical Practice Act, to be numbered 21a, relating to persons retailing physical deformity correction appliances;

Has had the same under consideration, and respectfully reports the same back without recommendation.

CRONIN, Chairman.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Military Affairs, to which was referred Assembly Bill No. 1005—An act to add a new section to the Political Code to be numbered 1981, relating to opportunity for military training for all citizens, and membership in the National Guard,

Also Assembly Bill No. 1685—An act to amend section 374 of the Political Code, relating to the Department of Military and Veterans' Affairs;

Also, Assembly Bill No. 1686—An act to amend section 374a of the Political Code, relating to the salary of the Director of Military and Veterans' Affairs;

Also: Assembly Bill No. 2283—An act to amend section 2079 of the Political Code, relating to allowances to organizations of the National Guard;

Also, Assembly Joint Resolution No. 12—Relative to the Veterans' Home of California;

Has had the same under consideration, and respectfully reports the same back without recommendation.

SCUDDER, Chairman.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 320—An act to add a new section to be numbered 4a to an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1914, relating to the dissemination of information of value in placer mining and making an appropriation therefor;

Also: Assembly Bill No. 338—An act to amend sections 1 and 2 of an act entitled "An act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works," approved May 30, 1913, relating to the keeping of records of the hours worked, providing penalties for violation of the act, providing for the enforcement of the act by the Department of Industrial Relations and extending the benefits of the act to workers employed in sheds or buildings in lime and cement and plants where dust is created;

Also: Assembly Bill No. 654—An act to add two new sections to the Civil Code to be numbered 1426d¾ and 1426d½, relating to discovery shafts on lode and placer mining locations;

Also: Assembly Bill No. 857—An act to amend section 1426*l* of the Civil Code, relating to development work on mining claims;

Also: Assembly Bill No. 1365—An act to amend sections 1, 4b, 8 and 9 of an act entitled "An act to provide for the regulation, control and licensing of any person, firm or corporation engaging in the business of milling, sampling, concentrating, reducing, refining, purchasing or receiving for sale, ores, concentrates, or amalgams, bearing gold or silver, gold dust, silver or gold bullion, nuggets or specimens; to provide rules and regulations therefor; and to provide penalties for the violation of the provisions of this act," approved April 15, 1925, as amended, and to add a new section to said act to be numbered 9a, relating to the ore buyer's license fund;

Also: Assembly Bill No. 1561—An act to amend section 4 of the Corporate Securities Act, relating to powers of the Commissioner of Corporations;

Also: Assembly Bill No. 1562—An act appropriating money to be used for the purchase of dam sites and other necessary land to restrain tailings from hydraulic mining operations and for engineering investigations in connection therewith;

Also: Assembly Bill No. 2100—An act providing for the issuance of licenses to hoisting engineers; providing a fee for such license; creating district boards of examiners; providing for revocation of licenses; creating the hoisting engineers' license fund in the State treasury; providing a penalty for violation of any of the provisions hereof, and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MAYO, Chairman.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 55—An act to amend sections 44 and 77 of the California Vehicle Act, relating to registration of vehicles;

Also: Assembly Bill No. 56—An act to amend sections 42 and 43 of the California Vehicle Act, relating to number plates;

Also: Assembly Bill No. 169—An act to amend section 360c of the Political Code, relating to the California Highway Patrol;

Also: Assembly Bill No. 214—An act to amend section 413 of the Vehicle Code, relating to financial responsibility of owners and operators of vehicles;

Also: Assembly Bill No. 293—An act to amend Chapter 266, Statutes of 1923, entitled the "California Vehicle Act," approved May 30, 1923, as amended, by amending section 85 thereof, relating to the permissible weight of vehicles moved upon public highways;

Also. Assembly Bill No. 294—An act to add a new section to the California Vehicle Act to be numbered 135¼, prohibiting the transportation, by motor truck, trailer or semitrailer, of gasoline, distillate, explosive substances or inflammable gases over the public highways of this State;

Has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 295—An act to amend section 44 of the California Vehicle Act by adding thereto a new subdivision to be known as subdivision (c), relating to the registration of vehicles, the payment of State, county, city and county, and municipal taxes thereon, the issuance of tax clearance certificates and the duties of county, city and county and city assessors with respect thereto;

Also: Assembly Bill No. 301—An act to amend sections 410 and 413 of the Vehicle Code, relating to financial responsibility of owners and operators of vehicles;

Also Assembly Bill No 406—An act providing for the supervision and regulation of the business of transportation of property by motor vehicle as a common carrier for compensation over any public highway in this State; defining highway transportation companies and providing for the regulation and supervision thereof by the Railroad Commission; providing for the enforcement of the provisions of the act and for the punishment of violations thereof; providing rules of evidence for the application of the provisions of this act; and repealing an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney buses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violation thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, Chapter 213, Statutes of 1917, page 330, and all acts amendatory thereof; and repealing all acts inconsistent with the provisions of this act;

Also: Assembly Bill No. 521—An act to amend section 112 of the "California Vehicle Act," approved May 30, 1923, as amended, relating to the driving of vehicles

on the public highway by habitual users of narcotic drugs and persons under the influence of intoxicating liquor or narcotic drugs;
Has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

Also:

MR. SPEAKER Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 582—An act to amend section 761 of the Vehicle Code, relating to penalties for violations of certain provisions of the code;

Also Assembly Bill No 661—An act to amend section 2618 of the Political Code defining highways;

Also: Assembly Bill No. 815—An act to amend section 13 of the Vehicle Code, relating to authorized emergency vehicles,

Also: Assembly Bill No. 828—An act to add a new section to the Vehicle Code, to be numbered section 674 5, relating to the equipment of vehicles;

Also Assembly Bill No 884—An act to amend sections 43 and 51 of the California Vehicle Act, relating to seals on license plates;

Also: Assembly Bill No. 1008—An act to add a new section to the "California Vehicle Act." to be numbered 51¼, relating to the display of registration plates;

Also Assembly Bill No. 1039—An act to amend section 411 of the Vehicle Code, relating to the suspension or revocation of vehicle licenses and registration;

Also Assembly Bill No. 1040—An act to add section 187 to the Vehicle Code, relating to the transfers of title or interest in vehicles;

Also. Assembly Bill No 1126—An act to amend section 467 of the Vehicle Code, relating to the direction signs to registered State landmarks of historical interest,
Has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1183—An act to amend section 159 of the California Vehicle Act, relating to expenditures of the motor vehicle fund;

Also: Assembly Bill No. 1211—An act to add a new section to the Vehicle Code to be known as section 603, relating to the operation of authorized emergency vehicles;

Also: Assembly Bill No 1221—An act to amend section 44 of the Vehicle Act of the State of California, in relation to the registration of motor vehicles;

Also: Assembly Bill No 1222—An act to amend section 77a of the Vehicle Act of the State of California, in relation to the fees to be paid for registration;

Also: Assembly Bill No. 1244—An act to amend sections 481 and 482 of the Vehicle Code and to add a new section thereto to be numbered section 483.5, relating to the duty of the driver of a vehicle involved in an accident;

Also: Assembly Bill No. 1274—An act to amend sections _____ of the Vehicle Code;

Also: Assembly Bill No. 1307—An act to amend section 44 of the California Vehicle Act, relating to the registration of motor vehicles,

Also: Assembly Bill No 1494—An act to provide for the collection by the Department of Motor Vehicles of the State of California of certain taxes upon motor vehicles, trailers and semitrailers in addition to the registration fees provided in the California Vehicle Code, and to provide for the distribution and expenditure of the revenues derived from such tax;
Has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

Also:

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No 1515—An act to add a section to be numbered section 208 to the Vehicle Code, relating to use of special plates on vehicles operated or moved on highways outside this State;

Also Assembly Bill No 1600—An act to amend sections 41 and 51 of, and to add section 77¼ to the California Vehicle Act, relating to certificates of registration, metal holders and seals therefor,

Also Assembly Bill No. 1616—An act to add section 418 to the Vehicle Code, relating to the civil liability, financial responsibility of owner and operator of vehicle and persons signing license applications of minors;

Also: Assembly Bill No. 1620—An act to amend section 77 of the "California Vehicle Act," approved May 30, 1923, as amended, relating to registration fees;

Also: Assembly Bill No. 1824—An act to amend the Vehicle Code, regarding operators' licenses;

Also: Assembly Bill No. 1827—An act to provide for the regulation and licensing of motor carriers, operating wholly or in part within this State, and to provide penalties for the violation thereof;

Also: Assembly Bill No. 1837—An act to amend the "California Vehicle Act," approved May 30, 1923, as amended, by adding two new sections thereto to be numbered 49½ and 76¾, relating to delegation of the power to register vehicles, issue license plates, and issue operators' licenses;

Also: Assembly Bill No. 1839—An act to amend "The California Vehicle Act," approved May 30, 1923, as amended, by adding a new section thereto, to be numbered 152¼, relating to road and highway signs;

Also: Assembly Bill No. 1853—An act to amend section 701 of the Vehicle Code, relating to motor trucks, trailers, and towed vehicles, and the use of motor trucks drawing another vehicle on a highway;

Also: Assembly Bill No 1911—An act to amend sections 425 and 426 of the Vehicle Code, relating to liens upon vehicles;

Also: Assembly Bill No 1949—An act to provide for the granting of reciprocal registration of motor vehicles to nonresident owners living within 25 miles of the boundary of the State of California,

Also. Assembly Bill No. 1965—An act to amend sections 770, 771 and 777 of the Vehicle Code, relating to the disposition of fines;

Also: Assembly Bill No 2044—An act to amend section 372 of the Vehicle Code, relating to weight fees for commercial vehicles;

Also: Assembly Bill No. 2086—An act to amend section 777 of the Vehicle Code, relating to the motor vehicle fund;

Also. Assembly Bill No 2087—An act to amend section 97 of the Vehicle Code, relating to workmen's compensation for members of the California Highway Patrol,

Also: Assembly Bill No. 2088—An act to amend section 159 of the California Vehicle Act, relating to the motor vehicle fund;

Also: Assembly Bill No. 2089—An act to amend section 159½ of the California Vehicle Act, relating to motor vehicles;

Also: Assembly Bill No. 2091—An act to amend section 161 of the Vehicle Code, relating to registration of vehicles;

Also: Assembly Bill No. 2139—An act requiring the licensing of certain vehicles used for the transportation of property in this State, defining such vehicles, providing for the imposition, collections, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, and providing that this act shall take effect immediately,

Also: Assembly Bill No. 2150—An act to amend sections 160, 161 and 164 of the Vehicle Code, relating to the registration of vehicles;

Also: Assembly Bill No. 2152—An act to amend section 141¾ of the California Vehicle Act, relating to liability for death or injury to a guest riding in a vehicle;

Also: Assembly Bill No. 2212—An act to amend sections 90, 91, 92, 93 and 95 of the Vehicle Code, relating to the Department of Motor Vehicles and the organization thereof;

Also: Assembly Bill No. 2248—An act to add a new chapter to Title III of the Vehicle Code, to be numbered Chapter IV-a, relating to sales of vehicles by manufacturers and dealers;

Also: Assembly Bill No. 2303—An act to amend section 160 of the California Vehicle Act, relating to the fines and forfeitures collected under the provisions hereof;

Also: Assembly Bill No. 2304—An act to amend section 77 of the California Vehicle Act, relating to registration and license fees for vehicles;

Also: Senate Bill No. 1027—An act to amend sections 1 and 2 of an act entitled "An act to provide for a generous system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended, vesting administration of said act in the State Personnel Board, abolishing the Civil Service Commission and transferring all of the powers, duties, jurisdiction and responsibilities of said commission to said State Personnel Board;

Also: Senate Bill No. 1025—An act to amend section 656 of the Political Code, relating to the Department of Finance,

Also: Senate Bill No. 875—An act to amend sections 663, 664 and 675 of the Political Code, creating a new Board of Control, prescribing the duties, powers, responsibilities, authority and jurisdiction of said Board of Control and providing for the membership thereof and their qualifications; creating the office of the Director of the Budget, providing for the transfer to said Board of Control and the imposition on it of certain duties, powers, responsibilities, authority and jurisdiction of the Director of Finance;

Has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, *Chairman.*

Also:

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1623—An act to amend an act entitled "An act regulating traffic on streets and highways and to regulate the use and operation of vehicles; to provide for the registration and identification of motor vehicles, trailers and semitrailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the DIVISION of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act"—has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman

Also:

MR. SPEAKER. Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1624—An act to amend an act entitled "An act regulating traffic on streets and highways and to regulate the use and operation of vehicles; to provide for the registration and identification of motor vehicles, trailers and semitrailers and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder, to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act"—has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1625—An act to amend an act entitled "An act regulating traffic on streets and highways and to regulate the use and operation of vehicles, to provide for the registration and identification of motor vehicles, trailers and semitrailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the DIVISION of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this

act"—has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 6—An act to repeal the Acquisition and Improvement Act of 1925;

Also Assembly Bill No. 12—An act repealing the Acquisition and Improvement Act of 1925,

Also: Assembly Bill No 32—An act to repeal the "Acquisition and Improvement Act of 1925";

Also: Assembly Bill No. 53—An act to repeal the Acquisition and Improvement Act of 1925;

Also: Assembly Bill No. 148—An act to provide a limitation on the amount of interest to be paid on bonds issued under certain acquisition or improvement acts;

Also: Assembly Bill No. 153—An act to add a new chapter to Title IX of Part III of the Political Code to be numbered IXa, comprising sections 3857 to 3864 6, inclusive and to amend sections 3771a, 3781, 3788, 3816, 3866, 3897a, 3898 and 3899 of said code, relating to the issuance and sale of State bonds for the purpose of creating funds to reimburse the counties, cities, and the State for delinquent property taxes, the disposition of proceeds from such bonds, and the methods of settlement between counties or cities and the State;

Also Assembly Bill No. 179—An act to amend section 41 of the "Acquisition and Improvement Act of 1925," approved May 23, 1925, as amended, relating to the retirement of bonds issued thereunder;

Also: Assembly Bill No. 193—An act to repeal the "Acquisition and Improvement Act of 1925",

Also: Assembly Bill No. 228—An act to repeal "An act to provide for the planting, maintenance and care of shade trees upon streets, lanes, alleys, courts and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits," approved March 11, 1893;

Also: Assembly Bill No 229—An act to repeal the "Tree Planting Act of 1915";

Also: Assembly Bill No 230—An act to repeal the "Tree Planting Act of 1913",

Also: Assembly Bill No. 231—An act to repeal "An act to provide for the laying out, opening, extending, widening, straightening, diverting, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities or cities and cities and counties of forty thousand inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 23, 1893,

Also Assembly Bill No. 232—An act to repeal "An act empowering the legislative body of any city or municipal corporation to abandon proceedings taken under an act entitled 'An act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby,' approved April 21, 1909, and referred to as the 'Street Improvement Act of 1909,'" approved June 8, 1915;

Also: Assembly Bill No. 327—An act to amend sections 1, 3, 6 and 8 of an act entitled "An act authorizing counties to declare noxious or dangerous weeds growing upon the streets or sidewalks or upon private property in counties, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same, and providing that such cost shall constitute special assessments, and providing for the enforcement and collection of such special assessments," approved May 24, 1929, Statutes of 1929, page 819. (Act 1806 of Deering's General Laws.);

Also: Assembly Bill No. 387—An act to add two new sections to be numbered 764a and 862b to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, relating to powers of municipalities of the fifth and sixth classes;

Also: Assembly Bill No 474—An act to repeal "An act creating a Commissioner of Public Works, defining his duties and powers, and fixing his compensation" approved March 21, 1899;

Also: Assembly Bill No 497—An act to add section 52a to the Acquisition and Improvement Act of 1925, declaring that no new proceedings can be instituted under or pursuant to the provisions of this act;

Also: Assembly Bill No. 538—An act to amend section 1 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent here-

with,' approved May 30, 1923, as amended and approved May 23, 1925," approved May 26, 1927, Statutes 1927, page 1565, as amended, to provide for an allocation of funds derived under said act and the disposition to be made of such portion of said funds as are allocated to the counties of this State, and to authorize counties to establish systems of county highways;

Also: Assembly Bill No. 597—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Municipal Improvement District Act of 1915, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment;

Also: Assembly Bill No. 701—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class;

Also: Assembly Bill No. 735—An act to add section 39½ to an act entitled the "Acquisition and Improvement Act of 1925," relating to the issuance of bonds;

Also: Assembly Bill No. 736—An act to add section 29½ to an act entitled "An act to provide for work done upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, as amended, relating to the issuance of bonds;

Also. Assembly Bill No. 738—An act to add section 7½ to an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities and upon property and rights of way owned by municipalities and for the laying out, opening, extending, widening, straightening, or acquiring in whole or in part of public streets, squares, lanes, alleys, easements, courts and places within municipalities, to provide for the collection of such assessments, the sale of the property affected thereby, and for the payment of the bonds so issued," approved June 11, 1915, as amended, relating to the issuance of bonds;

Also. Assembly Bill No. 743—An act to add section 17½ to an act entitled "An act to provide for the funding and refunding of the indebtedness of, and for the issue and sale or exchange of funding bonds and the retirement of outstanding bonds of districts organized under and in pursuance of the Acquisition and Improvement Act of 1925, and to provide for payment of such bonds and for proceedings to test the validity of the refunding proceeding, and for such funding or refunding to levy assessments and reassessments, and to enforce the liens thereof," approved June 15, 1931, relating to the issuance of bonds.

Also: Assembly Bill No. 745—An act to provide a method whereby any separately assessed land within any district organized under the provisions of the "Acquisition and Improvement Act of 1925" may be permanently removed therefrom and relieved of all past and future taxation or assessment which has attached or which would in the future attach by reason of the existence of such district;

Also. Assembly Bill No. 746—An act requiring the board of supervisors of any county to call a special election in such county for the purpose of submitting to the electors thereof the proposition of consenting to the separation therefrom of any city located in such county desiring to form a consolidated city and county, pursuant to the provisions of section 8½ of Article XI of the Constitution of the State of California;

Also: Assembly Bill No. 764—An act to provide for the relief of property owners who are paying the special assessments for the construction of certain public improvements.

Also Assembly Bill No. 876—An act to amend sections 851, 852 and 855 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class;

Also Assembly Bill No. 879—An act to amend section 855 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to compensation of officers;

Also· Assembly Bill No. 880—An act to add sections 1 5 and 1 7 to an act entitled the "Special assessment investigation, limitation and majority protest act of 1931," relating to investigations, reports and hearings;

Also: Assembly Bill No 915—An act to amend section 2 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, relating to the adoption of a Federal census;

Also: Assembly Bill No. 1012—An act to amend section 3 of the California Meat Inspection Law, relating to municipal inspection departments

Also: Assembly Bill No 1062—An act to amend section 574 of the Civil Code, relating to the property which savings and loan corporations are authorized to purchase, hold and convey;

Also: Assembly Bill No 1194—An act to add a new section to be known as 852c, to an act entitled "An act to provide for the organization, incorporation and

government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class;

Also: Assembly Bill No. 1330—An act providing for supervision, limitation and control of budgets of counties, cities, and counties and cities, and all municipal corporations; creating a tax supervising and conservation board in and for each county, and city and county, and prescribing its powers and duties; providing for appeals from orders of such boards; providing for hearings before such boards; authorizing the board to incur indebtedness; providing for publicity of the board's recommendations; providing penalties for violations of this act; and providing for the repeal of sections,

Also: Assembly Bill No. 1409—An act to amend sections 10 and 11 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements under the "Street Opening Act of 1889" and providing for the effect and enforcement of such bonds," relating to street improvement bonds:

Also. Assembly Bill No. 1410—An act to amend section 34 of an act entitled "An act to provide for work done upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, relating to work, construction and improvements within municipalities:

Also: Assembly Bill No 1412—An act to amend section 50 of the "Acquisition and Improvement Act of 1925," relating to the acquisition and improvement of public ways;

Also: Assembly Bill No. 1413—An act to amend section 2 of the "Municipal Improvement District Act of 1927," relating to improvement districts;

Also: Assembly Bill No. 1414—An act to amend section 2 of the "Street Lighting Act of 1919," relating to street lighting;

Also: Assembly Bill No. 1426—An act to amend sections 1, 3, 4 and 11 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State and to repeal all acts or parts of acts in conflict with this act," approved May 24, 1927, Statutes of 1927, page 1389 as amended, providing for the establishment of a new class of deposit known as a "deposit collection account" and for the security and control thereof;

Also: Assembly Bill No. 1438—An act to amend the Municipal Improvement District Act of 1927 by adding three new sections thereto to be numbered sections 17, 18 and 19, relating to the refunding of bonds of districts organized under said Municipal Improvement District Act of 1927;

Also: Assembly Bill No. 1439—An act to amend sections 764 and 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, Statutes 1883, page 93, as amended, and relating to the powers of city councils of cities of the fifth and sixth classes;

Also: Assembly Bill No. 1440—An act to amend sections 1 and 2 of an act entitled "Authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor and to provide for the payment of the same." Statutes 1897, page 75, as amended, relating to the refunding of indebtedness of cities and towns;

Also: Assembly Bill No. 1441—An act to amend section 718 of the Civil Code, relating to leases of municipal property;

Also: Assembly Bill No. 1444—An act to amend an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, Statutes 1923, page 393, by adding sections 35, 36 and 37 thereto, relating to the refunding of bonds of sanitary districts;

Also: Assembly Bill No. 1445—An act to amend an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, Statutes 1915, page 99, as amended, by adding three new sections thereto to be numbered sections 15, 16 and 17, relating to the refunding of bonds of such districts;

Also: Assembly Bill No. 1446—An act authorizing and providing for the acquisition, construction or completion by cities, towns and municipal corporations of municipal improvements which are of a self-liquidating nature and providing for the

issuance of bonds of such cities, towns and municipal corporations to raise funds to pay the costs and expenses of such improvements and providing that such bonds shall be paid only from revenues derived from such improvements;

Also: Assembly Bill No. 1447—An act to amend section 3714 of the Political Code, relating to budgets and tax levies;

Also: Assembly Bill No. 1448—An act to amend an act entitled "An act to provide for the funding and refunding of the indebtedness of districts organized under and in pursuance of the 'Road District Improvement Act of 1907' and to provide for the levy of assessments and reassessments for such refunding, and to enforce the liens of said assessments and reassessments, and for the issue and sale or exchange of refunding bonds and the retirement of the unpaid bonds of said districts, and to provide for the payment of bonds and for proceedings to test the validity of such refunding and reassessment," approved June 19, 1931, Statutes 1931, Chapter 1111, and providing for the levying of specific assessments and the refunding of the bonds of said districts;

Also: Assembly Bill No. 1450—An act to amend an act entitled "An act to provide for the funding and refunding of the indebtedness of, and for the issue and sale or exchange of funding bonds and the retirement of outstanding bonds of districts organized under and in pursuance of the Acquisition and Improvement Act of 1925, and to provide for payment of such bonds and for proceedings to test the validity of the refunding proceeding, and for such funding or refunding to levy assessments and reassessments and enforce the liens thereof," approved June 15, 1931, Statutes 1931, Chapter 877, and providing for the levying of specific assessments and the refunding of the bonds of said districts;

Also: Assembly Bill No 1451—An act to empower cities and towns to rent or lease from any individual, person, partnership or corporation property which said cities or towns are authorized under general law to acquire or construct and to provide for the mode of making said leases and to limit the term of said leases.

Also Assembly Bill No. 1453—An act to amend sections 3 and 4 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, Statutes 1911, page 1192, as amended, and relating to special assessments and improvement bonds representing same,

Also: Assembly Bill No. 1489—An act to repeal an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved March 28, 1927, and to repeal an act entitled "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913;

Also: Assembly Bill No 1569—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bond indebtedness for the acquisition and construction of works or property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended by adding a new section thereto to be numbered 22b, relating to calling of bids and awarding of contracts;

Also: Assembly Bill No. 1630—An act to amend section 15 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisition of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or in part by special assessments; to provide a basis for the valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931;

Also: Assembly Bill No 1731—An act to amend sections 1, 3, 11, 12, 16, 17, 20, 21, and 24 of an act entitled "An act to provide for the funding and refunding of the indebtedness of, and for the issue and sale or exchange of funding bonds and the retirement of outstanding bonds of districts organized under and in pursuance of the Acquisition and Improvement Act of 1925, and to provide for payment of such bonds and for proceedings to test the validity of the refunding proceeding, and for such funding or refunding to levy assessments and reassessments and enforce the liens thereof," approved June 15, 1931, relating to refunding agreements, mandatory provisions, protests, reassessing, foreclosures, penalties, interest rates, sales, and notices thereunder;

Also: Assembly Bill No. 1732—An act to amend section 41 of an act entitled "An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improvement of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, commons, and all public ways and other property and rights of way of the public, including

any property over which possession and right of use have been obtained under the provisions of section 14 of Article I of the Constitution of the State of California, in whole or in part whether lying entirely within unincorporated territory of a county or in the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes; and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements," approved May 23, 1925, as amended, relating to the retirement of bonds issued thereunder, and the entry, collection and enforcement of taxes thereunder.

Also: Assembly Bill No. 1734—An act to provide for the funding and refunding of the indebtedness of, and for the issue and sale or exchange of funding bonds and the retirement of outstanding bonds of districts organized under and in pursuance of the Acquisition and Improvement Act of 1925, and to provide for payment of such bonds and to provide for proceedings to test the validity of the refunding proceeding, and to provide for the levy of assessments and reassessments to pay such bonds and to enforce the liens of such assessments and reassessments;

Also: Assembly Bill No. 1773—An act to amend section 1 of an act entitled "An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, and authorizing such public or quasi public corporations to take out and pay for insurance to protect them against such liability," approved June 19, 1931, relating to claims for injuries;

Also: Assembly Bill No. 1887—An act to amend section 1 of an act entitled "An act to provide for direct legislation by cities and towns, including initiative and referendum" approved January 2, 1912, relating to ordinances;

Also: Assembly Bill No. 1889—An act to amend sections 766 and 864 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, relating to cities and towns;

Also: Assembly Bill No. 1890—An act to amend sections 4387 and 4388 of the Political Code, relating to city officers;

Also: Assembly Bill No. 2014—An act to amend section 5 of an act entitled "An act to provide for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903, as amended, relating to street improvements;

Also: Assembly Bill No 2015—An act to amend section 7 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to doing of work upon streets and providing a method for payment therefor;

Also: Assembly Bill No. 2041—An act to amend sections 28, 63 and 76, and to add a new section to be numbered section 76b to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street

improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to street improvements;

Also: Assembly Bill No. 2156—An act to allow any individual to do all electrical, plumbing and similar work on his own property and to authorize him to sell what he raises or anything that he makes in any city without a license;

Also: Assembly Bill No. 2220—An act to add a new section to be numbered 39a to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties, or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to liability for injuries due to defective sidewalks;

Also: Assembly Bill No. 2221—An act to add a new section to be numbered 2a and to amend the title of an act entitled "An act limiting the liability of supervisors, city trustees, city councils, board of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," approved June 13, 1923, as amended, relating to joint liability of property owners for injuries from defective sidewalks;

Also: Assembly Bill No. 2222—An act to provide a method whereby any separately assessed land within any district organized under the provisions of the "Road District and Improvement Act of 1911" may be permanently excluded therefrom;

Also: Assembly Bill No. 2255—An act to provide aid and assistance to special assessment districts where the assessment is levied upon specific property, and authorizing the expenditure of public funds therefor;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 1038—An act to amend an act entitled "An act to provide for the establishment of official master plans and the appointment of planning commissions in cities, cities and counties, and counties; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and composition thereof; prescribing the powers and duties of such commissions; providing for the transfer thereto of the powers and duties of other planning commissions, providing for the preparation, adoption and recordation of precise street plans; providing for the control of the construction of buildings within the lines of streets shown on such precise street plans, providing for the levy of a special tax for the support of a planning commission and other acts pursuant to this act and making certain expenditures legal charges against the funds of cities, cities and counties, and counties and regional planning commissions; providing for the establishment by cities, cities and counties, and counties, of regional planning commissions, including two or more cities, cities and counties, or counties, or a portion or portions thereof, or both; making certain acts, misdemeanors; and repealing other acts in conflict herewith," approved June 17, 1929, by amending the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 11 and 12 thereof; and by repealing sections 13, 14, 14a, 14b, 15 and 16 thereof; and by renumbering section 17 of said act as section 13 and amending the same; and by renumbering section 18 of said act as section 14 and amending the same; and by renumbering sections 19 and 20 of said act, respectively, as sections 15 and 16 thereof, respectively —has had the same under consideration, and respectfully reports the same back without recommendation

LYON, Chairman.

ON OIL INDUSTRIES.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 51—An act to amend sections 1 and 2 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled, 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," approved May 26, 1927;

Also: Assembly Bill No 52—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended;
Has had the same under consideration, and respectfully reports the same back without recommendation.

BADHAM, Chairman.

Also:

MR SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 141—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and to repeal an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925,' approved May 26, 1927—has had the same under consideration, and respectfully reports the same back without recommendation.

BADHAM, Chairman

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 376—An act to amend sections 1 and 2 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," approved May 26, 1927, as amended, relating to the disposition of the funds collected thereunder—has had the same under consideration, and respectfully reports the same back without recommendation.

BADHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 399—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the

provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, relating to moneys collected thereunder—has had the same under consideration, and respectfully reports the same back without recommendation.

BADHAM, Chairman

Also:

MR SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No 499—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, to provide for the uses and purposes to which the funds derived under said act may be used—has had the same under consideration, and respectfully reports the same back without recommendation.

BADHAM, Chairman

Also:

MR SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 570—An act to authorize the Chief of the Division of State Lands of the Department of Finance to make investigations to determine whether oil or gas wells extend upon certain lands owned by the State of California, to authorize the Attorney General to obtain an order from the court to survey any such wells as to deviation from the vertical and direction of such deviation, to authorize the Chief of the Division of State Lands to make such survey, to make such survey prima facie evidence of trespass upon any such State-owned lands, and to provide for an injunction, an accounting, and damages to the State on account of any such trespass—has had the same under consideration, and respectfully reports the same back without recommendation.

BADHAM, Chairman

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 706—An act to repeal sections 11 and 11a of an act entitled, "An act to regulate and license the business of producing, refining, or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to refunds of the tax therein authorized—has had the same under consideration, and respectfully reports the same back without recommendation.

BADHAM, Chairman.

Also:

MR SPEAKER Your Committee on Oil Industries, to which was referred Assembly Bill No 852—An act to amend section 990 of the Fish and Game Code, relating to commercial fishing licenses—has had the same under consideration, and respectfully reports the same back without recommendation.

BADHAM, Chairman.

Also:

MR SPEAKER Your Committee on Oil Industries, to which was referred Assembly Bill No 933—An act to amend section 10 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond

upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended—has had the same under consideration, and respectfully reports the same back without recommendation

BADHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1372—An act to amend section 1 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled, 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition' of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," approved May 26, 1927, relating to refunds—has had the same under consideration, and respectfully reports the same back without recommendation.

BADHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1373—An act to amend section 13 of and to repeal sections 11 and 11a of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to refunds—has had the same under consideration, and respectfully reports the same back without recommendation.

BADHAM, Chairman

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1563—An act to regulate and license the business of distributing gasoline for marine use and other motor fuels, to provide for the disposition of the receipts under this act, to create a division in the Department of Public Works, and to create a fund for the administration of this act—has had the same under consideration, and respectfully reports the same back without recommendation.

BADHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1673—An act to repeal "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931—has had the same under consideration, and respectfully reports the same back without recommendation.

BADHAM, Chairman.

Also:

MR SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1742—An act to amend sections 1, 11 and 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufactur-

ing of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, relating to the receipts from and the disposition of the taxes imposed thereunder;

Also: Assembly Bill No. 2005—An act to amend sections 16 and 18 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to inspection of containers and the enforcement of the provisions of said act;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BADHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1878—An act to amend section 7 of Chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," as amended—has had the same under consideration, and respectfully reports the same back without recommendation.

BADHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1960—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and distribution of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, relating to the uses and purposes to which the funds derived under said act may be used—has had the same under consideration, and respectfully reports the same back without recommendation.

BADHAM, Chairman.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 646—An act to amend section 1168 of the Penal Code, relating to the sentencing of prisoners, terms of imprisonment, credits to prisoners and paroles of prisoners;

Also: Assembly Bill No. 747—An act providing employment for inmates of State prisons and reformatories; providing for appointment and compensation of a Superintendent of Prison Industries and providing rules and regulations for the carrying out of the provisions thereof;

Also: Assembly Bill No. 1374—An act to repeal an act entitled "An act to establish a State prison; creating a commission to select and purchase a suitable site therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved June 4, 1929;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WOOLWINE, Chairman.

ON PUBLIC CHARITIES AND CORRECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred Assembly Bill No. 110—An act to amend "An act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of California, providing the method therefor, making an appropriation therefor and prescribing penalties for the violation of the provisions of this act," approved May 28, 1929, relating to aged persons in need;

Also: Assembly Bill No. 816—An act to amend sections 14, 15 and 21 of an act entitled, "An act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of California, providing the method therefor, making an appropriation therefor and prescribing penalties for the violation of the provisions of this act," approved May 28, 1929,

Also: Assembly Bill No. 1015—An act to provide for a system of old age and invalidity insurance for the State of California;

Also Assembly Bill No 1034—An act to add a new section to be numbered section 11 to an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons." approved March 23, 1901, as amended, relating to the provision of relief and support of persons incapacitated by tuberculosis or indigent persons afflicted with tuberculosis, the reimbursement of counties and cities and counties by the State for the amount of relief and support extended to such persons and making an appropriation therefor,

Has had the same under consideration, and respectfully reports the same back without recommendation.

MARTIN, Chairman.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 78—An act to repeal "An act to regulate the sale of eggs that have been shipped or imported into the State of California from any point or place outside of the United States, requiring the marking thereof by all persons selling or offering the same for sale, and fixing penalties for the violation of the same or of any of the provisions thereof," approved June 4, 1915;

Also: Assembly Bill No. 213—An act to repeal an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing, providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violation," approved May 28, 1931;

Also: Assembly Bill No. 270—An act to amend the title, and sections 7 and 21 of the "State Housing Act," approved June 15, 1923, as amended, relating to the regulation of dwellings, apartment houses and hotels;

Also: Assembly Bill No. 277—An act to amend sections 30, 31 and 60 of the "State Housing Act," relating to hotel and apartment house kitchens;

Has had the same under consideration, and respectfully reports the same back without recommendation.

HOFFMAN, Chairman.

Also:

MR. SPEAKER Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 281—An act to amend sections 4 and 5 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931, relating to cleaning and dyeing shops and private schools and colleges of spotting, sponging and/or pressing;

Also: Assembly Bill No. 493—An act to amend sections 7b and 9 of an act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, relating to mosquito abatement districts;

Also: Assembly Bill No. 534—An act relating to the collection, treatment and disposal of sewage;

Also: Assembly Bill No. 578—An act to provide for the sanitary inspection of slaughter houses, the inspection of animals or meats intended for human consumption, to provide rules and regulations therefor, to provide penalties for the violation thereof and to repeal the California Meat Inspection Law, approved May 8, 1931;

Also: Assembly Bill No. 772—An act to amend the act known as "An act concerning cosmetology";
Also: Assembly Bill No. 774—An act to amend the act known as "An act concerning cosmetology";
Has had the same under consideration, and respectfully reports the same back without recommendation.

HOFFMAN, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 773—An act to amend the act known as "An Act Concerning Cosmetology"—has had the same under consideration, and respectfully reports the same back without recommendation.

HOFFMAN, Chairman.

Also:

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 784—An act to amend section 2 of Chapter 233, Statutes of 1903, entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, relating to license fees;
Also: Assembly Bill No. 801—An act to amend section 42 of the State Housing Act, relating to construction of buildings;
Also: Assembly Bill No. 1120—An act to amend section 1132 of, and to add a new section to be numbered 1132.5 to, the Agricultural Code, relating to cold storage eggs and shell treated eggs;
Also: Assembly Bill No. 1121—An act to add a new section to be numbered section 8a to an act entitled "An act to promote the development of the egg industry in California, to prohibit the sale of eggs unfit for human food, to provide standards of quality and weight for the sale of eggs, to provide for proper labeling of all eggs displayed for sale to the consumer, to protect the consuming public by preventing deception in the sale of eggs, providing penalties for the violation of the provisions of this act, and repealing all acts or parts of acts in conflict herewith," approved May 28, 1931, relating to cold storage eggs and shell treated eggs;
Also: Assembly Bill No. 1134—An act to amend sections 7b and 9 of an act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursements of taxes therein," approved May 29, 1915, as amended, relating to mosquito abatement district tax levies;
Also: Assembly Bill No. 1135—An act to provide for the organization and operation of revenue-producing sewer maintenance districts;
Has had the same under consideration, and respectfully reports the same back without recommendation.

HOFFMAN, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 973—An act to amend section 316 of the Agricultural Code, relating to meat inspection—has had the same under consideration, and respectfully reports the same back without recommendation.

HOFFMAN, Chairman.

Also:

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1159—An act to create a public corporation to be known as the "Naturopathic Association of California," to provide for its organization, government, membership and powers, to regulate the practice and licensing of naturopathic physicians, to create a board of governors and to provide for the appointment of a State Board of Naturopathic Examiners, and to provide penalties for violations hereof—has had the same under consideration, and respectfully reports the same back without recommendation.

HOFFMAN, Chairman.

Also:

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1162—An act to add a new section to the Penal Code, to be numbered 627c, relating to muskrats;
Also: Assembly Bill No. 1267—An act to amend section 12 of the State Housing Act, relating to height limitations of semifireproof apartment houses or hotels and providing a method of measurement for such buildings;
Also: Assembly Bill No. 1423—An act to repeal an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies

thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violation," approved May 28, 1931;

Also: Assembly Bill No. 1461—An act to require manufacturers, dealers and sellers of cosmetics to employ the services of registered pharmacists and to use labels containing true formulas of ingredients;

Also: Assembly Bill No. 1590—An act to amend an "Act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy";

Also: Assembly Bill No. 1674—An act to add section 372h to the Political Code, relating to the powers and duties of the Department of Public Health;

Also: Assembly Bill No. 1689—An act to abolish the Division of Immigration and Housing in the Department of Industrial Relations and to transfer the powers and duties of said division to the Department of Public Health and to amend section 364a and to repeal section 364d of the Political Code, relating to the Division of Immigration and Housing;

Has had the same under consideration, and respectfully reports the same back without recommendation.

HOFFMAN, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1830—An act to amend section 2 of an act entitled "An act to prevent the introduction of rabies or other animal diseases dangerous to human beings into portions of the State not infected; to control the spread of such diseases after introduction; and authorize the State Board of Health to make rules and regulations therefor," approved June 13, 1913, relating to diseases of birds and animals;

Also: Assembly Bill No. 2003—An act to add section 372h to the Political Code, relating to the positions and duties of the Department of Public Health;

Also: Assembly Bill No. 2046—An act to amend section 3a of an act entitled "An act defining mattresses; regulating the making, remaking and sale thereof; prohibiting the use of unsanitary and unhealthy material therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, relating to licenses;

Also: Assembly Bill No. 2047—An act to amend section 6 of an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture, and creating the upholstered furniture inspection fund," approved May 10, 1927;

Also: Assembly Bill No. 2141—An act regulating the business of funeral directors and the transportation and traffic in dead human bodies, and providing penalties for violation thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

HOFFMAN, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 2142—An act regulating the practice of embalming in connection with the care and disposition of the dead, creating a State board therefor, providing penalties for the violation thereof, and repealing the act entitled "An act regulating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State board therefor, providing penalties for violations thereof, and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof,' approved April 16, 1915, as amended," approved April 20, 1929, as amended, relating to and regulating the business of funeral directors and embalmers;

Also: Assembly Bill No. 2148—An act to amend section 1 of an act entitled "Act providing for the granting of franchises in counties or cities and counties for the disposal or destruction, or both, of garbage and other waste and declaring same an urgency measure" by regulating and controlling the disposal or destruction, or both, of garbage and other waste in municipal corporations of the first, first and one-half, second and second and one-fourth class;

Also: Assembly Bill No. 2157—An act to permit the owners of small shops to maintain their families on their business premises;

Also: Assembly Bill No. 2218—An act to amend section 2 of the State Housing Act, relating to the enforcement of the provisions of said act;

Also, Assembly Bill No. 2261—An act to amend section 1 of an act entitled "An act defining mattresses; regulating the making, remaking and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein, requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, relating to mattresses;

Has had the same under consideration, and respectfully reports the same back without recommendation.

HOFFMAN, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 2279—An act to consolidate the administration of the act known as the "California Barber Law" approved May 31, 1927, as amended and that certain act known as the "Act Concerning Cosmetology" approved May 31, 1927, as amended;

Also: Assembly Bill No. 2299—An act to amend sections 7, 7a and 7b and to add sections 7.1 and 9a to an act entitled "An act to provide for the formation, governing, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects, and to provide for the assessment, levying, collection and distribution of taxes thereon," approved May 29, 1915, relating to mosquito abatement districts,

Has had the same under consideration, and respectfully reports the same back without recommendation.

HOFFMAN, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 674—An act to regulate the conduct of pounds, prescribing the duties of persons in charge thereof or employed thereat, and regulating the disposition of animals impounded or sheltered therein—has had the same under consideration, and respectfully reports the same back without recommendation

HOFFMAN, Chairman.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 465—An act to repeal "An act to limit and fix the rates of fares on street railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878;

Also: Assembly Bill No. 550—An act to amend sections 5 and 6 of an act entitled "An act providing for the supervision and regulation of the transportation of property for compensation over any public highways by auto trucks; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to the Railroad Commission fund;

Also: Assembly Bill No. 551—An act to amend sections 57, and 50¼ of the Public Utilities Act, relating to the Railroad Commission fund,

Also: Assembly Bill No. 552—An act to amend section 4 of an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, relating to the Railroad Commission fund,

Has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 472—An act to repeal "An act to promote the safety of employees and passengers upon street railroads, by compelling equipment of cars and dummies with fenders and brakes, and to prescribe penalties," approved March 22, 1899;

Also Assembly Bill No. 1266—An act declaring passenger stages a public nuisance when operated over the public highways of this State by passenger stage corporations without such corporations having first secured a certificate of public convenience and necessity from the Railroad Commission of the State of California,

prescribing the duties of officers of the law in respect thereto, providing for actions for the seizure, forfeiture and sale of such passenger stages and prescribing the procedure relative thereto;

Also, Assembly Bill No. 1375—An act to add a new section to the Public Utilities Act, to be numbered 13a, relating to the temporary alteration or suspension of rates,

Also Assembly Bill No 1499—An act prohibiting the operation of a street car by less than two men,

Has had the same under consideration, and respectfully reports the same back without recommendation

LATHAM, Chairman

Also:

MR SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 581—An act to amend section 50½ of the Public Utilities Act, relating to warehouses;

Also, Assembly Bill No. 1568—An act to amend section 13 of the "Public Utilities Act," approved April 23, 1915, relating to public utilities;

Also, Assembly Bill No. 2155—An act to provide that no public utility may discharge any employee solely because of age;

Also: Assembly Bill No. 2254—An act to add a new section, to be numbered 7, to the Weights and Measures Act, relating to and extending the provisions of said act to cover and include gas and electric meters;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No 2140—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof;

Also Assembly Bill No 2881—An act to add section 41a to the Public Utilities Act, relating to telephone companies and the installation of telephone meters;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman.

Also:

MR SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 704—An act to amend section 71 of the Public Utilities Act, relating to reparation to be made for excessive or unreasonable charges by a public utility;

Also, Assembly Bill No. 1532—An act providing for the regulation of carriers in air commerce; providing for the enforcement of said act and penalties for violations thereof,

Also: Assembly Bill No 1724—An act requiring all telephone companies operating as a public utility to furnish wire connection for purpose of exchange and toll or other messages to telephone system owned and operated by the State or any political subdivision thereof;

Also: Assembly Bill No. 1995—An act to amend sections 4 and 5 of the Public Utilities Act, relating to salaries of employees of the Railroad Commission;

Also: Assembly Bill No 2045—An act to add a new section to the Public Utilities Act, to be numbered 40a, relating to connection of telephone lines;

Also: Assembly Bill No. 2137—An act relating to the construction, acquisition, operation and maintenance by municipalities of water supplies, and water works; electric light and power plants and distributing systems; natural or artificial gas plants, distributing systems and works; sand, gravel, stone, asphalt, cement and other plants, quarries, mills, and works used in producing or preparing materials for street construction; street car, bus or other transportation lines, tracks, equipments and buildings; and other factories, plants, equipments, material essential or convenient for establishing, operating, maintaining and activity in which they may be engaged, or may desire to engage in;

Has had the same under consideration, and respectfully reports the same back without recommendation

LATHAM, Chairman.

Also:

MR SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1402—An act to amend certain sections of "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and

corporations, creating the "Railroad Commission fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," as amended,

Also: Assembly Bill No. 1403—An act to amend certain sections of "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," as amended;

Also: Assembly Bill No. 2061—An act regulating the use of public highways by certain motor vehicles for commercial purposes, requiring the operators of such vehicles to secure permits from the Railroad Commission of California for the operation thereof, to foster a fair distribution of traffic between the several transportation agencies to the end that the public highways may be relieved of unnecessary commercial traffic and that necessary existing agencies of transportation shall be preserved, and providing penalties for violation of this act;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman.

Also:

MR SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No. 80—An act to repeal "An act requiring the marking of packages of butter containing less than six pounds and more than one-half pounds so as to advise the purchaser or others as to the weight of butter contained in such package," approved March 20, 1905—has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman.

ON PUBLIC MORALS

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 476—An act to repeal "An act to prohibit prize fighting," approved March 9, 1893;

Also Assembly Bill No. 486—An act to repeal "An act to prevent the selling, giving or delivering intoxicating liquors to minor children, and to prevent minor children visiting saloons or public houses where intoxicating liquors are sold," approved March 20, 1903,

Also Assembly Bill No. 726—An act to amend section 648a of the Penal Code, relating to circulating slugs and tokens of the same dimensions as United States coins;

Also, Assembly Bill No. 937—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 12, 14, 15 and 16, and to add sections 17, 18, 19, 20, 21, 22, 23 and 24 to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held, to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," submitted by initiative and approved by electors November 4, 1924, relating to boxing and wrestling;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman.

Also:

MR SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1242—An act to add a new section to the Penal Code to be numbered 597h, relating to cruelty to animals and defining and prohibiting coursing and prescribing a penalty for the violation thereof,

Also: Assembly Bill No. 1273—An act to revise an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contest to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to wit-

ness such amateur boxing contests," approved by electors November 4, 1924, relating to wrestling and boxing;

Also: Assembly Bill No 1329—An act to provide for the regulation and licensing horse racing and horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; and to provide penalties for the violation of the provisions of this act.

Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1500—An act to regulate and prevent the transportation of persons to gambling ships; to prevent the solicitation of persons to visit gambling ships; and to provide penalties for such transportation or solicitation;

Also: Assembly Bill No. 1596—An act to amend section 337a of the Penal Code, relating to gambling;

Also: Assembly Bill No. 1612—An act to provide for regulation by the State of the business of operating or conducting businesses of which the playing of pool, billiards and similar games is a part, and to prevent racketeering in connection therewith;

Also: Assembly Bill No 1847—An act to license and regulate fortune tellers, fakirs, and similar persons engaged in treating the human body or the human mind;

Also: Assembly Bill No. 1894—An act to add a new section to be numbered 17 to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or when an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contest," approved November 4, 1924, relating to the State Athletic Commission;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman.

Also:

MR SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1951—An act to amend section 337a of the Penal Code, relating to marble and pin games;

Also: Assembly Bill No. 1953—An act to add a new section to the Penal Code to be numbered 330b, relating to gambling devices;

Also: Assembly Bill No. 2149—An act to prohibit the sale, possession and operation of gambling devices, coin or slug machines or devices, or by depositing any other article or device into a receptacle or device attached to or affixed to such machine for the purpose of operating the same and providing penalty therefor;

Also: Assembly Bill No. 2242—An act to amend section 412 of the Penal Code, prohibiting prize fights and betting on any pugilistic contest, boxing contest or exhibition, but sanctioning amateur boxing contests, sparring matches and exhibitions not to exceed three rounds of duration, prescribing conditions in relation thereto and the issuance of annual licenses to hold such amateur contests by the State Athletic Commission of California;

Also: Assembly Bill No. 1954—An act to amend section 330a of the Penal Code, relating to gambling by the use of slot machines, card dice or other dice having more than six faces each, or by the use of marble or pin games;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 5—An act to amend sections 3746, 3751, 3756, 3758, 3817 and 3817a of the Political Code, and to add a new section to be numbered 3757, all relating to property tax delinquencies, penalties and redemptions,

Also: Assembly Bill No. 8—An act to amend sections 3746, 3756 and 3817 of the Political Code, relating to property tax delinquency and redemption penalties;

Also: Assembly Bill No. 13—An act to provide for the consolidation of all taxes, other than State taxes, in the county tax officials; and to prohibit the levy of any tax within a county save by the county board of supervisors;

Also: Assembly Bill No. 23—An act to amend sections 3746, 3751, 3756, 3759, 3817 and 3817a of the Political Code, relating to payment of property taxes and delinquency and redemption penalties;

Also: Assembly Bill No. 66—An act to repeal sections 3839 to 3856, inclusive, of the Political Code, relating to poll tax on aliens;

Also: Assembly Bill No. 91—An act to repeal "An act amendatory of and supplementary to an act entitled 'An act to provide revenue for the support of the government of this State from a tax upon foreign and inland bills, passengers, insurance companies, and other matters,' approved April 15, 1862," approved May 14, 1862;

Also: Assembly Bill No. 105—An act to repeal "An act to regulate the assessment of migratory herds or bands of live stock, and to provide for an equitable distribution of the taxes derived therefrom," approved March 16, 1874, and to repeal "An act supplementary to an act entitled 'An act to regulate the assessment of migratory herds or bands of live stock, and to provide for an equitable distribution of the taxes derived therefrom,' approved March 16, 1874," approved April 1, 1876;

Also: Assembly Bill No. 149—An act to provide for the redemption of real property sold to the State for delinquent property taxes prior to the fifth day of December, 1933;

Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 150—An act to provide for the redemption of real property sold to the State for delinquent property taxes prior to the expiration of 24 months from and after the effective date hereof;

Also: Assembly Bill No. 152—An act to amend section 3817 of the Political Code, relating to property tax redemption penalties;

Also: Assembly Bill No. 212—An act requiring licenses for the operation, maintenance, opening or establishment of stores in this State, prescribing the license and filing fees to be paid therefor and the disposition thereof, and the disposition and duties of the State Board of Equalization in connection therewith and prescribing penalties for violation thereof;

Also: Assembly Bill No. 237—An act to amend sections 3746, 3751, 3756 and 3817 of the Political Code, relating to property tax delinquency and redemption penalties;

Also: Assembly Bill No. 244—An act to amend section 3665c of the Political Code, to require companies to report to the State Board of Equalization all operative property used by them;

Also: Assembly Bill No. 249—An act to amend sections 3746, 3751, 3756, 3817 and 3817a of the Political Code, relating to property tax delinquencies and redemptions;

Also: Assembly Bill No. 272—An act to add a new section to the Political Code, to be numbered 3628a, relating to notice of increases in assessment valuation;

Also: Assembly Bill No. 285—An act to add a new section to the Penal Code, to be numbered 1375, relating to the manner in which counties shall pay the State for care of insane and inebriates;

Also: Assembly Bill No. 302—An act to amend sections 3746, 3751, 3756 and 3817 of the Political Code, relating to payment of property taxes and delinquency and redemption penalties;

Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 353—An act to amend section 9 of an act entitled 'An act to provide for the organization and government of public cemetery districts," approved June 1, 1921 (Statutes 1921, Chapter 652, page 1103), as amended, relating to dividing estimate of amount of money to be raised by taxation when district is in more than one county;

Also: Assembly Bill No. 449—An act to amend sections 3760, 3766, 3769, 3785, 3897, 3897b and 3898 of the Political Code, relating to contents of the delinquent list, publication of the delinquent list, forms of tax deeds, recording of tax deeds to the State, sales and notices of sale for delinquent taxes, and sales of tax deeded lands suitable for public purposes;

Also: Assembly Bill No. 450—An act to add a new section to the Political Code, to be numbered 3817b, authorizing the temporary suspension of penalties on delinquent taxes;

Also: Assembly Bill No. 463—An act to repeal "An act to authorize counties, cities and counties, and incorporated towns, and chartered or incorporated cities, to license bicycles, tricycles, and similar vehicles, and collect a fee therefor, for the purpose of devoting such fee to the construction of paths along county roads for the

use of pedestrians, and the wheeling thereon of such vehicles," which became law without the Governor's approval. March 16, 1901;

Also: Assembly Bill No. 595—An act to provide for the payment of real property taxes levied subsequent to July 1, 1928, and prior to the effective date of this act, and providing for the redemption of real property sold to the State for delinquent taxes levied during said period, and declaring this act to be an urgency measure;

Also: Assembly Bill No. 656—An act to provide for an extension of time for the payment of property taxes for the fiscal year ending June 30, 1933, and declaring this act to be an urgency measure;

Also: Assembly Bill No. 657—An act to add a new section to the Political Code, to be numbered 3750a, relating to the extension of time for the payment of property taxes for the fiscal year ending June 30, 1933, and declaring this act to be an urgency measure;

Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 705—An act to add a new chapter to Title IX of Part III of the Political Code, to be numbered Chapter V-A, embracing sections 3720 to 3726*l*, inclusive, and to amend section 3714 of the Political Code, relating to the supervision, limitation and control of budgets of, and of tax levies by, counties, cities, school districts, special districts, or other public or quasi public corporations, having the power to levy a tax or to incur indebtedness, and providing penalties for the violation hereof;

Also: Assembly Bill No. 710—An act to amend section 3881 of the Political Code, relating to assessments;

Also: Assembly Bill No. 717—An act to amend an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909;

Also: Assembly Bill No. 797—An act to provide for the transfer from the State highway maintenance fund and the State highway construction fund to the general fund in the State treasury, an amount equal to that paid or necessary to be paid on or after July 1, 1933, for the principal and interest upon certain State bonds for highway purposes and providing that this act shall take effect immediately;

Also: Assembly Bill No. 861—An act to add a new section to the Political Code to be numbered 3649a, relating to the assessment of property discovered after the first Monday in July;

Also: Assembly Bill No. 888—An act to provide for the raising of public revenue by imposing taxes on all branch or chain store retail businesses in the State of California, to provide the procedure for the ascertainment, assessment and collection of the taxes by the State Board of Equalization and the State Controller, to provide for the methods of enforcing the provisions of the act, and imposing penalties for the violation thereof;

Also: Assembly Bill No. 895—An act providing for the exemption from taxation of the proceeds of the sale by the producer of gold and silver extracted from the soil of this State;

Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 896—An act relating to exemption of mining property from taxes;

Also: Assembly Bill No. 1025—An act to amend sections 3746 and 3756 of the Political Code, relating to taxes on real and personal property;

Also: Assembly Bill No. 1041—An act to add a new section to the Political Code, to be numbered 3714b, relating to annual financial estimates from special tax and assessment districts;

Also: Assembly Bill No. 1042—An act to provide the procedure for the formation of certain special tax and assessment districts and providing certain restrictions and limitations thereon;

Also: Assembly Bill No. 1050—An act to provide for the levy, collection and payment of an income tax on the salaries of individuals and to provide for the allocation of the revenues therefrom;

Also: Assembly Bill No. 1108—An act relating to and providing funds for furnishing relief and aid to the destitute, needy and distressed people of this State and levying a gross receipt tax on tangible personal property therefor, and declaring the urgency thereof;

Also: Assembly Bill No. 1123—An act to amend sections 3746, 3751, 3756, 3817 and 3817a of the Political Code, relating to payment of property taxes, and delinquency and redemption penalties thereon;

Also: Assembly Bill No. 1175—An act to add a new section to the Political Code, to be numbered 3664f, relating to taxation;

Also: Assembly Bill No. 1176—An act to repeal section 3770 of the Political Code, relating to tax collectors;

Also: Assembly Bill No. 1196—An act to amend section 3881a of the Political Code, relating to corrections of clerical omissions and clerical errors and the transfer of erroneous tax payments and credits;

Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1238—An act appropriating to the cities of the State, in proportion to the vehicle registration therein, one-third of all moneys received by the State in payment of license taxes in connection with the regulation or licensing of the business of producing, refining, distributing or dealing in or with gasoline, distillate or other motor vehicle fuels or materials used in the blending, compounding or manufacturing thereof, and one-third of all moneys received by the State as license or registration fees in connection with the ownership, operation or use of vehicles, allowing certain deductions therefrom and providing for the use thereof by the cities; dividing the remaining two-thirds of these funds between the counties and the State and providing for powers and duties of county and State officers with respect thereto and defining terms herein used;

Also: Assembly Bill No. 1246—An act to amend section 3664a of the Political Code, relating to the tax of public service and other companies for the benefit of the State;

Also: Assembly Bill No. 1279—An act to provide for the issuance of assessor's emblems for certain vehicles upon the assessment of personal property taxes and prescribing the type of emblems to be issued and the manner of displaying such emblems on the vehicles for which issued and prescribing the penalties for any violation of this act and declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1311—An act to amend section 3817 of the Political Code of the State of California;

Also: Assembly Bill No. 1371—An act to impose a special tax and regulate sales and distribution in this State of moving picture films sold or distributed by any person, firm, corporation or association in this State, and to provide methods and penalties for the enforcement of such tax;

Also: Assembly Bill No. 1393—An act to amend sections 3732, 3746, 3751, 3756, 3758, 3759, 3764, 3766, 3769, 3771a, 3797, 3817, 3817a and 3866 and to repeal sections 3765 and 3767 of the Political Code, relating to the assessment and collection of taxes on real and personal property;

Also: Assembly Bill No. 1394—An act to amend sections 3746, 3751, 3756, 3759, and 3817 of the Political Code, relating to payment of property taxes and delinquency and redemption penalties;

Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1529—An act to amend sections 3746, 3756, 3759 and 3817 of the Political Code, relating to installments of property taxes, penalties for delinquency and redemption penalties;

Also: Assembly Bill No. 1722—An act to amend sections 3888 and 4081 of the Political Code, relating to claims in favor of and against counties;

Also: Assembly Bill No. 1725—An act relating to State and local ad valorem taxes, to be known as the California Revenue Act of 1933;

Also: Assembly Bill No. 1766—An act to carry into effect the provisions of section 15 of Article XIII of the Constitution of the State of California, relating to taxes on gross receipts;

Also: Assembly Bill No. 1792—An act to impose a graduated tax for the support of the State government upon transactions with respect to certain specified articles; to provide the manner in which the taxes imposed shall be levied and collected, and the disposition thereof; to prescribe the duties of the State Board of Equalization in connection therewith and to fix the penalties for violation thereof;

Also: Assembly Bill No. 1835—An act relating to the collection of taxes on vehicles and the issuance of licenses therefor;

Also: Assembly Bill No. 1885—An act to impose for State purposes a tax on employers; prescribing the method and manner of collecting such tax; providing for penalty for the violation of this act; and allocating the revenue derived therefrom;

Also Assembly Bill No. 1886—An act to amend section 11 of the Inheritance Tax Act, relating to the modification or reversal of orders made by the superior court regarding the payment of inheritance taxes;
Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1908—An act to provide for the supervision, control and review of tax levies, budgets and indebtedness of counties, cities and counties, cities, school districts, special districts, and other political subdivisions of this State, and defining the powers and duties of the State Board of Equalization with respect thereto,

Also: Assembly Bill No. 1956—An act to raise revenue for State purposes; providing the manner and method of assessing and levying taxes therefor, providing for penalties for the violation of the provisions of this act and allocating the revenue derived therefrom;

Also: Assembly Bill No. 1989—An act to provide revenue by imposing a State tax upon the sale of tobacco products, providing permits for retail dealers, prescribing the method and manner of levying and collecting such tax, conferring powers and imposing duties on the franchise commissioner, providing penalties for the enforcement of this act and allocating the revenue derived therefrom;

Also Assembly Bill No. 1990—An act to levy an excise tax on the manufacture, distribution and sale of certain liquors, to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act; to make an appropriation for the enforcement of this act and to provide that this act shall take effect immediately,

Also: Assembly Bill No. 1991—An act to impose an excise tax upon amusements, fees and club dues, and to provide methods and penalties for the enforcement of the tax, and to appropriate the revenues derived therefrom;

Also: Assembly Bill No. 1992—An act to provide revenue by imposing a State tax upon sales of certain goods, prescribing the method and manner of collecting such tax, providing penalties for the violation of the provisions of this act, and allocating the revenue to be derived therefrom;

Also: Assembly Bill No 2110—An act to amend sections 3627a, 3628, 3629, 3630, 3633, 3638a, 3650, 3652, 3659, 3678, 3717, 3718, 3738 and 3820 of the Political Code, relating to certain dates with respect to the assessment of property;
Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No 2209—An act to impose an excise tax, and to provide methods and penalties for the enforcement of the tax, and to allocate the revenues derived therefrom;

Also: Assembly Bill No. 2214—*An act to amend section 3764 of the Political* Code, relating to delinquent tax lists and the publication thereof;

Also: Assembly Bill No. 2217—An act to amend section 3718 of the Political Code, relating to tax liens;

Also: Assembly Bill No 2276—An act to impose an excise tax for State purposes upon the gross receipts realized from automobile and motorcycle races or contests, to provide methods and penalties for the enforcement of the tax, to provide the method for collecting the same and to allocate the revenue derived therefrom;

Also: Assembly Bill No 2326—An act to provide for the assessment and collection of the taxes on property in safe deposit vaults, and declaring the urgency thereof;

Also: Assembly Bill No. 2335—An act to amend section 1015 of the Fish and Game Code, relating to taxes on fish,

Also: Assembly Bill No. 2396—An act to control, license and regulate, the manufacture, transportation, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation hereof;

Also. Assembly Bill No. 2441—An act to provide revenue for the State of California, specifying the methods of computing and collecting the same, providing penalties for the violation of the provisions hereof, and providing that this act shall take effect immediately;
Has had the same under consideration, and respectfully reports the same back without recommendation

RILEY, Chairman.

Also:

MR SPEAKER Your Committee on Revenue and Taxation, to which was referred Assembly Concurrent Resolution No. 36—Relative to the taxation of public utili-

ties and the charges collected by such utilities from the consumers of their services—has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Constitutional Amendment No. 95—A resolution to propose to the people of the State of California an amendment to section 1 of Article XIII of the Constitution of the State of California, relating to taxation—has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1963—An act to amend section 3793 and to add a new section to be numbered 3790 to the Political Code, relating to personal property taxes—has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 486—An act to amend section 22 of the Bank and Corporation Franchise Tax Act, relating to administration of said act;

Also: Senate Bill No. 753—An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately;

Also: Senate Bill No. 770—An act to amend section 3766 of the Political Code, relating to delinquent tax lists;

Also: Senate Bill No. 774—An act to add section 2639a to the Political Code, relating to county taxation for road purposes;

Also: Senate Bill No. 895—An act to amend section 3897 of the Political Code, relating to taxation;

Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR SPEAKER Your Committee on Roads and Highways, to which was referred Assembly Bill No. 279—An act to amend section 2653 of the Political Code, relating to road district tax rates;

Also: Assembly Bill No. 292—An act declaring Figueroa Street in the city of Los Angeles and a continuation thereof by way of Haskell Avenue to a connection with State Highway 23, near Palmdale, to be a State highway;

Also: Assembly Bill No. 375—An act to limit the construction of State and county highways;

Also: Assembly Bill No 725—An act declaring the Julian-Kane Springs Road, in San Diego and Imperial counties, a State highway and placing the same under the supervision of the State Department of Public Works as a part of the secondary highway system of the State;

Also: Assembly Bill No. 757—An act to provide for the classification, construction, and maintenance of public highways within municipalities;

Also: Assembly Bill No. 758—An act establishing an additional State highway and classifying it as a secondary highway;

Also: Assembly Bill No. 766—An act to provide for the allocation of certain funds from the funds now in the hands of the State Highway Commission for the payment of certain bonds now outstanding on certain public improvements;

Also: Assembly Bill No. 807—An act to amend sections 2639, 2651, 2655, 4041.4 and 4041.7, and to repeal sections 2653 and 2654 of the Political Code, relating to jurisdiction and powers of boards of supervisors in regard to public roads or highways;

Also: Assembly Bill No 864—An act establishing an additional State highway and classifying it as a secondary highway;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GREENE, Chairman

Also:

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 865—An act establishing an additional State highway and classifying it as a secondary highway;

Also: Assembly Bill No. 930—An act to amend section 365f of the Political Code, relating to the power of the California Highway Commission to acquire lands for highway and other purposes and to construct and maintain State highways and other improvements incidental thereto;

Also: Assembly Bill No 972—An act establishing an additional State highway and classifying said highway as a secondary highway;

Also: Assembly Bill No. 1144—An act to amend section 7½ of an act entitled "An act to provide for the care, management and protection of State highways and provide penalties for violations of the provisions of this act," approved May 20, 1915, relating to public highways;

Also: Assembly Bill No 1268—An act to amend section 3 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as amended by making further provisions regarding aggravation of disease existing prior to injury;

Also: Assembly Bill No. 1354—An act to amend section 536 of the Civil Code, relating to telegraph and telephone lines within public roads and highways;

Also: Assembly Bill No. 1401—An act regulating the use of public highways by certain motor vehicles for commercial purposes, requiring the operators of such vehicles to secure permits from the Railroad Commission of California for the operation thereof, to foster a fair distribution of traffic between the several transportation agencies to the end that the public highways may be relieved of unnecessary commercial traffic and that necessary existing agencies of transportation shall be preserved, and providing penalties for violation of this act;

Also: Assembly Bill No. 1432—An act to repeal an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor, regulating the handling of such convict labor; providing for the payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation of said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended

GREENE, Chairman.

Also:

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1481—An act to add a new section to the Political Code to be numbered 3897c, relating to easements for public highways over lands deeded to the State for delinquent taxes;

Also: Assembly Bill No. 1486—An act establishing certain additional State highways and classifying them as secondary highways;

Also: Assembly Bill No 1728—An act to authorize the Department of Public Works to construct and maintain freeways, defining freeways, authorizing the cooperation of said department with any political subdivision of the State in constructing freeways, and providing for the acquisition of real property, or any interest in real property, necessary for the construction thereof or of improvements related thereto;

Also: Assembly Bill No 1893—An act establishing additional State highways and classifying them as secondary highways;

Also: Assembly Bill No. 1904—An act to establish the southern approach road to the Yosemite Valley from the city of Fresno to Batterson Ranch as a secondary State highway;

Also: Assembly Bill No. 1915—An act to add a new section to the Political Code, to be numbered 365q, relating to the construction and maintenance of State highways in and through municipalities;

Also. Assembly Bill No 1950—An act establishing an additional State highway from Shaver's Summit on State Highway Route 64 to State Highway Route 26 near Indio and classifying the same as a primary State highway;

Also: Assembly Bill No. 1959—An act to provide for the organization, government, powers and functions of road fund administration districts,

Also Assembly Bill No. 1972—An act establishing certain additional State highways and classifying them as secondary highways;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended

GREENE, Chairman.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 2009—An act relating to signs upon the roads and highways of this State;

Also: Assembly Bill No 2010—An act to establish a single unified system of State highways and to abolish the classification of State highways;

Also: Assembly Bill No 2011—An act directing the Department of Public Works to make a study of highways suitable for inclusion in the State highway system, and declaring the policy of the State herein;

Also: Assembly Bill No. 2012—An act to provide for the acquisition of rights of way for construction, maintenance and improvement of State highways; allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways; and abolishing classification of State highways;

Also: Assembly Bill No 2122—An act relating to the construction and maintenance of highways;

Also Assembly Bill No. 2129—An act to amend section 2 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927;

Also Assembly Bill No. 2130—An act establishing certain additional State highways and classifying them as secondary highways.

Also Assembly Bill No 2131—An act establishing an additional State highway and classifying it as a secondary highway;

Also Assembly Bill No. 2416—An act establishing a certain additional State highway and classifying it as a secondary highway;

Has had the same under consideration, and respectfully reports the same back, without recommendation, as amended.

GREENE, Chairman.

Also:

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 2420—An act to add section 6 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to the construction, improvement, maintenance and addition of certain highways to the State system—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GREENE, Chairman.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 871—An act to provide for the execution, issuance, use, redemption and cancellation of bonds by the State of California for certain State, county, city and county, city, school district, and other public purposes, for relieving unemployment, destitution, and the conditions of economic distress now prevailing, and for the supervision thereof by the proper State officers;

Also: Assembly Bill No 943—An act to amend section 528 of the Political Code, relating to the printing and distributing of the statutes and journals and other documents;

Also: Assembly Bill No. 949—An act to add section 3.401 to the School Code, relating to tuition fees of students in junior colleges,

Also Assembly Bill No. 1167—An act to amend section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to proceedings after decision;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR SPEAKER Your Committee on Rules, to which was referred Assembly Bill No 1170—An act to amend section 14 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, relating to reassignment of a death benefit;

Also Assembly Bill No. 1199—An act making an appropriation to pay the claim of A C Brunzell and E S. Brunzell, copartners, against the State of California;

Also: Assembly Bill No. 1598—An act to authorize the acceptance of checks, bank drafts and money orders in payment of taxes, assessments, licenses, fees, and other accounts payable into the treasury of any municipal or other public corporation, or political subdivision, subject to the due honor thereof and relating to the manner of making collection thereon, settlement with the treasurer therefor and procedure upon the nonpayment thereof, and to repeal an act entitled, "An act to authorize assessors and tax collectors to accept checks, bank drafts and money orders in payment of taxes, subject to the due honor thereof and relating to the manner of making collection thereon and settlement with the county treasurer therefor," approved May 24, 1921;

Also: Assembly Bill No. 1633—An act to repeal an act entitled "An act;
Also: Assembly Bill No. 1636—An act to repeal an act entitled "An act;
Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1637—An act to repeal an act entitled "An act,
Also: Assembly Bill No. 1638—An act to repeal an act entitled "An act;
Also: Assembly Bill No. 1639—An act to repeal an act entitled "An act;
Also: Assembly Bill No. 1640—An act to repeal an act entitled "An act;
Also. Assembly Bill No. 1641—An act to repeal an act entitled "An act;
Also: Assembly Bill No 1642—An act to repeal an act entitled "An act;
Also: Assembly Bill No. 1643—An act to repeal an act entitled "An act;
Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1644—An act to repeal an act entitled "An act;
Also: Assembly Bill No. 1645—An act to repeal an act entitled "An act;
Also: Assembly Bill No. 1646—An act to repeal an act entitled "An act;
Also: Assembly Bill No. 1647—An act to repeal an act entitled "An act;
Also: Assembly Bill No. 1648—An act to repeal an act entitled "An act;
Also: Assembly Bill No. 1649—An act to repeal an act entitled "An act;
Also: Assembly Bill No. 1650—An act to repeal an act entitled "An act;
Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1651—An act to repeal an act entitled "An act;
Also: Assembly Bill No. 1652—An act to repeal an act entitled "An act;
Also: Assembly Bill No. 1653—An act to repeal an act entitled "An act;
Also: Assembly Bill No. 1654—An act to repeal an act entitled "An act;
Also: Assembly Bill No. 1655—An act to repeal an act entitled "An act;
Also: Assembly Bill No. 1656—An act to repeal an act entitled "An act;
Also: Assembly Bill No. 1657—An act to repeal an act entitled "An act;
Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1658—An act to repeal an act entitled "An act;
Also. Assembly Bill No. 1676—An act to amend section 266 of the Political Code relating to the compensation and mileage of members of the Legislature;
Also: Assembly Bill No. 1681—An act calling a special election, to be held on _____, and providing for the submission thereat to the qualified electors of this State of all the amendments proposed by the Legislature of said State at its fiftieth regular session, including amendments for the reduction of salaries fixed by constitutional provision, and submitted by the Legislature prior to the calling of such election;
Also: Assembly Bill No. 1694—An act to amend sections _____ of an act entitled "An act;
Also: Assembly Bill No. 1695—An act to amend sections _____ of an act entitled "An act;
Also: Assembly Bill No. 1696—An act to amend sections _____ of an act entitled "An act;
Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1697—An act to amend sections _____ of an act entitled "An act;
Also: Assembly Bill No. 1698—An act to amend sections _____ of an act entitled "An act;
Also: Assembly Bill No. 1699—An act to amend sections _____ of an act entitled "An act;

Also: Assembly Bill No. 1700—An act to amend sections _____ of an act entitled "An act;
Also: Assembly Bill No. 1701—An act to amend sections _____ of an act entitled "An act;
Also: Assembly Bill No. 1702—An act to amend sections _____ of an act entitled "An act;
Also: Assembly Bill No. 1703—An act to amend sections _____ of an act entitled "An act;
Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1704—An act to amend sections _____ of an act entitled "An act;
Also: Assembly Bill No. 1705—An act to amend sections _____ of an act entitled "An act;
Also: Assembly Bill No. 1706—An act to amend sections _____ of an act entitled "An act;
Also Assembly Bill No. 1707—An act to amend sections _____ of an act entitled "An act;
Also: Assembly Bill No. 1708—An act to amend sections _____ of an act entitled "An act;
Also: Assembly Bill No. 1709—An act to amend sections _____ of an act entitled "An act;
Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1710—An act to amend sections _____ of an act entitled "An act;
Also: Assembly Bill No. 1711—An act to amend sections _____ of an act entitled "An act,
Also Assembly Bill No. 1712—An act to amend sections _____ of an act entitled "An act;
Also: Assembly Bill No. 1713—An act to amend sections _____ of an act entitled "An act;
Also: Assembly Bill No. 1714—An act to amend sections _____ of an act entitled "An act;
Also: Assembly Bill No 1775—An act to pay the claim of the Master Plumbers' Association Holding Corporation against the State of California;
Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No 1850—An act to amend section 531 of the Political Code, relating to the duties of the Superintendent of State Printing;
Also: Assembly Bill No. 1990—An act to amend section 5 of an act entitled "An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately," approved April 6, 1933, relating to taxation of beverages, and to declare that this act shall take effect immediately;
Also: Assembly Bill No. 2138—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof;
Also: Assembly Bill No. 2234—An act to appropriate funds for the payment of damages accruing from the closing of the Klamath River to commercial fishing;
Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 2241—An act providing for the levying, collecting and paying of an income tax on individuals to increase the revenues of the State;
Also. Assembly Bill No. 2363—An act limiting the number of cars in a train, and prescribing penalties for violations thereof;
Also. Assembly Bill No. 2365—An act imposing an excise tax upon sales of tangible personal property by retailers, providing the method and manner of levying, assessing, collecting and paying of such tax, providing for the issuance of permits to

retailers, prescribing penalties for violations of the provisions of this act, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 2397—An act to repeal an act known as "Chapter 213, Statutes of 1917 as amended," relating to trucks;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 2400—An act regulating competition in business, providing for the organization of trade associations as defined herein, authorizing the Corporation Commissioner of the State of California to issue permits for the operation thereof, and defining and prohibiting destructive competition;

Also: Assembly Bill No. 2409—An act to add section 47a to the Public Utilities Act, relating to the valuation of property to be used for the purpose of establishing rates to be charged by public utilities;

Also: Assembly Bill No. 2414—An act creating a joint legislative committee to investigate the functioning of government in the county and in the city of Los Angeles; providing for the appointment thereof, prescribing the powers, duties, purposes, jurisdiction, authority and responsibility thereof; providing for reports and recommendations, and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 2427—An act to amend section 8¾ of an act entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds and the payment thereof," approved June 13, 1913, as amended, by providing for the refunding of the outstanding indebtednesses of said districts and for the issuance of bonds therefor;

Also: Assembly Bill No. 2428—An act making appropriation to pay the claim of the South Fork Union High School District against the State of California;

Also: Assembly Bill No. 2434—An act relating to the ratproofing of buildings;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 2435—An act making an appropriation for the purpose of replacing the gymnasium at the Whittier State School, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 2436—An act to provide for the regulation and licensing of greyhound dog race meetings, and the wagering on the results thereof; to create the California Dog Racing Board for the regulation, licensing and supervision of said greyhound dog racing and wagering thereon; to provide penalties for the violation of the provisions of this act; and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions;

Also: Assembly Bill No. 2439—An act declaring Valley Boulevard in the cities of El Monte, San Gabriel, Alhambra, and in the county of Los Angeles, to be a State highway;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Constitutional Amendment No. 110—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding thereto a new section to be numbered 18.1 of Article XI thereof, relating to bonded indebtedness;

Also: Assembly Constitutional Amendment No. 120—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XVI thereof, a new section to be numbered 10, relating to execution, issuance, use, redemption and cancellation of unemployment bonds for various public purposes and for the relief of unemployment, destitution and economic distress;

Has had the same under consideration, and respectfully reports the same back without recommendation

ROBINSON, C. RAY, Chairman.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Constitutional Amendment No. 122—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article IV thereof a new section to be numbered 25b, relating to the regulation and licensing of dog racing, dog race meetings, and the wagering on the results thereof—has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 7—Relative to reports to be made by the Department of Finance and the Civil Service Commission;

Also Assembly Concurrent Resolution No. 8—Relative to John Steven McGroarty being given the honorary title of the Laurel Crowned Poet of California;

Also: Assembly Concurrent Resolution No. 9—Relative to bestowing of the title of Poet Laureate of California on John Steven McGroarty;

Also: Assembly Concurrent Resolution No. 11—Relative to the designation and appointment of Henry Herbert Knibbs as Poet Laureate of California;

Also: Assembly Concurrent Resolution No. 12—Providing for the creation of a joint committee of the Senate and Assembly to investigate State government and expenditures;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 14—Relative to Roy Walter James being given the honorary title of the Laurel Crowned Poet of California;

Also: Assembly Concurrent Resolution No. 16—Relating to the designation and appointment of Charles Keeler as Poet Laureate of California;

Also: Assembly Concurrent Resolution No. 24—Relative to the designation and appointment of Milton S. Ray as Poet Laureate of California;

Also: Assembly Concurrent Resolution No. 40—Relative to the designation and appointment of Arthur A. Flakoll as Poet Laureate of California;

Also: Assembly Concurrent Resolution No. 44—Relative to the investment of moneys in certain State funds;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 28—Providing for the appointment of a committee to investigate and report upon conditions of crime and corruption in the city and county of Los Angeles;

Also Assembly Concurrent Resolution No. 61—Relating to the suppression of traffic in narcotic drugs and authorizing the appointment of a committee for the purpose of considering and recommending the enactment of effective laws governing the traffic in narcotic drugs and related matters;

Also Assembly Concurrent Resolution No. 50—Creating an interim legislative committee to investigate the functioning of government in the county and in the city of Los Angeles and to report thereon to the Legislature at its fifty-first session, the report to comprehend the recommendations of the committee as to such legislation as it may deem appropriate to effect such changes in governmental structure and in administrative method or organization as the committee may find necessary and proper as the result of its investigation;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR SPEAKER: Your Committee on Rules, to which was referred Senate Bill No. 630—An act to repeal sections 267, 268 and 269 of the Political Code, relating to the number, designation, election, appointment and compensation of officers and employees of the Legislature;

Also: Senate Bill No. 1117—An act to abolish the Division of Research and Statistics in the Department of Education;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

Also:

MR SPEAKER: Your Committee on Rules, to which was referred Senate Bill No. 1225—An act to amend section 5 of an act entitled "An act to impose an excise tax on the manufacture and distribution of certain beverages, to provide for the collection and disposition thereof, to provide penalties for the violation hereof and to declare that this act shall take effect as a statute immediately," approved April 6, 1933, and providing that this act shall take effect immediately;

Also: Senate Concurrent Resolution No. 26—Relative to an advisory committee to study and recommend procedure of regulatory and service agencies of county, State, and Federal governments pertaining to wild life conservation and administration and the relationships of pest control thereto;

Also: Senate Concurrent Resolution No 46—Relative to the economic effects of sales taxes and calling upon the State Board of Equalization to furnish the Legislature with information which may be used to ameliorate such hardships as may develop in the imposition of sales taxes under the laws of this State;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBINSON, C. RAY, Chairman.

ON SOCIAL SERVICE AND WELFARE

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 432—An act to amend section 2333 of the Political Code, relating to the powers and duties of the Department of Social Welfare;

Also: Assembly Bill No. 479—An act to repeal "An act to create a firemen's relief, health and life insurance and pension fund in the several counties, cities and counties, and cities and towns of the State," which became law without the Governor's approval, March 7, 1901;

Also: Assembly Bill No. 564—An act to provide for the sterilization of defectives in State institutions;

Also: Assembly Bill No. 565—An act to provide for the voluntary sterilization of persons not in State institutions;

Also: Assembly Bill No. 939—An act to amend section 2333 of the Political Code, relating to the powers and duties of the Department of Social Welfare;

Also: Assembly Bill No. 1303—An act to amend section 2176 of the Political Code, relating to insane persons and inebriates;

Also: Assembly Bill No. 1322—An act to amend the title of and to add a new section to be numbered section 12 to an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, as amended, relating to the reimbursement of counties and cities and counties by the State for the amount of relief and support extended by them to indigent persons of the age of seventy years or more who are eligible for aid under the provisions of said act and making an appropriation therefor;

Also: Assembly Bill No. 1325—An act to amend sections 224m, 226 and 227 of the Civil Code and to repeal section 2346 of the Political Code, relating to the adoption of children;

Also: Assembly Bill No. 1349—An act to repeal section 4 of the Old Age Security Act of the State of California, relating to the ownership of real property;

Also: Assembly Bill No. 1535—An act to add a new section to the Penal Code to be numbered 147a, relating to arrest of insane persons;

Also: Assembly Bill No. 1458—An act to amend section 2189 of the Political Code of the State of California, relating to the reimbursement of counties by the State for the expense of supporting and maintaining indigent persons afflicted with idiocy, imbecility, chronic harmless mental unsoundness or acute mania a potu;

Also: Assembly Bill No. 1573—An act to amend section 2337 of the Political Code, relating to the licensing of institutions, boarding homes, or other places for the reception or care of aged persons and children;

Also: Assembly Bill No. 1577—An act to amend sections 221 to 231, inclusive, of the Civil Code, relating to the legal status of children;

Also: Assembly Bill No 1578—An act to amend sections 2330 to 2346, inclusive, of the Political Code, all relating to the organization, operation and jurisdiction of the Department of Social Welfare;

Also: Assembly Bill No. 1579—An act to amend section 367 and 367a to 367g, inclusive, of the Political Code, relating to the Department of Social Welfare;

Also: Assembly Bill No. 1580—An act to amend sections 1 to 16, inclusive, of an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, all relating to aid to the needy blind;

Also: Assembly Bill No 1581—An act to amend sections 2283 to 2290, inclusive, of the Political Code, all relating to dependent children;
Also: Assembly Bill No. 1582—An act to amend sections 1 to 23, inclusive, of the Old Age Security Act of the State of California, all relating to aid to aged persons;
Also: Assembly Bill No. 1743—An act to amend the Political Code of the State of California by amending section 4041.16, relating to the care and maintenance of indigent, sick and dependent poor;
Also. Assembly Bill No. 1779—An act authorizing the administration of relief to county welfare agencies governed by commissions; and setting forth the organization, powers and duties of such agency;
Also: Assembly Bill No. 1780—An act to amend sections 2, 2½, 3 and 4 of an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901;
Also: Assembly Bill No. 1852—An act to amend section 2238 of the Political Code, relating to limitation of the enrollment of pupils in the California School for the Deaf;
Also: Assembly Bill No. 1876—An act to amend sections 15 and 21 of the Old Age Security Act of the State of California, relating to relief for the aged;
Has had the same under consideration, and respectfully reports the same back without recommendation.

FISHER, Chairman.

ON SOLDIERS AND SAILORS AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No. 482—An act to repeal "An act to assist the Woman's Relief Corps Home Association to provide for ex-army nurses, and worthy destitute widows, wives, mothers, and destitute maiden daughters or sisters of veterans who served honorably in the war for the Union, and making an appropriation therefor," approved April 1, 1897;
Also: Assembly Bill No. 1736—An act to amend sections _____ of the Military Code;
Also: Assembly Bill No. 2411—An act to repeal an act entitled "An act to provide for the burial of soldiers, sailors, marines and nurses who shall have served in or with the Army or Navy of the United States and for the burial of widows of such soldiers, sailors or marines," approved March 15, 1889, as amended;
Has had the same under consideration, and respectfully reports the same back without recommendation.

NIELSEN, Chairman.

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR SPEAKER: Your Committee on State Grounds and Parks, to which was referred Assembly Bill No 1864—An act to authorize the California State Park Commission, with the approval of the Director of Finance, to exchange certain parcels of land now set apart for park purposes along the outer boundary of Mission Bay State Park for certain other parcels, privately owned, adjacent thereto, such exchange to be based on the equal value thereof;
Also: Assembly Bill No. 941—An act to provide for the charging of fees for admission to Sutter's Fort, and for the disposition of such fees;
Has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman.

ON TEACHERS COLLEGES.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Teachers Colleges, to which was referred Assembly Bill No 940—An act to repeal section 5.44 of the School Code, relating to additional compensation for extra work performed by a faculty member of a State teachers college;
Also: Assembly Bill No. 1204—An act to amend section 5.21, Article III, Chapter I, Part I, Division V, of the School Code of California;
Also: Assembly Bill No 1219—An act to amend sections 5.1 and 5.2 of the School Code, relating to State colleges;
Also. Assembly Bill No. 1220—An act to amend sections 5 10 and 5 84 of the School Code, relating to State colleges;
Also. Assembly Bill No. 1276—An act to amend sections 5.120, 5.133, 5 134, 5.180, 5.181, 5.182 and 5.540 of the School Code, all relating to the granting of teaching credentials and certificates;
Has had the same under consideration, and respectfully reports the same back without recommendation.

BLISS, Chairman.

ON UNEMPLOYMENT.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No. 207—An act to amend section 653c of the Penal Code, relating to the hours of labor on public works;

Also: Assembly Bill No. 238—An act to add a new section to the Penal Code to be numbered 653c1, relating to the hours of labor on public works;

Also: Assembly Bill No 914—An act to add a new section to the Political Code, to be numbered 2333a, relating to supervision of emergency unemployment relief;

Also: Assembly Bill No. 1179—An act regulating the hours of work of employees in public utility businesses and businesses affected with the public interest;

Also: Assembly Bill No. 1212—An act to provide emergency unemployment relief through State loans in aid of counties and municipalities administering such relief work; and making an appropriation for such purpose;

Also: Assembly Bill No 1213—An act providing for the issuance and sale of State bonds for the single object of creating a fund to finance the operation of an act passed at the fiftieth regular session of the Legislature of the State of California, providing for loans to political subdivisions and municipal corporations for unemployment relief;

Also: Assembly Bill No. 1519—An act to provide for the payment of compensation by associations formed for purposes of unemployment relief in remuneration other than money;

Also: Assembly Bill No 2176—An act to provide for the conveyance and transfer of property to and by the State Food Administrator and for the relief of the unemployed and destitute of this State;

Also: Assembly Joint Resolution No 11—Relative to unemployment relief;

Has had the same under consideration, and respectfully reports the same back without recommendation

POWERS, Chairman.

ON UNIVERSITIES.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Universities, to which was referred Assembly Bill No 825—An act directing The Regents of the University of California to gather data for studying and writing the history of the people of California, and making an appropriation therefor;

Also. Assembly Bill No. 1047—An act to establish the California State University and to provide for the government, operation, maintenance and support thereof, the affiliation of certain institutions therewith, and the transfer of certain property thereto;

Also: Assembly Bill No. 1208—An act to amend sections 1393 and 1394½ of the Political Code of California, relating to fees and tuition at the university;

Also: Assembly Bill No. 1209—An act to amend section 1432 of the Political Code of California, relating to the general powers and duties of Regents of the university;

Also: Assembly Bill No. 1275—An act to consolidate at Davis all the activities of the College of Agriculture of the University of California;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MORGAN, Chairman.

Also:

MR SPEAKER: Your Committee on Universities, to which was referred Senate Bill No 301—An act providing for the deposit of all city and county publications in the State Library and the University of California—has had the same under consideration, and respectfully reports the same back without recommendation.

MORGAN, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 24—An act to amend section 10 of the Public Utilities Act, approved April 23, 1915, relating to the salaries of Railroad Commissioners;

Also: Assembly Bill No. 60—An act to repeal "An act to encourage the cultivation of ramie in the State of California, to provide a bounty for ramie fiber, and to make an appropriation therefor; to appoint a State Superintendent of Ramie Culture, and make an appropriation for his salary," approved March 31 1891;

Also Assembly Bill No 65—An act to repeal "An act to provide for the celebration of the fiftieth anniversary of the Battle of Gettysburg; appointing a commission in connection therewith; and making an appropriation therefor," approved May 31, 1913;

Also: Assembly Bill No. 94—An act to repeal "An act to provide for the restoration of the San Diego Mission, appointing a committee therefor, and providing an appropriation to carry this act into effect," approved June 3, 1921;

Also: Assembly Bill No. 100—An act to repeal "An act making an appropriation to pay the claims of various persons and counties against the State of California," approved June 1, 1917;

Also: Assembly Bill No. 122—An act to repeal sections 378, 378a, 378b, 378c, 378d, 378e, 378f, and 378g of the Political Code, relating to the Bureau of Commerce and providing for the disposition of property in the custody of the bureau;

Also: Assembly Bill No. 125—An act to amend section 120 of the Bank Act, relating to the Superintendent of Banks;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 126—An act to amend section 21 of the Corporate Securities Act, relating to the Commissioner of Corporations;

Also: Assembly Bill No. 206—An act to empower and authorize the institution of a suit and/or action against the people of the State of California by former depositors of the Guaranty Building and Loan Association of Los Angeles, a domestic corporation organized and existing under the laws of the State of California, for the recovery of such sum or sums of money as may be found due and owing from the State of California to such depositors, bringing or instituting the action, by reason of the defalcations of one, Beesemeyer, and of men associated with him in the enterprise known and/or designated as the Guaranty Building and Loan Association;

Also: Assembly Bill No. 298—An act to amend sections 1, 2, 3, 5, 6, 9, 10, 11, 14, 16, 17, 18, 19 and 20 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an athletic commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission;

Also: Assembly Bill No. 321—An act to add a new section, to be numbered 373k, to the Political Code, relating to the development of desert regions, and making an appropriation therefor;

Also: Assembly Bill No. 340—An act to repeal an act entitled "An act providing for the erection and maintenance of a monument to the memory of Chief Solano, to be erected in Solano County, and making appropriation therefor," approved June 19, 1931;

Also. Assembly Bill No. 390—An act making an appropriation to pay the claim of the city of Coronado against the State of California;

Also: Assembly Bill No. 441—An act making an appropriation to pay the claim of Boeing Air Transport, Inc., a corporation;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 508—An act to amend sections 1202a, 1572, 1576 and 1586 of the Penal Code, relating to the State prisons, establishing a female department thereof and transferring an appropriation therefor;

Also: Assembly Bill No. 571—An act appropriating money for the control and conservation of flood waters in the Los Angeles County Flood Control District;

Also: Assembly Bill No. 590—An act making an appropriation to pay the claim of _____ against Charles G. Johnson as Treasurer of the State of California;

Also: Assembly Bill No 592—An act making an appropriation to pay the claim of _____ against the State of California;

Also: Assembly Bill No. 593—An act to amend sections 3 and 4 of an act entitled "An act to provide for the establishment and maintenance of a Bureau of Tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons afflicted with tuberculosis; making an appropriation therefor; and repealing certain acts of Legislature of the State of California." (Approved June 12, 1915, Statutes 1915, p. 1530, as amended.);

Also: Assembly Bill No. 703—An act relating to State officers and employees in the judicial branch of the State government and the classification of, certification

or authorization and appointment to, and allocation within, State judicial positions and the fixing of salary ranges therefor and graduated emergency salary reductions, and vesting the administration of this act in the State Personnel Board;

Also: Assembly Bill No. 728—An act to amend sections 1, 6 and 9 of an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act" (approved May 28, 1929, Statutes 1929, page 910, as amended);

Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 753—An act making an appropriation to pay the claim of F. H Rolapp, as receiver of Sunset Pacific Oil Company, against the State of California;

Also: Assembly Bill No. 837—An act to provide for the sale and conveyance of the Napa State Farm, situated in Napa County, California, and certain personal property located thereon;

Also: Assembly Bill No. 839—An act making an appropriation to pay the claim of _____ against Charles G. Johnson as Treasurer of the State of California;

Also: Assembly Bill No. 842—An act appropriating money to pay the claim of Guiseppi Bottega against the State of California;

Also: Assembly Bill No. 891—An act to create and to define the functions, powers and duties of a State Economic Council for the purpose of formulating plans for the prevention of unemployment and the improvement of economic conditions within the State and making an appropriation therefor;

Also: Assembly Bill No. 892—An act to amend the title of and to revise an act entitled "An act to provide for the extension of the public works of the State of California during periods of extraordinary unemployment caused by temporary industrial depression, and regulating employment therein, and authorizing the Board of Control to enforce the provisions hereof; and repealing all acts inconsistent with the provisions hereof," approved May 26, 1921, relating to advance planning and long range budgeting of public works;

Also: Assembly Bill No. 893—An act to amend section 373b of the Political Code, relating to the Department of Natural Resources;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 920—An act to amend section 2154 of the Political Code, relating to the salaries of State hospital officers and employees;

Also: Assembly Bill No. 922—An act to abolish the California Crime Commission, to amend section 376b of the Political Code in conformity thereto and to repeal certain acts inconsistent therewith;

Also: Assembly Bill No. 938—An act to abolish the California Bureau of Juvenile Research and to repeal an act entitled "An act authorizing the board of trustees of the Whittier State School to maintain a department for the clinical diagnosis of inmates of the school and other State institutions, and to inquire into the causes and consequences of delinquency and mental deficiency, and related problems," approved May 11, 1917;

Also: Assembly Bill No. 944—An act to repeal section 2.1420 of the School Code, relating to the printing of the school laws;

Also: Assembly Bill No. 950—An act to provide for the assessment of building and loan associations and to provide for a fund to be raised thereby, to provide that such fund shall be used to reimburse persons who were depositors in building and loan associations in this State prior to January 1, 1931, and to prescribe the duties of the Building and Loan Commissioner pertaining thereto;

Also: Assembly Bill No. 1010—An act providing for an investigation, study and report on the various aspects of old age or retirement insurance, with respect to the feasibility of adopting such a system in this State, and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1046—An act to abolish the office of chief accounting officer of Folsom State Prison;

Also: Assembly Bill No. 1096—An act to amend section 606 of the Political Code, relating to the moneys and fees of office of the Insurance Commissioner, and providing for assessment of insurance companies in case of deficiency;

Also. Assembly Bill No. 1101—An act making an appropriation for the support of the Division of Insurance, Department of Investment, of funds heretofore transferred from the insurance fund into the general fund; directing the transfer of the sum appropriated from the general fund to the insurance fund; declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1133—An act making an appropriation of the claim of the Title Insurance and Trust Company against the State of California,

Also: Assembly Bill No. 1186—An act making an appropriation for major construction at Agnews State Hospital, including ward building at farm colony, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1207—An act appropriating money to pay the claim of city of Los Angeles against the State of California;

Also: Assembly Bill No 1216—An act providing for a system of unemployment reserves and compensation, making an appropriation therefor and prescribing penalties in connection therewith;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 1232—An act for the improvement of the election laws of the State; providing for the investigation of the methods and conditions of voting and the laws pertaining thereto, to determine more simple, economic, and uniform methods of conducting elections, and to report to the Legislature, and providing for the expenses of carrying out the provisions therefor;

Also: Assembly Bill No. 1245—An act to enable former bona fide depositors of the Guaranty Building and Loan Association of Los Angeles, a building and loan corporation, organized and existing under, and by virtue of, the laws of the State of California, and empowering and authorizing such former depositors of said association to institute an action against the people of the State of California for the recovery of such sum, or sums, of money as may be found due and owing by, or from the said Guaranty Building and Loan Association of Los Angeles, and/or from the State of California, to such bona fide depositors, who shall, or may bring or institute such action, or actions, by reason, and arising out of the defalcations, misappropriations, embezzlements, misapplications, or misuse, or any combination thereof, of the funds of said corporation by one Gilbert R Beesemyer, and of those associated with him in the conduct and supervision of the said Guaranty Building and Loan Association of Los Angeles, and by reason of the negligence, malfeasance, or misfeasance or any combination thereof of the officers, agents, or servants or of the State of California contributing to, aiding, or abetting, the said Gilbert R. Beesemyer, and others associated with him in the conduct of the affairs of the said Guaranty Building and Loan Association, and chargeable, or chargeable under the laws of the State of California with supervision of the conduct and affairs of the said Guaranty Building and Loan Association, in such defalcations, misappropriations, embezzlements, misapplications, or misuse, or any of them;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1278—An act creating the Colorado River Board of California and the office of Colorado River Commissioner of California, providing for the powers and duties of said board and office and making an appropriation therefor,

Also: Assembly Bill No. 1320—An act providing for the creation of a California Truck Commission of five members to be appointed by the Governor; such commission to govern, regulate and supervise all private highway transportation companies; providing an annual fee of twenty-five dollars ($25) together with fifty cents (50c) per ton of load capacity of motor vehicles operated by private highway transportation companies, two hundred thousand dollars ($200,000) of these fees is appropriated for the expense of the commission; providing that all yearly fees collected in excess of two hundred thousand dollars ($200,000) to go into the general fund of the State of California at the close of each fiscal year; defining a private highway transportation company; providing that all existing truck owners who operated a private highway transportation business as defined in this act for the period between July 1, 1932, and June 30, 1933, shall be granted an operating permit to continue his business; and providing for the establishment of a system of minimum rates to be complied with by all private highway transportation companies;

Also: Assembly Bill No 1335—An act to amend section 363c of the Political Code, relating to the Director of Public Works;

Also: Assembly Bill No. 1346—An act making an appropriation out of the State general fund to pay the claim of the disbursing officer of the Department of Public Works against the State of California;

Also: Assembly Bill No. 1347—An act making an appropriation out of the State general fund to pay the claim of the disbursing officer of the Department of Public Works against the State of California;

Also: Assembly Bill No. 1348—An act making an appropriation out of the State highway maintenance fund to pay the claim of the disbursing officer of the Department of Public Works against the State of California.

Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1392—An act making an appropriation to pay the claim of John Bargetto against the State of California;

Also: Assembly Bill No. 1487—An act to establish a State psychiatric institute, defining the purposes and activities thereof and making an appropriation therefor;

Also: Assembly Bill No. 1564—An act to amend section 15 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors, November 4, 1924, relating to disposition of moneys collected hereunder;

Also: Assembly Bill No. 1586—An act making an appropriation to pay the claim of M. R. Knauft against the State of California;

Also Assembly Bill No. 1599—An act to provide for the establishment of a State Home for War Mothers, to provide for the government thereof and to make an appropriation therefor;

Also: Assembly Bill No 1634—An act to abolish the Fourth District Court of Appeal and to repeal an act entitled "An act creating an additional District Court of Appeal known as the District Court of Appeal for the fourth appellate district, providing for the maintenance and operation of said court and making an appropriation therefor," approved June 5, 1929;

Also: Assembly Bill No. 1659—An act to add a new section to the Political Code to be numbered 695a, relating to the Chief of the Bureau of Publications and Documents;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1661—An act to abolish the Bureau of Commerce and to repeal Article IIo of Chapter III, Title I, Part III of the Political Code embracing sections 378 to 378g inclusive, relating to the Bureau of Commerce;

Also: Assembly Bill No. 1663—An act to repeal an act entitled "An act creating the California Crime Commission, defining its duties and making an appropriation for its expenses, and repealing all acts and parts of acts in conflict with this act," approved May 28, 1929;

Also: Assembly Bill No. 1677—An act to repeal section 267 of the Political Code, *relating to the compensation and mileage of the Speaker of the Assembly*;

Also: Assembly Bill No. 1679—An act to repeal an act entitled "An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance; prescribing the powers and duties of said officials in relation to such bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor," approved June 5, 1931;

Also: Assembly Bill No. 1680—An act to create a Tax Research Commission and to provide for the membership thereof, to provide for the investigation of matters relating to revenue, taxation and public finance, to prescribe the powers and duties of the members of the commission and to provide for reports and recommendations relating to revenue, taxation and public finance and to make an appropriation therefor;

Also: Assembly Bill No. 1682—An act empowering and directing the Director of Finance, through the Division of Personnel and Organization, to adjust salaries,

including maintenance and other compensation, of all judges, officers, agents and employees of the State of California, but excepting salaries fixed by the Constitution of California, and the Board of Regents of the University of California; and repealing and/or modifying all acts or parts of acts in conflict hereof;
Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1683—An act to amend sections 656 and 663 of the Political Code, relating to the Department of Finance and the State Board of Control;

Also: Assembly Bill No. 1684—An act to abolish the Division of Service and Supply in the Department of Finance and to amend section 656 of the Political Code, relating to the Department of Finance;

Also: Assembly Bill No. 1688—An act to provide for the purchase or use and maintenance of a prisoner railroad car and to provide for the receiving of prisoners by the wardens of the State prisons, and making an appropriation therefor;

Also: Assembly Bill No 1715—An act making an appropriation to pay the claim of Habenicht & Howlett against the State of California;

Also: Assembly Bill No. 1716—An act making an appropriation to pay the claim of G. W. Freethy against the State of California;

Also: Assembly Bill No. 1717—An act making an appropriation to pay the claim of J. A. Clark Drayage Company against the State of California;

Also: Assembly Bill No. 1718—An act making an appropriation to pay the claim of Overland Freight and Transfer Company against the State of California;
Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1767—An act appropriating moneys to the use of the insurance fund, and providing for the return of said moneys to the general fund;

Also. Assembly Bill No. 1813—An act to abolish the Department of Professional and Vocational Standards and all boards and offices under the jurisdiction of said department and to provide for the transfer of the powers and duties of said boards and offices to other State departments and to repeal Article IIn of Chapter III of Title I of Part III of the Political Code, embracing sections 377 to 377n, relating to various State administrative agencies;

Also: Assembly Bill No. 1814—An act to abolish the various State Boards of Pilot Commissioners and to transfer their powers and duties to the Board of State Harbor Commissioners and to repeal sections 2440 and 2441 of the Political Code and sections 1, 2, 3 and 4 of an act entitled "An act creating a Board of Pilot Commissioners for the harbor of San Diego, defining their duties and fixing their compensation," approved March 2, 1921, relating to State Boards of Pilot Commissioners;

Also Assembly Bill No. 1826—An act to repeal an act entitled "An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance; prescribing the powers and duties of said officials in relation to said bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor," approved June 5, 1931;

Also: Assembly Bill No. 1843—An act to amend section 4.84 of the School Code, relating to the vocational education fund;

Also: Assembly Bill No. 1848—An act to add section 3a to an act entitled "An act to provide for the establishment and maintenance of a Bureau of Tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons affected with tuberculosis; making an appropriation therefor and repealing certain acts of the Legislature of the State of California," approved June 12, 1915, relating to the granting of such State aid;
Has had the same under consideration, and respectfully reports the same back without recommendation

COBB, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1849—An act to repeal an act entitled "An act to provide for the establishment and maintenance of preventoria for the treatment of persons susceptible to tuberculosis; providing for the granting of State aid to cities, counties, cities and counties and groups of counties, for the care and treatment of such persons; defining

the powers and duties of the Department of Public Health and Bureau of Tuberculosis in relation thereto, and making an appropriation therefor";

Also: Assembly Bill No. 1884—An act to reappropriate $50,000 of the unexpended balance of appropriations made by Chapter 16 of the Statutes of 1931, entitled "An act making an appropriation for major construction and equipment at Santa Barbara State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately," for the improvement of the site of the State Teachers College of Santa Barbara acquired by the State in 1932;

Also: Assembly Bill No. 1903—An act making an appropriation for the construction and equipment of a State Armory at Fresno;

Also: Assembly Bill No. 1910—An act providing for social unemployment insurance to all workers who are unemployed or unable to work because of sickness, injury, maternity or old age;

Also: Assembly Bill No. 1964—An act making an appropriation to pay the claim of P. Shanahan against the State of California;

Also: Assembly Bill No. 1987—An act to add section 10 to "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to expenses;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1996—An act to abolish the California Bureau of Juvenile Research, and investigations into delinquency;

Also: Assembly Bill No. 1997—An act to abolish the "California Poultry Experimental Station," providing for the description of the property thereof and repeal an act entitled "An act to establish a poultry experiment station in the county of Sonoma and making a provision therefor," approved March 13, 1903;

Also: Assembly Bill No. 2016—An act to add section 672a to the Political Code, relating to the investment of State funds;

Also: Assembly Bill No. 2071—An act making an appropriation to pay the claim of Fred C. Hawes against the State of California;

Also: Assembly Bill No. 2082—An act providing for the regulation and supervision of persons, firms or corporations, engaging in the business as "bailee-repairers," as follows: shoe repairers, carpet and rug cleaners, garment cleaners, curtain cleaners, hat renovators, dyers, launderers and mattress renovators; and to prevent fraud in the keeping or working upon of the property of the public in these lines; defining the duties of the Attorney General in regard thereto, and providing for the enforcement of said act and penalties for the violation thereof; and creating a State "Bailee-Repairers' Department" and the office of Registrar of Bailments, and defining his duties and powers;

Also: Assembly Bill No. 2090—An act to amend section 360c of the Political Code, relating to the California Highway Patrol;

Also: Assembly Bill No. 2096—An act appropriating money to pay the claim of Maude R. Torrey against the State of California;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2111—An act to amend section 16 of an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, relating to disposition of fees and moneys;

Also: Assembly Bill No. 2113—An act to provide for the acquisition by the State of a cement plant to produce the necessary cement to be used in the construction of the San Francisco Bay Bridge;

Also: Assembly Bill No. 2116—An act to repeal an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925;

Also: Assembly Bill No. 2121—An act making an appropriation for the support of the Thirty-second District Agricultural Association;

Also: Assembly Bill No. 2174—An act to make an appropriation to pay the expenses for legislative printing, binding, etc., for the eighty-fourth fiscal year, and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 2213—An act to amend section 360c of the Political Code, relating to the Division of Enforcement and the California Highway Patrol of the Department of Motor Vehicles;

Has had the same under consideration, and respectfully reports the same back without recommendation

COBB, Chairman.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2233—An act to add 44 new sections to the Political Code, to be numbered 364k to 364k39, inclusive, to amend section 364a of said code, and to repeal certain acts inconsistent herewith, all relating to a system of unemployment relief insurance, reserves and compensation for the State of California, and making an appropriation therefor;

Also: Assembly Bill No 2250—An act to repeal an act entitled "An act making an appropriation from the contingent fund of the State Board of Pharmacy to be used by the Regents of the University of California for the use and benefit of the College of Pharmacy of the University of California," approved May 28, 1931, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 2269—An act relating to the acquisition and installation of an electrical roll call system in the Assembly, and making an appropriation therefor;

Also: Assembly Bill No 2313—An act to amend sections 2, 3 and 5 and to add a section to be numbered 6 to an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, said amendments and new section relating to the allocation and expenditure of State highway funds, the construction, improvement and maintenance of State highways and the addition of certain highways to the State system,

Also: Assembly Bill No 2340—An act to add section 1034 to the Political Code, relating to the salaries of State officers or employees;

Also: Assembly Bill No 2353—An act relating to the acquisition on behalf of the State of a certain toll bridge crossing the Carquinez Straits;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2358—An act making an appropriation to pay the claim of Jack Goldson, Inc., a corporation, against the State of California;

Also: Assembly Bill No. 2377—An act making appropriation for the payment of indemnity for cattle slaughtered on account of tuberculosis in accordance with the provisions of Article 3, Chapter 3, Division II of the Agricultural Code,

Also: Assembly Bill No 2386—An act making an appropriation for the control and conservation of flood waters in San Diego County;

Also: Assembly Bill No. 2425—An act to provide for the study of child development at the Institute of Child Welfare at Berkeley, California, under the direction of the Regents of the University of California and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 2438—An act to provide for cooperation by the State of California and by the governmental units thereof with the United States government in a public works program under the provisions of the National Industrial Recovery Act, declaring the urgency thereof and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Concurrent Resolution No 13—Relative to reports of the department encampment and the annual convention of the United Spanish-American War Veterans and the Disabled American Veterans of the World War of the Department of California, respectively;

Also: Assembly Concurrent Resolution No 26—Relative to the creation of a joint committee of the Senate and the Assembly to investigate any and all matters relating to prisons and reformatories;

Also: Assembly Concurrent Resolution No. 27—Relative to the placing of appropriate signs on the State Office Building at Los Angeles;

Also: Assembly Concurrent Resolution No 34—Relative to use of moneys received by the State of California from the Reconstruction Finance Corporation,

Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 141—An act to amend section 736b of the Political Code, relating to the salaries of judges of the superior court,

Also. Senate Bill No. 143—An act to amend sections 736 and 736a of the Political Code, relating to salaries of the justices of the Supreme Court and District Courts of Appeal,

Also: Senate Bill No. 144—An act to amend sections 749, 751, 755 and 767 of the Political Code, and to add a new section to be numbered 767½, relating to officers, reporters, assistants and attaches of the Supreme Court and District Courts of Appeal,

Also. Senate Bill No. 145—An act to amend sections 758 and 758a and 759 as added by Chapter 414, Statutes of 1907, and last amended by Chapter 460, Statutes of 1927, of the Political Code, and to add a new section thereto to be numbered section 749a, relating to the clerks, reporters, employees and attaches of the District Courts of Appeal;

Also: Senate Bill No. 444—An act to abolish the California State Historical Association, providing for the disposition of its property, and repealing that certain act entitled "An act to establish the California State Historical Association, providing for the appointment of a board of trustees for said association and making an appropriation for its support during the seventy-ninth and eightieth fiscal year," approved May 25, 1927;

Also: Senate Bill No 541—An act to amend section 2296 of the Political Code, relating to the State Library;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

Also.

MR. SPEAKER. Your Committee on Ways and Means, to which was referred Senate Bill No. 632—An act relating to State officers and employees in the executive department of the State government, their appointment, classification, tenure, salaries and salary ranges, providing for an emergency salary reduction, and defining the powers, purposes, duties and jurisdiction of the State Personnel Board, Board of Control;

Also. Senate Bill No. 959—An act to amend sections 18 and 20 of and to repeal section 19 of the State Fish Exchange Act, relating to the fees received thereunder;

Also: Senate Bill No 979—An act to amend section 361 of the Political Code, relating to the Director of Agriculture;

Also Senate Bill No. 980—An act to repeal Article 6 of Chapter 5 of Part 2 of Division IV of the Fish and Game Code, embracing sections 1120 to 1140, inclusive, relating to the regulation of the business of buying and selling fish, and providing for the disposition of moneys received in relation thereto;

Also Senate Bill No. 1012—An act to repeal an act entitled "An act creating the California Crime Commission, defining its duties and making an appropriation for its expenses, and repealing all acts and parts of acts in conflict with this act," approved May 28, 1929;

Also. Senate Bill No 1116—An act to amend sections 4.780, 4 781, 4.785, 4.786, 4 830, 4 832, 4 870, 4 877 and 4 940 of the School Code, and to repeal an act entitled "An act providing for the establishment and maintenance of twenty-four-hour elementary schools by county school districts with the approval of the State Board of Education, providing for the admission to such schools and providing for the government, control, conduct and support thereof, approved June 19, 1929," relating to apportionment of State moneys for school purposes,

Also: Senate Bill No 1149—An act to amend section 373 of the Political Code, relating to the Department of Natural Resources;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COBB, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 1186—An act to amend section 852 of, and to add sections 852a and 852b to, the Political Code, relating to the location of certain State offices and the residence of certain State officers in the city of Sacramento—has had the same under consideration, and respectfully reports the same back without recommendation

COBB, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Bill No. 1811—An act to provide for conventions in the State of California to ratify amendments to the Constitution of the United States;

Also Assembly Constitutional Amendment No 1—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article VI a new section to be numbered 8½, relating to the tenure of office of judges and justices of courts of record;

Also. Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to Article XX thereof to be numbered 23, relating to deficiency judgments;

Also: Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to section 1 of Article IV of the Constitution of said State, relating to the number of signatures required on initiative and referendum petitions;

Also Assembly Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to section 22 of Article XII of the Constitution of the State of California, relating to the Railroad Commission;

Also Assembly Constitutional Amendment No. 9—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 10a, relating to taxation,

Also: Assembly Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 8 of Article I thereof, relating to grand jurors;

Also Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to section 23 of Article VI of the Constitution of said State, relating to qualifications for justices and judges;

Also. Assembly Constitutional Amendment No. 12—A resolution to propose to the people of the State of California, to amend sections 5 and 6 of Article IV of the Constitution of said State, relating to the Legislative Department;

Also: Assembly Constitutional Amendment No. 13—A resolution proposing to the people of the State of California, an amendment to the Constitution of said State by amending section 23 of Article VI thereof, relating to the eligibility of justices and judges.

Also Assembly Constitutional Amendment No 14—A resolution to propose to the people of the State of California, an amendment to section 6, Article IX, of the Constitution of said State, relating to the support of the public school system;

Also: Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding section 23 to Article XX thereof, relating to garnishment;

Also Assembly Constitutional Amendment No. 17—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof a new section to be numbered 5, relating to taxation;

Also Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to section 22 of Article XII of the Constitution of the State of California, relating to the Railroad Commission;

Also Assembly Constitutional Amendment No 21—A resolution to propose to the people of the State of California that Article IV of the Constitution of said State be amended by amending sections 1a, 7, and 9 of said article, and by adding a new section thereto to be numbered 26, relating to a Supervisory Judicial Commission;

Also: Assembly Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to sections 6 and 8 of Article VI of the Constitution of said State, relating to the selection and tenure of judges of the superior court,

Also Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the Constitution of said State repealing section 1a of Article VI of said Constitution, relating to the Judicial Council.

Also Assembly Constitutional Amendment No 24—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 6 and 8 of Article VI thereof, relating to the election and tenure of judges of the superior court;

Also Assembly Constitutional Amendment No. 27—Proposing an amendment to the Constitution of the State by adding section 10 to Article XI, and amending section 14 and repealing section 12½ of Article XIII, relating to taxation;

Also: Assembly Constitutional Amendment No 28—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, being an amendment of section 1a, Article VI of said Constitution, providing for a Judicial Council;

Also: Assembly Constitutional Amendment No. 29—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 8½ of Article XI of the Constitution of said State, relating to city charters and to the mode of elections held thereunder;

Also: Assembly Constitutional Amendment No 30—A resolution to propose to the people of the State of California to amend the Constitution of said State by amending section 7½ of Article XI, relating to charters of counties and the election of officers thereunder;

Also: Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 1 of Article XVI thereof, relating to State indebtedness;

Also: Assembly Constitutional Amendment No. 36—Relative to proposing an amendment to the Constitution of the State of California by adding a new section numbered 10 to Article XI and by amending sections 10 and 14 and repealing section 12½ of Article XIII, relating to revenue and taxation;

Also: Assembly Constitutional Amendment No. 37—A resolution to propose to the people of the State of California an amendment to section 2 of Article IV of the Constitution of said State relating to the sessions of the Legislature and the introduction of bills at such sessions;

Also: Assembly Constitutional Amendment No. 39—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1¼ of Article XIII thereof, relating to exemption of nurses from taxation;

Also: Assembly Constitutional Amendment No. 40—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by repealing sections 1a, 1b, 1¼, 1½, 1¾a and 1¾b of Article XIII thereof, relating to tax exemptions;

Also: Assembly Constitutional Amendment No 41—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 8 of Article XIII thereof, relating to taxation;

Also Assembly Constitutional Amendment No. 42—A resolution to propose to the people of the State of California an amendment to section 9 of Article XIII of the Constitution of said State, relating to the powers and duties of the State Board of Equalization;

Also: Assembly Constitutional Amendment No. 43—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 19 of Article V thereof, relating to the salary of the Governor;

Also: Assembly Constitutional Amendment No. 44—A resolution to propose to the people of the State of California an amendment to section 6 of Article IX of the Constitution of the State of California, relating to funds for support of the school system;

Also. Assembly Constitutional Amendment No. 48—A resolution to propose to the people of the State of California, an amendment to section 1 of Article IV of the State Constitution relating to the signatures required for initiative and referendum petitions in respect to measures to be submitted to the vote of the people;

Also Assembly Constitutional Amendment No. 49—A resolution to propose to the people of the State of California, an amendment to section 14, Article I, of the Constitution of said State, relating to eminent domain;

Also: Assembly Constitutional Amendment No. 50—A resolution to propose to the people of the State of California, an amendment to section 19 of Article V of the Constitution of said State, relating to the salary of certain State officers;

Also: Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California, an amendment of section 23 of Article VI of the Constitution of said State, relating to qualifications of judges;

Also: Assembly Constitutional Amendment No. 52—A resolution to propose to the people of the State of California, an amendment of section 13 of Article VI of the Constitution of said State, relating to municipal and inferior courts and the judges thereof;

Also Assembly Constitutional Amendment No 53—A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XIII of said Constitution a new section, to be numbered 17, relating to taxation;

Also: Assembly Constitutional Amendment No. 55—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article IX thereof, a new section to be numbered 16, relating to the California State University;

Also: Assembly Constitutional Amendment No. 56—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 14 of Article 1 of the Constitution of the State of California, relating to eminent domain;

Also: Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to Article XI thereof to be numbered 20, relating to tax limitation and consolidation of certain functions of local government;

Also: Assembly Constitutional Amendment No. 59—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 18 of Article XI thereof, relating to manner and extent in which indebtedness or liability of a county, city, town, township, board of education, or school district may be incurred;

Also: Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to section 2 of Article IX of the Constitution of the State of California, relating to the Superintendent of Public Instruction,

Also: Assembly Constitutional Amendment No. 61—A resolution to propose to the people of the State of California an amendment to section 7, Article IX of the Constitution of the State of California, relating to State Board of Education, textbooks, and county boards of education;

Also: Assembly Constitutional Amendment No. 62—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article VI thereof a new section to be numbered 14½, relating to judges pro tempore of the superior and municipal courts;

Also: Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 6 of Article IX thereof, relating to taxation for school purposes;

Also: Assembly Constitutional Amendment No. 66—A resolution to propose to the people of the State of California, an amendment to Article XI by adding thereto section 18¼, relating to the expenditures of county, or city and county, or city, or school districts;

Also: Assembly Constitutional Amendment No. 68—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to be numbered 34a to Article IV, by amending section 12 of Article XI, by adding a new section to be numbered 20 to Article XI, by amending sections 14, 15 and 16, and by repealing sections 12½ and 18 of Article XIII, relating to taxation;

Also: Assembly Constitutional Amendment No. 69—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 31 of Article IV thereof, relating to the lending of the credit of the State or of any county, city and county, city, township or other political corporation or subdivision of the State;

Also: Assembly Constitutional Amendment No. 70—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 8 of Article XI of the Constitution, relating to the amendment of municipal charters;

Also: Assembly Constitutional Amendment No. 71—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XIII thereof a new section to be numbered section 1c, relating to revenue and taxation;

Also: Assembly Constitutional Amendment No. 74—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 23 of Article IV thereof, relating to the compensation of the members of the Legislature;

Also: Assembly Constitutional Amendment No. 76—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 4a, relating to the exemption of airports from taxation except for State purposes;

Also: Assembly Constitutional Amendment No. 77—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 7 of Article VI thereof, relating to presiding judges of superior courts;

Also: Assembly Constitutional Amendment No. 78—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 19, relating to revenue and taxes;

Also: Assembly Constitutional Amendment No. 80—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 14 of Article XIII thereof, relating to taxation of property for State purposes;

Also: Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to section 2 of Article IV of the Constitution of said State, relating to the sessions of the Legislature and the introduction of bills at such sessions;

Also: Assembly Constitutional Amendment No. 82—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 10½ of Article XIII thereof, relating to exemption of personal property from taxation;

Also: Assembly Constitutional Amendment No. 83—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State

by amending section 24 of Article I thereof, relating to the right to vote at bond elections;

Also: Assembly Constitutional Amendment No. 84—A resolution to propose to the people of the State of California an amendment to section 1 of Article VII of the Constitution of said State, relating to limitation upon the pardoning power of the Governor;

Also: Assembly Constitutional Amendment No. 86—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 8 of Article XIII, relating to the filing of annual statements of property owned by taxpayers;

Also: Assembly Constitutional Amendment No. 87—Proposing an amendment to the Constitution of the State by amending section 16 of Article XIII, relating to taxation;

Also: Assembly Constitutional Amendment No 88—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by repealing section 14 of Article XIII, relating to taxation;

Also: Assembly Constitutional Amendment No. 89—Proposing an amendment to the Constitution of the State by amending section 1 of Article XIII, relating to taxation;

Also: Assembly Constitutional Amendment No. 90—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof a new section to be numbered 5, relating to taxation;

Also Assembly Constitutional Amendment No. 91—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section thereto to be numbered section 26 of Article VI, relating to the nomination and election of judges;

Also Assembly Constitutional Amendment No. 92—Resolution to propose to the people of the State of California an amendment to section 9 of Article IX of the Constitution of the State of California in relation to the Board of Regents of the University of California;

Also Assembly Consttiutional Amendment No. 93—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 9 of, and adding sections 21, 22 23, 24 and 25 to, Article V thereof, providing for the manager form of State government;

Also Assembly Constitutional Amendment No. 96—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by repealing section 1¾ of Article XIII thereof, relating to exemption of bonds issued by the State or by a county, city or district;

Also: Assembly Constitutional Amendment No. 97—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 2 of Article IV thereof, relating to the Legislature;

Also: Assembly Constitutional Amendment No 99—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 9a of Article XIII thereof, relating to taxation of improvements and interests in real property;

Also: Assembly Constitutional Amendment No 100—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to Article II thereof to be numbered 2¾a, relating to voting;

Also: Assembly Constitutional Amendment No. 102—A resolution to propose to the people of the State of California an amendment to section 7 of Article VI of the Constitution of the State of California, relating to the presiding judge of the superior court;

Also: Assembly Constitutional Amendment No 103—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 17 of Article VI thereof, relating to judicial offices;

Also: Assembly Constitutional Amendment No 106—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XIII thereof a new section to be numbered 21, relating to motor vehicle fuel license taxes;

Also. Assembly Constitutional Amendment No 109—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 5, relating to taxation;

Also: Assembly Constitutional Amendment No. 113—A resolution to propose to the people of the State of California an amendment of Article VI of the Constitution of said State, relating to the Judicial Department of the State government;

Also: Assembly Constitutional Amendment No. 114—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to Article XX thereof to be numbered 23, relating to deficiency judgments;

Also. Assembly Constitutional Amendment No. 115—A resolution to propose to the people of the State of California an amendment to the Constitution of this State,

by repealing section 2 and amending section 7 of Article IX thereof, relating to education;

Also: Assembly Constitutional Amendment No. 116—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XIII thereof a new section, to be numbered 8a, relating to taxation;

Also: Assembly Constitutional Amendment No. 117—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 18, Article VI, relating to the eligibility of judges to become candidates for judicial office;

Also: Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 6 of Article IX thereof, relating to taxation for school purposes;

Also: Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 8 of Article I thereof, relating to grand juries;

Also: Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 1 of Article XIII thereof, relating to taxation;

Also: Senate Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding a new section to Article IX thereof, to be numbered 16, relating to teacher tenure;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FEIGENBAUM, Chairman.

ON EXHIBITIONS AND FAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred Assembly Bill No. 1366—An act to repeal section 694 of the Political Code, relating to the apportionment of moneys appropriated for county and district agricultural fairs—has had the same under consideration, and respectfully reports the same back without recommendation.

THORP, Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, July 26, 1933.

MR SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Bill No. 89—An act to repeal "An act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons, now resident of this State and fixing penalties and punishments for violation of this act, and providing for deportation of criminals," approved March 20, 1891;

Also: Assembly Bill No. 90—An act to repeal "An act to discourage the immigration to this State of persons who can not become citizens thereof," approved April 28, 1855;

Also: Assembly Bill No. 92—An act to repeal "An act to protect free white labor against competition with Chinese coolie labor and to discourage the immigration of the Chinese into the State of California," approved April 26, 1862;

Also: Assembly Concurrent Resolution No. 5—Requesting the Governor to make application to the Reconstruction Finance Corporation for the loan of moneys to the State and its political subdivisions for use in furnishing relief and work relief;

Also: Assembly Joint Resolution No. 6—Relative to memorializing and petitioning Congress to enact legislation to eliminate the restrictions which now attach to the taxation of national banking associations, and creating a committee to further such purpose;

Also: Assembly Joint Resolution No. 7—Relative to memorializing Congress to provide compensation, in lieu of taxes, for certain lands of the United States within the borders of the several States;

Also: Assembly Joint Resolution No. 8—Relative to the proposal of an amendment to the Constitution of the United States permitting the enactment of legislation regulating minimum wages to be paid to workers and the maximum number of hours a day during which persons may be employed;

Also: Assembly Joint Resolution No. 13—Relative to memorializing the Congress of the United States to pass Senate Bill 1197;

Also: Assembly Joint Resolution No. 14—Relative to memorializing Congress to adopt legislation abolishing the Federal tax on gasoline;

Also: Assembly Joint Resolution No. 18—Relative to memorializing Congress in regard to pensions of veterans and their widows and orphans;

Also: Assembly Joint Resolution No. 20—Relative to memorializing Congress to set apart February 15th as a national holiday to commemorate the life of Susan B. Anthony;

Also, Senate Joint Resolution No. 7—Relative to the levy and collection by the United States government on certain imports;

Also: Senate Joint Resolution No. 12—Relative to memorializing Congress to expedite the passage of Senate Bill 5121 and thereby relieve the unemployment situation in the several States;

Has had the same under consideration, and respectfully reports the same back without recommendation.

PETERSON, Chairman.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate committees have reported back without recommendation the following Assembly bills: Nos. 7, 18, 26, 35, 36, 54, 58, 59, 76, 111, 112, 132, 138, 146, 163, 181, 186, 187, 188, 189, 190, 191, 192, 194, 196, 201, 202, 205, 246, 262, 264, 268, 274, 275, 286, 290, 307, 316, 319, 350, 351, 382, 388, 392, 402, 423, 442, 448, 453, 454, 470, 498, 543, 558, 559, 560, 583, 603, 634, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 674, 680, 684, 692, 696, 698, 707, 711, 755, 756, 761, 781, 836, 845, 854, 855, 873, 877, 878, 882, 916, 923, 929, 977, 996, 1002, 1016, 1017, 1018, 1038, 1044, 1129, 1132, 1149, 1164, 1172, 1182, 1206, 1208, 1215, 1229, 1259, 1293, 1369, 1378, 1381, 1382, 1383, 1428, 1442, 1517, 1587, 1597, 1605, 1622, 1721, 1745, 1760, 1796, 1806, 1844, 1874, 1875, 1879, 1897, 1912, 1926, 1937, 1944, 1947, 1948, 1955, 1971, 1978, 1986, 1998, 2068, 2072, 2095, 2099, 2126, 2172, 2230, 2231, 2232, 2239, 2290, 2350, 2371, 2372, 2388, 2393, 2394, 2403, 2410, 2415, 2418 and 2431.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate committees have reported back without recommendation the following Assembly constitutional amendments: Nos. 4, 26, 31, 34, 54, 58, 75, 85 and 121.

J A. BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate committees have reported back without recommendation the following Assembly concurrent resolutions: Nos. 30, 37, 39 and 48.

J. A BEEK, Secretary of Senate.
By ARTHUR J. SCHILDER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, July 26, 1933.

MR. SPEAKER: I am directed to inform your honorable body that the Senate committees have reported back without recommendation the following Assembly joint resolutions. Nos 5, 10, 17, 32, 35 and 36.

J. A. BEEK, Secretary of Senate
By ARTHUR J. SCHILDER, Assistant Secretary.

RESOLUTION.

The following resolution was offered:

By Mr. Brock:

Resolved, That the Speaker appoint a committee of five to wait upon His Excellency, Hon. James Rolph, Jr., Governor of the State of California, and inform him that the Assembly has concluded its labors and awaits his further pleasure.

Resolution read, and on motion adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Brock, Mayo, Chatters, Bliss and Utt as such select committee.

RESOLUTION.

The following resolution was offered:

By Mr. Fisher:

Resolved, That the Speaker appoint a committee of three to wait upon the Senate and inform it that the Assembly has concluded its labors and ask if it has any further message to deliver to this body.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Fisher, Martin and Maloney as such select committee.

REPORT OF SELECT COMMITTEE.

The committee appointed to wait upon the Senate appeared before the bar of the Assembly and reported that the instructions of the Assembly had been carried out, and that the Senate had concluded its labors and was ready to adjourn.

COMMITTEE FROM THE SENATE.

Senators Crittenden, Pierovich and Schottky appeared before the bar of the Assembly and informed the Assembly that the Senate was ready to adjourn, and asked if the Assembly had any further message to convey to the Senate.

The Speaker informed the Committee from the Senate that the Assembly had concluded its labors and was ready to adjourn, and had no further communication to make to the Senate.

REPORT OF SELECT COMMITTEE.

Mr. Brock and his committee, appointed to wait upon the Governor, reported that such had been done, and that the Governor wished this committee to convey to the Assembly his appreciation of their splendid cooperation, his compliments and best wishes.

APPOINTMENT OF SELECT COMMITTEES.

The Speaker announced the appointment of Messrs. George B. Bowers, James B. Utt and Kent H. Redwine to serve as members of the Joint Committee to cooperate in the program for a belated recognition of the services rendered by volunteers who fought the war with Spain, the Philippine Insurrection and the China Relief Expedition, pursuant to the terms of Senate Joint Resolution No. 8.

The Speaker announced the appointment of Messrs. C. Ray Robinson, Lawrence Cobb, Ernest C. Crowley, James E. Thorp and Frank G. Martin to serve as members of the committee to make investigation relative to control, manufacture and sale of intoxicating liquors and for the control and taxation thereof, pursuant to the terms of Assembly resolution introduced by Mr. C. Ray Robinson.

The Speaker announced the appointment of Messrs. Frederick M. Roberts, Hobart R. Alter and A. E Brock to serve as members of the committee, pursuant to the terms of Assembly Concurrent Resolution No. 65, relative to changes in the manner of holding sessions of the Legislature.

The Speaker announced the appointment of the Honorable Edgar C. Levey to serve as member of the Assembly to attend the Interstate Assembly of the American Legislators Association, pursuant to the terms of the resolution adopted by the Assembly.

The Speaker announced the appointment of the Honorable William B. Hornblower to serve as member of the Assembly to attend the conference relative to uniformity in motor vehicle laws, pursuant to the

terms of Assembly resolution adopted by the Assembly on July 25, 1933, page 4466.

The Speaker announced the appointment of Messrs. Craig, Field and Latham to serve as members of the committee relative to investigating oil drilling operations and tidelands at Huntington Beach, pursuant to the terms of Assembly resolution.

The Speaker announced the appointment of Messrs. Woolwine, Redwine and Wright to serve as members of the committee to investigate the facts relating to the number of municipal and superior judges in Los Angeles, pursuant to the terms of Assembly resolution adopted on July 18, 1933, page 4286.

APPOINTMENT OF MEMBERS TO PREPARE ARGUMENTS.

The Speaker announced the appointment of the following members to prepare arguments for and against proposed constitutional amendments:

Assembly Constitutional Amendment No. 2—Affirmative, A. E. Brock and Charles W. Stream.

Assembly Constitutional Amendment No. 18—Affirmative, Clifford C. Anglim, Ford A. Chatters; negative, J. E. Frazier.

Assembly Constitutional Amendment No. 33—Affirmative, B. J. Feigenbaum and Michael J. Burns.

Assembly Constitutional Amendment No. 35—Affirmative, Percy G. West, Charles W Lyon.

Assembly Constitutional Amendment No 73—Affirmative, Harry B. Riley, Frank G. Martin; negative, Jesse M. Mayo.

Assembly Constitutional Amendment No. 79—Affirmative, Charles W. Dempster, Herbert J. Evans; negative, Ray Williamson.

Assembly Constitutional Amendment No. 98—Affirmative, Lawrence Cobb, Eleanor Miller; negative, Ira S. Hatch.

MOTION.

Mr. Robinson, C. Ray, moved that the Journal of Wednesday, July 26, 1933, be approved as corrected by the Minute Clerk.

Motion carried.

ADJOURNMENT SINE DIE.

At four o'clock p.m. on Wednesday, July 26, 1933, in accordance with the provisions of Assembly Concurrent Resolution No. 59, the Honorable Walter J. Little, Speaker of the Assembly, announced that the time for final adjournment of the fiftieth session of the Legislature of the State of California had arrived and thereupon declared the Assembly adjourned sine die.

ARTHUR A. OHNIMUS,
Chief Clerk of the Assembly.

WALTER J. LITTLE,
Speaker of the Assembly.

LOUIS F. ERB,
Minute Clerk of the Assembly.

F. C. CLOWDSLEY,
Speaker pro tempore of the Assembly.